



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: May 27, 2021 **DIVISION:** 3
FILE: 04630047 **APPLICATION:** PRDP20210477
SUBJECT: Development Item: Accessory Building / Discretionary use with Variances

APPLICATION: Construction of an accessory building (oversize garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.

GENERAL LOCATION: located approximately 0.20 km (1/8 mile) north and 0.41 km (1/4 mile) east of Hwy. 563

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was presented to the Municipal Planning Commission on April 14, 2021, and was conditionally approved.

The application is for the construction of an oversize accessory building (detached garage) for storage of personal vehicles and workshop purposes. The accessory building would be 166.53 sq. m (1,792.59 sq. ft.) in gross footprint, with four (4) bays, and would be located 13.04 m (42.78 ft.) away from the south property line, and 3.00 m (9.84 ft.) from the east property line. There are four variances requested and the application appears compliant with Residential, Country Residential District (R-CRD) regulations.

On April 20, 2021, the Notice of Decision was circulated to 42 adjacent landowners. The decision was appealed on May 3, 2021, by an affected party, and the reasons for the appeal are included in the Notice of Appeal. The Appellant also provided a list of landowners, in support of the appeal, which is noted in the Notice of Appeal.

DECISION: Conditionally-Approved

DEVELOPMENT / SUBDIVISION AUTHORITY: Municipal Planning Commission

DECISION DATE:
April 14, 2021

APPEAL DATE:
May 3, 2021

ADVERTISED DATE:
April 20, 2021

Administration Resources

Bronwyn Culham, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the information and site plan submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Municipal Development Plan; • Central Springbank Area Structure Plan • City of Calgary Intermunicipal Development Plan • Land Use Bylaw C-8000-2020 	DISCRETIONARY USE: <ul style="list-style-type: none"> • Accessory Building > 90.00 sq. m is a discretionary use in the Residential, Country Residential District (R-CRD) DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission
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APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor Development & Compliance

BC/llt



APPLICATION INFORMATION

APPLICANT: Kemp, Michael	OWNER: Makkinga, Courtney L
DATE APPLICATION RECEIVED: February 8, 2021	DATE DEEMED COMPLETE: March 12, 2021
MUNICIPAL PLANNING COMMISSION DECISION DATE: April 14, 2021	
APPELLANT: G.A (Tony) and Madeleine Yarranton	
GROSS AREA: ± 0.80 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 24 Block 1 Plan 7510024, NW-30-24-02-05; (253 ARTISTS VIEW WAY)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none">• There are no related Building Permits (According to assessment records, dwelling and attached garage were constructed in 1976, therefore no digital record on file)• There are no related Development Permits• There are no related Planning Applications	
AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 3

DATE: April 14, 2021
APPLICATION: PRDP20210477

FILE: 04630047

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LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to construct an oversize accessory building (detached garage) for storage of personal vehicles and workshop purposes. The accessory building would be 166.53 sq. m (1,792.59 sq. ft.) in gross footprint, with four (4) bays, and would be located 13.04 m (42.78 ft.) away from the south property line, and 3.00 m (9.84 ft.) from the east property line. There are four variances requested and the application appears compliant with Residential, Country Residential District (R-CRD) regulations.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210477 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210477 for the following reasons:

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

AIR PHOTO & DEVELOPMENT CONTEXT:

VARIANCE SUMMARY

Variance	Requirement	Proposed	Percentage (%)
Maximum Accessory Building Area	90.00 sq. m (968.75sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	85.03%
Maximum Parcel Coverage	120.00 sq. m (1,291.67 sq. ft.)	166.53 sq. m (1,792.59 sq. ft.)	38.78%
Maximum Building Height	7.00 m (22.97 ft.)	7.64 m (25.08 ft.)	9.14%
Minimum Front Yard Setback Requirement	15.00 (49.21 ft.)	13.04 m (42.78 ft.)	13.06%

APPLICATION EVALUATION:

The application was evaluated based on the information and site plan submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> <i>Municipal Government Act;</i> Municipal Development Plan; Central Springbank Area Structure Plan Calgary Intermunicipal Development Plan Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site Plan prepared by AA Structural Engineering / dated Jan 26, 2021 Elevations / prepared by AA Structural Engineering / dated Feb 21, 2021 Floor Plan & Wall Details / prepared by AA Structural Engineering / dated Feb 21, 2021
DISCRETIONARY USE: <ul style="list-style-type: none"> Accessory Building > 90.00 sq. m is a discretionary use in the Residential, Country Residential District (R-CRD) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Al Hoggan”

Acting Executive Director
Community Development Services

Chief Administrative Officer

BC/ltt

DEVELOPMENT PERMIT REPORT CONDITIONS**Description:**

1. That an accessory building (detached garage) may be constructed on the subject land in general accordance with the submitted application and site plan dated January 26, 2021 and design drawings titled *Elevations, Floor Plan & Wall Details* dated February 21, 2021 as prepared by AA Structural Engineering.
 - i. That the maximum building area is relaxed from **90.00 sq. m (968.75 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - ii. That the maximum parcel coverage is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - iii. That the maximum building height is relaxed from **7.00 m (22.97 ft.)** to **7.64 m (25.08 ft.)**
 - iv. That the minimum front yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **13.04 m (42.78 ft.)**

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, that adheres to the requirements of the Springbank Master Drainage Plan (MDP) and the County Servicing Standards as per section 5.4 of the Springbank MDP.

Permanent:

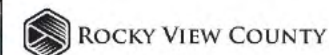
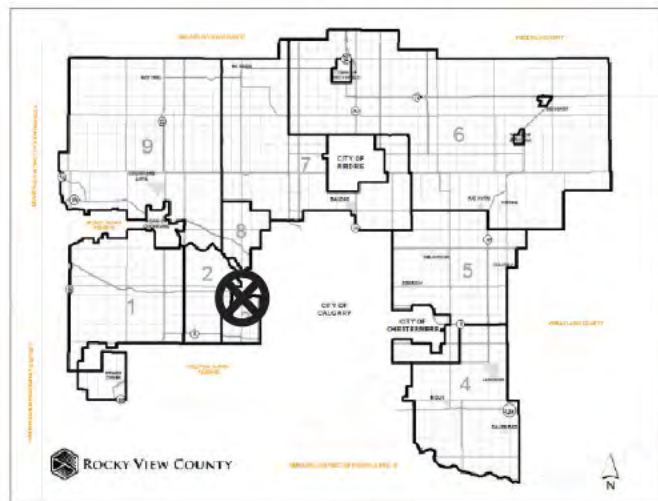
4. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
5. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

9. That during the construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.



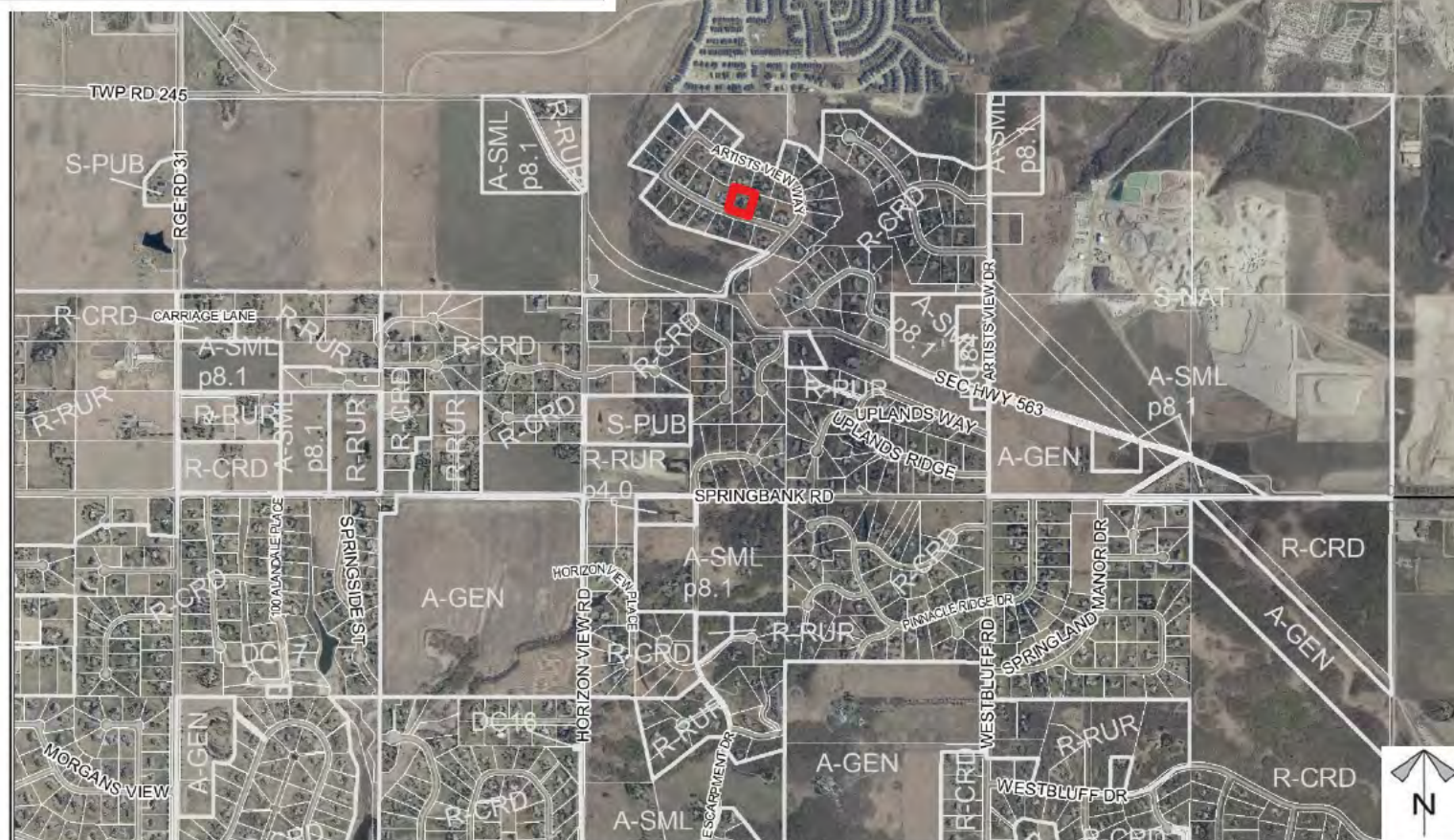
10. That during the construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
12. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. If this Development Permit is not issued by **October 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued



Location & Context

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.



