



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision and Development Appeal Board

**DATE:** December 16, 2020

**DIVISION:** 1

**FILE:** 03909050

**APPLICATION:** PRDP20202423

**SUBJECT:** Accessory Building with Variances

<b>PROPOSAL:</b> Accessory Building with variances	<b>GENERAL LOCATION:</b> located on the east side of Range Road 54, approximately 0.41 km (1/4 mile) south of Township Road 232.
<b>APPLICATION DATE:</b> August 19, 2020	<b>MUNICIPAL PLANNING COMMISSION DECISION:</b> Approved
<b>APPEAL DATE:</b> December 3, 2020	<b>MUNICIPAL PLANNING COMMISSION DECISION DATE:</b> October 29, 2020
<b>APPELLANTS:</b> Clint Docker, Julie Docker, Jorgen Scheel and Monica Scheel	<b>APPLICANT:</b> Chris Johnson
<b>LEGAL DESCRIPTION:</b> Lot 5, Plan 9212650; NW-09-23-05-W05M	<b>MUNICIPAL ADDRESS:</b> 231178 Range Road 54
<b>LAND USE DESIGNATION:</b> R-RUR	<b>GROSS AREA:</b> ± 1.59 hectares (± 3.94 acres)
<b>PERMITTED USE:</b> Discretionary Use	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Section 69: The Development Authority, in making a decision on a Development Permit application for: (c) a Discretionary Use: ii. May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any variances
<b>PUBLIC SUBMISSIONS:</b>	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>• County Plan</li> <li>• Land Use Bylaw</li> <li>• Greater Bragg Creek Area Structure Plan</li> </ul>

### EXECUTIVE SUMMARY:

This proposal is for the construction of an accessory building with variances. The subject parcel is zoned R-RUR, is surrounded by country residential and agricultural parcels, and is located on the east side of Range Road 54, approximately 0.41 km (1/4 mile) south of Township Road 232. The parcel contains a dwelling, several accessory buildings of various sizes and is heavily forested. This application was made on August 19, 2020 and was presented to the Municipal Planning Commission



on October 29, 2020. The Notice of Decision was circulated to 33 adjacent landowners and Administration received the notice of Appeal on November 19, 2020 from appellants Clint Docken, Julie Docken, Jorgen Scheel and Monica Scheel. The reasons for their appeal are identified in the agenda package.

**APPLICATION/ PARCEL HISTORY:**

Date	Event	Result
August 19, 2020	Application Submitted	Development Permit application submitted in-person.
September 10, 2020	Inspection	<p>Inspector's Comments</p> <ul style="list-style-type: none"><li>• Site is very well screened</li><li>• Grading appears to have started in preparation for building</li><li>• Site is marked (with string) for building location</li><li>• Fairly neat and tidy</li><li>• No concerns at time of inspection</li></ul> <p>Site photos were taken at time of inspection</p>
October 29, 2020	Municipal Planning Commission Hearing	Application approved with amended conditions (approved area increased slightly due to error in original measurement calculations).
October 30, 2020	Notice of Decision generated	Notice of Decision mailed to adjacent landowners.
November 19, 2020	Appeal application filed	SDAB hearing scheduled for December 3, 2020.

**APPEAL:**

See attached report and exhibits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. MacLean'.

Sean MacLean  
Supervisor, Planning and Development Services

EN/ltt



ROCKY VIEW COUNTY

**ATTACHMENTS:**

ATTACHMENT 'A': Municipal Planning Commission Report

ATTACHMENT 'B': Application Details

ATTACHMENT 'C': Inspection Report and Site Photos

ATTACHMENT 'D': Site Plan

ATTACHMENT 'E': Map Set

ATTACHMENT 'F': Notice of Decision

ATTACHMENT 'G': Notice of Appeal



ROCKY VIEW COUNTY

**DEVELOPMENT PERMIT REPORT**

<b>Application Date:</b> August 19, 2020	<b>File:</b> 03909050
<b>Application:</b> PRDP20202423	<b>Applicant/Owner:</b> Johnson, Chris
<b>Legal Description:</b> Lot 5; Plan 9212650 NW-09-23-05-W05M	<b>General Location:</b> Located approximately 0.41 km (1/4 mile) south of Twp. Rd. 232 and on the east side of Rge. Rd. 54
<b>Land Use Designation:</b> Residential, Rural District (R-RUR), under Land Use Bylaw C-8000-2000.	<b>Gross Area:</b> ± 1.59 hectares (± 3.94 acres)
<b>File Manager:</b> Natalie Robertson / Evan Neilsen	<b>Division:</b> 1

**PROPOSAL:**

The proposal is for the construction of an accessory building (oversize shop), with a relaxation of the maximum height and a relaxation of the maximum accessory building parcel coverage. *Note, the application was assessed in accordance with Land Use Bylaw C-8000-2020, as requested by the Applicant.*

The proposed shop is a pole building, approximately 222.96 sq. m (2,400.00 sq. ft.) in footprint. The shop will include a metal roof and side walls, including a front wall of half log siding. The shop will be dark green in metal cladding and the log siding will be stained to match the existing dwelling, single detached. The building will be utilized for personal storage of equipment, tools, belongings and as a workshop.

