

#### **PLANNING**

TO: Subdivision and Development Appeal Board

**DATE:** June 30, 2022 **DIVISION:** 2

**FILE:** 05722007 **APPLICATION**: PRDP20221306

**SUBJECT:** Development Item - Special Function Business / Discretionary use, with no Variances

**APPLICATION:** Special Function Business, for an outdoor wedding venue.

**GENERAL LOCATION:** Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

**LAND USE DESIGNATION:** Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020 (LUB).

**EXECUTIVE SUMMARY:** The application was presented to the Municipal Planning Commission on May 11, 2022, and was conditionally approved.

The Application is for the operation of a Special Function Business for an outdoor wedding venue on the subject parcel. A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

On June 2, 2022, an appeal was filed by William and May Grieg; on June 3, 2022, an appeal was filed by JC Anderson; and on June 6, 2022 appeals were filed by Dave Pierce (represented by Rick Grol) and Melanie Spafford et al. All appealed the decision of the Municipal Planning Commission for several reasons, which are noted in the agenda package.

**DECISION:** Conditionally approved

DECISION DATE: APPEAL DATE: ADVERTISED DATE:

May 11, 2022 June 2, 3 and 6, 2022 May 17, 2022

#### **AIR PHOTO & DEVELOPMENT CONTEXT:**



#### **APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
Municipal Government Act;	None
<ul> <li>Land Use Bylaw C-8000-2020;</li> </ul>	
City of Calgary/Rocky View County     Intermunicipal Development Plan; and	
Central Springbank Area Structure Plan	
DISCRETIONARY USE:	DEVELOPMENT VARIANCE AUTHORITY:
Special Function Business	Municipal Planning Commission

#### Additional Review Considerations

Special Function Business is listed as a discretionary use in the Residential, Rural District, as per Land Use Bylaw, C-8000-2020.

An identical application, PRDP20221305, was applied for and approved on May 11, 2022, by Municipal Planning Commission, by the adjacent landowner.

#### **APPEAL:**

See attached report and exhibits.



Respectfully submitted,

"Justin Rebello"

Supervisor Planning and Development Services

WV/IIt



#### **PLANNING**

TO: Municipal Planning Commission

Development Authority DIVISION: 2

**DATE:** May 11, 2022 **APPLICATION**: PRDP20221306

**FILE**: 05722007

**SUBJECT:** Special Function Business / Discretionary use, with no Variances

APPLICATION: Special Function Business, for an outdoor wedding venue

**GENERAL LOCATION:** Located approximately 2.70 kilometres (1.04 miles) north of Township Road 251A and on the north side of Springbank Heights Way.

**LAND USE DESIGNATION:** Residential, Rural District (R-RUR)

**EXECUTIVE SUMMARY:** The Applicant/Owner is proposing to operate a Special Function Business, for an outdoor wedding venue, on the subject parcel.

A maximum of 15, fully catered events are proposed to occur within an event area of approximately 400.00 sq. m (4,305.56 sq. ft.); including open-air tents and portable washroom facilities to accommodate a varying, but a typical number of wedding guests. A parking area of approximately 45.72 m (150.00 ft.) x 15.24 m (50.00 ft.), which will provide 50 parking stalls, will be established to accommodate guest parking. The parking area will require minor grading to level the minor undulations. The parking area is planned to be left as natural as possible but the importation of a minimal amount of fill may be required; the condition set includes conditions to account for any potential for fill.

The application is in accordance with Land Use Bylaw, C-8000-2020, and Administration recommends approval.

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

#### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20221306 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20221306 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:**



#### **APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
Municipal Government Act;	None submitted
<ul> <li>City of Calgary / Rocky View County Intermunicipal Development Plan;</li> </ul>	
<ul> <li>Land Use Bylaw C-8000-2020; and</li> </ul>	
Central Springbank Area Structure Plan.	
DISCRETIONARY USE:	DEVELOPMENT VARIANCE AUTHORITY:
Special Function Business	Municipal Planning Commission

#### Additional Review Considerations

Special Function Business is considered discretionary in the Residential, Rural Land Use District, as per Section 318 of the Land Use Bylaw.

An identical application, PRDP20221305, has been applied for by the adjacent landowner.



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Sub	eject to the propose	d conditions of	f approval, t	the application is	recommended for approva	ıl.
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Respectfully submitted,	Concurrence,
"Dominic Kazmierczak"	"Brock Beach"
Manager Planning	Acting Executive Director Community Development Services
WVD/llt	

#### **ATTACHMENTS**

ATTACHMENT 'A': Development Permit Report Conditions ATTACHMENT 'B': Application Information



#### ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

#### **Description:**

- 1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
  - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

#### **Prior to Release:**

- 2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
  - i. Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.
- 3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighbouring properties or not.
  - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighbouring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

#### Permanent:

- 4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
- 5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
  - That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
- 6. That no signage or parking is permitted within the County road right-of-way.
- 7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
- 8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
- That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
- 10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
- 11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than 7 days before or after a scheduled Special Function event.



- 12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
- 13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists
- 15. That the subject land shall be maintained in a clean and tidy fashion 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.
- 16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 17. That this Development Permit, once issued, shall be valid until May 24, 2023.

#### Advisory:

- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.