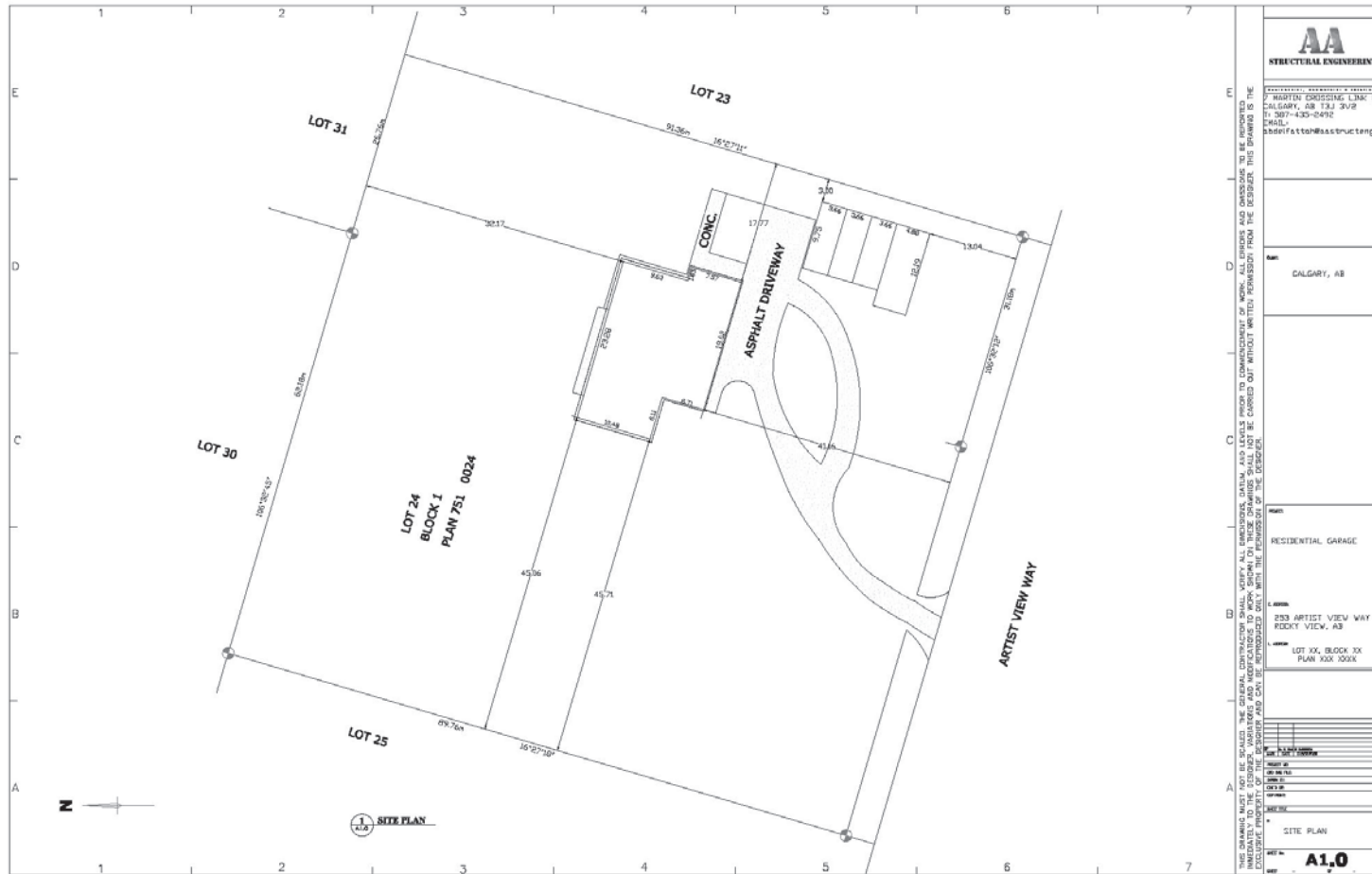
Division: 03
Roll: 04630047
File: PRDP20210477
Printed: March 17, 2021
Legal: Lot: 24 Block: 1
Plan: 7510024 within NW-30-24-02-W05M



Site Plan

Development Proposal

Construction of an accessory building (detached garage), relaxation of the maximum building area, relaxation of the maximum building parcel coverage, relaxation of the maximum building height, and relaxation of the minimum front yard setback requirement.



Division: 03
Roll: 04630047
File: PRDP20210477
Printed: March 17, 2021
Legal: Lot:24 Block:1
Plan:7510024 within NW-30-24-02-W05M



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) G.A. (Tony) and Madeleine Yarranton			
Mailing Address 121 Artists View Way	Municipality Rockyview	Province Alberta	Postal Code T3Z 3N1
Main Phone # [REDACTED]			
Alternate Phone # [REDACTED]			
Email Address [REDACTED]			
Site Information			
Municipal Address 253 Artists View Way	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 24, Block 1, Plan 7510024, NW-30-24-02-05		
Property Roll # 04630047	Development Permit, Subdivision Application, or Enforcement Order # PDRP20210477		
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
See attached pages 1, Reasons for Appeal 2. Letter from Steve and Joan Chand'oiseau, adjacent property owners 3. Photographs from Steve and Joan Chand'oiseau 4. Pages with signatures from owners of 18 of the 32 houses on Artists View Way			

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

G.A. (Tony) Yarranton
Appellant's Signature

May 3 2021
Date

G.A. (TONY) YARRANTON

Last updated: 2020 August 07

Received by RVC Legislative Services
on May 3, 2021

Page 1 of 2

Reasons for Appeal of Application PRDP20210477

We, the undersigned, oppose the application.

Standing

We are all residents of Artists View Way. Madeleine and Tony Yarranton own and live at 121 Artists View Way, adjacent to the subject property.

Facts

The applicant Mr. Michael Kemp, has applied for a Development Permit allowing him to build an 8m (25 feet) high 4 bay shed/garage with a 170 square m (1830 square feet) floor plan on the south east corner of the property, 253 Artists View Way.

The building at issue would be in conflict with four Rockyview Council requirements under its By Laws.

The building would also be in conflict with the Restricted Covenant attached to the title of every property in Artists View West. Ms Makkinga would have had to sign the Covenant when she purchased the property.

On examination, none of the other subdivisions in the vicinity have allowed construction of industrial use buildings.

Rockyview County has already approved the permit, before asking affected parties for comments.

The applicant neither informed nor consulted with the neighbours about the application before it was approved.

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Adverse Effects of the Proposed Development

There are two kinds of adverse effects of the proposed development : effects on the neighbourhood/subdivision as a whole ; and effects on adjacent neighbours and their properties.

Artists View Way is a country residential subdivision. People bought and buy houses to settle here in pleasant semi-rural surroundings and as much peace and quiet as is possible this close to the City of Calgary. The proposed building belongs in an industrial subdivision. It will detract from the quality of life in the neighbourhood and reduce the value of the constituent properties. People walking or driving along the southern part of Artists View Way will find the attractive landscape vista spoiled by an industrial building.

Approving this permit application will set a precedent for similar future applications and is also likely to encourage them.

Residents of adjacent or nearby properties will suffer a loss of amenity because their views will be degraded. In addition it is likely that use of the proposed building will generate noise and air pollution. There will also be an increased risk of fire as a result of the activities on the site. Last year a fire started on an adjacent property. It required the attendance of the Rockyview Fire Department. The fire reached within a few feet of a neighbour's house. It would have caused severe damage if that neighbour had not been present and able to contain it. The nearer other residences are to the proposed building the more their market value will be reduced.

It should be noted that moving the location of the building on the property at 253 Artists View Way will not lessen the adverse effects. The distribution of effects between the neighbouring properties would be altered but the total adverse effect would not.

Beneficial Effects of the Project

The only beneficial effects of the project would be to the applicant.

Joan and Steve Chand'oiseau

273 Artists View Way
Calgary, T3Z 3N1

2nd May 2021

Rocky View County

Planning and Development Services

Re: Application PRDP20210477 at 253 Artists View Way

The development proposed (approved unless appealed?!) at 253 Artists View Way does not comply with a number of restrictions that exist to protect our residential community - it will negatively affect its neighbours and our community and should be denied on those reasons alone. Numerous residents have worked together to appeal the decision and stop the development. We live next door to the property whose application for development has been approved and **STRONGLY** wish to appeal the decision - to say that our family will be negatively affected by the development is a gross understatement.

This development will negatively impact our enjoyment of our property and drastically affect our lifestyle! Even more importantly, allowing this development to move forward will have a direct negative impact on our family's health and financial well-being.

This proposed development is extremely close to our adjoining property line and therefore very close to our living space and home! The industrial building/ mechanical garage is for the purpose of storing and working on automobiles. It will also include a hydraulic car lift and, at ~25 feet tall, **TOWERS** over our modest raised bungalow and west deck!!! It will block out our views of the mountains, the sunshine, the sunsets, and the rural setting in which we chose to live will have completely transformed - can you imagine living in our home and suddenly looking at (what I assume will be the rear) of some imposing, towering, huge building instead of the nature that used to surround you?

To state that there may be noise and air pollution minimizes the incredibly negative impact this industrial building / mechanical garage and its use will have on our family!!! The noise plus the harmful chemicals and exhaust would keep us from being able to enjoy our living space on our connecting outdoor deck that is a mere 14 metres from the property line - In

fact, I worry we may not be able even open up our windows due to the noise and no-longer fresh air!!

Our kitchen and main living spaces are concentrated on the west area of our home - double doors and multiple windows open onto our deck and west living space. We almost always open up these doors and windows to benefit from the wind and fresh air that generally moves west to east. With the proposed development, the noxious chemicals and exhaust will be carried downwind directly to us and through our home. Importantly, one of our children has a complex health profile including numerous environmental sensitivities that weaken his immune system - these hazardous chemicals and air pollution could easily trigger a negative health response. The county must act responsibly to protect his health over the approval of this industrial development.

*Additional Information re: Risks to Health & Safety is included at end of letter.

