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

Date:Wednesday, December 23, 2020Time:9:00 AMLocation:https://www.rockyview.ca/

#### A. CALL MEETING TO ORDER

#### B. DEVELOPMENT APPEALS

#### 9:00 AM APPOINTMENTS

#### 1. Division 7 File: 06517005 PRDP20194577

An affected party appeal against the Development Authority's decision to approve a development permit application for a golf driving range (30 tees), and construction of a pro shop building at 262217 Range Road 14 (Block 1 Plan 8710072 NE-17-26-01-W5M) and located approximately 1.61 km (1 mile) north of Highway 566 and on the west side of Range Road 14.

Appellant: Shelley (Lamb) Bushfield

Applicant: Yeuang Yu

Owners: Jianli Zhang, Di Zhang, Yuhong Li

#### C. ADJOURN THE MEETING

D. NEXT MEETING

#### Pages

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## PLANNING AND DEVELOPMENT SERVICES

TO:	Subdivision and Development Appeal E	Board			
DATE:	December 23, 2020	DIVISION:	7		
FILE:	06517005	APPLICATION:	PRDP20194577		
SUBJECT:	Golf Driving Range				
<b>PROPOSAL</b> : The proposal is for a Golf Driving Range (30 tees), and construction of a Pro Shop Building		<b>GENERAL LOCATION:</b> Located approximately 1.61 km (1 mile) north of Hwy. 566 and on the west side of Rge. Rd. 14.			
	<b>ON DATE</b> : December 18, 2019 Completed on October 22, 2020)	<b>DEVELOPMENT AUTHORITY DECISION</b> : Discretionary – Approved			
APPEAL DA		DEVELOPMENT AUTHORITY DECISION DATE: November 12, 2020			
APPELLAN	T: Shelley Lamb Bushfield	APPLICANT: Ye	uang Yu		
<b>LEGAL DESCRIPTION</b> : Block 1, Plan 8710072, NE-17-26-01-W05M		MUNICIPAL ADDRESS: 262217 Range Road 14			
LAND USE DESIGNATION:		GROSS AREA: ± 15.38 hectares (± 38.00 acres)			
Business, Leisure and Recreation District (B-LR) within the old Land Use Bylaw C-4841-97					
	ecreation District (B-REC) within the se Bylaw C-8000-2020				
DISCRETIO	NARY USE:	DEVELOPMENT VARIANCE AUTHORITY:			
The application was received in December 2019 prior to the adoption of the new Land Use Bylaw, as such, the proposal was evaluated in accordance with the old Land Use Bylaw C-4841- 97.		No variance was requested by the Applicant			
Golf Driving Range is discretionary use under the Business, Leisure and Recreation District (B-LR) within the old Land Use Bylaw C-4841-97.					
circulated to	<b>BMISSIONS</b> : The application was 20 adjacent parcels. One appeal was received.	<ul> <li>LAND USE POLICIES AND STATUTORY PLANS:</li> <li>County Plan (C-7280-2013)</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>			



#### EXECUTIVE SUMMARY:

The proposal is for a Golf Driving Range. The proposed development includes a 137.40 sq. m (1,479.00 sq. ft.) pro shop building, 24 covered tees, 6 uncovered tees, a parking area and landscaping.

The application has been assessed in accordance with the old Land Use Bylaw, as the application was received prior to the adoption of the new Land Use Bylaw. Golf Driving Range is discretionary use under Business, Leisure and Recreation District (B-LR) within the old Land Use Bylaw. The proposed development meets the building height, building setbacks, parking, landscaping and lighting requirements. The application was conditionally approved by Municipal Planning Commission (MPC) on November 12, 2020.

On December 4, 2020, a Notice of Appeal was received from an adjacent landowner to appeal against the decision of MPC. The appellant raised following concerns:

- · Potential impacts on the wildlife around the existing wetland;
- Increased traffic on the intersection of Highway 566 & Range Road 14; and
- The subject land should remain agricultural use.

The Owner provided following responses to address the concerns:

- The existing wetland is located in the north portion of the land, while the proposed development will take place in the south portion, leaving the wetland untouched. In addition, the Owner will place fence around the wetland to restrict public access to the wetland to protect it.
- A memo of Traffic Impact Assessment concluded that the intersection of Highway 560 & Range Road 14 would accommodate the proposed development. Range Road 14 is Regional Moderate Volume gravel road, which is able to accommodate the additional traffic generated from the development. No road upgrading is required.
- The recreation land use designation was approved by Council in September 2019.

#### APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean Supervisor, Planning & Development Services

XD/IIt

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## **DEVELOPMENT PERMIT REPORT**

Application Date: December 18, 2019 Application Complete: October 22, 2020	File: 06517005
Application: PRDP20194577	<b>Applicant:</b> Yeuang Yu <b>Owner:</b> Jianli Zhang, Di Zhang, Yuhong Li
Legal Description: Block 1, Plan 8710072, NE- 17-26-01-W05M	<b>General Location:</b> Located approximately 1.61 km (1 mile) north of Hwy. 566 and on the west side of Rge. Rd. 14.
Land Use Designation: Business, Leisure and Recreation District (B-LR) within the old Land Use Bylaw C-4841-97	Gross Area: ± 15.38 hectares (± 38.00 acres)
File Manager: Xin Deng	Division: 7

#### PROPOSAL:

The proposal is for a Golf Driving Range (30 tees), and construction of a Pro Shop Building. *Note: The application was received in December 2019, as such, the proposal was evaluated in accordance with the Land Use Bylaw (C-4841-97).* 

- The property contains a dwelling, single detached and accessory building (garage), which is accessed by the existing approach off Range Road 14.
- The proposed development will be accessed from the existing approach.
- The proposed golf driving range will include a 137.40 sq. m (1,479.00 sq. ft.) pro shop building, 24 covered tees, 6 uncovered tees, a parking area and landscaping.
- The site is proposing solar powered outdoor street lights (5000 lumens LED), 9 in the north parking area and 2 in the southern parking area. No building lighting is proposed.
- The development will include wooden and chain-link fencing, 2.13 m (6.00 ft.) high around the parking areas; There will also be range netting, 6.00 m (19.68 ft.) high netting along the western and eastern property line and 4.00 m (13.12 ft.) high netting along the southern property line.
- No signage are proposed at this time.

#### LAND USE BYLAW (C-4841-97):

Section 77 Business - Leisure and Recreation District (B-LR)

77.3 Uses, Discretionary:

Golf Driving Range

- The proposed golf driving range is a discretionary use, therefore, a Development Permit is required.
- 77.6 Minimum and Maximum Requirement

(b)(i) Front yard from County Road (to the east):

- Required: 30.00 m (98.43 ft.)
- Proposed Pro Shop: Lots, which meets the requirement
- Proposed Covered Tee: Lots, which meets the requirement

(c)(iv) Side yard from other parcels (to the north/south):

- Required: 6.00 m (19.69 ft.)
- Proposed Pro Shop: Lots, which meets the requirement
- Proposed Covered Tee: Lots, which meets the requirement

(d)(ii) Rear yard from other parcels (to the west):

- Required: 15.00 m (49.21 ft.)
- Proposed Pro Shop: 15.14 m, which meets the requirement
- Proposed Covered Tee: 15.00 m, which meets the requirement
- 77.7 Maximum Height of Buildings
  - Required: 12.00 m (39.37 ft.)
  - Proposed Pro Shop: 5.10 m (16.73 ft.), which meets the requirement
  - Proposed Covered Tee: 6.00 m (19.69 ft.), which meets the requirement

#### Section 30 Parking and Loading

In accordance with Schedule 5 of the Land Use Bylaw, 2 parking stalls are required per tee. The Applicant proposes 30 tees (6 uncovered tees and 24 covered tees).

