



MUNICIPAL PLANNING COMMISSION MEETING AGENDA

Date: July 28, 2021
Time: 9:00 AM
Location: <https://www.rockyview.ca/>

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F. OTHER BUSINESS

G. ADJOURN THE MEETING

H. NEXT MEETING

September 15, 2021



MUNICIPAL PLANNING COMMISSION MEETING MINUTES

Wednesday, July 14, 2021

9:00 AM

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

Present: Chair J. Gautreau (present electronically)
Vice-Chair A. Schule
Member G. Boehlke
Member K. Hanson (present electronically)
Member D. Henn
Member K. McKylor (present electronically)
Member S. Wright (present electronically)

Absent: Member M. Kamachi

Also Present: B. Riemann, Executive Director, Operations
G. Nijjar, Manager, Planning and Development Services
H. McInnes, Supervisor, Planning and Development Services
S. MacLean, Supervisor, Planning and Development Services
J. Lee, Supervisor, Planning and Development Services
X. Deng, Senior Planner, Planning and Development Services
O. Newman, Planner, Planning and Development Services
C. Lombardo, Planner, 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
C. Anderson, Legislative Officer, Legislative Services
T. Andreasen, Legislative Officer, Legislative Services

A Call Meeting to Order

Vice Chair Schule assumed the Chair and presided over the July 14, 2021 Municipal Planning Commission Meeting.

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 July 14, 2021 Municipal Planning Commission meeting agenda be accepted as presented.

Carried

The Chair called for a recess at 9:01 a.m. and called the meeting back to order at 9:03 a.m. with all previously mentioned members present.



C June 23, 2021 Municipal Planning Commission Minutes

MOVED by Member Boehlke that the June 23, 2021 Municipal Planning Commission meeting minutes be approved as presented.

Carried

**D-1 Subdivision Division 9 - Creation of One Residential Lot
File: PL20210064 (06732004)**

MOVED by Member Hanson that Subdivision Application PL20210064 be approved with the conditions noted in Appendix 'A'.

- A. The application to create a \pm 2.02 hectare (\pm 5.00 acre) parcel (Lot 1) with a \pm 20.23 hectare (\pm 50.00 acre) remainder (Lot 2) within SE-32-26-3-W5M, 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 paved approach off Big Hill Springs Trail in order to provide access to the new lot (Lot 1).



Site Servicing

- 3) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1.
 - b) Verification is provided that the well is located within the proposed lot's boundaries.
 - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

Stormwater

- 4) The Owner shall enter into a Development Agreement (Site Improvement/Servicing Agreement) with the County for the new lot (Lot 1), which shall include the following:
 - a) Implementation of the recommendations with Site-Specific Stormwater Implementation Plan, prepared by stormwater solutions, dated November 2020.
 - b) Implementation of the recommendation of a Slope Stability Assessment, prepared by E2K Engineering Ltd., dated December 14, 2020.
 - c) Implementation of the recommendations of Level 4 PSTS Assessment, prepared by Solstice Environmental Management, dated, October 23, 2020.

Municipal Reserve

- 5) The provision of Municipal Reserve in the amount of 10% of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the market value shown in the appraisal report prepared by Black Valuation Group Ltd., dated June 21, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

Payments and Levies

- 6) 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:
 - a) the total gross acreage of the new lot (Lot 1) as shown on the Plan of Survey.
- 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.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried



D-2 Division 7 - Boundary Adjustment and Road Construction
File: PL20210111 (06412024/027)

MOVED by Member Boehlke that Subdivision Application PL20210111 be approved with the conditions noted in Appendix 'A'.

- A. The application to adjust the boundary between a ± 8.36 hectare (± 20.67 acre) parcel and a ± 25.92 hectare (± 64.06 acre) parcel, in order to create a ± 7.87 hectare (± 19.45 acre) parcel (Lot 1), a ± 23.79 hectare (± 58.79 acre) parcel (Lot 2), and dedicate a ± 2.61 hectare (± 6.44 acre) of land for road right of way to construct an extension of High Plains Drive, within SW-12-26-29-W04M & 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

- 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 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 TIA;
 - Temporary cul-de-sac including access easement;
 - Sidewalks/Pathways;
 - Offsite network improvements, if required, in accordance with the approved TIA;
 - b) Design and construction of Landscaping features for all public pathways, and public roadways and the Environmental Reserve, 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 an additional lift station capacity are 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) A 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) The construction of any oversized or excess capacity infrastructure, roads, and/or services benefitting the Owner's lands and development and other lands.



Transportation

- 3) The Owner shall provide an updated 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 updated TIA requires additional improvements to the existing roadway and intersection network, then the Owner shall enter into a Development Agreement to construct the required improvements.

Stormwater

- 4) 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.
- 5) The Owner shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.

Site Servicing

- 6) 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 for Lot 1. The study shall confirm servicing requirements for this phase are in place and include provisions 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.
- 7) The Owner shall provide a detailed Sanitary Servicing Study to support this phase of the development for 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.
- 8) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation for Lot 1, based upon the servicing need identified in the potable water servicing and sanitary servicing reports.



Developability

- 9) 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.
- 10) 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.

Lot Owner's Association

- 11) 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.
- 12) 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.

Utility Easements

- 13) Utility Easements, Agreements, and Plans are to be provided and registered concurrently with a plan of survey to the satisfaction of ATCO Gas, and CNOOC Petroleum North America ULC.

Municipal Reserve

- 14) That ± 4.80 hectares (± 11.85 acres) of Municipal Reserve owing registered in the Deferred Reserve Caveat (161 145 179) shall be provided via cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated June 25, 2021, pursuant to Section 666(3) of the Municipal Government Act;
 - a) That the existing Deferred Reserve Caveat (161 145 179) be discharged from Lot 1; and
 - b) That Municipal Reserve owing registered in the Deferred Reserve Caveat (201 118 037) be transferred from the ± 2.13 hectares (± 5.27 acres) of land (the portion to be consolidated) to the remainder, and the existing caveat be discharged from the ± 2.13 hectares (± 5.27 acres) of land.

Cost Recovery

- 15) 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

- 16) 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 road dedication, as shown in the staff report and the Plan of Survey.
- 17) 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.
- 18) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the boundary adjustment.
- 19) 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

- 20) 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*.

Carried

D-3 Division 4 - Business Use
File: PL20210065 (03323014)

Member Gautreau declared a pecuniary interest and abstained from the voting and discussion on Subdivision Application PL20210065. Member Gautreau proceeded to leave the meeting at 9:16 a.m.

The Chair called for a recess at 9:35 a.m. and called the meeting back to order at 9:40 a.m. with all previously mentioned members present.

MOVED by Member Boehlke that Subdivision Application PL20210065 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a ± 3.91 hectare (± 9.67 acre) parcel (Lot 1) with a ± 3.91 hectare (± 9.67 acre) remainder (Lot 2) at Block 2, Plan 731129 within NW-23-23-28-W4M, 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 gravel approach on Range Road 282 in order to provide access to Lot 2.

Site Servicing

- 3) Water is to be supplied by an individual well on Lot 2. The subdivision shall 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 new Lot 2, in accordance with the County's Servicing Standards and requirements of the *Water Act*; and
 - ii) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided.

Municipal Reserves

- 4) The provision of Reserve, in the amount of 10% of Lots 1 and 2, is to be deferred by caveat proportionately to Lots 1 and 2, pursuant to Section 669(2) of the *Municipal Government Act*;

Payments and Levies

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

Taxes

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



D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried
Abstained: Councillor Gautreau

Member Gautreau returned to the meeting at 9:42 a.m.

D-4 Division 9 - Residential Use
File: PL20200143 (06706011)

MOVED by Member Hanson that Subdivision Application PL20200143 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a \pm 3.29 hectare (8.15 acre) parcel with a \pm 4.64 hectare (11.48 acre) remainder on Lot 4, Plan 7410829, within SW-06-26-03-W05M, 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 Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) Identifying all existing buildings and structures in relation to the new property lines.
 - b) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundary of Lot 2, in accordance with the Alberta Private Sewage Systems Standard of Practice 2009;
 - c) The Site Plan is to confirm that the water well is located within the boundary of Lot 1;

Access

- 3) The Owner shall construct a new paved approach on Mountain Ridge Place in order to provide access to Lot 1.

Site Servicing

- 4) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 & 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 the onsite water, wastewater and stormwater systems once County servicing becomes available;
- 5) Utility Easements, Agreements, and Plans are to be provided and registered (to the satisfaction of Fortis Alberta)

Municipal Reserve

- 6) The provision of Reserve in the amount of 9% of Lot(s) 1 & 2, are to be deferred by Caveat proportionately to Lot(s) 1 & 2, pursuant to Section 669(2) of the *Municipal Government Act*:
 - a) The existing Deferred Reserve Caveat, Instrument #741 090 703, is to be partially discharged.

Payments and Levies

- 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.

Taxes

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



D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

E-1 Division 1 - Equestrian Centre / Discretionary use, with no Variances
File: PRDP20212162 (03908057)

MOVED by Member Henn that Development Permit Application PRDP20212162 be approved with the conditions noted in Attachment 'A'.

Description:

1. That an Equestrian Centre (existing building), including riding lessons may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
2. That for purposes of this permit, an equestrian event is an activity that involves the training of horses and/or horse riders, horsemanship lessons, equine or student learning programs, day camps, day sessions, and the boarding of horses.

Permanent:

3. 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.
4. 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.
 - ii. Upon request of the County, the Applicant/Owner may have to update or revise the approved Manure and Grazing management plan if any issues arise or complaints are received on the property, to the satisfaction of the County.
5. That the maximum livestock animal units kept onsite overnight shall not exceed three (3) unless otherwise approved by the County.
6. 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.
7. That if there is an excessive build-up of manure, the manure must be removed immediately.
8. That the onsite parking area(s) 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(s).



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 it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-2 Division 9 - Single-lot Regrading / Discretionary use, with no Variances
File: PRDP20212189 (06715052)

Presenter: Darryl Kneesch, the Applicant

MOVED by Member Gautreau that Development Permit Application PRDP20212189 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the single-lot regrading and placement of clean fill and topsoil for the construction of a dwelling, single detached, access, and parking pad may commence on the subject parcel, in general accordance with the submitted application and drawings.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a Stormwater memo, prepared by a qualified professional, that confirms any potential for adverse effects on drainage and/or stormwater implications to adjacent properties and the County right of way.
 - i. Should improvements be necessary, the Applicant/Owner shall submit a Site-Specific Stormwater Management Report conducted and stamped by a professional engineer that addresses the necessary improvements to be implemented on the subject lands to support the proposed development, accepted by the County in accordance with the Nose Creek Watershed Water Management Plan and the County Servicing Standards and to the satisfaction of the County.

Permanent:

3. 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.
4. That the Applicant/Owner, upon completion, shall submit compaction testing results, prepared and provided by a qualified professional, for any areas of fill greater than 1.20 m (3.94 ft.) in depth.



5. That the proposed development/graded area, as per the approved application, shall be spread and seeded to grass, native vegetation, or farm crop, to the satisfaction of the County, upon completion.
6. That the Applicant/Owner shall ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
8. That the Applicant/Owner shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to the adjoining property owners and others in the vicinity.
 - i. That if at any time the removal or handling of the topsoil and/or fill creates a visible dust problem, the removal or handling of the topsoil and/or fill shall cease immediately until remedial measures are taken.
9. 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.
10. That if this Development Permit is not issued by **January 31, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

11. That the Applicant/Owner shall implement appropriate erosion and sedimentation control measures during the construction of the proposed development in accordance with County servicing Standards.
12. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
13. 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]*.
14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried



E-3 Division 8 - Accessory Dwelling Unit / Discretionary use, with no Variances
File: PRDP20212133 (05632027)

MOVED by Member Boehlke that Development Permit Application PRDP20212133 be approved with the conditions noted in Attachment 'A'.

Description:

1. That an accessory dwelling unit, approximately **148.64 sq. m (1,600.00 sq. ft.)** in total floor area, may be constructed on the subject parcel, in general accordance with the submitted application and design drawings, prepared by Amrit Design Drafting Services.

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, calculated at \$800.00 for each new residential unit.
3. That Prior to Release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

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/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
5. That the accessory dwelling unit shall not be used for commercial or vacation rental purposes at any time unless approved by a Development Permit.
6. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address for each dwelling unit located on the subject site (the dwelling detached and the Accessory Dwelling Unit), in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), to facilitate accurate emergency response.
7. That there shall be adequate water servicing provided for the Accessory Dwelling Unit.
8. That there shall be adequate sanitary sewer servicing provided for the Accessory Dwelling Unit.
9. That the color of the exterior siding and roofing materials of the proposed accessory dwelling unit shall be similar/cohesive to the existing dwelling, single-detached, and/or surrounding area.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.



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 if this Development Permit is not issued by **December 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

13. That a Building Permit(s) shall be obtained through Building Services, prior to any construction taking place.
14. That during the 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.
15. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
16. That the Applicant/Owner shall implement appropriate erosion and sedimentation controls, in accordance with County Servicing Standards, during the construction of the proposed development.
17. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-4 Division 5 - Single-lot Regrading / Discretionary use, with no Variances
File: PRDP20211905 (04207003/07)

MOVED by Member Hanson that Development Permit Application PRDP20211905 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the single-lot regrading and placement of clean fill for the realignment of an access road may commence on the subject parcel, in general accordance with the submitted application and drawings.
 - i. Total approximate length of **100.00 m (328.08 ft.)**, width **10.00 m (32.81 ft.)**, and depth of **0.46 m (1.50 ft.)**.

Permanent:

2. That the Applicant/Owner, upon completion of the proposed development, shall submit and be accepted by the County, a Deep Fills Report, prepared by a qualified professional, for any areas of the site that fill is greater than 1.20 m (3.94 ft.).
3. 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.
 - ii. That with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.



4. That the fill shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal and shall be free of any contamination.
5. That any excavation and/or stockpile of topsoil shall be completed in a safe manner that does not cause any slope stability issues, slumping, erosion, or any adverse impacts to drainage.
6. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.
7. That the Applicant/Owner shall ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
8. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
9. That the Applicant/Owner shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to the adjoining property owners and others in the vicinity.
 - iii. That if at any time the removal or handling of the topsoil and/or fill creates a visible dust problem, the removal or handling of the topsoil and/or fill shall cease immediately until remedial measures are taken.
10. 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:

11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
12. That the Applicant/Owner shall be aware of any registered instruments on title and shall obtain appropriate approval if any potential impacts from the proposed filling and grading.
13. That the Applicant/Owner shall implement appropriate erosion and sedimentation control measures during the construction of the proposed development in accordance with County servicing Standards.
14. 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]*.
15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - iv. That a copy of the required Roadside Development Permit, through Alberta Transportation, shall be submitted to the County, upon approval.

Carried



E-5 Division 9 - Communications Facility (Type C) / Discretionary use, with no Variances
File: PRDP20212715 (06825004)

MOVED by Member Hanson that Development Permit Application PRDP20212715 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a *Commercial Communication Facility, Type C*, and associated equipment shelter 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 22.00 m (72.18 ft.) high.

Permanent:

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

Carried



The Chair called for a recess at 10:07 a.m. and called the meeting back to order at 10:15 a.m. with all previously mentioned members present, with the exception of Member Henn and Member Wright.

Member Henn and Member Wright returned to the meeting at 10:16 a.m.

E-6 Division 2 - Home-Based Business Type II / Discretionary use, with Variances
File: PRDP20203632 (04709008)

MOVED by Member Hanson that Development Permit Application PRDP20203632 be refused for the following reasons:

1. The requested number of non-resident employees exceeds the requirements of Section 145(d) of the Land Use Bylaw C-8000-2020:

Number of non-resident employees: two (2)

Requested number of non-resident employees: three (3)

2. The proposed business changes the residential appearance of the land and buildings and does not meet the definition of a Home-Based Business, Type II
3. 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.

Carried

E-7 Division 1 - Care Facility (Child) / Discretionary Use
File: PRDP20211947 (04815003/04815007)

MOVED by Member Hanson that Development Permit Application PRDP20211947 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a Care Facility (Child) may operate within the existing dwelling, single-detached, accessory buildings (shed and garage), and associated lands on the subject properties in accordance with the Site Plans, Floor Plans, and business details submitted with the application.

Permanent:

2. 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.
3. That there shall be no overnight stays related to the Care Facility (Child) at any time, including during the summer day camp.
4. That the hours of operation for the Care Facility (Child) shall be Monday to Friday, from 8:00 a.m. to 5:00 p.m.



5. 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 five (5) parking stalls, including one (1) barrier-free stall, shall be maintained on-site at all times.
6. 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.
7. 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.
8. 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:

9. That if a groundwater well is being used for commercial purposes, the applicant is required to obtain a commercial water license from Alberta Environment and Parks (AEP).
10. That the Applicant/Owner shall be responsible to ensure the current private sewage treatment system (PSTS) has enough capacity for the proposed development.
11. That a Building Permit and applicable sub-trade permits shall be obtained for any required change-of use or additional renovations that may be required to accommodate the Care Facility (Child). 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 in 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's Bylaw C-8067-2020, 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.

Carried



E-8 Division 2 - Industrial (Medium) / Discretionary use, with no Variances
File: PRDP20211582 (04734021)

MOVED by Member McKylor that a new prior to release condition be added to Development Permit Application PRDP20211582 to read as follows:

That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP) completed by a Professional Engineer. The SSIP shall address conveyance, storage, treatment (if required) and potential reuse of stormwater for the proposed development, in accordance with the Rocky View County Servicing Standards.

Carried

MOVED by Member McKylor that Development Permit Application PRDP20211582 be approved with the conditions noted in Attachment 'A' as amended.

Description:

1. That Industrial (Medium), construction of an addition to an existing building, may take place on the subject land in accordance with the approved site plans and drawings prepared by Mermac Construction Ltd., dated April 14, 2021 (Job No. 2021-207). This approval includes:
 - i. The construction of a shop addition with a mezzanine, with a footprint of 413.88 sq. m (4,450.00 sq. ft.) and a gross floor area of 564.62 sq. m (6,077.52 sq. ft.).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP) completed by a Professional Engineer. The SSIP shall address conveyance, storage, treatment (if required) and potential reuse of stormwater for the proposed development, in accordance with the Rocky View County Servicing Standards.

Permanent:

4. That all conditions of PRDP20180116 shall remain in effect.
5. 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.
6. That there shall be no customer or business parking at any time along the adjacent County road right-of-way.



7. That no topsoil shall be removed from the site.
8. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from any drainage alteration.
9. That there shall be a minimum of 27 parking stalls maintained onsite at all times.
10. That any future signage will require separate Development Permit approval.
11. That all outdoor lighting shall be fully 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.
12. That the entire site shall be maintained in a neat and orderly manner at all times. That 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.
13. That a minimum of 10% of the developed area shall be landscaped at all time.
14. 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.
15. That there shall be no potable water used for irrigation and landscaping purposes.
16. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void unless an extension to this permit shall first have been granted by the Development Officer.
17. That if this Development Permit is not issued by **January 31, 2022**, or the approved extension date, this approval is null and void and the Development Permit shall not be issued.

Advisory:

18. 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.
19. That the County Bylaw C-8067-2020 the "Noise Bylaw", shall be adhered to at all times.
20. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
21. That all future tenants shall apply for a New Business Tenant (No Change of Use) or a Change of Use (Land or Existing Building) Development Permit.
22. 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].



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

Carried

E-10 Division 1 - Home-Based Business, Type II / Discretionary use, with Variances
File: PRDP20212203 (05828006)

MOVED by Member Boehlke that Development Permit Application PRDP20212203 be approved with the conditions noted in Attachment 'A'.

Description:

- 1) That a Home-Based Business, Type II, for health & wellness retreats, workshops, and classes, may operate on the subject parcel in accordance with the approved plans.
 - a. That the maximum number of business-related visits is relaxed from **8** to **16**.
 - b. That the maximum number of business-related signs is relaxed from **1** to **3**.
- 2) That three (3) freestanding directional signs may be installed on the subject property, in accordance with the approved plans.
 - a. The signs shall not exceed 0.50 sq. m (5.38 sq. ft.) in area or 1.50 m (4.92 ft.) in height, in accordance with the Land Use Bylaw (C-8000-2020).

Permanent:

- 3) That the number of non-resident employees shall not exceed two (2) 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.
- 4) That the operation of this Home-Based Business, Type II may generate up to a maximum of 16 business-related visits per day.
 - a. That for the purposes of this permit, one business-related visit would include client arrival and departure.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) 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.
- 9) That the Home-Based Business shall be limited to the dwelling and accessory building.
- 10) That there shall be no outside storage associated with the Home-Based Business at any time.



- 11) That any site landscaping or screening elements approved with the application shall be maintained onsite at all times.
- 12) That there shall be a minimum of 16 parking stalls, including two (2) barrier-free, maintained on-site at all times, in accordance with the approved Site Plan. All customer and employee parking shall be restricted to the subject land and there shall be no offsite parking.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That there shall be no parking or signage in the County Road Right-of-Way at any time.
- 15) That all outdoor lighting shall be fully 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.
- 16) That this Development Permit shall be valid until **August 31, 2022.**

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 19) 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 yurt located on the subject site, to facilitate accurate emergency response. *Note: Municipal address is C 254065 Towers Trail.*
- 20) That Building Permit PRBD20200630 shall be issued prior to any construction taking place, and that building occupancy is granted prior to commencement of business operation.

Carried

E-11 Division 5 - Industrial (Light) and Outdoor Storage / Discretionary use, with no Variances

File: PRDP20212084 (03330069)

MOVED by Member Gautreau that Development Permit Application PRDP20212084 be approved with the conditions noted in Attachment 'A'.

Description:

1. That Industrial (Light) and Outdoor Storage, construction of a storage building and equipment/vehicle storage yard, may take place on the subject land in accordance with the approved site plan and drawings, as amended, and conditions of this permit. The approval includes:
 - i. Construction of one (1) storage building, approximately \pm 594.58 sq. m (6,400.00 sq. ft.) in size;
 - ii. A gravelled outside storage area, approximately 17,155 sq. m (184,654.88 sq. ft.) in area;



- iii. Placement of a 2.13 m (7.00 ft.) high steel-clad perimeter fence.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised landscape plan, to the satisfaction of the County, that includes the following:
 - i. The minimum number of trees and shrubs shall be provided (50 trees and 33 shrubs), with minimum calliper and height requirements, in accordance with Section 259 of the Land Use Bylaw C-8000-2020 (LUB);
 - ii. An additional 65.38 sq. m (703.75 sq. ft.) of landscaping shall be provided for visual relief of the parking area, in accordance with Section 259 of the LUB;
 - iii. A minimum 3.00 m (9.84 ft.) wide landscaped area shall be provided between the front of all buildings and the adjoining parking area (if applicable), in accordance with Appendix B of the Janet Area Structure Plan (ASP).
3. That prior to release of this permit, the Applicant/Owner shall submit a revised parking plan, to the satisfaction of the County, identifying the following:
 - i. The minimum number of parking stalls (90) shall be provided in accordance with the *Industrial (Light)* and *Outdoor Storage* uses under Section 235 Table 5 of the LUB;
 - i. If less than 90 stalls are to be provided, a Parking Assessment, prepared by a qualified professional, may be submitted to the Development Authority to document the parking demand and supply characteristics associated with the proposed development. The Development Authority shall not be bound by any recommendations of such Parking Assessment.
 - ii. The minimum number of barrier-free stalls (4) with dimensions and access aisles shall be provided, in accordance with Section 3.8.3.22 of the Alberta Building Code.
4. That prior to release of this permit, the Applicant/Owner shall submit revised elevation drawings, to the satisfaction of the County, that includes the following:
 - i. A clearly defined main entrance to the storage building featuring at least two of the following: canopy or portico; overhang or arcade; raised corniced parapet over the door; outdoor amenity area; upgraded window glazing areas; or integrated planters or landscaped sitting areas, in accordance with Appendix B of the ASP.
5. That prior to release of this permit, the Applicant/Owner shall submit a Lighting Plan in accordance with Section 227 of the LUB for any proposed building or site lighting, including location, lighting specifications, and height.
6. 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, to confirm the presence of County road ban restrictions, and to submit a new road approach application for the proposed approach off Wrangler Road.
 - i. Written confirmation shall be received from Road Operations, confirming the status of this condition.



7. That prior to release of this permit, the Applicant/Owner shall submit a \$10,000 Refundable Security, to secure the construction of the new approach from Wrangler Road to the subject lands.
8. That prior to release of this permit, the Applicant/Owner shall submit payment of the Stormwater Off-site Levy for the total gross acreage of the development area, in accordance with Bylaw C-8008-2020.
9. That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), conducted and stamped by a professional engineer, that is in accordance with any regional stormwater plans, the Co-operative Stormwater Management Initiative (CSMI) requirements, the Janet Master Drainage Plan, and the County Servicing Standards, to the satisfaction of the County.
10. That prior to release of this permit, the Applicant/Owner shall provide a fire fighting water supply strategy conducted and stamped by a professional engineer that supplies the necessary level of fire flow and is designed in accordance with the County's Fire Hydrant Water Suppression Bylaw and the County Servicing Standards to the satisfaction of the County.

Prior to Occupancy:

11. That prior to occupancy, all landscaping, parking, and final site surfaces shall be in place prior to occupancy of the site and/or buildings.
 - 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 occupancy, the County shall perform an inspection of the site to verify that the road approach has been constructed in accordance with the County Servicing Standards and approved plans.
 - i. The security will be returned upon a successful prior to occupancy inspection.
13. That prior to occupancy, Built to Design Certificates and As-built drawings certified by a professional engineer, shall be submitted. The as-built drawings shall include (where applicable): verification of as-built pond volumes, trap low volumes, liner verification, irrigation systems, and any other information that is relevant to the SSIP.
 - i. Following receipt of the as-built drawings, the County shall complete an inspection of the site to verify stormwater has been completed.

Permanent:

14. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a prior to release or occupancy condition, shall be implemented and adhered to in perpetuity, including the SSIP.
15. That no outdoor display areas, storage areas, parking, or marshalling yards shall be allowed within landscaped yards.



16. That all landscaping and topsoil placement shall be in accordance with the landscaping details provided on the Landscape Plan, as amended.
 - i. That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped areas, including the replacement of any deceased trees, shrubs, or plants, within 30 days, or by June 30th of the next growing season.
 - ii. The vegetation type has to endure the irrigation from May to September.
 - iii. That water for irrigation and landscaping purposes shall only be supplied by the re-use of stormwater and not via the use of potable water.
17. That in accordance with the County's Policy 449, for commercial and industrial development, the use of holding tanks with a trucked service to dispose of wastewater and the use of cisterns with a trucked service to supply potable water shall be utilized.
18. That no topsoil shall be removed from the site.
19. 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.
20. That dust control shall be maintained on the site during construction and that the developer shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
21. That any site regrading work is not to direct any additional surface drainage into County road rights-of-way, or to negatively impact surface drainage patterns in the area.
22. That there shall be a minimum of 90 parking stalls, including four (4) barrier free, maintained on-site at all times, in accordance with the approved Site Plan, or in accordance with an accepted Parking Assessment. All customer and employee parking shall be restricted to the subject land and there shall be no offsite parking.
23. That there shall be no parking or signage in the County road right-of-way.
24. That any future signage will require separate Development Permit approval.
25. 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.
26. That all outdoor lighting shall be fully 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.
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 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 is not issued by **February 28, 2022**, or the approved extension date, this approval is null and void and the Development Permit shall not be issued.

Advisory:

29. 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.
30. That the County Bylaw C-8067-2020 the "Noise Bylaw", shall be adhered to at all times.
31. 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 checklist.
32. 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 building located on the subject site, to facilitate accurate emergency response.
33. That all future tenants will be required to apply for a New Business Tenant (No Change of Use) or a Change of Use (Land or Existing Building) Development Permit.
34. 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*].
35. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-9 Division 5 - Kennel / Discretionary use, with no Variances
File: PRDP20211850 (05333064)

Presenter: Stacey Hodess, the Applicant

Main Motion:

MOVED by Member Gautreau that proposed condition #1 for development application PRDP20211850 as noted in Attachment 'A' of Administration's report be amended to read:

1. That a Kennel (boarding, daycare, and training) for up to ~~20~~ **12** dogs within the existing dwelling, single detached may operate on the subject property in accordance with the application details.



Amending Motion:

MOVED by Member Wright that the main motion be amended as follows:

THAT proposed condition #1 for development application PRDP20211850 as noted in Attachment 'A' of Administration's report be amended to read:

1. That a Kennel (boarding, daycare, and training) for up to ~~20~~ **12** ~~10~~ dogs within the existing dwelling, single detached may operate on the subject property in accordance with the application details.

Carried

The Chair called for a vote on the main motion as amended.

Main Motion as Amended:

MOVED by Member Gautreau that proposed condition #1 for development application PRDP20211850 as noted in Attachment 'A' of Administration's report be amended to read:

1. That a Kennel (boarding, daycare, and training) for up to ~~20~~ **10** dogs within the existing dwelling, single detached may operate on the subject property in accordance with the application details.

Carried

MOVED by Member Gautreau that Development Permit Application PRDP20211850 be approved with the conditions noted in Attachment 'A', as amended.

Defeated

G **Adjourn the Meeting**

MOVED by Member Henn that the July 14, 2021 Municipal Planning Commission meeting be adjourned at 11:16 a.m.

Carried

H **Next Meeting**

July 28, 2021

Chair or Vice Chair

Chief Administrative Officer or Designate

PLANNING AND DEVELOPMENT SERVICES

TO:	Subdivision Authority	DIVISION:	4
DATE:	July 28, 2021	APPLICATION:	PL20210043
FILE:	02335003 / 02335060		
SUBJECT:	Subdivision Item - Boundary Adjustment		

APPLICATION: To adjust the boundaries between a ± 4.86 hectare (± 12.01 acre) parcel and a ± 33.2 hectare (± 82.17 acre) parcel in order to create a ± 9.04 hectare (± 22.34 acre) parcel and a ± 29.06 hectare (± 71.70 acre) parcel.

GENERAL LOCATION: Located in the hamlet of Indus

LAND USE DESIGNATION: Residential, Rural District (R-RUR) and Agricultural, General District (A-GEN)

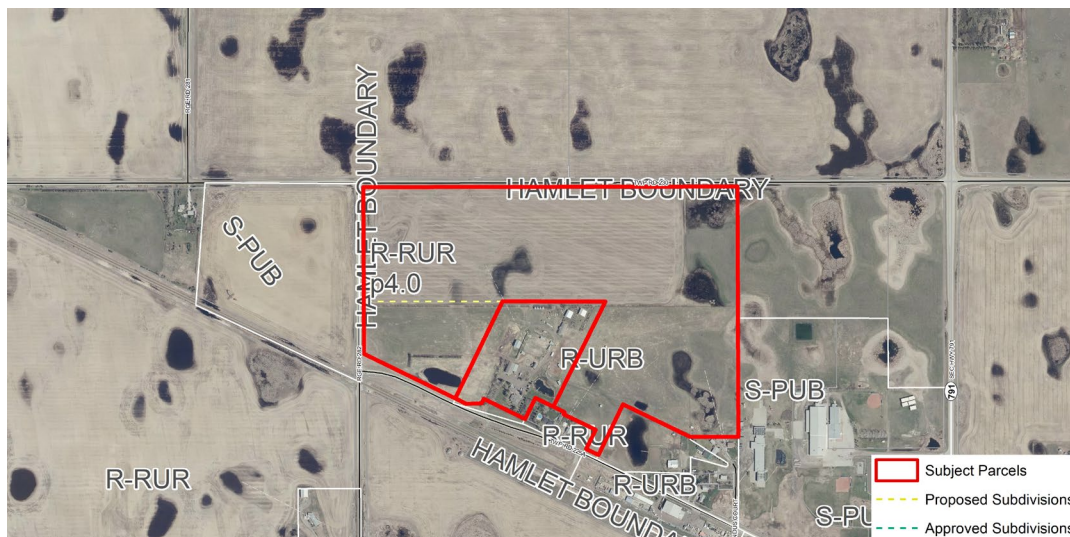
EXECUTIVE SUMMARY: The application is inconsistent with the relevant policies of the County Plan Indus Area Structure Plan and the Land Use Bylaw.

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

OPTIONS:

- Option #1: THAT the Subdivision Application PL20210043 be approved with the conditions noted in Attachment 'B'.
- Option #2: THAT Subdivision Application PL20210043 be tabled until a redesignation application is approved to ensure a single consistent land use is applied to the entirety of the proposed parcel.
- Option #3: THAT Subdivision Application PL20210043 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Scott Thompson, Planning and Development



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Indus Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • No technical reports were submitted.
	TECHNICAL REPORTS REQUIRED/NOT SUBMITTED: <ul style="list-style-type: none"> • No technical reports were required.

Additional Review Considerations

Conditions were set based on the following items

Transportation

An existing approach from Township Road 225A will continue to be used to access lot 1 and a field approach exists of Township Road 230, which was inspected by County Roads staff.

Indus Area Structure Plan

The subject parcel is identified as Hamlet Residential (Sub Area- 1) within the Indus Area Structure Plan. This area is intended to provide smaller Hamlet residential areas with small parcel sizes. The proposal would see the size of the 12.01 acre parcel increase to 22.34 acres. The newly created parcel would be split zoned with Residential, Rural District (R-RUR) on the eastern portion and Agricultural, General District (A-GEN) on the western portion. As such, Administration recommends tabling the application the proposed parcel is designated a single consistent land use.

Land Use Bylaw

The parcel A-GEN does not meet the minimum size requirements in section 303 of the Land Use Bylaw, which stipulates that the parcel should be an un-subdivided quarter section, the portion remaining after a first parcel out or a minimum of 50.00 acres. As a result, Administration is recommending that the boundary adjustment be tabled until the newly created parcel has uniform land use.

Should the subdivision be approved with the split zoning on the parcel, issues may occur in the future as A-GEN and R-RUR have different regulations such as uses, general regulations, and development permit requirements.

Tentative Plan











Tentative Plan

Subdivision Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

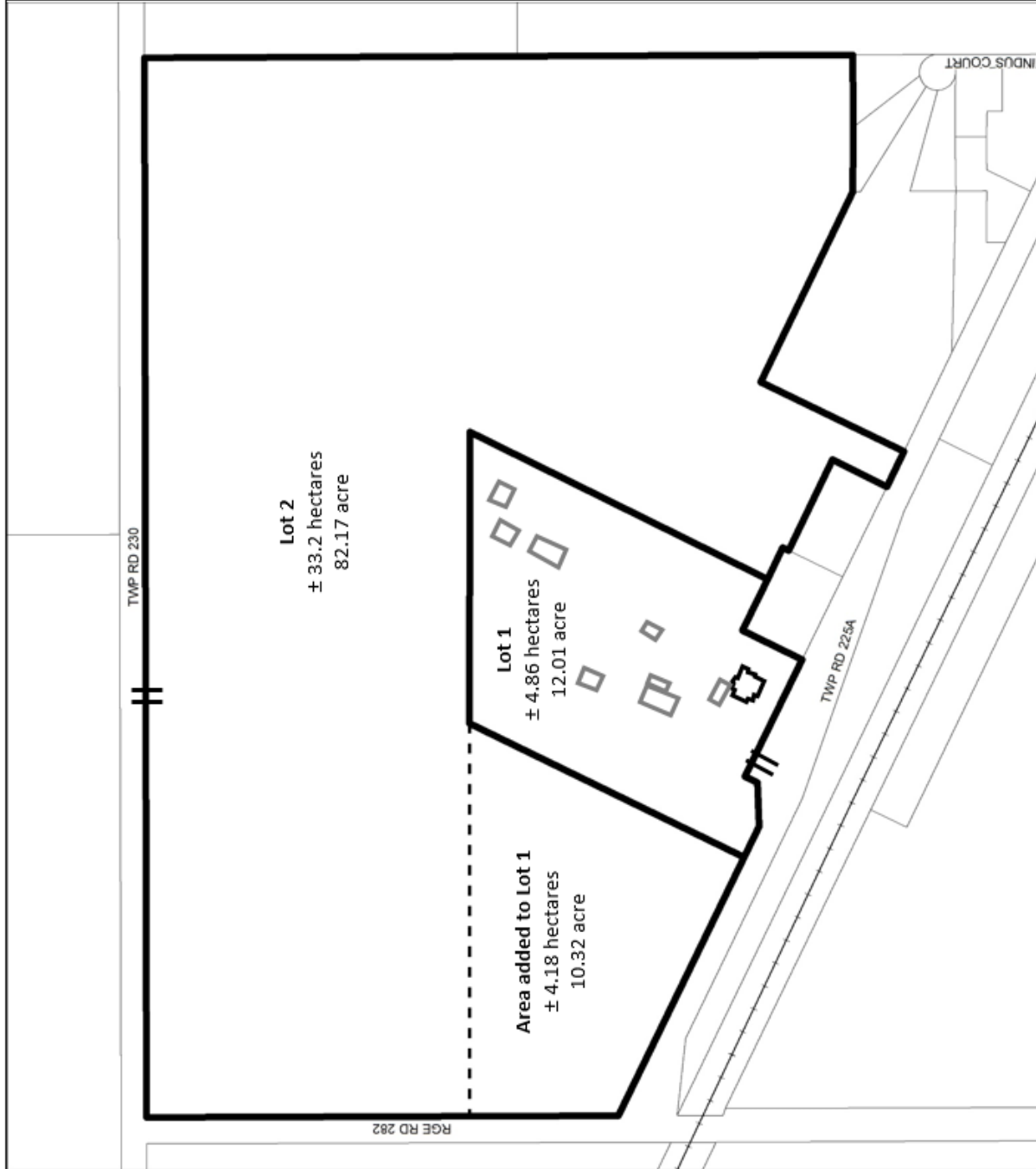
Legend

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

Surveyor's Notes:

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

Division: 04
Roll: 02335003/02335060
File: PL20210043
Printed: March 15, 2021
Legal: Portions of NW-35-22-28-W04M





CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Scott Thompson”

“Prabh Sodhi”

File Manager

Area Engineer

“Gurbir Nijjar”

SUBDIVISION AUTHORITY DELEGATE

ST/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

Date Mailed: July 28, 2021

File: PL20210043 / 02335003/0235060

Kemble, Verne Charles
281242 Township Road 225A
Rocky View County, AB T1X 0H7

RE: SUBDIVISION TRANSMITTAL OF DECISION

Pursuant to a decision of the Subdivision Authority for Rocky View County, on June 17, 2021, your Subdivision Application was conditionally approved. The conditions of approval are outlined below:

- A. To adjust the boundaries between a ± 4.86 hectare (± 12.01 acre) parcel and a ± 33.2 hectare (± 82.17 acre) parcel in order to create a ± 9.04 hectare (± 22.34 acre) parcel and a ± 29.06 hectare (± 71.70 acre) parcel within Lot 4 Block 1 Plan 101 4735 within NW-35-22-28-W04M and NW-35-22-28-W04M has been evaluated in terms of Section 654 of the *Municipal Government Act*, Section 7 and 14 of the Subdivision and Development Regulation, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
- The application is consistent with Section 7 and 14 of the Subdivision and Development Regulation;
 - The subdivision conforms to the provisions of the relevant statutory plans;
 - The subject lands hold the appropriate land use designation;
 - The technical aspects of the subdivision proposal have been considered, and, where required, are further addressed through the conditional approval requirements.
- B. THAT 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. Conditions that require technical reports to be submitted, 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 Survey

- Subdivision 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.

Payments

- The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new Lot.

*Taxes*

- 3) 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.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

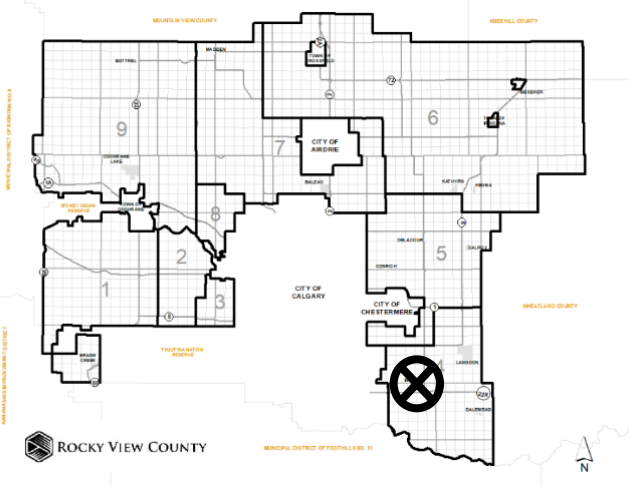
APPLICANT: Verne Kemble	OWNER: Verne and Susan Kemble and Connie Challice.
DATE APPLICATION RECEIVED: March 12, 2021	DATE DEEMED COMPLETE: March 14, 2021
GROSS AREA: ± 38.11 hectares (± 94.18 acres)	LEGAL DESCRIPTION: Lot 4 Block 1 Plan 1014735, NW-35-22-28-W04M NW-35-22-28-W04M
HISTORY: July 6, 2010: Subdivision application (2009-RV-223) has four components, including the creation of two new parcels and two boundary adjustments was approved by Rocky View County Subdivision Authority. June 8, 2010: Council approved redesignation application (2009-RV-224) in support of this subdivision application. November 9, 2004: The Indus Area Structure Plan is adopted, and it identifies the subject lands as a Hamlet Residential Area. Mid 1980's: The first residential parcels are created on the quarter section. 1914: Canadian Pacific Railway constructed its line and a station at approximately this time. The railway community of Indus began to form.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 51 adjacent landowners. No letters were received. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	
RESERVE STATUS: Municipal Reserves are not available under section 663 of the <i>Municipal Government Act</i> .	

Location & Context

Boundary Adjustment Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

Division: 04
 Roll: 02335003/0235060
 File: PL20210043
 Printed: March 15, 2021
 Legal: Portions of NW-35-22-28
 Page 39 of 218



Development Proposal

Boundary Adjustment Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.