Artists View West is a rural residential community where homeowners purchase acreages at great cost in order to enjoy increased privacy, space, natural settings, quiet, and distance from typically urban elements (such as large industrial buildings!) This proposed development will undoubtedly negatively affect our property value directly, likely even making it difficult to sell!! Who would want to live on a costly rural property with its primary view of a huge industrial building, unable to sit outside or open windows because of the noise and noxious smells!? We certainly do NOT!

To note, simply moving this development a few feet one direction or another will not lessen the negative impacts. As the property owner, the neighbours, and the FAMILY who are most impacted by this development, we implore you to stop this development of an industrial building next door. **The development of an industrial building does not belong in a residential community and must not be supported by the county over the health and well-being of existing homeowners and families, against numerous existing bylaws in place to protect the residents, and must not be allowed to move forward.**

*Additional Information re: Risks to Health & Safety

An industrial building, specifically an automobile / autobody garage, whether for the purpose of a business or a hobby, has the same negative impact and poses the same risks to health and safety and therefore must abide by the same legislation (e.g., occupational health and safety including proper ventilation; fire and building codes, etc). This type of development belongs in an industrial district where it can be ensured that proper legislation and safety codes are strictly put in place and followed - not in a residential area

where the building and its use increases risks of exposure and negative health effects to nearby residents!

According to the Canadian Centre for Occupational Health and Safety (CCOHS) and the Workplace Hazardous Materials Information System (WHMIS), an automobile garage poses numerous risks to health and safety including air quality, noise, and fire.

Fire: Artists View residents increased risk of fire is already reflected in residents' home insurance policies (due to no fire hydrants or direct water supply; numerous trees and material that ignite & spread rapidly) - an industrial building whose use brings increased fire hazards increases the hazard to all community members, particularly our property directly adjacent. A review of the proposed development would quickly expose factors that affect fire safety (including use of the building, storing and disposing of hazardous and flammable materials, alarm/sprinkler systems, water or fire department connections, additional fire hazards, and proximity to residential properties) and likely evaluate the building and confirm its use as light industrial. (Note: existing Rockyview Land-use Bylaw already categorizes the development as Industrial, Light District I-LHT due to its use as Automotive Services.)

Noise: With the proposed development and its use, all Artists View residents will be subjected to increased noise pollution. In an auto body shop, noise levels can vary a lot, depending on the work being done but the majority of tools are extremely loud. Journal of Occupational and Environmental Hygiene reports that research conducted in an auto-body shop at a low activity time, the majority of tools generated noise levels above 85 dBA. Air guns, wrenches, cutoff wheels, and air drills generated noise levels with the 5th percentile above 90 dBA. Mean noise levels generated by hammers, grinders, and ratchets were also above 95 dBA. While hearing protection may only be recommended for those working in the direct environment, many of our outdoor spaces, especially the west deck situated extremely close to the proposed building, will be rendered unusable when work is being done. Furthermore, multiple neighbours will be forced to adjust their activities, close their windows, etc in order to mitigate the extremely loud noises and repetitive noise pollution from the industrial building and its use.

Air Quality: The proposed development brings risks to air quality including chemical and particle exposure. Chemicals used in the autobody industry include paints, primers, polishes and fillers. They also use machines that produce dust and other particles. Additional hazards include exposure to toxic chemicals, solvents, solder, gasoline or diesel exhaust, asbestos, combustible dust, compressed gases, dangerously reactive liquids and solids, diesel exhaust, flammable and combustible liquids, welding fumes & gases, and more.



Re: application PRDP20210477

This development is too big, breaking RV rules, & affecting other properties, both aesthetic & health & fire safety.

At 25', it is a big 2.5 storey building. With its sq feet, it is the size of an average house.

These photos face west from the adjoining property. They shows the existing view from our kitchen. French doors open out to the deck, where we spend much of our spring, summer, & fall days & evenings. We eat, work, watch sunsets etc here. With the heat in summer, we require the doors open as we have no AC.

The black line is an estimate of what our view would look like if this huge garage building is built.

The photo below is partially shaded in, as that is what we would see if there is a 25 foot high building.



Fire & Lung danger:

As this is to be a place for vehicle restoration, all exhaust, oil, noise, fibreglass bits, etc would be vented in this direction. The poplar trees are in our lot. They are very flammable and anything that might set off sparks could set the whole neighbourhood on fire.

One of my children is most susceptible to lung damage.

Please do not approve this huge building in our residential area - Artists View Way.

Under the Workplace Hazardous Materials Information System (WHMIS), toxic materials are part of Hazard Class D -- Poisonous and Infectious Materials. Since toxic materials can cause acute (short-term) health effects as well as chronic (long-term) health effects, WHMIS has a division for each. It is possible for a toxic material to be classified in both categories.

"The hazard with airborne particulates is that a person may breathe in the chemical that may have ill effects on an individual's health." With Poor Air Quality, "[i]t is common for people to report one or more of the following symptoms: Dryness and irritation of the eyes, nose, throat, and skin; Headache; Fatigue; Shortness of breath; Hypersensitivity and allergies; Sinus congestion; Coughing and sneezing; Dizziness; and Nausea." Further health effects of welding fumes and airborne particulates include: respiratory irritant, dry and sore throat, chest pain, shortness of breath, and difficulty breathing, damage to respiratory tract, a carcinogen, increased risk of lung cancer, chronic effects include kidney damage and emphysema, effects to nervous system, digestive system and mental capacity.

How are toxic materials hazardous to my health?

Toxic materials can cause serious health effects in an exposed individual. The degree of hazard associated with any toxic material is related to the exact material you are exposed to, concentration of the material, the route into the body and the amount absorbed by the body (the dose). Individual susceptibility of the user also plays a role.

The health effects may occur immediately or the effects may be delayed. Health effects that occur immediately after a single exposure are called acute effects. In other cases, health effects will not occur until some point after the exposure. This is called a chronic effect. A chronic effect may occur hours, days, months or even years after exposure. Generally, acute effects are caused by a single, relatively high exposure. Chronic effects tend to occur over a longer period of time and involve lower exposures (e.g., exposure to a smaller amount over time). Some toxic materials can have both acute and chronic health effects.

"Why do only some people seem to develop symptoms?"

Not all people are affected with the same symptoms or to the same extent. Some people may be more sensitive than others. Some people may be exposed to more contaminants [.] than others and they may experience symptoms earlier than other people. As air quality deteriorates and/or the length of exposure increases, more people tend to be affected and the symptoms tend to be more serious."

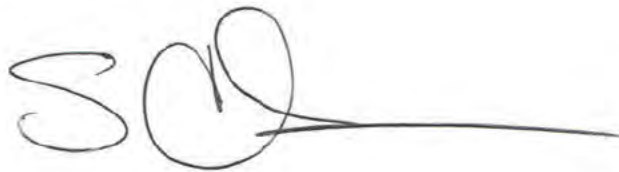
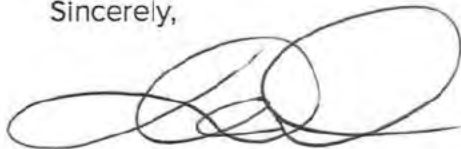
On the checklist for Air Quality, it asks,

"Do you have any other health conditions that may make symptoms worse? Eg. allergies, immune system disorders, or chronic cardiovascular or respiratory disease." ***Given our son's complex health profile and pre-existing disorders, our family is at greater risk for serious health effects!***

CCOHS recommends the use of a respirator and a ventilation system that vents exhaust and other hazardous chemicals & particles outside - which means, even when/if the owner of the proposed development mitigated the risks to health as per legislation for industry use, still immediately increases the exposure and risk to neighbours and surrounding residential community!



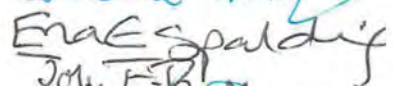





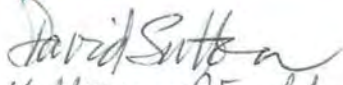
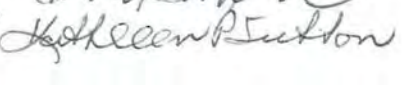


I hope the joint community response to appeal the development, this letter from the adjoining neighbour outlying the negative personal impact of the development; and additional information regarding the health & safety risks to Artists View residents and community clearly show that the proposed development should remain categorized as industrial and located appropriately (outside a residential area) and give concrete reasons the existing bylaws should not be waived for this development.

Sincerely,



Joan and Steve Chand'oiseau

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	 
ENA SPALDING	178 Artists View Way	
JOHN BARGMAN	178 Artists View Way	
Moire Dunn	213 Artists View Way	
Jess Dunn	213 Artists View Way	
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	
HELLE CHRISTENSEN	98 ARTISTS VIEW WAY	
DAVID SUTTON	102 ARTISTS VIEW WAY	
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	
SACHA INNES	109 ARTISTS VIEW WAY	
GREG FOOKID	109 ARTISTS VIEW WAY	

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
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Tony and Madeleine Yarranton	121 Artists View Way	
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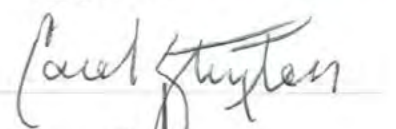
PETER & JOANNE WHIDDEN		
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	287 ARTISTS VIEW WAY	
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DAVE & CAROL SINTON	60 ARTISTS VIEW WAY	
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STEVE & JOAN CHANDOLISZAN		
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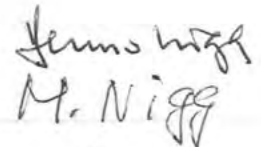
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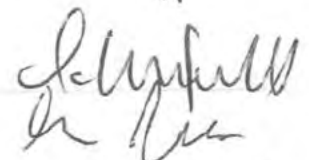
Benno & Margareta Nigg		
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	431 Artists View Way	
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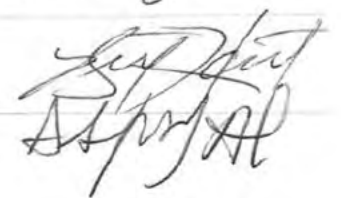
Scott & Patsy Maxwell		
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	246 Artists View Way	
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Bret & Stephanie Hart		
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	247 Artists View Way	
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I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Gary & Diana Braine	188 Artists View Way	
YVES STARREVELD	170 ARTISTS VIEW WAY	

Duncan Maclean	94 Artists View Way	
L. Bailey Lisa Bailey	260 Artists View Way.	
BRENT BAILEY	260 ARTISTS VIEW WAY	




