

SUBDIVISION AND DEVELOPMENT APPEAL BOARD FOR ROCKY VIEW COUNTY

File:	1- PRDP20237357 Olawoyin
Appellant(s)	Folajuwon (Jay) Olawoyin
Applicant(s)	Folajuwon (Jay) Olawoyin
Owner(s)	Florence Obianyor

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NOTICE OF APPEAL

Subdivision & Development Appeal Board for Rocky View County

Enforcement Appeal Committee for Rocky View County

APPELLANT INFORMATION

Name of Appellant

Folajuwon (Jay) Olawoyin

Appellant Property Address

217 Crown Rd. NW

Municipality

Edmonton

Province

Alberta

Postal Code

T6J 2E2

Mailing Address (if different than above)

Municipality

Province

Postal Code

Primary Phone #

Alternate Phone #

Email Address

PROPERTY UNDER APPEAL

Address

Mountain Hills View, T3P 1A6

Legal Land Description (Lot, Block, Plan OR Quarter-Section-Township-Range-Meridian)

LOT 2, BLOCK 1, PLAN 1212529

Property Roll #

06507044

Development Permit, Subdivision Application, or Enforcement Order #

PRDP20237357

I AM APPEALING THE DECISION ISSUED BY☒ Development Authority☐ Subdivision Authority☐ Enforcement Services**REASONS FOR APPEAL** (include as much detail as possible as to why you are appealing the decision, attach a separate page if required)

For reasons explained below, we are appealing the Development Authority decision on the above named DP.

A considerable amount of time, funds, and effort has been invested to amalgamate requirements and propose a feasible proposal over the last 6 months. In that time, we have been in constant talks with the Planning and Development via phone calls, emails, virtual meetings, and in-person meetings in concerted efforts to move the proposal forward. Following a pre-approval meeting held on November 23, 2023 at the county office and attended by the property owner, her representatives, and select Rocky View County development and planning staff, the above DP application was submitted on November 29, 2023.

We received initial comments on the submission, after which we were advised of and issued a refusal. We reached out requesting that we should be allowed some time to respond to the initial comments before a decision is issued. We were subsequently informed that unfortunately the refusal decision cannot be rescinded, and advised to either submit another application with the revised drawings or appeal the decision with the revised drawings. Hence we're submitting this appeal with the revised proposal attached.

Please see attached cover letter with further details.

This information is collected under section 33(c) of the *Freedom of Information and Protection of Privacy Act (FOIP Act)* for the Subdivision and Development Appeal Board or the Enforcement Appeal Committee for Rocky View County 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, may be redacted prior to your appeal being made available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.

Received by Legislative
Services on March 22, 2024

March 21, 2024

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

Dear Sir/Madam,

PRDP20237357 - APPLICATION FOR APPEAL OF DEVELOPMENT AUTHORITY DECISION

We are writing to appeal the refusal decision on the above named DP application for Lot 1, Block 1, Plan 121 2529 under the Vacation Rental Discretionary Use category of the R-RUR Residential Rural District. We are appealing the decision with a revision to the original proposal and for reasons explained below as advised by the development officer assigned to the file.

A considerable amount of time, funds, and effort has been invested to amalgamate requirements and propose a feasible proposal over the last 6 months. In that time, we have been in constant talks with the Planning and Development via phone calls, emails, virtual meetings, and in-person meetings in concerted efforts to move the proposal forward. Following a pre-approval meeting held on November 23, 2023 at the county office and attended by the property owner, her representatives, and select Rocky View County development and planning staff, the above DP application was submitted on November 29, 2023. During the said pre-app meeting, the proposal was presented, and while concerns were raised, the applicant established that all measures are taken to address stated concerns.

We received initial comments on the submission, after which we were advised of and issued a refusal. We reached out requesting that we should be allowed some time to respond to the initial comments before a decision is issued. We were subsequently informed that unfortunately the refusal decision cannot be rescinded, and advised to either submit another application with the revised drawings or appeal the decision with the revised drawings.

The refusal decision was issued on the following basis as per the letter;

- 1. The scale and intensity of operations associated with the proposed Vacation Rental are inconsistent with the purpose and intent of the Residential, Rural District (R-RUR), as required in accordance with Section 317) of the County's Land Use Bylaw C-8000-2020 (LUB).*
- 2. The proposed Vacation Rental is not accessory to the primary residential use of the parcel, as required by Section 323.1 a) of LUB.*
- 3. The proposed Dwelling, Single Detached in combination with the Vacation Rental is in more alignment to the County's definition of Hotel/Motel or Recreation (Private) of the LUB. Both are not listed uses within the R-RUR district as per the LUB.*
- 4. In the opinion of the Development Authority, the proposed development would be more suitably located in a business/commercial land use district, as defined in Part 6 of the LUB.*
- 5. In the opinion of the Development Authority, the development would unduly interfere with the amenities of the neighborhood, and materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands.*

A revised drawing package has been put together with this letter as advised by the development officer. The revised proposal addresses the points stated above per the refusal and other concerns previously highlighted as follows;

1. The scale and intensity of operations of the proposal has been revised to be more consistent with the purpose and intent of the Residential, Rural District (R-RUR).
2. The proposed vacation rental is a 6-bedroom single detached dwelling unit to be used for the purpose of vacation rentals, and is consistent and in alignment with the County's definition of Vacation Rental of the LUB, listed as a Discretionary Use within the R-RUR as per the LUB.
3. The revised proposal is more suited to the residential district in which it is proposed
4. The revised proposal will not interfere with the amenities of the neighborhood, nor materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands. The operation of the proposed vacation rental will maintain the residential character and external appearance of the neighboring dwellings and community.
5. There will be no signage advertising the facility, whether on the property or off-site by the street. All bookings will be made online.
6. There will be no parking on the street within a County roadway or right of way. All parking are provided within the property and out of view from the main street. A 4-car garage is provided along with additional parking at the rear of the property not visible from the main street.
7. Users of the facility will be made familiar with the property boundaries, by means of a fence, landscaping, or other means, to ensure no trespassing to adjacent properties.
8. Resident staff on-site will ensure adherence to serenity and tranquility of the facility in relation to neighbouring properties, and maintain all mitigation strategies employed in the design and operation of the vacation rental.
9. As the primary target clientele of the proposed vacation rental are select high-end customers, the operation of the proposed facility will not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive. As the privacy of clients are preserved during their visits, at all times the privacy of adjacent residential dwellings will be as well preserved. The proposed Vacation Rental will not unduly offend or otherwise interfere with neighboring or adjacent residents. The approach of the design and operations emphasizes serenity, quietude, and physical activity, with planned walking paths on the property. The cul-de-sac location further minimizes any impact on the neighborhood's main thoroughfare.

We believe our revised proposal aligns with the vision of the community and the Vacation Rental discretionary use category. We remain open to addressing any questions or concerns you may have and are committed to working collaboratively to ensure a positive outcome.

Thank you for your time and consideration of our application.

Sincerely,

Jay Olawoyin

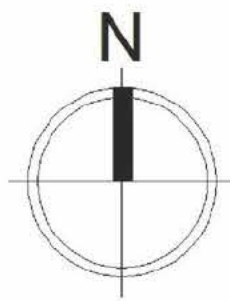
Authorized Representative

It is the designer's responsibility to ensure these drawings meet or exceed the current Provincial Building Code and Land Use Bylaws. The designer will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc. due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

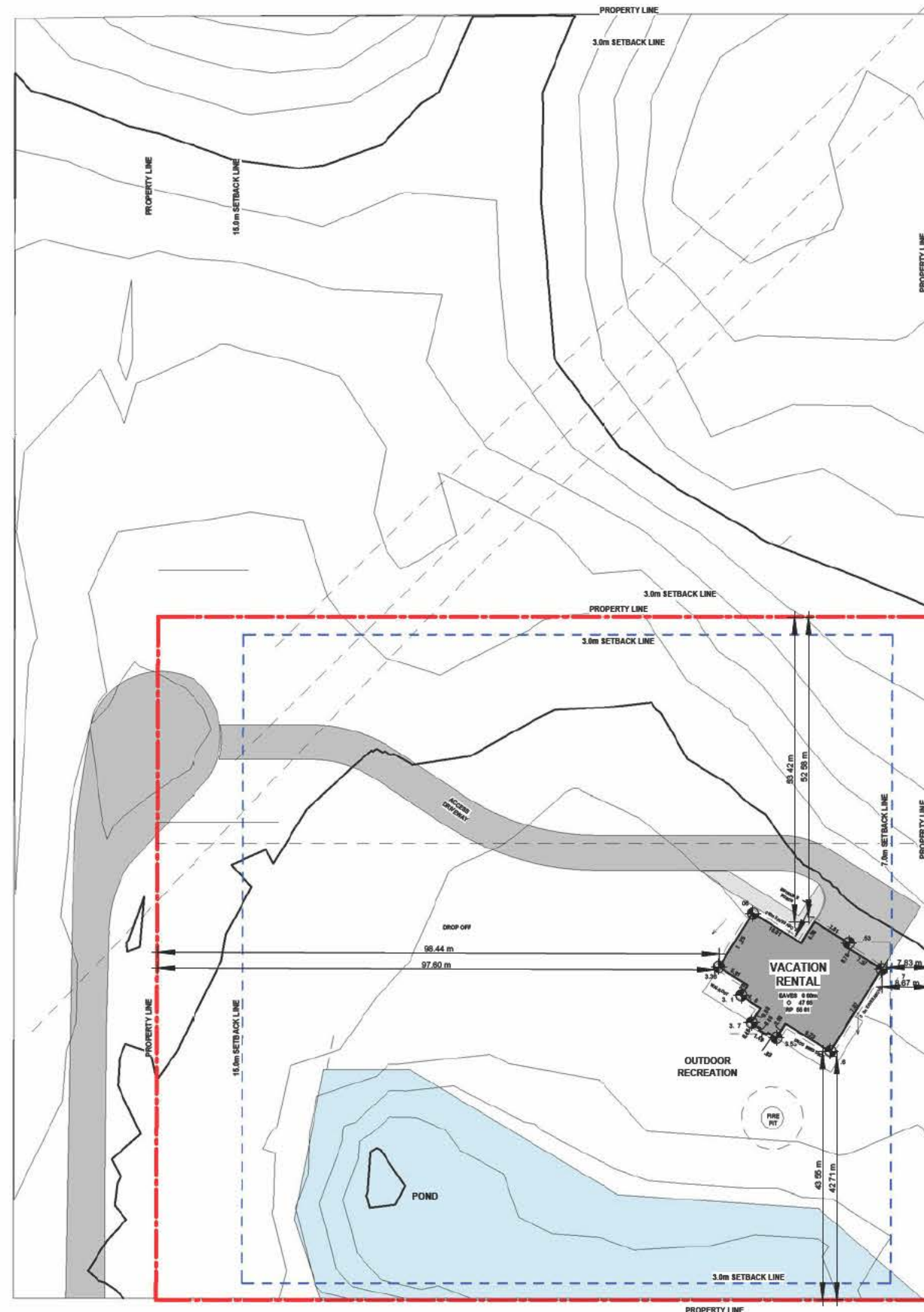
ALL TRADES AND SUPPLIERS
These drawings form only PART of the construction documents. A Specification should be provided by the General Contractor (see below). Specific brands, models and trade names where used in these drawings are subject to availability and change orders, and should be confirmed in ALL cases.

THE SPECIFICATION OVERRIDES THESE DRAWINGS
The designer is not responsible for errors, omissions, or
replacement of any
materials or supplies when no specification has been
provided.

HOMEOWNER AND GENERAL CONTRACTOR
It is the responsibility of the Homeowner and General Contractor to review these drawings PRIOR TO START OF CONSTRUCTION. Any discrepancies between these drawings and the Specifications are to be provided in writing to ForteOne Projects Inc. Any errors or omissions due to items not specified by the above parties are not the responsibility of the designer.



ISSUED FOR DEVELOPMENT PERMIT



1 SITE PLAN
1 : 1000

LEGAL DESCRIPTION	
-------------------	--

LOT 2, BLOCK 1, PLAN 3516 TR
ALL WITHIN THE
S. W. 1/4 SEC. 7, TWP. 26, RGE. 1, W. 5th M.

LOT 2: 4.01 acres (1.62 ha) (16, 227.89 m²)

MUNICIPAL ADDRESS: MOUNTAIN VIEW HILLS, ROCKY VIEW COUNTY, ALBERTA

SITE DATA

ZONING: R-RUR RESIDENTIAL, RURAL DISTRICT

VACATION RENTAL:

PORCH- 5.36m2
GARAGE - 100.38m2
BASEMENT FLOOR- 284.11m2
MAIN FLOOR- 248.71m2
SECOND FLOOR- 174.16m2
MAIN FLOOR BALCONIES- 68.66m2
SECOND FLOOR- 40.57m2

TOTAL- 921.95m2

DENSITY

MAXIMUM TWO DWELLING UNITS. ONE DWELLING,
SINGLE DETACHED AND ONE OTHER

DWELLING UNIT WHERE THE OTHER DWELLING UNIT
IS NOT A DWELLING, SINGLE DETACHED.

SITE COVERAGE

$$423.11 / 16,227.89 = 2.61\%$$

SETBACKS

FRONT: 15.00 m
SIDE: 3.00 m
REAR: 7.00 m

MAX. BUILDING HEIGHT

REQUIRED:	
ACCESSORY BUILDINGS:	7.0 m (22.97 FT.)
ALL OTHERS:	12.0 m (39.37 FT.)

PROVIDED:

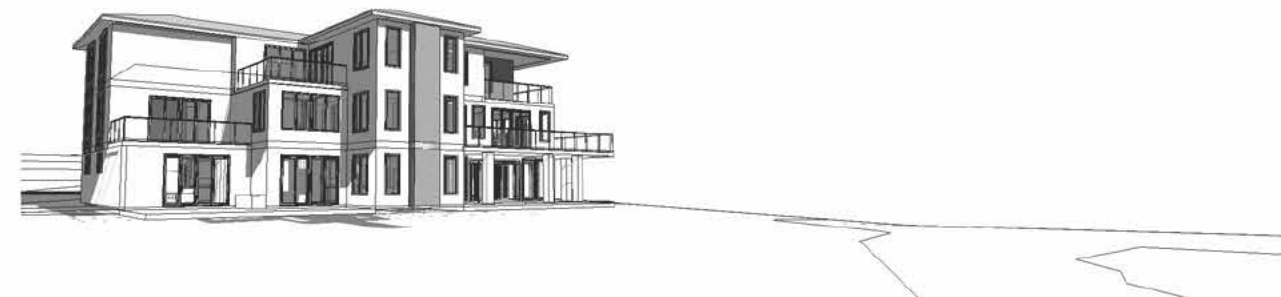
VACATION RENTAL: 11.11 m (36.45 FT.)

PARKING REQUIREMENTS

REQUIRED:

DWELLING
2 STALLS PER DWELLING

PROVIDED: 4 STALLS

[illegible]

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projects inc.
587.840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

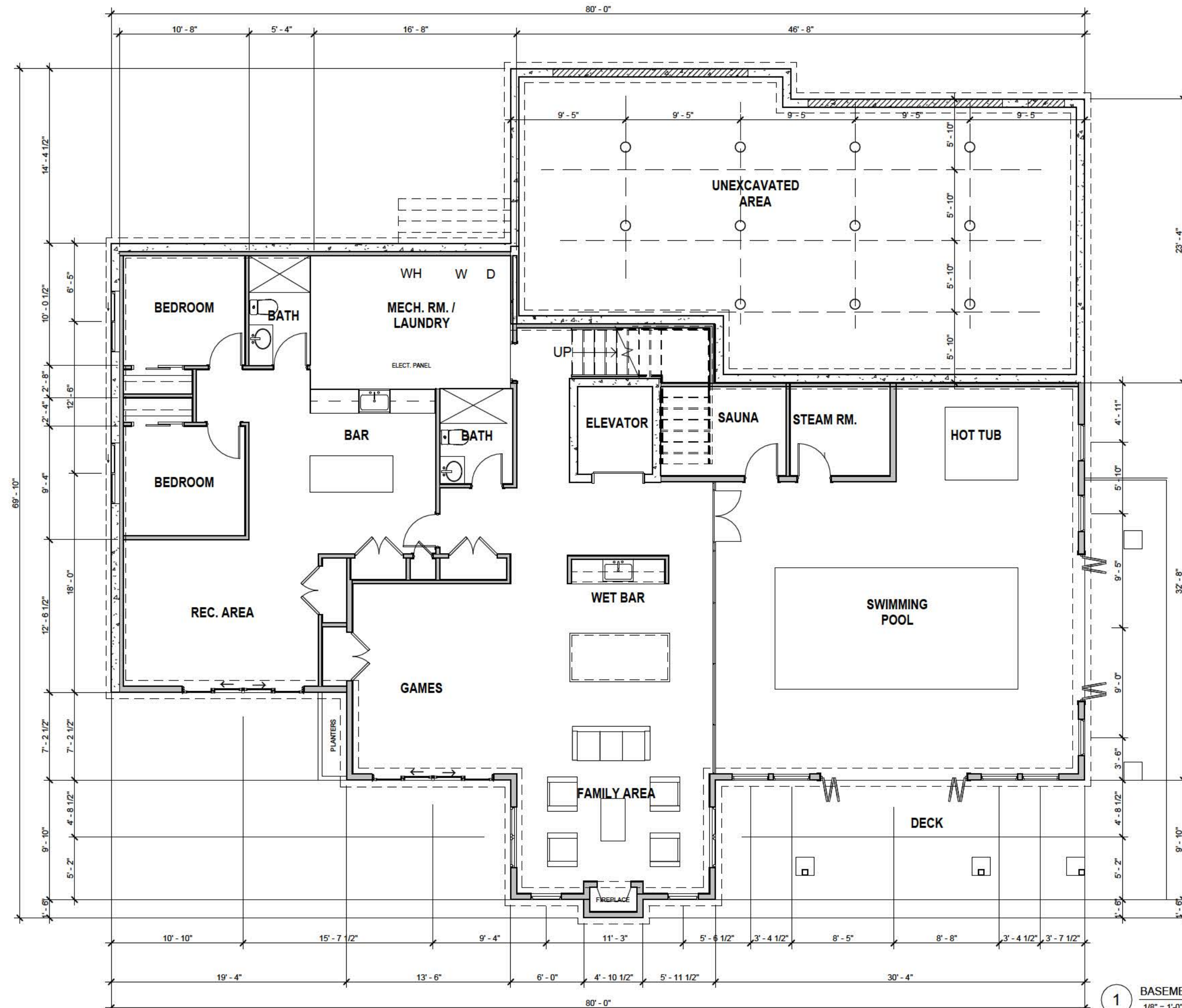
PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
SITE PLAN

PROJECT NUMBER	23-021	REVISION
DATE	NOVEMBER 29, 2023	
DRAWN BY	FO	
CHECKED BY	FO	

DP0.00

SCALE
As indicated



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[illegible]

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projects inc.
87.640.4022 | forteone.ino@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAINVIEW HILLS,
ROCKY MOUNTAIN COUNTY, AB

SHEET NAME

BASEMENT FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP1.00

SCALE
1/8" = 1'-0"

[illegible]

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840.4022 | forteone.in@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

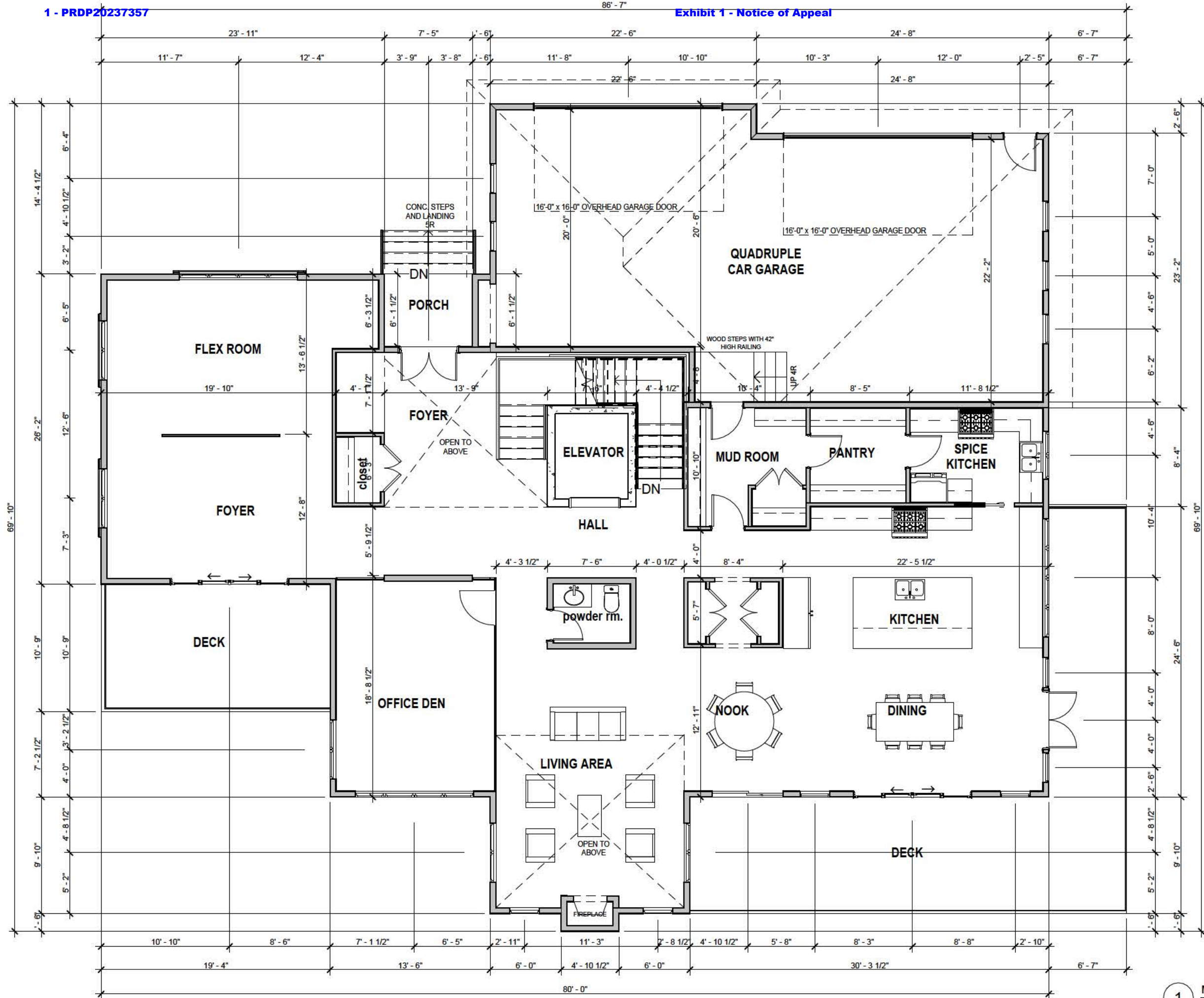
PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY MOUNTAIN COUNTY, AR

SHEET NAME
MAIN FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP1.01

SCALE
1/8" = 1'-0"



1 MAIN FLOOR PLAN
1/8" = 1'-0"





NOTES

It is the designer's responsibility to ensure these drawings meet or exceed the current Provincial Building Code and Land Use Bylaws. The designer will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc, due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

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No.	Description	Date

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CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

EXTERIOR CLADDING SCHEDULE	
1	ASPHALT ROOFING
2	6" FASCIA / EAVESTROUGH
3	LONGBOARD SIDING
4	HARDIE BOARD SIDING
5	BRICK / STONE
6	6" TRIM AROUND WINDOWS
7	12" SMARTBOARD
8	42" HIGH HANDRAILS
9	SMARTBOARD COLUMN CLADDING
10	VERTICAL BOARD AND BATTEN

NOTES

Page 10 of 11

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Changes exist, due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

