

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

Date: Thursday, June 30, 2022
Time: 9:00 AM
Location: Council Chambers
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Pages

A. CALL MEETING TO ORDER

B. DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 6 File: 03316008 DC202006-0144

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NOTE: This is a Preliminary Hearing

An appeal against a stop order issued by the Development Authority, Development Compliance to immediately cease all operations on site and bring the site to its original state prior to any regrading, filling, development, and operation of the site at SE-16-23-28-W04M; Lot 1, Block 1, Plan 0214125 (232071 Range Road 283) located approximately 0.41 km (1/4 mile) north of Township Road 232 and on the west side of Range Road 283

Appellants: Planning Protocol (Rodney Potrie)

Owner: 2249324 Alberta Ltd (Balwinder Dhanoa)

2. Division 2 File: 05714020; PRDP20221305

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Multiple affected party appeals against the Development Authority's decision to approve a development permit application for a Special Function Business, for an outdoor wedding venue at Lot 8 Block Plan 7510146, NE-14-25-03-05; (3084 Springbank Heights Way) located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

Appellants: JC Anderson (represented by Rick Grol);
William and May Greig;
Rick Grol on behalf of David Pierce; and
Melanie Spafford et al

Applicants: Mike Collinge (Knotty Boyz Construction Ltd.)

Owner: Amaresh & Ruchika Swaro

3. Division 2 File: 05722007; PRPD20221306

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Multiple affected party appeals against the Development Authority's decision to approve a development permit application for a Special Function Business, for an outdoor wedding venue at Lot 9 Block Plan 7410359, SE-22-25-03-05; (3126 Springbank Heights Way) located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

Appellants: JC Anderson (represented by Rick Grol);
William and May Greig;
Rick Grol on behalf of David Pierce; and
Melanie Spafford et al

Applicants: Mike Collinge (Knotty Boyz Construction Ltd.)

Owner: Chander and Monika Gupta (updated from Notice of Hearing)

1:00 PM APPOINTMENTS

4. Division 5 File: 07535001; PRDP20221928

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An affected party appeal against the Development Authority's decision to approve a development permit application for Recreation (Private), (existing building), tenancy/change of use to a portion of the building to include an arcade at SE-35-27-01-05; (11064 TWP RD 275, 11028 TWP RD 275) located approximately 0.81 km (1/2 mile) east of Range Road 12 and on the north side of Township Road 225

Appellants: Karsten Verbeurgt

Applicant: Konschuk Consulting (Larry Konschuk)

Owner: Tarman ATM Inc

C. ADJOURN THE MEETING

D. NEXT MEETING

July 21, 2022

PLANNING

TO: Subdivision and Development Appeal Board
DATE: June 30, 2022
FILE: DC202006-0144 / Roll 03316008
SUBJECT: Stop Order Appeal

DIVISION: 6
APPLICATION: PRDP20202115

COMPLIANCE ISSUE: The operation of a truck storage and dispatch yard without an approved Development Permit, and the failure to meet all prior to issuance conditions for the applied for Development Permit.

GENERAL LOCATION: Located approximately 0.40 kilometres (0.25 miles) north of Township Road 232 and on the west side of Range Road 283.

LAND USE DESIGNATION: Industrial, Light District (I-LHT)

ENFORCEMENT ACTION: Stop Order mailed out June 14, 2022.
 Stop Order posted on site June 15, 2022.

ENFORCING OFFICER: Camilo Conde

STOP ORDER POSTED DATE: June 15, 2022
APPEAL DATE: June 15, 2022

AIR PHOTO & ENFORCEMENT CONTEXT:



Administration Resources
 Camilo Conde, Development Compliance



EXECUTIVE SUMMARY:

On June 22, 2020, a complaint was filed with respect to this subject property regarding fill being brought in on the subject lands and the site grade having been elevated significantly, by 3.00 feet. The complainant was concerned with adverse impacts on drainage which could arise from this grade change.

On July 6, 2020, Officer Conde attended the subject property and spoke with a foreman for the work on site, who informed the Officer that a dialogue was had with the complainant explaining that they were simply just grading the driveway to make the site easier to access. The foreman promised once the driveway was finished, they would run a grader close to the abutting property line to create a dip for water to drain to a stormwater pond in the south-west corner of the site.

After further inspection of the site, the work looked to the Officer as more than just driveway work and more so the entire property was being regraded for other purposes. Officer Conde called the management company at 12:20 pm that day (July 6, 2020) and spoke with the property owner. Officer Conde informed the owner that if they were regrading the entire site, they would need to apply for a stripping and grading development permit. The property owner promised to have one of his team members come in to make an application.

On July 13, 2020, another complaint was sent to Officer Conde regarding the continuation of work on-site despite no approval being issued. The Officer left a voicemail with the complainant letting them know it was being addressed. Officer Conde phoned the property owner inquiring about the continuation of work without an approved development permit. The owner was reminded that while doing work to repair their driveway was permitted under the County's Land Use Bylaw, no work for the rest of the site would be permitted. The property owner then told Officer Conde they would phone their crew to cease work.

At 2:46 p.m. on the same day, Officer Conde received a voicemail from the site's contractor explaining they were almost done their work and the work was allegedly all for the driveway repair. Officer Conde attempted to contact the contractor but had no response.

On July 15, 2020, Officer Conde attempted to contact the subject property owner by phone to get a status update on the work that had been done on-site and to inquire if a Development Permit had been attained. The call went to voicemail and Officer Conde left a voicemail message to ensure the directive was received.

On July 22, 2020, another call was made to Officer Conde from the complainant, voicing to the Officer that work was now continuing, and a grader and some skid steers were now on-site spreading asphalt over the property. Officer Conde phoned the property owner inquiring as to why Development Compliance was being told that work was continuing on the subject site despite having warned the owner and the property manager that work could not continue. The owner claimed to know nothing of the work and promised to get a hold of the property manager. After the phone call ended, Officer Conde immediately went to the subject property to conduct an inspection.

At 11:20 a.m. on the same day, Officer Conde arrived at the subject site to find a grader and skid steers working on-site as reported by the complainant. As the Officer arrived, another truck with asphalt arrived to dump a load to be spread on-site. Officer Conde took pictures before going to speak to the property manager regarding the immediate cessation of work until a Development Permit was obtained and approved. Before the conversation regarding the permit application and cessation of work, the complainant walked over initiated a conversation with the Officer and was visibly upset. After a heated exchange between all parties, the Officer had to intervene and separate all parties. The property manager promised to rectify drainage issues to the complainant and that he would come to the County Hall to apply for a development permit.

At 1:20 p.m. on the same day, the property manager met with Officer Conde and a County planner Scott Thomson, who explained the intricacies of what information would be needed to apply for a development permit for the work completed onsite. Scott Thomson advised the property manager that



for the application to be accepted, the County would need detailed site plans for both the grading activities and a now proposed trucking business on-site and cover letters for both uses. The property manager promised to have all information completed by the end of the day and submitted them accordingly.

On July 23, 2020, Development Assistant Evan Nielsen spoke to Officer Conde informing him that the subject site has indeed submitted an application with all fees paid and therefore the County now had an accepted development permit application. However, Evan Nielsen did advise that the application was still missing some details and showed Officer Conde the lack of demonstration as to where the trucks would be stored, the amount of fill placed on-site, where the fill was and would be placed, and the site's elevation changes. Officer Conde sent an email corresponding with the subject site's property manager explaining the amendments needed to the application to ensure the applicant succeed with their application.

On July 27, 2020, Development Officer Jacqueline Targett spoke to Officer Conde regarding the application, as the assigned file manager. She reiterated that the application was insufficient to further proceed in the development permit process and needed updated documents and plans. Officer Conde forwarded the email chains and photos already taken to Jacqueline Targett for the Development Permit file.

On August 5, 2020, the complainant phoned Officer Conde to let him know that an over-height chain-link fence had now been erected on-site. Officer Conde attended the site to measure the fence and found it to be a total of 8.00 feet, with a 1.00 foot barbed wire topper, totaling 9.00 feet height. The complainant met with Officer Conde who voiced his frustration and concerns with the Officer. Officer Conde advised to the complainant the subject property owners had until August 18th to submit a completed application otherwise the development permit would be deemed incomplete and be closed.

On August 18, 2020, Jacqueline Targett approached Officer Conde to confirm that the owner's consultant, Planning Protocol (Rod Potrie), had submitted the documents needed to potentially proceed with the development permit application, but that specific direction would be needed from management on how to move forward.

On August 19, 2020, Development Officer Jacqueline Targett and Officer Conde spoke with Planning's acting manager Dominic Kazmierczak to inquire how this application can move forward. Options were presented to Dominic Kazmierczak indicating the County could accept the application as complete and move it forward towards file circulation or deem the application incomplete and move straight to a Stop Order. It was decided it would be best to accept the application as submitted, as the County could work with the applicants as the file would be presented to the County's Municipal Planning Commission (MPC).

On March 24, 2021, the development permit application was presented to the MPC for decision. The MPC made a motion to approve the Development Permit and a notice of decision was mailed out to adjacent landowners, in accordance with the County's circulation policy C-327.

On March 29, 2021, the development permit approval was appealed by an adjacent landowner, to be heard at the County's Subdivision & Development Appeal Board (SDAB).

On May 6, 2021, the appeal hearing was opened and heard to the SDAB. The appeal was adjourned and tabled to May 27, 2021.

On May 27, 2021, the appeal hearing of the development permit approval continued and was closed.

On June 10, 2021, the SDAB upheld the development permit approval decision, however varying the approval condition set by adding further conditions to the permit to help mitigate concerns of the appellant, with respect to the trucking. A permit expiry deadline to meet the required conditions was August 31, 2021.



On August 12, 2021, a new complaint was submitted to the County, regarding the constant noise coming from a refrigeration trailer on the subject site, as well as truck air brakes going off preventing the complainant from sleeping at night. The complaint was forwarded to Development Compliance from Municipal Enforcement due to the existence of the approved development permit file.

On August 19, 2021, Officer Conde conferred with both Planning's Supervisor Heather McInnes and Jacqueline Targett on the progress of this file and future direction. The applicant had applied for a time extension to meet the conditions of the development permit on August 12, 2021, and it was agreed at that time, that a two-month time extension would be granted upon file expiration and that a Stop order would be issued on the property.

On September 14, 2021, an email update was sent to complainant Senior Development Officer Jacqueline Targett regarding the status of the file and how a time extension had been granted.

On November 10, 2021, an update was given to Officer Conde by Jacqueline Targett indicating that an additional time extension for the development permit had been applied for, requesting extension until January of 2022. Due to the time of the year and seasonal restrictions, a time extension was issued for the development permit to February 28, 2022.

On December 22, 2021, another complaint was filed by the complainant who was frustrated that the subject site had not completed the work on-site, the trucking business remained in full operation, and the development permit had not been issued. Officer Conde spoke with the complainant to advise that an additional time extension had been granted until February 28, 2022.

On February 24, 2022, a voicemail was left by the complainant inquiring about the continuation of the subject site's full business operations. Officer Conde phoned the complainant back and reminded them of the timeline for the development permit extension having been granted until the end of February.

On March 3, 2022, Jacqueline Targett notified Officer Conde, an additional time extension was applied for by the applicant/consultant. After discussed with management, the extension was to be granted, with the agreeance that this extension would be the final extension. The extension to have all prior to issuance conditions met was approved and extended to June 1, 2022. A Stop Order was issued by Office Conde and placed on the subject site to coincide with this extension, to act as a warning to the site Owner/consultant that they had only three months to satisfy any required conditions of their development permit.

On May 10, 2022, Officer Conde completed a drive-by inspection of the to confirm if the operation was still ongoing. It was noted additional trucks and trailer had been brought on-site and many development permit conditions remained unsatisfied.

On May 26, 2022, Officer Conde spoke with Planning Manager Dominic Kazmierczak on what steps to take with the property as the permit expiry deadline was approaching within one week. Direction was given that a final Stop Order would be placed on the parcel and then registered on the subject site's land title.

On June 14, 2022, email correspondence was sent from Jacqueline Targett to the subject property owner and their consultant showing all the outstanding items of the development permit which were not met, the lapse of the time provided by the final extension, and that the Development Permit was now closed. No further time extensions would be provided for the conditions to be met, and a Stop Order was to be issued on-site. Note, the Owner/consultant did not submit any additional time extensions requests. Officer Conde mailed out the subject Stop Order on June 14, 2022 but could not post the order on-site due to heavy rainfall.

On June 15, 2022, Officer Conde attended the site to issue the posted order and hand-deliver a copy of the letter which was mailed on June 14, 2022. An on-site worker inquired what Officer Conde was doing, to which Officer Conde personally handed him the letter explaining the nature of the order. The worker tried to rebut by saying their consultant had it all in hand and they were almost done, to which



Officer Conde informed the worker that it did not matter as the date for all conditions of the development permit to be satisfied had passed, and the development permit could not be issued. Officer Conde posted the main order on the door to the Office, took a picture, and departed from the site.

That same day, an appeal for the Stop Order had been submitted requesting additional time to meet all the prior to issuance and prior to occupancy conditions.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> Land Use Bylaw C-8000-2020 	LAND USE: <ul style="list-style-type: none"> Industrial (Medium) & Outdoor Storage
	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Subdivision Development and Appeal Board

APPEAL BOARD JURISDICTION:

Section 645 of the *Municipal Government Act* authorizes the Development Authority to issue a Stop Order when a development, land use, or use of a building does not comply with any of Part 17 of the *Municipal Government Act*, the Subdivision and Development Regulations, or a development permit or subdivision approval. A Stop Order may require any one of more of the landowner, person in possession of the land, or person responsible for the contravention, to:

- Stop the development or use of the land;
- Demolish, remove or replace the development, or;
- Take any other actions required to bring the development or use of the land or building into compliance.

The Subdivision and Development Appeal Board (SDAB) jurisdiction on a Stop Order Appeal is based solely on the following:

- Whether the SDAB felt the Stop Order was issued properly and legally; and
- Whether enough time has been provided for compliance.

The SDAB is not responsible for determining if this is an appropriate use for the property or determining the outcome of any permits proposed, that jurisdiction falls back to either Council or Administration for consideration.

APPEAL:

See attached exhibits.

Respectfully submitted,

“Justin Rebello”

Supervisor
Development and Compliance

CC/lt



COMPLIANCE INFORMATION

SUBJECT OF COMPLAINT: The stripping and grading of the entire subject parcel and the operation of a trucking dispatch/ storage yard.	OWNER: 2249324 Alberta Ltd
DATE OF FIRST COMPLAINT: June 22, 2020	DATE OF STOP ORDER: June 15, 2022
SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING DATE: June 30, 2022	
APPELLANT: Planning Protocol (Rod Potrie)	
GROSS AREA: ± 1.62 hectares (± 4.00 acres)	LEGAL DESCRIPTION: SE-16-23-28-W04M; 232071 RGE RD 283
APPEAL BOARD: Court of Appeal	



ROCKY VIEW COUNTY

STOP ORDER

Section 645, *Municipal Government Act*
R.S.A. 2000, c. M-26, as amended

June 14, 2022

TO:

**2249324 Alberta Ltd
Of 4, 12110-40 Street SE
Calgary, AB T2Z-4K6**

☒ **HAND DELIVERED / POSTED ON PROPERTY**

☐ **REGISTERED MAIL**

Dear Sir/Madam:

RE: 232071 RGE RD 283 (the "Lands")

In my capacity as a Development Compliance Officer for the Rocky View County, I hereby issue a Stop Order pursuant to section 645 of the *Municipal Government Act*, with respect to the following lands:

SE-16-23-28-W04M (the "Lands")

Municipal Address: **232071 RGE RD 283**

Land Use Bylaw C-8000-2020 states:

Development Permits Required

90 Except as provided in Section 92, no person shall commence any development unless a Development Permit has been issued.

91 All development shall proceed in accordance with the terms and conditions of the Development Permit.

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Further, Part 17 of the *Municipal Government Act* and **Part 1, Section 36** of the Rocky View County Land Use Bylaw allows a Development Authority to issue a Stop Order where a development or use of land or buildings does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

At present, the Lands do not comply with the Rocky View County Land Use Bylaw given:

PRDP20202115 has still not been issued, prior to release conditions 1 through 8, 16, and 25 have not been met or implemented, and prior to site/ building occupancy has not been granted to the site.

Accordingly, you are hereby ordered to stop the unauthorized development and use of the aforementioned lands and the buildings thereon and comply with the Land Use Bylaw by:

Immediately cease all operations on site and bring the site to its original state prior to any regrading, filling, development, and operation of the site.

within **21 days** of the date of this Order, **being on or before July 5, 2022**

You are hereby advised that you have the right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, written notice of an appeal *together with the applicable appeal fee of \$500* must be received by the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days of posting of this letter. The completed Notice of Appeal Form and payment of Appeal Fee can be sent via:

Mail/Deliver: Clerk, Subdivision and Development Appeal Board
262075 Rocky View Point Rocky View County, AB, T4A 0X2

Please make cheques payable to “Rocky View County”.

EMAIL Arrangements can also be made to email your Notice of Appeal and pay over the phone. Please see www.rockyview.ca for further details.

Please be advised that Rocky View County has the authority, in the event that this Stop Order is

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not complied with within the time limit provided, to enter onto the Lands in accordance with Section 542 of the *Municipal Government Act* to take whatsoever actions are determined by Rocky View County to bring the Lands into compliance, and may seek an Injunction or other relief from the Court of Queen's Bench of Alberta pursuant to Section 554 of the *Municipal Government Act*. Further, Rocky View County has the authority to add the costs and expenses for carrying out this Stop Order to the tax roll for the Lands pursuant to Section 553(1)(h.1) of the *Municipal Government Act*.

REGARDS,

ROCKY VIEW COUNTY

Per:



Development Authority



ROCKY VIEW COUNTY

STOP ORDER

PURSUANT TO THE *MUNICIPAL GOVERNMENT ACT* – SECTION 645

TO: **2249324 Alberta Ltd**
232071 RGE RD 283

Municipal Address: **232071 RGE RD 283**

Part 2, Section 18.1 of the Rocky View County Land Use Bylaw allows a Development Authority to issue a Stop Order where a development or use of land or buildings does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

At present, the Lands do not comply with the Rocky View County Land Use Bylaw given **PRDP20202115 has not been issued, prior to release conditions 1 through 8, 16, and 24 have not been met or implemented, and prior to site/ building occupancy has not been granted to the site.**

You are hereby ordered to:

Immediately cease all operations on site and bring the site to its original state prior to any regrading, filling, development, and operation of the site.

Failure to comply with the order and/or make the necessary application will have Rocky View County taking whatever actions that are determined to bring the Lands into compliance, which may require seeking legal action for a court order or other relief from the Court of Queen's Bench of Alberta pursuant to Section 554 of the *Municipal Government Act*.

You are further notified that you may appeal this Stop Order, within **twenty-one (21) days**, to the Rocky View County Clerk, Subdivision and Development Appeal Board in accordance with Section 686 of the *Municipal Government Act*. Notwithstanding any such appeal, this Stop Order must be complied with pending the outcome of the appeal and are required to ensure that no more activity on the land is occurring pending a decision. Please note the Board does not have authority to approve this use only consider whether it was issued legally and with enough time for compliance.

Dated at the Rocky View County Hall, in the Province of Alberta, this **June 14, 2022**.


Development Authority

No person shall remove, tamper with or alter this notice without the written consent from Rocky View County.

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

Board Order No.: 2021-SDAB-006

File No.: 03316008 PRDP20202115

Appeal by: ReJean Levesque, Patrick Roy

Hearing Date: 2021 May 06
2021 May 27

Decision Date: 2021 June 10

Board Members: Wendy Metzger, Chair
Tricia Fehr
Hazel George

DEVELOPMENT APPEAL DECISION

INTRODUCTION

[1] This is an affected party appeal to the Rocky View County Subdivision and Development Appeal Board (the Board) from a decision of the Rocky View County Development Authority issued March 24, 2021. In this decision, the Development Authority approved 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 (Lot 1 Block 1 Plan 0214125) and located approximately 0.41 km (1/4 mile) north of Township Road 232 and on the west side of Range Road 283.

[2] Upon notice being given this appeal was heard electronically on May 6, 2021 and May 27, 2021 in accordance with the Meeting Procedures (COVID-19 Suppression) Regulation, Alberta Regulation 50/2020.

DECISION

[3] The appeal is allowed in part and the Development Authority's March 24, 2021 decision on PRDP20202115 is varied. A development permit shall be issued subject to the following 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; shall be a chainlink fence with security slats the entire perimeter of the property**
 - 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 a revised site plan showing that trucks and trailers are parked away from the north boundary, adjacent to the neighbouring residence.

4. 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.
5. 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.
6. 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.
7. 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;
 - ii. This plan must mitigate any flooding impacts on the adjacent properties that are currently being experienced.
8. 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:

9. 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.

10. 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.
11. 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:

12. 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.
13. That all landscaping shall be in accordance with the amended Landscape Plan, once approved.
14. That the quality and extent of landscaping shall be maintained for the life of the development.
15. That the hours of operation shall be Monday to Friday 8:00 a.m. to 6:00 p.m., not including Statutory Holidays.
16. That no more than 25 trailers and 25 trucks shall be stored on site at one time.
17. There shall be no parking and/or storage of trucks and trailers within 20m of the sites northern property line.
18. There shall be no more than 6 (six) employees or contractors on site at one time.
19. That the on-site generators shall be housed in a structure to dampen the effect of the noise of the generators with sound dampening material on the interior of the structure, and be built to surround the generators.
20. 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.
21. 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.
22. 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.
23. That once installed, the septic field method of sewage disposal shall be fully engineered and justified for the industrial/commercial development.

24. 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.
25. That no topsoil shall be removed from the site.
26. 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.
27. 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.
28. 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.
29. That all customer, employee and business parking shall be restricted to the subject property boundaries.
30. That all outside storage of equipment, materials, and vehicles related to the business shall be contained to the subject property boundaries.
31. 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.
32. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
33. 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.
34. 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.
35. 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.
36. 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.
37. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.

Advisory:

38. That during construction, and thereafter, 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.
39. That during construction, the County's Noise Control Bylaw C-5772-2003 must be adhered to at all times.

40. That while on site the trucks shall not reverse, but use the turnarounds on site.
41. 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*].
42. 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.
43. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
44. That any impacts to wetlands will require Alberta Environment and Parks approvals for disturbance and compensation.
45. 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.
46. That if the Development Permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
47. 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.

BACKGROUND

[4] On July 23, 2021, Rodney Potrie of Planning Protocol 3 Inc. (the Applicant) submitted 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 on the Lands.

[5] The Lands are approximately 1.61 hectares (4.00 acres) in area and owned by 2249324 Alberta Ltd. (Balwinder Dhanoa) (the Owner).

[6] The Lands' land use designation is Industrial, Light District (I-LHT) under Land Use Bylaw C-8000-2020 (the *Land Use Bylaw*).

[7] On March 24, 2021, the Development Authority issued the written conditional approval for the industrial (medium) & outdoor storage on the Lands.

[8] On April 6, 2021, Rejean Levesque and Patrick Roy (the Appellant's) filed an affected party appeal of the Development Authority's decision to conditionally approve the industrial (medium) & outdoor storage. The appeal was received on time in accordance with section 686(1)(b) of the *Municipal Government Act* RSA 2000, c M-26 (MGA).

[9] A notice of hearing was circulated to the Appellant, Applicant, Development Authority, and adjacent landowners in accordance with the MGA and Rocky View County Council Policy C-327, *Circulation and Notification Standards*.

SUMMARY OF EVIDENCE

[10] The Board heard verbal submissions from:

- (1) Jacqueline Targett, Senior Development Officer for the Development Authority;
- (2) Heather McInnes, Planning and Development Supervisor for the Development Authority;
- (3) Patrick Roy, the Appellant; and
- (4) Rejean Levesque, the Appellant
- (5) Rodney Potrie, the Applicant.

[11] The written documents submitted as exhibits and considered by the Board are listed in the exhibit list at the end of this decision.