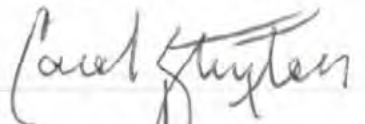


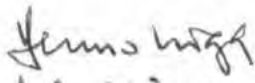
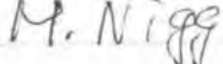
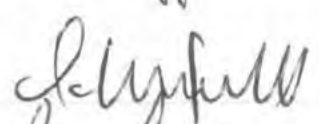
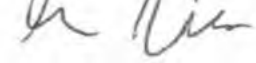


I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Ben & Paula Lim	84 Artists View Way	<i>Ben & Paula Lim</i>
George Stevanica	2 Artists View Way	<i>George Stevanica</i>

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

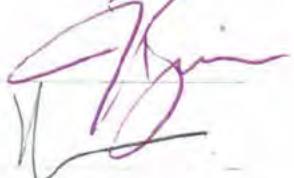

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SDAB 2021 May 27
Appellant Exhibit 1
Page 1 of 6



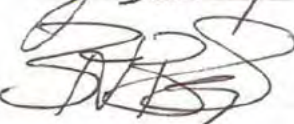
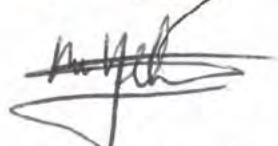
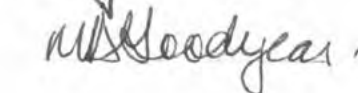
Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	
PETER & JOANNE WHIDDEN	287 ARTISTS VIEW WAY	
DAVE & CAROL SINTON	60 ARTISTS VIEW WAY	 
STEVE & JOAN CHANDOLISRAH	273 ARTISTS VIEW WAY	 
Benno & Margareta Nigg	43, Artists View Way	 
Scott & Paty Maxwell	246 Artists View Way	 
Bret & Stephanie Hart	247 Artists View Way	 

I support Tony Yarranton's appeal of the approval of Appellants
PDRP20210477

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SDAB 2021 May 27
Appellant Exhibit 1
Page 2 of 6

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	

Gary & Diana Braine	188 Artists View Way	
YVES STARREVELD	170 ARTISTS VIEW WAY	

Duncan Maclean	94 Artists View Way	
L. Bailey Lisa Bailey	260 Artists View Way	
BRENT BAILEY	260 ARTISTS VIEW WAY	
MARK YETMAN	141 ARTISTS VIEW WAY	
M Dawn Goodyear	141 Artists View way	

B-1 04630047 PRDP20210477
SDAB 2021 May 27
Appellant Exhibit 1
Page 3 of 6

I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	
Ben & Paula Lim	84 Artists View Way	Ben & Paula Lim
George Stevanica	2 Artists View Way	George Stevanica
DAN MALLAN	238 ARTIST VIEW WAY	DAN MALLAN
JEFF WENSLEY	155 ARTISTS VIEW WAY	J. H. Wensley
ANNETTE WENSLEY	" " " "	A. Wensley

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SDAB 2021 May 27
Appellant Exhibit 1
Page 4 of 6

Name	Address
Tony and Madeleine Yarranton	121 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way

EMER SPALDING	175 Artists View Way
JOHN BARGMAN	175 Artists View Way



Taso Selimos	200 Artists View Way
Anastasia Selimos	200 Artists View Way
Reed & Bernie Brauer	231 Artist View Way

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SDAB 2021 May 27

Appellant Exhibit 1

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I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	Tony Yarranton Madeleine Yarranton
ENA SPALDING	178 Artists View Way	Ena Spalding
JOHN BARGMAN	178 Artists View Way	John Bargman
Moira Dunn	213 Artists View Way	Moira Dunn
Jill Dunn	213 Artists View Way	Jill Dunn
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	Peter Christensen
HELLE CHRISTENSEN	98 ARTISTS VIEW WAY	Helle Christensen
DAVID SUTTON	102 ARTISTS VIEW WAY	David Sutton
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	Kathleen Sutton
SACHA INNES	109 ARTISTS VIEW WAY	Sacha Innes
GREG FORD	109 ARTISTS VIEW WAY	Greg Ford
Taso Selimos	200 ARTISTS VIEW WAY	Taso Selimos
Anastasia Selimos	200 ARTISTS VIEW WAY	Anastasia Selimos


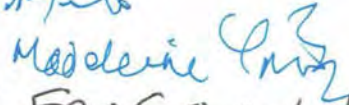
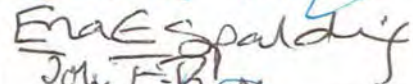
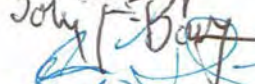

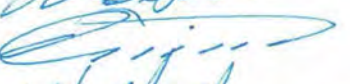


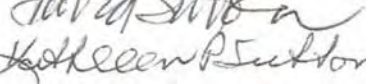
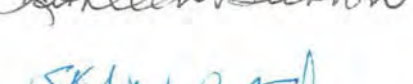



B-1 04630047 PRDP20210477

SDAB 2021 May 27

Appellant Exhibit 1

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I support Tony Yarranton's appeal of the approval of Application
PDRP20210477

Name	Address	Signature
Tony and Madeleine Yarranton	121 Artists View Way	 
ENA SPALDING	178 Artists View Way	
JOHN BARGMAN	178 Artists View Way	
Moire Dunn	213 Artists View Way	
Jill Dunn	213 Artists View Way	
PETER CHRISTENSEN	98 ARTISTS VIEW WAY	
HELE CHRISTENSEN	98 ARTISTS VIEW WAY	
DAVID SUTTON	102 ARTISTS VIEW WAY	
KATHLEEN SUTTON	102 ARTISTS VIEW WAY	
SACHA INNES	109 ARTISTS VIEW WAY	
GREG FOOKID	109 ARTISTS VIEW WAY	
Hubertus Liebrecht	210 Artists View Way	

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30047 PRDP20210477
SDAB 2021 May 27

Appellant Exhibit 2

Page 1 of 1

Circulation

Opposed to

Development

CALGARY

7510024

156

154

170

178

188

200

206

210

5108

238

246

260

/



44

60

941 2799

3

7510

941 2799

Division: 03
Roll: 04630047
File: PRDP20210477
Printed: May 4, 2021 Legal:
Lot:24 Block:1
Plan:7510024 within
NW-30-24-02-W05M

Division: 03
Roll: 04630047
File: PRDP20210477
Printed: May 4, 2021 Legal:
Lot:24 Block:1
Plan:7510024 within
NW-30-24-02-W05M

Printed: May 4, 2021 Legal:

Lot:24 Block:1

Plan: 7510024 within
MW-30-24-02-W05M

NY 50-24-02-10031

Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Y 563

051368

991.2

9412799

0412



Decision of the Municipal Planning Commission

This is not a development permit

Kemp, Michael

Development file #: PRDP20210477
Issue Date: April 15, 2021
Roll #: 04630047
Legal description: Lot 24 Block 1 Plan 7510024, NW-30-24-02-05

The Municipal Planning Commission conditionally approves the following:

Description:

1. That an accessory building (detached garage) may be constructed on the subject land in general accordance with the submitted application and site plan dated January 26, 2021 and design drawings titled *Elevations, Floor Plan & Wall Details* dated February 21, 2021 as prepared by AA Structural Engineering.
 - i. That the maximum building area is relaxed from **90.00 sq. m (968.75 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - ii. That the maximum parcel coverage is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **166.53 sq. m (1,792.59 sq. ft.)**
 - iii. That the maximum building height is relaxed from **7.00 m (22.97 ft.)** to **7.64 m (25.08 ft.)**
 - iv. That the minimum front yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **13.04 m (42.78 ft.)**

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, that adheres to the requirements of the Springbank Master Drainage Plan (MDP) and the County Servicing Standards as per section 5.4 of the Springbank MDP.

This is not a development permit

Permanent:

4. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
5. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

9. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
10. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
12. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. If this Development Permit is not issued by **October 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

This is not a development permit

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

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

Municipal Planning Commission

A handwritten signature in blue ink, appearing to read 'Jerry Gautreau', is positioned above the name.

Jerry Gautreau, Chair

This is not a development permit



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
RENEWAL OF	-
FEES PAID	\$265.00
DATE OF RECEIPT	Feb 5, 2021

APPLICANT/OWNER

Applicant Name: Mike Kemp

Email: [REDACTED]

Business/Organization Name (if applicable): [REDACTED]

Landowner Name(s) per title (if not the Applicant): Courtney Makkinga

Business/Organization Name (if applicable): [REDACTED]

LEGAL LAND DESCRIPTION - Subject site

All/part of: ¼ Section: 30 Township: 24 Range: 02 West of: 05 Meridian Division:
 All parts of Lot(s)/Unit(s): 24 Block: 1 Plan: 7510024 Parcel Size (ac/ha): 2
 Municipal Address: 253 Artists View Way Land Use District: CR

APPLICATION FOR - List use and scope of work

Detached Garage

Variance Rationale included: ☐ YES ☐ NO ☐ N/ADP Checklist Included: ☒ YES ☐ NO

SITE INFORMATION

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

AUTHORIZATION

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

- ____ That I am the registered owner OR ____ That I am authorized to act on the owner's behalf.
 ____ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.
 ____ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.
 ____ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the *Municipal Government Act*.