ALL TRADES AND SUPPLIERS

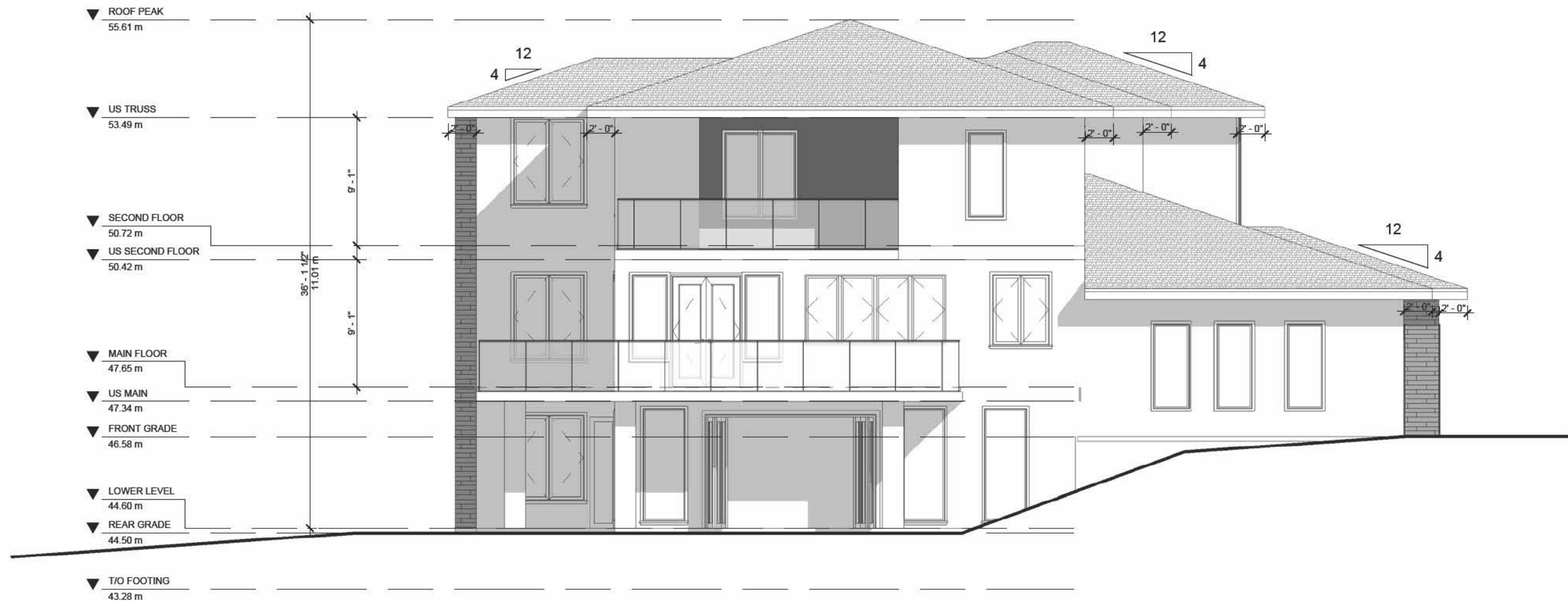
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1 EAST ELEVATION
1/8" = 1'-0"

[illegible]

PERCENTAGE OF GLAZED OPENINGS	
BUILDING FACE	148.43 m ²
OPENING AREA	8.51 m ²
% COVERAGE	5.73%
SETBACK ALLOWED	1.50 m
	7%

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projects inc.
587.840.4022 | forteone.ino@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY MOUNTAIN COUNTY, AB

SHEET NAME
ELEVATIONS

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP2.02 SCALE
1/8" =

NOTES

Page 11 of 11

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1 RIGHT SIDE ELEVATION
1/8" = 1'-0"

No.	Description	Date

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CLIENT

FLORENCE OBIANYOR

PROJECT NAME

VACATION RENTAL

PROJECT ADDRESS

MOUNTAINVIEW HILLS,
ROCKY MOUNTAIN COUNTY, AB

SHEET NAME

ELEVATIONS

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

SUBDIVISION AND DEVELOPMENT APPEAL BOARD FOR ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, Alberta T4A 0X2
403-230-1401 | sdab@rockyview.ca

NOTICE OF HEARING

Issued: April 8, 2024

An appeal has been filed with the Subdivision and Development Appeal Board for Rocky View County ("Board") against the Development Authority's decision to refuse a development permit application for a vacation rental.

INFORMATION ABOUT THE PROPERTY UNDER APPEAL

File:	PRDP20237357
Location:	Lot 2 Block 1 Plan 1212529, SW-07-26-01-05 located approximately 0.81 kilometres (0.50 miles) east of Mountain View Road and 0.81 kilometres (0.50 miles) south of Highway 566
Appellant(s):	Folajuwon (Jay) Olawoyin
Applicant(s):	Folajuwon (Jay) Olawoyin
Owner(s):	Florence Obianyor

APPEAL HEARING INFORMATION

Further information about the appeal will be available in the Board's agenda six days before the hearing on www.rockyview.ca.

Date and time:	April 18, 2024 at or after 9:00 a.m.
Location:	Council Chambers - County Hall 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2

HOW TO PARTICIPATE IN THE HEARING

If you feel you are affected by this appeal, you can provide a submission or present at the hearing as noted below.

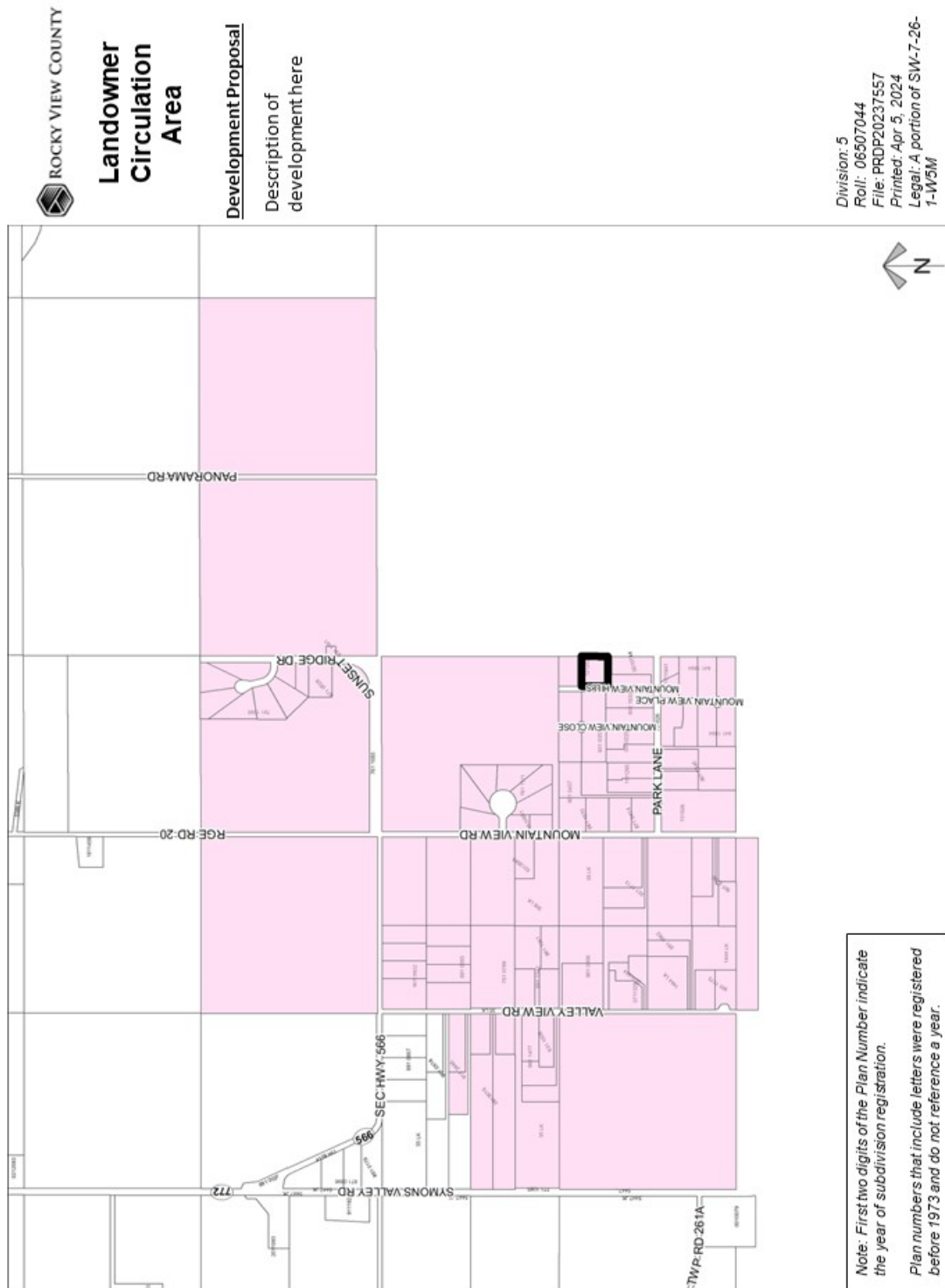
Before the hearing:	In your submission, clearly state how you are affected and include where you live in relation to the property under appeal. Submissions are due by 9:00 a.m. the last business day before the hearing. It is at the Board's discretion whether late submissions are accepted. Submissions can be provided by: <ul style="list-style-type: none">email to sdab@rockyview.ca; ormail to the SDAB Clerk at 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2
At the hearing:	Add your name to the sign-in sheet to present to the Board at the hearing

If you have questions about the development permit application, contact Planning Services at development@rockyview.ca. For inquiries about the hearing procedure, contact the Board clerk at sdab@rockyview.ca.

SITE MAP

LEGEND

Bolded: property under appeal
Shaded: notification area



Submissions may be made available to the public on www.rockyview.ca in accordance with section 40(1)(c) of the *Freedom of Information and Protection of Privacy Act* ('*FOIP Act*'). Personal information contained in your submission is collected under section 33(c) of the *FOIP Act* for the purpose of public participation in the Board's decision-making process. Your name, legal land description, street address, and any opinions provided in your submission will be made available to the public and form part of the public record. Your personal contact information, including your phone number and email address, may be redacted prior to making your submission available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.



ROCKY VIEW COUNTY

PLANNING

TO: Subdivision and Development Appeal Board
DATE: April 18, 2024 **DIVISION:** 5
Roll #: 06507044 **APPLICATION:** PRDP20237357
SUBJECT: Development Item – Vacation Rental, Discretionary Use

APPLICATION PROPOSAL: Vacation Rental

APPLICATION LOCATION: Located approximately 0.81 kilometres (0.50 miles) east of Mountain View Road and 0.81 kilometres (0.50 miles) south of Highway 566

DECISION: Refusal, subject to reasons.

DECISION DATE:
March 5, 2024

APPEAL DATE:
March 22, 2024

ADVERTISED DATE:
N/A

APPEAL:

Submitted by the applicant in relation to Administration's decision to refuse a Vacation Rental in relation to PRDP20237357. See attached exhibits.

ANALYSIS:

A Vacation Rental is listed as a discretionary use within the (R-RUR) Residential Rural District and requires a Development Permit pursuant to the County's Land Use Bylaw C-8000-2020 (LUB).

The intent of the Vacation Rental use in the LUB is to be ancillary to a Dwelling Unit. Based on the context and scale of the proposed use, it is Administration's position that the proposal scale is more in alignment with other County-defined uses including a *Hotel/Motel* or *Recreation (Private)*, which are commonly found within commercial or industrial districts. The commercial scale of the operation would exceed the residential purpose and intent of the R-RUR district.

There are minimal regulations within the LUB that would help guide appropriate location(s) and overall acceptable scale of Vacation Rentals. As Vacation Rental is a discretionary use in the LUB, it is Administration's position that the proposed intent of the application is primarily commercial in nature and would be better suited within a commercial or industrial district.

Therefore, the application was refused.

Respectfully submitted,

"Justin Rebello"

Supervisor
Planning and Development Services

SL/lt



PLANNING

TO:	Subdivision and Development Appeal Board	
DATE:	April 18, 2024	DIVISION: 5
ROLL #:	06507044	APPLICATION: PRDP20237357
SUBJECT:	Staff Report – Vacation Rental, Discretionary Use	

EXECUTIVE SUMMARY:

The County received a development permit application requesting to operate a Vacation Rental within a proposed dwelling, single detached on Lot 2, Block 1, Plan 1212529 (Figure 1). The subject parcel is currently undeveloped. The applicant is proposing to construct a Dwelling, Single Detached, approximately 853.32 sq. m. (9,185.06 sq. ft.) in gross floor area (Figure 2).

The Dwelling, Single Detached will be constructed for the purpose of operating a Vacation Rental with elements of a private wellness retreat center, including counselling, physiotherapy, pool amenities including change rooms, a service counter, spa services, and a group training space. Two to three non-resident employees are proposed to attend the site daily. There are no employees proposed to reside onsite. The dwelling will have seven bedrooms: five bedrooms reserved for guests (with the capacity to host up to 10 guests) and two bedrooms reserved for staff, as required. The dwelling will have an underground parkade of 19 stalls and an above-ground temporary parking pad with 5 stalls, totalling 24 parking stalls.

Vacation Rental is listed as a discretionary use within the Residential, Rural District (R-RUR). Based on the context and scale of the proposed application, it is Administration's position that the proposal is more in alignment with a *Hotel/Motel* or *Recreation (Private)* use, which is commonly found within commercial or industrial districts. The intent of the Vacation Rental use in the Land Use Bylaw is also to be ancillary to a Dwelling Unit. The commercial scale and primary intent of the operation would exceed the residential purpose of the Vacation Rental use and intent of the R-RUR district.

There are minimal regulations within the LUB that would help guide appropriate location(s) and overall acceptable scale of Vacation Rentals. As Vacation Rental is a discretionary use in the Land Use Bylaw, it is Administration's position that the proposed intent of the application is primarily commercial in nature and would be better suited within a commercial or industrial district. Therefore, the application was refused.

ADMINISTRATION DECISION:

REFUSAL

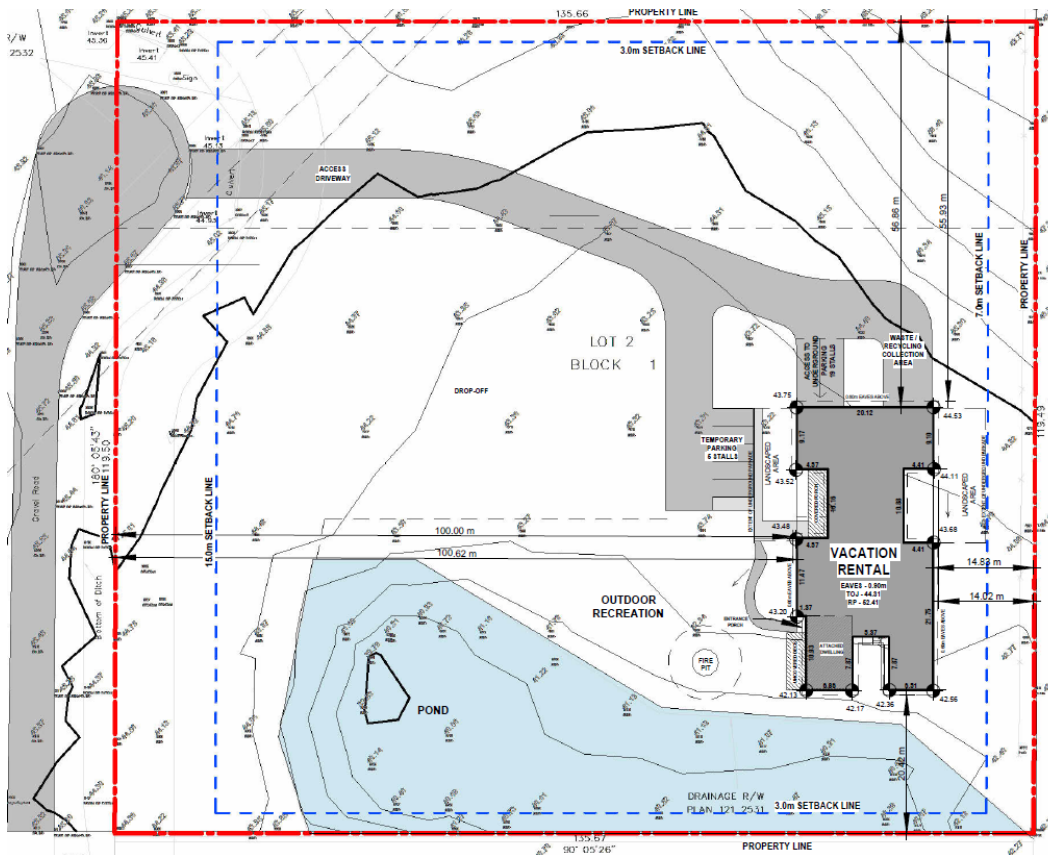
OVERVIEW:

Applicant	Folajuwon (Jay) Olawoyin
Landowner	Florence Obianyor
Subject Site(s)	Located approximately 0.81 kilometres (0.50 miles) east of Mountain View Road, and 0.81 kilometres (0.50 miles) south of Highway 566
Site Area	1.62 hectares (4.00 acres)
Proposal	Vacation Rental (within a dwelling, single detached)
Surrounding Uses	Residential and Agricultural
Applicable Regulations	<i>Municipal Development Plan (County Plan), City of Calgary & Rocky View County Intermunicipal Development Plan, Land Use Bylaw C-8000-2020 (LUB), County Servicing Standards.</i>

Figure 1 – Site Location (Regional Context)



Figure 2 – Site Plan (Intended Use Areas)



POLICY / LAND USE BYLAW REVIEW:Planning Policy

The subject parcel is not found within an adopted Area Structure Plan or Conceptual Scheme. The property does fall under the City of Calgary & Rocky View County Intermunicipal Development Plan. The City did respond to circulations and had no comments. The application was also evaluated in accordance with the LUB.

Land Use Bylaw C-8000-2020*Part 8 - Definitions*

“Vacation Rental” means a *Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.*

“Recreation (Private)” means a *use where sports or recreation, that is privately owned, occurs within an enclosed Building. Typical uses include private clubs or lodges, health or fitness clubs, or private recreation facilities such as bowling alleys, arcades, or racquet courts.*

“Hotel/Motel” means a *building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms, which may contain bar/kitchen facilities; the building may also contain commercial or other uses and may or may not offer such additional services as party facilities, restaurant or dining room services, or public convention facilities.*

- The proposed application includes elements of both a *Recreation (Private)* and *Hotel/Motel* as it is proposing overnight stays and private retreat-related amenities such as counselling, physiotherapy, pool amenities including change rooms, a service counter, spa services, and a group training space.

Part 4 – Specific Uses and Activities

92 A Development Permit is not required for the following development, provided it complies with all applicable provisions of the Bylaw and does not require a variance:

j) Dwelling Unit - The construction of a Dwelling Unit where it is listed as a permitted use, except Dwelling, Multiple Unit.

- The proposed dwelling, single detached is a listed permitted use under the Residential, Rural (R-RUR) District, with no variance being required or requested. Without the vacation rental components and/or other business-related features, the dwelling, single detached would not require a Development Permit application.

Part 6 - Residential, Rural (R-RUR) District

317 PURPOSE: To provide for residential uses in a rural setting on parcels which can accommodate limited agricultural pursuits.

318 PERMITTED USES: Dwelling, Single Detached

- The proposed Dwelling, Single Detached is a permitted use with no variance being requested or required.

318 DISCRETIONARY USES: Vacation Rental

319 MINIMUM PARCEL SIZE: a) 1.6 ha (3.95 ac)

- The subject parcel is 1.62 ha (4.00 ac) and meets the minimum parcel size.

320 MAXIMUM DENSITY: *a) A maximum of two Dwelling Units – one Dwelling, Single Detached and one other Dwelling Unit where the other Dwelling Unit is not a Dwelling, Single Detached.*

- The applicant is proposing to construct a single Dwelling, Single Detached and no Accessory Dwelling Units.

321 MAXIMUM BUILDING HEIGHT: *b) All others: 12.0 m (39.37 ft.).*

- The proposed height of the Dwelling, Single Detached is 8.61 m (28.25 ft.).

322 MAXIMUM ACCESSORY BUILDING PARCEL COVERAGE: *b) All others: 285 sq. m (3067.71 sq. ft.).*

- No accessory buildings have been proposed at this time.

323 MINIMUM SETBACKS:

Front Yard 15.0 m (49.21 ft.) from other roads

- Proposed front yard setback is 100.62 m (330.12 ft.).

Side Yard 3.0 m (9.84 ft.) from other parcels on parcels under 4.0 ha (9.88 ac).

- Proposed north side yard setback is 56.86 m (185.55 ft.) and the proposed south side yard setback is 20.42 m (66.99 ft.).

Rear Yard 7.0 m (22.97 ft.) from all other.

- Proposed rear yard setback is 14.83 m (48.65 ft.).

323.1 ADDITIONAL REQUIREMENTS: *a) Commercial development shall be accessory to a primary residential use on the parcel.*

- Based on the application, the proposed operations and scale of the Vacation Rental in combination with the proposed layout of the Dwelling, Single Detached closer resembles a commercial operation including:
 - The dwelling will provide sleeping quarters for employees but is not primarily residential in nature.
 - There will be up to three employees on site to provide counselling, psychotherapy, and physical training.
 - The proposed dwelling will contain an underground parking garage with 19 parking stalls.
 - An indoor swimming pool with a hot tub (including male and female changing rooms and washrooms), a gym, a physiotherapy room, a service counter, offices, and a training hall.

Part 5 - Table 5 (Parking Minimums)

Dwelling or Dwelling Unit – 2 per unit

Vacation Rental – same as Dwelling Type

- The minimum parking stall requirement is two, however, the applicant has proposed a total of 24 parking stalls.

VARIANCE SUMMARY:

No variances are requested.

DISCUSSION:

Vacation Rental is listed as a discretionary use within the Residential, Rural District (R-RUR) however, there are minimal regulations within the LUB that would help guide appropriate location(s) and overall acceptable scale(s) of Vacation Rentals.

Based on the scale and primary intent of the proposed application, it is Administration's position that the proposal is more in alignment with a *Hotel/Motel or Recreation (Private)* use, which is commonly found within commercial or industrial districts. The intent of the Vacation Rental use in the Land Use Bylaw is also to be ancillary to a Dwelling Unit. The commercial scale and intent of the operation would exceed the residential purpose of the Vacation Rental use and intent of the R-RUR district.

The application included assurances for the mitigation of noise and nuisance factors such as providing staff who will monitor guests. However, the Vacation Rental is being marketed as a high-end retreat for a limited number of guests.

The exterior built form of the dwelling, single detached appears residential in nature. However, the proposed interior layout of the dwelling and the overall combination of all application components would distinguish a non-residential use. The dwelling, single detached will include an underground parkade, an indoor swimming pool with a hot tub (including male and female changing rooms and washrooms), a gym, a physiotherapy room, a service counter, offices, and a training hall. On average, three onsite employees will be providing counselling, psychotherapy, and physical training services. The scale and nature of the proposed development exceed the intent and purpose of a residential district and are commercial in nature.

As Vacation Rental is a discretionary use in the Land Use Bylaw, it is Administration's position that the proposed intent of the application is commercial in nature and would be better suited within a commercial or industrial district. Therefore, the application was refused.

Note, as part of the appeal the applicant submitted revised drawings of the proposed Dwelling, Single Detached. The revised drawings were not reviewed as part of this decision but have been included within the supplied agenda package.

Respectfully submitted,

Concurrence,

Dominic Kazmierczak

Matt Boscariol

Manager
Planning

Executive Director
Community Development Services

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Application Information

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

1. That a Vacation Rental may operate on the subject lands, within the proposed dwelling, single detached, in accordance with the final approved site plan, floor plans and the conditions of this permit.

Prior to Release:

2. That prior to release of this application, the Applicant/Owner shall submit written confirmation that building occupancy of the Dwelling Single, Detached has been issued by County Building Services.
3. That prior to release of this application, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits shall be required for any hauling along the County Road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations, confirming the status of this condition. Any agreement or permit shall be issued by the County unless otherwise confirmed by County Road Operations.
4. That prior to release of this application, the Applicant/Owner shall submit a trip generation memo, prepared by a professional engineer, in accordance with the County's Servicing Standards. The memo shall also address dust mitigation measures and provide for any recommendations. *Depending on the recommendations of the memo, a Traffic Impact Assessment may also be required, prior to release.*

Permanent:

5. That if this Development Permit is not issued and the prior to release conditions are not met by **February 28, 2025**, or the approved extension date, then this approval is null, and void and the Development Permit shall not be issued.
6. That the Vacation Rental is limited to the dwelling, single detached.
7. That the dwelling, single detached shall adhere to the County's Land Use Bylaw, unless otherwise permitted through a separate Development Permit.
8. That there shall be a maximum of ten (10) guests attending the Vacation Rental at any time.
9. That no onsite or off-site advertisement signage associated with the Vacation Rental is permitted unless otherwise permitted through a separate Development Permit.
10. That there shall be no camping, including tenting, associated with the Vacation Rental on the subject Lands at any time.
11. That the operation of the Vacation Rental shall not change the residential character and external appearance of the Lands and dwellings.
12. That the Owner shall be responsible for ensuring that any renters are familiar with the property boundaries, whether that be by means of a fence, signage, or other means, to ensure no trespassing to adjacent properties.
13. That the operation of the Vacation Rental shall not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of adjacent residential dwellings shall be preserved. The Vacation Rental shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.

