



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: February 8, 2023

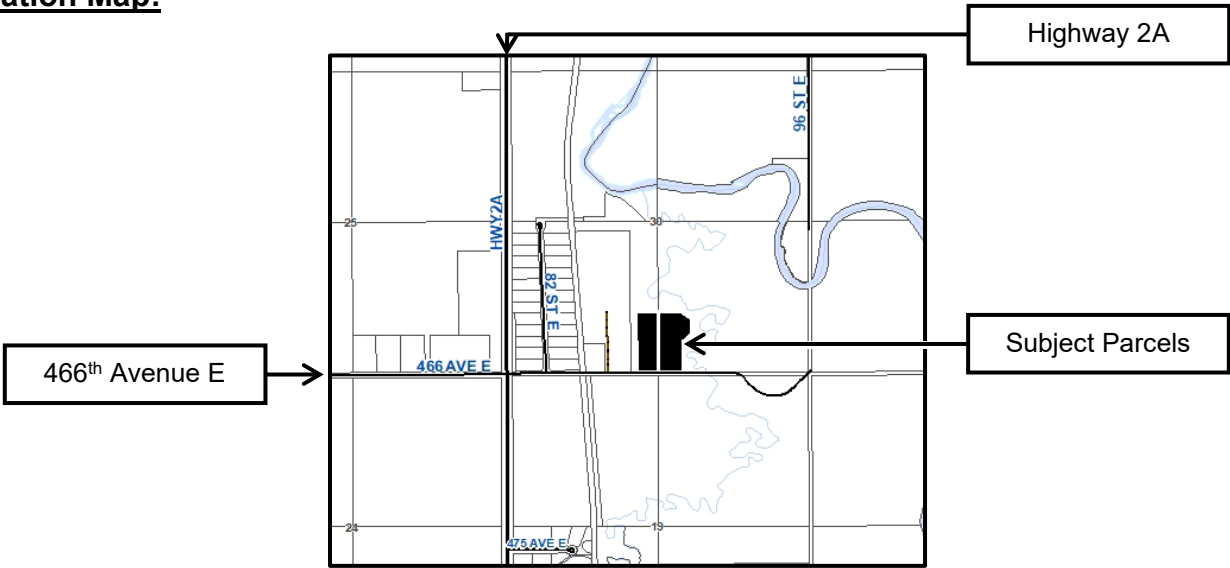
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION FOR ADDITIONAL INFORMATION.

APPLICATION FILE NUMBER: 22D 250
LANDOWNER(S): NORMAN G. CARLSON ESTATE
APPLICANT(S): BADKE CONSULTING LTD.
PROPOSAL DESCRIPTION: RECREATIONAL VEHICLE STORAGE, BUSINESS OFFICE,
ACCESSORY BUILDING
LEGAL DESCRIPTION: S½ 30-19-28 W4M;
PLAN 0815871, BLOCK 1, LOT 1 and PLAN 0815783, BLOCK 2, LOT 1

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject properties are existing 12.1 acre and 9.15 acre General Industry District parcels, located on the north side of 466th Avenue east, approximately one-half mile to the east of Highway #2A. Portions of the subject lands fall within areas affected by flooding, according to Provincial flood mapping.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for the operation of a Recreational Vehicle Storage facility. Development is to include an on-site Business Office and an Accessory Building for business use. The installation of a recreational vehicle septic dump and the use of solar equipment in support of on-site operations, are proposed.

Recreational Vehicle Storage, Business Office, and Accessory Building are Permitted Uses under the General Industry District however as the properties are affected by a Flood Hazard Area, decisions on this application for Development Permit are to the discretion of the Development Officer, and subject to a 21-day appeal period.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of Recreational Vehicle Storage, Business Office, and Accessory Building for business use, on the subject parcel being a portion of S½ 30-19-28 W4M; Plan 0815871, Block 1, Lot 1 and Plan 0815783, Block 2, Lot 1 has been considered by the Development Officer and is **APPROVED** subject to the following.

