

Michelle Mitton

From: Amanda Stephenson [REDACTED]
Sent: Monday, November 4, 2024 2:33 PM
To: Legislative Services
Subject: Fwd: Bylaw C-8585-2024-PL20240071 (10013172)

Dear Legislative services,

I am writing to formally express my concerns regarding the ongoing construction of homes at Cottage Club that do not adhere to the setback requirements prescribed in our community bylaws. These setbacks were implemented for important reasons, including fire safety and maintaining appropriate spacing between properties.

As a property owner, I invested considerable time and financial resources to work with an architect in designing a home that complies with these setback guidelines, assuming they would be enforced. I understood these guidelines to be non-negotiable standards designed to protect our community. However, I am increasingly frustrated to see other homes constructed without the same adherence, which negatively impacts neighboring properties and the community overall.

Firstly, these setback violations affect comparative real estate values, as some homes are built larger and encroach on setbacks, disregarding the bylaws. Secondly, our community is located in an area where fire risk is a concern, and our distance from emergency services heightens this risk. Studies, such as those following the Maui fires, have shown that homes with adequate spacing were more resilient to fire spread. The setback requirements play a crucial role in providing this spacing.

Moreover, I am concerned with the approval and inspection processes that appear to permit these violations. As property owners, we submit our plans for permitting, and there are several inspections throughout the construction process. I believe that Rocky View County has a responsibility to ensure that these plans align with the bylaws. Either plans are being approved that don't meet the setback requirements, or inspections are not verifying compliance with approved plans.

This issue has become increasingly problematic as more homes are built, and as general contractors and builders continue to disregard setback rules without consequence. While I understand that new homeowners may be unaware if their homes do not meet setback standards, there must be accountability for builders and contractors who fail to follow regulations.

I appreciate your attention to these concerns and urge that action be taken to enforce setback compliance in future builds and address current violations to ensure our community's safety, fairness, and integrity.

Thank you for your consideration.

Sincerely,
Amanda Stephenson
Unit 310, 49 CottageClub Lane, Rocky View County

Christine Berger

From: Terry Tucker [REDACTED]
Sent: Thursday, July 4, 2024 9:07 AM
To: Christine Berger
Subject: Re: File Number 10013172 and Application Number PL20240071

Good morning Christine and sincere thanks for the clarification and detailed information.

Sincerely appreciate it.

Have a nice week ahead.

Mit freundlichen Grüßen
Terry

On Wed, 3 Jul 2024 at 21:54, Christine Berger <CBerger@rockyview.ca> wrote:

Hi Terry,

Direct Control Bylaw (DC-123) (referenced in the notice sent out) can be found on the County's website here:
<https://www.rockyview.ca/Portals/0/Files/Government/Bylaws/DC/DC-123.pdf>

That is correct – your emails will be included in the agenda package for Council to review before making a decision on the application. Your comments will also be sent to the applicant for review. All personal contact information (phone number, email) would be redacted. If you wish to send in new formal comments instead of this email chain, please let me know and we can add those to the Council report instead.

This application is currently in circulation stage, and requires the applicant to give confirmation to proceed after they receive comments from circulation. If they confirm they wish to proceed, Administration will complete a report with a recommendation and schedule a Public Hearing. As mentioned previously, a Public Hearing notice would be sent out prior to the hearing. If you are unable to attend the Public Hearing, you can submit your comments in writing, or through audio/video submission (specific instructions would be included in the Public Hearing notice). Public Hearing notices are also posted on the County website here:
<https://www.rockyview.ca/public-notices>

If you wish to review previous Council decisions, you can review meeting minutes/previous videos here:
<https://www.rockyview.ca/meetings-hearings>

Amendment dates are on the office consolidation page of the Direct Control Bylaw (first page), so you can use those dates to find the corresponding Council minutes/video. Administration’s reports, including policy review, are also available at that link if you wish to review.

As for your comments regarding recourse for adjacent landowners to require the Applicant to "remove the garage and build it within the guidelines required" – since Council is the decision-making authority on the application, they determine if it will be approved or refused. Adjacent owner comments are included in the agenda for Council to review when making their decision, and they will also hear anyone wishing to speak at the Public Hearing. Council will take all the information given to them at the Public Hearing (such as Administration’s review and recommendation, adjacent owner comments submitted in response to the circulation and/or Public Hearing notice, comments from the Public Hearing, the Applicant’s rationale, etc) and will make their decision based on this information.

I hope this clarifies your questions/comments.

Sincerely,

CHRISTINE BERGER, MPLAN

Planner 2 | Planning

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cberger@rockyview.ca | www.rockyview.ca

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From: Terry Tucker [REDACTED]
Sent: Wednesday, July 3, 2024 8:00 AM

To: Christine Berger <CBerger@rockyview.ca>

Subject: Re: File Number 10013172 and Application Number PL20240071

Good afternoon and thank you to reply

Thank you for the comment about an “existing bylaw” but I can find no reference to the specific bylaw you refer . Where can I view this bylaw?

Your comments suggest that my email will be sent to council for review. Please confirm .

Where are decisions of Council posted in matters such as this .. say for example approving the amendment sought in this specific notice? Is this online? How does Council make a decision on “When/If “ a hearing is held vs just approving the amendment?

You have provided clarity on the process but you have not addressed any of my comments or questions but I assume that is not for you to comment.

I live in Switzerland so attending a meeting is literally impossible.

Kind regards

Terry Tucker, P.Geog

[REDACTED]

On Jul 2, 2024, at 23:35, Christine Berger <CBerger@rockyview.ca> wrote:

Good afternoon Terry,

As this application proposes to amend an existing bylaw, a Public Hearing will be held and Council will be the decision-making authority. County Administration includes all comments received from adjacent landowners in the agenda package for Council to consider when making a decision on an application. If/when a Public Hearing is eventually scheduled for the application, all adjacent landowners will be notified of the date and time should they wish to attend in person and/or speak to Council.

I hope this provides some clarity on the process. Let me know if you have any questions/updated comments.

Sincerely,

CHRISTINE BERGER, MPLAN

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From: Terry Tucker [REDACTED]
Sent: Tuesday, July 2, 2024 1:51 AM
To: Christine Berger <CBerger@rockyview.ca>
Cc: Debbie Froese [REDACTED]
Subject: File Number 10013172 and Application Number PL20240071

Good morning Ms Christine Berger

Thank you for the recent notice with regards to the File and Application Numbers noted above.

As you know we, as property owners in the immediate vicinity of the noted land subject to the application for amendment, receive several of these notices for these types of amendments numerous times per year.

What I would like to understand is that this application is for a "garage that has already been built". What recourse is there for us as adjacent landowners to actually do anything meaningful about this structure and require the Applicant to "remove the garage and build it within the guidelines required"? What would it take for example to have this application denied? I have reviewed the guidelines of the community and information from the Rocky View County website and can find little information on how these amendments can be denied.

I have never provided comments on these applications before but given the precision of survey equipment in 2024 and the ability of a builder to follow the rules, why are so many builders not just building it right in the first place and if not then what recourse is there for local or adjacent landowners to actually deny these applications?

It really only makes sense to make an amendment application before you build.

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Kind regards,

Terry L. Tucker, P.Geo.



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Terry L. Tucker, P.Geo.