14. That the Applicant/Owner shall take whatever means necessary to keep visible dust to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties. Additional means may include yearly calcium chloride applications or truck watering.
15. That the Applicant/Owner shall be solely responsible financially for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the development. Post-development drainage shall not exceed pre-development drainage.
 - i. That there shall be no adverse impact to the registered overland drainage right-of-way, under instrument #121 226 379 (Survey plan #1212531) at any time.
16. That all on-site lighting and all private lighting, including site security lighting and Vacation Rental parking area lighting, shall meet Sections 225 - 227 of the County's Land Use Bylaw C-8000-2020. Lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and minimizes glare as viewed from nearby residential properties.
17. That this development permit is valid for **one (1) year** from the date the Development Permit is issued, at which time a new application shall be submitted. *Note, that the County will take into consideration any enforcement action of this Vacation Rental prior to considering subsequent applications.*

Advisory:

- That the County's Noise Control Bylaw C-8067-2020 shall be adhered to at all times.
- That all customer parking shall be on the Owner's property at all times and there shall be no parking within a County roadway or right of way (Mountain View Hills and Park Lane).
- That a Building Permit and applicable sub-trade permits are required through the County's Building Services department, prior to any construction taking place. Compliance with the National Energy Code is also required.
- That it is recommended that the Applicant/Owner prepare and implement onsite an Emergency Management Plan for all events, in case of an incident or an emergent event.
- That the Applicant/Owner shall adhere to any fire ban status identified within the County and shall ensure that proper site procedures are in place for any event that includes open flames.
- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling, single detached located on the subject site, to facilitate accurate emergency response. The municipal address for this site is *10 MOUNTAIN VIEW HILLS*.
- That the site shall adhere to any requirements of any instruments registered on title. Any impact to any instrument, the Applicant/Owner shall contact the Grantor of the instrument, prior to commencement including Survey Plan #RW266.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the approved onsite Weed Management Plan and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, November 16, 2022]*.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services requirements for all business activities, prior to commencement of operations.



ROCKY VIEW COUNTY

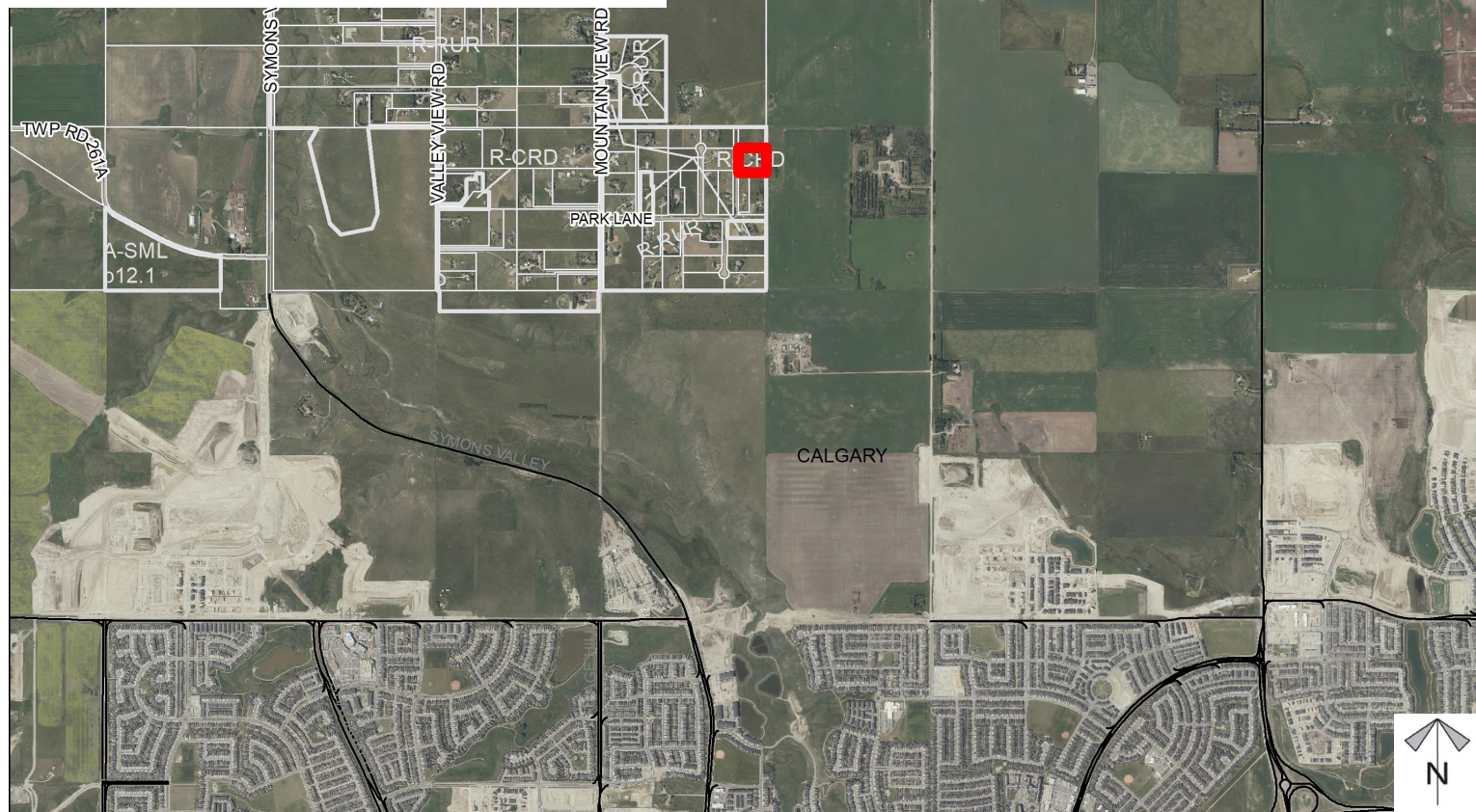
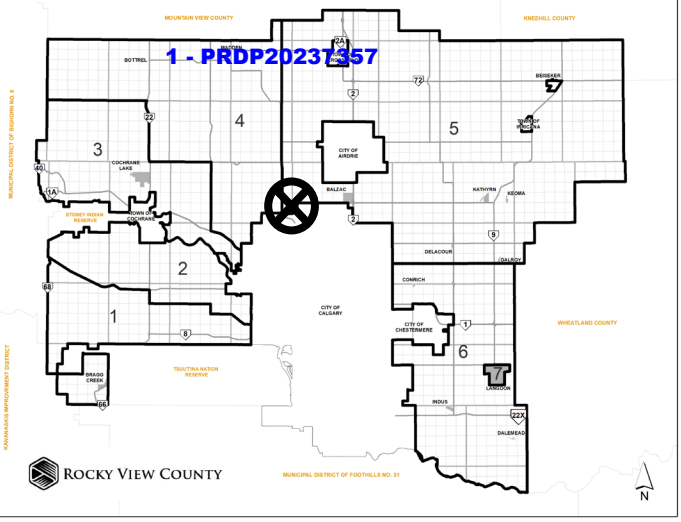
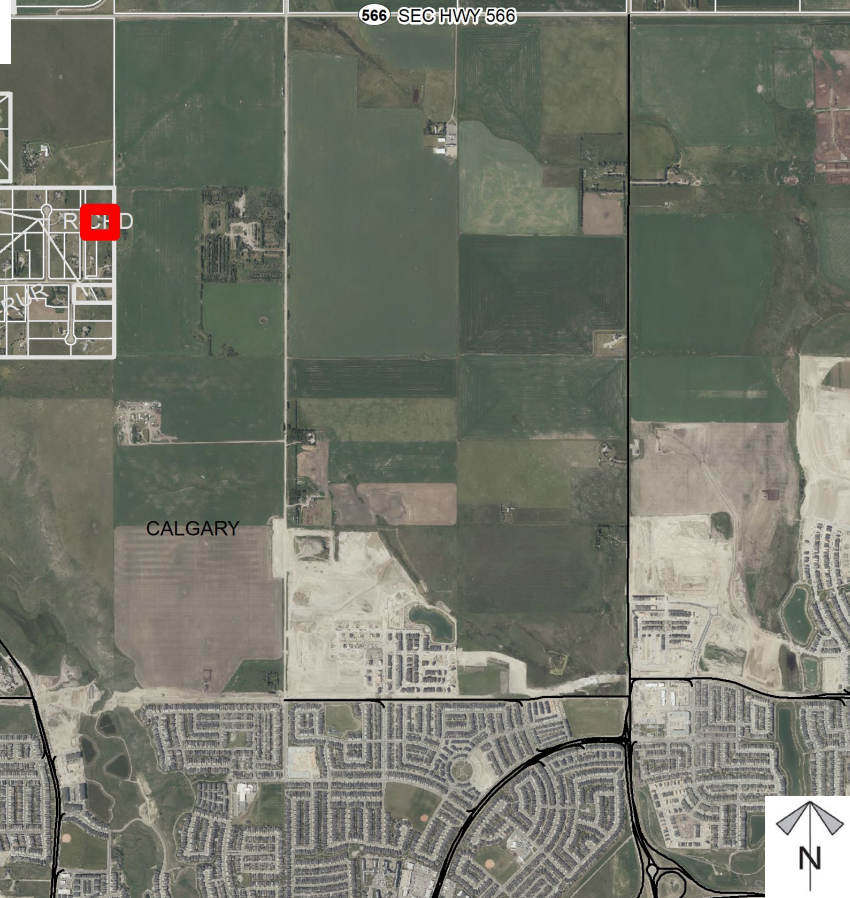
ATTACHMENT 'B': APPLICATION INFORMATION

APPLICANT: Folajuwon (Jay) Olawoyin	OWNER: Florence Obianyor
DATE APPLICATION RECEIVED: December 22, 2023	DATE DEEMED COMPLETE: January 11, 2024
GROSS AREA: 1.62 hectares (4.00 acres)	LEGAL DESCRIPTION: Lot 2, Block 1, Plan 1212529; SW-07-26-01-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>No Development or Building History</i> <i>Planning History:</i> <ul style="list-style-type: none"> 2004-RV-062 (Subdivision) [to create one +/- 4 acre, one +/- 3.5 acre and one +/- 3 acre parcel serviced by an internal subdivision road]; Approved July 13, 2010 	
AGENCY SUBMISSIONS: Internal and external agency circulations were completed.	

Development Proposal

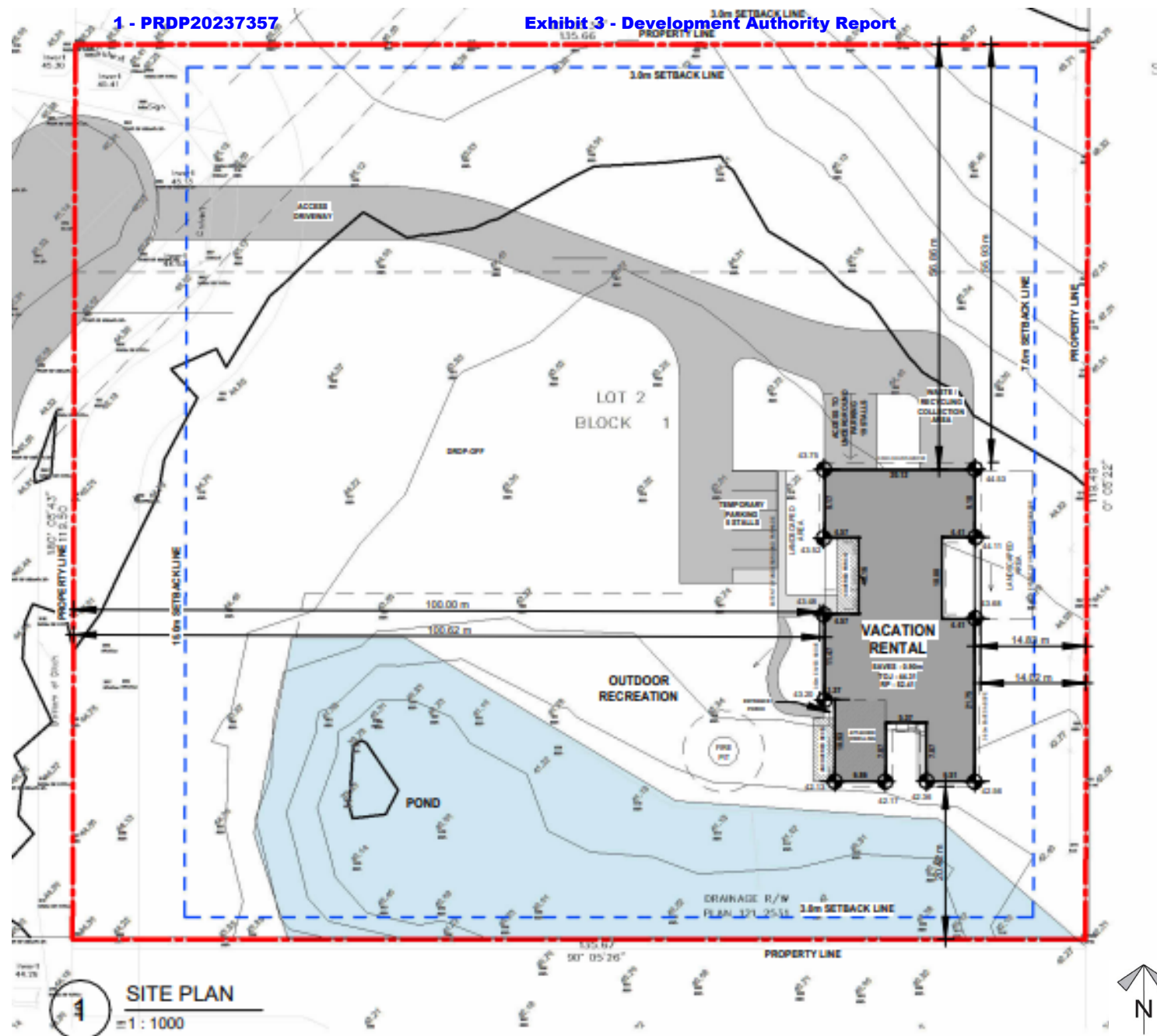
Vacation Rental
(within dwelling,
single detached)

Division: 5
Roll: 06507044
File: PRDP20237357
Printed: January 26, 2024
Legal: A portion of SW-7-26-1-W5M



Development Proposal

Vacation Rental
(within dwelling,
single detached)

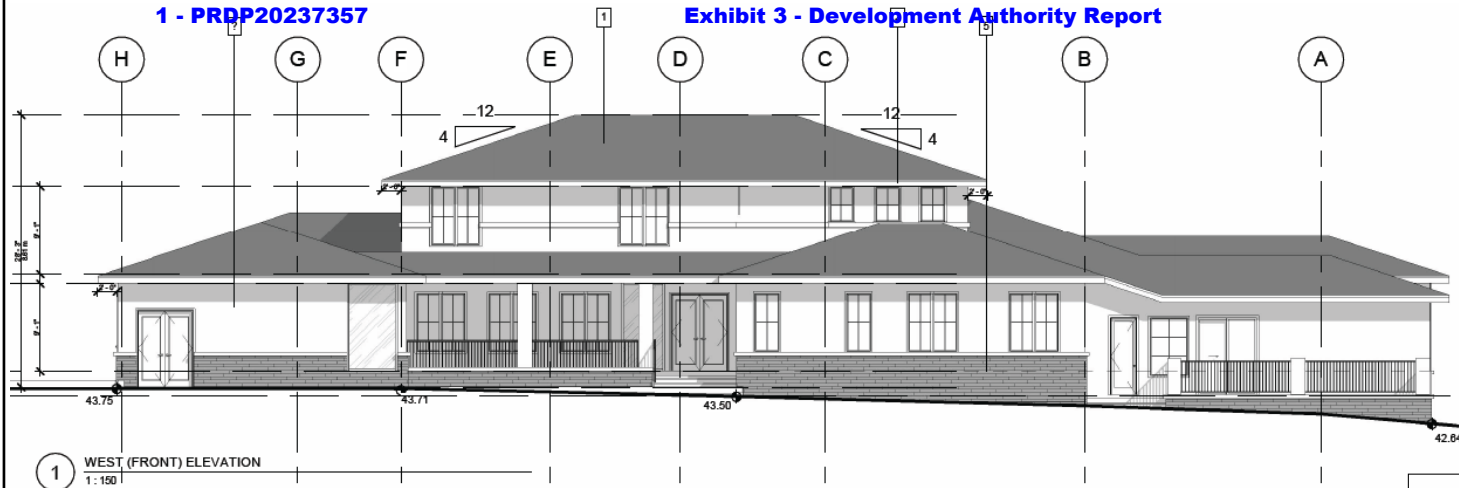


Division: 5
Roll: 06507044
File: PRDP20237357
Printed: January 26, 2024
Legal: A portion of SW-7-26-1-W5M

Dwelling, Single Detached Elevation

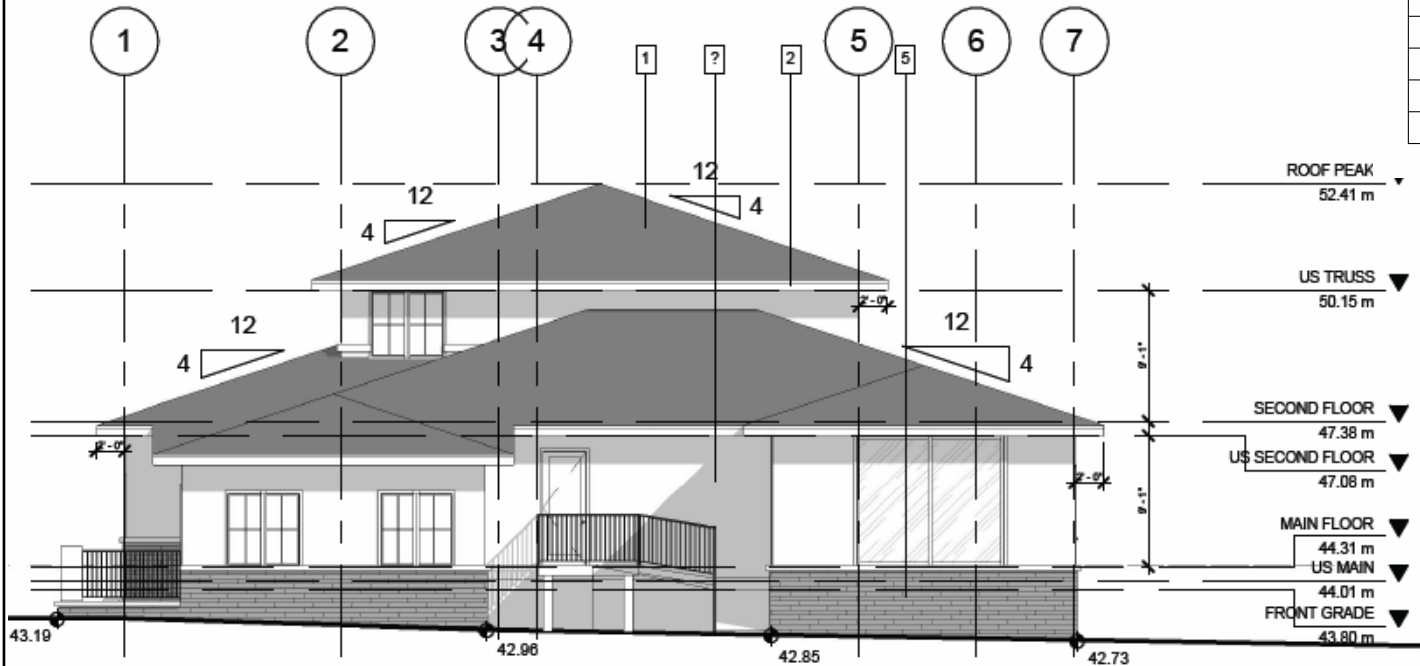
Development Proposal

Vacation Rental
(within dwelling,
single detached)



EXTERIOR CLADDING SCHEDULE

1	ASPHALT ROOFING
2	8" FASCIA / EAVESTROUGH
3	LONGBOARD SIDING
4	HARDIE BOARD SIDING
5	BRICK / STONE
6	STUCCO - LIGHT GREY
7	STUCCO - DARK GREY

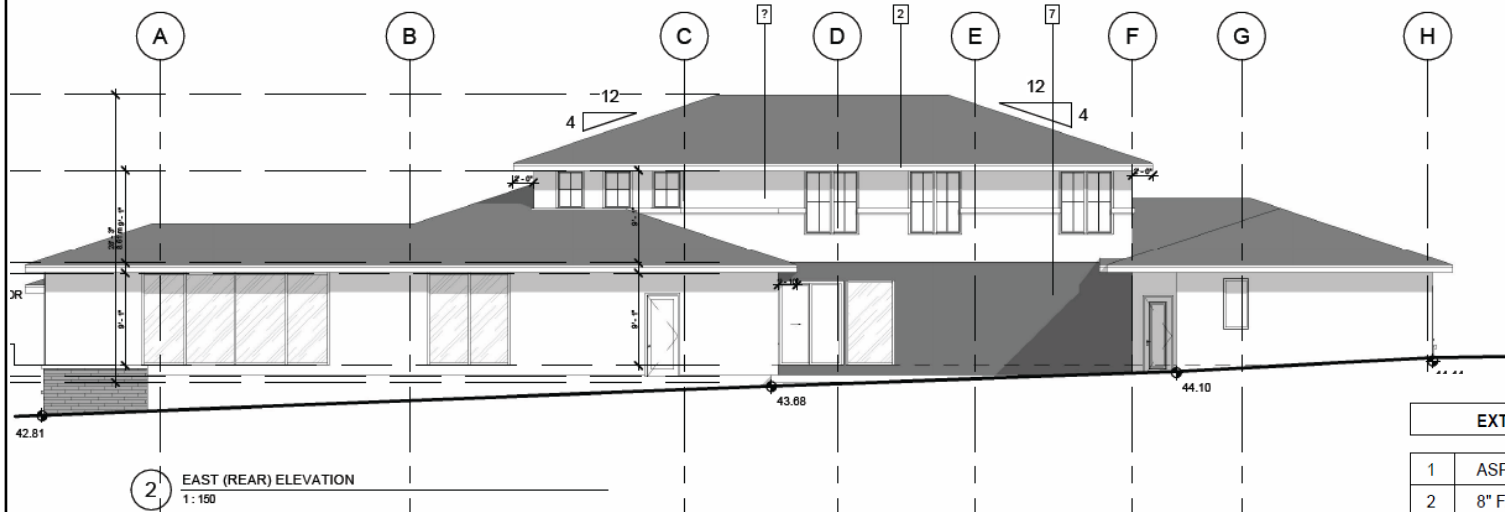


Division: 5
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File: PRDP20237357
Printed: January 26, 2024
Legal: A portion of SW-7-26-1-W5M

