

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

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

February 20, 2019

A CALL MEETING TO ORDER

B DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 5 File: 04328012; PRDP20184099 Page 3

Continuation of a hearing adjourned on December 19, 2018. This is an appeal against the Development Authority's decision to APPROVE the renewal of a development permit for a campground, tourist, to allow for seasonal use of existing holiday trailer park for 172 sites and a maximum stay of 180 days at 244024 Conrich Road and 244028 Conrich Road, SW-28-24-28-W4M, located at the north east junction of Highway 1 and Range Road 284.

Applicant: Mountain View Camping
Owner: Heinrich Braeutigam
Appellant: Baljit Johal

2. Division 3 File: 04608059; PRPD20184593 Page 38

This is an appeal against the Development Authority's decision to CONDITIONALLY APPROVE a development permit for single-lot regrading and placement of clean fill at 24223 TWP RD 242 (Edenbrook Cemetery), NW-08-24-02-W5M, located in the central Springbank area, at the southwest corner of Lower Springbank Road and Township Road 242.

Appellants: Larry Stewart
Applicant: Cosimo Casale
Owner: Arbor Memorial Inc.

10:30 AM APPOINTMENTS

3. Division 6 File: 06217001; PRDP20184716 Page 83

This is an appeal against the Development Authority's decision to REFUSE a development permit for the construction of an accessory building (oversized and over height workshop), and the relaxation of the maximum height and maximum building area requirements at 274006 Township Road 262, SE-17-26-27-W4M, located approximately 1.6 kilometre (1 mile) west of the Hamlet of Kathryn, at the north west intersection of Highway 566 and Range Road 274.

Appellants/Applicant: Darryl Kneesch
Owner: Murray Schwengler

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

**ROCKY VIEW COUNTY
COUNCIL CHAMBERS
262075 ROCKY VIEW POINT
ROCKY VIEW COUNTY, AB
T4A 0X2**

February 20, 2019

4. Division 5 File: 04227009; PRDP20184675/PRDP20190080/81 Page 106

This is an appeal against the Development Authority's decision to REFUSE three development permits for a Farm dwelling, mobile home (existing), an Accessory building (existing shop), relaxation of the minimum side yard setback requirement, and Home-Based Business, Type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setbacks for outside storage, and relaxation of the maximum outside storage area at 272056 Inverlake Road, SE-27-24-27-W4M, located approximately 0.41 kilometre (1/4 mile) west of Highway 9, on the north side of Inverlake Road.

Appellants/Owner: Carlos Tejada
Applicant: Tom Lanz

1:30 PM APPOINTMENTS

5. Division 9 File: 06217001; PRDP20184716 Page 162

This is an appeal against the Development Authority's decision to REFUSE a development permit for the construction of an accessory building (oversized garage) and existing accessory buildings, and the relaxation of the minimum side yard setback, maximum building height, and total size of all accessory buildings at 262080 Prairie Wolf Pointe, SW-18-26-03-W5M, located approximately 2 miles west of Glendale Road and 1/8 mile north of Township Road 262.

Appellants/Applicant/Owner: Stacy & Michelle Dallyn

C CLOSE MEETING

D NEXT MEETING: March 13, 2019



PLANNING, DEVELOPMENT, & BYLAW SERVICES

TO: Subdivision and Development Appeal Board
DATE: February 20, 2019 **DIVISION:** 05
FILE: 04328012 **APPLICATION:** B-1; PRDP20184099
SUBJECT: Renewal of a Campground, Tourist

PROPOSAL: Renewal of a Campground, Tourist, for a holiday trailer park.	GENERAL LOCATION: Located at the northeast junction of Hwy. 1 and Rge. Rd. 284.
APPLICATION DATE: October 09, 2018	DEVELOPMENT AUTHORITY DECISION: Discretionary – Approved
APPEAL DATE: December 05, 2018	DEVELOPMENT AUTHORITY DECISION DATE: November 27, 2018
APPELLANT: Baljit Johal (569411 Alberta Ltd.)	APPLICANT: Mountain View Camping
LEGAL DESCRIPTION: Lot 1, Block B, Plan 8146 JK, SW-28-24-28-W04M	MUNICIPAL ADDRESS: 244024 CONRICH RD
LAND USE DESIGNATION: Recreation Business District (B-4)	GROSS AREA: ± 6.99 hectares (± 17.27 acres)
PERMITTED USE: Campground, Tourist is a discretionary use within the Recreation Business District.	DEVELOPMENT VARIANCE AUTHORITY: N/A
PUBLIC SUBMISSIONS: The application was circulated to 12 adjacent landowners. At the time this report was prepared, no letters were received in support or opposition to the application.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> County Plan (C-7280-2013) Land Use Bylaw (C-4841-97) Conrich ASP (C-7468-2015)

EXECUTIVE SUMMARY:

This application is for the renewal of a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage).

The subject land is a ± 6.99 hectare (± 17.27 acre) Recreation Business District parcel, in which a Campground, Tourist is a discretionary use. The lands surrounding the subject property include a Recreation Business District zoned parcel to the east, agricultural lands to the north and west, and the city of Chestermere to the south.



The property is developed as a recreational vehicle campground with 172 serviced sites, a private residence, a storage Quonset, and overflow parking. There are various amenities for guests, including a grocery store, shower facilities, a dump station, mini golf, a playground, and group fire pit areas.

On November 27, 2018, the application was approved by the Development Authority. On December 5, 2018, an adjacent landowner filed an appeal on the basis that water drainage is impacting their property.

On October 31, 2006, the renewal application was also appealed due to drainage concerns by an adjacent landowner. The Board granted an approval of the permit with the condition that a Storm Water Management Plan (SWMP) is implemented in order to address the concerns of the appellants. The SWMP was submitted in April 2008 and signed off on by Engineering Services. A recent visual inspection by Engineering Services confirmed that the Storm Water Management Plan appears to have been implemented on site.

As there have been no changes to the development since the renewal application in 2006, the Development Authority has determined that there are no additional storm water requirements at this time.

The appeal hearing was scheduled for December 19, 2018. New information about the application was obtained during a site inspection conducted two days prior to the hearing. As such, the Development Authority requested an adjournment in order to re-advertise the hearing with the new information. The Board determined that, as more time was needed to review the new information and the technical documentation submitted by the Appellant, the hearing was adjourned to February 20, 2019.

PROPERTY HISTORY:

August 31, 2016	<p>Development Permit PRDP20153647 issued for the renewal of a Campground, Tourist, (to allow for seasonal use of existing holiday trailer park for 40 sites and a maximum stay of 180 days).</p> <ul style="list-style-type: none"> - The maximum stay for long-term sites was increased from 120 days to 180 days; - The hours of operation were changed from year-round to seasonal hours (closed from November 15 to March 1 annually); - The number of sites to be used for year-round, paid storage was increased from 16 to 20; - The servicing for the 20 storage sites was upgraded; - The Development Authority had no concerns regarding storm water as no changes to the site were proposed and previous requirements by the Board had been satisfied.
May 27, 2009	<p>Existing Campground, Tourist, construction of a storage building</p> <ul style="list-style-type: none"> - This application was appealed by an adjacent landowner due to concerns about drainage. - The permit was approved by the Development Appeal Board with a prior to issuance condition requiring that the Storm Water Management Plan (SWMP) submitted in 2008 be updated to account for the Quonset addition. - The Applicant provided a memo from Jubilee Engineering on March 24, 2009, which confirmed that the Quonset would not affect the SWMP.



January 31, 2006	<p>Development Permit 2006-DP-12241 issued for the renewal of a Campground, Tourist (to allow for year round use of existing holiday trailer park for 40 sites and a maximum stay of 120 days).</p> <ul style="list-style-type: none"> - This application was appealed by an adjacent landowner due to concerns about drainage. - The Board approved the permit with a prior to issuance condition to submit a SWMP. - The SWMP condition was fulfilled in April 2008.
March 18, 1998	<p>Development Permit 1997-DP-7518 issued, which included an amendment to Campground, Tourist, to allow for the year round use of 40 sites.</p> <ul style="list-style-type: none"> - The Development Authority refused the application on the basis that a Campground, Tourist is not to be used as semi-permanent or permanent residences. This decision was appealed by the Applicant and the Board overturned the decision of the Development Authority.
June 15, 1995	<p>Development Permit 1995-DP-5990 issued, which included an amendment to Campground, Tourist, to allow for 48 additional campsites and 16 over-winter storage sites for recreational vehicles.</p>
May 14, 1992	<p>Development Permit 1992-DP-4339 issued, which included an amendment to Campground, Tourist, to allow for extended camping stays of longer than fourteen (14) days.</p>
October 12, 1984	<p>Development Permit 1984-DP-2241 issued for a Campground, Tourist.</p>

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Matthew Wilson
 Manager, Planning, Development, & Bylaw Services
 SKh/rp

DEVELOPMENT PERMIT REPORT

Application Date: October 09, 2018	File: 04328012
Application: PRDP20184099	Applicant/Owner: Mountain View Camping
Legal Description: Lot 1, Block B, Plan 8146 JK, SW-28-24-28-04	General Location: Located at the northeast junction of Hwy. 1 and Rge. Rd. 284
Land Use Designation: Recreation Business District (B-4)	Gross Area: ±6.99 hectares (±17.27 acres)
File Manager: Sandra Khouri	Division: 05

PROPOSAL:

The proposal is for the renewal of a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage).

Application History:

- The development has been on-site since 1984;
- The previous renewal approved an increase to the length of stays for long-term sites from 120 days to 180 days;
- There are no Enforcement concerns on file for this property.

Application Details:

- While no changes were indicated in the application forms, additional information about the Campground operations was obtained during a site inspection and subsequent discussion with the Applicant. This includes the following:
 - After 2015, the Applicant decided to go back to operating the campground year-round but with fewer staff on site during the winter;
 - The 20 storage sites are only used during the winter months (between September and May);
 - The 20 over-winter storage sites are not restricted to a specific location on the property so customers are able to keep their units on the site that they will return to in the spring.
- Overall, there are 172 camping sites, 132 of which are used for short-term stays not exceeding 30 consecutive days, 40 of which are used for long-term stays not exceeding 180 consecutive days, 20 of which are used for over-winter storage, and two of which are used for maintenance and security staff;
- There are no permanent residents of the camping sites;
- All sites are serviced (water, sewage, power);
- Each camping space contains one parking spot for motor vehicles and there is additional space on site for overflow parking (for visitors, etc.) on the east side of the property;
- Additional amenities on-site include a petting zoo, an office/store, fully serviced washrooms/showers, a playground, mini golf, a picnic shelter, and two group fire pit areas;
- There appears to be two signs on site that include the name of the business and the website, and two directional signs directing visitors to the office;
- There are no changes to the development that would constitute additional Engineering requirements.



Land Use Bylaw (C-4841-97) Requirements:

Section 8 Definitions:

CAMPGROUND, TOURIST means development of land for the use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses

Section 55 Recreation Business District (B-4)

55.1 Purpose and Intent

The purpose and intent of the district is to allow for a wide range of recreational business uses.

55.3 Uses, Discretionary

Campground, Tourist

Schedule 5 Parking Schedule (Campground)

- 1 per camping space; plus 0.2 per camping space as overflow parking:
 - Each of the 172 camping spaces contains a parking spot;
 - There is an area on the east side of the property to the north of the barn for overflow parking (172 spaces x 0.2 = 34 required overflow parking spots);
 - The space allocated to overflow appears to be sufficient.

Property History:

August 31, 2016	<p>Development Permit PRDP20153647 issued for the renewal of a Campground, Tourist, (to allow for seasonal use of existing holiday trailer park for 40 sites and a maximum stay of 180 days).</p> <ul style="list-style-type: none"> - The maximum stay was increased from 120 days to 180 days; - The hours of operation were changed from year-round to seasonal hours (closed from November 15 to March 1 annually); - The number of sites to be used for year-round paid storage was increased from 16 to 20; - The servicing for the 20 storage sites was upgraded; - The Development Authority had no concerns regarding Stormwater.
October 09, 2012	Renewal approved for Campground, Tourist.
December 29, 2009	Renewal approved for Campground, Tourist.
May 27, 2009	<p>Existing Campground, Tourist, construction of a storage building</p> <ul style="list-style-type: none"> - This application was appealed by an adjacent landowner due to concerns about drainage. - The permit was approved by the Development Appeal Board with a prior to issuance condition requesting that the SWMP submitted in 2008 be updated to account for the Quonset addition.
January 31, 2006	<p>Development Permit 2006-DP-12241 issued for the renewal of a Campground, Tourist (to allow for year round use of existing holiday trailer park for 40 sites and a maximum stay of 120 days).</p> <ul style="list-style-type: none"> - This application was appealed by an adjacent landowner due to

	concerns about drainage. <ul style="list-style-type: none"> - The Board approved the permit with a prior to issuance condition to submit a Stormwater Management Plan (SWMP). - The SWMP condition was fulfilled in April 2008.
November 5, 2003	Renewal approved for Campground, Tourist.
November 14, 2001	Renewal approved for Campground, Tourist.
June 30, 1999.	Renewal approved for Campground, Tourist.
March 18, 1998	Development Permit 1997-DP-7518 issued, which included an amendment to Campground, Tourist, to allow for the year round use of 40 sites. <ul style="list-style-type: none"> • The Development Authority refused the application on the basis that a Campground, Tourist is not to be used as semi-permanent or permanent residences. This decision was appealed by the Applicant and the Board subsequently approved the development permit.
May 15, 1997	Renewal approved for Campground, Tourist.
June 15, 1995	Development Permit 1995-DP-5990 issued, which included an amendment to Campground, Tourist, to allow for 48 additional campsites and 16 over-winter storage sites for recreational vehicles.
May 4, 1995	Renewal approved for Campground, Tourist.
May 13, 1993	Renewal approved for Campground, Tourist.
May 14, 1992	Development Permit 1992-DP-4339 issued, which included an amendment to Campground, Tourist, to allow for extended camping stays of longer than fourteen (14) days.
October 12, 1984	Development Permit 1984-DP-2241 issued for a Campground, Tourist.

STATUTORY PLANS:

This property is located within the Chestermere Notification area and the City of Calgary/Rocky View County Intermunicipal Development Plan; both municipalities were circulated for comments. No response was received from Chestermere, and the City of Calgary has no concerns with the renewal.

The property is also located within the Conrich Area Structure Plan (Conrich ASP) in the Highway Business policy area. The policy states that “the primary regional highway business land uses should be large format retail centres, shopping centres, outlet malls, office buildings, business parks, regional services, and **tourist facilities** that benefit from access to Highway 1 or Stoney Trail. Other acceptable uses include institutional uses, **campgrounds**, medical treatment centres, recreation facilities, and light industry where there are no nuisance factors outside of the enclosed building. Therefore, the existing campground development is in line with the policies of the Conrich ASP.



INSPECTOR'S COMMENTS:

Inspection (December 17, 2018):

- Operational;
- About 40 RVs on site;
- Some with skirting;
- Some stored (on site without an occupant);
- 2 evaporation ponds, one on the NW side of the site and the other on the SE side;
- The SE pond has a culvert between the 2 property lines to equalize drainage;
- 2 employees live on site in RVs in the NE corner;
- Some snowbirds leave RVs there for 6 months then reside on site the other 6 months;
- Indication that there are long term stays.

Inspection (November 13, 2018):

Development:

- Campground site (RV);
- Mini golf;
- Playground;
- Admin office.

Landscaping/screening:

- Well screened along north property line;
- Some screening along west property line.

CIRCULATIONS: Requested comments by November 28, 2018

Alberta Transportation (November 20, 2018)

Alberta Transportation has no concerns of the proposal and the RDP #1476-4-0338 remains valid.

Alberta Environment and Parks

No comments received.

Building Services, Rocky View County

No comments received.

Bylaw and Municipal Enforcement, Rocky View County (November 27, 2018)

Enforcement has no concerns.

City of Calgary (November 23, 2018)

The City of Calgary has reviewed the below noted circulated application referencing the Rocky View/Calgary Intermunicipal Development Plan (IDP) and other applicable policies.

The City of Calgary has no comments regarding Application # PRDP20184099 – renewal of a Campground, Tourist (to allow for seasonal use of existing holiday trailer park for 40 sites and a maximum stay of 180 days).

Emergency Services, Rocky View County (November 22, 2018)

Having reviewed the circulation, the (formerly Fire Service) Emergency Services has the following comments:

1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes.



2. Dependent on the occupancies, the Fire Service recommends that permanent buildings be sprinklered, if applicable, as per the Alberta Building Code.
3. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards. All road widths need to be 6m and capable of carrying the loads of emergency vehicles. Also, a secondary egress/access route is required for the site.

There are no further comments at this time.

City of Chestermere

No comments received.

OPTIONS:

Option #1 (this would allow the Campground, Tourist to continue to operate)

That the appeal against the decision of the Development Authority to approve a Development Permit for the renewal of a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage) on Lot 1, Block B, Plan 8146 JK, SW-28-24-28-W04M (244024 CONRICH RD) be denied, that the decision of the Development Authority be upheld, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage) may continue to operate on the subject parcel in accordance with the approved Site Plan submitted with the application.

Permanent:

- 1) That for the purposes of this development permit, short-term stays are considered to be equal to or less than 30 consecutive days.
- 2) That for the purposes of this development permit, long-term stays are considered to be greater than 30 consecutive days up to 180 consecutive days.
- 3) That any short-term stays shall not exceed 30 consecutive days and any long-term stays shall not exceed 180 consecutive days.
- 4) That the storage of recreational vehicles in the over-winter storage sites shall only occur between September 1 and May 1 and there shall be no residential occupancy of the recreational vehicles parked in the over-winter storage sites during this time.
- 5) That there shall be no permanent residential occupancy of any sites at any time.
- 6) That no commercial vehicles may be parked in any of the long-term stay sites or any of the over-winter storage sites.
- 7) That a maximum of two sites may be occupied year-round by employees carrying out maintenance work on the property.
- 8) That the operator shall maintain a log book of all recreational vehicles.
- 9) That the log book shall be made immediately available to the County for inspection upon request, and the log shall contain, for all the long-term sites, the name of the recreational vehicle occupant/owner, the date of arrival, the date of departure, the make and model of the recreational vehicle, the vehicle identification number, and the site number.



- 10) That the Applicant/Owner shall file the most current water wells report with Rocky View County for information.
- 11) That no recreational vehicle shall have any skirting or other construction placed around the perimeter of the unit except for factory manufactured skirting.
- 12) That there shall be no sheds or similar storage facilities on any of the camping sites at any time.
- 13) That there shall be no shelters erected on any of the camping sites other than awnings connected to the recreational vehicle.
- 14) That there shall not be more than two (2) motor vehicles, other than the travel trailer or recreational vehicle, on any camping site at any time.
- 15) That the exterior appearance of all recreational vehicles shall be of a high standard, as determined by the Development Authority.
- 16) That the operator shall provide adequate dump station facilities and adequate sewage and garbage collection.
- 17) That the existing identification and directional signage on the property may remain on site.

Advisory:

- 18) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Option #2 (this would allow the Campground, Tourist to continue to operate with the requirement that an updated Storm Water Management Plan be submitted)

That the appeal against the decision of the Development Authority to approve a Development Permit for the renewal of a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage) on Lot 1, Block B, Plan 8146 JK, SW-28-24-28-W04M (244024 CONRICH RD) be denied, that the decision of the Development Authority be upheld, and that the Development Permit be issued, subject to the following conditions:

Description:

- 1) That a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage) may continue to operate on the subject parcel in accordance with the approved Site Plan submitted with the application.

Prior to Issuance:

- 2) That an updated version of the existing Jubilee Storm Water Management Plan (dated April 28, 2008) shall be submitted demonstrating that drainage will not impact adjacent properties.

Permanent:

- 3) That for the purposes of this development permit, short-term stays are considered to be equal to or less than 30 consecutive days.
- 4) That for the purposes of this development permit, long-term stays are considered to be greater than 30 consecutive days up to 180 consecutive days.



- 5) That any short-term stays shall not exceed 30 consecutive days and any long-term stays shall not exceed 180 consecutive days.
- 6) That the storage of recreational vehicles in the over-winter storage sites shall only occur between September 1 and May 1 and there shall be no residential occupancy of the recreational vehicles parked in the over-winter storage sites during this time.
- 7) That there shall be no permanent residential occupancy of any sites at any time.
- 8) That no commercial vehicles may be parked in any of the long-term stay sites or any of the over-winter storage sites.
- 9) That a maximum of two sites may be occupied year-round by employees carrying out maintenance work on the property.
- 10) That the operator shall maintain a log book of all recreational vehicles.
- 11) That the log book shall be made immediately available to the County for inspection upon request, and the log shall contain, for all the long-term sites, the name of the recreational vehicle occupant/owner, the date of arrival, the date of departure, the make and model of the recreational vehicle, the vehicle identification number, and the site number.
- 12) That the Applicant/Owner shall file the most current water wells report with Rocky View County for information.
- 13) That no recreational vehicle shall have any skirting or other construction placed around the perimeter of the unit except for factory manufactured skirting.
- 14) That there shall be no sheds or similar storage facilities on any of the camping sites at any time.
- 15) That there shall be no shelters erected on any of the camping sites other than awnings connected to the recreational vehicle.
- 16) That there shall not be more than two (2) motor vehicles, other than the travel trailer or recreational vehicle, on any camping site at any time.
- 17) That the exterior appearance of all recreational vehicles shall be of a high standard, as determined by the Development Authority.
- 18) That the operator shall provide adequate dump station facilities and adequate sewage and garbage collection.
- 19) That the existing identification and directional signage on the property may remain on site.

Advisory:

- 20) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

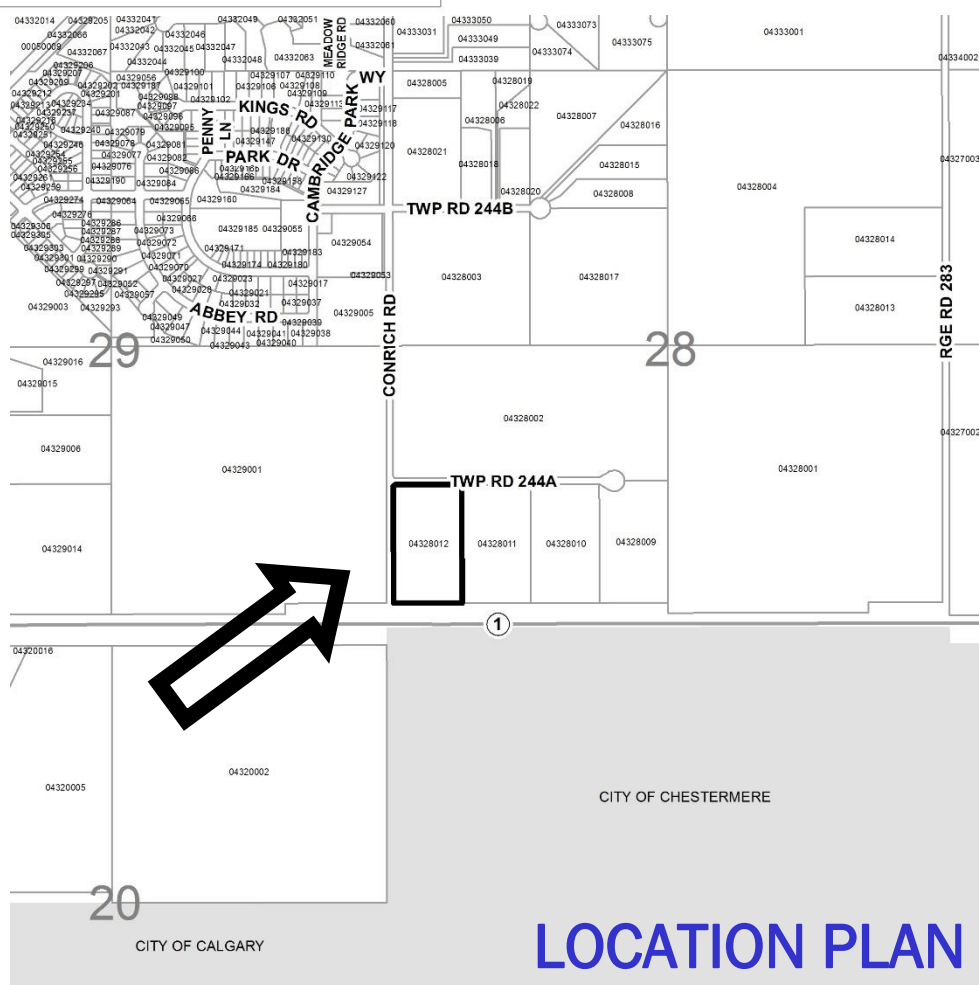
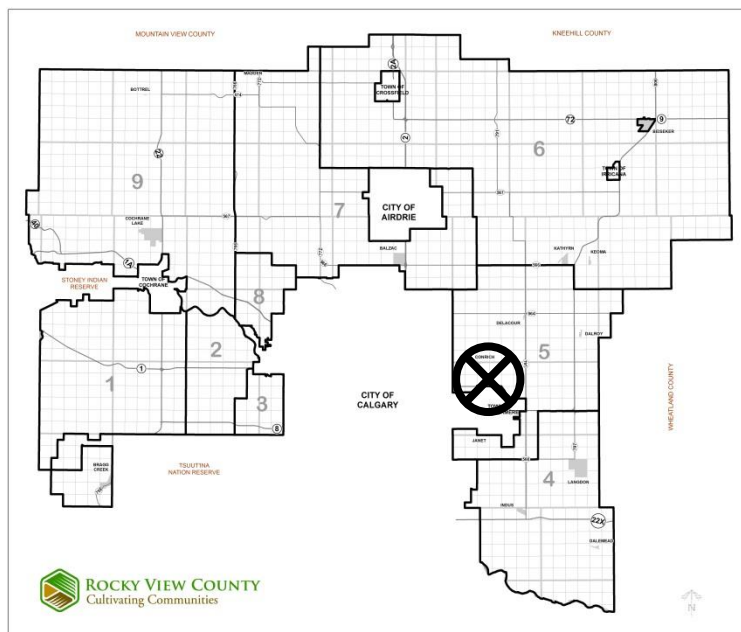


Option #3 (this would not allow the Campground, Tourist to continue to operate)

The appeal against the decision of the Development Authority to approve a Development Permit for the renewal of a Campground, Tourist (for a holiday trailer park with a maximum of 40 sites used for long-term stays, 132 sites used for short-term stays, and 20 sites used for over-winter storage) on Lot 1, Block B, Plan 8146 JK, SW-28-24-28-W04M (244024 CONRICH RD) be upheld, that the decision of the Development Authority be revoked, for the reasons that, in the opinion of the Committee:

(minimum of 2 reasons required)

- 1.
- 2.



LOCATION PLAN

SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: **12-Feb-19**

Division # **5**

File: **04328012**

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Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018

SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: 12-Feb-19

Division # 5

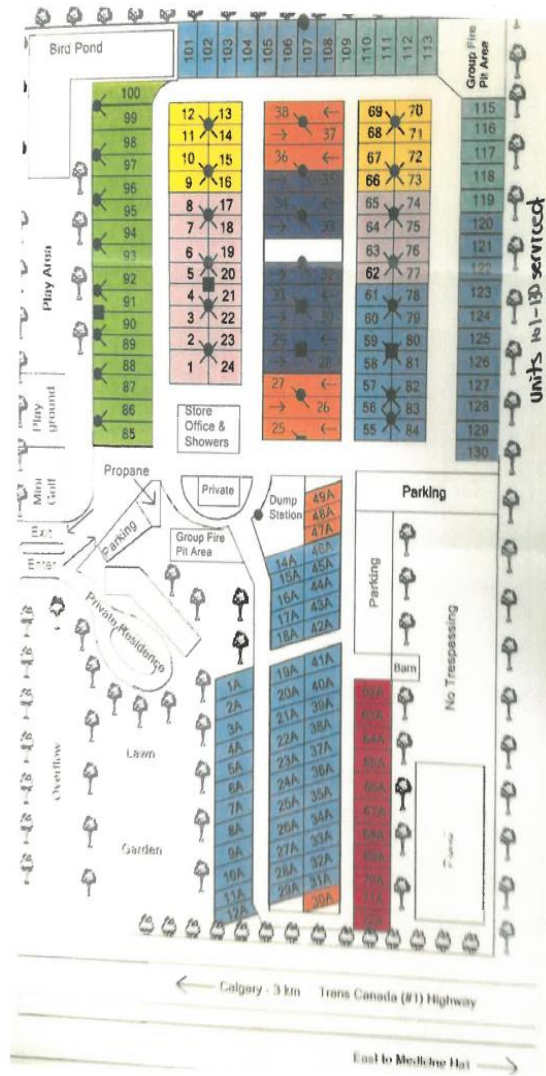
File: 04328012

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TWP-RD-244A

CONRICH RD



SITE PLAN

SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: 12-Feb-19

Division # 5

File: 04328012

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INSPECTION PHOTOS

December 17, 2018

SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

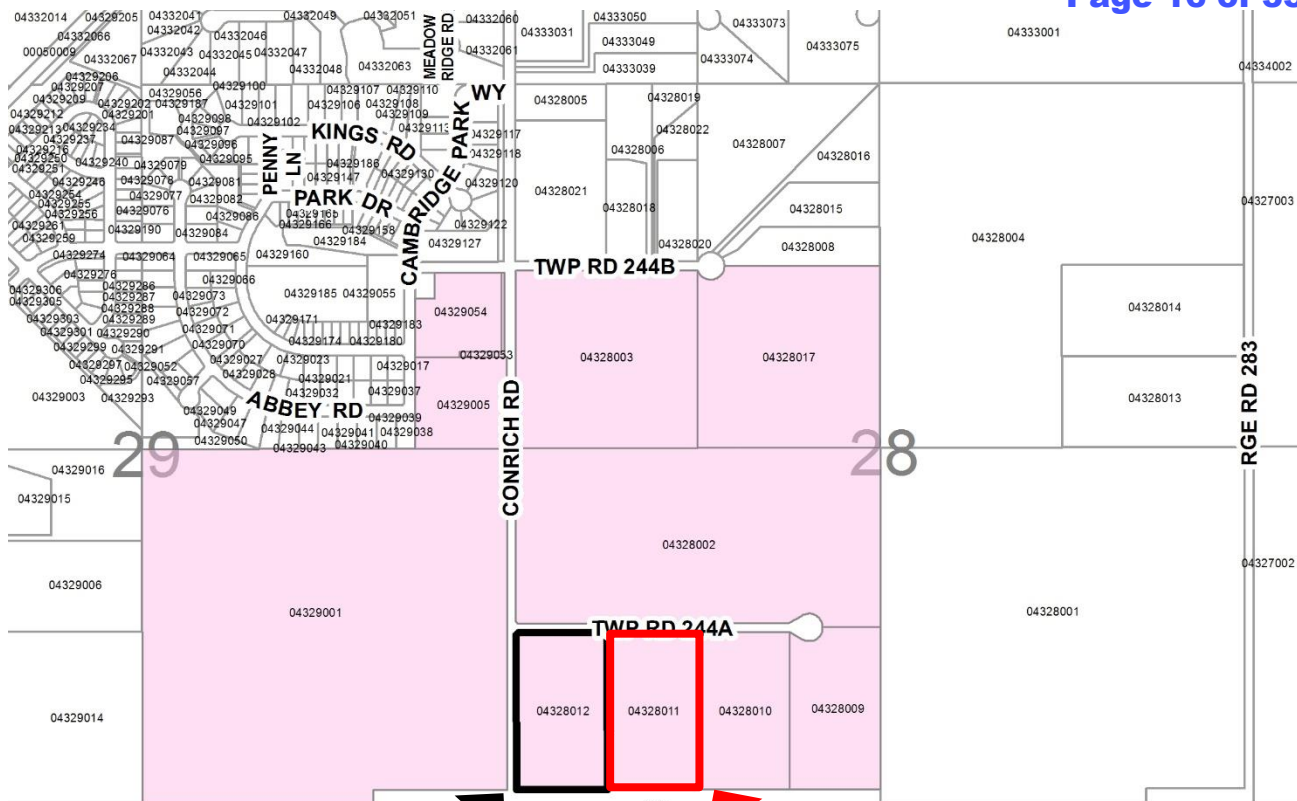
Date: 12-Feb-19

Division # 5

File: 04326012

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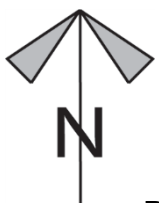


**SUBJECT
PROPERTY**

APPELLANT

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA

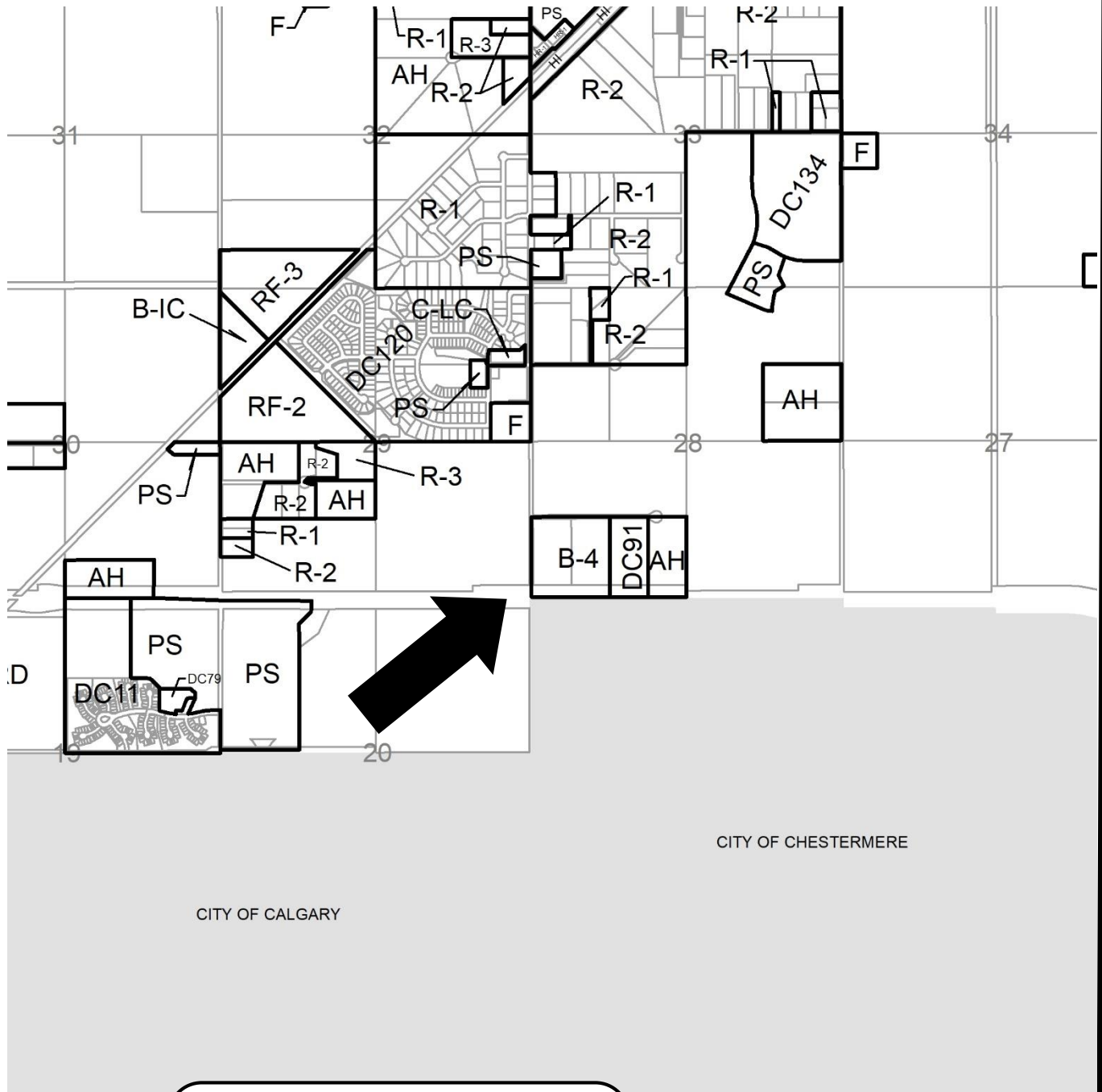


SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: **12-Feb-19**

Division # **5**

File: **04328012**



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

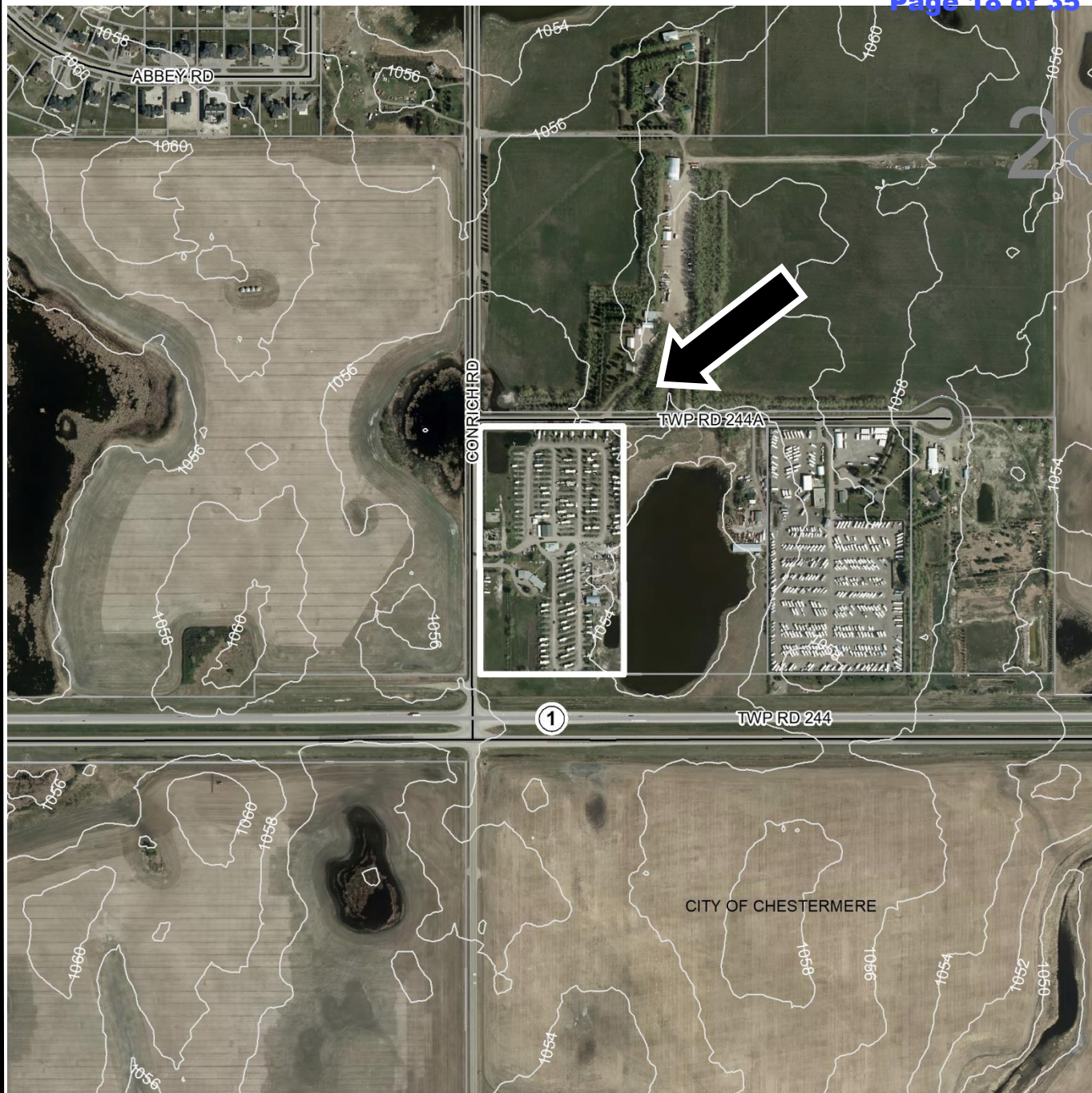
LAND USE MAP

SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: 12-Feb-19

Division # 5

File: 04326012



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

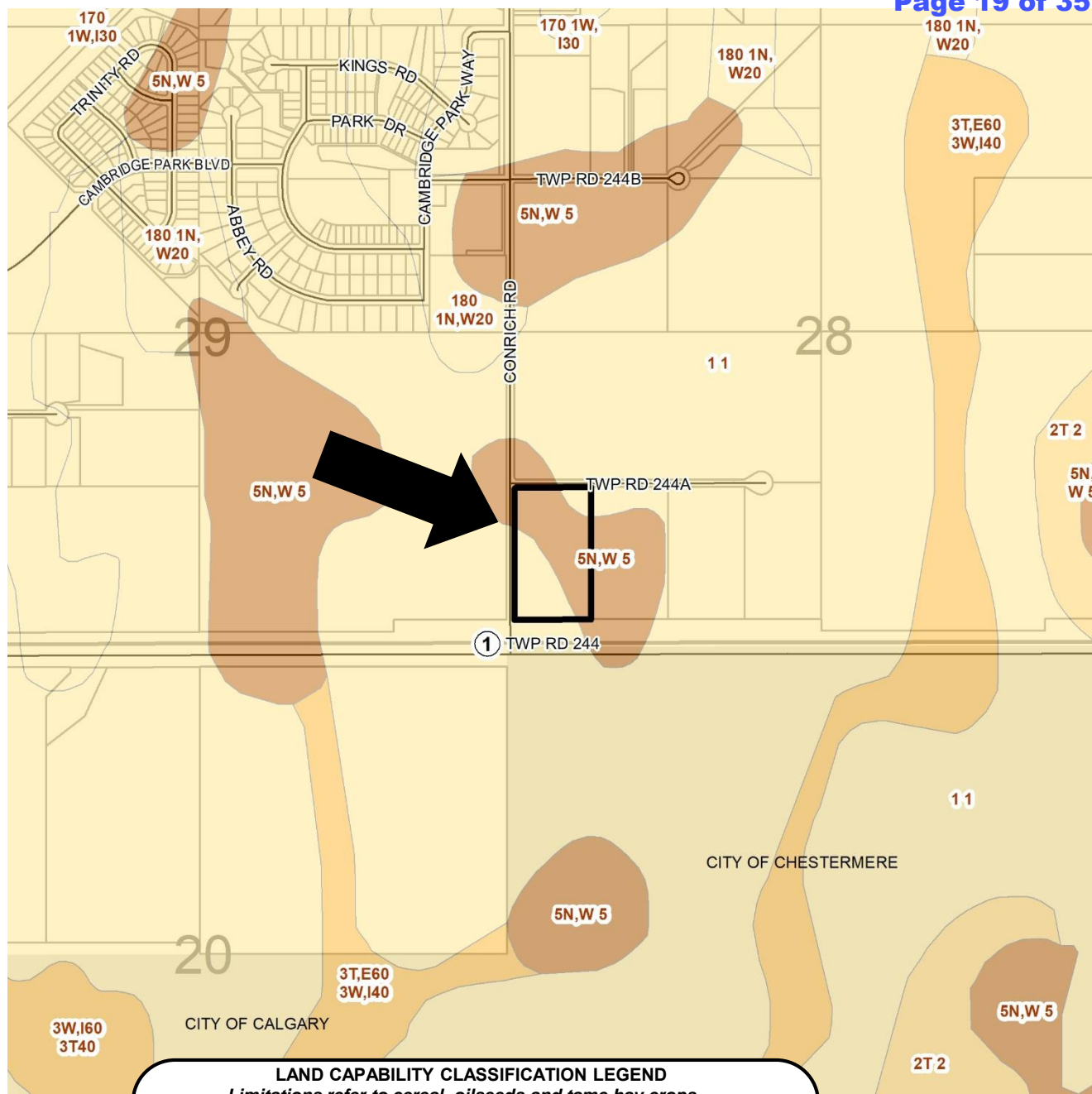


SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: **12-Feb-19**

Division # 5

File: **04326012**



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

SW-28-24-28-W04M

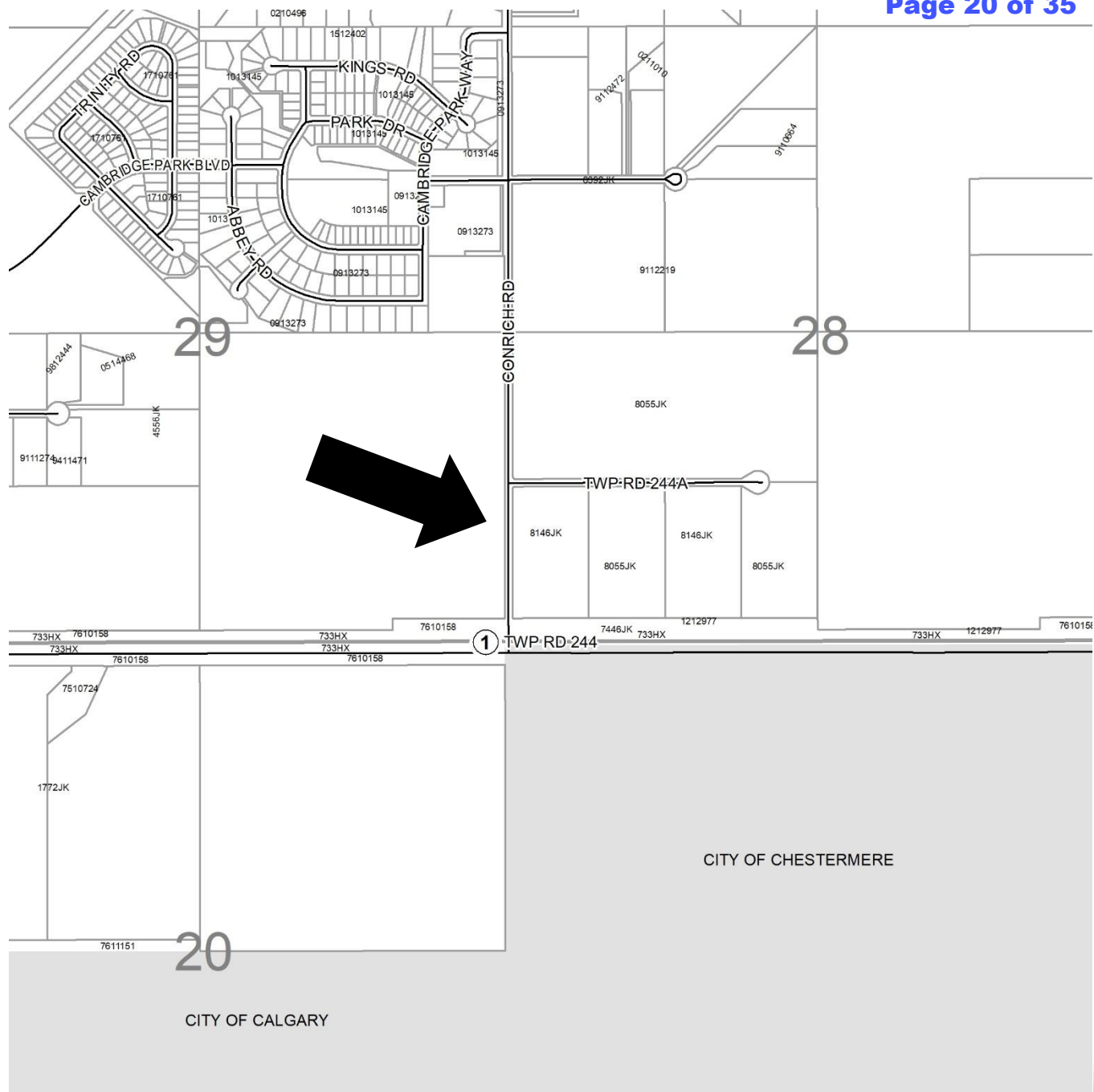
Lot:1 Block:B Plan:8146 JK

Date: 12-Feb-19

Division # 5

File: 04326012

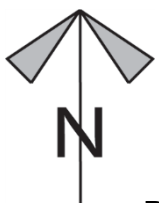
Agenda Page 21 of 192



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



SW-28-24-28-W04M
Lot:1 Block:B Plan:8146 JK

Date: 12-Feb-19

Division # 5

File: 04326012



ROCKY VIEW COUNTY
Cultivating Communities

Notice of Appeal

**Subdivision and Development Appeal Board
Enforcement Appeal Committee**

Appellant Information			
Name of Appellant(s) <div style="font-size: 1.2em; color: blue;">Baljit Johal 569411 AB Ltd.</div>			
Municipality <div style="background-color: black; height: 20px; width: 100%;"></div>	Province <div style="background-color: black; height: 20px; width: 100%;"></div>	Postal Code <div style="background-color: black; height: 20px; width: 100%;"></div>	
Home Phone # <div style="background-color: black; height: 20px; width: 100%;"></div>	Business Phone # <div style="background-color: black; height: 20px; width: 100%;"></div>	Email Address <div style="background-color: black; height: 20px; width: 100%;"></div>	
Site Information			
Municipal Address <div style="font-size: 1.2em; color: blue;">8410 24 Conrieh Rd.</div>	Legal Land Description (lot, block, plan and/or quarter-section-township-range-meridian) <div style="font-size: 1.2em; color: blue;">244028 Conrieh Rd. Lot 1 Blk B Pln 8146 JK SW-28-</div>		
Development Permit, Subdivision Application, or Enforcement Order # <div style="font-size: 1.2em; color: blue;">PRPD2018 4099</div>	Roll # <div style="font-size: 1.2em; color: blue;">04328012</div>		
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<div style="font-size: 1.2em; color: blue;">- The water drainage is coming to our property.</div>			



This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Manager of Legislative and Legal Services at 403-230-1401.


