

To: Rocky View County Subdivision and Development Appeal Board

B-1 08731001 PRDP20185188
SDAB 2020 Dec 17
Farquharson (neighbour in support of appeal) PowerPoint
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RE: Appeal and Notice of Hearing 087310001 PRDP201851188
on December 17, 2020

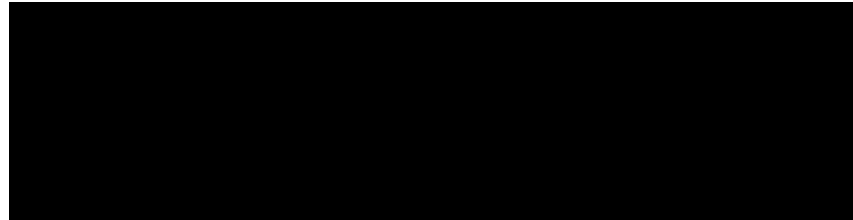
Regarding Conditional Approved Development Permit
on property at SE 31-28-28-03-W5M
Range Road 35 by Applicant Chloe Cartwright

Position: In support of appeal by Maxine McArthur, Karen and Patrick
Singer, and Elaine Watson

From: Donald Farquharson of Farquharson Farms

Address:

Contact:



Myself, Don, my two sons, and Howard, my late father, who was still on the combine at 100 years of age in the fall of 2018, have farmed in the Dog Pound area since the early 1950's; Howard's parents farmed near Madden prior to that; and my great grandparents homesteaded in the Bottrel area in the late 1800's and early 1900's. Like my ancestors, farming is my life. It is my livelihood.



Listed are lands we farm adjacent to the Cartwright property or nearby.
As well as land we own, we farm other land that we rent.
We also do custom farming for some that have purchased farm property and who maintain a vested interest in their agricultural lands and production.

See map next slide:

NW 30-28-3-W5M (Don owns)

SW 30-28-4-W5M (Don owns)

NE 36-28-4-W5M (Don owns)

NW 36-28-4-W5M (Don owns)

SE 36-28-4-W5M (Keren Farquharson owns; Don and sons custom farm)

SE 4-29-3-W5M (Keren Farquharson owns; Don and sons custom farm)

SE-1-29-4-W5 (Don rents from Donna David and farms the cultivated land portion)

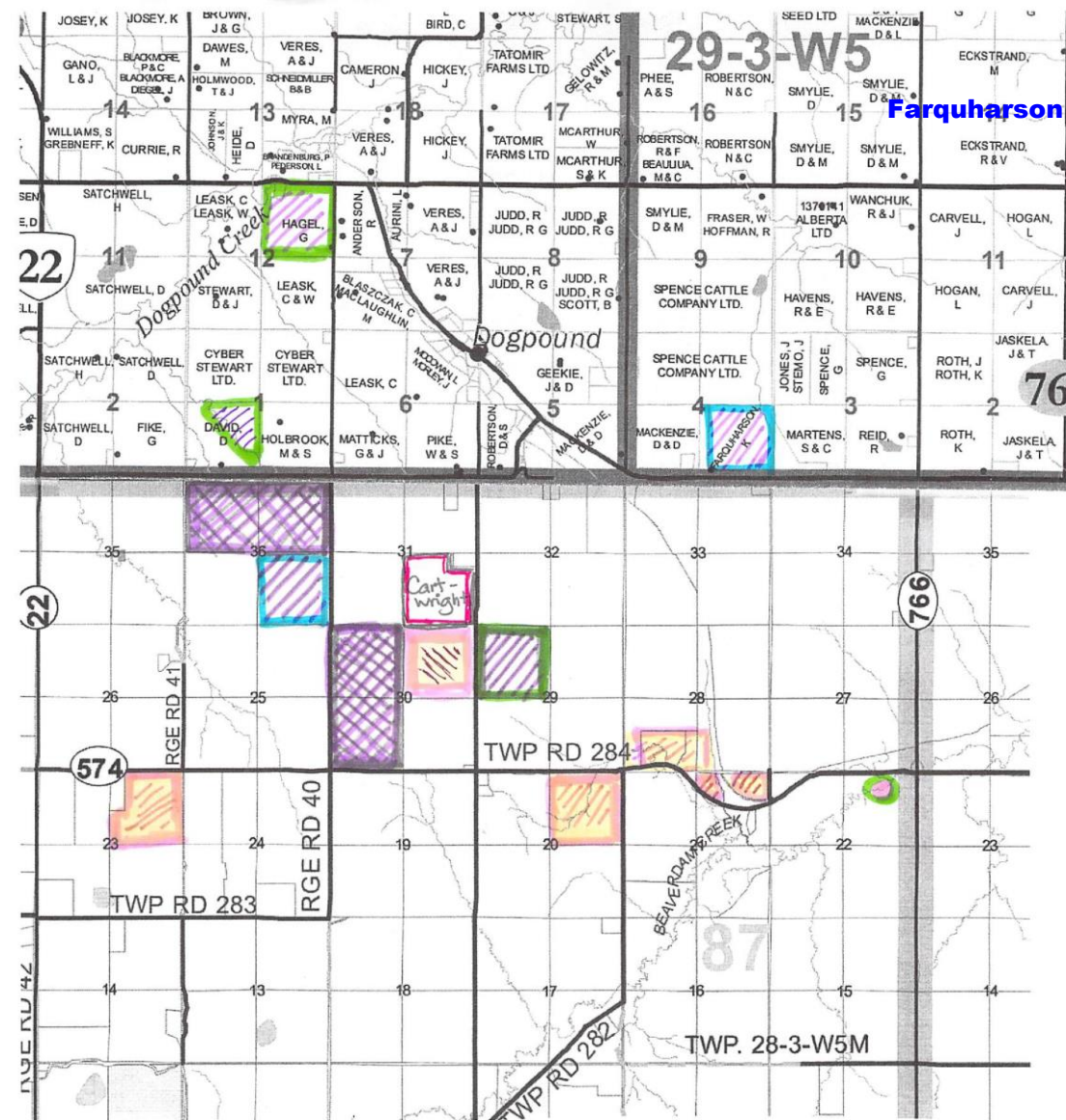
NW 29-28-3-W5M (Don and Stacey rent from Freda Harnick and farm)






NE 12-29-4-W5 (Stacey Farquharson rents from Gerry Hagel and farms)

NE 20-28-3-5W5M (Don and sons custom farm for Reg Gustafson)

NE 23-28-4-5W5M (Don and sons custom farm for Reg Gustafson)

South half of SW28-28-3-W5M and NE21-28-3-5W5 (Don rents from Guzdass/Havens & farms)



-  Don Farquharson owns/farms
-  Keren Farquharson owns/Don custom farms
-  Don Farquharson rents and farms
-  Don Farquharson custom farms
-  Rented grain bin storage

I come before you today to give you a picture of who Farquharson Farms are and what we are about: myself as a farmer who makes my living off my land; and as a resident who is part of a tight-knit rural community in the northern part of Rocky View County.

I would like to emphasize why this discretionary use application before you is inappropriate in nature, scope, and scale with the surrounding farmlands. It does not fit into our rural country community of the Dog Pound area. It will impact myself and my community negatively.

I strongly oppose this proposed development .

I speak in favor of the Appellants and I ask you to consider my objections and deny this conditional development permit.

We are primarily an agricultural community. Agriculture in the Dog Pound area is mixed farming.

The crops and cattle coexist.



We raise beef cattle.



Land that can't be cultivated with grain and alternated with hay crop is utilized as pasture for grazing livestock.

In addition to hay, our crops are varieties of grains suitable to our area
We grow barley, canola, oats and some spring wheat.



It is imperative to recognize the Cartwright property is in the midst of surrounding productive agricultural lands and any discretionary land use needs to be compatible with the surrounding lands.

Chloe Cartwright distributed a large package of information to surrounding neighbors titled, "Urgent - this concerns you!" She argues her land, quote:

"It is not Farmland; it is Recreation land; it is an anomaly in the midst of good farmland. It has great rich soil but the topography and the consequential lack of heat result in land that is better for other purposes. "

The next 7 slides show the soil classifications, the topography of the area, and crops produced on surrounding land and on the subject Cartwright property.

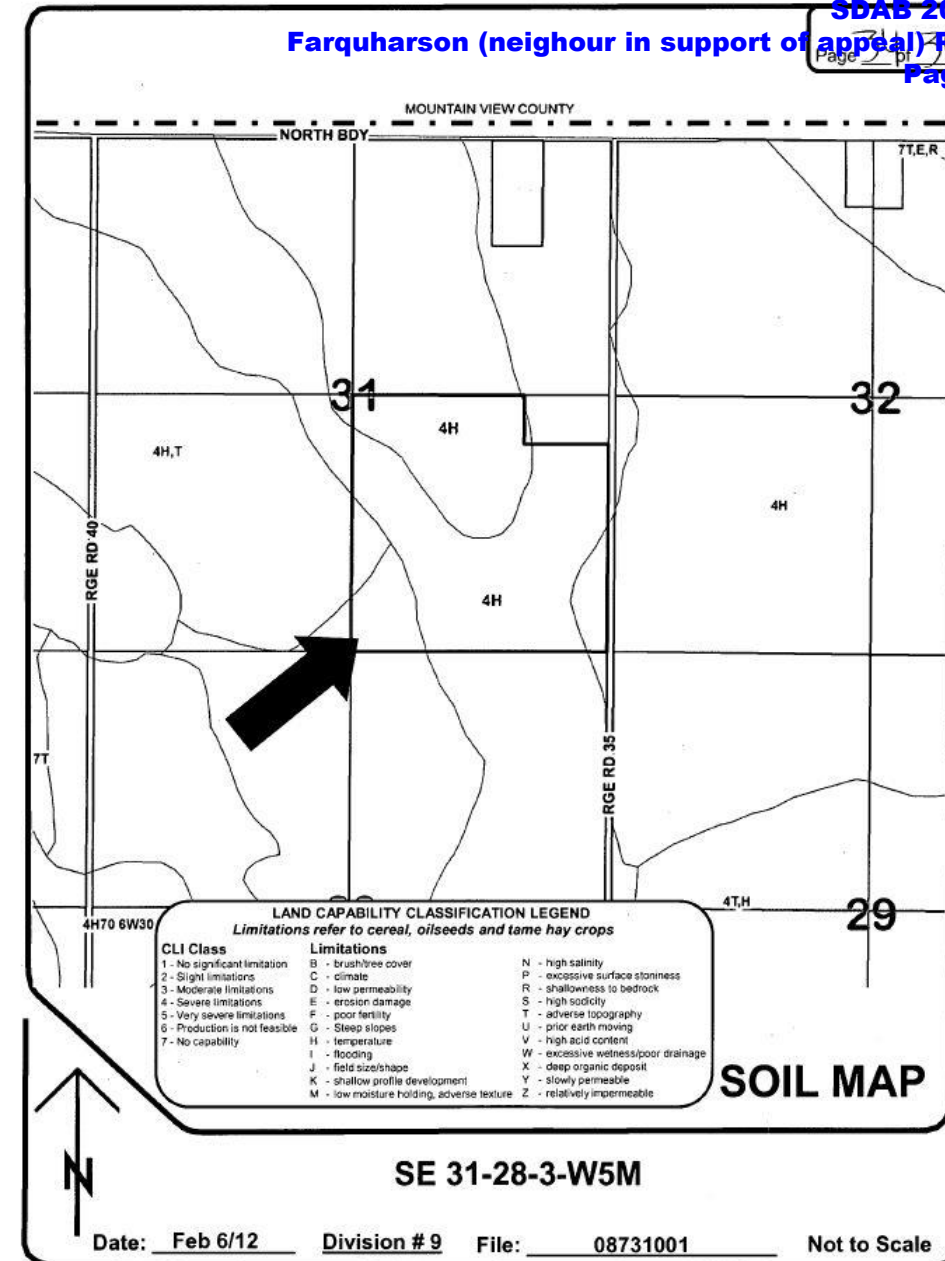
All lands around Chloe Cartwright's property (black arrow) are the same '4 H' soil classification.

4 = severe limitations

H = temperature

What this means is we need to use specific varieties of seed for grain crops.

Our growing time is shorter and being at the base of the foothills, frost comes earlier.



This crop of Jim Davies borders Cartwright's property to the west.

In addition to the '4 H' classification, his land also has a 'T' designation.

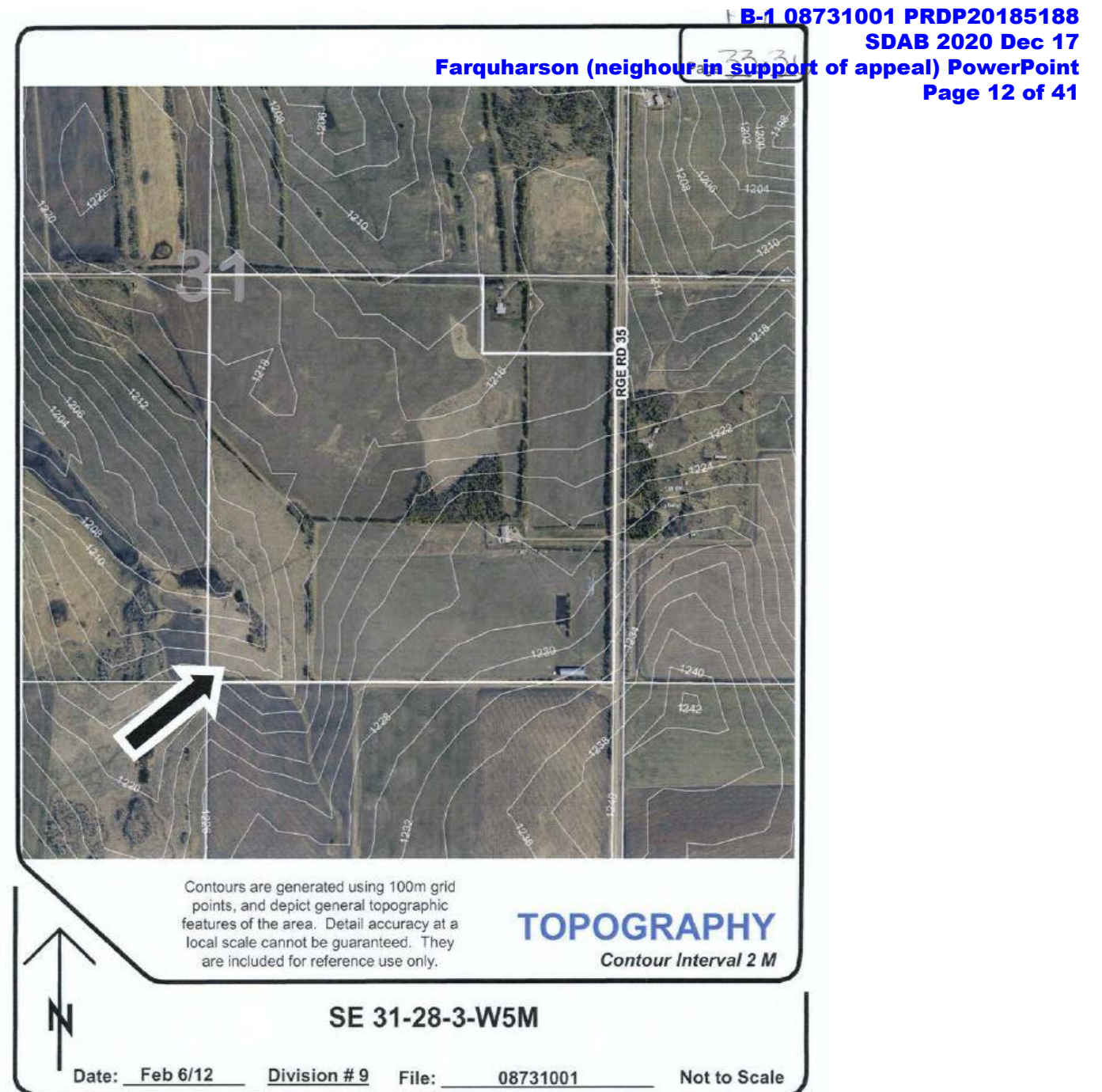
'T' means he has more severe topography with greater uneven terrain. He has a wetland and water way running through his land to the Dog Pound creek. He uses this as pasture.

