

# Municipal Planning Commission Meeting Agenda



ROCKY VIEW COUNTY

262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY, AB  
T4A 0X2

February 12, 2020

9:00 a.m.

## CALL MEETING TO ORDER

## UPDATES/APPROVAL OF AGENDA

### A APPROVAL OF MINUTES

- None

### B FINANCIAL REPORTS

- None

### C APPOINTMENTS

- None

### D GENERAL BUSINESS

1. Division 7 – File: PRDP20194484 (7711005) – Development Item – Construction of a private riding arena

Staff Report

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2. Division 7 – File: PRDP20194586 (7711005) – Development Item – Keeping of livestock

Staff Report

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3. Division 5 – File: PRDP20194136 (5335012) – Development Item – Accessory buildings and side yard setback

Staff Report

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4. Division 3 – File: PRDP20194357 (4619131) – Development Item – Single detached dwelling, single-lot regrading, and placement of clean fill

Staff Report

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5. Division 3 – File PRDP20194359 (4619131) – Development Item – Accessory building with relaxations

Staff Report

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6. Division 2 – File PRDP20194661 (5705069) – Development Item – Single detached dwelling, accessory building, and side yard setback

Staff Report

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# Municipal Planning Commission Meeting Agenda

February 12, 2020

9:00 a.m.



ROCKY VIEW COUNTY

262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY, AB  
T4A 0X2

7. Division 8 – File PRDP20194584 (5735070) – Development Item – Home-Based Business, Type II, for a yoga studio

Staff Report

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8. Division 7 – File PRDP20194254 (6518007) – Development Item – Home-Base Business, Type II, for a construction company

Staff Report

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9. Division 5 – File PRDP20194329 () – Development Item – Home-Based Business, Type II, for an automobile repair shop and setback relaxation

Staff Report

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**E BYLAWS**  
- None

**F UNFINISHED BUSINESS**  
- None

**G COUNCILLOR REPORTS**  
- None

**H MANAGEMENT REPORTS**  
- None

**I NOTICES OF MOTION**  
- None

**J SUBDIVISION APPLICATIONS**

1. Division 7 – File: PL20190121 – Subdivision Item – Balzac East

Staff Report

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**K CLOSED SESSION**  
- None

**ADJOURN THE MEETING**



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 07

**APPLICATION:** PRDP20194484

**SUBJECT:** Development Permit: Private Riding Arena

**APPLICATION:** Construction of a private riding arena on an undersized parcel.

**GENERAL LOCATION:** Located approximately 1.61 km (1 mile) south of Twp. Rd. 272 and on the east side of Hwy. 766

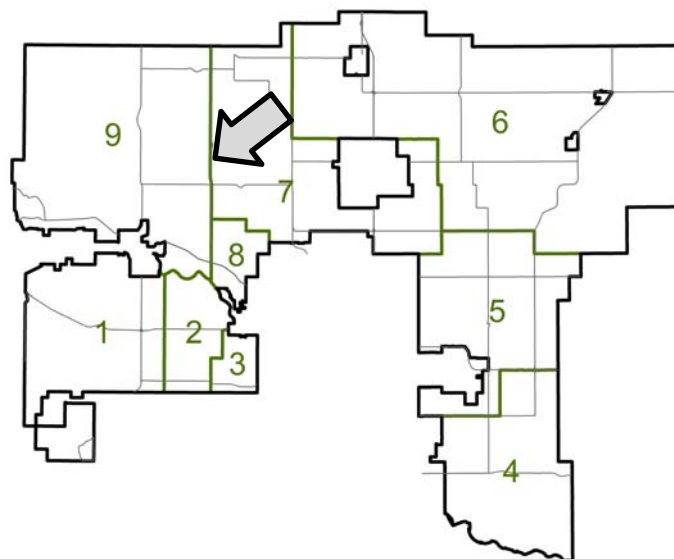
**LAND USE DESIGNATION:** Ranch and Farm District (RF)

**ADMINISTRATION RECOMMENDATION:**  
Administration recommends approval in accordance with OPTION #1.

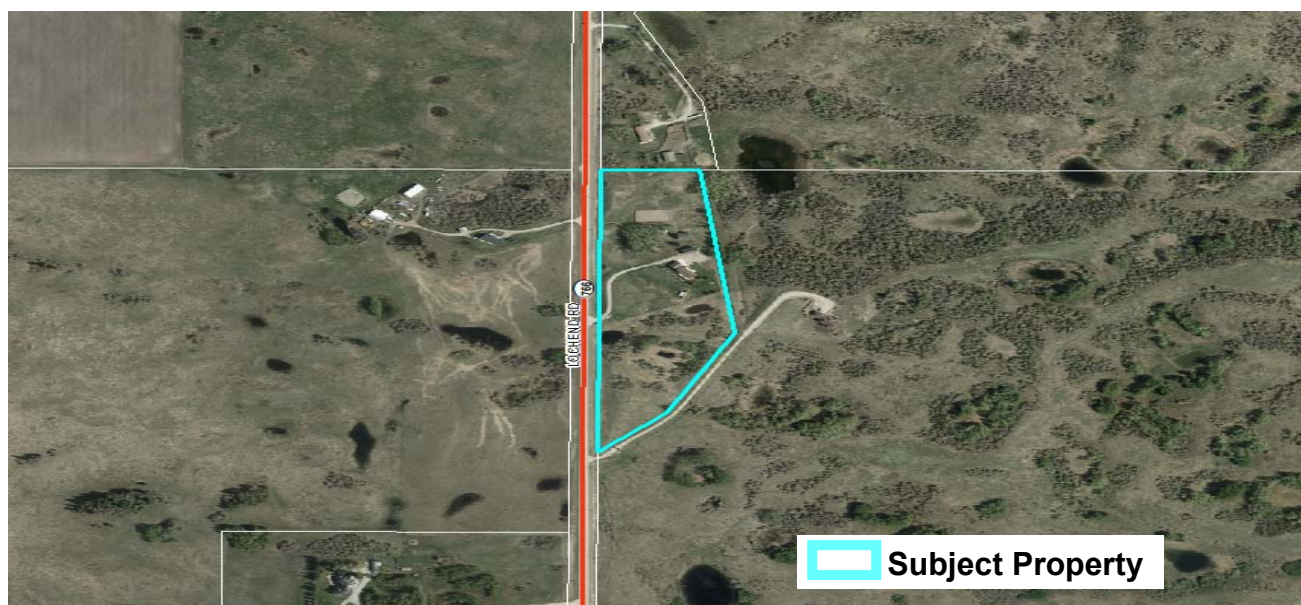
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20194484 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20194484 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Oksana Newmen – Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> December 12, 2019	<b>File:</b> 07711005
<b>Application:</b> PRDP20194484	<b>Applicant/Owner:</b> Steven E & Sandra L Coates
<b>Legal Description:</b> SW-11-27-03-W05M	<b>General Location:</b> Located approximately 1.61 km (1 mile) south of Twp. Rd. 272 and on the east side of Hwy. 766
<b>Land Use Designation:</b> Ranch and Farm District (RF)	<b>Gross Area:</b> ± 5.17 hectares (± 12.78 acres)
<b>File Manager:</b> Oksana Newmen	<b>Division:</b> 07

### PROPOSAL:

The proposal is for construction of a private riding arena on an undersized parcel.

The subject land is less than 6.00 hectares (14.83 acres) in area; therefore the proposed development does not meet the use as listed under Section 43.4 of the Land Use Bylaw as the property is undersized. The Municipal Planning Commission may consider the application and make a determination regarding varying the minimum parcel size requirement.

#### Private Riding Arena:

The proposed Private Riding Arena will be used by the Applicants' immediate family members (themselves and their children). There will be no boarding of horses, and any given instruction will be private (for the family); no public events will occur. The Applicants currently have three to five horses on site, and an associated application pertaining to increasing the number of livestock on site is being concurrently considered (PRDP20194586).

The arena will have the same exterior appearance as the current accessory buildings on the property with beige walls, white doors, and brown roof and trim. The interior will not have any separations other than post and rail fencing. It will not include any viewing areas or risers.

#### Property History:

#### Planning History:

- None

#### Land Use Bylaw:

##### Section 8 DEFINITIONS

*PRIVATE RIDING ARENAS means a building used by the owners or occupants of the site on which the building is located for the training and exercising of horses and is not used for horse shows, rodeos, or similar events to which there is a fee to participate in or to use the facilities;*

##### Section 12.2 Use, Discretionary Applications:

The Development Authority, in making a decision on a Development Permit application for:

- c) A Use, Discretionary:

(i) May approve the application, with or without conditions, if the proposed development conforms with the Bylaw;

(ii) May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, if:

(1) the proposed development would not:

(A) unduly interfere with the amenities of the neighbourhood, or

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(2) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

(iii) May refuse the application even though it meets the requirements of the Bylaw.

d) A Use, Discretionary in a Direct Control District:

i. May consider and approve the application providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority.

- The property does not meet the regulation for the minimum parcel size of 14.83 acres for a Private Riding Arena. Should the Municipal Planning Commission seek to approve the application, a variance to this regulation would be required.

#### Section 24 *Livestock Regulations*

24.1 *The following regulations apply to a Local Livestock Operation:*

(c) For parcels less than 16.19 hectares (40.00 acres), the maximum number of animals is 1 animal unit per 1.60 hectares (3.95 acres);

- The maximum number of animal units permitted on 12.78 acre site is three. The applicants are proposing up to five horses, which exceeds the maximum and an additional development permit is required;

24.6 *Keeping of Livestock*

(a) *The following applies to all parcels of land on which livestock is kept:*

(i) *pasture management shall be maintained to ensure that there is no overgrazing; and*

- The applicant has indicated that manure is currently left on the field, and harrowed whenever necessary.

(ii) *manure management shall occur to ensure no runoff onto adjacent lands, riparian areas, or to a watercourse and to reduce odour.*

- As noted above, manure is left in place. The applicant has noted that slopes on site direct surface water to natural ponding areas on the property.

#### Section 25 *Design, Character & Appearance of Buildings & Structures*

25.1 *The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority.*



25.2 Pursuant to Sub-Section (1), the Development Authority may consider the following when reviewing development proposals in all Districts:

- (a) the design, character, and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity;
- (b) the design of the building must be consistent with the purpose of the Land Use District in which it is located; and
- (c) the building shall comply with any provisions of any Statutory Plan which sets out specific guidelines as to the design, character, appearance, or building materials to be used within a District or area.

- The Applicant noted that the exterior appearance will match other buildings on the property with beige walls, white doors, and brown roof and trim.

#### Section 27 Site Lighting

27.1 All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, 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.

27.2 (a) Outdoor lighting on any development shall comply with the following provisions:

- (i) All developments shall use full cut-off (shielded) outdoor light fixtures that direct the light downward;
- (ii) no light structure shall exceed a height of 7.62 m (25.00 ft.); and no light shall be attached to a structure above a height of 7.62 m (25.00 ft.) along that structure
- A lighting plan has not been provided, however the Applicants will be required to comply with lighting provisions as provided in the conditions of approval.

#### Section 33 Filling, Grading & Excavation

33.6 (b) Notwithstanding Section 33.6(a), the placing and storage of fill and topsoil may be allowed without a Development Permit in the following circumstances, providing that there is no adverse effect on adjacent lands as a result of any drainage alternation:

- (i) The placing of up to 1.00 m (3.28 ft.) of fill and topsoil adjacent to or within 15.00 m (49.21 ft.) of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades;
- Details regarding grading have not been provided; should the applicant require fill, grading, or excavation exceeding requirements, a separate Development Permit will be required.

#### Section 35 Sign Regulations

- No signs are proposed.

#### Section 43 Ranch and Farm District (RF)

#### REGULATIONS FOR SMALL PARCELS LESS THAN OR EQUAL TO 8.10 HECTARES (20.00 ACRES) IN SIZE

43.4 Uses, Discretionary

Private Riding Arena on parcels greater than 6.00 hectares (14.83 acres) in area



#### 43.6 Minimum & Maximum Requirements

Yard, Front:

(a)(ii) 60.00 m (196.85 ft.) from any road, highway;

- The proposed arena will be setback a minimum of 62.47 m (204.95 ft.) from the western property line.

Yard, Side:

(b)(iv) 3.00 m (9.84 ft.) all other.

- The proposed arena will be located at least 16.00 m (52.49 ft.) from the southern property line, and 255.34 m (837.72 ft.) from the northern property line.

Yard, Rear:

(c)(ii) 7.00 m (11.96 ft.) all other.

- The proposed arena will be located at least 17.01 m (55.80 ft.) from the eastern property line.

#### ADDITIONAL INFORMATION:

##### Fencing

The entire parcel is fenced, in addition to several pasture areas on site.

##### Pest and Weed Control

The Applicants have noted that due to the neighbouring grazing lands and the population of cattle, sheep, and horses, fly control is too difficult to manage. Rodents are controlled through the keeping of barn cats. Weeds are sprayed.

#### STATUTORY PLANS:

The property is not located within an Area Structure Plan or Intermunicipal Development Plan. The application was evaluated in accordance with the Land Use Bylaw.

#### INSPECTOR'S COMMENTS:

Inspection: January 7, 2020

- Currently at least 5 horses on parcel.
- Have feed, shelter and roaming space.
- Proposed riding arena is on a high point of the property.
- No work has commenced.

#### CIRCULATIONS:

##### Alberta Environment and Parks

- No comments received.

##### Alberta Transportation

- No comments received.

##### Building Services Review

- No comments received



### Agriculture and Environment Services Review (January 10, 2020)

- No concerns

### Bylaw and Municipal Enforcement Review (December 20, 2019)

#### Recommendations:

- The only issue I see regarding this file is that their parcel is below the threshold of 14.83 acres with their lot measuring 12.78 acres. As they do not have the required amount of land necessary to consider the discretionary use, and no variance can be provided I would recommend refusing this permit.

### Cochrane Lake Gas Co-op

- No comments received

### Fire Services (January 2, 2020)

- Because it is a private riding arena, the Fire Service has no comments at this time. Should that change however, the Fire Service will revise its comments.

### Planning and Development Services (Engineering) Review (January 20, 2020)

#### General:

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

#### Geotechnical

- Engineering has no concerns at this time.

#### Transportation:

- Engineering has no concerns at this time.
- The application will need to be circulated to Alberta Transportation for review and comment since the development is located within 1.6 Km of Highway 766.
- The Transportation Offsite Levy is not required at this time as the proposed development is in a designated agriculture land use district and is unlikely to result in an increase in traffic on the local road network.

#### Sanitary/Waste Water:-

- Engineering has no concerns at this time.
- Water Supply And Waterworks: Engineering has no concerns at this time.

#### Stormwater Management:

- Prior to issuance, the applicant is required to provide a Site-Specific Stormwater Implementation Plan prepared by a qualified professional that is consistent with the conditions set in the Nose Creek Watershed Water Management Plan.
- As a permanent condition, the applicant will be required to operate the site in accordance with the approved SSIP.

#### Environmental:

- The County Wetland inventory shows that active wetlands exist on this property. The applicant will be responsible for obtaining the required approvals from AEP should any disturbance to wetlands be proposed.



Operations Division Review

Capital Project Management:

- No comments received.

Transportation Services:

- No comments received.

Utilities Services (December 23, 2019):

- No concerns.

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That the proposed Private Riding Arena may be constructed on the subject site; in general accordance with the Site Plan and submitted drawings (dated September 2019, dwgs. #01-07), as submitted with the application, including:
  - a. Construction of a Private Riding Arena, approximately  $\pm 1,367.53$  sq. m ( $\pm 14,720$  sq. ft.) in building area;
2. That the minimum parcel area is relaxed from **6.00 hectares (14.83 acres) to 5.17 hectares (12.78 acres)**.

**Prior to Issuance:**

*Fees:*

3. That prior to the issuance of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$10,224.00, calculated at \$800.00 per acre for 12.78 acres.

*Development:*

4. That prior to issuance of this permit, the Applicant/Owner shall submit Elevation drawings, for the private riding arena, to the satisfaction of the County. The drawings shall include elevations from grade to peak, with matching scaling. The drawings shall also include a list of building materials and colour schemes used for the building.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Grading Plan, identifying pre and post grade elevations of the development area, in accordance with County Servicing Standards.

*Technical:*

6. That prior to issuance of this permit, the Applicant/Owner shall submit a Site Specific Stormwater Implementation Plan (SSIP), demonstrating how stormwater for the proposed development is consistent with the Nose Creek Watershed Water Management Plan and in accordance with County Servicing Standards.

**Permanent:**

7. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including any recommendations of the SSIP.
8. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
9. That if any soil is removed from the site, it is to be hauled off in a covered trailer/truck. This will prevent the blowing of dust/small rocks onto the road, or the causing of issues with other vehicles on the road, and shall be done so in accordance with the County Servicing Standards.
10. That the number of animal units maintained onsite shall be in accordance with the Land Use Bylaw or approved Development Permit to increase the permitted number of animal units.
  - i. If a Development Permit to increase the permitted number of animal units is not active, or valid, the Applicant/Owner shall remain in accordance with the Land Use Bylaw.
11. That water conservation strategies shall be implemented and maintained at all times.
12. That at no time shall potable water be used for the irrigation of landscape plantings or vegetation.
13. That dust control shall be maintained on the site at all times. The Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
14. That there shall be no more than 1.00 m (3.28 ft.) of fill excavated or placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, that is used to establish final grades, unless a Development Permit has been issued for additional fill.
15. That all garbage and waste for the site shall be stored in weatherproof and animal proof containers in the garbage bins, and screened from view by all adjacent properties and public thoroughfares.
16. That all on site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
17. That the Applicant/Owner shall adhere to the submitted Manure Management Plan at all times. If there is a build-up of manure, said manure shall be removed immediately.
18. That no liquid waste/water or solid waste from a livestock operation shall be disposed of in any river, stream, canal or slough.
19. That the private riding arena shall only be used by the Applicant/Owners/Occupants and non-paying guests of the parcel, and be associated only to the principle use of the property.
20. That the private riding arena shall only be used for the training, exercising, breeding and rehabilitation of horses, and shall not be used for horse shows, rodeos, or similar events to which there is a fee to participate, or to use or attend the facilities.
21. That the private riding arena shall not be rented out to persons or groups that are not owners of the site.
22. That the private riding arena shall not have any mezzanines or viewing areas.
23. That the property shall maintain proper fencing at all times when horses are present, and no horses shall be allowed on unfenced parcels.



**Advisory:**

24. That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
25. That the site shall adhere to the Rocky View County Noise Bylaw (C-5772-2003) at all times.
26. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
27. That a Farm Building Location Permits shall be obtained, through Building Services, prior to any construction taking place.
  - i. That water supply for fire suppression and emergency vehicle access shall be provided in accordance with Alberta Building Code.
28. That if the development authorized by the Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of 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.
29. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
30. That if this Development Permit is not issued by **JULY 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Note: *The Applicant/Owner shall be responsible for any/all Alberta Environment approvals/compensation, if any wetland is impacted by the proposed development.***

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. The proposed Private Riding Arena does not meet the use and requirement as defined in Section 43.4 of the Land Use Bylaw.

**Required:** *Private Riding Arena on parcels greater than 6.00 hectares (14.83 acres) in area.*

**Proposed:** *Private Riding Arena on parcel that is 5.17 hectares (12.78 acres) in area.*
2. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

TWP RD 272

NRI

11

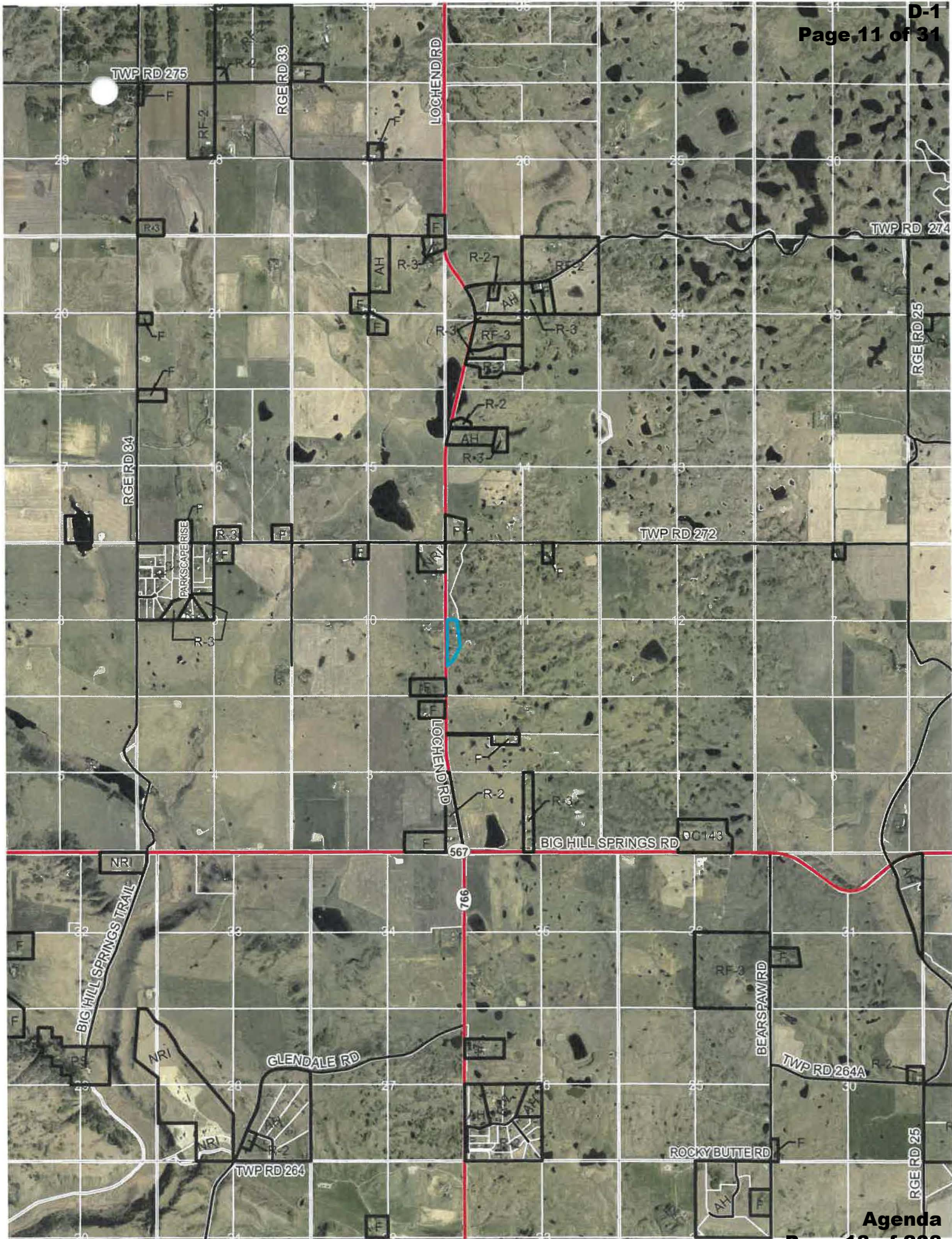
LOCHEND RD 766

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Agenda  
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ROCKY VIEW COUNTY  
Cultivating Communities

20194484

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY

D-1

Page 12 of 31

Fee Submitted \$585.00	File Number 07711005
Date of Receipt 12/12/2019	Receipt # 2019025049

Name of Applicant Steven and Sandra Coates Email [REDACTED]  
Mailing Address [REDACTED]  
Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_  
Registered Owner (if not applicant) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SW ¼ Section 11 Township 27 Range 3 West of 5 Meridian  
b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number \_\_\_\_\_  
c) Municipal Address 271088 Lochend Road  
d) Existing Land Use Designation RF Parcel Size 5.169 ha Division 07  
(12.78 acres)

### 2. APPLICATION FOR

Private Riding Arena

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No X  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No X  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No X  
d) Does the site have direct access to a developed Municipal Road? Yes X No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

We Sandra and Steven Coates hereby certify that \_\_\_\_\_ We are the registered owners  
(Full Name in Block Capitals)

\_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company

Applicant's Signature [Signature]  
Date Dec 12, 2019

Owner's Signature [Signature]  
Date Dec 12, 2019

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

\_\_\_\_\_  
Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, STEVEN COATES, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
Signature

DRC 12, 2019  
Date

# APPLICATION TO INCREASE NUMBER OF LIVESTOCK

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

## 1. SITE PLANS

Provide site plans identifying:

1. Confinement and pasture areas & acres available for animals (excluding house/yard/etc.)
2. Feeding site(s) and methods (i.e. feeders/racks/ground/etc.)
3. Watering site(s) and methods (i.e. tank/waterer/creek/etc.)
4. Location of your well, any sloughs, ponds, water runs, coulees, etc.
5. Description of slope of your property.
6. Proximity of neighbours' houses and livestock (if any).

## 2. OPERATION

Describe your "livestock operation" (i.e. pleasure horses, exotic game, birds, etc.) \_\_\_\_\_

*Pleasure horses only*

## 3. MANURE MANAGEMENT

Describe what you will do with manure produced by your livestock, (i.e. stockpiled and spread annually, harrowed and left on pasture, composted and used in garden, etc.) \* Note: Generally speaking, a horse produces 15-20 pounds of manure per day; 450-600 pounds per months; approx. 6 tons per year).

*Currently the manure is left on the pasture and harrowed whenever necessary.*

## 4. GRAZING AND FEEDING STRATEGIES

Describe your grazing and feeding strategies (i.e. year-round grazing, rotational pastures with supplemental feed, etc.)

*Year-round grazing rotating through fenced pastures and hay supplements as weather and conditions warrant.*

## 5. WATER

Describe how runoff will be kept out of your well and other water areas on your property.

*Water well is well away from any pastures and is deep enough to prevent contamination from surface water seepage.*

Describe how runoff will be kept on your own property (It is an offence under the Alberta Environmental Enhancement and Protection Act to allow manure and its nutrients to move off your property)

*The majority of slopes direct surface water to natural ponding areas on the property. Some of the ponds remain wet year-round and some dry out in the fall.*

## 6. PEST CONTROL

Describe how flies and other pests will be managed so they don't affect your neighbours.

*Due to the surrounding grazing land and the population of cattle, sheep and horses there are far too many flies and other pests to manage. We do keep barn cats, which keep the rodent population controlled.*

Signature of Applicant  Date *Dec 12, 2019*

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION EVEN IF THIS IS A RENEWAL. THANK YOU





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0013 507 026        5;3;27;11;SW                      081 362 330

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION ELEVEN (11)  
IN TOWNSHIP TWENTY SEVEN (27)  
RANGE THREE (3)  
WEST OF THE FIFTH MERIDIAN  
WHICH LIES WEST OF ROAD PLAN 2479Q  
CONTAINING 5.46 HECTARES (13.5 ACRES) MORE OR LESS  
EXCEPTING THEREOUT

PLAN	NUMBER	HECTARES	(ACRES)
ROAD	7711699	0.291	(0.72)

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 981 202 932

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
081 362 330	25/09/2008	TRANSFER OF LAND	\$925,000	\$925,000

OWNERS

STEVEN COATES

AND

SANDRA COATES

BOTH OF:

[REDACTED]  
[REDACTED]  
[REDACTED]

AS JOINT TENANTS

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 081 362 330

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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921 233 022	18/09/1992	UTILITY RIGHT OF WAY GRANTEE - COCHRANE LAKE GAS CO-OP LTD.
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081 362 331	25/09/2008	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON STREET WEST, 1ST FLOOR TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$925,000
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TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 11 DAY OF  
DECEMBER, 2019 AT 05:13 P.M.

ORDER NUMBER: 38512238

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).





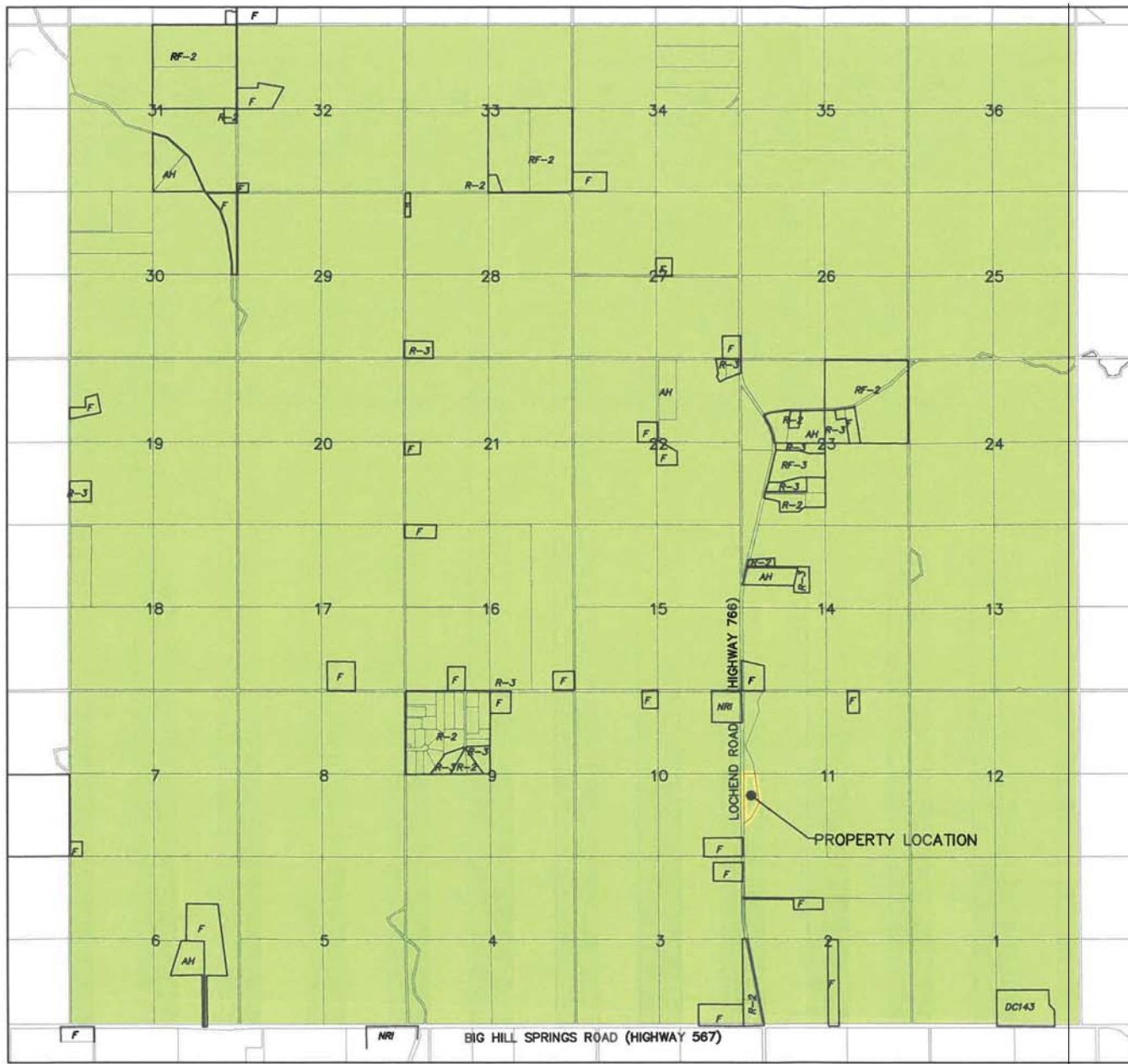










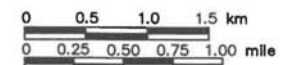


DRAWINGS AND DOCUMENTS:	
COVER SHEET AND SURROUNDING LAND USE	NO. 01
PROXIMITY OF DWELLINGS AND PRESENCE OF LIVESTOCK	NO. 02
LEGAL BOUNDARY AND AUGUST 2019 SITE FACILITIES	NO. 03
LEGAL BOUNDARY AND PROPOSED BUILDING SETBACK DISTANCES	NO. 04
BUILDING FOOTPRINT, ACCESS ROAD AND 15 m SETBACK	NO. 05
SITE FOOTPRINT AND CURRENT SURFACE TOPOGRAPHY	NO. 06
SITE FOOTPRINT AND PROPOSED SURFACE TOPOGRAPHY	NO. 07

LEGEND:  
ROCKY VIEW COUNTY TWP.27-3--WSM LAND USE MAP NO. 77  
PART FIVE OF THE BYLAW NO. C-4841-97 DATE: NOVEMBER 6, 2019

ALL LANDS ARE DESIGNATED RF UNLESS NOTED OTHERWISE:

DIRECT CONTROL DISTRICT	DC143
FARMSTEAD DISTRICT	F
NATURAL RESOURCE INDUSTRIAL DISTRICT	NR
RESIDENTIAL TWO DISTRICT	R-2
RESIDENTIAL THREE DISTRICT	R-3
RANCH AND FARM DISTRICT	RF
RANCH AND FARM TWO DISTRICT	RF-2
RANCH AND FARM THREE DISTRICT	RF-3



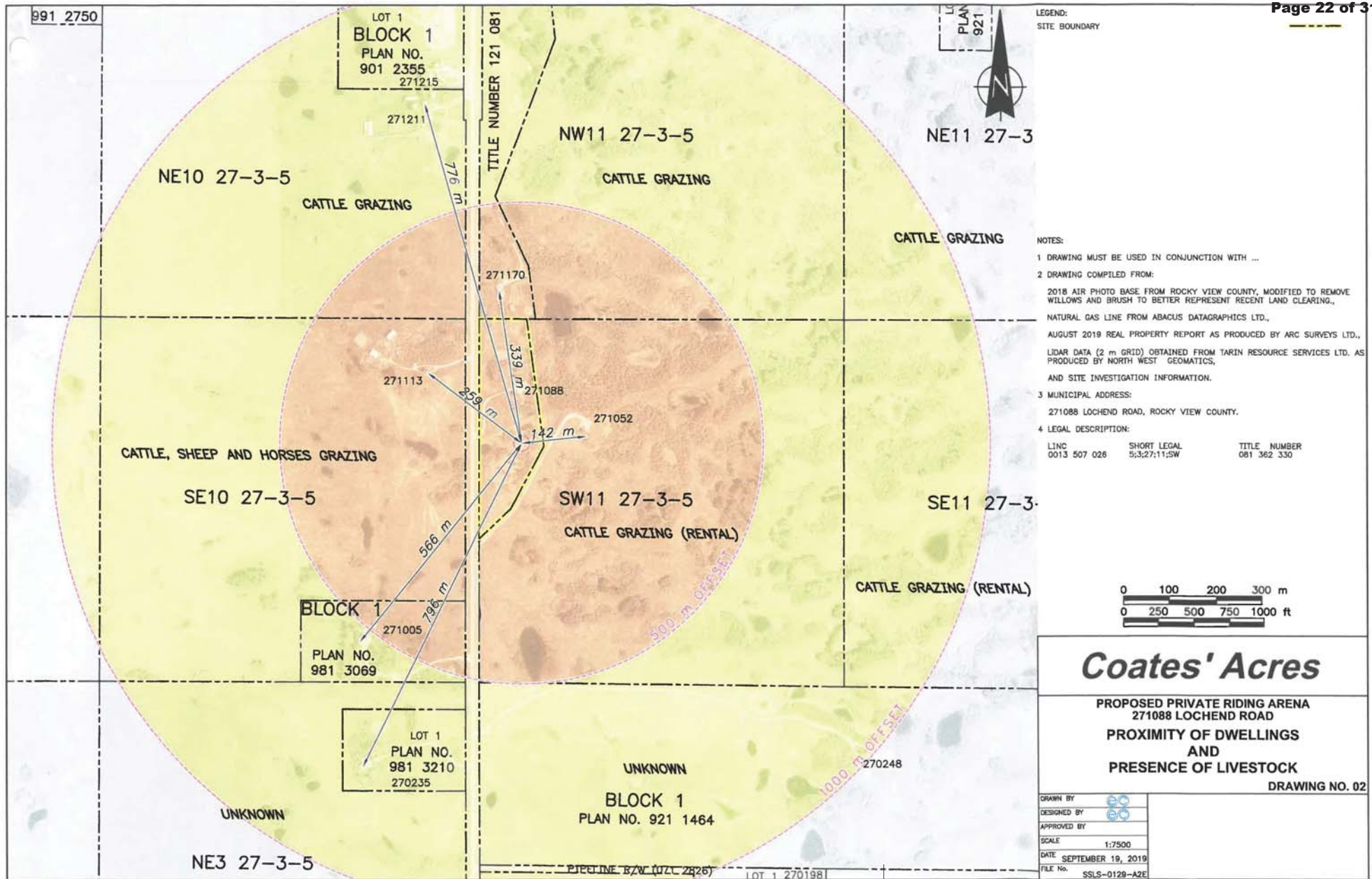
## Coates' Acres

PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD

COVER SHEET  
AND  
SURROUNDING LAND USE

DRAWING NO. 01

DRAWN BY	ec
DESIGNED BY	ec
APPROVED BY	
SCALE	1:40,000
DATE	SEPTEMBER 19, 2019
FILE NO.	SSLS-0129-A3A







**LEGEND:**

- SITE BOUNDARY
- FENCE LINE
- NATURAL GAS LINE (COCHRANE LAKE GAS CO-OP LTD.)
- LIMIT OF PROPOSED SITE GRADING
- POND STORAGE (SEE NOTE 5)

**NOTES:**

1 DRAWING MUST BE USED IN CONJUNCTION WITH ...

2 DRAWING COMPILED FROM:

2018 AIR PHOTO BASE FROM ROCKY VIEW COUNTY, MODIFIED TO REMOVE WILLOWS AND BRUSH TO BETTER REPRESENT RECENT LAND CLEARING.,  
NATURAL GAS LINE FROM ABACUS DATAGRAPHS LTD.,  
AUGUST 2019 REAL PROPERTY REPORT AS PRODUCED BY ARC SURVEYS LTD.,  
LIDAR DATA (2 m GRID) OBTAINED FROM TARIN RESOURCE SERVICES LTD. AS PRODUCED BY NORTH WEST GEOMATICS,  
AND SITE INVESTIGATION INFORMATION.

3 MUNICIPAL ADDRESS:

271088 LOCHEND ROAD, ROCKY VIEW COUNTY.

4 LEGAL DESCRIPTION:

LINC	SHORT LEGAL	TITLE NUMBER
0013 507 026	5;3;27;11;SW	081 362 330

5 POND VOLUMES AND CHARACTERISTICS:

NORTH POND IS LAND LOCKED AND AT 0.856 m DEPTH THE STORAGE CAPACITY IS 438560 L

SOUTH POND IS LAND LOCKED AND AT A 1.344 m DEPTH THE STORAGE CAPACITY IS 1552110 L

WEST POND HAS A CULVERT TO NEIGHBOURING PROPERTY AND HAS A STORAGE CAPACITY OF 433230 L AT DEPTH OF 0.93 m TO CULVERT INTAKE.

0 50 100 m  
0 100 200 300 ft

**Coates' Acres**

PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD  
LEGAL BOUNDARY  
AND  
AUGUST 2019 SITE FACILITIES

DRAWING NO. 03

DRAWN BY	DESIGNED BY	APPROVED BY	SCALE	DATE	FILE No.
			1:2000	SEPTEMBER 19, 2019	SSL5-0129-A2A





**LEGEND:**  
SITE BOUNDARY  
PROPOSED BUILDING

**NOTES:**  
1 DRAWING MUST BE USED IN CONJUNCTION WITH ...  
2 DRAWING COMPILED FROM:  
2018 AIR PHOTO BASE FROM ROCKY VIEW COUNTY, MODIFIED TO REMOVE WILLOWS AND BRUSH TO BETTER REPRESENT RECENT LAND CLEARING.,  
NATURAL GAS LINE FROM ABACUS DATAGRAPHS LTD.,  
AUGUST 2019 REAL PROPERTY REPORT AS PRODUCED BY ARC SURVEYS LTD.,  
LIDAR DATA (2 m GRID) OBTAINED FROM TARIN RESOURCE SERVICES LTD. AS PRODUCED BY NORTH WEST GEOMATICS,  
AND SITE INVESTIGATION INFORMATION.  
3 MUNICIPAL ADDRESS:  
271088 LOCHEND ROAD, ROCKY VIEW COUNTY.  
4 LEGAL DESCRIPTION:  
LTNC 0013 507 026 SHORT LEGAL 5;3;27;11;SW TITLE NUMBER 081 362 330

0 50 100 m  
0 100 200 300 ft

**Coates' Acres**  
PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD  
LEGAL BOUNDARY  
AND  
PROPOSED BUILDING SETBACK DISTANCES  
DRAWING NO. 04

DRAWN BY	BC
DESIGNED BY	BC
APPROVED BY	
SCALE	1:2000
DATE	SEPTEMBER 19, 2019
FILE No.	SSLS-0129-A2A





LEGEND:

- SITE BOUNDARY
- SETBACK LINE
- FENCE LINE
- NATURAL GAS LINE (COCHRANE LAKE GAS CO-OP LTD)
- LIMIT OF PROPOSED SITE GRADING

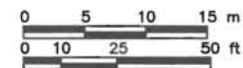
NOTES: (SEE DRAWING NO. 04 FOR GENERAL NOTES)

- 5 AREA OF PROPERTY EQUALS 5.189 HA (12.78 ACRES).
- 6 AREA OF PROPOSED GRADING  $\approx$  4013 m<sup>2</sup>.
- 7 AREA OF PROPOSED INDOOR RIDING ARENA BUILDING  $\approx$  1367.533 m<sup>2</sup>.
- 8 AREA OF PROPOSED ACCESS AND TURNAROUND  $\approx$  785 m<sup>2</sup>.