Appellant's Signature

Dec 5/18
Date



ROCKY VIEW COUNTY

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

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

Tuesday, November 27, 2018

569411 Alberta Limited
[REDACTED]

TO THE LANDOWNER

TAKE NOTICE that in accordance with Land Use Bylaw C-4841-97, a Development Permit has been approved for the lands adjacent to your property. The following information is provided regarding this permit:

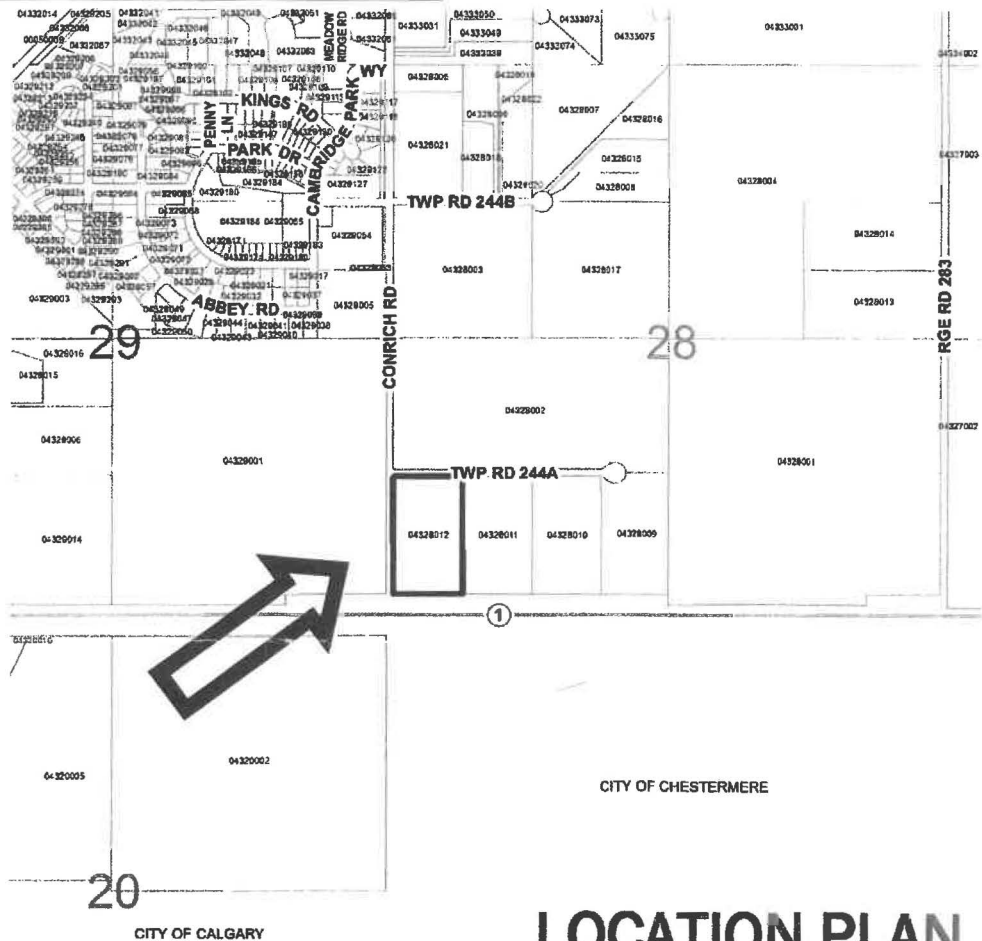
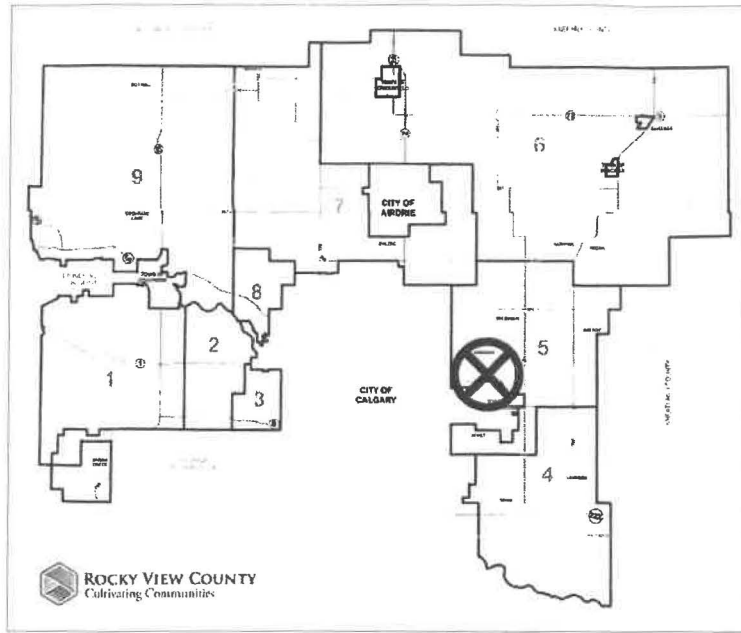
Application Number:	PRDP20184099	Division:	5
Roll Number:	04328012		
Applicant(s):	Mountain View Camping		
Owner(s):	Heinrich Braeutigam		
Application for:	Renewal of a Campground, Tourist, (to allow for seasonal use of existing holiday trailer park for 172 sites and a maximum stay of 180 days)		
Legal:	Lot 1, Block B, Plan 8146 JK, within SW-28-24-28-04; (244028 CONRICH RD and 244024 CONRICH RD)		
Location:	Located at the north east junction of Hwy. 1 and Rge. Rd. 284		

If you are affected by this decision, you may appeal to the Subdivision and Development Appeal Board of Rocky View County by submitting the Notice of Appeal form. The notice of appeal form and the requisite fee, \$350.00 if the appeal is by the owner/applicant or \$250.00 if the appeal is by an affected party, must be received in completed form by the Clerk no later than **Tuesday, December 18, 2018**.

If you require further information or have any questions regarding this development, please contact:

Matthew Wilson
Supervisor, Planning Services
Phone: 403-520-3903
Fax: 403-277-3066
Email: mwilson@rockyview.ca

Note: Please be advised that any written submissions submitted in response to this notification are considered a matter of public record and will become part of the official record. Submissions received may be provided to the applicant, or interested parties, prior to a scheduled hearing, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. Please note that your response is considered consent to the distribution of your submission.



LOCATION PLAN

SW-28-24-28-W04M

Lot:1 Block:B Plan:8146 JK

Date: Nov 22, 2018

Division #5

File: 04328012



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

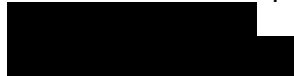
403-230-1401
questions@rockyview.ca
www.rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT

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

NOTICE OF DECISION

Mountain View Camping



Page 1 of 2

Tuesday, November 27, 2018

Roll: 04328012

RE: Development Permit #PRDP20184099

Lot 1 Block B Plan 8146 JK, SW-28-24-28-04; (244024 & 244028 CONRICH RD)

The Development Permit application for renewal of a Campground, Tourist, (to allow for seasonal use of existing holiday trailer park for 172 sites and a maximum stay of 180 days) has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the maximum stay by any recreational vehicle on this property, between March 31 and November 14, is 180 days and shall not exceed 180 consecutive days.
2. That all sites can be used for long-term camping as long as servicing to the sites is available.
3. That a maximum of 20 sites shall be used for year-round storage.

Permanent:

4. That no commercial vehicles may be parked in any of the year-round storage sites.
5. That the operator shall maintain a log book of all recreational vehicles.
6. That the log book shall be made immediately available to the County for inspection upon request, and the log shall contain, for all the long term sites, the name of the recreational vehicle occupant/owner, the date of arrival, the date of departure, the make and model of the recreational vehicle, the vehicle identification number, and the site number.
7. That the Applicant/Owner shall file the most current water wells report with Rocky View County for information.
8. That no recreational vehicle shall have any skirting or other construction placed around the perimeter of the unit except for factory manufactured skirting.
9. That there shall be no sheds or similar storage facilities on any of the camping sites at any time.
10. That there shall be no shelters erected on any of the camping sites other than awnings



ROCKY VIEW COUNTY

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

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

connected to the recreational vehicle.

11. That there shall not be more than two (2) motor vehicles, other than the travel trailer or recreational vehicle, on any camping site at any time.
12. That the exterior appearance of all recreational vehicles shall be of a high standard, as determined by the Development Authority.
13. That there shall be no school age children permanently residing in any of the camping sites during the normal school year.
14. That the operator shall provide adequate shower facilities, dump station facilities, adequate sewage and garbage collection.
15. That for purposes of this permit, a recreational vehicle is any vehicle in which overnight stays are the purpose and intent of the vehicle.
16. That no truck camper units, school bus conversions, or similar units shall be allowed to stay more than fourteen (14) days.
17. That the existing identification and directional signage on the property may remain on site.

Advisory:

18. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
19. That if and when this Development Permit is issued it shall be valid until **October 15, 2021**.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, December 18, 2018**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Matthew Wilson
Manager, Planning & Development
Phone: 403-520-8158
E-Mail: development@rockyview.ca

20184099



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

renewal of PRDP20153677 **B-4**
Page 26 of 35

FOR OFFICE USE ONLY	
Fee Submitted \$200	File Number 04328012
Date of Receipt Oct. 9/18	Receipt #

Name of Applicant MOUNTAIN VIEW CARP Email [REDACTED]

Mailing Address [REDACTED]

Postal Code 219465

Telephone (B) [REDACTED]

(H) [REDACTED]

Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name CHRIS KRAUTIGAM

Registered Owner (if not applicant) HENRY KRAUTIGAM

Mailing Address SAME AS ABOVE

Postal Code [REDACTED]

Telephone (B) [REDACTED]

(H) [REDACTED]

Fax [REDACTED]

1. LEGAL DESCRIPTION OF LAND

a) All / part of the 1/4 Section 28 Township 24 Range 28 West of 4 Meridian

b) Being all / parts of Lot [REDACTED] Block [REDACTED] Registered Plan Number [REDACTED]

c) Municipal Address 244028 + 244024 Conch Rd

d) Existing Land Use Designation CONCRETE Parcel Size 17.2 ACRES Division [REDACTED]

2. APPLICATION FOR

SEASONAL USE OF EXISTING HOLIDAY PARK

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes [REDACTED] No [REDACTED]
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes [REDACTED] No [REDACTED]
(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 [REDACTED]
- d) Does the site have direct access to a developed Municipal Road? Yes [REDACTED] No [REDACTED]

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I CHRIS KRAUTIGAM hereby certify that [REDACTED] I am the registered owner
(Full Name in Block Capitals)

[REDACTED] 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 [REDACTED]

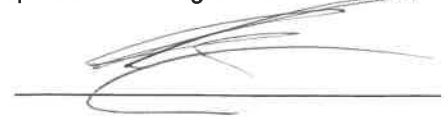
Date Oct 9/18

Owner's Signature [REDACTED]

Date [REDACTED]

5. RIGHT OF ENTRY

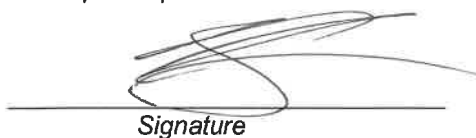
I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

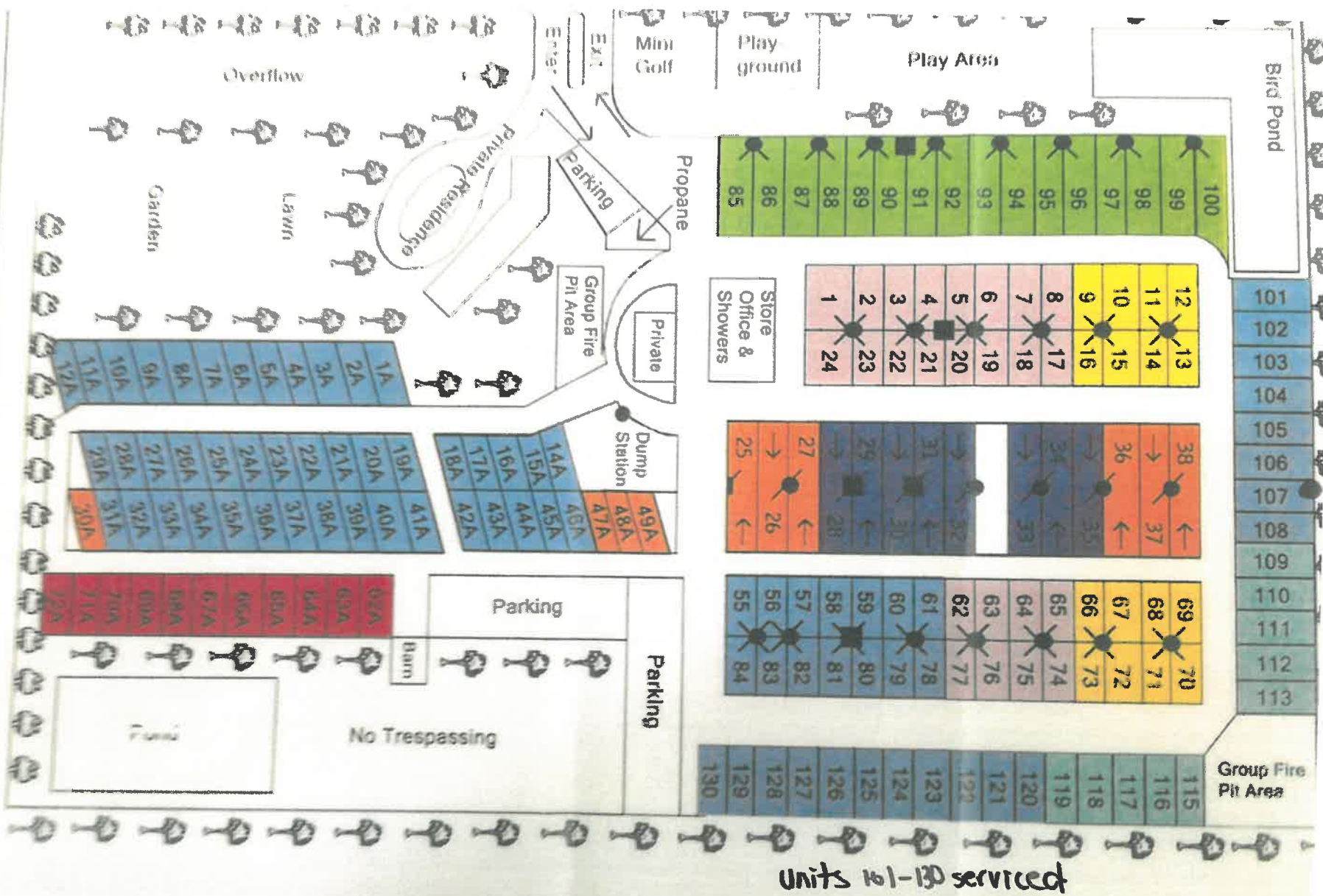


Applicant's/Owner's Signature

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, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.

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


SignatureOct 9/18
Date





SUBDIVISION & DEVELOPMENT APPEAL BOARD

Development Appeal

File: 04328012; 2006-DP-12241
BOARD ORDER 81-06

Page 2 of 3

IT IS ORDERED:

That the appeal against the decision of the Development Officer to approve a Development Permit for renewal of a Campground, Tourist, (to allow for year round use of existing holiday trailer park for 40 sites and a maximum stay of 120 days), Lot 1, Block B, Plan 8146 JK; SW-28-24-28-W4M, be denied, that the decision of the Development Officer be confirmed, and that a Development Permit be issued, for the reasons that, in the opinion of the Committee:

1. This is a renewal of an existing situation.
2. The addition of a condition for a Storm Water Management Plan should address the concerns of the Appellants.

In making a decision, the Board notes that it is governed by the relevant evidence presented, the Municipality's Land Use Bylaw, in this case Section 52 and other statutory planning instruments including the planning provisions contained in the Municipal Government Act.

Based on those findings it is the decision of the Board to uphold the decision of the Development Officer, and to issue a Development Permit subject to the following conditions:

- 1) That the maximum stay of any recreational vehicles shall not exceed 120 consecutive days.
- 2) That the maximum stay by any specific recreational vehicle on this property in a calendar year is 120 days.
- 3) That sites #25-34, #45-54, #55-64 and #75-84 only may be used for long-term camping.
- 4) That no commercial vehicles may be parked on the sites described in Condition #3.
- 5) That there shall be no over-winter storage of any units at any time, except as noted in Development Permit #5990-95.
- 6) That the operator shall maintain a log book of all recreational vehicles.
- 7) That the Applicant shall file the most current water wells reports with the MD of Rocky View for information.
- 8) That the log described in Condition #6 shall be made immediately available to the Municipality for inspection upon request and the log shall contain, for all the long term sites described in Condition #3, the name of the recreational vehicle occupant / owner, the date of arrival, the date of departure, the make and model of the recreational vehicle, the vehicle identification number, and the site number.
- 9) That no recreational vehicle shall have any skirting or other construction placed around the perimeter of the unit except factory manufactured skirting.
- 10) That there shall be no sheds or similar storage facilities on any of the sites at any time.
- 11) That there shall be no shelters erected on the sites other than awnings connected to the recreational vehicle.
- 12) That there shall not be more than a maximum of two (2) motor vehicles other than the travel trailer or recreation vehicle on any individual long-term stay site at any time.
- 13) That the exterior appearance of the recreation vehicles shall be to a high standard as determined by the Development Officer.
- 14) That there shall be no school age children permanently residing in any of the long-term sites during the normal school year.
- 15) That the operator shall provide adequate shower facilities, dump station facilities, adequate sewage and garbage collection.
- 16) That for purposes of this Permit, a recreational vehicle is any vehicle in which overnight stays is the purpose and intent of the vehicle.
- 17) That no truck camper units, school bus conversions, or similar units shall be allowed to stay more than fourteen (14) days.
- 18) That all trailers, vehicles, and trucks, except Recreational Vehicles shall be removed from the storage area, prior to the issuance of this Development Permit.
- 19) That the applicant shall contact the Municipality to arrange for an inspection to be carried out by the Development Compliance Officer for the Municipal District of Rocky View No. 44 to



SUBDIVISION & DEVELOPMENT APPEAL BOARD


Development Appeal

File: 04328012; 2006-DP-12241
BOARD ORDER 81-06

Page 3 of 3

ensure that Condition #18 has been met, and an inspection report submitted to the Development Officer prior to this Development Permit being issued.

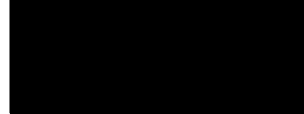
- 20) That the owner complete a Storm Water Management Plan to provide evidence that stormwater overflows can be reasonably accommodated on site, and that this be completed by March 22, 2007.
- 21) That any other government permits, approvals, or compliances are the sole responsibility of the applicant/owner.
- 22) That the Development Permit shall not be issued unless and until Condition #19 has been met and that the form required to meet Condition #19 shall be submitted seven (7) calendar days prior to the deadline for permit issuance contained in Condition #23.
- 23) That if this Development Permit is not issued by JANUARY 31, 2007, then this approval is null and void and the Development Permit shall not be issued.
- 24) That this Development Permit if and when issued shall be valid until OCTOBER 15, 2009.


SANDRA PETERSON-KEYES
SECRETARY TO THE BOARD

File: 04328012

May 23, 2008

Mountain View Farm Camping



RE: Development Permit Application No. 2006-DP-12241
Lot 1, Block B, Plan 8146 JK; SW-1/4-28-24-28-W4M
Stormwater Management Plan requirement

The Stormwater Management Report prepared by Jubilee Engineering Consultants Ltd., dated April 2008 for Mountain View Campground, has been reviewed by our Engineering Services Department, Infrastructure and Operations.

Engineering Services has indicated that the report meets the Municipality's storm servicing minimum expectations. However, it is important to note that the recommendations provided by Jubilee Engineering will need to be carried out. This will require the following:

All stormwater management infrastructure as depicted in SWM-1 shall be constructed in accordance the Jubilee report, drawings, and specifications.

The ponds A and B should be as per SWM-1.

Surface runoff shall be conveyed towards the ponds by way of overland flow, culverts, and swales

Drainage easements should be provided as required for the ponds A and B, as shown on the Drawings.

Engineering Services should be notified when the above items have been completed. At this time, Engineering Services will conduct a site inspection to verify the works have been completed, this may require as-built drawings be provided by Jubilee.

If you have any questions regarding this matter, please do not hesitate to contact the undersigned.

Yours truly,

Yvonne Maughan
Supervisor, Development Planning
(Development Officer)



**JUBILEE
ENGINEERING
CONSULTANTS LTD.**

CONSULTING ENGINEERS • SURVEYORS • PLANNERS

November 13, 2008

File No. 07-035

M. D. of Rocky View
911-32nd Avenue N. E.
Calgary, Alberta

Attention: Mr. Rob Deverell

Dear Sir:

Subject: Mountain View Campground - Stormwater Management Report

Please find enclosed 3 copies of the as-built Stormwater Management drawings.

Should you require anything further, please feel free to contact the undersigned.

Yours truly,

Hussein Bhajji, P. Eng.

Hb/cs



LAND USE BYLAW OF
THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-4841-97

DEVELOPMENT PERMIT NO. **2008-DP-13334**
DATE OF ISSUE: May 27, 2009
FILE(S) **04328012**
TO: Inglis Drafting & Design Ltd. (Jason Bezan)
 510 Kincora Dr. NW
 Calgary, AB
 T3R-0B1

YOUR APPLICATION dated September 29, 2008 for a Development Permit in accordance with the provisions of the Land Use Bylaw in respect of:

existing campground, tourist, construction of a storage building

at; Lot 1, Block B, Plan 8146 JK SW-1/4-28-24-28-W04M (244024 RGE. RD. 284)

in accordance with **Board Order #95-08** of the Development Appeal Committee of the Subdivision and Development Appeal Board is approved subject to the following conditions:

- 1) That an storage building (quonset) about 202.67 sq.m. (11.45m x 17.70m) may be constructed on the subject property in accordance with the Site Plan, as submitted with the application.
- 2) That an updated version of the existing Jubilee Stormwater Management Plan (dated April 28, 2008) shall be submitted to account for the quonset addition, prior to the issuance of this development permit.
- 3) That the road approach shall be upgraded to meet the Municipalities Service Standards, the applicant shall upgrade the main business (most northerly) approach to a 10.0m paved surface (industrial/commercial) and have both approaches comply with Fig. 400.12 from the MD Servicing Standards, prior to the issuance of this development permit.
- 4) That the revised Stormwater Management infrastructure must be completed prior to occupancy of the storage building.
- 5) That the owner/applicant shall contact Engineering Services Department of the Municipal District of Rocky View No. 44 to conduct an inspection of the site to ensure that the approaches and that the revised Storm Water Management Infrastructure has been completed, prior to occupancy of the quonset.
- 6) That a \$100.00 development application engineering review fee shall be submitted by the applicant/owner in accordance with the Master Rates Bylaw, prior to the issuance of this permit.
- 7) That a Building Permit shall be obtained prior to any construction taking place.
- 8) That any other government permits, approvals, or compliances are the sole responsibility of the applicant.
- 9) 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 twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
- 10) That the Development Permit shall not be issued unless and until Conditions #2, #3, and #6 have been met and that the reports required to meet Condition #2, #3, and #6 shall be submitted seven (7) calendar days prior to the deadline for permit issuance contained in Condition #11.
- 11) That if this Development Permit is not issued by JULY 31, 2009, then this approval is null and void and the Development Permit shall not be issued.


Sandra Peterson-Keyes
Secretary
Subdivision and Development Appeal Board

NOTE: It is the responsibility OF THE APPLICANT to ensure that all conditions of approval are met.



JUBILEE ENGINEERING CONSULTANTS LTD.

CONSULTING ENGINEERS • SURVEYORS • PLANNERS

March 19, 2008

File No 07-035

M. D. of Rocky View No. 44
911-32nd Ave. N. E.
Calgary, Alberta T2E 6X6

Attention: Rob Deverell

Dear Sir:

**Subject: Mountain View Campground
SW ¼ Sec 28 – 24 – 28 - W4M
New D P Application 2008-13334**

We understand that Mr. Henry Braeutigam, through his Architects (Inglis Drafting & Design Ltd.) has applied for a development permit to build a storage building (quonset).

This new building replaces the existing barn, as shown on the attached 11 X 17" drawing. The existing barn was 7.5 X 9.3 metres and the new quonset size is 11.45 X 17.70 metres. Since the quonset is bigger, the impervious ratios shall increase as follows:

Catchment B

(impervious as per approved Stormwater Management Report by Jubilee Engineering Consultants Ltd. April 2008)

Paved area	0.54 ha
Building area	0.02 ha
	<u>0.56 ha</u>
% Impervious	$0.56 / 4.89 = 11.4 \%$
Increase in building area:	$132.95 \text{ m}^2 = 0.0133 \text{ ha}$
Revised impervious area for proposed building	$(0.56+0.0133) / 4.89 = 11.7\%$

The impervious area does not increase significantly to affect the storage volume in Pond B.





To confirm the volume requirements for the revised impervious of 11.7%, the Qualhymo Model was re-run and the 1:100 year volume worked out using the Hydstat Statistical Program. Computer runs are attached. The results are summarized below:

As per Stormwater Management Report Jubilee Engineering Consultants Ltd. April 2008 with 11.4% impervious:

1:100 year volume Pond B	408 m ³
Volume provided Pond B	547 m ³

Revised computer runs with 11.7% impervious:

1:100 year volume Pond B	410 m ³
Volume provided Pond B	547 m ³

This shows that the slight increase in volume can be accommodated in Pond B.

To conclude, the proposed new quonset shall not affect the stormwater management for the Mountain View Campground. This satisfies the "Notice of Decision" issued by the M. D. of Rocky View on October 28, 2008 (file no. 04328012) for the application of the development permit.

If you have any questions or concerns, please contact our office.

Yours truly,

Hussein Bhajji, P. Eng.

Hb/cs

cc Yvonne Maughan, M. D. Development Officer
Mr. Henry Braeutigam

TO: Subdivision and Development Appeal Board

DATE: February 20, 2019 **DIVISION:** 03

FILE: 04608059 **APPLICATION:** B-2; PRDP20184593

SUBJECT: Placement of fill and regrading

PROPOSAL: Placement of fill and regarding	GENERAL LOCATION: Located in the central Springbank area, at the southwest corner of Lower Springbank Road and Township Road 242.
APPLICATION DATE: November 14, 2018	DEVELOPMENT AUTHORITY DECISION: Conditionally Approved.
APPEAL DATE: January 29, 2019	DEVELOPMENT AUTHORITY DECISION DATE: January 8, 2019
APPELLANT: Larry Stewart et al	APPLICANT: Cosimo Casale
LEGAL DESCRIPTION: Lot 1, Block 11, Plan 1213545 within NW-08-24-02-W5M	MUNICIPAL ADDRESS: 24223 Township Road 242
LAND USE DESIGNATION: Public Services District (PS)	GROSS AREA: ± 20.63 hectares (± 50.97 acres)
PERMITTED/DISCRETIONARY USE: Site stripping, filling, excavation, grading and/or re-contouring require a Development Permit in accordance with Section 33 of the Land Use Bylaw	DEVELOPMENT VARIANCE AUTHORITY: N/A
PUBLIC SUBMISSIONS: The application was circulated to 45 adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> Rocky View County/City of Calgary Intermunicipal Development Plan (C-7078-2011) County Plan (C-7280-2013) Central Springbank Area Structure Plan (C-6678-2008) Land Use Bylaw (C-4841-97)



EXECUTIVE SUMMARY:

The proposal is for placement of fill and regrading to improve accessibility to burial gardens. All stripping, filling, excavation, grading and/or re-contouring requires a Development Permit under Section 33.1 of the Land Use Bylaw.

The application was conditionally approved by the Development Authority on January 8, 2019, and the decision was appealed by the Appellant/Applicant on January 29, 2019. The Notice of Appeal is included the agenda package.

As identified in the Notice of Appeal, a primary concern raised by the appellants is with regards to potential impacts resulting from stormwater runoff. Prior to the release of the Development Permit, condition number 4 requires the application provide:

“a Site Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional, in accordance with the Springbank Master Drainage Plan and the County Servicing Standards. The report shall be prepared to confirm that the submitted application drawings are in conformance and that the proposed regrading will not create any offsite impacts.”

PROPERTY HISTORY:

September 3, 2013	Development Permit for lot grading and construction of driveways (2013-DP-15495) approved and issued.
September 15, 2009	Development Permit for existing cemetery and interment services, construction of a mausoleum (2009-DP-13693) approved and issued.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Matthew Wilson
Manager Planning, Development, & Bylaw Services
JKwan/rp

DEVELOPMENT PERMIT REPORT

Application Date: November 14, 2018	File: 04608059
Application: PRDP20184593	Applicant/Owner: Cosimo Casale/ Arbor memorial Inc.
Legal Description: Lot 1, Block 11, Plan 1213545 within NW-08-24-02-W5M	General Location: Located in the central Springbank area, at the southwest corner of Lower Springbank Road and Township Road 242.
Land Use Designation: Public Services District (PS)	Gross Area: ± 20.625 hectares (± 50.97 acres)
File Manager: Johnson Kwan	Division: 03

PROPOSAL:

The proposal is for placement of fill and regrading to improve accessibility to burial gardens.

Placement of fill (located at the southeast portion of the property):

- **Height:** variable – see proposed elevation maps; no more than 1.2 metre changes.
- **Area:** 54,907 sq. m (± 591,014 sq. ft.)
- **Volume:** 3,166 cubic metres

The expected source of fill is surplus from existing burials. The proposed stripping, filling, grading, and re-contouring is to improve accessibility to proposed burial gardens by re-contouring the captioned area. Existing drainage patterns are substantially maintained. Discharge location and discharge volume from the site are unchanged from the existing pattern. There are no environmentally sensitive areas in vicinity of the planned work.

Development Permit History:

- 2009-DP-13693 issued September 15, 2009 for a Mausoleum building;
- 2013-DP-15495 issued September 3, 2013 for lot grading for construction of a driveway.

STATUTORY PLANS:

- City of Calgary/Rocky View County Intermunicipal Development Plan:
 - The application was circulated to the City of Calgary, and the City has no comments.
- Central Springbank Area Structure Plan:
 - The area structure plan does not provide guidance on the nature of this application.

INSPECTOR'S COMMENTS:

- Burial ground. Well landscaped along Lower Springbank Road.
- The Applicant deny right to access.

CIRCULATIONS:

Agriculture and Environment Services, Rocky View County

- No comments.



The City of Calgary

- The City of Calgary has reviewed the below noted circulated application referencing the *Rocky View/Calgary Intermunicipal Development Plan (IDP)* and other applicable policies;
- The City of Calgary has no comments regarding Application # PRDP20184593 – placement of fill and regrading.

Bylaw and Municipal Enforcement, Rocky View County

- Enforcement has no concerns.

Planning & Development Services (Engineering), Rocky View County

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;
- Prior to the issuance, the applicant shall provide payment of the Engineering Review Fee in accordance with the County's Master Rates Bylaw, as amended; (Paid; Receipt #2018019027)
- Prior to the issuance, the applicant is required to provide a construction management plan providing details of noise mitigation measures, dust control, management of storm water during construction, weed control, construction practices, waste management, and all other relevant construction management details. (Condition 2)

Geotechnical - Section 300.0 requirements:

- The applicant submitted a drawing package (Cosmopolitan Associates Inc. – August, 2017) that includes existing and proposed grades & drainage patterns, as well as cut and fill volumes;
- The drawings submitted indicate that no areas of fill will be greater than 1.2 metres in depth; therefore, a Deep Fill Report is not required.

Transportation - Section 400.0 requirements:

- The applicant indicated that there will not be any fill material imported or exported from site. However, the cut & fill balance indicates that there is a net fill volume of 3,166 m³.
- Prior to issuance, the applicant shall contact County Road Operations and, if required, enter into a Road Use Agreement for the use of County Roads to access the site for the purposes of stripping & grading. (Condition 7)
- As the subject lands are greater than 1.6 km from Highway 8, an Alberta Transportation Roadside Development Permit or Waiver is not required;
- Prior to issuance, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval, for the total acreage of the lands that are actually being developed. According to the drawings submitted, the total area being regraded is 13.57 acres. (Condition 3)
 - Base Levy and Special Area 4 Levy shall apply.

Sanitary/Waste Water - Section 500.0 requirements:

- ES has no requirements at this time.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- ES has no requirements at this time.

Storm Water Management – Section 700.0 requirements:

- Prior to issuance, the applicant shall submit a Site Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional, in accordance with the Springbank Master



Drainage Plan and the County Servicing Standards. The applicant has submitted drawings, but a report shall be prepared to confirm that the drawings are in conformance and the proposed regrading will not create any offsite impacts; (Condition 4)

- Prior to issuance, the applicant shall submit an Erosion & Sedimentation Control (ESC) Plan detailing the ESC measures and temporary stormwater management strategies to be implemented during the stripping & grading of the site; (Condition 5)
- As a permanent condition, the applicant will be required to implement the recommendations of the ESC plan and SSIP;
- As a permanent condition, the applicant shall ensure that water trucks are available at all times to control dust blowing from the site onto adjacent properties and roadways.

Environmental – Section 900.0 requirements:

- County GIS identifies one intact wetland on the subject lands. According to the submitted drawings, there will be no disturbance to the existing wetlands;
- As an advisory condition, and Alberta Environment approvals shall be the sole responsibility of the applicant.

Operations, Rocky View County

Road Maintenance: No concerns

Utility Services: No concerns.

Operational Services: Applicant to contact County Road operation with haul details related to fill placement to confirm if Road Use Agreement is required. Placement of fill and lot regrading are not to direct any additional surface drainage onto County road right-of-way of Twp. Rd. 242 or Lower Springbank Road; nor negatively impact existing surface drainage patterns in the area.

OPTIONS:

APPROVAL, subject to the following conditions:

Option #1 (This would allow the placement of fill and regrading)

That the appeal against the decision of the Development Authority to approve a Development Permit for the placement of fill and regrading to improve accessibility to burial gardens at Lot 1, Block 11, Plan 1213545 within NW-08-24-02-W5M be denied, and that a Development Permit be conditionally approved, subject to the following conditions:

Description:

- 1) That single-lot regrading and the placement of clean fill, approximately 3,166 cubic metres, to improve accessibility to the site, shall be permitted in general accordance with the submitted drawings, as prepared by Cosmopolitan Associates Inc, dated August 17, 2017, and the conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall provide a construction management plan providing details of noise mitigation measures, dust control, management of stormwater during construction, weed control, construction practices, waste management, and all other relevant construction management details, in accordance with the County Servicing Standards.
- 3) That prior to issuance of this permit, the Applicant/Owner shall provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval for the total development area of the lands that are actually being developed. Note, the base levy and special area 4 level shall apply to the subject proposal.



- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a Site Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional, in accordance with the Springbank Master Drainage Plan and the County Servicing Standards. The report shall be prepared to confirm that the submitted application drawings are in conformance and that the proposed regrading will not create any offsite impacts.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion & Sedimentation Control (ESC) Plan detailing the ESC measures and temporary stormwater management strategies to be implemented during the stripping & grading of the site, in accordance with the County Servicing Standards.
- 6) That prior to issuance of this permit, the Applicant/Owner shall confirm whether topsoil from offsite is being used on the subject land, and if so, provide a soil testing analysis completed on the proposed topsoil, which includes the origins of the topsoil, and confirms that:
 - i. Texture is balanced and not over 40.00% clay;
 - ii. Organic matter is a minimum of 3.00%, and equal to or greater than the organic matter of the soil on the application site;
 - iii. SAR/EC rating is at least "good"; and
 - iv. PH value is in the "acceptable" range for crop growth.
- 7) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations and determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
 - i. The application indicates that the stripping and grading will result in a net fill volume of 3,166 m³. The Applicant/Owner shall confirm how a net fill volume of 3,166 m³ will be achieved without importing material.
 - ii. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any requirement agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

- 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.
- 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.
- 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 fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 13) 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.



- 14) That the Applicant/Owner shall ensure that water trucks are available at all times onsite during the stripping and grading activities, to help control dust from blowing from the site onto adjacent properties and/or roadways.
- 15) That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six (6) inches of topsoil placed on top that shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
- 16) That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands or County Road Right-of-Way from drainage alteration.
- 17) That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 18) That garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

Advisory:

- 19) That the site shall remain free of restricted and noxious weeds and shall be maintained in accordance with the Alberta Weed Control Act.
- 20) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
- 21) That if the development authorized by this Development Permit is not completed within six months of the date of issuance, the permit is deemed to be null and void.
- 22) That if this Development Permit is not issued by **June 30, 2019** 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.

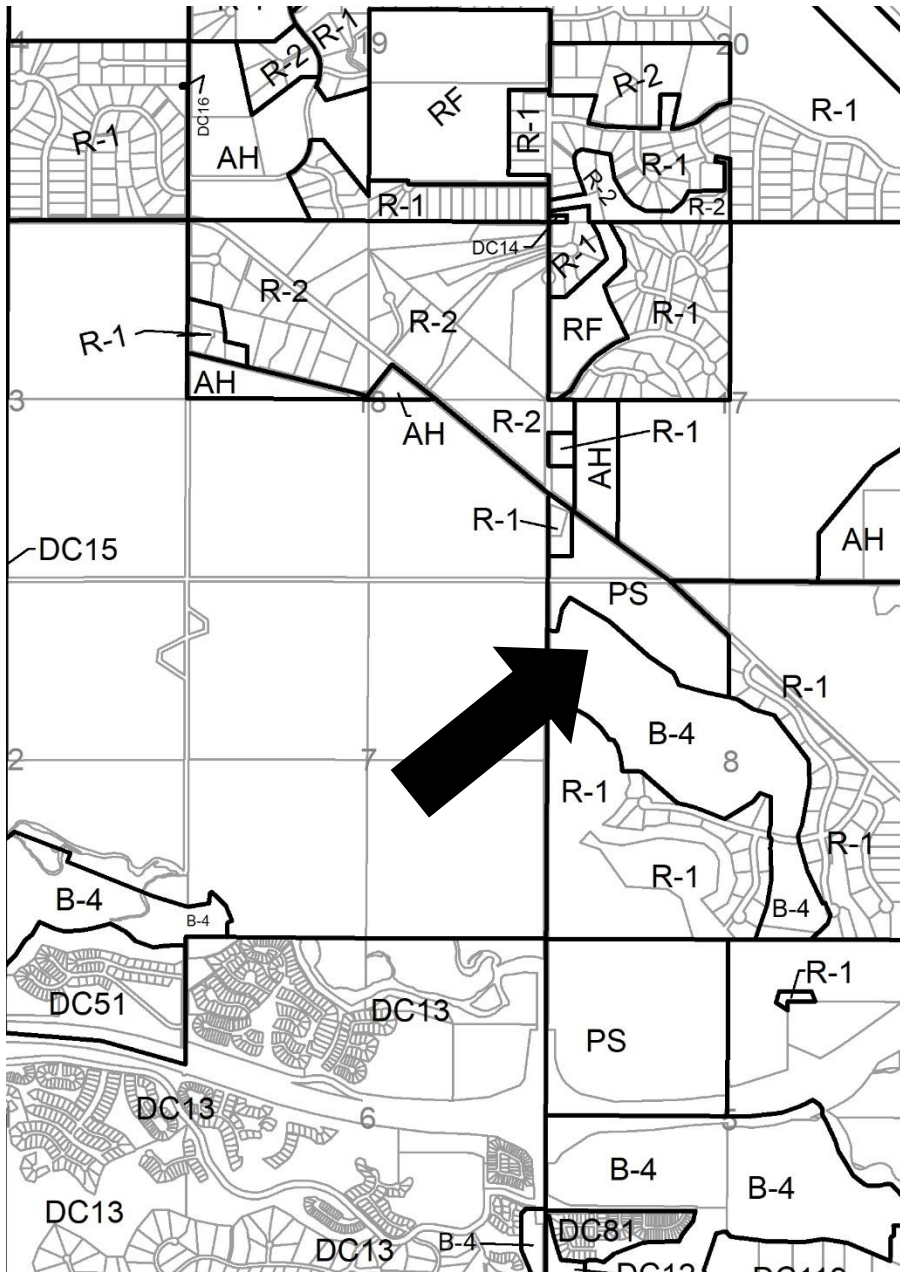
Option #2 (this would not allow the placement of fill and regrading)

That the appeal against the decision of the Development Authority to approve a Development Permit for the placement of fill and regrading to improve accessibility to burial gardens at Lot 1, Block 11, Plan 1213545 within NW-08-24-02-W5M be upheld, and that the decision of the Development Authority be revoked.



