# SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

**December 3, 2020** 

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

#### A CALL MEETING TO ORDER

#### **B** DEVELOPMENT APPEALS

#### 9:00 AM APPOINTMENT

1. Division 2 File: 05710048 PRDP20203267 page 2

An affected party appeal against the Development Authority's decision to approve a development permit application for the placement of a temporary sales centre [relocation from 32105 Aventerra Road], at 32060 Aventerra Road (Lot 4, Block 4, Plan 1710538; SE-10-25-03-W5M) and approximately 0.30 km (1/8 mile) west of Range Road 32 and 0.41 km (1/4 mile) south of Township Road 251A.

Appellant: Craig Smith

Applicant/Owner: Creation Communities (Bhagat Singh)

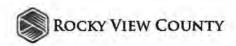
2. Division 1 File: 03909050 PRDP20202423 page 36

An affected party appeal against the Development Authority's decision to approve a development permit application for the construction of an accessory building (oversize shop), relaxation of the maximum building height and relaxation of the maximum accessory building parcel coverage at 231178 Range Road 54 (Lot 5; Plan 9212650 NW-09-23-05-W05M) and located approximately 0.41 km (1/4 mile) south of Township Road 232 and on the east side of Range Road 54.

Appellant: Clint Docker, Julie Docker, Jorgen Scheel and Monica Scheel

Applicant/Owner: Chris Johnson

- C CLOSE MEETING
- D NEXT MEETING: December 16, 2020



## PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

DATE: December 3, 2020 DIVISION: 9

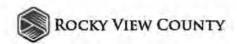
FILE: 05710048 APPLICATION: PRDP20203267

SUBJECT: Temporary Sales Centre (relocation from

32105 Aventerra Road) and relaxation to front

yard setback

PROPOSAL: Temporary Sales Centre (relocation from 32105 Aventerra Road)	GENERAL LOCATION: Located approximately 0.30 km (1/8 miles) west of Range Road 32 and 0.41 km (1/4 mile) south of Township Road 251A	
APPLICATION DATE:	DEVELOPMENT AUTHORITY DECISION:	
October 14, 2020	Approved	
APPEAL DATE:	DEVELOPMENT AUTHORITY DECISION DATE	
December 3, 2020	November 3, 2020	
APPELLANT: Craig Smith	APPLICANT: Creation Communities (Bhagat Singh)	
LEGAL DESCRIPTION: Lot 4, Block 4, Plan 1710538, SE-10-25-03-W5M	MUNICIPAL ADDRESS: 32060 Aventerra Road	
LAND USE DESIGNATION: Residential, Country Residential District (R-CRD)	GROSS AREA: ± 0.81 hectares (± 2.00 acres)	
PERMITTED USE: Discretionary Use	DEVELOPMENT VARIANCE AUTHORITY:	
	Section 69: The Development Authority, in making a decision on a Development Permit application for:	
	(c) a Discretionary Use:	
	ii. May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any variances	
PUBLIC SUBMISSIONS:	LAND USE POLICIES AND STATUTORY PLANS:	
The application was circulated to thirty-four (34) adjacent landowners. At the time this report was prepared, no letters were received in support or objection to the application, excepting the appeal.	<ul> <li>County Plan</li> <li>Land Use Bylaw</li> <li>North Springbank Area Structure Plan</li> </ul>	



#### **EXECUTIVE SUMMARY:**

The proposal is for the relocation of a temporary sales center and relaxation to the front yard setback. The temporary sales center was previously located at 32105 Aventerra Road (approved under PRDP20153539) and due to the parcel being sold, was required to be relocated to the parcel, located at 32060 Aventerra Road. The applicant had requested a variance to the front yard setback, relaxing the setback requirement from 15.00 m (49.21 ft.) to 12.00 m (39.37 ft.) a variance of 3.00 m (9.84 ft.) or 20%. The subject land is designated Residential, Country Residential District (R-CRD), is surrounded by Residential, Country Residential Districts (R-CRD). The subject land is located approximately 0.30 km (1/8 miles) west of Range Road 32 and 0.41 km (1/4 mile) south of Township Road 251A. The parcel is vacant.

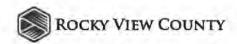
The Development Permit application was made on October 14, 2020 and was approved by the Development Authority on November 3, 2020. The Notice of Decision was advertised on November 3, 2020 and also circulated to thirty-four (34) adjacent landowners. On November 5, 2020, Craig Smith, adjacent landowner, filed an appeal. The reasons for appeal are detailed in the agenda package.

#### PROPERTY HISTORY:

Date	File/Application #	Туре	Result
October 14, 2020	PRDP20203267	Application submitted	Development Permit application made as a result of the parcel where the previous sales centre, approved under PRDP20153539, was located, being sold.
November 3, 2020		Site inspection	Sales centre appears to have just been moved on site.     Structure is on blocking, gravel pad/base has been prepared for structure.     Front setback appears to be as per application.     No other concerns at time of inspection.
November 3, 2020		Development Authority	Application was approved and advertised on website and circulated to thirty-four (34) adjacent landowners.

#### APPEAL:

See attached report and exhibits.



Respectfully submitted,

Heather McInnes

Supervisor, Development and Compliance

WV/IIt

#### ATTACHMENTS:

ATTACHMENT 'A': Subdivision and Development Appeal Board Report

ATTACHMENT 'B': Application Details

ATTACHMENT 'C': Inspection Report and Site Photos

ATTACHMENT 'D': Map Set ATTACHMENT 'E': Site Plan

ATTACHMENT 'F': Notice of Decision ATTACHMENT 'G': Notice of Appeal



#### **DEVELOPMENT PERMIT REPORT**

Application Date: October 14, 2020	File: 05710048
Application: PRDP20203267	Applicant: Creation Communities (Bhagat Singh) Owner: Creation Communities
Legal Description: SE-10-25-03 W5M  Municipal Address: 32060 Aventerra Rd.	General Location: located approximately 0.30 km (1/8 mile) west of Rge. Rd. 32 and 0.41 km (1/4 mile) south of Twp. Rd. 251A
Land Use Designation: Residential, Country Residential District (R-CRD)	Gross Area: ± 0.81 hectares (± 2.00 acres)
File Manager: Wayne Van Dijk	Division: 2

#### PROPOSAL:

The application is for the relocation of a temporary sales center and signage, with relaxation to the front yard setback. *Note: the application was assessed in accordance with Land Use Bylaw C-8000-2020* 

The application is requesting that the front yard setback be relaxed from 15.00 m (49.21 ft.) to 12.00 m (39.37 ft.), a variance of 3.00 m (9.84 ft.) or 20%.

The application states that an existing temporary sales center is located at 32105 Aventerra Rd, approved under PRDP20153539) and is being proposed to be relocated to the subject parcel, (32060 Aventerra Rd.)

The temporary sales center is approximately 11.58 m x 7.32 m (38.00 ft. x 24.00 ft.) in dimensions, with a total area of 84.76 sq. m (912.00 sq. ft.). The land use zone for this parcel is listed as Residential, Country Residential District (R-CRD).

#### Land Use Bylaw C-8000-2020

#### 330 Minimum setbacks:

Setback	Permitted	Proposed	Variance
Front yard	Front yard 15.00 m (49.21 ft.) 12.00 m		3.00 m (9.84 ft.) 20%
Side yard 1	3.00 m (9.84 ft.)	22.00 m (72.18 ft.)	0
Side yard 2	3.00 m (9.84 ft.)	22.00 m (72.18 ft.)	0
Rear yard	6.00 m (19.69 ft.)	124.00 m (406.82 ft.)	0

#### **STATUTORY PLANS:**

The site does not fall within any Conceptual Schemes but does fall within the North Springbank Area Structure Plan.

That plan does not provide guidance for this type of application, therefore this application was assessed under the Land Use Bylaw (C-8000-2020).

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

No inspection completed at time of report writing

#### **CIRCULATIONS:**

Planning and Development Services - Compliance Review

No comments or concerns with the attached application.

### Planning and Development Services - Engineering Review

• Engineering has no requirements at this time.

No other comments received at time of report writing

#### **OPTIONS:**

APPROVAL subject to the following conditions:

#### **Description:**

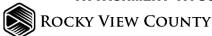
- 1. That a temporary sales center, including signage, may be relocated to the subject parcel, in accordance with the Site Plan and Building Drawings submitted with the application.
  - i. That the minimum front yard setback requirement is relaxed from 15.00 m (49.21 ft.) to 12.00 m (39.37 ft.).

#### Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a Servicing Plan, detailing anticipated methods of providing potable water and wastewater treatment and disposal, in accordance with all relevant Municipal requirements.