#### ATTACHMENT 'B': APPLICATION INFORMATION

APPLICANT: Mike Collinge (Knotty Boyz Construction Ltd.)	OWNER: Chander & Monica Gupta
DATE APPLICATION RECEIVED: March 24, 2022	DATE DEEMED COMPLETE: March 31, 2022
GROSS AREA: ± 6.77 hectares (± 16.73 acres)	LEGAL DESCRIPTION: Lot: 9, Plan: 7410359; SE-22-25-03-W05M (3126 Springbank Heights Way)

APPEAL BOARD: Subdivision & Development Appeal Board

#### **HISTORY:**

No previous development permit history

#### **PUBLIC & AGENCY SUBMISSIONS:**

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



# Location & Context

#### **Development Proposal**

**Special Function Business** 



## **Aerial Imagery**

#### **Development Proposal**

**Special Function Business** 







## **Aerial Imagery**

#### **Development Proposal**

Special Function Business

## SPECIAL EVENTS DESCRIPTION

- Dr. Swaro and her family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- · Event area will not exceed the allowable usable space of 400 m². with a 18m sel book from property line.
- Parking is calculated @ 50ft x 150ft yielding 7500 = 611 of Space approx 50 vehicles. This would include service vehicles.



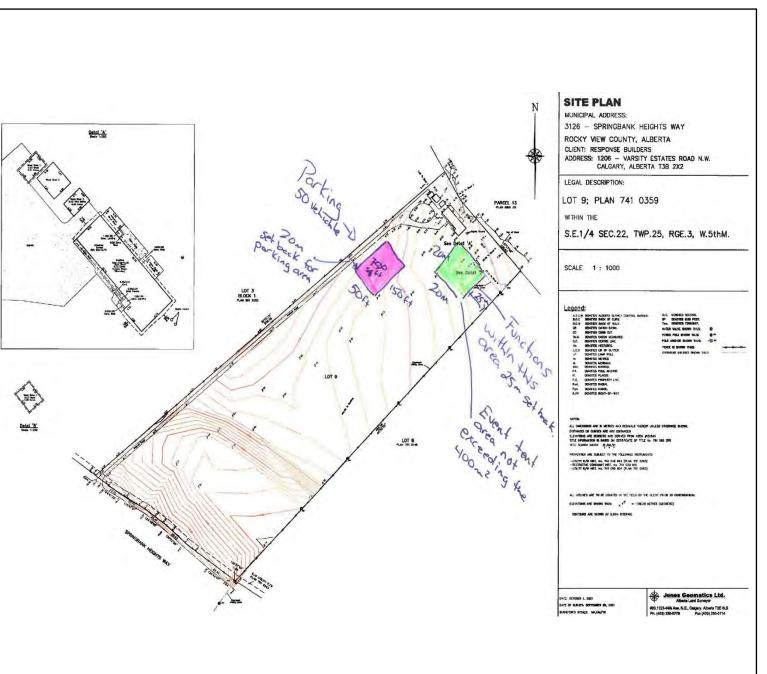
#### **Cover Letter**

#### **Development Proposal**

**Special Function Business** 

Division: 2 Roll: 05722007 File: PRDP20221306 Printed: March 31, 2022 Legal: Lot:9 Plan:7410359

within SE-22-25-03-W05M





### **Site Plan**

#### **Development Proposal**

**Special Function Business** 



## **Site Photo**

#### **Development Proposal**

Special Function Business













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

## **Decision of the Municipal Planning Commission**

This is not a development permit

Mike Collinge (Knotty Boyz Construction Ltd.) 1206 Varsity Estates Road Calgary, AB T3B 2X2

Development file #: PRDP20221306

Issue Date: May 12, 2022

Roll #: 05722007

Legal description: Lot: 9, Plan: 7410359; SE-22-25-03-W05M

(3126 Springbank Heights Way)

The Municipal Planning Commission conditionally approves the following:

#### **Description:**

- 1. That a Special Function Business, for an outdoor wedding venue, may commence on the subject parcel in general accordance with the submitted application and conditions of this permit.
  - i. That the event area shall not exceed 400.00 sq. m (4,305.56 sq. ft.).

#### Prior to Release:

- 2. That prior to release of this permit, the Applicant/Owner shall submit a transportation assessment memo, prepared by a professional transportation engineer, indicating the volume of traffic generated by the development and address any special event and access management considerations. The assessment shall include any recommendations for off-site improvements required to accommodate the increase in traffic.
  - Should the transportation assessment indicate that off-site improvements are required, the Applicant/Owner shall enter into a Development Agreement (Road Right-of-Way Construction Agreement) with the County to construct the necessary improvements.

- 3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments have any adverse impacts to neighboring properties or not.
  - i. Should further stormwater improvements be necessary to address the adverse impacts to the neighboring properties, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with the County's Servicing Standards.

#### Permanent:

- 4. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
- 5. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
  - i. That if additional onsite or offsite signage is required, a separate development permit shall be applied for, excluding any onsite wayfinding signage (such as parking identification or directions).
- 6. That no signage or parking is permitted within the County road right-of-way.
- 7. That there shall be a minimum of 50 parking stalls, two of which are barrier-free stalls, available onsite during the operation of the Special Function Business.
- 8. That any fill brought onto the parcel shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
- 9. That the Applicant/Owner shall ensure any fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
- 10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
- 11. The time taken to erect or dismantle any temporary structures shall be no sooner or later than seven days before or after a scheduled Special Function event.
- 12. That if the Special Function Business holds an event that exceeds the daytime hours identified in the County's Noise Control Bylaw C-8067-2020, a Special Event Permit must be obtained under the County's Special Event Bylaw C-7990-2020.
- 13. That the Special Function Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.

