

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 5

DATE: December 1, 2021
APPLICATION: PRDP20213609

FILE: 06612058

SUBJECT: Keeping of Livestock / Discretionary use, with Variances

APPLICATION: For the keeping of livestock, at densities no greater than one animal unit per 1.40 hectares (3.46 acres), relaxation from zero to one animal unit (one horse).

GENERAL LOCATION: Located approximately 0.81 kilometres (0.50 mile) east of Highway 772 and 1.21 kilometres (0.75 mile) south of Highway 566.

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD)

EXECUTIVE SUMMARY: The application is requesting a variance to the maximum number of animals permitted on a parcel of land less than 1.40 hectares (3.46 acres), specifically to allow for 1 (one) horse on the subject lands.

On September 8, 2021, an onsite inspection of the subject parcel was conducted by Development Services and Agricultural and Environmental Services (AS). AS concluded that the 2.14 acre parcel could potentially support 1 (one) horse with supplement feed as needed, implementing proper manure management onsite and utilizing rotational grazing. AS did recommend that the securement of additional pasture would be beneficial, to help prevent overgrazing.

The applicant provided administration with a Land Lease Agreement with the owner of the adjacent vacant parcel, Lot 7, Block 11, Plan 2011334. The agreement allows the horse to graze on the vacant parcel, totalling an area of 1.97 hectares (4.85 acres). The agreement is effective January 1, 2022, and is valid until December 31, 2027.

It is to be noted that there are currently no active Enforcement files on the subject property. Three letters of support have been submitted by the adjacent landowners. As the application includes a grazing plan, manure management plan, and includes the securement of additional pasture through a Land Lease Agreement, administration is supportive of the application.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20213609 be approved with the conditions noted in Attachment 'A'.

Administration Resources

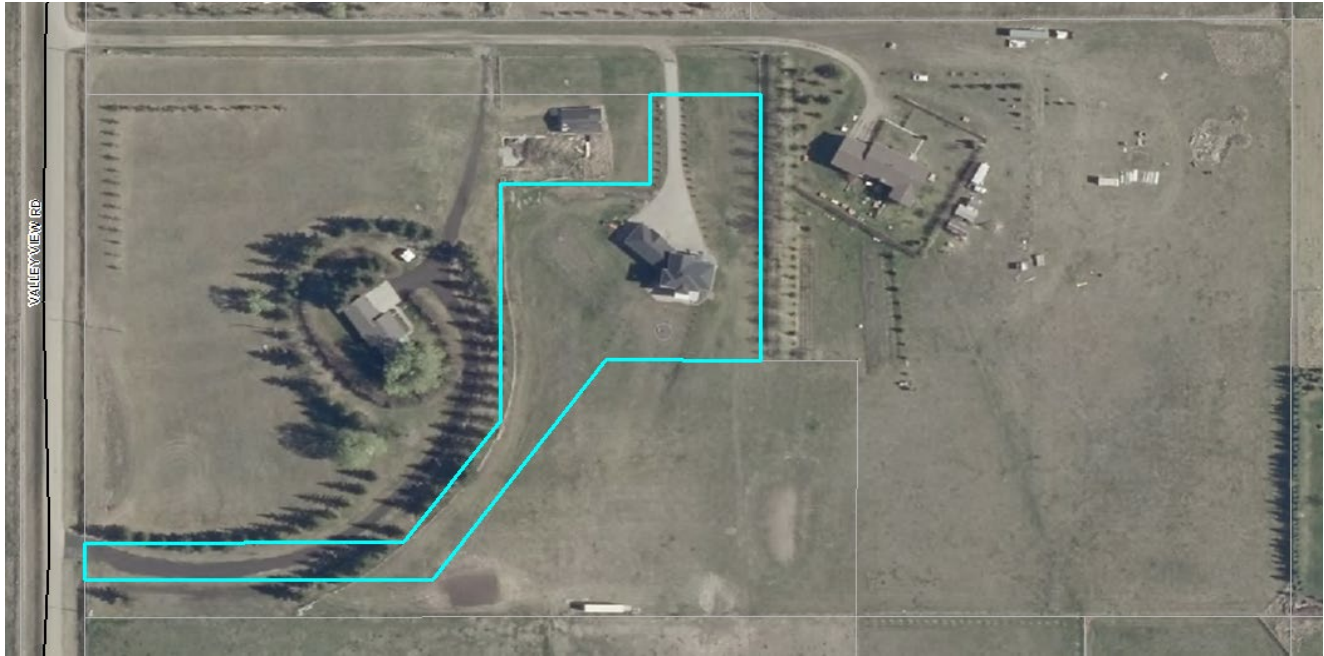
Jeevan Wareh, Planning & Development Services