Dwelling, Single Detached Elevation

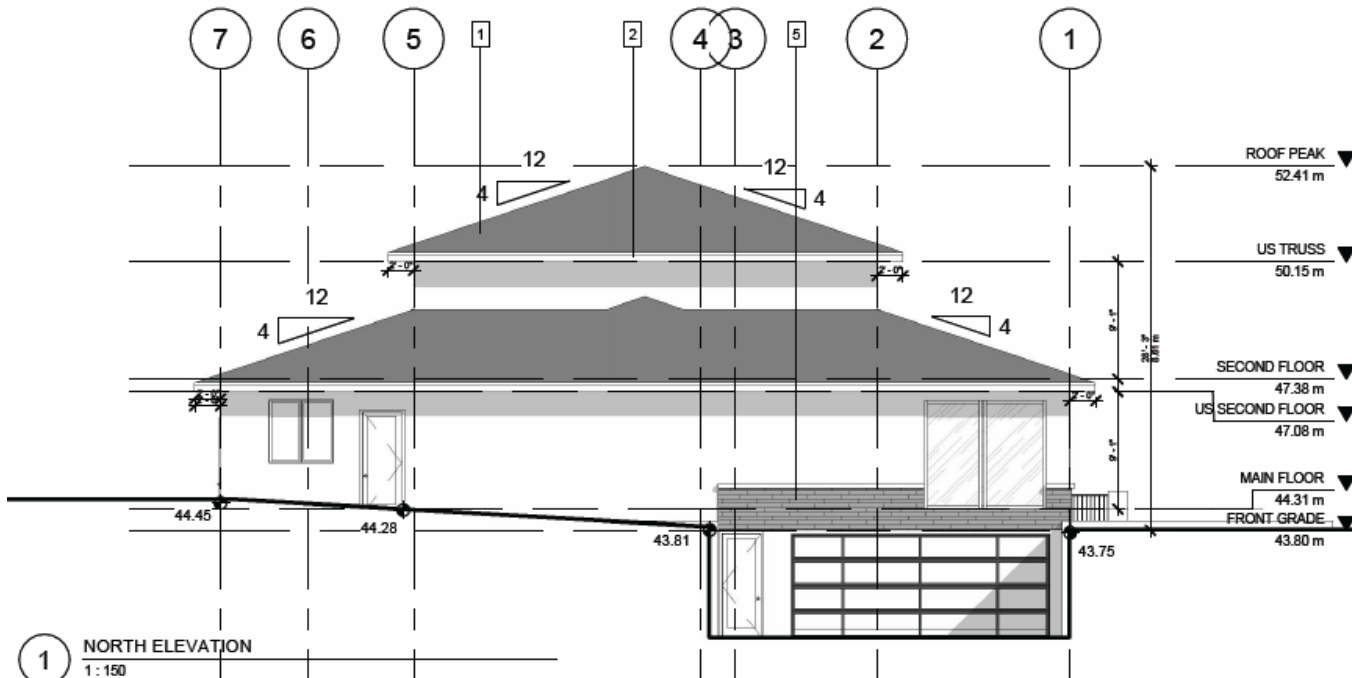
Development Proposal

Vacation Rental
(within dwelling,
single detached)



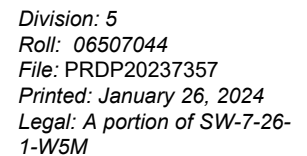
EXTERIOR CLADDING SCHEDULE

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Division: 5
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Printed: January 26, 2024
Legal: A portion of SW-7-26-1-W5M

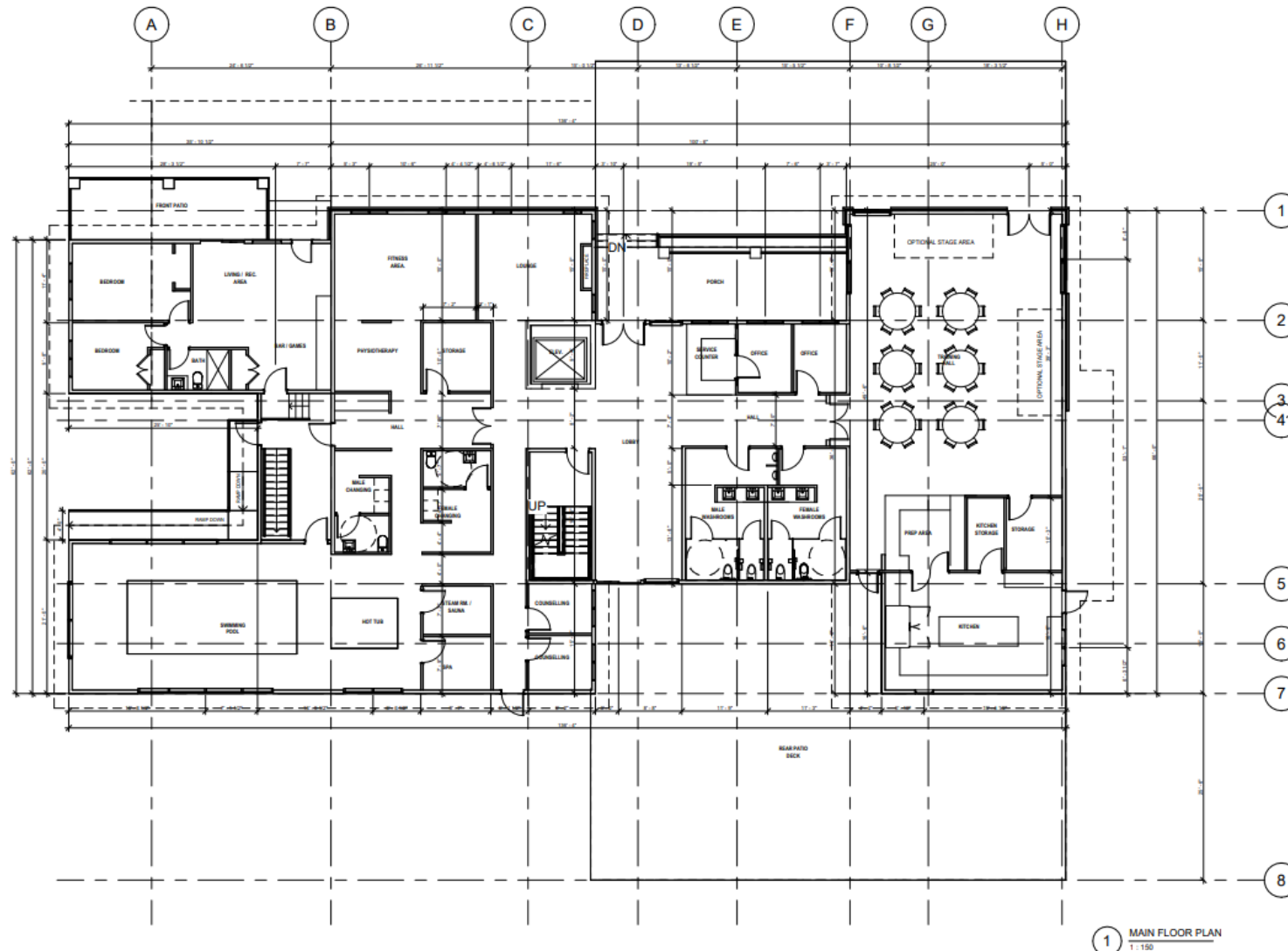
Vacation Rental
(within dwelling,
single detached)



Dwelling, Single Floor Plans

Development Proposal

Vacation Rental
(within dwelling,
single detached)

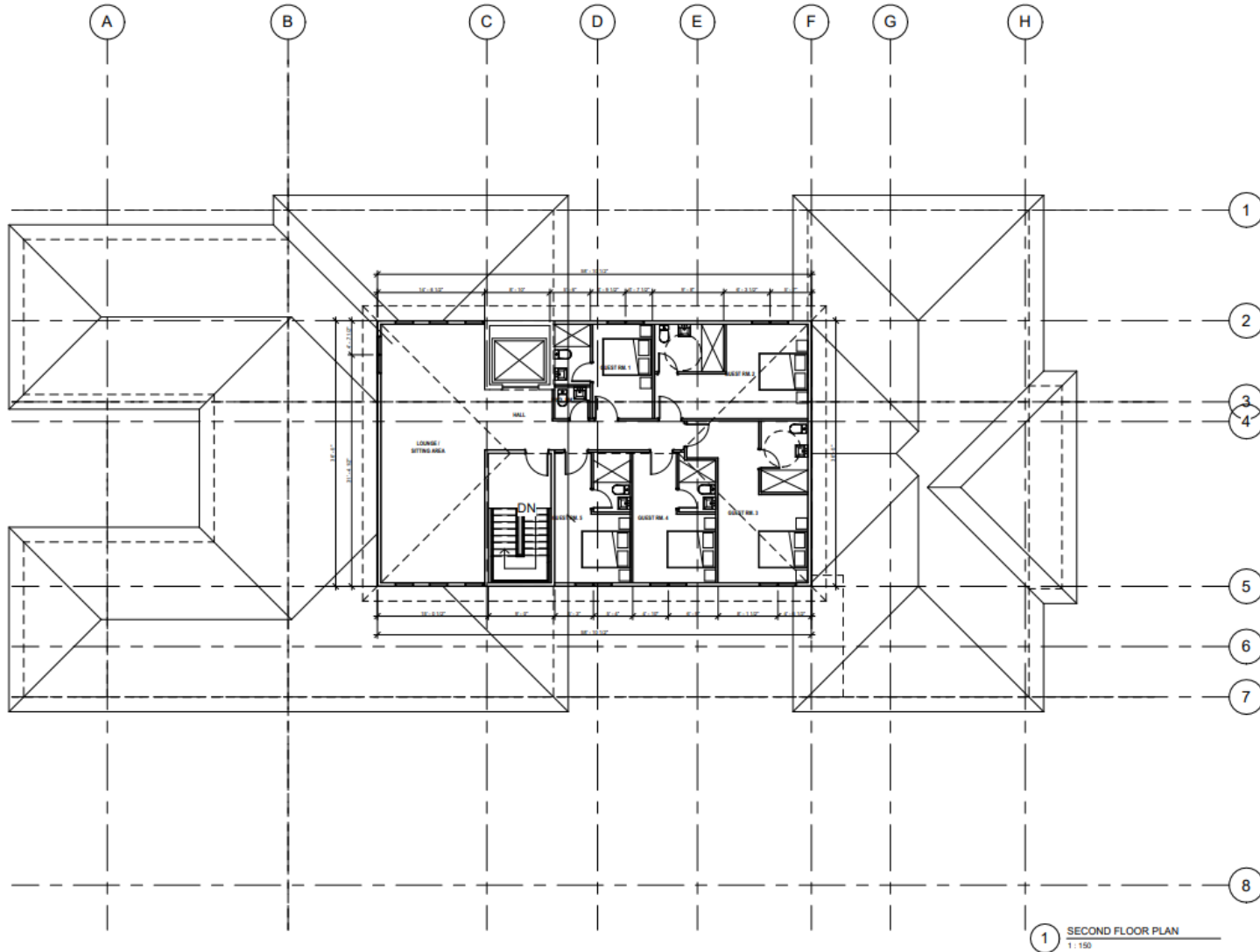


Division: 5
 Roll: 06507044
 File: PRDP20237357
 Printed: January 26, 2024
 Legal: A portion of SW-7-26-
 1-W5M

Dwelling, Single Floor Plans

Development Proposal

Vacation Rental
(within dwelling,
single detached)



Division: 5
 Roll: 06507044
 File: PRDP20237357
 Printed: January 26, 2024
 Legal: A portion of SW-7-26-
 1-W5M

Photos – February 23, 2024

Development Proposal

Vacation Rental
(within dwelling,
single detached)



Development Proposal

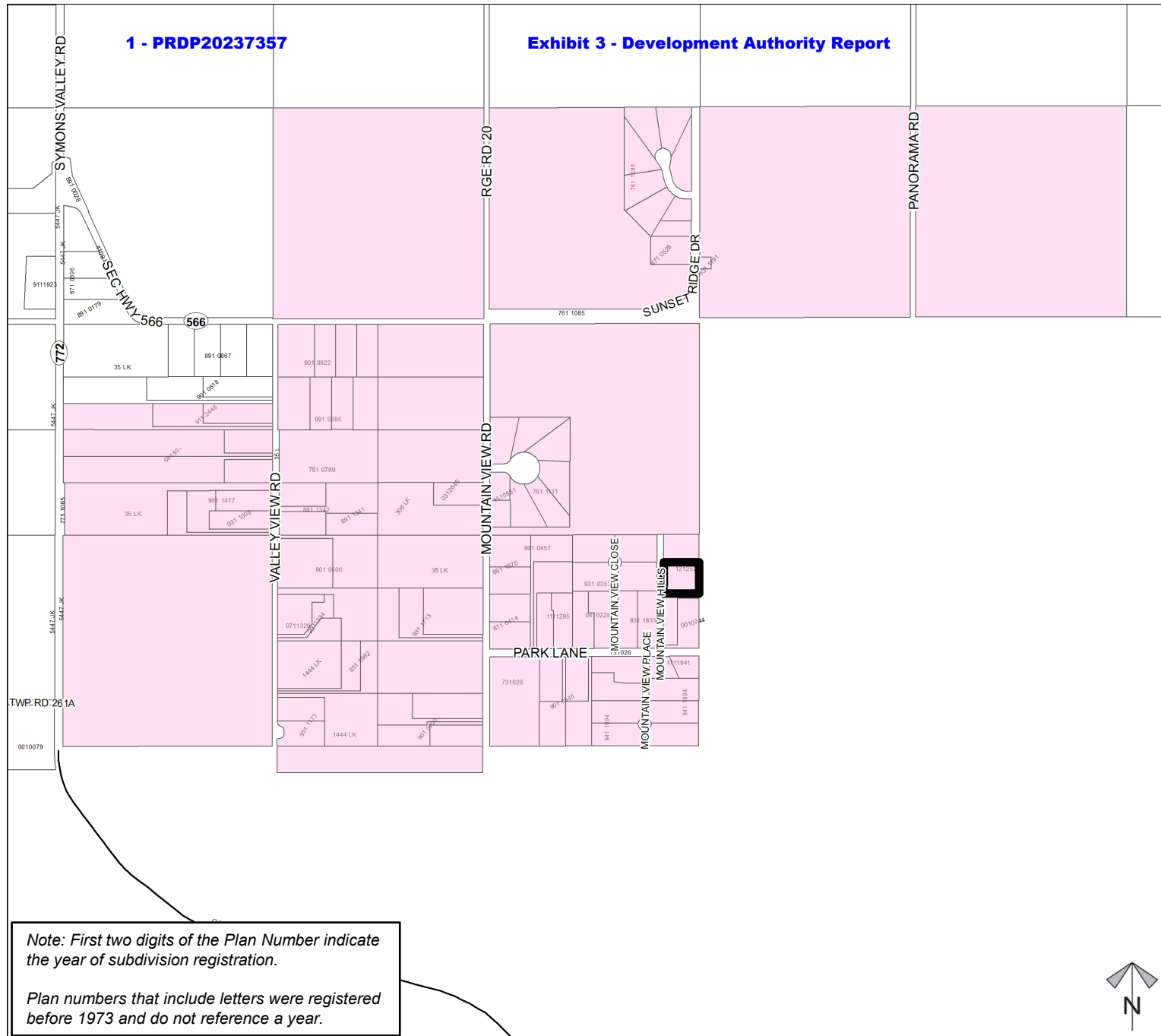
Vacation Rental
(within dwelling,
single detached)

Division: 5
Roll: 06507044
File: PRDP20237357
Printed: January 26, 2024
Legal: A portion of SW-7-26-1-W5M



1 - PRDP20237357

Exhibit 3 - Development Authority Report



APPELLANT INFORMATION			
Name of Appellant Folajuwon (Jay) Olawoyin			
Appellant Property Address 217 Crown Rd. NW	Municipality Edmonton	Province Alberta	Postal Code T6J 2E2
Mailing Address (if different than above)	Municipality	Province	Postal Code
Primary Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	

PROPERTY UNDER APPEAL	
Address Mountain Hills View, T3P 1A6	Legal Land Description (Lot, Block, Plan OR Quarter-Section-Township-Range-Meridian) LOT 2, BLOCK 1, PLAN 1212529
Property Roll # 06507044	Development Permit, Subdivision Application, or Enforcement Order # PRDP20237357

I AM APPEALING THE DECISION ISSUED BY		
<input checked="" type="checkbox"/> Development Authority	<input type="checkbox"/> Subdivision Authority	<input type="checkbox"/> Enforcement Services

REASONS FOR APPEAL (include as much detail as possible as to why you are appealing the decision, attach a separate page if required)
<p>For reasons explained below, we are appealing the Development Authority decision on the above named DP.</p> <p>A considerable amount of time, funds, and effort has been invested to amalgamate requirements and propose a feasible proposal over the last 6 months. In that time, we have been in constant talks with the Planning and Development via phone calls, emails, virtual meetings, and in-person meetings in concerted efforts to move the proposal forward. Following a pre-approval meeting held on November 23, 2023 at the county office and attended by the property owner, her representatives, and select Rocky View County development and planning staff, the above DP application was submitted on November 29, 2023.</p> <p>We received initial comments on the submission, after which we were advised of and issued a refusal. We reached out requesting that we should be allowed some time to respond to the initial comments before a decision is issued. We were subsequently informed that unfortunately the refusal decision cannot be rescinded, and advised to either submit another application with the revised drawings or appeal the decision with the revised drawings. Hence we're submitting this appeal with the revised proposal attached.</p> <p>Please see attached cover letter with further details.</p>

This information is collected under section 33(c) of the *Freedom of Information and Protection of Privacy Act (FOIP Act)* for the Subdivision and Development Appeal Board or the Enforcement Appeal Committee for Rocky View County 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, may be redacted prior to your appeal being made available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.



March 21, 2024

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

Dear Sir/Madam,

PRDP20237357 - APPLICATION FOR APPEAL OF DEVELOPMENT AUTHORITY DECISION

We are writing to appeal the refusal decision on the above named DP application for Lot 1, Block 1, Plan 121 2529 under the Vacation Rental Discretionary Use category of the R-RUR Residential Rural District. We are appealing the decision with a revision to the original proposal and for reasons explained below as advised by the development officer assigned to the file.

A considerable amount of time, funds, and effort has been invested to amalgamate requirements and propose a feasible proposal over the last 6 months. In that time, we have been in constant talks with the Planning and Development via phone calls, emails, virtual meetings, and in-person meetings in concerted efforts to move the proposal forward. Following a pre-approval meeting held on November 23, 2023 at the county office and attended by the property owner, her representatives, and select Rocky View County development and planning staff, the above DP application was submitted on November 29, 2023. During the said pre-app meeting, the proposal was presented, and while concerns were raised, the applicant established that all measures are taken to address stated concerns.

We received initial comments on the submission, after which we were advised of and issued a refusal. We reached out requesting that we should be allowed some time to respond to the initial comments before a decision is issued. We were subsequently informed that unfortunately the refusal decision cannot be rescinded, and advised to either submit another application with the revised drawings or appeal the decision with the revised drawings.

The refusal decision was issued on the following basis as per the letter;

- 1. The scale and intensity of operations associated with the proposed Vacation Rental are inconsistent with the purpose and intent of the Residential, Rural District (R-RUR), as required in accordance with Section 317) of the County's Land Use Bylaw C-8000-2020 (LUB).*
- 2. The proposed Vacation Rental is not accessory to the primary residential use of the parcel, as required by Section 323.1 a) of LUB.*
- 3. The proposed Dwelling, Single Detached in combination with the Vacation Rental is in more alignment to the County's definition of Hotel/Motel or Recreation (Private) of the LUB. Both are not listed uses within the R-RUR district as per the LUB.*
- 4. In the opinion of the Development Authority, the proposed development would be more suitably located in a business/commercial land use district, as defined in Part 6 of the LUB.*
- 5. In the opinion of the Development Authority, the development would unduly interfere with the amenities of the neighborhood, and materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands.*

A revised drawing package has been put together with this letter as advised by the development officer. The revised proposal addresses the points stated above per the refusal and other concerns previously highlighted as follows;

1. The scale and intensity of operations of the proposal has been revised to be more consistent with the purpose and intent of the Residential, Rural District (R-RUR).
2. The proposed vacation rental is a 6-bedroom single detached dwelling unit to be used for the purpose of vacation rentals, and is consistent and in alignment with the County's definition of Vacation Rental of the LUB, listed as a Discretionary Use within the R-RUR as per the LUB.
3. The revised proposal is more suited to the residential district in which it is proposed
4. The revised proposal will not interfere with the amenities of the neighborhood, nor materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands. The operation of the proposed vacation rental will maintain the residential character and external appearance of the neighboring dwellings and community.
5. There will be no signage advertising the facility, whether on the property or off-site by the street. All bookings will be made online.
6. There will be no parking on the street within a County roadway or right of way. All parking are provided within the property and out of view from the main street. A 4-car garage is provided along with additional parking at the rear of the property not visible from the main street.
7. Users of the facility will be made familiar with the property boundaries, by means of a fence, landscaping, or other means, to ensure no trespassing to adjacent properties.
8. Resident staff on-site will ensure adherence to serenity and tranquility of the facility in relation to neighbouring properties, and maintain all mitigation strategies employed in the design and operation of the vacation rental.
9. As the primary target clientele of the proposed vacation rental are select high-end customers, the operation of the proposed facility will not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive. As the privacy of clients are preserved during their visits, at all times the privacy of adjacent residential dwellings will be as well preserved. The proposed Vacation Rental will not unduly offend or otherwise interfere with neighboring or adjacent residents. The approach of the design and operations emphasizes serenity, quietude, and physical activity, with planned walking paths on the property. The cul-de-sac location further minimizes any impact on the neighborhood's main thoroughfare.

We believe our revised proposal aligns with the vision of the community and the Vacation Rental discretionary use category. We remain open to addressing any questions or concerns you may have and are committed to working collaboratively to ensure a positive outcome.

Thank you for your time and consideration of our application.

Sincerely,

Jay Olawoyin

Authorized Representative

ISSUED FOR DEVELOPMENT PERMIT

It is the designer's responsibility to ensure these drawings meet or exceed the current Professional Printing Code and Local 3-By-Laws. The designer will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc, due to discretionary interpretations by approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

ALL TRADES AND SUPPLIERS
These drawings form only PART of the construction documents. A Specification should be provided by the General Contractor (see below). Specific brands, models and trade names where used in these drawings are subject to availability and change orders, and should be confirmed in ALL cases.

THE SPECIFICATION OVERRIDES THESE DRAWINGS
The designer is not responsible for errors, omissions, or
replacement of any
materials or supplies when no specification has been
provided.

HOMEOWNER AND GENERAL CONTRACTOR
It is the responsibility of the Homeowner and General Contractor to review these drawings **PRIOR TO START OF CONSTRUCTION**. Any discrepancies between these drawings and the Specifications are to be provided in writing to ForteOne Projects Inc. Any errors or omissions due to items not specified by the above parties are not the responsibility of the designer.

[illegible]

forteOne
projects inc.

840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

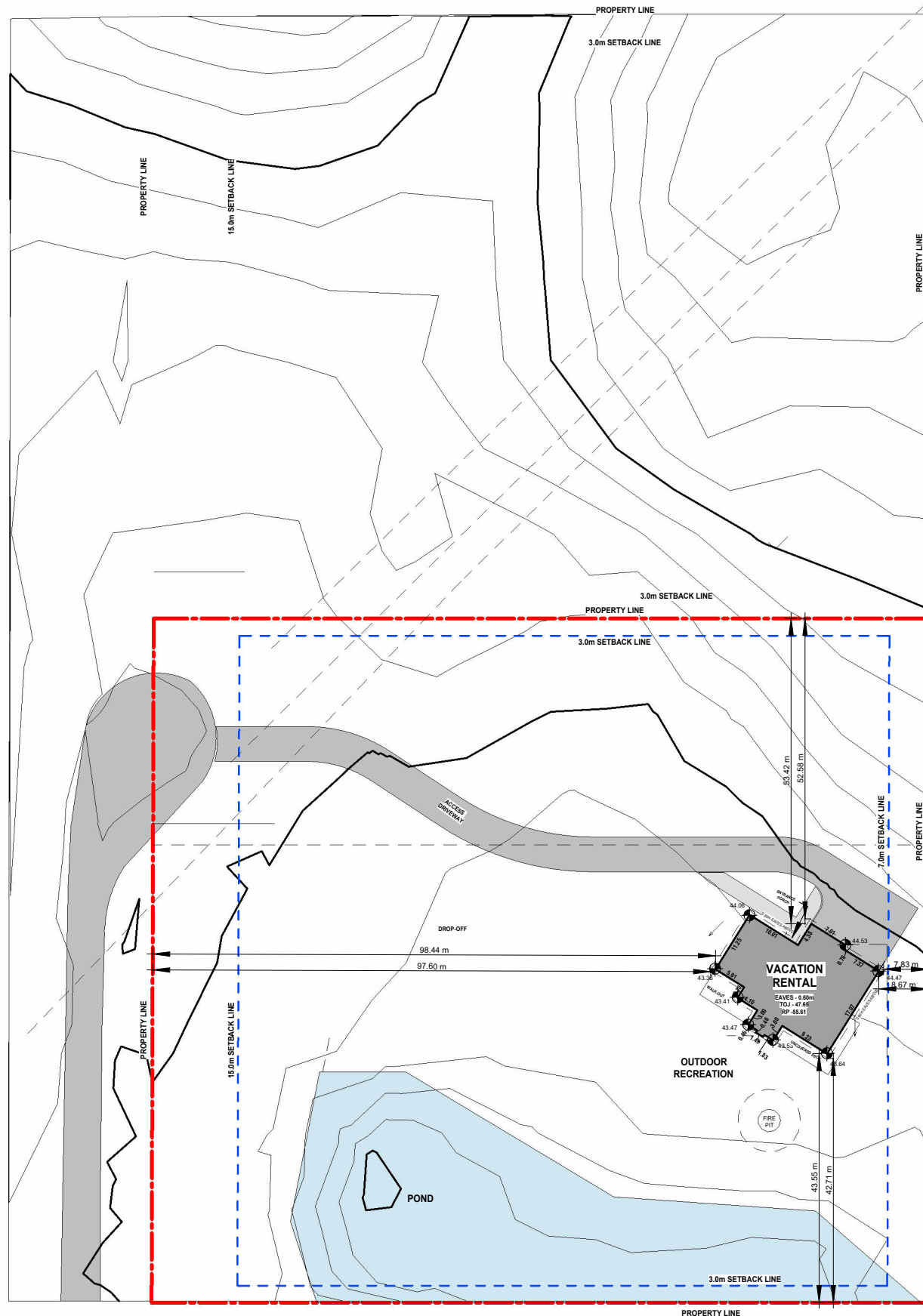
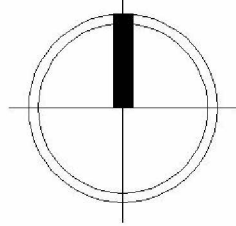
PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
SITE PLAN

PROJECT NUMBER	23-021	REVISION
DATE	NOVEMBER 29, 2023	
DRAWN BY	FO	
CHECKED BY	FO	

DP0.00

SCALE
s indicated



1) SITE PLAN
1 : 1000

GENERAL PROJECT INFORMATION

LEGAL DESCRIPTION

LOT 2, BLOCK 1, PLAN 3516 TR
ALL WITHIN THE
S. W. 1 / 4 SEC. 7, TWP. 26, RGE. 1, W. 5th M.