- 14. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 227-230 of the County's Land Use Bylaw (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists
- 15. That the subject land shall be maintained in a clean and tidy fashion 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.
- 16. That if this permit is not issued by **November 30, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 17. That this Development Permit, once issued, shall be valid until May 24, 2023.

#### Advisory:

- That the County's Noise Bylaw C-8067-2020 shall be adhered to at all times.
- That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents, per event as required under the Alberta Building Code.
- That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
  - That the Applicant/Owner shall obtain any required Alberta Health Services requirements for events and food handling onsite, prior to commencement of operation.

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

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

Municipal Planning Commission

Kevin Hanson, Chair



## **Notice of Appeal**

Subdivision and Development Appeal Board Enforcement Appeal Committee

Hts Way		Municipality Calgary Email Address	Province AB	Postal Code T3Z 1C7
		Calgary		
Alternate Phone #		Email Address		
***************************************				
Its Way		Legal Land Description (lot, block Lot 9, Block Plan 74		township-range-merid
	Developmen	nt Permit, Subdivision Application, pment Permit PRDP2	or Enforcement Order # 20221306	
ne box only)				
		Approval Conditions of Approval	Decision of Enfor	
		FOCA	RECEIVED 2 2022	
	ne box only)  ority Decision  Approval  ttach separate pagment: "Appeal	Developmen	Development Permit, Subdivision Application, Development Permit PRDP2  ne box only)  ority Decision  Approval  Approval  Refusal  Development Permit, Subdivision Application, Development Permit PRDP2  Subdivision Authority Decision  Conditions of Approval  Refusal	Development Permit, Subdivision Application, or Enforcement Order # Development Permit PRDP20221306  The box only)  Ority Decision  Subdivision Authority Decision  Approval  Conditions of Approval  Refusal  Catach separate page if required)  The box only Decision of Enforcement Provided Compliance Complianc

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

Date

## Reasons for Appeal from William and May Greig

Appeal against Development Permit PRDP20221306 - Special Function Business at 3126 Springbank Heights Way.

Dear Board Members,

We live at 3150 Springbank Hts. Way. We are the adjacent neighbours to the immediate west of the proposed development and are directly impacted by the proposed business that has been approved.

We are appealing the approval of development permit PRDP20221306 - Special Function Business at 3126 Springbank Heights for the following reasons:

- (a) The County failed to consider the impact of these Special Function Businesses on our property and other acreages in the area. According to the "Tent Calculator" a 4300 sq. ft. tent can accommodate 350 people, with bar, dance floor & band stage. Combined with the approval of the permit PRDP20221305 for Special Function Business at 3084 Springbank Heights Way both properties could host weddings for 700 people and combined there could be 30 wedding events over the summer months. Tents will never be taken down as they are allowed to be put up 1 week before an event, till 1 week after an event. There is no limit on the number of patrons permitted on the site.
- (b) Noise from the wedding events will be a major factor. Our home is approximately 100 ft. from the property line. We question who will monitor the noise on the weekends. Enforcement of the rules will be a major issue. By-law officers likely will not monitor the events during late night hours and weekends.
- (c) We pasture 3 horse during the summer months on our property. The access road to PRDP20221306 runs right along our property line. The events will result in stress for us and our horses.
- (d) We are concerned about trespassing of patrons on our properties. Our security and safety will be a huge issue with the number of people that will be servicing and attending these events all summer long. There is no fence dividing the properties.
- (e) We are also concerned about the traffic that will be generated by the businesses, which is not characteristic for a quiet country residential area like ours.
- (f) The potential of Grass Fires significantly increases with the number of people, especially when people are partying, drinking and smoking. The permits do not require an Emergency Plan for calamities.
- (g) We are concerned about the impact of the businesses on our drinking water and wells due to the numbers of people attending the events.

(h) The owners of the property do not live on the property. They are not affected by the negative impacts of the proposed Special Function Businesses, but actually are to the detriment of the adjacent neighbours. The location is inappropriate for these businesses. This is a quiet country residential area, not a commercial area where the businesses should belong.

We believe the proposed developments negatively impact the use, enjoyment and value of our property and the surrounding properties. We kindly ask you to overturn the approvals of the development permit.