May 6, 2021

Development Authority's Submissions

[12] The Lands are four acres in size and surrounded by Agricultural business and Industrial Light properties.

[13] There is a single detached dwelling and accessory building on site.

[14] The property falls under the City of Calgary Intermunicipal Development Plan, there was no response received from the City regarding this application.

[15] The application is for Industrial Medium and outdoor storage for a transportation company, West Pacific Transport.

[16] West Pacific Transport ships and transports goods and services from Vancouver to the Western Canadian Provinces.

[17] The onsite operations include an office onsite located in the single detached dwelling, that will be converted; storage of materials and equipment within the accessory buildings, that will also be converted to Commercial Use; and, outdoor storage of truck trailers and commercial vehicles

[18] The hours of operation are proposed Monday to Friday 7am to 6pm.

[19] There are three full time employees who all reside off site.

[20] An eight foot over height chain link perimeter fencing with a one foot barbed wire top is proposed as a security measure, this a variance of 37% from the *Land Use Bylaw*.

[21] It is estimated that up to 30 trailers and 25 trucks will be stored on site.

[22] One business sign is proposed at the entrance along the driveway and one fascia sign is proposed at the location of the dwelling.

[23] This application is the result of an Enforcement Action as the business was occupying on site with various elements pre-completed before proper approvals were obtained. These include the commencement of business operations, site stripping and grading including a grade change up to 3 feet, partial paving, fencing installation and some storage onsite.

[24] A future office is proposed to be constructed at the front of the site, however, currently all current operations are out of the dwelling onsite.

[25] A variance was required for the storage areas due to the proximity to the main building.

[26] The western and southern storage area locations are propping a zero metre setback from the perimeter fencing, the required variance is 6 (six) metres therefore a 100% variance was required.

[27] The future 2-storey office located on the far east side of the property is not part of this application and if developed would require a new development permit application.

[28] The Municipal Planning Commission approved the Application on March 24, 2021, with several pre-release conditions including a site specific stormwater management plan, landscaping, screening, traffic impact assessment and geotechnical reports.

[29] On April 6, 2021 the affected party appealed the Application.

[30] The Agricultural lands surrounding the property did not submit any concern with the Application.

[31] Range Road 283 is paved to an industrial standard.

[32] The land use for the property is industrial light, the permit is for industrial medium. This is a common industrial use and allows for a variety of industrial activity.

[33] The Shepard area structure plan is still in the proposed state and not currently valid. However, the properties are in a transitional area to commercial.

Patrick Roy and Rejean Levesque submissions - the Appellant's

[34] The Levesque family has lived on the property and has been a business owner for over 20 years.

[35] Mr. Levesque constructed the shop on the property in 2012. At that time Mr. Levesque was told when he applied for the permits for the shop that he could not raise the land.

[36] The land was level prior to the construction next door, the slope goes towards the Levesque property's septic field.

[37] Planted over 300 trees on the property.

[38] Packed all the clay sloping towards the Levesque property, there was a complaint made in spring 2020. The site was not shut down or fined.

[39] There were at least 500 trucks that moved dirt on the applicant's property, all the trees on the property were removed.

[40] There is now water flooding the septic field and flooding the house.

[41] The original grade of the applicant's property was level with the grade of the Levesque.

[42] They were told to shut down but continued working.

[43] The existing shop on the applicant's property is at the grade that the Levesque's would like the property graded at.

[44] Would like an engineered solution to the stormwater issues. There hasn't been an issue with flooding in the 20 years the Levesque's have lived on the property.

[45] All the work on the applicant's property was done without permits.

[46] Have there been any geotechnical reports done on the applicant's property? Without permits and inspections how does anyone know what is under the dirt to raise the grade.

[47] There was non stop dust when they were bringing in all of the dirt for the property.

[48] During the winter all the snow from the applicant's property was piled against the fence between the two properties, which caused flooding when the snow melted.

[49] The Levesque's had to move their bees due to flooding, even after moving them they are still being flooded.

[50] There is noise from the site 24 hours a day 7 days a week between the trucks turning around and the refrigeration trucks.

[51] The Levesque's had to put up additional fencing for their dog after the applicant complained about the dog.

- [52] The clay is packed and allows the rain to run into the Levesque's yard.
- [53] The Levesque's would like there to be consequences for the applicant proceeding with development without permits.
- [54] The grading was raised by 2 to 3 feet and then an 8-9 foot fence was added.
- [55] Would like some privacy with regards to the fence so that everyone doesn't look onto the Levesque property.
- [56] There is more than one truck that backs up at a time and they take a long time to back up so there is constant beeping from the backup beacons.
- [57] It is a 24/7 operation not 7am to 5pm as the applicant has stated that it is.
- [58] There is garbage collecting on the Levesque property from the applicant's property.

May 27, 2021

Patrick Roy and Rejean Levesque submissions - the Appellant's

- [59] Despite a complaint they did not stop working, there has been so much damage done.
- [60] The operation is a 24/7 operation there are generators running all night 300 feet away from a residence. There was no impact study done on the surrounding neighbours.
- [61] The Levesque's septic field has blown out there is grey water everywhere.
- [62] There was no due diligence done on the part of the applicant, even though the Levesque's told them many times to get a permit, and complained many times to enforcement.
- [63] The applicant does not care that the Levesque's property, septic and basement floods.

Rodney Potrie submissions– the Applicant in opposition of the appeal

- [64] Mr. Potrie stated that the landowner is Western Pacific Transport (WPT Ltd) a private limited trucking company established on 2004 in Delta, BC. They are a small family-owned trucking operation that started from nothing. It has gradually grown over the decades into a company with about 45 trucks.
- [65] Mr. Potrie stated that much of the company's business consists of deliveries from Vancouver across Western Canada. In late 2019, they started looking for expansion into Alberta. They saw Calgary as a great Trans-Canada connection. This area is ideal due to the proximity to Glenmore Trail and Hwy 1. The lands are a part of the Shepard Industrial ASP which designated this whole area as industrial development.
- [66] Mr. Potrie stated that the properties on both sides are already approved for industrial uses.

[67] Mr. Potrie stated that improvements were necessary to groom the site into what WPT needed.

[68] Mr. Potrie stated that a knowledgeable local contractor was sought out to do the work. The contractor was instructed to make sure all local rules and regulations were strictly adhered to.

[69] Stripping and grading of the site commenced in late March 2020.

[70] Construction proceeded from April and was completed by mid June 2020.

[71] Mr. Potrie stated that the New Landowner was managing the work long distance from Vancouver.

[72] Mr. Potrie stated that in June 2020 it became known to WPT for the first time, that the contractor who had been given a strict instruction to abide by all local rules and regulations, did not follow the rules when he is obliged to do so. The contractor was immediately fired and the construction ceased.

[73] Local Consultants were immediately retained; Planners, (Planning Protocol, Engineers, Osprey Engineering, Surveyors, CIMA, Geomatics, Geotechnical Engineers, Almor testing. Proper applications we prepared and submitted to the County; Development Permit (DP change of use), Stripping and grading DP July 23, 2020.

[74] During the construction period of March - June 2020, a legal surveyor was retained to determine the precise legal boundaries so a perimeter fence could be constructed. The legal survey determined that many of the neighbours items encroached onto the applicant's property such as mobile home, bee factory, and many more miscellaneous parked items.

[75] Mr. Potrie stated that the neighbour was asked politely, to please remove the said encroaching items and given time to do so, and was told that a fence would be installed 2 feet inside our property line. The encroaching items were removed by the appellant, but Mr. Potrie stated that this appeal is essentially sour grapes due to having to remove encroaching items which have essentially encroached for free for years.

[76] Mr. Potrie stated that the applicant has completed stripping and grading to ensure that no drainage travels onto the appellant's property. The drainage was designed to specifically ensure that flooding doesn't happen. Small portions of the site did require lifting in order to ensure positive drainage to the storm pond.

[77] Mr. Potrie stated that there was a huge amount (2 – 2 ½ ft) of topsoil stripped off of the site and then replaced by clean mineral fill, topped with pit run to bring it back up to original grade. The only exception to this is one or two isolated areas in order to achieve positive drainage towards the applicant's storm pond. All storm water will be retained on site and directed to the storm pond.

[78] Mr. Potrie stated that the work on site is not complete as all construction ceased pending approval and the outcome of the appeal.

[79] Mr. Potrie stated that from the outset it has always been the applicant's objective to contain all storm water on site. It is precisely for this purpose the contractor and other professionals were retained.

[80] From investigation of the appellant's site, the real estate listing boasts passive income of \$125,000.00 annually from two rental suites in the house, two rental suites in the shop and another rental from a RV that is hooked up to onsite year-round water and sewer services. This in addition to the actual residence itself. A total of 6 residential units all contributing to the septic system.

[81] Mr. Potrie stated that the applicant believes that it is the sheer number of contributing residential units that contribute to the sewer system failure and not runoff from the applicant's site.

[82] The applicant has taken, and will take all steps necessary to contain all storm water on their site. They have an interim storm pond, and will, once the permit is approved, complete a storm water plan for the site.

[83] There is no storm pond on the appellant's parcel. This combined with the fact that the appellant does not seem to have a drainage plan in place may contribute to the septic system failure and overall drainage issues on the site.

[84] The applicant believes that the appellant's issues are mostly self induced and don't result from external sources.

[85] Mr. Potrie stated that the applicant is willing to make improvements to the site in line with the appellant's concerns including the following:

- (1) reducing the site coverage,
- (2) the addition of chain link fencing with future security slats added,
- (3) the addition of a 24/7 security system,
- (4) reduction of operational hours,
- (5) moving the trucks to the west and south side of the property,
- (6) the inclusion of landscaping,
- (7) working to utilize the existing buildings and transition to new buildings over the next two years,
- (8) restricting the truck noise and movement after hours and minimize noise during operating hours,
- (9) no weekend activity, and
- (10) having the trucks not back up in the early morning or after hours to eliminate the back up beeper sounds.

[86] Mr. Potrie stated that the appellants land is also industrial not residential even though a lot of the concerns noted by the appellant's are residential in nature.

[87] Mr. Potrie stated that the applicant is trying to mitigate all concerns as best as they can.

[88] Refrigeration trucks do cause a constant hum.

[89] Mr. Potrie asked if the appellants had permits for all their things on their land.

Patrick Roy and Rejean Levesque rebuttal submissions – the Appellant's

[90] Mr. Roy stated that the company owns land in British Columbia and have had to do something like this before, the rules are standard across the board.

[91] The applicant's have been lying since the beginning about having a contract there has been no contract.

[92] It is a truck stop that is next door, every day and night there is more than one truck making noise.

[93] When things started to go wrong on the site that is when Mr. Roy started asking if they indeed had permits.

[94] The applicant took out all the trees and topsoil on the property and put down clay.

[95] The grading is now sloped towards the appellants that causes flooding.

[96] June 22 they were ordered to shut down, July 23 they were still working without a valid permit.

[97] It took a full month to shut the site down and it still wasn't shut down after that. They still continued to develop the land, trenching in wires, grading and installing fencing.

[98] They piled snow on the property line and there is constant garbage from the site.

[99] Mr. Potrie spoke about the rental income of the property that is talked about in the listing for the property but the property is for sale due to the issues next door. The rental is retirement income.

[100] Mr. Roy stated the shop was built in 2012 and they have had 8 years with no issues. Mr. Roy and Mr. Levesque's brother live in the shop. The shop passed all inspections when it was built and has upgraded heated floors.

[101] The pounding from the compacting on the applicant's property caused cracks in the stucco on the shop.

[102] The bees were moved due to flooding not because they were on the applicant's property.

[103] Mr. Roy stated that the pond on their property is grassed in but there is still a pond there, it is not perfect but it takes money and they don't have the money to do it perfectly.

[104] There are a lot of home based business in the area.

[105] There are other neighbours farther away from the site than the appellants that are complaining about the noise.

[106] The applicant's have put up screening but they haven't fixed the water problem. The site is clay and it is non-porous that's why there is flooding happening.

[107] The applicant's never shut the site down even with the threats of fines.

[108] Mr. Roy stated that they tried to stop the process before it went too far by submitting complaints.

[109] Mr. Roy stated that they have been complaining about this property for over a year and a half, when is something going to be done about it?

FINDINGS & REASONS FOR DECISION

[110] The Board finds that industrial (medium) is a discretionary use in an Industrial, Light District (I-LHT), as outlined in section 437 of the Land Use Bylaw.

[111] The Board finds it has the authority to make a decision on this matter pursuant to section 687(3)(d) of the *Municipal Government Act*.

[112] The Board reviewed all evidence and arguments, written and oral, submitted by the parties and focused on the most relevant evidence and arguments in outlining its reasons. The Board also considered the context of the proposed development, sound planning considerations, the merits of the application, and all applicable legislation, plans, and policies.

[113] The Board is satisfied that the proposed industrial (medium) is compatible with the transitional nature of the area.

[114] The Board understands the concerns about flooding and noise from the proposed development. For this reason, the Board amended the approval conditions to rectify these issues.

[115] The Board is satisfied that the amended conditions of approval that require additional setbacks, privacy slat installation for the chain link fence, a Storm Water Management Plan that mitigates flooding on the adjacent properties, strict hours of operation, storage restrictions, the limiting of employees and contractors and noise deafening structures for the generators will address the Appellant's and neighbours concerns about the proposed development's impact on the adjacent properties.

[116] Given the above findings and pursuant to section 687 of the *Municipal Government Act*, the Board finds that with the new conditions, the proposed industrial (medium) would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land. The Board also finds the proposed development conforms to the use prescribed for the Lands in the *Land Use Bylaw*.

CONCLUSION

[117] For the reasons set out above, the appeal is allowed in part and the Development Authority's March 24, 2021 decision on PRDP20202115 is varied.

Dated at Rocky View County, in the Province of Alberta on June 10, 2021.

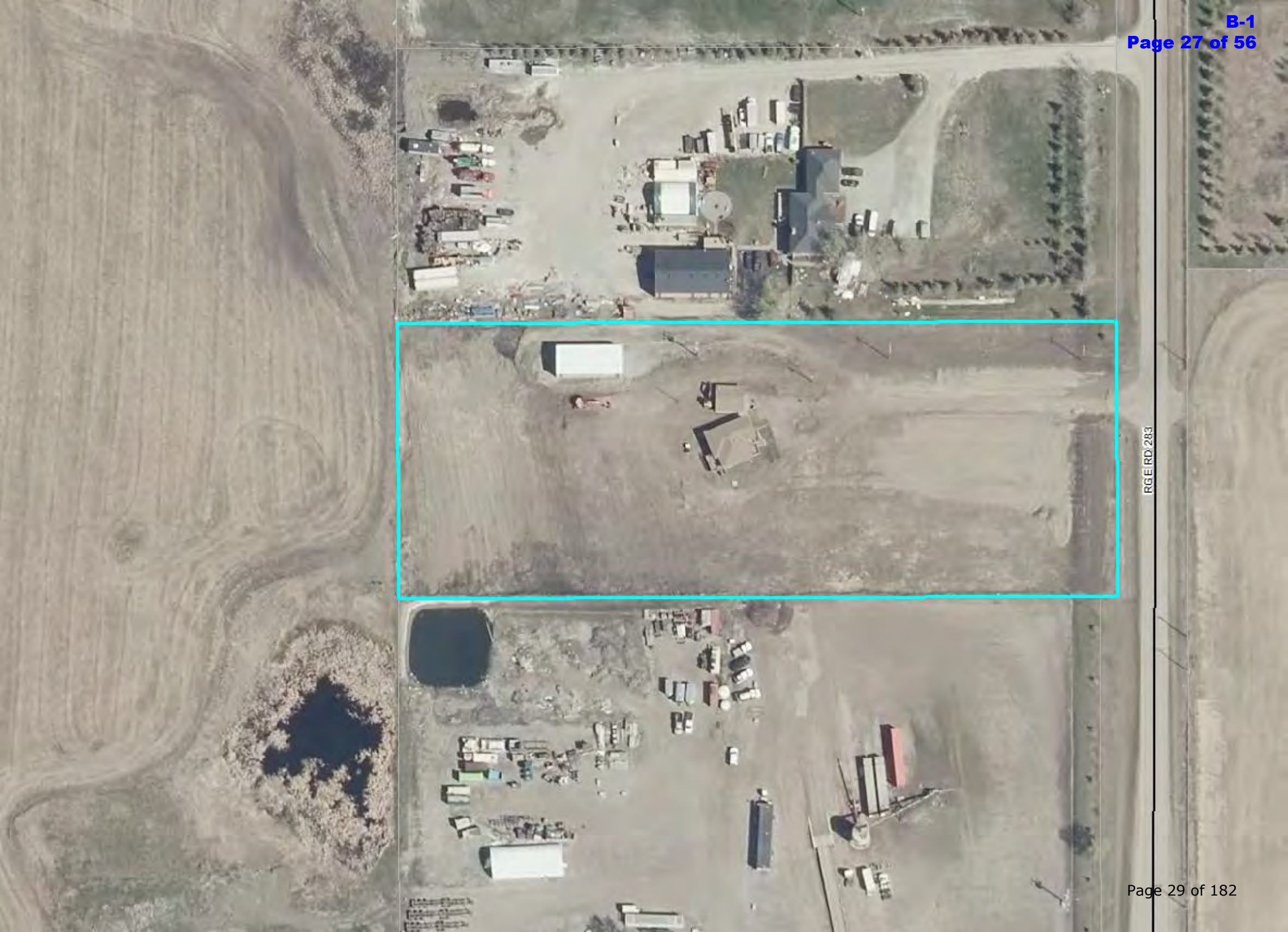


Wendy Metzger, Chair
Subdivision and Development Appeal Board

EXHIBIT LIST

Documents presented at the hearing and considered by the Board

NO.	ITEM
1.	Development Authority's Report to the Board May 6, 2021 (34 pages)
2.	Development Authority's Report to the Board May 27, 2021 (33 pages)
3.	Development Authority's PowerPoint (9 pages)
4.	Appellant Exhibit 1 Part 1 (25 pages)
5.	Appellant Exhibit 1 Part 2 (25 pages)
6.	Appellant Exhibit 1 Part 3 (25 pages)
7.	Appellant Exhibit 2 (video - 3m16s)
8.	Appellant Exhibit 3 (video - 59s)
9.	Appellant Exhibit 4 (video - 8m48s)
10.	Applicant Exhibit (34 pages)



RGE RD 283





Notice of Appeal

Subdivision and Development Appeal Board

Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Planning Protocol			
Mailing Address 2922 - 3 Ave N.E.		Municipality Calgary	Province AB
Postal Code T2A 6T7			
Main Phone # 403 703 1726	Alternate Phone # 403 230 5522	Email Address rod@planningprotocol2.com	
Site Information			
Municipal Address 232071 RR 283 Rocky View County		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 1, Block 1, Plan 0214125	
Property Roll # 03316008		Development Permit, Subdivision Application, or Enforcement Order # DC202006-0144	
I am appealing: (check one box only)			
Development Authority Decision <input 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 checked="" type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<p>We have completed all this following on this property: in February 16, 2022 We applied for a 6 month extension as per attached since then we have been anxiously engaged attempt to finish this project but due to late frost and early rains we have not been able to complete all the required conditions albeit we have given it our best effort:</p> <p>1) Feb 16, 2022</p> <p>Dear Jacqueline Targett Re: DP # PRDP 2020 2115 Roll # 03316008 Lot 1 Block 1 Plan 0214125 Address: 232071 Range Rd 283</p> <p>Regarding the above DP Application we are officially applying for an extension for an additional 6 months from February 28 to August 28, 2022.</p> <p>The reasons for applying for this extension is the following:</p> <p>1) Yes we were approved for the storm water ponds in Sept. 2021 but by the time we got quotes to complete the construction the ground was already frozen and too late for construction in 2021.</p> <p>2) We do now have quotes and we will commence construction upon the first coming out of the ground in April 2022. The engineering and design and contracting has now all been done all we need to do is the construction. (see attached)</p> <p>3) The screening of the chain link fencing along the north side has already been ordered and will be installed within 2 - 3 weeks from now.</p> <p>4) The landscape plan has been done and I have attached that for your benefit. (see attached) (let me know if you have any questions regarding it?)</p> <p>5) The engineering plan for the storm water ponds are included. (see attached)</p> <p>6) The estimate for construction are also included for your perusal (see attached)</p> <p>Given these items already done or well on their way to being done we feel we would be in an excellent position to complete the remaining items given a 6 month extension.</p> <p>The Dev Officer granted only until June 1 instead of the August 28 we had requested and we just knew it would be very tight: due to having logistics problems for many items including storm water pond construction, we have been delayed due</p> <p>a) to contractor delays b) landscaping tree delivery delays c) covid - 19 back logs d) heavy rains lately e) late frost this spring</p> <p>Since Feb 16 to date we have completed the following:</p> <p>i) storm pond construction ii) tree delivery paid for (just not planted due to heavy rains) iii) fence screening iv) landscaping, berming v) trucks removed to where they should be vi) site grading and berming to contain drainage vii) only things outstanding is final TIA study, tree planting, as built plans for landscaping, final inspection and we needed just a little more time to complete these few final items.</p> <p>viii) the client has spent several hundreds of thousands of dollars and we are just about at the finish line all we needed was just a few more months, time which we had requested but were not granted</p> <p>we implore your leniency in this our appeal. It is not like we didn't want to comply with any of these imposed conditions. On the contrary we have tried desperately to comply we just have run short of time. we respectfully request to the end of August 2022 to finish this project as per our original request?</p> <p>sincerely Rodney R Potrie</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.

Rodney R Potrie
Appellant's Signature

June 15, 2022

Date



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Submitting an Appeal

Appeals must be submitted on time and with the required fee

Sections 547, 645, 678, and 686 of the *Municipal Government Act*, RSA 2000, c M-26, and Rocky View County's *Master Rates Bylaw* require that your Notice of Appeal be submitted to the Subdivision and Development Appeal Board (SDAB) or Enforcement Appeal Committee (EAC) within the legislated timeframe and with the required fee. Fees are as follows:

Subdivision and Development Appeal Board	Fee
Development Authority decision – appeal by the owner of the subject property	\$350.00
Development Authority decision – appeal by an affected party	\$250.00
Development Authority decision – appeal of a Stop Order issued under section 645 of the <i>Municipal Government Act</i>	\$500.00
Subdivision Authority decision (paid at time of application and used as a credit on endorsement fees except where the owner appeals the subdivision)	\$1,000.00
Enforcement Appeal Committee	
Compliance Order - appeal as per section 545 or 546 of the <i>Municipal Government Act</i>	\$500.00

How to submit your appeal and pay your fee

You can submit your Notice of Appeal by mail or deliver it in person. Arrangements can also be made to e-mail your Notice of Appeal and pay over the phone. If you e-mail your appeal to the SDAB clerk, you must call the SDAB clerk for verbal confirmation of receipt. Regardless of how you submit your Notice of Appeal, it must be received on or before the final appeal deadline.

Mail or deliver to:

Clerk, Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Please make cheques payable to "Rocky View County".

What happens after my appeal is submitted?

Once your Notice of Appeal is submitted on time and with the required fee, the appeal will be heard by the SDAB or EAC within 30 days. The Clerk of the SDAB will be in touch with you about the appeal hearing. You and the landowners who are adjacent to the property in question will receive a written Notice of Hearing.

More information

For more information about filing an appeal or SDAB/EAC procedures, please contact the SDAB Clerk at:

Phone: 403-230-1401

Email: sdab@rockyview.ca

Website: www.rockyview.ca



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

Work: (403) 230-3522
Cell: (403) 703-1726
www.planningprotocol.com

June 15, 2022

Re: Stop Work Order 232071 RR 283 Lot 1, Block 1, Plan 0214125

We are appealing this stop work order for the following reasons;

In February of this year we made the following request for a DP extension.

