

## PLANNING

---

**TO:** Subdivision and Development Appeal Board  
**DATE:** June 27, 2022 **DIVISION:** 1  
**FILE:** 03908020 **APPLICATION:** PRDP20221236  
**SUBJECT:** Development Item - Home-Based Business, Type II

---

**APPLICATION:** a Home-Based Business, Type II, for a Woodworking Shop

**GENERAL LOCATION:** Located approximately 1.61 kilometres (1 mile) south of Township Road 232 and on the west side of Forestry Road

**LAND USE DESIGNATION:** Agricultural, Small Parcel District p. 8.1 (A-SML)

**EXECUTIVE SUMMARY:** This application was applied for concurrently with PRDP20221241 on March 21, 2022. The applicant is seeking to establish a home-based business on the parcel for a woodworking shop and has indicated that he would reside at this address while the home-based business was active. The applicant has further indicated that the business would be wholly contained within the proposed accessory building (PRDP20221241) – with the exclusion of a modest outdoor parking area for vehicles related to the business and employee parking.

A Home-Based Business, Type II, is a discretionary use for A-SML zoning, and the business would have up to one external employee onsite, up to two business-related visits per day, and would operate between the hours of 8:00 AM – 5:00 PM, Monday to Friday. The business was approved for up to 148.64 sq. m (1,600.00 sq. ft.) of outdoor storage to accommodate the proposed vehicles for the business (one van, one truck and one trailer), as well as space for employee parking. It is the interpretation of Administration that locating the business within the proposed shop (PRDP20221241) will successfully mitigate any potential nuisance factors that the business may produce (noise, odour, debris, etc.) and will allow the proposed business to co-exist with adjacent landowners as per the vision outlined within Section 7.5 of the Greater Bragg Creek Area Structure Plan (ASP). This section identifies that, *Home-based businesses continue to play a significant role in the provision of commercial and light industrial services throughout the Plan area and envisions that by 2030, businesses are developed and operated in residential areas in an unobtrusive manner that provides for the rights of both the business owner and the neighbouring residents.*

This application complies with the Home-Based Business policies of the ASP, including Policy 7.5.2.a, which identifies that *Development of ... type II home-based businesses should be encouraged*, and that *“employment of non-resident staff should be allowed to a maximum of two permanent employees at any one time.* The application also complies with the regulations of the County's Land Use Bylaw C-8000-2020 (LUB). No variances have been requested.

To ensure compatibility with adjacent land uses, Administration has required that the Development Permit for the shop (PRDP20221241) be issued as a prior-to-issuance condition of this application and has furthermore allowed for an initial approval period of one year, which would also align with the requirements of the ASP Policy 7.5.2.a and the LUB Section 147.b). As the application appears to align with the policies of the ASP and the LUB, Administration conditionally approved the application on May 17, 2022.

---

### Administration Resources

Evan Neilsen, Planning and Development Services



On June 7, 2022, an appeal was filed by multiple appellants against the decision of Administration, for several reasons, including reasons related to the use, enjoyment, and value of their properties – such as the potential impacts of noise, potential increases in traffic, and potential impacts on property values. Other reasons also include questions regarding how Administration interpreted the Land Use Bylaw in relation to this application.

**DECISION:** Conditionally-Approved

**DEVELOPMENT / SUBDIVISION AUTHORITY:** Administration

**DECISION DATE:**  
May 17, 2022

**APPEAL DATE:**  
June 7, 2022

**ADVERTISED DATE:**  
May 17, 2022

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Municipal Development Plan;</li> <li>• Greater Bragg Creek Area Structure Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Home-Based Business Type II</li> </ul>
	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> None required.

**APPEAL:** See attached report and exhibits.



ROCKY VIEW COUNTY

Respectfully submitted,

“Justin Rebello”

---

Supervisor  
Planning and Development Services

EN/Itt



## APPLICATION INFORMATION

<b>APPLICANT:</b> Peter Haar	<b>OWNER:</b> Nick & Louise Haar
<b>DATE APPLICATION RECEIVED:</b> March 22, 2022	<b>DATE DEEMED COMPLETE:</b> April 11, 2022
<b>ADMINISTRATION DECISION DATE:</b> May 17, 2022	
<b>APPELLANTS:</b> Frank Meyer & Jordyn Vienneau; Daniel & Christine Patton; Mark Phillips & Jennifer Short; Blaine & Angela Townsend	
<b>GROSS AREA:</b> ± 7.90 hectares (±19.52 acres)	<b>LEGAL DESCRIPTION:</b> Block 3 Plan: 7711440 (231031 Forestry Way)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <i>Building Permits:</i> <ul style="list-style-type: none"><li>August 12, 1992 <b>1991-BP-2417</b>: Building Permit for Single Family Dwelling</li></ul> <i>Development Permits</i> <ul style="list-style-type: none"><li>March 21, 2022 <b>PRDP20221236</b>: Application for a Home-Based Business, Type II, for a woodworking shop.</li></ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to 10 adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application, excepting the appeal.	



## PROPOSED DEVELOPMENT PERMIT CONDITIONS

### Description:

1. That a Home Based-Business, Type II, for a wood working shop may commence on the subject parcel in accordance with the approved Site Plan and conditions noted below.

### Prior to Release:

2. That prior to release of this permit, Development Permit PRDP20221241 shall be issued.

### Permanent:

3. That the operation of this Home-Based Business may generate up to a maximum of eight business-related visits per day.
4. That one or more residents of the parcel shall be involved in the Home-Based Business and that the number of non-resident employees shall not exceed two at any time.
  - i. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
5. That the Home-Based Business shall be limited to the accessory building (shop) and outside storage area in accordance with the Site Plan and details submitted with the application.
6. That all vehicles, trailers, or equipment used in the Home-Based Business shall be kept within the accessory building (shop) or within the approved outside storage area.
7. That all outside storage that is a part of the Home-Based Business shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **148.64 sq. m (1,600.00 sq. ft.)** in accordance with the Site Plan and details submitted with the application.
8. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
9. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
10. That if the Development Permit is not issued by **December 31, 2022** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
11. That this Development Permit, once issued, shall be valid until **June 8, 2023**.