The other accessory buildings on the property include:

- Accessory Building (detached garage) 62.43 m<sup>2</sup> (672.00 ft<sup>2</sup>)
- Accessory Building (garden shed) 8.91 m<sup>2</sup> (96.00 ft<sup>2</sup>)
- Accessory Building (sprung tent) 28.98 m<sup>2</sup> (312.00 ft<sup>2</sup>)

With the shop proposal, there will be single-lot regrading (appears up to 1.06 m [3.50 ft.] in cutting) and placement of clean fill (appears up to 0.05 m [0.16 ft.]). However, supporting technical and final confirmation will be required upon approval.

**LAND USE BYLAW:**

*Residential, Rural District (R-RUR)*

Requirements (Proposed Shop)				
Line	Regulation	Required (m)	Proposed (m)	Variance
318	Uses, Discretionary	Accessory buildings >190 m <sup>2</sup> (2045.14 ft <sup>2</sup> )	222.96 m <sup>2</sup> (2400.00 ft <sup>2</sup> )	17.34%

**Administration Resources**

Natalie Robertson / Evan Neilsen, Planning and Development Services





321 (a)	Maximum Height Accessory Buildings	7.00 m (22.97 ft.)	7.86 m. (25.80 ft.)	12.28%
322 (b)	Maximum Accessory Building Parcel Coverage	285 m <sup>2</sup> (3067.71 ft <sup>2</sup> ).	324.69 m <sup>2</sup> (3495.04 ft <sup>2</sup> )	13.92%
323	Yard, Front – County	45.00 m (147.64 ft.)	lots	0%
323	Yard, Side – all others	3.00 m (9.84 ft.)	12.19 m (40.00 ft.)	0%
323	Yard, Rear – all others on parcels over 4.0 hectares (9.88 acres)	30.00 m (98.43 ft.)	66.14 m (217.00 ft.)	0%

Permit History

<b>Permit Number</b>	<b>Permit Type</b>	<b>Status</b>
1992-BP-3111	Building – Dwelling Addition	Occupancy Granted
PRDP20144316	Development - Accessory Dwelling Unit	Complete
PRBD20145159	Building – Accessory Dwelling Unit	Occupancy Granted

**STATUTORY PLANS:**

The subject property is located within the Greater Bragg Creek Area Structure Plan. The application was also evaluated in accordance with the Land Use Bylaw C-8000-2020

**INSPECTOR'S COMMENTS (September 10, 2020):**

- Site is very well screened
- Grading appears to have started in preparation for building
- Site is marked (with string) for building location
- Fairly neat and tidy
- No concerns at time of inspection

**CIRCULATIONS:**Transportation Services

Applicant to 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.

**Building Services Review**

- Applicant is required to submit a Building permit application prior to the structure being constructed.
- Applicant is required to acquire permits for all electrical, plumbing and gas work for the accessory building.

**Development Compliance Officer Review**

- No concerns

**Planning and Development Services - Engineering Review****General**

- The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.

**Geotechnical:**

- As part of the application, the applicant/owner is also proposing to alter and conduct slope mitigation measures on existing slopes that are steeper than 15% and 30%.
  - Prior to issuance, the applicant/owner is required to provide a grading site plan that shows the extent of the proposed grading work. The grading plan should provide pre-development and post-development contours.
  - Prior to issuance, the applicant/owner will be required to submit a slope stability analysis conducted and stamped by a professional engineer that assess the stability of the slope and provides recommendations for the proposed construction over the slope. The applicant/owner will be required to implement the recommendations from the analysis.
  - Prior to issuance, the applicant/owner will be required to provide a deep fills report that provide placement recommendations for areas of fill greater than 1.2 m in depth.
  - As a permanent condition, the applicant/owner is required to provide compaction testing results verifying that areas greater than 1.2m in depth were placed in accordance with the deep fills report accepted by the County.

**Transportation:**

- Engineering has no requirements at this time.
- There is an existing road approach off of Range Road 54 providing access to the subject land.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance, as the development is directly associated with the construction of a dwelling.

**Sanitary/Waste Water:**

- Engineering has no requirements at this time.

**Water Supply And Waterworks:**

- Engineering has no requirements at this time.

**Storm Water Management:**

- It appears that the resulting imperviousness ratio over the subject land is greater than 20%.



## ROCKY VIEW COUNTY

- Prior to issuance, the applicant/owner will be required to provide a memo and/or stormwater drainage drawing conducted and stamped by a professional engineer that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with the County Servicing Standards.
- As a permanent condition, the applicant/owner will be required to implement the recommendations of the memo and/or stormwater drawing accepted by the County.