APPROVAL DESCRIPTION:

- Upon completion of the below noted pre-release conditions, this approval allows for the development and use of Ptn. S½ 30-19-28 W4M; Plan 0815871, Block 1, Lot 1 and Plan 0815783, Block 2, Lot 1 for:
- a. The storage of Recreational Vehicles, not to exceed 1,025 units. As per Land Use Bylaw 60/2014, Recreational vehicle is defined as: *a portable structure designed and built to be carried on a vehicle or to be transported on its own wheels and which is intended to provide temporary living accommodation for travel or for recreation purposes and which does not need any special licence or permit to travel on the public road systems other than a usual trailer or vehicle licence, and without limiting the generality of the foregoing, includes such vehicles as a motor home, a camper, a travel trailer, a tent trailer, or boat but does not include a Dwelling, Manufactured Home; Dwelling, Mobile Home or Park Model.*
 - b. Construction of one Accessory Building for business use to be located and structured in accordance with the submitted and accepted final design plans;
 - c. One site office to be located and structured in accordance with the submitted and accepted final design plans;

- d. Ancillary supporting development including solar power equipment, a recreational vehicle septic dump, fencing and gates, signage, lighting and security, and screening and landscaping in accordance with the submitted and accepted final design plans.

PRE-RELEASE CONDITION(S):

*Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **July 8, 2023** will see this development permit decision deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).*

1. Final design plans for the development (ie: fencing and gates, signage, solar equipment, screening and landscaping, lighting and security, and buildings) are to be submitted, to the satisfaction of the Development Authority;
2. Stormwater Management, Comprehensive Site Drainage, and Lot Grading plans, including flood protection; are to be submitted to the satisfaction of the County's Public Works department;
3. The applicant is required to execute and comply with all requirements as outlined within a Development Agreement with the County, to be registered on the applicant's title as a condition of the Development Permit for the following purposes: submission of performance securities; compliance with the accepted stormwater management/drainage and flood protection plans; compliance with the accepted plans for design and the upgrade of a portion of 466th Avenue east; and recovery of professional costs incurred by the County with regard to the development;
4. The applicant is required to submit a refundable security deposit in the amount of \$3,000 in order to ensure compliance with the applicable Building, Safety and Fire Codes for the proposed use and occupancy of the development. This security will be refunded at such time that all reviews and inspections have occurred, and written confirmation that the development meets the intent of the Codes for use and occupancy, is provided by the Safety Codes Officer and the Foothills Fire Department Fire Inspector;
5. The applicant shall submit contribution towards the public roadway (the intersection of 466th Avenue and Highway 2A) that is required to give access to the development, in the amount of \$25,000.

CONDITIONS OF APPROVAL:

*The following requirements must be completed within twenty-four (24) months from the date the Development Permit is signed and issued unless a time extension is approved under agreement between the Development Authority and the Applicant(s). **Failure to complete the conditions of approval will see the Development Permit be deemed null and void.***

