

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY AGENDA**

Date: May 27, 2021
Time: 9:00 AM
Location: <https://www.rockyview.ca/>

Pages

A. CALL MEETING TO ORDER

B. DEVELOPMENT APPEALS

9:00 AM APPOINTMENT

1. Division 3 File: 04630047 PRDP20210477

3

An affected party appeal against the Development Authority's decision to approve a development permit application for the construction of an accessory building (oversize garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement at 253 Artists View Way (Lot 24 Block 1 Plan 7510024) and located approximately 0.20 km (1/8 mile) north and 0.41 km (1/4 mile) east of Highway 563.

Appellants: G.A. (Tony) and Madeleine Yarranton

Applicant: Michael Kemp

Owner: Courtney L. Makkinga

10:30 AM APPOINTMENT

2. Division 4 File: 03316008 PRDP20202115

71

Continuation from May 6, 2021- An affected party appeal against the Development Authority's decision to approve a development permit application for industrial (medium) & outdoor storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for parking and storage at 232071 Range Road 283 and located approximately 0.41 km (1/4 mile) north of Township Road 232 and on the west side of Range Road 283.

Appellant: ReJean Levesque, Patrick Roy

Applicant: Planning Protocol 3 Inc. (Rodney Potrie)

Owner: 2249324 Alberta Ltd.

1:00 PM APPOINTMENT

3. Division 2 File: 04715017 PRDP20211109

104

An affected party appeal against the Development Authority's decision to approve a development permit application for the construction of an accessory building (workshop and vehicle storage), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height at 197 Mountain River Estate and located approximately 3.20 kilometres (2.00 miles) south of Springbank Road and on the west side of Range Road 33.

Appellants: Elisabeth & Terry Prang

Applicant: Douglas Graham (McDowell & Associates)

Owners: Daniel & Lorrie Aussant

2:30 PM APPOINTMENT

4. Division 1 File: 03908057 PRDP20210935

159

An affected party appeal against the Development Authority's decision to approve a development permit application for the for the keeping of livestock (horses) at a density greater than two (2) animal units on a parcel ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac), specifically from two (2) to three (3) animal units (horses) at 54161 Township Road 232 and located approximately 1.0 km (2/3 mile) west of Range Road 54 and on the south side of Township Road 232.

Appellant: Sharon Foster

Applicants/Owners: Gary & Christianne Klaudt

C. ADJOURN THE MEETING

D. NEXT MEETING



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: May 27, 2021 **DIVISION:** 3
FILE: 04630047 **APPLICATION:** PRDP20210477
SUBJECT: Development Item: Accessory Building / Discretionary use with Variances

APPLICATION: Construction of an accessory building (oversize garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

GENERAL LOCATION: located approximately 0.20 km (1/8 mile) north and 0.41 km (1/4 mile) east of Hwy. 563

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on April 14, 2021, and was conditionally approved.

The application is for the construction of an oversize accessory building (detached garage) for storage of personal vehicles and workshop purposes. The accessory building would be 166.53 sq. m (1,792.59 sq. ft.) in gross footprint, with four (4) bays, and would be located 13.04 m (42.78 ft.) away from the south property line, and 3.00 m (9.84 ft.) from the east property line. There are four variances requested and the application appears compliant with Residential, Country Residential District (R-CRD) regulations.

On April 20, 2021, the Notice of Decision was circulated to 42 adjacent landowners. The decision was appealed on May 3, 2021, by an affected party, and the reasons for the appeal are included in the Notice of Appeal. The Appellant also provided a list of landowners, in support of the appeal, which is noted in the Notice of Appeal.

DECISION: Conditionally-Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:
April 14, 2021

APPEAL DATE:
May 3, 2021

ADVERTISED DATE:
April 20, 2021

Administration Resources

Bronwyn Culham, Planning & Development Services

The application was evaluated based on the information and site plan 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>; • Municipal Development Plan; • Central Springbank Area Structure Plan • City of Calgary Intermunicipal Development Plan • Land Use Bylaw C-8000-2020 	DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Building > 90.00 sq. m is a discretionary use in the Residential, Country Residential District (R-CRD)
	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor Development & Compliance

BC/It

APPLICATION INFORMATION

APPLICANT: Kemp, Michael	OWNER: Makkinga, Courtney L
DATE APPLICATION RECEIVED: February 8, 2021	DATE DEEMED COMPLETE: March 12, 2021
MUNICIPAL PLANNING COMMISSION DECISION DATE: April 14, 2021	
APPELLANT: G.A (Tony) and Madeleine Yarranton	
GROSS AREA: ± 0.80 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 24 Block 1 Plan 7510024, NW-30-24-02-05; (253 ARTISTS VIEW WAY)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • There are no related Building Permits (According to assessment records, dwelling and attached garage were constructed in 1976, therefore no digital record on file) • There are no related Development Permits • There are no related Planning Applications 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 3

DATE: April 14, 2021
APPLICATION: PRDP20210477

FILE: 04630047

SUBJECT: Accessory Building / Discretionary use with Variances

APPLICATION: Construction of an accessory building (oversize garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

GENERAL LOCATION: located approximately 0.20 km (1/8 mile) north and 0.41 km (1/4 mile) east of Hwy. 563

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to construct an oversize accessory building (detached garage) for storage of personal vehicles and workshop purposes. The accessory building would be 166.53 sq. m (1,792.59 sq. ft.) in gross footprint, with four (4) bays, and would be located 13.04 m (42.78 ft.) away from the south property line, and 3.00 m (9.84 ft.) from the east property line. There are four variances requested and the application appears compliant with Residential, Country Residential District (R-CRD) regulations.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210477 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210477 for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:

VARIANCE SUMMARY

Variance	Requirement	Proposed	Percentage (%)
Maximum Accessory Building Area	90.00 sq. m (968.75sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	85.03%
Maximum Parcel Coverage	120.00 sq. m (1,291.67 sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	38.78%
Maximum Building Height	7.00 m (22.97 ft.)	7.64 m (25.08 ft.)	9.14%
Minimum Front Yard Setback Requirement	15.00 (49.21 ft.)	13.04 m (42.78 ft.)	13.06%

APPLICATION EVALUATION:

The application was evaluated based on the information and site plan 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> Municipal Development Plan; Central Springbank Area Structure Plan Calgary Intermunicipal Development Plan Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site Plan prepared by AA Structural Engineering / dated Jan 26, 2021 Elevations / prepared by AA Structural Engineering / dated Feb 21, 2021 Floor Plan & Wall Details / prepared by AA Structural Engineering / dated Feb 21, 2021
DISCRETIONARY USE: <ul style="list-style-type: none"> Accessory Building > 90.00 sq. m is a discretionary use in the Residential, Country Residential District (R-CRD) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Al Hoggan"

Acting Executive Director
Community Development Services

Chief Administrative Officer

BC/lt

**DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That an accessory building (detached garage) may be constructed on the subject land in general accordance with the submitted application and site plan dated January 26, 2021 and design drawings titled *Elevations, Floor Plan & Wall Details* dated February 21, 2021 as prepared by AA Structural Engineering.
 - i. That the maximum building area is relaxed from **90.00 sq. m (968.75 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - ii. That the maximum parcel coverage is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - iii. That the maximum building height is relaxed from **7.00 m (22.97 ft.)** to **7.64 m (25.08 ft.)**
 - iv. That the minimum front yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **13.04 m (42.78 ft.)**

Prior to Release:

2. 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 and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, that adheres to the requirements of the Springbank Master Drainage Plan (MDP) and the County Servicing Standards as per section 5.4 of the Springbank MDP.

Permanent:

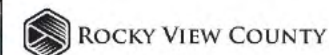
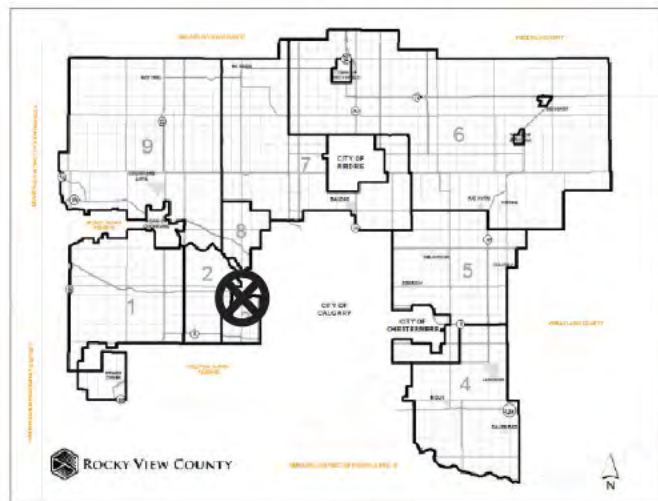
4. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
5. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

9. That during the construction of the building, 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.



10. That during the construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
12. 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.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. If this Development Permit is not issued by **October 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued



Location & Context

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

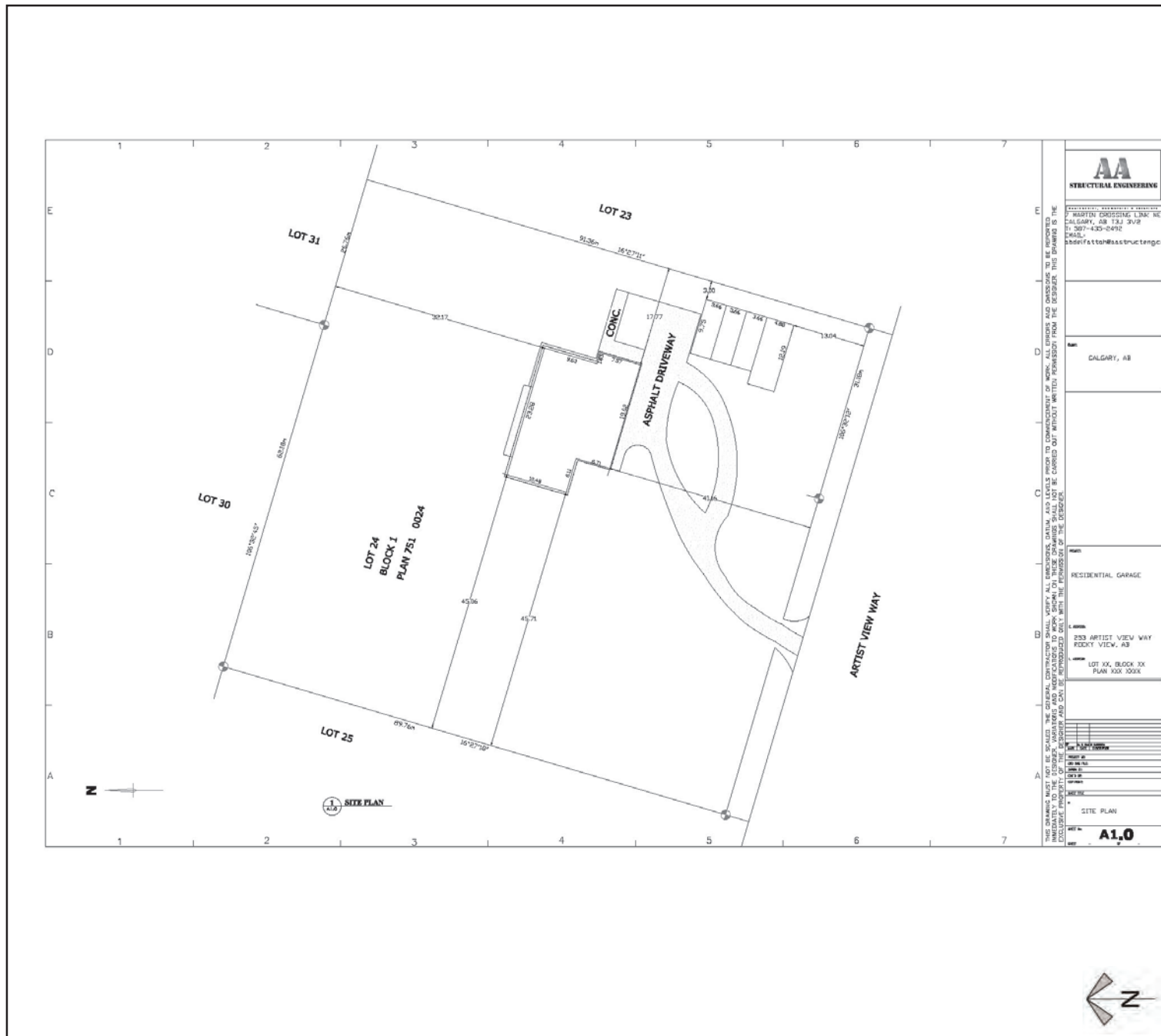
Division: 03
Roll: 04630047
File: PRDP20210477
Printed: March 17, 2021
Legal: Lot: 24 Block: 1
Plan: 7510024 within NW-30-24-02-W05M



Site Plan

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.



Division: 03
 Roll: 04630047
 File: PRDP20210477
 Printed: March 17, 2021
 Legal: Lot:24 Block:1
 Plan:7510024 within NW-30-
 24-02-W05M



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) G.A. (Tony) and Madeleine Yarranton			
Mailing Address 121 Artists View Way	Municipality Rockyview	Province Alberta	Postal Code T3Z 3N1
Main Phone # [REDACTED]			
Alternate Phone # [REDACTED]			
Email Address [REDACTED]			
Site Information			
Municipal Address 253 Artists View Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 24, Block 1, Plan 7510024, NW-30-24-02-05		
Property Roll # 04630047	Development Permit, Subdivision Application, or Enforcement Order # PDRP20210477		
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
See attached pages 1, Reasons for Appeal 2. Letter from Steve and Joan Chand'oiseau, adjacent property owners 3. Photographs from Steve and Joan Chand'oiseau 4. Pages with signatures from owners of 18 of the 32 houses on Artists View Way			

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

G.A. (Tony) Yarranton
Appellant's Signature

May 3 2021
Date

G.A. (TONY) YARRANTON

Last updated: 2020 August 07

Received by RVC Legislative Services
on May 3, 2021

Page 1 of 2

Reasons for Appeal of Application PRDP20210477

We, the undersigned, oppose the application.

Standing

We are all residents of Artists View Way. Madeleine and Tony Yarranton own and live at 121 Artists View Way, adjacent to the subject property.

Facts

The applicant Mr. Michael Kemp, has applied for a Development Permit allowing him to build an 8m (25 feet) high 4 bay shed/garage with a 170 square m (1830 square feet) floor plan on the south east corner of the property, 253 Artists View Way.

The building at issue would be in conflict with four Rockyview Council requirements under its By Laws.

The building would also be in conflict with the Restricted Covenant attached to the title of every property in Artists View West. Ms Makkinga would have had to sign the Covenant when she purchased the property.

On examination, none of the other subdivisions in the vicinity have allowed construction of industrial use buildings.

Rockyview County has already approved the permit, before asking affected parties for comments.

The applicant neither informed nor consulted with the neighbours about the application before it was approved.

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Adverse Effects of the Proposed Development

There are two kinds of adverse effects of the proposed development : effects on the neighbourhood/subdivision as a whole ; and effects on adjacent neighbours and their properties.

Artists View Way is a country residential subdivision. People bought and buy houses to settle here in pleasant semi-rural surroundings and as much peace and quiet as is possible this close to the City of Calgary. The proposed building belongs in an industrial subdivision. It will detract from the quality of life in the neighbourhood and reduce the value of the constituent properties. People walking or driving along the southern part of Artists View Way will find the attractive landscape vista spoiled by an industrial building.

Approving this permit application will set a precedent for similar future applications and is also likely to encourage them.

Residents of adjacent or nearby properties will suffer a loss of amenity because their views will be degraded. In addition it is likely that use of the proposed building will generate noise and air pollution. There will also be an increased risk of fire as a result of the activities on the site. Last year a fire started on an adjacent property. It required the attendance of the Rockyview Fire Department. The fire reached within a few feet of a neighbour's house. It would have caused severe damage if that neighbour had not been present and able to contain it. The nearer other residences are to the proposed building the more their market value will be reduced.

It should be noted that moving the location of the building on the property at 253 Artists View Way will not lessen the adverse effects. The distribution of effects between the neighbouring properties would be altered but the total adverse effect would not.

Beneficial Effects of the Project

The only beneficial effects of the project would be to the applicant.

Joan and Steve Chand'oiseau

273 Artists View Way
Calgary, T3Z 3N1

2nd May 2021

Rocky View County

Planning and Development Services

Re: Application PRDP20210477 at 253 Artists View Way

The development proposed (approved unless appealed?!) at 253 Artists View Way does not comply with a number of restrictions that exist to protect our residential community - it will negatively affect its neighbours and our community and should be denied on those reasons alone. Numerous residents have worked together to appeal the decision and stop the development. We live next door to the property whose application for development has been approved and **STRONGLY** wish to appeal the decision - to say that our family will be negatively affected by the development is a gross understatement.

This development will negatively impact our enjoyment of our property and drastically affect our lifestyle! Even more importantly, allowing this development to move forward will have a direct negative impact on our family's health and financial well-being.

This proposed development is extremely close to our adjoining property line and therefore very close to our living space and home! The industrial building/ mechanical garage is for the purpose of storing and working on automobiles. It will also include a hydraulic car lift and, at ~25 feet tall, **TOWERS** over our modest raised bungalow and west deck!!! It will block out our views of the mountains, the sunshine, the sunsets, and the rural setting in which we chose to live will have completely transformed - can you imagine living in our home and suddenly looking at (what I assume will be the rear) of some imposing, towering, huge building instead of the nature that used to surround you?

To state that there may be noise and air pollution minimizes the incredibly negative impact this industrial building / mechanical garage and its use will have on our family!!! The noise plus the harmful chemicals and exhaust would keep us from being able to enjoy our living space on our connecting outdoor deck that is a mere 14 metres from the property line - In

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fact, I worry we may not be able even open up our windows due to the noise and no-longer fresh air!!

Our kitchen and main living spaces are concentrated on the west area of our home - double doors and multiple windows open onto our deck and west living space. We almost always open up these doors and windows to benefit from the wind and fresh air that generally moves west to east. With the proposed development, the noxious chemicals and exhaust will be carried downwind directly to us and through our home. Importantly, one of our children has a complex health profile including numerous environmental sensitivities that weaken his immune system - these hazardous chemicals and air pollution could easily trigger a negative health response. The county must act responsibly to protect his health over the approval of this industrial development.

*Additional Information re: Risks to Health & Safety is included at end of letter.

Artists View West is a rural residential community where homeowners purchase acreages at great cost in order to enjoy increased privacy, space, natural settings, quiet, and distance from typically urban elements (such as large industrial buildings!) This proposed development will undoubtedly negatively affect our property value directly, likely even making it difficult to sell!! Who would want to live on a costly rural property with its primary view of a huge industrial building, unable to sit outside or open windows because of the noise and noxious smells!? We certainly do NOT!

To note, simply moving this development a few feet one direction or another will not lessen the negative impacts. As the property owner, the neighbours, and the FAMILY who are most impacted by this development, we implore you to stop this development of an industrial building next door. **The development of an industrial building does not belong in a residential community and must not be supported by the county over the health and well-being of existing homeowners and families, against numerous existing bylaws in place to protect the residents, and must not be allowed to move forward.**

*Additional Information re: Risks to Health & Safety

An industrial building, specifically an automobile / autobody garage, whether for the purpose of a business or a hobby, has the same negative impact and poses the same risks to health and safety and therefore must abide by the same legislation (e.g., occupational health and safety including proper ventilation; fire and building codes, etc). This type of development belongs in an industrial district where it can be ensured that proper legislation and safety codes are strictly put in place and followed - not in a residential area

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where the building and its use increases risks of exposure and negative health effects to nearby residents!

According to the Canadian Centre for Occupational Health and Safety (CCOHS) and the Workplace Hazardous Materials Information System (WHMIS), an automobile garage poses numerous risks to health and safety including air quality, noise, and fire.

Fire: Artists View residents increased risk of fire is already reflected in residents' home insurance policies (due to no fire hydrants or direct water supply; numerous trees and material that ignite & spread rapidly) - an industrial building whose use brings increased fire hazards increases the hazard to all community members, particularly our property directly adjacent. A review of the proposed development would quickly expose factors that affect fire safety (including use of the building, storing and disposing of hazardous and flammable materials, alarm/sprinkler systems, water or fire department connections, additional fire hazards, and proximity to residential properties) and likely evaluate the building and confirm its use as light industrial. (Note: existing Rockyview Land-use Bylaw already categorizes the development as Industrial, Light District I-LHT due to its use as Automotive Services.)

Noise: With the proposed development and its use, all Artists View residents will be subjected to increased noise pollution. In an auto body shop, noise levels can vary a lot, depending on the work being done but the majority of tools are extremely loud. Journal of Occupational and Environmental Hygiene reports that research conducted in an auto-body shop at a low activity time, the majority of tools generated noise levels above 85 dBA. Air guns, wrenches, cutoff wheels, and air drills generated noise levels with the 5th percentile above 90 dBA. Mean noise levels generated by hammers, grinders, and ratchets were also above 95 dBA. While hearing protection may only be recommended for those working in the direct environment, many of our outdoor spaces, especially the west deck situated extremely close to the proposed building, will be rendered unusable when work is being done. Furthermore, multiple neighbours will be forced to adjust their activities, close their windows, etc in order to mitigate the extremely loud noises and repetitive noise pollution from the industrial building and its use.

Air Quality: The proposed development brings risks to air quality including chemical and particle exposure. Chemicals used in the autobody industry include paints, primers, polishes and fillers. They also use machines that produce dust and other particles. Additional hazards include exposure to toxic chemicals, solvents, solder, gasoline or diesel exhaust, asbestos, combustible dust, compressed gases, dangerously reactive liquids and solids, diesel exhaust, flammable and combustible liquids, welding fumes & gases, and more.



Re: application PRDP20210477

This development is too big, breaking RV rules, & affecting other properties, both aesthetic & health & fire safety.

At 25', it is a big 2.5 storey building. With its sq feet, it is the size of an average house.

These photos face west from the adjoining property. They shows the existing view from our kitchen. French doors open out to the deck, where we spend much of our spring, summer, & fall days & evenings. We eat, work, watch sunsets etc here. With the heat in summer, we require the doors open as we have no AC.

The black line is an estimate of what our view would look like if this huge garage building is built.

The photo below is partially shaded in, as that is what we would see if there is a 25 foot high building.



Fire & Lung danger:

As this is to be a place for vehicle restoration, all exhaust, oil, noise, fibreglass bits, etc would be vented in this direction. The poplar trees are in our lot. They are very flammable and anything that might set off sparks could set the whole neighbourhood on fire.

One of my children is most susceptible to lung damage.

Please do not approve this huge building in our residential area - Artists View Way.

Under the Workplace Hazardous Materials Information System (WHMIS), toxic materials are part of Hazard Class D -- Poisonous and Infectious Materials. Since toxic materials can cause acute (short-term) health effects as well as chronic (long-term) health effects, WHMIS has a division for each. It is possible for a toxic material to be classified in both categories.

"The hazard with airborne particulates is that a person may breathe in the chemical that may have ill effects on an individual's health." With Poor Air Quality, "[i]t is common for people to report one or more of the following symptoms: Dryness and irritation of the eyes, nose, throat, and skin; Headache; Fatigue; Shortness of breath; Hypersensitivity and allergies; Sinus congestion; Coughing and sneezing; Dizziness; and Nausea." Further health effects of welding fumes and airborne particulates include: respiratory irritant, dry and sore throat, chest pain, shortness of breath, and difficulty breathing, damage to respiratory tract, a carcinogen, increased risk of lung cancer, chronic effects include kidney damage and emphysema, effects to nervous system, digestive system and mental capacity.

How are toxic materials hazardous to my health?

Toxic materials can cause serious health effects in an exposed individual. The degree of hazard associated with any toxic material is related to the exact material you are exposed to, concentration of the material, the route into the body and the amount absorbed by the body (the dose). Individual susceptibility of the user also plays a role.

The health effects may occur immediately or the effects may be delayed. Health effects that occur immediately after a single exposure are called acute effects. In other cases, health effects will not occur until some point after the exposure. This is called a chronic effect. A chronic effect may occur hours, days, months or even years after exposure. Generally, acute effects are caused by a single, relatively high exposure. Chronic effects tend to occur over a longer period of time and involve lower exposures (e.g., exposure to a smaller amount over time). Some toxic materials can have both acute and chronic health effects.

"Why do only some people seem to develop symptoms?"

Not all people are affected with the same symptoms or to the same extent. Some people may be more sensitive than others. Some people may be exposed to more contaminants [.] than others and they may experience symptoms earlier than other people. As air quality deteriorates and/or the length of exposure increases, more people tend to be affected and the symptoms tend to be more serious."

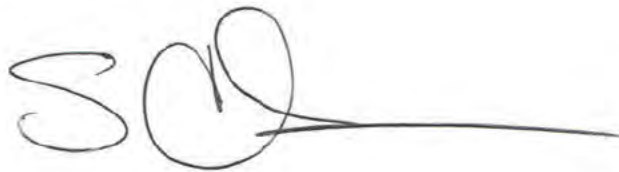
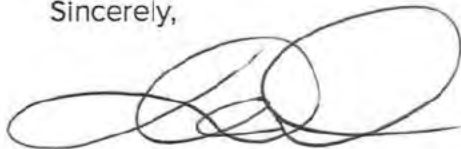
On the checklist for Air Quality, it asks,

"Do you have any other health conditions that may make symptoms worse? Eg. allergies, immune system disorders, or chronic cardiovascular or respiratory disease." ***Given our son's complex health profile and pre-existing disorders, our family is at greater risk for serious health effects!***

CCOHS recommends the use of a respirator and a ventilation system that vents exhaust and other hazardous chemicals & particles outside - which means, even when/if the owner of the proposed development mitigated the risks to health as per legislation for industry use, still immediately increases the exposure and risk to neighbours and surrounding residential community!



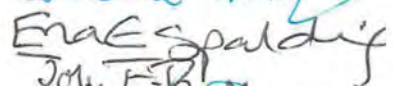





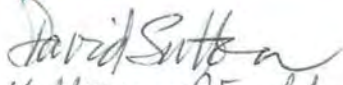
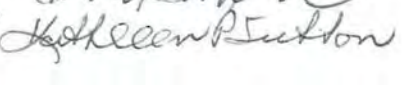


I hope the joint community response to appeal the development, this letter from the adjoining neighbour outlying the negative personal impact of the development; and additional information regarding the health & safety risks to Artists View residents and community clearly show that the proposed development should remain categorized as industrial and located appropriately (outside a residential area) and give concrete reasons the existing bylaws should not be waived for this development.

Sincerely,



Joan and Steve Chand'oiseau

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	 
ENA SPALDING	178 Artists View Way	
JOHN BARGMAN	178 Artists View Way	
Moire Dunn	213 Artists View Way	
Jess Dunn	213 Artists View Way	
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	
HELLE CHRISTENSEN	98 ARTISTS VIEW WAY	
DAVID SUTTON	102 ARTISTS VIEW WAY	
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	
SACHA INNES	109 ARTISTS VIEW WAY	
GREG FORD	109 ARTISTS VIEW WAY	

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
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Tony and Madeleine Yarranton	121 Artists View Way	
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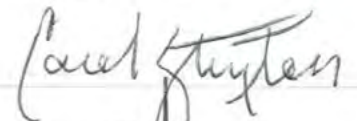
PETER & JOANNE WHIDDEN		
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	287 ARTISTS VIEW WAY	
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DAVE & CAROL SINTON	60 ARTISTS VIEW WAY	
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STEVE & JOAN CHANDOLSIAN		
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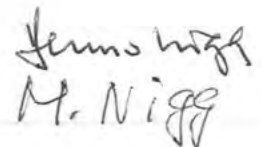
	273 ARTISTS VIEW WAY	
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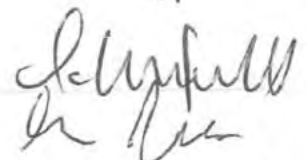
Benno & Margareta Nigg		
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	431 Artists View Way	
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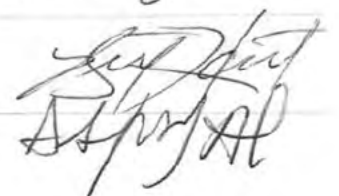
Scott & Patsy Maxwell		
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	246 Artists View Way	
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Bret & Stephanie Hart		
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	247 Artists View Way	
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I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Gary & Diana Braine	188 Artists View Way	
YVES STARREVELD	170 ARTISTS VIEW WAY	

Duncan Maclean	94 Artists View Way	
L. Bailey Lisa Bailey	260 Artists View Way.	
BRENT BAILEY	260 ARTISTS VIEW WAY	




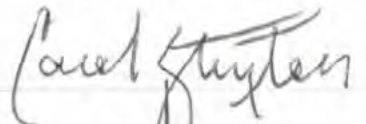


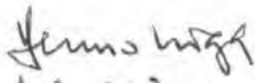
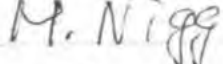
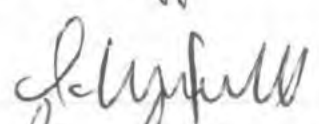
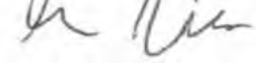
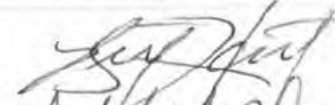

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Ben & Paula Lim	84 Artists View Way	<i>Ben & Paula Lim</i>
George Stevanica	2 Artists View Way	<i>George Stevanica</i>

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

B-1 04630047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 1
Page 1 of 6

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	
PETER & JOANNE WHIDDEN	287 ARTISTS VIEW WAY	
DAVE & CAROL SINTON	60 ARTISTS VIEW WAY	 
STEVE & JOAN CHANDOLISRAH	273 ARTISTS VIEW WAY	 
Benno & Margareta Nigg	43, Artists View Way	 
Scott & Paty Maxwell	246 Artists View Way	 
Bret & Stephanie Hart	247 Artists View Way	 

I support Tony Yarranton's appeal of the approval of Appellants
PDRP20210477

B-1 04680047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 1
Page 2 of 6

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Gary & Diana Braine	188 Artists View Way	
YVES STARREVELD	170 ARTISTS VIEW WAY	

Duncan Maclean	94 Artists View Way	
L. Bailey Lisa Bailey	260 Artists View Way	
BRENT BAILEY	260 ARTISTS VIEW WAY	

MARK YETMAN	141 ARTISTS VIEW WAY	
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M Dawn Goodyear	141 Artists View way	
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B-1 04630047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 1
Page 3 of 6

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	
Ben & Paula Lim	84 Artists View Way	Ben & Paula Lim
George Stevanica	2 Artists View Way	George Stevanica
DAN MALLAN	238 ARTIST VIEW WAY	DAN MALLAN
JEFF WENSLEY	155 ARTISTS VIEW WAY	J. H. Wensley
ANNETTE WENSLEY	" " " "	A. Wensley

Name Address B-1 04630047 PRDP20210477
 Tony and Madeleine Yarranton 121 Artists View Way SDAB 2021 May 27
 Appellant Exhibit 1
 Page 4 of 6

Taso Selimos	200	Artists View Way	10 Anastasia Selimos
Anastasia Selimos	200	Artists View Way	

Reedi & Bernie
Brauer 231 Artist View Way Reedi/Vance

B-1 04630047 PRDP20210477

SDAB 2021 May 27

Appellant Exhibit 1

Page 5 of 6

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	<i>Tony Yarranton</i> <i>Madeleine Yarranton</i>
ENA SPALDING	178 Artists View Way	<i>Ena Spalding</i>
JOHN BARGMAN	178 Artists View Way	<i>John Bargman</i>
Maire Dunn	213 Artists View Way	<i>Maire Dunn</i>
Jill Dunn	213 Artists View Way	<i>Jill Dunn</i>
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	<i>Peter Christensen</i>
HELLE CHRISTENSEN	98 ARTISTS VIEW WAY	<i>Helle Christensen</i>
DAVID SUTTON	102 ARTISTS VIEW WAY	<i>David Sutton</i>
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	<i>Kathleen Sutton</i>
SACHA INNES	109 ARTISTS VIEW WAY	<i>Sacha Innes</i>
GREG FORD	109 ARTISTS VIEW WAY	<i>Greg Ford</i>
Taso Selimos	200 ARTISTS VIEW WAY	<i>Taso Selimos</i>
Anastasia Selimos	200 ARTISTS VIEW WAY	<i>Anastasia Selimos</i>