### Advisory:

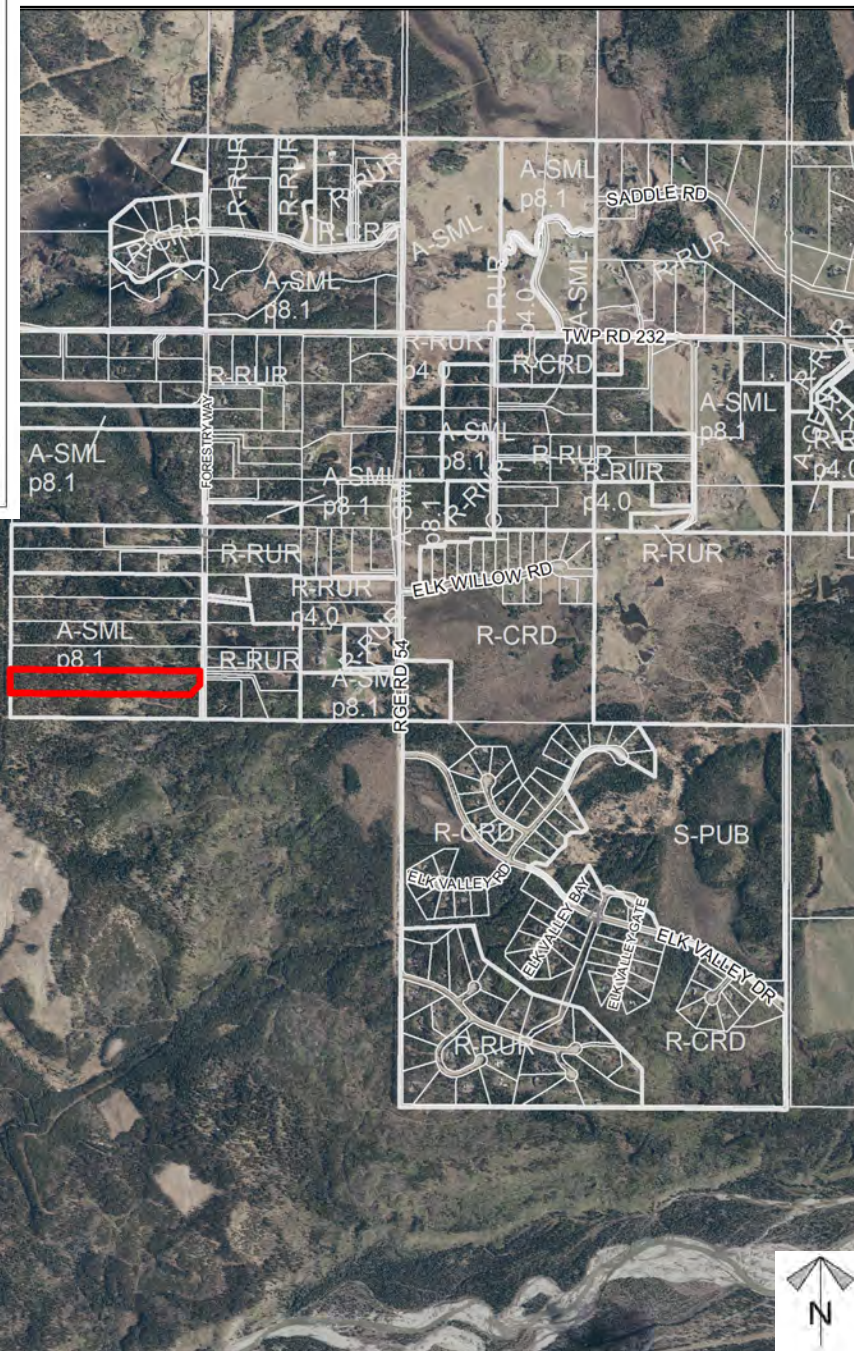
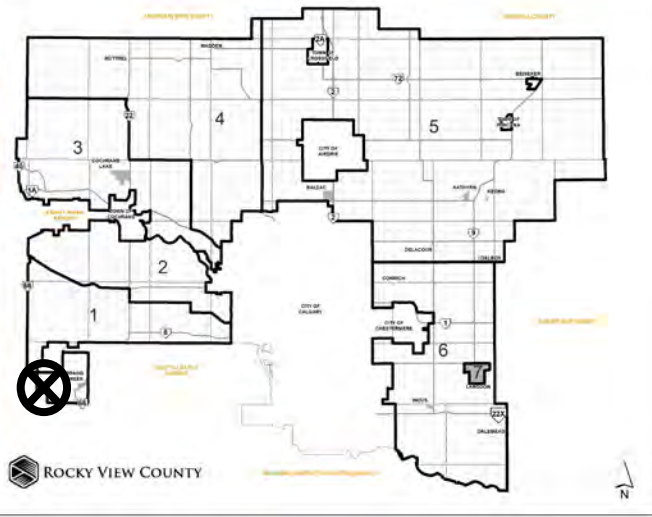
- That the site shall be maintained in compliance with the County's Nuisance and Unsightly Property Bylaw (C-7690-2017) and Noise Control Bylaw (C-8067-2020) at all times.
- That any other Federal, Provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.