Jim rotates crops on this designated 'severe land'. He is a successful farmer.

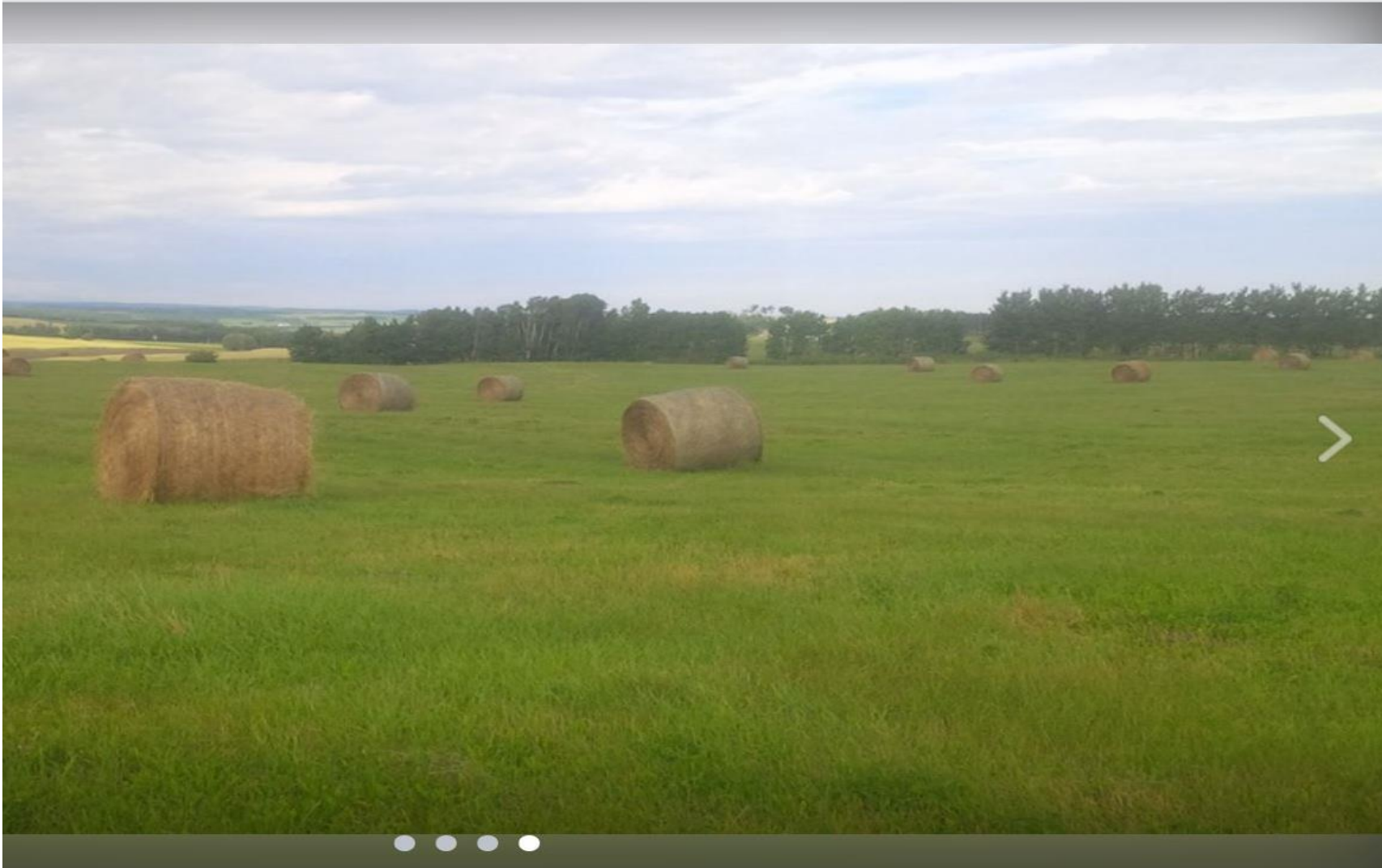


Topography on Chloe Cartwright's land is not as severe as Jim Davies to the west, and no more severe than any other adjacent neighbors' property. It is less so than the lands along the coulee half a mile east.

I have similar terrain on my lands. I produce good yields (if no hail) with my crops.



This is Chloe Cartwright's land with hay bales in 2019 (post was taken from her public Facebook page). The topography of the majority of her land is not as severe as in the previous slide on her adjacent neighbors.

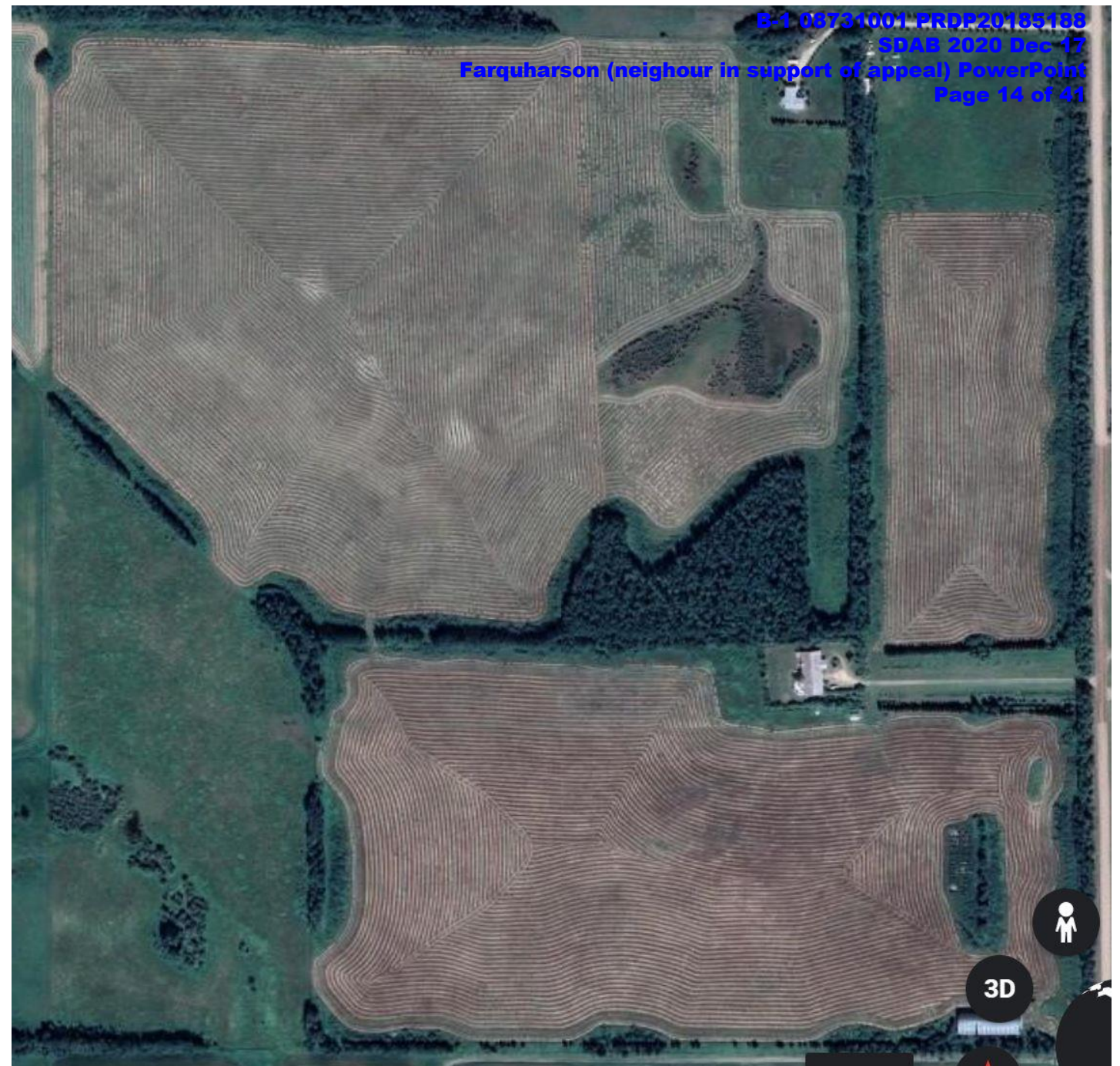


This picture of Chloe Cartwright's land is taken from Google earth.

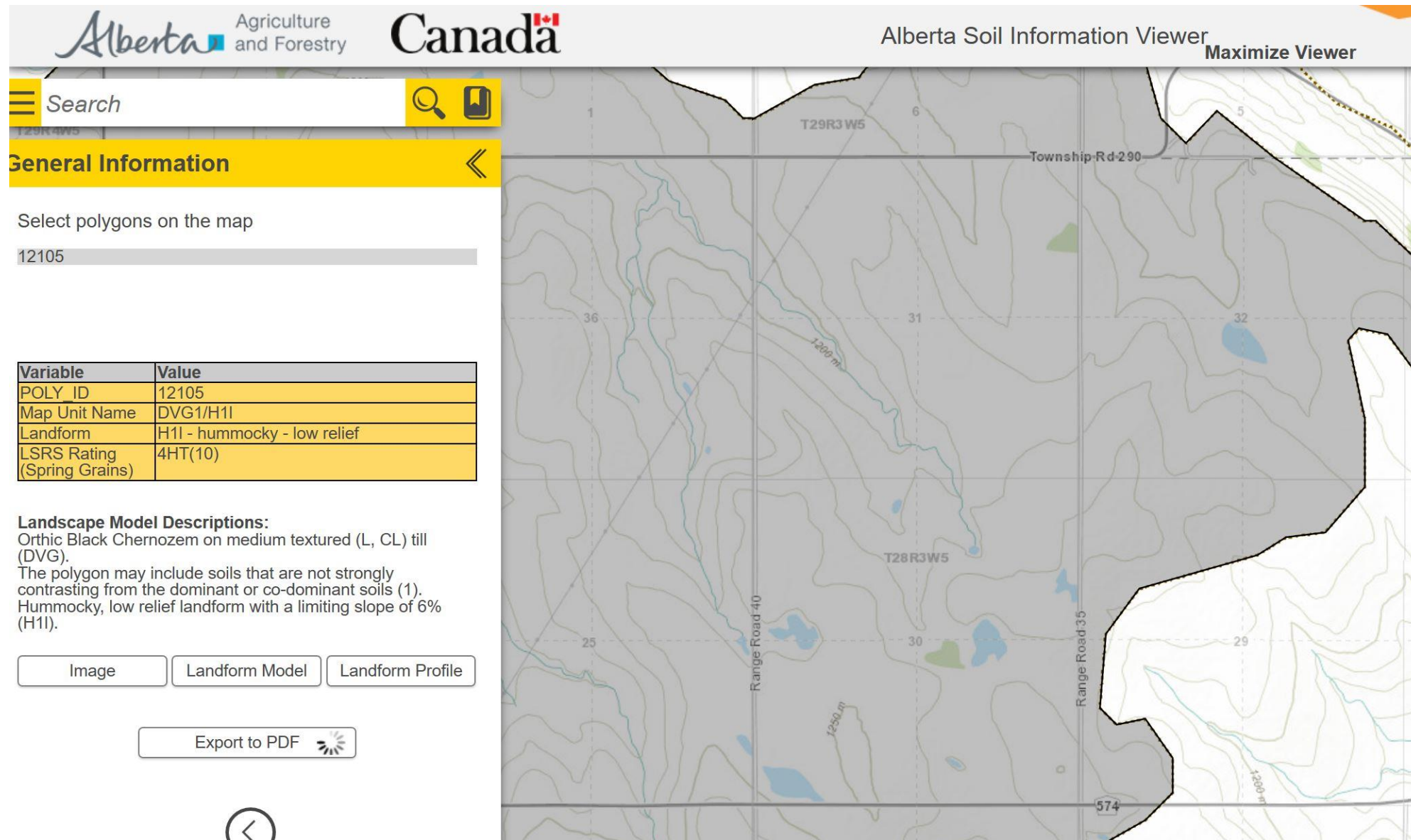
The lighter sections show 3 hayfields. The larger hayfield has a marsh. Below it is a stand of poplar trees in the center of her land. Another hayfield is south of her residence. A third smaller hayfield runs parallel to range road 35.

A sloping and wetter marsh section is in the south western part of the property and would be suitable for grazing.

A subdivided acreage, her cousins, is in the NW portion of her quarter.



Alberta's soil classification shows the same classification for all adjacent neighbors next to Cartwrights. We have rich black soil, which is 'farmers gold'.



This post is taken from Chloe Cartwright's public Facebook page (2019). Her neighbor, a farmer, is shown testing her bales for moisture.

She advertised her bales for sale with 'Alberta Hay and Feed Directory' in 2019.

 **Chloe Cartwright** ▸ Alberta Hay and Feed Directory
August 30 · 🌐

(SOLD) 50 net wrapped 1500 lb bales
\$85
📍 Dogpound, Alberta

Mostly timothy with some clover that had a bit of rain. 1500 lbs each. Located 25 minutes NW of Calgary. I cannot load or deliver. Moisture runs an average of 12% (low of 9 to high of 15). Almost 6 feet in diameter. Located near Madden/Bottrell, Alberta.