B-1 04630047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 1
Page 6 of 6

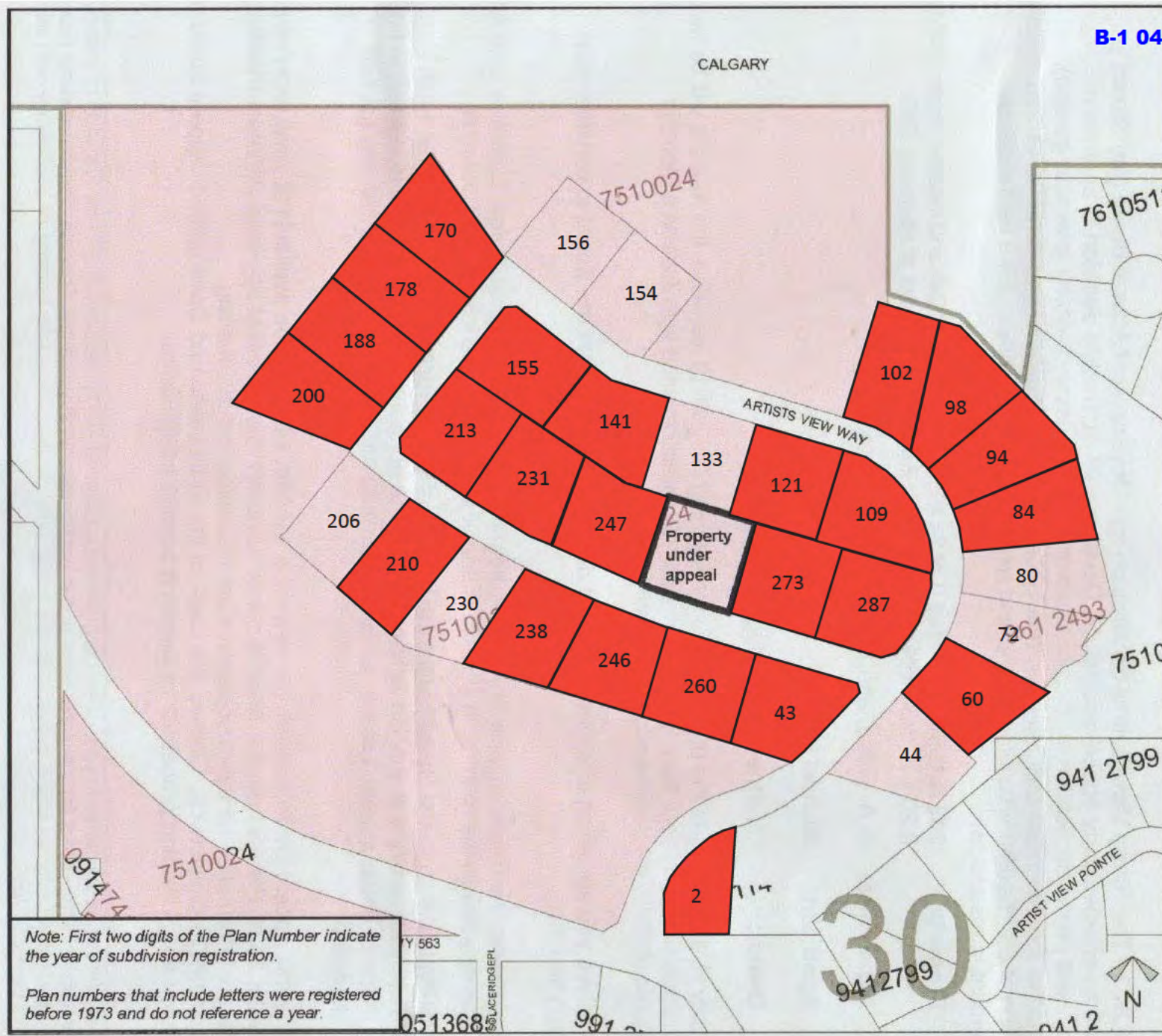
I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	<i>Tony Yarranton</i> <i>Madeleine Yarranton</i>
ENA SPALDING	178 Artists View Way	<i>Ena Spalding</i>
JOHN BARGMAN	178 Artists View Way	<i>John Bargman</i>
Moire Dunn	213 Artists View Way	<i>Moire Dunn</i>
Jess Dunn	213 Artists View Way	<i>Jess Dunn</i>
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	<i>Peter Christensen</i>
HELLE CHRISTENSEN	98 ARTISTS VIEW WAY	<i>Helle Christensen</i>
DAVID SUTTON	102 ARTISTS VIEW WAY	<i>David Sutton</i>
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	<i>Kathleen Sutton</i>
SACHA INNES	109 ARTISTS VIEW WAY	<i>Sacha Innes</i>
GREG FOOKID	109 ARTISTS VIEW WAY	<i>Greg Fookid</i>
Hubertus Liebrecht	210 Artists View Way	<i>Hubertus Liebrecht</i>

B-1 04630047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 2
Landowner
Page 1 of 1

Circulation Area

 Opposed to
Development



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Division: 03
Roll: 04630047
File: PRDP20210477
Printed: May 4, 2021 Legal:
Lot:24 Block:1
Plan:7510024 within
NW-30-24-02-W05M



Decision of the Municipal Planning Commission

This is not a development permit

Kemp, Michael

Development file #: PRDP20210477
Issue Date: April 15, 2021
Roll #: 04630047
Legal description: Lot 24 Block 1 Plan 7510024, NW-30-24-02-05

The Municipal Planning Commission conditionally approves the following:

Description:

1. That an accessory building (detached garage) may be constructed on the subject land in general accordance with the submitted application and site plan dated January 26, 2021 and design drawings titled *Elevations, Floor Plan & Wall Details* dated February 21, 2021 as prepared by AA Structural Engineering.
 - i. That the maximum building area is relaxed from **90.00 sq. m (968.75 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - ii. That the maximum parcel coverage is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - iii. That the maximum building height is relaxed from **7.00 m (22.97 ft.)** to **7.64 m (25.08 ft.)**
 - iv. That the minimum front yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **13.04 m (42.78 ft.)**

Prior to Release:

2. 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 and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, that adheres to the requirements of the Springbank Master Drainage Plan (MDP) and the County Servicing Standards as per section 5.4 of the Springbank MDP.

This is not a development permit

Permanent:

4. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
5. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

9. That during construction of the building, 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.
10. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
12. 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.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. If this Development Permit is not issued by **October 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

This is not a development permit

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission

A handwritten signature in blue ink, appearing to read 'J. Gautreau', with a stylized flourish at the end.

Jerry Gautreau, Chair

This is not a development permit



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
RENEWAL OF	-
FEES PAID	\$265.00
DATE OF RECEIPT	Feb 5, 2021

APPLICANT/OWNER

Applicant Name: Mike Kemp

Email: [REDACTED]

Business/Organization Name (if applicable): [REDACTED]

Landowner Name(s) per title (if not the Applicant): Courtney Makkinga

Business/Organization Name (if applicable): [REDACTED]

LEGAL LAND DESCRIPTION - Subject site

All/part of: ¼ Section: 30 Township: 24 Range: 02 West of: 05 Meridian Division:
 All parts of Lot(s)/Unit(s): 24 Block: 1 Plan: 7510024 Parcel Size (ac/ha): 2
 Municipal Address: 253 Artists View Way Land Use District: CR

APPLICATION FOR - List use and scope of work

Detached Garage

Variance Rationale included: ☐ YES ☐ NO ☐ N/ADP Checklist Included: ☒ YES ☐ NO

SITE INFORMATION

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
 b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
 c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
 (Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
 d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☐ YES ☒ NO

AUTHORIZATION

I, MIKE KEMP (Full name in Block Capitals), hereby certify (initial below):

- ____ That I am the registered owner OR ____ That I am authorized to act on the owner's behalf.
 ____ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.
 ____ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.
 ____ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the *Municipal Government Act*.

Applicant Signature

Date

 Feb 3, 2021

Landowner Signature

Date

 Feb 3, 2021



ROCKY VIEW COUNTY

ACCESSORY BUILDING(s)

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
DISTRICT	R-CRD

DETAILS		USE TYPE
Building total floor area (footprint)	1792 (m ² / ft. ²)	<input checked="" type="checkbox"/> Residential
Height of building	25'1" (m / ft.)	<input type="checkbox"/> Agricultural
Total area of all accessory buildings (For Residential/Agricultural parcels)	1792 (m ² / ft. ²)	<input type="checkbox"/> Related to Home-Based Business (HBB), Type II (attach HBB Information Sheet)
		<input type="checkbox"/> Other (specify):
BUILDING DESCRIPTION		BUILDING TYPE
Purpose/use of building (workshop, studio, storage etc.): Garage - personal vehicle work		<input type="checkbox"/> Storage Shed
Building material(s): spf no.2 lumber osb sheathing		<input type="checkbox"/> Barn
Exterior colour(s): acrylic stucco color & hbd. black asphalt shingles		<input type="checkbox"/> Quonset
Age of building(s), if permits not issued/available:		<input type="checkbox"/> Farm Building
		<input checked="" type="checkbox"/> Detached Garage
		<input type="checkbox"/> Gazebo
		<input type="checkbox"/> ** Shipping Container (Seacan)
		<input type="checkbox"/> Personal Greenhouse/Nursery
		<input type="checkbox"/> Horse Shelter/Stable
		<input type="checkbox"/> Tent (covered)
		<input type="checkbox"/> Other (specify):
VARIANCE(s) REQUESTED (If applicable)		
Describe variances requested:		
Describe reasons for variances (location, storage needs, etc.):		
<p>NOTE: Application must include a Site Plan identifying dimensions, area, and location of the building (including setbacks), floor plan(s), elevations, and requirements of the Development Permit Checklist.</p> <p>Accessory Buildings, Land Use Bylaw, C-8000-2020:</p> <p>* An Accessory Building on a parcel in a Residential District shall be similar to, and complement, the Principal Building in exterior material, colour and appearance.</p> <p>** Where the Accessory Building is a Shipping Container it:</p> <p>a) Shall not be attached, in any way, to a principal building;</p> <p>b) Shall not be stacked in any Non-Industrial District; and</p> <p>c) Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.</p>		

Applicant Signature

Date

Feb 3, 2021



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [x] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☒ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.
- ☒ **CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:**
 - ☒ Digital copy of non-financial instruments/caveats registered on title
- ☒ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☒ **COVER LETTER, shall include:**
 - ☒ Proposed land use(s) and scope of work on the subject property
 - ☐ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☒ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN, shall include:**
 - ☒ Legal description and municipal address
 - ☒ North arrow
 - ☒ Property dimensions (all sides)
 - ☒ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☒ Dimensions of all buildings/structures
 - ☒ Location and labels for existing/proposed approach(s)/access to property
 - ☒ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☒ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☒ Identify site slopes greater than 15% and distances from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☒ **FLOOR PLANS/ELEVATIONS, shall include:**
 - ☒ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☒ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☒ Indicate type of building/structure on floor plans and elevations
- ☒ **COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy:** Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☒ **SUPPORTING DOCUMENTS (as applicable):** Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): Oversize Accessory Building (Detached Garage) Land Use District: R-CRD
 Applicable ASP/CS/IDP/MSDP: Central Springbank ASP
 Included within file: ☒ Information Sheet ☒ Parcel Summary ☒ Site Aerial ☒ Land Use Map Aerial ☒ Site Plan

NOTES:

Staff Signature: Jeevan Wareh



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0011 302 726 7510024;1;24 211 010 569

LEGAL DESCRIPTION
PLAN 7510024
BLOCK 1
LOT 24
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.809 HECTARES (2 ACRES) MORE OR LESS

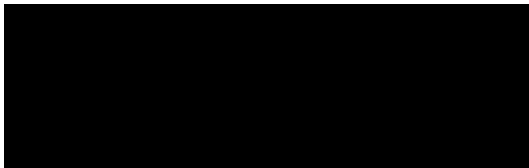
ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;24;30;N
ATS REFERENCE: 5;2;24;31;S

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 131 316 030

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 010 569	14/01/2021	TRANSFER OF LAND	\$895,000	\$895,000

OWNERS



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
751 002 872	13/01/1975	RESTRICTIVE COVENANT
131 316 031	09/12/2013	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. 500 EDMONTON CITY CENTRE EAST EDMONTON ALBERTA T5J5E8

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
211 010 569

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ORIGINAL PRINCIPAL AMOUNT: \$668,000

211 010 570 14/01/2021 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
500 EDMONTON CITY CENTRE EAST
EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$600,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF
FEBRUARY, 2021 AT 08:20 A.M.

ORDER NUMBER: 40960179

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

ALBERTA GOVERNMENT SERVICES LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

751002872

ORDER NUMBER: 40960226

ADVISORY

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75-1 002872

REGN. FEE	5.00
LOTS	
MILES R/W	
EX. REF. CERTS	68.00
NEW TITLE	
CERT. COPY	
TOTAL FEES	67.00
CLERK <i>[Signature]</i> D.B.	
CHARGE TO	

JAN 13 '75

Restrictive Covenant

Ref 2.9.

*Walter D. McCrimmon
Surveys Ltd*

I certify that the within instrument
is duly Entered and Registered in the Land
Titles Office for the South Alberta Land
Registration District of Calgary.

A.D. Registrar
S.A.L.R.D.

PLEASE RETURN THIS
DOCUMENT TO
[Signature]
AFTER MICROFILMING

9-9

RESTRICTIVE COVENANT

ARTISTS VIEW PARK SUBDIVISION

WHEREAS Su-Lyn Investments Ltd., hereinafter referred to as "Su-Lyn" is the registered owner of all those lands described in Schedule "A" attached hereto, and known as the "Artists View Park Subdivision", hereinafter referred to as "the said lots", and WHEREAS Su-Lyn desires to insure that all development within or upon the said lots shall maintain certain standards of architectural excellence for the benefit of all future property owners in the said Artists View Park Subdivision and for the benefit of Su-Lyn, its heirs, successors and assigns as owners of lands surrounding and adjacent to the said lots;

NOW THEREFORE THIS DEED WITNESSETH: that in consideration of the foregoing, Su-Lyn Investments Ltd. does hereby for itself, its assigns, its successors in title, covenant as follows:

1. All those lots and parcels of lands set forth and described in Schedule "A" attached hereto, and being shown in a registered plan of subdivision filed in the Land Titles Office for the South Alberta Land Registration District as # _____ shall be developed only in conformity with
 - a) the conditions and covenants set out in this Artists View Park Building Scheme, and with
 - b) the Building By-Law, the Zoning By-Law and other relevant By-Laws of the Municipal District of Rockyview and any successor municipal corporation.
2. All the said lots and parcels described in Schedule "A" shall be deemed to form the Artists View Park Building Scheme, and the land use and building restrictions and conditions herein shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of all lots and parcels and owners thereof in the said Scheme. Such land use and building restrictions and conditions may be enforced by the owner of any lot or parcel described in the attached Schedule herein, or in such subsequent plans of subdivision affecting the said lots and parcels aforesaid, or by Su-Lyn by reason of its ownership of lands surrounding or adjacent to the lots set forth in the attached Schedule.
3. Su-Lyn shall appoint a committee of architecture, hereinafter referred to as "the Design Committee" which shall consist of three persons. The Design Committee so constituted shall continue in office from the time of its appointment until December 31, 1976, at the pleasure of Su-Lyn, and thereafter unless and until its members are replaced by the owners of a majority of the said lots. IN THE EVENT that a member of the Design Committee resigns, dies, or becomes incapacitated from performing his duties as a member of the Committee, the

remaining members of the Design Committee may fill the vacancy by appointment of a new member. The owners, for the time being, of five or more of the lots may from time to time, by giving twenty (20) days notice, summon a meeting for the purposes of electing a new Design Committee to replace the existing Design Committee. In this Building Scheme notice shall be deemed to have been received by the owner of any of the said lots forty-eight (48) hours after a letter is mailed to the address of the owner of a lot as from time to time recorded with the Municipal District of Rockyview, or its successor municipality.

4. It shall be the general purpose of the Design Committee, when formed, to ensure the maintenance of a high standard of architecture in such a manner as to enhance the aesthetic properties of buildings and their appurtenances, constructed on any of the said lots. The Design Committee shall be guided by the Building Scheme and shall interpret the Building Scheme and shall determine whether such conditions contained in this Building Scheme are being complied with and shall have the power to enforce compliance in any manner that the Design Committee deems appropriate. The Design Committee may grant exceptions to any conditions herein, when and if the enforcement of such conditions would be unreasonable and impractical, and thereby create undue hardship in individual conditions. The Design Committee may adopt such further reasonable rules and regulations as it deems necessary to carry out its duties.

5. No failure on the part of Su-Lyn or the Design Committee or of any other owner or owners to enforce promptly and fully the conditions and covenants and restrictions of this Building Scheme shall be or be deemed to be a waiver of the right of Su-Lyn or any owner or owners to enforce the conditions, covenants, and restrictions of this Building Scheme. The Restrictive Covenants contained herein are severable; and the invalidation of one shall not invalidate any other Restrictive Covenant or performance standard herein, and such covenant or standard shall be independent to such extent that the waiver of any one or more of these restrictive covenants or performance standards by Su-Lyn or by the owner or owners of any of the said lots, shall in no way be construed as a waiver of any of the other restrictive covenants or performance standards.

6. For the purpose of carrying out its functions under this building scheme, the Design Committee may hire, employ, and retain engineers, architects, surveyors, planners, solicitors, and costs incurred in the operation of the Design Committee shall be borne by Su-Lyn until December 31, 1976, and thereafter by the owner or owners of lots in the Building Scheme who request or require to receive the approval of the Design Committee. The Design Committee and its members acting in good faith shall be indemnified by all the owners of lots contained in the Building Scheme from any costs, fees, damages, or expenses

- 3 -

which they may be required to pay to any lot owner in the Building Scheme by any court of competent jurisdiction.

7. The land covered by this Building Scheme shall be used for private residential purposes only, and no attached or semi-detached house, duplex or apartment or any house designed for more than one family shall be erected on the said lands, and no out-buildings other than a garage or summer house, and no more than one attached dwelling house may be erected on any one lot in the subdivisions, provided that nothing herein shall prevent the owner of any lot making adequate provision for domestic staff.

8. No residence shall be used for any other purpose than that of a private dwelling for a single family, and/or its domestic staff.

9. None of the land within the Building Scheme or any buildings erected thereon shall be at any time used for the purpose of any profession, trade or business of any description, or as a school, hospital, or other charitable institution; or as a hotel, apartment house, boarding or lodging house, or place of public resort.

10. None of the said lots shall be used as a junkyard, auto stores, or graveyards, slaughter house, stockyard, or for boxcars or flammable substances above the ground. No lot shall be used for depositing, dumping, burning or storing of any refuse, trash, garbage, or discarded building materials. All rubbish, trash or garbage shall be removed from the property, and shall not be allowed to accumulate thereon.

11. No exterior or interior signs, advertisements, or billboards of any kind shall be erected or exhibited in any manner on or about any of the said lots, without the prior written approval of the Design Committee or Su-Lyn. Such approval shall be in the form prescribed by Su-Lyn or the Design Committee. The issuance of approval shall be within the sole reasonable discretion of the Design Committee or Su-Lyn, provided that the owner of any lot or his agents may post a sign upon any of the said lots advertising the said lot for sale or lease.

12. No cattle, horses, sheep, poultry, hogs, swine or other livestock shall be kept or maintained on any of the said lots. This paragraph shall not be construed however as a prohibition or in any manner interfering with the reasonable keeping of ordinary domestic pet animals; provided that no business for selling ordinary domestic pet animals shall be established on any of the said lots.

13. No main wall or other building shall be erected within a distance of 30 feet of the front property line of any lot, nor closer to the side boundary of any lot nearer than 10% of the width of such lot.

- 3 -

which they may be required to pay to any lot owner in the Building Scheme by any court of competent jurisdiction.

7. The land covered by this Building Scheme shall be used for private residential purposes only, and no attached or semi-detached house, duplex or apartment or any house designed for more than one family shall be erected on the said lands, and no out-buildings other than a garage or summer house, and no more than one attached dwelling house may be erected on any one lot in the subdivisions, provided that nothing herein shall prevent the owner of any lot making adequate provision for domestic staff.

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11. No exterior or interior signs, advertisements, or billboards of any kind shall be erected or exhibited in any manner on or about any of the said lots, without the prior written approval of the Design Committee or Su-Lyn. Such approval shall be in the form prescribed by Su-Lyn or the Design Committee. The issuance of approval shall be within the sole reasonable discretion of the Design Committee or Su-Lyn, provided that

13. ~~No main walls or other buildings shall be erected to the property line thereof nearer than a distance equal to ten (10%) per-cent of the length of such property line; where a lot abuts on two streets, it shall be deemed to front on the street on which it abuts at a shorter distance.~~

- 4 -

14. (1) Except as provided herein, no person shall allow any portion of the principal building on any of the lots to project over or on the yard
- (2) the portions of and attachments to a principal building which may project over or on a lot are:
- i) a cornice, a balcony, a belt course, a sill, a canopy, or eaves which project over a yard a distance not exceeding one-half ($\frac{1}{2}$) of the width of the smaller side yard required for the site;
 - ii) an unenclosed veranda, porch, eave, or a canopy or open balcony individually supported by cantilever which projects not more than forty-eight (48) inches over a conforming front yard;
 - iii) a chimney which is not more than eight (8) feet wide may project two (2) feet into a side yard if such projection shall not reduce the yard less than three (3) feet;
 - iv) unenclosed steps with or without a landing;
 - v) the eaves of a private garage or other accessory building if such eaves are no closer than eighteen (18) inches to a property line;

15. No buildings shall be erected on the lands unless plans showing the location of the said buildings on the properties, elevations, design and location and type of fencing have been submitted to Su-Lyn or to the Design Committee and written approval obtained. It is the intention of the parties hereto that all residences erected on the said lands shall have as far as possible, a desirable view of the surrounding countryside and no residences or other buildings shall be placed on the lands unless the location of the building on the lands has been approved by Su-Lyn or by the Design Committee.

16. No buildings shall be erected on the said lands unless the colour and exterior design of the building shall have been approved by Su-Lyn or by the Design Committee, and no alteration of the colour or exterior design of any building upon the said lands shall be made without the approval of Su-Lyn or the Design Committee.

17. No addition to any buildings, or any change in the colour scheme of any buildings shall be made unless the plans and specifications and details have been submitted to Su-Lyn or to the Design Committee, and approval in writing obtained.

18. Every building shall be completed in accordance with the plan approved by Su-Lyn or by the Design Committee, as aforesaid, before it is occupied and no building shall be deemed to be completed until the grounds and surroundings are improved in such a manner except for seeding and general landscaping as to be in keeping with the general appearance of the surrounding lands.

-5-

19. No trailer, or mobile home or living accommodation or truck exceeding one (1) ton capacity shall be parked or placed on the lands except in the garage erected thereon or in a screened area, providing that nothing herein shall prevent an owner permitting trucks, trailers, or mobile homes to be parked on any of the said lots for a period not exceeding forty-eight (48) hours for the purposes of loading or unloading goods and merchandise.
20. No excavations shall be made on the said lots except for the purposes of building, or for the improvement of the gardens or grounds thereof. No soil, sand or gravel shall be removed from the said lots except with the permission of Su-Lyn or the Design Committee.
21. The owner of any lots herein covenants and agrees to provide easements and rights of way for the construction of services, ingress and egress, upon and through the said lots. The water services shall be taken from Artists View Park Services Ltd., or its successor company and not from any other party, individual well, or similar systems for water.
22. No evaporative or air-heating or conditioning unit or tower shall be located on the roof of any structure unless screened by walls or other adequate means in such a manner as to conceal them from the view of neighbouring lots and streets. All such units, clotheslines, fixtures, swimming pool filters, water systems, woodpiles, or storage piles, articles, goods or materials, business or personal, shall be walled in or kept screened by adequate plantings, walls or other means in such a manner as to conceal them from the view of the neighbouring lots and streets.
23. No outdoor toilets may be erected or maintained on any part of any lot or property except during construction on the applicable lot or property.
24. No person shall alter the existing natural drainage without the prior written approval of Su-Lyn or the Design Committee.
25. All open areas of the said lots shall be maintained in a dust-free condition by landscaping with trees, shrubs, suitable ground cover, undisturbed natural growth or by covering with a material that will provide an all-weather surface.
26. No person shall construct an access for ingress or egress until the same have been approved by Su-Lyn or the Design Committee.
27. No unscreened out-door storage shall be permitted and all areas used for storage shall be enclosed on all sides by a masonry wall or solid fence not less than six (6) feet nor more than eight (8) feet in height. No materials or products shall be stacked to exceed the height of the wall. The Owner of any lot shall provide gravelled or surfaced parking sufficient for four (4) cars.

-5-

19. No trailer, or mobile home or living accommodation or truck exceeding one (1) ton capacity shall be parked or placed on the lands except in the garage erected thereon or in a screened area, providing that nothing herein shall prevent an owner permitting trucks, trailers, or mobile homes to be parked on any of the said lots for a period not exceeding forty-eight (48) hours for the purposes of loading or unloading goods and merchandise.

20. No excavations shall be made on the said lots except for the purposes of building, or for the improvement of the gardens or grounds thereof. No soil, sand or gravel shall be removed from the said lots except with the permission of Su-Lyn or the Design Committee.

21. The owner of any lots herein covenants and agrees to provide easements and rights of way for the construction of services, ingress and egress, upon and through the said lots. The water services shall be taken from Artists View Park Services Ltd., or its successor company and not from any other party, individual well, or similar systems for water.

22. No evaporative or air-heating or conditioning unit or tower shall be located on the roof of any structure unless screened by walls or other adequate means in such a manner as to conceal them from the view of neighbouring lots and streets. All such units, clotheslines, fixtures, swimming pool filters, water systems, woodpiles, or storage piles, articles, goods or materials, business or personal, shall be walled in or kept screened by adequate plantings, walls or other means in such a manner as to conceal them from the view of the neighbouring lots and streets.

23. No outdoor toilets may be erected or maintained on any part of any lot or property

^{and covered}
~~27. No out-door storage shall be permitted and all areas used for storage shall be~~
enclosed on all sides by ^{or} masonry wall or solid fence not less than six (6) feet nor more than eight (8) feet in height. No materials or products shall be stacked to exceed the height of the wall. The Owner of any lot shall provide gravelled or surfaced parking ~~sufficient for four (4) cars.~~

-6-

28. Should it be necessary at any time for Su-Lyn or the Design Committee to employ counsel, to enforce any of the provisions, conditions, restrictions, performance standards or covenants herein contained, all costs incurred in the enforcement thereof including but not limited to a reasonable fee for counsel shall be paid by the owner or owners of a lot or lots who through their breach make it necessary for Su-Lyn or the Design Committee to enforce such provisions, conditions, restrictions performance standards or covenants.

29. Su-Lyn or the Design Committee and the members thereof shall have a lien upon such lot or lots to secure payment and restitution caused by any breach of the provisions conditions, restrictions, performance standards or covenants herein contained.

30. If, in the opinion of Su-Lyn or the Design Committee, any such owner is failing in his duty and responsibility, then written notice shall be given to the owner at his address filed with the Municipal District of Rockyview, or successor municipality, to undertake the care and maintenance required to restore the said property to a safe, clean, attractive and lawful condition. Should such owner fail to fulfill or commence to fulfill this duty and responsibility within seven (7) days from receipt of such notice, then Su-Lyn and the Design Committee shall have the right and power to undertake such care and maintenance. The owner of the property on which such work is performed shall be liable for the cost of any such work and shall promptly reimburse Su-Lyn or the Design Committee for the cost thereof. If such owner shall fail to comply within thirty (30) days after being billed therefor, then said cost including all reasonable expenses incurred therefor shall be a debt of such owner payable to Su-Lyn or the Design Committee, and shall be a lien against any such owner's property.

IN WITNESS WHEREOF Su-Lyn Investments Ltd. has hereunto caused its corporate seal to be affixed as attested to by its proper officers duly authorized in that behalf.

Rekd. 13th Jan 1975

SU-LYN INVESTMENTS LTD.

[Signature]
Per: _____

IS SCHEDULE "A" TO RESTRICTIVE COVENANT DATED
BY SU-LYN INVESTMENTS LTD.

LOT NUMBER

1 to ~~34~~ inclusive
32

BLOCK NUMBER

1

PLAN NUMBER

751 0024



ROCKY VIEW COUNTY

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

403-230-1401
questions@rockyview.ca
www.rockyview.ca

LETTER OF AUTHORIZATION

I, (We) Courtney Makkinga being the owner (s) of
Lot 24 Block 1 Plan 7510024

Legal:

NW/NE/SE/SW Section 30 Township 24 Range 02 W 05 M
give Mike Kemp permission to act on my
(our) behalf in applying in the Redesignation and/or Subdivision of the subject
property.

C. Makkinga
Signature

Signature

Feb 3, 2021
Date

Owner(s) contact information:



253 ARTISTS VIEW WAY



DEVELOPMENT PERMIT APPLICATION

LOT 24 BLOCK 1 PLAN 7510024

LEGAL: NW SECTION 30 TOWNSHIP 24 RANGE 02 W 05 M

Accessory Building/Detached 4 bay garage 3m from east property line

1792 SQ FT

Concrete Slab

2x6" Wood framing as per attached drawings.

Concrete slab as per attached engineered drawing including footings and pilings

Photos show subject location in each direction

One large spruce tree needs to be removed in the north west corner of the new garage location

Some smaller trees need to be moved to accommodate the approx. 7-10' of the back half of the garage

Some shrubs that border the south side of the existing driveway need to be remove to allow access to new detached garage.