## Location & Context

### Development Proposal

A Home-Based-Business, Type II, for a wood working shop



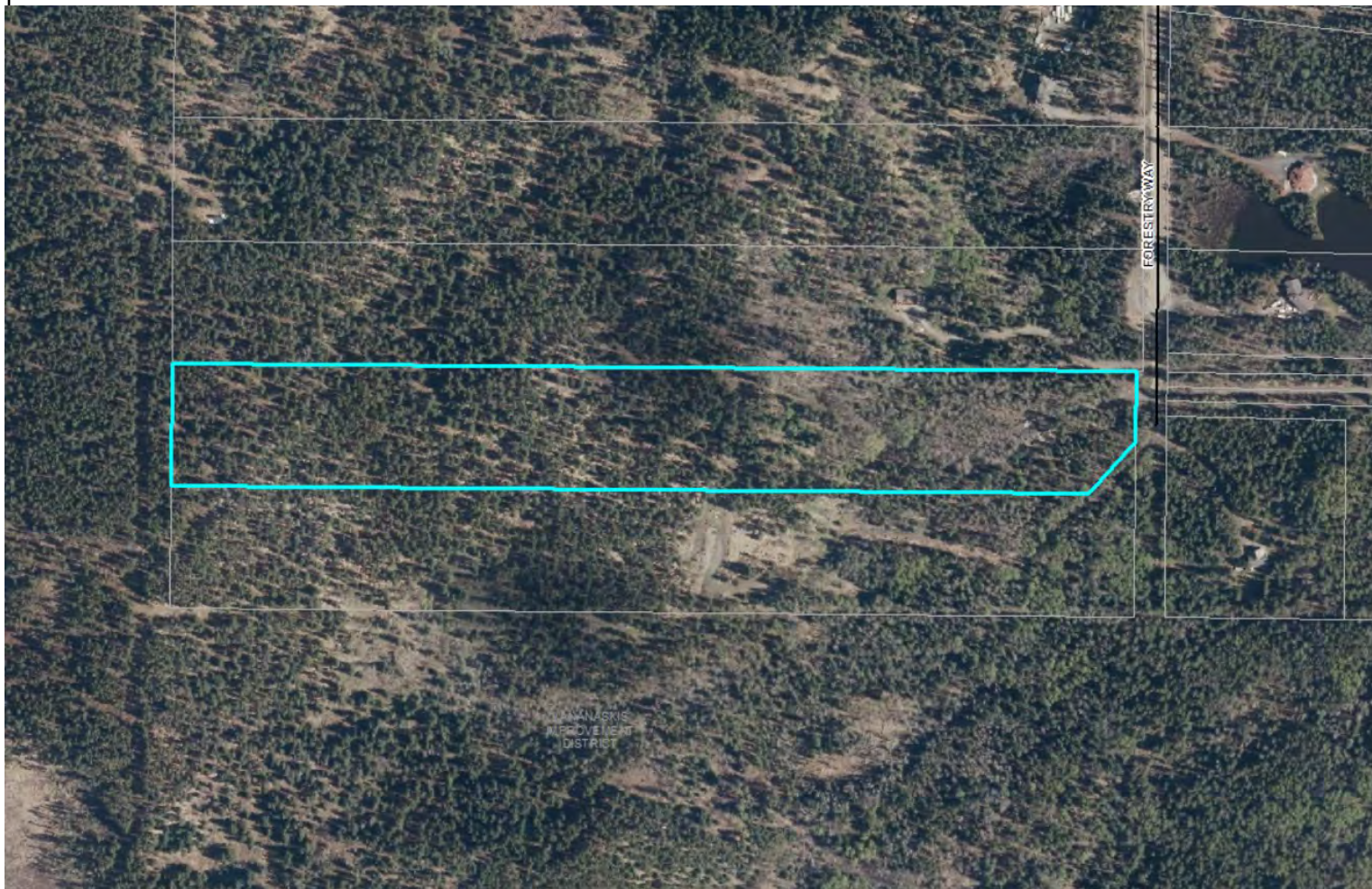
Division: 1  
 Roll: 03908020  
 File: PRDP20221236/1241  
 Printed: June 9, 2022  
 Legal: Block:3 Plan:7711440  
 within SW-08-23-05-W05M



## Aerial Imagery

### Development Proposal

A Home-Based-Business,  
Type II, for a wood  
working shop



Division: 1  
Roll: 03908020  
File: PRDP20221236/1241  
Printed: June 9, 2022  
Legal: Block:3 Plan:7711440  
within SW-08-23-05-W05M

## Cover Letter

### Development Proposal

A Home-Based-Business,  
Type II, for a wood  
working shop

March 20, 2022

Peter Haar,  


This application is for the above property which I would like to build a new shop 40'x60' and operate my small custom woodworking business from. Home based business type two. Forest Creek Fine wood working has been in Business for two years now, and along with my business partner we have one other employee. My business partner largely does site work and our employee works about 50/50 between the shop and site. We operate between the hours of 8 am and 6 pm Monday through Friday, and occasionally Saturdays as well. The majority of our projects are custom woodworking furniture, kitchens, millwork, closets, etc. Please do not hesitate to call or email me for questions or concerns.

