

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 4

DATE: April 28, 2021
APPLICATION: PRDP20210736

FILE: 04210016

SUBJECT: Industrial (Light), Office, and Accessory Building / Discretionary use, with Variances

APPLICATION: Industrial (Light) and Office, construction of an addition to an existing building (office/shop), construction of an accessory building (shop/storage), and relaxation of the minimum front yard setback requirement for parking.

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) east of Rge. Rd. 273 and on the south side of Twp. Rd. 244.

LAND USE DESIGNATION: Commercial, Highway District (C-HWY) and Industrial, Light District (I-LHT)

EXECUTIVE SUMMARY: This proposal is for the construction of a 608.71 sq. m (6,552.10 sq. ft.) addition to an existing building and a 325.15 sq. m (3,499.89 sq. ft.) accessory building. The site is occupied by a building construction company. The company has occupied the property since 2016 with no enforcement concerns.

The principal building is comprised of office space and shop space for truss manufacturing; the proposed accessory building will be used for material storage and servicing/repairs of the company's fleet vehicles.

A summary of the proposed changes are as follows:

- *Main Floor – Office & Industrial (Light):*
 - 142.37 sq. m (1,532.50 sq. ft.) of existing office space;
 - 450.35 sq. m (4,847.50 sq. ft.) to be converted from shop space to office space;
 - Construction of an additional 598.30 sq. m (6,440.00 sq. ft.) of shop space;
 - Construction of a 10.41 sq. m (112.00 sq. ft.) covered entry on the east side of the building; and
 - 1,201.43 sq. m (12,932.08 sq. ft.) total footprint.
- *Second Floor – Office:*
 - 147.95 sq. m (1,592.50 sq. ft.) of existing office space;
 - Construction of an additional 195.10 sq. m (2,100.00 sq. ft.) of office space; and
 - 343.04 sq. m (3,692.50 sq. ft.) total footprint.
- *Accessory Building:*
 - Construction of a 325.15 sq. m (3,499.89 sq. ft.) accessory building;
 - 232.25 sq. m (2,500.00 sq. ft.) is shop space; and

Administration Resources

Sandra Khouri, Planning & Development Services



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- 92.90 sq. m (999.97 sq. ft.) is outdoor covered storage space.

The property is designated C-HWY in the front, where the principal building is located, and I-LHT in the rear, where the proposed accessory building will be constructed. In June 2016 the principal building was approved under *Truck Trailer Service*; however, administration is of the opinion that *Industrial (Light)* and *Office* are more appropriate uses. While *Industrial (Light)* is not a listed use in the C-HWY district, under Section 404 of the Land Use Bylaw there is a clause that gives the Development Authority the discretion to consider other similar uses that conform to the purpose and intent of the district. Further, administration is of the opinion that this use aligns with the surrounding land uses and is relatively low impact.