Summary

Roll Number	04630047		
Legal Desc	NW-30-24-02-W05M		
Divison	03		
Lot Block Plan	Lot:24 Block:1 Plan:7510024		
Linc Number	11302726		
Title Number	211010569		
Parcel Area	2.00000		
Municipal Address	253 ARTISTS VIEW WAY		
Contact Information	Makkinga, Courtney L		00000000000000
			00000000000000
			00000000000000
Land Use Information	R-CRD		

Plan

Planning Applications Information

{There is no related Application}

Area Structure Plan

Plan Name

Central Springbank

RV Number

2008-RV-187

Conceptual Scheme

{There is no related Conceptual Scheme}

Permit

Building Permit

{There is no related Building Permit}

Development Permit Information

{There is no related Development Permits}

Alert

{There is no related Development Enforcement Data}

Boundary	Category	B-1 Page 54 of 68
Division	3	
Area Structure Plan	Central Springbank	
Conceptual Scheme	No Conceptual Scheme	
IDP	CALGARY IDP Study Area	
Airport Vicinity	No APVA	
Engineer		
Water Coop		
Gas Coop Service		
No.of Lots Within 600 M	62	
No.of App Subdiv Within 600 M	0	
Developed Road Allowance	Yes	
Riparian Area	Yes	
School	No School Boundary	
Recreation	Rocky View West	
Fire District	SPRINGBANK	
Primary Fire Station	102	
Secondary Fire Station	101	
Tertiary Fire Station	120	

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	5219.08 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:16557.84 M
Closest Road Name	ARTISTS VIEW WY(Surface Type:Paved)	13.68 M
Closest Railway	CPR	2749.83 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	3776.21 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	256.13 M
Closest Confined Feeding Operation		1477.11 M



ARTISTS VIEW WAY



A-SML
p8.1
R-RUR

CRD
TIMBERSTONE COURT
R-CRD

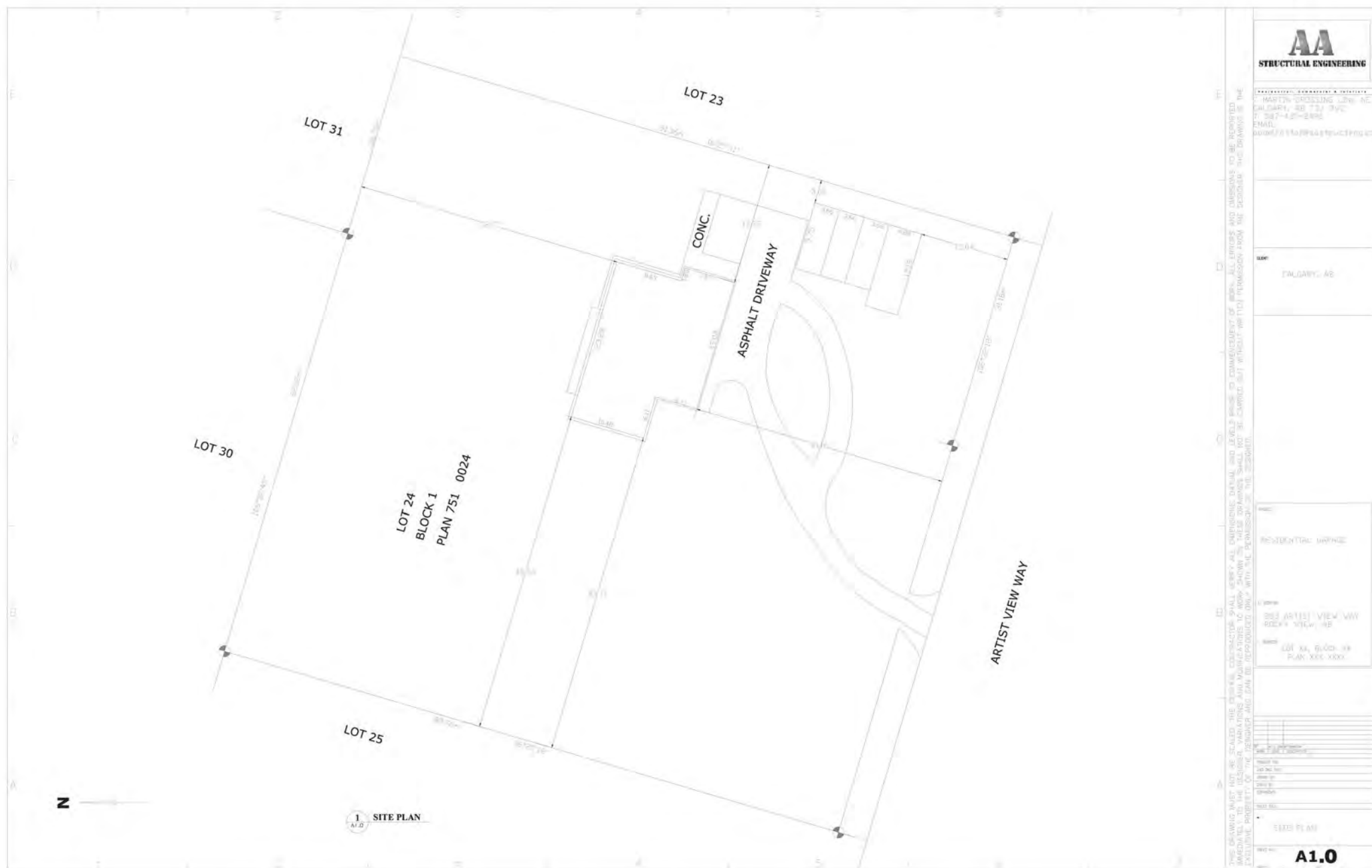
R-CRD
S-PUB

R-RUR
p4.0
HORIZON VIEW RD

ARTISTS VIEW WAY
30
SEC HWY 563

SOLERIDGE PL
SHANTARA GROVE
ESCARPMENT PLACE
SPRINGBANK RD
400 PINNACLE RIDGE PLACE

R-CRD
ARTISTS VIEW GATE
ARTISTS VIEW DR
A-SML
p8.1
DC84
R-RUR
UPLANDS WAY
UPLANDS RIDGE
WESTBLUFF RD



AA
STRUCTURAL ENGINEERING

REGISTERED PROFESSIONAL ENGINEER
C. MARTIN CROSSING, INC. INC.
CALGARY, AB T2C 1P1
T 403-274-2222
F 403-274-2222
EMAIL: martin@martincrossing.com

DATE: CALGARY, AB

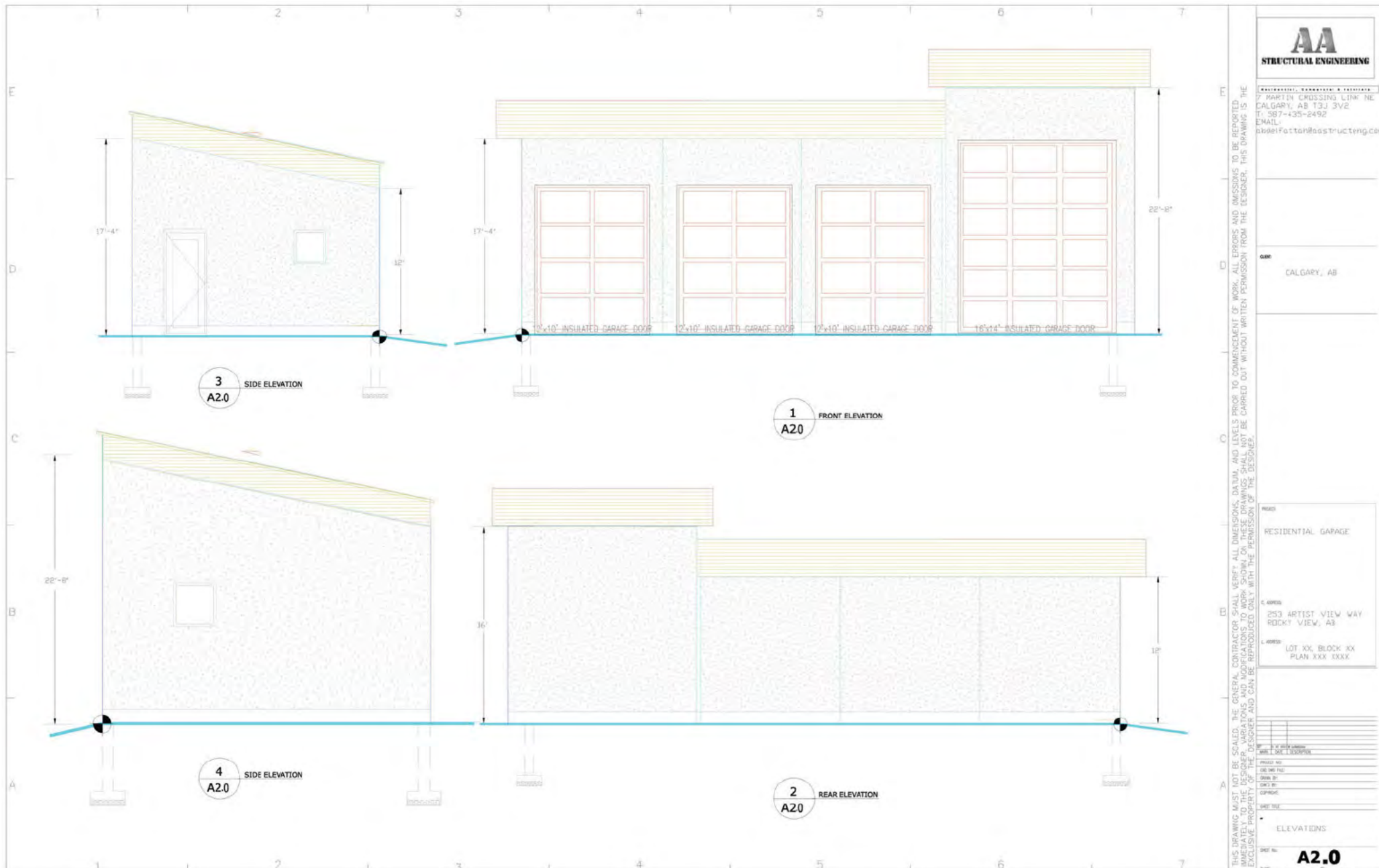
RESIDENTIAL: WARRIOR

2023 ARTIST VIEW WAY
2023 VIEW WAY
LOT 24, BLOCK 1
PLAN 751 0024

NO.	DESCRIPTION	DATE	BY	CHKD BY
1	ISSUED FOR PERMIT	2023-08-10	AA	AA
2	ISSUED FOR CONSTRUCTION	2023-08-10	AA	AA
3	ISSUED FOR AS-BUILT	2023-08-10	AA	AA

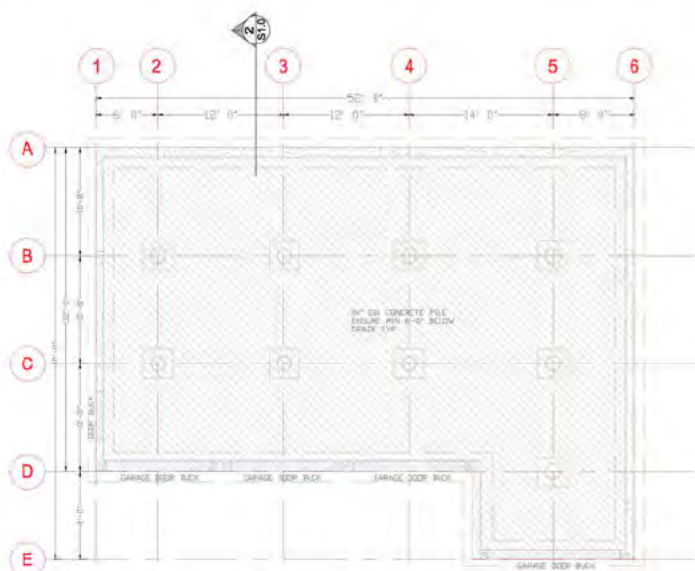
SITE PLAN

A1.0

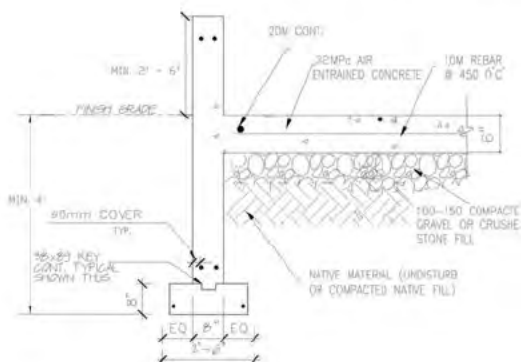


THIS DRAWING MUST NOT BE SCALED. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATA, AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS TO BE REPORTED IMMEDIATELY TO THE DESIGNER. VARIATIONS AND MODIFICATIONS TO WORK SHOWN ON THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE DESIGNER AND CAN BE REPRODUCED ONLY WITH THE PERMISSION OF THE DESIGNER.

AA STRUCTURAL ENGINEERING	
<small>REGISTERED, PROFESSIONAL ENGINEER</small> 7 MARTIN CRUICKSHANK LINK, NE CALGARY, AB T3J 3V2 TEL: 587-435-2492 EMAIL: aa@aastructural.com	
CUR: CALGARY, AB	
PROJECT: RESIDENTIAL GARAGE	
C ADDRESS: 253 ARTIST VIEW WAY ROCKY VIEW, AB	
L ADDRESS: LOT XX, BLOCK XX PLAN XXX XXXX	
SHEET NO. A2.0	



1 FOUNDATION PLAN
S1.0



2 Garage Concrete Foundation TYP.
S1.0

GENERAL NOTES:

- ALL CONSTRUCTION TO CONFORM TO A.B.C. 2019.
- BUILDER SHALL BE RESPONSIBLE TO CONFIRM ALL DIMENSIONS AND INFORMATION ON DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THE S1.0 ENGINEER FOR PROPER ADJUSTMENT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL CONSTRUCTION METHODS AND SPECIFICATIONS SHALL CONFORM TO THE ALBERTA BUILDING CODE AND LOCAL BUILDING BY-LAWS.
- CONTRACTOR TO DETERMINE SOIL CONDITIONS ARE SUITABLE BEFORE START OF CONSTRUCTION.
- WRITTEN AND APPROVED SPECIFICATIONS WILL ALWAYS OVERRIDE DRAWINGS.
- DO NOT SCALE FROM DRAWINGS.
- CONTRACTOR TO CALL CITY - PRIOR TO EXCAVATION - TO MARK THE UTILITY LINES INSIDE THE PROPERTY. CONTRACTOR TO CONFIRM THAT ALL EXCAVATION IS FAR FROM ANY UTILITY LINES AND TO INFORM THE DESIGNER WITH ANY ENCROACHMENT BETWEEN THE EXCAVATION AND THE UTILITY LINES.
- ALL STRUCTURAL STEEL SECTIONS, HOLLOW STRUCTURAL SECTIONS AND PLATE SHALL CONFORM TO CAN3-G40.20-M81 AND CAN3-G40.21-M8, GRADE 350W
- ANCHOR BOLTS, NUTS AND WASHERS SHALL CONFORM TO ASTM A307-B2B
- WELDING MATERIALS AND PROCEDURES SHALL CONFORM TO CSA-W59, ALL WELDING TO BE PERFORMED BY CERTIFIED WELDERS.
- FABRICATE AND ERECT STEEL IN ACCORDANCE TO CSA-16-01
- BOLTS AND NUTS SHALL CONFORM TO THE REQUIREMENTS OF ASTM A307 OR ASTM A325, PROVIDE WASHERS. [HOT-DIP GALVANIZED BOLTS, NUTS AND WASHERS]
- SHEET METAL SCREWS SHALL HAVE A MINIMUM COATING THICKNESS OF 0.008 mm OF ZINC. OTHER COATINGS PROVIDING EQUAL OR BETTER CORROSION PROTECTION MAY BE USED.
- WELDING MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF CSA W59.

DESIGN PARAMETERS:

- ALLOWABLE SOIL BEARING CAPACITY 2000 psf

CONCRETE:

- CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 32 MPa AT 28 DAYS.
- ALL CONCRETE WORK SHALL CONFORM TO CSA STANDARD CAN-23.1-04 "CONCRETE MATERIALS AND METHODS OF CONCRETE CONSTRUCTION" AND ITS REFERENCED PUBLICATIONS.
- CEMENT SHALL BE TYPE HS HIGH SULPHATE-RESISTANT HYDRAULIC CEMENT.
- FINE AGGREGATE SHALL BE CLEAN, NATURAL SAND, ARTIFICIAL OR MANUFACTURED SAND WILL BE ACCEPTABLE.
- COARSE AGGREGATE SHALL BE CRUSHED ROCK, WASHED GRAVEL, OR OTHER INERT GRANULAR MATERIAL.

REINFORCING STEEL:

- REINFORCING TO BE DEFORMED BARS CONFORMING TO CSA C30.18 GRADE 40S (400 MPa).
- A MINIMUM OF 75 mm OF COVER FOR REINFORCEMENT SHALL BE PROVIDED FOR CONCRETE PLACED AGAINST THE GROUND.
- FOR SURFACES TO BE EXPOSED TO THE WEATHER OR IN CONTACT WITH THE GROUND AFTER REMOVAL OF FORMS, THE CONCRETE COVER SHALL BE AT LEAST 50 mm.
- SPICES SHALL CONFORM TO THE CODES AND STANDARDS SPECIFIED. LAP SPICE LENGTHS SHALL PERMIT ALL BARS TO BE SPICED AT THE SPICE LOCATION WITH NO REDUCTION IN SPICE LENGTH AS RESULT OF STAGGERED SPICE LOCATIONS OR EXCESS REINFORCEMENT UNLESS OTHERWISE INDICATED ON THE DRAWINGS.



7 MARTIN CROSSING LMK NE
CALGARY, AB T3J 3V2
T: 587-433-2492
EMAIL: info@aastructuralengineering.com

CALGARY, AB



JAN 26/2021

RESIDENTIAL GARAGE

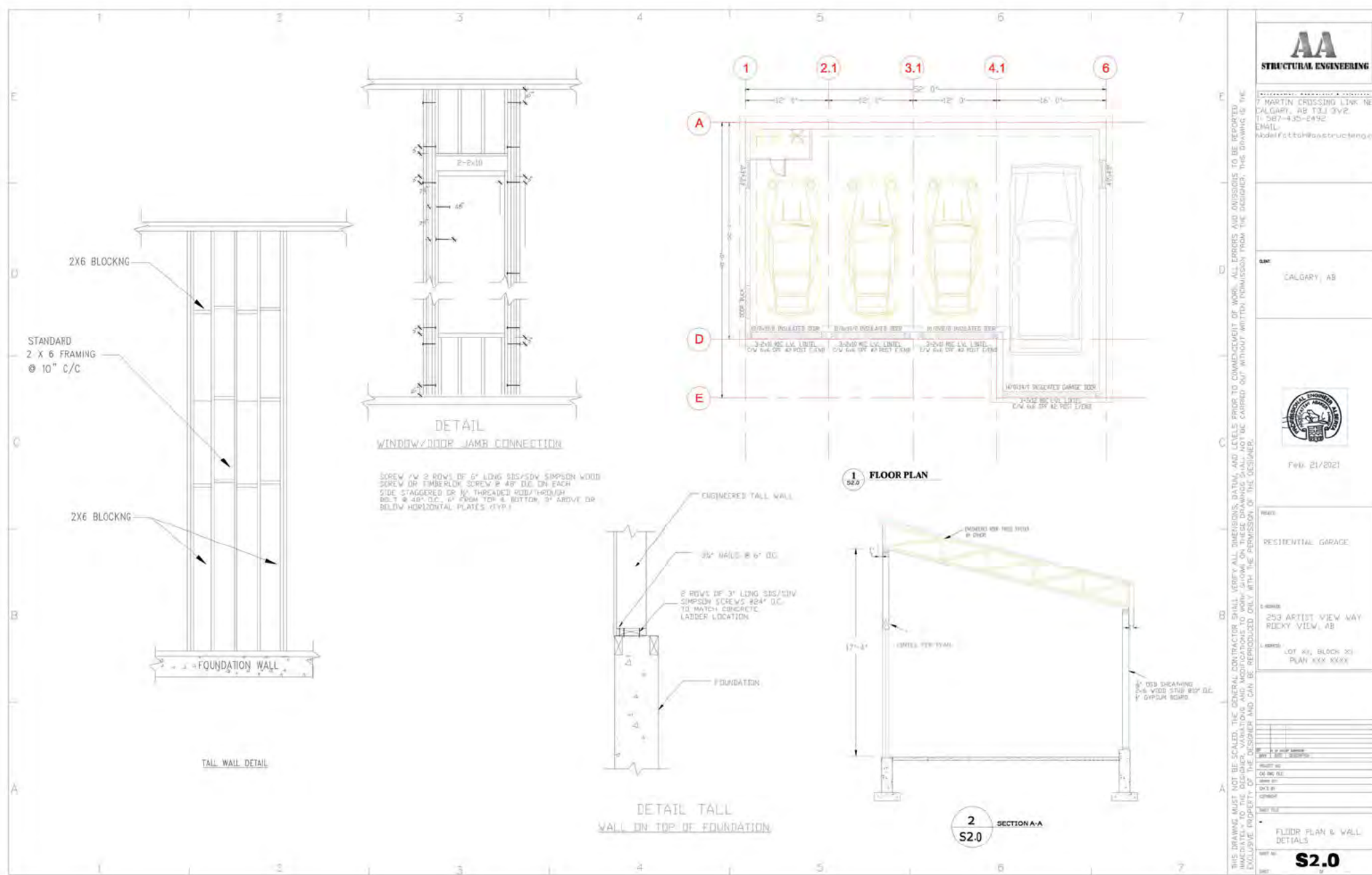
253 ARTIST VIEW WAY
ROCKY VIEW, AB

LOT XX, BLOCK XX
PLAN XXX XXXX

PROJECT NO.
DATE
DATE BY
DATE BY
DATE BY

FOUNDATION PLAN & SECTIONS

S1.0





DEVELOPMENT PERMIT

Inspection Report

APPLICATION DETAILS	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
QUADRANT	SW
FILE MANAGER	Bronwyn Culham
DATE REQUIRED	April 9, 2021

PARCEL/APPLICANT INFORMATION

Applicant/Owner Name: Kemp, Michael

Municipal Address/Legal Description: 253 ARTISTS VIEW WAY, Rocky View County AB / NW-30-24-02-05

Land Use: R-CRD

Permission for Entrance Granted: No (Yes or No)

INSPECTION INFORMATION

Reason for Inspection: Construction of an oversize accessory building (detached garage)

Specific Concerns:

- Construction taking place
- Materials on site
- Screening of any kind (Impact)
- Is the site tidy

Inspector: Andy Wiebe

Date of Inspection: March 29, 2021

INFORMATION INCLUDED (indicate with "x")

☐ Satellite Aerials – Zoomed In ☐ Satellite Aerials – Zoomed Out ☐ Site Plan ☐ Application-Specific Information

Observations:

1. Unable to determine if construction taking place

2. No materials observed

3. Site is tidy

Andy Wiebe

Signature of Inspector

Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021



Letters to the Board in support of the appeal

May 7th 2021

RE: File #04630047 PRDP20210477

Property: 253 Artists View Way

Dear Development Appeal Board,

We are unable to attend the Hearing regarding this Appeal scheduled for May 27th 2021 at 9:00 AM, however we would certainly like to register our strong support for the Appeal that has been submitted.

Our home address is 60 Artists View Way, and this has been our family home for over 40 years, extending down through generations. Our property is the second lot on the East side of Artists View Way as you enter our community. Over these years, we have seen the gradual increase in RESIDENTIAL development such as Artists View Pointe, Solace Ridge and so on. However, none of this development has ever engaged in Commercial type structures, presumably because your bylaws prohibit Commercial Development in a residential community, and certainly the Restrictive Covenant that all Artists View residents are required to sign when purchasing a property in our community clearly spells out such restrictions.

Given this reality, the primary two reasons we support this Appeal are as follow:

- 1) From a pure governance/procedural basis, how did this development request receive Approval before the affected community was made aware of the application?
- 2) Does the Development Approval Board realize that this property ALREADY has a 4 car garage on it! Surely any car “hobbyist/enthusiast” should be able to use the existing extra garages to accommodate their hobby. Requesting to further develop another structure of this magnitude can only mean the anticipation of a commercial use of some type, and this is simply unacceptable in a long-established residential community.

There are numerous residential communities that been developed over the years in the Springbank area, yet not one of these has seen the addition of a commercial based structure such as the one in question. Thus our bewilderment as to how the Board could approve such a request. Good governance process combined with some common sense should make this project easily seen to be disruptive and not appropriate for this community.

As further development has and will continue to happen in Springbank, there are many existing commercial spaces available for such a project. Surely the Board can see the benefits to all parties of keeping residential communities residential and approve commercial projects in/on commercial areas only.

In view of this, please register our joint support for this Appeal.

Dave & Carol Stinton

60 Artists View Way

Lot/Block/Plan #20/1/7510024

May 13th, 2021

B-1 04630047 PRDFP20210477
SDAB 2021 May 27
Saini letter of support
Page 1 of 1

Rockyview County Subdivision and Development Appeal Board

File 04630047 PRDP20210477

Property: 253 Artist View Way

Re: Appeal against the Development Authority's decision to approve development permit application PRDP 20210477

Dear Development Appeal Board,

We are unable to attend the Hearing regarding this Appeal scheduled for May 27th 2021 at 9:00 AM, however we would certainly like to register our strong support for the Appeal that has been submitted.

I and my fellow signatories are homeowners on Artists View Pointe, a country residential subdivision adjacent to Artists View Way where the subject development is located. We are opposed to the approval of the development permit and ask you to withdraw it.

We chose to live on Artists View Pointe because of the quality of life here. Clean air, mountain views, less noise and a country charm lifestyle.

The proposed building is as big as a house. It will be used to store, restore and repair vehicles on what appears to be a commercial scale. It will be obtrusive. It won't fit into the landscape. It will chip away at the residential nature of the area, moving it towards commercial.

What we are most concerned about is that approval of this building will set a precedent leading to the incremental destruction of country residential subdivisions in this area, including ours.

Artist View Pointe has similar Restrictive Covenants as Artist View Way, and again we are concerned with setting a precedent. Also concerning is how this development was approved without the affected community being notified.

As further development has and will continue to happen in Springbank, there are many existing commercial spaces available for such a project. Surely the Board can see the benefits to all parties of keeping residential communities residential and approve commercial projects in/on commercial areas only.

In view of this, please register our joint support for this Appeal.

Deepak & Andrea Saini	47 Artist View Pointe	<i>Deepak Saini</i>	<i>Andrea Saini</i>
Tony & Jo Sabelli	59 ARTIST VIEW POINT	<i>Tony Sabelli</i>	<i>Jo Sabelli</i>
Wendy & Paul Burrows	63 Artist View Pointe	<i>W. Burrows</i>	<i>Paul Burrows</i>
Gwen Mann	31 Artist View Pointe	<i>Gwen Mann</i>	
Damon Booth	27 Artist View Pointe	<i>Damon Booth</i>	
Darrell/Barbara Jay	67 Artist View Pointe	<i>Darrell Jay</i>	<i>Barbara Jay</i>
Stan Wong	35 Artist View Pointe	<i>Stan Wong</i>	<i>BB</i>

**PLANNING AND DEVELOPMENT SERVICES**

TO: Subdivision and Development Appeal Board
DATE: May 27, 2021 **DIVISION:** 4
FILE: 03316008 **APPLICATION:** PRDP20202115
SUBJECT: Development Item: Industrial (Medium) & Outdoor Storage /
Discretionary Uses, with Variances

APPLICATION: Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.

GENERAL LOCATION: located approximately 0.41 km (1/4 mile) north of Twp. Rd. 232 and on the west side of Rge. Rd. 283.

LAND USE DESIGNATION: Industrial, Light District (I-LHT), under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on March 24, 2021, and was conditionally approved in accordance with Attachment 'C'.

This application is for a transportation company, West Pacific Transport Ltd, on the subject property, which includes office operations and the outdoor storage of truck trailers and commercial vehicles. The business includes transportation and shipping services of goods and products, with the head office located in Vancouver. The hours of operation are predominately Monday to Friday, 7:00 a.m. to 6:00 p.m. There are three full-time employees, who reside offsite. As Outdoor Storage will be located onsite at all times, overheight chain-link perimeter fencing is proposed as a security measure and requested setback variances. It is estimated up to 30 trailers and 25 trucks will be stored onsite.

The application is a result of Enforcement Action as the business is occupying onsite, with various elements pre-completed, such as site stripping & grading up to 0.91 m (3.00 ft.) grade change and fencing installation.

On April 8, 2021, the Appellants appealed the decision of the Municipal Planning Commission for several reasons, which are noted within the agenda package.

The Application was presented to the Subdivision and Development Appeal Board on May 6, 2021. The application was tabled to the subject hearing date.

DECISION: Conditionally-Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:
March 24, 2021

APPEAL DATE:
April 6, 2021

ADVERTISED DATE:
March 30, 2021

Administration Resources

Jacqueline Targett, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • City of Calgary Intermunicipal Development Plan; • Land Use Bylaw C-8000-2020 [LUB]; and • County Servicing Standards. 	<p>DISCRETIONARY USE:</p> <ul style="list-style-type: none"> • Industrial (Medium) • Outdoor Storage <p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Subdivision and Development Appeal Board
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APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor
Development and Compliance

JT/lt



APPLICATION INFORMATION

APPLICANT: Planning Protocol 3 Inc. (Rodney Potrie)	OWNER: 2249324 Alberta Ltd. (Balwinder Dhanoa)
DATE APPLICATION RECEIVED: July 23, 2021	DATE DEEMED COMPLETE: October 16, 2020
MUNICIPAL PLANNING COMMISSION DECISION DATE: March 24, 2021	
APPELLANTS: Rejean Levesque & Patrick Roy	
GROSS AREA: ± 1.61 hectares (± 4.00 acres)	LEGAL DESCRIPTION: SE-16-23-28-W04M; Lot 1, Block 1, Plan 0214125 232071 RANGE ROAD 283
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <i>Planning Applications:</i> <ul style="list-style-type: none"> PL20170134 (Redesignation): To redesignate the subject lands from Residential Two District to Business Industrial Campus District; Approved September 12, 2017; 2001-RV-329 (Subdivision): To create one +/- four (4) acre parcel with a +/- 12 acre remainder. Approved April 30, 2002; 2001-RV-055 (Redesignation): To redesignate a portion of the subject land from Agricultural Holdings District to Residential Two District to facilitate the creation of one +/- four (4) acre lot with a +/- 12.51 acre remainder. Approved. <i>Development Permits:</i> <ul style="list-style-type: none"> PRDP20172099 to 1999-DP-8369: Home-Based Business, Type II, for auto and truck repairs; Expiry: August 3, 2020 <i>Building Permits:</i> <ul style="list-style-type: none"> 2003-BP-16688; Accessory Building (Garage); Final Inspection January 18, 2008 1998-BP-112544; Accessory Building (Shed); Progress inspection January 18, 2008 <i>Assessment History:</i> <ul style="list-style-type: none"> 1960: Dwelling, Single Detached; 1960: Accessory Building (Garage) 1965: Accessory Building (Garage); 2003: Accessory Building (Garage) 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority

DATE: March 24, 2021 **DIVISION:** 4

FILE: 03316008 **APPLICATION:** PRDP20202115

SUBJECT: Industrial (Medium) & Outdoor Storage / Discretionary Uses, with Variances

APPLICATION: Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.

GENERAL LOCATION: located approximately 0.41 km (1/4 mile) north of Twp. Rd. 232 and on the west side of Rge. Rd. 283

LAND USE DESIGNATION: Industrial, Light District (I-LHT), under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: This proposal is for the approval of a transportation company, West Pacific Transport Ltd, on the subject property, which includes office operations and the outdoor storage of truck trailers and commercial vehicles. The business includes transportation and shipping services of goods and products, with the head office located in Vancouver. The hours of operation are predominately Monday to Friday, 7:00 a.m. to 6:00 p.m. There may be occasional truck deliveries outside of standard operating hours, depending on road and weather conditions and delays. Deliveries are to/from Vancouver, to British Columbia, Alberta, Saskatchewan and Manitoba. There is three full-time employees, who reside offsite. As Outdoor Storage will be located onsite at all times, overheight chain-link perimeter fencing is proposed as a security measure. It is estimated, at up to 30 trailers and 25 trucks will be stored onsite.

The application is a result of Enforcement Action as the business is occupying onsite, with various elements pre-completed, such as site stripping & grading up to 0.91 m (3.00 ft.) grade change and fencing installation.

