

ROCKY VIEW COUNTY
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
DEVELOPMENT APPEAL:
File 03908057; PRDP20212162

Opening Statement

The appeal that has been made by Jeff and Sharon Foster against the approved Equestrian Centre application contains information pertaining to a recently closed application (livestock increase to 3 horses), as well as to this current one. To the best of my knowledge, the purpose of this appeal process is not to debate or revisit concerns stated in the concluded Appeal of May 27, 2021, (board order #: 2021-SDAB-008) — but to outline the Appellants concerns with an Equestrian Centre.

Much of the content provided in "Background and Land Use", "Upkeep and Maintenance", "Well", and "Land Value" of their appeal are details of complaints they provided at that time, and as such, they are not addressed by this Applicant.

It is noted that some of the information the Appellants provided herein regarding the personal means and intent of the Applicant and property appears to be intentionally misleading, and are untrue. I feel that such fabrications are unkind and beneath them.

The Foster's greatest concern appears to be the actual bylaw designation of "Equestrian Centre." As the description for "Equestrian Centre" is quite broad, I understand the concern it causes them.

Bylaws: Type I / Type II Business vs. Equestrian Centre

Mr. and Mrs. Foster indicate in their appeal that "the Applicant should not be permitted to couch a Type 1 Home Business as an Equestrian Centre to thwart the objectives of the Bylaw." They also state the bylaw in their appeal "... whose first requirement of a Type I or Type II business is ...an accessory use of a principle dwelling".

A Type I or Type II business — which requires the use of our principle dwelling — is not applicable for Equestrian purposes because — as we do not live in a Sultan's tent — horses will not fit inside of our home.

As Equestrian Centre is the only designation offered within Rocky View County bylaws for those who work with horses, it is clear that a Type I business does not satisfy the required bylaws for this means.

The Appellant quote "The requirements for a home-Based Business ("Type 1 Home Business") in Section 142 of the Bylaw fit almost identically with the Applicant's set-up".

While I would have happily continued in the misnomer that riding lessons fell under this category, I was informed by the Development Officer assigned during the time of the original Permit Application that I must apply for an Equestrian Centre permit.

Equestrian Centre Eventing

The Appellants are concerned about whether Equestrian Eventing might happen, including any large events surrounding the use of our and other horses brought onto the property, I understand that without specified intent, the stipulations for Equestrian Centre looks frightening.

First of all, Eventing in Alberta is defined commonly as "an equestrian triathlon, in that it combines different disciplines dressage, cross country and show-jumping into one competition." (What Is Eventing? - Alberta Horse Trials Association <https://albertahorsetrials.com/index.php/what-is-eventing>). The Applicant's property has neither the means or capability to maintain any form of Equestrian Eventing.

As to Equestrian Events - large gatherings in which extra horses are brought onto the property with or without the combination of our own horses in order to create entertainment that includes up to 100 spectators — this is also outside of the means of this property. While this property could safely accommodate 9 vehicles, it does not have the means to handle more than one trailer at any given time, nor day boarding, pasturing or holding areas for extra horses, nor an arena or riding ring that can accommodate more than four horses at any given time.

Statement of Intent

Given the inordinate observance the Appellants have demonstrated toward this family over the past six months, it seems prudent to clearly state the potential number of riders and spectators this Applicant could support in future endeavours, so that future conflict may be avoided.

Equestrian Eventing: will not take place on our property.

Equestrian Events: An Equestrian Event is determined as a paid, special occurrence (such as a birthday party) that is centred around horses, in keeping with all bylaws.

We will accommodate no more than 10-12 riders in any given Equestrian Event, with up to one extra horse on property for any given Event.

There will not exceed one such Event in a week.

Spectators will not exceed 25 (such as in the case of large families) for any given Equestrian Event.

This said, a family or friend gathering is **NOT** considered an Equestrian Event, even if horses are present for the pleasure of liberty work or riding. Our horses, like our dogs and cats, are part of our family, too.

Tutoring and daily lessons are private and are not Events.

This Applicant is in agreement with the Appellants remark "that the Equestrian Centre is for teaching and tutoring and is not for commercial purposes, and if the Applicant desires to turn it in to a commercial enterprise they will be required to apply for the proper permits and designations."

There is not now, nor ever be an application by this Applicant to turn this property into a commercial enterprise of any kind.

Conclusion

Until March 2021 the Appellants complaint has been the only one ever placed against the Applicant, family or our horses.