Sincerely yours,

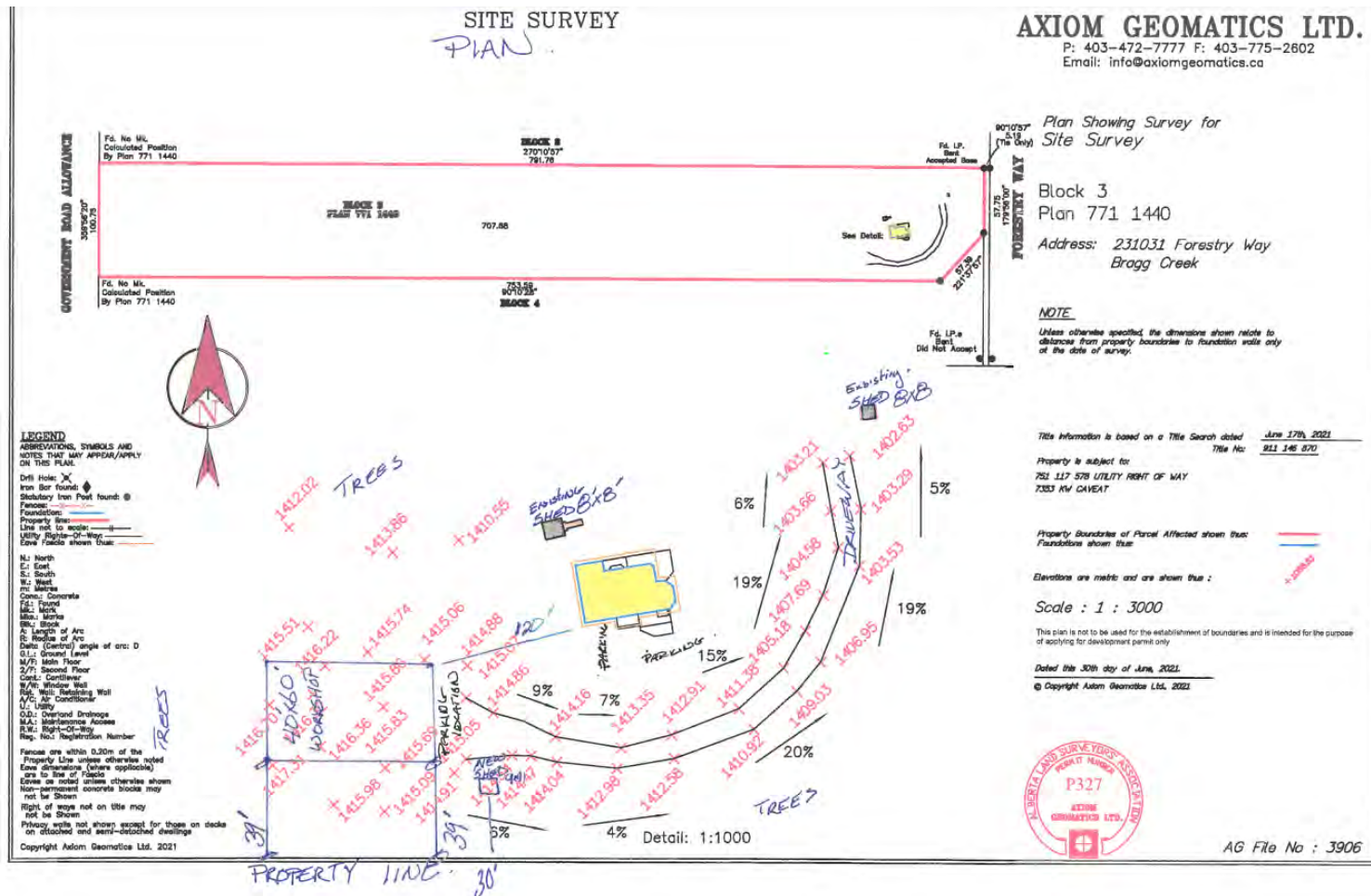
Peter Haar

*Division: 1  
Roll: 03908020  
File: PRDP20221236/1241  
Printed: June 9, 2022  
Legal: Block:3 Plan:7711440  
within SW-08-23-05-W05M*



## Development Proposal

## A Home-Based-Business, Type II, for a wood working shop



Division: 1  
Roll: 03908020  
File: PRDP20221236/1241  
Printed: June 9, 2022  
Legal: Block:3 Plan:7711440  
within SW-08-23-05-W05M

## Photos – Submitted by Applicant

### Development Proposal

A Home-Based-Business,  
Type II, for a wood  
working shop



Division: 1  
Roll: 03908020  
File: PRDP20221236/1241  
Printed: June 9, 2022  
Legal: Block:3 Plan:7711440  
within SW-08-23-05-W05M



**Photos –  
Taken by  
Administration**

**Development Proposal**

A Home-Based-Business,  
Type II, for a wood  
working shop



*Division: 1  
Roll: 03908020  
File: PRDP20221236/1241  
Printed: June 9, 2022  
Legal: Block:3 Plan:7711440  
within SW-08-23-05-W05M*





# Notice of Appeal

Subdivision and Development Appeal Board  
Enforcement Appeal Committee

## Appellant Information

Name of Appellant(s)

Frank Meyer - Jordyn Vienneau

Mailing Address

[Redacted]

Municipality

Bragg Creek

Province

AB

Postal Code

T4L 0K0

Main Phone #

[Redacted]

Alternate Phone #

[Redacted]

Email Address

[Redacted]

## Site Information

Municipal Address

231031 Forestry Way

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

Block 3, Plan 7711410, SW-08-23-05-05

Property Roll #

03908020

Development Permit, Subdivision Application, or Enforcement Order #

PR DP 20221236

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)

Please see attached letter.



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

[Signature]

Date

June 2, 2022

Jordyn Vienneau and Frank Meyer  
231025 Forestry Way  
Bragg Creek, AB  
T0L 0K0

Clerk, Subdivision and Development Appeal Board  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

June 2, 2022

**Re: Development Permit Application No. PRDP20221236**

Dear Sir or Madam,

We are writing to contest the above-noted application for a permit to operate a Type II Home-Based Business on the property of 231031 Forestry Way, for the following reasons:

1. The proposed business does not conform to the definition of a *Home-Based Business (Type II)*, as per **Section 145 (a)** of the *Rocky View County Land Use Bylaw*, because none of three individuals proposing to operate the business actually owns or lives at the principal residence on the subject property.
2. Similarly, the proposed use of the property, with three non-resident workers, would violate **Section 145 (d)** of the bylaw, which states that the "number of non-resident employees shall not exceed two (2) at any time."
3. The notice of decision relating to this development permit included a permanent condition that states "that the operation of this home-based business may generate up to eight business-related visits per day". This would be *in addition* to the ordinary travels by the property's two permanent homeowners. We strongly argue that the increased road traffic will negatively impact the quiet nature and peaceful enjoyment of this residential cul-de-sac.
4. The design of Forestry Way locates a cul-de-sac near the south end of the road. Beyond that is a single-lane extension. Seven parcels of land, including the property with the proposed business, have approaches on this extension. The lane was not built to accommodate large, heavy, or excessive traffic (see attached photo). The added deliveries and visits associated with the proposed new enterprise will negatively affect the extension lane.
5. **Section 145 (c)** of the bylaw states that a *Home-Based Business (Type II)* may not operate between the hours of 18:00 and 8:00 if the business generates noise. As argued above, we believe that the proposed undertaking is not a legitimate home-based business under the terms of the bylaw and should not be permitted to operate at all. However, even if the enterprise were to operate exclusively within the permitted hours, we are alarmed by the prospect of the noise disturbance during that time — 8:00 to 18:00, five and sometimes six days per week. We remind you that all workers operating power tools and related ventilation systems are required to wear ear protection. This underscores the gravity of the noise issue in a residential neighbourhood, infringing on the right of neighbours to enjoy our rural homes.