Applicant Signature

Date

Feb 3, 2021

Landowner Signature

Date

Feb 3, 2021



ROCKY VIEW COUNTY

ACCESSORY BUILDING(s)

INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
DISTRICT	R-CRD

DETAILS		USE TYPE
Building total floor area (footprint)	1792 (m ² / ft. ²)	<input checked="" type="checkbox"/> Residential
Height of building	25'1" (m / ft.)	<input type="checkbox"/> Agricultural
Total area of all accessory buildings (For Residential/Agricultural parcels)	1792 (m ² / ft. ²)	<input type="checkbox"/> Related to Home-Based Business (HBB), Type II (attach HBB Information Sheet)
		<input type="checkbox"/> Other (specify):
BUILDING DESCRIPTION		BUILDING TYPE
Purpose/use of building (workshop, studio, storage etc.): Garage - personal vehicle work		<input type="checkbox"/> Storage Shed
Building material(s): spf no.2 lumber osb sheathing		<input type="checkbox"/> Barn
Exterior colour(s): acrylic stucco color & hbd black asphalt shingles		<input type="checkbox"/> Quonset
Age of building(s), if permits not issued/available:		<input type="checkbox"/> Farm Building
		<input checked="" type="checkbox"/> Detached Garage
		<input type="checkbox"/> Gazebo
		<input type="checkbox"/> ** Shipping Container (Seacan)
		<input type="checkbox"/> Personal Greenhouse/Nursery
		<input type="checkbox"/> Horse Shelter/Stable
		<input type="checkbox"/> Tent (covered)
		<input type="checkbox"/> Other (specify):
VARIANCE(s) REQUESTED (If applicable)		
Describe variances requested:		
Describe reasons for variances (location, storage needs, etc.):		
<p>NOTE: Application must include a Site Plan identifying dimensions, area, and location of the building (including setbacks), floor plan(s), elevations, and requirements of the Development Permit Checklist.</p> <p>Accessory Buildings, Land Use Bylaw, C-8000-2020:</p> <p>* An Accessory Building on a parcel in a Residential District shall be similar to, and complement, the Principal Building in exterior material, colour and appearance.</p> <p>** Where the Accessory Building is a Shipping Container it:</p> <p>a) Shall not be attached, in any way, to a principal building;</p> <p>b) Shall not be stacked in any Non-Industrial District; and</p> <p>c) Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.</p>		

Applicant Signature

Date

Feb 3, 2021



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [x] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☒ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.
- ☒ **CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:**
 - ☒ Digital copy of non-financial instruments/caveats registered on title
- ☒ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☒ **COVER LETTER, shall include:**
 - ☒ Proposed land use(s) and scope of work on the subject property
 - ☐ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☒ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN, shall include:**
 - ☒ Legal description and municipal address
 - ☒ North arrow
 - ☒ Property dimensions (all sides)
 - ☒ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☒ Dimensions of all buildings/structures
 - ☒ Location and labels for existing/proposed approach(s)/access to property
 - ☒ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings
 - ☒ Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
 - ☒ Identify site slopes greater than 15% and distances from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☒ **FLOOR PLANS/ELEVATIONS, shall include:**
 - ☒ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☒ Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
 - ☒ Indicate type of building/structure on floor plans and elevations
- ☒ **COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy:** Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
- ☒ **SUPPORTING DOCUMENTS (as applicable):** Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): Oversize Accessory Building (Detached Garage) Land Use District: R-CRD

Applicable ASP/CS/IDP/MSDP: Central Springbank ASP

Included within file: ☒ Information Sheet ☒ Parcel Summary ☒ Site Aerial ☒ Land Use Map Aerial ☒ Site Plan

NOTES:

Staff Signature: Jeevan Wareh



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0011 302 726 7510024;1;24 211 010 569

LEGAL DESCRIPTION
PLAN 7510024
BLOCK 1
LOT 24
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.809 HECTARES (2 ACRES) MORE OR LESS

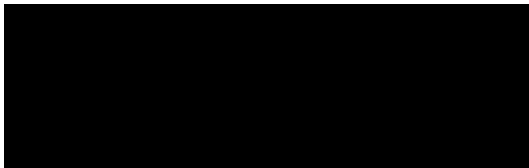
ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;24;30;N
ATS REFERENCE: 5;2;24;31;S

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 131 316 030

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 010 569	14/01/2021	TRANSFER OF LAND	\$895,000	\$895,000

OWNERS



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
751 002 872	13/01/1975	RESTRICTIVE COVENANT
131 316 031	09/12/2013	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. 500 EDMONTON CITY CENTRE EAST EDMONTON ALBERTA T5J5E8

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
211 010 569

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ORIGINAL PRINCIPAL AMOUNT: \$668,000

211 010 570 14/01/2021 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
500 EDMONTON CITY CENTRE EAST
EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$600,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF
FEBRUARY, 2021 AT 08:20 A.M.

ORDER NUMBER: 40960179

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
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INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
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ALBERTA GOVERNMENT SERVICES LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

751002872

ORDER NUMBER: 40960226

ADVISORY

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75-1 002872

REGN. FEE	5.00
LOTS	
MILES R/W	
EX. REF. CERTS	68.00
NEW TITLE	
CERT. COPY	
TOTAL FEES	67.00
CLERK <i>[Signature]</i> D.B.	
CHARGE TO	

JAN 13 '75

Restrictive Covenant

Ref 2.9.

*Walter D. & M. C. Brown
Surveys Ltd.*

I certify that the within instrument
is duly Entered and Registered in the Land
Titles Office for the South Alberta Land
Registration District of Calgary.

A.D. Registrar
S.A.L.R.D.

PLEASE RETURN THIS
DOCUMENT TO
[Signature]
AFTER MICROFILMING

9-9

RESTRICTIVE COVENANT

ARTISTS VIEW PARK SUBDIVISION

WHEREAS Su-Lyn Investments Ltd., hereinafter referred to as "Su-Lyn" is the registered owner of all those lands described in Schedule "A" attached hereto, and known as the "Artists View Park Subdivision", hereinafter referred to as "the said lots", and WHEREAS Su-Lyn desires to insure that all development within or upon the said lots shall maintain certain standards of architectural excellence for the benefit of all future property owners in the said Artists View Park Subdivision and for the benefit of Su-Lyn, its heirs, successors and assigns as owners of lands surrounding and adjacent to the said lots;

NOW THEREFORE THIS DEED WITNESSETH: that in consideration of the foregoing, Su-Lyn Investments Ltd. does hereby for itself, its assigns, its successors in title, covenant as follows:

1. All those lots and parcels of lands set forth and described in Schedule "A" attached hereto, and being shown in a registered plan of subdivision filed in the Land Titles Office for the South Alberta Land Registration District as # _____ shall be developed only in conformity with
 - a) the conditions and covenants set out in this Artists View Park Building Scheme, and with
 - b) the Building By-Law, the Zoning By-Law and other relevant By-Laws of the Municipal District of Rockyview and any successor municipal corporation.
2. All the said lots and parcels described in Schedule "A" shall be deemed to form the Artists View Park Building Scheme, and the land use and building restrictions and conditions herein shall be deemed to be covenants running with the land and shall be binding upon and enure to the benefit of all lots and parcels and owners thereof in the said Scheme. Such land use and building restrictions and conditions may be enforced by the owner of any lot or parcel described in the attached Schedule herein, or in such subsequent plans of subdivision affecting the said lots and parcels aforesaid, or by Su-Lyn by reason of its ownership of lands surrounding or adjacent to the lots set forth in the attached Schedule.
3. Su-Lyn shall appoint a committee of architecture, hereinafter referred to as "the Design Committee" which shall consist of three persons. The Design Committee so constituted shall continue in office from the time of its appointment until December 31, 1976, at the pleasure of Su-Lyn, and thereafter unless and until its members are replaced by the owners of a majority of the said lots. IN THE EVENT that a member of the Design Committee resigns, dies, or becomes incapacitated from performing his duties as a member of the Committee, the

remaining members of the Design Committee may fill the vacancy by appointment of a new member. The owners, for the time being, of five or more of the lots may from time to time, by giving twenty (20) days notice, summon a meeting for the purposes of electing a new Design Committee to replace the existing Design Committee. In this Building Scheme notice shall be deemed to have been received by the owner of any of the said lots forty-eight (48) hours after a letter is mailed to the address of the owner of a lot as from time to time recorded with the Municipal District of Rockyview, or its successor municipality.

4. It shall be the general purpose of the Design Committee, when formed, to ensure the maintenance of a high standard of architecture in such a manner as to enhance the aesthetic properties of buildings and their appurtenances, constructed on any of the said lots. The Design Committee shall be guided by the Building Scheme and shall interpret the Building Scheme and shall determine whether such conditions contained in this Building Scheme are being complied with and shall have the power to enforce compliance in any manner that the Design Committee deems appropriate. The Design Committee may grant exceptions to any conditions herein, when and if the enforcement of such conditions would be unreasonable and impractical, and thereby create undue hardship in individual conditions. The Design Committee may adopt such further reasonable rules and regulations as it deems necessary to carry out its duties.

5. No failure on the part of Su-Lyn or the Design Committee or of any other owner or owners to enforce promptly and fully the conditions and covenants and restrictions of this Building Scheme shall be or be deemed to be a waiver of the right of Su-Lyn or any owner or owners to enforce the conditions, covenants, and restrictions of this Building Scheme. The Restrictive Covenants contained herein are severable; and the invalidation of one shall not invalidate any other Restrictive Covenant or performance standard herein, and such covenant or standard shall be independent to such extent that the waiver of any one or more of these restrictive covenants or performance standards by Su-Lyn or by the owner or owners of any of the said lots, shall in no way be construed as a waiver of any of the other restrictive covenants or performance standards.

6. For the purpose of carrying out its functions under this building scheme, the Design Committee may hire, employ, and retain engineers, architects, surveyors, planners, solicitors, and costs incurred in the operation of the Design Committee shall be borne by Su-Lyn until December 31, 1976, and thereafter by the owner or owners of lots in the Building Scheme who request or require to receive the approval of the Design Committee. The Design Committee and its members acting in good faith shall be indemnified by all the owners of lots contained in the Building Scheme from any costs, fees, damages, or expenses

- 3 -

which they may be required to pay to any lot owner in the Building Scheme by any court of competent jurisdiction.

7. The land covered by this Building Scheme shall be used for private residential purposes only, and no attached or semi-detached house, duplex or apartment or any house designed for more than one family shall be erected on the said lands, and no out-buildings other than a garage or summer house, and no more than one attached dwelling house may be erected on any one lot in the subdivisions, provided that nothing herein shall prevent the owner of any lot making adequate provision for domestic staff.

8. No residence shall be used for any other purpose than that of a private dwelling for a single family, and/or its domestic staff.

9. None of the land within the Building Scheme or any buildings erected thereon shall be at any time used for the purpose of any profession, trade or business of any description, or as a school, hospital, or other charitable institution; or as a hotel, apartment house, boarding or lodging house, or place of public resort.

10. None of the said lots shall be used as a junkyard, auto stores, or graveyards, slaughter house, stockyard, or for boxcars or flammable substances above the ground. No lot shall be used for depositing, dumping, burning or storing of any refuse, trash, garbage, or discarded building materials. All rubbish, trash or garbage shall be removed from the property, and shall not be allowed to accumulate thereon.