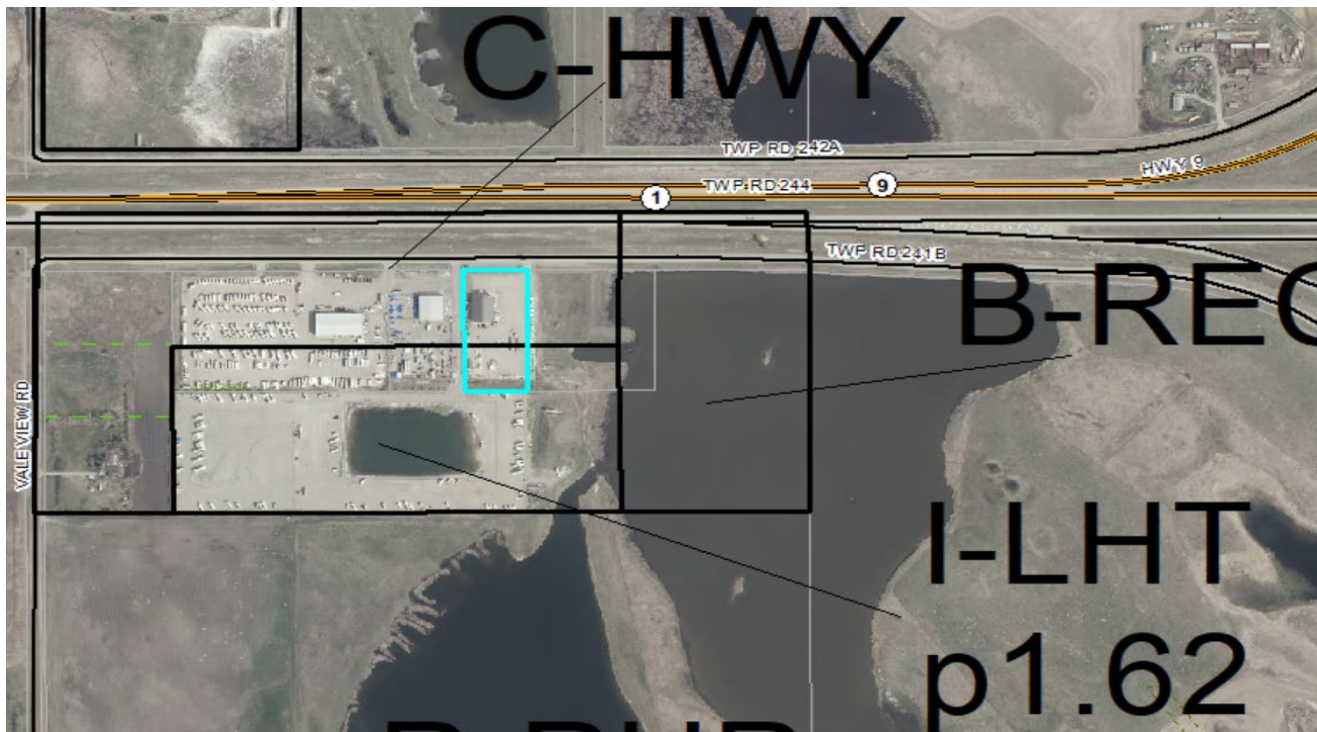
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210736 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210736 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Front Yard Setback (Parking and Storage)	8.00 m (26.25 ft.)	5.15 m (16.90 ft.)	35.63%

**APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: <ul style="list-style-type: none"> • <i>Office</i> is a permitted use in the C-HWY district when in an existing approved building; • <i>Industrial (Light)</i> is considered a similar discretionary use to those in the C-HWY district; • <i>Accessory Building < 500.00 sq. m</i> is a permitted use in the I-LHT district 	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Additional Review Considerations

Conditions were set based on the following items:

Parking

- Industrial (Light): 1 stall per 100.00 sq. m
 - $923.45 \text{ sq. m} / 100.00 \text{ sq. m} = 9.23 * 1 = 9 \text{ stalls}$
- Office: 3 stalls per 100.00 sq. m
 - $935.76 \text{ sq. m} / 100 \text{ sq. m} = 9.36 * 3 = 28 \text{ stalls}$
- Total Required: 37 stalls, 3 of which are barrier free
- Proposed: 18 existing stalls, 20 new stalls = 38 stalls, 2 of which are barrier free
- **Prior to Release:** revised parking plan with barrier free stalls and stall dimensions.

Landscaping

- Required amount: 10% of the site to be landscaped
 - $2.5 \text{ acres} * 10\% = 0.25 \text{ acres} / 1,011.71 \text{ sq. m}$
- Proposed amount: 1,020.00 sq. m
- Required number of trees: 1 tree per 40.00 sq. m
 - $1,011.71 \text{ sq. m} / 40.00 \text{ sq. m} = 25 \text{ trees}$
- Proposed number of trees: 22 (13 deciduous, 9 coniferous)
- Required number of shrubs: 1 shrub per 60.00 sq. m
 - $1,011.71 \text{ sq. m} / 60.00 \text{ sq. m} = 16 \text{ shrubs}$



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- Proposed number of shrubs: 44 (20 deciduous, 24 coniferous)
- No concerns with landscaping as a sufficient number of shrubs have been provided in lieu of the 3 trees

Stormwater

- **Prior to release:** the applicant shall be required to provide a Site-Specific Stormwater Implementation Plan (SSIP) completed by a Professional Engineer that is consistent with the conditions set in the Co-operative Stormwater Management Initiative (CSMI). The SSIP shall address conveyance, storage, treatment (if required) and potential reuse of stormwater for the proposed development as per county servicing standards.

