



MUNICIPAL PLANNING COMMISSION MEETING AGENDA

Date: September 15, 2021
Time: 9:00 AM
Location: Council Chambers
262075 Rocky View Point
Rocky View County, AB T4A 0X2

	Pages
A. CALL MEETING TO ORDER	
B. UPDATES/APPROVAL OF AGENDA	
C. APPROVAL OF MINUTES	
1. July 28, 2021 Municipal Planning Commission Minutes	2
D. SUBDIVISION APPLICATIONS	
1. Division 8 - Residential Subdivision	27
File: PL20210021 (06606046)	
2. Division 9 - Agricultural Subdivision	45
File: PL20200145 (08903001)	
E. DEVELOPMENT APPLICATIONS	
1. Division 9 - Accessory Building	58
File: PRDP20212718 (06706019)	
2. Division 2 - Home-Based Business Type I	69
File: PRDP20213143 (04735027)	
F. OTHER BUSINESS	
G. ADJOURN THE MEETING	
H. NEXT MEETING	
September 29, 2021	



ROCKY VIEW COUNTY

MUNICIPAL PLANNING COMMISSION MEETING MINUTES

Wednesday, July 28, 2021

9:00 AM

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

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

Also Present: 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
R. Caskey, Planner, Planning and Development Services
S. Thompson, Planner, Planning and Development Services
B. Culham, Development Officer, Planning and Development Services
S. Khouri, Development Officer, Planning and Development Services
E. Nielsen, Development Assistant, Planning and Development Services
J. Wareh, Development Assistant, Planning and Development Services
C. Anderson, Legislative Officer, Legislative Services
E. McGuire, Legislative Officer, Legislative Services
M. Mitton, Legislative Officer, Legislative Services

A Call Meeting to Order

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

B Updates/Approval of Agenda

MOVED by Member Henn that the July 28, 2021 Municipal Planning Commission meeting agenda be amended as follows:

- Remove item D-6 – Subdivision Item – Creation of One Agricultural Parcel

AND THAT the July 28, 2021 Municipal Planning Commission meeting agenda be approved as amended.

Carried



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C July 14, 2021 Municipal Planning Commission Minutes

MOVED by Member Boehlke that the July 14, 2021 Municipal Planning Commission meeting minutes be approved as presented.

Carried

D-1 Division 4 - Delegated Subdivision Item - Boundary Adjustment
File: PL20210043 (0233503 / 02335060)

Presenter: Verne Kemble, the Applicant

MOVED by Member Boehlke that the Subdivision Application PL20210043 be approved with the conditions noted in Attachment 'A'.

- 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:
- a. The application is consistent with Section 7 and 14 of the Subdivision and Development Regulation;
 - b. The subdivision conforms to the provisions of the relevant statutory plans;
 - c. The subject lands hold the appropriate land use designation;
 - d. 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

- 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.



Payments

- 2) 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.

Carried

D-2 Division 6 - Boundary Adjustment
File: (PL20210061 (07108002 / 07108004))

MOVED by Member Boehlke that Subdivision Application PL20210061 be approved with the conditions noted in Attachment 'A'.

- 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 \pm 3.00m 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 \pm 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.

Carried

D-3 Division 3 - Residential Subdivision
File: PL20210066 (04619009)

MOVED by Member McKylor that Subdivision Application PL20210066 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a \pm 0.81 hectare (\pm 2.00 acre) parcel out with a \pm 1.32 hectare (\pm 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.



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- 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 Levie

- 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.



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- 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

- 10) 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-4 Division 7 - Commercial and Industrial Subdivision
File: PL20210030 (06416002 / 06416005 / 06416007)

MOVED by Member Boehlke that Subdivision Application PL20210030 be approved with the conditions noted in Attachment 'A'.

- 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.



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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;



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- 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) \pm 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 \pm 10.50 ha (\pm 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.
- 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.

Carried

D-5 Division 4 - Subdivision Item – Creation of Twelve Residential Lots
File: PL20210075 (03309002 / 03309001)

Member Boehlke left the meeting at 9:54 a.m. and returned to the meeting at 9:56 a.m.

Presenter: Ryan Riddell, the Applicant

MOVED by Member Gautreau that Condition 3.c) regarding Emergency Access be removed.

Carried

MOVED by Member Gautreau that Subdivision Application PL20210075 be approved with the conditions noted in Appendix 'A', as amended.

- 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.



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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 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;
 - d) All necessary site grading;
 - e) Implementation of the identified Erosion & Sedimentation Control (ESC) measures in accordance with the recommendations of the approved Erosion & Sedimentation Control Plan;
 - f) Implementation of the recommendations of the Construction Management Plan accepted by the County;
 - g) Obtain all necessary approvals from AEP for the impact to the onsite wetlands;
 - h) Mailbox locations, to be located in consultation with Canada Post, to the satisfaction of the Municipality;
 - i) 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.

Carried

The Chair called for a recess at 10:17 a.m. and called the meeting back order at 10:28 a.m. with all previously mentioned members present.



E-1 Division 4 - Agriculture (Intensive) and Single-lot Regrading Discretionary use with no Variances
File: PRDP20212643 (03305080)

MOVED by Member Gautreau 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.

Defeated

MOVED by Member McKylor that Development Permit Application PRDP20212643 be approved with the conditions noted in Attachment 'A'.

Defeated

E-2 Division 7 - Equestrian Centre Discretionary use with no Variances
File: PRDP20212285 (06305005)

MOVED by Member Boehlke that Development Permit Application PRDP20212285 be approved with the conditions noted in Attachment 'A'.

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.



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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.
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.



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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.

Carried

E-3 Division 9 - Home-Based Business Type II Discretionary use with Variances
File: PRDP20212083 (06708012)

MOVED by Member Boehlke that Development Permit Application PRDP20212083 be approved with the conditions noted in Attachment 'A'.

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).

Carried



ROCKY VIEW COUNTY

E-4 Division 7 - Riding Arena - Discretionary Use No Variances
File: PRDP20212487 (07307005)

MOVED by Member Henn that Development Permit Application PRDP20212487 be approved with the conditions noted in Attachment 'A'.

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.



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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.

Carried

E-5 Division 9 - Home-Based Business (Type II) - Discretionary use with Variances **File: PRDP20212043 (07936001)**

Presenter: Micheline Maes, the Applicant

MOVED by Member Hanson that Development Permit Application PRDP20212043 be approved with the conditions noted in Attachment 'A'.

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.

Carried

**E-6 Division 5 - Home-Based Business (Type II) - Discretionary use with Variances
File: PRDP20212170 (04323045)**

MOVED by Member Gautreau that proposed condition #15 for development permit application PRDP20212170 as noted in Attachment 'A' of Administration's report be amended to read:

That this Development Permit shall be valid until September 1, ~~2022~~ 2027.

Carried

MOVED by Member Gautreau that Development Permit Application PRDP20212170 be approved with the conditions noted in Attachment 'A', as amended.

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.
- 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, 2027**.

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.

Carried



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G Adjourn the Meeting

MOVED by Member Gautreau that the July 28, 2021 Municipal Planning Commission meeting be adjourned at 11:27 a.m.

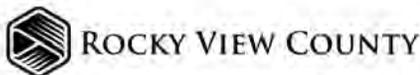
Carried

H Next Meeting

September 15, 2021

Chair or Vice Chair

Chief Administrative Officer or Designate



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 8

DATE: September 15, 2021

APPLICATION: PL20210021

FILE: 06606046

SUBJECT: Residential Subdivision

APPLICATION: To create a ± 0.83 hectare (± 2.05 acre) parcel (Lot 1) with a ± 0.80 hectare (± 1.98 acre) remainder (Lot 2).

GENERAL LOCATION: Located approximately one mile west of the city of Calgary, on the northwest corner of Range Road 25 and Burma Road.

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

EXECUTIVE SUMMARY: The application is inconsistent with the relevant policies of the Bearspaw Area Structure Plan. However, the application would have limited benefit to the preparation of a conceptual scheme, as the existing area has extensive residential development and only one new lot is being proposed.

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

OPTIONS:

Option #1: THAT Subdivision Application PL20210021 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210021 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:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • <i>Rocky View County/City of Calgary Intermunicipal Development Plan (IDP);</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Bearspaw Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Level 3 Private Sewage Assessment (PSTS), prepared by Osprey Engineering Inc., dated February 4, 2021 • Storm Drainage Report and SSIP Clarification prepared by Osprey Engineering dated May 27, 2020, and February 4, 2021

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	\$10,109
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	N/A – already provided as cash-in-lieu under Plan 8711106

Additional Review Considerations

Conditions were set based on the following items:

Accessibility to a Road

The applicant has proposed access to proposed Lot 1 from the western end of the property from Burma Road. The County will require the development of a paved approach for Lot 1. Lot 2 has an existing mutual access on Range Road 25.

Stormwater / Developability

The applicant provided a Storm Drainage Report and SSIP clarification which notes that the proposed development will not measurably increase the rate or volume of discharge of runoff. A condition has been added to require a Site Improvements/Services Agreement to be registered on Lot 1 requiring adherence to the storm drainage report.

As there are existing drainage issues in the area, Council approved the Bearspaw Burma/Range Road 25 project as part of the 2021 budget. The 191 square metre area is required by Capital Projects for a lift station pullout at the northwest corner of Burma Road and Range Road 25. The project will include a lift station, control panel, power cabinet, and upgraded access roadway with a proposed culvert underneath. A possible transformer may also be included. As such, the lands will be required to be dedicated for this purpose, and are to be located adjacent to and northwest of the required road dedication.

Site Servicing

The existing home is serviced with potable water from the Rocky View Water Co-op, and the applicant has submitted a letter confirming capacity for Lot 1. As such, a condition requiring confirmation for tie-in to connection to Rocky View Water Co-op is provided.

In terms of wastewater, the applicant provided a Level III PSTS study, indicating a packaged sewage treatment system was appropriate. A condition is provided to require a Site Improvements / Services Agreement to be registered on Lot 1 requiring the installation of a packaged sewage treatment system in accordance with the PSTS study.

A condition has also been added for the owners of both lots to enter into deferred services agreements for future wastewater and stormwater systems when such services become available.

Bearspaw Area Structure Plan

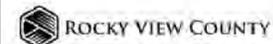
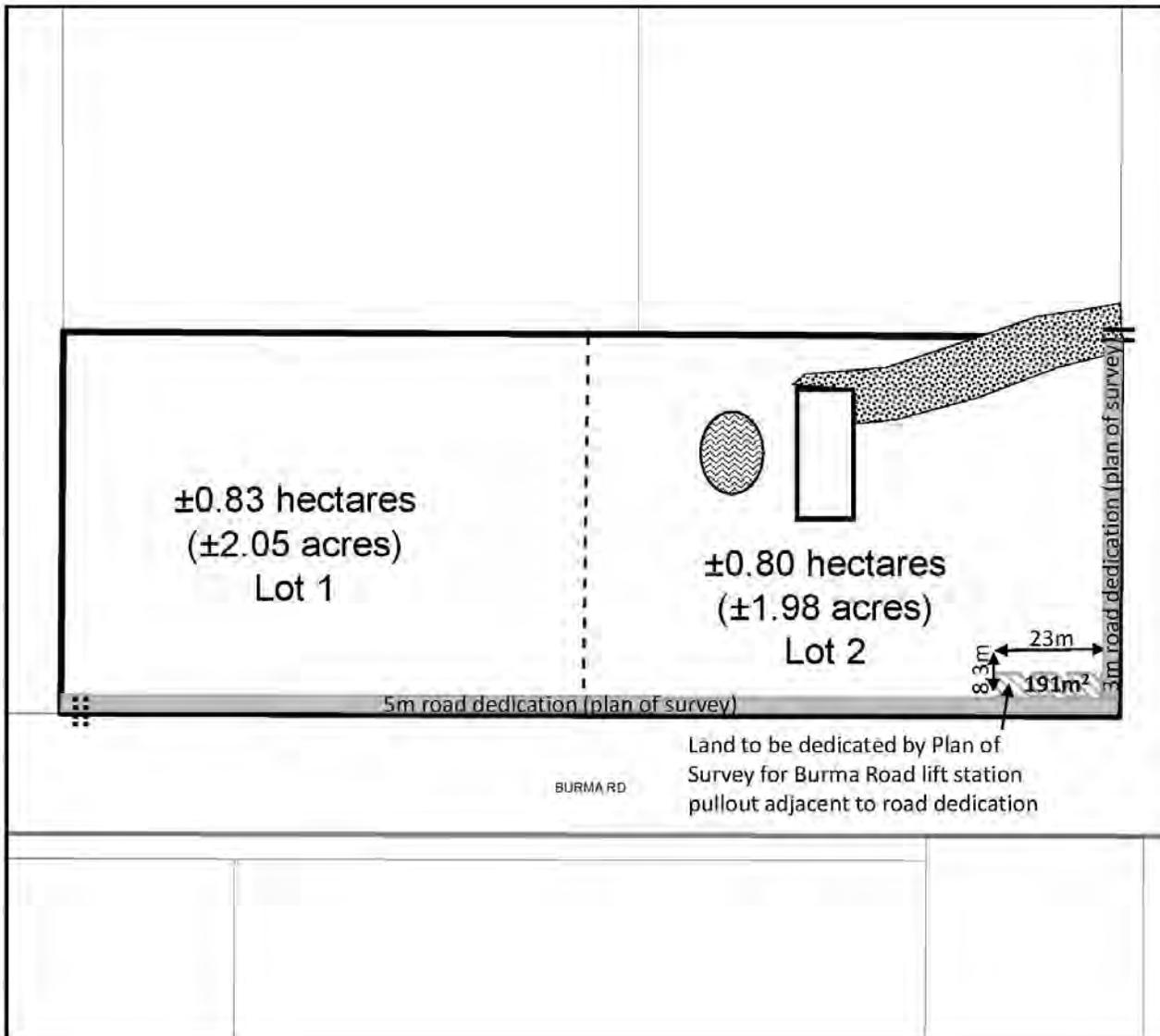
Policy 8.1.20 of the BASP requires the minimum parcel size of four acres, however, Policy 8.1.21 allows for the development of parcels less than four (4) acres with the preparation of a conceptual scheme. Administration indicated that a conceptual scheme was not required during the redesignation phase, and Council agreed. The application remains consistent with the Bearspaw ASP apart from the minimum parcel size.