LOT 2: 4.01 acres (1.62 ha) (16, 227.89 m2)

MUNICIPAL ADDRESS: MOUNTAIN VIEW HILLS, ROCKY VIEW COUNTY, ALBERTA

SITE DATA

ZONING: R-RUR RESIDENTIAL, RURAL DISTRICT

VACATION RENTAL:

PORCH- 536m2
GARAGE - 100.38m2
BASEMENT FLOOR-284.11m2
MAIN FLOOR-248.71m2
SECOND FLOOR -174.16m2
MAIN FLOOR BALCONIES- 68.66m2
SECOND FLOOR- 40.57m2

TOTAL- 921.95m2

DENSITY

MAXIMUM TWO DWELLING UNITS. ONE DWELLING,
SINGLE DETACHED AND ONE OTHER

DWELLING UNIT WHERE THE OTHER DWELLING UNIT
IS NOT A DWELLING, SINGLE DETACHED.

SITE COVERAGE

$$423.11 / 16,227.89 = 2.61\%$$

SETBACKS

FRONT: 15.00 m
SIDE: 3.00 m
REAR: 7.00 m

MAX. BUILDING HEIGHT

REQUIRED:	
ACCESSORY BUILDINGS:	7.0 m (22.97 FT.)
ALL OTHERS:	12.0 m (39.37 FT.)

PROVIDED:

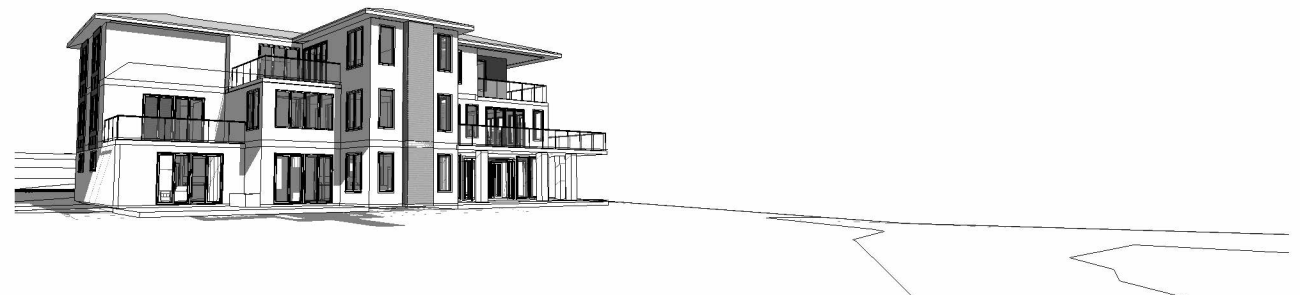
VACATION RENTAL: 11.11 m (36.45 FT.)

PARKING REQUIREMENTS

REQUIRED:

DWELLING
2 STALLS PER DWELLING

PROVIDED: 4 STALLS



[illegible]

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

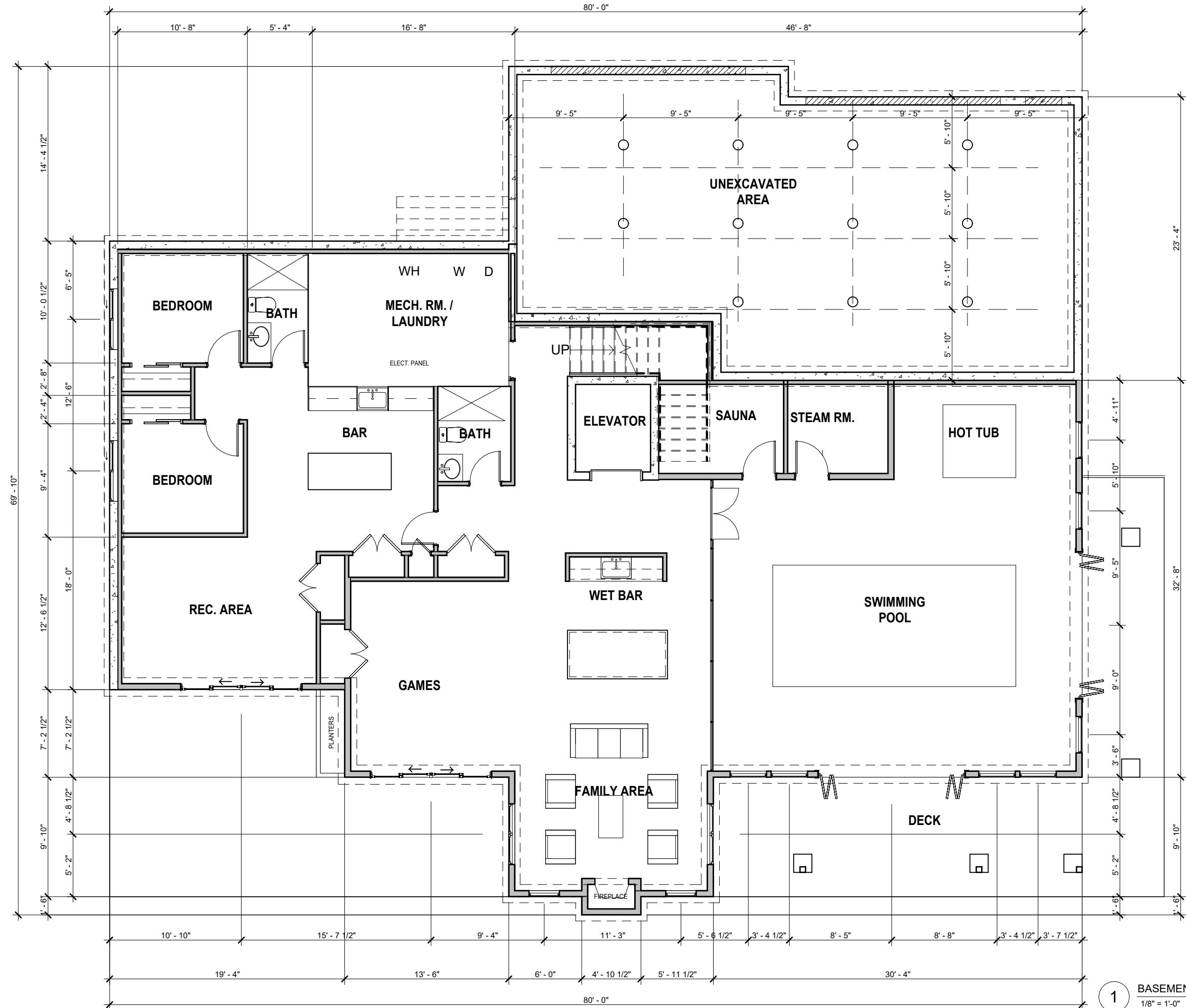
PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME

BASEMENT FLOOR PLAN

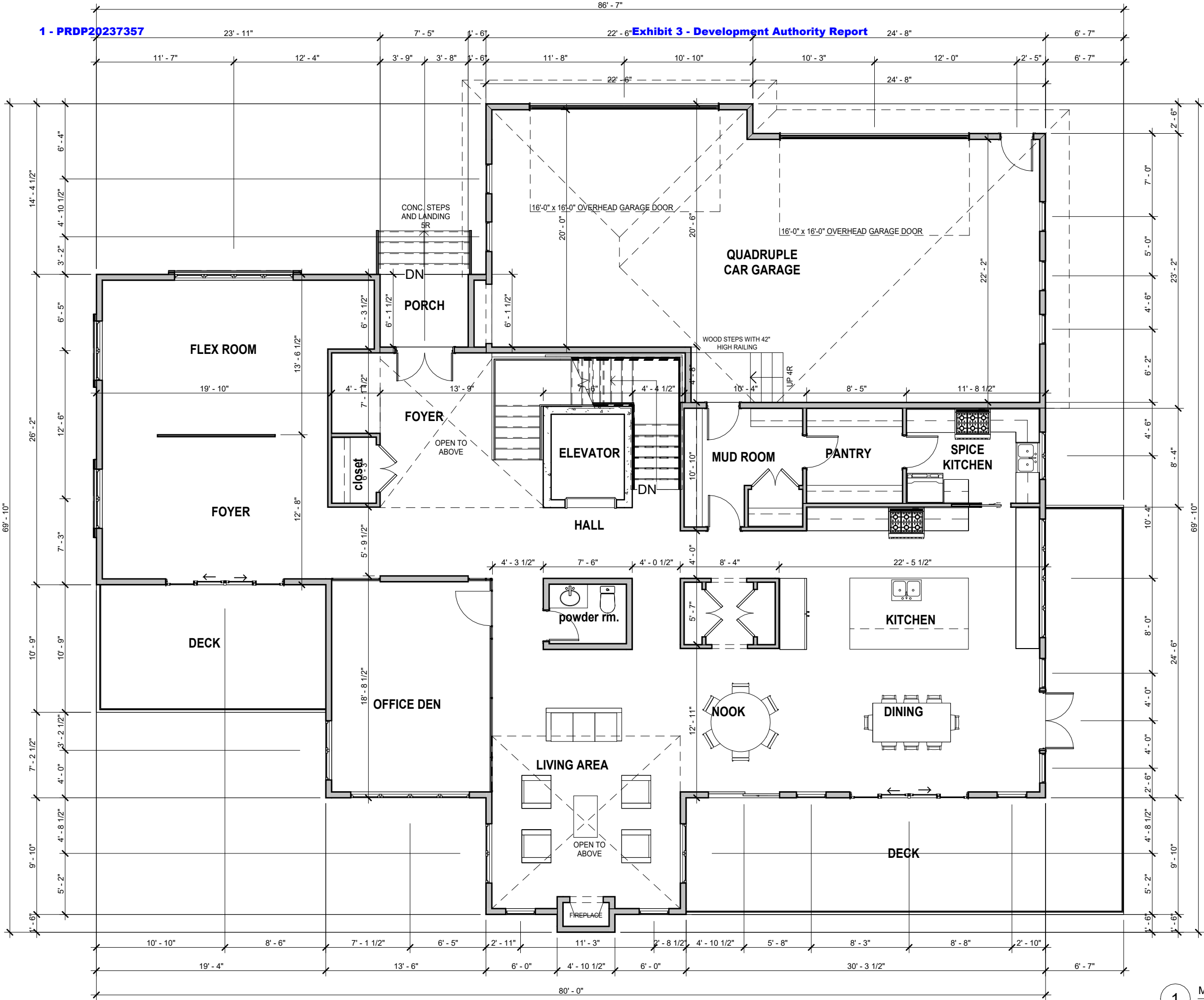
PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

SCALE
1/8" = 1'-0"



BASEMENT FLOOR PLAN

$$1/8" = 1'-0"$$



1 MAIN FLOOR PLAN
1/8" = 1'-0"

NOTES

It is the designer's responsibility to ensure these drawings meet or exceed the current Provincial Building Code and all applicable laws. The designer will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc, due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

ALL TRADES AND SUPPLIERS
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THE SPECIFICATION OVERRIDES THESE DRAWINGS.
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HOMEOWNER AND GENERAL CONTRACTOR
It is the responsibility of the Homeowner and General Contractor to review these drawings PRIOR TO START OF CONSTRUCTION. Any discrepancies between these drawings and the Specifications are to be provided in writing to ForteOne Projects Inc. Any errors or omissions due to items not specified by the above parties are not the responsibility of the designer.

No.	Description	Date

forteOne
projects inc.
587.840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBANYOR

PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
MAIN FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP1.01

SCALE
1/8" = 1'-0"

[illegible]

forteOne
projects inc.
840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBIANYOR

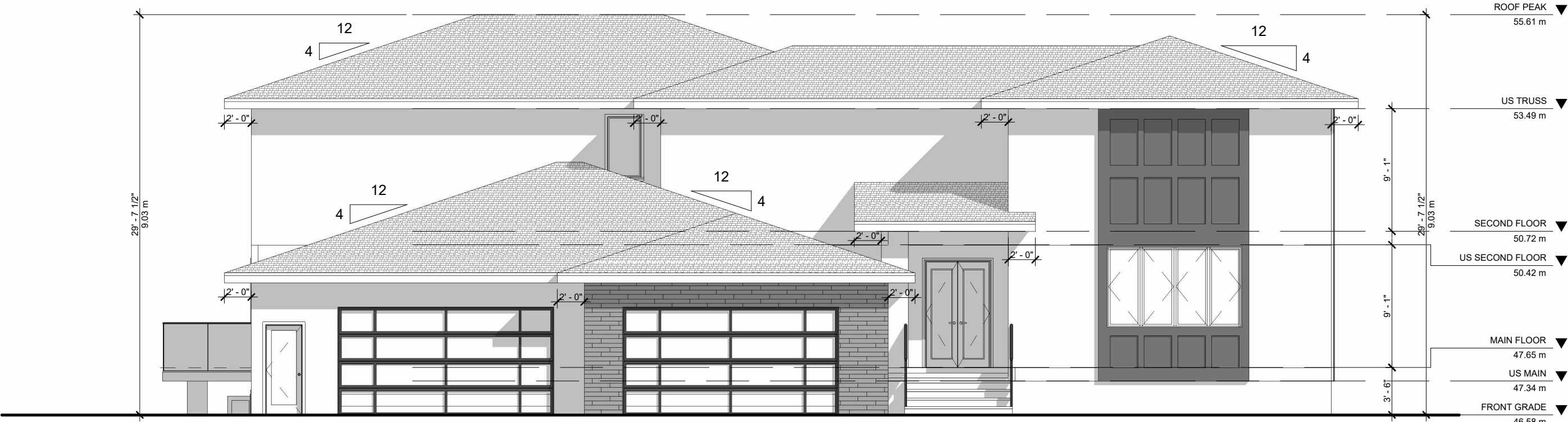
PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
SECOND FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP1.02 SCALE
1/8" =



1 NORTH ELEVATION
1/8" = 1'-0"

NOTES

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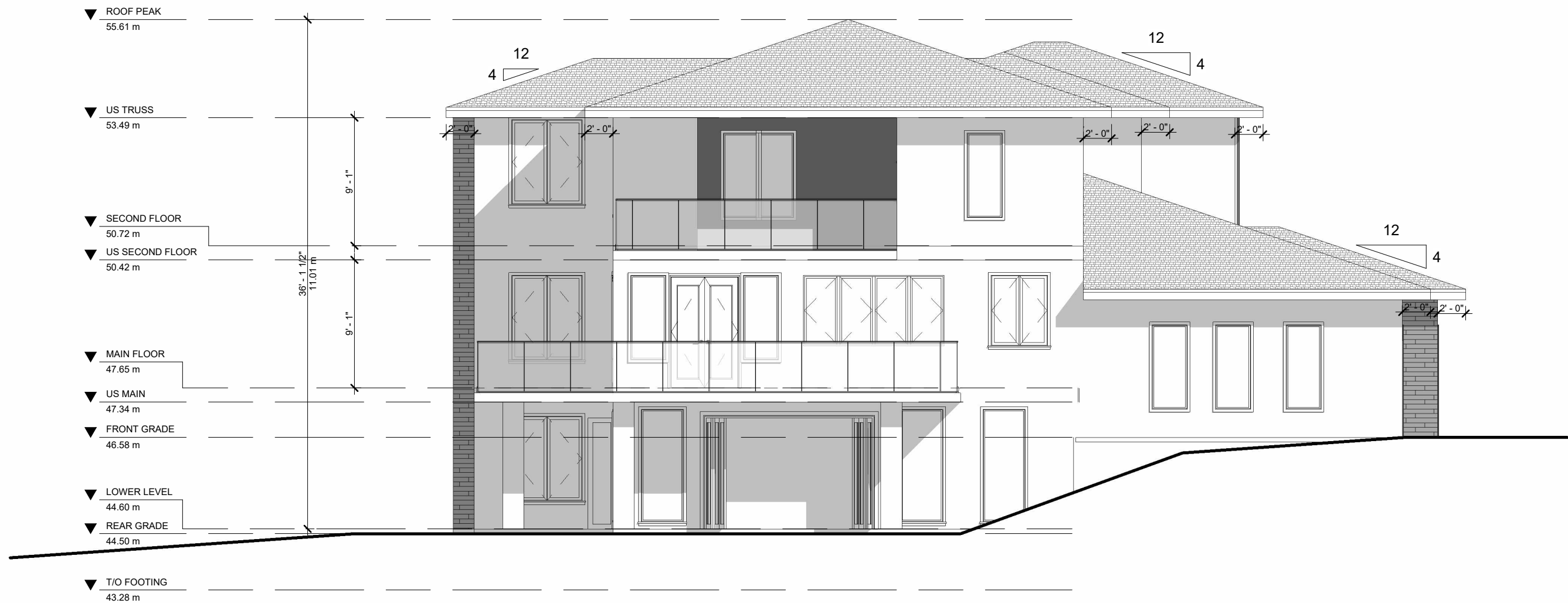
No.	Description	Date

EXTERIOR CLADDING SCHEDULE	
1	ASPHALT ROOFING
2	6" FASCIA / EAVESTROUGH
3	LONGBOARD SIDING
4	HARDIE BOARD SIDING
5	BRICK / STONE
6	6" TRIM AROUND WINDOWS
7	12" SMARTBOARD
8	42" HIGH HANDRAILS
9	SMARTBOARD COLUMN CLADDING
10	VERTICAL BOARD AND BATTEN

ALL TRADES AND SUPPLIERS
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1 EAST ELEVATION
1/8" = 1'-0"

[illegible]

<u>PERCENTAGE OF GLAZED OPENINGS</u>	
BUILDING FACE	148.43 m ²
OPENING AREA	8.51 m ²
% COVERAGE	5.73%
SETBACK	1.50 m
ALLOWED	7%

forteOne
projects inc.
840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
ELEVATIONS

PROJECT NUMBER	24-025	REVISION
DATE	MARCH 21, 2024	
DRAWN BY	FO	
CHECKED BY	FO	

DP2.02

SCALE
1/8" = 1'

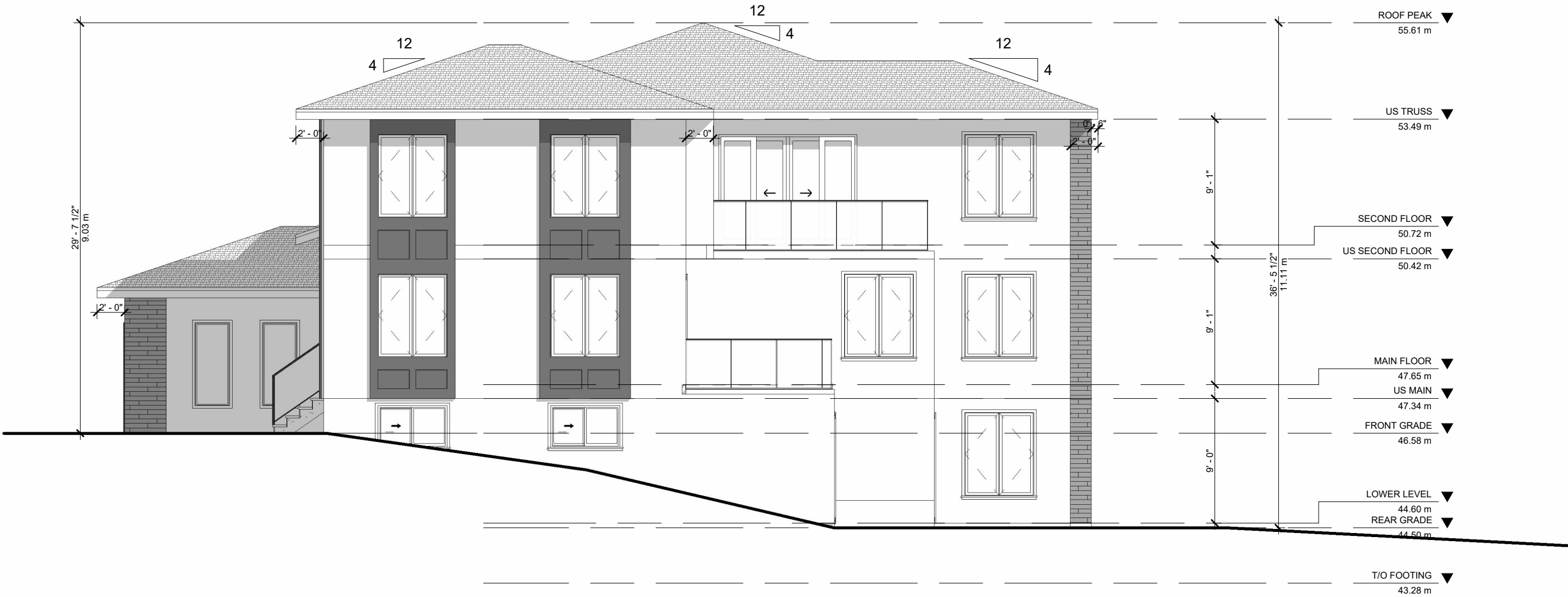
NOTES

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1 RIGHT SIDE ELEVATION
1/8" = 1'-0"

No.	Description	Date

forteOne

projects inc.

587.840.4022 | forteone.inc@gmail.com

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

PROJECT ADDRESS
MOUNTAIN VIEW HILLS,
ROCKY VIEW COUNTY, AB

SHEET NAME
ELEVATIONS

PROJECT NUMBER	REVISION
24-025	
DATE	
MARCH 21, 2024	
DRAWN BY	FO
CHECKED BY	FO



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca

R E F U S A L

Olawoyin, Folajuwon (Jay)

Development Permit #: PRDP20237357

Date of Issue: Tuesday, March 5, 2024

Roll #: 06507044

Your Application dated December 22, 2023 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-8000-2020 of the Rocky View County in respect of:

Vacation Rental (within dwelling, single detached)

at Lot 2 Block 1 Plan 1212529, SW-07-26-01-05

has been considered by the Development Authority and the decision in the matter is that your application be **REFUSED** for the following reasons:

1. The scale and intensity of operations associated with the proposed Vacation Rental are inconsistent with the purpose and intent of the Residential, Rural District (R-RUR), as required in accordance with *Section 317) of the County's Land Use Bylaw C-8000-2020 (LUB)*.
2. The proposed Vacation Rental is not accessory to the primary residential use of the parcel, as required by *Section 323.1 a) of LUB*.
3. The proposed Dwelling, Single Detached in combination with the Vacation Rental is in more alignment to the County's definition of *Hotel/Motel* or *Recreation (Private)* of the *LUB*. Both are not listed uses within the R-RUR district as per the *LUB*.
4. In the opinion of the Development Authority, the proposed development would be more suitably located in a business/commercial land use district, as defined in Part 6 of the *LUB*.
5. In the opinion of the Development Authority, the development would unduly interfere with the amenities of the neighborhood, and materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands.