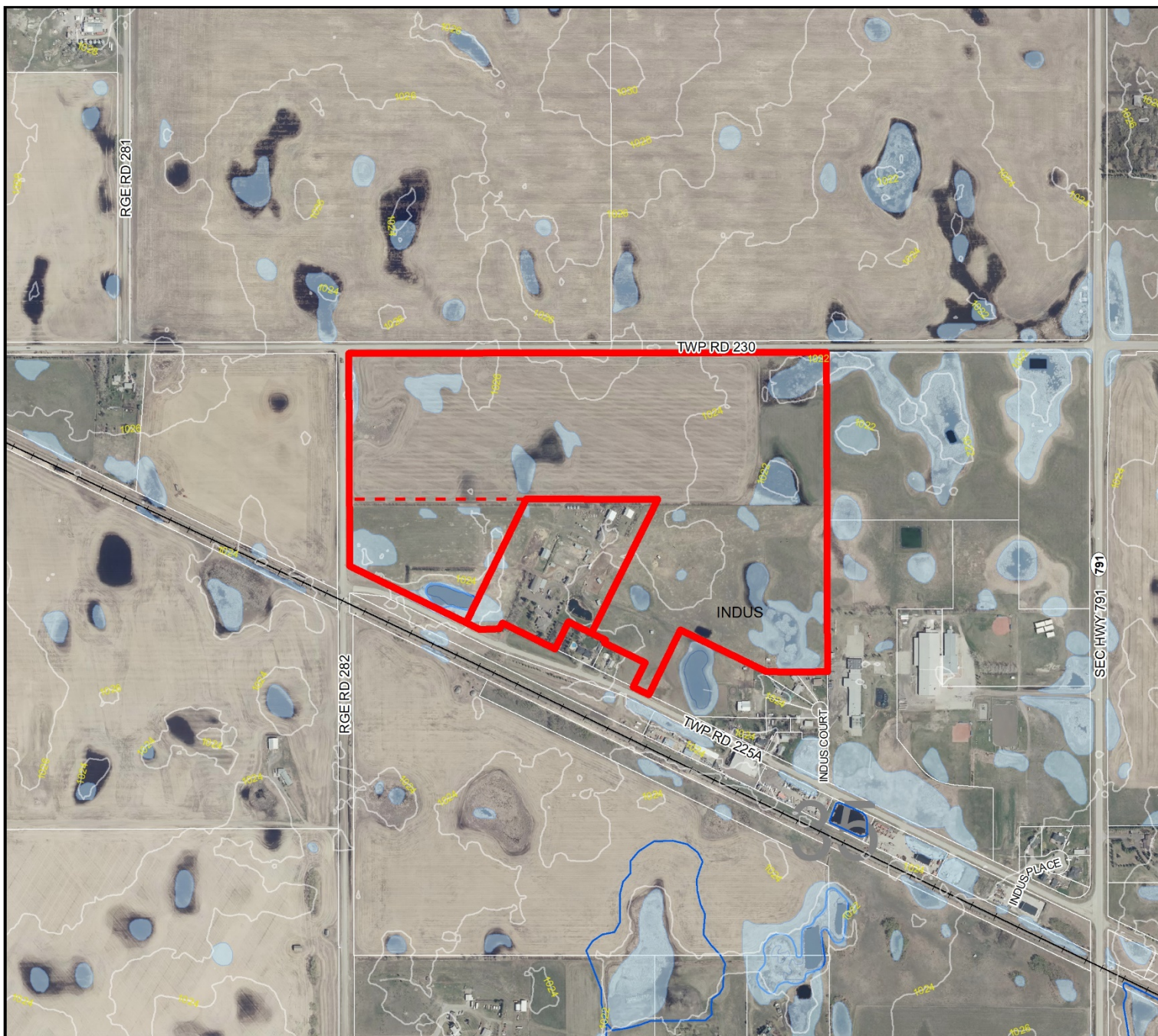
Environmental

Boundary Adjustment Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

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

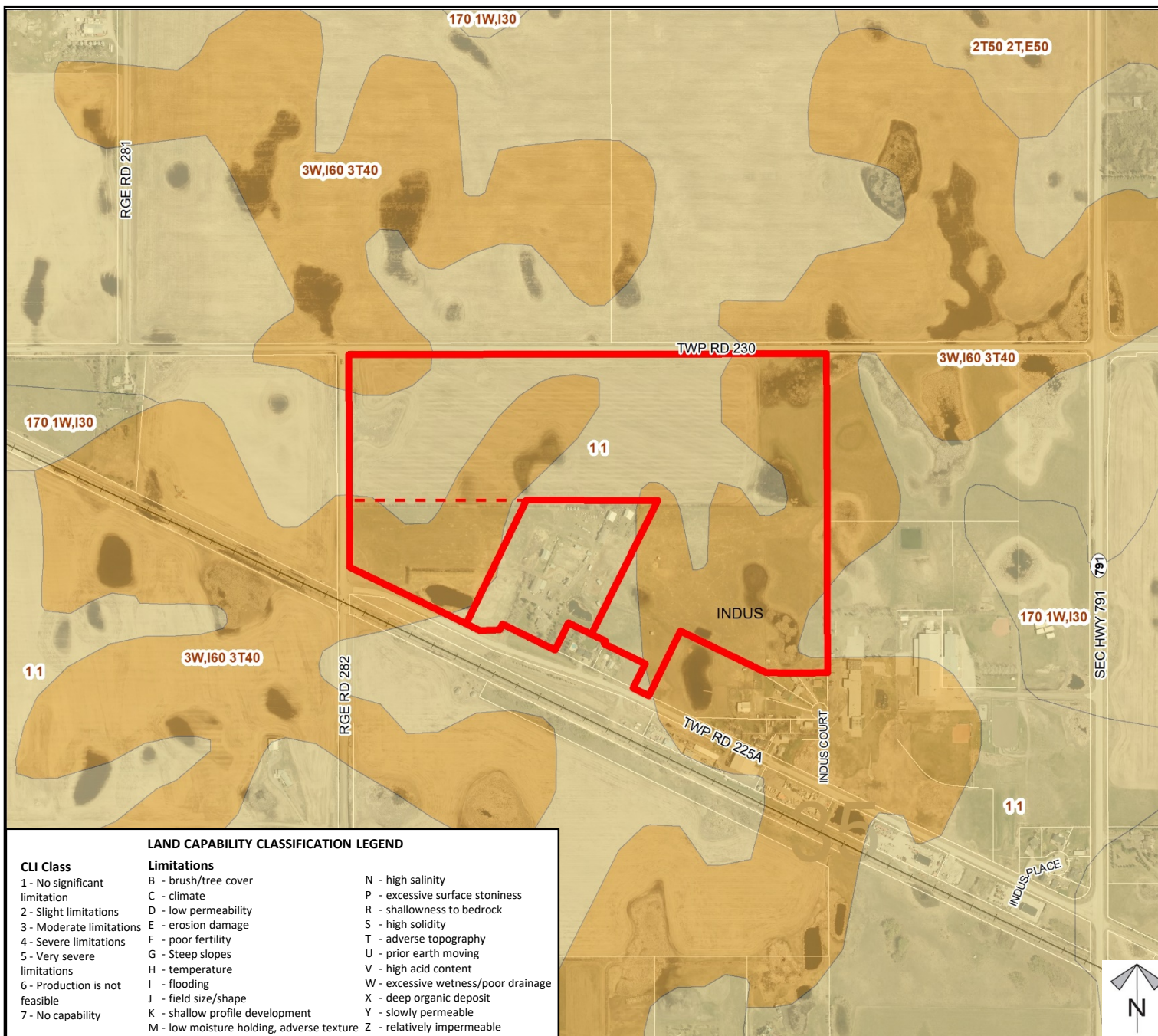
Division: 04
 Roll: 02335003/0235060
 File: PL20210043
 Printed: March 15, 2021
 Legal: Portions of NW-35-22-28
 Page 41 of 218



Soil Classifications

Boundary Adjustment Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.



LAND CAPABILITY CLASSIFICATION LEGEND

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

Division: 04
 Roll: 02335003/0235060
 File: PL20210043
 Printed: March 15, 2021
 Legal: Portions of NW-35-22-28
 Page 42 of 218



Landowner Circulation Area

Boundary Adjustment Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

Legend

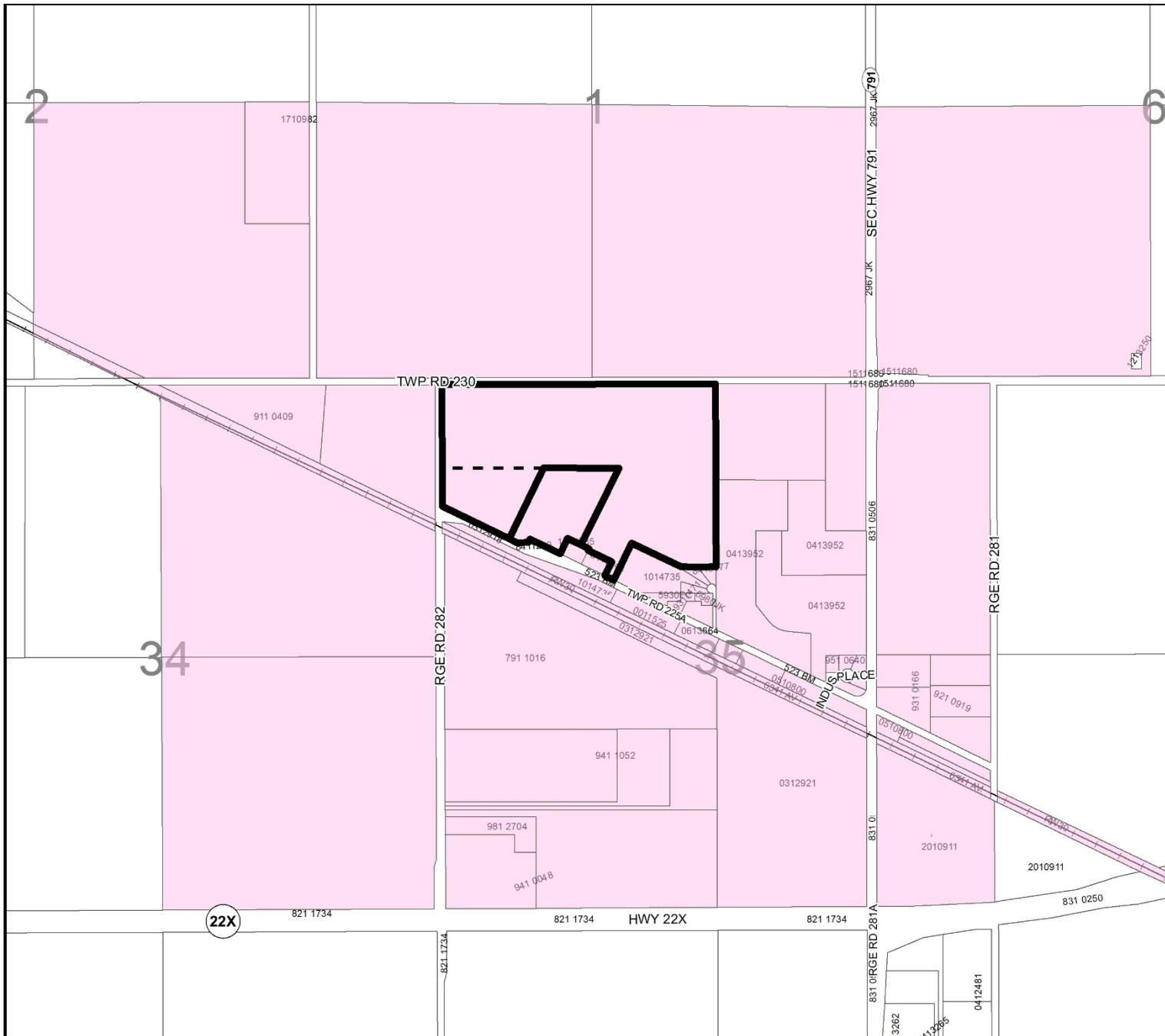
Support



Opposition



Division: 04
 Roll: 02335003/0235060
 File: PL20210043
 Printed: March 15, 2021
 Legal: Portions of NW-35-22-28
 Page 43 of 218



Tentative Plan

Subdivision Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

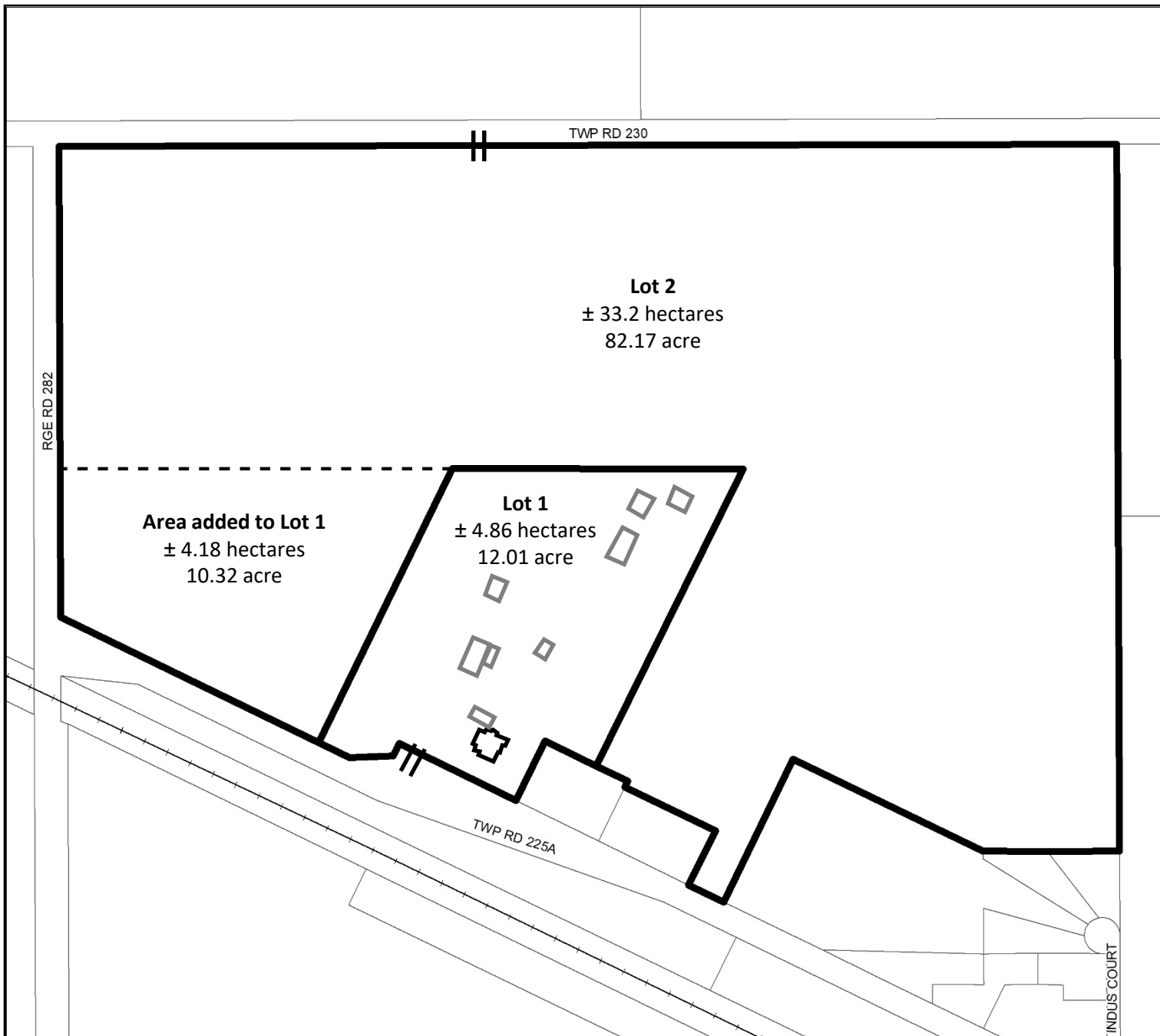
Legend

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

Surveyor's Notes:

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

Division: 04
 Roll: 02335003/0235060
 File: PL20210043
 Printed: March 15, 2021
 Legal: Portions of NW-35-22-28
 Page 44 of 218





PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 6

DATE: July 28, 2021

APPLICATION: PL20210061

FILE: 07108002, 07108004

SUBJECT: Boundary Adjustment

APPLICATION: To adjust the boundaries between an ± 8.00 acre parcel and a ± 138.33 acre parcel in order to create an ± 11.00 acre parcel and a ± 135.33 acre parcel.

GENERAL LOCATION: Located south of the junction of Township Road 272 and Range Road 264.

LAND USE DESIGNATION: Agriculture, General District

EXECUTIVE SUMMARY: The subject parcel subdivision was approved by Council in 2014 and met the intent of the Municipal Development Plan at the time. Given that the application is for a boundary adjustment with no change in existing use, the application meets policy requirements.

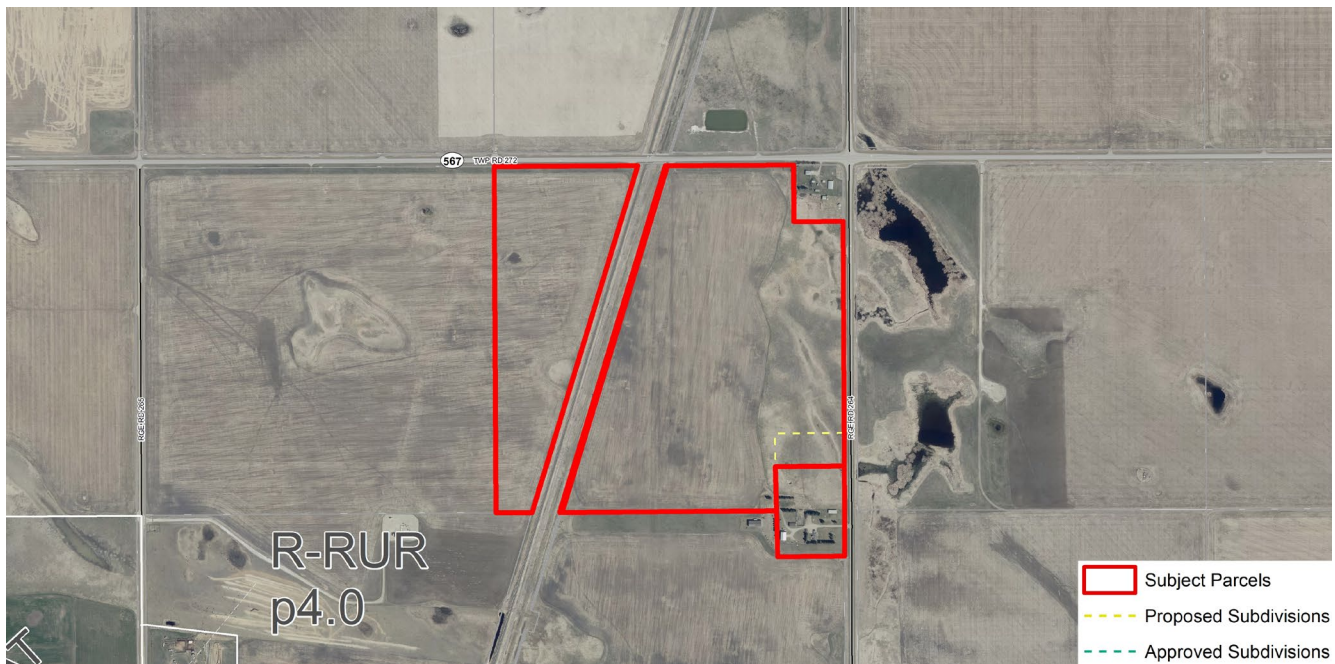
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20210061 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210061 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Reynold Caskey, Planning & Development Services

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Rocky View County Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	NA
MUNICIPAL RESERVE (\$/ACRE) (3 acres x \$4,850.00 x 10%)	\$1,455.00

Policy Evaluation

The lands are designated Agriculture, General Use and considered in accordance with the County Plan. There is no area structure plan and the proposed boundary adjustment is neither in accordance with or opposition to the policy and meets the intent of the Zoning Bylaw.

Transportation

An existing approach from Range Road 264 will continue to be used to access the proposed parcel and field approaches exist from Range Road 264 and Township Road 272 (Highway 567).

Alberta Transportation reviewed the application with respect to the northern boundary of the subject site which fronts Highway 567 (township road 272). AT has no concerns should the subdivision authority grant approval.

As a condition of subdivision, the Owner/Applicant shall be required to dedicate, by Caveat a +/- 3.0 m strip of land as road ROW along the entire eastern boundary of the subject lands.

The applicant will not be required to pay the transportation offsite levy as this is application is for the purpose of a boundary adjustment.

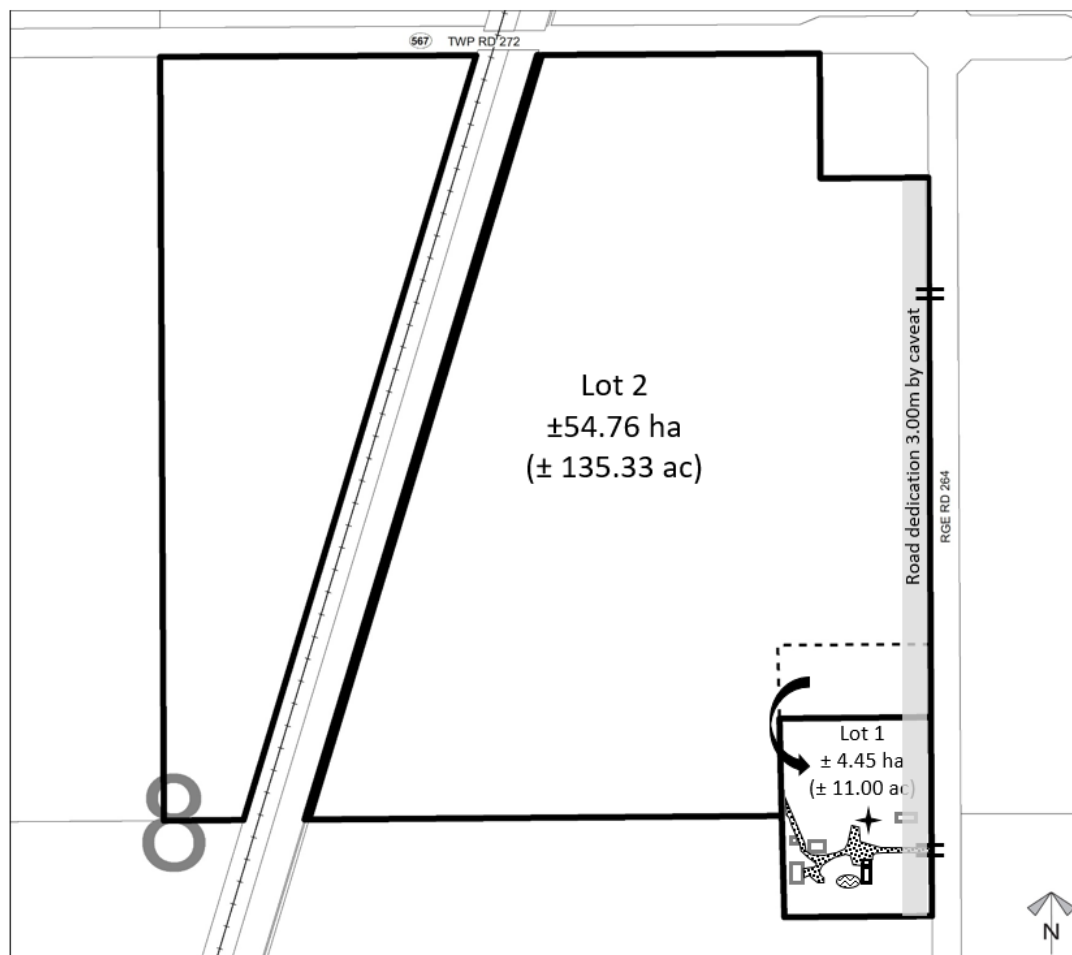
Servicing

The proposed lot is serviced by a water well and private sewage treatment system as is the remainder of the parcel. No additional servicing is required for the boundary adjustment.

Municipal Reserves






At the time of subdivision for the subject site in 2014, Municipal Reserves were calculated and taken by the County. Consistent with the previous subdivision, the three (3) additional acres proposed to be added to the subject site will provide cash-in-lieu.

Tentative Plan

**Tentative Plan**Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

Legend

Dwelling	
Building	
Existing Approach	
Driveway	
Water Well	
Wastewater	

Surveyor's Notes:

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

Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot 1 Block 1
 Plan: 1410073; E-08-27-26-W04M & NE-08-27-26-W04M

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

RC/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to adjust the boundaries between an ± 8.00 acre parcel and a ± 138.33 acre parcel in order to create an ± 11.00 acre parcel and a ± 135.33 acre parcel at NE-08-27-26-W04M (no lot and block, plan number), 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.
- 2) The Owner is to dedicate, by Caveat, a ± 3.00 m wide portion of land for road widening along the eastern boundary of the new lot 1 and remainder lot 2 fronting Range Road 264;

Municipal reserves

- 3) The provision of Municipal Reserve in the amount of 10% of ± 3.00 acres of the subject land, 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 Harrison Bowker Valuation Group, dated April 26, 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 boundary adjustment of two lots.

Taxes

- 5) 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:

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

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

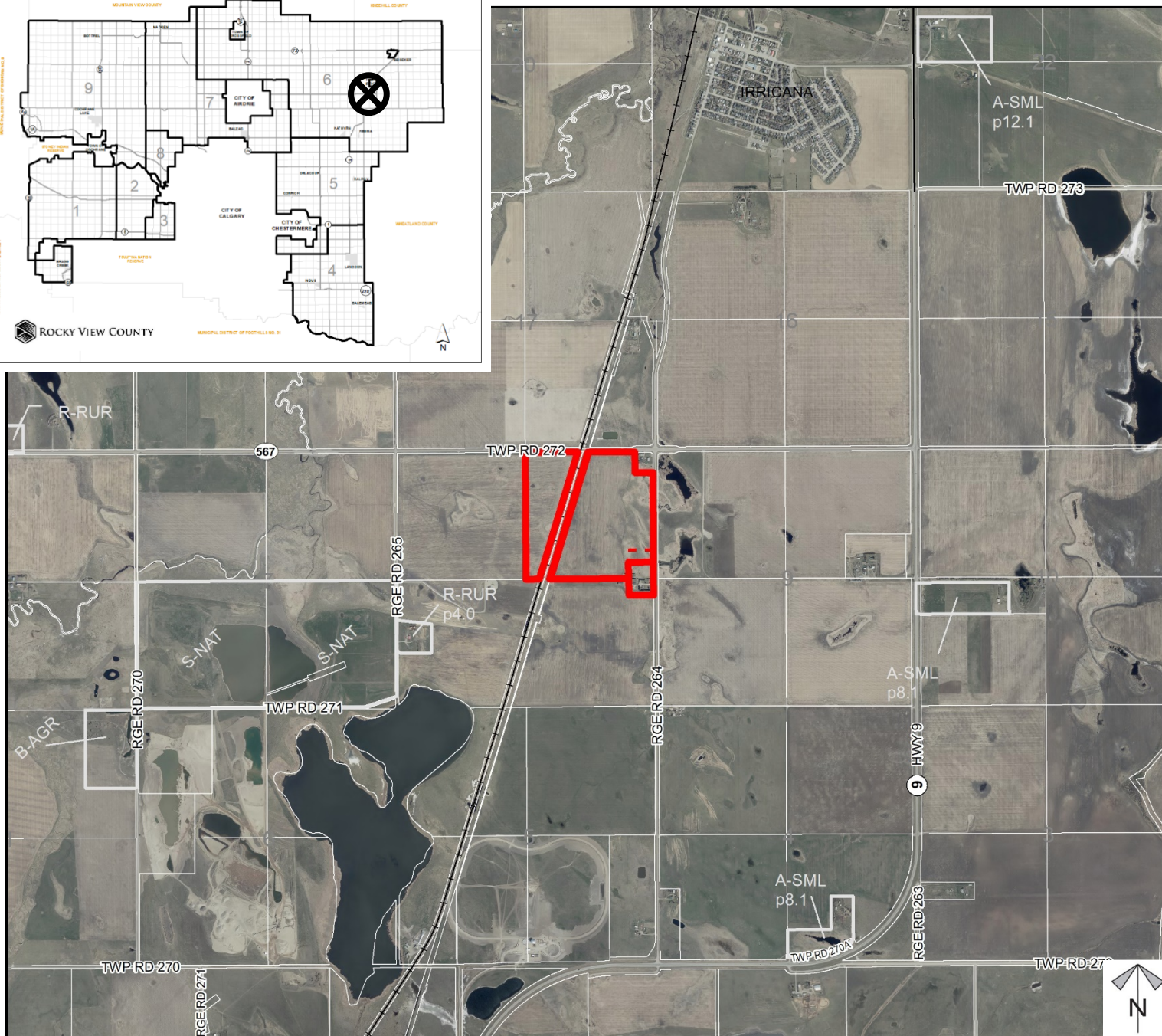
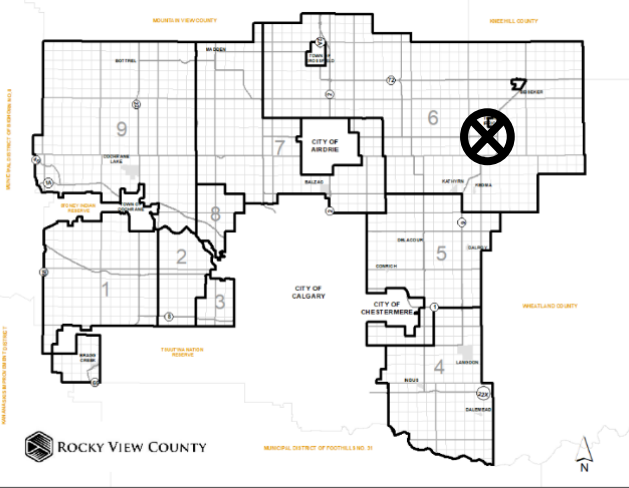
APPLICANT: Murray L. Poffenroth	OWNER: Murray L. Poffenroth
DATE APPLICATION RECEIVED: March 31, 2021	DATE DEEMED COMPLETE: April 20, 2021
GROSS AREA: ± 55.98 hectares (± 138.33 acres)	LEGAL DESCRIPTION: NE-08-27-26-W04M (no lot, block, plan number)
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>January 7, 2014:</i> Subdivision of parcel from parent (07108002) to create an eight (8) acre parcel. Plan of subdivision number 1410073 within NE-08-27-26-W04M.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 8 adjacent landowners. There were no responses. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot:1 Block:1
 Page 8 of 13
 W04M & NE-08-27-26-W04M





Development Proposal

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.





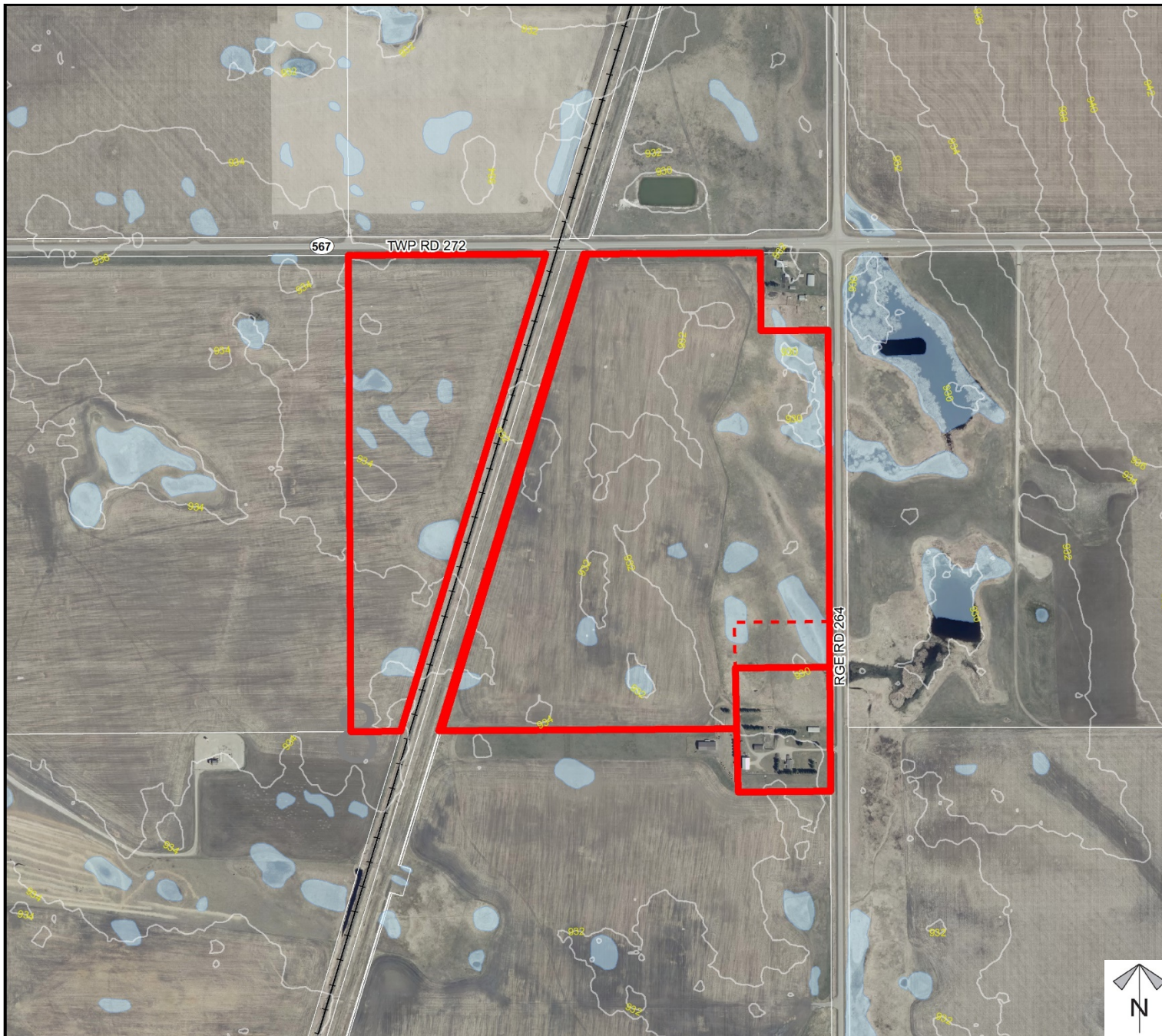
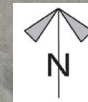
Environmental

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

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

Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot: 1 Block: 1
 Plan: 0054; 002-18-26-
 W04M & NE-08-27-26-W04M

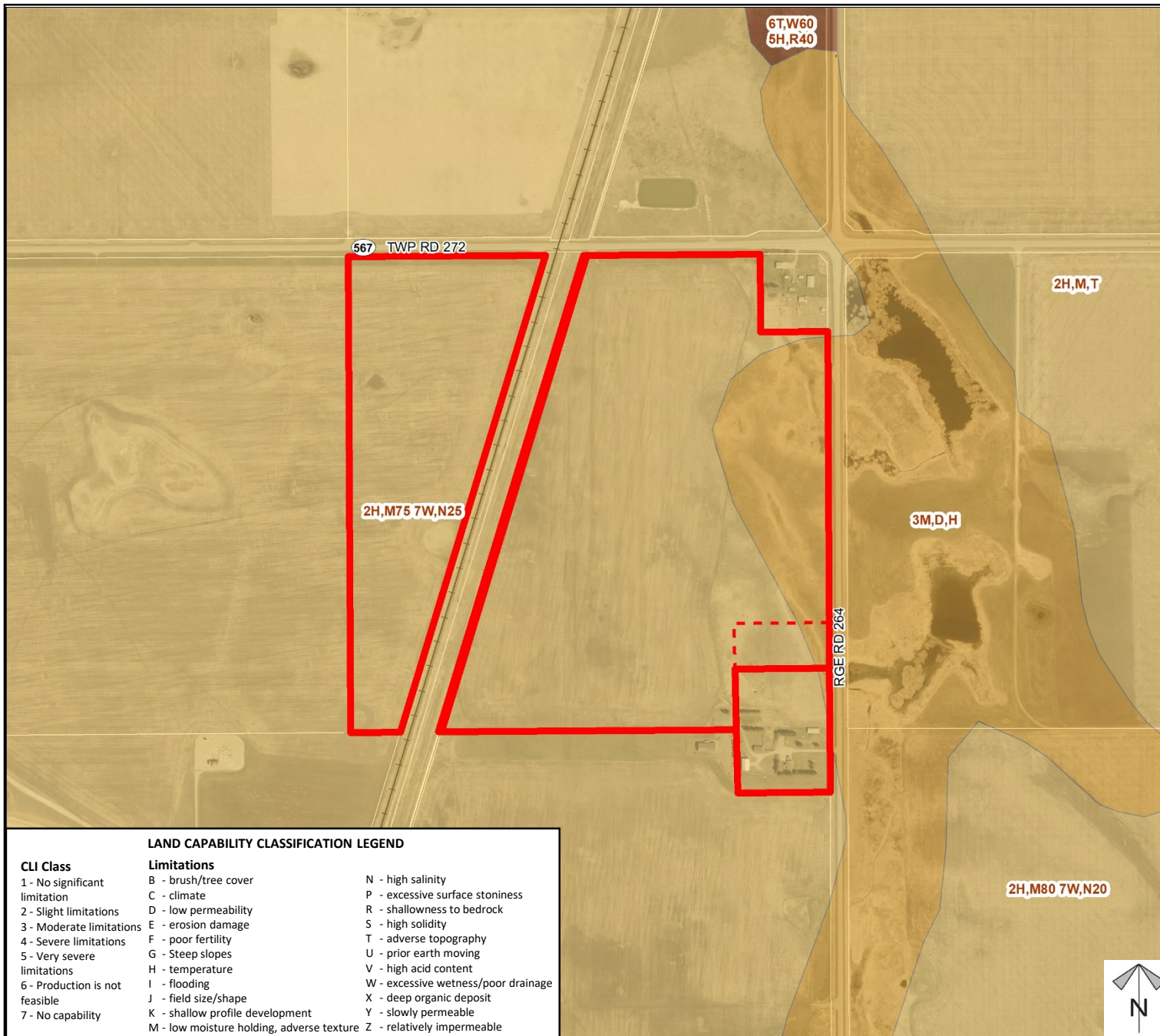




Soil Classifications

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.



LAND CAPABILITY CLASSIFICATION LEGEND

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

Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot:1 Block:1
 Plan: 0055; 0f02-1826-
 W04M & NE-08-27-26-W04M

Landowner Circulation Area

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

Legend

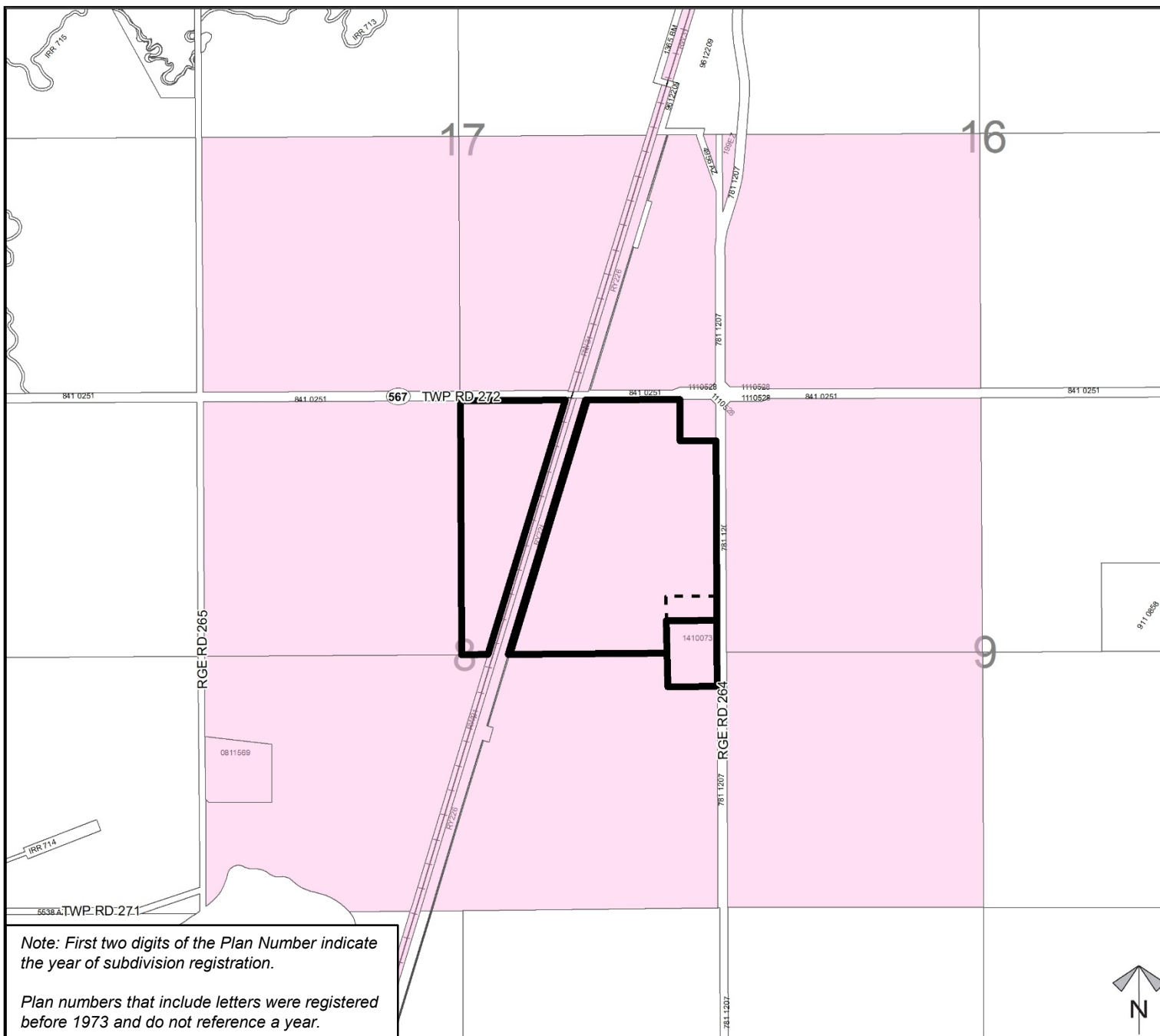
Support



Opposition



Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot: 1 Block: 1
 Plan: 1410073 of 218
 W04M & NE-08-27-26-W04M



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.



Tentative Plan

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

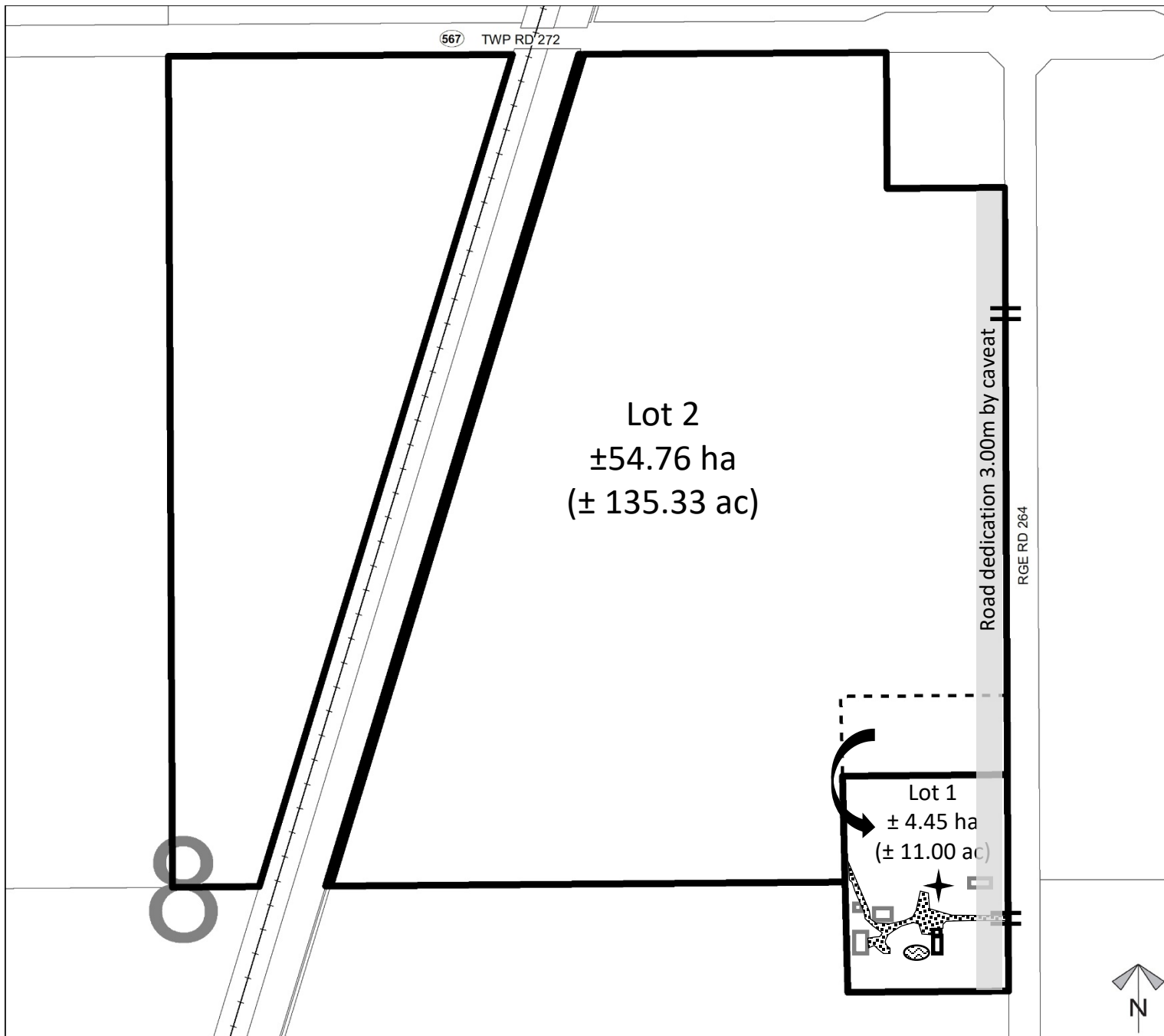
Legend

Dwelling	
Building	
Existing Approach	
Driveway	
Water Well	
Wastewater	

Surveyor's Notes:

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

Division: 06
 Roll: 07108002/004
 File: PLI20210061
 Printed: April 1, 2021
 Legal: Lot:1 Block:1
 Plan: 140057; 6F02-18-26-
 W04M & NE-08-27-26-W04M





PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 3

DATE: July 28, 2021

APPLICATION: PL20210066

FILE: 04619009

SUBJECT: Residential Subdivision

APPLICATION: To create a \pm 2.00 acre parcel (Lot 1) with a \pm 3.26 acre remainder (Lot 2).