**Environmental:**

- Prior to issuance, the applicant/owner will be required to submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the grading work and in perpetuity.
- As an advisory condition, the applicant/owner will be required to obtain all applicable AEP approvals should the development directly impact any wetlands.

**OPTIONS:**

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

**Description:**

1. That construction of an accessory building (oversize shop), **approximately 222.96 m<sup>2</sup> (2,400.00 ft<sup>2</sup>) in area**, may be constructed on the subject land in general accordance with the approved Site Plan, supporting Plot Plan drawings and submitted application, as amended.
  - i. That the maximum height requirement for the building is relaxed from **7.00 m. (22.97 ft.)** to **7.86 m. (25.80 ft.)**;
  - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 m<sup>2</sup> (3,067.71 ft<sup>2</sup>)** to **324.69 m<sup>2</sup> (3,495.04 ft<sup>2</sup>)**; and
  - iii. Single-lot regrading and placement of clean fill in accordance with the final grading site plan.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a grading site plan that shows the extent of the proposed grading work, in accordance with County Servicing Standards. The grading plan shall provide pre-development and post-development contours.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a slope stability analysis, conducted and stamped by a professional engineer, that assess the stability of the slope and provides recommendations for the proposed construction over the slope, to the satisfaction of the County.
4. That prior to issuance of this permit, the Applicant/Owner shall submit a memo and/or stormwater drainage drawing, conducted and stamped by a professional engineer, that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the grading work and in perpetuity, in accordance with County Servicing Standards.



## ROCKY VIEW COUNTY

6. That prior to issuance of this permit, the Applicant/Owner shall submit a deep fills report, that provides placement recommendations for areas of fill greater than 1.20 m (3.93 ft.) in depth, to the satisfaction of the County.
7. That prior to issuance 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.

**Permanent:**

8. That the exterior siding and roofing materials of the accessory building shall be similar/cohesive to the existing dwelling, single detached.
9. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by the separate Development Permit.
10. That the existing trees and terrain shall be retained onsite except as required to meet the development proposal and conditions of this permit. Any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover upon development completion.
11. That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
12. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent dust/small rocks from blowing onto the road, or from causing issues with other vehicles on the road.
13. That the entire site shall be maintained in a neat and orderly manner at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
14. That all on-site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
15. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the stormwater memo and/or deep fills report.

**Advisory:**

16. That during construction, 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.
17. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.



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18. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
19. That if this Development Permit is not issued by **May 31, 2021**, then this approval is null and void and the Development Permit shall not be issued.
20. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

***Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the proposed development.***

Option #2 (this would not allow the development)

REFUSAL, for the following reasons:

1. That the requested height relaxation exceeds the maximum allowable requirements of Section 321(a) of the Land Use Bylaw C-8000-2020.
2. That the requested accessory building parcel coverage relaxation exceeds the maximum allowable requirements of Section 322(b) of the Land Use Bylaw C-8000-2020
3. 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.



ROCKY VIEW COUNTY  
Cultivating Communities

2020242J

APPLICATION FOR A  
**DEVELOPMENT PERMIT**

FOR OFFICE USE ONLY	
Fee Submitted \$265.00	File Number DS902050
Date of Receipt Aug 19, 2020	Receipt # 2020025125

Name of Applicant Christopher JohnsonEmail [REDACTED]

For Agents please supply Business Agency Organization Name \_\_\_\_\_

Registered Owner (if not applicant) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone (B) \_\_\_\_\_

(H) \_\_\_\_\_

Fax \_\_\_\_\_

**1. LEGAL DESCRIPTION OF LAND**

- a) All / part of the NW  $\frac{1}{4}$  Section 9 Township 23 Range 5 West of 5TH Meridian
- b) Being all / parts of Lot 5 Block \_\_\_\_\_ Registered Plan Number 9212650
- c) Municipal Address 231178 RANGE ROAD 54
- d) Existing Land Use Designation R2 Parcel Size 3.94 ACRES Division 01

**2. APPLICATION FOR**ACCESSORY BUILDING**3. ADDITIONAL INFORMATION**

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No X
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ No X  
(Sour Gas facility means well, pipeline or plant)
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No X
- d) Does the site have direct access to a developed Municipal Road? Yes X No \_\_\_\_\_

**4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF**

I CHRISTOPHER JOHNSON hereby certify that X I am the registered owner  
(Full Name in Block Capitals)

\_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

**Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company**

Applicant's Signature \_\_\_\_\_

Date \_\_\_\_\_

Owner's Signature Chris JohnsonDate 18-AUG-2020

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, CHRISTOPHER JOHNSON, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.



