



MUNICIPAL PLANNING COMMISSION MEETING MINUTES

Wednesday, November 10, 2021

9:00 AM

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

Present: Chair K. Hanson
Vice-Chair S. Samra
Member G. Boehlke
Member D. Kochan (left at 10:55 a.m.)
Member S. Wright (present electronically) (left at 11:57 a.m.)
Member A. Schule

Also Present: K. Robinson, A/Chief Administrative Officer
B. Riemann, Executive Director, Operations
B. Beech, A/Executive Director, Community Development Services
H. McInnes, Supervisor, Planning and Development Services
S. McLean, Supervisor, Planning and Development Services
S. Altena, Supervisor, Planning and Development Services
O. Newmen, Senior Planner, Planning and Development Services
X. Deng, Planner, Planning and Development Services
J. Targett, Senior Development Officer, Planning and Development Services
B. Culham, Development Officer, Planning and Development Services
S. Lam, Development Assistant, Planning and Development Services
J. Wareh, Development Assistant, Planning and Development Services
C. Anderson, 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 Schule that the November 10, 2021 Municipal Planning Commission meeting agenda be accepted as presented.

Carried

C-1 October 27, 2021 Municipal Planning Commission Minutes

MOVED by Member Kochan that the October 27, 2021 Municipal Planning Commission meeting minutes be approved as amended.

Carried



D-1 Division 6 - Residential Subdivision
File: PL20200100 (03231019)

MOVED by Member Boehlke that the Municipal Planning Commission move into closed session to consider D-1 pursuant to the following sections of the Freedom of Information and Protection of Privacy Act:

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to the economic or other interests of a public body
- Section 27 – Privileged information

Carried

MOVED by Vice-Chair Samara that the Commission come out of closed session at 9:50 a.m.

Carried

MOVED by Member Schule that Subdivision Application PL20200100 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a \pm 3.84 hectare (\pm 9.45 acre) parcel (Lot 2), and a \pm 3.84 hectare (\pm 9.495 acre) remainder (Lot 1) within NE-31-23-27-W04M, 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

- 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 Applicant/Owner shall construct a new paved approach in accordance with County Servicing Standards to provide access to the proposed Lot 1. The Applicant/Owner shall contact County Road Operations for a pre-construction inspection and a post-construction inspection for final acceptance.

Stormwater

- 3) The Applicant/Owner is to enter into a Site Improvements / Services Agreement with the County in accordance with Conceptual Level Site-Specific Stormwater Implementation Plan (CL-SSIP) prepared by Sedulous Engineering Inc. dated July 17, 2021, and shall include the following:
 - a) Implementation of the low-impact development recommendations at the Building Permit stage.

Site Servicing

- 4) Water is to be supplied by an individual well on Lot 1. 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 Lot 1, 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.

Road Acquisition Agreement

- 5) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
 - a) The provision of 39 m (+/- 0.09 hectare) road acquisition along the southern boundary of Lot 2;
 - b) The purchase of land by the County for \$1.00;
- 6) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 2 that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan;

Utility Easements

- 7) Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of Fortis.

Municipal Reserves

- 8) The provision of Reserve in the amount of 10% of Lot(s) 1 & 2 are to be deferred by Caveat proportionately to Lot(s) 1 & 2 pursuant to Section 669(2) of the *Municipal Government Act*;



Payments and Levies

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

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:

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

Carried

D-2 Division 6 - Creation of One Agricultural Parcel
File: PL20200128 (03316010)

Presenter: Paul Schneider, the Applicant

MOVED by Member Schule that Subdivision Application PL20200128 be approved with the conditions noted in Attachment 'A'.

Defeated

MOVED by Member Boehlke that Subdivision Application PL20200128 be refused for the following reasons:

- The proposed new lot does not have the correct land use designation.
- The net development area within the new lot would limit agricultural development potential on the new lot.

Carried

The Chair called for a recess at 10:39 a.m. and called the meeting back to order at 10:45 a.m. with all previously mentioned members present.

D-3 Division 5 - Creation of Three New Industrial Lots
File: PL20210150 (06412029)

MOVED by Member Boehlke that Subdivision Application PL20210150 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a \pm 21.08 acre parcel (Lot 1), a \pm 15.64 acre parcel (Lot 2), a \pm 16.16 acre parcel (Lot 3), a \pm 2.32 acre public utility lot, a \pm 0.86 acre municipal reserve lot, and a \pm 32.58 acre remainder within NW-12-26-29-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

1. The application is consistent with the Statutory Policy;



2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of 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.

