

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

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

August 28, 2019

A CALL MEETING TO ORDER

B DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 5 File: 06304013; PRDP20191363 Page 3

This is an appeal against the Development Authority's decision to REFUSE a development permit for the construction of an accessory building (shop), the relaxation of the front yard setback requirement for an accessory building (proposed shop), the relaxation of the total building area for all accessory buildings, and the relaxation of the total number of accessory buildings at 260180 Range Road 284, NW4-04-26-28-W4M, located approximately 2.41 kilometres (1 1/2 miles) north of Township Road 260 and on the east side of Range Road 284.

Appellant/Applicant: Brett Fitt
Owner: Carmen and Brett Fitt

2. Division 5 File: 05333082; PRDP20191182 Page 27

This is an appeal against the Development Authority's decision to REFUSE a development permit for the keeping of livestock (two horses, one llama) at 336 Shore Drive, NE-33-25-28-W4M, located approximately 0.20 kilometres (1/8 mile) west of Range Road 283 and 0.41 kilometres (1/4 mile) south of Township Road 260.

Appellant: Maxine Kipling
Applicant/Owner: Roy & Maxine Kipling

10:30 AM APPOINTMENTS

3. Division 5 File: 05335005; PRDP20191266 Page 60

This is an appeal against the Development Authority's decision to CONDITIONALLY APPROVE a development permit for the construction of an Accessory Dwelling Unit (garden suite), the relaxation of the maximum habitable floor area and the relaxation of the maximum height requirement at 255014 Range Road 282, SW-35-25-28-W4M, located on the east side of Range Road 282, approximately 1.61 kilometres (1 mile) north of Secondary Highway 564.

Appellant: Jeff and Katherine Bezugley
Applicant: Devendra Bhandari
Owner: Rehana Shah

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

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

August 28, 2019

4. Division 7 File: 06726018; PRDP20191456 Page 150

This is an appeal against the Development Authority's decision to CONDITIONALLY APPROVE a development permit for the keeping of livestock (one to two horses) at 61 Big Hill Springs Estate, SW-26-26-03-05, approximately 0.21 kilometres (1/8 mile) east of Highway 766 and on the south side of Big Hill Springs Estates.

Appellant: Samuel Ko on behalf of Georgie Alexon
Applicant: Jim Hutchins and Elizabeth Whyte
Owner: Elizabeth Whyte

1:00 PM APPOINTMENTS

5. Division 3 File: 04617003; PRDP20191431 Page 172

This is an appeal against the Development Authority's decision to REFUSE a development permit for the construction of an accessory building (garage), the relaxation of the size and height of an accessory building, and the relaxation to the total building area for all accessory buildings requirements at 15 Westwood Road, NW-17-24-2-W5M, 0.8 kilometres (1/2 mile) north of Lower Springbank Road and on the south side of Westwood Road.

Appellant/Applicant: Mike and Corinna Bourbonnais
Owner: Corinna Bourbonnais

6. Division 3 File: 04606006; PRDP20192130 Page 247

This is an appeal against the Development Authority's decision to CONDITIONALLY APPROVE a development permit for construction of an accessory building (garage) at 25048 Lott Creek Drive, SE-06-24-02-W5M, located in the Elbow Valley community, east of Fisherman's Lake and west of Lott Creek Close.

Appellant: Robert Homersham of Stikeman Elliott behalf of HBA (Elbow Valley) GP Inc; Simon and Beatrice Garside; Mona Jasinski; and Tim Collins
Applicant: Elbow Valley Residents Club (Cindy Groom)
Owner: Elbow Valley Residents Club

C CLOSE MEETING

D NEXT MEETING: September 18, 2019



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: Wednesday, August 28, 2019

DIVISION: 5

FILE: 06304013

APPLICATION: B-1; PRDP20191363

SUBJECT: Construction of an accessory building (shop/garage) and requested relations.

PROPOSAL: Construction of an accessory building (shop/garage), relaxation of the front yard setback requirement for an accessory building (proposed shop/garage), relaxation of the total number of accessory buildings and relaxation of the total area of all accessory buildings.	GENERAL LOCATION: Located approximately 2.41 km (1 1/2 miles) north of Twp. Rd. 260 and on the east side of Rge. Rd. 284.
APPLICATION DATE: April 30, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary – Refused
APPEAL DATE: August 07, 2019	DEVELOPMENT AUTHORITY DECISION DATE: August 06, 2019
APPELLANT: Carmen & Brett Fitt	APPLICANT: Carmen & Brett Fitt
LEGAL DESCRIPTION: Lot 1, Block 1, Plan 0213266; NW4-04-26-28-W04M	MUNICIPAL ADDRESS: 260180 RGE RD 284
LAND USE DESIGNATION: Residential Two District (R-2)	GROSS AREA: ± 1.17 hectares (± 2.89 acres)
DISCRETIONARY USE: An accessory building is discretionary within the Residential Two District with an area between 150.00 sq. m (1,614.59 sq. ft.) and 225.00 sq. m (2,421.87 sq. ft.).	DEVELOPMENT VARIANCE AUTHORITY: As per Section 12 of the Land Use Bylaw, the Development Authority may apply a variance up to 10.00% of the maximum building area for an accessory building and 25.00% to the required setback, if the variance would not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.
PUBLIC SUBMISSIONS: The application was circulated to 16 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 •Land Use Bylaw



EXECUTIVE SUMMARY:

This application is for construction of an accessory building (shop/garage), relaxation of the front yard setback requirement for an accessory building (proposed shop/garage), relaxation of the total number of accessory buildings, and relaxation of the total area of all accessory buildings.

The subject land is designated as Residential Two (R-2) and currently includes a dwelling, single-detached and several accessory buildings. The property is directly adjacent to Township Road 284 and is a smaller residential parcel amongst a mixture of residential and agricultural lands with varying lot sizes.

After assessing the application against the regulations of the district, the proposal was refused for the following reasons:

1. The required front yard setback is 45.00 m (147.64 ft.) within R-2. The proposed front yard setback of the accessory building (shop/garage) is 22.00 m (72.18 ft.) and requires a relaxation of 51.11%. The Development Authority may apply a variance up to 50.00% of the required setback; however, the request exceeds this amount.
2. The maximum total building area for all accessory buildings is 225.00 sq. m (2,421.88 sq. ft.) within R-2. The total building area including the existing accessory buildings and proposed building is 342.56 sq. m (3,687.29 sq. ft.) and would require a relaxation of 52.25%. The Development Authority has no variance discretion related to total building area for all accessory buildings.
3. The maximum number of accessory buildings is three within R-2. The total number of buildings, including the existing accessory buildings and proposed building is six, which would require a relaxation of 100.00%. The Development Authority has no variance discretion related to total number for all accessory buildings.

The application was refused by the Development Authority on August 6, 2019, and appealed by the Appellant/Owner on August 7, 2019.

PROPERTY HISTORY:

2002	The larger 19.00 acre parcel went through the redesignation and subdivision process under planning file 2002-150, resulting in redesignation from Agricultural Holdings to Residential Two and creation of the 2.89 acre subject parcel.
2002	Building Permit 2002-DP-15985 approved for the dwelling, single-detached.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

LM/rp



DEVELOPMENT PERMIT REPORT

Application Date: April 30, 2019	File: 06304013
Application: PRDP20191363	Applicant/Owner: Carmen & Brett Fitt
Legal Description: Lot 1, Block 1, Plan 0213266; NW4-04-26-28-W04M	General Location: Located to immediately east of Range Road 284 and approximately 2.0 kilometres (1.2 miles).
Land Use Designation: Residential Two District (R-2)	Gross Area: ± 1.17 hectares (± 2.89 acres)
File Manager: :Lisa Mrozek	Division: 05

PROPOSAL:

The proposal is for construction of an accessory building (shop/garage), relaxation of the front yard setback requirement for an accessory building (proposed shop/garage), relaxation of the total number of accessory buildings, and relaxation of the total area of all accessory buildings.

The subject land falls within the Residential Two District (R-2), and was assessed in accordance with Section 50 of the Land Use Bylaw. The property is accessed from the paved roadway, Range Road 284, and includes a dwelling, single-detached and several accessory buildings. Based on the supporting information provided by the Applicant/Owner, there are five existing accessory buildings and one proposed accessory building.

The site plan and supporting documents identify that one of the accessory buildings is being used as an unpermitted accessory dwelling unit (garden suite). A separate development permit was submitted for this building; however, in accordance with Section 28 of the Land Use Bylaw, an accessory dwelling unit (garden suite) is considered an accessory building for the purposes of calculating the total number of accessory buildings and total building area).

SECTION 28 ACCESSORY BUILDINGS AND USES

28.4 Accessory Dwelling Units:

(f) A Garden Suite:

(i) shall not exceed 5.50 m (18.04 ft.) in height;

(ii) shall not be a Dwelling, Mobile Home; and

(iii) shall be considered an accessory building for the purposes of the total allowable number of accessory buildings and total building area.

For the purposes of this application, the accessory dwelling unit (garden suite) was assessed as an accessory building.

SECTION 50 RESIDENTIAL TWO DISTRICT (R-2)

50.2 Uses, Permitted

Accessory buildings less than 150.00 sq. m (1,614.59 sq. ft.) building area



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

	Description as per Site Plan	Existing or Proposed?	Size (sq. m)
Accessory Building 1	Garage	Existing	59.50
Accessory Building 2	Garden shed	Existing	9.29
Accessory Building 3	Accessory dwelling unit	Existing	37.41
Accessory Building 4	Well house	Existing	18.72
Accessory Building 5	Dog house	Existing	17.00
Accessory Building 6	Shop/garage	Proposed	200.64

SECTION 50 RESIDENTIAL TWO DISTRICT (R-2)

50.5 Minimum and Maximum Requirements

(b) Yard, Front:

(i) 45.00 m (147.64 ft.) from any road, County

(c) Yard, Side:

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

(d) Yard, Rear:

(ii) 7.00 m (22.96 ft.) all other.

	Front Yard Setback (m)	Side Yard Setback (m)	Side Yard Setback (m)	Rear Yard Setback (m)
Existing Accessory Building 1	Lots	Lots	Lots	Lots
Variance Required?	N/A	N/A	N/A	N/A
Existing Accessory Building 2	Lots	Lots	Lots	Lots
Variance Required?	N/A	N/A	N/A	N/A
Existing Accessory Building 3	Lots	Lots	Lots	Lots
Variance Required?	N/A	N/A	N/A	N/A
Existing Accessory Building 4	Lots	Lots	Lots	Lots
Variance Required?	N/A	N/A	N/A	N/A
Existing Accessory Building 5	Lots	Lots	Lots	Lots

	<i>Front Yard Setback (m)</i>	<i>Side Yard Setback (m)</i>	<i>Side Yard Setback (m)</i>	<i>Rear Yard Setback (m)</i>
<i>Variance Required?</i>	N/A	N/A	N/A	N/A
<i>Proposed Accessory Building 6</i>	22.00	16.15	Lots	Lots
<i>Variance Required?</i>	51.11%	N/A	N/A	N/A

The front yard setback for the proposed shop/garage does not comply with the required front yard setback requirement of the R-2 district, and the Applicant/Owner is requesting a relaxation of **51.11%**. The proposed setback is reasonable when looking at the locations of the existing buildings, and the property includes tree coverage on the property that reduce the visual impact of the building being closer to the front property line. However, the request exceeds the variance discretion of the Development Authority within Section 12 of the Land Use Bylaw and is included as a reason for refusal.

50.7 Maximum height of buildings

(a) principal building - 10.00 m (32.81 ft.)

	<i>Height (m)</i>
<i>Existing Accessory Building 1</i>	Not specified
<i>Variance Required?</i>	N/A
<i>Existing Accessory Building 2</i>	Not specified
<i>Variance Required?</i>	N/A
<i>Existing Accessory Building 3</i>	4.88
<i>Variance Required?</i>	N/A
<i>Existing Accessory Building 4</i>	Not specified
<i>Variance Required?</i>	N/A
<i>Existing Accessory Building 5</i>	Not specified
<i>Variance Required?</i>	N/A
<i>Proposed Accessory Building 6</i>	5.49
<i>Variance Required?</i>	N/A



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

Proposed: 342.56 sq. m

Variance Required: 52.25%

The Development Authority has no variance discretion under Section 12 of the Land Use Bylaw related to total building area for all accessory buildings; this is included as a reason for refusal.

50.10 *Maximum number of accessory buildings – 3.*

Proposed: 6

Variance Required: 100.00%

The Development Authority has no variance discretion under Section 12 of the Land Use Bylaw related to total number of accessory buildings; this is included as a reason for refusal.

In summary, the application was refused for the following reason:

4. The required front yard setback is 45.00 m (147.64 ft.) within R-2. The proposed front yard setback of the accessory building (shop/garage) is 22.00 m (72.18 ft.) and would require a relaxation of 51.11%. The Development Authority may apply a variance up to 50.00% of the required setback; however, the request exceeds this amount.
5. The maximum total building area for all accessory buildings is 225.00 sq. m (2,421.88 sq. ft.) within R-2. The total building area including the existing accessory buildings and proposed building is 342.56 sq. m (3,687.29 sq. ft.) and would require a relaxation of 52.25%. The Development Authority has no variance discretion related to total area for all accessory buildings.
6. The maximum number of accessory buildings is three within R-2. The total number of buildings, including the existing accessory buildings and proposed building is six and would require a relaxation of 100.00%. The Development Authority has no variance discretion related to total building for all accessory buildings.

STATUTORY/NON-STATUTORY PLANS:

The subject land does not fall within an Area Structure Plan or Conceptual Scheme.

INSPECTOR'S COMMENTS:

No inspection completed at the time of inspection.

CIRCULATIONS:

<i>Internal</i>	
Building Services	Full Building Permits and Engineering required.
Municipal Enforcement	Recommend that building materials, debris, and garbage be contained on site at all times during construction; Recommend that the accessory building not be utilized for any commercial or business activity, beyond a Home-Based Business Type I, without obtaining the necessary development permits from the County.



OPTIONS:

Option #1 (this would approve the construction of the accessory building with relaxations)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for construction of an accessory building (garage/shop), relaxation of the front yard setback requirement for an accessory building (proposed garage/shop), relaxation of the total number of accessory buildings and relaxation of the total area of all accessory buildings at Lot 1, Block 1, Plan 0213266, NW4-04-26-28-W04M (260180 RANGE ROAD 284) 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 may be constructed on the subject land, and that the existing Accessory Buildings may remain on the subject land in general accordance with the approved plans.
 - a. That the front yard setback requirement is relaxed from **45.00 m (147.64 ft.)** to **22.00 m (72.18 ft.)**.
 - b. That the total accessory building area is relaxed from **225.00 sq. m (2,421.88 sq. ft.)** to **342.56 sq. m (3,687.29 sq. ft.)**.
 - c. That the total number of accessory buildings is relaxed from **3** to **6**.

Permanent:

2. That the Accessory Buildings shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I, or an approved Home-Based Business, Type II.
3. That the Accessory Buildings shall not be used for residential occupancy purposes at any time, unless approved under a separate development permit for an Accessory Dwelling Unit.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
5. 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.

Advisory:

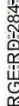
6. That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
7. That a Building Permit and sub-trade permits shall be obtained through Building Services for the Accessory Buildings (where required).

Option #2 (this would not approve the construction of the accessory building with relaxations)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for construction of an accessory building (garage/shop), relaxation of the front yard setback requirement for an accessory building (proposed garage/shop), relaxation of the total number of accessory buildings and relaxation of the total area of all accessory buildings at Lot 1, Block 1, Plan 0213266, NW4-04-26-28-W04M (260180 RANGE ROAD 284) be denied, and that the decision of the Development Authority be confirmed.

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	County Road	Other	Other	Other	7.00	225.00	3	
		≤ 225.00	45.00	3.00	3.00	7.00				
Proposed/Existing Buildings										
Existing Accessory Building 1		59.50	Lots	Lots	Lots	Lots	Not specified	342.56	6	
	Variance Required?	N/A	N/A	N/A	N/A	N/A	N/A	52.25%	100.00%	
Existing Accessory Building 2		9.29	Lots	Lots	Lots	Lots	Not specified			
	Variance Required?	N/A	N/A	N/A	N/A	N/A	N/A			
Existing Accessory Building 3		37.41	Lots	Lots	Lots	Lots	4.88			
	Variance Required?	N/A	N/A	N/A	N/A	N/A	N/A			
Existing Accessory Building 4		18.72	Lots	Lots	Lots	Lots	Not specified			
	Variance Required?	N/A	N/A	N/A	N/A	N/A	N/A			
Existing Accessory Building 5		17.00	Lots	Lots	Lots	Lots	Not specified			
	Variance Required?	N/A	N/A	N/A	N/A	N/A	N/A			
Proposed Accessory Building 6		200.64	22.00	16.15	Lots	Lots	5.49			
	Variance Required?	N/A	51.11%	N/A	N/A	N/A	N/A			



LOCATION PLAN

NW4-04-26-28-W04M

Lot:1 Block:1 Plan:0213266

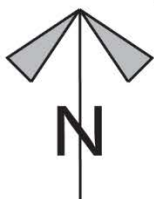
Date: August 08, 2019

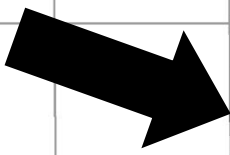
Division # 5

File: 06304013

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RF2	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

NW4-04-26-28-W04M

Lot:1 Block:1 Plan:0213266

Date: August 08, 2019

Division # 5

File: 06304013



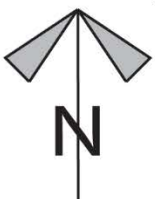
RGE RD-284



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

AIR PHOTO

Spring 2018



NW4-04-26-28-W04M
Lot:1 Block:1 Plan:0213266

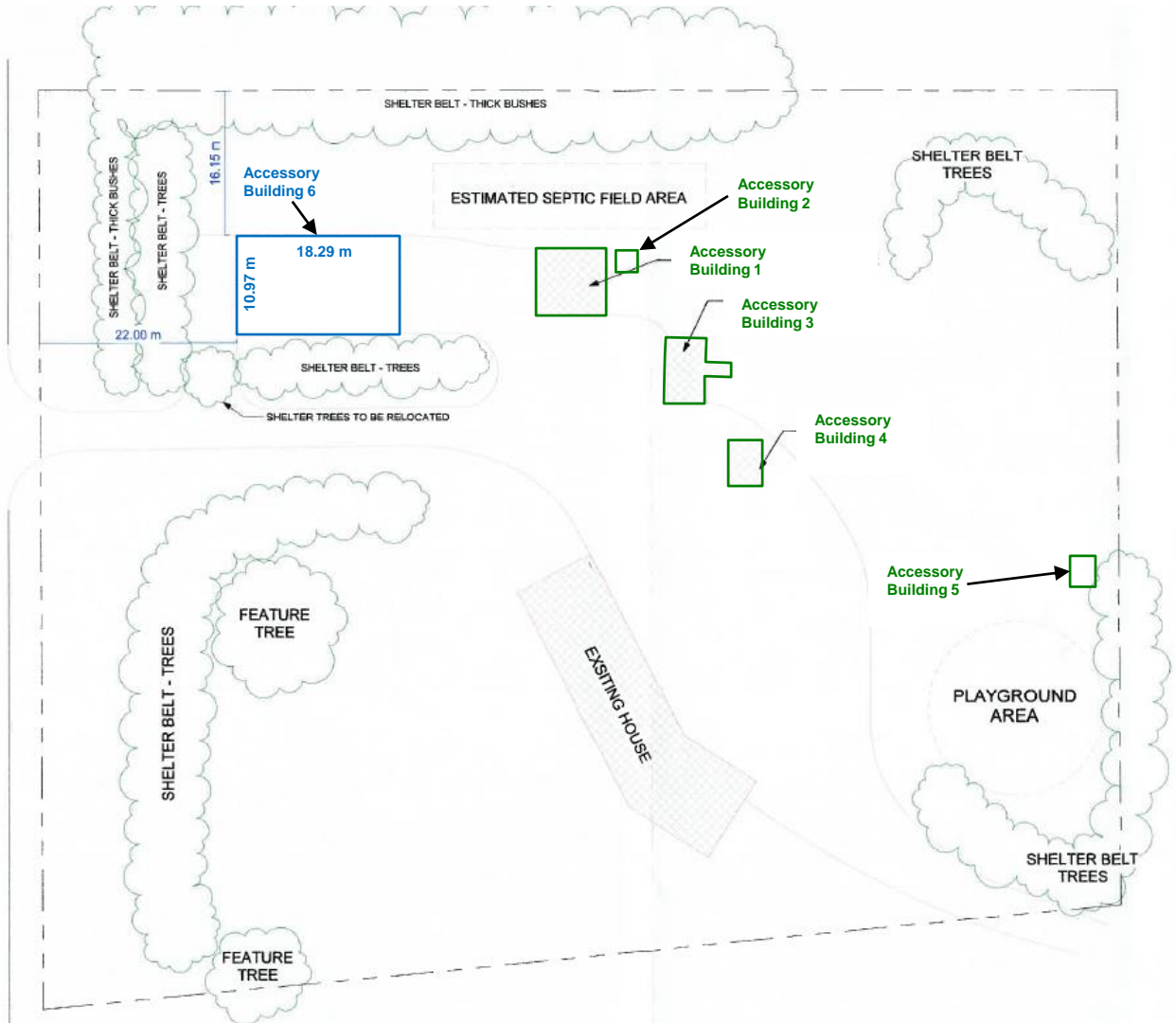
Date: August 08, 2019

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RANGE ROAD 284



- Existing Accessory Buildings
- Proposed Accessory Building

SITE PLAN



NW4-04-26-28-W04M
Lot:1 Block:1 Plan:0213266

Date: August 08, 2019

Division # 5

File: 06304013



LANDOWNER CIRCULATION AREA

NW4-04-26-28-W04M

Lot:1 Block:1 Plan:0213266

Date: August 08, 2019

Division # 5

File: 06304013

Agenda

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Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Brett Fitt			
Municipality		Province	Postal Code
[Redacted]		[Redacted]	[Redacted]
Alternate Phone #		[Redacted]	
Site Information			
Municipal Address 260180 RR 284		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)	
Property Roll # C63C4013	Development Permit, Subdivision Application, or Enforcement Order # PRDP 2019 1363		
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)			
Looking for storage of vintage vehicles To keep lot clean.			



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

Aug 17 / 19
Date



REFUSAL

Fitt, Carmen & Brett

Development Permit #: PRDP20191363

Date of Issue: August 6, 2019

Roll #: 06304013

Your Application dated April 30, 2019 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 (shop),
relaxation of the front yard setback requirement for an accessory building (proposed shop),
relaxation of the total building area for all accessory buildings, and
relaxation of the total number of accessory buildings**

at Lot 1, Block 1, Plan 0213266; NW4-04-26-28-W04M (260180 RGE RD 284)

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 requested front yard setback exceeds the requirements of Section 50.5 of the Land Use Bylaw C-4841-97.
Required front yard setback: 45.00 m (147.64 ft.)
Requested front yard setback: 22.00 m (72.18 ft.)
- 2) The requested total area for all accessory buildings exceeds the requirements of Section 50.9 of the Land Use Bylaw C-4841-97.
Permitted total area for all accessory buildings: 225.00 sq. m (2,421.88 sq. ft.)
Requested total area for all accessory buildings: 342.56 sq. m (3,687.29 sq. ft.)
- 3) The requested number of accessory buildings exceeds the requirements of Section 50.10 of the Land Use Bylaw C-4841-97.
Permitted number of accessory buildings: 3
Requested number of accessory buildings: 6

Development Authority
Rocky View County

If you require further information or have any questions regarding this development, please contact Planning Services at 403-520-8158 or email development@rockyview.ca and include the application number.

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

20191363

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICIAL USE ONLY	
Fee Submitted \$280	File Number 06304013
Date of Receipt April 30/19	Receipt #

Name of Applicant Brett Fitts Email PERSONAL EMAIL
Mailing Address MAIL ADDRESS
Postal Code POSTAL CODE
Telephone (B) Fax
For Agents please supply Business/Agency/ Organization Name

Registered Owner (if not applicant)
Mailing Address
Postal Code
Telephone (B) (H) Fax

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NE $\frac{1}{4}$ Section 5 Township 26 Range 28 West of 4 Meridian
b) Being all / parts of Lot 1 Block 1 Registered Plan Number 021 3266
c) Municipal Address 260180 RANGE ROAD 284
d) Existing Land Use Designation R-2 Parcel Size 2.89 ACRES Division

2. APPLICATION FOR

Accessory Building - Personal Storage Shop

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I FULL LEGAL NAME hereby certify that X I am the registered owner

(Full Name in Block Capitals)

BRETT CLAYTON FITTS

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 Brett Fitts
Date April 30/19

Owner's Signature Brett Fitts
Date April 30/19

5. RIGHT OF ENTRY

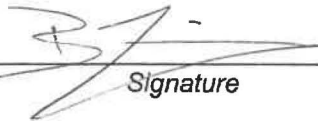
I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

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

I, Brett Fiss, 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

April 30 / 19
Date



ROCKY VIEW COUNTY
Cultivating Communities

20191363

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 06304013
Date Received April 30/19	Receipt #

APPLICATION FOR AN ACCESSORY BUILDING

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

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	2421 sq ft	2160
Accessory building height	22.26 ft	18 ft
Number of existing accessory buildings on site	3 3	5
Total size of all accessory buildings	2421	3504.00

Description of Accessory Buildings:

- a) Building materials wood/metal
- b) Exterior colour To match House
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
Storage for vehicles to keep lot tidy
- d) Date when building permits were issued for existing buildings _____
- e) If no permits were issued - list age of buildings unknown

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

SECOND HOUSE, Double GARAGE, Dog House, Well Shack

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: April 30/19

Cover Letter for Development Permit Submission

Application For:

Accessory Building: Personal Storage/Shop

Parcel:

260180 Range Road 284
Lot 1, Blk 1, Plan 021 3266
NE ¼ Sect, Twp.5, Rge.28, W.4 Mer.

Owner:

Brett Fitts
Personal E-mail



Introduction:

The proposal being submitted is for an oversized, personal use, storage/maintenance shop on an acreage on the east side of Rocky View County. Evaluating the proposal on those elements alone would be an evaluation limited to a small percentage of the factors that form this application and the long-term value it will have to the county and this property specifically.

Submission Rationale:

Prior to getting into our personal rationale I want to point out that the two neighbors with the most immediate interest (North and South adjacent) have provided letters of support for our proposal and have no problem with what or where we are proposing to build.

The proposed building is over sized, and slightly closer to the front property line than is outlined in the bylaw. We understand this, but given the rationale below, we trust that the county will understand the long-term benefit to the parcel, and the minimal impact to the county in general.

We originally purchased the parcel roughly 6 months ago with the intention of being able to get away from city life, and enjoy the peace the county has to offer. Another factor was the ability to have the space to share with family, enjoy our interests, and protect our assets, all in one location. The move to Rocky View County was as easy decision given the amenities and proximity to our business located in nearby Airdrie. Understanding that our parcel has some unique challenges, and existing conditions, we wanted to provide some rationale and detail as to why we want to move forward with this development and why it will help not only our parcel but the county surrounding us.



One of the major factors in submitting this proposal is storage space. Coming from a smaller parcel in Airdrie, the amount of storage required to house all the equipment required to maintain an acreage was surprising. Much of this space took away from finding places to keep other belongings secure and out of the weather. The current buildings contain only some of the possessions that we want to have consolidated at home. This is primarily due to a struggle between lack of space and wanting to still maintain a tidy, clean, and slightly property for our friends and family to visit. This proposed storage shop would solve a great majority of the challenges we are having and enable us to keep our yard and parcel well maintained, clean, and tidy for all to enjoy, while still being able to have all our possessions close by, secure, and protected from the weather.



Another of one of the major factors in this application is our love of classic and performance cars. These vehicles, be they classic street cruisers, or tire shredding performers, have not only been transportation, but a passion, hobby, and shared interest for many years. These vehicles each have a history, a story, and many fond memories attached to them. The loss of any one would be a tragedy, and given their unique age and features, would be nearly impossible, and fiscally difficult, to replace. This is the one of the primary reasons we wish to build a new home for these classics, in order to not only enjoy them regularly, but keep them

protected. As you can see in the attached photos, these are not junk cars, unfinished projects, or eyesores that will sit in the yard and generate rust, but are valuable assets worthy of being maintained and respected for generations to come.

Understanding that there may be a couple challenges with the location and size of the proposal, we have thought through the impact of different sites, and feel that the rationale provided is strong and works with the intent of the bylaw in maintaining beautiful and respectful parcels that have little to no negative impact on the surrounding parcels.

Bylaw Rationale:



The proposed location of the building (Left), while not ideal in the eyes of the bylaw, works extremely well from an aesthetic, visibility and access standpoint. Understanding the primary items being stored will be automobiles, having the access located close to the road will prevent dust from inevitably being generated in getting to the county road. The sizable and thick tree and bush shelter belts do a fantastic job of sheltering the area being considered from visibility. The depth of the shelter belt, combined with the height and thickness of it, will obscure the building from the county road, which is less elevated than the proposed building site, again aiding in obscuring the building. Secondary to this the proposed location is sheltered from the main house and driveway, making it nearly

invisible from the county road and entrance to the parcel.

The size of the building is large. This is primarily driven by the proposed contents. Being able to not only store, but clean, maintain, and navigate around these vehicles while maintaining the exterior finish is imperative. Having clear unobstructed floor area is one of the only ways to do this.

The number of accessory buildings is a concern. Coming into this parcel, it was clear that it was a great fit in being able to not only provide US with some peace and space, but to be able to share that with our son. The secondary dwelling on the parcel has given us the ability to share acreage life with him without the financial burden of two parcels. The detached garage nearest the secondary dwelling will be for his use, should this proposal move forward. At this time it is being used to store a couple of our classics until such time that we can get them out of there into a more permanent home. This move will then open up the garage for our son to make use of and do his part to keep the parcel clean and tidy.



The other accessory building is the well shed, and it is just that. In a perfect world, we would rather have that housed within one of the other existing buildings, but the location is set. Given the provisions the equipment within the shed provides, we don't feel that going without it, or making it smaller, is either wise or possible, given the sensitive nature of the equipment.

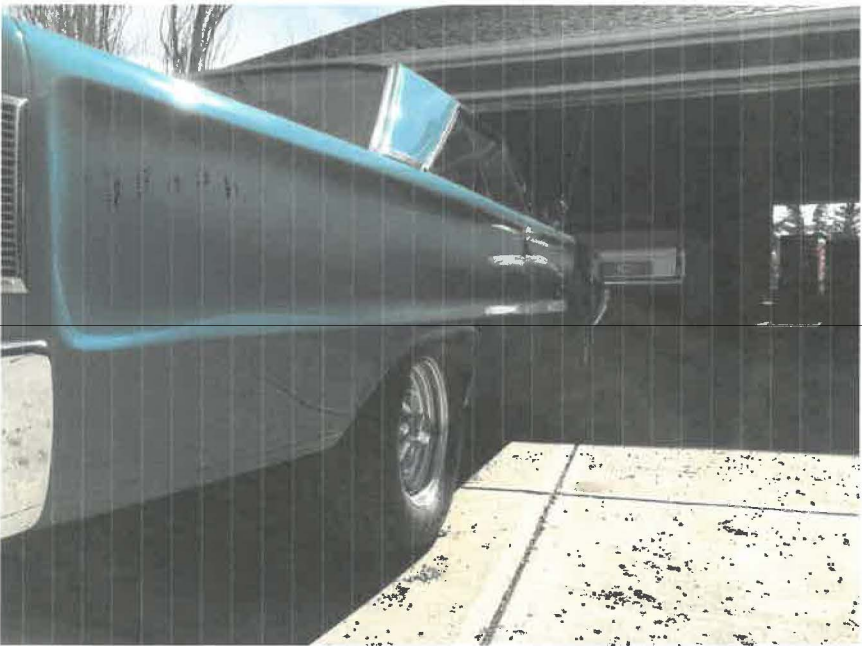
260180 Range Road 284

1. Double Garage = Existing
2. Garden Shed = 10x10
3. RV Trailer = Removed
4. Accessory Dwelling = Existing
5. Well Shack = Existing
6. Fabric Shelter = Removed
7. Trailer = Removed
8. Dog House = Existing
9. Playground Equipment = Existing
10. Main House = Existing



PROPOSED BUILDING SITE PLAN
PROPOSED STORAGE SHOP
(ISSUED APRIL 22 2019)

260180 Range Road 284
Rocky View County, Alberta
LOT 1, BLOCK 1, PLAN 021 3266



Integrated Home Design

Planning / Design / Permits

Integrated Home Design

744 Luxstone Sq.

Airdrie, Alberta, T4B 3L3

P: 403.681.6275

integratedhomedesign@gmail.com

BUILDER:

No.	Date:	Description:	By:
1.	22-04-2019	INITIAL REVIEW	MD

MAIN FLOOR :	X sq.ft.
UPPER FLOOR :	X sq.ft.
TOTAL AREA :	X sq.ft.
GARAGE SLAB :	X sq.ft.
SITE AREA :	125586.70 sq.ft.
ACC.BLDGS :	1244.7 sq.ft.
COVERAGE :	1.0%

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DIMENSIONS ON SITE PRIOR TO COMMENCING
WORK. ANY DISCREPANCIES ARE TO BE
REPORTED IMMEDIATELY TO INTEGRATED HOME
DESIGN, AND PRIOR TO CONSTRUCTION.

WRITTEN DIMENSIONS TAKE PRECEDENCE OVER
SCALED DIMENSIONS.

CLIENT:
Fitts Residence
B.Fitts
260180 Range Road 284
Rocky View County
L.1, B.1, P.0213266

STATUS:
Development Permit
Proposal

DRAWING NAME:
Cover Sheet

DRAWN BY: M.D.	CHECKED BY: M.D.
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SCALE: 1/8" = 1'-0"
PRINTED ON 11X17 PAPER

SHEET #:

AS.1

Page 26 of 28
4/22/2019 8:43:53 PM
B-1

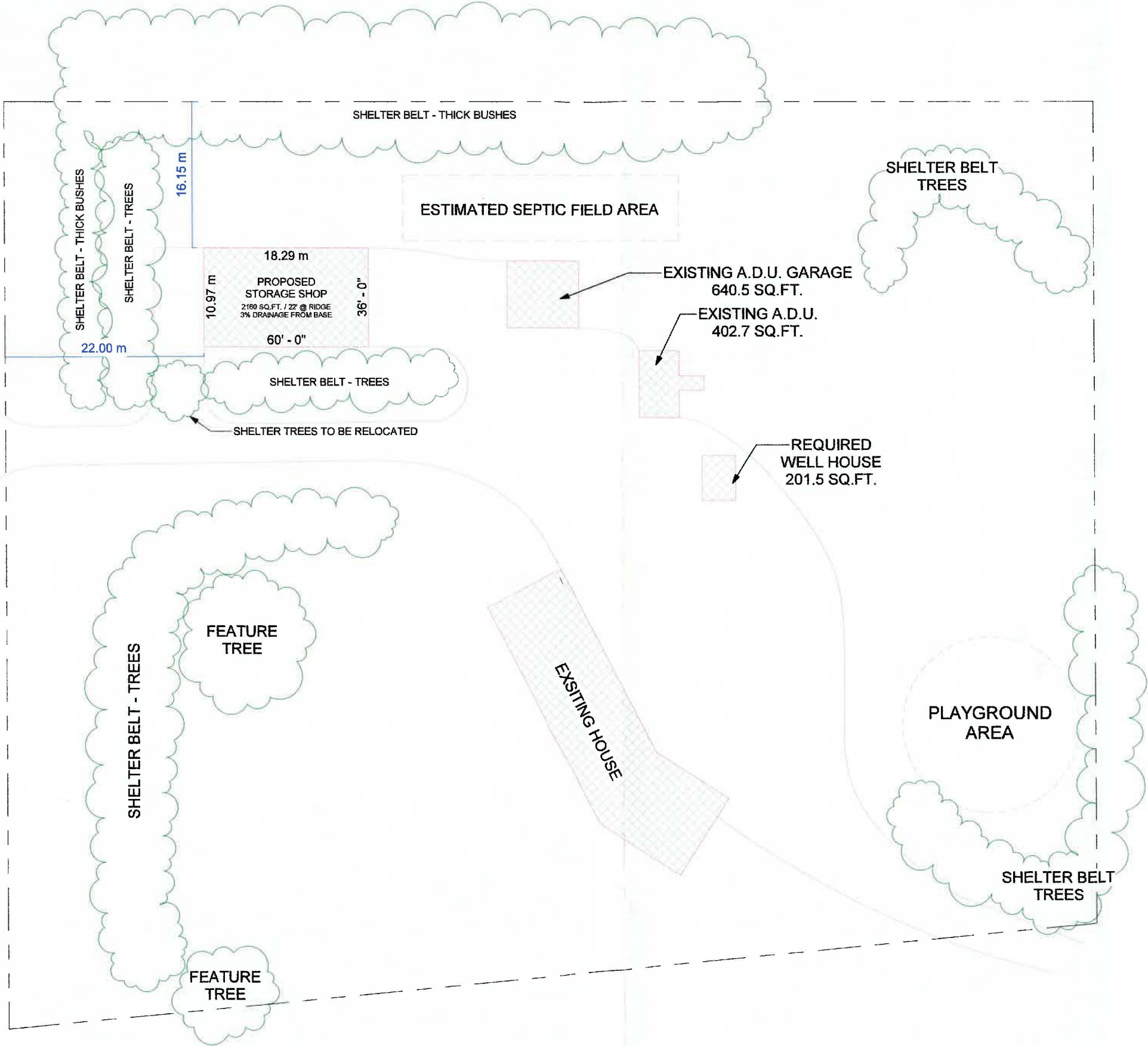
RANGE ROAD 284

R-2 BYLAW

Accessory Building Rules:

- MAX SIZE:
- 1614.59 sq.ft. EACH
 - 2421.88 sq.ft TOTAL
- SETBACKS:
- FRONT: 45.0m / 147.64 ft
 - SIDE : 3.0m / 9.84 ft
 - REAR: 7.0m / 22.96 ft

- HEIGHT MAX:
- 7.0m / 22.96 ft



Integrated Home Design

Planning / Design / Permits

Integrated Home Design

744 Luxstone Sq.

Airdrie, Alberta, T4B 3L3

P: 403.681.6275

integratedhomedesign@gmail.com

BUILDER:

No.	Date:	Description:	By:
1.	22-04-2019	INITIAL REVIEW	MD

MAIN FLOOR :	X sq.ft.
UPPER FLOOR :	X sq.ft.
TOTAL AREA :	X sq.ft.
GARAGE SLAB :	X sq.ft.
SITE AREA :	125586.70 sq.ft.
ACC.BLDGS :	1244.7 sq.ft.
COVERAGE :	1.0%

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WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

CLIENT:
Fitts Residence
B.Fitts
260180 Range Road 284
Rocky View County
L.1, B.1, P.0213266

STATUS:
Development Permit
Proposal

DRAWING NAME:
SITE PLAN - PROPOSED

DRAWN BY: M.D.	CHECKED BY: M.D.
--------------------------	----------------------------

SCALE: 1 : 500
PRINTED ON 11X17 PAPER

SHEET #:
AS.2



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: Wednesday, August 28, 2019 **DIVISION:** 5

FILE: 05333082 **APPLICATION:** B-2; PRDP20191182

SUBJECT: Keeping of livestock (two horses, one llama)

PROPOSAL: Keeping of livestock at densities no greater than two animal units per 1.60 hectares (3.95 acres); relaxation in the number of animal units from 2.0 to 2.25.	GENERAL LOCATION: Located approximately 0.20 km (1/8 mile) west of Range Road 283 and 0.41 km (1/4 mile) south of Township Road 260.
APPLICATION DATE: April 16, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary - Refused
APPEAL DATE: July 30, 2019	DEVELOPMENT AUTHORITY DECISION DATE: July 15, 2019
APPELLANT: Roy & Maxine Kipling	APPLICANT: Roy & Maxine Kipling
LEGAL DESCRIPTION: Lot 19, Block 2, Plan 9913200; NE-33-25-28-W04M	MUNICIPAL ADDRESS: 336 SHORE DRIVE
LAND USE DESIGNATION: Residential Two District (R-2)	GROSS AREA: ± 1.62 hectares (± 4.00 acres)
PERMITTED USE: The keeping of livestock is both permitted and discretionary within the Residential Two District.	DEVELOPMENT VARIANCE AUTHORITY: Development Authority has no discretion to allow for more than 2.00 animal units per 1.60 hectares (3.95 acres).
PUBLIC SUBMISSIONS: The application was circulated to 31 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 • Land Use Bylaw

EXECUTIVE SUMMARY:

The application is for the keeping of livestock at densities no greater than 2.00 animal units per 1.60 hectares (3.95 acres), and for relaxation of the number of animal units from 2.00 to 2.25.

In accordance with Section 24 of the Land Use Bylaw (Keeping of livestock regulations), on a parcel designated as Residential Two, the permitted number of livestock shall not exceed one animal unit per 1.60 hectares (3.95 acres), or up to two animal units per 1.60 hectares (3.95 acres) through a Development Permit. Based on the parcel size of 4.00 acres, the Applicant has requested to keep



2.25 animal units on the subject land. The Development Authority has no discretion to allow more than 2.00 animal units per 1.60 hectares (3.95 acres) and the application was refused.

The refusal decision was appealed by Appellant/Applicant on July 30, 2019, as the livestock has been long-existing on site, and the neighbourhood is actively involved with livestock.

PROPERTY HISTORY:

1999-BP-13583	Addition to the Existing Dwelling
2001-BP-14674	Construction of a Single Family Dwelling

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

CL/sm/rp

DEVELOPMENT PERMIT REPORT

Application Date: April 16, 2019	File: 05333082
Application: PRDP20191182	Applicant/Owner: Roy & Maxine Kipling
Legal Description: Lot 19, Block 2, Plan 9913200, NE-33-25-28-04	General Location: Located approximately 0.20 km (1/8 mile) west of Rge. Rd. 283 and 0.41 km (1/4 mile) south of Twp. Rd. 260
Land Use Designation: Residential Two District (R-2)	Gross Area: ±1.62 hectares (±4.00 acres)
File Manager: Christina Lombardo	Division: 5

PROPOSAL:

The proposal is for the keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from one (1) to two and a half (2.25) animal units (horses and llama).

The property is zoned Residential Two (R-2), and keeping of livestock falls under both permitted and discretionary use within this land use district.

Land Use Bylaw Requirements:

Section 8 Definitions

LIVESTOCK means horses, cattle, sheep, swine, fur-bearing animals raised in captivity, game-production animals within the meaning of the Livestock Industry Diversification Act, live poultry and bees, EXCEPT wild boars.

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

- The subject property is 4.00 acres in size.
- $4.00/3.95 = 1.01 \times 2 = 2.03 = 2$ animal units
- The applicant has requested 2.25 animal units
 - one horse = one animal unit.
 - four llamas = one animal unit.
 - Two horses plus one llama = 2.25 animal units.

The Applicant has requested to keep up to 2.25 animal units, which exceeds the amount approvable by the Development Authority through a Development Permit. The Development Authority has no discretion to allow more than 2.00 animal units per 1.60 hectares (3.95 acres) as permitted in Section 24.4 (a) of the Land Use Bylaw; therefore, the application was refused.

Section 24.6 Keeping of Livestock

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

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

- The applicant indicated that they purchase hay, and rotate between both sides of the yard to avoid overgrazing.

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

- The applicant advised that the manure will be spread and incorporated into the garden on the property.

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

- (i) *requiring a Pasture Management Plan;*
- (ii) *requiring a Manure Management Plan;*
- (iii) *placing a limit on the term of the permit that shall not exceed five (5) years.*

Other:

Water runoff:

- Applicant advised that there is no run-off concern on the property as the topography is flat.
- The subject property does not have any Environmental reserve land on the property.

Pest Control:

- Applicant advised that they cut the grass on site to control weeds on the property.
- The subject area where the livestock are located is away from neighbours' dwellings.

Section 50 Residential Two District (R-2)

50.2 Permitted Uses: Keeping of Livestock

50.3 Discretionary Uses: Keeping of Livestock

STATUTORY PLANS:

The subject property falls outside the policy area of an area structure plan or conceptual scheme; therefore, the application was evaluated in accordance with the Land Use Bylaw.

INSPECTOR'S COMMENTS:

June 12, 2019

- 1 dwelling, minor accessory buildings;
- 2 horses and 1 llama visible;
- Some screening (conifer) along North Shore Point;
- Property clean/tidy – minor amounts of manure within pasture;
- Minor impact;
- Overgrazing of pasture not visible.

CIRCULATIONS:

Agricultural Services Review (May 31, 2019)

- This application exceeds the doubling limits set by the Land Use Bylaw.
- It is recommended that the applicant obtain a Premises Identification Number

Capital Projects (May 22, 2019)

- No concerns.



Enforcement Services Review (May 29, 2019)

- Recommend that adequate fencing be required to contain livestock at all times.

Utility Services (May 21, 2019)

- No concerns.

OPTIONS:

APPROVAL:

Option #1 (this would allow for an increase to the number of animal units)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for the keeping of livestock at densities no greater than 2.00 animal units per 1.60 hectares (3.95 acres), relaxation in the number of animal units from 1.00 to 2.25 at Lot 19, Bock 2, Plan 9913200, NE-33-25-28-W04M (335 SHORE DRIVE), 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 a maximum of two and one quarter (2.25) animal units (two horses and one llama) may be permitted on NE-33-25-28-W04M (336 SHORE DRIVE) at any time.

Permanent:

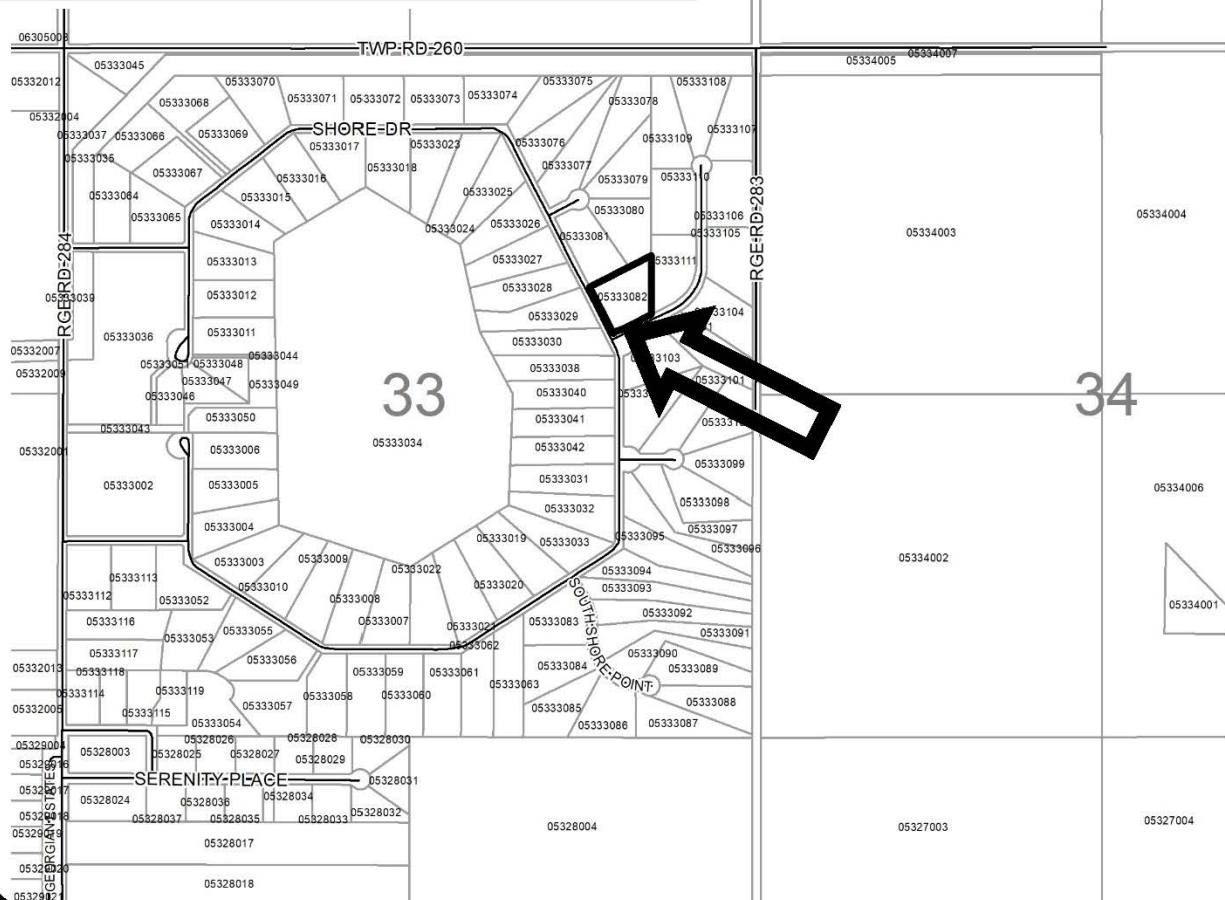
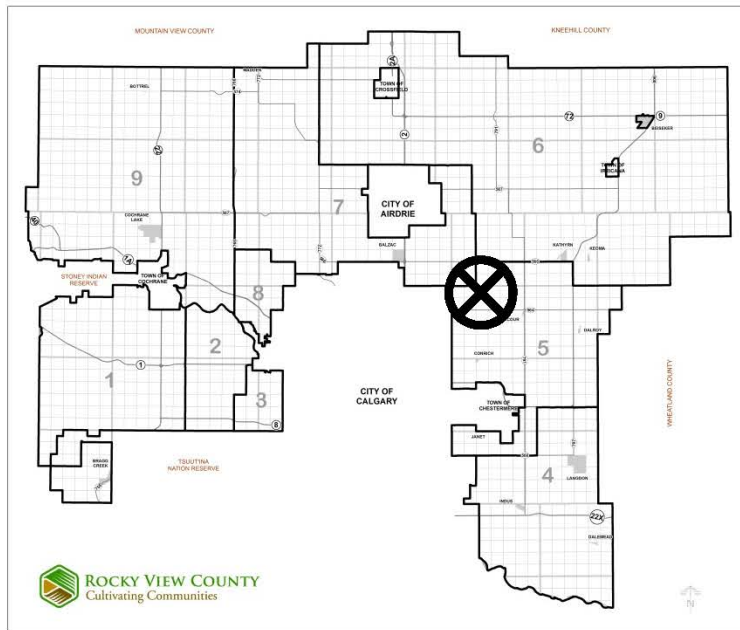
- 2) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - i. If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented by the Applicant/Owner, or the number of animal units may need to be decreased,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

Advisory:

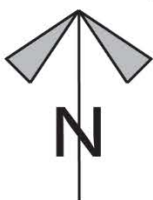
- 6) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
- 7) That this permit shall be valid until September 30, 2022.

Option #2 (this would not allow for an increase to the number of animal units)

That the appeal against the decision of the Development Authority to refuse to issue a Development Permit for keeping of livestock at densities no greater than 2.00 animal units per 1.60 hectares (3.95 acres), relaxation in the number of animal units from 2.00 to 2.25, at Lot 19, Bock 2, Plan 9913200, NE-33-25-28-W04M (336 SHORE DRIVE), be denied, and that the decision of the Development Authority be upheld.



LOCATION PLAN

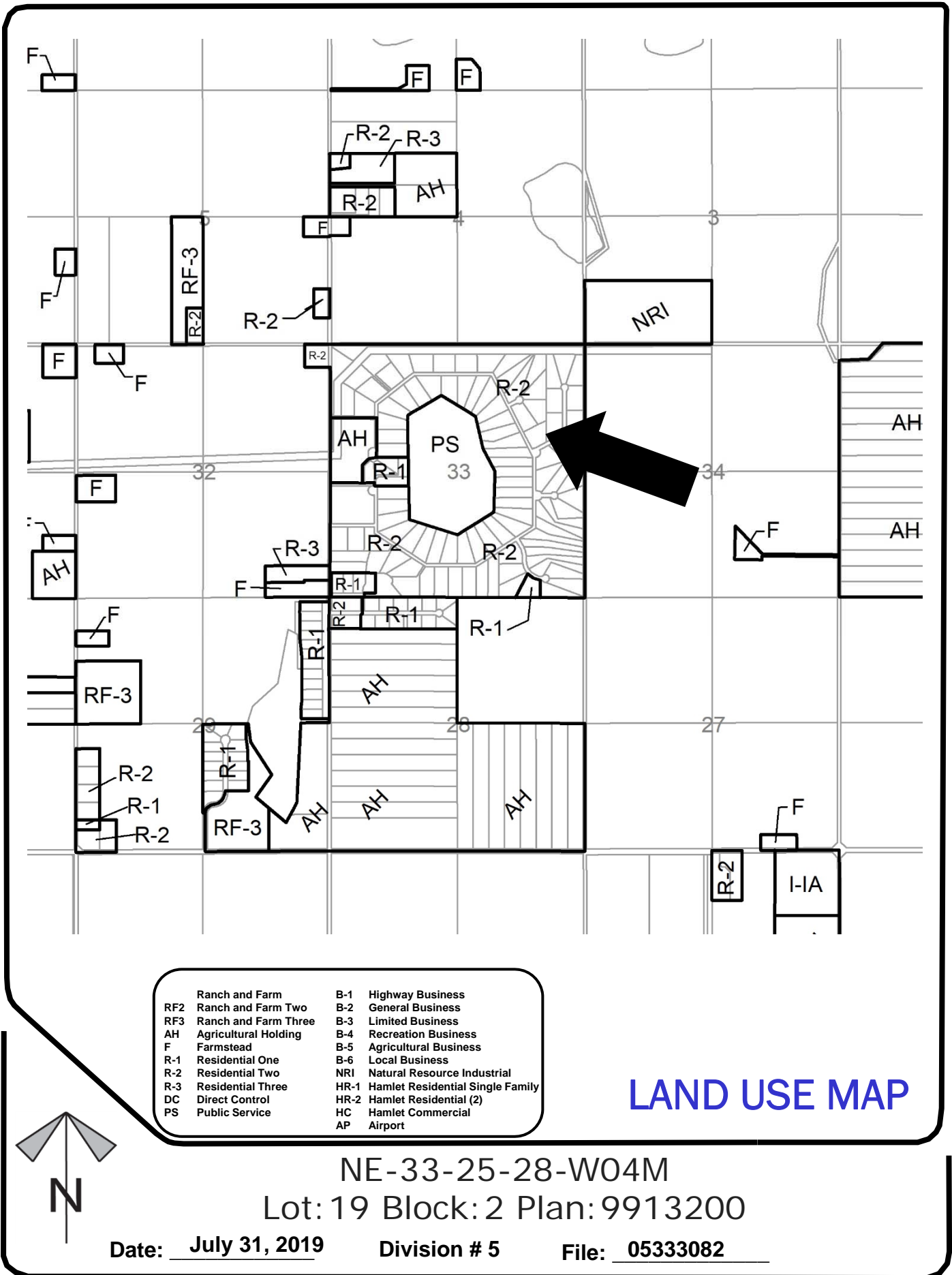


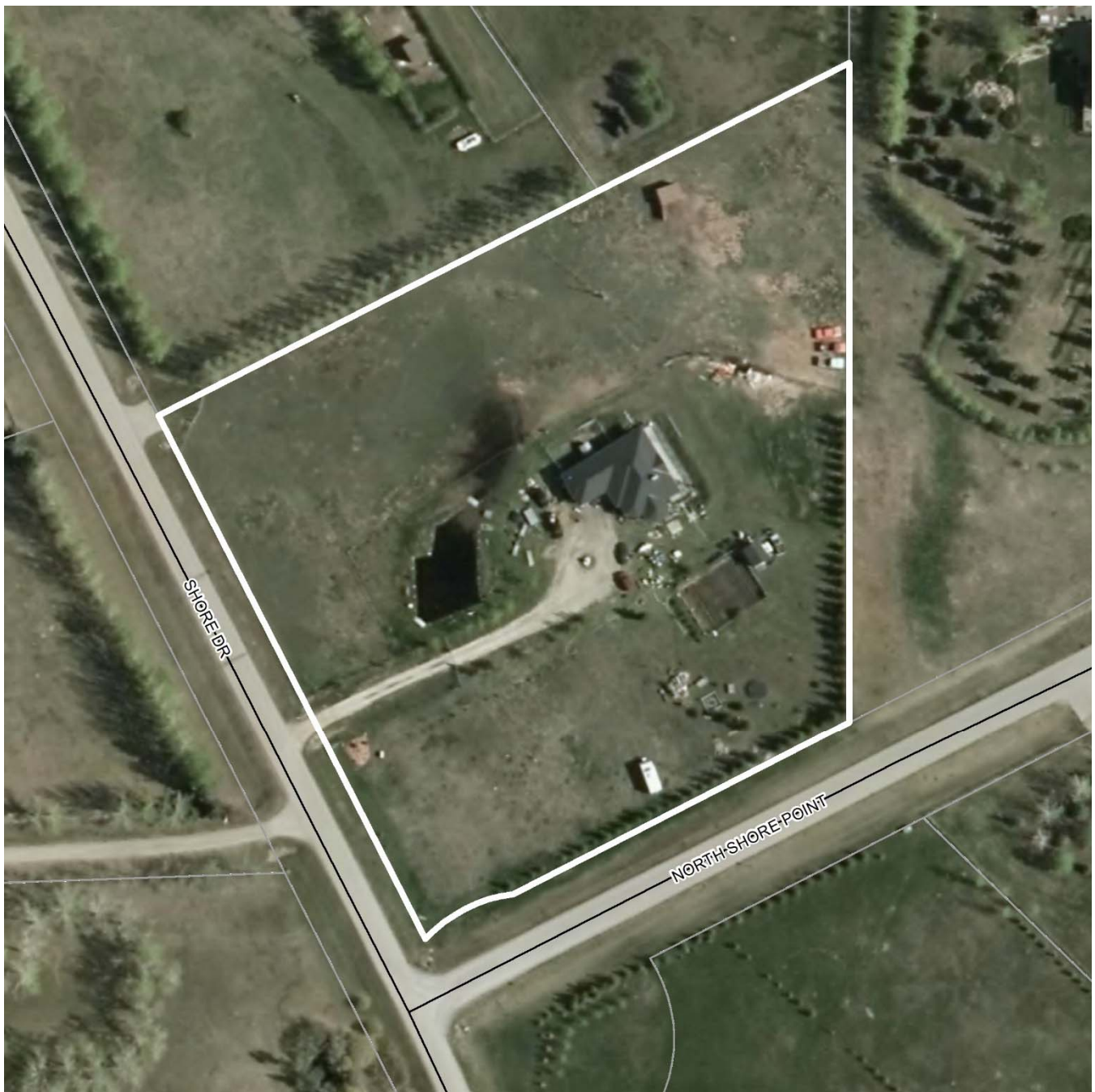
NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019

Division # 5

File: 05333082





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

AIR PHOTO

Spring 2018



NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019

Division # 5

File: 05333082



SITE PLAN



NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

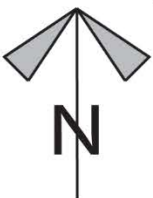
Date: July 31, 2019

Division # 5

File: 05333082



SITE INSPECTION

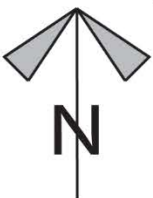


NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019 Division # 5 File: 05333082



SITE INSPECTION

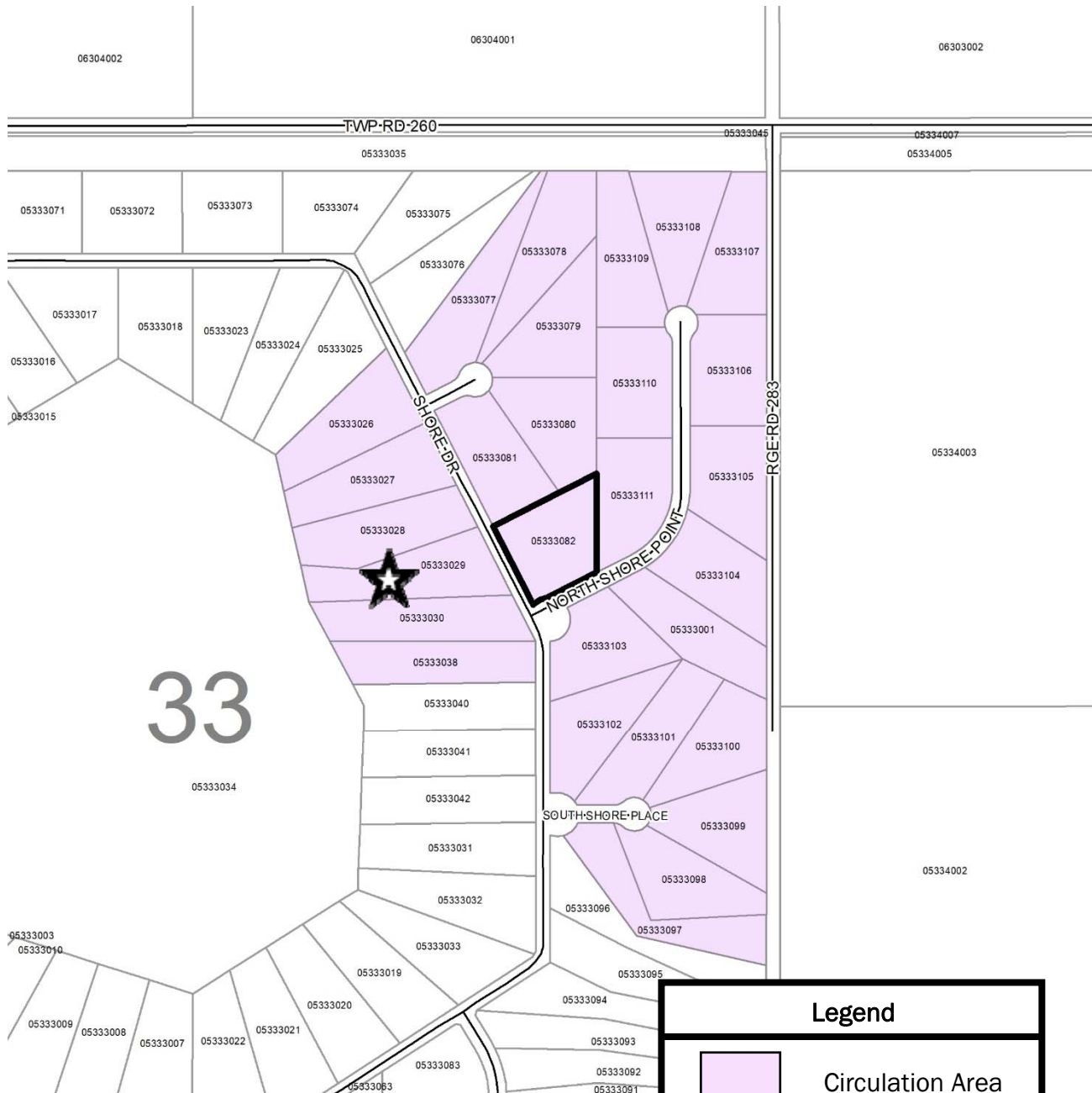


NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019

Division # 5

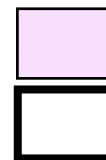
File: 05333082



Letters in Opposition

Letters in Support

Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA



NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019

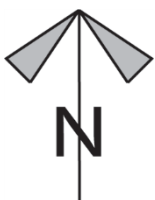
Division # 5

File: 05333082



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




NE-33-25-28-W04M
Lot: 19 Block: 2 Plan: 9913200

Date: July 31, 2019 Division # 5 File: 05333082



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

Appellant Information		
Name of Appellant(s) Maxine Kipling		
[Redacted Address]		
[Redacted]	Alternate Phone #	Email Address
[Redacted Phone and Email]		
Site Information		
Municipal Address 336 Shore Drive	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) NE-33-25-28-W4M	
Property Roll # 05333082	Development Permit, Subdivision Application, or Enforcement Order # PRDP20191182	
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)		
Llama has been in family for 14 years. Everyone in neighbourhood has horses, llamas, cows, alpaca's etc.		
		