GENERAL LOCATION: Located approximately 0.41 kilometres (1/4 mile) south of Spring Bank Road and 0.41 kilometres (1/4 mile) east of Horizon View Road.

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

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of The Springbank Central ASP and the North Escarpment Drive Conceptual Scheme.

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

OPTIONS:

Option #1: THAT Subdivision Application PL20210066 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210066 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Reynold Caskey, Planning & Development Services

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Springbank Central ASP; • North Escarpment Drive Concept Scheme; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Level 4 Private Sewage Treatment System Assessment, Sedulous Engineering Inc., April 2021 • Slope Stability Assessment, E2K Engineering Ltd., March 2021)
--	--

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	\$27,684.00 (plus borrowing costs to payment date) Developable area = 2.00 acres Base Levy = \$4,595/ac x 2ac = \$9,190 Special Area 4 Levy = \$9,247/ac x 2ac = \$18,494 Total = \$27,684.00 (plus borrowing costs to payment date)
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	NA (Previously provided on plan)

Additional Review Considerations*Transportation*

Access to lot 1 is currently provided by a paved approach off Escarpment Drive with the remainder lot 2 gaining access from Escarpment Lane. No changes to access the proposed lot will be required.

The applicant will be required to pay the Transportation Off-Site Levy as per the bylaw C-8007-2020 for the proposed Lot 1.

Site Servicing

The applicant provided a Level 4 Private Sewage Treatment Assessment, prepared by Sedulous Engineering (April 2021). As a condition of subdivision, the owner shall enter into a Site Improvement/Services Agreement for Lot 1 for the construction of a Packaged Sewage Treatment System in accordance with the PSTS report and meets the Bureau de Normalisation du Quebec (BNQ) standards for treatment.

Potable water service will be provided to the proposed new lot (lot 1) by Westridge Utilities as identified in the North Escarpment Drive Conceptual Scheme policy 3.3.1.1. The existing home on Lot 2 is serviced by an existing water well and a private sewage system however, it is recommended that this parcel also be tied into piped water services to remain consistent with Council Policy C-415 (Domestic Potable Water System Servicing). Should additional capacity not be available, the existing servicing (water well) shall remain and a Deferred Services Agreement registered on title to secure future tie-in.

The applicant will also be required to enter into a Deferred Servicing Agreement outlining that future lot owners will be required to connect to County wastewater when such services become available as required by the North Escarpment Drive CS.

Geotechnical

As the proposed parcel on the subject site has slopes greater than 15%, the applicant submitted a Slope Stability Assessment prepared by E2K Engineering Ltd. dated March 8, 2021. The report determined that there are no setback requirements for the slopes as long as recommendations for the report are followed.

Stormwater

The applicant is to provide a Site-Specific Stormwater Plan (SSIP) that is in accordance with the Springbank Master Drainage Plan as a condition of subdivision.

North Escarpment Conceptual Scheme

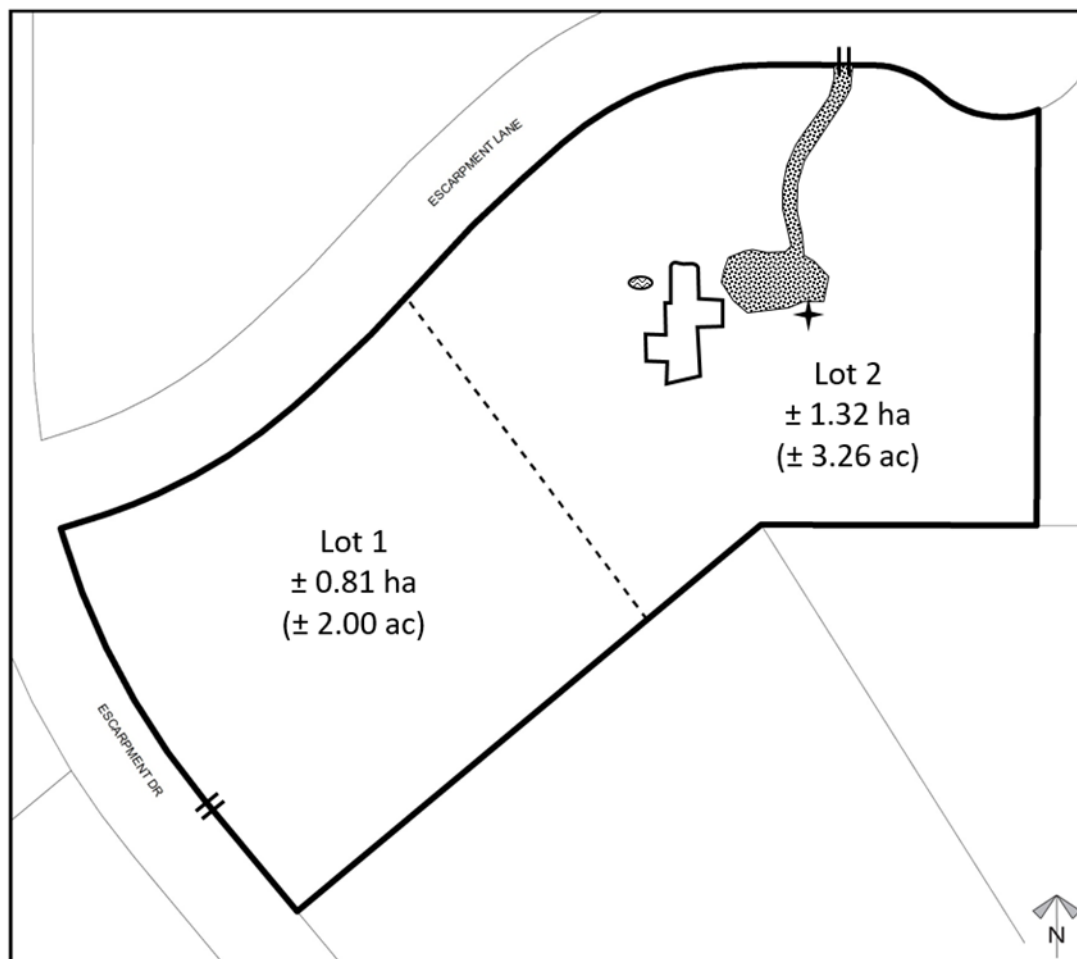
The subject site falls under the North Escarpment Drive Conceptual Scheme (2017) Escarpment Landing area. The Escarpment Landing area is an established country residential area with existing dwellings on lots surrounding the subject site. Policy 3.1.2 states that the site is not anticipated to have significant development within the subject site area and that subdivision can be supported provided the proposal is consistent with County Servicing standards and land use Bylaw.

Springbank Central Area Structure Plan

The subject site is within the Springbank Central ASP as was evaluated with the requirements of the ASP. The subject site is within an established residential area having been previously subdivided with the potential for further subdivision on the subject site.

The ASP policies provide for general residential development within the area with the aid of a conceptual scheme and any subdivision is required to meet the RVC Land Use Bylaw and County Servicing Standards. The proposed lot is at the minimum size of a lot (2 acres) and the land use complies with the Bylaw, generally conforming to the ASP and Conceptual Scheme.

Tentative Plan








Tentative Plan

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).

Legend

Dwelling	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 03
Roll: 04619009
File: PL20210066
Printed: April 9, 2021
Legal: Lot:12 Block:6
Plan:0614763 within NW-19-24-02-W05M

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

RC/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a ± 0.81 hectare (± 2.00 acre) parcel out with a ± 1.32 hectare (± 3.26 acre) remainder from Lot 12, Block 6, Plan 0614763 within NW-19-24-02-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 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.

Site Servicing

- 2) The Owner is to provide confirmation of the tie-in for connection to Westridge Utilities, an Alberta Environment licensed piped water supplier, for Lots 1 and 2, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lots 1 and 2;
 - b) Documentation proving that water supply has been purchased for proposed Lots 1 and 2.

OR if capacity cannot be provided:

Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:

 - a) Conduct a Phase II Groundwater Assessment in accordance with the County Servicing Standards
 - b) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1.



- c) Verification is provided that each well is located within each respective proposed lot's boundaries.
 - d) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.
- 3) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title the proposed Lot 1 and Lot 2, indicating:
 - a) Each future Lot Owner is required to connect to County wastewater systems at their cost when such services become available;
 - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater and stormwater systems once County servicing becomes available;
- 4) The Owner shall enter into a Site Improvements / Services Agreement with the County to implement the recommendations of the updated Level 4 PSTS Assessment prepared by Sedulous Engineering (April 2021) that will include:
 - a) For the construction of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards.
 - b) The system is to be in accordance with the Level 4 PSTS Assessment conducted by Sedulous dated April of 2021.
- 5) The Owner is to provide a Level 1 Variation Assessment that identifies the location of the groundwater water well and PSTS and field that is existing on the subject lands and demonstrates that the proposed development meets adequate setbacks in accordance with the Alberta SOP.
- 6) The Owner is to provide and implement a Site Specific Stormwater Pan (SSIP) Stormwater Management Plan, which meets the requirements outlined in the Springbank Master Drainage Pan. Implementation of the Stormwater Management Plan shall include:
 - a) If the recommendations of the Stormwater Management Plan require improvements, then a Site Improvements / Services Agreement or Development Agreement shall be entered into;
 - b) Registration of any required easements and/or utility rights of way;
 - c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation;
 - d) Necessary Alberta Environment licensing documentation for the stormwater infrastructure system;

Utility Easements

- 7) Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of the relevant utility regarding:
 - a) The landowner shall adhere to the requirements of ENMAX Power Corporation included in the April 21, 2021 letter.
 - b) The landowner shall adhere to the requirements of ATCO Gas requirements to contact the agent for ATCO Gas to execute a Utility Right of Way to the satisfaction of the agency included in the April 16, 2021 letter.

Payments and Levies

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



- 9) 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 proposed lot created in the subdivision, as shown in the Plan of Survey.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

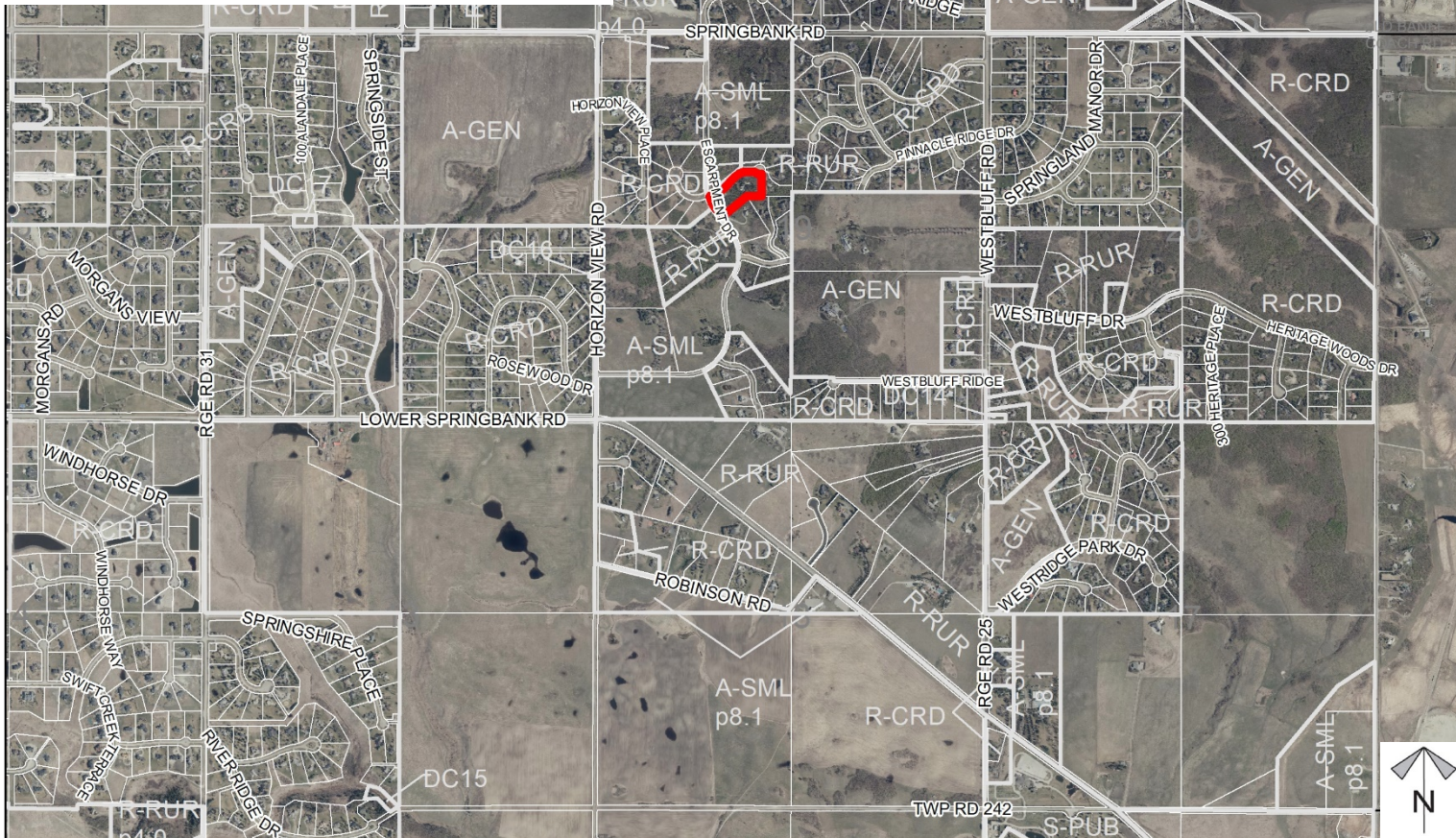
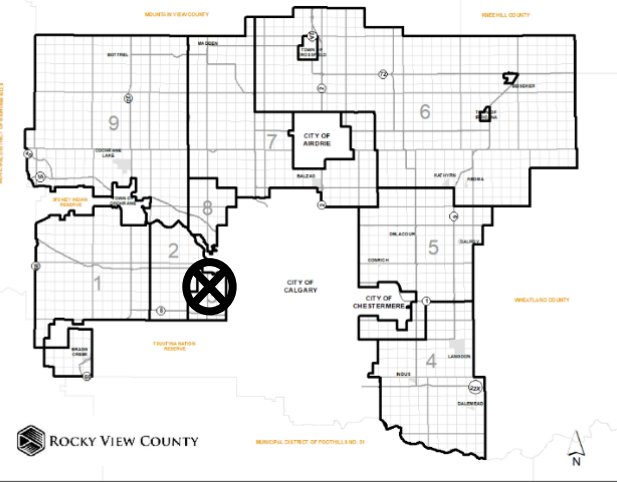
APPLICANT: Ken Venner, BA Planning Group	OWNER: Hirameki Management Corporation.
DATE APPLICATION RECEIVED: April 8, 2021	DATE DEEMED COMPLETE: April 13, 2021
GROSS AREA: ± 2.12 hectares (± 5.26 acres)	LEGAL DESCRIPTION: Lot 12, Block 6, Plan 0614763 in NW-19-24-02-W05M
APPEAL BOARD: Subdivision Appeals Board	
HISTORY: <i>December 21, 2006:</i> Subdivision of 5 lots within NW-19-24-02-W05M, plan number 0614763.	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 166 adjacent landowners. No responses were received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



Location & Context

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).

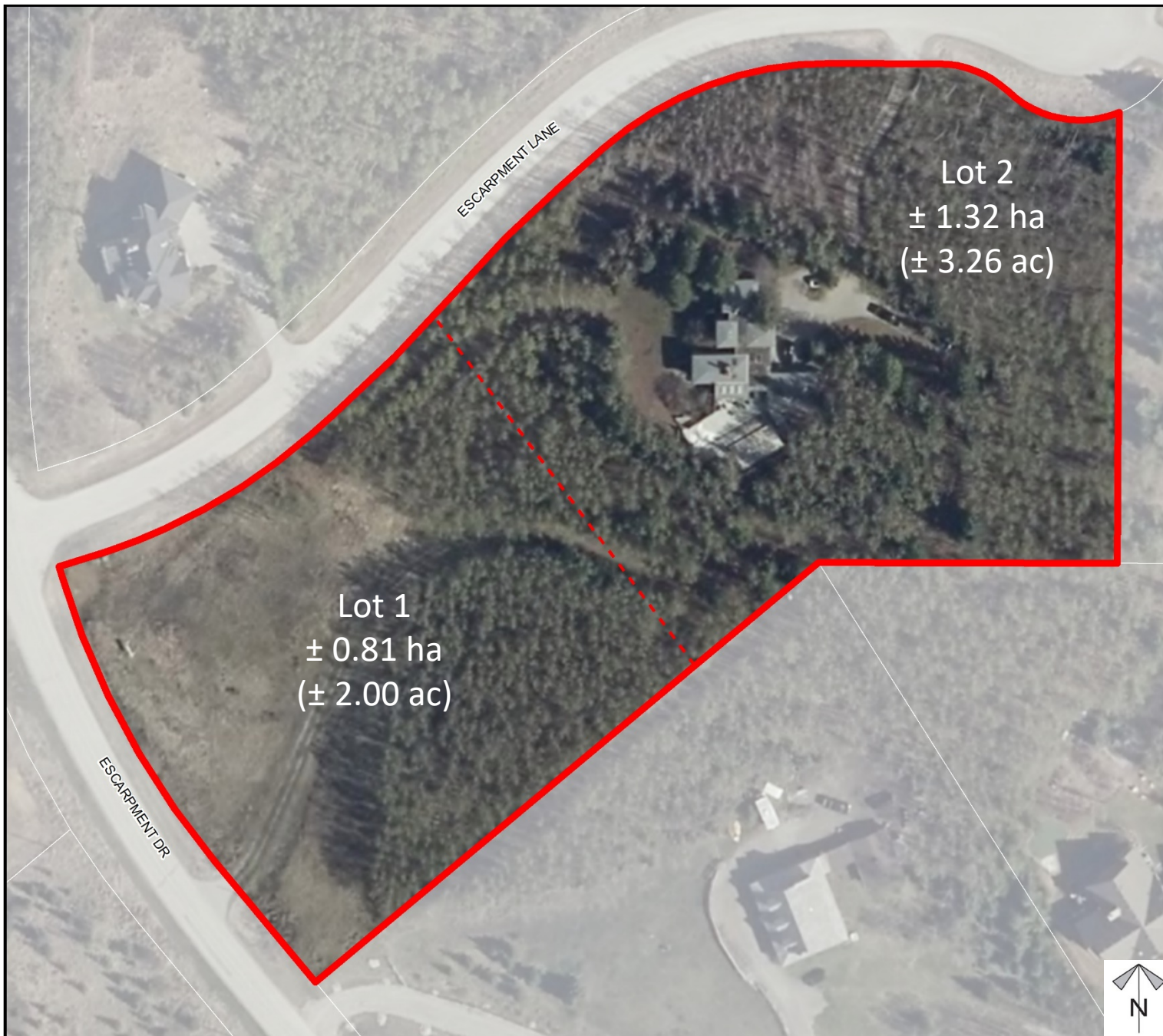


Division: 03
 Roll: 04619009
 File: PL20210066
 Printed: April 9, 2021
 Legal: Lot:12 Block:6
 Plan: 2021-19-24-02-W05M

Development Proposal

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).





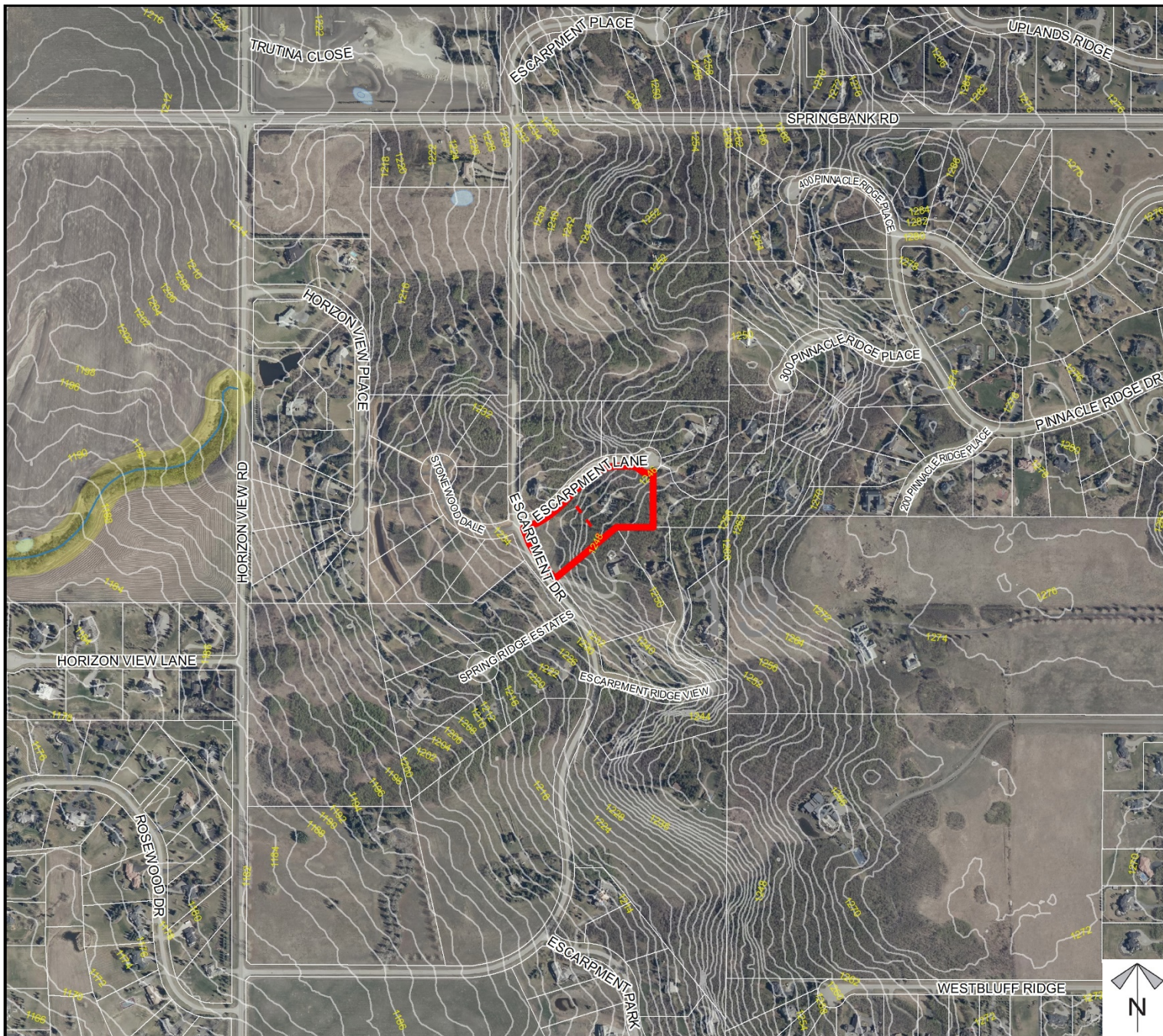
Environmental

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).

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

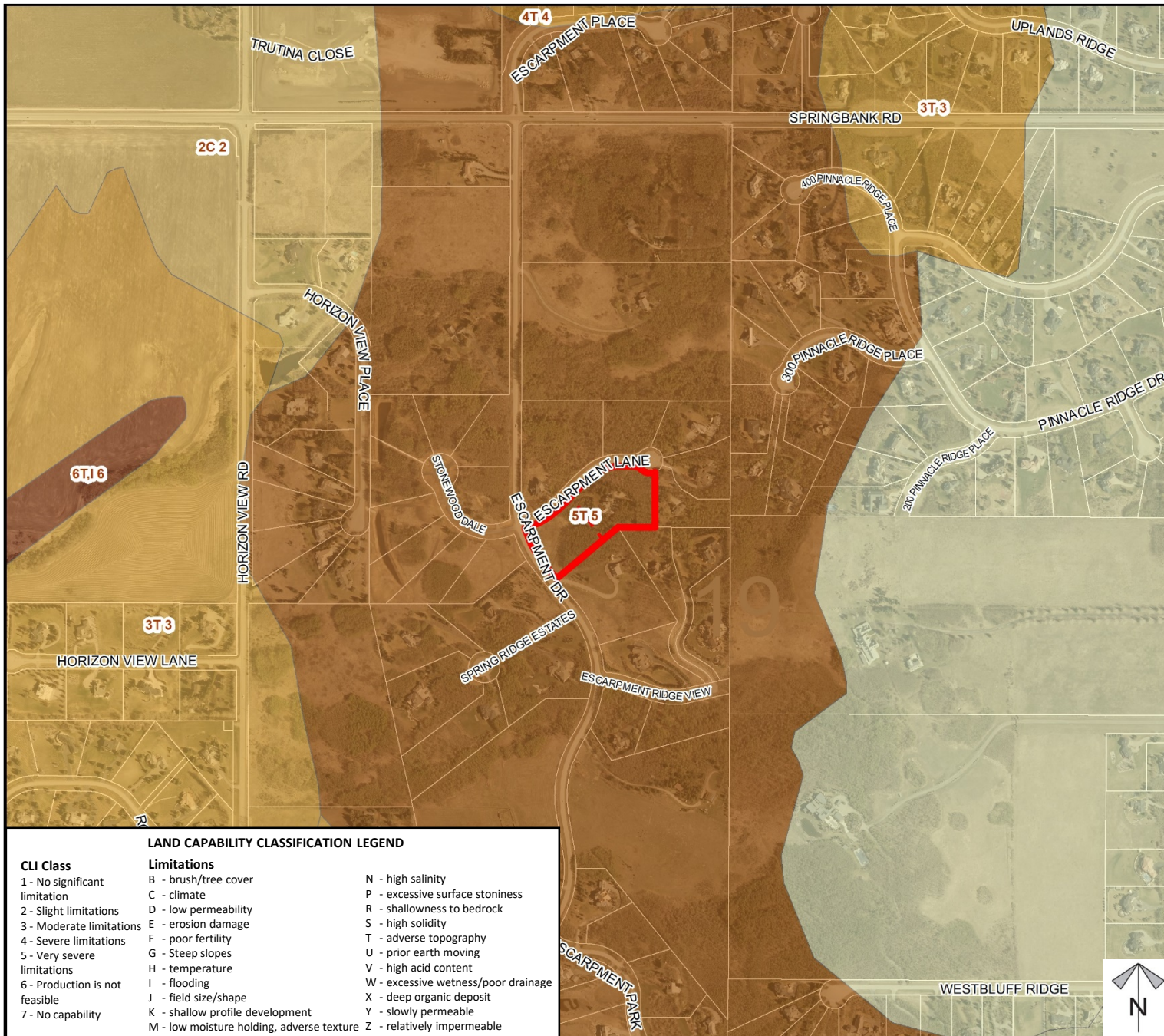
Division: 03
 Roll: 04619009
 File: PL20210066
 Printed: April 9, 2021
 Legal: Lot:12 Block:6
 Plan: 2021-19-
 Page 12 of 15
 24-02-W05M



Soil Classifications

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).



Division: 03
 Roll: 04619009
 File: PL20210066
 Printed: April 9, 2021
 Legal: Lot:12 Block:6
 Page 13 of 15
 24-02-W05M

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).

Legend

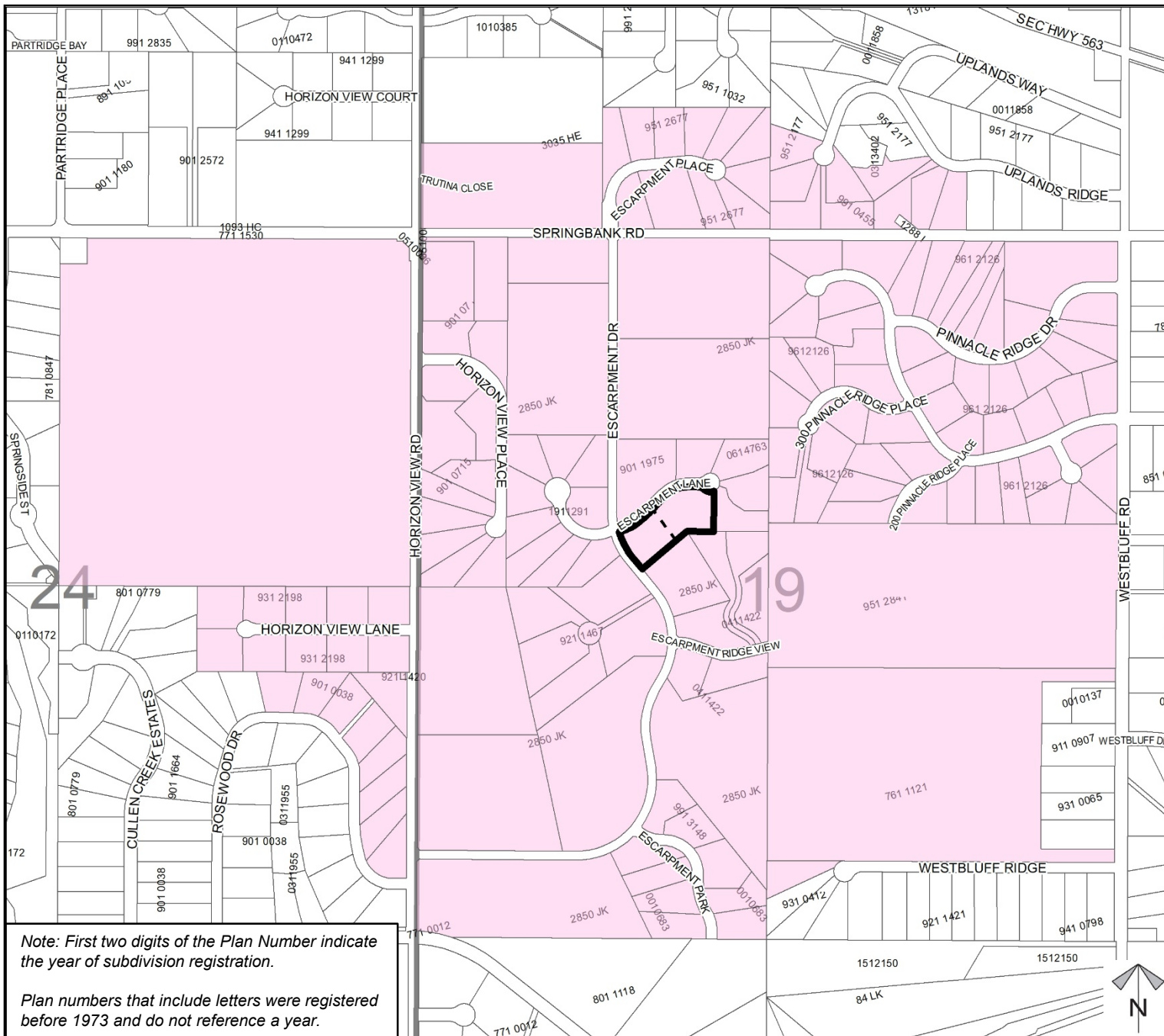
Support



Opposition



Division: 03
Roll: 04619009
File: PL20210066
Printed: April 9, 2021
Legal: Lot:12 Block:6
Page 4 of 761
24-02-W05M








Tentative Plan

Subdivision Proposal

To create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 1.32 hectare (± 3.26 acre) remainder (Lot 2).

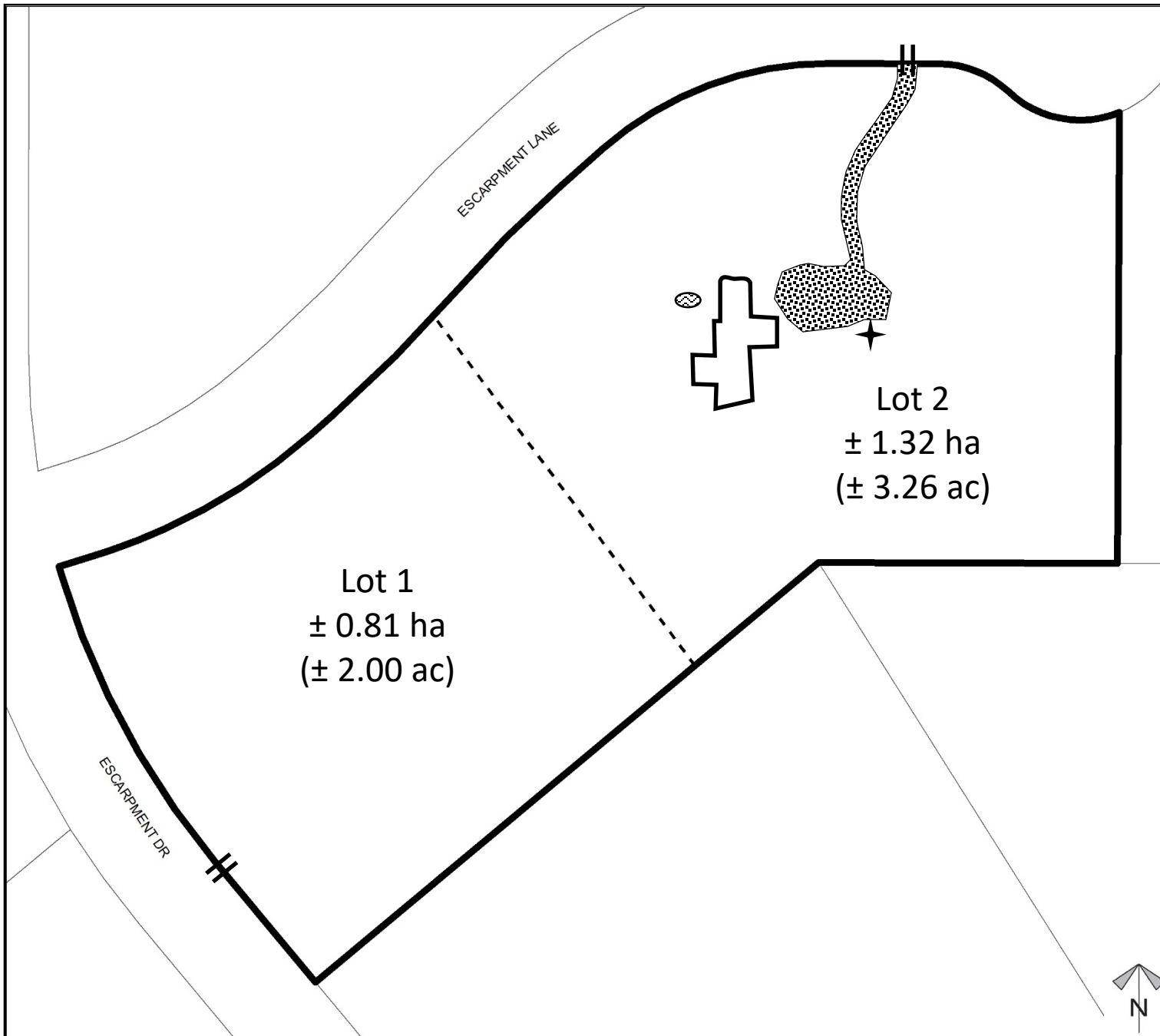
Legend

Dwelling	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 03
 Roll: 04619009
 File: PL20210066
 Printed: April 9, 2021
 Legal: Lot:12 Block:6
 Plan: 2021-19-24-02-W05M
 Page 15 of 15



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DATE: July 28, 2021

FILE: 06416002/05/07

SUBJECT: Commercial/Industrial Subdivision

DIVISION: 7

APPLICATION: PL20210030

APPLICATION: To create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totalling ± 2.05 hectares (± 5.07 acre); three public utility lots totalling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder.

GENERAL LOCATION: Located approximately 1 kilometre northeast of the city of Calgary; located on the north side of Secondary Highway 566, between Highway 2 and Range Road 293.

LAND USE DESIGNATION: Direct Control District 125 (DC-125)

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the City of Calgary/Rocky View County Intermunicipal Development Plan (IDP), Airdrie/Rocky View County Intermunicipal Development Plan (IDP), Balzac East Area Structure Plan (BEASP), Direct Control (DC) District 125, and the Balzac Business Park Conceptual Scheme (CS).

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20210030 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20210030 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Oksana Newmen, Planning and Development Services

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Balzac East ASP; • Balzac Business Park CS; • DC District 125; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Points North Phase I Storm Pond and Overland Drainage Report, prepared by IDEA Group Inc, dated April 2009 • Revised Points North Phase 2 Storm pond and Overland Drainage Report, prepared by IDEA Group Inc., dated April 2010 • Preliminary Geotechnical Evaluation Points North Business Park, prepared by EBA Engineering Consultants Ltd., dated July 2008 • Points North Business Park Phase 1 Overland Drainage Stormwater Management Report, prepared by IDEA Group Inc., dated March 2021 • Points North Business Park TIA Update – Traffic Review prepared by ISL Engineering and Land Services Ltd, dated February 2021 • Balzac Points North JV Inc. Wetland Assessment and Impact Report Final, prepared by Tannas Conservation Services Ltd., dated October 2019 • Deep Fills Report, prepared by G Tech Geotechnical Inc., dated November 2019 • Points North Business Park – Phase 1 Construction Management Plan, prepared by IDEA Group Inc., dated April 2021 • Points North Business Park Stripping and Grading Erosion and Sedimentation Control Report, prepared for PRDP20194187 by IDEA Group Inc., dated April 23, 2020 • Points North Business Park Phase 1 Weed Control Report, prepared by IDEA Group Inc., dated April 2021 • EPEA Registration 270590-00-00, dated November 9, 2010 • Water Act Approval 5046049, dated February 26, 2020
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	<p>\$2,140,923 (plus borrowing costs to payment date)</p> <p>Developable area = 98.23 acres</p> <p>Base Levy = \$4595/ac x 98.23 ac = \$451,367</p> <p>Special Area 1 Levy = \$17,200/ac x 98.23 ac = \$1,689,556 (plus borrowing costs to payment date)</p> <p>Total = \$2,140,923 (plus borrowing costs to payment date)</p>
<i>WATER AND WASTEWATER OFFSITE LEVY</i>	Water/Wastewater Off-Site Levy to be determined when servicing allocation is confirmed at the endorsement stage;
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	N/A – land being dedicated, with remainder deferred to future subdivision/development

Additional Review Considerations

Conditions were set based on the following items:

Accessibility to a Road

The lands have frontage on both Highway 566 and Range Road 293. The Balzac Business Park Conceptual Scheme requires that internal roadways be constructed per the future land use scenario. This includes the construction of a roadway located opposite Crossiron Boulevard, to access Highway 566, and a second access from Range Road 293. A set of internal roadways will be constructed as required by phasing to serve the future development.

The current application includes lands for the Crossiron Boulevard extension only.

City of Calgary/Rocky View County Intermunicipal Development Plan

As required by the IDP, the application was referred to the City of Calgary for review. The City indicated they had no concerns, but inquired about:

- The triggering of improvements to the Highway 566/Highway 2 interchange due to the development;
- The County's position in providing public transit to support the development; and
- Potential development-related downstream impacts on City and regional infrastructure.

The IDP references the Nose Creek Watershed Management Plan which includes protection of the natural environment, water quality, and historical resources. The proposal provides an environmental reserve around Nose Creek, with additional adjacent municipal reserves as outlined in the conceptual scheme.

Airdrie/Rocky View County Intermunicipal Development Plan

As required by the IDP, the application was referred to the City of Airdrie for review. No response was received.

The IDP also notes requirements regarding Intermunicipal Entranceways, setting direction for development to provide appropriate landscaping and building design, as well as visual impacts. These are



addressed as policies in the conceptual scheme, the conditions of approval, as well as during the future Development Permit stage.

Balzac East Area Structure Plan

The site is located within the Special Development area 2 (SDA2), and also includes special development areas along Nose Creek.

SDA2 restricts residential development due to the presence of the Airport Vicinity Protection Area (AVPA) Noise Exposure Forecast (NEF) 30 contour. Given the existing country residential development in the near vicinity of the site, the proposal is to contain 'residential friendly' business uses that address access to the satisfaction of the County. Compatibility with adjacent uses, form, and character of building design, and development with existing landforms are important factors to be considered.

The BEASP provides Development Guidelines which are to be implemented through the development approval process, and as such, these items will be addressed at the future Development Permit stage, alongside the SDA2 requirements.

The BEASP was also amended to revise Figures 2 and 3, as well as text in 4.7.2 to expand the SDA #2 area (from a narrow band of Residential Phase 1) outside of the NEF 30 contour due to the size limitations in providing residential in that area, and the consequent buffering that would be required to reduce impacts.

Balzac Business Park Conceptual Scheme

A conceptual scheme was adopted in May 2008 for the subject lands and notes the majority of uses and buildings will be office or uses that are wholly contained within the buildings.

Figure 8 shows the subject lands require public open lands around Nose Creek, stormwater management lands, and a regional pathway on the western side adjacent to Highway 2. In terms of development uses, the lands adjacent to Highway 566 are a transitional land use, and the northern portion is industrial/business park uses.

The Highway 566 Transition lands will require architectural guidelines, increased setbacks, and on-site landscaping requirements.

The industrial/business park land-use area has no requirements for additional interface or transitional elements, referring to the Direct Control for appropriate uses.

The conceptual scheme outlines land-use area calculations, including environmental reserve, municipal reserve, business area, public utility lots, and roads.

Policy 3.1.11, 3.4.1, and 3.4.2 note that the lot layouts in the conceptual scheme are conceptual, and may not reflect the final design, sizes, or numbers of lots, and may be determined through subdivision approval. As the applicants have proposed a new single lot, which varies from the Figure 9 layout showing multiple lots, this is consistent with the allowance of this policy.

The road layout deviates somewhat from the Conceptual Scheme, as the proposed subdivision is creating a single lot, and the additional roadway is not required. Should future subdivision of the industrial/business parcel occur, additional roadways, as needed, would be addressed.

Direct Control District 125

The subject lands for the proposed subdivision are located in Development Cell 1, where the remainder parcel is located within Development Cell 2.

Development requirements, setbacks, landscaping, signage, architectural controls, and performance standards are outlined. Any future development will require a development permit and will need to adhere to the requirements of the Direct Control District.

Development Agreement

A Development Agreement is required, as outlined in the Direct Control District and pursuant to the Municipal Government Act. It will include an extensive list of requirements to include (but not limited to) design and construction of a public road system, landscaping features for pathways, roadways, and the environmental reserve, fire suppression, piped water distribution system, and stormwater management; servicing study, hydraulic network analysis, easements dedication, and implementation of various technical studies.

Site Servicing

The site will utilize the East Balzac Sanitary Collection System for wastewater, which will require a detailed servicing study, provision of the Water and Wastewater Off-site Levy for wastewater servicing, and a Capacity Allocation Agreement.

For potable water, the East Balzac Water Distribution System will be used. A detailed potable water servicing and hydraulic design study will be required, as well as payment of the Water and Wastewater Off-site Levy for water servicing, and a Capacity Allocation Agreement.

Transportation

The application deviates from the conceptual scheme in that a single large lot is proposed on the western portion of the site, reducing the need for internal roadways. The primary access to the site is from Highway 566, with a new internal roadway system. This will require coordination of the Traffic Impact Assessment and intersection upgrades with Alberta Transportation. The main north-south street, a presumed extension of Crossiron Boulevard, will also require further review to confirm land area requirements.

For widening of Range Road 293, 10 metres of land dedication will be required along the east property line, to accommodate the future four-lane roadway. In addition, payment of Transportation Offsite Levy is required.

Stormwater / Developability

The applicant provided several studies pertaining to overland drainage. Based on the information provided, an updated Stormwater Management Report and detailed stormwater servicing design will be required as a condition of this subdivision. An Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards will also be required.

Municipal Reserves

The conceptual scheme outlines provision of municipal reserves through land dedication, totalling ± 7.32 hectares (± 18.09 acres). The submitted plan provides for a total of ± 2.05 hectares (± 5.07 acres), or approximately 2.62 percent of the required 10%. Municipal reserves dedicated by land include a municipal reserve lot which forms the pathway to the east of Nose Creek. The remaining 5.77 hectares (14.26 acres), approximately 7.38 percent will be deferred by caveat to the remainder, to be provided at the future subdivision.

