

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: May 27, 2021 **DIVISION**: 2

FILE: 04715017 **APPLICATION**: PRDP20211109

SUBJECT: Development Item: Accessory Building / Discretionary use, with Variances

APPLICATION: Application is for the construction of an accessory building (workshop and vehicle storage), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

GENERAL LOCATION: located approximately 3.20 km (2.00 mile) south of Springbank Rd. and on the west side of Rge. Rd. 33.

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

EXECUTIVE SUMMARY: Administration conditionally approved the application and the Notice of Decision was advertised on April 20, 2021.

The Applicant is proposing to construct an accessory building with approximately 278.71 sq. m (3,000.00 sq. ft.) in footprint. The accessory building would be used for a workshop and vehicle storage. The proposed accessory building requires relaxation to the maximum accessory building size (248.39%), maximum accessory building parcel coverage (132.26%), and maximum accessory building height (9.29%).

On May 7, 2021, the Appellant appealed the decision of the Administration for several reasons, which are noted in the agenda package. The Appellant also provided a list of names, in support of the appeal, which is noted in the agenda package.

DECISION: Conditionally Approved

DECISION DATE: APPEAL DATE: ADVERTISED DATE:

April 20, 2021 May 7, 2021 April 20, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
Wayne Van Dijk, Planning and Development



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
Municipal Government Act;	None
 Land Use Bylaw C-8000-2020; 	
City of Calgary Intermunicipal Development Plan; and	
Central Springbank Area Structure Plan.	
DISCRETIONARY USE:	DEVELOPMENT VARIANCE AUTHORITY:
 Accessory Building Area > 80.00 sq. m (861.11 sq. ft.) 	Municipal Planning Commission

Additional Review Considerations

The subject property is located north of the Elbow River and east of several Elbow River tributaries. It is located outside of the Floodway and Riparian Protection Areas. The proposed development also exceeds the Top of Bank 20.00 m (65.61 ft.) distance required in Section 189 of the LUB.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

"Heather McInnes"

Supervisor

Development and Compliance

WV/IIt



APPLICATION INFORMATION

APPLICANT: Douglas Graham (McDowell and Associates)	OWNER: Daniel and Lorrie Aussant		
DATE APPLICATION RECEIVED: March 22, 2021	DATE DEEMED COMPLETE: March 30, 2021		
ADMINISTRATION DECISION DATE: April 20, 2021			
APPELLANTS: Elizabeth and Terry Prang			
GROSS AREA: ± 0.81 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 10, Block A, Plan 618LK, SW-15-24-03-W05M (197 Mountain River Estates)		
APPEAL BOARD: Subdivision & Development Appeal Board			
HISTORY:			

HISTORY:

• No previous development permit history

AGENCY SUBMISSIONS:

The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.



PLANNING AND DEVELOPMENT SERVICES

TO: Administration Report DIVISION: 2

DATE: April 28, 2021 **APPLICATION**: PRDP20211109

FILE: 04715017

SUBJECT: Accessory Building / Discretionary use, with Variances

APPLICATION: Application is for the construction of an accessory building (workshop and vehicle storage), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

GENERAL LOCATION: located approximately 3.20 km (2.00 mile) south of Springbank Rd. and on the west side of Rge. Rd. 33.

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 accessory building with approximately 278.71 sq. m (3,000.00 sq. ft.) in footprint. The accessory building would be used for a workshop and vehicle storage. The proposed accessory building requires relaxation to the maximum accessory building size, maximum accessory building parcel coverage, and maximum accessory building height.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20211109 be approved with the

conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20211109 be refused for the following

reasons:

1. That in the opinion of the Development Authority, 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 Size	80.00 sq. m (861.11 sq. ft.)	278.71 sq. m (3,000.00 sq. ft.)	248.39%
Maximum Accessory Building Parcel Coverage	120.00 sq. m (1,291.67 sq. ft.)	278.71 sq. m (3,000.00 sq. ft.)	132.26%
Maximum Accessory Building Height	7.00 m (22.97 ft.)	7.65 m (25.1 ft.)	9.29%

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
Municipal Government Act	None
City of Calgary Intermunicipal Development Plan	
• Land Use Bylaw C-8000-2020 (LUB)	
Central Springbank Area Structure Plan	
DISCRETIONARY USE:	DEVELOPMENT VARIANCE
 Accessory Building Area > 80.00 sq. m (861.11 sq. ft.) 	AUTHORITY:
	Municipal Planning Commission

Additional Review Considerations

The subject property is located north of the Elbow River and east of several Elbow River tributaries. It is located outside of the Floodway and Riparian Protection Areas. The proposed development also exceeds the Top of Bank 20.00 m (65.61 ft.) distance required in Section 189 of the LUB.

CONCLUSION:

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

Note: Application has been moved from MPC to April 20, 2021 Advertisement due to Administrative Directive change April 14, 2021.



Respectfully submitted,	Concurrence,
"Brock Beach"	"Kent Robinson"
Acting Executive Director Community Development Services	Acting Chief Administrative Officer
WV/IIt	



DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1: Approval subject to the following conditions:

Description:

- 1. That the construction of an accessory building may commence on the subject land in general accordance with the drawings submitted with the application.
 - i. That the maximum accessory building area shall be relaxed from 80.00 sq. m (861.11 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.).
 - ii. That the maximum accessory building parcel coverage shall be relaxed from 120.00 sq. m (1,291.67 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.).
 - iii. That the maximum accessory building height be relaxed from **7.00 m (22.97 ft.) to 7.65 m** (25.1 ft.).

Prior to Release:

- 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.
 - Written confirmation shall be received from County Road Operations confirming the status
 of the condition. Any required agreement or permits shall be obtained unless otherwise
 noted by County Road Operations.

Permanent:

- 3. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
- 4. That the accessory building shall not be used for residential or commercial purposes at any time unless approved by a Development Permit.
- 5. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.

Advisory:

- 6. That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
- 7. 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.
- 8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 9. 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.