Geotechnical

2. The Owner shall provide a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
 - a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.

Transportation

3. The Owner shall provide an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA, to the County's satisfaction. Any improvements identified or road right of way that is required will be at the owner's expense:
 - a) If the recommendation of the updated TIA requires improvements to the existing roadway and intersection network, then the Owner shall enter into a Development Agreement to construct the required improvements.
4. The Owner is to enter into a Land Acquisition Agreement, to be registered by Caveat, respecting the future acquisition of lands for Highway 566 road widening, and shall include:
 - a) The provision of 30 m road widening along the northern boundary of the property;
 - b) The purchase of land by the County for \$1.



Site Servicing

5. The Owner shall provide a detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provisions for fire protection in accordance with County Servicing Standards.
 - a) If offsite upgrades or improvements are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
6. The Owner shall provide a detailed Sanitary Servicing Study to support this phase of the 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 are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
 - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
7. The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lot created in this Phase, based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

Stormwater

8. The Owner shall provide an updated Stormwater Management Report and detailed stormwater servicing design, including any improvements related to water re-use, LID measures, purple pipe system, and an irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - a) All improvements shall be constructed under a Development Agreement.
 - b) Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.

Landscaping

9. The Owner shall provide a Landscaping Plan for the Municipal Reserve area, as shown on the Tentative Plan.
 - a) Implementation of the approved landscaping plan shall be included within the requirements of the Development Agreement.

Lot Owner's Association

10. That an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the High Plains Development Association.
11. The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.



Municipal Reserve

12. That ± 1.21 hectares (± 3.0 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated October 29, 2021, pursuant to Section 666(3) of the Municipal Government Act.
 - a) The remaining ± 1.32 hectares (± 3.27 acres) of Municipal Reserve owing is deferred by Caveat to the remainder land within NW12-26-29-W04M.
 - b) The existing Deferred Reserve Caveat (211165455) shall be discharged and replaced with the new one above.

Utility Easements

13. Utility Easements, Agreements, and Plans are to be provided and registered concurrently with a plan of survey to the satisfaction of ATCO Gas.

Payments and Levies

14. The Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-8007-2020. The County shall calculate the total owing for:
 - a) The total development area, as shown in the staff report and the Plan of Survey.
15. The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 for Lots 1-3.
 - a) If required, the Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
16. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three (3) new lots.
17. The Owner shall be responsible for all required payments of third-party reviews and/or inspection as per the Master Rates Bylaw, as amended.

Taxes

18. 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:

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

Member Kochan left the meeting at 10:55 a.m.



D-4 Division 5 - Boundary Adjustment

File: PL20210136 (06410064 / 06410040 / 06410003)

MOVED by Member Boehlke that the proposed condition 2 be amended as follows:

2. ± 0.38 hectares (± 0.95 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated ~~October 22~~ **November 8**, 2021, pursuant to Section 666(3) of the Municipal Government Act;

Carried
Absent: Member Kochan

MOVED by Member Boehlke that Subdivision Application PL20210136 be approved with the conditions noted in Attachment 'A', as amended.

- A. The application to adjust the boundaries between a ± 1.76 hectares (± 4.35 acres) parcel, a ± 4.05 hectares (± 10.01 acres) parcel, and a ± 28.50 hectares (± 70.43 acres) parcel, in order to create a ± 3.39 hectares (± 8.38 acres) parcel (Lot 1), a ± 6.25 hectares (± 15.44 acres) parcel (Lot 2) with a ± 24.67 hectares (± 60.97 acres) remainder within Lot 1, Block 100, Plan 1513402, NW-10-26-29-W04M; Lot 1, Block 3, Plan 1611467, NW-10-26-29-W04M; Lot 2, Block 2, Plan 1612299, SW-10-26-29-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and form part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Survey

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.



Municipal Reserve

2. That ± 0.38 hectares (± 0.95 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated November 8, 2021, pursuant to Section 666(3) of the Municipal Government Act;

Utility Easements

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

Payments and Levies

4. 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 additional area to be consolidated, as shown in the staff report.
5. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the boundary adjustment.
6. The Owner shall be responsible for all required payments of third-party reviews and/or inspection as per the Master Rates Bylaw, as amended.