#### Permanent:

- 3. The sales center home shall not be open to the public for viewing unless and until the road is paved to County standards to the show homes on the county road, and that there shall be off street parking spaces for each show home.
- 4. That there shall be signs posted at any adjacent occupied (non-show home) residences by the show home builder indicating that these homes are private and not for viewing.
- 5. That the sales center shall be closed to the public within 30 days of the date that 90% of the homes are occupied in the subdivision, or within 30 days of the date that 90% of all the lots in the subdivision are occupied, whichever occurs first.
- 6. That the advertised hours that the sales center is open to the public shall not be earlier than 9:00 am or later than 8:00 pm, except during the first 14 days of the use of the building as a show home, extended public viewing hours may be permitted for no more than 3 days.



- 7. That the conditions of the permit do not limit the private showing, by appointment, of the sales center at any time.
- 8. That no business occupancy of the sales center shall occur until such time as all required utility services are installed and working to service the sales center.
- 9. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

#### Advisory:

- 10. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to placement on the subject parcel.
- 11. That if the development authorized by the Development Permit is not commenced, with reasonable diligence, within twelve (12) months from the date of the date of issue and completed within twenty-four (24) months of the date of issue, the Development Permit shall be deemed null and void.
- 12. That if this Development Permit is not issued by **JUNE 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 13. That once this Development Permit is issued, it shall be valid until November 25, 2021.

#### REFUSAL as per the following reasons:

1. That in the opinion of the Development Authority, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Decision: Discretionary-Approved

Date: November 3, 2020



# **DEVELOPMENT PERMIT**

# **APPLICATION**

FO	R OFFICE USE ONLY
APPLICATION NO.	20203267
ROLL NO.	05710098
RENEWAL OF	5
FEES PAID	\$8/5.00
DATE OF RECEIPT	CX+14. 2020

APPLICANT/OWNER				11	
Applicant Name: BHAGAT SI	Email:				
Business/Organization Name (if applicable): CREATION COMMUNITIES INC.					
Mailing Address:	ا م کر			Postal Co	de:
Telephone (Primary):		Alternative:			
Landowner Name(s) per title (if not t	ne Applicant):				
Business/Organization Name (if app	licable):				
Mailing Address:				Postal Co	de:
Telephone (Primary):		Email:			
LEGAL LAND DESCRIPTION - Sub	ject site				
All/part of: 5E 1/4 Section: 10	Township: 25	Range: 3	West of: 5	Meridian	División:
All parts of Lot(s)/Unit(s): 4	Block: 4	Plan: [7] 0	538	Parcel Siz	e (ac/ha): 2 ac
Municipal Address: 32060	AVENTERRA	RD	Land Use Dist	rict:	
APPLICATION FOR - List use and s	cope of work				
MOVING EXISTING TOWN	SALES CEN	ITRE FRO	M 32105	AVENTE	ERRA RD
TO THE SUBJE					
ULD DEVELOPMENT	PERMIT #	F: PRDP	2015 35 3	9	
	ES D NO NA			ist Included:	☐ YES ☐ NO
SITE INFORMATION					/
a. Oil or gas wells present on or within 100 metres of the subject property(s)  □ YES □ NO  b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant)  □ YES □ NO  c. Abandoned oil or gas well or pipeline present on the property  (Well Map Viewer: <a href="https://extmapviewer.aer.ca/AERAbandonedWells/Index.html">https://extmapviewer.aer.ca/AERAbandonedWells/Index.html</a> )  d. Subject site has direct access to a developed Municipal Road (accessible public roadway)  □ YES □ NO				☐ YES ☐ NO	
AUTHORIZATION					
I, BHAGAT SINGH (Full name in Block Capitals), hereby certify (initial below):					
	ner OR 🚿 That	am authorized to	act on the owner	's behalf.	
That the information given knowledge, a true statement	on this form and re of the facts relating	lated documents to this application	, is full and comp	olete and is,	to the best of my
That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the Freedom of Information and Protection of Privacy Act.					
Right of Entry: I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.					
Applicant Signature		Lando	owner Signature	Flyn	54/1
Date					OCT \$2020



## **DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL**

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [v] all that are included within application package. Incomplete applications may not be accepted for processing

	APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
D	APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.
	CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:  Digital copy of non-financial instruments/caveats registered on title
Ø	<b>LETTER OF AUTHORIZATION:</b> Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead <u>or</u> as an affidavit (signed by a Commissioner of Oaths).
	COVER LETTER, shall include:
	O Proposed land use(s) and scope of work on the subject property
	O Detailed rationale for any variances requested
	O For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
	O Reference to any Supporting Documents, images, studies, plans etc. provided within application package
	SITE PLAN, shall include:
	Legal description and municipal address     North arrow
	O Property dimensions (all sides)
	Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
	O Dimensions of all buildings/structures
	Location and labels for existing/proposed approach(s)/access to property
	O Identify names of adjacent internal/municipal roads and highways
	<ul> <li>Identify any existing/abandoned/proposed oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings</li> </ul>
	O Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc.
	O Identify site slopes greater than 15% and distances from structures
	O Location and labels for easements and/or rights-of-way on title
	FLOOR PLANS/ELEVATIONS, shall include:
	Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
	O Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations
	O Indicate type of building/structure on floor plans and elevations
	COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy: Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available
	SUPPORTING DOCUMENTS (as applicable): Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans etc.). Refer to the Land Use Bylaw for use or district specific requirements.
	FOR OFFICE USE ONLY
Propo	osed Use(s): TEMP. CAIRL CALLED Land Use District: P-CRD
	cable ASP/CS/IDP/MSDP: North Springs W
	ded within file: Information Sheet Parcel Summary Site Aerial Land Use Map Aerial Site Plan
NOTE	
1012	
_	
	Staff Signature:

#### ATTACHMENT 'B': APPLICATION DETAILS



#### LAND TITLE CERTIFICATE

S

LINC SHORT LEGAL 0037 512 572 1710538;4;4 TITLE NUMBER 171 050 295 +23

LEGAL DESCRIPTION

PLAN 1710538

BLOCK 4

LOT 4

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;3;25;10;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 140 302

\_\_\_\_\_\_

REGISTERED OWNER(S)

REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

171 050 295 01/03/2017 SUBDIVISION PLAN

OWNERS

CREATION COMMUNITIES INC.



REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

761 141 577 17/11/1976 ZONING REGULATIONS

SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

171 050 296 01/03/2017 CAVEAT

RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL

GOVERNMENT ACT

CAVEATOR - ROCKY VIEW COUNTY.

911 - 32ND AVENUE NE

CALGARY

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

# 171 050 295 +23

ALBERTA T2E6X6

171 050 297 01/03/2017 CAVEAT

RE : DEFERRED SERVICES AGREEMENT

CAVEATOR - ROCKY VIEW COUNTY.

911 - 32ND AVENUE NE

CALGARY

ALBERTA T2E6X6

171 050 298 01/03/2017 ENCUMBRANCE

ENCUMBRANCEE - AVENTERRA RESIDENTS ASSOCIATION.

257 SAGE MEADOWS CIRCLE N.W.

CALGARY

ALBERTA T3P0G1

171 050 302 01/03/2017 UTILITY RIGHT OF WAY

GRANTEE - ROCKY VIEW COUNTY.

AS TO PORTION OR PLAN: 1710540

171 050 306 01/03/2017 UTILITY RIGHT OF WAY

GRANTEE - ROCKY VIEW COUNTY.

GRANTEE - FORTISALBERTA INC.

GRANTEE - TELUS COMMUNICATIONS INC.

GRANTEE - SHAW COMMUNICATIONS INC.

GRANTEE - ATCO GAS AND PIPELINES LTD.

AS TO PORTION OR PLAN: 1710542

191 153 178 29/07/2019 MORTGAGE

MORTGAGEE - SERVUS CREDIT UNION LTD.

151 KARL CLARK ROAD NW

EDMONTON

ALBERTA T6N1H5

ORIGINAL PRINCIPAL AMOUNT: \$4,000,000

191 153 179 29/07/2019 CAVEAT

RE : ASSIGNMENT OF RENTS AND LEASES

CAVEATOR - SERVUS CREDIT UNION LTD.

151 KARL CLARK ROAD NW

EDMONTON

ALBERTA T6N1H5

AGENT - LAWRENCE D LEON

TOTAL INSTRUMENTS: 008

PAGE 3 Page 11 of 34 # 171 050 295 +23

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 14 DAY OF OCTOBER, 2020 AT 11:10 A.M.

ORDER NUMBER: 40310297

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).