- Required: 60 parking stalls (30 tees x 2 parking stalls/tee).
- Proposed: 62 parking stalls, which meets the parking requirement.
- 30.1 (h)(i) Parking stall for the disabled shall be provided in accordance with the Alberta Building Code.
  - Table 3.8.2.2 Designated Parking Spaces of Alberta Building Code (ABC) lists the required disabled parking stalls. For example, 51-100 regular parking stalls will require four (4) disabled parking stalls;
  - The proposed site plan shows 4 disable parking stalls, which meets the Alberta Building Code parking *requirement*.
- 30.1 (k)(i) each required space shall be minimum of 2.59 m (8.53 ft.) in width and a minimum of 5.48 m (18.04 ft.) in length.
  - The proposed parking stalls is 2.60 m (8.53 ft.) wide and 5.48 m (18.04 ft.) long each, which meet the minimum requirements.
  - The proposed two disabled parking stalls is 2.8 m (9.18 ft.) wide each with a 2.40 m (7.87 ft.) wide access aisle, which meet the requirement in the 2014 Alberta Building Code. The other two disabled parking stalls need to be updated in order to meet the Alberta Building Code. As a prior to issuance condition, the Applicant/Owner is required to provide a revised parking plan.
- Section 26 Landscaping, Screening and Outdoor Display Area
  - 26.11(c) A minimum of 10% of the development area shall be landscaped, in accordance with the Landscaping Plan approved by the County.
    - The development area is 3.33 hectares (8.25 acres); the minimum landscaped area should be 3, 338.66 sq. m (10% × 33,386.60 sq. m).
    - The application is proposing 1,981.51 sq. m of hard landscaping and 30,662.17 sq. m of soft landscaping, for a total of 32,643.68 sq. m
    - 26.5 All yards and all open spaces on the site of business developments (excluding parking stalls; on-site circulation, outdoor storage, display, and service areas) shall be required to be landscaped with trees, shrubs, sod, or suitable hard landscaping. The number of trees required pursuant to this section, may be determined on the basis of a minimum of one (1) tree for each 46.00 sq. m (495.14 sq. ft.) of any required yard or setback at

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grade, or as required pursuant to a Landscaping Plan as a condition of a Development Permit.

- A minimum of 73 trees will be required (3,338.66 sq. m ÷ 46 sq. m/tree).
- 26.3 (b) the proportion of deciduous to evergreen trees shall be approximately 60:40, unless the Landscaping Plan is designed by a registered professional Landscape Architect;
  - A minimum of 44 deciduous trees (73 trees ÷ 10 x 6) and 29 coniferous trees (73 trees ÷ 10 x 4) will be required, for a total of 73 trees.
- 26.11 (t) Up to 50% of the required number of trees may be substituted with shrubs at a ratio of 3 shrubs to 1 tree for deciduous trees, and 4 shrubs to 1 tree for coniferous trees, providing that any associated screening requirements are met to the satisfaction of the County.
  - 22 deciduous trees, 66 deciduous shrubs (43 x 50% x3), 15 coniferous trees, and 56 coniferous shrubs (29 x 50% x4) are required;
  - The application is proposing 22 deciduous trees, 66 deciduous shrubs, 15 coniferous trees, and 60 coniferous shrubs, meet the minimum requirement.
- 26.11 (d) A landscaped strip of at least 4.00 m width shall be provided in front yards and side yards adjacent to a road. Alternate configurations that provide for equivalent area of landscaping, with a minimum width of 1.00 m, may be allowed at the discretion of the Development Authority.
  - The proposed site plan identifies a 4.00 m (13.12 ft.) width landscaped strip, along the eastern property line, with majority of the required trees and shrubs.

#### STATUTORY PLANS:

This property does not fall within any Area Structure Plans or Intermunicipal Development Plan. Therefore, the application was evaluated in accordance with the Land Use Bylaw.

#### PARCEL INFORMATION:

#### Planning History

• PL20190055 Redesignation application was approved by Council on September 10, 2019, to redesignate the subject land from Farmstead District (F) to Business, Leisure and Recreation District (B-LR) in order to facilitate the development of a Golf Driving Range.

#### **Development Permit History**

• There is no history for the Development Permit.

#### Building Permit History

- 1995-BP-10010 Building Permit for "Garage" was issued on Oct 19, 1995.
- 1995-BP-4972 Building Permit for "Single Family Dwelling" was issued on Oct 12, 1995.

#### **INSPECTOR'S COMMENTS:**

• The property contains a dwelling and a garage, and can be accessed through the existing approach off Range Road 14.

#### CIRCULATION:

#### Alberta Transportation:

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- In reviewing the application, the proposed development does not fall within the control distance of a provincial highway as outlined in the *Highways Development and Protection Act / Regulations*, and will not require a roadside development permit from Alberta Transportation.
- The department does expect that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connection to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 648(2)(c.2) of the *Municipal Government Act*.

City of Calgary:

• No response was received.

#### Building Services, Rocky View County:

- Advisory Condition Pro Shop and Covered Tees require separate building permits.
- Advisory Condition Provide 3.2.2 Building Code Classification to Building Services for all buildings.
- Advisory Condition Structural and Mechanical drawings will be required along with professional involvement.
- Advisory Condition Architectural and electrical drawings will be required including sufficient details outlined in Part 3.
- Advisory Condition Provide Access Routes design as per article 3.2.5.6., including centerline turning radius and clear widths.
- Advisory Condition Additional washrooms are required as per occupant load calculations and per Table 3.7.2.2.A.
- Advisory Condition 4 barrier-free parking stalls are required for 60 parking spaces, must conform to Table 3.8.2.5.
- Advisory Condition Building and exterior walks require a barrier-free path of travel and access as per subsection 3.8.3.
- Advisory Condition Spatial separations at property lines must be calculated as per Subsection 3.2.3.
- Advisory Condition Buildings shall conform to the National Building Code 2019 AE and National Energy Code 2017, with documentation/design at Building Permit stage.

Fire Services & Emergency Management, Rocky View County:

• No comments were received.

#### Municipal Enforcement Services, Rocky View County:

• No issues with this development permit application at this time.

#### Operations Division, Rocky View County:

- Road Operations: No comment were received.
- Capital Delivery: No comment were received.
- Utility Services: No concerns.

Planning and Development Services - Engineering, Rocky View County:

#### General:

- The review of this file is based upon the application submitted. These conditions / recommendations may be subject to change to ensure best practices and procedures.
- Prior to the issuance of the DP, the applicant is required to submit a Construction Management Plan, in accordance with County's servicing standards.
- Prior to the issuance of the DP, the applicant is required to provide an erosion and sediment control (ESC) plan identifying ESC measures to be implemented during the construction of the proposed development and infrastructure in accordance with County's servicing standards.
- As an advisory condition, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County.

#### Geotechnical:

- County GIS contours indicates that there are slopes less than 15%.
- Prior to the issuance of the DP, the applicant is required to conduct an onsite geotechnical investigation in accordance with County's Servicing Standards, providing the results of a soil characteristics and existing groundwater conditions and verifying the site is suitable for the proposed building and site works.
- As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.