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

The proposal is considered to align with the policies of the IDP. The application was referred to the City of Calgary in accordance with Section 15.1 of the IDP; no comments were received in response.



Tentative Plan



Tentative Plan

Subdivision Proposal

To create a ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).

Legend

- Dwelling
- Wastewater
- Existing Approach
- New 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: 08
 Roll: 06806046
 File: PL20210021
 Printed: Feb 8, 2021
 Legal: Lot: 9 Block: 8
 Plan: 8711106 within SE-05-26-02-W05M

Administration Resources

Oksana Newmen, Planning and Development Services

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

Administration Resources

Oksana Newmen, Planning and Development Services

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a ± 0.83 hectare (± 2.05 acre) parcel (Lot 1) with a ± 0.80 hectare (± 1.98 acre) remainder (Lot 2). at Lot 9, Block 8, Plan 8711106 within SE-6-26-2-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 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.
 - a) The Owner is to dedicate, by Plan of Survey, a 5 m wide portion of land for road widening along the southern boundary of Lots 1 and 2
 - b) The Owner is to dedicate, by Plan of Survey, a 3 m wide portion of land for road widening along the eastern boundary of Lot 2; and,
 - c) The Owner is to dedicate, by Plan of Survey, a ± 23 m by ± 9 m portion of land for a lift station pullout at the southeast corner of Lot 2, adjacent to and northwest of the road dedication areas along the southern and eastern boundaries.

Transportation and Access

- 2) The Owner shall contact County Road Operations to construct a new paved approach on Burma Road in order to provide access to Lot 1. If a mutual approach is constructed, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.

Site Servicing

- 3) The Owner is to enter into a Site Improvements / Services Agreement with the County and shall include the following:
 - a) In accordance with the Level III Private Sewage (PSTS) Assessment prepared by Osprey Engineering Inc, Dated February 4, 2021;
 - i. For the construction of packaged sewage treatment system which meets Bureau de Normalisation du Quebec (BNQ) standards for treatment.
 - b) In accordance with the Storm Drainage Report prepared by Osprey Engineering Inc. dated May 27, 2020, and SSIP Clarification (Nose Creek Plan) prepared by Osprey Engineering Inc., dated February 4, 2021;
 - i. For the recommendations within the reports.
- 4) The Owner is to provide confirmation of tie-in for connection to Rocky View Water Coop, an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing information regarding:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot 1;
 - b) Documentation proving that water supply has been purchased for proposed Lot 1; and,
 - c) Documentation proving that all necessary water infrastructure is installed.
- 5) The Owner is to enter into a Deferred Services Agreement with the County to be registered on the title proposed Lots 1 and 2, indicating:
 - a) Each future Lot Owner is required to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater, and stormwater systems once County servicing becomes available;
- 6) Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of ATCO Gas.

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 new lot.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing;
 - a) from the total gross acreage of lot 1 as shown on the Plan of Survey.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

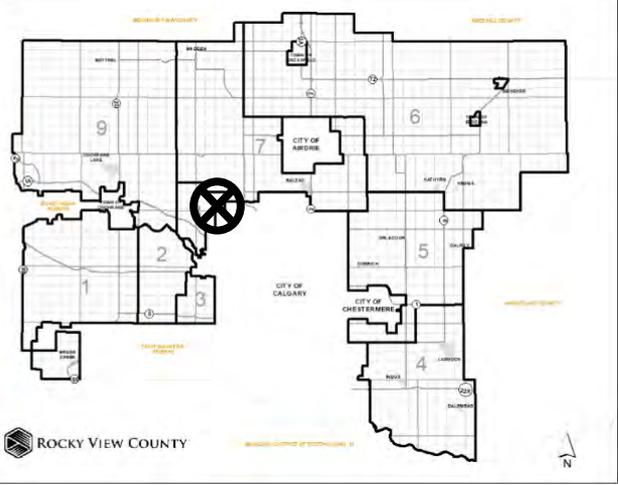
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<p>APPLICANT: Lindsey Scharf</p>	<p>OWNER: Ilse Scharf</p>
<p>DATE APPLICATION RECEIVED: February 8, 2021</p>	<p>DATE DEEMED COMPLETE: February 8, 2021</p>
<p>GROSS AREA: ± 1.78 hectares (± 4.40 acres)</p>	<p>LEGAL DESCRIPTION: Lot 9, Block 8, Plan 8711106 within SE-6-26-2-W5M</p>
<p>APPEAL BOARD: Municipal Government Board</p>	
<p>HISTORY:</p> <p>November 10, 2020: Council approved redesignation of the subject lands from Residential, Rural District to Residential, Country District.</p> <p>August 27, 1987: Subdivision Plan 8711106 was registered at Land Titles creating two parcels of 4.40 acres each; one being the subject property. Municipal Reserves were provided via cash-in-lieu.</p>	
<p>PUBLIC & AGENCY SUBMISSIONS:</p> <p>The application was circulated to 151 adjacent landowners. Two responses were received, one in support and one in opposition. The responses have been included in Appendix 'C.' The applicant also submitted two letters of support with the application.</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 ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).



Division: 08
 Roll: 06606046
 File: PL20210021
 Printed: Feb 8, 2021
 Legal: Lot:9 Block:8
 Plan: 26-02-W05M
 Page 05 of 08

**Development
Proposal**

Subdivision Proposal

To create a ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).

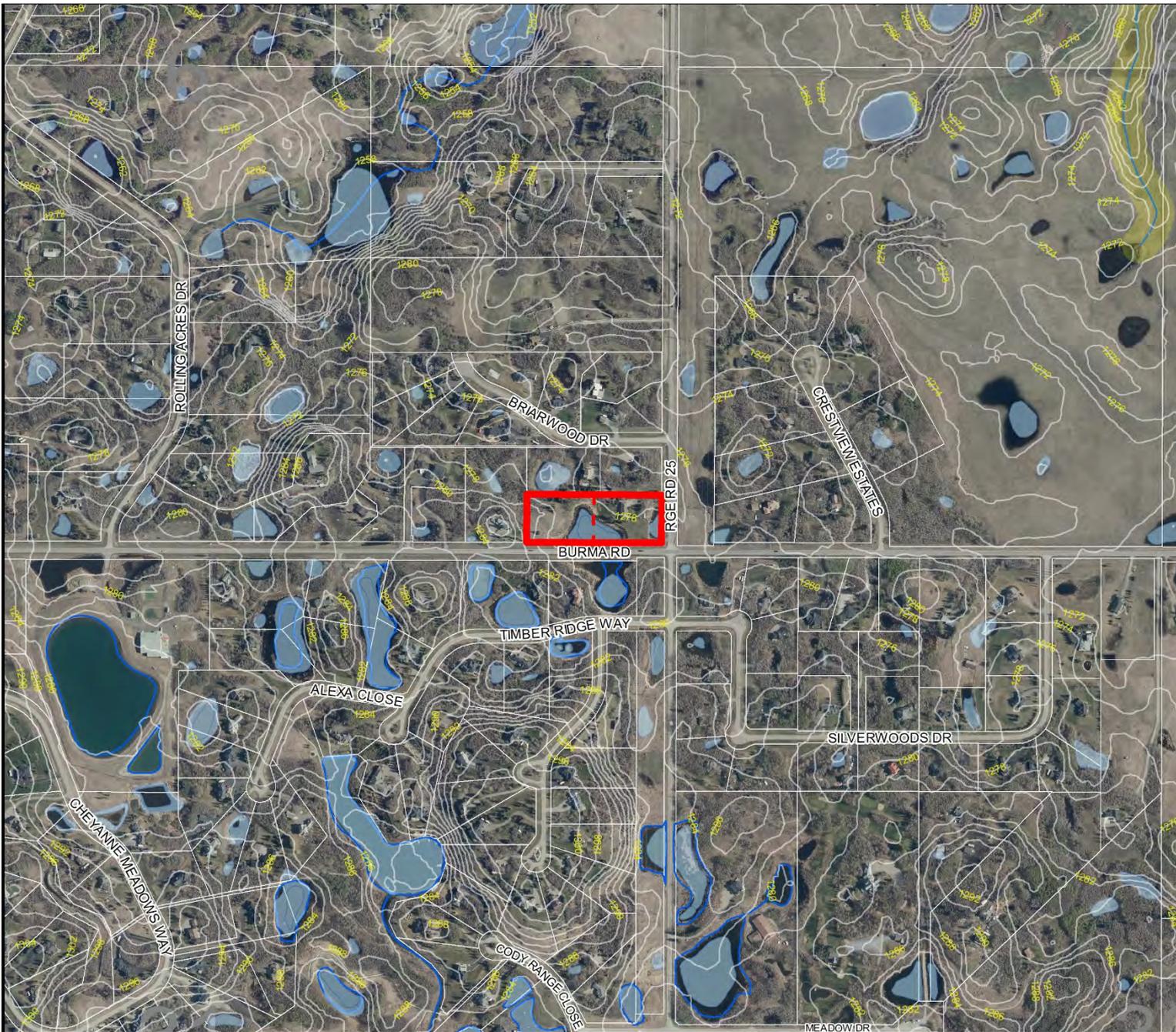


BURMARD

Environmental

Subdivision Proposal

To create a ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).



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

Division: 08
 Roll: 06606046
 File: PL20210021
 Printed: Feb 8, 2021
 Legal: Lot:9 Block:8
 Plan: 067 of 80
 26-02-W05M

Soil Classifications

Subdivision Proposal

To create a ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).