February 16, 2022 We applied for a 6 month extension as per attached since then we have been anxiously engaged attempting to finish this project but due to late frost and early rains we have not been able to complete all the required conditions albeit we have given it our best efforts

Feb 16, 2022

Dear Jacqueline Targett Re: DP # PRDP 2020 2115 Roll # 03316008 Lot 1 Block 1 Plan 0214125 Address: 232071 Range Rd 283 Regarding the above DP Application we are officially applying for an extension for an additional 6 months from February 28 to August 28, 2022. The reasons for applying for this extension is the following ;

- 1) Yes we were approved for the storm water ponds in Sept 2021 but by the time we got quotes to complete the construction the ground was already frozen and too late for construction in 2021.
- 2) We do now have quotes and we will commence construction upon the frost coming out of the ground in April 2022. The engineering and design and contracting has now all been done all we need to do is the construction. (see attached)
- 3) The screening of the chain link fencing along the north side has already been ordered and will be installed within 2 – 3 weeks from now.
- 4) The landscape plan has been done and I have attached that for your benefit. (see attached) (let me know if you have any questions regarding it ?
- 5) The engineering plan for the storm water ponds are included. (see attached)
- 6) The estimate for construction are also included for your perusal (see attached)

Given these items already done or well on their way to being done we feel we would be in an excellent position to complete the remaining items given a 6 month extension.

The Development Officer granted only until June 1, 2022 instead of the August 28 we had requested.

We just knew it would be very tight. Due to having logistics problems for many items including storm water pond construction. We have been delayed due

- a) to contractor delays
- b) landscaping tree delivery delays
- c) covid - 19 back logs
- d) heavy rains lately
- e) Late frost this spring

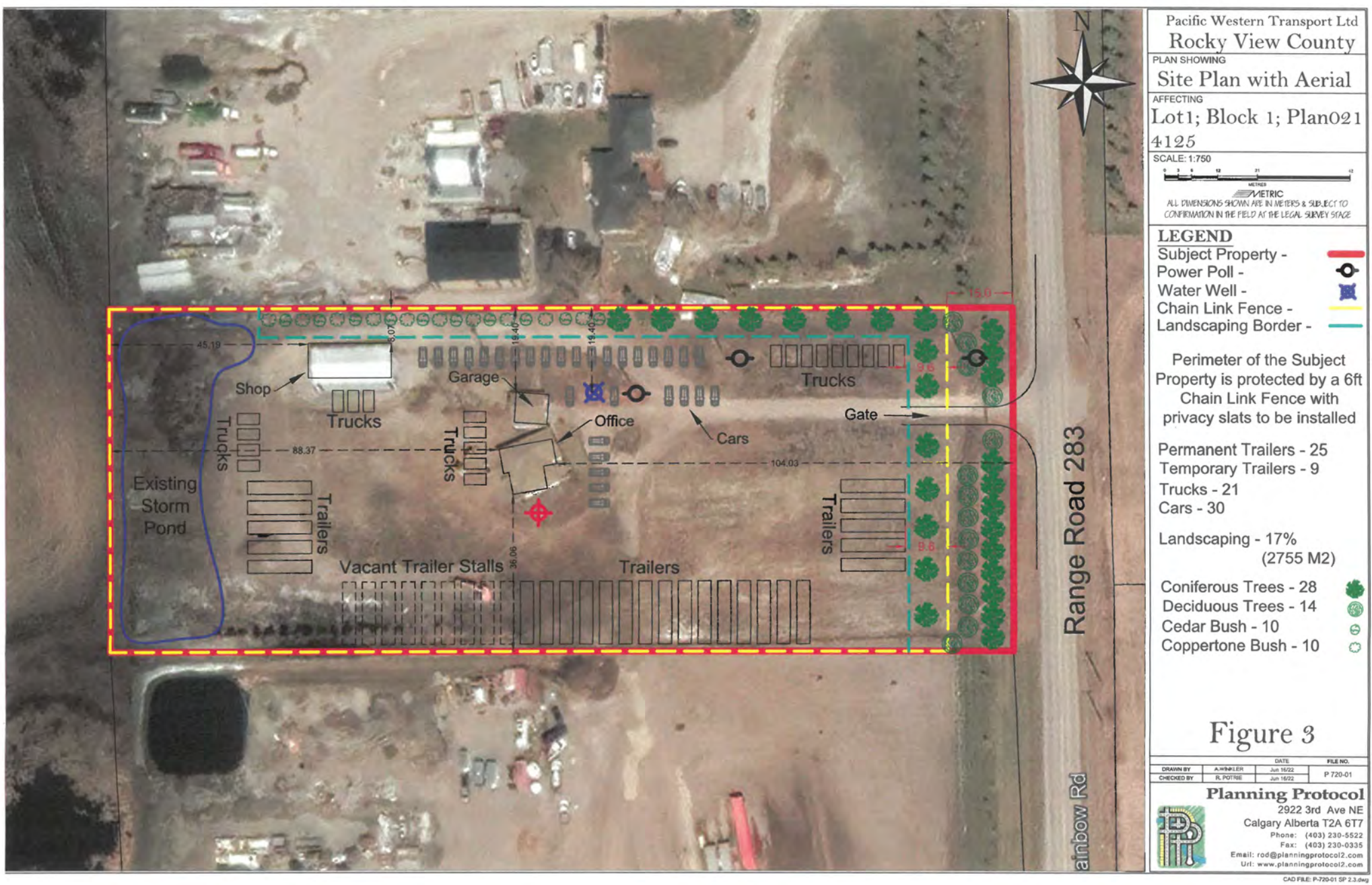
Since Feb 16 to date we have completed the following:

- i) Storm pond construction
- ii) Tree delivery paid for (just not planted due to heavy rains)
- iii) Fence screening
- iv) Landscaping, berming
- v) Trucks removed to where they should be
- vi) Site grading and berming to contain drainage from going onto adjacent neighbour's land
- vii) only things outstanding is final TIA study, tree planting, as built plans for landscaping, final inspection and we needed just a little more time to complete these few final items.
- viii) The client has spent several hundreds of thousand of dollars and we are just about at the finish line all we needed was just a few more months, time which we had originally requested but were denied.
- ix) We implore your leniency in this our appeal.
- x) It is not like we didn't want to comply with any of these imposed conditions. On the contrary we have tried desperately to comply we just have run short of time.
- xi) We respectfully request to the end of August 2022 (or two additional months after the appeal decision) to finish this project as per our original request?

Sincerely



Rodney R Potrie





05 07 2020



05 07 2020



21 07 2020



21 07 2020



04 08 2020



21 07 2020



21 07 2020



21 07 2020



2022.03.09 12:27



2022.03.09 12:29



2022.03.09 12:29



2022.03.09 12:33



2022.05.10 13:53



2022.05.10 13:53



2022.05.10 13:54



2022.06.15 12:55



2022.06.15 12:55



ROCKY VIEW COUNTY

STOP ORDER

PURSUANT TO THE *MUNICIPAL*
GOVERNMENT ACT – SECTION 645

TO: **2249324 Alberta Ltd**
232071 RGE RD 283

Municipal Address: **232071 RGE RD 283**

Part 2, Section 18.1 of the Rocky View County Land Use Bylaw allows a Development Authority to issue a Stop Order where a development or use of land or buildings does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

At present, the Lands do not comply with the Rocky View County Land Use Bylaw given **PRDP20202115 has not been issued, prior to release conditions 1 through 8, 16, and 24 have not been met or implemented, and prior to site/ building occupancy has not been granted to the site.**

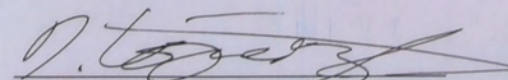
You are hereby ordered to:

Immediately cease all operations on site and bring the site to its original state prior to any regrading, filling, development, and operation of the site.

Failure to comply with the order and/or make the necessary application will have Rocky View County taking whatever actions that are determined to bring the Lands into compliance, which may require seeking legal action for a court order or other relief from the Court of Queen's Bench of Alberta pursuant to Section 554 of the *Municipal Government Act*.

You are further notified that you may appeal this Stop Order, within **twenty-one (21) days**, to the Rocky View County Clerk, Subdivision and Development Appeal Board in accordance with Section 686 of the *Municipal Government Act*. Notwithstanding any such appeal, this Stop Order must be complied with pending the outcome of the appeal and are required to ensure that no more activity on the land is occurring pending a decision. Please note the Board does not have authority to approve this use only consider whether it was issued legally and with enough time for compliance.

Dated at the Rocky View County Hall, in the Province of Alberta, this **June 14, 2022**.


Development Authority

No person shall remove, tamper with or alter this notice without the written consent from Rocky View County.

2022.06.15 13:02



2022.06.15 13:02



2022.06.15 13:02



2022.06.15 13:03



2022.06.15 13:04



2022.06.15 13:04

PLANNING

TO: Subdivision and Development Appeal Board
DATE: June 30, 2022
FILE: 05714020
SUBJECT: Development Item - Special Function Business / Discretionary use, with no Variances

DIVISION: 2
APPLICATION: PRDP20221305

APPLICATION: Special Function Business, for an outdoor wedding venue.

GENERAL LOCATION: Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

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

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on May 11, 2022, and was conditionally approved.

The Application is for the operation of a Special Function Business for an outdoor wedding venue on the subject parcel. A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

On June 2, 2022, an appeal was filed by William and May Grieg; on June 3, 2022, an appeal was filed by JC Anderson; and on June 6, 2022 appeals were filed by Dave Pierce (represented by Rick Grol) and Melanie Spafford et al. All appealed the decision of the Municipal Planning Commission for several reasons, which are noted in the agenda package.

DECISION: Conditionally approved

DECISION DATE:
May 11, 2022

APPEAL DATE:
June 2, 3 and 6, 2022

ADVERTISED DATE:
May 17, 2022

Administration Resources

Wayne Van Dijk, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:**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/Rocky View County 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"> • Special Function Business 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Special Function Business is listed as a discretionary use in the Residential, Rural District, as per Land Use Bylaw, C-8000-2020.

An identical application, PRDP20221306, was applied for and approved on May 11, 2022, by Municipal Planning Commission, by the adjacent landowner.

APPEAL:

See attached report and exhibits.



Respectfully submitted,

“Justin Rebello”

Supervisor
Planning and Development Services

WV/lt



PLANNING

TO:	Municipal Planning Commission Development Authority	DIVISION: 2
DATE:	May 11, 2022	APPLICATION: PRDP20221305
FILE:	05714020	
SUBJECT:	Special Function Business / Discretionary use, with no Variances	

APPLICATION: Special Function Business, for an outdoor wedding venue

GENERAL LOCATION: Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

LAND USE DESIGNATION: Residential, Rural District (R-RUR)

EXECUTIVE SUMMARY: The Applicant/Owner is proposing to operate a Special Function Business, for an outdoor wedding venue, on the subject parcel.

A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

The application is in accordance with Land Use Bylaw, C-8000-2020, and Administration recommends approval.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20221305 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20221305 be refused 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:**APPLICATION EVALUATION:**

The application was evaluated based on the submitted 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 / Rocky View County Intermunicipal Development Plan • Land Use Bylaw C-8000-2020; and • Central Springbank Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None submitted
DISCRETIONARY USE: <ul style="list-style-type: none"> • Special Function Business 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Special Function Business is considered discretionary in the Residential, Rural Land Use District, as per Section 318 of the Land Use Bylaw.

An identical application, PRDP20221306, has been applied for by the adjacent landowner.

**CONCLUSION:**

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

Respectfully submitted,

“Dominic Kazmierczak”

Manager
Planning

WVD/llt

Concurrence,

“Brock Beach”

Acting Executive Director
Community Development Services

ATTACHMENTS

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Application Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
 - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
 - i. Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighbouring properties or not.
 - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighbouring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

Permanent:

4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
 - i. That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
6. That no signage or parking is permitted within the County road right-of-way.
7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
9. That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than 7 days before or after a scheduled Special Function event.



12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists
15. That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That this Development Permit, once issued, shall be valid until **May 24, 2023**.

Advisory:

- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.



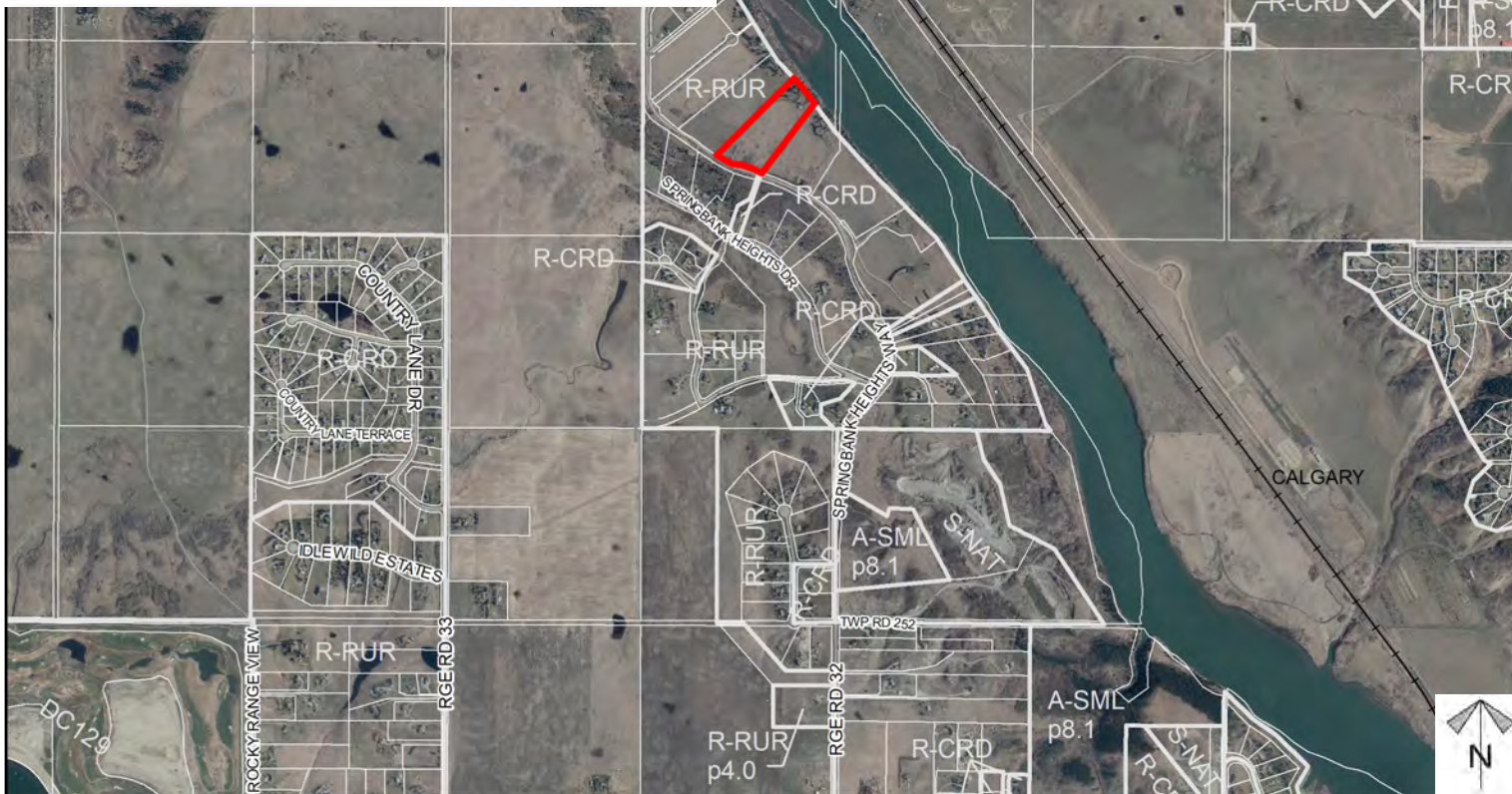
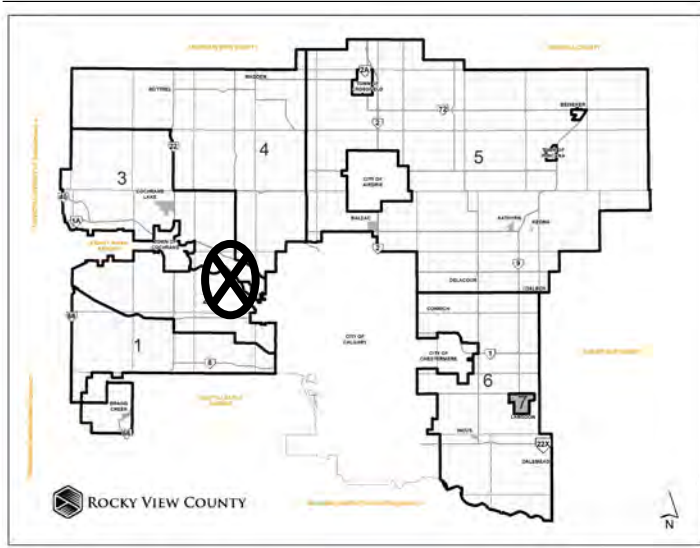
ATTACHMENT 'B': APPLICATION INFORMATION

APPLICANT: Mike Collinge (Knotty Boyz Construction Ltd.)	OWNER: Amaresh and Ruchike Swaro
DATE APPLICATION RECEIVED: March 24, 2022	DATE DEEMED COMPLETE: March 31, 2022
GROSS AREA: ± 6.77 hectares (± 16.73 acres)	LEGAL DESCRIPTION: Lot: 8, Plan: 7510146; NE-14-25-03-W05M (3084 Springbank Heights Way)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none">• PRDP20203760: Vacation Rental, existing dwelling, single-detached• PRDP20220537: renewal of a vacation rental	
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

Special Function Business

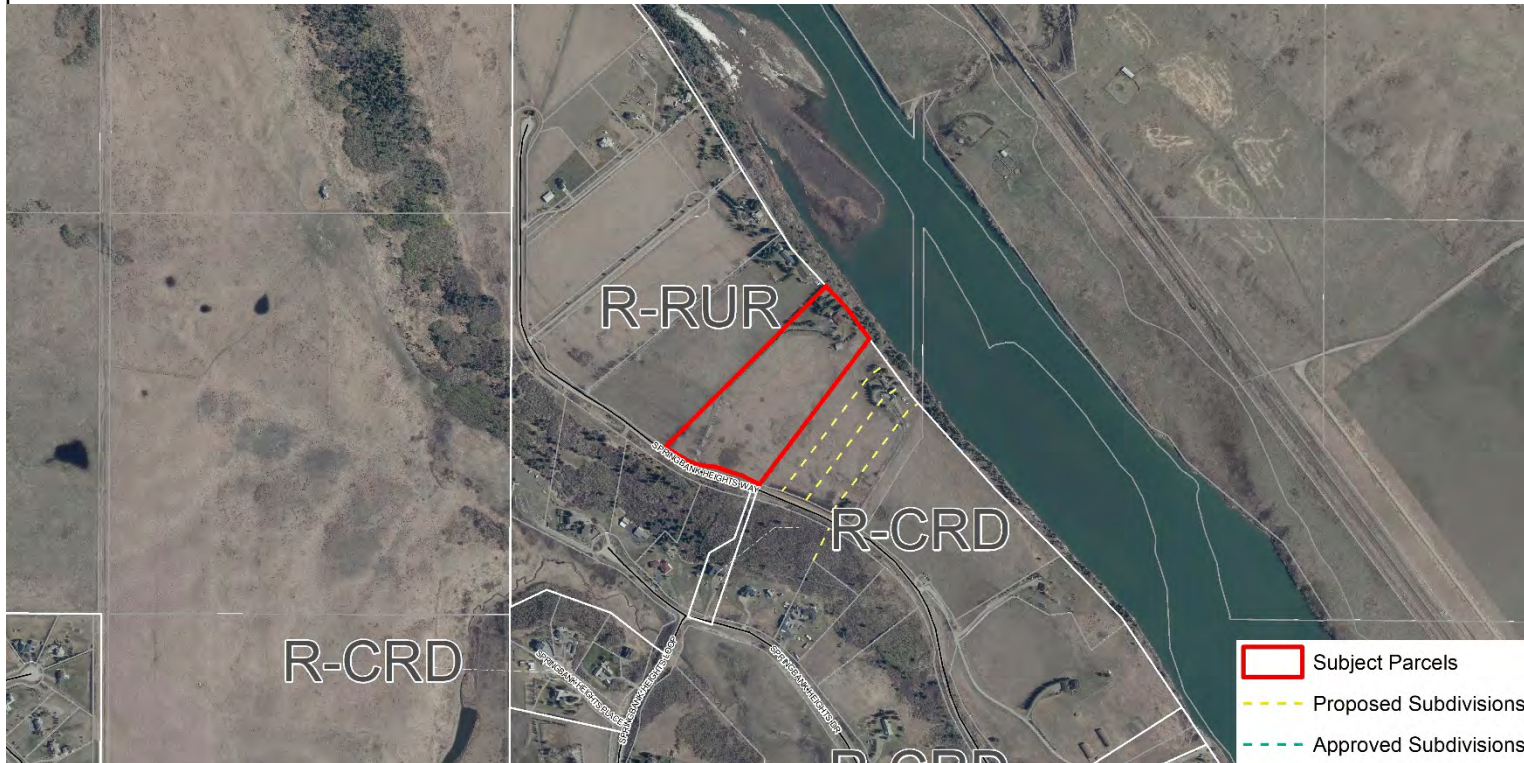


Division: 2
 Roll: 05714020
 File: PRDP20221305
 Printed: March 31, 2022
 Legal: Lot:8 Plan:7510146
 with Page 68 of 182M

Aerial Imagery

Development Proposal

Special Function Business



Aerial Imagery

Development Proposal

Special Function Business



Division: 2
Roll: 05714020
File: PRDP20221305
Printed: March 31, 2022
Legal: Lot:8 Plan:7510146
with Page 7 of 1825M

SPECIAL EVENTS DESCRIPTION

Cover Letter

Development Proposal

Special Function Business

- Dr. Swaro and her family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- Event area will not exceed the allowable usable space of 400 m². with a 18m set back from property line.
- Parking is calculated @ 50ft x 150ft yielding 7500 sqft of space approx 50 vehicles. this would include service vehicles.

Site Plan

Development Proposal

Special Function Business



Division: 2
 Roll: 05714020
 File: PRDP20221305
 Printed: March 31, 2022
 Legal: Lot:8 Plan:7510146
 with Page-722501825M

Site Photo

Development Proposal

Special Function Business





Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Willam and May Greig			
Mailing Address 3150 Springbank Hts Way		Municipality Calgary	Province AB
Postal Code T3Z 1C7			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	

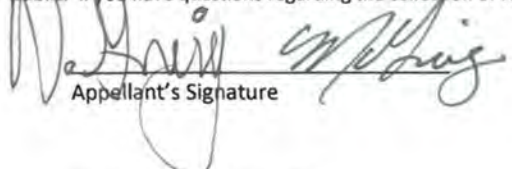
Site Information	
Municipal Address 3084 Springbank Hts Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 8, Block Plan 7510146
Property Roll # 05714020	Development Permit, Subdivision Application, or Enforcement Order # Development Permit PRDP20221305

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 document: "Appeal against Development Permit PRDP20221305 – Special Function Business at 3084 Springbank Heights 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.


 Appellant's Signature

June 2/22
 Date

Reasons for Appeal from William and May Greig

Appeal against Development Permit PRDP20221305 - Special Function Business at 3084 Springbank Heights Way.

Dear Board Members,

We live at 3150 Springbank Hts. Way. We are the adjacent neighbours to the west of the proposed development and are directly impacted by the proposed business that has been approved.