#### Transportation:

- Access to the parcel is provided off Range Road 14.
- A traffic memo for Highway 566/Range Road 14 intersection review was provided at the time of re-designation, prepared by Bunt & Associates, dated December 13th, 2018. As per the memo, intersections of Hwy 560 & Range Road 14 would accommodate the current proposal and no intersection improvements are required.
- As per County GIS, Range Road 14 is a Regional Moderate Volume gravel road, which would be able to accommodate the additional traffic generated from the development as indicated in the traffic memo in accordance with County's servicing standards. No road upgrading is required at this time.
- Prior to issuance of the DP, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the Transportation Off-site Levy Bylaw C-8007-2020 for the proposed development area.
- Prior to issuance of the DP, if site final grading activities require the import or export of soil, the applicant shall enter into a Road Use Agreement with the County regarding use of the County's road system to haul soil off site or onto the site.
- As the proposed development is within 1.6 km of a provincial highway, the application is to be circulated to AT for their review. Should AT have any requirements, the applicant/owner will fulfill all of AT's requirements prior to the issuance.

#### Sanitary/Waste Water:

- No servicing has been proposed for the proposed development.
- Currently, an existing septic system services single-family dwelling and other accessory buildings.

**Rocky View County** 

- As per policy #449 and county standards, the county recommends the use of sewage holding tanks for industrial, commercial and institutional land uses when it is not feasible to connect to a Regional or Decentralized systems.
- Prior to issuance of the DP, applicant is required
  - To submit a site plan incorporating sewage holding tank for proposed development in accordance with County Policy #449 and county standards.

OR

• To demonstrate typical wastewater strength and volumes and suitability of existing septic field for proposed development in accordance with County Policy #449 and county standards.

#### Water Supply and Waterworks:

- No servicing has been proposed for the proposed development. Engineering recommends the use of cistern with trucked water service.
- Currently, a well services existing dwelling and other accessory buildings.
- Prior to issuance of the DP, application is required
  - To submit a site plan incorporating water cistern for proposed development.

OR

• To obtain approvals from Alberta Environment for using the groundwater from existing water well for business/commercial purposes.

#### Storm Water Management:

- Site-specific stormwater Implementation plan was submitted at re-designation, prepared by Westhoff Engineering Resources Inc., Dated April 3, 2019. The report proposes overland ditch/swale drainage system collecting and conveying runoff to an evaporation pond with emergency overland outlet to wet creek.
- Prior to occupancy, the applicant is required to provide as-built drawings of the onsite stormwater management facilities. Once received, the County shall perform an inspection of the proposed stormwater management facilities ensuring the proposed facilities were constructed as per the approved Stormwater designs.
- As a permanent condition, the applicant is required to operate and maintain the onsite stormwater management facilities in accordance with the approved site specific stormwater management plan prepared for the development.
- A site plan was submitted as a part of the application. The site plan does not incorporate the onsite stormwater improvements in accordance with the Site-specific Stormwater Implementation Plan.
- Prior to issuance of the DP, the applicant shall submit a site plan in accordance with approved Site-specific Stormwater implementation plan. (Westhoff Engineering Resources Inc, April 3, 2019).

#### **Environmental:**

- Based on GIS review, wet creek, lake and riparian areas are present on site. No disturbance is proposed at this time.
- As a permanent condition, application is required to obtain Alberta environment approval if any wetlands are to be disturbed.

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#### **OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

#### **Description:**

- 1. That a Golf Driving Range may be constructed on the subject land in general accordance with the approved application and site plans (as prepared by Atelier Yu Design Inc; Project (Driving Range) Location, Dwg. S-1 to S-5), as amended and included:
  - i. Construction of 24 covered tees and 6 uncovered tees;
  - ii. Construction of a Pro Shop Building,137.40 sq. m (1,479.00 sq. ft.) in area;
  - iii. Construction of up to 6.00 m (19.68 ft.) of Range Perimeter Netting;
  - iv. Development Regrading (as required).

#### Prior to Issuance:

- 2. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Parking Plan, showing the 4 disabled parking stalls in compliance with 3.8.3.22 of the Alberta Building Code, including mounted signage requirements.
- 3. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Lighting Plan, showing that the proposed lighting fixtures are full cutoff or shielded, to comply with the County's "dark sky" regulations.
- 4. That prior to issuance 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 any Road Use Agreement or Roadata permits will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. The Applicant/Owner shall also confirm if any upgrades are required to the existing approach, to accommodate the proposed commercial development. If upgrades are required, the Applicant/Owner shall submit a new Road Approach Application to County Road Operations.
- 5. That prior to issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, in accordance with County's Servicing Standards.
- 6. That prior to issuance of this permit, the Applicant/Owner shall conduct an onsite geotechnical investigation, in accordance with County's Servicing Standards, providing the results of a soil characteristics and existing groundwater conditions and verifying the site is suitable for the proposed building and site works.
  - 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.
- 7. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control (ESC) plan, identifying ESC measures to be implemented during the construction of the proposed development and infrastructure in accordance with County's Servicing Standards.
- 8. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Off-Site Levy in accordance with the Transportation Off-site Levy Bylaw C-8007-2020 for the proposed development area, as shown on the approved site plan.
- 9. That prior to issuance of this permit, the Applicant/Owner shall:
  - i. To submit a site plan incorporating water cistern for proposed development.

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OR

- ii. To obtain approvals from Alberta Environment for using the groundwater from existing water well for business/commercial purposes.
- 10. That prior to issuance of this permit, the Applicant/Owner shall:
  - i. To submit a site plan incorporating sewage holding tank for proposed development in accordance with County Policy #449 and county standards.

OR

ii. To demonstrate typical wastewater strength and volumes and suitability of existing septic field for proposed development in accordance with County Policy #449 and County standards.

#### Prior to Occupancy:

- 11. That prior to occupancy, the Applicant/Owner shall submit as-built drawings of the onsite stormwater management and servicing facilities.
  - i. Once received, the County shall perform an inspection of the proposed stormwater management facilities ensuring the proposed facilities were constructed as per the approved Stormwater designs.
- 12. That prior to occupancy, all landscaping, range netting, and final site surfaces shall be in place on-site:
  - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

#### Permanent:

- 13. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity, including but not limited to the approved SSIP [as approved at Redesignation Stage, PL20190055, prepared by Westhoff Engineering Resources Inc., Dated April 3, 2019] and Erosion and Sediment Control measures.
- 14. That all landscaping shall be in accordance with the landscaping details provided on the Landscape Plan. The proposed landscape plan shall not alter the approved SSIP design without prior written consent of the County. That any landscaping that perishes, shall be replanted by June 30<sup>th</sup> of the next growing season.
- 15. That there shall be a minimum of 62 parking stalls, including 4 barrier-free, maintained on-site at all times.
- 16. That there shall be no customer or business parking at any time along the adjacent roadway. All customer or business parking shall be maintained onsite at all times.
- 17. That no permanent or temporary business identification signs shall be place on the site at any time except any onsite wayfinding (information/directional) signage or any temporary signs required during development or building construction. Any proposed signage shall require a separate development permit approval.
- 18. That any future exterior onsite lighting, shall be "dark sky" and, including site security lighting, parking area lighting and exterior building lighting shall be designed to conserve energy, reduce



glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the use full cut-off (shielded) fixtures that direct the light downward and that no direct glare shall be visible from adjacent properties and roadways.

