



NOTICE OF DECISION

March 06, 2018

File No.: PLDP20180049

HARBICHT, Kim

Dear Kim Harbicht:

RE: Proposed Development Permit
Legal: NW 30-33-4-5 Plan 1211204 Block 1 Lot 1
Development Proposal: Change of Use for a portion of Dwelling from Personal Use to Commercial Use and Business, Contractors - Turning Ground Yoga & Wellness

The above noted Development Permit Application on the NW 30-33-4-5 Plan 1211204 Block 1 Lot 1 for a Change of Use for a portion of Dwelling from Personal Use to Commercial Use and Business, Contractors - Turning Ground Yoga & Wellness was considered by the Administrative Subdivision & Development Approving Authority on March 06, 2018.

The following policies were taken into consideration by the Administrative Subdivision & Development Approving Authority when reviewing the application:

Municipal Development Plan Bylaw No. 09/12	Section 5.0 Economic Development Land Use Policies 5.1.1 To establish opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.
Eagle Valley Area Structure Plan Bylaw No. 47/97 Land Use Bylaw No. 15/15	The application complies with the provisions of the ASP. Section 10.5. Business (Home Office, Home Based, or Contractors) Table 10.5-1 Home Office, Home Based, or Contractors Section 12.1 Country Residential Discretionary Uses: Business, Contractors

The Administrative Subdivision & Development Approving Authority concluded that a Change of Use for a portion of Dwelling from Personal Use to Commercial Use and Business, Contractors - Turning Ground Yoga & Wellness is suitable development for NW 30-33-4-5 Plan 1211204 Block 1 Lot 1 and conforms to the above noted policies.

As such, the Administrative Subdivision & Development Approving Authority has approved the application subject to the following conditions:

T 403.335.3311 1.877.264.9754 F 403.335.9207
1408 · Twp Rd 320 Postal Bag 100 Didsbury, AB, Canada TOM 0W0
www.mountainviewcounty.com

Building Rural Better

STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 15/15.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.

STANDARD CONDITIONS IF APPLICABLE:

4. N/A
5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. N/A

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

11. If the development authorized by a Development Permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.
12. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regards to building, electrical, gas, plumbing, and private sewage disposal systems. All permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

ADDITIONAL CONDITION(S):

13. The applicant shall obtain a Building Permit for the Change of Use for a portion of the dwelling from Personal Use to Commercial Use (Aesthetics Area 182 sq. ft. & Yoga Area: 352 sq. ft.).
14. Use of the existing Accessory Buildings - Two (2) Garages for business, industrial, commercial purposes, or residential occupancy is not permitted.
15. Permit approval is conditional to information supplied on the application form for a Business, Contractors (Turning Ground Yoga & Wellness) Development Permit to provide esthetic services, yoga classes and small amount of retail items for skin care. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
16. Future expansion, work area or additional employees, will require a new permit.

17. The proposed business shall not exceed an average of two (2) yoga class a week with an average of four (4) attendees and a maximum five (5) client visits a week for esthetic services/retail. The hours of operation shall be Tuesday 9 a.m. - 3 p.m., Thursday 9 a.m. - 3 p.m. and Friday 12 p.m. - 4 p.m. There shall be no business conducted on weekends.
18. One (1) On-Site Commercial sign is permitted and shall not exceed 4ft x 3ft. The sign shall be located on the subject property. The sign must be maintained in good repair and the applicant and/or landowner will be responsible for removal if the sign is no longer required.
19. That the applicant meets any standards and obtain any approvals required from Alberta Health Services.

A Notice of Decision will be placed in the **March 13, 2018** and **March 20, 2018** issues of the Mountain View Gazette for an appeal period which ends on **March 27, 2018** at 4:00 p.m. Should you wish to appeal this decision or any of its conditions, you must file your appeal to the Subdivision & Development Appeal Board. Your appeal must be received by the County Office on or before **March 27, 2018**. Enclosed is a copy of the appeal provisions which outlines your right to appeal this decision pursuant to Section 685(1) of the Municipal Government Act. Please note that if development commences prior to the end of the appeal period, a fine as specified in Section 7 of Land Use Bylaw No. 15/15 will be applied. Following the appeal period, should no appeals be submitted, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 135 or by email at cmabin@mvcountry.com.