She has also advertised on

Cremona and Area Buy/Sell

 **Chloe Cartwright**
September 21 · 🌐

Hay
\$60 · 📍 Dogpound, Alberta

Timothy/Clover mix (not red clover) 1350 - 1400 lbs, net wrapped. Baled at 10 to 14% moisture. Located just SW of Dogpound. You need to load and transport. Call 403 650 0888 or DM.



Having shown you the makeup and nature of the farmlands in our area, I hope you can now visualize why this discretionary proposed development of land usage, with a campground and a castle event center, would NOT fit into the agricultural area or enhance the rural county nature of this farming community.

It would, in fact, have the reverse effect and create conflict and concerns with farming practices and day-to-day operations. I'd now like to explain the conflict it would pose with farmers and lifestyle in the existing community, and how livelihoods would be negatively impacted.

We have serious concerns including:

1. **Traffic, Road Usage, and Safety**
2. **Fire**
3. **Water**
4. **Trespassing and Liabilities**
5. **Lifestyle and Clashes**
6. **Existing Community Venues and Volunteering**

1. TRAFFIC, ROAD USAGE, AND SAFETY

Currently there are 7 residences along the 2 mile stretch of Range Road 35 between Twp290 and gravel highway 574. In addition to the residents, the road is used by farmers who work the farmlands along this route and beyond. Increasing traffic to an 81-site campground and an event center that seats 500 would create extreme problems.

It is not only about the increased volume of traffic, but about the size of our farm equipment competing for the roads, in which the infrastructure is not capable.



Range Road 35 is currently 7 meters (23 feet) wide.

Widening Range Road 35 by 1 meter to 8 meters (26 feet) **will be insignificant** when large farm equipment and recreational motorhomes or 5th wheels and trailers meet.

There would be no shoulder. Ditches would be steep enough for a vehicle to roll, especially if the edge is softened by precipitation.



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Farm equipment is 5-6 times larger than it was when RR 35 was constructed. Machinery was 8 – 12 feet wide (2.5-3.5 m) then. Today my equipment width stretches to 25 feet across in transport mode with wings up. The road being widened to 26 feet would not alleviate any conflict with resort and recreational traffic. Dual tractor tires reach close to each ditch such that a motorcycle would have to use extra caution to get past. The header on my swather and combine are the width of the road.





The protil and the tractor with dual wheels on this paved highway is wider than the lane permits. The lane measures 14' from center line to shoulder and it is 2 1/2 feet over on each side. It would be impossible to meet a car let alone an RV or a motorhome on Range Road 35 and have them pass by this unit.

Our equipment is on the road spring, summer and fall – the same season as campers would be. You can see the scale of the sprayer below against my son and myself. Like the protil (opposite) it fits ditch to ditch on Range Road 35 and takes $\frac{3}{4}$ of highway 579.



IF Range Road 35 were to become a medium volume from a low volume road, the speed limit would increase from 70 to 90. (Stantec report)

Highway 574 is a gravel road and speed posted is at 80 km. After a heavy rainstorm this gravel highway east of Highway 22 is like driving on grease.

.
Stopping quickly on gravel is impossible with large farm vehicles like grain trucks. The same goes for motorhomes and trucks towing RV trailers.

As well, drivers of passenger vehicles who are inexperienced and not familiar with travelling on gravel roads are likely to skid out of control on gravel.



Campers and urban visitors may not realize how slow-moving farm equipment can be, or how wide a turning radius is needed.

When I turn into an approach, or turn at an intersection, my speed is at a crawl when I am towing this grain auger. The same goes for much of my farm equipment.

We pull a train of implements as we move from field to field.

This quad trac with my air drill and grain cart stretches to 125 feet in length.

I can't back up when I meet an RV. It is equally unlikely that a 35-foot motorhome or truck and 5th wheel or trailer could back up either, maybe as far as back as half a mile to an approach. Then, they would be trespassing in a laneway of a landowner.



DUST

Dust on gravel roads contributes to poor visibility increasing potential for accidents. In addition to injuries to people, my equipment could be damaged and put out of commission. My season could be jeopardized.

I don't live along the gravel roads but I recognize that dust creates problems for residents who do: dust in houses, on patio furniture, air quality and health issues for those with difficulty breathing (ashma; COPD).

Dust on grazing lands and hayfields creates unhealthy conditions for animals as well, and heightened vehicle traffic will make it all that much worse.

Crops are choked out from dust along the roads.

All Hay Is Not Equal: Choose Your Livestock's Carefully

c Hay for Horses

too dry, it may not be safe to feed. Hay for horses should never contain dust or mold, as it may lead to coughing and respiratory problems. Some types of mold may cause colic or can cause a pregnant mare to abort.



I sell excess hay. More traffic, more dust, more lost sales. My horse buyers are choosy.

2. FIRE



The dreaded grass or field wildfire.

Wildfires can spread 15 km an hour or faster, depending on the winds.

Fires start in the fields from a spark on a rock, debris buildup like chaff that ignites from a hot motor, mechanical error, and lightening.

In the recent past there have been 3 fires within a 2-kilometer radius of the Cartwright property and a fourth not much further away. A fire 3 years ago was on her adjacent neighbor's land to the south on Range Road 35. The fire this year was half a mile west.

The risk of fire increases with careless smoking, campfires (even in contained fire chimeneas), barbeques, and fireworks. Sparks and embers fly.

We don't need man-made sources in addition to natural causes to ignite fire in our sensitive areas.

A fire could prove disaster for people's lives.

Farmers and local residents risk losing their homes and farmstead buildings and equipment.

Livestock and pets are at risk of being trapped. Food storage as straw and hay bales are the winter source of food for the animals.





The first thing farmers do when they see smoke is drop everything and race to the scene of the fire. Those who live closest hook a tractor to a disk or cultivator and rush to the scene . Others come with shovels, fire extinguishers, brooms and gunny sacks.

BUT the large farm equipment and fire trucks would be impaired by the mass exodus of campers and visitors who would choke traffic flow, while the winds continue to fuel the flames. Range Road 35 is the only entrance and exit to any fire along that road. In the 4 fires in our area, farmers have had the fire under control by the time the volunteer bush buggy and fire trucks arrive, but if they can't reach the scene, it would be disastrous. The closest fire departments are Madden and Cremona, both with volunteer fire fighters and so response time is delayed from the time the 911 call goes in.

Farmers work a fire guard or barrier to try to stop the fire from spreading.

If an unharvested crop is in the fire's path, that crop is the farmer's annual paycheck.
The farmer gets paid but once a year for their crop, and that crop is vital for livelihood.



3. WATER



Of course, water is essential to everyone, but to a farmer it is vital for livestock and crops. A source for on-site water for livestock is imperative. If a well goes dry, trucking potable water in would not be financially viable.

It has always been difficult for most homesteads in the Dog Pound coulee area for farmers to find a good well source. There are many abandoned wells on the surrounding properties near Cartwrights, including her own.



Water supplies in the area are not what they used to be with springs in the area drying up and dugouts going dry. Today on land adjacent to Cartwright's I can farm over, not around, several areas that my father could not, because swamps have dried up.



Often, even with deep wells, the gallon per minute output is low. Some residents find it necessary to use a cistern. An adjacent neighbor to Cartwrights quickly learned that they could not take baths and water the horses during the same time period until there was recovery.

A greater demand has been placed on water with the practices of fracking with the oil and gas companies, and expansion of acreages in some areas of RVC.

The large amount of water needed for this proposed discretionary development is alarming. The water needs exceed most traditional agriculture user's needs. Water needs to be conserved.

There is no guarantee that the aquifer from which Chloe Cartwright's well draws will recharge over time.



4. LIFESTYLE AND CLASHES

Needs clash between farming and leisure/recreation.

The location of this discretionary proposed development amidst farmland and leisure / recreation does not go hand-in hand. Chemical sprays and fumes, noise of equipment, dust and hours of operation are not compatible with those who would be attending for a wedding or other event, or recreational campers who want the tranquility of camping.

Farmers work to sustain a living and visitors come to relax or party during leisure time.

Farmers have long hours. Work begins early in the morning and can go extremely late at night.



Spraying is necessary to control weeds. All lands around need weed control so that noxious weeds do not spread between fields and farms.

Trespassing would be a potential concern with dogs, quads and drones. Chloe Cartwright has spoken of a heli-pad; this would drive cattle through fences as well.





Private Property.....

but “I just wanted to go for a walk”

Just because a sign is posted does not mean everyone will abide by the rules.

Insurance liability for my property would need to be increased at more cost to me. I don't want to face a lawsuit when someone is injured on my land.





We do have plenty of wildlife in our area.

They come without invitation.

They love the smorgasbord of rich hay crops and various grains.

Vehicle collisions with wildlife, especially deer, happen any time of the day and are frequent. Anyone of us in the community would be first on the scene.

6. EXISTING COMMUNITY VENUES AND VOLUNTEERING

Being a member of a rural community means giving back to it.

Neighbors know one another; neighbors help one another.

We take pride in contributing to local volunteer organizations through Ag Societies, Lions Elks, sports teams, to sponsor parades and holiday celebrations, and rodeos. We work together for the benefit of the amenities we have.

We must sponsor events and fund raise to keep our community halls, sports fields, and other amenities open. Some are under utilized, so it makes maintaining them a community challenge.





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 Madden has a community center and a Poping firehall; a baseball diamond; rodeo grounds; and playgrounds. It also has a golf course with camping.



Dog Pound has various amenities including a community center with playground equipment; rodeo grounds and hall with camping; a golf course.



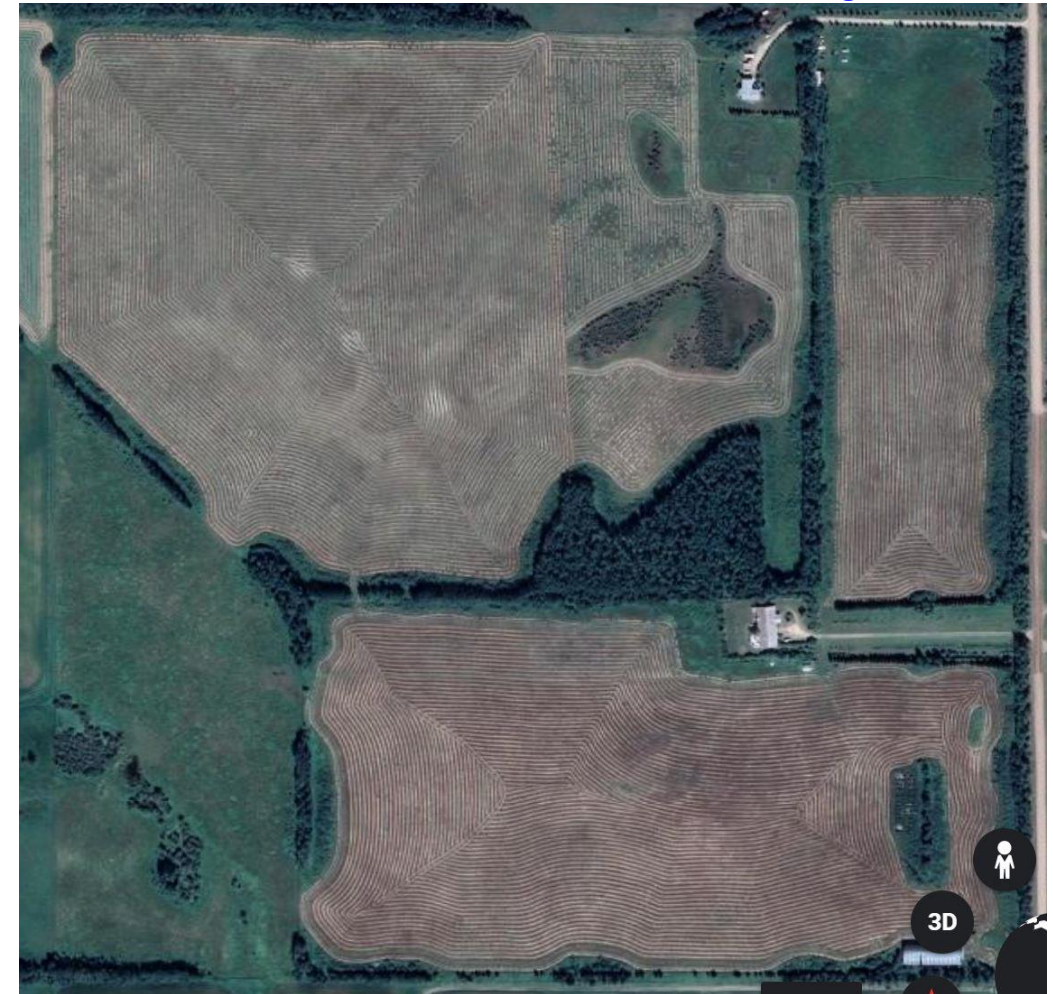
Bottrel has a campground, a creek, and general store.

Several venues are close-by in Water Valley and Cremona. Both have firehalls. They are in Mountain View County, but when you live on the border of 2 counties it all becomes one community. We work and play together.

There are already enough established recreational sites and venues within a close distance of the proposed project that both locals and tourists can utilize. Most are on paved highways, within an Area Structure Plan, a town or a hamlet, and have a fire department close-by. They are in suitable locations that provide expanded opportunities and amenities for recreation and leisure.

I remind you that this proposed Cartwright development site is virtually in a field surrounded by other farmlands. It is void of character. A grove of native poplar trees would take 5 minutes to walk around; it has a marsh but no creek or lake; no exciting terrain to explore or hike, so little to do. There is no guarantee a 9-hole golf course will come to be. It is not part of this application and apparently is funding dependent based on anticipated revenue from the campsite.

This project would not enhance the community but put a further stress on maintaining our existing venues which are there for community benefit, not private enterprise.



Cartwright land from google earth.

IN CONCLUSION

The very nature, the size, the scope of this proposed discretionary plan would bring significant undue stress and damaging impacts to our local farming community.

The proposed project with a campground, a castle event center, and other plans in Chloe Cartwright's 'vision' does not embrace our local rural culture.

It would be extremely disruptive to our daily lives and adverse to our livelihoods Or worse yet.....



.... we could be forced to sell.
We could not compete if the
infrastructure was not in
place to support the farms.

Do not devalue our farmlands
by allowing a discretionary
development in a location
that is not suitable with the
surrounding farmlands, farm
practices, and community
lifestyle.





The Farquharson family includes Niki, left, Cody, Ali, Stacey, in the wheel, Mia, Katana, above, Howard, Ella, Don, Sasha and baby Shae. | BARBARA DUCKWORTH PHOTO

*"It's my enjoyment"
says farmer at 97 years.*

Our family has made it
though two centuries,
let us make another.
Give my children and
grandchildren the
opportunity to farm.