Taxes

7. 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
Absent: Member Kochan

D-5 Division 5 - Creation of Two (2) New Industrial Lots
File: PL20210145 (06410003)

MOVED by Member Boehlke that Subdivision Application PL20210145 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a ± 5.79 hectare (± 14.31 acre) parcel (Lot 1), and a ± 7.58 hectare (± 18.73 acre) parcel (Lot 2), with a ± 10.41 hectare (± 25.72 acre) remainder within Lot 1, Block 100, Plan 1513402, NW-10-26-29-W04M having been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;



3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Survey

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Development Agreement

2. The Owner is to 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:
 - Design and construction of a public road system with associated infrastructure which includes the following:
 - Extension of Wagon Wheel Boulevard;
 - Removal of the two existing temporary cul-de-sacs;
 - Sidewalks/Pathways; and
 - Offsite network improvements, if required, in accordance with the approved TIA;
 - Design and construction of Landscaping features for all public pathways, and public roadways and the Environmental Reserve, in accordance with the approved Landscaping Plan;
 - Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
 - A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity are required. All improvements shall be constructed as part of the Development Agreement;
 - Design and construction of a piped water distribution system and fire suppression system;



- A detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
- Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
- Design, construction, and implementation of the recommendations of the approved Stormwater Management Plan;
- Dedication of necessary easements and right of ways for utility line assignments;
- Mailboxes are to be located in consultation with Canada Post;
- Installation of power, natural gas, and telephone lines;
- Implementation of the recommendations of the Construction Management Plan;
- Implementation of the recommendations of the Geotechnical Report;
- Alberta Environment and Parks approvals are required for disturbance to any onsite wetlands;
- Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement;
- Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
- The construction of any oversized or excess capacity infrastructure, roads, and/or services benefitting the Owner's lands and development and other lands.

Geotechnical

3. The Owner shall provide a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
 - a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.

Site Servicing

4. The Owner shall provide a detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provisions for fire protection in accordance with County Servicing Standards.
 - a) If offsite upgrades or improvements are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
5. The Owner shall provide a detailed Sanitary Servicing Study to support this phase of the 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 are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
 - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.



6. The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lot created in this Phase, based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

Stormwater

7. The Owner shall provide an updated Stormwater Management Report and detailed stormwater servicing design, including any improvements related to water re-use, LID measures, purple pipe system, an irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - a) All improvements shall be constructed under a Development Agreement.
 - b) Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.
8. The Owner shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.

Municipal Reserve

9. That ± 1.43 hectares (± 3.53 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated October 22, 2021, pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) That the remaining ± 1.31 hectares (± 3.24 acres) of Municipal Reserve owing is deferred by Caveat to the remainder land within Lot 1, Block 100, Plan 1513402, NW-10-26-29-W04M.

Lot Owner's Association

10. That an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owner Association:
 - a) The LOA agreement shall specify the future obligations of the Lot Owner's association for implementation of the Architectural Controls, Solid Waste Management and Weed Control.
11. The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.

Utility Easements

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

Others

13. The Owner is to 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.

Payments and Levies

14. 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:
 - b) the development area, as shown in the staff report.
15. The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020.
 - b) If required, the Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
16. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new lots.
17. The Owner shall be responsible for all required payments of third-party reviews and/or inspection as per the Master Rates Bylaw, as amended.

Taxes

18. 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
Absent: Member Kochan

E-1 Division 6 - Outdoor Storage / Discretionary Use, with no Variances
File: PRDP20213599 (03315003)

MOVED by Member Schule that Development Permit No. PRDP20213599 be approved with the conditions noted in Attachment 'A'.

Description:

- 1) That Outdoor Storage, for a transportation and distribution company (Phase 2) may operate on the subject lands, at NW-15-23-28-W4M (232180 Range Road 283), in accordance with the application and attached drawings, as prepared by BCW Architects, Project: 21036, dated June 2020 (as amended), and includes:
 - i) Outdoor Storage of Truck Trailers, Containers, and Equipment;
 - ii) Signage, non-digital displays;
 - iii) Single-lot Regrading and associated work.



- 2) That all Outdoor Storage locations shall meet the minimum setback requirements of Section 441 of Rocky View County's (the County's) Land Use Bylaw C-8000-2020 (LUB), and any buffer requirements stated in the Singer Transportation Industrial Storage Yard Master Site Development Plan (MSDP).