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File: 04608059



CITY OF CALGARY

RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NRI	Natural Resource Industrial
DC	Direct Control	HR-1	Hamlet Residential Single Family
PS	Public Service	HR-2	Hamlet Residential (2)
		HC	Hamlet Commercial
		AP	Airport

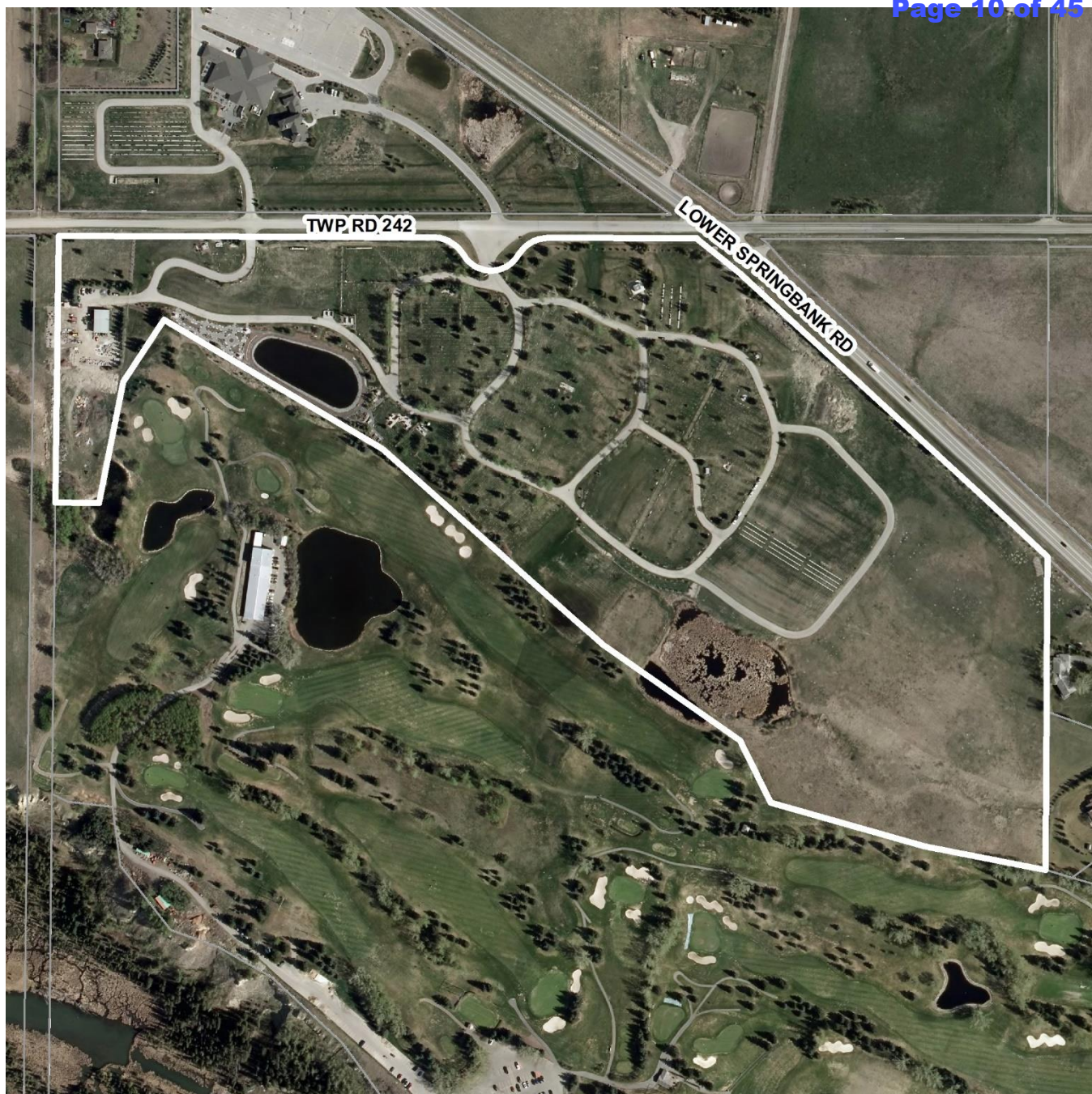
LAND USE MAP

NW-08-24-02-W05M
Lot:1 Block:11 Plan:1213545

Date: **12-Feb-19**

Division # 3

File: **0466055**



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



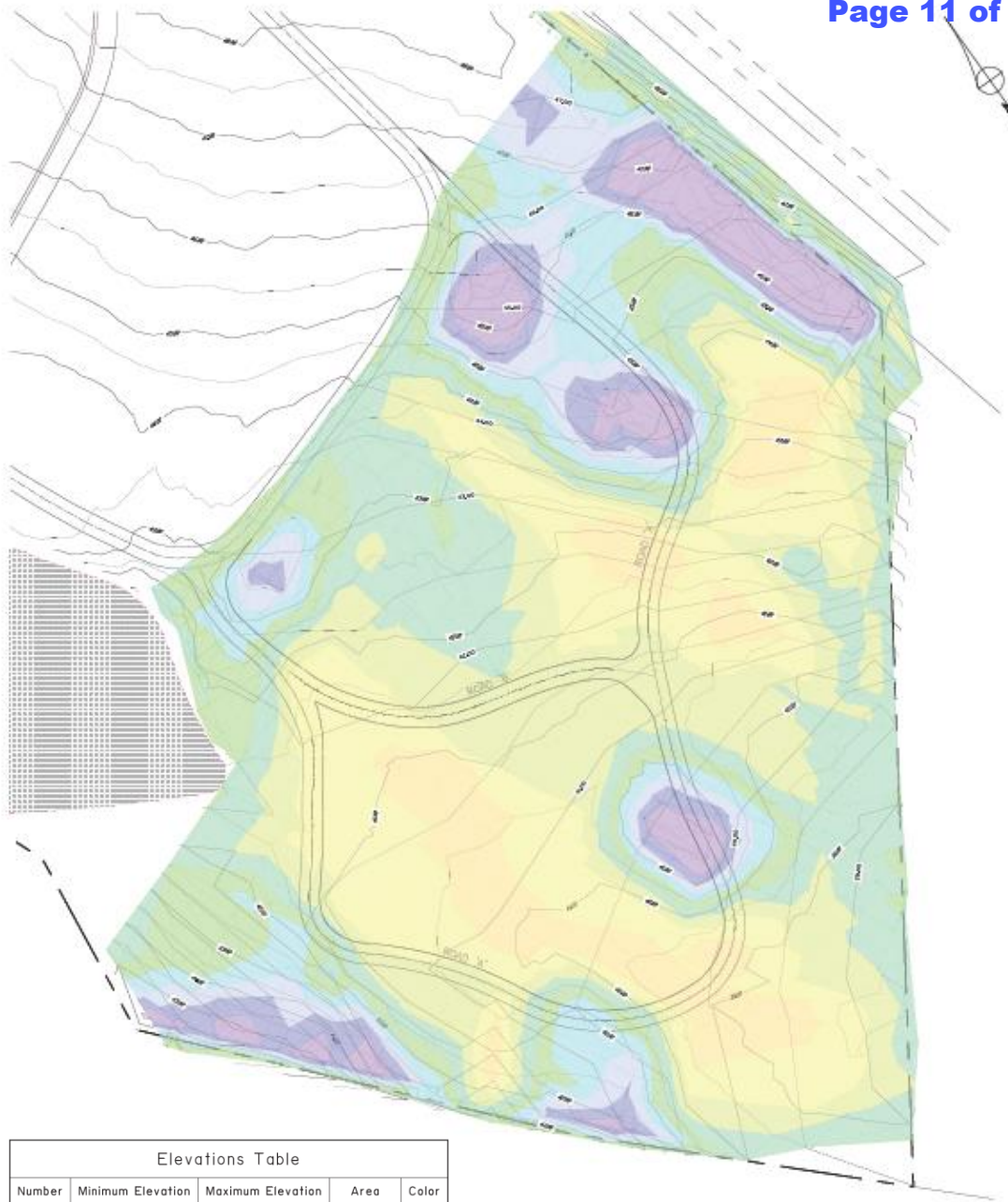
NW-08-24-02-W05M
Lot:1 Block:11 Plan:1213545

Date: 12-Feb-19

Division # 3

File: 0466059

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Elevations Table				
Number	Minimum Elevation	Maximum Elevation	Area	Color
1	-2.50	-1.00	2697.08	Red
2	-1.00	-0.75	2395.61	Orange
3	-0.75	-0.50	3360.23	Yellow
4	-0.50	-0.25	4607.70	Light Green
5	-0.25	0.00	6698.22	Green
6	0.00	0.25	10809.81	Dark Green
7	0.25	0.50	10414.89	Light Blue
8	0.50	0.75	9515.99	Blue
9	0.75	1.00	4305.76	Dark Blue
10	1.00	2.50	0.0	Purple

SITE PLAN

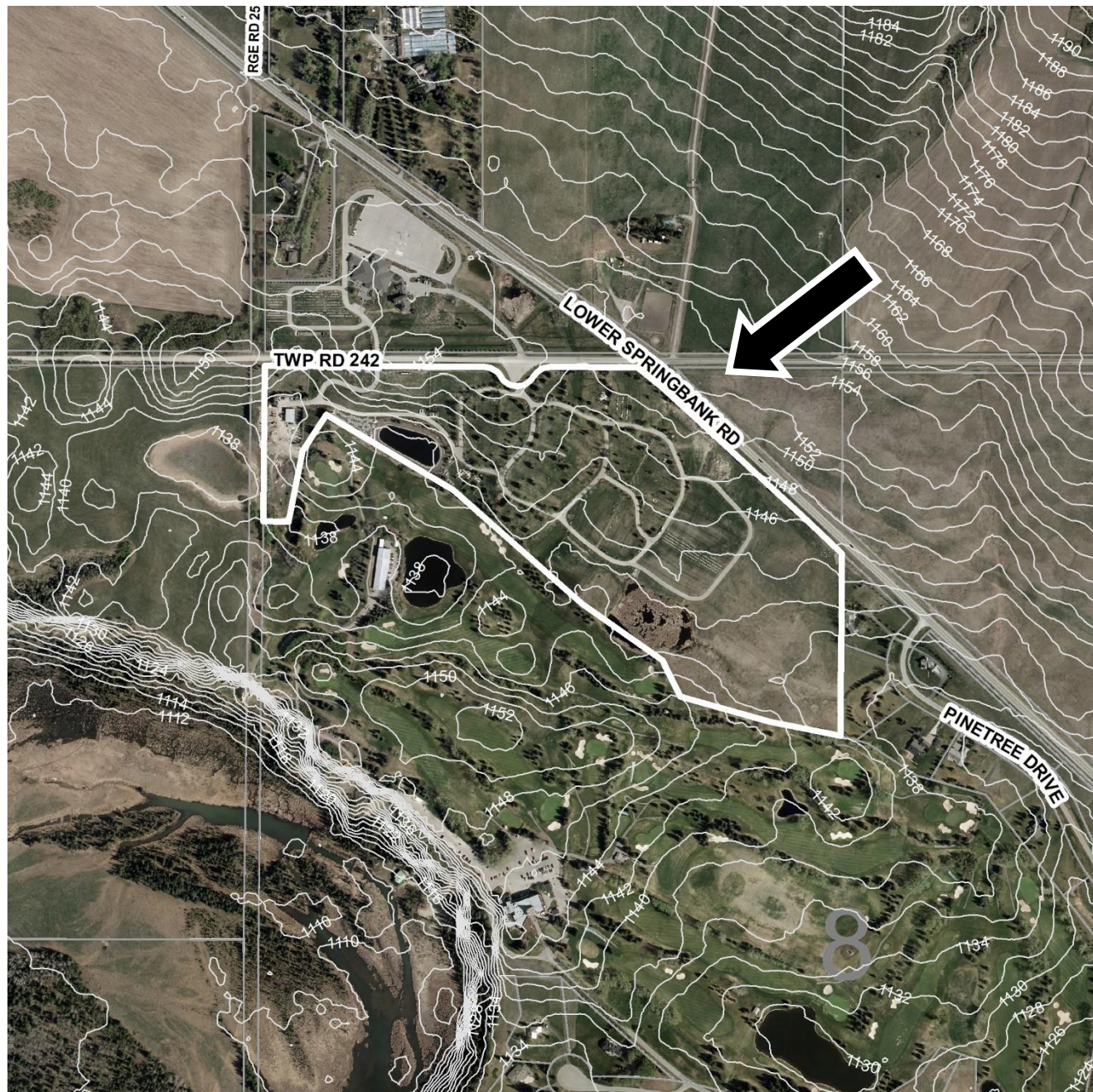
NW-08-24-02-W05M
Lot:1 Block:11 Plan:1213545

Date: 12-Feb-19

Division # 3

File: 0466059

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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



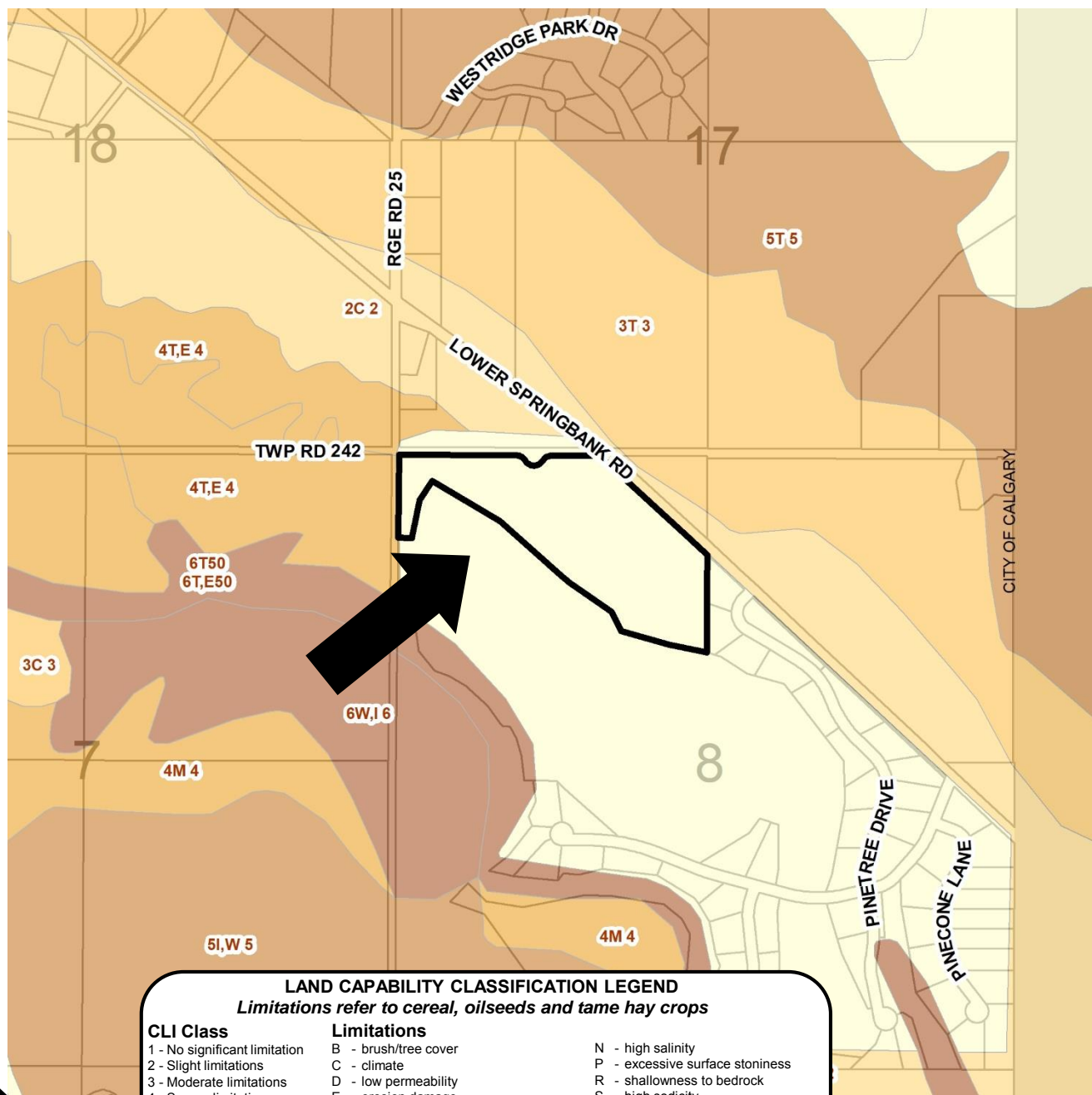
NW-08-24-02-W05M
Lot:1 Block:11 Plan:1213545

Date: **12-Feb-19**

Division # 3

File: **0466055**

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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

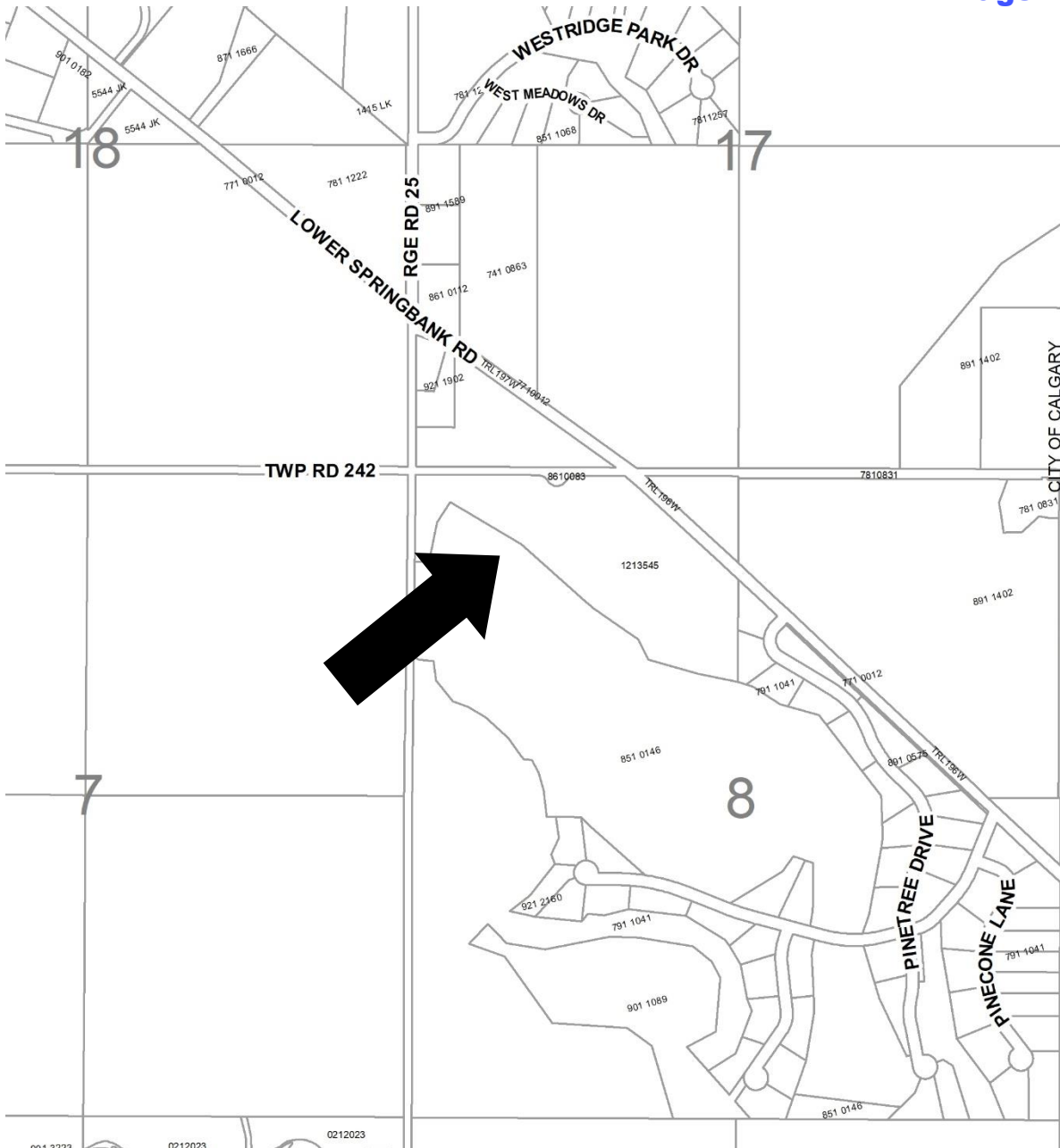


NW-08-24-02-W05M
Lot:1 Block:11 Plan:1213545

Date: 12-Feb-19

Division # 3

File: 0466059



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

NW-08-24-02-W05M

Lot:1 Block:11 Plan:1213545

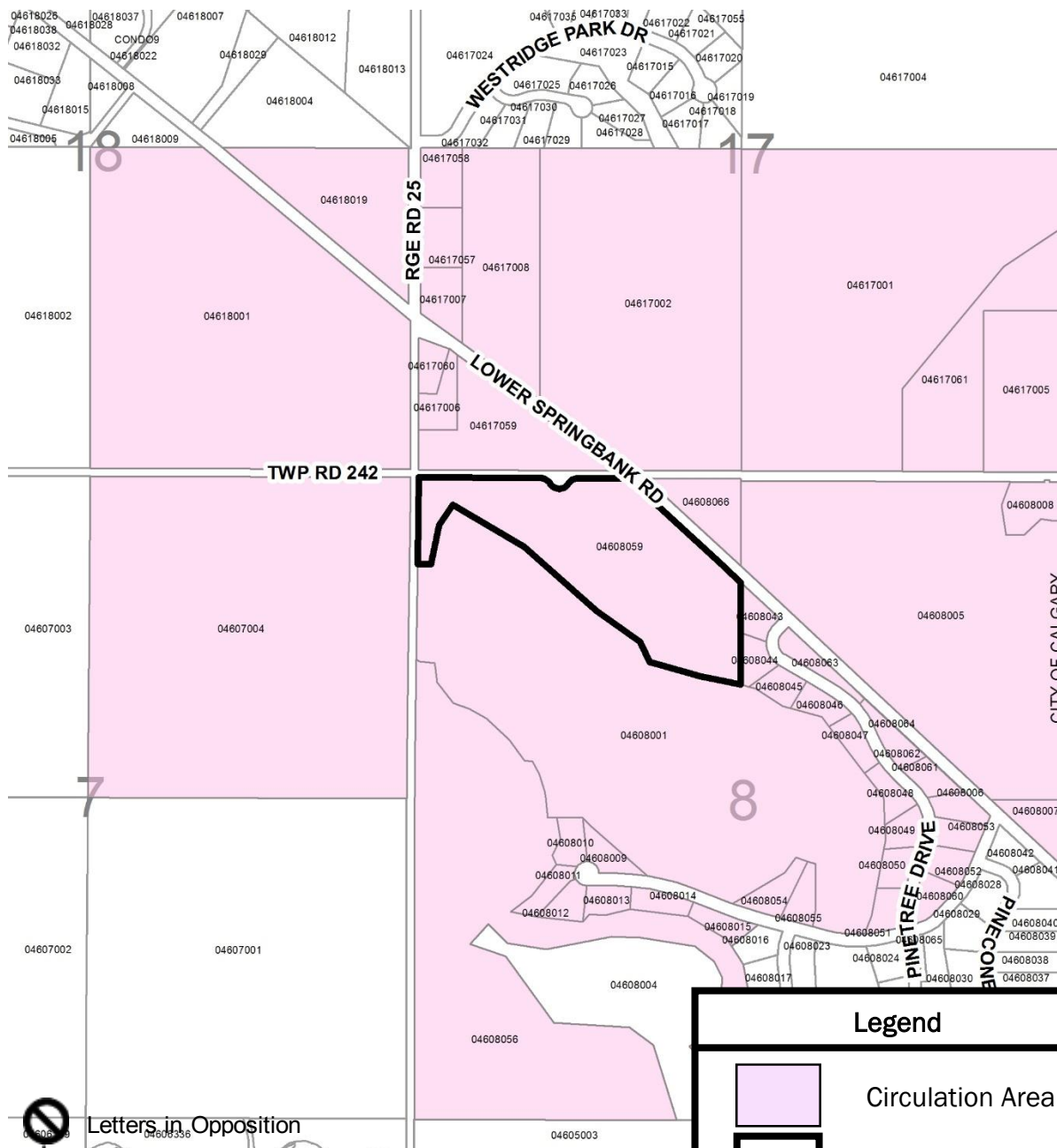
Date: 12-Feb-19

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Legend

Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

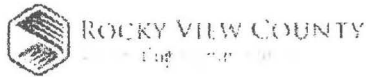
NW-08-24-02-W05M

Lot:1 Block:11 Plan:1213545

Date: 12-Feb-19

Division # 3

File: 04608059



Notice of Appeal
Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Larry Stewart etal (see attached)			
Mailing Address [REDACTED]		Municipality [REDACTED]	Province AB
Postal Code [REDACTED]			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]		
Site Information			
Municipal Address [REDACTED]		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) NE-8-24-2-5, Lot:2 Block:4 Plan:7911041	
Property Roll # 04608044		Development Permit, Subdivision Application, or Enforcement Order # PRDP20184593	
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
See attached			

ROCKY VIEW COUNTY
RECEIVED
JAN 29 2019
LEGISLATIVE SERVICES

This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

2019-01-28

Date _____

Appeal (objection) to Application PRDP20184593, Single- lot regrading and placement of clean fill

2019-01-28

The Stewart's have been residences of Pinebrook since 1998 with the Connolly/Guthrie's since 1996. Major initial flooding occurred on the west end of Pinebrook in June 2005 and this situation has been getting progressively worse every year. Attached is an appendix of the various floods that have caused property damage in 2005, 2009, 2011 and 2014. Root cause is the poor overall management of the regional drainage system in Rocky View. The staff at Rocky View, Gord Rowland, among many others, have been very helpful and Eden Brook, Jeffrey Hoekstra, have been aware of the flooding situation since 2005. Rocky View has been aware much longer than this as they commissioned "A Report on drainage strategies for Springbank" dated January 2004. The Pinebrook Golf Course has asked for help on water run off issues and the Eden Brook Cemetery has asked for help to have water redirected back to the original way it was, across the north side of Lower Springbank road. I have attached a copy of two pages from that study that was done in 2004. I quote **"Upgrading of the ditch and most certainly the culverts along this road may be necessary to support future development in the upper catchment area."** (P. 62 of reference study) There is a culvert that is totally covered over at the corner of 17th ave and Lower Springbank Road restricting any water flow to the east forcing all runoff through Eden Brook.

The system needs to be proactively managed, in advance of weather impacts, otherwise it is of no use, and when the thaw happens, the impact can be very sudden (within a half an hour). Reacting is not effective. The adjacent landowners rely to a very large extent on the Stewart's to provide the first line of defense against the spring thaw. The Stewart's warn of the impending flood and muster the landowners, who armed with shovels and other implements, attempt to guide the water into the culverts. This ad hoc approach is an unacceptable way to address the nuisance created by poor planning and development and a lack of any hands on mitigation by Eden Brook.

We the undersigned, who are located directly adjacent to application (see attached map, figure 1) are submitting this Appeal (objection) to Application PRDP20184593, Single- lot regrading and placement of clean fill. We not against development, but we think that it does need to be done in a responsible way, whereby the cumulative effects of incremental growth on certain areas are understood and a mitigation plan is put in place, so that existing residents are not negatively impacted.

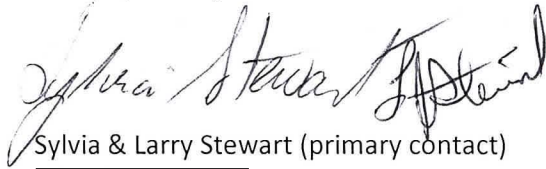
A few issues that we would like to raise are as follows:

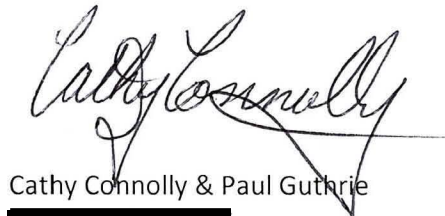
1. Based on the maps supplied by Rock View county that were submitted for PRDP20184593 application, the developer, Arbor Memorial Inc. (Eden Brook), plan to remove any of the current natural rolling topography and grade and fill to a uniform slope that appears to increase to the SE (down slope) of their project area (see figures 2 &3). This has **the significant potential of increasing the speed and volume of run off** that would affect adjacent landowners both in the spring thaw or heavy rains of the summer. Removing the long prairie grass, natural highs and lows, that act to slow the run off, with a funneled landscape will impact adjacent land owners.
2. In the material we were able to review there was **No Storm Water Mitigation Plan**, no indication if possible holding ponds had been considered or other barriers to mitigate overland water flow. At a minimum, the storm water plan and the plan to remediate the impact of overall

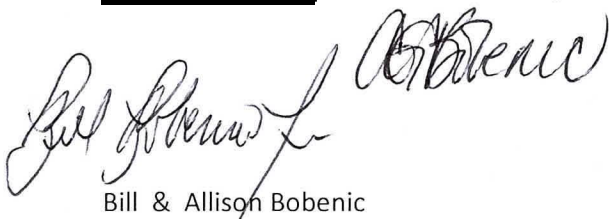
the Eden Brook development would need to be provided in advance of any approvals, as part of a complete package.

3. **Potential change in runoff flow direction.** The Stewart's went through considerable time and expense to put in place a ditch and berm system in 2015 (figure 5) with additional work in 2017 to direct runoff away from their home from the current major drainage pattern (blue lines running from pond {red outline} on the southern portion of second plat on map SP-2). By comparing existing run off pattern, shown on map SP-1, with the proposed changes on SP-2 (figure 4) significant changes in flow direction are anticipated, possibly rendering the current ditch ineffective. In addition, significant flow changes are indicated in the north half of the project area possibly affecting the Bobenic residence NW of the Stewart property. Increased water flow could be expected from the north portion of the project area which would drain into a flat portion of the Stewart's property and remain as standing water as there is no natural drainage from this area (figure 5). Further review of map SP-2 shows the proposed additional roads, road "A" and "B", will cross both the existing runoff pattern as well as the proposed runoff pattern (figure 4). It is inferred that where the road and flowlines are on top of each other that the cemetery plans to let the runoff flow down the new roads, similar to what occurs every year during runoff to some of their existing roads. This has the increased risk of speeding up the runoff as well as concentrating flow volumes which will have the potential of compromising the existing drainage system off the cemetery's property passing the water problems to the offsetting land owners.
4. With grading and fill operations extensive disruption to existing wildlife could be expected. Has an **Environmental Assessment** been done to show impacts? What is mitigation plan for potential migration of the extensive varmint population that currently exists on the proposed project area on to neighboring properties.
5. **Cumulative effects.** We are not against development, but we think that it does need to be done in a responsible way, whereby the cumulative effects of incremental growth on certain areas are understood and a mitigation plan is put in place, so that existing residents are not negatively impacted. Since Eden Brook expanded its parking lot it seems to have increased speed in which water arrives in Pinebrook from the west. What use to be a slow increase in water runoff is now a flood that can arrives in 30 minutes or less. The Stewart's have tried to mitigate this by snow blowing the ditch system and seeing that the culverts are open but if they are away and a March blizzard arrives to block the ditches and we get a follow-up chinook which happened in 2009, 2011, and 2014 the result is damage to offsetting landowners.
6. **Transparency and proper notification.** Up until about 2012 Eden Brook had been informing neighbors of their plans. Recently this seems to have become less transparent. Most recent examples were the installing of a black chain-link fence on its eastern property line. Only one of two offsetting property owners were informed with no input on design which **could have been more in keeping with a rural environment**. In addition the fence goes **directly across the current main runoff flow path** which the Stewart's have kept mowed and snow blown for the last several years (figure 5). When brought to Eden Brooks attention (Jeffrey Hoekstra) they did move one post with was at the start of the Stewart's ditch system and agreed to snow plow the drainage path on their property prior to spring runoff. The second was the grading notification which came from the Rocky View letter of January 8, 2019 and not from Eden Brook.

Respectfully


Sylvia & Larry Stewart (primary contact)
[REDACTED]


Cathy Connolly & Paul Guthrie
[REDACTED]


Bill & Allison Bobenic
[REDACTED]


Cameron & Pat Wallace
[REDACTED]

Appendix: Summary of Flood damage to residences in west Pinebrook

Stewarts-16 Pine tree Dr SW

2005-06-

After about a week of rain (~5") in June the field to the west (now Eden Brook and part of their application PRDP20184593) became saturated and started to flow through our property. Culvert capacity on the south side of Pinetree Dr was exceeded with water flowing over driveway and then backing into our garage which then flowed into basement causing extensive flood damage forced to gut entire basement and renovate.

Mitigation- In approximately 2007 Rocky View County installed a large culvert that took water from the south side of Pinetree Dr to the north side. Thank you Gord Rowland of the county who was instrumental in this being done. Provided the ditch and culvert s are clear it works quite well.

2009-03-16

Culvert that was installed in 2007 iced up, Rocky View notified March 14th, no cleanout occurred. Similar to 2005 water backed up and over whelmed system on the south side of Pinetree Dr and backed up into garage then basement. Damage to carpet In bed room and rec room .

Mitigation- Contacted Rocky View on Marsh 14th with no response until after flood occurred.

2011-03-31

The 2011 flood was due to the ditches being snow filled and not allowing the water to escape as I had cleared the culverts before leaving on vacation. In the 2011 flood home owners to the north of us and directly east had flood damage as well.

2014-3-12

The 2014 flood was due to the ditches being snow filled and not allowing the water to escape. Damage to bed room and rec room carpet. Due to pooled water we had to remove and replace 3 mature spruce trees

Mitigation- Moved ditch to west side of evergreens, added berm to blocked off water from west to direct into ditch that was installed . Started to snow blow ditches.

Connolly and Guthrie -30 Pine tree Dr SW

Mitigation-We spent tens of thousands of dollars to raise our garage, to prevent the storm water from impacting us. This should not have been necessary, had the appropriate action been taken by the municipality. We are not willing to be in a position to have to spend more funds, particularly given the first 14 years were storm water impact free.

List of Figures

Figure 1- Location Plan-showing offsetting landowners who are potentially impacted by Application PRDP20184593.

Figure 2- Map SP-1 modified from Application PRDP20184593. Map showing existing drainage.

Figure 3- Map SP-2 modified from Application PRDP20184593. Map showing proposed grades and changes to existing topography, increasing slope to the SE.

Figure 4- Map SP-2 modified from Application PRDP20184593. Map showing proposed changes to existing drainage.

Figure 5- Aerial view of proposed project with affected offsetting landowners. Shows proposed changes to existing drainage approximated from maps SP-2. Mitigation measures also shown:

- Culvert installed approximately 2007 by Rocky View.
- Ditch and berm system installed on Stewart property in 2015 connecting to existing natural flow patterns.
- Fence across regional drainage installed by Eden Brook along their property line in 2018-10.

There is a drainage course that follows an existing trail in the SW Section 10-24-3-W5M. This route may be incorporated in the stormwater management system when the area is developed. There is a flat area in the flood fringe zone of the river at the bottom of the escarpment that may be used to include a pond. Along the top of the escarpment, an interceptor swale may be provided to collect runoff from the development area and direct it to the aforementioned drainage course.

The following sub-catchment areas are located north of the Elbow River

Sub-catchment Area E1

The central portion of this catchment in NW 7 and SE18-24-2W5 is hummocky and supports a mosaic of grassland and aspen forest. The stormwater management system recommended for this area comprises roadside ditches and a central pond located near the existing road leading to a farm. In-development ponds may be incorporated to reduce the size of the central pond, but the design of the channel carrying the releases of the system must address the potential for erosion of the fine textured glacial lake sediments in the Bearspaw and Lloyd lake soil units. Also, the route to the river must follow an alignment that avoids the mixing of local runoff from the dairy farm with releases from the pond.

The area located east of Rge Road 25 is the Pinebrook golf course. The southwest boundary of the E1 and E2 catchments in the western part of 8-24-2W5 is a steep, west-facing escarpment supporting dense aspen and white spruce forest. A complex wetland is found at the bottom of this escarpment in the very poorly drained DeWinton soil unit. Runoff from the area above the escarpment may be intercepted by a ditch system along the right-of-way thereof. On-site BMPs are required to ensure that post-development flows do not cause erosion when these are conveyed over the very steep escarpment and it is recognized that, therefore, a piped system may be required.

Sub-catchment Area E2

There are several developments existing in this sub-catchment area and unless re-development occurs no additional stormwater management strategies are suggested. The Lower Springbank Road may be considered a divide to an upper catchment area and a lower catchment area.

The upper catchment area includes two distinct drainage courses, of which the westerly one (May Creek) serves as an overland drainage system for runoff from existing developments in portion of Section 20-24-2-W5M and the NW Section of 17-24-2-W5M. Portions of this drainage course in SW and NW18-24-2W5 are steep-sided, dominated by grasslands with patches of aspen forest. The easterly drainage course is also steep, but narrower and becoming less pronounced towards the south. It drains a portion of 101st Street SW and areas immediately adjacent to its course in SE Section 17-24-2-W5M. It is recommended that these drainage courses be integrated in the stormwater management systems for development areas in the NE, SE and portion of the SW Section 17-24-2-W5M. Also, roadside ditches are to be used to intercept and convey runoff to these drainage courses.

An overland drainage course is recommended in SW Section 17-24-2-W5M that conveys runoff intercepted from the existing development adjacent to Rge Road 25. Alternatively, flows from this development may be incorporated in the design of stormwater conveyance systems for the balance of this quarter Section or diverted to the roadside ditch along Rge Road 25.

The roadside ditch along Lower Springbank Road currently intercepts runoff from the entire upper catchment. The intersection of this road with Twp Road 242 (17th Avenue SW) is facilitated with numerous culverts. However, all these have been found to be damaged and or filled with gravel and dirt. Any flow that is passed, is directed to a culvert crossing in NE Section 8-24-2-W5M. Flow then enters a meandering drainage course through the existing Pinebrook development, and passes an old dam like structure in SE Section 8-24-2-W5M into a low lying area immediately west of 101st Street SW and near Highway 8.

A detailed survey and analysis must be carried out for the ditch system along Lower Springbank Road. Upgrading of the ditch and most certainly the culverts along this road may be necessary to support future development in the upper catchment area.

An undeveloped portion of NE Section 5-24-2-W5M slopes towards the drainage course that is downstream of the old dam. It is located in a steep-sided ravine in the Rough Broken soil unit. It is recommended that BMPs be used to minimize potential impact on this drainage course. The development of lots that back onto the Elbow River escarpment must ensure that only back yards drain over the escarpment, i.e., runoff from roofs must be directed to the front of the house. Alternatively, an interceptor ditch may be constructed to re-direct runoff to the aforementioned drainage course.

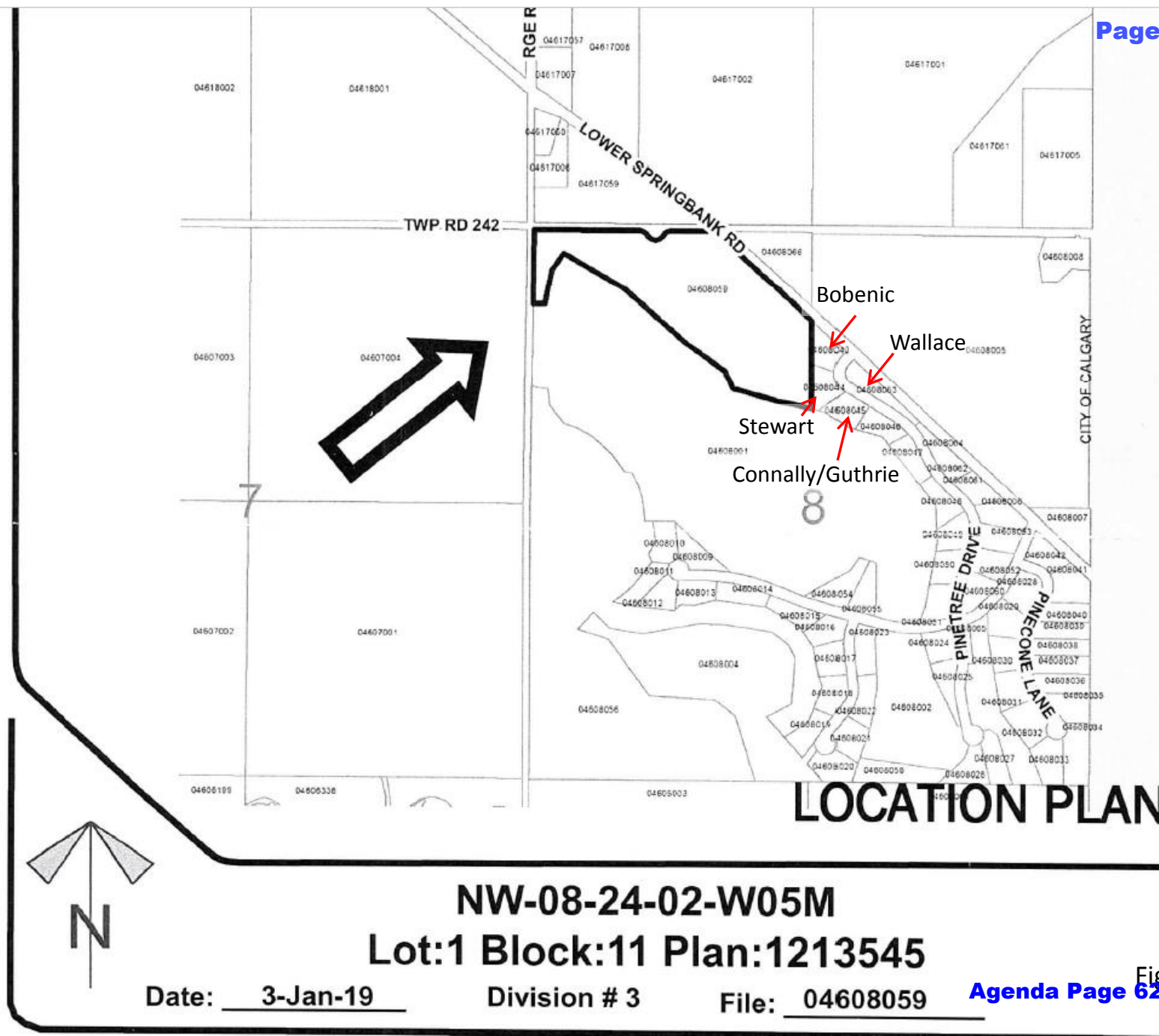
Sub catchment Area E3

This sub-catchment area is partially developed. Runoff is generally to the east where a heavily treed and well-defined drainage course conveys it past 101st Street SW into the City of Calgary. This drainage begins at the top of the Broadcast Hill upland, and becomes a steep v-shaped valley with long slopes as it proceeds down slope into the Rough Broken soil unit. Portions of the ravine within the MD are in the gravelly phase of the Antler soil unit, so gravel would be expected near the surface. Warm, west-facing aspects of the ravine are grasslands, while cooler east-facing aspects are dominated by aspen forest, with some tall willow patches in the valley bottom.

Most of the east half of Section 20-24-2-W5M is undeveloped. It is recommended that stormwater management systems for this area include this drainage course as a conveyance route. Some storm ponds are planned for the upper reaches of this ravine system within the City of Calgary and design criteria for these facilities with regards to upstream flows must be safeguarded when designing the stormwater management system components in this area. In addition, in-development controls (i.e., ponds, swales, BMPs, etc.) must ensure that water quantity is limited to pre-development flows or less to avoid erosion of the drainage course and that measures are incorporated that address water quality. The existing culvert crossing 101st Street SW must be surveyed to confirm its adequacy to handle flows from the upstream area.