Signature

18-AUG-2020

Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION FOR AN ACCESSORY BUILDING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date Received	Receipt #

Name of Applicant Christopher Johnson

Email [REDACTED]

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	1614.59 sq ft	2400 sq ft
Accessory building height	<del>18.04</del> <sup>22.90</sup> ft <sub>-EN</sub>	25.8 ft
Number of existing accessory buildings on site	3	
Total size of all accessory buildings	2421.88 sq ft	3480 sq ft

#### Description of Accessory Buildings:

- a) Building materials Wood Pole Building with metal roof and side walls. Front wall 1/2 log siding
- b) Exterior colour Dark Green Metal Cladding, 1/2 Log Siding stained to match existing log house
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
Storage requirments for equipment and work shop and tools, tidy property, height for mezzanine and car lift
- d) Date when building permits were issued for existing buildings Garage Early 2000's, Garden Shed not Required based on area
- e) If no permits were issued - list age of buildings Sprung Tent ~3 years old

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Genneral and Equipment Storage, Vehicle and RV storage,

Recreational mechanic shop and car lift

### 3. ADDITIONAL REQUIREMENTS

The following items must be provided in addition to your application:

- ☐ Elevation drawing(s) / floor plan(s)
- ☐ Site plan(s) showing all dimensions and setbacks

Signature of Applicant

Date: 18-AUG-2020





# ROCKY VIEW COUNTY

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

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

Natalie  
Sept 21  
SW

## Inspection Request

Roll #: 03909050 DP #: PRDP20202423

Applicant/Owner: Johnson, Christopher Walter  
Legal Description: Lot 5 Block Plan 9212650, NW-09-23-05-05  
Municipal Address: 231178 RGE RD 54, Rocky View County AB  
Land Use: R-RUR  
Reason for Inspection: constuction of a 2400 sq. ft. accessory building (shed), relaxation of the maximum allowed accessory building height and maximum allowable total building area from 3067.71 sq ft. to 3480 sq.ft.

### Inspection Report

Caveat on title regarding hiding the visibility of any building from neighbour to the east  
Grading is part of this permit, please make sure it hasn't started (see attaced site plan)

Date of Inspection: Sept. 10/20

Permission granted for entrance? yes

Observations:

- site is very well screened.
- grading appears to have started, in preparation for building. Site is marked (with string) for building location. (see photos)
- fairly neat & tidy location.
- no concerns at time of inspection.

Signature: W. Van der ...





