Erosion and Sediment Control

- **Prior to release:** the Applicant is required to provide an Erosion and Sediment Control Plan (ESC) identifying ESC measures to be implemented during the construction of the proposed development and infrastructure.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

SK/llt

ATTACHMENTS:

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



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ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That Industrial (Light) and Office, construction of an addition to an existing building (office/shop) and construction of an accessory building (shop/storage) may take place on the subject land in accordance with the approved site plans, drawings, and conditions of this permit. This approval includes:
 - i. Change of use of 450.35 sq. m (4,847.50 sq. ft.) of the main floor to *Office*;
 - ii. Construction of a 598.30 sq. m (6,440.00 sq. ft.) addition to the main floor for *Industrial (Light)*;
 - iii. Construction of a 195.10 sq. m (2,100.00 sq. ft.) addition on the second floor for *Office*;
 - iv. Construction of a 10.41 sq. m (112.00 sq. ft.) covered entry on the east side of the building;
 - v. Construction of a 325.15 sq. m (3,499.89 sq. ft.) accessory building; and
 - vi. Relaxation of the minimum front yard setback requirement for the parking area, from **8.00 m (26.25 ft.) to 5.15 m (16.90 ft.)**.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Parking Plan, to the satisfaction of the County, that includes the following:
 - i. A total of three (3) barrier free parking stalls, in accordance with the Alberta Building Code; and
 - ii. Parking stall dimensions in accordance with Section 238 of the Land Use Bylaw (C-8000-2020).
3. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control plan (ESC), prepared by a qualified professional, identifying ESC measures to be implemented during the construction of the proposed development and infrastructure, in accordance with the requirements of the County Servicing Standards.
5. That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP) completed by a Professional Engineer that is consistent with the conditions set in the Co-operative Stormwater Management Initiative (CSMI). The SSIP shall address conveyance, storage, treatment (if required) and potential reuse of stormwater for the proposed development as per county servicing standards.
6. That prior to release of this permit, the Applicant/Owner shall register on title, an overland drainage right-of-way and associated plan for all identified stormwater infrastructure as per the approved SSIP.



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Prior to Occupancy:

7. That prior to occupancy, all landscaping and final site surfaces shall be completed.
 - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
8. That prior to site occupancy, the Applicant/Owner shall submit as-built drawings, certified by a Professional Engineer licensed to practice in the Province of Alberta. The as-built drawings must verify (where applicable): stormwater pond volumes, trap low volumes, liner verification, irrigation systems, and any other information that is relevant to the SSIP and reasonably required by the County.
 - i. Following receipt of the as-built drawings, the County shall complete an inspection of the site to ensure the necessary servicing is in place and verify that the stormwater infrastructure has been completed.

Permanent:

9. That all conditions of PRDP20154972 shall remain in effect.
10. That any plan, technical submission, agreement, or other matter submitted and approved as part of the development permit application or submitted in response to a prior to release or occupancy condition, shall be implemented and adhered to in perpetuity, including any recommendations or requirements of the approved SSIP.
11. That there shall be no customer or business parking at any time along the adjacent County Road System.
12. That no topsoil shall be removed from the site.
13. 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.
14. 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.
15. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from any drainage alteration.
16. That there shall be a minimum of 38 parking stalls maintained onsite at all times.
17. That any future signage will require separate Development Permit approval.
18. That all on site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting should be designed to conserve energy, reduce glare and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
19. That the entire site shall be maintained in a neat and orderly manner at all times. That all garbage and waste material shall be deposited and confined in weatherproof and animal-proof containers located within the building or adjacent to the side or rear of the building and screened from view from all adjacent properties and public thoroughfares. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.



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20. That the quality and extent of the landscaping shall be maintained over the life of the development and any deceased vegetation shall be replaced within 30 days or before June 30th of the next growing season.
21. That there shall be no potable water used for irrigation and landscaping purposes.

Advisory:

22. That during construction, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
23. 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.
24. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
25. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place. *Note: The Development shall conform to the National Energy Code.*
26. That all future tenants shall apply for a New Business Tenant (No Change of Use) or a Change of Use (Land or Existing Building) Development Permit.
27. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017].
28. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
29. 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.
30. That if this Development Permit is not issued by **November 30, 2021**, or the approved extension date, this approval is null and void and the Development Permit shall not be issued.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: JGDesign & Drafting Inc.	OWNER: Accubuild Contracting Ltd.
DATE APPLICATION RECEIVED: February 23, 2021	DATE DEEMED COMPLETE: February 26, 2021
GROSS AREA: ± 1.01 hectares (± 2.50 acres)	LEGAL DESCRIPTION: Lot 3, Block 1, Plan 1412843; NW-10-24-27-W04M
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>June 28, 2016:</i> Development permit (PRDP20154972) issued for Truck Trailer Service, for a trucking company, construction of an office/shop building, outdoor storage and signage	
AGENCY SUBMISSIONS: 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.	