Kind regards,

William and May Greig



Appellant's Signature

## **Notice of Appeal**

Received by Legislative and

Intergovernmental Services
June 2, 2022

Page 1 of 2

#### Subdivision and Development Appeal Board Enforcement Appeal Committee

Mailing Address 2270 Springbank Heights Way  Main Phone #  Alternate Phone #  Email Address  Legal Land Description (lot, block, plan OR quarter-section-township-range-meridia Lot 8 Block Plan 7510146, NE-14-25-03-05  Property Roll #  Development Permit, Subdivision Application, or Enforcement Order #	Name of Appellant(s)  JC Anderson							
Alternate Phone # Email Address    Conditions of Approval   Conditions of Approval   Refusal   Reasons for Appeal (attach separate page if required)   Residential communities.   Residential communities.   Email Address   E	Mailing Address	s Wav					Control of the Contro	
Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian (lot 8 Block Plan 7510146, NE-14-25-03-05)	Main Phone #	•	#	Email A				
Lot 8 Block Plan 7510146, NE-14-25-03-05     Coperty Roll #   PRDP20221305     Conditions of Approval   Refusal   Reasons for Appeal (attach separate page if required)     Conditions of Appeal (attach separate page if required)     Conditions of Appeal (attach separate page if residential communities.     Conditions of Page   Property Roll #   PRDP20221305     Conditions of Approval   Property Refusal   Pro	Site Information							
am appealing: (check one box only)  Development Authority Decision  ☐ Approval ☐ Conditions of Approval ☐ Refusal  ☐ Refusal  ☐ Responsible for Appeal (attach separate page if required)  ☐ Communities.  ☐ PRDP20221305  ☐ Decision of Enforcement Services ☐ Stop Order ☐ Compliance Order ☐ Compliance Order ☐ Refusal	Municipal Address 1084 Springbank Heights	Way						
Development Authority Decision  ☐ Approval ☐ Conditions of Approval ☐ Refusal  ☐ Refusal  ☐ Appeal (attach separate page if required)  Appeal (attach separate page if required)  ☐ Compliance Order ☐ Refusal	Property Roll # 5714020					, or Enforce	ment Order #	
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Conditions of Approval Compliance Order Refusal Reasons for Appeal (attach separate page if required)  am appealing because this business brings large number of people from outside the district nto residential communities.	·	ty Decision						
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	am appealing due to	the danger	r of grass	fires	set by said peo	ple.		

Last updated: 2020 August 07

June 3, 2022

Date

e collection of release of this information, please contact the Municipal Clerk at 403-230-1401.



## **Notice of Appeal**

Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Information				
Name of Appellant(s)				
Dave Pierce, represented	by Rick Grol	N. 4 (-7 (1)		I nimite i
Mailing Address 3228 Springbank Way He	ainhte	Municipality Rocky View Coul	Province atv AB	Postal Code T3Z 1C6
Main Phone #	Alternate Phone #	Email Address	ity / LD	102 100
Wall Hare	i i			
Site Information				
Municipal Address		Legal Land Description (lot, blo	ck, plan OR quarter-section-	township-range-meridian)
3126 Springbank Heights		Lot 9 Plan 7410359		
Property Roll #		nt Permit, Subdivision Applicatio 221306; File 05722007	n, or Enforcement Order #	
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I am appealing: (check one			D	
Development Authori		sion Authority Decision	Decision of Enfor	
☑ Approval		Approval	☐ Stop Order☐ Compliance	
☐ Conditions of Ap	· •	Conditions of Approval Refusal	□ Compliance	e Order
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		ved by Legislative and governmental Services June 7, 2022		
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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 guestions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

June 6, 2022

Date

#### Schedule A

#### Appeal PRDP20221306; File 05722007

I am the property owner of 3228 Springbank Heights Way. I am appealing Municipal Planning Commission's decision to approve the proposed Special Function Business for an outdoor wedding venue at 3126 Springbank Heights Way (Development Permit PRDP20221306; File 05722007) for the following reasons:

- 1. Municipal Planning Commission, acting as the Development Authority, failed to properly, among other things:
- (a) Evaluate the development permit application;
- (b) Take into account the applicable plans and policies affecting the parcel;
- (c) Review the compatibility and impact of the proposed development on the adjacent developments and the appropriateness of the development on the parcel;
- (d) Review the merits, or lack thereof, of the development permit application;
- (e) Consider the transportation impacts of the proposed development; and
- (f) Apply sound planning principles.
- 2. Municipal Planning Commission failed to comprehensively review the impact of the proposed development on the surrounding properties in conjunction with the proposed development of a Special Function Business (outdoor wedding venue) at 3084 Springbank Heights Way (Development Permit PRDP20221305; File 05714020).
- 3. The proposed development is contrary to the Central Springbank Area Structure Plan.
- 4. The proposed development will negatively impact the use and enjoyment of my property and the surrounding properties. I am concerned about, among other things, traffic, noise and nuisances generated by the proposed developments, and the impacts on the natural wildlife habitat in the valley and wildlife corridors.
- 5. The requirements of prior to release conditions number 2 and 3 should have been satisfied prior to the approval of the permit. The referenced memos should have been provided prior to the approval of the permit and should have been evaluated by Municipal Planning Commission. The conditions amount to improper delegation and fettering of discretion.
- 6. Other grounds as may be submitted prior to and at the hearing.

June 6, 2022

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

Attention: Michelle Mitton

To Whom It May Concern:

RE: SDAB appeals respecting MPC's decisions to approve development permits:

- PRDP20221305 - Special Function Business at 3084 Springbank Heights

- PRDP20221306 - Special Function Business at 3126 Springbank Heights Way

Please be advised that I reside at 3228 Springbank Heights Way.

I have authorized Mr. Rick Grol, as my agent/representative, to file appeals with the Rocky View Subdivision and Development Appeal Board (SDAB) regarding the above mentioned matters. Mr. Grol is authorized to represent me regarding the appeals and make any submissions and inquiries necessary regarding the same.