Prior to Release:

General Requirements

- 3) That prior to release of this permit, the Applicant/Owner shall contact the County's 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) The Applicant/Owner shall also confirm if any upgrade work is required to the existing approach off Range Road 283, in terms of width and turning radii to ensure safe operation of the existing approach and adherence to County Servicing Standards, to service Phase 2 of the subject development.
 - ii) 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 a revised site plan, identifying the Outdoor Storage specific storage locations and the minimum setback distances for all Outdoor Storage areas, landscaping areas, and/or buffer areas, in accordance with Section 441 of the LUB and Section 6.6 of the MSDP. *Note, a 15.00 m (49.21 ft.) shall be incorporated along the north and west boundary areas.*
- 5) That prior to release of this permit, the Applicant/Owner shall submit a revised Landscaping & Screening Plan in accordance with Sections 442, 252-260 of the LUB, and Sections 6.2, 6.6 of the MSDP, to the satisfaction of the County.
 - i) The plan shall provide additional details on the proposed landscaping berm located along the north property line; Note, the berm shall be consistent with the Phase 1 berm.
 - ii) The plan shall also identify how the County's Agricultural Boundary Design Guidelines/Considerations have been incorporated into the overall plan, including a minimum of 15.00 m (49.21 ft.) buffer area along the north and east boundary areas.
- 6) That prior to release of this permit, the Applicant/Owner shall submit a lighting plan and details, in accordance with Sections 227-230 of the LUB and Section 6.3 of the MSDP, to the satisfaction of the County, identifying any proposed site lighting for the property and/or parking areas and identifying all components and lighting orientation.
- 7) That prior to release of this permit, the Applicant/Owner shall confirm any parking requirements/areas for Phase 2, in accordance with Sections 231-239 of the LUB, to the satisfaction of the County.
- 8) That prior to release of this permit, the Applicant/Owner shall confirm any required business signage for Phase 2. If proposed, a signage plan shall be submitted in accordance with Sections 213-223 of the LUB and Section 6.4 of the MSDP.



- 9) That prior to release of this permit, the Applicant/Owner shall confirm any perimeter or Outdoor Storage area fencing requirements/areas for Phase 2, in accordance with Sections 262-269 of the LUB and Section 6.5 of the MSDP, to the satisfaction of the County.

Technical Requirements

- 10) That prior to release of this permit, the Applicant/Owner shall submit a construction management plan, in accordance with the County's Servicing Standards. The plan shall address 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.
- 11) That prior to release of this permit, the Applicant/Owner shall submit an updated Geotechnical Investigation Report for Phase 2, in accordance with the requirements of the County's Servicing Standards. The report shall verify that the site is suitable for the proposed development and provide recommendations for site grading, excavations, foundation construction, pavement structures, etc.
- 12) That prior to release of this permit, the Applicant/Owner shall submit an update to the Transportation Impact Assessment (TIA) [*originally submitted with the MSDP, as prepared by Bunt & Associates Engineering Ltd, dated January 1, 2019, and updated with Phase 1 approval, as prepared by Bunt & Associated Engineering Ltd., dated July 6, 2020*], that accounts for Phase 2 of the subject development, in accordance with the County's Servicing Standards.
 - i) Should any upgrades be recommended as part of the TIA, the Applicant/Owner shall be responsible for entering into a Development Agreement with the County for the construction of any noted upgrades.
- 13) That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP), in accordance with the County's Servicing Standards.
 - i) That the Applicant/Owner shall provide for the implementation of the recommendations of the SSIP, as well as, the registration of any overland drainage easements and/or restrictive covenants as determined by the plan, to the satisfaction of the County;
- 14) That prior to release of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control Report, in accordance with the County's Servicing Standards.

Fees

- 15) That prior to release of this permit, the Applicant/Owner shall submit payment of the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020, for the total gross acreage of the lands proposed to be developed. The total levy to be collected shall be calculated and based on the final site development plan, as confirmed by Administration.



Prior to Occupancy

- 16) That prior to site occupancy, all occupancy conditions of Phase 1, approved under PRDP20200714, shall be completed and satisfied.
- 17) That prior to site occupancy, the Applicant/Owner shall submit as-built drawings for Phase 2, certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of any onsite infrastructure including any stormwater, sanitary or water infrastructure and any other information that is relevant to the approved Stormwater Design.
 - i) Following receipt of the as-built drawings from the consulting engineer, the County shall complete an inspection of the site to verify stormwater infrastructure has been completed as per the stamped "examined drawings".
- 18) That prior to occupancy of the site, all landscaping and final site surfaces for Phase 2 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.

Permanent:

- 19) That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the Phase 2 application or in response to a Prior to Release or Occupancy condition or approved under Phase 1 (PRDP20200714) shall be implemented and adhered to in perpetuity.
- 20) 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 dwelling located on the subject site and any commercial uses, to facilitate accurate emergency response.
- 21) That dust control shall be maintained on the site at all times, and the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 22) That the entire site shall be maintained in a neat and orderly manner at all times. All waste material shall be deposited and confined in weatherproof and animal-proof containers within an appropriate enclosure and screened from adjacent properties. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 23) That all landscaping shall be implemented and maintained on-site in accordance with the final Landscape Plan.
 - i) All graded areas, unless developed or used as part of the Outdoor Storage areas, shall be seeded to native landscape upon development completion.
 - ii) Upon completion of the proposed Landscaping Plan, all stockpile materials shall be utilized and re-purposed on-site and/or removed from the site.