- 10. That if this Development Permit is not issued by **November 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



MAPS AND OTHER INFORMATION

APPLICANT: Douglas Graham (McDowell and Associates)	OWNER: Daniel and Lorrie Aussant
DATE APPLICATION RECEIVED: March 22, 2021	DATE DEEMED COMPLETE: March 30, 2021
GROSS AREA: ± 0.81 hectares (± 2.00 acres)	LEGAL DESCRIPTION: Lot 10, Block A, Plan 618LK, SW-15-24-03-W05M (197 Mountain River Estates)

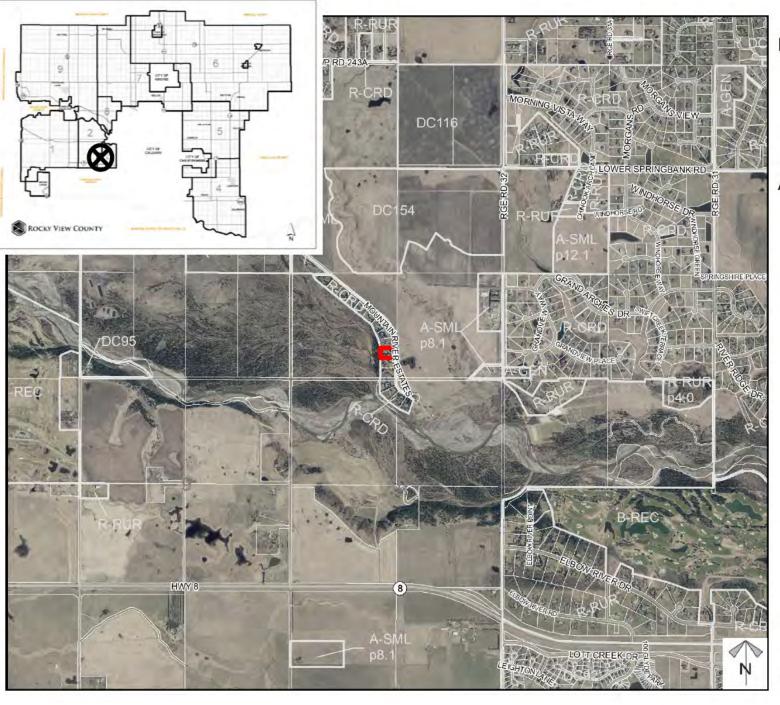
APPEAL BOARD: Subdivision & Development Appeal Board

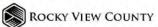
HISTORY:

• No previous development permit history

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.





Location & Context

Development Proposal

Accessory Building

MCDOWELL & ASSOCIATES RESIDENTIAL

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

Re: 197 Mountain River Estate - Development Variance Rationale

To whom it may concern,

Our client is proposing to build an accessory building to be used as a workshop and garage for a motorhome and vehicle collection. We are requesting a variance to the building area from 120 sqm to 278.7 sqm, and to the building height from 7.0m to 7.70m.

The property is roughly 2 acres, oriented with the front facing East. The existing house is located toward the North side of the lot, and near the rear because of a 45m setback from the road. There is also a Right of Way running North – South near the middle of the lot. The proposed accessory building is located toward the South side of the lot, because of the existing house, and toward the rear because of the same restrictions as the house. The new building would be 6.65m from the South property line, at its closest and 9.93m at its furthest. This is 2-3 times further than the minimum 3.0m required. The building is 29.69m from the rear property (more than the 7.0m required), and 56.26m from the front (compared to the 45m required). Access to the building would be from a new driveway coming off the existing drive - starting near the front property line.

The relaxation to the building area is to provide secure, out of sight storage for a motorhome and collection of antique vehicles. The height relaxation is to provide adequate height for the 14' high door required for the motorhome.

The siting away from the South and West property lines is to preserve the existing, mature coniferous trees that line the property. Preserving the trees will block the view of the building from the neighbor's property. The ridge of the proposed building would be below the surrounding trees, which are over 30' tall. There is a large stand of trees in the front yard that would help shield the building from the main road. The existing views of the mountains to the West are coveted along this block, and are not affected anymore than the existing trees do.