## Coates' Acres

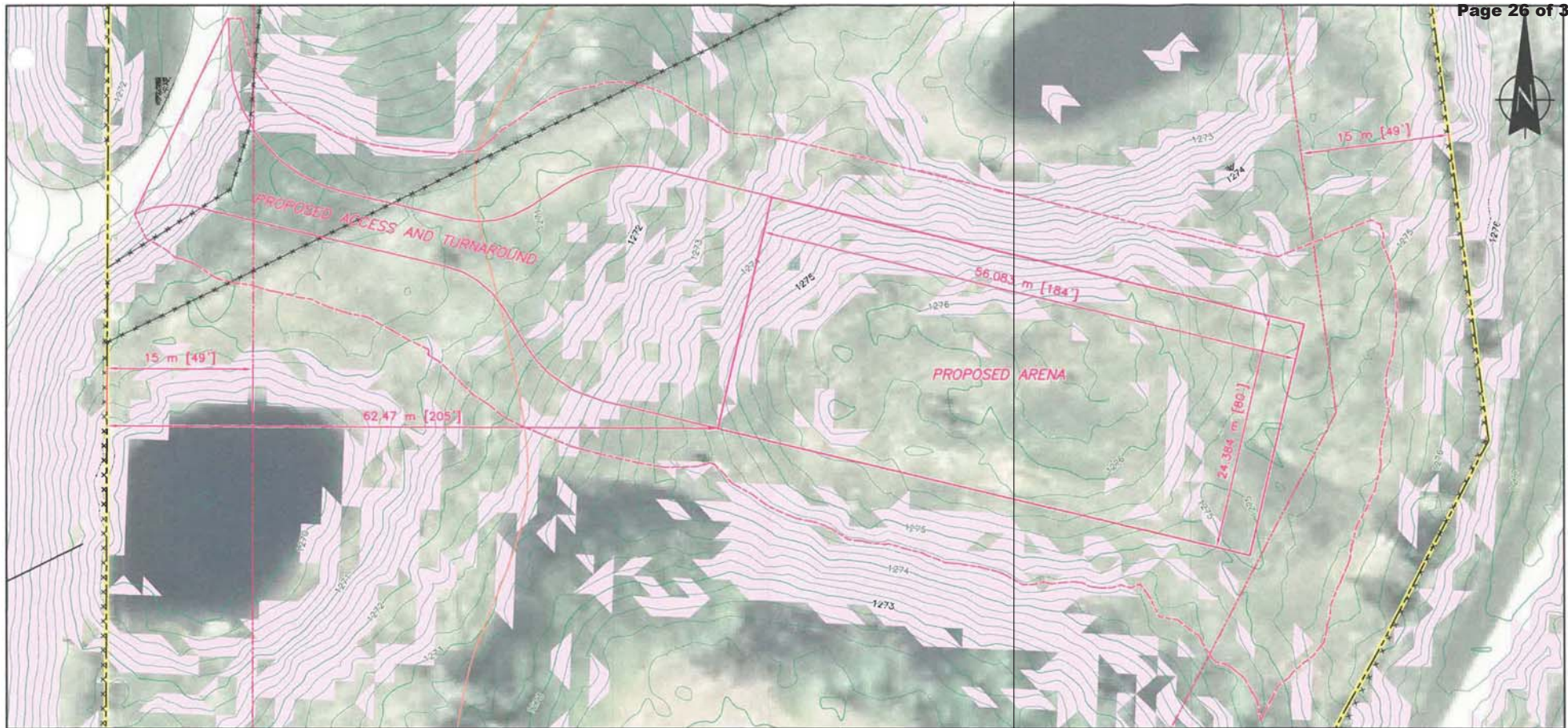
PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD  
BUILDING FOOTPRINT, ACCESS ROAD  
AND  
15 m SETBACK

DRAWING NO. 05



DRAWN BY	
DESIGNED BY	
APPROVED BY	
SCALE	1:400
DATE	SEPTEMBER 19, 2019
FILE No.	SSLS-0129-A2A





LEGEND:

- SITE BOUNDARY
- SETBACK LINE
- FENCE LINE
- NATURAL GAS LINE (COCHRANE LAKE GAS CO-OP LTD)
- LIMIT OF PROPOSED SITE GRADING
- GROUND SURFACE (CONTOUR INTERVAL = 0.2 m)
- MAJOR CONTOUR
- MINOR CONTOUR
- SLOPES AT OR GREATER THAN 15%



NOTES: (SEE DRAWING NO. 04 FOR GENERAL NOTES)

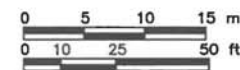
- 5 AREA OF PROPERTY EQUALS 5.189 HA (12.78 ACRES).
- 6 AREA OF PROPOSED GRADING ≈ 4013 m<sup>2</sup>.
- 7 AREA OF PROPOSED INDOOR RIDING ARENA BUILDING = 1367.533 m<sup>2</sup>.
- 8 AREA OF PROPOSED ACCESS AND TURNAROUND ≈ 806.588 m<sup>2</sup>.

## Coates' Acres

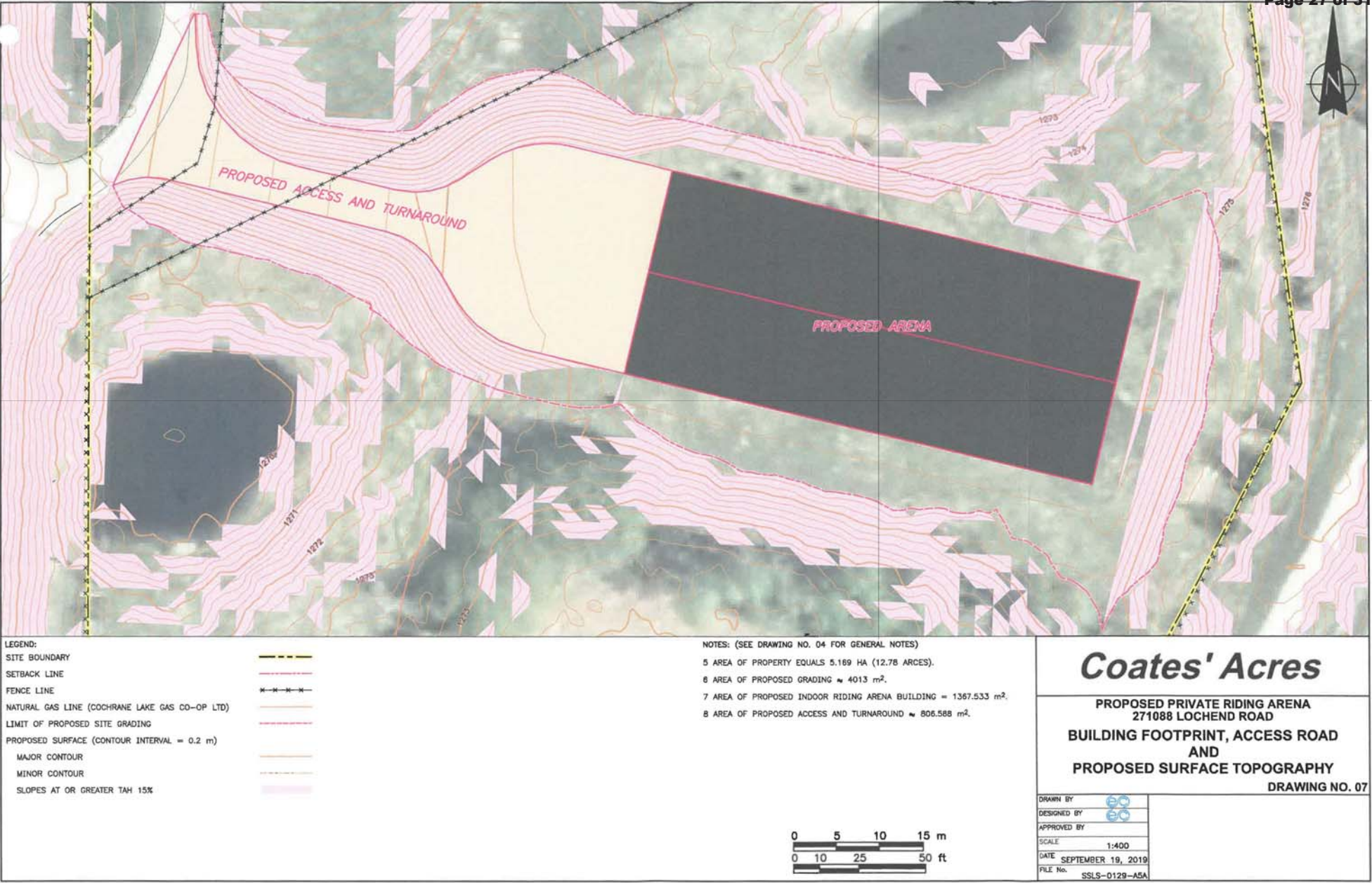
PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD  
SITE FOOTPRINT  
AND  
CURRENT SURFACE TOPOGRAPHY

DRAWING NO. 06

DRAWN BY  
DESIGNED BY  
APPROVED BY  
SCALE 1:400  
DATE SEPTEMBER 19, 2019  
FILE No. SLS-0129-A2A





















## **PLANNING AND DEVELOPMENT SERVICES**

**TO:** Municipal Planning Commission  
**DIVISION:** 07  
**SUBJECT:** Development Permit: Keeping of Livestock

**DATE:** February 12, 2020  
**APPLICATION:** PRDP20194586

**APPLICATION:** keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from three (3) to six (6) animal units [horses].

**GENERAL LOCATION:** Located approximately 1.61 km (1 mile) south of Twp. Rd. 272 and on the east side of Hwy. 766.

**LAND USE DESIGNATION:** Ranch and Farm District (RF)

**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with OPTION #1.

### **OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20194586 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20194586 be refused as per the reasons noted.

### **AIR PHOTO & DEVELOPMENT CONTEXT:**







## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> December 19, 2019	<b>File:</b> 07711005
<b>Application:</b> PRDP20194586	<b>Applicant/Owner:</b> Steven E & Sandra L Coates
<b>Legal Description:</b> SW-11-27-03-W5M	<b>General Location:</b> Located on the east side of Lochend Rd, 1.61 km (1 mile) south of Twp Rd 272
<b>Land Use Designation:</b> Ranch and Farm District (RF)	<b>Gross Area:</b> ± 5.17 hectares (± 12.78 acres)
<b>File Manager:</b> Oksana Newmen	<b>Division:</b> 07

### PROPOSAL:

The proposal is for the Keeping of Livestock at densities no greater than two animal units per 1.60 hectares (3.95 acres), specifically from three to six animal units (horses). Note, that this application corresponds to PRDP20194484 for a private riding arena.

The property is zoned Ranch and Farm, and the keeping of livestock falls under both permitted and discretionary use within this land use district.

#### Land Use Bylaw Requirements:

*Section 24.4 On parcels designated as RF, RF-2, RF-3, AH, F, R-2 and R-3 that are between 1.60 hectares (3.95 acres) and 16.19 hectares (40.00 acres), the permitted number of livestock shall not exceed one animal unit per 1.60 hectares (3.95 acres).*

- Application-specific details:
  - 12.78 acres / 3.95 acres = 3.24 x 2 = 6.48 = 6 animal units
  - 1 horse = 1 animal unit; therefore 6 units = 6 horses.

#### *Section 24.6 Keeping of Livestock*

*(a) The following applies to all parcels of land on which livestock is kept:*

*(i) pasture management shall be maintained to ensure there is no overgrazing;*

- The applicant has indicated that manure is managed on site through spreading and incorporating when needed.

*(ii) manure management shall occur to ensure no runoff onto adjacent lands, riparian areas, or to a watercourse and to reduce odour.*

- The applicant states that the majority of slopes direct surface water to natural ponding areas on the property.

*(b) Development Permits for the doubling of the number of animals on a parcel shall include conditions:*

*(i) requiring a Pasture Management Plan;*

- The applicant has indicated that the property is cross-fenced into four separate pastures for rotational grazing and hay is supplemented during winter months and used in smaller pastures for diet control of horses that are lush grass sensitive, as required at other times.



(ii) *requiring a Manure Management Plan;*

- The applicant has indicated that manure is managed on site through spreading and incorporating when needed.

(iii) *placing a limit on the term of the permit that shall not exceed five (5) years.*

- The permit will be conditioned for one year, as this is the first application.

#### **STATUTORY PLANS:**

The property is not located within an area structure plan or intermunicipal development plan and was therefore evaluated in accordance with the Land Use Bylaw.

#### **INSPECTOR'S COMMENTS:**

Inspection Date: January 7, 2020

- 5 horses visible at time of application, could easily be more
- Horses appear to have more than adequate enough feed, and roaming area

#### **CIRCULATIONS:**

Agricultural Services (January 10, 2020)

- No concerns.

Planning and Development Services (Engineering) Review (January 20, 2020)

#### **General:**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

#### **Geotechnical:**

- Engineering has no concerns at this time.

#### **Transportation:**

- Engineering has no concerns at this time.

#### **Sanitary/Waste Water:**

- Engineering has no concerns at this time.

#### **Water Supply And Waterworks:**

- Engineering has no concerns at this time.

#### **Stormwater Management:**

- Engineering has no concerns at this time.

#### **Environmental:**

- As a permanent condition the applicant is responsible for any AEP, AHS, and Health Canada approvals that may be required as part of the development.
- Engineering has no concerns at this time.

Utility Services (December 23, 2019)

- No concerns



**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

- 1) That the keeping of livestock at densities no greater than two animal units per 1.60 hectares (3.95 acres) may be permitted on the subject property (SW-11-27-03-W5M) at any time.
- 2) That the maximum number of animal units (horses) on the subject property shall not exceed six at any time.[Click here to enter text.](#)

**Permanent:**

- 3) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
  - i. If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented by the Applicant or the number of animal units may need to be decreased, upon request from the County.
- 4) That all manure shall be collected and disposed of off-site or worked into the fields on a continual basis at least once a month.
- 5) That if there is a build-up of manure, that manure shall be removed immediately.
- 6) That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units (horses) remain on the subject property at all times.

**Advisory:**

- 7) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 8) That this development permit shall be valid until **March 11, 2021**.

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.
- 2.

TWP RD 272

NRI

11

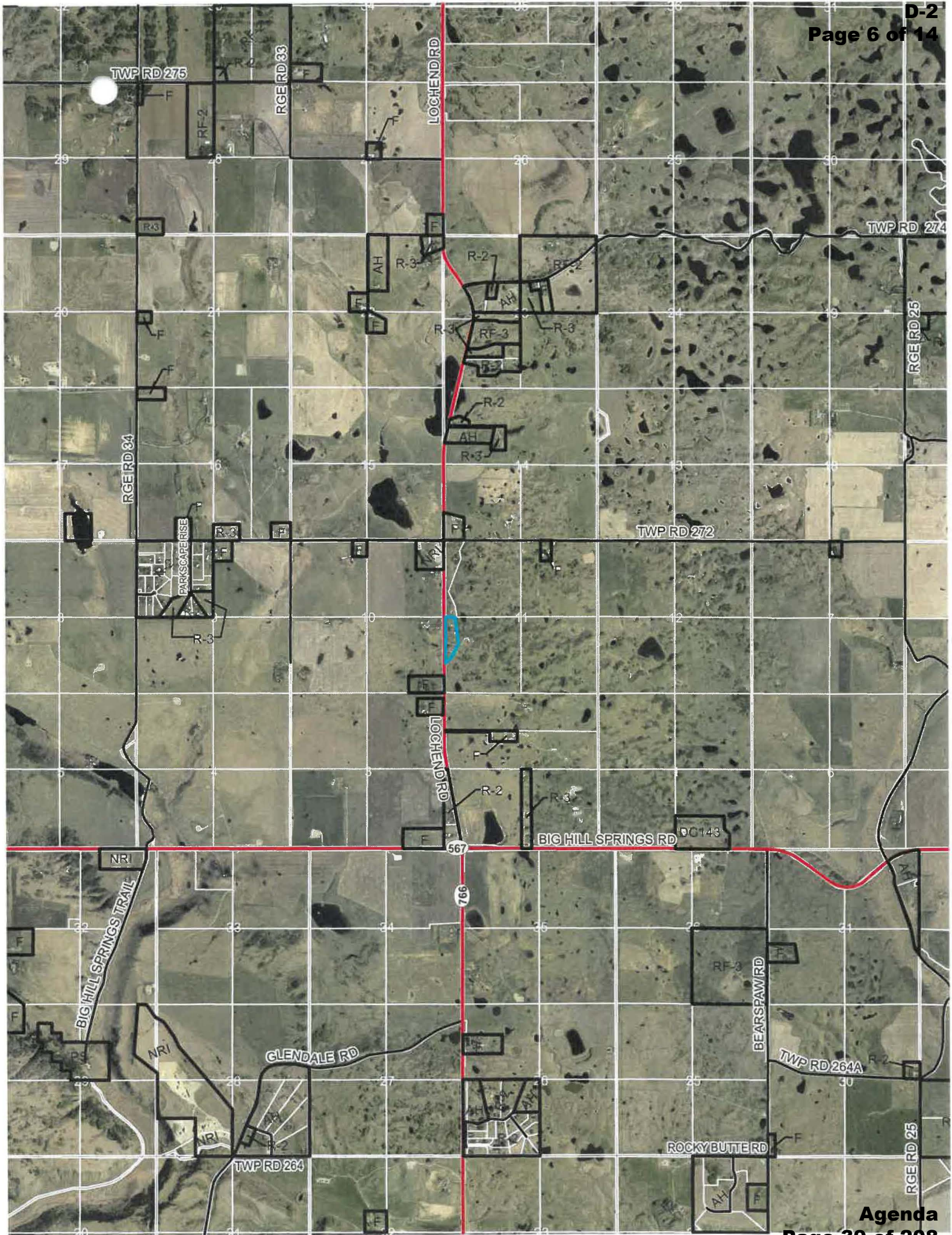
LOCHEND RD 766

F

F

Agenda  
Page 38 of 208









ROCKY VIEW COUNTY  
Cultivating Communities

20194586

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICIAL USE ONLY	
Fee Submitted \$ 200.00	File Number 047/1005
Date of Receipt 12/20/2019	Receipt # 20190538

D-2

Page 7 of 14

Name of Applicant **Steven and Sandra Coates** Email [REDACTED]  
Mailing Address [REDACTED]  
Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_  
Registered Owner (if not applicant) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the **SW** ¼ Section **11** Township **27** Range **3** West of **5** Meridian  
b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number \_\_\_\_\_  
c) Municipal Address **271088 Lochend Road**  
d) Existing Land Use Designation **RF** Parcel Size **5.169 ha** Division **07**  
(12.78 acres)

## 2. APPLICATION FOR

**Private Riding Arena**

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No **X**  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No **X**  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No **X**  
d) Does the site have direct access to a developed Municipal Road? Yes **X** No \_\_\_\_\_

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

We **Sandra and Steven Coates** hereby certify that \_\_\_\_\_ We are the registered owners  
(Full Name in Block Capitals)

\_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company

Applicant's Signature \_\_\_\_\_  
Date **Dec 12, 2019**

Owner's Signature \_\_\_\_\_  
Date **Dec 12, 2019**

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

---

Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, STEVEN COATES, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
Signature

DEC 12, 2019  
Date



## APPLICATION TO INCREASE NUMBER OF LIVESTOCK

FOR OFFICE USE ONLY	
Fee submitted <u>200.00</u>	File Number <u>07411008</u>
Date of Receipt <u>12/20/2019</u>	Receipt # <u>2019023126</u>

### 1. SITE PLANS

Provide site plans identifying:

1. Confinement and pasture areas & acres available for animals
2. Feeding site(s) and methods (i.e. feeders/racks/ground/etc.)
3. Watering site(s) and methods (i.e. tank/waterer/creek/etc.)
4. Location of your well, any sloughs, ponds, water runs, coulees, etc.
5. Description of slope of your property.
6. Proximity of neighbours' houses and livestock (if any).

### 2. OPERATION

Describe the type and breed (if applicable) of livestock in your livestock operation: Registered Quarter Horses

The number of each type of livestock in your "livestock operation" is: 6 (six)

Do you have a Premises Identification number? (PID – Alberta Agriculture & Forestry):

Yes ☒ No ☐

If yes, PID#: AA01971EK

### 3. SITE INFORMATION

Topography: Flat ☐ Rolling ☒ Steep ☐  
 Select Grass/Forage Species present: Alfalfa ☐ Brome ☒ other: \_\_\_\_\_  
 Fescue ☒ Timothy ☒ Other: \_\_\_\_\_

Supplemental feed? Yes ☐ No ☐  
 If yes, please explain: We purchase 600 - 750 square bales annually for feed.

Are riparian or wetland areas present? Yes ☐ No ☒

Are you interested in finding out more information about Rocky View County's Green Acreages Program?  
 Yes ☐ No ☒

### 4. MANURE MANAGEMENT

Will manure be stored on site? Yes ☒ No ☐  
 If yes, identify storage methods: Compost ☐ Stockpile ☐ Spread and incorporated ☒

How long will the manure be stored? \_\_\_\_\_

If no, identify where manure is going: Horses roam pastures and harrowing is perform when needed.

*Note: Manure storage facility construction must comply with the 'Agricultural Operation Practices Act'*



## 5. GRAZING AND FEEDING STRATEGIES

Describe your grazing and feeding strategies (i.e. year-round grazing, rotational pastures with supplemental feed, etc.)  
Property is cross fenced into four separate pastures for rotational grazing and hay is supplemented during winter months and used in smaller pastures for diet control of horses that are lush grass sensitive, as required at other times.

## 6. RUNOFF

What is the current practice to prevent manure from contaminating water bodies (e.g. wetlands, sloughs, dugouts) on your property? There are multiply low lying areas which draw and collect water. None are springs or permanent waterbodies. Water does not drain from these areas, but will go dry through evaporation.

Describe how runoff will be kept out of your well and other water areas on your property.

Water well is away from pastures and is deep enough to prevent contamination from surface water seepage

Describe how runoff will be kept on your own property (It is an offence under the Alberta Environmental Enhancement and Protection Act to allow manure and its nutrients to move off your property)

The majority of slopes direct surface water to natural ponding areas on the property.

Some of the ponds remain wet year-round and some dry out in the fall.

## 7. PEST AND WEED CONTROL

Describe how flies and other pests will be managed so they don't affect your neighbours.

Due to the surround grazing land and the population of cattle, sheep and horses there are far too many flies and other pests to manage. Barn cats keep the rodent population controlled.

Do you have a weed control program in place? Yes ☒ No ☐

If yes, describe the weed control program: We spray for thistles and other troublesome weeds.

Signature of Applicant Steve Coates Date December 17, 2019

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION EVEN IF THIS IS A RENEWAL. THANK YOU



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0013 507 026        5;3;27;11;SW                      081 362 330

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION ELEVEN (11)  
IN TOWNSHIP TWENTY SEVEN (27)  
RANGE THREE (3)  
WEST OF THE FIFTH MERIDIAN  
WHICH LIES WEST OF ROAD PLAN 2479Q  
CONTAINING 5.46 HECTARES (13.5 ACRES) MORE OR LESS  
EXCEPTING THEREOUT

PLAN	NUMBER	HECTARES	(ACRES)
ROAD	7711699	0.291	(0.72)

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 981 202 932

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
081 362 330	25/09/2008	TRANSFER OF LAND	\$925,000	\$925,000

OWNERS

STEVEN COATES

AND

SANDRA COATES

BOTH OF:

[REDACTED]  
[REDACTED]  
[REDACTED]

AS JOINT TENANTS

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 081 362 330

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

921 233 022	18/09/1992	UTILITY RIGHT OF WAY GRANTEE - COCHRANE LAKE GAS CO-OP LTD.
-------------	------------	--

081 362 331	25/09/2008	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 180 WELLINGTON STREET WEST, 1ST FLOOR TORONTO ONTARIO M5J1J1 ORIGINAL PRINCIPAL AMOUNT: \$925,000
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TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 11 DAY OF  
DECEMBER, 2019 AT 05:13 P.M.

ORDER NUMBER: 38512238

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).





LEGEND:  
SITE BOUNDARY  
FENCE LINE

NOTES:  
1 DRAWING MUST BE USED IN CONJUNCTION WITH ...  
2 DRAWING COMPILED FROM:  
2018 AIR PHOTO BASE FROM ROCKY VIEW COUNTY, MODIFIED TO REMOVE  
WILLOWS AND BRUSH TO BETTER REPRESENT RECENT LAND CLEARING.,  
AUGUST 2019 REAL PROPERTY REPORT AS PRODUCED BY ARC SURVEYS LTD.,  
AND SITE INVESTIGATION INFORMATION.  
3 MUNICIPAL ADDRESS:  
271088 LOCHEND ROAD, ROCKY VIEW COUNTY.  
4 LEGAL DESCRIPTION:  
LTNC 507 026 SHORT LEGAL 5;3;27;11;SW TITLE NUMBER 081 362 330  
5 PASTURE DIVISIONS AND AREAS:  
NORTH PASTURE AREA = 1.156 HA (2.857 ACRES)  
NORTH CENTRAL PASTURE AREA = 0.560 HA (1.384 ACRES)  
WEST PASTURE AREA = 0.548 HA (1.354)  
ALLEY WAY AREA = 0.041 HA (0.101 ACRES)  
SOUTH PASTURE AREA = 2.331 HA (5.760 ACRES)

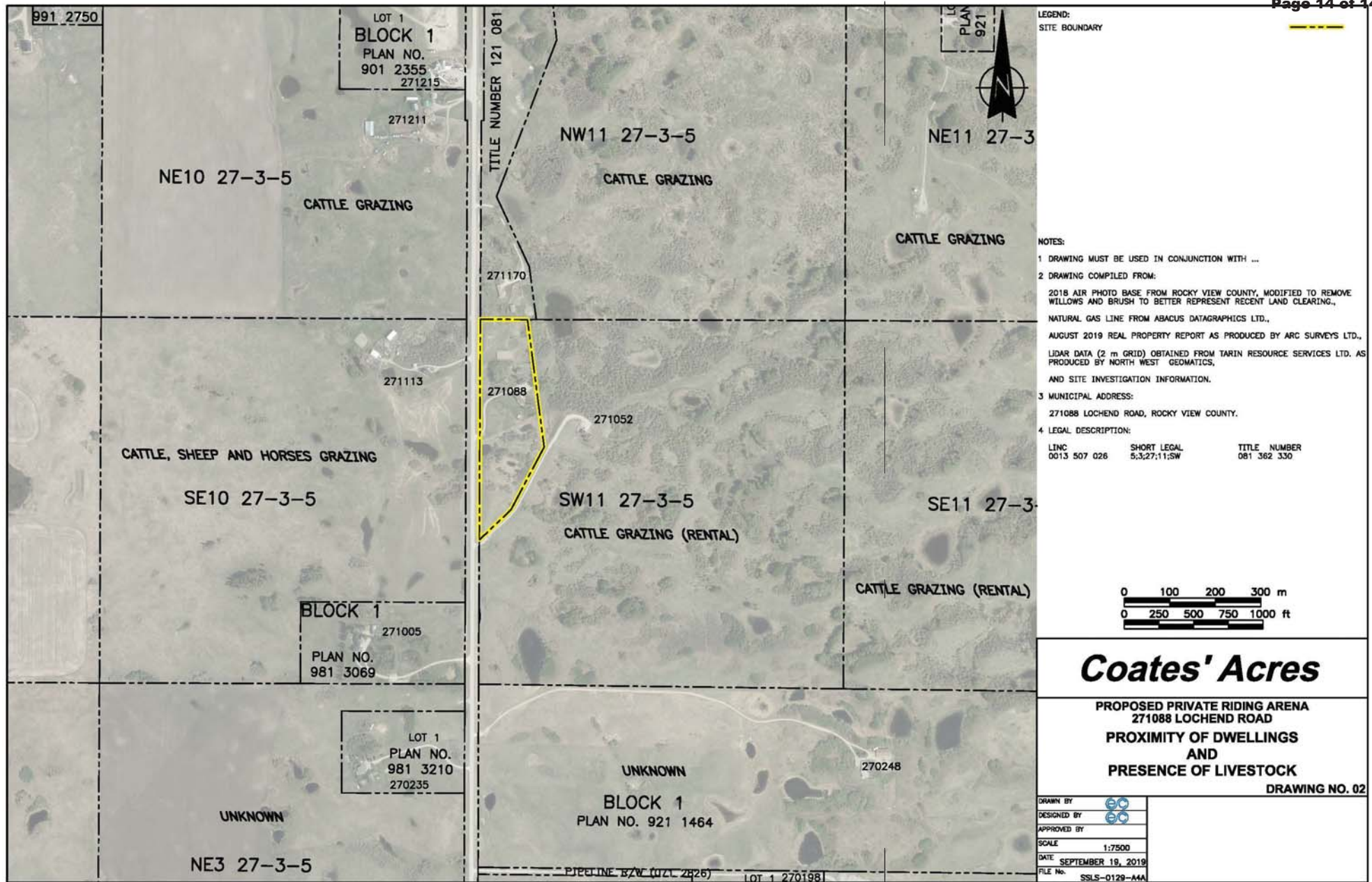
0 50 100 m  
0 100 200 300 ft

**Coates' Acres**

PROPOSED PRIVATE RIDING ARENA  
271088 LOCHEND ROAD  
FENCING BOUNDARY  
AND  
LIVESTOCK MANAGEMENT  
DRAWING NO. 01

DRAWN BY	eo
DESIGNED BY	eo
APPROVED BY	
SCALE	1:2000
DATE	SEPTEMBER 19, 2019
FILE No.	SSLS-0129-A2A





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 05

**APPLICATION:** PRDP20194136

**SUBJECT:** Development Item: Oversize Accessory Building and Side Yard Setback Variance

**APPLICATION:** accessory buildings (existing horse shelter, two wood sheds, oversize Quonset) and relaxation of the minimum side yard setback requirement.

**GENERAL LOCATION:** Located approximately 2.00 km (1.25 miles) north of Hwy. 564 and on the east side of Rge. Rd. 282.

**LAND USE DESIGNATION:** Agricultural Holdings (AH)

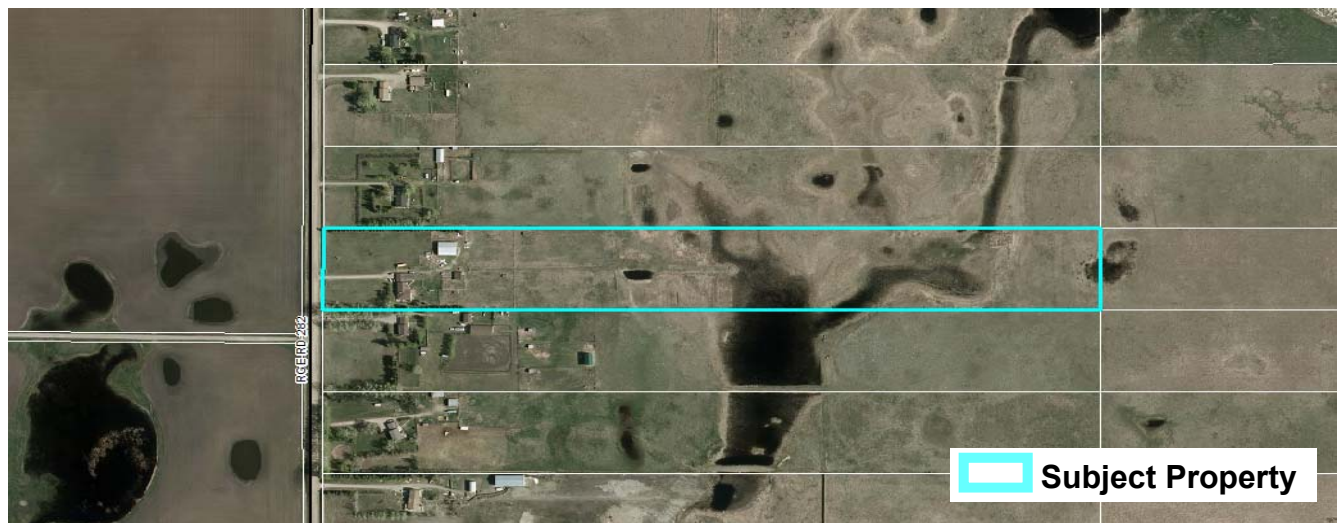
**ADMINISTRATION RECOMMENDATION:**  
Administration recommends approval in accordance with Option #1.

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20194136 be approved with the suggested conditions noted in the staff report.

Option #2: THAT Development Permit Application PRDP20194136 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Oksana Newmen, Planning and Development Services





<b>Application No.</b>	PRDP20194136	<b>File Manager</b>	Oksana Newmen
<b>District</b>	Agricultural Holdings (AH)	<b>Gross Area (ha)</b>	8.07
<b>Use</b>	existing accessory buildings for small agricultural lot		

Use and District Intent Check	Yes/No
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed development meet the Purpose and Intent?	Yes

Area property lines adjacent to a paved road?					
Front Yard	No	Side Yard 1	No	Side Yard 2	No

		Regulation	Min/Max	Proposed	Δ	Variance
Principal	46.5 (b)	Front Yard Setback (m)	45.00	75.72	30.72	
	(c)	Side Yard 1 Setback (m)	6.00	13.46	7.46	
	(c)	Side Yard 2 Setback (m)	6.00	lots	#VALUE!	
	(d)	Rear Yard Setback (m)	15.00	lots	#VALUE!	
	46.6	Habitable Floor Area (m <sup>2</sup> )	92.00	275.89	183.89	
	46.7	Building Height (m)	10.00	10.00	0.00	
	46.8	SDD/lot	1.00	1	0.00	
Acc. Bld #1	46.5 (b)	Front Yard Setback (m)	45.00	117.90	72.90	
	(c)	Side Yard 1 Setback (m)	6.00	lots	#VALUE!	
	(c)	Side Yard 2 Setback (m)	6.00	17.43	11.43	
	(d)	Rear Yard Setback (m)	15.00	lots	#VALUE!	
	46.7	Building Height (m)	5.50	3.70	1.80	
		Acc. Bld Area (m <sup>2</sup> )	N/A	281.90	#VALUE!	
Acc. Bld #2	46.5 (b)	Front Yard Setback (m)	45.00	135.10	90.10	
	(c)	Side Yard 1 Setback (m)	6.00	36.78	30.78	
	(c)	Side Yard 2 Setback (m)	6.00	lots	#VALUE!	
	(d)	Rear Yard Setback (m)	15.00	lots	#VALUE!	
	46.7	Building Height (m)	5.50	ok	#VALUE!	
		Acc. Bld Area (m <sup>2</sup> )	N/A	82.88	#VALUE!	

Comments
Four existing accessory buildings to remain; other horse shelters to be removed

Comments
Range Road 282 is a gravel standard

Comments
House built 1971; renovation in 1998; garage in 1979
Accessory Building #1 is the existing "Quonset". Exceeds the 190 sq. m for permitted use but is within the discretionary use variance range; Note: The Quonset is deemed non-conforming and with this application, would be brought into compliance with the Land Use Bylaw.
Accessory Building #2 is the existing wood shed (marked as building 3 on the site plan). Shed is Permitted use, as area less than 190 sq. m. (Section 46.2). No height provided, but it's shorter than the Quonset.



Acc. Bld #3	46.5 (b)	Front Yard Setback (m)	45.00	lots	#VALUE!	
	(c)	Side Yard 1 Setback (m)	6.00	9.26	3.26	
	(c)	Side Yard 2 Setback (m)	6.00	lots	#VALUE!	
	(d)	Rear Yard Setback (m)	15.00	lots	#VALUE!	
	46.7	Building Height (m)	5.50	ok	#VALUE!	
		Acc. Bld Area (m <sup>2</sup> )	N/A	29.51	#VALUE!	
Acc. Bld #4	46.5 (b)	Front Yard Setback (m)	45.00	lots	#VALUE!	
	(c)	Side Yard 1 Setback (m)	6.00	2.52	-3.48	58.00%
	(c)	Side Yard 2 Setback (m)	6.00	lots	#VALUE!	
	(d)	Rear Yard Setback (m)	15.00	lots	#VALUE!	
	46.7	Building Height (m)	5.50	ok	#VALUE!	
		Acc. Bld Area (m <sup>2</sup> )	N/A	22.37	#VALUE!	

Accessory Building #3 is the existing shelter (marked as building 6 on the site plan). Shed is Permitted use, as area less than 190 sq. m. (Section 46.2) No height provided, but it's shorter than the Quonset.

Accessory Building #4 is the wood shed (marked as building 1 on the site plan). Shed is Permitted use, as area less than 190 sq. m. (Section 46.2) No height provided, but it's shorter than the Quonset. As the side yard is treed where the shed is, no impact. Setback Variance granted.

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

Comments
Side yards are screened with trees, so any visual impact is unlikely.

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	Yes
IDP			
MDP	County Plan	No	Yes
ASP			
CS			

Comments

<b>BP/DP History</b>	PRDP20193096 - was prior version of this application; closed in error. 1998-BP-12393 was for a building addition - the permit was never issued, and expired in 2000.
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<b>Inspector Comments</b>	No inspection completed
<b>Overall Assessment</b>	Gazebo and 4 horse shelters have been or will be removed (shown as numbers 5, 7, 10, 11 and gazebo on site plan); The intent of this application is to bring the property into current compliance with the Land Use Bylaw.
<b>Non-Standard Conditions</b>	None



## **ACCESSORY BUILDINGS (PRDP20194136)**

### **OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

#### **Description:**

- 1) That the existing Accessory Buildings (oversize Quonset [approximately 281.90 sq. m (3,034.34 sq. ft.) in area]), wood shed, and two sheds) may remain on the subject land in general accordance with the approved site plan, as prepared by Jones Geomatics, Job No. NP21751-17, dated June 2017.
  - a. That the minimum side yard setback requirement for the accessory building (shed #1 [*as referenced on the site plan*]) is relaxed from **6.00 m (19.68 ft.)** to **2.52 m (8.26 ft.)**.

#### **Permanent:**

- 2) That the existing Accessory Buildings (Quonset, wood shed, and two sheds) shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I or an approved Home-Based Business, Type II.
- 3) That the existing Accessory Buildings (Quonset, wood shed, and two sheds) shall not be used for residential occupancy purposes at any time.

#### **Advisory:**

- 4) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 5) That the accessory buildings (Gazebo and four horse shelters [#5, #7, #10 and #11 as *referenced on the site plan*]) shall be removed from the subject property and/or relocated to comply with the County's current Land Use Bylaw requirements.
- 6) That Building Permits shall be obtained, through Building Services, for any buildings over 107.63 sq. ft. in area, if no building permits were obtained.
- 7) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

- 1) That the requested side yard setback relaxation exceeds the minimum requirements of Section 46 of the Land Use Bylaw C-4841-97.

**Required Side Yard Setback Requirement: 6.00 m (4.98 ft.)**

**Requested Accessory Building (Shed) Side Yard Setback Requirement: 2.52 m (8.26 ft.)**

- 2) That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

35

RCERD 282









ROCKY VIEW COUNTY  
Cultivating Communities

20193096

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 05335012
Date of Receipt AUG 29/18	Receipt # 021945

Name of Applicant PALMAR & CATHLEEN WICK Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) [REDACTED]

(H) H

Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) SAME AS ABOVE

Mailing Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone (B) \_\_\_\_\_

(H) \_\_\_\_\_

Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SW 3.5 Section 2835 Township 25 Range 3528 West of 64 Meridian
- b) Being all / parts of Lot 4 Block 1154K Registered Plan Number 1154K
- c) Municipal Address 255052 RANGE RD 282
- d) Existing Land Use Designation AH Parcel Size 19.94 Division \_\_\_\_\_

### 2. APPLICATION FOR

QUONSET AND RELAXATION OF SHED SIDE YARD

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ No ☒  
(Sour Gas facility means well, pipeline or plant)
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No ☒
- d) Does the site have direct access to a developed Municipal Road? Yes \_\_\_\_\_ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I PALMAR H. WICK hereby certify that ☒ I am the registered owner  
(Full Name in Block Capitals)

\_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

**Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company**

Applicant's Signature Cathleen Wick

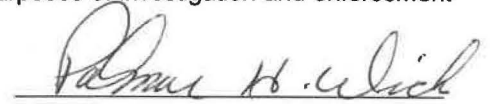
Date 29/8/2019

Owner's Signature Palmar H. Wick

Date AUG 29 2019

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, PALMAR H WICK, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
SignatureAug 29 / 19.  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION FOR AN ACCESSORY BUILDING

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 05335012
Date Received Aug 29/19	Receipt # 021945

Name of Applicant PALMAR & CATHLEEN WICK Email [REDACTED]  
Mailing Address [REDACTED]  
Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	-	281.9 m <sup>2</sup> (Quonset only)
Accessory building height		12' (3.7m)
Number of existing accessory buildings on site	9	
Total size of all accessory buildings		

#### Description of Accessory Buildings:

- a) Building materials WOOD + METAL
- b) Exterior colour WHITE
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
[REDACTED]
- d) Date when building permits were issued for existing buildings none issued for Quonset (exceeds than 190m<sup>2</sup>)
- e) If no permits were issued - list age of buildings 24 - or +

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

FARM EQUIPMENT + ETC.

### 3. ADDITIONAL REQUIREMENTS

The following items must be provided in addition to your application:

- ☐ Elevation drawing(s) / floor plan(s) not available
- ☒ Site plan(s) showing all dimensions and setbacks

Signature of Applicant [Signature] Date: Aug 29/19



**Oksana Newmen**

---

**From:** Palmar Wick [REDACTED]  
**Sent:** Friday, December 20, 2019 10:15 PM  
**To:** Oksana Newmen  
**Subject:** Re: PRDP20194136

Shelters 5,7 ,10,11 will be removed. Gazebo was on deck of house and has been removed already. Number 1 wood Shed will be pulled away from fence to required easement. Number 2 shop is the Quonset requiring permit. Shelter number 6 will remain. Site plan is still the same.

Hope this works.

Palmar Wick

Sent from my iPad

On Dec 17, 2019, at 2:00 PM, <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)> <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)> wrote:

Palmar,

I'm having difficulty figuring out what is going on currently on the property; perhaps you can help sort through it with me.

1. Shed 1 has a note "on skids" – has it been moved? If so, where? I am looking for location on the site plan now and distance from the property line and other structures. If it hasn't moved yet, please note where it's going to go, and what the distances will be from the property line and other buildings. Please plot the location non the site plan.
2. You are requesting placement of a (new) quonset? Where is this proposed to be located? Please locate it on the site plan, including distance(s) from property lines and other buildings.
3. There is reference to a gazebo. Which structure number is this? And to confirm, it's been removed?
4. Shelter 6 indicates it's been on site for 30 years, is that correct? Is it intended to remain?
5. You state that "all small shelters to be removed" – can you confirm which ones these would be? 5, 7, 10, 11? Does this include 6?

Would you please provide a current site plan that shows the location of the buildings currently on site, and any proposed buildings?

Thanks,  
~Oksana

---

**From:** Palmar Wick [REDACTED]  
**Sent:** Monday, December 16, 2019 12:38 PM  
**To:** Oksana Newmen <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)>  
**Subject:** Re: PRDP20194136

We have sent a copy of RPR and building photos.

Gazebo has been removed, wood shed to be moved all small shelters to be removed.

Palmar & Cathleen Wick

Sent from my iPad

On Dec 16, 2019, at 8:51 AM, <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)> <[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca)> wrote:

Palmar and Kathleen,

I haven't heard back from you regarding your application – please forward me the revised site plan, showing buildings and related measurements and distances so I can process your permit.  
If you have questions, please let me know.

Regards,  
~Oksana

---

**From:** Oksana Newmen  
**Sent:** Monday, November 18, 2019 4:30 PM  
**To:** [REDACTED]  
**Subject:** PRDP20194136

Palmar and Kathleen,

In follow up to Evan's message, I am checking in with you as the file manager for this application.  
If you would forward the revised site plan to me, showing the location of the buildings on site, I'll get to work processing the application.  
If you have any questions, please let me know.

~Oksana

**OKSANA NEWMEN**  
Planner | Planning Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-7265  
[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)













## LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0020 882 338            115LK;4                      771 150 054

## LEGAL DESCRIPTION

PLAN 115LK  
 BLOCK 4  
 CONTAINING 8.07 HECTARES (19.94 ACRES) MORE OR LESS  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 4;28;25;35;W  
 ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
771 150 054	26/10/1977		\$125,000	

## OWNERS

PALMAR HALTON WICK (BUSINESSMAN)

AND

CATHLEEN ANN WICK



AS JOINT TENANTS

## ENCUMBRANCES, LIENS &amp; INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
7606AO .		RESTRICTIVE COVENANT
1407KY .	06/01/1971	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC.

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 771 150 054

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT  
OF WAY 021161068)

(DATA UPDATED BY: CHANGE OF ADDRESS 091060096)

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT  
OF WAY 191010141)

6882KT . 14/01/1971 CAVEAT  
RE : DEFERRED RESERVE AGREEMENT  
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.  
44.

(DATA UPDATED BY: 951072862 )

1326KX . 03/05/1971 UTILITY RIGHT OF WAY  
GRANTEE - ALBERTA GOVERNMENT TELEPHONES.  
"PORTION DESCRIBED"

7856LJ . 14/11/1972 UTILITY RIGHT OF WAY  
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.

