

SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

May 13, 2020

ROCKY VIEW COUNTY

THESE APPEALS WERE HEARD
ELECTRONICALLY IN
ACCORDANCE WITH THE
MEETING PROCEDURES
(COVID-19 SUPPRESSION)
ALBERTA REGULATION
50/2020

A CALL MEETING TO ORDER

B DEVELOPMENT APPEALS

9:00 AM APPOINTMENT

1. Division 7 File: 06428082; PRDP20200443 page 2

An affected party appeal against the Development Authority's decision to APPROVE a development permit application for the construction of accessory buildings (detached garage and replacement of shed), relaxation of the maximum height requirement for accessory building (detached garage), total building area for all accessory buildings, and maximum number of accessory buildings at 236 Stage Coach Lane (Lot 8, Block 7, Plan 0011908; NE-28-26-29-W4M) and located approximately 0.81 kilometres (1/2 mile) east of Highway 2 and 1.21 kilometres (3/4 mile) north of Township Road 264.

Appellants: Fred Wildeman and Luba Kazatchenko
Applicants/Owners: Johannes and Heidi Bos

10:30 AM APPOINTMENT

2. Division 5 File: 05326001; PRDP20200042 page 59

An appeal against the Development Authority's decision to REFUSE a development permit application for single lot regrading and placement of clean topsoil for agricultural purposes at 281122 Township Road 254 (SE-26-25-28-W4M) and located at the northwest junction of Highway 564 and Range Road 281.

Appellant: Planning Protocol (on behalf of the Owners)
Owner: Heid^ Baisy

C CLOSE MEETING

D NEXT MEETING: June 3, 2020

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: Wednesday, May 13, 2020 **DIVISION:** 07

FILE: 06428082 **APPLICATION:** B-2; PRDP20200443

SUBJECT: Accessory Buildings

| | |
|---|---|
| PROPOSAL: Construction of an accessory building (detached garage) and relaxation of the maximum height requirement; reconstruction of the existing accessory building (shed); relaxation of the maximum total building area for all accessory buildings and total number of accessory buildings on site. | GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) east of Hwy. 2 and 1.21 km (3/4 mile) north of Twp. Rd. 264. |
| APPLICATION DATE: February 25, 2020 | DEVELOPMENT AUTHORITY DECISION: Discretionary-Approved |
| APPEAL DATE: April 1, 2020 | DEVELOPMENT AUTHORITY DECISION DATE: March 24, 2020 |
| APPELLANT: Fred Wildeman and Luba Kazatchenko | APPLICANT: Bos, Johannes & Heidi OWNER: Bos, Johannes & Heidi |
| LEGAL DESCRIPTION: Lot 8, Block 7, Plan 0011908; NE-28-26-29-04 | MUNICIPAL ADDRESS: 236 Stage Coach Lane |
| LAND USE DESIGNATION: Residential One District (R-1) | GROSS AREA: 0.82 hectare (2.03 acres) |
| PERMITTED USE: Accessory Buildings are listed as Permitted and Discretionary uses within the Residential One District based on building area. | DEVELOPMENT VARIANCE AUTHORITY: The Development Authority has variance ability within Section 12.2 of the Land Use Bylaw. |
| PUBLIC SUBMISSIONS: The application was circulated to 15 adjacent landowners. At the time this report was prepared, no letters of support or objection were received for the application. | LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan • Land Use Bylaw • Balzac East Area Structure Plan • City of Airdrie Intermunicipal Development Plan |

EXECUTIVE SUMMARY:

The proposal is construction of an accessory building (detached garage) and reconstruction/ replacement of the existing accessory building (shed), including variances, on the subject site.

There is an existing Dwelling, Single Detached and two accessory buildings on site: One shed located south of the dwelling and a play structure located at the rear. The application proposes to add a third accessory building (detached garage) northwest of the existing dwelling. The proposed detached garage is approximately 111.11 sq. m. (1,196 sq. ft.) in size and therefore a Discretionary use under the Residential One District. A variance of the garage height requested from 7.00m (22.96 ft.) to 7.32 m (24.00 ft.) at 4.57%.

The application also proposes to replace the existing shed in its current location. With the proposal of three accessory buildings on site, variances requested also included: total number of accessory buildings on site from two (2) to three (3), and the maximum total building area of all accessory buildings from 120.00 sq. m (1,291.67 sq. ft.) to 133.97 sq. m (1,442 sq. ft.) at 11.63%.

The application was assessed against the Land Use Bylaw. The site falls under the Balzac East Area Structure Plan and the City of Airdrie Intermunicipal Development Plan. The statutory plans support residential uses but do not contain policies for accessory buildings specifically. The application was discretionary-approved, with conditions, by the Development Authority on March 24, 2020.

On April 1, 2020, the Appellant appealed the decision of the Development Authority. Reasons for the appeal are noted in the Notice of Appeal.

While under section 686(1) of the Municipal Government Act requires a 21-day appeal period (April 14, 2020); Ministerial Order No. MSD:036/20 extended appeal periods to May 8, 2020 for appeal deadlines that would have ended between March 25 and April 17, 2020.

APPEAL:

See attached report and exhibits.

Respectfully submitted,



Sean MacLean
Supervisor, Planning and Development Services

SV/llt

DEVELOPMENT PERMIT REPORT

| | |
|---|--|
| Application Date: February 25, 2020 | File: 06428082 |
| Application: PRDP20200443 | Applicant/Owner: Bos, Johannes & Heidi |
| Legal Description: Lot 8, Block 7, Plan 0011908; NE-28-26-29-04 (236 Stage Coach Lane) | General Location: Located approximately 0.81 km (1/2 mile) east of Hwy. 2 and 1.21 km (3/4 mile) north of Twp. Rd. 264. |
| Land Use Designation: Residential One District (R-1) | Gross Area: 0.82 hectare (2.03 acres) |
| File Manager: Sangeeta Vishwakarma | Division: 07 |

PROPOSAL:

- Construction of two accessory buildings (detached garage and replacement of existing shed).
- Relaxation of the maximum height requirement for detached garage from 7.00m (22.96 ft.) to 7.32 m (24.00 ft.).
- Relaxation of the total building area for all accessory buildings from 120.00 sq. m (1,291.67 sq. ft.) to 133.97 sq. m (1,442 sq. ft.).
- Relaxation of the maximum number of accessory buildings on site from two (Existing shed and playhouse) to three (new garage, new shed, and existing playhouse)

Note:

1. Applicant requested to incorporate the existing play structure on March 19, 2020 as this was not captured in original submission. A variance the total number of accessory buildings is requested from 2 to 3 for this site with addition of 30 sq. ft. to total area of accessory buildings.
2. Proposed addition/renovation to existing dwelling on site does not form part of this application as no variances are requested and Dwelling, single detached is a permitted use which requires a separate building permit.

SITE INFORMATION:

- Subject parcel is located within a residentially zoned community
- Access to the site is from internal road, Stage Coach Lane
- The proposed detached garage appears be located more than 21m (70 ft.) from the dwelling on north adjacent parcel based on the submitted Site Plan.
- The proposed replacement shed would be located in the same location as the existing shed, south of the existing dwelling on site
- There is an existing playhouse on site, considered as an accessory building (the covered gable portion). The canopy area of the playhouse is approximately 5 ft x 6 ft. per Applicant.

APPLICABLE LAND USE BYLAW REGULATIONS: (Amended per Bylaw C-7968-2019):

Section 12.2 Use, Discretionary Applications

Section 48 Residential One District (R-1)

Section 48.2 Uses, Permitted

Accessory buildings less than 80.27 sq. m (864.01 sq. ft.) building area

Proposed Shed Area: 20.00 sq.m **(216.00 sq.ft.)** – 12 ft. x 18 ft.

Existing Playhouse (Covered Area): 2.79 sq. m **(30.00 sq. ft.)** – 5ft. x 6ft.

Section 48.3 *Uses, Discretionary*

Accessory Buildings greater than 80.27 sq. m (864.01 sq. ft.) building area and less than 120.00 sq. m (1,291.67 sq. ft.) building area

Proposed Garage Area: 111.11 sq. m. **(1,196 sq. ft.)** – 46 ft. x 26 ft.

Total Area of all accessory building (see Section 48.9 below):

133.97 sq.m. **(1,442 sq.ft.)**

Section 48.5 *Minimum and Maximum Requirements*

(b)(iii) *Yard, Front - 15.00 m (49.21 ft.) from any road, internal subdivision or road, service*

(c) (iv) *Yard, Side - 3.00 m (9.84 ft.) all other*

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

| Proposed Yards | Garage | Shed | Playhouse |
|-----------------------|----------------------------|-------------|------------------|
| Front (West) | 17.76 m (58.25 ft.) | Lots | Lots |
| Side 1 (North) | 5.18 m (17.00 ft.) | Lots | Lots |
| Side 2 (Southeast) | Lots | Lots | Lots |
| Rear (East) | Lots | Lots | Lots |

Section 48.7 *Maximum height of buildings*

(b) *accessory buildings - 7.00 m (22.96 ft.).*

Proposed Garage Height: 7.32 m (24.00 ft.)

- *Variance of 4.57%*

Section 48.9 *Maximum total building area for all accessory buildings -120.00 sq. m (1,291.67 sq. ft.).*

| Accessory Buildings | Proposed Area | Maximum Area | Use |
|----------------------------|-------------------------|-------------------------|-----------------------------|
| Detached Garage | 1,196.00 sq. ft. | 1,291.67 sq. ft. | Discretionary - 48.3 |
| Detached Shed | 216.00 sq. ft. | 864.01 sq. ft. | Permitted - 48.2 |
| Play structure | 30.00 sq. ft. | 864.01 sq. ft. | Permitted - 48.2 |
| Total Area | 1,442.00 sq. ft. | 1,291.67 sq. ft. | Discretionary - 48.9 |

- *Variance of 11.63%*

Section 48.10 *Maximum number of accessory buildings – Two (2)*

Proposed Number of Accessory Buildings: Three (3)- Garage, Shed, Play structure

- *Variance of 50%*

STATUTORY PLANS:

The site falls under the Balzac East Area Structure Plan and City of Airdrie Intermunicipal Development Plan that does not provide guidance on applications of this nature. There is no conceptual scheme established in this area. Application assessed in accordance with Sections 48 of the Land Use Bylaw.

INSPECTOR'S COMMENTS:Inspection date – February 28, 2020

- Site appeared orderly and well kept
- Existing accessory building appears in good condition – fenced enclosure immediately adjacent
- Proposed accessory building not started
- Proposed accessory building to be located on slightly sloped ground that slopes towards culvert at front
- Playhouse trampoline located to the east of the proposed accessory building
- Drainage culvert located immediately south of the proposed accessory building

CIRCULATIONS:Alberta Transportation (March 20, 2020)

- In reviewing the application, the proposed development does not fall within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation, and will not require a roadside development permit from Alberta Transportation.

City of Airdrie (March 11, 2020)

- The City of Airdrie Planning & Development Department has completed its review of the above mentioned development permit application, in response to your request for comments, recommendations and/ or requirements with respect to the application, being an application for the development of a detached garage and renovation of an existing shed, with relaxation to the garage height and total accessory building area.
- Given the information provided, Planning has no comments or objections to the application as the proposed development will not negatively impact the adjacent parcels located within the City of Airdrie boundary.