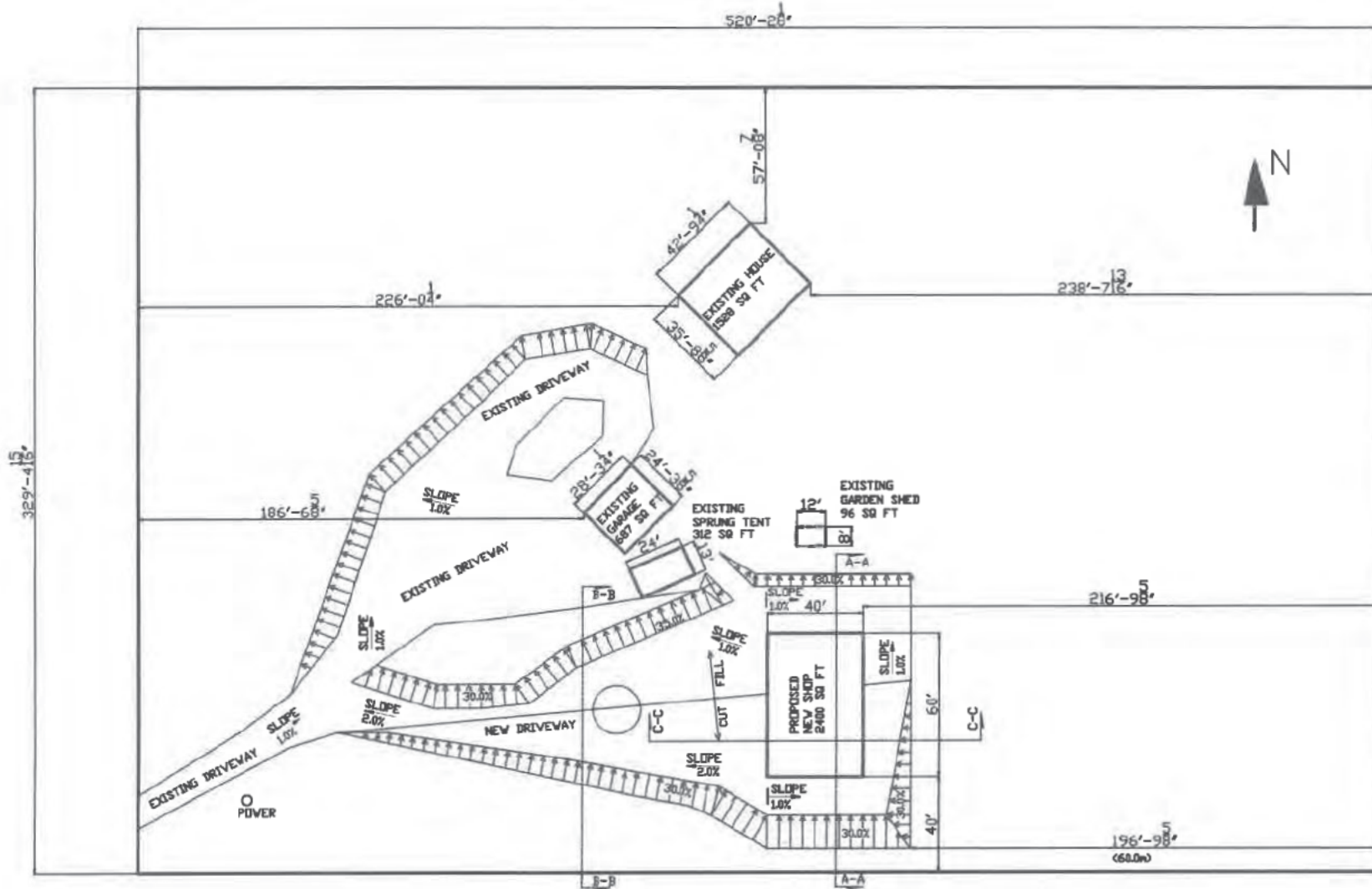






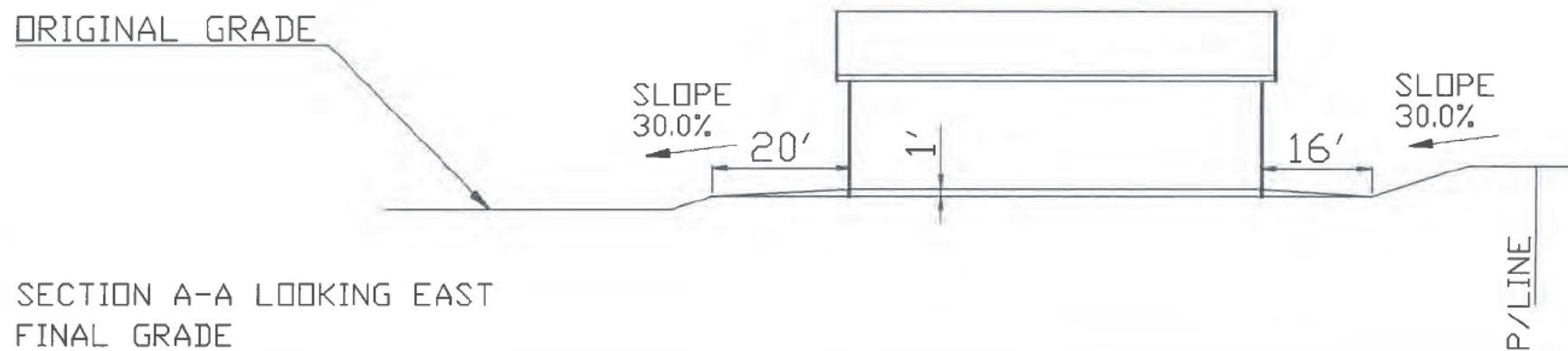
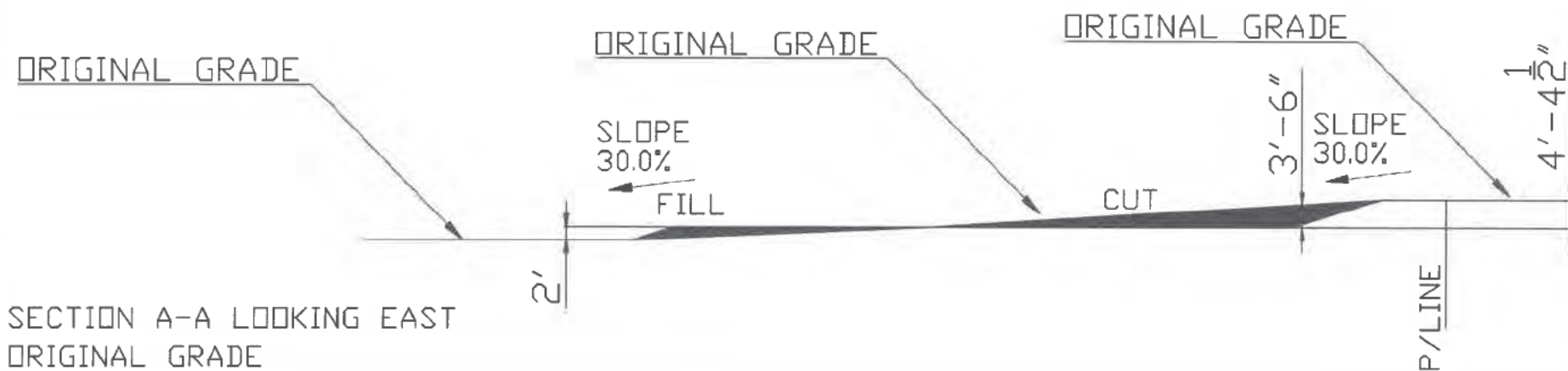