081 383 495 10/10/2008 WRIT  
CREDITOR - TRI LEGEND INC.  
C/O CHOMICKI BARIL MAH LLP  
1201 TD TOWER, 10088-102 AVENUE  
EDMONTON  
ALBERTA T5J4K2  
DEBTOR - PALMER WICK (WINDOW CLEANER)  
RR 6 LCD9  
CALGARY  
ALBERTA T2M4L5  
AMOUNT: \$3,369 AND COSTS IF ANY  
ACTION NUMBER: 0803 10524

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 4 DAY OF  
SEPTEMBER, 2019 AT 03:52 P.M.

ORDER NUMBER: 37939661

CUSTOMER FILE NUMBER:

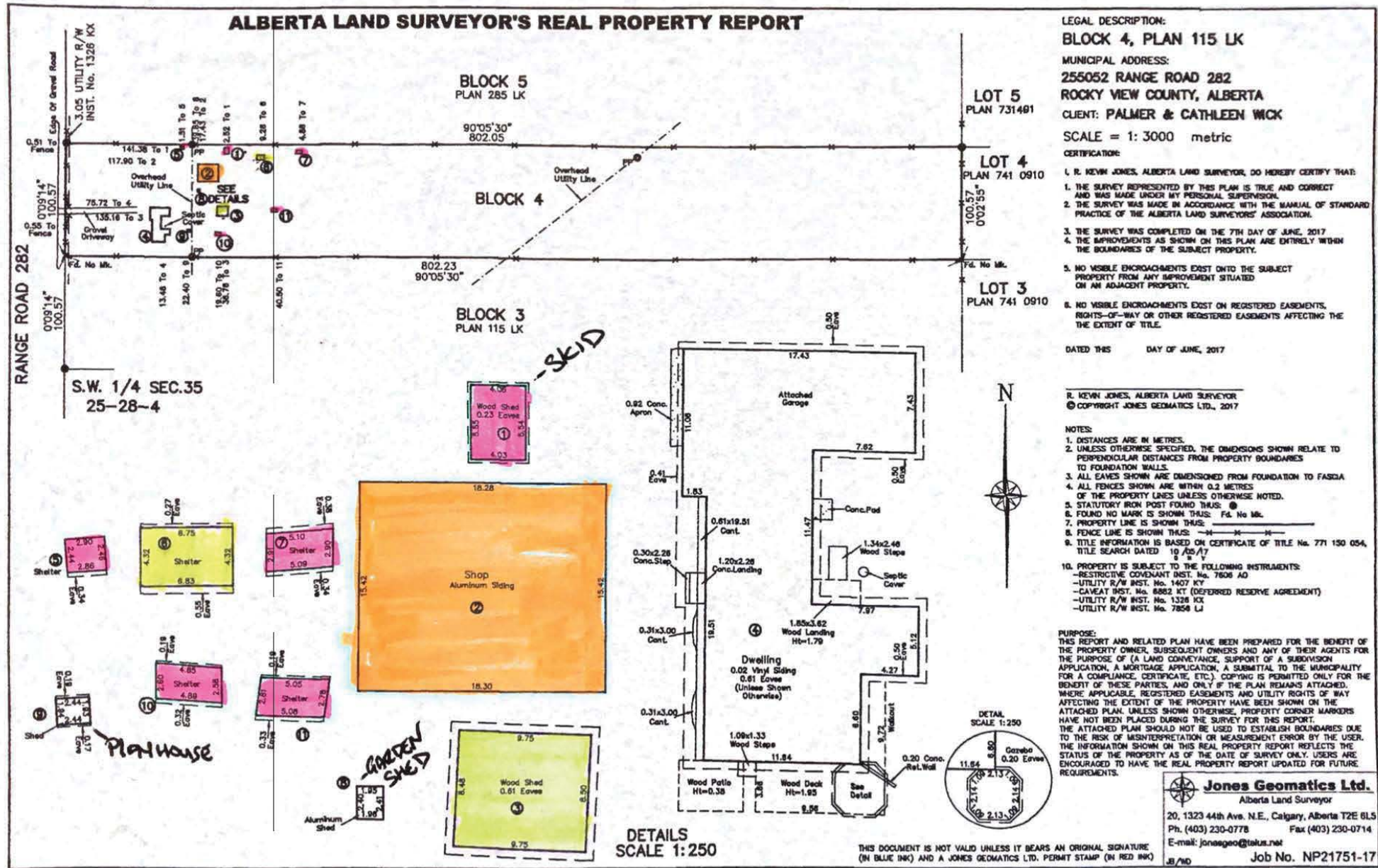


\*END OF CERTIFICATE\*

( CONTINUED )

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S) .





## **PLANNING AND DEVELOPMENT SERVICES**

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 03

**APPLICATION:** PRDP20194357

**SUBJECT:** Development Permit: Dwelling, Single Detached with Variances

**APPLICATION:** Construction of a dwelling, single detached, relaxation of the maximum height requirement and single-lot regrading and placement of clean fill

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Springbank Rd. and 0.20 km (1/8 mile) east of Horizon View Rd.

**LAND USE DESIGNATION:** Residential One (R-1)

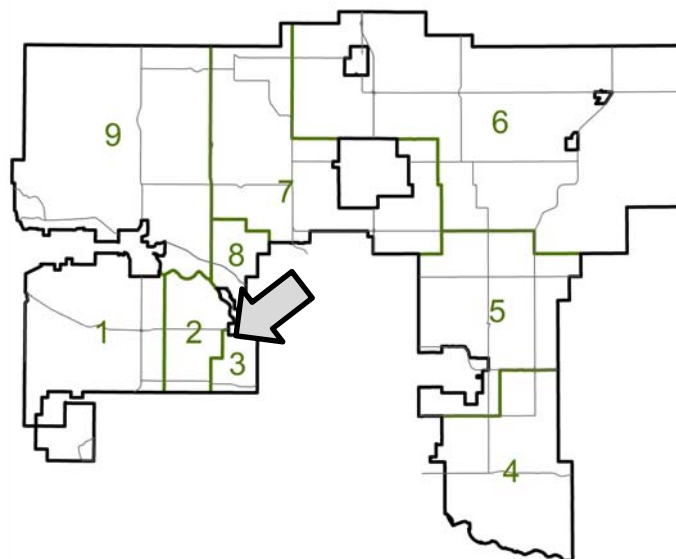
**ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with OPTION #1.

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20194357 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20194357 be refused as per the reasons noted.



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Althea Panaguiton- Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> November 28, 2019	<b>File:</b> 04619131
<b>Application:</b> PRDP20194357	<b>Applicant/Owner:</b> 2086835 Alberta Ltd
<b>Legal Description:</b> Lot 7, Block 1, Plan 1911291, NW-19-24-02-05	<b>General Location:</b> Located approximately 0.81km (1/2 mile) south of Springbank Road and 0.20km (1/8 mile) east of Horizon View Rd
<b>Land Use Designation:</b> Residential One District	<b>Gross Area:</b> 0.95 hectares (2.37 acres)
<b>File Manager:</b> Althea Panaguiton	<b>Division:</b> 03

### PROPOSAL:

The proposal is for the construction of a dwelling, single detached, relaxation of the maximum height requirement and single-lot regrading and placement of clean fill.

- There is no existing dwelling on the property.
- An accessory building is proposed for the site and is being assess under a separate development permit application, PRDP20194353.
- The proposed dwelling has a floor area of approximately 3,641.00 sq. ft. with an attached garage.
- The proposed height of the building will be 11.85m (38.88 ft.) which is approximately 18.53% increase from the maximum height requirement of Section 48 district. This is to accommodate the walk-out basement feature.
- The applicant proposes to use the existing access roadway from Stonewood Dale, with an assigned address of 53 Stonewood Dale.
- As indicated on the inspection report, there is screening in the form of mature vegetation that surrounds the middle of the property and the adjacent area. The site also naturally slopes down from the road.
- Grading and fill are related to the placement of the dwelling, varying in depth from 0.82 m (2.69 ft.) up to a maximum of 3.66 m (12.01 ft.), as shown on the submitted site plans.
- Area of fill is approximately 637.01 sq. m (6,856.72 sq. ft.).

### Dwelling Details:

The dwelling will include:

- Main Floor 338.26 sq. m. (3,641.00 sq. ft.)
- Second Floor 97.55 sq. m. (1,050.00 sq. ft.)
- *Total Habitable Area* 435.81 sq. m. (4,691.00 sq. ft.)
- Attached Garage 199.46 sq. m. (2,147.00 sq. ft.)
- Walkout Basement 307.88 sq. m. (3,314.00 sq. ft.)
- Covered Deck 48.31 sq. m. (520.00 sq. ft.)
- Open Deck 26.94 sq. m. (290.00 sq. ft.)
- Covered Balcony 12.63 sq. m. (136.00 sq. ft.)
- Porch 15.33 sq. m. (165.00 sq. ft.)



The dwelling, single detached is constructed of wood and drywall, with asphalt shingles. The exterior of the dwelling is hardie board.

Property History:

Building Permits:

- None

Development Permits:

- None

Planning History:

- PL20170120 – Subdivision of the subject parcel approved (Registered June 13, 2019)

Land Use Bylaw Requirements:

Section 8 Definitions

*DWELLING, SINGLE DETACHED means development consisting of a dwelling containing only one dwelling unit with a minimum width of 5.00 m (16.40 ft.) which is separate from any other dwelling unit or building, and which is supported on a permanent foundation or basement, and which meets the requirements for a residence as specified within the Alberta Building Code;*

- The proposed dwelling, single detached meets the requirements.

Section 12.1 Use, Permitted Applications

*The Development Authority, in making a decision on a Development Permit application for:*

*(a) A Use, Permitted that meets all requirements:*

*(i) Shall approve the application, with or without conditions.*

*(b) A Use, Permitted that does not meet all requirements:*

*(i) May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, if:*

*(1) the proposed development would not:*

*(A) unduly interfere with the amenities of the neighbourhood, or*

*(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,*

*and*

*(2) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*

*(ii) May refuse the application if the proposed development does not conform to the Bylaw.*





- The application meets all setback requirements, however, the proposed dwelling, single detached exceeds the maximum height requirement by 18.53%. The Development Authority may consider variance requests within Section 12 of the Land Use Bylaw.

### Section 33.6 *Placing of Fill*

- a) *The placing or storage of fill and topsoil may be allowed in any land use district, providing that a Development Permit and/or other County approved mechanism for approval has been issued to verify there is no adverse effect on adjacent lands as a result of any drainage alteration. Requirement and conditions of the permit may include but not be limited to:*
    - (i) *a Site Specific Stormwater Management/Implementation Plan;*
    - (ii) *a Deep Fill Report, if the fill is more than 1.20 m (3.94 ft.) in depth;*
    - (iii) *a Biophysical Impact Study, if the fill may impact a body of water. Such as a wetland or natural watercourse;*
    - (iv) *an Erosion and Sediment Control Plan;*
    - (v) *a Reclamation Plan;*
    - (vi) *registration of Drainage Easement(s) and/or other agreements on the title;*
    - (vii) *confirmation that the fill does not contain construction rubble or any contaminants; and*
    - (viii) *a Road Use Agreement permitting the hauling of fill.*
  - b) *Notwithstanding Section 33.6(a), the placing and storage of fill and topsoil may be allowed without a Development Permit in the following circumstances, providing that there is no adverse effect on adjacent lands as a result of any drainage alternation:*
    - (i) *The placing of up to 1.00 m (3.28 ft.) of fill and topsoil adjacent to or within 15.00 m (49.21 ft.) of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades;*
- The grading and placement of fill is related to the construction of the dwelling, and will exceed 1.20 m in some areas. As such, a deep fill report is required as a condition should the proposal be approved.
  - Slope: The Applicant has proposed a 10% slope for the driveway which exceeds the 8% maximum for fire truck access. Confirmation from both Building Services and Fire Services states that given the context, the current proposal is sufficient; therefore no further issue.

### Section 48 *Residential One District (R-1)*

#### 48.3 *Uses, Permitted*

*Dwelling, single detached*

#### 48.5 *Minimum and Maximum Requirements*

(b)(iii) *Yard, Front:*

- **Required:** 15.00 m (49.21 ft.);
- **Proposed:** lots
  - Meets the requirement.

(c)(i) and (iii) *Yard, Side:*

- **Required:** 3.00 m (9.84 ft.) on both sides

- **Proposed:** 6.78 m (22.24 ft.) to west side; 7.00 m (22.97 ft.) to east side
  - Meets the requirement.

(d)(i) Yard, Rear:

- **Required:** 7.00 m (22.96 ft.);
- **Proposed:** lots;
  - Meets the requirement.

**48.6** *Minimum Habitable Floor Area, excluding basement*

(d) two storey - dwelling, combined floor areas:

- **Required:** 140.00 sq. m. (1,506.95 sq. ft.);
- **Proposed:** 435.81 sq. m. (4,691.00 sq. ft.)
  - Meets the requirement.

**48.7** *Maximum height of buildings*

(a) principal building

- **Required:** 10.00 m (32.81 ft.);
- **Proposed:** 11.85 m (38.88 ft.)
  - Exceeds the requirement by 1.85 m (6.67 ft.) or 18.5%. The Development Authority has discretion to vary height by 25%, and as such can approve the height variance.

Additional Information:

**STATUTORY PLANS:**

- The property is located within the Central Springbank Area Structure Plan however, the plan does not speak specifically to construction of a dwelling, single detached. The application was also evaluated in accordance with the Land Use Bylaw.

**NON STATUTORY PLANS:**

- The property is located within the North Escarpment Conceptual Scheme
  - Section 4.5 of the conceptual scheme has considerations regarding architectural guidelines which is registered on the land title under instrument 191 112 895.
  - As the restrictive covenant is between the developer and the homeowner, this application is assessed solely in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS:**

January 29, 2020

- Property and subdivision undeveloped; quiet
- coniferous trees along front of property of property
- tall deciduous trees surround middle of property and neighbouring area
- site gradually slopes down
- adjacent neighbours below along south
- lot and road covered in snow – difficult to confirm road surface
- Vegetation and trees surrounding north property.

**CIRCULATION:**

Agricultural and Environmental Services (December 12, 2019)

- Agricultural Services Staff Comments: It may be of benefit to the applicant to create a Weed Management Plan and have a contractor available (or be personally prepared) to control any regulated weeds. The applicant will need to ensure compliance with the Alberta Weed Control Act.

Building Services Review (December 11, 2019)

- No objection to single detached dwelling, subject to BP.

Planning and Development Services - Engineering Review (December 02, 2019)

**General**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

**Geotechnical:**

- Prior to issuance of DP, should the proposed development include any areas of fill greater than 1.2 m in depth, the applicant/owner shall submit a Deep Fills report conducted and stamped by a professional engineer.

**Transportation:**

- Access to the parcel is provided via a road approach off of Stonewood Dale Place.
- As a condition to DP, the applicant/owner will not be required to provide payment of the Transportation Off-site Levy, in accordance with the applicable levy at time of DP issuance, since the proposed development is directly associated with the construction of a dwelling.

**Sanitary/Waste Water:**

- Engineering has no requirements at this time.

**Water Supply And Waterworks:**

- Engineering has no requirement at this time.

**Storm Water Management:**

- Prior to issuance of DP, the applicant shall provide a Site-Specific Stormwater Plan (SSIP) conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).
  - As a permanent condition, the owner shall adhere to the recommendations of the SSIP.

**Environmental:**

- As a permanent condition, the applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands or other valuable environmental components.





Fire Services and Emergency Management Review

- No comments received

Operations Division Rocky View County:

Capital Project Management:

- No comments received.

Solid Waste and Recycling

- No comments received.

Utility Services (November 29, 2019)

- Utility Services: No Concerns.

Transportation Services (January 3, 2020)

- Transportation Services has the following recommendations/advisories/comments regarding this application:
  - Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - Site grading, fill placement, temporary stockpile placement and berm construction are not to negatively impact existing surface drainage or direct additional surface drainage into adjacent County road allowance.
  - Applicant to contact County Road Operations to set up a meeting to further discuss the applicants request for relaxation to County Standards for approach grade.

City of Calgary

- No comments received.

**OPTIONS:**

Option #1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That the proposed construction of a dwelling, single detached, relaxation of the maximum height requirement and single-lot regrading may take place on the subject site, in general accordance with the submitted site plan and application drawings as prepared by Shade Tree Design, dated November 20 2019.
  - i. That the maximum height requirement for the dwelling, single detached, as shown on the application drawings labeled A3.1 and A3.2, prepared by Shade Tree Design, dated November 20, 2019, is relaxed from **10.00 m (32.81 ft.) to 11.85 m (38.88 ft.)**.
2. That the proposed single-lot regrading and placement of clean fill, for a **grade change up to a maximum of 3.66m (12.01 ft.)** may commence as shown on the proposed application drawings labeled A1.2, prepared by Shade Tree Design, dated November 20, 2019.



### Prior to Issuance:

3. That prior to issuance of this permit, the Applicant shall contact County Road Operations to further discuss the Applicants/Owner's request for relaxation to County Standards for the approach grade.
  - 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.
4. That prior to issuance of this permit, 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 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.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a Deep Fill Report, prepared by a qualified professional, for any grade areas where the depth change exceeds 1.20 m (3.94 ft.), in accordance with County Servicing Standards.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Plan (SSIP), conducted by a professional engineer that provides recommendations on managing stormwater flows, that are in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).

### Permanent:

7. 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 unit located on the subject site, to facilitate accurate emergency response.
8. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including any recommendations of the SSIP and Grading plan.
9. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
10. That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be seeded after building construction is complete, as part of site restoration.
11. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
12. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.



13. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
14. That upon request of the County, the Applicant/Owner shall submit as-built grading survey, to confirm that post grades align with final grades as approved with the application.

**Advisory:**

15. That a Building Permit and subtrade permits shall be obtained through Building Services, for the construction of the dwelling, single detached on the subject property.
16. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
17. That 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 garbage bins and disposed of at an approved disposal facility.
18. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
19. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (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.
20. That if this Development Permit is not issued by **JULY 31, 2020**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

***Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the placement of the fill.***

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. That the height of the proposed dwelling, single detached does not meet the maximum height requirement, as defined in Section 48.7 of the Land Use Bylaw.  

**Required –10.00 m (32.81 ft.);**  
**Proposed – 11.85 m (38.88 ft.)**
2. That the proposed development with the requested variance to the maximum height and amount of fill to be placed on the property would materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.













ROCKY VIEW COUNTY  
Cultivating Communities

20194357

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 500	File Number 04619131
Date of Receipt 11/26/2019	Receipt # 2019022132

Name of Applicant Monty Donovan Email [REDACTED]  
Mailing Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
For Agents please supply Business/Agency/ Organization Name shade tree design inc.

Registered Owner (if not applicant) Jonathan & Shannon Popowich  
Mailing Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the        ¼ Section        Township        Range        West of        Meridian  
b) Being all / parts of Lot 07 Block 01 Registered Plan Number 1911291  
c) Municipal Address 53 Stonewood Dale Place  
d) Existing Land Use Designation R1 Parcel Size 0.959 ha/2.37 ac Division

## 2. APPLICATION FOR

House Height, Lot Fill, ~~Shop Size~~, Driveway Slope

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes        No ✓  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes        No ✓  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes        No ✓  
d) Does the site have direct access to a developed Municipal Road? Yes ✓ No

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I MONTY DONOVAN hereby certify that        I am the registered owner  
(Full Name in Block Capitals) ✓ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company

Applicant's Signature         
Date       

Owner's Signature         
Date




**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

  
Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, Monty Donovan, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

 Nov. 28, 2019  
Signature Date



**ROCKY VIEW COUNTY**  
Cultivating Communities

## STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant Monty Donovan

Address of Applicant [REDACTED]

Telephone (C) [REDACTED] (H) \_\_\_\_\_ (Fax) \_\_\_\_\_

### 1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Site stripping                            | <input type="checkbox"/> Re-contouring  |
| <input checked="" type="checkbox"/> Filling                        | <input type="checkbox"/> Stockpiling  |
| <input type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input type="checkbox"/> Grading                                   | <input type="checkbox"/> Other _____  |

### 2. PURPOSE

What is the intent of the proposal? Soil excavated from the foundation will be used to fill the low area in front of the proposed house.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) \_\_\_\_\_

Drainage in front of the house will be directed to the side-yards and then down to the existing grade to the overland drainage area at the back of the lot.

☒ The fill does not contain construction rubble or any hazardous substances (please check)

### 3. TYPE

Height <u>0.82m - 3.66 m</u>	Volume <u>1426.90</u> meters cubed
Width <u>21.63 m</u>	Truckload <u>102</u> (approximately)
Length <u>29.10 m</u>	Slope Factor _____ (if applicable)
Area <u>637.01</u> square metres	

**\* Please show all measurements in detail on your site plan.**

### 4. TERMS AND CONDITIONS

(a) General statement about conditions:

1. The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
2. Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
3. The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
4. As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.

5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
  - i. Transportation Offsite Levy Bylaw;
  - ii. Water and Wastewater Offsite Levy Bylaw; and
  - iii. Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.

(b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.

(c) General statement about technical reports:

1. Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.

(e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.

(f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.

(g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.

(h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

## 5. ADDITIONAL INFORMATION

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I Monty Donovan hereby certify that  
(Print Full Name)

- ☐ I am the registered owner  
☒ I am authorized to act on behalf  
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document –  
**STRIPPING, FILLING, EXCAVATION AND GRADING.**

**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.**





## shade tree design inc.

Date: November 20, 2019  
Address: 53 Stonewood Dale Place

This hillside development consists of a large single-family home and detached shop. The design is very close to being finalized and I anticipate any changes made during the architectural controls and construction drawing process will be minor in nature.

### Requested Relaxations

#### House

- height, because of the tall walk-out elevations in the back.

#### Lot

- fill, to create a flat driveway area for parking and access to the home.
- driveway slope, so we can minimize the building height and volume of lot fill.

#### Shop

- building area, as the shop is partially buried in the hillside and under height.

Due to the size of the home, I have already met with Ryan Bradshaw and worked with him to ensure the accuracy of the footprint. I look forward to your comments and feedback.

Thank you,  
Monty Donovan

403.836.3236  
shade.tree@icloud.com

**DCSL**Doran Consulting  
Services Ltd.58 Legacy Green S.E. Calgary,  
Alberta  
T2X 0X6  
Phone: (403) 239-8563  
Cell. (403) 899-2589

Email .tpdoran07@gmail.com

November 20, 2019

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

To Whom it May Concern,

Dear Sir or Madam,

**Re: Slope of Driveways in the Stonewood Subdivision**

I was asked some recommendations in regards to access to some of the lots in the Stonewood Subdivision. This subdivision is on the escarpment in Springbank with spectacular views west to the Rocky Mountains. As you know some of the most desirable and valuable property is found in areas like this with adverse topography. To develop it is however, a bit of a challenge. It is likely to require some variance from municipal standards that were generally set for the flat prairie land that comprises the majority of the County. The ability to allow reasonable variance does enable this type of development that will compliment the County for years to come.

In this instance the subdivision road cuts across the significant slope with the lots on the high side well above the road and the lots on the low side well below the road and sloping away. To get down to lots that are 1.2 – 1.5 m below the surface of the road and sloping away at between 6-8%, within a reasonable distance, and without the destruction of any more trees than necessary, requires the driveways be allowed to slope at between 10 and 12%. This is not unreasonable as the road into a subdivision just south of Stonewood is at 12% and a driveway to a lot also just south of Stonewood is in the range of 15%. Both Escarpment Drive and Upper Springbank Road have sections that exceed municipal standards and numerous examples of driveways well in excess of the 8% maximum grade can be found in the area, They do not seem to be creating significant problems for area residents.

We therefore ask that Rocky View consider the terrain being worked with in the Stonewood Subdivision and allow some reasonable variance to lot owners trying to save trees and balance functionality with esthetics in what will be a very desirable development in coming years.

Yours truly,

Thomas Doran P.Eng.

Cc: Dennis Heinzig



## LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0038 353 851            1911291;1;7            191 239 009

LEGAL DESCRIPTION  
 PLAN 1911291  
 BLOCK 1  
 LOT 7  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 0.959 HECTARES (2.37 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;2;24;19;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 191 112 885 +6

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 239 009	25/11/2019	TRANSFER OF LAND	\$1,000,000	\$1,000,000

## OWNERS

JONATHAN POPOWICH

AND

SHANNON POPOWICH

BOTH OF:

[REDACTED]

[REDACTED]

[REDACTED]

AS JOINT TENANTS

## ENCUMBRANCES, LIENS &amp; INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
191 112 886	13/06/2019	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 191 239 009

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 887 13/06/2019 CAVEAT  
RE : DEFERRED SERVICES AGREEMENT  
CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 888 13/06/2019 CAVEAT  
RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
GOVERNMENT ACT  
CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 890 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - ENMAX POWER CORPORATION.  
AS TO PORTION OR PLAN:1911292  
PORTION WITHIN R/W 'A'

191 112 891 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - ATCO GAS AND PIPELINES LTD.  
AS TO PORTION OR PLAN:1911292  
PORTION SHOWN AS R/W "A"

191 112 892 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - TELUS COMMUNICATIONS INC.  
1ST FLOOR, 15079 64 AVE  
SURREY  
BRITISH COLUMBIA V3S1X9  
GRANTEE - SHAW CABLESYSTEMS LIMITED.  
SUITE 900, 630 3 AVENUE S.W.  
CALGARY  
ALBERTA T2P4L4  
GRANTEE - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2  
AS TO PORTION OR PLAN:1911292  
PORTION WITHIN R/W 'A'

191 112 894 13/06/2019 AGREEMENT  
RE: EASEMENT AND RESTRICTIVE COVENANT  
OVER AND FOR BENEFIT OF: SEE INSTRUMENT

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 3

# 191 239 009

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

AS TO PLAN: SEE INSTRUMENT

191 112 895 13/06/2019 RESTRICTIVE COVENANT

191 112 897 13/06/2019 AGREEMENT

RE: EASEMENT AND RESTRICTIVE COVENANT  
 OVER AND FOR BENEFIT OF: SEE INSTRUMENT  
 AS TO PLAN: SEE INSTRUMENT

TOTAL INSTRUMENTS: 009

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
 ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
 TITLE REPRESENTED HEREIN THIS 27 DAY OF  
 NOVEMBER, 2019 AT 08:50 A.M.

ORDER NUMBER: 38432005

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
 FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
 SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
 INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
 APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
 PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
 OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



## LETTER OF AUTHORIZATION

I, (We) Jonathan & Shannon Porowich being the owner (s) of  
Lot 07 Block 01 Plan 1911291

**Legal:**

NW/NE/SE/SW Section 19 Township 24 Range 2 W 5 M  
give Monty Donovan / shade tree design inc. permission to act on my  
(our) behalf in applying for a Development Permit for the above subject property.

Signature

Signature

November 19, 2019

Date



Natural drainage patterns to be maintained by preserving existing property corner grades and diverting all runoff to side yards. Side and rear yards drain into existing overland drainage swale.

Existing topsoil to be stripped, stored on site and replaced during final landscaping stage.

Fill to be sourced from foundation excavation.

1 Fill Section  
A1.1 1:300



2 Site Plan  
A1.1 1:300

# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot	07
Block	01
Plan	1911291

Drawn By:  
M. Donovan

November 20, 2019

## Site Plan

### Coverage

Parcel: 9594.54 sqm  
House: 599.13 sqm  
Shop: 149.35 sqm

## A1.1



shade tree design  
403.836.3236  
houzz / linkedin



# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

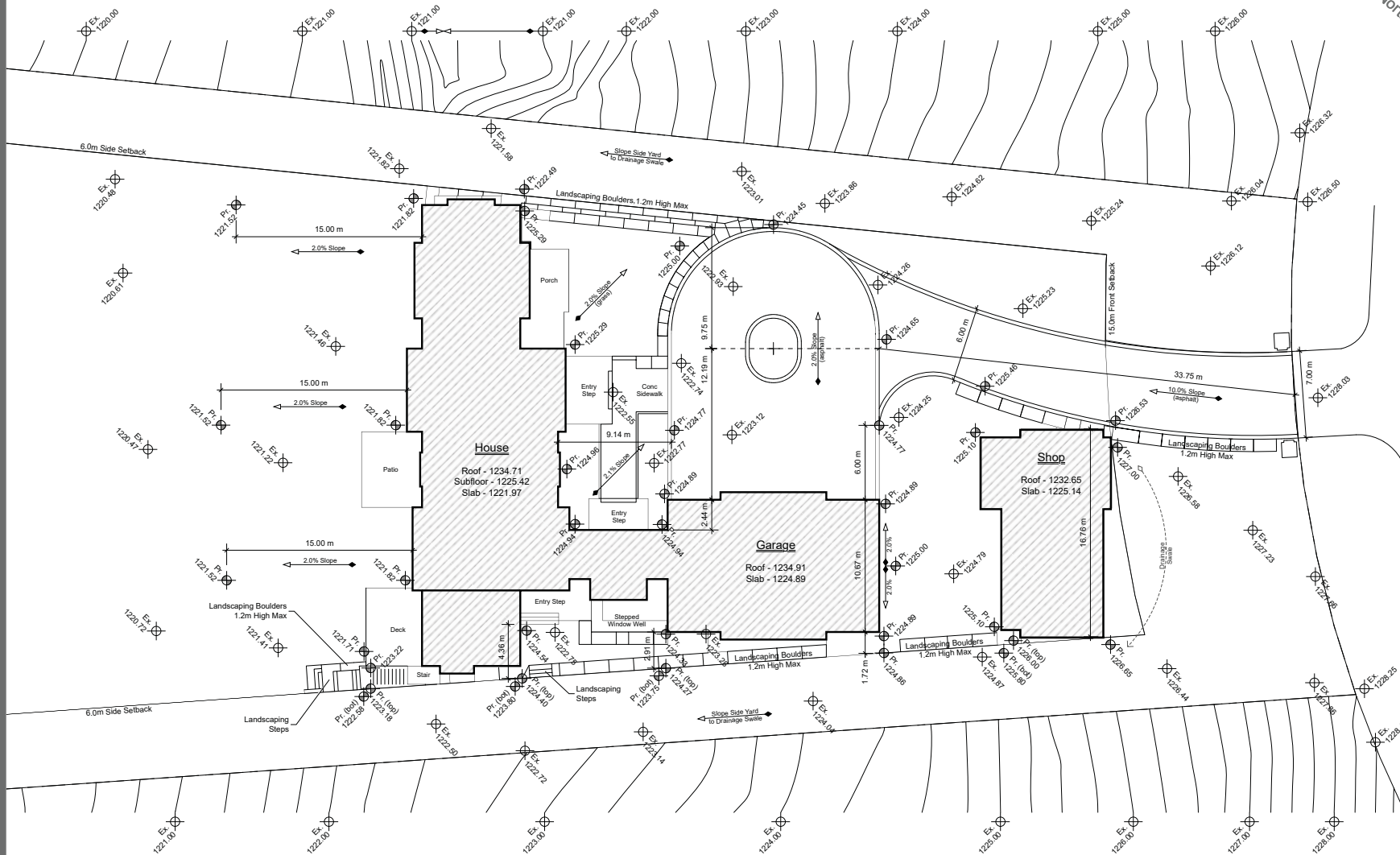
Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Grading Plan

## A1.2



1 Grading Plan  
A1.2 1:150



shade tree design  
403.836.3236  
houzz / linkedin

# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

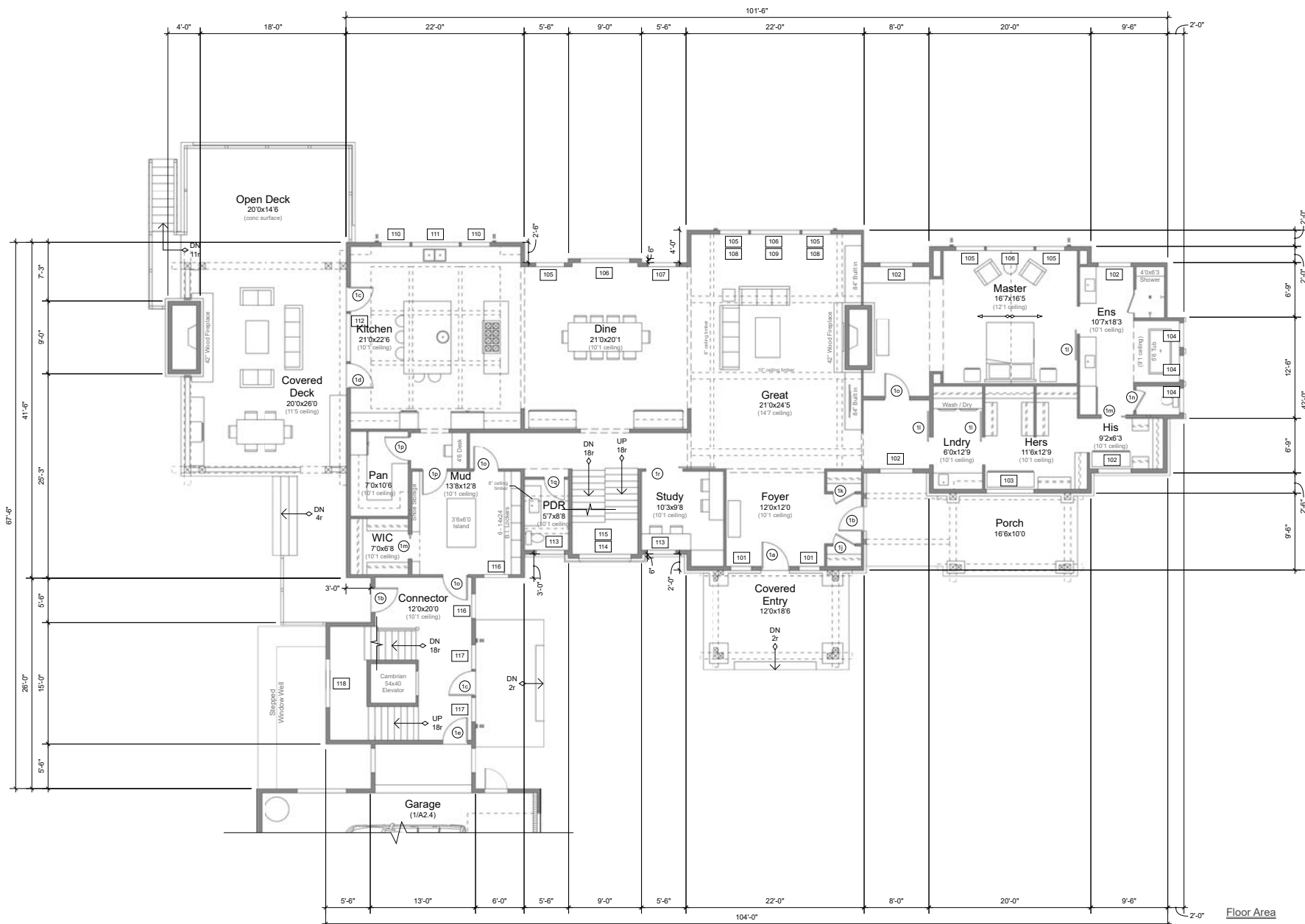
November 20, 2019

1st Floor Plan

## Floor Area

house: 3641 sqft.  
c-deck: 520 sqft.  
connector: 346 sqft.  
garage: 2147 sqft.

# A2.1



1 1st Floor Plan  
A2.1 3/16" = 1'0"





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# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

2nd Floor Plan

## Floor Area

loft: 1050 sqft.  
balcony: 136 sqft.  
connector: 261 sqft.

# A2.2

Agenda  
Page 91 of 208

## Door Schedule - 1st Floor

Door #	Room	Qty	Size	Operation	Note
<b>exterior</b>					
1a	foyer	1	42 x 96	swing L	wood w/ 22" glazing
1b	foyer/room	2	36 x 96	swing L	wood w/ 36" glazing
1c	kitchen	2	36 x 96	swing L	full glazing
1d	kitchen	1	36 x 96	swing R	full glazing
1e	connector	1	36 x 96	swing R	weather stripping & self closer
1f	garage	1	36 x 80	swing R	out swing w/ 26" transom
1g	garage	1	36 x 80	swing L	out swing w/ 26" transom
1h	garage	2	9'0" x 9'0"	overhead	-
1i	garage	2	10'0" x 10'0"	overhead	-
<b>interior</b>					
1j	foyer	1	32 x 96	swing L	out swing
1k	foyer	1	32 x 96	swing R	out swing
1l	lndry/mstr	3	42 x 96	sliding	-
1m	ensuite	2	36 x 96	swing R	-
1n	ensuite	1	30 x 96	swing R	-
1o	mstr/mud	3	36 x 96	swing L	-
1p	multiple	2	36 x 96	swing R	-
1q	pdr	1	32 x 96	swing L	-
1r	study	1	54 x 96	sliding	-

## Door Schedule - 2nd Floor

Door #	Room	Qty	Size	Operation	Note
<b>exterior</b>					
2a	loft	1	2' - 36 x 96	swing D	-
<b>interior</b>					
2b	loft	1	2' - 36 x 96	swing D	-
2c	bath	1	36 x 96	swing R	-
2d	walk-in	2	36 x 96	swing L	-
2e	hall	1	36 x 96	swing L	angled top

## Door Schedule - Basement

Door #	Room	Qty	Size	Operation	Note
<b>exterior</b>					
Ba	entertain	1	2' - 36 x 96	swing D	-
Bb	exercise	1	36 x 96	swing R	-
Bc	mech	1	36 x 96	swing L	-
<b>interior</b>					
Bd	pdr	1	32 x 96	swing R	-
Be	multiple	3	34 x 96	swing L	-
Bf	multiple	2	34 x 96	swing R	-
Bg	multiple	4	32 x 96	swing L	-
Bh	multiple	4	32 x 96	swing R	-
Bi	bedrooms	2	2' - 46 x 96	pocket	-
Bj	hall	1	2' - 34 x 96	swing D	-
Bk	laundry	1	48 x 96	sliding	-

### General Notes:

- Door sizes are listed width x height.
- Door sizes are unit sizes and NOT rough openings. Contractor to determine exact RO required for door and frame.
- Where exterior doors are bound tight to floor and frame above, adjust vertical dimension accordingly to accommodate for ceiling and floor finish thickness.
- Exterior doors to have a maximum USI-value of 1.60 or a minimum ER of 25.
- Overhead garage doors to have a minimum RSI-value of 1.1.

## Window Schedule - 1st Floor

Window #	Room	Qty	Size	Operation	Egress	Note
101	foyer	2	30 x 24	case Fx	no	-
102	multiple	4	43 x 60	awning	yes	-
103	hrr	1	60 x 84	case Fx	no	-
104	ensuite	3	36 x 36	awning	no	-
105	multiple	3	42 x 84	case Fx	no	-
106	multiple	3	72 x 84	case Fx	no	-
107	dining	1	42 x 84	case R	no	-
108	great	2	42 x 30	case Fx	no	-
109	great	1	72 x 30	case Fx	no	-
110	kitchen	2	42 x 54	awning	no	-
111	kitchen	1	72 x 54	case Fx	no	-
112	kitchen	1	72 x 96	case Fx	no	-
113	pdr/study	2	42 x 54	awning	no	-
114	star	1	72 x 48	case Fx	no	-
115	star	1	72 x 84	case Fx	no	-
116	multiple	4	36 x 48	awning	no	-
117	connector	2	36 x 96	case Fx	no	-
118	conn/stair	1	72 x 84	case Fx	no	-
119	garage	3	2' - 36 x 48	case R	no	-
120	garage	2	2' - 36 x 48	case L	no	-
121	garage	1	36 x 26	case Fx	no	-

## Window Schedule - 2nd Floor

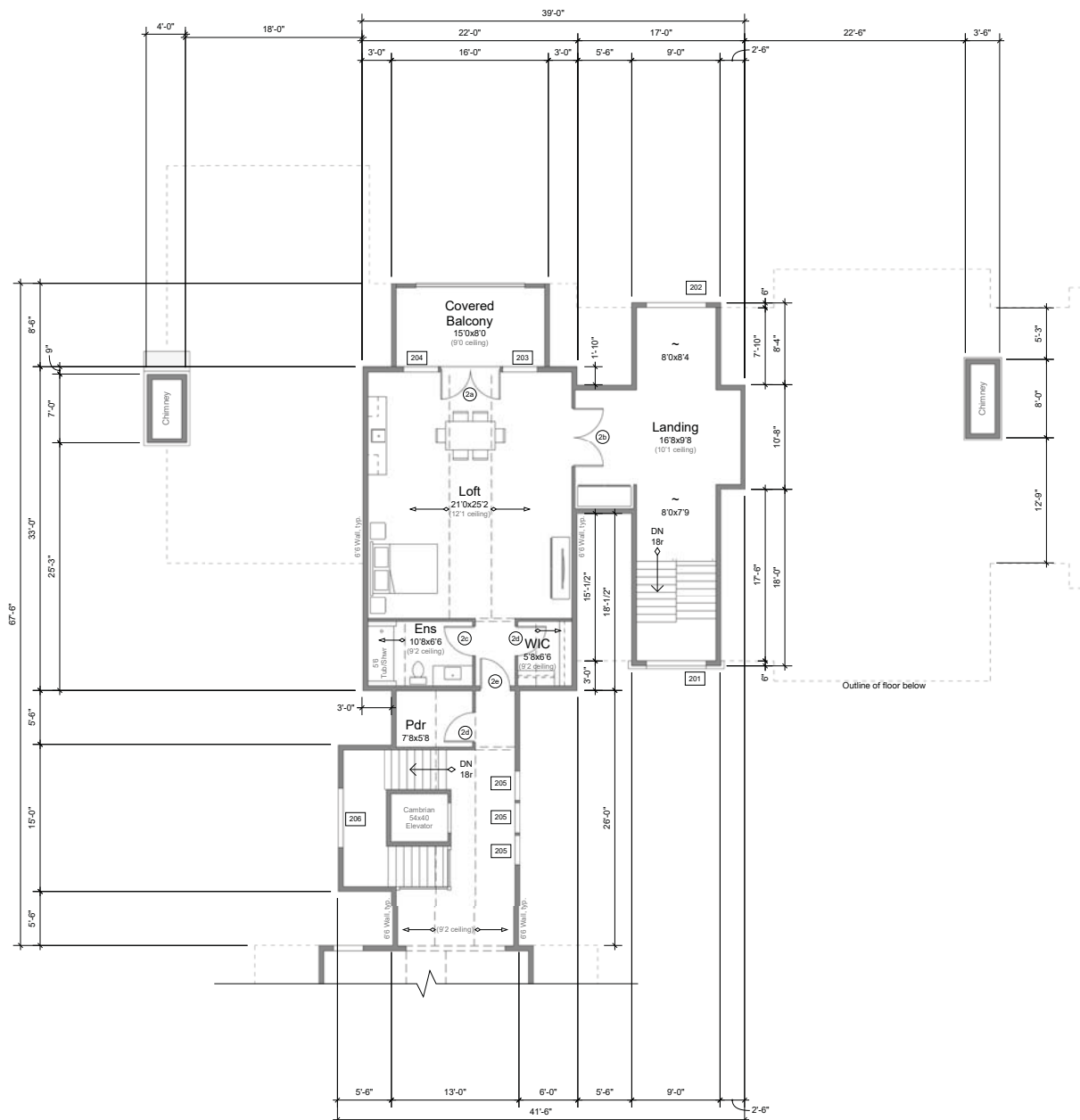
Window #	Room	Qty	Size	Operation	Egress	Note
201	star	1	72 x 48	case Fx	no	-
202	landing	1	72 x 72	case Fx	no	-
203	loft	1	42 x 84	case R	no	-
204	loft	1	42 x 84	case Fx	no	-
205	connector	3	36 x 36	awning	no	-
206	star	1	72 x 48	case Fx	no	-
207	future dev	3	36 x 48	case R	no	-
208	future dev	2	36 x 48	case L	no	-
209	future dev	1	2' - 42 x 72	case R	no	-
210	future dev	2	2' - 42 x 72	case L	no	-

## Window Schedule - Basement

Window #	Room	Qty	Size	Operation	Egress	Note
001	bedrooms	2	28.5 x 54 / 43.5 x 54	case L	yes	-
002	bedrooms	2	43.5 x 54 / 28.5 x 54	case R	yes	-
003	entire/entr	2	42 x 84	case R	no	-
004	entire/entr	2	42 x 84	case Fx	no	-
005	exercise	1	72 x 84	case Fx	no	-
006	stair/conn	1	72 x 48	case Fx	no	-
007	sports	1	72 x 48	case Fx	no	-

### General Notes:

- Window sizes are listed width x height. Where three numbers are shown, a sloped top window is indicated.
- Window sizes are approximate unit sizes and NOT rough openings. Manufacturer to dictate all rough opening requirements.
- Where windows are bound tight to floor and frame above, adjust vertical dimension accordingly to accommodate for ceiling and floor finish thickness.
- Windows to have a maximum USI-value of 1.60 or a minimum ER of 25.
- Skylights to have a maximum USI-value of 2.70.