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

July 30/19
 Date



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

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

REFUSAL

Kipling, Roy & Maxine

Development Permit #: PRDP20191182

Date of Issue: July 15, 2019

Roll #: 05333082

Your Application dated April 16, 2019 for a Development Permit in accordance with the provisions of the Land Use Bylaw C-4841-97 of Rocky View County in respect of:

for the keeping of livestock (two horses, one llama)

at Lot 19 Block 2 Plan 9913200, NE-33-25-28-04; (336 SHORE DRIVE, 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 amount of animal units requested exceeds the amount permitted in Section 24.4 of Land Use Bylaw C-4841-97.

Permitted: 2 animal units;

Proposed: 2.25 animal units.

If you require further information or have any questions regarding this development, please contact your file manager, Christina Lombardo at 403-520-1185 or email clombardo@rockyview.ca.

Regards,

A handwritten signature in blue ink, appearing to read "MCG", written over a horizontal line.

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 with Rocky View County no later than 21 days following the date on which this Notice is dated.



ROCKY VIEW COUNTY
Cultivating Communities

PRDP2019/1182.
**APPLICATION FOR A
DEVELOPMENT PERMIT**

FOR OFFICE USE ONLY	
Fee Submitted \$265	File Number 00333082
Date of Receipt April 16/19	Receipt # 2019020486

Name of Applicant Maxine & Roy Kipling Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) _____ (H) _____ Fax _____

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) Maxine Kipling

Mailing Address Same

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

a) All / part of the NW $\frac{1}{4}$ Section 23 Township 24 Range 28 West of 4 Meridian

b) Being all / parts of Lot 1 Block 1 Registered Plan Number 2319 JK

c) Municipal Address _____

d) Existing Land Use Designation Home Parcel Size 4 acres Division _____

2. APPLICATION FOR

2 Horses & 1 Lama

3. ADDITIONAL INFORMATION

a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No X

b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?
(Sour Gas facility means well, pipeline or plant) Yes _____ No X

c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No X

d) Does the site have direct access to a developed Municipal Road? Yes X No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I MAXINE & ROY KIPLING 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 Maxine Kipling

Date April 16 2019

Owner's Signature Maxine Kipling

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.

Mane Ks 7

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

Maria K... April 16 2019
Signature Date



ROCKY VIEW COUNTY
Cultivating Communities

20191182

APPLICATION TO INCREASE NUMBER OF LIVESTOCK

FOR OFFICE USE ONLY	
Fee submitted <u>\$265</u>	File Number <u>05333082</u>
Date of Receipt <u>April 16/19</u>	Receipt # <u>2019020486</u>

1. SITE PLANS

Provide site plans identifying:

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

2. OPERATION

Describe the type and breed (if applicable) of livestock in your livestock operation: 2 Horses

1 Lama

The number of each type of livestock in your "livestock operation" is: 2 Horses 1 Lama

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

Yes ☐ No ☒

If yes, PID#: _____

3. SITE INFORMATION

Topography: Flat ☒ Rolling ☐ Steep ☐
Select Grass/Forage Species present: Alfalfa ☐ Brome ☐ other: _____

Fescue ☐ Timothy ☐ Other: _____

Supplemental feed? Yes ☒ No ☐

If yes, please explain: _____

Are riparian or wetland areas present? Yes ☐ No ☒

Are you interested in finding out more information about Rocky View County's Green Acreages Program?

Yes ☒ No ☐

4. MANURE MANAGEMENT

Will manure be stored on site? Yes ☒ No ☐

If yes, identify storage methods: Compost ☐ Stockpile ☐ Spread and incorporated ☒

How long will the manure be stored? Put in my garden

If no, identify where manure is going: _____

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

5. GRAZING AND FEEDING STRATEGIES

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

Buy Hay rotate Both Sides of yard.

6. RUNOFF

What is the current practice to prevent manure from contaminating water bodies (e.g. wetlands, sloughs, dugouts) on your property? No.

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

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

7. PEST AND WEED CONTROL

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

far away from neighbours farm behind
has lots of cows

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

If yes, describe the weed control program: cut grass

Signature of Applicant _____ Date _____

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

Development Permit Checklist

The following information must be included with your application. Without it, your application will be considered incomplete, and will not be processed until it has been supplied.

4. ☒ **APPLICATION FEE** \$265 only + \$15 title.
See Development Permit Fee Schedule.
- ☒ **CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE**
Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.
- ☒ **SITE PLAN OF THE PROPOSED DEVELOPMENT**
Showing all dimensions and setbacks – refer to the example in this package.
Please show all slopes steeper than 15%
- ☒ **APPLICATION FORM(S)**
The form is to be completed in full and signed by the registered owner of the land and/or the person authorized to act on their behalf (if any).
- ☐ **AUTHORIZATION FROM REGISTERED OWNER**
Provided either by signing the Development Permit Application or an attached letter from owner giving authorization.
- ☐ **AFFIDAVIT, LETTER, AND/OR COMPANY SEAL**
An affidavit or Company Seal is required when the registered owner shown on the title of the property is listed as a Company. If you do not have a Company Seal, have an affidavit Commissioned, granting you authorization to legally act on behalf of the Company. If you have a Company Seal, please affix said seal to every place that your signature is required, including the Letter of Authorization.
- ☒ **COVER LETTER**
A cover letter, detailing the nature of the business or tenancy, **must** accompany all Home Based Businesses or Tenancy applications. A cover letter for all other development permit applications will be requested when deemed necessary.
- ☐ **OTHER DOCUMENTATION**
All other required documents specific to the Development Permit in question, must accompany the application. To determine what other documents will be required, please speak to a planning representative or review the requirements on www.rockyview.ca. Additional items may be requested upon receipt and after review of the application, depending on the nature of the application.

FOR OFFICE USE ONLY

☒ PARCEL INFORMATION AND LAND USE MAPS

☒ LAND USE DESIGNATION R-2

☒ PROPOSED DEVELOPMENT keeping of livestock

☒ AIR PHOTO

☒ CONCEPT PLAN/ASP INFO. Which one? _____

Print off any relevant sections of the ASP/Cp's in regards to the above

☐ PRE-APPLICATION MEETING/AIMTRAC NOTES

If applicable, provide a copy of any notes if a pre-app meeting was held before application was received

	Road Type	Bylaw	Proposed
Front Yard Setback Minimum			
Side Yard Setback Minimum			
Rear Yard Setback Minimum			
Height Maximum			
Principal Building Size			

☐ ADMINISTRATION MUST VERIFY APPLICATION IS COMPLETE AND ACCURATE

Comments

= No double fee required
- File # 201904-0292


Staff Signature



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 194 793 9913200;2;19 991 362 887

LEGAL DESCRIPTION
PLAN 9913200
BLOCK 2
LOT 19
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;28;25;33;N

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 991 340 063 +18

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
991 362 887	09/12/1999	TRANSFER OF LAND	\$83,900	\$83,900

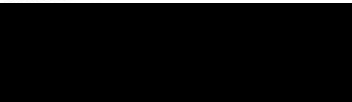
OWNERS

ROY KIPLING

AND

MAXINE KIPLING

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	NUMBER	DATE (D/M/Y)	PARTICULARS
6799LI		28/08/1972	RESTRICTIVE COVENANT
741 007 134		23/01/1974	RESTRICTIVE COVENANT
991 340 067		19/11/1999	CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
991 362 887

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL
GOVERNMENT ACT
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
911 - 32ND AVENUE N E
CALGARY
ALBERTA T2M4L6

991 340 068 19/11/1999 UTILITY RIGHT OF WAY
GRANTEE - ALTALINK MANAGEMENT LTD.
2611 - 3 AVE SE
CALGARY
ALBERTA T2A7W7
GRANTEE - TELUS COMMUNICATIONS INC.
12040-107 STREET
EDMONTON
ALBERTA T5G2S7
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.
909 - 11 AVENUE,S.W.
CALGARY
ALBERTA T2R1L8
GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
911 - 32ND AVENUE N E
CALGARY
ALBERTA T2M4L6
AS TO PORTION OR PLAN:9913201
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 021236737)
(DATA UPDATED BY: CHANGE OF ADDRESS 091159830)

991 340 080 19/11/1999 EASEMENT
OVER AND FOR BENEFIT OF LOTS 18 AND 19
BOTH IN BLOCK 2 ON PLAN 9913200
(AS TO PLAN 9913203)

991 340 081 19/11/1999 RESTRICTIVE COVENANT

171 105 471 18/05/2017 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
10 YORK MILLS RD, 3RD FLR
TORONTO
ONTARIO M2P0A2
ORIGINAL PRINCIPAL AMOUNT: \$700,000

TOTAL INSTRUMENTS: 007

(CONTINUED)

PAGE 3
991 362 887

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 16 DAY OF APRIL,
2019 AT 02:04 P.M.

ORDER NUMBER: 37061456

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

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



Summary

Roll Number	05333082
Legal Desc	NE-33-25-28-W04M
Divison	05
Lot Block Plan	Lot:19 Block:2 Plan:9913200
Linc Number	28194793
Title Number	991362887
Parcel Area	4.00000
Municipal Address	336 SHORE DRIVE
Contact Information	Kipling, Roy & Maxine
	00000000000000
	Calgary AB T2M 4L5
	00000000000000
Land Use Information	R-2 (RESIDENTIAL TWO)

Plan

Planning Applications Information

{There is no related Application}

Area Structure Plan

{There is no related Area Structure Plan}

Conceptual Scheme

{There is no related Conceptual Scheme}

Permit

Building Permit

Permit Number	Permit Type	Date Issued
2005-EP-4923	Electrical	Wed Jan 19, 2005
2005-GP-4144	Gas	Wed Jan 19, 2005
2005-PL-3154	Plumbing	Wed Jan 19, 2005
2004-BP-17312	Building	Fri Apr 23, 2004
2001-PS-556	Private Sewage	Mon Sep 10, 2001
2001-BP-14674	Building	Thu Aug 30, 2001
2001-PL-868	Plumbing	Tue May 29, 2001
2001-GP-1047	Gas	Tue May 29, 2001
2001-EP-1235	Electrical	Mon May 28, 2001

Development Permit Information

{There is no related Development Permits}

Misc

Dog License

{There are no related Dog License}

Alert

{There is no related Development Enforcement Data}

Geospatial Boundary

Boundary	Category
Division	5
Area Structure Plan	No ASP
Conceptual Scheme	No Conceptual Scheme
IDP	No IDP
Airport Vicinity	No APVA
Engineer	Gurbir Nijjar
Water Coop	PRAIRIE ROYALE WATER COOP & PRAIRIE ROYALE II WATER SYSTEM
Gas Coop Service	ATCO GAS
No.of Lots Within 600 M	41
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Rocky View East
Fire District	BALZAC
Primary Fire Station	107
Secondary Fire Station	154

Boundary	Category
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Tertiary Fire Station	111
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Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 Meter	
Closest Gravel Pit	Beiseker Pit	24560.24 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:1143.2 M
Closest Road Name	SHORE DR(Surface Type:Paved)	10.14 M
Closest Railway	CNR	5704.33 M
Closest Western Irrigation Districts	Within 10Km	5914.2 M
Closest Waste Water Treatment	Within 10Km	2684.47 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	4485.04 M
Closest Confined Feeding Operation	Within 10 KM	1269.6 M





Roll # 05333082.

Date April 16/19

There has been a Land Use Bylaw infraction and as such an Enforcement File has been opened and action has been taken to bring this property into compliance.

Enforcement File Number

E.File #: _____

Please contact the Compliance Officer in the Enforcement Services section and refer to the E.File number for more information. If this matter has been resolved the documentation will be found in this legal file.

DP application number: 20191182.

Email sent to Compliance Officer _____

Date: April 16/19.



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

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

RECEIPT OF PAYMENT

Receipt Number: 2019020486
Receipt Date: 04/16/2019
Date Paid: 04/16/2019
Full Amount: \$280.00
GST Amount: \$0.00

Payment Details:	Payment Method	Amount Tendered	Cheque Number
	Debit Card	\$280.00	

Amount Tendered: \$280.00

Change / Overage: \$0.00

Contact: Kipling, Roy & Maxine, Address: [REDACTED]

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Livestock - Increase # of Animal Units	PRDP20191182	\$265.00	\$265.00
Land Title Document(s)	PRDP20191182	\$15.00	\$15.00

Michelle Mitton

From: Wendell Lees [REDACTED]
Sent: Thursday, August 15, 2019 12:33 PM
To: PAA_ SDAB
Subject: File # 05333082,PRDP20191182

I wish to address the hearing in support of the appellant's appeal.

I understand the issue is the keeping of livestock in excess of the limit of 2.

What are the alternatives?

The alpaca is a rescue animal, and if required to be forfeited would have to be provided for by the animal shelter, whose resources are taxed without this inclusion.

A veterinarian would be unlikely to recommend euthanasia for an otherwise healthy animal.

The horses and llama seem to be an amicable match, we have lived directly across Shore Dr. for 9 years and have found no issues with regard to noise or escaping their confines, animals add to the feel of rural living and animal lovers deserve quiet enjoyment of their pets.

This request for a development permit is completely reasonable.

The writer cannot understand the refusal by the County to grant this very small variance.

The County has some responsibility to individual taxpayers, as well as the greater good, which in this case is not aided by refusal of the development permit.

Thank you.

Wendell Lees
323 Shore Drive
[REDACTED]



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: August 28, 2019 **DIVISION:** 5

FILE: 05335005 **APPLICATION:** B-3; PRDP20191266

SUBJECT: Accessory Building including Accessory Dwelling Unit

PROPOSAL: Construction of an oversize accessory building including an Accessory Dwelling Unit (Garden Suite), relaxation of the maximum habitable floor area and relaxation of the maximum height requirement	GENERAL LOCATION: Located approximately 1.61 km (1 mile) north of Hwy. 564 and on the east side of Rge. Rd. 282, approximately 4.0 miles east of the City of Calgary.
APPLICATION DATE: April 23, 2019	DEVELOPMENT AUTHORITY DECISION: Approved
APPEAL DATE: July 29, 2019	DEVELOPMENT AUTHORITY DECISION DATE: July 9, 2019
APPELLANT: Jeff & Katherine Bezugley	APPLICANT: Devendra Bhandari
LEGAL DESCRIPTION: SW-35-25-28-W04M	MUNICIPAL ADDRESS: 255014 RGE RD 282
LAND USE DESIGNATION: Agriculture Holdings District (AH)	GROSS AREA: ± 20.00 acres
PERMITTED USE: Accessory Dwelling Units are permitted uses in the Agriculture Holdings District (AH) where in compliance with section 28.4 of the Land Use Bylaw.	DEVELOPMENT VARIANCE AUTHORITY: The Development Authority has discretion to grant a 10% variance to building area and 25% to the maximum height requirement.
PUBLIC SUBMISSIONS: The application was circulated to sixteen (16) adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application, excepting the appeal.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> •County Plan •Land Use Bylaw

EXECUTIVE SUMMARY:

On April 23, 2019, the Applicant submitted a Development Permit application for construction of an Accessory Dwelling Unit (garden suite), relaxation of the maximum height requirement. There is an existing dwelling on the subject lands and two accessory buildings. The proposed accessory dwelling unit would be located south of the existing dwelling as a Garden Suite with two attached garages on either side.



The subject land is included in the Agriculture Holdings District (AH), located approximately 1.61 km (1 mile) north of Hwy. 564 and on the east side of Rge. Rd. 282, approximately 4.0 miles east of the City of Calgary.

The proposal and associated relaxations are detailed below.

Building	Permitted	Proposed	Variance
Height	18.04 ft.	18.08 ft.	0.22% [DA discretion 25%]
Floor Area	1,184 sq. ft.	1,300 sq. ft	9.80% [DA discretion 10%]

The oversize accessory building was not originally noted in the assessment of the application; however, it has been included in the suggested conditions below to ensure that the appropriate uses and variances are granted for the proposal should the Board wish to uphold the decision. The proposal complies with all other requirements of the Land Use Bylaw, including setbacks.

On Monday, July 29, 2019, the Appellant appealed the decision of the Development Authority. The reasons for the appeal are included in the agenda package.

PROPERTY HISTORY:

July 11, 2018	A Development Permit (PRDP20181723) for renewal of home-based business, Type II for landscaping business was issued.
June 28, 2017	A Development Permit (PRDP20171326) for home-based business, Type II, for landscaping business was issued.
July 24, 2007	A Development Permit (2007-DP-12630) for an existing accessory building (shop) relaxation from 6.0 m to 2.25 m was issued.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

JA/lt



DEVELOPMENT PERMIT REPORT

Application Date: April 23, 2019	File: 05335005
Application: PRDP20191266	Applicant/Owner: Devendra Bhandari/Rehana Shah
Legal Description:	General Location: Located on the east side of Rge Rd 282, approximately 1.61 km (1 mile) north of Sec Hwy 564.
Land Use Designation: Agricultural Holdings District (AH)	Gross Area: ± 8.09 hectares (± 20.00 acres)
File Manager: Oksana Newmen	Division: 5

PROPOSAL:

The proposal is for the construction of an Accessory Dwelling Unit (garden suite), relaxation of maximum habitable floor area, and relaxation of maximum height. The proposed garden suite has a footprint of 120.77 sq. m (1,300.00 sq. ft). The garden suite has two levels, each of which includes three bedrooms, three bathrooms, kitchen area (though one level will exclude a stove) and open common area. The application is considering the lower level as “basement”, given that it meets the definition, and therefore excluded from calculation of the total square footage of the garden suite. The development also includes two associated garages (one for each of the two levels) of 53.51 sq. m (576 sq. ft). The proposed building will be 5.51 m (18.08) ft tall.

As the building will exceed the maximum dwelling area and maximum height, relaxations are required, however, these fall within the Administrative abilities of the Development Officer. It should also be noted that an accessory dwelling unit is a permitted use in the Agricultural Holdings District, however, as there are relaxations required, the use is discretionary.

Note: a separate addition to the existing primary dwelling was declared by the landowner as not being an accessory dwelling unit (PRBD20173871).

Property History:

Planning History:

None

Development Permit History:

- PRDP20181723 Renewal of home-based business, Type II for landscaping business.- issued July 11, 2018.
- PRDP20171326 Initial application for home-based business, Type II, for landscaping business – issued June 28, 2017
- 2007-DP-12630 Minimum side yard setback for existing accessory building (shop) relaxed from 6.0m to 2.25 m – issued July 24, 2007 by Subdivision and Development Appeal Board.



Building Permit History:

- PRBD20173871 82 sq. m (885 sq. ft) addition above existing attached garage. Finalized July 11, 2018.
Note: Declaration of Use form submitted declaring the addition an extension of the existing house for use by family members
- PRBD20173325 Demolition and reconstruction of uncovered deck. Finalized September 25, 2018
- 1986-BP-182 Open application for farm building location. Expired.

Land Use Bylaw Requirements:

Section 8 Definitions

ACCESSORY DWELLING UNIT (ADU) means a subordinate dwelling unit attached to, created within or detached from the principal dwelling, single detached, where both dwelling units are located on the same parcel. Accessory dwelling units include Secondary Suites, Suites within a Building, and Garden Suites.

DWELLING UNIT means a self-contained building or portion of a building with one common cooking/eating facility, living, sleeping, and sanitary facilities for domestic use of one or more individuals;

GARDEN SUITE means a detached dwelling unit which is smaller than the principal dwelling, single detached and is located on the same lot in close proximity to the principal dwelling and shall constitute part of the total allowed building area for accessory buildings and total number of accessory buildings allowed according to the applicable land use district;;

Section 28.4 Accessory Dwelling Units

- (a) All Accessory Dwelling Units shall be constructed on a permanent foundation.*
- The building plans include a developed basement, and as such, a permanent foundation will be provided.
- (b) A lot shall be limited to one Accessory Dwelling Unit, unless the lot is approved for two principal dwellings, single detached.*
- An addition to the primary dwelling unit on the site is subject to a signed "Declaration of Use", identifying the addition as an extension of the existing dwelling unit, rather than an accessory dwelling unit. As a result, the approval of this garden suite will result in only one accessory dwelling unit on site.
- (c) An Accessory Dwelling Unit:*
- (i) may be allowed within a Dwelling, Single Detached, within a building other than the principal dwelling, or as a detached Garden Suite;*
 - The accessory dwelling unit is a stand-alone dwelling, and as such, is defined as a garden suite.
 - (ii) shall be subordinate to a principal dwelling;*
 - The existing principal dwelling is 109.75 sq. m (1,181.31 sq. ft.) bungalow with an approved 82.2 sq. m (885 sq. ft.) addition, for a total of 191.95 sq. m (2,066.31 sq. ft.). The proposed garden suite is 120.77 sq. m (1,300.00 sq. ft.),

which is 62.91% the size of the principle dwelling. As such, the garden suite is subordinate to the principal dwelling.

(iii) *shall comply with the height and setback regulations in the applicable land use district, except where otherwise permitted in this Bylaw;*

- The subject property falls under the Agricultural Holdings District Requirements:

Height Requirements:

- Section 46.7 of the Land Use Bylaw is applicable to the accessory building maximum height, which is a maximum of 5.50 m (18.04 ft.). As the proposed height of the garden suite is 5.51m (18.08 ft), a height variance of 0.01 m (0.003 ft.) is required.

Setback Requirements:

- As per Section 46.5 of the Land Use Bylaw, the minimum requirement front yard setback from a County road is 45.00 m (147.64 ft.).
 - The proposed setback (from the western property line) is 45.00 m (147.64 ft.).
- As per Section 46.5 of the Land Use Bylaw, the minimum requirement side yard setbacks from 6.00 m (19.69 ft.).
 - The proposed setback (from the southern property line) is 6.00 m (19.69 ft.)
 - The proposed setback (from the northern property line) exceeds the minimum requirement.
- As per Section 46.5 of the Land Use Bylaw, the minimum requirement rear yard setback from all other is 15.00 m (49.21 ft.).
 - The proposed setback (from the eastern property line) exceeds the minimum requirement.

(iv) *shall have a minimum floor area of not less than 36.00 sq. m. (387.49 sq. ft.);*

- The building footprint is 120.77 sq. m (1,300.00 sq. ft), exceeding the minimum requirement.

(v) *shall contain at least two (2) rooms and includes sleeping, sanitary, and cooking facilities;*

- There are six bedrooms, six bathrooms, one full kitchen, one partial kitchen (no stove), as well as common areas within the unit (divided over the first storey and basement of the garden suite)

(vi) *shall comply with the Alberta Building Code;*

- The applicant shall be required to apply for building permits.

(vii) *shall provide a minimum of one dedicated on-site parking stall in accordance with Section 30 of this Bylaw;*

- Two garages are being built in conjunction with the accessory dwelling unit, for the use of the garden suite.

- (viii) *shall have adequate sanitary sewer servicing consisting of either: 1. Private Sewage Treatment System; or 2. connection to a piped communal collection system.*
 - The applicant has indicated that the garden suite will connect to the existing private sewage treatment system, and to the existing groundwater well.
- (ix) *shall have adequate water servicing consisting of either:*
 - 1. *a groundwater well with confirmation of no interference with existing local wells; or*
 - 2. *connection to a piped communal distribution system.*
 - The applicant has indicated that the garden suite will connect to the existing private sewage treatment system, and to the existing groundwater well.
- (x) *shall have a distinct County address to facilitate accurate emergency response.*
 - A municipal address shall be assigned to the unit, and the landowner will be responsible for posting required signage.
- (d) *The maximum allowable habitable floor area of an Accessory Dwelling Unit shall be determined based on all storeys, but excluding basements, the garage area and common areas of egress, and shall be the lesser than the following:*
 - (i) *110.00 sq. m (1,184.00 sq. ft.) with a maximum of two (2) bedrooms for a Secondary Suite;*
 - (ii) *110.00 sq. m. (1,184.00 sq. ft.) for a Suite within a Building or a Garden Suite; or*
 - (iii) *80% of the principal dwelling (calculated using all storeys, excluding the garage area and common areas of egress). This regulation applies, notwithstanding that the definition of Floor Area excludes basements in Section 8.*
 - The proposed garden suite has a footprint of 120.77 sq. m (1,300.00 sq. ft.). The garden suite has two levels, each of which includes three bedrooms, three bathrooms, kitchen area (though one level will exclude a stove) and open common area. The application is considering the lower level as “basement”, given that it meets the definition, and therefore excluded this area from calculation of the total square footage of the garden suite. As the application exceeds the maximum allowable square footage by 116 sq. ft., a relaxation of 9.80% is required. Administration has the ability to relax the accessory dwelling unit area by up to 10%, and therefore has the ability to grant relaxation of the proposed garden suite.
- (g) *In considering a Development Permit application for Accessory Dwelling Units, the Development Authority may consider such factors as:*
 - (i) *any significant adverse impacts on the adjacent properties and dwellings (for example: drainage, fire protection, access, sun shadow, view sheds, etc.);*
 - The proposed garden suite is not anticipated to have any significant adverse impacts on adjacent properties.

(ii) *the architectural character of the Accessory Dwelling Unit, including:*

1. *the similarity of the Accessory Dwelling Unit to the principal dwelling in architectural design, character, and appearance by use; for example, of the same exterior wall materials, window types, door and window trims, roofing materials, and roof pitch;*
 - The proposed garden suite appears to have similar construction to the existing principal dwelling.
2. *in the case of a Secondary Suite, the use of design strategies that minimize structural changes to the exterior of the principal dwelling, so that it maintains the appearance of a single dwelling; and*
 - Not applicable, as the proposed is a garden suite.
3. *the availability of an indoor storage area for use of the residents of the Accessory Dwelling Unit.*
 - The dwelling unit has a basement, as well as attached garages for storage.

Section 46 *Agricultural Holdings District (AH)*

46.2 *Permitted Uses*

Accessory Dwelling Unit

46.7 *Maximum height of buildings*

(ii) accessory building – 5.50 m (18.04 ft.)

- The proposed garden suite exceeds the maximum height by 0.01 m (0.003 ft.). Administration has the ability to grant relaxation of height up to 25%. The proposed relaxation is 0.18%, and therefore Administration has the ability to grant the required relaxation.

STATUTORY PLANS:

No statutory plan. Application considered against the land use bylaw.

NON-STATUTORY PLANS:

No non-statutory plans.

INSPECTOR'S COMMENTS:

Inspection Date: June 12, 2019

- 1 dwelling
- Fencing along Rge Rd 282
- Two approaches from Rge Rd 282
- No activity/construction
- Screening between proposed location & neighbour to south

CIRCULATIONS:

Building Services (June 6, 2019)

- Full Building Permits for all 3(three) Buildings with Engineering



Capital Projects (June 5, 2019)

- No concerns

Fortis Alberta (June 12, 2019)

- No concerns

Development Compliance Services(June 17, 2019)

- Recommend that building materials, debris, and garbage be contained on site at all times during construction.

Transportation Services (June 20, 2019)

- Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
- Site Grading, fill placement, temporary stockpile placement and berm construction are not to negatively impact existing surface drainage or direct additional surface drainage into adjacent County road allowance.

Utility Services (June 4, 2019)

- No concerns

OPTIONS:

APPROVAL, subject to the following conditions:

Option #1 (this would allow the accessory dwelling unit)

That the appeal against the decision of the Development Authority to issue a Development Permit for construction of an oversize accessory building (accessory dwelling and garages) including an Accessory Dwelling Unit (Garden Suite), relaxation of the maximum habitable floor area and relaxation of the maximum height requirement on a portion of SW-35-25-28-W04M (255014 RGE RD 282), be denied, that the decision of the Development Authority be confirmed, and that a Development Permit be issued subject to the following conditions:

Description:

- 1) That an oversize accessory building (accessory dwelling and garages) including an Accessory Dwelling Unit (Garden Suite) may be constructed in accordance with the site plan, floor plans and elevation drawings prepared by Yasmita Engineering, drawings 1-6, Site Plan and ADU Construction and Layout, as submitted with the application, includes the following:
 - i. Construction of an oversize accessory building (accessory dwelling unit and garages) up to 276.11 sq. m. (2,972.00 sq. ft.) in area; and,
 - ii. That the maximum habitable floor area for the Accessory Dwelling Unit (suite within a building) is relaxed from **110.00 sq. m (1,184.00 sq. ft.)** to **120.77 sq. m (1,300.00 sq. ft.)**.
- 2) That the maximum height requirement for the oversize accessory building (accessory dwelling and garages) including an Accessory Dwelling Unit (Garden Suite), as shown on the site plan,



floor plans and elevation drawings prepared by Yasmita Engineering, drawings 1-6, Site Plan and ADU Construction and Layout, is relaxed from **5.50 m (18.04 ft.)** to **5.52 m (18.10 ft.)**.

Prior to Issuance:

- 3) That prior to issuance of this permit the Applicant shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.

Permanent:

- 4) 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.
- 5) That there shall be only one kitchen facility constructed within the Accessory Dwelling Unit (Garden Suite).
- 6) That there shall be a minimum of one (1) parking stall maintained on-site at all times dedicated to the Accessory Dwelling Unit (Garden Suite).
- 7) That the Accessory Dwelling Unit (Garden Suite) shall be subordinate to the dwelling, single detached.
- 8) That there shall be a distinct municipal address created for each dwelling unit (the dwelling, single detached and the Garden Suite) located on the subject site, to facilitate accurate emergency response.

Note: The municipal address for the Garden Suite is 255010 RGE RD 282

- 9) That there shall be adequate water servicing provided for the Accessory Dwelling Unit (Garden Suite) and it is the Applicant/Owner's responsibility to provide water quantity in accordance with the recommendations found in Module 2 of the document "Water Wells That Last for Generations" published by Agriculture and Agri-Food Canada, Alberta Environment, Alberta Agriculture and Food.
- 10) That it is the Applicant/Owner's obligation/responsibility to undertake water quality testing in accordance with the Guidelines for Canadian Drinking Water Quality and Alberta Health Services criteria. Should there be any adverse results or should questions arise concerning the interpretation of the results of the analyses, it will be the obligation/responsibility of the Owner/Applicant to contact the local Public Health Inspector for recommendations/requirements.
- 11) That there shall be adequate sanitary sewer servicing provided for the Accessory Dwelling Unit (Garden Suite).
- 12) That it is the responsibility of the Applicant/Owner to obtain approval from County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
- 13) That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling unit under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.

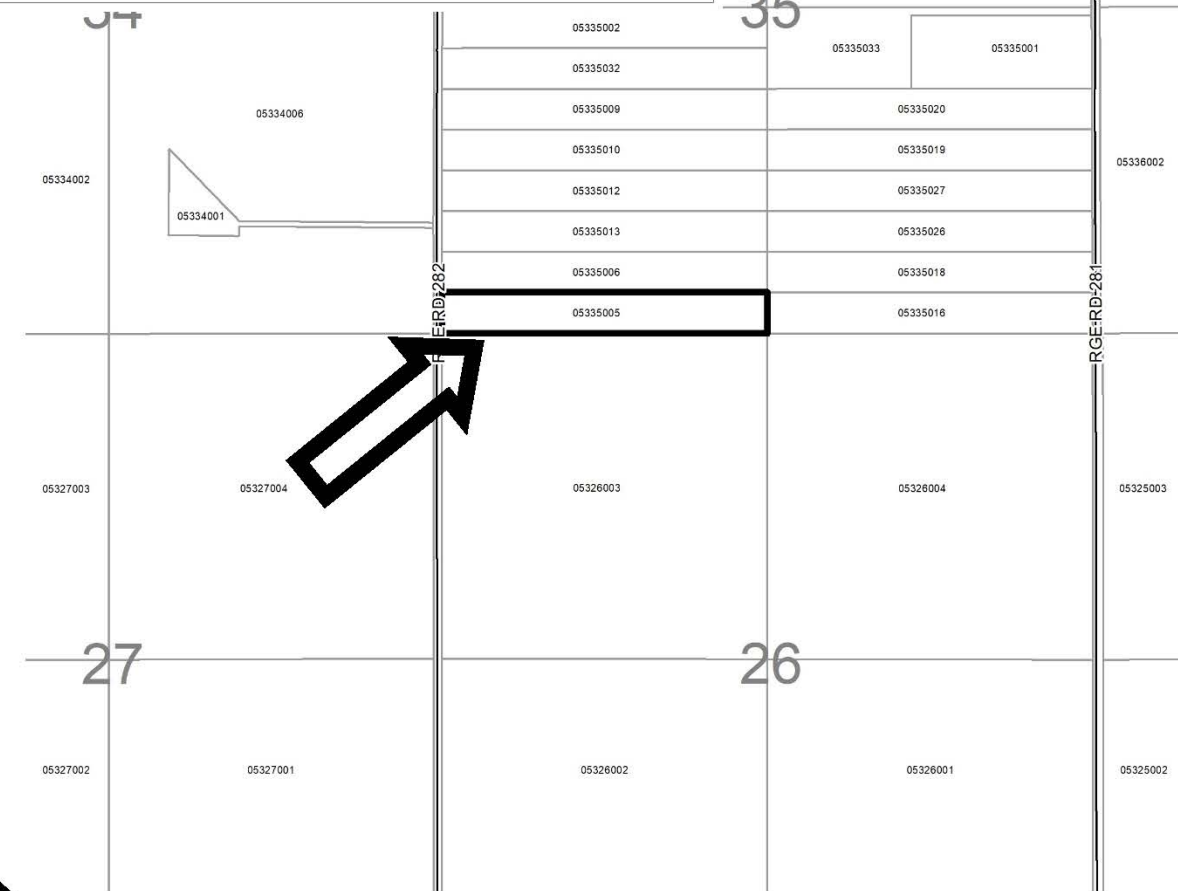
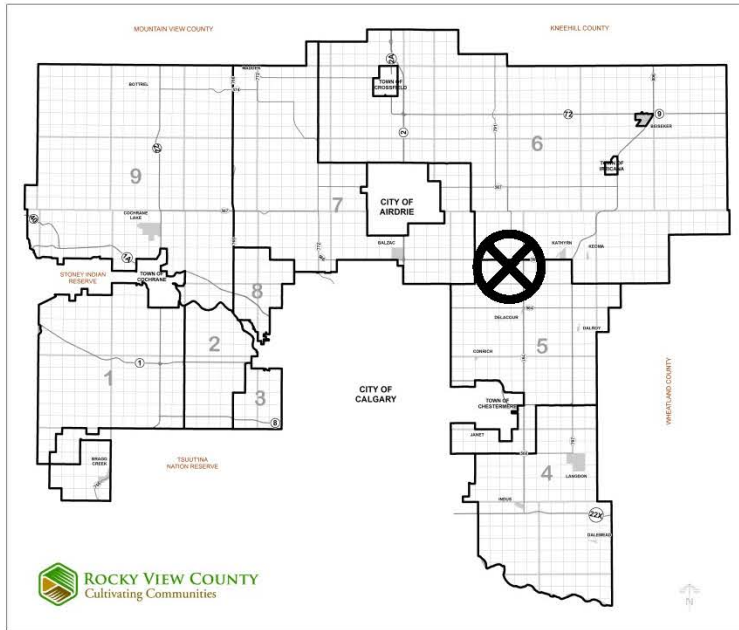


Advisory:

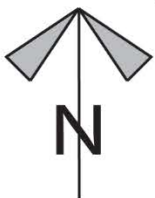
- 14) That a Building Permit and subtrade permits for the Accessory Dwelling Unit (Garden Suite) and associated detached garages shall be obtained through Building Services prior to any construction taking place.
- 15) That water conservation measures shall be implemented in the Accessory Dwelling Unit (Garden Suite), such as low-flow toilets, shower heads and other water conserving devices.
- 16) 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.
- 17) That any other government permits, approvals, or compliances are the sole responsibility of the Owner/Applicant.
- 18) That if this Development Permit is not issued by **September 30, 2019**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Option #2 (this would not allow the accessory dwelling unit)

That the appeal against the decision of the Development Authority to issue a Development Permit for construction of an oversize accessory building (accessory dwelling and garages) including an Accessory Dwelling Unit (Garden Suite), relaxation of the maximum habitable floor area and relaxation of the maximum height requirement on a portion of SW-35-25-28-W04M (255014 RGE RD 282), be upheld, and that the decision of the Development Authority be revoked.



LOCATION PLAN



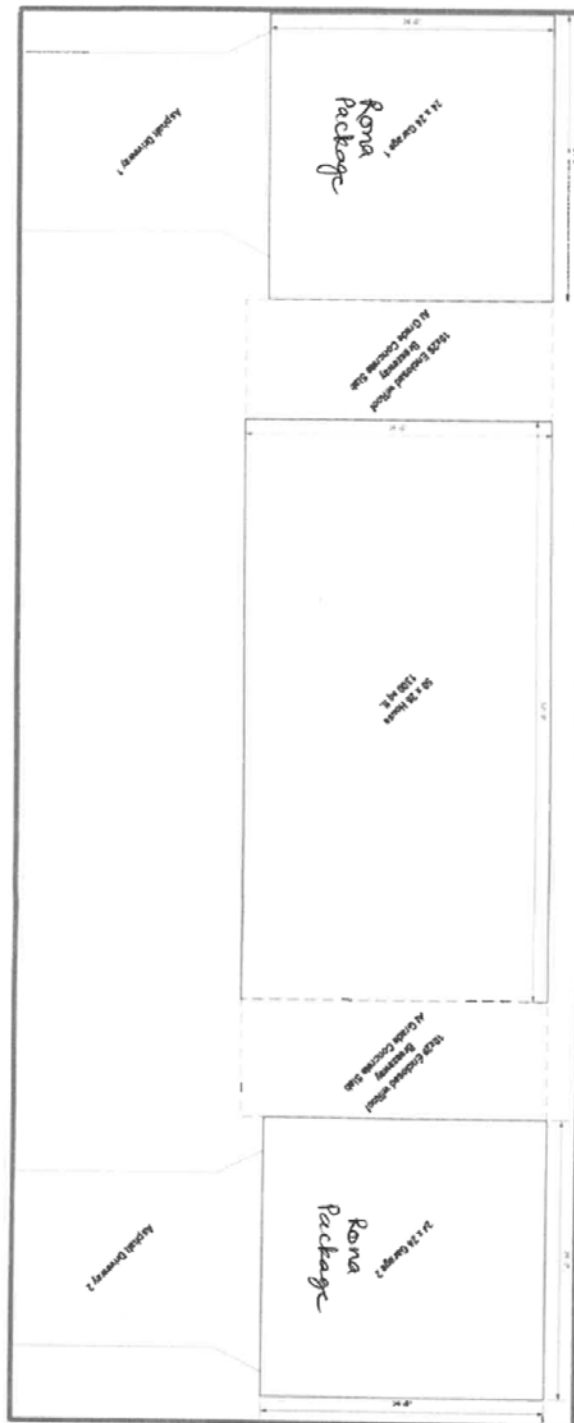
SW-35-25-28-W04M

Date: July 30, 2019

Division # 5

File: 05335005

255014 Range Road 282
ADU Construction
Layout



Summary :

**1300 sqft house with
outside dimensions of
50x 26 ft**

**Attached 10x26
breezeways with roof on
both sides – 260sqft each
, total 520 sqft.**

**Attached 24x24 garage
on each side of the
breezeways – 576 sqft
each, total 1152 sqft.**

SITE PLAN - DETAILED

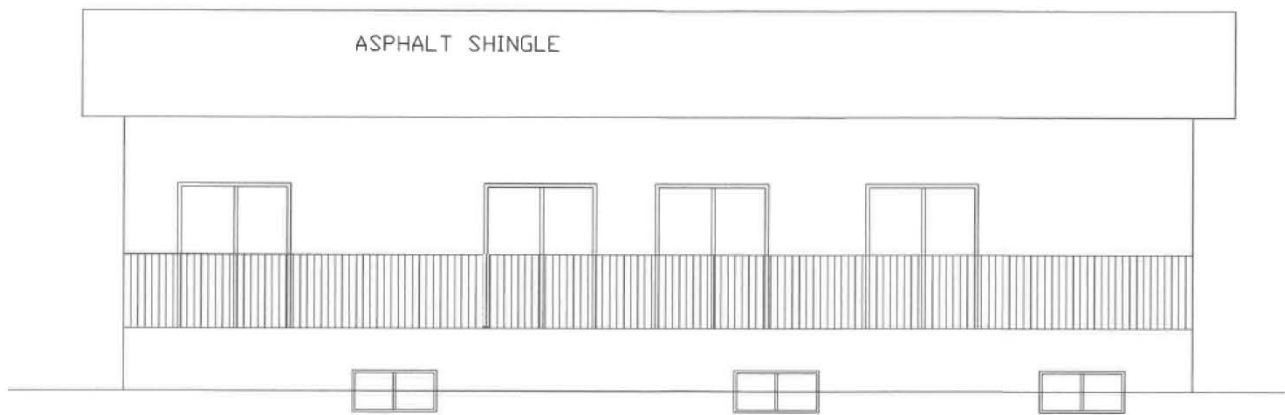
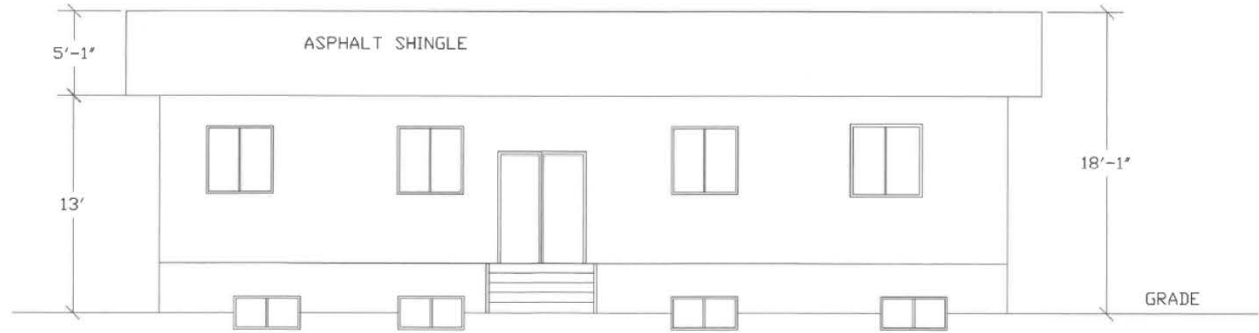


SW-35-25-28-W04M

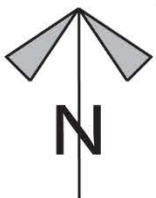
Date: July 30, 2019

Division # 5

File: 05335005



ELEVATION PLANS

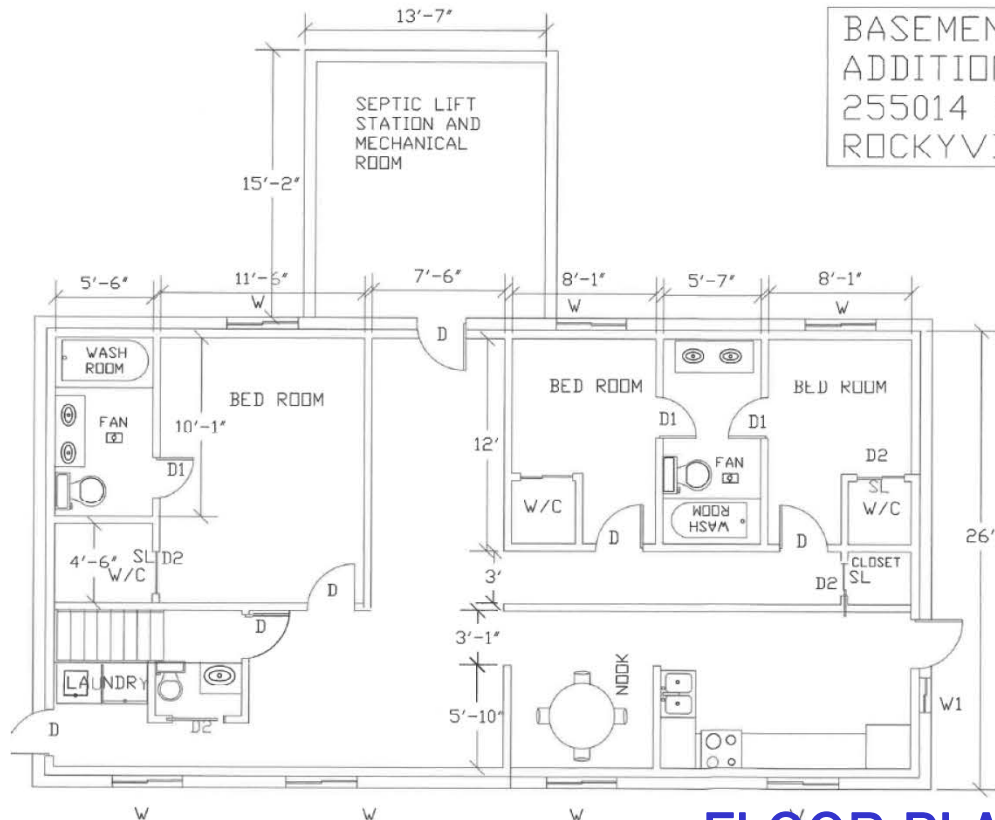
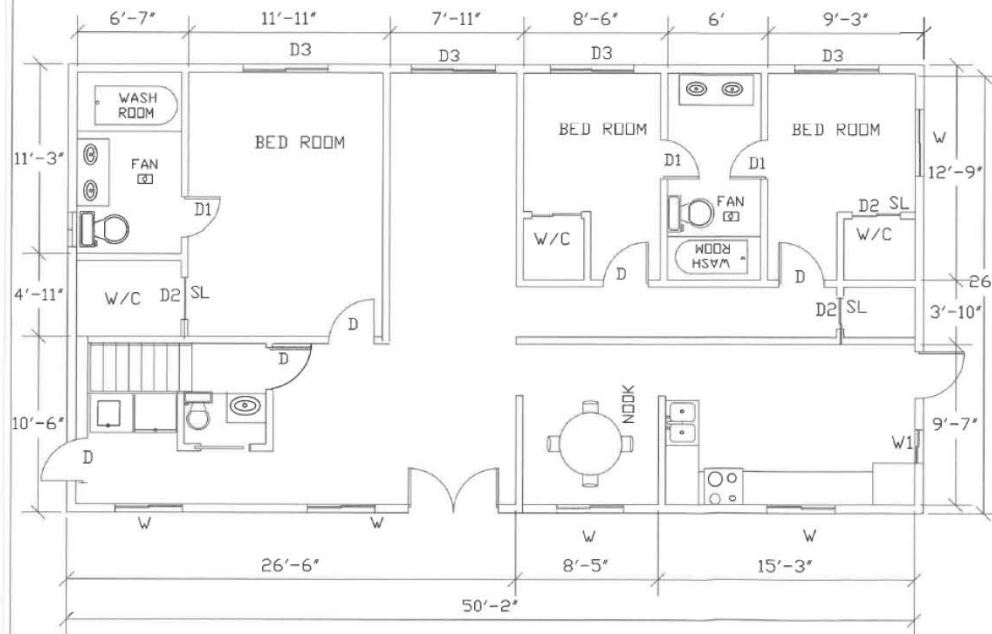


SW-35-25-28-W04M

Date: July 30, 2019

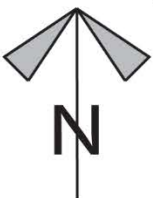
Division # 5

File: 05335005



BASEMENT PL
ADDITIONAL
255014 RANG
ROCKYVIEW,

FLOOR PLANS



SW-35-25-28-W04M

Date: July 30, 2019

Division # 5

File: 05335005



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

AIR PHOTO

Spring 2018

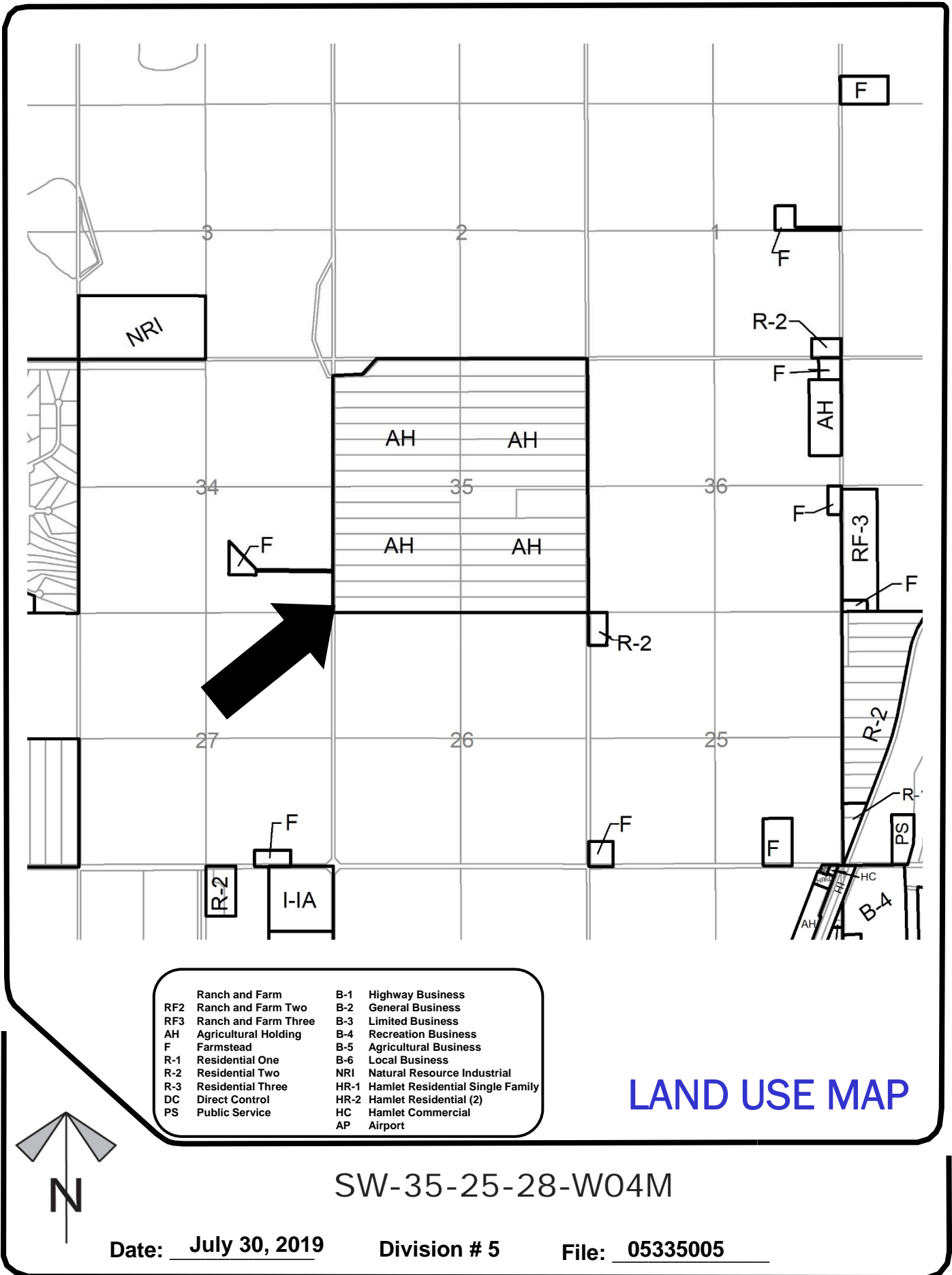


SW-35-25-28-W04M

Date: July 30, 2019

Division # 5

File: 05335005



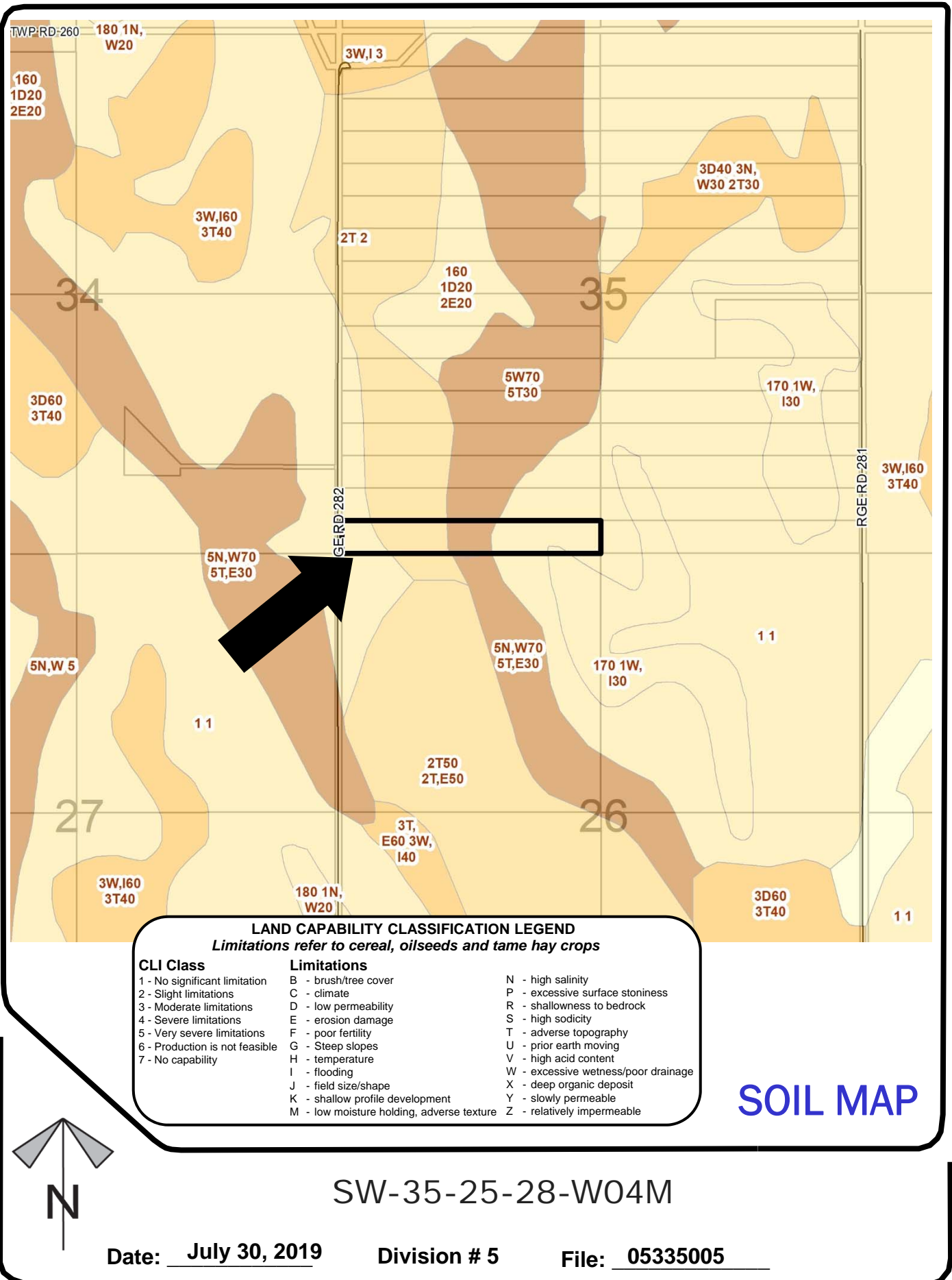


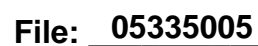
TOPOGRAPHY

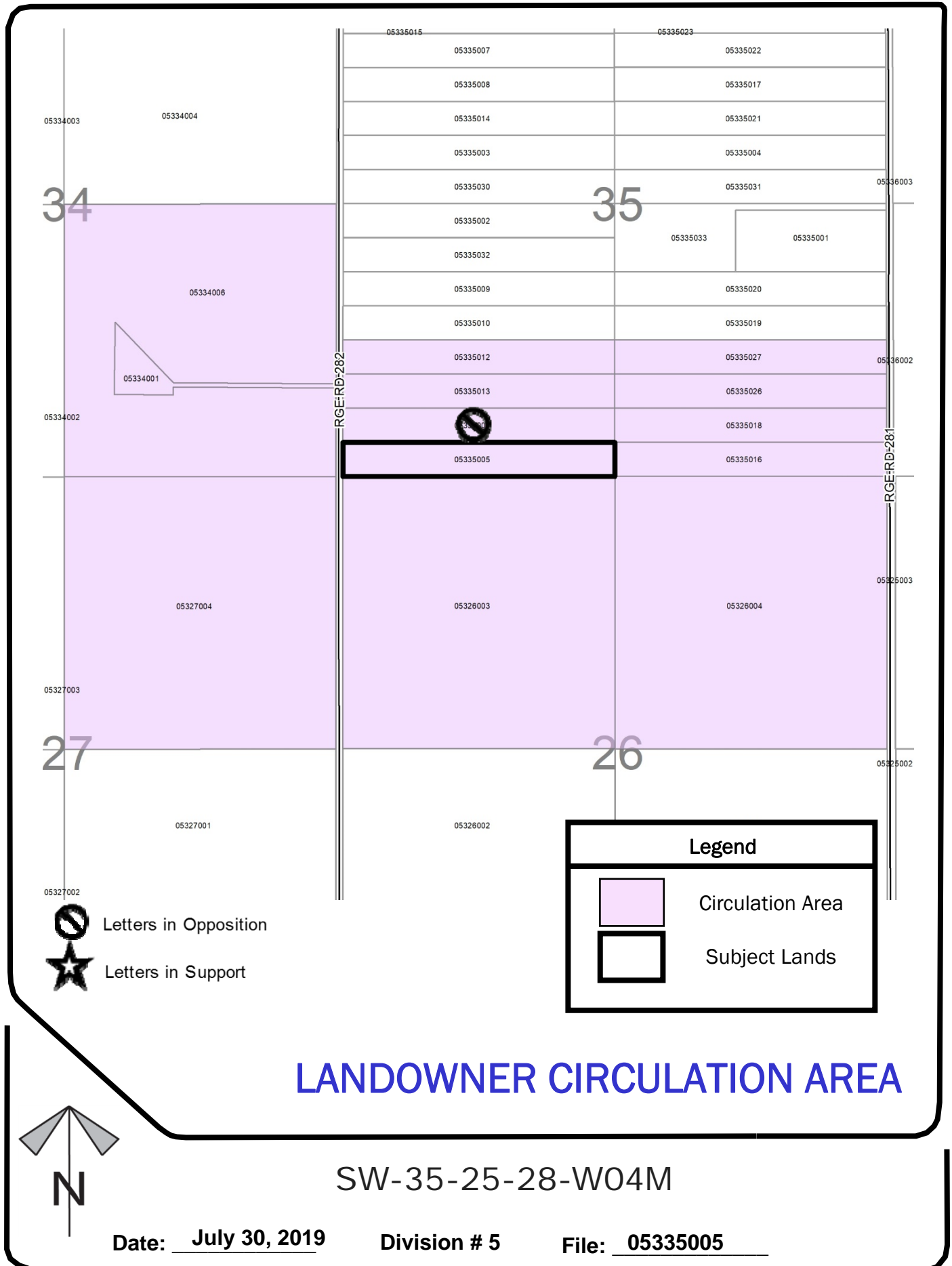
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File: 05335005









Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information		
Name of Appellant(s) <i>Jeff + Katherine Bezvalay</i>		
[Redacted Address]		
Main Phone #	Alternate Phone #	Email Address
[Redacted Phone/Email]		
Site Information		
Municipal Address <i>255014 Range Road 282</i>	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <i>SW 35 25 28 04</i>	
Property Roll # <i>05335005</i>	Development Permit, Subdivision Application, or Enforcement Order # <i>PRDP20191266</i>	
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)		
<i>See attached Page</i>		



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.