I agree to immediately notify the SDAB in writing of any changes regarding the above information.

Kind regards,

Dave Pierce, LLD (honorary)

3228 Springbank Heights Way

Website: www.davepiercemusic.com

DAVE PIERCE MUSIC

Cc: Rick Grol

## Notice of Appealf 42



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

PRDP2	Lot 9 ment Permit 202213  vision Aut Approv Conditi Refusal	and Description (lot, blo Block Plan 74103  , Subdivision Application B06  thority Decision al ions of Approval	Decision of Er	tion-township-range-meridian) -05 -#
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rate page if requ				ance Order
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it 3126 Spring ne 6, 2022 iched	gbank ł	Received by Leg	ntal Services	
			Intergovernmen June 7, 2	Received by Legislative and Intergovernmental Services June 7, 2022

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.

June 6, 2022

June 6, 2022

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

Attention: SDAB Clerk

RE: Appeals against Development Permits

1. Application Number: PRDP20221305 Division 2

File Number: 05714020

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Swaro, Amaresh & Ruchika

Application for: Establishment of a Special Function Business

Legal: Lot 8 Plan 7510146, NE-14-25-03-05 (3084 Springbank Heights Way),

located approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north

side of Springbank Heights Way.

2. Applicant Number: PRDP20221306 Division 2

File Number: 05722007

Applicant(s): Mike Collinge (Knotty Boyz Construction Ltd.)

Owner(s): Gupta, Chander and Monica

Application for: Establishment of a Special Function Business

Legal: Lot 9 Plan 7410359, SE-22-25-03-05 (3126 Springbank Heights Way), located approximately 2.70 km (1 3/4 mile) north of Township Road 251A and on the north side of Springbank Heights Way.

Dear Sir or Madam,

Regarding the above files, please note that, as long-time (44 year) residents of this neighbourhood, we are appealing the above mentioned development permits *PRDP20221305* and *PRDP20221306* for the two Special Function Business (outdoor wedding venue) developments on these country residential lots.

This is an intensive commercial business that should be located on a commercial property or in a Business Park as required in the **Central Springbank Area Structure Plan (ASP) 2.0.3 j & k**.

Reasons for opposing the proposed developments are as follows:

**Location**: We live at 3188 and 3192 Springbank Heights Way across from the proposed developments. We are directly affected and impacted by the proposed developments.

The proposed developments will negatively affect the use, enjoyment and value of our properties. The developments are a commercial intrusion in a quiet country residential neighbourhood and they are not consistent with the local **ASP**.

Our family has lived in this area for over 44 years. My parents purchased the property because it is a quiet country residential neighbourhood with controls in place to remain that way. Living in this region we generally spend time outside in our yards or walking in the neighbourhood enjoying the peaceful surroundings from May to October. These commercial developments will seriously impact our use and enjoyment of our properties from 15 to 30 weeks each year.

Wildlife and Environmentally Sensitive area: The proposed developments are in a very sensitive area with environmental constraints. ASP Map 6 Page 12 and 2.3.2.1 page 30

**Water and Septic:** All the properties in the Springbank Heights Community are on wells and septic. The intensive use of these properties will have a detrimental effect for us all.

**Country Residential Roads: ASP page 14 & 50.** The roads leading into the valley are narrow, winding, steep and dangerous. Any increase in traffic especially the large volumes that will be generated by the developments could be catastrophic.

Safety and Security of the neighbourhood: Emergency Services Policy ASP page 34 2.3.3 We are very concerned by the large number of people that will be brought to our neighbourhood on a daily basis in order to service these event centers and also to attend these weekly parties. We have many seniors living in this area who are now worried for their safety and security. Fire, EMS and police response times are high already. Our Dad Lloyd Sandau is suffering from cancer and the added stress of these developments is hugely impactful to his wellbeing.

**Bow River Special Planning Area:** These properties are located in the Bow River Special Planning Area with a number of restrictions and considerations on what can be done on this land. **ASP page 9 map and 2.3.2.3 page 33** 

Please note that the applicant for the proposed developments is the same person/business. We believe this indicates the developments will be operated in combination, despite the different property owners. In all likelihood it will be one company that operates the Special Function Business use on both properties. The applicant and property didn't engage the neighbouring residents about the proposed developments. The County should have assessed the two developments comprehensively. The County's Municipal Planning Commission failed to properly evaluate the impact of the two developments on the surrounding properties and neighborhood. The proposed business developments are an intrusion in an environmentally sensitive area. The proposed developments are of a scale and intensity that is incompatible with the existing country residential developments in the area.