Option #2: THAT Development Permit Application PRDP20213609 be refused for the following reasons:

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

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Animal Units by Parcel Size	0 animal units	1 animal unit (horse)	100.00%

APPLICATION EVALUATION:

The application was evaluated based on the technical reports 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> • Subdivision and Development Regulations; • Municipal Development Plan; • City of Calgary / Rocky View County Intermunicipal Development Plan; and • Land Use Bylaw C-8000-2020 (LUB). 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: <ul style="list-style-type: none"> • Keeping of Livestock. 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission



Additional Review Considerations

LUB Applicable Sections:

- *Section 148 a) Livestock is permitted in R-RUR, R-CRD, and any parcel where Agricultural (General) is a listed use.*
- *Section 149 a) Livestock Site Requirements; The maximum number of animals permitted on a parcel of land less than 1.40 hectares (3.46 acres) is zero.*
- *Section 149 c) The number of animals that constitute an animal unit are as follows: 1 Horse = 1 Animal Unit.*
- *Section 150 b) On parcels smaller than 16.1 ha (39.78 ac), livestock owners, wishing to increase the number of animals on a parcel, shall submit the following information as part of a Development Permit application:*
 - i. A Pasture management Plan, and*
 - ii. A Manure Management Plan.*
 - The applicant submitted a grazing plan which includes rotational pastures and supplemental feed (hay bales). A manure management plan was also submitted. The manure will be stored in a bin which will be hauled off-site every two (2) months; no harrowing or composting will be occurring on-site.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

Brock Beach

Kent Robinson

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

JW/llt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Description:**

1. That the keeping of livestock at densities no greater than one animal unit per 1.40 ha (3.46 ac), specifically from zero units to one unit (horse) may be permitted on the subject lands.

Permanent:

2. That the Manure and Grazing Management Plan submitted with the application shall be practiced at all times.
 - i. If overgrazing becomes evident, revising procedures may need to be implemented or the number of animal units may need to be decreased, to the satisfaction of the County.
 - ii. That all manure shall be collected and kept in accordance with the approved management plan. If that plan cannot be adhered to, additional manure management practices will have to be implemented onsite, such as weekly disposal offsite, or the manure is worked into the fields on a continual monthly basis, to the satisfaction of the County.
 - iii. That all manure shall be managed to ensure there is no runoff onto adjacent lands, riparian areas, or watercourses, in a manner that mitigates odour.
 - iv. That if there is a build-up of manure, that manure must be removed immediately, to the satisfaction of the County.
3. That the subject lands shall contain adequate fencing and be maintained at all times when livestock are present. No livestock shall be allowed in any unfenced areas.
4. That this Development Permit shall be valid until **January 2, 2024**.

Advisory:

5. That for all subsequent renewals of this permit, the Applicant/Owner shall provide written correspondence confirming the land lease agreement with Lot 7, Block 11, Plan: 2011334 remains to be valid and in good standing.
6. That it is recommended the Applicant/Owner obtain a Premises Identification Number through the Alberta Premises Identification Program.
7. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