- 24) 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. That no potable water shall be used for landscaping or irrigation purposes. Water for irrigation and landscaping shall only be supplied by the re-use of stormwater.
- 25) That the minimum number of parking stalls for Phase 2, as noted in the final site plan, shall be maintained on site at all times.
- 26) That there shall be no customer or business parking at any time along the adjacent County Road System.
- 27) That water conservation strategies shall be implemented and maintained at all times.
- 28) That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within landscaped yards.
- 29) That the site shall be adequately serviced with holding tanks with a trucked service and the use of cistern tanks for all commercial uses. The use of the existing septic field shall be for residential uses only, unless confirmed adequate by the County.

Note: That if proposed, the use of the existing residential well for commercial purposes shall require a Commercial Well License approval through Alberta Environment and Parks, prior to operation.

Note: The existing Residential use on site shall be adequately serviced in accordance with the County Servicing Standards and maintained in perpetuity

- 30) That all on site lighting shall meet sections 227-230 of the LUB and Section 6.3 of the MSDP in perpetuity. All private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare, and reduce uplift. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- 31) That any signage not approved within this condition set shall require a separate Development Permit approval and shall adhere to the County's LUB and MSDP regulations, to the satisfaction of the County.
 - i) That any onsite internal storage area(s) or wayfinding (directional or informational) signage does not include Development Permit approval.
- 32) That all signage shall be kept in a safe, clean, and tidy condition at all times.
- 33) That no temporary signs shall be placed on the site at any time except any temporary signs required during development or development construction.

Advisory:

- 34) That the County's Noise Control Bylaw C-8067-2020 shall be adhered to at all times.
- 35) 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*].



- 36) That during construction, any fill being added or removed from the site 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.
- 37) 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.
- 38) That during construction, the dust control shall be maintained on the site, and the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 39) That wherever possible, parking and outdoor storage areas will incorporate Low Impact Development (LID) stormwater management principles such as permeable pavement, on-site stormwater detention & treatment areas, rainwater capture/re-use and vegetated swales to implement 'source control' stormwater best management practices to reduce volume and improve surface drainage quality prior to its release into the roadside ditch system.
- 40) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 41) That if the development authorized by the Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of 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.
- 42) That if this Development Permit is not issued by **JULY 31, 2022**, or by the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact(s) to any wetland areas and for any related approvals for all on-site stormwater infrastructure.

Carried
Absent: Member Kochan

E-2 Division 7 - Dwelling, Single Detached / Permitted Use, with Variances
File: PRDP20214173 (03222318)

MOVED by Member Schule that Development Permit Application PRDP20214173 be approved with the conditions noted in Attachment 'A'.

Description:

- 1) That the Dwelling, Single Detached (existing deck & cantilever) may remain on the subject parcel in accordance with the Real Property Report prepared by Global Raymac Surveys Inc., dated July 20, 2021, including:
 - i. That the minimum side yard setback requirement for the existing deck is relaxed from **1.52 m (5.00 ft.) to 0.00 m (0.00 ft.)**;
 - ii. That the minimum side yard setback requirement for the existing cantilever is relaxed from **1.52 m (5.00 ft.) to 1.43 m (4.69 ft.)**; and



- iii. That the maximum allowable depth for the existing cantilever is relaxed from **0.60 m (1.97 ft.) to 0.70 m (2.30 ft.)**.

Advisory:

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

Carried
Absent: Member Kochan

E-3 Division 5 - Home-Based Business, Type II / Discretionary use with Variances
File: PRDP20213683 (05330006)

MOVED by Member Boehlke that proposed condition 15 for development application PRDP20213683 be as noted in Administration's report be amended to read:

15. That this Development Permit shall be valid until **December 8, 2024 2026**.

Carried
Absent: Member Kochan

MOVED by Member Boehlke that Development Permit Application PRDP20213683 be approved with the conditions noted in Attachment 'A', as amended.

Description:

1. That a Home-Based Business, Type II, for automotive repair and sales may continue to operate on the subject parcel in general accordance with the approved site plan and application.
 - i. That the proposed Automotive use is permitted as a Home-Based Business, Type II.