Respectfully submitted,

Melanie, Zach and Miranda Spafford 3188 Springbank Heights Way Calgary AB T3Z 1C7

Darren, Cathy & Luke Toews 3192 Springbank Heights Way Calgary AB T3Z 1C7

Lloyd and Carol Sandau 3192A Springbank Heights Way Calgary AB T3Z 1C7



## **DEVELOPMENT PERMIT**

#### **APPLICATION**

FO	R OFFICE USE ONLY
APPLICATION NO.	PRDP 20221306
ROLL NO.	0577267
RENEWAL OF	
FEES PAID	\$585.00
DATE OF RECEIPT	March 24, 2022

	DATE OF RECEIPT Planch 21, 2022				
APPLICANT/OWNER					
Applicant Name: MIKE COLUNGE	Email: mike @ Knotty boyz.ca				
Business/Organization Name (if applicable): KNOTH BOYZ Con	ustruction LTD				
Mailing Address: 1206 VARSITY ESTATES RD	Postal Code: T3B- 4T6				
Telephone (Primary): 403 620 (232 Alternative:					
Landowner Name(s) per title (if not the Applicant): CHANDER	MONICA GOPTA				
Business/Organization Name (if applicable):					
LEGAL LAND DESCRIPTION - Subject site					
All/part of: SE 1/4 Section: 22 Township: 25 Range: 3	West of: Meridian Division:				
All parts of Lot(s)/Unit(s): 9 Block: Plan: 741	0 359 Parcel Size (ac/ha): 19, 14				
Municipal Address: 3126 SPRINGBANK HGTS WAY Land Use District: ROCKY VIEW COUNTRY					
APPLICATION FOR - List use and scope of work					
SPECIAL FUNCTIONS BUSINESS					
Variance Rationale included: ☐ YES ☐ NO ☐ N/A	DP Checklist Included: X YES  NO				
a. Oil or gas wells present on or within 100 metres of the subject pro	perty(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  (Well Map Viewer: <a href="https://extmapviewer.aer.ca/AERAbandonedWells/Index.html">https://extmapviewer.aer.ca/AERAbandonedWells/Index.html</a> )					
d. Subject site has direct access to a developed Municipal Road (acc	cessible public roadway) 🗵 YES 🗆 NO				
AUTHORIZATION					
I, MIKE COLLINGE (Full name in BI	ock Capitals), hereby certify (initial below):				
That I am the registered owner ORThat 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 in submitted/contained within this application as part of the review proceedings of the collected in accordance with s.33(c) of the Freedom of Information	rocess. I acknowledge that the information is				
Right of Entry: I authorize/acknowledge that Rocky View County purposes of investigation and enforcement related to this applicat Municipal Government Act.	may enter the above parcel(s) of land for				
	owner Signature				
Date 03/18/22	Date				



#### **DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL**

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

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

APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.						
1-1-						
APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.						
CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:						
CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:  O Digital copy of non-financial instruments/caveats registered on title						
LETTER OF AUTHORIZATION: Signed by the registered landowner(s) authorizing person acting on behat Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead affidavit (signed by a Commissioner of Oaths).						
□ COVER LETTER, shall include:						
O Proposed land use(s) and scope of work on the subject property						
O Detailed rationale for any variances requested						
<ul> <li>For businesses - Complete operational details including days/hours of work, number of employees, provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.</li> </ul>						
O Reference to any Supporting Documents, images, studies, plans etc. provided within application pac	ckage					
SITE PLAN, shall include:						
O Legal description and municipal address						
O North arrow						
O Property dimensions (all sides)						
O Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.						
O Dimensions of all buildings/structures						
<ul> <li>Location and labels for existing/proposed approach(s)/access to property</li> </ul>						
O Identify names of adjacent internal/municipal roads and highways						
<ul> <li>Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including distances to existing/proposed buildings</li> </ul>	ng their					
O Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.						
O Identify site slopes greater than 15% and distances from structures						
<ul> <li>Location and labels for easements and/or rights-of-way on title</li> </ul>						
FLOOR PLANS/ELEVATIONS, shall include:						
Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renova	itions etc.)					
O Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations						
<ul> <li>Indicate type of building/structure on floor plans and elevations</li> </ul>						
COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy: Of existing site, building(s), structure(s features, taken from all sides including surrounding context, and when existing floor plans/elevations are not become a side of the context of the						
SUPPORTING DOCUMENTS (as applicable): Include technical studies/reports and any additional plans proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land use or district specific requirements.						
FOR OFFICE USE ONLY						
roposed Use(s): Special Function Business Land Use District: R-RUR						
pplicable ASP/CS/IDP/MSDP: Central Springbank						
cluded within file:   Information Sheet  Parcel Summary  Site Aerial  Land Use Map Aerial [	☐ Site Plan					
OTES:						
Staff Signature: Evan Neilsen						



#### LAND TITLE CERTIFICATE

LINC

SHORT LEGAL

0018 187 195 7410359;;9

TITLE NUMBER

761 085 376

LEGAL DESCRIPTION

PLAN 7410359

LOT 9

EXCEPTING THEREOUT ALL MINES AND MINERALS

AND THE RIGHT TO WORK THE SAME

AREA: 7.75 HECTARES (19.14 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;25;14 ATS REFERENCE: 5;3;25;15

ATS REFERENCE: 5;3;25;22

ATS REFERENCE: 5;3;25;23

MUNICIPALITY: ROCKY VIEW COUNTY

REGISTERED OWNER(S)

REGISTRATION DATE (DMY) DOCUMENT TYPE

VALUE CONSIDERATION

761 085 376 06/07/1976

\$48,500

**OWNERS** 

EMIL JORGENSEN (CONTRACTOR)

AND

MARY BRINK JORGENSEN

BOTH OF:



AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 021163883)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

741 046 669 16/05/1974 UTILITY RIGHT OF WAY

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

Page 32 of 42

PAGE 2

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

# 761 085 376

LIMITED.