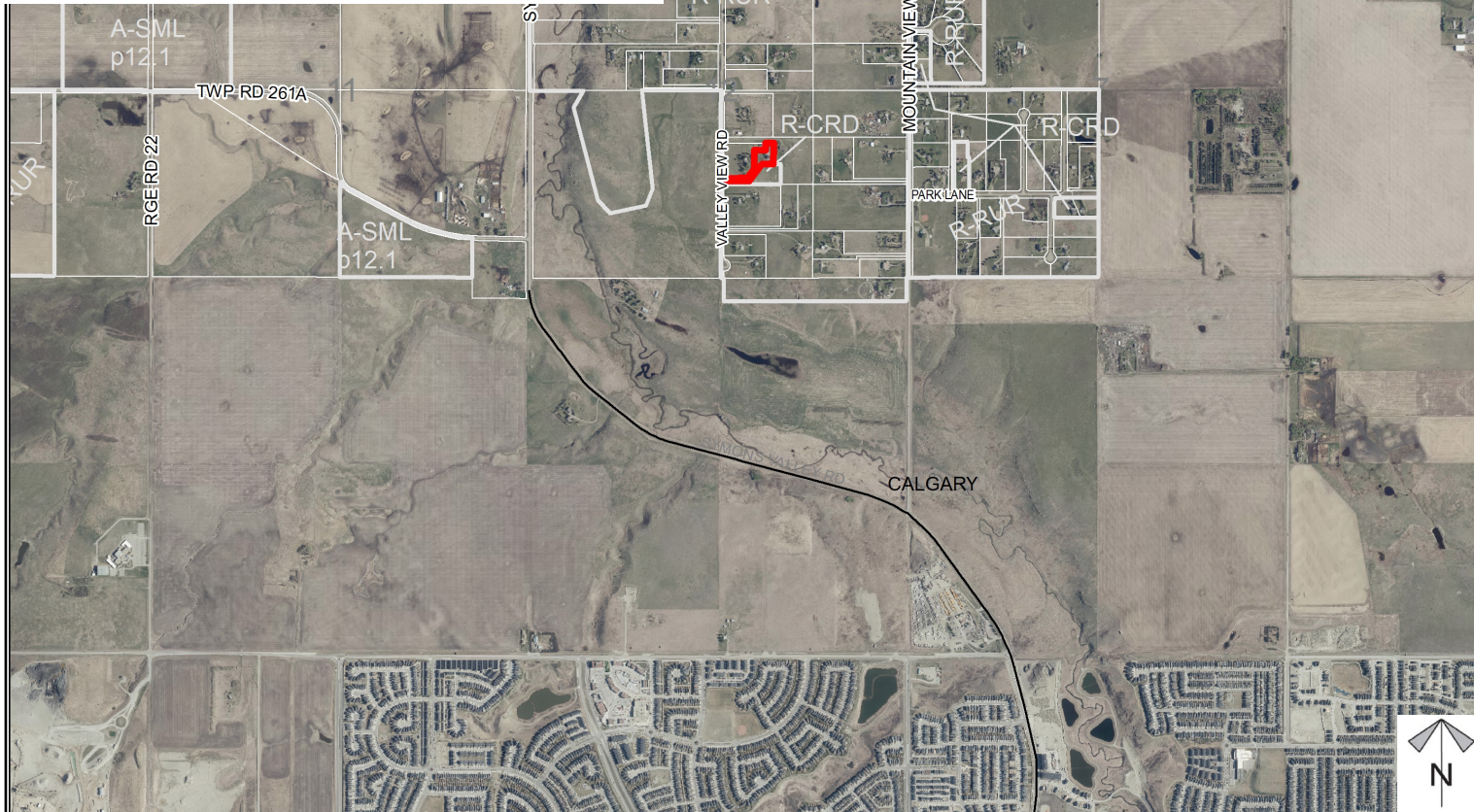
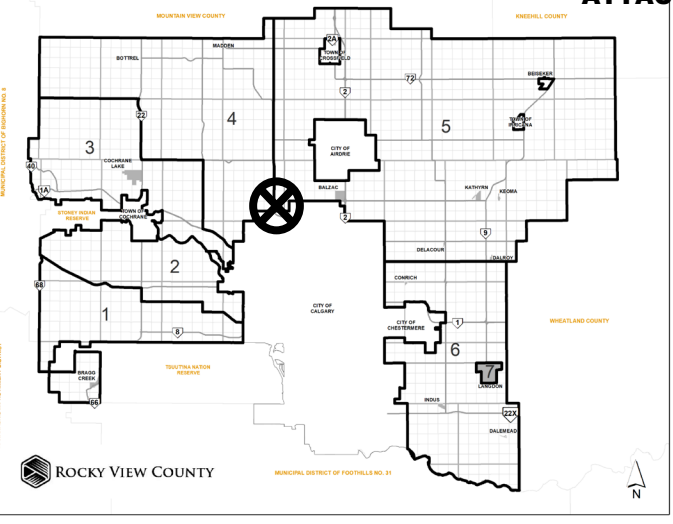
APPLICANT: Holly Noddin	OWNER: Sandhu, Joginderpal & Kiran
DATE APPLICATION RECEIVED: August 11, 2021	DATE DEEMED COMPLETE: August 20, 2021
GROSS AREA: ± 0.87 hectares (± 2.14 acres)	LEGAL DESCRIPTION: Lot: 6 Block: 11 Plan: 2011334, SE-12-26-02-05
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <p>November 29, 2019: Application for a subdivision to create a ± 0.87 hectare (± 2.14 acre) parcel (Lot 6) with a ± 1.10 hectare (± 2.71 acre) remainder (Lot 7) was approved.</p> <p>March 22, 2019: Application for a redesignation from Residential Two District to Residential One District was approved.</p> <p>October 15, 2007: Building Permit (2007-BP-20531) issued for the construction of a Dwelling, Single Detached.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