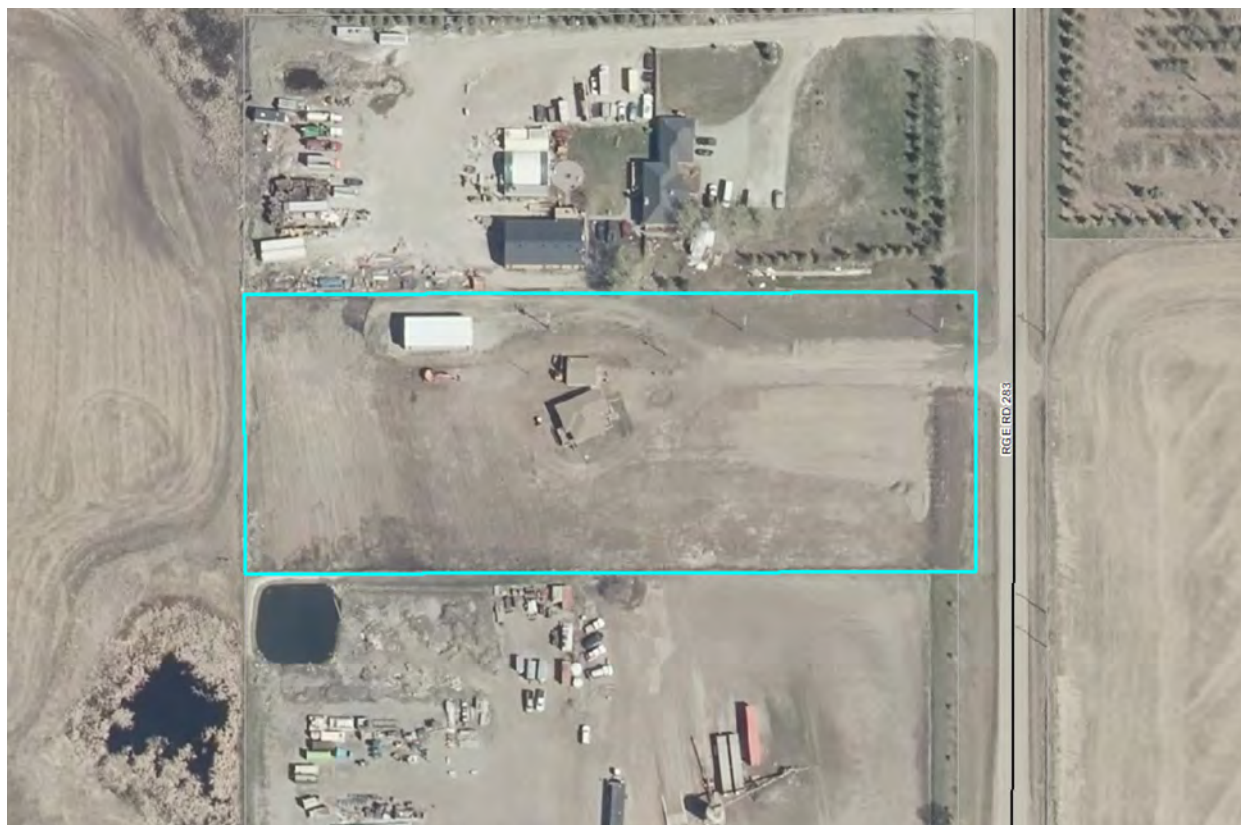
The subject location of the parcel is located within an identified Calgary Growth area of the County Plan. Within the County, the parcel is located in a transitional area of the County, which is converting from residential uses to live/work, business and industrial uses. As such, the proposed business appears to align with the desired change in the area.

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

OPTIONS:

- Option #1: THAT Development Permit No. PRDP20202115 approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit No. PRDP20202115 be refused noted below
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
269 Fencing Height	2.00 m (6.56 ft.)	2.73 m (9.00 ft.)	50.00%
443 Parking & Storage Rear Yard Setback	6.00 m (19.68 ft.)	0.00 m (0.00 ft.)	100.00%
444 Additional Requirements: Screening	Storage shall be located to the rear and side of the principal building	As per site plan	N/A

APPLICATION EVALUATION:

The application was evaluated based on the application submitted 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; City of Calgary Intermunicipal Development Plan; 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Applications Support Package
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<ul style="list-style-type: none"> • Land Use Bylaw C-8000-2020 [LUB]; and • County Servicing Standards. 	
DISCRETIONARY USE: <ul style="list-style-type: none"> • Industrial (Medium) • Outdoor Storage 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Subdivision and Development Appeal Board

Additional Review Considerations

As the application was received prior to the adoption of the new LUB, the Applicant has provided written confirmation to assess the application under the new LUB. The application was assessed in accordance the Sections Table 5, 253-261, 269, 438 through 444 of the LUB. The application appears to comply with the regulations except as noted.

The business is proposing to use a septic holding tank, existing septic field and an existing water well for business operations. A commercial water well license is required from Alberta Parks & Environment prior to use. If not, the Applicant will have to install water cisterns for business operations.

- The chain-link perimeter fencing will be 2.73 m (9.00 ft.) fencing, including barbed-wire topping.
- The minimum landscape area for the lands is 1,618.74 sq. m (17,423.97 sq. ft.) and the minimum requirements is 40 trees and 20 shrubs. The Applicant proposing 24 Coniferous trees, 8 Deciduous trees and 20 Shrubs.
- As per Table 5, the required parking requirements for Outdoor Storage is *0.5 stalls per 100.0 sq. m (1,076.39 sq. ft.) gross floor area (minimum of 4)*. The existing dwelling is 139.35 sq. m (1,500.00 sq. ft.) in area and the minimum requirement is 4 stalls. The site has adequate area to accommodate the minimum parking requirements.
- One identification sign, 0.60 m x 0.91 m (2.00 ft. x 3:00 ft.) is proposed at the property entrance and one (1) façade sign of similar size, is located at the office location. Any other signage onsite is wayfinding and ancillary information.

The business is proposing to move office operations from the existing Dwelling, Single Detached to a future Office, to be constructed at the front of the property. As that projected timeline is well into the future, the new Office is not considered under this application and an additional Development Permit is required.

The application appears to comply with district regulations of setback requirements for buildings and storage, except as noted above.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

JT/lt

DEVELOPMENT PERMIT REPORT CONDITIONS**Description:**

1. That Industrial (Medium) & Outdoor Storage, may take place on the subject site in general accordance with the revised application and drawings prepared by Planning Protocol 3 Ltd., File No. 720-01; dated August 2020 & February 2021, subject to the amendments required in accordance with the conditions of this approval and shall including the following:
 - i. Transportation Company, including truck trailer and commercial vehicle outdoor storage;
 - ii. Conversion of the existing Dwelling, Single Detached to an Office and existing Accessory Buildings (shop & garage) for business use and storage;
 - iii. Parking & Storage of Truck Trailers and Commercial Vehicles;
 - a. That the minimum rear yard setback requirement for Parking & Storage **shall be relaxed from 6.00 m (19.68 ft.) to 0.00 m. (0.00 ft.);**
 - b. That the location of the Parking & Storage locations is permitted in accordance with the final site plan, as proposed;
 - iv. One (1) freestanding sign; One (1) fascia sign, approximately 0.55 sq. m (6.00 sq. ft.) in area; Wayfinding and ancillary signage;
 - v. Overheight Perimeter Fencing;
 - a. That the maximum fencing height **shall be relaxed from 1.82 m (6.00 ft.) to 2.74 m. (9.00 ft.) in height;**
 - vi. Site Grading.

Prior to Release:

2. That prior to the release of this permit, the Applicant/Owner shall submit a revised Landscape Plan, in accordance with Section 444(a) and Sections 253 through 261 of the County's Land Use Bylaw (LUB), to the satisfaction of the County including:
 - i. Identifying the minimum landscape area of 10% of the subject lands;
Required area: 1,618.74 sq. m.;
 - ii. A minimum 6.00 m (19.69 ft.) wide landscaped yard that is adjacent to Range Road 283, with noted dimensions;
 - iii. One tree for every 40.00 sq. m (430.56 sq. ft.) of the landscaped area, to a minimum of four trees; **Required: 40;**
 - iv. One shrub for every 80.00 sq. m (861.11 sq. ft.) of the landscaped area shall be provided, to a minimum of six shrubs; **Required: 20;**
 - v. Deciduous trees shall be a minimum 63.00 mm (2.48 inches) caliper measured 450.0 mm (17.72 inches) from ground level;
 - vi. Coniferous trees shall be 2.50 m (8.20 ft.) in height.
3. That prior to the release of this permit, the Applicant/Owner shall submit details on the proposed Sea Containers, which will be located within the Outdoor Storage Areas. The number of units, dimensions and location shall be included on a site plan.



4. That prior to release of this permit, the Applicant/Owner shall submit a Geotechnical report prepared by a licensed professional. The report shall evaluate the soil characteristics, existing groundwater conditions and provide a recommendation on soil suitability for the proposed industrial use, in accordance with County Servicing Standards.
5. That prior to release of this permit, the Applicant/Owner shall submit a traffic impact assessment, addressing business operations, in accordance with the County Servicing Standards.
6. That prior to release of this permit, the Applicant/Owner shall submit a site specific storm water management plan, prepared by a qualified professional, assessing the post development site storm water management and any adverse impacts to neighbouring properties, to identify any storm water management measures that are required to be implemented to service the proposed development. The plan shall also include a final site grading plan.
 - i. If the findings of the plan require local improvements, the site specific storm water management plan shall provide an onsite storm water management strategy for the proposed development in accordance with the County Servicing Standards.
7. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations and:
 - i. Discuss 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. Discuss and arrange a pre-construction approach inspection, to verify that the existing approach location meets current standards and to confirm the County Servicing Standards to which the approach is to be upgraded to. The Applicant/Owner shall submit a New Road Approach application for the approach upgrade.
 - a. 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.

Prior to Site & Building Occupancy:

8. That prior to occupancy of the site and/or buildings, the Applicant/Owner shall contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance of the upgraded Road Approach. If required.
9. That prior to occupancy of the site and/or buildings, the Applicant/Owner shall submit as-built drawings, certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of as-built stormwater infrastructure (including but not limited to liner verification, traplow volumes, inverts), as-built sanitary infrastructure, as-built water infrastructure and any other information that is relevant to the approved Stormwater Management Plan.
10. That prior to occupancy of the site and/or buildings, all landscaping, parking, and final site surface completion shall be in place.
 - i. That should permission for occupancy of the site and/or buildings be requested during the months of October through May inclusive, occupancy shall 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 required, shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.



Permanent:

11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
12. That all landscaping shall be in accordance with the amended Landscape Plan, once approved.
13. That the quality and extent of landscaping shall be maintained for the life of the development.
14. 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.
15. 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.
16. That water servicing shall be by water cistern and sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal, unless otherwise permitted through the Province.
17. That once installed, the septic field method of sewage disposal shall be fully engineered and justified for the industrial/commercial development.
18. That if water servicing is desired to continue using the existing Water Well, the Applicant/Owner shall submit proof of licensing and approval from Alberta Environment & Parks, prior to operation.
19. That no topsoil shall be removed from the site.
20. That all on-site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
21. That all garbage and waste for this site shall be disposed of with environmentally-appropriate waste disposal methods. The waste shall be stored in weatherproof and animal proof containers in the garbage bins and screened from view by all adjacent properties and public thoroughfares.
22. That there shall be a minimum of 4 identified parking stalls maintained on-site at all times, in general accordance with the revised Site Plan, as prepared by Planning Protocol 3 Ltd., File No: 720-01, dated February, 2021.
23. That all customer, employee and business parking shall be restricted to the subject property boundaries.
24. That all outside storage of equipment, materials, and vehicles related to the business shall be contained to the subject property boundaries.
25. That unless permitted within this approval, all buildings and Outdoor Storage buildings (including Sea Containers), Parking and Storage areas, shall comply with the Industrial Light setback requirements noted in Section 442 and Section 443 of the County's LUB.
26. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
27. That during emergent night time operations, back up alarms on trailer trucks or commercial vehicles shall not be used and shall be replaced with strobe lights.
28. That any truck trailer or commercial vehicle idling or truck activity onsite shall be in accordance with the County's Noise Bylaw C-5772-2003.



29. That any future development construction, including the proposed business office, signage or phases of development shall require separate Development Permit approval. *Note, any onsite wayfinding or ancillary signage (such as onsite directions, security details, trespassing, etc.) does not require future Development Permit approval.*
30. That dust control shall be maintained on the site at all times and that the Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
31. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.

Advisory:

32. That during construction, 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.
33. That during construction, the County's Noise Control Bylaw C-5772-2003 must be adhered to at all times.
34. 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*].
35. That Change of Use Building Permits and applicable sub-trade permits shall be obtained through Building Services, using the Commercial/Industrial Checklist requirements, for conversion of the existing dwelling, single detached for office purposes and the existing residential accessory building, for business storage.

Note: That all buildings shall conform to the National Energy Code 2011, with documentation provided at Building Permit stage.

36. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
37. That any impacts to wetlands will require Alberta Environment and Parks approvals for disturbance and compensation.
38. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
39. That if the Development Permit is not issued by **OCTOBER 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

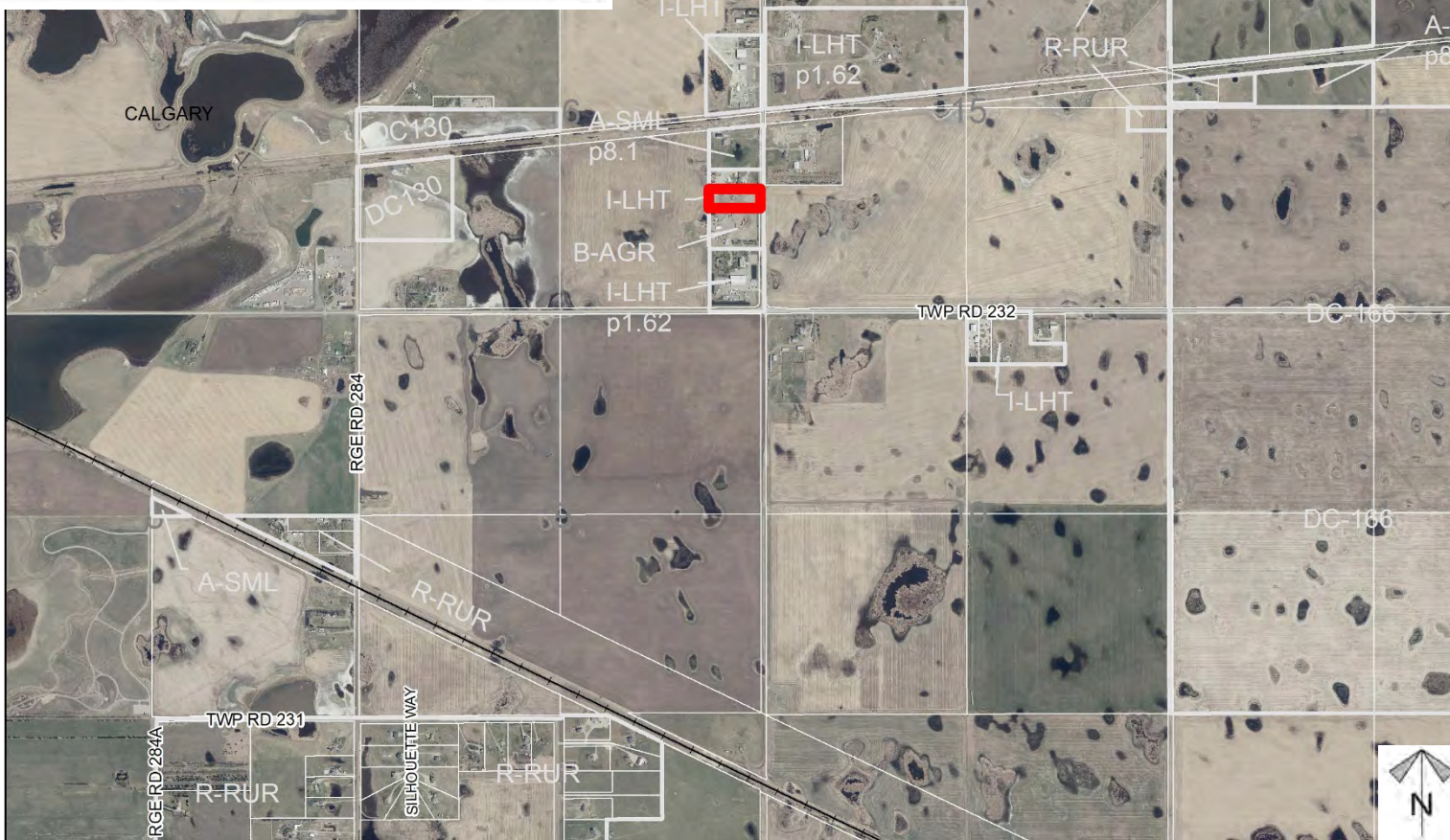
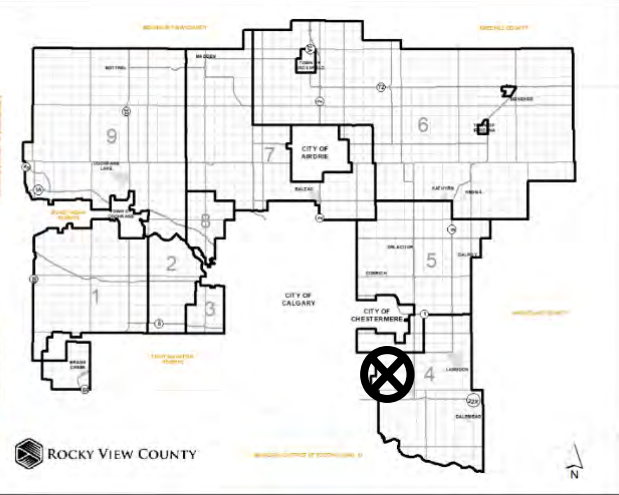
Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the placement of the topsoil, prior to commencement.

Location & Context

Development Proposal

Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.

Division: 04
Roll: 03316008
File: PRDP20202115
Printed: Jan 27, 2021
Legal: Lot: 1 Block: 1
Page 85 of 206
23-28-W04M



Location & Context

Development Proposal

Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.



Site Plan

Development Proposal

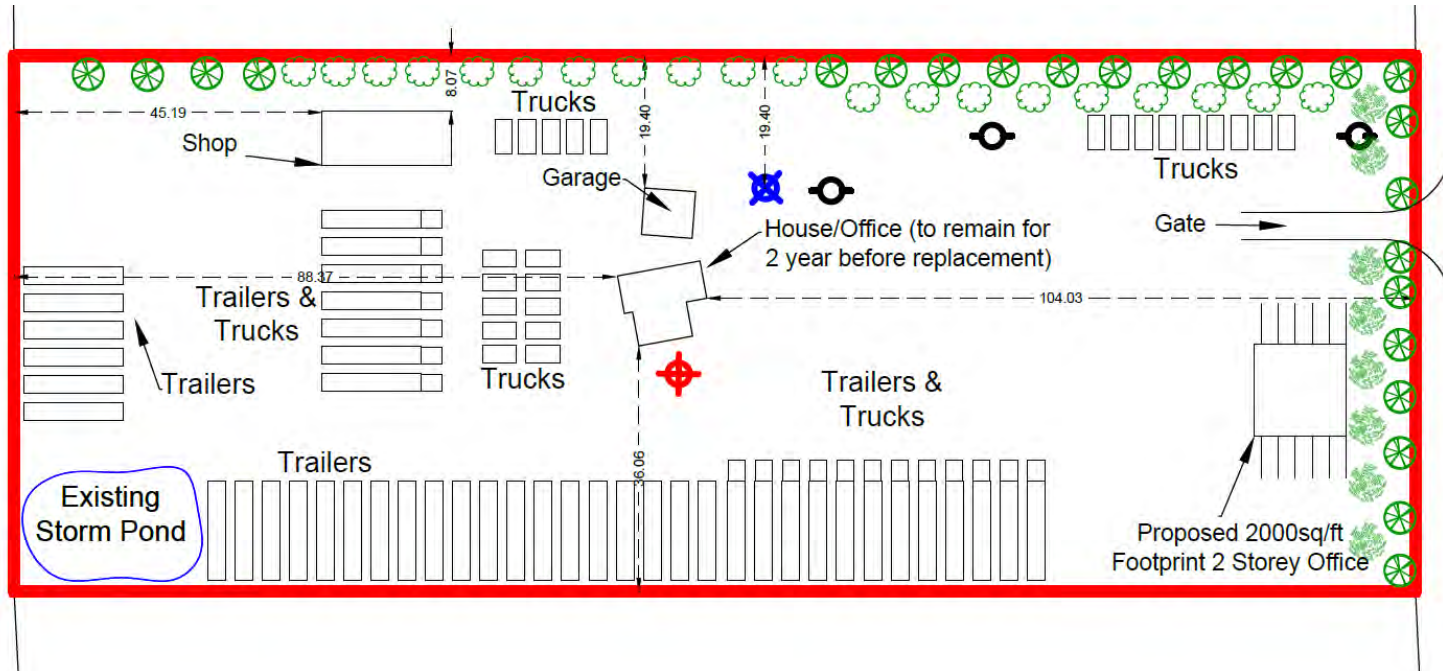
Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.



Site Plan

Development Proposal

Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.



Site Photos

August 2020

Development Proposal

Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.



Division: 04
Roll: 03316008
File: PRDP20202115
Printed: Jan 27, 2021
Legal: Lot: 1 Block: 1
Plan: 23-28-W04M
Page 85 of 206



Site Photos

December 2020

Development Proposal

Industrial (Medium) & Outdoor Storage, for a transportation company including truck trailer storage, single-lot regrading, the placement of clean fill, construction of an overheight fence, signage, and relaxation of the location and minimum rear yard setback requirement for Parking and Storage.



20 10 2020



20 10 2020



20 10 2020



20 10 2020



Division: 04
Roll: 03316008
File: PRDP20202115
Printed: Jan 27, 2021
Legal: Lot: 1 Block: 1
Page 16 of 206
Plan: 23-28-W04M

Notice of Appeal
Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information

Name of Appellant(s)

Re Jean Levesque, Patrick Roy

Mailing Address

232095 Range Rd 283

Municipality

Rockyview

Province

AB

Postal Code

T1X0K7

Site Information

Municipal Address

232071 Range Rd 283 Rockyview, AB

Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)

Property Roll #

Development Permit, Subdivision Application, or Enforcement Order #

PRDP 2020 2115

I am appealing: (check one box only)

Development Authority Decision

☒ Approval

☐ Conditions of Approval

☐ Refusal

Subdivision Authority Decision

☐ Approval

☐ Conditions of Approval

☐ Refusal

Decision of Enforcement Services

☐ Stop Order

☐ Compliance Order

Reasons for Appeal (attach separate page if required)

- 1) No Permits Since Beginning in march 2020
 - 2) constantly lie & defy orders to stop work
 - 3) 24 hr 7 Days a week operation (constant noise)
 - 4) Piled snow on Property line (which was raised 2-3 ft and Graded to Drain on our Property & flood our septic field
 - 5) never spoke with us once about Plans and Issues Raised
 - 6) none of our Pictures were shown During vote
 - 7) Storm water managment Plan not Complete!
- According to current Plans water storage pond located on S.W corner of Property but half the yard is now Sloped toward our Property. No Respect!

Plus Garbage on our Property

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

Re Jean Levesque
Appellant's Signature
Patrick Roy

March 29, 2021
Date

Received by RVC Legislative
Services on April 6, 2021



Decision of the Municipal Planning Commission

This is not a development permit

Planning Protocol 3 Inc. (Rodney Potrie)
2922 3 Ave NE
Calgary, AB T2A 6T7

Development file #: PRDP20202115

Issue Date: March 25, 2021

Roll #: 03316008

Legal description: SE-16-23-28-W04M; Lot 1, Block 1, Plan 0214125

The Municipal Planning Commission conditionally approves the following:

Description:

1. That Industrial (Medium) & Outdoor Storage, may take place on the subject site in general accordance with the revised application and drawings prepared by Planning Protocol 3 Ltd., File No. 720-01; dated August 2020 & February, 2021, subject to the amendments required in accordance with the conditions of this approval and shall including the following:
 - i. Transportation Company, including truck trailer and commercial vehicle outdoor storage;
 - ii. Conversion of the existing Dwelling, Single Detached to an Office and existing Accessory Buildings (shop & garage) for business use and storage;
 - iii. Parking & Storage of Truck Trailers and Commercial Vehicles;
 - a. That the minimum rear yard setback requirement for Parking & Storage **shall be relaxed from 6.00 m (19.68 ft.) to 0.00 m. (0.00 ft.);**
 - b. That the location of the Parking & Storage locations is permitted in accordance with the final site plan, as proposed;
 - iv. One (1) freestanding sign; One (1) fascia sign, approximately 0.55 sq. m (6.00 sq. ft.) in area; Wayfinding and ancillary signage;
 - v. Overheight Perimeter Fencing;
 - a. That the maximum fencing height **shall be relaxed from 1.82 m (6.00 ft.) to 2.74 m. (9.00 ft.) in height;**
 - vi. Site Grading.

This is not a development permit

Prior to Release:

2. That prior to the release of this permit, the Applicant/Owner shall submit a revised Landscape Plan, in accordance with Section 444(a) and Sections 253 through 261 of the County's Land Use Bylaw (LUB), to the satisfaction of the County including:
 - i. Identifying the minimum landscape area of 10% of the subject lands;
Required area: 1,618.74 sq. m.;
 - ii. A minimum 6.00 m (19.69 ft.) wide landscaped yard that is adjacent to Range Road 283, with noted dimensions;
 - iii. One tree for every 40.00 sq. m (430.56 sq. ft.) of the landscaped area, to a minimum of four trees; **Required: 40;**
 - iv. One shrub for every 80.00 sq. m (861.11 sq. ft.) of the landscaped area shall be provided, to a minimum of six shrubs; **Required: 20;**
 - v. Deciduous trees shall be a minimum 63.00 mm (2.48 inches) caliper measured 450.0 mm (17.72 inches) from ground level;
 - vi. Coniferous trees shall be 2.50 m (8.20 ft.) in height.
3. That prior to the release of this permit, the Applicant/Owner shall submit details on the proposed Sea Containers, which will be located within the Outdoor Storage Areas. The number of units, dimensions and location shall be included on a site plan.
4. That prior to release of this permit, the Applicant/Owner shall submit a Geotechnical report prepared by a licensed professional. The report shall evaluate the soil characteristics, existing groundwater conditions and provide a recommendation on soil suitability for the proposed industrial use, in accordance with County Servicing Standards.
5. That prior to release of this permit, the Applicant/Owner shall submit a traffic impact assessment, addressing business operations, in accordance with the County Servicing Standards.
6. That prior to release of this permit, the Applicant/Owner shall submit a site specific storm water management plan, prepared by a qualified professional, assessing the post development site storm water management and any adverse impacts to neighbouring properties, to identify any storm water management measures that are required to be implemented to service the proposed development. The plan shall also include a final site grading plan.
 - i. If the findings of the plan require local improvements, the site specific storm water management plan shall provide an onsite storm water management strategy for the proposed development in accordance with the County Servicing Standards.
7. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations and:
 - i. Discuss 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. Discuss and arrange a pre-construction approach inspection, to verify that the existing approach location meets current standards and to confirm the County

This is not a development permit

Servicing Standards to which the approach is to be upgraded to. The Applicant/Owner shall submit a New Road Approach application for the approach upgrade.

- a. 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.

Prior to Site & Building Occupancy:

8. That prior to occupancy of the site and/or buildings, the Applicant/Owner shall contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance of the upgraded Road Approach. If required.
9. That prior to occupancy of the site and/or buildings, the Applicant/Owner shall submit as-built drawings, certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of as-built stormwater infrastructure (including but not limited to liner verification, traplow volumes, inverts), as-built sanitary infrastructure, as-built water infrastructure and any other information that is relevant to the approved Stormwater Management Plan.
10. That prior to occupancy of the site and/or buildings, all landscaping, parking, and final site surface completion shall be in place.
 - i. That should permission for occupancy of the site and/or buildings be requested during the months of October through May inclusive, occupancy shall 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 required, shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

Permanent:

11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
12. That all landscaping shall be in accordance with the amended Landscape Plan, once approved.
13. That the quality and extent of landscaping shall be maintained for the life of the development.
14. 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.
15. 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.
16. That water servicing shall be by water cistern and sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal, unless otherwise permitted through the Province.
17. That once installed, the septic field method of sewage disposal shall be fully engineered and justified for the industrial/commercial development.

This is not a development permit

18. That if water servicing is desired to continue using the existing Water Well, the Applicant/Owner shall submit proof of licensing and approval from Alberta Environment & Parks, prior to operation.
19. That no topsoil shall be removed from the site.
20. That all on-site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
21. That all garbage and waste for this site shall be disposed of with environmentally-appropriate waste disposal methods. The waste shall be stored in weatherproof and animal proof containers in the garbage bins and screened from view by all adjacent properties and public thoroughfares.
22. That there shall be a minimum of 4 identified parking stalls maintained on-site at all times,
in general accordance with the revised Site Plan, as prepared by Planning Protocol 3 Ltd.,
File No: 720-01, dated February, 2021.
23. That all customer, employee and business parking shall be restricted to the subject property boundaries.
24. That all outside storage of equipment, materials, and vehicles related to the business shall be contained to the subject property boundaries.
25. That unless permitted within this approval, all buildings and Outdoor Storage buildings (including Sea Containers), Parking and Storage areas, shall comply with the Industrial Light setback requirements noted in Section 442 and Section 443 of the County's LUB.
26. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
27. That during emergent night time operations, back up alarms on trailer trucks or commercial vehicles shall not be used and shall be replaced with strobe lights.
28. That any truck trailer or commercial vehicle idling or truck activity onsite shall be in accordance with the County's Noise Bylaw C-5772-2003.
29. That any future development construction, including the proposed business office, signage or phases of development shall require separate Development Permit approval.
Note, any onsite wayfinding or ancillary signage (such as onsite directions, security details, trespassing, etc.) does not require future Development Permit approval.
30. That dust control shall be maintained on the site at all times and that the Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
31. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.

Advisory:

32. That during construction, 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.

This is not a development permit

33. That during construction, the County's Noise Control Bylaw C-5772-2003 must be adhered to at all times.
34. 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*].
35. That Change of Use Building Permits and applicable sub-trade permits shall be obtained through Building Services, using the Commercial/Industrial Checklist requirements, for conversion of the existing dwelling, single detached for office purposes and the existing residential accessory building, for business storage.

Note: That all buildings shall conform to the National Energy Code 2011, with documentation provided at Building Permit stage.
36. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
37. That any impacts to wetlands will require Alberta Environment and Parks approvals for disturbance and compensation.
38. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
39. That if the Development Permit is not issued by **OCTOBER 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
40. That this permit shall be valid for one year from the date of permit of issuance.

Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the placement of the topsoil, prior to commencement.

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission



Jerry Gautreau, Chair

This is not a development permit



ROCKY VIEW COUNTY
Cultivating Communities

20202115

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$2113.74	File Number 03316003
Date of Receipt July 23, 2020	Receipt # 2020024826

Name of Applicant 2249324 ALBERTA LTD Email bal@westernpacifictransport.com
Mailing Address #232071 RANGE ROAD 283 ROCKY VIEW
Primary Contact: 604 374 1611 B. MR. BALWINDER Postal Code _____
Telephone (B) 604 897 9611 (H) DHANOA Fax _____
For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) BALWINDER DHANOA + RAUINDER DHANOA
Mailing Address for 2249324 ALBERTA LTD Postal Code _____
Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE ¼ Section 16 Township 23 Range 28 West of 4 Meridian
b) Being all / parts of Lot 1 Block 1 Registered Plan Number 0214125
c) Municipal Address 232071 RGE RD 283
d) Existing Land Use Designation B-1C Parcel Size 4 Division 04

2. APPLICATION FOR

CHANGE OF USE FOR TRUCK TRAILER STORAGE

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No ☒
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes ☒ No _____
(Sour Gas facility means well, pipeline or plant)
c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No ☒
d) Does the site have direct access to a developed Municipal Road? Yes _____ No ☒

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I _____ hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my
of the facts relating to this application.

knowledge, a true statement

**Affix Corporate Seal
here if owner is listed
as a named or
numbered company**

Applicant's Signature [Signature]
Date July 23, 2020

Owner's Signature _____
Date _____



ROCKY VIEW COUNTY
Cultivating Communities

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Randeep Singh, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Signature

July 23rd 2020

Date



FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

CHANGE OF USE OF LAND OR AN EXISTING BUILDING

Business Name: WP TRANSPORT AB LTD

Business Details: _____

What is the current approved use? Industrial / Open Storage

Will you be making any changes to the building and/or land? YES ☒ NO ☐

If YES – Please describe: Land cleaning and grading

1. PARKING

How many daily customer visits are anticipated? 0 We don't have any customer visitors

How many assigned parking spaces are there? only Drillers and admin/dispatch empls

How will overflow of parking be managed? Around 6 to 10 drivers visit this place on daily basis

2. EMPLOYEES

How many people are employed by the business? 6 Full Time: 6 Part Time: N/A

3. OPERATION

Total area of business: 4 acres (sq. ft. / sq. m)

What are your days and hours of operation? Days: Monday to Saturday Hours: 8am to 5pm

4. STORAGE AND SIGNAGE

Is outside storage required? YES ☒ NO ☐ If YES – Total outside storage area 4 acres (sq. ft. / sq. m)

Will any sign(s) be required? YES ☒ NO ☐

If YES – Number of sign(s) required: 2 Type of sign(s) required: Free Standing

5. ADDITIONAL INFORMATION

☒ Site Plan ☐ Sign Details ☒ Cover Letter

Signature of Applicant: _____

Date: July 23rd 2020



ROCKY VIEW COUNTY
Cultivating Communities

STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant 2249324 ALBERTA LTD
 Address of Applicant # 232071 RANGE ROAD 283 Rocky View
 Telephone (C) 604 897 9611 (H) _____ (Fax) _____

1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Site stripping | <input type="checkbox"/> Re-contouring |
| <input checked="" type="checkbox"/> Filling | <input type="checkbox"/> Stockpiling |
| <input type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input checked="" type="checkbox"/> Grading | <input type="checkbox"/> Other _____ |

2. PURPOSE

What is the intent of the proposal? To use it for TRUCK TRAILER Storage

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable)

AREports for Geo Tech + Storm water Management
will be submitted in two weeks (by Aug 15th 2020)

☐ The fill does not contain construction rubble or any hazardous substances (please check)

3. TYPE

Height _____

Volume _____ meters cubed

Width _____

Truckload _____ (approximately)

Length _____

Slope Factor _____ (if applicable)

Area _____ square metres

*** Please show all measurements in detail on your site plan.**

4. TERMS AND CONDITIONS

(a) General statement about conditions:

- The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
- Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
- The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
- As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.