11. No exterior or interior signs, advertisements, or billboards of any kind shall be erected or exhibited in any manner on or about any of the said lots, without the prior written approval of the Design Committee or Su-Lyn. Such approval shall be in the form prescribed by Su-Lyn or the Design Committee. The issuance of approval shall be within the sole reasonable discretion of the Design Committee or Su-Lyn, provided that the owner of any lot or his agents may post a sign upon any of the said lots advertising the said lot for sale or lease.

12. No cattle, horses, sheep, poultry, hogs, swine or other livestock shall be kept or maintained on any of the said lots. This paragraph shall not be construed however as a prohibition or in any manner interfering with the reasonable keeping of ordinary domestic pet animals; provided that no business for selling ordinary domestic pet animals shall be established on any of the said lots.

13. No main wall or other building shall be erected within a distance of 30 feet of the front property line of any lot, nor closer to the side boundary of any lot nearer than 10% of the width of such lot.

- 3 -

which they may be required to pay to any lot owner in the Building Scheme by any court of competent jurisdiction.

7. The land covered by this Building Scheme shall be used for private residential purposes only, and no attached or semi-detached house, duplex or apartment or any house designed for more than one family shall be erected on the said lands, and no out-buildings other than a garage or summer house, and no more than one attached dwelling house may be erected on any one lot in the subdivisions, provided that nothing herein shall prevent the owner of any lot making adequate provision for domestic staff.

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11. No exterior or interior signs, advertisements, or billboards of any kind shall be erected or exhibited in any manner on or about any of the said lots, without the prior written approval of the Design Committee or Su-Lyn. Such approval shall be in the form prescribed by Su-Lyn or the Design Committee. The issuance of approval shall be within the sole reasonable discretion of the Design Committee or Su-Lyn, provided that

13. ~~No main walls or other buildings shall be erected to the property line thereof nearer than a distance equal to ten (10%) per-cent of the length of such property line; where a lot abuts on two streets, it shall be deemed to front on the street on which it abuts at a shorter distance.~~

- 4 -

14. (1) Except as provided herein, no person shall allow any portion of the principal building on any of the lots to project over or on the yard
- (2) the portions of and attachments to a principal building which may project over or on a lot are:
- i) a cornice, a balcony, a belt course, a sill, a canopy, or eaves which project over a yard a distance not exceeding one-half ($\frac{1}{2}$) of the width of the smaller side yard required for the site;
 - ii) an unenclosed veranda, porch, eave, or a canopy or open balcony individually supported by cantilever which projects not more than forty-eight (48) inches over a conforming front yard;
 - iii) a chimney which is not more than eight (8) feet wide may project two (2) feet into a side yard if such projection shall not reduce the yard less than three (3) feet;
 - iv) unenclosed steps with or without a landing;
 - v) the eaves of a private garage or other accessory building if such eaves are no closer than eighteen (18) inches to a property line;

15. No buildings shall be erected on the lands unless plans showing the location of the said buildings on the properties, elevations, design and location and type of fencing have been submitted to Su-Lyn or to the Design Committee and written approval obtained. It is the intention of the parties hereto that all residences erected on the said lands shall have as far as possible, a desirable view of the surrounding countryside and no residences or other buildings shall be placed on the lands unless the location of the building on the lands has been approved by Su-Lyn or by the Design Committee.

16. No buildings shall be erected on the said lands unless the colour and exterior design of the building shall have been approved by Su-Lyn or by the Design Committee, and no alteration of the colour or exterior design of any building upon the said lands shall be made without the approval of Su-Lyn or the Design Committee.

17. No addition to any buildings, or any change in the colour scheme of any buildings shall be made unless the plans and specifications and details have been submitted to Su-Lyn or to the Design Committee, and approval in writing obtained.

18. Every building shall be completed in accordance with the plan approved by Su-Lyn or by the Design Committee, as aforesaid, before it is occupied and no building shall be deemed to be completed until the grounds and surroundings are improved in such a manner except for seeding and general landscaping as to be in keeping with the general appearance of the surrounding lands.

19. No trailer, or mobile home or living accommodation or truck exceeding one (1) ton capacity shall be parked or placed on the lands except in the garage erected thereon or in a screened area, providing that nothing herein shall prevent an owner permitting trucks, trailers, or mobile homes to be parked on any of the said lots for a period not exceeding forty-eight (48) hours for the purposes of loading or unloading goods and merchandise.
20. No excavations shall be made on the said lots except for the purposes of building, or for the improvement of the gardens or grounds thereof. No soil, sand or gravel shall be removed from the said lots except with the permission of Su-Lyn or the Design Committee.
21. The owner of any lots herein covenants and agrees to provide easements and rights of way for the construction of services, ingress and egress, upon and through the said lots. The water services shall be taken from Artists View Park Services Ltd., or its successor company and not from any other party, individual well, or similar systems for water.
22. No evaporative or air-heating or conditioning unit or tower shall be located on the roof of any structure unless screened by walls or other adequate means in such a manner as to conceal them from the view of neighbouring lots and streets. All such units, clotheslines, fixtures, swimming pool filters, water systems, woodpiles, or storage piles, articles, goods or materials, business or personal, shall be walled in or kept screened by adequate plantings, walls or other means in such a manner as to conceal them from the view of the neighbouring lots and streets.
23. No outdoor toilets may be erected or maintained on any part of any lot or property except during construction on the applicable lot or property.
24. No person shall alter the existing natural drainage without the prior written approval of Su-Lyn or the Design Committee.
25. All open areas of the said lots shall be maintained in a dust-free condition by landscaping with trees, shrubs, suitable ground cover, undisturbed natural growth or by covering with a material that will provide an all-weather surface.
26. No person shall construct an access for ingress or egress until the same have been approved by Su-Lyn or the Design Committee.
27. No unscreened out-door storage shall be permitted and all areas used for storage shall be enclosed on all sides by a masonry wall or solid fence not less than six (6) feet nor more than eight (8) feet in height. No materials or products shall be stacked to exceed the height of the wall. The Owner of any lot shall provide gravelled or surfaced parking sufficient for four (4) cars.

19. No trailer, or mobile home or living accommodation or truck exceeding one (1) ton capacity shall be parked or placed on the lands except in the garage erected thereon or in a screened area, providing that nothing herein shall prevent an owner permitting trucks, trailers, or mobile homes to be parked on any of the said lots for a period not exceeding forty-eight (48) hours for the purposes of loading or unloading goods and merchandise.

20. No excavations shall be made on the said lots except for the purposes of building, or for the improvement of the gardens or grounds thereof. No soil, sand or gravel shall be removed from the said lots except with the permission of Su-Lyn or the Design Committee.

21. The owner of any lots herein covenants and agrees to provide easements and rights of way for the construction of services, ingress and egress, upon and through the said lots. The water services shall be taken from Artists View Park Services Ltd., or its successor company and not from any other party, individual well, or similar systems for water.

22. No evaporative or air-heating or conditioning unit or tower shall be located on the roof of any structure unless screened by walls or other adequate means in such a manner as to conceal them from the view of neighbouring lots and streets. All such units, clotheslines, fixtures, swimming pool filters, water systems, woodpiles, or storage piles, articles, goods or materials, business or personal, shall be walled in or kept screened by adequate plantings, walls or other means in such a manner as to conceal them from the view of the neighbouring lots and streets.

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~~than eight (8) feet in height. No materials or products shall be stacked to exceed the~~
~~height of the wall. The Owner of any lot shall provide gravelled or surfaced parking~~
~~sufficient for four (4) cars.~~

-6-

28. Should it be necessary at any time for Su-Lyn or the Design Committee to employ counsel, to enforce any of the provisions, conditions, restrictions, performance standards or covenants herein contained, all costs incurred in the enforcement thereof including but not limited to a reasonable fee for counsel shall be paid by the owner or owners of a lot or lots who through their breach make it necessary for Su-Lyn or the Design Committee to enforce such provisions, conditions, restrictions performance standards or covenants.

29. Su-Lyn or the Design Committee and the members thereof shall have a lien upon such lot or lots to secure payment and restitution caused by any breach of the provisions conditions, restrictions, performance standards or covenants herein contained.

30. If, in the opinion of Su-Lyn or the Design Committee, any such owner is failing in his duty and responsibility, then written notice shall be given to the owner at his address filed with the Municipal District of Rockyview, or successor municipality, to undertake the care and maintenance required to restore the said property to a safe, clean, attractive and lawful condition. Should such owner fail to fulfill or commence to fulfill this duty and responsibility within seven (7) days from receipt of such notice, then Su-Lyn and the Design Committee shall have the right and power to undertake such care and maintenance. The owner of the property on which such work is performed shall be liable for the cost of any such work and shall promptly reimburse Su-Lyn or the Design Committee for the cost thereof. If such owner shall fail to comply within thirty (30) days after being billed therefor, then said cost including all reasonable expenses incurred therefor shall be a debt of such owner payable to Su-Lyn or the Design Committee, and shall be a lien against any such owner's property.

IN WITNESS WHEREOF Su-Lyn Investments Ltd. has hereunto caused its corporate seal to be affixed as attested to by its proper officers duly authorized in that behalf.

Rekd. 13th Jan 1975

SU-LYN INVESTMENTS LTD.

[Signature]
Per: _____

IS SCHEDULE "A" TO RESTRICTIVE COVENANT DATED
BY SU-LYN INVESTMENTS LTD.

LOT NUMBER

1 to ~~34~~ inclusive
32

BLOCK NUMBER

1

PLAN NUMBER

751 0024



ROCKY VIEW COUNTY

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

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

LETTER OF AUTHORIZATION

I, (We) Courtney Makkinga being the owner (s) of
Lot 24 Block 1 Plan 7510024

Legal:

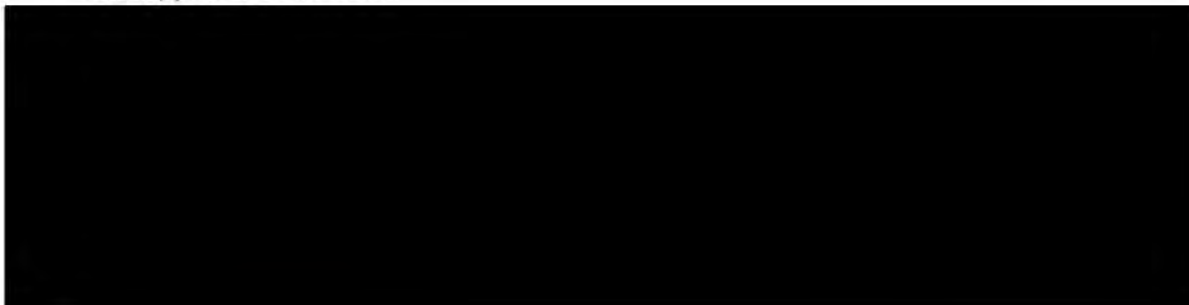
NW/NE/SE/SW Section 30 Township 24 Range 02 W 05 M
give Mike Kemp permission to act on my
(our) behalf in applying in the Redesignation and/or Subdivision of the subject
property.