In summary, the business use of the subject property, as proposed in the above-referenced development-permit application, would violate several sections and subsections of the *Rocky View Land Use Bylaw*. Consequently, it is our position that the application should be rejected.

Yours sincerely,

Frank Meyer and Jordyn Vienneau









**ROCKY VIEW COUNTY**  
Cultivating Communities

**Notice of Appeal**  
**Subdivision and Development Appeal Board**  
**Enforcement Appeal Committee**

<b>Appellant Information</b>			
Name of Appellant(s) Daniel and Christine Patton			
Mailing Address [REDACTED]		Municipality [REDACTED]	Province [REDACTED]
Postal Code [REDACTED]			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
<b>Site Information</b>			
Municipal Address 231031 Forestry Way		Legal Land Description (lot, block, plan OR quarter-section township range-meridian) Block3, Plan 7711440, SW-08-23-05-05	
Property Roll # 03908020		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221236	
<b>I am appealing: (check one box only)</b>			
<b>Development Authority Decision</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
<b>Reasons for Appeal (attach separate page if required)</b>			
See attached letter			

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

6/2/2022

Date

Received by Legislative and  
Intergovernmental Services  
June 2, 2022

**Notice of Appeal**

Application Number PRDP20221241

Division 1

PRDP20221236

Chris and I purchased our home at 231036 Forestry Way, West Bragg Creek February 2016. Our decision to move there was based on a quite secluded neighborhood far away from the distraction of the city. The ongoing changes in the hamlet of Bragg Creek have been beneficial to all in the hamlet and surrounding areas, most residents would concur and hope for additional improvements. West Bragg Creek is different, it's a residential area and not apart of the business district of Bragg Creek, our subdivision is an area removed from the business congestion, noise, pollution, potential fire hazard, and truck traffic that most certainly will damage our roads and endanger our children. We are struggling to understand how the fabrication and operation of a commercial scale woodworking, cabinetry/millwork manufacturing/fabrication shop fits in with the established norms of our subdivision.

Based on a review of the business homepage (and Facebook page) of the proposed [Forest Creek Fine Woodworking](#) business, significant custom millwork, fabrication, and painting/staining/gluing is being proposed, in a scale that supports commercial contractor levels. Home-based-businesses (type II) are expected to be secondary to the residential use of the parcel as per the Rockyview County definitions. Given the proposed shop size is significant (40' x 60'), exceeding the footprint of the residential home, as well as the fact that the homeowner is not involved in the business, (and to the best of our knowledge – the applicant is not currently a resident) - would suggest that the proposal is not secondary to residential usage.

It is important to note that we do not have any concerns with a neighbour building a large shop for personal use. However, we do have concerns with the operation of this type of business in our neighbourhood as it is inconsistent with the established norms.

Some of these concerns can be mitigated through following appropriate county, provincial, and federal regulations, and codes – but not all. Our concerns are as follows:

- **Fire Hazard.** We live in the middle of a forest. Woodworking, Millwork, and Cabinetry shops present a higher risk of fire due to the generation of flammable wood dust, the storage and use of flammable paints, stains, solvents and diluents, potential for accumulation of oily rags and other flammable refuse, as well as the use of glues that have highly flammable vapour. An article from the [WoodWorking Network](https://www.woodworkingnetwork.com/best-practices-guide/plant-production-software/staying-safe-top-four-risks-woodworking) (<https://www.woodworkingnetwork.com/best-practices-guide/plant-production-software/staying-safe-top-four-risks-woodworking>) articulates some of these risks well.

According to the Greater Bragg Creek Wildfire Mitigation Strategy (<https://www.rockyview.ca/Portals/0/Files/Fire/Greater-Bragg-Creek-FireSmart-Mitigation-Strategy.pdf>) – the proposed shop/business location is in an area that is flagged as having



‘extreme’ wildfire behavior potential (see below extract from page 10 of the link above). Similarly, the Area Hazard (30-100m+ impact) for Forestry Way is also listed as ‘extreme’.

- Noise Pollution. Woodworking and millwork tools (planers, jointers, mitre saws, sawmills) operate typically more than 100 decibels. Even if the tools are operated in a standard shop – it is likely the neighbouring homes will hear these tools when in use, in addition to the noise of increased traffic: ongoing deliveries of raw materials and subsequent shipping and receiving of fabricated products, as well as employee and partner traffic. Similarly – external dust collection systems or paint booth ventilation or large HVAC units could present additional noise pollution.
- Impacts to Property, including changes to valuation, reduced ability to sell, and changing the overall neighbourhood established norms as a quiet, forested residential area. Local realtors indicated at a professional level and perspective on this – and he provided documentation indicating that he believed the installation of a commercial woodworking/cabinetry/millwork business in proximity would negatively impact property value by 10-15%. Based on current real estate and assessed values, this is a significant impact.
- Air pollution. With the size and scale of the painting, staining, and gluing for this business, we are concerned for the potential for not only odours, but the negative effects of long-term mild exposure (trouble breathing after COVID pneumonia in both lungs). If the development was approved – this could likely be mitigated through following both local, provincial, and federal laws associated with commercial scale paint booths that require an engineered system, stamped by a certified engineer from Alberta.
- Environmental Damage. There are several tributaries to the Elbow River in the area, including a seasonal creek that runs along our property line for several months of the year, as well as a year-round creek to the north of the property that drains into a lake on the east side of Forestry way. The water table in the area is very shallow (our well is 30’ deep). The concern would be that any pollutants (millwork dust/glue, solvents, diluents, etc.) work their way into the water table and into the tributaries or riparian. Note that the slope of these lots is quite steep – with natural drainage that would eventually end up in the riparian area, or in a small creek or water table. **Additionally, our concern hits extremely close to home, our lake will most certainly collect the runoff contaminants and destroy the fish and plant life directly in front of our home.**
- Increased traffic in the area due to ongoing deliveries of raw materials and subsequent shipping and delivery of fabricated products, as well as employee and partner traffic. As noted above – Forestry Way is a dead-end road, and the proposed shop/business location is at the very end of the dead-end road. The increased traffic would impact all Forestry Way, especially those near the end of the street. Currently Forestry Way has very little traffic, and this would represent a significant change. Commercial trucking will create potential danger to all our small children, pets, and wildlife within our area.