- 19. That any/all efforts shall be made by the Applicant/Owner to decrease the potential of golf balls flying onto the adjacent pubic roadway or adjacent properties.
  - i. If future problems arise, the Applicant/Owner shall work with the County, to establish correction measures onsite.
- 20. That any garbage containers shall be screened from view from adjacent properties and public thoroughfares. The garbage and waste material on site shall be stored in weatherproof and animal proof containers.
- 21. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit or principal use located on the subject site, to facilitate accurate emergency response.
- 22. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 23. That dust control measures shall be implemented at all times to control dust from blowing from the site onto adjacent lands and/or roadways.

#### Advisory:

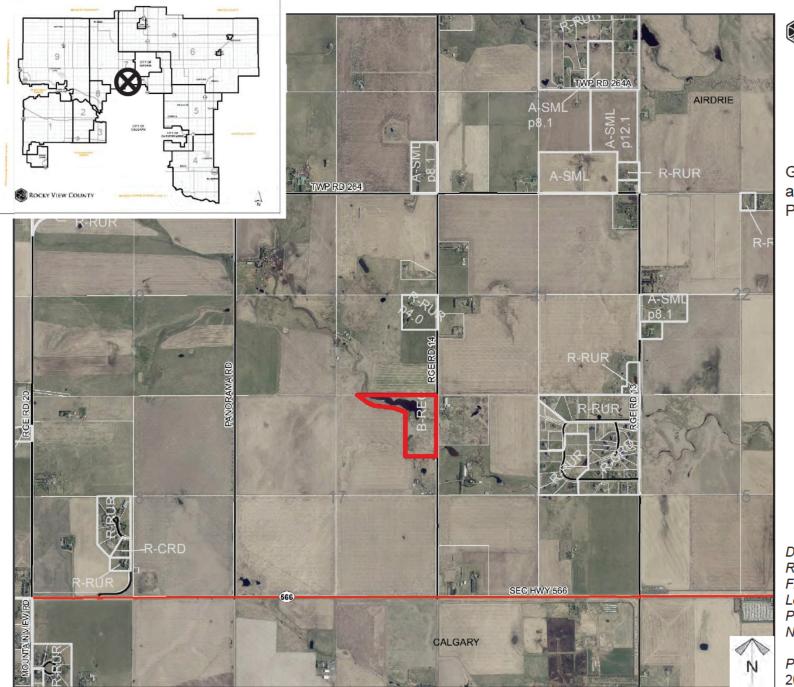
- 24. That the Applicant/Owner shall be responsible to dedicate all necessary easements and Right of Ways (ROWs) for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers, to the satisfaction of the County.
- 25. That during 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.
- 26. That Building Permit(s) and any applicable sub-trade permits, shall be obtained through Building Services, prior to commencement of construction, using the Commercial/Industrial Checklist.
- 27. That the County Noise Control Bylaw, as amended, shall be adhered to at all times.
- 28. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 29. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 30. 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.
- 31. That if this Development Permit is not issued by **JUNE 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 and Park (AEP) approvals for any impact to any wetland areas or for on-site stormwater Infrastructure



Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

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



# Location & Context

Golf Driving Range and construction of a Pro Shop Building

Division: 7 Roll: 06517005 File: PRDP20194577 Legal: Block:1, Plan:8710072, NE-17-26-01-W05M