Katherine Bezvalay
Appellant's Signature

July 29, 2019
Date

[Signature]
Last updated: 2018 November 13

Attachment for Notice of Appeal with respect to Development permit: PRDP 20191266

Reasons for Appeal:

- 1 The owner of the property is not resident at the property in contravention of his permit to operate a home based business (landscaping). This was confirmed 28 July 2019 in conversation with the current occupant who has rented the main floor suite in the house for the past year. He stated that the owner resides in Chestermere and wants to build a "garden suite" to rent out as an additional source of revenue. He also commented that the owner rarely visits the property.
- 2 The dwelling is already suited into 3 apartments (as confirmed with the tenant) of:
 - Main floor of the original house
 - Basement suite of the original house
 - Apartment over the garage which was built during recent renovations (last couple of years)
- 3 Septic system capacity:

To our knowledge, the septic system has not been upgraded since the house was built in the mid 1970's. Other adjacent properties have had septic system problems and have had to upgrade to handle the effluent distribution. There were issues with the septic field at the subject location in the past (standing ground water) and we have concerns that if additional load is added to the current system, there could be issues with possible contamination with existing neighbouring wells.
- 4 The heavy truck traffic on Range Road 282, north of Hwy 564, has increased significantly since this "home based" business was approved, and certainly must contribute to the damage to the road. We doubt that the small increase of tax revenue from the "home based" business covers the cost of additional maintenance required.
- 5 There is a second unpermitted access road at the south end of the property frontage. There is no culvert or other allowance for drainage under this access, and the material used for road fill appears to contain used asphalt paving. It would seem that the owner may be planning to use this access for the proposed garden suite since it is also proposed for the south side of the property.
- 6 There is a serious weed issue on the balance of the property east of the house – if the owner really is in the landscaping business, he is not doing a very good job of caretaking his property.
- 7 This is predominantly a farm and single family acreage area and should not be turned into a multi-family rental district by a non-resident manipulating the County regulations.





2ND UNPERMITTED ACCESS.



DETAIL OF ACCESS (UNPERMITTED)
ROAD MATERIAL



REAR OF PROPERTY SHOWING
TRUCK STORAGE



REAR OF PROPERTY
STORAGE?



MORE TRUCK STORAGE



WEEDS + ENCLOSURE. FOR
FUELING STATION



WEEDS & FUELING STATION



WEEDS

weeds.





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

Devendra Bhandari

Page 1 of 3

Tuesday, July 09, 2019

Roll: 05335005

RE: Development Permit #PRDP20191266

SW-35-25-28-04; (255014 RGE RD 282)

The Development Permit application for construction of an Accessory Dwelling Unit (garden suite), relaxation of the maximum habitable floor area and relaxation of the maximum height requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below **(PLEASE READ ALL CONDITIONS)**:

Description:

1. That an Accessory Dwelling Unit (Garden Suite), may be permitted on the subject parcel, in general accordance with the approved site plan and application.
2. That the maximum habitable floor area for the Accessory Dwelling Unit (Garden Suite) is relaxed from **110.00 sq. m (1,184.00 sq. ft.)** to **120.77 sq. m (1,300.00 sq. ft.)**.
3. That the maximum height requirement for the Accessory Dwelling Unit (Garden Suite), as shown on the application drawings, prepared by Yasmita Engineering, (undated), for 255014 Range Road 282, is relaxed from **5.50 m (18.04 ft.)** to **5.51 m (18.08 ft.)**.

Prior to Issuance:

4. That prior to issuance of this permit the Applicant shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.

Permanent:

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.



Devendra Bhandari Page 2 of 3
#PRDP20191266

6. That there shall be only one kitchen facility constructed within the Accessory Dwelling Unit (Garden Suite).
7. That there shall be a minimum of one (1) parking stall maintained on-site at all times dedicated to the Accessory Dwelling Unit (Garden Suite).
8. That the Accessory Dwelling Unit (Garden Suite) shall be subordinate to the dwelling, single detached.
9. That there shall be a distinct municipal address created for each dwelling unit (the dwelling, single detached and the Garden Suite) located on the subject site, to facilitate accurate emergency response.
Note: The municipal address for the Garden Suite is 255010 RGE RD 282
10. That there shall be adequate water servicing provided for the Accessory Dwelling Unit (Garden Suite) and it is the Applicant/Owner's responsibility to provide water quantity in accordance with the recommendations found in Module 2 of the document "Water Wells That Last for Generations" published by Agriculture and Agri-Food Canada, Alberta Environment, Alberta Agriculture and Food.
11. That it is the Applicant/Owner's obligation/responsibility to undertake water quality testing in accordance with the Guidelines for Canadian Drinking Water Quality and Alberta Health Services criteria. Should there be any adverse results or should questions arise concerning the interpretation of the results of the analyses, it will be the obligation/responsibility of the Owner/Applicant to contact the local Public Health Inspector for recommendations/requirements.
12. That there shall be adequate sanitary sewer servicing provided for the Accessory Dwelling Unit (Garden Suite).
13. That it is the responsibility of the Applicant/Owner to obtain approval from County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
14. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling unit under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.

Advisory:

15. That a Building Permit and subtrade permits for the Accessory Dwelling Unit (Garden Suite) and associated detached garages shall be obtained through Building Services prior to any construction taking place.
16. That water conservation measures shall be implemented in the Accessory Dwelling Unit (Garden Suite), such as low-flow toilets, shower heads and other water conserving devices.
17. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.



ROCKY VIEW COUNTY

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

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

Devendra Bhandari Page 3 of 3
#PRDP20191266

18. That any other government permits, approvals, or compliances are the sole responsibility of the Owner/Applicant.
19. That if this Development Permit is not issued by **September 30, 2019**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, July 30, 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,

A handwritten signature in blue ink, appearing to read 'KCA'.

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

THIS IS NOT A DEVELOPMENT PERMIT



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

20191266

FOR OFFICE USE ONLY	
Fee Submitted \$530	File Number 0535005
Date of Receipt April 23/19	Receipt #

Name of Applicant Devendra Bhandari Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) _____ (H) _____ Fax _____

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) Mohammad N Shah

Mailing Address [REDACTED]

Postal Code _____

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

1. LEGAL DESCRIPTION OF LAND

a) All / part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian

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

c) Municipal Address 255014 Range Road 282

d) Existing Land Use Designation AH Parcel Size 20 Division _____

2. APPLICATION FOR

ADU

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 DEVENDRA BHANDARI 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 Devendra

Date April 23, 2019

Owner's Signature _____

Date _____

5. RIGHT OF ENTRY

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



Applicant's/Owner's Signature

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

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


SignatureApril 23, 2019
Date



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR AN ACCESSORY DWELLING UNIT

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

Name of Applicant Devendra Bhandari Email [REDACTED]
Mailing Address [REDACTED]
Postal Code [REDACTED]
Telephone (B) [REDACTED] (H) _____ Fax _____

1. ACCESSORY DWELLING UNIT

- ☐ Secondary suite within an existing dwelling ☒ Suite within an accessory building ☒ Garden suite

Total floor area of ADU 1300 Sq ft Number of parking spaces for ADU 2

Describe availability of storage space accessible to the occupants of ADU Storage space for ADU is at the basement.

Describe the outdoor space allocated to the ADU Outdoor space at the back of ADU is available.

2. WATER SOURCE

- ☐ Connection to Communal Water System (Provide Letter of Confirmation from system operator)
☒ Share Existing Groundwater Well
☐ New Well

(The location of new or existing wells is to be shown on a site plan; Groundwater Interference Report required when there are 6 or more parcels on a quarter-section)

3. SEWAGE TREATMENT AND DISPOSAL

- ☐ Connection to Communal Sewage Collection System (Provide Letter of Confirmation from system operator)
☒ Connection to Existing Private Sewage Treatment System (show location on Site Plan)
☐ Expansion of Existing Private Sewage Treatment System (show location on Site Plan)
☐ Construction of New Private Sewage Treatment System (show location on Site Plan)

4. ADDITIONAL INFORMATION REQUIRED

Describe how the ADU will complement the primary dwelling (i.e. roof pitch, exterior finishing, windows, etc.)
Primary dwelling units needs more spaces for daily life which is provided by ADU.

Describe how the impact of the ADU on the neighboring properties is minimized (i.e. location of ADU on parcel, design of building, screening/landscaping etc.)
ADU will have few people living so there will be less effect

Please provide a photograph of the primary dwelling along with a site plan of the proposed development.

Signature of Applicant Devendra Date: April 23, 2019

NOTE: Remember to apply the Development Permit Application Review Fee (Engineering Services) - \$200.00

Muhammad N. Shah



Rocky View County
Planning Services
262075 Rocky View Point
Rocky View County, Alberta
T4A 0X2

August 12th, 2019

Re : Development Permit No: PRDP20191266 (255014 Range Road 282)

Attn : Jessica Anderson, Municipal Planner

Dear Ms. Anderson

Pursuant to the Notice of Appeal ("Appendix A") against the "Approved" Decision by the Rocky View County Development Authority filed before the Subdivision and Development Appeal Board by applicants Jeff and Katherine Bezugley on 29th July, 2019, please note the following as a response to the points mentioned in the appeal.

As background, please note that the occupancy of the property was not entirely clear after the passing of my father Mr. Aaziz Shah in 2018 who was the owner of the property along with my mother Mrs. Rehana A. Shah. Combined with my mother's bankruptcy following my father's passing away, there were many issues to resolve at such time. At the current time, the property remains the technical ownership of the bankruptcy trustee with a final decision expected in the September/October 2019 time frame.

With regards to the points raised in Appendix A

- 1) The owner, who at this time is Mrs. Rehana A. Shah, does reside in Chestermere &/or Calgary. She is an elderly woman who speaks little to no English and has multiple health issues which require her to be in out and of medical care, including hospitals. As such residence for these reasons

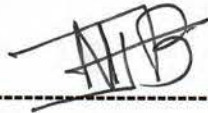
alone is much more reliable and efficient in Chestermere &/or Calgary.

- 2) The business application was made by the late Mr. Aaziz Shah. Since his passing the family has renewed the license as necessary in order to maintain financial stability since many of the family members are directly or indirectly employed by the landscaping business established by Mr. Aaziz Shah.
- 3) With regards to the conversation with the tenant regarding the suiting of the property, occupancy, garden suite development and other topics apparently confirmed by the Appeal applicant – these are all expressly denied. A letter confirming that the tenant had no such conversation with the Appeal applicant is attached as evidence. Please refer to “Appendix B”.
- 4) The septic system was upgraded in 2018 at a massive cost. A properly designed system with separate holding and treatment tanks (capacity in excess of 3000 gallons), a 500-700l/day surface treatment mound, brand new piping and proper disposal of the old tank along with old treatment site re-mediation was installed. Installer reports, installation receipts and system details are provided in “Appendix C”.
- 5) The undersigned uses Range Road 282 between Highway 564 and the property on a daily basis. No such “additional damage” is evident or apparent.
- 6) There is no unpermitted second access round on the south side of the property. Likely what the Appeal applicant refers to is an old property traversal path that the previous owner(s) had put in and this had been over-run with vegetation growth. This vegetation growth has been scaled back, cleaned up and the path is now in clear view. This does not in any way connect to the county road system. Furthermore, the access gate on the south side of the property has always existed – all that has happened recently is some minor repairs to the structure of the gate and the installation of a floodlight above this gate for security reasons.
- 7) The undersigned admits to the weed issue on the property and is already in touch with Alberta Agriculture as to the best way to deal with this in an efficient and cost effective manner. Your advice on this is welcome and appreciated.

- 8) All development on the property has taken place in full compliance with Rocky View county by-laws and all permits are in the records of Rocky View County.

Trusting that the above will provide sufficient detail on the matter.

Regards

A handwritten signature in black ink, appearing to read 'MNS', is written over a horizontal dashed line.

Muhammad N. Shah
For and On Behalf of Rehana A. Shah
255014 Range Road 282
SW-35-25-28-W4
Rocky View County, Alberta

APPENDIX A



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

Appellant Information		
Name of Appellant(s) <i>Jeff + Katherine Bezuglay</i>		
[Redacted Address]		
Site Information		
Municipal Address <i>255014 Range Road 282</i>	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <i>SW 35 25 28 04</i>	
Property Roll # <i>05335005</i>	Development Permit, Subdivision Application, or Enforcement Order # <i>PRDP20191266</i>	
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)		
<i>See attached Page</i> <div data-bbox="980 1241 1321 1583" data-label="Image"> </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 Municipal Clerk at 403-230-1401.

Katherine Bezuglay
Appellant's Signature

July 29, 2019
Date

[Signature]
Last updated: 2018 November 13

Attachment for Notice of Appeal with respect to Development permit: PRDP 20191266

Reasons for Appeal:

- 1 The owner of the property is not resident at the property in contravention of his permit to operate a home based business (landscaping). This was confirmed 28 July 2019 in conversation with the current occupant who has rented the main floor suite in the house for the past year. He stated that the owner resides in Chestermere and wants to build a "garden suite" to rent out as an additional source of revenue. He also commented that the owner rarely visits the property.
- 2 The dwelling is already suited into 3 apartments (as confirmed with the tenant) of:
 - Main floor of the original house
 - Basement suite of the original house
 - Apartment over the garage which was built during recent renovations (last couple of years)
- 3 Septic system capacity:

To our knowledge, the septic system has not been upgraded since the house was built in the mid 1970's. Other adjacent properties have had septic system problems and have had to upgrade to handle the effluent distribution. There were issues with the septic field at the subject location in the past (standing ground water) and we have concerns that if additional load is added to the current system, there could be issues with possible contamination with existing neighbouring wells.
- 4 The heavy truck traffic on Range Road 282, north of Hwy 564, has increased significantly since this "home based" business was approved, and certainly must contribute to the damage to the road. We doubt that the small increase of tax revenue from the "home based" business covers the cost of additional maintenance required.
- 5 There is a second unpermitted access road at the south end of the property frontage. There is no culvert or other allowance for drainage under this access, and the material used for road fill appears to contain used asphalt paving. It would seem that the owner may be planning to use this access for the proposed garden suite since it is also proposed for the south side of the property.
- 6 There is a serious weed issue on the balance of the property east of the house – if the owner really is in the landscaping business, he is not doing a very good job of caretaking his property.
- 7 This is predominantly a farm and single family acreage area and should not be turned into a multi-family rental district by a non-resident manipulating the County regulations.





2ND UNPERMITTED ACCESS.



DETAIL OF ACCESS (UNPERMITTED)
ROAD MATERIAL



REAR OF PROPERTY SHOWING
TRUCK STORAGE



REAR OF PROPERTY
STORAGE?



MORE TRUCK STORAGE



WEEDS + ENCLOSURE. FOR
FUELING STATION



WEEDS & FUELING STATION



WEEDS

weeds.



APPENDIX B

Michael E. Sereda
255014 Range Road 282
Delacour, Alberta
T0M 0T0

August 1, 2019

TO WHOM IT MAY CONCERN,

Dear Sir/Ma'm

Please be advised that the undersigned is the tenant of "SHAH FAMILY" as represented by their representative and agent Mr. Muhammad Najeeb Shah (Mike). The tenancy agreement has been in effect since September 2018.

I am informed (and documents have been shown to that effect) that a Jeff and Katherine Bezugley (who are ostensibly the owners of the northern adjoining property to Mr. Shah's property) have attributed certain statements as having been made by me on 28th July, 2019 – including

- 1) That Mr. Shah was planning to build a "garden suite" on his property and subsequently to rent it out for revenue purposes.
- 2) That the current property had been suited into three apartments.
- 3) That Mr. Shah lives in Chestermere.
- 4) That Mr. Shah rarely visits the property.

Please be advised of the following concerning the above :

- 1) That a lady (who I presume was Ms. Bezugley) showed up uninvited onto the property on 28th July, 2019 and started talking. I was in a bit of hurry and I did mention to her that I was the tenant on the property. I only talked to the lady for a few minutes out of common courtesy. At the time of this conversation I had no idea who this lady was, but I now presume that based upon the appeal documents presented, that it was indeed Ms. Bezugley.
- 2) That this lady requested that I allow her to take pictures around the property. She was advised that this was outside due and proper conduct

on my part and potentially illegal as she was on private property.

- 3) That I was unaware of what a "garden suite" is before such encounter. I work in the non real estate sector and have no reason to know any great detail about such construction, suiting or any of these other topics that I apparently talked to this lady about.
- 4) That Mr. Shah has never shared such plans with me and it would be imprudent and improper for him to share his future property development plans (if any) with his tenant who has no bearing, influence or requirement to know of such.
- 5) That I never informed this person or any other person about the current breakdown of the property as it is not my prerogative to know of, much less advise outside, non-related parties of such.
- 6) That I am aware that Mr. Shah lives in Chestermere, Alberta.
- 7) That Mr. Shah or his authorized representatives visit the property quite frequently for upkeep, maintenance, business and other matters. In fact, the tenancy agreement is quite clear on the fact that the only the house is being rented and that the remainder of the property remains Mr. Shah's possession to use in his unfettered discretion, a provision that he utilizes on an almost daily basis.

Trusting that the above will provide sufficient detail and background on the matter

Regards



Michael E. Sereda

11 August 2019

APPENDIX C

Materials/ Supply List

Below is an estimate only of required components and supplies. Certified Installer must verify this list.

Components listed are recommended by the Designer. Installers may use other components and suppliers as long as they are correct specs and similar quality.

1. Client Info

Project	SHAW RESIDENCE
Client	MIKE SHAH
Legal Land Description	SW-35-25-28-W4

2. Tank Req's

Primary Tank Min Work Cap.	2011	Imp gals
Recommended Tank Model	WC 2000 OR AWS 2000 (8)	
Dose Tank	WC 2000 OR AWS 2000 (8)	
Flow EQ Tank		
Additional Tank/Storage		
GMH riser extensions	14	ft (approx)
Insulation plug for GMH		As needed
Insulation for tank(s) <4' burial		As needed
Insulated Lid for GMH	2	each
Treated 4"x4" posts (inlet/outlet support)	6	12' length
4" Ring clamp for ABS inlet/flexible boot	3	each
4" ABS Pipe	4	12' length

3. Pumps and Internal Tanks Components

Flow EQ Pump		
Recirc Pump (s)		
Dose Pump	1	LG WS50H
Filter(s)	1	SIMTECH
High Water Alarm and Float	1	RHOMBUS TANK ALERT XT
Floats (Pump Down)	1	Mech Type
Floats (Pump Down)		Signal Type

4. Advanced Treatment Unit (ATU)

ATU Model	
Pipe, fittings, etc for ATU	As needed

5. Supply Line ----->

2" Sch40

Sch40 solid pipe	320	ft (approx)
Pipe Grommet	1	each
MIP (Pump to Supply Line)	1	each
Threaded Union	1	each
90deg Elbows	5	each
45deg, 22.5deg Elbows		as needed
Tees	6	each
4 way cross	1	each
Threaded Coupler (cleanout)	1	each
Threaded End Cap (cleanout)	1	each

6. Distribution Laterals->

1" Sch40

Sch40 solid pipe	300	ft (approx)
Reducer bushing from Supply Line	8	each
Ball valves	4	each
Long Sweep 90deg Elbows	8	each
Threaded Couplers	8	each
Threaded End Caps	8	each
Tees	1	each
Orifice Shields	113	each

7. Additional

4" PVC Solid Drainline (Ports)	2	10' lengths
4" PVC Drainline Threaded Coupler	4	each
4" PVC Drainline Threaded Plug	4	each
External Splice Box	2	each
Control Panel	1	MVP S-DM Simplex w/timed dosing
7" Rain box covers w/lids	17	each
Sch40 Glue, primer	1-2	cans
Non Woven Filter Fabric	700	sq ft approx
Flow Control Valve		
Washed Media, Sandy Loam, etc		To be verified by Installer

Quick Reference

1. Wastewater Characteristics			
1.1	<p>Wastewater Peak Flow</p> <p>The development served is an 8 bedroom single-family dwelling. Based on the characteristics of the home identified during the review the total plumbing fixture unit load in this residence is 44. Additional flow values are required to be added to the peak daily flow. See <u>Appendix E</u> – Peak Flows and Tank Sizing worksheet for FU calculations. However, after consultations between the designer and the homeowner, we have made an ADJUSTED Peak Daily Flow.</p> <table border="1"> <tr> <td>ADJUSTED Peak Daily Flow (PF) used in this design is:</td><td>500 Imp. gal/day</td></tr> </table>	ADJUSTED Peak Daily Flow (PF) used in this design is:	500 Imp. gal/day
ADJUSTED Peak Daily Flow (PF) used in this design is:	500 Imp. gal/day		
1.2	<p>Wastewater Strength</p> <p>Characteristics of the development were considered to assess sewage strength. No garbage grinders were accounted for in this system.</p> <table border="1"> <tr> <td>Projected wastewater strength for the design is:</td><td> BOD 220mg/L TSS 220mg/L Oil, Fats and Grease 50mg/L </td></tr> </table>	Projected wastewater strength for the design is:	BOD 220mg/L TSS 220mg/L Oil, Fats and Grease 50mg/L
Projected wastewater strength for the design is:	BOD 220mg/L TSS 220mg/L Oil, Fats and Grease 50mg/L		
1.3	<p>Wastewater Flow Variation Considerations</p> <p>Flow equalization and/or storage is achieved with the second tank (dose / holding tank), which will store and hold daily flows as the system continues to pump 500 lg daily to the treatment mound.</p>		

2. Site Evaluation Findings	
2.1	<p>Site Evaluation</p> <p>The lot is 20 acres. The property characteristics are shown (in scale) in the drawing attached in <u>Appendix D</u>. The adjacent land use is country residential development, varying in size . There are water wells and treatment fields on neighbouring properties, but with no conflicts noted.</p> <p>Line locates confirmed there are no existing utilities in the area selected for the system components, however they are nearby. The area selected for the system must be kept clear of any utilities to be installed and no disturbance of the soil in that area can occur. There are utility right-of-ways and/or easements noted on the subject site as indicated by the owner, and these must be reviewed prior to installation to be sure of no encroachment. <i>**There is an abandoned line running north/south near Test Pit 2. It is believed to be an old Telus line. This line may not be marked by locators**</i></p>

	<p>The slope at the selected treatment site is approx 0-1%. No significant setback constraints were noted. Pertinent features identified during the site review and the required setback distances are identified on the Design Plan View document in <u>Appendix D</u>.</p> <p>The location of the treatment mound has been placed to the SW of the home. The location was selected as it offers the flattest area to help minimize costs during the mound construction. However, nearly 300ft of supply line is needed to this location. It is important that this supply line is installed correctly so that it can drain easily back to the tank after each pump cycle.</p> <p>The installer may, at their discretion, relocate the mound closer to the home after appropriate consultation with the homeowner.</p>
2.2	<p>Soils Evaluation</p> <p>Soils are the most important factor in determining an effective treatment solution. Two soil test pits were investigated on this site. A restrictive layer was encountered in Test Pit 1 at 33", and in Test Pit 2 at 35"; both displayed signs of mottling and gleying which indicate either a seasonal high water table, or very tight soils below. Current regulations require vertical separation distances between the application area of effluent and a restrictive layer. A treatment mound is selected to meet the vertical separation requirements. Soil logs are attached in <u>Appendix B</u>.</p>

3. Key Soil Characteristics and Effluent Loading Rates			
3.1	<p>Restrictive Layer Considerations</p> <p>A restrictive layer exists at 33" below surface as indicated by:</p> <ul style="list-style-type: none"> Gleying / Mottling from 33-60" 		
3.2	<p>Limiting Layer used for Soil Loading Rate Selection</p> <p>The key soil characteristic affecting effluent loading is: Clay Loam textured soil having a Blocky 2 structure at the depth of approx 20-33".</p>		
3.3	<p>In Situ Soil Effluent Loading Rate Selection</p> <p>Effluent loading rate for secondary treated effluent on this soil is: 0.45 Imp. gal/day/ft²</p>		
3.4	<p>Effluent Linear Loading Rates and Design Considerations</p> <p>There is a shallow restrictive layer at this site. The effluent must move laterally through the soil, so linear loading rates (LLR's) must be applied.</p> <ul style="list-style-type: none"> The dominant soil characteristic is Clay Loam, BK 2 structure Infiltration distance to the restrictive layer is 33 inches The slope at the site of the mound is 0-1% <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Linear Loading Rate</td><td>3.4 Imp gal/day/ft</td></tr> </table>	Linear Loading Rate	3.4 Imp gal/day/ft
Linear Loading Rate	3.4 Imp gal/day/ft		

	The mound must be orientated at approx 90 degrees to the slope direction to address linear loading.
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4. Initial Treatment Component Design Details			
4.1	<p>Septic Tank The septic tank acts as primary treatment, aiding in settling, separation, and primary clarification of the sewage. Proper sizing is critical.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px;">The minimum working capacity of the septic tank specified for this design is</td><td style="width: 30%; padding: 5px; text-align: center;">2011 Imp gals</td></tr> </table> <p>The recommended tank is a single-chambered tank. A custom cored hole may need to be ordered for the outlet to connect to the dose/holding tank which is next in sequence. A flexible 4" connection will be made here that will drain (via gravity) into the dose / holding tank. <u>Appendix C</u> includes specifications for the recommended tank(s).</p>	The minimum working capacity of the septic tank specified for this design is	2011 Imp gals
The minimum working capacity of the septic tank specified for this design is	2011 Imp gals		
4.2	<p>Dose Tank / Holding Tank The dose tank (second tank in sequence) is also a single-chambered, 2000 gal tank. This will act as both a dosing tank as well as a flow equalization / holding tank for when flows are greater than 500 Imp gals/day. A pump in this tank will be controlled by an Orenco MVP Control Panel. It will deliver 5 equal doses (100 gals) to the sand mound throughout a 24hr period. Any daily flows > 500 Imp gals will collect here. A high level alarm will sound when the tank is reaching full capacity. After the high level alarm sounds, there is approx 126 Imp gals of emergency storage before the tank is completely full. When the alarm sounds, it is important to immediately restrict water useage in the home until the system has time to catch up. Alternatively, a tank pumper truck service can be employed to come and remove the excess sewage and effluent in the tank(s).</p> <p><u>The control panel setup instructions are extremely important. The installer must follow them correctly, otherwise the mound could be oversaturated and irreparable damage incurred with improper panel settings. It is important that any high level pump override controls or options are disabled.</u></p>		
4.3	<p>Effluent Filter All systems are required to have an effluent filter. An inline 2-inch diameter Sim/Tech® model STF-100 effluent filter having an effective opening of less than 1/8-inch (3.2 mm) is used. When clean the filter is rated at a head loss of 0.5 feet at a flow of 80 Imp. gal/min. A one year service interval is expected with typical flow volumes and wastewater characteristics.</p>		

5. Soil Treatment (Final Treatment) Design Details

5.1	Selection of Soil Infiltration System Design <p>The system designed for this site is a septic tank for primary treatment, and a treatment mound as the final treatment, which also treats the effluent to a secondary level before soil infiltration. Effluent chambers can be used in place of rock & pipe on the mound. Please speak to your installer for options.</p>																						
5.2	Treatment Mound Size <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">Key Design Requirements</th></tr> <tr> <td>ADJUSTED peak daily flow</td><td style="text-align: center;">500 Imp gal/day</td></tr> <tr> <td>Soil loading rate</td><td style="text-align: center;">0.45 Imp gal/day/ft²</td></tr> <tr> <td>Linear loading rate</td><td style="text-align: center;">3.4 Imp gal/day</td></tr> <tr> <th colspan="2">Sand Layer</th></tr> <tr> <td>Sand layer length</td><td style="text-align: center;">147 ft</td></tr> <tr> <td>Sand layer width</td><td style="text-align: center;">4.1 ft</td></tr> <tr> <td>Sand layer area</td><td style="text-align: center;">602.4 ft²</td></tr> <tr> <th colspan="2">Minimum in-situ soil infiltration area</th></tr> <tr> <td>Soil infiltration surface area</td><td style="text-align: center;">1111 ft²</td></tr> <tr> <td>Minimum soil infiltration width</td><td style="text-align: center;">24 ft [toe to toe of mound]</td></tr> </table>	Key Design Requirements		ADJUSTED peak daily flow	500 Imp gal/day	Soil loading rate	0.45 Imp gal/day/ft²	Linear loading rate	3.4 Imp gal/day	Sand Layer		Sand layer length	147 ft	Sand layer width	4.1 ft	Sand layer area	602.4 ft²	Minimum in-situ soil infiltration area		Soil infiltration surface area	1111 ft²	Minimum soil infiltration width	24 ft [toe to toe of mound]
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Minimum in-situ soil infiltration area																							
Soil infiltration surface area	1111 ft²																						
Minimum soil infiltration width	24 ft [toe to toe of mound]																						

6. Effluent Distribution Design Detail

6.1	Effluent Pressure Distribution <p>8 x 36.5ft pressure effluent distribution laterals are used over the sand layer. The calculations are provided in <u>Appendix E</u> on the pressure distribution worksheets. The pressure distribution lateral layout drawing is included in <u>Appendix D</u>.</p>
6.2	Effluent Pressure Distribution Lateral Design <ul style="list-style-type: none"> Each lateral is 1-inch Schedule 40 PVC pipe. Each lateral has 14, 1/8-inch orifices drilled at 2.5 foot spacing. The laterals will be installed in the gravel above the sand layer. Orifices will be offset between the laterals along its length. All orifices shall be equipped with an orifice shield and shall point down. <p>The design achieves a minimum 5 foot pressure head at each orifice, resulting in a design flow of 0.34 Imp. gal/min from each 1/8-inch orifice.</p>

	<p>There are 112 orifices throughout the effluent pressure distribution system resulting in a total flow of 38.1 Imp gal/min. An additional 3.88 Imp. gal/min is added for the ¼ inch drain back orifice drilled at the lowest elevation of the effluent piping in the dose tank to achieve drain back of the supply piping.</p> <p>Total flow required for the effluent pressure distribution system is 42 Imp. gal/min (50 U.S. gal/min).</p>	
6.3	Pressure Head Requirements	
	Supply line size and type	2" Sch40 PVC
	Supply line length from pump to start of laterals	300 ft
	Equivalent length of pipe due to fittings	69.3 ft
	Total equivalent length of pipe	369.3 ft
	Friction loss through piping	12.6 ft
	Head loss effluent filter partial plugging	1 ft
	Head loss along PD laterals	1 ft
	Pressure head at each orifice	5 ft
	Lift distance of effluent from pump to laterals	18 ft
	Vertical lift and friction loss results in a total pressure head requirement of:	37.6 ft
6.4	Pump Specifications	
	Demands for this pressure distribution lateral system are:	
	42 Imp gal/min (50 U.S. Gal/min)	38 ft pressure head
	The pump capacity must exceed these demands to allow for variations in the design and decreased pump performance over time.	
	Recommended pump	Little Giant WS50H
6.5	Effluent Dosing Volume	
	<p>The volume of effluent applied to the sand layer in a single dose is required to be less than 20% (100 Imp gal) of the daily flow (500 Imp gal). The volume of an individual dose should also be at least 5 times the volume of the pressure distribution laterals (5 x 11 Imp gal = 55 Imp gal).</p>	

	<p>The volume of the 300 ft of 2 inch PVC effluent supply line is 44 Imp gal. Therefore, the minimum individual dose volume used is 144 Imp gal, which will deliver 100 Imp gal dose to the sand layer. Float settings are based on this selected dose, and can be seen in <u>Appendix D</u>. The dose will be a Timed dose.</p>
--	--

7. Controls

7.1	<p>Effluent Level Controls All effluent level control floats will be attached to an independent PVC pipe float mast.</p>
7.2	<p>Effluent Dosing Float Setting The dose tank dimensions result in 21 Imp gal per inch of depth (if using the AWS option). The float control elevations are indicated on the Float Settings document found in <u>Appendix D</u>. Installer to verify all assumed component heights before securing floats to mast or if using a different tank.</p>
7.3	<p>High Liquid Level Alarm All systems must have an alarm installed that will notify the homeowner if a high liquid level is encountered. A high level alarm must be placed in both the Septic tank as well as the Dose / Holding tank. Speak with your installer and electrician on its placement, either in the home or on a post outside.</p>

8. Operation Monitoring Components

	<p>The following components are included in the system design. See detailed drawings in <u>Appendix D</u> for locations and details.</p>
8.1	<p>Monitoring Ports A total of 4 monitoring ports are required for a sand treatment mound. Two shallow ports are to be installed within 5 ft of each end to monitor the sand layer surface, and two deep ports are to be installed within 15 ft from each end to monitor the sand/soil infiltration surface. See Appendix D for more details or refer to SOP 2015.</p>
8.2	<p>Pressure Distribution Lateral Cleanouts Clean outs are to be installed at the end of each pressure distribution lateral with access to grade through an access box suitable for its purpose and anticipated traffic. This is to facilitate regular maintenance.</p>
8.3	<p>Sampling Effluent Quality Samples of effluent can be taken from the effluent dose chamber in the septic tank.</p>

9. System Setup and Commissioning

9.1	To be completed: <ul style="list-style-type: none"> ○ Clean the septic tank and effluent chamber of any construction debris ○ Flush effluent distribution laterals ○ Conduct a squirt test to assess that residual head pressure required by the design is achieved and that the volume from each orifice is within allowed tolerances. ○ Confirm the correct float levels and ensure this delivers the dose volume required by this design.
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10. Maintenance

10.1	Operation and Maintenance Manual: The installer shall provide a Homeowner's Manual detailing the design, operation, and maintenance of the installed system in accordance with Article 2.1.2.8 of the Standard.
10.2	What to expect after the install Your system requires ongoing maintenance to keep it running trouble-free. You should have your filters cleaned, floats and settings checked yearly. Your tank is designed for a 3-5 year pump out schedule. The Homeowner's Manual is an excellent reference for ongoing maintenance as well as Do's and Don'ts with your system. It is a good idea to retain the services of a qualified maintenance person or company to be sure your system is taken care of.

11. APPENDICES

A	Site Information Site Plan, Lot/Plot Plans, Subdivision Plans, etc
B	Soil Information Soil Profile Logs, Lab Analysis Results, Alberta Soil Information, etc
C	Manufacturer's Specifications for System Components Tank details, pump specs, float specs, etc
D	Detailed System Schematics and Drawings
E	System Design Worksheets



September 15, 2017

 Soil Landscape Polygons

Scale 1:18,056
1 inch = 1504.66 feet
1 cm = 180.56 metres
Map centre at latitude +51.171°N and longitude -113.822°E

Alberta Agriculture and Forestry and Agriculture and Agri-Food Canada
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Government of Alberta, Alberta Open Government Licence

Owner Name or Job ID.						MIKE SHAH				Date of Site Evaluation				5 SEPT 2017									
Legal Land Location										Test Pit GPS Coordinates													
LSD-1/4		Sec		Twp		Rg		Mer		Lot		Block		Plan									
SW		35		25		28		W4								51°10'8.41"N		113°49'0.60"W					
Vegetation notes:				OPEN FIELD				Overall site slope %				0-1											
								Slope position of test pit:				DOWNSLOPE											
Test hole No.		Soil Subgroup				Parent Material				Drainage		Depth of Lab sample #1				Depth of Lab sample #2							
TP-1		O.BLC				TILL				M		36"											
Horizon	Depth (cm) (in)		Texture		Lab or HT		Colour		Gleying		Mottling		Structure		Grade		Consistence		Moisture		% Coarse Fragments		
Ah	0-11"		L		HT		10YR 2/1 - BLACK		-		-		BK		3		SH		D		<5		
Ae	11-20"		CL		HT		10YR 3/3 - VERY DARK BROWN		-		-		SBK		2		SH		D		<5		
Bt	20-30"		CL		HT		10YR 4/3 - BROWN		-		-		BK		2		SH		D		<5		
BC	30-54"		CL		LAB		10YR 4/2 - DARK GRAYISH BROWN		FEW FINE FAINT		FEW FINE FAINT		BK		2		FR		M		<5		
C	54-65"		CL		HT		10YR 4/2 - DARK GRAYISH BROWN		MANY MODERATE DISTINCT		MANY MODERATE DISTINCT		BK		1		FR		M		<5		
Depth to Groundwater			N/A				Restricting Soil Layer Characteristic						CL, BK 2, W/ GLEYING AND MOTTLES										
Depth to Seasonally Saturated Soil			33-60"				Depth to restrictive Soil Layer						33-60"										
Site Topography			FLAT				Depth to Highly Permeable Layer Limiting Design																
Key Soil Characteristics applied to system design effluent loading			CLAY LOAM, BK 2, 20-30"																				
Weather Condition notes:																						SUNNY, WARM	
Comments: such as root depth and abundance or other pertinent observations:																							
GLEYING AND MOTTLES IN BC HORIZON @ 33"-60"; CONTINUOUS FROM 54-65"																							

Alberta Private Sewage Treatment System Soil Profile Log Form

Owner Name or Job ID.						MIKE SHAH						Date of Site Evaluation				5 SEPT 2017			
Legal Land Location										Test Pit GPS Coordinates									
LSD-1/4		Sec		Twp		Rg		Mer		Lot		Block		Plan					
SW		35		25		28		W4								51°10'8.28"N 113°49'3.60"W			
Vegetation notes:				OPEN FIELD						Overall site slope %				0-1					
										Slope position of test pit:									
Test hole No.		Soil Subgroup				Parent Material				Drainage		Depth of Lab sample #1				Depth of Lab sample #2			
TP-2		O.BLC				TILL				M		24"							
Horizon	Depth (cm) (in)		Texture	Lab or HT	Colour	Gleying	Mottling	Structure	Grade	Consistence	Moisture	% Coarse Fragments							
Ah	0-12"		L	HT	10YR 2/1 - BLACK	-	-	BK	3	SH	D	<5							
Ae	12-22"		CL	HT	10YR 3/3- VERY DARK BROWN	-	-	SBK	2	SH	D	<5							
Bt	22-33"		CL	LAB	10YR 4/3 - BROWN	-	-	BK	2	SH	D	<5							
BC	33-60"		CL	HT	10YR 4/2 - DARK GRAYISH BROWN	FEW FINE FAINT	FEW FINE FAINT	BK	2	FR	M	<5							
C	60-70"		CL	HT	10YR 4/2 - DARK GRAYISH BROWN	MANY MODERATE DISTINCT	MANY MODERATE DISTINCT	BK	1	FR	M	<5							
Depth to Groundwater			N/A			Restricting Soil Layer Characteristic				CL, BK 2, W/ GLEYING AND MOTTLES									
Depth to Seasonally Saturated Soil			35-60"			Depth to restrictive Soil Layer				35-60"									
Site Topography			FLAT			Depth to Highly Permeable Layer Limiting Design													
Key Soil Characteristics applied to system design effluent loading			CLAY LOAM, BK 2, 20-30" (SEE TP-1)																
Weather Condition notes:													SUNNY, WARM						
Comments: such as root depth and abundance or other pertinent observations:													GLEYING AND MOTTLES IN BC HORIZON @ 35"-60"; CONTINUOUS FROM 60-70"						



Down To Earth Labs Inc.

The Science of Higher Yields

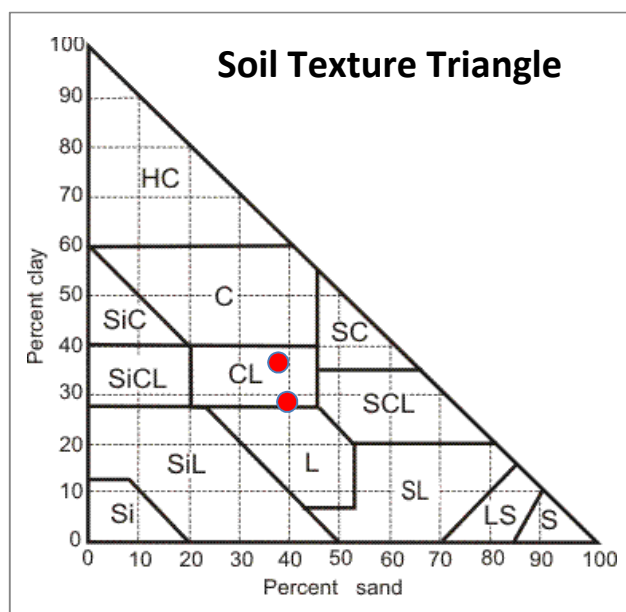
Chad Widmer
 SOILWORX.CA
 Box 19 Site 10 RR1
 Okotoks, AB T1S 1A1

Report #: 41191
Report Date: 2/20/2006
Received: 9/7/2017
Completed: 9/11/2017
Test Done: ST

Project : Shah
PO:

3510 6th Ave North
 Lethbridge, AB T1H 5C3
 403-328-1133
 www.downtoearthlabs.com
 info@downtoearthlabs.com

			Sample ID: 170907K034	170907K035
			Cust. Sample ID: TP 1	TP 2
Analyte	Units	Limit	36"	24"
Sand	%	0.1	38.0	39.8
Silt	%	0.1	25.8	32.0
Clay	%	0.1	36.2	28.2
Soil Texture	-	1	Clay Loam	Clay Loam

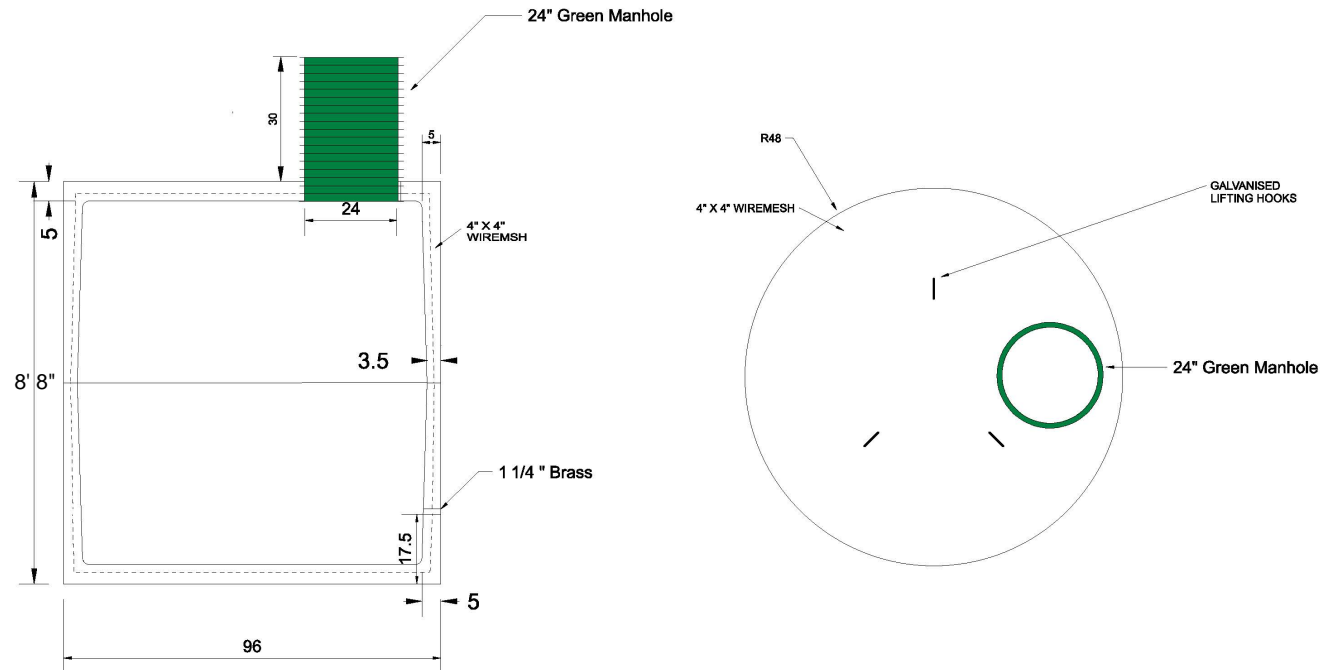


Raygan Boyce - Chemist

APPENDIX C

MANUFACTURER'S AND DESIGN SPECIFICATIONS FOR SYSTEM COMPONENTS

****Components and brands listed in this section are suggested and approved by the designer. If substitutions are made components must be of equal or greater quality and performance, otherwise all warranties expressed or implied about the performance and effectiveness of the designed system are void.**



DATE:
PHONE: 780-447-2222
FAX: 780-447-1984

16910 129 AVENUE
EDMONTON, AB
T5V 1L1

Apprx 21 Imp gals/in

WS EFFLUENT SERIES 1/3 HP, 1/2 HP, 1 HP

APPLICATIONS

- Effluent wastewater removal • Dewatering
- Water transfer



FEATURES

- Oil-filled motor
- Designed for high torque with automatic reset
- Piggyback mechanical float option available for automatic operation
- 2" NPT (51 mm) discharge
- Handles solids up to 3/4" (19 mm) diameter
- 120 °F (49 °C) liquid temperature rating
- cCSAus listed

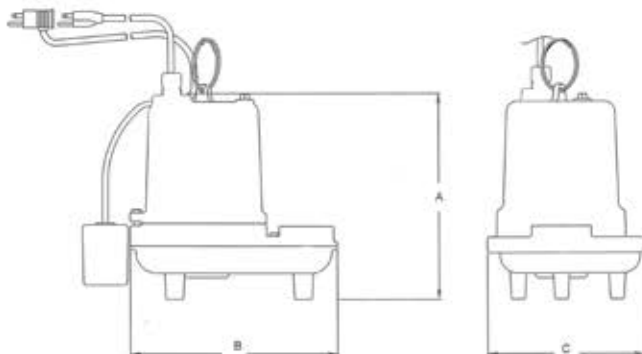
SERIES SPECIFICATIONS

Item No.	Model	HP	Volts	Phase	HZ	Amps		Watts	Performance (GPM @ Height in Feet)												Shut-Off (ft)	PSI
						FLA	Start		5'	10'	15'	20'	25'	30'	35'	40'	45'	50'	60'	80'		
620010	WS30M	1/3	115	1	60	10.4	50.4	1000	-	-	70	45	15	-	-	-	-	-	-	-	28	12
620000	WS30AM	1/3	115	1	60	10.4	50.4	1000	-	-	70	45	15	-	-	-	-	-	-	-	28	12
620231	WS50M-20	1/2	115	1	60	11.6	26.9	950	105	92	80	64	50	-	-	-	-	-	-	-	42	18.2
620233	WS50AM-20	1/2	115	1	60	11.6	26.9	950	105	92	80	64	50	-	-	-	-	-	-	-	42	18.2
620251	WS50M-12-20	1/2	208-230	1	60	9.7	32.6	1100	105	92	80	64	-	-	-	-	-	-	-	-	42	18.2
620253	WS50AM-12-20	1/2	208-230	1	60	9.7	32.6	1100	105	92	80	64	50	-	-	-	-	-	-	-	42	18.2
620200	WS50HM	1/2	115	1	60	15	26.9	1100	-	-	107	98	88	78	67	57	43	30	-	-	63	27.3
620218	WS50HM-20	1/2	115	1	60	15	26.9	1470	-	115	107	98	88	78	67	57	43	30	-	-	63	27.3
620219	WS50HAM-20	1/2	115	1	60	15	26.9	1470	-	115	107	98	88	78	67	57	43	30	-	-	63	27.3
620220	WS50HM-12-20	1/2	208-230	1	60	9.7	32.6	1540	-	115	107	98	88	78	67	57	43	30	-	-	63	27.3
620221	WS50HAM-12-20	1/2	208-230	1	60	9.7	32.6	1540	-	115	107	98	88	78	67	57	43	30	-	-	63	27.3
620222	WS100HM-12-20	1	208-230	1	60	13.6	46.9	2660	-	150	145	140	134	128	121	115	106	97	76	27	90	39
620223	WS100HAM-12-20	1	208-230	1	60	13.6	46.9	2660	-	150	145	140	134	128	121	115	106	97	76	27	90	39
620207	WS100HM-32	1	208-230	3	60	6.2/6.4	16.7	2340	-	150	145	140	134	128	121	115	106	97	76	27	90	39
620206	WS100HM-34	1	460	3	60	3.1	16.7	2000	-	150	145	140	134	128	121	115	106	97	76	27	90	39

Item No.	Model	Volts	Switch Type/ Operation	On Level	Off Level	Cord	Weight
620010	WS30M	115	Manual	-	-	20' - 6.1 m	51 lbs - 22.68 Kg
620000	WS30AM	115	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	53 lbs - 24.04 Kg
620231	WS50M-20	115	Manual	-	-	20' - 6.1 m	55 lbs - 24.95 kg
620233	WS50AM-20	115	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	57 lbs - 25.85 Kg
620251	WS50M-12-20	208-230	Manual	-	-	20' - 6.1 m	56 lbs - 25.40 Kg
620253	WS50AM-12-20	208-230	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	58 lbs - 26.31 Kg
620200	WS50HM	115	Manual	-	-	30' - 9.1 m	57 lbs - 35.85 Kg
620218	WS50HM-20	115	Manual	-	-	20' - 6.1 m	56 lbs - 25.40 Kg
620219	WS50HAM-20	115	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	58 lbs - 26.31 Kg
620220	WS50HM-12-20	208-230	Manual	-	-	20' - 6.1 m	56 lbs - 25.40 Kg
620221	WS50HAM-12-20	208-230	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	58 lbs - 26.31 Kg
620222	WS100HM-12-20	208-230	Manual	-	-	20' - 6.1 m	57 lbs - 25.85 Kg
620223	WS100HAM-12-20	208-230	Piggyback Mechanical Float Switch	Adjustable	-	20' - 6.1 m	59 lbs - 26.76 Kg
620207	WS100HM-32	208-230	Manual	-	-	30' - 9.1 m	62 lbs - 28.12 Kg
620206	WS100HM-34	460	Manual	-	-	30' - 9.1 m	62 lbs - 28.12 Kg

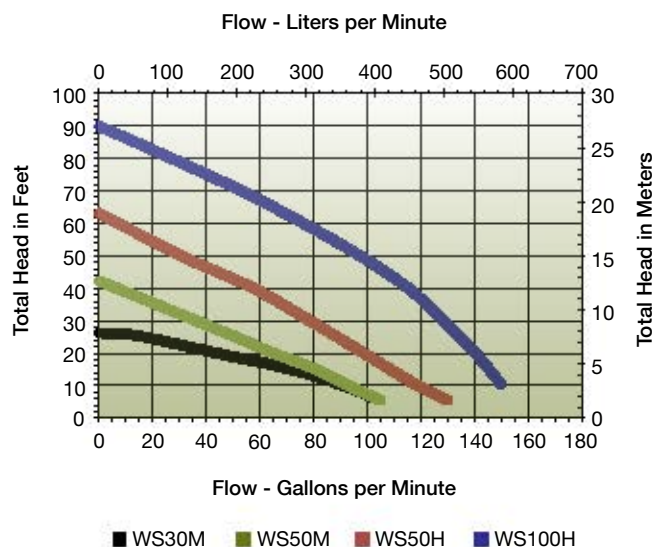
WS EFFLUENT SERIES 1/3 HP, 1/2 HP, 1 HP

ENGINEERING DATA



Model	A	B	C
WS30	11.25" 28.58 cm	4.68" 11.89 cm	9.38" 23.83 cm
WS50	13.75" 34.93 cm	4.68" 11.89 cm	9.38" 23.83 cm
WS50H	13.75" 34.93 cm	4.68" 11.89 cm	9.38" 23.83 cm
WS100H	13.75" 34.93 cm	4.68" 11.89 cm	9.38" 23.83 cm

PERFORMANCE DATA

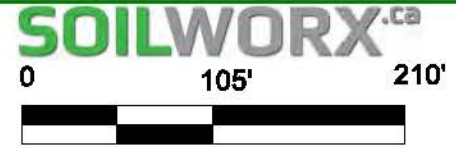


CONSTRUCTION

Motor Housing	Cast iron
Impeller Material	Cast iron
Impeller Type	Non-clog
Volute	Cast iron
Motor Shaft	Stainless steel
Shaft Seal	Carbon/ceramic
Fasteners	Stainless steel
Bearings	Upper and lower ball bearings
Power Cord	SJOW

APPENDIX D DETAILED SYSTEM SCHEMATICS AND DRAWINGS

DESIGN VIEW DETAILS
FOR: MIKE SHAH
255014 RR 282, ROCKYVIEW COUNTY
SHAH RENO



ALL DIMENSIONS ARE APPROX AND SCALED FOR 8.5"X11" PRINTED COPIES.

UNDERGROUND UTILITIES MAY OR MAY NOT BE PRESENT OR DEPICTED AT COMPLETION OF THIS DESIGN. CONTRACTOR IS ALWAYS RESPONSIBLE FOR OBTAINING CURRENT UTILITY LOCATES.

LEGEND

- GAS LINE**
- TREES/BUSHES**
- ELEVATION SHOTS**
- WELL WITH SETBACK**
- TANKS**

THE AREA INDICATED ABOVE FOR THE TREATMENT MOUND HAS THE LEAST AMOUNT OF ELEVATION CHANGE OVER THE LENGTH OF THE MOUND. INSTALLER/HOMEOWNER MAY CHANGE THE LOCATION (CLOSER TO THE HOME) IF NEEDED, HOWEVER COST OF SAND MAY INCREASE DUE TO LARGER DIFFERENCES IN ELEVATION.

General Separation Distances

SOP 2015 [8.2.2.1]
Soil-based treatment components
-not less than 90m (300') from the shore of a lake, river, stream, or creek

SEPTIC TANKS shall not be located within

- a) 10 m (33') from a water source,
- b) 10 m (33') from a water course,
- c) 1 m (3.25') from a property line
- [5 m (20') from a property line for ATU*]
- d) 1 m (3.25') from a building

*Exceptions: see SOP 2015 [5.2.2.1]

TREATMENT FIELDS, from any part of the lateral trench, shall not be located within

- a) 15 m (50') from a water source,
- b) 100 m (330') of a licenced municipal water well,
- c) 15 m (50') from a water course (except 2.1.2.4),
- d) 1.5 m (5') from a property line,
- e) 10 m (33') from a basement, cellar, crawlspace,
- f) 1 m (3.25') from a building that does not have a permanent foundation,
- g) 5 m (17') from a building that has a permanent foundation but does not have a basement, cellar, or crawlspace,
- h) 5 m (17') from a septic tank or packaged sewage treatment plant

TREATMENT MOUNDS shall not be located within

- a) 15 m (50') of a water source,
- b) 100 m (330') from a licenced municipal water well,
- c) 15 m (50') of a water course (except 2.1.2.4),
- d) 3 m (10') of a property line,
- e) 3 m (10') of a septic tank,
- f) 10 m (33') of a basement, cellar, or crawlspace
- g) 10 m (33') of a building that does not have a basement, cellar or crawlspace.

For complete setback distances, refer to SOP 2015 or current standard.

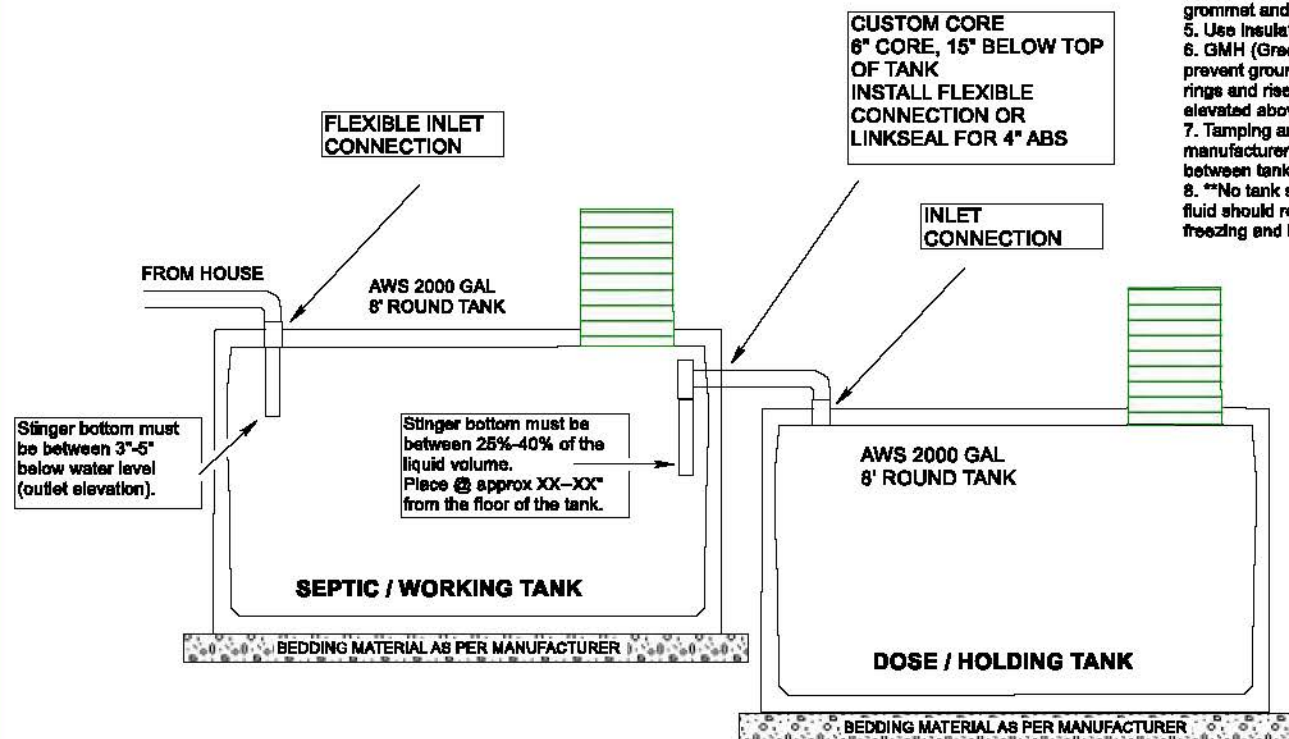


FILE NAME SHAHM.trv		DRAWING D1	
SCALE 105 Ft/In	DATE 9-14-2017	DRAWN BY CHAD W.	
JOB SHAH RENO	REVISION 1/1	SHEET 1/1	

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**TANK LAYOUT - AWS OPTION
FOR: MIKE SHAH
255014 RR 282, ROCKYVIEW COUNTY
SHAH RENO**

SOILWORX.ca



1. Flexible connections on all inlets. Min final 6' of sewer main must be ABS.
2. 4"x4" treated wood pipe supports for all piping and connections, and should extend to undisturbed soil.
3. Bedding material as per tank manufacturer specs. Do not overexcavate soil.
4. All connections must be watertight. When exiting through GMH, use rubber grommet and sealant to create a watertight through-hole.
5. Use insulated lids (R8) with tamper proof or locking mechanisms.
6. GMH (Green ManHole) recommended as riser material. Riser must be installed to prevent groundwater infiltration, usually min 12" above grade elevation. Use grade rings and riser adhesive for extensions. Risers and lids must be watertight and/or elevated above grade to avoid contact with seasonal runoff/snow pack.
7. Tamping and mechanical compaction is generally not recommended by manufacturers when backfilling. Use gravel or sand as fill material around and between tanks.
8. **No tank should be left empty between October and March. A minimum of 12" of fluid should remain in the tank to prevent the ground underneath the tank from freezing and heaving a tank, increasing the risk of cracking.

Initial Treatment Components - Septic Tanks

To be installed as per manufacturer's recommendations to ensure warranties.
All systems must include alarm, effluent filter, float mast.
Use flexible fitting from incoming sewer to tank inlet.
Last 6' of sewer line to tank inlet must be ABS.
Use pipe support system for inlet and outlet.

Main Notes - See SOP 2015 [4.2] for further details

- must be watertight [4.2.1.3]
- must be insulated (by earth or otherwise) to prevent from freezing [4.2.1.4., 4.2.2.6]
- manhole / access openings shall not be buried [4.2.2.3]
- access lids must be insulated (R8), airtight and secured or locked to prevent unauthorized access [4.2.2.4]
- must be an approved equipment as per current regulations

**MIN WORKING CAP: 2011 IMP GALS
RECOMMENDED TANK:
AWS 2000 8' ROUND**

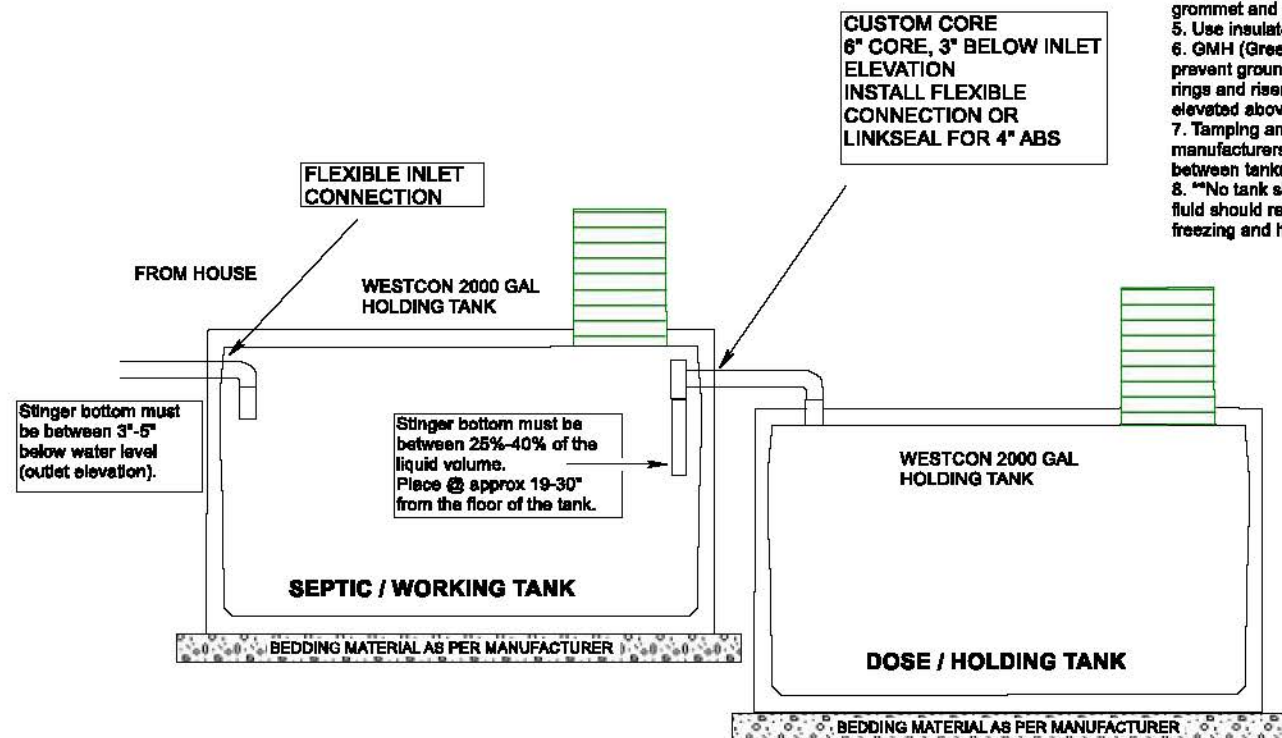
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SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	1/1	1/1	

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TANK LAYOUT - WESTCON OPTION FOR: MIKE SHAH 255014 RR 282, ROCKYVIEW COUNTY SHAH RENO

SOILWORX.ca

1. Flexible connections on all inlets. Min final 6" of sewer main must be ABS.
2. 4"x4" treated wood pipe supports for all piping and connections, and should extend to undisturbed soil.
3. Bedding material as per tank manufacturer specs. Do not overexcavate soil.
4. All connections must be watertight. When exiting through GMH, use rubber grommet and sealant to create a watertight through-hole.
5. Use insulated lids (R8) with tamper proof or locking mechanisms.
6. GMH (Green ManHole) recommended as riser material. Riser must be installed to prevent groundwater infiltration, usually min 12" above grade elevation. Use grade rings and riser adhesive for extensions. Risers and lids must watertight and/or elevated above grade to avoid contact with seasonal runoff/snow pack.
7. Tamping and mechanical compaction is generally not recommended by manufacturers when backfilling. Use gravel or sand as fill material around and between tanks.
8. "No tank should be left empty between October and March. A minimum of 12" of fluid should remain in the tank to prevent the ground underneath the tank from freezing and heaving a tank, increasing the risk of cracking.