- Precedence is a slippery slope, if this business is allowed to move forward drastically changing our way of living, we fear many additional businesses will follow crowding, damaging, and creating devastation our neighbor beyond repair.

Regards,



Daniel and Chris Patton

231036 Forestry Way

Bragg Creek, Alberta T0L0K0





**ROCKY VIEW COUNTY**  
Cultivating Communities

## Notice of Appeal

**Subdivision and Development Appeal Board  
Enforcement Appeal Committee**

<b>Appellant Information</b>			
Name of Appellant(s) <b>Mark Phillips and Jennifer Short</b>			
Mailing Address [REDACTED]	Municipality <b>Rocky View County</b>	Province <b>AB</b>	Postal Code <b>T0L 0K0</b>
[REDACTED]	[REDACTED]	Email Address [REDACTED]	
<b>Site Information</b>			
Municipal Address <b>231031 Forestry Way</b>		Legal Land Description (lot, block, plan OR quarter-section-township range meridian) <b>Block 3, Plan 7711440, SW-08-23-05-05</b>	
Property Roll # <b>03908020</b>		Development Permit, Subdivision Application, or Enforcement Order # <b>PRDP202212 36</b>	
<b>I am appealing: (check one box only)</b>			
<b>Development Authority Decision</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
<b>Reasons for Appeal (attach separate page if required)</b>			
Please see attached letter dated June 2, 2022. <div style="text-align: center; margin-top: 100px;"> </div>			

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.

*M. Phillips* *J. Short*  
Appellant's Signature

*June 2, 2022*  
Date



Mark Phillips and Jennifer Short  
231188 Forestry Way  
Bragg Creek, Alberta  
T0L 0K0

Clerk, Subdivision and Development Appeal Board  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

June 2, 2022

To Whom it May Concern:

**Re: Development Permit Application No. PRDP20221241**

We're writing in order to contest the above-noted application for a permit to operate a Type II Home-Based Business on the property of 231031 Forestry Way in Bragg Creek, Alberta. We're contesting this application for the following reasons:

1. The proposed business is a three-person company that consists of Peter Haar, Thomas Burns, and Kohen Macfarlane. None of these individuals own, or reside at, 231031 Forestry Way which is the site/residence of the proposed business. As such, we don't believe that the proposed business conforms to the definition of a *Home-Based Business (Type II)*, as per **Section 145 (a)** of the *Rocky View County Land Use Bylaw*.
2. There are currently no approved commercial-scale cabinetry/millwork and/or woodworking businesses in the area. It's our opinion that approval of the above-noted application would set a precedence for others to follow suit in terms putting forth similar applications for heavy industrial businesses. We moved into the area over a decade ago in order to escape the traffic and noise of the city. Forestry Way is a quiet, residential road. Since moving to the area 12 years ago, we've utilized Rocky View County bylaw to assist us in managing two separate noise complaints with neighbors and we've had positive experiences in this regard. During our correspondence with bylaw, we had conversations about what's considered as "acceptable" from a noise perspective relative to hours per day and days per week. The proposed business has cited their hours of operation as Monday to Friday from 8:00am to 6:00pm. They've also indicated their intent to operate on Saturdays. To have an approved business that will be generating noise for 10 hours per day six days a week is unacceptable to us and is contrary to what we find attractive about living in the area. It's also contrary to what we've been advised by bylaw in the past with respect to what might be considered as "acceptable" from a noise perspective. If approved, we believe the noise that will be produced will negatively impact the quality of life for those in the area.

3. Similar to the concerns noted above, the *Rocky View County Noise Bylaw* NO. C-5772-2003 which is designed to regulate and control noise cites the following definitions:

(m) "Noise" means any sound that annoys, aggravates, endangers or disturbs humans or animals, or which detracts from the comfort, peace, or repose of humans, including any loud music or outcry, clamour, shouting, or any other sound that is loud, harsh or otherwise undesirable.

(n) "Person" means an individual or any business entity including a firm, partnership, association, corporation, company, or society.

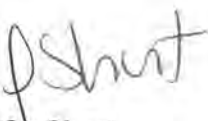

**Section 3** of this bylaw states that no person shall in either the Daytime or the Night-time: (a) make, continue, cause, or allow to be made or continued any excessive, unnecessary, or unusual Noise of any type; or (b) allow or permit any real or personal property that is owned, occupied or controlled by that Person to be used in a way that allows excessive, unnecessary, or unusual Noise of any type to emanate from such property.

Given the nature of the proposed business and their cited hours of operation, we respectfully assert that the proposed business will be unable to comply with this bylaw.

4. With three non-resident workers, the proposed use of the property violates **Section 145 (d)** of the *Rocky View Land Use Bylaw*, which states that the "number of non-resident employees shall not exceed two (2) at any time." Further to this, it's not unreasonable to assume growth of the business in the future, with the potential to add additional employees, thereby further exacerbating our concerns.
5. As noted above, none of the three individuals who will be running/working at the proposed business reside there. As such, they will all be required to visit the property in order to get to and from work. It's reasonable to assume that, in addition to these comings and goings, deliveries of product to and from the property may violate the *Rocky View Land Use Bylaw's* **Section 145 (b)**, which prohibits more than eight business-related visits on any one day.

As noted throughout our letter, we believe that the business use of the subject property, as proposed in the above-referenced development-permit application, violates several sections and subsections of the *Rocky View Land Use Bylaw*. As such, it's our position that this application should be rejected. We sincerely hope that our arguments/objections will be taken into account in rendering this decision.