Douglas Graham

Sincerely,

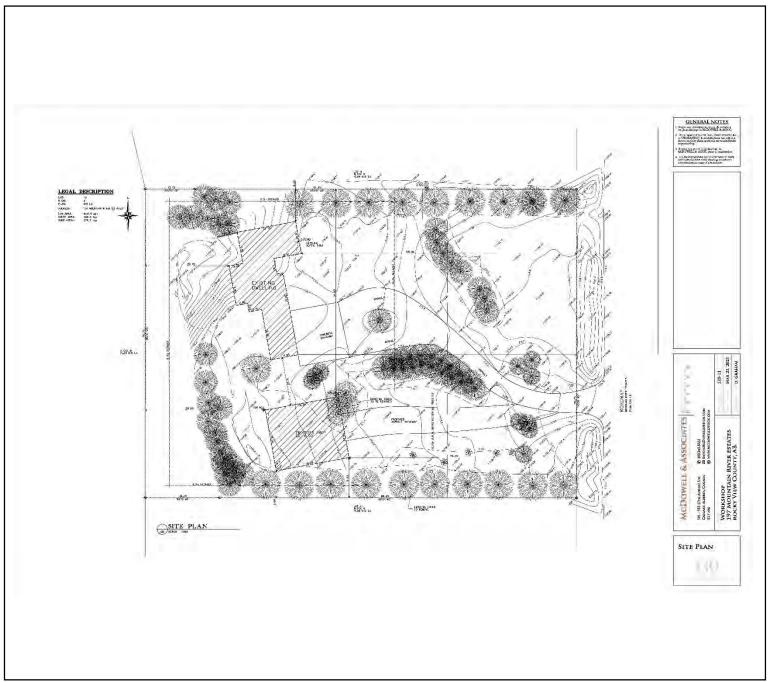
McDowell & Associates



Cover Letter

Development Proposal

Accessory Building

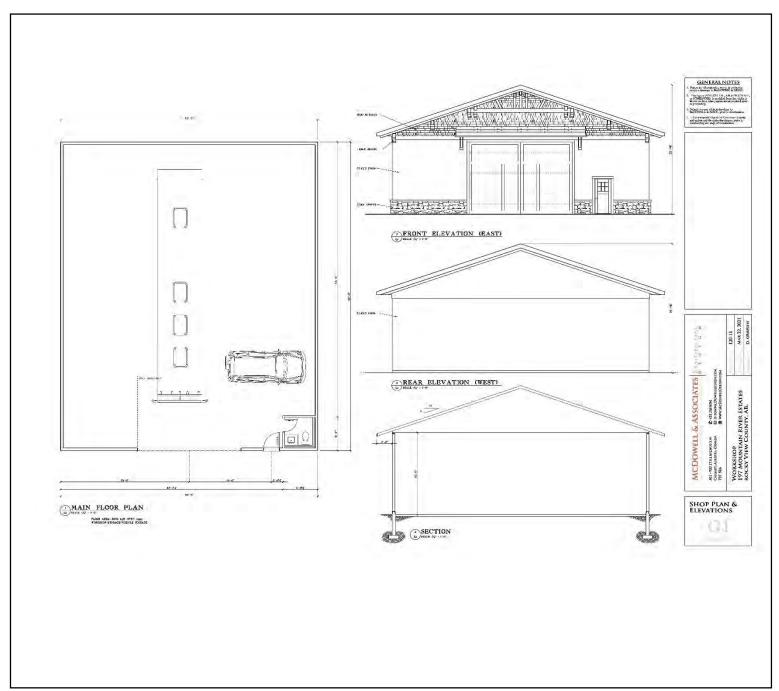




Site Plan

Development Proposal

Accessory Building

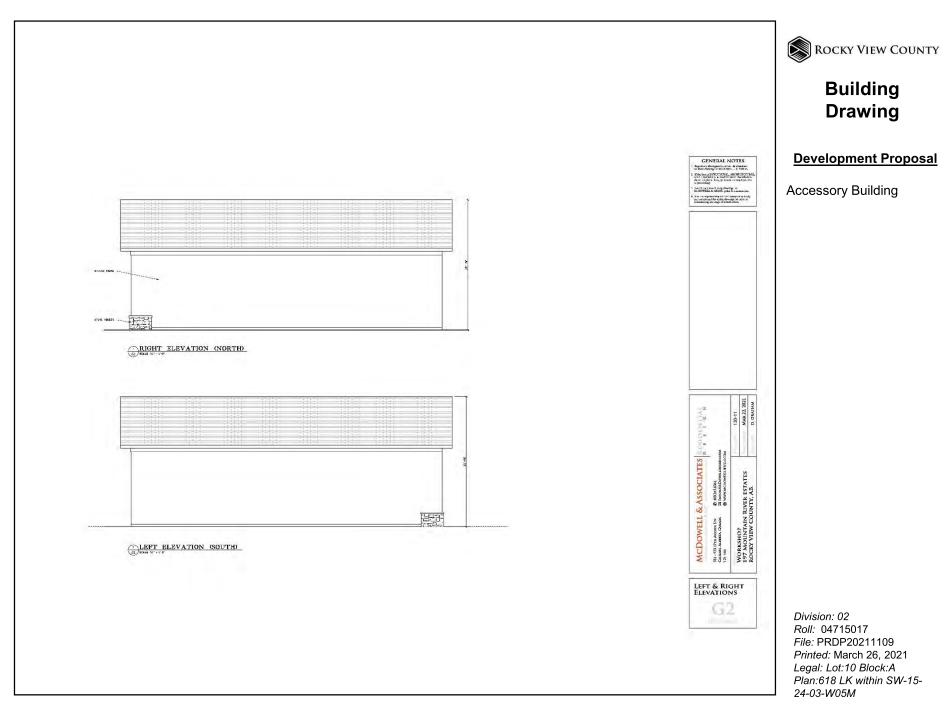




Building Drawing

Development Proposal

Accessory Building









Site Photos
(April 8, 2021
Inspection)

Development Proposal

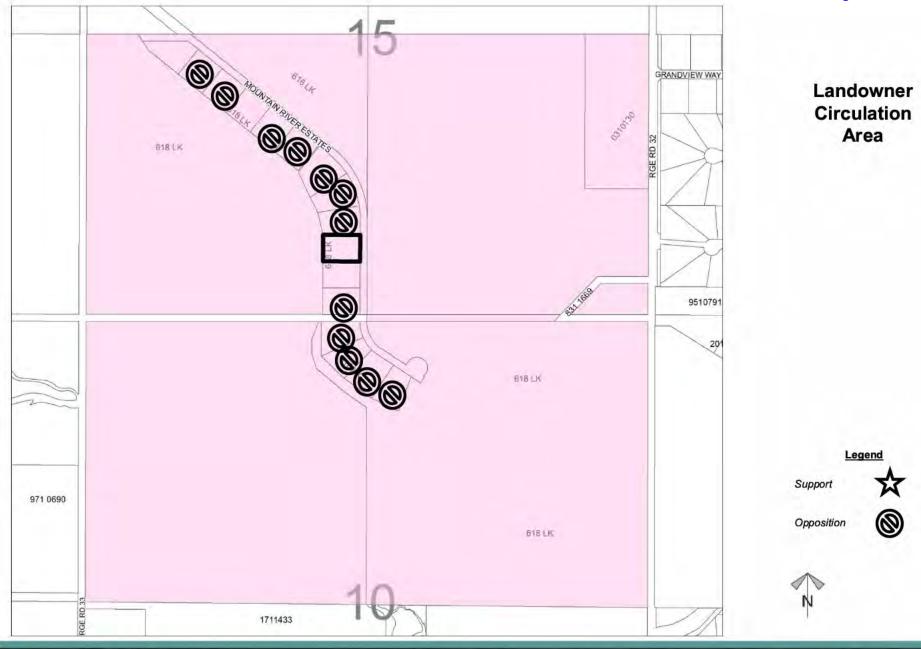
Accessory Building





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.





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

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

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period must end before this permit can be issued and that any Prior to Issuance conditions (if listed) must be completed.

NOTICE OF DECISION

Douglas Graham (McDowell & Associates) 501, 933-17 Avenue SW Calgary, AB T2T-5R6

Page 1 of 2

Tuesday, April 20, 2021

Roll: 04715017

RE: Development Permit #PRDP20211109

Lot 10 Block A Plan 618 LK, SW-15-24-03-05; (197 MOUNTAIN RIVER ESTATES)

The Development Permit application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

- That the construction of an accessory building may commence on the subject land in general accordance with the drawings submitted with application.
 - That the maximum accessory building area shall be relaxed from 80.00 sq. m (861.11 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.).
 - ii. That the maximum accessory building parcel coverage shall be relaxed from 120.00 sq. m (1,291.67 sq. ft.) to 278.71 sq. m (3,000.00 sq. ft.).
 - iii. That the maximum accessory building height be relaxed from 7.00 m (22.97 ft.) to 7.65 m (25.1 ft.).