5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
- Transportation Offsite Levy Bylaw;
 - Water and Wastewater Offsite Levy Bylaw; and
 - Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.

(b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.

(c) General statement about technical reports:

- Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.

(e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.

(f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.

(g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.

(h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

5. ADDITIONAL INFORMATION

I RANDEEP SINGH hereby certify that
(Print Full Name)

☐ I am the registered owner

☒ I am authorized to act on behalf
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document – **STRIPPING, FILLING, EXCAVATION AND GRADING.**

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.

7/23/2020
Planning and Development Services
Rocky View County

Cover Letter for Development Permit Application

To Whom It May Concern

We are applying for Development/Operating permit for our property located at
#232071 Range Road 283.
We need to clean/fill & grade to make it suitable for Truck Trailer Storage.

Thank You

Randeep Singh
(For: WP Transport AB Ltd)





PLANNING PROTOCOL
2922 3rd Ave NE Calgary, Alberta T2A 6T7

Work: (403) 230 - 5522
Cell: (403) 703 - 1726
www.planningprotocol.com

February 15, 2021

Rocky View County
262075 Rocky View Drive
Rocky View County, AB, T4A-0X2

Your File _____
Our File P - 720-01

Re: DP # PRDP 20202115
Lot 1 Block 1 Plan 0214125
Rocky View County (containing 4.0 Ac more or less)
Development Permit for Application truck and trailer operation and outside storage

Thank you for your ongoing commitment and assistance on the above DP application. In support of the application, we are supplying the following additional information.

Site Description

This is a (1.61 ha) 4.0 acre parcel located 3 kilometers south of HWY 560 on Range Road 283 see attached map (Figure 1). The land has been recently purchased from the previous owner. As shown on the RPR the site contains an existing house, garage and shop. The former aerial photo shows there was some domestic and natural tree cover on this site. The site has been used for various light industrial uses over the past decades.

Access to the Lot and existing approach is directly west off of Range Road 283. Safe sight distances in both directions exist at this location. The home and accessory buildings are serviced by way of water well, septic tank and field which have operated successfully for many decades. The site was and is still relatively flat with very little relief.

An Oil Well Facility exists in the north east of the site approximately 1300 meters to the NE. In this location there exists both a sour gas well as well as a suspended gas well. See "AER One-Stop" attachments. Both of these well facilities meet the required setbacks for this development.

Surrounding Land Uses

The adjacent uses are mostly light industrial uses of similar sizes. (See land use map attached).

Geography and Topography

The site is relatively flat and experiences only 2 – 3 meters of relief from the highest point in the SE and the lowest in the NW portion of the lot. There are no site drainage issues for this site. All storm water will be contained on site and no drainage will be allowed to leave the site. there is a stormwater pond constructed in the south west corner of the site which currently serves as a collection pond for the site. the existing storm pond seems to be adequately servicing the site

at this time. The entire site drains to this location. There should not be any future drainage problems for this site.

The Proposal

The proposal is to seek approval for a truck and trailer along with outside storage operation on this Lot. The designated areas are shown on the site plan. This type of use is consistent with the land use Industrial Light (IL) as well as being consistent with the adjoining uses which are essentially light industrial as well. The idea is to convert the existing house into a temporary office for the truck and trailer operation along with outside storage. The house eventually be converted to an office and it and the other buildings will act as office and temporary structures as the administrative satellite hub for main office is located in Vancouver. Vancouver is a major western Canadian hub for all shipping to western Canada. All of those goods need to be shipped to destinations east of Vancouver. West Pacific Transport Ltd fulfills that niche market. They haul many products from port of Vancouver to points across western Canada. This site will act as a satellite hub for those shipments. There will not be many trucks hauling out of this site daily but this site will act more as a storage facility for trucks, trailers and trailers loaded with products that are waiting to be delivered. Due to the value and nature of these operations, it is necessary to have the site secured. There fore a perimeter fence with 3 strand barbed wire on top is required (already installed). There will also be motion censored security cameras on site. It is estimated that when at full capacity there will be 25 – 30 trailers on site as well as 20 – 25 trucks. There will also be other outdoor storage such as “C” cans. All of this will be included inside of the perimeter fencing as well as the landscaping of trees and shrubs. (see attached landscaping plan)

Hours of Operation

The normal hours of operation will be mostly week-days morning and afternoons from 7:00AM - 6:00PM. There may be the occasional truck delivery outside of these hours of operation, but it will be rare. The only reason for trucks arriving outside of these hours will be caused from reasons out of the trucker's control, like; road closures, weather conditions, motor vehicle accidents, or truck breakdowns. Truck traffic will be minimal and very sparse on weekends. The operating trucks will be completing their deliveries from Vancouver. There will not be many truck movements during the day as this site is mostly for truck storage and trailer storage. There will be some temporary storage of “C” Cans while they await delivery. The site currently employs 3 fulltime people who live offsite.

There will be no maintenance of trucks on site. At no time will there be trucks left idling for extended periods of time.

Should things change in the future, that will be the subject of another DP application.

Parking

Parking of trucks and trailers will generally be as shown on the site plan. Due to the large turning radius of all of these trucks and trailers there will be limited area where they can safely maneuver in order to make a safe entrance and exist. The disconnected trailers will be temporarily parked around the perimeter (also shown on site plan)

The site will be kept clear of all dust as a recycled asphalt product has been added to the surface.

Employee car parking will be restricted to the area around the existing office and garage. Eventually when the new office is built the car and small vehicle parking will surround that new structure. (See site plan.)

Access

Access to the site will be from HWY 560 (Glenmore Trail) south bound on Range Road 283 to the site. Range Road 283 is a paved road and the site has safe sight distances in both directions. The total distance on county road is approximately 2.8 kms from SH 560 (Glenmore Trail). This prime transportation link is crucial to this site being valued as an easily accessed site without any disruptions. It is recognised that, for safety reasons the county wants to minimise any new access points off of this range road. This application does not propose any new accesses as it will utilize the existing access. The existing access is sufficient for the needs of this DP. All the necessary safety requirements can easily be met (i.e. safe site distances in both directions).

Traffic

Currently there will be the equivalent of an average of less than 7 trucks that will leave the site in the morning and be returning in the evening making deliveries to Edmonton and beyond. It is the intent to NOT have anyone living in the residence so there will be drivers that will drive to the site and pick up their truck and delivery instructions for the day and return in the evening for those completing day trips. There will be many who have deliveries that are longer than just day trips and they will return once their trips to BC, Saskatchewan, Manitoba, etc. are completed.

It is anticipated that there will be corporate growth over a 2-year period that hopefully will increase these numbers, but that will be the subject of another DP application that will involve construction of a large building onsite if and when growth occurs.

Signage

We will have at most one small sign (2'X 3') located at the driveway. Signage is not a large requirement for this business to operate. Much of their business is generated and dictated from Vancouver (head office). Business is not dependant on signage and there will be no clientele ever directed to this site. There will be only employees and company related attendees on this site. The only other signage will be the posting of security surveillance signage to deter an unwanted criminal element. These signs will be small, (maximum 2'X 3'). (See attached.)

On Site Improvement

Stripping & Grading

The site has been stripped of all black dirt (topsoil) and removed from this site.

The site was then graded by a contractor. As soon as an approved DP is granted the owner will proceed to fulfill the conditions of conditional approval. Planning Protocol has been retained as a consultant to complete the processing of the DP application.

Fencing

A 6' perimeter chain link fence has been constructed on property line except the east side fence which is set back several meters so-as to allow for substantial landscaping outside of the fencing. (see attached photos) A fence is required for security reasons. The fence that has been installed is higher than the normal 5 ' fence that is allowed. This fence is 6ft tall with an 18" extension with 3 strands of barbed wire on top. We are officially requesting permission for an over height fence in-order to act as a deterrent to burglars, thieves, and other criminal elements. If required the owner will install screening slats on the north property line and the south property line.

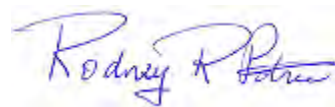
Landscaping

Landscaping will consist of trees and shrubs. There will be a generous combination of coniferous and deciduous trees. There will also be a selection of hearty shrubs. All trees and shrubs will be local variety, which thrive in the local climate and require relatively little maintenance.

The landscaping will be mostly on the front (east side) and the north side. The other two sides (south and west sides) will have future development on them which will require removal of this landscaping, at some future time even if we were to install landscaping on these sides. (See attached site plan.)

Should you have any questions feel free to call me?

Sincerely,

A handwritten signature in blue ink that reads "Rodney R Potrie".

Rodney R Potrie MCIP, BaSC , RPP, AACIP, ACP CET, ADOA
Planning Protocol
President & CEO
P-720-01 Balwinder DP. Aug 14.2020

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: May 27, 2021 **DIVISION:** 2
FILE: 04715017 **APPLICATION:** PRDP20211109
SUBJECT: Development Item: Accessory Building / Discretionary use, with Variances

APPLICATION: Application is for the construction of an accessory building (workshop and vehicle storage), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

GENERAL LOCATION: located approximately 3.20 km (2.00 mile) south of Springbank Rd. and on the west side of Rge. Rd. 33.

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: Administration conditionally approved the application and the Notice of Decision was advertised on April 20, 2021.

The Applicant is proposing to construct an accessory building with approximately 278.71 sq. m (3,000.00 sq. ft.) in footprint. The accessory building would be used for a workshop and vehicle storage. The proposed accessory building requires relaxation to the maximum accessory building size (248.39%), maximum accessory building parcel coverage (132.26%), and maximum accessory building height (9.29%).

On May 7, 2021, the Appellant appealed the decision of the Administration for several reasons, which are noted in the agenda package. The Appellant also provided a list of names, in support of the appeal, which is noted in the agenda package.

DECISION: Conditionally Approved

DECISION DATE:
April 20, 2021

APPEAL DATE:
May 7, 2021

ADVERTISED DATE:
April 20, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Wayne Van Dijk, Planning and Development

APPLICATION EVALUATION:

The application was evaluated based on the information 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>; • Land Use Bylaw C-8000-2020; • City of Calgary Intermunicipal Development Plan; and • Central Springbank Area Structure Plan. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Building Area > 80.00 sq. m (861.11 sq. ft.) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The subject property is located north of the Elbow River and east of several Elbow River tributaries. It is located outside of the Floodway and Riparian Protection Areas. The proposed development also exceeds the Top of Bank 20.00 m (65.61 ft.) distance required in Section 189 of the LUB.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor
 Development and Compliance

WV/lt



APPLICATION INFORMATION

APPLICANT: Douglas Graham (McDowell and Associates)	OWNER: Daniel and Lorrie Aussant
DATE APPLICATION RECEIVED: March 22, 2021	DATE DEEMED COMPLETE: March 30, 2021
ADMINISTRATION DECISION DATE: April 20, 2021	
APPELLANTS: Elizabeth and Terry Prang	
GROSS AREA: ± 0.81 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 10, Block A, Plan 618LK, SW-15-24-03-W05M (197 Mountain River Estates)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none">• <i>No previous development permit history</i>	
AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

PLANNING AND DEVELOPMENT SERVICES

TO:	Administration Report	DIVISION:	2
DATE:	April 28, 2021	APPLICATION:	PRDP20211109
FILE:	04715017		
SUBJECT:	Accessory Building / Discretionary use, with Variances		

APPLICATION: Application is for the construction of an accessory building (workshop and vehicle storage), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

GENERAL LOCATION: located approximately 3.20 km (2.00 mile) south of Springbank Rd. and on the west side of Rge. Rd. 33.

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to construct an accessory building with approximately 278.71 sq. m (3,000.00 sq. ft.) in footprint. The accessory building would be used for a workshop and vehicle storage. The proposed accessory building requires relaxation to the maximum accessory building size, maximum accessory building parcel coverage, and maximum accessory building height.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20211109 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211109 be refused for the following reasons:
1. That in the opinion of the Development Authority, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage
Maximum Accessory Building Size	80.00 sq. m (861.11 sq. ft.)	278.71 sq. m (3,000.00 sq. ft.)	248.39%
Maximum Accessory Building Parcel Coverage	120.00 sq. m (1,291.67 sq. ft.)	278.71 sq. m (3,000.00 sq. ft.)	132.26%
Maximum Accessory Building Height	7.00 m (22.97 ft.)	7.65 m (25.1 ft.)	9.29%

APPLICATION EVALUATION:

The application was evaluated based on the information 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> City of Calgary Intermunicipal Development Plan Land Use Bylaw C-8000-2020 (LUB) Central Springbank Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
DISCRETIONARY USE: <ul style="list-style-type: none"> Accessory Building Area > 80.00 sq. m (861.11 sq. ft.) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

The subject property is located north of the Elbow River and east of several Elbow River tributaries. It is located outside of the Floodway and Riparian Protection Areas. The proposed development also exceeds the Top of Bank 20.00 m (65.61 ft.) distance required in Section 189 of the LUB.

CONCLUSION:

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

Note: Application has been moved from MPC to April 20, 2021 Advertisement due to Administrative Directive change April 14, 2021.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WV/lt

DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1: Approval subject to the following conditions:

Description:

1. That the construction of an accessory building may commence on the subject land in general accordance with the drawings submitted with the application.
 - i. That the maximum accessory building area shall be relaxed from **80.00 sq. m (861.11 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.)**.
 - ii. That the maximum accessory building parcel coverage shall be relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.)**.
 - iii. That the maximum accessory building height be relaxed from **7.00 m (22.97 ft.) to 7.65 m (25.1 ft.)**.

Prior to Release:

2. 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 and to confirm the presence of County road ban restrictions.
 - i. 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.

Permanent:

3. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
4. That the accessory building shall not be used for residential or commercial purposes at any time unless approved by a Development Permit.
5. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.

Advisory:

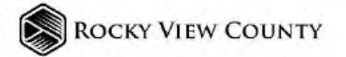
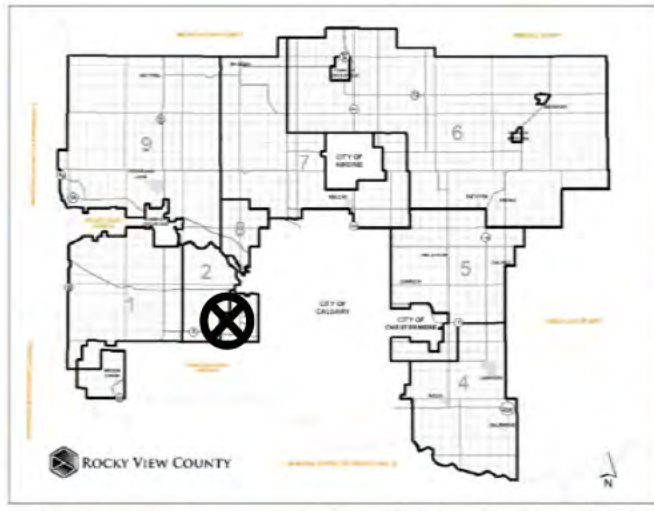
6. That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
7. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. 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.



10. That if this Development Permit is not issued by **November 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

MAPS AND OTHER INFORMATION

APPLICANT: Douglas Graham (McDowell and Associates)	OWNER: Daniel and Lorrie Aussant
DATE APPLICATION RECEIVED: March 22, 2021	DATE DEEMED COMPLETE: March 30, 2021
GROSS AREA: ± 0.81 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 10, Block A, Plan 618LK, SW-15-24-03-W05M (197 Mountain River Estates)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none">No previous development permit history	
PUBLIC & AGENCY SUBMISSIONS: <p>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.</p>	



Location & Context

Development Proposal

Accessory Building

Division: 02
Roll: 04715017
File: PRDP20211109
Printed: March 26, 2021
Legal: Lot:10 Block:A
Plan:618 LK within SW-15-
24-03-W05M

MCDOWELL & ASSOCIATES RESIDENTIAL
INC. DESIGN

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

Re: **197 Mountain River Estate – Development Variance Rationale**

To whom it may concern,

Our client is proposing to build an accessory building to be used as a workshop and garage for a motorhome and vehicle collection. We are requesting a variance to the building area from 120 sqm to 278.7 sqm, and to the building height from 7.0m to 7.70m.

The property is roughly 2 acres, oriented with the front facing East. The existing house is located toward the North side of the lot, and near the rear because of a 45m setback from the road. There is also a Right of Way running North – South near the middle of the lot. The proposed accessory building is located toward the South side of the lot, because of the existing house, and toward the rear because of the same restrictions as the house. The new building would be 6.65m from the South property line, at its closest and 9.93m at its furthest. This is 2-3 times further than the minimum 3.0m required. The building is 29.69m from the rear property (more than the 7.0m required), and 56.26m from the front (compared to the 45m required). Access to the building would be from a new driveway coming off the existing drive - starting near the front property line.

The relaxation to the building area is to provide secure, out of sight storage for a motorhome and collection of antique vehicles. The height relaxation is to provide adequate height for the 14' high door required for the motorhome.

The siting away from the South and West property lines is to preserve the existing, mature coniferous trees that line the property. Preserving the trees will block the view of the building from the neighbor's property. The ridge of the proposed building would be below the surrounding trees, which are over 30' tall. There is a large stand of trees in the front yard that would help shield the building from the main road. The existing views of the mountains to the West are coveted along this block, and are not affected anymore than the existing trees do.

Sincerely,



Douglas Graham

McDowell & Associates



Cover Letter

Development Proposal

Accessory Building

Division: 02
Roll: 04715017
File: PRDP20211109
Printed: March 26, 2021
Legal: Lot:10 Block:A
Plan:618 LK within SW-15-
24-03-W05M

Development Proposal

[illegible]

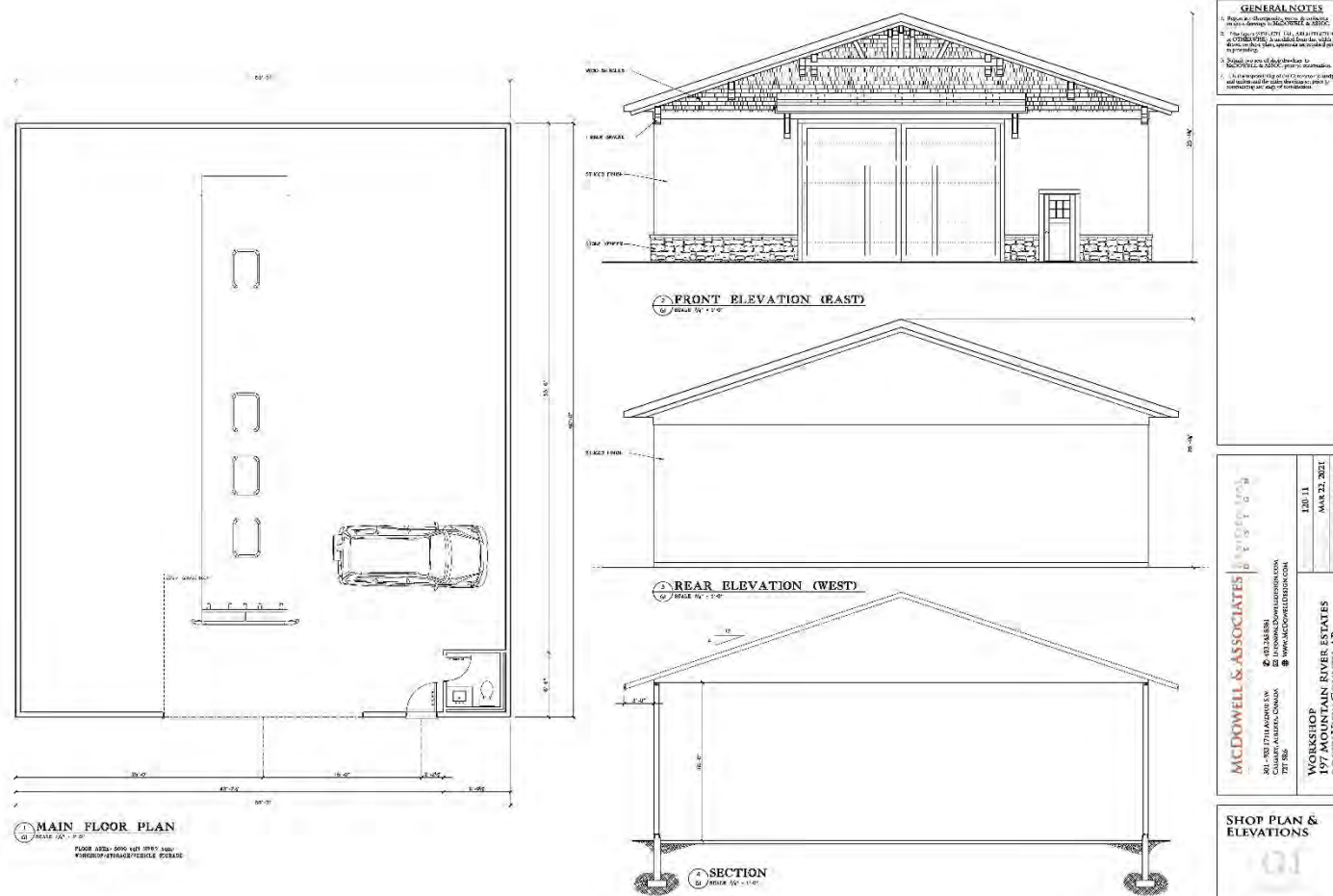
Page 115 of 206



Building Drawing

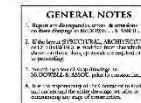
Development Proposal

Accessory Building



Division: 02
Roll: 04715017
File: PRDP20211109
Printed: March 26, 2021
Legal: Lot:10 Block:A
Plan:618 LK within SW-15-
24-03-W05M

Accessory Building



1000



McDOWELL & ASSOCIATES

REALTY INC.

D E B I L I T A N

171-173 177th Avenue SW
 Golden, CO 80401
 721-366

 800-338-7854
 info@mcdownellrealestate.com
 www.mcdownellrealestate.com

WROCKSHOP

197 MOUNTAIN RIVER ESTATES

1205-11

MARK 22, 2021

LEFT & RIGHT ELEVATIONS

Page 117 of 206



Site Photos
(April 8, 2021
Inspection)

Development Proposal

Accessory Building



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

*Division: 02
Roll: 04715017
File: PRDP20211109
Printed: March 26, 2021
Legal: Lot:10 Block:A
Plan:618 LK within SW-15-
24-03-W05M*



**Landowner
Circulation
Area**

Legend





THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

Douglas Graham (McDowell & Associates)
501, 933-17 Avenue SW
Calgary, AB T2T-5R6

Page 1 of 2

Tuesday, April 20, 2021

Roll: 04715017

RE: Development Permit #PRDP20211109

Lot 10 Block A Plan 618 LK, SW-15-24-03-05; (197 MOUNTAIN RIVER ESTATES)

The Development Permit application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the construction of an accessory building may commence on the subject land in general accordance with the drawings submitted with application.
 - i. That the maximum accessory building area shall be relaxed from **80.00 sq. m (861.11 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.)**.
 - ii. That the maximum accessory building parcel coverage shall be relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.)**.
 - iii. That the maximum accessory building height be relaxed from **7.00 m (22.97 ft.) to 7.65 m (25.1 ft.)**.

Prior to Release:

2. 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 and to confirm the presence of County road ban restrictions.
 - i. 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.

Douglas Graham (McDowell & Associates) PRDP20211109
Page 2 of 2

Permanent:

3. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
4. That the accessory building shall not be used for residential or commercial purposes at any time.
5. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.

Advisory:

6. That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
7. That during construction of the building, 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.
8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. 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.
10. That if this Development Permit is not issued by **November 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, May 11, 2021**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



Notice of Appeal **Subdivision and Development Appeal Board** **Enforcement Appeal Committee**

Appellant Information			
Name of Appellant(s) Elisabeth & Terry Prang			
Mailing Address 207 Mountain River Estates		Municipality Rocky View County	Province AB
		Postal Code T3Z 3J3	
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address 197 Mountain River Estates		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 10, Block A, Plan 618LK, SW-15-24-03-05	
Property Roll # 04715017	Development Permit, Subdivision Application, or Enforcement Order # PRDP20211109 Divison 2		
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
Please see attached document(s).			

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.


 Appellant's Signature

 Last updated: 2020 August 07

April 24, 2021
 Date

Received by RVC Legislative
 Services on May 6, 2021



ROCKY VIEW COUNTY

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

403-230-1401
questions@rockyview.ca
www.rockyview.ca

Tuesday, April 20, 2021

Prang, Elisabeth

TO THE LANDOWNER

TAKE NOTICE that in accordance with the Land Use Bylaw, a Development Permit has been approved for the lands adjacent to your property. The following information is provided regarding this permit:

Application Number: PRDP20211109

Division: 2

Roll Number: 04715017

Applicant(s): Douglas Graham McDowell & Associates

Owner(s): Aussant, Daniel & Lorrie
Equitable Bank

Application for: Construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height.

Legal: Lot 10, Block A, Plan 618 LK, SW-15-24-03-05; (197 MOUNTAIN RIVER ESTATES)

Location: Located approximately 3.20 km (2.0 mile) south of Springbank Rd. and on the west side of Rge. Rd. 33

If you are affected by this decision, you may appeal to the Subdivision and Development Appeal Board of Rocky View County by submitting the Notice of Appeal form. The notice of appeal form and the requisite fee, \$350.00 if the appeal is by the owner/applicant or \$250.00 if the appeal is by an affected party, must be received in completed form by the Clerk no later than **Tuesday, May 11, 2021**.

If you require further information or have any questions regarding this development, please contact Planning Services at 403-520-8158 or email development@rockyview.ca and include the application number.

Regards,

ROCKY VIEW COUNTY

Note: Please be advised that any written submissions submitted in response to this notification are considered a matter of public record and will become part of the official record. Submissions received may be provided to the applicant, or interested parties, prior to a scheduled hearing, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. Please note that your response is considered consent to the distribution of your submission.

Elisabeth & Terry Prang
207 Mountain River Estates
Calgary, AB
T3Z 3J3

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

Attention: Planning Department

RE: Development Permit Application PRD20211109

Thank you for your notification of development permit application number PRD20211109. As the neighbour directly adjacent to and south of the proposed development (207 Mountain River Estates), our property is directly impacted.

We are filing an appeal regarding the relaxations of:

- maximum accessory building area,
- maximum building parcel coverage, and
- maximum accessory building height.

RATIONALE

Mountain River Estates is a quiet and close-knit gated community along the northern edge of the Elbow River, just south of the Springbank Community High School. There are 16 individually owned homes on two acre lots, as well as a farm house and barn on common land owned and maintained by residents of Mountain River Estates Ltd.

Several accessory building have been built throughout the community throughout the years. These buildings have complied with the stated maximums as regulated by the Rocky View County Bylaws:

- Accessory Building footprint shall not exceed 120.0 m² (1291.67 ft²)
- Accessory Building Height maximum is 7.0 m (22.97 ft)

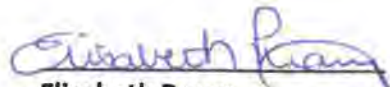
Compliance with the spirit of these regulations has afforded the individual benefits of secondary buildings for residents without impeding on the overall community aesthetic. The existing accessory buildings don't overwhelm or compete with the sizing and arrangement of the homes, some of which are of a comparable square footage to the proposed secondary development on the Aussant property.

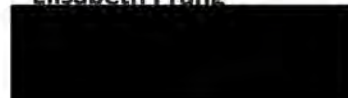
Originally, information provided to us by the Aussant's architectural firm indicated that a shop and vehicle storage building with a footprint of slightly less than 2,000 sq.ft. It is our understanding that the current application has a footprint increase to approximately 3,000 sq.ft. (278 m²) and the height increase to 25.1 ft. (7.65m), nearly 3 times the designated sizing requirements as outlined in the bylaws and 50% larger than the design we were originally consulted on.

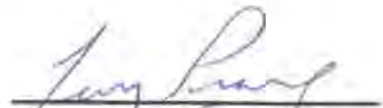
The proposed development is immediately adjacent to our side yard which is our backyard and we feel strongly that a building comparable in size to structures found in nearby industrial parks (such as Springbank Commercial Park) would impede our enjoyment of our property, negatively impact the overall aesthetics of the community, and negatively impact the value of our home and all the homes in Mountain River Estates.

We thank you for your careful consideration of this notice of appeal as we are unquestionably opposed to the development proposal. Please contact either of the undersigned if you wish to discuss this further.

Respectfully yours,


Elisabeth Prang




Terry Prang




Following is a list of additional Mountain River Estates residents opposed to the subject development:

<u>Address #</u>	<u>Resident (title holder)</u>
55	POTTER: Jamie & Drew
77	HYNDMAN: Lucy & Jamie
91	THURLOW: Jillian & Lynn
103	MYHRE: Farah & Owen
115	HOMENKO: Nicky & Chris
127	RICHARDSON: Fran & Doug
139	MUNRO: Ewen & Patricia
163	POCKAR: Melissa & Rob
177	WESTLAKE: Wendy & John
213	KRAHN Krista & TERRY Allen
227	HERGET: Sheri & Eric
237	KLOCK Rhonda & SCHOUTEN John
243	CHRISTOPHER: Jana & Chris

over

Following is a list of additional Mountain River Estates residents opposed to the subject development:

<u>Address #</u>	<u>Resident (title holder)</u>
257	 _____ GOULD: Gillian & Glenn

Impact Statements For PRDP20211109

Doug Richardson

127 Mountain River Estates, Calgary, AB



May 6, 2021

To: Subdivision and Development Appeal Board of Rocky View
County

Re: Application Number PRDP20211109

Application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

I am an original community member of 49 years and helped develop the Mountain River Estates community. I oppose this approval based upon the substantial relaxation required for this permit.

The proposed structure is inappropriate for this community.

Regards,

A handwritten signature in blue ink that reads "D. A. Richardson".

Doug Richardson
Resident of 49 years

Wendy Westlake
177 Mountain River Estates, Calgary, AB



May 5, 2021

To: Subdivision and Development Appeal Board of Rocky View
County

Re: Application Number PRDP20211109

Application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

I own the property adjacent to the proposed site for the oversized workshop. This workshop at 3000 sq ft is larger than my house and too large for the lot size creating a negative visual impact for this community.

I am opposed to RVC allowing this structure to be built on the neighboring property.

Regards,

A handwritten signature in cursive script, appearing to read 'Wendy Westlake'.