*Printed:* October 29, 2020

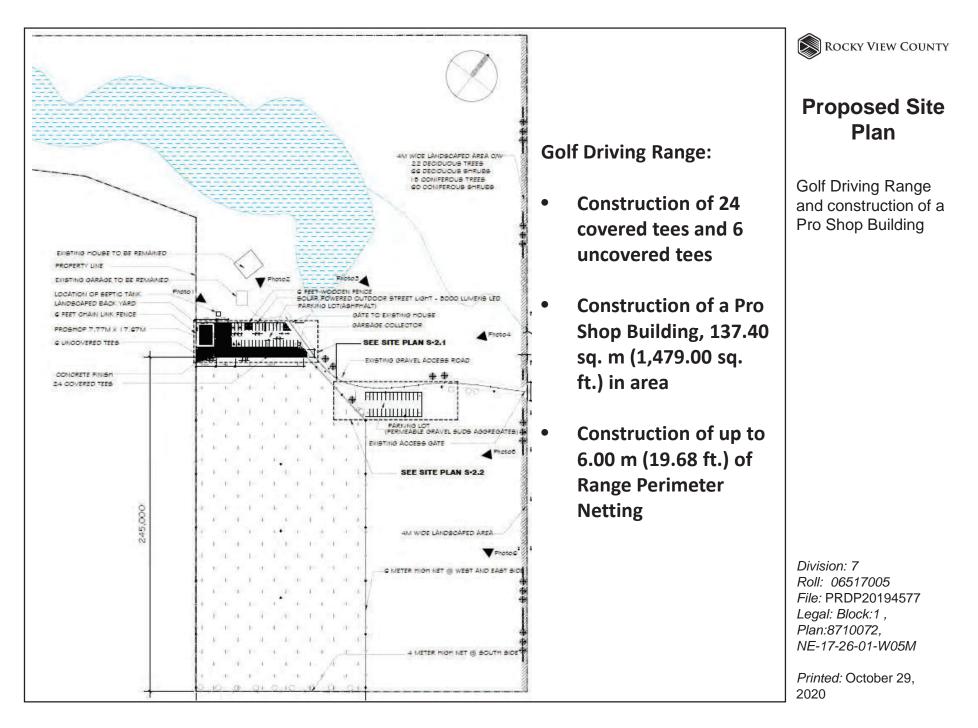


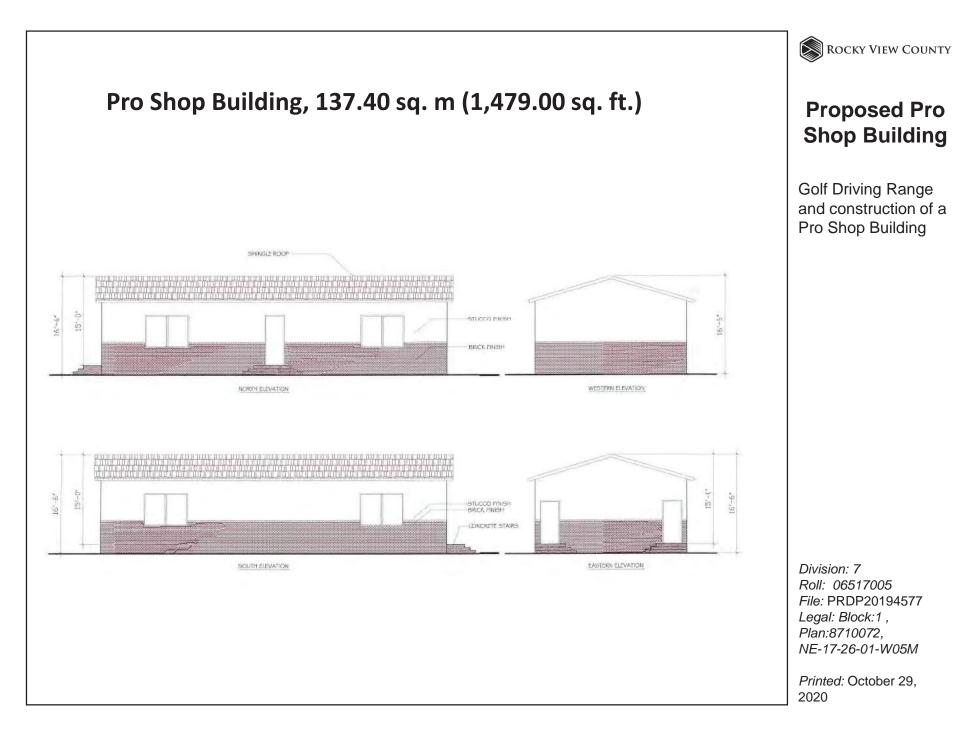
## Subject Land

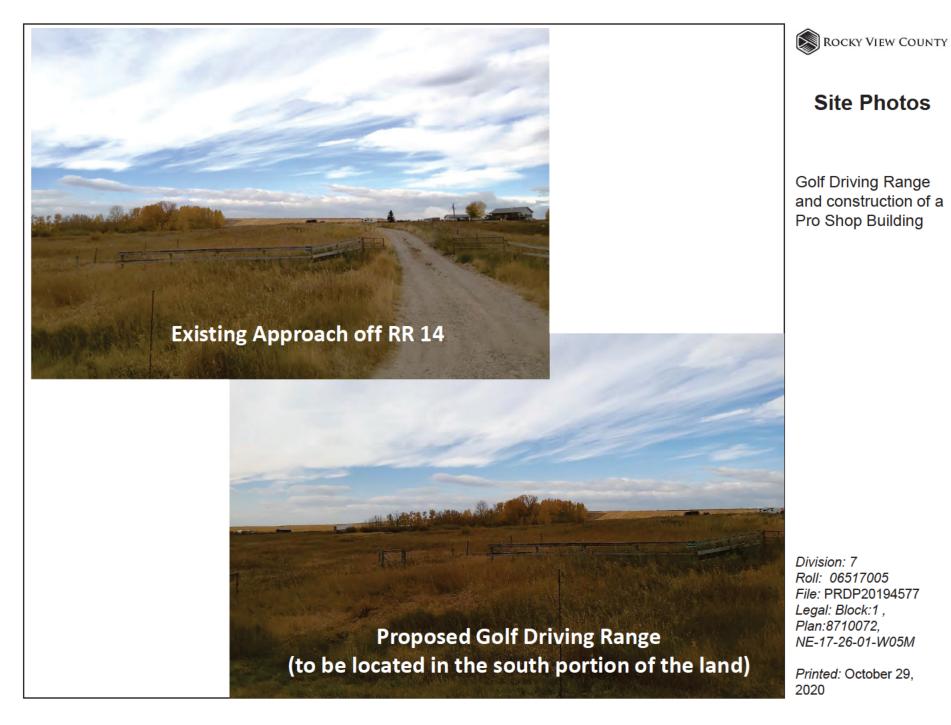
Golf Driving Range and construction of a Pro Shop Building

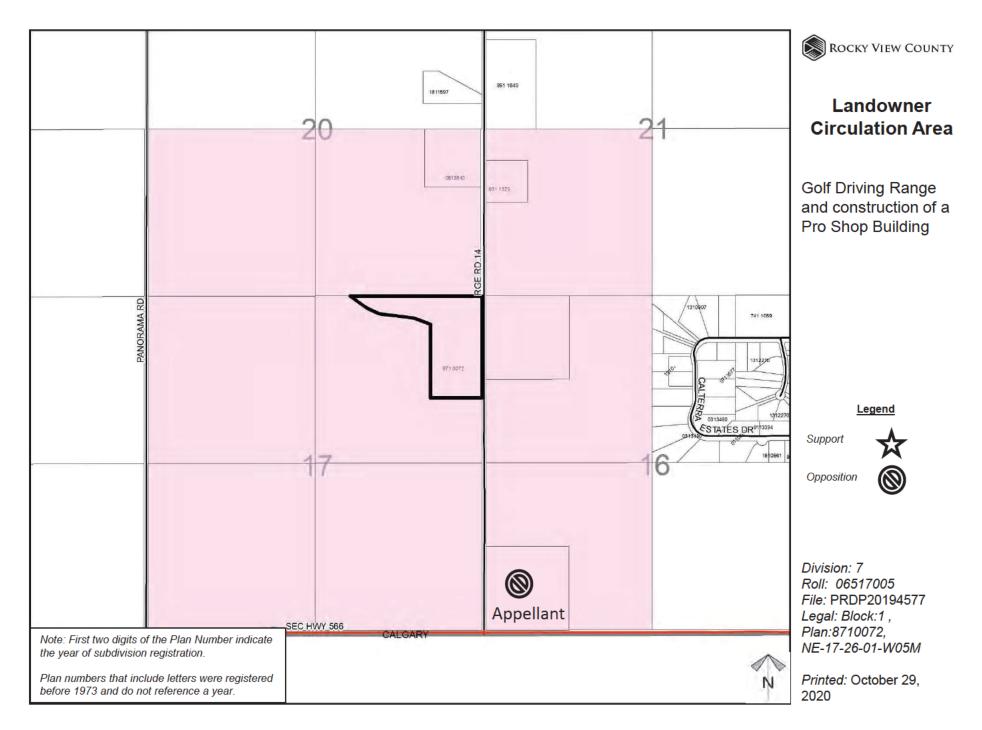
Division: 7 Roll: 06517005 File: PRDP20194577 Legal: Block:1 , Plan:8710072, NE-17-26-01-W05M

*Printed:* October 29, 2020











Notice of Appeal B-1 Page 19 of 40 Subdivision and Development Appeal Board

**Enforcement Appeal Committee** 

Name of Appelant(s) Shelley (Lamb) Bush field Municipality Province AB Site Information Mu <sup>r</sup> Materia Block 1 flan 87 100 72 NE 11 20 flos 20 20 71 PD 14 Property Roll # Development Permit, Suscensor Application, or Enforcement Order # Appl 100 12 Development Authority Decision Materia Approval Conditions of Approval Refusal Reasons for Appeal (attach separate page if required) Appl 10 CAFION # PRDP 2019 4577 Div 7. See attached page	Appellant Information		
Mailing Address       Frond Address       Municipality       Province         13211       Tub Rd 262       RIC       Address         Site Information       RIC       Address       Address         Municipality       RIC       Address       Address         Block       Plan       87 100 72       N & 17 26 21 05 26 20 17 RD 14         Property Roll #       Development Permit, succurvator explication, or Enforcement Order # Appl 100 12       N & 17 26 21 05 26 20 17 RD 14         Development Permit, Succurvator explication, or Enforcement Order # Appl 100 12       N & 17 26 21 05 26 20 17 RD 14         Development Permit, Succurvator explication, or Enforcement Order # Appl 100 12       N & 17 26 20 19 45 77         Iam appealing: (check one box only)       Development Authority Decision       Decision of Enforcement Services         Approval       Approval       Stop Order       Stop Order         Conditions of Approval       Refusal       Compliance Order         Refusal       Refusal       Compliance Order	lame of Appellant(s)	. 0- 11	
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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.

12 11 Appellant's Signature

Nev 23/20:20. Date

Last updated: 2020 August 07

Page 1 of 2

Nov. 20, 2020

Rocky View County 262075 Rocky View Point Rocky View County AB T4A0X2

Application # PRDP20194577 Driving Range Roll # 06517005 Applicants : Atelier Yu Design Application for Golf Driving Range and construction of Pro Shop Building Legal Block 1 Plan 8710072 NE 17 26 01 05 262217 RR 14 Approx 1.61 km north of HWY 566 and on the west side of RR 14

Dear Councillors of Rocky View County,

Please do not let this application go through. Here is why I am opposed.

