

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Release conditions (if listed) *must* be completed.

NOTICE OF DECISION

Thiessen, Victoria & Richard

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Tuesday, February 6, 2024

Roll: 06315005

RE: Development Permit #PRDP20236957

Lot 1, Block 1, Plan 0312870, NW-15-26-28-04; (262140 RANGE ROAD 283)

The Development Permit application for an existing Kennel and construction of an oversized Accessory Building (shop), relaxation to maximum accessory building height requirement and relaxation to the maximum accessory building parcel coverage requirement; Accessory Buildings (existing chicken coop, wood barn and green house), relaxation to the minimum setback requirements has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the construction of an Accessory Building of approximately 348.39 sq. m (3,750.00 sq. ft.) in area, may proceed and the existing accessory buildings may remain on the subject lands in general accordance with the approved application and site plan, as amended, including:
 - i. That the existing Kennel may operate within the proposed Accessory Building;
 - ii. That the maximum Accessory Building height requirement shall be relaxed from **7.00 m (22.97 ft.)** to **7.62 m (25.00 ft.)**;
 - iii. That the maximum total Accessory Building parcel coverage shall be relaxed from **285.00 sq. m. (3,067.71 sq. ft.)** to **521.02 sq. m. (5,608.21 sq. ft.)**;
 - iv. That the minimum Accessory Building (existing chicken coop) side yard setback requirement shall be relaxed from **3.00 m (9.84 ft.)** to **0.47 m (1.54 ft.)**;
 - v. That the minimum Accessory Building (existing greenhouse) rear yard setback shall be relaxed from **7.00 m (22.97 ft.)** to **1.19 m (3.90 ft.)**; and
 - vi. That the minimum Accessory Building (existing wood barn) side yard setback requirement shall be relaxed from **3.00 m (9.84 ft.)** to **0.00 m (0.00 ft.)**.
 - a. That this approval does not include the portion of the accessory building encroaching into NW-15-26-28-W05M (roll: 06315003), as shown in the submitted Real Property Report prepared by Jones Geomatic (Job No. NP2549-14), dated April 4, 2014.

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Prior to Release:

2. That prior to release of this permit, the Applicant/Owners shall provide a detailed lighting plan for all exterior lighting including lighting specifications and models. All exterior lighting shall be in accordance with sections 225-227 of the *Land Use Bylaw C-8000-2020 (LUB)*.
3. That prior to release of this permit, the Applicant/Owners shall contact County Road Operations with haul details for materials and equipment needed during site development to confirm Road Use Agreement or permits will be required for any hauling along the County Road system and to confirm the presence of County Road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

4. That if this Development Permit is not issued by **August 31, 2024**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
5. That all conditions of PRDP20220085 shall remain in effect unless otherwise conditioned within this approval.
6. That the accessory building shall not be used for *commercial* or *vacation rental* purposes at any time, unless approved by a Development Permit.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
 - i. The Accessory Building shall not result in any additional overland surface drainage into the County's road right-of-way.
8. That there shall be no more than 2.00 m (6.56 ft.) of excavation and 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional grading.
9. That any plan, technical submission, agreement, or matter submitted and approved as part of the application, in response to a Prior to Release or Occupancy condition or as approved under PRDP20171403, shall be implemented and adhered to in perpetuity.
10. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 225-227 of the LUB. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

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Advisory:

- That a Building Permit and applicable sub-trade permits is required through the County's Building Services department, prior to any construction taking place. Compliance with the National Energy Code is also required.
- *That the* subject development shall conform to the County's *Noise Control Bylaw C-8067-2020 & Road Use Agreement Bylaw C-8323-2022*, in perpetuity.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall comply with the Canadian Veterinary Medical Association "Code of Practice for Canadian Kennel Operations" at all times.
- That any personally owned dogs of the Applicant/Owner, shall be registered and licensed annually with the County, as per the County's *Master Rates Bylaw C-8386-2023*.
- That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, November 16, 2022*].

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, February 27, 2024**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to release. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Subdivision and Development Appeal Board.

Regards,



Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

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