Maps to accompany appeal by Stewart etal

2019-01-29



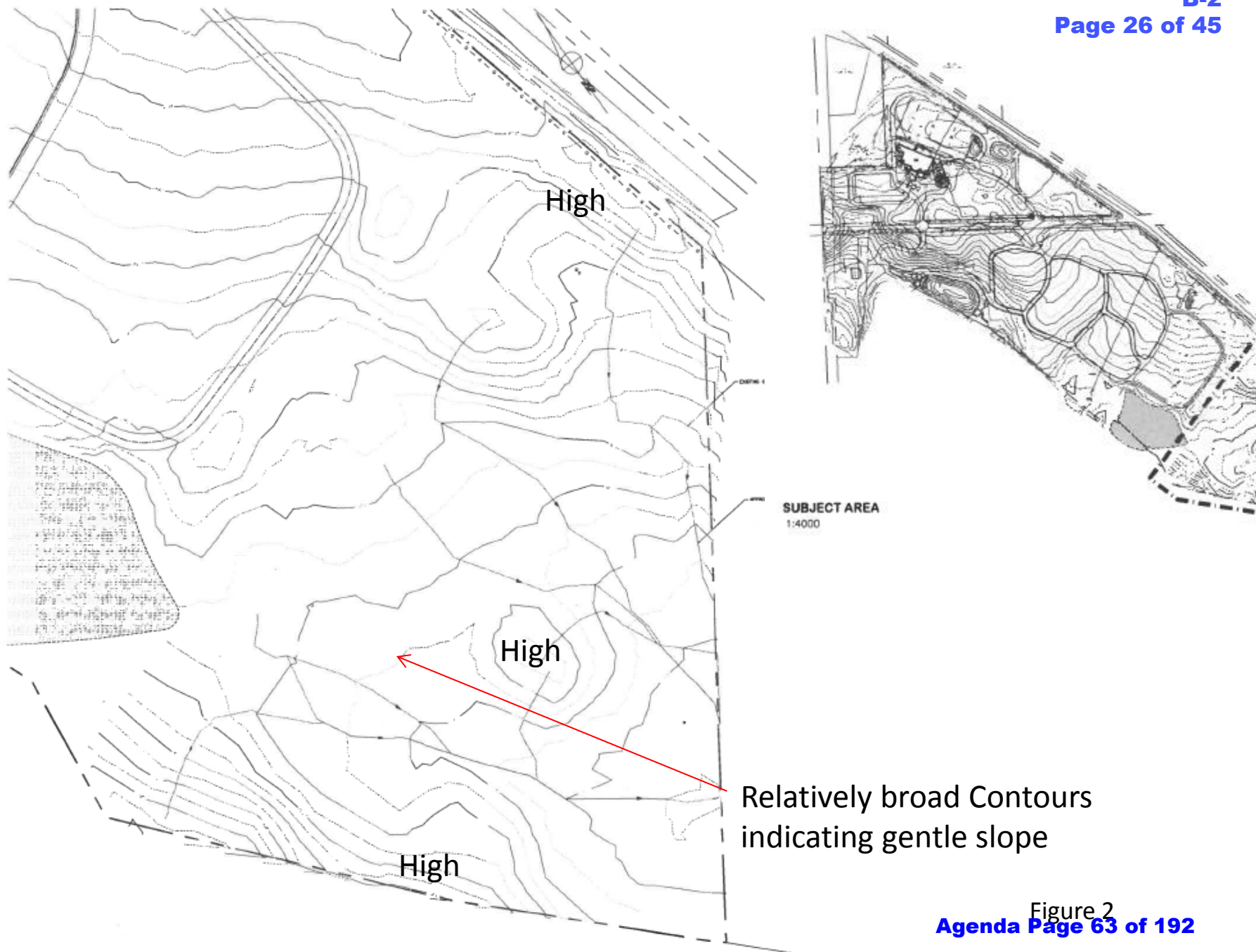


Figure 2
Agenda Page 63 of 192

Existing Drainage August 2017 SP-1

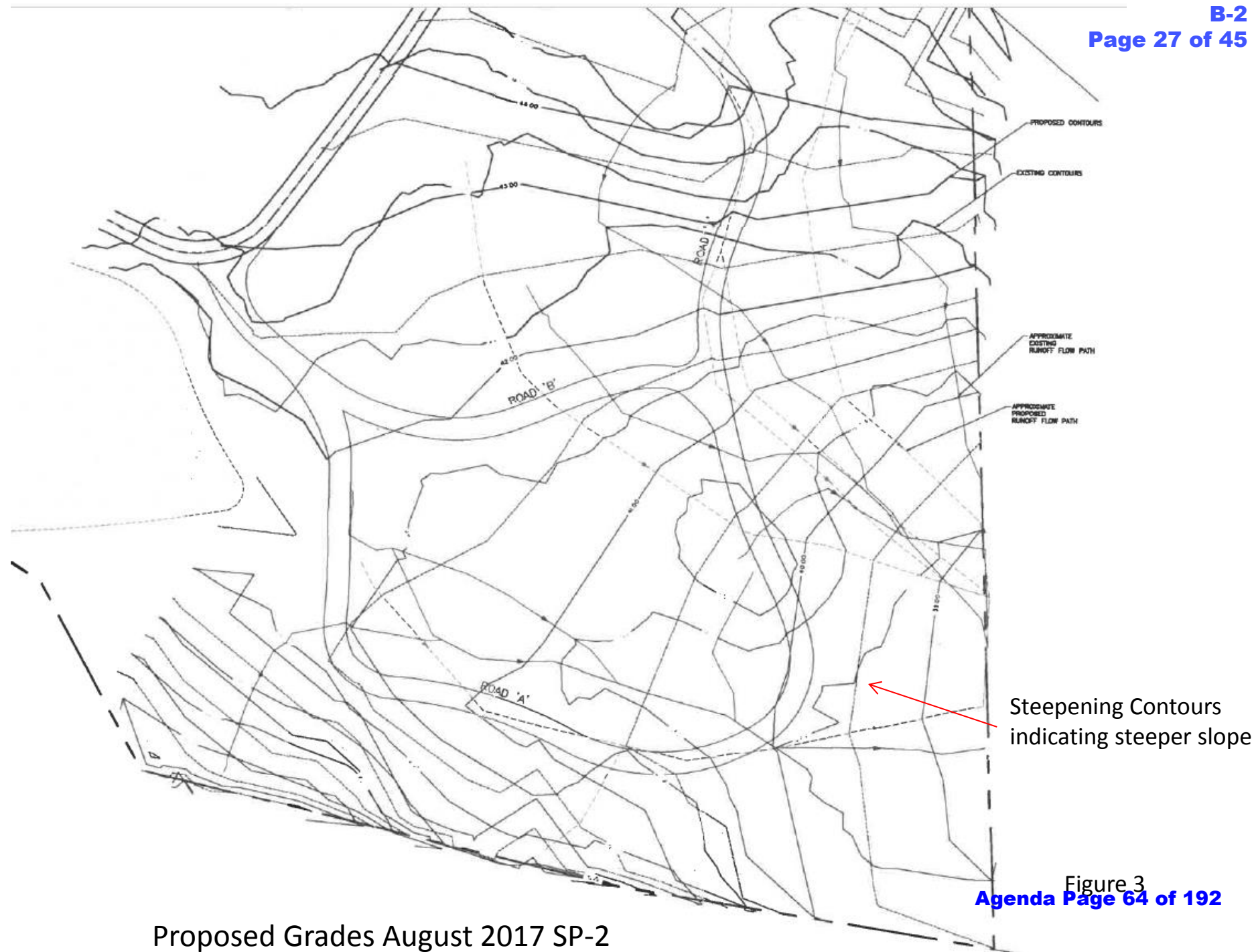
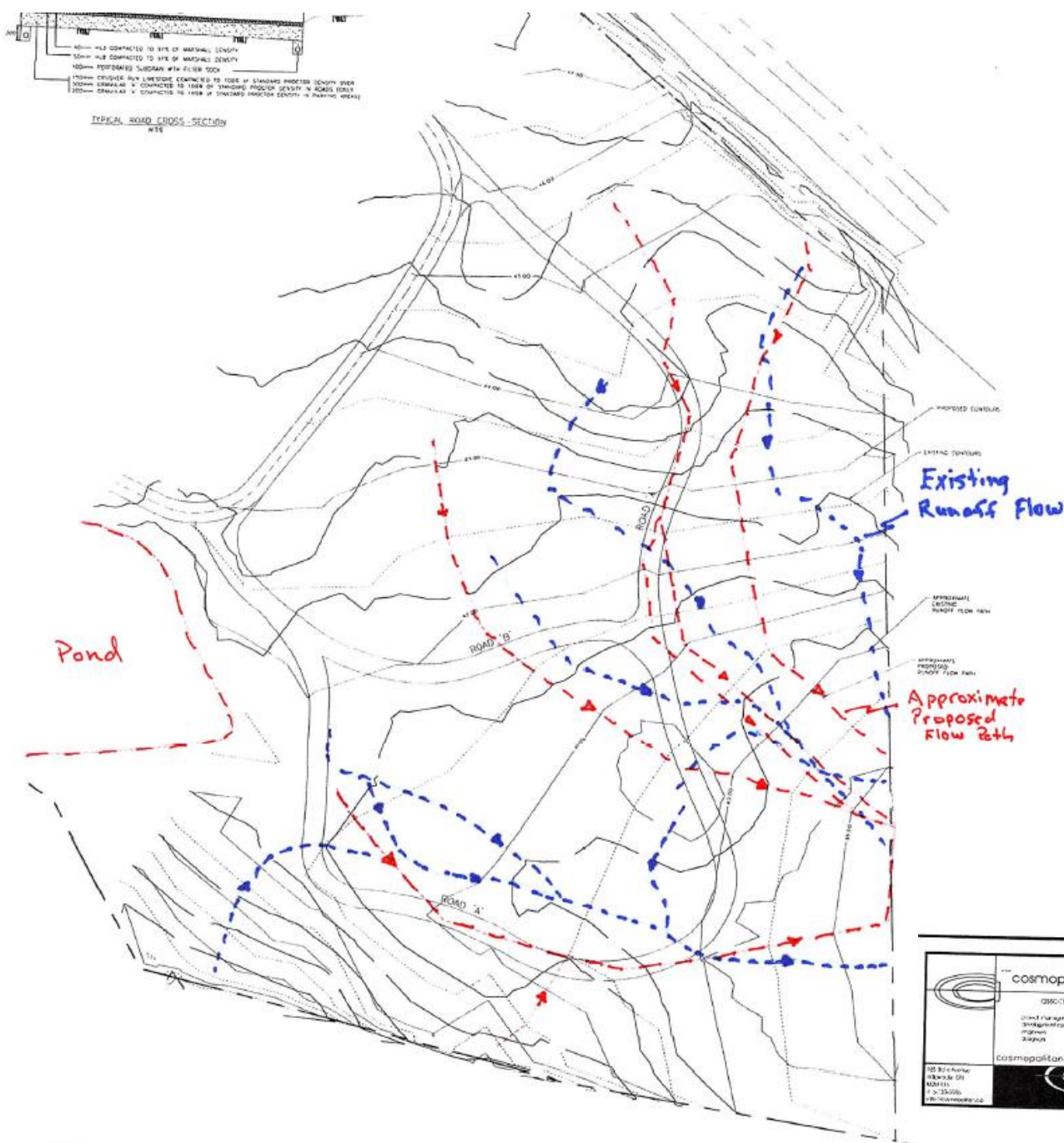


Figure 3
Agenda Page 64 of 192



Potential Changes to
Flow Directions





ROCKY VIEW COUNTY

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

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

THIS IS NOT A DEVELOPMENT PERMIT

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

NOTICE OF DECISION

Cosimo Casale

Page 1 of 3

Tuesday, January 8, 2019

Roll: 04608059

RE: Development Permit #PRDP20184593

Lot 1 Block 11 Plan 1213545, NW-08-24-02-05; (24223 TWP RD 242)

The Development Permit application for single-lot regrading and placement of clean fill has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

- 1) That single-lot regrading and the placement of clean fill, approximately 3,166 cubic metres, to improve accessibility to the site, shall be permitted in general accordance with the submitted drawings, as prepared by Cosmopolitan Associates Inc, dated August 17, 2017 and the conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall provide a construction management plan providing details of noise mitigation measures, dust control, management of stormwater during construction, weed control, construction practices, waste management, and all other relevant construction management details, in accordance with the County Servicing Standards.
- 3) That prior to issuance of this permit, the Applicant/Owner shall provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval for the total development area of the lands that are actually being developed. Note, the base levy and special area 4 level shall apply to the subject proposal.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a Site Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional, in accordance with the Springbank Master Drainage Plan and the County Servicing Standards. The report shall be prepared to confirm that the submitted application drawings are in conformance and that the proposed regrading will not create any offsite impacts.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion & Sedimentation Control (ESC) Plan detailing the ESC measures and temporary stormwater management strategies to be implemented during the stripping & grading of the site, in accordance with the County Servicing Standards.



Cosimo Casale #PRDP20184593

Page 2 of 3

- 6) That prior to issuance of this permit, the Applicant/Owner shall confirm whether topsoil from offsite is being used on the subject land, and if so, provide a soil testing analysis completed on the proposed topsoil, which includes the origins of the topsoil and confirms that:
 - i. Texture is balanced and not over 40.00% clay;
 - ii. Organic matter is a minimum of 3.00%, and equal to or greater than the organic matter of the soil on the application site;
 - iii. SAR/EC rating is at least "good"; and
 - iv. PH value is in the "acceptable" range for crop growth.
- 7) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations and determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
 - i. The application indicates that the stripping and grading will result in a net fill volume of 3,166 m³. The Applicant/Owner shall confirm how a net fill volume of 3,166 m³ will be achieved without importing material.
 - ii. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any requirement agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

- 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.
- 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.
- 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 fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 13) 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.
- 14) That the Applicant/Owner shall ensure that water trucks are available at all times onsite during the stripping and grading activities, to help control dust from blowing from the site onto adjacent properties and/or roadways.
- 15) That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six (6) inches of topsoil placed on top that shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
- 16) That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands or County Road Right-of-Way from drainage alteration.



ROCKY VIEW COUNTY

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

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

Cosimo Casale #PRDP20184593

Page 3 of 3

- 17) That the subject land shall be maintained in a clean and tidy fashion at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 18) That garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

Advisory:

- 19) That the site shall remain free of restricted and noxious weeds and shall be maintained in accordance with the Alberta Weed Control Act.
- 20) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
- 21) That if the development authorized by this Development Permit is not completed within six months of the date of issuance, the permit is deemed to be null and void.
- 22) That if this Development Permit is not issued by **June 30, 2019** 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.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, January 29, 2019**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

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

THIS IS NOT A DEVELOPMENT PERMIT

20184593



APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$1015	File Number 04608059
Date of Receipt Nov 14/18	Receipt #

Name of Applicant Cosimo Casale Email [REDACTED]
Mailing Address [REDACTED]

Postal Code M2M 1B5
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) Arbor Memorial gardens Inc.

Mailing Address 2 Jane Street, Toronto, Ontario

Postal Code M6S 4W8
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NW $\frac{1}{4}$ Section 8 Township 24 Range 2 West of 5 Meridian
b) Being all / parts of Lot 1 Block 11 Registered Plan Number 1213545
c) Municipal Address 24223 Township Road 242, Calgary, Alberta T3Z 3K2
d) Existing Land Use Designation _____ Parcel Size 27.5ha Division _____

2. APPLICATION FOR

Placing fill to improve accessibility to burial gardens by re-contouring existing area.
Area impacted approximately 5.5ha of 27.5ha property.

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 COSIMO CASALE 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 Oct 30/18

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, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.

I, Cosimo Casale, 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

Date



STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted <u>\$1015</u>	File Number <u>04608059</u>
Date of Receipt <u>Nov 14/18</u>	Receipt #

Name of Applicant Cosimo Casale, P.Eng. (Cosmopolitan Associates Inc.).

Address of Applicant [REDACTED]

Telephone (C) [REDACTED] (H) _____ (Fax) _____

1. NATURE OF THE APPLICATION

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Site stripping | <input checked="" 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 checked="" type="checkbox"/> Grading | <input type="checkbox"/> Other _____ |

2. PURPOSE

What is the intent of the proposal? To improve accessibility to proposed burial gardens by re-contouring captioned area.
Expected source of fill is surplus from existing burials.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) Existing drainage patterns substantially maintained. Discharge location and discharge volume from site are unchanged from existing. No environmentally sensitive areas in vicinity of planned work.

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

3. TYPE

Height <u>variable - see sections</u>	Volume <u>3,166</u> meters cubed
Width _____	Truckload _____ (approximately)
Length _____	Slope Factor _____ (if applicable)
Area <u>+/-54,907</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:
- Transportation Offsite Levy Bylaw;
 - Water and Wastewater Offsite Levy Bylaw; and
 - 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:

- 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

Cosimo Casale

(Print Full Name)

hereby certify that

☐ 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.

**AFFIDAVIT VERIFYING
CORPORATE SIGNING AUTHORITY**

I, DAVID SCANLAN, of TORONTO, ONTARIO
make oath and say:

1. I am an officer or a director of ARBOR MEMORIAL INC.
being the corporation named in the Development Permit Application affecting Lands described as:
EDEN BROOK MEMORIAL GARDENS

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 COSIMO CASALE as our agent
for the above mentioned Development Permit Application.

SWORN before me at Toronto
In the Province of Ontario
this 5 day of October


(Signature)

Commissioner of Oaths
in and For the Province of Alberta

Lynda Marie McElhinney, a Commissioner, etc.,
Province of Ontario, for Arbor Memorial Services Inc.
and its subsidiaries, limited to documents required
pursuant to the Funeral, Burial and Cremation
Services Act, 2002. Expires June 1, 2020.



ROCKY VIEW COUNTY
Cultivating Communities

LETTER OF AUTHORIZATION

I, (We) DAVID SCANLON being the owner (s) of

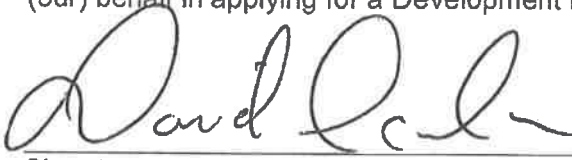
Lot 1 Block 11 Plan 1213545

Legal:

NW/NE/SE/SW Section 8 Township 24 Range 2 W 5 M

give COSIMO CASALE permission to act on my

(our) behalf in applying for a Development Permit for the above subject property.


Signature

Signature

10/05/18
Date



RGE RD 25

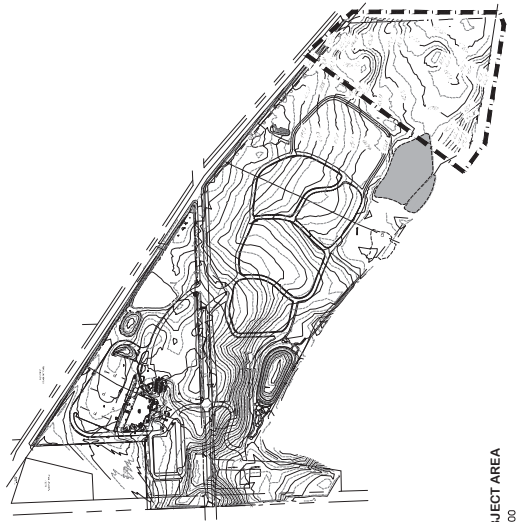
TWP RD 242

LOWER SPRINGBANK RD

PINETREE DR

PINEBROOK WY

8



SUBJECT AREA
1:4000



LEGEND:

EXISTING CURB _____

EDGE OF PAVEMENT _____

EXISTING STORM SEWER _____

PROPOSED STORM SEWER _____

PROPOSED SUBDRAIN _____

EXISTING SANITARY SEWER _____

PROPOSED SANITARY SEWER _____

EXISTING WATERMAIN _____

PROPOSED WATERMAIN _____

HYDRANT & VALVE _____

* 058.55
 x O₁₅
 O₁₅
 b
 EXISTING ELEVATION
 PROPOSED ELEVATION
 EXISTING LIGHT STANDARD
 LIGHT STANDARD
 HANDICAPPED PARKING
 (3.6m X 5.5m TYPICAL)
 PAINTED PARKING LINE

METRIC
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY
0.3048.

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO
BENCHMARK No. 1 ELEVATION 33.54M
PK NAIL IN THE CONCRETE BASE OF THE
STREET LAMP

SURVEY CREDIT:
SITE SURVEY OF A PORTION OF SW 1/4 SEC 17 TWP 24 RGE 2 WSM AND LOT 1 BLOCK 11 PLAN 121 3545 WITHIN THE NW 1/4 SEC 8 TWP 24 RGE 2 WSM ALABAMA

INFORMATION TAKEN FROM:
GLOBAL PAYMAG SURVEYS
CAD FILE: 16C00274 CLIENT LAYERS

NOTE:

CAUTION, NOTE:

THESE DRAWINGS HAVE BEEN PREPARED BY THE ENGINEER OR SOURCE OF THE OWNED CONTRACT OR ON BEHALF OF THE OWNER. CONTRACTOR OR ANY OTHER THIRD PARTY ASSUME FULL RESPONSIBILITY FOR THE ACCURACY, SUFFICIENCY, AND SUITABILITY OF PURPOSE OF ANY AND ALL INFORMATION CONTAINED HEREIN.

CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.



REVISIONS		
#	DATE	TH-INC.
1		
2		
3		
4		
5	ISSUED FOR TENDERING	

SCALE	
0	10
20	30
40	50
60	80
100	120

444212
 PREPARED FOR CONSTRUCTION ONLY.
 THIS DRAWING IS NOT TO BE SOLD.


Designed By:

17

	associates inc.	
	<p>project managers development consultants engineers architects</p>	

PROJECT

**MEMORIAL GARDENS
CANADA**



*CONSTRUCTOR AND
DEVELOPMENT DEPARTMENT*

**EDENBROOK
MEMORIAL GARDENS**
24223 Township Road
Calgary, AB

DRAWING		EXISTING DRAINAGE	
DATE	AUGUST 2017	MISC PROJECT NO.	
DRAWN	D.N.	DRAWING NO	SP1
CHECKED	C.C.		
SCALE	1:750		



EXISTING ELEVATION
PROPOSED ELEVATION
EXISTING LIGHT STANDARD
LIGHT STANDARD
HANDICAPPED PARKING
(3.6m X 5.5m TYPICAL)
PAINTED PARKING LINE
CUT/FILL CONTOUR (CUT -IVE)

METRIC
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY
0.3048.

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO
BENCHMARK No. 1 ELEVATION 33.54M
PK NAIL IN THE CONCRETE BASE OF THE
STREET LAMP

SURVEY CREDIT:
SITE SURVEY OF A PORTION OF SW 1/4 SEC 17 TWP 24 RGE 2 WSM AND LOT 1 BLOCK 11 PLAN 121 35-45 WITHIN THE NW 1/4 SEC 8 TWP 24 RGE 2 WSM ALBERTA

INFORMATION TAKEN FROM:
GLOBAL RAYMAC SURVEYS
CAD FILE: 16CC0274 CLIENT LAYERS

NOTE:

CAUTION, NOTE:

THESE DRAWINGS HAVE BEEN PREPARED BY THE OWNER, CONTRACTORS OR AN OTHER THIRD PARTY. ASSUME FULL RESPONSIBILITY FOR THE ACCURACY OF ANY AND ALL INFORMATION CONTAINED HEREIN.

CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

ANY CONTRACTOR WORKING FROM DRAWINGS NOT SPECIFICALLY MARKED AS SUCH, ASSUMES FULL RESPONSIBILITY AND BEAR ALL COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM THIS WORK.

REVISIONS	
#	DATE
1	
2	
3	
4	
5	ISSUED FOR TENDERING
	12-MAY-17

442210

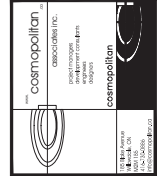
0 10 20 25 30

SCALE

PROVIDED FOR CONSTRUCTION ONLY.
NOT TO BE USED FOR CONSTRUCTION.

Designed By:

Approved By:



PROJECT

MEMORIAL GARDENS
CANADA



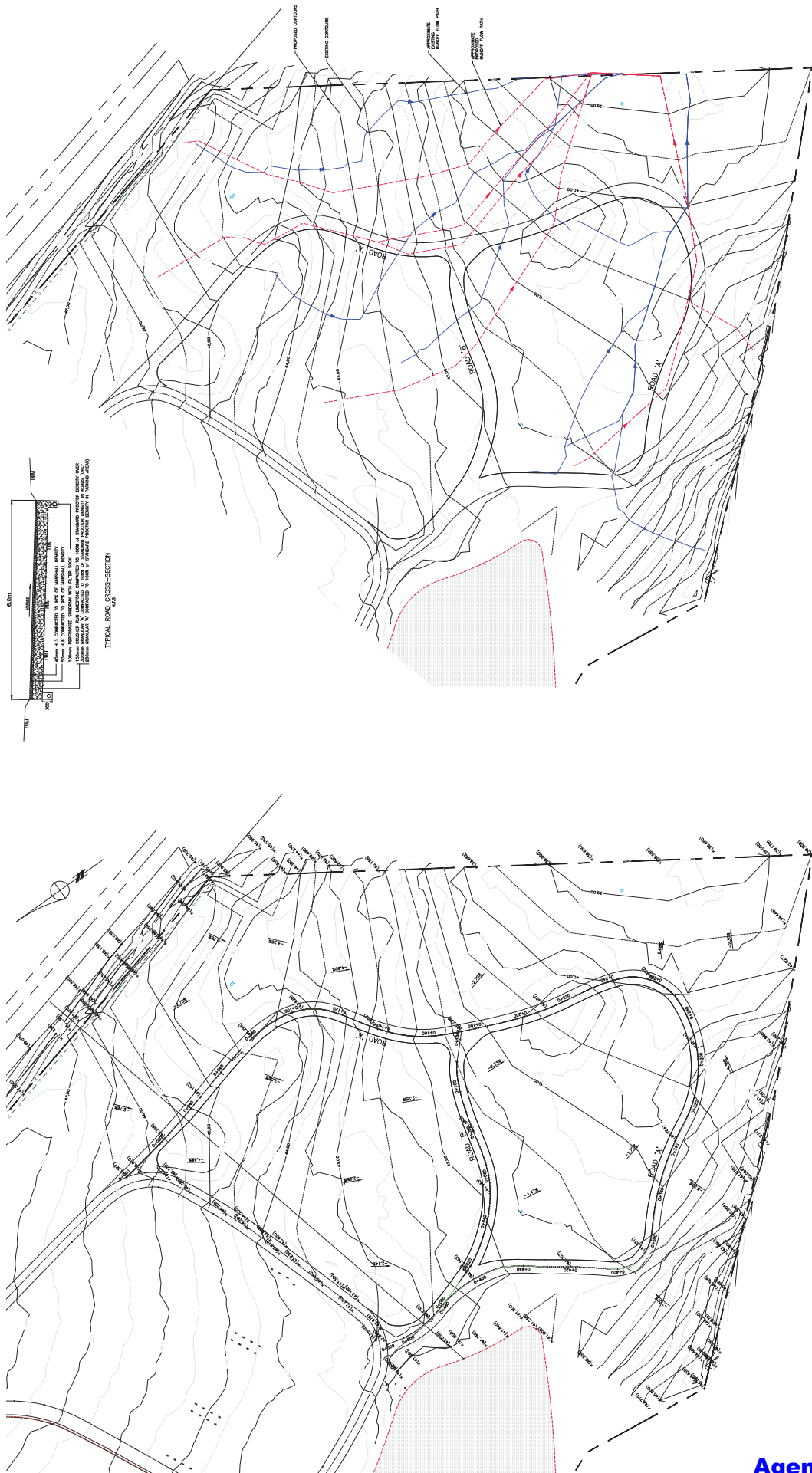
EDENBROOK
MEMORIAL GARDENS
24223 Township Road
Calgary, AB

*CONSTRUCTION AND
DEVELOPMENT DEPARTMENT*

DRAWING CUT-FILL ANALYSIS	DATE		AUGUST 2017		WGCC PROJECT NO.
	DRAWN		D.N.		
	CHECKED		C.C.		DRAWING NO.
	SCALE		1:750		SHEET

[illegible]

[illegible]



FLOW PATTERNS

PROPOSED GRADES

DRAWING	PROPOSED GRADES		MGC PROJECT NO.	DRAWING NO	SF 452
	DATE	AUGUST 2017			
	DRAWN	D.N.			
	CHECKED	C.C.			
	SCALE	1:750			

PROJECT


**MEMORIAL GARDENS
CANADA LIMITED**



**CONSTRUCTION AND
DEVELOPMENT DEPARTMENT**

EDENBROOK


MEMORIAL GARDENS
24,223 Township Road
Calgary, AB



cosmopolitan

associates inc.

project packages
development contracts
engineering
designs




cosmopolitan

11500 Wilshire Avenue
Beverly Hills, CA
90210-1505
424-704-8866
bent@cosmopolitan.com

Designed By:	
Approved By:	

REVISIONS	
1	DATE
2	
3	
4	
5	ISSUED FOR TENDERING
	12-2007-17



SCALE

0 5 10 15 20 25 30

PROPOSED WORK CONFINED TO ONE LANE.
THIS ROADWAY IS 30' WIDE.

CAUTION, NOTE: THESE DRAWINGS HAVE BEEN PREPARED BY THE ARCHITECT FOR THE USE OF THE OWNER. CONTRACTORS OR ANY OTHER THIRD PARTY ASSUME FULL RESPONSIBILITY FOR THE ACCURACY, COMPLETENESS, AND SUITABILITY OF PURPOSE OF ANY AND ALL INFORMATION CONTAINED HEREIN.

CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

ANY CONTRACTOR WORKING FROM DRAWINGS NOT SPECIFICALLY WARNED AGAINST SHALL BE DEEMED TO HAVE ASSUMED FULL RESPONSIBILITY AND BEAR ALL COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM THIS WORK.

SURVEY CREDIT:
SITE SURVEY OF A PORTION OF SW 1 SEC 13, T1N 12R 34E, W3M ALABAMA
BLOCK 1, PLAN 12, 34-5 WITHIN NW 1, SEC 8 TR 24, R4E W3M ALABAMA

INFORMATION TAKEN FROM:
GLOBAL ENYMAC SURVEYS
CAD FILE: 16050027A CLIENT LAYERS

NOTE:
LOCATION AND INVERTS OF EXISTING MANHOLES TO BE CONFIRMED PRIOR TO START OF CONSTRUCTION

METRIC
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY
0.3048.

ELEVATION NOTE
ELEVATIONS ARE REFERRED TO
THE MEAN SEA LEVEL OF 115.4M
AT THE PK WALK IN THE CONCRETE BASE OF THE
STREET LAMP

ION
ATION
STANDARD
MARKING
(TYPICAL)
D LINE

[illegible]

LEGEND:

EXISTING C	EXISTING S	EXISTING W	PROPOSED	PROPOSED	EXISTING S	PROPOSED	EXISTING W	PROPOSED	HYDRANT
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ge 82 of 1

PLANNING, DEVELOPMENT, & BYLAW SERVICES

TO: Subdivision and Development Appeal Board

DATE: February 20, 2019

DIVISION: 06

FILE: 06217001

APPLICATION: B-3; PRDP20184716

SUBJECT: Construction of an accessory building (oversized and over-height workshop)

PROPOSAL: Construction of an accessory building (oversized and over height workshop), and relaxation of maximum height and the maximum building area requirements.	GENERAL LOCATION: Located approximately 1.6 km (1 mile) west of the hamlet of Kathryn, at the northwest intersection of Highway 566 and Range Road 274.
APPLICATION DATE: November 21, 2018	DEVELOPMENT AUTHORITY DECISION: Refused.
APPEAL DATE: February 5, 2019	DEVELOPMENT AUTHORITY DECISION DATE: January 17, 2019
APPELLANT: Darryl Kneesch	APPLICANT: Darryl Kneesch
LEGAL DESCRIPTION: Lot 1, Plan 9610680, SE-17-26-27-W04M	MUNICIPAL ADDRESS: 274006 Township Road 262
LAND USE DESIGNATION: Farmstead District (F)	GROSS AREA: ± 6.2 hectares (± 15.32 acres)
PERMITTED/DISCRETIONARY USE: Accessory buildings in excess of 80.00 sq. m (861.00 sq. ft.) but no more than 223.0 sq. m (2,400.35 sq. ft.) are a discretionary use under Section 47.3	DEVELOPMENT VARIANCE AUTHORITY: The Development Authority may grant up to 25% variance of the required distance or height, and up to 10% of the required maximum building area for an accessory building in accordance with Section 12.2 (c) (ii) of the Land Use Bylaw
PUBLIC SUBMISSIONS: The application was circulated to 11 adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> County Plan (C-7280-2013) Land Use Bylaw (C-4841-97)



EXECUTIVE SUMMARY:

The proposal is for the construction of an accessory building (oversized and over-height workshop), and relaxation of the maximum height and the maximum building area for an accessory building.

The application was refused by the Development Authority on January 17, 2019, for the following reasons:

- 1) The size of accessory building exceeds the maximum permitted as defined in Section 47.3 of the Land Use Bylaw C-4841-97:

Permitted: 223.0 sq. m (2,400.35 sq. ft.);

Proposed: 325.16 sq. m (3,500 sq. ft.);

Maximum variance: 10%;

Requested variance: 45.81 %

- 2) The height of the proposed accessory building exceeds the maximum permitted as defined in Section 47.7 of the Land Use Bylaw C-4841-97:

Permitted: 5.50 m (18.04 ft.);

Proposed: 7.92 m (26 ft.)

Maximum variance: 25 %;

Requested variance: 44%

The Applicant also requested a rear yard setback variance to the north. The requested rear yard setback variance is within the Development Authority's variance power, and the subject land is well buffered along the northern edge with matured landscaping.

Permitted: 15.00 m (49.20 ft.);

Proposed: 12.19 m (± 40 ft.);

Maximum variance: 25%;

Requested variance: 18.73 %

The decision was appealed by the Appellant/Applicant on February 5, 2019. The Notice of Appeal is included the agenda package. As identified in the Notice of Appeal, the Appellant/Applicant desires one esthetically pleasing building instead of multiple small accessory buildings.

PROPERTY HISTORY: No relevant Development History

June 1, 2009	Building Permit (2000-BP-14023) was issued for the single detached dwelling on site.
--------------	--

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Matthew Wilson
Manager Planning, Development, & Bylaw Services
JKwan/rp

DEVELOPMENT PERMIT REPORT

Application Date: November 21, 2018	File: 06217001
Application: PRDP20184716	Applicant/Owner: Darryl Kneesch/ Murray Allan Schwengler, Sharon Marie Schmaltz
Legal Description: Lot 1, Plan 9610680; SE-17-26-27-W04M	General Location: Located approximately 1.6 km (1 mile) west of the hamlet of Kathyryn, at the north west intersection of Highway 566 and Range Road 274.
Land Use Designation: Farmstead District (F)	Gross Area: ± 6.2 hectares (± 15.32 acres)
File Manager: Johnson Kwan	Division: 06

PROPOSAL:

The proposal is for the construction of an accessory building (oversized and over-height workshop), and relaxation of the maximum height and the maximum building area for an accessory building.

Description of Accessory Building:

- Building Materials: Colored Metal Siding
- Exterior Color: Dark Red and Black Trim
- Reason for relaxation: only want one building for workshop and storage of equipment.

Section 47 Farmstead District (F)

47.3 Uses, Discretionary

Accessory buildings in excess of 80.00 sq. m (861.00 sq. ft.) but no more than 223.0 sq. m (2,400.35 sq. ft.). are a permitted use.

- **Proposed** accessory building (oversized and over-height workshop): 325.16 sq. m (3,500 sq. ft.)
- **Requested variance:** (2,400.35 sq. ft. – 3,500 sq. ft.)/ 2,400.35 sq. ft. = ± 45.81 %
 - The size of the proposed accessory building (oversized and over-height workshop) exceeds the discretionary value of 223.0 sq. m (2,400.35 sq. ft.) and would require a relaxation of 45.81%.
 - The Development Authority only has the ability to grant a relaxation up to 10.00% of the building area for an accessory building under Section 12 of the Land Use Bylaw. As such, the proposed size of the accessory building is included as a reason for refusal of the application.

47.5 Setback Requirements

(b)(ii) Front yard setback from a Highway

- **Permitted:** 60 m (196.85 ft.)
- **Proposed** accessory building (oversized and over-height workshop): 126.20 m (414.05 ft.) from Highway 566.

(c)(i) Side yard setback from County Road:

- **Permitted:** 45.00 m (147.64 ft.)

- **Proposed** accessory building (oversized and over-height workshop):
± 118.72 m (± 389.50 ft.) from Range Road 274.

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

- **Permitted:** 6.00 m (19.69 ft.)
- **Proposed** accessory building (oversized and over-height workshop):
± 198.27 m (± 650.55 ft.) from adjacent parcel to the west.

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

- **Permitted:** 15.00 m (49.20 ft.)
- **Proposed** accessory building (oversized and over-height workshop):
± 12.19 m (± 40 ft.)
- **Requested variance:** $(15\text{ m} - 12.19\text{ m}) / 15\text{ m} = \pm 18.73\%$
 - The proposed accessory building (oversized and over-height workshop) would require a relaxation of 18.73%.
 - The Development Authority has the ability to grant a relaxation up to 25% of the required distance under Section 12 of the Land Use Bylaw, if, in the opinion of the Development Authority that granting of the variance would not (i) unduly interfere with the amenities of the neighbourhood; and (ii) materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.

The subject land is well buffered along the northern edge with matured landscaping.

47.7 *Maximum height of buildings*

(b) *accessory buildings*

- **Permitted:** 5.50 m (18.04 ft.)
- **Proposed** accessory building (oversized and over-height workshop): ± 7.92 m (± 26 ft.).
- **Requested variance:** $(5.50\text{ m} - 7.92\text{ m}) / 5.50\text{ m} = \pm 44\%$
 - The proposed accessory building height exceeds the maximum height allowed under the Farmstead District 5.50 m (18.04 ft.) and would require a relaxation of 44%.
 - The Development Authority only has the ability to grant a relaxation up to 25% of the required height under Section 12 of the Land Use Bylaw. As such, the proposed height of the accessory building is included as a reason for refusal of the application.

Building Permit History:

2000-BP-14023 Building Permit was issued on June 1, 2009 for the single detached dwelling.

Development Permit History: N/A

STATUTORY PLANS:

The subject land is not located within any Intermunicipal Development Plan, Area Structure Plan, and/or Conceptual Scheme area.

INSPECTOR'S COMMENTS:

Inspection Date: January 2019



- Access from Highway 566
- Landscaping along the property, well buffered to the north
- Mainly agricultural area

CIRCULATIONS: November 22 – December 13, 2018

Building Services (December 20, 2018)

- A building permit is required
- Sub trade permits are required if that work is being installed.

Enforcement Services (December 7, 2018)

- Recommend that all construction debris and garbage be contained at all times during construction
- Recommend that dust control measures be required.

Alberta Transportation (December 4, 2018)

- 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.
- The application form and instructions can be obtained from the department's website, at <http://www.transportation.alberta.ca/2629.htm>
- The completed application must be forwarded to TransDevelopmentCalgary@gov.ab.ca or by mail at the address listed below.

OPTIONS:

Option #1 (This would allow the oversized and over-height workshop)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for the construction of an accessory building (oversized and over-height workshop), relaxation of the maximum height and the maximum building area for an accessory building at Lot 1, Plan 9610680, SE-17-26-27-W04M (274006 Township Road 262) be upheld, that the decision of the Development Authority be revoked, and that the Development Permit be issued, subject to the following conditions:

Description:

- 1) That an accessory building (oversized and over-height workshop) may be constructed on the subject land in general accordance with the site plan and drawings submitted with the application.
- 2) That the maximum building size of the proposed accessory building (oversized and over-height workshop) is relaxed from **223.0 sq. m (2,400.35 sq. ft.) to ± 325.16 sq. m (± 3,500 sq. ft.)**.
- 3) That the maximum building height of the proposed accessory building (oversized and over-height workshop) is relaxed from **5.50 m (18.04 ft.) to 7.92 m (26 ft.)**.

Permanent:

- 4) That the accessory buildings shall not be used for commercial purposes at any time, except for the Home-Based Business, Type I.
- 5) That the accessory buildings shall not be used for residential occupancy at any time.
- 6) That the exterior siding and roofing materials of the proposed accessory building (oversized workshop) shall be similar to the existing dwelling, single-detached and accessory buildings.



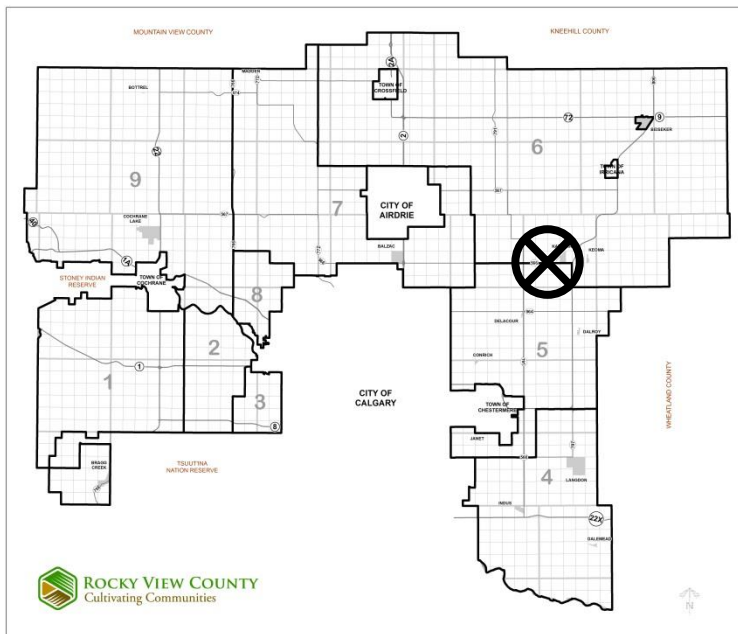
- 7) That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
- 8) That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and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

Advisory:

- 9) That a Building Permit for the proposed accessory building (oversized and over-height workshop) shall be obtained prior to any construction taking place.
- 10) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
- 11) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

Option #2 (This would not allow the oversized and over-height workshop)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for the construction of an accessory building (oversized and over-height workshop), relaxation of the maximum height and the maximum building area for an accessory building at Lot 1, Plan 9610680; SE-17-26-27-W04M (274006 Township Road 262) be denied, and that the decision of the Development Authority be upheld.