Date: Oct 14, 2020

To whom it may concern

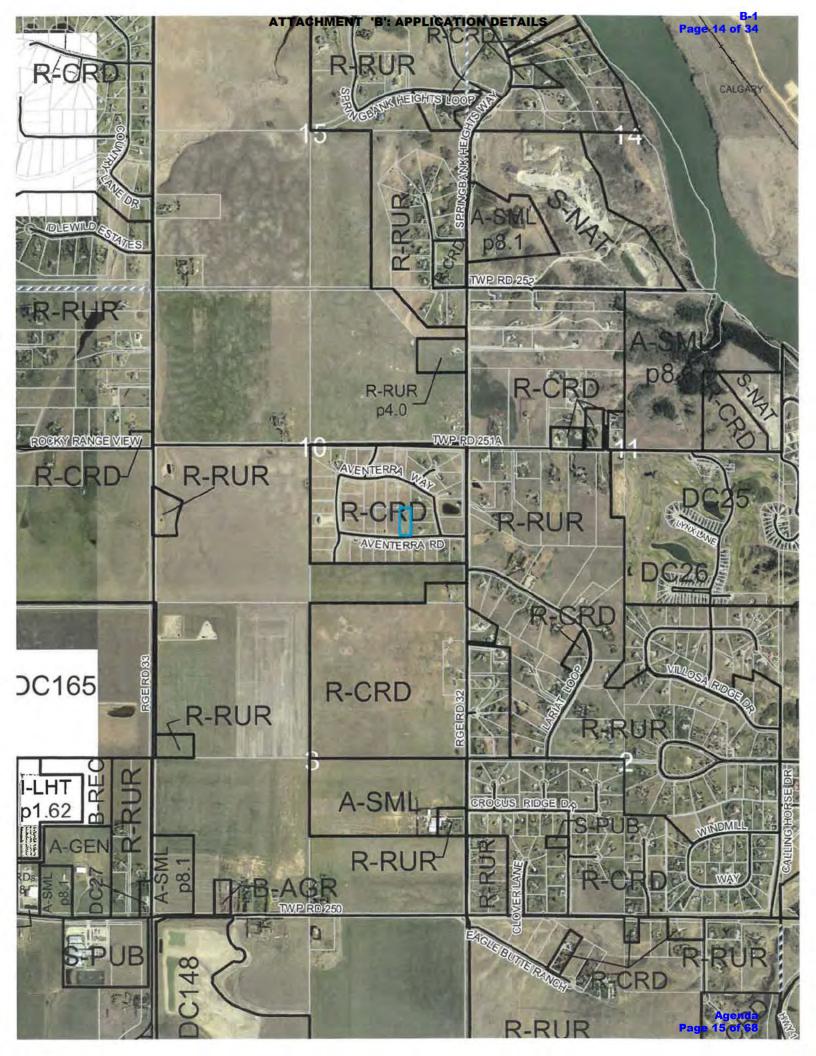
This is for your information that we have authorized Mr. Bhagat Singh, Project Manager to apply for the building permit on behalf of our company.

Thank you,

Prakash Regmi, PBA Canada, CA (India)

Corporate Controller





EXISTING BUILDING Page 15 of 34

ON 32105 AVENCERRA RD,

ROCKY VIEW COUNTY AB.



**B-1** 



Novir/15

No. 2015 350

11705-22

BUSH

AKAL HOMES LTD.

Builder/Contractor must check and verify all demensions & details prior to start any construction and report any discrepancies to AKALHOMES LTD. Designers liability limited to correction of plans only.

THIS BLANDS THE PROPERTY OF AKALHOMES LTD. AND WE HAVE

SHEET TITLE

FRONT

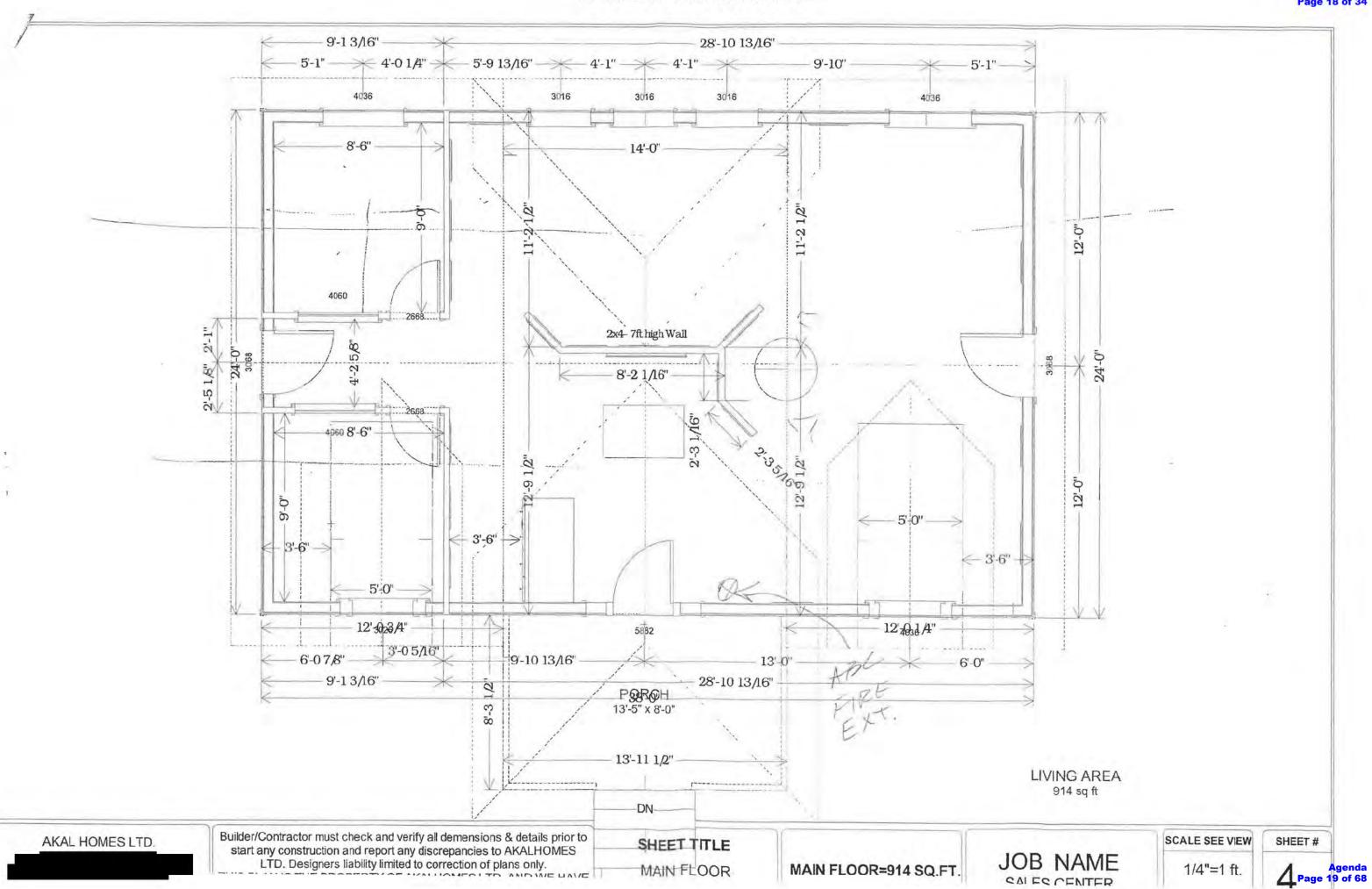
MAIN FLOOR=914 SQ.FT.

JOB NAME SALES CENTER SCALE SEE VIEW

1/4"=1 ft.