#1 This land has been in our family (Elmer and Betty Lamb) for many years. Then it was transferred to Rhondda Lamb (my sister) Holder and her husband. Bruce Holder sold it.

#2 Elmer Lamb, my father, built the dam many years ago.

#3 Canada Geese bring their young here every fall to teach them how to land on water. Some of the adults stay year round. They have been doing this for many ,many years. Please note: a copy of this letter has been sent to the Alberta Fish and Wildlife. Association.

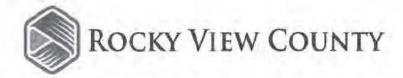
#4 Traffic. We live on the corner of RR14 and Hwy 566/ twp rd 262. We have lived here since 1981. My husbands family homesteaded here. There is already a huge amount of traffic on Sec hwy 566 which intersects with RR#14. We sure don't need anymore traffic.

#5 This is agricultural / wildlife land, not business nor recreational land.

Regards Shelley Lamb Bushfield

Shuly puchfield

B-1 Page 21 of 40



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

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

Tuesday, November 17, 2020

Bushfield, Wayne M & Shelley D

#### 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:	PRDP20194577	Division: 7	
Roll Number:	06517005		
Applicant(s):	Yeuang Yu (Atelier Yu Design Inc)		
Owner(s):	Zhang, Jianli & Di Li, Yuhong		
Application for:	Golf Driving Range (30 tees) and constructi	on of a Pro Shop Building	
Legal:	gal: Block 1 Plan 8710072, NE-17-26-01-05; (262217 RGE RD 14)		
Location:	Located approximately 1.61 km (1 mile) north of Hwy. 566 and on the west side of Rge. Rd. 14		

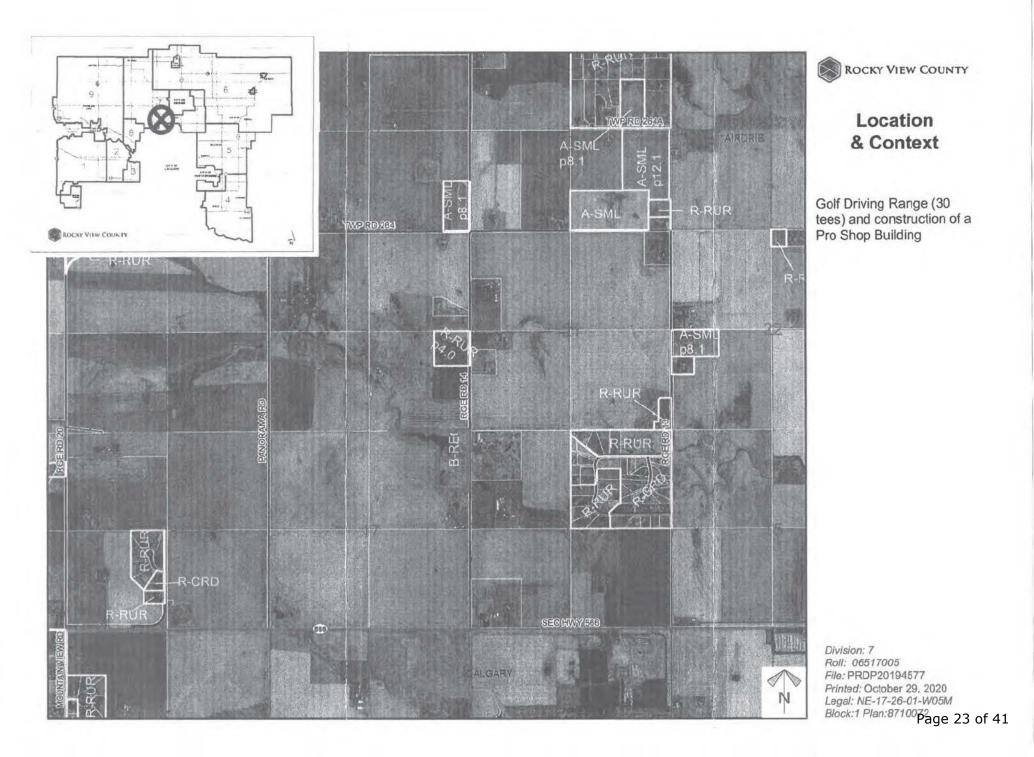
If you are affected by this decision, you may appeal to the Subdivision and Development Appeal Board of Rocky View County by submitting the Notice of Appeal form. The notice of appeal form and the requisite fee, \$350.00 if the appeal is by the owner/applicant or \$250.00 if the appeal is by an affected party, must be received in completed form by the Clerk no later than **Tuesday, December 8, 2020**.

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.







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

# **Decision of the Municipal Planning Commission**

This is not a development permit

Yeuang Yu (Atelier Yu Design Inc)

Development file #: PRDP20194577

Issue Date: November 13, 2020

Roll #: 06517005

Rocky View County's Municipal Planning Commission conditionally approves your October 22, 2020 development permit application for a Golf Driving Range (30 tees), and construction of a Pro Shop Building at NW-18-26-01-W05M subject to the conditions as follows:

#### Description:

- 1. That a Golf Driving Range may be constructed on the subject land in general accordance with the approved application and site plans (as prepared by Atelier Yu Design Inc; Project (Driving Range) Location, Dwg. S-1 to S-5), as amended and included:
  - i. Construction of 24 covered tees and 6 uncovered tees;
  - ii. Construction of a Pro Shop Building,137.40 sq. m (1,479.00 sq. ft.) in area;
  - iii. Construction of up to 6.00 m (19.68 ft.) of Range Perimeter Netting;
  - iv. Development Regrading (as required).

#### Prior to Issuance:

- 2. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Parking Plan, showing the 4 disabled parking stalls in compliance with 3.8.3.22 of the Alberta Building Code, including mounted signage requirements.
- 3. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Lighting Plan, showing that the proposed lighting fixtures are full cutoff or shielded, to comply with the County's "dark sky" regulations.

- 4. That prior to issuance 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 any Road Use Agreement or Roadata permits will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. The Applicant/Owner shall also confirm if any upgrades are required to the existing approach, to accommodate the proposed commercial development. If upgrades are required, the Applicant/Owner shall submit a new Road Approach Application to County Road Operations.
- 5. That prior to issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, in accordance with County's Servicing Standards.
- 6. That prior to issuance of this permit, the Applicant/Owner shall conduct an onsite geotechnical investigation, in accordance with County's Servicing Standards, providing the results of a soil characteristics and existing groundwater conditions and verifying the site is suitable for the proposed building and site works.
  - 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.
- 7. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control (ESC) plan, identifying ESC measures to be implemented during the construction of the proposed development and infrastructure in accordance with County's Servicing Standards.
- 8. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Off-Site Levy in accordance with the Transportation Off-site Levy Bylaw C-8007-2020 for the proposed development area, as shown on the approved site plan.
- 9. That prior to issuance of this permit, the Applicant/Owner shall:
  - i. To submit a site plan incorporating water cistern for proposed development.

OR

- ii. To obtain approvals from Alberta Environment for using the groundwater from existing water well for business/commercial purposes.
- 10. That prior to issuance of this permit, the Applicant/Owner shall:
  - i. To submit a site plan incorporating sewage holding tank for proposed development in accordance with County Policy #449 and county standards.

OR

ii. To demonstrate typical wastewater strength and volumes and suitability of existing septic field for proposed development in accordance with County Policy #449 and County standards.