LOT 5 PLAN 9212650  
 231178 RANGE ROAD 54  
 NW 1/4 SECTION 9 TOWNSHIP 23 RANGE 5 WEST OF 5TH MERIDIAN

PLOT PLAN-1

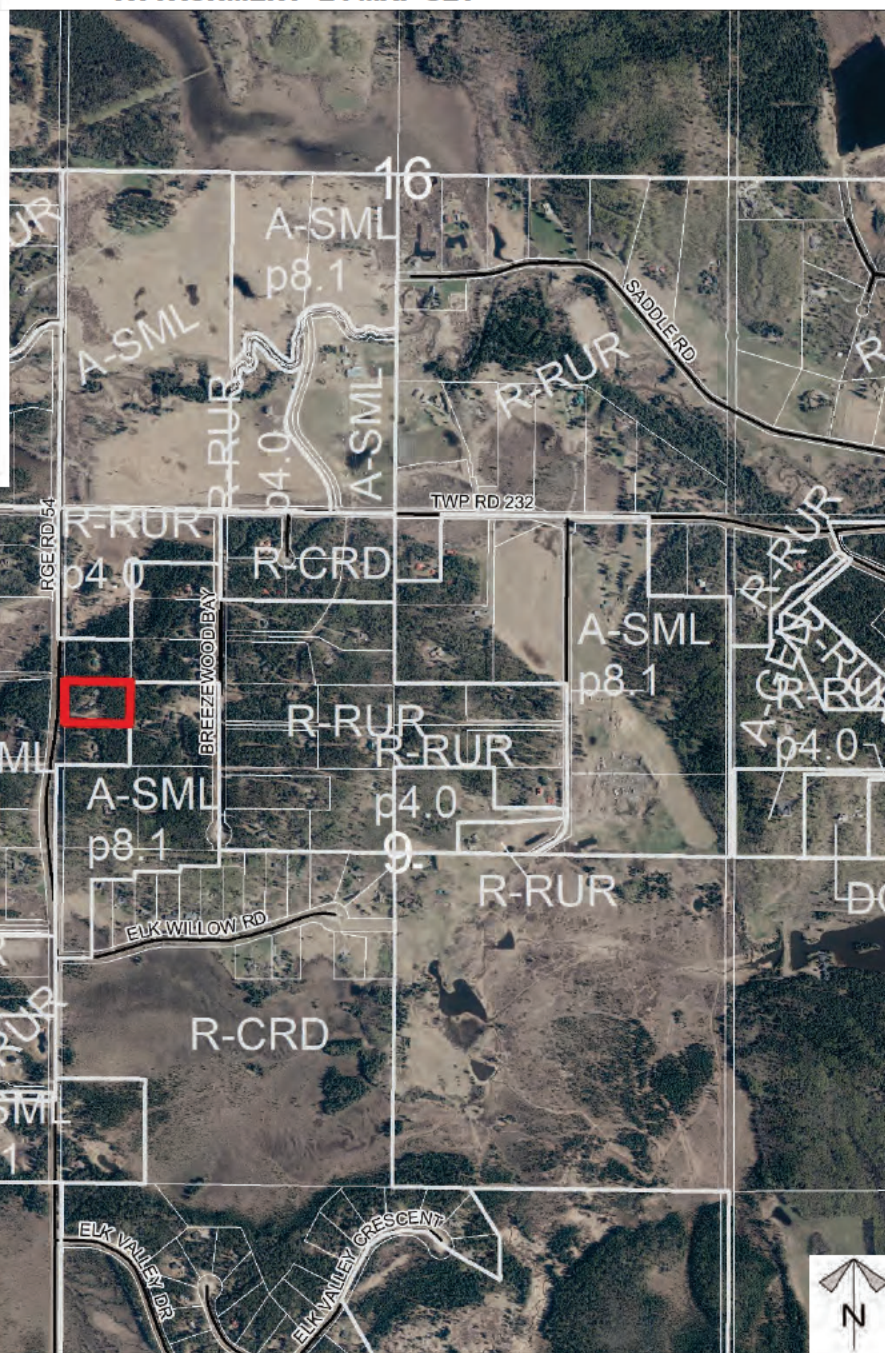
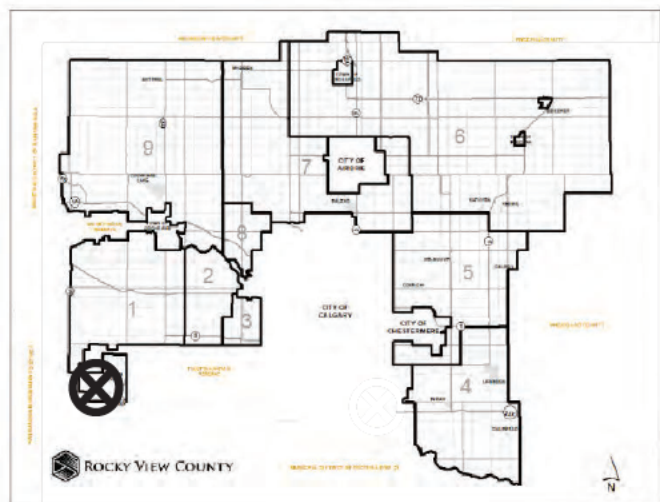