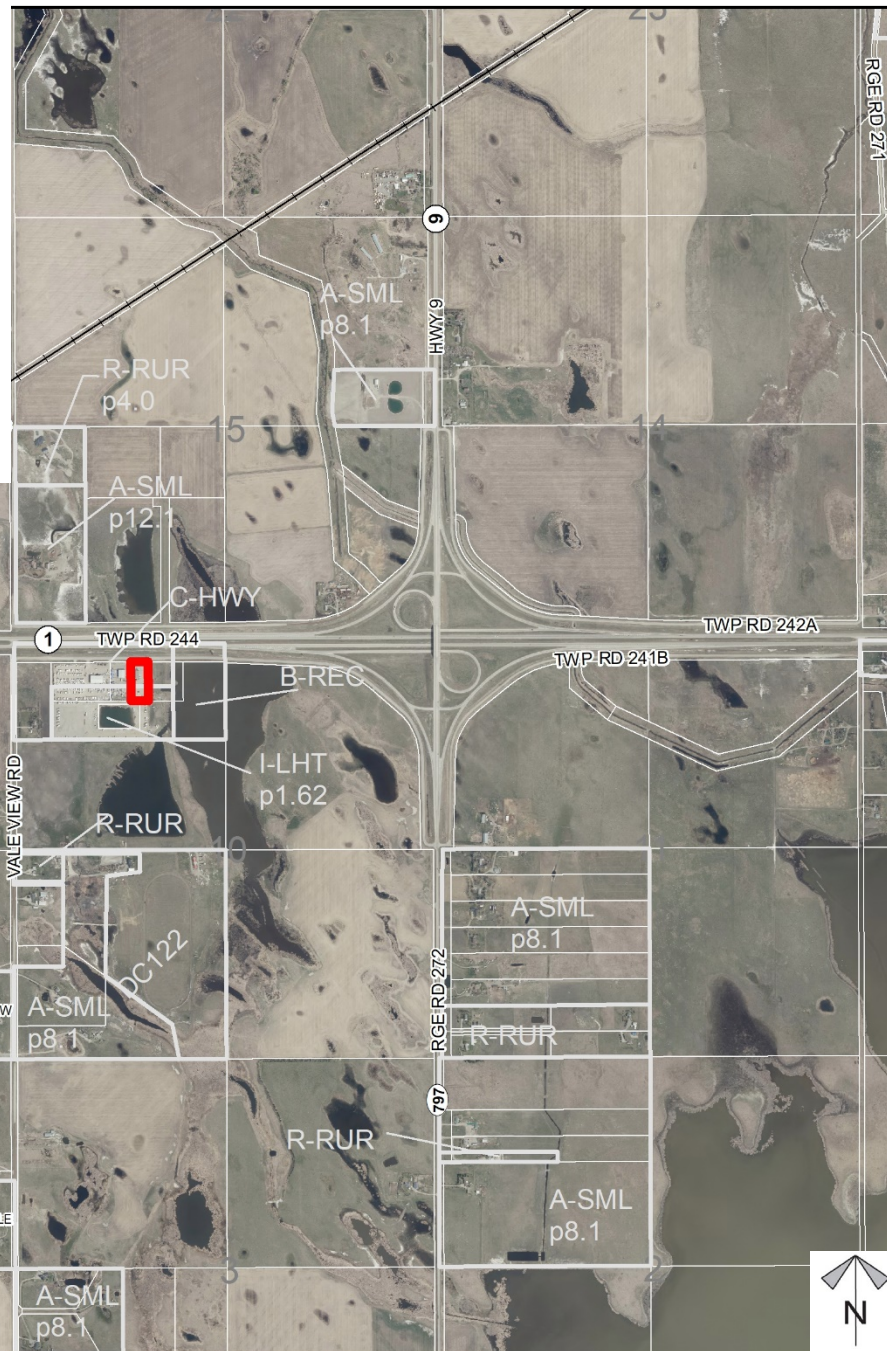
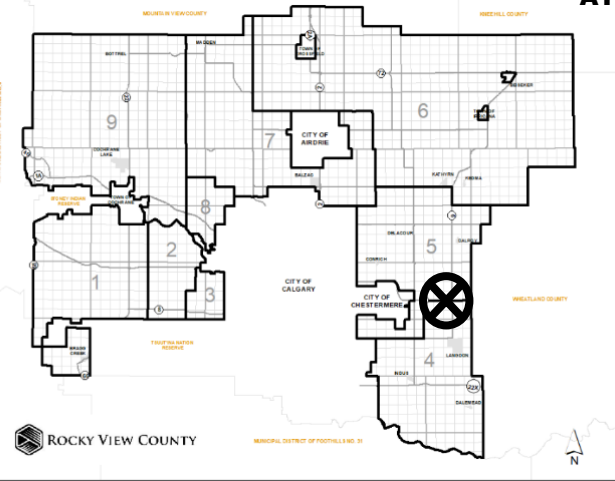