Prior to Release:

- 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.
 - Written confirmation shall be received from County Road Operations confirming the status of the condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.



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

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

Douglas Graham (McDowell & Associates) PRDP20211109 Page 2 of 2

Permanent:

- That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil
 placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under
 construction in order to establish approved final grades unless a Development Permit has been
 issued for additional fill.
- That the accessory building shall not be used for residential or commercial purposes at any time.
- That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.

Advisory:

- That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
- 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.
- 8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 9. 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.
- 10. That if this Development Permit is not issued by November 31, 2021 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, May 11, 2021**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority Phone: 403-520-8158

Email: development@rockyview.ca



Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

	tion					
Name of Appellant(s) Elisabeth & Terry F	Prano					
Malling Address 207 Mountain River Estates		Municipality Rocky View Coun	Municipality Province Pos Rocky View County AB T3			
Main Phone# Alternate Phone # Email A		Email Address				
Site Information			-0.00	· · ·		
		Legal Land Description (lot, block Lot 10, Block A, Plan	n 618LK, SW-15			
Property Roll # 04715017			nt Permit, Subdivision Application, 0211109 Divison 2	mit, Subdivision Application, or Enforcement Order #		
I am appealing: (che	ck one box only)				1 1	
☑ Approval	☑ Approval ☐ Approc		sion Authority Decision Approval Conditions of Approval Refusal	Decision of Enforcement Services Stop Order Compliance Order		
Reasons for Appea	I /attach congrate i	nage if requi	(rad)			

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

Appellant's Signature

April 24, 2021

Date

Received by RVC Legislative Services on May 6, 2021

Last updated: 2020 August 07

Page 1 of 2



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

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

Tuesday, April 20, 2021

Prang, Elisabeth

TO THE LANDOWNER

TAKE NOTICE that in accordance with the Land Use Bylaw, a Development Permit has been approved for the lands adjacent to your property. The following information is provided regarding this permit:

Application Number: PRDP20211109

Division: 2

Roll Number:

04715017

Applicant(s):

Douglas Graham Mcdowell & Associates

Owner(s):

Aussant, Daniel & Lorrie

Equitable Bank

Application for:

Construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building

height.

Legal:

Lot 10, Block A, Plan 618 LK, SW-15-24-03-05; (197 MOUNTAIN RIVER

ESTATES)

Location:

Located approximately 3.20 km (2.0 mile) south of Springbank Rd. and on

the west side of Rge. Rd. 33

If you are affected by this decision, you may appeal to the Subdivision and Development Appeal Board of Rocky View County by submitting the Notice of Appeal form. The notice of appeal form and the requisite fee, \$350.00 if the appeal is by the owner/applicant or \$250.00 if the appeal is by an affected party, must be received in completed form by the Clerk no later than Tuesday, May 11, 2021.

If you require further information or have any questions regarding this development, please contact Planning Services at 403-520-8158 or email development@rockyview.ca and include the application number.

Regards,

ROCKY VIEW COUNTY

Note: Please be advised that any written submissions submitted in response to this notification are considered a matter of public record and will become part of the official record. Submissions received may be provided to the applicant, or interested parties, prior to a scheduled hearing, subject to the provisions of the Freedom of Information and Protection of Privacy Act. Please note that your response is considered consent to the distribution of your submission.

Elisabeth & Terry Prang 207 Mountain River Estates Calgary, AB T3Z 3J3

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

Attention: Planning Department

RE: Development Permit Application PRD20211109

Thank you for your notification of development permit application number PRD20211109. As the neighbour directly adjacent to and south of the proposed development (207 Mountain River Estates), our property is directly impacted.

We are filing an appeal regarding the relaxations of:

- maximum accessory building area,
- · maximum building parcel coverage, and
- maximum accessory building height.

RATIONALE

Mountain River Estates is a quiet and close-knit gated community along the northern edge of the Elbow River, just south of the Springbank Community High School. There are 16 individually owned homes on two acre lots, as well as a farm house and barn on common land owned and maintained by residents of Mountain River Estates Ltd.

Several accessory building have been built throughout the community throughout the years. These buildings have complied with the stated maximums as regulated by the Rocky View County Bylaws:

- Accessory Building footprint shall not exceed 120.0 m² (1291.67 ft²)
- Accessory Building Height maximum is 7.0 m (22.97 ft)

Compliance with the spirit of these regulations has afforded the individual benefits of secondary buildings for residents without impeding on the overall community aesthetic. The existing accessory buildings don't overwhelm or compete with the sizing and arrangement of the homes, some of which are of a comparable square footage to the proposed secondary development on the Aussant property.

Originally, information provided to us by the Aussant's architectural firm indicated that a shop and vehicle storage building with a footprint of slightly less than 2,000 sq.ft. It is our understanding that the current application has a footprint increase to approximately 3,000 sq.ft. (278 m²) and the height increase to 25.1 ft. (7.65m), nearly 3 times the designated sizing requirements as outlined in the bylaws and 50% larger than the design we were originally consulted on.

The proposed development is immediately adjacent to our side yard which is our backyard and we feel strongly that a building comparable in size to structures found in nearby industrial parks (such as Springbank Commercial Park) would impede our enjoyment of our property, negatively impact the overall aesthetics of the community, and negatively impact the value of our home and all the homes in Mountain River Estates.

We thank you for your careful consideration of this notice of appeal as we are unquestionably opposed to the development proposal. Please contact either of the undersigned if you wish to discuss this further.

Respectfully yours,

Elisabeth Prang

Terry Prang

Following is a list of additional Mountain River Estates residents opposed to the subject development:

Address # Resident (title holder)

55	POTTER: Jamie & Drew
77	
	HYNDMAN: Lucy & Jamie
)1	THURLOW: Jillian & Lynn
.03	
.03	MYHRE: Farah & Owen
15	electicid anentay
	HOMENKO: Nicky & Chris
27	RICHARDSON: Fran & Doug
139	Ewa Munu
.33	MUNRO: Ewen & Patricia
1.63	flat flack
	POCKAR: Melissa & Rob
177	WESTLAKE: Wendy & John
213	Allen From
	KRAHN Krista & TERRY Allen
227	ag 1
	HERGET: Sheri & Eric
237	KLOCK Rhonda & SCHOUTEN John
243	RTZ-
-10	CHRISTOPHER: Jana & Chris



Following is a list of additional Mountain River Estates residents opposed to the subject development:

Address #

Resident (title holder)

257

GOULD: Gillian & Glenn

Impact Statements

For

PRDP20211109

Doug Richardson

127 Mountain River Estates, Calgary, AB

May 6, 2021

To: Subdivision and Development Appeal Board of Rocky View County

Re: Application Number PRDP20211109

Application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

I am an original community member of 49 years and helped develop the Mountain River Estates community. I oppose this approval based upon the substantial relaxation required for this permit.