Agend

SHEET#





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

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

> > Wayne SW

# Inspection Request

Roll #:	05710048	DP #: PRDP20203267
Applicant/Owner: Legal Description: Municipal Address: Land Use: Reason for Inspection	Creation Communities Inc. (Bhagat Lot 4 Block 4 Plan 1710538, SE-10-25- 32060 AVENTERRA ROAD, Rocky R-CRD construction of a temporary sales centr	-03-05 View Coul
	Inspection Report	
Date of Inspection: Permission granted for e		
Observations:	es centre appears to have	e just been moved
	e. Structure is on blow prepared for structure.	King Growel pad/base
	ent setback appears to concerns at time of	inspection.
	Signature:	w. Val





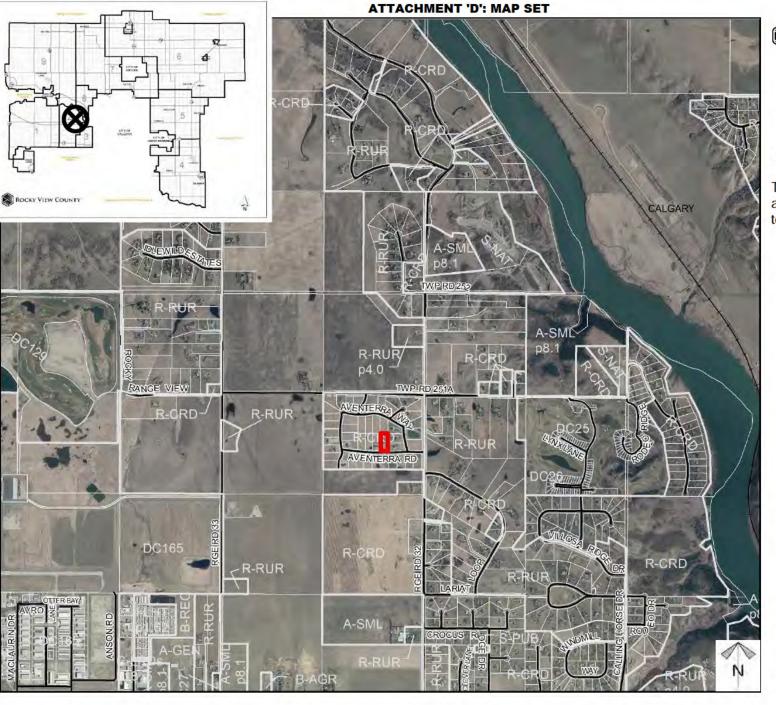












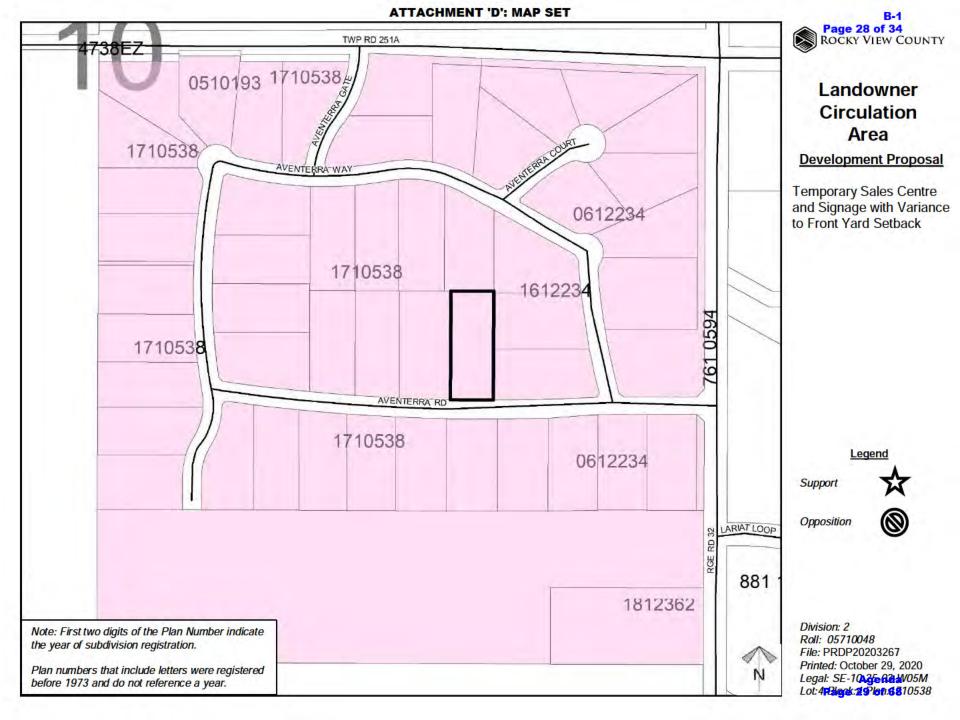


# Location & Context

#### **Development Proposal**

Temporary Sales Centre and Signage with Variance to Front Yard Setback

Division: 2 Roll: 05710048 File: PRDP20203267 Printed: October 29, 2020 Legal: SE-10A36-034W05M Lot: 4Pologic: 18 July 3810538





Novir/15

No. 2015 350

11005.22

BUSH

AKAL HOMES LTD.

Builder/Contractor must check and verify all demensions & details prior to start any construction and report any discrepancies to AKALHOMES LTD. Designers liability limited to correction of plans only.

THIS DIAM IS THE PROPERTY OF AKAI HOMES LTD. AND WE HAVE

SHEET TITLE

FRONT

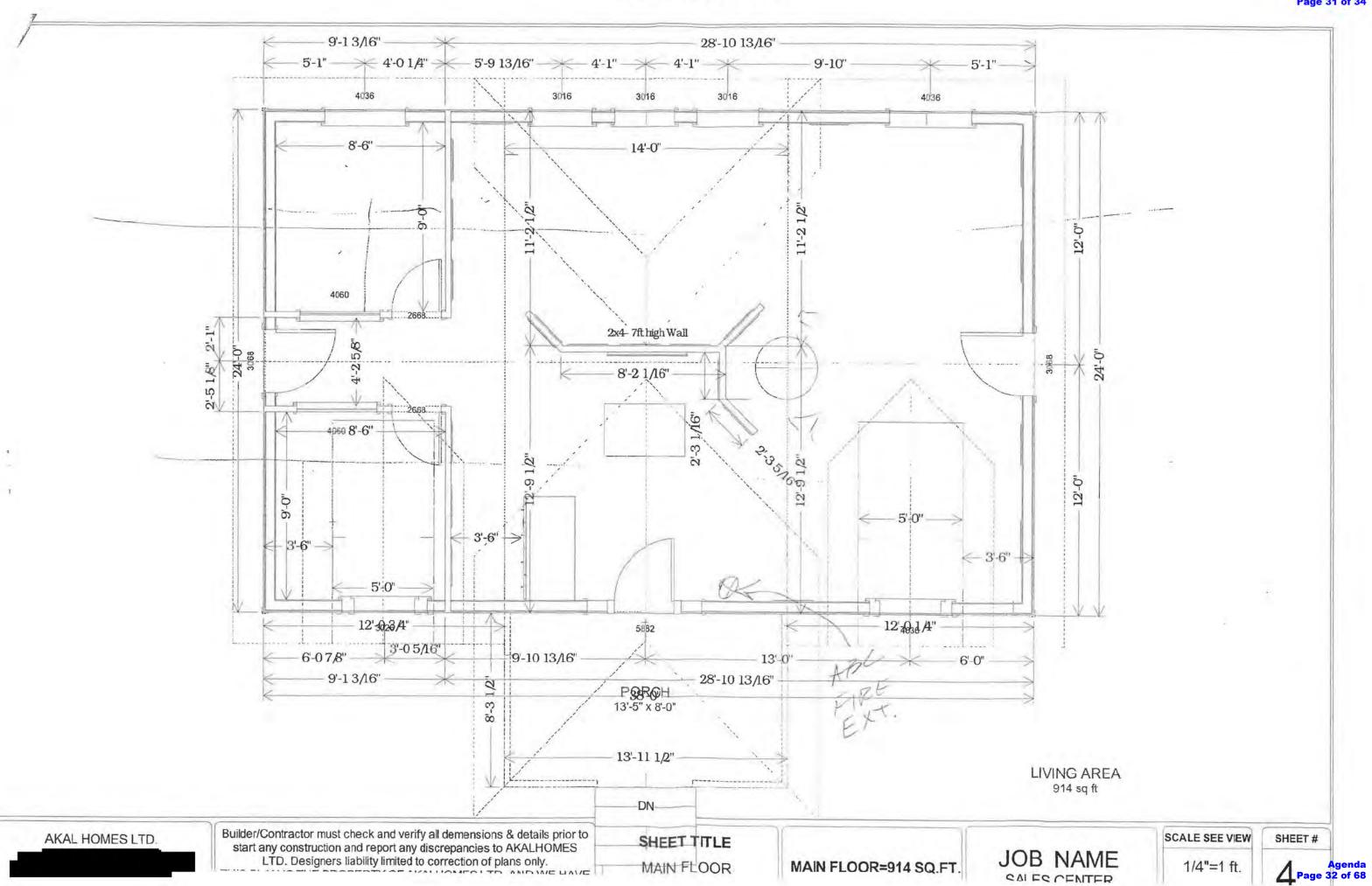
MAIN FLOOR=914 SQ.FT.

JOB NAME SALES CENTER SCALE SEE VIEW

1/4"=1 ft.