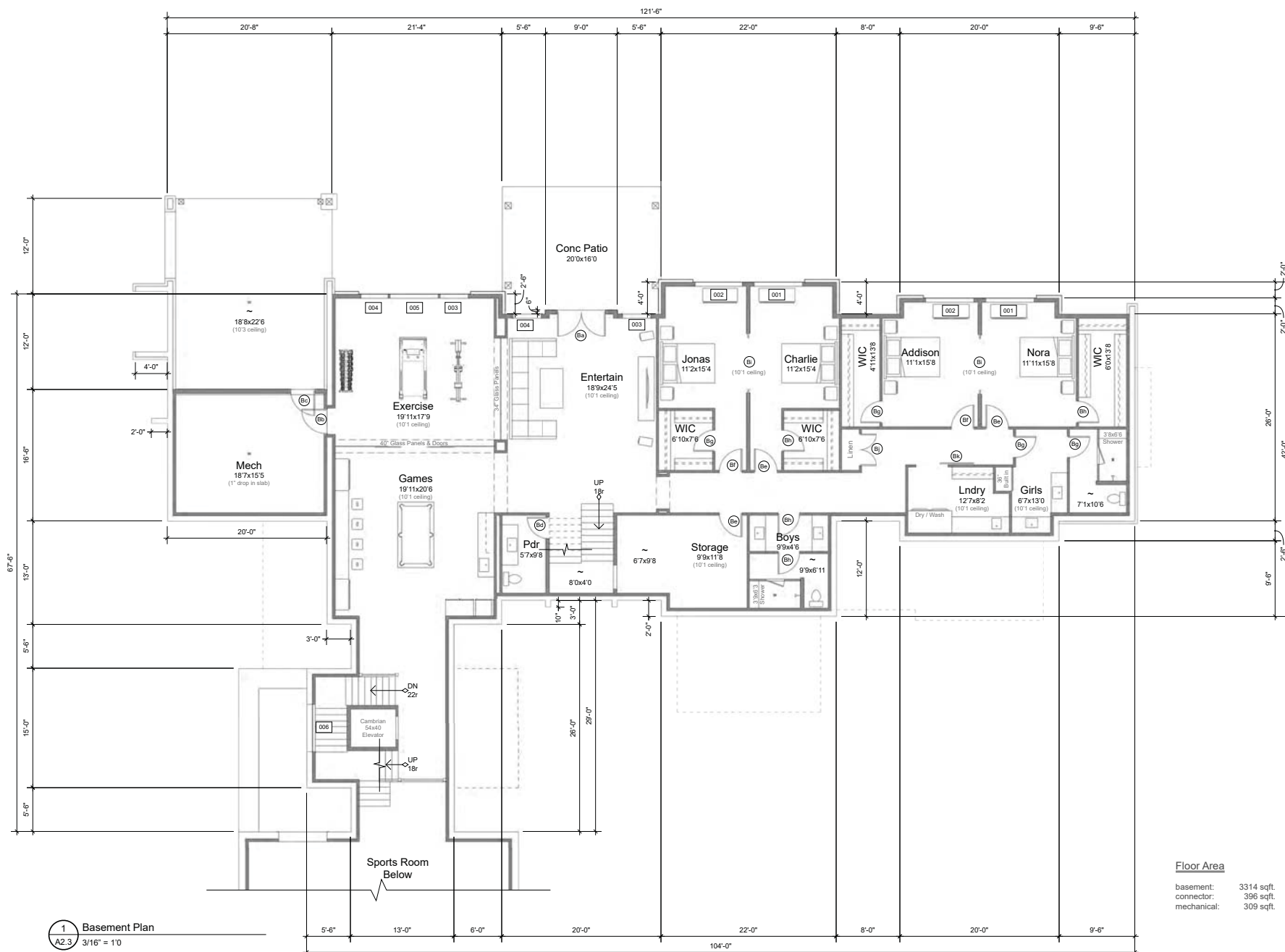
1 2nd Floor Plan  
A2.2 3/16" = 1'0"

# Design Drawings

## Basement Plan

## A2.3

**Agenda**  
**Page 92 of 208**



1 Basement Plan  
A2.3 3/16" = 1'0"



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# Design Drawings

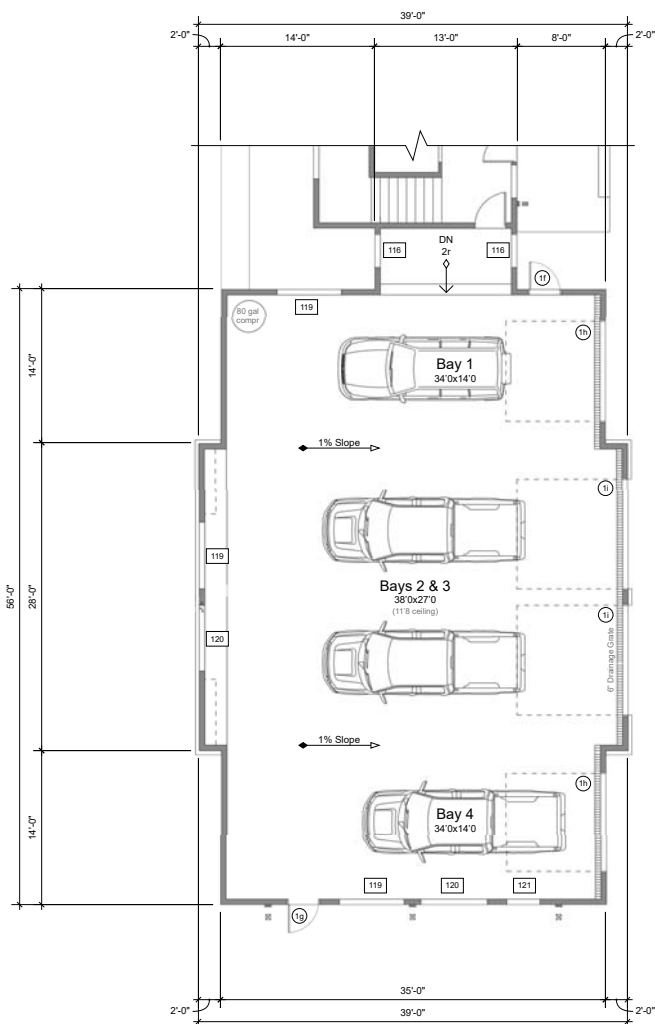
Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

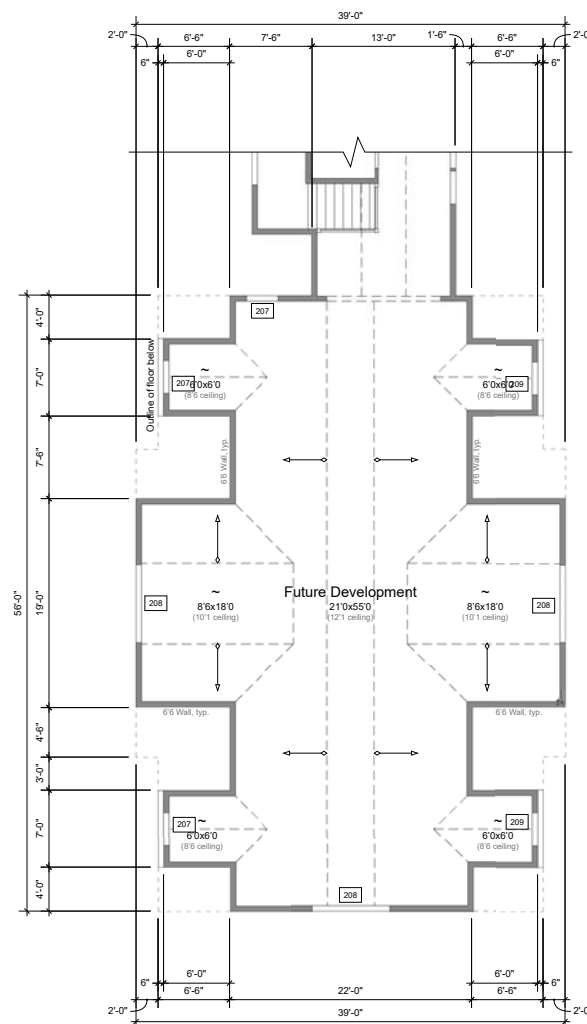
Drawn By:  
M. Donovan

November 20, 2019

Garage Plans



1 1st Floor Plan  
A2.4 3/16" = 10'



2 2nd Floor Plan  
A2.4 3/16" = 10'

## Floor Area

garage: 2147 sqft.  
future development: 1723 sqft.

# A2.4





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# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

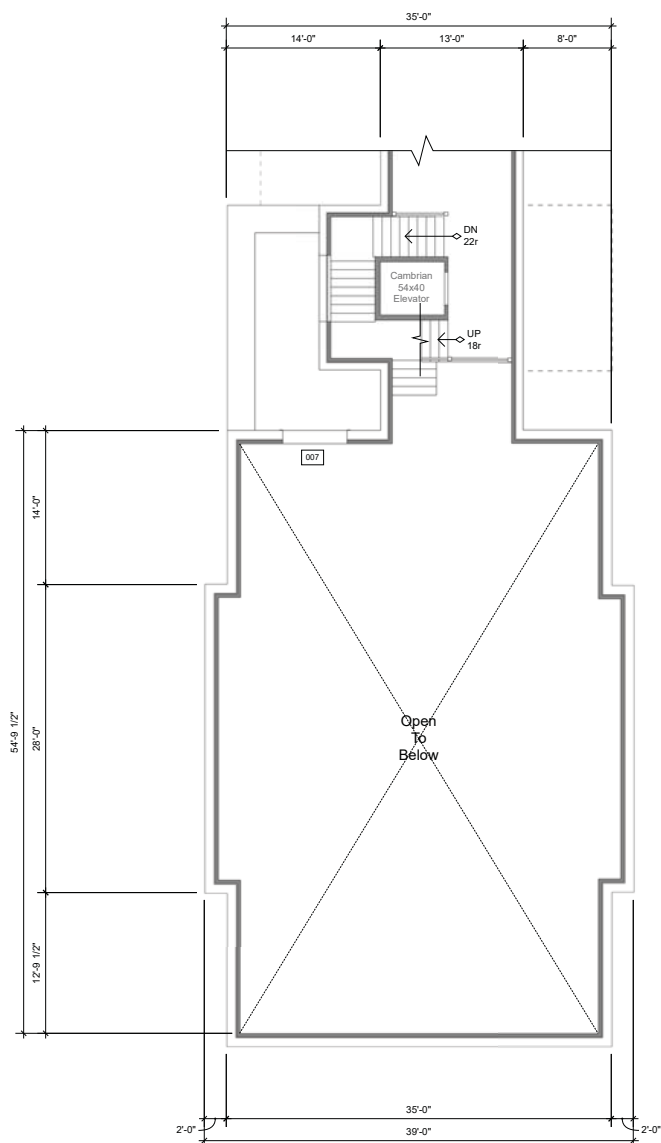
November 20, 2019

Sports Room  
Plan

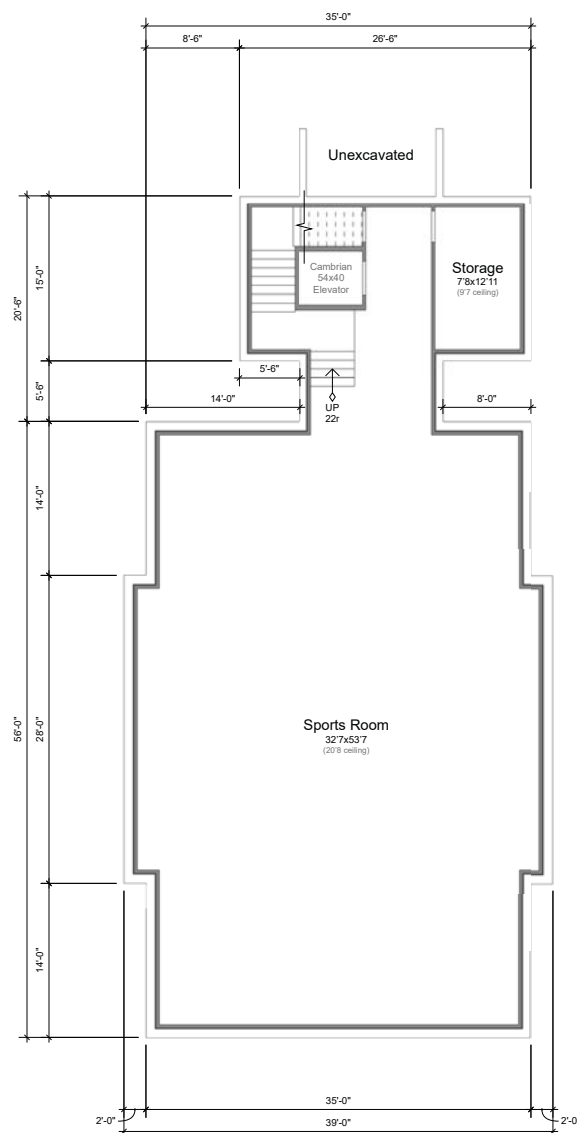
## Floor Area

sports room: 1916 sqft.  
storage: 130 sqft.

# A2.5



1 Basement Plan  
A2.5 3/16" = 1'



2 Sports Room Plan  
A2.5 3/16" = 1'



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# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

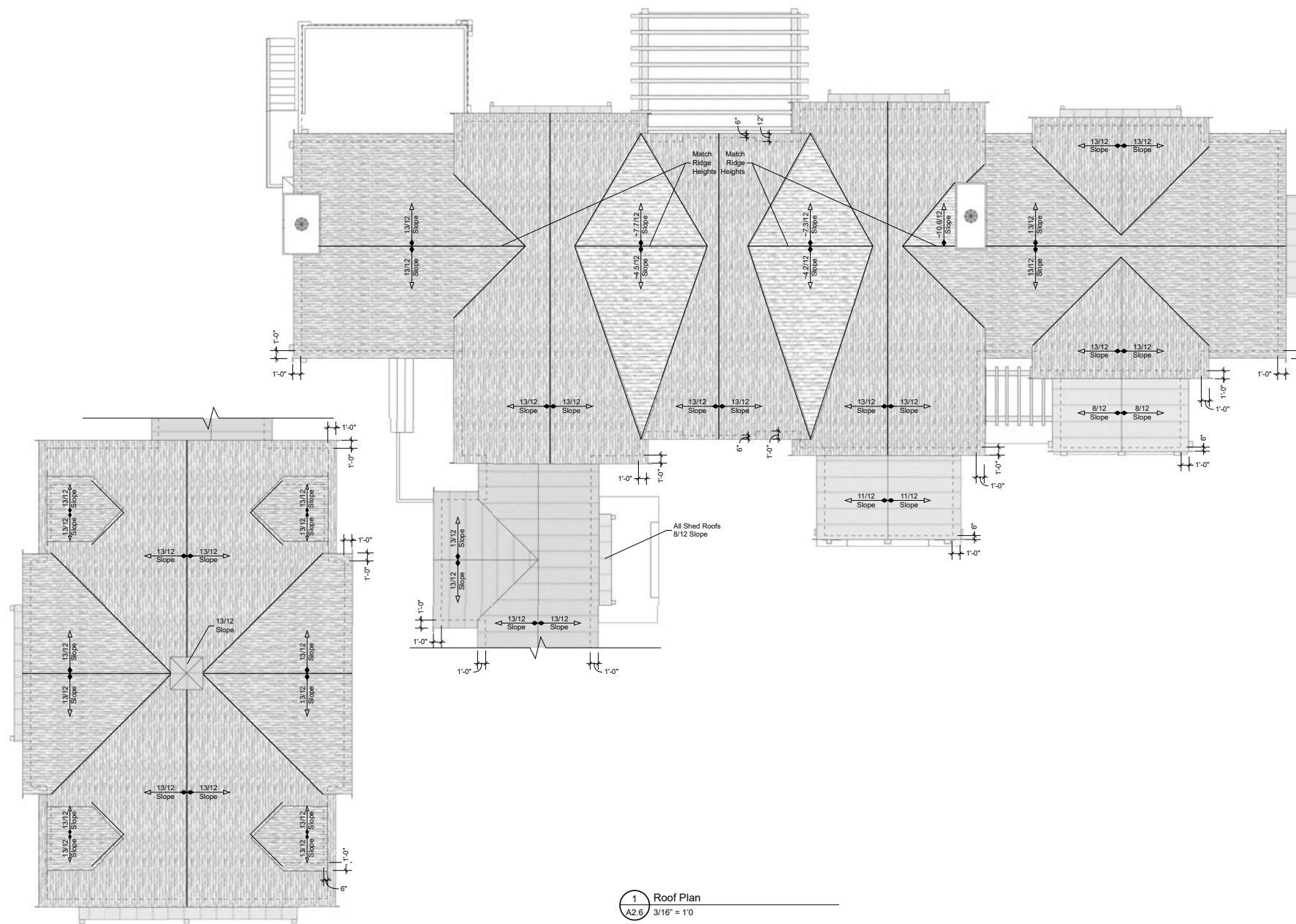
Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Roof Plan

## A2.6





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# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

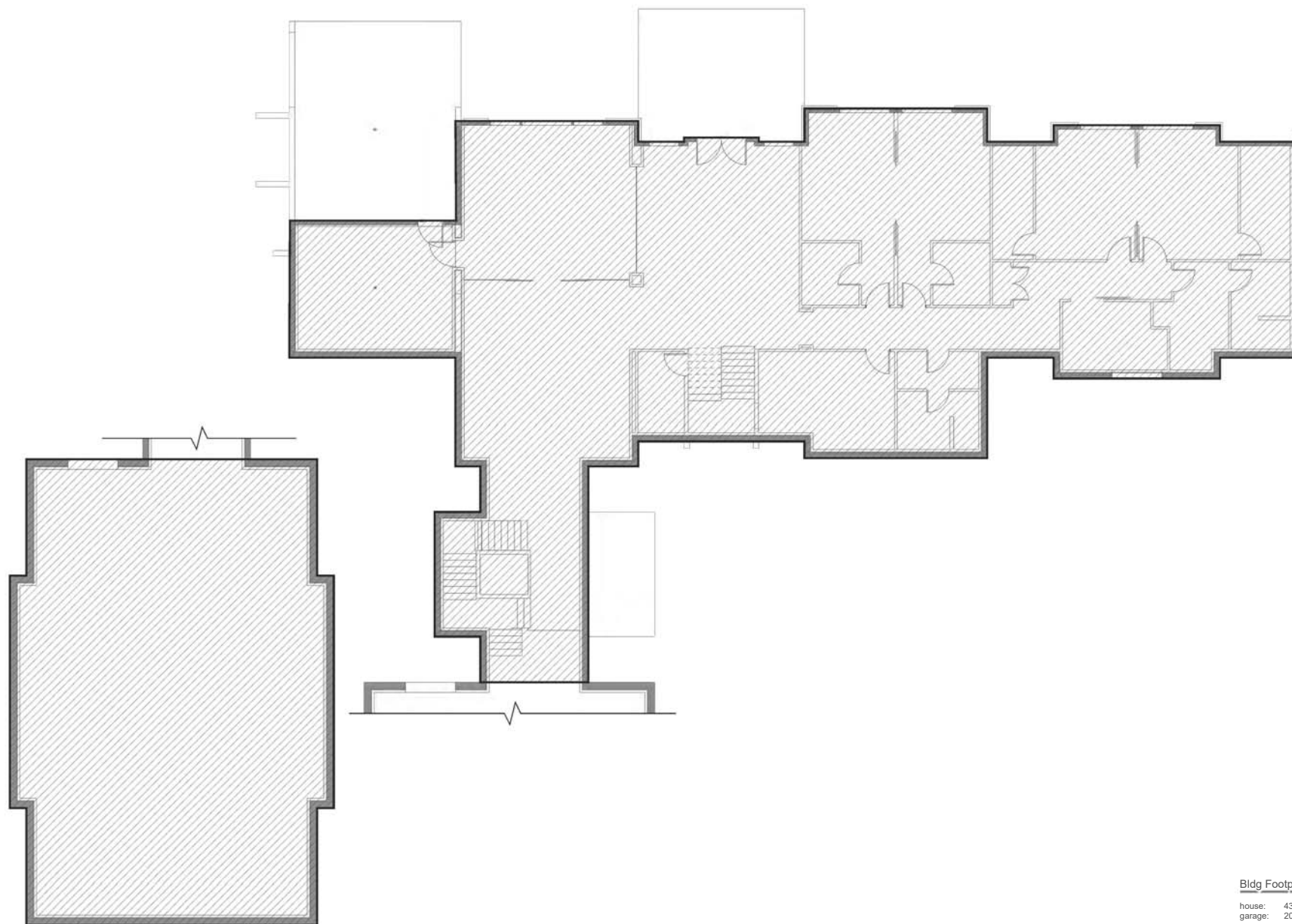
November 20, 2019

Building  
Footprint

## Bldg Footprint

house: 4377 sqft.  
garage: 2072 sqft.  
total: 6449 sqft.  
599.13 sqm.

# A2.7



1 Building Footprint  
A2.7 3/16" = 1'





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# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

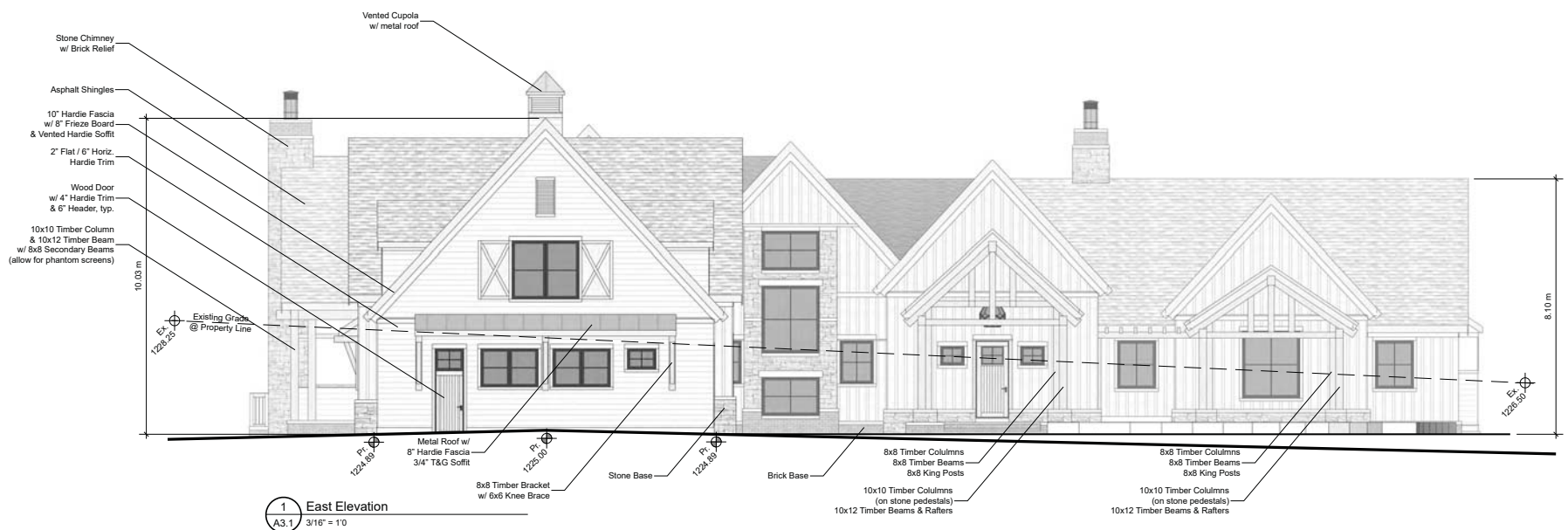
Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Elevations 1

## A3.1



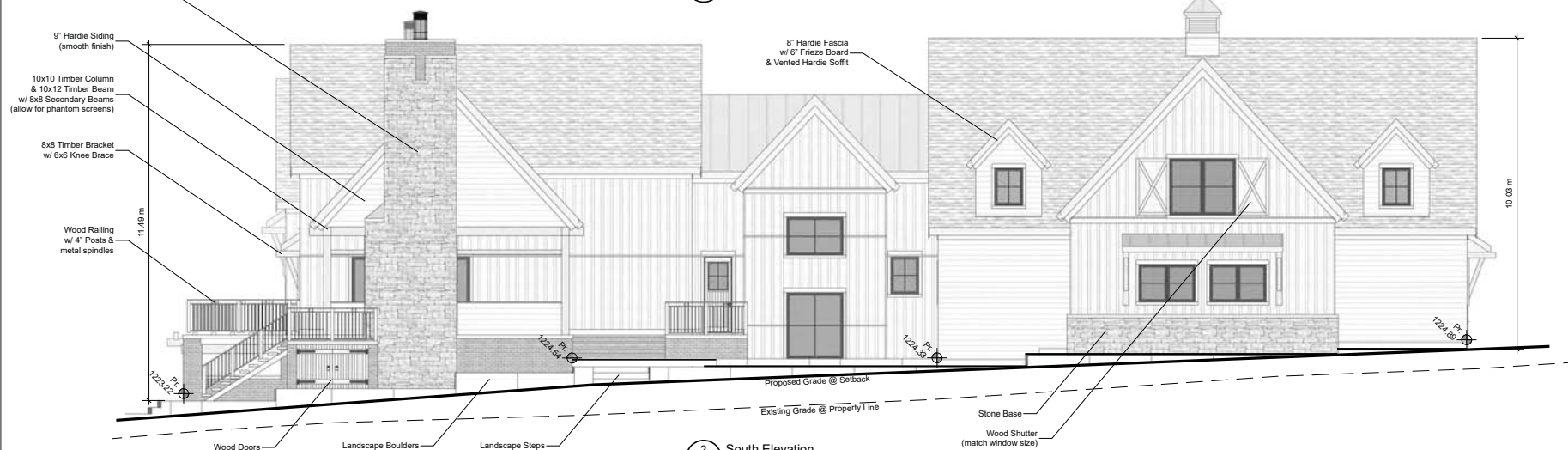


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# Design Drawings



1 West Elevation  
A3.2 3/16" = 1'



2 South Elevation  
A3.2 3/16" = 1'

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Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Elevations 2

## A3.2

## **PLANNING AND DEVELOPMENT SERVICES**

**TO:** Municipal Planning Commission  
**DIVISION:** 03  
**SUBJECT:** Development Permit: Accessory Building

**DATE:** February 12, 2020  
**APPLICATION:** PRDP20194359

**APPLICATION:** Construction of an accessory building (oversized garage), relaxation of the maximum building area and relaxation of the total building area for all accessory buildings

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Springbank Rd. and 0.20 km (1/8 mile) east of Horizon View Rd.

**LAND USE DESIGNATION:** Residential One (R-1)

**ADMINISTRATION RECOMMENDATION:**  
Administration recommends approval in accordance with OPTION #1.

### **OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20194359 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20194359 be refused as per the reasons noted.

### **AIR PHOTO & DEVELOPMENT CONTEXT:**





## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> November 28, 2019	<b>File:</b> 04619131
<b>Application:</b> PRDP20194359	<b>Applicant/Owner:</b> Monty Donovan
<b>Legal Description:</b> Lot:7 Block:1 Plan:1911291; NW-19-24-02-W05M	<b>General Location:</b> Located approximately 0.81km (1/2 mile) south of Springbank Road and 0.20km (1/8 mile) east of Horizon View Rd
<b>Land Use Designation:</b> Residential One (R-1) District	<b>Gross Area:</b> ± 0.96 hectares (± 2.37 acres)
<b>File Manager:</b> Althea Panaguiton	<b>Division:</b> 03

### PROPOSAL:

The proposal is for the construction of an accessory building (oversized garage), relaxation of the maximum building area and relaxation of the total building area for all accessory buildings.

- The proposed garage will be used for personal storage such as boat/trailer, lawn care and snow removal equipment, seasonal furniture and games equipment.
- Building materials include hardie siding, cedar shakes, and asphalt shingles.

Additional application-specific details.

*Section 48 Residential Two District (R-1)*

*48.2 Uses, Permitted*

*48.3 Uses, Discretionary*

*Accessory buildings less than 80.27 sq. m. (864.01 sq. ft.) are a permitted use.*

*Accessory buildings between 80.27 sq. m. (864.01 sq. ft.) and 120.00 sq. m (1,291.67 sq. ft.) are a discretionary use.*

- Proposed accessory building (oversized garage): 149.34 sq. m (1,607.50 sq. ft.)
  - The size of the proposed accessory building (oversized garage) exceeds the permitted value of 80.27 sq. m. (864.01 sq. ft.) and would require a relaxation of 86.05%. The Development Authority may consider variance requests under Section 12 of the Land Use Bylaw.

*48.5 Setback Requirements*

*(b)(iii) Front yard setback from a service road:*

- **Permitted:** 15.00 m (49.21 ft.)
- **Proposed** accessory building (oversized garage): 15.00 m (49.21 ft.)

*(c)(iv) Side yard setback from all other:*

- **Permitted:** 3.00 m (9.84 ft.)
- **Proposed** accessory building (oversized garage): lots/6.07 m (19.91 ft.)



## ROCKY VIEW COUNTY

(d)(ii) *Rear yard setback from all other:*

- **Permitted:** 7.00 m (22.96 ft.)
- **Proposed** accessory building (oversized garage): lots

48.7 *Maximum height of accessory buildings*

- **Permitted:** 7.00 m (22.96 ft.)
- **Proposed** accessory building (oversized garage): 6.67 m (21.88 ft.)

48.9 *Total building area for all accessory buildings*

- **Permitted:** 120.00 sq. m (1,291.67 sq. ft.)
- **Proposed:** 149.34 sq. m (1,607.50 sq. ft.)
  - The total building area for all accessory buildings exceeds the maximum area of 120.00 sq. m (1,291.67 sq. ft.) and requires a relaxation of 24.45%. The Development Authority may consider variance requests under Section 12 of the Land Use Bylaw.

48.10 *Maximum number of accessory buildings*

- **Permitted:** Two
- **Proposed:** One

## Section 12 *Decisions on Development Permit Applications*

*The Development Authority, in making a decision on a Development Permit application for:*

c) *A Use, Discretionary:*

(i) *May approve the application, with or without conditions, if the proposed development conforms with the Bylaw;*

(ii) *May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, if:*

(1) *the proposed development would not:*

(A) *unduly interfere with the amenities of the neighbourhood, or*

(B) *materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,*

*and*

(2) *the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*

(iii) *May refuse the application even though it meets the requirements of the Bylaw.*

d) *A Use, Discretionary in a Direct Control District:*

i. *May consider and approve the application providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority.*

### Building Permit History:

- No building permits on the property.

### Development Permit History:

PRDP20194357 Open development permit application for the relaxation of the maximum height requirement for a dwelling, single detached.

**STATUTORY PLANS:**

- The property is located within the Central Springbank Area Structure Plan however the plan does not speak specifically to accessory buildings.
- This application was evaluated in accordance with the Land Use Bylaw.

**NON STATUTORY PLANS:**

- The property is within the North Escarpment Conceptual Scheme
  - Section 4.5 of the conceptual scheme has considerations regarding architectural guidelines which is registered on the land title under instrument 191 112 895.
  - As the restrictive covenant is between the developer and the homeowner, this application is assessed solely on the Land Use Bylaw.
    - Conversations with the applicant indicate that they have received approvals from the developer regarding architectural controls.

**INSPECTOR'S COMMENTS:**

January 29, 2020

- Property and subdivision undeveloped; quiet
- coniferous trees along front of property of property
- tall deciduous trees surround middle of property and neighbouring area
- site gradually slopes down
- adjacent neighbours below along south
- lot and road covered in snow – difficult to confirm road surface
- Vegetation and trees surrounding north property.

**CIRCULATIONS:** (last day of circulation was December 20, 2019)

Building Services (December 11, 2019)

- No objection to oversized accessory building, subject to BP.

Development Compliance (December 3, 2019)

- The only issue Development Compliance has with respect to this development permit application is how the property owner intends to bring the material onto the property. From the 2018 aerials it is clear there is no road access to any of the parcels in that subdivision, and there appears to be a makeshift trail indented into the ground which leads from the municipal road right of way, through two parcels, and finally ends on the appellant's parcel.
- It would be advisable to see if the appellant has the neighbouring owner's approval to move the equipment and materials through their properties.

Utility Services (November 29, 2019)

- Utility Services: No Concerns.

Planning and Development Services – Engineering Review (December 2, 2019)

**General:**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.





**ROCKY VIEW COUNTY**

**Geotechnical:**

- Prior to issuance of DP, should the proposed development include any areas of fill greater than 1.2 m in depth, the applicant/owner shall submit a Deep Fills report conducted and stamped by a professional engineer.

**Transportation:**

- Access to the parcel is provided via a road approach off of Stonewood Dale Place.
- As a condition to DP, the applicant/owner will not be required to provide payment of the Transportation Off-site Levy, in accordance with the applicable levy at time of DP issuance, since the proposed development is directly associated with the construction of a dwelling.

**Sanitary/Waste Water:**

- Engineering has no requirements at this time.

**Water Supply And Waterworks:**

- Engineering has no requirement at this time.

**Storm Water Management:**

- Prior to issuance of DP, the applicant shall provide a Site-Specific Stormwater Plan (SSIP) conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).
  - As a permanent condition, the owner shall adhere to the recommendations of the SSIP.

**Environmental:**

- As a permanent condition, the applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands or other valuable environmental components.

**Agricultural Services:**

- No comments received.

**Capital Project Management:**

- No comments received.

**Transportation Services:**

- No comments received.

**Solid Waste & Recycling:**

- No comments received.

**City of Calgary:**

- No comments received.

**OPTION:**

Option #1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That an accessory building (oversized garage) may be constructed on the subject land in general accordance with the site plan and drawings submitted with the application and the conditions set below.
  - i. That the maximum building area for the proposed accessory building (oversized garage) is relaxed from **80.00 sq. m (861.11 sq. ft.) to 149.34 sq. m (1,607.50 sq. ft.)**.
2. That the total building area for all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 149.34 sq. m (1,607.50 sq. ft.)**.

**Prior to Issuance:**

3. That prior to issuance of this permit, Development Permit for the dwelling, single detached under PRDP20194357, shall be issued.
4. That prior to issuance of this permit, the Applicant/Owner shall submit a Deep Fill Report, prepared by a qualified professional, for any grade areas where the depth change exceeds 1.20 m (3.94 ft.), in accordance with County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall provide a Site-Specific Stormwater Plan (SSIP), conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).

**Permanent:**

6. That the accessory building shall not be used for commercial purposes at any time, except for the Home-Based Business, Type I.
7. That the accessory building shall not be used for residential occupancy at any time.
8. That the exterior siding and roofing materials of the proposed accessory shall be similar to the existing dwelling, single-detached.
9. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity.
10. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including any recommendations of the SSIP and Grading plan.

**Advisory:**

11. That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
12. That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.



ROCKY VIEW COUNTY

13. That a Building Permit and Sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
  - i. That final occupancy for the proposed accessory building (oversized garage) shall not be granted prior to the issuance of final occupancy of the dwelling, single detached.
14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
15. 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.
16. That if this Development Permit is not issued by **JULY 31, 2020**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

***Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the placement of the fill.***

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

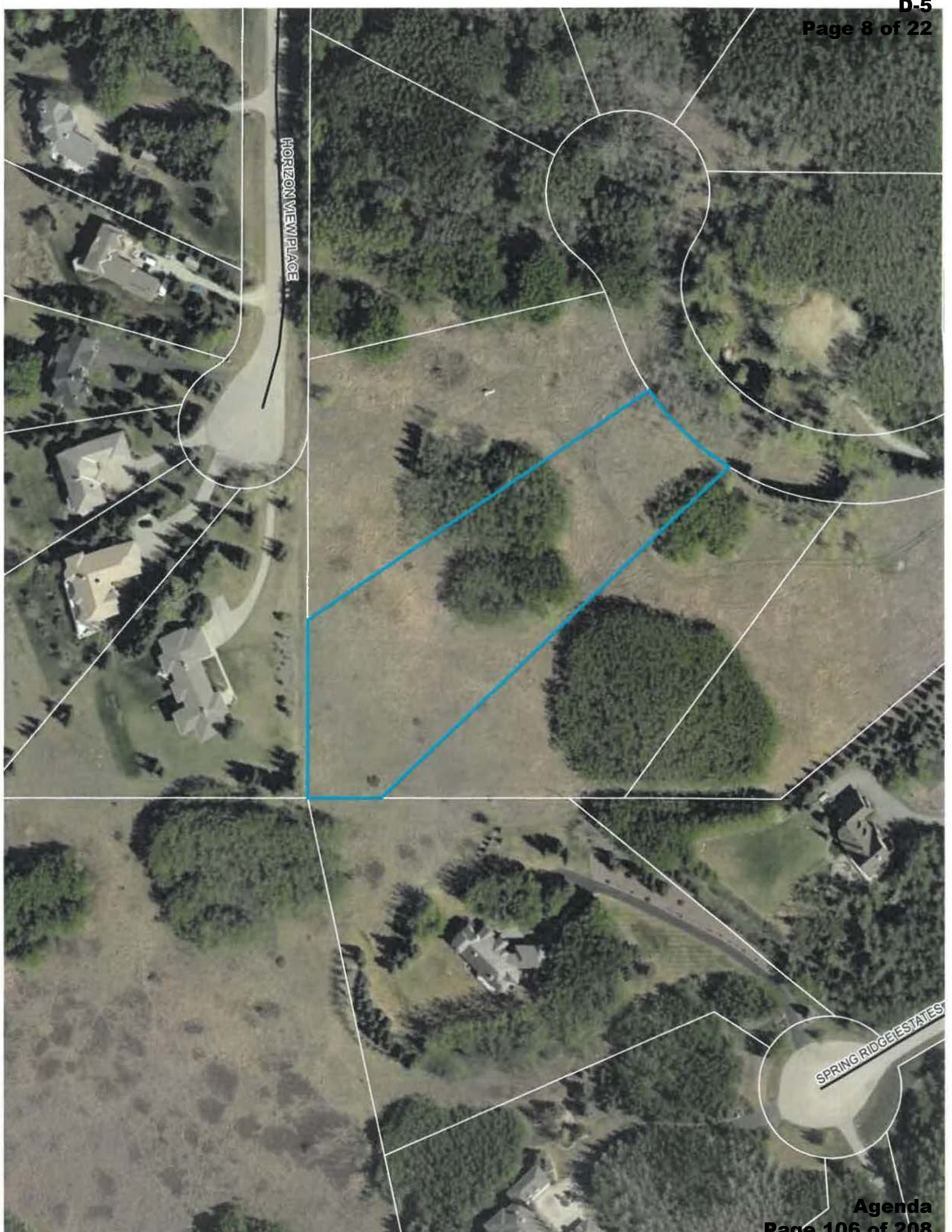
1. The size of the proposed accessory building (oversize garage) does not meet the maximum size requirement, as defined in Section 48.3 of the Land Use Bylaw.

**Required – 120.00 sq. m (1,291.67 sq. ft.);**  
**Proposed – 149.34 sq. m (1,607.50 sq. ft.).**
2. The size of the proposed accessory building (oversize garage) does not meet the total building area for all accessory buildings requirement, as defined in Section 48.9 of the Land Use Bylaw.

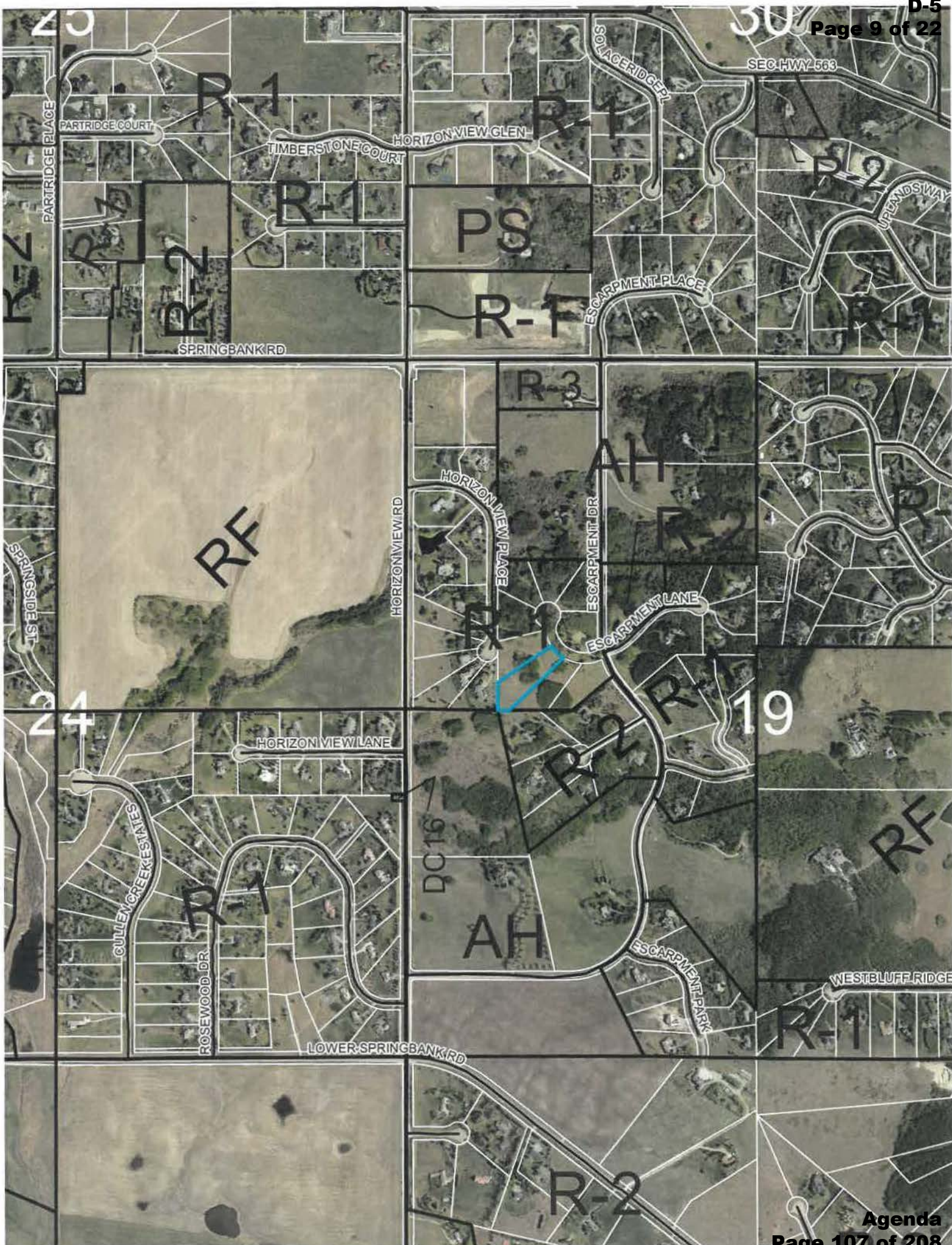
**Required – 120.00 sq. m (1,291.67 sq. ft.);**  
**Proposed – 149.34 sq. m (1,607.50 sq. ft.).**
3. The proposed development with the requested variances to the maximum area of an accessory building and the total building area of all accessory buildings would materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.