Environmental Reserves

The Balzac East ASP states that linear municipal reserves adjacent to environmental reserves may be considered to support a linear park system along Nose Creek. The conceptual scheme provides for ± 7.54 hectares (± 18.63 acres) of environmental reserve lands.

The applicants have provided ± 10.50 hectares (± 25.95 acres) of environmental reserve in a single parcel along Nose Creek, which is adjacent to municipal reserve lands and public utility lots.

Lot Owners Association

A Lot Owners Association (LOA) is required to be established to maintain common areas, open spaces, and infrastructure. Obligations will include ongoing maintenance of all landscaped areas, open spaces (both environmental reserve and environmental reserves), fencing, solid waste management, oversight of architectural controls, and operation/maintenance of the stormwater detention facilities. The LOA will be funded through an encumbrance of individual lot titles to the satisfaction of the County.

Architectural Controls

Lands abutting Highway 566 and the residential transition area to the northeast of the remainder parcel (located within the conceptual scheme) have special architectural and landscaping guidelines. As the remainder parcel, which includes the residential transition area, is not being developed at this time, future consideration will be undertaken at the subdivision or development stage.

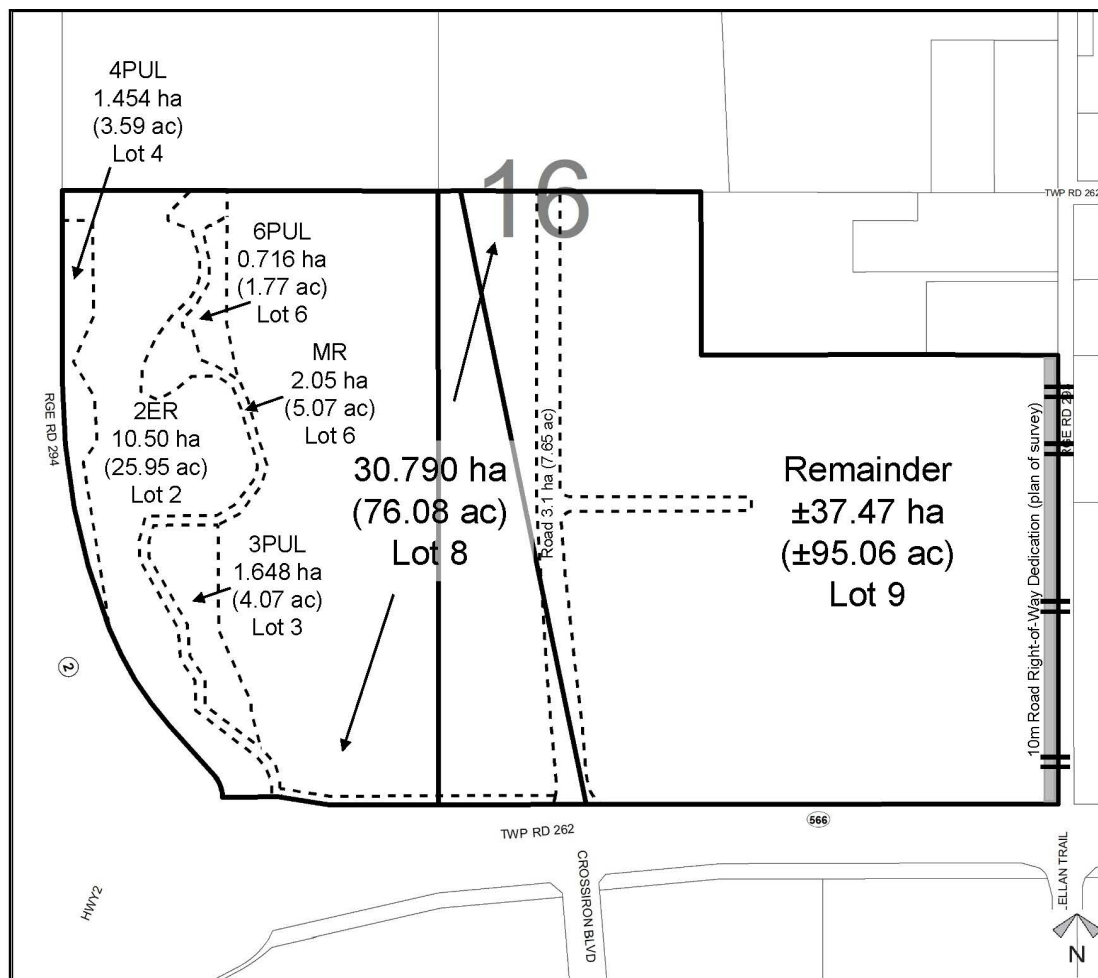
The proposed subdivision will therefore be subject to the architectural controls for the lands abutting Highway 566 and Highway 2. These requirements include an emphasis on building design, architectural elements on facades, roofing features, building entry definition, minimum landscaping, loading and storage areas, and outdoor display. These requirements will be assessed through the development permit stage, however, a condition requiring restrictive covenant detailing the requirements for architectural controls for approved lots has been provided. The requirements will be enforced by the developer until the Lot Owner's Association has been developed.

Cost Recovery

Improvements related to sanitary/wastewater facilities that benefit other lands will qualify for cost recovery, as well as pertinent items contemplated in the required Development Agreement in accordance with relevant sections of the *Municipal Government Act*.


Site Construction


A current stripping and grading permit (PRDP20194187) has been issued for the lands for rough grading of the property. Upon completion of the rough grading, it is expected that further site development will commence under a Development Agreement.


Tentative Plan**Tentative Plan****Subdivision Proposal**


To create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totaling ± 2.05 hectares (± 5.07 acres); three public utility lots totaling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder.

Legend

Existing Approach 

New Approach 

Driveway 

Road Widening 

Surveyor's Notes:

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

Division: 07

Roll: 06416002/005/007

File: PL20210030

Printed: July 15, 2021

Legal: SE-16-26-29-W04M

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

ON/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Submissions

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totaling ± 2.05 hectares (± 5.07 acre); three public utility lots totaling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder at Lot 4, Block 7, Plan 0812059 SE-16-26-29-W4M; a portion of SE-16-26-29-W4M; and a portion of SW-16-26-29-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 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.
- 2) The Owner is to dedicate a 10 m wide portion of land for road widening along the eastern boundary of Lot 4, Block 7, Plan 0812059.

Development Agreement

- 3) The Owner is to enter into a Development Agreement for the provision of the following infrastructure and improvements (further details are provided in the various sections below):
 - i. Design and construction of a public road system with association infrastructure, in accordance with the County Servicing Standards and as shown in the submitted Tentative Plan which includes the following:
 - i. Intersection treatments in accordance with the approved TIA;
 - ii. Signals and Illumination in accordance with the approved TIA;
 - iii. Temporary cul-de-sac including access easement;
 - iv. Regional Pathways;
 - v. Sidewalks;
 - vi. Offsite network improvements, if required, in accordance with the approved TIA



- ii. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
- iii. Design and construction of a piped potable water distribution system (including the registration of necessary easements) and fire suppression system;
- iv. Design and construction of a piped sanitary collection system (including the registration of necessary easements) to the East Rocky View Wastewater System and related infrastructure;
- v. Design and construction of a fire suppression and distribution system, designed to meet minimum fire flow as per County Standards and Bylaws;
- vi. Design, construction, and implementation of stormwater management facilities of the approved Stormwater Management Plan, including, but not limited to, storage facilities, overland and underground network, tie-ins to each log, and irrigation disposal system, in accordance with the recommendations of the approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of AESRD and the County;
- vii. Dedication of necessary easement and right-of-ways for utility line assignments;
- viii. Design and construction of landscaping features for all Public Utility Lots, public pathways and public roadways, environmental reserve, and municipal reserves in accordance with an approved Landscaping Plan;
- ix. Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
- x. Implementation of the recommendations of the Geotechnical Report;
- xi. Implementation of the recommendations of the Biophysical Impact Assessment and Wetland Impact Assessment;
- xii. Any required approvals from Alberta Environment and Parks for disturbance to any onsite wetlands;
- xiii. Installation of power, natural gas, and telephone lines; and
- xiv. Installation of dark sky compliant street lighting.
- xv. Payment of applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement; and,
- xvi. Construction of any oversized or excess capacity infrastructure, roads, and/or services benefitting the Owner's lands and development and other lands.

Transportation and Access

- 4) The Owner shall provide an updated Traffic Impact Assessment (TIA) in accordance with the Rocky View County 2013 Servicing Standards, Alberta Transportation Standards, and the Balzac Global TIA. Any improvements identified or road right of way that is required will be at the owner's expense:
 - a) If the recommendations of the Traffic Impact Assessment require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.



- 5) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County.

Stormwater/Developability

- 6) The Owner is to provide and implement an updated Stormwater Management Report and detailed stormwater servicing design. Implementation of the Stormwater Management Report shall include:
 - a) Registration of any required easements and/or utility rights-of-way;
 - b) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
- 7) The Owner is to provide a Geotechnical Investigation in accordance with County Servicing Standards. The report will verify the site is suitable for the proposed buildings, site works, and utilities. Areas with greater than 1.2 m of fill will require a Deep Fill report.

Site Servicing

- 8) The applicant shall be required to enter into a Capacity Allocation Agreement for servicing allocation to the Lot being created in this phase. The agreement shall be based on the servicing need identified in the detailed servicing study.
- 9) The applicant shall submit 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 provisions for fire protection in accordance with County Servicing Standards.
- 10) A detailed sanitary servicing study is required to support this development. 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 or an additional lift station capacity are required then all improvements shall be constructed under a Development Agreement.
 - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.

Municipal Reserves

- 11) The provision of Reserve is to be provided by the dedication of an MR lot totalling 5.07 acres, being 2.62 % of Reserve land dedication owing, to be determined by a Plan of Survey, in respect to SW-16-26-29-W4M and Lot 4, Block 7, Plan 0812059, SE-16-26-29-W4M and a portion of SE-16-26-29-W4M as indicated on the Approved Tentative Plan.
 - a) ± 7.38 % Municipal Reserve dedication outstanding on SW-16-26-29-W4M and Lot 4, Block 7, Plan 0812059, SE-16-26-29-W4M, and a portion of SE-16-26-29-W4M is to be deferred by Caveat to Lot 4, Block 7, Plan 0812059, SE-16-26-29-W4M, pursuant to Section 669 of the *Municipal Government Act*;

Environmental Reserves

- 12) The provision of Environmental Reserve is to be provided by the dedication of Lot 2ER, consisting of ± 10.50 ha (± 25.95 acres), as indicated on the Approved Tentative Plan, pursuant to Section 664 of the *Municipal Government Act*;

Architectural Controls

- 13) 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 Controls as detailed in the Balzac Business Park Conceptual Scheme, Direct Control District 125, and Balzac East Area Structure Plan. Elements should include, but not be limited to landscaping and screening provisions, signage, front and side yard facades, consistency in building materials, pedestrian connectivity, and building siting.

Lot Owners Association

- 14) The Owner shall legally establish a Lot Owners' Association (LOA), and 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 Lot Owners' Association;
 - a) The LOA agreement shall specify the future maintenance obligations of the Homeowners' Association for ongoing maintenance of all landscaped areas with the road rights-of-way and open spaces (both municipal reserves and environmental reserves); fencing; solid waste management; oversight of architectural controls; and, operation and maintenance of the stormwater detention facilities.

Site Construction

- 15) Utility Easements, Agreements, and Plans are to be provided and registered concurrently with a plan of survey to the satisfaction of ATCO Gas;
- 16) The Applicant/Owner shall design a central water fire suppression distribution system, including fire hydrants, for firefighting purposes, in accordance with the requirements described in the Fire Hydrant Water Suppression Bylaw (C-7259-2013):
 - a) Construction of the fire suppression collection system shall be included within the Development Agreement;
- 17) The applicant shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards. We note for the applicant's benefit that as this site's disturbed area is >2ha a full report is required.
- 18) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
 - c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;

Cost Recovery

- 19) 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.

Landscaping

- 20) The Owner is to provide a landscaping plan prepared by a qualified practitioner for all public pathways, public roadways, and the environmental reserve lands in accordance with the Land Use Bylaw and East Balzac ASP. The plan must detail:
 - a) Treatment along entranceways, common landscaped areas, municipal reserves, public utility easements, and stormwater facilities

Payments and Levies

- 21) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of six new lots.
- 22) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to entering into the Development Agreement. The County shall calculate the total amount owing:
 - b) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey
- 23) The Owner shall pay the Water/Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing;
 - a) Based on engineering assessment of the projected usage.

Taxes

- 24) 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

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Maidment Land Surveys Ltd.	OWNER: Karima Enterprises Ltd. and Balzac-Points North JV Inc.
DATE APPLICATION RECEIVED: February 18, 2021	DATE DEEMED COMPLETE: February 18, 2021
GROSS AREA: ± 88.72 hectares (± 219.24 acres)	LEGAL DESCRIPTION: Lot 4, Block 7, Plan 0812059 SE-16-26-29-W4M; a portion of SE-16-26-29-W4M; and a portion of SW-16-26-29-W4M
APPEAL BOARD: Municipal Government Board	
HISTORY: <u>Planning Files:</u> November 23, 2010: Council approved an amendment to DC125 to add additional uses to Cells 1 and 2 (2010-RV-060) July 6, 2010: Council approved Phase 3 subdivision into 11 commercial lots, replacing 2008-RV-325 (2010-RV-061) – file closed. July 29, 2008: Council approved Phase I of the Balzac Business Park Conceptual Scheme by subdividing +/- 86.3 acres into 21 commercial lots, four (4) public utility lots, 2 municipal reserve lots, and 1 environmental reserve lot (2008-RV-144) – closed (expired) February 10, 2008: Council approved the implementation of Phases 2 and 3 for subdivision of all of the remnant of SE1/4-16-26-29-W4M and Lot 4 Block 7 Plan 0812059 comprising a total of 107.51 ac into 36 industrial lots, two (2) municipal reserve lots, and one (1) public utility lot (2008-RV-325) – closed (expired) April 15, 2007: Council approved an amendment to the Balzac Business Park Conceptual Scheme to include all lands in the S1/2-16-26-29-W4M (2006-RV-648) April 26, 2005: Council approved redesignation of (2002-RV-358) from Ranch and Farm District to Direct Control District 125. April 26, 2005: Council approved the Balzac Business Park Conceptual Scheme (2002-RV-359) June 16, 1998: Application to redesignate 18 acres of the subject land from Agricultural Conservation (1) District to Direct Control (DC) District for R.V. sales and consignment, with a ± 68 acre remainder. (97-RV-003) - refused 1998: Application to redesignate lands from Ranch and Farm to Direct Control District for 18 acre RV sales and consignment (98-RV-102) - withdrawn	

Development Permits:

- December 23, 2020:** Permits issued for renewal of freestanding sign. (PRDP20203185, 3186)
- November 2019:** Application for stripping and grading (PRDP20194187) – waiting for conditions to be satisfied
- December 20, 2018:** Permit issued for Installation of one freestanding sign. (PRDP20183323, 3321)
- August 16, 2012:** Application to construct Type I industrial building and signage (extension to 2008-DP-13195) File closed due to inactivity. (2011-DP-14538)
- March 29, 2011:** Permit issued for 2 information signs (2011-DP-14442)
- May 25, 2010:** Permit issued for 2 information signs (2010-DP-13986)
- March 30, 2010:** Permit issued for General Industry, Type I, construction of an industrial building and signage (extension of 2008-DP-13195) (2010-DP-13884)
- September 2, 2008:** Permit issued for two (2) subdivision entrance feature signs (2008-DP-13223)
- August 19, 2008:** Permit issued for construction of an industrial building, Type I and signage (2008-DP-13195)
- August 5, 2008:** Permit issued for construction of a temporary site office (2008-DP-13215)
- July 22, 2008:** Stripping and grading for 29 lots (2008-DP-13161) – file closed September 2011 after four (4) renewals
- April 15, 2008:** Permit issued for renewal of tow (2) information signs, (2008-DP-13000) – expired
- December 6, 2005:** Permit issued for Home Based Business, Type II for welding shop (2005-DP-11751) – expired
- December 7, 2004:** Permit issued for renewal of mobile home dwelling for farm help (2004-DP-11118)
- December 2, 2003:** Permit issued for renewal of Home Based Business, Type II for welding shop (2003-DP-10617)
- December 12, 2002:** Permit issued for renewal of Home Based Business, Type II for welding shop (2002-DP-10106)

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 98 adjacent landowners. Two (2) responses in opposition received. The responses have been included in Appendix 'C.'

The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.

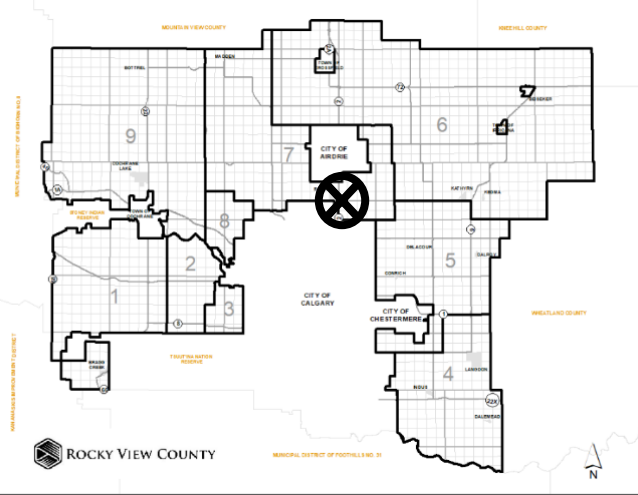


Location & Context

Subdivision Proposal

To create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totaling ± 2.05 hectares (± 5.07 acre); three public utility lots totaling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder.

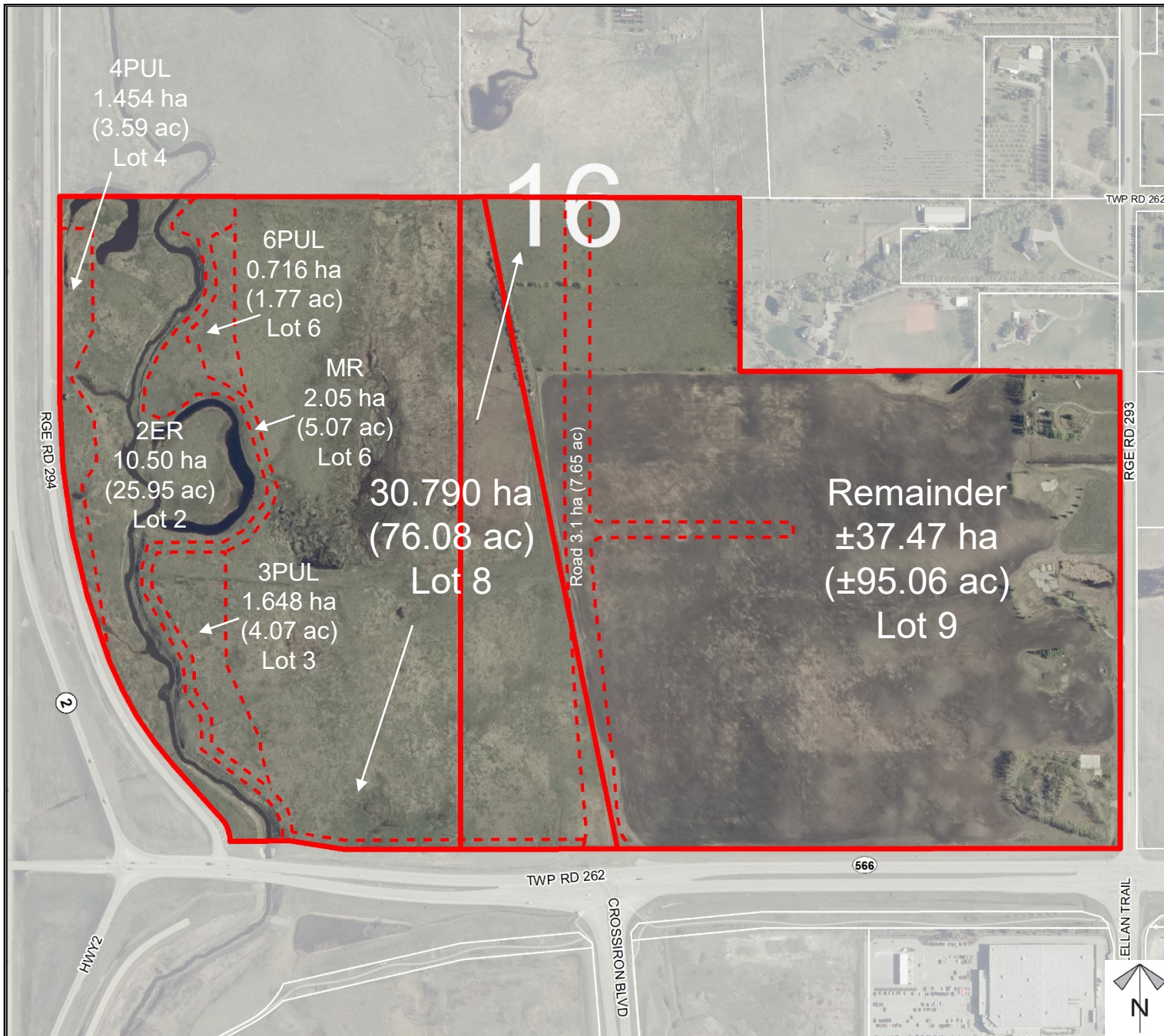
Division: 07
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Development Proposal

Subdivision Proposal

To create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totaling ± 2.05 hectares (± 5.07 acre); three public utility lots totaling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder.



Balzac Business Park



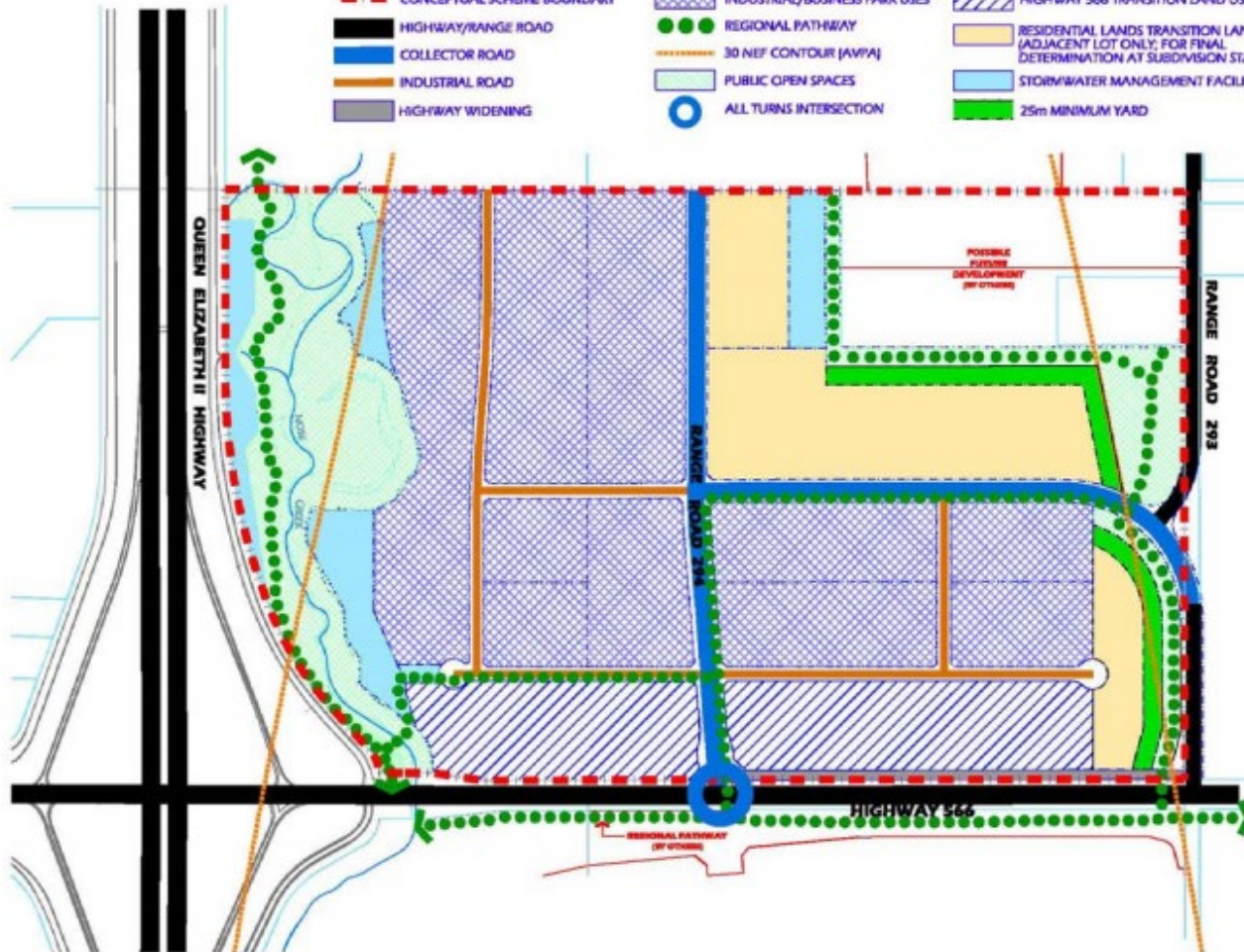
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LEGEND

- CONCEPTUAL SCHEME BOUNDARY
- HIGHWAY/RANGE ROAD
- COLLECTOR ROAD
- INDUSTRIAL ROAD
- HIGHWAY WIDENING

- INDUSTRIAL/BUSINESS PARK USES
- REGIONAL PATHWAY
- 30 NEF CONTOUR (AMPA)
- PUBLIC OPEN SPACES
- ALL TURNS INTERSECTION

- ## Conceptual Scheme
- HIGHWAY 566 TRANSITION LAND USE
 - RESIDENTIAL LANDS TRANSITION LAND USE (ADJACENT LOT ONLY; FOR FINAL DETERMINATION AT SUBDIVISION STAGE)
 - STORMWATER MANAGEMENT FACILITY
 - 25m MINIMUM YARD



land use concept and transportation plan

 FIGURE
8

Conceptual Scheme

Subdivision Proposal

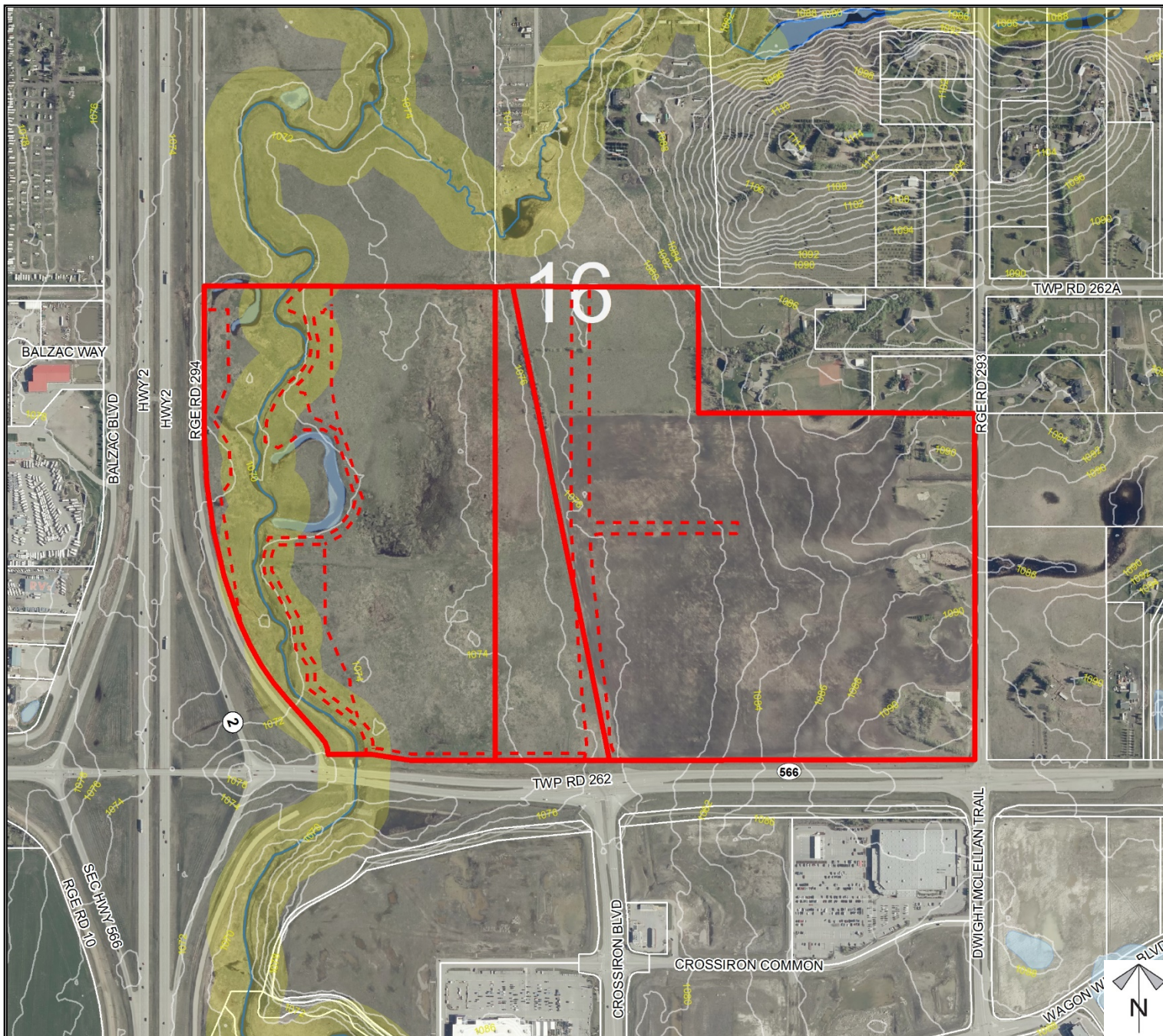
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Environmental

Subdivision Proposal

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



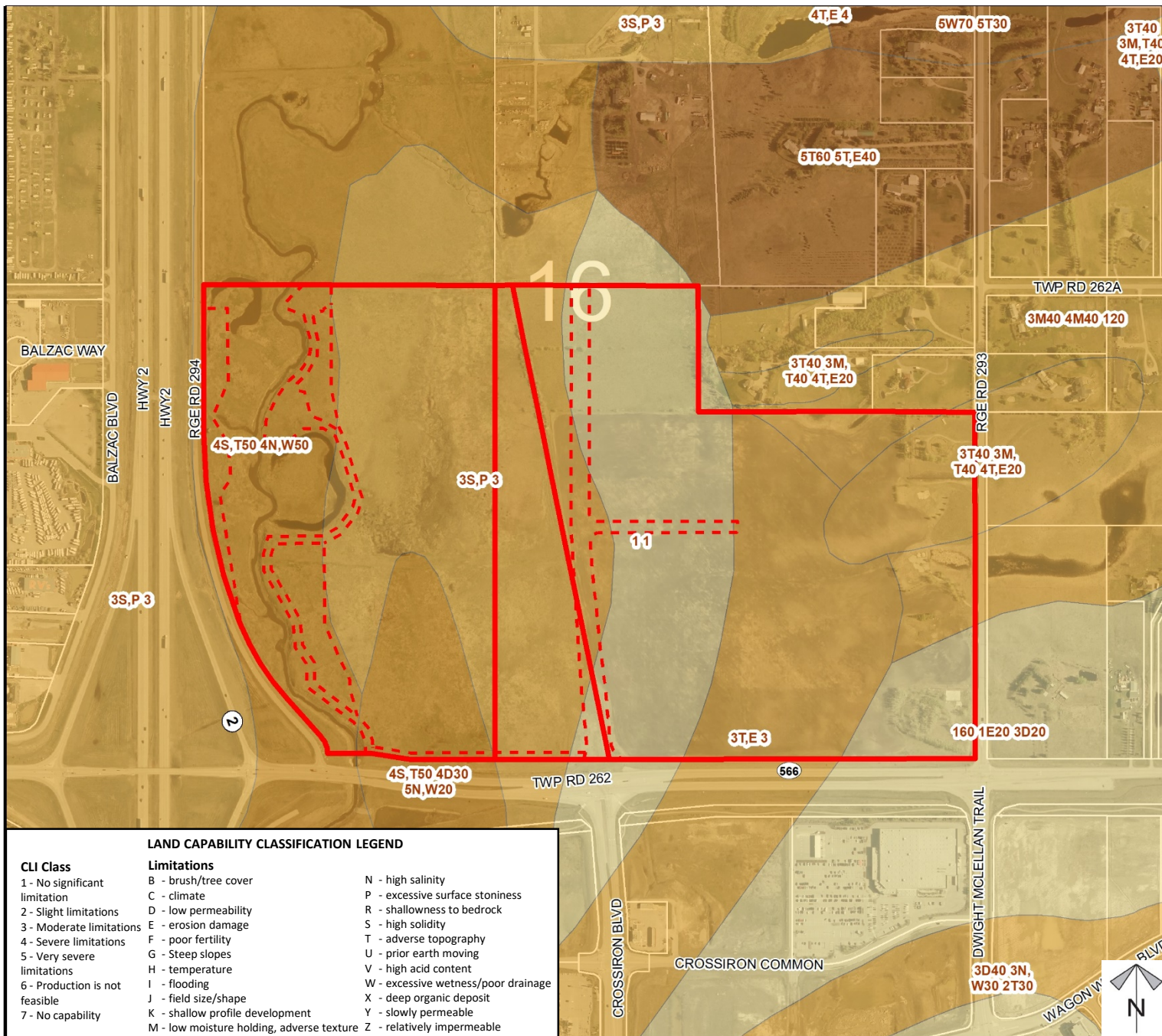
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Soil Classifications

Subdivision Proposal

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Landowner Circulation Area

Subdivision Proposal

To create a ± 30.79 hectare (± 76.08 acre) industrial development parcel (Lot 8); one municipal reserve parcel totaling ± 2.05 hectares (± 5.07 acre); three public utility lots totaling ± 3.82 hectares (± 9.43 acres); one ± 10.50 hectare (± 25.95 acre) environmental reserve parcel (Lot 2ER); a ± 3.10 hectare (± 7.65 acre) road; and a ± 38.47 hectare (± 95.06 acre) remainder.

Legend

Support

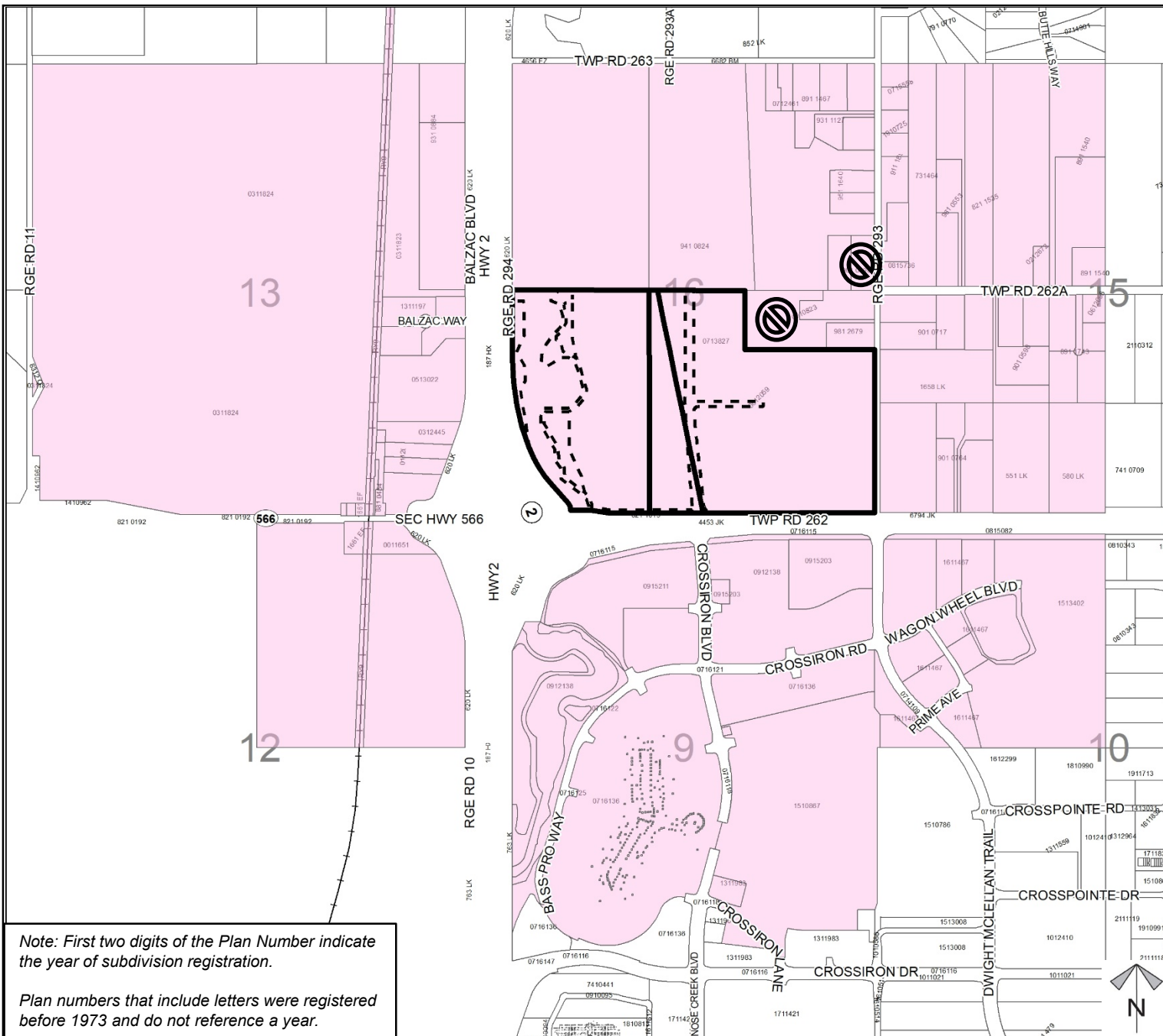


Not support



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.



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Tentative Plan

Subdivision Proposal

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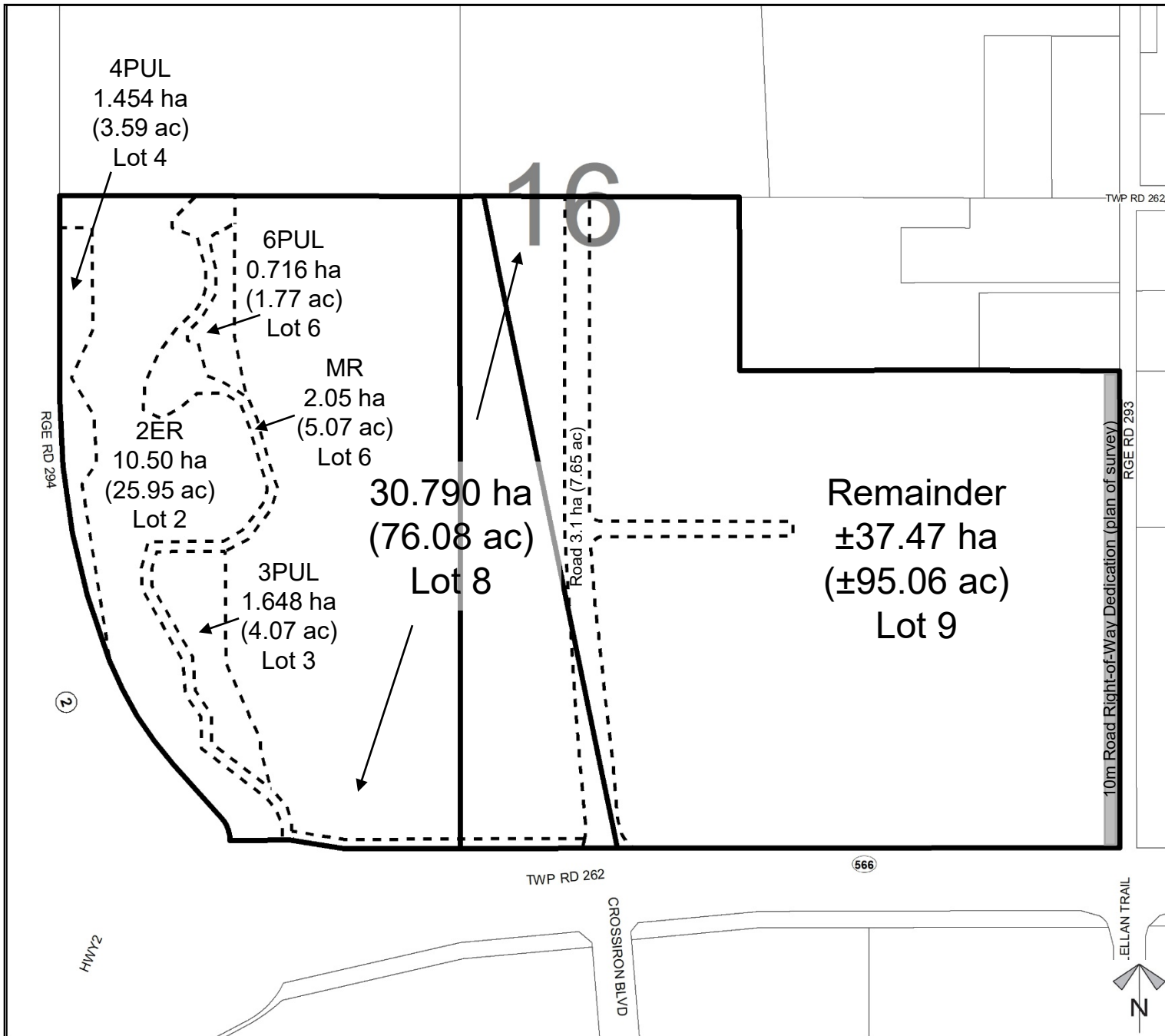
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Existing Approach	==
New Approach	...
Driveway	▣
Road Widening	■

Surveyor's Notes:

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

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From: [REDACTED]
To: [Oksana Newmen](#)
Subject: [EXTERNAL] - Application PL20210030
Date: March 23, 2021 3:37:53 PM

Do not open links or attachments unless sender and content are known.

The proposed development is in an area where there was a Concept Plan approved some years ago. Could you please confirm if this proposal intends to change the Concept Plan in any way?

I would also like to know if the proposal will allow for the construction of the Trans Canada Trail which is coming into Rocky View from Airdrie and should be joining the trail in Calgary. I am interested in how this will be routed to cross Highway 566.

Thank you.

--

Syd Hartley
[REDACTED]

--

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

April 1, 2021

Via Email

Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Attention: Ms. Oksana Newmen

**RE: Subdivision Application PL20210030;
Applicant Maidment Land Surveys Ltd.;
SW-16-26-29 W04M
SE-16-26-29-W04M
Lot 4 Block 7 Plan 0812059, SE-26-29-W04M**

Dear Ms. Newmen:

I am writing to express concerns about the Subdivision Application PL20210030. My wife and I are the registered owners of the land to the immediate northeast of the subject lands. I reviewed the Direct Control Bylaw C-6610-2007 (DC-125) that governs the subject lands and the Balzac Business Park Conceptual Scheme.

I have the following comments. In my opinion the application does not comply with the Direct Control Bylaw and the Conceptual Scheme for the reasons outlined below.

Conceptual Scheme

The Conceptual Scheme contains the following policies that are relevant for the subject application:

Policy 3.4.1: Subdivision application(s) shall be in general conformity with lot configuration shown in Figure 9.

Policy 3.1.1: Redesignation, subdivision and development proposals within the plan area shall conform to this Conceptual Scheme, Balzac East ASP and other relevant policies and regulations of the MD of Rocky View.

Policy 3.1.10: Subdivision shall generally be in accordance with the proposed subdivision plan shown in Figure 9.

Policy 3.1.11: Lot layouts shown in Figure 9 are conceptual only and may not reflect the final design, number or sizes of lots proposed in future tentative plans of subdivision. The final size, configuration and design of individual parcels proposed through subdivision shall be

determined at the tentative subdivision plan approval stage and conform to the provisions of the Direct Control Bylaw.