AS TO PORTION OR PLAN: 7510263

"20 FT STRIP"

741 050 610 28/05/1974 RESTRICTIVE COVENANT

741 085 504 10/09/1974 UTILITY RIGHT OF WAY

GRANTEE - FORTISALBERTA INC.

320 - 17 AVENUE S.W.

CALGARY

ALBERTA T2S2Y1

AS TO PORTION OR PLAN: 7510263

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT

OF WAY 001299357)

(DATA UPDATED BY: CHANGE OF NAME 051015292)

TOTAL INSTRUMENTS: 003

\_\_\_\_\_\_

PENDING REGISTRATION QUEUE

DRR RECEIVED

NUMBER DATE (D/M/Y)

CORPORATE LLP TRADENAME

LAND ID

D000GB4 18/01/2022 ANAND SARA

4032627363

CUSTOMER FILE NUMBER:

2121154

001

TRANSFER OF LAND

0018 187 195

002

MORTGAGE

0018 187 195

TOTAL PENDING REGISTRATIONS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF MARCH, 2022 AT 02:03 P.M.

ORDER NUMBER: 43925412

CUSTOMER FILE NUMBER:

\*END OF CERTIFICATE\*



403-236-1401 questions@rockyviewica www.rockyviewica

## LETTER OF AUTHORIZATION - PLANNING AND DEVELOPMENT SERVICES

, (We) Chander Gupta			(print name) Owner 1
Monika Chhabra	Gupta		(print name) Owner 2
being the owner(s) of: Lot:	Block:	Plan:74	10359
Legal Description:  Quadrant 1/4 Section 22  qive Mike Collinge		Range 3	
permission to act on my (our) behalf for			
(select one):  ☐ Development Permit ☐ Subdivision ☐ Redesignation ☐ Local Plan		. (·	
	<u>Jane</u>	16. Cup	Owner 1 Signature  Owner 2 Signature
	3	1	5-Mar-2022
			Date Signed

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

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

IF MORE INFORMATION IS REQUIRED ON A PENDING REGISTRATION WHERE THE CONTACT INFORMATION DISPLAYS N/A PLEASE EMAIL LTOGGOV.AB.CA.

#### SPECIAL EVENTS DESCRIPTION

- Dr. Gupta and his family have strong ties in their community and see a need for a space that will cater to outdoor summer weddings in an idyllic Alberta setting
- We are looking to create an environment that allows guests to take in the natural beauty of the bow river that most have likely not experienced prior
- Wedding functions will be hosted in open air tents and will utilize porta potties for the day of the function
- The functions will be fully catered events
- With well over 15 acres of flat land there will be ample space for parking, leaving roadways in/out of the property unaffected
- Functions will have the typical number of guests for a wedding, this will vary with each group
- Parking area will be 20 m (min) from property line and occupy approx 7500 seft of space
- Event (tent) area will be a maximum of 400 m2 and be a min of 25 m (setbak) from property line



Summary				
Roll Number	05722007			
Legal Desc	SE-22-25-03-W05M			
Divison	02			
Lot Block Plan Lot:9 Plan:7410359				
Linc Number	18187195			
Title Number	761085376			
Parcel Area	19.14000			
Municipal Address	3126 SPRINGBANK HEIGHTS WAY			
Contact Information	Jorgensen, Emill & Mary			
	Calgary AB T3B 5V5			
Land Use Information	R-RUR			
Plan				