Building Services Review (March 02, 2020)

- No Concerns with lot coverage, subject to Full BP requirements

Capital Projects (February 28, 2020)

- No concerns

Development Compliance Review (February 27, 2020)

- Recommend that any set-back relaxations do not adversely impact neighbouring properties;
- Recommend that noise and dust controls be implemented during any construction work;
- Recommend that the site be kept tidy at all times with garbage bins available to contain waste construction material;
- Recommend that vehicular traffic obey any speed and weight restrictions on local roads

Planning and Development Services - Engineering Review – Sedulous Engineering (March 17, 2020)**General:**

- That prior to issuance, the Applicant is required to pay the development application engineering review fee in accordance with the Master Rates Bylaw.
- The subject development permit is to construct an addition to the existing home and a new detached garage building. This acreage parcel remains at a development density that doesn't result in offsite engineering challenges that would trigger submissions from the Applicant. We have provided some recommendations below related to best practices and are available should there be any questions.

Geotechnical:

- No geotechnical requirements apply at this time. Future development on the parcel may require geotechnical submissions.

Transportation:

- No requirements as no traffic generating development is proposed. Future development on the parcel may require transportation submissions.

Sanitary/Waste Water and Waterworks:

- No requirements as we understand the proposed building will be un-serviced. The drawings provided reference a “future lav”, and the owner needs to be aware that their Private Septic Treatment System and its disposal field is sized based on occupancy loads. In the event this washroom proceeds, there would be a building permitting process to confirm the existing PSTS system is sufficient to accommodate the additional sewage and/or determine upgrade requirements. See building services “PSTS” permit requirements.

Storm Water Management / Environmental:

- The increase in impervious coverage on the site remains below the threshold where full stormwater management reporting would be required. That said, please advise the Applicant that all new hard cover surfaces must drain away from the PSTS location, neighboring private property and allowed to run over vegetation (lawn or rain gardens) prior to discharge to the County’s road ditch. Piped roof drains, etc. terminated at property line are not permitted.

Utility Services (February 28, 2020)

- No concerns

RECOMMENDATION:

Based on assessment of the application details, Site Plan, and impact to adjacent properties, Development Authority recommends approval.

- The proposed shed and existing playhouse are permitted uses, however, since the area and total number of accessory building exceed permitted, a development application was required.
- The Applicant confirmed they were not aware of the play structure being an accessory building, and requested variance of the number of accessory buildings at time of this report.
- Staff assessed the impact of the existing play structure (covered area) to be minimal since the structure was existing, there are no adjacent dwellings/ developments affected by presence of the structure.
- Circulations comments for the larger structures, shed and garage presented no concerns.
- Engineering fees as required, were incorporated within the development application fees.
- Site inspection confirmed work had not commenced and the site was well maintained.
- No historical enforcement activity/complaints for the site.

OPTION:

APPROVAL subject to the following conditions:

Description:

- 1) That construction of the accessory building (oversize garage) and accessory building (shed) may commence on the subject property, in accordance with the submitted application and supporting drawings and includes:

- i. That the maximum building area for the accessory building (oversize garage) is relaxed from **80.27 sq. m (864.01 sq. ft.) to 111.11 sq. m. (1,196 sq. ft.)**.
- ii. That the maximum height requirement for the accessory building (garage) is relaxed from **7.00m (22.96 ft.) to 7.32m (24.00 ft.)**.
- iii. That the maximum total building area for all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 133.97 sq. m (1,442 sq. ft.)**.
- iv. That the maximum number of accessory buildings is relaxed from **two (2) to three (3)**.

Permanent:

- 2) That the exterior siding and roofing materials of the accessory buildings shall be similar / cohesive to the existing dwelling, single detached and/or area.
- 3) That the accessory buildings shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I.
- 4) That the accessory buildings shall not be used for residential occupancy purposes at any time.
- 5) 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 accessory buildings under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
- 6) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 7) That during construction of the accessory buildings, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 8) That the County's Noise Bylaw, C-5772-2003, shall be adhered to at all times.
- 9) That Building Permits and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
- 10) 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.
- 11) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



Notice of Appeal

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

| | | |
|---|---|---|
| Appellant Information | | |
| Name of Appellant(s) Fred Wildeman, Luba Kazatchenko | | |
| Mailing Address 240 Stage Coach lane | Municipality Rocky View County | Province AB |
| | | |
| Site Information | | |
| Municipal Address 236 Stage Coach Lane | Legal Land Description (lot, block, plan OR quarter, section, township, range, meridian) Lot 8, Block 7, Plan 0011908, NE-28-26-29-04 | |
| Property Roll # 06428082 | Development Permit, Subdivision Application, or Enforcement Order # PRDP20200443 | |
| 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) | | |
| <p>We are asking to apply conditions on this development because proposed placement of the garage will obscure the view from our windows. Our house faces our neighbours property with 13 out of 20 of our windows and our deck faces directly to their property. Placement of the garage in the proposed location will be directly in our view. Instead of seeing Calgary and neighbourhood we will see a garage wall which is quite depressing and decreases a value of our house as it will turn away potential buyers due to the lack of view from majority of windows that we have now. (we are planning to sell our house in nearest future).</p> <p>We ask that proposed garage location will be pushed deeper into the property so it doesn't obstruct the view from our windows.</p> | | |

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

Fred Wildeman
Appellant's Signature

Luba Kazatchenko

1/04/2020
Date

Last updated: 2018 November 13





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

Bos, Johannes & Heidi

Page 1 of 2

Tuesday, March 24, 2020

Roll: 06428082

RE: Development Permit #PRDP20200443

Lot 8 Block 7 Plan 0011908, NE-28-26-29-04; (236 STAGE COACH LANE

The Development Permit application for construction of accessory buildings (detached garage and replacement of shed); relaxation of the maximum height requirement for accessory building (detached garage), total building area for all accessory buildings, and maximum number of accessory buildings on site. has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That construction of the accessory building (oversize garage) and accessory building (shed) may commence on the subject property, in accordance with the submitted application and supporting drawings and includes:
 - i. That the maximum building area for the accessory building (oversize garage) is relaxed from **80.27 sq. m (864.01 sq. ft.) to 111.11 sq. m. (1,196 sq. ft.)**.
 - ii. That the maximum height requirement for the accessory building (garage) is relaxed from **7.00m (22.96 ft.) to 7.32m (24.00 ft.)**.
 - iii. That the maximum total building area for all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 133.97 sq. m (1,442 sq. ft.)**.
 - iv. That the maximum number of accessory buildings is relaxed from **two (2) to three (3)**.

Permanent:

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



Bos, Johannes & Heidi #PRDP20200443
Page 2 of 2

5. 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 accessory buildings under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
6. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

7. That during construction of the accessory buildings, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. That the County's Noise Bylaw, C-5772-2003, shall be adhered to at all times.
9. That Building Permits and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
10. 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.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, April 14, 2020**, 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 'J. Bos'.

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

THIS IS NOT A DEVELOPMENT PERMIT





























































ROCKY VIEW COUNTY
Cultivating Communities

20200443

APPLICATION FOR A DEVELOPMENT PERMIT

| FOR OFFICE USE ONLY | |
|---------------------------------|---------------------------|
| Fee Submitted \$265.00 | page 40 of 57 06428082 |
| Date of Receipt Feb 25, 2020 | Receipt # 2020023574 |

Name of Applicant

Juan P. Bos

Email

Mailing Address

Telephone (B)

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 28 Township 26 Range 29 West of 4th Meridian
- b) Being all / parts of Lot 8 Block 7 Registered Plan Number 0011908
- c) Municipal Address 236 STAGE COACH LANE ROCKY VIEW COUNTY, AB
- d) Existing Land Use Designation RESIDENTIAL (R1) Parcel Size 2.03 ACRES Division SHARP HILL

2. APPLICATION FOR

* NEW RETAILED GARAGE W/ RELAXATION OF HEIGHT AND RENOVATED SHED.

3. ADDITIONAL INFORMATION

* RELAXATION OF TOTAL ACR. BUILDING AREA.

- 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 JOHANNES P. BOS hereby certify that ☒ I am the registered owner
(Full Name in Block Capitals)

☐ I am authorized to act on the owner's behalf

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

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

Applicant's Signature

Date

[Signature]
FEB 24, 2020

Owner's Signature

Date

[Signature]
FEB 24, 2020


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, JOHN BOS, 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 FEB 24, 2010 Date



ROCKY VIEW COUNTY
Cultivating Communities

FOR OFFICE USE ONLY B-1
page 42 of 57

Fee Submitted

File Number

Date Received

Receipt #

APPLICATION FOR AN ACCESSORY BUILDING

Name of Applicant John & Helen Bos Email [REDACTED]

Mailing Address [REDACTED]

Telephone (B) [REDACTED]

1. DETAILS OF ACCESSORY BUILDING

| | Bylaw | Proposed |
|--|---------------|-----------------------|
| Accessory building size maximum | 1291.67 SQ FT | 1196 SQ FT |
| Accessory building height | 23' | 24' (overheight) |
| Number of existing accessory buildings on site | 2 | 2 |
| Total size of all accessory buildings | 1291.67 SQ FT | 1412 SQ FT (VARIANCE) |

Description of Accessory Buildings:

- a) Building materials HASBE BOARD
- b) Exterior colour EARTH TONE (TAUPE / GREEN)
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
VEHICLE PARKING / STORAGE
- d) Date when building permits were issued for existing buildings
DON'T KNOW (SHED WAS ON PROPERTY BEFORE WE PURCHASED HOUSE)
- e) If no permits were issued - list age of buildings
EXISTING SHED WAS PROBABLY BUILT IN 2005 (WE ARE REPAIRING IT THIS YEAR)


2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

DETACHED GARAGE = VEHICLE PARKING / STORAGE
SHED = STORAGE / DOG HOUSE

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 

Date: FEB 24, 2020



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 478 774 0011908;7;8 101 203 936

LEGAL DESCRIPTION
PLAN 0011908
BLOCK 7
LOT 8
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;29;26;28;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 031 012 379

| REGISTERED OWNER(S) | | | | |
|---------------------|------------|------------------|-----------|---------------|
| REGISTRATION | DATE (DMY) | DOCUMENT TYPE | VALUE | CONSIDERATION |
| 101 203 936 | 08/07/2010 | TRANSFER OF LAND | \$737,000 | \$737,000 |

OWNERS

HEIDI BOS

AND

JOHANNES P BOS

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION | DATE (D/M/Y) | PARTICULARS |
|--------------|--------------|--|
| 771 147 064 | 20/10/1977 | ZONING REGULATIONS SUBJECT TO CALGARY INTERNATIONAL AIRPORT ZONING REGULATIONS |

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

101 203 936

REGISTRATION

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

| | | |
|------------------------|------------|---|
| 001 207 695 | 27/07/2000 | UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 GRANTEE - 692591 ALBERTA LTD. BOX 34, SITE 12, RR4 CALGARY ALBERTA T2M4L4 GRANTEE - ATCO GAS AND PIPELINES LTD. 909 11TH AVENUE S.W. CALGARY ALBERTA T2P1L8 GRANTEE - TELUS COMMUNICATIONS INC. 10020 - 100 STREET EDMONTON ALBERTA T5J0N5 GRANTEE - SHAW CABLESYSTEMS COMPANY. 2001 27TH AVENUE NE. BOX 90, STATION J CALGARY ALBERTA T2A6T9 GRANTEE - ROCKY VIEW WATER CO-OP LTD. RR4, SITE 23 BOX 21 CALGARY ALBERTA T2M4L4 AS TO PORTION OR PLAN:0011909 (DATA UPDATED BY: CHANGE OF ADDRESS 081474806) |
| 001 207 700 | 27/07/2000 | RESTRICTIVE COVENANT |
| 141 273 203 | 08/10/2014 | MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 3508-32ND AVENUE NE, #100 CALGARY ALBERTA T1Y6J2 ORIGINAL PRINCIPAL AMOUNT: \$680,000 |
| TOTAL INSTRUMENTS: 004 | | |

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 24 DAY OF
FEBRUARY, 2020 AT 02:05 P.M.