#### **Prior to Occupancy:**

- 11. That prior to occupancy, the Applicant/Owner shall submit as-built drawings of the onsite stormwater management and servicing facilities.
  - i. Once received, the County shall perform an inspection of the proposed stormwater management facilities ensuring the proposed facilities were constructed as per the approved Stormwater designs.
- 12. That prior to occupancy, all landscaping, range netting, and final site surfaces shall be in place on-site:
  - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

#### Permanent:

- 13. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity, including but not limited to the approved SSIP [as approved at Redesignation Stage, PL20190055, prepared by Westhoff Engineering Resources Inc., Dated April 3, 2019] and Erosion and Sediment Control measures.
- 14. That all landscaping shall be in accordance with the landscaping details provided on the Landscape Plan. The proposed landscape plan shall not alter the approved SSIP design without prior written consent of the County. That any landscaping that perishes, shall be replanted by June 30<sup>th</sup> of the next growing season.
- 15. That there shall be a minimum of 62 parking stalls, including 4 barrier-free, maintained on-site at all times.
- 16. That there shall be no customer or business parking at any time along the adjacent roadway. All customer or business parking shall be maintained onsite at all times.
- 17. That no permanent or temporary business identification signs shall be place on the site at any time except any onsite wayfinding (information/directional) signage or any temporary signs required during development or building construction. Any proposed signage shall require a separate development permit approval.
- 18. That any future exterior onsite lighting, shall be "dark sky" and, including site security lighting, parking area lighting and exterior building lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the use full cut-off (shielded) fixtures that direct the light downward and that no direct glare shall be visible from adjacent properties and roadways.
- 19. That any/all efforts shall be made by the Applicant/Owner to decrease the potential of golf balls flying onto the adjacent pubic roadway or adjacent properties.
  - i. If future problems arise, the Applicant/Owner shall work with the County, to establish correction measures onsite.

- 20. That any garbage containers shall be screened from view from adjacent properties and public thoroughfares. The garbage and waste material on site shall be stored in weatherproof and animal proof containers.
- 21. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit or principal use located on the subject site, to facilitate accurate emergency response.
- 22. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 23. That dust control measures shall be implemented at all times to control dust from blowing from the site onto adjacent lands and/or roadways.

#### Advisory:

- 24. That the Applicant/Owner shall be responsible to dedicate all necessary easements and Right of Ways (ROWs) for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers, to the satisfaction of the County.
- 25. 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.
- 26. That Building Permit(s) and any applicable sub-trade permits, shall be obtained through Building Services, prior to commencement of construction, using the Commercial/Industrial Checklist.
- 27. That the County Noise Control Bylaw, as amended, shall be adhered to at all times.
- 28. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 29. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 30. 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.
- 31. That if this Development Permit is not issued by **JUNE 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 and Park (AEP) approvals for any impact to any wetland areas or for on-site stormwater Infrastructure

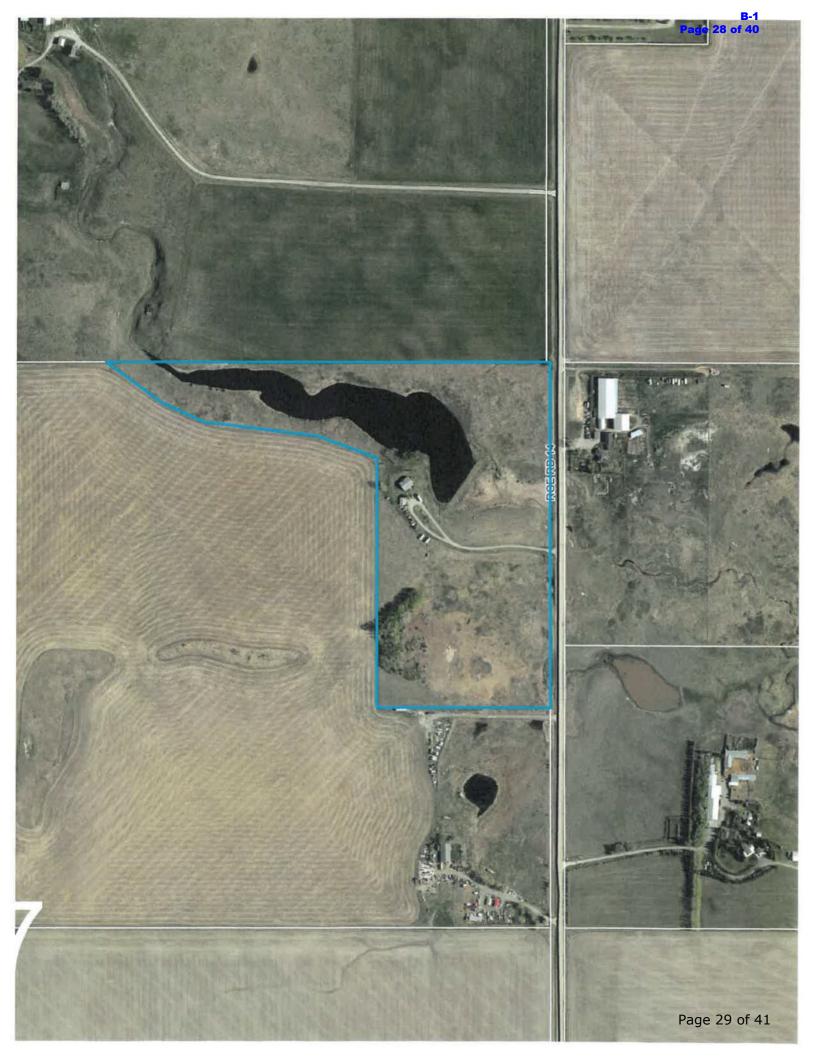
It is the responsibility of the applicant to meet and always follow the conditions of this development permit. Fines or enforcement action may occur if operating outside of this permit. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this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

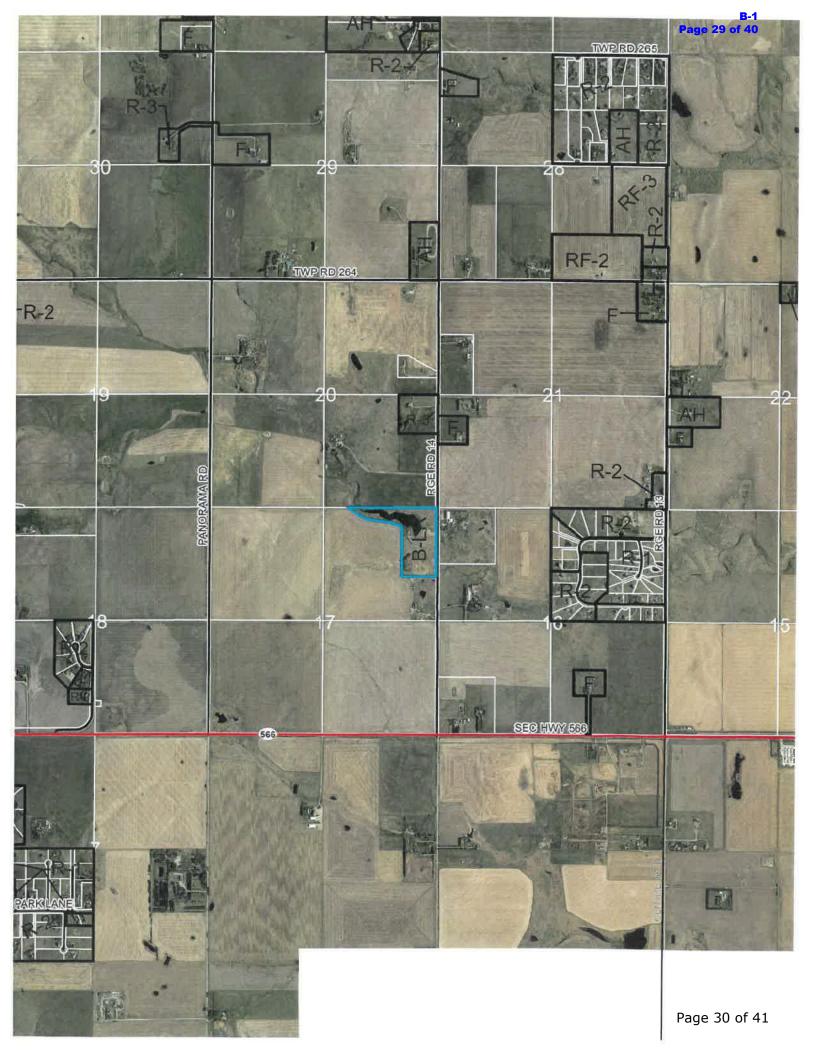
An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact the Municipal Clerk's Office at sdab@rockyview.ca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