Wendy Westlake

May 5, 2021

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

RE: Development Application for 197 Mountain River Estates
Secondary Building Construction on Lot # 10

Proposal: Secondary Building to conform to local codes for footprint and height

Concern: Building will impair neighbours enjoyment and not conform to other buildings in the community. All other property owners in the development are unhappy with the nonconformance to RV County LandUse Bylaws

My family and I are longterm residents of Mountain River Estates. We have been in residence here for 23 years. This is a close knit development and we welcome newcomers to our community as properties change hands over the years.

We have rules and regulations with respect to our lots and common lands that we have all adhered to since the inception of the community in 1970. Many of us in the community are concerned about the potential relaxation of the building envelope in terms of size and height proposed at Lot #10. We strongly feel the new owners of the site do not understand our development restrictions and our opposition, as a community, to their proposal.

We are strictly a residential community, with sixteen lots, and have houses and secondary buildings of stipulated size. The secondary structure on Lot #10 is not in conformity with our other developments and we appeal to RV County to reject the relaxation of rules in this case.

Sincerely,

Glenn D. Gould



Wednesday May 5, 2021

Application Number: PRDP20211109

Roll Number: 04715017

Applicants: Douglas Graham McDowell & Associates

Owners: Aussant, Daniel & Lorrie, Equitable Bank

To: Rocky View County

I am writing in response to the notice I obtained Tuesday, April 20, 2021 in regards to the above application requesting relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height. I am a home owner located 2 lots away from this property and I am entirely opposed to each of the requested relaxations. An accessory building of this size would be completely inappropriate in a community such as ours and would detract from the overall theme of the community. A building of this size would be visually offensive and obtrusive not only to the immediately adjacent lots but to the community as a whole. As a community we have discussed this proposal and there is unified opposition to it on many grounds. It is my hope that the Rocky View County representatives will NOT approve this application or allow ANY of the requested relaxations. Thank you for your consideration.

Sincerely,



Dr. Eric Herget
227 Mountain River Estates



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20211109
ROLL NO.	04715017
RENEWAL OF	
FEES PAID	265.00
DATE OF RECEIPT	Mar 22, 2021

APPLICANT/OWNER

Applicant Name: DOUGLAS GRAHAM Email: dgraham@mcDowellDesign.com
 Business/Organization Name (if applicable): McDowell & Associates
 Mailing Address: 501, 933 - 17 AVE SW. Postal Code: T2T 5R6
 Telephone (Primary): 403-245-8361 x3 Alternative: —
 Landowner Name(s) per title (if not the Applicant): DANIEL & LORRIE AUSSANT
 Business/Organization Name (if applicable): —

LEGAL LAND DESCRIPTION - Subject site

All/part of: NW 1/4 Section: 15 Township: 24 Range: 3 West of: 3 Meridian Division:
 All parts of Lot(s)/Unit(s): Lot 10 Block: A Plan: 618 LK Parcel Size (ac/ha): 2.01
 Municipal Address: 197 MOUNTAIN RIVER ESTATE Land Use District: R-CRD

APPLICATION FOR - List use and scope of work

WORK SHOP & VEHICLE STORAGE

Variance Rationale included: ☒ YES ☐ NO ☐ N/A

DP Checklist Included: ☒ YES ☐ NO

SITE INFORMATION

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
 b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
 c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
 (Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
 d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☒ YES ☐ NO

AUTHORIZATION

I, DOUGLAS GRAHAM (Full name in Block Capitals), hereby certify (initial below):

— That I am the registered owner OR DX That I am authorized to act on the owner's behalf.

DX That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

DX That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.

DX **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the *Municipal Government Act*.

Applicant Signature [Signature]

Date Nov 13/20

Landowner Signature _____

Date _____



ROCKY VIEW COUNTY

ACCESSORY BUILDING(s)

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20211109
ROLL NO.	04715017
DISTRICT	R-CRD

DETAILS		USE TYPE
Building total floor area (footprint)	3000 (m ² / (ft. ²))	<input checked="" type="checkbox"/> * Residential
Height of building	25'-1 3/8" (m (ft.))	<input type="checkbox"/> Agricultural
Total area of all accessory buildings (For Residential/Agricultural parcels)	3000 (m ² (ft. ²))	<input type="checkbox"/> Related to Home-Based Business (HBB), Type II (attach HBB Information Sheet)
		<input type="checkbox"/> Other (specify):
BUILDING DESCRIPTION		BUILDING TYPE
Purpose/use of building (workshop, studio, storage etc.): WORKSHOP & VEHICLE STORAGE		<input type="checkbox"/> Storage Shed
Building material(s): WOOD CONSTRUCTION WOOD SHINGLES, TIMBER FRAMING STONE & STUCCO EXTERIOR		<input type="checkbox"/> Barn
Exterior colour(s): EARTH TONES		<input type="checkbox"/> Quonset
Age of building(s), if permits not issued/available: N/A		<input type="checkbox"/> Farm Building
		<input checked="" type="checkbox"/> Detached Garage
		<input type="checkbox"/> Gazebo
		<input type="checkbox"/> ** Shipping Container (Seacan)
		<input type="checkbox"/> Personal Greenhouse/Nursery
		<input type="checkbox"/> Horse Shelter/Stable
		<input type="checkbox"/> Tent (covered)
		<input type="checkbox"/> Other (specify):
VARIANCE(s) REQUESTED (If applicable)		
Describe variances requested: BUILDING AREA RELAXED FROM 120m ² TO ± 278.7 m ² . HEIGHT RELAXED FROM 7.0m to ± 7.70m.		
Describe reasons for variances (location, storage needs, etc.): HEIGHT REQUIRED FOR MOTORHOME STORAGE. AREA REQUIRED FOR VEHICLE COLLECTION		
NOTE: Application must include a Site Plan identifying dimensions, area, and location of the building (including setbacks), floor plan(s), elevations, and requirements of the Development Permit Checklist.		
Accessory Buildings, Land Use Bylaw, C-8000-2020:		
* An Accessory Building on a parcel in a Residential District shall be similar to, and complement, the Principal Building in exterior material, colour and appearance.		
** Where the Accessory Building is a Shipping Container it:		
a) Shall not be attached, in any way, to a principal building;		
b) Shall not be stacked in any Non-Industrial District; and		
c) Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.		

Applicant Signature

Date

MAR 19 / 2021



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☒ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the [Master Rates Bylaw](#).
- ☒ **CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:**
 - ☒ Digital copy of non-financial instruments/caveats registered on title
- ☒ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☒ **COVER LETTER, shall include:**
 - ☒ Proposed land use(s) and scope of work on the subject property
 - ☒ Detailed rationale for any variances requested
 - ☒ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☐ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN, shall include:**
 - ☒ Legal description and municipal address
 - ☒ North arrow
 - ☒ Property dimensions (all sides)
 - ☒ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☒ Dimensions of all buildings/structures
 - ☒ Location and labels for existing/proposed approach(s)/access to property
 - ☒ Identify names of adjacent internal/municipal roads and highways
 - ☒ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☒ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☒ Identify site slopes greater than 15% and distances from structures
 - ☒ Location and labels for easements and/or rights-of-way on title
- ☒ **FLOOR PLANS/ELEVATIONS, shall include:**
 - ☒ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☒ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☒ Indicate type of building/structure on floor plans and elevations
- ☒ **COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy:** Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☒ **SUPPORTING DOCUMENTS (as applicable):** Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): Accessory building with variance to height

Land Use District: R-CRD

Applicable ASP/CS/IDP/MSDP: Central Springbank ASP

Included within file: ☒ Information Sheet ☒ Parcel Summary ☒ Site Aerial ☒ Land Use Map Aerial ☒ Site Plan

NOTES:

Staff Signature: Steven Lam



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 792 479 618LK;A;10 201 068 399

LEGAL DESCRIPTION
PLAN 618LK
BLOCK A
LOT 10
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;24;10;N
ATS REFERENCE: 5;3;24;15;SW

MUNICIPALITY: ROCKY VIEW COUNTY

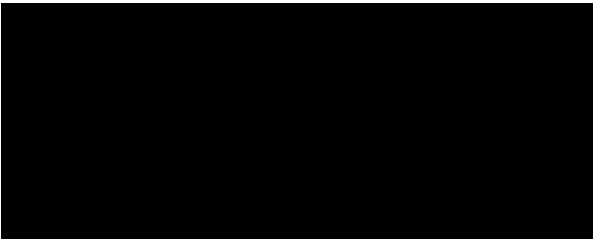
REFERENCE NUMBER: 181 242 542

REGISTERED OWNER(S)
REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

201 068 399 08/04/2020 TRANSFER OF LAND \$1,300,000 \$1,300,000

OWNERS

DANIEL AUSSANT



BRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

5748LE . 11/01/1972 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
201 068 399

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

OF WAY 021161182)
(DATA UPDATED BY: CHANGE OF ADDRESS 091125986)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 201116100)

1581LG .	12/01/1972	CAVEAT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44.
6863LO .	15/12/1972	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "20 FT STRIP"
741 108 189	26/11/1974	CAVEAT CAVEATOR - MOUNTAIN RIVER ESTATES LTD.
751 052 840	02/06/1975	CAVEAT CAVEATOR - MOUNTAIN RIVER ESTATES LTD.
201 068 400	08/04/2020	MORTGAGE MORTGAGEE - EQUITABLE BANK. 30 ST. CLAIR AVENUE WEST, SUITE 700 TORONTO ONTARIO M4V3A1 ORIGINAL PRINCIPAL AMOUNT: \$565,500

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 19 DAY OF MARCH,
2021 AT 11:58 A.M.

ORDER NUMBER: 41258571

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S) .



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County AB T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

LETTER OF AUTHORIZATION – PLANNING AND DEVELOPMENT SERVICES

I, (We) Daniel Aussant (print name) Owner 1

Lorrie Aussant (print name) Owner 2

being the owner(s) of: Lot: 10 Block: A Plan: 618 LK

Legal Description:

N/SW
NW/NE/SE/SW ¼ Section 10/15 Township 24/24 Range 3/3 West of 5/5 Meridian

give DOUGLAS GRHAM (print name of Applicant) permission

to act on my (our) behalf for the following application at the above-noted property (select one):

- ☒ Development Permit
- ☐ Subdivision
- ☐ Redesignation
- ☐ Local Plan

Owner 1 Signature

Owner 2 Signature

November 18/2020
Date Signed

MCDOWELL & ASSOCIATES RESIDENTIAL
INC. DESIGN

Rocky View County

262075 Rocky View Point

Rocky View County, AB

T4A 0X2

Re: 197 Mountain River Estate – Development Variance Rationale

To whom it may concern,

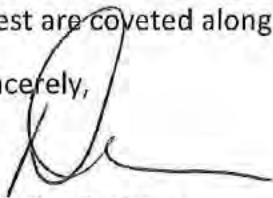
Our client is proposing to build an accessory building to be used as a workshop and garage for a motorhome and vehicle collection. We are requesting a variance to the building area from 120 sqm to 278.7 sqm, and to the building height from 7.0m to 7.70m.

The property is roughly 2 acres, oriented with the front facing East. The existing house is located toward the North side of the lot, and near the rear because of a 45m setback from the road. There is also a Right of Way running North – South near the middle of the lot. The proposed accessory building is located toward the South side of the lot, because of the existing house, and toward the rear because of the same restrictions as the house. The new building would be 6.65m from the South property line, at its closest and 9.93m at its furthest. This is 2-3 times further than the minimum 3.0m required. The building is 29.69m from the rear property (more than the 7.0m required), and 56.26m from the front (compared to the 45m required). Access to the building would be from a new driveway coming off the existing drive - starting near the front property line.

The relaxation to the building area is to provide secure, out of sight storage for a motorhome and collection of antique vehicles. The height relaxation is to provide adequate height for the 14' high door required for the motorhome.

The siting away from the South and West property lines is to preserve the existing, mature coniferous trees that line the property. Preserving the trees will block the view of the building from the neighbor's property. The ridge of the proposed building would be below the surrounding trees, which are over 30' tall. There is a large stand of trees in the front yard that would help shield the building from the main road. The existing views of the mountains to the West are coveted along this block, and are not affected anymore than the existing trees do.

Sincerely,



Douglas Graham

McDowell & Associates



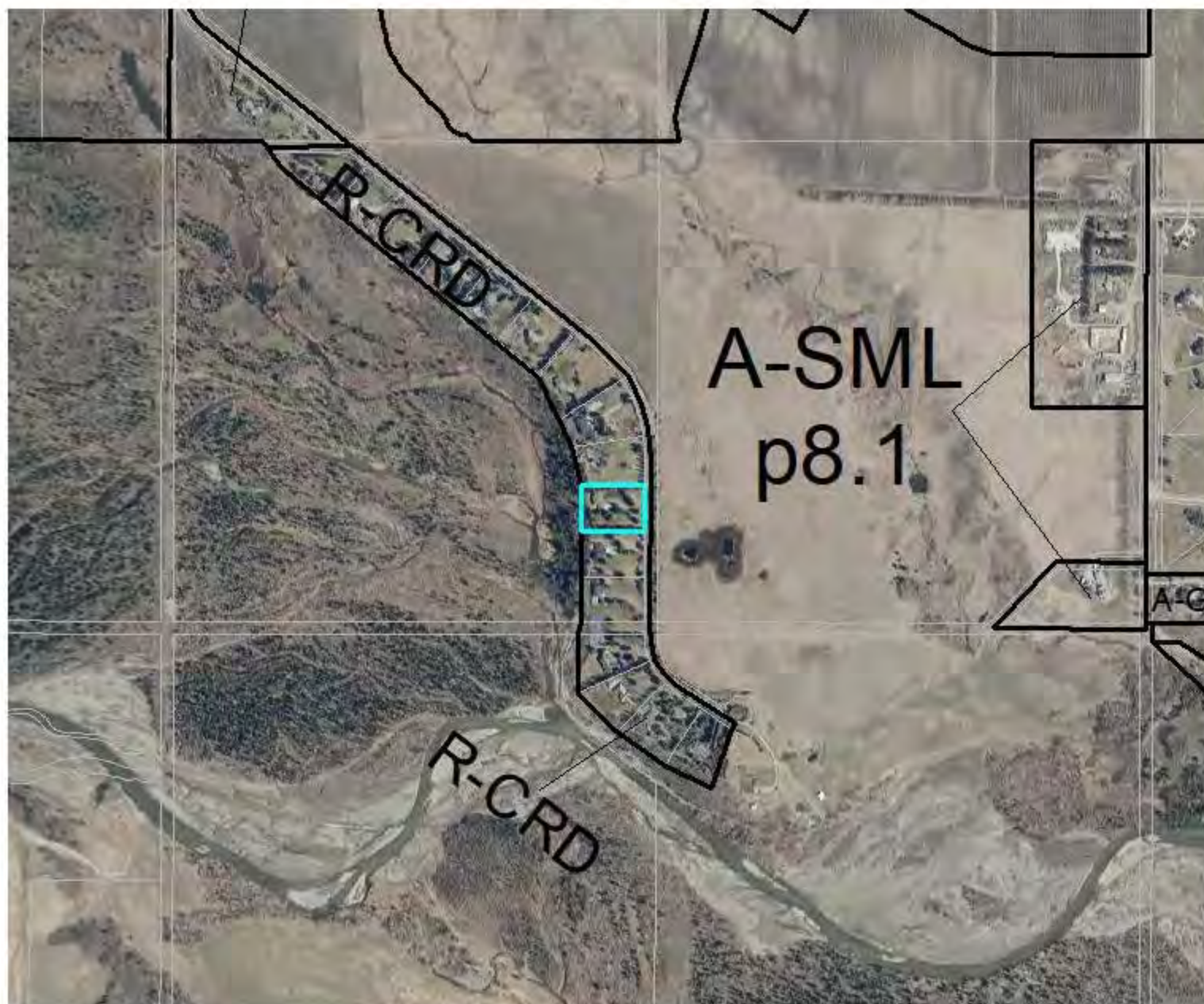




Photo 1. Existing house – proposed accessory building located to the left of the garage.



Photo 2. View looking West from behind house.



Photo 3. Looking from proposed accessory building location East towards the main road.



Photo 4. Looking from South neighbor's driveway North towards proposed accessory building location (beyond trees).



Photo 5. Looking from beside South neighbor's house, North towards proposed accessory building location, which would be beyond existing trees which are to remain.

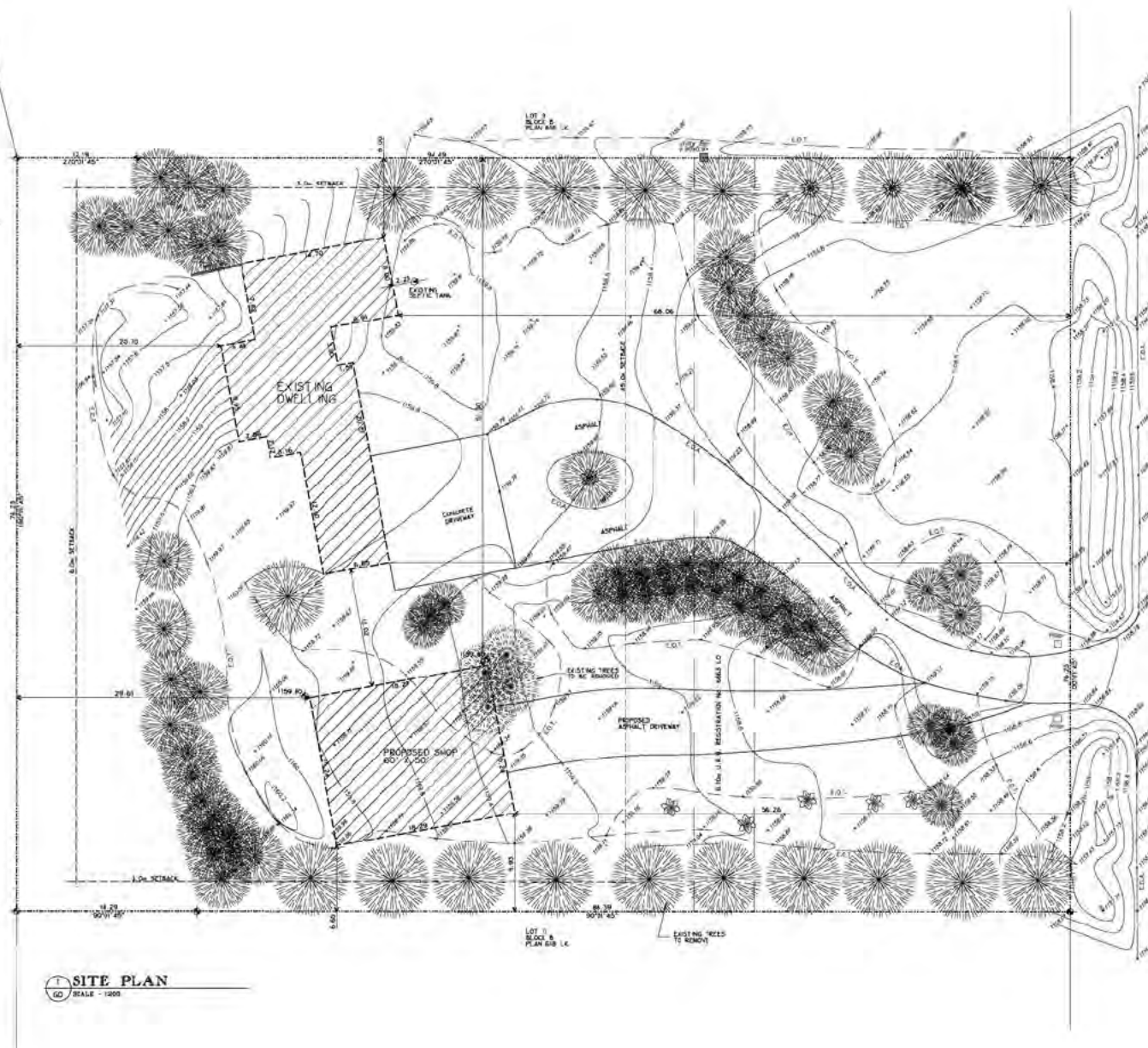
LEGAL DESCRIPTION

LOT: 10
BLK: 4
PLAN: 618 LK
ADDRESS: 197 MOUNTAIN RIVER ESTATES
LOT AREA: 8131.9 sqm
USEFUL AREA: 344.9 sqm
SHED AREA: 276.9 sqm



BLK 4
PLAN 618 LK

SITE PLAN SCALE - 1:200



GENERAL NOTES

1. Except as otherwise shown, dimensions on these drawings are to MCDOWELL & ASSOC.
2. If the owner (STRUCTURAL, ARCHITECTURAL, or CIVIL/MECHANICAL) is provided with the plan, approval of registered plans is required.
3. Submit two sets of these drawings to MCDOWELL & ASSOC. (one for construction).
4. It is the responsibility of the Contractor to verify and understand the entire drawings and plan in constructing any stage of construction.

MCDOWELL & ASSOCIATES

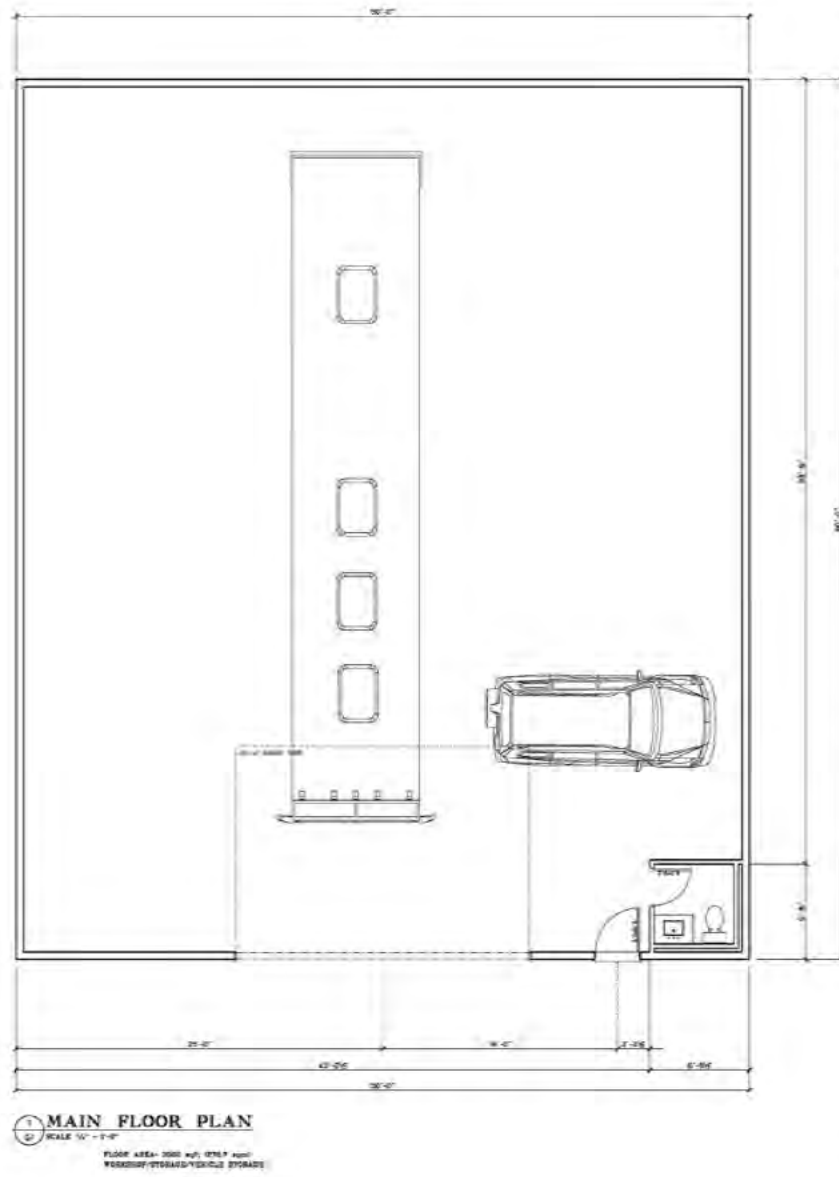
301 - 1711 AVENUE SW.
CALGARY, ALBERTA, CANADA
T2C 2P6
403.245.5661
info@mcdowelldesign.com
www.mcdowelldesign.com

WORKSHOP
197 MOUNTAIN RIVER ESTATES
ROCKY VIEW COUNTY, AB.

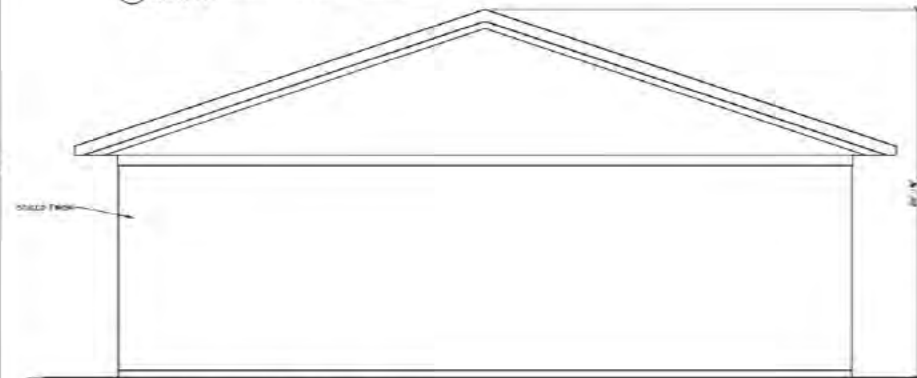
120-11
MAR 22 2021
D. GRAHAM

SITE PLAN

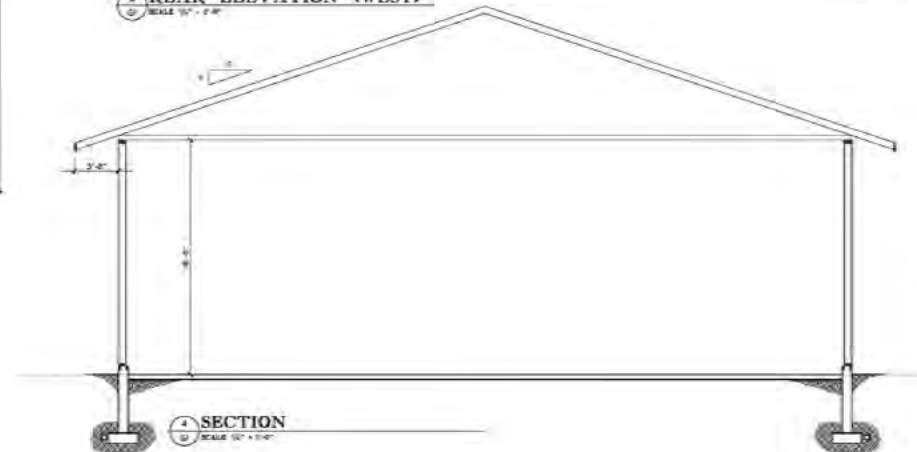
GO



2 FRONT ELEVATION (EAST)
60 SCALE 1/4" = 1'-0"



3 REAR ELEVATION (WEST)
2 SCALE 1/8" = 1'-0"



4 SECTION
SCALE 1/8" = 1'-0"

GENERAL NOTES

2. Is the lowest STRUCTURAL, ARCHITECTURAL, or UTILITY WORK, as modified from the plan, is shown on these plans, approximation required prior to proceeding.
3. Submit two sets of shop drawings to MCDONELL & ADRIAN, prior to construction.
4. It is the responsibility of the Contractor to notify and understand the owner drawings as prior to commencing any stage of construction.

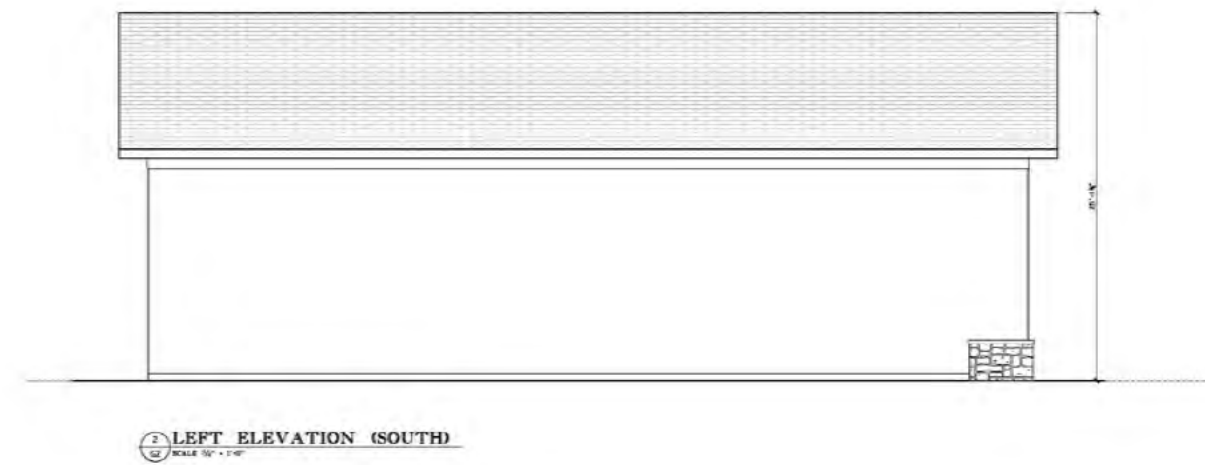
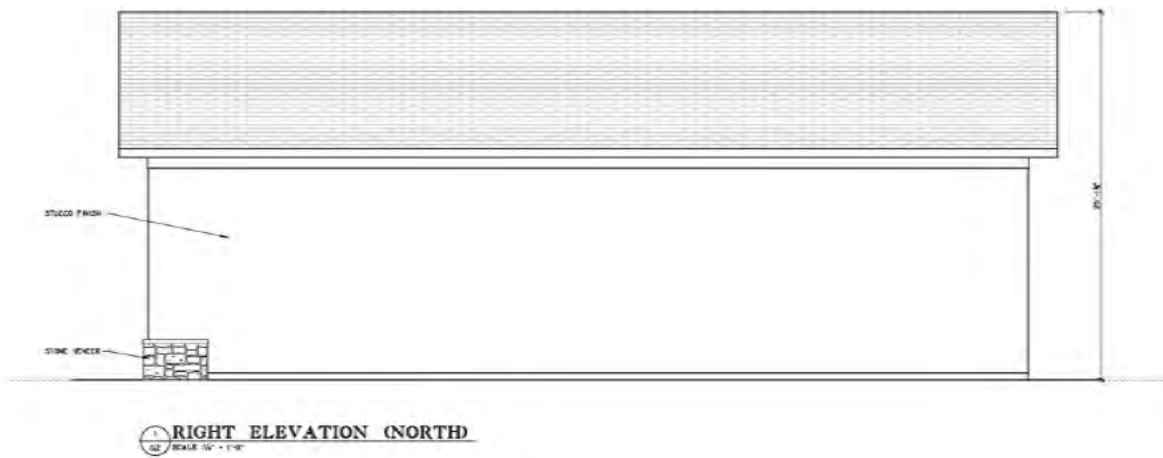
McDOWELL & ASSOCIATES
INC.

501 - 903 17TH AVENUE S.W.
CALGARY, ALBERTA, CANADA
T2T 1B6

☎ 403.245.8361
✉ INFO@MCDOWELLDISIGN.COM
🌐 WWW.MCDOWELLDISIGN.COM

WORKSHOP 197 MOUNTAIN RIVER ESTATES ROCKY VIEW COUNTY, AB.	120-11
	MAR 22, 2021
	D. GRAHAM

SHOP PLAN & ELEVATIONS



- GENERAL NOTES**
1. Review all drawings carefully before & maintain all these drawings to MCDOWELL & ASSOC.
 2. If the owner (STRUCTURAL, ARCHITECTURAL, or MECHANICAL) is to build from the plans shown on these plans, approvals are required prior to proceeding.
 3. Submit new sets of shop drawings to MCDOWELL & ASSOC. prior to construction.
 4. It is the responsibility of the Contractor to study and understand the entire drawings set prior to commencing any stage of construction.