ORDER NUMBER: 38878790

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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

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



LETTER OF AUTHORIZATION

I, (We) JOHANNES P BOS & HETDI C BOS being the owner (s) of
Lot 8 Block 7 Plan 0011908

Legal:

NW/NE/SE/SW Section 28 Township 26 Range 29 W 4 M
give JOHANNES (JOHN) BOS permission to act on my
(our) behalf in applying for a Development Permit for the above subject property.

Signature

Signature

Date

FEB 24, 2020

Date: February 23, 2019


John & Heidi Bos



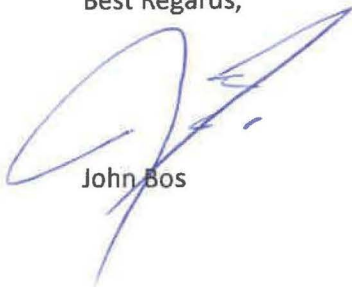
Re: Development and Building Permit Application

Attn. Rocky View County Office,

We are submitting an application complete with plans for a renovation and addition to our primary dwelling at 236 Stage Coach Lane (Lot 8, Block 7, Plan 0011908). We are also submitting plans for the construction of a detached garage along with the replacement of our existing shed.

Should you have any questions, please do not hesitate to reach out to us. We can be reached via our home number at 

Best Regards,



John Bos



Heidi Bos



Summary

Roll Number 06428082

Legal Desc NE-28-26-29-W04M

Divison 07

Lot Block Plan Lot:8 Block:7 Plan:0011908

Linc Number 28478774

Title Number 101203936

Parcel Area 2.03000

Municipal Address 236 STAGE COACH LANE

Contact Information Bos, Johannes & Heidi

Land Use Information R-1 (RESIDENTIAL ONE)

Plan

Planning Applications Information

{There is no related Application}

Area Structure Plan

| | |
|-------------|-------------|
| Plan Name | RV Number |
| Balzac East | 2006-RV-417 |

Conceptual Scheme

{There is no related Conceptual Scheme}

Permit

Building Permit

| Permit Number | Permit Type | Date Issued |
|---------------|----------------|------------------|
| 2010-BP-23368 | Building | Tue Jul 27, 2010 |
| 2010-EP-10736 | Electrical | Tue Jul 27, 2010 |
| 2010-PL-6634 | Plumbing | Tue Jul 27, 2010 |
| 2003-EP-2951 | Electrical | Wed Feb 19, 2003 |
| 2001-BP-14959 | Building | Tue Sep 18, 2001 |
| 2001-PL-1053 | Plumbing | Mon Sep 10, 2001 |
| 2001-PS-555 | Private Sewage | Mon Sep 10, 2001 |
| 2001-EP-1542 | Electrical | Mon Sep 10, 2001 |
| 2001-GP-1270 | Gas | Mon Sep 10, 2001 |

Development Permit Information

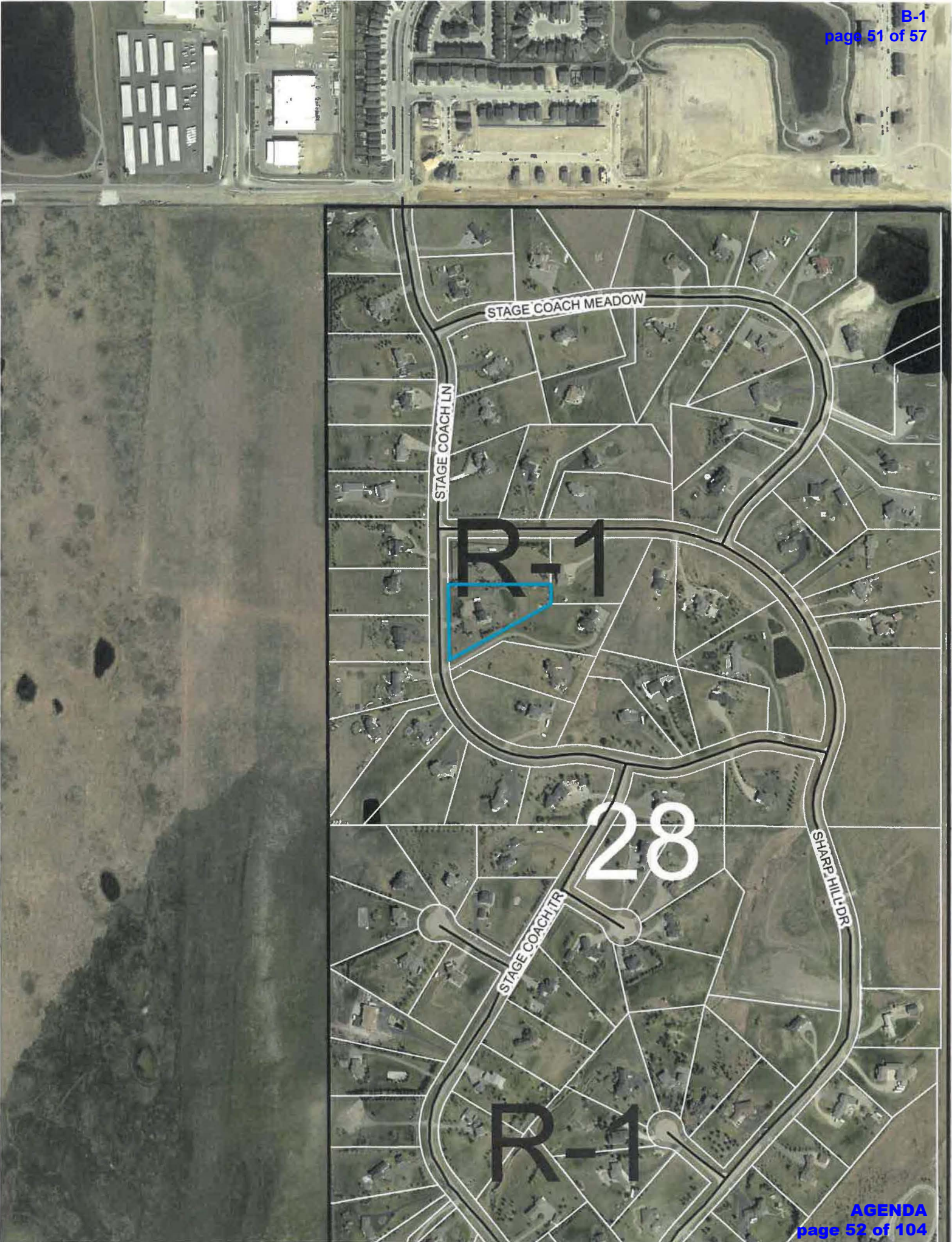
{There is no related Development Permit}

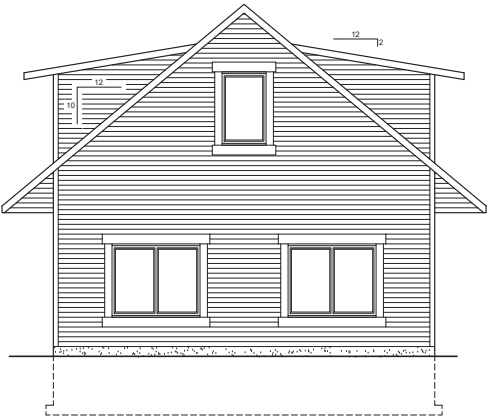
| Geospatial Boundary | |
|-------------------------------|-----------------------------|
| Boundary | Category |
| Division | 7 |
| Area Structure Plan | Balzac East |
| Conceptual Scheme | No Conceptual Scheme |
| IDP | AIRDRIE IDP |
| Airport Vicinity | No APVA |
| Engineer | Noor Mirza |
| Water Coop | ROCKY VIEW WATER CO-OP LTD. |
| Gas Coop Service | ATCO GAS |
| No.of Lots Within 600 M | 74 |
| No.of App Subdiv Within 600 M | 0 |
| Developed Road Allowance | Yes |
| Riparian Area | Yes |
| School | No School Boundary |
| Recreation | Rocky View Central |
| Fire District | BALZAC |
| Primary Fire Station | 107 |
| Secondary Fire Station | 154 |
| Tertiary Fire Station | 111 |

| Geospatial Adjacency | | |
|--------------------------------------|--------------------------------------|---------------------------------|
| Boundary | Category | Distance |
| Closest Highway | No HWY within 800 M | |
| Closest Gravel Pit | Beiseker Pit | 25013.18 M |
| Sour Gas | No Sour Gas Pipe passes | From closest sour pipe:2923.8 M |
| Closest Road Name | STAGE COACH LN(Surface Type:Paved) | 12.1 M |
| Closest Railway | CPR | 1176.53 M |
| Closest Western Irrigation Districts | Within 10Km | |
| Closest Waste Water Treatment | Within 10Km | 4583.43 M |
| Closest Waste Transfer Site | Airdrie | 1349.9 M |
| Closest Municipality | CITY OF AIRDRIE | 158.64 M |
| Closest Confined Feeding Operation | | 6209.09 M |

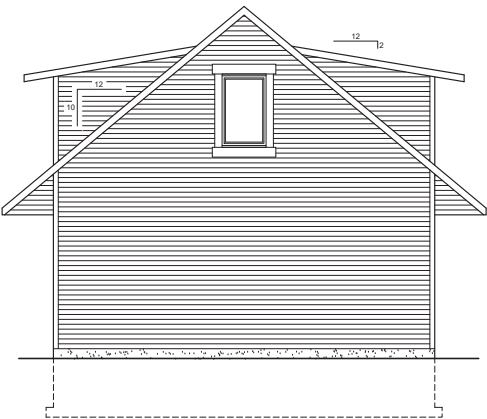
SHARP HILL DR

STAGE COACH LN

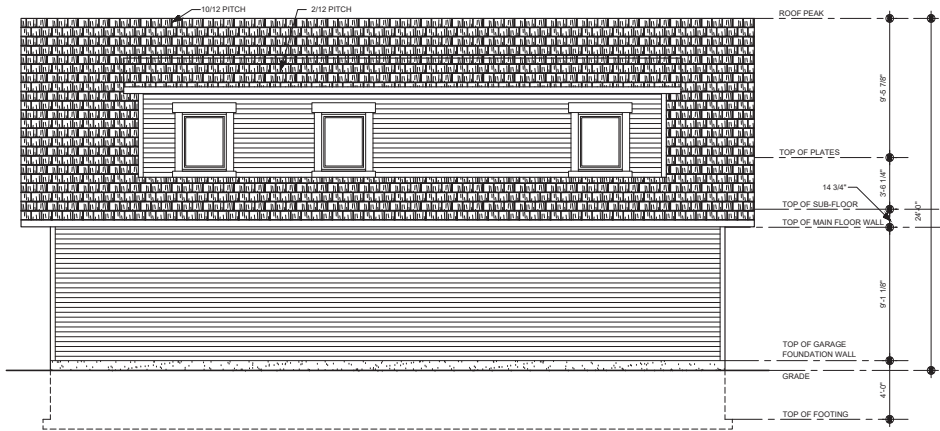




FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

| | |
|-----------------|--------------|
| MAIN FLOOR | 352 SQ. FT. |
| ADDITION | 38 SQ. FT. |
| VERANDA | 38 SQ. FT. |
| MAIN FLOOR | 1200 SQ. FT. |
| EXISTING | 554 SQ. FT. |
| DECK | 192 SQ. FT. |
| VERANDA | 912 SQ. FT. |
| GARAGE | 912 SQ. FT. |
| UPPER FLOOR | 398 SQ. FT. |
| ADDITION | 38 SQ. FT. |
| UPPER FLOOR | 966 SQ. FT. |
| EXISTING | 966 SQ. FT. |
| BASEMENT FLOOR | 317 SQ. FT. |
| ADDITION | 317 SQ. FT. |
| BASEMENT FLOOR | 1044 SQ. FT. |
| EXISTING | 1044 SQ. FT. |
| DETACHED GARAGE | 1196 SQ. FT. |
| SHED | 216 SQ. FT. |

IMPORTANT

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CLIENT

BOS RESIDENCE

PROJECT

3884-750
750 SQ. FT. ADDITION
1196 DETACHED GARAGE

PROPOSAL DATE

DATE

JAN. 8/19

DRAWN BY

P.V.R.