We are appealing the approval of development permit PRDP20221306 - Special Function Business at 3084 Springbank Heights for the following reasons:

- (a) The County failed to consider the impact of these Special Function Businesses on our property and other acreages in the area. According to the "Tent Calculator" a 4300 sq. ft. tent can accommodate 350 people, with bar, dance floor & band stage. Combined with the approval of the permit PRDP20221306 for Special Function Business at 3084 Springbank Heights Way both properties could host weddings for 700 people and combined there could be 30 wedding events over the summer months. Tents will never be taken down as they are allowed to be put up 1 week before an event, till 1 week after an event. There is no limit on the number of patrons permitted on the site.
- (b) Noise from the wedding events will be a major factor. Our home is approximately 100 ft. from the property line. We question who will monitor the noise on the weekends. Enforcement of the rules will be a major issue. By-law officers likely will not monitor the events during late night hours and weekends.
- (c) We pasture 3 horse during the summer months on our property. The access road to PRDP20221306 runs right along our property line. The events will result in stress for us and our horses.
- (d) We are concerned about trespassing of patrons on our properties. Our security and safety will be a huge issue with the number of people that will be servicing and attending these events all summer long. There is no fence dividing the properties.
- (e) We are also concerned about the traffic that will be generated by the businesses, which is not characteristic for a quiet country residential area like ours.
- (f) The potential of Grass Fires significantly increases with the number of people, especially when people are partying, drinking and smoking. The permits do not require an Emergency Plan for calamities.
- (g) We are concerned about the impact of the businesses on our drinking water and wells due to the numbers of people attending the events.

(h) The owners of the property do not live on the property. They are not affected by the negative impacts of the proposed Special Function Businesses, but actually are to the detriment of the adjacent neighbours. The location is inappropriate for these businesses. This is a quiet country residential area, not a commercial area where the businesses should belong.

We believe the proposed developments negatively impact the use, enjoyment and value of our property and the surrounding properties. We kindly ask you to overturn the approvals of the development permit.

Kind regards,

William and May Greig



ROCKY VIEW COUNTY
Cultivating Communities

Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) JC Anderson			
Mailing Address 2270 Springbank Heights Way		Municipality Calgary	Province AB
		Postal Code T3Z 1C7	
Main Phone # [REDACTED]	Alternate Phone #	Email Address	

Site Information	
Municipal Address 3084 Springbank Heights Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 8 Block Plan 7510146, NE-14-25-03-05
Property Roll # 05714020	Development Permit, Subdivision Application, or Enforcement Order # PRDP20221305

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>I am appealing because this business brings large number of people from outside the district into residential communities.</p> <p>I am appealing due to the danger of grass fires set by said people.</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.

Appellant's Signature

June 3, 2022

Date

Received by Legislative and
Intergovernmental Services
June 2, 2022



Notice of Appeal
Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Dave Pierce, represented by Rick Grol			
Mailing Address 3228 Springbank Way Heights		Municipality Rocky View County	Province AB
		Postal Code T3Z 1C6	
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	

Site Information	
Municipal Address 3084 Springbank Heights Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 8 Plan 7510146
Property Roll #	Development Permit, Subdivision Application, or Enforcement Order # PRDP20221305; File 05714020


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 Schedule A.

Received by Legislative and
Intergovernmental Services
June 7, 2022

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(3)(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

June 6, 2022
Date

Schedule A

Appeal PRDP20221305; File 05714020

I am the property owner of 3228 Springbank Heights Way. I am appealing Municipal Planning Commission's decision to approve the proposed Special Function Business for an outdoor wedding venue at 3084 Springbank Heights Way (Development Permit PRDP20221305; File 05714020) for the following reasons:

1. Municipal Planning Commission, acting as the Development Authority, failed to properly, among other things:

- (a) Evaluate the development permit application;
- (b) Take into account the applicable plans and policies affecting the parcel;
- (c) Review the compatibility and impact of the proposed development on the adjacent developments and the appropriateness of the development on the parcel;
- (d) Review the merits, or lack thereof, of the development permit application;
- (e) Consider the transportation impacts of the proposed development; and
- (f) Apply sound planning principles.

2. Municipal Planning Commission failed to comprehensively review the impact of the proposed development on the surrounding properties in conjunction with the proposed development of a Special Function Business (outdoor wedding venue) at 3126 Springbank Heights Way (Development Permit PRDP20221306; File 05722007).

3. The proposed development is contrary to the Central Springbank Area Structure Plan.

4. The proposed development will negatively impact the use and enjoyment of my property and the surrounding properties. I am concerned about, among other things, traffic, noise and nuisances generated by the proposed developments, and the impacts on the natural wildlife habitat in the valley and wildlife corridors.

5. The requirements of release conditions number 2 and 3 should have been satisfied prior to the approval of the permit. The referenced memos should have been provided prior to the approval of the permit and should have been evaluated by Municipal Planning Commission. The conditions amount to improper delegation and fettering of discretion.

6. Other grounds as may be submitted prior to and at the hearing.

June 6, 2022

Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Attention: Michelle Mitton

To Whom It May Concern:

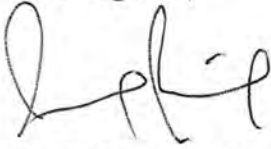
RE: SDAB appeals respecting MPC's decisions to approve development permits:
- PRDP20221305 - Special Function Business at 3084 Springbank Heights Way
- PRDP20221306 - Special Function Business at 3126 Springbank Heights Way

Please be advised that I reside at 3228 Springbank Heights Way.

I have authorized Mr. Rick Grol, as my agent/representative, to file appeals with the Rocky View Subdivision and Development Appeal Board (SDAB) regarding the above mentioned matters. Mr. Grol is authorized to represent me regarding the appeals and make any submissions and inquiries necessary regarding the same.

I agree to immediately notify the SDAB in writing of any changes regarding the above information.

Kind regards,



Dave Pierce, LLD (honorary)

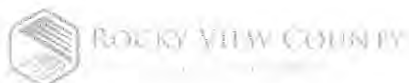
3228 Springbank Heights Way

[Redacted address line]

Website: www.davepiercemusic.com



Cc: Rick Grol [Redacted]



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Melanie Spafford et al			
Mailing Address 3188 Springbank Hts Way		Municipality Calgary	Province AB
Postal Code T3Z 1C7			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address 3084 Springbank Heights Way		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 8 Block Plan 7510146, NE-14-25-03-05	
Property Roll # 05714020		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221305	
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>We are hereby appealing the approval of development permit PRDP20221305 for the proposed Special Function Business at 3084 Springbank Heights Way.</p> <p>See attached letter dated June 6, 2022</p> <p>See list of co-appellants attached</p>			
<div style="border: 2px solid red; border-radius: 15px; padding: 10px; display: inline-block;"> <p>Received by Legislative and Intergovernmental Services June 7, 2022</p> </div>			

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.

M. Spafford
Appellant's Signature

June 6, 2022

Date

June 6, 2022

Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Attention: SDAB Clerk

RE: Appeals against Development Permits

1. Application Number: PRDP20221305 Division 2

File Number: 05714020

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Swaro, Amaresh & Ruchika

Application for: Establishment of a Special Function Business

Legal: Lot 8 Plan 7510146, NE-14-25-03-05 (3084 Springbank Heights Way), located approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north side of Springbank Heights Way.

2. Applicant Number: PRDP20221306 Division 2

File Number: 05722007

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Gupta, Chander and Monica

Application for: Establishment of a Special Function Business

Legal: Lot 9 Plan 7410359, SE-22-25-03-05 (3126 Springbank Heights Way), located approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north side of Springbank Heights Way.

Dear Sir or Madam,

Regarding the above files, please note that, as long-time (44 year) residents of this neighbourhood, we **are appealing** the above mentioned development permits ***PRDP20221305*** and ***PRDP20221306*** for the two Special Function Business (outdoor wedding venue) developments on these country residential lots.

This is an intensive commercial business that should be located on a commercial property or in a Business Park as required in the **Central Springbank Area Structure Plan (ASP) 2.0.3 j & k**.

Reasons for opposing the proposed developments are as follows:

Location: We live at 3188 and 3192 Springbank Heights Way across from the proposed developments. We are directly affected and impacted by the proposed developments.

The proposed developments will negatively affect the use, enjoyment and value of our properties. The developments are a commercial intrusion in a quiet country residential neighbourhood and they are not consistent with the local **ASP**.

Our family has lived in this area for over 44 years. My parents purchased the property because it is a quiet country residential neighbourhood with controls in place to remain that way. Living in this region we generally spend time outside in our yards or walking in the neighbourhood enjoying the peaceful surroundings from May to October. These commercial developments will seriously impact our use and enjoyment of our properties from 15 to 30 weeks each year.

Wildlife and Environmentally Sensitive area: The proposed developments are in a very sensitive area with environmental constraints. **ASP Map 6 Page 12 and 2.3.2.1 page 30**

Water and Septic: All the properties in the Springbank Heights Community are on wells and septic. The intensive use of these properties will have a detrimental effect for us all.

Country Residential Roads: ASP page 14 & 50. The roads leading into the valley are narrow, winding, steep and dangerous. Any increase in traffic especially the large volumes that will be generated by the developments could be catastrophic.

Safety and Security of the neighbourhood: Emergency Services Policy ASP page 34 2.3.3 We are very concerned by the large number of people that will be brought to our neighbourhood on a daily basis in order to service these event centers and also to attend these weekly parties. We have many seniors living in this area who are now worried for their safety and security. Fire, EMS and police response times are high already. Our Dad Lloyd Sandau is suffering from cancer and the added stress of these developments is hugely impactful to his wellbeing.

Bow River Special Planning Area: These properties are located in the Bow River Special Planning Area with a number of restrictions and considerations on what can be done on this land. **ASP page 9 map and 2.3.2.3 page 33**

Please note that the applicant for the proposed developments is the same person/business. We believe this indicates the developments will be operated in combination, despite the different property owners. In all likelihood it will be one company that operates the Special Function Business use on both properties. The applicant and property didn't engage the neighbouring residents about the proposed developments. The County should have assessed the two developments comprehensively. The County's Municipal Planning Commission failed to properly evaluate the impact of the two developments on the surrounding properties and neighborhood. The proposed business developments are an intrusion in an environmentally sensitive area. The proposed developments are of a scale and intensity that is incompatible with the existing country residential developments in the area.

Respectfully submitted,

Melanie, Zach and Miranda Spafford
3188 Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]

Darren, Cathy & Luke Toews
3192 Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]

Lloyd and Carol Sandau
3192A Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]



Decision of the Municipal Planning Commission

This is not a development permit

Mike Collinge (Knotty Boyz Construction Ltd.)
1206 Varsity Estates Road
Calgary, AB T3B 2X2

Development file #: PRDP20221305
Issue Date: May 12, 2022
Roll #: 05714020
Legal description: Lot: 8, Plan: 7510146; NE-14-25-03-W05M
(3084 Springbank Heights Way)

The Municipal Planning Commission conditionally approves the following:

Description:

1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
 - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
 - i. Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.

This is not a development permit

3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighboring properties or not.
 - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighboring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

Permanent:

4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
 - i. That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
6. That no signage or parking is permitted within the County road right-of-way.
7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
9. That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than 7 days before or after a scheduled Special Function event.
12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplift, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring

This is not a development permit

lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists

15. That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That this Development Permit, once issued, shall be valid until **May 24, 2023**.

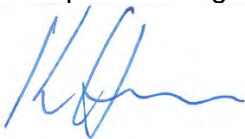
Advisory:

- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
- That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.

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



Kevin Hanson, Chair

This is not a development permit



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY

APPLICATION NO.

PRDP2022/1305

ROLL NO.

05714020

RENEWAL OF

FEES PAID

\$ 585.00

DATE OF RECEIPT

March 24, 2022

APPLICANT/OWNER

Applicant Name: MIKE COLLINGE

Email: mike@knottyboyz.ca

Business/Organization Name (if applicable): KNOTTY BOYZ CONSTRUCTION LTD

Mailing Address: 1206 VARSITY ESTATES RD

Postal Code: T3B2X2

Telephone (Primary): 403 620 1232

Alternative:

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

Business/Organization Name (if applicable):

LEGAL LAND DESCRIPTION - Subject site

All/part of: 1/4 Section: 22 Township: 25 Range: 3 West of: Meridian Division:

All parts of Lot(s)/Unit(s): 8 Block: Plan: 751 0146 Parcel Size (ac/ha): 16.73

Municipal Address: 3084 SPRINGBANK HEIGHTS WAY Land Use District: ROCKY VIEW COUNTY

APPLICATION FOR - List use and scope of work

SPECIAL FUNCTIONS BUSINESS

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

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

MC 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.

MC 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.

MC 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

Landowner Signature

Date

Date



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL	
<p style="text-align: center;">All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)</p> <p style="color: red; text-align: center;">Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing</p>	
<input checked="" type="checkbox"/>	APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
<input type="checkbox"/>	APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw .
<input checked="" type="checkbox"/>	CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and: <input type="radio"/> Digital copy of <u>non-financial</u> instruments/caveats registered on title
<input checked="" type="checkbox"/>	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 <u>or</u> as an affidavit (signed by a Commissioner of Oaths).
<input checked="" type="checkbox"/>	COVER LETTER, shall include: <input type="radio"/> Proposed land use(s) and scope of work on the subject property <input type="radio"/> Detailed rationale for any variances requested <input type="radio"/> 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. <input type="radio"/> Reference to any <i>Supporting Documents</i> , images, studies, plans etc. provided within application package
<input checked="" type="checkbox"/>	SITE PLAN, shall include: <input type="radio"/> Legal description and municipal address <input type="radio"/> North arrow <input type="radio"/> Property dimensions (all sides) <input type="radio"/> Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc. <input type="radio"/> Dimensions of all buildings/structures <input type="radio"/> Location and labels for existing/proposed approach(s)/access to property <input type="radio"/> Identify names of adjacent internal/municipal roads and highways <input type="radio"/> Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings <input type="radio"/> Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc. <input type="radio"/> Identify site slopes greater than 15% and distances from structures <input type="radio"/> Location and labels for easements and/or rights-of-way on title
<input checked="" type="checkbox"/>	FLOOR PLANS/ELEVATIONS, shall include: <input type="radio"/> Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.) <input type="radio"/> Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations <input type="radio"/> Indicate type of building/structure on floor plans and elevations
<input checked="" type="checkbox"/>	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
<input checked="" type="checkbox"/>	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): Special Function Business	Land Use District: R-RUR
Applicable ASP/CS/IDP/MSDP: Central Springbank ASP	
Included within file: <input type="checkbox"/> Information Sheet <input type="checkbox"/> Parcel Summary <input type="checkbox"/> Site Aerial <input type="checkbox"/> Land Use Map Aerial <input type="checkbox"/> Site Plan	
NOTES:	
Staff Signature: <u>Evan Neilson</u>	



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0018 124 800 7510146;;8 181 246 409

LEGAL DESCRIPTION

PLAN 7510146

LOT 8

EXCEPTING THEREOUT ALL MINES AND MINERALS

AND THE RIGHT TO WORK THE SAME

AREA: 6.77 HECTARES (16.73 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 171 273 860

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 246 409	15/11/2018	TRANSFER OF LAND	\$1,400,000	SEE INSTRUMENT

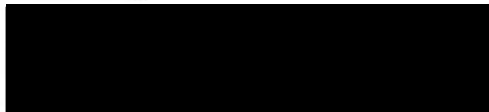
OWNERS

AMARESH SWARO

AND

RUCHIKA SWARO

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
741 046 669	16/05/1974	UTILITY RIGHT OF WAY

741 046 669 16/05/1974 UTILITY RIGHT OF WAY

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

181 246 409

REGISTRATION

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

741 085 504	10/09/1974	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001299357) (DATA UPDATED BY: CHANGE OF NAME 051015292)
751 110 468	06/10/1975	RESTRICTIVE COVENANT
171 273 861	04/12/2017	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 865 HARRINGTON COURT BURLINGTON ONTARIO L7N3P3 ORIGINAL PRINCIPAL AMOUNT: \$1,100,000

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 15 DAY OF MARCH,
2022 AT 02:03 P.M.

ORDER NUMBER: 43925412

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 Road
Rocky View County, AB T4A 0X2

403-236-1401
QUESTIONS@ROCKYVIEW.CA
WWW.ROCKYVIEW.CA

LETTER OF AUTHORIZATION – PLANNING AND DEVELOPMENT SERVICES

I, (We) AMARESH SWARO (print name) Owner 1

_____ (print name) Owner 2

being the owner(s) of: Lot: 9 Block: _____ Plan: 751 01A6

Legal Description:

Quadrant NE ¼ Section 14 Township 25 Range 02 West of W05th Meridian

give _____ (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

Amaresh Swaro
Owner 1 Signature

Owner 2 Signature

Date Signed

SPECIAL EVENTS DESCRIPTION

- Dr. Swaro and her family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- Event area will not exceed the allowable usable space of 400 m², with a 18m set back from property line.
- Parking is calculated @ 50ft x 150ft yielding 7500 sqft of space approx 50 vehicles, this would include service vehicles.



Summary

Roll Number	05714020
Legal Desc	NE-14-25-03-W05M
Divison	02
Lot Block Plan	Lot:8 Plan:7510146
Linc Number	18124800
Title Number	181246409
Parcel Area	16.73000
Municipal Address	3084 SPRINGBANK HEIGHTS WAY
Contact Information	Swaro, Amaresh & Ruchika
Land Use Information	R-RUR

Plan

Planning Applications Information
{There is no related Application}

Area Structure Plan	
Plan Name	RV Number
Central Springbank	2008-RV-187

Conceptual Scheme
{There is no related Conceptual Scheme}

Permit

Building Permit			B-2
Permit Number	Permit Type	Date Issued	Page 36 of 43
PREL20201528	Electrical	Wed Jun 17, 2020	
PRGS20193990	Gas	Tue Nov 05, 2019	
PRGS20193697	Gas	Fri Oct 11, 2019	
PREL20193361	Electrical	Wed Sep 18, 2019	
PRBD20191107	Building	Wed Apr 10, 2019	
PREL20190410	Electrical	Thu Feb 07, 2019	
PREL20184718	Electrical	Thu Nov 22, 2018	
2013-BP-25532	Building	Thu Feb 07, 2013	
2013-GP-13825	Gas	Thu Feb 07, 2013	
FBL20090504_888	Building	Mon May 04, 2009	
1983-BP-9470	Building	Fri Sep 02, 1983	

Development Permit Information		
Permit Number	Date Issued	
PRDP20203760	February 24, 2021	
PRDP20220537		
PRDP20221305		

Alert

Department	Issued By	Date Issued	Date Closed	Status	Reference No.	Description	Severity
		March 27, 2013	March 27, 2013	C		Stamp of Compliance issues March 22, 2013.	1
CE	PennyC	August 22, 2018	September 27, 2018	C	CEWC20180645	Case Number: CEWC20180645 Case Description: Nodding Thistle and Canada Thistle	1

Geospatial Boundary

Boundary	Category
Division	2
Area Structure Plan	Central Springbank
Conceptual Scheme	No Conceptual Scheme
IDP	CALGARY IDP STUDY AREA
Airport Vicinity	No APVA
Engineer	Zaman Eftekhari
Water Coop	No Water Coop
Gas Coop Service	ATCO GAS
No.of Lots Within 600 M	18
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	151

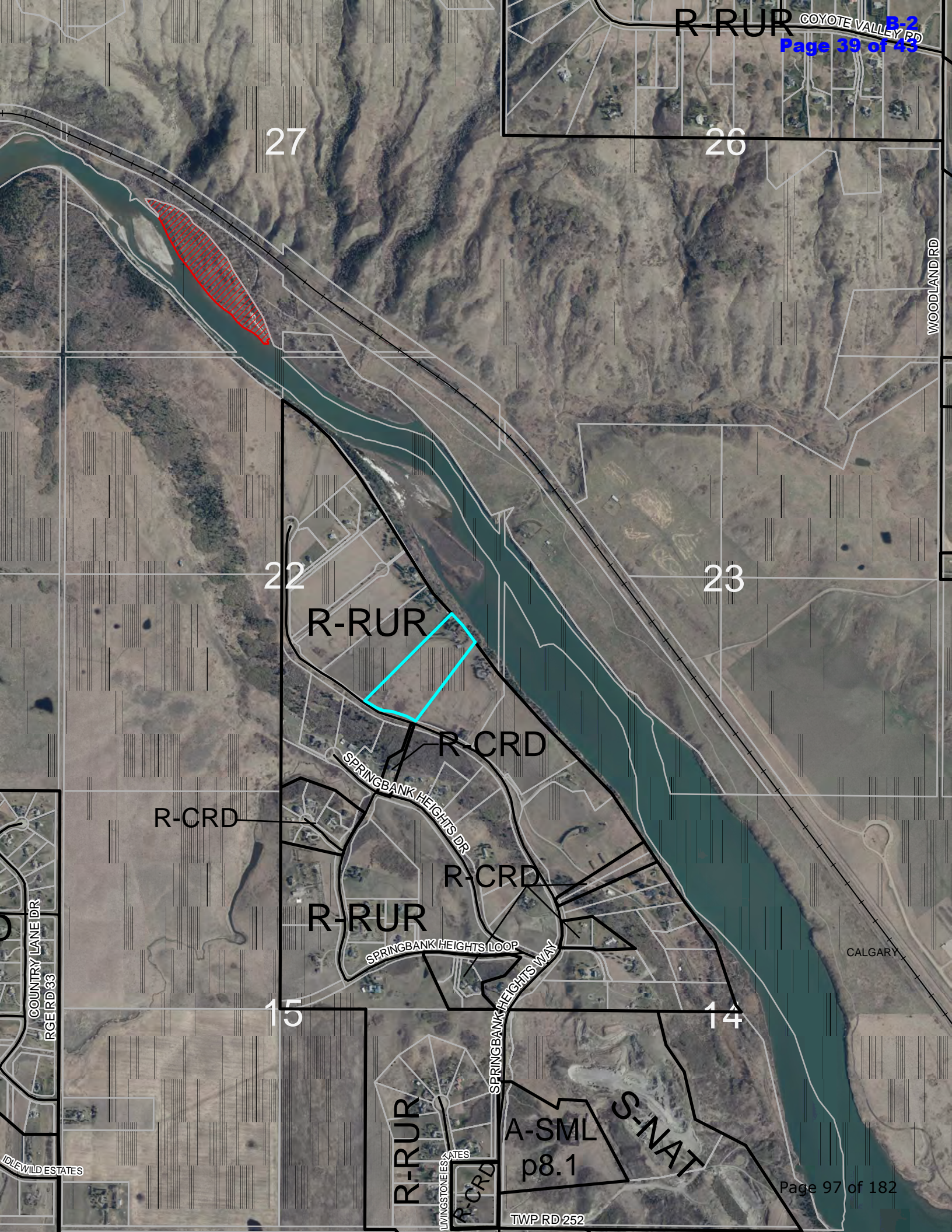
Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	3057.67 M

Page 37 of 43



SPRINGBANK HEIGHTS WAY





GeoTrek Land Survey Ltd.

419 Manitou Road S.E., Calgary, Alberta.
T2G 4C2
www.GeoTrek.ca

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

To: MARGARET ELAINE RICHARDS
Re: LOT 8, PLAN 751 0146
ROCKY VIEW COUNTY, ALBERTA.
Date of Survey: 21-May-12
Date of Search: 10-May-12
C. of T. # 111 009 152

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 046 669	16/05/1974	UTILITY RIGHT OF WAY
741 085 504	10/09/1974	UTILITY RIGHT OF WAY
751 110 468	06/10/1975	RESTRICTIVE COVENANT

Certification: I hereby certify that this report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am of the opinion that:

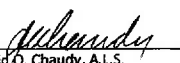
- the plan illustrates the boundaries of the property, the improvements as defined in Part D, Section 7.6 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and rights-of-way affecting the extent of the title to the property;
- the improvements are entirely within the boundaries of the property,
- no visible encroachments exist on the property from any improvements situated on an adjoining property,
- no visible encroachments exist on registered easements or rights-of-way affecting the extent of property,

Purpose: This Report and related plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of (a land conveyance, support of a subdivision application, a mortgage application, a submittal to the municipality for a compliance certificate, etc.). Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report.

The attached plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user.

The information shown on this Real Property Report reflects the status of the property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

Dated at Calgary, Alberta.
This 20th day of July, 2012


David O. Chaudy, A.L.S.
© Copyright 2012 GeoTrek Land Survey Ltd.