Permanent:

2. That the number of non-resident employees shall not exceed one (1) 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 (7) day period for business purposes.
3. That the operation of this Home-Based Business may generate up to a maximum of eight (8) business-related visits per day.
4. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
5. That the Home-Based Business shall be limited to the dwelling, accessory buildings and the outside storage 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 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.



7. That all outside storage, that is a part of the Home-Based Business shall be enclosed with a 6.00 ft. high fence or a minimum of twelve (12) coniferous trees at least 1.82 m (6.00 ft.) in height planted to the north, south, and east of the outdoor storage area from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **2,043.87 sq. m. (22,000.00 sq. ft.)** at any time.
8. That all vehicles for sale purposes shall be newer or used models. No salvaged or damaged vehicles shall be brought on site.
9. That all vehicles, trailers, or equipment used in the Home-Based Business shall be kept within the buildings or approved storage area.
10. That there shall be no more than sixty (60) vehicles within the **2,043.87 sq. m. (22,000.00 sq. ft.)** storage area at any time.
11. That one 0.20 m (0.67 ft.) by 0.61 m (2.00 ft.) identification sign may remain on the subject land, for identification purposes only, in keeping with the general appearance of the area, as approved by the Development Officer.
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.

Advisory:

14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
15. That this Development Permit shall be valid until **December 8, 2026.**

Carried
Absent: Member Kochan

E-4 Division 5 - Home-Based Business Type I / Permitted use, with Variances
File: PRDP20213810 (06422047)

MOVED by Member Boehlke that proposed condition 11 for development application PRDP20213810 be as noted in Administration's report be amended to read:

11. That this Development Permit shall be valid until **December 8, 2024 2026.**

Carried

MOVED by Member Boehlke that Development Permit Application PRDP20213810 be approved with the conditions noted in Attachment 'A', as amended.

Description:

1. That a Home-Based Business, Type I, for a hair salon, may continue to operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.
 - i. That the maximum number of business-related visits per day is relaxed from **four (4) to six (6).**



Permanent:

2. That there shall be no non-resident employees at any time.
3. That the operation of this Home-Based Business shall be limited to the *accessory use* of a *dwelling*.
4. That the Home-Based Business shall not change the residential or agricultural character and external appearance of the land and buildings.
5. That the operation of this Home-Based Business (Type I) shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
6. That the Home-Based Business (Type I) 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, Type II 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. *Note, there shall be no commercial vehicles parked on-site.*
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 **December 8, 2026.**

Advisory:

12. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

Carried
Absent: Member Kochan

E-5 Division 5 - Dwelling, Tiny / Discretionary Use with no Variances
File: PRDP20214106 (06422024)

MOVED by Member Boehlke that Development Permit Application PRDP20214106 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the existing *Dwelling, Tiny*, approximately 13.37 sq. m (144.00 sq. ft.) in gross floor area, may remain on the subject property in accordance with the approved site plan and the conditions of this permit.



Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800.00, calculated at \$800.00 for each new residential unit.

Permanent:

3. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.

Note: The addressing for this Dwelling, Tiny is A 263196 BUTTE HILLS WAY

4. That no topsoil shall be removed from the site. All topsoil shall be retained on-site. Any undeveloped graded area shall be seeded after building construction is complete, as part of site restoration.
5. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
6. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction unless a separate Development Permit has been issued for additional fill.
7. 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 condition, shall be implemented and adhered to in perpetuity.

Advisory:

8. That the Dwelling, Tiny shall not be used for *commercial* or *vacation rental* purposes at any time, unless approved by a Development Permit.
9. That the subject lands shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
10. That the subject development shall conform to the County's Noise Bylaw C-8067-2020, in perpetuity.
11. 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]*.
12. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Dwelling checklist.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
14. 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.



15. That if the Development Permit is not issued by **May 31, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried
Absent: Member Kochan

E-6 Division 5 - Vacation Rental / Discretionary use, with no Variances
File: PRDP20213413 (06422024)

Presenter: Jerry and Paulette Bradley, on behalf of the Applicant

MOVED by Member Boehlke that Development Permit Application PRDP20213413 be approved with the conditions noted in Attachment 'A'.

Description:

- 1) That the *Vacation Rental* may operate on the subject property, within the existing Dwelling, Tiny, approximately 13.37 sq. m (144.00 sq. ft.) in gross floor area, in accordance with the approved site plan and the conditions of this permit.

Prior to Release:

- 2) That prior to release of this permit, Development Permit PRDP20214106 shall be issued.