SCALE

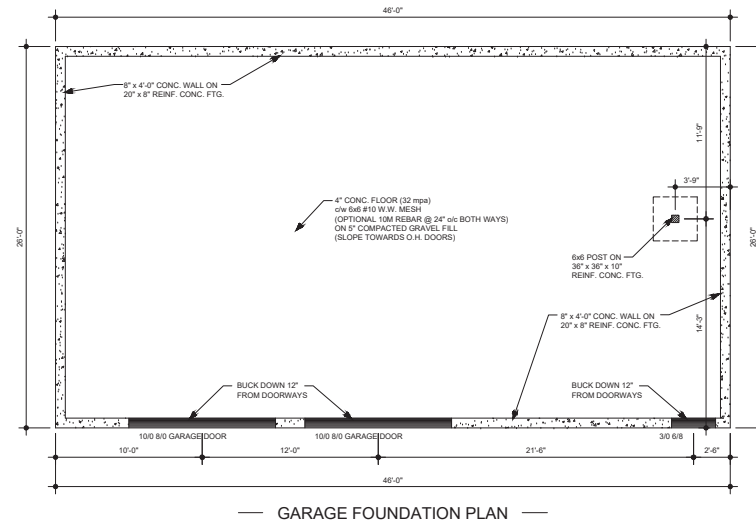
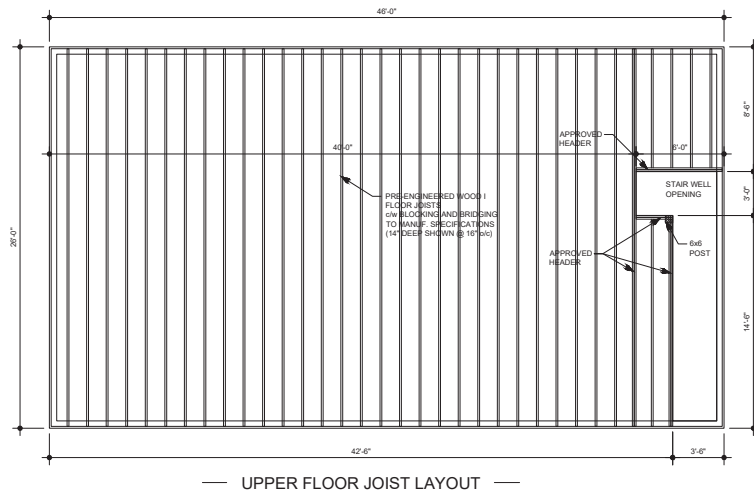
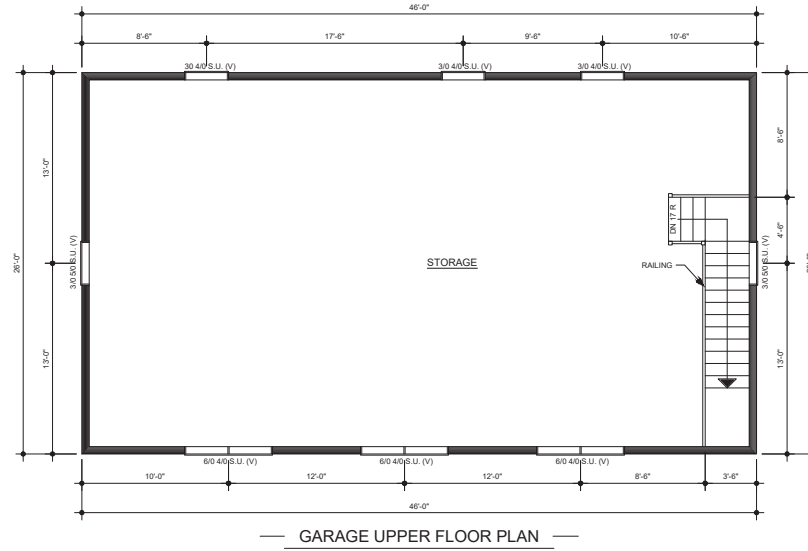
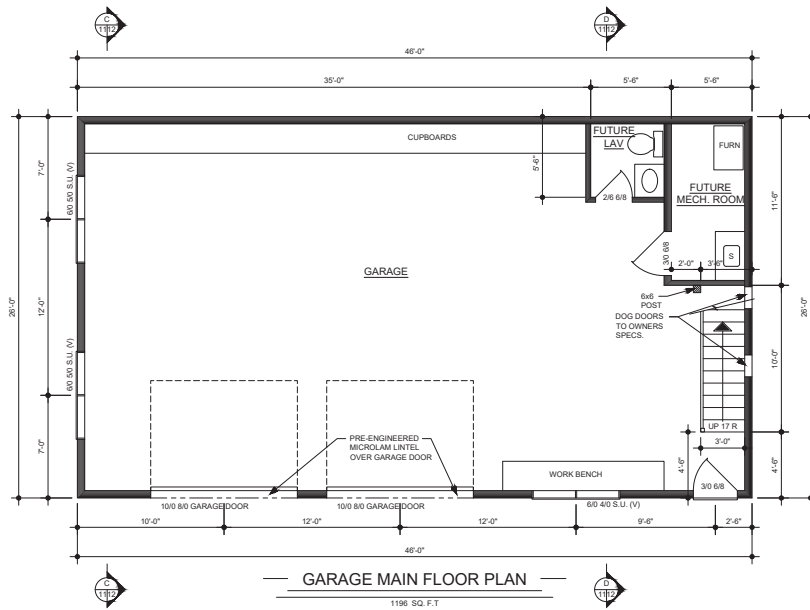
1" = 4'-0"

SHEET NO.

10

OF

15



| | |
|---|---|
| MAIN FLOOR ADDITION VERANDA | 352 SQ. FT. 38 SQ. FT. |
| MAIN FLOOR EXISTING DECK VERANDA GARAGE | 1200 SQ. FT. 554 SQ. FT. 192 SQ. FT. 912 SQ. FT. |
| UPPER FLOOR ADDITION | 398 SQ. FT. |
| UPPER FLOOR EXISTING | 995 SQ. FT. |
| BASEMENT FLOOR ADDITION | 317 SQ. FT. |
| BASEMENT FLOOR EXISTING | 1044 SQ. FT. |
| DETACHED GARAGE | 1196 SQ. FT. |
| SHED | 216 SQ. FT. |

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NOTES

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CLIENT
BOS RESIDENCE

PROJECT
3884-750
750 SQ. FT. ADDITION
1196 DETACHED GARAGE

PROPOSAL DATE:
DATE:
JAN. 8/19

SHEET NO:
11

DRAWN BY:
P.V.R.

SCALE:
1" = 4'-0"

15

| | |
|----------------|--------------|
| MAIN FLOOR | 352 SQ. FT. |
| ADDITION | 38 SQ. FT. |
| VERANDA | 38 SQ. FT. |
| MAIN FLOOR | 1200 SQ. FT. |
| EXISTING | 554 SQ. FT. |
| VERANDA | 182 SQ. FT. |
| GARAGE | 912 SQ. FT. |
| UPPER FLOOR | 398 SQ. FT. |
| ADDITION | 965 SQ. FT. |
| UPPER FLOOR | 317 SQ. FT. |
| ADDITION | 1044 SQ. FT. |
| BASEMENT FLOOR | 1196 SQ. FT. |
| EXISTING | 216 SQ. FT. |
| SHED | |

IMPORTANT

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NOTES

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BOS RESIDENCE

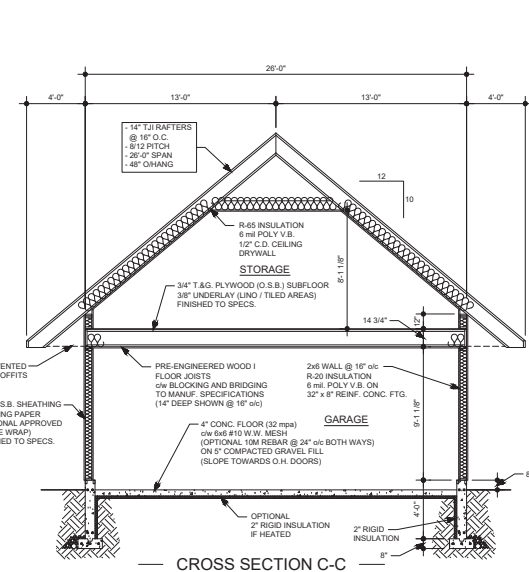
PROJECT
3884-750
750 SQ. FT. ADDITION
1196 DETACHED GARAGE

PROPOSAL DATE
JAN. 8/19

DRAWN BY
P.V.R.