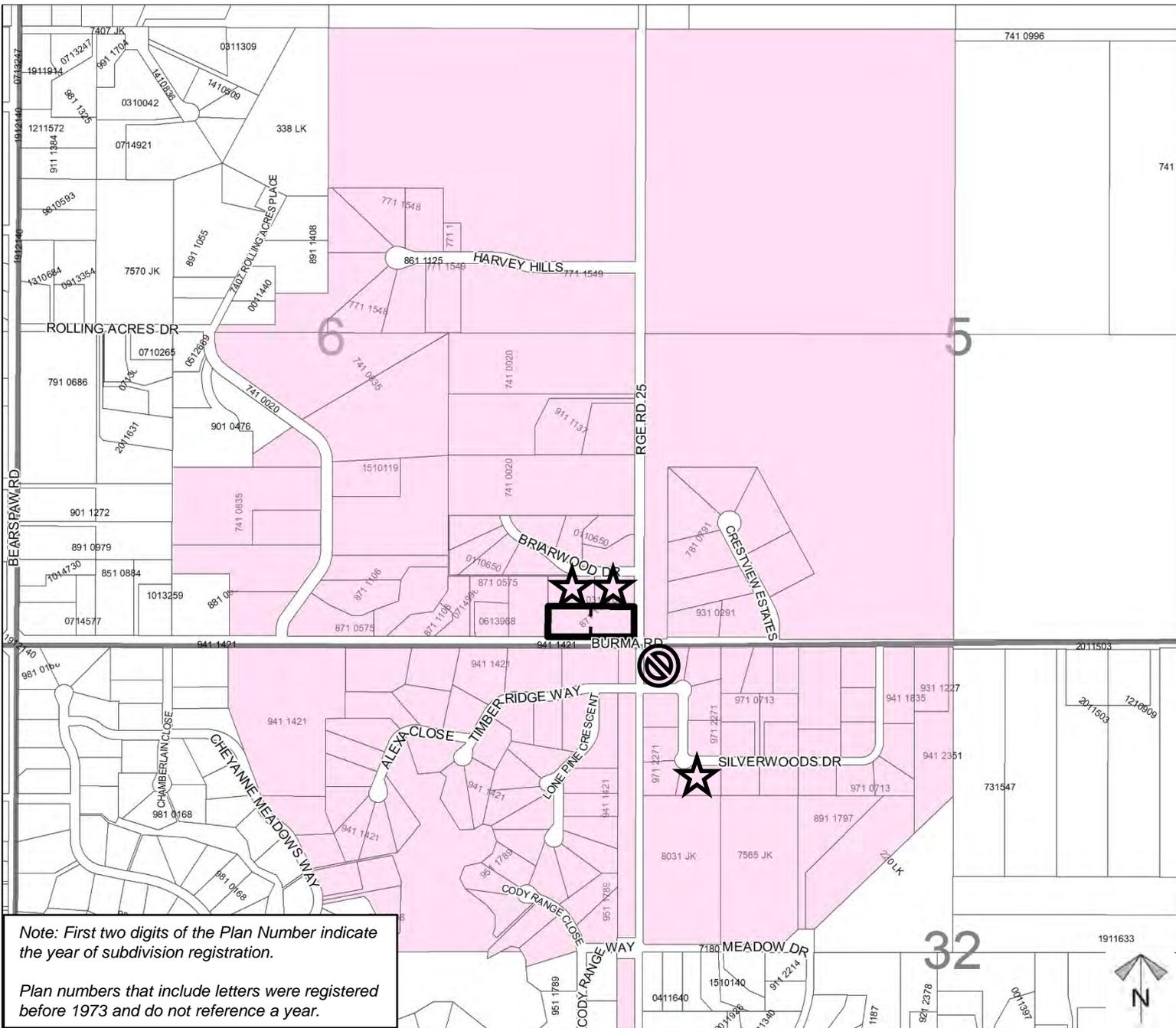
LAND CAPABILITY CLASSIFICATION LEGEND

CLI Class	Limitations
1 - No significant limitation	B - brush/tree cover
2 - Slight limitations	C - climate
3 - Moderate limitations	D - low permeability
4 - Severe limitations	E - erosion damage
5 - Very severe limitations	F - poor fertility
6 - Production is not feasible	G - Steep slopes
7 - No capability	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 ±0.83 hectare (±2.05 acre) parcel (Lot 1) with a ±0.80 hectare (±1.98 acre) remainder (Lot 2).



Legend

- Support 
- Opposition 

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: 08
 Roll: 06606046
 File: PL20210021
 Printed: Feb 8, 2021
 Legal: Lot:9 Block:8
 Plan: 09 of 80
 26-02-W05M

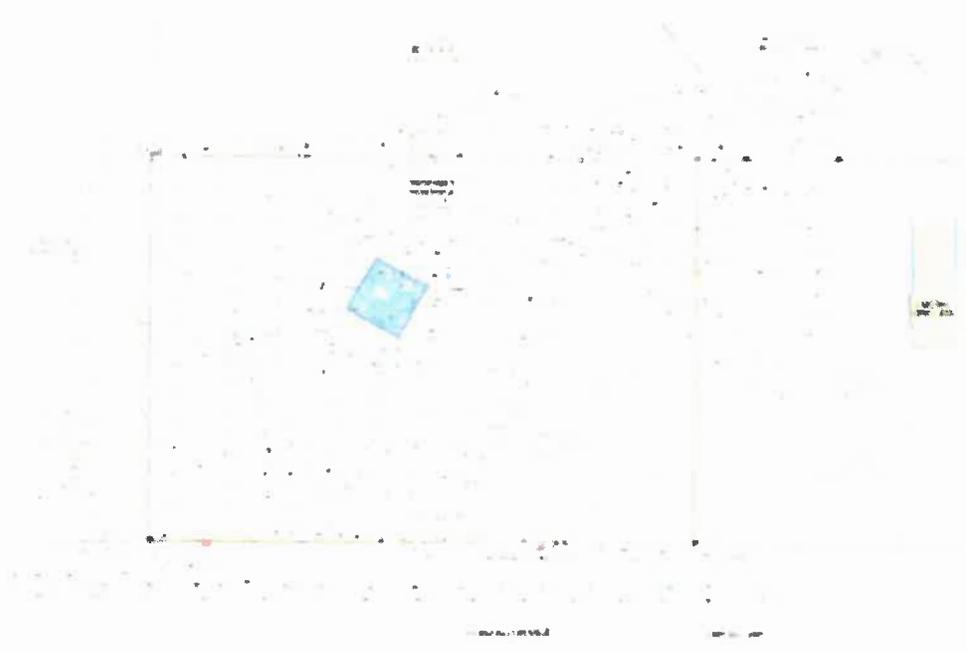
Dear Neighbor,

This notification is to make you aware that we (Braden and Lindsey Scharf) will be undergoing the construction of our new home next fall pending our redesignation and subdivision application which is being submitted to Rocky View County.

All construction activities will occur in accordance with the guidelines set forth by Rocky View County. We will do our best to limit the amount of noise or disruption to you and your family throughout construction process. Our new house will be approximately 1,600 sq ft. in size. Please see below the location of the proposed development.

The signature below indicates that you are in support of our application. Thank you in advance for your cooperation.

Name of resident: Braden Scharf
Address: 25021 156th Ave. Dr
Signature: [Handwritten Signature]



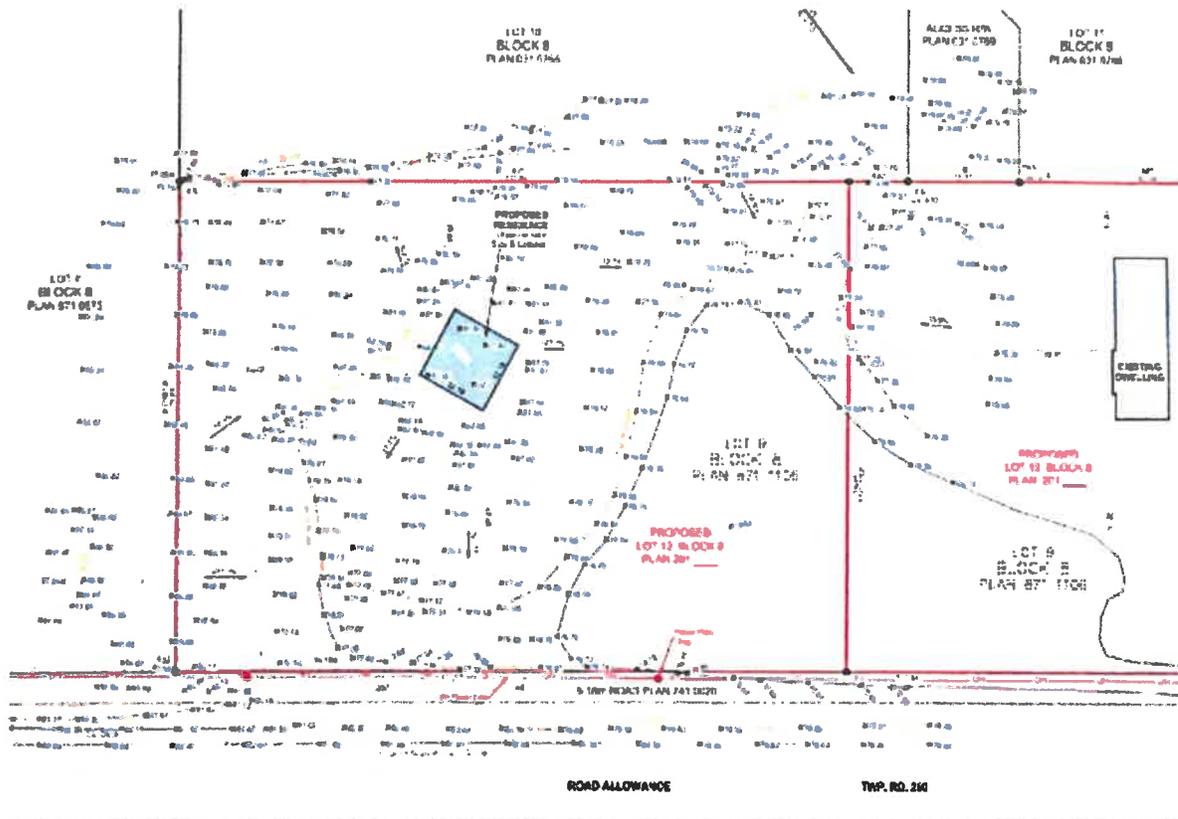
Dear Neighbor,

This notification is to make you aware that we (Braden and Lindsey Scharf) will be undergoing the construction of our new home next fall pending our redesignation and subdivision application which is being submitted to Rocky View County.

All construction activities will occur in accordance with the guidelines set forth by Rocky View County. We will do our best to limit the amount of noise or disruption to you and your family throughout construction process. Our new house will be approximately 1,600 sq ft. in size. Please see below the location of the proposed development.

The signature below indicates that you are in support of our application. Thank you in advance for your cooperation.

Name of resident: Peter Vandermey
Address: 25025 BRIARWOOD DR.
Signature: 



From: [REDACTED]
To: [Oksana Newmen](#)
Subject: [EXTERNAL] - Re: Application PL20210021
Date: February 17, 2021 2:05:04 PM

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

File # 06606046

Dear Ms. Newmen,

Please be advised that my wife and I are ***NOT opposed*** to the above referenced subdivision plan.
Thanks for bringing it to our attention.

Kerry Rioux
49 Silverwoods Drive
Calgary, AB T3R 1E2
[REDACTED]

From: [REDACTED]
To: [Oksana Newmen](mailto:Oksana.Newmen)
Subject: Re: [EXTERNAL] - File 06606046 and Application PL20210021
Date: February 24, 2021 12:01:47 PM

Thank you for the updated information Oksana.

I agree with not having the access off of Burma Road and to utilize the current access from Lot 2 to Lot 1 due to high traffic levels on Burma Road/144th and the speed of the traffic.

Other issues I have is due to the slope of the land on Lot 1, is having the proper spot for the septic system location due to the large water body and potential for any seepage of grey water into the water body. Also not having them disturb or reduce the water body by filling it in as that should require Alberta Environment approval.

Will these questions be addressed by the County to the applicant?

Thank you and I have no further concerns at this time.

From: "onewmen" <ONewmen@rockyview.ca>
To: "gc reiser" [REDACTED]
Sent: Monday, February 22, 2021 4:48:53 PM
Subject: RE: [EXTERNAL] - File 06606046 and Application PL20210021

Hi Graham,

The applicants have proposed access to Burma Road, near the western side of the parcel; the County is seeking access from Range Road 25.

The Municipal Planning Commission will then need to make their decision between the two possibilities.

See the attached drawing showing the approaches proposed and existing.

Water will be required to be obtained from the water co-op, and the new lot would have it's own septic system. The location has not been determined at this time, but will need to be signed off by the County prior to installation.

The proposed house on the new lot is shown on the attached drawing as well.

Hope this helps, let me know if you have further questions.

Warm regards,
~Oksana

From: Graham Reiser [REDACTED]
Sent: February 17, 2021 2:55 PM
To: Oksana Newmen <ONewmen@rockyview.ca>
Subject: [EXTERNAL] - File 06606046 and Application PL20210021

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

Ms Newmen,

I have a few questions concerning the proposed subdividing of this land parcel.

Will the access to lot 1 be off of Burma Road/144th Ave or through the current lot 2 off of range road 25?
Has this been approved by the County at this time? Please show me where with a drawing.