Agenda Page 31 of 68

SHEET#





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

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

#### THIS IS NOT A DEVELOPMENT PERMIT

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

#### NOTICE OF DECISION

Creation Communities Inc. (Bhagat Singh)

Page 1 of 2

Tuesday, November 03, 2020

Roll: 05710048

RE: Development Permit #PRDP20203267

Lot 4 Block 4 Plan 1710538, SE-10-25-03-05; (32060 AVENTERRA ROAD)

The Development Permit application for placement of a temporary sales centre [relocation from 32105 AVENTERRA ROAD] has been **conditionally-approved** by the Development Officer subject to the listed conditions below (PLEASE READ ALL CONDITIONS): front yard

#### Description:

- That a temporary sales center, including signage, may be relocated to the subject parcel, in accordance with the Site Plan and Building Drawings submitted with the application.
  - That the minimum front yard setback requirement is relaxed from 15.00 m (49.21 ft.) to 12.00 m (39.37 ft.).

#### Prior to Issuance:

 That prior to issuance of this permit, the Applicant/Owner shall submit a Servicing Plan, detailing anticipated methods of providing potable water and wastewater treatment and disposal, in accordance with all relevant Municipal requirements.

#### Permanent:

- The sales center home shall not be open to the public for viewing unless and until the road is paved to County standards to the show homes on the county road, and that there shall be off street parking spaces for each show home.
- That there shall be signs posted at any adjacent occupied (non-show home) residences by the show home builder indicating that these homes are private and not for viewing.



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

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

Creation Communities Inc. (Bhagat Singh) #PRDP20203267 Page 2 of 2

- That the sales center shall be closed to the public within 30 days of the date that 90% of the homes are occupied in the subdivision, or within 30 days of the date that 90% of all the lots in the subdivision are occupied, whichever occurs first.
- 6. That the advertised hours that the sales center is open to the public shall not be earlier than 9:00 am or later than 8:00 pm, except during the first 14 days of the use of the building as a show home, extended public viewing hours may be permitted for no more than 3 days.
- That the conditions of the permit do not limit the private showing, by appointment, of the sales center at any time.
- That no business occupancy of the sales center shall occur until such time as all required utility services are installed and working to service the sales center.
- That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

#### Advisory:

- That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to placement on the subject parcel.
- 11. That if the development authorized by the Development Permit is not commenced, with reasonable diligence, within twelve (12) months from the date of the date of issue and completed within twenty-four (24) months of the date of issue, the Development Permit shall be deemed null and void.
- That if this Development Permit is not issued by JUNE 30, 2021 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- That once this Development Permit is issued, it shall be valid until November 25, 2021.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by Tuesday, November 24, 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

Development Authority Phone: 403-520-8158

Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



# **Notice of Appeal**

Subdivision and Development Appeal Board Enforcement Appeal Committee

Appellant Informa	tion		_		
Name of Appellant(s)					
Craig Smith			1 Manufatanita	Designation Location	_
Mailing Address			Municipality	Province Postal Code	i
Main Phone #	Alternate Phone	11	Email Address		-
Site Information					Ī
Municipal Address	A SECTION AND ADDRESS OF THE PARTY OF THE PA			ck, plan OR quarter-section-township-range-meridian	1)
32060 Aventerra Ro	oad	_		1710538, SE-10-25-03-05	
Property Roll # 05710048			ent Permit, Subdivision Application 20203267	n, or Enforcement Order #	
I am appealing: (che	k one box only)				Ţ
Development A	uthority Decision	Subdivi	sion Authority Decision	Decision of Enforcement Services	
☑ Approval			Approval	☐ Stop Order	
☐ Conditions	s of Approval		Conditions of Approval	☐ Compliance Order	
☐ Refusal			Refusal		Ц
Reasons for Appea	l (attach separate p	oage if requ	ired)		
1. The temporary sa upwind of multiple no. There are three pos. The approval is re. The approval is re. The approval is re. The approval is re.	and the quality of lift les office is not in k les office makes us esidences. sible outcomes that evoked. nodified to require the	e of the inha seeping with se of a Porta t would satis the temporal adoor washi	abitants for the following recommunity aesthetics. a Potty located out back of sfy this appeal:  ry sales office be relocate room facilities.	I impact on both the value of the reasons:  of the structure which is within 50 yards  ed further away from residences.  Thank you for your consideration.	
the Freedom of Information Your name, legal land descri Act. Your personal contact i	and Protection of Privacy ption, street address, and formation, including your s, reparding the collection	Act (FOIP Act) a reasons for app phone number or release of thi	and will be used to process your ap peal will be made available to the p	forcement Appeal Committee under section 33(c) of opeal and the appeal hearing public record of the appeal hearing public in a creating of the FOIP section 40(1)(c) of the FOIP section to the appeal to the municipal derivatives 230-140	



#### PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board

**DATE**: December 3, 2020 **DIVISION:** 1

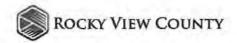
**FILE**: 03909050 **APPLICATION**: PRDP20202423

**SUBJECT**: Accessory Building with Variances

PROPOSAL: Accessory Building with variances	<b>GENERAL LOCATION</b> : located on the east side of Range Road 54, approximately 0.41 km (1/4 mile) south of Township Road 232.	
APPLICATION DATE: August 19, 2020	MUNICIPAL PLANNING COMMISSION DECISION: Approved	
APPEAL DATE: December 3, 2020	MUNICIPAL PLANNING COMMISSION DECISION DATE: October 29, 2020	
<b>APPELLANTS</b> : Clint Docker, Julie Docker, Jorgen Scheel and Monica Scheel	APPLICANT: Chris Johnson	
<b>LEGAL DESCRIPTION</b> : Lot 5, Plan 9212650; NW-09-23-05-W05M	MUNICIPAL ADDRESS: 231178 Range Road 54	
LAND USE DESIGNATION: R-RUR	GROSS AREA: ± 1.59 hectares (± 3.94 acres)	
PERMITTED USE: Discretionary Use	DEVELOPMENT VARIANCE AUTHORITY:	
	Section 69: The Development Authority, in making a decision on a Development Permit application for:	
	(c) a Discretionary Use:	
	ii. May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any variances	
PUBLIC SUBMISSIONS:	LAND USE POLICIES AND STATUTORY PLANS:	
	<ul><li>County Plan</li><li>Land Use Bylaw</li><li>Greater Bragg Creek Area Structure Plan</li></ul>	

#### **EXECUTIVE SUMMARY:**

This proposal is for the construction of an accessory building with variances. The subject parcel is zoned R-RUR, is surrounded by country residential and agricultural parcels, and is located on the east side of Range Road 54, approximately 0.41 km (1/4 mile) south of Township Road 232. The parcel contains a dwelling, several accessory buildings of various sizes and is heavily forested. This application was made on August 19, 2020 and was presented to the Municipal Planning Commission



on October 29, 2020. The Notice of Decision was circulated to 33 adjacent landowners and Administration received the notice of Appeal on November 19, 2020 from appellants Clint Docker, Julie Docker, Jorgen Scheel and Monica Scheel. The reasons for their appeal are identified in the agenda package.

#### APPLICATION/ PARCEL HISTORY:

Date	Event	Result
August 19, 2020	Application Submitted	Development Permit application submitted in- person.
September 10, 2020	Inspection	Site is very well screened     Grading appears to have started in preparation for building     Site is marked (with string) for building location     Fairly neat and tidy     No concerns at time of inspection  Site photos were taken at time of inspection
October 29, 2020	Municipal Planning Commission Hearing	Application approved with amended conditions (approved area increased slightly due to error in original measurement calculations).
October 30, 2020	Notice of Decision generated	Notice of Decision mailed to adjacent landowners
November 19, 2020	Appeal application filed	SDAB hearing scheduled for December 3, 2020.

#### APPEAL:

See attached report and exhibits.

Respectfully submitted,

Heather McInnes

Supervisor, Development and Compliance

EN/IIt



#### **ATTACHMENTS:**

ATTACHMENT 'A': Municipal Planning Commission Report

ATTACHMENT 'B': Application Details ATTACHMENT 'C': Inspection Report and Site Photos

ATTACHMENT 'D': Site Plan ATTACHMENT 'E': Map Set

ATTACHMENT 'F': Notice of Decision ATTACHMENT 'G: Notice of Appeal



#### **DEVELOPMENT PERMIT REPORT**

Application Date: August 19, 2020	File: 03909050
Application: PRDP20202423	Applicant/Owner: Johnson, Chris
Legal Description: Lot 5; Plan 9212650 NW-09-23-05-W05M	General Location: Located approximately 0.41 km (1/4 mile) south of Twp. Rd. 232 and on the east side of Rge. Rd. 54
Land Use Designation: Residential, Rural District (R-RUR), under Land Use Bylaw C-8000-2000.	Gross Area: ± 1.59 hectares (± 3.94 acres)
File Manager: Natalie Robertson / Evan Neilsen	Division: 1

#### PROPOSAL:

The proposal is for the construction of an accessory building (oversize shop), with a relaxation of the maximum height and a relaxation of the maximum accessory building parcel coverage. *Note, the application was assessed in accordance with Land Use Bylaw C-8000-2020, as requested by the Applicant.* 

The proposed shop is a pole building, approximately 222.96 sq. m (2,400.00 sq. ft.) in footprint. The shop will include a metal roof and side walls, including a front wall of half log siding. The shop will be dark green in metal cladding and the log siding will be stained to match the existing dwelling, single detached. The building will be utilize for personal storage of equipment, tools, belongings and as a workshop.