Let us provide you with
food from our crops
and the livestock we
raise.



Help us continue this tradition another hundred years.

Please vote in support of the appeal, against the development, so that we may continue farming.

Thank you for the opportunity to speak and for listening to my concerns.

To: SDAB@rockyview.ca
File No.: 08731001 PRDP20185188
From: Keren Farquharson
Legal Land description: SE 36-28-4-W5M; SE 29-04-29-3-W5M; SE 2-29-5-W5M
Mailing Address: [REDACTED]
Date: December 14, 2020

OPPOSITION TO AND CONCERNS OF THE PROPOSED DEVELOPMENT

A. INTRODUCTION

I state my firm OPPOSITION to Chloe Cartwright's DISCRETIONARY Conditional Development Permit on SE-31-28-03-W5M and I am in support of the Appellants.

I own farmland half a mile from the Cartwright property, SE-36-28-4-W5M, that I did not own at the time of the redesignation and first development application. My father was in his 90's when the redesignation happened, and he did not get involved. He was a farmer and busy in the fields. For him and for many in the community this development was preposterous; it would never happen. My other properties were further away; I did not get notification of the proposed changes and I was living in Cochrane at the time. Now, my husband and I live and farm in the Dog Pound area. We are actively involved with the farm. My brother with his 2 sons of Farquharson Farms custom farm my land and we assist during harvest.

B. HOW I WOULD BE AFFECTED AND REASONS I SUPPORT THE APPEAL TO REVOKE THE DISCRETIONARY CONDITIONAL DEVELOPMENT PERMIT

I have learned since living in the Dog Pound area that there has been confusion and undue stress for residents and landowners surrounding the vicinity of the proposed development. Applications submitted and consequential decisions since 2011 to present day have raised alarm and concern that has led to insecurity in our rural neighborhood. Now living and farming here I understand the negative force it would bring to our Dog Pound neighborhood, myself, and my family. The proposed development is not compatible with the surrounding lands or lifestyle and would have an adverse effect for me.

- It would interfere with the enjoyment I value in our rural community and the lifestyle of peace and quiet that I do not enjoy in a more urban lifestyle. I worked in a career for a long time to achieve my objective of living back in the county where I was raised.
- I achieved my goal of owning a farm and this discretionary proposed leisure / recreation development would negatively affect the operations of agriculture on my and other farmer's lands surrounding the Cartwright subject property. Our needs as farmers collide with the desire of visitors seeking adventure on holiday time.
- Trespassing, touring, and site-seeing become greater concerns with people just looking for things to do. Break-ins have been problematic in our area and we have recently installed security gates. With visitors drawn to the area a more temporary population is not desirable.
- Our infrastructure within our rural countryside is not designed and could not be upgraded to support the discretionary proposed development.

- Increased traffic, noise from traffic, and increased risk for safety affect me and my family's quality of life and my animal's safety.
- It is challenging now moving large equipment between farms and getting product from fields to market and adding more holiday tourist traffic would make it more difficult and less safe.
- Road conditions and maintenance of roads becomes more demanding on our tax dollars. Our road 290 and 574 are not in good shape now and more traffic would further deteriorate their condition thus affecting their life span. I own land in both RVC and MVC. My tax dollars in both Counties would be contributing to this increased need of maintenance.
- Water usage is a huge concern in our Dog Pound area, and it is often difficult to come by a good source. I currently do not have a well on my property west of the Cartwright land. Because there is not a well to test, it cannot be determined if the confined aquifer from which Chloe Cartwright wishes to divert excessive amounts of water, reaches under my land. Conservation for future is imperative. There is no guarantee this aquifer will recharge over time.
- I fear this development will devalue my property by making it more difficult to farm; it would be problematic competing with the commercial / business this development would bring to the area.

C. REFERENCE INFORMATION

In my submission I will draw your attention to my concerns by referencing several sources that include public documents. Excerpts from some documents are in the Appendix, as referenced throughout my submission. This includes: Rocky View County documents; correspondence and information distributed by Chloe Cartwright including a package of 27 pages of information titled 'Urgent – this concerns you! Request for Adjacent Landowner's Input'; posts from Chinook Ridge Facebook (FB) public page; Chloe Cartwright Facebook (FB) public page; and her website Chinookridge.ca.

I believe Chloe Cartwright opens the door for the opportunity to include the following public information in this submission for this hearing by her alert on her post on Chinook Ridge FB page saying that she had filed an appeal with the Appellant Court. [Exhibit 9]. The submissions are pertinent to this conditional development permit before you and my opposition to it. These sources of public information include: Application of Chloe Cartwright for Permission to Appeal to Court of Appeal of Alberta (Court File Number 1901-0285AC); and Affidavit of Chloe Cartwright to Court of Appeal of Alberta (Court of Appeal File Number 1901-0285AC); and Court of Appeal of Alberta Memorandum of Judgement (Docket 1901-0285-AC).

D. THEMES OF CONCERN AND ISSUES FOR MYSELF AND OUR COMMUNITY

There are 4 main themes that raise concerns in the following submission. They give undisputed cause for me to NOT support this Discretionary Conditional Development Permit and include:

- i) persuasion, coercion, and manipulation
- ii) confusion, misinformation, and false statements
- iii) feasibility, practicality, and probability of development
- iv) financial viability and capability of development completion and sustainability

I will provide evidence of these themes in my submission; how they affect me; and how they relate to my support for this appeal before you.

E. HISTORY

1. November 29, 2011

Administration recommended refusal and Chloe Cartwright's first application to redesignate the subject lands from Ranch and Farm District to Business Leisure District was refused by Council.

2. November 6, 2012

Ms. Cartwright reapplied for redesignation: "from Ranch and Farm District to Business- Leisure and Recreation for the purpose of: an 18-hole golf course, a 21-room boutique hotel and banquet facility with seating capacity between 300 to 500 persons, 15 individual cabins and 15 stalls for recreational vehicle (RV) overnight stays". [Exhibit 1]

- "Administration recommended refusal in accordance with Option #2, that Council defeats second reading to Bylaw C-7188-2012 for the following reasons (in summary): "The area is primarily agricultural. It is the scale of this proposed development, and its potential impact on area agriculture which creates statutory policy conflict. The GMS, Growth Management Strategy, attempts to direct commercial developments to defined growth areas and discourages conversion of agricultural lands, or lands outside growth areas to other uses". As well, it did not support the AMP, Agriculture Master Plan". [Exhibit 1]

I find myself in this situation of opposing the development today because Chloe Cartwright embarked on a large campaign for her second redesignation application and subsequent development application. I believe this is relevant to today's hearing because myself and the local neighbors in the community are the most affected by support that came from far and wide. On her public FB Chinook Ridge page (still posted to date) she actively engaged in getting support from whomever, wherever. In addition to the 105 letters of support, she says she filled the chambers with 60 supporters. Below are a few of her posts from her Chinook Ridge FB page: [Exhibit 2 a,b c]

- "County wants to hear what you think and it doesn't matter where you live."
- She actively recruited for letters "Chase your friends up and put a pencil in their hand."
- "(my link) gives you a pre-addressed form to print-off and fill in; So easy... just takes 2 minutes..."
- "Your letter need only be 1 or 2 sentences".
- She admits she 'harassed' people to get them to attend the hearing "What a perfect day to phone/email and otherwise harass people who have not RSVPd."
- She coaxed people to the hearing and hosted a reception after: "I am hiring a bus to pick people up....take them to the Hearing and Reception..."

Comments:

- *In reviewing the 105 letters of support, they were by overwhelming majority from outside the subject area. These letters came from: from England / UK (6); Ottawa; Montreal; and throughout Alberta. 32 were from Cochrane and 15 from Calgary. 7 letters had no address.*
- *To the best of my knowledge, 8 of the 105 came from within 2 miles (3.2 kms) of the proposed development: 3 of these people have since moved; another has their land for sale; one has died; one wanted to golf; one was her cousin living on subdivided parcel of Cartwright land; and the only other adjacent neighbor, a renter, supported the rezoning.*
- *In reading through the letters many were in support of the 18-hole golf course, on which the redesignation was 'purposed'. [Exhibit 1]*

- A couple letters of support from somewhat within the extended vicinity of the subject lands were because they thought gravel highway 574 would be paved.
- Of the people who spoke in support at the Redesignation hearing, I and other neighbors recognize 3 names. One lives at Bottrell (8.6 km) and owns the general store, another lives west of Bottrell, 11 km away. Apart from the one adjacent neighbor who spoke (and also wrote a letter of support), none of these speakers would be directly impacted as am I and other neighbors in closer proximity to the subject land by the reasons I outlined in section B.

Farmers were busy with harvest prior to the hearing and getting crops off is always first priority. Local residents were caught off guard and did not realize what Chloe Cartwright had orchestrated. They had not realized that a proposal of this magnitude in a farming area would be viable, or that it would be supported by Council, but it passed. I remember my Dad feeling bewilderment, disappointment, and disgust.

3. May 13, 2013

Following redesignation Council granted a conditional development permit for an 18- hole golf course; construction of a clubhouse/lodge facility; a campground of approximately 15 stalls; and the use of an existing Quonset as a maintenance building. **The conditions were not met.** The Development Permit was not issued. The project did not happen.

Comment:

Local residents breathed a sigh of relief. Their close-knit community was once again safe from turmoil and disruptions from a development that would not be compatible with the surrounding farmlands.

F. BACKGROUND FOR APPEAL OF CONDITIONAL DEVELOPMENT PERMIT

1. October 31, 2018 and December 28, 2018

[Exhibit 3] Chloe Cartwright posts on Chinook Ridge FB page "Plans to be unveiled soon. Get ready for a 'Henry the 8th' theme party Spring/Summer 2019. Costumes Mandatory!". A second post reads: "Hope to open late spring of 2019. Keep in mind for all your group activities. Alternate accommodations are part of the plan..."

Comments:

These posts, one before the application was even submitted, the other in the same timeframe she submitted her application 1) shows she assumed she would get a permit 2) and have the development up and running within half a year. This is so unrealistic; so irrational.

As well, a Medieval theme party close by is not in my best interests for a peaceful and quiet lifestyle, nor does it fit in with the culture of our farm community.

2. December 21, 2018 / January 3, 2019

Chloe Cartwright made Application B-7; PRDP20185188 for a Campground with 81-stalls, and Tourism Uses/Facilities (Recreational), construction of a tourist building including 16 hotel rooms, and relaxation of the maximum building height requirement for her sandstone castle surrounded by moats and drawbridge.

3. May 14, 2019

Development Authority Decision: Discretionary – Approved.

May 28, 2019

[Exhibit 4] The Notice of Decision addressed to Chloe Cartwright in capital letters in red at the top says:

‘THIS IS NOT A DEVELOPMENT PERMIT’. In boldface: **‘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.’** [page 32 of 83 in Agenda package]

Under ‘Prior to Issuance’ 3 pages of conditions are listed: # 3-16 [pages 32-35 of 83 in Agenda package]

[Exhibit 5] On her public FB Chinook Ridge page Chloe Cartwright posts May 5, 2019: “Update for all the followers on this page. Development Permit – Approved! Watch for an announcement of the Groundbreaking Party!”

Comments:

- *Chloe Cartwright deceived the public on FB page: 1) by posting prior approval and to the Decision and 2) by stating it is a Development Permit. She implies it as a done deal; there could be no appeal.*
- *This is relevant to me and all neighbors outside the circulation area who did not receive notification from the County of the development application. Although I have land half a mile away, I initially did not get notice from RVC of any proposed development application until after it was appealed by 3 Appellants.*
- *Chloe Cartwright seems to not comprehend what a ‘Conditional’ Permit is and all the conditions that must be met before she gets a Development Permit; or perhaps she does not take the conditions seriously. The previous development permit of 2012 was not issued because conditions were not met; this could potentially be a repeat of history and for this reason I do not support her Conditional Development Permit.*

The Notice of Decision dated May 28, 2019 from RVC itemizes 14 conditions. Some involve government agencies. Other conditions require studies to be completed. Agreements need to be put into place. One large condition is a Development Agreement with the County for the construction of all associated off-site improvements including upgrading 2 miles of Range Road 35 to a Moderate Volume Road in accordance with County Servicing Standards. Another large cost is a transportation off site levy payable prior to issuance.

Comments:

- *IF the development permit were to be approved, the maintenance of Range Road 35 becomes the responsibility of taxpayers after 2 years. The excessive traffic to and from the development will cause greater costs than it currently takes to maintain the road. My dollars would be supporting her private enterprise and benefiting her development for which I oppose.*
- *One wonders if this is feasible and financially achievable and if Ms. Cartwright has recent quotes for the list of conditions to be met ‘Prior to Issuance’ of a Development Permit. For example, but not inclusive: a construction management plan; a geotechnical report; a revised parking plan; a revised landscape plan; an updated TIA Traffic Impact Assessment; the cost to enter into an Agreement with the County for the construction of all associated off-site improvements including the widening of range road 35; potential costs of road use agreements; etc.*

In addition, there are many conditions that need to be met before construction on her site can begin and 'Prior to Occupancy'. Permits would need to be attained before construction can begin on her project. Construction takes time. Inspections take time.

Comments:

- *On the RV portion, on each site she would have to have water; electricity; parking pads; firepits; landscaping; sewage disposal; and enclosed fencing and roads around the site.*
- *Just one example of a major cost is power. This power demand concerns me because there could be power interruption to my household and my farmstead. A bigger fear is about distribution charges that could get passed along to me and others along route.*
- *At 50-amp service she would need at least 4050amps to service her 81 campsites. In our rural location 200-amp service is the norm with some older houses still operating on 100-amp service. It is likely a 3-phase distribution line would be required for her service and may have to come in from miles away. Very costly. I wonder if she as she had a quote from Fortis.*
- *Again, one wonders if Chloe Cartwright has a realistic expectation of costs and has quotes or bids for construction of this proposed development. Is there a budgeted cost for construction and a contingency fund for this proposed project including the campground and the Castle (with the commercial kitchen and hotel rooms) and all the on-site infrastructure needed to support it. To maintain it.*
- *I am afraid that IF a development permit were issued and if the project is not completed, we are left with a "mess" in our community. IF it is not maintained it could look like her current Quonset which is an eyesore with a partial roof missing and tarp flapping in the wind from the torn sections.*

4. May 29, 2019; June 3, 2019

Council's decision for the Conditional Development Permit was appealed by 3 Appellants opposing the development.

5. June 26, 2019 and August 7, 2019

Subdivision and Appeal Board Hearing dates.

[Exhibit 6] On July 20, 2019 Chloe Cartwright posts on Facebook: "Quick update everyone. The conditional Development Permit issued by County has been appealed by a couple of people who do not understand what an asset it will be to the community. Marching forward! Stay tuned!"