[Click here to enter text.](#)













ROCKY VIEW COUNTY  
Cultivating Communities

20194359

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 26506	File Number 04619138
Date of Receipt 11/28/2019	Receipt # 2019022932

Name of Applicant Monty Donovan Email [REDACTED]  
 Mailing Address [REDACTED] Postal Code [REDACTED]  
 Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
 For Agents please supply Business/Agency/ Organization Name shade tree design inc.  
 Registered Owner (if not applicant) Jonathan & Shannon Boudrich  
 Mailing Address [REDACTED] Postal Code [REDACTED]  
 Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

## 1. LEGAL DESCRIPTION OF LAND

a) All / part of the 1/4 Section [REDACTED] Township [REDACTED] Range [REDACTED] West of [REDACTED] Meridian  
 b) Being all / parts of Lot 07 Block 01 Registered Plan Number 1911291  
 c) Municipal Address [REDACTED]  
 d) Existing Land Use Designation R1 Parcel Size 0.959 ha Division 2.37 ac

## 2. APPLICATION FOR

Oversized Accessory Bldg.

## 3. ADDITIONAL INFORMATION

a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes [REDACTED] No /  
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes [REDACTED] No /  
 (Sour Gas facility means well, pipeline or plant)  
 c) Is there an abandoned oil or gas well or pipeline on the property? Yes [REDACTED] No /  
 d) Does the site have direct access to a developed Municipal Road? Yes / No [REDACTED]

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I MONTY DONOVAN hereby certify that [REDACTED] I am the registered owner  
 (Full Name in Block Capitals)  
/ I am authorized to act on the owner's behalf

and that the information given on this form  
 is full and complete and is, to the best of my knowledge, a true statement  
 of the facts relating to this application.

**Affix Corporate Seal  
 here if owner is listed  
 as a named or  
 numbered company**

Applicant's Signature Monty Donovan Owner's Signature [REDACTED]  
 Date Nov. 28, 2019 Date [REDACTED]



**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and entry related to this Development Permit application.

\_\_\_\_\_  
Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, Marty Donovan, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Marty Donovan Nov. 28, 2019  
Signature Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION FOR AN ACCESSORY BUILDING

FOR OFFICE USE ONLY

Fee Submitted

File Number

Date Received

Receipt #

Name of Applicant Marty Donakia Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	120 m <sup>2</sup>	149.35 m <sup>2</sup>
Accessory building height	7.00 m	7.19 m <u>Pak</u>
Number of existing accessory buildings on site		None
Total size of all accessory buildings		

#### Description of Accessory Buildings:

a) Building materials Hardie Siding, Cedar shakes, Asphalt shingles

b) Exterior colour [REDACTED]

c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)

Storage needs → shop is partially buried in sloped lot.

d) Date when building permits were issued for existing buildings [REDACTED]

e) If no permits were issued - list age of buildings No existing buildings

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Boat / Trailer, Lawn care & snow removal equipment,  
seasonal furniture & games equip.

### 3. ADDITIONAL REQUIREMENTS

The following items must be provided in addition to your application:

- ☒ Elevation drawing(s) / floor plan(s)  
☒ Site plan(s) showing all dimensions and setbacks

Signature of Applicant Marty Donakia Date: Nov. 28, 2019



## shade tree design inc.

Date: November 20, 2019  
Address: 53 Stonewood Dale Place

This hillside development consists of a large single-family home and detached shop. The design is very close to being finalized and I anticipate any changes made during the architectural controls and construction drawing process will be minor in nature.

### Requested Relaxations

#### House

- height, because of the tall walk-out elevations in the back.

#### Lot

- fill, to create a flat driveway area for parking and access to the home.
- driveway slope, so we can minimize the building height and volume of lot fill.

#### Shop

- building area, as the shop is partially buried in the hillside and under height.

Due to the size of the home, I have already met with Ryan Bradshaw and worked with him to ensure the accuracy of the footprint. I look forward to your comments and feedback.

Thank you,  
Monty Donovan

403.836.3236  
shade.tree@icloud.com



**DCSL**Doran Consulting  
Services Ltd.58 Legacy Green S.E. Calgary,  
Alberta  
T2X 0X6  
Phone: (403) 239-8563  
Cell: (403) 899-2589

Email: tpdoran07@gmail.com

November 20, 2019

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

To Whom it May Concern,

Dear Sir or Madam,

**Re: Slope of Driveways in the Stonewood Subdivision**

I was asked some recommendations in regards to access to some of the lots in the Stonewood Subdivision. This subdivision is on the escarpment in Springbank with spectacular views west to the Rocky Mountains. As you know some of the most desirable and valuable property is found in areas like this with adverse topography. To develop it is however, a bit of a challenge. It is likely to require some variance from municipal standards that were generally set for the flat prairie land that comprises the majority of the County. The ability to allow reasonable variance does enable this type of development that will compliment the County for years to come.

In this instance the subdivision road cuts across the significant slope with the lots on the high side well above the road and the lots on the low side well below the road and sloping away. To get down to lots that are 1.2 – 1.5 m below the surface of the road and sloping away at between 6-8%, within a reasonable distance, and without the destruction of any more trees than necessary, requires the driveways be allowed to slope at between 10 and 12%. This is not unreasonable as the road into a subdivision just south of Stonewood is at 12% and a driveway to a lot also just south of Stonewood is in the range of 15%. Both Escarpment Drive and Upper Springbank Road have sections that exceed municipal standards and numerous examples of driveways well in excess of the 8% maximum grade can be found in the area. They do not seem to be creating significant problems for area residents.

We therefore ask that Rocky View consider the terrain being worked with in the Stonewood Subdivision and allow some reasonable variance to lot owners trying to save trees and balance functionality with esthetics in what will be a very desirable development in coming years.

Yours truly,

Thomas Doran P.Eng.

Cc: Dennis Heinzig



## LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0038 353 851            1911291;1;7            191 239 009

LEGAL DESCRIPTION  
 PLAN 1911291  
 BLOCK 1  
 LOT 7  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 0.959 HECTARES (2.37 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;2;24;19;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 191 112 885 +6

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 239 009	25/11/2019	TRANSFER OF LAND	\$1,000,000	\$1,000,000

## OWNERS

JONATHAN POPOWICH

AND

SHANNON POPOWICH

BOTH OF:

[REDACTED]  
 [REDACTED]  
 [REDACTED]

AS JOINT TENANTS

## ENCUMBRANCES, LIENS &amp; INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
191 112 886	13/06/2019	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 191 239 009

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 887 13/06/2019 CAVEAT  
RE : DEFERRED SERVICES AGREEMENT  
CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 888 13/06/2019 CAVEAT  
RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
GOVERNMENT ACT  
CAVEATOR - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2

191 112 890 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - ENMAX POWER CORPORATION.  
AS TO PORTION OR PLAN:1911292  
PORTION WITHIN R/W 'A'

191 112 891 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - ATCO GAS AND PIPELINES LTD.  
AS TO PORTION OR PLAN:1911292  
PORTION SHOWN AS R/W "A"

191 112 892 13/06/2019 UTILITY RIGHT OF WAY  
GRANTEE - TELUS COMMUNICATIONS INC.  
1ST FLOOR, 15079 64 AVE  
SURREY  
BRITISH COLUMBIA V3S1X9  
GRANTEE - SHAW CABLESYSTEMS LIMITED.  
SUITE 900, 630 3 AVENUE S.W.  
CALGARY  
ALBERTA T2P4L4  
GRANTEE - ROCKY VIEW COUNTY.  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY  
ALBERTA T4A0X2  
AS TO PORTION OR PLAN:1911292  
PORTION WITHIN R/W 'A'

191 112 894 13/06/2019 AGREEMENT  
RE: EASEMENT AND RESTRICTIVE COVENANT  
OVER AND FOR BENEFIT OF: SEE INSTRUMENT

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 3

# 191 239 009

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

AS TO PLAN: SEE INSTRUMENT

191 112 895 13/06/2019 RESTRICTIVE COVENANT

191 112 897 13/06/2019 AGREEMENT

RE: EASEMENT AND RESTRICTIVE COVENANT

OVER AND FOR BENEFIT OF: SEE INSTRUMENT

AS TO PLAN: SEE INSTRUMENT

TOTAL INSTRUMENTS: 009

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 27 DAY OF  
NOVEMBER, 2019 AT 08:50 A.M.

ORDER NUMBER: 38432005

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



## LETTER OF AUTHORIZATION

I, (We) Jonathan & Shannon Porowich being the owner (s) of  
Lot 07 Block 01 Plan 1911291

**Legal:**

(NW) NE/SE/SW Section 19 Township 24 Range 2 W 5 M  
give Monty Donovan / shade tree design inc. permission to act on my  
(our) behalf in applying for a Development Permit for the above subject property.

Signature

Signature

November 19, 2019

Date



shade tree design

403.836.3236

houzz / linkedin

**Drainage Note**

Natural drainage patterns to be maintained by preserving existing property corner grades and diverting all runoff to side yards. Side and rear yards drain into existing overland drainage swale.

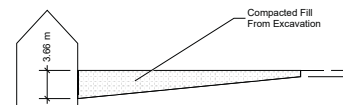
**Topsoil Note**

Existing topsoil to be stripped, stored on site and replaced during final landscaping stage.

**Fill Note**

Fill to be sourced from foundation excavation.

Area: 637.01 sqm  
Average Depth: 2.24 m  
Approx. Volume: 1426.90 cubic m



1 Fill Section  
A1.1 1:300



2 Site Plan  
A1.1 1:300

# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Site Plan

**Coverage**

Parcel: 9594.54 sqm  
House: 599.13 sqm  
Shop: 149.35 sqm

# A1.1





shade tree design  
403.836.3236  
houzz / linkedin



# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

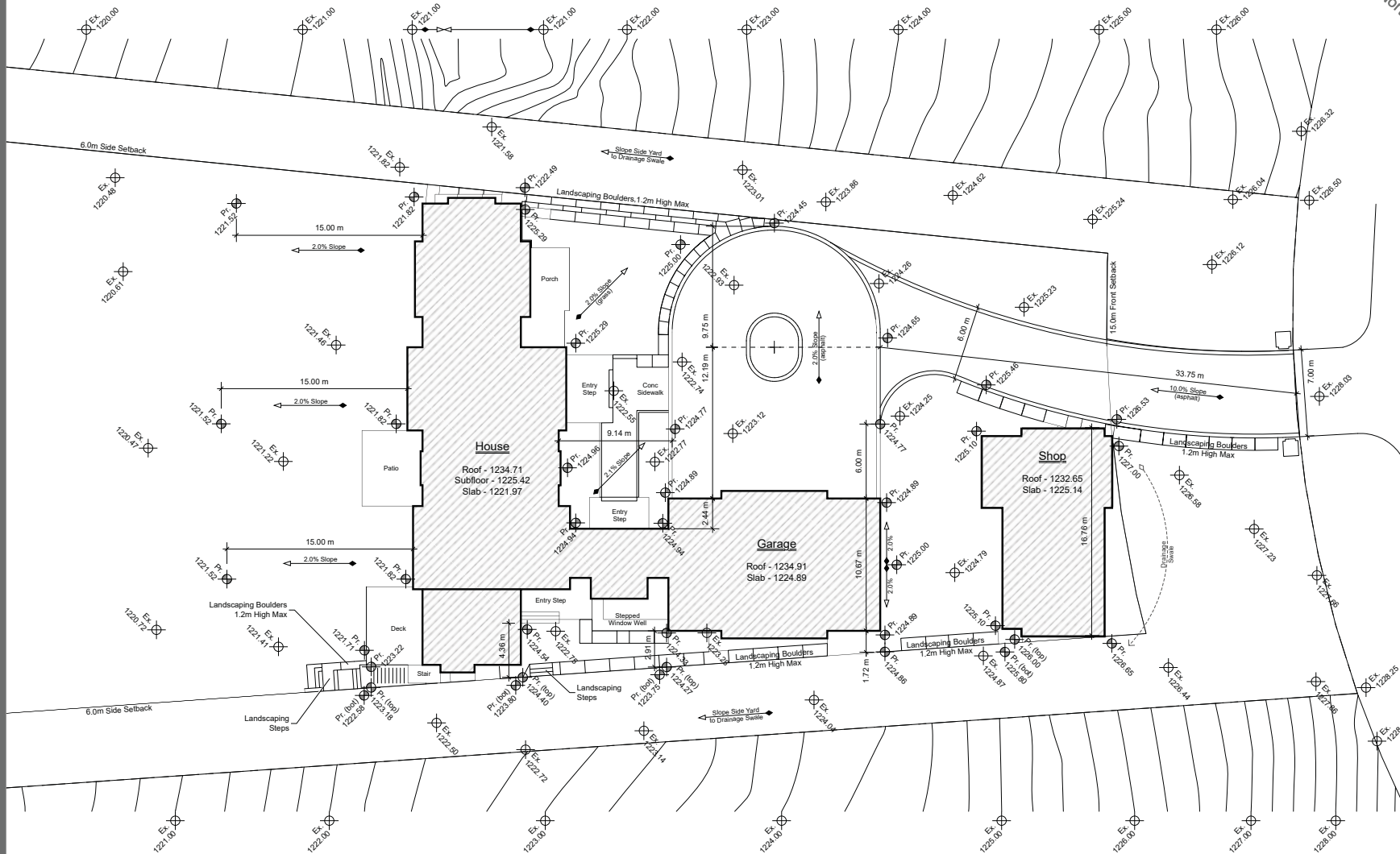
Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Grading Plan

## A1.2



1 Grading Plan  
A1.2 1:150

# Window Schedule - 1st Floor & Loft

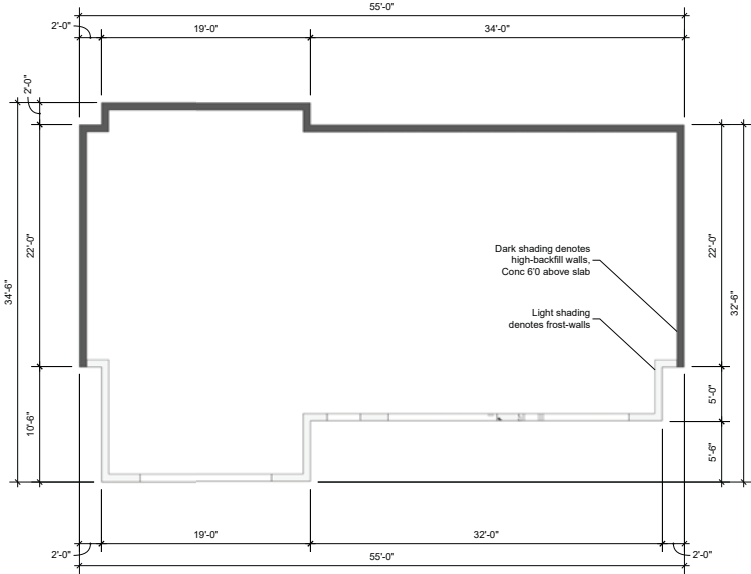
Window #	Room	Qty	Size	Operation	Ug/area	Notes
301	bay 1	1	2'-36" x 4'-8"	case R	no	-
302	bay 2	1	2'-36" x 4'-8"	case L	no	-
401	bay 1	1	36" x 48"	case R	no	-
402	bay 2	1	36" x 48"	case L	no	-
403	bay 1	1	36" x 48"	case R	no	-
404	bay 2	1	36" x 48"	case L	no	-

- General Notes:
- Window sizes are listed with x height. Where three numbers are shown, a sloped top window is indicated.
  - Where windows are shown in a room, they are to be installed in the room.
  - Where windows are shown in a room, they are to be installed in the room.
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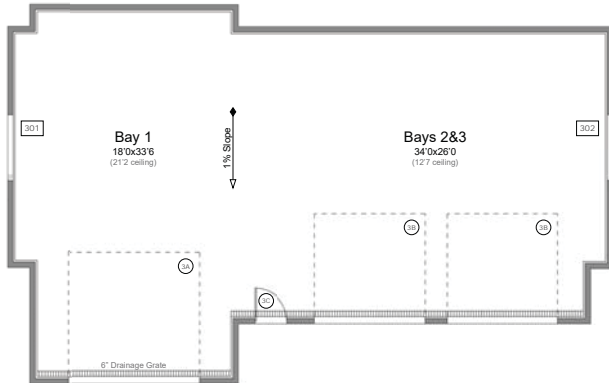
# Door Schedule - 1st Floor

Door #	Room	Qty	Size	Operation	Notes
3A	bay 1	1	10'0" x 12'0"	overhead	6-line top panel
3B	bay 2	1	10'0" x 12'0"	overhead	6-line top panel
3C	bay 1	1	10'0" x 12'0"	overhead	6-line top panel
3D	bay 2	1	10'0" x 12'0"	overhead	6-line top panel

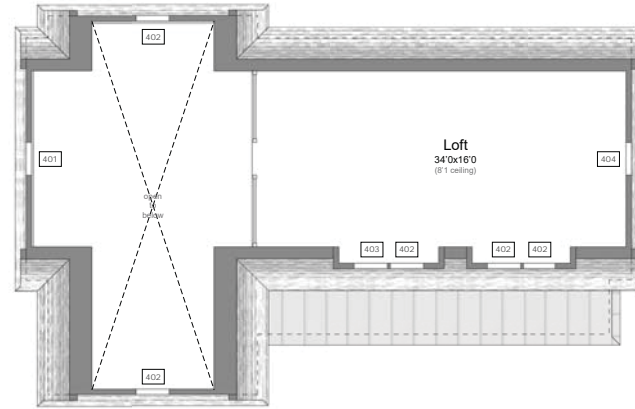
- General Notes:
- Door sizes are listed with x height.
  - Where doors are shown in a room, they are to be installed in the room.
  - Where doors are shown in a room, they are to be installed in the room.
  - Where doors are shown in a room, they are to be installed in the room.
  - Where doors are shown in a room, they are to be installed in the room.
  - Where doors are shown in a room, they are to be installed in the room.



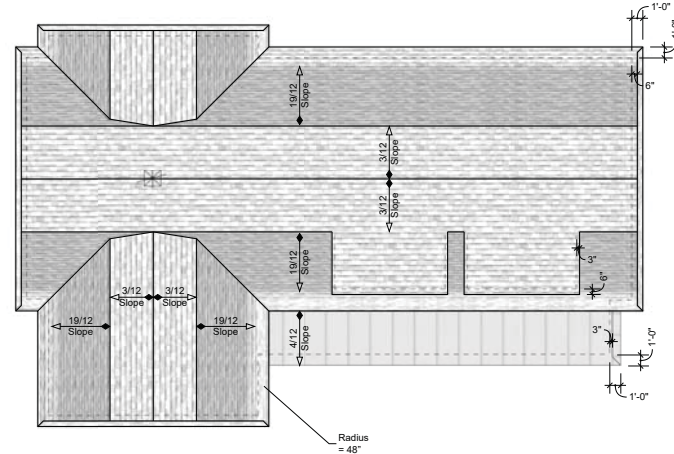
1 Foundation Plan  
A2.8 3/16" = 1'0"



2 1st Floor Plan  
A2.8 3/16" = 1'0"



3 Loft Plan  
A2.8 3/16" = 1'0"



4 Roof Plan  
A2.8 3/16" = 1'0"

## Floor Area

bam: 1607.5 sqft.  
loft: 571.0 sqft.



shade tree design  
403.836.3236  
houzz / linkedin

# Design Drawings

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.  
Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

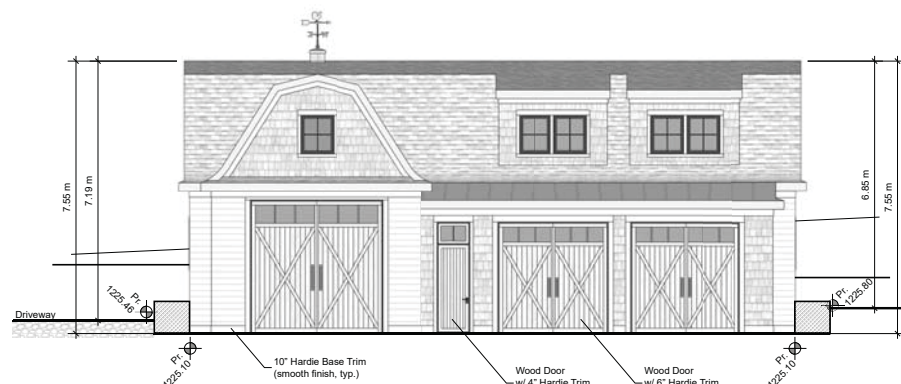
Shop Plans

A2.8

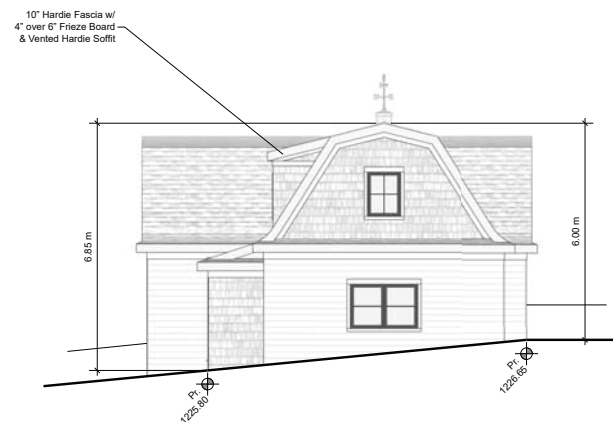


shade tree design  
403.836.3236  
houzz / linkedin

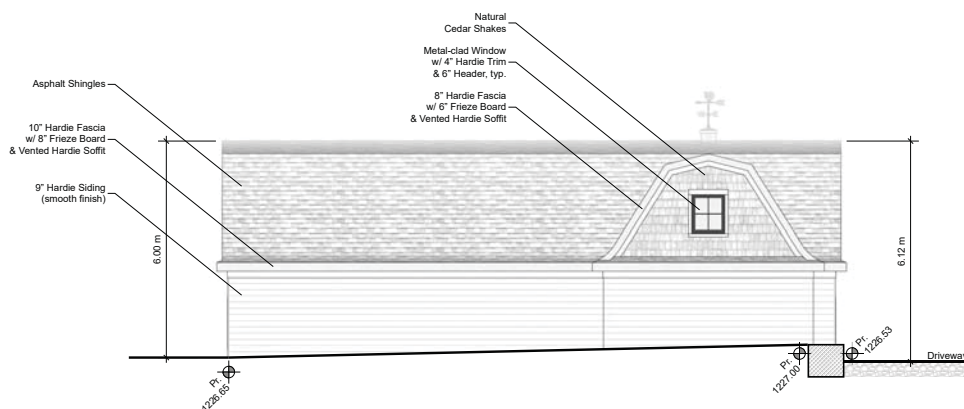
# Design Drawings



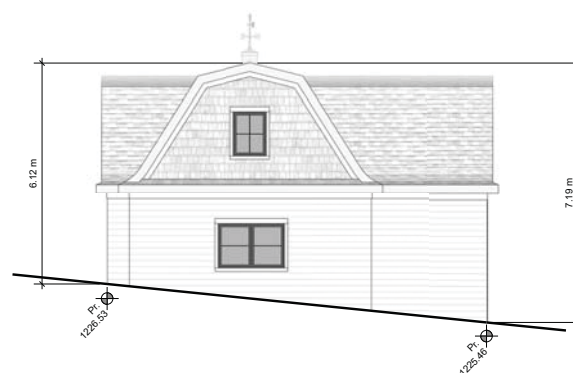
1 West Elevation  
A3.3 3/16" = 1'



3 South Elevation  
A3.3 3/16" = 1'



2 East Elevation  
A3.3 3/16" = 1'



4 North Elevation  
A3.3 3/16" = 1'

Popowich Residence  
53 Stonewood Dale Place  
Rocky View, AB.

Lot 07  
Block 01  
Plan 1911291

Drawn By:  
M. Donovan

November 20, 2019

Elevations 3

A . .



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 02

**APPLICATION:** PRDP20194661

**SUBJECT:** Development Item: Side Yard Setback Variance

**APPLICATION:** Dwelling, single detached and accessory building (garage) (existing), relaxation of the minimum side yard setback requirements.

**GENERAL LOCATION:** located approximately 1.61 km (1 mile) north of Twp. Rd. 250 and 1.61 km (1 mile) east of Rge. Rd. 40

**LAND USE DESIGNATION:** Direct Control District (DC 129)

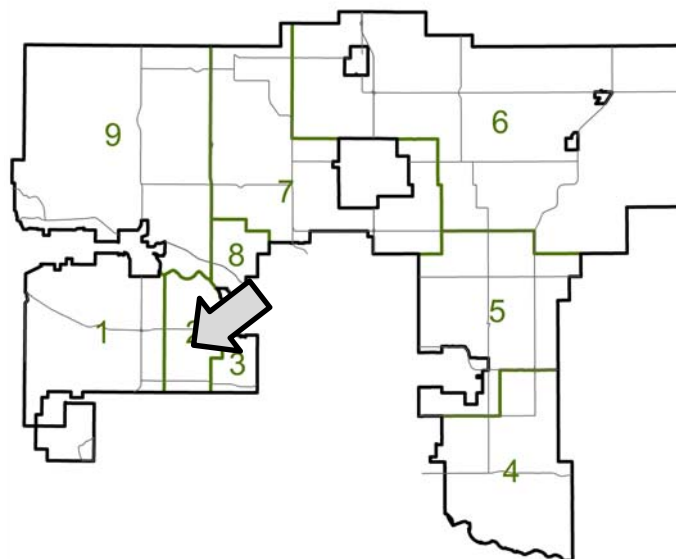
### ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

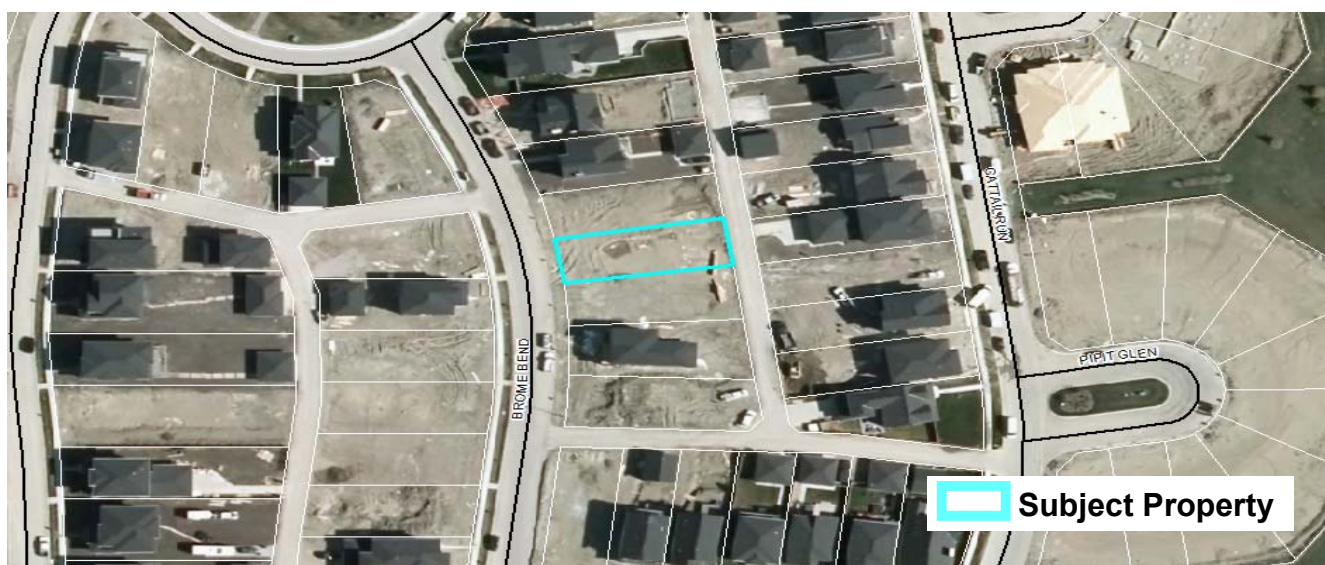
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20194661 be approved with the suggested conditions noted in the staff report.

Option #2: THAT Development Permit Application PRDP20194661 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Xin Deng, Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> December 17, 2019	<b>File:</b> 05705069
<b>Application:</b> PRDP20194661	<b>Applicant:</b> Martin Arkell <b>Owner:</b> Broadview Homes (Alberta) Ltd., Chad & Jennifer Riddell
<b>Legal Description:</b> Lot 11, Block 3, Plan 1612676, NW-05-25-03-W05M	<b>General Location:</b> located approximately 1.61 km (1 mile) north of Twp. Rd. 250 and 1.61 km (1 mile) east of Rge. Rd. 40
<b>Land Use Designation:</b> Direct Control District (DC 129)	<b>Gross Area:</b> ±0.05 hectares (±0.14 acres)
<b>File Manager:</b> Xin Deng	<b>Division:</b> 02

### PROPOSAL:

This application is for an dwelling, single detached and accessory building (garage) [existing], relaxation of the minimum side yard setback requirements.

The property contains an existing 118.08 sq. m (1,271.00 sq. ft.) dwelling, single detached and 60.57 sq. m (651.97 sq. ft.) detached garage, which includes access through an existing approach off Brome Bend. The lot includes a minimum lot area of 526.00 (5,661.82).

### LAND USE BYLAW C-4841-1997 (LUB):

*Section 67      Direct Control District (DC)*

*67.5      Variance*

*Where a development does not comply with the approved DC Direct Control regulations for the site, the Development Authority may, if satisfied that the proposed variance will not unduly interfere with the amenities of the neighborhood nor materially interfere with or affect the use, enjoyment, or value of neighboring properties, issue a Development Permit granting a variance.*

### DIRECT CONTROL DISTRICT (DC 129):

*Section 3.0.0   Development Regulations*

*3.2.0      Notwithstanding provisions elsewhere in this Bylaw, the following uses are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met:*

- a. Dwelling, Single Detached*
- c. Accessory Building*

*Section 8.0.0 Land Use Regulation – Village Residential 1 Development Cell (VR-1)*

*8.5.1 Table 1 specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot average, and shall apply to all buildings within the Village Residential Development Cell (VR-1).*

- This property has access to a rear laneway and thus the property is considered Rear Access lot;

*Minimum Front yard:*

- **Required (Principal):** 6.00 m (19.69 ft.);
- **Existing dwelling, single detached:** 6.11 m (20.05 ft.), which meets the requirement;
- **Required (Accessory Building):** Not Permitted)
- **Existing accessory building (garage):** 29.93 m (98.19 ft.), which meets the requirement;

*Minimum Side yard:*

- **Required (Principal):**
  - 4.26 m (14.00 ft) in total;
  - 2.74 m (9.00 ft.) one side;
  - 1.52 m (4.99 ft.) other side;
- **Existing (Principal):**
  - 4.22 m (13.84 ft.) in total, which meets the requirement;
  - 2.75 m (9.02 ft.) (south property line), which meets the requirement;
  - 1.47 m (4.82 ft.) (north property line):
    - The requested side yard setback does not meet the minimum requirement, and would require a relaxation of 3.3%; This relaxation may be considered as per Section 67.5 of DC 129.
- **Required: (Accessory Building):** 1.52 m (4.99 ft.)
- **Existing accessory building (garage):**
  - 3.87 m (12.70 ft.) (south property line), which meets the requirement;
  - 1.44 m (4.72 ft.) (north property line):
    - The requested side yard setback does not meet the minimum requirement, and would require a relaxation of 5.3%, This relaxation may be considered as per Section 67.5 of DC 129.

*Minimum Rear yard:*

- **Required (Principal):** 9.00 m (29.53 ft.)
- **Existing (Principal):** 19.91 m (65.32 ft.), which meets the requirement.
- **Required (accessory building):** 0.91 m (3.00 ft.)
- **Existing accessory building (garage):** 2.79 m (9.15 ft.), which meets the requirement.

*Maximum Lot Coverage:*

- **Required:** 40%
- **Proposed** (including all buildings): 32.73%, which meets the requirement.

*Section 8.4.1 Building Height:*

- **Required (dwelling, single detached):** 13.00 m (42.65 ft.)





- **Existing (dwelling, single detached):** 9.65 m (31.66 ft.), which meets the requirement.
- **Required (all other uses):** 12.00 m (39.37 ft.);
- **Existing accessory building (garage):** 5.08 m (16.66 ft.), which meets the requirement.

Property History:

- There is no development permit history.
- *Building Permits:*
  - PRBD20192241 (dwelling, single detached)
  - PRBD20192248 (accessory building [garage])

**STATUTORY PLANS:**

This property does not fall within any Area Structure Plan or Intermunicipal Development Plan. This application was evaluated in accordance with DC 129 and the LUB.

**NON STATUTORY PLANS:**

This property falls under the Harmony Conceptual Scheme (CS). The CS does not give any specific guidance related to this development permit, but overall supports residential development within the Village Residential 1 Development Cell.

**INSPECTOR'S COMMENTS:**

- No site inspection was completed at the time of this report.

**CIRCULATIONS:**

Building Services, Rocky View County

- A building permit is required to upgrade the fire protection of the cantilever as per sentence 9.10.15.5.7). National Building Code 2019 AE

Fire Services, Rocky View County

- No comments were received at the time of this report.

Enforcement Services, Rocky View County

- No concerns with this application at this time.

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

- 1) That the minimum side yard setback requirement for the existing dwelling, single detached, in accordance with the Real Property Report, as prepared by Lovse Surveys Ltd.; File #1907015RPR, dated October 16, 2019, is relaxed from **1.52 (4.98 ft.) to 1.47 m (4.82 ft.)**.
- 2) That the minimum side yard setback requirement for the accessory building (garage), in accordance with the Real Property Report, as prepared by Lovse Surveys Ltd.; File #1907015RPR, dated October 16, 2019, is relaxed from **1.52 (4.99 ft.) to 1.44 m (4.72 ft.)**.

**Advisory:**

- 3) That the Applicant/Owner is advised to contact Building Services, to discuss the requirements of a Building Permit, to upgrade the fire protection measures of the cantilever, as per sentence 9.10.15.5.7 of the National Building Code 2019 AE.
- 4) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. That the requested side yard setback relaxations exceed the minimum requirements of Direct Control District 129 and Section 65 of the Land Use Bylaw C-4841-97.

**Required Side Yard Setback Requirement: 1.52 m (4.98 ft.)**

**Requested Dwelling, Single Detached Side Yard Setback Requirement: 1.47 m (4.82 ft.).**

**Requested Accessory Building (Garage) Side Yard Setback Requirement: 1.44 m (4.72 ft.).**

2. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

XD/llt







DC129





**ROCKY VIEW COUNTY**  
Cultivating Communities

20194661

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted	File Number 05705069
Date of Receipt Dec 17/19	Receipt #

Name of Applicant Martin J Arkell Email [REDACTED]  
 Mailing Address [REDACTED] Postal Code [REDACTED]  
 Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
 For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) Broadview Homes (Alberta) Ltd.  
 Mailing Address 100, 5709 2nd Street SE  
Calgary, AB Postal Code T2H 2W4  
 Telephone (B) 403 212 6352 (H) \_\_\_\_\_ Fax 403 253 3352

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ West of \_\_\_\_\_ Meridian  
 b) Being all / parts of Lot 11 Block 3 Registered Plan Number 1612676  
 c) Municipal Address 157 Brome Bend  
 d) Existing Land Use Designation \_\_\_\_\_ Parcel Size \_\_\_\_\_ Division \_\_\_\_\_

### 2. APPLICATION FOR

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ✓  
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
 (Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No ✓  
 c) Is there an abandoned oil or gas well or pipeline on the property? Yes ✓ No ✓  
 d) Does the site have direct access to a developed Municipal Road? Yes ✓ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I MARTIN J ARKELL hereby certify that \_\_\_\_\_ I am the registered owner  
 (Full Name in Block Capitals) ✓ I am authorized to act on the owner's behalf

and that the information given on this form  
 is full and complete and is, to the best of my knowledge, a true statement  
 of the facts relating to this application.

**Affix Corporate Seal  
 here if owner is listed  
 as a named or  
 numbered company**

Applicant's Signature [Signature]  
 Date Dec 12/19

Owner's Signature See attached  
 Date Authorization form


5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

  
\_\_\_\_\_  
Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Martin J Arkell, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
\_\_\_\_\_  
Signature

Dec 12/19  
\_\_\_\_\_  
Date



# Arkell Law

**Martin J. Arkell Professional Corporation**  
**Barrister and Solicitor**  
**4620 Manilla Road SE**  
**Calgary, Alberta T2G 4B7**

**Martin J. Arkell**  
Phone: (403) 531-4155  
Fax: (403) 532-2350  
Email: [martin@arkell-law.com](mailto:martin@arkell-law.com)

**Assistant- Katherine Shephard**  
Phone: (403) 531-4145  
Email: [katherine@arkell-law.com](mailto:katherine@arkell-law.com)

OUR FILE: 3557/MJA

"MAILED"

December 12, 2019

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

Attention: Planning Department

Dear Sir/Madam:

**Re: 157 Brome Bend, Rocky View County T3Z 0C8 P: 1612676 B: 3 L: 11**

With respect to the above-mentioned address we are applying for a Development Permit for the Side Yard Setback and are enclosing the following:

1. Executed Application and Letter of Authorization;
2. A copy of the title to the property;
3. Three (3) original Real Property Reports; and
4. Two (2) Mastercard Authorization forms for \$315.00 and \$150.00, representing the fee for the Development Permit and Real Property Report Stamp of Compliance .

We trust you find the foregoing to be in order, however, should you have any questions please do not hesitate to call the writer.

Yours truly,  
**ARKELL LAW**

  
**MARTIN J. ARKELL**

MJA/ks  
Enclosures

**Evan Neilsen**

---

**From:** Martin Arkell <Martin@arkell-law.com>  
**Sent:** Friday, December 20, 2019 3:53 PM  
**To:** Evan Neilsen  
**Cc:** Katherine Shephard  
**Subject:** 157 Brome Bend, Harmony

As discussed, in the application we recently submitted for this address, we are applying for a Development Permit for relaxation of the Side Yard Setback distances on the North side of the property, to allow the existing setbacks to remain. I trust this clarifies matters. Please let me know if anything else is required.

**MARTIN J. ARKELL**  
ARKELL LAW  
Barrister and Solicitor  
4620 Manilla Road SE  
CALGARY, ALBERTA T2G 4B7  
Phone (403) 531-4155  
Fax (403) 532-2350  
[martin@arkell-law.com](mailto:martin@arkell-law.com)

THE INFORMATION CONTAINED IN THIS EMAIL IS CONFIDENTIAL AND SUBJECT TO SOLICITOR-CLIENT PRIVILEGE. IF YOU ARE NOT THE INTENDED RECIPIENT OR AGENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR DISCLOSURE OF THIS EMAIL OR ITS CONTENTS IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS EMAIL IN ERROR, PLEASE NOTIFY US IMMEDIATELY AND DELETE THE EMAIL. THANK YOU.



## LAND TITLE CERTIFICATE

S

LINC                      SHORT LEGAL  
0037 396 983        1612676;3;11

TITLE NUMBER  
181 020 142

## LEGAL DESCRIPTION

PLAN 1612676

BLOCK 3

LOT 11

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;25;5;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 161 279 559 +112

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 020 142	25/01/2018	TRANSFER OF LAND	\$229,000	\$229,000

## OWNERS

BROADVIEW HOMES (ALBERTA) LTD.  
OF 100, 5709-2ND STREET SE  
CALGARY  
ALBERTA T2H 2W4

## ENCUMBRANCES, LIENS &amp; INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS
161 135 580	13/06/2016	RESTRICTIVE COVENANT
161 135 582	13/06/2016	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 181 020 142

## REGISTRATION

NUMBER

DATE (D/M/Y)

PARTICULARS

CALGARY

ALBERTA T2E6X6

161 135 583 13/06/2016 CAVEAT  
 RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
 GOVERNMENT ACT  
 CAVEATOR - ROCKY VIEW COUNTY.  
 911 - 32ND AVENUE NE  
 CALGARY  
 ALBERTA T2E6X6

161 135 584 13/06/2016 CAVEAT  
 RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
 GOVERNMENT ACT  
 CAVEATOR - ROCKY VIEW COUNTY.  
 911 - 32ND AVENUE NE  
 CALGARY  
 ALBERTA T2E6X6

161 277 395 21/11/2016 CAVEAT  
 RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL  
 GOVERNMENT ACT  
 CAVEATOR - ROCKY VIEW COUNTY.  
 911 - 32ND AVENUE N.E.  
 ALBERTA T2E6X6

161 279 561 22/11/2016 UTILITY RIGHT OF WAY  
 GRANTEE - FORTISALBERTA INC.  
 AS TO PORTION OR PLAN:1612677

161 279 563 22/11/2016 UTILITY RIGHT OF WAY  
 GRANTEE - SHAW CABLESYSTEMS LIMITED.  
 AS TO PORTION OR PLAN:1612677

161 279 565 22/11/2016 UTILITY RIGHT OF WAY  
 GRANTEE - ATCO GAS AND PIPELINES LTD.  
 AS TO PORTION OR PLAN:1612677

161 281 178 23/11/2016 RESTRICTIVE COVENANT

161 281 179 23/11/2016 CAVEAT  
 RE : EASEMENT AND RESTRICTIVE COVENANT

161 281 180 23/11/2016 EASEMENT  
 OVER AND FOR BENEFIT OF: SEE INSTRUMENT

161 283 301 25/11/2016 ENCUMBRANCE  
 ENCUMBRANCEE - OWNERS ASSOCIATION OF HARMONY.  
 SUITE 100, 5709 - 2ND STREET SE  
 CALGARY

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 3

# 181 020 142

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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ALBERTA T2H2W4

161 284 660 28/11/2016 RESTRICTIVE COVENANT

161 284 664 28/11/2016 RESTRICTIVE COVENANT

171 021 878 25/01/2017 CAVEAT

RE : AGREEMENT CHARGING LAND

CAVEATOR - OWNERS ASSOCIATION OF HARMONY.

C/O QUALICO COMMUNITIES

SUITE 100,5709 2 STREET SE

CALGARY

ALBERTA T2H2W4

AGENT - SEAL.

181 050 165 05/03/2018 MORTGAGE

MORTGAGEE - THE TORONTO DOMINION BANK.

11TH FLR, 421 7TH AVE SW

CALGARY

ALBERTA T2P4K9

ORIGINAL PRINCIPAL AMOUNT: \$60,000,000

TOTAL INSTRUMENTS: 017

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 2 DAY OF  
DECEMBER, 2019 AT 01:48 P.M.