LOCATION PLAN

SE-17-26-27-W04M
Lot:1 Plan:9610680

Date: **12-Feb-19**

Division # 6

File: **06217001**

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SITE PLAN



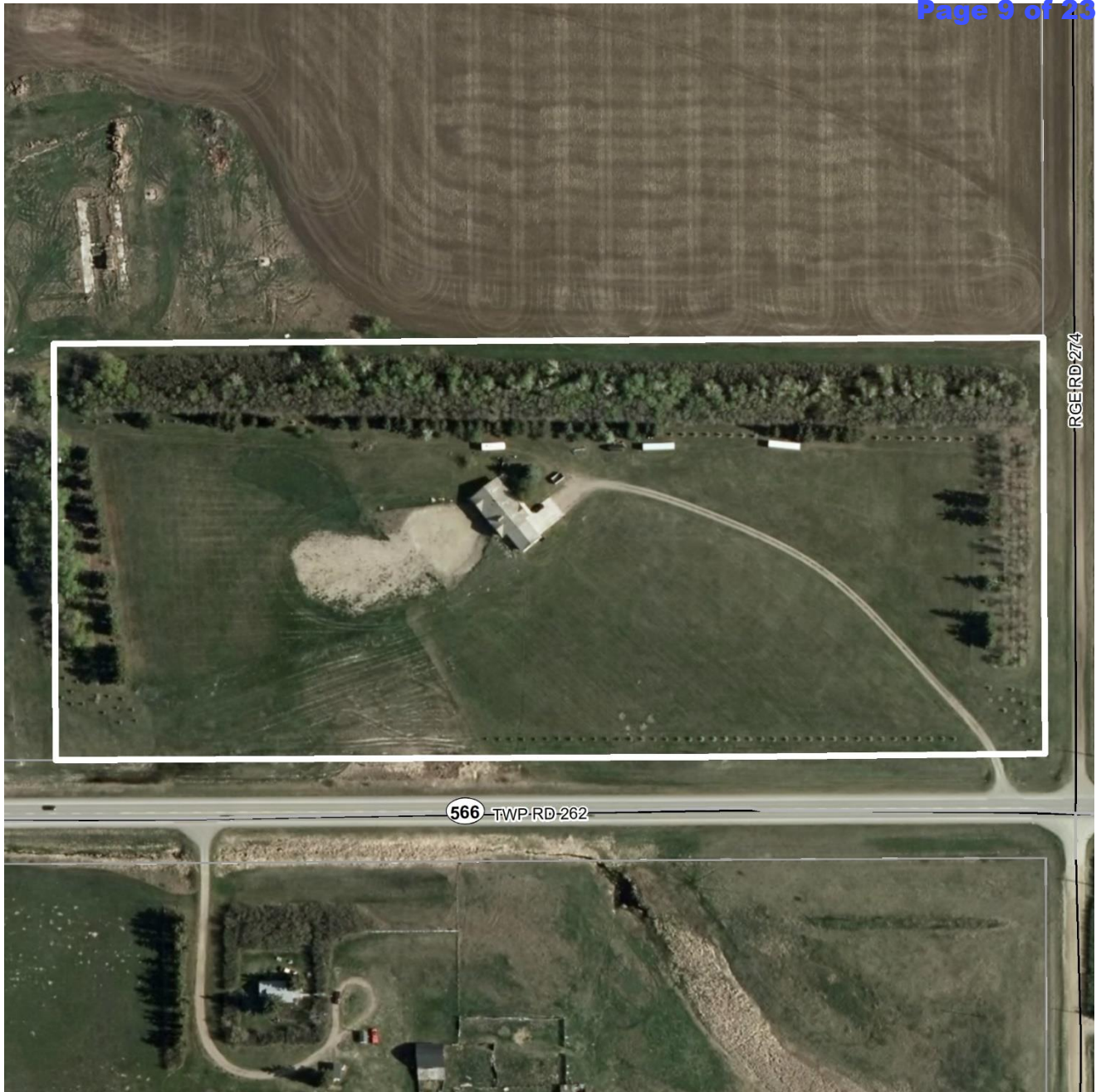
SE-17-26-27-W04M
Lot:1 Plan:9610680

Date: 12-Feb-19

Division # 6

File: 06217001 **Agenda Page 90 of 192**

RGERD 274



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018

SE-17-26-27-W04M

Lot:1 Plan:9610680

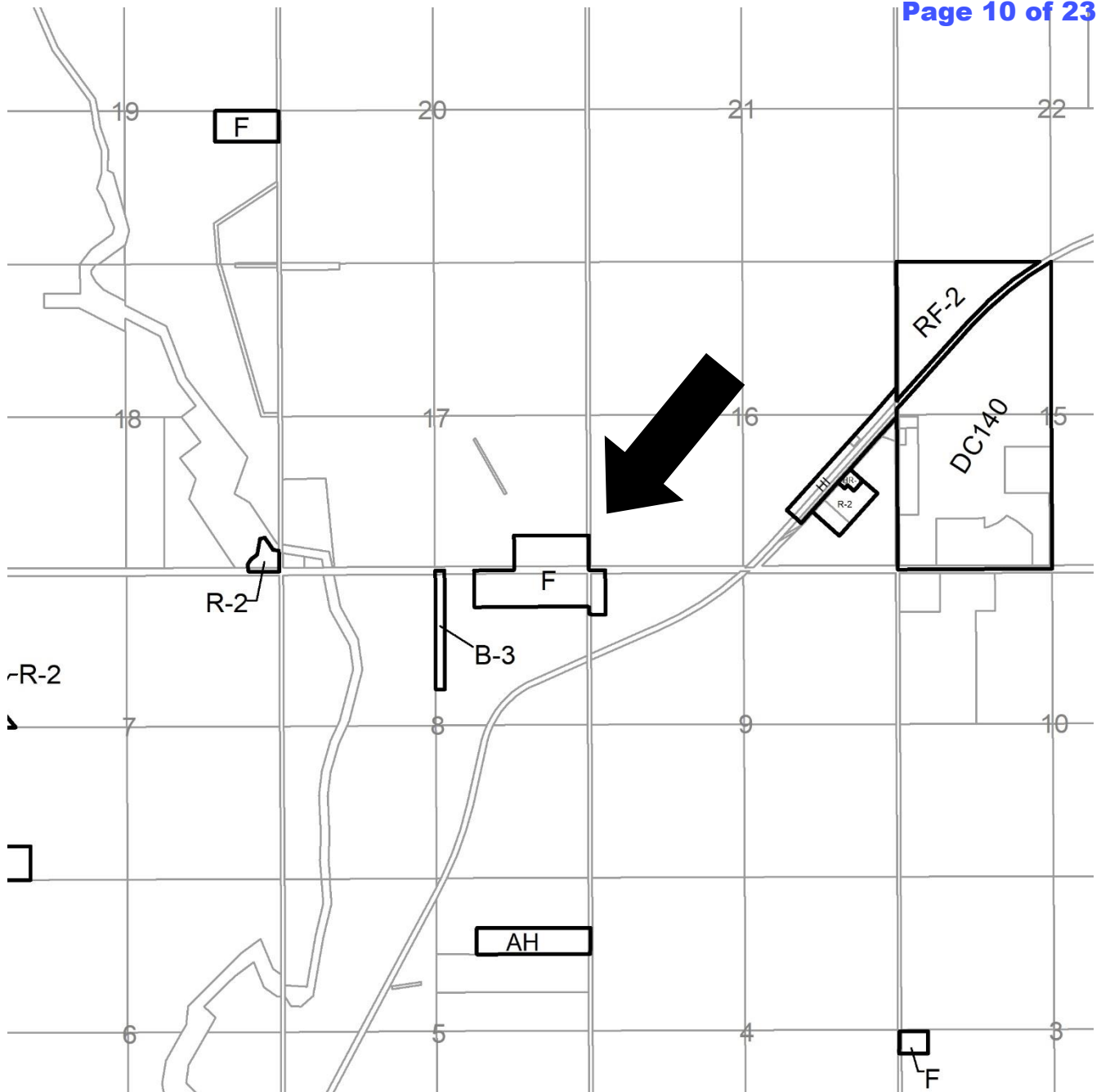
Date: 12-Feb-19

Division # 6

File: 06217001

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Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

SE-17-26-27-W04M

Lot:1 Plan:9610680

Date: 12-Feb-19

Division # 6

File: 06217001

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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-17-26-27-W04M
Lot:1 Plan:9610680

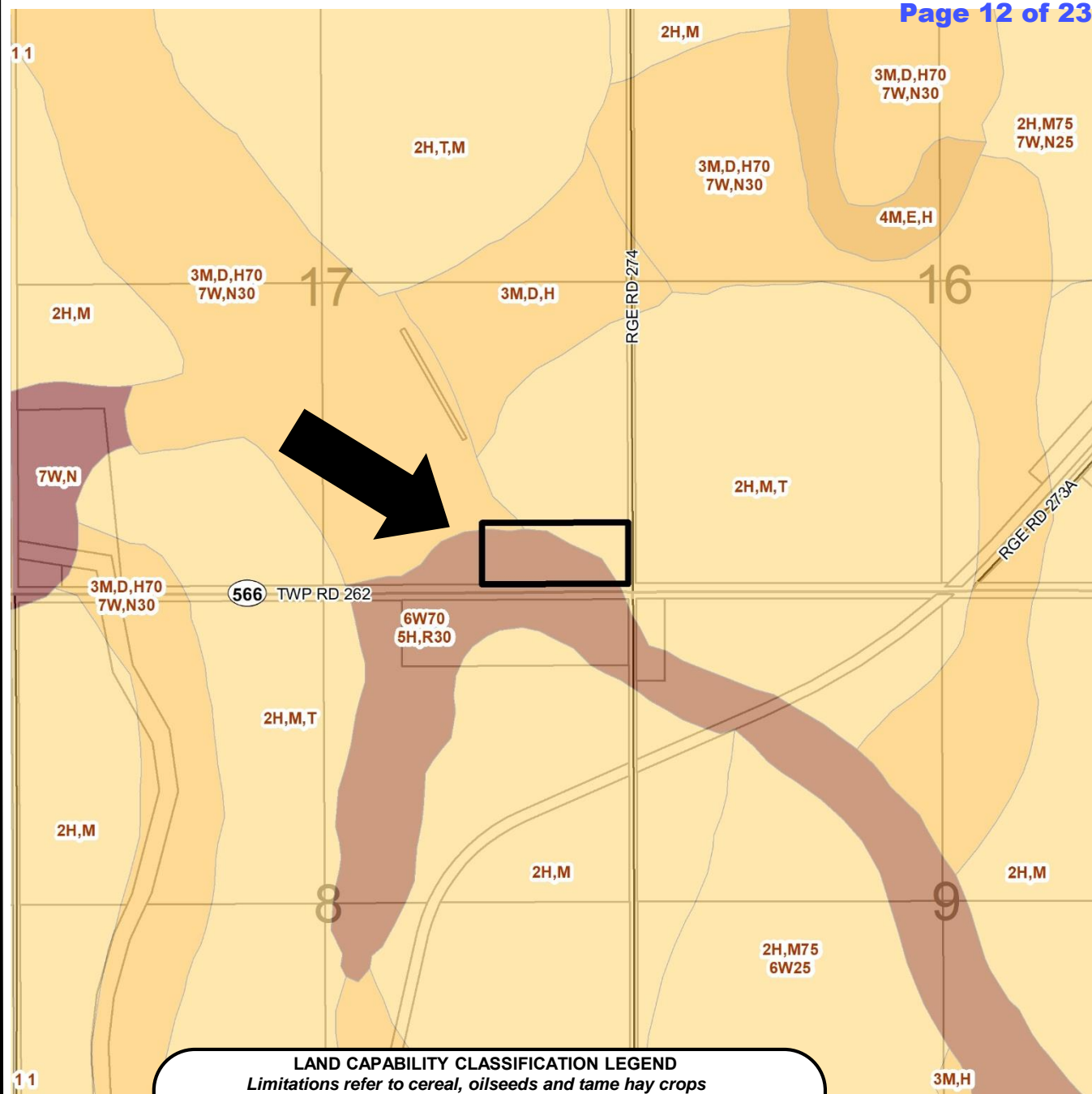
Date: **12-Feb-19**

Division # 6

File: **06217001**

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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-17-26-27-W04M

Lot:1 Plan:9610680

Date: **12-Feb-19**

Division # 6

File: **06217001**



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-17-26-27-W04M

Lot:1 Plan:9610680

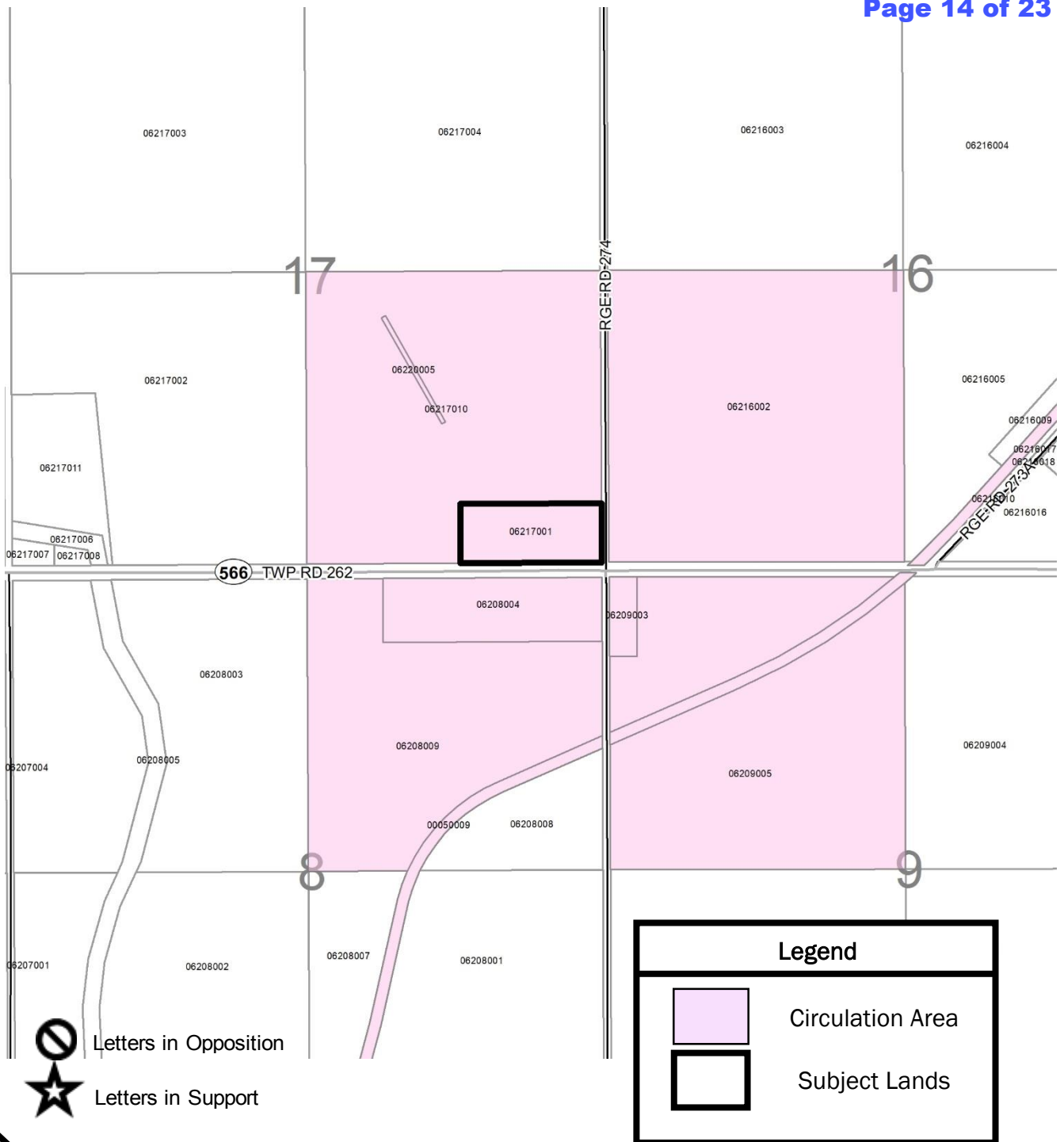
Date: 12-Feb-19

Division # 6

File: 06217001

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LANDOWNER CIRCULATION AREA

SE-17-26-27-W04M
Lot:1 Plan:9610680

Date: 12-Feb-19

Division # 6

File: 06217001



Notice of Appeal

**Subdivision and Development Appeal Board
Enforcement Appeal Committee**

Appellant Information			
Name of Appellant(s) <u>Darryl Kneesch</u>			
Mailing Address		Municipality	Province
Home Phone #	Business Phone #	Email Address	
Site Information			
Municipal Address	Legal Land Description (lot, block, plan and/or quarter-section-township-range-meridian)		
	<u>Lot 1 Block Plan 9610680</u>		
Development Permit, Subdivision Application, or Enforcement Order #		Roll #	
<u>PRDP 20184716</u>		<u>06217001</u>	
I am appealing: (check one box only)			
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<p><u>We desire one esthetically pleasing building, instead of multiple small buildings. The building has an open leanto that is included in the square footage. The leanto causes the</u></p>			



This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Manager of Legislative and Legal Services at 403-230-1401.

Appellant's Signature

Feb 5, 2019
Date



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

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

REFUSAL

Darryl Kneesch

Development Permit #: PRDP20184716

Date of Issue: January 17, 2019

Roll #: 06217001

Your Application dated November 21, 2018 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-4841-97 of Rocky View County in respect of:

construction of accessory building (oversized and over height workshop), relaxation of maximum height and the maximum building area requirements

at Lot 1 Block Plan 9610680, SE-17-26-27-04; (274006 TWP RD 262, Rocky View County AB)

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

- 1) The size of accessory building exceeds the maximum permitted as defined in Section 47.3 of the Land Use Bylaw C-4841-97.
(Permitted – 223.0 sq. m (2,400.35 sq. ft.); Proposed – 325.16 sq. m (3,500 sq. ft.))
(Maximum variance – 10 %; Requested – 45.81 %)
- 2) The height of the proposed accessory building exceeds the maximum permitted as defined in Section 47.7 of the Land Use Bylaw C-4841-97
(Permitted – 5.50 m (18.04 ft.); Proposed 7.92 m (26 ft.))
(Maximum variance – 25 %; Requested variance – 44%)

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

If you require further information or have any questions regarding the appeal process, please contact Legislative Services at 403-230-1401 or email sdab@rockyview.ca and include the application number.

Regards,

A handwritten signature in blue ink, appearing to read "Rose".

Rocky View County
Development Authority



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 0627001
Date of Receipt Nov 21/18	Receipt #

Name of Applicant Darryl Kneesch Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

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

For Agents please supply Business/Agency/ Organization Name [REDACTED]

Registered Owner (if not applicant) MURRAY SCHWENGLER

Mailing Address [REDACTED]

Postal Code [REDACTED]

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

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SE $\frac{1}{4}$ Section 17 Township 26 Range 27 West of 4 Meridian

b) Being all / parts of Lot 1 Block [REDACTED] Registered Plan Number 9610680

c) Municipal Address 274006 twp 262

d) Existing Land Use Designation F Parcel Size 15.32 Division [REDACTED]

2. APPLICATION FOR

Workshop

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 DARRYL KNEESCH 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 [Signature]

Date 11/21/2018

Owner's Signature [Signature]

Date 11/21/2018

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, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.

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

 11/21/2018
Signature Date



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR AN ACCESSORY BUILDING

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 06217001
Date Received Nov 21/18	Receipt #

Name of Applicant Darryl kneesch Email [REDACTED]
Mailing Address [REDACTED]
[REDACTED] Postal Code [REDACTED]
Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	(discretionary) 2400.35 sf	3,500 sf
Accessory building height	18.04'	26'
Number of existing accessory buildings on site	—	1
Total size of all accessory buildings	—	3,500 sf

Description of Accessory Buildings:

- a) Building materials Colored Metal Siding
b) Exterior colour Dark Red + Black Trim
c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
Only want 1 Building. Square footage Includes Leanto's
d) Date when building permits were issued for existing buildings N/A
e) If no permits were issued - list age of buildings N/A

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Workshop + storage of equipment.

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 [Signature] Date: 11/21/2018

Murray Schwrangler



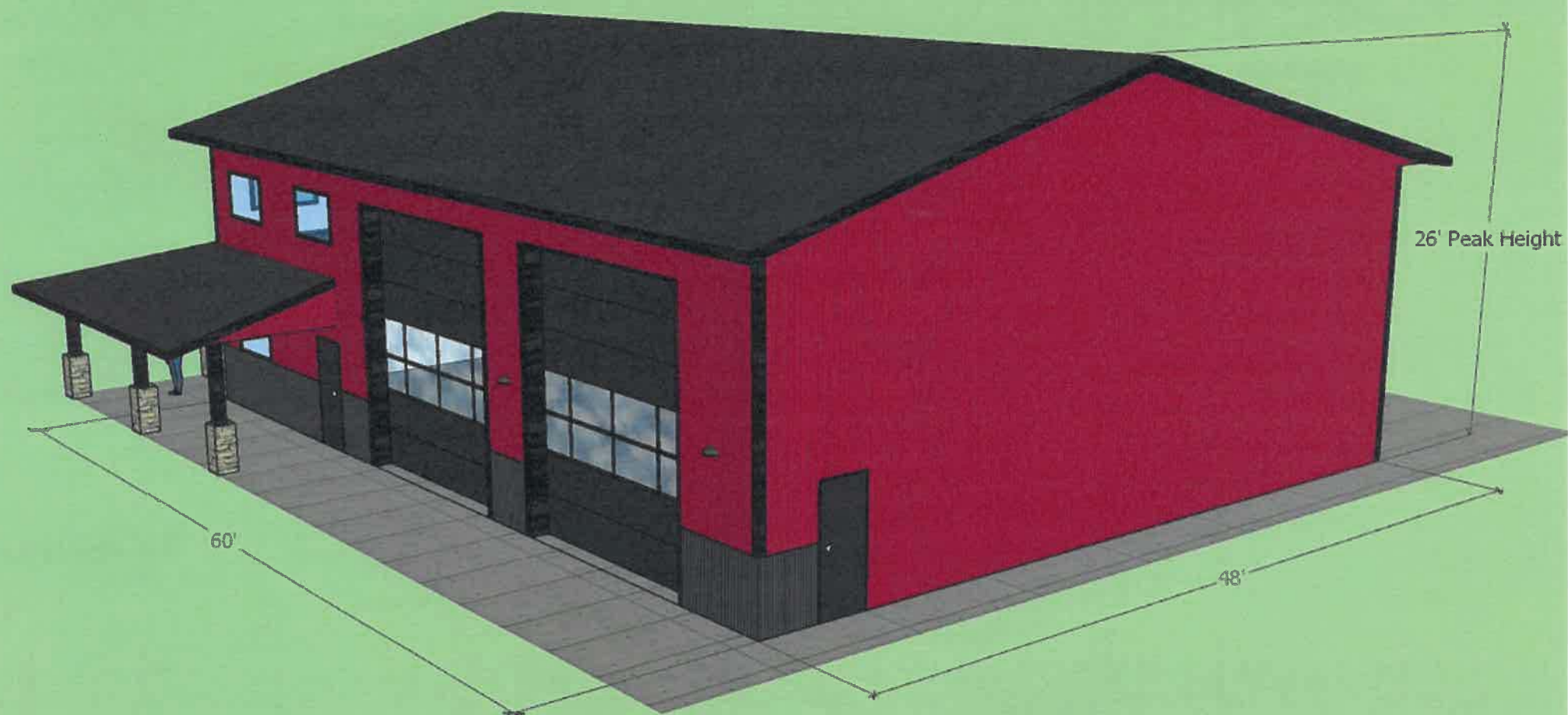
SITE PLAN

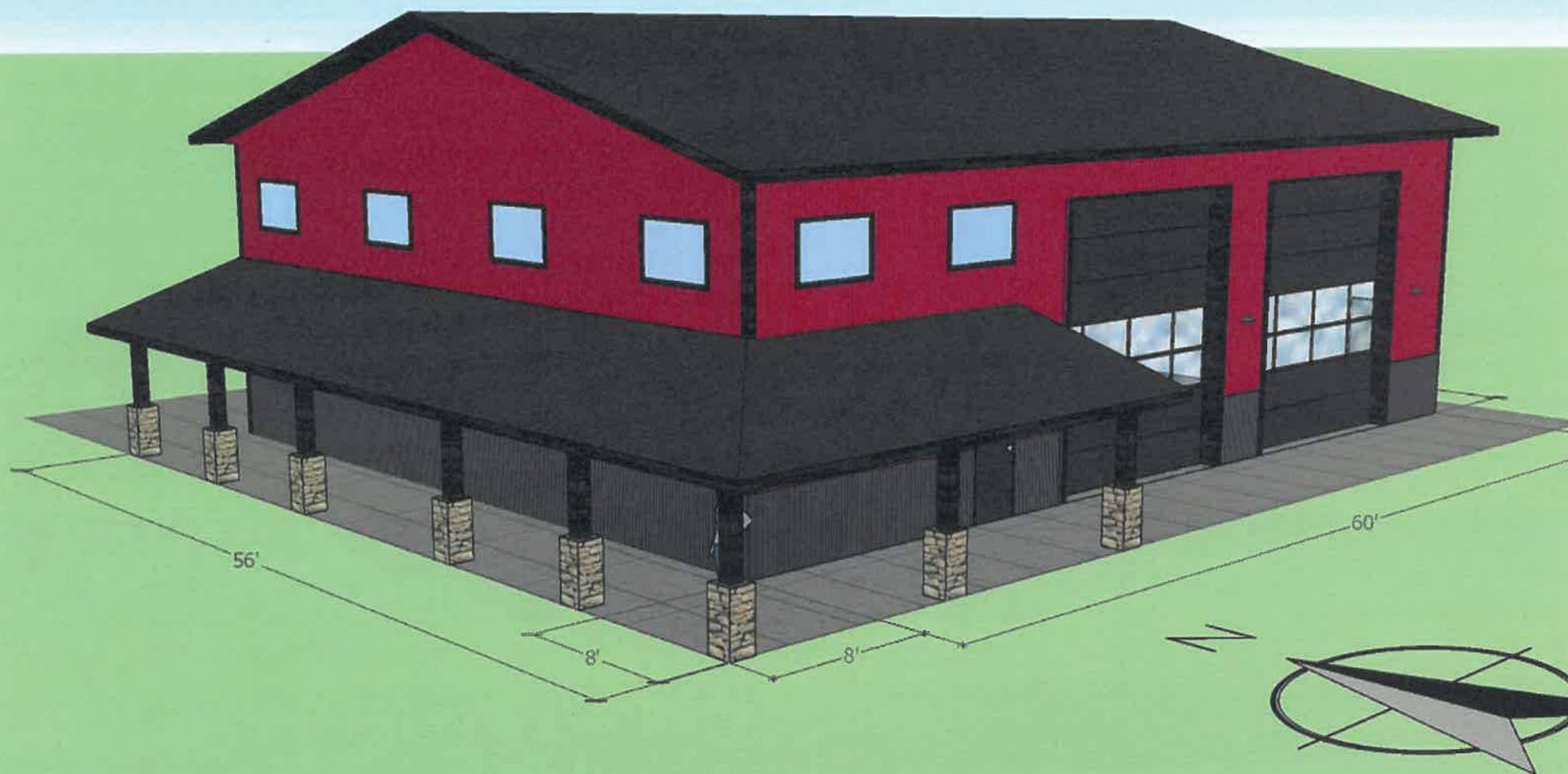
Municipal Address:

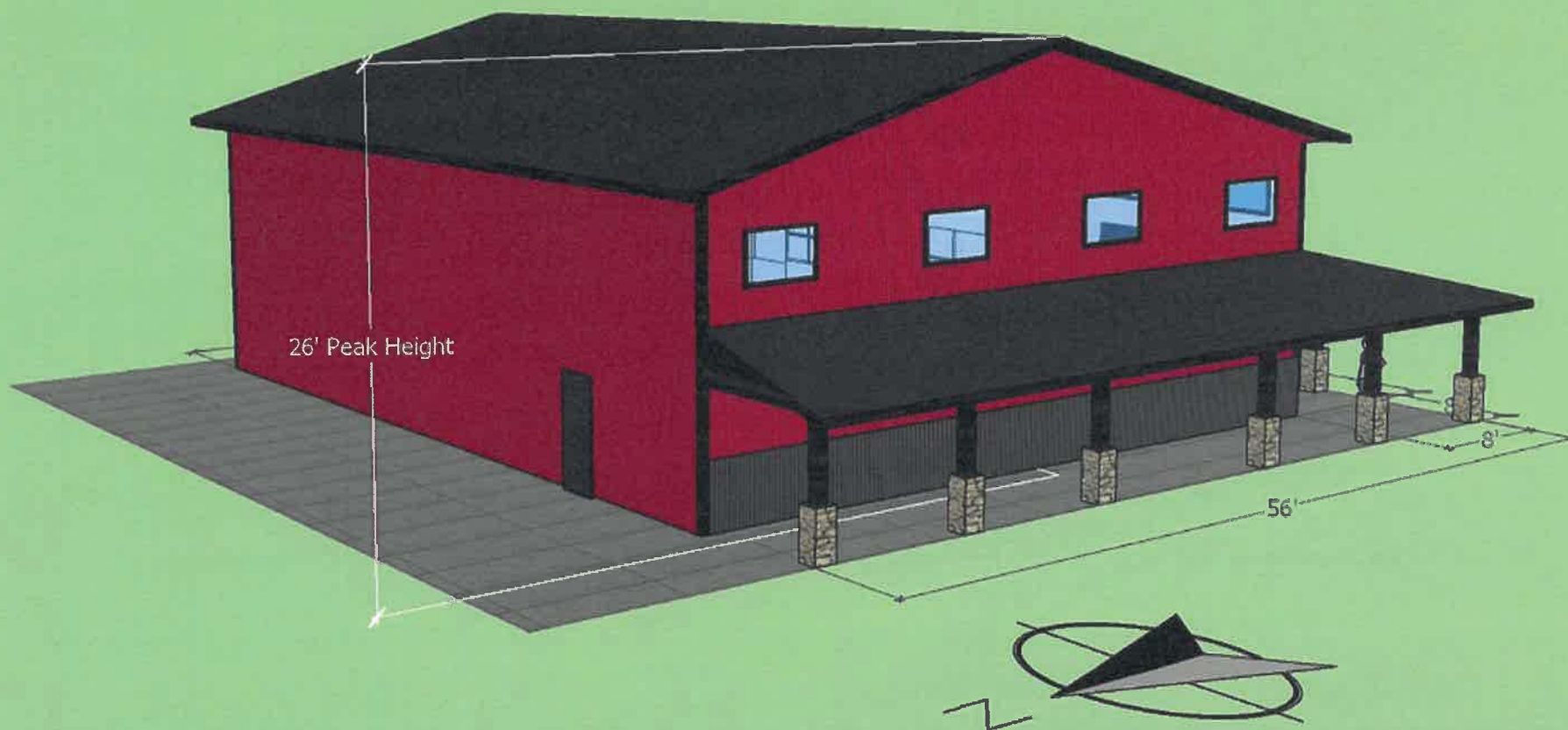
274006 Twp 262



Total Building Area: 3500 Sq. Ft









PLANNING, DEVELOPMENT, & BYLAW SERVICES

TO: Subdivision and Development Appeal Board

DATE: February 20, 2019 **DIVISION:** 5

FILE: 04227009 **APPLICATION:** B4; PRDP20184675/
PRDP20190080/81

SUBJECT: Farm Dwelling, Mobile Home, Accessory Building & Home-Based Business, Type II

PROPOSAL: Farm dwelling, mobile home (existing); accessory building (existing shop), relaxation of the minimum side yard setback requirement; and a home-based business, type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setback requirements for outside storage, and relaxation of the maximum outside storage area.	GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) west of Hwy. 9, on the north side of Inverlake Road
APPLICATION DATE: November 20, 2018 (Deemed Complete: January 17, 2019)	DEVELOPMENT AUTHORITY DECISION: Discretionary – Refused
APPEAL DATE: February 5, 2019	DEVELOPMENT AUTHORITY DECISION DATE: January 23, 2019
APPELLANT: Carlos Tejada	APPLICANT: Carlos Tejada
LEGAL DESCRIPTION: Lot 4, Block 4, Plan 0312137 (SE-27-24-27-W04M)	MUNICIPAL ADDRESS: 272056 Inverlake Road
LAND USE DESIGNATION: Agricultural Holdings District (AH)	GROSS AREA: ± 8.35 hectares (± 20.63 acres)
PERMITTED USE: A farm dwelling, mobile home and home-based business, type II are discretionary uses. An accessory building is a permitted use, but becomes discretionary when relaxations are required.	DEVELOPMENT VARIANCE AUTHORITY: The Development Authority may grant up to a 25% variance to the minimum side yard setback requirement. The Development Authority does not have any variance discretion with respect to the remaining relaxations requested.
PUBLIC SUBMISSIONS: The application was circulation to 28 adjacent landowners. No letters in support or opposition were received.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan (C-7280-2013) • Land Use Bylaw (C-4841-97)



EXECUTIVE SUMMARY:

Three Appeals

PRDP20184675, PRDP20190080, and PRDP20190081 all related to the same parcel of land legally described as Lot 4, Block 4, Plan 0312137. As these applications are interrelated and identified in a single Notice of Appeal, the report and presentation of the three appeals have been combined for ease of reference for the Board.

While these appeals may be heard and deliberated together, as they are appeals to individual decisions of the Development Authority, it is the opinion of the Development Authority that separate decisions of the Board will be required.

The Appellant/Owner has requested approval for a farm dwelling, mobile home (existing); an accessory building (existing shop), relaxation of the minimum side yard setback requirement; and a home-based business, type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setback requirements for outside storage, and relaxation of the maximum outside storage area. This Applicant had an application to redesignate the subject lands from Agricultural Holdings District to Industrial – Industrial Activity District (redesignation application PL20180017) on November 13, 2018, which was refused by Council. In that Council Meeting, the following motion was also passed:

- *That Administration be directed to work with the Applicant to submit a Development Permit application for a Home Based Business Type II and:*
 - *Waive any development permit application fees for Lot 4, Block 4, Plan 0312137; and*
 - *Waive any appeal fees under the Master Rates Bylaw.*

The subject lands are designated Agricultural holdings district and are currently developed with one accessory building (existing shop). The subject lands contain existing areas of outside storage. In order to bring the property into compliance, approval for three uses is required, all of which are interrelated:

- the Farm Dwelling, Mobile Home (existing);
- the Accessory Building (existing shop); and
- a Home-Based Business, Type II, for a landscaping company.

As the definitions of accessory building and Home-Based Business require that they be subordinate to a principal residential use, it is important that the first matter to be considered by the Board is the proposal for a farm dwelling, mobile home (existing).

Farm Dwelling, Mobile Home

The mobile home is already on the subject lands, and is 81.91 sq. m (881.72 sq. ft.) in size. Because the mobile home is not on a permanent foundation, and the width is 4.19 m (13.75 ft.), it does not meet the definition of a dwelling, single detached, which requires a permanent foundation and minimum width of 5.00 m (16.40 ft.). Therefore, the only use it can fall under in the existing district is a farm dwelling, mobile home.

Section 29.2 of the Land Use Bylaw requires that the maximum term of Farm Dwelling not exceed five (5) years. This means that it is subject to renewal.

The farm dwelling, mobile home is centrally located and complies with the minimum setback and height requirements of the Land Use Bylaw. The farm dwelling, mobile home is serviced by means of water well and a septic pump out tank. Based on the site inspection completed by Administration, it does not appear that there is any farming activity occurring on the subject lands. However, the Applicant indicated that the lands are used for crop production (hay). The application submitted



confirms that one employee of the home-based business resides in the farm dwelling, mobile home. Therefore, the proposal does not meet the definition of a farm dwelling, mobile home, and does not satisfy the requirements of Section 29.1, both of which require the occupant of the farm dwelling, mobile home to be engaged in farm help.

Section 687(3)(d) of the *Municipal Government Act* allows the Subdivision and Development Appeal Board, when determining an appeal, to make a decision and confirm the issuance of a Development Permit, even though the proposed development does not comply with the Land Use Bylaw, if, in its opinion,

- (i) *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,*
- (ii) *The proposed development conforms with the use prescribed for that land or buildings in the land use bylaw.*

Administration's interpretation of Section 687(3)(d)(ii) of the *Municipal Government Act* is that the Subdivision and Development Appeal Board does not have the ability to vary a definition as defined in the Land Use Bylaw, but rather has the ability to vary regulations in the bylaw. As the proposal does not meet the definition of a Farm Dwelling, Mobile Home or any other residential use definition in the Agricultural Holdings District, Administration does not believe that a Development Permit can be granted for the proposed development.

Should the Board determine that the proposed development does meet the definition of a Farm Dwelling, Mobile Home, the approval would be temporary and there is a risk in the form of any subsequent approval for the accessory building (existing shop) as it would be a permanent use based on a temporary approval. If the dwelling approval were to lapse, it would create a situation where an accessory building has been approved that does not meet the respective definition.

Without approval for some type of dwelling on the subject lands, the accessory building cannot remain and the home-based business cannot operate, because they would not meet their respective definitions, as both require some type of dwelling or principal building on the subject lands. The definition of a farm dwelling, mobile home, is "*a dwelling, mobile home, that is used as a residence by individuals assisting in the farming operations conducted on, or associated with the parcel upon which the dwelling, mobile home is located.*" If the Board were to agree with Administration's assessment that the proposal does not meet the definition of a farm dwelling, mobile home, then neither the proposed accessory building (existing shop) nor the home-based business, type II, would meet their respective definitions in the Land Use Bylaw, as there would be no primary use of the land to which the developments would be subordinate. If the Board finds that the proposal complies with the Land Use Bylaw provisions for a farm dwelling, mobile home, and can remain as such, appropriate conditions linking the home-based business and farm dwelling, mobile home have been provided.

The following provides an overview of the remaining matters to be considered by the Board: the accessory building (existing shop), and home-based business, type II, along with a summary of the non-compliances noted from the administrative evaluation. Further details are provided in the remainder of the report.

Accessory Building

The accessory building (shop) is existing on the subject lands. It is approximately 185.81 sq. m (2,000.00 sq. ft.) in size, is centrally located on the western portion of the subject lands, and is constructed of a wood exterior finish. There is no existing development and/or building permit for the accessory building



(existing shop). The Applicant indicated that, in the future, this accessory building may be demolished to allow for the construction of a new one; however, this does not negate the current need for permits.

The Accessory Building (existing shop) is encroaching on the minimum side yard (west) setback requirement as specified in Section 46.5(c)(iv) of the Land Use Bylaw, and requires a relaxation of 33.33%, which is beyond the variance discretion of the Development Authority.

Should the Board decide to approve the farm dwelling, mobile home and approve the accessory building (existing shop), the accessory building would be a permanent use dependent on a temporary use. If the dwelling use were to lapse, it would create a situation where an accessory building has been approved that does not meet the respective definition. Therefore, should the Board decide to approve the Accessory Building (existing shop), the Board may wish to place a time limit on the approval as granted under Section 12.2(a) of the Land Use Bylaw, which states:

12.2 Use, Discretionary Applications:

Upon receipt of a completed application for a Development Permit for a use, discretionary, the Development Authority may:

- (a) approve a time-limited Development Permit for a specified limited time period where it is the opinion that the use is of a temporary nature, or should only be approved on a temporary basis;*

Home-Based Business, Type II

The home-based business specializes in year-round landscaping and snow removal, uses light-duty trucks, and is called, "Futurescape Landscaping Ltd." The business employs seven full-time employees, one of whom resides on the subject lands in the farm dwelling, mobile home (200% variance). The employee who resides on site also provides security. The accessory building (existing shop) detailed above is used in the operation of the business. The business generates three business related visits per day, equating to approximately 15 per week. The Applicant requested 8,093.71 sq. m (87,120.00 sq. ft.) of outside storage (1,923.41 % variance) for the landscaping business, located in the northwest corner of the subject lands. The outside storage area is encroaching on the minimum side yard setback (west) as well as the minimum rear yard setback (both a 100% variance), posing further impacts to adjacent properties with respect to privacy and screening.

Due to the amount of outside storage requested, the proximity of the outdoor storage to adjacent properties, and the number of non-resident employees, Administration determined that the business is better suited to a defined business area of the County, rather than a fragmented quarter section in an agricultural area.

Due to the scale of the business, the residential character and external appearance of the subject lands will be negatively altered. Because of the above factors, the application is in contravention of Sections 21.1(c), 21.3(c), 21.3 (d), 21.3(e), and 21.3(g) of the Land Use Bylaw. Furthermore, without an approval for a dwelling on the subject lands, the Home-Based Business does not meet the definition of a Home-Based Business as specified in Section 8 of the Land Use Bylaw, which requires a dwelling to be located on the parcel in which the business is located.

Overall

The reasons for refusing the application as detailed above are beyond the scope of the variance authority granted to the Development Authority in the Land Use Bylaw, and therefore, the application had to be refused. The following provides a summary of these reasons.



Farm Dwelling, Mobile Home (existing)

1. The proposal does not meet the definition of a Farm Dwelling, Mobile Home, as specified in Section 8 of the Land Use Bylaw, as the individual occupying the residence does not engage in farm help.
2. The proposed Farm Dwelling, Mobile Home does not house an occupant who engages in farm help on a full-time basis for at least six (6) months of each year, as required by Section 29.1 of the Land Use Bylaw.

Accessory Building (existing shop)

3. The proposal does not meet the definition of an Accessory Building, as specified in Section 8 of the Land Use Bylaw, as there is no approval for a principal building on the subject lands.
4. The accessory building (existing shop) does not meet the minimum setback requirement, as defined in Section 46.5(c)(iv) of the Land Use Bylaw.

Required – 6.00 m (19.69 ft.); Proposed – 4.00 m (13.12 ft.)

Home Based Business, Type II

5. The proposal does not meet the definition of a Home-Based Business, as specified in Section 8 of the Land Use Bylaw, as there is no approval for a principal building on the subject lands.
6. The Home-Based Business varies the external appearance and residential character of the subject lands due to the scale of outside storage requested, in contravention of Section 21.1(c) and Section 21.3(d) of the Land Use Bylaw.
7. The Home-Based Business is not secondary to the residential use of the parcel, due to the scale of outside storage and number of non-resident employees requested, in contravention of Section 21.3(c) of the Land Use Bylaw.
8. The Home-Based Business employs six-non-resident employees, in contravention of Section 21.3(e) of the Land Use Bylaw.

Required – Two (2) Non-resident Employees; Proposed – Six (6) Non-resident Employees

9. The Home-Based Business has an outside storage area of 8,093.71 sq. m (87,120.00 sq. ft.) and encroaches on the minimum side yard and rear yard setback requirements, in contravention of Section 21.3(g) of the Land Use Bylaw.

Required – 400.00 sq. m (4,305.56 sq. ft.); Proposed – 8,093.71 sq. m (87,120.00 sq. ft.)

Required – 6.00 m (19.69 ft.); Proposed – 0.00 m (0.00 ft.) (minimum side yard setback)

Required – 15.00 m (49.21 ft.); Proposed – 0.00 m (0.00 ft.) (minimum rear yard setback)

On February 5, 2019, the Appellant/Owner appealed the decision of the Development Authority on the grounds that the mobile home occupant does engage in the business of the landscape company, there is an intent to build a larger shop at a later date and moving the building will be problematic, and that the outside storage will be screened properly.



PROPERTY HISTORY:

November 13, 2018	<p>Redesignation application PL20180017, to redesignate the subject lands from Agricultural Holdings District to Industrial – Industrial Activity district to accommodate a landscaping company, was refused by Council.</p> <ul style="list-style-type: none"> • Council passed a Motion Arising, that Administration be directed to work with the Applicant to submit a Development Permit application for a Home Based Business Type II and: <ul style="list-style-type: none"> ○ Waive any development permit application fees for Lot 4, Block 4, Plan 0312137; and ○ Waive any appeal fees under the <i>Master Rates Bylaw</i>.
August 14, 2017	<p>Development Permit application PRDP20164704 for a Home-Based Business, Type II, for a landscaping and construction company was refused.</p> <ul style="list-style-type: none"> • The decision of the Development Authority was not appealed, and in February 2018, the Applicant submitted the application to redesignate to lands to permit the landscaping business.
February 1, 2017	<p>Board Order 14-17 was issued for the existing mobile home to remain on the subject lands as a temporary dwelling, mobile home.</p> <ul style="list-style-type: none"> • The Development Permit expired on February 28, 2018. No renewal application was submitted.
January 11, 2007	<p>Development Permit 2006-DP-12285 was issued for a mobile home, for temporary residence during construction of a principal dwelling.</p> <ul style="list-style-type: none"> • The permit expired on November 5, 2007.
October 11, 2005	<p>Building Permit 2005-BP-18734 was applied for on the subject lands for a single family dwelling.</p> <ul style="list-style-type: none"> • As of November 25, 2009, construction had not been started and the application was subsequently closed.
July 31, 2003	<p>Plan 0312137 was registered, creating two ± 8.13 hectare (± 20.08 acre) parcels with a ± 8.35 hectare (± 20.63 acre) remainder.</p>
May 6, 2003	<p>Planning application 2002-RV-314 was approved by Council, redesignating the subject lands from Agricultural Business District to Agricultural Holdings District to facilitate the creation of two ± 8.09 hectare (± 20.00 acre) parcels with a ± 8.09 hectare (± 20.00 acre) remainder.</p>



APPEAL:

See attached report and exhibits.

Respectfully submitted,

Matthew Wilson
Manager Planning, Development, & Bylaw Services
PS/rp



DEVELOPMENT PERMIT REPORT

Application Date: November 20, 2019 (Deemed Complete: January 23, 2019)	File: 04227009
Application: PRDP20184675 / PRDP20190080 / PRDP20190081	Applicant/Owner: Carlos Tejada
Legal Description: Lot 4, Block 4, Plan 0312137; SE-27-24-27-W04M (272056 Inverlake Road)	General Location: Located approximately 0.41 km (1/4 mile) west of Hwy. 9, on the north side of Inverlake Road
Land Use Designation: Agricultural Holdings District (AH)	Gross Area: ± 8.35 hectares (± 20.63 acres)
File Manager: Paul Simon	Division: 5

PROPOSAL:

To facilitate the proposed development activity of a home-based business, approval for three uses is required. While each has a separate application number, this report deals with all three uses to be heard by the Subdivision and Development Appeal Board concurrently.

The proposal is for a farm dwelling, mobile home (existing), accessory building (existing shop), relaxation of the minimum side yard setback requirement, and a home-based business, type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setback requirements for outside storage, and relaxation of the maximum outside storage area.

Overview of Proposed Development:

- The ultimate intent of this proposal is to facilitate the operation of the landscape business with an extensive outside storage area;
- The Applicant had attempted to redesignate the subject lands in 2018 to the Industrial – Industrial Activity district (PL20180017). This application was refused. Council directed the Applicant to apply for a Home-Based Business, Type II;
- With redesignation application PL20180017, the Applicant submitted a Well Drillers Report, Traffic Impact Assessment Letter, and Conceptual Stormwater Management Report. These reports were used to evaluate the proposed Home-Based Business;
- This is a unique situation as each application/use is dependent on one another and interrelated; hence the requirement for all to be considered concurrently;
- In order for the Home-Based Business, Type II to be valid, a dwelling needs to be on the subject lands, necessitating the need for approval of the farm dwelling, mobile home;
- In order for the existing accessory building (shop) to be valid, it needs to be accessory to a principal building on the subject lands (i.e. the farm dwelling, mobile home) in order to meet the definition of an accessory building.

Farm Dwelling, Mobile Home Summary:

- The property currently contains a mobile home. The only use applicable in the Agricultural Holdings District for this dwelling is a farm dwelling, mobile home;



- The cover letter and application forms indicate that the mobile home is 55.74 sq. m (600.00 sq. ft.) in size. However, email correspondence and the County's GIS system indicate that the farm dwelling, mobile home is 19.55 m (64.14 ft.) X 4.19 m (13.75 ft.), which equates to 81.91 sq. m (881.72 sq. ft.) in size. Based on this size, it does not meet the minimum width for a dwelling, single detached (5.00 m as specified in the definition) and therefore it can only be applied for as a farm dwelling, mobile home. Furthermore, in accordance with the Land Use Bylaw requirements in the Agricultural Holdings district, the mobile home does not meet the minimum size for a dwelling;
- The farm dwelling, mobile home is not on a permanent foundation;
- The farm dwelling, mobile home is centrally located and meets the minimum setback requirements of the Land Use Bylaw;
- Based on the site inspection completed, the farm dwelling, mobile home, is significantly less than 10.00 m (32.81 ft.) in height, meeting the requirements of the Land Use Bylaw;
- One employee resides in the farm dwelling, mobile home. There has been no indication that the individual residing in the farm dwelling, mobile home, engages in any farming operations;
- The farm dwelling, mobile home is serviced by a water well and septic pump out tank;
- A farm dwelling, mobile home, is subject to renewal. This is reflected in the proposed conditions of approval.

Accessory Building Summary:

- There is an existing shop on the subject lands that is used for the Home-Based Business, Type II;
- The application form indicates that 929.03 sq. m (10,000 sq. ft.) of the shop will be used for business purposes. Based on the site plan and correspondence with the Applicant, it has been confirmed that the accessory building (existing shop) is only 185.81 sq. m (2,000.00 sq. ft.) in size;
- There is no existing development permit or building permit for the accessory building (existing shop);
- The accessory building (existing shop) is centrally located, on the western side of the subject lands;
- The Applicant indicated that at some point in the future, the accessory building (existing shop) would be demolished and a new accessory building would be constructed. However, as no application has been submitted, that approval for the new building is not contemplated with this application;
- The accessory building (existing shop) has a wood exterior finish;
- The accessory building (existing shop) is encroaching on the western property line setback. Based on the size of the accessory building, it is a permitted use. However, due to the required relaxation, it becomes a discretionary application that requires approval through a development permit application. Previous correspondence with the Applicant indicates that the accessory building is approximately 4.00 m (13.12 ft.) from the western property line.