The Equestrian Centre designation is the only designation that is available for folks such as ourselves, who work with, offer time with, or make any form of income utilizing horses. We will continue our endeavour to provide riders and visitors with an environment of peace and awareness, calming connection with horses, lessons and therapeutic riding — as we have for the past 8 years.

In conclusion, it seems to me that the time taken for Mr. and Ms. Foster to create this Appeal, the stress they have experienced and the requirement therein of Council to address this appeal could have been avoided had they just talked directly with me about their concerns. With a phone call, I know that Rocky View County would have been pleased to help them understand the bylaw requirements for "Equestrian Centre" and "Type I/II business" as they did for me.

Thank you for your time and consideration of this response.

Respectfully,
Christianne Klaudt.

On May 11, 2021, at 2:36 PM, WVanDijk@rockyview.ca wrote:
Christianne,

Thank you very much for the detailed description below. It was very helpful and descriptive. My intent is simply to ensure that you don't encounter any future hassles or issues.

I have forwarded this information off to my supervisor and she has replied that a development permit, for an equestrian center, is required to cover this activity off. According to the current Master Rates Bylaw, the cost associated with an equestrian center permit application is currently \$700. I have attached a copy of the application package to this email. Once completed, you can email the application to development@rockyview.ca and they will take care of it from there.

I hope this helps and if you have any questions or require any additional information, please feel free to contact me or if you can also contact my supervisor, Heather McInnes, hmcinnes@rockyview.ca.

Thank you,

Wayne Van Dijk

Development Officer | Planning and Development Services

Rocky View County

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

Phone: 403-520-6325

wvandijk@rockyview.ca | www.rockyview.ca

From: Christianne Klaudt [REDACTED]

Sent: May 11, 2021 1:06 PM

To: Wayne Van Dijk <WVanDijk@rockyview.ca>

Subject: Re: [EXTERNAL] - Re: Notice of affected party appeal 03908057
PRDP20210935

Hello, Wayne, thank you so much for your kind, and quick response. I have never considered, nor intended to utilize riding as a business, it is volunteer work that only pays expenses. I offer private lessons, only to friends or contacts of ours or our riders. I can only take on a lesson or maybe two per day, and I don't want strangers coming to our property. I have nine kids that come regularly since COVID started. For the past two years, I only had a handful. In total, including kids who come only once a month or so, I have 11 kids coming to see, or ride on our horses. I used to simply teach balance, mental connection with horses and riding with no charge at all; however, I realized that they could help with horse expenses for the work the horses do for them. Most of these kids gain a stunning connection with the horses; equines have a unique ability to heal our minds.

I offer an hour of class on balance and movement skills. For most kids, this means simply being able to spend time with a horse, get on the horse (saddled, or on a physio-bare back pad, or a hippo-therapy surcingles) and feel the motion of the horse as it moves around the 70 foot riding ring set up at the far west end of our property. This private riding ring is in the trees, and simply an area blocked off with riding ring panels, and the footing is mulch. I also walk in to Kananaskis country with a child on horseback; their aide walks beside the horse as well.

I charge \$50.00 for each class of an hour, however, two of the families can not pay, and so I don't charge anything. This business only pays for 'hoof and hay'; it covers the cost of hay each year, farrier work on the feet, and feed supplements. Each year when I do my taxes, what I make in riding with kids covers only expenses, with no extra income. I do this for the love of horsemanship and because I love these kids. It is a "ministry" for me, like a volunteer offering that simply pays expenses out of pocket.

This new colt is young, and will be able to carry riders in two more years, when he is three. Until then, we do 'liberty work', which is ground work (off of the horse), asking the horses to walk to us, follow us, run for us around the arena, or 'play ball'. Liberty means 'freedom',

and so this means that the horse is not driven or forced to work with us, we entice them to play because they want to. Our Arabian is aging, and can not carry over 180 lbs on his back particularly once he is over 20. I have found that humans often weigh more than I think they do, and the new young Morgan, though still a 'warmblood' horse of about 15 hands high, is strong built like a quarterhorse. We wanted him - Cadfael - because I was there for his birth, and his owner, Trudi, is a close family friend. If he had been a filly, she would have kept him. I won the gender 'coin toss'.

Attached s a photo of myself and one of the kids' Aides walking along the road to Kananaskis right from our property, with two of our special needs kids on horseback. (The other Aide is taking the photo). We have bells on the horses, often carry music, and it's a very joyful thing. We walk to the Kananaskis trailhead two or three times a week with horses. The rest of the time is in our riding ring. My family and I ride our horses every week, too. So have family members of our neighbours directly south of us.

Please let me know what else I may do, or need to provide, and I will do it.

With thanks,
Christianne Klautd.