ORDER NUMBER: 38457655

CUSTOMER FILE NUMBER: 3557



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



ROCKY VIEW COUNTY

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

403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

## LETTER OF AUTHORIZATION

I, (We) Broadview Homes (Alberta) Ltd. being the owner (s) of  
Lot 11 Block 3 Plan 1612676

**Legal:**

NW/NE/SE/SW Section 5 Township 25 Range 3 W 5 M  
give Ar/Kell Law permission to act on my  
(our) behalf in applying for a Development Permit for the above subject property.

Peter  
Signature



\_\_\_\_\_  
Signature

December 4/19  
Date



\*NOTE:  
-ALL CANTILEVERS ARE SHOWN  
-THIS - - - - - AND ARE 0.61m  
UNLESS OTHERWISE NOTED.  
-EAVES ARE MEASURED TO THE  
LINE OF FASCIA.  
-ALL EAVES ON CANTILEVERS AND/OR  
BAYS ARE 0m UNLESS NOTED OTHERWISE.  
-ALL WINDOW WELLS ARE 178X0.55  
UNLESS NOTED OTHERWISE.  
-LINES OUTSIDE OF PROPERTY  
ARE NOT TO SCALE.  
-UNLESS OTHERWISE NOTED,  
FOUND NO MARKS AT ALL PROPERTY CORNERS  
-ALL CANTILEVERS ARE AT MAIN LEVEL  
UNLESS OTHERWISE NOTED.

ABBREVIATIONS AND DEFINITIONS  
THAT MAY OR MAY NOT BE USED IN THE RPR  
M.R.W. MUTUAL RIGHT OF WAY  
M.A.R.W. MAINTENANCE & ACCESS RIGHT OF WAY  
A.R.W. ACCESS RIGHT OF WAY  
B.O.C. BACK OF CURB  
B.O.W. BACK OF WALK  
F.I. FOUND IRON POST  
F.M. FOUND MAGNETIC NAIL  
F.S. FOUND IRON BAR  
I. IRON POST  
I.B. IRON BAR  
R.E.S.T. RE-ESTABLISHED  
P.O.S. POSITION  
O.H. OVERHEAD  
U.R.W. UTILITY RIGHT OF WAY  
O.V.E.R/L.A.N.D DRAINAGE RIGHT OF WAY  
R. RADIUS OF CURVE AND/OR RADIAL  
A.R.C. LENGTH  
C.A.N.T. CANTILEVER  
C.O.N.C. CONCRETE  
B.C. BEGINNING OF CURVE  
R.P.R. REAL PROPERTY REPORT  
H.V.A.C. HEATING VENTILATION AIR CONDITIONING  
W.W. WINDOW WELL  
R.E.T. RETAINING  
F.L.P. FLOOR

THE FOLLOWING ITEMS MAY NOT  
BE SHOWN ON THIS RPR  
-DETACHED BARS THAT ARE LESS THAN 100mm  
-RETAINING WALLS OR INTERIOR FENCES (DOGS RUNS)  
THAT DO NOT DEFINE THE PROPERTY LINE  
-HOT TUBS  
-STEPS AND STAIRS  
-PATIO THAT IS LESS THAN 1000mm IN HEIGHT  
-ITEMS THAT, IN THE OPINION OF THE SURVEYOR,  
DO NOT SUBSTANTIALLY INCREASE THE VALUE  
OF THE PROPERTY.  
-ITEMS THAT ARE COVERED BY SNOW AND ICE AS  
THE PROPERTY OWNER IS SUBJECT TO REMOVE IT  
ON OR BEFORE THE FIELD SURVEY DATE.

## ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



PLAN 161 2676  
BLOCK 3  
LOT(S) 11  
CIVIC 157 BROME BEND  
ROCKY VIEW COUNTY, ALBERTA  
CLIENT BROADVIEW HOMES

### Certification:

I hereby certify that this Report, Plan and related survey was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report,

I am of the opinion that:

- the Plan illustrates the boundaries of the Property, the improvements as defined in part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements, and rights-of-way, affecting the extent of title to the Property;
- the improvements are entirely within the boundaries of the Property; except NIL
- no visible encroachments exist on the Property from any improvements situated on an adjoining property; except NIL
- no visible encroachments exist on registered easements, or rights-of-way affecting the extent of Property; except NIL

**Purpose:** This report has been prepared for the benefit of the property owner; subsequent owners and any of their agents for the purpose of (a) land conveyance, support of a subdivision application, a mortgage application, a submission to the municipality for a compliance certificate, etc. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights-of-way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the Survey for this Report. This plan should not be used to establish boundaries because of the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

Dated at the City of Calgary, Alberta  
November 15, 2019

*Desmond Shaw*  
DESMOND SHAW, ALBERTA LAND SURVEYOR  
© copyright LOVSE SURVEYS LTD.  
Lovse Surveys Ltd.

### LEGEND:

Found Iron Posts are shown thus: Fd. I  
Found Iron Bars are shown thus: Fd. IB  
Found Magnetic Nails are shown thus: Fd. M  
All distances are in metres and decimals thereof.  
Distances shown on curve boundaries are Arc distances.  
Fences are shown thus: -o-o-o-o-o-o-o-o-o-o- and are deemed to be on property line if within +/- 0.2m unless otherwise noted.  
The dimensions shown related to perpendicular distances from property boundaries to foundation walls.

### NOTE:

Survey completed on October 16, 2019  
Title information is based on a title search on October 17, 2019

and subject to:

761 141 577 ZONING REGULATIONS	161 281 179 CAVEAT RE: EASEMENT AND R.C.
161 135 580 R.C.	161 281 180 EASEMENT
161 135 582 CAVEAT RE: DEVELOPMENT AGREEMENT	161 283 301 ENCUMBRANCE
161 135 583 CAVEAT RE: DEVELOPMENT AGREEMENT	161 284 660 R.C.
161 135 584 CAVEAT RE: DEVELOPMENT AGREEMENT	161 284 664 R.C.
161 277 395 CAVEAT RE: DEVELOPMENT AGREEMENT	171 021 878 CAVEAT RE:
161 279 561 U/R/W PLAN: 161 2677	AGREEMENT CHARGING LAND
161 279 563 U/R/W PLAN: 161 2677	
161 279 565 U/R/W PLAN: 161 2677	
161 281 178 R.C.	

NOT WITHSTANDING ITEMS 264 OF THE CERTIFICATION, THE DRIVEWAY AND/OR WALKWAY IS NORMALLY PERMITTED TO ENCROACH ONTO UTILITIES RIGHT OF WAYS AND/OR OUTSIDE THE PROPERTY LINE WITHOUT AN ENCROACHMENT AGREEMENT.

Drawn by: RM Chkd: DS Scale: 1:200 METRIC FILE NO: 190701SRPR

**LOVSE SURVEYS LTD.**  
consulting engineers • land surveyors  
#2 4750 106 AVENUE SE  
CALGARY, ALBERTA T2C 3G5  
PHONE 403-24-2010 FAX 403-24-1723  
WWW.LOVSESURVEYS.COM

FOR SUBSEQUENT REAL ESTATE TRANSACTIONS, THE VENDOR IS ENCOURAGED TO OBTAIN AN UP TO DATE RPR FROM LOVSE SURVEYS TO LIMIT POTENTIAL FUTURE LIABILITY, ESPECIALLY IN THE CASE THAT A STATUTORY DECLARATION WAS USED FOR THE REAL ESTATE TRANSACTION. LOVSE SURVEYS WILL NOT BE RESPONSIBLE FOR ANY ERROR OR OMISSIONS IF AN UPDATED RPR IS NOT USED FOR THE REAL ESTATE TRANSACTION.

THE OWNER IS RESPONSIBLE FOR THE REVIEW OF THIS REAL PROPERTY REPORT AND REPORT ANY DISCREPANCIES OR OMISSIONS WITHIN 3 MONTHS OF THE ISSUANCE OF THIS REPORT TO THE SURVEYOR. FAILURE TO REPORT THE DISCREPANCIES RELIEVES LOVSE SURVEYS OF ANY FUTURE LIABILITIES OR CLAIMS.

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE (IN BLUE INK) AND A LOVSE SURVEY LTD. PERMIT STAMP (IN RED INK).

\*THE BUILDING(S) CONSTRUCTED ON THE LANDS DESCRIBED ABOVE HAVE BEEN CONSTRUCTED WITHIN THE HEIGHT RESTRICTIONS AND IN ACCORDANCE WITH THE REQUIREMENT AS SET FORTH IN THE SPRINGBANK AIRPORT ZONING REGULATIONS.

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 08

**APPLICATION:** PRDP20194584

**SUBJECT:** Development Item: Home-Based Business, Type II

**APPLICATION:** a Home-Based Business, Type II, for a Yoga Studio

**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) west of Woodland Rd. and on the north side of Twp. Rd. 255

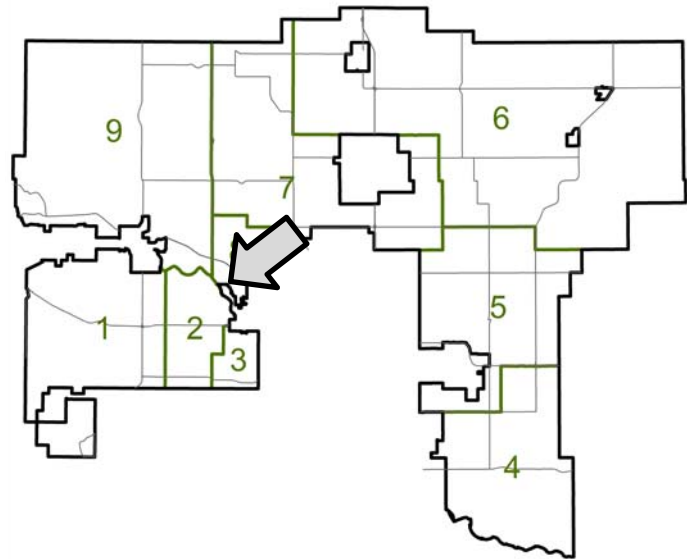
**LAND USE DESIGNATION:** Residential Two District (R-2)

**ADMINISTRATION RECOMMENDATION:**  
 Administration recommends approval in accordance with Option #1.

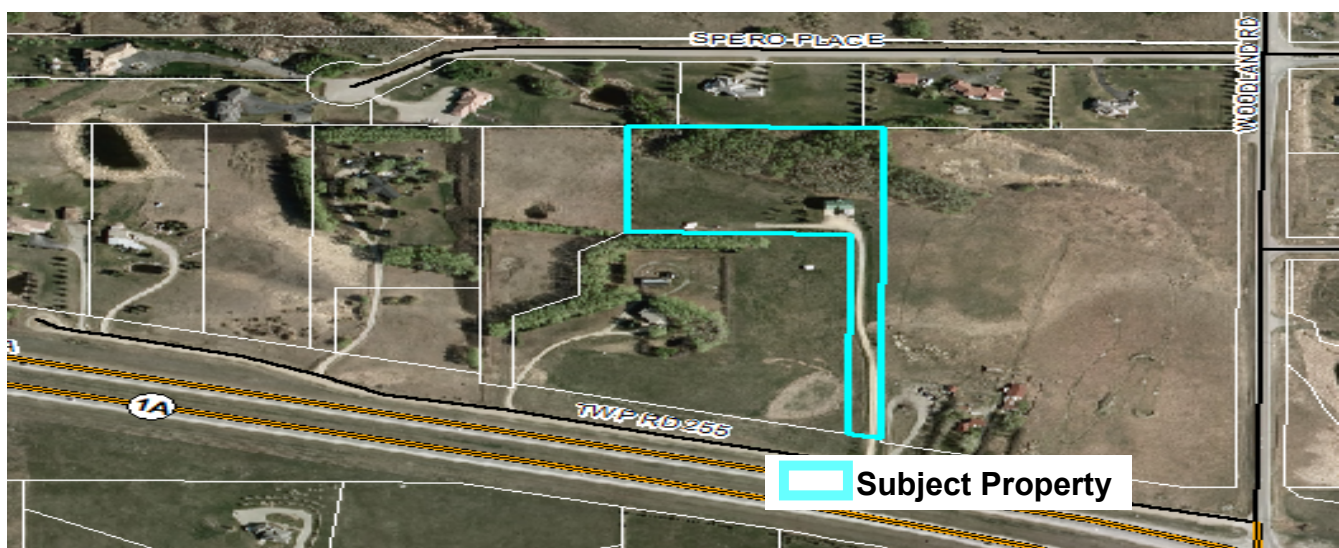
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20194584 be approved with the suggested conditions noted in the staff report.

Option #2: THAT Development Permit Application PRDP20194584 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Johnson Kwan, Planning and Development Services

**DEVELOPMENT PERMIT REPORT**

<b>Application Date:</b> December 18, 2019	<b>File:</b> 05735070
<b>Application:</b> PRDP20194584	<b>Applicant/Owner:</b> Rodney Potrie/1917019 Alberta Ltd.
<b>Legal Description:</b> Lot 7, Plan 011023, SE-35-25-02-W05M	<b>General Location:</b> Located in the Bearspaw area, approximately 0.2 km (1/4 mile) west of Woodland Road and on the north side of Twp. Rd. 255.
<b>Land Use Designation:</b> Residential Two District (R-2)	<b>Gross Area:</b> ± 5.93 acres
<b>File Manager:</b> Johnson Kwan	<b>Division:</b> 08

**PROPOSAL:**

The proposal is for the renewal of Home-Based Business, Type II, for a Yoga Studio

Land Use Bylaw Requirements:*Section 21 Home-Based Business**21.1 The following general provisions shall apply to all Home-Based Businesses:*

- a) *All home-based businesses, where listed as a use, discretionary, shall require a Development Permit.*
  - A Home-Based Business, Type II, is a discretionary use within the R-2 District and as such, requires a Development Permit.
- b) *No outside storage of goods, materials, commodities or finished products shall be permitted except as permitted in a Development Permit.*
  - The applicant did not proposed any outside storage.
- c) *No variation from the external appearance and residential character of land or buildings shall be permitted.*
  - The applicant did not proposed any changes to the external appearance.
- d) *The use shall not, in the opinion of the Development Authority, generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.*
  - The Applicant anticipated that one class in the morning and another in the evening. It is anticipated that there would be about four vehicle trips per day. Access is provided from Woodland Road (Range Road 31), which is paved.
- e) *The display or placement of signage on the premises of a home-based business shall be in accordance with the sign regulations in Section 35 of this Bylaw, and/or as defined in a Development Permit.*
  - The applicant proposed one small sign at the SW portion of the driveway. The sign would be professionally done and mounted on 4"x4"x 8" post.





- f) *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. At all times, the privacy of the adjacent residential dwellings shall be preserved and the home-based business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.*
- The proposed yoga studio will be using one of the existing room in the residence. Occasionally classes may be held outdoor during the summer on the 5.93 acre property. The property is well landscaped, with screening on all sides.

### 21.3 *Home-Based Businesses, Type II*

- a) *shall be limited to the dwelling and its accessory buildings, and may include outside storage as described in 21.3(g);*
- The proposed yoga studio will be using one of the existing room in the residence. Occasionally classes may be held outdoor during the summer on the 5.93 acre property.
- b) *may generate up to eight (8) business-related visits per day in an agricultural district and up to four (4) business-related visits per day in all other districts;*
- The applicant anticipated four trips per day.
- c) *the business use must be secondary to the residential use of the parcel;*
- The proposed yoga studio is secondary to the residence.
- d) *shall not change the residential character and external appearance of the land and buildings;*
- No new construction will be necessary to accommodate the proposed studio.
- e) *the number of non-resident employees shall not exceed two (2) at any time;*
- The yoga classes would be instructed by the property's resident. There may be two additional part-time employees if the business grow in the future.
- f) *does not include general retail stores;*
- the proposal does not include a general retail stores
- g) *outside storage, if allowed in a condition of a Development Permit, shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 1% of the parcel or 400.00 sq. m (4305.56 sq. ft.), whichever is the lesser;*
- the applicant did not proposed outside storage.
- h) *all vehicles, motor, trailers, or equipment that are used in the home-based business shall be kept within a building or a storage area as described in 21.3 (g).*
- No vehicles, motor, trailers, or equipment needed for the home based business.

### 35.11 *Signage associated with a home-based business or bed and breakfast home shall be regulated in accordance with the following requirements:*

- a) *one on-site, commercially produced identification type sign is permitted containing either the name of the resident or the name of the home-based business, contact information, and logo (no other advertising is permitted);*



## ROCKY VIEW COUNTY

- b) *maximum sign dimensions shall be as follows: 1.00 m (3.28 ft.) in length, 0.60 m (1.97 ft.) in height;*
- c) *sign construction and lettering shall be as follows:*
  - i. *sign constructed using 19.00 mm (0.75 in.), high density plywood or 38.00 mm (1.49 in.) solid wood;*
  - ii. *sign finish consisting of a high density reflective finish or equivalent, with die cut lettering or silk screen lettering;*
  - iii. *minimum letter size of 10.00 cm (3.93 in.), all upper case, uniform letter style.*
- d) *the sign shall be located in the yard, front adjacent to the front property line and either supported on independent posts or attached to existing fencing in an attractive fashion;*
- e) *no off-site advertisement signage associated with a home-based business is permitted.*

### Section 50 Residential Two District

#### 50.3 Uses, Discretionary

#### *Home-Based Business, Type II*

#### Additional Information:

##### Building Permit History:

- PRBD20141359 issued May 7, 2014 for the conversion of an existing dwelling to the Accessory Dwelling Unit.

##### Development Permit History:

- 2013-DP-15445 issued July 4, 2013 (Board Order 41-13) for the conversion of an existing dwelling into an accessory dwelling unit (suite within a building), and relaxation of the maximum building area for an accessory dwelling unit, relaxation of the maximum height requirement, and relaxation of the maximum building area for an accessory building.

#### **STATUTORY PLANS:**

The subject land is located within the City of Calgary Intermunicipal Development Plan and the Bearspaw Area Structure Plan.

#### **INSPECTOR'S COMMENTS:**

- Well landscaped.
- Existing residence is away from local road. Not visible from Township Road 255.

#### **CIRCULATIONS:**

##### Alberta Transportation

- In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act/Regulation, and will require a roadside development permit from Alberta transportation.

##### City of Calgary

- No comment received.



### Building Services

- No objection to home based business.

### Planning and Development Services - Engineering

#### **General:**

- The review of this file is based upon the application submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures.
- As per the application, the applicant is proposing a Home Based Business, Type II (Yoga studio) within the existing dwelling.

#### **Geotechnical:**

- Engineering has no requirements at this time.

#### **Transportation:**

- Approach to the subject lands is via an access road off TWP Rd 255.
- The applicant has indicated that an estimated 4 vehicle trips per day are anticipated as a result of this home based business. Parking is provided via an extra-large concrete garage pad.
- The applicant will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw as the development is unlikely to result in an increase in traffic on the local road network.
- Engineering has no requirements at this time.

#### **Sanitary/Waste Water:**

- The dwelling is serviced via a septic tanks and field.
- Engineering has no requirements at this time.

#### **Water Supply And Waterworks:**

- The location of a groundwater well is shown on the plan provided.
- Engineering has no requirements at this time.

#### **Storm Water Management:**

- The proposed development is not expected to change the imperviousness of the subject lands state as the development is contained within an existing building.
- Engineering has no requirements at this time.

#### **Environmental:**

- Engineering has no requirements at this time.

#### **OPTIONS:**

APPROVAL, subject to the following conditions:

#### **Description:**

- 1) That a Home-Based Business, Type II, for a Yoga Studio may operate on the subject parcel in accordance with the approved Site Plan and submitted application.

#### **Prior to Issuance**

- 2) That prior to issuance of this permit, the Applicant/Owner shall provide the proposed signage details to the county's satisfaction.



**Permanent:**

- 3) That an employee in this Home-Based Business, Type II is a person who attends the property more than once in a seven-day period for business purposes.
- 4) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 5) That the Home-Based Business, Type II shall not change the residential character and external appearance of the land and buildings.
- 6) That the operation of this Home-Based Business, Type II shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 7) That the Home-Based Business, Type II 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 resident dwellings shall be preserved. The Home-Based Business, Type II use shall not in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 8) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside area.
- 9) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area.
- 10) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.

**Advisory:**

- 11) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
- 12) That if this Development Permit is not issued by **June 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 13) That this Development Permit shall be valid until **January 28, 2021**

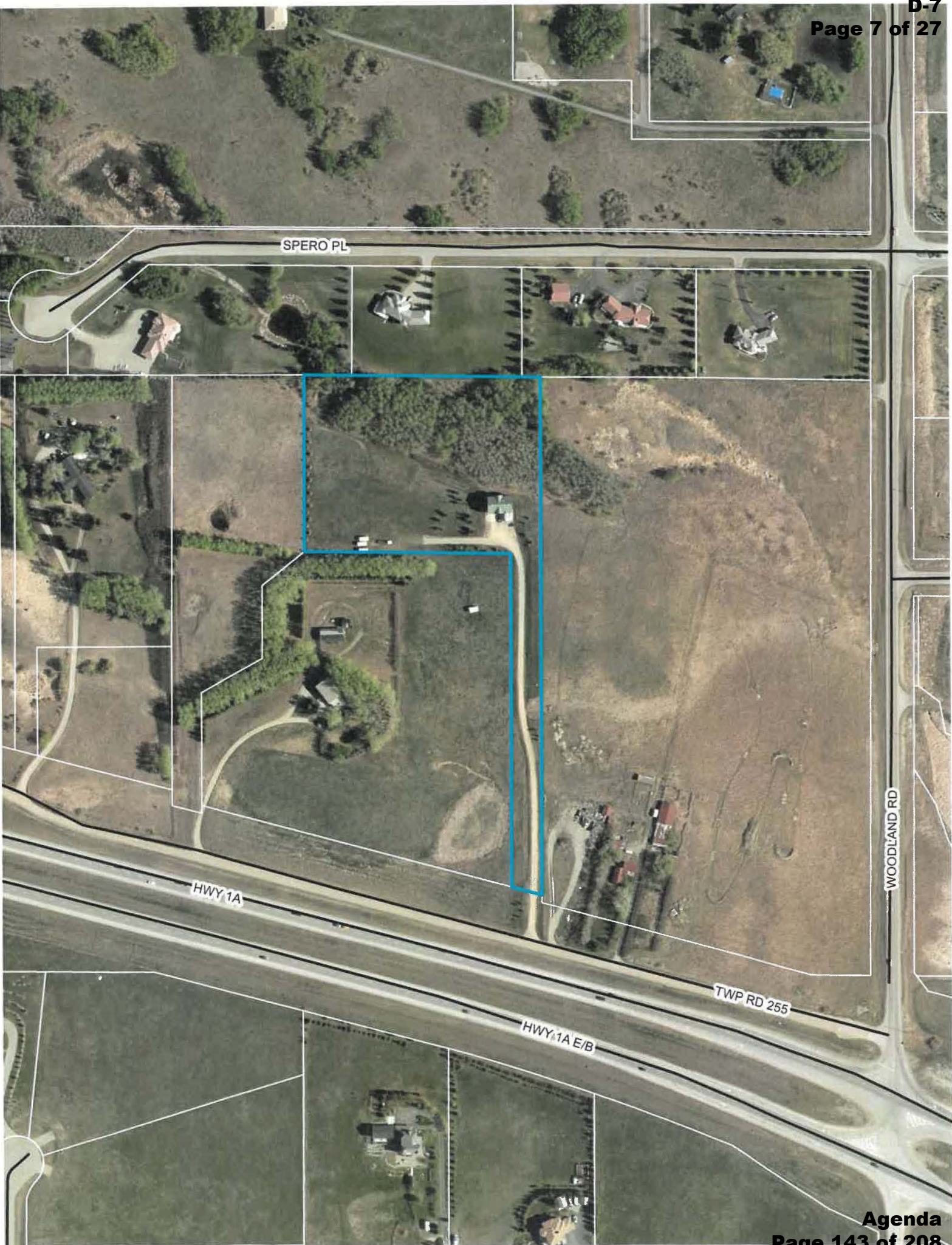
**Decision:** Discretionary – Approval.

**Date of Decision:** January 28, 2020

---

Development Authority

JKwan/llt











**ROCKY VIEW COUNTY**  
Cultivating Communities

20194584

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 9600.00	File Number 05735070
Date of Receipt Dec 18/19	Receipt # 2019023119

Name of Applicant Rodney Potrie Email [REDACTED]  
Mailing Address [REDACTED]  
Postal Code [REDACTED]  
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]  
For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) [REDACTED] 1917019 Alberta Ltd.  
Mailing Address \_\_\_\_\_  
Postal Code \_\_\_\_\_  
Telephone (B) \_\_\_\_\_ (H) 403 714 6360 Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE  $\frac{1}{4}$  Section 35 Township 25 Range 3 West of 5 Meridian  
b) Being all / parts of Lot 7 Block \_\_\_\_\_ Registered Plan Number 011 0239  
c) Municipal Address \_\_\_\_\_  
d) Existing Land Use Designation R-2 Parcel Size 2.4Ha (5.93Ac) Division \_\_\_\_\_

### 2. APPLICATION FOR

Yoga Classes in home

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No NO  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No NO  
c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No NO  
d) Does the site have direct access to a developed Municipal Road? Yes Yes No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I RODNEY POTRIE hereby certify that \_\_\_\_\_ I am the registered owner  
(Full Name in Block Capitals)  
✓ I am authorized to act on the owner's behalf

and that the information given on this form  
is full and complete and is, to the best of my knowledge, a true statement  
of the facts relating to this application.

**Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company**

Rod →  
Applicant's Signature

Date

Rodney Potrie  
Dec 17/2019

Tanis →  
Owner's Signature

Date

[Signature]  
December 17, 2019

## 5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

\_\_\_\_\_  
Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, RODNEY POTRIE, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Rodney Potrie      Dec 17 / 19  
Signature      Date



**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION TO OPERATE A HOME-BASED BUSINESS

### FOR OFFICE USE ONLY

Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Business The Yoga Class at Tanners Ranch

Address of Business 31048 Township Rd 255

Postal Code T3R 1G3

Telephone (B) 4 (H) 403 714 6360 Fax

### 1. PROPERTY INFORMATION

Is this on your property? Yes/No At your customers locations? Yes/No Both? Yes/No

How many square feet are being used for business purposes in the following:

House 500 Accessory Building  Outdoors

### 2. VEHICLES

How many vehicles come to your home/property Per day 4 Per week 24

Please describe the number and type of vehicles used in the business None - only personal cars

Where will these vehicle(s) be parked? N/A Screened behind hedge - not visible to neighbours or passers-by

\* Please show parking and storage area on your site plan.

### 3. EMPLOYEES

Including the Applicant, how many people are employed by the Home-Based Business?

(An employee is a person who attends the site more than once in a seven (7) day period for business purposes)

Full Time 1 Part Time 2

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 1 Part Time Employees 0

### 4. OPERATION

What are your days of operation? Mon-Sat What are your hours of operation? 8am-12pm  
4pm-8pm

### 5. STORAGE AND SIGNAGE

Is outside storage requested? YES/NO NO If yes - how many square feet? 6

Will a sign be required? YES/NO YES If yes - Please provide detailed sketches of the proposed sign on a separate sheet 2x3

### 6. ADDITIONAL INFORMATION

See attached report.

Signature of Applicant Rodney P. [Signature] Date: Dec 17/19

**PLEASE PROVIDE A COVERING LETTER DETAILING THE NATURE OF THE BUSINESS**  
**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU**





**PLANNING PROTOCOL**  
**2922 3rd Ave NE Calgary, Alberta T2A 6T7**

Work: (403) 230 - 5522  
Cell: (403) 703 - 1726  
[www.planningprotocol.com](http://www.planningprotocol.com)

December 12, 2019

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

Job No P- 708-01

Attention; Planning Department  
403 230 -1401

Re : Lot 7, Plan 0110239  
Calgary (containing 5.93ac 2.4 ha. more or less)  
Development Permit for Home Occupation type II Yoga class

We are applying for a DP to allow for a small home based yoga operation on the above parcel. To this end please find attached the following report in support of our application.

### **1) Site Description**

This is a (2.4 ha) 5.93 acre parcel located 5.7 kilometers (2.2 miles) west of the City of Calgary limits and just west of woodland road and on developed service road. There is no direct access to Hwy 1A as this parcel has access to good parallel service road. This parcel was created in 2001. Since then a home and much landscaping has upgraded the property. See attached Real Property Report (RPR). Currently there is a nice 1759 sq. ft. (163 m2) home on the parcel as described. Access to the home as described is from the south east portion of the parcel. Unobstructed, paved, safe sight distances in both directions exist at the point where the service road meets Woodland Road. A series of natural and domestic trees act as shelter belt and screening of this home from adjacent homes and development.

### **2) Surrounding Land Uses**

The adjacent uses are mostly R-2 to the north, west and south however across the intersection to the east there is a R-1 development. Several of the adjacent R-2 land uses have business operations on them. Land on all 4 sides of this site is currently being utilized for residential purposes. It might be noted that this parcel is naturally screened from adjacent land owners due to natural and domesticated tree and bush cover. (See attached aerial). There is also a natural separation from this development to all the surrounding developments .

### **3) Geography and Topography**

The site is gently sloping and experiences only 8 meters of relief from the highest point in the area where the home is located. The lowest portion of the site is in the north east corner of the property.

### **4) Access**

Woodland Road (Range Road 31) is a paved, well travelled link, for the area. It connects with Highway 1A at Woodland Rd.), and as such serves as a prominent link for commuters in the County of Rockyview and Calgary. This prime infrastructure link is crucial to this site being valued as an existing access to the existing service road adjacent to the Highway 1 A. It is recognised that, for safety reasons, the County and AT & U want to minimise any accesses coming off primary and secondary highways. It is for this reason that we feel this site has an access which is sufficient to meet any demands required by the proposed new development. At this location all the necessary safety requirements can easily be met. No new accesses will be required.

### **5) Services**

This site is serviced by a well, septic tank and field. The location of both the well, septic tank and field are shown on the site plan. (Figure1). The site is also serviced with power, gas and telephone. These existing services are sufficient to provide services to the additional individuals that will frequent the residence as a result of this proposed development permit.

### **6) Storm Water**

All storm water will be contained on site. There will be no change in the existing drainage as a result of this application. Because there are not any changes in drainage as a result of this application we do not feel that a storm water study will be necessary.

### **7) Proposed Development**

This development permit proposes a private Yoga practice will take place on the 5.93 ac. (2.4 ha.) site. The target market for the yoga classes will be expectant and post partum mothers. The yoga does not require any additional new construction. All yoga classes will occur in the existing residence. In the existing building there is a room that can be repurposed without renovation to accommodate the proposed Yoga classes. Classes will consist of one class in the morning and another in the evening. The hours of operation will normally be from 8:00 am to noon, and also an evening class between 5 and 8 pm. The approximate hours of operation will be from 8 :00 am – 8:00 pm Monday through Saturday. No activity will occur on Sunday. 90 % or more of all activity will occur inside the building, however, on occasion, during the summer, there may be an occasional outdoor class.

- (c) no variation from the external appearance and residential character of land or buildings shall be permitted;
- (d) the use shall not, in the opinion of the Development Authority, generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area;
- (e) the display or placement of signage on the premises of a home-based business shall be in accordance with the sign regulations in Section 35 of this Bylaw, and/or as defined in a Development Permit;
- (f) 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. At all times, the privacy of the adjacent residential dwellings shall be preserved and the home-based business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents;
- (g) the term of a Development Permit issued for a home-based business shall not exceed one (1) year; (i) Notwithstanding Section 21.1(g), at the discretion of the Development Authority,

a Development Permit may be issued for a period not exceeding three (3) years if the following conditions have been met:

1. The home-based business is applying for a renewal of its Development Permit;
  2. The home-based business has met the requirements of Section 21 of this Bylaw, and the conditions of its Development Permit;
  3. There are no active Bylaw enforcement orders related to the home-based business.
- (h) an employee in a home-based business is a person who attends on the property more than once in a seven (7) day period for business purposes. LUB

**21.3 Home-Based Business, Type II (a)**  
shall be limited to the dwelling and its accessory buildings, and may include outside storage as described in 21.3(g);

- (b) may generate up to eight (8) business-related visits per day in an agricultural district and up to four (4) business-related visits per day in all other districts;
- (c) the business use must be secondary to the residential use of the parcel;
- (d) shall not change the residential character and external appearance of the land and buildings;
- (e) the number of non-resident employees shall not exceed two (2) at any time;
- (f) does not include general retail stores;



Initially there would only be the owner Tanis Larson who would be offering yoga instruction however, the reason why a home occupation type II is being applied for is that eventually should market demand increase, it is hoped that it could eventually evolve into a situation where more than just Tanis would be instructing and possibly hire up to two outside instructors. Because of the specific target market of expectant mothers and the personal nature of this instruction it is anticipated that there would be about 4 vehicle trips per day.

This home occupation business will not create any noise, dust, pollution, nor visual unsightliness.

The classes would be instructed at all times by a family member. If growth occurs and an employee or two are added later either a family member or an instructor will be present at all times.

There will be a responsible adult present at all times when classes are taking place.

There is an extra large concrete garage ramp which will provide adequate parking for any class participants.

#### **8) Signage**

Signage will consist of 1 small sign. The sign will be to county standards and will be at the SW portion of the drive way. This sign would be professionally done and mounted on 4"X 4" X 8' posts. However it is anticipated that most advertising will be by way of word of mouth and the internet .

#### **9) Landscaping**

The site contains a healthy contingency of natural and domestic trees which provide screening to the existing house from all neighbours. As shown on the aerial site plan natural tree cover exists on the north east and south boundaries of the site. This natural tree cover is enhanced by domestic tree cover on the west boundary and around the building. It is the owners goal and ambition to even augment all this landscaping with even more trees in coming years. All landscaping will be professionally done.

Particular attention will be given to employ hardy native species which grow naturally and take very little water and minimal maintenance. It will consist of a variety of coniferous and deciduous species in order to ensure a year-round aesthetically pleasing screening and vistas.

Bylaw requirements and Home Based Type II uses from Rocky view County Land Use Bylaw;

### **SECTION 21 HOME-BASED BUSINESS**

21.1 The following general provisions shall apply to all home-based businesses:

(a) all home-based businesses, where listed as a use, discretionary, shall require a Development Permit;

(b) no outside storage of equipment, goods, materials, commodities, or finished products shall be permitted except as permitted in a Development Permit; LUB

13/10/2015

(g) outside storage, if allowed in a condition of a Development Permit, shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 1% of the parcel or 400.00 sq. m (4,305.56 sq. ft.), whichever is the lesser;

(h) all vehicles, motor, trailers, or equipment that are used in the home-based business shall be kept within a building or a storage area as described in 21.3(g).

**a) Conclusion**

In evaluating this proposed development permit it fits within the guidelines of what is prescribed in the bylaw above.

- It is a small home based business
- It does not create undue stress on the road infrastructure
- This development permit targets a specific target market of Pre and Post natal female yoga clients, which is a small market
- The classes will only be offered in the morning and evening
- The residence is well hidden from neighbours views
- It is on a parallel service road
- No new construction or renovations will be necessary to accommodate this home occupation use
- More than adequate parking already exists for this use due to the oversized apron on the double garage
- Yoga classes will be exclusively contained indoors except for the occasional outdoor class during the summer, weather permitting
- This use meets all the criteria of the description prescribed above in Section 21 of the Land Use Bylaw

We have provided photos of the site and other information relevant to the application attached in **Appendix "A"**

Should you have any questions feel free to give me a call?

**Sincerely**



**Rodney R Potrie MCIP, BaSC, RPP, AACIP, ACP, CET, ADOA**  
**Planning Protocol**  
**President & CEO**  
**P-708-01 Dave & Tanis Larson**



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0028 721 009	0110239;;7	191 212 601

LEGAL DESCRIPTION  
 PLAN 0110239  
 LOT 7  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 2.4 HECTARES (5.93 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;3;25;35;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 101 320 472

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 212 601	17/10/2019	TRANSFER OF LAND	\$900,000	CASH & MORTGAGE

OWNERS

1917019 ALBERTA LTD.  
 OF 52 CHURCH RANCHES BLVD  
 CALGARY  
 ALBERTA T3R 1B1

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
741 084 840	09/09/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "EXCEPT 20 FT STRIP. BY 751009226"
011 021 899	22/01/2001	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 191 212 601

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

44.  
911-32 AVE NE  
CALGARY  
ALBERTA T2E6X6

191 212 602 17/10/2019 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTRE EAST  
10205- 101ST STREET, 5TH FLOOR  
EDMONTON  
ALBERTA T5J5E8  
ORIGINAL PRINCIPAL AMOUNT: \$720,000

191 212 603 17/10/2019 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTRE EAST  
10205- 101ST STREET, 5TH FLOOR  
EDMONTON  
ALBERTA T5J5E8  
AGENT - JOSE PAREDES

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 19 DAY OF  
DECEMBER, 2019 AT 09:49 A.M.

ORDER NUMBER: 38550018

CUSTOMER FILE NUMBER: PRDP20194584



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



ROCKY VIEW COUNTY

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

403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

## LETTER OF AUTHORIZATION

I, (We) 1917019 Alberta Ltd being the owner (s) of  
Lot 7 Block \_\_\_\_\_ Plan 011 0239

**Legal:**

NW/NE/SE/SW Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W \_\_\_\_\_ M  
give Rodney Potrie / Planning Protocol permission to act on my  
(our) behalf in applying in the Redesignation and/or Subdivision of the subject  
property.

  
Signature

  
Signature

December 17, 2019  
Date

Owner(s) contact information:

Mailing Address:

52 Church Ranches Blvd, Calgary AB

Postal Code T3R 1B1

Telephone (H) (403) 714 - 6360 Cell (C) \_\_\_\_\_ Other \_\_\_\_\_

Email: \_\_\_\_\_

**AFFIDAVIT VERIFYING  
CORPORATE SIGNING AUTHORITY**

I, Dave & Toni Larson, of 1917019 Alberta Ltd.  
make oath and say:

1. I am an officer or a director of 1917019 Alberta Ltd.  
being the corporation named in the Development Permit Application affecting Lands described as:  
Lot 7: Plan 0110239

2. (a) I am authorized to sign the Development Permit on behalf of the corporation without affixing a corporate seal.

OR

2. (b) I am authorized to sign a letter appointing an agent to act on behalf of the corporation regarding the Development Permit Application without affixing a corporate seal; and

I hereby appoint \_\_\_\_\_ as our agent  
for the above mentioned Development Permit Application.

SWORN before me at CALGARY

in the PROVINCE of Alberta

this 19 day of December 2019

(Signature)

RODNEY R. POTRIE  
Commissioner of Oaths

In and For the Province of Alberta

**RODNEY R. POTRIE**

A Commissioner of Oaths In and  
For The Province of Alberta

My Commission Expires

Sept 5 / 2020



# Proposed Home Occupation DP



House looking North



Service Road (TWP 255) Stop Sign Looking East



Looking West from the South Property Line



Showing Sites Address



Woodland Road Looking North



Looking West from the South Property Line





Looking North along the South Property Line



Looking North just past the gate near the South Property Line



Well Site just West of the House



Dave & Tanis Larson  
City of Calgary

PLAN SHOWING  
**Subject Area**

AFFECTING  
Plan 0110239; Lot 7

SCALE: 1:2000

ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO  
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY SCALE

**LEGEND**

Subject Property -

Well -

Septic Field -

Parking (screened)

**Figure 1**

DATE		FILE NO.
DRAWN BY	A. WINKLER	Dec 10/18
CHECKED BY	R. POTWIE	Dec 10/18

**Planning Protocol**

2922 3rd Ave NE  
Calgary Alberta T2A 6T7  
Phone: (403) 230-5522  
Fax: (403) 230-0335  
Email: [rod@planningprotocol2.com](mailto:rod@planningprotocol2.com)  
Url: [www.planningprotocol2.com](http://www.planningprotocol2.com)

CAD FILE: Site Plan 1.0.dwg



**D-7**  
**Page 27 of 27**

Lot(s)

Plan 011

1. The Plan illustrates the improvements as defined, Land Surveyors' Association easements and right-of-way to the property;

2. The improvements are property unless otherwise noted.
3. No visible encroachments or any improvement situated otherwise noted, and;
4. No visible encroachments or rights-of-way affecting otherwise noted.
5. Title information is based on:

6. Date of Survey Jul  
7. Unless otherwise specified distances from Property of survey.

8. Distances are in metre:  
9. This document is not v  
(in blue ink) and a r  
10. Purpose :This Report i  
Property owner, subsequ  
for the purpose of a r  
only for the benefit of  
easements and utility ri  
property have been sho  
property corner markers  
for this report. The pla  
due to the risk of misli  
user. The information o  
status of this property  
encouraged to have the  
requirements.

11. Property is subject to Grantee - Canadian W
12. Property is subject to Re: Development Agree
13. This survey has been (Ref. Job # 04R12565

ABBREVIATIONS AND SYMBOLS THAT  
MAY APPEAR ON THIS PLAN.

Drill Hole found shown thus ... 

Iron Bar found shown thus ... 

Statory Iron Post found shown thus ... 

Delta (Central) angle of arc shown thus ... 

Eose Fascia are shown thus ... 

Contours are shown thus ... 

Line not to scale shown thus ... 

Utility Rights-Of-Way are shown thus ... 

Building foundation shown thus ... 

Property line shown thus ... 