Regards,

A handwritten signature in black ink, appearing to read 'D. Lam', written over a horizontal line.

Development Authority
Phone: 403.230.1401
E-Mail: development@rockyview.ca

Please contact Steven Lam at (403) 520-6303 or by email to Slam@rockyview.ca for any further questions.

NOTE: An appeal from this decision may be made to the Subdivision and Development Appeal Board of Rocky View County. Notice of Appeal to the Subdivision and Development Appeal Board from this decision shall be filed with the requisite fee of \$350 with Rocky View County no later than 21 days following the date on which this Notice is dated.



ROCKY VIEW COUNTY

APPLICATION NO.

PRDP20237357

ROLL NO.

06507044

RENEWAL OF

FEES PAID

\$515.00

DATE OF RECEIPT

Dec 22, 2023

DEVELOPMENT PERMIT APPLICATION

APPLICANT/OWNER

Applicant Name: FOLAJUWON (JAY) OLAWOYIN

Email:

Business/Organization Name (if applicable): FORTEONE PROJECTS INC.

Mailing Address:

Postal Code: T6J 2E2

Telephone (Primary):

Alternative:

Landowner Name(s) per title (if not the Applicant): FLORENCE OBIANYOR

Business/Organization Name (if applicable):

Mailing Address:

Postal Code:

Telephone (Primary):

Email:

LEGAL LAND DESCRIPTION - Subject site

All/part of: S.W. ¼ Section: 7 Township: 26 Range: 1 West of: 5th Meridian Division:

All parts of : Lot 2 Block: 1 Plan: 121 2529 Parcel Area (ac/ha): 4.01 ac

Municipal Address: MOUNTAIN VIEW HILLS

Land Use District: R-RUR (Residential, Rural)

APPLICATION FOR - List use and scope of work

VACATION RENTAL

Variance Rationale included: ☐ YES ☐ NO ☐ N/ADP Checklist Included: ☐ YES ☐ NO

Name of RVC Staff Member Assisted:

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, FOLAJUWON (JAY) OLAWOYIN (Full name in Block Capitals), hereby certify (initial below):

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

FO 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.

FO 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*.FO **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 Dec. 3, 2023

Landowner Signature

Date DEC 3, 2023



ROCKY VIEW COUNTY

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

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20237357
ROLL NO.	06507044
DISTRICT	R-RUR <input type="checkbox"/>

DETAILS	USE TYPE/LOCATION
Business-related area within: 200.79m ²	<input type="checkbox"/> Home-Based Business (Type II)
Principal dwelling (m ² / ft. ²) 1,093.21 sq. m.	<input type="checkbox"/> * Bed and Breakfast
Accessory building (m ² / ft. ²)	Located within:
Outdoors (for storage) (m ² / ft. ²)	<input type="checkbox"/> Existing Building OR <input checked="" type="checkbox"/> New Building
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.	
BUSINESS OPERATIONS	
Business name: El Roi Wellness Centre (Florence Obianyor Professional Corporation)	
Describe nature of business: Private and tranquil vacation rental with breakfast opportunity, with 5 retreat rooms with wellness provisions such as sleep reset, counseling, physiotherapy, spa, space for training and group sessions, etc. The facility will primarily cater for an exclusive caliber of high-profile clients.	
Any outdoor area on site being used for business purposes (other than storage/parking)? If yes, describe purpose:	
Days of operation: 7 Hours of operation: 24	
Total number of employees (including residents/applicant): 3-4 depend ⁺	
Number of non-resident employees: 2 - 3 max	
Number of business-related vehicle visits per day: 2 Per week: 2-7 depending on bookings	
Location of business-related vehicle parking on site: Underground parking	
Total number and type of vehicles used for business on site (Home-Based Business, Type II only):	
SCREENING AND SIGNAGE	
Type of screening provided for outdoor storage area (Home-Based Business, Type II only):	
<input type="checkbox"/> Landscaping (specify vegetation): _____	
<input type="checkbox"/> Fencing (specify material and height): _____	
<input type="checkbox"/> Other (specify material and height): _____	
Business signage proposed on site? <input type="checkbox"/> YES - attach Signage - Information Sheet and documents <input checked="" type="checkbox"/> NO	
ADDITIONAL SITE PLAN REQUIREMENTS	
<input checked="" type="checkbox"/> Location of parking area	
<input type="checkbox"/> Location and dimensions of proposed outdoor storage area(s)	
<input type="checkbox"/> Location and type of existing/proposed screening (landscaping, fence etc.), specifically for outdoor storage	
<input type="checkbox"/> Location of any proposed signage	
* 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 Folajuwon Olawoyin Digitally signed by Folajuwon Olawoyin
Date: 2023.12.12 09:36:57 -07'00'Date 12-Dec-2023

The Planning and Development
Rocky View County, 262075 Rocky View Point
Rocky View County AB, T4A 0X2
November 29, 2023

Re: APPLICATION FOR DEVELOPMENT PERMIT: LOT 1 & 2, BLOCK 1, PLAN 121 2529

Dear Sir/Madam,

In continuation of the development permit application submitted on October 26th, 2023 and following the pre-application meeting on November 23, 2023, we hereby submit the development permit package as two separate applications as discussed. Details of the packages are here outlined;

LOT 1: 3.51 acres

Dwelling Unit/Care Facility (Group)

The package for this lot is submitted as a Dwelling Unit/Care Facility as discussed at the pre-application meeting. The development consists of the owner's primary residence while also providing housing and care for 5 individuals receiving care. Living with an experienced physician will ensure that proper care and oversight is maintained at all times and there are no concerns about support-dependent individuals roaming the community.

LOT 2: 4.01 acres

Vacation Rental

The package for this lot consists of a vacation rental facility as discussed at the pre-application meeting. The development comprises a vacation rental which also includes basic wellness and retreat provisions including counselling, physiotherapy, spa, space for training and group sessions, and 5 rooms for people seeking sleep reset. As a boutique wellness vacation rental, the facility will cater to a specific and exclusive caliber of clientele. This will enhance the buildings profile and perception in the community as a one-of-a-kind vacation rental and wellness destination. Our mission is to establish a secure and supportive setting where individuals can cultivate and enhance their physical, mental, social, and spiritual well-being. By offering a range of services and resources, we strive to support individuals in achieving balance and harmony in their lives.

As previously highlighted, the scope and scale of both developments have been scaled down significantly to address concerns about noise, traffic, and safety in the community. We have always and will consistently take all necessary measures to guarantee the tranquility of our community. As previously addressed, these include; minimal surface parking (underground parking provided to mitigate the perception of crowd and busyness), contextual architectural appearance of the buildings with existing

ones in the community, intentional landscaping to further provide a shield and sense of tranquility, catering for exclusive clientele, as well as absence of outdoor signage (bookings will be done online).

Considerable amount of time, effort, and funds have been invested in proposing a feasible plan and pushing to move the project forward. Through several correspondence via phone calls, emails, and meetings, the proposal has been revised a few times in response to the information and feedback from your office. We will appreciate your kind consideration of the efforts and resources invested, as well as the initiatives proposed to mitigated stated concerns.

We will be happy to answer any questions or concerns regarding the proposed development.

Thank you for your kind consideration.

Sincerely,

Jay Olawoyin

Authorized Representative



MOUNTAIN VIEW HILLS

CALGARY

Subdivision & Development Appeal Board B-1; April 18, 2024

File: PRDP20237357

Vacation Rental (within dwelling, single detached)

Owner: Florence Obianyor

Applicant: Folajuwon (Jay) Olaw

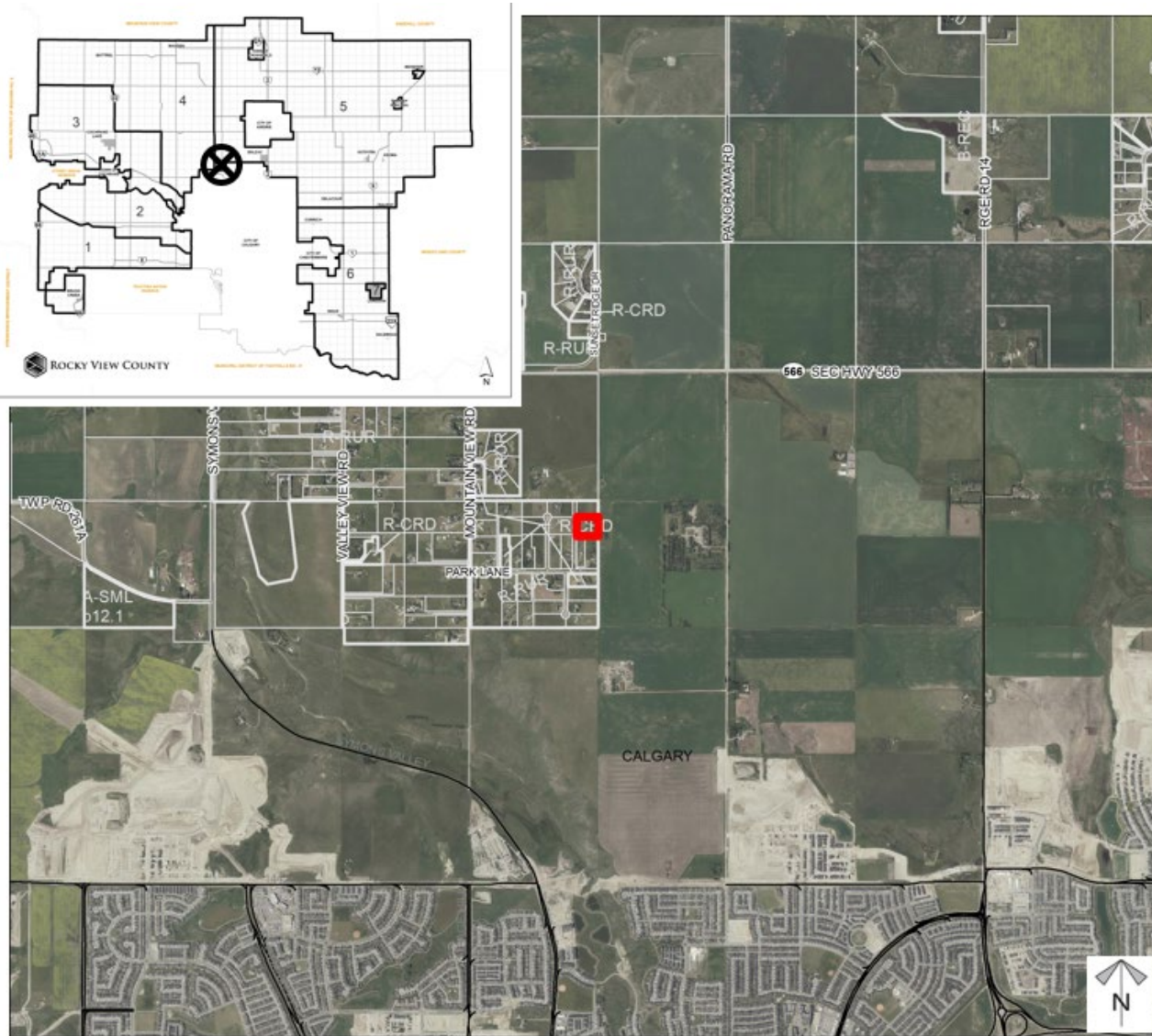
Appellant: Folajuwon (Jay) Olaw



Development Proposal:

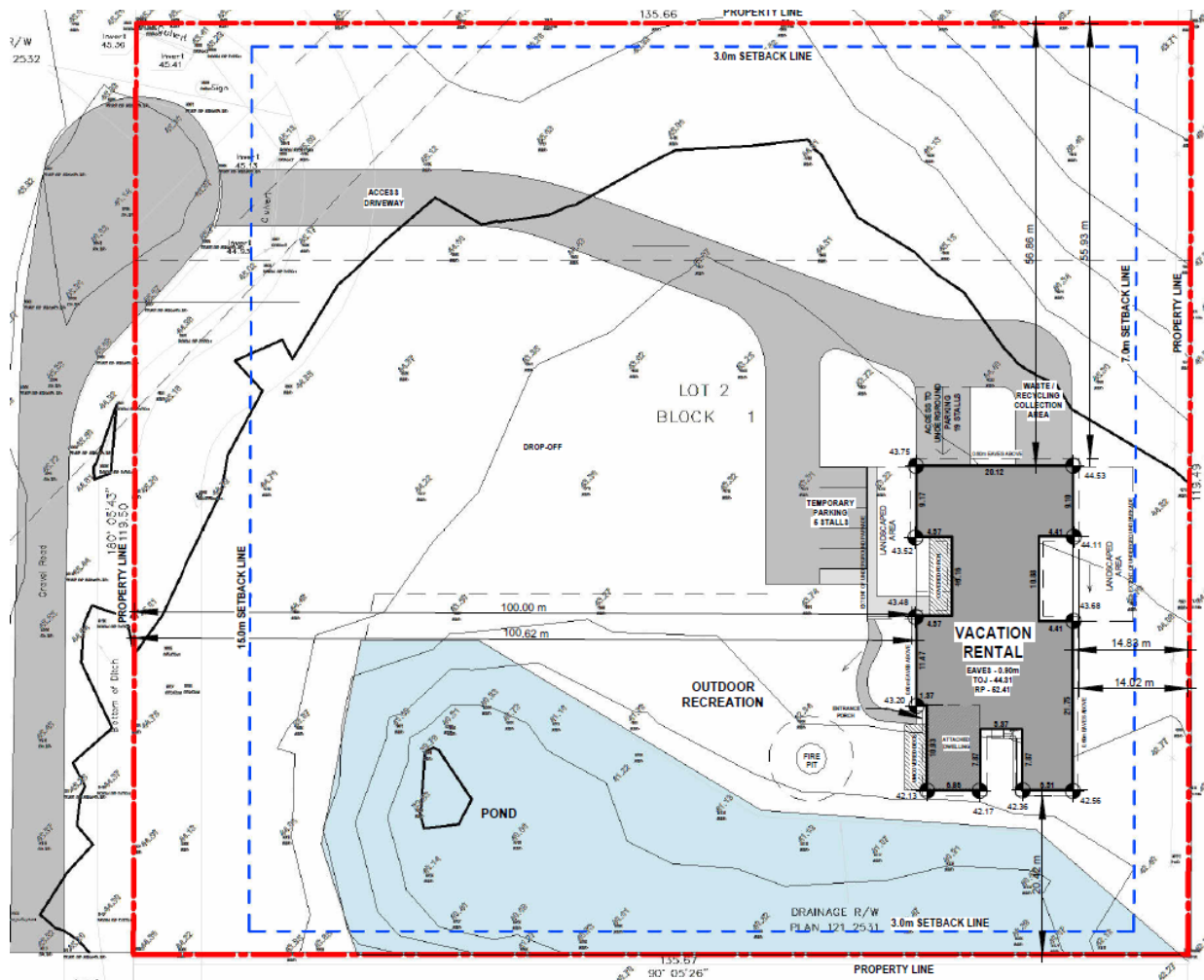
Use:

- Vacation Rental within a proposed Dwelling, Single Detached
- Residential, Rural (R-RUR).
- Surrounded by residential parcels and on the boarder with the City of Calgary



Proposal Details:

- 2 - 3 staff members will be on-site to attend to guest
- maximum of 10 guest with 5 bedrooms
- 24 parking stalls provided onsite
- 853.32 sq. m (9,185.06 sq. ft.) in gross floor area