Will lot 1 be on Rockyview Water Coop and where is the existing water pipeline? Please show me where this is with a drawing.

Will lot 1 have its own septic system? Has this been confirmed/approved by the County on where its being proposed? Please show me where this is with a drawing.

Has the location of a house been determined by the current land owner for lot 1?

Thanks,

Graham Reiser
60 Silverwoods Drive NW



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 9

DATE: September 15, 2021

APPLICATION: PL20200145

FILE: 08903001

SUBJECT: Agricultural Subdivision

APPLICATION: To create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.

GENERAL LOCATION: Located approximately 5.5 kilometres east of MD of Bighorn, at the southwest junction of Range Road 52 and Grand Valley Road.

LAND USE DESIGNATION: Agricultural, Small Parcel District (A-SMLp8.09) and Agricultural, Small Parcel District (A-SMLp47.66)

EXECUTIVE SUMMARY: The application is inconsistent with the relevant policies of the County Plan. However, the application was approved by Council on September 28, 2020, with the intent to subdivide.

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

OPTIONS:

Option #1: THAT Subdivision Application PL20200145 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20200145 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Christina Lombardo, Planning & 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; • Municipal Development Plan; • County Plan; • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Level 2 PSTS Assessment prepared by D&S Enterprises Wastewater Design, dated June 7, 2021 • Water Well Drilling Report dated June 23, 2021
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Conditions were set based on the following items:

Transportation and Access

Access to Lot 2 is provided by an existing paved approach via Grand Valley Road. The applicant will be required to construct a new paved approach for Lot 1. Based on parcel sizes, the Transportation Off-Site Levy (Bylaw C-8007-2020) shall be deferred for both Lot(s) 1 & 2 at this time.

Servicing

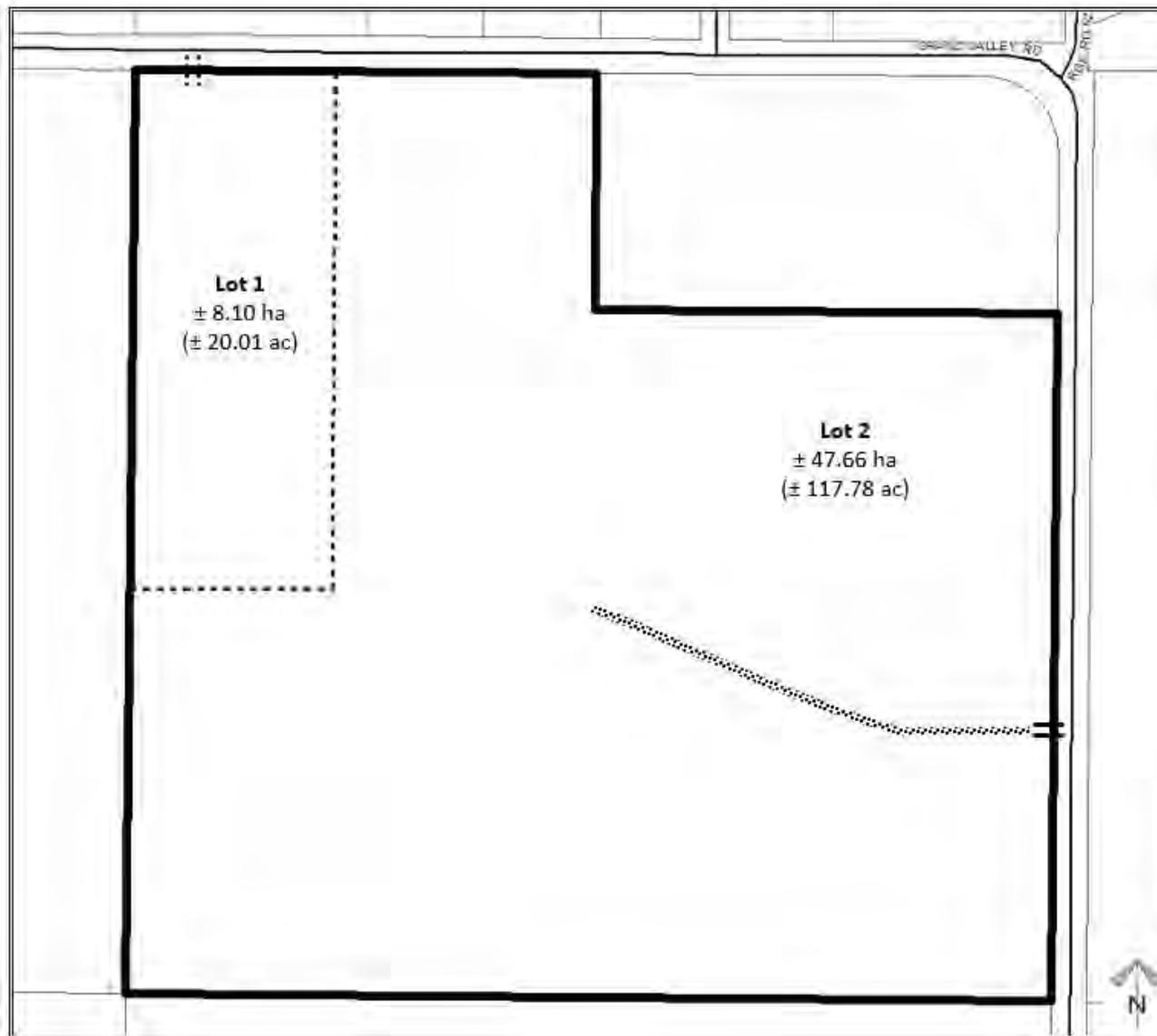
No dwellings or buildings are present on the subject lands at this time. A Well Driller's report for Lot 1 has demonstrated flow should exceed minimum requirements. Lot 2, the remainder, is not required to demonstrate servicing due to the large size of the parcel. . A Level II Model Process Assessment was also submitted which shows a septic system can be accommodated within Lot 1.

Due to the sizes of the parcels, no stormwater implementation is required.

Policy Analysis

The subject lands are not located within an area structure plan and therefore have been reviewed against the County Plan. A full review of the application was considered at the time of redesignation. On September 28, 2020, Council approved the lands for Agricultural, Small District land use with parcel modifiers. As this application for subdivision is consistent with the land use decision, Administration recommends approval. Both proposed parcels are consistent with the minimum parcel size required.

Based on parcel sizes and potential for further development within the area Municipal Reserves have been deferred at this time.



Tentative Plan

Subdivision Proposal

To create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.

Legend

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

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 9
 Roll: 08903001
 File: PL20200145
 Printed: November 13, 2020
 Legal: NE-03-28-05-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

CL/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Submission

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a \pm 8.10 hectare (20.01 acre) parcel with a \pm 47.66 hectare (117.78 acre) remainder at NE-3-28-5-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 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 contact County Road Operations to construct a new paved approach on Grand Valley Road in order to provide access to Lot 1.

Payments and Levies

- 3) The provision of Reserve in the amount of 10% of Lot 1, is to be deferred by Caveat pursuant to Section 669(2) of the *Municipal Government Act*; and the remainder is to remain deferred without Caveat pursuant to Section 663 of the *Municipal Government Act*;
- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Taxes

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

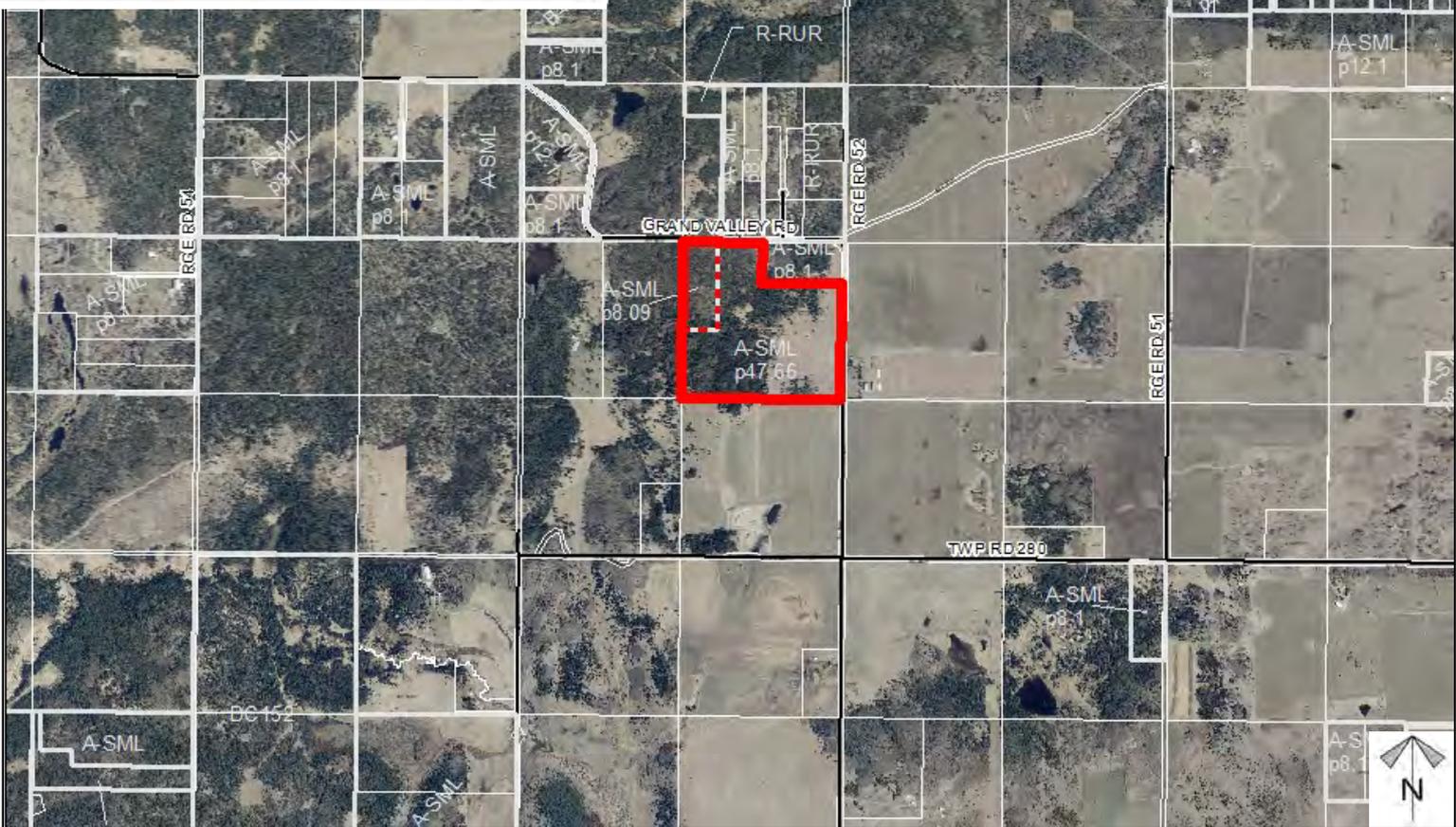
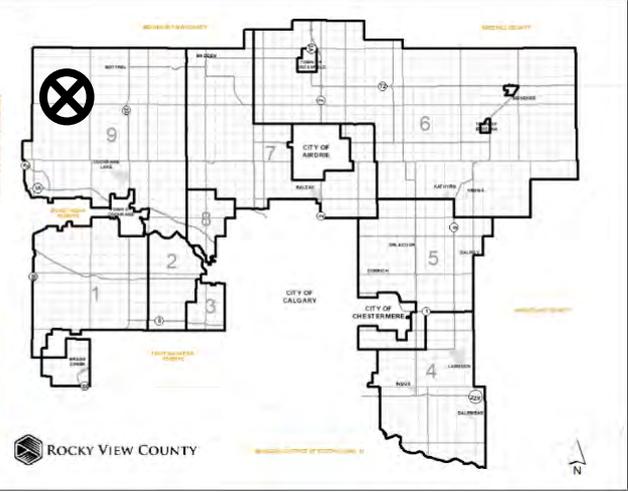
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Mark Bartlett	OWNER: Mark Bartlett
DATE APPLICATION RECEIVED: October 20, 2020	DATE DEEMED COMPLETE: November 5, 2020
GROSS AREA: ± 55.76 hectares (± 137.79 acres)	LEGAL DESCRIPTION: NE-3-28-5-W5M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>September 28, 2020: Council approved the application to redesignate the subject lands from Agricultural General District to Agricultural Small District for future Subdivision into a 20.00 acre lot.</i> <i>April 26, 2013: Subdivision Plan 131 1144 was registered at Land Titles creating one new lot from the quarter section (first parcel out)</i>	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 24 adjacent landowners. One letter of opposition was 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 ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.