Permanent:

- 3) That no off-site advertisement signage associated with the Vacation Rental shall be permitted.
- 4) That there shall be no non-resident employees at any time, with the exception of cleaning companies (if required).
- 5) That the Owner shall be responsible for ensuring that any renters are familiar with the property boundaries, whether that be by means of a fence, signage, or other means, to ensure no trespassing to adjacent properties.
- 6) That all customer parking shall be on the Owner's property at all times.
- 7) That the operation of the vacation rental shall not change the residential character and external appearance of the land and dwellings.
- 8) That the operation of this *Vacation Rental* shall not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of adjacent residential dwellings shall be preserved. The *Vacation Rental* shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 9) That any minimal exterior modification of the structure or grounds may be considered by the County upon request, to ensure that no additional permits are required and that it is not changing the residential character of the property.

Advisory:

- 10) That a Building permit and applicable sub-trade permits shall be obtained through Building Services, if required, prior to commencement of the *Vacation Rental*.
- 11) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



- 12) That the subject development shall conform to the County's Noise Bylaw C-8067-2020, in perpetuity.
- 13) That if the Development Permit is not issued by **May 31, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 14) That this Development Permit, once issued, shall be valid until **December 8, 2023**, at which time a new application shall be submitted. *Note, that the County will take into consideration any enforcement action of this Vacation Rental prior to considering subsequent applications.*

Carried
Absent: Member Kochan

Member Wright left the meeting at 11:57 p.m.

E-7 Division 5 - Home-Based Business Type II / Discretionary use, with Variances
File: PRDP20213521 (05333105)

Presenter: Jaspal Rai, the Applicant

MOVED by Vice-Chair Samra that Development Permit Application PRDP20213251 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a Home-Based Business, Type II, for a landscaping company, including outdoor storage, 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 **two (2) to five (5)**.
 - ii. That the maximum amount of outdoor storage is relaxed from **163.08 sq. m (1,755.46 sq. ft.) to 464.51 sq. m. (5,000.00 sq. ft.)**.

Prior to Release:

2. That prior to release of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location, screening, and size of the outside storage area. The outside storage shall be no greater than **464.51 sq. m. (5,000 sq. ft.)** and shall meet the minimum setback requirements for buildings and be completely screened, as per the requirements of the Land Use Bylaw C-8000-2020 and to the satisfaction of the County.
 - i. That once the revised site plan is accepted, the screening for the outside storage area shall be installed onsite. A site inspection shall be completed by the County, to confirm that the outdoor storage area is constructed as per the accepted site plan, to the satisfaction of the County.

Permanent:

3. That the number of non-resident employees, for the operation of this Home-Based Business, shall not exceed five (5) 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 (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 464.51 sq. m. (5,000 sq. ft.)**.
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 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.
15. That if this Development Permit is not issued by **JUNE 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
16. That this Development Permit, once issued, shall be valid until **DECEMBER 8, 2022**.

Advisory:

17. That any buildings that are encroaching into the minimum setback requirements and are non-compliant with the County's Land Use Bylaw C-8000-2020 shall require a Development permit, to bring the property into compliance.
18. That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
19. 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).



20. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

Carried
Absent: Member Kochan
Member Wright

E-8 Division 7 - Dwelling, Single Detached, Accessory Dwelling Unit, and Accessory Building/ Permitted Use and Discretionary Uses, with Variances
File: PRDP20212644 (03223188)

Presenter: Matt Priolo, the Applicant

The Chair called for a recess at 12:21 p.m. and called the meeting back to order at 12:25 p.m. with all previously mentioned members present.

MOVED by Member Schule that proposed condition 6 for development application PRDP20212644 as noted in Administration's report be moved to prior to occupancy.

Carried

MOVED by Member Schule that proposed condition 16 for development application PRDP20212644 as noted in Administration's report be amended to read:

16. That the development shall connect to the **Langdon Wastewater System** ~~both the septic and the Langdon Waterworks system for water servicing~~ as per the Langdon Area Structure Plan.