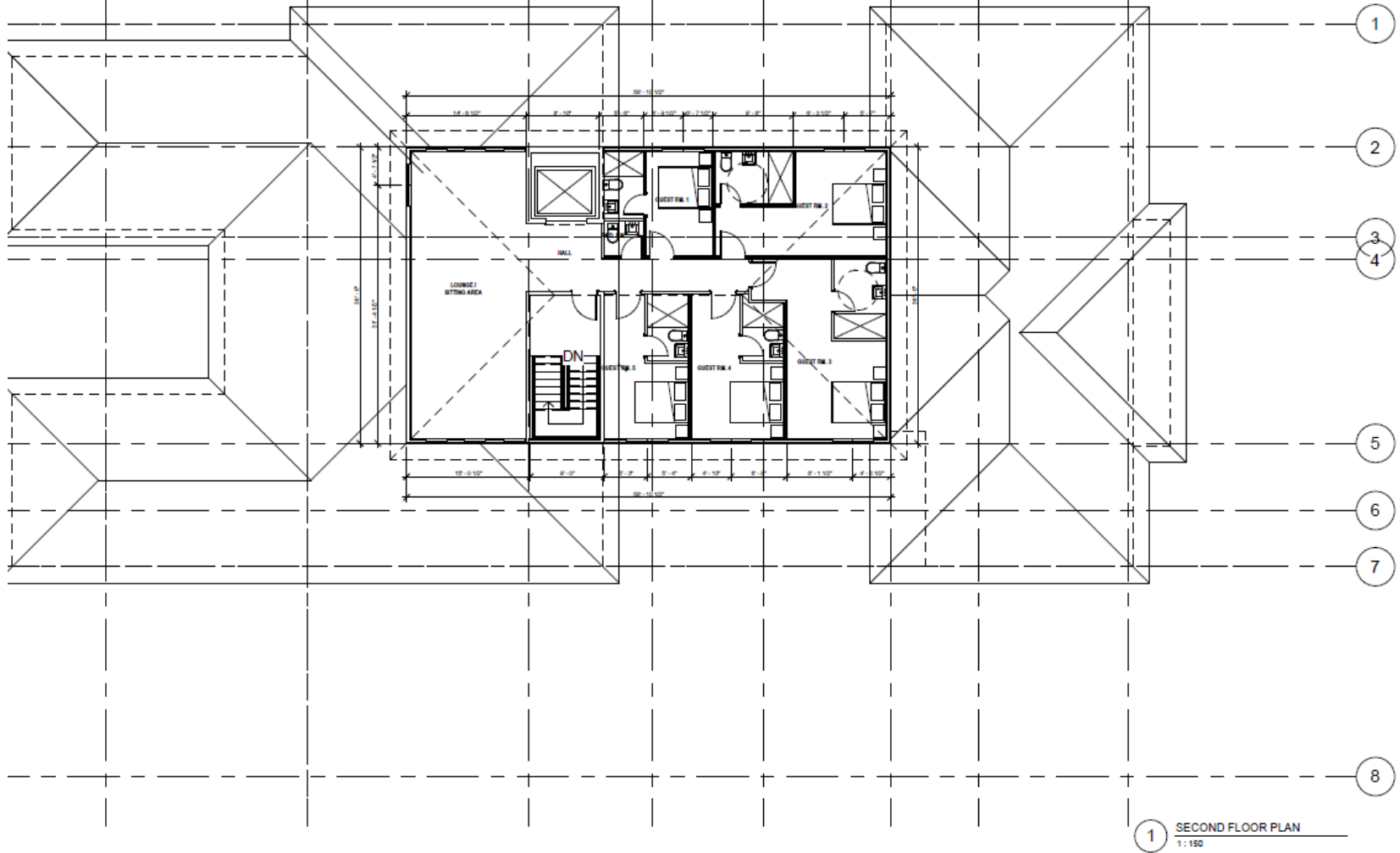


SITE PLAN

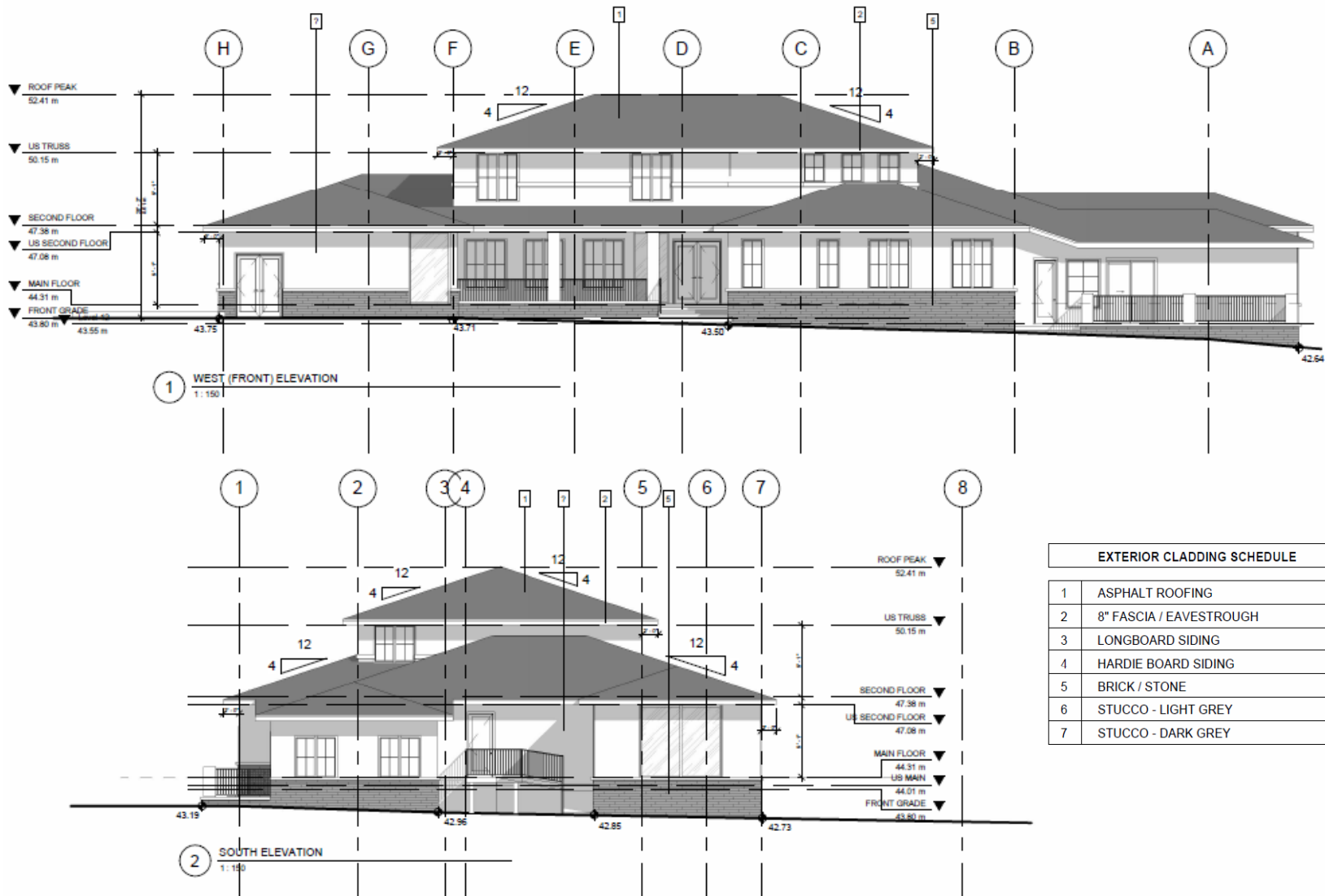


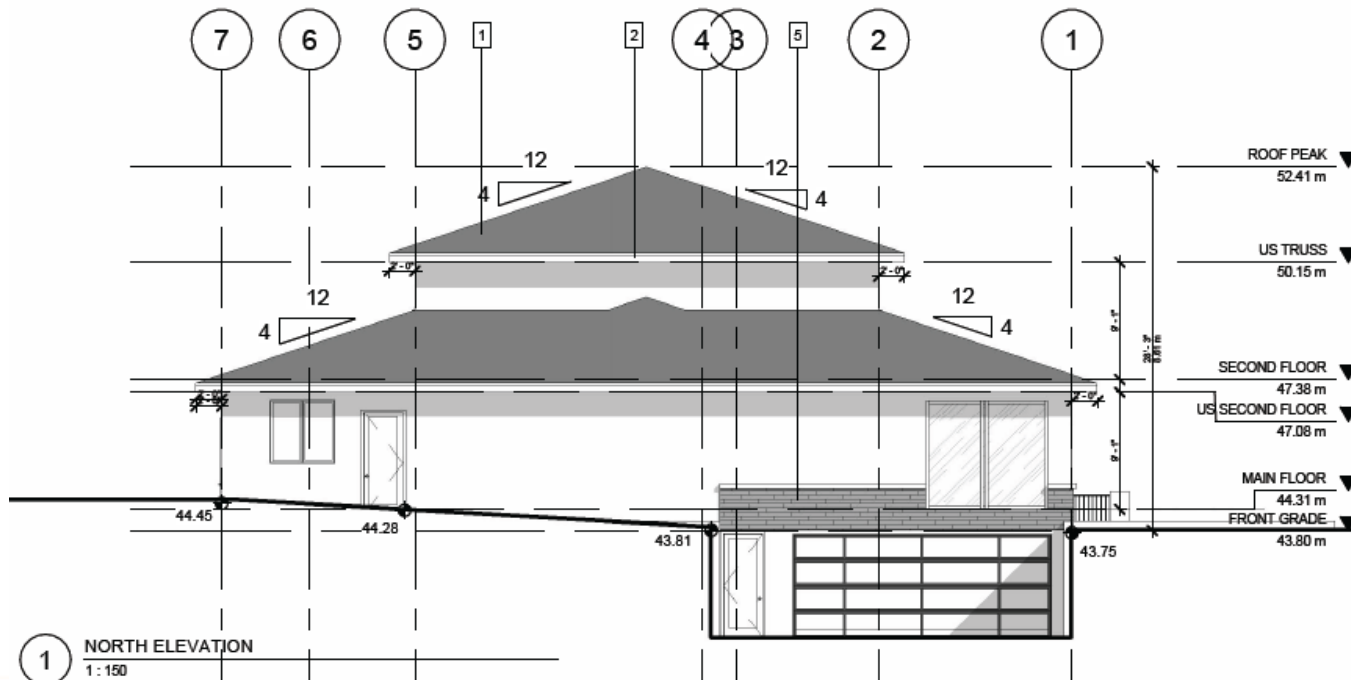
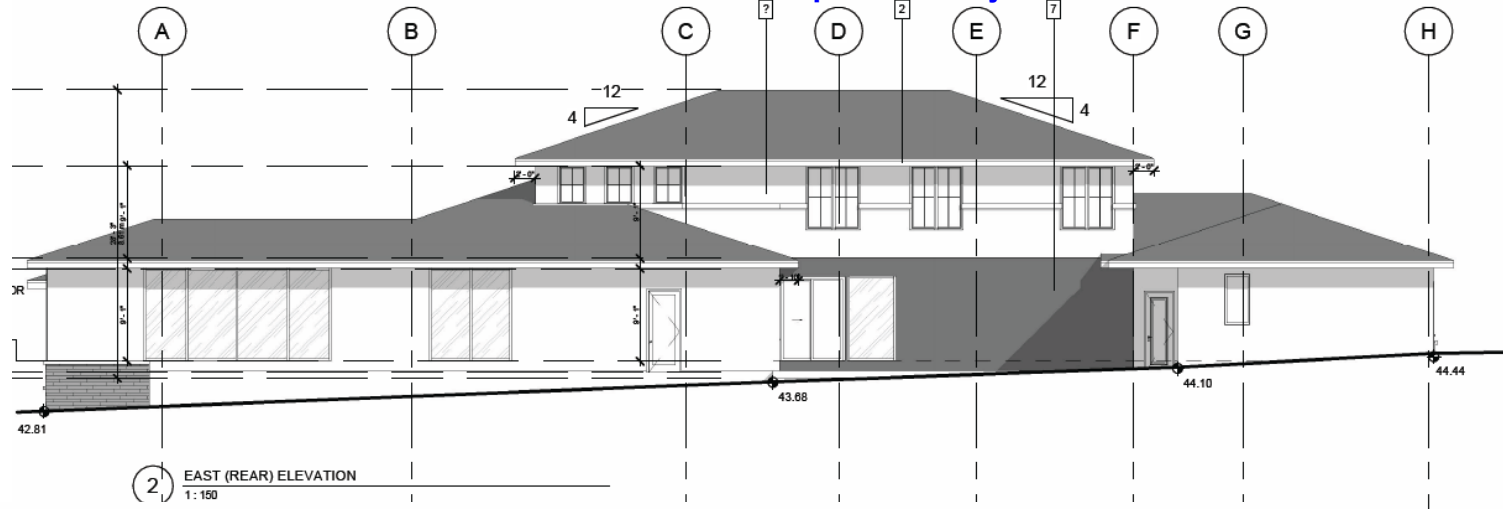
ROCKY VIEW COUNTY





SECOND FLOOR PLAN





ROOF PEAK
52.41 m

US TRUSS
50.15 m

SECOND FLOOR
47.38 m

US SECOND FLOOR
47.08 m

MAIN FLOOR
44.31 m

FRONT GRADE
43.80 m

EXTERIOR CLADDING SCHEDULE

1	ASPHALT ROOFING
2	8" FASCIA / EAVESTROUGH
3	LONGBOARD SIDING
4	HARDIE BOARD SIDING
5	BRICK / STONE
6	STUCCO - LIGHT GREY
7	STUCCO - DARK GREY





Reasons for Refusal

REFUSAL

Olawoyin, Folajuwon (Jay)

Development Permit #: PRDP20237357

Date of Issue: Tuesday, March 5, 2024

Roll #: 06507044

Your Application dated December 22, 2023 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-8000-2020 of the Rocky View County in respect of:

Vacation Rental (within dwelling, single detached)

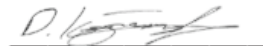
at Lot 2 Block 1 Plan 1212529, SW-07-26-01-05

has been considered by the Development Authority and the decision in the matter is that your application be **REFUSED** for the following reasons:

1. The scale and intensity of operations associated with the proposed Vacation Rental are inconsistent with the purpose and intent of the Residential, Rural District (R-RUR), as required in accordance with *Section 317* of the County's *Land Use Bylaw C-8000-2020 (LUB)*.
2. The proposed Vacation Rental is not accessory to the primary residential use of the parcel, as required by *Section 323.1 a)* of *LUB*.
3. The proposed Dwelling, Single Detached in combination with the Vacation Rental is in more alignment to the County's definition of *Hotel/Motel or Recreation (Private)* of the *LUB*. Both are not listed uses within the R-RUR district as per the *LUB*.
4. In the opinion of the Development Authority, the proposed development would be more suitably located in a business/commercial land use district, as defined in Part 6 of the *LUB*.
5. In the opinion of the Development Authority, the development would unduly interfere with the amenities of the neighborhood, and materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands.

1. Scale and intensity of the operations associated with the proposed Vacation Rental are inconsistent with the intent of Residential, Rural District
2. The proposed Dwelling, Single Detached in combination with the Vacation Rental is in more alignment to the County's definition of Hotel/Motel or Recreation (Private). Both are not listed uses within R-RUR
3. In the proposed development would be more suitably located within a business or commercial district

Regards,



Development Authority
Phone: 403.230.1401
E-Mail: development@rockyview.ca

APPELLANT CONCERNS

Bylaw Interpretation:

Rocky View County Land Use Bylaw

- “Hotel/Motel” means a building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms, which may contain bar/kitchen facilities; the building may also contain commercial or other uses and may or may not offer such additional services as party facilities, restaurant or dining room services, or public convention facilities
- “Recreation (Private)” means a use where sports or recreation, that is privately owned, occurs within an enclosed Building. Typical uses include private clubs or lodges, health or fitness clubs, or private recreation facilities such as bowling alleys, arcades or racquet courts
- “Vacation Rental” means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.

Conclusion

- The scale and intensity of the proposed Vacation Rental in combination with the amenities of the proposed Dwelling, Single Detached exceeds the residential intent of the R-RUR district and is more in line with a commercial operation better suited within a commercial/business district

CONCLUSION



April 11 2024

Subdivision and Development Appeal Board for Rocky View County.

This letter is in Protest to File—PRDP20237357

Lot2 Block1 Plan 1212529

We are against this appeal for the following reasons.

This entire area is comprised mostly of live in property owners that like to enjoy the peaceful country life. Some residents are small business owners that operate from home but typically do not bring any extra traffic to the area. These situations are covered under current Rocky View Bi-laws .

No one that I know of in this neighbourhood is interested in having any businesses that encourage an influx of strangers with a weekly change over.

A weekly change over would not encourage any neighbourly camaraderie but may possibly encourage criminal activities such as theft.

We live on the corner of Mountain View RD and Park Lane and the entrance to Butler Park is directly south of us on Park Lane.

We have been volunteering to look after Butler Park for in excess of twenty years so I am familiar with the Park Lane traffic. Historically it is strangers and not full time residents that speed through the park zone, so we are not looking for anymore non resident traffic on Park Lane. The only way to have a hope to control this is to keep all properties in this area as full time residential.

While the Buddhists were illegally operating their non approved temple, practically all of their patrons were speeding through the park zone. They have since sold their property and are moving on and the traffic has gone back to what I call normal.


Karen and Joe Genovy at 15252 Park Lane

From: [REDACTED]
To: [PAA SDAB](#)
Subject: PRDP202337357
Date: April 15, 2024 8:39:37 AM

I am writing in regard to file PRDP202337357. I live on Park Lane. I am opposed to this application. I agree with the initial ruling that this type of facility should be located in a commercial sector, not a residential one. Applications like this will bring with it all the things that are associated with commercial endeavors, traffic, noise, a loss of peace and tranquility in the neighborhood. We have an application for a non residential building almost every year. So far we have been able to avoid those but if we start allowing them, even ones that are scaled back to try get them approved, then the next one will be a little less scaled back and so on. After a few years this community will feel more like a commercial area than a residential one. The infrastructure in this community is also not designed for commercial use. There is a reason why we have residential areas and commercial areas separate from each other, this certainly belongs in a commercial area.

Peter Hamm

From: [BEN BERGEN](#)
To: [PAA SDAB](#)
Subject: PRDP20237357
Date: April 15, 2024 6:05:17 PM

Ben & Jackie Bergen
19 Mountainview Place
T3P1A6


We here object or oppose to the subdivision and development permit for a vacation rental.

April 15, 2024

File Number : PRDP20237357

My name is Darwin Gabel and my wife Stephanie, and I have lived at #14 Golden Key Estates for approximately 10 years. Our home is located 0.20 kms east of Mountain View Road, and 0.40 kms south of highway #566. We are located halfway between highway 566 and the property under appeal.

We are submitting this letter in opposition to the above application for Folajuwon Olawoyin to have a vacation rental. Upon doing some research we have discovered this has already been refused as a vacation rental by the county .

Also after doing some research it appears that this “vacation rental” is going to be more of an addiction recovery centre portrayed as a vacation rental.

Florence Obianyor is an experienced Family Physician with a very strong interest in mental health, addiction recovery & care of the elderly

This is a quote from her appeal

#8 Resident staff on-site will ensure adherence to serenity and tranquility of the facility in relation to neighbouring properties and maintain all mitigation strategies employed in the design and operation of the vacation rental.

9. As the primary target clientele of the proposed vacation rental are select high-end customers, the...

If it is a vacation home, why will there be resident staff on site to ensure serenity and tranquility of the facility? Facility? That is not a vacation home. A vacation home, you rent the whole home and there is no staff.

Primary target clientele is high end customers. Customers? When you have a vacation home people who rent are called guests.

In addition to increased traffic and water demands, our main objection to this relaxation of the zoning bylaws is the fact that it will change the character of the neighbourhood and adds to the possibility of additional zoning changes. One of the reasons we purchased this property was because we love the rural residential lifestyle and we don't want to risk losing that.

Please keep this little piece of paradise as is, a resident area and not a vacation home, or a place for addiction recovery. This should be in a more commercial environment and not a rural residential area.

Sincerely

Darwin and Stephanie Gabel

14 Golden Key Estates.

Mike and Michelle Eddy,
261086 Mountain View Road
Calgary, Alberta
Rocky View County
T3P 1A6

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

Attention: Board Clerk and Planning Services

Regarding: Opposition to File PRDP20237357

April 16, 2024

Dear Board Clerk, Planning Services and Councillors,

This letter is the written opposition to File PRDP20237357 for the development permit application for a vacation rental and the adjacent counselling facility.

As residents of 261086 Mountain View Road we live in close proximity to this property and any such permit will have an immediate affect on our property and community.

The proposed vacation property sounds more like a treatment centre than it does a vacation rental property. The owner, a licensed councillor is proposing to house up to 5 tenants for counselling and then maintain a very large “vacation property” capable of holding several more people. This proposal does not fit with rural lifestyle of the rest of the community. The local properties are acreages consisting of small farms, livestock and rural lifestyle.

We do not want people recovering from addictions roaming about the community. There is no transit system and no where for the people to go. If this application were to pass, between the proposed ‘live in’ facility and the ‘vacation’ property the number of residents (temporary) will be larger than most properties and will strain sewage systems and water wells. Increased traffic for visitation will result in increased noise, wear and tear on the roads and increased traffic.

In addition to ‘occupants’ are the staffing requirements for the facility. The staff will be travelling to and from the facility leading to increased traffic, noise and pollution. The lots are un-serviced and therefore private garbage collection will need to be contracted and a higher frequency of sewage removal.

Size. The size alone makes this facility better suited for an industrial or commercial area with access to amenities and services such as transit, sewage, water and garbage collection. This place really is not a fit for the area and it will really change the look and feel of what are rural family homes.

Personally, we do not believe that the vacation property will be used as a high-end vacation destination. It looks to be more a high-end recovery facility. There are not any amenities to attract vacationers to a high-end vacation home. There are no hiking trails, bike paths or recreational facilities nearby. There are no pools, rinks or even any side walks to draw the attention of vacationers. The amount of space the 'institutional facilities' will take up, leave little room for outdoor activities on the property. The property will need a large parking lot for staff, residents, visitors and 'vacationers'.

Thank you for considering the neighborhood and community.

Sincerely,

Mike and Michelle Eddy
261086 Mountain View Road

From: [Judy Bissell](#)
To: [PAA SDAB](#)
Cc: [Judy Bissell](#)
Subject: File PRDP20237357. Lot 2 Block 1 Plan 121 2529
Date: April 17, 2024 7:08:13 AM

To: SDAB
262075 Rocky View Point
Rocky View County, AB T4A 0X2

From: Judy Bissell
261087 Mountain View Road
Calgary, AB T3P 1A6

RE: File PRDP20237357
Lot 2 Block 1 Plan 121 2529
Application Proposal: Vacation Rental

This development has all the makings of a Commercial/Institutional development and does not fit the true nature and intent of our Rural Residential Community.
I am against the Commercial/Institutional development and construction of the proposed Vacation Rental.

I have been a resident of this community for over 50 years and have watched it grow and develop into a long standing residential community consisting of single family homes with approved home businesses.

I oppose this development for the following reasons:

1. The development is clearly commercial/institutional in nature.
Does not fit with the existing Single Family Dwellings that make up the area.
2. The business that will be run from the construction of an almost 10,000 sq ft facility will require many onsite 24/7 employees ranging from cleaning/maintenance to physiotherapists, psychologists, massage therapists, herbalists, acupuncturists, osteopathic doctors, chiropractors that will not be residents of the community.
3. This development has the possibility and I believe intent of increased scalability, to easily change in size and scale once the first development is granted.
This landowner owns both Lot 1 & Lot 2 Block 1 Plan 121 2529,
4. Will unduly interfere with the existing amenities of the community and interfere with the use, enjoyment and value of the neighbouring landowners.

Thank you for accepting this email as my OPPOSITION to the development of a commercial operation in our residential community.

Sincerely
Judy Bissell

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From: [Lee McCallum](#)
To: [PAA SDAB](#)
Subject: PRDP20237357 Objection
Date: April 17, 2024 6:03:25 AM

My name is Laughlin McCallum of 261087 Mountain View Road. Our property is on the NW corner of the junction Park Lane and Mountain View Road.

I object to the proposed vacation rental as it is a commercialization of a residential property. I believe that the properties in the area must remain residential. If properties are allowed to commercialize then there will be no end to the process and the residential character will be lost.

From: [Renee](#)
To: [PAA SDAB](#)
Subject: Opposition of 1-PRDP20237357
Date: April 16, 2024 8:43:24 PM

To whom it concerns;

We are writing to oppose the appeal of file 1-PRDP20237357 by Florence Oblianyor

We trust our Rockyview board's decision to deny the subdivision and development of this building. The points of refusal by the board 1-5 including an example of sec 317 land use bylaw c80002020(Lub) including unduly interference to our neighbourhood were just.

Our area is a quiet family centered community. We have seen the traffic go up and down through the years along with the speeders through the park.

Having a so called vacation rental property will induce heavy traffic, more road deterioration, noise and unwanted people in our quiet neighborhood.

We believe Ms Oblianyor is not forthcoming or transparent in what the "vacation rentals" will really be used for, we are under the assumption the development will actually be a addiction recovery centre. This yet again brings more concern as to the amount of strangers in our neighborhood along with deterioration of safe streets and our home resale value. We adamantly oppose the appeal of this development.

Thank you for your time.

Sincerely,

Ryan and Renee Nowak
15214 Park Lane T3P 1A6

Scott, James & Brenda
11 Mountain View Place
Calgary, AB T3P 1A6

April 16, 2024

SDAB
262075 Rocky View Point
Rocky View County, Alberta T4A 0X2

sdab@rockyview.ca

File PRDP20237357

Lot 2 Block 1 Plan 1212529, SW-07-26-01-05 located approximately 0.81 kilometres (0.50 miles) east of Mountain View Road and 0.81 kilometres (0.50 miles) south of Highway 566

Application Proposal: Vacation Rental

We are against the Commercial development of a Vacation Rental Vacation Rental with elements of a private wellness retreat center, counselling, physiotherapy, pool amenities, spa services and group training space.

The 9,185.06 sq. ft. Of floor area is not fitting to the existing landscape of homes in the area that is country residential. A dwelling that will have an underground parade of 19 stalls is not country residential. This proposal has all the making of a Commercial Development and isn't in keeping of the area.

We built our home over 25 years ago to raise our family and enjoy retirement in the same peaceful country residential single family community.

In closing, regardless the size we oppose the development of a vacation rental and or commercial development that will change the character and transform the quality of life in the area and have a negative effect on future sale of my home.

Sincerely,



James Scott



Brenda Scott

April 17, 2024

Subdivision and Development Appeal Board for Rocky View County.

This letter is to oppose file PRDP20237357

Plan 1212529 Block 1 Lot 2

Good day,

I am against this appeal.

Our property backs onto the above-mentioned property. We bought our property to have a quiet and serene location. We moved into this property a few years back out of another property in Rocky View due to development and then we had an influx of crime in our area. This is not a neighborhood that we want this to happen again. Having a home business that has an influx of strangers coming and going on a daily, weekly, monthly basis also brings crime and theft. And because we back onto this property, we would be concerned for our belongings on our property.

The neighborhood is not interested in this type of business where it would bring more traffic into this area. Other people have also tried to open other businesses that would increase traffic flow and they have not been successful. This is still a community of people living in their homes and are here to enjoy living outside of city life.

Brenda Thibault 15232 Park Lane

From: [Mark Scarrow](#)
To: [Legislative Officers](#)
Subject: Fwd: Opposition to PRDP20237357
Date: April 17, 2024 7:57:32 AM

Hello

I would to submit a objection to the development permit PRDP20237357

It is located joining to the rear of our property located
15232 Park Lane

We like the area as it is quiet and not a lot of traffic on Park Lane .
Anyone that comes and goes are generally people that live here or are connected to the
residence regularly it's a one way in and out area

Having a business with clients coming and going would change that

Mark Scarrow
15232 Park Lane

Sent from my Galaxy

----- Original message -----

From: Joe Genovy [REDACTED]
Date: 2024-04-16 8:08 p.m. (GMT-07:00)
To: [REDACTED]
Subject: Fwd: Opposition to PRDP20237357

Sent from my iPad

Begin forwarded message:

From: Legislative Officers <LegislativeOfficers@rockyview.ca>
Date: April 16, 2024 at 2:13:07 PM MDT
To: Mike Eddy [REDACTED]
Cc: jgenovy [REDACTED] Judy Bissell [REDACTED] PAA
SDAB <PSDAB@rockyview.ca>, "Division 5, Greg Boehlke"
<GBoehlke@rockyview.ca>

Subject: RE: Opposition to PRDP20237357

Good afternoon,

Thank you for your submission, it will be provided to the Subdivision and Development Appeal Board for their consideration as part of the April 18th hearing.

Thank you,

Kristen

KRISTEN TUFF, MPPA

She/Her/Hers

Legislative Officer | Legislative Services

Office hours: Monday to Thursday, 8:00 a.m. to 4:30 p.m.

ROCKY VIEW COUNTY

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

Phone: 403-520-1180

ktuff@rockyview.ca | www.rockyview.ca

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From: Mike Eddy [REDACTED]
Sent: Tuesday, April 16, 2024 12:51 PM
To: PAA SDAB <PSDAB@rockyview.ca>; Division 5, Greg Boehlke <GBoehlke@rockyview.ca>
Cc: jgenovy [REDACTED] Judy Bissell [REDACTED]
Subject: Opposition to PRDP20237357

To the Board Clerk,

Please find the attached letter of opposition to the file noted in the subject line of this email.

If you have any issues or questions please contact me as soon as possible so that the letter does not miss the deadline before the hearing.

Thank you,

Mike Eddy

261086 Mountain View Road.
403 815 4692

HOMEOWNER AND GENERAL CONTRACTOR
It is the responsibility of the Homeowner and General Contractor to review these drawings PRIOR TO START OF CONSTRUCTION. Any discrepancies between these drawings and the Specifications are to be provided in writing to ForteOne Projects Inc. Any errors or omissions due to items not specified by the above parties are not the responsibility of the designer.

KEY PLAN

[illegible]

forteOne
projects inc.
587.840.4022 | info@forteone.ca

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

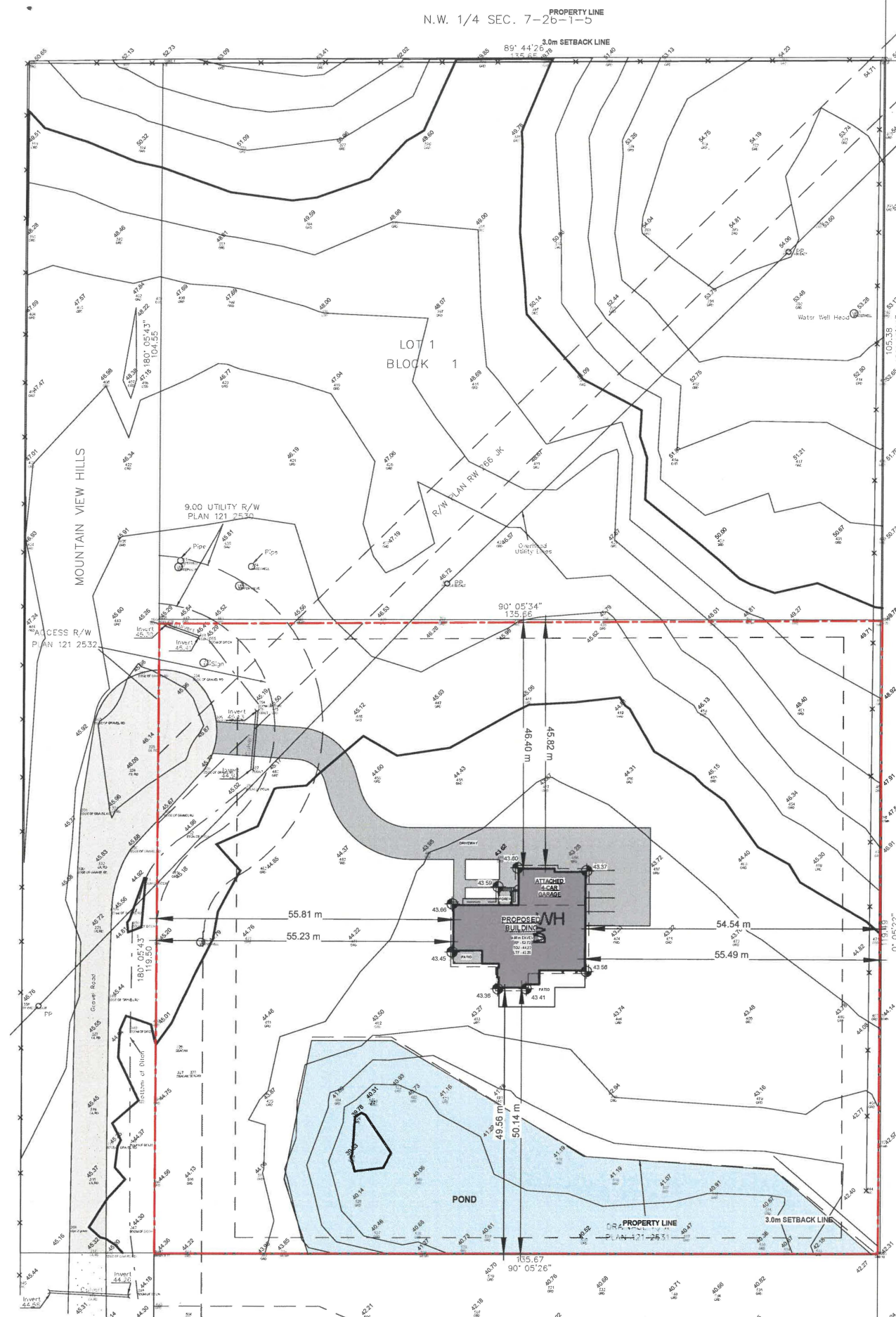
PROJECT ADDRESS
MOUNTAIN VIEW HILLS, ROCKY VIEW
COUNTY AB

SHEET NAME
SITE PLAN

PROJECT NUMBER	24-025	REVISION
DATE	APRIL 9, 2024	
DRAWN BY	Author	
CHECKED BY	Checker	

A0.00

SCALE
1 : 1000



S.E. 1/4 SEC. 7-26-1-5

VACATION RENTAL

ISSUED FOR DEVELOPMENT PERMIT

GENERAL PROJECT INFORMATION

LEGAL DESCRIPTION

LOT 2, BLOCK 1, PLAN 3516 TR
ALL WITHIN THE
S. W. 1/4 SEC. 7, TWP. 26, RGE. 1, W. 5th M.