Comments:

Here she states it a Conditional Permit, but there were 3 Appellants, not 2. From the date of her FB post, she would have known this by over a month. As well, I and 2 others spoke in support of the Appellants. I feel she ignored any concerns I expressed since she does not acknowledge that I talked.

6. August 22, 2020

The decision of SDAB: "The decision of the Development Authority is overturned. A Development Permit shall not be issued."

7. Late August – early September 2019

Chloe Cartwright circulated a 27- page package to some neighbors titled: Urgent – this concerns you! Request for Adjacent Landowner’s Input”. There was no date anywhere on or within the package. Some were hand delivered to mailboxes. I do not know if any were mailed and it is uncertain who and how many neighbors received her package. With information from within her ‘package’ I will provide you evidence of how confusing it was to myself and those neighbors with whom I have spoken. In this correspondence she is moving the goal posts, and this causes great uncertainty. It contributes to my feeling of insecurity and instability in my neighborhood. For this reason, the Conditional Development Permit should be denied.

i) [Exhibit 7, page 2 and 6] On page 2 she lists 5 options we are to consider and on a page 5 is a form ‘Feedback’ where we are to state our preferences. They included:

- A. “Subdivide the land into eight 8-10 acre lots and downsize the RV Park and later develop a golf course with a variety of accommodations, spa, restaurant, etc.”
- B. “Divide the entire parcel into 30+/-5 acre lots as permitted with BL&R land”
- C. “Develop a cannabis growing facility....”
- D. “Develop an RV, boat, motorcycle and car storage facility....”
- E. “Sell the land to someone else for development (keep in mind that BL&R land can be subdivided into 5-acre parcels) and the buyer may have plans for a much more intrusive development.
- [Exhibit 7, page 3] Chloe Cartwright says: “I was contacted by a representative from a large equestrian tourism organization looking for land to purchase and relocate their existing operation”.
- [Exhibit 7, page 3] Chloe Cartwright says: “In mid-2018 I was approached by a representative of a very large cultural / religious community so they could build a meeting hall and accommodate parking for 5,000 vehicles”.
- [Exhibit 7, page 2] Chloe Cartwright says: “It is time to make a silk purse out of a pig’s ear.”

Comments:

- *I replied with option E. I wrote a letter indicating that as a previous realtor she knows the phrase: location, location; location. I described 152 acres I own NW of Bottrel. It is in the Water Valley ASP, borders crown land and is next to Winchell Lake and south of Water Valley golf course. I described the character of the land with meadows, hillside views, a pond and creek and old growth spruce, that I felt would be much better suited for her vision of development than in her ‘baren field’ surrounded by agriculture. I stated: “I could be interested in your land if you were to have an interest in mine. This land is suited to recreation and leisure as you will see in the photos attached. You have met with a lot of local adversity and setbacks with your application in your current location. This could be a possible option for you.”*
- *I was attempting to find a mutual benefit by protecting land that is capable of agricultural production and providing an opportunity for her to bring her vision(s) to life in an area with so many more amenities and on land much more suited for recreation/ leisure and in a recognized growth area.*

- *Chloe Cartwright replied in an email to me that she will not roll her land back to agricultural use and that last August she had listed the land for 3.25 million and the Sikh community had expressed interest. She said that if she put her land on the market it would be a group of that caliber.*
- *On her Chinook Ridge public FB page, she posted that she saw my suggestion as a conflict of interest, but - she asked for input and one option was to sell.*
- *She refers to turning the pig's ear into a silk purse but developing her discretionary proposed development on her barren hayfields would be more like putting lipstick on a pig.*
- *Some other people and I feel her options as a threat. Like, fear mongering, 'accept my plan or it could get worse'.*

ii) **[Exhibit 7, page 3]** On page 3 of her package Chloe Cartwright states: "Chinook Ridge Castle & RV Park's segments could be built at different times spacing out the development in a fashion I could manage over a period of years. A Development Permit is only good for 2 years; it would take that long to just get the RV Park built, operating and showing income the first year, then either the 2nd or 3rd year move forward with the Castle, then later a 9-hole golf course. I would need a second Development Permit for the golf portion."

Comments:

- *Here Chloe Cartwright is delaying construction to raise revenue to proceed. This construction would cause continued chaos to our community for possibly years, should she be able to have permits extended or granted, or not have the funds to proceed.*
- *This is unequivocally opposite to what she says in her Affidavit to the Court [see 13. #23]*

iii) **[Exhibit 7, page 5]** On page 5 of her package she says: "I have downsized the RV Park and the event centre by half so it will be 40 RV stalls and only a 250 seat restaurant. There will only be 6 rental rooms This will reduce traffic and water usage. It will have the same spa, etc."

She notes: "Downsized to an upscale 40 Stall RV Park, play fields & later a private professionally designed 9-hole golf course. Kid's Maze..." On page 27 in the writeup she explains how each stall will have 50amp power, water, and septic connections at deep levels to enable winter use. **[Exhibit 5, page 27]**

Comments:

- *Potentially 40 RVer's could be full time residents if it is a winterized site. They basically become 'squatters' to the County. They would not be paying property taxes, but they could have the use of all the community amenities and schools that RVC taxpayer's fund. Since the subject property is only one-half mile from the County divisional line, Mountain View taxpayers could be footing a bill too. As a property owner in both Counties, I object double time.*
- *A golf course is not of part of this current application before you. First, she may not be able to get a permit for a golf course. Second, if funding were to be an issue, she may never have the financial means to fulfil this part of the plan. A private golf course does not benefit local community members.*
- *Downsizing to this plan would still be too disruptive to the community; the discretionary concept, the scale, scope and size would still not be acceptable to me in our rural neighborhood.*
- *All this new information has come to us, to me. So, confusing! What is Chloe Cartwright planning on doing? How does any of this fit with the Discretionary Conditional Permit before us at this hearing today – can she change the size and scope? For the reasons above I urge you to revoke the Conditional Development Permit.*

iv) **[Exhibit 8]** On page 26 of her information package Chloe Cartwright has a design plan that includes 8 lots of 8-10 acres, each allowing a new owner to build a house and have 2 horses, also a small business. It is the same design plan she posted September 27, 2019 on Chinook Ridge FB page where she states: "This is the revised plan' tentative.' I will be working on lots first, size, shape, surveys, water co-op, etc. Once a couple have sold I can move forward with the RV Park, Castle and Golf Course." [Exhibit 8]

Comments:

- *This is truly relevant to the hearing today because her project plans may have changed. All this new information leaves me, and others I spoke to baffled, perplexed and stressed. Her plans are 'all over the place'. I do not know what to believe with so much uncertainty and with the possibly of changes in plans. Now she has added another dimension to a plan, by adding lots.*
- *Has Chloe Cartwright applied for a subdivision for these lots, or is she about to if she is granted this permit before you today?*
- *IF she were to have this Conditional Development permit granted, will she be requesting an extension to begin the RV Park? The Castle?*
- *The current Conditional Development Permit does not include a golf course – there is no guarantee a golf course permit would be granted if or when she was to apply. There is no guarantee she will have the funds to proceed with a golf course.*
- *I would not support this plan either; it is more unacceptable to me for all the reasons I stated in section B. We are not in a growth area; we are not within an Area Structure Plan. I would object to a new conceptual plan in our area of agriculture and any subdivision thereof. Eight more business with traffic coming and going and all my other reasons stated in section B would be unacceptable for this plan. Keep subdivisions within or closer to urban growth centers.*

8. September 27, 2019

[Exhibit 9] Chloe Cartwright did 3 FB posts on this day. This first one was on her Chloe Cartwright FB page, which was public at the time of this post.

- At 4:03 she says: "Selling my Gleneagles home and offering it to friends first before it goes to MLS. Asking\$ 499,00". A comment back says: "Wow that's beautiful". Chloe Cartwright replies: "It is, breaks my heart to sell it but I need the cash for another project :("
- At 5:32 she posts on FB Chinook Ridge Public page: "Chinook Ridge's conditional permit was revoked due to concerns from 3 landowners in the vicinity. 2 of them don't live nearby and none of them farm their own land. I have filed an appeal with the Appellate Court. Stay tuned!"

Comments:

- *The timing is interesting on these 2 posts on the same day. She alerts that she has filed an appeal. More stress for me as it is a wait and see, more uncertainty.*
- *One neighbor adjacent to the north has cattle and he attends them daily, even though he lives elsewhere. The other 2 owners she refers to rent out their land; one lives on site and the other currently rents out her farmstead; both of their quarter sections are still in agricultural production. Rented out or otherwise, the owners have a vested interest in their properties and property values. There is no room for objection here; their lands remain farmland.*

9. September 23, 2020

[Exhibit 10] Application of Chloe Cartwright for Permission to Appeal is received at Court of Appeals Alberta. On page 2, Nature of Application and Relief Sought, # 3 reads: "On May 28, 2019 Chloe Cartwright (the Applicant) was granted a Development Permit". Following in #6 and #11, it is again called a Development Permit.

Comments:

False information has been provided to the Court. It was not a Development Permit; it was a Discretionary 'Conditional' Development Permit. It reiterates that Chloe Cartwright defies the difference. For me this does not instill trust in Chloe Cartwright but increases doubt and deceit. For this reason, a Conditional Development Permit should not be issued.

- On page 3, #13; page 4 #15,17,and 18. Chloe Cartwright references the Appellants and supporters of the Appeal and the references to agriculture as a collateral attack on her Bylaw land redesignation.

Comment: more in 12. below.

- On page 4, #15: "....Applicant could lose her livelihood and substantial rights in the Lands...."

Comment:

Chloe Cartwright refers to 'losing her livelihood' as if the project were already producing her income. It is a vision, a plan on paper, but it is not her current livelihood. Currently she continues to sell bales off her hay land, which is compatible with the farmlands around her.

10. October 30, 2019

[Exhibit 11] An Affidavit of Chloe Cartwright was filed with the Court of Appeal Alberta.

The following 2 sworn statements concern me because if there were to be financial issues in proceeding with this proposed development, myself and others could have a mess on our back doorstep with a development not completed. Beginning a project and not being able to take it to completion could leave me on the hook as a taxpayer for road maintenance and off -site costs.

- #5 in Affidavit, Chloe Cartwright states: "I allowed the 2013 permit to expire.....Our separation was not finalized until 2015. Without getting into more, there were financial issues".
- #6 in Affidavit, Chloe Cartwright states: "In January 2019, I decided to re-apply for a development permit to build the RV Park portion of my original plan in order to create some revenue to fund the construction of the golf course".

Comments:

She references having financial issues with the past development. Here she references needing revenue for development. However, this contradicts what she said a month previous when she posted on her FB Chinook Ridge page that she needs money to begin any part of this proposed development before you - that she must sell a couple of lots so she can move forward with the development, including the RV park. Here she implies she needs the money for a golf course. Ms. Cartwright omits any mention of the construction of the Castle, which is part of the application, but instead includes a golf course, which is not. This gives cause for this Conditional Development Permit to not be issued.

- #23 in Affidavit, she states: “.... I have been denied the opportunity of constructing and operating my RV Park and consequently lost approximately \$173,600.00 in income for the latter half of the 2019 camping season.....”

Comments:

- *This Affidavit was filed around the same time she distributed her ‘Urgent - this concerns you!’ in which she said it would take 2 years to get the RV park built but here in her Affidavit she claims she has lost money for half a season of 2019.*
- *Ms. Cartwright does not refer to the permit as ‘Conditional’ and has provided false information in her Affidavit, again as she did in her Application to Appeal to the Court.*
- *As a Conditional Development Permit, she has a multitude of Conditions to satisfy that she fails to mention: ‘Prior to Issuance’; and ‘Prior to Occupancy’ [see pages 32-38 of 84 in Agenda package].*
- *Completion in a month and a half and to have it rented for the remaining half of the season is absurd. It is beyond irrational.*

I believe this sworn statement with anticipation of lost revenue reinforces how unrealistic and unreasonable Chloe Cartwright is with this entire project and that she is not capable of this development in a practical or responsible manner. For this reason alone, a Conditional Development should not be issued.

11. October 13, 2020

Appeal #1901-0285AC was heard by the Court of Appeal by Justice Bruce Macdonald; Justice Thomas Wakeling; Justice Barbara Veldhuis.

12. November 23, 2020

- Decision of the Court on the matter of ‘bias’ is that the Decision of the SDAB was quashed and was to be remitted back to an entirely different panel for the SDAB rehearing.
- On a second ground of appeal before the Court Chloe Cartwright had claimed those who spoke against her development, me identified, were conducting a collateral attack on her land redesignation in favor of agriculture, which she believed was an inappropriate factor. The Court agreed since in this case Chloe Cartwright’s proposed development was a discretionary use: section 683 of the Act, a discretionary use is a use that has no automatic right to a permit. It was the opinion of the Judges that merely referencing agricultural concerns as it impacts the property of others does not represent a collateral attack upon her Bylaw amendment. They dismissed this ground of appeal.

Comment:

This decision is extremely relevant to this hearing today. Others and I can address our concerns regarding agriculture on all surrounding farmlands as they relate to this Discretionary Conditional Development Permit.

13. December 17, 2020

A re-hearing was scheduled within 30 days of the decision of the Court. It will be an ‘Electronic Hearing.

G. QUESTIONS AND ANSWERS

Chloe Cartwright's Discretionary Conditional Development Permit and the process herein has raised many questions. Of concern is:

- *Does she have the finances to carry this large scale proposed project to completion?*
- *How long would this disruption to our community continue if it is done in stages?*
- *Which of the different plans or ideas would she attempt?*
- *Fear that if a Development Permit were to be granted that only the campground would ever come to be and it would sit alone in a field in the middle of an agricultural community.*
- *Fear that all my concerns in section B would become real.*

By Chloe Cartwright's own admissions, it leaves doubt that she may not have up-to-date knowledge and professional reviews for this current development proposal including:

- a Feasibility Study
- a Business Plan
- a Cost Analysis
- a time frame for completion from start to finish
- and since Chloe Cartwright has openly referred to revenue, or lack thereof for development, a Financial Plan.

If she were to not have this relevant information, she could not anticipate or realize the costs of such a huge undertaking. As a developer of a large-scale project, I believe she could not carry through this proposed development in a feasible, logistical, and responsible manner, thus, it would be a detriment to myself and my community. Therefore, I opposed this development and issuance of a Conditional Permit.