C. Makkinga
Signature

Signature

Feb 3, 2021
Date

Owner(s) contact information:



253 ARTISTS VIEW WAY



DEVELOPMENT PERMIT APPLICATION

LOT 24 BLOCK 1 PLAN 7510024

LEGAL: NW SECTION 30 TOWNSHIP 24 RANGE 02 W 05 M

Accessory Building/Detached 4 bay garage 3m from east property line

1792 SQ FT

Concrete Slab

2x6" Wood framing as per attached drawings.

Concrete slab as per attached engineered drawing including footings and pilings

Photos show subject location in each direction

One large spruce tree needs to be removed in the north west corner of the new garage location

Some smaller trees need to be moved to accommodate the approx. 7-10' of the back half of the garage

Some shrubs that border the south side of the existing driveway need to be remove to allow access to new detached garage.



ii

Summary

Roll Number	04630047		
Legal Desc	NW-30-24-02-W05M		
Divison	03		
Lot Block Plan	Lot:24 Block:1 Plan:7510024		
Linc Number	11302726		
Title Number	211010569		
Parcel Area	2.00000		
Municipal Address	253 ARTISTS VIEW WAY		
Contact Information	Makkinga, Courtney L	00000000000000	00000000000000
		00000000000000	
		00000000000000	
		00000000000000	
Land Use Information	R-CRD		

Plan

Planning Applications Information
{There is no related Application}

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

Conceptual Scheme
{There is no related Conceptual Scheme}

Permit

Building Permit
{There is no related Building Permit}

Development Permit Information
{There is no related Development Permits}

Alert

{There is no related Development Enforcement Data}

Geospatial Boundary

Boundary	Category
Division	3
Area Structure Plan	Central Springbank
Conceptual Scheme	No Conceptual Scheme
IDP	CALGARY IDP Study Area
Airport Vicinity	No APVA
Engineer	
Water Coop	
Gas Coop Service	
No.of Lots Within 600 M	62
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Rocky View West
Fire District	SPRINGBANK
Primary Fire Station	102
Secondary Fire Station	101
Tertiary Fire Station	120

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	5219.08 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:16557.84 M
Closest Road Name	ARTISTS VIEW WY(Surface Type:Paved)	13.68 M
Closest Railway	CPR	2749.83 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	3776.21 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	256.13 M
Closest Confined Feeding Operation		1477.11 M



ARTISTS VIEW WAY



CALGARY

A-SML
p8.1

R-RUR

ARTISTS VIEW WAY

R-CRD

ARTISTS VIEW GATE

ARTISTS VIEW DR

30

SEC HWY 563

A-SML
p8.1

DC84

CRD

TIMBERSTONE COURT

R-CRD

S-PUB

R-CRD

R-RUR
p4.0

HORIZON VIEW RD

SOLERIDGE PL

SHANTARA GROVE

R-RUR

UPLANDS WAY

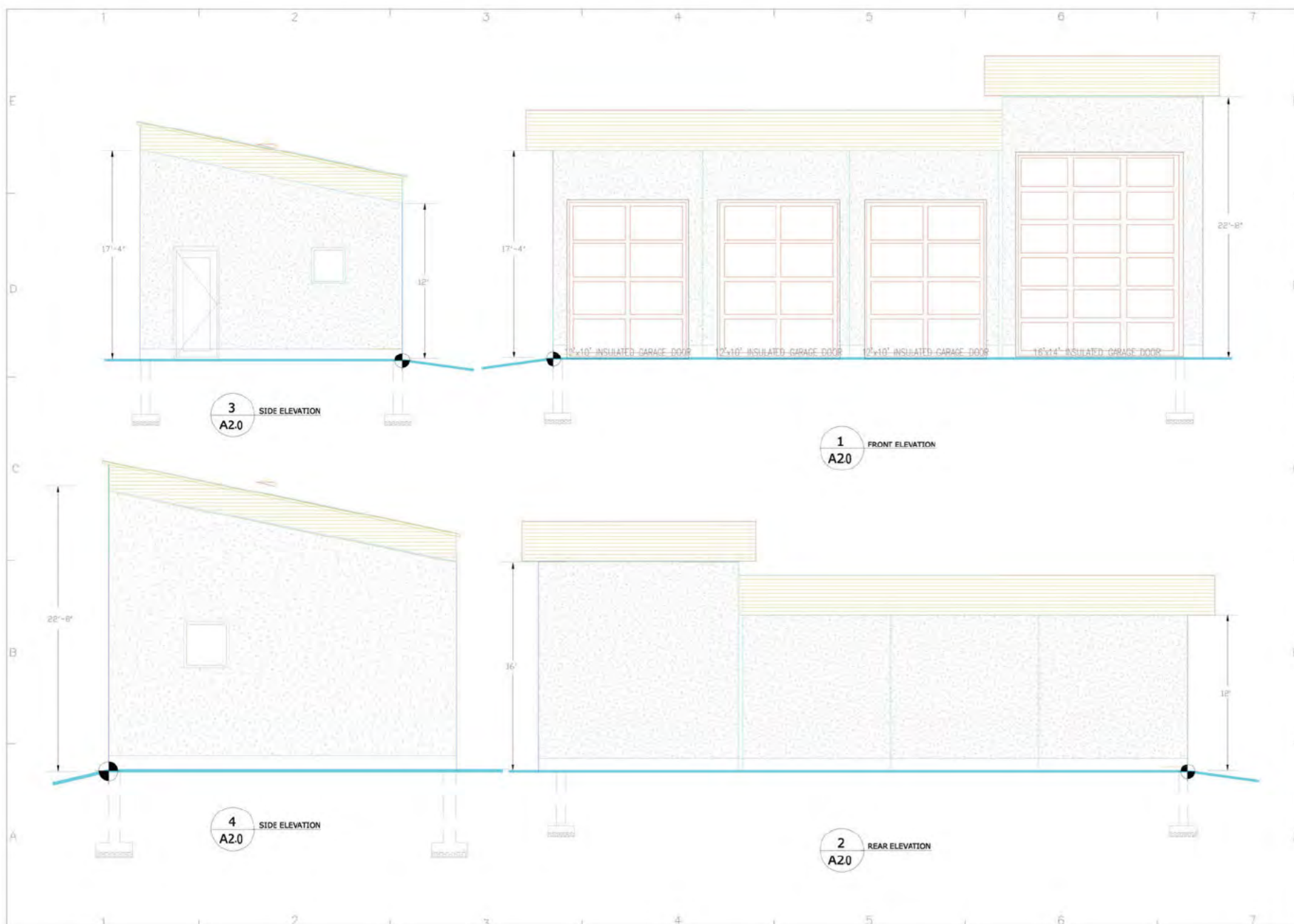
ESCARPMENT PLACE

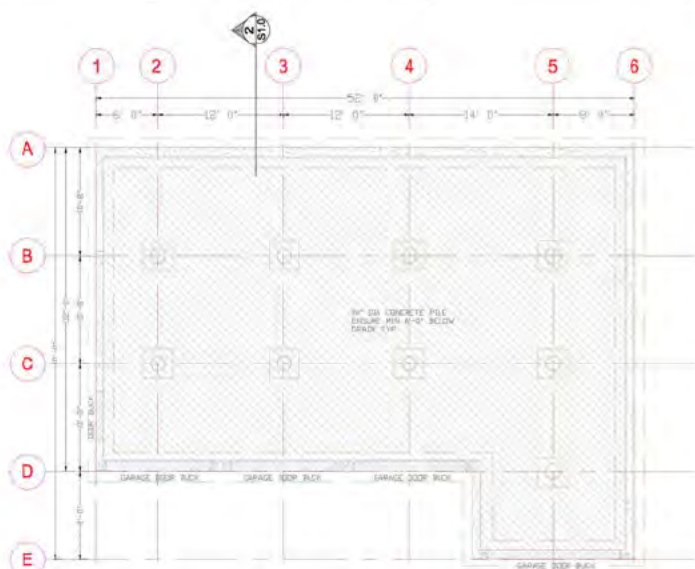
SPRINGBANK RD

UPLANDS RIDGE

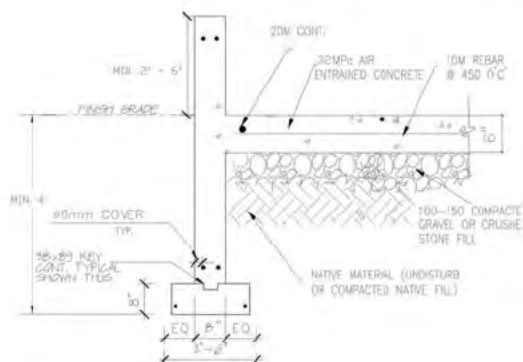
WESTBLUFF RD

400 PINNACLE RIDGE PLACE





1 FOUNDATION PLAN
S1.0



2 Garage Concrete Foundation TYP.
S1.0

GENERAL NOTES:

1. ALL CONSTRUCTION TO CONFORM TO A.B.C. 2019.
2. BUILDER SHALL BE RESPONSIBLE TO CONFIRM ALL DIMENSIONS AND INFORMATION ON DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THE S1.0 ENGINEER FOR PROPER ADJUSTMENT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. ALL CONSTRUCTION METHODS AND SPECIFICATIONS SHALL CONFORM TO THE ALBERTA BUILDING CODE AND LOCAL BUILDING BY-LAWS.
4. CONTRACTOR TO DETERMINE SOIL CONDITIONS ARE SUITABLE BEFORE START OF CONSTRUCTION.
5. WRITTEN AND APPROVED SPECIFICATIONS WILL ALWAYS OVERRIDE DRAWINGS.
6. DO NOT SCALE FROM DRAWINGS.
7. CONTRACTOR TO CALL CITY - PRIOR TO EXCAVATION - TO MARK THE UTILITY LINES INSIDE THE PROPERTY. CONTRACTOR TO CONFIRM THAT ALL EXCAVATION IS FAR FROM ANY UTILITY LINES AND TO INFORM THE DESIGNER WITH ANY ENCROACHMENT BETWEEN THE EXCAVATION AND THE UTILITY LINES.
8. ALL STRUCTURAL STEEL SECTIONS, HOLLOW STRUCTURAL SECTIONS AND PLATE SHALL CONFORM TO CAN3-G40.20-M81 AND CAN3-G40.21-M8, GRADE 350W
9. ANCHOR BOLTS, NUTS AND WASHERS SHALL CONFORM TO ASTM A307-B2B
10. WELDING MATERIALS AND PROCEDURES SHALL CONFORM TO CSA-W59, ALL WELDING TO BE PERFORMED BY CERTIFIED WELDERS.
11. FABRICATE AND ERECT STEEL IN ACCORDANCE TO CSA-16-01
12. BOLTS AND NUTS SHALL CONFORM TO THE REQUIREMENTS OF ASTM A307 OR ASTM A325, PROVIDE WASHERS. [HOT-DIP GALVANIZED BOLTS, NUTS AND WASHERS].
13. SHEET METAL SCREWS SHALL HAVE A MINIMUM COATING THICKNESS OF 0.008 mm OF ZINC. OTHER COATINGS PROVIDING EQUAL OR BETTER CORROSION PROTECTION MAY BE USED.
14. WELDING MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF CSA W59.

DESIGN PARAMETERS:

- ALLOWABLE SOIL BEARING CAPACITY 2000 psf

CONCRETE:

- CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 32 MPa AT 28 DAYS.
- ALL CONCRETE WORK SHALL CONFORM TO CSA STANDARD CAN-23.1-04 "CONCRETE MATERIALS AND METHODS OF CONCRETE CONSTRUCTION" AND ITS REFERENCED PUBLICATIONS.
- CEMENT SHALL BE TYPE HS HIGH SULPHATE-RESISTANT HYDRAULIC CEMENT.
- FINE AGGREGATE SHALL BE CLEAN, NATURAL SAND, ARTIFICIAL OR MANUFACTURED SAND WILL BE ACCEPTABLE.
- COARSE AGGREGATE SHALL BE CRUSHED ROCK, WASHED GRAVEL, OR OTHER INERT GRANULAR MATERIAL.

REINFORCING STEEL:

- REINFORCING TO BE DEFORMED BARS CONFORMING TO CSA G30.18 GRADE 40S (400 MPa).
- A MINIMUM OF 75 mm OF COVER FOR REINFORCEMENT SHALL BE PROVIDED FOR CONCRETE PLACED AGAINST THE GROUND.
- FOR SURFACES TO BE EXPOSED TO THE WEATHER OR IN CONTACT WITH THE GROUND AFTER REMOVAL OF FORMS, THE CONCRETE COVER SHALL BE AT LEAST 50 mm.
- SPLICES SHALL CONFORM TO THE CODES AND STANDARDS SPECIFIED. LAP SPlice LENGTHS SHALL PERMIT ALL BARS TO BE SPLICED AT THE SPlice LOCATION WITH NO REDUCTION IN SPlice LENGTH AS RESULT OF STAGGERED SPlice LOCATIONS OR EXCESS REINFORCEMENT UNLESS OTHERWISE INDICATED ON THE DRAWINGS.



7 MARTIN CROSSING LMK NE
CALGARY, AB T3J 3V2
T: 587-433-2492
EMAIL: info@aastructuralengineering.com

CALGARY, AB



JAN 26/2021

RESIDENTIAL GARAGE

253 ARTIST VIEW WAY
ROCKY VIEW, AB

LOT XX, BLOCK X
PLAN XXX XXXX

PROJECT NO.

DATE ISSUED

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

DATE BY

FOUNDATION PLAN & SECTIONS

S1.0



DEVELOPMENT PERMIT

Inspection Report

APPLICATION DETAILS	
APPLICATION NO.	PRDP20210477
ROLL NO.	04630047
QUADRANT	SW
FILE MANAGER	Bronwyn Culham
DATE REQUIRED	April 9, 2021

PARCEL/APPLICANT INFORMATION

Applicant/Owner Name: Kemp, Michael

Municipal Address/Legal Description: 253 ARTISTS VIEW WAY, Rocky View County AB / NW-30-24-02-05

Land Use: R-CRD

Permission for Entrance Granted: No (Yes or No)

INSPECTION INFORMATION

Reason for Inspection: Construction of an oversize accessory building (detached garage)

Specific Concerns:

- Construction taking place
- Materials on site
- Screening of any kind (Impact)
- Is the site tidy

Inspector: Andy Wiebe

Date of Inspection: March 29, 2021

INFORMATION INCLUDED (indicate with "x")

☐ Satellite Aerials – Zoomed In ☐ Satellite Aerials – Zoomed Out ☐ Site Plan ☐ Application-Specific Information

Observations:

1. Unable to determine if construction taking place

2. No materials observed

3. Site is tidy

Andy Wiebe

Signature of Inspector

Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021



Inspection Photos
March 29, 2021



Letters to the Board in support of the appeal

May 7th 2021

RE: File #04630047 PRDP20210477

Property: 253 Artists View Way

Dear Development Appeal Board,

We are unable to attend the Hearing regarding this Appeal scheduled for May 27th 2021 at 9:00 AM, however we would certainly like to register our strong support for the Appeal that has been submitted.

Our home address is 60 Artists View Way, and this has been our family home for over 40 years, extending down through generations. Our property is the second lot on the East side of Artists View Way as you enter our community. Over these years, we have seen the gradual increase in RESIDENTIAL development such as Artists View Pointe, Solace Ridge and so on. However, none of this development has ever engaged in Commercial type structures, presumably because your bylaws prohibit Commercial Development in a residential community, and certainly the Restrictive Covenant that all Artists View residents are required to sign when purchasing a property in our community clearly spells out such restrictions.

Given this reality, the primary two reasons we support this Appeal are as follow:

- 1) From a pure governance/procedural basis, how did this development request receive Approval before the affected community was made aware of the application?
- 2) Does the Development Approval Board realize that this property ALREADY has a 4 car garage on it! Surely any car “hobbyist/enthusiast” should be able to use the existing extra garages to accommodate their hobby. Requesting to further develop another structure of this magnitude can only mean the anticipation of a commercial use of some type, and this is simply unacceptable in a long-established residential community.

There are numerous residential communities that been developed over the years in the Springbank area, yet not one of these has seen the addition of a commercial based structure such as the one in question. Thus our bewilderment as to how the Board could approve such a request. Good governance process combined with some common sense should make this project easily seen to be disruptive and not appropriate for this community.

As further development has and will continue to happen in Springbank, there are many existing commercial spaces available for such a project. Surely the Board can see the benefits to all parties of keeping residential communities residential and approve commercial projects in/on commercial areas only.

In view of this, please register our joint support for this Appeal.

Dave & Carol Stinton

60 Artists View Way

Lot/Block/Plan #20/1/7510024

May 13th, 2021

B-1 04630047 PRDFP20210477
SDAB 2021 May 27
Saini letter of support
Page 1 of 1

Rockyview County Subdivision and Development Appeal Board

File 04630047 PRDP20210477

Property: 253 Artist View Way

Re: Appeal against the Development Authority's decision to approve development permit application PRDP 20210477

Dear Development Appeal Board,

We are unable to attend the Hearing regarding this Appeal scheduled for May 27th 2021 at 9:00 AM, however we would certainly like to register our strong support for the Appeal that has been submitted.

I and my fellow signatories are homeowners on Artists View Pointe, a country residential subdivision adjacent to Artists View Way where the subject development is located. We are opposed to the approval of the development permit and ask you to withdraw it.

We chose to live on Artists View Pointe because of the quality of life here. Clean air, mountain views, less noise and a country charm lifestyle.

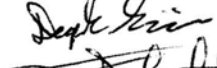

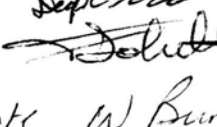
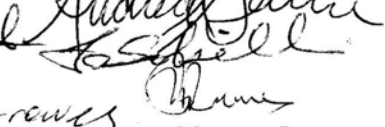
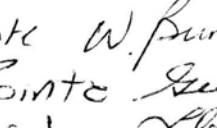
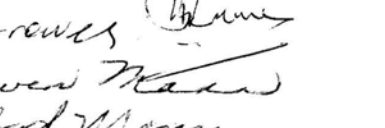
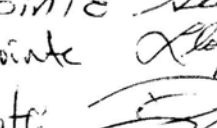
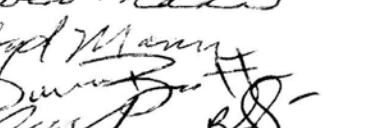


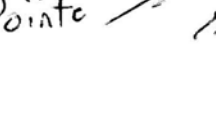

The proposed building is as big as a house. It will be used to store, restore and repair vehicles on what appears to be a commercial scale. It will be obtrusive. It won't fit into the landscape. It will chip away at the residential nature of the area, moving it towards commercial.

What we are most concerned about is that approval of this building will set a precedent leading to the incremental destruction of country residential subdivisions in this area, including ours.

Artist View Pointe has similar Restrictive Covenants as Artist View Way, and again we are concerned with setting a precedent. Also concerning is how this development was approved without the affected community being notified.

As further development has and will continue to happen in Springbank, there are many existing commercial spaces available for such a project. Surely the Board can see the benefits to all parties of keeping residential communities residential and approve commercial projects in/on commercial areas only.

In view of this, please register our joint support for this Appeal.

Deepak & Andrea Saini	47 Artist View Pointe		
Tony & Jo Sabelli	59 ARTIST VIEW POINT		
Wendy & Paul Burrows	63 Artist View Pointe		
Gwen Mann	31 Artist View Pointe		
Damon Booth	27 Artist View Pointe		
Darrell/Barbara Jay	67 Artist View Pointe		
Stan Wong	35 Artist View Pointe	