A. denotes length of arc

B.K. denotes Block

Cant. denotes cantilever

Conc. denotes concrete

E. denotes east

Fd. denotes found

G.L. denotes ground level

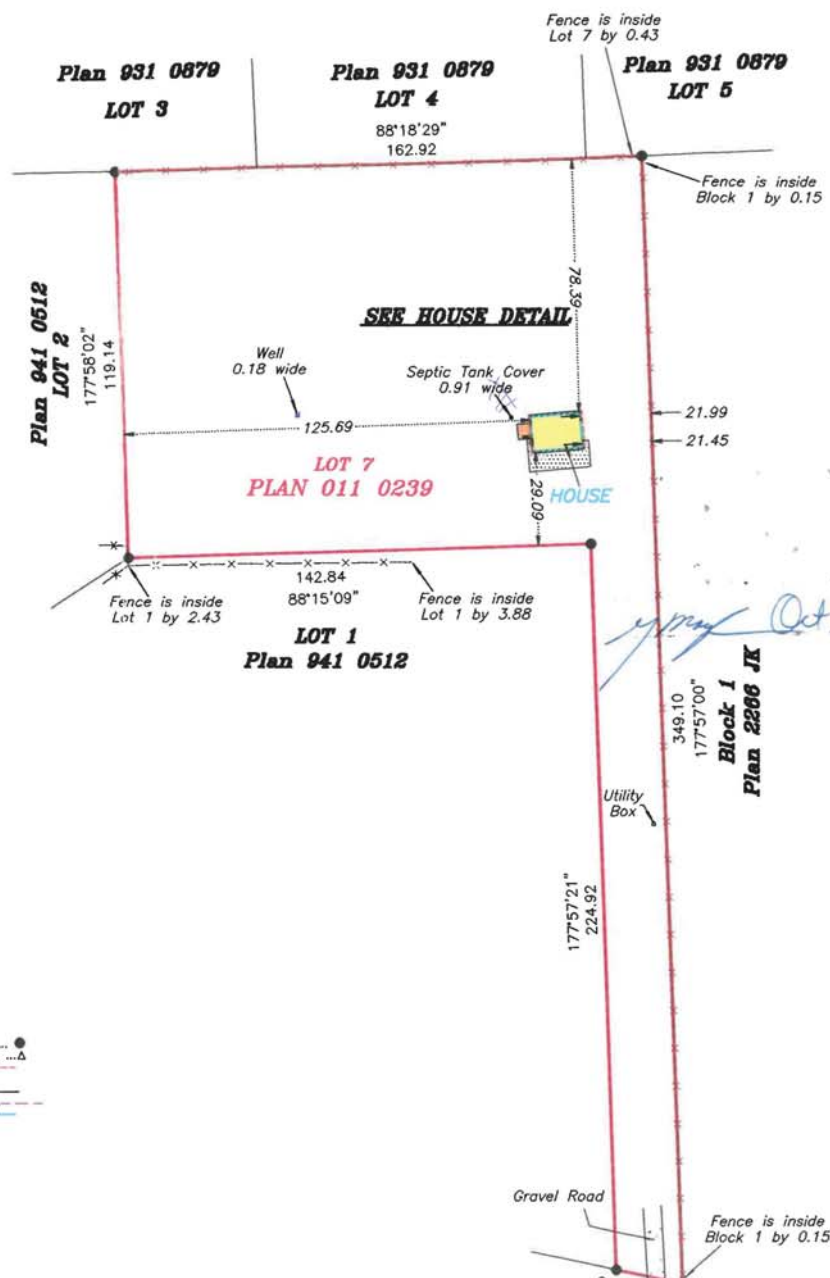
m denotes metres

Mk. denotes mark

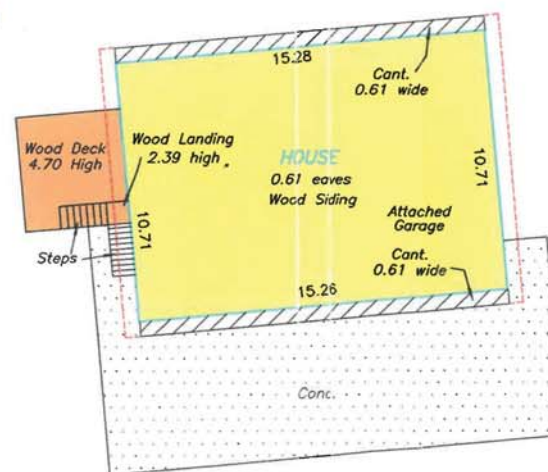
M.A. denotes Maintenance Access

Mks. denotes marks

N. denotes north



**HOUSE DETAIL**  
**Scale 1:200**



Dated this 13th day of

## PLANNING & DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 07

**APPLICATION:** PRDP20194254

**SUBJECT:** Development Item: Renewal of a Home-Based Business, Type II

**APPLICATION:** Renewal of a Home-Based Business, Type II, for a construction company (storage and parking only)

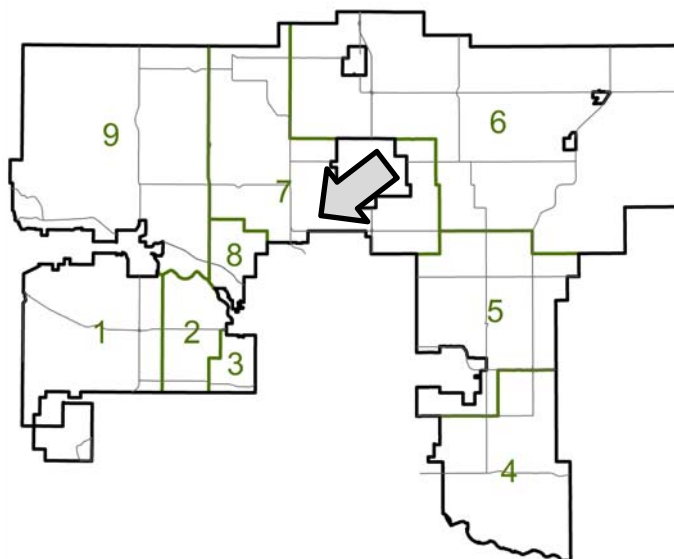
**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) east of Rge. Rd. 20 and 0.41 km (1/4 mile) north of Hwy. 566.

**LAND USE DESIGNATION:** Residential Two (R-2)

**ADMINISTRATION RECOMMENDATION:**  
 Administration recommends approval in accordance with OPTION #1.

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20194254 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20194254 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Christina Lombardo –Planning & Development Services



<b>Application No.</b>	PRDP20194254	<b>File Manager</b>	Christina Lombardo
<b>District</b>	R-2	<b>Gross Area (ha)</b>	1.62
<b>Proposed Business</b>	Renewal of a Home Based Business, Type II, for a concrete construction company (storage and parking only)		

Use and District Intent Check	Yes/No
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed business meet the Purpose and Intent? - 12.3(b)	Yes

Comments
This application is the fourth (4) renewal application. The last application PRDP20164638, was issued January 25, 2017 and expired December 19, 2019. Any changes for this application have been noted.

Compatibility Check					Yes/No	
22.1	(c)	Variation in parcel appearance or character?			No	
	(d)	Excessive or unacceptable traffic?			No	
	(f)	Offensive or excessive noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter?			No	
21.3	(a)	Include structures other than SDD or Acc. Buildings?			No	
	(c)	Secondary to the residential use?			Yes	
	(d)	Variation in parcel appearance or character?			No	
	(f)	Include a general store?			No	
	(g)	Outdoor storage screened from adjacent lands?			Yes	
Regulation		Max	Proposed	Δ	Variance	
21.3	(b)	Business Trips	4.00	0.00	-4.00	
	(e)	Non-Resident Employees	2.00	0.00	-2.00	
35.11	(a)	No. of Signs	1.00	0.00	-1.00	
	(b)	Sign length	1.00	0.00	-1.00	
	(b)	Sign width	0.60	0.00	-0.60	

Comments
Only the accessory building and outdoor storage is utilized for the home based business on the property for "Cal Freeman Construction Corporation ." All noise shall be generated exclusively between Seasonal Daylight hours, Monday to Sunday.

Comments
There is two (2) full time employees that live on the property, both residing on site. There are personal vehicles used within the business, including three (3) trucks, one (1) flat bed truck trailer, one (1) Skid Steer, (one (1) one-ton pick up truck, two (2) 1/2 ton pick up trucks). No signage has been requested at this time.

Outdoor Storage Calculation (m <sup>2</sup> ) - 21.3(g)					
1% of Parcel:	162.00	Over 400m <sup>2</sup> ?	FALSE	Max Area Permitted:	162.00
Proposed Outdoor Storage Area (m <sup>2</sup> )			Δ	Variance	
161.65			-0.35		
Does Proposed Outdoor Storage Area Meet District Setbacks?					
Front		Side 1	Side 2		Rear
Yes		Yes	Yes		Yes

Comments
There is 1,740 sq. ft. of outdoor storage, previously approved, with fencing and screening from Sunset Ridge Bay. All setbacks related to the business and buildings are within required setbacks.



Proposed Operations			
<b>Days Open</b>	Monday to Sunday	<b>Hours</b>	Seasonal Daylight Hours

Comments
The business will exclusively operate out of the accessory building (Garage) and outdoor storage area.

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

Comments
External appearance appears to be adequately screened and does not materially interfere with the amenities of the neighbourhood.

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	
IDP	Calgary IDP	No	
MDP	County Plan	No	
ASP			
CS			

Comments
The subject property falls under the Calgary IDP, although the policy does not give any direction for this type of application. Therefore, it has been evaluated in accordance with the Land Use Bylaw.

<b>BP/DP History</b>	1985-BP-9891 - Accessory Building 2012-DP-15075 - Stripping & Grading 2012-DP-15098 - Home Based Business PRDP20130298 - Renewal of Home Based Business PRDP20144613 - Renewal of Home Based Business PRDP20164638 - Renewal of Home Based Business
<b>Inspector Comments</b>	Jan 29, 2020 - Primary residence located on SE of property - Small driveway leads to backyard and storage area on the SW of parcel - Concrete pad where vehicles are stored - Further SW of pad is a garage/shop with a small fenced off area with storage of light vehicles and materials - Site has lighting - Dog on site
<b>Overall Assessment</b>	As the business is long existing on the subject property, there is no active enforcement complaints and remains in compliance with the Land Use Bylaw, the business would appear to have no negative impact to adjacent properties.
<b>Non-Standard Conditions</b>	Noted in condition set

**HOME BASED BUSINESS TYPE II (PRDP20194254)**

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That a Home-Based Business, Type II, for a concrete construction company (storage and parking only) may continue to operate on the subject parcel in accordance with the approved plans.

**Permanent:**

2. That the number of non-resident employees shall not exceed two (2) at any time.
  - a. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
3. That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
7. 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 and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
8. That the Home-Based Business shall be limited to the accessory building and the outside storage area.
9. That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and **shall not exceed 162.00 sq. m. (1,740.00 sq. ft.)**.
10. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
11. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That this Development Permit shall be valid until **December 19, 2023**.

**Advisory:**

14. That it is advised, Sunset Ridge Drive includes a road ban of 90% year-round and 75% during Spring (March to June). The Applicant/Owner shall adhere to Road Ban restrictions for any vehicles or equipment related to the Home-Based Business.
15. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
16. That the County's Unsightly Bylaw C-7690-2017 and County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Option #2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.
- 2.











**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION FOR A DEVELOPMENT PERMIT

20194254

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 06518007
Date of Receipt Nov 21, 19	Receipt # 2019022854

Renewal of PRDP 20164638

Name of Applicant KATHLEEN FREEMAN Email [REDACTED]  
 Mailing Address [REDACTED] Postal Code [REDACTED]  
 Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) \_\_\_\_\_

Mailing Address N/A Postal Code \_\_\_\_\_

Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the 5 ¼ Section 1 Township 26 Range 18 West of SW Meridian  
 b) Being all / parts of Lot 2 Block \_\_\_\_\_ Registered Plan Number 7611085  
 c) Municipal Address 23 SUNSET RIDGE BAY, CALGARY, AB  
 d) Existing Land Use Designation R-2 Parcel Size 4 ACRES Division \_\_\_\_\_

### 2. APPLICATION FOR

HOME BASE BUSINESS TYPE 11

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No X  
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ No X  
 (Sour Gas facility means well, pipeline or plant)  
 c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No X  
 d) Does the site have direct access to a developed Municipal Road? Yes X No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I KATHLEEN FREEMAN hereby certify that X I am the registered owner  
 (Full Name in Block Capitals)

\_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
 is full and complete and is, to the best of my knowledge, a true statement  
 of the facts relating to this application.

**Affix Corporate Seal  
 here if owner is listed  
 as a named or  
 numbered company**


Applicant's Signature Kathleen Freeman  
 Date NOV 21, 2019

Owner's Signature Kathleen Freeman  
 Date NOV 21, 2019



**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, KATHLEEN FREEMAN, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
Signature

Nov 21, 2019  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION TO OPERATE A HOME-BASED BUSINESS

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Business CAL FREEMAN CONSTRUCTION CORPORATION  
 Address of Business 23 SUNSET RIDGE BAY  
CALGARY, AB Postal Code T3P 1A4  
 Telephone (B) 403 216 3189 (H) [REDACTED] Fax 403 216 3188

### 1. PROPERTY INFORMATION

Is this on your property? Yes/No At your customers locations? Yes/No Both? Yes/No

How many square feet are being used for business purposes in the following:

House 0 Accessory Building STORAGE Outdoors STORAGE

### 2. VEHICLES

How many vehicles come to your home/property Per day ONLY OUR OWN VEHICLE Per week ONLY OUR OWN VEHICLE

Please describe the number and type of vehicles used in the business 3 TRUCKS / 1 FLAT DECK TRAILER  
SKID STEER (1 TON PICK-UP / 2 1/2 TON PICK-UPS)

Where will these vehicle(s) be parked? WITHIN DESIGNATED STORAGE AREA

\* Please show parking and storage area on your site plan. ON REVERSE - SAME AS PREVIOUS

### 3. EMPLOYEES

Including the Applicant, how many people are employed by the Home-Based Business?

(An employee is a person who attends the site more than once in a seven (7) day period for business purposes)

Full Time 2 Part Time 0

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 2 Part Time Employees 0

### 4. OPERATION

What are your days of operation? SEASONAL MON - SUN What are your hours of operation? SEASONAL DAYLIGHT HOURS

### 5. STORAGE AND SIGNAGE

Is outside storage requested? YES/NO If yes - how many square feet? 1740 sq ft

Will a sign be required? YES/NO If yes - Please provide detailed sketches of the proposed sign on a separate sheet

### 6. ADDITIONAL INFORMATION

HOME BASED BUSINESS TYPE II  
ONLY STORAGE / PARKING USE

Signature of Applicant [Signature] Date: Nov 21, 2019

**PLEASE PROVIDE A COVERING LETTER DETAILING THE NATURE OF THE BUSINESS**  
**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU**

Rocky View County

Freeman: Calvin & Kathleen

Roll: 06518007

Development Permit #PRDP20164638 Renewal

**Nature of Business**

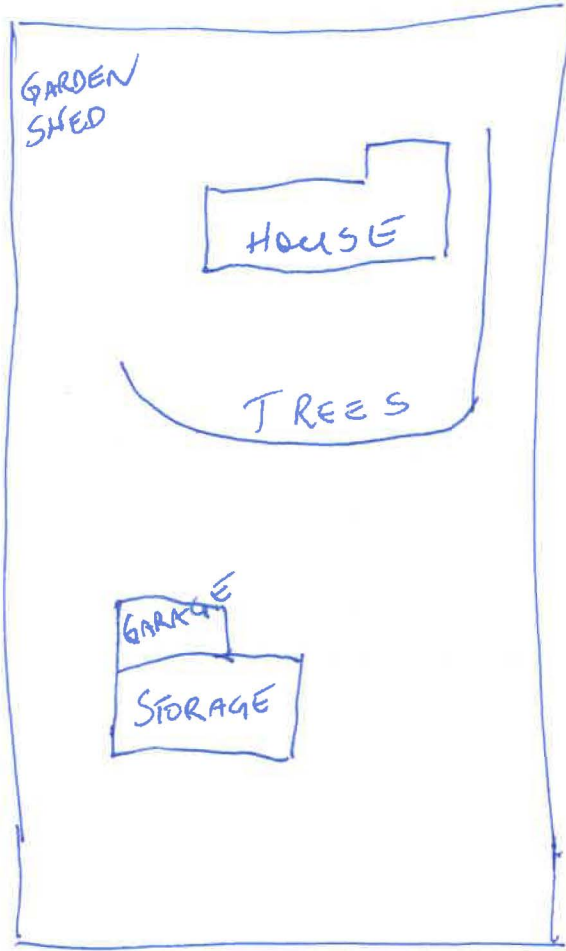
This a renewal request for Storage.

We do not conduct business at this location.

The business is a Concrete Construction, forming, pouring and placing exterior flat work concrete.

Sidewalks, steps, pads, patios.





STORAGE, 1740 SQ FT  
PRVACY FENCE - 12 FT HIGH  
ENCLOSING AREA

\*NO CHANGES FROM PREVIOUS RENEWAL

## **PLANNING & DEVELOPMENT SERVICES**

**TO:** Municipal Planning Commission

**DATE:** February 12, 2020

**DIVISION:** 05

**APPLICATION:** PRDP20194329

**SUBJECT:** Development Item: Renewal of a Home-Based Business, Type II

**APPLICATION:** Renewal of a Home-Based Business, Type II, for an automobile repair shop and relaxation of the outside storage minimum setback requirement.

**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) west of Hwy. 791 and on the south side of Twp. Rd. 235A.

**LAND USE DESIGNATION:** Residential Three (R-3)

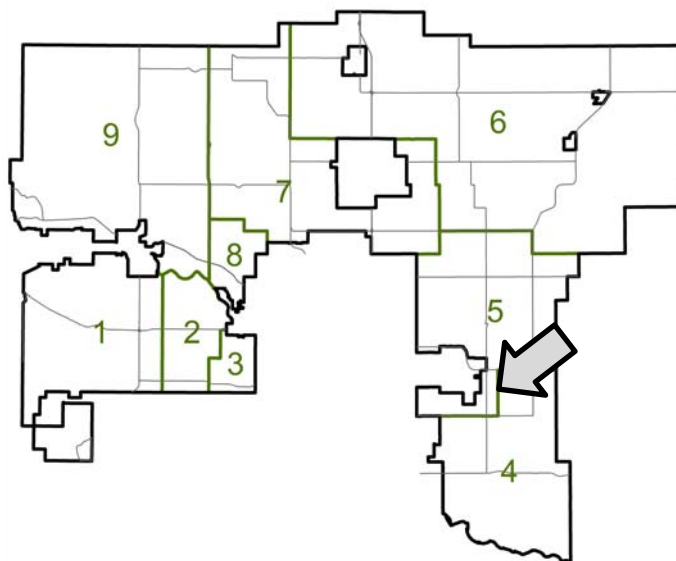
**ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with OPTION #1.

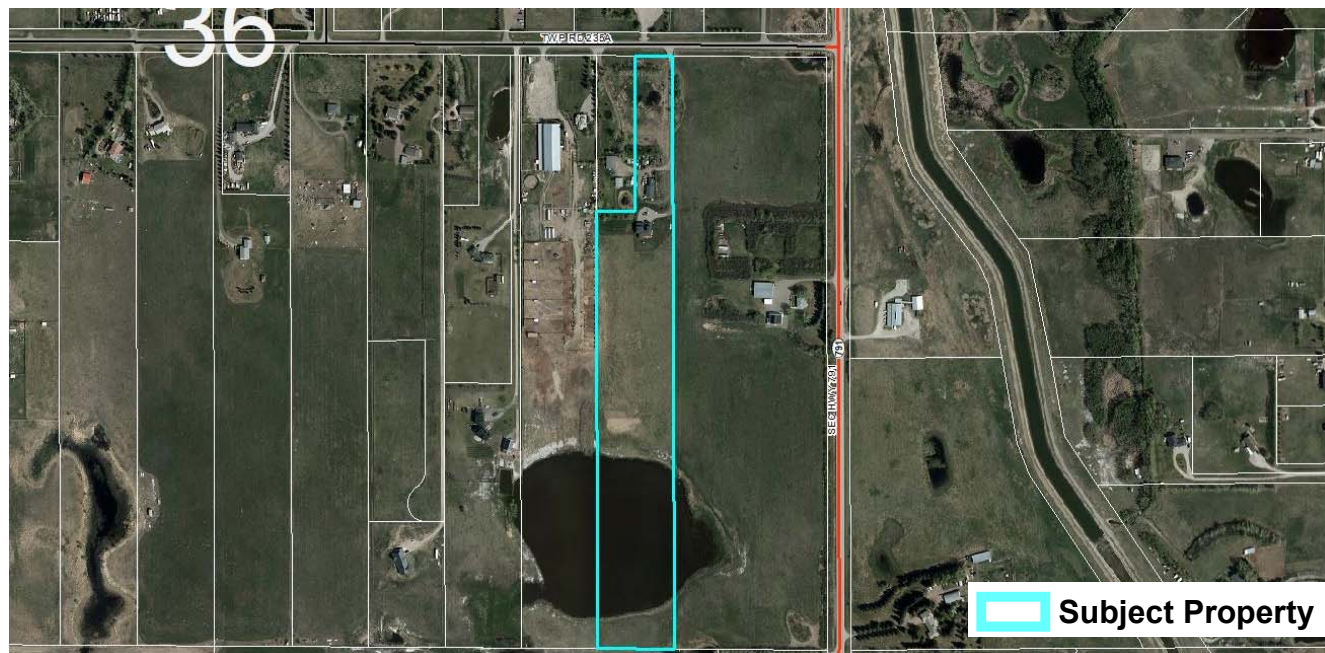
**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20194329 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20194329 be refused as per the reasons noted.



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Christina Lombardo –Planning & Development Services



<b>Application No.</b>	PRDP20194329	<b>File Manager</b>	Christina Lombardo
<b>District</b>	R-3	<b>Gross Area (ha)</b>	6.73
<b>Proposed Business</b>	Renewal of a Home Based Business, Type II, for an automobile repair shop, and relaxation of the outside storage minimum setback requirement.		

<b>Use and District Intent Check</b>	<b>Yes/No</b>
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed business meet the Purpose and Intent? - 12.3(b)	Yes

<b>Comments</b>
This application is the second (2) renewal application. The last application PRDP20174569, was issued December 13, 2017 and expired December 14, 2019. Any changes for this application have been noted.

<b>Compatibility Check</b>	<b>Yes/No</b>
22.1 (c) Variation in parcel appearance or character?	No
(d) Excessive or unacceptable traffic?	No
(f) Offensive or excessive noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter?	No
21.3 (a) Include structures other than SDD or Acc. Buildings?	No
(c) Secondary to the residential use?	Yes
(d) Variation in parcel appearance or character?	No
(f) Include a general store?	No
(g) Outdoor storage screened from adjacent lands?	Yes

<b>Comments</b>
Space in the dwelling, accessory building and outdoor storage is utilized for the home based business on the property for "Paul's Autobody and Frame ." All noise shall be generated exclusively between 8:00 am to 5:30 pm, Monday to Friday.

<b>Regulation</b>	<b>Max</b>	<b>Proposed</b>	<b>Δ</b>	<b>Variance</b>
21.3 (b) Business Trips	4.00	1.00	-3.00	
(e) Non-Resident Employees	2.00	1.00	-1.00	
35.11 (a) No. of Signs	1.00	0.00	-1.00	
(b) Sign length	1.00	0.00	-1.00	
(b) Sign width	0.60	0.00	-0.60	

<b>Comments</b>
There are two (2) full time employees that are employed by the business; one (1) employee resides on the property. There are approximately 5 cars used in the business, including a 1/2 ton pick up truck. These vehicles are stored beside the shop within the outdoor storage area. No signage has been requested at this time.

Outdoor Storage Calculation (m <sup>2</sup> ) - 21.3(g)					
1% of Parcel:	673.00	Over 400m <sup>2</sup> ?	TRUE	Max Area Permitted:	400
Proposed Outdoor Storage Area (m <sup>2</sup> )			Δ	Variance	
376.26			-23.74		
Does Proposed Outdoor Storage Area Meet District Setbacks?					
Front		Side 1	Side 2		Rear

<b>Comments</b>
4,050 sq. ft. of outdoor storage is being requested. Screening elements of trees and shrubs, along the north property line. The setback along the west property line related to the outside storage is requested to be varied from 6.00 m to 0.00m. All other setback requirements





Yes	No	Yes	Yes
-----	----	-----	-----

VARIANCE

are consistent with the district. Based on the screening from Twp. Rd 235A and setback distance from Hwy. 791, the outside storage area would appear to have minimal impact. A letter from an adjacent landowner was received, in support of the setback variance.



Proposed Operations			
Days Open	Monday to Friday	Hours	8:00 am to 5:30 pm

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	
IDP	Chestermere Notification Zone	No	
MDP	County Plan	No	
ASP			
CS			

Comments
The business will exclusively operate out of the accessory building (Garage) and outdoor storage area.

Comments
External appearance appears to be adequately screened to the north, east and south directions and does not materially interfere with the amenities of the neighbourhood.

Comments
The subject property falls under the Chestermere Notification area. Therefore, it has been evaluated in accordance with the Land Use Bylaw.

BP/DP History	2009-BP-22608 - Single Family Dwelling PRDP20153405 - Home Based Business, Type II, Expired PRDP20163717 - Home Based Business, Type II PRDP20174569 - Renewal of a Home Based Business, Type II
Inspector Comments	December 17, 2019 - Good screening on the north side from trees, not visible from Twp. Rd 235A - 6 accessory buildings visible - 1 personal vehicle visible, no signage - Vehicle parts (tires) outside storage area - Site moderately tidy, 20+ vehicles on site - No signage on site - No other concerns
Overall Assessment	As this application is a request for renewal of a home-based business, there is no active enforcement complaints on the property and the presence of screening to shield the outside storage area, the business would appear to have minimal affect on neighbouring properties.
Non-Standard Conditions	Noted in condition set

**HOME BASED BUSINESS TYPE II (PRDP20194329)**

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That a Home-Based Business, Type II, for an automobile repair shop and relaxation of the outside storage minimum setback requirement may continue to operate on the subject parcel in accordance with the approved application plans.

**Permanent:**

2. That the number of non-resident employees shall not exceed three (2) at any time.
  - a. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
3. That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
7. 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 and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
8. That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area.
9. That all outside storage that is a part of the Home-Based Business, Type II shall be adequately screened from adjacent lands, and shall not exceed **376.26 sq. m. (4,050.00 sq. ft.)**.
  - a. That the minimum outside storage area setback requirement, along the west property line, is relaxed **from 15.00 m (49.21 ft) to 0.00 m (0.00 ft)**.
  - b. Additional screening requirements may be required to be implemented upon request from County and/or reviewed at the time of permit renewal.
10. That all vehicles, equipment, or materials that are used in the Home-Based Business shall be kept within a building or the defined storage area, in accordance with the approved Site Plan.
11. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.



12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That this Development Permit shall be valid until **December 14, 2023**.

**Advisory:**

14. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
15. That a Building Permit shall be obtained through Building Services for all Accessory Buildings on the subject parcel.
16. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Option 2: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

- 1) That the side yard setback for the proposed Outside Storage area exceeds the minimum requirement in Section 51.5 of Land Use Bylaw C-4841-97.

**Required: 15.00 m**

**Requested: 0.00 m**

- 2) That the proposed Home-Based Business, Type II, would appear to unduly interfere with the amenities and enjoyment of neighbouring parcels of land.

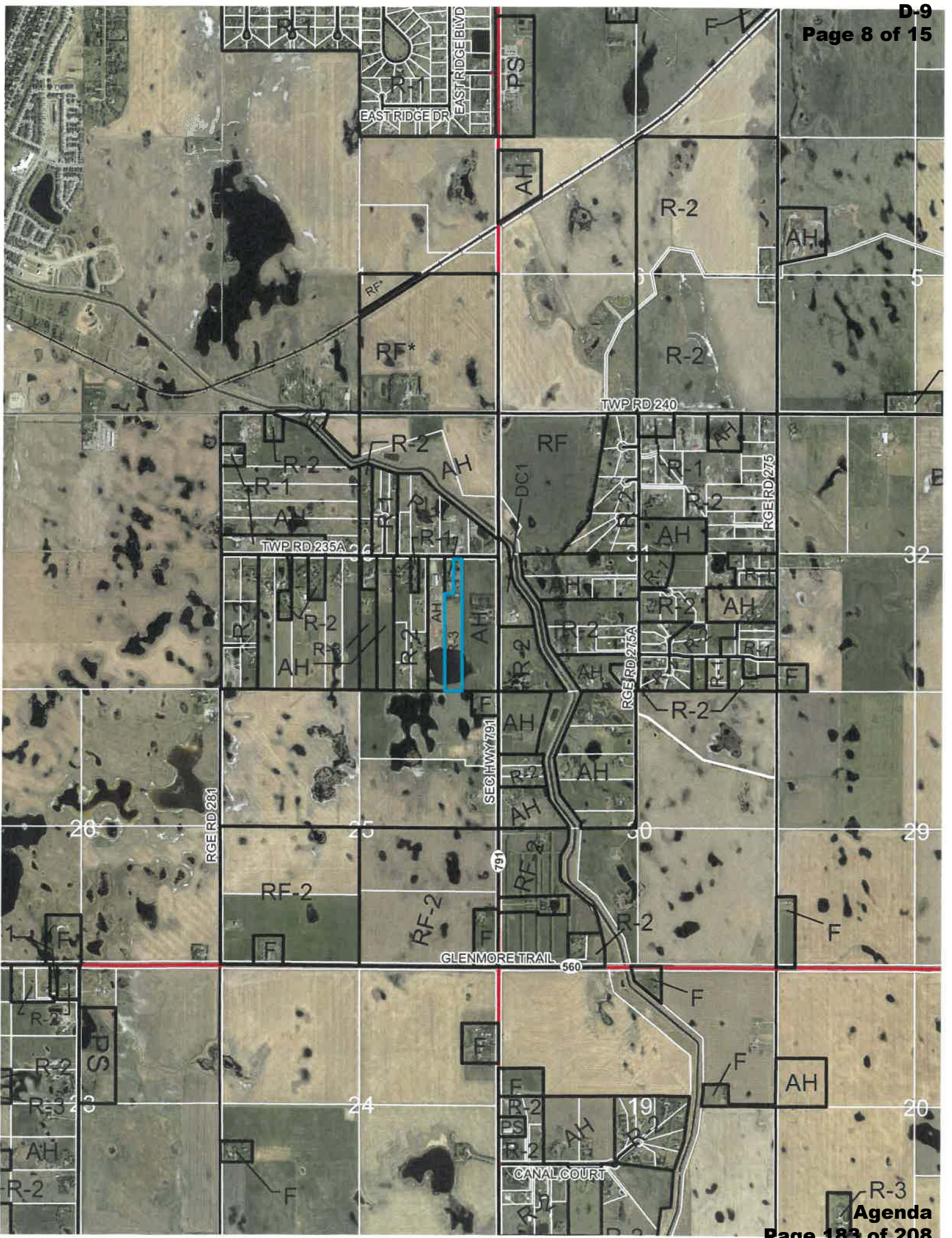
36

NEIL PLACE

TWP RD 235A

SEC HWY 791 791









**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION FOR A DEVELOPMENT PERMIT

20194329 D-9  
Page 9 of 15

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt 11/26/2019	Receipt # 2019022899

Name of Applicant GREWAL GURINDER + INDARJEET Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) \_\_\_\_\_

Mailing Address SAME AS ABOVE

Postal Code \_\_\_\_\_

Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE ¼ Section 36 Township 23 Range 28 West of 04 Meridian
- b) Being all / parts of Lot 2 Block 14 Registered Plan Number 1110877
- c) Municipal Address 280033-TWP RD 23SA ROCKY VIEW AB
- d) Existing Land Use Designation TYPE 2 Parcel Size 16.5 Acres Division 5

### 2. APPLICATION FOR

RENEWAL OF TYPE 2 FOR AUTOMOBILE REPAIR SHOP

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ No ☒  
(Sour Gas facility means well, pipeline or plant)
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I GURINDER GREWAL hereby certify that ☒ I am the registered owner  
(Full Name in Block Capitals)

☐ I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

**Affix Corporate Seal  
here if owner is listed  
as a named or  
numbered company**

Applicant's Signature Gurinder Grewal

Date OCT 30 / 2019

Owner's Signature Gurinder Grewal

Date OCT 30 / 2019

**5. RIGHT OF ENTRY**

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Gurinder Grewal

Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.*

I, GURINDER GREWAL, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Gurinder Grewal  
Signature

OCT 30 / 2019  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION TO OPERATE A HOME-BASED BUSINESS

FOR OFFICE USE ONLY	
Fee Submitted ✓	File Number 03336050
Date of Receipt 11/26/2019	Receipt # 2019022899

Name of Business Pauls Autobody and Frame  
 Address of Business 280033-TWP RD 235A  
Rocky view AB Postal Code T1X0K4  
 Telephone (B) 403-830-0078 (H) [REDACTED] Fax 0

### 1. PROPERTY INFORMATION

Is this on your property? ☒ Yes/No At your customers locations? Yes ☒ No Both? Yes/No

How many square feet are being used for business purposes in the following:

House 3100 sq/ft Accessory Building 1400 sq/ft Outdoors 16.5 Acres

### 2. VEHICLES

How many vehicles come to your home/property Per day 1 Per week 1 to 4

Please describe the number and type of vehicles used in the business 2 to 5 cars and  
1/2 ton Pick-up TRUCK For Repairs

Where will these vehicle(s) be parked? Beside the Shop

*\* Please show parking and storage area on your site plan.*

### 3. EMPLOYEES

Including the Applicant, how many people are employed by the Home-Based Business?

(An employee is a person who attends the site more than once in a seven (7) day period for business purposes)

Full Time 1 Part Time \_\_\_\_\_

Including the Applicant, how many of the above persons live on this property?

Full Time Employees \_\_\_\_\_ Part Time Employees \_\_\_\_\_

### 4. OPERATION

What are your days of operation? Monday to Friday What are your hours of operation? 8.00 to 5.30

### 5. STORAGE AND SIGNAGE

Is outside storage requested? ☒ YES/NO If yes - how many square feet? 4000 sq/ft

Will a sign be required? YES ☒ NO If yes - Please provide detailed sketches of the proposed sign on a separate sheet

### 6. ADDITIONAL INFORMATION

I Have been running homebase Business since  
1999 at the above Address

Signature of Applicant [Signature] Date: OCT 30/2019

**PLEASE PROVIDE A COVERING LETTER DETAILING THE NATURE OF THE BUSINESS**  
**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU**



164' RDG 235A  
49.99 Meter

164'  
49.99 meter

2.5 Acre.

OUT side  
Storage.  
4000 SQ FT

445'

90'

44.5' X 90'

DRIVE

45'  
45'

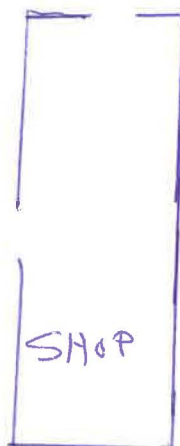
Property line

Property line West

Property line

WAY

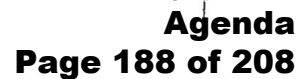
PROPERTY LINE East



16.5 Acre.

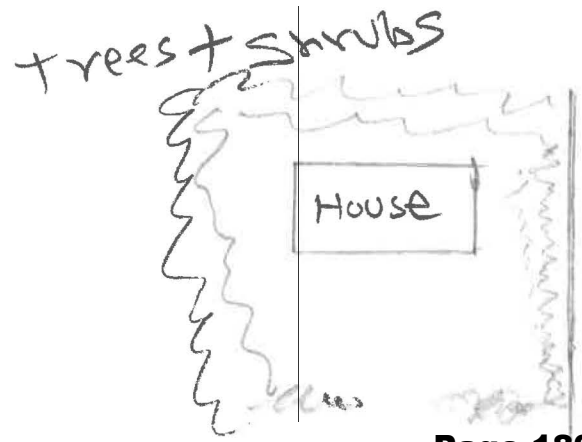
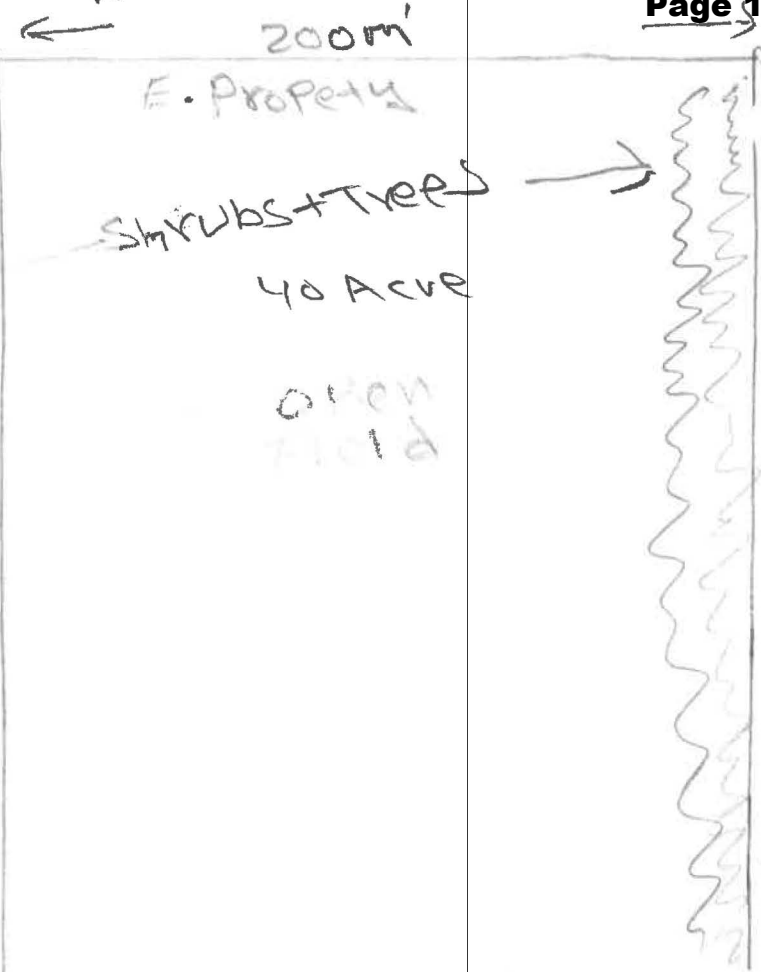
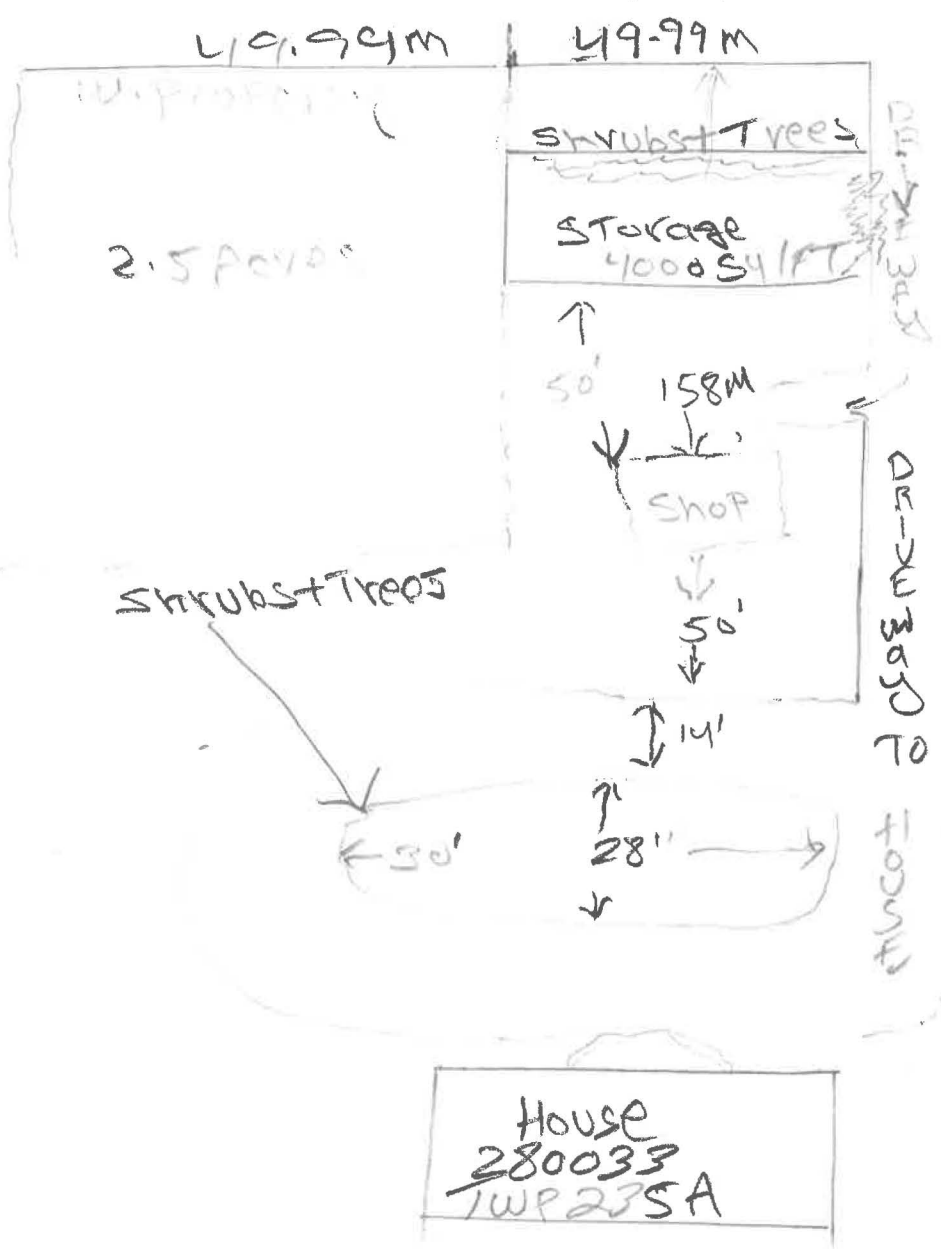
DRIVE way  
is about 35'  
wide. side  
yard 40'

S



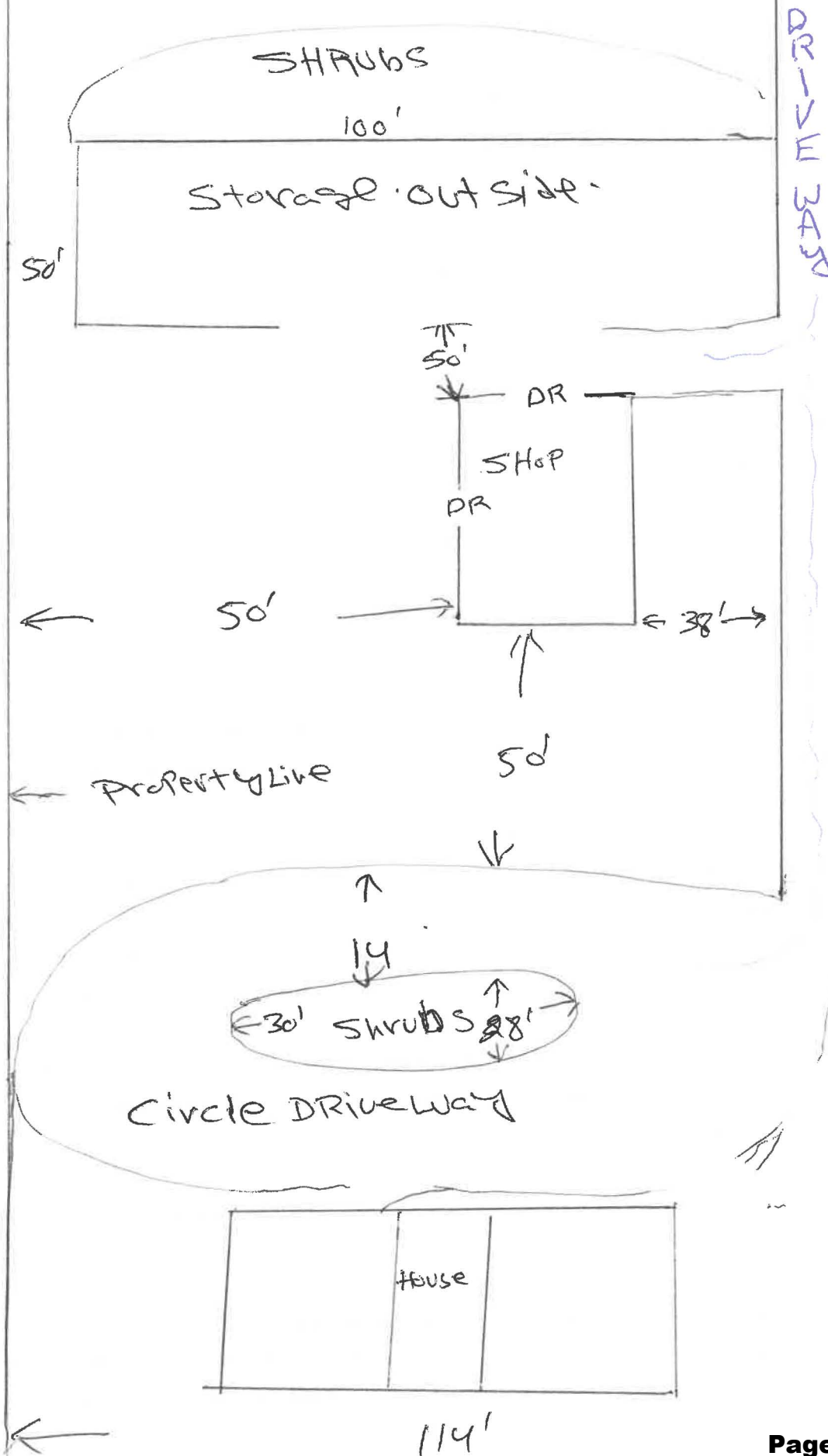
TWP 23SA

N



791 HWY





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority

**DATE:** February 12, 2020

**DIVISION:** 07

**APPLICATION:** PL20190121

**SUBJECT:** Subdivision Item: Balzac East Residential Two Subdivision

**APPLICATION:** To create two ± 9.55 acre lots.

**GENERAL LOCATION:** Located in the Balzac East area, approximately 0.81 km (1/2 mile) east of Range Road 293 and on the south side of Township Road 262A.