Carried

MOVED by Member Schule that Development Permit Application PRDP20212644 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a dwelling, single detached, approximately 140.19 sq. m (1,508.99 sq. ft.) in gross floor area, may be constructed on the subject parcel, in accordance with the submitted application, site plan, and design drawings prepared by Benedek Design Ltd., (Job No.: 2104) dated June 15, 2021, and conditions noted herein.
2. That the dwelling, single-detached (existing), approximately 82.34 sq. m. (886.30 sq. ft.) may be converted to an Accessory Dwelling Unit (Garden Suite).
3. That an accessory building (garage) may be constructed on the subject parcel.
 - i. That the maximum accessory building area shall be relaxed from **65 sq. m. (699.65 sq. ft.) to 91.04 sq. m (980.00 sq. ft.)**

Prior to Release:

4. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations:
 - i. To provide 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.
- ii. To discuss any new approach construction and confirm the approach location and scope of work to ensure adherence to County Servicing Standards. If required, a pre-construction approach inspection shall be scheduled.
 - iii. 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.
5. That prior to release of this permit, the Applicant/Owner shall provide payment of the Regional Wastewater Off-site Levy, for the projected average daily flow of 0.855 m³ in accordance with Bylaw C-8009-2020.
 6. That prior to release of this permit, the applicant will be required to enter into a Deferred Servicing Agreement outlining that the lot owner will be required to connect to County potable water servicing when such services become available
 7. That prior to release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Implementation Plan (SSIP) conducted by a qualified professional in adherence with the Langdon Comprehensive Stormwater Review and the Co-operative Stormwater Management Initiative (CSMI).
 - i. The Site-Specific Stormwater Implementation Plan shall consider how the lot will be graded and permanently vegetated to mitigate stormwater run-off impacts to the adjacent properties.
 - ii. The applicant/owner shall submit grading plans/drawings showing the extent of the proposed work (with dimensions) and pre-and post-site grades, in accordance with the County Servicing Standards. The plan drawings shall confirm pre-placement of fill grades, existing grades, and proposed finished grades of the parcel in accordance with the SSIP.
 - iii. The applicant/owner shall submit a Deep Fill Report, prepared by a qualified professional engineer, for any grade areas where the depth change exceeds 1.20 m (3.94 ft), in accordance with the County Servicing Standards.
 8. That prior to release of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800.00, calculated at \$800.00 for each new residential unit.

Prior to Site Occupancy:

9. That prior to release of this permit, the Applicant/Owner is required to provide a Phase 1 Aquifer Evaluation prepared by a qualified professional to determine if the aquifer can support the development without causing adverse effects on existing groundwater users, in accordance with County Servicing Standards.
 - i. If the Phase 1 Aquifer Evaluation determines that the aquifer can support the development, the Applicant/Owner is required to provide a new well in the proposed lot and provide a Phase 2 Aquifer Testing Report prepared by a qualified professional that includes a Well Driller's report confirming that the flow exceeds or is equivalent to 1 igpm for the well.
 - ii. If the Phase 1 Aquifer Evaluation determines that the aquifer cannot supply water to the development without adverse effects to existing groundwater



users, the County supports the use of a potable water holding tank with trucked service.

10. That prior to site and building occupancy, the Applicant/Owner shall construct a single residential approach to McCann Street SE in accordance with the County Servicing Standards. The approach shall obtain all required inspections and signoff through County Road Operations.
11. That prior to site and building occupancy, the Applicant/Owner shall submit documentation confirming that the water & wastewater infrastructure requirements, including servicing to the development, have been installed, to the satisfaction of the County.

Permanent:

12. That there shall be no more than 2.00 m (6.56. ft.) of excavation or 1.00 m (3.28 ft.) of fill and/or topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
13. That no topsoil shall be removed from the subject property.
14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. 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 accessory dwelling unit and the dwelling, single-detached located on the subject site, to facilitate accurate emergency response. *Note, the municipal address for the proposed dwelling, single-detached is 120 MCCANN ST SE, Langdon*
16. That the development shall connect to the Langdon Wastewater System as per the Langdon Area Structure Plan.
17. That there shall be a minimum of one (1) parking stall maintained on-site at all times dedicated to the Accessory Dwelling Unit.
18. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.
19. 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.
20. That if this Development Permit is not issued by **MAY 31, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

21. That a Building Permit and sub-trade permits shall be obtained through Building Services, for construction of the dwelling, single detached.
22. That during the construction of the dwelling, all construction, and building materials shall be maintained onsite, 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 conform to the County's Noise Bylaw C-8067-2020 in perpetuity.
24. 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*].
25. That water conservation measures shall be implemented in the Dwelling, Single-Detached, and Accessory Dwelling Unit, such as low-flow toilets, showerheads, and other water-conserving devices.
26. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried
Absent: Member Kochan
Member Wright

G Adjourn the Meeting

MOVED by Member Boehlke that the November 10, 2021 Municipal Planning Commission meeting be adjourned at 12:27 p.m.

Carried
Absent: Member Kochan
Member Wright

H Next Meeting

December 1, 2021

Chair or Vice Chair

Chief Administrative Officer or Designate