The proposed structure is inappropriate for this community.

Regards, D. A. Richan alson

Doug Richardson Resident of 49 years

Wendy Westlake

177 Mountain River Estates, Calgary, AB

May 5, 2021

To: Subdivision and Development Appeal Board of Rocky View County

Re: Application Number PRDP20211109

Application for construction of an accessory building (oversize workshop), relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage, and relaxation to the maximum accessory building height.

I own the property adjacent to the proposed site for the oversized workshop. This workshop at 3000 sq ft is larger than my house and too large for the lot size creating a negative visual impact for this community.

I am opposed to RVC allowing this structure to be built on the neighboring property.

Regards,

Wendy Westlake

Deg P. Dathe

May 5, 2021

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

RE: Development Application for 197 Mountain River Estates Secondary Building Construction on Lot # 10

Proposal: Secondary Building to conform to local codes for footprint and height

Concern: Building will impair neighbours enjoyment and not conform to other buildings in the community. All other property owners in the development are unhappy with the nonconformance to RV County LandUse Bylaws

My family and I are longterm residents of Mountain River Estates. We have been in residence here for 23 years. This is a close knit development and we welcome newcomers to our community as properties change hands over the years.

We have rules and regulations with respect to our lots and common lands that we have all adhered to since the inception of the community in 1970. Many of us in the community are concerned about the potential relaxation of the building envelope in terms of size and height proposed at Lot #10. We strongly feel the new owners of the site do not understand our development restrictions and our opposition, as a community, to their proposal.

We are strictly a residential community, with sixteen lots, and have houses and secondary buildings of stipulated size. The secondary structure on Lot #10 is not in conformity with our other developments and we appeal to RV County to reject the relaxation of rules in this case.

Sincerely,

Glenn D. Gould

Wednesday May 5, 2021

Application Number: PRDP20211109

Roll Number: 04715017

Applicants: Douglas Graham Mcdowell & Associates Owners: Aussant, Daniel & Lorrie, Equitable Bank

To: Rocky View County

I am writing in response to the notice I obtained Tuesday, April 20, 2021 in regards to the above application requesting relaxation to the maximum accessory building area, relaxation to the maximum accessory building parcel coverage and relaxation to the maximum accessory building height. I am a home owner located 2 lots away from this property and I am entirely opposed to each of the requested relaxations. An accessory building of this size would be completely inappropriate in a community such as ours and would detract from the overall theme of the community. A building of this size would be visually offensive and obtrusive not only to the immediately adjacent lots but to the community as a whole. As a community we have discussed this proposal and there is unified opposition to it on many grounds. It is my hope that the Rocky View County representatives will NOT approve this application or allow ANY of the requested relaxations. Thank you for your consideration.

Sincerely,

Dr. Eric Herget

227 Mountain River Estates

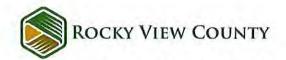


DEVELOPMENT PERMIT

APPLICATION

FOR OFFICE USE ONLY				
APPLICATION NO.	PRDP20211109			
ROLL NO.	04715017			
RENEWAL OF				
FEES PAID	265.00			
DATE OF RECEIPT	Mar 22, 2021			

			DATE OF RECEIPT	Mar 22,	2021	
APPLICANT/OWNER						
Applicant Name: Dougla	S GRAHAM		Email: dara	namen	cowello	lesign
Business/Organization Name (if appli						
Mailing Address: 501, 933				Postal Co	de: T2T	SRK
Telephone (Primary): 403 - 245		1	21-1			
andowner Name(s) per title (if not th			RRIE AUS	ANT		
Business/Organization Name (if appli		TOTAL / AC	,,,,,			
EGAL LAND DESCRIPTION - Subj	ect site					
All/part of: 50 1/4 Section: 18		Range: 3	West of: §	Meridian	Division:	
All parts of Lot(s)/Unit(s): Lot 10	· ·)		ze (ag/ha): /	201
Aunicipal Address: 197 Mount			Land Use Distr			
APPLICATION FOR - List use and so			1			
WORK SHOP & VE	and an account of the second	act.				
VOICE STOP 4 VE	inche sion	1,0				
			Va 67 134		1	-
	S □ NO □ N/A		DP Checkli	st Included:	☑ YES	□ NO
SITE INFORMATION	W 1 400					d 110
 a. Oil or gas wells present on or b. Parcel within 1.5 kilometres o 					☐ YES	
		the state of the s	arit)		☐ YES)	
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ACCESSORY BUILDING(s)

INFORMATION SHEET

FOR OFFICE USE ONLY			
APPLICATION NO.	PRDP20211109		
ROLL NO.	04715017		
DISTRICT	R-CRD		

DETAILS			USE TYPE
Building total floor area (footprint) Height of building	3000	(m²/(tt.²) (m (ft.))	图* Residential Agricultural
Total area of all accessory buildings (For Residential/Agricultural parcels)	3000	(m² (ft.²)	☐ Related to Home-Based Business (HBB) Type II (attach HBB Information Sheet) ☐ Other (specify):
BUILDING DESCRIPTION			BUILDING TYPE
Purpose/use of building (workshop, st Workshop of VEH Building material(s): Wood Co Wood SHINGLES, T STOWE of STUCCO Exterior colour(s): EARTH T	MSTRUCTION IMBER FIRE EXTENIOR TONES	~	□ Storage Shed □ Barn □ Quonset □ Farm Building □ Detached Garage □ Gazebo □ ** Shipping Container (Seacan) □ Personal Greenhouse/Nursery □ Horse Shelter/Stable □ Tent (covered) □ Other (specify):
VARIANCE(s) REQUESTED (If appli Describe variances requested: But 278.7 m ² HEIGH		Carlotte and the second	
Describe reasons for variances (location of the strong of	RAGE , AR,	EA REQ	S, area, and location of the building
Accessory Buildings, Land Use Bylaw, C-8000-	2020: dential District shall be sin Container it: rincipal building; al District; and	milar to, and con	the Development Permit Checklist. Inplement, the Principal Building in exterior material, which satisfies the Development Authority.
Applicant Signature			Date MAR 19/202 (