#### **Planning Applications Information**

{There is no related Application}

#### **Area Structure Plan**

Plan Name Central Springbank **RV Number** 2008-RV-187

#### **Conceptual Scheme**

{There is no related Conceptual Scheme}

Permit

#### **Building Permit**

{There is no related Building Permit}

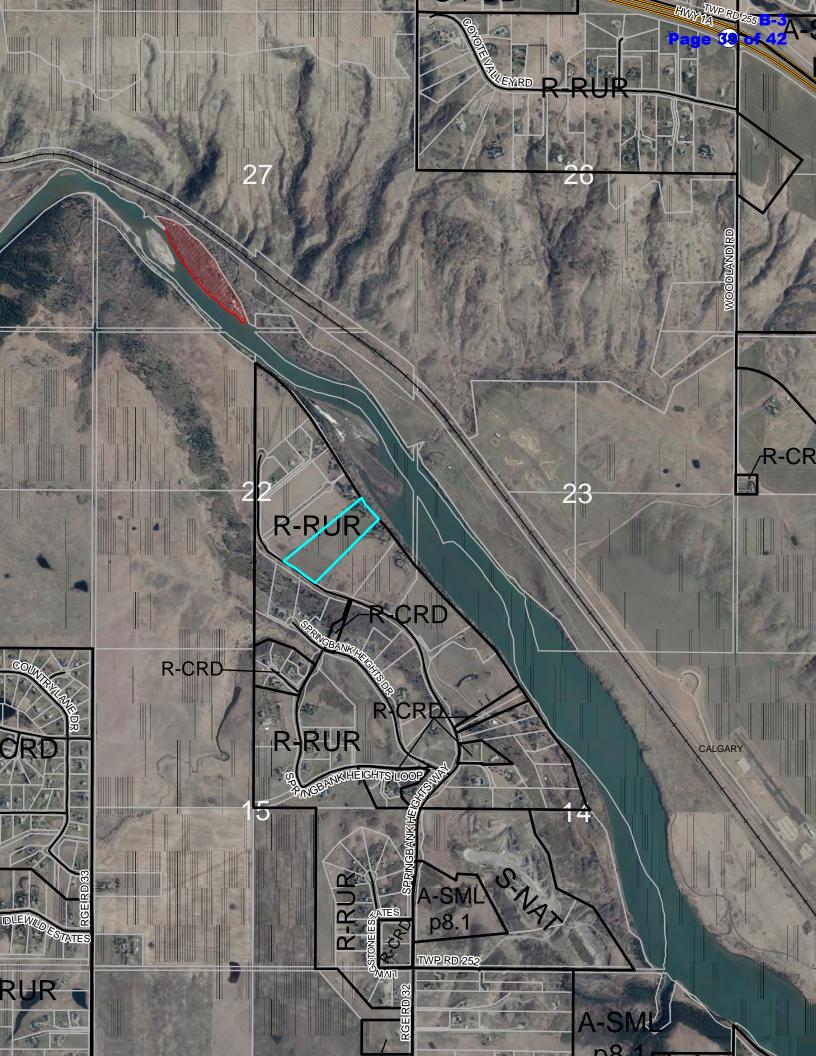
#### **Development Permit Information**

Permit Number PRDP20221306 Date Issued

Alert

CE BLDG	PennyC CBaltimore	July 9, 2019 February 25, 2022	July 9, 2019	С О	Chelsea Baltimore 2022-02-25 8:55 AM - Phone call taken regarding page 7 of 42 proposing to be used as a special event place. Weddings, yoga retreats etc. Advised to		
		20, 2022	call development as development permits would be required and permanent buildings would need commercial building permits.				
						Geospatial Boundary	
Boundar	У					Category	
Division						2	
Area Stru	icture Plan					Central Springbank	
Conceptu	ial Scheme					No Conceptual Scheme	
IDP						CALGARY IDP STUDY AREA	
Airport Vi	ncinity					No APVA	
Engineer						Zaman Eftekhar	
Water Co	ор					No Water Coop	
Gas Coo	p Service					ATCO GAS	
No.of Lot	s Within 600 M					19	
No.of App	o Subdiv Within 60	00 M				0	
Develope	ed Road Allowance	Э				Yes	
Riparian	Area					Yes	
School						No School Boundary	
Recreation	on					Rocky View West	
Fire Distr	ict					SPRINGBANK	
Primary F	Fire Station					102	
Seconda	ry Fire Station					101	
Tertiary F	ire Station					151	
						Geospatial Adjacency	
Boundar	у			Cateo	gory		Distance
Closest F	lighway			No H	WY within 800 M		
Closest C	Gravel Pit			Kenn	el Pit		3231.84 M
Sour Gas	3			No So	our Gas Pipe passes		From closest sour pipe:14993.42 M
Closest F	Road Name			SPRII	NGBANK HEIGHTS	WY( Surface Type:Paved )	3.81 M
Closest F	Railway			CPR			577.82 M
Closest V	Vestern Irrigation	Districts		Withir	10Km		
Closest V	Vaste Water Treat	ment		Withir	10Km		3351.08 M
Closest V	Vaste Transfer Sit	е		Withir	1 3 Km		
Closest N	/lunicipality			CITY	OF CALGARY		1119.91 M
	Confined Feeding	O					8126 M







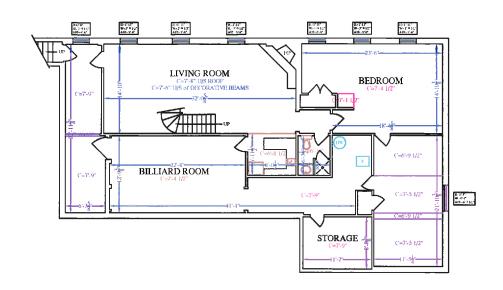




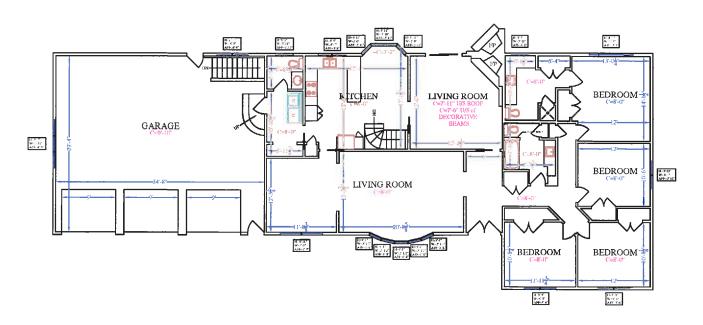








BASEMENT PLAN 2,168.3 SQ FT TO EXTERIOR WALL



MAIN FLOOR PLAN
3,288.1 SQ FT TO EXTERIOR WALL INCLUDING GARAGE

PREPARED FOR:	DRAWING: MAIN & BASEMENT PLAN	DRAWN BY: MK	
	ADDRESS: 3126 SPRINGBANK HEIGHTS WAY	DATE: FEB 28, 2022	\ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
B BOYZ	SCALE: 1/16" = 1'-0"	REVISION: 0	Measure Masters
	MEASURED: FEB 28, 2022		Calgary/Prairies 403.238.3555 calgary@measuremasters.ca