Location & Context

Development Proposal

Industrial (Light) and Office, construction of an addition to an existing building (office/shop), construction of an accessory building (shop/storage), and relaxation of the minimum front yard setback requirement for parking

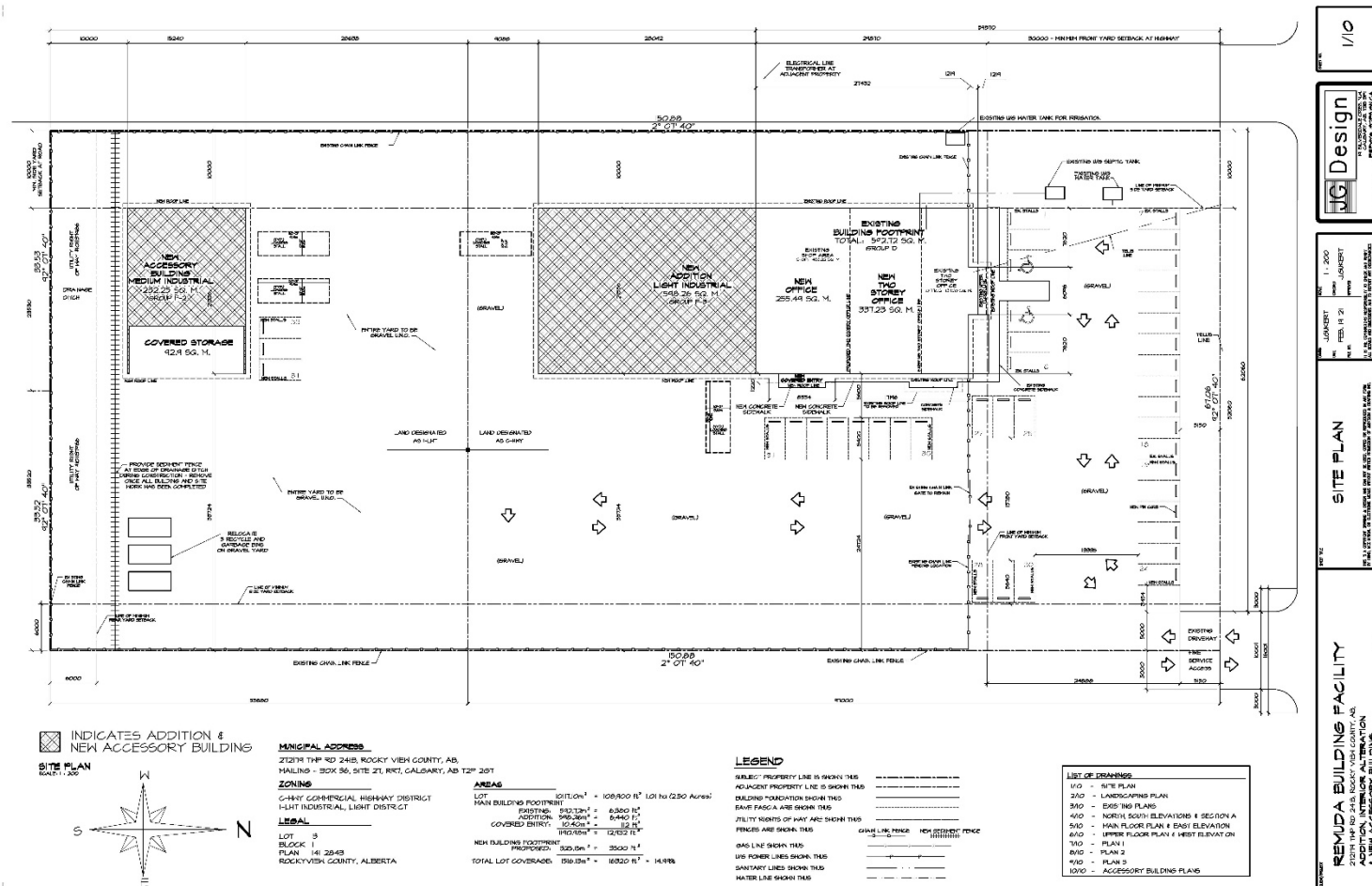
Division: 04
 Roll: 04210016
 File: PRDP20210736
 Printed: March 25, 2021
 Legal: Lot:3 Block:1
 Plan:1412843 within NW-10-24-27-W04M