LOT 5 PLAN 9212650  
231178 RANGE ROAD 54  
NW 1/4 SECTION 9 TOWNSHIP 23 RANGE 5 WEST OF 5TH MERIDIAN

PLOT PLAN-2  
SECTIONS A-A



# ATTACHMENT 'E': MAP SET



## Location & Context

Construction of an accessory building (oversize shop), relaxation of the maximum building height and relaxation of the maximum accessory building parcel coverage

Division: 1  
Roll: 03909050  
File: PRDP20202423  
Printed: October 14, 2020  
Legal: NW-09-23-05-W05M  
Lot: 5 Plan: 9212650



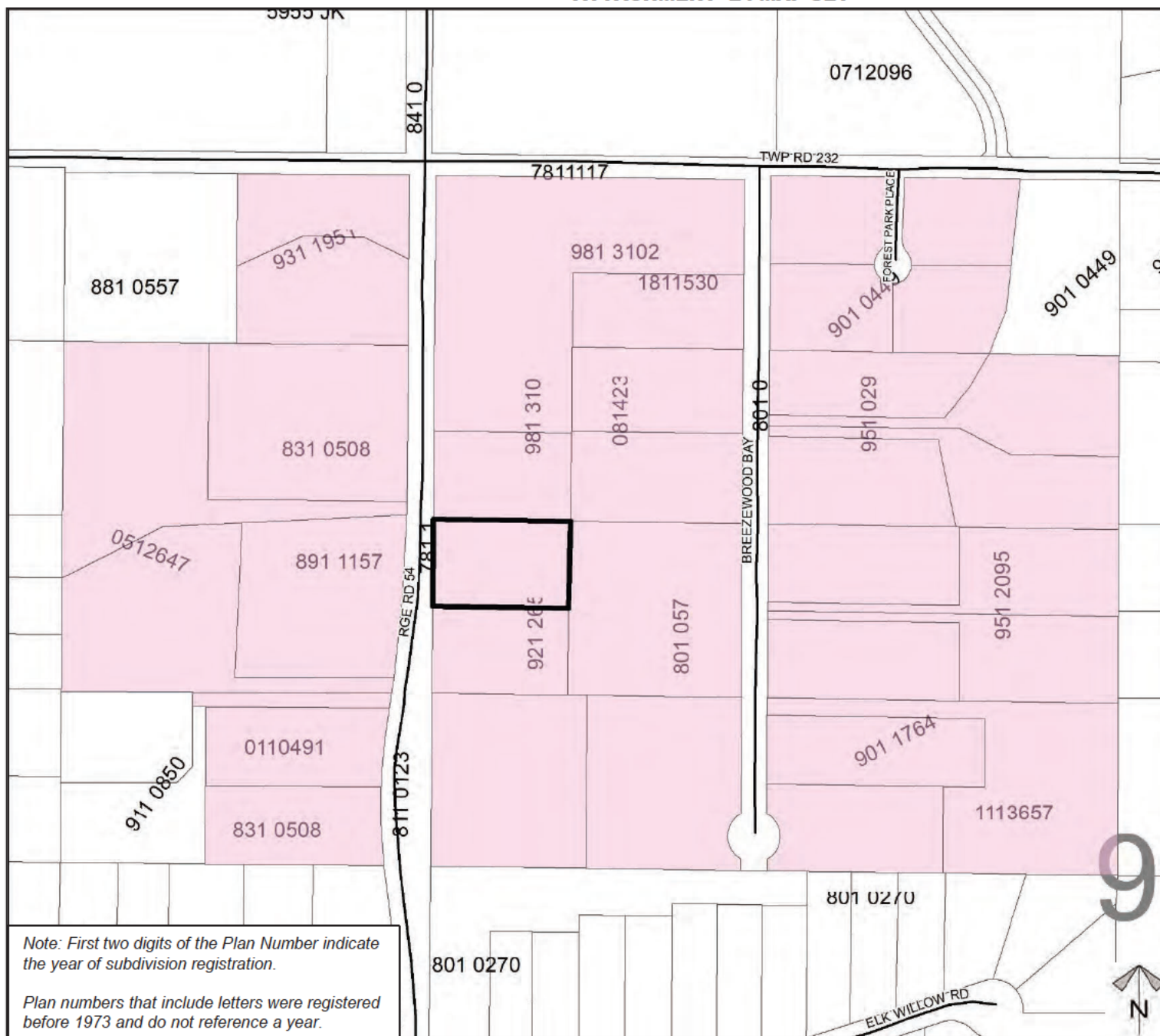
# ATTACHMENT 'E': MAP SET



## Landowner Circulation Area

Construction of an accessory building (oversize shop), relaxation of the maximum building height and relaxation of the maximum accessory building parcel coverage

### Legend



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.