Location & Context

Development Proposal

For the keeping of livestock, at densities no greater than one animal unit per 1.40 hectares (3.46 acres), relaxation from zero to one animal unit (horse)



Division: 5
 Roll: 06612058
 File: PRDP20213609
 Printed: Nov 10, 2021
 Legal: Lot:6 Block:11
 Plan:2011334 within SE-12-26-02-W05M



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Site Plan

Development Proposal

For the keeping of livestock, at densities no greater than one animal unit per 1.40 hectares (3.46 acres), relaxation from zero to one animal unit (horse)

Barn Dimensions

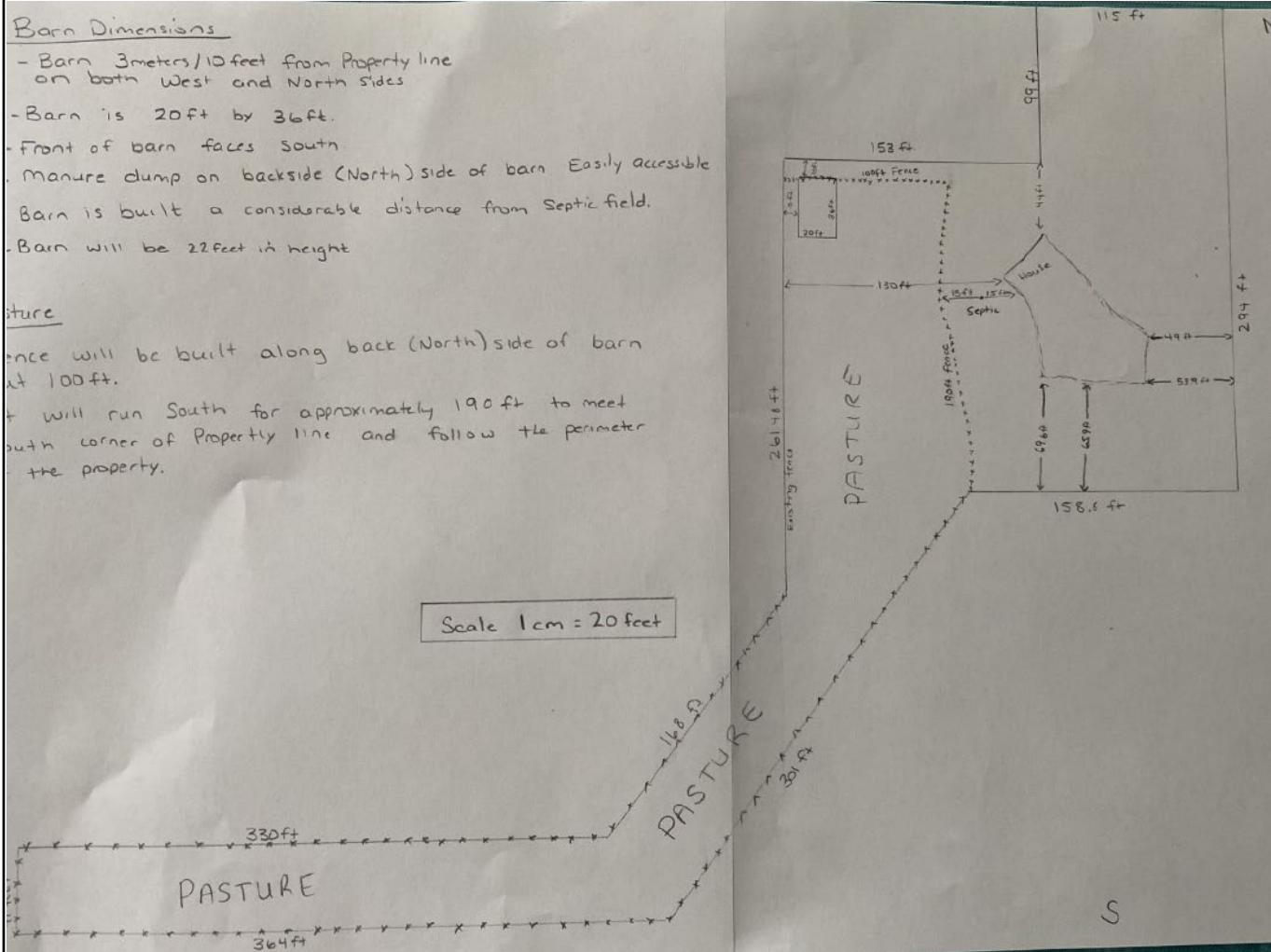
- Barn 3 meters/10 feet from Property line on both West and North sides
- Barn is 20ft by 36ft.
- Front of barn faces South.
- Manure dump on backside (North) side of barn. Easily accessible.
- Barn is built a considerable distance from Septic field.
- Barn will be 22 feet in height