SCALE
1" = 4'-0"

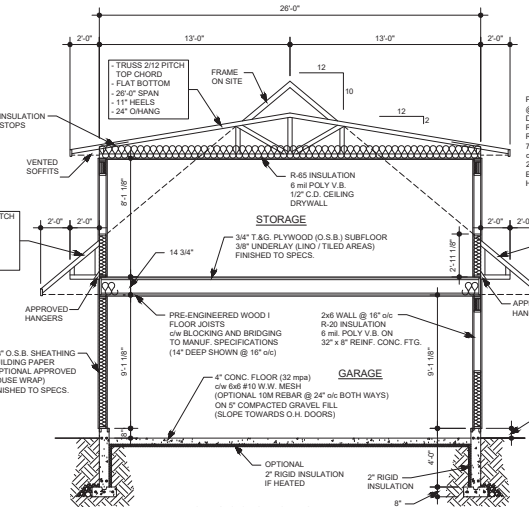
AGENDA
page 56 of 104



PRE-ENGINEERED TRUSSES
(@ 24" o/c (OPTIONAL 16" o/c)
DESIGNED TO MEET LOCAL
RESIDENTIAL STANDARDS
ROOF SLOPES AS NOTED
7/16" O.S.B. SHEATHING
OW 1" CLIPS
2158 ASPHALT SHINGLES
EAVE PROTECTION
HIGH HEEL TRUSSES

PRE-ENGINEERED WOOD I
FLOOR JOISTS
OW BLOCKING AND BRIDGING
TO MANUF. SPECIFICATIONS
(14" DEEP SHOWN @ 16" o/c)

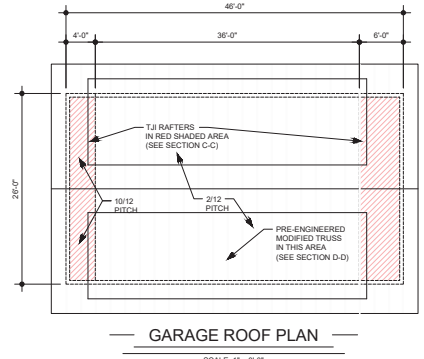
2x6 WALL @ 16" o/c
6 mi. POLY V.B. ON
32" x 8" REIN. CONC. FTG.
OW 1" CLIPS
2158 ASPHALT SHINGLES
EAVE PROTECTION
HIGH HEEL TRUSSES



PRE-ENGINEERED TRUSSES
(@ 24" o/c (OPTIONAL 16" o/c)
DESIGNED TO MEET LOCAL
RESIDENTIAL STANDARDS
ROOF SLOPES AS NOTED
7/16" O.S.B. SHEATHING
OW 1" CLIPS
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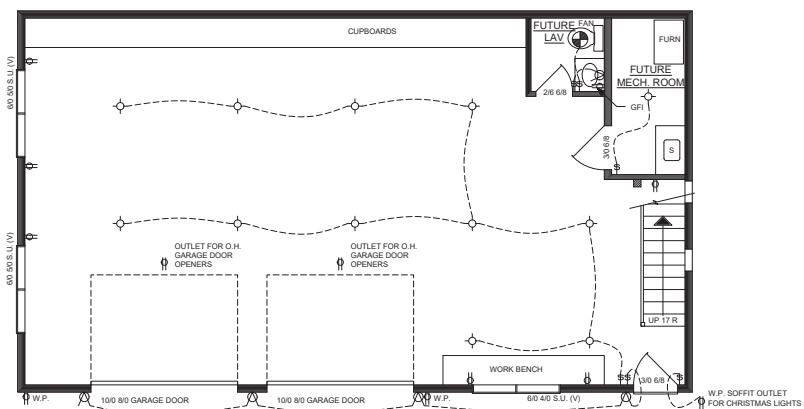
PRE-ENGINEERED WOOD I
FLOOR JOISTS
OW BLOCKING AND BRIDGING
TO MANUF. SPECIFICATIONS
(14" DEEP SHOWN @ 16" o/c)

2x6 WALL @ 16" o/c
6 mi. POLY V.B. ON
32" x 8" REIN. CONC. FTG.
OW 1" CLIPS
2158 ASPHALT SHINGLES
EAVE PROTECTION
HIGH HEEL TRUSSES



GARAGE ROOF PLAN

SCALE: 1" = 8'-0"



GARAGE ELECTRICAL LAYOUT

Section 9.36 Energy Efficiency
Under the 2014 Alberta Building Code, Section 9.36 goes into effect November 1, 2016.
There are 3 compliance paths, (1) Prescriptive, (2) Simple Trade off and (3) Performance

(1) Prescriptive - Follow table of insulation levels and mechanical efficiency (Zone 7A = Red Deer, Calgary, Edmonton)

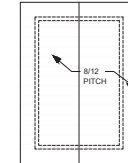
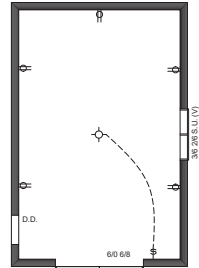
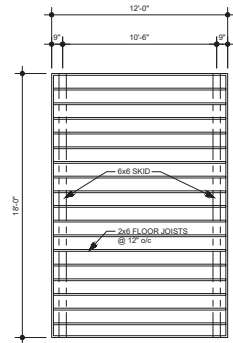
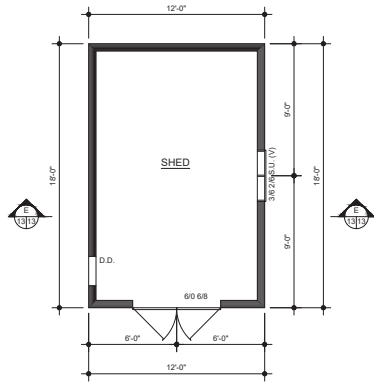
| Zone 7A | NO HRV | WITH HRV |
|------------------|-------------------|--------------------------|
| Attic Insulation | 10.41 RSI | R-49 |
| Walls & Rim | 3.06 RSI | R-24 OR R-22 @ 2" o/c |
| Foundation | 3.46 RSI | R-26 |
| Partitions | 0.92 RSI | R-20 |
| Windows / Doors | U-1.6 (RSI 0.625) | R-3.55, 20 SHGC |

(2) Simple Trade off - Trade insulation values of the building envelope. Reduce one and increase another.

(3) Performance - Perform two energy compliance models - a PROPOSED house and a code compliant baseline called a REFERENCE. If the house you want to build (PROPOSED) is equal to or less than the energy used by the REFERENCE house, you are in compliance.

Most houses currently being constructed in these regions, built with R-20 walls, Dual Low E Argon windows, R-12 foundation walls, air tightness of 2.5 ACH and R-40 attics that add heat recovery (HRV) will be code compliant.

(You must also follow the prescriptive code requirements for air tightness shown in 9.36.2.9.8.10)



| | |
|-----------------|--------------|
| MAIN FLOOR | 352 SQ. FT. |
| ADDITION | 38 SQ. FT. |
| VERANDA | 38 SQ. FT. |
| MAIN FLOOR | 1200 SQ. FT. |
| EXISTING | 554 SQ. FT. |
| DECK | 192 SQ. FT. |
| VERANDA | 912 SQ. FT. |
| GARAGE | 912 SQ. FT. |
| UPPER FLOOR | 398 SQ. FT. |
| ADDITION | 965 SQ. FT. |
| UPPER FLOOR | 317 SQ. FT. |
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| DETACHED GARAGE | 1196 SQ. FT. |
| SHED | 216 SQ. FT. |

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NOTES

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T8M 0W6
403-355-8400

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CLIENT
BOS RESIDENCE

PROJECT
3884-750
750 SQ. FT. ADDITION
1196 DETACHED GARAGE

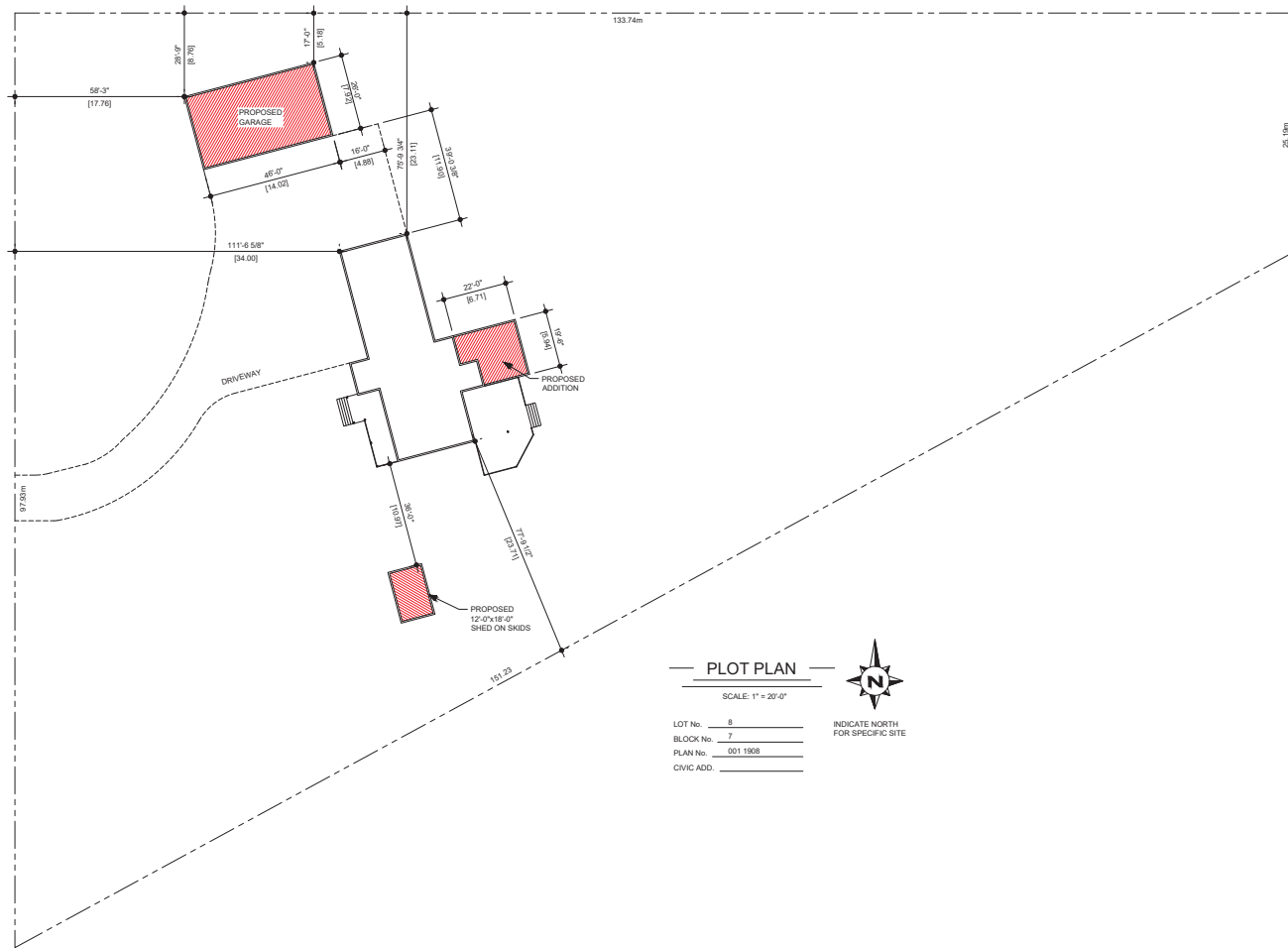
PROPOSAL DATE
DATE
JAN. 8/19

DRAWN BY
P.V.R.

SCALE
1" = 4'-0"

13
OF

15



| | |
|---|---|
| MAIN FLOOR ADDITION VERANDA | 352 SQ. FT. 38 SQ. FT. |
| MAIN FLOOR EXISTING DECK VERANDA | 1200 SQ. FT. 554 SQ. FT. 192 SQ. FT. 912 SQ. FT. |
| UPPER FLOOR ADDITION | 398 SQ. FT. |
| UPPER FLOOR EXISTING | 995 SQ. FT. |
| BASEMENT FLOOR ADDITION | 317 SQ. FT. |
| BASEMENT FLOOR EXISTING | 1044 SQ. FT. |
| DETACHED GARAGE | 1196 SQ. FT. |
| SHED | 216 SQ. FT. |

IMPORTANT

THESE DRAWINGS REMAIN THE PROPERTY OF SPECTRUM DESIGN AND DRAFTING STUDIOS LTD. NO REPRODUCTION OF THESE DRAWINGS BY ANY MEANS IS STRICTLY PROHIBITED.