Home-Based Business Summary:

- The business specializes in year-round for landscaping and snow removal;
- The business is called, "Futurescape Landscaping Ltd.";
- The business employs seven full-time employees, one of which resides on the subject lands.
- There is an existing shop on the subject lands that is used for the Home-Based Business, Type II (see details above). While the application form indicates 929.03 sq. m (10,000 sq. ft.) of the shop will be used for business purposes, based on the site plan and correspondence with the Applicant, it has been confirmed that the accessory building (existing shop) is only 185.81 sq. m (2,000.00 sq. ft.) in size;
- One of the employees resides in the farm dwelling, mobile home (see details above);
- Based on the application submitted, approximately three vehicles attend the subject lands per day, equating to approximately 15 visits per week. While the cover letter submitted with the application



indicates all seven employees organize at the site in the morning, disperse for the day, and return in the evening, confirmation was obtained from the Applicant that not all employees drive vehicles, and three visits per day is accurate;

- The business predominately uses light duty trucks;
- The business employs seven full-time employees, one of whom resides on the subject lands in the farm dwelling, mobile home. The employee also provides security for the site;
- The Applicant has requested 8,093.71 sq. m (87,120.00 sq. ft.) of outside storage for the landscaping business, located in the northwest corner of the subject lands;
- The outside storage area is immediately adjacent to the western and northern property line, encroaching on the minimum side yard and rear yard setback requirements;
- No signage has been requested with this application;
- The business operates Monday – Saturday, from 7:00 a.m. – 5:00 p.m. The Applicant indicated that there could be times in the winter months where extended work hours are required after a heavy snowfall.

Land Use Bylaw C-4841-97: Evaluation Summary Table:

The following table provides a summary of the administrative evaluation for each of the three uses against the policies of the Land Use Bylaw. Further details regarding the assessment are elaborated in the remainder of the report.

Use	Land Use Bylaw Section	Compliance with Land Use Bylaw
<i>Farm dwelling, mobile home</i>	Section 8	- <i>Does not comply with definition.</i>
	Section 29.1	- <i>Does not comply as occupant is not engaged in farm help on full-time basis for 6 months/year.</i>
	Section 46.5(b)(c)(d)	- Complies with all minimum setback requirements.
	Section 46.7(i)	- Complies with maximum height requirement.
<i>Accessory building (shop)</i>	Section 8	- <i>Does not comply with definition.</i>
	Section 46.5(b)	- Complies with minimum front yard setback (south) requirement.
	Section 46.5(c)	- Complies with the minimum side yard setback requirement (east). - <i>Does not comply with the minimum side yard setback requirement (west), and requires a 33.33% variance.</i>
	Section 46.5(d)	- Complies with minimum rear yard setback (north) requirement.
	Section 46.7(ii)	- Complies with maximum height requirement.
<i>Home-Based Business, Type II</i>	Section 8	- <i>Does not comply with definition.</i>
	Section 21.1(c)	- <i>Does not comply as business will vary the external appearance and residential character of the land due to scale of outside storage.</i>
	Section 21.1(d)	- Complies as Traffic Impact Assessment memo confirms negligible impact to road network from business activities.

Use	Land Use Bylaw Section	Compliance with Land Use Bylaw
	Section 21.1(f)	- Complies as business does not generate any byproducts that would be considered excessive or offensive.
	Section 21.3(a)	- Complies as business is proposed to encompass dwelling, accessory building, and outside storage area.
	Section 21.3(b)	- Complies as business generates about three visits per day, equating to 15 per week.
	Section 21.3(c)	- <i>Does not comply; due to the scale of outside storage proposed, and number of non-resident employees, business would not be secondary to residential use on parcel.</i>
	Section 21.3(d)	- <i>Does not comply as business will vary the external appearance and residential character of the land due to scale of outside storage.</i>
	Section 21.3(e)	- <i>Does not comply as business employs 6 non-resident employees, exceeding the maximum of 2.</i>
	Section 21.3(f)	- Complies as business does not entail a retail component.
	Section 21.3(g)	- <i>Does not comply as outside storage is encroaching on the minimum side yard (west) and rear yard (north) setback requirements, and exceeds maximum amount of outside storage, requiring a 1,923.41% variance.</i>
	Section 21.3(h)	- Complies as all vehicles and equipment are kept in a building or an outside storage area.

Land Use Bylaw C-4841-97 (Farm Dwelling, Mobile Home):

Section 8 *Definitions*

FARM DWELLING, MOBILE HOME means a dwelling, mobile home, that is used as a residence by individuals assisting in the farming operations conducted on, or associated with the parcel upon which the dwelling, mobile home is located.

DWELLING, MOBILE HOME means a development consisting of a transportable dwelling containing only one dwelling unit that is designed and built to CAN/CSA Standard, to be moved, from one point to another as a single unit, and which is, upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as placement on a foundation and connection to utilities.

- Based on the application submitted, the individual residing in the farm dwelling, mobile home, does not engage in farming activities, but is an employee of the Home-Based Business, Type II. Therefore, the proposal for a farm dwelling, mobile home does not satisfy the definition as per Section 8 of the Land Use Bylaw. **Reason for refusal.**



Section 29 *Dwelling Units, Farm Help*

29.1 *The Development Authority may issue a Development Permit to allow a farm dwelling, mobile home, on a parcel if that unit is to be occupied by a person who is engaged on a full time basis for at least six (6) months each year in an agricultural pursuit on agricultural lands that includes the parcel that is the subject of the application.*

- The Applicant indicated that the individual residing in the farm dwelling, mobile home is an employee in the proposed Home-Based Business, and is not engaged in farming operations. Therefore the proposal does not satisfy Section 29.1 of the Land Use Bylaw. **Reason for refusal.**

Section 46.3 *Discretionary Uses (Agricultural Holdings District)*

Farm Dwelling, mobile home

- As this is a discretionary use, approval through a development permit is required.

Section 46.5(b)(c)(d) *Minimum Requirements*

- The proposed farm dwelling, mobile home, complies with all minimum setback requirements.

Section 46.7 *Maximum Height of Buildings*

(i) *Principal building – 10.00 m (32.81 ft.)*

- Based on an inspection completed by Administration, the farm dwelling, mobile home is substantially less than 10.00 m in height. No relaxation is required.

Land Use Bylaw C-4841-97 (Accessory Building):

Section 8 *Definitions*

ACCESSORY BUILDING means a building incidental and subordinate to the principal building, the use of which is incidental to that of the principal building but in no instance shall be used as a permanent or temporary residence, and is located on the same parcel.

- There are currently no approved permits on the subject lands, meaning that there is no principal building approved on the subject lands. In order for an accessory building to be approvable by the Development Authority, there needs to be a principal building on site as per the definition of an Accessory Building contained in Section 8 of the Land Use Bylaw. While this report contemplates approval for a farm dwelling, mobile home (notwithstanding the reasons for refusal indicated), given that there is currently no approval for a principal building issued through a development and/or building permit, the accessory building (existing shop) does not currently meet the definition of an accessory building. **Reason for refusal.**

Section 46.2 *Permitted Uses (Agricultural Holdings District)*

Accessory buildings less than 190.00 sq. m (2,045.14 sq. ft.) building area on parcels less than 16.20 hectares (40.03 acres).

- While the application form indicates that the accessory building (existing shop) is 929.03 sq. m (10,000 sq. ft.) in size, based on the site plan and correspondence with the Applicant, it has been confirmed that the accessory building (existing shop) is only 185.81 sq. m (2,000.00 sq. ft.) in size. While this falls within the permitted size, due to the issues in terms of meeting the definition of an Accessory Building, and the setback



relaxation required, this becomes a discretionary use and approval through a Development Permit is required.

Section 46.5 Minimum Requirements

(b) *Yard, Front – 45.0 m (147.64 ft.) from any road, County*

- Lots

(c) *Yard, Side – 6.00 m (19.69 ft.) all other*

- 4.00 m (13.12 ft.) (west) / Lots (east)
 - This equates to a 33.33% relaxation request for the minimum side yard setback (west). As per Section 12 of the Land Use Bylaw, the Development Authority may grant up to a 25% variance to the side yard setback requirement. This request exceeds the variance ability of the Development Authority. **Reason for refusal.**

(d) *Yard, Rear – 15.00 m (49.21 ft.) all other*

- Lots

Section 46.7 Maximum Height of Buildings

(ii) *Accessory building – 5.50 m (18.04 ft.)*

- The height of the accessory building (existing shop) is 3.66 m (12.00 ft.).

Land Use Bylaw C-4841-97 (Home Based Business, Type II):

Section 8 Definitions

HOME-BASED BUSINESS means the operation of a business or occupation within a dwelling and/or its accessory building(s), or on a parcel on which a dwelling is located and where one or more residents of the parcel is/are involved in the occupation or business. Home-Based Business does not include Cannabis Cultivation or Cannabis Facility.

- The definition of a Home-Based Business requires the operation of the business to occur on a parcel on which a dwelling is located. While the parcel contains a mobile home, it does not hold any approved development and/or building permits. Based on the potential issues with approving the dwelling as a farm dwelling, mobile home (see reasons stated above), currently, without any approvals, the proposed Home-Based Business does not meet the definition as specified in Section 8 of the Land Use Bylaw. **Reason for refusal.**

Section 46.3 Discretionary Uses (Agricultural Holdings District)

Home-Based Business, Type II

- As this is a discretionary use, approval through a development permit is required.

Section 21 Home-Based Business

21.1 (c) *No variation from the external appearance and residential character of land or buildings shall be permitted.*

- The Applicant is requesting 8,093.71 sq. m (87,120.00 sq. ft.) of outside storage to facilitate the proposed business activities. As per the regulations of a Home-Based Business, a maximum of 400.00 sq. m (4,305.56 sq. ft.) of outside storage is

permitted. This is a request for an increase by a factor of over 20 (1,923.41%). Given the scale of outside storage requested, even with conditions for appropriate screening, Administration determined that the proposed business is better suited to an identified business area and could vary the external appearance and residential character of the subject lands. **Reason for refusal.**

Section 21.1 (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.

- Based on the application submitted, approximately three vehicles attend the subject lands per day, equating to approximately 15 visits per week. A Traffic Impact Assessment Letter was submitted with the redesignation application (PL20180017) for the landscaping business. The letter confirms that any impacts to traffic are negligible, and therefore, it is the opinion of the Development Authority that the business should not generate excessive increases in traffic. However, it should be noted that the subject lands are provided access via panhandle and shared driveway (panhandle is approximately 8.00 m wide). While not enforceable by the Development Authority, as access has already been confirmed to County standards at the time of subdivision, it is the expectation that the Owner of the subject lands would have their access arrangement along the panhandle to accommodate traffic, in the form of a private driveway, or, if using a shared driveway, in the form of a private access easement agreement with others who share the driveway to manage maintenance obligations. If this is not the current situation, it would ultimately be a civil matter between private landowners to manage access.

Section 21.1 (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 business activity complies with Section 21.1(f) of the Land Use Bylaw.

Section 21.3 Home-Based Business, Type II

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

- The business proposes to include the farm dwelling, mobile home, accessory building (existing shop), and an outside storage area.

21.3 (b) The home-based business 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.

- Based on the application submitted, approximately 3 vehicles attend the subject lands per day, equating to approximately 15 visits per week. This meets the requirement of 8 business-related visits per day as specified in Section 21.3(b) of the Land Use Bylaw.

21.3 (c) The business use must be secondary to the residential use of the parcel.

- The Applicant has requested 8,093.71 sq. m (87,120.00 sq. ft.) of outside storage for the landscaping business, located in the northwest corner of the subject lands, and six non-resident employees. An operation of this scale is better suited to an identified business area, rather than an agricultural area of the County within a fragmented

quarter section that qualifies for further country residential development under the policies of the County Plan. Because of the extensive outside storage area and number of employees, the business is not considered secondary to the residential use of the parcel. **Reason for refusal.**

21.3 (d) *Shall not change the residential character and external appearance of the land and buildings.*

- As discussed in detail above, due to the amount of outside storage requested, the business changes the residential character and external appearance of the land.
Reason for refusal.

21.3 (e) *The number of non-resident employees shall not exceed two (2) at any time.*

- The Applicant is requesting six non-resident employees, equating to a relaxation of 200%. An employee in a home-based business is a person who attends the property more than once in a seven day period for business purposes. The Development Authority does not have any variance discretion with respect to this regulation.
Reason for refusal.

21.3 (f) *Does not include general retail stores.*

- There is no retail component proposed with this business.

21.3 (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.*

- The Applicant is requesting 8,093.71 sq. m (87,120.00 sq. ft.) of outside storage to facilitate the proposed business activities. This equates to a relaxation request of 1,923.41%. Furthermore, the outside storage area is abutting the western and northern property lines, encroaching on the minimum setback requirements (side and rear). This poses impacts to adjacent properties with respect to screening and privacy. The Development Authority does not have any variance discretion with respect to this regulation. **Reason for refusal.**

21.3 (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).*

- Based on the site plan, all vehicles and equipment used in the business will be kept within the outside storage area. This includes approximately six vehicles in the company's fleet.

Section 12 *Decisions on Development Permit Applications*

12.2 (c) *Upon receipt of a completed application for a Development Permit for a use, discretionary, the Development Authority may decide upon an application for a Development Permit, notwithstanding that the proposed development does not comply with required yard, front, yard, side, yard, rear or building height dimensions set out in this Bylaw, if, in the opinion of the Development Authority, the granting of the variance would not:*

- (ii) *materially interfere with or affect the use, enjoyment, or value of the neighbouring properties and the amount of the variance does not exceed 25% of the required distance or height, or does not exceed 10% of the required maximum building area*



for an accessory building or does not exceed 10% of the required maximum floor area for an Accessory Dwelling Unit;

- As discussed, above, this variance ability is relevant for the requested side yard setback relaxation for the accessory building (existing shop).

Property History:

- November 13, 2018** Redesignation application PL20180017, to redesignate the subject lands from Agricultural Holdings District to Industrial – Industrial Activity district to accommodate a landscaping company, was refused by Council.
- Council passed a Motion Arising that Administration be directed to work with the Applicants to submit a development permit application for a Home Based Business Type II and:
 - *Waive any development permit application fees for Lot 4, Block 4, Plan 0312137; and*
 - *Waive any appeal fees under the Master Rates Bylaw.*
- August 14, 2017** Development Permit application PRDP20164704 for a Home-Based Business, Type II, for a landscaping and construction company was refused.
- The Development Authority was never appealed, and in February 2018, the Applicant submitted the application to redesignate to permit the landscaping business.
- February 1, 2017** Board Order 14-17 was issued, for the existing mobile home to remain on the subject lands as a temporary dwelling, mobile home.
- The Development Permit expired on February 28, 2018. No renewal application was submitted.
- January 11, 2007** Development Permit 2006-DP-12285 was issued for a mobile home, for temporary residence during construction of a principal dwelling.
- The permit expired on November 5, 2007.
- October 11, 2005** Building Permit 2005-BP-18734 was applied for on the subject lands, for a single family dwelling.
- As of November 25, 2009, construction had not been started and the application was subsequently closed.
- July 31, 2003** Plan 0312137 was registered, creating two ± 8.13 hectare (± 20.08 acre) parcels with a ± 8.35 hectare (± 20.63 acre) remainder.
- May 6, 2003** Planning application 2002-RV-314 was approved by Council, redesignating the subject lands from Agricultural Business District to Agricultural Holdings District to facilitate the creation of two ± 8.09 hectare (± 20.00 acre) parcels with a ± 8.09 hectare (± 20.00 acre) remainder.

INSPECTORS COMMENTS:

Inspection Date: September 7, 2018 (completed with redesignation application PL20180017)

- Large storage area on site with many vehicles and equipment.
- Farm dwelling, mobile home onsite.



- Gated entrance.
- Panhandle access.

CIRCULATIONS:

Municipal Enforcement, Rocky View County

- Enforcement has no concerns.

Agricultural & Environment Services, Rocky View County

- No agricultural concerns, assuming that the land and dwelling will be used in conjunction with the agricultural operation. The application of the Agricultural Boundary Design Guidelines will be beneficial in buffering the outside storage from the surrounding agricultural land. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise, as well as providing a visual barrier for the outside storage.

Planning & Development Services (Engineering), Rocky View County

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 - Section 300.0 requirements:

- ES has no requirements at this time.

Transportation - Section 400.0 requirements:

- ES has no requirements at this time:
 - A Transportation Impact Assessment letter has been submitted as part of this application prepared by DA WATT Consulting Group, dated June 25, 2018. The report analyzed the impact of the existing business activity and concluded the impact is minimal on the surrounding road network;
 - If the property were to be subdivided, or, if a more intensive use was to be applied for, an updated TIA will be required and road upgrades may be required;
 - Transportation Offsite Levies have been paid for this site;
 - The parcel is currently accessed via a shared access from Inverlake Road, which is a County Road with gravel surface;
 - The existing panhandle is approximately 430 m long, and is only 8.3 m wide. It is noted the panhandle does not meet the minimum allowable panhandle width of 12.5 m.

Sanitary/Waste Water - Section 500.0 requirements:

- ES has no requirements at this time:
 - The site has a pump out holding tank on the property, which is in line with Sanitary/Waste water requirements for Industrial, Commercial & Institutional PSTS;
 - The use of septic fields for other than normal domestic sewage will not be supported by the County.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- ES has no requirements at this time.
 - The property has water well on site.



Storm Water Management – Section 700.0 requirements:

- ES has no requirements at this time:
 - The Applicant/Owner submitted a Conceptual Stormwater Management Plan prepared by Eli Consulting, dated June 22, 2018;
 - If the property were to be subdivided, or, if a more intensive use was to be applied for, an update to the above mentioned Stormwater report will be required;
 - The parcel has a Restrictive Covenant and Easement agreement on title for Overland Drainage (Instrument 001 01510484) for the south portion of the lands.

Environmental – Section 900.0 requirements:

- ES has no requirements at this time.

Transportation Services, Rocky View County

- Will require Traffic Impact Assessment to confirm if any upgrade work is require to Inverlake Road as a result of traffic generated by the business.

Maintenance, Rocky View County

- No concerns.

Utility Services, Rocky View County

- No concerns.

Alberta Transportation

- No comments received.

STATUTORY PLANS:

The subject land falls do not fall within the boundaries of any adopted area structure plan or conceptual scheme. Therefore, the application was assessed in accordance with the Land Use Bylaw.

OPTIONS:

While all three uses have been detailed in this report to be considered concurrently, given that two of the uses are subject to renewal, Administration has prepared three different conditions sets and options for the Board to consider, as detailed below.

PRDP20190080 – Farm Dwelling, Mobile Home (existing)

Option #1 (this would allow the farm dwelling, mobile home (existing) to remain on the subject lands, and would allow for the consideration of the accessory building (existing shop), and home-based business, type II, for a landscaping company)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for a farm dwelling, mobile home (existing) at Lot 4, Block 4, Plan 0312137, SE-27-24-27-W04M (272056 Inverlake Road) be upheld, that the decision of the Development Authority be revoked, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That the farm dwelling, mobile home, may remain on the subject lands in accordance with the approved site plan.



Permanent

- 2) That the use of the dwelling, mobile home, shall only be used as a residence for full-time farm help.
- 3) That within 30 days of the dwelling, mobile home, not being required as a residence for full-time farm help, the dwelling, mobile home, shall be removed from the parcel.
- 4) 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 each dwelling unit located on the subject site to facilitate accurate emergency response.

Advisory:

- 5) 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.
- 6) That the Applicant/Owner shall obtain a Building Permit for the farm dwelling, mobile home.
- 7) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
- 8) That this Development Permit shall be valid until **MARCH 6, 2020**.

Option #2 (this would not allow the farm dwelling, mobile home (existing) to remain on the subject lands and would not require the Board to consider the accessory building (existing shop) and home-based business, type II, for a landscaping business uses to be considered)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit a farm dwelling, mobile home (existing) at Lot 4, Block 4, Plan 0312137; SE-27-24-27-W04M (272056 Inverlake Road), be denied, that the decision of the Development Authority be upheld.

PRDP20190081 – Accessory Building (existing shop)

Option #1 (this would allow for the accessory building (existing shop) to remain on the subject lands).

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for an accessory building (existing shop) and relaxation of the minimum side yard setback requirement at Lot 4, Block 4, Plan 0312137, SE-27-24-27-W04M (272056 Inverlake Road), be upheld, that the decision of the Development Authority be revoked, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That the accessory building (existing shop) may remain on the subject lands in accordance with the site plan submitted with the application and conditions of this permit.
- 2) That the minimum side yard setback requirement for the accessory building (existing shop) is relaxed from **6.00 m (19.69 ft.) to 4.00 m (13.12 ft.)**.

Permanent:

- 3) That the accessory building shall not be used for commercial purposes at any time, except for the Home-Based Business, Type I, or an approved Home-Based Business, Type II.
- 4) That the accessory building shall not be used for residential occupancy at any time.



Advisory:

- 5) That any required building permits and/or sub-trade permits for the proposed accessory building shall be obtained through Building Services.
- 6) That if at any time, the approval for the Farm Dwelling, Mobile Home (originally issued under PRDP20190080) lapses, then the accessory building (existing shop) is considered a legal non-conforming building.
- 7) That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicants/Owners.

Option #2 (this would not allow the accessory building (existing shop) to remain on the subject lands)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for an accessory building (existing shop) and relaxation of the minimum side yard setback requirement at Lot 4, Block 4, Plan 0312137, SE-27-24-27-W04M (272056 Inverlake Road), be denied, and that the decision of the Development Authority be upheld.

PRDP20184675 – Home Based Business, Type II

Option #1 (this would allow the Home-Based Business, Type II for a landscaping company to operate on the subject lands)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for a home-based business, type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setback requirements for outside storage, and relaxation of the maximum outside storage area at Lot 4, Block 4, Plan 0312137, SE-27-24-27-W04M (272056 Inverlake Road) be upheld, that the decision of the Development Authority be revoked, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That a Home-Based Business, Type II, for a landscaping business, may operate on the subject parcel in accordance with the submitted Site Plan.
- 2) That the minimum side yard setback (west) for the outside storage area is relaxed from **6.00 m (19.69 ft.) to 0.00 m (0.00 ft.)**.
- 3) That the minimum rear yard setback (north) for the outside storage area is relaxed from **15.00 m (49.21 ft.) to 0.00 m (0.00 ft.)**.

Permanent:

- 4) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the maximum number of non-resident employees shall not exceed six (6) at any time.
- 7) 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.
- 8) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.



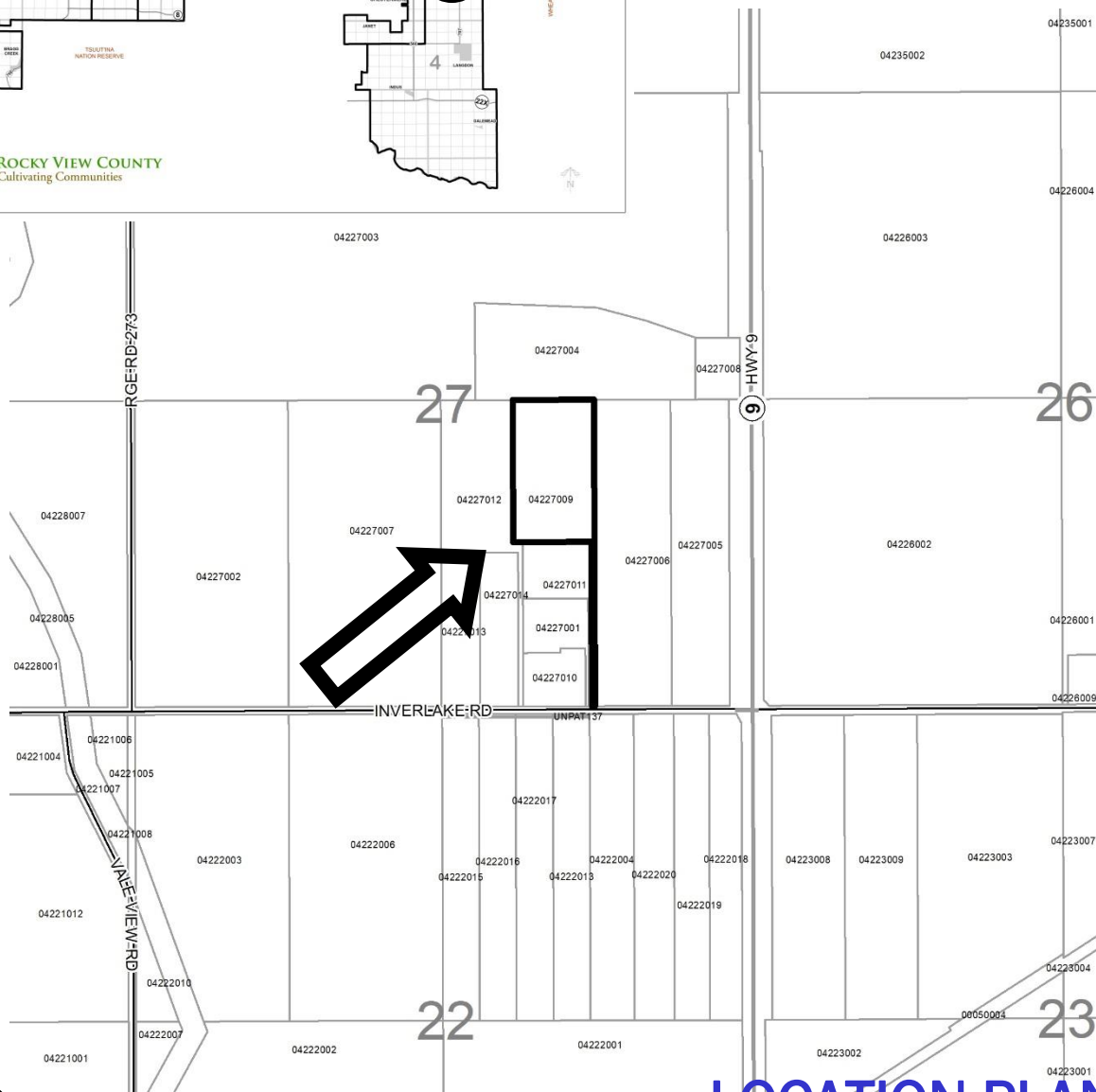
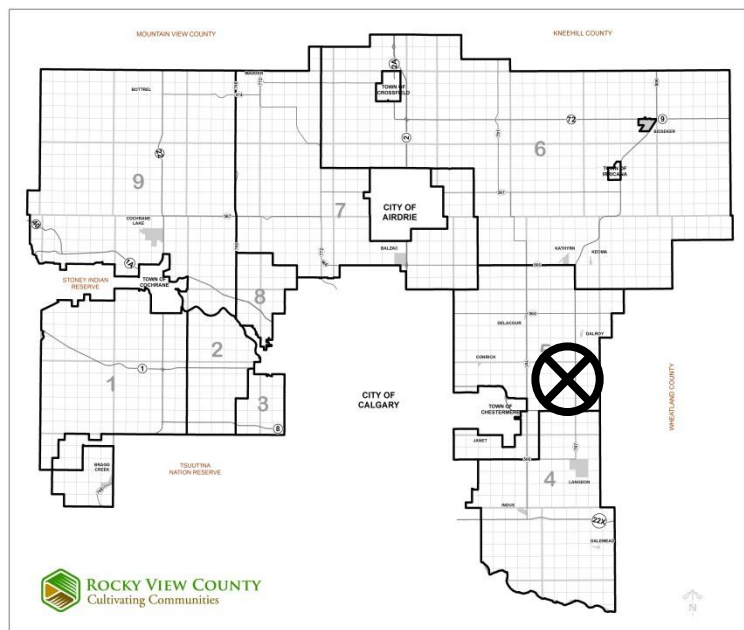
- 9) That the operation of this Home-Based Business, Type II may generate up to a maximum of eight (8) business-related visits per day.
- 10) That any site lighting shall be "dark sky", and all private lighting, including site security lighting and parking area lighting, should be designed to conserve energy, reduce glare, and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
- 11) That the Home-Based Business, Type II shall be limited to the dwelling, its accessory buildings, and the outside storage area in accordance with the approved Site Plan.
- 12) That all vehicles, trailers, or equipment used for the operation of the Home-Based Business shall be kept within a building or the approved outside storage area.
- 13) 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 **8,093.71 sq. m (87,120.00 sq. ft.)** in accordance with the approved Site Plan.
- 14) That no signage associated with the Home-Based Business shall be on the subject property.
- 15) That no off-site advertisement signage associated with the Home-Based Business, Type II shall be permitted.
- 16) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 17) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 18) That County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
- 19) That a Building Permit shall be obtained for all buildings associated with the Home-Based Business, Type II.
- 20) That if there is no dwelling on the subject lands, the Home-Based Business may not be applicable for renewal.
- 21) That this Development Permit shall be valid until **MARCH 6, 2020.**

Option #2 (this would not allow the Home-Based Business, Type II for a landscaping company to operate on the subject lands)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for a home-based business, type II, for a landscaping company, relaxation of the maximum number of non-resident employees, relaxation of the minimum side yard and rear yard setback requirements for outside storage, and relaxation of the maximum outside storage area at Lot 4, Block 4, Plan 0312137, SE-27-24-27-W04M (272056 Inverlake Road) be denied, and that the decision of the Development Authority be upheld.



LOCATION PLAN

SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

Date: **12-Feb-19**

Division # 5

File: **Agenda Page 127 of 192**



SITE PLAN

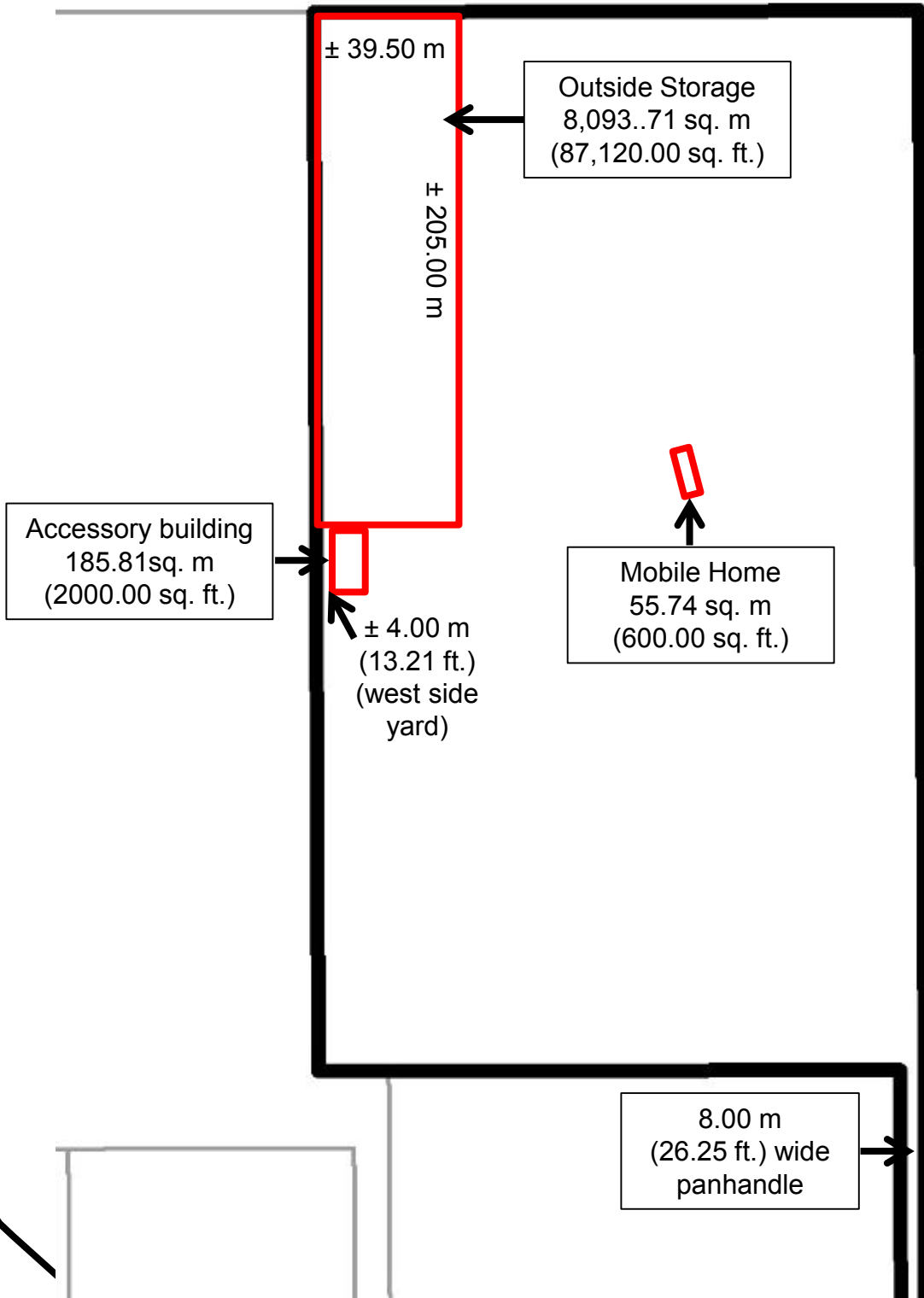
SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

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ADMINISTRATIVE SITE PLAN

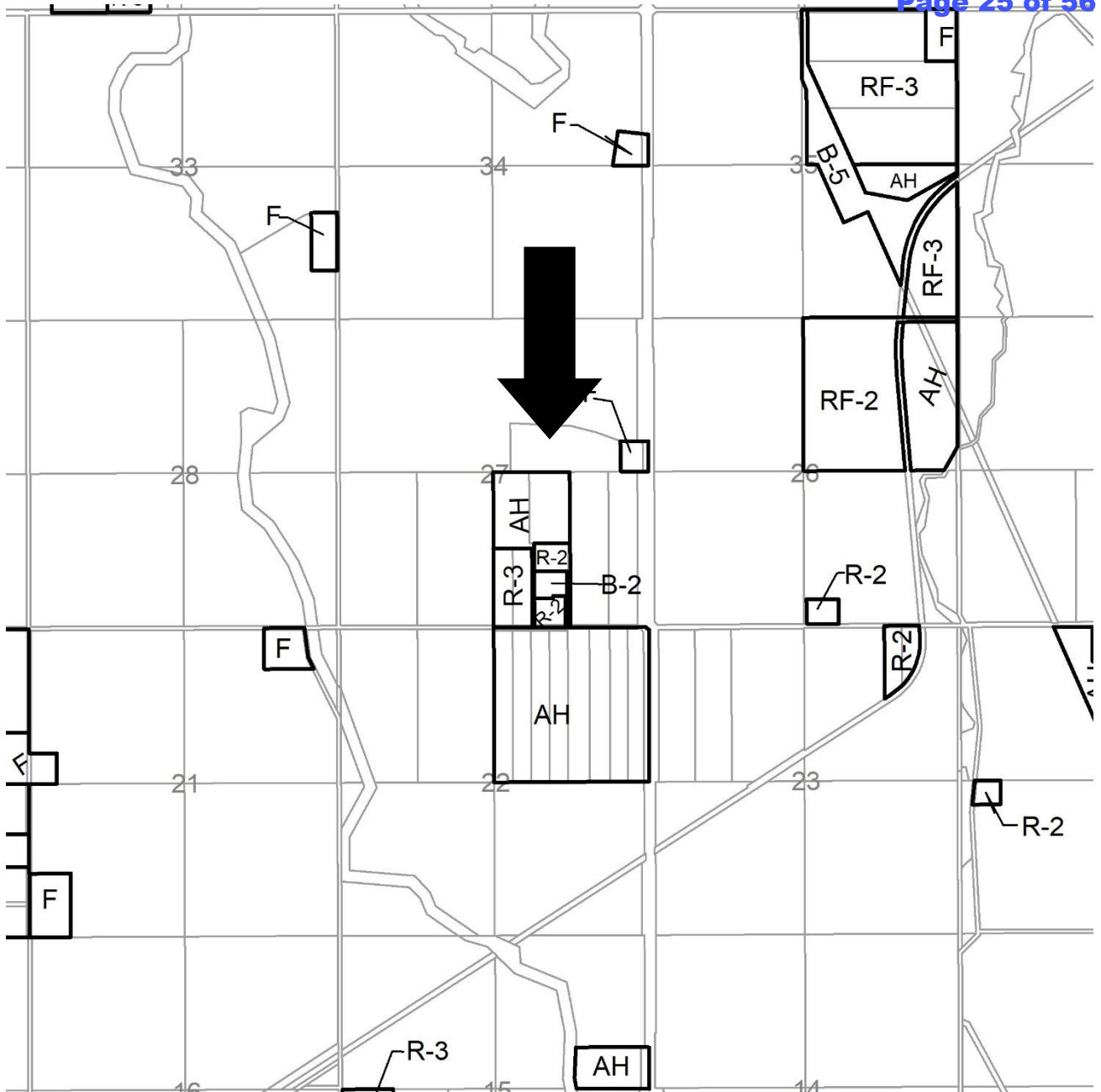
SE-27-24-27-W04M

Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

Division # 5

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Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

Date: **12-Feb-19**

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018

SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

Division # 5

File: 04227009

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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-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

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27

Subject
Property

- Agricultural Holdings (AH) Designation



- Ranch and Farm (RF) Designation



- Residential Three (R-3) Designation



- Residential Two (R-2) Designation



- General Business (B-2) Designation
- Land use granted in 1999
- General Industry Type II, for a road maintenance business (2000-DP-9115)



- Residential Two (R-2) Designation
- Home Based Business, Type II for a vinyl fencing company (PRDP20175303)
- Allows ~ 2500.00 sq. ft. outside storage



INVERLAKE RD

SURROUNDING DEVELOPMENT CONTEXT



SE-27-24-27-W04M

Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

Division # 5

File: 04227009



Current panhandle access (looking south)



Shared access point from Inverlake Road (looking north)

SITE INSPECTION PHOTOS



SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

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Existing storage onsite (looking northwest)



Existing development onsite (looking north)

SITE INSPECTION PHOTOS



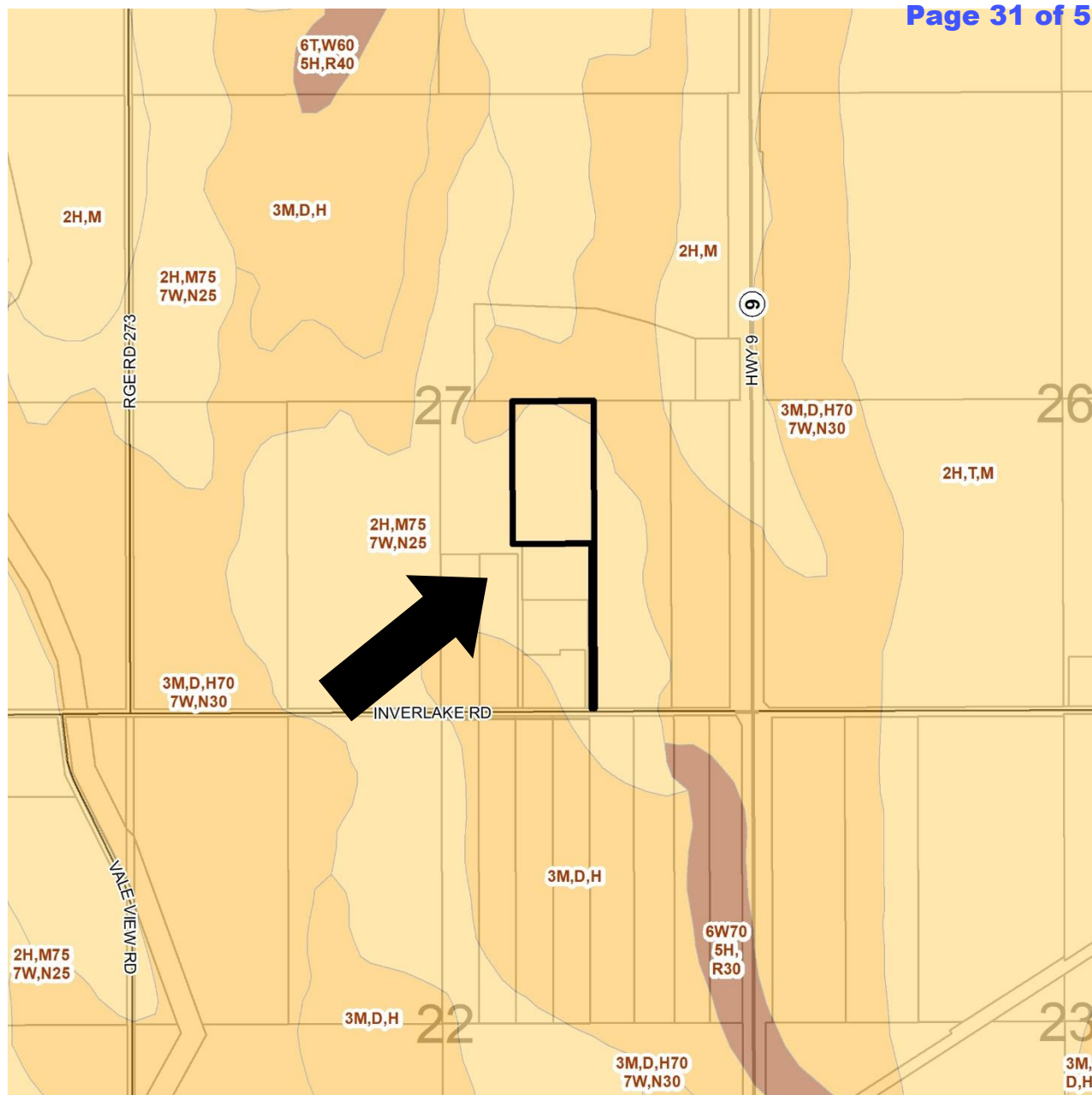
SE-27-24-27-W04M
Lot:4 Block:4 Plan:0312137

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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-27-24-27-W04M

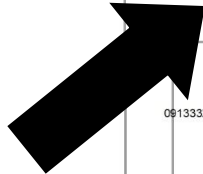
Lot:4 Block:4 Plan:0312137

Date: **12-Feb-19**

Division # 5

File: **04227009**

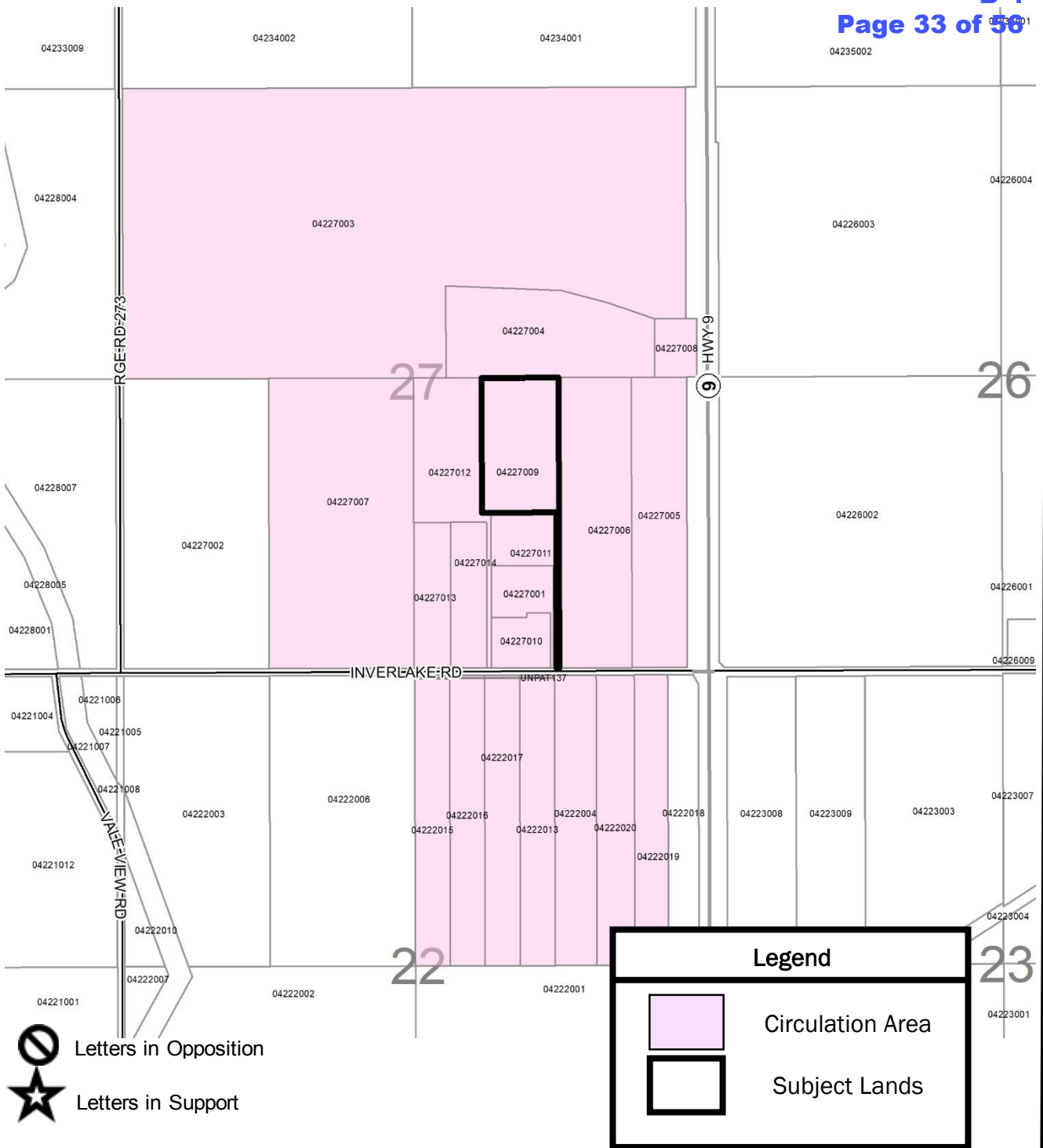
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- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

Date: 12-Feb-19

File: **Agenda** 04227009



LANDOWNER CIRCULATION AREA

SE-27-24-27-W04M

Lot:4 Block:4 Plan:0312137

Date: 12-Feb-19

Division # 5

File: 04227009 [Agenda Page 138 of 192](#)





Notice of Appeal

Subdivision and Development Appeal Board

Appellant Information			
Name of Appellant(s) CARLOS TEJADA			
Mailing Address [REDACTED]	Municipality CALGARY	Province ALTA	Postal Code [REDACTED]
Home Phone # [REDACTED]	Business Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address [REDACTED]		Legal Land Description (lot, block, plan and/or quarter-section-township-range-meridian) LOT 4, BLOCK 4, PLAN 031217, SE 27-24-27-W4M	
Development Permit, Subdivision Application, or Stop Order # PRO20184675 / PRDP20190080 / PRDP20190081		Roll # [REDACTED]	
I am appealing: (check one box only)			
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order	
Reasons for Appeal (attach separate page if required)			
PRDP20190080 - MOBILE HOME OCCUPANT DOES ENGAGE IN THE BUSINESS OF LANDSCAPE COMPANY			
PRDP20190081 - THE ACCESSORY BUILDING REQUIRES RELAXATION OF SET BACK. THERE IS INTENT TO BUILD SHOP FACILITY AT LATER DATE AT WHICH TIME THIS ACCESSORY BUILDING WILL BE DEMOLISHED			
- REQUEST RELAXATION TO ACCEPT EXISTING SIZE OF ACCESSORY BLDG			
PRDP20184675 - REQUESTING RELAXATION TO ALLOW INCREASE OUTSIDE STORAGE TO 87,120 (8093.71 sq ft)			
- REQUEST RELAXATION OF NON-RESIDENT EMPLOYEES FROM 2 TO 6			
- REQUEST RELAXATION OF OUTSIDE STORAGE TO APPEAR NEAR PROPERTY LINE - OUTSIDE STORAGE TO BE SCREENED PROPERLY			

This information is collected for the Subdivision and Development Appeal Board of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c) and sections 645, 678, and 686 of the Municipal Government Act. If you have questions regarding the collection or use of this information, contact the Manager of Legislative and Legal Services at 403-230-1401.