Site Plan

Development Proposal

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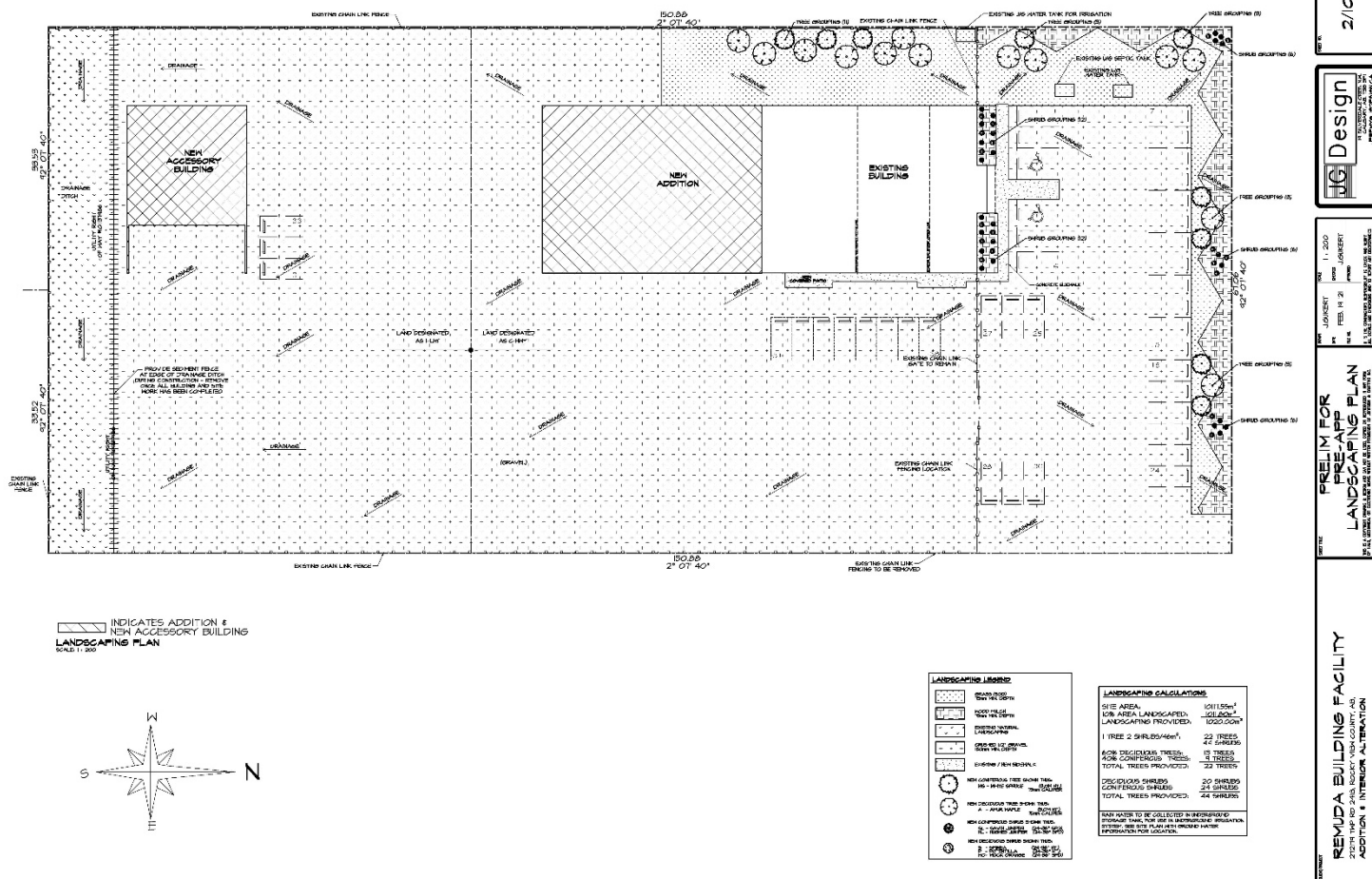