It is important to note that the aforementioned Policy sections of the Conceptual Scheme use the word "shall". This indicates compulsory language. Legally it means that these policies must be followed and that these policies apply to any and all subdivision applications. Figure 9 is relatively very detailed. I conclude that the Conceptual Scheme anticipate comprehensive subdivision and development of the Business Park. While Policy section 3.1.10 provides some flexibility, it contemplates that generally the proposed subdivision application(s) must follow the lot configuration of Figure 9

It is important to note that the aforementioned Policy sections of the Conceptual Scheme use the word "shall". This indicates compulsory language and thus are requirements that must be met. Legally it means that these policies must be followed and apply to the subdivision applications. Figure 9 is relatively very detailed and anticipates comprehensive subdivision and development of the Business Park.

Direct Control Bylaw

It is also pertinent that the Direct Control Bylaw contains very prescriptive directions of Council as set out in the regulatory provisions of the Bylaw. The following sections of the DC Bylaw are significant and provide clear directions:

1.0.0 General Requirements

1.5.0 All *development* upon the lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw and all licenses, permits and approvals pertaining to the lands required to be obtained from Alberta Environment and Alberta Infrastructure and Transportation. The policies of the Balzac East Area Structure Plan and the Balzac Business Park Conceptual Scheme shall apply to all applications for subdivision and development.

2.0.0 SUBDIVISION REQUIREMENTS

2.1.0 No subdivision of the Lands shall be permitted without and until the Developer has executed a Development Agreement(s) in form and substance satisfactory to the County at its sole discretion, which shall describe all details of development, any development regulation, criteria, or condition, including the posting of financial securities, where necessary to ensure all subdivision of the Lands conforms to the principles upon which this By-law is based. The Development Agreement shall be registered by caveat against the Lands and shall run with the Lands and shall include but not be limited to the following:

2.1.1 Construction of a wastewater collection, treatment and disposal system;

2.1.2 Construction of a surface water supply, treatment and distribution system, including fire hydrants for fire fighting purposes;

2.1.3 Construction of stormwater management facilities as per an approved Storm Water Management Plan;

2.1.4 Construction of all internal road systems and construct all off-site roads necessary to serve the development as identified in the Traffic Impact Assessment for each phase of subdivision;

2.1.5 Confirmation of the location of all necessary utility easements, restrictive covenants/caveats and rights-of-way related to the supply and distribution of power, gas, telephone, and such other utilities required by the County; and

2.1.6 Design and construction of a linear pathway linking the Balzac Business Park with Nose Creek and providing connectivity with adjacent lands, all to the satisfaction of the County.

2.2.0 No subdivision of the Lands shall be permitted without and until:

2.2.1 The Developer has prepared and submitted a Storm Water Management Plan complete with erosion and sedimentation control measures in form and substance satisfactory to each of the County and Alberta Environment. The Developer shall design, construct and maintain all of the infrastructure required by the Stormwater Management Plan to the satisfaction of Alberta Environment and the County;

2.2.2 Issuance of all necessary licenses and permits with respect to the provision of a wastewater collection, treatment and disposal system to the satisfaction of the County and Alberta Environment;

2.2.3 Issuance of all necessary licenses and permits with respect to the provision of a surface water supply, treatment and distribution system, including fire hydrants for fire fighting purposes to the satisfaction of the County and Alberta Environment;

2.2.4 All necessary utility easements, restrictive covenants/caveats and rights-of-way related to the supply and distribution of power, gas, telephone and such other utilities required by the County, have been registered concurrently with the plan of subdivision by the Developer against the title to the Lands or portions thereof;

2.2.5 The Developer has prepared, at its sole expense, a master landscape plan for the Balzac Business Park Conceptual Scheme area, in accordance with the landscaping provisions of this Bylaw. The Master Landscape Plan shall be consistent with the policies and guidelines of the Intermunicipal Entranceway policies of the M.D. of Rocky View/ City of Calgary and City of Airdrie/M.D. of Rocky View Intermunicipal Development Plans,

Balzac Business Park Conceptual Scheme and in particular the policies respecting the Highway 566 Transition Area, and the Residential Lands Transitional area;

2.2.6 A Lot Owners' Association has been legally established by the Developer and a Restrictive Covenant confirming that each owner shall, in perpetuity, be a member of the Lot Owners Association, and that the responsibilities of the Lot Owners' Association will be determined prior to subdivision approval, to the satisfaction of the County;

2.2.7 Agreements to provide for mutual access, the shared use of parking areas shall be registered on title of the affected lots when the subdivision is registered, where applicable;

2.2.8 A review of the Traffic Impact Analysis shall be submitted with the application for each phase of subdivision, at no expense to the County, to determine the timing of construction of the Highway and off-site road improvements, to the satisfaction of the County and Alberta Infrastructure and Transportation;

2.2.9 Architectural controls in conformity with the policies and guidelines contained in the Balzac Business Park Conceptual Scheme shall be registered on each parcel and enforced by the Developer until such time that a Lot Owners Association is established;

2.2.10 An Emergency Management and Response Plan has been prepared and approved by the County prior to final subdivision endorsement;

2.2.11 An Environmental Site Assessment that describes methods to mitigate the impact of affected phases of development adjacent to Nose Creek shall be prepared at the time of subdivision;

2.2.12 An Historical Resources Overview or if required by the Province, a Historical Resources Impact Assessment shall be prepared prior to any disturbances on the site, to the satisfaction of the County and Alberta Community Development; and

2.2.13 No Plan of Subdivision shall be endorsed and no Development Permit shall be issued for the lands (including stripping and grading) until the County and the Owner have executed a Development Agreement(s) where required, in form and substance satisfactory to the County.

Conclusion

The proposed subdivision does not meet the requirements of the DC Bylaw and Conceptual Scheme. The provisions of the DC Bylaw use the word "shall" throughout in almost every provision. This indicates compulsory language and thus is a requirement that must be met. The provisions as referenced above, in particular the underlined sentences, underscore the

mandatory requirements of the Bylaw. Any subdivision application must meet the provisions of the DC Bylaw.

The DC Bylaw in conjunction with the Conceptual Scheme anticipates comprehensive subdivision and development of the Business Park. I submit that the subject subdivision application should comply with every aspect of the DC Bylaw, which are the directions of Council and must be followed.

Section 2.2.0 of the DC Bylaw is extremely clear. It states that no subdivision of the lands shall be permitted without and until all requirements of the listed subsections are met. This means that the developer and/or owners are required to comply with the requirements of section 2.2.0 before any subdivision of the lands can be approved by the Subdivision Authority.

While the Conceptual Scheme may provide some flexibility in its policies by using the words “general conformity with lot configuration shown in Figure 9”, the DC Control Bylaw does not allow for flexibility. The DC Bylaws is part of the Land Use Bylaw and prevails over the policies of the Conceptual Scheme.

Under the scheme of the Municipal Government Act (MGA), the Subdivision and Development Regulation, the Subdivision Authority is bound by the Land Use Bylaw and DC Bylaw that apply to the subject lands and subdivision application. The MGA, section 654(1), states that the Subdivision Authority must not approve a subdivision application unless, among other things, the proposed subdivision complies to the provisions of [...] any land use bylaw that affects the land to be subdivided.

I further submit that due to the compulsory language used in the DC Bylaw the Subdivision Authority has no authority to relax or vary the provisions of the DC Bylaw, since the DC Bylaw does not expressly provides the Subdivision Authority the authority to relax or vary the provisions of section 2.0.0 (the Subdivision requirements of the DC Bylaw). Furthermore the requirements of section 2.0.0 are not subdivision standards but express conditions that must be met before the Subdivision Authority has the authority to approve a subdivision application. Section 2.0.0 pertains to the jurisdiction/authority of the Subdivision Authority and such provisions of the DC Bylaw cannot be varied or relaxed. Section 654(2) of the MGA, which provides the authority to the Subdivision Authority to relax or vary the Land Use Bylaw, pertains to subdivision standards of the Land Use Bylaw. It does not pertain to jurisdictional or administrative provisions of the Land Use Bylaw (which includes the DC Bylaw).

Council approved the DC Bylaw and Conceptual Scheme to ensure comprehensive development of the subject lands takes place having regard to the impacts of the development of the Business Park on adjacent properties. In our view the proposed subdivision of the subject lands as applied for in the subject application is contrary to the intent of the objectives of the DC Bylaw and Conceptual Scheme. I am afraid of negative

impacts on the use, value and enjoyment of our property if the subdivision application would be approved, as the developer has not provided any guarantees that the lands will be developed in accordance with the DC Bylaw and Conceptual Scheme.

If the subdivision applicant or the developer do not comply with the requirements of section 2.0.0 of the DC Bylaw, the subdivision application must be refused in accordance with the MGA.

Thank you for considering our comments.

Yours truly,

[Unsigned as sent via email]

Darcy Steinman
262111 Range Road 293
Rocky View County, AB T4A 0N1

[REDACTED]

[REDACTED]

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Subdivision Authority	DIVISION: 4
DATE:	July 28, 2021	APPLICATION: PL20210075
FILE:	03309002/001	
SUBJECT:	Subdivision Item – Creation of Twelve Residential Lots	

APPLICATION: To create twelve residential lots on the ± 23.31 hectares (± 57.59 acres) of land with the consolidation of ± 0.7 hectares (± 1.74 acres) of land from SE-9-23-28-W04M, with a ± 16.69 hectares (± 41.24 acres) remainder and a ± 48.38 hectares (± 119.55 acres) remainder.

GENERAL LOCATION: Located approximately 0.5 miles east of the city of Calgary, east of Range Road 284 and on the north side of Township Road 231.

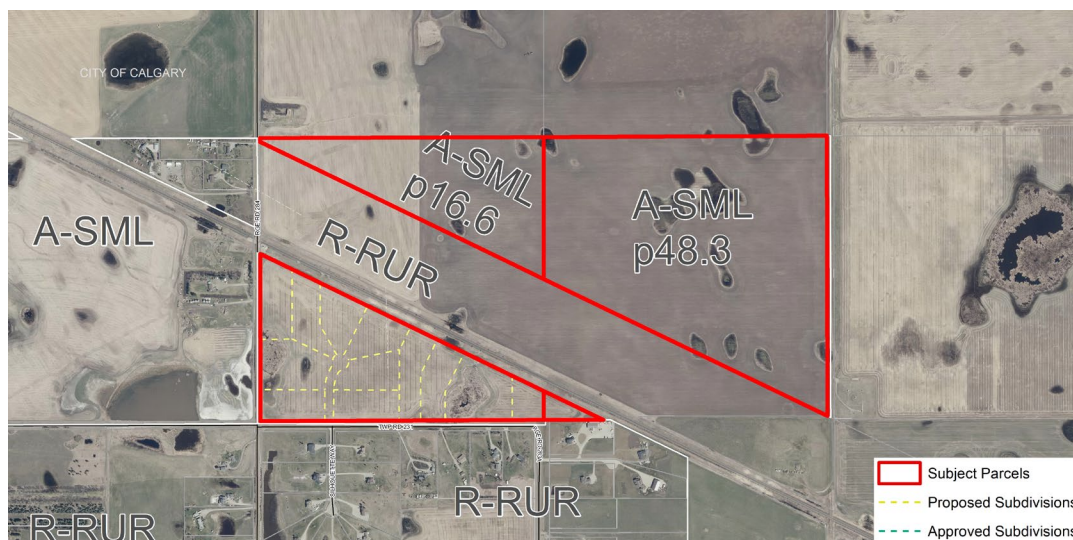
LAND USE DESIGNATION: Residential, Rural District (R-RUR), Agricultural, Small Parcel District (A-SML p16.6) and Agricultural, Small Parcel District (A-SML p48.3)

ADMINISTRATION RECOMMENDATION: Administration recommends approval as per Option #1.

OPTIONS:

- Option #1: THAT Subdivision Application PL20210075 be approved with the conditions noted in Appendix 'A'.
- Option #2: Motion #1 THAT Condition 3.c) regarding Emergency Access be removed;
Motion #2 THAT Subdivision Application PL20210075 be approved with the conditions noted in Appendix 'A', as amended.
- Option #3: THAT Subdivision Application PL20210075 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning and Development Services

APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Rocky View County/City of Calgary Intermunicipal Development Plan (IDP); • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Geotechnical Report (Tetra Tech, September 2019) • Transportation Impact Assessment Memo (ISL Engineering, March 23, 2020) • Phase 1 Aquifer Analysis (Solstice Environmental Management, August 5, 2020) • Level 4 PSTS Assessment (Solstice Environmental Management, August 4, 2020) • Shepard Estates Conceptual Scheme Stormwater Management Plan (Idea Group, April 2020) • Biophysical Impact Assessment (Tannas Conservation Services Ltd. April 2020) • Appraisal Report (Altus Group, May 18, 2021)
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Transportation:

Lots 1, 2 and 4-8 will be accessed through a proposed new internal subdivision road while Lot 3 will have direct access to Range Road 284. Lots 9-12 will have direct access to Township Road 231. The Applicant provided a Traffic Impact Assessment (TIA) memo at the redesignation stage, which concluded that the amount of traffic generated from the development is relatively low and would have minimal impact on existing traffic operations. Range Road 284 is currently a gravelled road that experiences a relatively high volume of traffic between Township Road 232 & 230 (400 – 500 vehicles per day).

It is also noted that Township Road 231/Range Road 283A/Township Road 230B is a dead-end road with a single point of access as there are currently 27 lots using this route for access. The County Servicing Standards require at least two access points when roadways are providing access to 10 lots or greater. Due to this, an emergency access point is required through the proposed development.

As a condition of subdivision, the Applicant is required to enter into a Development Agreement for the construction of an internal road, emergency access road, and new road approaches. The Applicant is also required to enter into an Access Easement Agreement for the emergency access road. The Applicant has requested that the condition for an emergency access road be waived. Should MPC grant the request, Option #2 is available.

The Transportation Off-Site Levy is also applicable and has been included in the conditions of approval.

Water and Wastewater:

The proposed new lots would be serviced by individual groundwater wells and private sewage treatment systems. The Applicant provided a Phase I Groundwater study at the redesignation stage, which concluded that there should be adequate groundwater for the proposed development. A Level IV PSTS Assessment was also provided at the redesignation stage, indicating favourable soil

conditions to support treatment. As a condition of subdivision, the Owner is required to drill a new well on each proposed lot and provide a Phase II Groundwater Assessment. The applicant will also be required to enter into a Site Improvements Services Agreement to ensure future Private Sewage Treatment Systems are constructed in accordance with the Level IV PSTS Assessment.

Stormwater:

The Applicant provided a Conceptual Stormwater Management Plan at the redesignation stage, which provided for an overland stormwater collection system that conveys stormwater to two (2) existing wetlands. As a condition of the subdivision, the Owner is required to enter into a Development Agreement to implement the recommendations of the stormwater management plan, conduct a Wetland Impact Assessment and obtain approval from Alberta Environment for wetland disturbance.

Municipal Reserves:

The Applicant proposes to pay cash-in-lieu of payment for the development area (± 57.59 acres). The remainder is greater than 40 acres in size. Municipal Reserves for the remainder parcels are not required in accordance with Section 663 of the *Municipal Government Act* (MGA).

Payments and Levies:

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFF-SITE LEVY	<p>\$264,626</p> <p>Development Area = ± 57.59 acres (development area)</p> <p>Base Levy \$4,595 per acre x 57.59 acres = \$264,626</p>
<p>MUNICIPAL RESERVE</p> <p>(cash in lieu payment)</p>	<p>\$201,500</p> <p>\$2,015,000 (market value for the development area) x 10% = \$201,500</p>

Rocky View County/City of Calgary Intermunicipal Development Plan (IDP):

The land is located in the future residential growth area within IDP. The IDP states that the land in this area should be governed by the local planning document of the County. The proposal was evaluated in accordance with the County Plan. The City was circulated and they opposed the application stating that fragmented rural lands could pose a challenge in transforming to a future urban land use pattern.

Land Use Bylaw:

The proposed new lots and the remainder meet the parcel size requirements of Residential, Rural District (R-RUR) and Agricultural, Small Parcel District (A-SML) within the Land Use Bylaw.

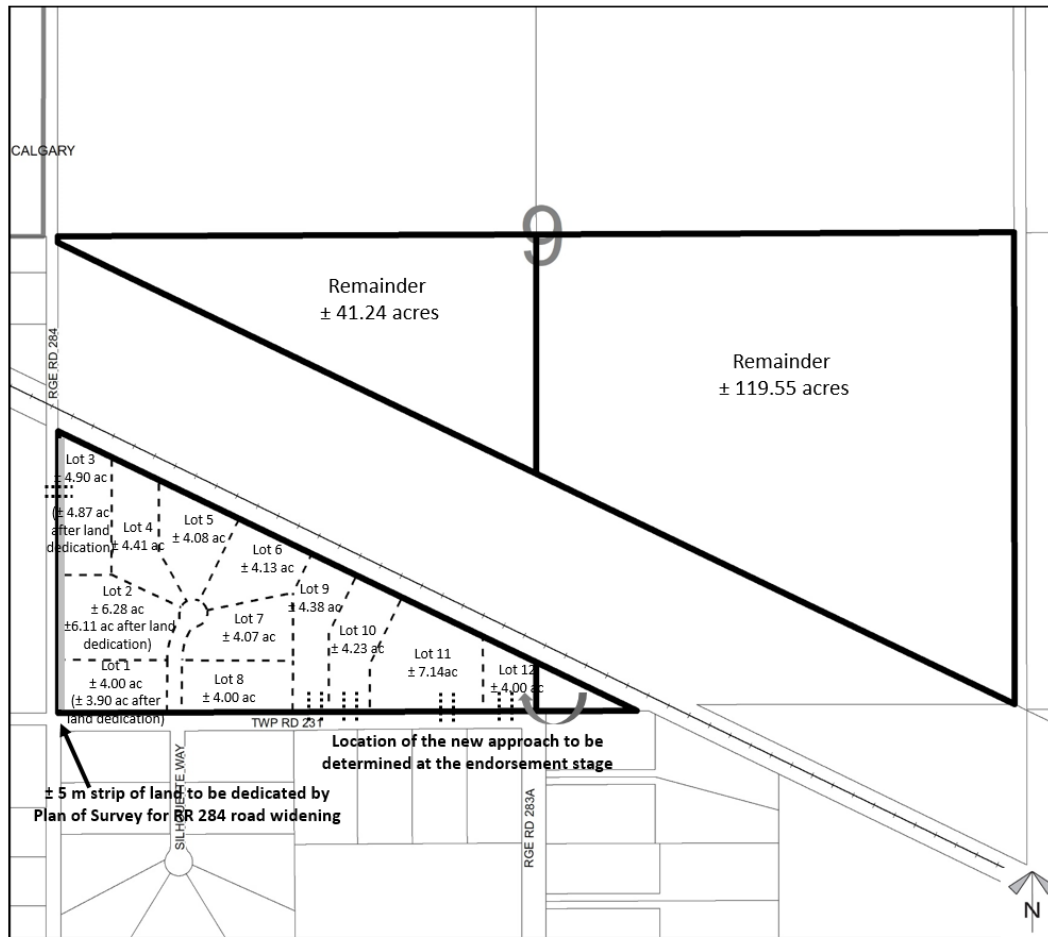
It is noted that after a 5 m wide strip of land is being dedicated along the western property line to facilitate future widening for Range Road 284, resulting in reduced lot size for Lot 1, 2 and 3.

	Proposed Lot Size	Lot Size After Land Dedication
Lot 1	± 1.62 ha (± 4.00 ac)	<p>± 1.57 ha (± 3.90 ac)</p> <p>*slightly undersized, as the required minimum parcel size is ± 1.6 ha (± 3.95 ac), $\pm 1.88\%$ undersized</p>
Lot 2	± 2.54 ha (± 6.28 ac)	± 2.47 ha (± 6.11 ac)
Lot 3	± 1.98 ha (± 4.90 ac)	± 1.97 ha (± 4.87 ac)



Section 654 (2) of the *MGA* allows the Subdivision Authority to vary the lot sizes if it deems that the application will not materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

Tentative Plan



Tentative Plan

Subdivision Proposal

To create twelve residential lots on the ± 23.31 hectares (± 57.59 acres) of land with the consolidation of ± 0.7 hectares (± 1.74 acres) of land from SE-9-23-28-W04M, with a ± 16.69 hectares (± 41.24 acres) remainder and a ± 48.38 hectares (± 119.55 acres) remainder.

Legend

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

Surveyor's Notes:

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

Division: 4
Roll: 03309001 / 03309002
File: PL20210075
Legal: A portion of SW/SE-09-23-28-W04M
Printed: April 30, 2021



CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

XD/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create twelve residential lots on the ± 23.31 hectares (± 57.59 acres) of land with the consolidation of ± 0.7 hectares (± 1.74 acres) of land from SE-9-23-28-W04M, with a ± 16.69 hectares (± 41.24 acres) remainder and a ± 48.38 hectares (± 119.55 acres) remainder, within SW & SE-9-23-28-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is 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.
- 2) A 5 m wide strip of land, along the west boundary of the subject lands, shall be dedicated by Plan of Survey, to facilitate Range Road 284 future road widening.

Development Agreement

- 3) 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) Construction of a public internal road system (Country Residential Standard) complete cul-de-sacs, tie-in onto TWP Road 231 and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards;
 - b) Construction of a new gravel approach off Range Road 284 for access to Lot 3; and Construction of new gravel approaches off Township Road 231 for access to Lots 9-12.
 - c) Construction of a gated Emergency Access road to the satisfaction of the County and enter into any necessary access easement agreements with the County;



- d) Construction of stormwater management facilities, in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and Parks, and the County;
- e) All necessary site grading;
- f) Implementation of the identified Erosion & Sedimentation Control (ESC) measures in accordance with the recommendations of the approved Erosion & Sedimentation Control Plan;
- g) Implementation of the recommendations of the Construction Management Plan accepted by the County;
- h) Obtain all necessary approvals from AEP for the impact to the onsite wetlands;
- i) Mailbox locations, to be located in consultation with Canada Post, to the satisfaction of the Municipality;
- j) Installation of power, natural gas, and communication utilities.

Geotechnical

- 4) The Owner shall provide a revised geotechnical report conducted and stamped by a qualified professional geotechnical engineer that provides recommendations on a road structure design and provides a site-specific CBR value used in the road structure design, in accordance with the County Servicing Standards.
- 5) The Owner shall submit finished grade plans, and cut and fill plans.
- 6) The Owner shall provide a Geotechnical Developable Area assessment, indicating that there is at least one contiguous acre of developable area for each parcel.

Transportation

- 7) The Owner shall obtain approval for a road name by way of application to the County.
- 8) The Owner shall construct a new gravel approach on Range Road 284 in order to provide access to Lot 3, and construct new gravel approaches on Township Road 231 to provide access to Lots 9-12.

Site Servicing

- 9) Water is to be supplied by an individual well on the new Lots 1-12. 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 well on the new Lots 1-12, in accordance with the County's Servicing Standards and requirements of the *Water Act*; and
 - b) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided
- 10) The Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County for the proposed 12 new lots and shall include the following:
 - a) For the implementation of PSTS systems to be in accordance with the Level IV PSTS Assessment conducted by Solstice Environmental Management dated August 4, 2020.

Developability



- 11) The Owner shall provide a Wetland Impact Assessment for the impacts to the onsite wetlands in accordance with AEP requirements.
- 12) The Owner shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.
- 13) 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.

Stormwater

- 14) The Owner shall provide a Stormwater Management Plan that includes detailed design drawings of the proposed stormwater improvements that are in accordance with the Shepard Regional Plan and the County Servicing Standards, to the satisfaction of the County. Implementation of the Stormwater Management Plan shall include:
 - a) Registration of any required easements and/or utility rights-of-way;
 - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;
 - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.

Municipal Reserve

- 15) The provision of Municipal Reserve in the amount of 10 % of the development area, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the market value shown in the appraisal report prepared by Altus Group. dated May 18, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a) Municipal Reserve owing on the remainder lands to be deferred by Caveat to the remainder lands, pursuant to Section 669 of the *Municipal Government Act*.

Payments and Levies

- 16) 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 proposed lots created in the subdivision, as shown in the Plan of Survey.
- 17) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of twelve (12) new lots.

Utility

- 18) Utility Easements, Agreements, and Plans are to be provided and registered concurrent with a plan of survey for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County.

Taxes

- 19) 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.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

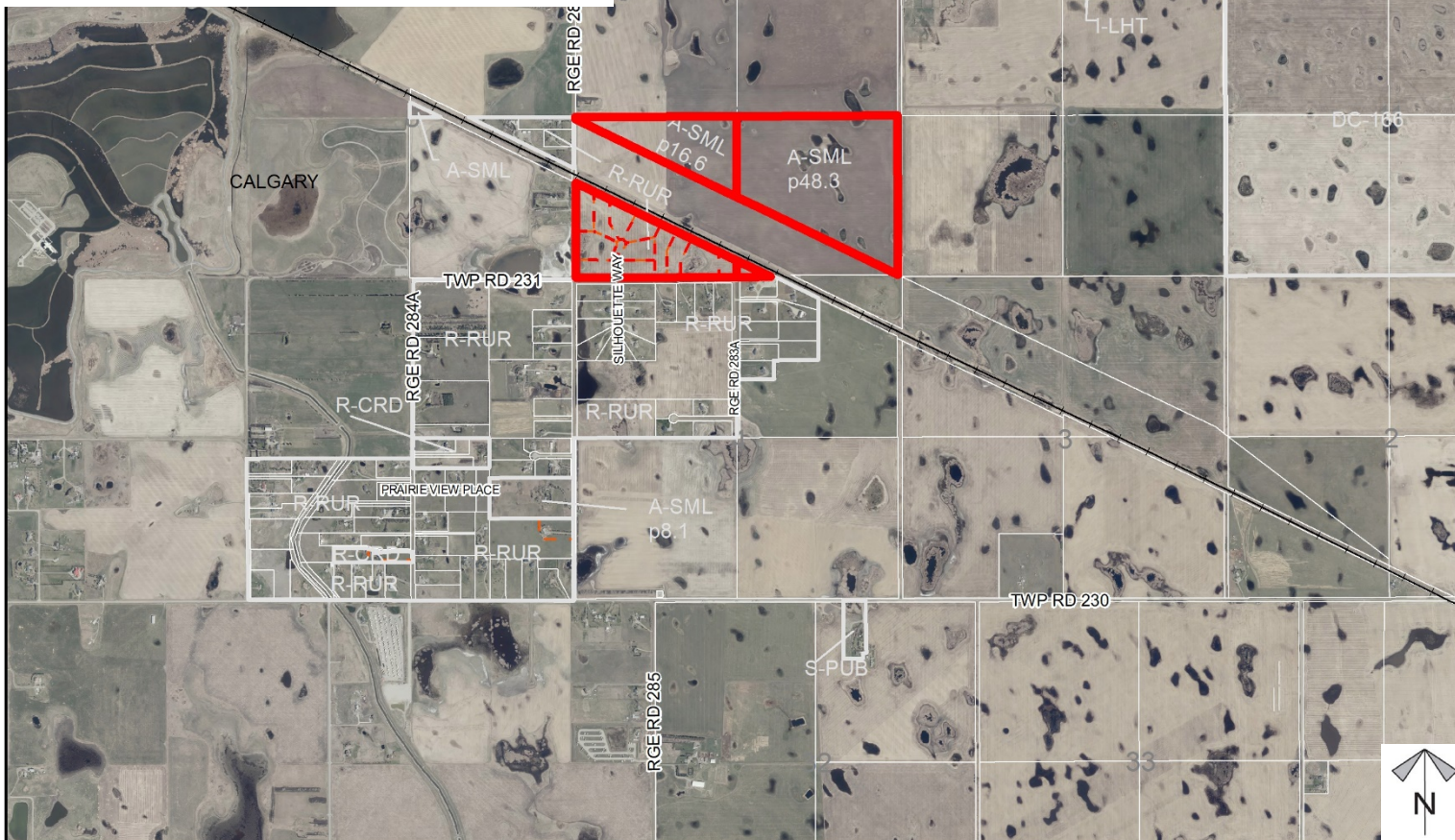
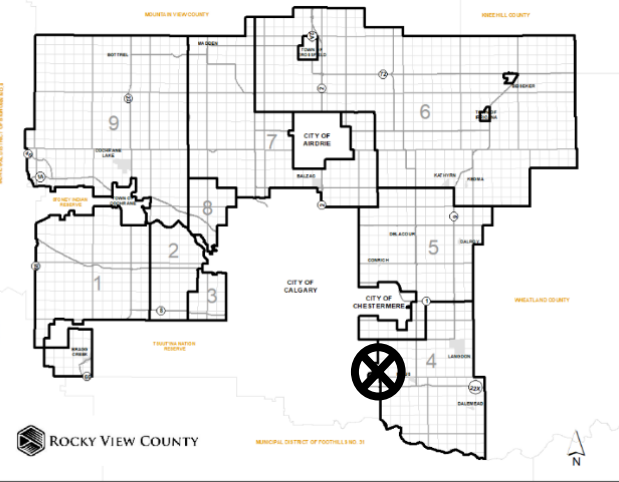
APPLICANT: IDEA Group Inc.	OWNER: Simpson Ranching Ltd.
DATE APPLICATION RECEIVED: April 28, 2021	DATE DEEMED COMPLETE: May 18, 2021
GROSS AREA: ± 88.07 hectares (± 217.63 acres)	LEGAL DESCRIPTION: A portion of SW & SE-9-23-28-W4M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: January 26, 2021: Council approved Shepard Estates Conceptual Scheme application (PL20190192), to adopt the Shepard Estates Conceptual Scheme that provides a policy framework to guide future redesignation and subdivision for the residential development. Council approved Redesignation application (PL20190191), to redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR), and redesignate the remainder lands to Agricultural, Small Parcel District (A-SML p16.6) and Agricultural, Small Parcel District (A-SML p48.3), in order to facilitate the creation of 12 residential lots on ± 57.59 acres of land with ± 160.04 acres remainder.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 63 adjacent landowners. No letters were received. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



Location & Context

Subdivision Proposal

To create twelve residential lots on the \pm 23.31 hectares (\pm 57.59 acres) of land with the consolidation of \pm 0.7 hectares (\pm 1.74 acres) of land from SE-9-23-28-W04M, with a \pm 16.69 hectares (\pm 41.24 acres) remainder and a \pm 48.38 hectares (\pm 119.55 acres) remainder

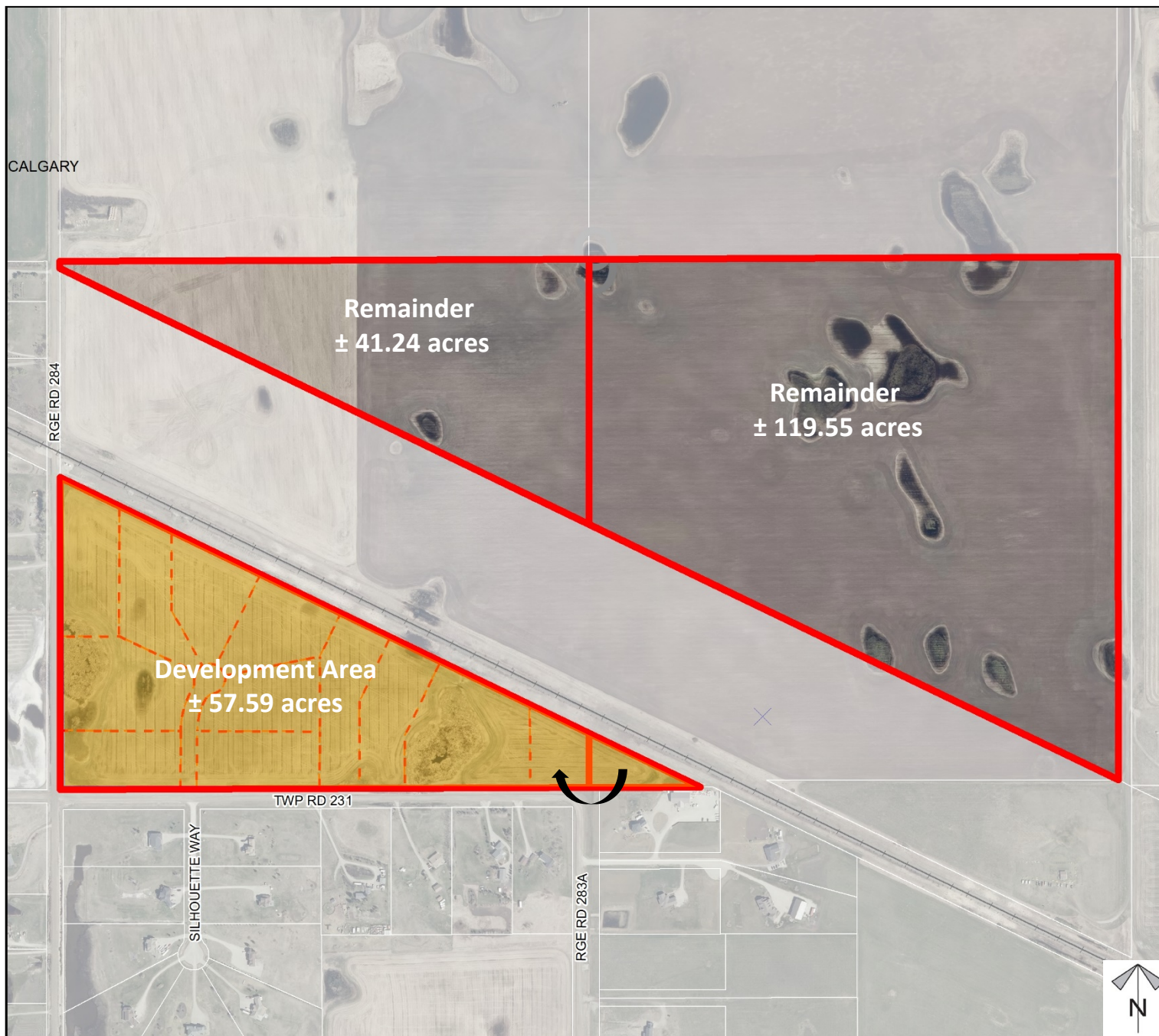


Division: 4
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Development Proposal

Subdivision Proposal

To create twelve residential lots on the ± 23.31 hectares (± 57.59 acres) of land with the consolidation of ± 0.7 hectares (± 1.74 acres) of land from SE-9-23-28-W04M, with a ± 16.69 hectares (± 41.24 acres) remainder and a ± 48.38 hectares (± 119.55 acres) remainder

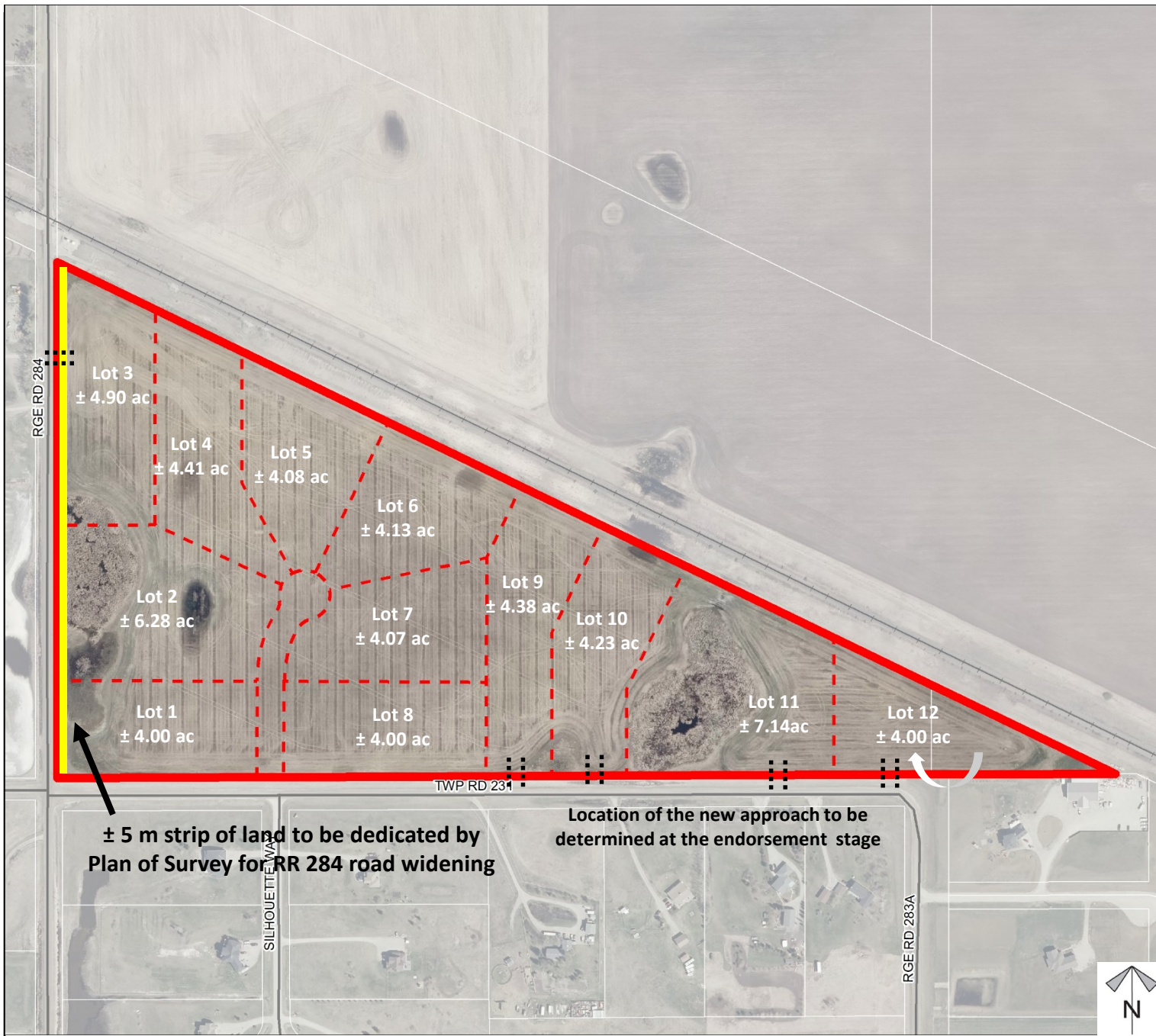


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 Legal: A portion of SW/SE-
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Development Proposal

Subdivision Proposal

To create twelve residential lots on the \pm 23.31 hectares (\pm 57.59 acres) of land with the consolidation of \pm 0.7 hectares (\pm 1.74 acres) of land from SE-9-23-28-W04M, with a \pm 16.69 hectares (\pm 41.24 acres) remainder and a \pm 48.38 hectares (\pm 119.55 acres) remainder





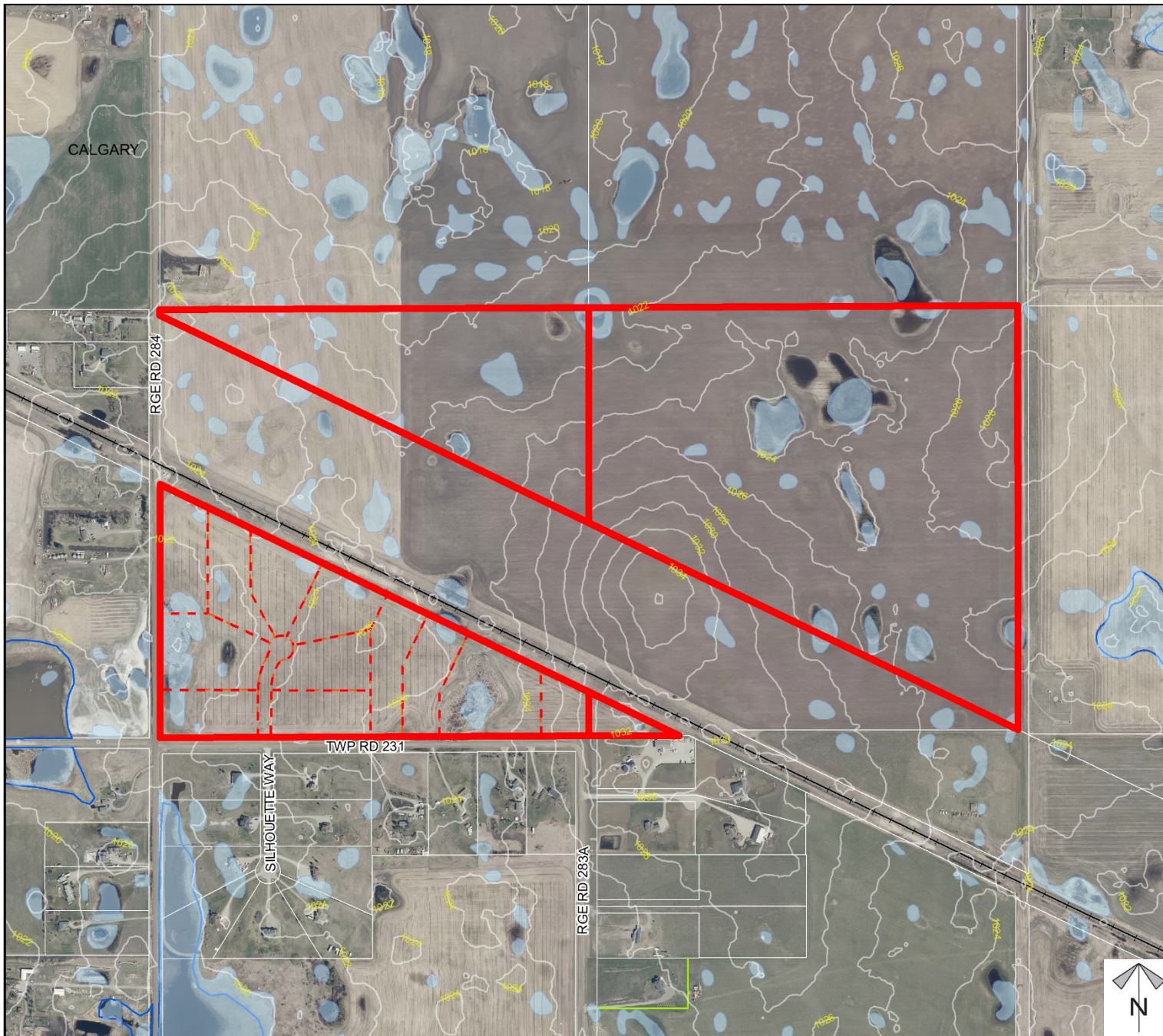
Environmental

Subdivision Proposal

To create twelve residential lots on the \pm 23.31 hectares (\pm 57.59 acres) of land with the consolidation of \pm 0.7 hectares (\pm 1.74 acres) of land from SE-9-23-28-W04M, with a \pm 16.69 hectares (\pm 41.24 acres) remainder and a \pm 48.38 hectares (\pm 119.55 acres) remainder