Initial Treatment Components - Septic Tanks

To be installed as per manufacturer's recommendations to ensure warranties.
All systems must include alarm, effluent filter, float mast.
Use flexible fitting from incoming sewer to tank inlet.
Last 6" of sewer line to tank inlet must be ABS.
Use pipe support system for inlet and outlet.

Main Notes - See SOP 2015 [4.2] for further details

- must be watertight [4.2.1.3]
- must be insulated (by earth or otherwise) to prevent from freezing [4.2.1.4., 4.2.2.6]
- manhole / access openings shall not be buried [4.2.2.3]
- access lids must be insulated (R8), airtight and secured or locked to prevent unauthorized access [4.2.2.4]
- must be an approved equipment as per current regulations

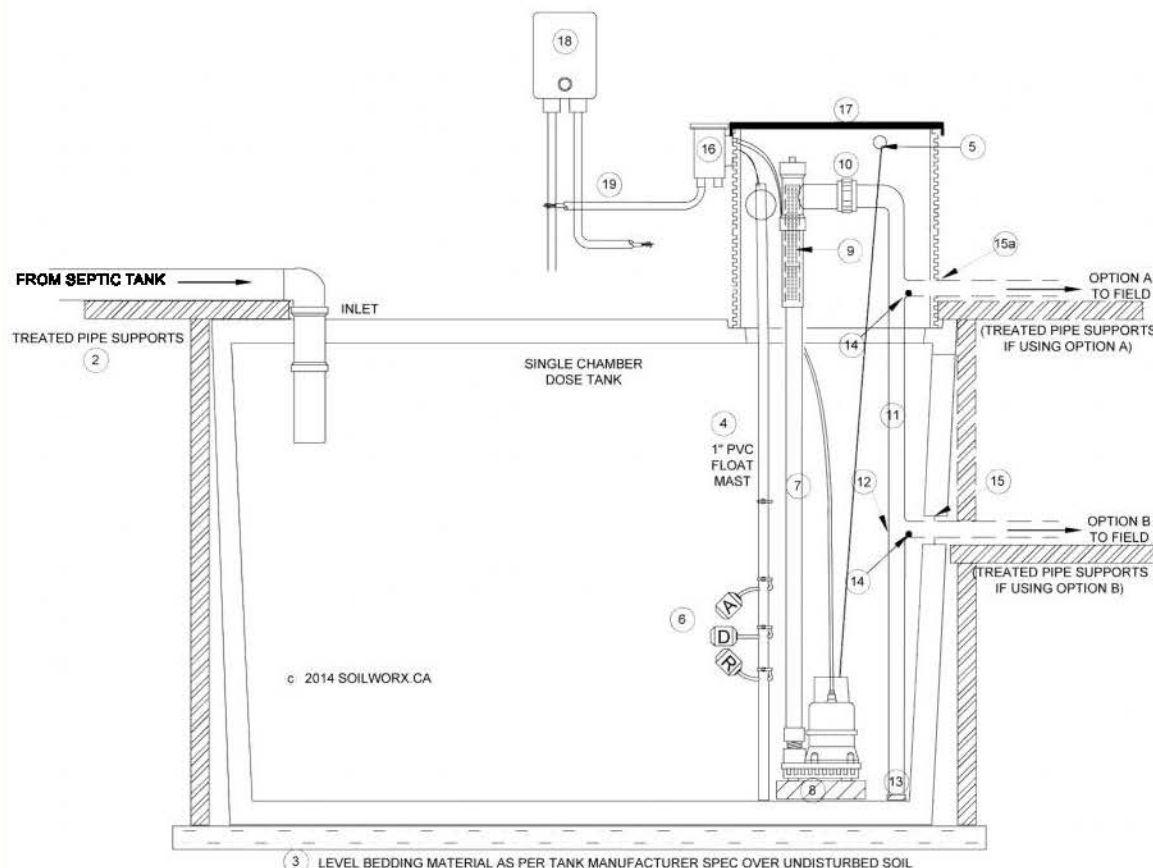
**MIN WORKING CAP: 2011 IMP GALS
RECOMMENDED TANK:
WESTCON 2000**

FILE NAME SHAHM.trv		DRAWING D2AK	
SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	1/1	1/1	

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TYPICAL DOSE / HOLDING TANK DETAIL FOR: MIKE SHAH 255014 RR 282, ROCKYVIEW COUNTY SHAH RENO

SOILWORX.ca



1. Flexible boot on inlet. Min final 6' of sewer main must be ABS.
2. 4"x4" treated wood pipe supports extend to undisturbed soil.
3. Bedding material as per tank manufacturer specs. Do not overexcavate soil.
4. 1" PVC float mast extends from tank bottom to GMH. Attach 1" orifice shield to GMH using screws, and secure float mast into orifice shield. Secure floats to mast using float tethers or equivalent. Use electrical tape to secure lines up mast.
5. Attach nylon rope to pump handle, and attach to o-ring in GMH, or alternatively to pipe near union. Rope to be used to lift and lower pump for servicing.
6. Floats. [A] Alarm. [D] Dose. [R] Redundant off/Low Level Alarm (Optional).
7. Sch40 PVC supply line from pump. Use appropriate MIPTxSLIP adapter and teflon tape to mate pump outlet and required pipe. Do not lift pump using supply line
8. Pump block to be used to elevate pump from tank floor.
9. Effluent filter required. SimTech STF-100A2 recommended.
10. Union to facilitate removal of pump for servicing. Install inside of manhole at a level easily accessible from grade level, however preferably below grade.
- 11,12,13. Sch40 PVC supply line down to tank outlet (normally cast-in brass or PVC fitting). Place a "T" at appropriate level so that outlet pipe is sloped inwards to tank. Continue other end of "T" with PVC pipe to floor and install cap. This is to support outlet pipe. OPTIONAL AS PER INSTALLER : Outlet may exit through manhole if required. Outlet MUST be watertight. Use rubber grommet and/or sealant as necessary.
14. Drainback orifice. 1/4" unless other specified. Drilled at lowest level of horizontal supply line section for drainback.
15. Precast tank outlet (brass or PVC) as per manufacturer. Must be watertight. If supply line to exit through manhole, be sure to cap and seal this outlet.
- 15a. When exiting through GMH, use rubber grommet and sealant to create a watertight through-hole.
16. External watertight splice box. Install as per manufacturer instructions. Use waterproof connections on all electrical splices.
17. Insulated lids (R8) with tamper proof or locking mechanism.
18. Alarm / Control Box (as required). To be mounted on a treated wood post or similar high enough to clear seasonal ground water/snow contact. May also be mounted inside home where alarm is easily heard. Recommended to use a common circuit (i.e. kitchen lights) for alarm or pump, this way homeowner will know quickly if there is no power to pump or alarm.
19. Electrical connections to be made by a qualified professional. Use conduit or approved underground wiring.
20. GMH (Green ManHole) recommended as riser material. Riser must be installed to prevent groundwater infiltration, usually min 12" above grade elevation. Use grade rings and riser adhesive for extensions. Risers to be elevated above grade to avoid contact with seasonal runoff/snow pack.
21. Tamping and mechanical compaction is generally not recommended by manufacturers when backfilling.
22. **No tank should be left empty between October and March. A minimum of 12" of fluid should remain in the tank to prevent the ground underneath the tank from freezing and heaving a tank, increasing the risk of cracking.

Initial Treatment Components - Septic Tanks

To be installed as per manufacturer's recommendations to ensure warranties.
All systems must include alarm, effluent filter, float mast.
Use flexible fitting from incoming sewer to tank inlet.
Last 6' of sewer line to tank inlet must be ABS.
Use pipe support system for inlet and outlet.

Main Notes - See SOP 2015 [4.2] for further details

- must be watertight [4.2.1.3]
- must be insulated (by earth or otherwise) to prevent from freezing [4.2.1.4., 4.2.2.6]
- manhole / access openings shall not be buried [4.2.2.3]
- access lids must be insulated (R8), airtight and secured or locked to prevent unauthorized access [4.2.2.4]
- must be an approved equipment as per current regulations

SUGG DOSE TANK CAPACITY: 2000 IMP GALS
REQ'D PRESSURE HEAD: ~38 FT
REQ'D FLOW : 50 US GALS/MIN
MAX DOSE (FIELD): 144 IMP GAL*
DEMAND/TIMED: TIMED (MAX DOSE)
***values include supply line volume calculations**

FILE NAME		DRAWING	
SHAHM.trv		D2B	
SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	1/1	1/1	

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FLOAT SETTINGS - DOSE TANK **FOR: MIKE SHAH** **255014 RR 282, ROCKYVIEW COUNTY** **SHAH RENO**

SOILWORX.ca

SETTINGS BASED ON:

TANK MODEL: AWS 2000 8' ROUND
HOLDING TANK

PUMP MODEL: WS50H

SUPPLY LINE: 300 FT

DOSE TANK CAPACITY: 2000 IMP GAL

DOSE TANK VOLUME : 21 IMP GAL/INCH

MAX WATER HT: 88 "

SUPPLY LINE LIQUID VOL: 44 IMP GAL

LATERAL LINES LIQUID VOL: 11 IMP GAL

PUMP + BLOCK TOTAL HT: 20 "

MAX DOSE REQ'D: 144 IMP GAL

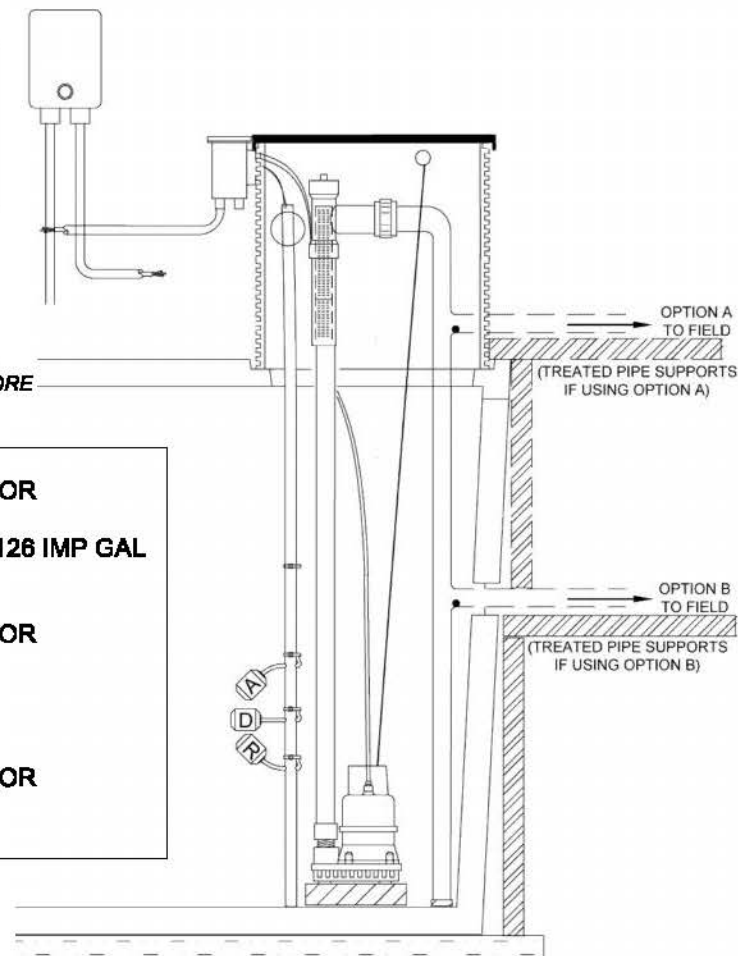
THIS DESIGN INCORPORATES A "MAX DOSE" TYPE SETUP. A MAXIMUM OF 500 IMP GALS CAN BE SENT TO THE TREATMENT MOUND EACH DAY. A CONTROL PANEL MUST BE USED. SEE "MAX DOSE SETUP" DOCUMENT FOR CONTROL AND TIMER SETTINGS.

**THE SETTINGS BELOW ARE BASED ON USING STANDARD MECHANICAL-TYPE FLOATS IF SIGNAL-TYPE FLOATS ARE USED, THESE SETTINGS ARE NOT VALID. ALWAYS CONFIRM THE FLOAT TYPE BEFORE INSTALLATION.*

A - HIGH LEVEL ALARM FLOAT
--TETHER HEIGHT: 75" FROM FLOOR
--TETHER LENGTH: 4"
=EMERG STORAGE ABV ALARM: 126 IMP GAL

D - TIMED DOSE FLOAT
--TETHER HEIGHT: 30" FROM FLOOR
--TETHER LENGTH: 4"
=TETHER TRAVEL: 6"

R - REDUNDANT OFF FLOAT
--TETHER HEIGHT: 25" FROM FLOOR
--TETHER LENGTH: 4"
=TETHER TRAVEL: 6"



Initial Treatment Components - Pump/Dose Chamber

Pump/Dose Chamber Capacity:

FOR DEMAND DOSES: Must accommodate a single dose @ avg flow @ max occupancy (pressure or gravity).

FOR TIMED DOSES: Must accommodate Peak Daily Flow. Recommended 2x @ avg flow @ max occupancy.

DOSING VALUES:

PRESSURE

(SOP2015 2.6.2.3) -Dose volume in pressure distribution shall be at least 5 times the volume of the distribution laterals;

(SOP 8.4.1.10 (1)) -Dose volume shall not exceed 20% of the average daily effluent volume]

GRAVITY

(SOP2015 6.2.1.4 (1)(B)) - A treatment field utilizing gravity distribution ... shall receive a dose within the range of 0.07 to 0.25 imp gal per sq ft of weeping lateral trench per dose.

*Dosing values given include estimated supply line volumes, if applicable. Installer to confirm all values upon installation.

FILE NAME		DRAWING	
SHAHM.trv		D2CM	
SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	1/1	1/1	

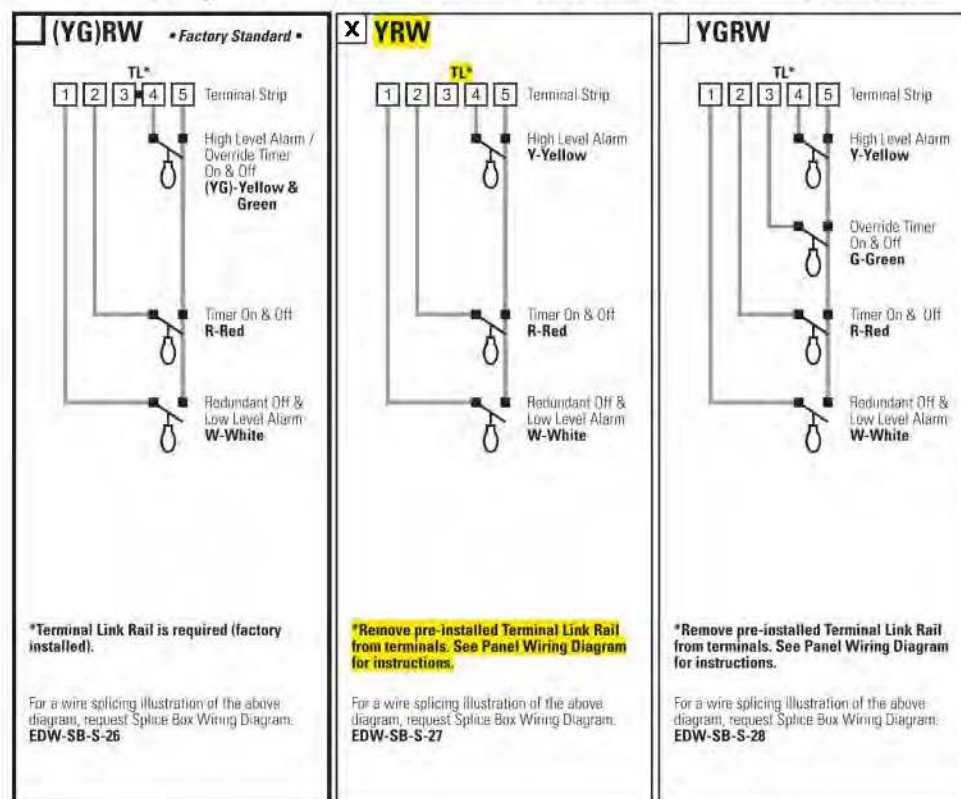
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ORENCO MVP CONTROL PANEL - MAX DOSE SETUP
FOR: MIKE SHAH
255014 RR 282, ROCKYVIEW COUNTY
SHAH RENO
"MAX DOSE" CONFIGURATION

MAX DAILY DOSE TO THE TREATMENT MOUND:
500 IMP GALS

Float Arrangement Diagram

Check the appropriate box for the float function (color code) used in your system.



Float Types

Typical Orenco float model: A
 Specs: contact - normally open differential - no minimum power rating - signal
 Possible substitutions: B,C,D

MAX DOSE SETUP:

1) CALIBRATE PUMP DISCHARGE. ACTUAL PUMP GPM OUTPUT MUST BE ACCURATE. RECOMMENDED METHOD: USE HIGH PRESSURE VALVES ON EACH LATERAL TO ADJUST ORIFICE DISCHARGE TO 5' SQUIRT HEIGHT. **SQUIRT HEIGHTS MUST BE ACCURATE, AND MUST BE CHECKED ANNUALLY OR SEMI-ANNUALLY** TOTAL ORIFICE DISCHARGE WILL BE 0.34 IMP GAL/MIN. 112 ORIFICES x 0.34 GPM = 38.1 GPM.

2) SETUP MVP CONTROL PANEL USING YRW CONFIG. REMOVE TERMINAL RAIL LINK BETWEEN 3-4. THIS DISABLES TIMER OVERRIDE AND DOES NOT ALLOW ADDITIONAL DOSING IN THE EVENT OF A HIGH LEVEL ALARM. **THIS STEP IS CRITICAL TO THE PROPER OPERATION*

3) PROGRAM PLC. EACH DOSE 144 IMP GALS (INCLUDES SUPPLY LINE VOLUME).
 →PUMP RUN TIME: 3.8 MINS (227 SEC)
 →DELAY BETWEEN PUMP CYCLES: 284 MINS (4.7 HRS). THIS WILL GIVE 5 DOSES OVER 24 HRS.

4) FOR ADDED SECURITY, SET OVERRIDE TIMER ON AND OFF TO SAME SETTINGS AS TIMER ON/OFF (3.8 MINS PUMP ON, 284 MINS PUMP OFF)

**THIS PANEL AND CONFIGURATION MUST BE LABELLED CLEARLY AS A MAX DOSE SETUP. LEAVE A COPY OF THIS PAGE INSIDE THE PANEL.

***ANY ADJUSTMENTS MUST BE MADE BY A PROFESSIONAL. DOSE ADJUSTMENTS MUST NOT EXCEED 500 IMP GALS/DAY; OTHERWISE THE SYSTEM WILL BE OPERATING OUTSIDE OF REGULATIONS AND THE FIELD MAY BE IRREPAIRABLY DAMAGED.

FILE NAME		DRAWING
SHAHM.trv		D2MAX
SCALE	DATE	DRAWN BY
N/A	9-14-2017	CHAD W.
JOB	REVISION	SHEET
SHAH RENO	1/1	1/1

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Control Panel Series *Diagram courtesy of Orenco Systems, Inc.*

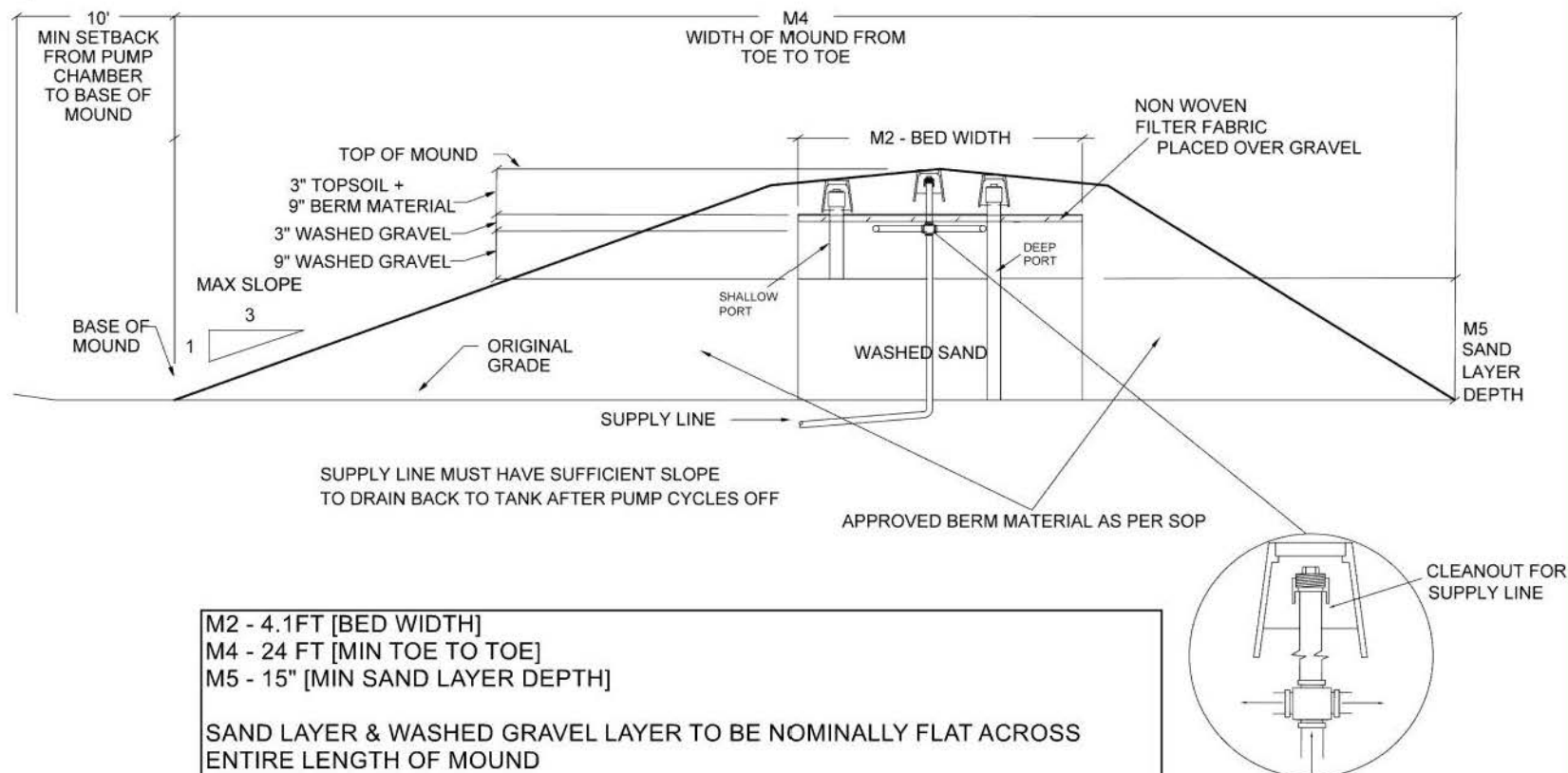
MVP-S DM (Timed Dose)

Drawing No.

EDW-FA-S-24

X-SECTION MOUND [ROCK&PIPE] FOR: MIKE SHAH 255014 RR 282, ROCKYVIEW COUNTY SHAH RENO

SOILWORX.ca



M2 - 4.1FT [BED WIDTH]
M4 - 24 FT [MIN TOE TO TOE]
M5 - 15" [MIN SAND LAYER DEPTH]

SAND LAYER & WASHED GRAVEL LAYER TO BE NOMINALLY FLAT ACROSS
ENTIRE LENGTH OF MOUND

***INSULATION (SUCH AS STRAW OR EQUIVALENT) SHALL BE USED TO PROTECT
LATERALS FROM FREEZING WHEN INSTALL OCCURS IN LATE FALL AND GRASS
COVER WILL NOT BE PRESENT OVER THE WINTER***

Treatment Mound Details

SOP 2015 [8.4.2.1]
Soil-based treatment components
-not less than 90m (300') from the shore of a lake, river, stream, or creek

TREATMENT MOUNDS shall not be located within
a) 15 m (50') of a water source or water well,
b) 100 m (330') from a licensed municipal water well,
c) 15 m (50') of a water course,
d) 3 m (10') of a property line,
e) 3 m (10') of a septic tank,
f) 10 m (33') of a basement, cellar, or crawlspace
g) 10 m (33') of a building that does not have a basement, cellar or
crawlspace.
For complete setback distances, refer to SOP or current standard.

NOTES

- Not to scale
- Topsoil (LOAM) to be seeded to grass
- 3:1 Max Slope assumed
- Monitoring Ports req'd: 2x deep ports to be placed at 1/4 length of each end of the sand layer, but not more than 15' from each end. 2x shallow ports within 5' from ends.

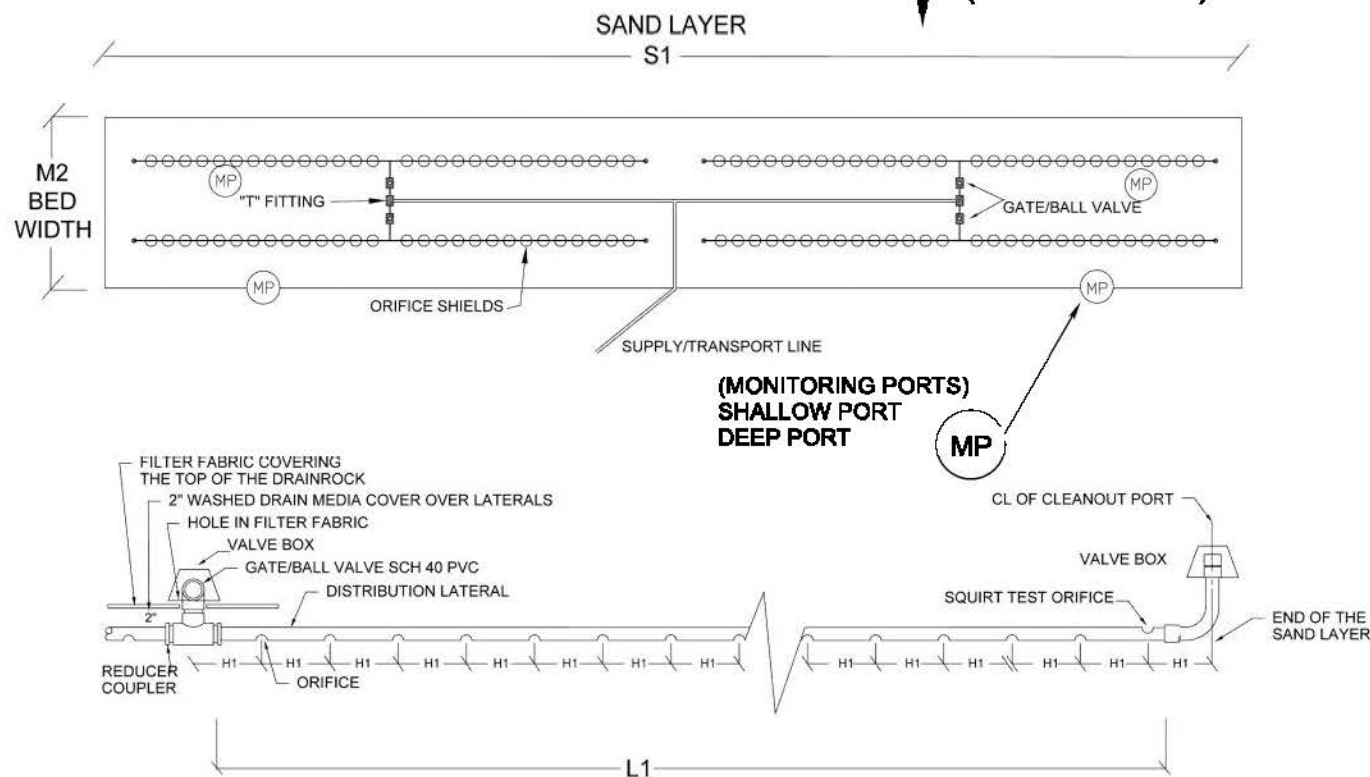
BERM FILL MATERIAL - as per SOP2015 8.4.2.7
WASHED GRAVEL/DRAIN MEDIA - as per SOP2015 8.4.2.5, 8.4.3.2
MIN 12" WASHED SAND* - as per SOP2015 8.4.2.3, 8.4.3.1

****PLEASE REVIEW M5 VALUE FOR MINIMUM SAND LAYER DEPTH
REQ'D**

FILE NAME SHAHM.trv		DRAWING D3A	
SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	1/1	1/1	

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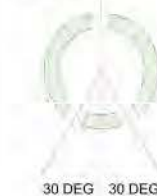
LAYOUT- MOUND [ROCK&PIPE] FOR: MIKE SHAH 255014 RR 282, ROCKYVIEW COUNTY SHAH RENO



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ORIFICE SIZE 1/8"
ORIFICES DRILLED OFF
CENTER.
HOLES DRILLED
ALTERNATIVELY RIGHT
AND LEFT OF CENTER.
ALL ORIFICES FACING DOWN
EXCEPT FOR SQUIRT TEST
HOLES AT EACH LATERAL END.
ORIFICE SHIELDS ON ALL.

180 DEG



FOR DRILLING ORIFICES
USE A NEW DRILL BIT

M2 - 4.1 FT [BED WIDTH]
S1 - 147 FT [SAND LAYER LENGTH]
L1 - 36.5 FT [LATERAL LENGTH]
H1 - 2.5 FT [ORIFICE SPACING]

DISTRIBUTION LATERALS:

1" SCH40 PVC PIPE
8 x 36.5 FT LATERALS
14 x 1/8" ORIFICES PER LATERAL
112 TOTAL ORIFICES
ORIFICE SHIELDS ON ALL ORIFICES
ORIFICES POINTING DOWN
*ORIFICES MUST POINT UP IF NOT ENCASED
IN DRAIN MEDIA*

SUPPLY LINE:

2" SCH40 PVC
MUST HAVE SUFFICIENT SLOPE TO DRAIN
BACK TO TANK AFTER PUMP CYCLES OFF

Treatment Mound Details

SOP 2015 [8.2.2.1]

Soil-based treatment components

-not less than 90m (300') from the shore of a lake, river, stream, or creek

TREATMENT MOUNDS shall not be located within

- 15 m (50') of a water source,
- 15 m (50') of a water course,
- 3 m (10') of a property line,
- 3 m (10') of a septic tank,
- 10 m (33') of a basement, cellar, or crawlspace
- 10 m (33') of a building that does not have a basement, cellar or crawlspace.

For complete setback distances, refer to current standard.

NOTES

- Review SOP2015 8.4.2.4 for sand placement guidelines
 - Topsoil to be seeded to grass
 - 3:1 Max Slope assumed
 - Monitoring Ports : 2 shallow ports req'd, within 5 ft of each end. 2 deep ports req'd, within 15 ft of each end.
 - The long axis of the sand layer is to be oriented at 90° to the slope direction
- BERM FILL MATERIAL - as per SOP2015 8.4.2.7
WASHED GRAVEL/DRAIN MEDIA - as per SOP2015 8.4.2.5, 8.4.3.2
MIN 12" WASHED SAND* - as per SOP2015 8.4.2.3, 8.4.3.1

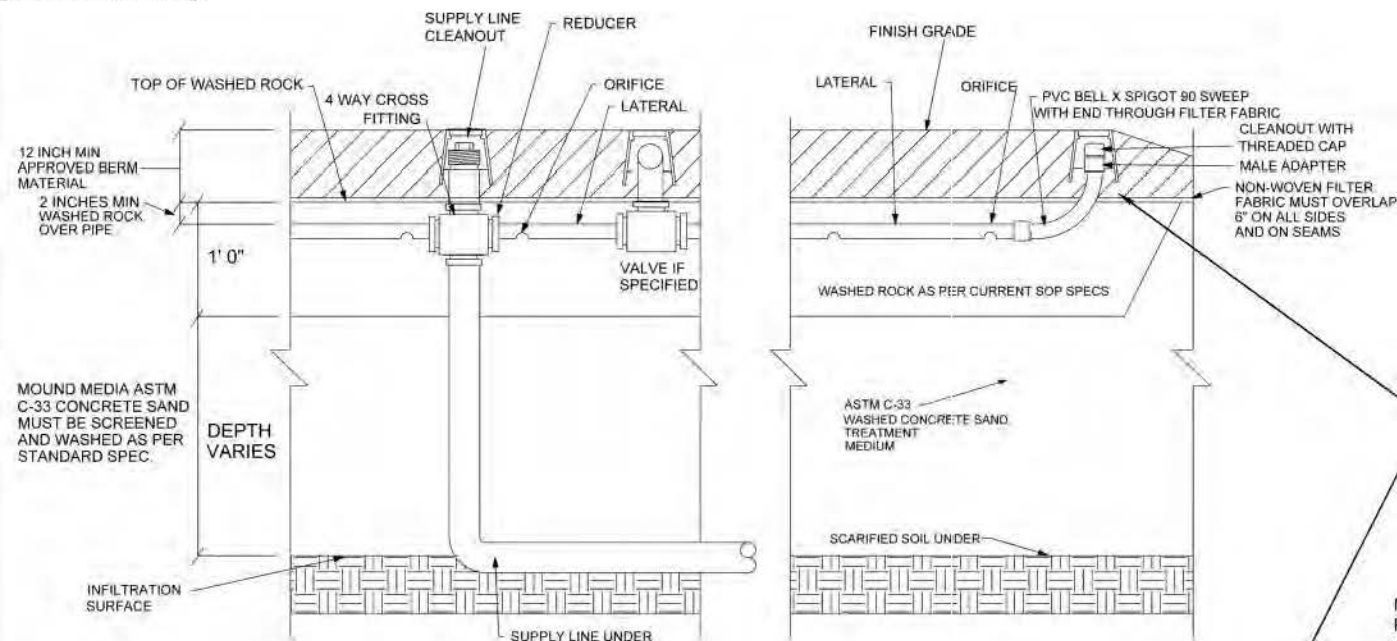
**PLEASE REVIEW M6 VALUE FOR MINIMUM SAND LAYER DEPTH
REQ'D

FILE NAME		DRAWING	
SHAHM.trv		D3CSH	
SCALE	DATE	DRAWN BY	
N/A	9-14-2017	CHAD W.	
JOB	REVISION	SHEET	
SHAH RENO	2	1/1	

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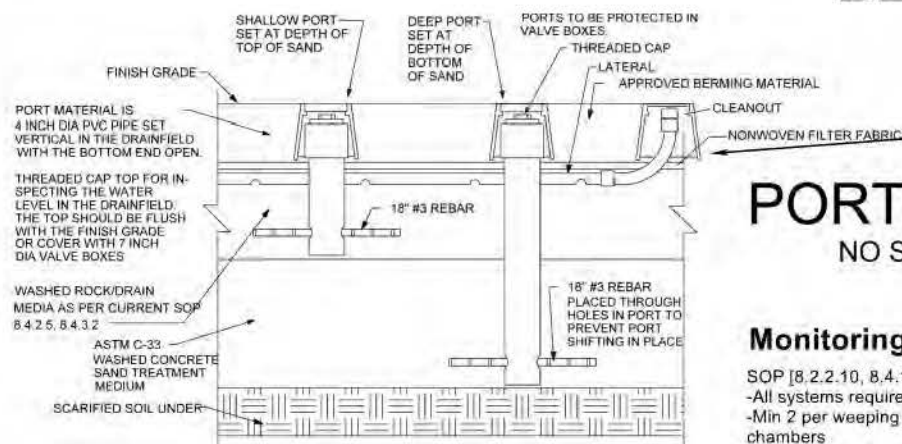
**BED, PORT, CLEANOUT DETAILS
FOR: MIKE SHAH
255014 RR 282, ROCKYVIEW COUNTY
SHAH RENO**

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BED DETAIL
NO SCALE

MONITORING PORTS AND CLEANOUTS ARE TO BE PROTECTED WITH 7" DIA VALVE BOXES AS SHOWN - ENSURE AT LEAST A TENNIS BALL CLEARANCE TO PROTECT THE PIPING FROM DAMAGE FROM VEHICLE TRAFFIC.



PORT DETAIL
NO SCALE

Monitoring Ports

SOP [8.2.2.10, 8.4.1.12]
-All systems require monitoring ports.
-Min 2 per weeping tile trench or continuous row of chambers
-FOR SAND TREATMENT MOUNDS - must be installed to monitor (a) top of sand layer and (b) sand layer/in-situ soil surface boundary. **Min of 4 monitoring ports needed for treatment mounds** (2x shallow ports + 2 deep ports).

MONITORING PORTS FOR SAND TREATMENT MOUNDS:
Shallow ports: one at each end, within 5 feet from each end
Deep ports: one at each end, within 15 feet from each end

FILE NAME SHAHM.trv		DRAWING D3DC	
SCALE N/A	DATE 9-14-2017	DRAWN BY CHAD W.	
JOB SHAH RENO	REVISION 1/1	SHEET 1/1	

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APPENDIX E

SYSTEM DESIGN WORKSHEETS

Peak Flows and Tank Sizing

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1. Client and Project Information			
Date	24 AUG 2017	Project	SHAW RESIDENCE
Client	MIKE SHAH		
Legal Land Description	SW-35-25-28-W4		
Mailing Address		City	
Province / Postal Code		Lot Size	20 ACRES
Tel #	403-975-8069	Email	admin@najeed.ca
# Bedrooms	8	# Current Occupants	8
Est BOD (mg/L)	220	----->	220
Est TSS (mg/L)	220	----->	220
Est S/S (gal/3 yr)	1056	----->	1056

2. Standard Fixture Units	FU's	Amount	Total FU's	4. Calculation Summary
Bathroom group	6	5	30	Peak Flow 900
Basin/Sink	1		0	Add'l Flow 55
Toilet (Water Closet)	4		0	Subtotal PF 955
Bathtub	1.5		0	Food Grinder 0
Kitchen Sink	1.5	3	4.5	H2O Softener 0
Laundry Standpipe	2	3	6	TOTAL PF (ig) 955.0
Laundry Tray	----	----	----	
(one or two compartment)	1.5	1	1.5	
Single Head Shower	1.5		0	5. Tank Summary
2 or 3 heads (shwr)	3		0	Min Work. Cap (ig) 2011.0
4 or 3 inch Floor Drain	3		0	Actual Work. Cap (ig) 2000
2 inch	2	1	2	HRT (days) 0.99
Bidet	1		0	Recommended Tank
Other – RO Unit + Filter	3		0	WC 2000 OR AWS 2000 (8)
Total FU's			44	
FU's allowed per reg's	39			
Add'l FU's	5			
Add to Peak Flow (Imp Gal)	55	(11 gal per add'l FU)		

3. Standard Additional Flows	Value	Volume	Add to PF	Add to S/S	Add to BOD	Add to TSS
Soaker Tub(s) TOTAL IMP GALLONS	0	0	0	N/A	N/A	N/A
Water Softener (add 15% to PF)	0	N/A	See top right	N/A	N/A	N/A
Food Grinder (add 5%/50%/30%/30%)	0	N/A	See top right	0	0	0
Other						
Add to Peak Flow (Imp Gal)	N/A	55	55			
Totals			55	0	0	0
**Discharge/Regen from RO Units, water softeners, iron filters, etc must not enter the wastewater system						

MIKE SHAH	SHAW RESIDENCE	SW-35-25-28-W4
-----------	----------------	----------------

Peak Flows & Tank Sizing

Treatment Mound Area Sizing

SHAW RESIDENCE

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All liquid volumes are Imperial gallons, and expressed below as "gals", unless otherwise noted.

A ADJUSTED PEAK volume of sewage per day (Peak Flow)

Flow calculations and additional allowances

500 Imp gals/day

(2.2.2.2)

B Treatment area required for sand layer

Peak Flow (A) / Sand Layer Loading Rate

500 gal/day / 0.83 gal/sqft/day

602.4 sq ft

(8.4.1.4)

C Length of the sand layer

Peak Flow (A) / Hydraulic Linear Loading Rate (if applicable)

500 gal/day / 3.4 gal/day/lin.ft.

147.1 ft

(Table A.1.E.1)

D Width (min) of the sand layer

Area of sand layer (B) / Length of the sand layer (C)

602.4 sq ft / 147.059 ft

4.1 ft

E Height (min) of the sand layer

Min height/depth of the sand layer (at any point) to maintain proper vertical separation

15 inches

1.3 ft (converted)

F Design soil info and effluent loading rate

Texture

CLAY LOAM

Structure

BK

Grade

2

Loading Rate

0.45 Imp gals/ft²/day

(Table A.1.E.1)

G Required soil infiltration area

Peak Flow (A) / Soil effluent loading rate (F)

500 gal/day / 0.45 gal/sqft/day

1111.1111111111 sq ft

H Required soil infiltration area width

Required infiltration area (G) / Length of sand layer (C)

1111.11 sq ft / 147.059 ft

7.5555555556 ft

I Slope of installation site

If slope exceeds 1%, proceed to K. If slope is >1%, proceed to J

1 %

For slopes of 1% or less

J Toe to Toe width of the mound

Width based on 3:1 slope requirement OR Width of area required Infiltration area within berm, whichever is greater

24 ft OR 7.5 ft

24 ft

(8.4.2.9)

Proceed to N

For slopes exceeding 1%

K Width of the sand layer + downslope berm

Downslope berm width (min 3:1) + Width of sand layer (D)

10.28 ft + 4.1 ft = 14.4 ft

Width of req'd infiltration area under sand layer and downslope berm OR Width of req'd soil infiltration area (H), whichever is greater

14.4 ft OR 7.6 ft

ft

L Width of upslope berm

Width based on 3:1 slope requirement minimum

ft

Treatment Mound Area Sizing

Toe to Toe width of the mound

Width of sand layer + downslope berm (K) + Width of upslope berm (L)

0 ft + 0.0 ft

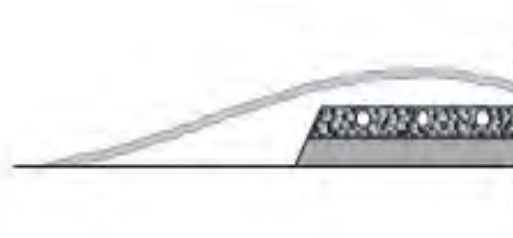
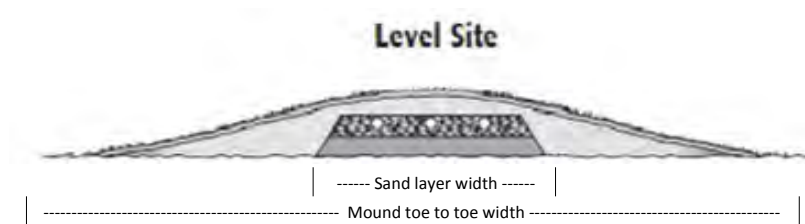
0.0 ft

Proceed to N

N Summary

Sand layer	Sand layer	Sand layer	Slope
Height / depth (in)	Width (ft)	Length (ft)	(%)
15	4.1	147	1

Mound	Mound
Minimum toe to toe width of the mound (ft)	Approx overall height of mound (in)
24	39



Based on:

3	inches topsoil
9	inches berm material
12	inches drain media
15	inches of sand media
39	inches of total height (minimum)

See Appendix for further detailed drawings

Treatment Mound Area Sizing

Pressure Distribution Calculations

SHAW RESIDENCE

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A Pressure head to be maintained at the orifices (Squirt Height)

<3/16" = 5 ft Minimum; >3/16" = 2 ft Minimum – (2.6.2.5)

5 ft

(2.6.2.5)

B Orifice Sizing

See 2.6.1.5(1)(e)

1/8 inch

(2.6.1.5(1)(e))

C # of Orifices and Orifice Spacing

Req'd trtmt area

602.41 sq ft

Length of each lateral

36.5 ft

of laterals

8

*5ft max primary treated effluent, *3ft max secondary treated effluent,

*3ft max sandy textured soils, *2ft max LFH At-grade systems

Orifice Spacing

of orifices

of orifices

1 orifice per

2.5 ft

14 per lateral

112 total

5.4 sq ft

(2.6.1.5, 2.6.2.2, 8.1.1.8)

D Lateral (Distribution) Pipe Sizing

If distribution laterals are of differing lengths, each lateral must be considered separately.

Orifice Diameter

1/8 in

Length of each lateral

36.5 ft

1 inch

(Table A.1.A)

E Total Flow from all orifices

Total # Orifices X Gal/min for each orifice at Head Pressure selected

112 orifices X 0.34 Imp gals/min = 38.1 Imp gals/min

38.1 Imp gals/min

(Table A.1.B)

F Supply (Delivery) Pipe Sizing

Friction loss values from Tables A.1.C.1 to A.1.C.4 in between the bolded lines ensure a flow velocity between 2 to 5 feet per second. The pipe size will affect the amount of friction loss the pump must overcome to deliver effluent. A larger pipe size reduces pressure loss

inch

SCH 40 PVC (type of pipe)

(Tables A.1.C.1 – A.1.C.4)

G Pressure Loss due to Fittings

Determine the equivalent length of pipe to allow for friction loss due to fittings in the system

	# of fittings	Friction Loss	Total
90 Elbow	4	5.7	22.8
45 Elbow		2.6	0
Gate/Ball Valve	1	1.5	1.5
TOR		4.3	0
TOB	3	12	36
MIP	2	4.5	9

=

Total Equivalent Length of pipe to allow for fittings in piping system 69.3 ft

69.3 ft

H Equivalent Length of Pipe (Supply + Fittings)

Length of pipe from pump to header to distribution laterals + fittings

300 ft

+ 69.3 ft = 369.3 ft

369.3 ft

I Total Supply (Delivery) Piping Pressure Head Loss Loss due to Pipe + Fittings

Equivalent Length of Pipe / 100 x Friction Loss per 100ft of pipe

3.693 ft x 3.4 = 12.5562 ft

12.6 ft

(Tables A.1.C)

(Use total flow volume value)

J Total Pressure Head Req'd for the Pump (Minimum)

	Head Loss (ft)		Head Loss (ft)
Supply Line + Fittings	12.6	Squirt Height	5
Lift from tank to orifices	18	Inline Filter	1
1' along laterals	1	TOTAL P.H. (ft)	37.5562

37.6 ft

Pressure Distribution Calculations

K Total Flow Requirement for the Pump (Minimum)

Determine flow using Head Pressure at Drain Back Orifice + Flow from all lateral orifices

Drainback hole size

1/4 inch

3.88 Imp gals/min

+

38.1 Imp gals/min

=

42.0 Imp gals/min

42.0 Imp gals/min

(Use Total Pressure Head Req'd to

find drainback flow from Extended Table A.1.B.1)

L # OF ZONES within the system

1 zone(s)

M SUMMARY – Pressure Distribution Requirements

Required Flow Rate @ Required Pressure Head

42.0 Imp gals/min

@

37.6 ft

42.0 Imp gals/min

x

1.2 =

50 US gals

PER ZONE : (1) ZONE(S) TOTAL

TOTAL REQ'D PRESSURE HEAD	TOTAL REQ'D FLOW
38 ft	50 US gals/min

RECOMMENDED PUMP
LITTLE GIANT WS50H



Septic System Design & Install

403-888-8870

WWW.OURLIFEISCRAP.COM

INVOICE

To: 1064655 Alberta Limited

403-975-8069

[admin <admin@najeed.ca>](mailto:admin@najeed.ca)

Date November 03 2017

Re; Septic System

SHAH Res

255014 Rg Rd 282 Rocky View

Near Delacour

INVOICE # 2017-71

Description	Unit Price	Amount
As per our quote we installed the twin 2000 holding/ septic tanks		\$ 31,790.00
and raised sand mound with sand layer of 4.1' X 148' LF		
Note System fees to be paid to Westcon Precast by Visa		
Credit to be applied to Grayline Contracting Account and		
this invoice amount.		
	SUB TOTAL	\$ 31,790.00
This project is fully paid and completed -Thanks		
November 10/2017	GST	\$ 1,589.50
	TOTAL	\$ 33,379.50

Make all checks payable to Grayline Contracting Ltd.

1 Winters Way Okotoks Alberta T1S-1W9

GST # 132021205



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: August 28, 2019 **DIVISION:** 7

FILE: 06726018 **APPLICATION:** B-4; PRDP20191456

SUBJECT: Keeping of Livestock

PROPOSAL: For the keeping of livestock at densities no greater than two (2) animal units per 3.95 acres, specifically from 1 to 2 animal units (horses)	GENERAL LOCATION: Located approximately 0.21 km (1/8 mile) east of Hwy. 766 and on the south side of Big Hill Springs Estates
APPLICATION DATE: May 7, 2019	DEVELOPMENT AUTHORITY DECISION: Approved
APPEAL DATE: July 30, 2019	DEVELOPMENT AUTHORITY DECISION DATE: July 9, 2019
APPELLANT: Georgie Alexon	APPLICANT: Jim Hutchins & Elizabeth Whyte
LEGAL DESCRIPTION: Lot 15 Block 1, Plan 0912532, SW-26-26-03-W05M	MUNICIPAL ADDRESS: 61 BIG HILL SPRINGS ESTATES
LAND USE DESIGNATION: Residential Two District (R-2)	GROSS AREA: ± 5.02 acres
PERMITTED USE: Keeping of livestock is a discretionary use in accordance with Section 24 of the Land Use Bylaw.	DEVELOPMENT VARIANCE AUTHORITY: The Development Authority may double the animal units permitted on a parcel in accordance with Section 24 of the Land Use Bylaw.
PUBLIC SUBMISSIONS: The application was circulated to twenty seven (27) adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application, excepting the appeal.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> •County Plan •Land Use Bylaw

EXECUTIVE SUMMARY:

The subject land is included in the Residential Two District (R-2), located approximately 0.21 km (1/8 mile) east of Hwy. 766 and on the south side of Big Hill Springs Estates. There is an existing dwelling on the subject lands and surrounding parcels are generally country residential and agricultural.



On May 7, 2019, the Applicant submitted a Development Permit application to double the animal units permitted on the subject lands from one (1) to two (2) to allow them to keep one additional horse. The Applicant submitted details on feeding, grazing, landscaping and pasture and manure management.

Keeping of livestock is a permitted use in the Residential Two District (R-2). In this case, the keeping of one (1) animal unit [horse] based on the parcel size is permitted. Section 24.4 (a) of the Land Use Bylaw allows the Development Authority to double the animal units permitted on a parcel (up to two (2) in this case) with specific conditions. The proposal is consistent with the Land Use Bylaw and on July 9, 2019, the Development Authority conditionally approved a Development Permit for keeping of livestock up to two (2) horses on the property subject to conditions including a Manure and Grazing Management Plan, fencing and expiry.

Due to complaints received by the Appellant during the processing of the application, the County conducted two site inspections of the property. On June 4, 2019 by Planning Services staff and again on June 14, 2019 by Development Compliance and Agricultural Services staff members. Both inspections confirmed that the site is well cared for, there is no manure build-up, over grazing or other issues identified.

On July 30, 2019, the Appellant appealed the decision of the Development Authority. The reasons for the appeal are included in the agenda package.

PROPERTY HISTORY:

May 12, 2009 Plan 0912532 was registered to create the subject \pm 5.02 acre parcel and three others.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean
Supervisor, Planning and Development Services

JA/lt

DEVELOPMENT PERMIT REPORT

Application Date: May 7, 2019	File: 06726018
Application: PRDP20191456	Applicant/Owner: Jim Hutchins & Elizabeth Whyte
Legal Description: Lot 15, Block 1, Plan 0912532, SW-26-26-03-W05M	General Location: located approximately 0.21 km (1/8 mile) east of Hwy. 766 and on the south side of Big Hill Springs Estates
Land Use Designation: Residential Two District	Gross Area: 5.02 acres
File Manager: Jessica Anderson	Division: 7

PROPOSAL:

The proposal is for the keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from 1 to 2 animal units (horses).

The property is zoned Residential Two (R-2), and keeping of livestock falls under permitted and discretionary use within this land use district.

Land Use Bylaw Requirements:

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

- The applicant is requesting to increase the animal unit from one units to two units to allow two horses on the property:
 - $5.02/3.95 = 1.27 \times 2 = 2.54 = 2.5$ animal units
 - 1 animal unit = 1 horse; therefore 2 units = 2 horses.

Section 24.6 Keeping of Livestock

- (a) *The following applies to all parcels of land on which livestock is kept:*
 - (i) *pasture management shall be maintained to ensure there is no overgrazing;*
 - Rotational pastures and pens will be utilized. Compressed bales of Timothy/Alfalfa hay are also used to supplement feeding.
 - (ii) *manure management shall occur to ensure no runoff onto adjacent lands, riparian areas, or to a watercourse and to reduce odour.*
 - Manure will be stored on site and then spread and incorporated.
- (b) *Development Permits for the doubling of the number of animals on a parcel shall include conditions:*
 - (i) *requiring a Pasture Management Plan;*
 - The applicant has provided details on their pasture management plan.



(ii) *requiring a Manure Management Plan;*

- The applicant has provided details on their manure management plan

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

- As this is the first application, a one-year approval is being applied.

STATUTORY PLANS:

The subject lands are not included in any area structure plans; therefore, the file was assessed in accordance with the Land Use Bylaw.

INSPECTOR'S COMMENTS:

Planning Inspection

- Inspection date: June 4, 2019
 - Horses (2) on site
 - Applicant has advised that they are rescues and been on site for 1 week
 - Property appears tidy and well kept, does not appear over grazed
 - Heavy screening on front of property to Big Hill Springs Estates
 - No concerns
 - No signs of manure build-up

Development Compliance & Agricultural and Environmental Services Inspection

- Inspection date: June 14, 2019
 - 2 horses
 - no manure pile found anywhere on the property
 - very little manure in the grass paddock horses were currently in
 - horses had access to feed, water and minerals
 - property is perimeter fenced
 - owner explained that they will harrow any manure that will be deposited

CIRCULATIONS:

Agricultural and Environmental Services Review

No comments received.

Development Compliance Services Review (June 11, 2019)

- Development Compliance has the following recommendation:
Recommend that adequate fencing be required to contain livestock on the lands at all times.

OPTIONS:

APPROVAL, subject to the following conditions:

Option #1 (this would allow the additional horse)

That the appeal against the decision of the Development Authority to issue a Development Permit for the keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from 1 to 2 animal units (horses) on Lot 15, Block 1, Plan 0912532, SW-26-26-03-W05M (61 BIG HILL SPRINGS ESTATES), 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 maximum of two (2) animal units (horses) may be permitted on Lot 15, Block 1, Plan 0912532 at any time.

Permanent:

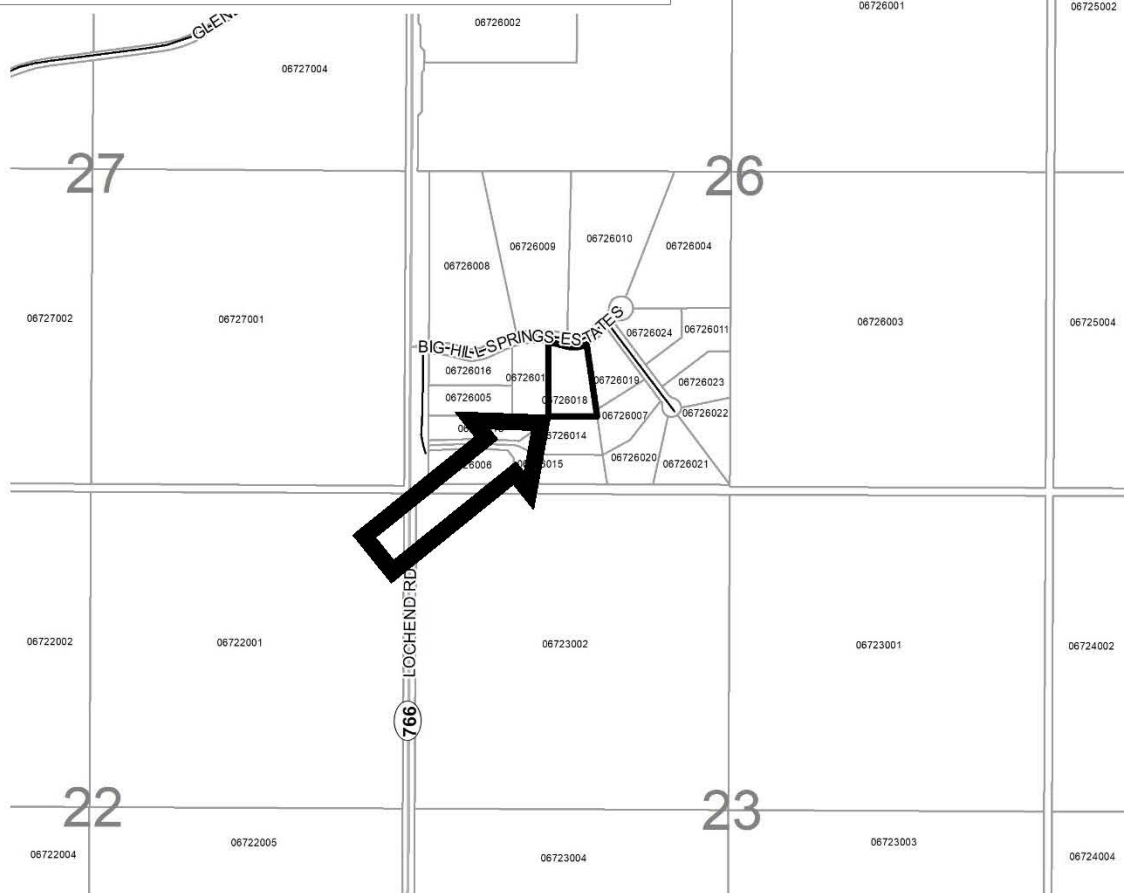
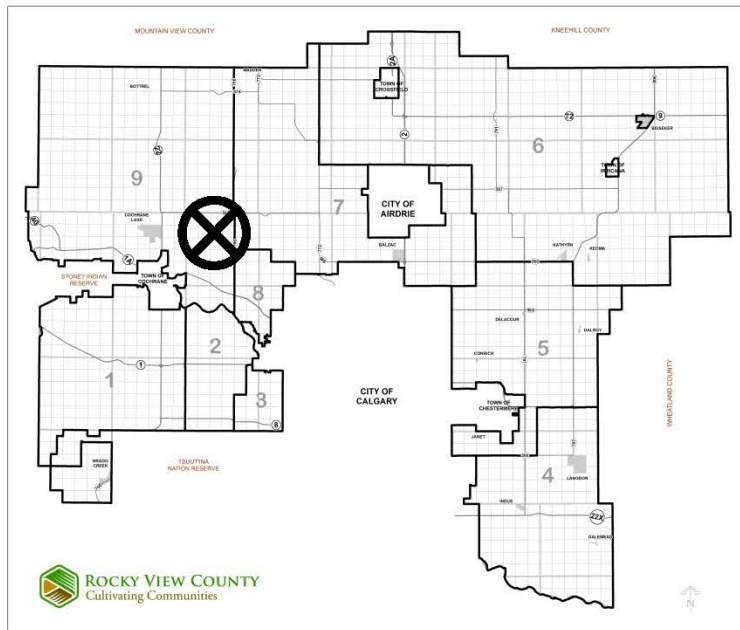
- 2) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - i. If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented or the number of animal units may need to be decreased, to the satisfaction of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

Advisory:

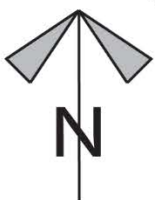
- 6) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 7) That this Development Permit shall be valid until **July 31, 2020**.

Option #2 (this would not allow the additional horse)

That the appeal against the decision of the Development Authority to issue a Development Permit for the keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from 1 to 2 animal units (horses) on Lot 15, Block 1, Plan 0912532, SW-26-26-03-W05M (61 BIG HILL SPRINGS ESTATES), be upheld and that the decision of the Development Authority be revoked.



