

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: April 27, 2021 **DIVISION:** 1
FILE: 04912004 **APPLICATION:** PRDP20211333
SUBJECT: Development Permit: Film Production Facility / Listed DC Use, with no Variances

APPLICATION: renewal of a Film Production Facility, existing movie set (CL Western Town) [replacement of PRDP20192533].

GENERAL LOCATION: Located approximately 2.41 km (1 1/2 miles) southwest of the junction of Twp. Rd. 242 and Rge. Rd. 45.

LAND USE DESIGNATION: Direct Control District 155 [DC 155] under Land Use Bylaw C-4841-97.

EXECUTIVE SUMMARY: This application is to renew a Development Permit for an existing Film Production Facility, known as the CL Western Town.

The existing Development Permit, PRDP20192533, was conditionally approved by Council on October 1, 2019, with pre-release conditions. Those conditions were not satisfied. After multiple discussions with Administration as well as time extension requests, the Applicant has submitted an amendment application to request changes to the Development Permit approval conditions.

The amendment application requests a review of the operating conditions, in particular changes to the Transportation Offsite Levy payment, the existing Road Maintenance agreement and correlating permanent conditions, site dust control measures, and site lighting. The rationale of the requests can be found in Attachment E.

Option #1 includes Administration's recommended condition set, which is consistent with previous Council direction. The set includes payment of the Transportation Offsite Levy (at 5.00 acres), the removal of the Road Maintenance Agreement, the requirement of a Road Use Agreement (if required), dust mitigation measures, dark-sky lighting principles and a time-limit of 10 years.

Option #2 includes the Applicant's requested condition set, which supports Administration's condition set with the exception of: removing payment of the Transportation Offsite Levy (at 5.00 acres), removal of permanent Road operating conditions and dark-sky lighting conditions and amendments to the dust mitigation measures.

There have been no changes to the overall development intent and proposal. Various compliance issues have also been identified by Administration.

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

OPTIONS:

Option #1: THAT Development Permit No. PRDP20211333 be approved with the conditions noted in Attachment 'A', as recommended by Administration.

Option #2: THAT Development Permit No. PRDP20211333 be approved with the conditions noted in Attachment B, as recommended by the Applicant.

Administration Resources

Jacqueline Targett, Planning & Development Services



Option #3: THAT Development Permit No. PRDP20211333 be refused as per the reasons noted (as determined by Council).

Option #4: THAT alternative direction be provided.

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Direct Control District 155 (C-7612-2016); • Land Use Bylaw C-4841-97; and • County Servicing Standards. 	<p>TECHNICAL REPORTS PREVIOUSLY SUBMITTED:</p> <ul style="list-style-type: none"> • Traffic Impact Assessment and Intersection Assessment, conducted by Bunt and Associates; dated September 15, 2017
<p>DIRECT CONTROL LISTED USES:</p> <ul style="list-style-type: none"> • Film Production Facility 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Council

POLICY CONSIDERATIONS:

DC 155 (C-7612-2016)

The subject lands are designated DC 155, where Council is the development authority for the initial Development Permit for the Film Production Facility. The original Development Permit, PRDP20171399, was issued August 7, 2019 and was renewed in 2019, with prior to release conditions



but never issued. The Applicant is requesting variances to the renewal application, which can only be considered by Council.

DC 155 provides regulations and requirements concerning the Film Production Facility. The application is consistent with the regulations of DC 155 and is aligned with the purpose and intent to allow activities associated with film and television production to take place, while also allowing ranching and farming activities on the land to continue.

ADDITIONAL REVIEW CONSIDERATIONS

The subject land comprises ± 64.75 hectares (± 160.00 acres). The subject land is located in an area of the County that is primarily agricultural in nature, with one existing gravel operation to the northeast. The lands are generally flat with some rolling areas.

Access to the site is from Range Road 242, by a gravel driveway that extends through private lands and undeveloped road allowances. The subject lands contain an existing movie set, which includes a small western town, a prop rail station, a prop warehouse, parking areas, and a staging area for portable trailers, equipment, and materials. The site is not currently serviced.

The original approval in 2017 was a time-limited permit and was granted for one year or until revisions to the Land Use Bylaw were adopted, to accommodate the television and motion picture industry and filming uses. Land Use Bylaw, C-8000-2020 did incorporate *Film Production* within land districts as a discretionary use. The County’s Direct Control Consolidation project is in progress and the subject property is currently under review within that project.

The lands currently remain designated DC 155, to provide for the existing uses on site. As per previous direction, Administration is recommending that a time limit be placed on the permit. If the Applicant wishes to expand or amend the approval at any point, they would apply for a renewal Development Permit.

There are no changes being requested to any existing technical submissions, including the approved Traffic Impact Assessment & Intersection Assessment, Solid Waste & Recycling Plan, and Access Plan.

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

JT/lt

ATTACHMENTS:

- ATTACHMENT ‘A’: Development Permit Report Conditions (by Administration)
- ATTACHMENT ‘B’: Development Permit Report Conditions (by the Applicant)
- ATTACHMENT ‘C’: Maps & Other Information
- ATTACHMENT ‘D’: Application Referrals
- ATTACHMENT ‘E’: Application Amendment Request