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

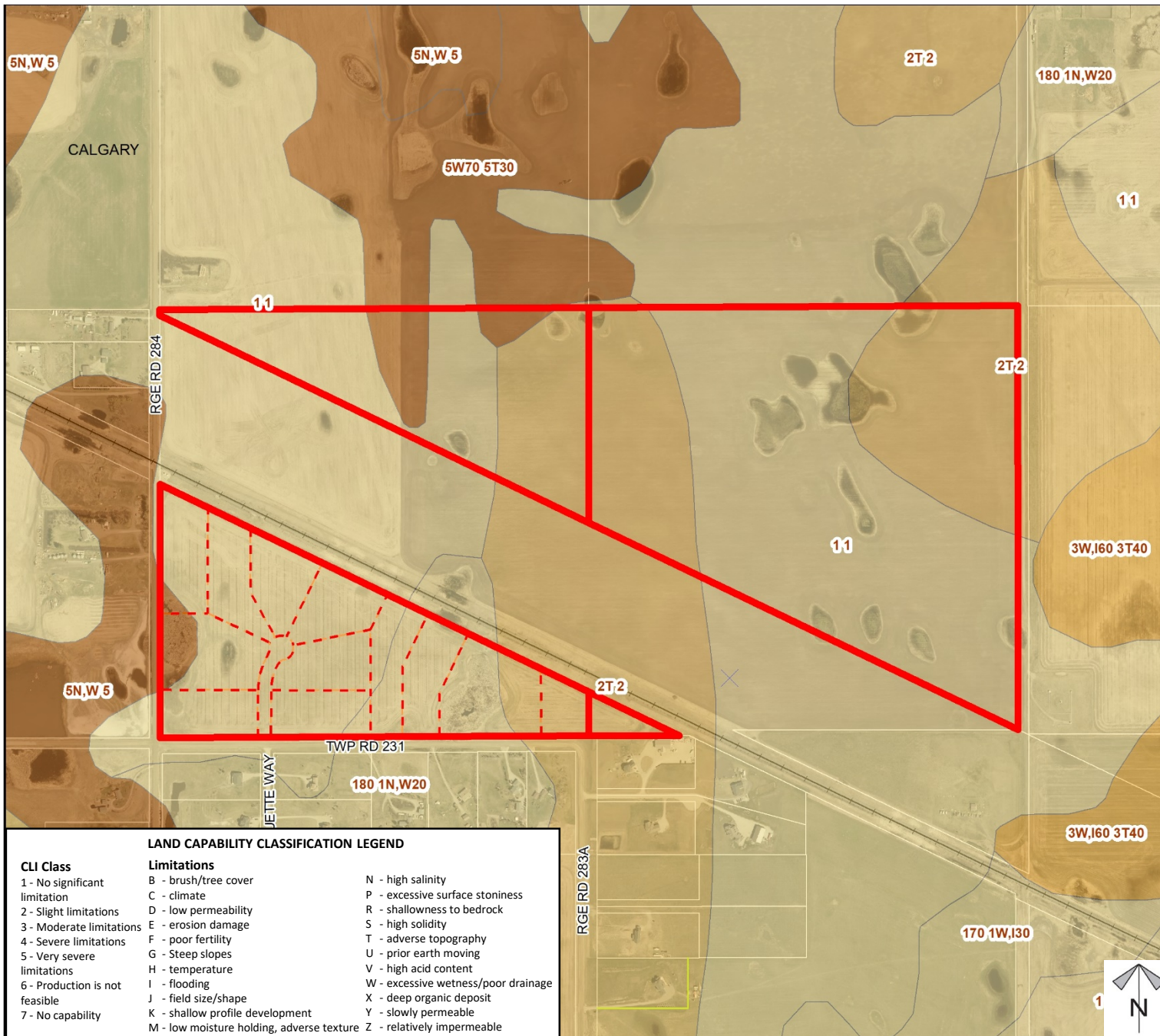
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Soil Classifications

Subdivision Proposal

To create twelve residential lots on the \pm 23.31 hectares (\pm 57.59 acres) of land with the consolidation of \pm 0.7 hectares (\pm 1.74 acres) of land from SE-9-23-28-W04M, with a \pm 16.69 hectares (\pm 41.24 acres) remainder and a \pm 48.38 hectares (\pm 119.55 acres) remainder



Subdivision Proposal

To create twelve residential lots on the \pm 23.31 hectares (\pm 57.59 acres) of land with the consolidation of \pm 0.7 hectares (\pm 1.74 acres) of land from SE-9-23-28-W04M, with a \pm 16.69 hectares (\pm 41.24 acres) remainder and a \pm 48.38 hectares (\pm 119.55 acres) remainder

Legend

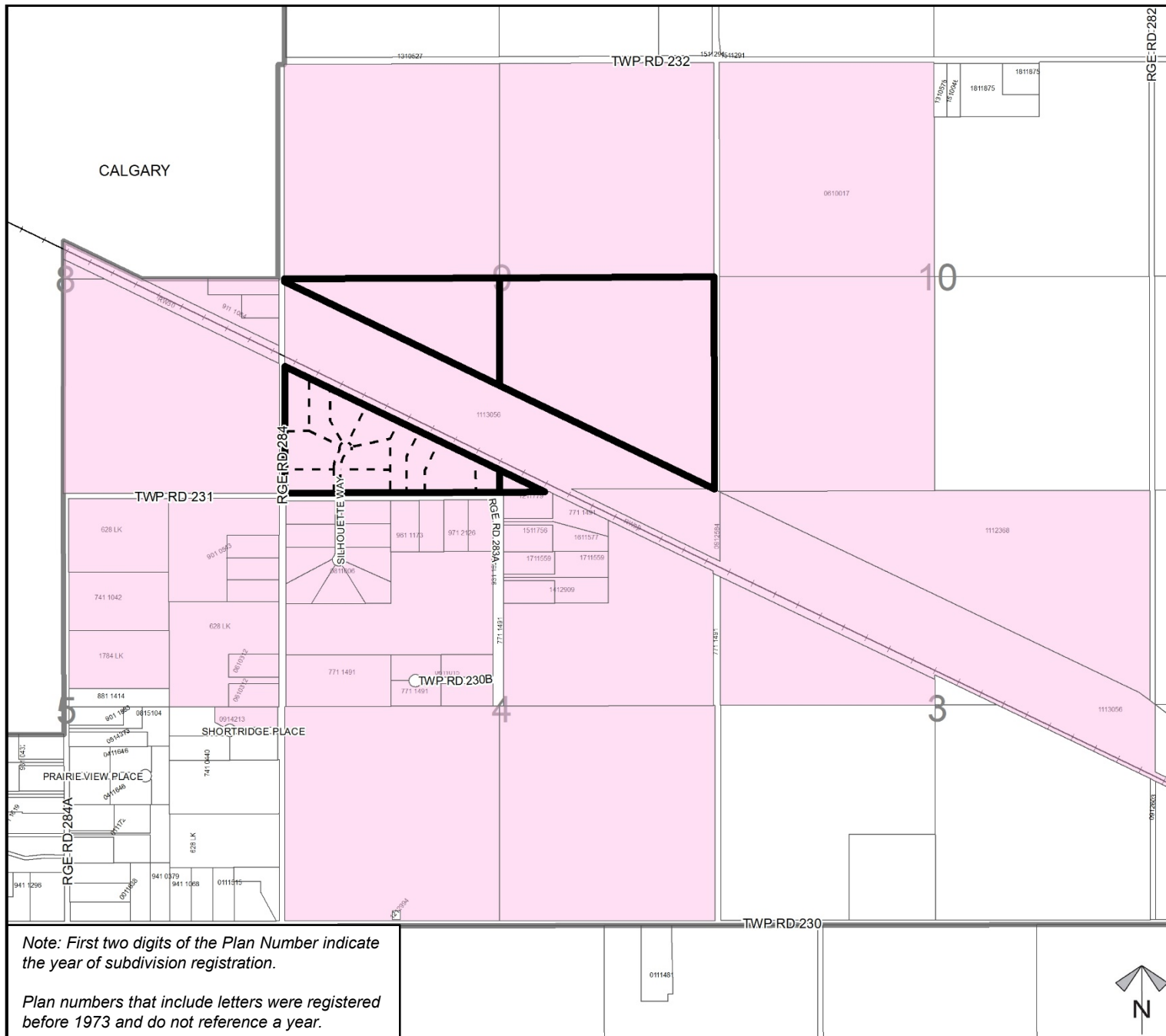
Support



Not Support



Division: 4
Roll: 03309001 / 03309002
File: PL20210075
Legal: A portion of SW/SE-
09-23-28-W04M
Page 1 of 8
Printed: 4/18/2021





Tentative Plan

Subdivision Proposal

To create twelve residential lots on the ± 23.31 hectares (± 57.59 acres) of land with the consolidation of ± 0.7 hectares (± 1.74 acres) of land from SE-9-23-28-W04M, with a ± 16.69 hectares (± 41.24 acres) remainder and a ± 48.38 hectares (± 119.55 acres) remainder.

Legend

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

Surveyor's Notes:

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

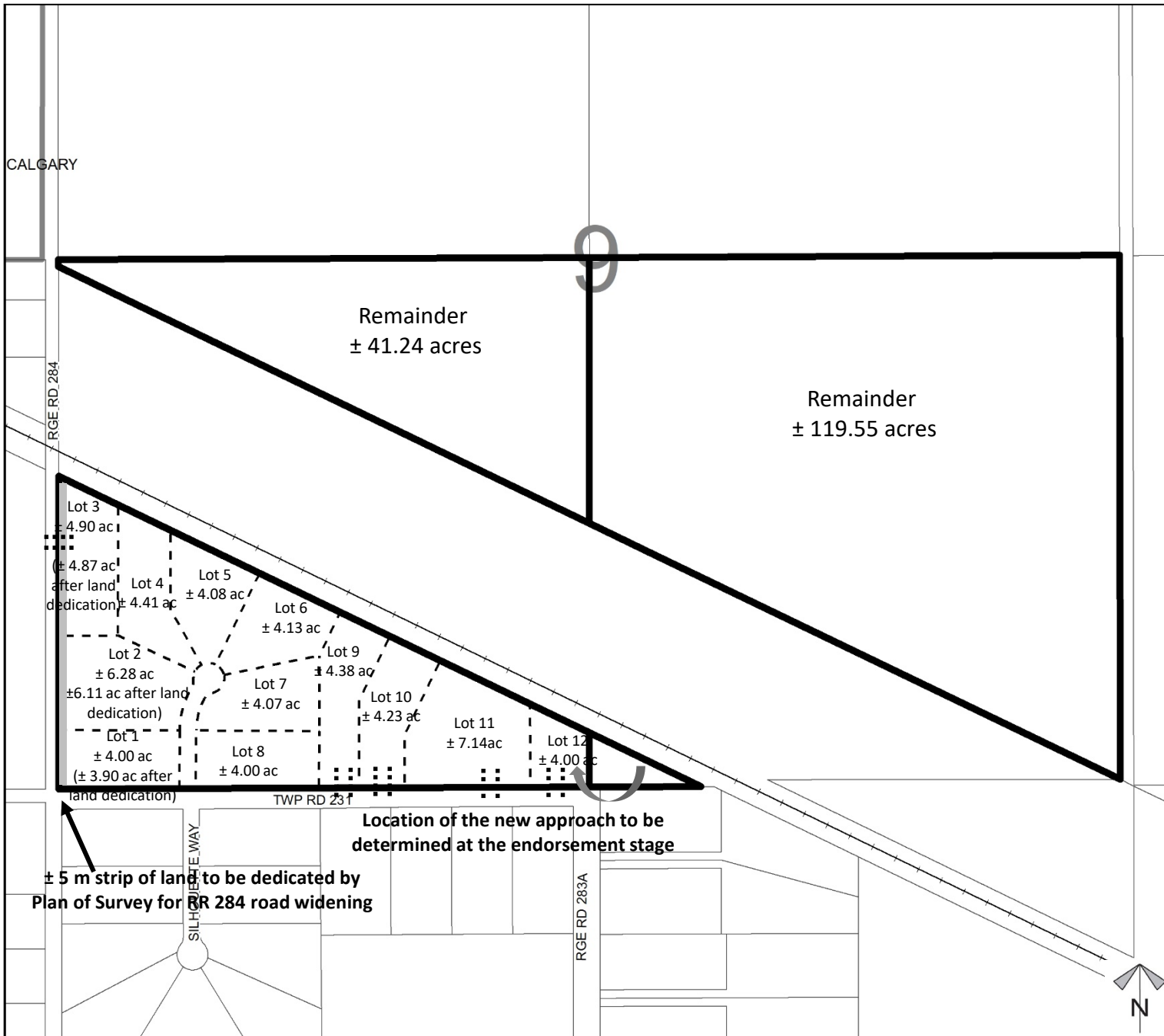
Division: 4

Roll: 03309001 / 03309002

File: PL20210075

Legal: A portion of SW/SE-09-23-28-W04M

Page 18 of 218



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Subdivision Authority	DIVISION: 4
DATE:	July 28, 2021	APPLICATION: PL20200128
FILE:	03316010	
SUBJECT:	Subdivision Item: Creation of One Agricultural Lot	

APPLICATION: To create a ± 21.85 hectare (± 54.00 acre) parcel (Lot 1) with a ± 41.28 hectare (± 102.00 acre) remainder (Lot 2).

GENERAL LOCATION: Located on the east border of the city of Calgary, approximately 1.6 kilometres (1 mile) south of Highway 560, and 0.8 kilometres (0.5 mile) west of Range Road 283.

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

ADMINISTRATION RECOMMENDATION: Administration recommends refusal as per Option #2.

OPTIONS:

- Option #1: THAT Subdivision Application PL20200128 be approved with the conditions noted in Attachment 'B'.
- Option #2: THAT Subdivision Application PL20200128 be refused for the following reasons:
- The parcel is approximately 80% wetland. The parcel therefore has limited development area and restricts the agricultural potential of the lands, and
 - The parcel does not meet the intent of the district.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning and Development Services

APPLICATION EVALUATION:

Municipal Planning Commission (MPC) tabled this application on January 27, 2021 pending the submission and approval of the redesignation application. The Applicant submitted a redesignation application (PL20210022) to redesignate the proposed parcel to Agricultural, Small Parcel District (A-SML). Council refused the redesignation application on July 13, 2021.

Rather than cancel this application, the applicant requested that MPC consider the tabled subdivision application without the appropriate land use designation.

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Rocky View County / City of Calgary Intermunicipal Development Plan; • County Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
--	--

Transportation:

A large waterbody separates the subject land in half. The water is part of the Shepard Slough Complex which provides storage for the Regional Shepard Drainage catchment.

The southern portion of the land (remainder Lot 2) contains a dwelling. It is accessed through the existing shared approach with the parcel located to the south.

The northern portion of the land, which is the proposed ± 21.85 hectare (± 54.00 acre) new lot (Lot 1), is currently leased by an oil & gas company. This portion of the land is currently accessed via a private driveway built within the undeveloped road allowance of Range Road 284. As a condition of subdivision, the Owner is required to construct a Regional Low Volume Gravel Road within the road allowance of Range Road 284, from the intersection of Highway 560 to the proposed new lot (approximately 1600 m), to ensure that Lot 1 has physical access to a developed County road. Alberta Transportation indicated that a Roadside Development Permit would be required. The Owner requests MPC waive this condition, as it is cost-prohibitive for the Owner to build a county road to service one agricultural lot.

Water and Wastewater:

The existing dwelling on the remainder land (Lot 2) is serviced by an existing water well and septic tank and field system. As the proposed new lot (Lot 1) is ± 21.85 hectare (± 54.00 acre) in size, there is no requirement to demonstrate water and wastewater serviceability when the new lot is greater than 30 acres.

Stormwater:

Should the applicant/owner construct a new dwelling, operate a small agricultural business, or remain status quo minimal impacts on the existing drainage is expected.

Municipal Reserves:

Municipal Reserve is exempted in accordance with Section 663 of the *Municipal Government Act*, as the proposed new lot is greater than 40 acres.



Payments and Levies:

Transportation Off-Site Levy (TOL) does not apply since both parcels are agricultural.

Rocky View /City of Calgary IDP

The land falls within the future industrial growth area within the IDP. The IDP indicates that development in this area needs to be governed by the local planning document of the local municipality. Therefore, the application was evaluated by the County Plan.

County Plan:

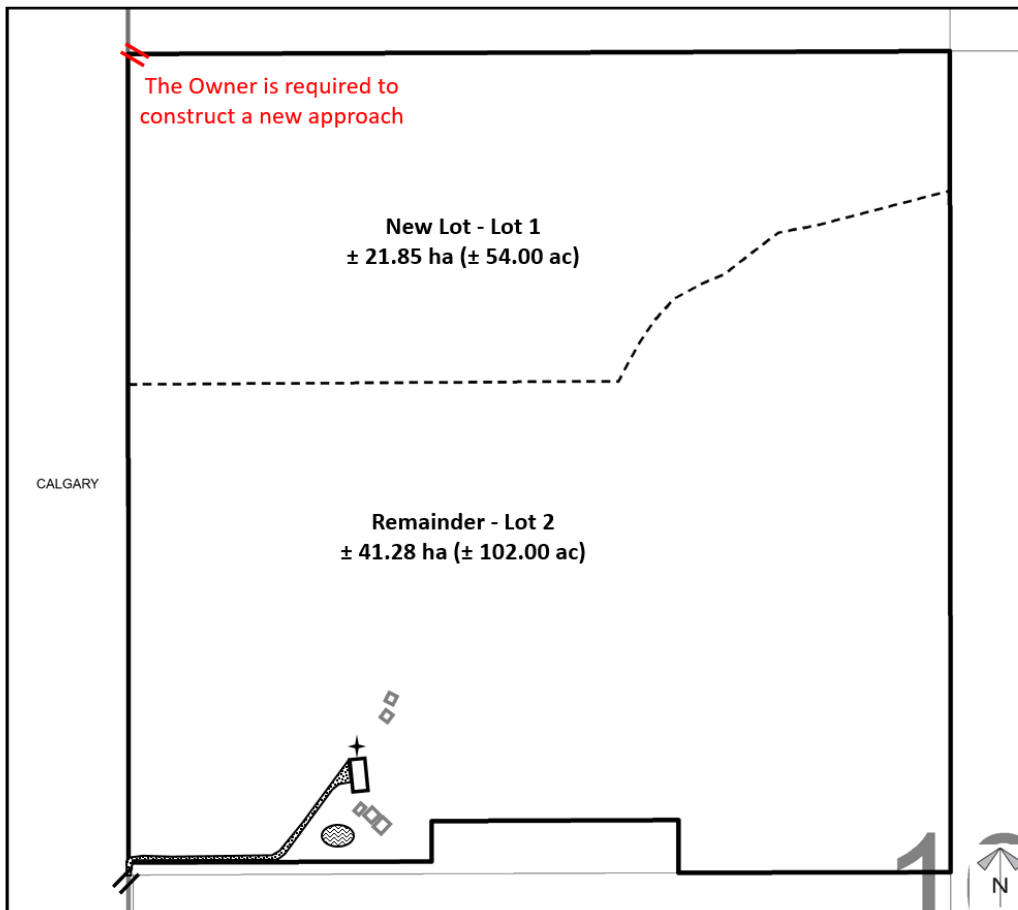
The proposed redesignation application (PL20210022) meets the agricultural policies of the County Plan, however, the limited development area would restrict future agricultural development potential on the proposed new lot. The redesignation application was refused by Council on July 13, 2021.

Land Use Bylaw:

The proposed ± 21.86 ha (± 54.00 ac) new lot does not meet the minimum parcel size requirement of the Agricultural, General District (A-GEN) of the Land Use Bylaw (LUB). Due to the existing wetland covering the majority of the parcel, only approximately ± 4.04 ha (± 10.00 ac) development area can be utilized for agricultural purposes. The parcel therefore does not meet the intent of the agricultural district.

Section 149 of the LUB states that there is no maximum number of animal units for parcels 16.1 ha (39.78 ac) in size. As the LUB does exclude wetlands from the calculation of parcel size, the proposed parcel would not have any restrictions on the amount of animal units placed on the ± 4.04 ha (± 10.00 ac) of useable agricultural lands.

Tentative Plan - 1








Tentative Plan - 1

Subdivision Proposal

To create a ± 21.85 hectare (± 54.0 acre) parcel with a ± 41.28 hectare (± 102.0 acre) remainder.

Legend

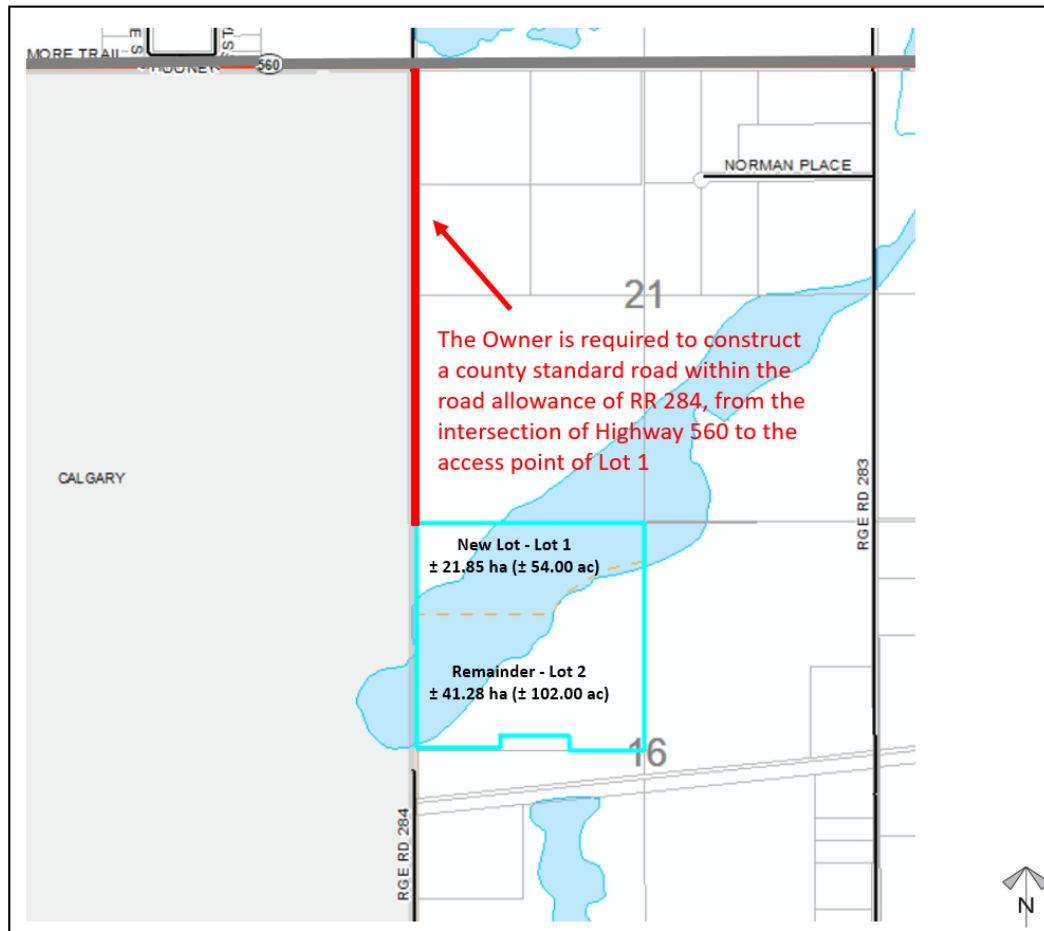
Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 4
Roll: 03316010
File: PL20200128
Legal: NW-16-23-28-W04M
Printed: October 21, 2020

Tentative Plan - 2



Tentative Plan - 2

Subdivision Proposal

To create a ± 21.85 hectare (± 54.0 acre) parcel with a ± 41.28 hectare (± 102.0 acre) remainder.

Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 4
 Roll: 03316010
 File: PL20200128
 Legal: NW-16-23-28-W04M
 Printed: October 21, 2020



CONCLUSION:

Due to the limited developable area and the costs associated to build a new County gravel road, the site is not suitable for the proposed development. Therefore, Administration recommends refusal.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

XD/llt

ATTACHMENTS:

ATTACHMENT 'A': Maps and Other Information

ATTACHMENT 'B': Approval Conditions

ATTACHMENT 'C': Public Submissions



ATTACHMENT 'A': MAPS AND OTHER INFORMATION

APPLICANT: Paul Schneider	OWNER: Jack & Marlene Begg
DATE APPLICATION RECEIVED: September 17, 2020	DATE DEEMED COMPLETE: October 19, 2020
GROSS AREA: ± 63.13 hectares (± 156 acres)	LEGAL DESCRIPTION: A Portion of NW-16-23-28-W04M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: <p>July 13, 2021: Council refused Redesignation application (PL20210022), to redesignate a portion of the subject land from A-GEN to A-SML, in order to facilitate the creation of a ± 21.85 hectare (± 54.0 acres) parcel (Lot 1) with a ± 41.28 hectare (± 102.0 acres) remainder (Lot 2).</p> <p>January 27, 2021: MPC tabled Subdivision application (PL20200128) until a redesignation application is submitted and approved. The proposal was to create a ± 21.85 hectare (± 54.0 acres) parcel (Lot 1) with a ± 41.28 hectare (± 102.0 acres) remainder (Lot 2).</p> <p>1996 A ± 1.62 hectare (± 4.0 acre) parcel was created from the subject quarter section as the first parcel out. The subdivision was registered in Plan 9612258. The remainder land within the quarter section is the subject land in this case.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 24 adjacent landowners. One (1) letter in support was received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



ATTACHMENT 'B': APPROVAL CONDITIONS

- A. The application to create a ± 21.85 hectare (± 54 acre) parcel (Lot 1) with a ± 41.28 hectare (± 102 acre) remainder (Lot 2) within NW-16-23-28-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 Survey

1. Subdivision 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 Owner shall enter into 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) Construction of Range Road 284 to a gravel Regional Low Volume (400.9) standard from the intersection of Highway 560 up to the proposed gravel approach (approximately 1.6 km in total length) with an offset cul-de-sac bulb and any necessary easement agreements, including a complete approach to the new lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction as approved by Council as amended all to the satisfaction of the County;
 - b) Implementation of the Construction Management Plan; and
 - c) Implementation of the Erosion and Sedimentation Control Plan.

Transportation

3. The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details.



4. The Owner is to provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices to the satisfaction of the County.

Payments

5. The Applicant/Owner shall pay the County subdivision endorsement fee for the creation of one new lot (1), in accordance with the Master Rates Bylaw.

Taxes

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

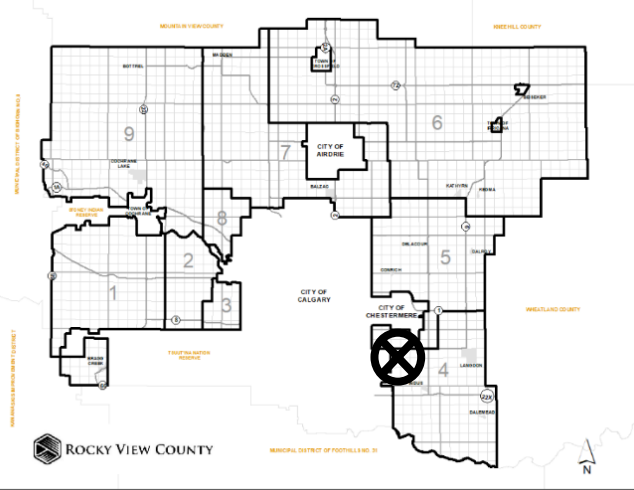
D. SUBDIVISION AUTHORITY DIRECTION:

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

Location & Context

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.



Development Proposal

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.

New Lot - Lot 1
 ± 21.85 ha (± 54.00 ac)

Oil Well Site

Remainder - Lot 2
 ± 41.28 ha (± 102.00 ac)

CALGARY



Site Context

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.



Environmental

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.

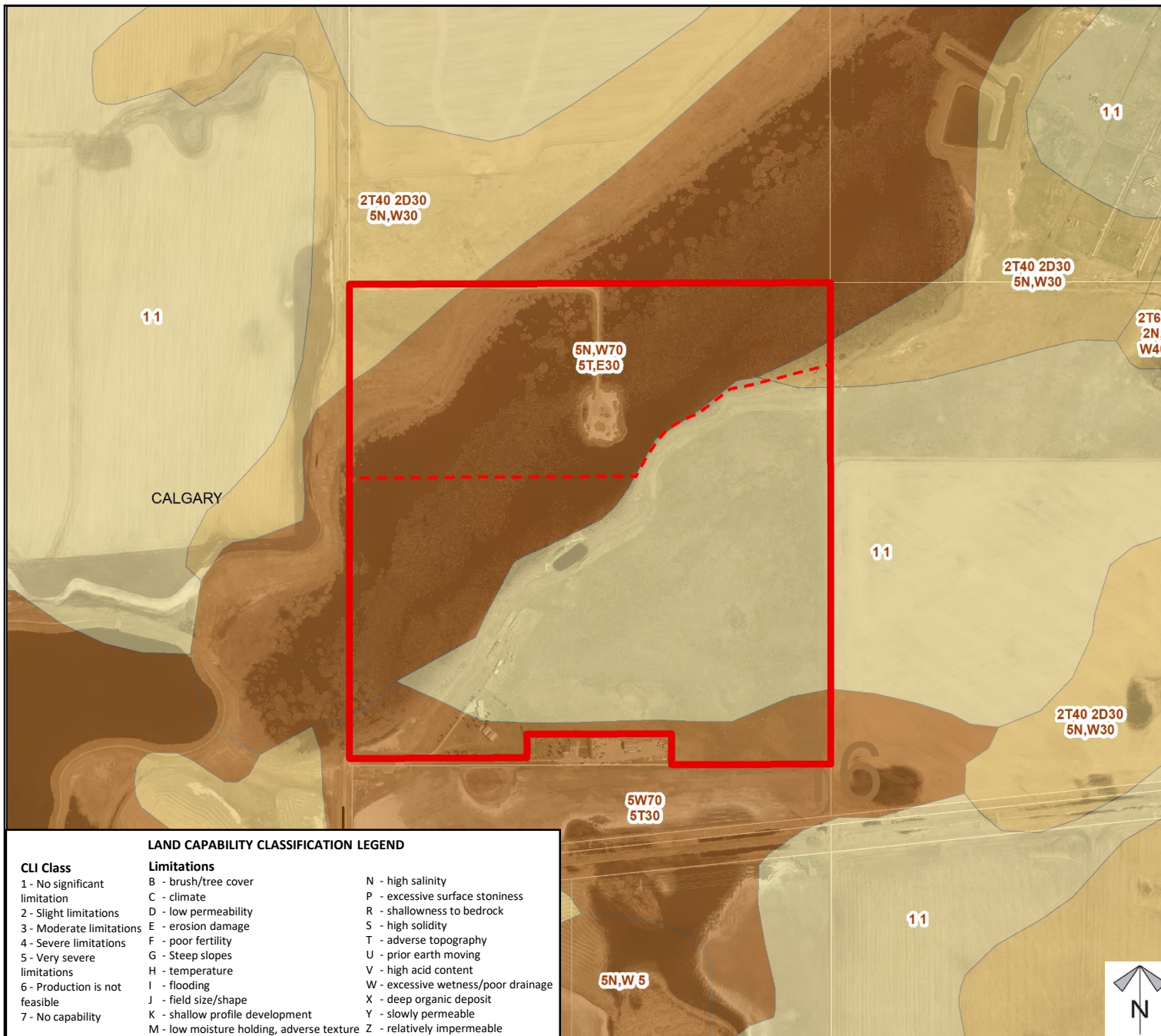


-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Soil Classifications

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.



LAND CAPABILITY CLASSIFICATION LEGEND

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

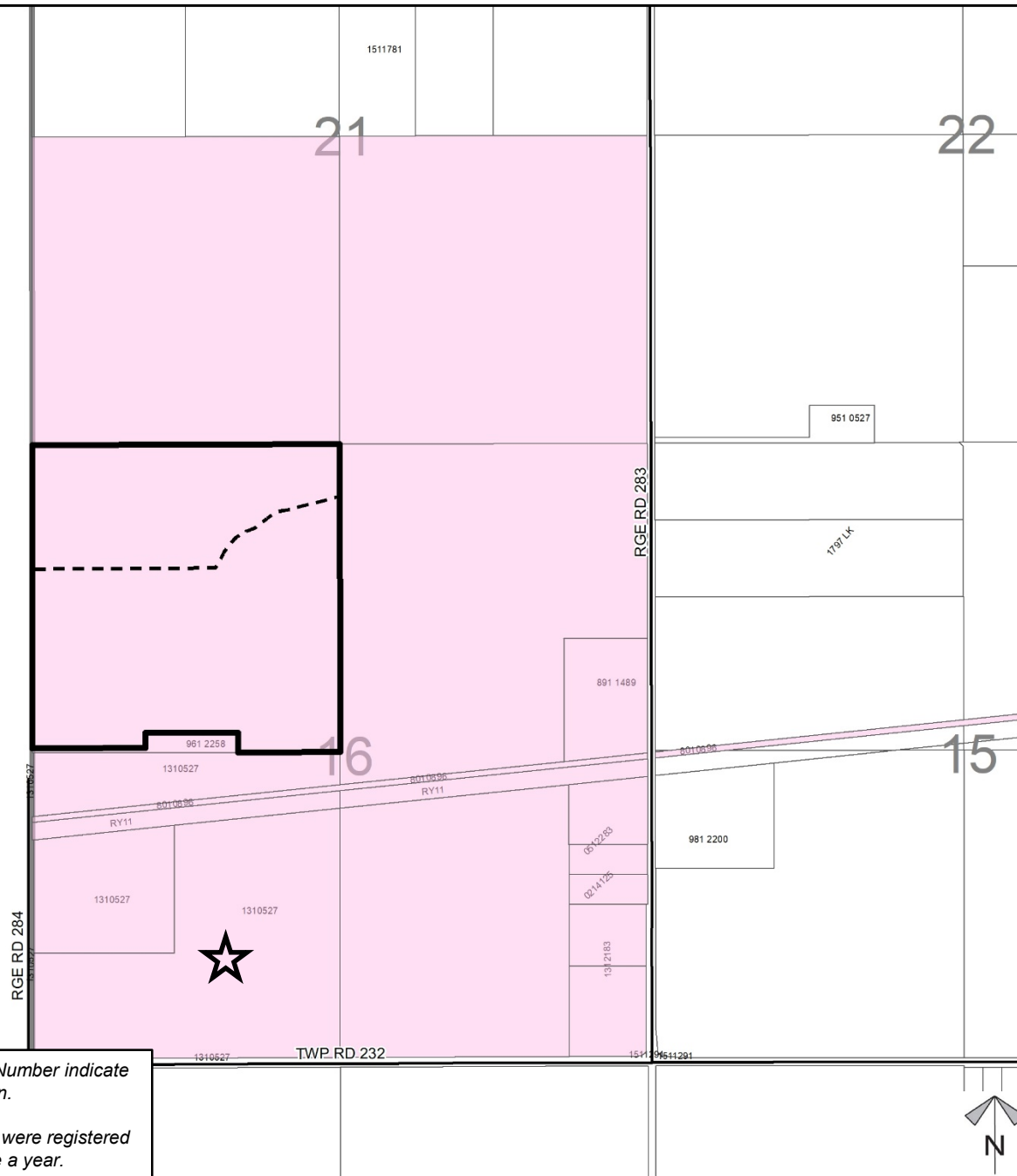
- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high solidity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

Landowner Circulation Area

Subdivision Proposal

To create a ± 21.85 ha (± 54.00 ac) parcel with a ± 41.28 ha (± 102.00 ac) remainder.

CALGARY



Legend

Support (1)



Not Support



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: 03316010
File: PL20200128
Legal: NW-16-23-28-W04M
Page 134 of 218









Tentative Plan - 1

Subdivision Proposal

To create a ± 21.85 hectare (± 54.0 acre) parcel with a ± 41.28 hectare (± 102.0 acre) remainder.

Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 4
 Roll: 03316010
 File: PL20200128
 Legal: NW-16-23-28-W04M
 Page 135 of 218

The Owner is required to construct a new approach

New Lot - Lot 1
 ± 21.85 ha (± 54.00 ac)

Remainder - Lot 2
 ± 41.28 ha (± 102.00 ac)

CALGARY



Tentative Plan - 2

Subdivision Proposal

To create a ± 21.85 hectare (± 54.0 acre) parcel with a ± 41.28 hectare (± 102.0 acre) remainder.

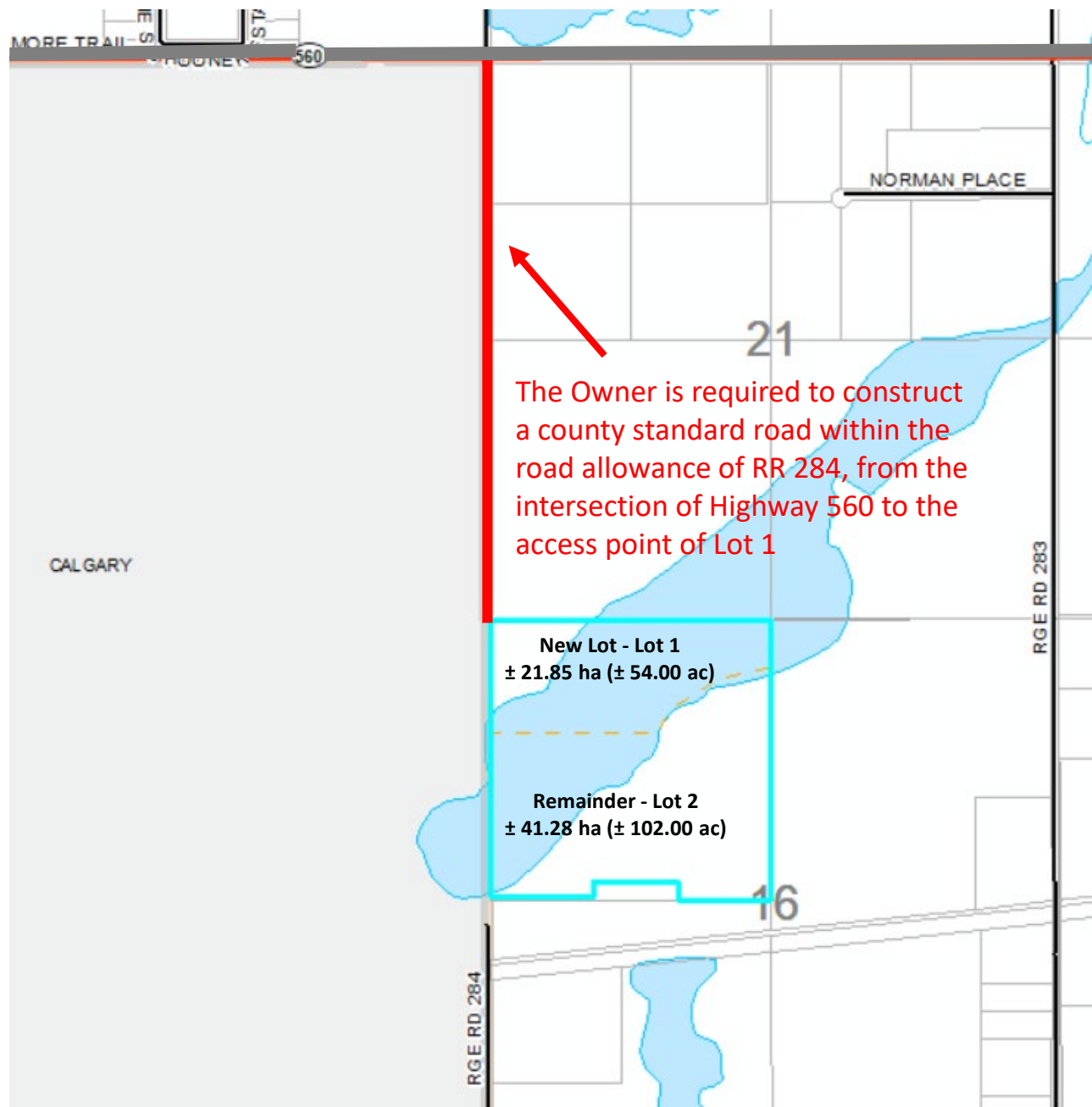
Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	

Surveyor's Notes:

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

Division: 4
 Roll: 03316010
 File: PL20200128
 Legal: NW-16-23-28-W04M
 Page 136 of 2180



Mr. Gary Sutherland
283218 Twp Rd 232
Rocky View, Alberta
T1X 0K7

January 22, 2021

Rocky View County
Planning Services Dept.
262075 Rocky View Point
Rocky View, AB
T4A 0X2

Attention: Althea Panaguiton, Planner

Dear Sir/Madam:

Re: Application: PL20200128, File: 03316010

Further to the notice for development dated Oct. 29/20 from Rocky View County, please accept this letter as written support for the proposed subdivision on NW-16-23-28-W04, owned by Marlene and Jack Begg.

I am in support of the proposed subdivision's parcel sizes of 54 ac and 102 ac.

Yours truly,



Gary Sutherland

Cc: Xin Deng, Planner, Rocky View County

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 4
DATE:	July 28, 2021	APPLICATION: PRDP20212643
FILE:	03305080	
SUBJECT:	Agriculture (Intensive) and Single-lot Regrading / Discretionary use, with no Variances	

APPLICATION: Agriculture (Intensive) and single-lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables.

GENERAL LOCATION: Located approximately 0.20 kilometres (1/8 mile) west of Range Road 284 and 0.80 kilometres (1/2 mile) south of Township Road 231.

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

EXECUTIVE SUMMARY: The Applicant is proposing agriculture (intensive) and placement of topsoil on the subject parcel. The Applicant proposes to establish a market garden, producing a variety of berries, vegetable crops, and fruit trees on a portion of the parcel. It is planned to be completed in two phases and with a combined area of approximately 0.35 ha (0.87 acres). If successful, the Applicant intends to apply for an additional development permit to be able to sell the produce onsite, either by pick-up or u-pick.

The Applicant proposes to till the soil in rows, approximately 1.5 m (4.92 ft.) wide, with a swath of fallow ground in between rows, approximately 2.4 m (7.87 ft.) wide. The Applicant proposes the addition of approximately 38.00 cu. m (1,341.96 cu. ft.) of imported loam, compost, and manure to an approximate depth of 0.10 m (0.33 ft.), only if required to achieve proper soil quality.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212643 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212643 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development

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

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020 • Calgary IDP Study Area 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • No reports submitted
DISCRETIONARY USE: <ul style="list-style-type: none"> • Agriculture (Intensive) • Stripping, Grading, Excavation, and Fill 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Site stripping and grading are considered discretionary in all land use districts, as per Section 157 of Land Use Bylaw C-8000-2020.

Agriculture (Intensive) is listed as a discretionary use in Residential, Rural District, as per Section 318 of the Land Use Bylaw C-8000-2020.

The parcel is currently vacant, has relatively flat topography and there are no anticipated drainage or water impacts.



ROCKY VIEW COUNTY

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WVD/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That Agriculture (Intensive) (Market Garden) and single-lot regrading (placement of topsoil) may commence on the subject parcel, in accordance with the submitted application and drawings.

Permanent:

2. 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.
3. That prior to any onsite sales or u-pick occurring on the subject property, the Applicant/Owner shall apply for a development permit.
4. That prior to the placement of topsoil on the subject property, the Applicant/Owner shall submit to the County 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.
5. That prior to the placement of topsoil on the subject property 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.
6. That the Applicant/Owner shall ensure the topsoil has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
8. That the Applicant/Owner shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to the adjoining property owners and others in the vicinity.
9. 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.

Advisory:

10. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
11. 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]*.
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

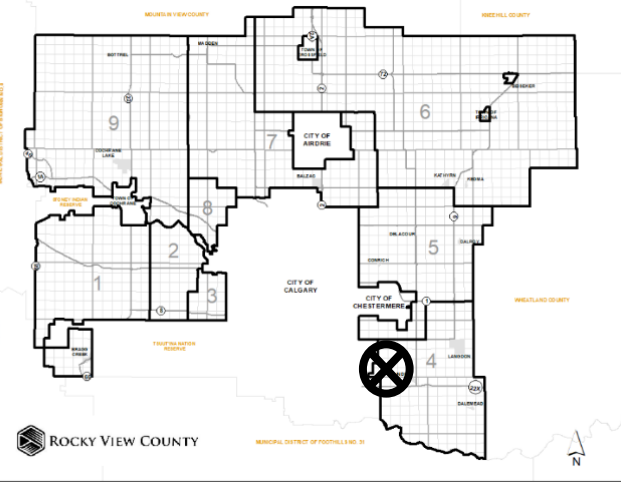
APPLICANT: Donald and Maryanne Umbsaar	OWNER: Donald and Maryanne Umbsaar
DATE APPLICATION RECEIVED: June 18, 2021	DATE DEEMED COMPLETE: June 28, 2021
GROSS AREA: ± 2.02 hectares (± 4.99 acres)	LEGAL DESCRIPTION: Lot 1, Block 4, Plan 0914213, SE-05-23-28-W4M (11 Shortbridge Place)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • PRDP20152058: dwelling moved in • PRDP20213039: construction of the accessory building 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



Aerial Imagery

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Division: 4
 Roll: 03305080
 File: PRDP20212643
 Printed: June 25, 2021
 Legal: Lot:1 Block:4
 Page 11 of 15
 23-28-W04M

Aerial Imagery

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Cover Letter

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables

To: Rocky View County

From: Don and Maryanne Umbaar

Subject: Application for Proposed Development – lot regrading and possible fill

Property: 11 Shortridge Place [Lot 1, Block 4, Plan 92 4213]

1. Current Land conditions and Use

The land is undeveloped grassland, with no buildings, and an existing water well. There are well established shelter belts on the north and west boundaries. The 5 acre property has gentle topography, with less than 4m elevation variation. There are no existing or proximal water bodies.

