

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 Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

Thomas Built Homes Ltd. (Jeff Nicklefork)

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Tuesday, August 25, 2025

Roll: 08714005**RE: Development Permit #PRDP20254267****Block 1, Plan 9210923, SE-14-28-03-05; (282065 RANGE ROAD 31)**

The Development Permit application for an Accessory Dwelling Unit (existing dwelling, single detached) located in a Riparian Protection area, relaxation to the minimum front yard setback requirement; construction of a Dwelling, Single Detached, located in a Riparian Protection area, relaxation to the minimum top-of-bank setback requirement and relaxation to the minimum front yard setback requirement has been **conditionally approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the Accessory Dwelling Unit (existing dwelling, single detached) approximately 96.43 sq. m. (1,038 sq. ft.) located in a Riparian Protection area may remain on the subject parcel, in accordance with the drawings and site plan, as amended, including:
 - i. That the minimum front yard setback requirement shall be relaxed from **45.00 m (147.63 ft.)** to **36.43 m (119.52 ft.)**.
2. That the construction of a Dwelling, Single Detached located in a Riparian Protection area, may commence on the subject site, in accordance with the approved application and drawings, as amended, and conditions of approval, including:
 - i. That the minimum front yard setback requirement shall be relaxed from **45.00 m (147.63 ft.)** to **32.60 m (106.95 ft.)**; and
 - ii. That the minimum top-of-bank setback requirement for the Dwelling, Single Detached shall be relaxed ***in accordance with the approved application site plans and required technical.***

Prior to Release:

3. That prior to release of this permit, the Applicant/Owner shall submit a Slope Stability Assessment (SSA), prepared by a qualified professional, in accordance with Section 190 of the *County's Land Use Bylaw C-8000-2020* (LUB) and the County's Servicing Standards. To prove bank stability for the proposed Dwelling, Single Detached as the building is within 20.00 m (65.61 ft.) of the slope that appears in exceedance of 15%.
 - i. That if the SSA concludes any potential slope stability concerns in relation to the proposed development, a full Slope Stability Analysis will be required, in accordance with Section 190 of the LUB and the County's Servicing Standards.



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4. That prior to release of this permit, the Applicant/Owner shall submit a limited scope Site-Specific Stormwater Plan (SSIP), prepared by a professional engineer, in accordance with the County's Servicing Standards, confirming whether the proposed development has any adverse impacts on riparian area. The SSIP shall include:
 - i. Comment on potential impacts to riparian area setbacks and wetlands, and identification of whether a Wetland Impact Assessment (WIA) is required;
 - ii. Recommendations for Erosion and Sediment Control (ESC) mitigation measures to ensure there are no adverse impacts to the riparian area; and
 - iii. That if potential impacts are identified Applicant/Owner will be required to provide a Wetland Impact Assessment (WIA) conducted by a qualified professional that assesses the existing wetland/riparian area and the impacts the proposed development will have on the wetland/riparian area. The WIA shall also provide recommendations on mitigation and compensation measures to address the impacts to the wetland and riparian areas.
5. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development. Information provided will confirm if a Road Use Agreement or a Roaddata/Heavy Haul/ Overweight/Overdimension Permit will be required for any hauling along the County Road system and to confirm the presence of County road ban restrictions.
 - i. The Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (Bylaw C-8323-2022) and send the information to roaduse@rockyview.ca;
 - ii. Any required agreements or Roaddata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations;
 - iii. If a road use agreement is required, the Applicant/Owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323-2022*;
 - iv. Written confirmation shall be received from County Road Operations confirming the status of this condition.

Permanent:

6. That if the prior to release conditions have not been met by **APRIL 30, 2026**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
7. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance condition, shall be implemented and adhered to in perpetuity.
8. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development escaping the site and having adverse effects on adjacent roadways and properties.
9. That no tree clearing shall occur within any part of the riparian setback and no vegetation shall be disturbed within a minimum of 10.0 m (32.81 ft.) from the top of bank or furthest extent of a wetted area. Any existing trees and terrain shall be retained onsite except as included within the development permit approval or required to meet conditions of this permit.
 - i. Any disturbed areas shall be replanted with vegetation similar to the existing pre-development ground cover upon development completion.



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10. 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 and reduce glare and 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.
11. That the Applicant/Owner shall have adequate sanitary sewer and water service provided for both Dwelling, Single Detached and Accessory Dwelling Unit.
12. That there shall be a minimum of two (2) parking stalls be maintained on-site at all times dedicated to the Dwelling, Single Detached and minimum of one (1) parking stall for the Accessory Dwelling Unit.
13. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction unless a separate Development Permit has been issued for additional fill.
14. That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be spread and seeded after building construction is complete, as part of site restoration.
15. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way; and
 - ii. That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.
16. That the Dwelling, Single Detached and the Accessory Dwelling Unit shall not be used as a Vacation Rental or for Business purposes at any time unless approved by a Development Permit.
17. 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 Officer.

Advisory:

- That a Demolition Permit shall be obtained through the County's Building Services department, prior to any demolition taking place.
- 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 the subject development shall conform to the County's Noise Control Bylaw C-8067-2020 and Road Use Agreement Bylaw C-8323-2022, 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, November 16, 2022]*.
- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County's Municipal Addressing Bylaw (Bylaw C-7562-2016), for both subject dwelling units, to facilitate accurate emergency response.



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- That during construction, all construction and building materials shall be maintained on-site in a neat and orderly manner. Any debris or garbage shall be stored/placed in animal-proof garbage bins and disposed of at an approved disposal facility.
- That at no time shall there be any activity or placement of materials, equipment or structures within the County's open road allowance.
- That the Applicant/Owner shall incorporate best management practices for erosion and sedimentation control onsite. These practices shall be followed for all construction activities performed on the site to minimize impacts to adjacent lots and nearby water courses.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner
 - i. That it is the responsibility of the Applicant/Owner to obtain all necessary approvals from the Ministry of Environment and Protected Areas.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **September 16, 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,

A handwritten signature in black ink, appearing to read 'D. [unclear]'.

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