Appellant's Signature

Feb 5 2019
Date

Last updated: November 16, 2017

Page 1 of 2



REFUSAL (Page 1 of 2)

Carlos Tejada

Development Permit #: PRDP20184675 / PRDP20190080 / PRDP20190081

Date of Issue: January 23, 2019

Roll #: 04227009

Your Application dated November 20, 2018 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-4841-97 of Rocky View County in respect of:

PRDP20190080: Farm dwelling, mobile home (existing)

PRDP20190081: Accessory building (existing shop),
relaxation of the minimum side yard setback requirement

PRDP20184675: Home-Based Business, Type II, for a landscaping company,
relaxation of the maximum number of non-resident employees,
relaxation of the minimum side yard and rear yard setbacks for outside storage, and
relaxation of the maximum outside storage area.

at Lot 4, Block 4, Plan 0312137; SE-27-24-27-W04M (272056 Inverlake Road)

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

PRDP20190080: Farm Dwelling, Mobile Home (existing)

1. The proposal does not meet the definition of a Farm Dwelling, Mobile Home, as specified in Section 8 of the Land Use Bylaw as the individual occupying the residence does not engage in farm help.
2. The proposed Farm Dwelling, Mobile Home does not house an occupant who engages in farm help on a full-time basis for at least six (6) months of each year, as required by Section 29.1 of the Land Use Bylaw.

PRDP20190081: Accessory Building (existing shop)

3. The proposal does not meet the definition of an Accessory Building, as specified in Section 8 of the Land Use Bylaw, as there is no approval for a principal building on the subject lands.
4. The accessory building (existing shop) does not meet the minimum setback requirement, as defined in Section 46.5(c)(iv) of the Land Use Bylaw.

Required – 6.00 m (19.69 ft.); Proposed – 4.00 m (13.12 ft.)

PRDP20184675: Home Based Business, Type II

5. The proposal does not meet the definition of a Home-Based Business, as specified in Section 8 of the Land Use Bylaw, as there is no approval for a principal building on the subject lands.
6. The Home-Based Business varies the external appearance and residential character of the subject lands due to the scale of outside storage requested, in contravention of Section 21.1(c) and Section 21.3(d) of the Land Use Bylaw.
7. The Home-Based Business is not secondary to the residential use of the parcel, due to the scale of outside storage and number of non-resident employees requested, in contravention of Section 21.3(c) of the Land Use Bylaw.

REFUSAL (Page 2 of 2)
PRDP20184675 / PRDP20190080 / PRDP20190081

8. The Home-Based Business employs six-non-resident employees, in contravention of Section 21.3(e) of the Land Use Bylaw.

Permitted – Two (2) Non-resident Employees; Proposed – Six (6) Non-resident Employees

9. The Home-Based Business proposed outside storage area encroaches on the minimum side yard and rear yard setback requirements and has an area of 8,093.71 sq. m (87,120.00 sq. ft.), in contravention of Section 21.3(g) of the Land Use Bylaw.

Permitted – 400.00 sq. m (4,305.56 sq. ft.); Proposed – 8,093.71 sq. m (87,120.00 sq. ft.)

Required – 6.00 m (19.69 ft.); Proposed – 0.00 m (0.00 ft.) (side yard setback)

Required – 15.00 m (49.21 ft.); Proposed – 0.00 m (0.00 ft.) (rear yard setback)



Matthew Wilson
Manager Planning & Development Services

Please contact Paul Simon at (403) 520-6285 or by email: psimon@rockyview.ca for any further questions.

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



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

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

Name of Applicant CARLOS TEJADA Email [REDACTED]

Mailing Address [REDACTED]

Postal Code T3J 0H9

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

For Agents please supply Business/Agency/ Organization Name [REDACTED]

Registered Owner (if not applicant) [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

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

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SE $\frac{1}{4}$ Section 27 Township 24 Range 27 West of 4 Meridian

b) Being all / parts of Lot 4 Block 4 Registered Plan Number 0312137

c) Municipal Address 272056 INVERLAKE ROAD

d) Existing Land Use Designation AH Parcel Size 20.63 ACRES Division [REDACTED]

2. APPLICATION FOR

HOME BASED BUSINESS TYPE II
WITH RELAXATION FOR DWELLING SIZE & STORAGE OUTSIDE

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?
(Sour Gas facility means well, pipeline or plant) Yes [REDACTED] No ✓
- 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 CARLOS TEJADA hereby certify that ✓ I am the registered owner
(Full Name in Block Capitals)

[REDACTED] 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 [REDACTED]

Date [REDACTED]

Owner's Signature [REDACTED]

Date Nov 13/18



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 FUTURESCAPE LANDSCAPING LTD

Address of Business 272056 INVERLAKE ROAD

ROCKY VIEW COUNTY Postal Code 1

Telephone (B) [REDACTED] (H) 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 600 Accessory Building 10,000 Outdoors 90,000

2. VEHICLES

How many vehicles come to your home/property Per day 3 Per week 15

Please describe the number and type of vehicles used in the business LIGHT DUTY TRUCKS

Where will these vehicle(s) be parked? AS PER plan

* 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 7 Part Time

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

Full Time Employees 1 Part Time Employees

4. OPERATION

What are your days of operation? MONDAY - SATURDAY What are your hours of operation? 7 AM - 5 PM

5. STORAGE AND SIGNAGE

Is outside storage requested? ☒ YES ☐ NO

If yes - how many square feet: 87000 SF

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

6. ADDITIONAL INFORMATION

- ASKING FOR ~~FOR~~ 2 ACRES OF OUTSIDE STORAGE TO BE SCREENED FROM NEIGHBORS

- ASKING FOR MINIMUM 3 YEAR TERM FOR DEVELOPMENT PERMIT

Signature of Applicant [Signature] Date: NOV 14/18

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

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

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

Friday, November 16, 2018

Ricklan Construction Ltd (Tom Lanz)
298 Initiative Ave SE
Calgary, AB T3S 0B7

File: PL20180017

RE: REDESIGNATION TRANSMITTAL OF DECISION

At its meeting of November 13, 2018, the Council of Rocky View County held a public hearing to consider your application to redesignate a portion of Lot 4, Block 4, Plan 0312137 within SE-27-24-27-W04M (272056 INVERLAKE ROAD, Rocky View County AB) from Agricultural Holdings District to Industrial - Industrial Activity District, and passed a motion to refuse the application.

Your redesignation application has been REFUSED.

Following the refusal of your redesignation application, the Council of Rocky View County passed the following motion:

MOVED by Councillor Gautreau that Administration be directed to work with the applicants to submit a development permit application for a Home Based Business Type II and:

- a) waive any development permit application fees for Lot 4, Block 4, Plan 0312137; and*
- b) waive any appeal fees under the Master Rates Bylaw.*

Should you have any questions or concerns, please contact Paul Simon for assistance and quote the file number as noted above.

A handwritten signature in black ink, appearing to read 'Charlotte Satink'.

Charlotte Satink
Deputy Municipal Clerk
403-520-1651
csatink@rockyview.ca

cc: Tejada, Carlos

November 13, 2018

Rocky view County

To Whom it may Concern:

Please find enclosed a submission to apply for a Home Base Business II on my property at 272056 Inverlake Road. The Home Base Business is a Landscaping Business named "Futurescape Landscaping"

The Landscaping Business is a small family run business with seven employees at present.

I attempted to reclassify this property to an industrial zoning however council could not grant this due to the fact the property is outside the Area Structure Plan. Council did recommend the business reapply for a Home Base Business and acknowledged the fact that a few conditions of the business do exceed the bylaw regarding Home Base Businesses.

There is an employee that resides on the property and also provides security. The employee is on the property more than one day a week as outlined in the bylaw.

The Landscaping operation has certain requirements which exceed the allowable conditions of a Home Base Business:

- The business requires about 2 acres of outside storage of which only 4,305 sf allowed which will be screened from the neighbor sites.
- The property has a mobile trailer on site which is only 600 sf in size and the bylaw requires minimum 990 sf. I am asking for relaxation regarding these two conditions.

There is an existing shop on the property of about 10,000 sf of which will be demolished when a new modern shop is constructed sometime in the future.

The hours of operation are normally from 7 AM to 5 PM however there could be times in the winter months when the business is required to operate for longer hours. During heavy snowfall months the equipment may need to work extended hours. This is required periodically and only during or after heavy snowfall.

The company has seven employees at this time which needs to access the site. The employees organize at the site and then are disbursed to the work areas during the day, returning in the evening and leaving for home.

As a recommendation from council, we are applying for this development permit to operate as a landscaping business on this AH zoned site. The business is deemed compatible with the neighboring residential and agricultural sites.

Sincerely,

Carlos Tejada
Futurescape Landscape Ltd.

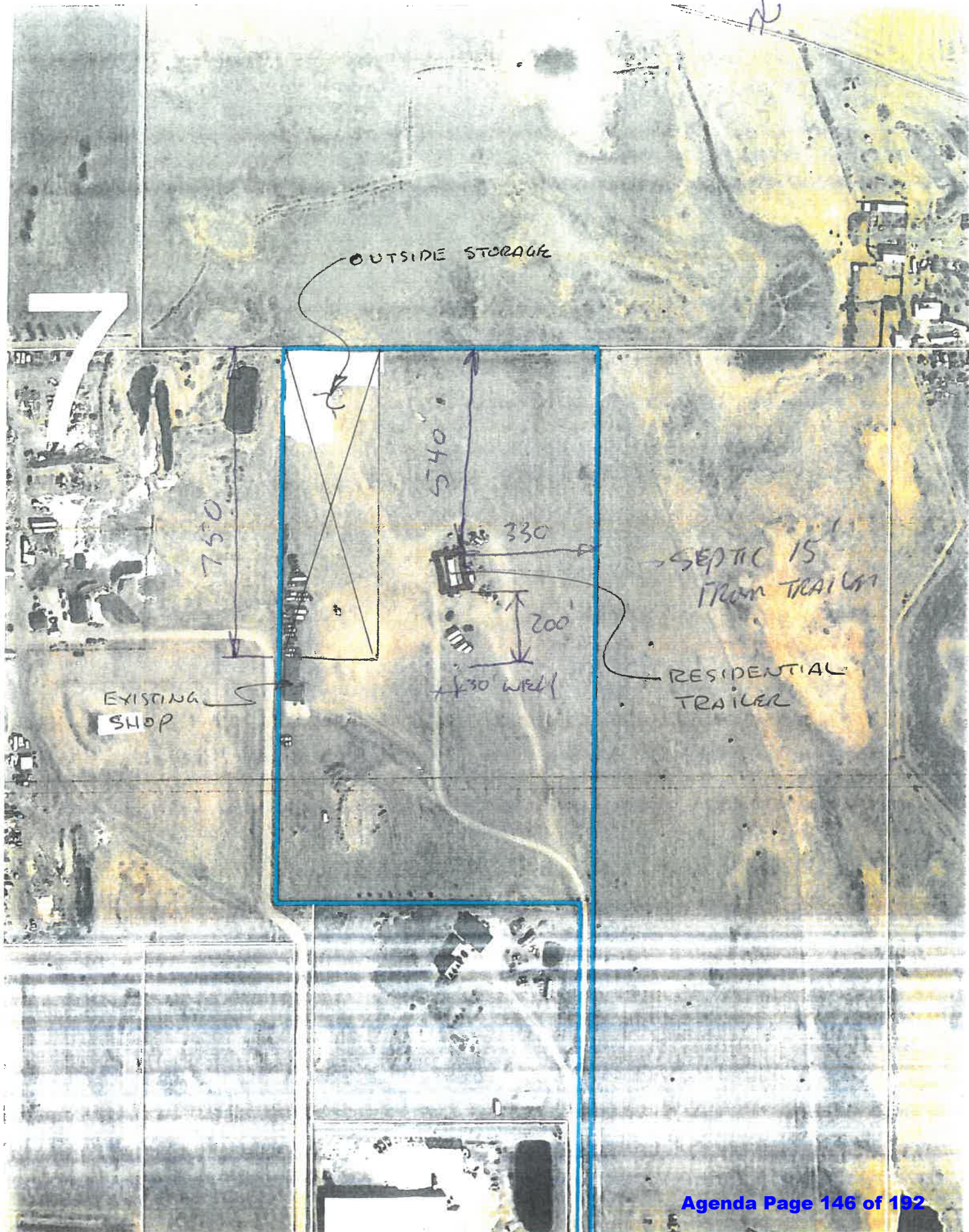


EXHIBIT B







Water Well Drilling Report

[View in Metric](#) [Export to Excel](#)

GIC Well ID 1555030
GoA Well Tag No.
Drilling Company Well ID
Date Report Received

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

Well Identification and Location										Measurement in Imperial	
Owner Name VAN WEZEL, KEN		Address RR 7		Town CALGARY		Province AB		Country CA	Postal Code T2P 2G7		
Location	1/4 or LSD SE	SEC 27	TWP 024	RGE 27	W of MER 4	Lot 3	Block 4	Plan 9712422	Additional Description		
Measured from Boundary of					GPS Coordinates in Decimal Degrees (NAD 83)					Elevation _____ ft	
_____ ft from _____					Latitude <u>51.070600</u> Longitude <u>-113.685000</u>					How Elevation Obtained	
_____ ft from _____					How Location Obtained					Not Obtained	
					Not Verified						

Drilling Information	
Method of Drilling Rotary	Type of Work New Well
Proposed Well Use Domestic	

Formation Log			Measurement in Imperial
Depth from ground level (ft)	Water Bearing	Lithology Description	
14.00		Clay & Rocks	
226.00		Shale & Sandstone Ledges	
261.00		Sandstone	

Yield Test Summary			Measurement in Imperial
Recommended Pump Rate	<u>6.00 igpm</u>		
Test Date	Water Removal Rate (igpm)	Static Water Level (ft)	
2003/07/07	6.00	10.99	

Well Completion				Measurement in Imperial
Total Depth Drilled	Finished Well Depth	Start Date	End Date	
261.00 ft		2003/07/03	2003/07/07	
Borehole				
Diameter (in)	From (ft)	To (ft)		
7.88	0.00	261.00		
Surface Casing (if applicable)		Well Casing/Liner		
Steel		Plastic		
Size OD :	<u>6.63 in</u>	Size OD : <u>4.50 in</u>		
Wall Thickness :	<u>0.188 in</u>	Wall Thickness : <u>0.219 in</u>		
Bottom at :	<u>19.75 ft</u>	Top at : <u>11.00 ft</u>		
		Bottom at : <u>261.00 ft</u>		
Perforations				
From (ft)	To (ft)	Diameter or Slot Width(in)	Slot Length (in)	Hole or Slot Interval(in)
211.00	261.00	0.125		6.00
Perforated by Saw				
Annular Seal Driven & Bentonite				
Placed from		<u>0.00 ft</u>	to <u>19.75 ft</u>	
Amount _____				
Other Seals				
Type		At (ft)		
Screen Type				
Size OD :		in		
From (ft)	To (ft)	Slot Size (in)		
Attachment _____				
Top Fittings		Bottom Fittings		
Pack				
Type	<u>Unknown</u>	Grain Size _____		
Amount		Unknown		

Contractor Certification	
Name of Journeyman responsible for drilling/construction of well TODD NIEMANS	Certification No 23199A
Company Name NIEMANS DRILLING (1980) LTD.	Copy of Well report provided to owner Date approval holder signed



Water Well Drilling Report

[View in Metric](#) [Export to Excel](#)

GIC Well ID 1555030
GoA Well Tag No.
Drilling Company Well ID
Date Report Received

GOWN ID

The driller supplies the data contained in this report. The Province disclaims responsibility for its accuracy. The information on this report will be retained in a public database.

Well Identification and Location										Measurement in Imperial
Owner Name VAN WEZEL, KEN		Address RR 7		Town CALGARY		Province AB		Country CA	Postal Code T2P 2G7	
Location	1/4 or LSD SE	SEC 27	TWP 024	RGE 27	W of MER 4	Lot 3	Block 4	Plan 9712422	Additional Description	
Measured from Boundary of				GPS Coordinates in Decimal Degrees (NAD 83)				Elevation		
ft from				Latitude 51.070600 Longitude -113.685000				ft		
ft from				How Location Obtained				How Elevation Obtained		
				Not Verified				Not Obtained		

Additional Information		Measurement in Imperial
Distance From Top of Casing to Ground Level		15.00 in
Is Artesian Flow	Rate	igpm
Is Flow Control Installed		Describe
Recommended Pump Rate	6.00 igpm	Pump Installed
Recommended Pump Intake Depth (From TOC)	100.00 ft	Type
		Make
		Model (Output Rating)
Did you Encounter Saline Water (>4000 ppm TDS)	Depth	ft
Gas	Depth	ft
Well Disinfected Upon Completion		
Geophysical Log Taken		
Submitted to ESRD		
Sample Collected for Potability		Submitted to ESRD
Additional Comments on Well		
ADDITIONAL BOREHOLE DIAMETER: 6 INCHES.		
AIR TESTED AT 20+ G.P.M.		

Yield Test		Taken From Ground Level	Measurement in Imperial
Test Date	Start Time	Static Water Level	Depth to water level
2003/07/07	12:00 AM	10.99 ft	
Method of Water Removal		Drawdown (ft)	Elapsed Time
Type Pump			Minutes:Sec
Removal Rate	6.00 igpm		
Depth Withdrawn From	250.00 ft		
If water removal period was < 2 hours, explain why			Recovery (ft)
		10.99	0:00
		11.60	1:00
		11.80	2:00
		11.80	3:00
		11.80	4:00
		11.80	5:00
		11.80	6:00
		11.80	7:00
		11.80	8:00
		11.80	9:00
		11.80	10:00
		11.80	12:00
		11.80	14:00
		11.80	16:00
		11.80	20:00
		11.80	25:00
		11.80	30:00
		11.80	35:00
		11.80	40:00
		11.81	50:00
		11.81	60:00
		11.81	75:00
		11.81	90:00
		11.81	105:00
		11.81	120:00
		11.84	1440:00

Water Diverted for Drilling		
Water Source	Amount Taken	Diversion Date & Time
	ig	

Contractor Certification	
Name of Journeyman responsible for drilling/construction of well TODD NIEMANS	Certification No 23199A
Company Name NIEMANS DRILLING (1980) LTD.	Copy of Well report provided to owner Date approval holder signed



3851B – 21 Street NE • Calgary, Alberta, Canada • T2E 6T5

Phone: (403) 250-9164 • Fax: (403) 291-4597 • www.wshlabs.com

Niemans Water Systems Ltd.

2094 High Country Rise NW
High River, AB T1V 0E1

Phone: (403) 652-9548

Lab Number: 78186

Fax:

Email: randy@niemansdrilling.com

PO Number:

Sample Info: Carlos

Sampled By: Randy

Date Sampled: 9/10/2015

Date Received: 9/11/2015

Date Reported: 9/14/2015

Analyte	Units	Result	Canadian Drinking Water Guideline Maximum
Calcium	mg/L	55.0	No Guideline
Iron	mg/L	2.01	0.3
Magnesium	mg/L	16.1	No Guideline
Manganese	mg/L	0.07	0.05
Potassium	mg/L	3.5	No Guideline
Sodium	mg/L	640	200
Bicarbonates	mg/L	467	No Guideline
Bromides	mg/L	0.2	No Guideline
Carbonates	mg/L	0	No Guideline
Chlorides	mg/L	25.9	250
Fluorides	mg/L	1.31	1.5
Nitrates as N	mg/L	0.05	10
Nitrites as N	mg/L	<0.02	1
NO ₃ + NO ₂ as N	mg/L	0.05	No Guideline
Sulfates	mg/L	1188	500

Parameter	Units	Result	Canadian Drinking Water Guideline Maximum
Electrical Conductivity	µS/cm	2950	No Guideline
pH	pH	8.07	6.5 - 8.5
Hardness (as CaCO ₃)	mg/L	204	No Guideline
Total Alkalinity (as CaCO ₃)	mg/L	383	No Guideline
P-Alkalinity (as CaCO ₃)	mg/L	0	No Guideline
Hydroxide (as CaCO ₃)	mg/L	0	No Guideline
Total Dissolved Solids (calculated)	mg/L	2160	500
Sulfides as S	mg/L	0.4	0.05

Sum of Cations	31.99
Sum of Anions	33.21
Ion Balance	0.96
TDS / EC Ratio	0.73
Sodium Adsorption Ratio	19.51
Saturation Index	0.77

WSH Labs (1992) Ltd. as per:

KBW

Accredited by CALA to ISO/IEC 17025 for specific tests.

The results above are related only to the items analyzed.

< denotes less than detection limit. TNTC = Too Numerous To Count (>80 colonies).



PHOTO REFERENCE

EXHIBIT 'G'





VIEW "B"
Agenda Page 154 of 192







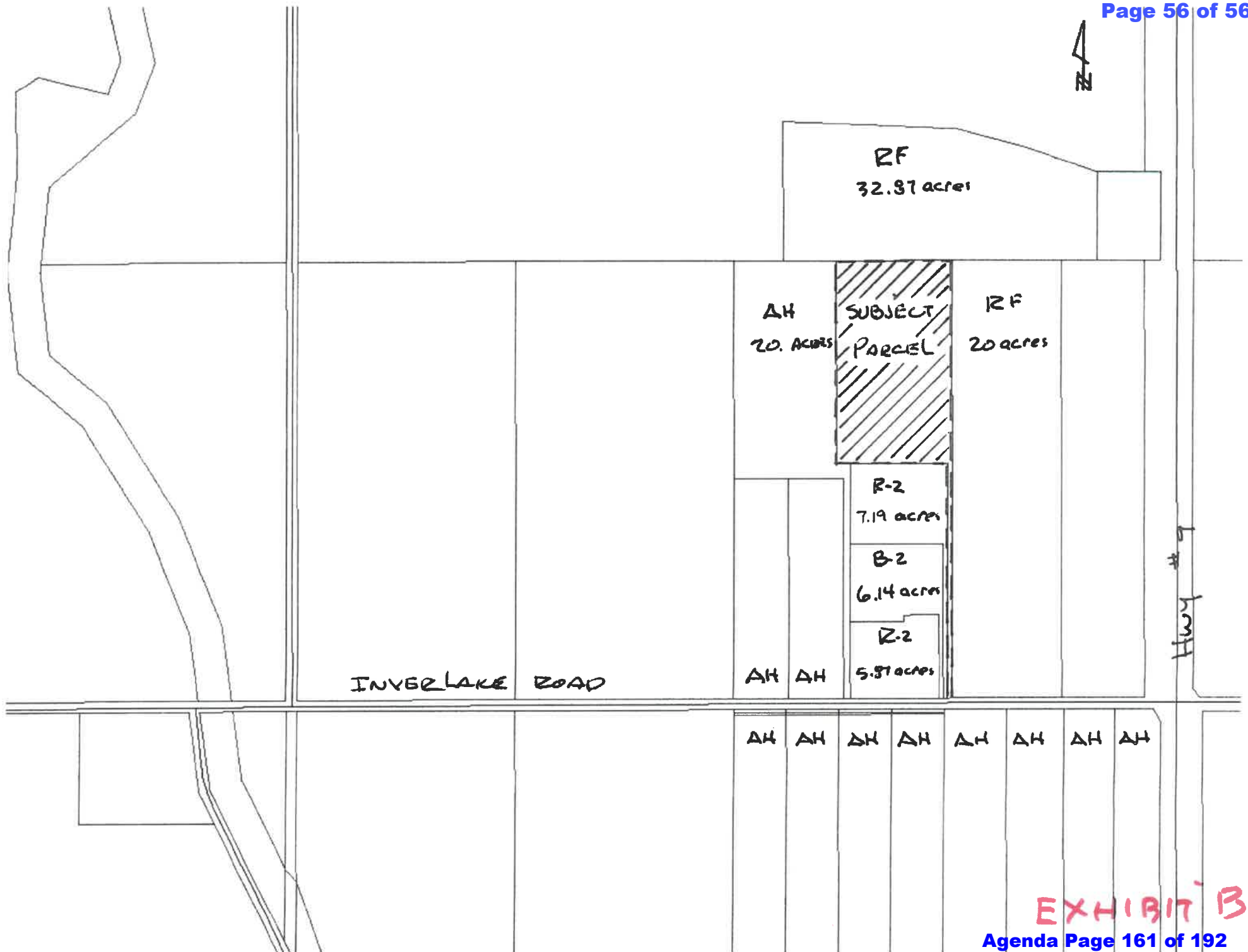
VIEW 5





View H
Agenda Page 159 of 192







PLANNING, DEVELOPMENT, & BYLAW SERVICES

TO: Subdivision and Development Appeal Board
DATE: February 20, 2019 **DIVISION:** 09
FILE: 06718018 **APPLICATION:** B-5 ; PRDP20184785
SUBJECT: Accessory buildings

PROPOSAL: Construction of an accessory building (oversized garage) and existing accessory buildings, relaxation of the minimum side yard setback and total size of all accessory buildings	GENERAL LOCATION: Approximately 2 miles west of Glendale Road and 1/8 mile north of Twp. Rd. 262
APPLICATION DATE: November 26, 2018	DEVELOPMENT AUTHORITY DECISION: Discretionary – Refused
APPEAL DATE: February 8, 2018	DEVELOPMENT AUTHORITY DECISION DATE: February 8, 2018
APPELLANT: Stacy & Michelle Dallyn	APPLICANT: Stacy & Michelle Dallyn
LEGAL DESCRIPTION: Lot 2, Block 1, Plan 0413921, SW-18-26-03-W05M	MUNICIPAL ADDRESS: 262080 PRAIRIE WOLF POINTE, Rocky View County AB
LAND USE DESIGNATION: Residential Two District (R-2)	GROSS AREA: ± 3.64 hectares (± 9.01 acres)
PERMITTED/DISCRETIONARY USE: Accessory buildings greater than 150.00 sq. m (1,614.59 sq. ft.) building area and less than 225.00 sq. m (2,421.87 sq. ft.) building area are listed as a discretionary use in the Agricultural Holdings District.	DEVELOPMENT VARIANCE AUTHORITY: <p>The Development Authority has 10 % variance discretion within the Land Use Bylaw with regard to building area for an accessory building.</p> <p>The Development Authority does not have any variance discretion on varying total building area for all accessory buildings.</p> <p>The Development Authority has 50% variance discretion within the Land Use Bylaw with regard to side yard setbacks.</p>
PUBLIC SUBMISSIONS: The application was circulated to 18 adjacent landowners. At the time this report was prepared, no responses were received.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> County Plan (C-7280-2013) Land Use Bylaw (C-4841-97)



EXECUTIVE SUMMARY:

The proposal is for the construction of an accessory building (oversized garage) and existing accessory buildings, relaxation of the minimum side yard setback, and total size of all accessory buildings.

The property is developed with a dwelling single detached and two accessory buildings (sea container placed without permits, and a shed). The proposed accessory building will be constructed with metal siding, and will be green with a brown roof with black trimming. The shop will be used for storage; specifically, for acreage equipment, skid steers, a garden tractor, an ATV, a boat, hay storage, cattle stalls, and equipment and supplies for raising cows. As Agriculture General is not a listed use in the R-2 district, the proposal was assessed as an accessory building. As the building is not solely for storage of agricultural equipment; it cannot be assessed as a farm building.

The proposal was assessed in accordance with the Rocky View County/Cochrane IDP and the Bearspaw ASP and the Land Use Bylaw.

The application was refused for the following reasons. The proposed accessory building exceeds the maximum building area as defined in section 50.3 of the Land Use Bylaw, and the variance requested (a 73.42% variance) exceeds the Development Authority's variance discretion. The Development Authority has 10% variance discretion within the Land Use Bylaw with regard to building area for an accessory building.

The Development Authority has 50% variance discretion within the Land Use Bylaw with regard to side yard setbacks. The existing accessory building (sea container) does not meet the minimum side yard setback as defined in section 50.5c (iv) and the variance requested (a 69.67%) exceeds the Development Authority's variance discretion.

The Development Authority does not have any variance discretion on varying total building area for all accessory buildings. The proposal includes a total building area 424.38 sq. m. representing an 88.61% variance request, which is not within the Development Authority's variance ability.

Finally, note that the reason for refusal relating to building height was included in error. The Applicant has been made aware that this item will be withdrawn.

On February 8, 2019, the Appellant/Applicant appealed the decision of the Development Authority. The reasons for the appeal are noted in the agenda package.

PROPERTY HISTORY:

2009	Building Permit (2009-BP-22760) for a Dwelling, single detached was issued 11/18/2010
-------------	---



APPEAL:

See attached report and exhibits.

Respectfully submitted,

Matthew Wilson
Manager, Planning, Development, & Bylaw Services

SL/rp



DEVELOPMENT PERMIT REPORT

Application Date: November 26, 2018	File: 06718018
Application: PRDP20184785	Applicant/Owner: Stacy & Michelle Dallyn
Legal Description: Lot 2, Block 1, Plan 0413921, SW-18-26-03-05	General Location: Located approximately 2 miles west of Glendale Road and 1/8 mile north of Twp. Rd. 262
Land Use Designation: Residential Two District (R-2)	Gross Area: ± 3.64 hectares (± 9.01 acres)
File Manager: Susan Lamola	Division: 09

PROPOSAL:

The proposal is for the construction of an accessory building (oversized garage), and for existing accessory buildings, relaxation of the minimum side yard setback and total size of all accessory buildings.

The property is developed with a dwelling single detached and two accessory buildings (sea container placed without permits, and a shed). The proposed accessory building will be constructed with metal siding, and will be green with a brown roof with black trimming. The shop will be used for storage; specifically, acreage equipment, skid steers, a garden tractor, an ATV, a boat, hay storage, cattle stalls, and equipment and supplies for raising cows. (Agriculture general is not a listed use in the R-2 district, so the proposal will be assessed as an accessory building. Further, the building will be not be used solely for storage of agricultural equipment; therefore, it cannot be assessed as a farm building.)

Property History:

Building Permits:

- 2009-BP-22760 Dwelling, single detached Issued 11/18/2010

Development Applications:

- PRDP20154857 single-lot regrading (alteration of a storm pond) Issued 02/11/2016

Planning Applications:

- No records

Land Use Bylaw Requirements:

Section 8 Definitions

ACCESSORY BUILDING means a building incidental and subordinate to the principal building, the use of which is incidental to that of the principal building but in no instance shall be used as a permanent or temporary residence, and is located on the same parcel

Section 12 *Decisions On Development Permits Applications*

12.2 *Use, Discretionary Applications:*

Upon review of a completed application for a Development Permit for a use, permitted, the Development Authority shall:

- (a) approve a time-limited Development Permit for a specified limited time period where it is the opinion that the use is of a temporary nature, or should only be approved on a temporary basis;*
- (b) decide upon an application for a Development Permit, notwithstanding that the proposed development does not comply with required yard, front, yard, side, yard, rear or building height dimensions set out in this Bylaw, if, in the opinion of the Development Authority the granting of a variance would not:*
 - (i) unduly interfere with the amenities of the neighbourhood;*
 - (ii) materially interfere with or affect the use, enjoyment, or value of the neighbouring properties and the amount of the variance does not exceed 25% of the required distance or height, or does not exceed 10% of the required maximum building area for an accessory building, or does not exceed 10% of the required maximum floor area for an accessory dwelling unit;*
 - (iii) materially interfere with or affect the use, enjoyment or value of the neighbouring properties and the amount of the variance does not exceed 50% of the required yard, front or yard, side, if adjacent to or fronting on a paved road;*
- (c) Impose any condition that:*
 - i) is consistent with the regulations of the Bylaw;*
 - ii) ensures the purpose and intent of the Land Use District is met; and*
 - iii) ensures that the County Servicing Standards are implemented.*

Section 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 proposed structure's design, character, and appearance is compatible with the building on the existing site and the building in the vicinity.*

Section 33 *Stripping, Filling, Excavation And Grading*

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;*

- Standard condition

Section 50 *Residential Two District (R-2)*

50.3 *Uses, Discretionary*

Accessory buildings greater than 150.00 sq. m (1,614.59 sq. ft.) building area and less than 225.00 sq. m (2,421.87 sq. ft.) building area

- The proposed garage will be 390.19 sq. m (4,200.0 sq. ft.) in area. This is a relaxation request of 160%. This request exceeds the Development Officer's variance discretion. **Reason for Refusal**

50.5(b)(iii) *The minimum required front yard setback for any building from any Internal Subdivision road is 15.00 m (49.21 ft.)*

- Proposed shop (prairie wolf point) lots;
- Existing accessory building (sea container) lots;
- Existing accessory building (shed) lots.

50.5(c)(iv) *The minimum required side yard setback for all other is 3.00 m (9.84 ft.)*

- Proposed (north property line) lots/ proposed (south property line) lots;
- Existing accessory building (sea container) 0.91 m (3 ft);
- Existing accessory building (shed) lots;
- The side yard setback for the accessory building (sea container) is 0.91 m, which is a 70% variance request. This exceeds the Development Authority's 50% variance ability. **Reason for Refusal**

50.6(d)(ii) *The minimum required rear yard setback for all other is 7.00 m (22.96 ft.)*

- Proposed (east property line) 18.29 m;
- Existing accessory building (sea container) 6.7m (22 ft);
- Existing accessory building (shed) lots;
- The rear yard setback for the accessory building is 6.7 m, which is a 4% variance request. This is within the Development Authority's 50% variance ability.

50.7(b) *The maximum height requirement of an accessory building is 7.00 m (22.96 ft.)*

- The shop will be a height of 7.21 m (23'8"). This is a relaxation request of 3.0%, which is within the Development Officer's variance discretion.

50.9 *Total building area for all accessory buildings – 225.00 sq. m (2,421.88 sq. ft.).*

- The total building area for all accessory buildings is 424.38 sq. m (4,568.0 sq. ft.) in area. This is a relaxation request of 89%. As there is no variance discretion on the total building area, this request exceeds the Development Authority's discretion.
Reason for Refusal

50.10 *Maximum number of accessory buildings – 3.*

- There are two existing accessory buildings on site a shed and one sea can.



STATUTORY PLANS:

- The parcel is subject to the Rocky View County/Cochrane IDP and the Bearspaw ASP. It was assessed in accordance with the Land Use Bylaw.

INSPECTOR'S COMMENTS:

Inspection Date:

- Area for building has been graded, fill and gravel piles on site;
- Looks like construction materials are already on site;
- One (1) sea can, three (3) trailers, and one (1) small shed already on site.

CIRCULATIONS:

Building Services

- Full Building Permit application and engineering.

Enforcement Services

- Recommendation that all construction debris and garbage be contained at all times during construction.

Town of Cochrane

- The Town of Cochrane has reviewed this proposal and has no objections to this application.

OPTIONS:

Option #1 (this would grant the proposed development)

The appeal against the decision of the Development Authority to refuse to approve a Development Permit for construction of an accessory building (oversized garage) and existing accessory buildings, relaxation of the minimum side yard setback and total size of all accessory buildings at Lot 2, Block 1, Plan 0413921, SW-18-26-03-05 (262080 Prairie Wolf Pointe) be upheld, that the decision of the Development Authority be revoked, and that a Development Permit be conditionally approved subject to the following conditions:

Description:

- 1) That construction of the proposed accessory building (oversized shop) may take place on the subject property, in general accordance with the submitted site plan and application.
- 2) That the maximum building area for the accessory building (oversized shop) is relaxed from **150.00 sq. m (1,614.59 sq. ft.) to 390.19 sq. m (4,200.00 sq. ft.)** in area.
- 3) That the total building area for all accessory buildings (oversized shop & shed) is relaxed from **225.00 sq. m (2,421.88 sq. ft.) to 424.38 sq. m (4,568.00 sq. ft.)**.
- 4) That the minimum side yard setback (north property line) for the existing accessory building (sea container) is relaxed from **3.0 m (9.84 ft) to 0.91 m (3.0 ft)**.

Permanent:

- 5) That the exterior siding and roofing materials of the accessory building shall be similar/cohesive to the existing dwelling, single-detached and/or area.
- 6) That the accessory building shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I.
- 7) That the accessory building shall not be used for residential occupancy purposes at any time.



Advisory:

- 8) That a Building Permit shall be obtained, through Building Services, prior to any construction taking place.
- 9) That during construction of the accessory buildings, 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.
- 10) That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 11) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
- 12) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

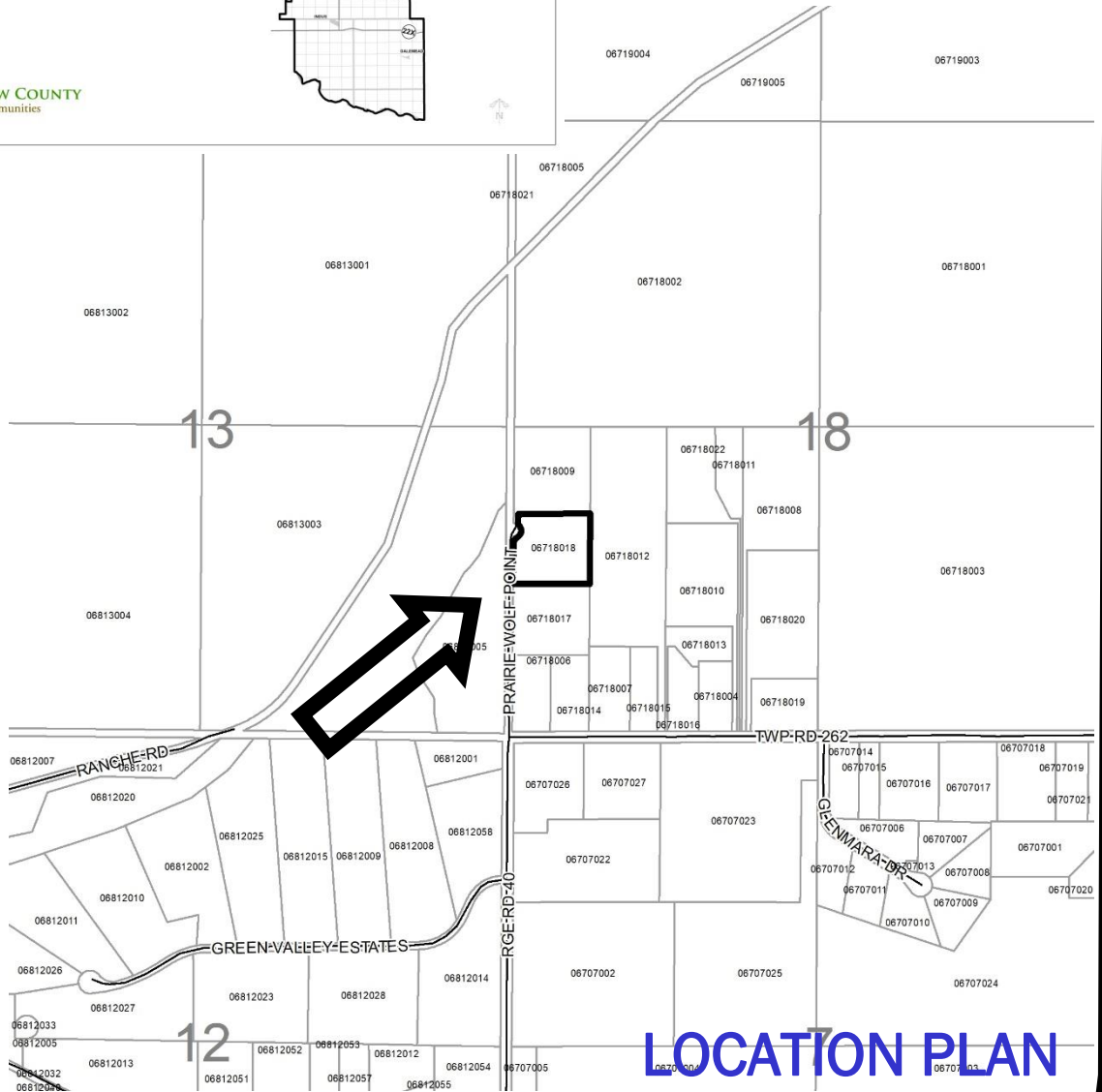
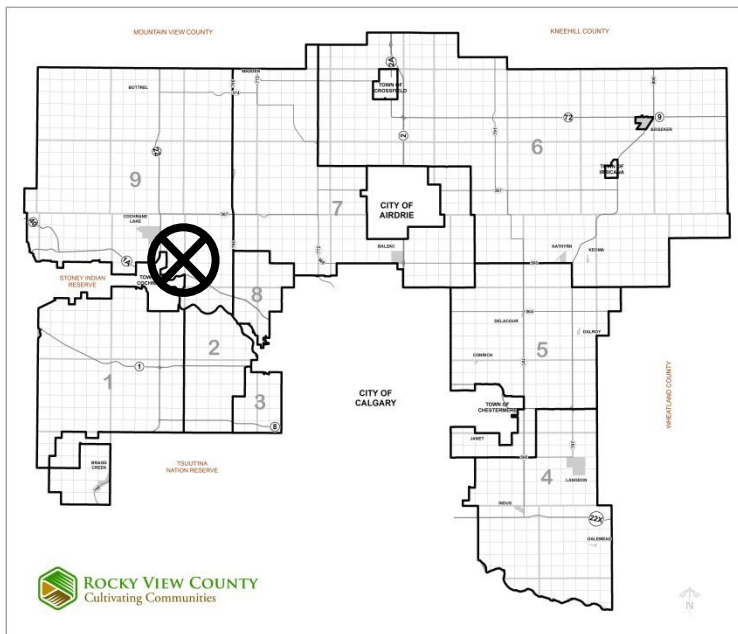
Option #2 (this would not allow the proposed development)

The appeal against the decision of the Development Authority to refuse to approve a Development Permit for construction of an accessory building (oversized garage) and existing accessory buildings, relaxation of the minimum side yard setback and total size of all accessory buildings at Lot 2, Block 1, Plan 0413921, SW-18-26-03-05 (262080 Prairie Wolf Pointe) be denied, and that the decision of the Development Authority be upheld.