This document is not valid unless it bears an original signature in blue ink and a GeoTrek Land Survey Ltd. permit stamp in red ink.



Distances are in meters and decimals thereof.
Measurements are from exterior walls other than noted.
Statutory Iron Posts found shown thus.....
Iron Bars found shown thus.....
Calculated Positions shown thus.....
Fd. No Mk. denotes Found No Mark.

c.s. denotes Counter Sunk
Subject property lines shown thus.
Fence lines shown thus.
Fences are within 0.2 of property lines other than noted.
Perpendicular tie lines to property boundary shown thus.
Eaves dimensioned to line of fascia shown thus.

PLAN SHOWING SURVEY OF

INITIALS: MD-DD
FILE: L-2363 RPR

VERSION: ISSUED
DATE: July 20, 2012

VERSION



PLANNING

TO: Subdivision and Development Appeal Board
DATE: June 30, 2022
FILE: 05722007
SUBJECT: Development Item - Special Function Business / Discretionary use, with no Variances

DIVISION: 2
APPLICATION: PRDP20221306

APPLICATION: Special Function Business, for an outdoor wedding venue.

GENERAL LOCATION: Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

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

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on May 11, 2022, and was conditionally approved.

The Application is for the operation of a Special Function Business for an outdoor wedding venue on the subject parcel. A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

On June 2, 2022, an appeal was filed by William and May Grieg; on June 3, 2022, an appeal was filed by JC Anderson; and on June 6, 2022 appeals were filed by Dave Pierce (represented by Rick Grol) and Melanie Spafford et al. All appealed the decision of the Municipal Planning Commission for several reasons, which are noted in the agenda package.

DECISION: Conditionally approved

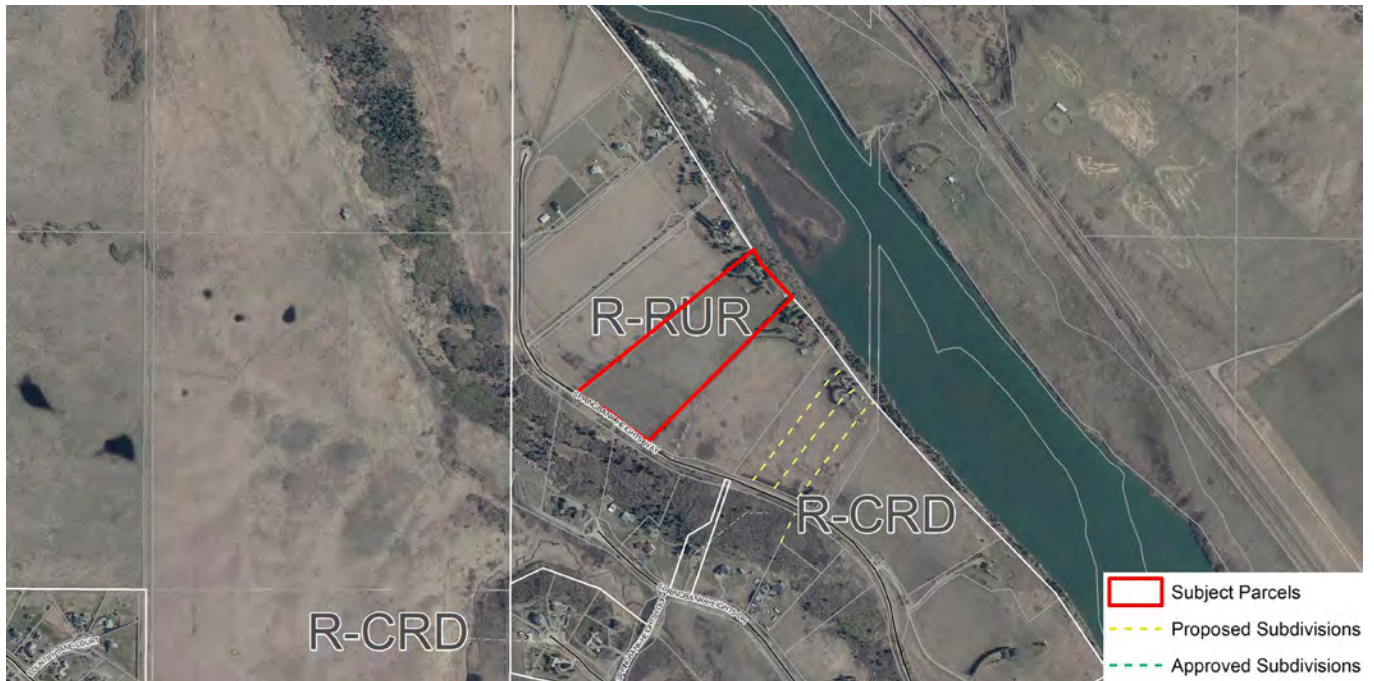
DECISION DATE:
May 11, 2022

APPEAL DATE:
June 2, 3 and 6, 2022

ADVERTISED DATE:
May 17, 2022

Administration Resources

Wayne Van Dijk, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:**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/Rocky View County 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"> • Special Function Business 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Special Function Business is listed as a discretionary use in the Residential, Rural District, as per Land Use Bylaw, C-8000-2020.

An identical application, PRDP20221305, was applied for and approved on May 11, 2022, by Municipal Planning Commission, by the adjacent landowner.

APPEAL:

See attached report and exhibits.



Respectfully submitted,

“Justin Rebello”

Supervisor
Planning and Development Services

WV/lt



PLANNING

TO:	Municipal Planning Commission Development Authority	DIVISION: 2
DATE:	May 11, 2022	APPLICATION: PRDP20221306
FILE:	05722007	
SUBJECT:	Special Function Business / Discretionary use, with no Variances	

APPLICATION: Special Function Business, for an outdoor wedding venue

GENERAL LOCATION: Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

LAND USE DESIGNATION: Residential, Rural District (R-RUR)

EXECUTIVE SUMMARY: The Applicant/Owner is proposing to operate a Special Function Business, for an outdoor wedding venue, on the subject parcel.

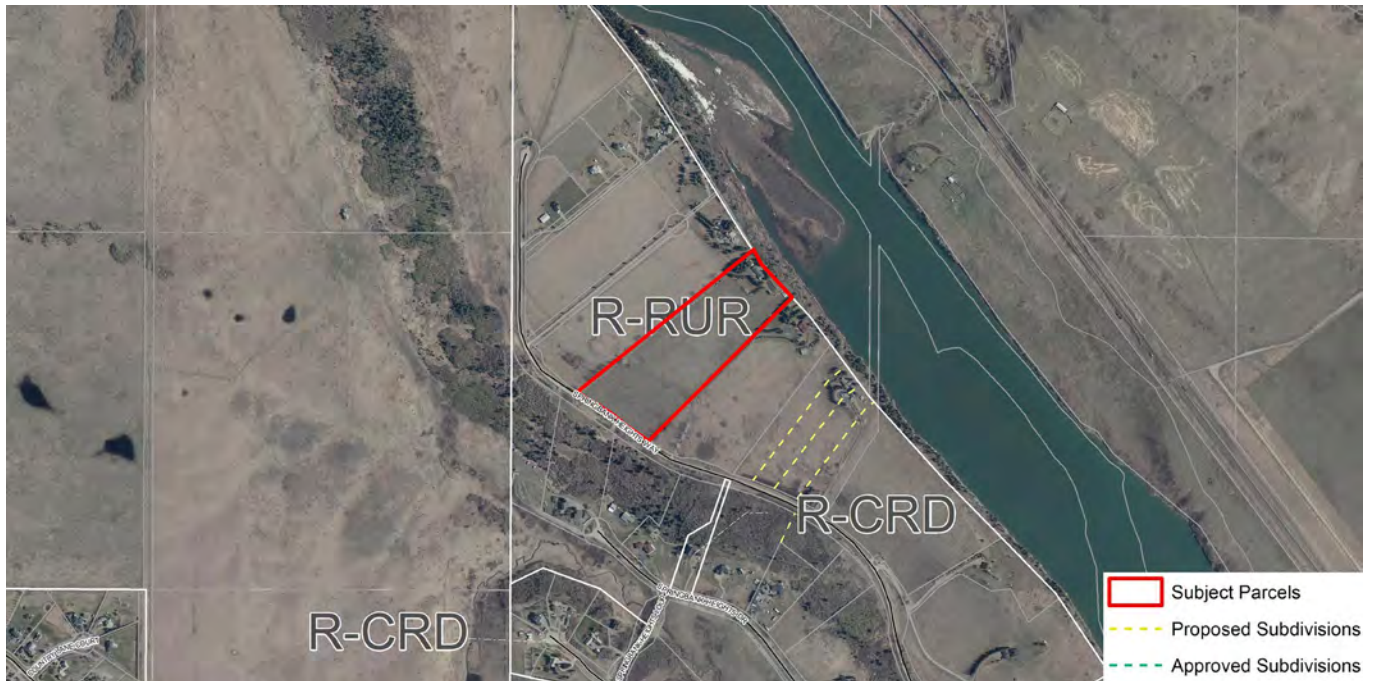
A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

The application is in accordance with Land Use Bylaw, C-8000-2020, and Administration recommends approval.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20221306 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20221306 be refused 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:**APPLICATION EVALUATION:**

The application was evaluated based on the submitted 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 / Rocky View County Intermunicipal Development Plan; • Land Use Bylaw C-8000-2020; and • Central Springbank Area Structure Plan. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None submitted
DISCRETIONARY USE: <ul style="list-style-type: none"> • Special Function Business 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Special Function Business is considered discretionary in the Residential, Rural Land Use District, as per Section 318 of the Land Use Bylaw.

An identical application, PRDP20221305, has been applied for by the adjacent landowner.

**CONCLUSION:**

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

Respectfully submitted,

“Dominic Kazmierczak”

Manager
Planning

WVD/llt

Concurrence,

“Brock Beach”

Acting Executive Director
Community Development Services

ATTACHMENTS

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Application Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
 - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
 - i. Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighbouring properties or not.
 - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighbouring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

Permanent:

4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
 - i. That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
6. That no signage or parking is permitted within the County road right-of-way.
7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
9. That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than 7 days before or after a scheduled Special Function event.



12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists
15. That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That this Development Permit, once issued, shall be valid until **May 24, 2023**.

Advisory:

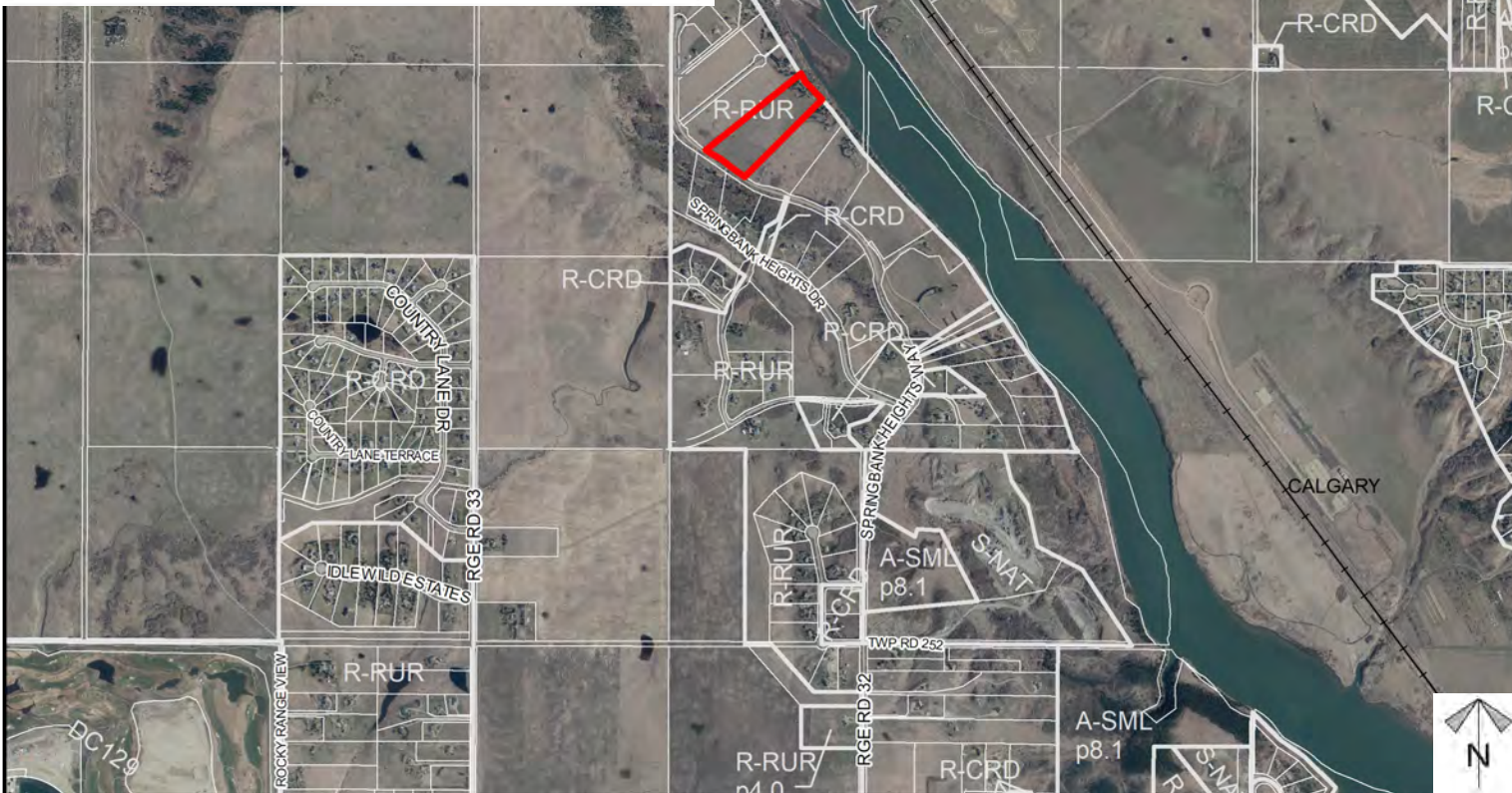
- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.



ATTACHMENT 'B': APPLICATION INFORMATION

APPLICANT: Mike Collinge (Knotty Boyz Construction Ltd.)	OWNER: Chander & Monica Gupta
DATE APPLICATION RECEIVED: March 24, 2022	DATE DEEMED COMPLETE: March 31, 2022
GROSS AREA: ± 6.77 hectares (± 16.73 acres)	LEGAL DESCRIPTION: Lot: 9, Plan: 7410359; SE-22-25-03-W05M (3126 Springbank Heights Way)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: No previous development permit history	
PUBLIC & AGENCY SUBMISSIONS: 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.	

Development Proposal

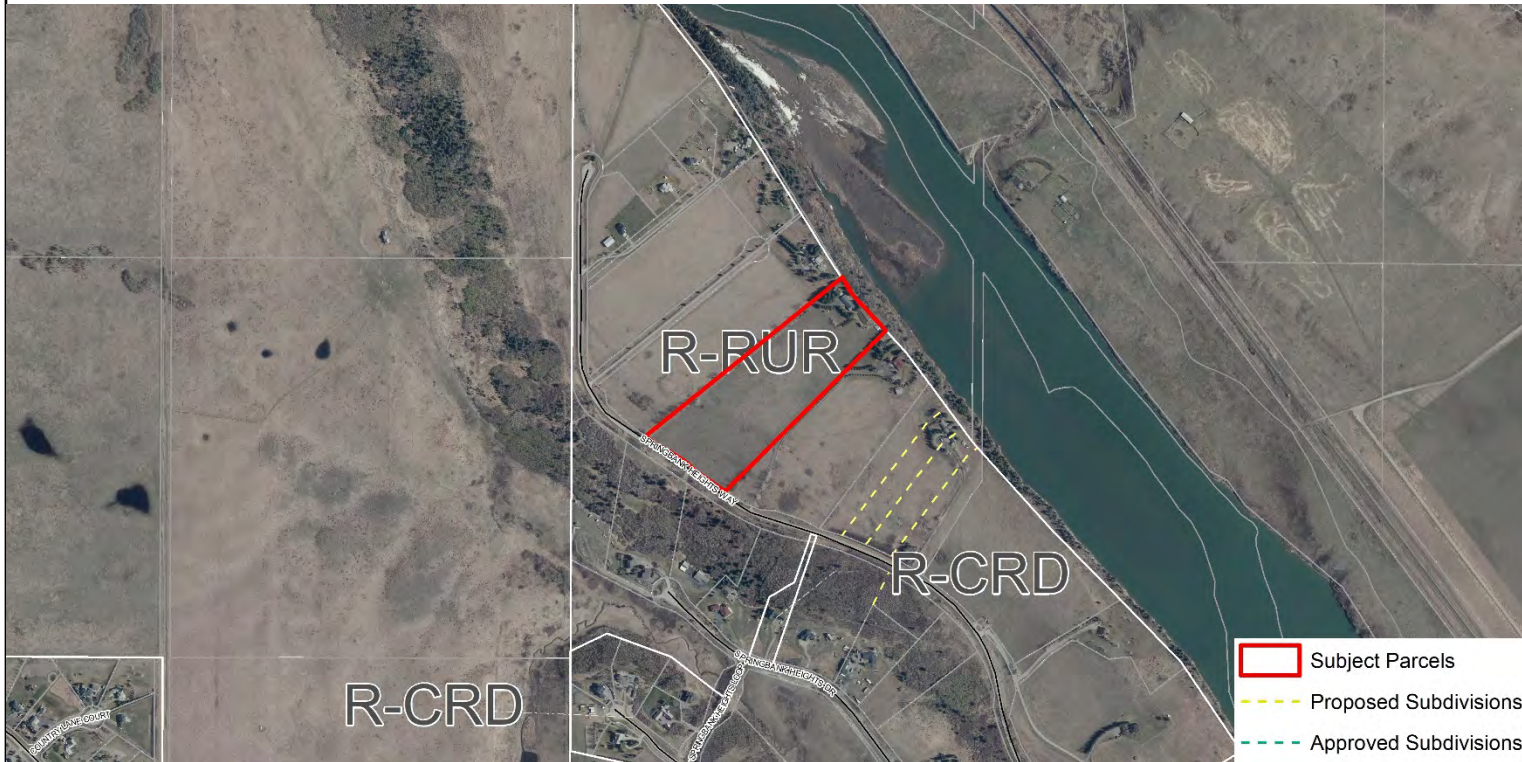


Division: 2
Roll: 05722007
File: PRDP20221306
Printed: March 31, 2022
Legal: Lot:9 Plan:7410359
Page 11 of 182

Aerial Imagery

Development Proposal

Special Function Business



Aerial Imagery

Development Proposal

Special Function Business



Division: 2
Roll: 05722007
File: PRDP20221306
Printed: March 31, 2022
Legal: Lot:9 Plan:7410359
Page 12 of 42

SPECIAL EVENTS DESCRIPTION

Cover Letter

Development Proposal

Special Function Business

- Dr. Swaro and her family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- Event area will not exceed the allowable usable space of 400 m². with a 18m set back from property line.
- Parking is calculated @ 50ft x 150ft yielding 7500 sqft of space approx 50 vehicles. this would include service vehicles.

Site Photo

Development Proposal

Special Function Business





Decision of the Municipal Planning Commission

This is not a development permit

Mike Collinge (Knotty Boyz Construction Ltd.)
1206 Varsity Estates Road
Calgary, AB T3B 2X2

Development file #: PRDP20221306
Issue Date: May 12, 2022
Roll #: 05722007
Legal description: Lot: 9, Plan: 7410359; SE-22-25-03-W05M
(3126 Springbank Heights Way)

The Municipal Planning Commission conditionally approves the following:

Description:

1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
 - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
 - i. Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.

This is not a development permit

3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighboring properties or not.
 - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighboring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

Permanent:

4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
 - i. That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
6. That no signage or parking is permitted within the County road right-of-way.
7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
9. That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than seven days before or after a scheduled Special Function event.
12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.

This is not a development permit

14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplift, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists
15. That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That this Development Permit, once issued, shall be valid until **May 24, 2023**.

Advisory:

- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.

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



Kevin Hanson, Chair

This is not a development permit



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Willam and May Greig			
Mailing Address 3150 Springbank Hts Way		Municipality Calgary	Province AB
		Postal Code T3Z 1C7	
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	

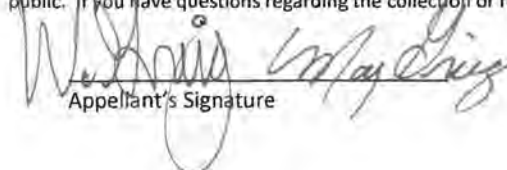
Site Information	
Municipal Address 3126 Springbank Hts Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 9, Block Plan 7410359
Property Roll # 05722007	Development Permit, Subdivision Application, or Enforcement Order # Development Permit PRDP20221306

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 document: "Appeal against Development Permit PRDP20221306 – Special Function Business at 3126 Springbank Heights Way"
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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.


 Appellant's Signature

June 2/22
 Date

Reasons for Appeal from William and May Greig

Appeal against Development Permit PRDP20221306 - Special Function Business at 3126 Springbank Heights Way.

Dear Board Members,

We live at 3150 Springbank Hts. Way. We are the adjacent neighbours to the immediate west of the proposed development and are directly impacted by the proposed business that has been approved.

We are appealing the approval of development permit PRDP20221306 - Special Function Business at 3126 Springbank Heights for the following reasons:

- (a) The County failed to consider the impact of these Special Function Businesses on our property and other acreages in the area. According to the "Tent Calculator" a 4300 sq. ft. tent can accommodate 350 people, with bar, dance floor & band stage. Combined with the approval of the permit PRDP20221305 for Special Function Business at 3084 Springbank Heights Way both properties could host weddings for 700 people and combined there could be 30 wedding events over the summer months. Tents will never be taken down as they are allowed to be put up 1 week before an event, till 1 week after an event. There is no limit on the number of patrons permitted on the site.
- (b) Noise from the wedding events will be a major factor. Our home is approximately 100 ft. from the property line. We question who will monitor the noise on the weekends. Enforcement of the rules will be a major issue. By-law officers likely will not monitor the events during late night hours and weekends.
- (c) We pasture 3 horse during the summer months on our property. The access road to PRDP20221306 runs right along our property line. The events will result in stress for us and our horses.
- (d) We are concerned about trespassing of patrons on our properties. Our security and safety will be a huge issue with the number of people that will be servicing and attending these events all summer long. There is no fence dividing the properties.
- (e) We are also concerned about the traffic that will be generated by the businesses, which is not characteristic for a quiet country residential area like ours.
- (f) The potential of Grass Fires significantly increases with the number of people, especially when people are partying, drinking and smoking. The permits do not require an Emergency Plan for calamities.
- (g) We are concerned about the impact of the businesses on our drinking water and wells due to the numbers of people attending the events.

(h) The owners of the property do not live on the property. They are not affected by the negative impacts of the proposed Special Function Businesses, but actually are to the detriment of the adjacent neighbours. The location is inappropriate for these businesses. This is a quiet country residential area, not a commercial area where the businesses should belong.

We believe the proposed developments negatively impact the use, enjoyment and value of our property and the surrounding properties. We kindly ask you to overturn the approvals of the development permit.

Kind regards,

William and May Greig



ROCKY VIEW COUNTY
Cultivating Communities

Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) JC Anderson			
Mailing Address 2270 Springbank Heights Way		Municipality Calgary	Province AB
Postal Code T3Z 1C7			
Main Phone # [REDACTED]	Alternate Phone #	Email Address	
Site Information			
Municipal Address 3084 Springbank Heights Way		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 8 Block Plan 7510146, NE-14-25-03-05	
Property Roll # 05714020		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221305	
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>I am appealing because this business brings large number of people from outside the district into residential communities.</p> <p>I am appealing due to the danger of grass fires set by said people.</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.