H. CONCLUSION

I have raised many concerns with the discretionary development proposal and how it has been handled by the applicant:

- ✓ what Chloe Cartwright has said: misinformation; conflicting information; false information
- ✓ what Chloe Cartwright has done: persuasion; manipulation for support from outside community
- ✓ how Chloe Cartwright has roused confusion: various options; unrealistic time frames; improbability
- ✓ what Chloe Cartwright has left to question: financial viability; economic feasibility and sustainability
- ✓ how Chloe Cartwright has negatively impacted a quiet rural farming community: causing undue stress, worry and anxiety; insecurity for the value of our properties; imbalance in our infrastructure
- ✓ what Chloe Cartwright has not done: listen to me or her neighbors; respect the community in which she wants to impose a discretionary development that is not compatible with surrounding lifestyles and properties

It is imperative and I ask you, the members of the Subdivision and Appeal Board, to recognize that the subject property is surrounded by productive agricultural lands and any discretionary use must be compatible with the surrounding lands. This discretionary leisure / recreational development in an area that is farming country would be intolerable for myself and my neighbors. The impacts what I outline in section B for this type of development in our rural agricultural community would have tremendous negative effect on myself and neighbors. Please support this appeal and revoke the Conditional Development Permit.

APPENDIX: *Exhibits 1 – 9 are attached in a separate Power Point submission.
Exhibits 10 and 11 are attached with this submission.*

Adjournment Request

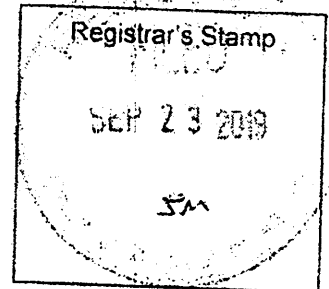
☒ Granted to: November 28, 2019

☐ Denied

B-1 08731001 PRDP20185188
SDAB 2020 Dec 17
K Farquharson (neighbour in support)
presentation letter of support
Page 13 of 36

COURT OF APPEAL OF ALBERTA

Form AP-3
[Rule 14.63]



COURT OF APPEAL FILE NUMBER: 1901 - 0285AC

TRIAL COURT FILE NUMBER: 2019-SDAB-037

REGISTRY OFFICE: CALGARY

APPLICANT: CHLOE CARTWRIGHT

STATUS ON APPEAL: APPELLANT

STATUS ON APPLICATION: APPLICANT

RESPONDENT: ROCKY VIEW COUNTRY
SUBDIVISION AND
DEVELOPMENT APPEAL
BOARD

STATUS ON APPEAL: RESPONDENT

STATUS ON APPLICATION: RESPONDENT

DOCUMENT: APPLICATION OF CHLOE CARTWRIGHT FOR
PERMISSION TO APPEAL

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT:
Brendan M. Miller
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and

CONTACT INFORMATION OF ALL
OTHER PARTIES:
Rocky View County Subdivision and
Development Appeal Board
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

NOTICE TO RESPONDENT:

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

WARNING

If you do not come to Court on the date and time shown below either in person or by your lawyer, the Court may give the applicant what it wants in your absence. You will be bound by any order that the Court makes. If you intend to rely on other evidence or a memorandum in support of your position when the application is heard or considered, you must file and serve those documents in compliance with the Rules. (Rule 14.41 and 14.43)

NOTICE TO RESPONDENT(S):

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date: Oct 8, 2019
Time: 10:00AM 9:30 AM
Where: 2600, TransCanada Pipelines Tower, 450 – 1st St. S.W.
Calgary, Alberta T2P-5H1
Before: Single judge of the court (Rule 14.37)

Nature of Application and Relief Sought

1. This is an application for permission to appeal brought pursuant to s.688(3) of the *Municipal Government Act*, R.S.A. 2000, c M-26. *This is to preserve time application*
2. On November 6, 2012 the Council of Rocky View County re-designated the land use of 285049 Range Road 35 (the "Lands") from Agriculture to Business-Leisure and Recreation (B-LR) by passing Bylaw C-7188-2012 which is a site specific amendment to *Land Use Bylaw No. C-4841-97*.
3. On May 28, 2019 Chloe Cartwright (the "Applicant") was granted a Development Permit by the Rocky View County Development Authority (the "Development Authority"), with conditions, to develop the Lands. The Development Permit permitted the Applicant to: develop the Lands by creating a Campground (81 RV stalls) and Tourism Uses/Facilities (Recreational), construct a tourist building including Accommodation Units that is compatible with available servicing (16

- rooms); and relaxed the maximum building height requirement (the "Development").
4. Pursuant to s.685(2) of the *Municipal Government Act*, R.S.A. 2000, c M-26, several objectors to the Development appealed the issuance of the Development Permit to the Rocky View County Subdivision and Development Appeal Board (SDAB).
 5. The appeal hearing before the SDAB took place on June 26, 2019 and August 7, 2019.
 6. On August 22, 2019 the SDAB issued a decision granting the appeal of the objectors to the Development and revoked the Development Permit issued to the Applicant by the Development Authority. The Applicant applies for permission to appeal from the August 22, 2019 decision of the SDAB.

Grounds for making this application:

7. The SDAB was bias, displayed an apprehension of bias, or was tainted by an apprehension of bias by one or more of its members. Specifically, on June 26, 2019 before the record was turned on, Don Kochan, Chair of the SDAB, stated to the other members sitting on the SDAB:

"This is why we should never allow land re-designations to go through".
8. Then, at the beginning of the hearing on June 26, 2019 and on the record, Chair of the SDAB, Don Kochan, stated:

"Having the introductions before the municipal clerk and the nature of the appeal, I am going to have to recuse myself because I've got a very close relative that is going to support the appeal. As well, I am going to withdraw and I am going to speak on behalf of supporting the appeal as well.

With that, because of the fact we don't have, we need an odd number, Mr. Hartley is going to step down as well. So we'll have a three member board. And Councillor Henn is going to assume the duties of the Chair. Good luck."
9. Further, Don Kochan, recused Chair of the SDAB, then actively advocated against the Applicant before the SDAB.
10. The SDAB erred in law and jurisdiction in permitting the proceeding before them to be used as an impermissible collateral attack on the November 6, 2012 proceeding before the democratically elected Council of Rocky View County. In the November 6, 2012 proceedings the Council of Rocky View County re-designated the land use of the Lands from Agriculture to Business-Leisure and Recreation (B-LR) by passing Bylaw C-7188-2012 which is a site specific amendment to *Land Use Bylaw No. C-4841-97*. The Applicant states the

11. The SDAB erred in law and jurisdiction in basing its decision on no actual evidence from the objectors to the Development Permit, but mere speculation, which amounted to an abuse of discretion.
12. The SDAB erred in law and jurisdiction in failing to consider the Applicant's numerous letters of support and failing to admit them into evidence under s.629 of the *Municipal Government Act*, R.S.A. 2000, c M-26.
13. Further, any such other grounds as argued in the Applicant's Memorandum of Argument in support of permission to appeal.
14. The Applicant states that all of the above grounds of appeal are based on errors of law and jurisdiction.
15. The Applicant states that the appeal is of sufficient importance to merit appeal as its implications go beyond the dispute between the parties. Further, doing justice between the parties is of sufficient importance to permit an appeal as the Applicant could lose her livelihood and substantial rights in the Lands if the SDAB decision is not set aside.
16. The Applicant states her appeal has a reasonable chance of success in that there are reasonably arguable points and the appeal is not frivolous.

Material or evidence to be relied on:

17. The decision of the Development Authority dated May 28, 2019, attached as Schedule "A"
18. The decision of the SDAB dated August 22, 2019 cited as 2019-SDAB-037, attached as Schedule "B".
19. Audio recording of proceeding and transcript of proceedings, to be filed.
20. All material that were before the SDAB, to be filed.
21. Affidavit of the Applicant Chloe Cartwright, to be filed.
22. Any other such evidence as permitted by the Court.

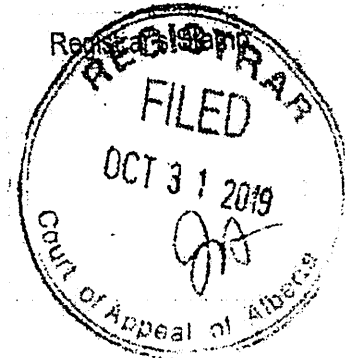
Applicable Acts, regulations and rules:

23. *Municipal Government Act*, R.S.A. 2000, c M-26.
24. *Alberta Rules of Court*, Alta. Reg. 124/2010.

COURT OF APPEAL OF ALBERTA

Form 49
[Rule 13.19]

COURT OF APPEAL FILE NUMBER: 1901-0285AC
TRIAL COURT FILE NUMBER: 2019-SDAB-037
REGISTRY OFFICE: CALGARY
APPLICANT: CHLOE CARTWRIGHT
STATUS ON APPEAL: APPELLANT
STATUS ON APPLICATION: APPLICANT
RESPONDENT: ROCKY VIEW COUNTY
SUBDIVISION AND
DEVELOPMENT APPEAL
BOARD
STATUS ON APPEAL: RESPONDENT
STATUS ON APPLICATION: RESPONDENT
DOCUMENT: AFFIDAVIT
ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT: Attention: Brendan M. Miller
Walsh LLP
2800, 800 – 6th Avenue SW
Calgary, AB T2P 4A3
Phone: 403-367-8400
Fax: 403-264-9400
File: 89802-1



AFFIDAVIT OF CHLOE CARTWRIGHT

Sworn on October 30, 2019

I, Chloe Cartwright, of Crossfield, Alberta, SWEAR AND SAY THAT:

1. I am the Applicant in the within proceedings and as such have knowledge of the facts and matters herein and where so stated, I also have information and belief.
2. On or about November 16, 2012, I applied for Land Re-designation for the express purpose of building a boutique hotel, RV Park, cabins and a golf course. This re-designation is commonly referred to a "site specific amendment" where a

municipal Land Use Bylaw is amended by Rocky View Council, who are elected members of the community. That site specific amended was passed and at law the land in issue is not farm or "Agricultural Land", but designated as "Business-Leisure and Recreation" as per Bylaw C-7188-2012 which is a site specific amendment to *Land Use Bylaw* No. C-4841-97. Attached hereto and marked as **Exhibit "A"** is a copy of the Transmittal of Decision passing Bylaw C-7188-2012.

3. There were many reports and technical studies submitted as part of the Land Resignation process, and the re-designation cost \$265,563.64 in total.
4. On May 14, 2013, I received the Revised Notice of Decision approving my development permit application subject to conditions ("the 2013 permit"). Attached hereto and marked as **Exhibit "B"** is a copy of the Revised Notice of Decision. It was an arduous and costly process and the Rocky View County Council was thorough in their review. The Permit allowed the construction of a Banquet Hall, Hotel, and RV sites, etc.
5. I allowed the 2013 permit to expire due to unexpected personal circumstances that arose. Specifically, my common law spouse and I were going through a separation and it took a large toll on me. Our separation was not finalized until 2015. Without getting into more, there were financial issues arising from the separation. Until 2018 I had four (4) foster children living with me, and without my former common law spouse it created large time, emotional and financial demands.
6. In January 2019, I decided to re-apply for a development permit to build the RV Park portion of my original plan in order to create some revenue to fund the construction of the golf course. On May 28, 2019, I received a conditional permit from Rocky View. Attached hereto and marked as **Exhibit "C"** is a copy of the Notice of Decision for the conditional permit ("the 2019 Permit").
7. Upon the issuance of the 2019 Permit, some owners of neighboring lands appealed the decision.
8. The appeal hearings were held on June 26, 2019 and August 7, 2019 in front of the Rocky View Subdivision and Development Appeal Board Panel ("the SDAB").
9. On June 26, 2019, before the record was turned on, I heard Mr. Don Kochan – SDAB Hearing Chair state:

"This is why we should never allow land re-designations to go through".

10. Then, at the beginning of the hearing on June 26, 2019 and on the record, Chairman Kochan, stated:

"Having the introductions before the municipal clerk and the nature of the appeal, I am going to have to recuse myself because I've got a very close relative that is going to support the appeal. As well, I am going to withdraw and I am going to speak on behalf of supporting the appeal as well.

With that, because of the fact we don't have, we need an odd number, Mr. Hartley is going to step down as well. So we'll have a three member board. And Councillor Henn is going to assume the duties of the Chair. Good luck.

11. Chairman Kochan then acted as an advocate against me before the SDAB, on behalf of himself, his daughter Amanda Holmberg, and her husband. Ms. Holmberg lives approximately 1 mile North East of my property and not in the circulation area. Mr. Holmberg lives on a 6 acre property.

12. Chairman Kochan was the last person to speak against my application at the hearing date on June 26, 2019. Chairman Kochan advised the SDAB he wanted to focus on the "agricultural value" of my lands. This was what was already considered and decided upon by the democratically elected Rocky View County Council in passing Bylaw C-7188-2012.

13. Chairman Kochan stated in his advocacy against me as is reflected in the audio of the hearing

"I was digging some post holes at my daughter's location on the weekend, and we uncovered 2 feet of top soil on the property. Now that is next to gold for a farmer".


"Considering this fertility of this land, this application most certainly does not support the agricultural master-plan's vision adopted by of the county".

14. The fact is, my lands are and continue to be designated as Business-Leisure and Recreation by way of Bylaw C-7188-2012 passed by the democratically elected Rocky View Council. They are not designated "Agricultural Land". Chairman Kochan used the influence of his position as the Chairman of the SDAB to turn the hearing into an attack on Bylaw C-7188-2012 which designated my land as Business-Leisure and Recreation.

15. The lawyer for the Singer family, Mr. Moyse, also focused on the land being "agricultural land and agriculture area".
16. Elena Watson, who spoke in opposition to my application, also was trying to have the SDAB attack Bylaw C-7188-2012. Ms. Watson advised that her and her parents originally objected to the Bylaw C-7188-2012 which designated my land as Business-Leisure and Recreation and that she welcomed the SDAB hearing as an opportunity to elaborate on her and her parent's objection in 2012.
17. Maxine MacArthur made submissions that her biggest concern was she was born and raised in the community and wasn't able to attend the hearing in 2012 on the re-designation of Bylaw C-7188-2012. Her submissions opened with her desire to protect farmland.
18. Kerin Farquharson on behalf of Farquharson Farms spoke of adamant opposition as it's surrounded by Agricultural designated land use. She spoke about how the lands must be preserved for agriculture purposes and how if my permit was granted my lands could never be used as farmlands again.
19. Due to time constraints during the June 26, 2019 hearing agenda caused by other people's applications, my 2:30 start time was delayed until 5:30. It ran until 8:00 PM then labor relations regulations forced an adjournment. When we adjourned the Panel members were left with an overwhelming amount of information from the Appellants and little from me. My Hearing continued on August 7th at 9:00 AM (6 weeks later) at which time I was to be given more time to present but only the Appellants were given time to rebut.
20. There was a Notice of Hearing letter for the August 7, 2019 hearing date sent out of the SDAB. Attached hereto and marked as Exhibit "D" is a copy of the Notice of Hearing sent out by the SDAB.
21. In the Notice of Hearing there was an invitation to submit letters in support or against my application. On August 7, 2019 I provided the SDAB 56 letters of supports in addition to the 103 letters of support already provided. The SDAB refused to admit any of the other 56 letters in support into evidence at the hearing.