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THIS PLAN CAN BE ADAPTED TO YOUR SPECIFIC CODES AND REQUIREMENTS, BUT ALSO BE ADAPTED TO YOUR LOCAL BUILDING OFFICIAL, PURCHASER AND/OR BUILDER OF THIS PLAN TO BE IN FULL COMPLIANCE WITH ALL GOVERNING MUNICIPAL, COUNTY, CITY, PROVINCE, STATE, FEDERAL,

NOTES

- DOUBLE FLOOR JOISTS UNDER ALL PARTITION WALLS, UNLESS OTHERWISE NOTED.
- ALL TRUSSES TO BE PRE-ENGINEERED BY TRUSS MANUFACTURER, TO MEET LOCAL REQUIREMENTS.
- ALL MATERIALS, SUPPLIES, AND EQUIPMENT TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS AND AS PER LOCAL CODES AND REQUIREMENTS.



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BOX 718
DIDSBURY, ALBERTA, CANADA
TOM OWO
403-335-8430

THE STAMP BELOW MUST APPEAR IN RED. ANY DUPLICATION OF THESE DRAWINGS IN WHOLE OR IN PART IS IN VIOLATION OF COPYRIGHT LAWS.

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CLIENT
BOS RESIDENCE

PROJECT
3884-750
750 SQ. FT. ADDITION
1196 DETACHED GARAGE

PROPOSAL DATE:
DATE:
JAN. 8/19

DRAWN BY:
P.V.R.
SCALE:
1" = 4'-0"

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: Wednesday, May 13, 2020 **DIVISION:** 05

FILE: 05326001 **APPLICATION:** B-1; PRDP20200042

SUBJECT: Single-lot Regrading and Placement of Fill

| | |
|--|--|
| PROPOSAL: Single-lot regrading and placement of clean fill, for agricultural purposes | GENERAL LOCATION: Located approximately 1.6 km (1 mile) west of the Hamlet of Delacour at the corner of Hwy. 564 and Rge. Rd. 281 |
| APPLICATION DATE: January 10, 2020 | DEVELOPMENT AUTHORITY DECISION: Discretionary-Refused |
| APPEAL DATE: April 28, 2020 | DEVELOPMENT AUTHORITY DECISION DATE: March 10, 2020 |
| APPELLANT: Planning Protocol 3 Inc. (Rodney Potrie) | APPLICANT: Planning Protocol 3 Inc. (Rodney Potrie) OWNER: Baisi, Heidi J |
| LEGAL DESCRIPTION: SE-26-25-28-04 | MUNICIPAL ADDRESS: 281122 Twp. Rd. (281104 Twp. Rd.) |
| LAND USE DESIGNATION: Ranch and Farm District (RF) | GROSS AREA: ± 67.3 hectares (± 158.83 acres) |
| PERMITTED USE: Stripping, Filling, Excavation and Grading are discretionary uses per Section 33 of the Land Use Bylaw. | DEVELOPMENT VARIANCE AUTHORITY: The Development Authority has variance ability within Section 12.2 of the Land Use Bylaw. |
| PUBLIC SUBMISSIONS: The application was circulated to 11 adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application. | LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • County Plan • Land Use Bylaw |

EXECUTIVE SUMMARY:

The proposal is for single-lot regrading and placement of clean topsoil/ fill for agricultural purposes on the subject site.

The subject parcel has an existing riparian setback along the drainage course, wetland patches, and two oil and gas right of ways. The site has an existing approach at Highway 564 and a second approach on the east off Range Road 281 used for access to the existing oil well facility on site.

The topsoil placement is proposed over 62.40 acres south of intermittent drainage course and 20.30 acres north of drainage course along the north property line, for a total regrading and fill area of approximately 33.47 hectares (82.70 acres) [334,675 sq. m]. Approximately 320,000 cubic meters of topsoil deposit is proposed with a soil depth of up to 0.75m (2.46 ft.).

Truck access to the site is proposed from the south approach at Highway 564. The Applicant indicated that the existing drainage course will not be altered, the existing mid-quarter culvert crossing will be improved for truck hauling, approximately 10,000-12,000 trucks will haul fill to site over a period of 1-2 years, equipment will be kept on site to clean road surface/ trucks as required, and dual directional temporary signs will be provided for trucks entering site.

The application was assessed and refused by the Municipal Planning Commission on March 10, 2020 for the following reasons:

- 1) That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land;
- 2) That the amount of fill proposed within the application is not required for agricultural purposes.

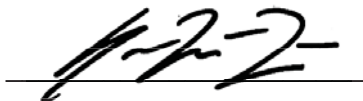
On April 28, 2020, the Appellant appealed the decision of the Municipal Planning Commission. Reasons for the appeal are noted in the Notice of Appeal.

While under section 686(1) of the Municipal Government Act requires a 21-day appeal period (March 31, 2020); Ministerial Order No. MSD:036/20 extended appeal periods to May 8, 2020 for appeal deadlines that would have ended between March 25 and April 17, 2020.

APPEAL:

See attached report and exhibits.

Respectfully submitted,



Sean MacLean
Supervisor, Planning & Development Services

SV/llt

DEVELOPMENT PERMIT REPORT

| | |
|--|---|
| Application Date: January 10, 2020 | File: 05326001 |
| Application: PRDP20200042 | Applicant: Planning Protocol 3 Inc. Owner: Heidy J Baisi |
| Legal Description: SE-26-25-28-W04M Municipal Address: 281122 Twp. Rd. (281104 Twp. Rd.) | General Location: located at the northwest junction of Hwy. 564 and Rge. Rd. 281 |
| Land Use Designation: Ranch and Farm District (RF) | Gross Area: ± 67.3 hectares (± 158.83 acres) |
| File Manager: Sangeeta Vishwakarma | Division: 05 |

PROPOSAL:

Single lot re-grading and placement of clean topsoil for agricultural purposes as shown on the submitted Site Plan dated January 9, 2020, includes:

- Topsoil Placement Area: Deposition of clean topsoil on approximately 82.70 acres of land
 - 62.40 acres south of intermittent drainage course
 - 20.30 acres north of drainage course along the north property line
 - 334,675 sq. m (3,602,412 sq. ft.)
 - Depth of up to 0.75m (2.46 ft.)
- Volume: Approximately 320,000 cubic meters of topsoil deposit
- No topsoil deposit in any wetland including seasonal drainage course and proposes storm pond area
- Area will be graded and seeded upon completion to eliminate weeds and possible erosion
- Truck access from existing approach at Highway 564

SITE INFORMATION:

- Existing oil well facility north central portion of the site accessed from existing approach at Range Road 281
- Existing riparian area on site – seasonal intermittent drainage course that runs from the northwest corner to the southeast corner
- Subdivision proposed along the east portion of the site - Circulation in progress under PL20190152 submitted by the same applicant
- Adjacent lands – Agricultural (Farmstead and Ranch and Farm districts)
- Sour Gas pipes pass the site

LAND USE BYLAW (C-4841-97):

Section 33 – *Stripping, Filling, Excavation and Grading* of the Land Use Bylaw is applicable to the proposed use for the land, specifically subsections 33.2, 33.3, 33.6 - *Placing of Fill*.

STATUTORY PLANS:

The site does not fall within an Area Structure Plan, Intermunicipal Development Plan, or a Conceptual Scheme area.

INSPECTOR'S COMMENTS (January 22, 2020):

- No activity on site at time of inspection
- No equipment
- Appears to have historic stockpiling
- Fairly flat and consistent grade along Highway 564
- 6 RV trailers parked on site, 1 equipment trailer
- 4 accessory buildings
- No municipal address posted for proposal (281122 is posted)

CIRCULATIONS:Alberta Environment and Parks:

- No comments received.

Alberta Transportation (February 7, 2020)

- Alberta Transportation is not in a position to grant approval to this request until such time more detailed plans are submitted and provided as follows:
 - In addition to the site plan report, a Storm Water Management Plan that indicates detailed drainage impacts to Highway 564 and surrounding lands (SW, NW & NE-26-25-28-W4M) must be submitted for review and acceptance by the County and Alberta Transportation.
 - The Storm Water Management Plan must be stamped by a professional engineer.
- Alberta Transportation has some additional concerns regarding safety along Highway 564:
 - Approximately how many truck loads will be required to complete the haul and what are the anticipated trips per hour / day for the duration of the project?
 - Similar projects have resulted in complaints received due to excessive debris tracked onto the highway surface. What will be done to prevent this from occurring for this project and if it does happen, how will the debris be removed from the highway pavement?
 - A Traffic Accommodation Strategy (TAS) and signage diagram with minimum temporary "Truck Entrance" signs should be submitted for review and acceptance by the department.
- Require a roadside development permit from Alberta Transportation.

Agricultural Services, Rocky View County (February 6, 2020)

- If the applicant intends to bring topsoil onsite (soil that originated from offsite) then prior to issuance of the permit, the applicant/owner shall provide a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality



improvements achieved by the proposed addition of topsoil. The anticipated agricultural benefits must be identified. The applicant also needs to provide a soil testing analysis, completed on the proposed topsoil, that includes where the topsoil originated from. The report and approval shall be to the satisfaction of the County's Agricultural Services Staff (See attached Soil Analysis Requirements).

- If the applicant intends to alter or fill in any wetlands, they will need to obtain the proper approvals from Alberta Environment. Lastly, the applicant will need to ensure compliance with the Alberta Weed Control Act. It may be of benefit to the applicant to create a Weed Management Plan and have a contractor available (or be personally prepared) to control any regulated weeds.
- The soil analysis report will need to confirm that:
 - *Texture is balanced and not over 40% clay; and
 - **Organic matter is a minimum of 3%, and equal to or greater than the organic matter of the soil on the application site; and
 - **SAR/EC rating is at least 'good'; and
 - **PH value is in the 'acceptable' range for crop growth.

Development Compliance, Rocky View County (January 17, 2020)

- Recommend that dust control measures be required;
- Recommend that applicant be required to provide a report from a qualified professional outlining pre and post work grades in order to confirm compliance with any approvals;
- Recommend all road permits that may be required are obtained.

Planning and Development Services - Engineering - Rocky View County (January 23, 2020)

General:

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

Geotechnical:

- As per the application, the applicant expects fill heights to be approximately 0.75m.
- As a permanent condition, the applicant will be required to provide a deep fill report, prepared by a qualified professional, for any areas of the site filled greater than 1.2m in depth.
- Engineering has no requirements at this time.

Transportation:

- As the lands are adjacent to Highway 564, the applicant will require a waiver from Alberta Transportation.
- Prior to issuance, the County Road Operations group will need to be contacted to verify whether a Road Use Agreement is required for hauling fill on to the site.

Sanitary/Waste Water:

- Engineering has no requirements at this time.

Water Supply and Waterworks:

- Engineering has no requirements at this time.

Stormwater Management:

- The applicant provided a site plan of the proposed development. As per the provided site plan, the existing drainage routes are to be maintained.
- Prior to issuance of this permit, the Applicant/owner shall submit a limited-scope site-specific stormwater management plan for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and can be limited to addressing the following:
 - The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
 - The report shall evaluate possible impacts the proposed placement of fill will have on adjacent lands. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
 - The report shall provide erosion and sedimentation control measures for the proposed activities.