Appellant's Signature

June 3, 2022

Date

Received by Legislative and
Intergovernmental Services
June 2, 2022



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Dave Pierce, represented by Rick Grol			
Mailing Address 3228 Springbank Way Heights	Municipality Rocky View County	Province AB	Postal Code T3Z 1C6
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address 3126 Springbank Heights Way		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 9 Plan 7410359	
Property Roll #		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221306; File 05722007	
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 Schedule A. <div style="border: 2px solid red; border-radius: 15px; padding: 10px; text-align: center; margin: 20px auto; width: 60%;"> Received by Legislative and Intergovernmental Services June 7, 2022 </div>			

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

June 6, 2022
Date

Schedule A

Appeal PRDP20221306; File 05722007

I am the property owner of 3228 Springbank Heights Way. I am appealing Municipal Planning Commission's decision to approve the proposed Special Function Business for an outdoor wedding venue at 3126 Springbank Heights Way (Development Permit PRDP20221306; File 05722007) for the following reasons:

1. Municipal Planning Commission, acting as the Development Authority, failed to properly, among other things:

- (a) Evaluate the development permit application;
- (b) Take into account the applicable plans and policies affecting the parcel;
- (c) Review the compatibility and impact of the proposed development on the adjacent developments and the appropriateness of the development on the parcel;
- (d) Review the merits, or lack thereof, of the development permit application;
- (e) Consider the transportation impacts of the proposed development; and
- (f) Apply sound planning principles.

2. Municipal Planning Commission failed to comprehensively review the impact of the proposed development on the surrounding properties in conjunction with the proposed development of a Special Function Business (outdoor wedding venue) at 3084 Springbank Heights Way (Development Permit PRDP20221305; File 05714020).

3. The proposed development is contrary to the Central Springbank Area Structure Plan.

4. The proposed development will negatively impact the use and enjoyment of my property and the surrounding properties. I am concerned about, among other things, traffic, noise and nuisances generated by the proposed developments, and the impacts on the natural wildlife habitat in the valley and wildlife corridors.

5. The requirements of prior to release conditions number 2 and 3 should have been satisfied prior to the approval of the permit. The referenced memos should have been provided prior to the approval of the permit and should have been evaluated by Municipal Planning Commission. The conditions amount to improper delegation and fettering of discretion.

6. Other grounds as may be submitted prior to and at the hearing.

June 6, 2022

Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Attention: Michelle Mitton

To Whom It May Concern:

RE: SDAB appeals respecting MPC's decisions to approve development permits:
- PRDP20221305 - Special Function Business at 3084 Springbank Heights Way
- PRDP20221306 - Special Function Business at 3126 Springbank Heights Way

Please be advised that I reside at 3228 Springbank Heights Way.

I have authorized Mr. Rick Grol, as my agent/representative, to file appeals with the Rocky View Subdivision and Development Appeal Board (SDAB) regarding the above mentioned matters. Mr. Grol is authorized to represent me regarding the appeals and make any submissions and inquiries necessary regarding the same.

I agree to immediately notify the SDAB in writing of any changes regarding the above information.

Kind regards,



Dave Pierce, LLD (honorary)

3228 Springbank Heights Way




Website: www.davepiercemusic.com



Cc: Rick Grol 

Appellant Information			
Name of Appellant(s) Melanie Spafford et al			
Mailing Address 3188 Springbank Hts Way		Municipality Calgary	Province AB
		Postal Code T3Z 1C7	
Alternate Phone #		Email Address	
Site Information			
Municipal Address 3126 Springbank Heights Way		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 9 Block Plan 7410359, SE-22-25-03-05	
Property Roll # 05722007		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221306	
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>We are hereby appealing the approval of development permit PRDP20221306 for the proposed Special Function Business at 3126 Springbank Heights Way.</p> <p>See attached letter dated June 6, 2022</p> <p>See list of co-appellants attached</p> <div style="text-align: center; margin-top: 100px;"> <div style="border: 2px solid red; border-radius: 15px; padding: 10px; display: inline-block;"> <p style="color: red; margin: 0;">Received by Legislative and Intergovernmental Services June 7, 2022</p> </div> </div>			

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

June 6, 2022
 Date

June 6, 2022

Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Attention: SDAB Clerk

RE: Appeals against Development Permits

1. Application Number: PRDP20221305 Division 2

File Number: 05714020

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Swaro, Amaresh & Ruchika

Application for: Establishment of a Special Function Business

Legal: Lot 8 Plan 7510146, NE-14-25-03-05 (3084 Springbank Heights Way),

located approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north side of Springbank Heights Way.

2. Applicant Number: PRDP20221306 Division 2

File Number: 05722007

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Gupta, Chander and Monica

Application for: Establishment of a Special Function Business

Legal: Lot 9 Plan 7410359, SE-22-25-03-05 (3126 Springbank Heights Way), located

approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north side of Springbank Heights Way.

Dear Sir or Madam,

Regarding the above files, please note that, as long-time (44 year) residents of this neighbourhood, we **are appealing** the above mentioned development permits ***PRDP20221305*** and ***PRDP20221306*** for the two Special Function Business (outdoor wedding venue) developments on these country residential lots.

This is an intensive commercial business that should be located on a commercial property or in a Business Park as required in the **Central Springbank Area Structure Plan (ASP) 2.0.3 j & k**.

Reasons for opposing the proposed developments are as follows:

Location: We live at 3188 and 3192 Springbank Heights Way across from the proposed developments. We are directly affected and impacted by the proposed developments.

The proposed developments will negatively affect the use, enjoyment and value of our properties. The developments are a commercial intrusion in a quiet country residential neighbourhood and they are not consistent with the local **ASP**.

Our family has lived in this area for over 44 years. My parents purchased the property because it is a quiet country residential neighbourhood with controls in place to remain that way. Living in this region we generally spend time outside in our yards or walking in the neighbourhood enjoying the peaceful surroundings from May to October. These commercial developments will seriously impact our use and enjoyment of our properties from 15 to 30 weeks each year.

Wildlife and Environmentally Sensitive area: The proposed developments are in a very sensitive area with environmental constraints. **ASP Map 6 Page 12 and 2.3.2.1 page 30**

Water and Septic: All the properties in the Springbank Heights Community are on wells and septic. The intensive use of these properties will have a detrimental effect for us all.

Country Residential Roads: ASP page 14 & 50. The roads leading into the valley are narrow, winding, steep and dangerous. Any increase in traffic especially the large volumes that will be generated by the developments could be catastrophic.

Safety and Security of the neighbourhood: Emergency Services Policy ASP page 34 2.3.3 We are very concerned by the large number of people that will be brought to our neighbourhood on a daily basis in order to service these event centers and also to attend these weekly parties. We have many seniors living in this area who are now worried for their safety and security. Fire, EMS and police response times are high already. Our Dad Lloyd Sandau is suffering from cancer and the added stress of these developments is hugely impactful to his wellbeing.

Bow River Special Planning Area: These properties are located in the Bow River Special Planning Area with a number of restrictions and considerations on what can be done on this land. **ASP page 9 map and 2.3.2.3 page 33**

Please note that the applicant for the proposed developments is the same person/business. We believe this indicates the developments will be operated in combination, despite the different property owners. In all likelihood it will be one company that operates the Special Function Business use on both properties. The applicant and property didn't engage the neighbouring residents about the proposed developments. The County should have assessed the two developments comprehensively. The County's Municipal Planning Commission failed to properly evaluate the impact of the two developments on the surrounding properties and neighborhood. The proposed business developments are an intrusion in an environmentally sensitive area. The proposed developments are of a scale and intensity that is incompatible with the existing country residential developments in the area.

Respectfully submitted,

Melanie, Zach and Miranda Spafford
3188 Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]

Darren, Cathy & Luke Toews
3192 Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]

Lloyd and Carol Sandau
3192A Springbank Heights Way
Calgary AB T3Z 1C7
[REDACTED]



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20221306
ROLL NO.	0572207
RENEWAL OF	
FEES PAID	\$585.00
DATE OF RECEIPT	March 24, 2022

APPLICANT/OWNER	
Applicant Name: MIKE COLLINGE	Email: mike@knottyboyz.ca
Business/Organization Name (if applicable): KNOTTY BOYZ CONSTRUCTION LTD	
Mailing Address: 1206 VARSITY ESTATES RD	Postal Code: T3B-4T6
Telephone (Primary): 403 6201232	Alternative:
Landowner Name(s) per title (if not the Applicant): CHANDER / MONICA GUPTA	
Business/Organization Name (if applicable):	

LEGAL LAND DESCRIPTION - Subject site					
All/part of: SE ¼	Section: 22	Township: 25	Range: 3	West of:	Meridian Division:
All parts of Lot(s)/Unit(s): 9	Block:	Plan: 741 0359	Parcel Size (ac/ha): 19.14		
Municipal Address: 3126 SPRINGBANK HIGTS WAY			Land Use District: ROCKY VIEW COUNTRY		

APPLICATION FOR - List use and scope of work
SPECIAL FUNCTIONS BUSINESS

Variance Rationale included: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	DP Checklist Included: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	--

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

AUTHORIZATION

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

MC That I am the registered owner OR X That I am authorized to act on the owner's behalf.

MC X 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.

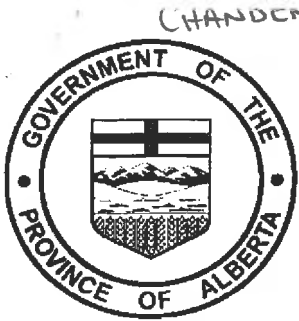
MC That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and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

MC **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 <u>[Signature]</u>	Landowner Signature _____
Date <u>03/18/22</u>	Date _____



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL	
<p style="text-align: center;">All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)</p> <p style="color: red; text-align: center;">Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing</p>	
<input checked="" type="checkbox"/>	APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
<input type="checkbox"/>	APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw .
<input checked="" type="checkbox"/>	CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and: <input type="radio"/> Digital copy of <u>non-financial</u> instruments/caveats registered on title
<input checked="" type="checkbox"/>	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 <u>or</u> as an affidavit (signed by a Commissioner of Oaths).
<input type="checkbox"/>	COVER LETTER, shall include: <input type="radio"/> Proposed land use(s) and scope of work on the subject property <input type="radio"/> Detailed rationale for any variances requested <input type="radio"/> 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. <input type="radio"/> Reference to any <i>Supporting Documents</i> , images, studies, plans etc. provided within application package
<input checked="" type="checkbox"/>	SITE PLAN, shall include: <input type="radio"/> Legal description and municipal address <input type="radio"/> North arrow <input type="radio"/> Property dimensions (all sides) <input type="radio"/> Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc. <input type="radio"/> Dimensions of all buildings/structures <input type="radio"/> Location and labels for existing/proposed approach(s)/access to property <input type="radio"/> Identify names of adjacent internal/municipal roads and highways <input type="radio"/> Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings <input type="radio"/> Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc. <input type="radio"/> Identify site slopes greater than 15% and distances from structures <input type="radio"/> Location and labels for easements and/or rights-of-way on title
<input checked="" type="checkbox"/>	FLOOR PLANS/ELEVATIONS, shall include: <input type="radio"/> Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.) <input type="radio"/> Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations <input type="radio"/> Indicate type of building/structure on floor plans and elevations
<input checked="" type="checkbox"/>	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
<input checked="" type="checkbox"/>	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): Special Function Business	Land Use District: R-RUR
Applicable ASP/CS/IDP/MSDP: Central Springbank	
Included within file: <input type="checkbox"/> Information Sheet <input type="checkbox"/> Parcel Summary <input type="checkbox"/> Site Aerial <input type="checkbox"/> Land Use Map Aerial <input type="checkbox"/> Site Plan	
NOTES:	
Staff Signature: <u>Evan Neilson</u>	



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0018 187 195 7410359;;9 761 085 376

LEGAL DESCRIPTION

PLAN 7410359

LOT 9

EXCEPTING THEREOUT ALL MINES AND MINERALS

AND THE RIGHT TO WORK THE SAME

AREA: 7.75 HECTARES (19.14 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;25;14

ATS REFERENCE: 5;3;25;15

ATS REFERENCE: 5;3;25;22

ATS REFERENCE: 5;3;25;23

MUNICIPALITY: ROCKY VIEW COUNTY

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
761 085 376	06/07/1976		\$48,500	

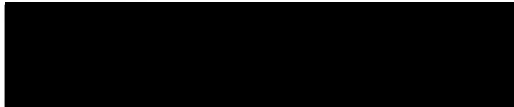
OWNERS

EMIL JORGENSEN (CONTRACTOR)

AND

MARY BRINK JORGENSEN

BOTH OF:



AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 021163883)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
741 046 669	16/05/1974	UTILITY RIGHT OF WAY

741 046 669 16/05/1974 UTILITY RIGHT OF WAY

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

761 085 376

REGISTRATION

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

LIMITED.

AS TO PORTION OR PLAN:7510263

"20 FT STRIP"

741 050 610 28/05/1974 RESTRICTIVE COVENANT

741 085 504 10/09/1974 UTILITY RIGHT OF WAY

GRANTEE - FORTISALBERTA INC.

320 - 17 AVENUE S.W.

CALGARY

ALBERTA T2S2Y1

AS TO PORTION OR PLAN:7510263

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 001299357)

(DATA UPDATED BY: CHANGE OF NAME 051015292)

TOTAL INSTRUMENTS: 003

PENDING REGISTRATION QUEUE

DRR NUMBER	RECEIVED DATE (D/M/Y)	CORPORATE LLP TRADENAME	LAND ID
D000GB4	18/01/2022	ANAND SARA 4032627363 CUSTOMER FILE NUMBER: 2121154	
001		TRANSFER OF LAND	0018 187 195
002		MORTGAGE	0018 187 195

TOTAL PENDING REGISTRATIONS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 15 DAY OF MARCH,
2022 AT 02:03 P.M.

ORDER NUMBER: 43925412

CUSTOMER FILE NUMBER:



END OF CERTIFICATE



LETTER OF AUTHORIZATION – PLANNING AND DEVELOPMENT SERVICES

I, (We) Chander Gupta (print name) Owner 1
Monika Chhabra Gupta (print name) Owner 2

being the owner(s) of: Lot: 9 Block: _____ Plan: 7410359

Legal Description:

Quadrant _____ ¼ Section 22 Township 25 Range 3 West of 5th Meridian

give Mike Collinge (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

Chander Gupta

Owner 1 Signature

Monika Gupta

Owner 2 Signature

15-Mar-2022

Date Signed

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) .

IF MORE INFORMATION IS REQUIRED ON A PENDING REGISTRATION WHERE THE CONTACT INFORMATION DISPLAYS N/A PLEASE EMAIL LTO@GOV.AB.CA.

SPECIAL EVENTS DESCRIPTION

- Dr. Gupta and his family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- Parking area will be 20m (min) from property line and occupy approx 7500 sqft of space
- Event (tent) area will be a maximum of 400m² and be a min of 25m (setback) from property line



Summary

Roll Number	05722007
Legal Desc	SE-22-25-03-W05M
Divison	02
Lot Block Plan	Lot:9 Plan:7410359
Linc Number	18187195
Title Number	761085376
Parcel Area	19.14000
Municipal Address	3126 SPRINGBANK HEIGHTS WAY
Contact Information	Jorgensen, Emill & Mary Calgary AB T3B 5V5
Land Use Information	R-RUR

Plan

Planning Applications Information
{There is no related Application}

Area Structure Plan	
Plan Name	RV Number
Central Springbank	2008-RV-187

Conceptual Scheme
{There is no related Conceptual Scheme}

Permit

Building Permit
{There is no related Building Permit}

Development Permit Information	
Permit Number	Date Issued
PRDP20221306	

Alert

Department	Issued By	Date Issued	Date Closed	Status	Reference No.	Description	Page 137 of 182	Severity
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Geospatial Boundary

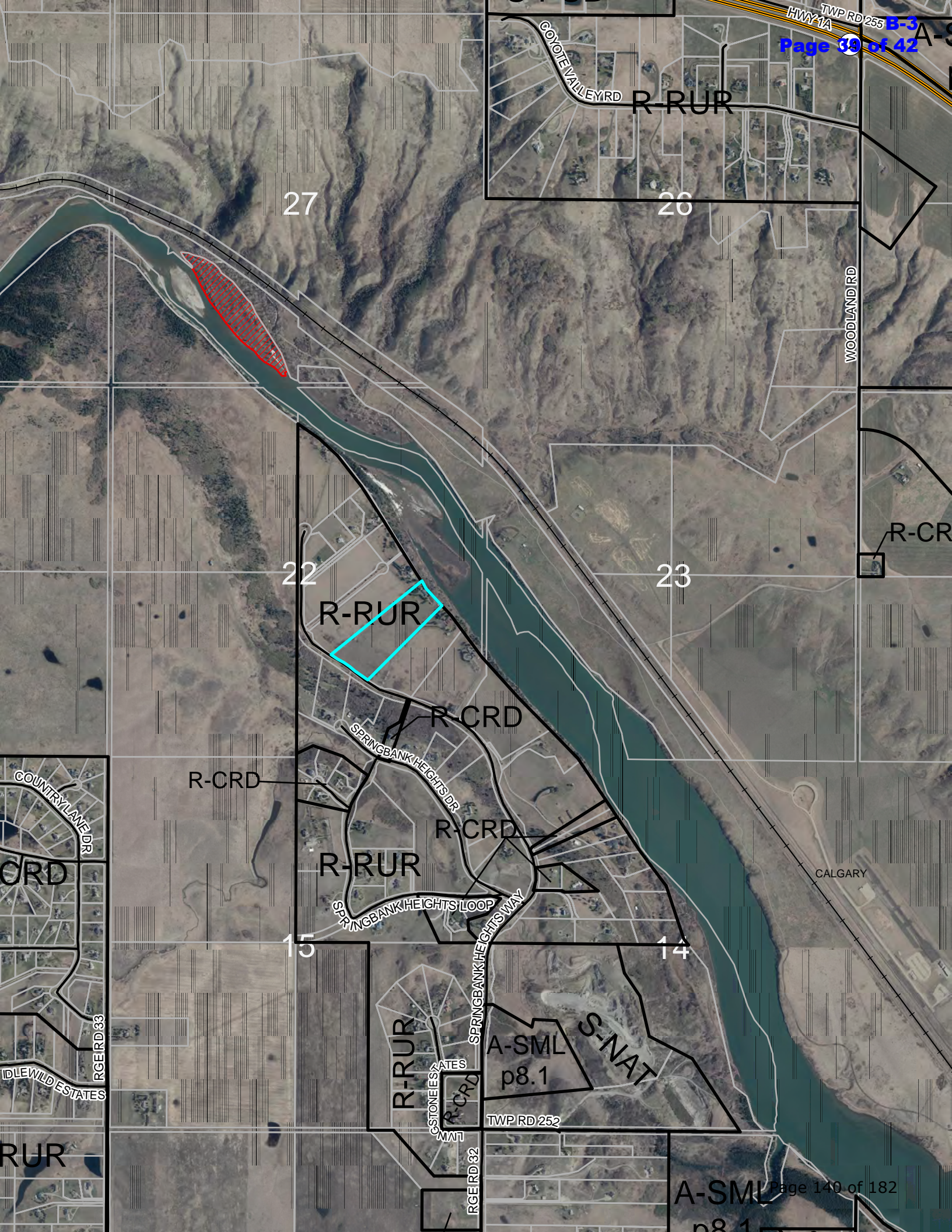
Boundary	Category
Division	2
Area Structure Plan	Central Springbank
Conceptual Scheme	No Conceptual Scheme
IDP	CALGARY IDP STUDY AREA
Airport Vicinity	No APVA
Engineer	Zaman Eftekhari
Water Coop	No Water Coop
Gas Coop Service	ATCO GAS
No.of Lots Within 600 M	19
No.of App Subdiv Within 600 M	0
Developed 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	151

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	3231.84 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:14993.42 M
Closest Road Name	SPRINGBANK HEIGHTS WY(Surface Type:Paved)	3.81 M
Closest Railway	CPR	577.82 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	3351.08 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	1119.91 M
Closest Confined Feeding Operation		8126 M



SPRINGBANK HEIGHTS WAY







BASEMENT PLAN



MAIN FLOOR PLAN

B BOYZ

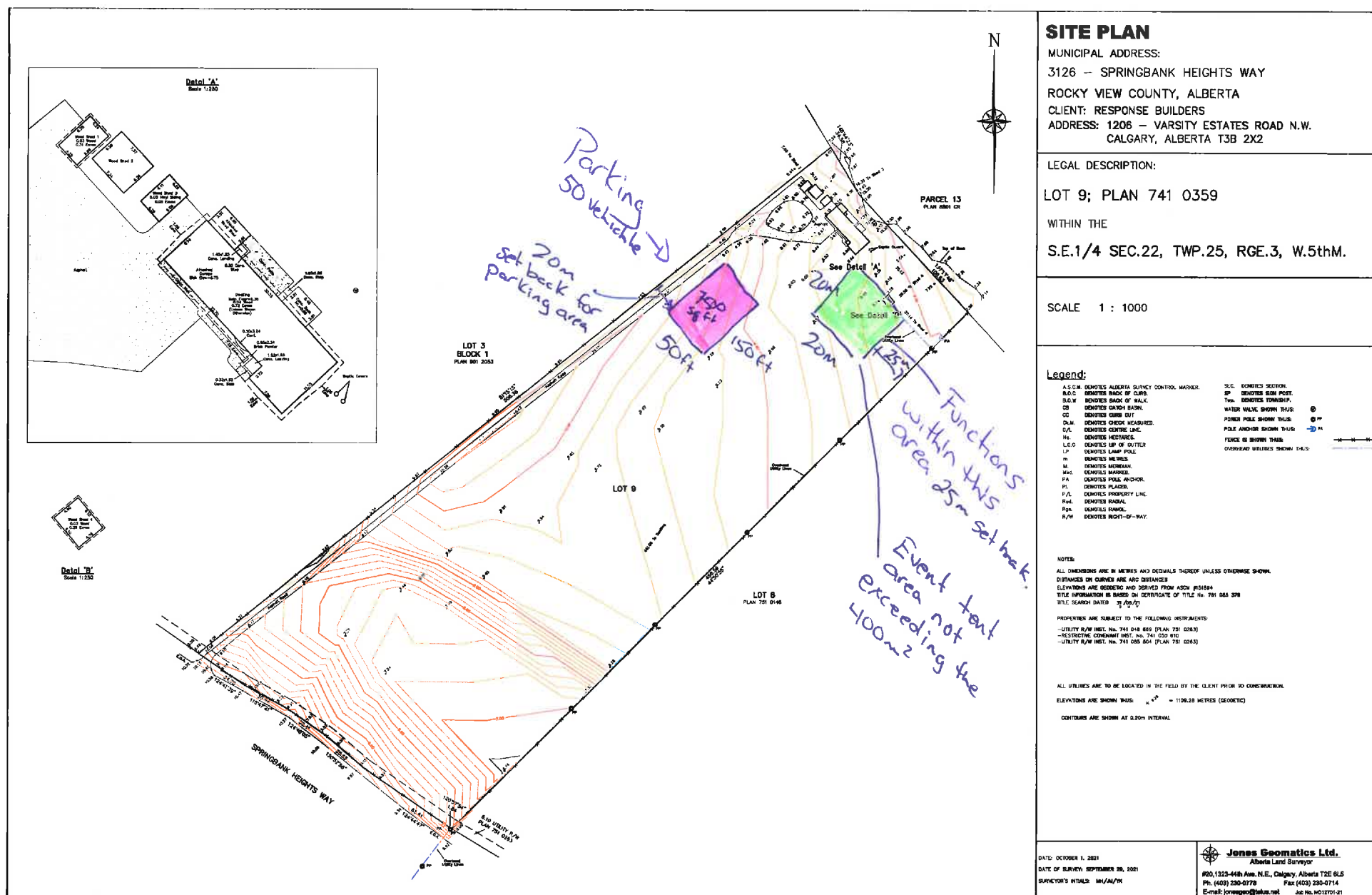
DRAWN BY: MK

DATE: FEB 28, 2022

REVISION: 0



Calgary/Prairies 403.238.3555



PLANNING

TO: Subdivision and Development Appeal Board
DATE: June 30, 2022 **DIVISION:** 5
FILE: 07535001 **APPLICATION:** PRDP20221928
SUBJECT: Development Item - Recreation (Private) / Discretionary use, with no Variances

APPLICATION: Recreation (Private) (existing Golf Course & Clubhouse), change of use to a portion of the building to include an arcade.