uture

ence will be built along back (North) side of barn at 100 ft.

t will run South for approximately 190 ft to meet south corner of Property line and follow the perimeter the property.

Scale 1 cm = 20 feet



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Inspection Photos
(September 8, 2021)**Development Proposal**

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**Inspection Photos
(additional
pasture)****Development Proposal**

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26-02-W05M*



Landowner Circulation Area

Development Proposal

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Legend

Support



Not Support



Leased Parcel



Division: 5

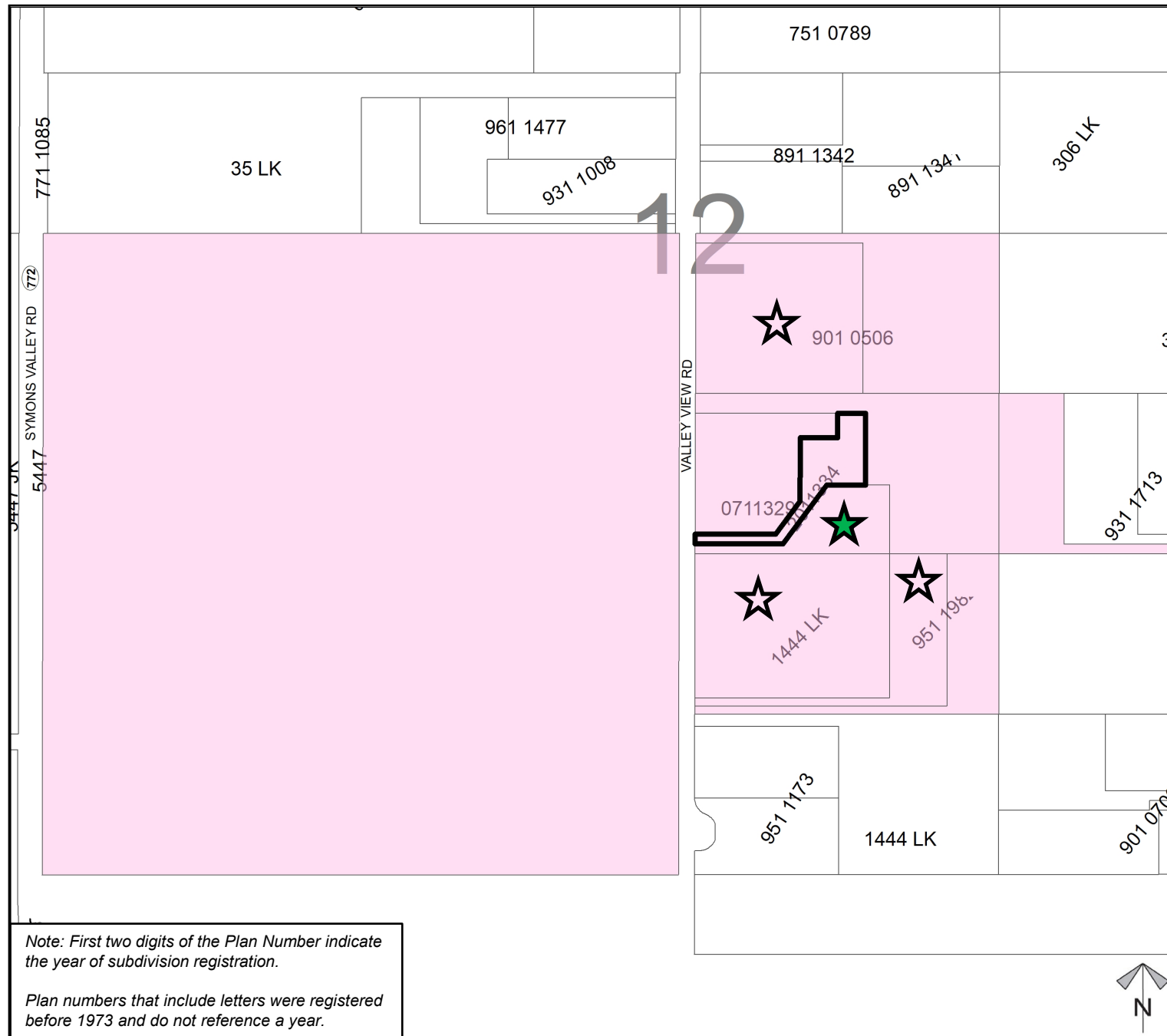
Roll: 06612058

File: PRDP20213609

Printed: Nov 10, 2021

Legal: Lot:6 Block:11

Plan:2011334 within SE-12-26-02-W05M



Land Lease Agreement

This Land Lease Agreement made on October 08, 2021.

Effective Date	January 1, 2022
Tenant Name	Heather Noddin Holly Noddin
Tenant Address	261090 Valley View Rd Calgary AB T3P 1A2
Tenant Phone No.	[REDACTED]
Tenant Email Address.	[REDACTED]
Landlord Name	Joginder Sandhu Kiran Sandhu
Landlord Address	[REDACTED]
Landlord Phone No.	[REDACTED]
Landlord Email Address	[REDACTED]
Site Address	Lot 7, Block 11, Plan 2011334
Rental Price for Property	[REDACTED]
Rent Payment Schedule for the Site	[REDACTED]
Permitted Use	Horse to pasture on the vacant land.
Security Deposit Amount	[REDACTED]
Size of the Lot	2.71 Acres
Province	Alberta
Lease Start Date	12:00 o'clock noon on the first day of January, 2022
Lease End Date	12:00 noon on the last day of December, 2027