LOCATION PLAN

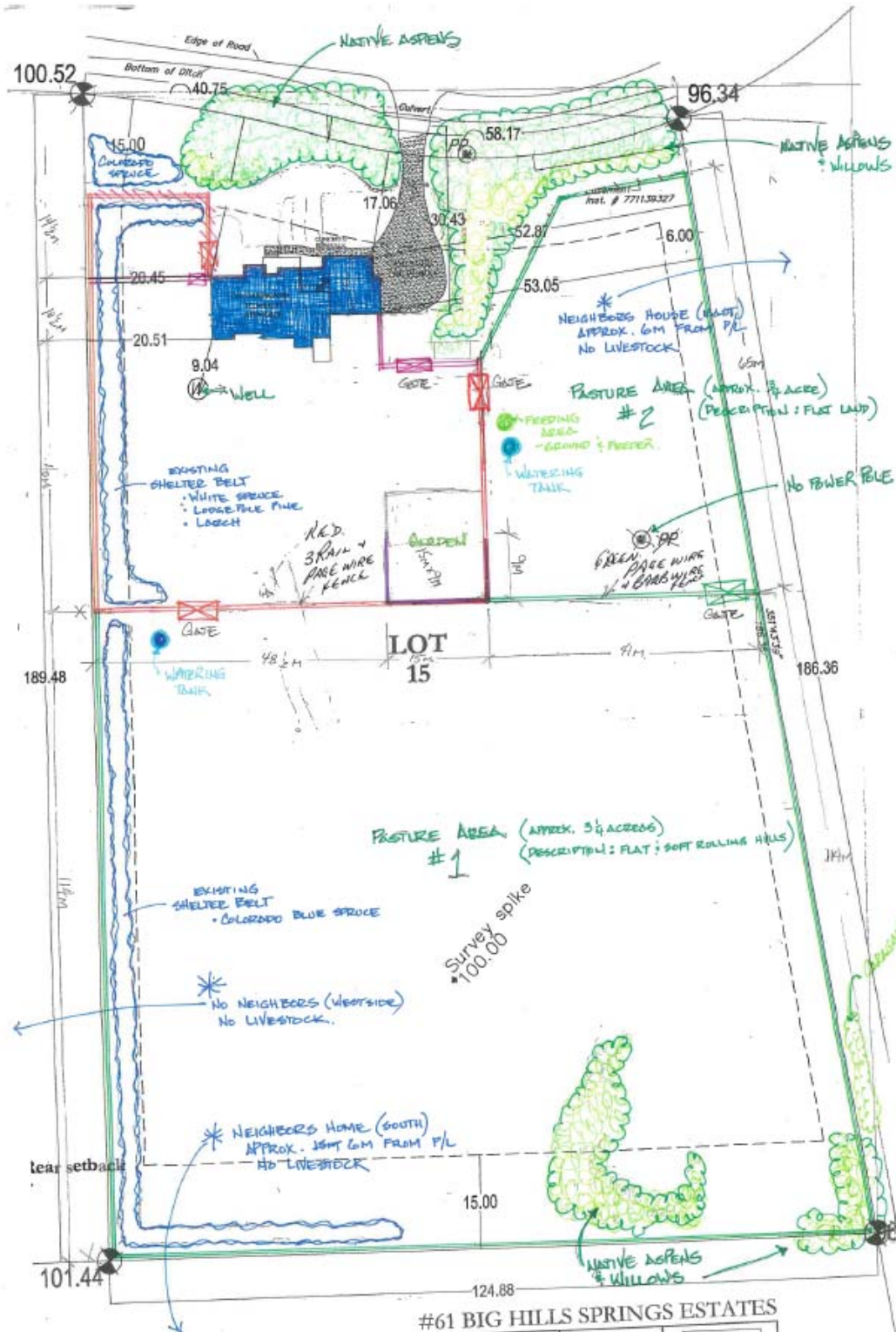


SW-26-26-03-W05M

Date: July 30, 2019

Division # 7

File: 06726018



SITE PLAN

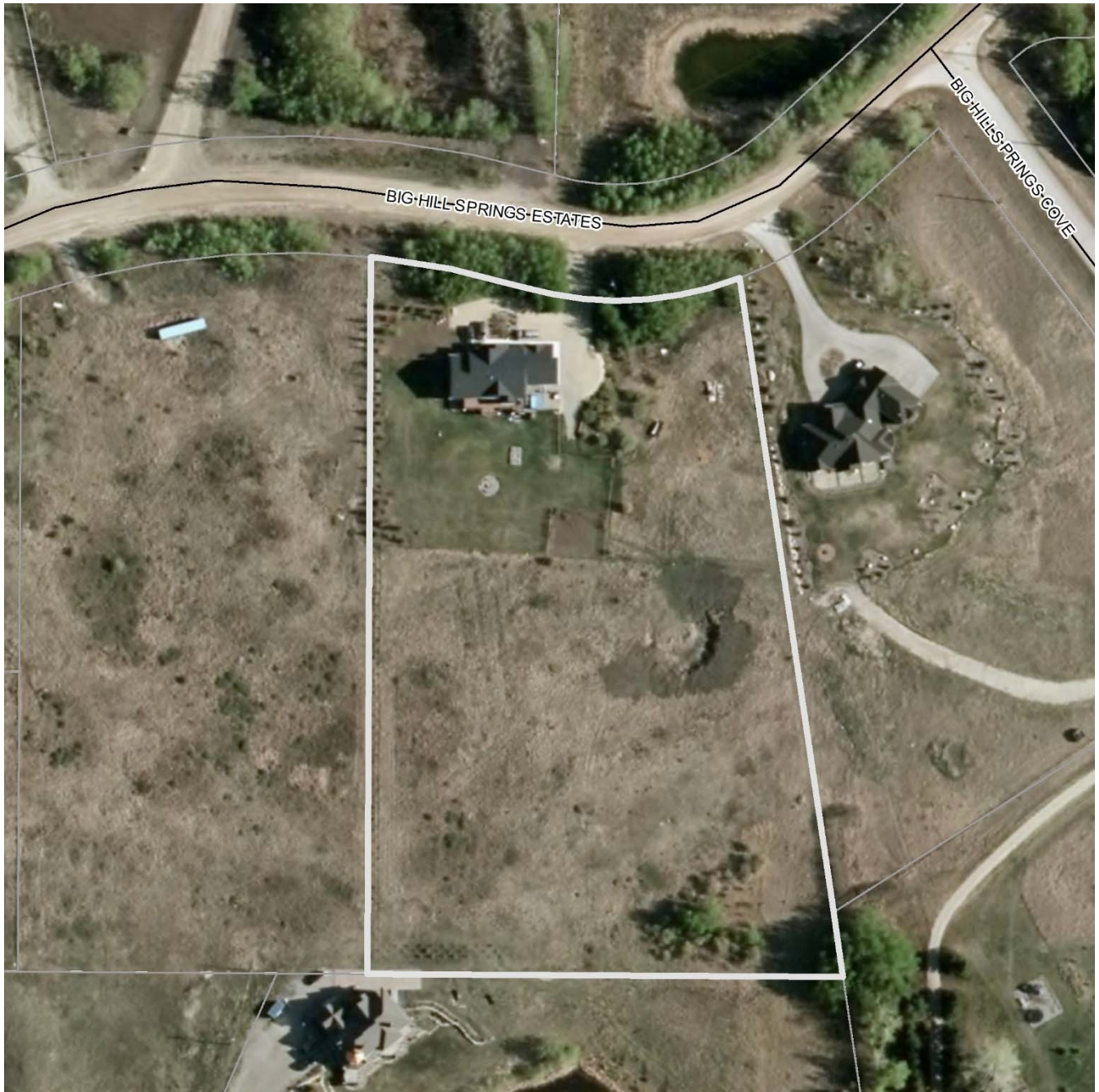


SW-26-26-03-W05M

Date: July 30, 2019

Division # 7

File: 06726018



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

AIR PHOTO
Spring 2018

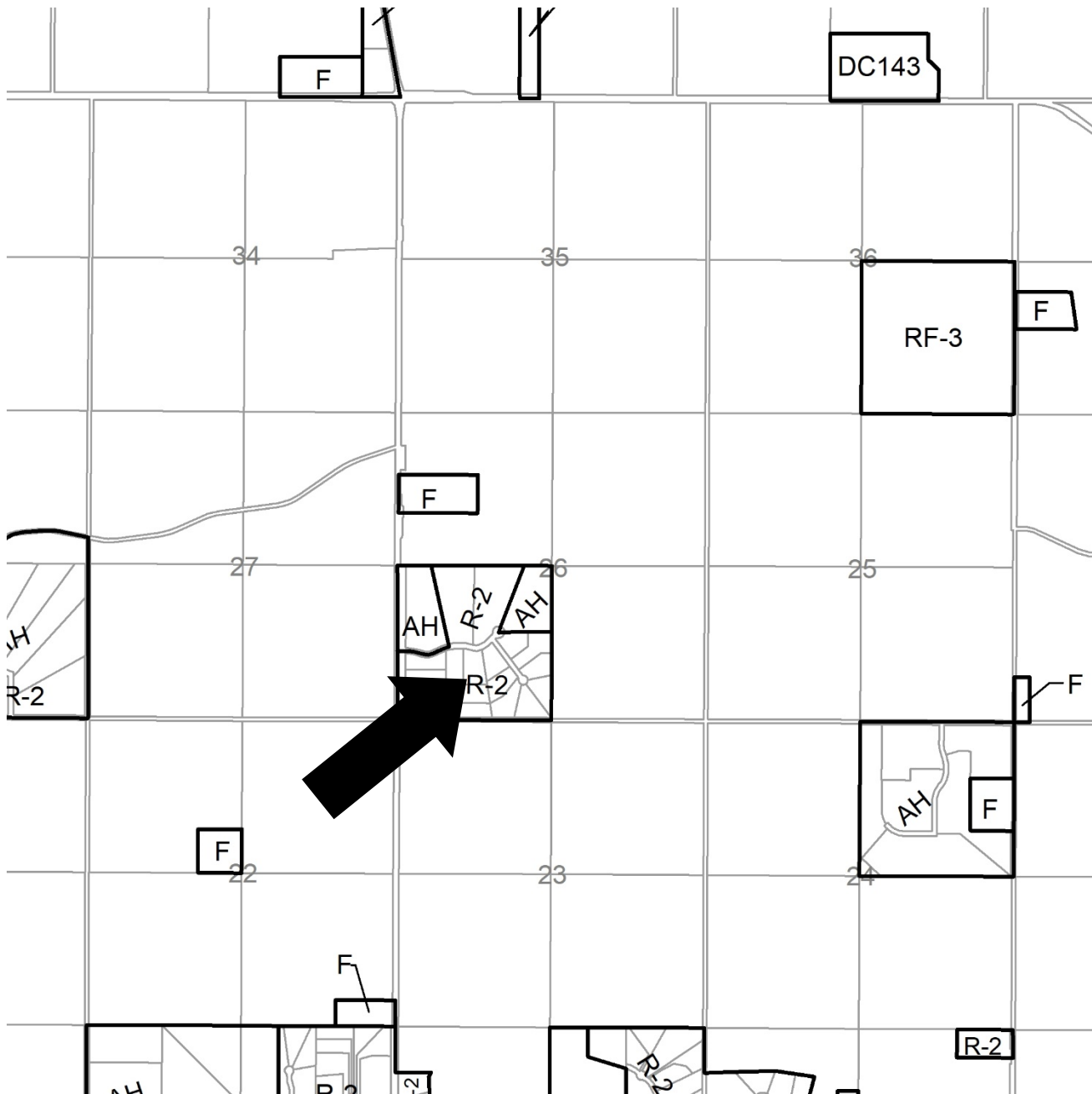


SW-26-26-03-W05M

Date: July 30, 2019

Division # 7

File: 06726018



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-26-26-03-W05M

Date: July 30, 2019

Division # 7

File: 06726018



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

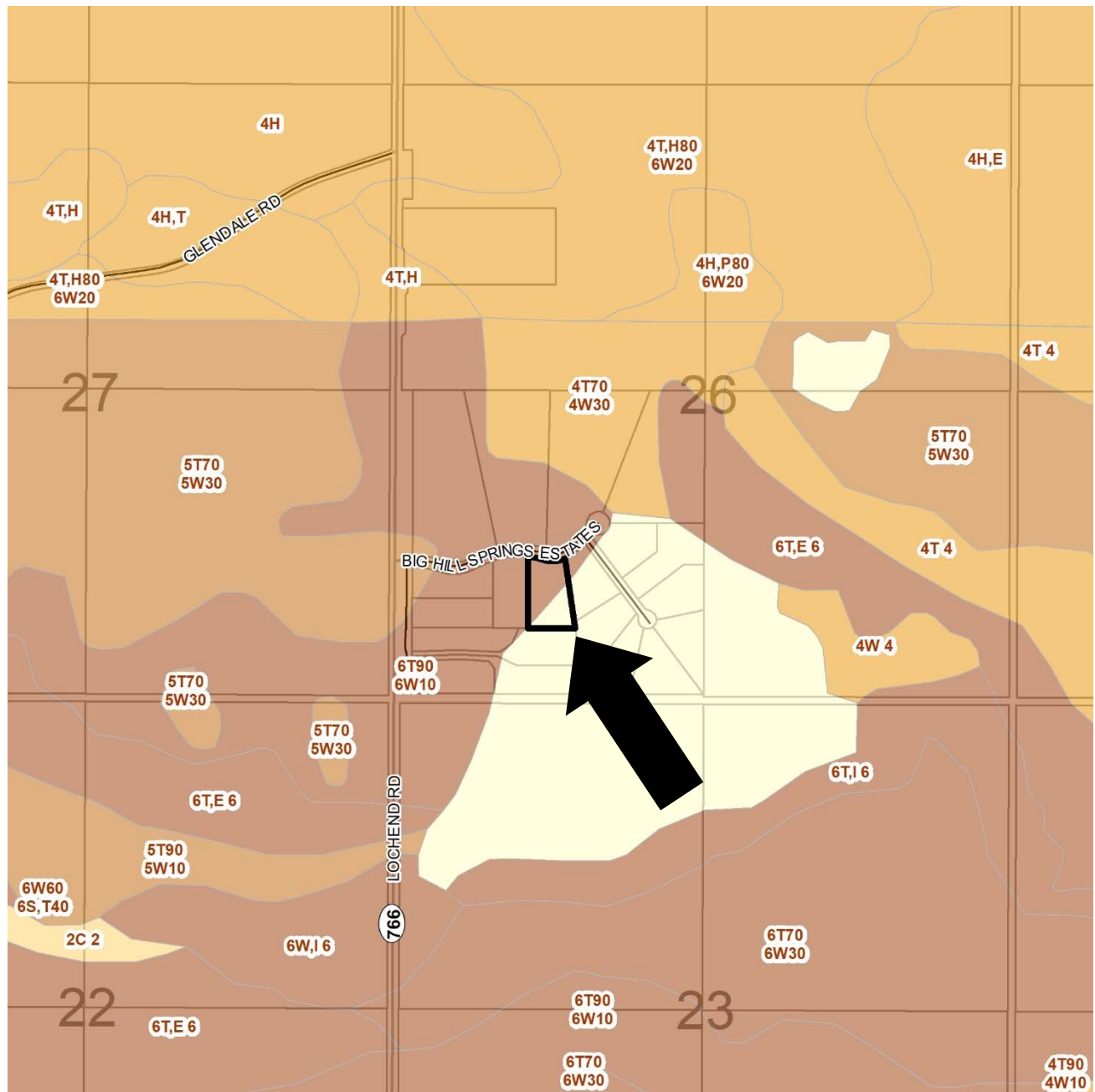


SW-26-26-03-W05M

Date: July 30, 2019

Division # 7

File: 06726018



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

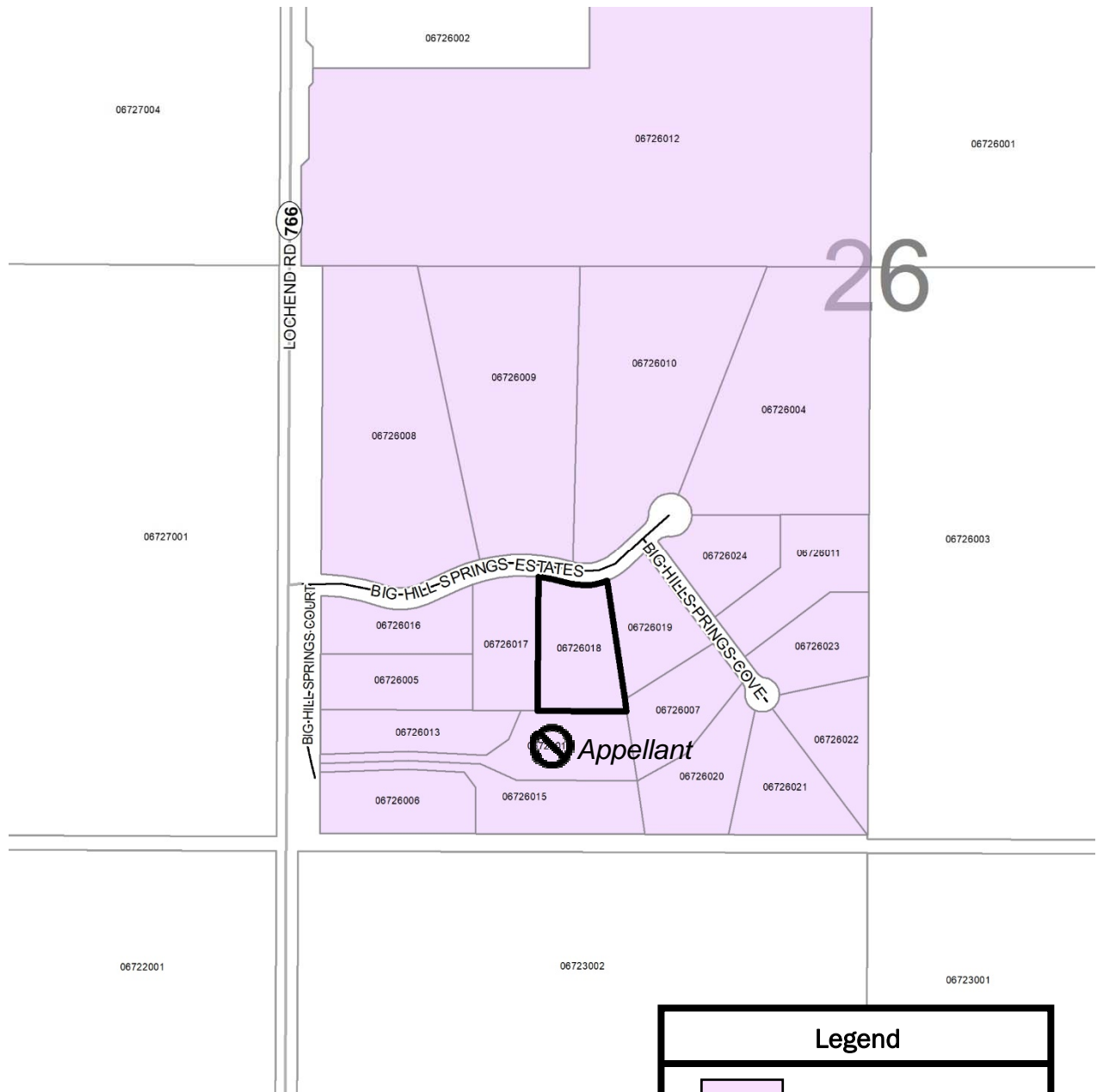


SW-26-26-03-W05M



Date: July 30, 2019

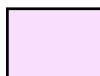

Division # 7

File: 06726018



 Appellant

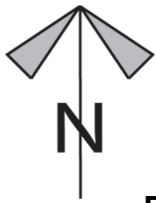
 Letters in Opposition
 Letters in Support

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA


SW-26-26-03-W05M

Date: July 30, 2019 Division # 7 File: 06726018

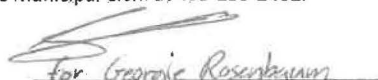




Notice of Appeal
Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) (Samuel Ko for) Georgie Alexon (AKA Georgie Rosenbaum)			
Mailing Address [REDACTED]		Municipality [REDACTED]	Province [REDACTED] Postal Code [REDACTED]
Main Phone # 403-294-7080	Alternate Phone # [REDACTED]	Email Address sko@parlee.com	
Site Information			
Municipal Address 61 Big Hill Springs Estates		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 15 Block 1 Plan 0912532, SW-26-26-03-05	
Property Roll # 06726018		Development Permit, Subdivision Application, or Enforcement Order # PRDP 20191456	
I am appealing: (check one box only)			
Development Authority Decision <input checked="" type="checkbox"/> Approval <input checked="" 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)			
<p>Please see attached.</p> <p>Please direct ALL matters to:</p> <p>Attn: Samuel Ko Parlee McLaws LLP 3300 TD Canada Trust Tower 421 - 7 Avenue S.W. Calgary, Alberta, T2P 4K9 sko@parlee.com 403.294.7080</p> <div style="text-align: right; margin-top: 50px;">  </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 Municipal Clerk at 403-230-1401.


Appellant's Signature

July 29, 2019
Date



July 29, 2019

RANDY S. SHAPIRO
DIRECT DIAL: 403.294.7064
DIRECT FAX: 403.767.8880
EMAIL: rshapiro@parlee.com
OUR FILE #: 77419-2

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

Attention: Members of the Subdivision & Development Appeal Board

Dear Sir/Madam:

Re: 61 Big Hill Springs Estates - Development Permit # PRDP 20191456

Please be advised that we are the solicitors for Georgie Rosenbaum (Also known as Georgie Alexon) and have been retained with respect to the above captioned matter. Ms. Rosenbaum resides at 264018 Big Hill Springs Court (SW-26-26-03-W05M; Lot 1, Block 2, Plan 0113355), which lies adjacent to 61 Big Hill Springs Estates (the “**Applicant Property**”; SE-62-26-03-05; Lot 15 Block 1 Plan 0912532), and takes issue with the recent decision of the Development Authority to conditionally approve Development Permit #PRDP20191456 (the “**Permit**”), allowing for the maintenance of up to two horses on the Applicant Property.

Jim Hutchins and Elizabeth Whyte (together the “**Applicants**”) have accepted two horses (the “**Horses**”) onto their Property, which has negatively affected Ms. Rosenbaum’s quality of life. On or before May 1, 2019, the Horses arrived on the Applicant Property, and were permitted to roam freely, grazing and defecating at various locations, including areas approximately 15 feet from the front door of Ms. Rosenbaum’s home. In addition, Ms. Rosenbaum’s dogs, as well as the dogs on the property located to the East of the Applicant Property, have reacted negatively to the Horses, barking from the early morning to the late evening. Ms. Rosenbaum has been forced to temporarily relocate her beloved dogs, in an attempt to mitigate the insufferable noise.

The Horses have materially interfered with, and unduly affected the use and enjoyment of Ms. Rosenbaum’s land. Ms. Rosenbaum sought the peace and quiet of the area when she purchased her home, and has enjoyed such comforts until the unwelcomed arrival of the Horses. Ms. Rosenbaum, and her neighbours understand the importance and benefit of horses, and have adopted rescue horses of their own. However, they acknowledge the responsibilities and difficulties attached to the upkeep of these large animals, and have boarded their horses at a nearby, third-party barn, equipped to care for multiple horses on more than 50 acres of land. The decision ensured balance between their interests in maintaining horses, as well as the peace, quiet, and character of the community. Conversely, the Applicants have ignored this balance.

The animal waste that continues to build up on the Applicant Property is an intolerable issue that presents a growing concern for the nature and safety of the community. Since the Horses arrived

- 2 -

at the Applicant Property, no efforts have been made to clean up the horse manure. The buildup of feces on the Applicant Property – including areas 15 feet from Ms. Rosenbaum’s front door – have resulted in a foul odour as well as an offensive aesthetic that has corrupted Ms. Rosenbaum’s enjoyment of the North side of her property. Furthermore, the excrement has attracted flies that have become more than a nuisance to Ms. Rosenbaum, and it is expected to attract other pests, including parasites capable of transferring disease. Finally, the proliferation of the animal waste product on the Applicant Property increases the potential for contamination of the adjacent lands, and nearby ground and surface water. This is incredibly alarming to Ms. Rosenbaum as her property is downhill from the Applicant Property.

The Notice of Decision requires “That all manure shall be collected and disposed of off-site or worked into the fields on a continual basis at least semi-yearly”; however, the Applicants do not have the physical ability perform these obligations themselves. This presents a concern as we have been informed that the Applicants intend to maintain the manure on the premises, and work it into the field on a continual basis. The same issue arises with the Applicant’s ability to comply with the additional requirement to immediately remove any build-up of manure. Furthermore, the proposal for a semi-annual distribution of animal waste materials does not align with the character of the neighbourhood. It fails to recognize the safety and health concerns of the inhabitants, including the children that would be needlessly exposed to the aforementioned pests, parasites, and harmful microbes accumulating on the Applicant Property.


Finally, the Applicants have and continue to contravene the *Rocky View County Bylaw* (the “*Bylaw*”). The Applicant Property consists of 5.02 acres, and is classified as R-2. It is thus subject to the restrictions described in section 24.4 of the *Bylaw*, which limits the number of livestock to one “animal unit” per 3.95 acres. By maintaining the two Horses on the Applicant Property – equivalent to two (2) animal units – without first obtaining the requisite Development Permit, the Applicants are in direct contravention of the *Bylaw*. It is difficult to fathom future compliance, when the Applicants have failed to comply in the past and presently ignore their obligations, even during this application process.

The Applicants have failed to comply with the relevant *Bylaw*, failed to address the issues raised by their neighbours, and have failed to provide a viable plan to adequately maintain the Horses. These continued failures have materially interfered with Ms. Rosenbaum’s enjoyment of her property and of her home. We respectfully request the Subdivision and Development Appeal Board to reconsider the decision of the Development Authority and deny the Permit.

We look forward to the opportunity to present additional submissions on the matter.

Yours truly,

PARLEE McLAWS LLP



RANDY S. SHAPIRO
RSH/sok



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

Jim Hutchins & Elizabeth Whyte

Page 1 of 2

Tuesday, July 09, 2019

Roll: 06726018

RE: Development Permit #PRDP20191456

Lot 15 Block 1 Plan 0912532, SW-26-26-03-05; (61 BIG HILL SPRINGS ESTATES)

The Development Permit application for the keeping of livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from 1 to 2 animal units (horses) has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That a maximum of two (2) animal units (horses) may be permitted on Lot 15, Block 1, Plan 0912532 at any time.

Permanent:

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

Advisory:

6. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
7. That this Development Permit shall be valid until **July 31, 2020**.



ROCKY VIEW COUNTY

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

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

Jim Hutchins & Elizabeth Whyte Page 2 of 2
#PRDP20191456

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, July 30, 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,

A handwritten signature in blue ink, appearing to read 'H. Whyte'.

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

THIS IS NOT A DEVELOPMENT PERMIT



ROCKY VIEW COUNTY
Cultivating Communities

20191456

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$265	File Number 06726018
Date of Receipt May 7/19	Receipt #

Name of Applicant Jim Hutchins & Elizabeth Whyte 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) [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 26 Township 26 Range 3 West of 5 Meridian

b) Being all / parts of Lot 15 Block 1 Registered Plan Number 091 2532

c) Municipal Address 61 Big Hill Springs Estates

d) Existing Land Use Designation R2 Parcel Size 5.02 Acres Division 07

2. APPLICATION FOR

Increase Number of Livestock

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

JAMES MITCHELL HUTCHINS &

I ELIZABETH ANN WHYTE hereby certify that X I am the registered owner(s)

(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 Jim Hutchins

Date May 6, 2019

Owner's Signature Jim Hutchins

Date May 6, 2019

May 6, 2019

5. RIGHT OF ENTRY

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


Applicant's/Owner's Signature

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

James M. HUTCHINS
I, ELIZABETH A. WHYTE, 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

May 6, 2019.
Date



MAY 6, 2019



20191456

APPLICATION TO INCREASE NUMBER OF LIVESTOCK

FOR OFFICE USE ONLY	
Fee submitted \$265	File Number 06726018
Date of Receipt May 7/19	Receipt #

1. SITE PLANS

Provide site plans identifying:

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

2. OPERATION

Describe the type and breed (if applicable) of livestock in your livestock operation: Horse

The number of each type of livestock in your "livestock operation" is: One

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

Yes ☒ No ☐

If yes, PID#: AA037E7VB

3. SITE INFORMATION

Topography: Flat ☒ Rolling ☒ Steep ☐
 Select Grass/Forage Species present: Alfalfa ☐ Brome ☐ other: _____
 Fescue ☐ Timothy ☐ Other: Native grasses

Supplemental feed? Yes ☒ No ☐
 If yes, please explain: Compressed bales of Timothy/Alfalfa hay has been purchased from a supplier, ongoing.

Are riparian or wetland areas present? Yes ☐ No ☒

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

4. MANURE MANAGEMENT

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

How long will the manure be stored? _____

If no, identify where manure is going: _____

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

5. GRAZING AND FEEDING STRATEGIES

Describe your grazing and feeding strategies (i.e. year-round grazing, rotational pastures with supplemental feed, etc.)
Rotating pastures for year round grazing. Currently cross fenced. Supplemental feeding with
previously mentioned hay. Water supply, supplemental feed and salt blocks are movable to prevent
overuse and damage to the areas.

6. RUNOFF

What is the current practice to prevent manure from contaminating water bodies (e.g. wetlands, sloughs, dugouts) on your property? There are no wetlands, sloughs or other bodies of water on our property.

Describe how runoff will be kept out of your well and other water areas on your property.
Our well is higher than the pasture land and is isolated from the grazing area. See attached drawings.

Describe how runoff will be kept on your own property (It is an offence under the Alberta Environmental Enhancement and Protection Act to allow manure and its nutrients to move off your property)
Due to the contour of the land on our property there should be no runoff from the property where the horses will be grazing.

7. PEST AND WEED CONTROL

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

We currently have a number of blue bird, swallow and wren bird boxes erected on our property
which have been occupied. We plan to erect bat boxes as well.

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

If yes, describe the weed control program: We requested the county assess our property for weeds and hired a
contractor to spray our property for identified weeds with follow up arranged. First spraying completed fall
of 2018.

Signature of Applicant



Date

May 6, 2019
May 6, 2019

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



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: August 28, 2019 **DIVISION:** 3

FILE: 04617003 **APPLICATION:** B-5; PRDP20191431

SUBJECT: Accessory Building (Garage)

PROPOSAL: construction of an accessory building (garage), relaxation of the maximum height requirement, relaxation of the maximum building area, and relaxation of the total building area for all accessory buildings	GENERAL LOCATION: Located approximately 0.8 km (1/2 mile) north of Lower Springbank Road, and on the south side of Westwood Road
APPLICATION DATE: May 06, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary – Refused
APPEAL DATE: August 6, 2019	DEVELOPMENT AUTHORITY DECISION DATE: August 1, 2019
APPELLANT: Corinna & Mike Bourbonnais	APPLICANT: Corinna & Mike Bourbonnais
LEGAL DESCRIPTION: Lot 4, Block 6, Plan 8511068, NW-17-24-2-W5M	MUNICIPAL ADDRESS: 15 WESTWOOD ROAD, Rocky View County AB
LAND USE DESIGNATION: Residential One District (R-1)	GROSS AREA: ± 2.09 acres
DISCRETIONARY USE: Accessory Buildings greater than 80.27 sq. m (864.01 sq. ft.) and less than 120.00 sq. m (1,291.67 sq. ft.) are a discretionary use.	DEVELOPMENT VARIANCE AUTHORITY: The Development Authority has a 25% variance with regard to the height and a 10.00% variance with regard to building size.
PUBLIC SUBMISSIONS: The application was circulated to 30 adjacent landowners. No letters had been received at the time this report was prepared.	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan (C-7280-2013) • Land Use Bylaw (C-4841-97) • Central Springbank Area Structure Plan (C-5354-2001) • Rocky View County/City of Calgary Intermunicipal Development Plan (C-7078-2011)



EXECUTIVE SUMMARY:

The proposal is for the construction of an accessory building (garage), relaxation of the maximum height requirement, relaxation of the maximum building area, and relaxation of the total building area for all accessory buildings requirements. The structure would be constructed of concrete and wood, compatible with the existing dwelling, and is intended to be used for storage needs and for tidying up the property.

The Residential One (R-1) District allows for accessory buildings up to 120.00 sq. m (1,291.67 sq. ft.) in size as a discretionary use. The maximum allowable total building area for all accessory buildings is the same. Relaxations are required for the size of the accessory building (39.38%), the height of the accessory building (24.86%), and for the total building area for all accessory buildings (50.8%). The Development Authority is granted a 25% variance with regard to the height, and a 10% variance with regard to the building size. As building size and total building area exceed the variance authority, the Application was refused on August 1, 2019.

A development permit application (PRDP20183130) on the subject land was previously brought before the Subdivision and Development Appeal Board for the construction of an accessory building (garage), relaxation to the maximum height, maximum size of an accessory building, and total building area for an accessory building. The Development Authority refused the application, and the Subdivision and Development Appeal Board overturned the decision in December of 2018. After receiving the Board's approval, the Applicant re-evaluated their needs and decided to submit a new application to increase the height of the accessory building. The building size remains the same.

On August 6, 2019, the Appellant appealed the decision of the Development Authority. The reasons for the appeal are noted in the agenda package.

PROPERTY HISTORY:

February 15, 2019	PRDP20183130 for the construction of an accessory building (garage), relaxation to the maximum height, maximum size of an accessory building, and total building area for an accessory building was issued in accordance with Board Order 72-18.
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OPTIONS:

Option #1 (this would approve the accessory building)

That the appeal against the decision of the Development Authority to refuse a Development Permit for construction of an accessory building at Lot 4, Block 6, Plan 8511068, NW-17-24-2-W5M (15 Westwood Road) be upheld, the decision of the Development Authority be revoked, and that a Development Permit be issued, subject to the conditions identified in the attached conditions.

Option #2 (this would not approve the accessory building)

That the appeal against the decision of the Development Authority to refuse a Development Permit for construction of an accessory building at Lot 4, Block 6, Plan 8511068, NW-17-24-2-W5M (15 Westwood Road) be denied, and the decision of the Development Authority be upheld.

APPEAL:

See attached report and exhibits.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean MacLean", is written over a horizontal line.

Sean MacLean
Supervisor, Planning & Development

AB/rp

Application No.	PRDP20191431	File Manager	Andrea Bryden
District	Residential One (R-1)	Gross Area (ha)	0.85
Use	Accessory Building (Detached Garage)		

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

Comments

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

Comments

	Regulation		Min/Max	Proposed	Δ	Variance
Acc. Bld	48.5 (b)	Front Yard Setback (m)	15.00	>15	#VALUE!	
	(c)	Side Yard Setback (m)	3.00	3.00	0.00	
	(c)	Side Yard Setback (m)	3.00	>3.00	#VALUE!	
	(d)	Rear Yard Setback (m)	7.00	>7.00	#VALUE!	
	48.7 (b)	Building Height (m)	7.00	8.74	1.74	24.86%
	48.2	Single Acc. Bld Area (m ²)	120.00	167.26	47.26	39.38%

Comments

General Accessory Building Regulations					
20.3	ADU/lot	1		-1.00	
48.9	Total Acc. Bld Area (m ²)	120.00	180.96	60.96	50.80%
48.10	No. Acc. Bld	2.00	2	0.00	

Comments

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

Comments

REFUSAL

REFUSAL

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	N/A
IDP	Calgary	No	N/A
MDP	County Plan	No	N/A
ASP	Central Springbank	No	N/A
CS		N/A	N/A

Comments

BP/DP History	PRDP20183130 for construction of an accessory building was issued in accordance with Board Order 72-18.
Inspector Comments	No permission for entrance; long driveway; well treed; no access to building site.
Overall Assessment	Outside of authority of the Development Authority, but in the opinion of the Development Authority does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

OPTION 1 CONDITIONS

Description:

1. That an Accessory Building (Detached Garage) may be constructed on the subject land in general accordance with the approved plans.
 - a. That the maximum size of the accessory building is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **167.23 sq. m (1,800.00 sq. ft.)**.
 - b. That the maximum height of the accessory building is relaxed from **7.00 m (22.96 ft.)** to **8.74 m (28.67 ft.)**.
 - c. That the total building area for all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **180.96 sq. m (1,947.84 sq. ft.)**.

Permanent:

2. That the proposed Accessory Building (Detached Garage) shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I or an approved Home-Based Business, Type II.
3. That the proposed Accessory Building (Detached Garage) shall not be used for residential occupancy purposes at any time.
4. That the exterior siding and roofing materials of the Accessory Building (Detached Garage) shall be similar/ cohesive to the existing dwelling, single-detached and/or area.
5. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
6. 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.

Advisory:

7. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
8. That during construction of the Accessory Building (Detached Garage), 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.
9. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
10. That a Building Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.

OPTION 2 REFUSAL REASONS

REFUSAL, for the following reasons:

- 1) The requested building area exceeds the requirements of Section 48.3 of the Land Use Bylaw C-4841-97.
Building Area: 120.00 sq. m (1,291.67 sq. ft.)
Requested Building Area: 167.23 sq. m (1,800.00 sq. ft.)
- 2) The requested building height exceeds the requirements of Section 48.7(b) of the Land Use Bylaw C-4841-97.
Maximum Height of Building: 7.00 m (22.96 ft.)
Requested Height: 8.74 m (28.67 ft.)
- 3) The requested total building area for all accessory buildings exceeds the requirements of Section 48.9 of the Land Use Bylaw C-4841-97.
Maximum Total Building Area: 120.00 sq. m (1,291.67 sq. ft.)
Requested Total Building Area: 180.96 sq. m (2=1,947.84 sq. ft.)
- 4) In the opinion of the Development Authority, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