The other accessory buildings on the property include:

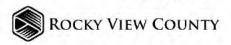
- Accessory Building (detached garage) 62.43 m<sup>2</sup> (672.00 ft<sup>2</sup>)
- Accessory Building (garden shed) 8.91 m<sup>2</sup> (96.00 ft<sup>2</sup>)
- Accessory Building (sprung tent) 28.98 m<sup>2</sup> (312.00 ft<sup>2</sup>)

With the shop proposal, there will be single-lot regrading (appears up to 1.06 m [3.50 ft.] in cutting) and placement of clean fill (appears up to 0.05 m [0.16 ft.]). However, supporting technical and final confirmation will be required upon approval.

#### LAND USE BYLAW:

Residential, Rural District (R-RUR)

Requirements (Proposed Shop)					
Line	Regulation	Required (m)	Proposed (m)	Variance	
318	Uses, Discretionary	Accessory buildings >190 m <sup>2</sup> (2045.14 ft <sup>2</sup> )	222.96 m <sup>2</sup> (2400.00 ft <sup>2</sup> )	17.34%	



321 (a)	Maximum Height Accessory Buildings	7.00 m (22.97 ft.)	7.86 m. (25.80 ft.)	12.28%
322 (b)	Maximum Accessory Building Parcel Coverage	285 m <sup>2</sup> (3067.71 ft <sup>2</sup> ).	324.69 m <sup>2</sup> (3495.04 ft <sup>2</sup> )	13.92%
323	Yard, Front – County	45.00 m (147.64 ft.)	lots	0%
323	Yard, Side – all others	3.00 m (9.84 ft.)	12.19 m (40.00 ft.)	0%
323	Yard, Rear – all others on parcels over 4.0 ha (9.88 ac)	30.00 m (98.43 ft.)	66.14 m (217.00 ft.)	0%

#### Permit History

Permit Number	Permit Type	Status
1992-BP-3111	Building – Dwelling Addition	Occupancy Granted
PRDP20144316	Development - Accessory Dwelling Unit	Complete
PRBD20145159	Building – Accessory Dwelling Unit	Occupancy Granted

#### STATUTORY PLANS:

The subject property is located within the Greater Bragg Creek Area Structure Plan. The application was also evaluated in accordance with the Land Use Bylaw C-8000-2020

#### INSPECTOR'S COMMENTS (September 10, 2020):

- Site is very well screened
- Grading appears to have started in preparation for building
- Site is marked (with string) for building location
- Fairly neat and tidy
- No concerns at time of inspection

#### CIRCULATIONS:

#### Transportation Services

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.



#### **Building Services Review**

- Applicant is required to submit a Building permit application prior to the structure being constructed.
- Applicant is required to acquire permits for all electrical, plumbing and gas work for the accessory building.

#### **Development Compliance Officer Review**

No concerns

#### Planning and Development Services - Engineering Review

#### General

• The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.

#### **Geotechnical:**

- As part of the application, the applicant/owner is also proposing to alter and conduct slope mitigation measures on existing slopes that are steeper than 15% and 30%.
  - Prior to issuance, the applicant/owner is required to provide a grading site plan that shows the extent of the proposed grading work. The grading plan should provide predevelopment and post-development contours.
  - Prior to issuance, the applicant/owner will be required to submit a slope stability analysis conducted and stamped by a professional engineer that assess the stability of the slope and provides recommendations for the proposed construction over the slope. The applicant/owner will be required to implement the recommendations from the analysis.
  - o <u>Prior to issuance</u>, the applicant/owner will be required to provide a deep fills report that provide placement recommendations for areas of fill greater than 1.2 m in depth.
  - As a permanent condition, the applicant/owner is required to provide compaction testing results verifying that areas greater than 1.2m in depth were placed in accordance with the deep fills report accepted by the County.

#### **Transportation:**

- Engineering has no requirements at this time.
- There is an existing road approach off of Range Road 54 providing access to the subject land.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the
  applicable TOL bylaw at time of DP issuance, as the development is directly associated with the
  construction of a dwelling.

#### Sanitary/Waste Water:

Engineering has no requirements at this time.

#### Water Supply And Waterworks:

Engineering has no requirements at this time.

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

It appears that the resulting imperviousness ratio over the subject land is greater than 20%.



- <u>Prior to issuance</u>, the applicant/owner will be required to provide a memo and/or stormwater drainage drawing conducted and stamped by a professional engineer that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with the County Servicing Standards.
- As a permanent condition, the applicant/owner will be required to implement the recommendations of the memo and/or stormwater drawing accepted by the County.

#### **Environmental:**

- <u>Prior to issuance</u>, the applicant/owner will be required to submit an erosion and sediment control
  plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be
  implemented during the grading work and in perpetuity.
- As an advisory condition, the applicant/owner will be required to obtain all applicable AEP approvals should the development directly impact any wetlands.

#### **OPTIONS:**

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

#### **Description:**

- That construction of an accessory building (oversize shop), approximately 222.96 m<sup>2</sup>
  (2,400.00 ft<sup>2</sup>) in area, may be constructed on the subject land in general accordance with the approved Site Plan, supporting Plot Plan drawings and submitted application, as amended.
  - i. That the maximum height requirement for the building is relaxed from **7.00 m. (22.97 ft.)** to **7.86 m. (25.80 ft.)**;
  - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 m<sup>2</sup>** (3,067.71 ft<sup>2</sup>) to 324.69 m<sup>2</sup> (3,495.04 ft<sup>2</sup>); and
  - iii. Single-lot regrading and placement of clean fill in accordance with the final grading site plan.

#### Prior to Issuance:

- 2. That prior to issuance of this permit, the Applicant/Owner shall submit a grading site plan that shows the extent of the proposed grading work, in accordance with County Servicing Standards. The grading plan shall provide pre-development and post-development contours.
- 3. That prior to issuance of this permit, the Applicant/Owner shall submit a slope stability analysis, conducted and stamped by a professional engineer, that assess the stability of the slope and provides recommendations for the proposed construction over the slope, to the satisfaction of the County.
- 4. That prior to issuance of this permit, the Applicant/Owner shall submit a memo and/or stormwater drainage drawing, conducted and stamped by a professional engineer, that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with County Servicing Standards.
- 5. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the grading work and in perpetuity, in accordance with County Servicing Standards.



- 6. That prior to issuance of this permit, the Applicant/Owner shall submit a deep fills report, that provides placement recommendations for areas of fill greater than 1.20 m (3.93 ft.) in depth, to the satisfaction of the County.
- 7. 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
  - 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:

- 8. That the exterior siding and roofing materials of the accessory building shall be similar/cohesive to the existing dwelling, single detached.
- 9. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by the separate Development Permit.
- 10. That the existing trees and terrain shall be retained onsite except as required to meet the development proposal and conditions of this permit. Any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover upon development completion.
- 11. That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 12. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent dust/small rocks from blowing onto the road, or from causing issues with other vehicles on the road.
- 13. That the entire site shall be maintained in a neat and orderly manner at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 14. That all on-site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
- 15. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the stormwater memo and/or deep fills report.

#### Advisory:

- 16. That during construction, all construction and building materials shall be maintained on-site in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 17. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.



- 18. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
- 19. That if this Development Permit is not issued by **May 31, 2021**, then this approval is null and void and the Development Permit shall not be issued.
- 20. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

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

Option #2 (this would not allow the development)

REFUSAL, for the following reasons:

- 1. That the requested height relaxation exceeds the maximum allowable requirements of Section 321(a) of the Land Use Bylaw C-8000-2020.
- 2. That the requested accessory building parcel coverage relaxation exceeds the maximum allowable requirements of Section 322(b) of the Land Use Bylaw C-8000-2020
- 3. 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.