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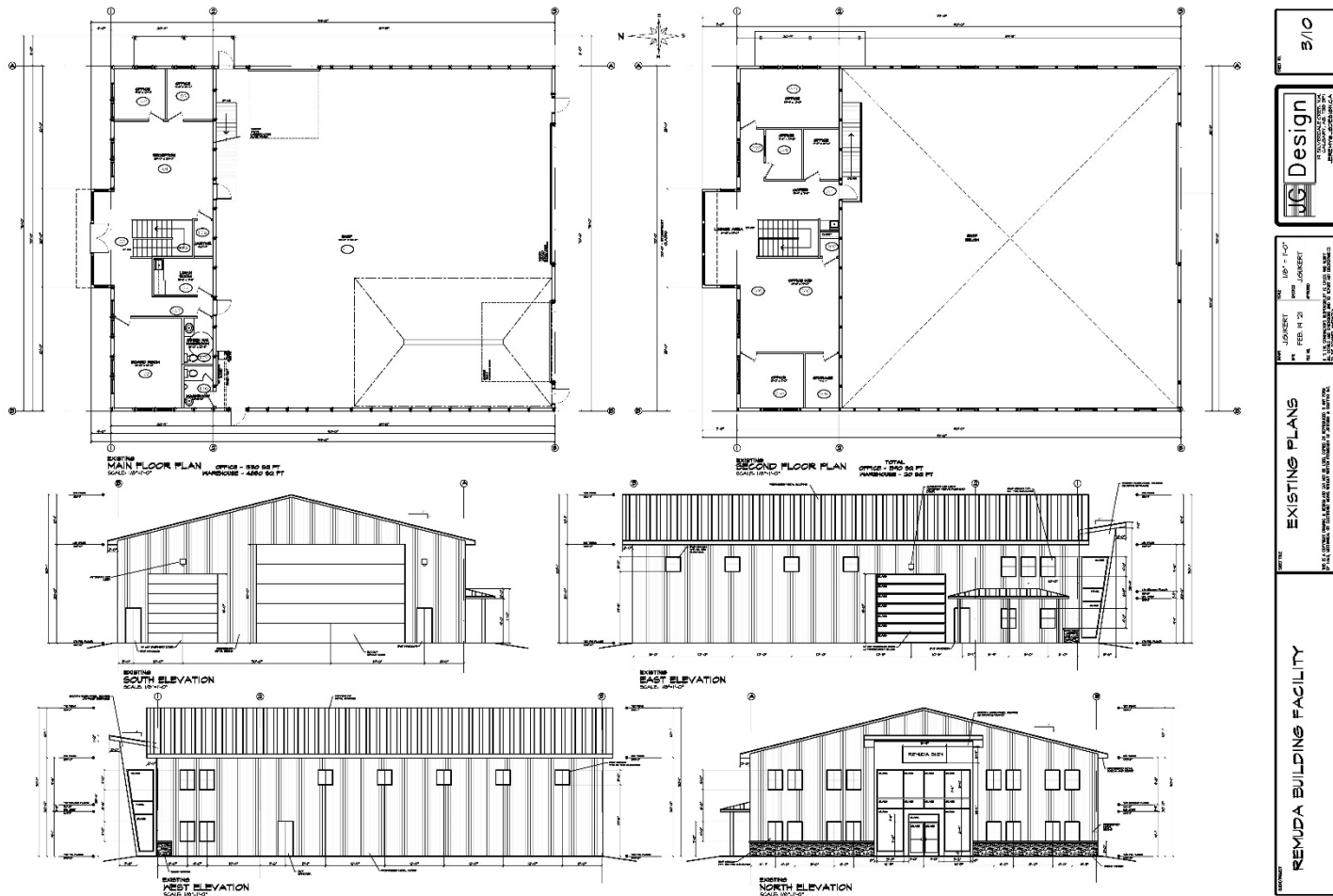