22. On August 22, 2019, the SDAB issued the Development Appeal Decision and revoked the 2019 Permit. Attached hereto and marked as Exhibit "E" is a copy of the Development Appeal Decision.
23. As a result of the SDAB's revocation of my Development Permit I have been denied to opportunity of constructing and operating my RV Park and consequently lost approximately \$173,600.00 in income for the latter half of the 2019 camping season. The denial of the permit will result in the potential write-off all of the \$265,563.64 paid out for studies required for re-designation of the land in 2012 under Bylaw C-7188-2012. Further, in order to have the information and reports updated from the process in 2012, I spent approximately \$36,000.00 in updated surveys, architecture, water assessments, surveys etc. before I submitted for the permit. All of this has been a significant investment for me and will have been for nothing if I cannot get a fair re-hearing.
24. I am in the terrible position that the Land Resignation was granted by elected Town Council but denied intend purpose of the resignation by the SDAB. I believe the SDAB in denying the permit, was attempting to overturn or obstruct Bylaw C-7188-2012.
25. I make this Affidavit in support of my application and for no other or improper purpose.

SWORN BEFORE ME at Calgary, Alberta,
this 30th day of October, 2019.


(Commissioner for Oaths in and for the
Province of Alberta)


Chloe Cartwright

FLORA LEE
A Commissioner for Oaths
in and for Alberta
My Commission Expires: December 28, 2019

APPENDIX

Exhibits 1 - 9

SDAB Hearing Dec. 17, 2020

File No. 08731001 PRDP20185188

Keren Farquharson

DEVELOPMENT SERVICES

TO: Council
DATE: September 25, 2012
TIME: Morning Appointment
FILE: 08731001
SUBJECT: Redesignation Item

DIVISION: 9
APPLICATION: 2012-RV-016

ADMINISTRATION RECOMMENDATION: *Administration recommends refusal in accordance with Option #2. *

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject lands from Ranch and Farm District to Business-Leisure and Recreation District to accommodate: an 18 golf course, a 21 room boutique hotel and banquet facility with seating capacity between 300 to 500 persons, 15 individual cabins and 15 stalls for recreational vehicle (RV) overnight stays.

The same proposal was considered and refused by Council in November 2011. This new application was made on January 16th, 2012. Since the previous Council decision, the Applicant has undertaken several project updates regarding public support and technical aspects. This includes: an exhaustive public support campaign; non-professionally certified testing of the proposed irrigation system; submission of applications to Alberta Environment for groundwater diversion and usage; and a chemical analysis on nine neighboring wells to assess whether they are in the same aquifer.

Site servicing provisions for the hotel include a potable water source via a groundwater well. Wastewater is proposed to be managed through the Orenco advanced sewage treatment system. Stormwater management will meet regulatory approvals. Both treated wastewater (primary source) and stormwater (secondary source) are proposed to be used to irrigate the golf course. This servicing system is included in a Stantec Consulting, September 2011 *Integrated Water Management Plan* (IWMP) report.

The proposal has been reviewed with the context of the statutory policies of the Municipal Development Plan (MDP), and the non-statutory, guiding principles of the Growth Management Strategy (GMS) and Agriculture Master Plan (AMP). The area is primarily agricultural. The MDP provides criteria for evaluating proposed commercial / business development. It is the scale of this proposed development, and its potential impact on area agriculture which creates statutory policy conflict. The GMS attempts to direct commercial developments to defined growth areas and discourages conversion of agricultural lands, or lands outside growth areas to other uses. The AMP supports small scale, market driven opportunities to attempt to better capture the natural capital value of agricultural lands; however, it is the scale of the proposal, and the potential impacts to this general agricultural / ranching area which remain the concern.

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED: January 16, 2012

PROPOSAL: To redesignate the SE 31-28-3-W5M from Ranch and Farm District to Business-Leisure and Recreation District.

LEGAL DESCRIPTION: SE 31-28-3-W5M.

GENERAL LOCATION: Located approximately five miles west of the Hamlet of Madden.

EXHIBIT 2 a



Chinook Ridge

April 15, 2012 · 🌐

Guess I should have posted this here. Address for letters is at the bottom.

Hey, I am writing to remind you about the short SUPPORT letter we need from you to get Chinook Ridge redesignated by Rocky View Council.

This process is kind of like pushing a skateboarding rhinoceros up a 60 degree hill. I've got him 95% of the way there but now I need EVERYBODY's hands to help me get it to the summit or else it will come crashing back down and make a big mess of ME below. Your letter need be only 1 or 2 sentences, not a big onerous task at all. Maybe do it over coffee with a friend. In case you didn't get a package you can find the info here.

<http://www.chinookridge.ca/.../hitching-post-news-article...> The County wants to hear what you think and it doesn't matter where you live. They want to hear your views, how it might impact your life or the community in general. So, there is no test - just a quick skim thru the information, jot down a thought or two and pop it in the mail. It is easier than voting; you don't have to go to the polling station. Couldn't be any easier, Right? The county sends me a copy of every letter they receive so I know who has been naughty or nice! Forget the coal - it will be Rhino Dung if you are naughty and don't get your letter in. So take the dainty gloves off and put your fingerprints on this Rhino's butt in a group effort to get it to the top of the hill.

(PS This email is being sent to you because the County has not received your letter. If this is an error please let me know - comment cards filled out at the Open House are NOT counted as letters in this

EXHIBIT 2 b



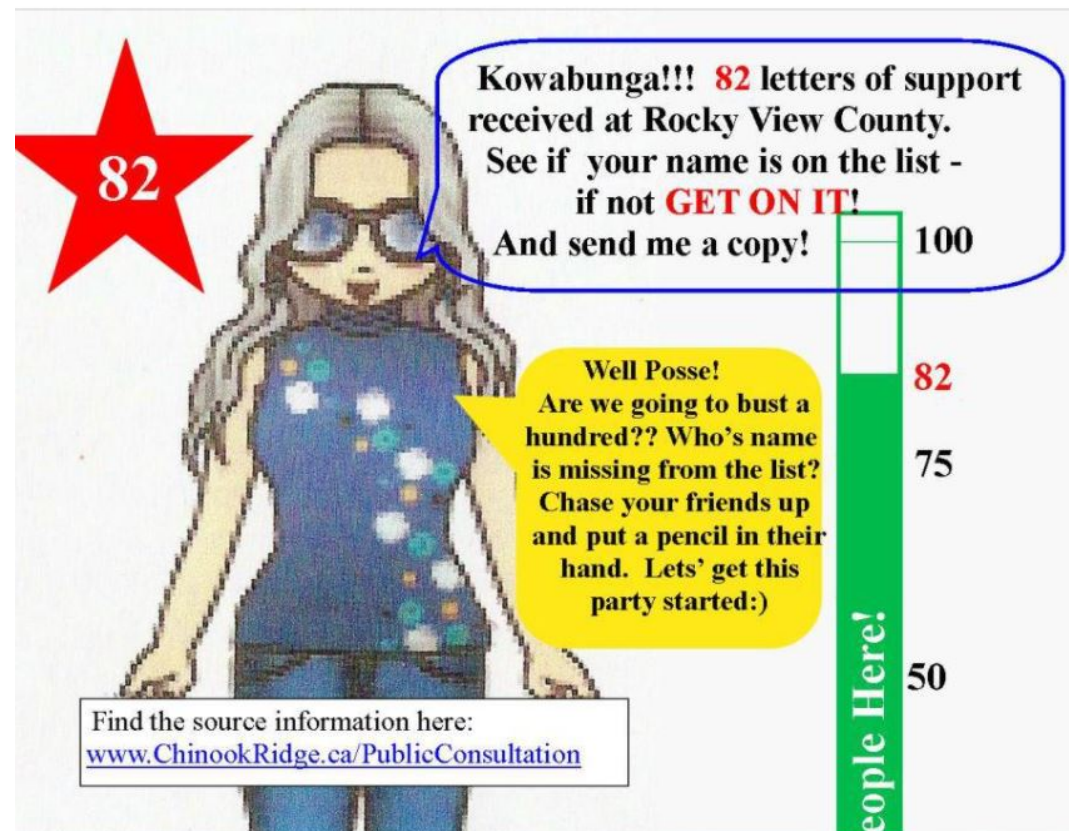
Chinook Ridge

June 29, 2012 · 🌐



CAN WE BUST A HUNDRED?

It is not long now until the next Public Hearing; can we bust through and get 100 letters of support? The banner in my hands gives a link on where to find the information so you are ready to write a letter and it even gives you a pre-addressed form to print-off and fill in. So easy . . . just takes 2 minutes . . . you can do it in a flash before you head out for the weekend or in a leisurely minute while you are camping.





Chinook Ridge

November 3, 2012 · 🌐



HUMM. Been sitting here all day phoning and emailing everybody which is a good thing. Turns out about 20% of the invitations were not delivered (2 - 3 weeks ago) by Canada Post. If you didn't get yours CALL ME!!! 403 650 0888. Don't wait for me to call you - I am working my way down the list.



Like



Comment



Share



Chinook Ridge

November 3, 2012 · 🌐



What a perfect day to phone/email and otherwise harass people who have not RSVPd. Let's see who get to who first.



2

1 Comment



Like



Comment



Share



Chinook Ridge

some of you haven't returned my emails or otherwise RSVPd. Check your junk mail files please:)

Like · Reply · 8y



Write a comment...



Chinook Ridge

November 1, 2012 · 🌐



Bus to the Hearing Tuesday. I am hiring a bus to pick people up at noon at the Rock Pointe Church parking lot on the 1A & Lochend Rd (766), take them to the Hearing and Reception and deliver them back to the parking lot in time for the school bus run (no later than 3 PM). If you would like a ride in and out, or want to stay at the reception longer and get another ride later with one of us. Email me or call to discuss. 403 650 0888.

EXHIBIT 3



Chinook Ridge

October 31, 2018 · 🌐

Note: Application submitted Dec. 21, 2018 and Jan. 3, 2019

**Plans to be unveiled soon. Get
ready for a 'Henry the 8th'
theme party Spring/Summer
2019.**

Costumes Manditory!



🗨️ Author

Chinook Ridge

Hope to open late spring of 2019. Keep it in mind for all your group activities. Alternate accommodations are part of the plan. Perfect for 2, 3, 4, 5 . . . day events.



ROCKY VIEW COUNTY

EXHIBIT 4

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

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

B-1 08731001 PRDP20185188
SDAB 2020 Dec 17
K Farquharson (neighbour in support)
presentation letter of support
Page 28 of 36

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

Cartwright, Chloe

Page 1 of 7

Tuesday, May 28, 2019

Roll: 08731001

RE: Development Permit #PRDP20185188

SE-31-28-03-05; (285049 RGE RD 35)

The Development Permit application for Campground, Tourist (81 RV stalls) and Tourism
Uses/Facilities (Recreational), construction of a tourist building including Accommodation Units,
compatible with available servicing (16 rooms), and relaxation of the maximum building height
requirement has been **conditionally-approved** by the Development Officer **subject to the listed
conditions below (PLEASE READ ALL CONDITIONS):**

Description:

1. That a Campground, Tourist, and Tourism Uses/Facilities (Recreational), may take place on
the subject site in accordance with the Site Plan as submitted with the application and includes:
 - i. Construction of a tourism use/facility, with a total gross area of 1,623.21 sq. m
(± 17,472 sq. ft.) including Accommodation Units (16 rooms);
 - ii. Construction of 81 RV stalls;
 - iii. Ancillary Business Uses (ie. events, gatherings etc.);
 - iv. Grading (as required).
2. That the maximum building height for the tourism use/facility (event centre) is relaxed from
12.00 m (39.37 ft.) to ±12.92 m (± 42.37 ft.).

Prior to Issuance:

Technical Submissions

3. That prior to issuance of this permit, the Applicant/Owner shall submit a construction
management plan, in accordance with County Servicing standards. The plan shall address
noise mitigation measures, **traffic accommodation**, sedimentation and dust control,
management of stormwater during construction, erosion and weed control, construction
practices, waste management, **firefighting procedures**, evacuation plan, hazardous material
containment and all other relevant construction management details.

EXHIBIT 5



Post: May 5, 2019

*May 14, 2019
Development Authority –
Approved – Discretionary*

*May 28, 2019
Notice of Decision from RVC*

*Note: It was a **Conditional** Development Permit*

EXHIBIT 6



Note: There were 3 Appellants, not 2 that spoke on June 26, 2019

It is time to make a silk purse out of a pig's ear and find a productive use for the land that is compatible with the surrounding environment.

Exhibit 1(a)

I considered several options prior to applying for land re-designation:

Those options were and still are:

1. Subdivide the land into a number of lots (H and I)
2. Develop a cannabis growing facility (no, learning curve and I think 50% will be out in 2 years)
3. Develop an RV, boat, motor cycle and car storage facility (kind of a waste of a great view)
4. Develop an environmentally compatible golf course with a variety of accommodations, spa, restaurant, etc. with a focus on families. (J)
5. Sell the land to someone else for development. The buyer may have plans for a much more intrusive and intensive development with higher volumes of traffic, noise, etc. or (H)

from
Page 2
Urgent -
this concerns
You!

I chose option J above thinking it would be the most compatible use of the land. It would offer employment, recreation, spa and dining opportunities for local people in a peaceful, quiet, wildlife and environmentally friendly atmosphere; it would be the least intrusive option for the community. It would provide me with a retirement occupation and income; significantly, it would also afford an aspect of contributing to society in a manner near and dear to my social worker/foster parent heart – **strengthening intergenerational relationships!** A great walk in nature or on a 'natural' golf course (watch for innovation here) offers a fantastic opportunity for grandparents, parents and kids to **communicate** while they are off the gadgets. It doesn't matter whether they play 3 holes or 9 holes it is the walking and talking that is of paramount importance. How many other sports afford this opportunity?

FEEDBACK

Now is the time for you to make a choice, while I cannot expect there will be a consensus perhaps you can look at it like which 'go forward' plan is the least offensive to you before I spend a ton of money on Planners, Architects, Engineers, etc. or decide to sell and let somebody else take over.

Those options still are:

- A. Subdivide the land into eight 8-10 acre lots and downsize the RV Park and later develop an environmentally compatible golf course with a variety of accommodations, spa, restaurant, etc.
- B. Divide the entire parcel into 30 +/- 5 acre lots as permitted with BL&R land
- C. Develop a cannabis growing facility (need to redesignate a portion of the land)
- D. Develop an RV, boat, motor cycle and car storage facility (need to redesignate a portion of the land)
4. Sell the land to someone else for development (keep in mind that BL & R land can be subdivided into 5 acre parcels) and the buyer may have plans for a much more intrusive development.

from
Page 6
from
Urgent -
this concerns
you!