FOR OFFICE USE ONLY



2020242

# File Number | File Number | File Number | Second | Second

## DEVELOPMENT PERMIT

	Name of Applicant Christopher Johnson Email		
	Mailing Address Postal Cod	de i	
	Telephone (B) (H)	Fax	
	For Agents please supply Business/Agency/ Organization Name		
	Registered Owner (if not applicant)		
	Mailing Address		
	Telephone (B) (H)		
		1 01	
1,	LEGAL DESCRIPTION OF LAND	5 10/2-1-5	ETU MARK
	a) All / part of the <u>NW</u> 1/4 Section <u>9</u> Township <u>23</u> Range <u></u> b) Being all / parts of Lot <u>5</u> Block <u>Registered Plan Num</u>		
	c) Municipal Address 231178 RANGE ROAD 54	3212030	
		C Division	01
	d) Existing Land Use Designation R2 Parcel Size 3.94 ACRE	Division	01
2.	APPLICATION FOR ACCESSORY BUILDING		
3.	ADDITIONAL INFORMATION		
	a) Are there any oil or gas wells on or within 100 metres of the subject property(s)?	? Yes	No X
	<ul> <li>b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? (Sour Gas facility means well, pipeline or plant)</li> </ul>	Yes	NoX
	c) Is there an abandoned oil or gas well or pipeline on the property?	Yes	No X
	d) Does the site have direct access to a developed Municipal Road?	Yes X	_ No
4.	REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF		100000
	(Full Name in Block Capitals) hereby certify that X I am the region I am authorize	istered owner	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.	here if ov	rporate Seal vner is listed named or ed company
	Applicant's Signature Owner's Signature	Chi/ka	
	Date	018-4	UG -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.

1, CHRISTOPHER JOHNSON \_\_\_\_, 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

8-AUG -2020 Date



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

# ACCESSORY BUILDING

Telephone (B) (H)	Postal Code Fa	ax
DETAILS OF ACCESSORY BUILDING		
	Bylaw	Proposed
Accessory building size maximum	1614.59 sq ft	2400 sq ft
Accessory building height	18:04 ft 22.96	25.8 ft
Number of existing accessory buildings on site	3	
Total size of all accessory buildings	2421.88 sq ft	3480 sq ft
<ul> <li>a) Building materialsWood Pole Building with metal</li> <li>b) Exterior colourDark Green Metal Cladding, 1/2 I</li> <li>c) Please include why relaxations for buildings are needed Storage requirements for equipment and work shop</li> <li>d) Date when building permits were issued for existing building based on area</li> </ul>	d (location, storage needs, tidy pand tools, tidy property, heigh	existing log house property, etc.) tht for mezzanine and
<ul> <li>b) Exterior colour <u>Dark Green Metal Cladding</u>, 1/2 I</li> <li>c) Please include why relaxations for buildings are needed Storage requirements for equipment and work shop</li> <li>d) Date when building permits were issued for existing building based on area</li> </ul>	Log Siding stained to match of d (location, storage needs, tidy pand tools, tidy property, heigh	existing log house property, etc.) tht for mezzanine and
<ul> <li>b) Exterior colour <u>Dark Green Metal Cladding</u>, 1/2 I</li> <li>c) Please include why relaxations for buildings are needed Storage requirements for equipment and work shop</li> <li>d) Date when building permits were issued for existing building based on area</li> </ul>	Log Siding stained to match ed (location, storage needs, tidy pand tools, tidy property, heigh ldings Garage Early 2000's, and Tent ~3 years old	existing log house property, etc.) tht for mezzanine and
b) Exterior colour <u>Dark Green Metal Cladding</u> , 1/2 I c) Please include why relaxations for buildings are needed Storage requirements for equipment and work shop d) Date when building permits were issued for existing buildings on area e) If no permits were issued - list age of buildings <u>Spruage</u>	Log Siding stained to match en a (location, storage needs, tidy pand tools, tidy property, heigh lidings Garage Early 2000's, and Tent ~3 years old	existing log house property, etc.) tht for mezzanine and
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<ul> <li>b) Exterior colour Dark Green Metal Cladding, 1/2 I</li> <li>c) Please include why relaxations for buildings are needed Storage requirements for equipment and work shop</li> <li>d) Date when building permits were issued for existing buildings dased on area</li> <li>e) If no permits were issued - list age of buildings Sprusses</li> <li>DESCRIBE THE USE OF THE ACCESSORY BUILDING</li> <li>Genneral and Equipment Storage, Vehicle and Right Recreational mechanic shop and car lift</li> <li>ADDITIONAL REQUIREMENTS</li> </ul>	Log Siding stained to match et (location, storage needs, tidy pand tools, tidy property, heigh ldings Garage Early 2000's, ang Tent ~3 years old  NG  V storage,	existing log house property, etc.) tht for mezzanine and



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

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

Natalie Sept 21 SW

#### Inspection Request

Roll #:	03909050		DP #: PRDP20202423	
Applicant/Owner: Legal Description: Municipal Address:		er Walter 2650, NW-09-23-05-05 , Rocky View County	AB	
Land Use: Reason for Inspection	R-RUR construction of a 2400 sq. ft. accessory building (shed), relaxation of the maximum allowed accessory building height and maximum allowable total			
	building area from 306	57.71 sq ft. to 3480 sq.ft	L.	
	Inspect	ion Report		
Caveat on title regarding Grading is part of this per				
Date of Inspection:	jept. 10/20			
Permission granted for e	ntrance? yes			
Observations:	very well so	reened.		
- grading a	opears to how	e started, in	prepartion for	
building. 5	ite is marked	Curith string	) for building	
lucation. (	iee photos)			
- fairly nest	a tity locat	ion,		
- no concerns	est time of it	spection.		