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs) Select [v] 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: O 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: O 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 0 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 O 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 Land Use District: R-CRD Proposed Use(s): Accessory building with variance to height 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: _Steven Lam



LAND TITLE CERTIFICATE

S

LINC SHORT LEGAL TITLE NUMBER 0020 792 479 618LK;A;10 201 068 399

LEGAL DESCRIPTION
PLAN 618LK
BLOCK A
LOT 10

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;24;10;N ATS REFERENCE: 5;3;24;15;SW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 181 242 542

REGISTERED OWNER(S)

REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

201 068 399 08/04/2020 TRANSFER OF LAND \$1,300,000 \$1,300,000

OWNERS

DANIEL AUSSANT



BRANCES, LIENS & INTERESTS

,

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

5748LE . 11/01/1972 UTILITY RIGHT OF WAY

GRANTEE - FORTISALBERTA INC.

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2 # 201 068 399

NUMBER DATE (D/M/Y) PARTICULARS

OF WAY 021161182)

(DATA UPDATED BY: CHANGE OF ADDRESS 091125986)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT

OF WAY 201116100)

1581LG . 12/01/1972 CAVEAT

REGISTRATION

CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.

44.

6863LO . 15/12/1972 UTILITY RIGHT OF WAY

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY

LIMITED.

"20 FT STRIP"

741 108 189 26/11/1974 CAVEAT

CAVEATOR - MOUNTAIN RIVER ESTATES LTD.

751 052 840 02/06/1975 CAVEAT

CAVEATOR - MOUNTAIN RIVER ESTATES LTD.

201 068 400 08/04/2020 MORTGAGE

MORTGAGEE - EQUITABLE BANK.

30 ST. CLAIR AVENUE WEST, SUITE 700

TORONTO

ONTARIO M4V3A1

ORIGINAL PRINCIPAL AMOUNT: \$565,500

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 19 DAY OF MARCH, 2021 AT 11:58 A.M.

ORDER NUMBER: 41258571

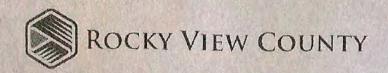
CUSTOMER FILE NUMBER:

EGISTRAP OF THE PROPERTY OF TH

END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



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

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

LETTER OF AUTHORIZATION - PLANNING AND DEVELOPMENT SERVICES I. (We) Donick Aussant (print name) Owner 1 Lorrie Aussand _____ (print name) Owner 2 being the owner(s) of: Lot: 10 Block: A Plan: 6/8 LK Legal Description: NW/NE/SE/SW 1/4 Section 10/15 Township 24/24 Range 3/3 West of 5/5 Meridian give Doughas GRAHAM (print name of Applicant) permission to act on my (our) behalf for the following application at the above-noted property (select one): **Development Permit** Subdivision □ Redesignation ☐ Local Plan Owner 1 Signature trosano sirrol Owner 2 Signature Monember 18 2020 Date Signed

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

Re: 197 Mountain River Estate - Development Variance Rationale

To whom it may concern,

Our client is proposing to build an accessory building to be used as a workshop and garage for a motorhome and vehicle collection. We are requesting a variance to the building area from 120 sgm to 278.7 sgm, and to the building height from 7.0m to 7.70m.

The property is roughly 2 acres, oriented with the front facing East. The existing house is located toward the North side of the lot, and near the rear because of a 45m setback from the road. There is also a Right of Way running North – South near the middle of the lot. The proposed accessory building is located toward the South side of the lot, because of the existing house, and toward the rear because of the same restrictions as the house. The new building would be 6.65m from the South property line, at its closest and 9.93m at its furthest. This is 2-3 times further than the minimum 3.0m required. The building is 29.69m from the rear property (more than the 7.0m required), and 56.26m from the front (compared to the 45m required). Access to the building would be from a new driveway coming off the existing drive - starting near the front property line.

The relaxation to the building area is to provide secure, out of sight storage for a motorhome and collection of antique vehicles. The height relaxation is to provide adequate height for the 14' high door required for the motorhome.

The siting away from the South and West property lines is to preserve the existing, mature coniferous trees that line the property. Preserving the trees will block the view of the building from the neighbor's property. The ridge of the proposed building would be below the surrounding trees, which are over 30' tall. There is a large stand of trees in the front yard that would help shield the building from the main road. The existing views of the mountains to the West are coveted along this block, and are not affected anymore than the existing trees do.

Sincerely,

Douglas Graham

McDowell & Associates



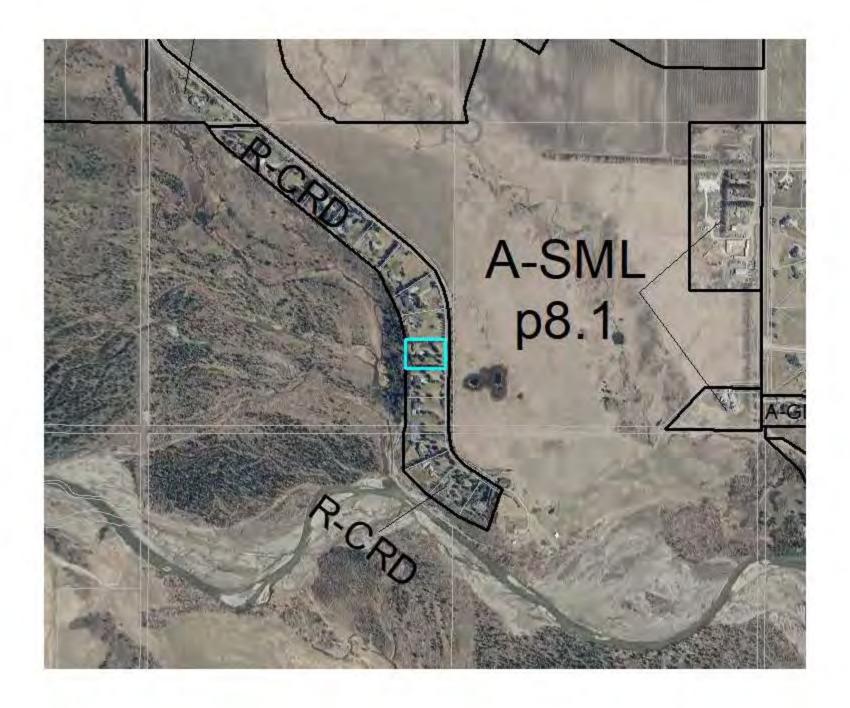




Photo 1. Existing house – proposed accessory building located to the left of the garage.