GENERAL LOCATION: Located approximately 0.81 kilometres (0.5 miles) east of Range Road 12 and on the north side of Township Road 225.

LAND USE DESIGNATION: Business, Recreation District (B-REC) under Land Use Bylaw C-8000-2020 (LUB).

EXECUTIVE SUMMARY: The application was reviewed by Administration, and conditionally approved. The Notice of Decision was sent out on May 17, 2022.

The Applicant/Owner is proposing to operate Recreation (private)(arcade within the existing building) on the subject parcel.

The Applicant/Owner is proposing to operate an arcade within the existing golf course clubhouse. There is currently a hall that is approximately 376.16 sq. m (4049 sq. ft.) that will be cordoned off, with movable walls, to create four gaming areas, each approximately 214.88 sq. m (2313 sq. ft.), 39.76 sq. m (428 sq. ft.), 32.61 sq. m (351 sq. ft.) and 24.71 sq. m (266 sq. ft.). There will be approximately 80 arcade units purchased to create the 'arcade'. No signage was requested.

Administration conditionally approved the application on May 17, 2022. On June 7, 2022, an appeal was received from Karsten Verbeurgt against the decision of the Administration for several reasons, which are noted in the agenda package.

DECISION: Conditionally approved

DECISION DATE:
April 22, 2022

APPEAL DATE:
June 7, 2022

ADVERTISED DATE:
May 17, 2022

Administration Resources

Wayne Van Dijk, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



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. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
DISCRETIONARY USE: <ul style="list-style-type: none"> Recreation (Private) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Development Authority

Additional Review Considerations

The golf course, driving range and clubhouse were approved under 2012-DP-14871 and the clubhouse expanded from 22.3 sq. m (240 sq. ft.) to approximately 19,962 sq. ft. (1,854.7 sq. m) under PRDP20150183.

Section 378

Recreation (private) is listed as a discretionary use under Business, Recreation District (B-Rec).

Table 5 (Parking minimums)

Recreation (private) requires five per 100.0 m² (1076.39 ft²) gross floor area.

No additional parking is required as this is an existing site (golf clubhouse) and a total of 247 parking stalls were required for the golf course and clubhouse, approved under PRDP20150183.



APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Justin Rebello”

Supervisor
Planning and Development Services

WV/lt

PLANNING

TO:	Staff Report-Note to File	DIVISION: 5
DATE:	May 11, 2022	APPLICATION: PRDP20221928
FILE:	07535001	
SUBJECT:	Recreation (Private)/ Discretionary use, with no Variances	

APPLICATION: Recreation (Private) (existing Golf Course & Clubhouse), change of use to a portion of the building to include an arcade

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) east of Range Road 12 and on the north side of Township Road 225.

LAND USE DESIGNATION: Business, Recreation District (B-REC)

EXECUTIVE SUMMARY: The Applicant/Owner is proposing to operate Recreation (private)(arcade within the existing building) on the subject parcel.

The Applicant/Owner is proposing to operate an arcade within the existing golf course clubhouse. There is currently a hall that is approximately 376.16 sq. m (4049 sq. ft.) that will be cordoned off, with movable walls, to create four (4) gaming areas, each approximately 214.88 sq. m (2313 sq. ft.), 39.76 sq. m (428 sq. ft.), 32.61 sq. m (351 sq. ft.) and 24.71 sq. m (266 sq. ft.). There will be approximately 80 arcade units purchased to create the 'arcade'. No signage was requested.

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the submitted 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 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None submitted
DISCRETIONARY USE: <ul style="list-style-type: none"> • Recreation (Private) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Development Authority

The golf course, driving range and clubhouse were approved under 2012-DP-14871 and the clubhouse expanded from 22.3 sq. m (240 sq. ft.) to approximately 19,962 sq. ft. (1,854.7 sq. m) under PRDP20150183

Section 378

Recreation (private) is listed as a discretionary use under Business, Recreation District (B-Rec)

Table 5 (Parking minimums)

Recreation (private) requires 5 per 100.0 m² (1076.39 ft²) gross floor area.

No additional parking is required as this is an existing site (golf clubhouse) and a total of 247 parking stalls were required for the golf course and clubhouse, approved under PRDP20150183.

ADMINISTRATION RECOMMENDATION: Administration recommends approval with conditions in attachment A.

This is an existing golf clubhouse and the proposal is for internal changes to one room, with no exterior modifications or requirements. There are no additional parking requirements

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

The Development Permit application for Recreation (Private), (existing building), tenancy/change of use to a portion of the building to include an arcade, has been **conditionally-approved** by the Development Officer subject to the listed conditions below **(PLEASE READ ALL CONDITIONS)**:

Description:

1. That Recreation (private)(existing building), tenancy/change of use to a portion of the building may commence on the subject land in accordance with the submitted drawings and application.
 - i. That approximately 376.16 sq. m sq. m (4,049.00 sq. ft.) of the existing clubhouse may be utilized as an arcade

Permanent:

2. That all conditions of PRDP20150183 shall remain in effect.
3. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
4. That all staff and clientele parking shall be restricted to onsite only. There shall be no parking permitted within and County road allowances or right of way at any time.

Advisory:

- That Building Permits shall be obtained prior any construction taking place.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': APPLICATION INFORMATION

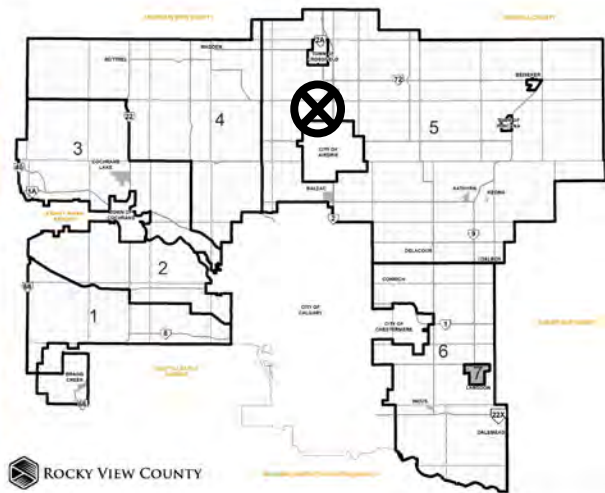
APPLICANT: Larry Konschuk (Konschuk Consulting)	OWNER: Tarman ATM Inc.
DATE APPLICATION RECEIVED: April 22, 2022	DATE DEEMED COMPLETE: May 9, 2022
GROSS AREA: ± 62.73 hectares (± 155.01 acres)	LEGAL DESCRIPTION: SE-35-27-01-W05M (11028 Twp Rd. 275)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • 2007181: Redesignation from Ranch and Farm District to Business-Leisure and Recreation to allow the development of a golf course, driving range and clubhouse • PRDP20201783: Outdoor Participant Recreation Services (existing golf course) construction of an accessory building • PRDP20150183: Outdoor Participant recreation Services, construction of a Club House for an existing golf course [expanded clubhouse from 22.3 sq. m (240 sq. ft.) to approximately 19,962 sq. ft. (1,854.7 sq. m)] • 2012-DP-14871: Outdoor Participant Recreation Services, construction of an 18-hole golf course, practise facility, clubhouse and signage 	
PUBLIC & AGENCY SUBMISSIONS: 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.	

Location & Context

Development Proposal

Recreation (Private)
 (existing Golf Course &
 Clubhouse), change of
 use to a portion of the
 building to include an
 arcade

Division: 5
 Roll: 07535001
 File: PRDP20221928
 Printed: May 4, 2022
 Legal: A portion of SE-35-27-
 Page 151 of 182



Aerial Imagery

Development Proposal

Recreation (Private)
 (existing Golf Course &
 Clubhouse), change of
 use to a portion of the
 building to include an
 arcade

Legend

Support



Not Support



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: 5
 Roll: 07535001
 File: PRDP20221928
 Printed: May 4, 2022
 Legal: A portion of SE-35-27-
 Page 9 of 152 of 182

Recreation (Private)
(existing Golf Course &
Clubhouse), change of
use to a portion of the
building to include an
arcade

Support



Not Support



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.

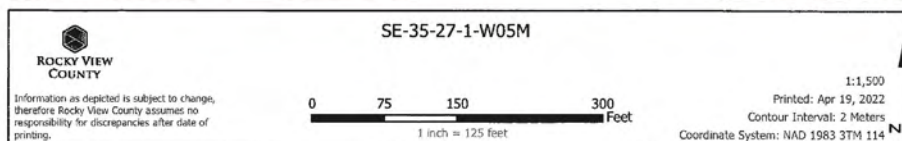
Division: 5
Roll: 07535001
File: PRDP20221928
Printed: May 4, 2022
Legal: A portion of SE-35-27-
Page 153 of 182



Aerial Imagery

Development Proposal

Recreation (Private)
 (existing Golf Course &
 Clubhouse), change of
 use to a portion of the
 building to include an
 arcade



Legend

Support



Not Support



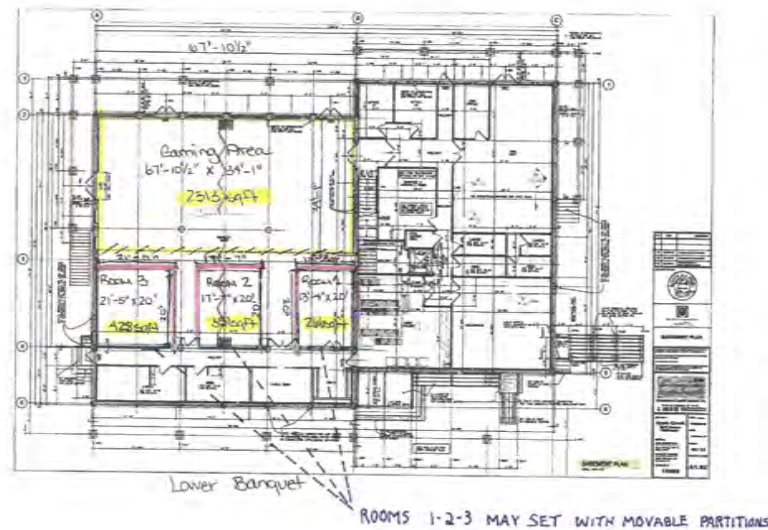
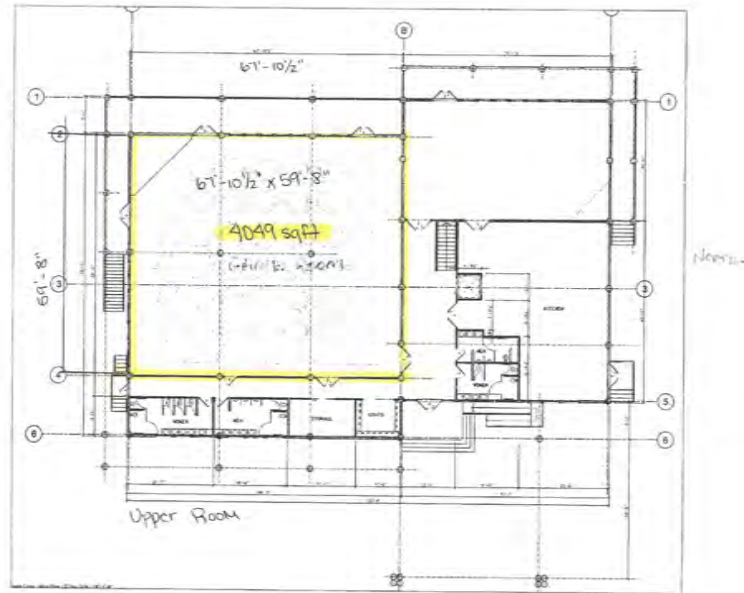
Division: 5
 Roll: 07535001
 File: PRDP20221928
 Printed: May 4, 2022
 Legal: A portion of SE-35-27-
 Page 11 of 182



Site Plan

Development Proposal

Recreation (Private)
 (existing Golf Course &
 Clubhouse), change of
 use to a portion of the
 building to include an
 arcade



Legend

Support



Not Support



Division: 5
 Roll: 07535001
 File: PRDP20221928
 Printed: May 4, 2022
 Legal: A portion of SE-35-27-
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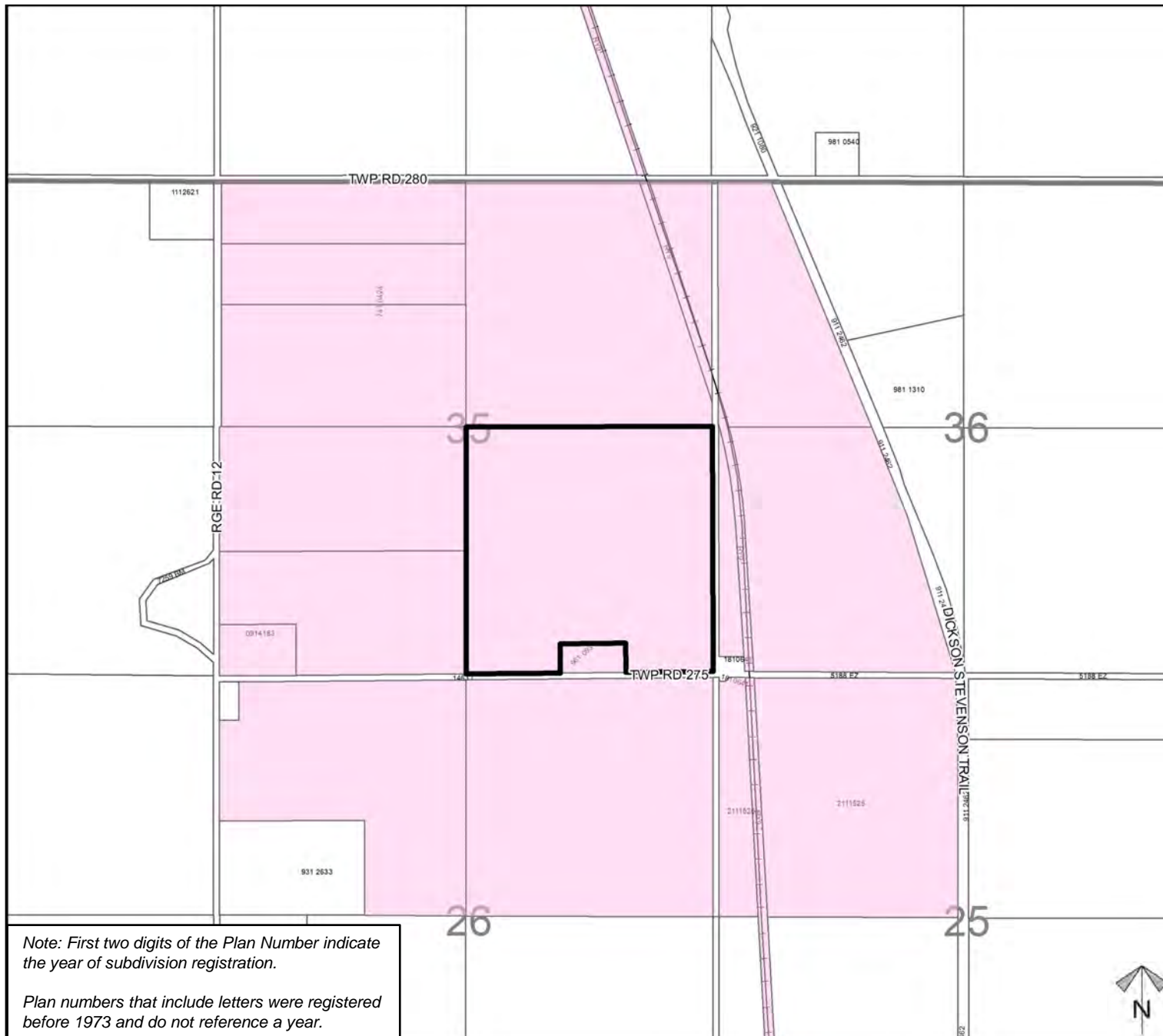


Development Proposal

Legend



Division: 5
Roll: 07535001
File: PRDP20221928
Printed: May 4, 2022
Legal: A portion of SE-35-27-
Page 156 of 182





ROCKY VIEW COUNTY

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

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

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

Konschuk Consulting (Larry Konschuk)
Box 212
Crossfield, AB T0M 0S0

May 17, 2022

Page 1 of 2

Roll: 07535001

RE: Development Permit #PRDP20221928

SE-35-27-01-05; (11064 TWP RD 275)

The Development Permit application for Recreation (Private), (existing building), tenancy/change of use to a portion of the building to include an arcade, has been **conditionally-approved** by the Development Officer subject to the listed conditions below **(PLEASE READ ALL CONDITIONS)**:

Description:

1. That Recreation (private)(existing building), tenancy/change of use to a portion of the building may commence on the subject land in accordance with the submitted drawings and application.
 - i. That approximately 376.16 sq. m sq. m (4,049.00 sq. ft.) of the existing clubhouse may be utilized as an arcade

Permanent:

2. That all conditions of PRDP20150183 shall remain in effect.
3. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
4. That all staff and clientele parking shall be restricted to onsite only. There shall be no parking permitted within and County road allowances or right of way at any time.

Advisory:

5. That Building Permits shall be obtained prior any construction taking place.
6. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

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

403-230-1401
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www.rockyview.ca

Development Permit (Page 2 of 2) PRDP20221928

Konschuk, Larry

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **May 17, 2022**, 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

[illegible]

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

Date June 7, 2022

Karsten Verbeurgt
274138 Rge Rd 12
T4B 4M2

Subdivision & Development Appeal Board
Rocky View County

Re: Application Number PRDP20221928

Please find attached my letter of appeal to the decision to add the use of "arcade" to the Apple Creek Golf Course.

We own and reside on NW-26-27-1W5, which is adjacent to the Apple Creek Golf Course.

Please direct correspondence regarding the date of the appeal hearing to me at the above address.

Thank-you,

Karsten Verbeurgt

Re: Application Number PRDP20221928

We own land adjacent to the Apple Creek Golf Course. We are appealing the decision to grant the application for: "Recreation (Private), tenancy/change of use to a portion of the building to include an arcade."

The main impacts to the presence of the Golf Course have been increased traffic on Range Rd 12 and Twp Rd 275. This has had the following negative impacts:

- 1) Increased dust. We have hay lands along Range Rd 12, and croplands along Twp Rd 275. The increased dust from golf patrons negatively impacts the quality and quantity of crops. Apple Creek agreed to mitigate dust during their application process nearly 10 years ago, but has not done it. When this concern was brought up in the hearings, Apple Creek argued that customers would take the paved road to/from Airdrie rather than gravel roads. Not believing that to be true, we requested that a No Right Turn sign be placed at the exit onto Twp Rd 275, and that it be supported by the county as an enforceable condition in the traffic bylaws. The applicant and the county agreed to this in the hearing, but it was never implemented. This condition was not included in the minutes of the hearing, and when I requested the recording of the hearing, it was unavailable due to technical issues.
- 2) Apple Creek Golf Course was also required to pave the preferred access road of Twp Rd 275, from Dickson-Stevenson Trail to the entrance. The second layer of pavement, which was supposed to be done within two years, has not been done.
- 3) The second negative impact on increased traffic on the gravel roads is drinking and driving. Often during a half-mile walk along Range Rd 12, we see more than 30 beer cans. This also seems to embolden drivers to speed along this road. More concerning than the excessive litter is the safety concerns to both walkers and other drivers due to golf course patrons under the influence of alcohol.

Adding the additional use of Arcade to the existing buildings will only increase these negative impacts. Since Apple Creek has done nothing to mitigate the negative impacts of golf patrons, we are against an increase in the number of patrons for an arcade.

Additionally, during the process for the golf course approval, we expressed our concerns over the fact that Apple Creek had applied for a license to use groundwater to irrigate part of the course, because our water well is on the same aquifer. Through negotiation with the applicants, we came to a private agreement that when the water table drops to an agreed-upon critical level, that Apple Creek would discontinue irrigating from the water well. The water is now below that critical level, yet they continue to irrigate from the well. While water resources are not under the jurisdiction of Rocky View County, the intentional disregard for a legally-binding agreement between us adds weight to our opposition to this additional use that could result in a substantial increase in the number of users and a resulting increase in water consumption.

We are also concerned about the inclusion of the word "tenancy" for the new Arcade use, implying that there may be an un-named third party involved in the development of the arcade. There is no mention of the projected increase in traffic, the square footage that will be involved in the arcade, the anticipated increase in the daily number of patrons, etc.

It is also important to point out that no representative for this application has contacted us to discuss it. We are not against reasonable and responsible development, but for the reasons stated above and the history of non-compliance, we have to oppose this increase in the already unmitigated negative impacts.

Karsten Verbeurgt



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

APPLICATION NO.	PRDP20221928
ROLL NO.	07535001
RENEWAL OF	
FEES PAID	545.00
DATE OF RECEIPT	April 22, 2022

APPLICANT/OWNER

Applicant Name: LARRY KONSCHUK Email: Larry@konschukconsulting.com
 Business/Organization Name (if applicable): KONSCHUK CONSULTING
 Mailing Address: Box 212 CROSSFIELD Postal Code: T0M0S0
 Telephone (Primary): 403 371 3615 Alternative: 403-948-5406

Landowner Name(s) per title (if not the Applicant): RICK SKAUCE
 Business/Organization Name (if applicable): TARMAN ATM INC.
 Mailing Address: 4000 520 2nd AVE SW Calgary AB Postal Code: T2P 0R3
 Telephone (Primary): 403-606-3923 OFFICE Email: Bernie.wood@olympictrust.com

LEGAL LAND DESCRIPTION - Subject site

All/part of: SE 1/4 Section: 35 Township: 27 Range: 1 West of: 5 Meridian Division:
 All parts of: Block: Plan: Parcel area (ac/ha): 1/4 SECTION
 Municipal Address: 11064 TWP RD - 275 Land Use District: RECREATION OUTDOOR

APPLICATION FOR - List use and scope of work

This is an application applying for Recreation Private designation to allow arcades in two rooms in the building @ the Apple Creek Golf course. The drawings attached show dimensions and square footage of both upper and lower rooms

Variance Rationale included: ☐ YES ☐ NO ☐ N/A DP Checklist Included: ☐ YES ☐ NO Name of RVC Staff Member Assisted:

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, LARRY KONSCHUK (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 April 18th - 2022

Date L. Konschuk

Landowner Signature Rick Skauce

Date April 18/22



ROCKY VIEW COUNTY

CHANGE OF USE

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20221928
ROLL NO.	07535001
DISTRICT	B-REC

TENANT

Tenant/Operator Name:

Telephone (Primary):

Business/Organization Name:

USE(S) PER LAND USE BYLAW

Existing use(s)/Business:

BUSINESS MEETINGS WEDDINGS * BIRTHDAY PARTIES

Proposed use(s):

ARCADE GAME ROOM

USE DETAILS

Total area for the proposed use(s) (including all floors, mezzanines, buildings etc.) (m2 / ft.2):

Briefly describe the nature of the proposed use(s) (attach cover letter for complete details):

ARCADE - GAME ROOMS FOR ADULTS AND CHILDREN

BUSINESS/USE OPERATIONAL DETAILS

Days of operation: 7 DAYS A WEEK

Hours of operation:

Number of daily customer visits (anticipated): 100 - 400

Total number of assigned parking spaces: 287 For staff: 7 For customer: 280

How will overflow parking be managed? Are there overflow parking stalls available and how many?