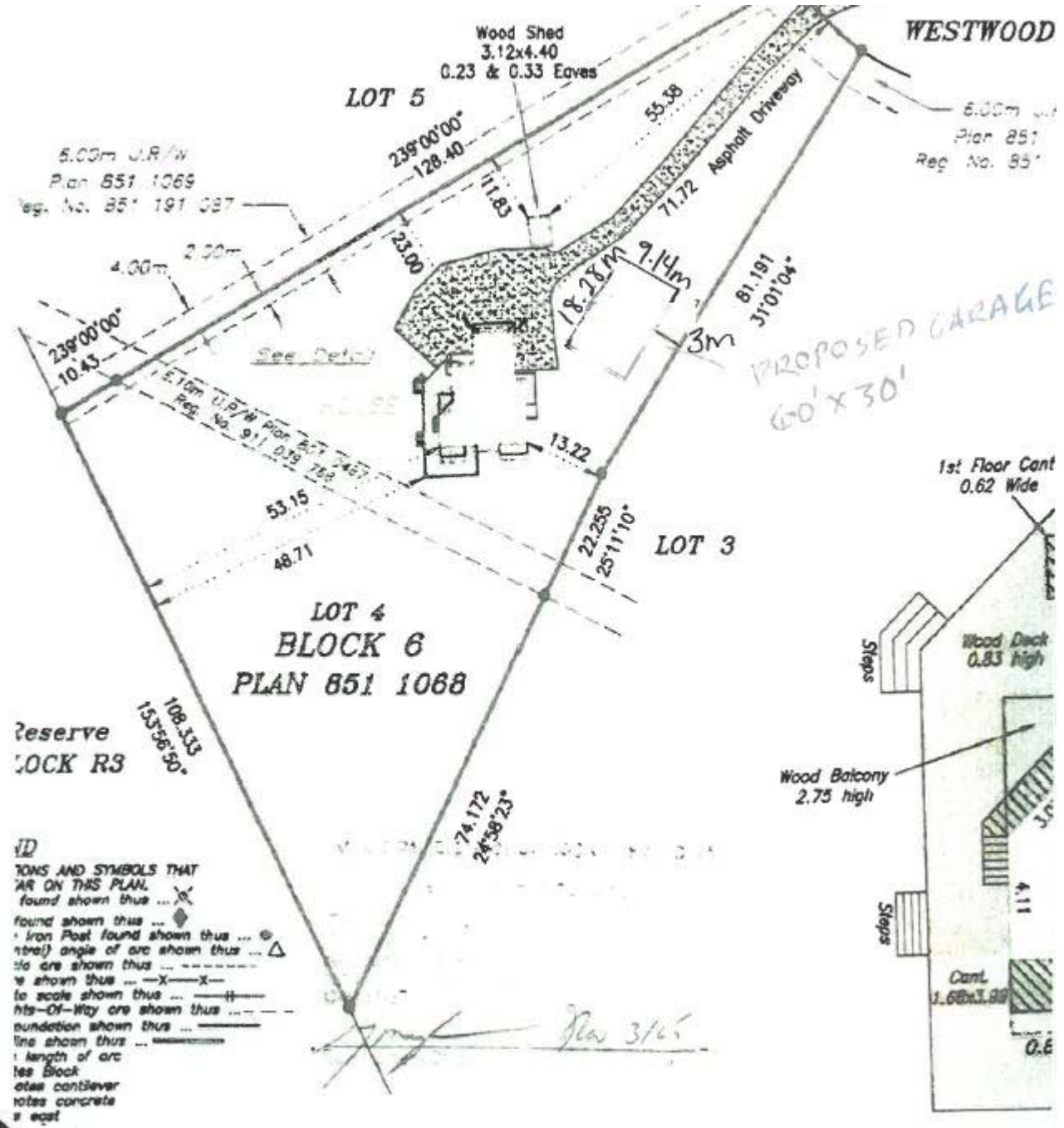


NW-17-24-02-W05M

Lot: 4 Block: 6 Plan: 8511068

Division # 3

File: 04617003

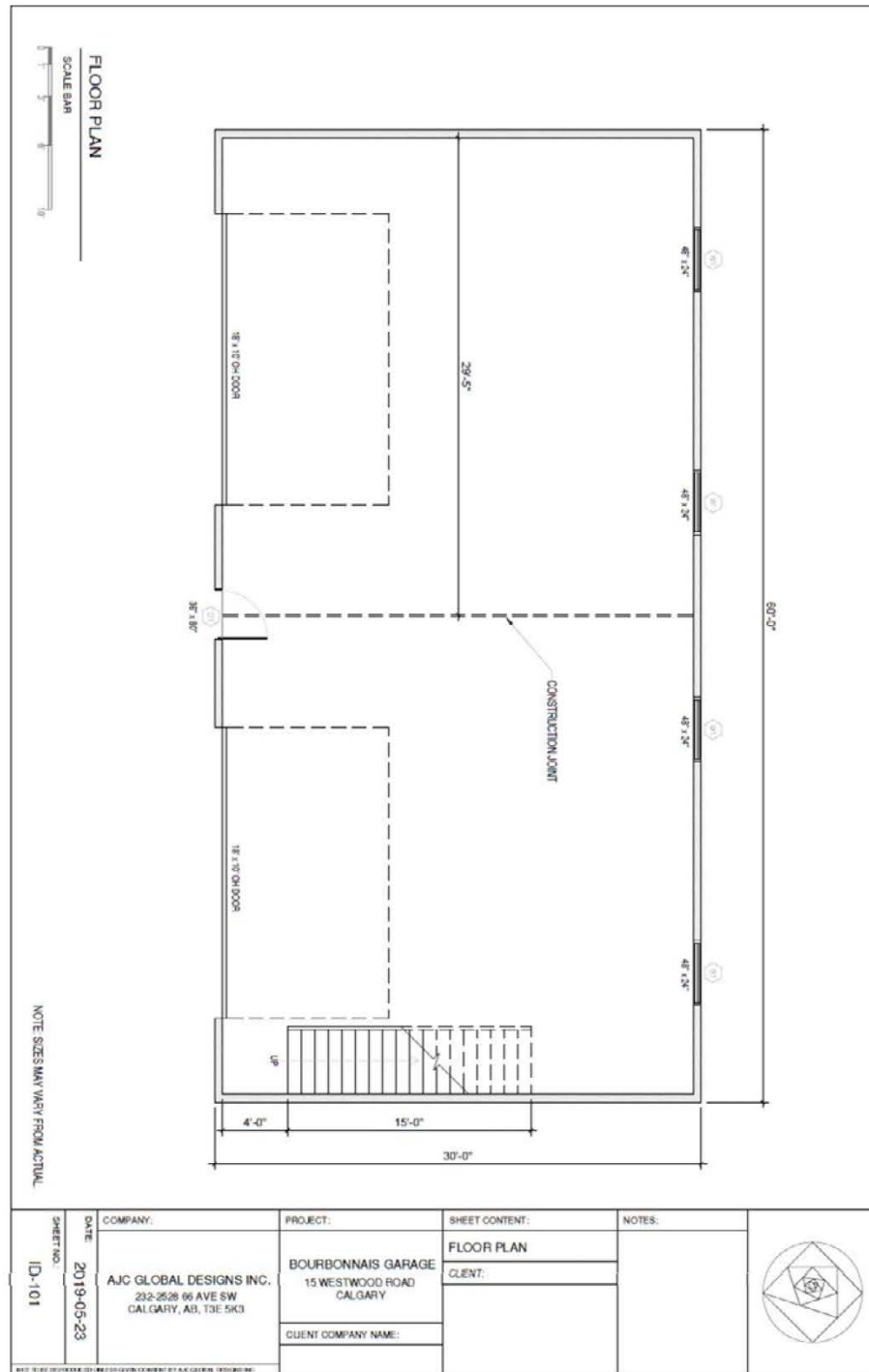


SITE PLAN

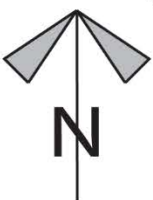


NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

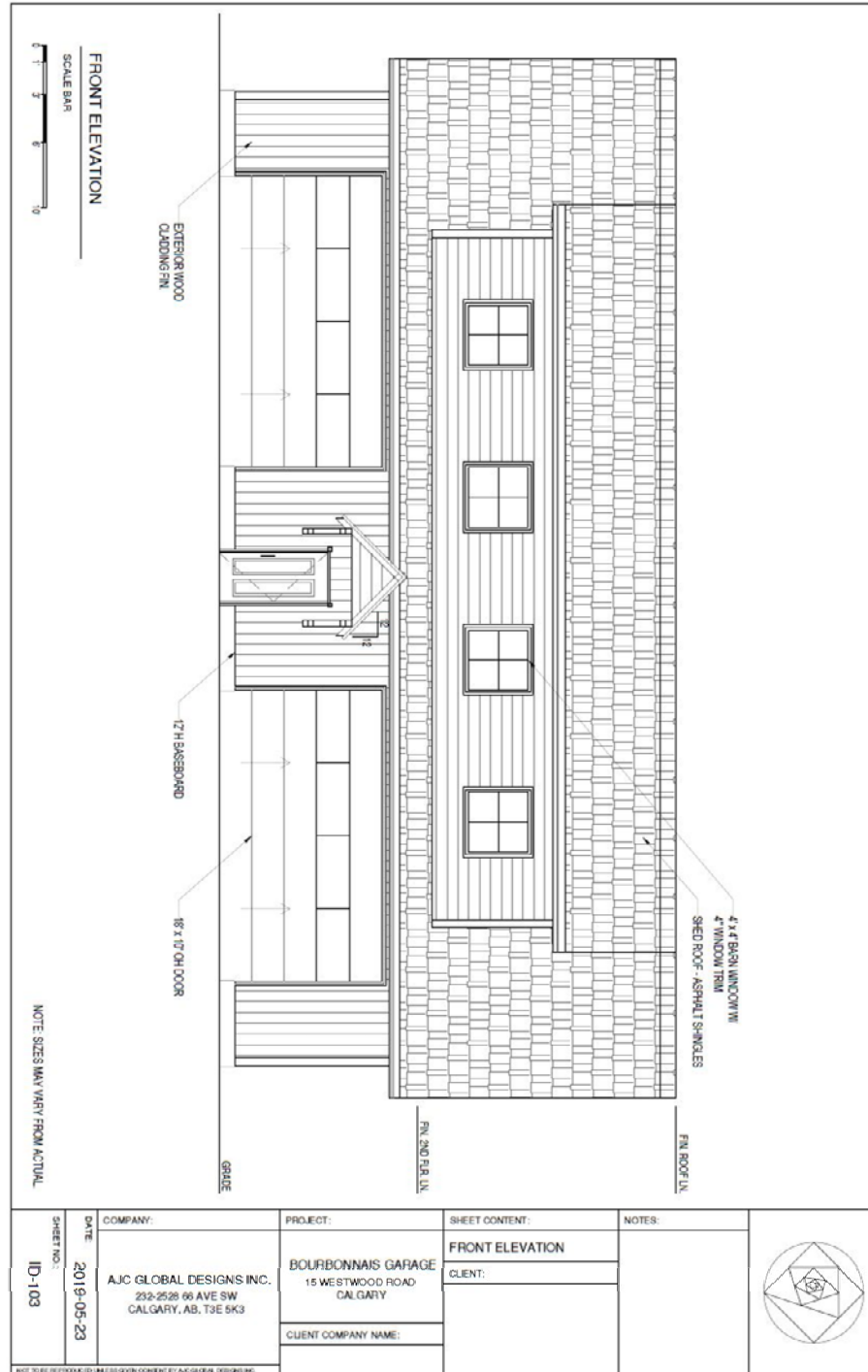


FLOOR PLAN



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

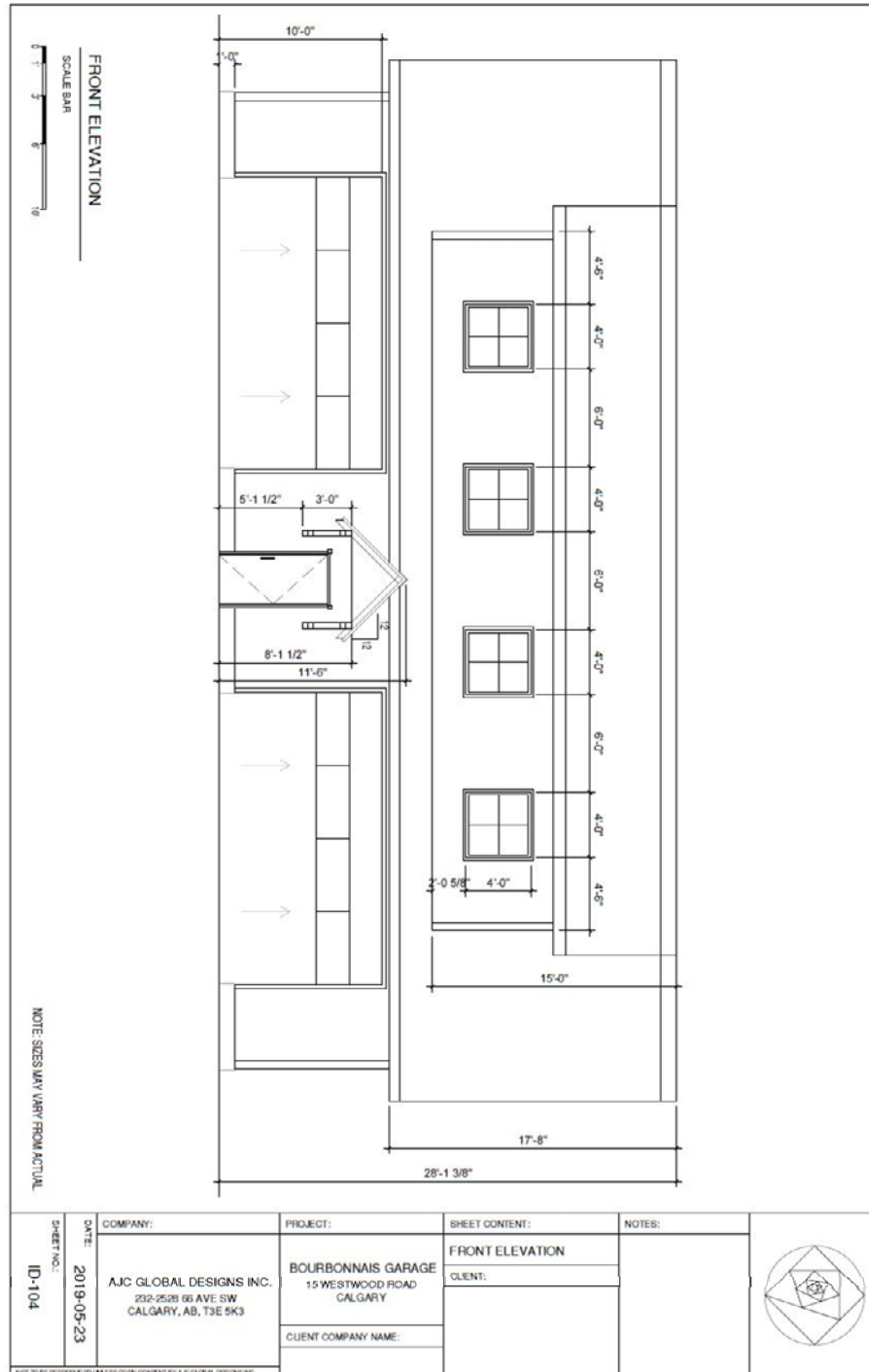


FRONT ELEVATION PLAN



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

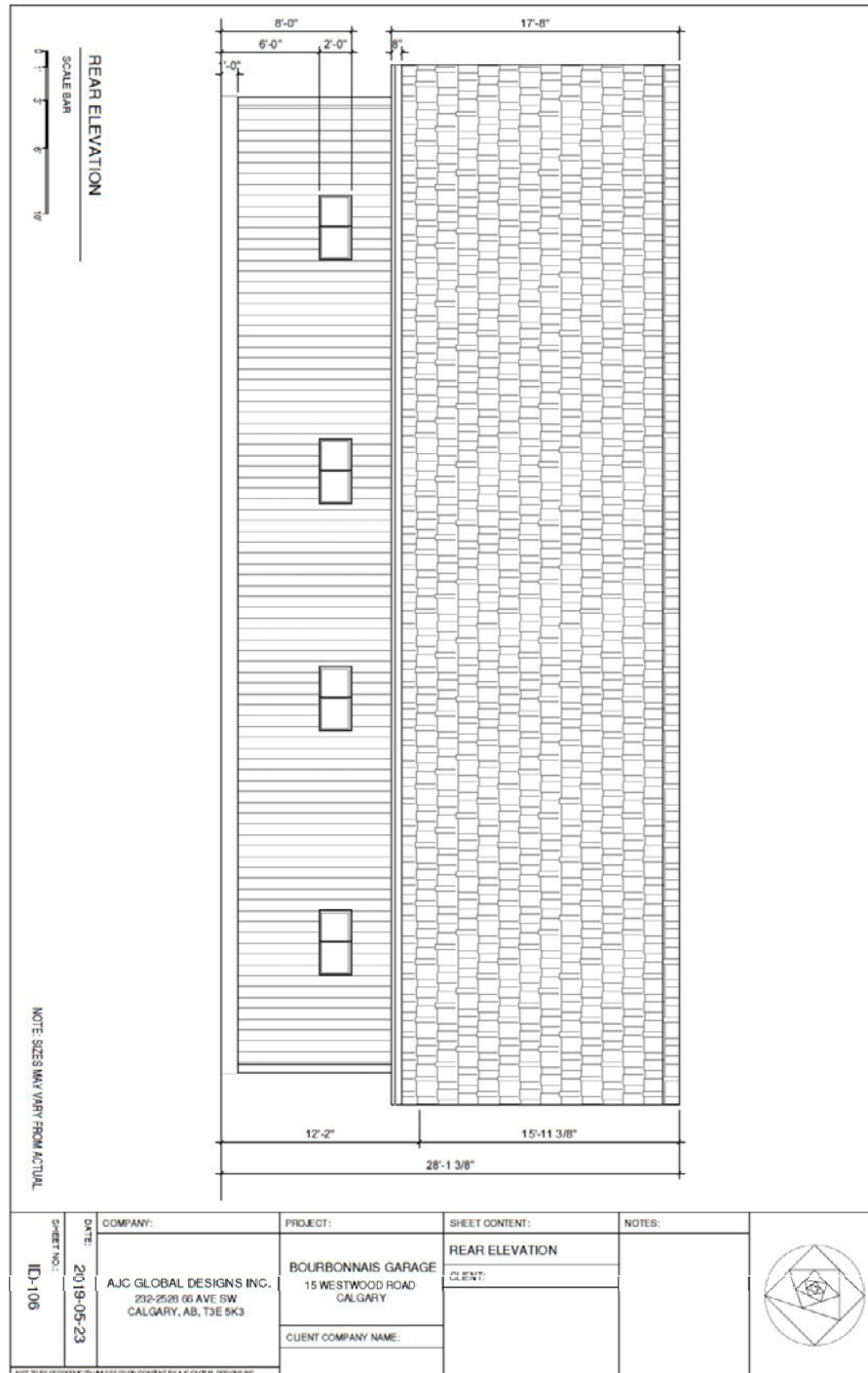


FRONT ELEVATION PLAN



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

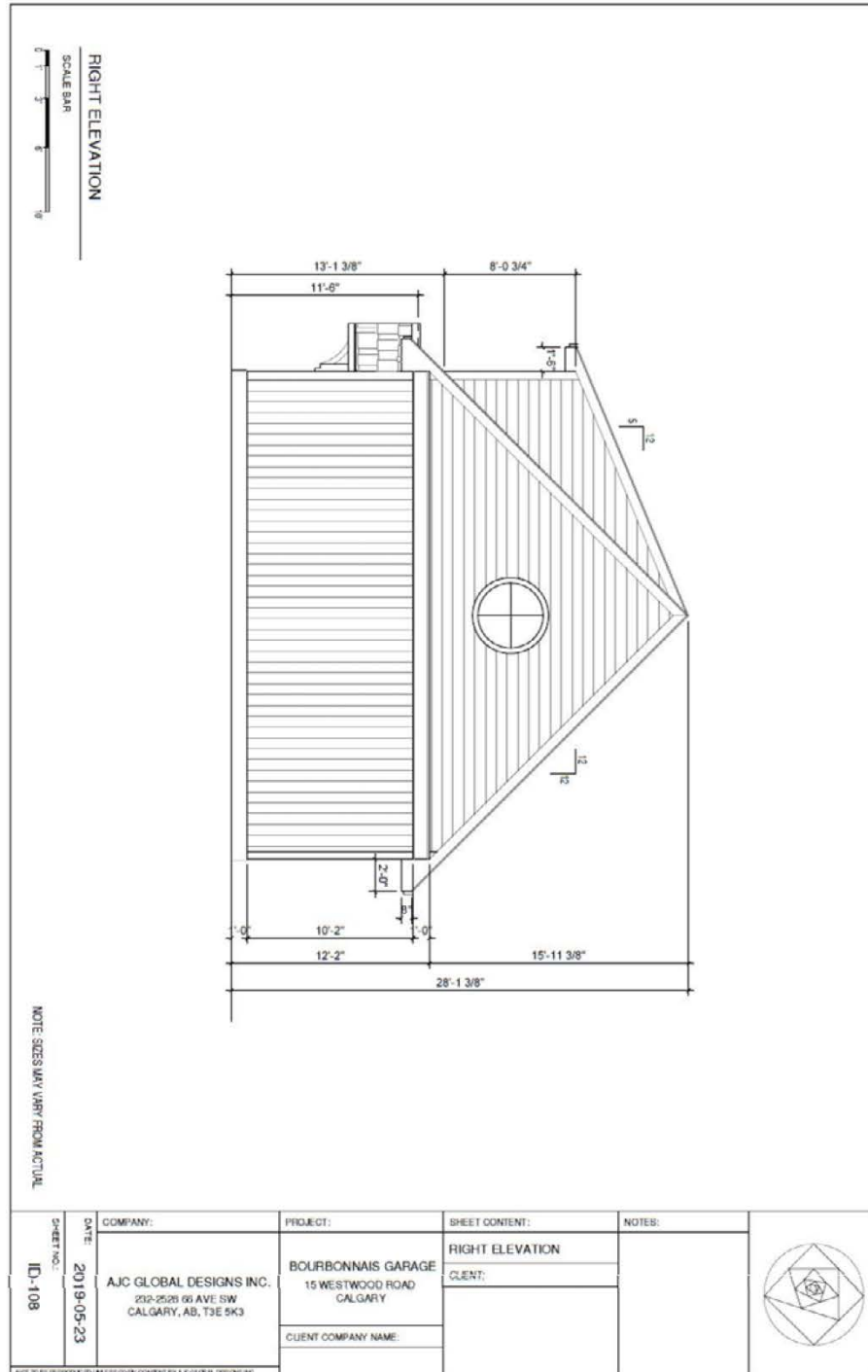


REAR ELEVATION PLAN

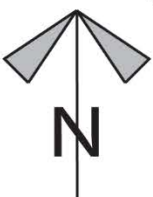


NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

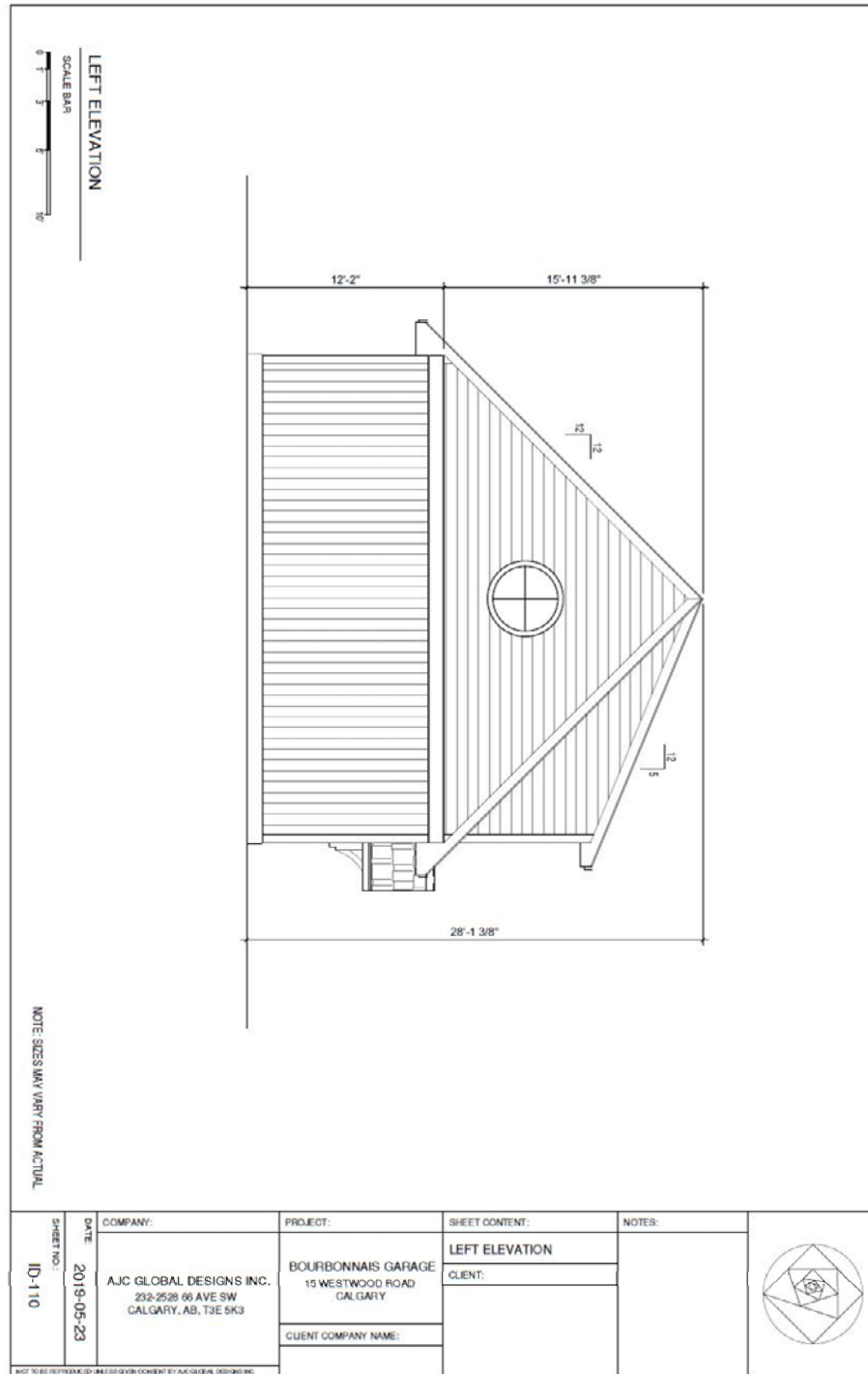


RIGHT ELEVATION PLAN



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003

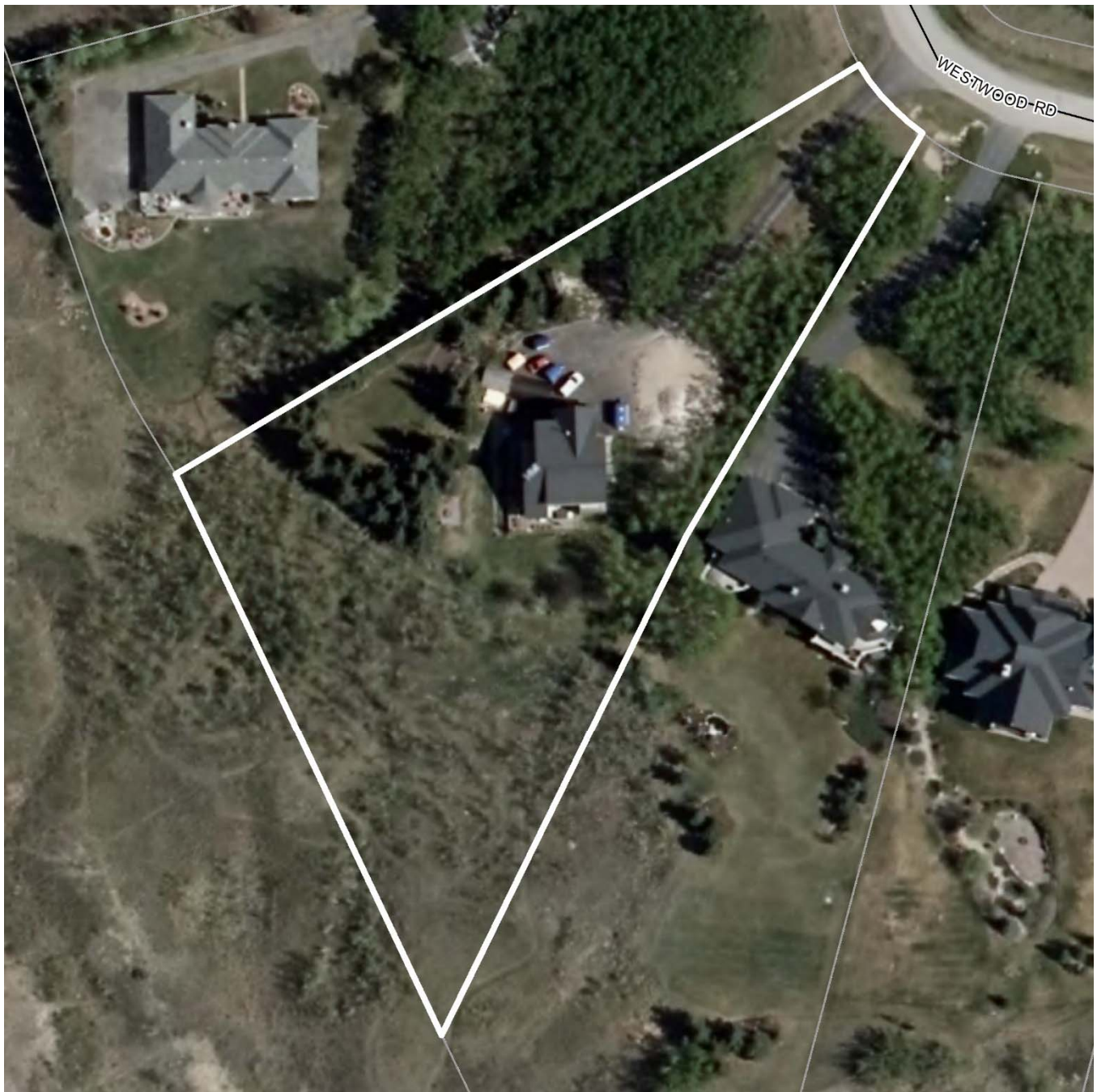


LEFT ELEVATION PLAN



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003



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

AIR PHOTO

Spring 2018

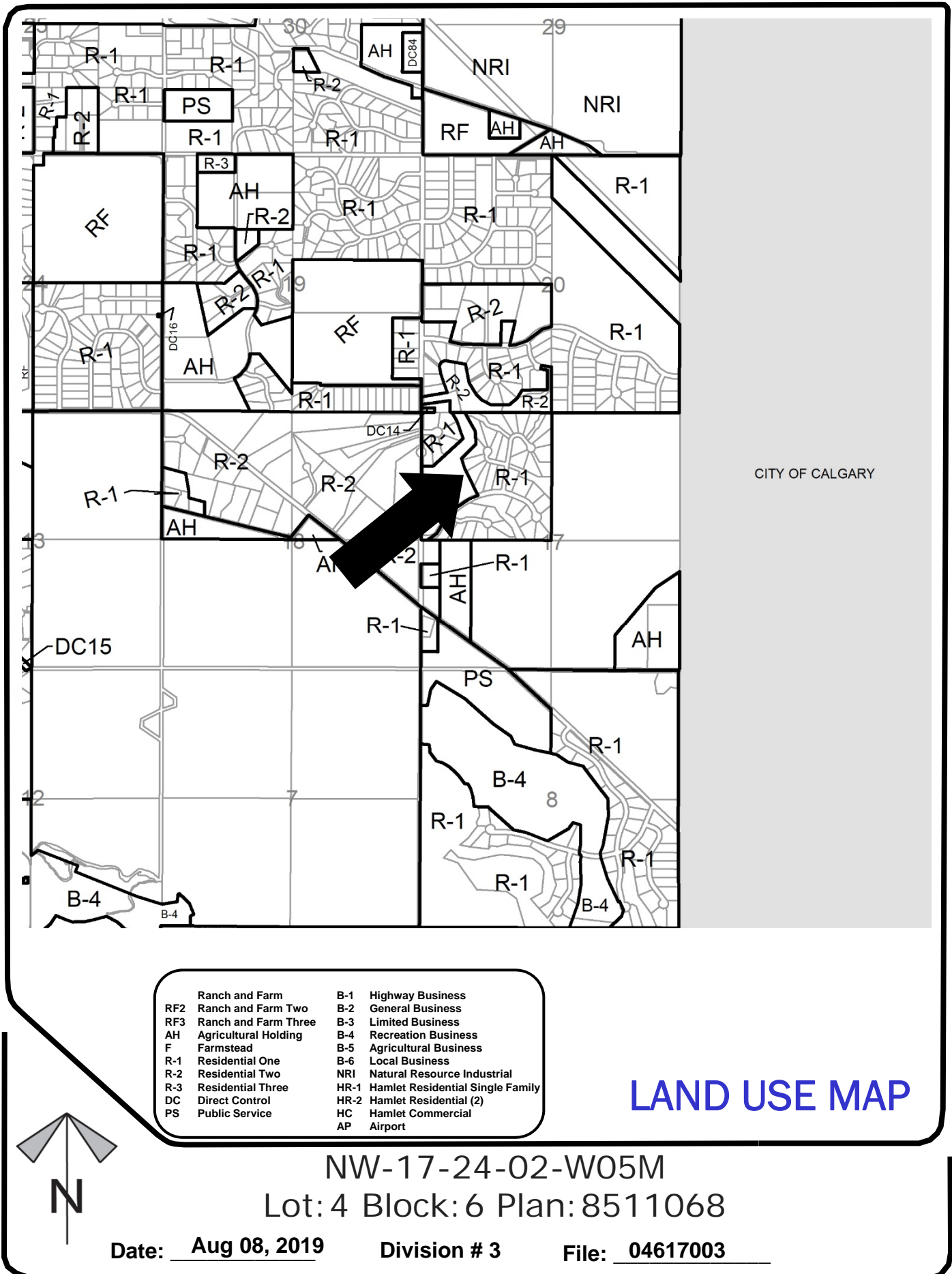


NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019

Division # 3

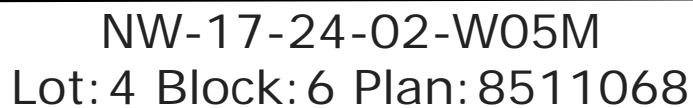
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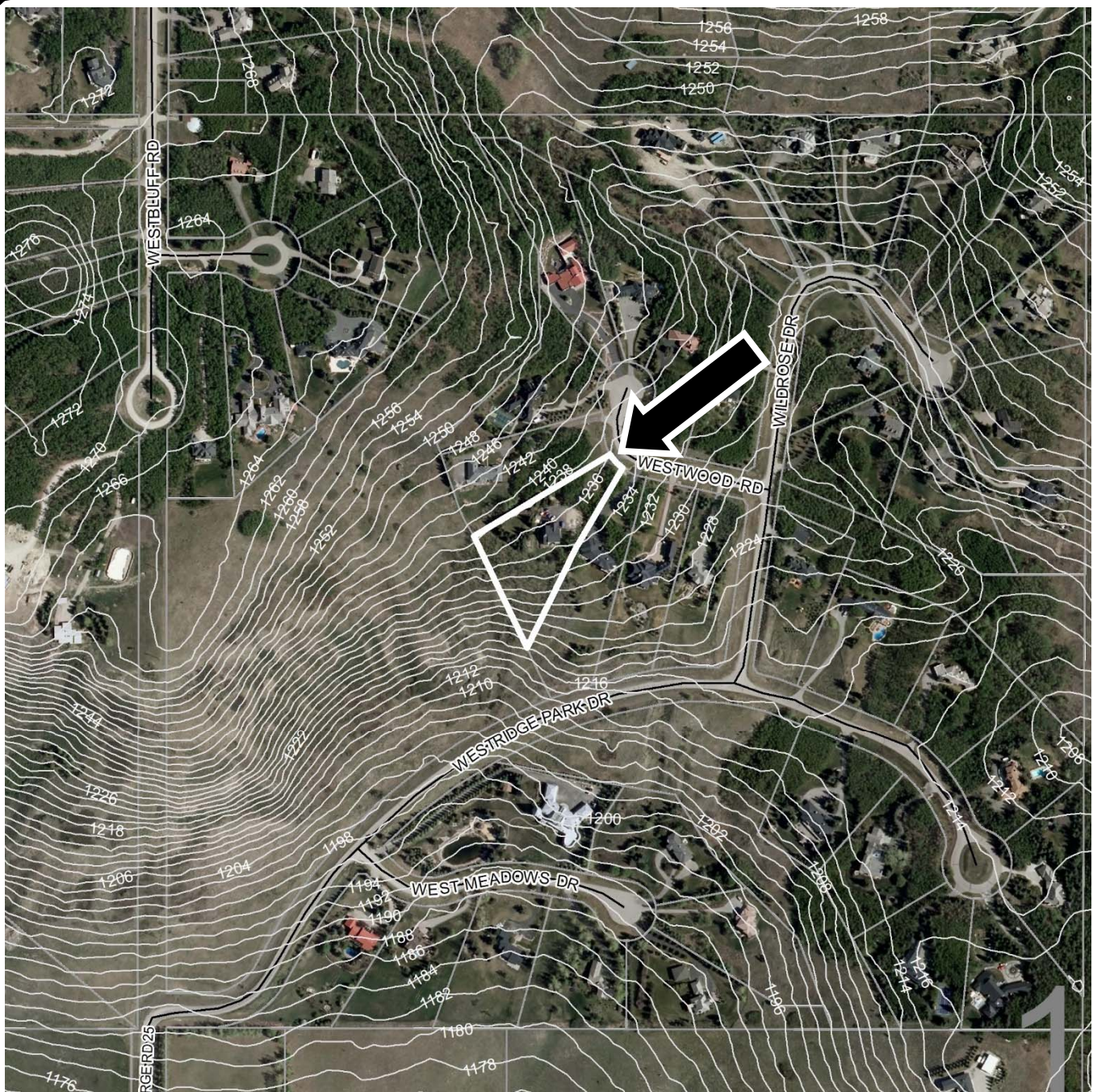


TOPOGRAPHY

Contour Interval 2 M



File: 04617003



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

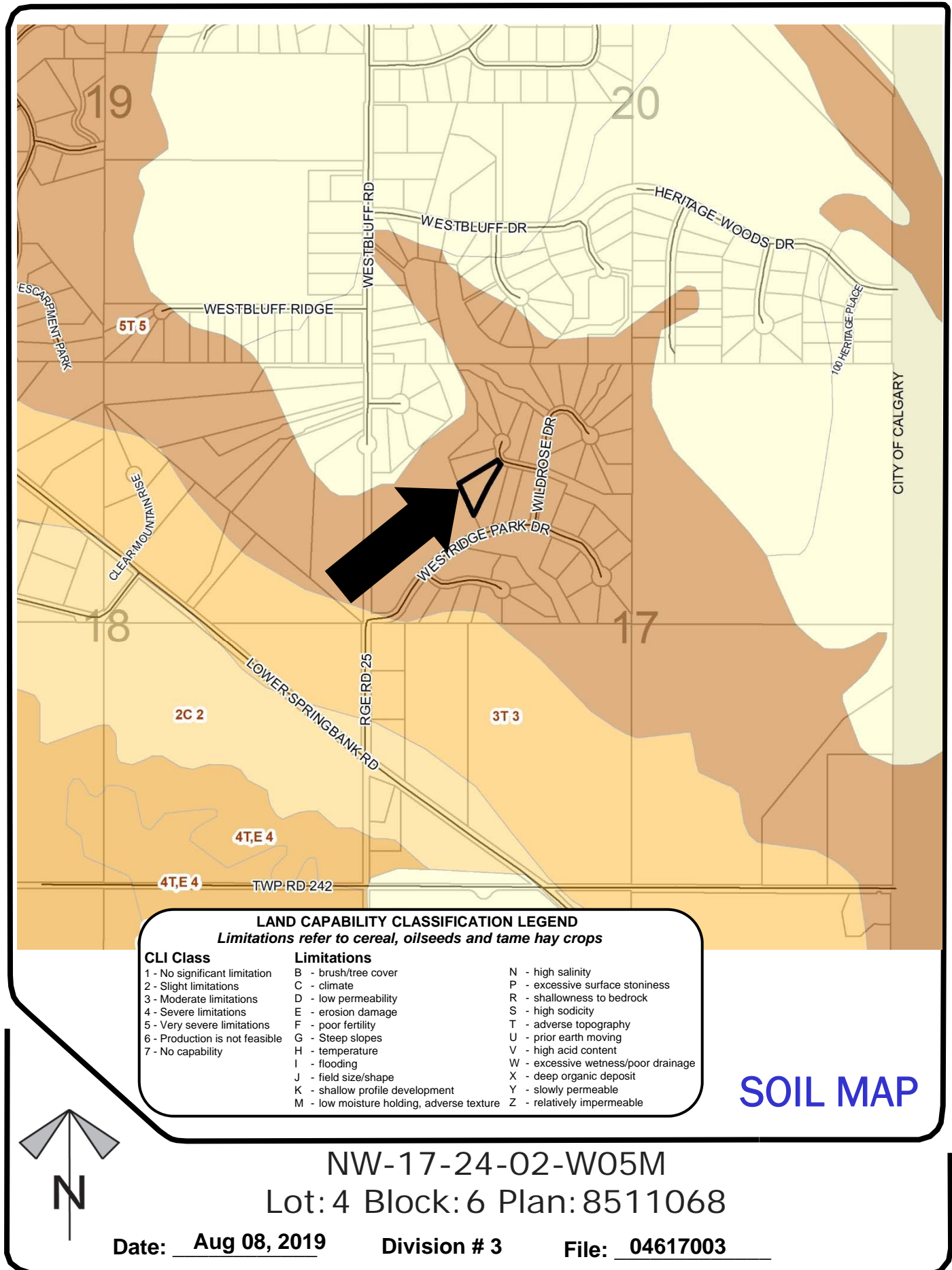


NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019

Division # 3

File: 04617003





Legend – Plan numbers

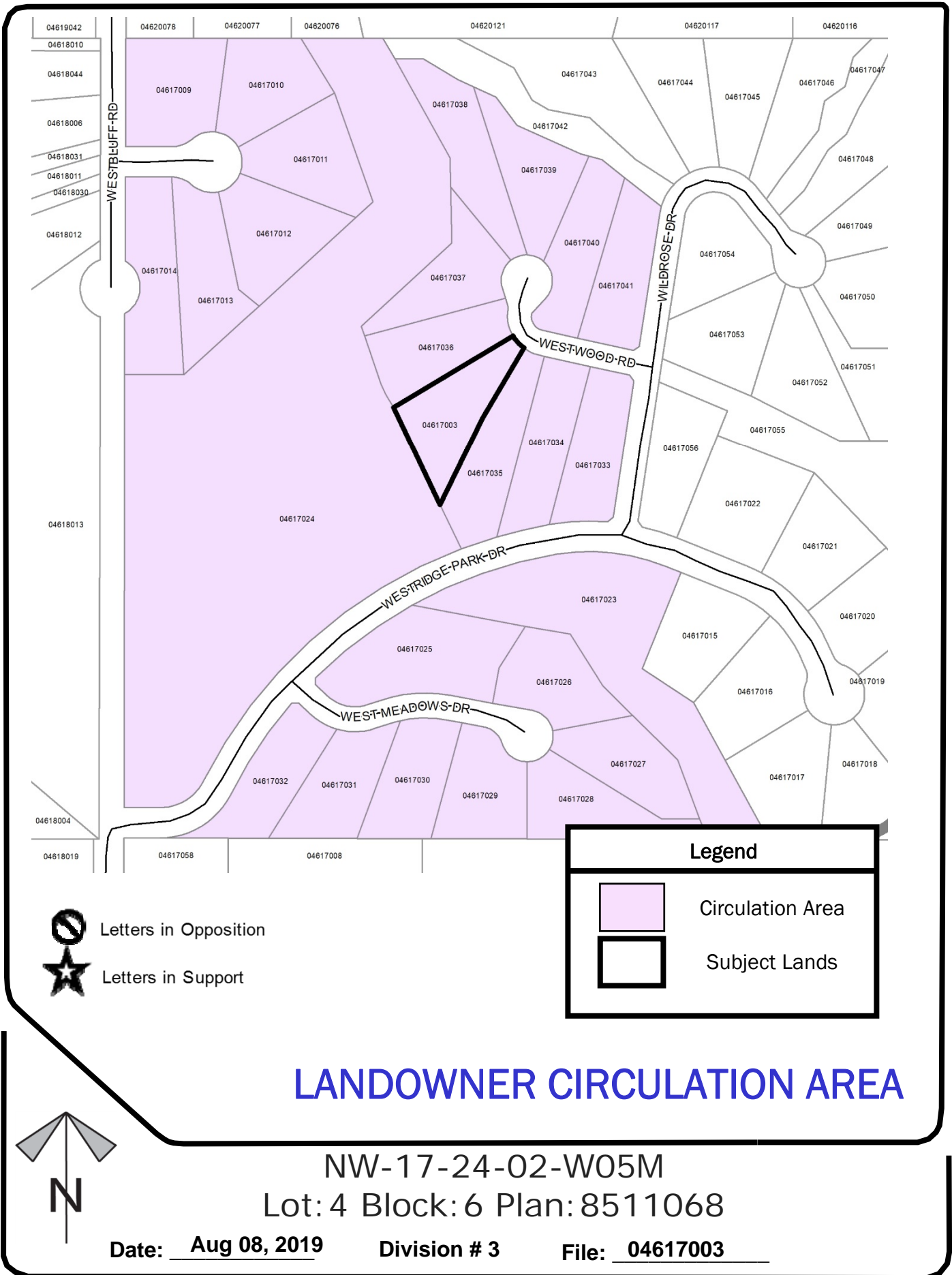
- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP



NW-17-24-02-W05M
Lot: 4 Block: 6 Plan: 8511068

Date: Aug 08, 2019 Division # 3 File: 04617003





Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information		
Name of Appellant(s) <u>Corinna & Mike Bourbonnais</u>		
Mailing Address		Province <u>AB</u>
<u>[Redacted Address]</u>		
Site Information		
Municipal Address	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian)	
<u>15 Westwood Road</u>	<u>Lot 4, Block 6, Plan 8511068 NW-17-24-2-WSM</u>	
Property Roll #	Development Permit, Subdivision Application, or Enforcement Order #	
<u>04617003</u>	<u>PRDP 2019 1431</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>See Attached</u></p> <div style="text-align: right;"> </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 Municipal Clerk at 403-230-1401.

Corinna Bourbonnais
Appellant's Signature

Aug 6, 2019
Date



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

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

REFUSAL

Mike & Corinna Bourbonnais



Development Permit #: PRDP20191431

Date of Issue: August 1, 2019

Roll #: 04617003

Your Application dated 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 (garage),
relaxation to the size of an accessory building,
height of an accessory building, and
total building area for all accessory buildings requirements

at Lot 4, Block 6, Plan 8511068, NW-17-24-2-W5M; (15 WESTWOOD ROAD)

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 the accessory building exceeds the requirement as defined in Section 48.3 of Land Use Bylaw C-4841-97.
Required – 120.00 sq. m (1,291.67 sq. ft.); Proposed – 167.23 sq. m (1,800.00 sq. ft.).
- 2) The height of the accessory building exceeds the requirement as defined in Section 48.9 of Land Use Bylaw C-4841-97.
Required – 7.00 m (22.96 ft.); Proposed – 8.74 m (28.67 ft.).
- 3) The total building area for all accessory buildings exceeds the requirement as defined in Section 48.9 of Land Use Bylaw C-4841-97.
Required – 120.00 sq. m (1,291.67 sq. ft.); Proposed – 180.96 sq. m (1,947.84 sq. ft.).

A handwritten signature in blue ink, appearing to read "A. L. Z.", positioned above a horizontal line.

Manager, Planning Services

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.

Dear Subdivision and Development Appeal Board:

We would like to have a garage to be able to clean up our yard, park our vehicles in the garage and our lawn tractor, snow blowers, and trailers. We would like to have ample storage room in the upstairs. We want this structure to match our existing house. Pictures of our current house and future garage are attached. This will only improve the aesthetics of our already beautiful neighborhood.

Thank you,

A handwritten signature in blue ink, appearing to read "Corinna & Mike Bourbonnais". The signature is fluid and cursive, with the first name "Corinna" written in a stylized script and "Mike Bourbonnais" following in a similar but slightly more legible cursive.

Corinna & Mike Bourbonnais



Proposed Garage





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

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

REFUSAL

Mike & Corinna Bourbonnais



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Date of Issue: August 1, 2019

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relaxation to the size of an accessory building,
height of an accessory building, and
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at Lot 4, Block 6, Plan 8511068, NW-17-24-2-W5M; (15 WESTWOOD ROAD)

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20191431

B-5

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ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 04617003
Date of Receipt May 6/19	Receipt #

Name of Applicant Mike & Corinna Bourbonnais Email [REDACTED]
 Mailing Address [REDACTED] Calgary AB
 Postal Code [REDACTED]
 Telephone (B) [REDACTED] Fax [REDACTED]
 For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____
 Mailing Address [REDACTED]
 Postal Code [REDACTED]
 Telephone (B) [REDACTED] Fax [REDACTED]

1. LEGAL DESCRIPTION OF LAND

a) All / part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
 b) Being all / parts of Lot 4 Block 6 Registered Plan Number 8511068
 c) Municipal Address 15 Westwood Rd
 d) Existing Land Use Designation R-1 Parcel Size 2.09 Division _____

2. APPLICATION FOR

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I Corinna Bourbonnais 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 Corinna Bourbonnais
 Date May 6, 2019

Owner's Signature Corinna Bourbonnais
 Date May 6, 2019

5. RIGHT OF ENTRY

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

Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.

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

Corinna Bourbonnais
Signature

May 6, 2019
Date

20191431



FOR OFFICE USE ONLY	
Fee Submitted \$280	File Number 04617003
Date Received May 6/19	Receipt #

APPLICATION FOR AN ACCESSORY BUILDING

Name of Applicant Mike & Corinna Bourbonnais Email [REDACTED]
Mailing Address [REDACTED]
Postal Code [REDACTED]
Telephone (B) [REDACTED] Fax [REDACTED]

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	1,291.67sf	1800 Sqft
Accessory building height	22.96	28.66 ft
Number of existing accessory buildings on site	2	2
Total size of all accessory buildings	1,291.67	1948 sqft

Description of Accessory Buildings:

- a) Building materials Concrete, wood
b) Exterior colour Compatible To existing houses
c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
Storage Needs, Tidy up property,
d) Date when building permits were issued for existing buildings _____
e) If no permits were issued - list age of buildings _____

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Garage and Storage. Need space for parking vehicles and storage.

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: May 6, 2019

Development Permit Checklist

The following information must be included with your application. Without it, your application will be considered incomplete, and will not be processed until it has been supplied.

- ☒ **APPLICATION FEE \$265**
See Development Permit Fee Schedule.
- ☒ **CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE \$15**
Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.
- ☒ **SITE PLAN OF THE PROPOSED DEVELOPMENT**
Showing all dimensions and setbacks – refer to the example in this package.
Please show all slopes steeper than 15%
- ☒ **APPLICATION FORM(S)**
The form is to be completed in full and signed by the registered owner of the land and/or the person authorized to act on their behalf (if any).
 - ☒ **AUTHORIZATION FROM REGISTERED OWNER**
Provided either by signing the Development Permit Application or an attached letter from owner giving authorization.
- ☒ **AFFIDAVIT, LETTER, AND/OR COMPANY SEAL**
An affidavit or Company Seal is required when the registered owner shown on the title of the property is listed as a Company. If you do not have a Company Seal, have an affidavit Commissioned, granting you authorization to legally act on behalf of the Company. If you have a Company Seal, please affix said seal to every place that your signature is required, including the Letter of Authorization.
- ☒ **COVER LETTER**
A cover letter, detailing the nature of the business or tenancy, **must** accompany all Home Based Businesses or Tenancy applications. A cover letter for all other development permit applications will be requested when deemed necessary.
- ☒ **OTHER DOCUMENTATION**
All other required documents specific to the Development Permit in question, must accompany the application. To determine what other documents will be required, please speak to a planning representative or review the requirements on www.rockyview.ca. Additional items may be requested upon receipt and after review of the application, depending on the nature of the application.

FOR OFFICE USE ONLY

☒ PARCEL INFORMATION AND LAND USE MAPS

☒ LAND USE DESIGNATION R-1

☒ PROPOSED DEVELOPMENT construction of an accessory building
relaxation of the height.

☒ AIR PHOTO

☐ CONCEPT PLAN/ASP INFO. Which one? _____
Print off any relevant sections of the ASP/Cp's in regards to the above

☐ PRE-APPLICATION MEETING/AIMTRAC NOTES

If applicable, provide a copy of any notes if a pre-app meeting was held before application was received

	Road Type	Bylaw	Proposed
Front Yard Setback Minimum		15m	10ft
Side Yard Setback Minimum		3m	3m/10ft
Rear Yard Setback Minimum		7m	10ft
Height Maximum		22.96'	28.66'
Principal Building Size			

☒ ADMINISTRATION MUST VERIFY APPLICATION IS COMPLETE AND ACCURATE

Comments

PRDP20183130 approved by SDAB. Applicant would like to increase
height. They are aware this will need to go to SDAB again.

Sandra

Staff Signature



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0014 523 650 8511068;6;4 121 205 451

LEGAL DESCRIPTION
PLAN 8511068
BLOCK 6
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.846 HECTARES (2.09 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;24;17;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 051 455 012

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
121 205 451	13/08/2012	TRANSFER OF LAND	\$1,500,000	SETTLEMENT

OWNERS

CORINNA BOURBONNAIS
OF 15 WESTWOOD ROAD
CALGARY
ALBERTA T3Z 3J8

(DATA UPDATED BY: CHANGE OF NAME 161111157)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
781 068 593	05/05/1978	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
781 176 845	02/11/1978	RESTRICTIVE COVENANT
851 136 045	16/08/1985	ORDER AFFECTS INSTRUMENT: 781176845

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
121 205 451

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS

"JUDGES ORDER - AMENDING RESTRICTIVE COVENANT"		
851 164 917	01/10/1985	RESTRICTIVE COVENANT
851 191 087	12/11/1985	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. GRANTEE - WESTRIDGE WATER SUPPLY LTD. AS TO PORTION OR PLAN:8511069
911 039 768	25/02/1991	UTILITY RIGHT OF WAY GRANTEE - WESTRIDGE WATER SUPPLY LTD. AS TO PORTION OR PLAN:8010487
121 205 452	13/08/2012	RELEASE OF DOWER RIGHTS BY - RAYMOND TANG-WAI
TOTAL INSTRUMENTS: 007		
THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 28 DAY OF MAY, 2019 AT 02:38 P.M.		
ORDER NUMBER: 37314177		
CUSTOMER FILE NUMBER:		
END OF CERTIFICATE		
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.		
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).		





Summary

Roll Number	04617003
Legal Desc	NW-17-24-02-W05M
Divison	03
Lot Block Plan	Lot:4 Block:6 Plan:8511068
Linc Number	14523650
Title Number	121205451
Parcel Area	2.09000
Municipal Address	15 WESTWOOD ROAD
Contact Information	Bourbonnais, Corinna 15 Westwood Road Calgary AB T3Z 3J8
Land Use Information	R-1 (RESIDENTIAL ONE)

00000000000000

Plan

Planning Applications Information

{There is no related Application}

Area Structure Plan

Plan Name
Central Springbank

RV Number
2008-RV-187

Conceptual Scheme

{There is no related Conceptual Scheme}

Permit

Building Permits

Permit Number	Permit Type	Date Issued
2012-BP-24884	Building	Fri May 25, 2012
2008-GP-8698	Gas	Wed Jun 25, 2008
2008-PL-5435	Plumbing	Wed Jun 25, 2008
2006-PL-3883	Plumbing	Thu Apr 13, 2006
2006-EP-6118	Electrical	Thu Apr 13, 2006
2006-GP-5590	Gas	Thu Apr 13, 2006
2006-BP-19127	Building	Wed Apr 05, 2006
1979-BP-7795	Building	Tue Jul 10, 1979
1979-BP-7771	Building	Wed Jul 04, 1979
1979-BP-7722	Building	Wed Jun 06, 1979
PRBD20153782	Building	

Development Permit Information

Permit Number	Date Issued
PRDP20183130	Friday, February 15, 2019
PRDP20150920	

Alert

There is no related Development Enforcement Data}

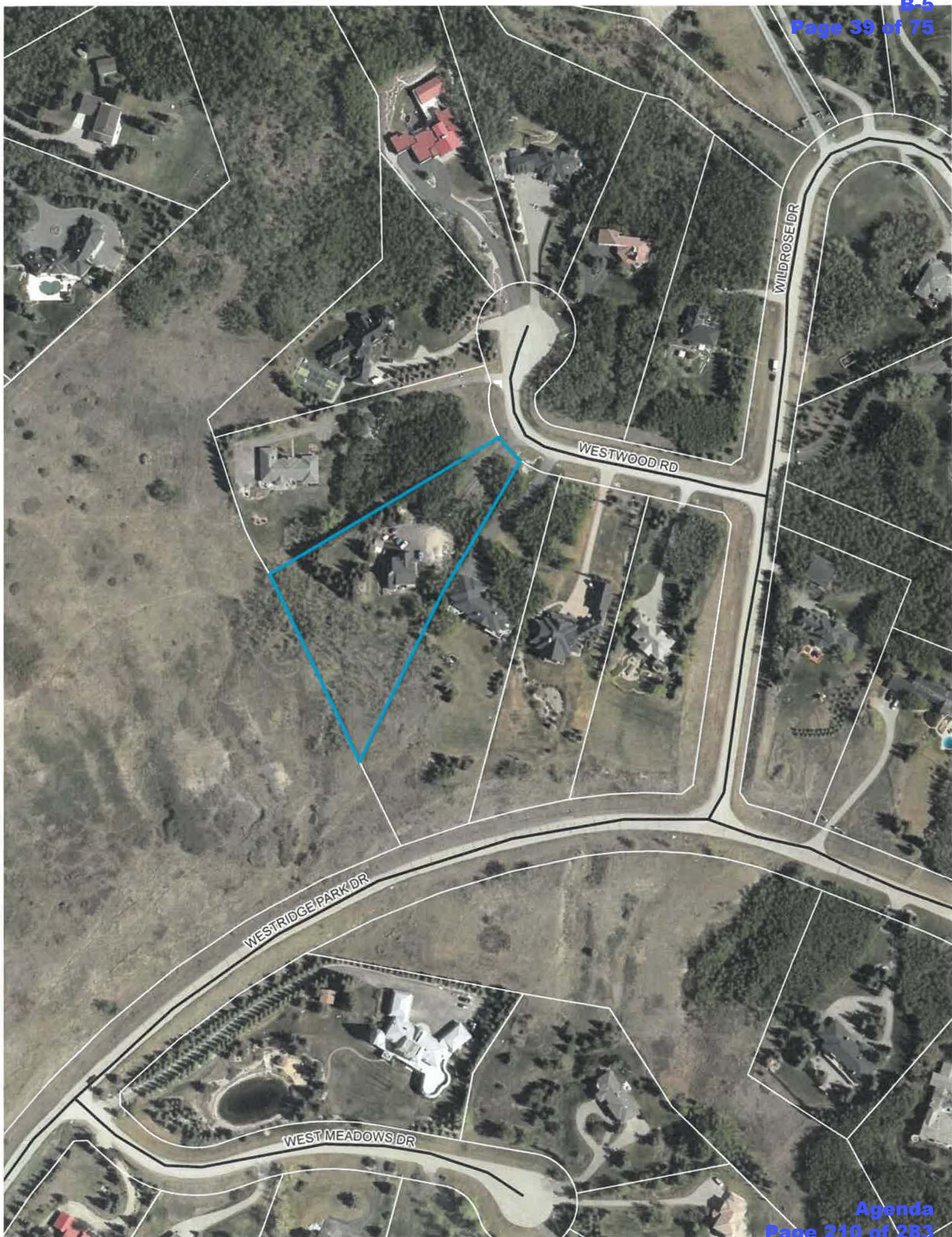
Geospatial Boundary

Boundary	Category
Division	3
Area Structure Plan	Central Springbank
Conceptual Scheme	No Conceptual Scheme
IDP	CALGARY IDP Study Area
Airport Vicinity	No APVA
Engineer	Bianca Duncan
Water Coop	WESTRIDGE WATER UTILITY LTD
Gas Coop Service	ATCO GAS
No.of Lots Within 600 M	64
No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Rocky View West
Fire District	ELBOW VALLEY
Primary Fire Station	101
Secondary Fire Station	102
Tertiary Fire Station	120

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 Meter	
Closest Gravel Pit	Kennel Pit	8682.72 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:16455.29 M
Closest Road Name	WESTWOOD RD(Surface Type:Paved)	11.45 M
Closest Railway	CPR	6036.92 M

Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	1664.76 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	1211.83 M
Closest Confined Feeding Operation		4530.78 M



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

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

RECEIPT OF PAYMENT

Receipt Number: 2019020672
Receipt Date: 05/06/2019
Date Paid: 05/06/2019
Full Amount: \$280.00
GST Amount: \$0.00

Payment Details:	Payment Method	Amount Tendered	Cheque Number
	Mastercard	\$280.00	

Amount Tendered: \$280.00

Change / Overage: \$0.00

Contact: Bourbonnais, Corinna L, Address: [REDACTED] [REDACTED]

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Accessory	PRDP20191431	\$265.00	\$265.00
Buildings Uses			
Land Title	PRDP20191431	\$15.00	\$15.00
Document(s)			

Sandra Khouri

From: Sandra Khouri
Sent: Tuesday, May 28, 2019 2:34 PM
To: [REDACTED]
Subject: RE: SDAB 72-18, PRPD20183130 -- Rocky View County PRDP20191431

Hi Corinna,

I will be assigning this file to a planner for review as it appears as though you wish to move forward with the height relaxation on the accessory building. I just wanted to clarify that the file will need to be heard by the Development Appeal Board again since the proposal is for an over-height and over-sized building and we cannot vary the decision of the Board by issuing a separate approval just for the height relaxation alone. I believe I had discussed this with you at the counter when you were making your submission but since you received different information previously I thought it be best to confirm this with you again. As long as you're okay with that I can proceed with assigning the file.

Thank you!

SANDRA KHOURI

Development Officer | Planning & Development

ROCKY VIEW COUNTY

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

Phone: 403-520-3934

skhouri@rockyview.ca | www.rockyview.ca

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From: Evan Neilsen <ENeilsen@rockyview.ca>
Sent: Friday, May 24, 2019 4:06 PM
To: Sandra Khouri <SKhouri@rockyview.ca>
Subject: FW: SDAB 72-18, PRPD20183130 -- Rocky View County PRDP20191431

Best regards,

EVAN NEILSEN

Planning Call Representative | Planning Services

ROCKY VIEW COUNTY

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

Phone: 403-520-8158

ENeilsen@rockyview.ca | www.rockyview.ca

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From: Corinna TLC Medical Billing and Bookkeeping [REDACTED]
Sent: Thursday, May 23, 2019 6:50 PM
To: skhouri@rockyview.com
Cc: Evan Neilsen <ENeilsen@rockyview.ca>
Subject: SDAB 72-18, PRPD20183130 -- Rocky View County PRDP20191431

Round 2! Here are the drawings for the garage. Please let me know if anything else is required to get the ball rolling again. Hopefully we can build it before fall.

Thank you for all your help,
Corinna

Corinna | TLC Medical Billing & Bookkeeping | 403.246.7103 Office | 403.703.6062 Cell

From: ENeilsen@rockyview.ca <ENeilsen@rockyview.ca>
Sent: May 2, 2019 8:50 AM
To: [REDACTED]
Subject: RE: SDAB 72-18, PRPD20183130 -- Rocky View County

Hi Corinna,

The development permit identified previously has relaxed the bylaw from 7.0m (22.96 ft) to 7.01m (23.0 ft). If you wish to request additional relaxations you would be required to undergo a new development process requesting the relaxation. Assuming no other aspects of the project would need to be further relaxed (size, total building area) you may be able to have the additional height relaxation granted through a development permit process alone without having to present to the appeal board. Section 12.1(b)(ii) of our Land Use Bylaw allows our Planning Team to relax the maximum height up to 25% as long as the relaxation would not "unduly interfere with the amenities of the neighbourhood" and would not "materially interfere with or affect the use, enjoyment, or value of the neighbouring properties". The maximum potential height that could be granted under that provision of the bylaw would be 8.75m (28.66 ft).

I hope this helps and please feel free to reach out if we can be of further assistance.
I have enclosed the forms for requesting the height relaxation for an accessory building within this message for your review.

Best regards,

EVAN NEILSEN
Planning Call Representative | Planning Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Rocky View County | AB | T4A 0X2
Phone: 403-520-8158
ENeilsen@rockyview.ca | www.rockyview.ca

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From: Corinna TLC Medical Billing and Bookkeeping [REDACTED]
Sent: Monday, April 29, 2019 1:53 PM

To: Evan Neilsen <ENeilsen@rockyview.ca>
Cc: [REDACTED]
Subject: SDAB 72-18, PRPD20183130 -- Rocky View County

Dear Evan,

Thank you again for helping with removing Devendra from our file.

We are starting over again and figuring out our plans. Is there any allowance to go above 23 feet without going back to the appeals court again?

Thanks for all your help,
Corinna & Mike
[REDACTED]

From: ENeilsen@rockyview.ca <ENeilsen@rockyview.ca>
Sent: March 7, 2019 10:14 AM
To: [REDACTED]
Subject: RE: SDAB 72-18, PRPD20183130 -- Rocky View County

Hi Corinna – I have printed out your email and left it in your legal file to confirm Devendra Bhandari is no longer authorized to authorize your legal file.

Cheers,

EVAN NEILSEN
Planning Call Representative | Planning Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Rocky View County | AB | T4A 0X2
Phone: 403-520-8158
ENeilsen@rockyview.ca | www.rockyview.ca

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From: Corinna TLC Medical Billing and Bookkeeping [REDACTED]
Sent: Sunday, March 03, 2019 3:51 PM
To: Evan Neilsen
Cc: [REDACTED]
Subject: SDAB 72-18, PRPD20183130 -- Rocky View County

Hi Evan,

We have been having issues with the Engineer that we hired Devendra Bhandari with Yasmita Engineering. We hired him last July and he failed to attend the court date and forgot about a private meeting with us and is taking too long to provide us with drawings. We have terminated him. Is there a form I need to fill out to cancel his authorization on our file?

Thank you,
Corinna Bourbonnais

From: ENeilsen@rockyview.ca <ENeilsen@rockyview.ca>
Sent: January 9, 2019 1:48 PM
To: [REDACTED]
Subject: SDAB 72-18, PRPD20183130 -- Rocky View County

Hi Corinna,

It was good speaking with you earlier. Please find enclosed a copy of SDAB decision 72-18 regarding development permit application PRDP20183130.

Thanks again for contacting Rocky View County and please feel free to reach out if we can be of further assistance.

Best regards,

EVAN NEILSEN
Planning Call Representative | Planning Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Calgary | AB | T4A 0X2
Phone: 403-520-8158
ENeilsen@rockyview.ca | www.rockyview.ca

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15 Westwood Rd
Calgary, AB T3Z 3J8

May 6, 2018

Dear Rocky View Development Permit Department:

Subject: SDAB 72-18, PRPD20183130 – Rocky View County

We met with a builder in July of 2018 and we used his Engineer to design our garage. Unfortunately, the Engineer was not reliable and did not attend any meetings or gave us designs of our garage. Although we paid him, we still have not received the proper drawings. We realize that the upstairs of the garage that is intended for storage, is not high enough to create a storage room that will be accessible for average size humans. We are starting over again and are asking for a higher height of 28.66 ft. to be able to accommodate 10 foot garage doors and sufficient space for storage in the upstairs.

We have attached our current permit with this application.

Warm Regards,

A handwritten signature in blue ink, appearing to read "Mike & Corinna Bourbonnais".

Mike & Corinna Bourbonnais

ROCKY VIEW COUNTY
SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Board Order No.: 72-18

File No.: 04617003; PRDP20183130

Appeal by: Yasmita Engineering

Appeal Against: Development Authority of Rocky View County

Hearing Date: 2018 December 12

Decision Date: 2018 December 27

Board Members: D. Kochan, Chair
D. Henn, Vice-Chair
I. Galbraith
H. George
S. Hartley

DEVELOPMENT APPEAL DECISION

INTRODUCTION

[1] This is an appeal to the Rocky View County Subdivision and Development Appeal Board (the Board) from a decision of the Rocky View County Development Authority issued November 7, 2018. In this decision the Development Authority refused a development permit for the construction of an accessory building (garage), relaxation to the size of an accessory building, height of an accessory building, and total building area for all accessory buildings requirements at 15 Westwood Road (the Lands).

[2] Upon notice being given, this appeal was heard on December 12, 2018 in Council Chambers of Rocky View County's County Hall, located at 262075 Rocky View Point, Rocky View County, Alberta.

DECISION

[3] The appeal is allowed in part and the decision of the Development Authority is varied. A development permit shall be issued subject to the following conditions:

Description

- 1) That the construction of an accessory building (garage) approximately 167.23 sq. m (1,800.00 sq. ft.) in size may proceed in accordance with the site plan and detailed drawings submitted with the application and Conditions 2, 3, and 4.

- 2) That the maximum size of the accessory building is relaxed from 120.00 sq. m (1,291.67 sq. ft.) to 167.23 sq. m (1,800.00 sq. ft.).
- 3) That the maximum height of the accessory building is relaxed from 7.00 m (22.96 ft.) to 7.01 m (23.00 ft.).
- 4) That the total building area for the all accessory buildings is relaxed from 120.00 sq. m (1,291.67 sq. ft.) to 180.96 sq. m (1,947.84 sq. ft.).

Prior to Issuance

- 5) The Applicant/Owner shall, to the satisfaction of the Development Authority, submit amended site plans to Rocky View County Planning Services.
- 6) The amended site plans shall identify the location and extent of the mature trees located between the accessory building (garage) and site boundary as illustrated on the aerial photo on page 10 of the Development Authority's report as submitted to the Board.

Permanent

- 7) That the accessory buildings (garage) shall not be used for commercial purposes at any time, except for a Home-Based Business Type I.
- 8) That the accessory buildings (garage) shall not be used for residential occupancy at any time.
- 9) That the mature trees on the amended site plans shall not be removed from the property without the prior written approval by the Development Authority.

Advisory

- 10) That a Building Permit for the proposed accessory buildings (garage) shall be obtained prior to any construction taking place.
- 11) That during construction, all construction and building materials shall be maintained on-site in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 12) That during construction the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
- 13) That any other Federal, Provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

BACKGROUND

[4] On August 9, 2018, Yasmita Engineering (the Appellant), on behalf of the Land's owners, applied for a development permit for an accessory building, being a garage.

[5] The Lands are located at NW-17-24-2-W5M, 0.8 km (1/2 mile) north of Lower Spingbank Road and on the south side of Westwood Road. The Lands are approximately 0.85 hectares (2.09 acres) in area and are owned by Corinna Bourbonnais, the Owner.

[6] The Lands' land use designation is Residential One District, which is regulated in section 48 of the Rocky View County, *Land Use Bylaw C-4841-97* [the *Land Use Bylaw*].

[7] On November 7, 2018, the Development Authority refused to grant a development permit on the following grounds:

- (1) The size of the accessory building exceeds the requirement as defined in Section 48.3 of *Land Use Bylaw*. The required size is 120.00 square metres (1,291.67 square feet). The proposed size 167.23 square metres (1,800.00 square feet).
- (2) The height of the accessory building exceeds the requirement as defined in Section 48.9 of *Land Use Bylaw*. The required height is 7.00 metres (22.96 feet). The proposed height is 7.01 metres (23.00 feet).
- (3) The total building area for the all accessory buildings exceeds the requirement as defined in Section 48.9 of *Land Use Bylaw*. The maximum total building area is 120.00 square metres (1,291.67 square feet). The proposed total building area is 180.96 square metres (1,947.84 square feet).

[8] On November 28, 2018, the Appellant appealed the Development Authority's decision. The Notice of Hearing was circulated to 20 adjacent landowners in accordance with the *Municipal Government Act*, RSA 2000, c M-26 and Rocky View County Council Policy C-327, *Circulation and Notification Standards*.

SUMMARY OF EVIDENCE

[9] The Board heard verbal submissions from:

- (1) Stefan Kunz, Municipal Planner, for the Development Authority; and,
- (2) Corinna Bourbonnais, the Owner and Mike Bourbonnais.

[10] The Board received two letters in support of the appeal from:

- (1) Larry and Candis Strong of 19 Westwood Road; and
- (2) George and Arlene Abboud of 4 Wild Rose Drive.

[11] The Board received one letter in opposition to the appeal from Kim Haugrud and Mark Haugrud of 11 Westwood Road.

Development Authority's Submissions

[12] The Lands are developed with a single detached dwelling, and an accessory building, being a wood shed, that is 13.73 square metres in size. The proposed development is a garage approximately 167.23 square metres in size, with a height of 7.01 metres. The proposed structure is to be constructed of wood with an exterior that matches the dwelling.

[13] The Appellant had asked minor variance to height permitted for an accessory building of 0.14% variation. This is within the Development Authority's discretion to relax but was not done so given the other reasons for refusal.

[14] Main consideration is the actual size of the accessory building. The proposed garage requires 39.36% relaxation to the allowed accessory building size. A relaxation of 50.80% is requested to the total building area for all accessory buildings. These variances are not within the Development Authority's discretion.

Appellants' Submissions

[15] Corinna Bourbonnais and Mike Bourbonnais currently don't have a garage. They want one to store their vehicles and other personal property such as bikes and a tractor. There was a recent break-in in the neighbourhood and the garage will help keep their property secure.

[16] The size of the garage was chosen to maximize their storage capacity and take advantage of the size of the Lands. Their neighbours built a garage that was 40 feet by 40 feet and the Bourbonnais' believe a similar size would work for them.

[17] Mike Bourbonnais is a retired mechanic and now a firefighter for the City of Calgary. He wants a garage so he can continue to work on vehicles for his own enjoyment. He has no intention to start a mechanic business.

[18] The Lands are heavily treed between adjacent residences. The garage will not be visible when looking towards the house.

[19] They are willing to get rid of the extra accessory building on the Lands if they had to. Its used to store tools and mechanic materials.

[20] The setback from the property line to the proposed garage will be at least 3 metres. They would like it to be as close to the minimum allowed setback as possible so that enough driveway can be built to easily maneuver into the garage.

[21] They believe that the garage will not impact the primary view of their neighbours who submitted a letter of opposition. In the summer, the view of the garage will be screened by the mature trees in between the properties. The Bourbonnais spoke with other neighbours in the area and got their verbal support.

[22] The Bourbonnais agree that the site plan submitted by their neighbours, the Haugrud's, was more reflective of what they intended to build than the site plan included in the Development Authority's report.

FINDINGS & REASONS FOR DECISION

[23] An accessory building is a discretionary use in Residential One District, in accordance with section 48.3 of the *Land Use Bylaw*.

[24] The Board finds that the proposed accessory building is consistent with the community. It will keep the Lands tidy and the Owner's personal property secure. The boundaries of the Lands are heavily treed which will screen the view of the proposed garage from the neighbours.

SDAB Board Order no.: 72-18
File no.: 04617003; PRDP20183130

[25] In accordance with section 687(3)(d) of the *Municipal Government Act*, the Board finds that the proposed accessory development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring lands. The proposed accessory building conforms to the use prescribed for that Residential One District.

CONCLUSION

[26] For the reasons set out above, the appeal is allowed and the decision of the Development Authority is revoked. A development permit shall be issued subject to the above-noted conditions.

Dated at Rocky View County, in the Province of Alberta on December 27, 2018.

A handwritten signature in blue ink, appearing to read 'Don Kochan', is written over a horizontal line.

Don Kochan, Chair
Subdivision and Development Appeal Board

SDAB Board Order no.: 72-18
File no.: 04617003; PRDP20183130

EXHIBIT LIST

DOCUMENTS PRESENTED AT THE HEARING AND CONSIDERED BY THE BOARD

NO.	ITEM
1.	Development Authority's Report to the Board (21 pages), including one letter of support
2.	One letter of support
3.	One letter in opposition

A=16.44

WESTWOOD

6.00m U.P.
Plan 851
Reg. No. 851

Wood Shed
3.12x4.40
0.23 & 0.33 Eaves

LOT 5

6.00m U.P./W
Plan 851 1069
Reg. No. 851 191 587

PROPOSED GARAGE
60'x30'

1st Floor Cant
0.62 Wide

Wood Deck
0.83 high

Wood Balcony
2.75 high

Cant.
1.68x3.99

LOT 4
BLOCK 6
PLAN 851 1068

Reserve
BLOCK R3

- LEGEND
- NOTES AND SYMBOLS THAT ARE ON THIS PLAN.
 - found shown thus ...
 - found shown thus ...
 - Iron Post found shown thus ...
 - angle of arc shown thus ...
 - are shown thus ...
 - are shown thus ...
 - to scale shown thus ...
 - hts-Of-Way are shown thus ...
 - oundation shown thus ...
 - line shown thus ...
 - length of arc
 - tes Block
 - ates cantilever
 - otes concrete
 - egot

Nov 3/15

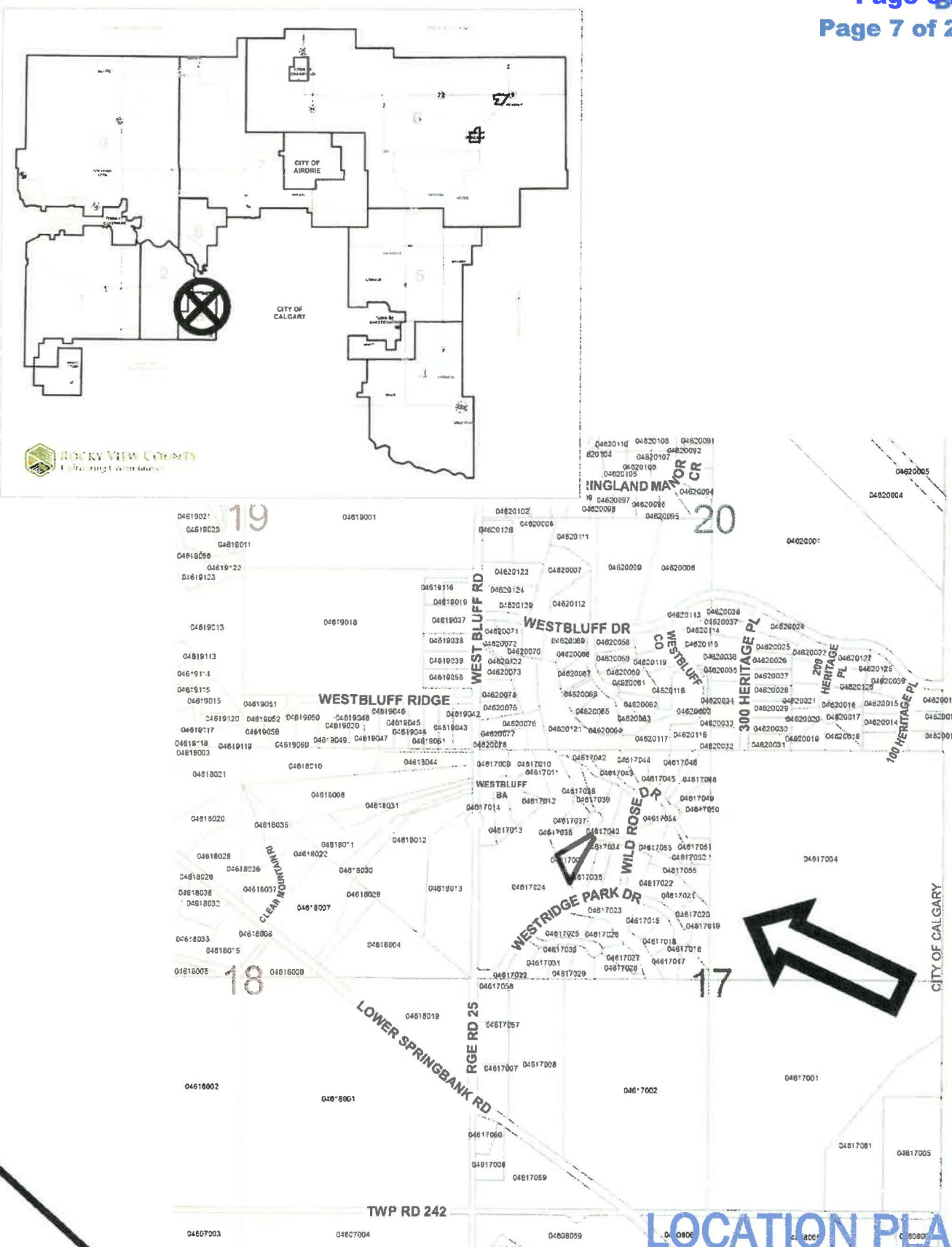
SITE PLAN

NW-17-24-02-W05M
Lot:4 Block:6 Plan:8511068

Date: Nov 28, 2018

Division # 3

File: 04917003



LOCATION PLAN

NW-17-24-02-W05M
Lot:4 Block:6 Plan:8511068

Date: Nov 28, 2018

Division # 3

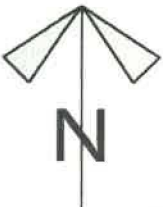
File: 04617003

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SITE PLAN



NW-17-24-02-W05M
Lot:4 Block:6 Plan:8511068

Date: Nov 28, 2018

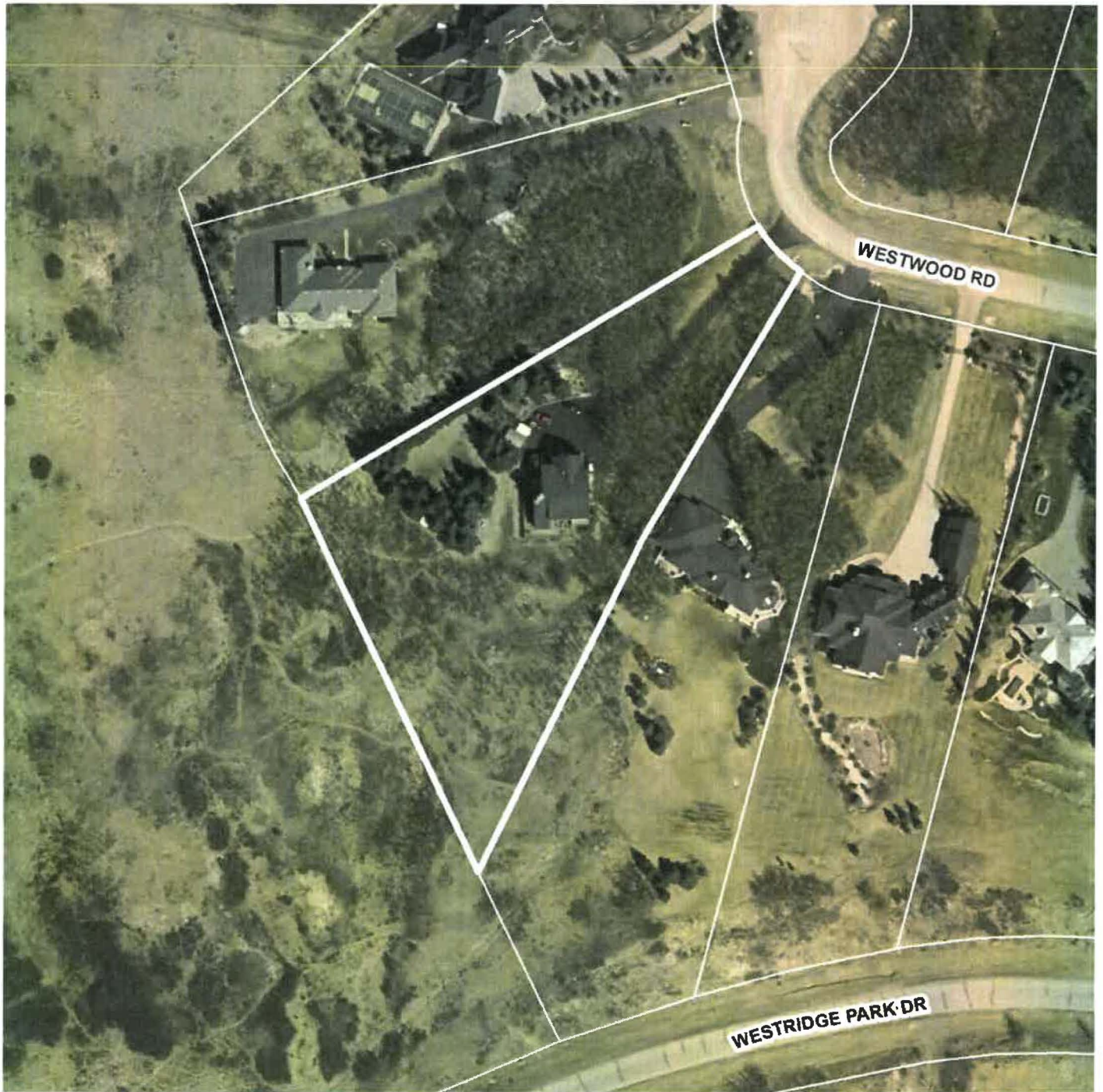
Division # 3

File: 04917003

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Agenda

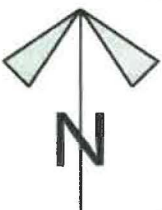
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Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO

Spring 2018



NW-17-24-02-W05M
Lot:4 Block:6 Plan:8511068

Date: Nov 28, 2018

Division # 3

File: 04017003

Agenda Page 142 of 214



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT

Yasmita Engineering
363 Falmere Rd NE
Calgary, AB T3J 2Z5

Development Permit No.: PRDP20183130

Date of Issue: Friday, February 15, 2019

Roll(s) 04617003

Your Application dated August 09, 2018 for a Development Permit in accordance with the provisions of the Land Use Bylaw in respect of:

construction of an accessory building (garage),
relaxation to the size of an accessory building,
height of an accessory building, and
total building area for all accessory buildings requirements

at Lot 4 Block 6 Plan 8511068, NW-17-24-02-05; (15 WESTWOOD ROAD)

in accordance with **Board Order 72-18** of the Subdivision and Development Appeal Board is approved subject to the following conditions:

Description:

- 1) That the construction of an accessory building (garage) approximately **167.23 sq. m (1,800.00 sq. ft.)** in size may proceed in accordance with the site plan and detailed drawings submitted with the application and Conditions 2, 3, and 4.
- 2) That the maximum size of the accessory building is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **167.23 sq. m (1,800.00 sq. ft.)**.
- 3) That the maximum height of the accessory building is relaxed from **7.00 m (22.96 ft.)** to **7.01 m (23.00 ft.)**.
- 4) That the total building area for the all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **180.96 sq. m (1,947.84 sq. ft.)**.