2. Proposed Land Use

The proposal is to establish crops: berries, fruit trees, vegetables in a portion of the land not exceeding 1 acre. If successful, produce would eventually be sold through a home-based business. Potentially, the property could become the point of sale for produce, either by pickup or u-pick. Alternatively, produce could be delivered to local buyers.

3. Scope of Work

The immediate scope of work covers 2 regions (phase 1 and phase 2), with a combined area of 3515m² (0.87 acres). The primary work is to till soil, in swaths 1.5m wide, leaving strips of fallow ground 2.4m wide between adjacent rows. Additionally, up to 10cm of loam, compost, or manure may be added to the tilled areas for soil conditioning. The tilled swaths account for approximately 41% of the area outlined for development; the total disturbed soil is significantly less than 1 acre.

If any fill is added, it will be clean and free from contaminants or weeds. After tilling, the swaths will be covered by cardboard until autumn, to restrict the growth of grasses or weeds prior to anticipated planting. Phase 1 will be planted in the autumn of 2021; Phase 2 will be tilled in 2021, and not planted until a future date.

The grading operation will have no significant impact on local traffic or dust. Most likely, the equipment will be mobilized and the work completed on the same day when conditions are favourable. The small work crew should have less than 3 vehicles, and there is no need for multiple in/out visits.

The addition of fill could be a maximum volume of 38m³, approximately 4 truckloads. This fill is optional, and depends on costs. If fill is added, there would be extra vehicles for delivery and possibly equipment for distributing fill into the swaths.

The anticipated changes to existing grades and possible impacts on drainage and erosion will be negligible or too small to measure.

Cover Letter
(continued)

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables

4. Requested Variance

No variance is requested

5. Business Operations

This is a small business; starting as a part-time venture. There are no plans for employees. The immediate focus of this small business will be the planting and care of the trees. It could take a few years before production is achieved. Once production is achieved, we will apply for a home-based business permit, and other permits requested by the County.

6. Attachments

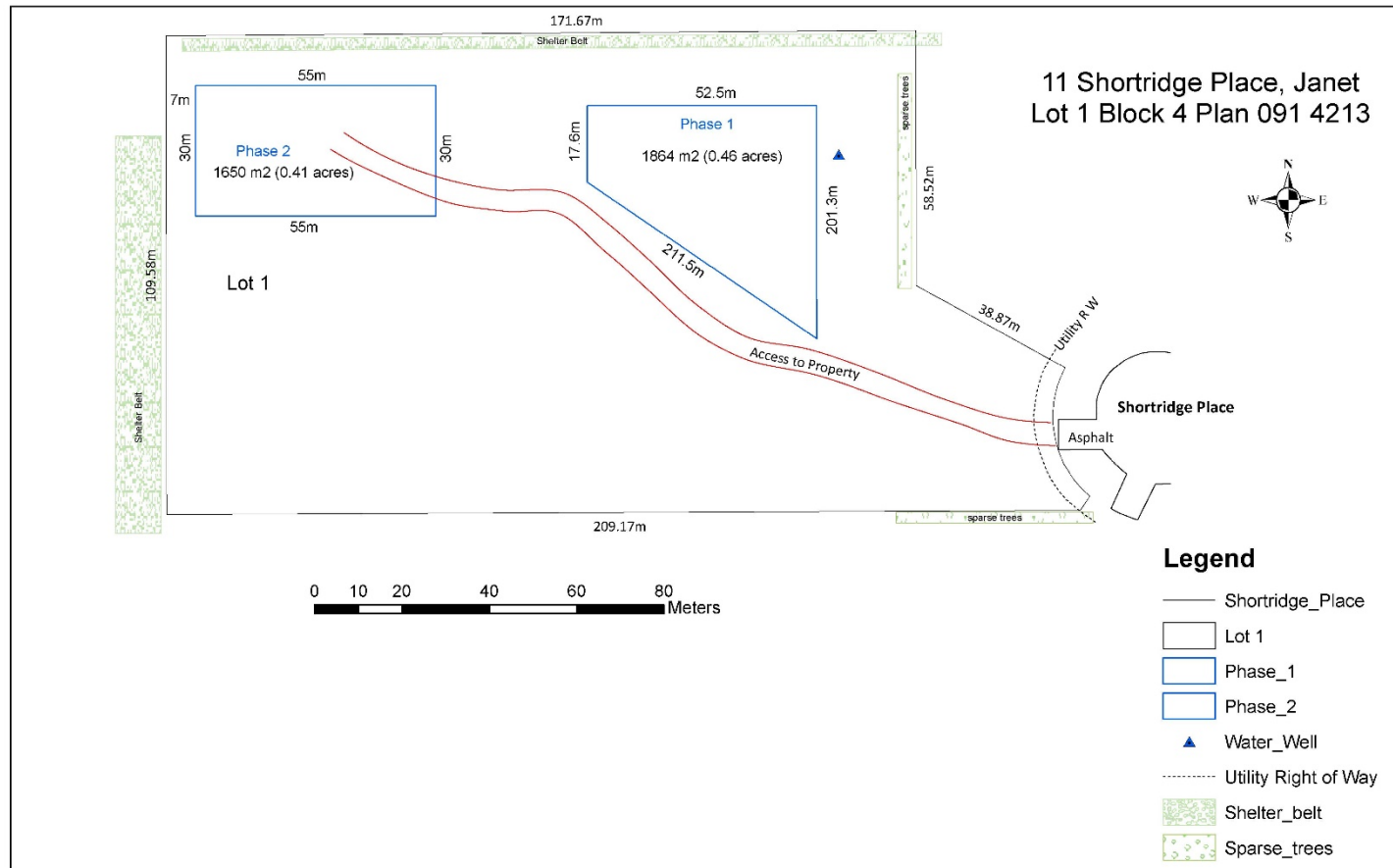
- a. Development Permit Application
- b. Stripping Grading Excavation Information Sheet
- c. Checklist
- d. Site Plan
- e. Detailed diagram of grading plan (phase 1 and phase 2)
- f. Title document
- g. Photographs of property

Don and Maryanne Umbsaar
[REDACTED]

Site Plan

Development Proposal

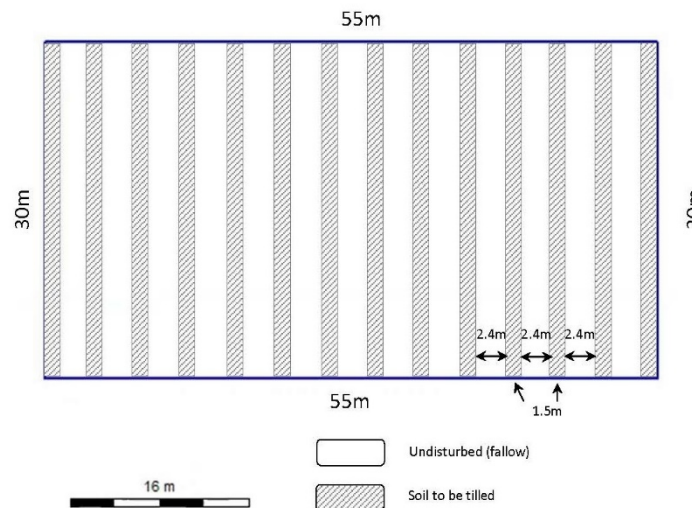
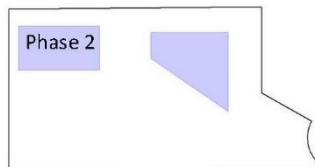
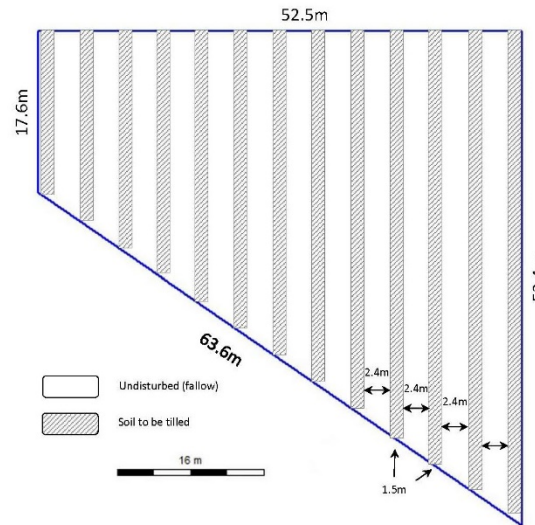
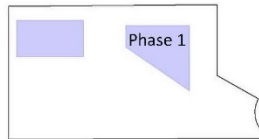
Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Site Plan

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



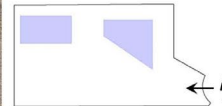
Site Photos

Development Proposal

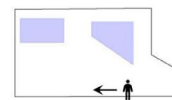
Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Picture 1: Looking west from entrance to property



Picture 2: Looking west along the southern boundary



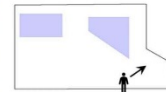
Site Photos

Development Proposal

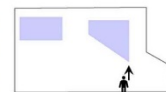
Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Picture 3: Looking northeast from the southern boundary



Picture 4: Looking north from the southern boundary



Division: 4
Roll: 03305080
File: PRDP20212643
Printed: June 25, 2021
Legal: Lot:1 Block:4
Page 13 of 15
Page 13 of 15
23-28-W04M

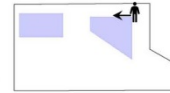
Site Photos

Development Proposal

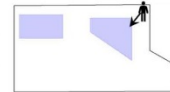
Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



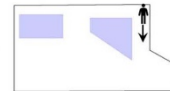
Picture 7: Looking west from corner of phase 1 development



Picture 8: Looking southwest from near the NE corner



Picture 9: Looking south, along eastern boundary



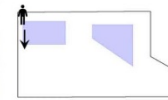
Site Photos

Development Proposal

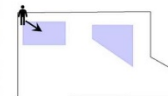
Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



Picture 10: Looking south along western boundary; corner of phase 2 development



Picture 11: Looking southeast, from corner of phase 2 development



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION:	7
DATE:	July 28, 2021	APPLICATION:	PRDP20212285
FILE:	06305005		
SUBJECT:	Equestrian Centre / Discretionary use, with no Variances		

APPLICATION: Construction of an Equestrian Centre (addition to an existing hay shed)

GENERAL LOCATION: Located at the northeast junction of Range Road 285 and Township Road 260

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

EXECUTIVE SUMMARY: The proposal is for the construction of an addition to an existing hay shed, to be used as an Equestrian Centre. The total building area is approximately 2,493.51 sq. m (26,840.00 sq. ft.) in size. The Equestrian Centre would be used primarily for equine domestic and international quarantine, rehabilitation, training, and breeding. There would be no events such as rodeos or overnight camping on the parcel, however, the equestrian centre would be a public facility. Commercial activity is related to equine rehabilitation and maintenance. The Applicant is proposing to convert an existing accessory building (hay shed) approximately 487.55 sq. m (5,248.00 sq. ft.) in building area and construct a barn addition that would cumulatively act as part of the equestrian centre. There would be a maximum of 48 horses on-site. There are no variances requested and the application appears to comply with the A-GEN requirements and the Land Use Bylaw.

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

OPTIONS:

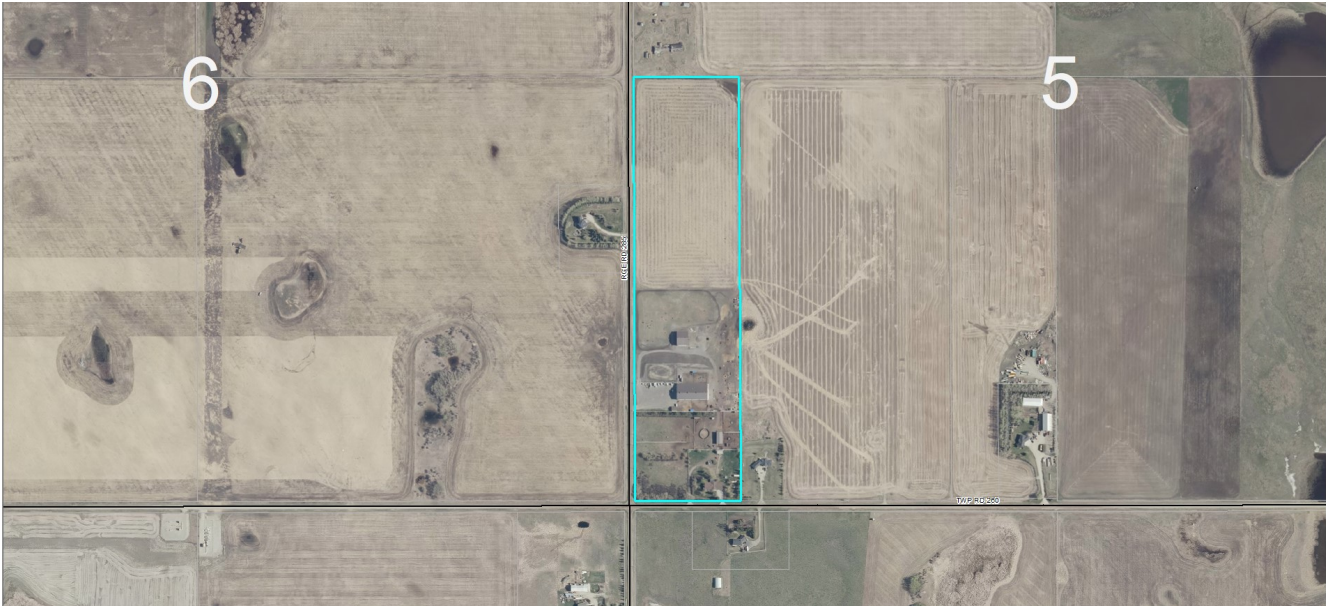
- Option #1: THAT Development Permit Application PRDP20212285 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212285 be refused for the following reasons:
1. That is the opinion of the Municipal Planning Commission; the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020 (LUB). 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Manure & Runoff Management Plan • Grazing and Freezing Strategies • Pest and Weed Control
DISCRETIONARY USE: <ul style="list-style-type: none"> • Equestrian Centre is a discretionary use in the A-GEN district 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The application was assessed in accordance with Sections 136 to 138 of the LUB.

Equestrian Centre is defined in the LUB as follows:

“Equestrian Centre” means public facilities (buildings, shelters, or other structures) at which horses are exercised or trained, training in equestrian skills or equestrian competitions or shows rodeos or other similar events are held, where a fee has been paid to participate, attend or use the facilities.

The parcel is 40.00 acres therefore there is no maximum for the number of animal units permitted on-site. There would be a maximum of 48 horses on-site which is compliant with Section 137 of the LUB.

The site is developed with a dwelling, single-detached, riding arena and multiple accessory buildings including a barn, horse shelters, and covered stalls. Structures are located in accordance with the setback requirements of the A-GEN district.



ROCKY VIEW COUNTY

There were no concerns from Agricultural Services regarding the operations of the facility including manure and runoff management and pest and weed control plans submitted with the application.

Parking is located on the west end of the subject lands adjacent to Range Road 285 with forty parking stalls available. There would be four (4) full-time staff and approximately 10-15 clients. There is sufficient parking for the expected number of visitors and staff.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting 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 an Equestrian Centre, approximately 2,493.51 sq. m (26,840.00 sq. ft.) in building area, including equine domestic and international quarantine, rehabilitation, training, and breeding, may take place on the subject site in accordance with the submitted application and conditions of this permit.
 - i. That for purposes of this permit, an equestrian event is an activity that involves domestic and international quarantine, rehabilitation, training, and breeding of horses.

Prior to Release:

2. That Prior to Release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements would 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 the condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That the applicant/owner will be required to submit a Stormwater Memo that includes stormwater drawings, grading drawings, and an erosion and sedimentation control plan conducted and stamped by a professional engineer in accordance with the County Servicing Standards. The Stormwater Memo will also demonstrate that the proposed development will not cause direct impacts to the onsite wetland.

Permanent:

4. That the County supports the use of holding tanks with trucked service for commercial purposes.
5. That the County supports the use of cisterns with trucked service for commercial purposes.
6. That the applicant/owner will be required to adhere to the Stormwater Memo accepted by the County.
7. 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.
8. 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.
 - ii. Upon request of the County, the Applicant/Owner may have to update or revise the approved Manure and Grazing management plan if any issues arise or complaints are received on the property, to the satisfaction of the County.
9. That the maximum of 48 livestock animal units shall be allowed on the subject site at any one time for any events.



ROCKY VIEW COUNTY

10. 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.
11. That the existing Riding Arena shall not be used for the Equestrian Centre
12. That the onsite parking area(s) 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(s).
13. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
14. That if this 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:

15. That the applicant/owner will be required to obtain a commercial water license from AEP if the applicant proposes to service the proposed development with a groundwater well.
16. That it is the applicant/owner's responsibility to obtain any required *APEA and Water Act* approvals from AEP for the construction of any stormwater infrastructure.
17. That it is the responsibility of the landowner to obtain the necessary *AEP Water Act* approvals for any impacts to the onsite wetland prior to construction of the development.
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 it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
20. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
21. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

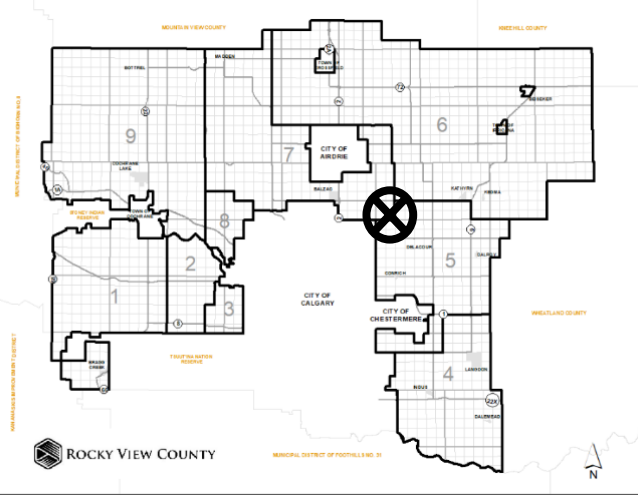
APPLICANT: Nika Fried	OWNER: Handel, Salvin A
DATE APPLICATION RECEIVED: May 19, 2021	DATE DEEMED COMPLETE: June 18, 2021
GROSS AREA: ± 16.18 hectares (± 40.00 acres)	LEGAL DESCRIPTION: SW-05-26-28-04; (284230 TWP RD 260)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <p>March 28, 2018: Development Permit PRDP20175328: Private Riding Arena, (located within an existing barn) – Closed Approved</p> <p>Oct 11, 2016: Building Permit PRBD20163813: Farm building for Hay Storage (5,381 sq. ft. (500 sq. m))</p> <p>Jun 21, 2016: Building Permit PRBD20162188: Farm building for livestock (5,389 sq. ft.)</p>	
PUBLIC & AGENCY SUBMISSIONS: <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
Equestrian Centre
(addition to an existing hay
shed)



Division: 7
 Roll: 06305005
 File: PRDP20212285
 Printed: June 21, 2021
 Legal: A portion of SW-05-
 2021-150 of 218

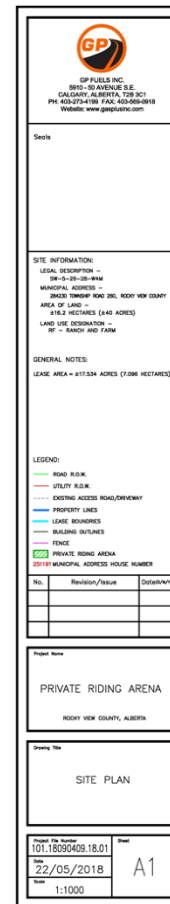
Location & Context

Development Proposal

Construction of an
Equestrian Centre
(addition to an existing hay
shed)



Division: 7
Roll: 06305005
File: PRDP20212285
Printed: June 21, 2021
Legal: A portion of SW-05-
2021-100 of 218







Inspection Photos
July 19, 2021





PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: July 28, 2021 **DIVISION:** 9
FILE: 06708012 **APPLICATION:** PRDP20212083
SUBJECT: Home-Based Business (Type II) / Discretionary use, with no Variances

APPLICATION: Home-Based Business (Type II), for a construction and outside storage business

GENERAL LOCATION: Located approximately 0.80 km (1/2 mile) south of Township Road 262 and on the west side of Glendale Road.

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

EXECUTIVE SUMMARY: The application is for a Home-Based Business, Type II, for a construction and outdoor storage company. This development permit application is the result of enforcement action. The business uses a laydown storage area, approximately 161.65 sq. m (1,740.00 sq. ft.) in footprint, to store materials, small equipment, and a trailer, which is completely screened by a 1.82 m (6.00 ft.) tall wooden fence. The business operates Monday to Saturday, 8:00 AM to 6:00 PM. There are four (4) employees, two (2) of which are non-resident. Approximately three to four business-related vehicle visits are anticipated per week. The application appears to comply with all Home-Based Business (Type II) requirements.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212083 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212083 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Bronwyn Culham, Planning and Development Services

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Bears paw Area Structure Plan; and • Land Use Bylaw (LUB). 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None provided
PERMITTED USE: <ul style="list-style-type: none"> • A Home-Based Business, Type II is a discretionary use in the Residential, Rural (R-RUR) district. 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The application was assessed in accordance with Sections 145 to 147 and Sections 315 to 323 of the LUB.

The site is developed with a dwelling, single-detached and several existing accessory buildings including sea can containers, a greenhouse, and a lean-to structure located on the property. The dwelling and accessory buildings appear to be non-compliant with the LUB, as multiple buildings are encroaching into the rear and side yard setbacks. A separate Development Permit will be required to bring the property into compliance.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

BC/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information

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

- 1) That a Home-Based Business, Type II, for a construction and outdoor storage business, may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.

Prior to Release:

- 2) That prior to release of this permit, that the Applicant/Owner shall install the proposed outside storage area screening in accordance with the approved site plan.
 - i) Once the screening for the outside storage area is installed, a site inspection shall be completed by the County, to confirm that the outdoor storage area is screened in accordance with the approved site plan, to the satisfaction of the County.

Permanent:

- 3) 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.
- 4) That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) 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.
- 9) That the Home-Based Business shall be limited to the dwelling, accessory building, and outside storage area.
- 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 1,740.00 sq. ft. (161.65 sq. m)**
- 11) 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.
- 12) That there shall be no signage, exterior display, or advertisement of goods or services discernible from the outside of the building.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That if this 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.
- 15) That this Development Permit, once issued, shall be valid until **August 25, 2022**.

Advisory:

- 16) That the applicant/owner shall ensure that post-development drainage does not exceed pre-development drainage and there are no stormwater implications to neighboring property due to proposed development.



- 17) That the applicant/owner shall implement appropriate ESC measures during the construction of the proposed development in accordance with County's servicing standards.
- 18) That any buildings that are encroaching into the minimum setback requirements and are non-compliant with the County's Land Use Bylaw shall require a Development permit, to bring the property into compliance.
- 19) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 20) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 21) That a Building Permit and sub-trade permits shall be obtained through Building Services, for the proposed or change of use permit for the existing accessory buildings, used for business operations prior to any construction or business activity taking place (if required).

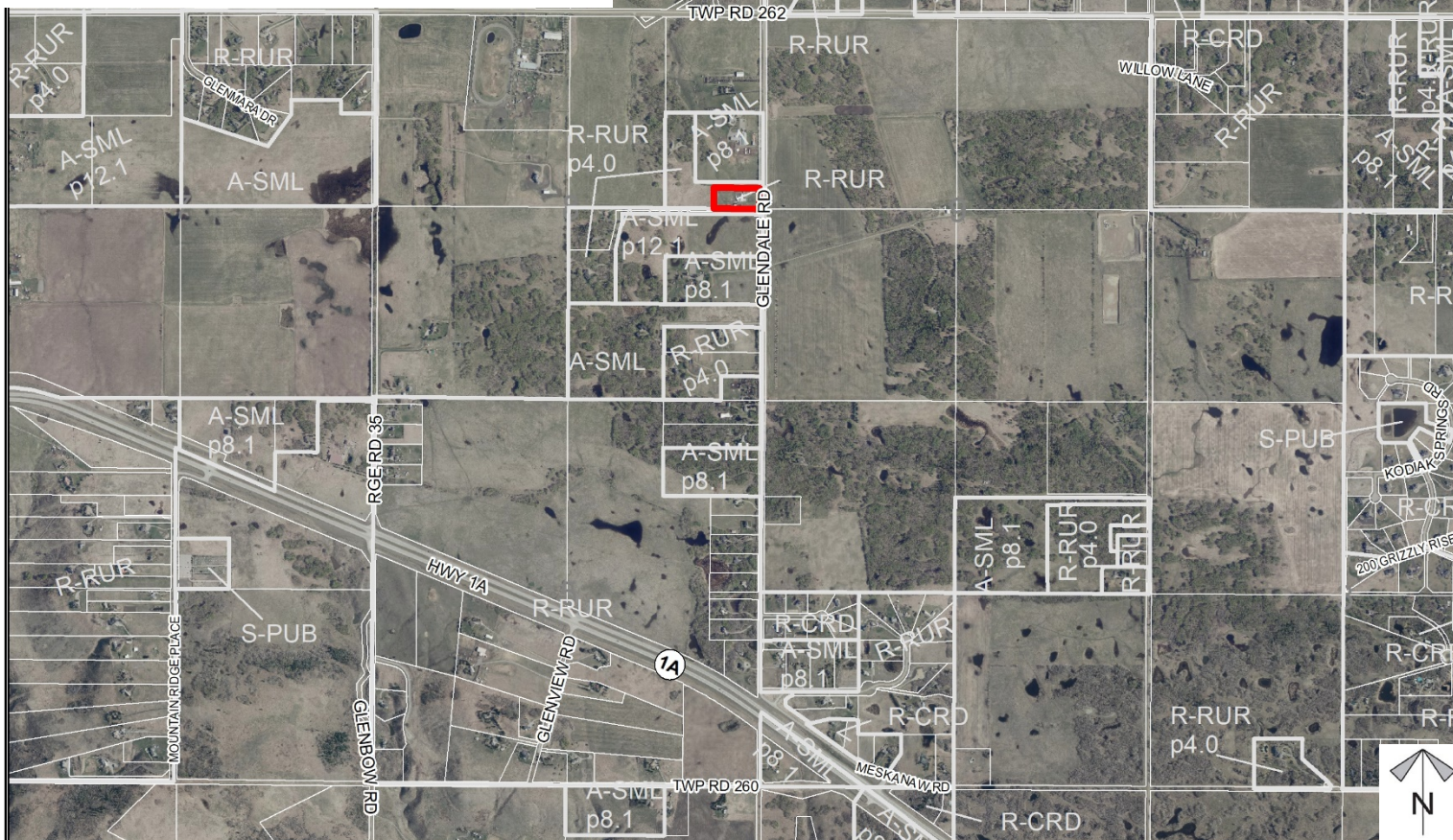
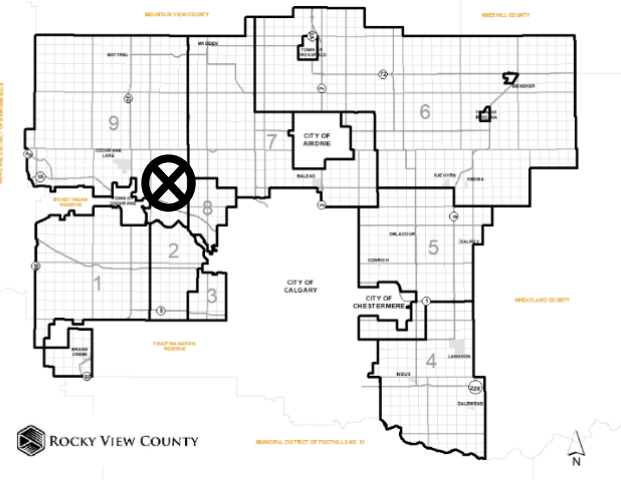
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Matt Machula (ML Holdings Ltd.)	OWNER: TD Canada TrustMachula, Mateusz R. & Lisa J.
DATE APPLICATION RECEIVED: May 10, 2021	DATE DEEMED COMPLETE: June 11, 2021
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: Lot 3 Block 1 Plan 0815496, NE-08-26-03-05; (261141 GLENDALE ROAD)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>Feb 08, 2016: Building Permit (PRBD20160400) As Built Wood Burning Fireplace – PSR – in Compliance</p> <p>Dec 11, 2015: Building Permit (PRBD20154944) Seacan Accessory building – PSR – in Compliance</p> <p>Apr 15, 2010: Building Permit (2010-BP-22882) Single Family Dwelling – PSR – Not in Compliance</p> <ul style="list-style-type: none"> • There are no related planning applications • There are no related development permit applications 	
PUBLIC & AGENCY SUBMISSIONS: <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

Home-Based Business
 (Type II), for a
 construction and outside
 storage business

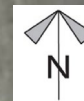


Division: 9
 Roll: 06708012
 File: PRDP20212083
 Printed: June 21, 2021
 Legal: Lot:3 Block:1
 Page 14 of 18
 26-03-W05M

Location & Context

Development Proposal

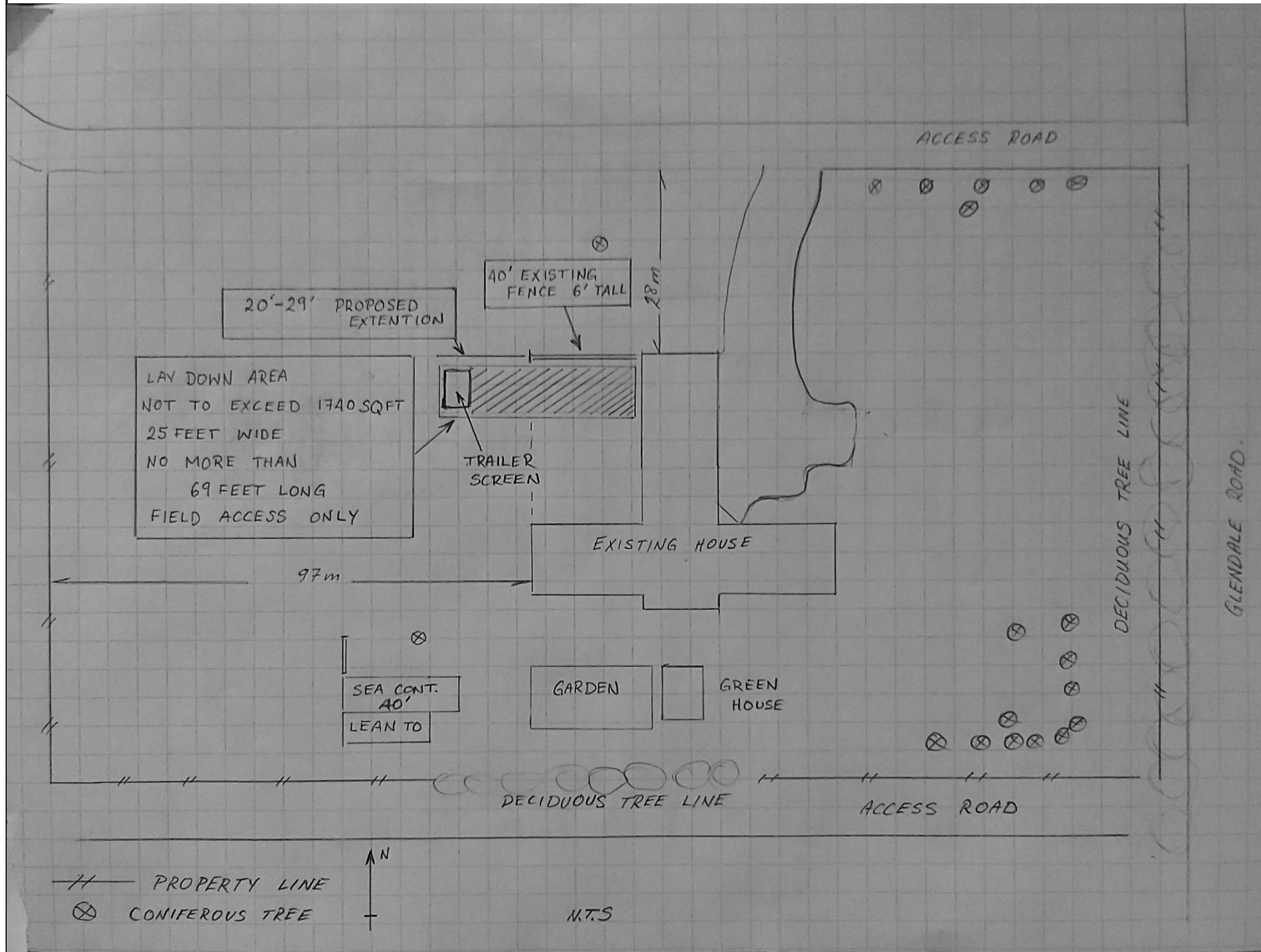
Home-Based Business
(Type II), for a
construction and outside
storage business



Site Plan

Development Proposal

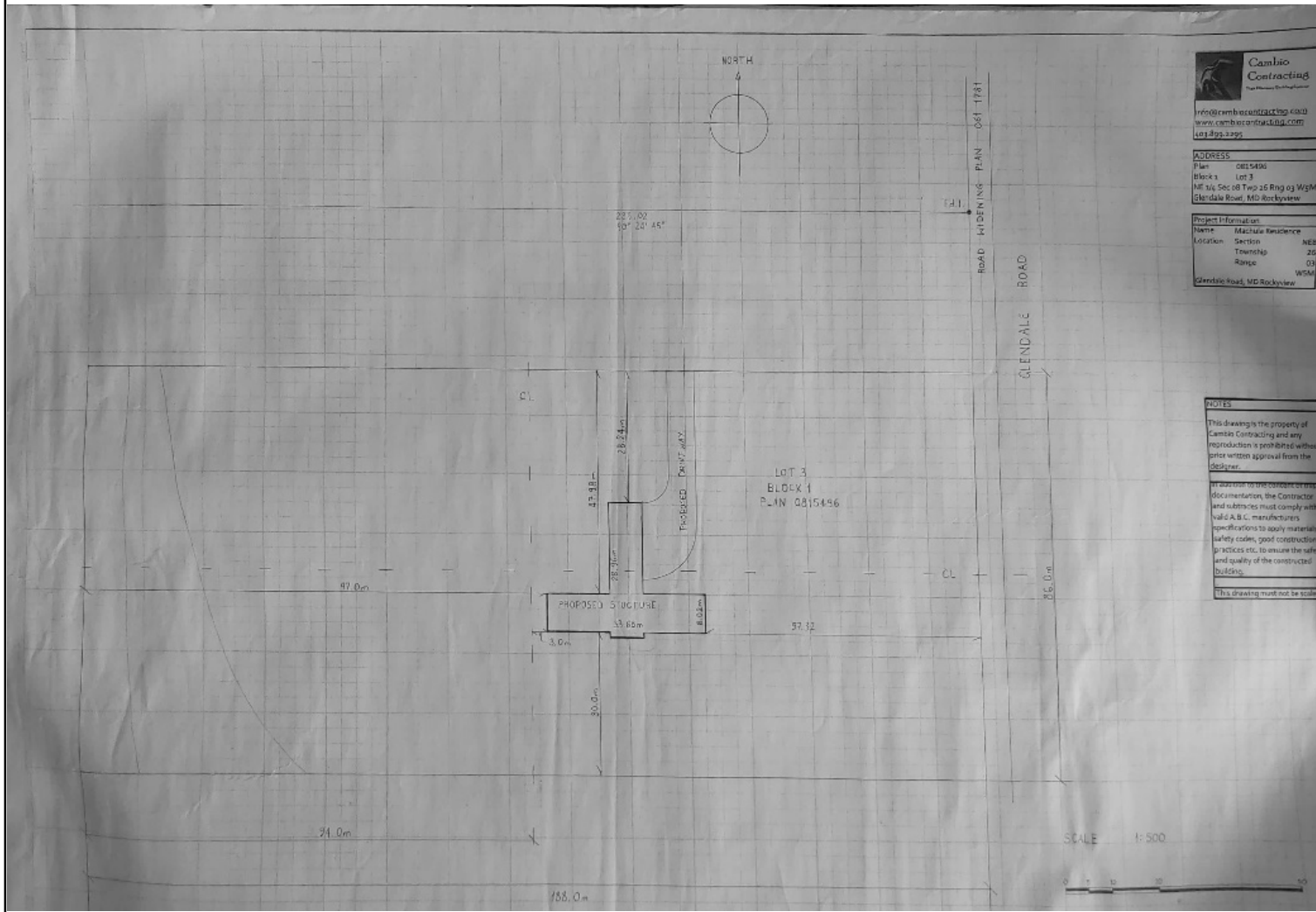
Home-Based Business
 (Type II), for a
 construction and outside
 storage business



Site Plan

Development Proposal

Home-Based Business
 (Type II), for a
 construction and outside
 storage business



Division: 9
 Roll: 06708012
 File: PRDP20212083
 Printed: June 21, 2021
 Legal: Lot:3 Block:1
 Page 10 of 14
 26-03-W05M













PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 7
DATE:	July 28, 2021	APPLICATION: PRDP20212487
FILE:	07307005	
SUBJECT:	Riding Arena / Discretionary Use, No Variances	

APPLICATION: This application is for the construction of a Riding Arena.

GENERAL LOCATION: Located approximately 0.81 kilometres (1/2 mile) south of Highway 567 and on the west side of Range Road 285.

LAND USE DESIGNATION: Agricultural, Small Parcel District (A-SML p12.1).

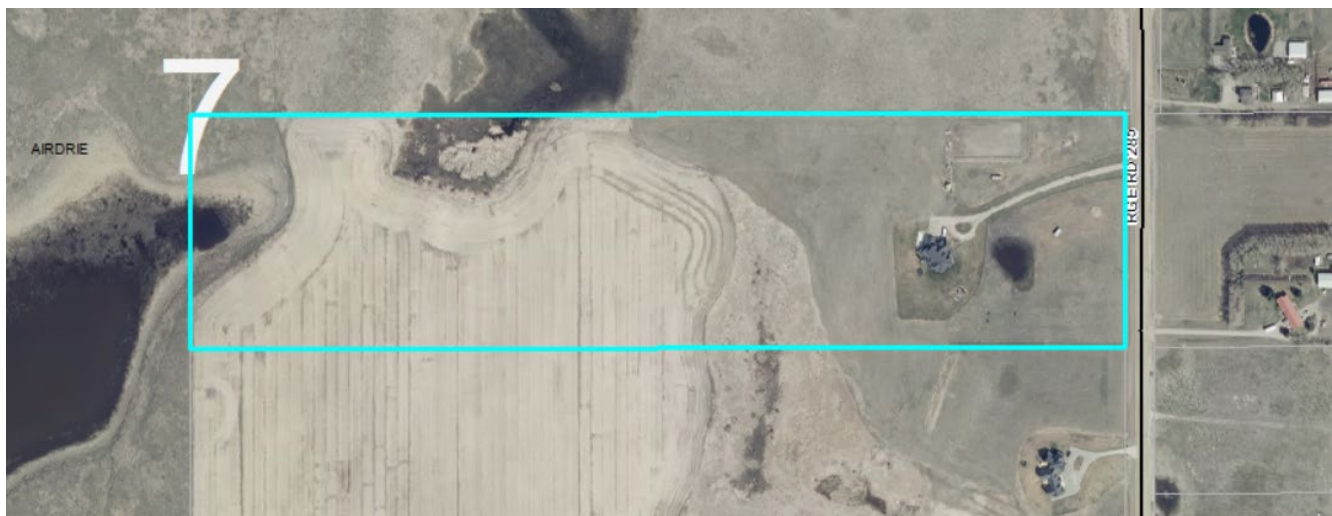
EXECUTIVE SUMMARY: This proposal is for the construction of a Riding Arena, approximately 2,683.04 sq. m (28,880.00 sq. ft.) in size and 8.48 m (27.83 ft.) in height. No teaching sessions, horse shows, or events are held on-site, as the arena is for private use only. The arena will gain access from the existing approach and will be located north of the existing dwelling. The exterior will be finished in metal cladding (colour to be determined) and have a sloped roof. As the property is 40 acres in size, there is no limit to the number of animal units (horses) permitted. The Riding Arena meets the height and setback requirements of the A-SML district.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212487 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212487 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri, Planning & Development Services

APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Airdrie Intermunicipal Development Plan; • Land Use Bylaw C-8000-2020; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • N/A
<p>DISCRETIONARY USE:</p> <ul style="list-style-type: none"> • Riding Arena 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Subdivision and Development Appeal Board

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,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

SK/llt

ATTACHMENTS:

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

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

1. That the construction of a 2,683.04 sq. m (28,880.00 sq. ft.) Riding Arena may commence on the subject property in accordance with the submitted site plan and details of the application.

Permanent:

2. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application shall be implemented and adhered to in perpetuity.
3. That the Riding Arena shall not have any viewing areas or seating/bleacher areas.
4. That the Owner/Occupant may board horses and the boarders may ride their horses in the riding arena.
5. That this approval does not allow an Equestrian Centre on the parcel at any time.
6. That all manure shall be collected and disposed of on a continual basis.
7. That if there is an 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 potable water sources shall be 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, 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 property.
17. That parking stalls shall be available onsite at all times. All parking of vehicles, including trailers, 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 lighting shall be fully 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.
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 is present. No livestock shall be allowed in unfenced areas.