WHEN GOLF COURSE IS FULL TO CAPACITY 50 TO 60 STALLS ARE USED LEAVING 220 STALLS FOR ARCADE CUSTOMERS AND OVERFLOW

OTHER

Describe any changes proposed to the interior or exterior of the building/unit:

NONE AT THIS TIME

Any outdoor storage required: ☐ YES, specify outdoor storage area (m2 / ft.2):☒ NOAny signage proposed on site: ☐ YES, attach Signage - Information Sheet with required documents☒ NO**ADDITIONAL REQUIREMENTS****In addition to DP Checklist - General requirements, the application shall include:**☐ Floor plans indicating overall floor area(s) and areas of specific uses (i.e. office, warehouse, storage etc.)☒ Site Plan including:☒ location of building/unit☒ proposed parking area (with number of stalls)☒ existing/proposed access to property☒ location of proposed outside storage area and/or signage (as applicable)

TWP RD 275 AS SHOWN ON AERIAL

Applicant Signature

L. Kenschke

Date

April 20/22



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:** *AERIAL*
 - ☐ 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:** *HAND DRAWN AND ARC DRAWINGS*
 - ☐ 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): Recreation (private)

Land Use District: B-REC

Applicable ASP/CS/IDP/MSDP: N/A

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
0026 712 083	5;1;27;35;SE	961 103 455 +1

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 1 TOWNSHIP 27
 SECTION 35
 QUARTER SOUTH EAST
 CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
 EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
SUBDIVISION	9610931	2.02	4.99	

 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
 MUNICIPALITY: ROCKY VIEW COUNTY
 REFERENCE NUMBER: 941 309 681

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

961 103 455	13/05/1996	SUBDIVISION PLAN		

OWNERS
 TARMAN ATM INC.
 OF 2300, 125-9 AVE SE
 CALGARY
 ALBERTA T2G 0P6
 (DATA UPDATED BY: CHANGE OF ADDRESS 131285059)
 (DATA UPDATED BY: CHANGE OF NAME 191253791)

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS

951 274 461	30/11/1995	UTILITY RIGHT OF WAY GRANTEE - ROCKYVIEW GAS CO-OP LTD.
111 151 450	16/06/2011	RESTRICTIVE COVENANT

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

961 103 455 +1

REGISTRATION

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

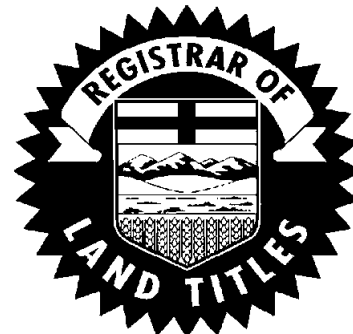
121 325 380	12/12/2012	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
131 036 817	11/02/2013	MORTGAGE MORTGAGEE - CANADIAN WESTERN BANK. 606-4TH STREET SW CALGARY ALBERTA T2P2V1 ORIGINAL PRINCIPAL AMOUNT: \$4,850,000
131 036 818	11/02/2013	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - CANADIAN WESTERN BANK. 606-4TH STREET SW CALGARY ALBERTA T2P1T1 AGENT - GARY J COCHRANE
191 253 790	13/12/2019	CAVEAT RE : LEASE INTEREST CAVEATOR - APPLE CREEK GOLF COURSE LTD. 2300, 125-9 AVE SE CALGARY ALBERTA T2P0P6 AGENT - RICK SKAUGE

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 22 DAY OF APRIL,
2022 AT 11:24 A.M.

ORDER NUMBER: 44242523

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) Tarman ATM Inc. (print name) Owner 1

_____ (print name) Owner 2

being the owner(s) of: Lot: _____ Block: _____ Plan: _____

Legal Description:

Quadrant 1/4 $\frac{1}{4}$ Section 35 Township 27 Range 01 West of 5 Meridian

give Larry Konschuk (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

A handwritten signature in blue ink, appearing to read 'Rick Phye'.

Owner 1 Signature

Owner 2 Signature

Date Signed

Rick Skauge

To: questions@rockyview.ca
Subject: Tarman ATM Inc. development permit

To whom it may concern:

Please accept this email as authorization for Larry Konchuk to act on behalf of Tarman ATM Inc. with respect to a development permit file number 20221928.

Signed Rick Skauge, President



Witness *Shianna Newman*



Tarman ATM Inc., Owner of Apple Creek Golf Course is making a development application to the County of Rockyview to permit an arcade to be operated in our main building at the golf course. Our event center at the golf course is a two story building complete with an 80 seat restaurant. The building has a complete fire sprinkler system installed. The building currently has 2 large halls that can have up to 250 guests in each hall. The building ended up costing over \$6 million dollars and the current utilization makes it totally uneconomic. The building is closed from mid October until May. During the summer the building hosts weddings every Saturday night and other than the restaurant being open during the week the big halls usually remain empty. Last year the food and beverage operation that runs out of the big building lost over \$200,000.

Our plan is to open an arcade that will be far superior than anything in or around Airdrie. The focus will be on birthday celebrations that happen every day of the year. There will be 4 areas cordoned off with movable walls that will have an occupancy of 20 people. Two areas can be combined for a total occupancy of 40. We plan to purchase approximately 80 arcade games at a cost of approximately \$700,000. The machines will be located in the two major halls. The arcade will be open from 3pm to 11pm Monday through Friday and from 11am to 11pm Saturdays and Sundays. There will be staff present on both floors at all times.

We do not plan to have any outdoor signage as the public already knows where Apple Creek Golf Course is located.



ii

Roll Number	07535001	
Legal Desc	SE-35-27-01-W05M	
Divison	05	
Lot Block Plan		
Linc Number	26712083	
Title Number	961103455+1	
Parcel Area	155.01000	
Municipal Address	11028 TWP RD 275	
Contact Information	Tarman ATM Inc	40326175010000
		40326175050000
	Calgary AB T2P 0R3	40323978750000
Land Use Information	B-REC	

Planning Applications Information

Application No.	Name	Status	Planner	Application Date
PL20130035		Waiting for Applicant Information		November 20, 2013
PL20130035		Waiting for Applicant Information		November 20, 2013
PL20130035		Waiting for Applicant Information		November 20, 2013
95075	Loeppky Matthyssen and Associates		LindaR	April 4, 1995
2007181	Synergy/Tarman Inc	Closed - Approved	MikeC	April 16, 2007
2004154	Urban Systems/Tarman Inc	Closed - Refused	RaldaDB	April 29, 2004
2000139	Apple Creek	Closed - Refused	GailS	May 25, 2000

Area Structure Plan

{There is no related Area Structure Plan}

Conceptual Scheme

{There is no related Conceptual Scheme}

Building Permit

Permit Number	Permit Type	Date Issued
PRBD20202857	Commercial/Industrial/Institutional	Thu Oct 08, 2020
PRBD20184406	Building	Mon Oct 29, 2018
PREL20184407	Electrical	Mon Oct 29, 2018
PREL20171061	Electrical	Tue Apr 04, 2017
PREL20170357	Electrical	Fri Feb 03, 2017
PRBD20152500	Building	Mon Feb 01, 2016
PRGS20154878	Gas	Thu Jan 28, 2016
PREL20155080	Electrical	Thu Jan 28, 2016
PRPL20154877	Plumbing	Fri Jan 08, 2016
2013-PS-3433	Private Sewage	Wed Jul 17, 2013
2013-GP-14061	Gas	Tue May 14, 2013
2013-PL-8104	Plumbing	Tue May 14, 2013
2013-PL-8105	Plumbing	Tue May 14, 2013
2013-GP-14062	Gas	Tue May 14, 2013
2013-EP-13467	Electrical	Mon May 13, 2013
2013-BP-25646	Building	Mon May 06, 2013
2013-BP-25538	Building	Thu Mar 07, 2013
2013-EP-13256	Electrical	Thu Feb 21, 2013
2013-EP-13257	Electrical	Thu Feb 21, 2013
2013-GP-13834	Gas	Wed Feb 13, 2013
2013-PL-7984	Plumbing	Wed Feb 13, 2013
2012-BP-25417	Building	Thu Dec 20, 2012
2012-PL-7935	Plumbing	Tue Dec 18, 2012

2012-EP-13151	Electrical	Tue Dec 18, 2012
2012-BP-25407	Building	Wed Dec 05, 2012
2008-EP-8348	Electrical	Thu Apr 10, 2008
1996-BP-10293	Building	Thu May 16, 1996
1995-BP-4999	Building	Mon Oct 16, 1995

Development Permit Information

Permit Number	Date Issued
PRDP20201783	September 15, 2020
PRDP20150183	May 19, 2015
2012-DP-14871	June 5, 2012
2004-DP-11082	November 18, 2004

Department	Issued By	Date Issued	Date Closed	Status	Reference No.	Description	Severity
		October 3, 2003	September 30, 2004	C		EF-830 Contravention:Commercial Operation	2
		April 1, 2008	April 3, 2008	C		Original Note: This property is under enforcement action Completed Note: There is no open enforcement file at this time, however, there has been apparent commercial construction for a golf course. Jan, 1) The Part 10 buildings that are designed for a temporary workforce / location have to be reviewed by an engineer, A2, C2	2

April 9,
2013

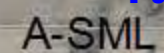
O

schedules for structural have to be submitted, since these buildings are to be considered as Part 9 buildings. 2) Foundations have to be designed to Part 9 of the 2006 ABC and if they fall out of the scope of Part 9 than the design has to be to Part 4 of the 2006 ABC; engineered schedules provided. 3) Included for your information is a copy of Alberta Government's Safety Services opinion from Municipal Affairs on Part 10 buildings being used as Part 9 buildings; we are considering your proposal as a permanent buildings. 4) Spatial separation calculations as per subsection 9.10.14 are required for all buildings. Construction of exposing building faces are to be specified as per article 9.10.14.5. 5) Fabric covered structure requirements are as an attachment.

Boundary	Category
Division	6
Area Structure Plan	No ASP
Conceptual Scheme	No Conceptual Scheme
IDP	No IDP
Airport Vicinity	No APVA
Engineer	Milan Patel
Water Coop	No Water Coop
Gas Coop Service	ROCKYVIEW GAS CO-OP
No.of Lots Within 600 M	3
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Rocky View Central
Fire District	CROSSFIELD
Primary Fire Station	154
Secondary Fire Station	107
Tertiary Fire Station	108

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Beiseker Pit	23417.16 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:170.24 M
Closest Road Name	TWP RD 275(Surface Type:Paved)	8.14 M
Closest Railway	CPR	47.75 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF AIRDRIE	1601.14 M
Closest Confined Feeding Operation		7051.75 M





R-RUR

TWP RD 280A

R-RUR
p4.0

p4.0

A-SML
p8.1

p8.1

R-RUR
p4.0

p4.0

A-SML
p8.1

p8.1

B-REC

A-SML

R-RUR
p4.0

RUR
D4.8

TMP RD 2/5

A-SML

R-RUR

A-SML

DC107

AIRDRIE



TWP RD 275

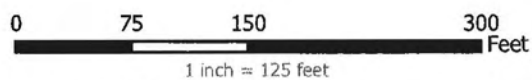
ACCESS



ROCKY VIEW
COUNTY

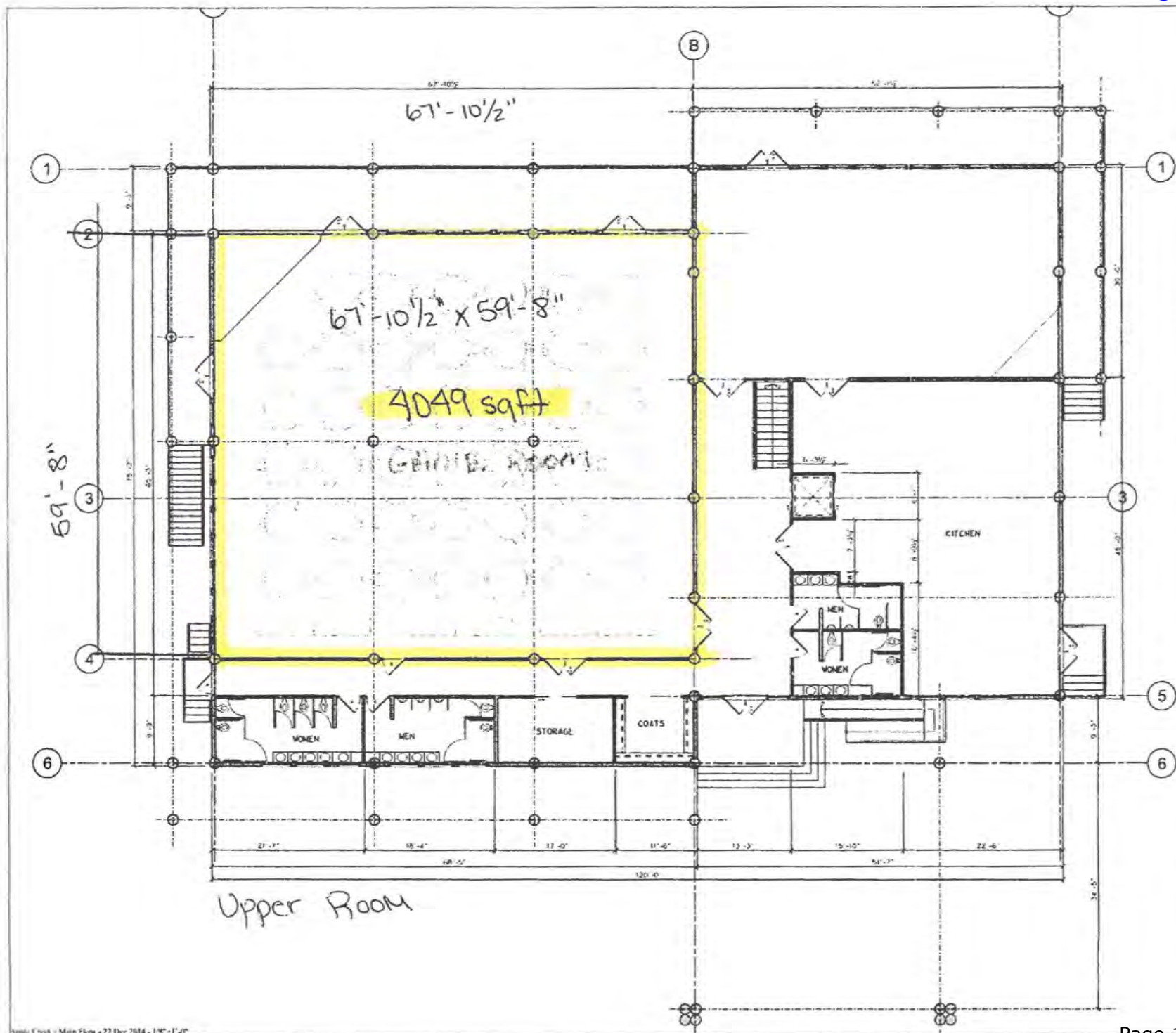
Information as depicted is subject to change,
therefore Rocky View County assumes no
responsibility for discrepancies after date of
printing.

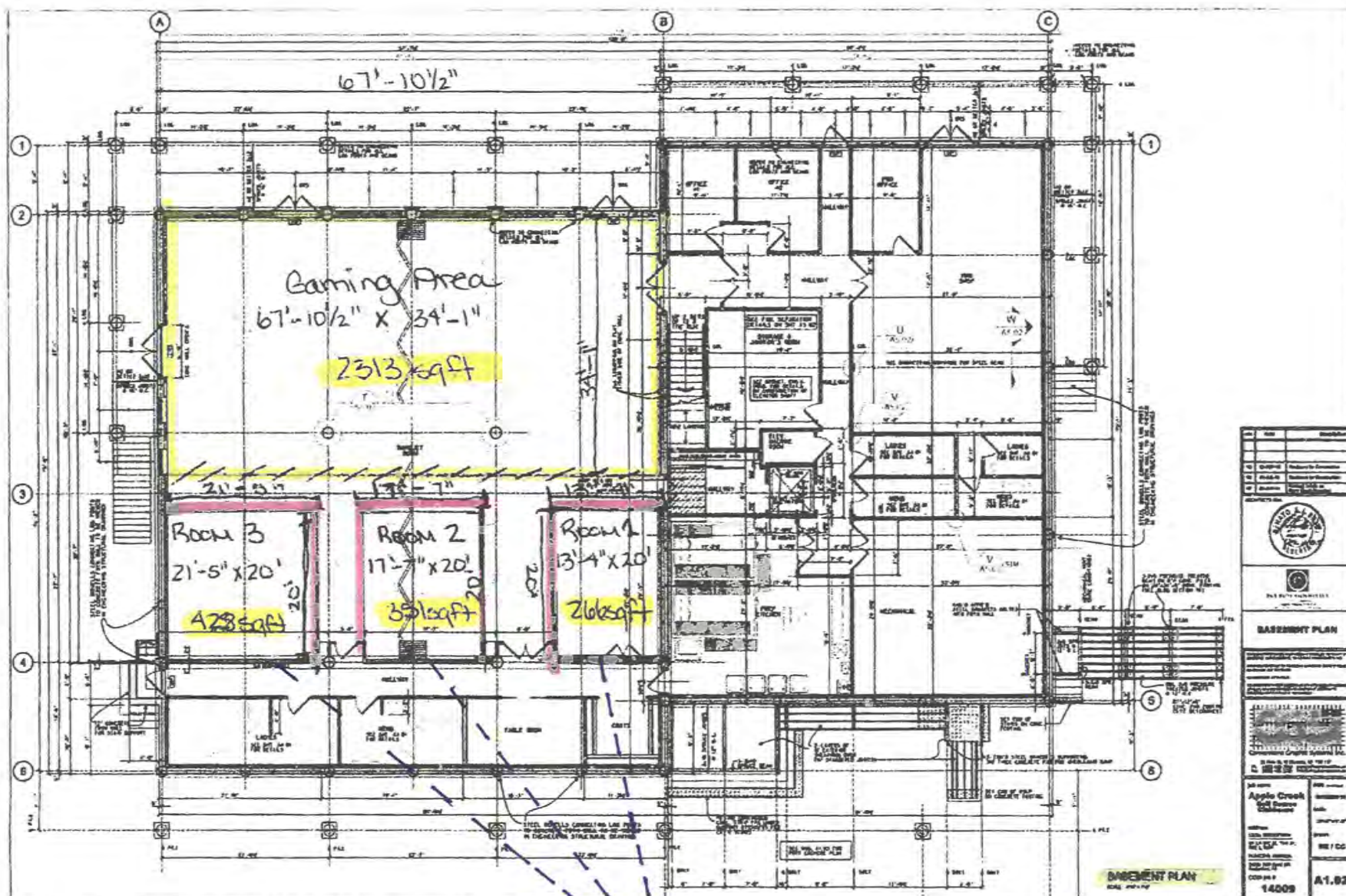
SE-35-27-1-W05M



1:1,500
Printed: Apr 19, 2022
Contour Interval: 2 Meters
Coordinate System: NAD 1983 3TM 114







Lower Banquet

ROOMS 1-2-3 MAY SET WITH MOVABLE PARTITIONS

FW: Parking Stalls

"Berniece Wood" [bwood@tarman.ca]

Sent: 4/18/2022 2:56 PM

To: "larry@konschukconsulting.com" <larry@konschukconsulting.com>

FYI

From: Shawn Rose <shawnr@birdhousedwellings.ca>

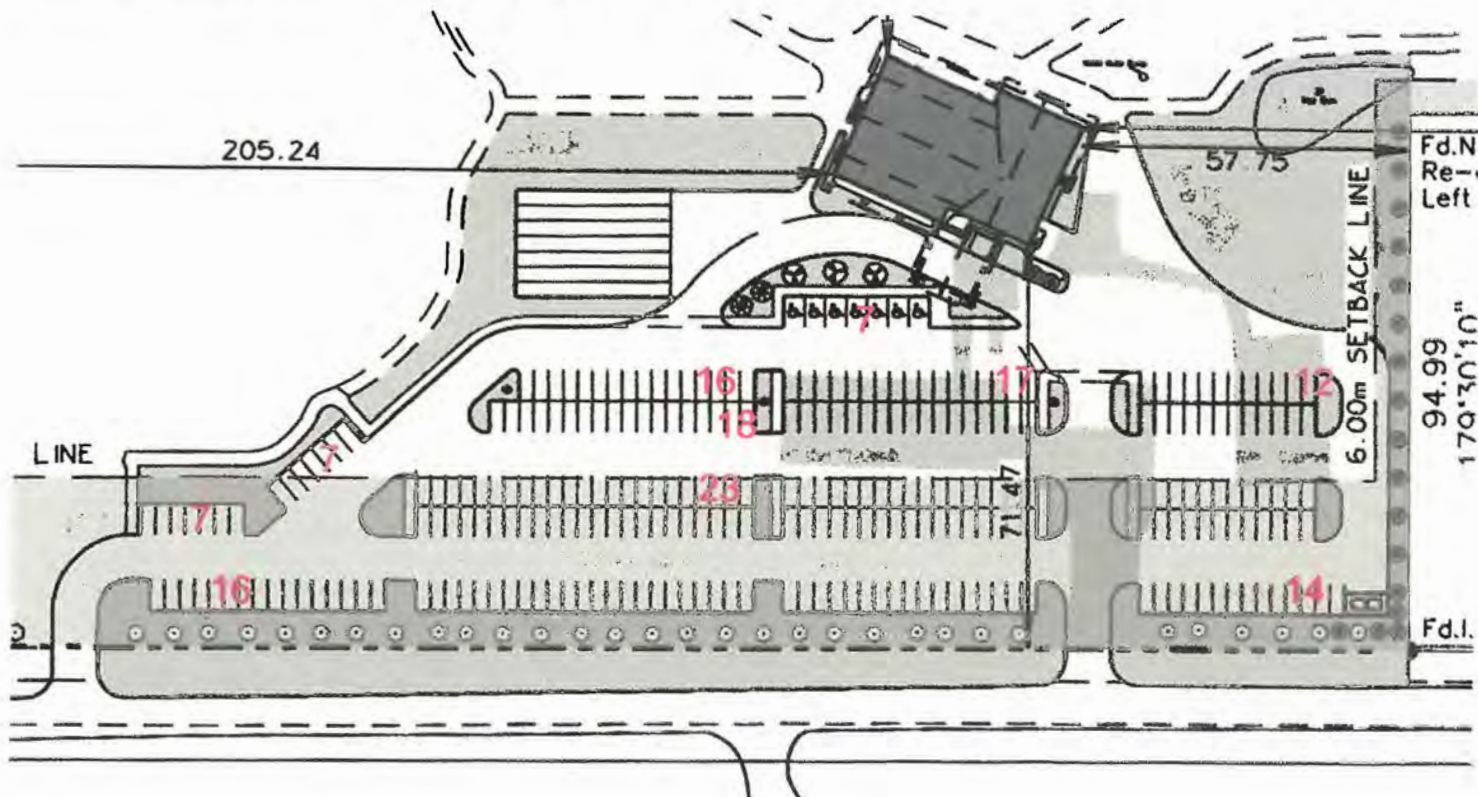
Sent: April 18, 2022 3:43 PM

To: Todd Funk

Cc: Tye Babbirk <tbabbirk@applecreekgolfcourse.com>; Bill Skauge <bills@applecreekgolfcourse.com>; Berniece Wood <bwood@tarman.ca>

Subject: Re: Parking Stalls

I pulled up the building permit drawings and count 287, including the 7 accessible stalls.



HTH,
Shawn



Shawn Rose : President, CPHD, LEED Green Associate | Tel: 403.982.0657



On 2022-04-18 3:16 p.m., Todd Funk wrote:

Hi Shawn,

Would you know how many stalls there are at AppleCreek?

Thanks Todd



RECEIPT OF PAYMENT

Receipt Number: 2022031924
Receipt Date: 04-22-2022
Date Paid: 04-22-2022
Full Amount: \$545.00
GST Amount: \$0.00

Payment Details:	Payment Method	Amount Tendered	Cheque Number
	Mastercard	\$545.00	
Amount Tendered:	\$545.00		
Change / Overage:	\$0.00		
Contact:	Konschuk, Larry		

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Comm/Ind/Inst: Change of Use in an existing building or portion thereof	PRDP20221928	\$530.00	\$530.00
Land Title Document(s)	PRDP20221928	\$15.00	\$15.00