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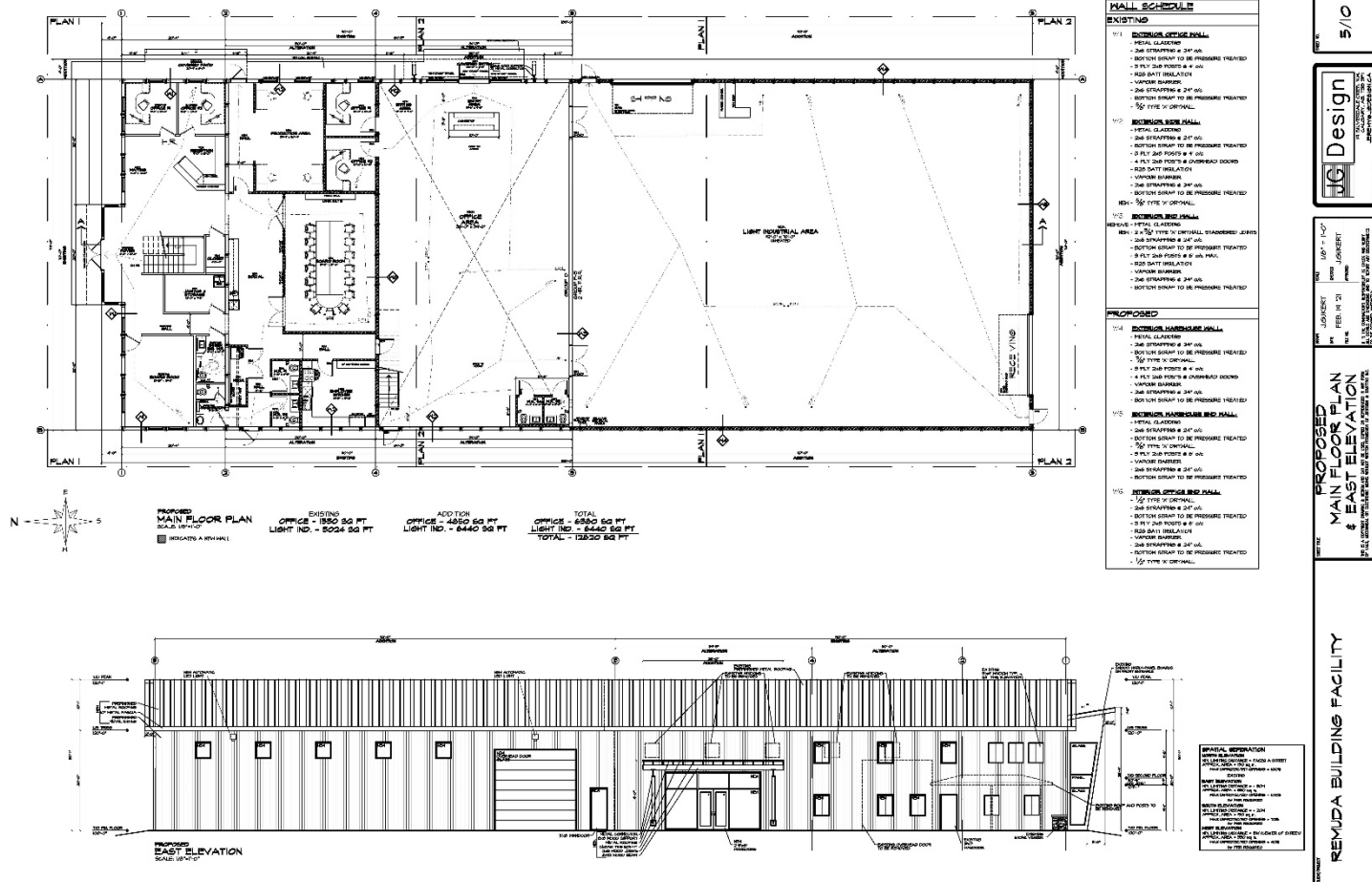


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Site Plan

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Site Photos

Development Proposal

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New building location Looking SE



New building location Looking SW

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Site Photos

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Existing building Looking NW



Existing building Looking NE

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Site Plan

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Existing building Looking West



Existing building Looking North

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 24-27-W04M*

Site Plan

Development Proposal

Industrial (Light) and Office, construction of an addition to an existing building (office/shop), construction of an accessory building (shop/storage), and relaxation of the minimum front yard setback requirement for parking

Existing building Looking South



Existing building Looking East

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Plan:1412843 within NW-10-24-27-W04M