LOT 2: 4.01 acres (1.62 ha) (16, 227.89 m²)

MUNICIPAL ADDRESS: MOUNTAIN VIEW HILLS, ROCKY VIEW COUNTY, ALBERTA

SITE DATA

ZONING: R-RUR RESIDENTIAL, RURAL DISTRICT

USE

VACATION RENTAL:

PORCH-562 sq.m.
GARAGE- 82.17 sq.m.
MAIN FLOOR- 302.65 sq.m.
SECOND FLOOR- 167.32 sq.m.
SECOND FLOOR BALCONY-7.11 sq.m.

TOTAL- 564.87 sq. m.

DENSITY

MAXIMUM TWO DWELLING UNITS. ONE DWELLING,
SINGLE DETACHED AND ONE OTHER

DWELLING UNIT WHERE THE OTHER DWELLING UNIT
IS NOT A DWELLING, SINGLE DETACHED.

SITE COVERAGE

$$390.44 / 16,227.89 = 2.41\%$$

SETBACKS

FRONT: 15.00 m
SIDE: 3.00 m
REAR: 7.00 m

MAX. BUILDING HEIGHT

REQUIRED:	
ACCESSORY BUILDINGS:	7.0 m (22.97 FT.)
ALL OTHERS:	12.0 m (39.37 FT.)

PROVIDED:

VACATION RENTAL: 10.06 m (36.45 FT.)

PARKING REQUIREMENTS

REQUIRED:

DWELLING
2 STALLS PER DWELLING

PROVIDED: 8 STALLS





forteOne
projects inc.
587.840.4022 | info@forteone.ca

PROJECT NAME
VACATION RENTAL

SHEET NAME
MAIN FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	APRIL 9, 2024	
DRAWN BY	J.OLAWOYIN	
CHECKED BY	J.OLAWOYIN	

It is the designer's responsibility to ensure these drawings meet and conform to the current Provincial Building Code and Land Use Bylaws. The designer will make all revisions, additions, or corrections required due to stated code or bylaws. Changes etc, due to discretionary interpretations by Approving Authorities having jurisdiction will be at the expense of the Homeowner or General Contractor.

ALL TRADES AND SUPPLIERS
These drawings form only PART of the construction documents. A Specification should be provided by the General Contractor (see below). Specific brands, models and trade names where used in these drawings are subject to availability and change orders, and should be confirmed in ALL cases.

THE SPECIFICATION OVERRIDES THESE DRAWINGS.
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[illegible]

forteOne
projects inc.
587.840.4022 | info@forteone.ca

CLIENT
FLORENCE OBIANYOR

PROJECT NAME
VACATION RENTAL

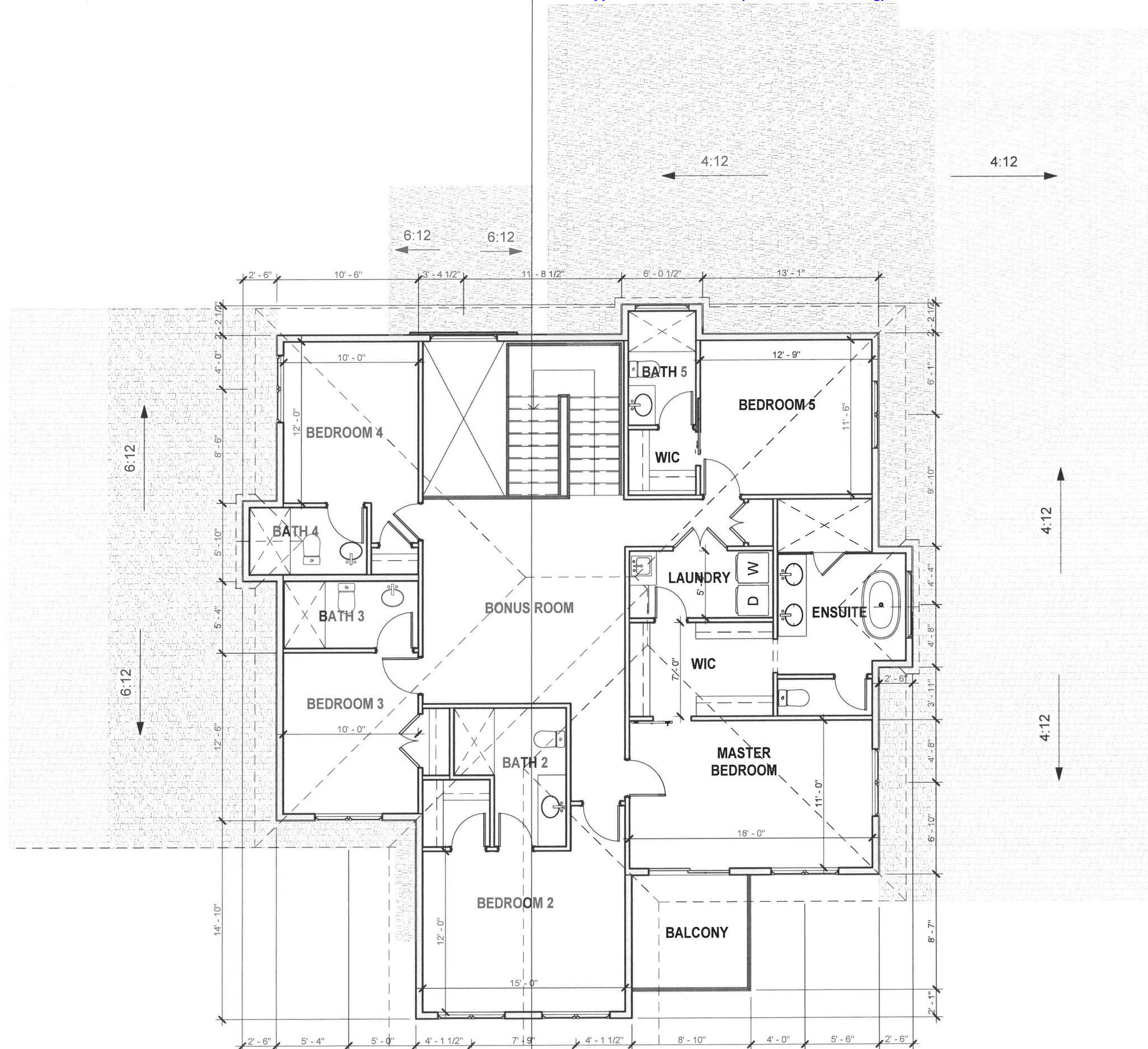
PROJECT ADDRESS
MOUNTAIN VIEW HILLS, ROCKY VIEW
COUNTY AB

SHEET NAME
SECOND FLOOR PLAN

PROJECT NUMBER	24-025	REVISION
DATE	APRIL 9, 2024	
DRAWN BY	Author	
CHECKED BY	Checker	

A1.02

SCALE
1/8" = 1'-0"



1

SECOND FLOOR

1/8" = 1'-0"

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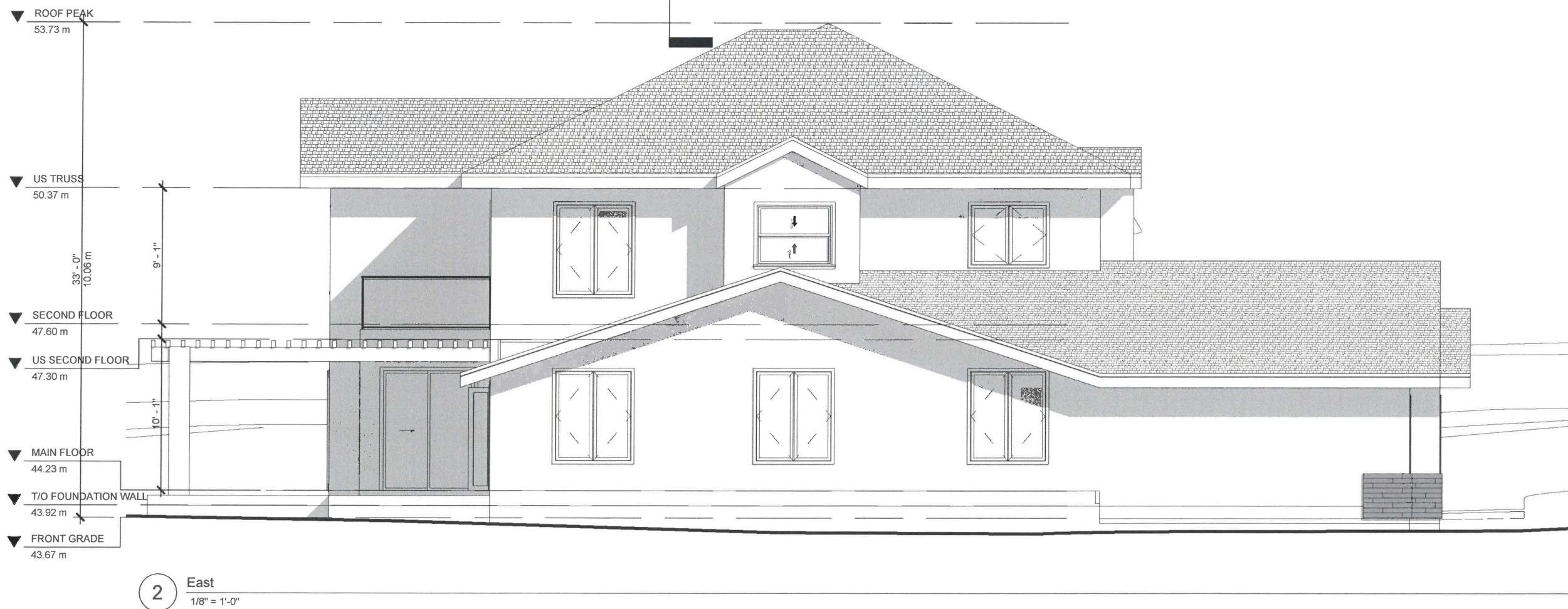
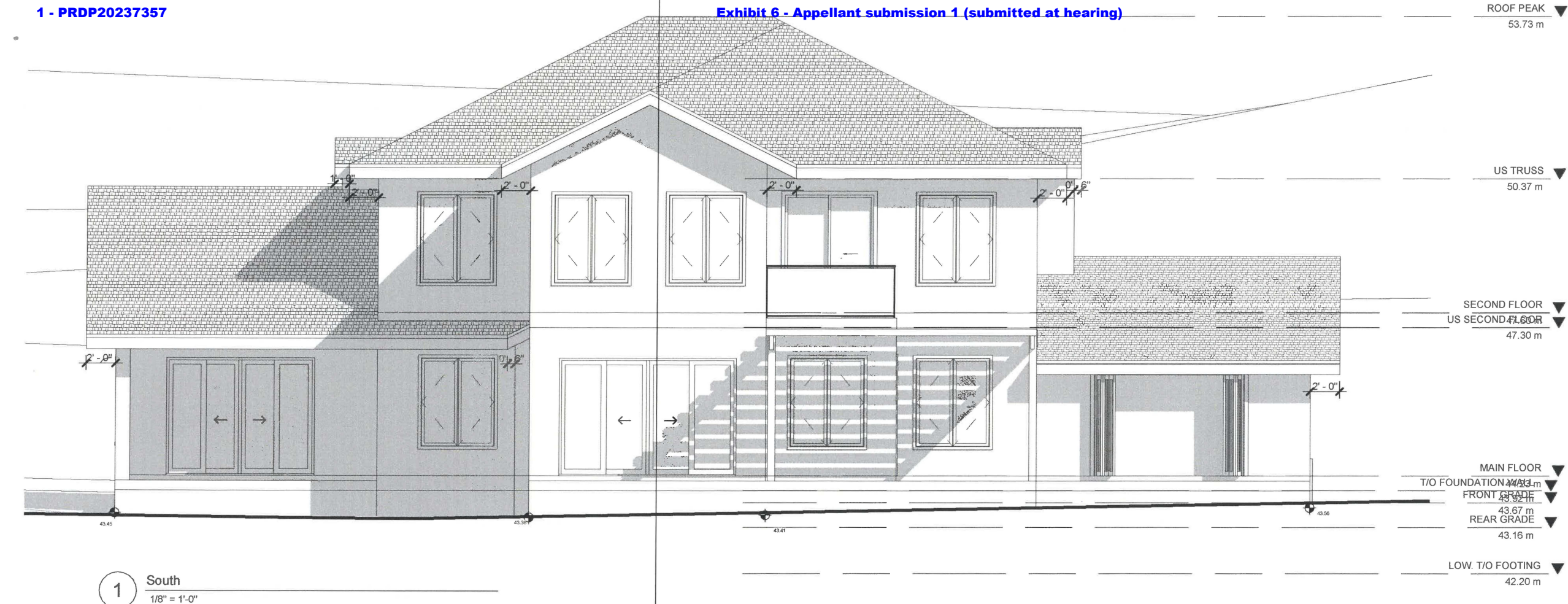
PROJECT ADDRESS
MOUNTAIN VIEW HILLS, ROCKY VIEW
COUNTY AB

SHEET NAME
ELEVATIONS

PROJECT NUMBER	24-025	REVISION
DATE	APRIL 9, 2024	
DRAWN BY	Author	
CHECKED BY	Checker	

A2.00

SCALE
1/8" = 1'-0"



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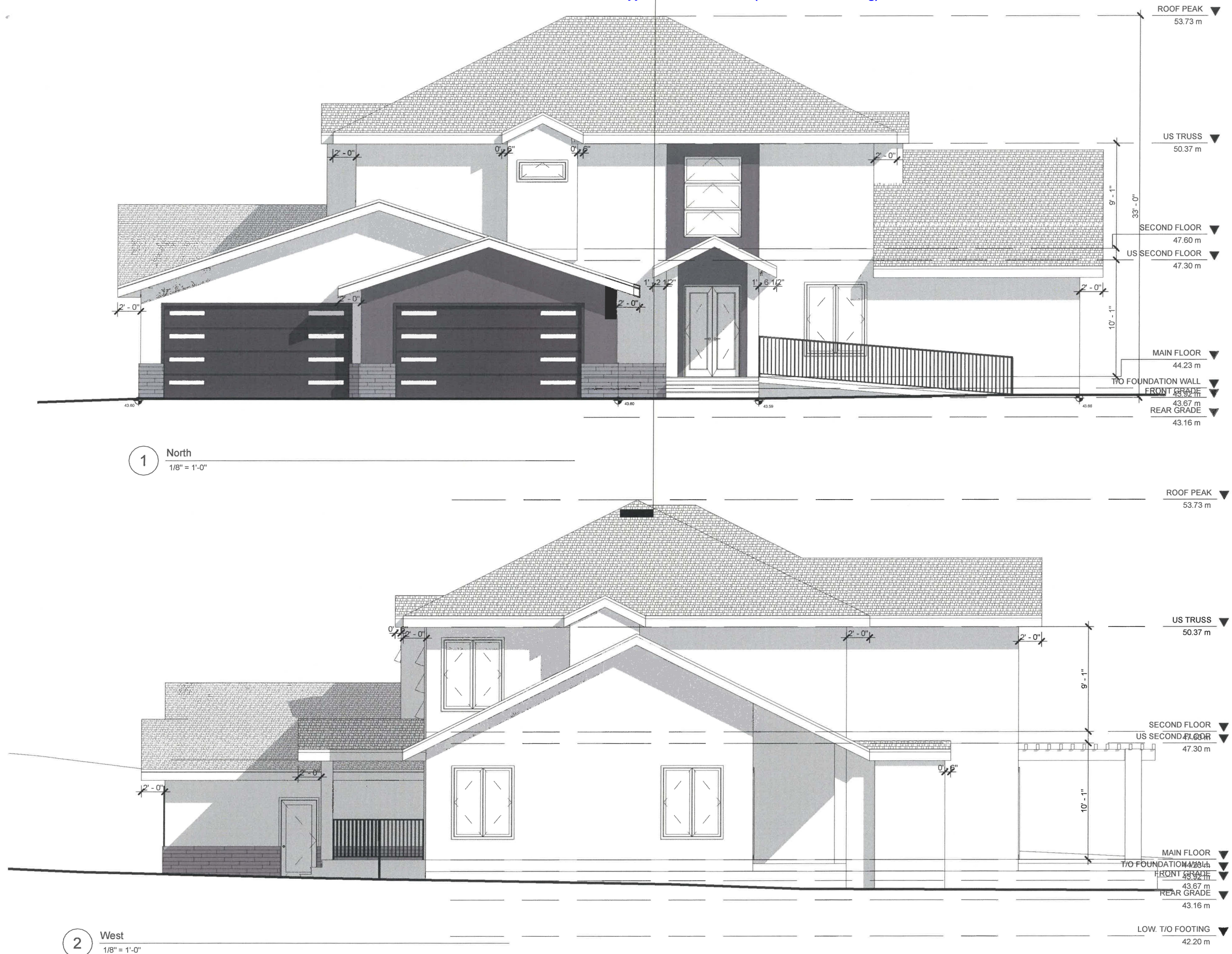
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MOUNTAIN VIEW HILLS, ROCKY VIEW
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SHEET NAME
ELEVATIONS

PROJECT NUMBER	24-025	REVISION
DATE	APRIL 9, 2024	
DRAWN BY	Author	
CHECKED BY	Checker	

A2.01

SCALE
1/8" = 1'-0"



Appellant
Exhibit # 2

Presentation to the
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY by

Folajuwon Olawoyin (Applicant) and Florence Obianyor (Property Owner)

PRDP20237357 – Application for Development Permit for a Vacation Rental
Lot 2 Block 1 Plan 1212529, SW-07-26-01-05 located approximately 0.81 kilometres (0.50 miles)
east of Mountain View Road and 0.81 kilometres (0.50 miles) south of Highway 566

REASON FOR APPEAL

We believe the revised proposal meets the requirements under the Vacation Rental Discretionary Use category of the R-RUR Residential Rural District.

Parcel Size – 4.01 Acres

Density – Single Detached Dwelling

Building Height – 10.06m

R-RUR Residential, Rural District

317 PURPOSE: To provide for residential uses in a rural setting on parcels which can accommodate limited agricultural pursuits.

318 PERMITTED USES:

Accessory Building $\leq 190 \text{ m}^2$ (2045.14 ft^2)
Dwelling, Single Detached
Beekeeping

DISCRETIONARY USES:

Accessory Building $> 190 \text{ m}^2$ (2045.14 ft^2)
Accessory Dwelling Unit
Agriculture (Intensive)
Animal Health (Inclusive)
Bed and Breakfast
Care Facility (Child)
Care Facility (Clinic)
Care Facility (Group)
Communications Facility (Type A)
Dwelling, Manufactured
Dwelling, Tiny
Equestrian Centre
Home-Based Business (Type II)
Kennel
Riding Arena
Special Function Business
Vacation Rental

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

“Vacation Rental” means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.

PROPOSED USE

The proposed development is a Vacation Rental with a wellness center focus.

Exclusive calibre of clientele including professionals (especially healthcare professionals – doctors, specialist surgeons, senior executives, etc) who often need a retreat in a serene and tranquil atmosphere away from the hustle and bustle of the city environment.

LONG TERM / FUTURE PLAN

Resale of the property as a single family dwelling.

BACKGROUND

The property was purchased with the knowledge that the intended use was listed as discretionary under the category of the R-RUR Residential Rural District. This gave the assurance that the intended use (Vacation Rental) will be considered, and hopefully approved.

A considerable amount of time, funds, and effort has been invested to amalgamate requirements and propose a feasible proposal over the last 7 months. In that time, we have been in constant talks with the Planning and Development department via phone calls, emails, virtual meetings, and in-person meetings in concerted efforts to move the proposal forward. During this time, the proposal was reasonably fine-tuned and scaled down.

BACKGROUND

Below are a chronology of events and meetings with the County

Numerous informal visits to the County office between September and October 2023, including email and phone conversations.

Pre-Approval Meeting – October 16, 2023

Pre-Approval Meeting – November 23, 2023

Development Permit Submission – December 12, 2023

Circulation Comments – February 1, 2024

Unofficial notice of Decision – February 27, 2024

Formal notice of Decision – March 1, 2024

BACKGROUND

Upon receiving the notice of decision, we promptly responded that we were actively preparing a response to address the feedback, including revising our plans. We requested additional time to complete this process before a final decision was reached.

However, we were advised that the decision could not be reversed and that our only option was to appeal with the updated proposal.

REVISED PROPOSAL

The revised proposal is a 2-storey single detached dwelling with 5 bedrooms on the upper floor, one barrier-free bedroom on the main floor, and a 2-bedroom care-taker's quarters (8-bedrooms total - See attached drawings). The residence comes with a swimming pool, a gym/fitness room, hot-tub, sauna, and a 4-car garage.

The care-taker suite will be occupied by staff, hence providing 24-7 security and maintenance of the facility, and ensure that at all times the privacy and tranquility of clients and adjacent residential properties will be well preserved.

The revision proposes a PSTS system for sewage service, with an estimated 1,250imp gal max peak per flow days which falls within the requirement for a PSTS system.

REVISED PROPOSAL

In addition to complying with by-law requirements under the the R-RUR Residential Rural District, other items addressed in the revised proposal includes;

- The scale and intensity of operations of the proposal has been revised to be more consistent with the purpose and intent of the Residential, Rural District (R-RUR).
- The proposed development is an 8-bedroom single detached dwelling unit to be used for the purpose of vacation rentals with a wellness focus, and is consistent and in alignment with the County's definition of Vacation Rental of the LUB, listed as a Discretionary Use within the R-RUR as per the LUB.
- The revised proposal is more suited to the residential district in which it is proposed
- On-going engagement with neighbours and residents of the community. A couple of property owners in the community have already been met.
- The revised proposal will not interfere with the amenities of the neighborhood, nor materially interfere with and affect the use, enjoyment and value of neighboring parcels of lands. The operation of the proposed vacation rental will maintain the residential character and external appearance of the neighboring dwellings and community.

REVISED PROPOSAL

- There will be no signage advertising the facility, whether on the property or off-site by the street. All bookings will be made online.
- There will be no parking on the street within a County roadway or right of way. All parking are provided within the property and out of view from the main street. A 4-car garage is provided along with additional parking at the rear of the property not visible from the main street.
- Users of the facility will be made familiar with the property boundaries, by means of a fence, landscaping, or other means, to ensure no trespassing to adjacent properties.
- Resident staff on-site will ensure adherence to serenity and tranquility of the facility in relation to neighbouring properties, and maintain all mitigation strategies employed in the design and operation of the vacation rental.
- As the primary target clientele of the proposed vacation rental are select high-end customers, the operation of the proposed facility will not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive. As the privacy of clients are preserved during their visits, at all times the privacy of adjacent residential dwellings will be as well preserved. The proposed Vacation Rental will not unduly offend or otherwise interfere with neighboring or adjacent residents. The approach of the design and operations emphasizes serenity, quietude, and physical activity, with planned walking paths on the property. The cul-de-sac location further minimizes any impact on the neighborhood's main thoroughfare.

CONCLUSION

We believe our revised proposal aligns with the vision of the community and the Vacation Rental discretionary use category. We remain open to addressing any questions or concerns you may have and are committed to working collaboratively to ensure a positive outcome.