Signature: \_













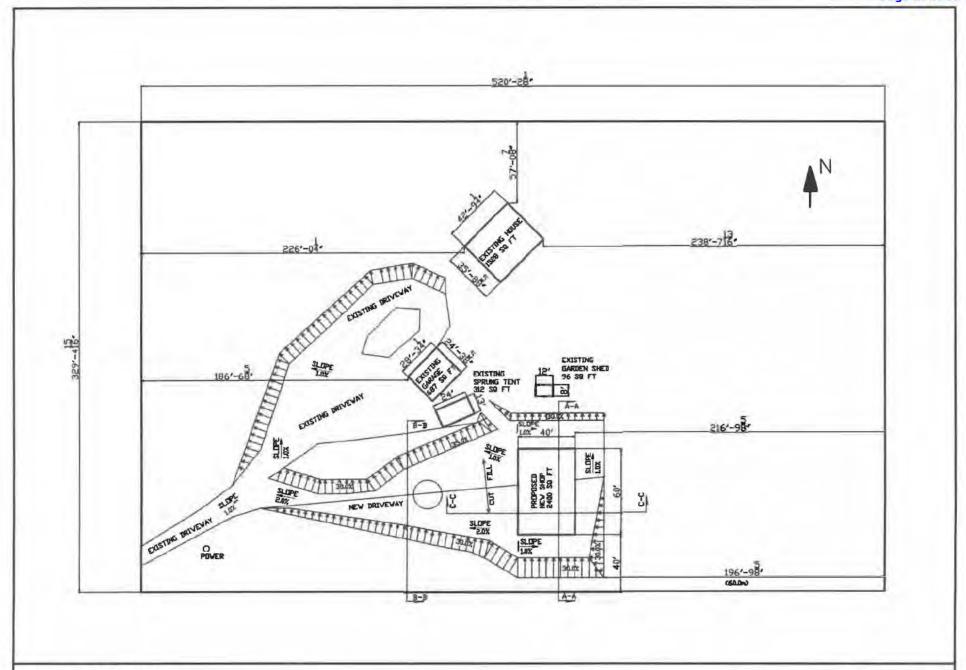






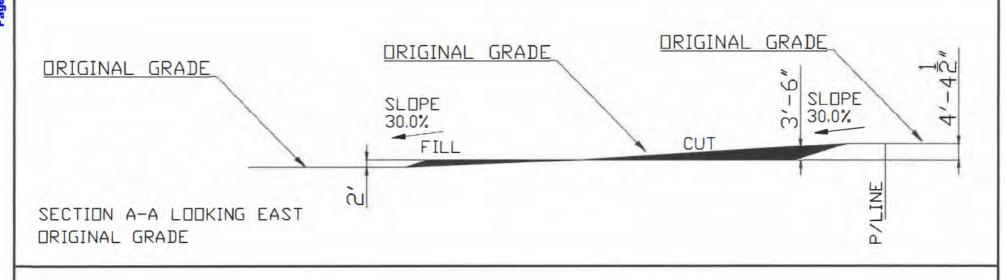


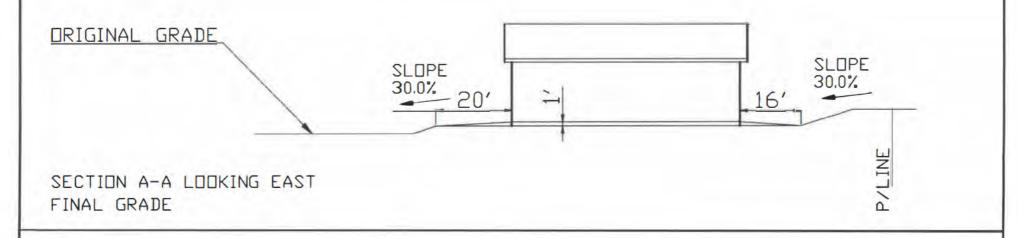




LOT 5 PLAN 9212650 231178 RANGE ROAD 54 NW 1/4 SECTION 9 TOWNSHIP 23 RANGE 5 WEST OF 5TH MERIDIAN

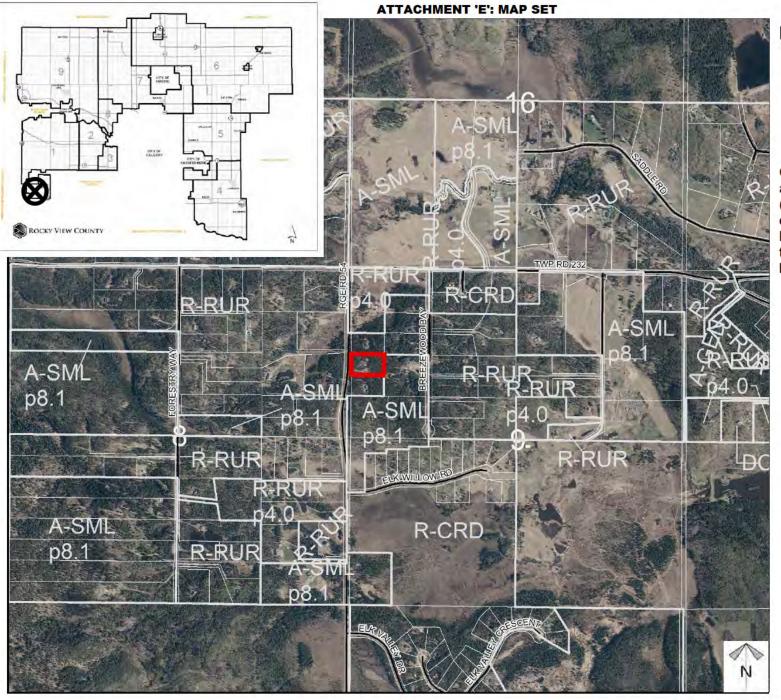
PLOT PLAN-1





LOT 5 PLAN 9212650 231178 RANGE ROAD 54 NW 1/4 SECTION 9 TOWNSHIP 23 RANGE 5 WEST OF 5TH MERIDIAN

PLOT PLAN-2 SECTIONS A-A





### Location & Context

Construction of an accessory building (oversize shop), relaxation of the maximum building height and relaxation of the maximum accessory building parcel coverage

Division: 1
Roll: 03909050
File: PRDP20202423
Printed: October 14, 2020
Legal:NW-09-23-05-W05M
Lot:5 Plan:9212650
Adenda

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#### Landowner Circulation Area

Construction of an accessory building (oversize shop), relaxation of the maximum building height and relaxation of the maximum accessory building parcel coverage

Legend

Support



Opposition



Division: 1
Roll: 03909050
File: PRDP20202423
Printed: October 14, 2020
Legal: NW-09-23-05-W05M
Lot: 5 Plan: 9212650

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

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

#### **Decision of the Municipal Planning Commission**

This is not a development permit

Development file #: PRDP20202423

Issue Date: October 30, 2020

Roll #: 03909050

Rocky View County's Municipal Planning Commission conditionally approves your August 19, 2020 development permit application for the construction of an accessory building (oversize shop), with a relaxation of the maximum height and a relaxation of the maximum accessory building parcel coverage at Lot 5; Plan 9212650 NW-09-23-05-W05M subject to the conditions as follows:

#### **Description:**

- That construction of an accessory building (oversize shop), approximately 222.96 m<sup>2</sup>
  (2,400.00 ft<sup>2</sup>) in area, may be constructed on the subject land in general accordance
  with the approved Site Plan, supporting Plot Plan drawings and submitted application, as
  amended.
  - i. That the maximum height requirement for the building is relaxed from **7.00 m**. (22.97 ft.) to **7.86 m**. (25.80 ft.);
  - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 m<sup>2</sup>** (3.067.71 ft<sup>2</sup>) to 324.69 m<sup>2</sup> (3.495.04 ft<sup>2</sup>); and
  - iii. Single-lot regrading and placement of clean fill in accordance with the final grading site plan.

#### Prior to Issuance:

- That prior to issuance of this permit, the Applicant/Owner shall submit a grading site plan that shows the extent of the proposed grading work, in accordance with County Servicing Standards. The grading plan shall provide pre-development and postdevelopment contours.
- 3. That prior to issuance of this permit, the Applicant/Owner shall submit a slope stability analysis, conducted and stamped by a professional engineer, that assess the stability of the slope and provides recommendations for the proposed construction over the slope, to the satisfaction of the County.

This is not a development permit

- 4. That prior to issuance of this permit, the Applicant/Owner shall submit a memo and/or stormwater drainage drawing, conducted and stamped by a professional engineer, that demonstrates that post-development drainage does not exceed pre-development drainage conditions in accordance with County Servicing Standards.
- 5. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control plan, to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the grading work and in perpetuity, in accordance with County Servicing Standards.
- 6. That prior to issuance of this permit, the Applicant/Owner shall submit a deep fills report, that provides placement recommendations for areas of fill greater than 1.20 m (3.93 ft.) in depth, to the satisfaction of the County.
- 7. 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:

- 8. That the exterior siding and roofing materials of the accessory building shall be similar/cohesive to the existing dwelling, single detached.
- 9. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by the separate Development Permit.
- 10. That the existing trees and terrain shall be retained onsite except as required to meet the development proposal and conditions of this permit. Any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover upon development completion.
- 11. That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 12. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent dust/small rocks from blowing onto the road, or from causing issues with other vehicles on the road.
- 13. That the entire site shall be maintained in a neat and orderly manner at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 14. That all on-site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.

15. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity including any recommendations of the stormwater memo and/or deep fills report.

#### Advisory:

- 16. That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 17. That a Building Permit and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
- 18. 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
- 19. That if this Development Permit is not issued by **May 31, 2021**, then this approval is null and void and the Development Permit shall not be issued.
- 20. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

It is the responsibility of the applicant to meet and always follow the conditions of this development permit. Fines or enforcement action may occur if operating outside of this permit. Please contact Planning and Development Services at development@rockyview.ca or 403-520-8158 for assistance with this decision or the process for meeting development conditions.

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.

Jerry Gautreau, Chair Municipal Planning Commission



### Notice of Appeal

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

ne of Appellant(s)			
Clint Docker, Julie Bocker	Torgen Sc	heel Moxina Scheel	
ing Address	0	Municipality	Province Postal Code
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Phone # Alternate Phone	#	Email Address	
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icipal Address 23/178 Rouge Road 54			k, plan OR quarter-section-township-range-meridian
Property Roll # Developme		ent Permit, Subdivision Application, P 2020 2423	
n appealing: (check one box only)			
Development Authority Decision  Approval  Conditions of Approval  Refusal		ision Authority Decision  Approval  Conditions of Approval  Refusal	Decision of Enforcement Services  ☐ Stop Order ☐ Compliance Order
esons for Appeal (attach separate	and if room	iend)	
		NOV 19 2020  NOV 19 2020  NOV 19 2020	

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401. Vov. 18 2020

Appellant's Signature

Last updated: 2020 August 07

This is a small,rural,residential property. The shop proposed will be the largest building on the property.

There are already three accessory buildings on the property.

The shop proposed is both oversized and overheight.

There is no comparable shop in the neighbourhood and it is out of character with existing neighbourhood properties.

The use proposed (vehicle maintenance) with the potential use of hazardous materials, represents a fire risk in an area that is one of the most at risk in the province. The property is located beside the only access to a large residential area, which creates a serious risk in the event of fire.

This project has been under construction for two years, with significant disruption to adjacent properties. The proposed construction schedule( yet another year) is unreasonable.