Soll

Al Schule, Vice-Chair Municipal Planning Commission

This is not a development permit





	Page 30 of 4
ROCKY VIEW COUNTY	FOR OFFICE USE ONLY
Cultivating Communities 2 01 94 5 7 7	Fee Submittee File Number
APPLICATION FOR	\$1015.00 0651700
COMMERCIAL/OFFICE/INDUSTRI	
DEVELOPMENT PERMITS	Cac 18/19/20190231
Varia XI XI	
Name of Applicant YEUADG YU Email Mailing Address	
Telephone (B) _	
For Agents please supply Business/Agency/ Organization Name ATEL OF	TO Design INC
Registered Owner (if not applicant) Jian Li Thang	
Mailing Address _	
Telephone (B)	
a) All / part of the NF 1/2 Section 17 Township 26 Range	West of 5 Meridian
b) Being all / parts of Lot Block Registered Plan N	
c) Municipal Address 262217 Range Road 14	
c) Municipal Address <u>262217</u> Range Road 4 d) Existing Land Use Designation <u>B-LR</u> Parcel Size <u>38</u>	Division
c) Municipal Address 262217 Range Road 14	
c) Municipal Address <u>262217</u> <u>Range Road</u> <u>4</u> d) Existing Land Use Designation <u>B-LR</u> Parcel Size <u>38</u> APPLICATION FOR	·····
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c) Municipal Address <u>262217</u> <u>Range Road 14</u> d) Existing Land Use Designation <u>B-LR</u> Parcel Size <u>38</u> APPLICATION FOR <u>Development</u> <u>permit</u> for a golf ADDITIONAL INFORMATION a) Are there any oil or gas wells on or within 100 metres of the subject property (s b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?	Division Ednuhy ranje.
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<ul> <li>c) Municipal Address <u>262217</u> <u>Konge</u> <u>Road</u> <u>4</u></li> <li>d) Existing Land Use Designation <u>B-LR</u> Parcel Size <u>38</u></li> <li><b>APPLICATION FOR</b> <u>Development</u> <u>formit</u> <u>for</u> <u>a</u> <u>golf</u> </li> <li><b>ADDITIONAL INFORMATION</b> <ul> <li>a) Are there any oil or gas wells on or within 100 metres of the subject property (s</li> <li>b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? (Sour Gas facility means well, pipeline or plant)</li> <li>c) Is there an abandoned oil or gas well or pipeline on the property?</li> <li>d) Does the site have direct access to a developed Municipal Road? <u>Yes</u>.</li> <li>e) Has the Design Guidelines checklist been completed?</li> </ul> </li> </ul>	Division Ednuty canye. Division Ednuty canye. Yes No Yes No Yes No
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PLEASE SEE REVERSE

#### 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, <u>Yeliany</u> Ku, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

2019/12/19 Date

Signature

FOR OFFICE USE ONLY

Application:

General Location: \_

#### Frank Yu (Representative of JianLi Zhang)



To: Building /Business planning Depart. Rocky View Country 262075 Rocky Viewpoint, Rocky View County, AB, T4A 0X2

### Proposal for Developing Driving Range

#### 1. Project Background and Description

I started playing golf about 10 years ago, since then playing golf became one of my major activities, and I have always searched a place to be my own playground until I found this piece of land.

#### 2. Project Scope

The land includes a wet area in the northern part, and dry land on the south side, existing access road connecting gate to residential building and garage. The intent of this project is to build a driving range on the south part of parcel with a 1400 sqft pro shop, 18 covered tees and 12 uncovered tees, 250m x 127m fenced yard, also equipped with 60 parking.

#### 3. Deliverables and timeline

Based on our study on current market, the deliverable timeline will be within 3.5 years from now on, it consisted with planning, design, permitting and construction. Estimate as 15 months for preconstruction, 18 months for construction, and 2 months for post construction.

#### 4. Business Operating System

The business would be family operated or only operated by 2 staffs in total, will have regular hour as 11 am to 7pm opened weekday, 10 am to 5pm opened Saturday, closed on Sunday.

#### 5. Any concerns

Not available are this moment.



LAND TITLE CERTIFICATE

S						
LINC	SHORT LEG	AL			TITLE N	NUMBER
0034 680 158	8710072;1				181 214	4 716
LEGAL DESCRIPT	ION					
PLAN 8710072						
BLOCK 1						
CONTAINING 15.3	37 HECTARES	( 38.0 ACRES	S) MORE	OR LESS		
EXCEPTING THER	EOUT ALL MIN	NES AND MINH	ERALS			
ATS REFERENCE :	5;1;26;17;1	1E				
ESTATE: FEE SI	MPLE					
MUNICIPALITY: H	ROCKY VIEW C	COUNTY				
REFERENCE NUMB	ER: 111 029	165				
		EGISTERED OF				
REGISTRATION	DATE (DMY)	DOCUMENT T	YPE	VALUE	CONSIDE	RATION
181 214 716	03/10/2018	TRANSFER OF	FLAND	\$1,545,000	CASH &	MORTGAGE
				,_,_,		
OWNERS						
JIANLI ZHANG						

AS TO AN UNDIVIDED 60% INTEREST

DI ZHANG



YUHONG LI



Page 34 of 40 ENCUMBRANCES, LIENS & INTERESTS PAGE 2 REGISTRATION # 181 214 716 NUMBER DATE (D/M/Y) PARTICULARS \_\_\_\_ 941 095 716 19/04/1994 UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 PORTION AS DESCRIBED (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001299650) (DATA UPDATED BY: CHANGE OF NAME 051028452) 951 228 543 06/10/1995 UTILITY RIGHT OF WAY GRANTEE - ROCKYVIEW GAS CO-OP LTD. 181 214 717 03/10/2018 MORTGAGE MORTGAGEE - ATB FINANCIAL. 601 STEWART GREEN SW CALGARY ALBERTA T3H3C8 ORIGINAL PRINCIPAL AMOUNT: \$1,545,000 181 214 718 03/10/2018 CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - ATB FINANCIAL. 206, 1333 8TH STREET SW CALGARY ALBERTA T2R1M6 AGENT - WESLEY B MAH TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 18 DAY OF DECEMBER, 2019 AT 09:24 A.M.

ORDER NUMBER: 38542455

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

**B.1** 

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).