Development Proposal

Subdivision Proposal

To create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.



Lot 1
± 8.10 ha
(± 20.01 ac)

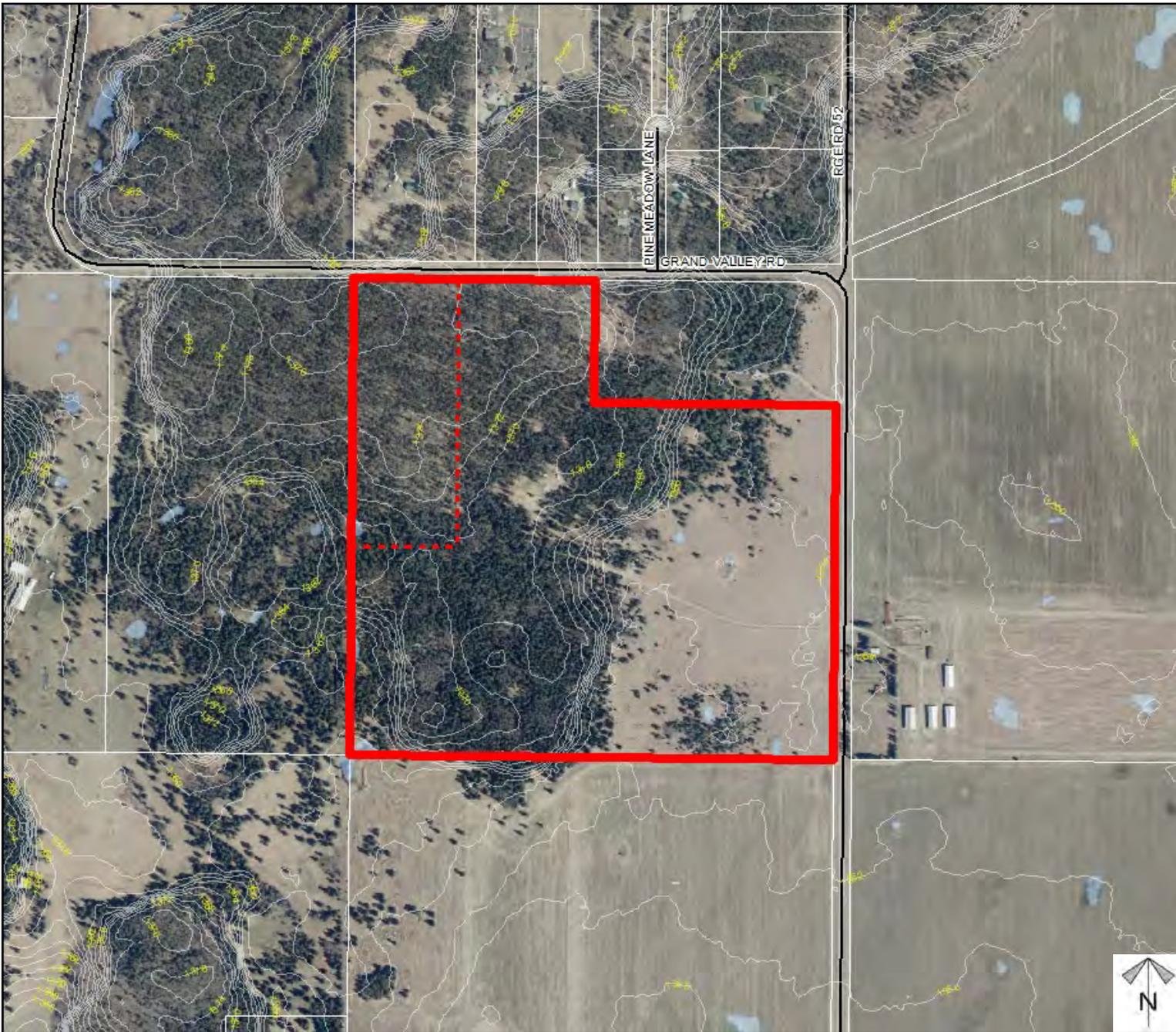
Lot 2
± 47.66 ha
(± 117.78 ac)



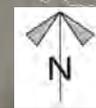
Environmental

Subdivision Proposal

To create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.



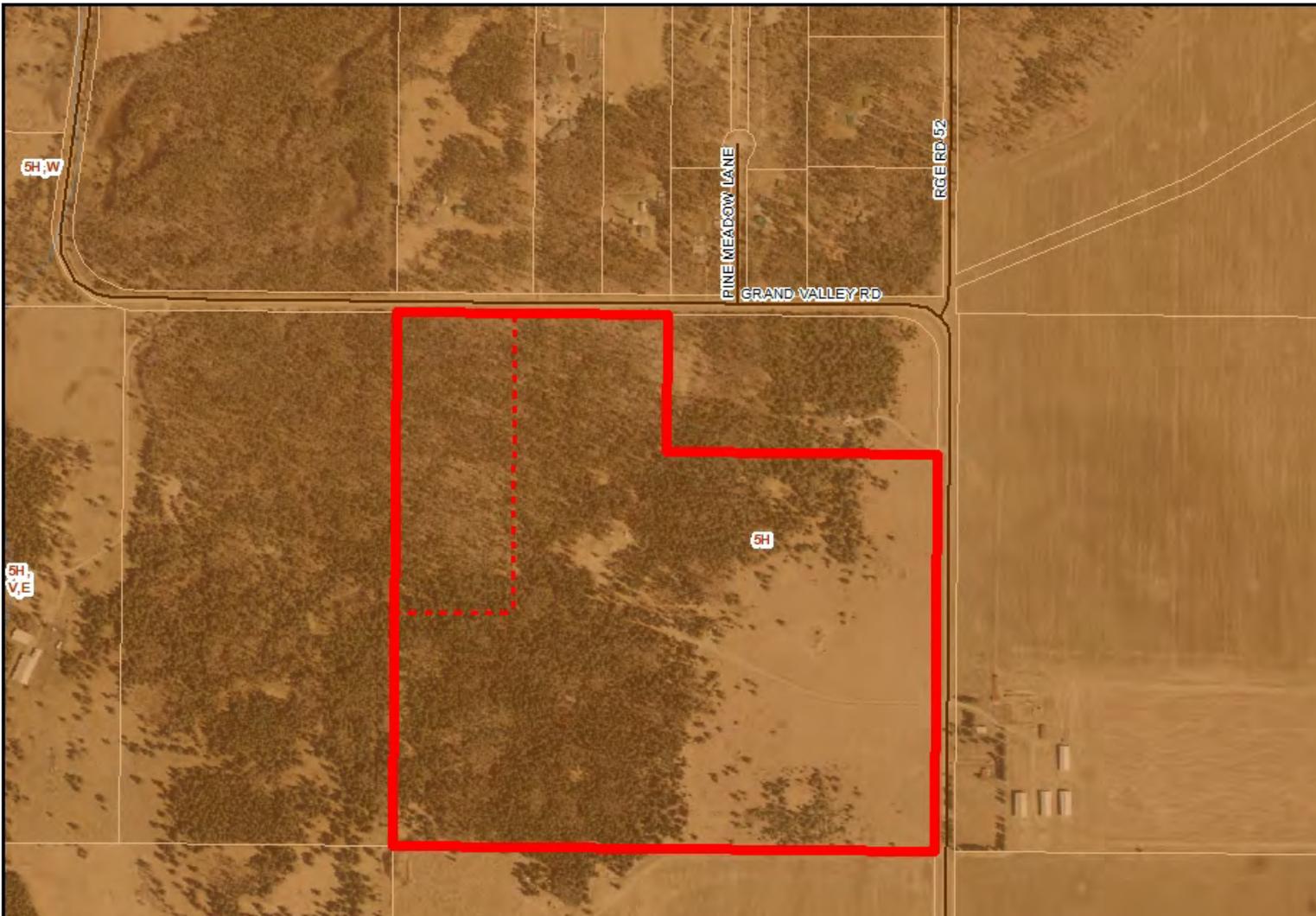
-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water



Soil Classifications

Subdivision Proposal

To create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.



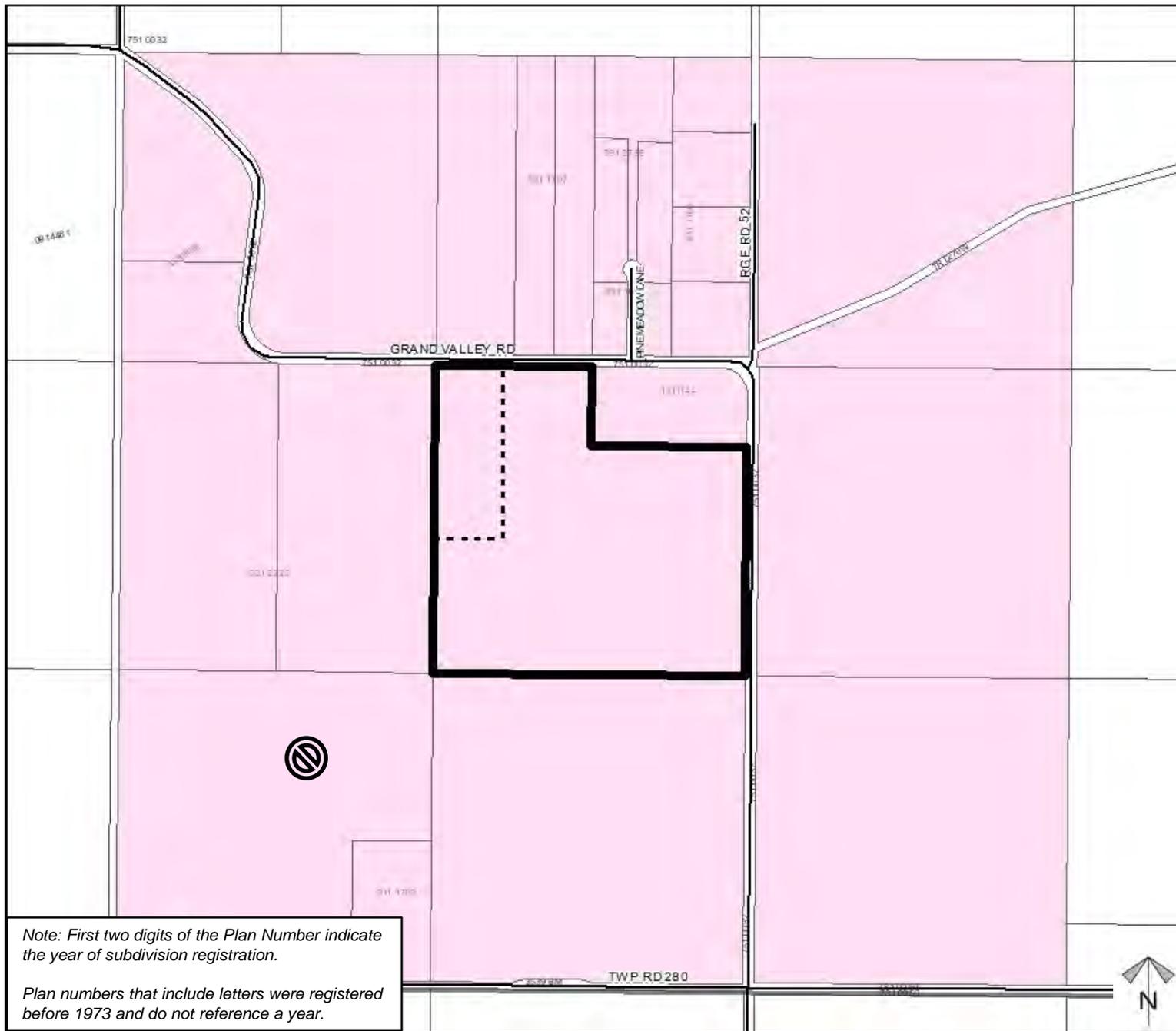
LAND CAPABILITY CLASSIFICATION LEGEND		
CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion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



Landowner Circulation Area

Subdivision Proposal

To create a ± 8.10 hectare
(20.01 acre) parcel with a
± 47.66 hectare (117.78
acre) remainder.