Prior to Issuance

- 5) The Applicant/Owner shall, to the satisfaction of the Development Authority, submit amended site plans to Rocky View County Planning Services.
- 6) The amended site plans shall identify the location and extent of the mature trees located between the accessory building (garage) and site boundary as illustrated on the aerial photo on page 10 of the Development Authority's report as submitted to the Board.

Permanent:

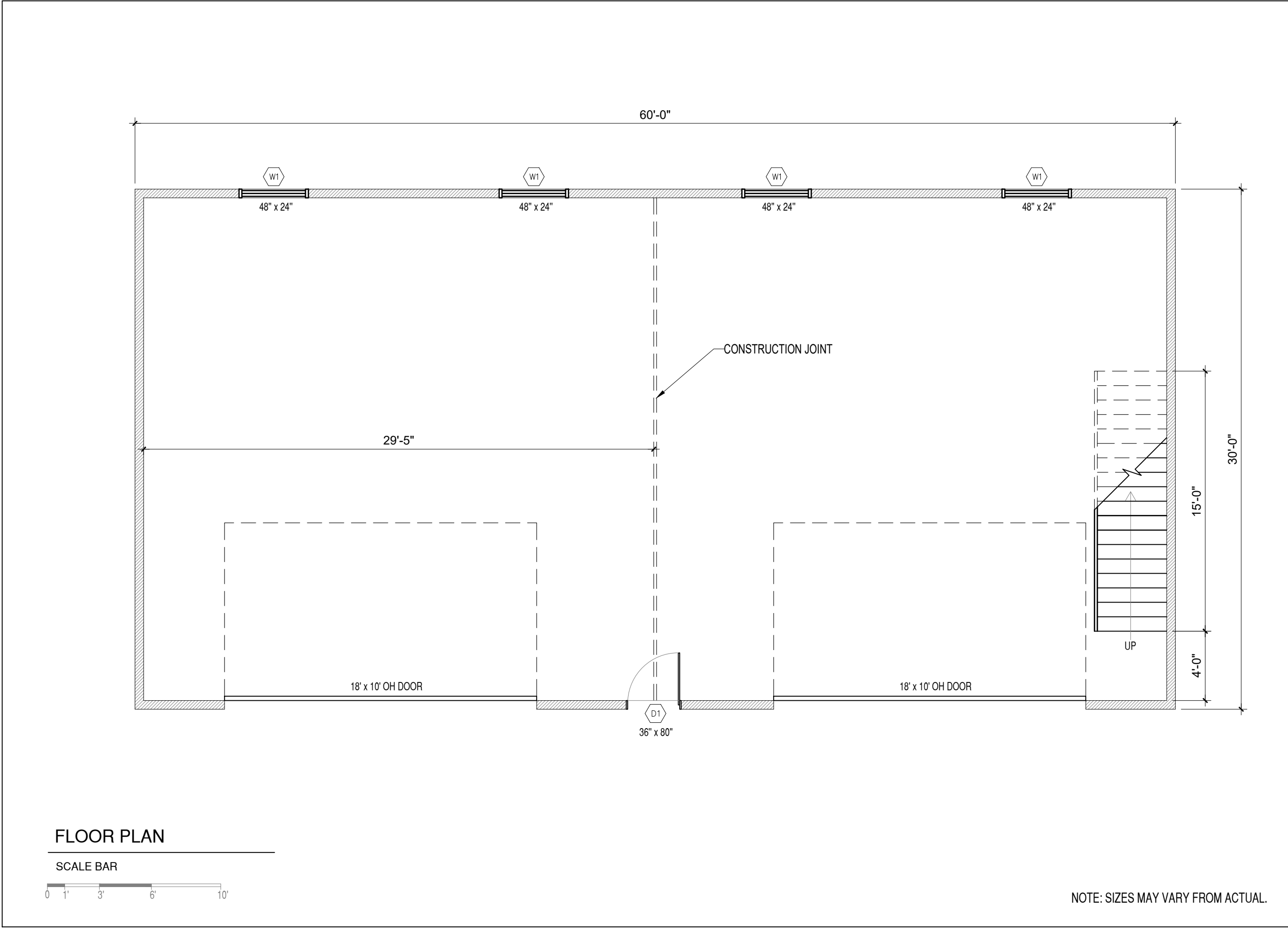
- 7) That the accessory buildings (garage) shall not be used for commercial purposes at any time, except for a Home-Based Business Type I.
- 8) That the accessory buildings (garage) shall not be used for residential occupancy at any time.
- 9) That the mature trees on the amended site plans shall not be removed from the property without the prior written approval by the Development Authority.

Advisory:

- 10) That a Building Permit for the proposed accessory buildings (garage) shall be obtained prior to any construction taking place.
- 11) That during construction, all construction and building materials shall be maintained on-site in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 12) That during construction the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
- 13) That any other Federal, Provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

Charlotte Satink
Municipal Clerk

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



FLOOR PLAN

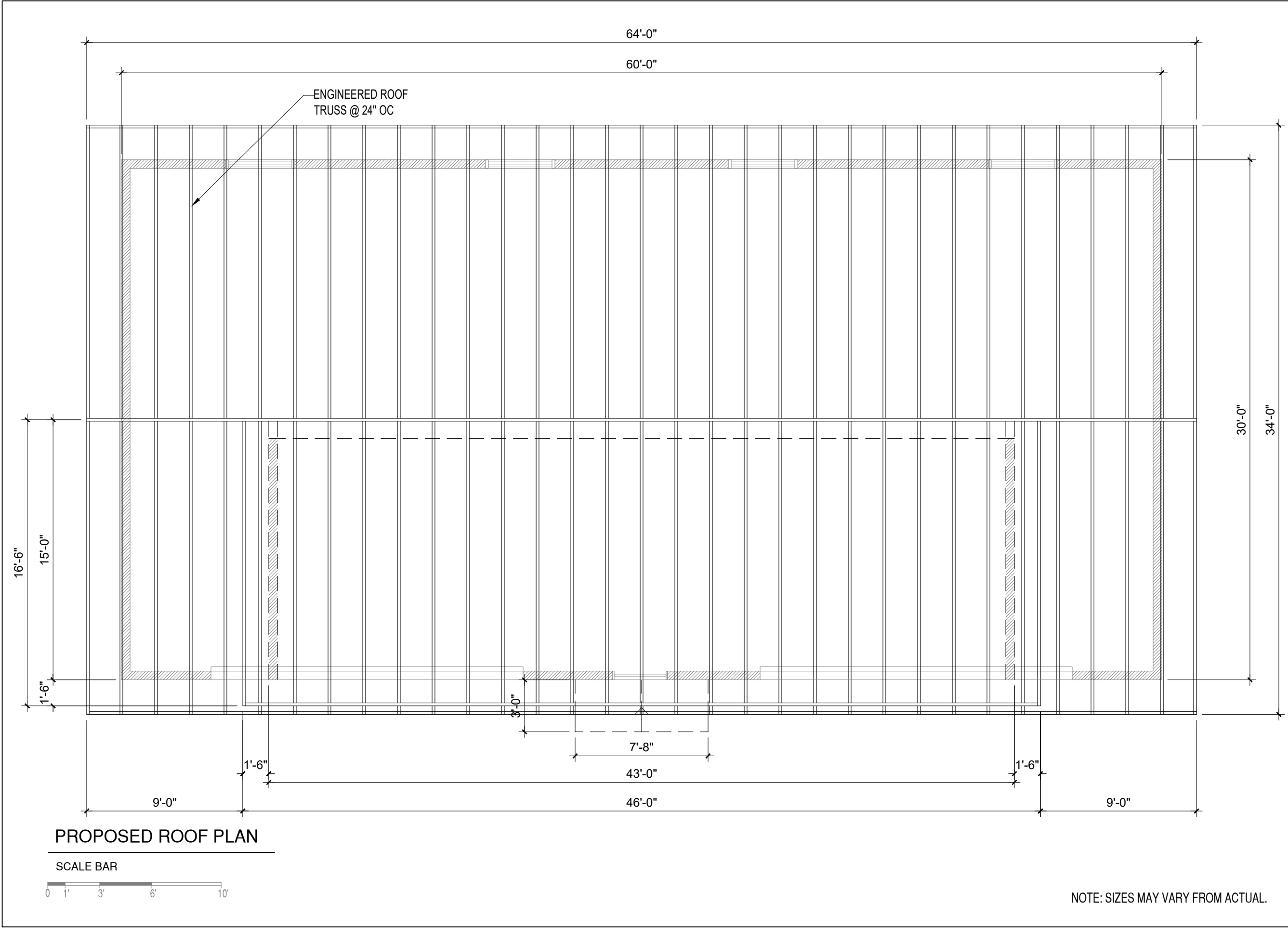
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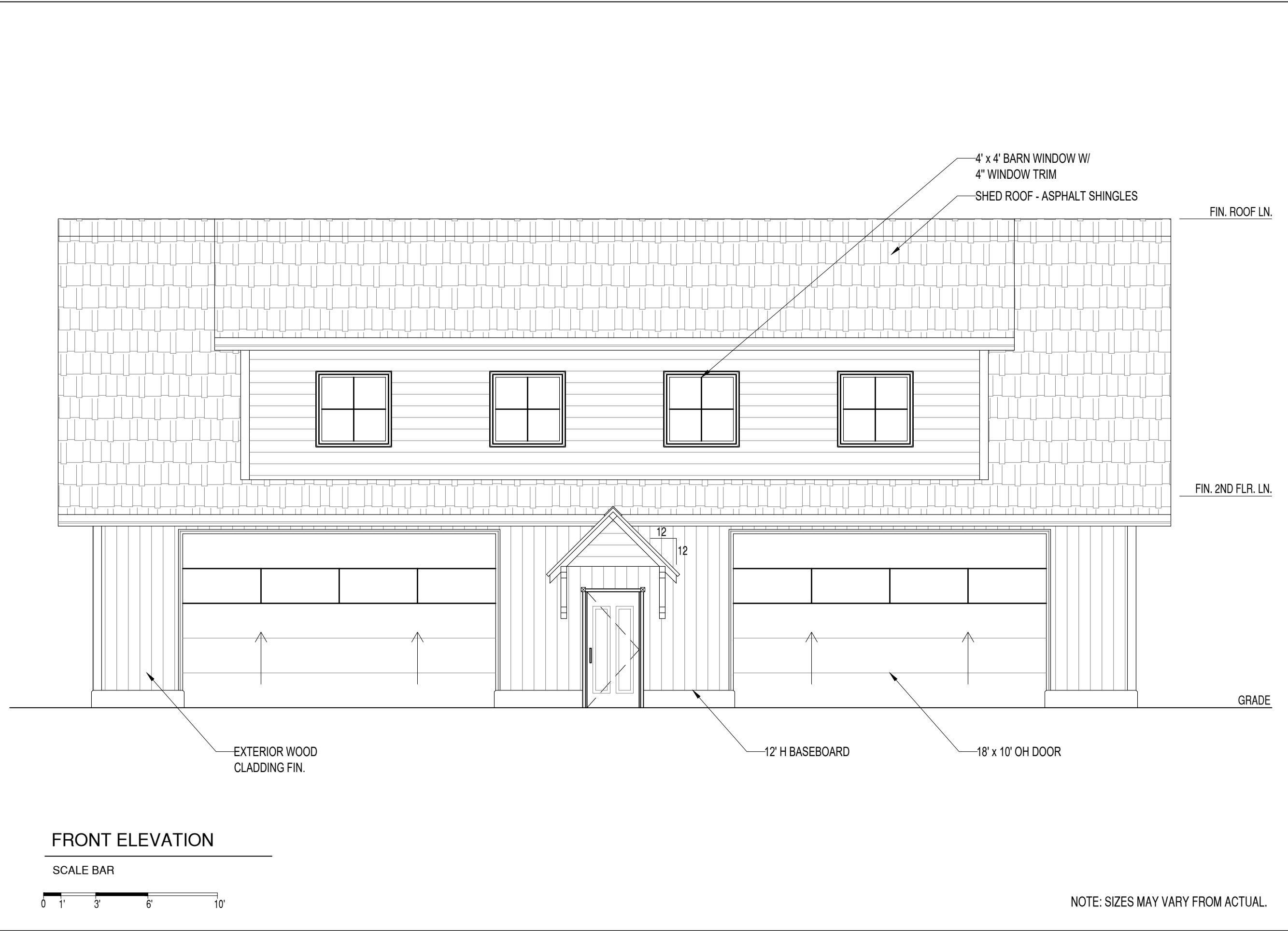
NOTE: SIZES MAY VARY FROM ACTUAL.

NOTES:	
SHEET CONTENT:	FLOOR PLAN
	CLIENT:
PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY
	CLIENT COMPANY NAME:
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3
	DATE: 2019-05-23
SHEET NO.: ID-101	

NOT TO BE REPRODUCED UNLESS GIVEN CONSENT BY AJC GLOBAL DESIGNS INC.



NOTES:	
SHEET CONTENT:	ROOF PLAN
	CLIENT:
PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY
	CLIENT COMPANY NAME:
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3
	DATE: 2019-05-23
SHEET NO.: ID-102	



NOTES:				
SHEET CONTENT:	FRONT ELEVATION			
				CLIENT:
PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY		CLIENT COMPANY NAME:	
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3			
DATE:		2019-05-23		
SHEET NO.:		ID-103		

NOT TO BE REPRODUCED UNLESS GIVEN CONSENT BY AJC GLOBAL DESIGNS INC.

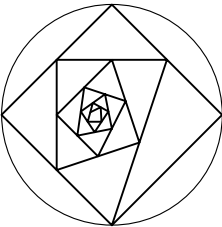


FRONT ELEVATION

SCALE BAR



NOTE: SIZES MAY VARY FROM ACTUAL.



NOTES:

SHEET CONTENT:
FRONT ELEVATION

CLIENT:

PROJECT:

BOURBONNAIS GARAGE
15 WESTWOOD ROAD
CALGARY

CLIENT COMPANY NAME:

COMPANY:

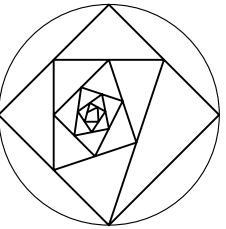
AJC GLOBAL DESIGNS INC.
232-2528 66 AVE SW
CALGARY, AB, T3E 5K3

DATE:

2019-05-23

SHEET NO.:

ID-104



NOTES:

SHEET CONTENT:

REAR ELEVATION

CLIENT:

PROJECT:

BOURBONNAIS GARAGE
15 WESTWOOD ROAD
CALGARY

CLIENT COMPANY NAME:

COMPANY:

AJC GLOBAL DESIGNS INC.
232-2528 66 AVE SW
CALGARY, AB, T3E 5K3

DATE:

2019-05-23

SHEET NO.:

ID-105

NOT TO BE REPRODUCED UNLESS GIVEN CONSENT BY AJC GLOBAL DESIGNS INC.

B-5
Page 62 of 75

—ASPHALT SHINGLES

FIN. ROOF LN.

—4' x 2' GLASS
WINDOW

FIN. 2ND FLR. LN.

—EXTERIOR WOOD
CLADDING FIN.

—12' H BASEBOARD

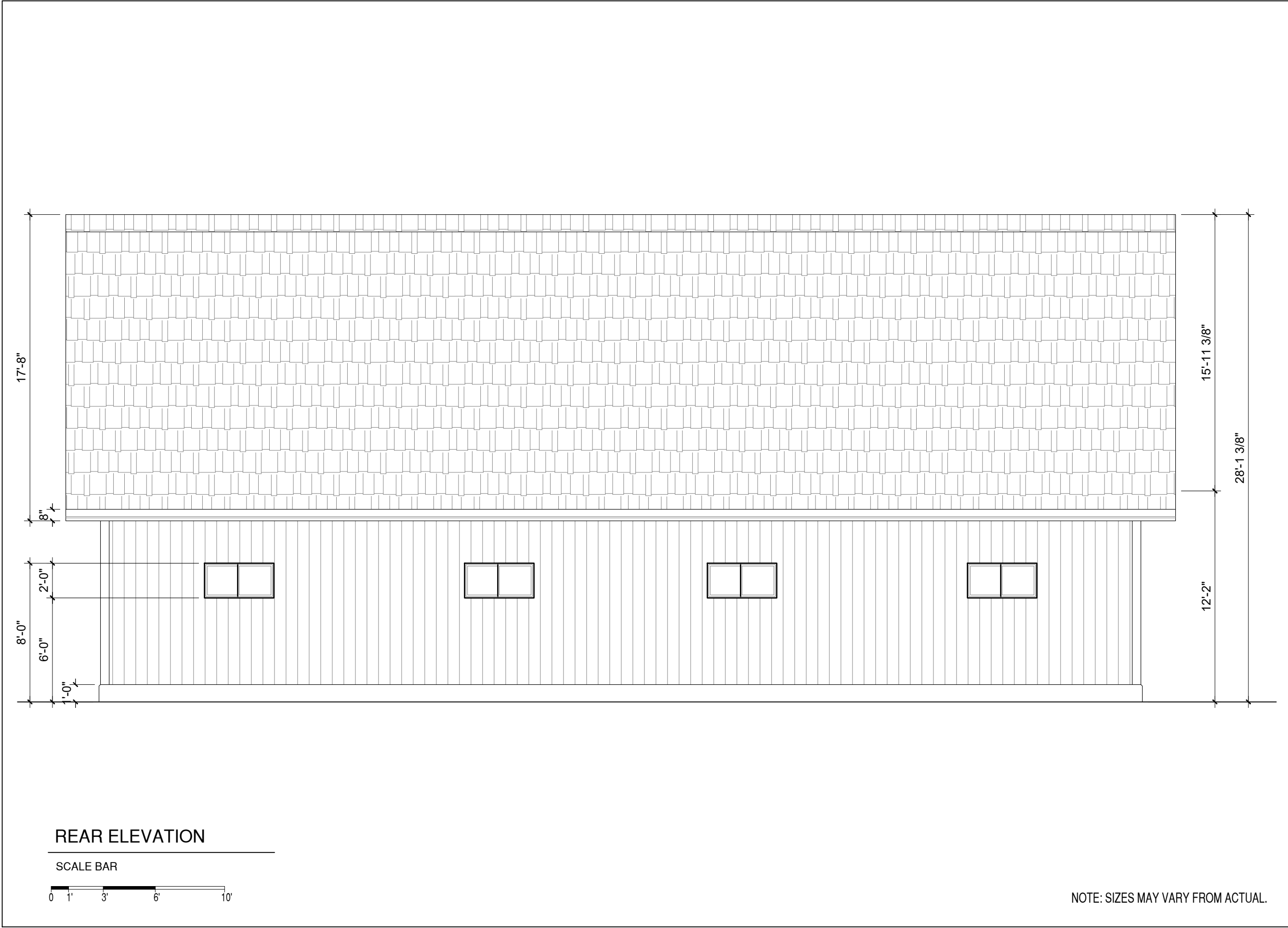
GRADE

REAR ELEVATION

SCALE BAR



NOTE: SIZES MAY VARY FROM ACTUAL.



REAR ELEVATION

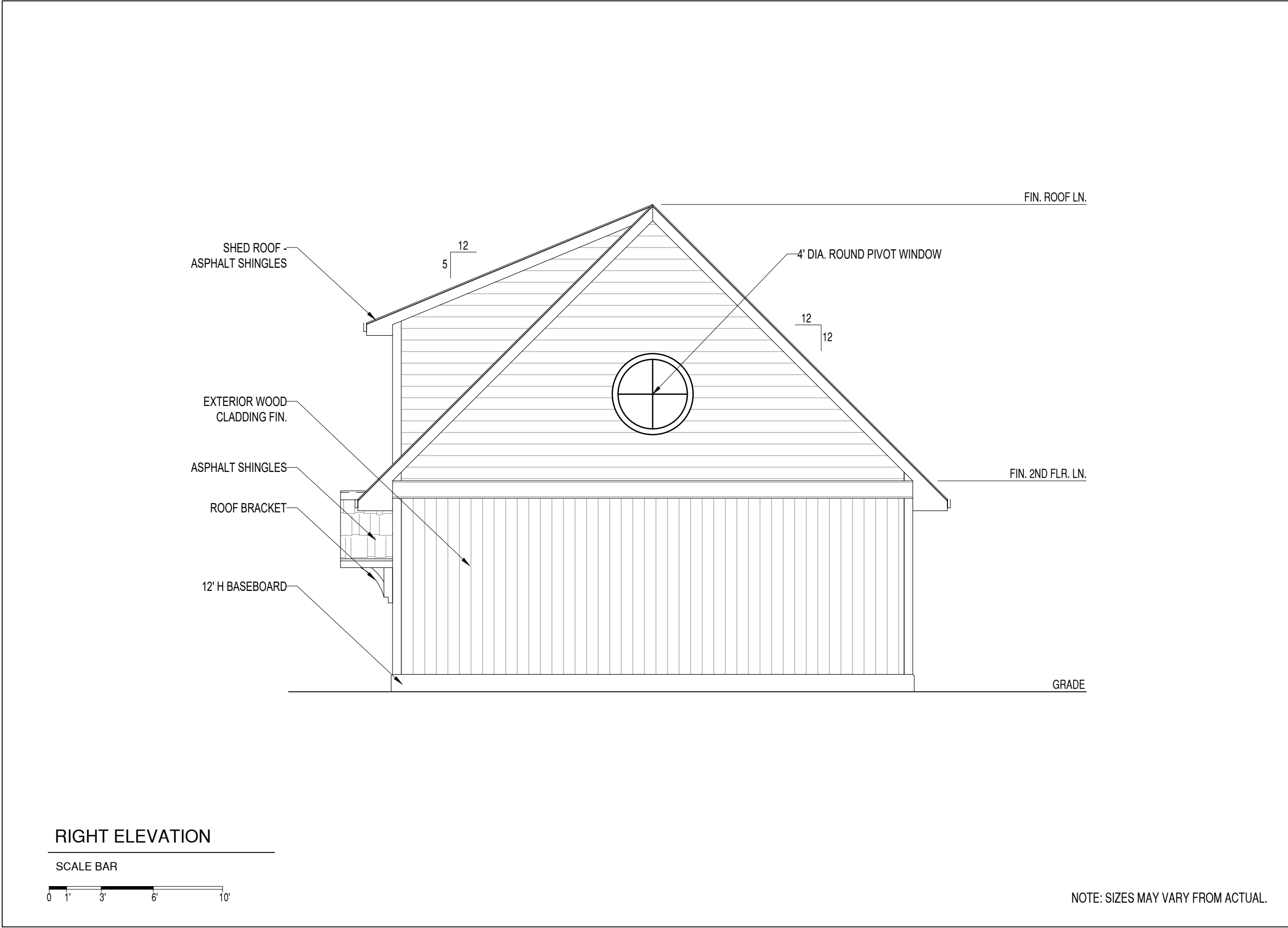
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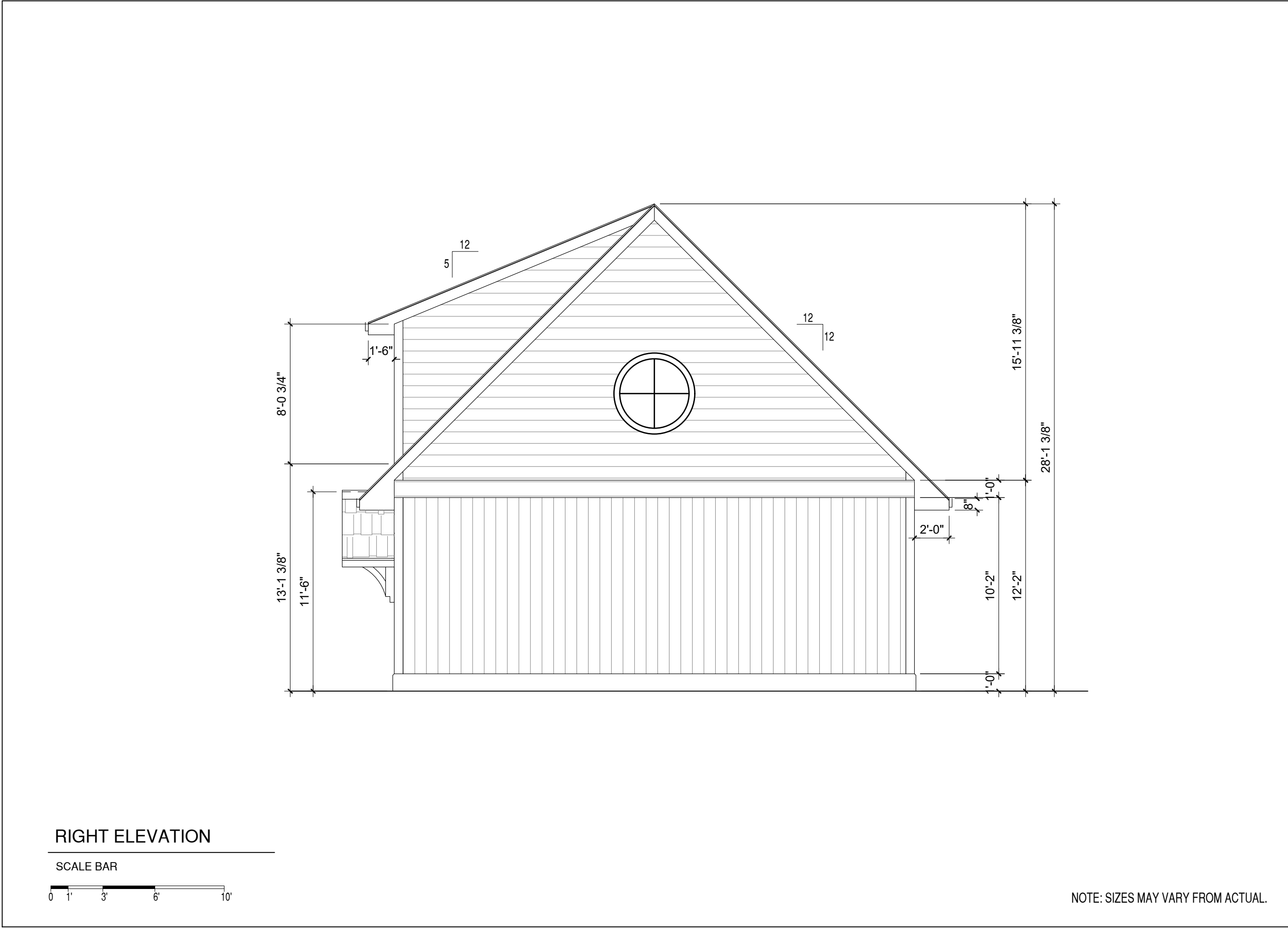
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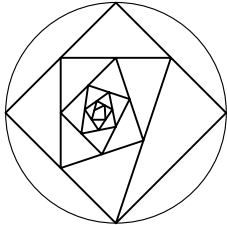
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		CLIENT COMPANY NAME:			
DATE:		2019-05-23			
SHEET NO.:		ID-106			
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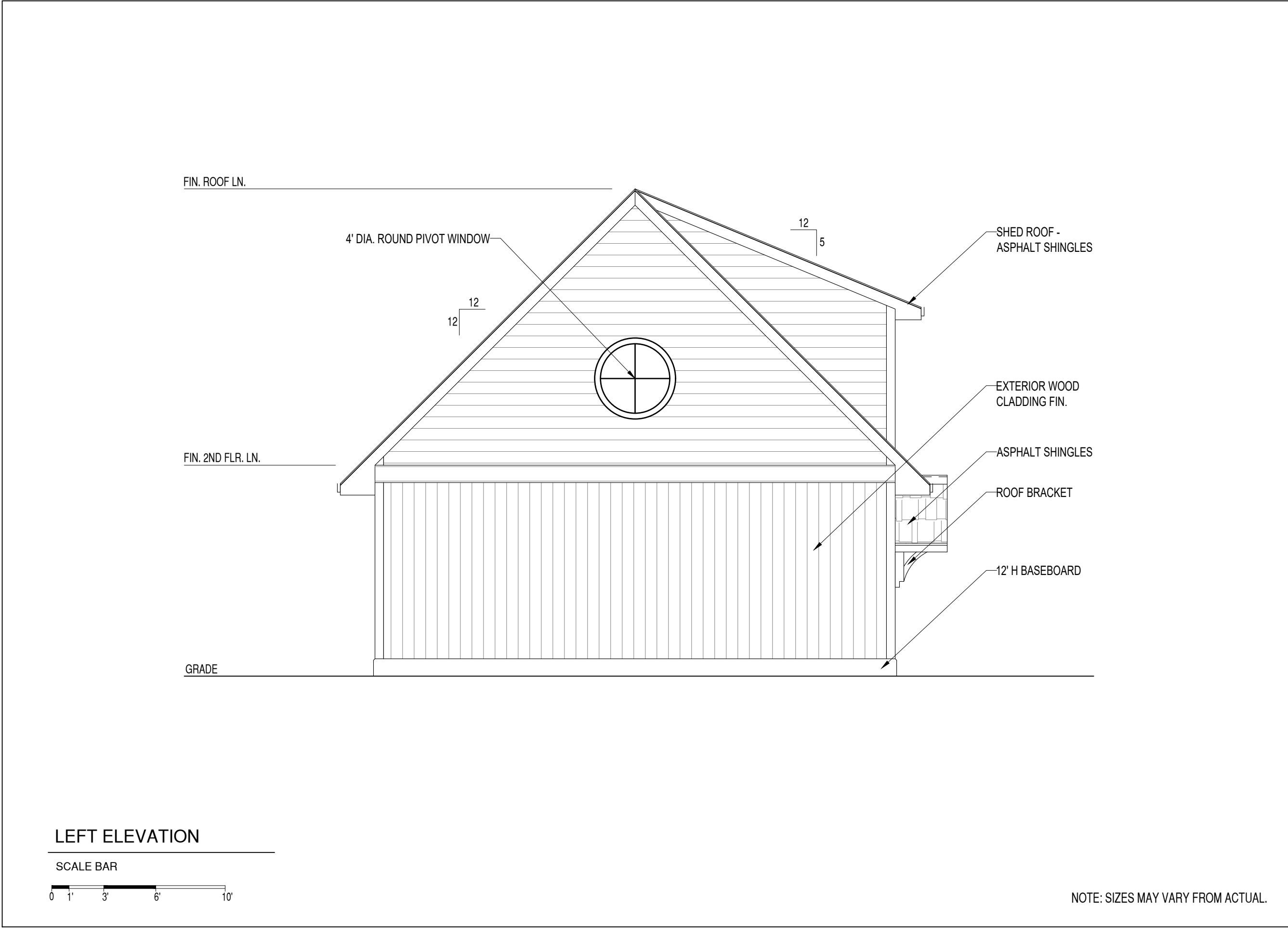
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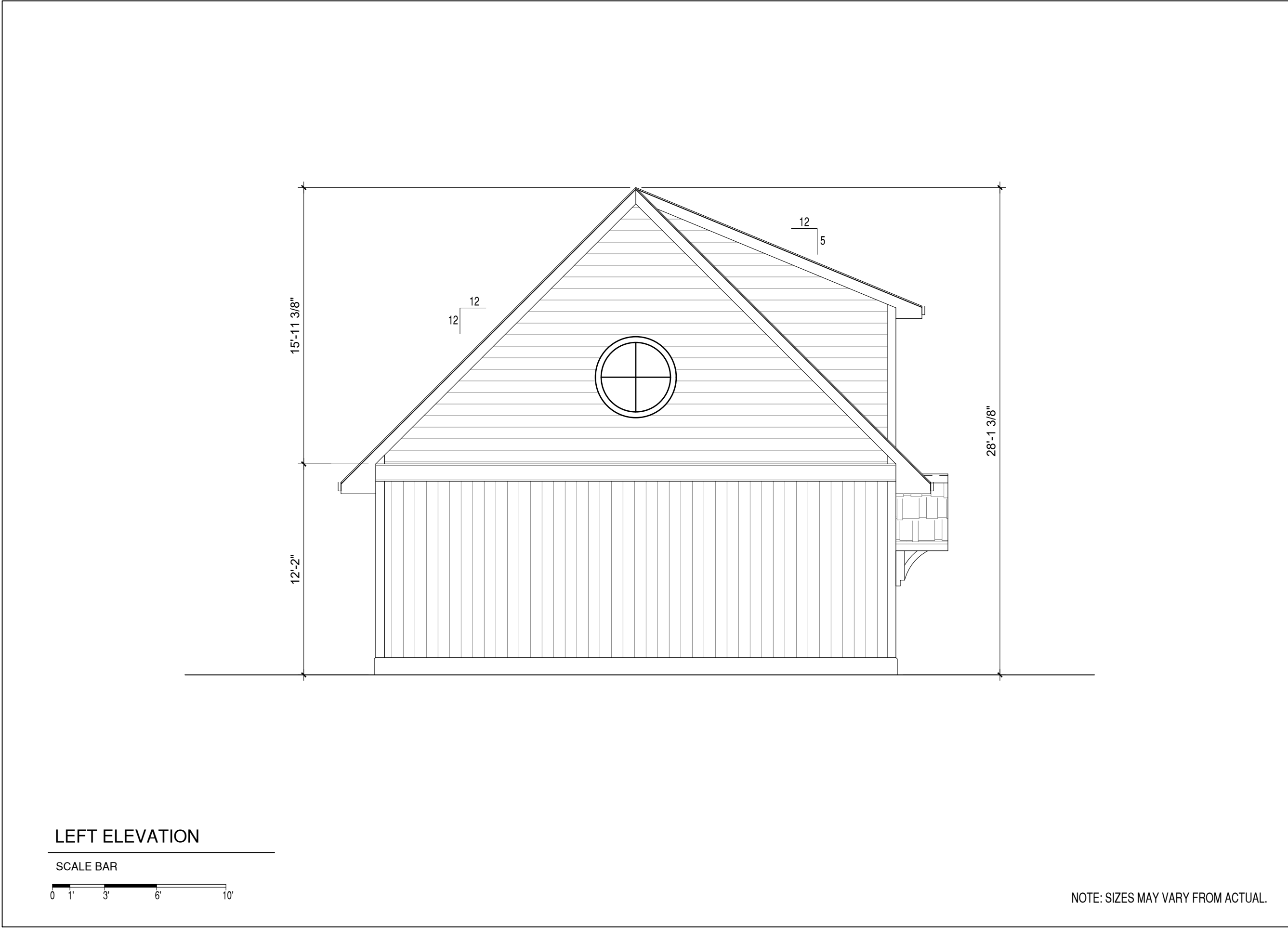
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PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY
	CLIENT COMPANY NAME:
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3
	DATE: 2019-05-23
SHEET NO.: ID-107	



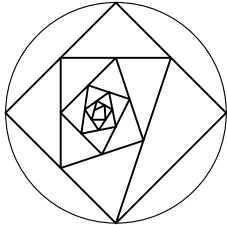
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COMPANY:		AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3			
PROJECT:		BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY		CLIENT COMPANY NAME:	
SHEET CONTENT:		RIGHT ELEVATION			
NOTES:		CLIENT:			
					

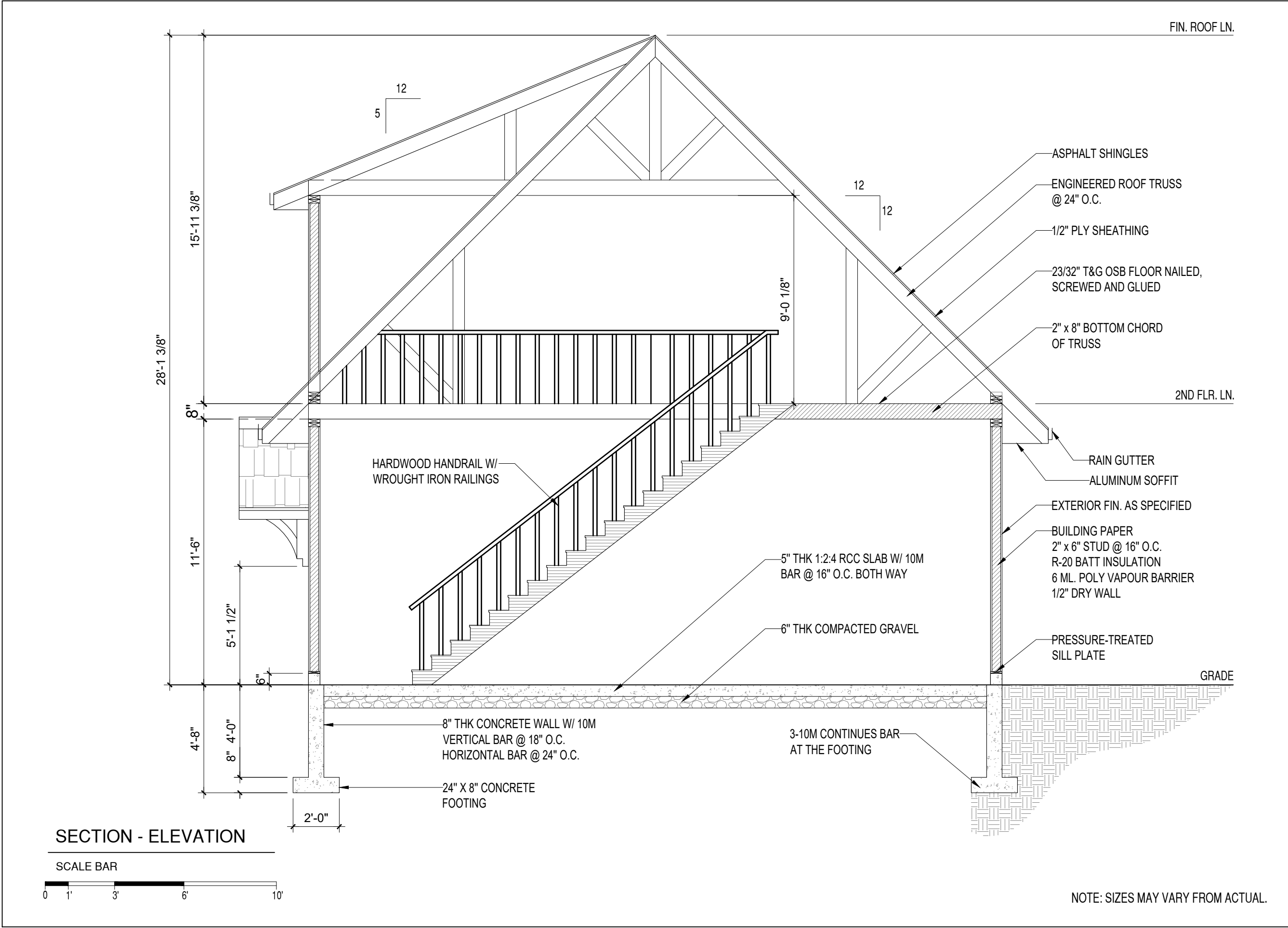


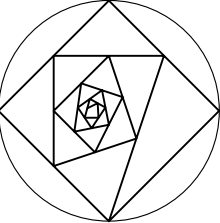
NOTES:	
SHEET CONTENT:	LEFT ELEVATION
	CLIENT:
PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY
	CLIENT COMPANY NAME:
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3
	DATE: 2019-05-23
SHEET NO.: ID-109	



NOTE: SIZES MAY VARY FROM ACTUAL.

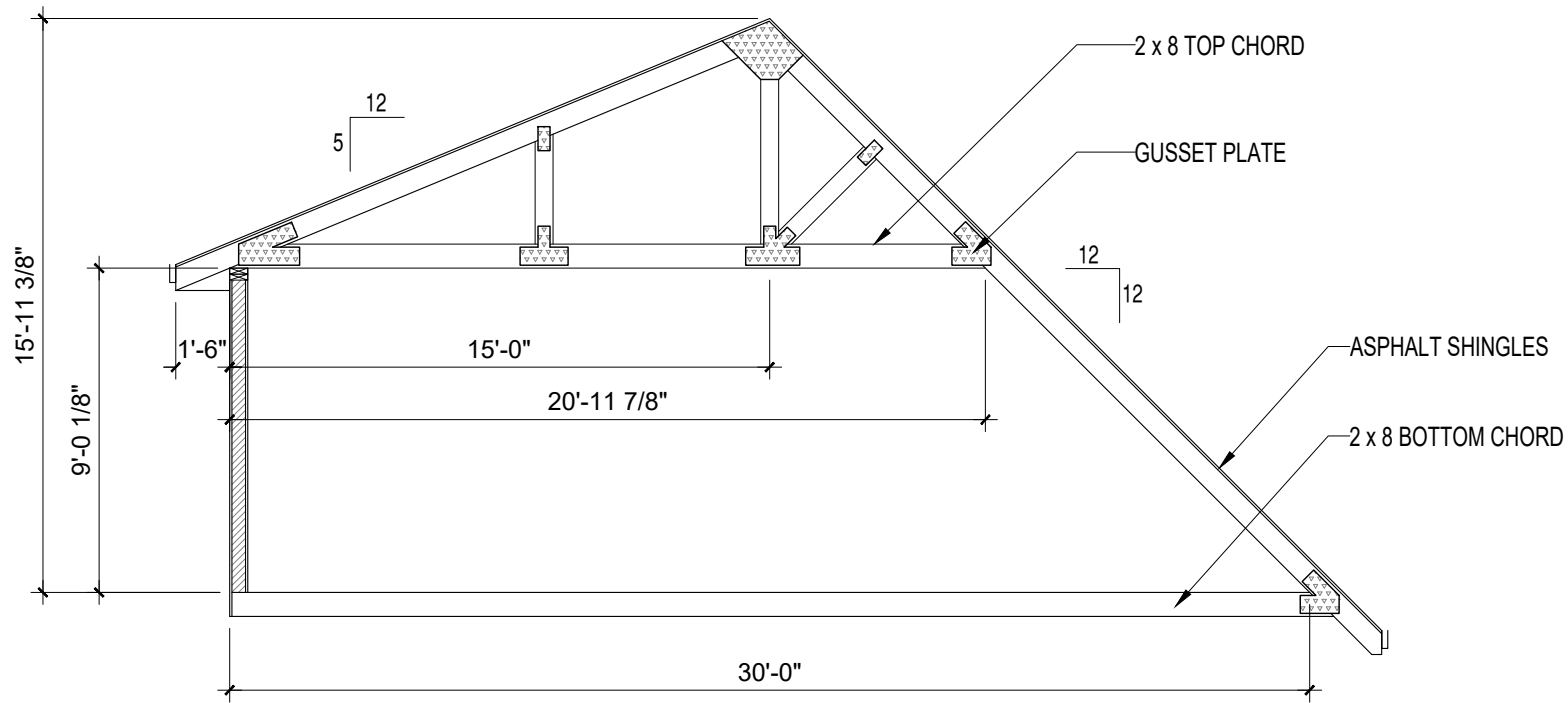
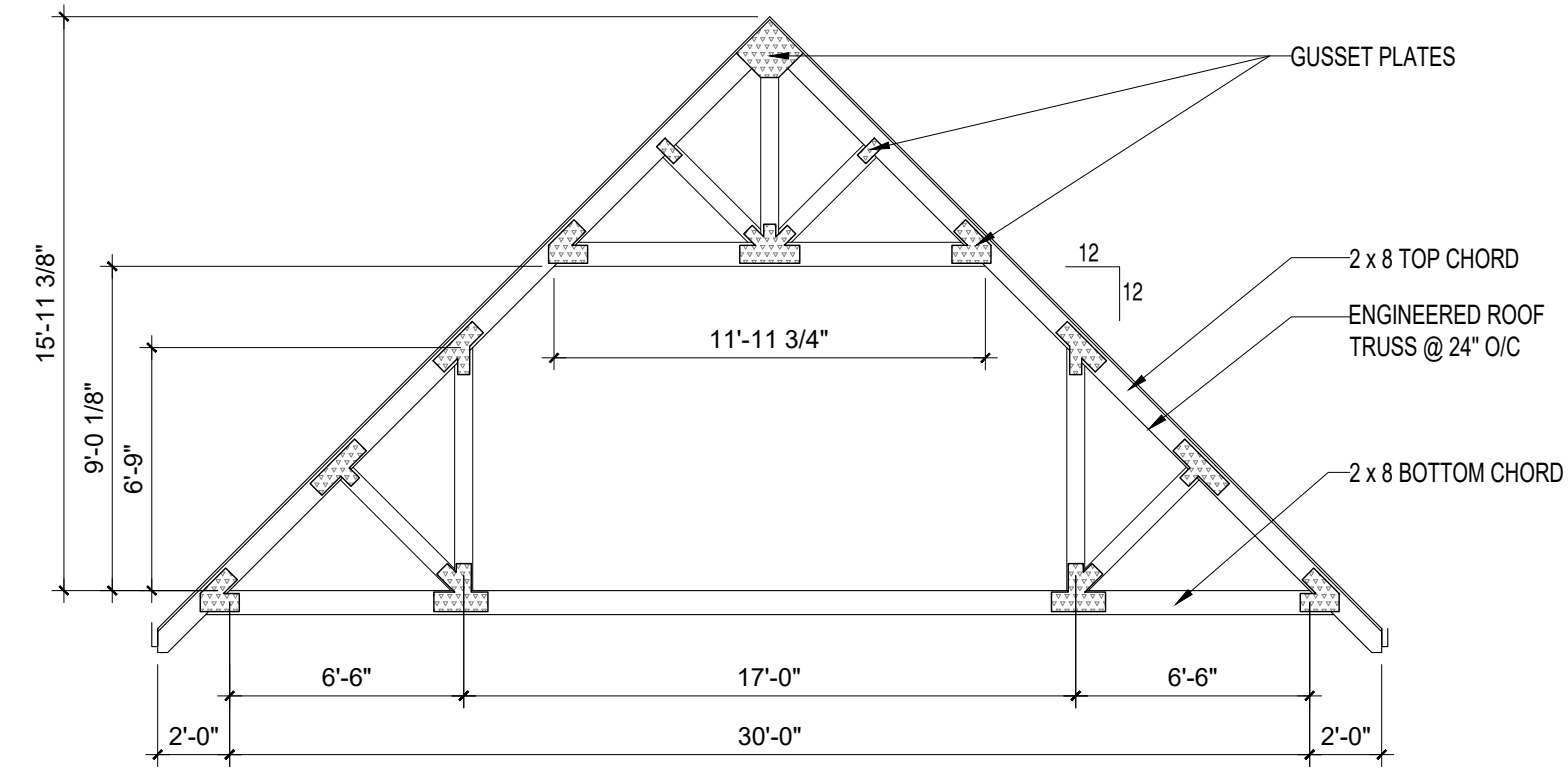
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AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3		BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY		LEFT ELEVATION			
						CLIENT:	
DATE:		CLIENT COMPANY NAME:					
SHEET NO.:							
ID-110							
NOT TO BE REPRODUCED UNLESS GIVEN CONSENT BY AJC GLOBAL DESIGNS INC.							



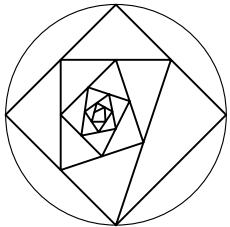
	
NOTES:	
SHEET CONTENT:	SECTION - ELEVATION
	CLIENT:
PROJECT:	BOURBONNAIS GARAGE 15 WESTWOOD ROAD CALGARY
	CLIENT COMPANY NAME:
COMPANY:	AJC GLOBAL DESIGNS INC. 232-2528 66 AVE SW CALGARY, AB, T3E 5K3
	DATE: 2019-05-23
SHEET NO.: ID-111	

ROOF TRUSS DETAILS

SCALE BAR



NOTE: SIZES MAY VARY FROM ACTUAL.



NOTES:

SHEET CONTENT:

ROOF TRUSS DETAILS

CLIENT:

PROJECT:

BOURBONNAIS GARAGE
15 WESTWOOD ROAD
CALGARY

CLIENT COMPANY NAME:

COMPANY:

AJC GLOBAL DESIGNS INC.
232-2528 66 AVE SW
CALGARY, AB, T3E 5K3

DATE:

2019-05-23

SHEET NO.:

ID-112

DP CIRCULATIONS

Building Services Comments

APPLICATION NUMBER: PRDP20191431
ROLL NUMBER: 04617003
APPLICANT(S): Mike & Corinna Bourbonnais
Owner(s): Same as Above
Proposal: CONSTRUCTION OF Accessory Building Over Sized
Legal: LOT 4, BLOCK 6, PLAN 8511068, NW- 17- 24- 02-W05M
Address: 15 Westwood Road

Building Services Comments:

No Comments or Concerns until Building Permit stage, where Full Building Permit and Engineering will be required

PAT SCOTT, CRBO, SCO

Senior Building Safety Codes Officer

Building Services

ROCKY VIEW COUNTY

262075 Rocky View Point

Rocky View County, AB, T4A0X2

Phone: 403-520-6293, Cell: 403-837-9421

PScott@rockyview.ca | www.rockyview.ca

Rhonda Pusnik

From: Atkinson, Matthew L. <Matthew.Atkinson@calgary.ca>
Sent: Friday, July 12, 2019 1:38 PM
To: Andrea Bryden
Subject: RE: PRDP20191431

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andrea,

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 # PRDP20191431** for construction of an accessory building.

Thank you,

Matthew Atkinson

Planning and Policy Strategist | Strategic Initiatives
Calgary Growth Strategies
The City of Calgary
T 403.268.5217
Floor 4, Grid 4-D11-1, Municipal Building - 800 Macleod Trail S.E.
P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

From: ABryden@rockyview.ca [mailto:ABryden@rockyview.ca]
Sent: Tuesday, July 09, 2019 9:01 AM
To: BuildingServicesCirculations@rockyview.ca; DWaugh@rockyview.ca; LDesourdy@rockyview.ca; Rocky View County Circulations <rvccircs@calgary.ca>
Subject: [EXT] PRDP20191431

Good Morning,

Please see the attached development permit application and provide comments by July 30, 2019.

Regards,

Andrea Bryden, RPP, MCIP
Municipal Planner | Planning Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Rocky View County | AB | T4A 0X2
DIR: 403-520-7294
abryden@rockyview.ca | www.rockyview.ca

Rhonda Pusnik

From: Derek Waugh
Sent: Tuesday, July 30, 2019 1:47 PM
To: Andrea Bryden
Cc: Lynn Desourdy
Subject: FW: PRDP20191431
Attachments: PRDP20191431 Application.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andrea,

Development Compliance has the following recommendations in relation to this application:

- Recommend that building materials, debris, and garbage be contained at all times during construction;
- Recommend that condition be included that Accessory Building shall not be used as an Accessory Dwelling Unit without proper approval or authorization from the Development Authority.

Thanks,

DEREK WAUGH

Supervisor Development Compliance | Planning and Development Services

ROCKY VIEW COUNTY

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

Phone: 403-520-6303

dwaugh@rockyview.ca | www.rockyview.ca

developmentcompliance@rockyview.ca

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

From: Andrea Bryden <ABryden@rockyview.ca>
Sent: Tuesday, July 09, 2019 9:01 AM
To: Building Services Circulations <BuildingServicesCirculations@rockyview.ca>; Derek Waugh <DWaugh@rockyview.ca>; Lynn Desourdy <LDesourdy@rockyview.ca>; rvccircs@calgary.ca
Subject: PRDP20191431

Good Morning,

Please see the attached development permit application and provide comments by July 30, 2019.

Regards,

Andrea Bryden, RPP, MCIP

Municipal Planner | Planning Services

ROCKY VIEW COUNTY

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

DIR: 403-520-7294

abryden@rockyview.ca | www.rockyview.ca

Michelle Mitton

From: Patrick Chambers [REDACTED]
Sent: Tuesday, August 20, 2019 8:31 AM
To: PAA_ SDAB
Subject: 15 Westwood Road - Development Permit - File no.: 04617003: PRDP20191431

Patrick and Vicki Chambers
31 Westwood Road
Calgary, AB
T3Z 3J8

August, 20, 2019

To whom this may concern:

This email is in regards to the appeal against the Development Authority's decision to refuse a development permit for the construction of an accessory building (garage) on Corinna and Mike Bourbonnais's property. We live in the same cul de sac as them and our home looks onto their property. In our opinion, this development should be approved. The development on their property would greatly benefit their property and our community. It would allow them to put their cars into a garage and allow for proper storage. In fact, we have seen the architectural drawings of the plans and believe it will increase the value of the property and enhance the area. The building will not block the view of any of the neighbours, it will be barely visible from any angle from the road or be obtrusive. There are a great deal of trees between the neighbours thus providing privacy and will not affect anyones view. The Bourbonnais's currently do not have any area on their property to house their vehicles and are in need of this facility. We have very long and cold winters and leaving your vehicles exposed to the elements takes a tole on everything. Their home is very well kept and they are trying too make their property look better. We support this development and believe they should be able to build on their property.

Please contact us if you have any further questions or concerns.

Kind regards,
Patrick and Vicki Chambers

To: Rocky View County Subdivision and Development Appeal Board

Re: Notice of Hearing 15 Westwood Road – Mike and Corrina Bourbonnais; File 04617003

Please be advised that I support the construction of an accessory building (garage) on their property. I support their appeal. The building fits in with the character of the neighborhood, looks to be well designed and will not diminish property values of adjacent acreage owners.

Sincerely,

Larry Strong

19 Westwood Road

Calgary

T3Z 3J8



PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: August 28, 2019 **DIVISION:** 3

FILE: 04606006 **APPLICATION:** B-6; PRDP20192130

SUBJECT: Accessory Building

PROPOSAL: To construct a new accessory building to store maintenance supplies.	GENERAL LOCATION:
APPLICATION DATE: June 24, 2019	DEVELOPMENT AUTHORITY DECISION: Discretionary – Approved
APPEAL DATE: August 12, 2019 August 13, 2019	DEVELOPMENT AUTHORITY DECISION DATE: July 23, 2019
APPELLANT: Stikeman Elliott on behalf of HBA (Elbow Valley) GP Inc. Simon and Beatrice Garside Mona Jasinski	APPLICANT: Elbow Valley Residents Club
LEGAL DESCRIPTION: Lot Unit 1, Plan 9810245, SE-06-24-02-W05M	MUNICIPAL ADDRESS: 25048 Lott Creek Drive
LAND USE DESIGNATION: Direct Control District (DC-13)	GROSS AREA: ± 18.81 hectares (± 46.48 acres)
DISCRETIONARY USE: Accessory Building	DEVELOPMENT VARIANCE AUTHORITY: The Applicant does not request variance discretion.
PUBLIC SUBMISSIONS: The application was circulated to 283 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) Direct Control Bylaw (C-4763-97)

EXECUTIVE SUMMARY:

The application is for construction of a new accessory building for the storage of maintenance supplies. The proposed accessory building is 66.89 sq. m (720 sq. ft.) in size and 6.09 m in height. It will be located to the north of the existing mailbox and garage within the common property owned by Elbow Valley Residents Club.

The proposal was evaluated in accordance with the regulations of Recreational Development Cell 6 within DC-13. The proposal meets the applicable requirements and it was approved on July 23, 2019. The Development Authority has received four Notice of Appeals against the decision of the Development Authority:



- August 12, 2019 – Stikeman Elliott on behalf of HBA (Elbow Valley) GP Inc.
- August 13, 2019 – Simon and Beatrice Garside
- August 13, 2019 – Mona Jasinski
- August 13, 2019 – Tim Collins

It should be noted that HBA GP Inc. has multiple properties within the area. For mapping purposes the closest parcel the proposed development (3 Clear Creek Place) has been identified in the attached maps.

The reasons for appeal can generally be categorized into the following concerns:

- Location of the proposed building on the property;
- Proposed building size;
- Loss of views from appellants' properties;
- Traffic and noise;
- Reduced of use, enjoyment, and value of neighbouring parcels; and
- Loss of vegetation.

The specific reasons for appeal from each appellant are identified in the appellants' Notices of Appeal.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. MacLean", written over a horizontal line.

Sean MacLean
Supervisor, Planning and Development Services

XD/lt



DEVELOPMENT PERMIT REPORT

Application Date: June 24, 2019	File: 04606006
Application: PRDP20191230	Applicant: Elbow Valley Residents Club Owner: Elbow Valley Residents Club
Legal Description: Lot Unit 1, Plan 9810245, SE-06-24-02-W05M	General Location: Located in the Elbow Valley community, east of Fisherman's Lake and west of Lott Creek Close.
Land Use Designation: Direct Control District (DC-13)	Gross Area: ± 18.81 hectares (± 46.48 acres)
File Manager: Xin Deng	Division: 3

PROPOSAL:

The application is for construction of a new accessory building, to store maintenance supplies.

- The subject land is a common property owned by Elbow Valley Residents Club. The property contains a stormwater pond (Fisherman's Lake), pump house, mailbox, garage, several internal roads and large open space.
- The proposed a new accessory building is 66.89 sq. m (720 sq. ft.) in size and 6.09 m high. It will be located to the north of existing mailbox and garage.

DIRECT CONTROL BYLAW (C-4763-97):

Section 3.0.0 Recreational Development Cell 6

3.2.0 Discretionary Uses

Accessory buildings

- Accessory building is a discretionary use, therefore, a Development Permit is required.

3.3.0 Minimum Building Setbacks

Front yard setback (from the internal road to the east):

- Required: 6.00 m (19.68 ft.)
- Proposed: 6.00 m (19.68 ft.) - meets the requirement

Side yard setback (from the county road to the south):

- Required: 30.00 m (98.42 ft.)
- Proposed: Lots - meets the requirement

Side yard setback (from other lands to the north):

- Required: 6.00 m (19.69 ft.)
- Proposed: Lots - meets the requirement



Rear yard setback (from other lands to the west):

- Required: 6.00 m (19.69 ft.)
- Proposed: Lots - meets the requirement

Additional Information:

Planning Application:

1997-RV-89 The land was created through multi-lot subdivision in Elbow Valley community, and subdivision was registered in Plan 9810245.

Development Permit:

2002-DP-10008 Development Permit for “construction of a 450 sq. ft. accessory building (service building) and relaxation of the maximum height requirement” was issued on October 18, 2002.

STATUTORY PLANS:

The subject land falls under Elbow Valley Area Structure Plans. The Plan does not provide guidelines for the nature of the development. Therefore, the application was evaluated in accordance with the Direct Control Bylaw.

INSPECTOR’S COMMENTS:

- The access to the property is from Lott Creek Drive
- There are mailbox, garage and pump house on the property.

CIRCULATIONS:

Alberta Transportation

- In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed development, however, will not cause any concern for ongoing highway operation or future highway expansion. Pursuant to Section 25(3)(c) of the Highways Development and Protection Regulation, Alberta Transportation issues an exemption from the permit requirements to for the development listed above.

City of Calgary

- No comment.

Development Compliance, Rocky View County

- Recommend that building materials, debris, and garbage be contained at all times during construction.

Fire Services & Emergency Management, Rocky View County

- No comment.

Operations Division, Rocky View County

- Capital Project Management: No concerns
- Utility Services: No concerns



Planning and 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.
- The application will need to be circulated to Alberta Transportation for review and comment since the proposed development is within the 1.6 km setback from Highway 8.

Geotechnical:

- Engineering has no requirements at this time.

Transportation:

- Engineering has no requirements at this time.
- The subject land is accessible via road approach off of Lott Creek Drive.
- The applicant is not required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance, since the proposed development is not expected to increase traffic to the local road network.

Sanitary/Waste Water:

- Engineering has no requirements at this time.
- The subject land is serviced via the Elbow Valley Sewer system.

Water Supply And Waterworks:

- Engineering has no requirements at this time.
- The subject land is serviced via the Westridge Water Utility Co-op.

Storm Water Management:

- Engineering has no requirements at this time.
- The proposed development is not expected to impact existing drainage conditions since there will be no changes to the subject lands.

Environmental:

- As a condition to DP, the applicant will be required to submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the construction of the proposed development and in perpetuity, since the proposed development is located in close proximity to a water body.

OPTIONS:

Option #1 (this would approve the accessory building)

That the appeal against the decision of the Development Authority to issue a Development Permit for construction of an accessory building at Lot Unit 1, Plan 9810245, SE-06-24-02-W05M (25048 Lott Creek Drive) be denied, the decision of the Development Authority be upheld, and that a Development Permit be issued, subject to the following conditions:

Description:

- 1) That construction of an accessory building, approximately 66.89 sq. m (720.00 sq. ft.) in area, for the storage of maintenance supplies may take place on the subject land in general



accordance with the approved plans, as prepared by Studio T Design Ltd, Project Title: *Elbow Valley Service Building*; Dwgs. A.0, A.1, and A.2.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control Plan (ESC) to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.), prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Permanent:

- 3) 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 including any recommendations of the ESC.
- 4) That any flood proofing measures shall be followed in accordance with the Alberta Building Code and good engineering practice.
- 5) That the proposed new Accessory Building shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I.
- 6) That the proposed new Accessory Building shall not be used for residential occupancy purposes at any time.
- 7) That the exterior siding and roofing materials of the Accessory Building shall be similar/cohesive to the area.
- 8) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 9) 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.
- 10) That if this Development Permit is not issued by **January 31, 2020** or an approved extension date, then this approval is null and void and the Development Permit shall not be issued.