Environmental:

- There appears to be an existing tributary/stream immediately adjacent to the area where fill is being placed. The applicant will be responsible to obtain all necessary approvals from AEP under the Water Act if any impacts to this tributary/stream are proposed.

Harvest Operations Corp. (mailed) – Surface Lease on title

- No comments received.

Northern Hunter Energy Inc. (mailed) – Pipeline Right of Way on title

- No comments received. Mail returned.

Transportation Services, Rocky View County: (February 5, 2020)

- Applicant to contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
- Site Grading, fill placement, temporary stockpile placement and berm construction are not to negatively impact existing surface drainage or direct additional surface drainage into adjacent County road allowance.
- Applicant to confirm duration of fill placement. Applicant to be responsible for dust, weed and erosion control for duration of fill placement.
- Application involves Development along Alberta Transportation Road Allowance. Therefore, recommend applications be circulated to Alberta Transportation for review and comments.

Utility Services, Rocky View County (January 16, 2020):

- No Concerns.

OPTIONS:

Option #1: (this would approve the proposed development)

APPROVAL subject to the following conditions:

Description:

1. That single lot re-grading and placement of clean topsoil for agricultural purposes over a total area of approximately 334,675 sq. m (82.7 acres) may take place on the subject lands, SE-26-25-28-W04M, in accordance with the submitted Site Plan, cover report, supporting documents, and conditions of this permit including the following:
 - i. 25.25 hectares (62.40 acres) south of the intermittent drainage course;
 - ii. 8.22 hectares (20.30 acres) north of the intermittent drainage course and along the north property line; and
 - iii. Depth of up to 0.75 m (2.46 ft.)

Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit an Irrevocable Letter of Credit or Refundable Security, in the amount of \$50,000, to be deposited with the County to ensure that conditions of this permit are met. If conditions of this permit are not met, the County may use the funds, enter onto the described land, and carry out the work necessary to meet the conditions.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a limited-scope site-specific Stormwater Management Plan for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and should address the following:
 - i. The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
 - ii. The report shall evaluate possible impacts the proposed placement of topsoil will have on adjacent lands. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
 - iii. The report shall provide erosion and sedimentation control measures for the proposed activities.
4. That prior to issuance of this permit, the Applicant/Owner shall submit a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality improvements achieved by the proposed addition of topsoil. The anticipated agricultural benefits must be identified.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a soil testing analysis completed on the proposed topsoil that includes where the topsoil originated. The report and approval shall be to the satisfaction of the County's Agricultural Services Staff. The soil testing analysis report will need to confirm that:
 - i. Texture is balanced and not over 40% clay;
 - ii. Organic matter is a minimum of 3%, and equal to or greater than the organic matter of the soil on the application site;
 - iii. SAR/EC rating is at least 'good'; and
 - iv. PH value is in the 'acceptable' range for crop growth.



6. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

7. That upon completion of the proposed development, the Applicant/ Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
8. That for all areas where over 1.2 m of topsoil is placed, the Applicant/Owner shall provide a Deep Fill Report, prepared by a qualified professional, providing the compaction testing of the topsoil and general recommendations for the suitability of different types of building foundations as there is potential that future landowners could construct a structure over the filled area.
9. That the Applicant/Owner shall not screen and/or sell the excess topsoil to others without written approval from the County, as there is potential for additional off-site impacts.
10. That any topsoil removed from the site shall be hauled off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
11. That the Applicant/ Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto adjacent highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
12. That the Applicant/Owner shall take effective measures to control dust in the regrading area of the Lands, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - i. That if at any time the removal or handling of topsoil creates a visible dust problem, the removal or handling of topsoil shall cease immediately until remedial measures are taken.
13. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
14. That any grading areas shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
15. That the topsoil shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
16. That the County may draw upon the Letter of Credit, without recourse to the Applicant/Owner, to cover the costs in surface reclamation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
17. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Authority.



18. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition, shall be implemented and adhered to in perpetuity.

Advisory:

19. That the Applicant/ Owner shall be responsible for onsite weed control and shall adhere to the regulations in the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*] at all times.
20. That the subject development shall conform to the County's Noise *Bylaw C-5773-2003* in perpetuity.
21. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/ Owner.
 - i. That the Applicant/Owner apply for the required Roadside Development Permit with Alberta Transportation before commencing any work.
22. That the grading activities shall be completed within twelve (12) months from the date of issuance of this permit.
23. That if this Development Permit is not issued by **November 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: That the Applicant/ Owner shall be responsible for all Alberta Environment and Parks (AEP) approvals/ compensation for existing waterbodies/ riparian areas/ tributary/ stream on site that may be impacted by the proposed placement of topsoil.

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

REFUSAL as per the following reasons:

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

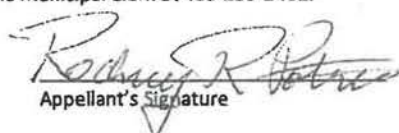


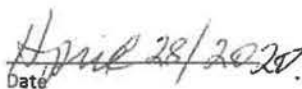
Notice of Appeal

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

| | | | |
|--|---|---|----------------|
| Appellant Information | | | |
| Name of Appellant(s) Planning Protocol | | | |
| Mailing Address 2922 - 3 Ave NE | | Municipality Calgary | Province AB |
| | | Postal Code T2A 6T7 | |
| Main Phone # 403 230 5522 | Alternate Phone # 403 703 1726 | Email Address rod@planningprotocol2.com | |
| Site Information | | | |
| Municipal Address 281122 - twsp rd 254 rockyview | | Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) SE 26 - 25 -28 W4M | |
| Property Roll # roll # 05326001 | | Development Permit, Subdivision Application, or Enforcement Order # PRDP20200042 | |
| 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>We feel this application was refused because we were possibly applying for too much soil to be placed on this site. we are willing to reduce the amount of topsoil volume to the site. Also, we don't feel there was adequate opportunity to explain our situation before the MPC decision was made. We feel if there were able to provide additional rationale in support of the application we'd may have had a better chance at approval. We'd like that opportunity to present that information which includes but is not limited to.</p> <p>1) it is on a paved road 2) it is in close proximity to donor site(s) very little travel on county roads 3) soil reports and agriculture production history 4) etc .</p> <p>thanks</p> <p>Rodney Potrie</p> | | | |

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


Appellant's Signature


Date

Last updated: 2018 November 13





Decision of the Municipal Planning Commission

Development Permit

Planning Protocol 3 Inc. (Rodney Potrie)
2922 3 Avenue NE
Calgary, Alberta T2A 6T7

Development Permit #: PRDP20200042
Issue Date: March 10, 2020
Roll #: 05326001

Rocky View County's Municipal Planning Commission has refused your January 10, 2020 development permit application for single lot re-grading and placement of clean topsoil for agricultural purposes at SE-26-25-28-W4M (281122 Township Road) for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.
2. That the amount of fill proposed within the application is not required for agricultural purposes.

Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision.

An appeal of the Municipal Planning Commission's decision must be filed to the Subdivision and Development Appeal Board (SDAB) in accordance with section 686 of the *Municipal Government Act*. To file an appeal or for assistance with filing an appeal, please contact the Municipal Clerk's Office at sdab@rockyview.ca or 403-230-1401. More information on the SDAB can also be found at www.rockyview.ca.

A handwritten signature in blue ink, appearing to read 'Jerry Gautreau', with a long horizontal stroke extending to the right.

Jerry Gautreau, Chair
Municipal Planning Commission

































ROCKY VIEW COUNTY
Cultivating Communities

20200042

APPLICATION FOR A DEVELOPMENT PERMIT

| FOR OFFICE USE ONLY | |
|--------------------------------|-------------------------|
| Fee Submitted \$1000.00 | File Number 05326001 |
| Date of Receipt Jan 10/2020 | Receipt # 2020023218 |

Name of Applicant Heidu BaisiEmail [REDACTED]Mailing Address [REDACTED]Telephone (B) [REDACTED]For Agents please supply Business/Agency/ Organization Name Planning ProtocolRegistered Owner (if not applicant) Rodney PotrieMailing Address 2922 3 Ave NEPostal Code T2A 6T7Telephone (B) 403 2305522(H) 403 703 1726Fax

1. LEGAL DESCRIPTION OF LAND

- a) All / (part) of the SE $\frac{1}{4}$ Section 26 Township 25 Range 28 West of 4 Meridian
- b) Being all / parts of Lot _____ Block _____ Registered Plan Number _____
- c) Municipal Address 281122 - TWP Rd 254 Rocky View County
- d) Existing Land Use Designation Ag RETARA Parcel Size 64.7ha (160Ac) Division 5

2. APPLICATION FOR

Development Permit for clean fill on Ag land.

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 RODNEY POTRIE hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

☒ I am authorized to act on the owner's behalf

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

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

ROD

Applicant's Signature

Rodney R Potrie
Date JAN 9 / 2020


HEIDY.

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

 JAN 9/2020
Signature Date



ROCKY VIEW COUNTY
Cultivating Communities

STRIPPING, FILLING, EXCAVATION AND GRADING

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

Name of Applicant Planning Protocol

Address of Applicant 2922 - 3 Ave Ne Calgary, AB T2A 6T7

Telephone (C) 403 703 1726 (H) 403 2305522 (Fax) 403 230 0335

1. NATURE OF THE APPLICATION

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

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

2. PURPOSE

What is the intent of the proposal? To place quality top soil in order to enhance the agricultural product of the site.

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

None - the seasonal drainage course will not be touched.

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

3. TYPE

| | |
|--------------------------|------------------------------------|
| Height <u>.75m</u> | Volume <u>320 K</u> meters cubed |
| Width _____ | Truckload _____ (approximately) |
| Length _____ | Slope Factor _____ (if applicable) |
| Area _____ square metres | |

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

4. TERMS AND CONDITIONS

(a) General statement about conditions:

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

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

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

(c) General statement about technical reports:

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

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

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

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

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

5. ADDITIONAL INFORMATION

See attached report

I Rodney Potrie hereby certify that
(Print Full Name)

☐ I am the registered owner

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

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

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0014 580 139 4;28;25;26;SE 161 297 172

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 28 TOWNSHIP 25
SECTION 26
QUARTER SOUTH EAST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
PLAN NUMBER HECTARES ACRES
ROAD WIDENING 960 LK 0.474 1.17
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

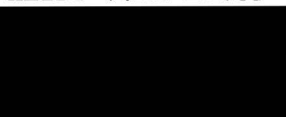
MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 161 297 161 +1

| REGISTERED OWNER(S) | | | | |
|---------------------|------------|------------------|-------------|---------------|
| REGISTRATION | DATE (DMY) | DOCUMENT TYPE | VALUE | CONSIDERATION |
| 161 297 172 | 15/12/2016 | TRANSFER OF LAND | \$1,250,000 | NIL |

OWNERS

HEIDY JOAN BAISI



ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION | NUMBER | DATE (D/M/Y) | PARTICULARS |
|--------------|------------|----------------------|------------------------------------|
| 901 201 709 | 02/08/1990 | UTILITY RIGHT OF WAY | GRANTEE - ROCKYVIEW GAS CO-OP LTD. |
| 931 283 037 | 12/11/1993 | CAVEAT | |

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 297 172

REGISTRATION

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

RE : SURFACE LEASE

CAVEATOR - HARVEST OPERATIONS CORP.