Division: 1  
Roll: 03909050  
File: PRDP20202423  
Printed: October 14, 2020  
Legal: NW-09-23-05-W05M  
Lot: 5 Plan: 9212650





# ROCKY VIEW COUNTY

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

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

## Decision of the Municipal Planning Commission

This is not a development permit

**Development file #:** PRDP20202423

**Issue Date:** October 30, 2020

**Roll #:** 03909050

Rocky View County's Municipal Planning Commission conditionally approves your August 19, 2020 development permit application for the construction of an accessory building (oversize shop), with a relaxation of the maximum height and a relaxation of the maximum accessory building parcel coverage at Lot 5; Plan 9212650 NW-09-23-05-W05M subject to the conditions as follows:

### Description:

1. That construction of an accessory building (oversize shop), **approximately 222.96 m<sup>2</sup> (2,400.00 ft<sup>2</sup>) in area**, may be constructed on the subject land in general accordance with the approved Site Plan, supporting Plot Plan drawings and submitted application, as amended.
  - i. That the maximum height requirement for the building is relaxed from **7.00 m. (22.97 ft.)** to **7.86 m. (25.80 ft.)**;
  - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 m<sup>2</sup> (3,067.71 ft<sup>2</sup>)** to **324.69 m<sup>2</sup> (3,495.04 ft<sup>2</sup>)**; and
  - iii. Single-lot regrading and placement of clean fill in accordance with the final grading site plan.

### Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a grading site plan that shows the extent of the proposed grading work, in accordance with County Servicing Standards. The grading plan shall provide pre-development and post-development contours.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a slope stability analysis, conducted and stamped by a professional engineer, that assess the stability of the slope and provides recommendations for the proposed construction over the slope, to the satisfaction of the County.

This is not a development permit

4. That prior to issuance of this permit, the Applicant/Owner shall submit a memo and/or stormwater drainage drawing, conducted and stamped by a professional engineer, that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the grading work and in perpetuity, in accordance with County Servicing Standards.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a deep fills report, that provides placement recommendations for areas of fill greater than 1.20 m (3.93 ft.) in depth, to the satisfaction of the County.
7. That prior to issuance 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.

**Permanent:**

8. That the exterior siding and roofing materials of the accessory building shall be similar/cohesive to the existing dwelling, single detached.
9. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by the separate Development Permit.
10. That the existing trees and terrain shall be retained onsite except as required to meet the development proposal and conditions of this permit. Any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover upon development completion.
11. That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
12. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent dust/small rocks from blowing onto the road, or from causing issues with other vehicles on the road.
13. That the entire site shall be maintained in a neat and orderly manner at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
14. That all on-site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.

This is not a development permit

15. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the stormwater memo and/or deep fills report.

**Advisory:**

16. That during construction, 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.
17. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
18. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
19. That if this Development Permit is not issued by **May 31, 2021**, then this approval is null and void and the Development Permit shall not be issued.
20. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

It is the responsibility of the applicant to meet and always follow the conditions of this development permit. Fines or enforcement action may occur if operating outside of this permit. Please contact Planning and Development Services at [development@rockyview.ca](mailto: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 the Municipal Clerk's Office at [sdab@rockyview.ca](mailto:sdab@rockyview.ca) or 403-230-1401. More information on the SDAB can also be found at [www.rockyview.ca](http://www.rockyview.ca).

Jerry Gautreau, Chair  
Municipal Planning Commission

This is not a development permit



ROCKY VIEW COUNTY  
Cultivating Communities

# Notice of Appeal

Subdivision and Development Appeal Board  
Enforcement Appeal Committee

## Appellant Information

Name of Appellant(s)

Clint Docker, Julie Docker, Jorgen Scheel, Monica Scheel

Mailing Address

## Site Information

Municipal Address

231178 Range Road 54

Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)

Lot 5 P101 8212650 NW-7-23-05-05

Property Roll #

03909050

Development Permit, Subdivision Application, or Enforcement Order #

PRDP 20202423

## I am appealing: (check one box only)

### Development Authority Decision

- ☒ Approval  
☐ Conditions of Approval  
☐ Refusal

### Subdivision Authority Decision

- ☐ Approval  
☐ Conditions of Approval  
☐ Refusal

### Decision of Enforcement Services

- ☐ Stop Order  
☐ Compliance Order

## Reasons for Appeal (attach separate page if required)

see attached



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

Nov. 18 2020

Date



This is a small, rural, residential property. The shop proposed will be the largest building on the property.

There are already three accessory buildings on the property.

The shop proposed is both oversized and overheight.

There is no comparable shop in the neighbourhood and it is out of character with existing neighbourhood properties.

The use proposed (vehicle maintenance) with the potential use of hazardous materials, represents a fire risk in an area that is one of the most at risk in the province.

The property is located beside the only access to a large residential area, which creates a serious risk in the event of fire.

This project has been under construction for two years, with significant disruption to adjacent properties. The proposed construction schedule (yet another year) is unreasonable.