1. The applicant shall construct and maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to the use of this land shall not proceed except under benefit of appropriate approvals;**
2. All necessary building and safety code permits and inspections shall be obtained from the County. This is to include, but not be limited to: any requirements for the proposed septic dump service and for the installation of solar equipment;
3. Approaches are to be constructed to the satisfaction of the County's Public Works department. Be reminded that it is the applicant's responsibility to obtain and properly post municipal address(es) prior to occupancy. *The applicants are advised that revision to approach locations will cause changes to the existing addressing. Please contact the County's GIS department once approach construction has been completed in order to fulfill this requirement;*
4. The applicant shall be responsible for upgrading a portion of 466th Avenue east, to the satisfaction of the County's Public Works department;
5. Prior to the County acknowledging completion of the development;
 - a. Approaches providing access to the subject properties shall be inspected and accepted, to the satisfaction of the Public Works department;
 - b. The applicant is to submit as-built drawings by the respective Professional(s), verifying that all improvements are consistent with the plans and recommendations within the accepted site drainage and flood protection plan(s);
 - c. Required upgrade to a portion of 466th Avenue is to have been completed, to the satisfaction of the Public Works department;
6. It is the applicant's responsibility to contact the County's Fire Inspector and obtain all necessary approvals and inspections prior to occupancy. Authorization for occupancy of the development shall not be granted until such time that required safeties and functionality are illustrated to have been met;
7. The applicant is required to maintain an annual business license with Foothills County;
8. An Emergency Response Plan shall be submitted for review and acceptance by the County's Director of Emergency Management and the Foothills Fire Department;
9. On site address and identification signage is approved under this permit. Freestanding signage shall be located so as to be removed from existing right of ways and otherwise dedicated lands. The applicant is required to ensure the installation of addressing that is visible from the municipal road surface, and shall provide internal site circulation signage. Any jobsite signage related to construction and lot development is to be removed within 60 days of completion of the development approved herein;
10. It is the applicant's responsibility to provide written notification to the Development Authority upon completion of the development, as approved herein;
11. The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to implementation of this permit.

ADVISORY REQUIREMENTS:

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity. It is the responsibility and liability of the applicant(s) and landowner(s) to ensure adherence with these requirements for the life of the development.

1. Development shall comply with the applicable Building, Safety, and Fire Codes at all times;
2. Landscaping, screening and stormwater facilities shall at all times be maintained as per the plan(s) accepted to be appropriate by the municipality and must at all times be safe, functional, and in a good state of repair. The development shall at all times have a generally neat and orderly appearance and be free of weeds. Plantings are to be maintained to demonstrate healthy and vigorous growth;
3. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
4. The applicant is responsible to ensure that on-site parking and loading are at all times able to sustain use and occupancy. At no time shall the local municipal road surfaces be used for the purpose of loading/unloading, parking, or as a stacking space.
It is the landowner's responsibility to ensure appropriate internal and road access for fire department apparatus and emergency access at all times;
5. Containers for garbage or recycling materials that are located outdoors shall be weatherproof and animal-proof and must be fully screened from adjacent lands. There shall be no long term storage of waste materials on the property, nor burning of waste materials on the property. All waste materials must be disposed of at an approved waste disposal site;
6. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land.
This may include, but not be limited to; compliance with requirements of Alberta Transportation, Alberta Health Services and Alberta Environment; as well as any requirements of Canadian Pacific Railway, requirements for the protection of the existing well site, and authorization from the Town of High River at any such time that future tie in to municipal servicing might be proposed.
The landowner assumes full responsibility for ensuring compliance with all local, provincial and federal legislation that has relevance with respect to the use of the land and all vehicles and materials stored on the property;
7. The applicant and landowners indemnify and hold harmless the County against the of any claims or actions, or awards for loss or damage to the Owner(s) and/or Occupant(s) arising from the use of and/or development of the subject properties;
8. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit.

Notes:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. Independent application must be made for all required Building and/or Safety Codes Permits.
2. This Development Permit Decision is subject to a 21-day appeal period. Pursuant to Sections 685(1) and 685(3) of the Municipal Government Act, a person affected by this decision has a right of appeal.
Notification of this decision will be advertised in two issues of the Western Wheel and circulated to area landowners (according to County Records at this time) within the subject quarter-section and for one-half mile surrounding the subject parcel. Development Permit Notices can also be viewed at: www.foothillscountyab.ca.
3. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period, should no appeals be received; and at such time that the pre-release condition of the decision has been fulfilled. Development shall not proceed until the Development Permit has been signed and issued.
4. The Development Permit, once signed and issued, shall thereafter be null and void if the development or use is abandoned for a period of six months.
5. The conditions of this Development Permit Decision must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit Decision.