24. The section heading herein are for reference purposes only and shall not otherwise affect the meaning, construction, or interpretation of any provision in this Agreement.

Entire Agreement

25. This Agreement constitutes the entire understanding between the Parties and supersedes and cancels all prior agreements of the Parties, whether oral or written, with respect to the Site.

Joginderpal S. Sandhu

—
Landlord

[Signature]

—
Tenant

Kim Selu

—
Landlord

Molly Rodden

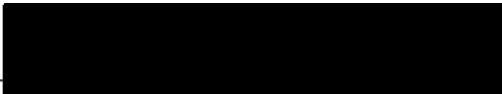
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Tenant

To: Municipal Planning Commission for Rocky View County

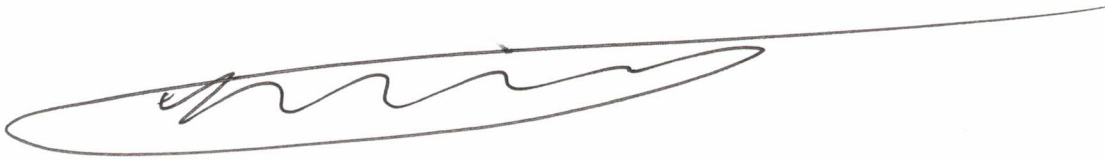
Date: Nov 6, 2021

Name Print: Trevor Hall

Address: 261114 Valleyview Rd. 1

Phone: 

I give my support that Holly Noddin and Heather Noddin of 261090 Valley Road North West Rocky View County Alberta could bring their horse onto the said property, build a barn and put fencing up.



Sincerely

To: Municipal Planning Commission for Rocky View County

Date: Nov. 8, 2021

Name Print: Louis Simi

Address: 261054 Valleyview Rd.

Phone: 

I give my support that Holly Noddin and Heather Noddin of 261090 Valley Road North West Rocky View County Alberta could bring their horse onto the said property, build a barn and put fencing up.

Sincerely

Louis Simi

To: Municipal Planning Commission for Rocky View County

Date: Oct Nov 07, 2021

Name Print: Brock Crowley

Address: 261036 Valley View Rd

Phone: [REDACTED]

I give my support that Holly Noddin and Heather Noddin of 261090 Valley Road North West Rocky View County Alberta could bring their horse onto the said property, build a barn and put fencing up.



Sincerely