MCDOWELL & ASSOCIATES ARCHITECTURAL 301 - 933 17TH AVENUE S.W. CALGARY, ALBERTA, CANADA T2T 3H6 TEL: 403.243.8361 WWW.MCDOWELLANDASSOC.COM	120-11 MAR 22, 2021 D. GRAYHAM
	WORKSHOP 197 MOUNTAIN RIVER ESTATES ROCKY VIEW COUNTY, AB.

LEFT & RIGHT
ELEVATIONS

G2



DEVELOPMENT PERMIT

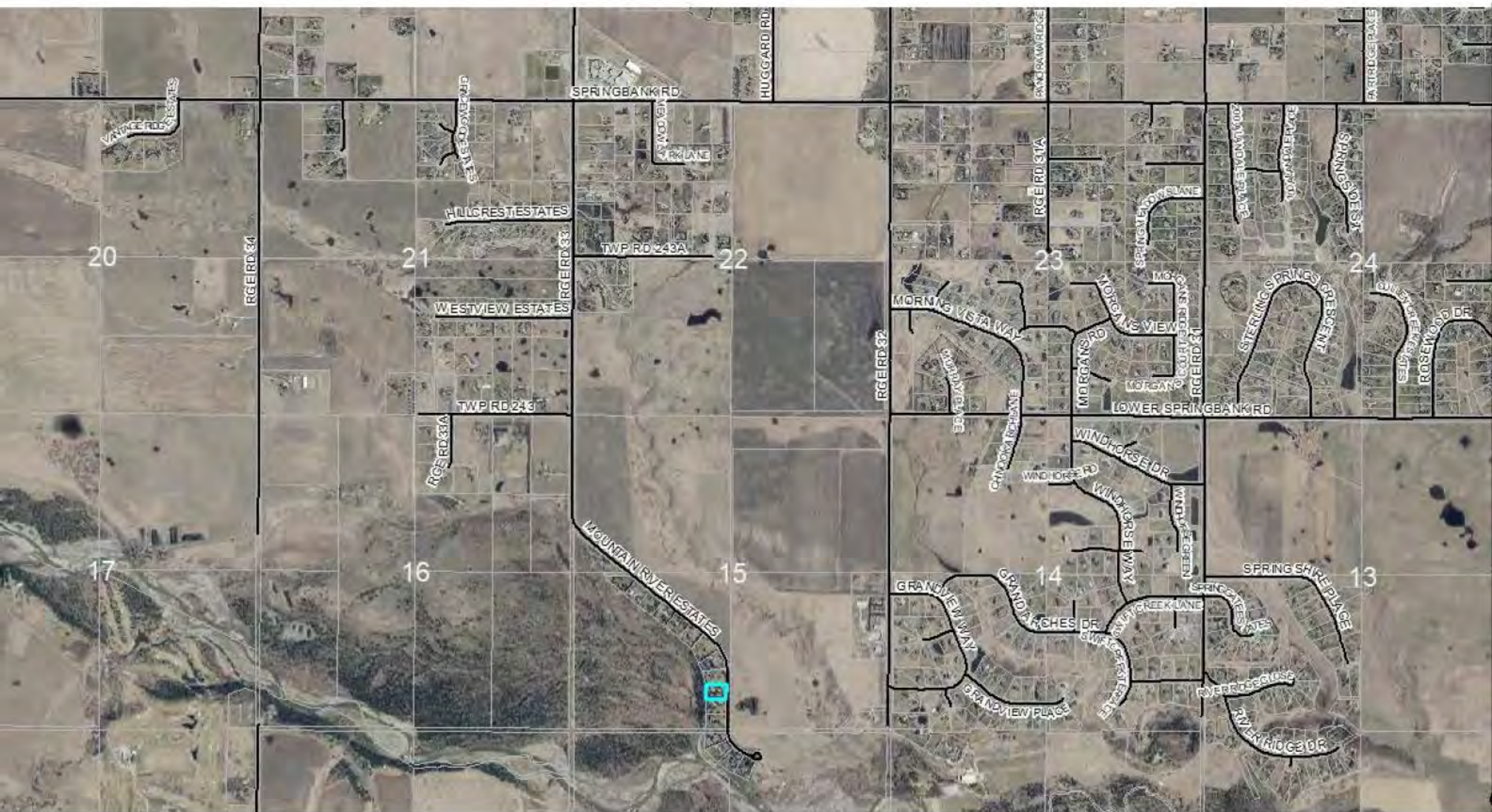
Inspection Report

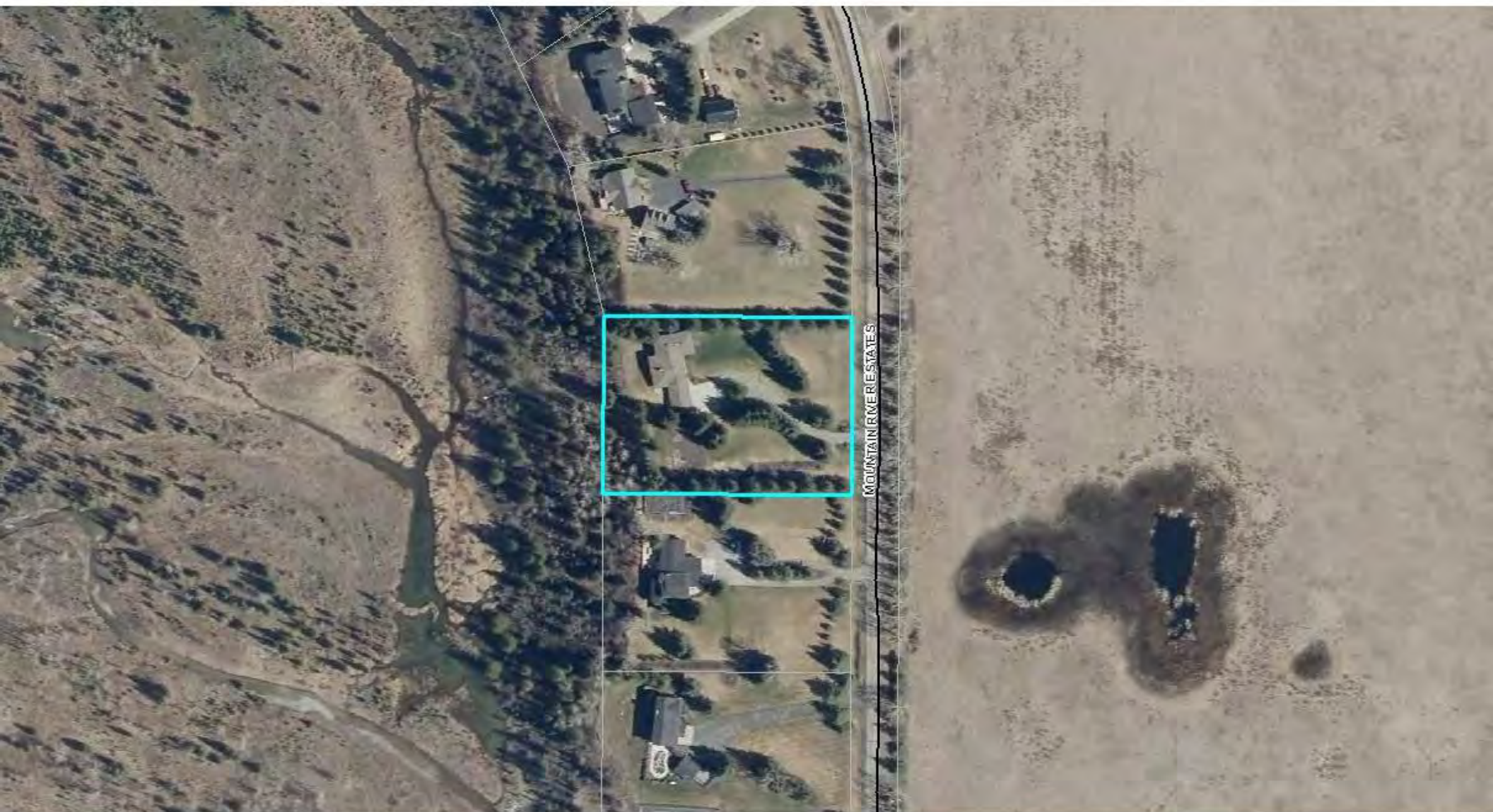
APPLICATION DETAILS	
APPLICATION NO.	PRDP20211109
ROLL NO.	04715017
QUADRANT	NW
FILE MANAGER	Wayne Van Dijk
DATE REQUIRED	April 10, 2021

PARCEL/APPLICANT INFORMATION	
Applicant/Owner Name: Douglas Graham Mcdowell & Asso	
Telephone (Primary): (403) 245-8361	Telephone (Secondary):
Municipal Address/Legal Description: 197 MOUNTAIN RIVER ESTATES, Rocky View County AB / SW-15-24-03-05	
Land Use: R-CRD	Permission for Entrance Granted: yes (Yes or No)
INSPECTION INFORMATION	
Reason for Inspection: Accessory Building	
Specific Concerns: <ul style="list-style-type: none"> • site plan attached. Note screening and proposed building location • general site conditions • • 	
Inspector: Andy Wiebe	Date of Inspection: April 8, 2021, 1200 hrs
INFORMATION INCLUDED (indicate with "x")	
<input type="checkbox"/> Satellite Aerials – Zoomed In <input type="checkbox"/> Satellite Aerials – Zoomed Out <input type="checkbox"/> Site Plan <input type="checkbox"/> Application-Specific Information	
Observations:	
1. Construction has not commenced	
2. No materials on site	
3. No screening	
4. Site is tidy	

Andy Wiebe

Signature of Inspector







GENERAL NOTES

1. Report any discrepancies, errors, omissions on these drawings to McDOWELL & ASSOC.
2. If the input (STRUCTURAL, ARCHITECTURAL, or CIVIL/MECHANICAL) is modified from that which is shown on these plans, approvals are required prior to proceeding.
3. Submit two sets of shop drawings to McDOWELL & ASSOC prior to construction.
4. It is the responsibility of the Contractor to verify and understand the entire drawings set prior to commencing any stage of construction.

MCDOWELL & ASSOCIATES

801 - 933 17TH AVENUE SW.
CALGARY, ALBERTA, CANADA
T2T 3R6

☎ 403.245.8361
✉ INFO@MCDOWELLDISIGN.COM
🌐 WWW.MCDOWELLDISIGN.COM

WORKSHOP
197 MOUNTAIN RIVER ESTATES
ROCKY VIEW COUNTY, AB.

120-11
MAR 22, 2021
D. GRAHAM

SITE PLAN













PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: May 27, 2021 **DIVISION:** 1
FILE: 03908057 **APPLICATION:** PRDP20210935
SUBJECT: Development Item: Keeping of Livestock / Discretionary use, with Variances

APPLICATION: Application is for the keeping of livestock (horses) at a density greater than two (2) animal units on a parcel ≥ 1.40 to ≤ 2.00 ha (≥ 3.46 to ≤ 4.94 ac), specifically from two (2) to three (3) animal units (horses).

GENERAL LOCATION: located approximately 1.0 km (2/3 mile) west of Rge. Rd. 54 and on the south side of Twp. Rd. 232.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on April 14, 2021, and was conditionally approved..

The Application is for increasing the number of animal units permitted on the 1.98 ha (4.89 ac) parcel from two (2) to three (3) animal units. The Applicant is proposing to keep an additional horse on the parcel. A relaxation to the number of permitted animal units on the parcel is required.

On May 6, 2021, the appellant appealed the decision of the Municipal Planning Commission for several reasons, which are noted in the agenda package.

DECISION: Conditionally Approved

DECISION DATE:	APPEAL DATE:	ADVERTISED DATE:
April 14, 2021	May 6, 2021	April 20, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Wayne Van Dijk, Planning and Development



APPLICATION EVALUATION:

The application was evaluated based on the information 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> • Land Use Bylaw C-8000-2020 • Greater Bragg Creek Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Keeping of Livestock at a density greater than two (2) animal units on a parcel ≥ 1.40 to ≤ 2.00 ha (≥ 3.46 to ≤ 4.94 ac) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Previous development permits have authorized the keeping of livestock at a density of 2 animal units on the parcel.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor
Development and Compliance

WV/lt



APPLICATION INFORMATION

APPLICANT: Christianne Klaudt	OWNER: Gary and Christianne Klaudt
DATE APPLICATION RECEIVED: March 9, 2021	DATE DEEMED COMPLETE: March 17, 2021
MUNICIPAL PLANNING COMMISSION DECISION DATE: April 14, 2021	
APPELLANTS: Sharon Foster	
GROSS AREA: ± 1.98 hectares (± 4.89 acres)	LEGAL DESCRIPTION: Lot 4, Block 2, Plan 9411859, NW-08-23-05-W05M (54161 Twp. Rd. 232)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <i>Development Permits:</i> <ul style="list-style-type: none"> • PRDP20175048: renewal of animal units no greater than two (2) • PRDP20145110: renewal of animal units no greater than two (2) • 2013-DP-15613: accessory building • 2013-DP-15612: keeping of animal units no greater than two (2) <i>Building Permits:</i> <ul style="list-style-type: none"> • 2004-BP-17495: Garage/carport/accessory structure; Occupancy granted June 23, 2004 • 2001-BP-15159: • 2000-BP-14057: Addition to an existing building; Closed-complete August 21, 2000 • 1996-BP-10643: New house construction; Occupancy granted September 20, 1996 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 1
DATE:	April 14, 2021	APPLICATION: PRDP20210935
FILE:	03908057	
SUBJECT:	Keeping of Livestock / Discretionary use, with Variances	

APPLICATION: Application is for the keeping of livestock (horses) at a density greater than two (2) animal units on a parcel ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac), specifically from two (2) to three (3) animal units (horses).

GENERAL LOCATION: located approximately 1.0 km (2/3 mile) west of Rge. Rd. 54 and on the south side of Twp. Rd. 232.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to increase the number of animal units permitted on the 1.98 ha (4.89 ac) parcel from two (2) to three (3) animal units. The Applicant is proposing to keep an additional horse on the parcel. Requires relaxation to the number of permitted animal units on the parcel.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210935 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210935 be refused for the following reasons:
1. That is the opinion of the Municipal Planning Commission; the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage
Maximum Animal Units parcel size ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac)	2 animal units	3 animal units	50.00%

APPLICATION EVALUATION:

The application was evaluated based on the information 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> Land Use Bylaw C-8000-2020 Greater Bragg Creek Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
DISCRETIONARY USE: <ul style="list-style-type: none"> Keeping of Livestock at a density greater than two (2) animal units on a parcel ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

Previous development permits have authorized the keeping of livestock at a density of 2 animal units on the parcel.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Al Hoggan"

Acting Executive Director
Community Development Services

Chief Administrative Officer

WV/ltt



DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That the keeping of livestock (horses) at a density greater than two (2) animal units on a parcel ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac), specifically from two (2) to three (3) animal units (horses) may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.

Permanent:

2. That the Pasture and Grazing Management Plans, as submitted with the application, shall be practiced at all times.
 - i. That if overgrazing becomes evident on the property, revised grazing procedures may need to be implemented onsite or the number of livestock animal units may need to be decreased, to the satisfaction of the County.
3. That the Manure Management Plan, as submitted with the application, shall be practiced at all times. Manure shall be collected and disposed of on a continual basis, in accordance with the submitted management plan.
 - i. That if there is a deemed excessive build-up of manure, that manure shall be removed immediately.
4. That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units (horses) remain on the subject property at all times.
5. That if there is an excessive build-up of manure, the manure must be removed immediately.

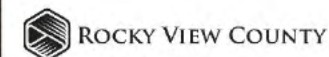
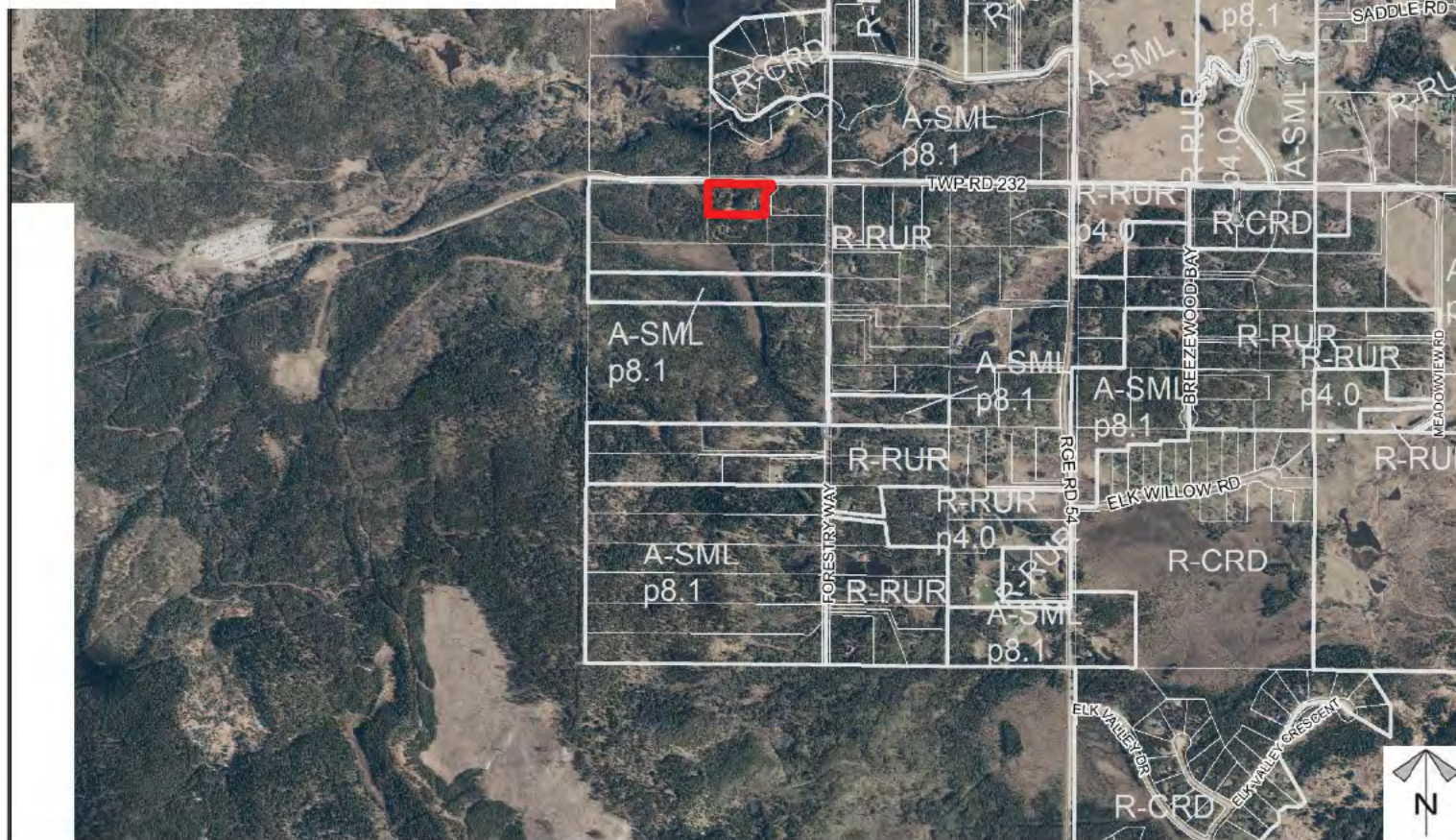
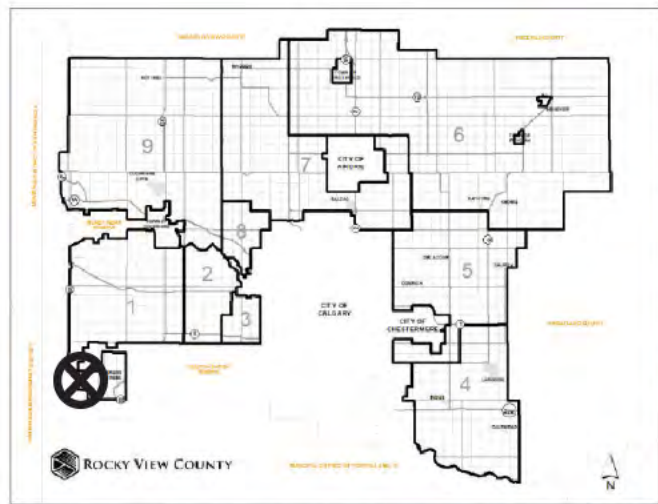
Advisory:

6. 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]*.
7. That it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
10. That this permit is valid until **May 25, 2024**.



MAPS AND OTHER INFORMATION

APPLICANT: Christianne Klaudt	OWNER: Gary and Christianne Klaudt
DATE APPLICATION RECEIVED: March 9, 2021	DATE DEEMED COMPLETE: March 17, 2021
GROSS AREA: ± 1.98 hectares (± 4.89 acres)	LEGAL DESCRIPTION: Lot 4, Block 2, Plan 9411859, NW-08-23-05-W05M (54161 Twp. Rd. 232)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • PRDP20175048: renewal of animal units no greater than two (2) • PRDP20145110: renewal of animal units no greater than two (2) • 2013-DP-15613: accessory building • 2013-DP-15612: keeping of animal units no greater than two (2) 	
PUBLIC & AGENCY SUBMISSIONS: <p>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.</p>	

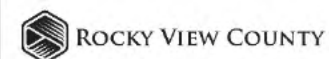


Location & Context

Development Proposal

Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)

Division: 01
Roll: 03908057
File: PRDP20210935
Printed: March 17, 2021
Legal: Lot: 4 Block: 2
Plan: 9411859 within NW-08-23-05-W05M



Aerial Imagery

Development Proposal

Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)

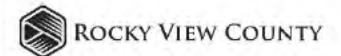


Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 01
Roll: 03908057
File: PRDP20210935
Printed: March 17, 2021
Legal: Lot: 4 Block: 2
Plan: 9411859 within NW-08-23-05-W05M



Site Plan

Development Proposal

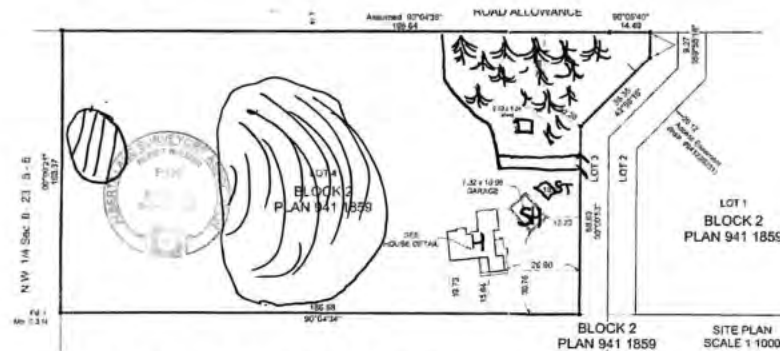
Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)

SITE PLAN.

Nothing has changed since 2014, with exception of North Property fencing, and cross fencing at meadow and backyard.

← Riding

N ↑



- 60 ft. diameter Riding ring-outdoors, in trees (uphill from meadow)
- Meadow, (downhill from H (house) SH (shop) ST (storage shed))
- Treed Paddock for horses.
- Riding: We ride directly to GBCT (Greater Bragg Creek Trails) from our property. The trails are approx. 1.8 km away. (We consistently ride at the trails.)

Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 01
Roll: 03908057
File: PRDP20210935
Printed: March 17, 2021
Legal: Lot: 4 Block: 2
Plan: 9411859 within NW-08-23-05-W05M

FROM THE DESK OF DR. GARY & CHRISTIANNE KLAUDT



March 5, 2021

Rocky View County
Building and Planning Department
Calgary, Alberta
development@rockyview.ca

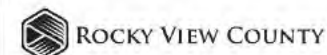
Dear Development and Planning Officials,

Thank you for reviewing this request for a variance on animal units on our property. Regarding LAND USE, RATIONALE, and SUPPORTING DOCUMENTS, may I offer the following discussion.

On our acreage (4.89 acres) we currently have two horses that were approved by Rocky View County in 2014. We live 20 paces away from our paddock (which also has a run-in shelter/barn, also approved through Rocky View at that time), and we are with our horses everyday. An average of 5 hours each day is spent mucking out, watering, grooming, playing and riding our horses. We have a number of wee riders, many with special needs that come to see us simply to ride as we 'side-walk' and lead them on horse back. This activity has been outstanding during COVID for them and permitted by protocols that we strictly adhere to. The work that we have always done, and continue to do to keep our land free of any standing water or manure is to exceed expectations for horse ownership. Horses and the work involved to keep them is not difficult for us, it is a lifestyle we embrace.

Though I am the spokesperson, as a family we are requesting that variance be permitted to bring one more horse onto our property. Our two horses are exceptional therapy horses, and are both coming up toward 20 years old. The third horse we wish to bring home here with us is much younger, a gelding that we will train as we did our other two - as a therapy horse for those who need to visit, who is aware, calm and an excellent companion addition to our family.

With respect to the impact this will place on our neighbours, our cul-de-sac has one acreage due east of ours, and one acreage to the south. There is another undeveloped property to the southeast. Each of our properties is completely hidden from each other by forest trees and berms, and set well-apart onto our acreages from each other. There is a common road that runs south from RR 232 (West Bragg

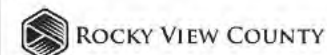


Cover letter

Development Proposal

Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)

Division: 01
Roll: 03908057
File: PRDP20210935
Printed: March 17, 2021
Legal: Lot: 4 Block: 2
Plan: 9411859 within NW-08-23-05-W05M



Cover letter

Development Proposal

Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)

Creek Road) that we all access. We do not allow flies or pests to propagate in manure or standing water, and the horses do not ever graze or walk on our neighbour's land. Our neighbour's do not have any view of our paddock, riding ring or meadow from their homes.

Attached are some photos of how we manage our paddock in the winter. As you may see, even though manure is frozen, we practice land management year round; there is no place where water can gather and stand (encouraging smell and flies), and manure is gathered up and while frozen, raked into a berm west of the fence and covered with tarp and diatomaceous earth. Summer-time sees the treed paddock raked and levelled so that water can not stand in puddles, and manure is cured, flattened and spread on our land. We also build up steep inclines, pathways and gardens with cured manure. (Snow piles in the attached photos of the paddock are just that; snow pushed to make pathways for the horses to walk through given the amount of snow fall this winter). There is also a photo of a clearing to the far west of our property where we have erected fences for a 60 foot riding ring, using mulch for ground cover. It is also always clear and clean.) There is also a photo of our meadow, which is west of our paddock, house and shop, and down the hill. Horses also graze here, and as is the rest of our property, it is clear of manure and a testament to our energy and lifestyle.

Finally, please find attached is an article that I wrote specifically on how we manage flies, which we have almost none of at all; upon examination of flies that our south neighbour complained of in his home, these are cluster flies that also leave a residue on walls when they revive in warmer weather. (I would be pleased if this article could be of interest to the Rocky View website to support other acreage owners with horses).

Thank you again for the time you have taken to read and review this request.

Christianne and Gary Klaudt
Tal, Charis and Nevis Klaudt (our three University students)





Site Photos

Development Proposal

Keeping of Livestock at a density greater than 2 animal units, specifically from 2 to 3 animal units (horses)



Division: 01
Roll: 03908057
File: PRDP20210935
Printed: March 17, 2021
Legal: Lot:4 Block:2
Plan:9411859 within NW-08-
23-05-W05M



Decision of the Municipal Planning Commission

This is not a development permit

Klaudt, Gary and Christianne

Development file #: PRDP20210935

Issue Date: April 15, 2021

Roll #: 03908057

Legal description: Lot 4, Block 2, Plan 9411859, NW-08-23-05-W05M

The Municipal Planning Commission conditionally approves the following:

Description:

1. That the keeping of livestock (horses) at a density greater than two (2) animal units on a parcel ≥ 1.4 to ≤ 2.0 ha (≥ 3.46 to ≤ 4.94 ac), specifically from two (2) to three (3) animal units (horses) may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.

Permanent:

2. That the Pasture and Grazing Management Plans, as submitted with the application, shall be practiced at all times.
 - i. That if overgrazing becomes evident on the property, revised grazing procedures may need to be implemented onsite or the number of livestock animal units may need to be decreased, to the satisfaction of the County.
3. That the Manure Management Plan, as submitted with the application, shall be practiced at all times. Manure shall be collected and disposed of on a continual basis, in accordance with the submitted management plan.
 - i. That if there is a deemed excessive build-up of manure, that manure shall be removed immediately.
4. That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units (horses) remain on the subject property at all times.
5. That if there is an excessive build-up of manure, the manure must be removed immediately.

This is not a development permit

Advisory:

6. 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]*.
7. That it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
10. That this permit is valid until **May 25, 2026**.

It is the responsibility of the applicant to meet and always follow the conditions outlined in this decision. Fines or enforcement action may occur if operating outside of the conditions of approval. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact Legislative Services at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

Municipal Planning Commission



Jerry Gautreau, Chair

This is not a development permit



Notice of Appeal

**Subdivision and Development Appeal Board
Enforcement Appeal Committee**

Appellant Information			
Name of Appellant(s) Sharon Foster			
Mailing Address 3, 550 Hurricane Drive (Residence 54151 TWP RD 232)		Municipality Calgary	Province Alberta
Postal Code T3Z3S8			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address 54161 TWP RD 232		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 4, Block 2, Plan 9411859, NW-08-23-05-05	
Property Roll # 03908057		Development Permit, Subdivision Application, or Enforcement Order # Application Number: PRDP20210935	
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<p>- The subject properties are in a high altitude pine and spruce forest with a moss ground cover.</p> <p>- There are few native grasses. Since the horses have been here I have noticed an increase in weeds, oats and non-native grass species, on and around our property.</p> <p>- Our property is often down wind of the horse corral. Although the manure removal has been ongoing, I still smell the horses. I believe this may decrease our property value and/or make resale more difficult.</p> <p>- I have noticed an increase in the number of black flies in and around our house. More horses will only exacerbate this issue.</p> <p>- More horses will obviously mean more people taking riding lessons and using our shared driveway. I believe the maximum allowed for a Type 1 home business is four vehicles per day. They sometimes have more than this number already. With increased traffic more maintenance is required to the gravel driveway.</p> <p>- When we purchased the property the county rules allowed 1 horse per lot. The neighbor requested 2 and it was approved. The county has now raised the limit to 2 animal units on a property of this size. They have requested 3 animal units, even though when you subtract the area taken by the stream and riparian zone from the total acreage, it is not even close to the lot size required for 3 horses.</p>			

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

Sharon Foster
Appellant's Signature

May 6, 2021
Date



APPLICATION NO.

PRDP20210935

ROLL NO.

03908057

RENEWAL OF

FEES PAID

\$280.00

DATE OF RECEIPT

March 9, 2021

**DEVELOPMENT PERMIT
APPLICATION****APPLICANT/OWNER**

Applicant Name: CHRISTIANNEKLAUDT

Email: [REDACTED]

Business/Organization Name (if applicable):

Mailing Address:

Telephone (Primary):

Landowner Name(s) per title (if not the Applicant):

Business/Organization Name (if applicable):

Mailing Address:

Postal Code:

Telephone (Primary):

Email:

LEGAL LAND DESCRIPTION - Subject site

All/part of: NW ¼ Section: 8 Township: 23 Range: 5 West of: 5 Meridian Division:

All parts of Lot(s)/Unit(s): 4 Block: 2 Plan: 9411859 Parcel Size (ac/ha): 4.89

Municipal Address: 54161 TWP Rd. 232 West

Land Use District: R-RUR

APPLICATION FOR - List use and scope of work

Variance to animal units.

To add one more animal unit only.

Variance Rationale included: ☒ YES ☐ NO ☐ N/ADP Checklist Included: ☒ YES ☐ NO**SITE INFORMATION**

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
- b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
- c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
(Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
- d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☒ YES ☐ NO

AUTHORIZATIONI, CHRISTIANNEKLAUDT (Full name in Block Capitals), hereby certify (initial below):

- ☒ That I am the registered owner **OR** ☐ That I am authorized to act on the owner's behalf.
- ☒ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.
- ☒ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.
- ☒ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.