Photo 2. View looking West from behind house.



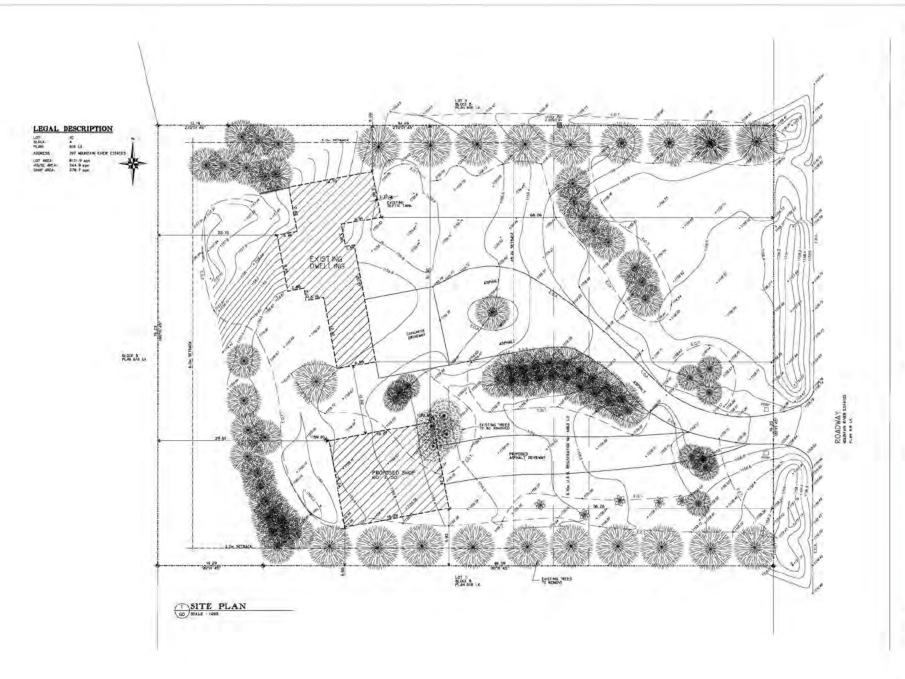
Photo 3. Looking from proposed accessory building location East towards the main road.



Photo 4. Looking from South neighbor's driveway North towards proposed accessory building location (beyond trees).



Photo 5. Looking from beside South neighbor's house, North towards proposed accessory building location, which would be beyond existing trees which are to remain.



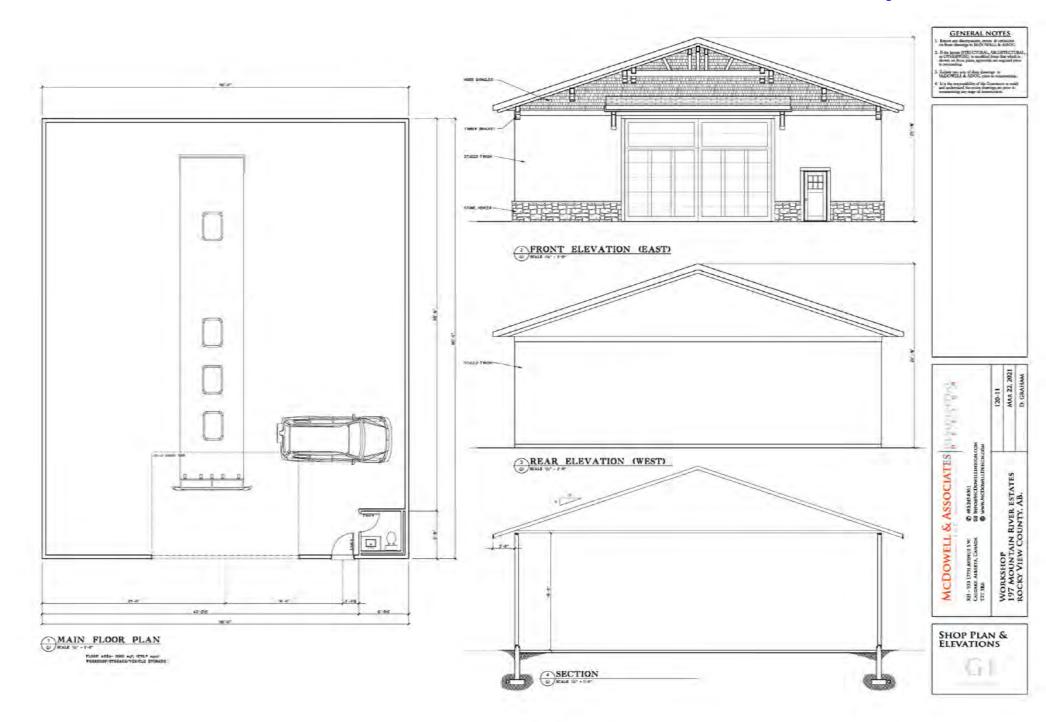
GENERAL NOTES

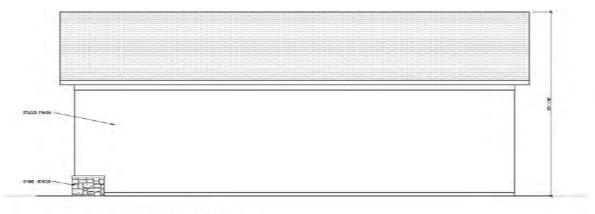
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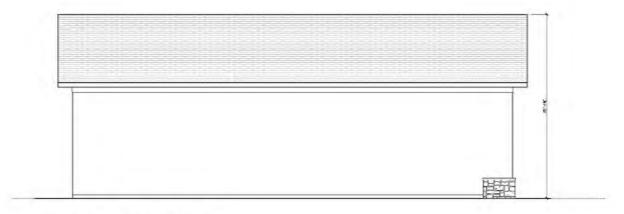
SITE PLAN







RIGHT ELEVATION (NORTH)



ELEFT ELEVATION (SOUTH)