Respectfully,

  
Mark Phillips and Jennifer Short





# Notice of Appeal

## Subdivision and Development Appeal Board Enforcement Appeal Committee

<b>Appellant Information</b>			
Name of Appellant(s) Blaine and Angela Townsend			
Mailing Address [REDACTED]		Municipality Bragg Creek	Province AB
Postal Code T0L 0K0			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
<b>Site Information</b>			
Municipal Address 231031-Forestry-Way		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Block 3, Plant 7711440, SW-08-23-05-05	
Property Roll # 03908020		Development Permit, Subdivision Application, or Enforcement Order # PRDP20221230 <i>MAN 36</i>	
<b>I am appealing: (check one box only)</b>			
<b>Development Authority Decision</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
<b>Reasons for Appeal</b> (attach separate page if required)			
See Attached <u>Appealing Development Permit Approval for Home Based Business Type II</u>			

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.

*Blaine Townsend*

Appellant's Signature

*A Townsend*

Last updated: 2020 August 07

*June 5, 2022*

Date

*June 5, 2022*

Like many in West Bragg Creek, we moved out of the city to the end of West Bragg Creek to get away from the pollution (noise / air / etc), and raise our family in a natural environment. We absolutely love Bragg Creek and the surrounding area, and though we recognize there will be changes and development over time for the betterment of the community, we are struggling to reconcile how the fabrication and operation of a commercial scale woodworking, cabinetry/millwork manufacturing/fabrication shop fits in with the established norms on our sleepy road.

Based on a review of the business homepage <https://forestcreekfinewoodworking.ca/> (and facebook page), the proposed development will include custom millwork, fabrication, and painting/staining/gluing, in a scale that could support commercial contractor levels. Home-based-businesses (type II) are expected to be secondary to the residential use of the parcel as per the Rockyview County definitions. Given the proposed shop size is significant (40' x 60'), exceeding the footprint of the residential home, as well as the fact that the homeowner is not involved in the business, (and to the best of our knowledge – the applicant is not currently a resident) - would suggest that the proposal is not secondary to residential usage.

It is important to note that we do not have any concerns with a neighbour building a large shop for personal use. However, we do have concerns with the operation of this type of business in our neighbourhood as it is inconsistent with the established norms.

Some of these concerns can be mitigated through following appropriate county, provincial, and federal regulations and codes – but not all. Our concerns are as follows:

- **Fire Hazard.** We live in the midst of a beautiful forest. Woodworking, Millwork, and Cabinetry shops present a higher risk of fire due to the generation of flammable wood dust, the storage and use of flammable paints, stains, solvents and diluents, potential for accumulation of oily rags and other flammable refuse, as well as the use of glues that have highly flammable vapour. An article from the [WoodWorking Network](https://www.woodworkingnetwork.com/best-practices-guide/plant-production-software/staying-safe-top-four-risks-woodworking) (<https://www.woodworkingnetwork.com/best-practices-guide/plant-production-software/staying-safe-top-four-risks-woodworking>) articulates some of these risks well.

According to the Greater Bragg Creek Wildfire Mitigation Strategy (<https://www.rockyview.ca/Portals/0/Files/Fire/Greater-Bragg-Creek-FireSmart-Mitigation-Strategy.pdf>) – the proposed shop/business location is in an area that is flagged as having 'extreme' wildfire behavior potential. Similarly, the Area Hazard (30-100m+ impact) for Forestry Way is also listed as 'extreme'.

The development permit and associated conditions are silent on this risk or mitigations.

- **Noise Pollution.** Woodworking and millwork tools (planers, jointers, mitre saws, sawmills) operate typically in excess of 100 decibels. Even if the tools are operated indoors – it is likely the neighbouring homes will hear these tools when in use. In addition, there will be noise due to increased traffic: ongoing deliveries of raw materials and subsequent loading, shipping and delivery of fabricated products, as well as employee and partner traffic.



Similarly – external dust collection systems or paint booth ventilation or large HVAC units could present additional noise pollution. Many people in the neighbourhood (including our household) have family members at home during the day – and the noise from the proposed development would have a significant negative impact.

- Impacts to Property, including changes to valuation, reduced ability to sell, and changing the overall neighbourhood established norms as a quiet, forested residential area. Moving out here was a financial stretch, and we could be driven to relocate due to this development. We reached out to a local realtor to understand a professional perspective on the impacts to Property – and he provided documentation indicating that he believed the installation of a commercial woodworking/cabinetry/millwork business in close proximity would negatively impact property value by 10-15%, and reduce the number of potential buyers. Based on current real estate and assessed values, these are significant impacts.
- Increased traffic in the area due to ongoing deliveries of raw materials and subsequent shipping and delivery of fabricated products, as well as employee and partner traffic. As noted above – Forestry Way is a dead-end road and the proposed shop/business location is at the very end of the dead end road. The increased traffic would impact all Forestry Way, though the greatest impacts would be for those near the end of the street. Currently Forestry Way has very little traffic, and this could represent a significant change.
- Air pollution. With the size and scale of the painting, staining, and gluing for this business, we are concerned for the potential for not only odours, but the negative effects of long term mild exposure (our son has asthma). If the development was approved – this could likely be mitigated through following both local, provincial, and federal laws associated with commercial scale paint booths that require an engineered system, stamped by a certified engineer from Alberta.
- Environmental Damage. There are several tributaries to the Elbow river in the area, including a seasonal creek that runs along our property line for several months of the year, as well as a year-round creek to the north of the property that drains into a lake on the east side of Forestry way. The water table in the area is very shallow (our well is 30' deep). The concern would be that any pollutants (millwork dust/glue, solvents, diluents, etc) work their way into the water table and into the tributaries or riparian. Note that the slope of these lots is quite steep – with natural drainage that would eventually end up in the riparian area, or in a small creek or water table.



# ROCKY VIEW COUNTY

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

Peter Haar

Page 1 of 2

Tuesday, May 17, 2022

Roll: 03908020

**RE: Development Permit #PRDP20221236**

**Block 3 Plan 7711440, SW-08-23-05-05; (231031 FORESTRY WAY)**

The Development Permit application for establishment of a Home-Based Business (Type II), for a wood working shop has been **conditionally-approved** by the Development Officer subject to the listed conditions below **(PLEASE READ ALL CONDITIONS)**:

### Description:

1. That a Home Based-Business, Type II, for a wood working shop may commence on the subject parcel in accordance with the approved Site Plan and conditions noted below.