Applicant Signature Christianne Klaudt (digitally signed)Date March 5, 2021Landowner Signature Christianne Klaudt (digitally Signed)Date March 5, 2021



EQUESTRIAN CENTRE/LIVESTOCK/ RIDING ARENA INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	
ROLL NO.	
DISTRICT	

ANIMALS ON SITE		SITE PLAN REQUIREMENTS	
Number	Type	Select all provided on plan:	
2	Horses	<input type="checkbox"/> Labels for existing/proposed Equestrian Centre	
		<input type="checkbox"/> Setbacks to property lines	
		<input type="checkbox"/> Dimension of building(s)	
		<input type="checkbox"/> Location of on-site stock trailer and participant/spectator parking area(s)	
		<input type="checkbox"/> Confinement and grazing areas (in acres/sq. m)	
		<input type="checkbox"/> Feeding site(s) and methods (Feeders/racks/ground etc.)	
		<input type="checkbox"/> Watering site(s) and methods (Tank/waterer/creeks etc.)	
		<input type="checkbox"/> Location of wells, sloughs, ponds, water runs, coulees etc.	
		<input type="checkbox"/> Property slopes (grade elevations)	
		<input type="checkbox"/> Type of screening provided (natural or built)	
		<input type="checkbox"/> Distance to neighbouring developments/livestock (if any)	
BUILDING DETAILS (Equestrian Centre or Riding Arena only) Building total floor area (m² / ft.²) Height of building (m / ft.) New or existing building? Age of building (if existing)		Refer to DP Checklist - General for standard Site Plan requirements	
ON-SITE PUBLIC PARTICIPATION (Equestrian Centre only) Number of spectators anticipated 1 - 3 - parents, siblings or Aides Overnight camping allowed on site? no Total number of persons allowed Total number of nights allowed Number of parking spaces n/a Days of public participation varies. Single riders only. Hours of public participation varies. Special needs kids spend time with horses for an hour each time.			
SITE INFORMATION Topography: <input checked="" type="checkbox"/> Flat <input checked="" type="checkbox"/> Rolling <input checked="" type="checkbox"/> Steep Grass/Foliage Species: <input type="checkbox"/> Alfalfa <input type="checkbox"/> Brome <input checked="" type="checkbox"/> Fescue <input type="checkbox"/> Timothy <input checked="" type="checkbox"/> Other: bluegrass, meadow grass Supplemental Feed (specify if provided): High quality hay, hay cubes, beet pulp with minerals and supplements Wetland/Riparian areas present on site? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO small pie shape wetland/bog section at far SW corner Interested in Rocky View County's Green Acreages Program? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO https://www.rockyview.ca/NewsEvents/News/tabid/145/Article/1291/Rocky-View-County-s-Green-Acreages-Guide-Program.aspx			
VARIANCE(S) REQUESTED (Variance rationale letter must be provided) <input checked="" type="checkbox"/> Increase number of animals permitted on site ** <input type="checkbox"/> Increase number of participants permitted on site (Equestrian Centre only) <input type="checkbox"/> Increase number of persons or nights for overnight camping on site (Equestrian Centre only)			<input type="checkbox"/> Building setbacks, area or height (specify variance): _____ <input type="checkbox"/> Other (specify): _____

**Variance request for 1 more horse. Riders are kids who visit and walk with our horses, and ride with us on property. Nothing else required.

MANURE MANAGEMENT

On-site manure storage:

Method of storage: ☒ Compost ☐ Stockpile ☒ Spread & Incorporated

How long will the manure be stored? Never. It is gathered & spread for composting immediately every day.

Off-site manure storage (if applicable):

Identify location and method of storage: n/a

Note: Manure storage facility construction must comply with the Agricultural Operation Practices Act.

GRAZING AND FREEZING STRATEGIES

Describe grazing and feeding strategies (i.e. year-round grazing, rotational pastures with supplemental feed, etc.):

Year-round feeding by hay with supplemental grazing in summertime in lower meadow and at offsite pastures. We spend 5 hours a day on average with our horses, riding, visiting with kids, mucking out, watering, grooming, walking. Someone here is always on property, and the horses are our family and lifestyle. (I understand the word 'grazing' in the querie, but the 'freezing' gave a good grin.)

RUNOFF MANAGEMENT

Describe method(s) employed to prevent manure from contaminating water bodies on site (e.g. wetlands, sloughs, dugouts): How is the runoff kept out of wells and other water areas on the subject property?

We have conducted sucessful land management, grading surfaces for rain water to be intercepted into swales. Forested paddock is graded yearly so that there are no areas for standing water to accumulate. There is no runoff from manure or animals that affect any property but our own. All rain and water runoff through this northeast end of the property, where the horses reside in their 1 acre paddock, has been managed so that it runs west through the property, and downward to our pond in our meadow

Describe how runoff will be kept within the subject property (NOTE: It is an offence under the Alberta Environmental Enhancement and Protection Act to allow manure and its nutrients to move off site.):

All areas horses may occupy, as well as areas where manure is gathered and spread are managed so that there is no run off. Grading is done in the forested paddock so that rain can not create standing water, swales are created to intercept rain water and guide it to trees through the paddock. Manure composting is buried at the west of the paddock and above the slope heading down toward meadow, where any water running through the compost will head down this slope into brush, grasses and trees. (We also water the meadow with runoff and pond water). The meadow is also graded to ensure there is no standing water. The back west section of the property is also graded to ensure as horses ride in this area, there is no standing water, and all rain water runs toward a culvert leading into our pond.

PEST AND WEED CONTROL

Describe how insects, flies, and other pests will be managed so they don't affect your neighbours:

Please see attached article, "Where the wild flies roam", by Christianne Klautdt. All manure is managed daily by compost which is covered and spread. Diatomaceous earth covers all manure. "CatchMaster disposable baited fly traps" will be hung near the paddock and changed three times per week experimentally in 2021. The results will help us to determine which flies, quantity and associated environmental conditions for articles.) We use ecologically friendly products and plants to deter pests. We do not see swarms of flies other than cluster flies, which are not related to manure or livestock. There is no breeding place for flies in standing water in the paddock, meadow or riding areas, and all manure is gathered for compost, covered and dusted with diatoms daily. We do not have any other pest that bothers our property, other than possibly a human or two. These are managed by offerings of food and sent packing.

Do you have a weed control program in place? ☒ YES, describe program below ☐ NO

The only weeds that we experience are thistle. These are only found in our meadow, where horses graze. We pull these thistles up when they are over 6 inches high, and cook the taproot. Some thistles are allowed to propagate in one area near our pond, and the flowers gathered. When allowed to propagate, this patch is maintained so that it does not spread. Dandelion grows in small abundance. We gather the heads to consume, competing for this treat with our equine friends.

PUBLIC PARTICIPATION ON SITE

Describe how garbage will be managed during events involving public participation:

N/a (we do not ever allow eventing on property.) Of no real interest to this form or request, garbage that is household is maintained in bear-proof bins that is held in our garage and sprayed with eucalyptus or cinnamon oil, or occasionally with ammonia when we really need it to be unpleasant. We have never had an intruder in the garbage. (Not even human).

NOTE: A Water and Wastewater Servicing Plan and Traffic Impact Analysis shall be submitted if maximum number of spectators is anticipated to exceed one hundred (100) persons, Land Use Bylaw C-2020-8000.

Applicant Signature Christianne Klautdt (digital signature)

Date March 5, 2021



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0026 157 355 9411859;2;4 131 217 898

LEGAL DESCRIPTION
PLAN 9411859
BLOCK 2
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 1.98 HECTARES (4.89 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;5;23;8;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 121 313 045

REGISTERED OWNER(S)
REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

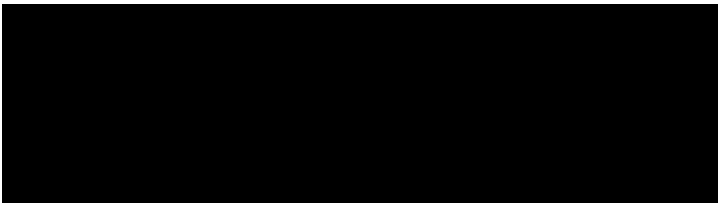
131 217 898 30/08/2013 TRANSFER OF LAND \$875,000 \$875,000

OWNERS

GARY KLAUDT

AND

CHRISTIANNE KLAUDT



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

941 224 878 29/08/1994 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
131 217 898

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
941 226 603	30/08/1994	UTILITY RIGHT OF WAY GRANTEE - AGT LIMITED.
941 229 050	01/09/1994	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001301384) (DATA UPDATED BY: CHANGE OF NAME 051028494)
941 239 231	14/09/1994	EASEMENT OVER LOTS 2 AND 3 FOR BENEFIT OF LOTS 1 AND 4 BLOCK 2 PLAN 9411859 (PORTIONS DESCRIBED)
131 217 899	30/08/2013	MORTGAGE MORTGAGEE - FIRST NATIONAL FINANCIAL GP CORPORATION. 100 UNIVERSITY AVE, SUITE 700 NORTH TOWER TORONTO ONTARIO M5J1V6 ORIGINAL PRINCIPAL AMOUNT: \$525,000

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 11 DAY OF MARCH,
2021 AT 11:11 A.M.

ORDER NUMBER: 41200643

CUSTOMER FILE NUMBER: PRDP20210935



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S) .



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☒ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the [Master Rates Bylaw](#).
- ☐ **CURRENT LAND TITLES CERTIFICATE COPY** - dated within 30 days of application, and:
 - ☐ Digital copy of non-financial instruments/caveats registered on title
- ☒ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☒ **COVER LETTER**, shall include:
 - ☒ Proposed land use(s) and scope of work on the subject property
 - ☒ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☒ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN**, shall include:
 - ☒ Legal description and municipal address
 - ☐ North arrow
 - ☐ Property dimensions (all sides)
 - ☐ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☐ Dimensions of all buildings/structures
 - ☐ Location and labels for existing/proposed approach(s)/access to property
 - ☐ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☐ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☐ Identify site slopes greater than 15% and distances from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☐ **FLOOR PLANS/ELEVATIONS**, shall include:
 - ☐ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☐ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☐ Indicate type of building/structure on floor plans and elevations
- ☒ **COLOUR PHOTOGRAPHS** (Min. 3) - ^(as advised) ~~one hard and~~ digital copy: Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☐ **SUPPORTING DOCUMENTS** (as applicable): Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): _____ Land Use District: _____

Applicable ASP/CS/IDP/MSDP: _____

Included within file: ☐ Information Sheet ☐ Parcel Summary ☐ Site Aerial ☐ Land Use Map Aerial ☐ Site Plan

NOTES:


Staff Signature: _____

FROM THE DESK OF DR. GARY & CHRISTIANNE KLAUDT



March 5, 2021

Rocky View County
Building and Planning Department
Calgary, Alberta

@rockyview.ca

Dear Development and Planning Officials,

Thank you for reviewing this request for a variance on animal units on our property. Regarding LAND USE, RATIONALE, and SUPPORTING DOCUMENTS, may I offer the following discussion.

On our acreage (4.89 acres) we currently have two horses that were approved by Rocky View County in 2014. We live 20 paces away from our paddock (which also has a run-in shelter/barn, also approved through Rocky View at that time), and we are with our horses everyday. An average of 5 hours each day is spent mucking out, watering, grooming, playing and riding our horses. We have a number of wee riders, many with special needs that come to see us simply to ride as we 'side-walk' and lead them on horse back. This activity has been outstanding during COVID for them and permitted by protocols that we strictly adhere to. The work that we have always done, and continue to do to keep our land free of any standing water or manure is to exceed expectations for horse ownership. Horses and the work involved to keep them is not difficult for us, it is a lifestyle we embrace.

Though I am the spokesperson, as a family we are requesting that variance be permitted to bring one more horse onto our property. Our two horses are exceptional therapy horses, and are both coming up toward 20 years old. The third horse we wish to bring home here with us is much younger, a gelding that we will train as we did our other two - as a therapy horse for those who need to visit, who is aware, calm and an excellent companion addition to our family.

With respect to the impact this will place on our neighbours, our cul-de-sac has one acreage due east of ours, and one acreage to the south. There is another undeveloped property to the southeast. Each of our properties is completely hidden from each other by forest trees and berms, and set well-apart onto our acreages from each other. There is a common road that runs south from RR 232 (West Bragg

Creek Road) that we all access. We do not allow flies or pests to propagate in manure or standing water, and the horses do not ever graze or walk on our neighbour's land. Our neighbour's do not have any view of our paddock, riding ring or meadow from their homes.

Attached are some photos of how we manage our paddock in the winter. As you may see, even though manure is frozen, we practice land management year round; there is no place where water can gather and stand (encouraging smell and flies), and manure is gathered up and while frozen, raked into a berm west of the fence and covered with tarp and diatomaceous earth. Summer-time sees the treed paddock raked and levelled so that water can not stand in puddles, and manure is cured, flattened and spread on our land. We also build up steep inclines, pathways and gardens with cured manure. (Snow piles in the attached photos of the paddock are just that; snow pushed to make pathways for the horses to walk through given the amount of snow fall this winter). There is also a photo of a clearing to the far west of our property where we have erected fences for a 60 foot riding ring, using mulch for ground cover. It is also always clear and clean.) There is also a photo of our meadow, which is west of our paddock, house and shop, and down the hill. Horses also graze here, and as is the rest of our property, it is clear of manure and a testament to our energy and lifestyle.

Finally, please find attached is an article that I wrote specifically on how we manage flies, which we have almost none of at all; upon examination of flies that our south neighbour complained of in his home, these are cluster flies that also leave a residue on walls when they revive in warmer weather. (I would be pleased if this article could be of interest to the Rocky View website to support other acreage owners with horses).

Thank you again for the time you have taken to read and review this request.

Christianne and Gary Klaudt
Tal, Charis and Nevis Klaudt (our three University students)

Where the Wild Fly Roam By Christianne Klaudt

Acreage living is wonderful. It is a lifestyle and culture of its own, with responsibilities well beyond the house. There is land, well and septic management, and if your home should border plains, foothills or forest, there may be carnivorous trespassers to consider. You don't know who may wander over for lunch if you leave out the trash, and while cougar, bear or wolf are rather elusive, coyote, fox and skunk can be down right obnoxious. Living among the 'wild' is not about defining one's territory, it's really about keeping a soft footprint on the land that we share with them.

The woodlands are filled with drama. Ravens dive-bomb grosbeak, chickadees, grackles and jays, Great Horned owls seek and destroy Northern Flying squirrels, while woodpeckers girdle the bark off of Lodgepole pines and beetles are snacking on spruce trees. Bees buzz, dragonflies dart and flies bite. The wildlife has no qualms about sharing your garden any more than nabbing a cat. And while you sip your tea and gaze at the breathtaking view, a stag or two are nibbling your rhubarb.

Caring for the flora and fauna of our ecosystem presents certain privileges. This environmental milieu offers a delectable array of plants and fungus ripe for the gathering alongside of the edibles that — if planted carelessly — will surely be shared by the local fauna. Maintaining the gardens, pathways, meadow and lawns has become a natural process with recycled water and manure. Every day, manure is raked and piled for compost where it is turned with diatomaceous earth, or crushed and spread thinly over soil and dusted with diatoms. Whenever possible water is also recycled. Our water-well produces only three to five litres per minute, so watering is most often done with creek and pond water. Keeping wild water "wild" means that we keep it pure, free of chemicals and unobstructed as it passes from land to pond and onward.

Insects are a rather integral to country living, and also a universal problem. The birds love them, plants thrive with them and mammals must deal with them. For us, who live in a forested acreage with horses and dogs, there are a few types of flies in particular whose disruptive personalities award them the label of "pest." For those who live in the country, one might say that with horses come flies. Well, to be fair, with deer, humans and good weather come flies. They also propagate in and around ponds, marshland, log homes, carbon dioxide and shiny surfaces. Our focus is on what kind, where they reside, and how to mitigate their feeding grounds and diminish their population.

The name horsefly and deerfly are fairly interchangeable. These big, black flies have razors for lips, eat flesh and rip-and-go before you can reach over to swat. These zooming menaces feed off on flower nectar and plant exude, while blood sucking is actually done to cultivate their species. Also called gadflies, they live and lay eggs in marshy soil or in shallow standing water, thrive in hot weather and hang out in vegetation. While wetland areas nearby our property harbour their insidious young in mossy bogs, it is more likely that the prevalent deer population is the attractant. Out come the vials of peppermint, eucalyptus and lavender oils that we strategically place around the home and paddock. Dragonfly nymphs are nurtured in our pond, and a bat box attached to a very high pole stands like a sentinel near the horse paddock. The spicy scent of Tansy and marigolds, sprouting strategically around the yards also work to repel various “swatables.” While we don’t actually experience much by way of horseflies where we live, the cluster fly is another matter entirely.

Within a year of moving to this forest, we changed the vinyl siding on our home and outbuildings to a more natural hardy-board. It was disturbing to note what we found living inside the old siding once it was removed; flies crammed so tightly in between each strip of vinyl that their wee carcasses were reduced to a crush of wings and abdomens (and a very bad smell). Cluster flies are very similar to the housefly or bottlefly, with the exception that they arrive in droves, live in clusters and smell sickly sweet when they perish. Any home with tiny warm cracks to hide in will harbour these parasitic flies all through fall and winter, where they will stay dormant until a warm day arouses them. It’s almost diabolical that the species can freeze, enter diapause and spring back to life when they thaw. They start their lives in the dirt, live parasitically in an unsuspecting earthworm until adulthood and then seek out a nice, comforting home. Keeping the worms happy isn’t too hard, either. Earths own formula - diatoms - will inevitably kill flies while earthworms thrive in it, more info on this magical powder later on.

Interestingly enough, almost all kinds of flies detest the smell of cinnamon as well as eucalyptus; both of which make wonderful air fresheners. A vacuum with a long extension is an excellent way to deal with an indoor cluster of flies, all of which have an exoskeleton that is fatally damaged when in contact with diatomaceous earth. Spreading the powdery, white diatoms over gardens, walkways and in any area where flies might propagate is a method for controlling this species. Of interest, “Cluster flies are not related to livestock production. They do not develop in manure or manure pits. They are not interested in food, do not develop in garbage and are not a sign of unsanitary conditions” (Johnson, 2016). Further, “cluster flies do not breed, feed or lay eggs inside

homes, as do some other common flies” (Government of Canada, 2013).

Diatomaceous earth is a white powder that is made up of microscopic, fossilized diatom remains that, while talcum-powder soft to the skin, will pierce and dehydrate the exoskeleton of insects and parasites. It is used as a natural fly repellent and pest control (Leech, 2019), and a natural deodorizer for livestock manure (DiatomaceousEarth.com, n.d.) Do use it sensitively around the flowers in your gardens though, as diatomaceous earth will kill bees as quickly as flies.

On that topic, one may find it of interest to note that skunk like to eat bees. They scratch at the hive door to incite a riot and swallow as many bees as will rush out to investigate the attack. There are various methods that folks use to stop skunk from attacking beehives, from boards embedded with nails (seemed nasty) to mothballs or vinegar (which bugged the bees, too). Common sense had us raise up the hive an extra foot and cover it with styrofoam. This way we could see scratch marks if Pepe was snacking, and it dulled the sound so much that the bees entirely refused to be baited. Another narrow-lipped vessel of peppermint oil resides near the apiary entrance, and everyone is happy. With little to attract them, our skunk friends moved on.

Living among the wild means to keep a soft footprint on the land, a balance between cultural control and respectful caretaking of the local flora and fauna. Yes, flies and fowl will seek to invade and wildlife will visit at perhaps the most inopportune times. That is, after all, the way the wild should be.

Go ahead and find nature’s sanctum by visiting an exquisite Alberta Park. Hike, ride, ski, and breathe in the scent of a pine tree. Listen to the wind in the trees, and the clatter of water over rocks, identify a bird or a footprint and notice the presence of the wild around you. Be gently reminded that to reside in or to visit the countryside is to move in harmony with a biome rich in flora, fauna and natural habitats. Where ever you call home, be it rural or urban, remember that for every mouse, midge, fly or mammal that humans try to control, the words of Michael Crichton often rings true: “Life finds a way.”

References

DiatomaceousEarth.com. (n.d). Diatomaceous earth: Natural fly repellent. Retrieved February 27, 2021, from <https://www.diatomaceousearth.com/blogs/learning-center/diatomaceous-earth-natural-fly-repellent#:~:text=Diatomaceous%20earth%20makes%20a%20great,moisture%20and%20deodorizes%20an%20area.>

- Government of Canada. (2013). Clustering flies. Retrieved February 27, 2021, from <https://www.canada.ca/en/health-canada/services/pest-control-tips/clustering-flies.html>
- Johnson, S. (2016). Pest spotlight: Cluster flies. Retrieved February 27, 2021, from <https://poulins.ca/blog/pest-spotlight-cluster-flies/>
- Leech, J. (2019). What are the benefits of diatomaceous earth? Retrieved February 26, 2021, from <https://www.healthline.com/nutrition/what-is-diatomaceous-earth#what-it-is>

TWP RD 232

17

R-RUR

R-CRD

HAWKEYE RD

A-SML

p8.1

TWP RD 232

KANANASKIS
IMPROVEMENT
DISTRICT

R-RUR

A-SML
p8.1

FORESTRY WAY

A-S
p8

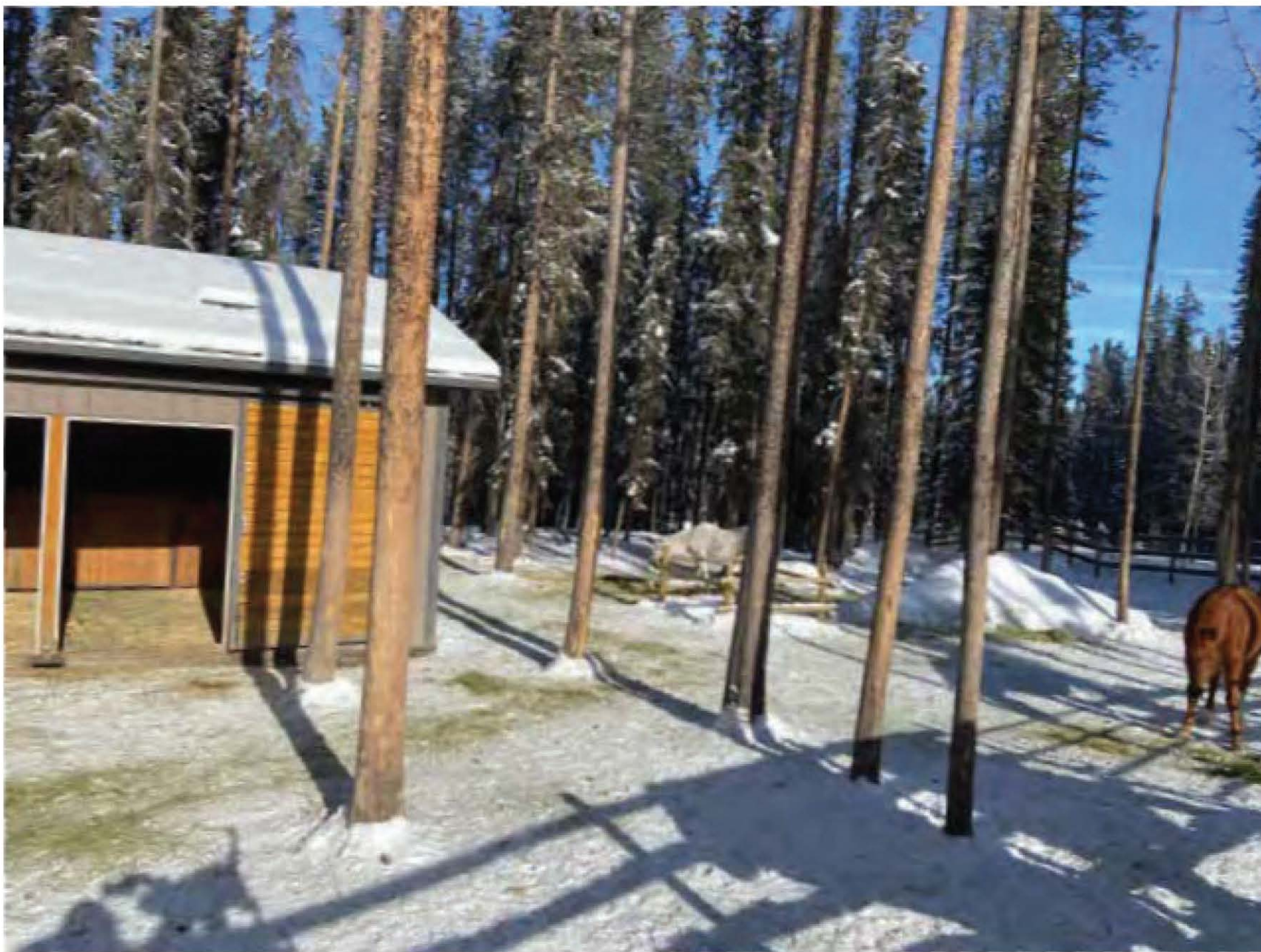
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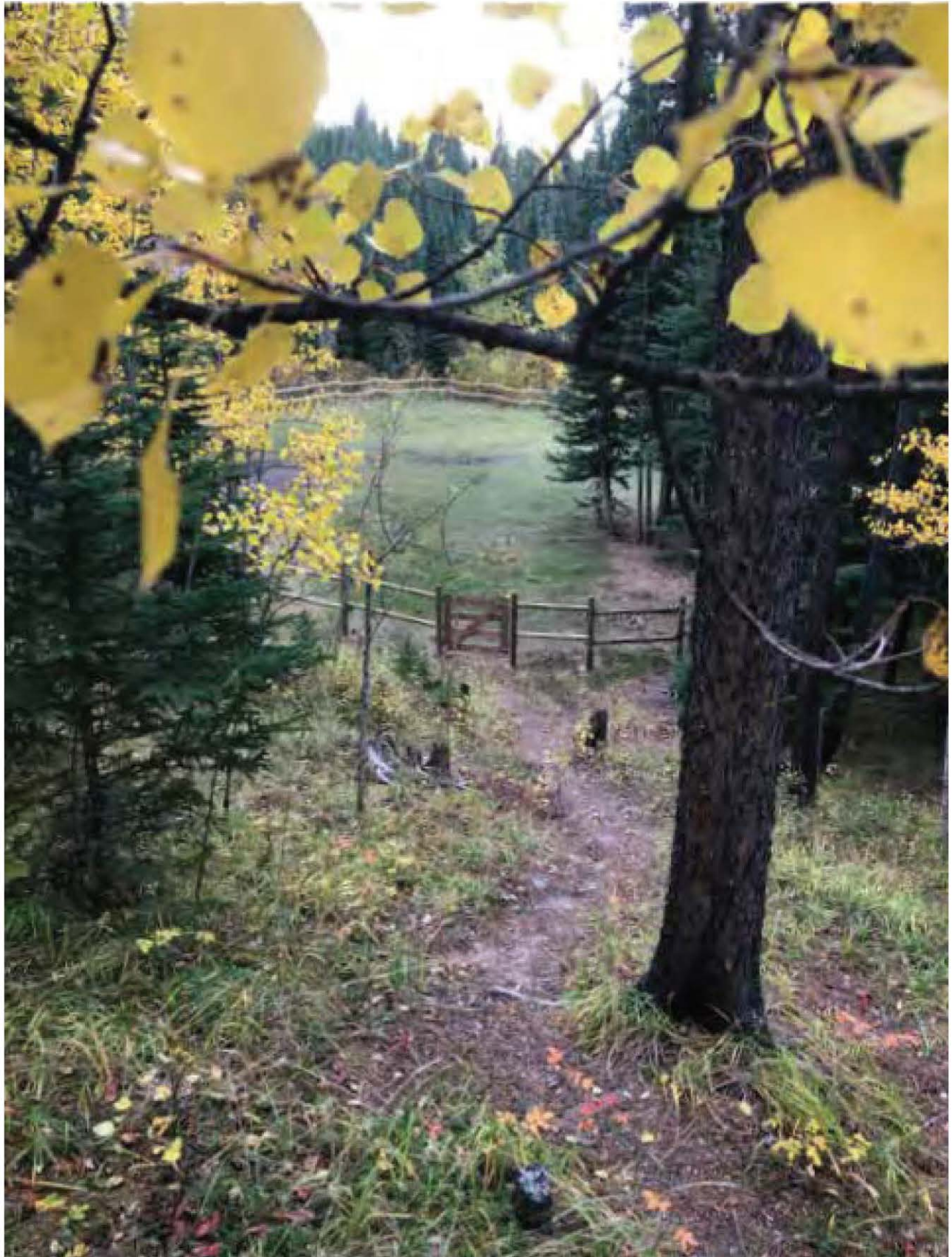
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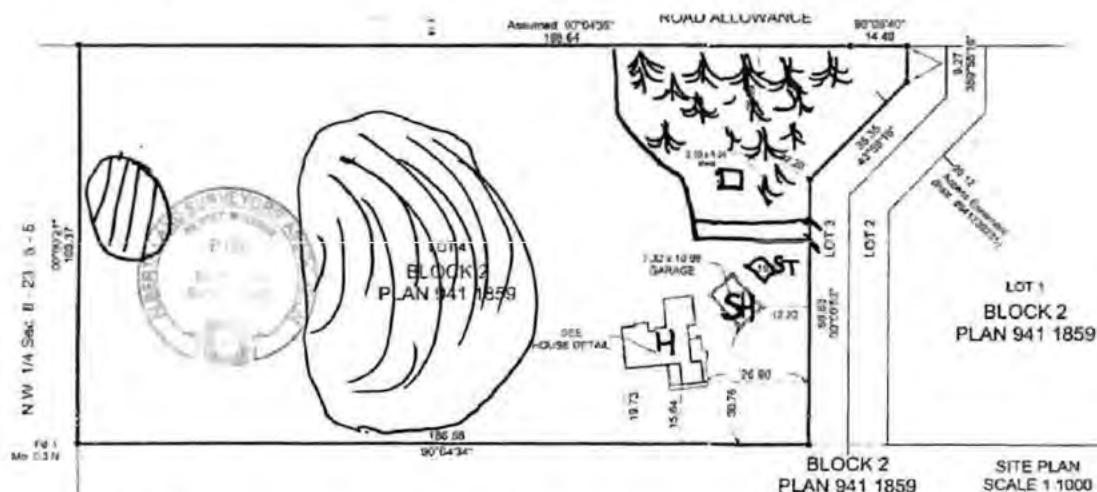





SITE PLAN.

Nothing has changed since 2014, with exception of North Property fencing, and cross fencing at meadow and backyard.

← Riding

N ↑



-  60 ft. diameter Riding ring-outdoors, in trees (uphill from meadow)
-  Meadow, (downhill from H (house) SH (shop) ST (storage shed))
-  Treed Paddock for horses.
- Riding: We ride directly to GBCT (Greater Bragg Creek Trails) from our property. The trails are approx. 1.8 km away. (We consistently ride at the trails.)



DEVELOPMENT PERMIT

Inspection Report

APPLICATION DETAILS	
APPLICATION NO.	PRDP20210935
ROLL NO.	03908057
QUADRANT	SW
FILE MANAGER	Wayne Van Dijk
DATE REQUIRED	March 22, 2021

PARCEL/APPLICANT INFORMATION

Applicant/Owner Name: Klaudt, Gary & Christianne

Municipal Address/Legal Description: 54161 TWP RD 232, Rocky View County AB / NW-08-23-05-05

Land Use: R-RUR

Permission for Entrance Granted: yes (Yes or No)

INSPECTION INFORMATION

Reason for Inspection: increase number of animal units (horses) from 2 to 3 animal units

Specific Concerns:

- general condition of parcel, screening and number of animals on site.
-
-

Inspector: Andy Wiebe

Date of Inspection: March 23, 2021, 1300 hrs.

INFORMATION INCLUDED (indicate with "x")

☐ Satellite Aerials – Zoomed In ☐ Satellite Aerials – Zoomed Out ☐ Site Plan ☐ Application-Specific Information

Observations:

1. Parcel is tidy and well kept
2. 2 horses on site
3. Parcel is well screened from the road

Andy Wiebe

Signature of Inspector







