



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

Mardesic, Micheal

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Tuesday, April 8, 2025

Roll: 04723023

RE: Development Permit #PRDP20250788

Lot 7, Block 1, Plan 7810718, SW-23-24-03-05; (28 MURRAY PLACE)

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

Description:

1. That a Home-Based Business (Type II), for tree sales, may operate on the subject lands, in accordance with the approved application, Site Plan, and the conditions of approval of this permit.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall upgrade the existing gravel road approach off Lower Springbank Road, in accordance with the County's Servicing Standards.
 - i. That the Applicant/Owner shall submit payment of the refundable Temporary Road Approach Application fee, in accordance with the County's Master Rates Bylaw.
 - ii. The Applicant/Owner shall contact County Engineering Services for a pre-construction inspection of the approach to ensure it shall accommodate the turning movements of the vehicles that will be accessing the tree sales business, without impeding traffic movements along Lower Springbank Road.
 - iii. The Applicant/Owner shall contact County Engineering Services for a post-construction inspection of the approach, upon completion of construction.
 - iv. Written confirmation shall be received from County Engineering Services confirming the status of this condition.

Permanent:

3. That if the prior to release conditions have not been met by **October 31, 2025**, or the approved extension date, then this approval is null and void, and the Development Permit shall not be issued.



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4. That this Development Permit, once issued, shall be valid for **two (2) years** from the date of issuance.
5. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Release condition shall be implemented and adhered to in perpetuity.
6. That this approval does not include the use of *Agriculture (Intensive)*, as defined in Part 8 of the LUB.
 - i. That this approval does not include the planting of any new trees for business/sales-related purposes.
7. That the Home-Based Business shall be limited to the dwelling, accessory buildings, and approved trees for removal & sale, in accordance with the approved site plan.
8. That there shall be no outside storage of any vehicles, trailers, equipment, goods related to the Home-Based Business (Type II) at any time.
9. That all vehicles, trailers, and equipment used in the Home-Based Business (Type II) shall be kept within a building in accordance with the approved site plan.
10. That operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
 - i. That one business-related visit would include one entry into the site and one exit from the site.
11. That the number of non-resident employees shall not exceed two (2) at any time.
 - i. That an employee in this Home-Based Business is a person who attends the property more than once in a seven-day period for business purposes.
12. That the hours of operation of the Home-Based Business (Type II) shall be 8:00 a.m. to 6:00 p.m., seven (7) days a week.
13. That the operation of the Home-Based Business shall be secondary to the primary residential use of the subject parcel.
14. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
15. That no on-site and/or off-site advertisement signage associated with the Home-Based Business (Type II) shall be permitted.
16. That upon expiry of this Development Permit, the temporary gravel road approach off Lower Springbank Road shall be removed and reclaimed by the Applicant/Owner, to the satisfaction of the County.
 - i. That should the Applicant/Owner apply and be approved for a renewal Development Permit for this business, the temporary road approach may remain for the duration of the succeeding Development Permit(s).



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17. That the temporary road approach off Lower Springbank Road shall not be paved or otherwise made permanent in nature, unless written approval has first been obtained from the County by the Applicant/Owner.
18. That upon expiry of this Development Permit, if the subject land has been redesignated to a land use district which does not include Home-Based Business (Type II) as a listed use, the Development Authority shall not accept a renewal application for such use.
19. That the Applicant/Owner shall minimize disturbance to the Riparian Protection Area and follow the recommendations of the County's *Riparian Land Conservation and Management Policy (C-419)*.
 - i. That the site shall incorporate best management practices for erosion and sedimentation control on-site, to mitigate any potential impact to the Riparian Protection Area. These practices shall be followed to minimize impacts to adjacent lots and nearby watercourses including the Elbow River Tributary.
 - ii. That any trees located within the Riparian Protection Area shall not be removed/altered, unless approved by a separate Development Permit, in accordance with Section 209 a) of the County's *Land Use Bylaw C-8000-2020 (LUB)*.
20. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
21. That all on-site lighting and all private lighting, including site security lighting and parking area lighting, shall meet Sections 225 – 227 of the LUB. Lighting shall be designed to conserve energy, reduce glare, and reduce uplift. 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.
22. That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times the privacy of the adjacent residential dwellings shall be preserved. The Home-Based Business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.

Advisory:

- That there shall be no parking or signage in the County's Road Right-of-Way at any time.
- That the subject development shall conform to the County's *Noise Control Bylaw C-8067-2020*, *Road Use Agreement Bylaw C-8323-2022*, and *Nuisance and Unsightly Property Bylaw C-7690-2017* in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious Weeds and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.



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If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, April 29, 2025**, 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