ATTN: LAND MANAGER

PO BOX 20006

CALGARY

ALBERTA T2P4J2

(DATA UPDATED BY: TRANSFER OF CAVEAT
951034340)(DATA UPDATED BY: TRANSFER OF CAVEAT
001327701)(DATA UPDATED BY: TRANSFER OF CAVEAT
111278662)

(DATA UPDATED BY: CHANGE OF ADDRESS 121270361)

941 091 191 14/04/1994 CAVEAT

RE : PIPELINE RIGHT OF WAY

CAVEATOR - HARVEST OPERATIONS CORP.

ATTN: LAND MANAGER

PO BOX 20006

CALGARY

ALBERTA T2P4J2

AGENT - SEAL.

(DATA UPDATED BY: TRANSFER OF CAVEAT
001327701)(DATA UPDATED BY: TRANSFER OF CAVEAT
111306656)

(DATA UPDATED BY: CHANGE OF ADDRESS 121270354)

941 291 089 10/11/1994 CAVEAT

RE : EASEMENT

CAVEATOR - HARVEST OPERATIONS CORP.

ATTN: LAND MANAGER

PO BOX 20006

CALGARY

ALBERTA T2P4J2

(DATA UPDATED BY: TRANSFER OF CAVEAT
001327701)(DATA UPDATED BY: TRANSFER OF CAVEAT
111280322)

(DATA UPDATED BY: CHANGE OF ADDRESS 121270911)

991 355 514 03/12/1999 CAVEAT

RE : RIGHT OF WAY AGREEMENT

CAVEATOR - HARVEST OPERATIONS CORP.

ATTN: SURFACE LAND DEPARTMENT

330 5 AVE SW SUITE 2100

CALGARY

ALBERTA T2P0P4

(DATA UPDATED BY: TRANSFER OF CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
161 297 172

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

041235407)
(DATA UPDATED BY: CHANGE OF NAME 091077893)
(DATA UPDATED BY: TRANSFER OF CAVEAT
161058495)

021 090 402 18/03/2002 CAVEAT
RE : SURFACE LEASE UNDER 20 ACRES
CAVEATOR - HARVEST OPERATIONS CORP.
ATTN: LAND MANAGER
PO BOX 20006
CALGARY
ALBERTA T2P4J2
(DATA UPDATED BY: TRANSFER OF CAVEAT
041381699)
(DATA UPDATED BY: CHANGE OF ADDRESS 121270773)

061 050 687 02/02/2006 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - NORTHERN HUNTER ENERGY INC.
SUITE 550, 333 11 AVE SW
CALGARY
ALBERTA T2R1L9
AGENT - DOUG REYNOLDS
(DATA UPDATED BY: TRANSFER OF CAVEAT
091036025)

171 037 872 10/02/2017 MORTGAGE
MORTGAGEE - 907840 ALBERTA INC.
600, 5920 MACLEOD TRAIL SOUTH
CALGARY
ALBERTA T2H0K2
ORIGINAL PRINCIPAL AMOUNT: \$200,000

171 220 724 03/10/2017 MORTGAGE
MORTGAGEE - 907840 ALBERTA INC.
600, 5920 MACLEOD TRAIL SOUTH
CALGARY
ALBERTA T2H0K2
ORIGINAL PRINCIPAL AMOUNT: \$200,000

191 186 623 12/09/2019 MORTGAGE
MORTGAGEE - 907840 ALBERTA INC.
600, 5920 MACLEOD TRAIL S
CALGARY
ALBERTA T2H0K2
ORIGINAL PRINCIPAL AMOUNT: \$100,000

TOTAL INSTRUMENTS: 010

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 9 DAY OF
JANUARY, 2020 AT 05:01 P.M.

ORDER NUMBER: 38620543

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).



ROCKY VIEW COUNTY

263075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1400
questions@rockyview.ca
www.rockyview.ca

LETTER OF AUTHORIZATION

I, (We) Heidy Baissi being the owner (s) of

Lot _____ Block _____ Plan _____

Legal:

NW/NE/SE/SW Section 24 Township 25 Range 28 W 4 M

give Planning Protocol or Rodney Potrie permission to act on my

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

Heidy Baissi
Signature

Signature

20200108
Date



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

Work: (403) 230 - 5522
Cell: (403) 703 - 1726
www.planningprotocol.com

January 8, 2020

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

Your File _____
Our File P - 709-01

Re: DP # _____
Ptn SW 26- 25 - 28 W4M
Rocky View County (containing 160 ac more or less)
Development Permit for Application for clean fill

We are applying for a Development Permit to allow for clean fill to be deposited on the above parcel of land. To this end please find attached the following report in support of our application.

Site Description

This is a (64.7 ha) 160 acres parcel located one mile West of Delacour and 4.5 miles east of the City of Calgary limits on secondary Highway 564 at Range Road 281. The land has been in the family name for many decades and is now in the ownership of third generation Baisi's. This quarter has partially been cropped over the years but the portion being proposed for a land use change has always been pasture due to poor production capabilities. In the far SW corner of the quarter is the original farmstead on the quarter section. A second residence was added just a few meters to the east. Currently there are two homes on the quarter section as described. Accesses to the two homes described are in the SW corner of the quarter directly off HWY 564. Unobstructed, paved, safe sight distances in both directions exist for both homes. North of the homes there are three farm buildings, local domestic trees act as shelter belt and screening of these homes and the farming operations from vehicular traffic on HWY 564. Both homes are serviced by way of water well and septic tank and field which have operated successfully for many decades.

An Oil Well Facility exists in the north central portion of the quarter section. Access to this well facility is from Range road 281(See site plan). There is a seasonal intermittent drainage course which runs diagonally from the NW to the SE of the Quarter.

Surrounding Land Uses

The adjacent land uses are mostly farming and agricultural uses.

Geography and Topography

The quarter is relatively flat and experiences only 5 meters of relief from the highest point in the NW 1050 to a low of 1045 in the SE portion of the Quarter. There is a seasonal intermittened drainage course which runs from the NW to the SE. This drainage course will not be affected by any development and the pre-development flow rates will be matched and more evenly controlled by the use of the proposed storm pond on site. Most years this site is seeded and cropped or pastured.

The Proposal

The proposal is to deposit clean fill in the designated area shown on the site plan containing approximately 82 acres. At no time will any wetlands or drainage course be affected. The deposition of clean top soil fill on this area will improve the agricultural capability of the land. It is proposed that approximately 320,000 cubic meters of fill will be deposited over this site. No fill will be deposited in any wetland areas including the seasonal drainage course and proposed storm pond area. The area will be graded and seeded upon completion in order to eliminate the infiltration of weeds and possible erosion. The site will be kept clean and clear of all dust and roads will be kept clean during the trucking of fill. All new fill will be kept back from any buildings, property lines and other development. All fill will be clean and adequate to improve the agricultural capacity of the site.

Access

Secondary Highway 564 is a paved, well-travelled link, between Delacour and the city. It connects with Country Hills BLVD NE Calgary and as such serves as a prominent link for commuters in Rocky View County and Calgary. This prime infrastructure link is crucial to this site being valued as a travel route. It is recognised that, for safety reasons, the county wants to minimise any new accesses coming off the secondary highways. It is for this reason that the proposed access for the clean fill is off HWY 564 (As shown on site plan). At this location an existing farm access provides that all the necessary safety requirements can easily be met. No new accesses will be necessary off HWY 564.

Should you have any questions feel free to give me a call.

Sincerely



Rodney R Potrie MCIP, BaSC , RPP, AACIP, ACP CET, ADOA
Planning Protocol 2 Inc
President & CEO
P-709-01 Baisi Clean Fill DP. Applic



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

Work: (403) 230 - 5522
Cell: (403) 703 - 1726
www.planningprotocol.com

January 9, 2020

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

Attention: Development Officer

Re: Proposed Certified Clean Top Soil Fill Deposit
Portion SE-26-25-28-W4M

Relating to the parcel please find the following documents;

- 1) Duly filled out and signed Development Permit application form
- 2) The rezoning application fee (\$585.00)
- 3) Copy of the certificate of title
- 4) Letter of Authorization
- 5) Regional Locator Map
- 6) Site Plan (with Aerial)
- 7) Contour Info
- 8) Drainage Plan
- 9) Accompanying report in support of this application

Should you have any questions feel free to give me a call?

Sincerely

Rodney Potrie MCIP, RPP, BaSc, CET, AACIP, ACP, ADOA

President & CEO

Planning Protocol

P-709-01Mike Baisi



Summary

| | |
|----------------------|--|
| Roll Number | 05326001 |
| Legal Desc | SE-26-25-28-W04M |
| Divison | 05 |
| Lot Block Plan | |
| Linc Number | 14580139 |
| Title Number | 161297172 |
| Parcel Area | 158.83000 |
| Municipal Address | 281122 TWP RD 254 |
| Contact Information | Baisi, Heidi J [REDACTED] |
| | 00000000000000 00000000000000 00000000000000 |
| Land Use Information | RF (RANCH AND FARM) |

Plan

Planning Applications Information

| Application No. | Name | Status | Planner | Application Date |
|-----------------|---|-----------------------|---------|----------------------------|
| PL20190152 | Planning Protocol 3 Inc. (Rodney Potrie) | Circulation | AndreaB | Thursday, October 17, 2019 |
| PL20190152 | Planning Protocol 3 Inc. (Rodney Potrie) | Circulation | AndreaB | Thursday, October 17, 2019 |
| PL20170059 | Rodney Potrie | Circulation | Stefank | Tuesday, April 11, 2017 |
| PL20170059 | Rodney Potrie | Circulation | Stefank | Tuesday, April 11, 2017 |
| PL20170058 | Rodney Potrie | Verifying Application | | Tuesday, April 11, 2017 |
| PL20170058 | Rodney Potrie | Verifying Application | | Tuesday, April 11, 2017 |

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 |
|---------------|-------------|------------------|
| 2001-BP-14998 | Building | Fri Sep 21, 2001 |
| 1979-BP-7882 | Building | Thu Aug 23, 1979 |

Development Permit Information

Permit Number: [REDACTED] Date Issued: [REDACTED]

Geospatial Boundary

| Boundary | Category |
|--------------------------------|----------------------|
| Division | 5 |
| Area Structure Plan | No ASP |
| Conceptual Scheme | No Conceptual Scheme |
| IDP | No IDP |
| Airport Vicinity | No APVA |
| Engineer | Nathan Madigan |
| Water Coop | No Water Coop |
| Gas Coop Service | ROCKYVIEW GAS CO-OP |
| No. of Lots Within 600 M | 2 |
| 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 |
| Tertiary Fire Station | 111 |

Geospatial Adjacency

| Boundary | Category | Distance |
|--------------------------------------|-----------------------------------|---------------------------|
| Closest Highway | SECHWY564 ROCKYVIEW | 9.83 |
| Closest Gravel Pit | Beiseker Pit | 25105.77 M |
| Sour Gas | Yes Sour Gas Pipe passes | From closest sour pipe: M |
| Closest Road Name | RGE RD 281(Surface Type:Gravel) | 7.97 M |
| Closest Railway | CNR | 1544.32 M |
| Closest Western Irrigation Districts | Within 10Km | |
| Closest Waste Water Treatment | Within 10Km | 4705.32 M |
| Closest Waste Transfer Site | Delacour | 2052.33 M |
| Closest Municipality | CITY OF CALGARY | 7312.53 M |
| Closest Confined Feeding Operation | | 30.47 M |

26

23