To aid in submitting your thoughts on a 'go forward plan' could you please indicate your preference of the 5 options that are outlined above? Please indicate your #1 choice and your #2 choice and please state your reasons for making those options your choices. I really appreciate your taking the time to give me your feedback. Thank you so much!

Signature

Printed Name

Other Opportunities presented themselves

In 2015 I was contacted by a representative of a large equestrian tourism organization looking for land to purchase and relocate their existing operation. I thanked them for their interest but declined to entertain any negotiations. In mid 2018 I was approached by a representative of a very large cultural/religious community who had been scouring the County for land that was already redesignated or that could be redesignated so they could build a meeting hall and accommodate parking for 5,000 vehicles. I thanked them for their interest and chose not to meet with them for the purpose of negotiating. I am committed to this community and want my land utilized in a manner that protects the quality of life for my neighbors and wild life, enhances and protects both air and water quality.

Exhibit 7
(b)
from
page
3

PLAN B – Chinook Ridge Castle & RV Park (O & P) DP was conditionally granted but revoke due to neighbor concerns (2 non-resident, 1 new comer and 1 resident)

In late 2018 I dusted off the plan and revised it to an 81 stall RV Park, Castle with 14 rooms, spas and a 500 seat banquet hall and planned to later build a 9 hold golf course – same use as the original plan but in different accommodation ratios. Chinook Ridge Castle & RV Park's segments could be built at different times spacing out the development in a fashion I could manage over a period of years. A Development Permit is only good for 2 years; it would take that long to just get the RV Park built, operating and showing income the first year, then either the 2nd or 3rd year move forward with the Castle, then later a 9-hole golf course. I would need a second Development Permit for the golf portion.

*

1. I downsized the RV Park and the event centre by half so it will be 40 RV stalls and only a 250 seat restaurant. There will be only 6 rental rooms on the second level for people who are attending the event but do not have an RV. This will reduce traffic, and water usage. (It will have the same spa, etc.)
2. I changed the location of the RV Park and the event center so that it is farther away from neighboring properties and buffered by more space, sports fields and trees. This will reduce noise, potential for fires, and fears of wastewater seepage. (The plan never called for this – it has always been to contain it then treat it for irrigation.
3. All other features of the Park remain: security fencing, personnel, rules, design features including fire suppression ponds.
4. As a result of this re-configuration and relocation of the RV Park to the south ½ of my quarter I am able to realize there is sufficient land where I could subdivide eight 8 - 10 acre lots (Q) and supply the County with

Exhibit 7
from
page
5

(5)

From: Urgent - this concerns you!

Exhibit 7 (c)
page 27 R

Chinook Ridge Castle & RV Park

Chinook Ridge is intended to be a family oriented facility featuring 40 upscale RV Stalls which are 25' wide by 75' long pull-thru pads. Between each stall will be a tree buffer zone for privacy 20 to 25 feet wide. Each stall will have its' own Water, 50 amp Power and Septic connections at deep levels to enable winter use. Stall bookings are reserved for groups using the Castle for their event. Fourteen days prior to an event – extra stalls will be opened up to the public.

The Castle features a commercial kitchen and banquet hall for 250 on the **main level**. This will be leased to a local chef to operate during the day and evenings. The EVENT chef can be the client's choice. Wait, prep and cleaning staff will be hired locally and the numbers may vary from 2 to 12 depending on the type of service required and complexity of the meal served. The **lower level** contains a spa with Michael Phelps Swim Spas, Infra-red Saunas, Massage Chairs and Salt Water Float Tanks. There will be make-up and hair dressing tables for professional use and application. This area will be staffed and hair, make-up and nail technicians brought in as required. The **second level** contains 6 or 7 boutique hotel guest bedrooms and a small family style kitchen. I anticipate needing 2 part time housekeepers for this floor. The rooms are for event attendees who do not have an RV or are unable to leave the site due to intoxication. A **roof top patio** with a fabulous mountain view tops off the Castle's ambiance.

Outdoors surrounding the Castle & RV Park are a variety of multi-purpose sports fields for soccer, football, rugby, horseshoes, pickle ball, lawn bowling, beach and non-beach volley ball as well as a kid's hedge maze that reads CHINOOK RIDGE from the air. The course/plan area is not a traditional golf course but a multi-purpose course. It is 9 holes, or hoops and does double duty for walking, cycling, basketball, Frisbee ball or use your imagination.

In the tree grove are several meditation walking paths and a Chapel. The Chapel, sports facilities and spa are for the use of the area residents. I estimate I will employ 3 full time people to tend the grass, trees and flowers. This is and has always been a wild life friendly area and the migration corridors are being protected. The design of the facility and restrictive covenants on the lots are for low-flow fixtures and recycled water use. No fresh water will be used on the grounds – only recycled wastewater utilizing a purple pipe system

The hydrologist indicates the commercial wells on the property provide sufficient water for the entire operation and the existing Integrated Water Management Plan (from 2012) will be tweaked for this new design. The 8 residential lots will operate off of a 'water co-op'. Electrical lines will be underground leaving clear skies for kite flyers.



Chinook Ridge

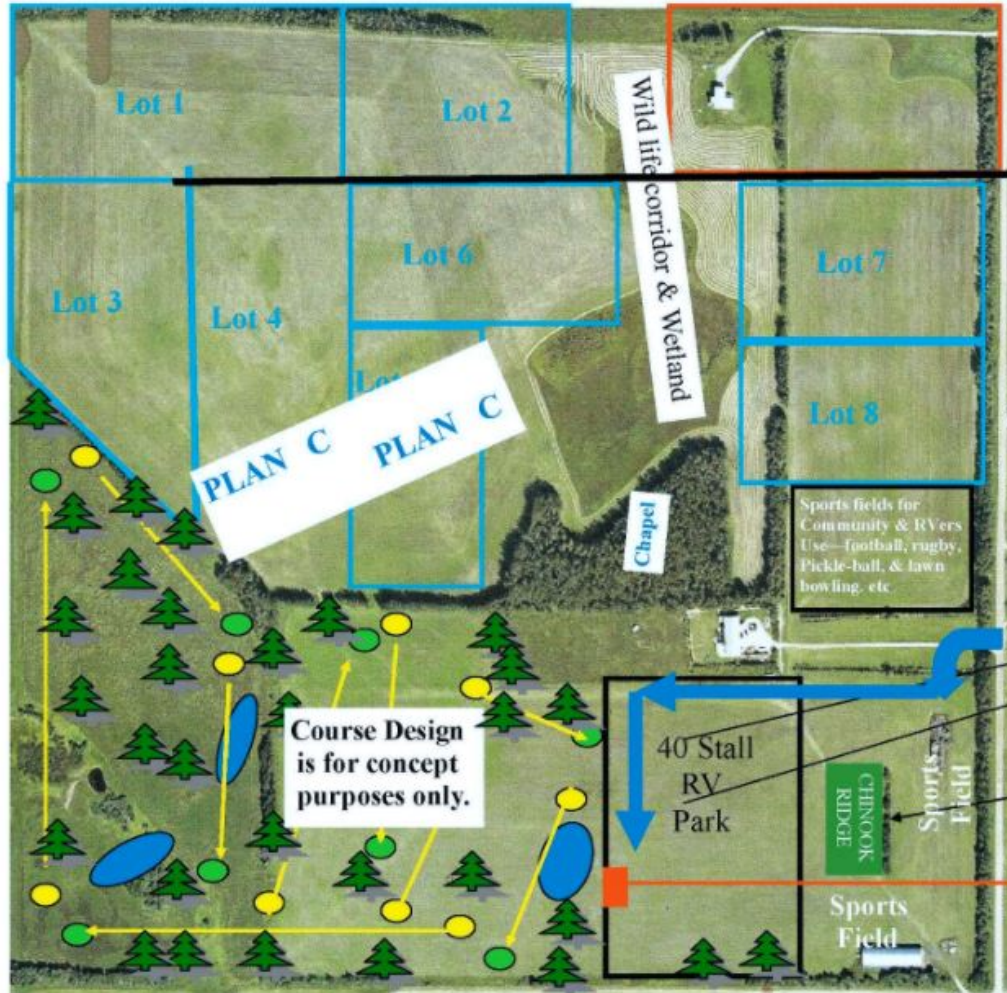
September 27, 2019 · 🌐



EXHIBIT 8

B-1 08731001 PRDP20185188
SDAB 2020 Dec 17
K Farquharson (neighbour in support)
presentation letter of support
Page 34 of 36

This is the revised plan 'tentative'. I will be working on the lots first, size, shape, surveys, water co-op, etc. Once a couple have sold I can move forward on the RV Park, Castle and Golf Course.



B.L & R zoning allows
For lots as small as 5
Acres.

This plan divides the
North portion of my 1/4
into 8 lots of 8 to 10 acres
each allowing for new owner
to build a house and have 2
horses, also a small business.

Restrictive Covenants would
Be in place regarding fencing
and size/finish of homes.

Downsized to an upscale
40 Stall RV Park, play fields
& later a private profession-
ally designed 9-hole course.

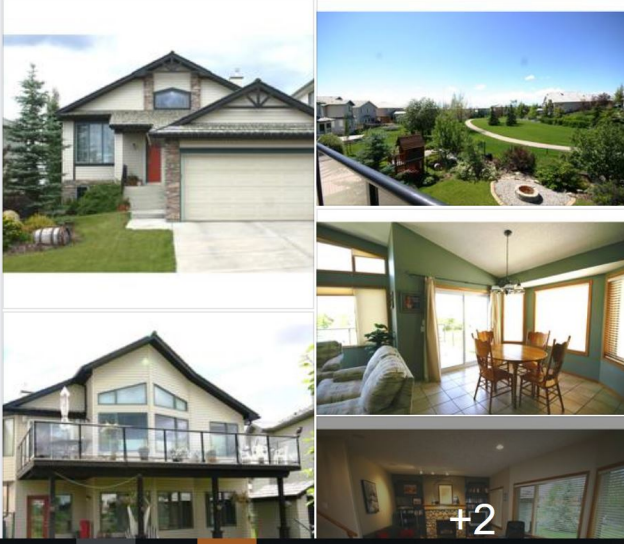
Kid's MAZE
Event Building like a
Castle or Barn design with
250 seat restaurant, lower
level spas and 6 boutique
hotel rooms.



Exhibit 9

Chloe Cartwright
September 27 at 4:03 PM · 🌐

Selling my Gleneagles home and offering it to friends first before it goes MLS. Asking \$499,000. Fully finished walk-out basement. 2 fireplaces, backs on to park/green space with partial mountain view. 3 bedrooms, 2.5 bathrooms, den, formal dining room, double front drive garage. Extra parking as there is a small park out front as well. Call for more details [403 650 0888](tel:4036500888). Please Share.



20 🍌👍 12 Comments 9 Shares

👍 Like 💬 Comment ➦ Share

Sheila Watcheston Wow that's beautiful!
Like · Reply · 6d

Chloe Cartwright It is, breaks my heart to sell it but I need the cash for another project:(
Like · Reply · 6d

Barb Ogilvie Chloe Cartwright beautiful home I'm sure it will sell fast.
Like · Reply · 6d

Janet Stevens A stunning house. If we only lived closer xxx

Chinook Ridge
September 27, 2019 · 🌐

Chinook Ridge's conditional development permit was revoked due to concerns from 3 landowners in the vicinity. 2 of them don't live nearby and none of them farm their own land. I have filed an appeal with the Appellate Court. Stay tuned!

2 👍 3 Comments

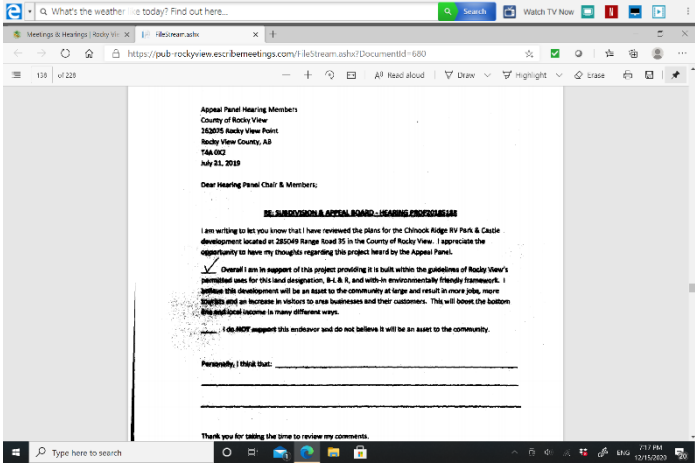
👍 Like 💬 Comment ➦ Share

Most Relevant ▼

Write a comment... 😊 GIF 🎭

Jill Bloor
Are they opposed just for shits 'n giggles? I am so sick of people
Like · Reply · 1y

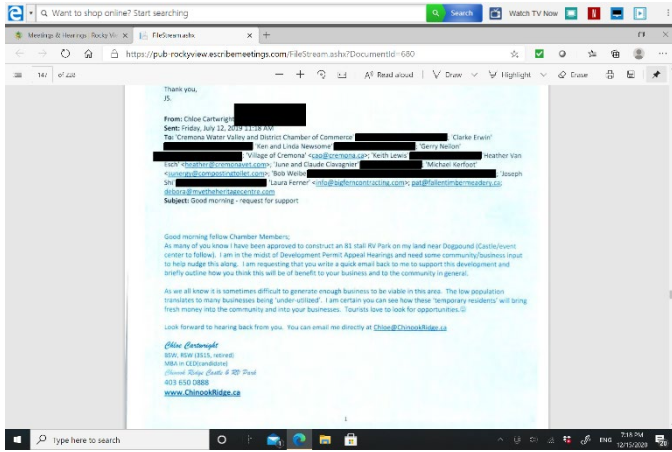
Chinook Ridge Author
One of them offered to buy my land due the "opposition". Seems like conflict of interest to me.



These submissions came to my attention after Chloe Cartwright submitted her documents for this hearing

The 'form' above was signed by 54 +/- people prior to the hearing on August 7, 2019.

Note: Chloe Cartwright had people sign believing her development is a permitted use, not a discretionary use.



Chloe Cartwright wrote to the above numerous
Chamber of Commerce, etc.

Focusing on her opening statements: “As you know I have been approved to construct an 81 stall RV Park on my land near Dog Pound (Castle / Event Center to follow....”).

Note: Chloe Cartwright is misleading when she tells them she was “approved”, not Conditionally Approved. She goes on to say she is in the midst of Development Appeal Hearings and needs community / business input to nudge this along.”