### Prior to Release:

2. That prior to release of this permit, Development Permit PRDP20221241 shall be issued.

### Permanent:

3. That the operation of this Home-Based Business may generate up to a maximum of eight business-related visits per day.
4. That one or more residents of the parcel shall be involved in the Home-Based Business and that the number of non-resident employees shall not exceed two at any time.
  - i. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
5. That the Home-Based Business shall be limited to the accessory building (shop) and outside storage area in accordance with the Site Plan and details submitted with the application.
6. That all vehicles, trailers, or equipment used in the Home-Based Business shall be kept within the accessory building (shop) or within the approved outside storage area.





# ROCKY VIEW COUNTY

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

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

Peter Haar # PRDP20221236

Page 2 of 2

7. That all outside storage that is a part of the Home-Based Business shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **148.64 sq. m (1,600.00 sq. ft.)** in accordance with the Site Plan and details submitted with the application.
8. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
9. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
10. That if the Development Permit is not issued by **December 31, 2022** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
11. That this Development Permit, once issued, shall be valid until **June 8, 2023**.

**Advisory:**

- That the site shall be maintained in compliance with the County's Nuisance and Unsightly Property Bylaw (C-7690-2017) and Noise Control Bylaw (C-8067-2020) at all times.
- That any other Federal, Provincial or County permits, approvals, and/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, June 7, 2022**, 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,

A handwritten signature in black ink, appearing to read "D. K. Singh".

Development Authority  
Phone: 403-520-8158  
Email: [development@rockyview.ca](mailto:development@rockyview.ca)

**THIS IS NOT A DEVELOPMENT PERMIT**



ROCKY VIEW COUNTY

# DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20221236
ROLL NO.	03908020
RENEWAL OF	
FEES PAID	\$585.00
DATE OF RECEIPT	March 22, 2022

## APPLICANT/OWNER

Applicant Name: PETER HAAR Email: PETER@VREX CARPENTRY, CA.

Business/Organization Name (if applicable): FOREST CREEK FINE Woodworking

Mailing Address: 240001 RANGE ROAD 42 Calgary AB Postal Code: T3Z 2X2

Telephone (Primary): 403-470-0850 Alternative:

Landowner Name(s) per title (if not the Applicant): NICK + LOUISE HAAR

Business/Organization Name (if applicable):

## LEGAL LAND DESCRIPTION - Subject site

All/part of: SW 1/4 Section: 8 Township: 23 Range: 5 West of: 5 Meridian Division: 44

All parts of Lot(s)/Unit(s): Block: 3 Plan: 7711440 Parcel Size (acres): 28.52

Municipal Address: 231031 FORESTRY WAY Land Use District: SMALL Ag

## APPLICATION FOR - List use and scope of work

New Woodworking SHOP BUSINESS and Accessory Building

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

## SITE INFORMATION

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

## AUTHORIZATION

I, PETER HAAR (Full name in Block Capitals), hereby certify (initial below): PH

☐ That I am the registered owner OR ☒ That I am authorized to act on the owner's behalf.

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

☒ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the Freedom of Information and Protection of Privacy Act.

☒ Right of Entry: I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.

Applicant Signature

Date MARCH 15 2022

Landowner Signature

Date MARCH 15/22





ROCKY VIEW COUNTY

# HOME-BASED BUSINESS (TYPE II) BED AND BREAKFAST INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20221236
ROLL NO.	03908020
DISTRICT	A-SML p8.1

DETAILS		USE TYPE/LOCATION
Business-related area within:		<input checked="" type="checkbox"/> Home-Based Business (Type II)
Principal dwelling	1500 (sq. ft.)	<input type="checkbox"/> * Bed and Breakfast
Accessory building	3600 (sq. ft.)	Located within:
Outdoors (for storage)	NA SHED 100 (sq. ft.)	<input type="checkbox"/> Existing Building OR <input checked="" type="checkbox"/> New Building
<b>NOTE: If a new accessory building is proposed for Home-Based Business (Type II), submit the Accessory Building(s) - Information Sheet and related documents in addition to this form.</b>		
<b>BUSINESS OPERATIONS</b>		
Business name: FOREST CREEK FINE WOODWORKING		
Describe nature of business: CUSTOM WOODWORK & FURNITURE		
Any outdoor area on site being used for business purposes (other than storage/parking)? If yes, describe purpose:		
NO		
Days of operation: MON - FRIDAY	Hours of operation: 8-5:00	
Total number of employees (including residents/applicant):	Part-time:	Full-time: 1
Number of non-resident employees: 1	Part-time:	Full-time: 1
Number of business-related vehicle visits per day: 2	Per week: 10	
Location of business-related vehicle parking on site: TOP OF DRIVEWAY IN FRONT OF SHOP		
Total number and type of vehicles used for business on site (Home-Based Business, Type II only): VAN, TRUCK, TRAILER		
<b>SCREENING AND SIGNAGE</b>		
Type of screening provided for outdoor storage area (Home-Based Business, Type II only):		
<input type="checkbox"/> Landscaping (specify vegetation): NA		
<input type="checkbox"/> Fencing (specify material and height): NA		
<input type="checkbox"/> Other (specify material and height): NA		
Business signage proposed on site? <input type="checkbox"/> YES - attach Signage - Information Sheet and documents <input checked="" type="checkbox"/> NO		
<b>ADDITIONAL SITE PLAN REQUIREMENTS</b>		
<input checked="" type="checkbox"/> Location of parking area		
<input checked="" type="checkbox"/> Location and dimensions of proposed outdoor storage area(s)		
<input checked="" type="checkbox"/> Location and type of existing/proposed screening (landscaping, fence etc.), specifically for outdoor storage		
<input checked="" type="checkbox"/> Location of any proposed signage NA		
* Bed and Breakfast shall not be permitted in a principal dwelling which has an existing Home-Based Business (Type I) or Home Based Business (Type II) uses. Land Use Bylaw, C-8000, 2020		

Applicant Signature

Date

MARCH 15 / 2022