Legend

- Support 
- Opposition 

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 create a ± 8.10 hectare (20.01 acre) parcel with a ± 47.66 hectare (117.78 acre) remainder.

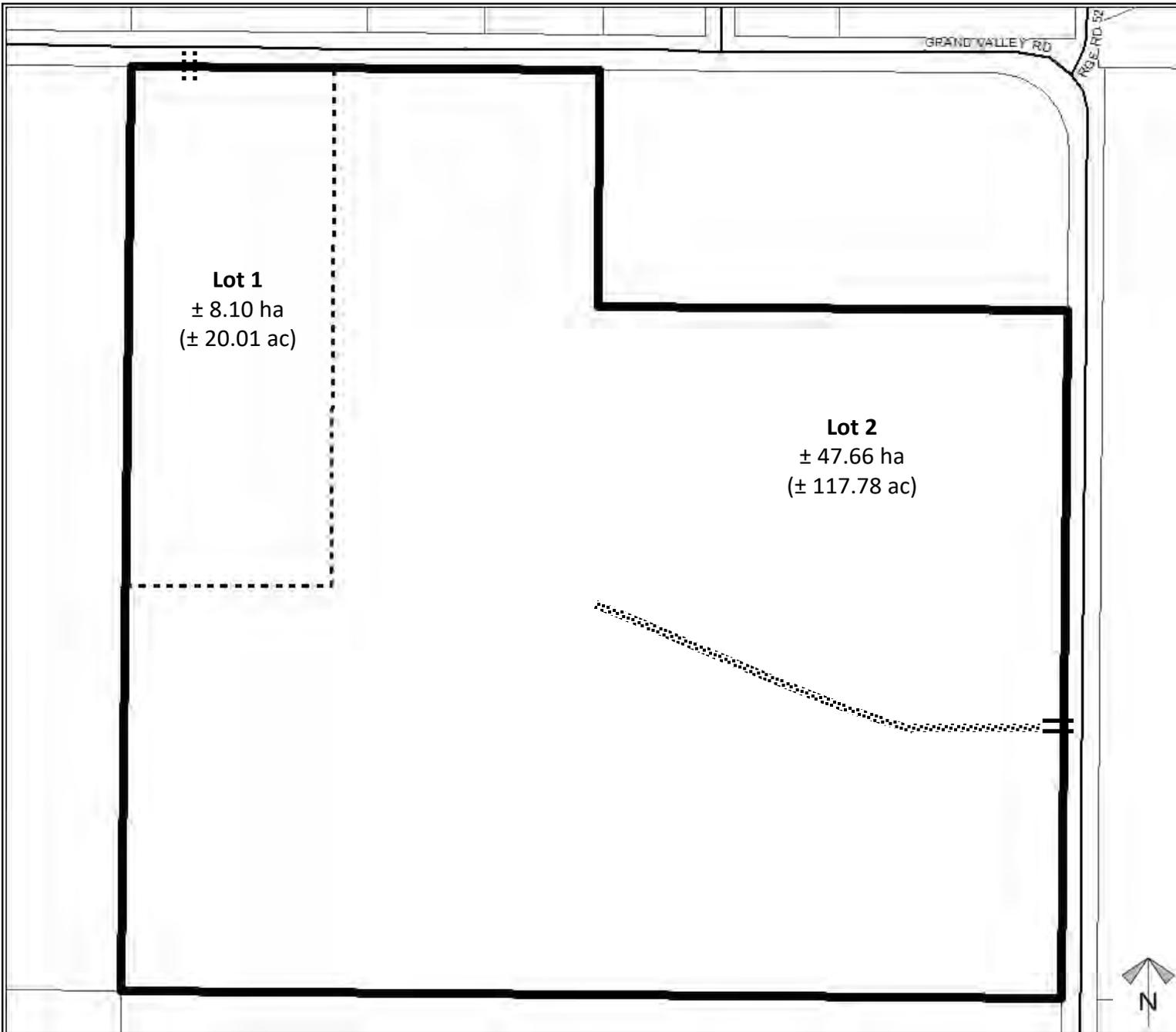
Legend

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

Surveyor's Notes:

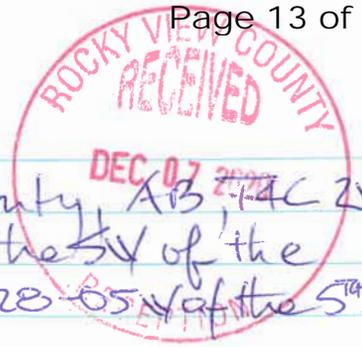
1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 9
 Roll: 08903001
 File: PL20200145
 Printed: November 13, 2020
 Legal: NE-03-28-05-W05M
 Page 56 of 80



From:

O. H. Setzer, 280021 Rg Rd 53, Rocky View County, AB T4A 2W1
 Landowner of a parcel of land to the SW of the
 Land owned by M. S. Bartlett of NE03-28-05-14 of the 5th M



To

Rocky View County @ 262075 Rocky View Point,
 Rocky View County, AB T4A 0X2
 Re: Proposed application by M. S. Bartlett to
 create a 20.00 acre, the 2nd one to vote, at the
 above noted land location for subdivision.

My objection to this proposed subdivision and the
 no doubt further subdivisions on this land and
 possibly elsewhere north of TWP Rd 280 is the following:
 For a century farmers who owned land in this
 vicinity have raised cattle on these lands -
 and contrary to what Mr. Bartlett propounded at his
 1st 20.00 acre subdivision, the land is not only suitable
 to build houses on, but produces good grasses to feed the
 livestock. Granted, the wooded area of the proposed
 subdivision is not prime grazing land, but it was
 used for just this purpose in the past.

The most important consideration, which has been
 completely pushed under the "decision to approve or
 not to approve table" is sufficient access to WATER!!
 And I am talking water access for my livestock or
 livestock grazing on my land in the summer &
 autumn months. The NE corner of my property which
 touches the NE03-28-05-14 M has a wet dig-out
 area which I need to operate my farm. The subdivision
 applicant is legally not allowed to interfere with my
 farm operation - ducks, geese & other wildlife use this
 above described "slough". Do not compromise my livelihood
 by stealing the water.

O. H. Setzer

PLANNING AND DEVELOPMENT SERVICES

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

DATE: September 15, 2021 **APPLICATION:** PRDP20212718

FILE: 06706019

SUBJECT: Accessory Building / Discretionary use, with Variances

APPLICATION: Construction of an accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement, and relaxation of the maximum height requirement.

GENERAL LOCATION: Located approximately 0.40 kilometres (1/4 mile) south of Highway 1A and 1.21 kilometres (3/4 mile) west of Range Road 35.

LAND USE DESIGNATION: Special, Public Service District (S-PUB), under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: This proposal is for the construction of a shop/storage building, approximately 800.00 sq. m (8,611.13 sq. ft.) in size, to be ancillary to an existing Cemetery onsite. The building contains storage space for lumber, headstones, landscaping, and supplies for burials; shop space for maintenance of equipment such as excavators, bobcats, and tractors; and washrooms, a kitchen, and an office for the Cemetery caretakers.

The building requires a variance of 55.00% for the minimum front yard setback requirement and 39.00% for the maximum height requirement.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20212718 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20212718 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
Sandra Khouri, Planning & Development Services



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Section 456 LUB Minimum front yard setback requirement (from other roads)	15.00 m (49.21 ft.)	6.77 m (22.21 ft.)	55.00%
Section 454 LUB Maximum height requirement (accessory building)	7.00 m (22.97 ft.)	9.75 m (31.98 ft.)	39.00%

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; • Municipal Development Plan; • Land Use Bylaw; • Cochrane Intermunicipal Development Plan; • Glenbow Ranch Area Structure Plan; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Proposed Grading Plan, prepared by Addoz Engineering Inc., dated June 18, 2020 (File No. 021-C04-Proposed Grading Plan.dwg • Stormwater Management Plan, prepared by Addoz Engineering Inc., dated June 18, 2020 (File No. 021-C05-SWM Plan.dwg
<p>DISCRETIONARY USE: Accessory Building > 90 sq. m (968.75 sq. ft.)</p>	<p>DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission</p>

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/lt



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 accessory building (oversize shop/storage building) 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:
 - a) Construction of one (1) shop/storage building, **approximately 800.00 sq. m (8,611.13 sq. ft.)** in size;
 - b) That the minimum front yard setback requirement shall be relaxed from **15.00 m (49.21 ft.) to 6.77 m (22.21 ft.)**; and
 - c) That the maximum height requirement shall be relaxed from **7.00 m (22.97 ft.) to 9.75 m (31.99 ft.)**.

Prior to Release:

- 2) That prior to release of this permit, the Applicant/Owner shall submit a Lighting Plan in accordance with Section 227 of the County's Land Use Bylaw C-8000-2020 (LUB) for any proposed building or site lighting, including location, lighting specifications, and height.
- 3) That prior to release of this permit, the Applicant/Owner shall submit a landscape plan, to the satisfaction of the County, that includes the following:
 - a) Landscaping a minimum of 10% of the developed site area; and
 - b) The minimum number of trees and shrubs shall be provided, with minimum calliper and height requirements, in accordance with Section 259 LUB.
- 4) That prior to release of this permit, the Applicant/Owner shall submit a 3.22 Building Code analysis and a Site Plan that includes dimensions to the hydrant and Siamese connection/front entry, Access Route Design, and water supply, to the satisfaction of the County.
- 5) That prior to release of this permit, the Applicant/Owner shall submit confirmation of tie-in for connection to Rocky View Water Co-op with a letter regarding:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed development;
 - b) Documentation proving that water supply has been purchased and secured for the proposed development;
 - c) Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
 - d) That if the Rocky View Water Co-op does not have sufficient capacity, the Applicant/Owner shall confirm the method of water servicing to the proposed development, to the satisfaction of the County.
- 6) That prior to release of this permit, the Applicant/Owner shall confirm the method of sanitary servicing to the proposed development and that the subject development does not negatively impact the existing septic field location and/or existing stormwater infrastructure on-site, to the satisfaction of the County.
 - a) In accordance with the County Servicing Standards, the County generally requires sewage holding tanks for industrial, commercial, and institutional developments.
 - b) If proposed, the septic field method of sewage dispersal must be fully engineered and justified for all industrial, commercial and institutional lot development, in accordance with the County Servicing Standards.

- 7) That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system, to confirm the presence of County road ban restrictions.
 - a) Written confirmation shall be received from Road Operations, confirming the status of this condition.
- 8) That prior to release of this permit, the Applicant/Owner shall submit an updated Site-Specific Stormwater Implementation Plan (SSIP), conducted and stamped by a professional engineer, that is in accordance with the West Nose Creek Watershed, the Bearspaw-Glenbow Master Drainage Plan, and the County Servicing Standards, to the satisfaction of the County.
- 9) That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment, and all other relevant construction management details, in accordance with the County Servicing Standards.

Prior to Occupancy:

- 10) That prior to occupancy, all landscaping, parking, and final site surfaces shall be in place prior to occupancy of the site and/or buildings.
 - a) That should permission for occupancy of the site be requested during 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.
- 11) 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.
 - a) Following receipt of the drawings, the County shall complete an inspection of the site to verify stormwater has been completed.

Permanent:

- 12) 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.
- 13) That all landscaping and topsoil placement shall be in accordance with the landscaping details provided on the Landscape Plan, as amended.
 - a) 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.
 - b) The vegetation type has to endure the irrigation from May to September.
 - c) 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.
- 14) That no topsoil shall be removed from the site.



- 15) 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.
- 16) That dust control shall be maintained on the site during construction and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 17) 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.
- 18) That there shall be no parking or any Cemetery signage in the County road right-of-way.
- 19) That any future Cemetery signage will require separate Development Permit approval.
- 20) 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.
- 21) 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.
- 22) That the accessory building shall only be used for maintenance and storage purposes related to the cemetery, and shall not be used for gathering, services, or special events purposes unless approved with a separate development permit.
- 23) 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.
- 24) That if this Development Permit is not issued by **March 31, 2022**, or the approved extension date, this approval is null and void and the Development Permit shall not be issued.