SUMMARY TABLE

		Building Area (sq. m)	Front Yard Setback (m)	Side Yard Setback (m)	Side Yard Setback (m)	Rear Yard Setback (m)	Height (m)	Total Building Area for all Accessory Buildings (sq. m)	Total Number of Accessory Buildings
Bylaw Requirement		150.00	Internal Subdivision or Service Road	Other	Other	Other	7.00	225.00	3
		≤ 225.00	15.00	3.00	3.00	7.00			

Dwelling/Accessory Building									
1	Proposed Shop	390.19	Lots	Lots	Lots	18.29	7.21	424.38	3
	Variance Required?	73.42%	N/A	N/A	N/A	N/A	3.00%	88.61%	N/A
2	Shed	4.86	Lots	Lots	Lots	Lots	Not specified		
	Variance Required?	N/A	N/A	N/A	N/A	N/A	-		
3	Sea Container	29.33	Lots	0.91	Lots	6.70	Not specified		
	Variance Required?	N/A	N/A	69.67%	N/A	4.29%	-		



SW-18-26-03-W05M

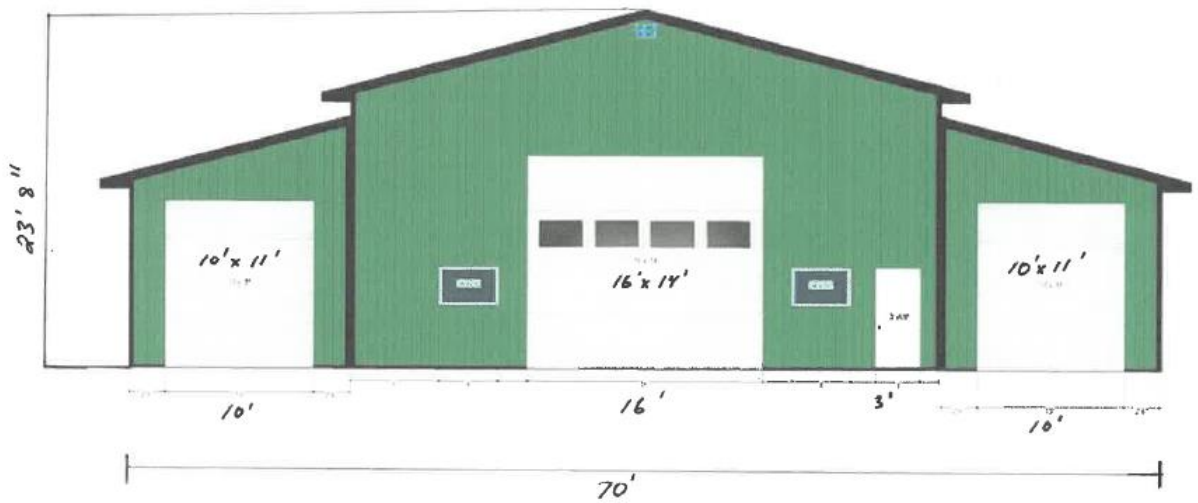
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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ELEVATION PLAN - WEST



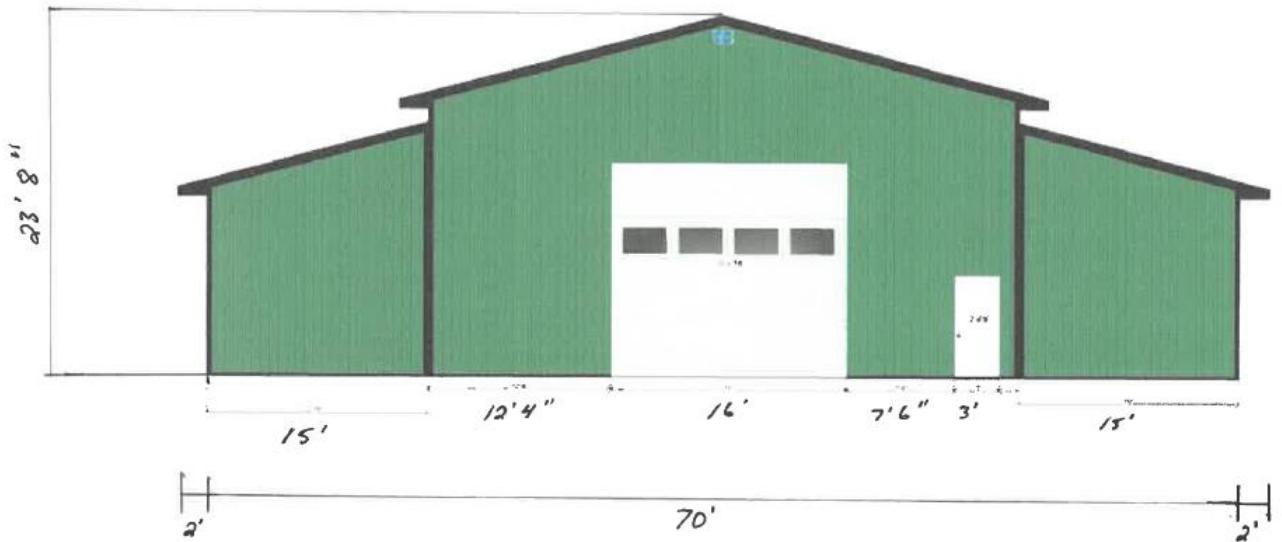
SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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ELEVATION PLAN - EAST



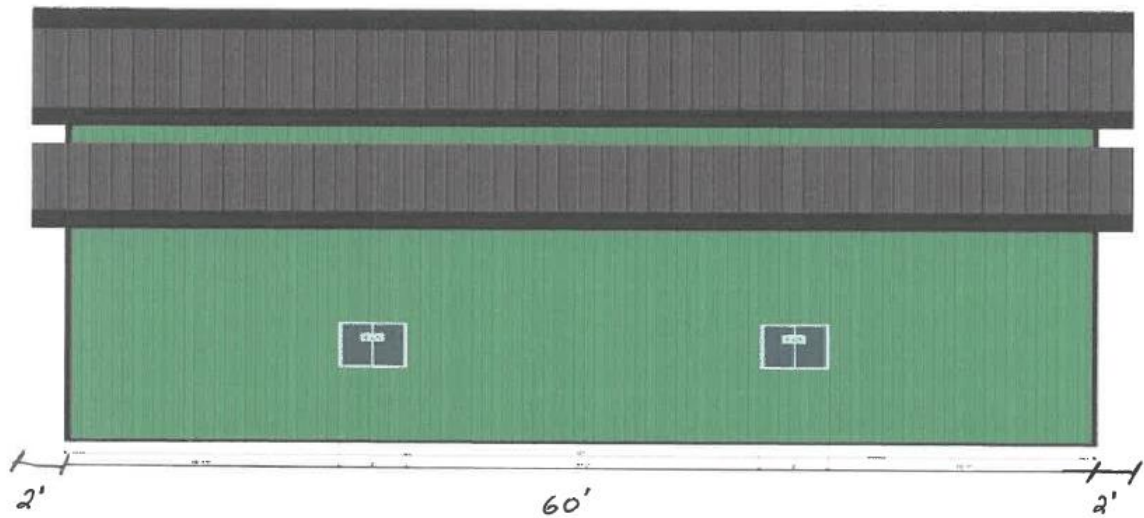
SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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ELEVATION PLAN - NORTH



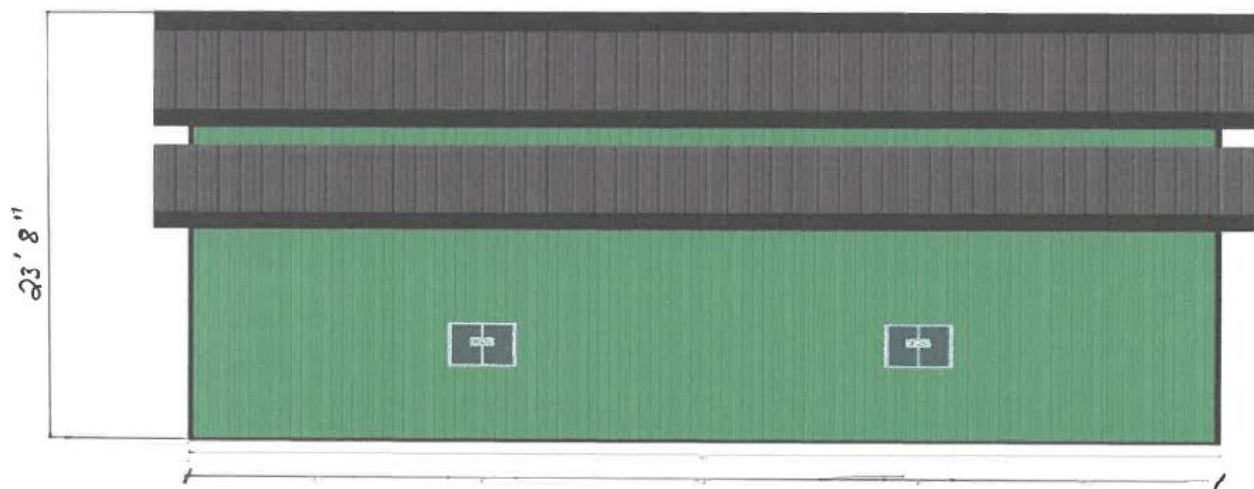
SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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ELEVATION PLAN - SOUTH

SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018





SITE PLAN

SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO
Spring 2018



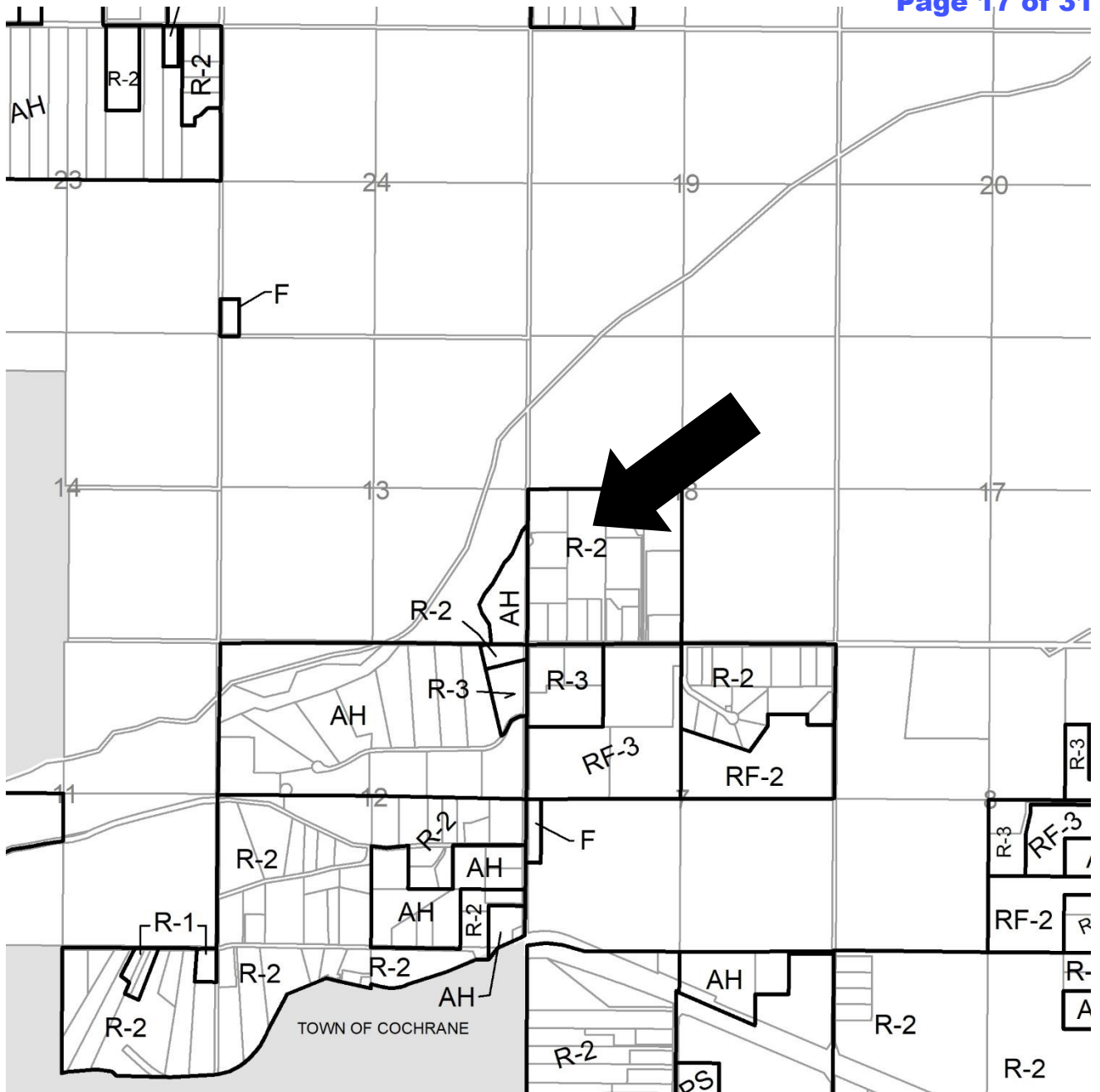
SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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RF2	Ranch and Farm	B-1	Highway Business
RF3	Ranch and Farm Two	B-2	General Business
RF3	Ranch and Farm Three	B-3	Limited Business
AH	Agricultural Holding	B-4	Recreation Business
F	Farmstead	B-5	Agricultural Business
R-1	Residential One	B-6	Local Business
R-2	Residential Two	NRI	Natural Resource Industrial
R-3	Residential Three	HR-1	Hamlet Residential Single Family
DC	Direct Control	HR-2	Hamlet Residential (2)
PS	Public Service	HC	Hamlet Commercial
		AP	Airport

LAND USE MAP

SW-18-26-03-W05M

Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

File: 06718018

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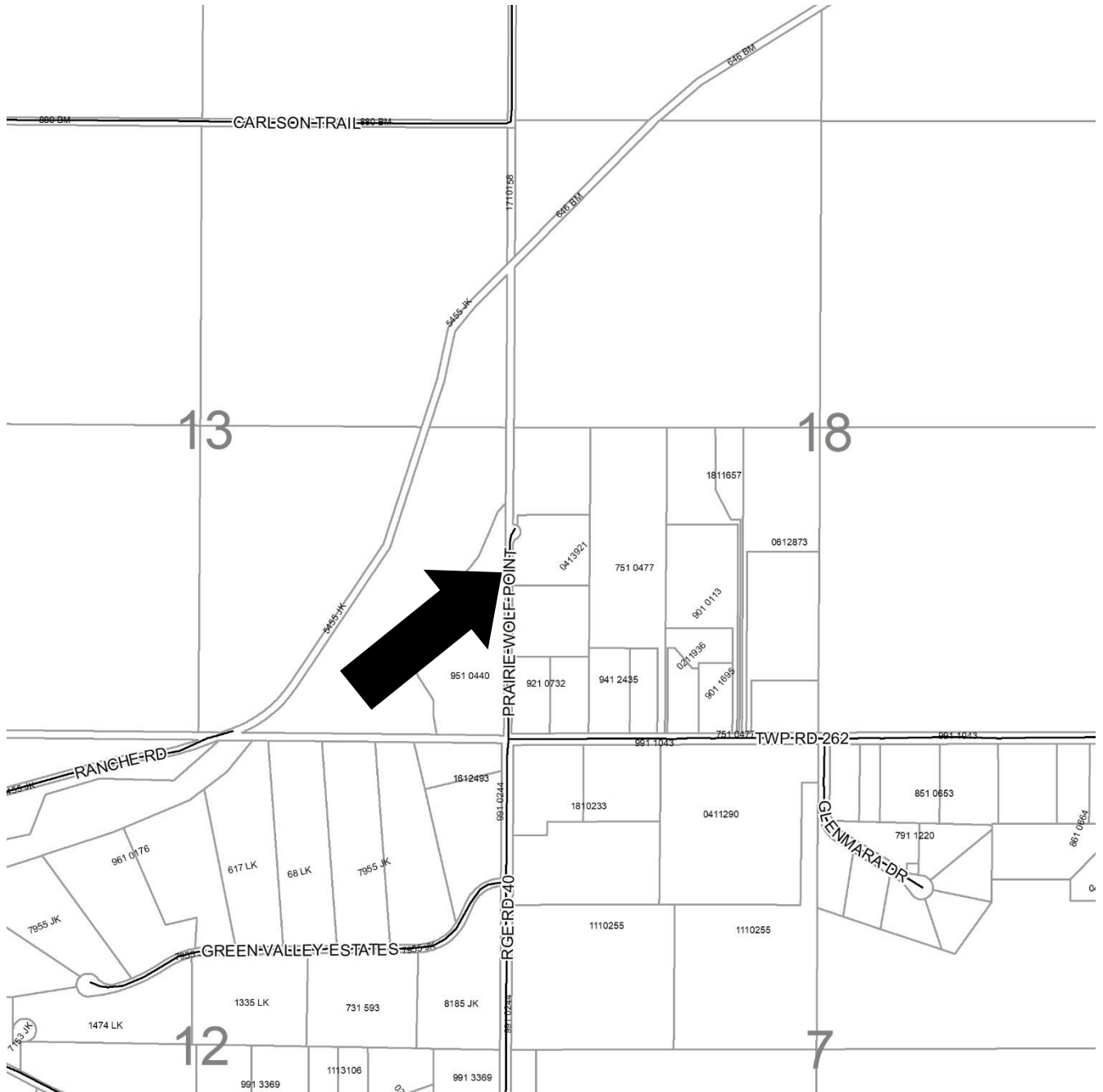
TOPOGRAPHY

Contour Interval 2 M



SW-18-26-03-W05M

File: 06718018 **Agenda Page 179 of 192**



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

SW-18-26-03-W05M

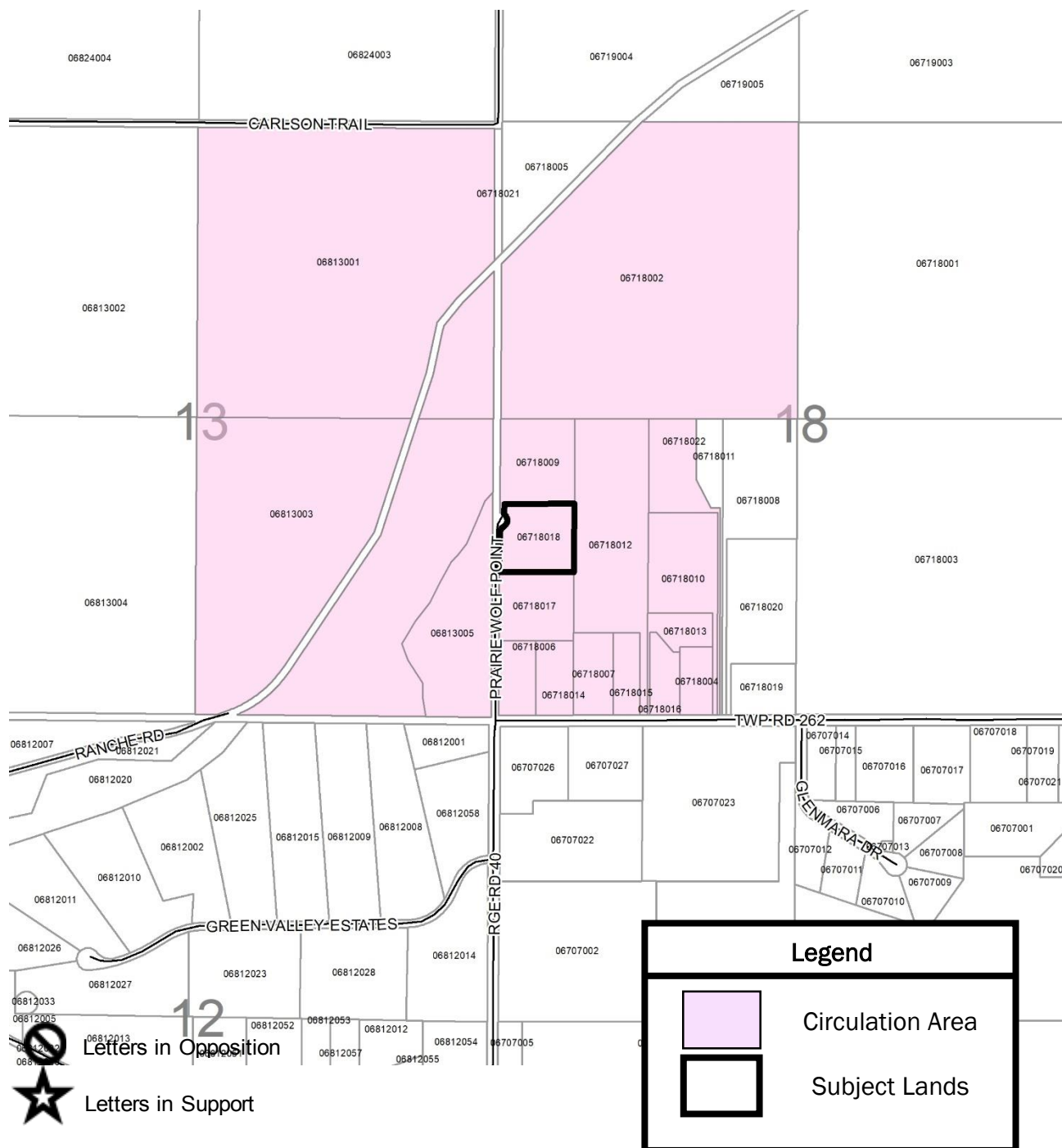
Lot:2 Block:1 Plan:0413921

Date: 12-Feb-19

Division # 9

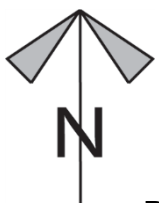
File: 06718018

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LANDOWNER CIRCULATION AREA

SW-18-26-03-W05M
Lot:2 Block:1 Plan:0413921





Notice of Appeal

**Subdivision and Development Appeal Board
Enforcement Appeal Committee**

Appellant Information			
Name of Appellant(s) Stacy, Michelle Dallyn			
Mailing Address		Municipality	Province
[REDACTED]		[REDACTED]	[REDACTED]
Main Phone #	Alternate Phone #	Email Address	
[REDACTED]	[REDACTED]	[REDACTED]	
Site Information			
Municipal Address		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)	
262080 Prairie Wolf Pointe		SW-18-26-03-05	
Property Roll #	Development Permit, Subdivision Application, or Enforcement Order #		
06718018	PRDP20184785		
I am appealing: (check one box only)			
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Reasons for Appeal (attach separate page if required)			
<p>Surrounding neighbors have oversize accessory buildings (Garages, Horse Barns, Arenas)so what we are applying for is no different.</p> <p>We take great pride in how our yard and house looks so with that being said what we are proposing to build will be done by professionals specializing in these types of buildings and the colors are an exact match to our house.</p> <p>Although the overall size is larger than the discretionary allowance, only 2400 sq.ft of the overall size of 4200 sq.ft will be used as a shop the remaining 1800 sq. ft (2- Lean Toos) will be used for livestock and hay storage etc.</p>			

This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-230-1401.

Appellant's Signature

Feb 8 2019

Date



ROCKY VIEW COUNTY

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

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

REFUSAL

Dallyn, Stacy & Michelle

Development Permit #: PRDP20184785

Date of Issue: February 8, 2019

Roll #: 06718018

Your Application dated November 26, 2018 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-4841-97 of Rocky View County in respect of:

construction of an accessory building (oversized garage) and existing accessory buildings, relaxation of the minimum side yard setback, maximum building height and total size of all accessory buildings

at Lot 2 Block 1 Plan 0413921, SW-18-26-03-05; (262080 PRAIRIE WOLF POINTE, Rocky View County AB)

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

1. That the maximum building area of the proposed accessory building (oversize shop) exceeds the maximum area as defined in Section 50.3 of the Land Use Bylaw C-4841-97.
(discretionary allowance— greater than 150.00 sq. m (1,614.59 sq. ft.) and less than 225.00 sq. m (2,421.87 sq. ft.) ;
proposed building area (oversize shop) – 390.19 sq. m (4,200.0 sq. ft.))
2. That the height of the proposed accessory building (oversize shop) exceeds the maximum permitted height requirement as defined in Section 50.7(b) of the Land Use Bylaw C-4841-97.
(maximum height requirement permitted – 7.00 m (22.96 ft.);
proposed height of accessory building (oversize shop) – 7.21 m (23.0 ft.))
3. That the total building area for all accessory buildings exceeds the maximum permitted as defined in Section 50.9 of Land Use Bylaw C-4841-97.
(permitted total building area – 225.00 sq. m (2,421.88 sq. ft.);
proposed total building area – 424.38 sq. m (4,568.0 sq. ft.))
4. That the side yard setback of the existing accessory building (sea container) does not meet the minimum side yard setback requirement as defined in Section 50.5 (b) (iv) of Land Use Bylaw C-4841-97.
(permitted– 3.00m (9.84 ft.);
existing– 0.91m (3.0 ft.))

Development Authority

Phone: 403.520.8158

E-Mail: development@rockyview.ca

NOTE: An appeal from this decision may be made to the Subdivision and Development Appeal Board of Rocky View County. Notice of Appeal to the Subdivision and Development Appeal Board from this decision shall be filed with the requisite fee of \$350.00 with Rocky View County no later than 21 days following the date on which this Notice is dated.



ROCKY VIEW COUNTY
Cultivating Communities

20184785

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$265	File Number 06718018
Date of Receipt Nov 26/18	Receipt # 2018019158

B-5

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Name of Applicant Stacy Michelle Dallyn Email [REDACTED]

Mailing Address [REDACTED]

Postal Code T4C-1A2

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

For Agents please supply Business/Agency/ Organization Name [REDACTED]

Registered Owner (if not applicant) [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

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

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SW $\frac{1}{4}$ Section 18 Township 26 Range 03 West of 05 Meridian

b) Being all / parts of Lot 2 Block 1 Registered Plan Number 0413921

c) Municipal Address 262080 Prairie Wolf Point

d) Existing Land Use Designation R2 Parcel Size 9.01 Division [REDACTED]

2. APPLICATION FOR

Accessory Building - 4200 sq. ft
Oversized.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes [REDACTED] No X
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes [REDACTED] 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 [REDACTED] No X
- d) Does the site have direct access to a developed Municipal Road? Yes [REDACTED] No X

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I STACY DALLYN hereby certify that [REDACTED] I am the registered owner
(Full Name in Block Capitals)

[REDACTED] 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 [REDACTED]

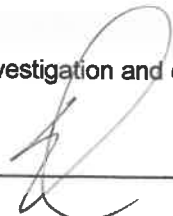
Date Nov. 23/18

Owner's Signature [REDACTED]

Date Nov. 23/18

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, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.

I, , 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. 23 / 18
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 Harry Michelle Dallyn Email [REDACTED]
 Mailing Address Site 11 Box 9 RR 2
Cochrane, Alta. Postal Code T4C-1A2
 Telephone (B) _____ (H) [REDACTED] Fax _____

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	2421.88 ft	4200 sq. ft
Accessory building height	22.96 ft	23 ft.
Number of existing accessory buildings on site	3	23
Total size of all accessory buildings	2421.88 ft	4520 sq. ft

+48 sq/ft garden shed

4568 sq/ft TOTAL

Description of Accessory Buildings:

- a) Building materials Pole Shed, Metal Siding
 b) Exterior colour Green to match House
 c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
our proposed building is larger than what is currently permitted
 d) Date when building permits were issued for existing buildings
House - 2009
 e) If no permits were issued - list age of buildings Sea-Can 40'x8' - 2016

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Storage Acreage equipment, ie skidsteer, Garden Tractors, ATV, Boat
Hay storage, Cattle Stalls, equipment + Supplies for raising mini cows

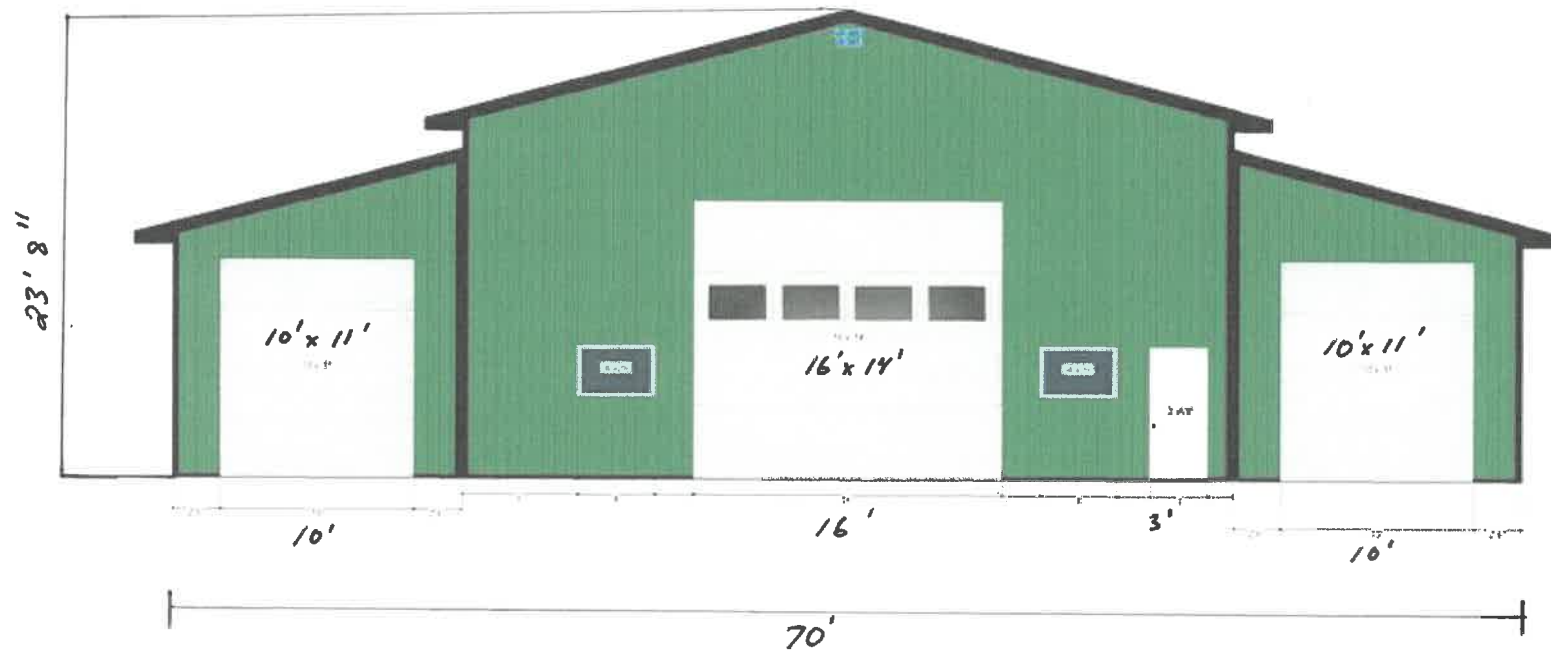
3. ADDITIONAL REQUIREMENTS

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 [Signature] Date: Nov. 23 / 18

ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- West

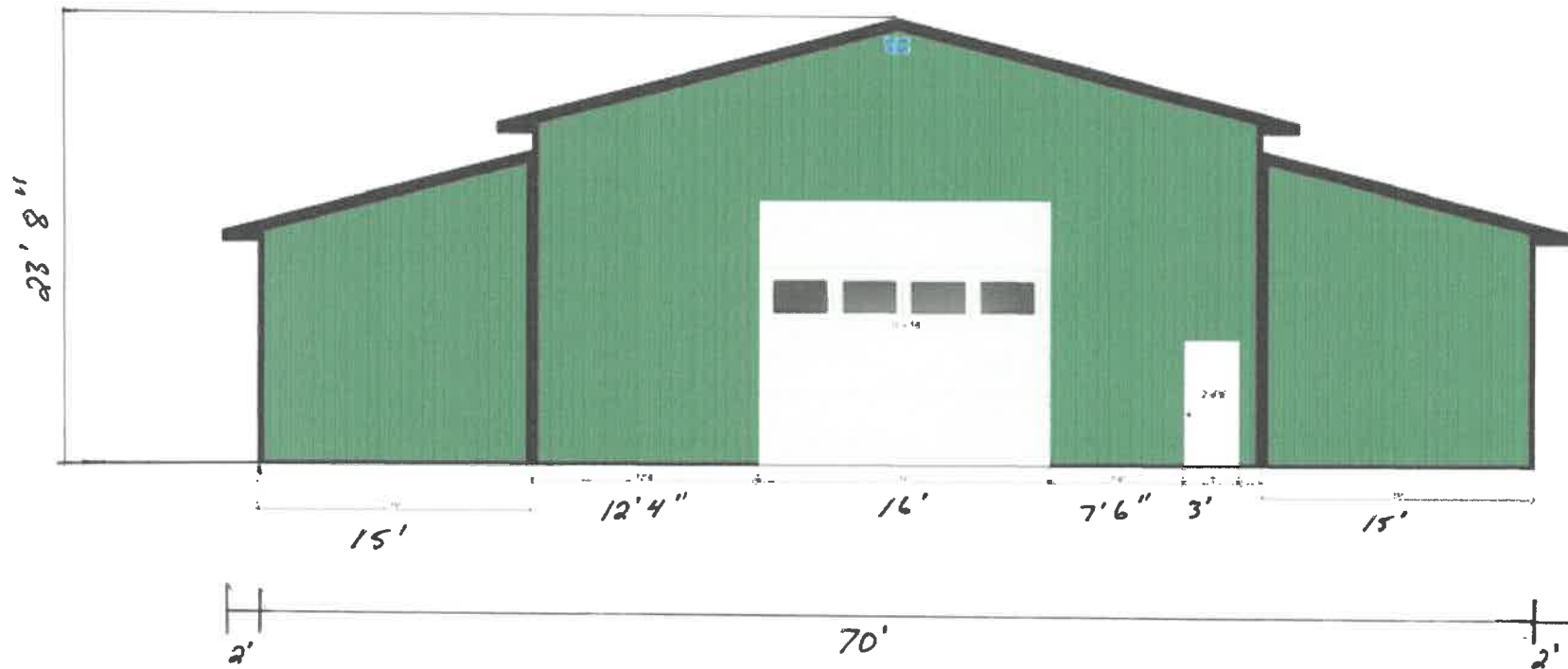


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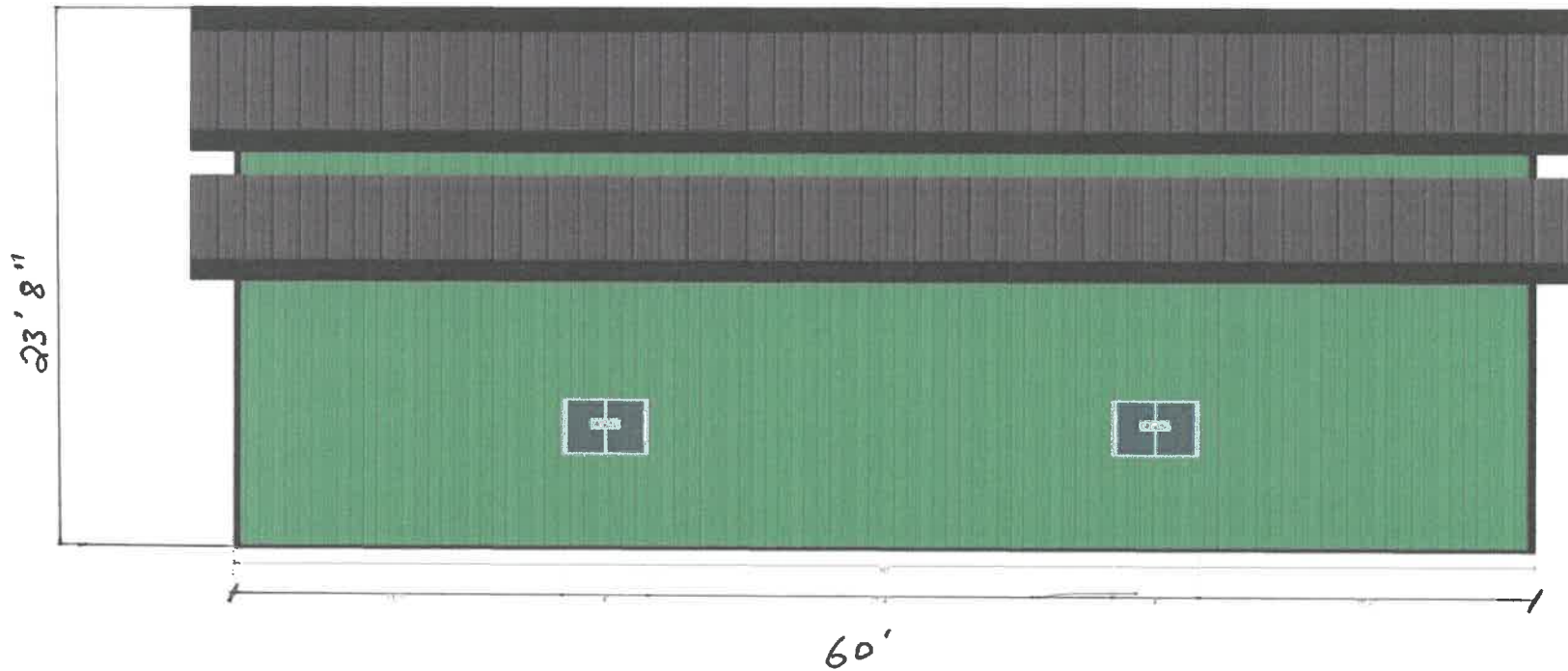
ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- East

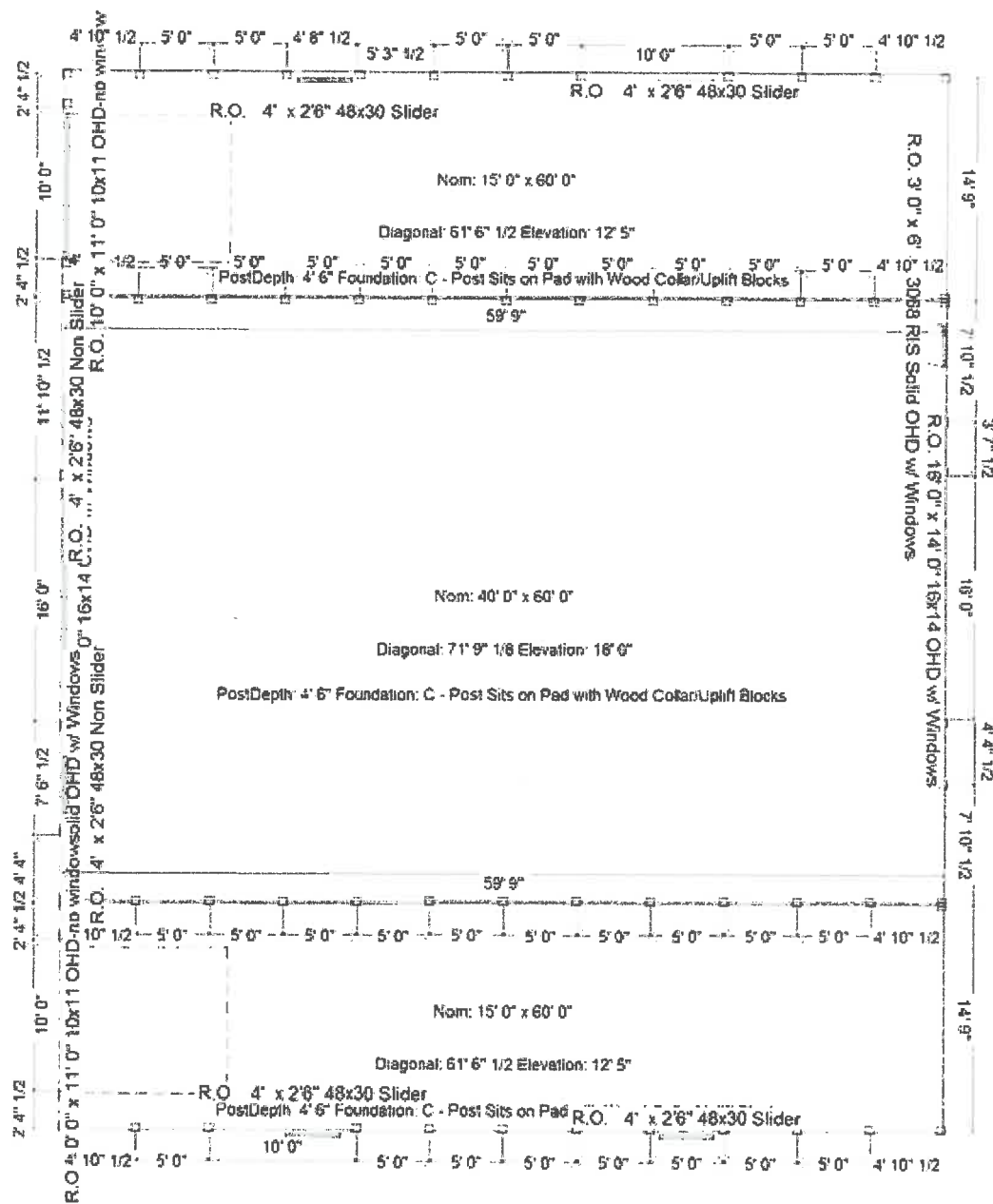


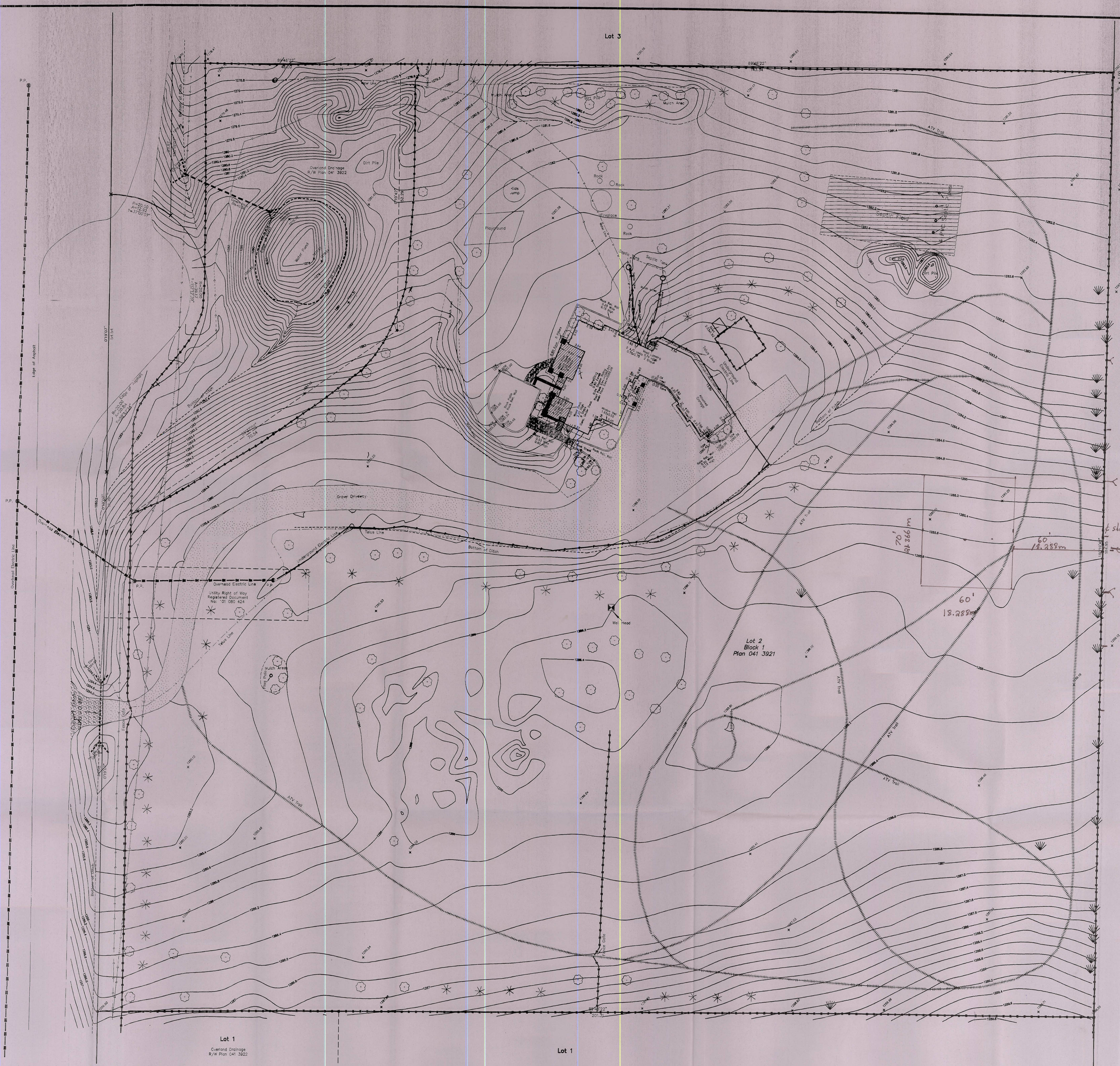
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2. 11/1/2024	2. 11/1/2024
3. 11/1/2024	3. 11/1/2024
4. 11/1/2024	4. 11/1/2024
5. 11/1/2024	5. 11/1/2024



ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- South







SITE PLAN **SHOWING TOPOGRAPHY**

TOTAL DESCRIPTION:
Lot 2
Block 1
Plan 041 3921

MUNICIPAL ADDRESS:
28000 Profile Well Point
Rocky View County, Alberta

PREPARED FOR: Ongoing Work
DATE OF SURVEY: June 9th, 2015
SCALE: 1:250

- LEGEND**
- ELEVATIONS ARE SHOWN THUS: * = 1000.00 METRES
DISTANCES ARE IN METRES AND DECIMALS THEREOF.
ELEVATIONS ARE REFERRED TO GEODETIC DATUM
USING ALBERTA SURVEY CONTROL MAKER 19602
AND ARE DERIVED BY GLOBAL POSITIONING SYSTEM (GPS)
CONTOUR INTERVAL=0.20M
THE FOLLOWING ABBREVIATIONS MAY APPEAR ON THIS PLAN:
UTILITIES NOT LOCATED: ALL LOCATION ARE TO CENTRE OF VISIBLE TRENCH
- denotes Solitary or Poles
 - denotes Co-located points
 - denotes Power Pole
 - denotes Elevation
 - denotes Inverts
 - denotes Diameter
 - denotes Top of Retaining Wall
 - denotes Bottom of Retaining Wall
 - denotes Property Lines
 - denotes Utility Right of Way Line
 - denotes Fence
 - denotes Solitary Line
 - denotes Irrigation Line
 - denotes Water Line
 - denotes Gas Line
 - denotes Overhead Electric Line
 - denotes Electrical Line
 - denotes A.O.T. Line (Tens Line)
 - denotes A.V. Traps
 - denotes Minor Contour Lines
 - denotes Major Contour Lines
 - denotes Sred Water
 - denotes Detached Jarque Hatch
 - denotes Men's Building Hatch
 - denotes Concrete and Asphalt Hatch
 - denotes Wood Hatch
 - denotes Bush
 - denotes Coniferous Tree
 - denotes Deciduous Tree