

August 3, 2022

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

Attn: Dominic Kazmierczak – Manager, Planning Policy

Re: Tanis and Dave Larson
Lot 7, Plan 011 0239 at 31048 Twp Rd 255
Special Function Business (*Wedding Centre*)

Dear Dominic,

Tanis and Dave Larson are seeking permission from the Rocky View County Development Authority to resubmit an application for development permit to develop a Special Function Business within the subject lands.

As per Section 83 – Re-Application Interval of the County's Land Use Bylaw C-8000-2020:

Where an application for a Development Permit is refused, the submission of a second application for the same or similar development on the same parcel, may not be made for a period of six (6) months from the date of issue of the refusal, except where waived by Council.

On June 27, 2022, the Rocky View County Subdivision and Development Appeal board considered an appeal against the Development Authority's decision to approve a development permit for a Special Function Business (Wedding Centre) within the subject land. Following the hearing, the Board decided to uphold the appeal and overturn the Development Authority's decision. In reviewing the SDAB Board Order #2022-SDAB-007, it appears that they based their decision to uphold the appeal primarily due to their understanding that our subject property does NOT contain a primary dwelling (Section 101), and as a result, our proposed Special Function Business would not be 'secondary' to the residential nature of our property (Section 103). In fact, this is not true given that the principle building that presently exists within our property does in fact contain a dwelling. As such, any proposed Special Function Business would in fact be secondary to the residential use of our lands.

Given the nature of these incorrect assumptions, we believe the Board made a substantial error in considering incorrect evidence. We have consulted our legal counsel who is presently considering an application to the Provincial Court of Appeal. However, we'd prefer to simply re-apply for our development permit immediately and forego the time and expense accordingly.

Additionally, in reviewing the SDAB Board Order #2022-SDAB-007, it appears the Board also believe that our proposed Special Function Business would affect the neighbouring lands quality of life (Section 103) and would unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land (Section 105). We disagree with this assumption given that we worked extremely hard to engage with our community and prepared a comprehensive development permit with a strategy to address many possible concerns from the local area. To this end, we were able to solicit letters of support from many of our directly impacted neighbours and felt confident that we were going to be able to operate our Special Function Business within our property without any negative impact to our neighbours.

However, given the concerns expressed by the one (1) adjacent landowner, we are prepared to amend our previously approved Special Function Business with the following considerations:

- Reduce the total number of wedding events annually from 20 – 15.
- Reduce the total maximum permitted number of weddings guests from 75 – 50.

With these proposed revisions to our previous approval, we are confident that the potential for any negative impacts to the surrounding landowners can be appropriately mitigated.

Accordingly, Tanis and Dave Larson respectfully requests that Council waive the six (6) month period within which another application can be submitted. We also respectfully request that this waiver request be decided upon by Council at the next available meeting.

Respectfully,

Tanis and Dave Larson