B-3 Page 45 of 55

GENERAL NOTES

- Room or Supposite, com A critical or have develop to McDOWILL & ASSOC.
- Scient we want of thep descripe to McDeWELL & ASSOC, pass to com-





501 - 933 17711 AVENUE SW. CALGARY, ALBERTA, CANADA TZT 5116



DEVELOPMENT PERMIT

Inspection Report

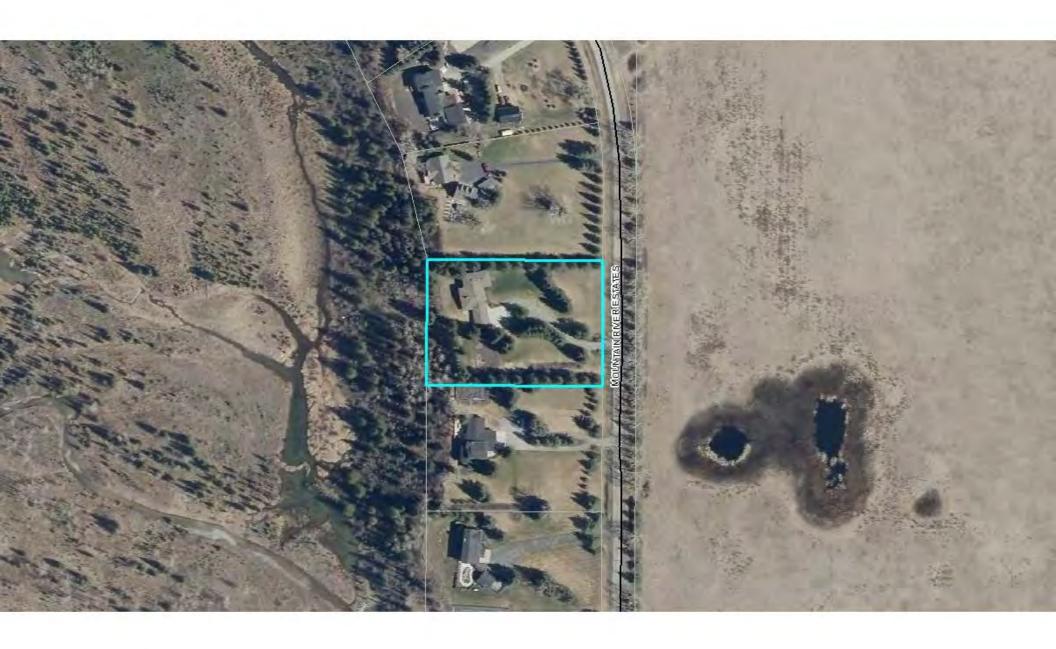
APPLICATIO	N DETAILS
APPLICATION NO.	PRDP20211109
ROLL NO.	04715017
QUADRANT	NW
FILE MANAGER	Wayne Van Dijk
DATE REQUIRED	April 10, 2021

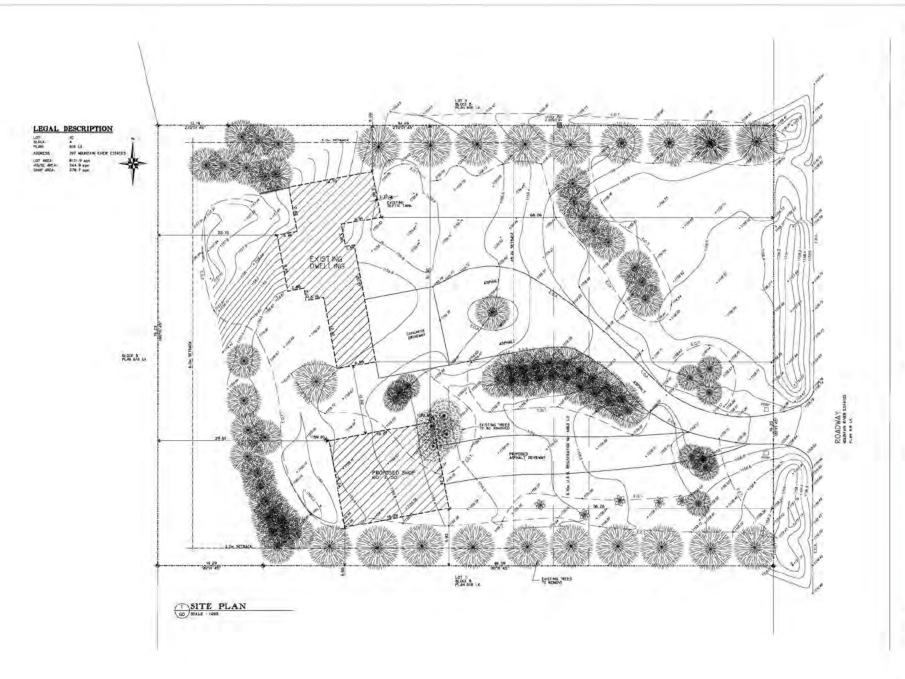
PARCEL/APPLICANT INFORMATION	
Applicant/Owner Name: Douglas Graham Mcdowell & As	sso
Telephone (Primary): (403) 245-8361	Telephone (Secondary):
Municipal Address/Legal Description: 197 MOUNTAIN R	IVER ESTATES, Rocky View County AB / SW-15-24-03-05
Land Use: R-CRD	Permission for Entrance Granted: _yes (Yes or No)
INSPECTION INFORMATION	
Reason for Inspection: Accessory Building	
Specific Concerns:	
 site plan attached. Note screeing and proposed 	building location
general site conditions	
•	
•	
Inspector: Andy Wiebe	Date of Inspection: April 8, 2021, 1200 hrs
INFORMATION INCLUDED (indicate with "x")	
☐ Satellite Aerials – Zoomed In ☐ Satellite Aerials – Z	Zoomed Out ☐ Site Plan ☐ Application-Specific Information
Observations:	
Construction has not commenced	
2. No materials on site	
3. No screening	
4. Site is tidy	
4. Site is tidy	

Andy Wiebe	
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Signature of Inspector







GENERAL NOTES

- Expot say discepted on more Austinom on their deserge to McDOWELL & ASSOC
- 2. If the arross STRUCTURAL ARCHITECT HAS or CITICIAWEST or position from that which a above on these plants, approved our regions, pro-
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 Management & Appendix
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SITE PLAN











