

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 Release conditions (if listed) *must* be completed.

NOTICE OF DECISION

Italian Farmhouse.(Sung Kyu Yun)

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Tuesday, May 19, 2026

Roll: 03913050

RE: Development Permit #PRDP20261702

Lot 4, Block 2, Plan 1741 EW, SE-13-23-05-05; (20 BALSAM AVENUE)

The Development Permit application for Restaurants (existing), construction of a pergola (covered) on an existing outdoor patio has been **conditionally-approved** by the Development Officer, subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That Restaurants (*existing Italian Farmhouse*), construction of a covered pergola, approximately 30.10 sq. m (324.00 sq. ft.) in area, may commence on the premises, in accordance with the approved site plan and the conditions of approval of this permit as amended.

Permanent:

2. That all conditions of Development Permit 1999-DP-8421 and PRDP20250494 shall remain valid and in effect, and shall be adhered to in perpetuity, unless otherwise noted in this approval.
3. If transport operations associated with this Development Permit involve loaded heavy vehicle movements on County roads and exceed any of the thresholds identified below, the Applicant/Owner shall contact County Road Operations (roaduse@rockyview.ca) and provide haul details for materials and equipment required during construction and/or site development:
 - i. More than 30 vehicle movements within any seven (7) day period;
 - ii. More than five (5) vehicle movements within any one (1) hour period; and
 - iii. For the purposes of this condition, a "heavy vehicle" means a vehicle that exceeds any one of the following:
 - a. Two (2) axles;
 - b. 11.00 m (36.09 ft.) in length; or
 - c. A maximum allowable gross vehicle weight of 4,500 kilograms.
 - iv. Any required agreements or Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations.



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4. That any addition, expansion, intensification, or alteration to the subject pergola shall require County approval/permits, prior to commencement.
5. That the Applicant/Owner shall be solely responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way; and
 - ii. That upon completion of the proposed development, the County may request the Applicant/Owners submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the Development Permit application, or in response to a Prior to Release condition.
6. That the exterior finish of the pergola shall be in a natural cedar colour compatible with the exterior of the existing building onsite.
7. That the pergola shall be kept in a safe, clean, and tidy condition at all times.
8. That the maximum number of seats provided for customers/patrons on the approved patio shall not exceed 30 at any time, unless issued through a separate Development Permit.
9. That no trees shall be removed from the subject property other than any dead trees onsite.
10. That all on-site lighting 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 will be required to demonstrate lighting design that reduces the extent of spill-over glare and minimizes glare as viewed from nearby residential properties, including fully shielded and cut-off lighting models.
11. That any Special Events to be held on the subject lands, outside of the *Restaurants* use, shall require an issued Special Event Permit from the County, prior to commencement.
12. That all debris/garbage/refuse generated by the development shall be properly disposed of in garbage/recycling/compost bins and disposed of at an approved disposal facility.
13. That all outdoor waste receptacles shall be Interagency Grizzly Bear Committee (IGBC), or equivalent, certified wildlife-proof waste receptacles, meeting or exceeding wildlife management authority standards.
 - i. Receptacles shall comply with the waste management policies of the Bragg Creek Area Structure Plan and shall be securely stored indoors are exempt from this requirement.
14. That any new proposed signage associated with the development, shall require a separate Development Permit, prior to installation.
15. That no alcoholic beverages are to be consumed by customers/patrons beyond the confines of the pergola at any time, unless permitted by Alberta Gaming, Liquor and Cannabis (AGLC).
16. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

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Advisory:

- That the Applicant/Owner shall obtain a Building Permit and any applicable sub-trade permits through the County's Building Services department prior to any construction taking place, using the appropriate checklists and application forms. Compliance with *the National Energy code* is also required.
- 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.
- That there shall be no parking or signage along the adjacent County road right-of-way at any time.
- That the subject development shall conform to the County's *Noise Control Bylaw C-8067-2020* and *Nuisance and Unsightly Property Bylaw C-7690-2017* in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds and be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 7, 2023], as amended*.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
 - That the Applicant/Owner shall obtain any required approvals/permits from AGLC and Alberta Health Services.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, June 9, 2026**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to release. 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 Subdivision and Development Appeal Board.

Regards,



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

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