

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.

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; • Cochrane Intermunicipal Development Plan; • Glenbow Ranch Area Structure Plan; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <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
DISCRETIONARY USE: Accessory Building > 90 sq. m (968.75 sq. ft.)	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

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**

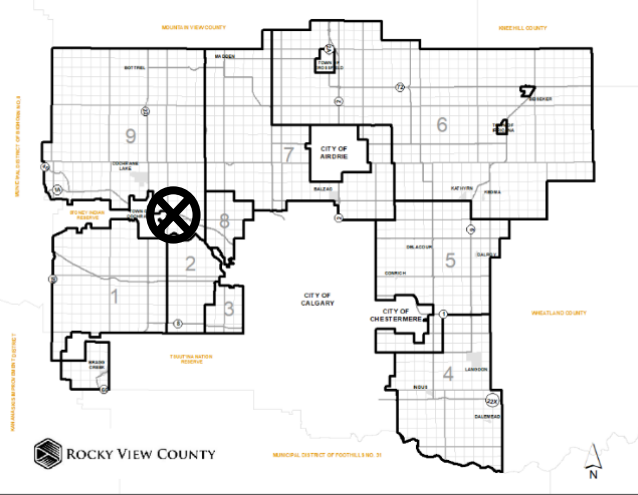
APPLICANT: Emadeddin Alsaidi (Addoz Engineering Inc.)	OWNER: Muslim Association of Calgary
DATE APPLICATION RECEIVED: June 18, 2021	DATE DEEMED COMPLETE: June 22, 2021
GROSS AREA: ± 4.55 hectares (± 11.25 acres)	LEGAL DESCRIPTION: NE-06-26-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board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 Development permit (PRDP20152541) withdrawn for Funeral Services and Entombment, construction of an office, prayer hall, gathering hall, and relaxation of the maximum height requirement 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

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

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Printed: June 25, 2021
Legal: A portion of NE-06-26-03-W05M



Site Plan

Development Proposal

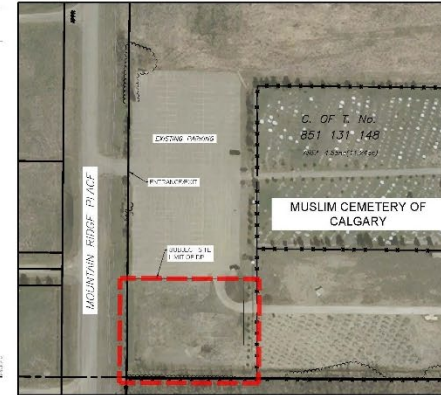
Construction of an accessory building (oversize shop/storage building), for an existing Cemetery, relaxation of the minimum front yard setback requirement and relaxation of the maximum height requirement



PHOTO 7



PHOTO 8



KEY PLAN
SCALE 1:1000



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



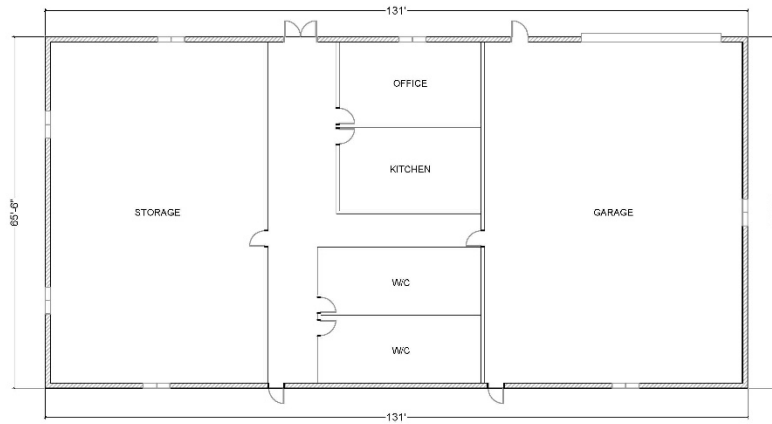
PHOTO 6

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Elevations & Floor Plan

Development Proposal

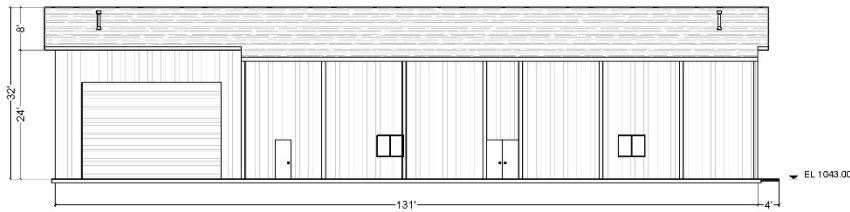
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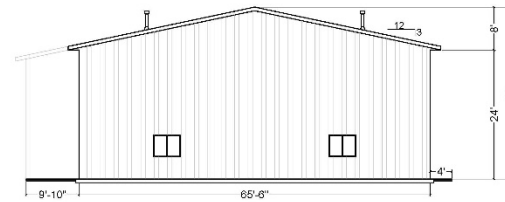
(A) FLOOR PLAN
SCALE 1/8"=1'-0"



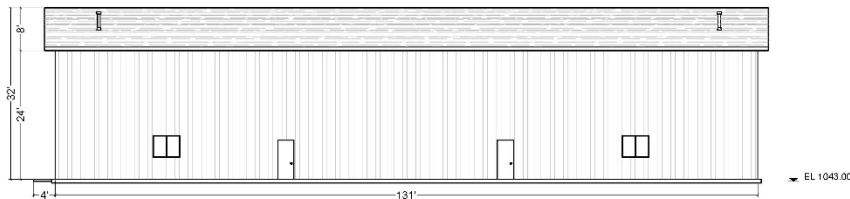
SPECIFICATIONS:
 PRE-FABRICATED STEEL STRUCTURE
 (DETAILS TO BE ADDED AT BUILDING PERMIT STAGE)



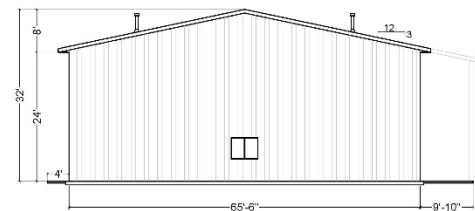
(B) FRONT ELEVATION
SCALE 1/8"=1'-0"



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



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



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

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Site Photos

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