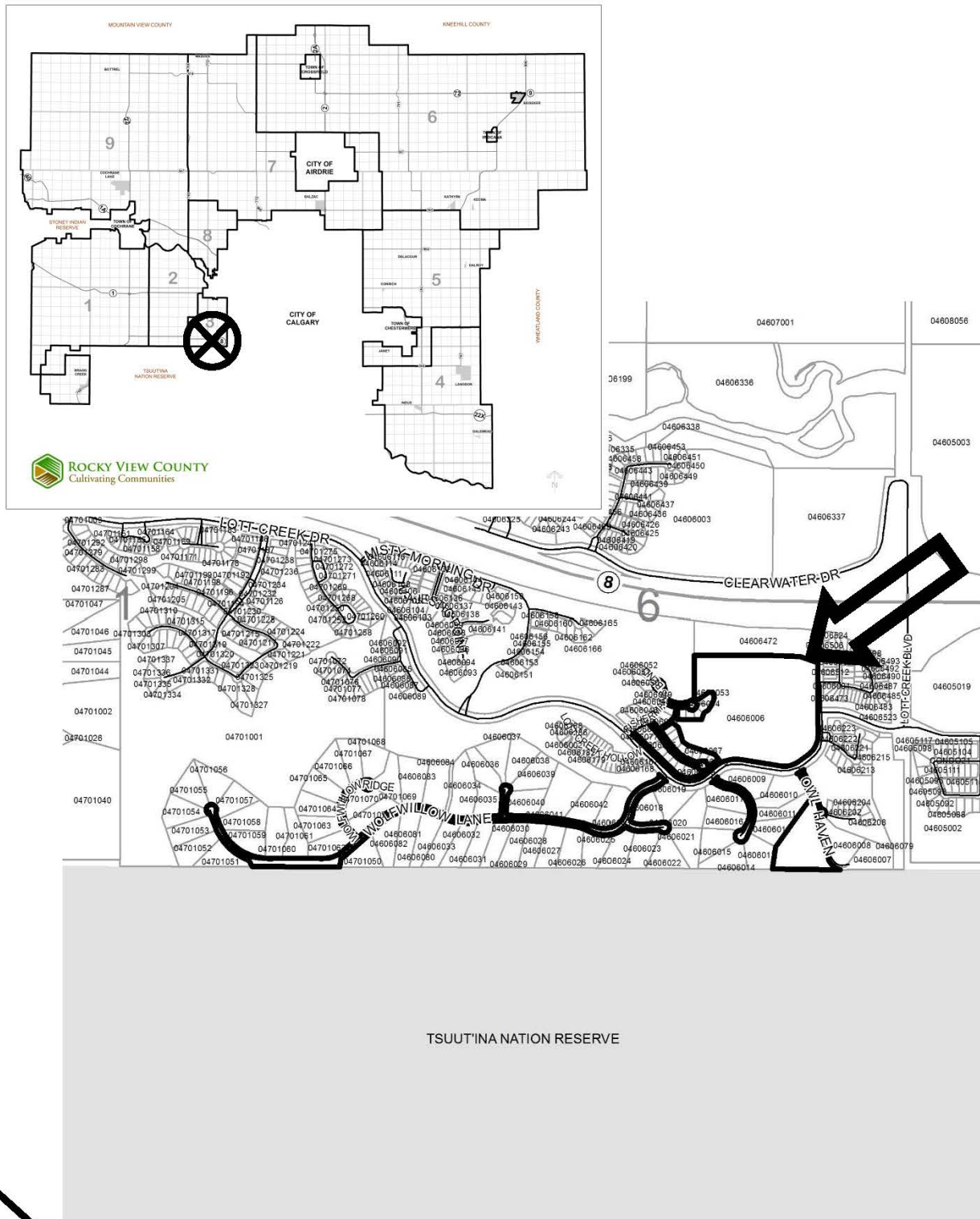
Advisory:

- 11) That a Building Permit and applicable sub trade permits shall be obtained through Building Services, prior to construction commencement.
- 12) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 13) That during construction of the Accessory Building, 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.
- 14) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

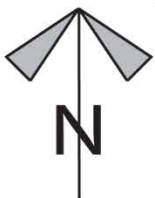


Option #2 (this would not approve the accessory building)

That the appeal against the decision of the Development Authority to issue a Development Permit for construction of an accessory building at Lot Unit 1, Plan 9810245, SE-06-24-02-W05M (25048 Lott Creek Drive) be upheld, and the decision of the Development Authority be revoked.



LOCATION PLAN

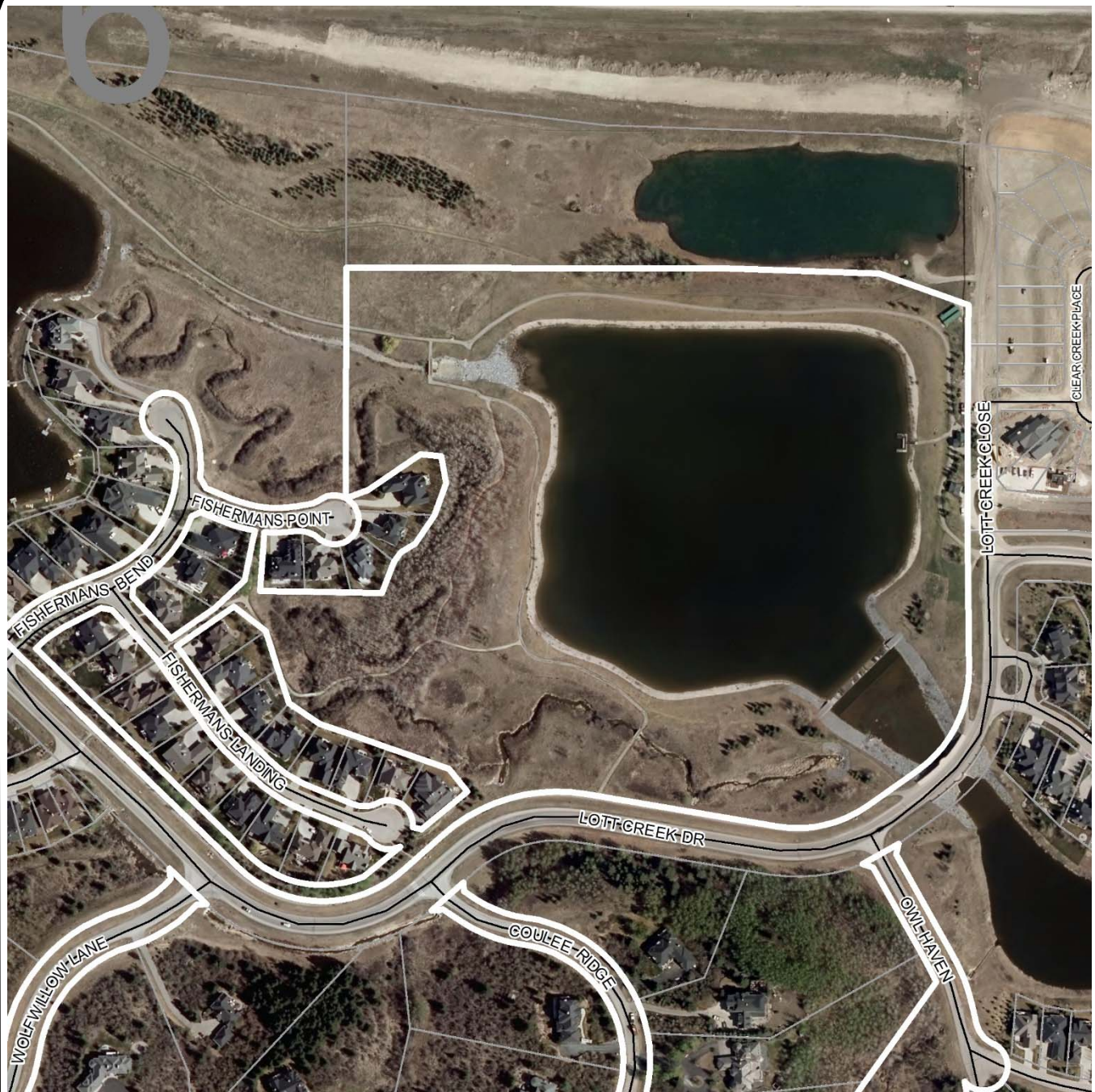


Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



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

AIR PHOTO

Spring 2018



Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



Location of Existing Buildings and Proposed New Building

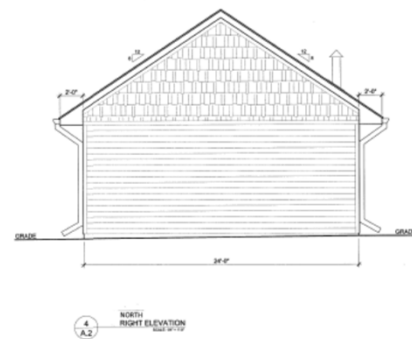
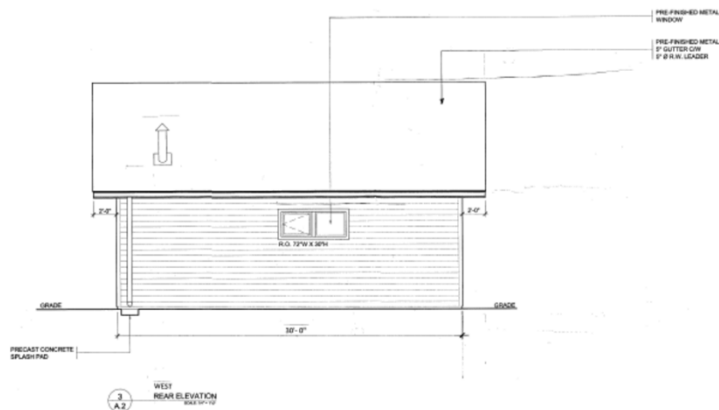
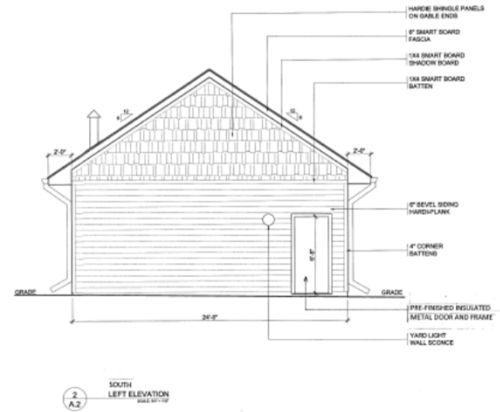
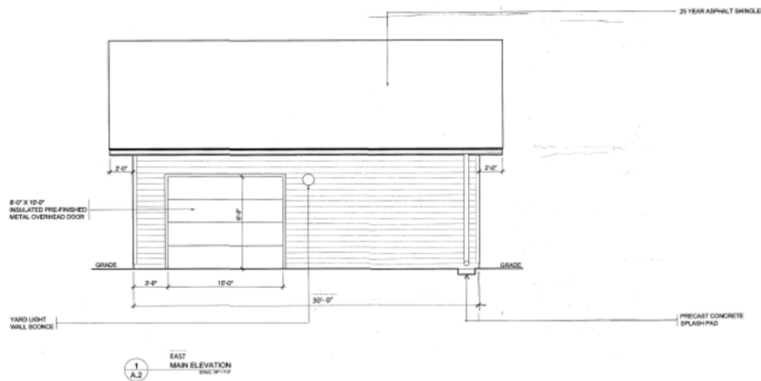


Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



Drawings for the proposed new shed



Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



Picture was taken on the deck of the house



Stand on Lott Creek Close and look north

Site Photos



Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



Stand on Lott Creek Close and look south



Stand on Lott Creek Drive and look west

Site Photos

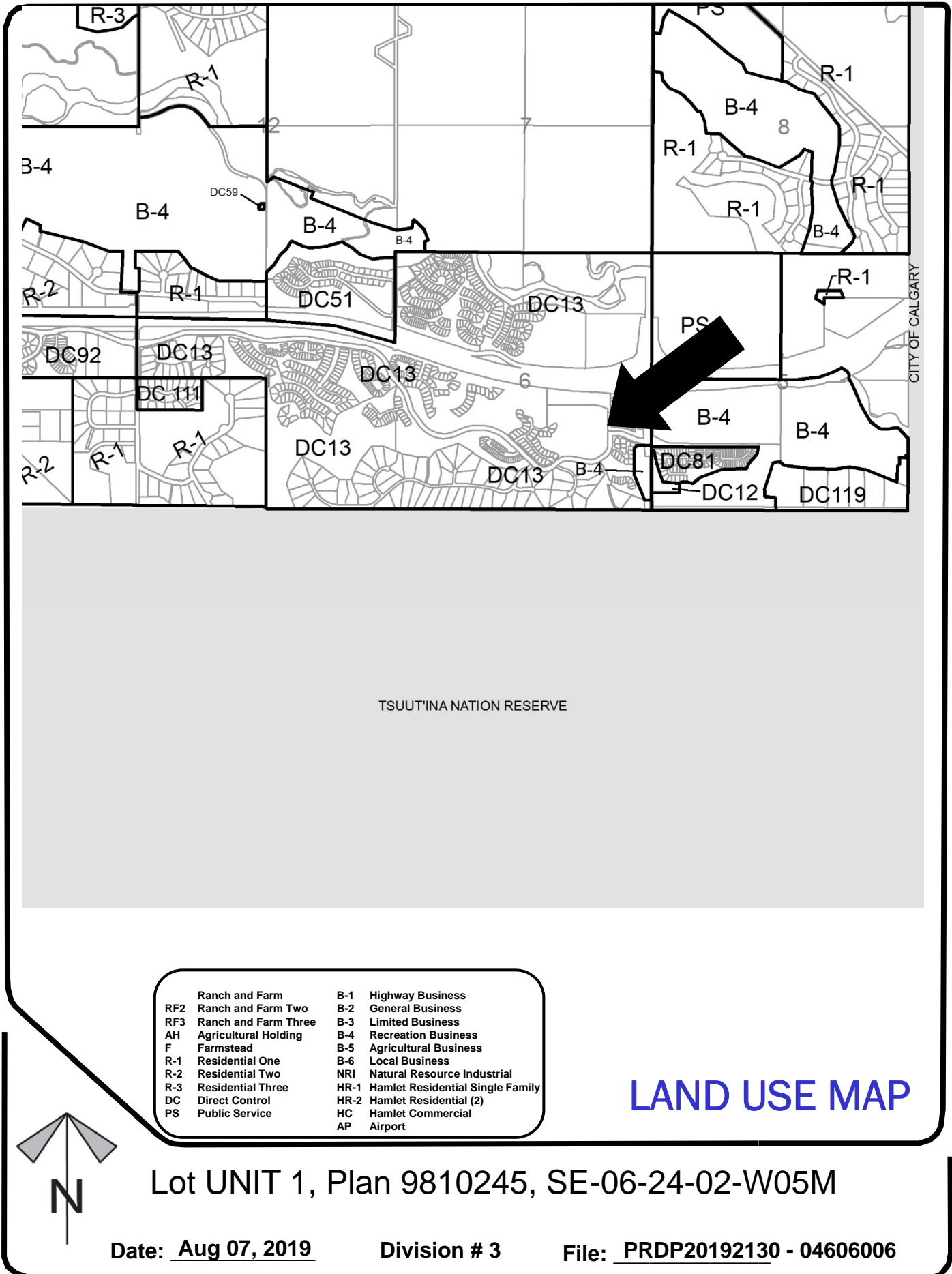


Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

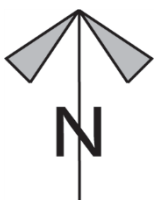
File: PRDP20192130 - 04606006





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



Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

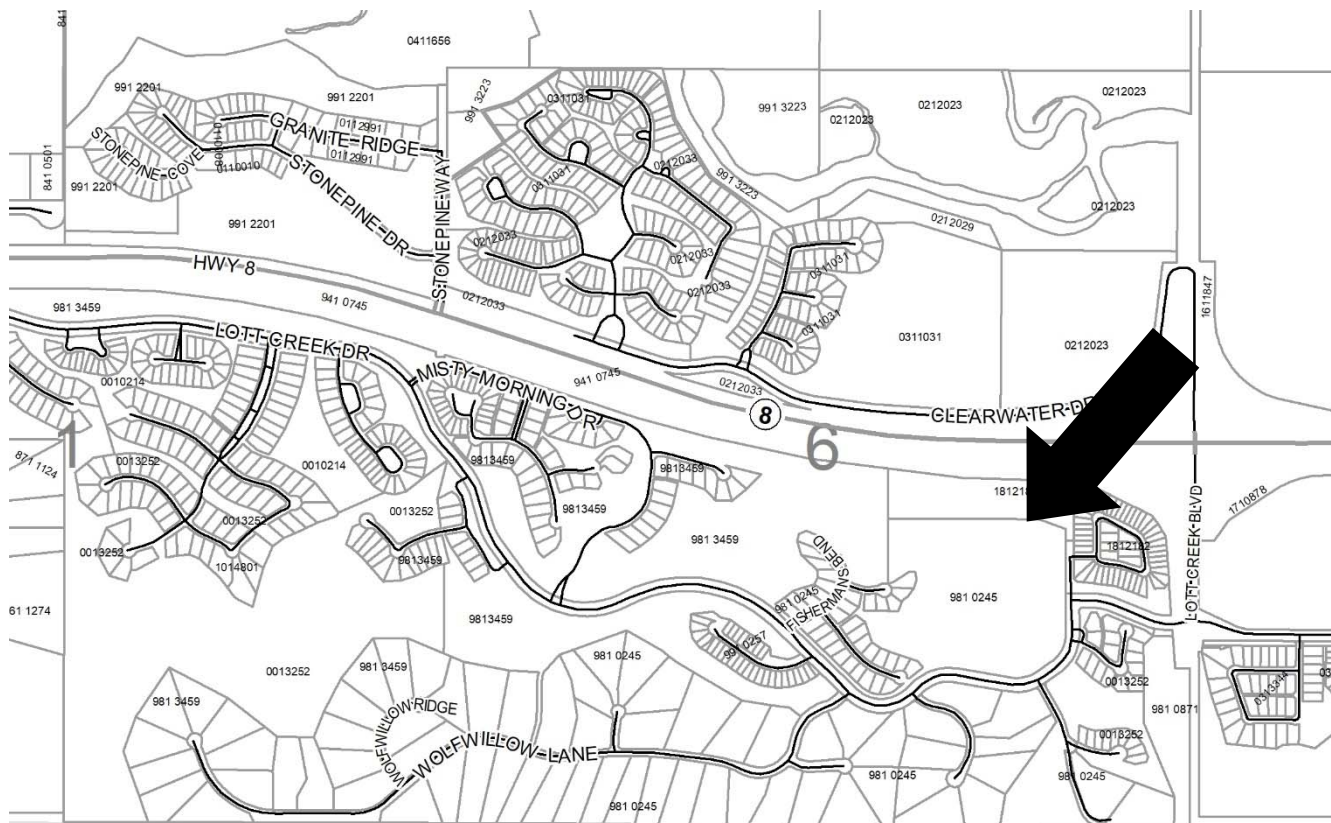
File: PRDP20192130 - 04606006



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class	Limitations
1 - No significant limitation	B - brush/tree cover
2 - Slight limitations	C - climate
3 - Moderate limitations	D - low permeability
4 - Severe limitations	E - erosion damage
5 - Very severe limitations	F - poor fertility
6 - Production is not feasible	G - Steep slopes
7 - No capability	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

File: PRDP20192130 - 04606006



TSUUT'INA NATION RESERVE

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

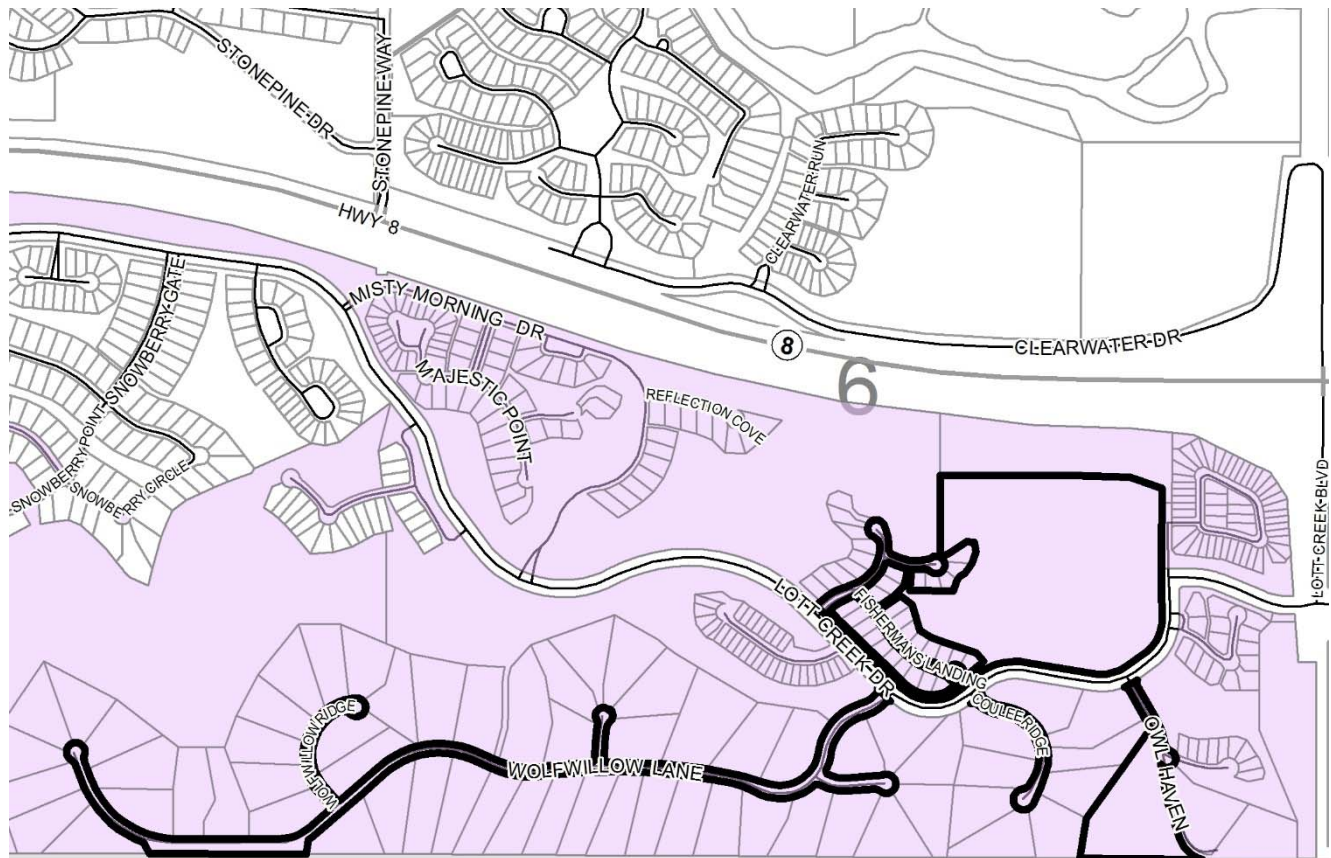


Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006



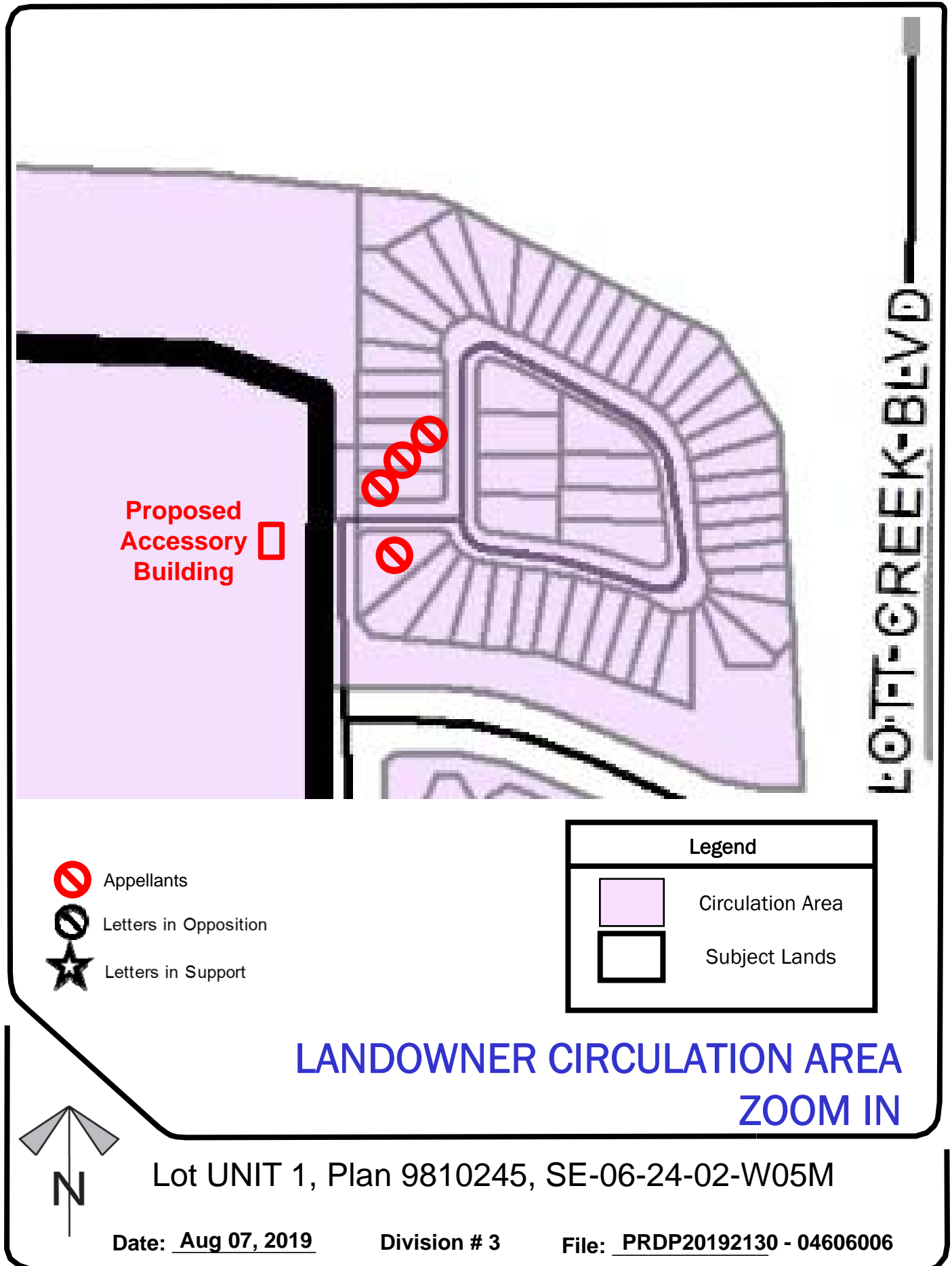
LANDOWNER CIRCULATION AREA

Lot UNIT 1, Plan 9810245, SE-06-24-02-W05M

Date: Aug 07, 2019

Division # 3

File: PRDP20192130 - 04606006





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

Appellant Information		
Name of Appellant(s) Tim Collins		
Mailing Address [REDACTED]		
Main Phone #	Alternate Phone #	Email Address
[REDACTED]	[REDACTED]	[REDACTED]
Site Information		
Municipal Address 25048 Lot Creek Drive	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) SE-06-24-02-WSM	
Property Roll # 04606006	Development Permit, Subdivision Application, or Enforcement Order # PRDP20192130	
I am appealing: (check one box only)		
Development Authority Decision <input type="checkbox"/> Approval <input checked="" 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.		



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.

Aug 13/19
Date

August 13th, 2019

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

RE: Appeal of application number: PRDP20192130

To whom it may concern:

I will take possession of my new home at 163 Clear Creek Drive in the sub-division of Swift Creek Villas on August 29th, 2019. I recently learned of the above noted application which is proposing that a new garage be built along the lake which my new home backs on to. This is very concerning to me.

I feel this structure will inhibit my enjoyment of my new home. I will lose significant portions of the view which I thought I was going to have when I made my purchase. I believe the new structure may also add to more traffic on the road which the building is situated on, taking away the quiet nature of my property.

I am also very concerned this building will decrease the value of my home. One of the reasons I bought in this community so early in its development was to have a home that had this lakefront view which should add monetary value to my home. By infringing on this view, it could have a negative effect on the home's value.

I would like to see a resolution that accommodates both me as a homeowner and the Elbow Valley Residents Club (EVRC). Perhaps there is another potential location around the lake that doesn't affect any homeowners and still gives the EVRC what it requires for storage.

Thank you for your consideration.

Sincerely,



Tim Collins
163 Clear Creek Place
Rocky View County, AB
[REDACTED]





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

Appellant Information		
Name of Appellant(s) <u>Simon AND BEATRICE GARIDE</u>		
Mailing Address [REDACTED]		
Site Information		
Municipal Address <u>25048 LOT Creek Drive</u>	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <u>UNIT 1, PLAN 9810245, SE-06-24-02-05</u>	
Property Roll # <u>04606006</u>	Development Permit, Subdivision Application, or Enforcement Order # <u>PRDP20192130</u> <u>DIVISION 3</u>	
I am appealing: (check one box only)		
Development Authority Decision <input type="checkbox"/> Approval <input checked="" 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)		
<u>SEPARATE PAGE ATTACHED.</u> <div style="text-align: right;"> </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 Municipal Clerk at 403-230-1401.

Ceta
Appellant's Signature

12 Aug 2019
Date

SIMON AND BEATRICE GARSIDE
167 CLEAR CREEK PLACE
CALGARY, T3Z 0E8

SATEMENT OF APPEAL – APPLICATION FOR AN ACCESSORY BUILDING
APPLICATION NUMBER: PRDP20192130

Opening comment:

We have lived in Elbow Valley for the last 6 years and just very recently moved to Swift Creek Villas (Homes by Avi Development) for our retirement. We can certainly see things from both sides, having been members of EVRC for the last 6 years, and owners in Swift Creek since March 2019, and hope that we can present fair, unbiased reasons for appeal.

We do appreciate that EVRC may well have need for these facilities, but we strongly feel that the location and design of the facilities could be changed to reduce the negative impact on the closest home owners, such as ourselves.

Reasons for Appeal:

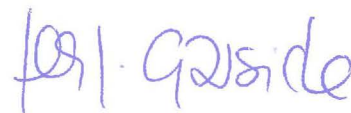
- We think that the EVRC have not considered the negative impact that the proposed development would have on the immediate home owners. When they were making plans for the location and type of facilities required, what steps did EVRC take in their planning to minimise this negative impact on the immediate home owners?
- Why do the new facilities need to be on prime lakefront property? These facilities will have a substantial negative impact on the lives of immediate homeowners. We don't see such facilities located on any of the other EVRC lakes. Surely EVRC must have other non-lakefront property where the facilities could be located? EVRC do note on their website that they have 800 acres of land, of which 400 acres are undeveloped.
- There are certainly alternative sites to locate this new accessory building. There is space between the existing garage and the existing mail kiosk. There is also space south of the existing mail kiosk on land that would not impact any of the existing homeowners. Then there is the other 400 undeveloped acres!
- If the facilities must be located in or near the proposed area, then they should be designed and placed to minimise the negative impact on immediate homeowners.
- EVRC claim that the exterior of the proposed building will be like the current EVRC buildings and follow EVRC architectural guidelines. This may be so, but why does this new accessory building have to be so much bigger than the current existing garage already located on Fisherman's Lake? This new building will be 5 feet (25%) higher (20' instead of 15'), 4 feet longer (30' instead of 26'), 4 feet wider (24' instead of 20')

and the garage door will be 9' x 11' instead of 9' x 9'. This is not in keeping with the existing building at all.

- The proposed garage door and paved pad would be located on the east side of the building, thus facing the new homes in Swift Creek. Why could this door and pad not be located on the west side, facing in towards the lake rather than facing directly onto the front of the new homeowners? This would greatly reduce the negative impact that use of the facility would have on nearby properties.
- The EVRC website states that they will be installing new trees (approved) and possibly a split rail fence east of Fisherman's Lake (location between Fisherman's Lake and the Avi development). Again, right in front of our property and others. We need clarification on how many trees EVRC intend to plant. What type of tree and how quickly this type of tree will grow and mature? What are the intentions with the fencing? How big/high will it be?
- There will be a substantial increase in noise and nuisance (human and mechanical), vehicle traffic and vehicle pollution. Currently, the landscape work is organised and carried out from the existing garage and 2 large 53' storage containers (one of which is empty). Normally from 6.30am to around 3.00pm Monday to Friday. An additional accessory building will mean more people, more machines, more noise and more pollution, all in one place. This is confirmed by EVRC stating on their website that the new building will allow them more room in the existing building for maintenance and cleaning of equipment.
- Loss of property value. Our property is in one of the prime locations in the Swift Creek development. We were the second owners to take possession. The proposed new accessory building would block our lake, tree and mountain views, and devalue our property.
- Loss of enjoyment of use of our property. Nearly all of our windows, the main floor deck and basement patio face onto the lake at the rear of our property, and offer us beautiful views and tranquility. The proposed new EVRC development will greatly restrict views from the main floor and even more so from the basement and walkout.
- There will be considerable loss of existing vegetation and mature trees, and disturbance to wildlife.



Simon Garside



Beatrice Garside



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) MONA SABINSKI			
Mailing Address [REDACTED]	Municipality [REDACTED]	Province [REDACTED]	Postal Code [REDACTED]
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
Site Information			
Municipal Address [REDACTED]	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) UNIT 1: PLAN 98102245, SE-06-24-02-05		
Property Roll # [REDACTED]	Development Permit, Subdivision Application, or Enforcement Order # 25048 LOTT CREEK DRIVE		
I am appealing: (check one box only)			
Development Authority Decision <input type="checkbox"/> Approval <input checked="" 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)			
PLEASE SEE STATEMENT OF APPEAL ATTACHED. THANK YOU, MONA			



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.

M. J. Sabinski
Appellant's Signature

Aug. 12/2019
Date

Friday, August 9, 2019

Dear Sir/ Madame,

RE: Statement of Appeal – Application of an accessory building (garage)
Application Number: PRDP20192130

Thank you for considering my appeal. I have lived in the County of Rocky View, specifically Springbank and Elbow Valley, for the last 15 years. I entered into an agreement to purchase a property in Spring Creek Villas approximately 1.5 years ago, in order to downsize and remain in my community following my eventual retirement. I took possession of 171 Clear Creek Place on June 24th, 2019. Just a month after my possession date, I was made aware that the Elbow Valley Residents Club (EVRC) was planning to construct a new maintenance building behind my home, directly in front of my deck. I would not have closed the purchase of this property had I been aware prior my closing date and date of possession that a maintenance building was to be constructed immediately behind my home.

In deciding to build in Spring Creek Villas, I was seeking a small community where I could stay close to my friends and neighbors, and provide a safe and quiet environment for my Autistic son. He is 23 years of age and deals with a high degree of sensory sensitivity (including a sensitivity to loud noises) as well as impacts on his cognitive abilities. For this reason, we chose to raise our son in the quiet and safe community of Springbank, where we would have strong relationships with our neighbors. His bedroom is on the lower floor directly below the deck of our property, and the noise and increased traffic resulting from the proposed placement of the maintenance building are likely to be problematic for him.

I believe that the proposed location of the maintenance building will materially interfere with the use, enjoyment, and value of my home and the homes of my neighbours in Spring Creek Villas. The impacts will include the following:

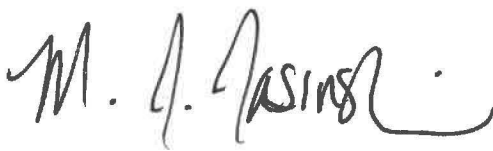
- The size of the proposed maintenance building is 22 feet x 30 feet, which is significantly larger than the current building, and will interfere with sightlines of my property and those of my neighbours. I also understand that EVRC also intends to create a parking area immediately behind our homes, which is visually incompatible with the current residential development.
- The new maintenance building is intended to be used for storage of seasonal and other supplies and equipment. This use is likely to result in ongoing, persistent noise and disruptions from increased traffic and the movement of vehicles and equipment to and from the site. This increased noise and activity directly behind our home will have an adverse impact on quality of life for my family, particularly my disabled son, and for our neighbours.
- The construction of a large maintenance building and parking area, and the associated noise and activity, will have a materially adverse effect on the property values of those of us living in Spring Creek.

As a result of living in Elbow Valley for 18 years, I am very aware of the desire of the EVCR to serve the needs of the community. I do not believe that the proposed location of the maintenance building is the best use for the land under consideration or in the best interests of the community as a whole. There are alternate sites available which would be more suitable for the placement of a maintenance building and would not negatively impact residents of Elbow Valley and Spring Creek. For example, the maintenance building could be located to the south side of the existing mail boxes. This is an open area which is in close proximity to the existing smaller maintenance shed, but is further removed from the homes in the surrounding area. The building could also be located on the north side of the Elbow Valley community (my previous area of residence), where maintenance is also required, and currently no maintenance building exists. There are multiple locations in the Elbow Valley property where a maintenance building could be constructed without directly interfering with the use, enjoyment, and property values of the residents of either EVRC or Spring Creek Villas. I would ask that Rocky View County consider the needs of all residents of the County impacted in making their final decision.

I understand there have been challenges in the previous negotiations that have occurred between Avi and EVRC. It is my hope that these relationships can improve for the benefit of all of the residents who call these areas home. I have remained in Springbank, as a safe community to raise my children and an area where I have many friends and neighbors with close ties. I believe a solution that serves all of us well would be in the best interests of the Elbow Valley and Spring Creek community as a whole.

I respectfully ask you do not approve the proposed location for the maintenance building, and seek to approve a development on an alternate site that respects the needs of all impacted members of Rocky View County.

Sincerely,



Mona Jasinski

171 Clear Creek Place S.W.
Calgary, Alberta
T3Z 0E8





Notice of Appeal

Subdivision and Development Appeal Board

Appellant Information			
Name of Appellant(s) HBA (Elbow Valley) GP Inc., by its solicitors and agents Stikeman Elliott, Attn: Robert Homersham			
Mailing Address c/o Stikeman Elliott, 4300, 888-3 rd St SW	Municipality Calgary	Province AB	Postal Code T2P 5C5
Home Phone #	Business Phone # (403) 508-9266	Email Address rhomersham@stikeman.com	

Site Information	
Municipal Address 25048 Lott Creek Drive Rocky View County, AB	Legal Land Description (lot, block, plan and/or quarter-section-township-range-meridian) Condominium Plan 9810245; Unit 1
Development Permit, Subdivision Application, or Stop Order # DP2019-2130	Roll#

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

Reasons for Appeal (attach separate page if required)
The Appellant appeals the Approval of Development Permit Application DP20192130
for the following reasons:
1. The proposed development of a maintenance building on Recreational Development Cell 6 would impair the views from the residential development on Cell 10, contrary to Sec. 4.2.1(h)(a) of the Elbow Valley ASP and good planning principles;
2. The proposed development would further concentrate noisy maintenance activities adjacent to residential development and to recreational activities;
3. Direct Control Bylaw C-4763-97 ("DC-13") contemplates that maintenance facilities will be located within Cell 10 (see 7.2.1). Maintenance facilities are not a use contemplated within Cell 6 and the proposed development is not an accessory building within the meaning of DC-13 and Land Use Bylaw C-4841-97;
4. Access to the proposed development is across Cell 10 lands for which no easement has been granted;
5. Such further and other reasons that the Appellant may raise at or before the hearing of this Appeal.

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.

Signature of Agent for the Appellant,
Robert Homersham

August 12, 2019

Date





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

Elbow Valley Residents Club
c/o Cindy Groom, General Manager
100 Misty Morning Drive
Calgary, AB T3Z 2Z7

Page 1 of 2

Tuesday, July 23, 2019

Roll: 04606006

RE: Development Permit #PRDP20192130

Lot UNIT 1 Plan 9810245, SE-06-24-02-05; (25048 LOTT CREEK DRIVE)

The Development Permit application for construction of an accessory building (garage) has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That construction of an accessory building (garage), approximately 66.89 sq. m (720.00 sq. ft.) in area, for the storage of maintenance supplies may take place on the subject land in general accordance with the approved plans, as prepared by Studio T Design Ltd, Project Title: *Elbow Valley Service Building*; Dwgs. A.0, A.1, and A.2.

Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control Plan (ESC) to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.), prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Permanent:

3. 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 including any recommendations of the ESC.
4. That any flood proofing measures shall be followed in accordance with the Alberta Building Code and good engineering practice.
5. That the proposed new Accessory Building shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I.



ROCKY VIEW COUNTY

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

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

Elbow Valley Residents Club (c/o Cindy Groom, General Manager) Page 2 of 2
#PRDP20192130

6. That the proposed new Accessory Building shall not be used for residential occupancy purposes at any time.
7. That the exterior siding and roofing materials of the Accessory Building shall be similar/cohesive to the area.
8. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
9. 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.
10. That if this Development Permit is not issued by **January 31, 2020** or an approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

11. That a Building Permit and applicable subtrade permits shall be obtained through Building Services, prior to construction commencement.
12. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
13. That during construction of the Accessory Building, 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.
14. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, August 13, 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
Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



20192130

JUNE 24, 2019

ROCKY VIEW COUNTY
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

RE: Elbow Valley Residents Club Request for a Service Building

As per the attached documents Elbow Valley is requesting a Development Permit to build a service building in the South East area where the current maintenance area is located.

The building will be 24' x 30' and will be for storing maintenance supplies. The area landscape will be improved with new trees. An access road and relocation of pathway are requested along with the building.

We thank you for your time.

On Behalf of the Board of Directors
For Elbow Valley Residents Club

A handwritten signature in black ink, appearing to read "Cindy Groom", is written over a horizontal line.

Cindy Groom
EVRC General Manager
403-240-4386



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted <u>\$265</u>	File Number <u>04606006</u>
Date of Receipt <u>June 24/19</u>	Receipt # <u>021244</u>

20192130

(CINDY GROOM)
Name of Applicant Elbow Valley Residents Club Email gm@elbowvalley.org
Mailing Address 100 misty morning Dr.
Postal Code T3Z 2Z7
Telephone (B) 403-240-4386 (H) _____ Fax _____
For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____
Mailing Address _____
Postal Code _____
Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
b) Being all / parts of Lot _____ Block _____ Registered Plan Number UNIT 1 PLAN 981 0245
c) Municipal Address _____
d) Existing Land Use Designation DC13 Parcel Size _____ Division _____

2. APPLICATION FOR

STORAGE GARAGE.

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I WAYNE JESSEE hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)
X 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**

ELBOW VALLEY RESIDENTS CLUB
Applicant's Signature _____ Owner's Signature [Signature]
Date _____ Date June 12, 2019

5. RIGHT OF ENTRY

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

Applicant's/Owner's Signature

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

I, _____, 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



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION FOR AN ACCESSORY BUILDING

FOR OFFICE USE ONLY	
Fee Submitted \$265.00	File Number 04606006
Date Received JUNE 24/19	Receipt #

Name of Applicant Elbow Valley Residents Email gm@elbowvalley.org
Mailing Address 100 misty morning Dr. club
CALGARY AB Postal Code T3Z 2Z7
Telephone (B) 403-240-4386 (H) _____ Fax _____

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum		24x30
Accessory building height		20'
Number of existing accessory buildings on site		1
Total size of all accessory buildings		1,000 Sq ft

Description of Accessory Buildings:

- a) Building materials Hardi-Plank siding / Asphalt shingles.
- b) Exterior colour SAME AS current Build. Dark Green siding
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.) Black trim + TAN cable ends.
TO match Roof slope of current Building.
- d) Date when building permits were issued for existing buildings 2002-0P-10008
OCT 3, 2002
- e) If no permits were issued - list age of buildings MA

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Storage of Tools, Signs, Shop vac,

3. ADDITIONAL REQUIREMENTS

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

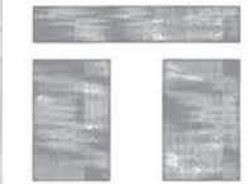
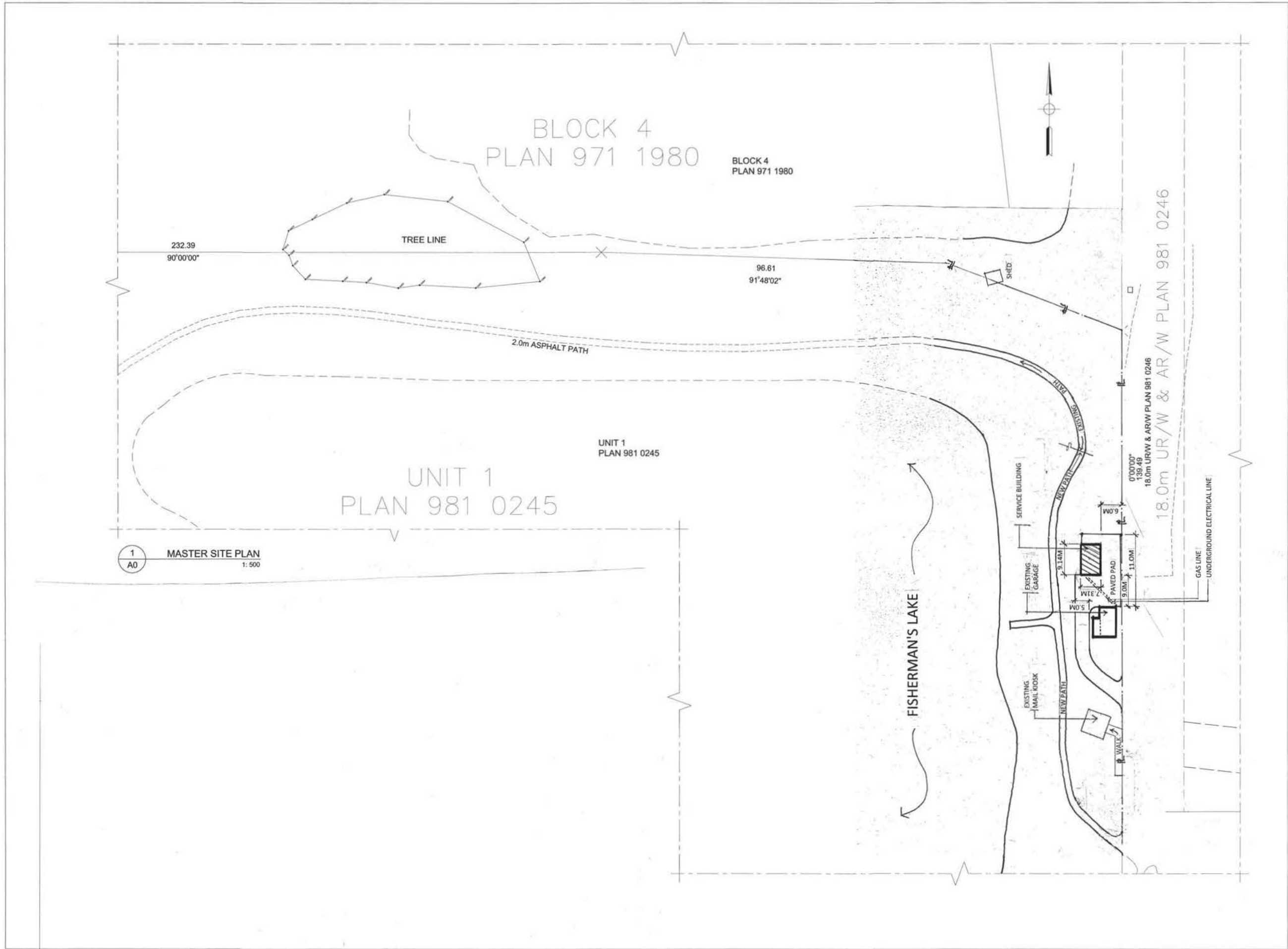
- ☒ Elevation drawing(s) / floor plan(s)
☒ Site plan(s) showing all dimensions and setbacks

Signature of Applicant

[Signature]

Date:

JUNE 26/19



STUDIO T DESIGN LTD
3420 CARDSTON CRES. NW
CALGARY, AB T2L 0S6
TEL: (403) 220 0542
FAX: (403) 210 1357
E MAIL: rthornton@shaw.ca

Revisions:

NO.	DESCRIPTION	DATE

Notes:

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Consultants:

Project Title:
ELBOW VALLEY SERVICE BUILDING

Sheet Title:

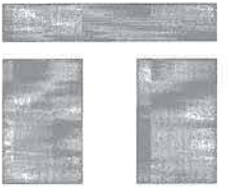
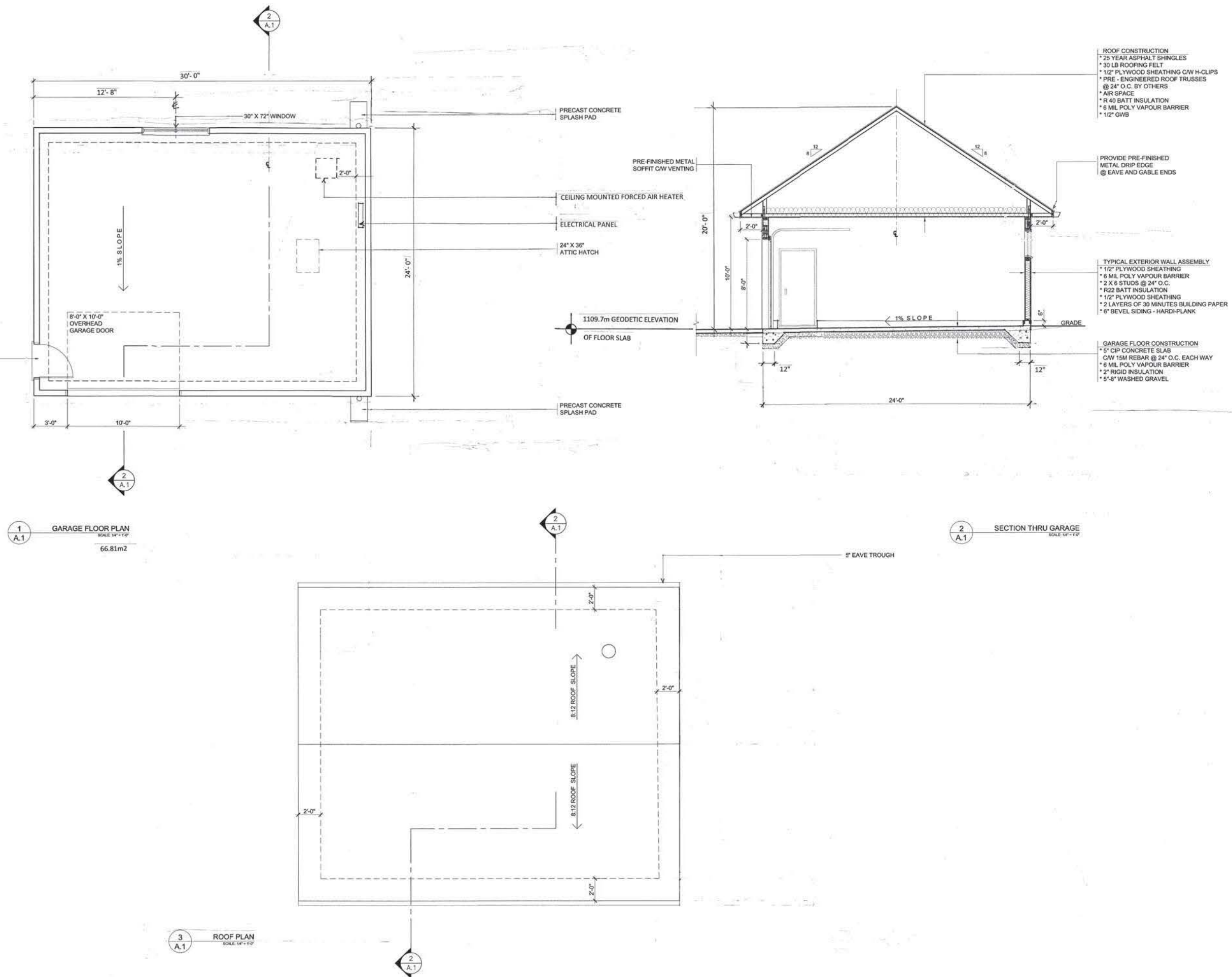
SITE PLAN

Sheet Details:

DATE: MAY 29, 2019
SCALE: AS NOTED
DRAWN BY: K.K.
CHECKED: R.T.
JOB NO: --

Sheet No:

A.0



STUDIO T DESIGN LTD

3420 CARDSTON CRES. NW
CALGARY, AB T2L 0S6

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Revisions:

Notes:

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Consultants:

Project Title:

ELBOW VALLEY
SERVICE BUILDING

Sheet Title:

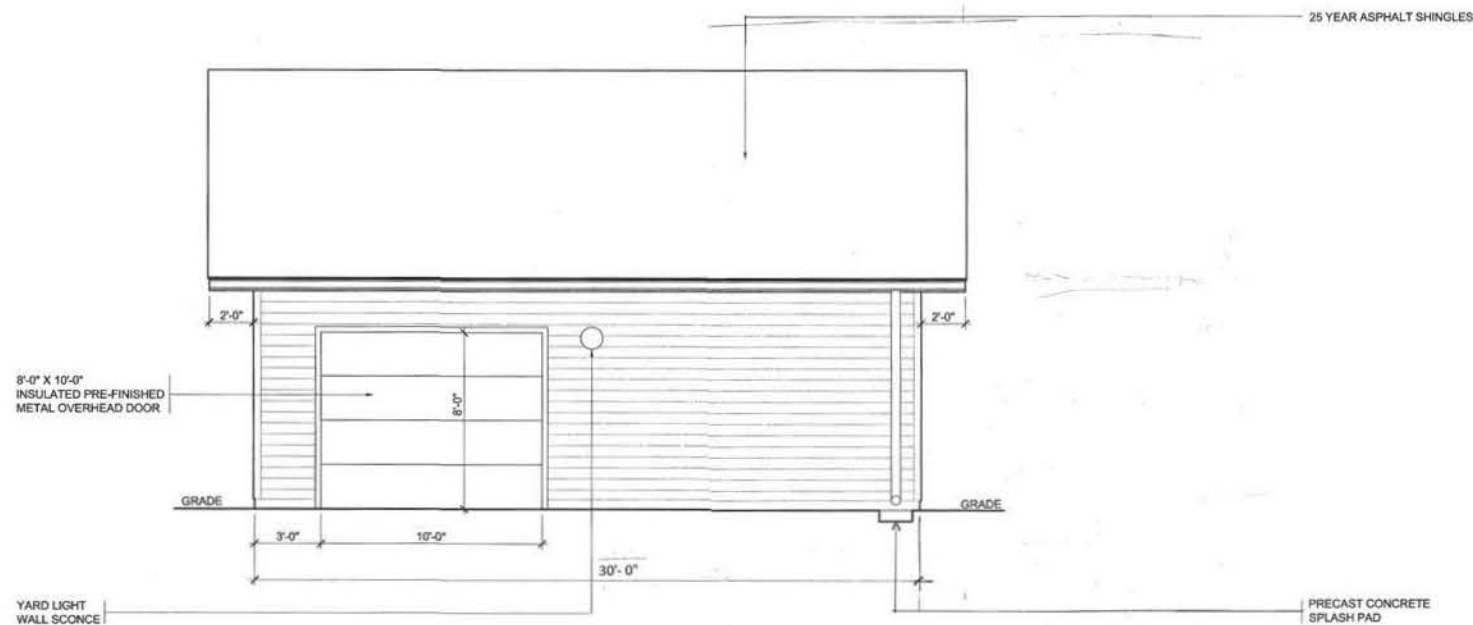
FLOOR PLAN,
ROOF PLAN,
SECTION

Sheet Details:

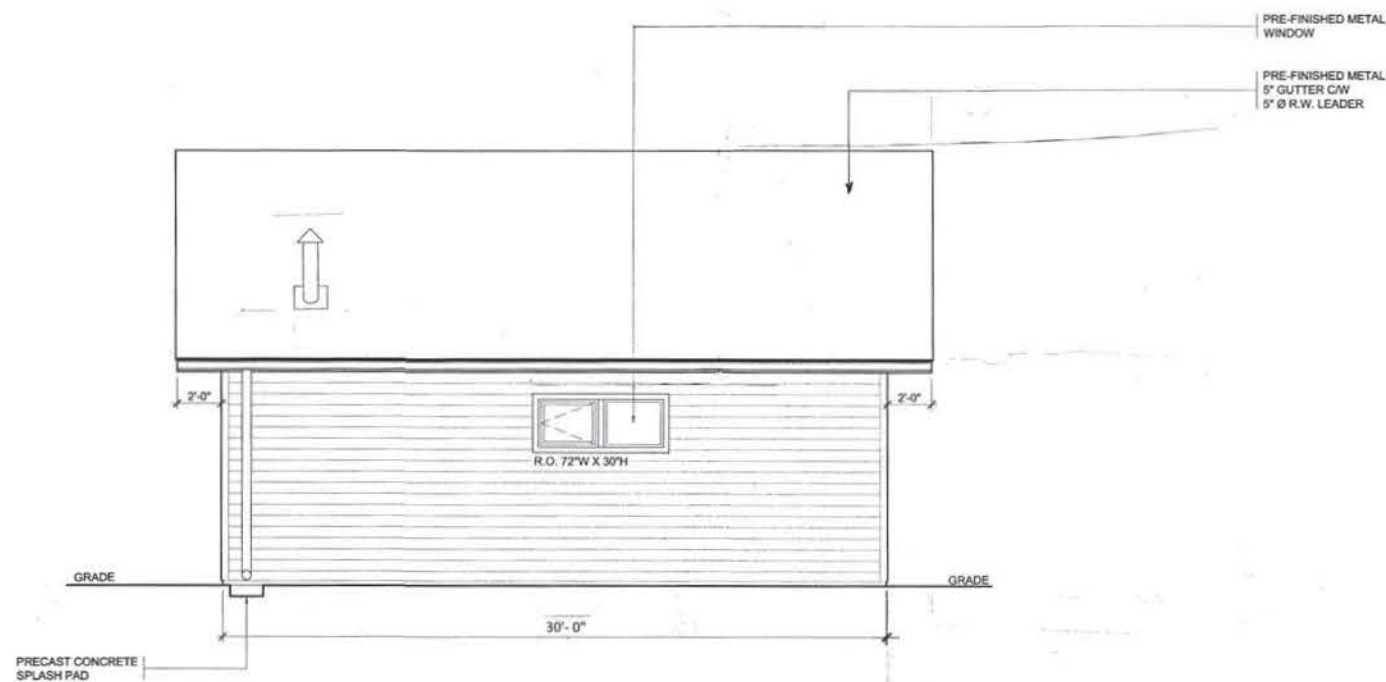
DATE: MAY 29, 2019
SCALE: 1/4" = 1'-0"
DRAWN BY: K.K.
CHECKED: R.T.
JOB NO: --

Sheet No:

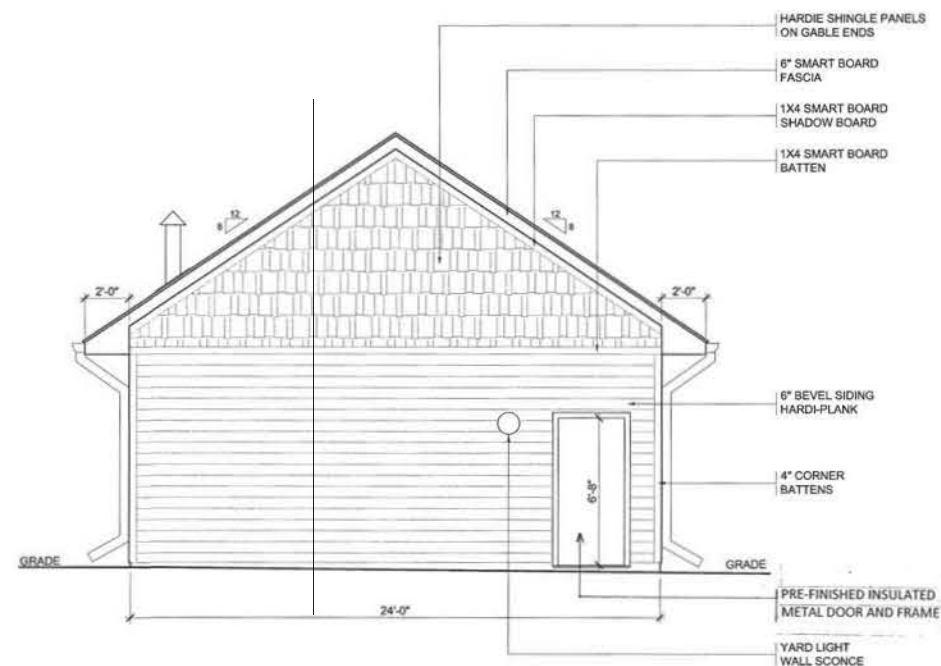
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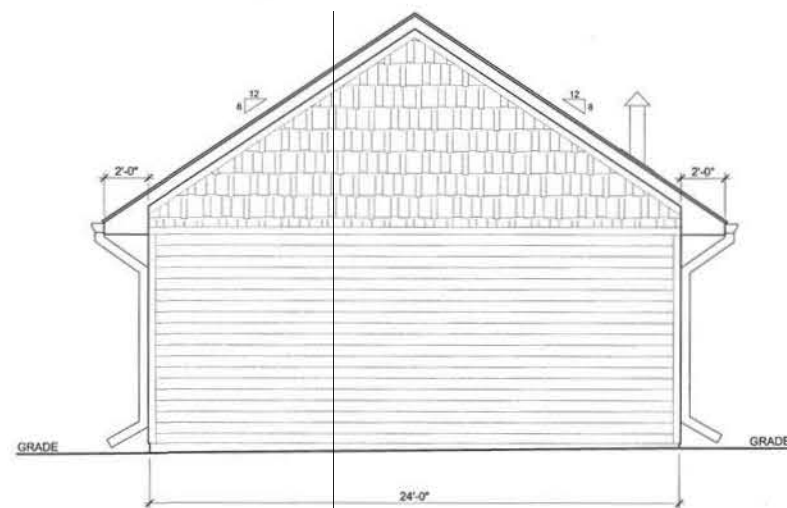
1
A.2
EAST
MAIN ELEVATION
SCALE: 1/4" = 1'-0"



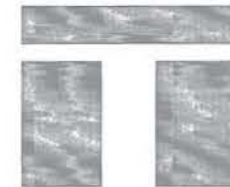
3
A.2
WEST
REAR ELEVATION
SCALE: 1/4" = 1'-0"



2
A.2
SOUTH
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



4
A.2
NORTH
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



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Consultants:

Project Title:

ELBOW VALLEY
SERVICE BUILDING

Sheet Title:

ELEVATIONS

Sheet Details:

DATE: MAY 29, 2019

SCALE: 1/4" = 1'-0"

DRAWN BY: K.K.

CHECKED: R.T.

JOB NO: --

Sheet No:

A.2