**LAND USE DESIGNATION:** Residential Two District (R-2)

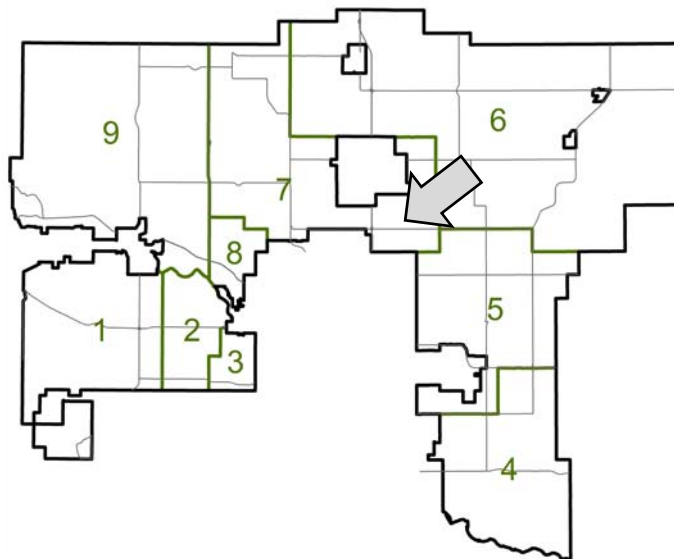
### ADMINISTRATION RECOMMENDATION:

Administration recommends Approval in accordance with Option #1.

### OPTIONS:

Option #1: THAT Subdivision Application PL20190121 be approved with the conditions noted in Appendix 'B'.

Option #2: THAT Subdivision Application PL20190121 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Johnson Kwan / Noor Mirza – Planning and Development Services



## ROCKY VIEW COUNTY

**APPLICANT:** Heger, Frederick

**OWNER:** Heger, Frederick

### APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Balzac East Area Structure Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
---	---

### PAYMENTS AND LEVIES

ESTIMATED FEE/LEVY	AMOUNT OWING
<i>TRANSPORTATION OFFSITE LEVY</i> <ul style="list-style-type: none"> <li>• Based Levy: \$4,595 per gross acre (\$4,595 x 19.1 acre = \$87,764.50)</li> <li>• Special Area 1 Levy: \$18,638 per gross acre (\$18,638 x 19.1 acre = \$355,985.80)</li> </ul>	Approximately \$443,750.30

As conditions of the subdivision, the Applicant/Owner will be required to:

- Tie-in to the existing piped water system;
- Provide a Level III Private Sewage Treatment System (PSTS) Analysis;
- Submit a site-specific stormwater implementation plan in accordance with the Nose Creek Watershed Water Management Plan (2018); and
- Upgrade the existing approach to a mutual approach and register the associated access easement agreement to provide access to both lots.

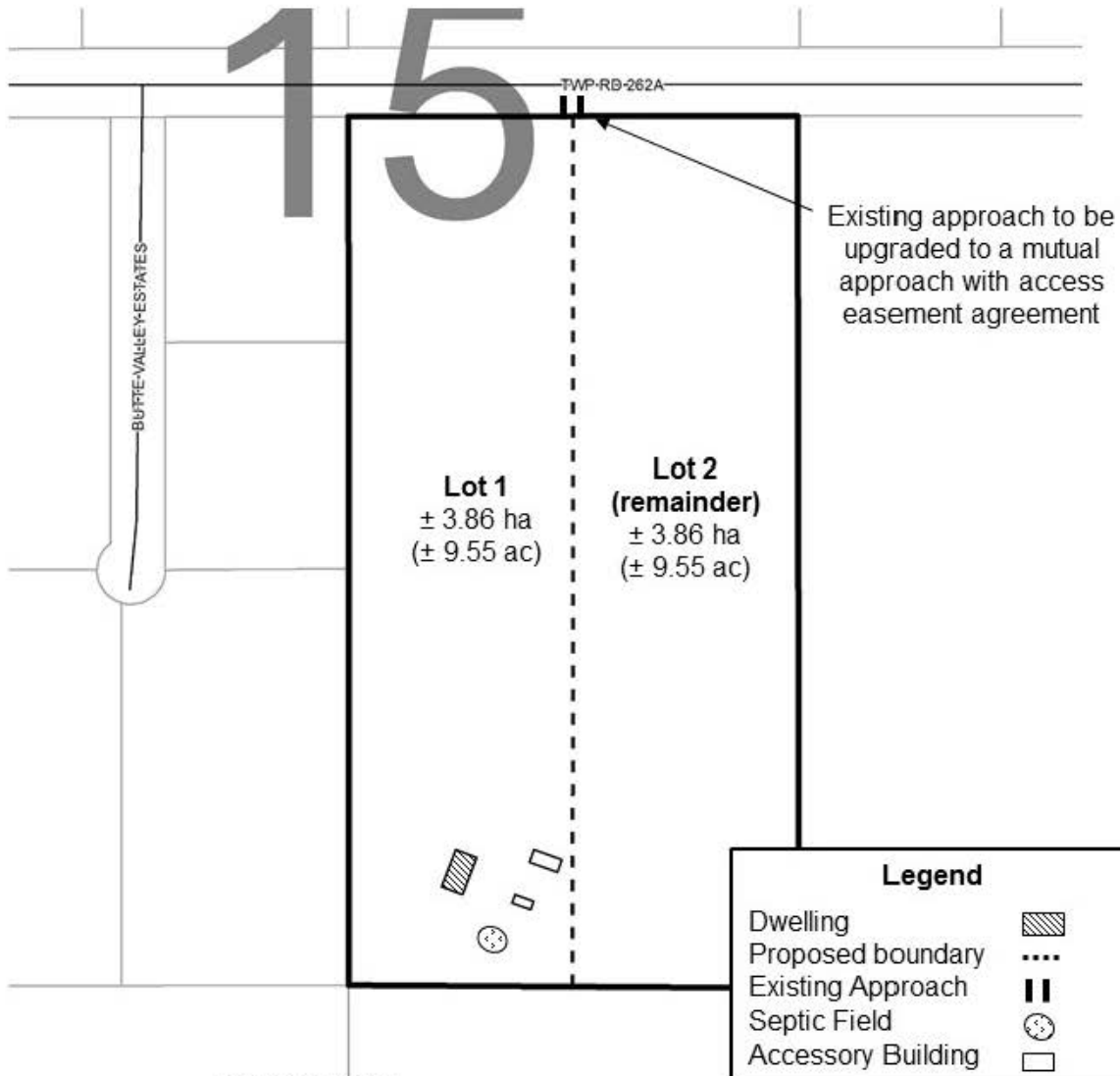




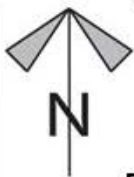
ROCKY VIEW COUNTY

Tentative Plan

**Subdivision Proposal:** To create a  $\pm 3.86$  hectare (9.55 acre) parcel with a  $\pm 3.86$  hectare (9.55 acre) remainder.

**Surveyor's Notes:**

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

**TENTATIVE PLAN**

SE-15-26-29-W04M  
Block:1 Plan:8911822

Date: Sept 05, 2019Division # 7File: 06415001



ROCKY VIEW COUNTY

**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for Approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

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Chief Administrative Officer

JKwan/llt

**APPENDICES:**

APPENDIX ‘A’: Maps and Other Information

APPENDIX ‘B’: Approval Conditions

APPENDIX ‘C’: Letter



## APPENDIX 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> August 29, 2019	<b>DATE DEEMED COMPLETE:</b> August 29, 2019
<b>GROSS AREA:</b> ± 19.1 acres	<b>LEGAL DESCRIPTION:</b> Block 1, Plan 8911822, within SE-15-26-29-W04M
<b>APPEAL BOARD:</b> Municipal Government Board	
<b>HISTORY:</b> <b>November 24, 1989:</b> Subdivision Plan 8911822 was registered to create the subject land. Disposition of Reserves by cash in lieu payment for reserve owing on Block 1 (subject land). The balance is to remain deferred by instrument 4502KY.	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <ul style="list-style-type: none"> <li>The application was circulated to 83 adjacent landowners. No letters received.</li> <li>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</li> </ul>	





## APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create a two  $\pm$  9.55 acre lots at Block 1, Plan 8911822 within SE-15-26-29-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation; and
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

### Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
  - a) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 1, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2009;
  - b) All existing buildings and structures are to conform to the setback requirements in relation to the new property line, as described in the Residential Two Land Use District, as per the Land Use Bylaw C-4841-97, as amended.

### Access

- 3) The Owner shall upgrade the existing road approach to a mutual standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1 and 2; In addition, the Owner shall:
  - a) Provide an access right of way plan; and
  - b) Prepare and register respective easements on each title, where required.



## ROCKY VIEW COUNTY

### Servicing

- 4) The Owner is to provide confirmation of the tie-in for connection to the East Balzac Water Transmission main for Lots 1 and 2, as shown on the Approved Tentative Plan. This includes providing the following information:
  - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot(s);
  - b) Documentation proving that water supply has been purchased for proposed Lot(s) 1 and 2;
  - c) Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 5) The Owner shall submit a Level 3 Private Sewage Treatment System (PSTS) Assessment, prepared by a qualified professional to the satisfaction of the County.
  - a) If the recommendations of the Model Process Assessment indicate improvements are required, the Owner shall enter into a Site Improvements/Services Agreement with the County.

### Stormwater Management

- 6) The Owner is to provide and implement a Site Specific Stormwater Implementation Plan (SSIP) in accordance with the Nose Creek Watershed Water Management Plan.

### Utility Easements

- 7) Utility Easements, Agreements, and Plans are to be provided and registered prior to registration to the satisfaction of ATCO Gas;

### Payments and Levies

- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.
- 9) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

### Taxes

- 10) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

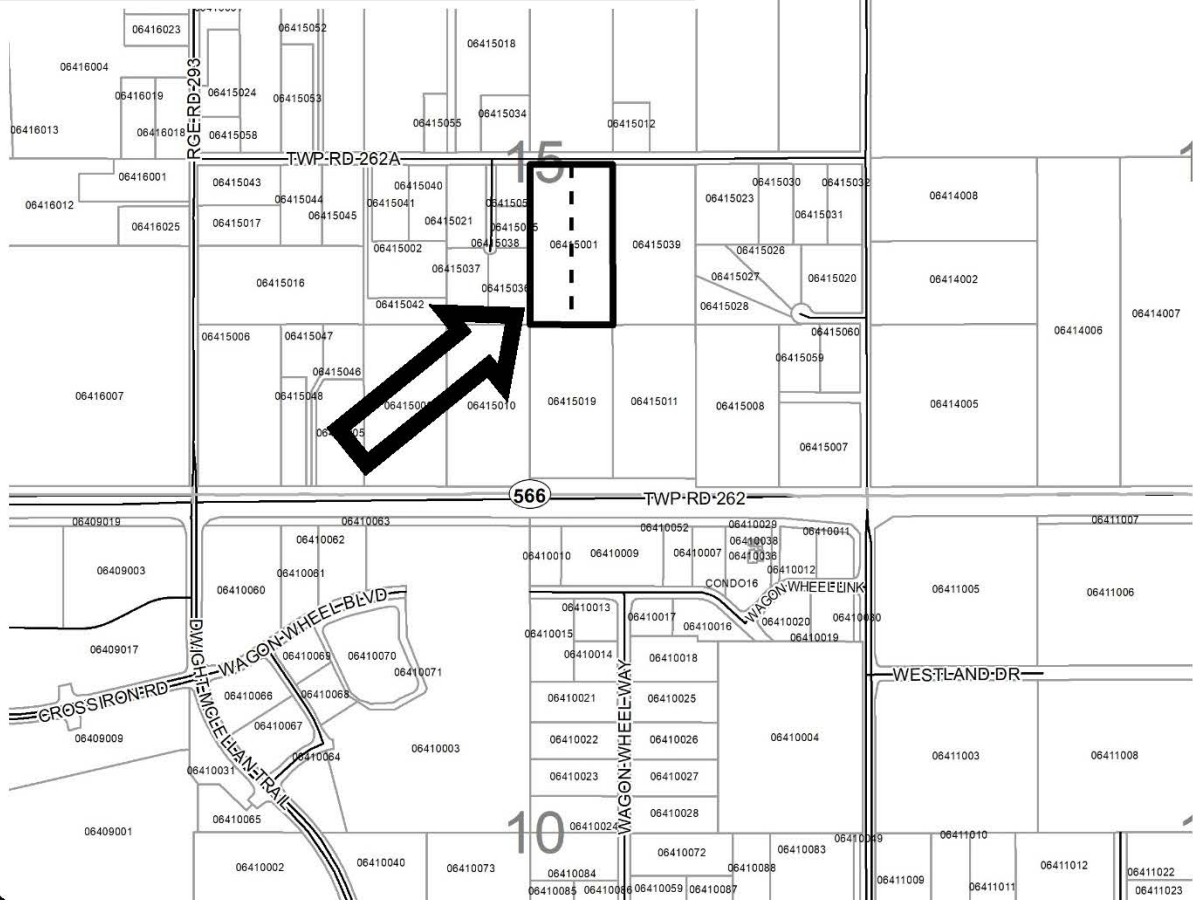
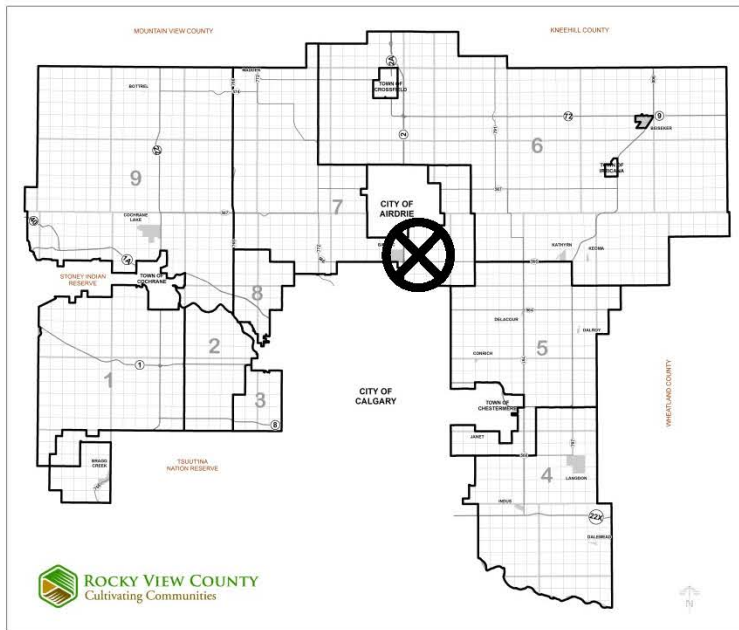
### D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw

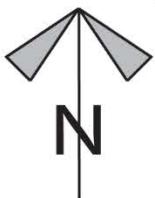
**APPENDIX 'C': LETTERS**

No adjacent landowner letter received. The Owner/Applicant submitted a letter for the Subdivision Authority's consideration.





## LOCATION PLAN

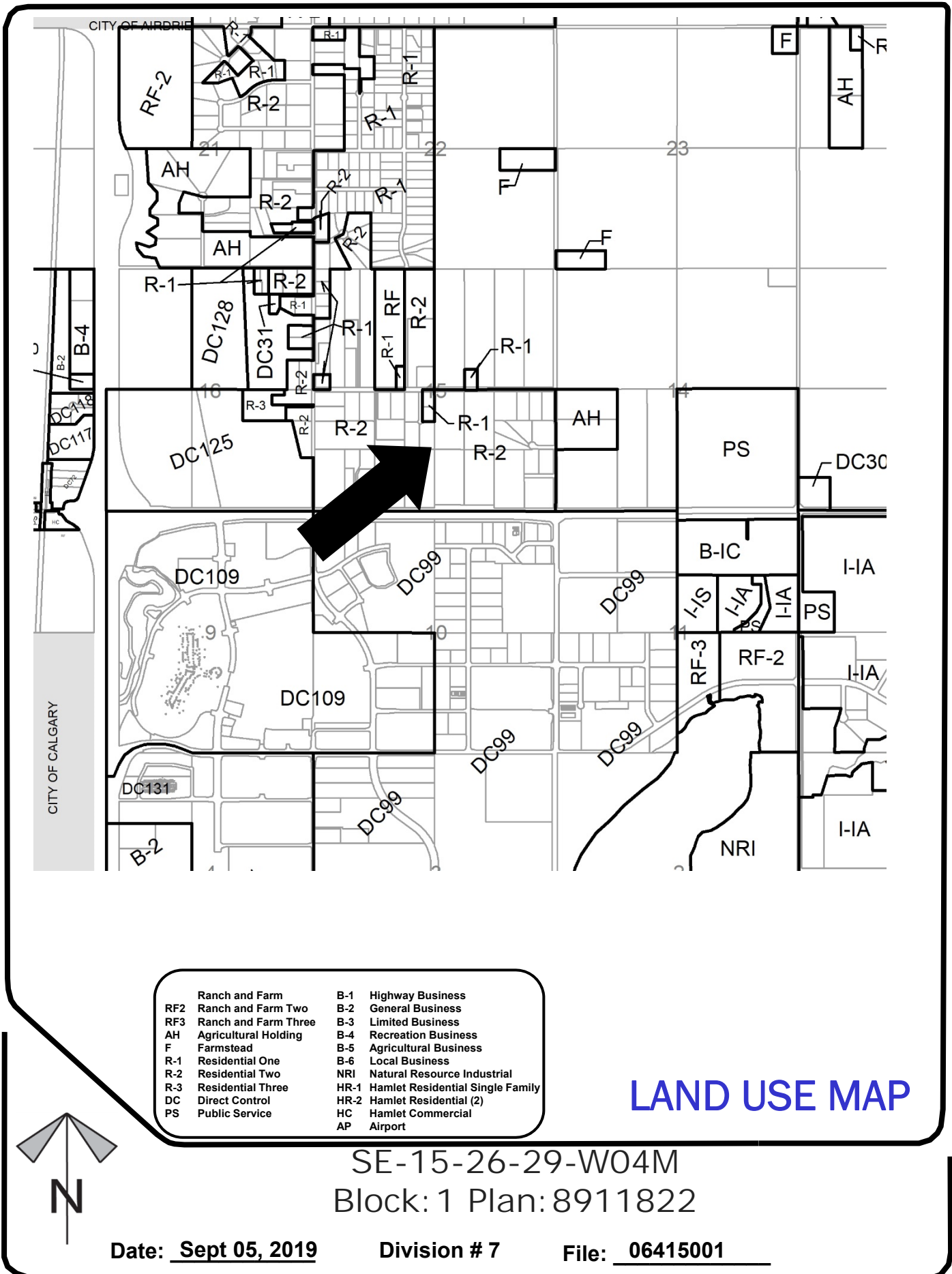


SE-15-26-29-W04M  
Block: 1 Plan: 8911822

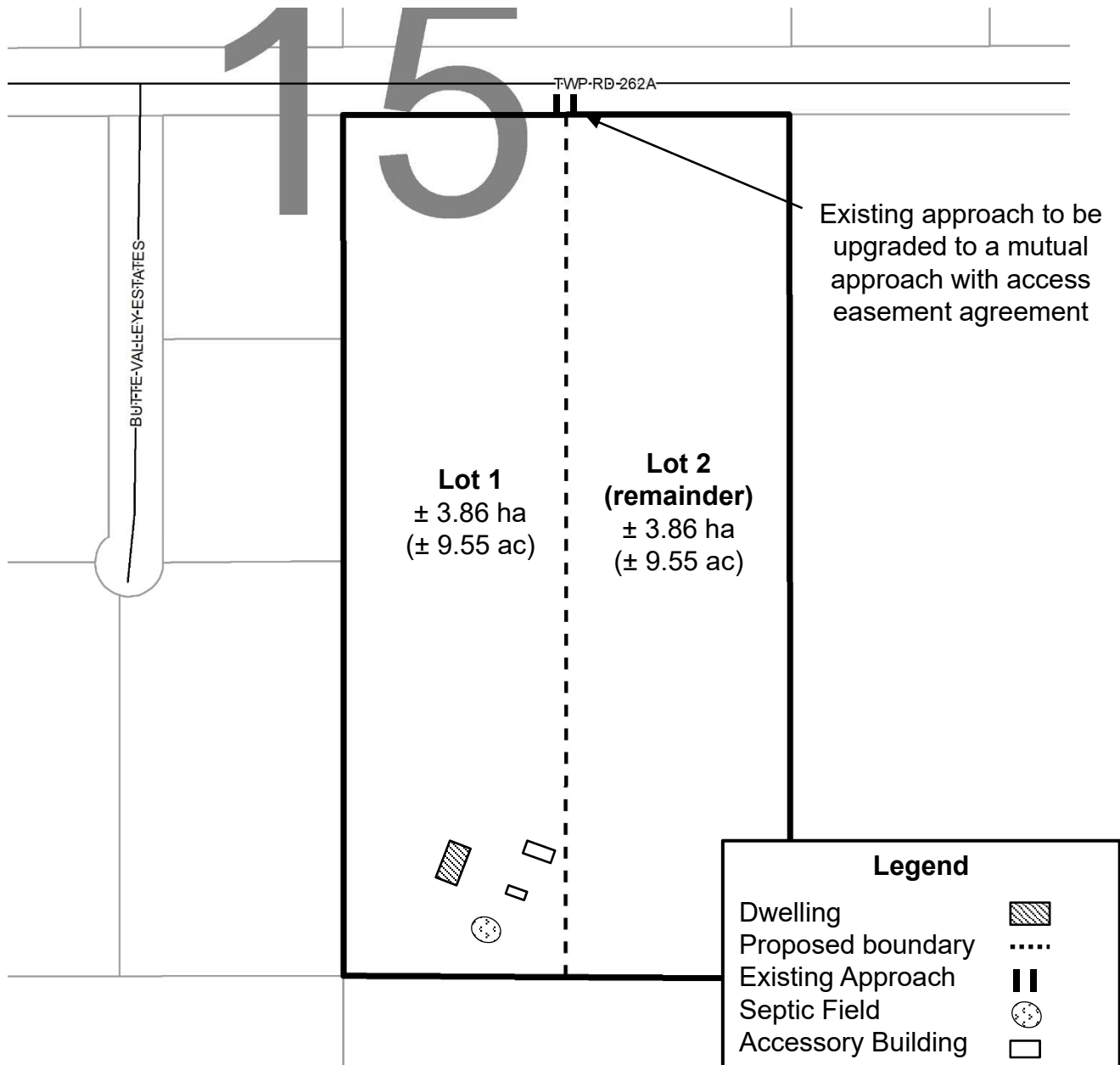
Date: Sept 05, 2019

Division # 7

File: 06415001



**Subdivision Proposal:** To create a  $\pm 3.86$  hectare (9.55 acre) parcel with a  $\pm 3.86$  hectare (9.55 acre) remainder.



**Surveyor's Notes:**

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

**TENTATIVE PLAN**

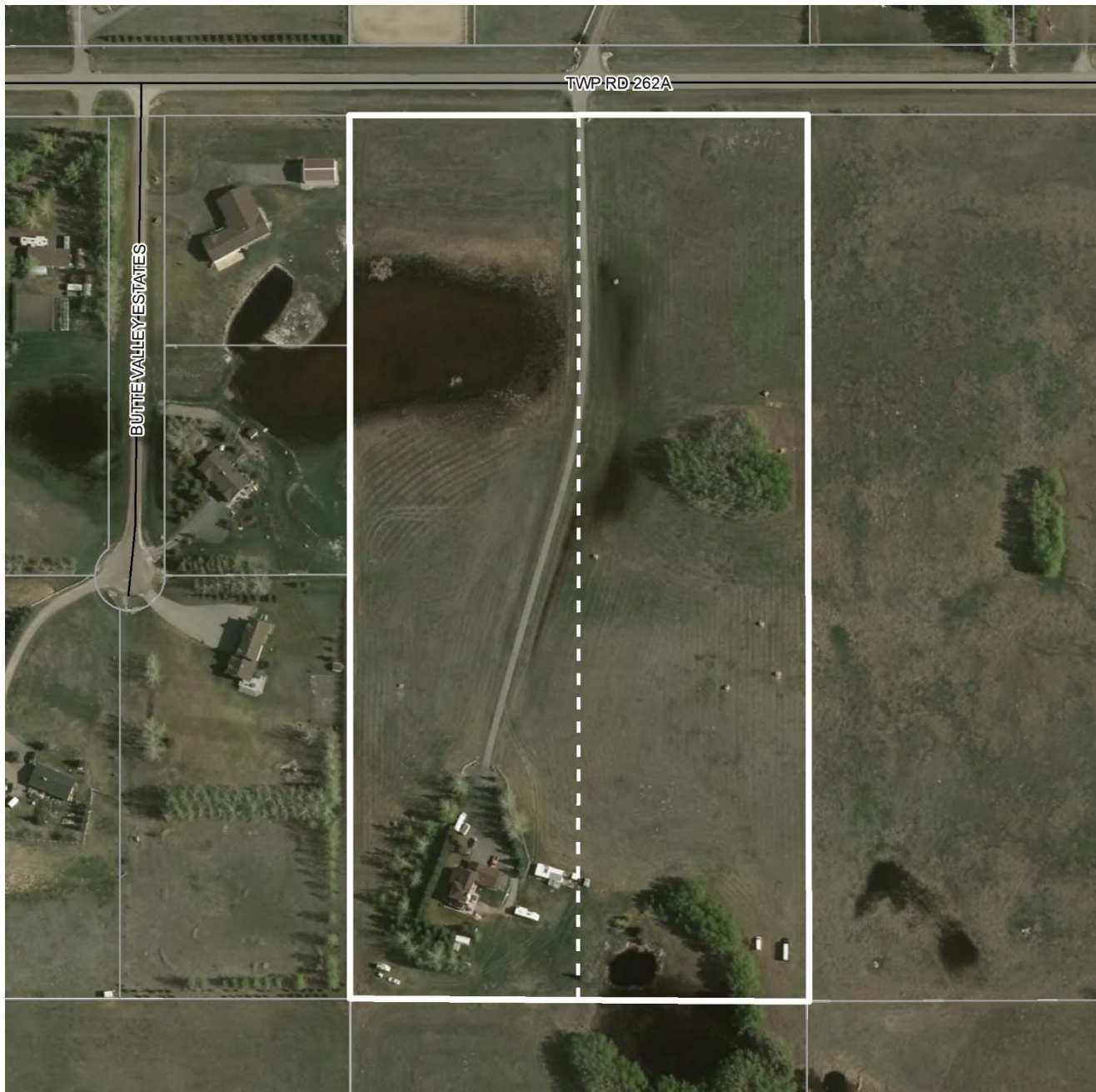
SE-15-26-29-W04M  
Block: 1 Plan: 8911822

Date: Sept 05, 2019

Division # 7

File: 06415001

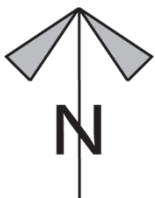




Note: Post processing of raw aerial  
photography may cause varying degrees  
of visual distortion at the local level.

**AIR PHOTO**

*Spring 2018*



SE-15-26-29-W04M  
Block: 1 Plan: 8911822

Date: Sept 05, 2019

Division # 7

File: 06415001



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

**TOPOGRAPHY**  
*Contour Interval 2 M*



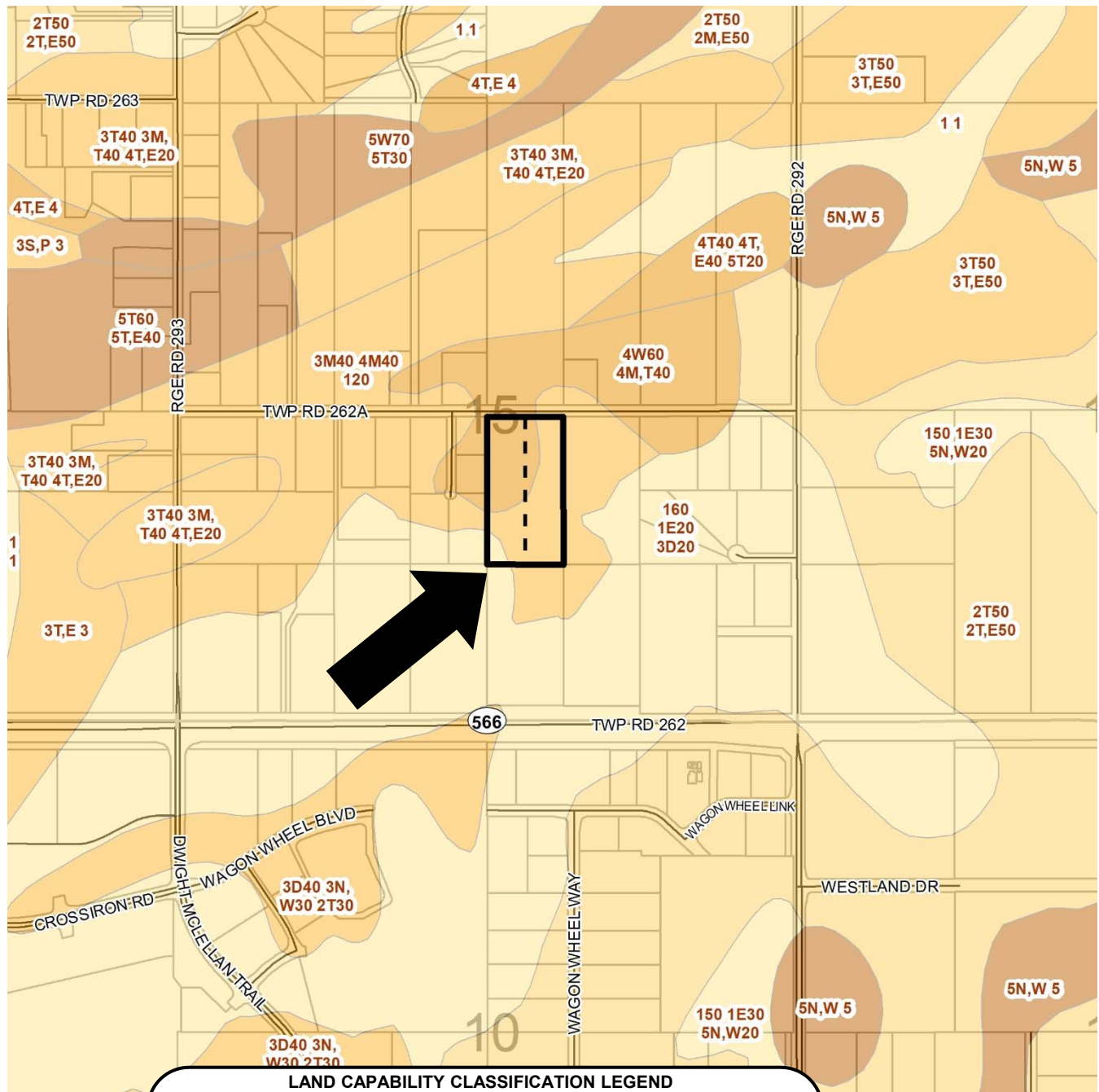
SE-15-26-29-W04M  
Block: 1 Plan: 8911822

Date: Sept 05, 2019

Division # 7

File: 06415001





**LAND CAPABILITY CLASSIFICATION LEGEND**  
*Limitations refer to cereal, oilseeds and tame hay crops*

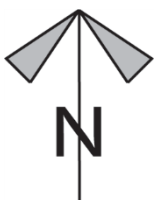
**CLI Class**

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

**Limitations**

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

**SOIL MAP**



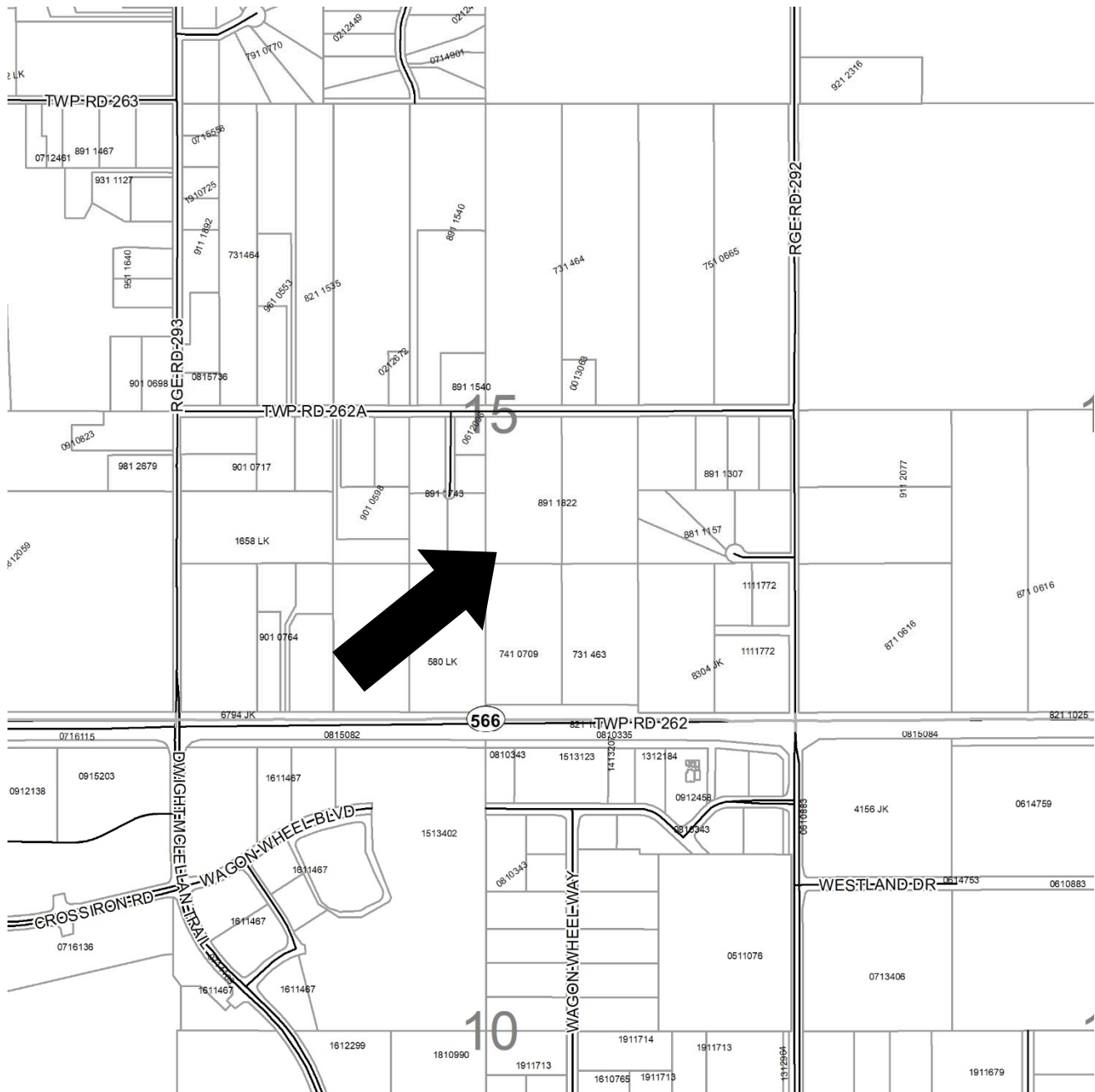
SE-15-26-29-W04M  
Block: 1 Plan: 8911822

Date: Sept 05, 2019

Division # 7

File: 06415001





**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

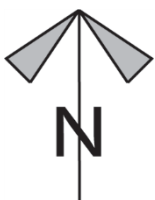
## HISTORIC SUBDIVISION MAP

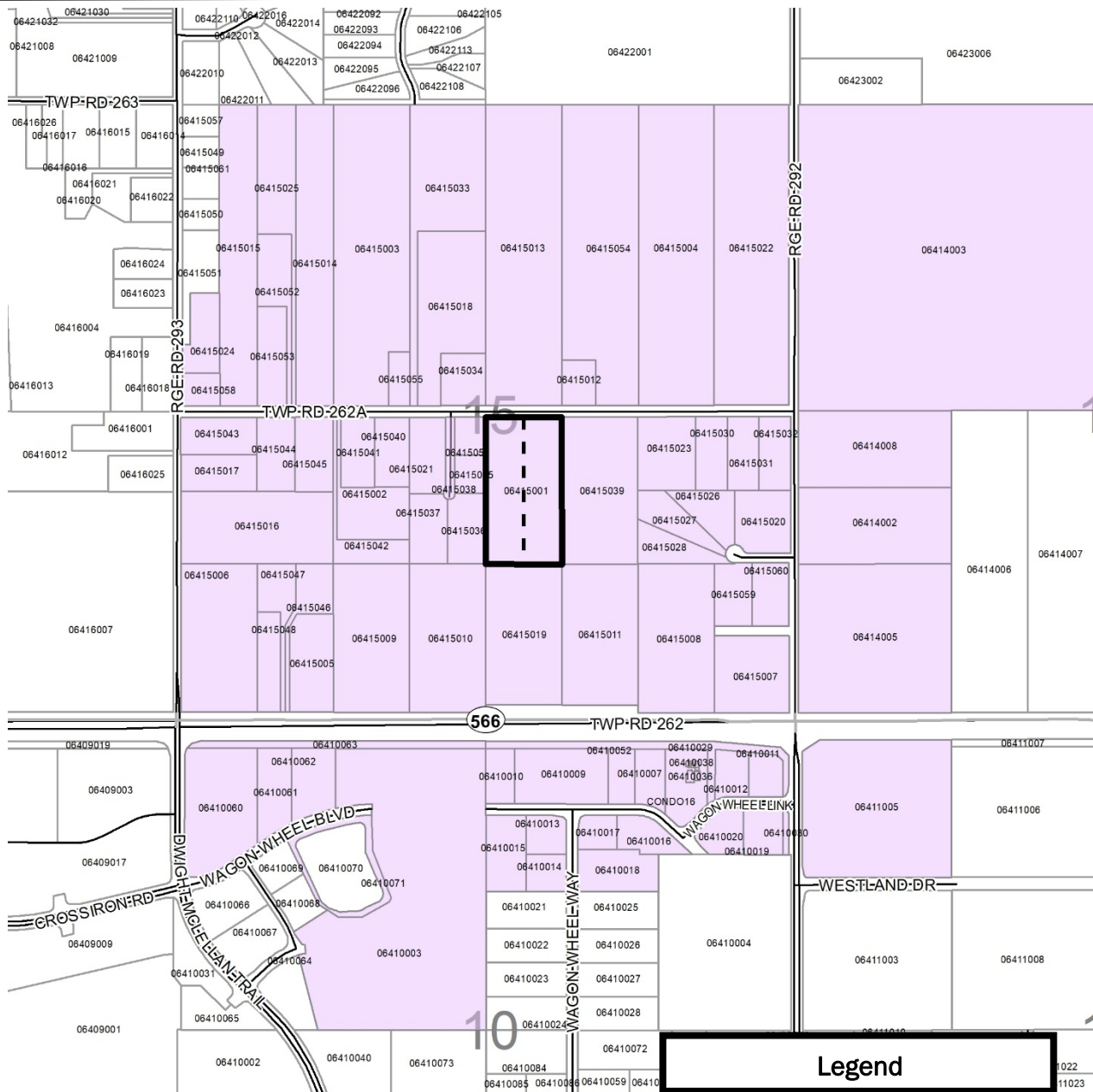
SE-15-26-29-W04M  
Block: 1 Plan: 8911822



Date: Sept 05, 2019

Division # 7

File: 06415001





 Letters in Opposition  
 Letters in Support

**Legend**

Circulation Area

Subject Lands

## LANDOWNER CIRCULATION AREA



SE-15-26-29-W04M  
Block: 1 Plan: 8911822

Date: Sept 05, 2019      Division # 7      File: 06415001

08/29/2019

To Whom It May Concern:

I am writing to you regarding my Subdivision Application for a parcel of land co-owned with my brother since 2001. From the outset, the intention to subdivide has existed, but personal circumstances caused delays. More recently, the area in which this parcel is located has been affected by the imposition of the Transport Offsite Levy, Bylaw C-7356-2014. This levy now has made it rather prohibitive for us to carry through with the subdivision, unless council would grant us an exemption. A number of considerations have therefore prompted me to voice my concerns with you.

Firstly, the land in question is a 19.1 acre parcel in the Balzac area, of legal description: SE/15/26/29/04 (Lot/Block/Plan) /1/8911822. My brother, the co-owner, and his family, built a house on the land and have been living there since 1990, when it was still owned by our parents. A decision in 2001 by our parents to divest this land to us, resulted in the transfer of ownership and a Co-Ownership agreement was drafted up by our lawyer specifically stating that we, the new owners, would pursue subdivision of our property into 2 equal parcels, and that this shall be done as soon as reasonably possible. At the time of the writing of this agreement, I was fully intent on proceeding with this subdivision. However, due to family medical issues, amongst other reasons, the decision to subdivide had to be delayed. We would presently like to follow through with the originally planned subdivision but are now faced with the additional and unexpected prohibitive cost of the TOL. Had I been properly notified of its impending implementation, I would absolutely have proceeded with the application for subdivision before imposition of the levy. This situation has frustrated and complicated the nature of the co-ownership since only one of us resides on the property and therefore even the attribution of equitable evaluation is a difficult issue to resolve.

Secondly, the municipality has not given the residents in question proper notification. We have spoken with a number of residents on the street, all of who were unaware of its existence. Indeed, my brother and I had only been made aware of it by chance, when we began informing ourselves as to the procedures involved in a subdivision which we planned to undertake.

Finally, the levy in question seems to inequitably target residents on the south side of Township Road #262A, between RR #292 and #293, as the residents to the north side are unaffected, and yet are sharing the same road to access properties.

I am asking you to please take into consideration my unique circumstances in this matter and am requesting that for my purposes, an exemption to the levy be made. I am aware that part (d) of Section #6, Exemptions, of the bylaw, which states:

*d) Any Lands or portions thereof where Council has determined, in its sole and unfettered discretion, that it is appropriate in the circumstances to not impose the Levy upon such portion of the Lands as a result of the Development contemplated in the applicable Development Permit or Subdivision Approval.*

... leaves considerable discretion to Council with regard to granting an exemption and I am hoping that my unique circumstances would qualify for consideration of this exemption.

Yours truly,

Fred Heger

Also, See back →



## Proposed Subdivision Plan:

The co-owners (Fred Heger & Georg Heger) propose to subdivide our 19.1 Acre Parcel into two 9.55 Acre parcels (one 9.55 lot broken off). There are no plans to change any existing water or sewage systems. The existing system is a shallow well with a septic sewage system. There will be no additional access roads to the property therefore not creating any additional traffic to the area. The land will remain untouched (both the existing and new parcel).