Advisory:

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

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

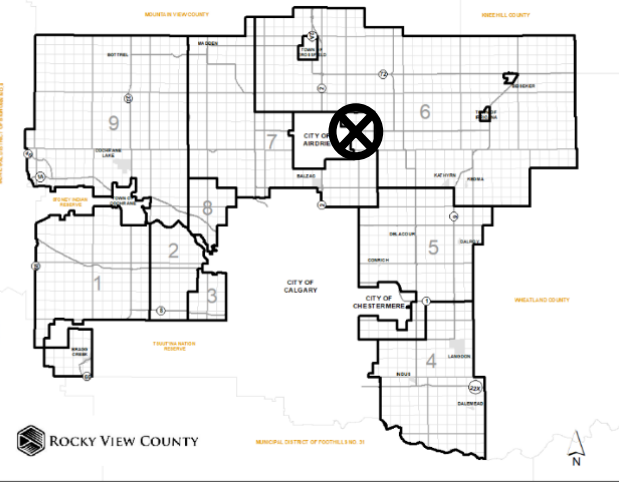
APPLICANT: Lee Snowden (Ironwood Building Corp)	OWNER: David & Michelle James
DATE APPLICATION RECEIVED: June 1, 2021	DATE DEEMED COMPLETE: June 10, 2021
GROSS AREA: ± 16.19 hectares (± 40.01 acres)	LEGAL DESCRIPTION: SE-07-27-28-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>January 21, 2014:</i> Building permit (2013-BP-25644) granted final occupancy for a single-family dwelling.	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



Location & Context

Development Proposal

Construction of a Riding
Arena

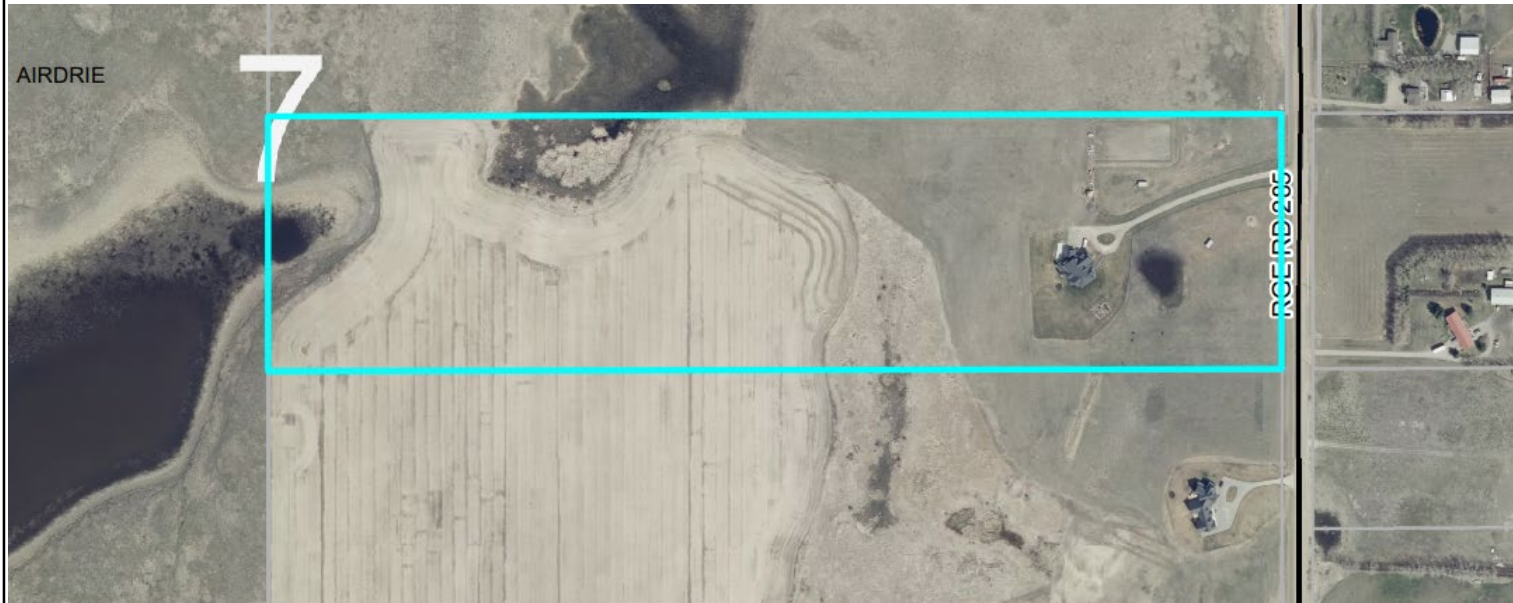


Division: 7
 Roll: 07307005
 File: PRDP20212487
 Printed: June 24, 2021
 Legal: Lot:1 Block:2
 Page 1185 of 2188
 27-28-W04M

Location & Context

Development Proposal

Construction of a Riding
Arena

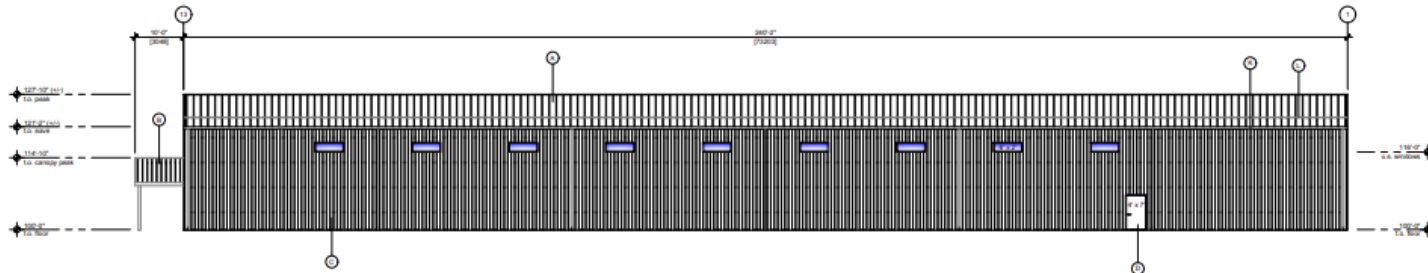


Division: 7
Roll: 07307005
File: PRDP20212487
Printed: June 24, 2021
Legal: Lot:1 Block:2
Page 1186 of 2188
Rocky View County - 27-28-W04M

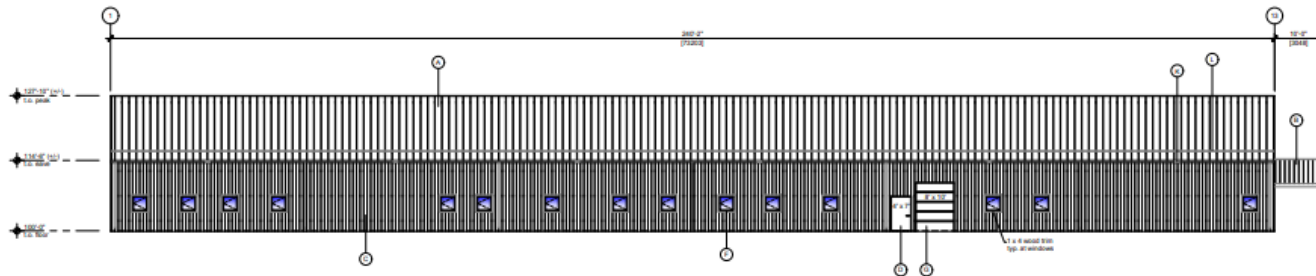
Location & Context

Development Proposal

Construction of a Riding
Arena



1 ELEVATION 'A' (NORTH)
 SCALE: 3/32" = 1'-0"

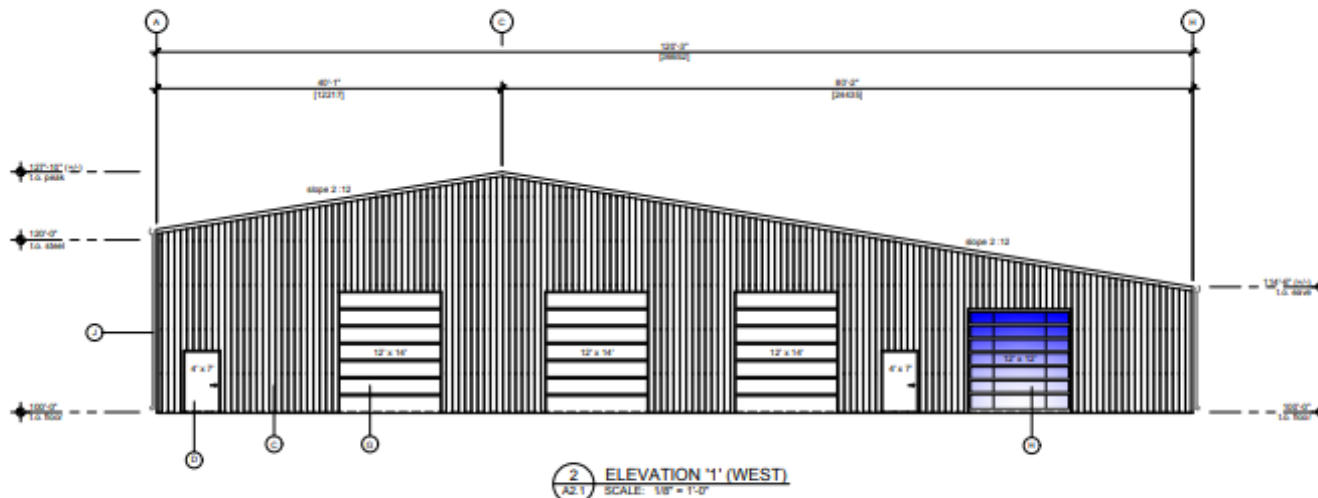
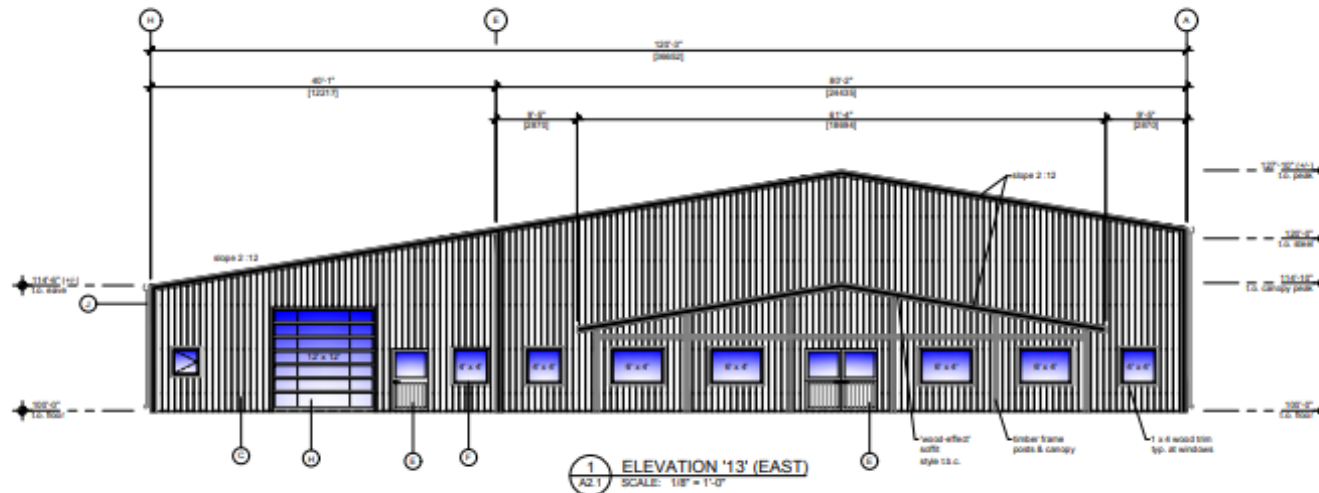


2 ELEVATION 'H' (SOUTH)
 SCALE: 3/32" = 1'-0"

Location & Context

Development Proposal

Construction of a Riding
Arena



Division: 7
 Roll: 07307005
 File: PRDP20212487
 Printed: June 24, 2021
 Legal: Lot: 1 Block: 2
 Page 10 of 10
 27-28-W04M

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 9
DATE:	July 28, 2021	APPLICATION: PRDP20212043
FILE:	07936001	
SUBJECT:	Home-Based Business (Type II) / Discretionary use, with Variances	

APPLICATION: Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits.

GENERAL LOCATION: Located at the southwest junction of Range Road 50 and Township Road 280.

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

EXECUTIVE SUMMARY: This application is for a Home-Based Business, Type II, for a feed store. The business, "Blackwell Feed and Forage," will offer retail sales of equine, canine, and feline food and supplements, wood shavings, hats, and other promotional materials. The property is developed with a dwelling and five (5) farm buildings, as well as a 40-year-old hay farming and sales operation. The feed store will bring together locally produced feed and related products to a single location accessible to the local equine community, and for the convenience of customers already visiting the property to pick up hay.

The business would operate out of an existing 107.21 sq. m (1,154.00 sq. ft.) farm building. The days of operation are Fridays and Saturdays, from 8:00 a.m. to 6:00 p.m. One employee resides on the property and two employees do not. There will be one fascia sign at the entrance of the feed store with the "Blackwell Feed and Forage" logo.

The Applicant anticipates approximately 10 daily business related visits during the two days of operation of the feed store. This requires a variance of 25%. The application also requires a variance to Section 145 f) of the Land Use Bylaw, which states that retail stores shall not be permitted as a Home-Based Business. As the business is in keeping with the County Plan's Agriculture Business policies, which support and encourage agricultural operations and agricultural related economic activity, Administration recommends that Municipal Planning Commission grant the requested variances.

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

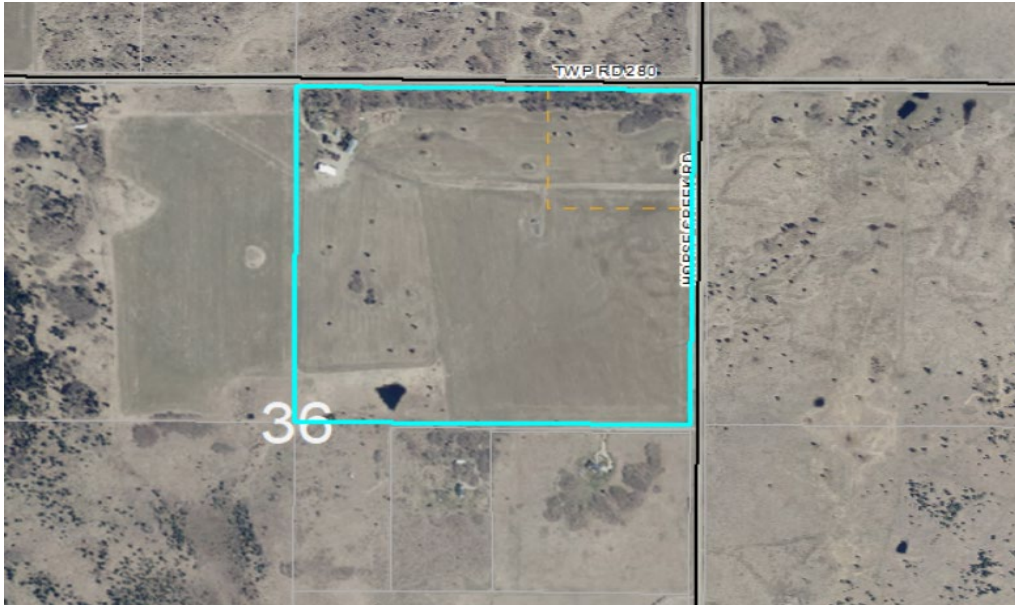
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212043 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212043 be refused.

Administration Resources

Sandra Khouri, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Number of daily business-related visits	8	10	25%
Type of business	Retail store not permitted	Retail store requested	n/a

APPLICATION EVALUATION:

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

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

Additional Review Considerations*Legal Non-Conforming*

Hay farming and hay sales have been operating on the property for 40 years. As such, Farm Gate Sales would be considered a legally non-conforming use, and a development permit is not required.

County Plan

The County Plan policies that support this application are as follows:

- 8.0 Agriculture – Business
- 8.7 Support and encourage agriculture operations and agricultural related economic activity.
- 8.8 Support and encourage *small scale, value-added agriculture* and *agriculture services* to locate in proximity to complementary agricultural producers.
- 8.11 Provide for increased home based business opportunities.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting 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 Home-Based Business (Type II), for a feed store, may operate out of the existing farm building, approximately 107.21 sq. m (1,154.00 sq. ft.) in size, in accordance with the approved plans and conditions of this permit.
 - a. That the maximum number of business related visits is relaxed from **8** to **10**.
 - b. That the proposed retail store use is permitted as a Home-Based Business (Type II).
- 2) That one (1) fascia sign may be placed on the subject property, in accordance with the application details.
 - a. The sign shall not exceed 0.50 sq. m (5.38 sq. ft.) in area or 1.50 m (4.92 ft.) in height, in accordance with the Land Use Bylaw (C-8000-2020).

Permanent:

- 3) That the number of non-resident employees shall not exceed two (2) 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.
- 4) That the operation of this Home-Based Business, Type II may generate up to a maximum of 10 business-related visits per day.
 - a. That for the purposes of this permit, one business-related visit would include client arrival and departure.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) 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.
- 9) That the Home-Based Business shall be limited to the dwelling and accessory building.
- 10) That there shall be no outside storage associated with the Home-Based Business at any time.
- 11) That any site landscaping or screening elements approved with the application shall be maintained onsite at all times.
- 12) That there shall be a minimum of 9 parking stalls maintained on-site at all times, in accordance with the approved Site Plan. All customer and employee parking shall be restricted to the subject land and there shall be no offsite parking.
- 13) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 14) That there shall be no parking or signage in the County Road Right-of-Way at any time.

- 15) That all outdoor lighting shall be fully 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.
- 16) That this Development Permit shall be valid until **August 31, 2022**.

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- 19) 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 feed store located on the subject site, to facilitate accurate emergency response.

Note: Municipal address is A 50127 TWP RD 280.

- 20) That a Building Permit shall be obtained and that building occupancy is granted prior to commencement of business operation.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

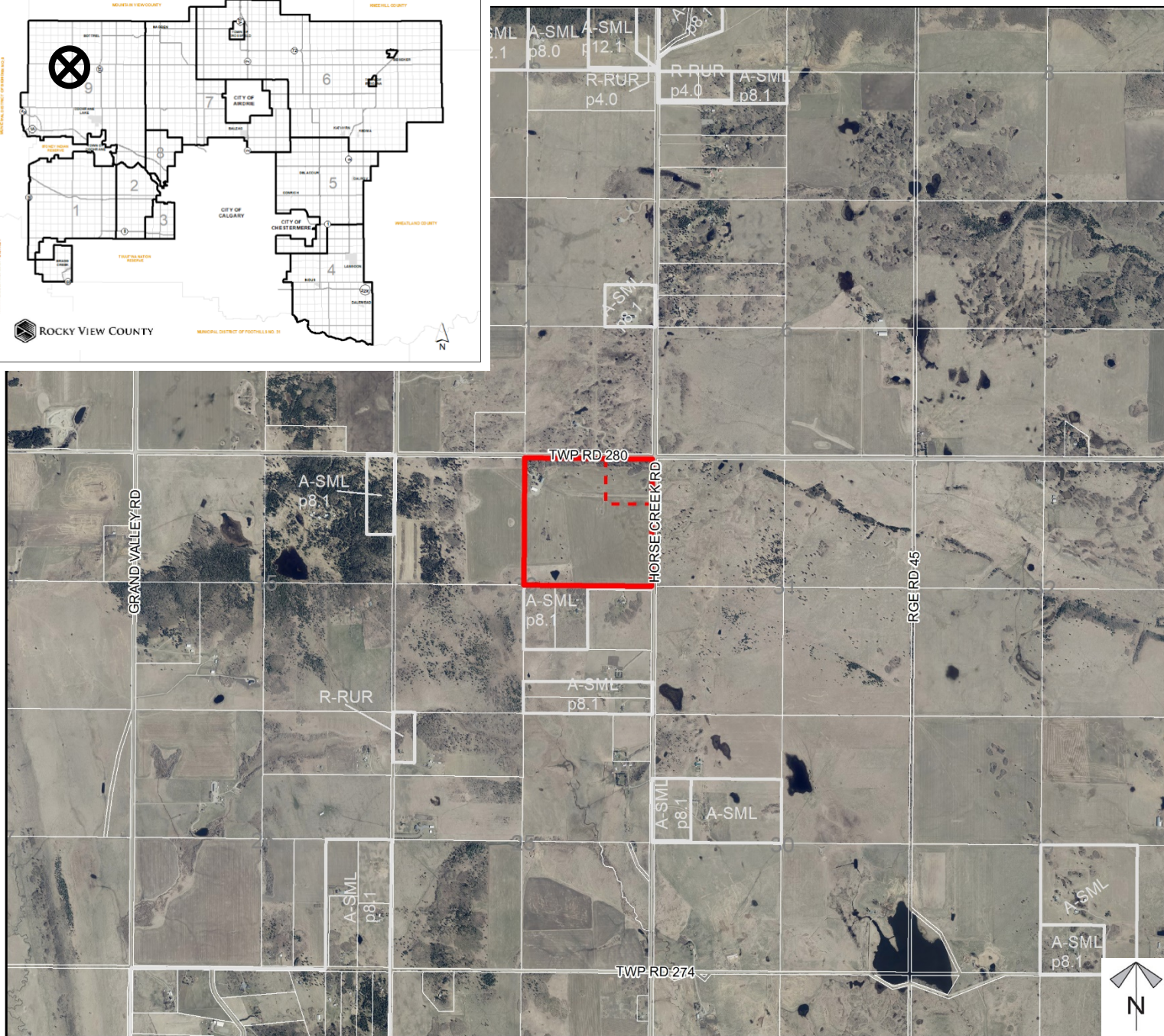
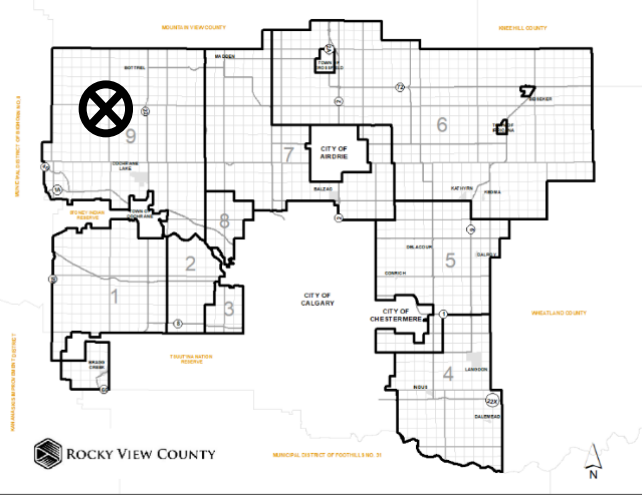
APPLICANT: Micheline Maes	OWNER: Robert & Marla Blackwell
DATE APPLICATION RECEIVED: May 11, 2021	DATE DEEMED COMPLETE: June 4, 2021
GROSS AREA: ± 63.92 hectares (± 157.94 acres)	LEGAL DESCRIPTION: NE-36-27-05-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>September 20, 2018: Farm building location permit (PRDP20183798) issued for a farm building.</p> <p>May 16, 2011: Farm building location permit (FBL20110516_1051) issued for a farm building.</p> <p>April 26, 2011: Development permit (2011-DP-14470) issued for a 6,480 sq. ft. farm building.</p> <p>February 26, 2002: Building permit (2001-BP-15057) granted final occupancy for an addition to a single-family dwelling.</p> <p>June 15, 1989: Building permit (1989-BP-1018) granted final occupancy for a single-family dwelling.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Development Proposal

Home-Based Business
 (Type II), for a feed store,
 relaxation to the allowable
 business use and
 relaxation to the maximum
 number of daily business
 related visits

Division: 9
Roll: 07936001
File: PRDP20212043
Printed: June 24, 2021
Legal: NE-36-27-05-W05M
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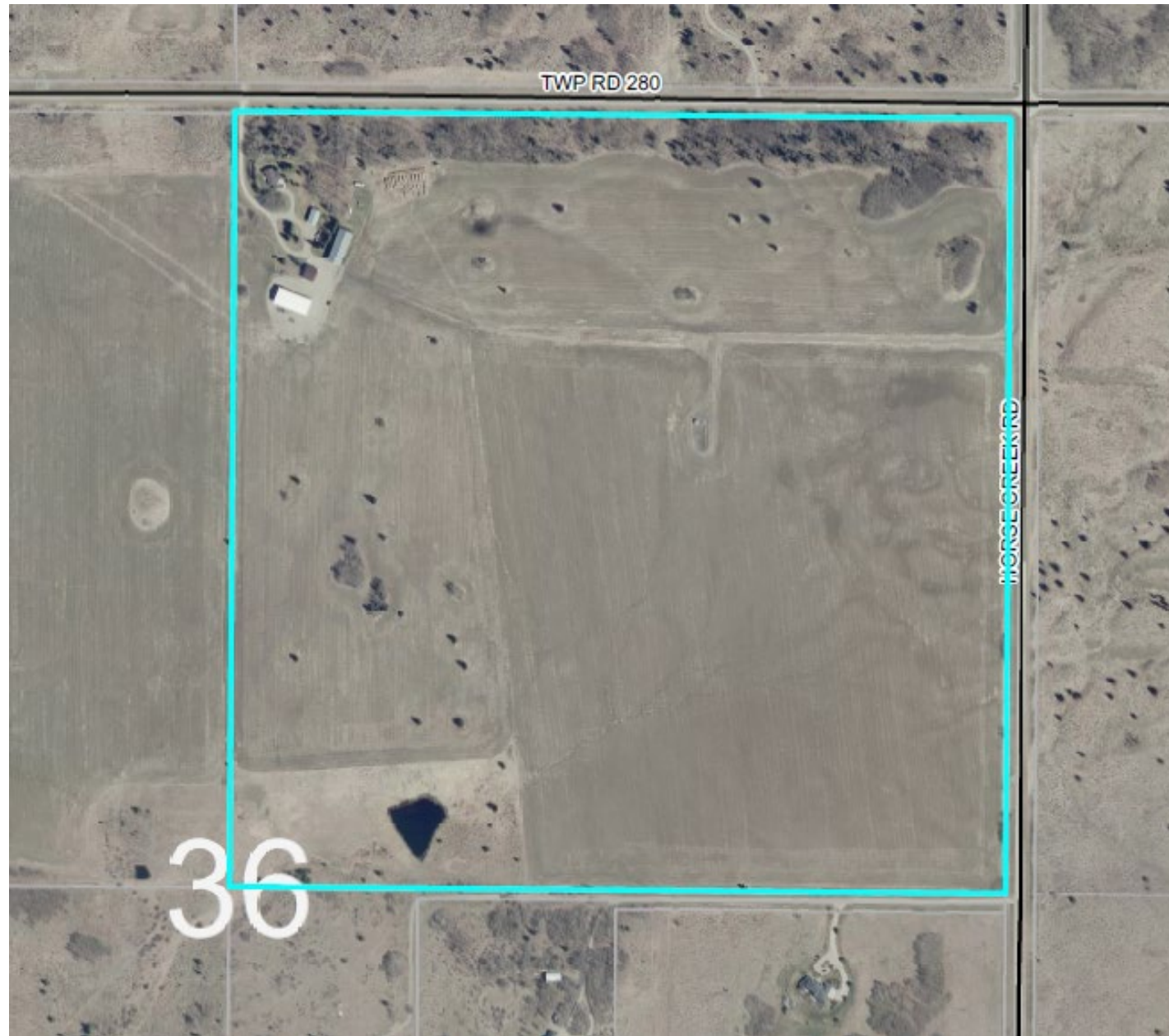




Location & Context

Development Proposal

Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits

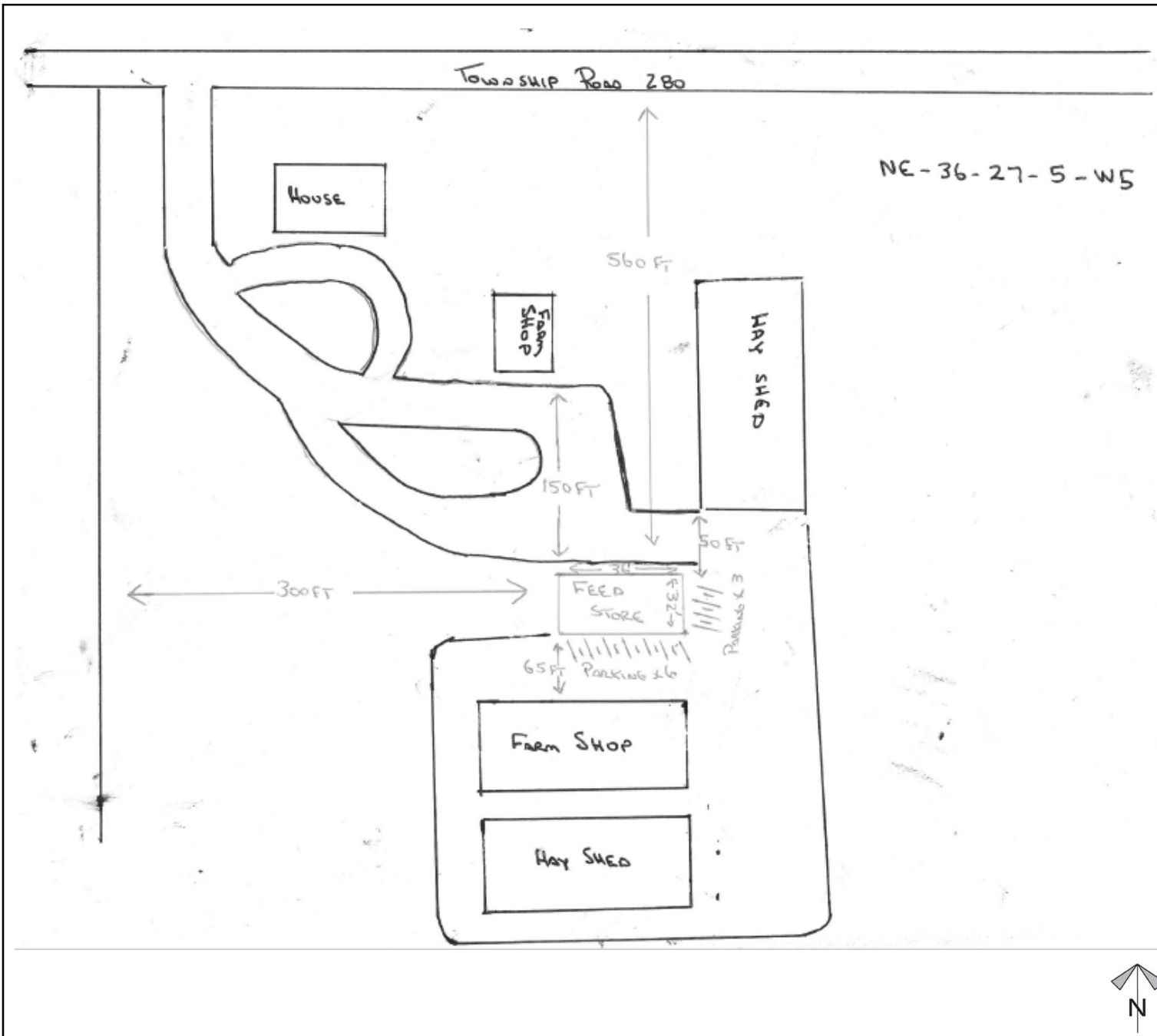




Site Plan

Development Proposal

Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits



Division: 9
 Roll: 07936001
 File: PRDP20212043
 Printed: June 24, 2021
 Legal: NE-36-27-05-W05M
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Building Photos

Development Proposal

Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits



Fascia Sign

Development Proposal

Home-Based Business (Type II), for a feed store, relaxation to the allowable business use and relaxation to the maximum number of daily business related visits



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 5
DATE:	July 28, 2021	APPLICATION: PRDP20212170
FILE:	04323045	
SUBJECT:	Home-Based Business (Type II) / Discretionary use, with Variances	

APPLICATION: Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement.

GENERAL LOCATION: Located approximately 0.20 kilometres (1/8 mile) north of Township Road 243 and on the west side of Range Road 281.

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

EXECUTIVE SUMMARY: The application is for a Home-Based Business (Type II), for a paving contractor. The business name is G&V Paving & Contracting Ltd. This is the applicant's seventh (7th) renewal application for this business.

The business operates seasonally, approximately 8 to 10 hours a day, Monday to Saturday. The business consists of three full-time employees, including one of the landowners, and two non-resident employees. Upon an inspection conducted on May 28, 2021, it was noted that the applicant has exceeded the approved maximum allowable outside storage area of 186.92 sq. m (2,012.47 sq. ft.). The Applicant has requested a variance to the outside storage area requirement in order to keep the existing vehicles and equipment on the property. If the application is approved, the proposed condition set includes a condition requesting the vehicles and equipment be moved to the dedicated storage area and screened appropriately

It is to be noted that there are currently no active Enforcement files open on the subject property.

The applicant is requesting a variance to the maximum allowable outside storage area, from 186.92 sq. m (2,012.47 sq. ft.) to 1,086.97 sq. m. (11,700.05 sq. ft.), a variance of 482%.

Six (6) letters of support have been submitted by adjacent landowners and are included in Attachment B.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20212170 be approved with the conditions noted in Attachment 'A'.

Administration Resources

Jeevan Wareh, Planning & Development Services



Option #2: THAT Development Permit Application PRDP20212170 be refused for the following reasons:

1. The requested outside storage area exceeds the requirements of Section 146(a)(iii) of the Land Use Bylaw C-8000-2020.

Permitted: 186.92 sq. m (2,012.47 sq. ft.)

Requested: 1,086.97 sq. m. (11,700.05 sq. ft.)

Variance: 482%

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

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Outside storage area	186.92 sq. m. (2,012.47 sq. ft.)	1,086.97 sq. m. (11,700.05 sq. ft.)	482%

APPLICATION EVALUATION:

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



APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020; • Subdivision and Development Regulations; and • Chestermere Intermunicipal Development Plan. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: Home-Based Business (Type II) is listed as Discretionary Use in the R-RUR district	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Outside storage area calculation

Section 145 a) iii Outside storage area shall not exceed 400.00 sq. m or 1% of the parcel area, whichever is less

- Parcel area: 4.62 acres = 18,696.48 sq. m. * 1% = 186.96 sq. m.

CONCLUSION:

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

Respectfully submitted,

Brock Beach

Concurrence,

Kent Robinson

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

JW/Ilt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

- 1) That a Home-Based Business (Type II), for a paving contractor, may continue to operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.
 - a. That the maximum outside storage area is relaxed from **186.92 sq. m (2,012.47 sq. ft.)** to **1,086.97 sq. m. (11,700.05 sq. ft.)**.

Prior to Release:

- 2) That prior to release of this permit, that the Applicant/Owner shall submit a screening plan for the outside storage area. All vehicles and equipment must be located within the outside storage area, which shall be completely screened and meet the building setback requirements of the Land Use Bylaw.
 - i. That once the outside storage area is screened, a site inspection shall be completed by the County to confirm that the outside storage area is as per the screening plan, to the satisfaction of the County.

Permanent:

- 3) That the number of non-resident employees shall not exceed two (2) 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.
- 4) That the operation of this Home-Based Business (Type II) may generate up to a maximum of 4 business-related visits per day.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) 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.
- 9) That the Home-Based Business shall be limited to the dwelling and outside storage area.
- 10) That any site landscaping or screening elements approved with the application shall be maintained onsite at all times.
- 11) That all outside storage that is a part of the Home-Based Business (Type II) shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **1,086.97 sq. m (11,700.05 sq. ft.)**, in accordance with the approved Site Plan.
- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



ROCKY VIEW COUNTY

- 13) That there shall be no parking or signage in the County Road Right-of-Way at any time.
- 14) That if this Development Permit is not issued by **January 31, 2022** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 15) That this Development Permit shall be valid until **September 1, 2022**.

Advisory:

- 16) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 17) That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.



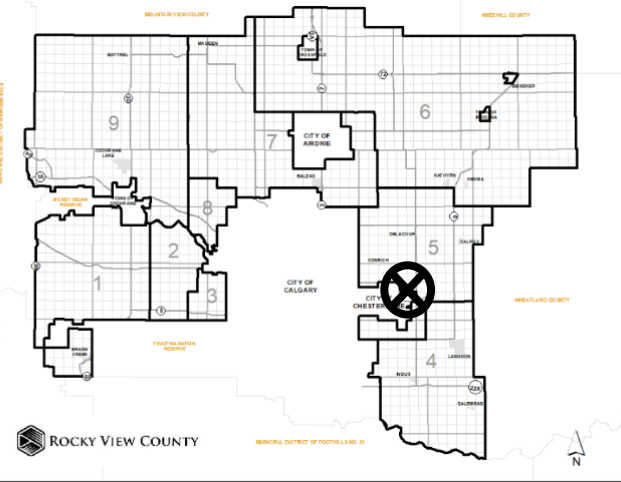
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Vilona, Giuseppe & Rosaria	OWNER: Vilona, Giuseppe & Rosaria
DATE APPLICATION RECEIVED: May 17 th , 2021	DATE DEEMED COMPLETE: May 28 th , 2021
GROSS AREA: ± 1.87 hectares (± 4.62 acres)	LEGAL DESCRIPTION: Lot: 23 Plan: 9111464; SE-23-24-28-04
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>July 11, 2018: Development permit (PRDP20181279) issued for the renewal of a Home-Based Business, Type II.</p> <p>August 5, 2015: Development permit (PRDP20152200) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 29, 2013: Development permit (2013-DP-15347) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 11, 2011: Development permit (2011-DP-14484) issued for the renewal of a Home-Based Business, Type II.</p> <p>April 28, 2010: Development permit (2010-DP-13946) issued for the renewal of a Home-Based Business, Type II.</p> <p>May 27, 2009: Development permit (2009-DP-13507) issued for the renewal of a Home-Based Business, Type II.</p> <p>July 23, 2008: Development permit (2008-DP-12978) issued for a Home-Based Business, Type II.</p> <p>April 30, 1991: Application for a subdivision to create a ± 1.62 hectare (± 4.00 acre) parcel (Lot 22) and a ± 1.87 hectare (± 4.62 acre) (Lot 23) parcel with a ± 4.86 hectare (± 12.00 acre) remainder was approved.</p> <p>April 13, 1983: Building permit (1983-BP-9349) issued for the construction of an Accessory Building.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



Division: 5
 Roll: 04323045
 File: PRDP20212170
 Printed: June 7, 2021
 Legal: Lot:23 Plan:9111464
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Site Plan

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



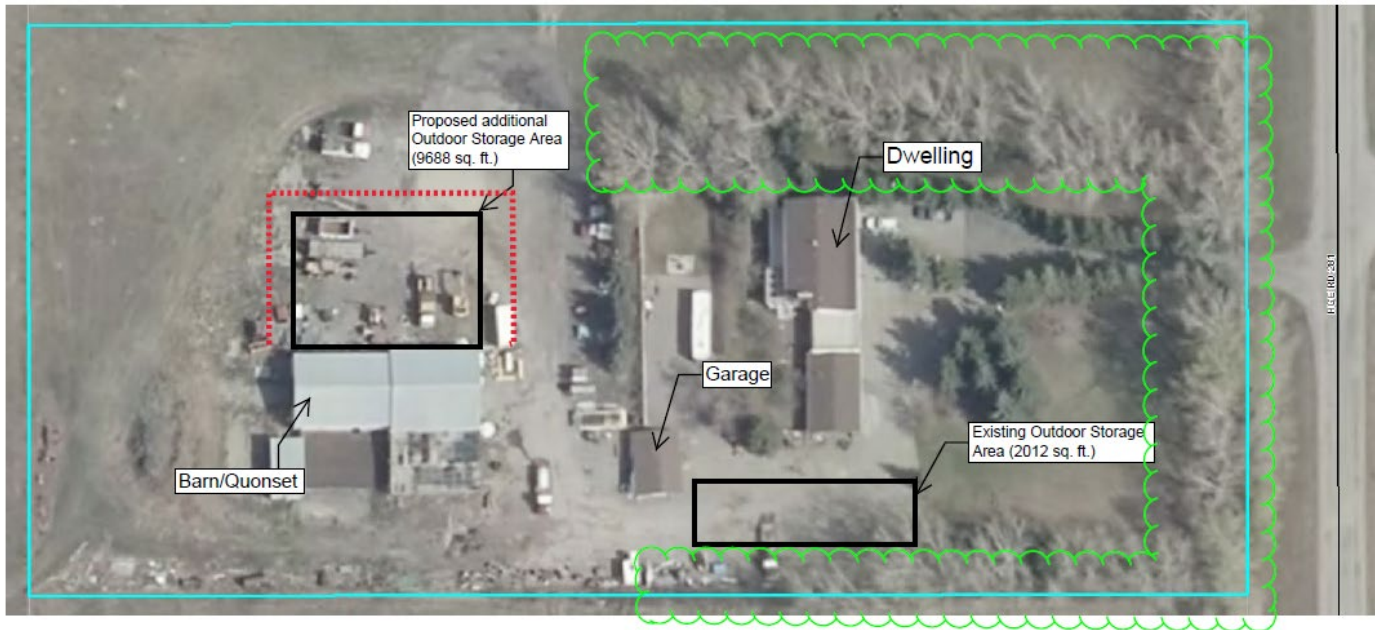
Existing screening (trees & fencing)



Required screening (fencing w/ lattice panels)



Outdoor Storage Area





Landowner Circulation Area

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement

Legend

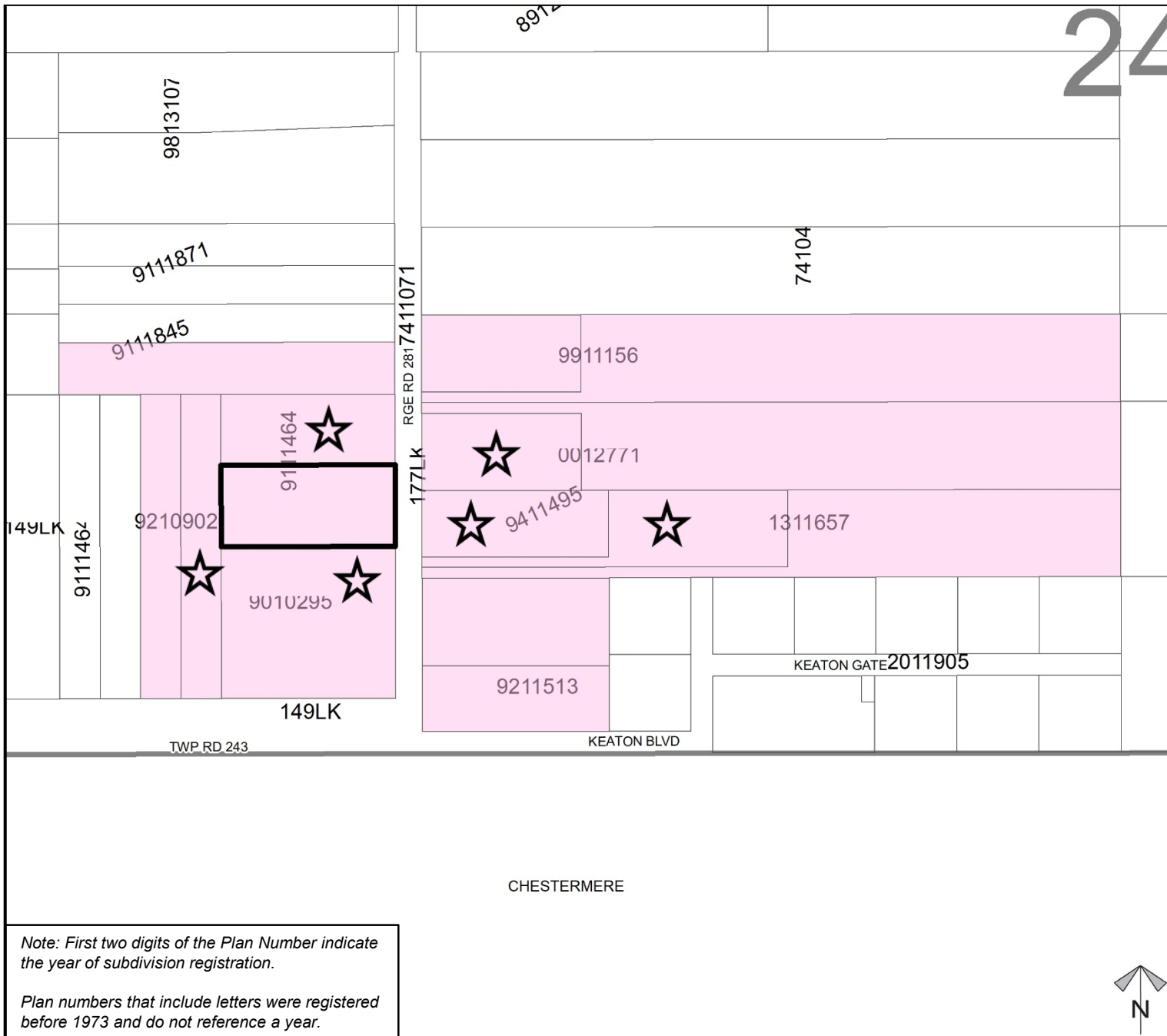
Support



Not Support



Division: 5
 Roll: 04323045
 File: PRDP20212170
 Printed: June 7, 2021
 Legal: Lot:23 Plan:9111464
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Note: First two digits of the Plan Number indicate the year of subdivision registration.

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

Site Photos – Existing Outdoor Storage Area

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement





Site Photos – Proposed Outdoor Storage Area

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



**Site Photos –
Additional Business
Equipment**

Development Proposal

Renewal of a Home-Based Business (Type II), for a paving contractor, relaxation of the maximum outside storage area requirement



Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Maria Holmes ^{J.W.} adjacent resident of 243065 J.W. 243049 Range Road 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 9, 2021
Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I T. Langdon ^{J.W.} adjacent resident of 243034 RR 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 10/21
Date


Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I, Silvia Sgaggi, ^{J.W.} adjacent resident of 281040 TSP Rd 243
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 10, 2021
Date


Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I HARRY LILLO J.W. adjacent resident of 243021 Rg Rd 281
Name Address
ROCKVIEW COUNTY

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

9 July / 21
Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Helen Chack ^{J.W.} adjacent resident of 243048 Range Rd 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.

Muk July 9/2021
Signature Date

Rocky View County
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Attn: Municipal Planning Commission

July 09, 2021

I Shabey S. Deol ^{J.W.} adjacent resident of 2430 52 Range Road 281
Name Address

Do not object to existing and additional outdoor storage for a Type 2 business to be located at
243049 Range Road 281 owned by Giuseppe and Rose Vilona.


Signature

July 12, 2021
Date