Advisory:

- 25) 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.
- 26) That the County Bylaw C-8067-2020, the "Noise Bylaw", shall be adhered to at all times.
- 27) 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.
- 28) 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*].
- 29) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

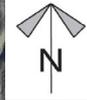
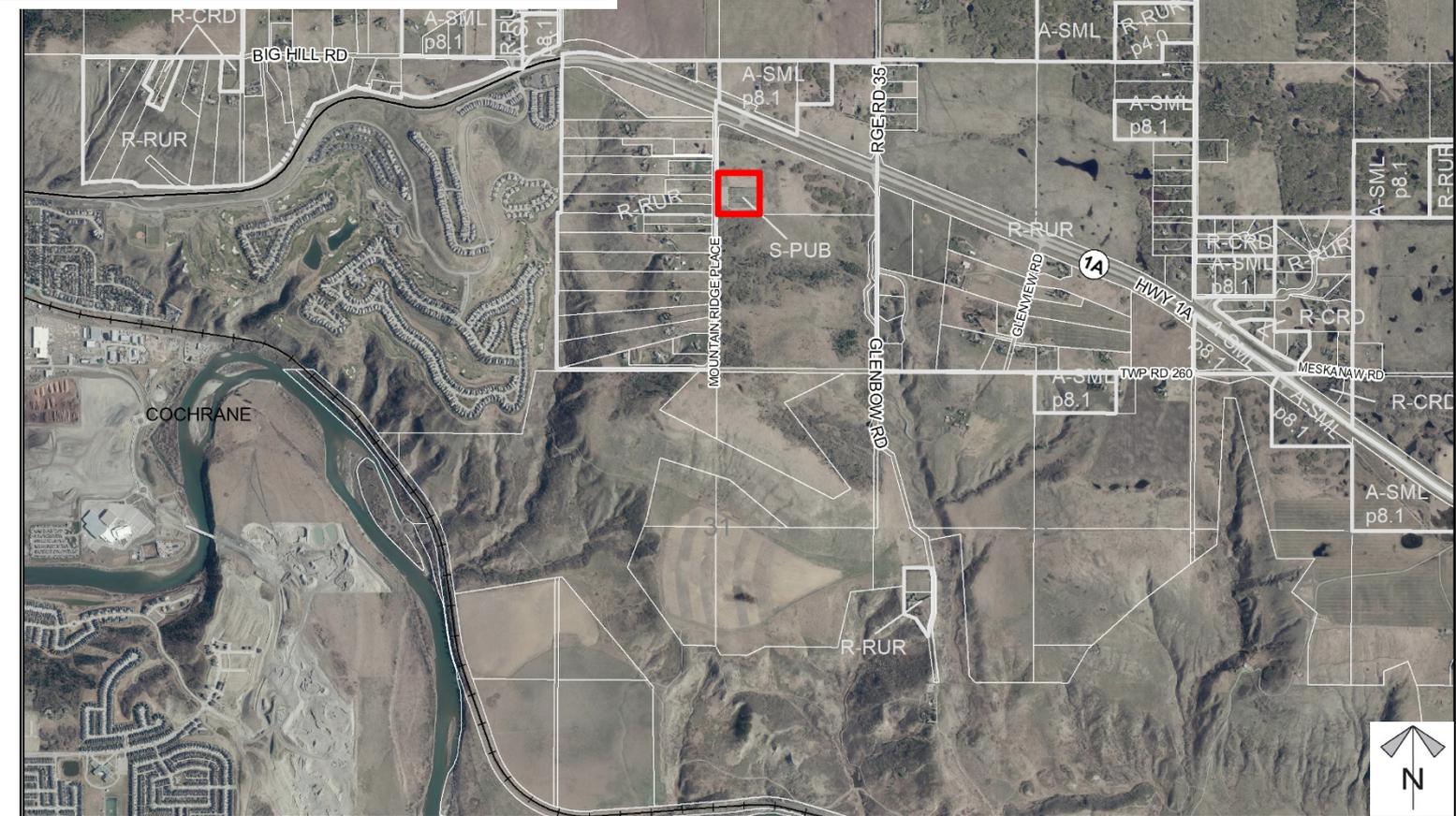
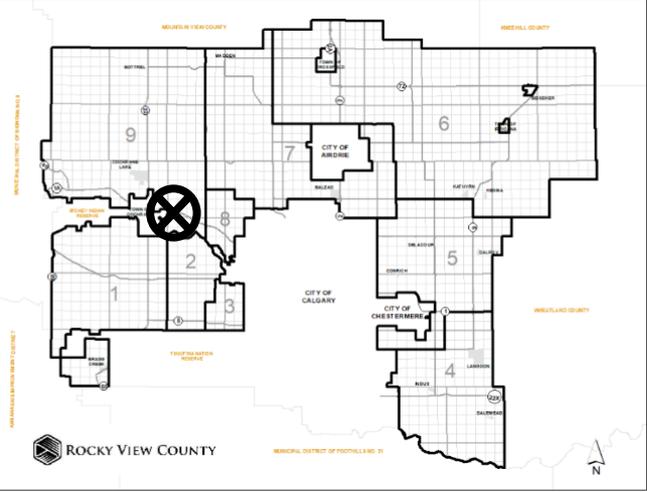
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Emadeddin Alsaidi (Addoz Engineering Inc.)	OWNER: Muslim Association of Calgary
DATE APPLICATION RECEIVED: June 18, 2021	DATE DEEMED COMPLETE: June 22, 2021
GROSS AREA: ± 4.55 hectares (± 11.25 acres)	LEGAL DESCRIPTION: NE-06-26-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>November 15, 2019: Development permit (PRDP20152541) withdrawn for Funeral Services and Entombment, construction of an office, prayer hall, gathering hall, and relaxation of the maximum height requirement</p> <p>November 12, 2015: Development permit (PRDP20140827) issued for the placement of clean fill</p> <p>July 25, 2006: Development permit (2006-DP-12129) issued for construction of a maintenance building, parking lot, and a berm (maintenance building never constructed)</p>	
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 accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement and relaxation of the maximum height requirement



Site Plan

Development Proposal

Construction of an accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement and relaxation of the maximum height requirement



PHOTO 7



PHOTO 8



KEY PLAN
SCALE 1:1000



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



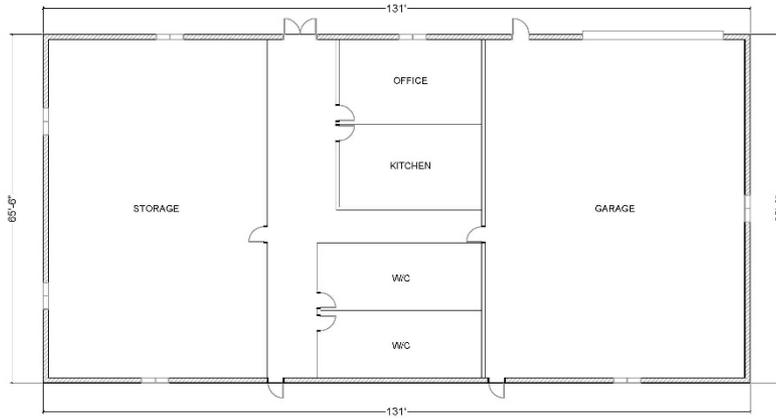
PHOTO 6

Elevations & Floor Plan

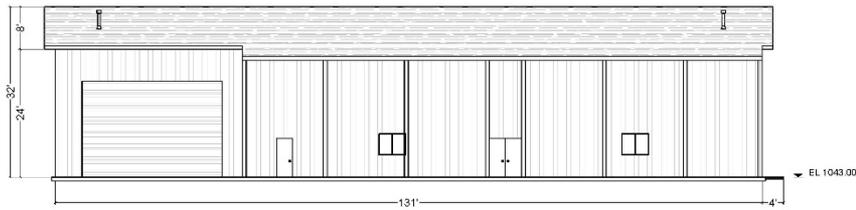
Development Proposal

Construction of an accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement and relaxation of the maximum height requirement

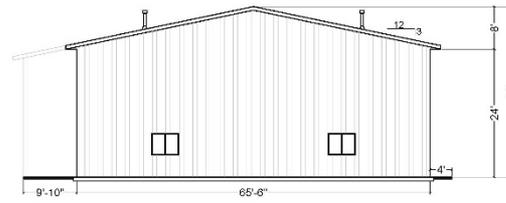
SPECIFICATIONS:
 PRE-FABRICATED STEEL STRUCTURE
 (DETAILS TO BE ADDED AT BUILDING PERMIT STAGE)



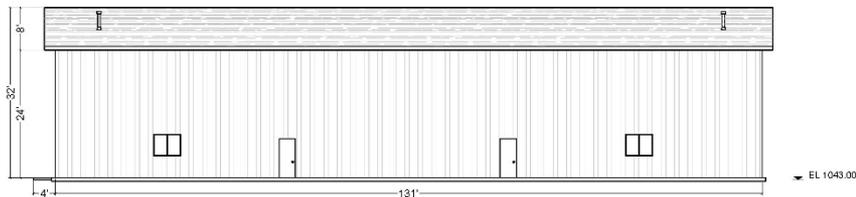
A FLOOR PLAN
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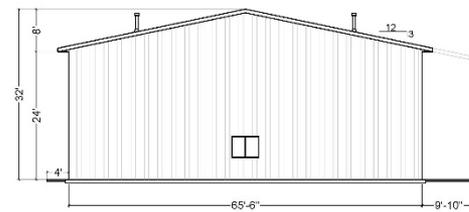
B FRONT ELEVATION
 SCALE 1/8"=1'-0"



D RIGHT ELEVATION
 SCALE 1/8"=1'-0"



C REAR ELEVATION
 SCALE 1/8"=1'-0"



E LEFT ELEVATION
 SCALE 1/8"=1'-0"

Site Photos

Development Proposal

Construction of an accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement and relaxation of the maximum height requirement



08 20 2021



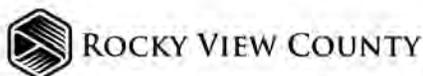
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PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: September 15, 2021 **DIVISION:** 2
FILE: 04735027 **APPLICATION:** PRDP20213143
SUBJECT: Home-Based Business Type I / Permitted use, with Variances

APPLICATION: a Home-Based Business, Type I, for a woodworking business, relaxation of the maximum number of non-resident employees and relaxation of the allowance of the use of an accessory building.

GENERAL LOCATION: Located at the southwest junction of Township Road 250 and Range Road 31A.

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

EXECUTIVE SUMMARY: The Applicant is proposing to operate a Home-Based Business, Type I, for a woodworking business. This application is the result of enforcement action. The Applicant uses an approved accessory building (oversize workshop) approximately 241.92 sq. m (2,604.00) in size, for the business. The business operates Monday to Friday, 8:00 a.m. to 5:00 p.m. and the Applicant anticipates 3-5 business-related vehicle visits per week. Currently, there is one permanent resident employee however, in the future the Applicant is requesting one non-permanent resident employee. The application does not meet section 142 (b) of the LUB, which states that the business shall have no employees that are not permanent residents of the dwelling. In addition, Home-Based Business Type I requirements state that the business shall be conducted in a principal building. The Applicant is requesting a relaxation to allow the use of the accessory building (oversize workshop) for the business. Further, the proposal does not appear to meet the definition of a Home-Based Business, Type I. As such, Administration recommends Refusal.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20213143 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20213143 be refused for the following reasons:
1. The proposed business does not meet the requirements of a Home-Based Business Type I, as specified in Section 142(a) of the Land Use Bylaw C-8000-2020.
 2. The requested number of non-resident employees exceeds the requirements of Section 142(b) of the Land Use Bylaw C-8000-2020.
 - **Number of non-permanent resident employees: Zero**
 - **Requested number of non-permanent resident employees: One (1)**

Administration Resources

Bronwyn Culham, Planning and Development Services

3. The proposed business does not appear to meet the definition of a Home-Based Business, Type I
4. 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 (%)
Section 142(a) LUB General Requirements	Home-Based Business (Type I) are an accessory use of a principal dwelling	Allowance of the use of an accessory building (workshop)	N/A
Section 142(b) LUB General Requirements	Home-Based Business (Type I) shall have no employees that are not permanent residents of the dwelling	One (1) Non-Permanent Resident Employee	100.00%

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> • City of Calgary Intermunicipal Development Plan; • Central Springbank Area Structure Plan; and • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None provided
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<p>PERMITTED USE:</p> <ul style="list-style-type: none"> • A Home-Based Business, Type I is a permitted use in the Residential, Country Residential District (R-CRD) 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Municipal Planning Commission
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Additional Review Considerations

The application was assessed in accordance with Sections 142 to 144 and Sections 322 to 330 of the LUB.

Home-Based Business (Type I) is defined in the LUB as follows:

“Home-Based Business (Type I)” means a use where business is conducted in a Principal Building with limited weekly visits and employees that reside in the Principal Building. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings.

A Development Permit, 2013-DP-15573, was issued on March 06, 2014, for the construction of an accessory building (oversize workshop) and relaxation of the minimum front yard setback requirement, therefore the accessory building is compliant.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

BC/lt

ATTACHMENTS:

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

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

- 1) That a Home-Based Business, Type I, for a woodworking business, may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.
 - i) That the maximum number of non-permanent resident employees is **relaxed from zero to one (1)**.
 - ii) That the proposed use of the accessory building for business purposes is permitted.

Permanent:

- 2) That there shall be no more than one (1) non-resident employee at any time.
 - i) That an employee in this Home Based Business is a person who attends the property more than once in a seven day period for business purposes
- 3) That the operation of this Home-Based Business shall be limited to the *accessory use* of a *dwelling* and the *accessory building*.
- 4) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 5) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 6) That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 7) That there shall be no outside storage of goods, materials, commodities, or finished products.
- 8) That all personal vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or driveway area.
- 9) That there shall be no signs that describe the Home-Based Business or encourage drop-in business-related traffic.
- 10) That no off-site advertisement signage associated with the Home-Based Business shall be permitted
- 11) That this Development Permit shall be valid until **October 13, 2022**.

Advisory:

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

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

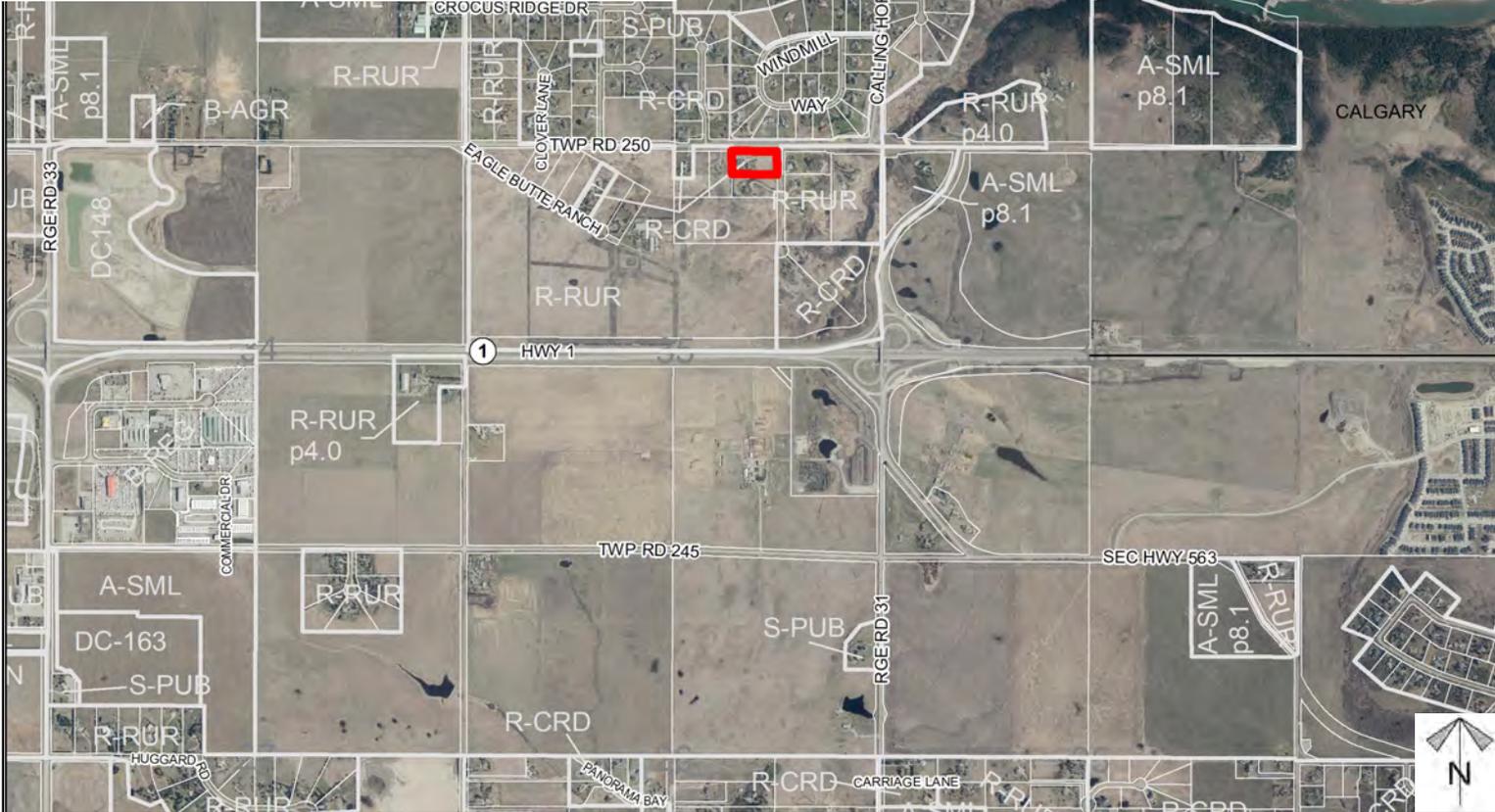
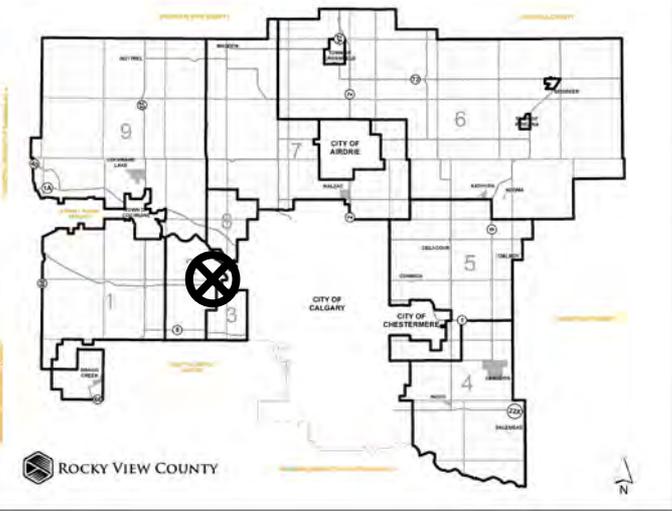
APPLICANT: Radivojevic, Slobodan & Smilja	OWNER: Radivojevic, Slobodan & Smilja
DATE APPLICATION RECEIVED: July 17, 2021	DATE DEEMED COMPLETE: August 5, 2021
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: Lot 5 Plan 8810395, NE-35-24-03-05; (245249 RGE RD 31A)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <u>Planning</u> December 20, 2007: Planning Application (2007535) – Subdivision - To create a >= 2 acre parcel with a >= 2 acre remainder - Closed - Expired December 20, 2007: Planning Application (2007534) – Redesignation - To redesignate the subject lands from Residential Two District to Residential One District to create a >= 2 acre parcel with a >= 2 acre remainder - Closed – Approved <u>Building</u> Oct 27, 2014: Building Permit (PRBD20144102) Addition to Accessory Building - PSR - in Compliance Oct 18, 2006: Building Permit (2006-BP-19735) Construct an Accessory Building - Closed-Complete Mar 27, 1990: Building Permit (1990-BP-1540) Construct a Single Family Residence - Occupancy Granted <u>Development</u> October 18, 2006: Development Permit (2006-DP-12222) Construction of an accessory building (garage), relaxation of the minimum side yard setback requirement – Closed Complete March 06, 2014: Development Permit (2013-DP-15573) construction of an accessory building (oversize workshop), relaxation of the minimum front yard setback requirement (extension of DP #12222)	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Home-Based Business (Type I), for a woodworking business, relaxation of the maximum number of non-resident employees and relaxation of the allowance of the use of the accessory building

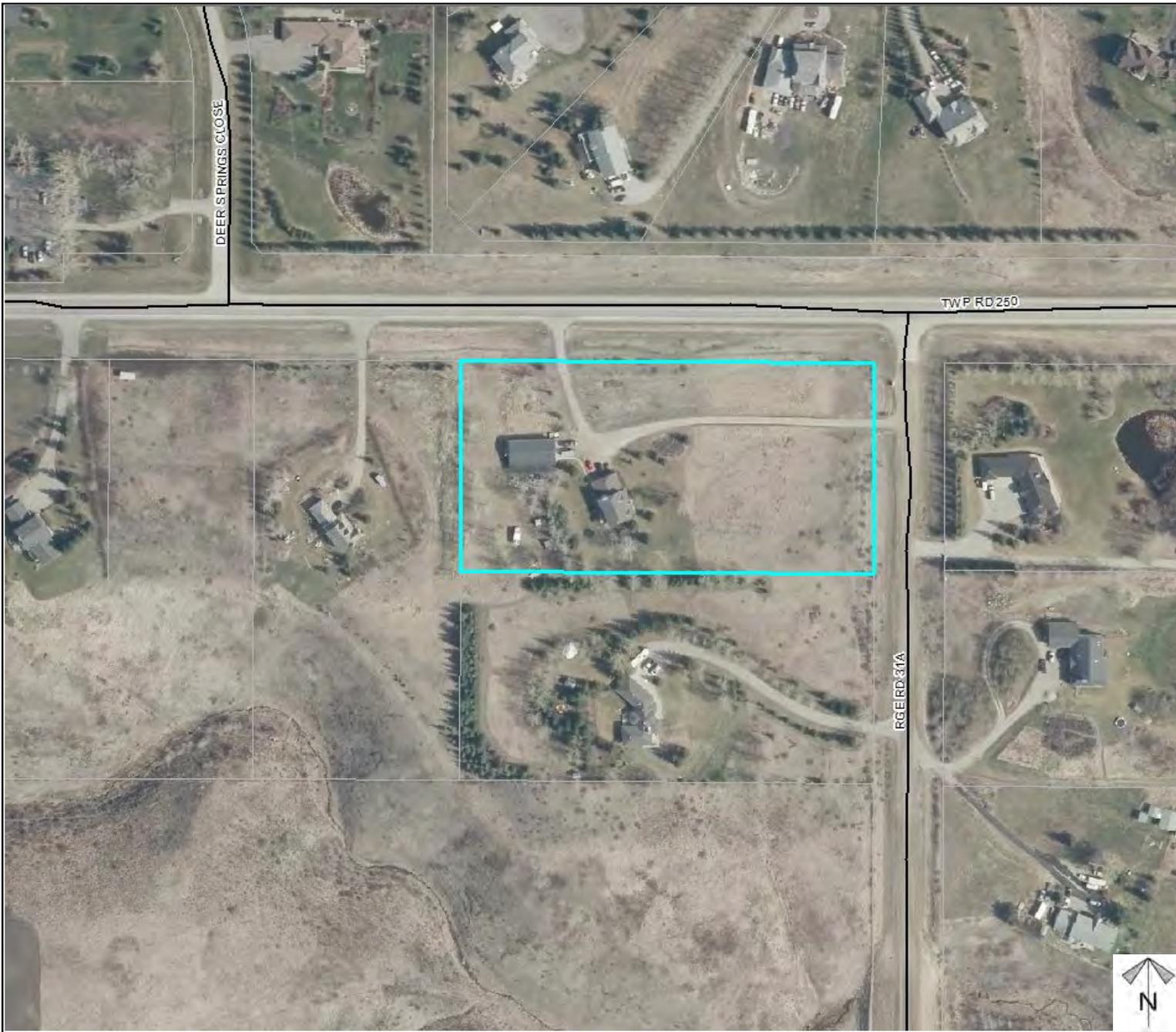
Division: 2
Roll: 04735027
File: PRDP20213143
Printed: Aug 23, 2021
Legal: Lot:5 Plan:8810395
with Pages 574 of 805M



Location & Context

Development Proposal

Home-Based Business (Type I), for a woodworking business, relaxation of the maximum number of non-resident employees and relaxation of the allowance of the use of the accessory building



Site Plan

Site Plan



Development Proposal

Home-Based Business (Type I), for a woodworking business, relaxation of the maximum number of non-resident employees and relaxation of the allowance of the use of the accessory building

Inspection Photos
September 2, 2021



Inspection Photos
September 2, 2021



Inspection Photos
September 2, 2021



Inspection Photos
September 2, 2021