Yours truly,


Carrie Mabin, Development Officer
Planning and Development Services

/lc

Enclosures

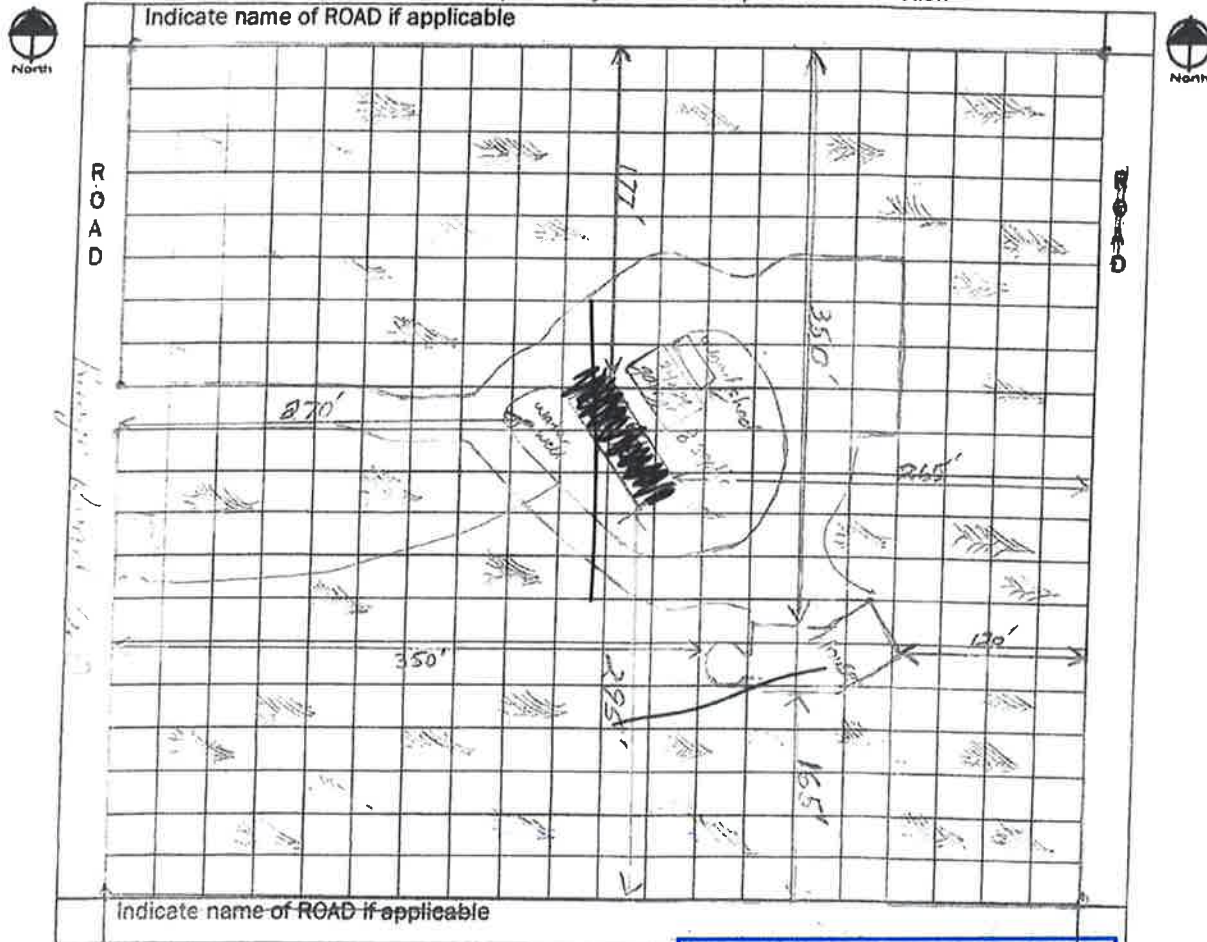
cc: DAWSON, AARON CURTIS [REDACTED]

Site Plan of Proposed Development

The Site Plan must include all of the following information in order for it to be considered complete;

- Property lines with dimensions and total area of property;
- Location of all existing, temporary and proposed structures (ie. dwellings, sheds, signs, etc.);
- Setback distances of all structures, new and existing: from the front, rear, and side yards of structures to the closest property line (front yard refers to that portion of the building facing the road);
- Label roadways and indicate existing and/or proposed access to the site;
- If applicable, location of oil & gas wells, pipelines & facilities;
- Indicate the location of water wells and septic tank/sewage disposal systems;
- If applicable, location of natural features (water courses, wooded areas, etc.) and man made features (drainage ditches, berms, etc.); and
- If applicable, location of all easements such as utility right of way, caveat, etc.

The below square may be used to represent a ¼ Section



Scale: 1 square = 29.5' feet or meters (please circle)

- Entire grid represents my 8.01 acre parcel
- Red indicates fenced property lines

CONDITIONALLY APPROVED
MOUNTAIN VIEW COUNTY
Carmel
 PLDP2080049, March 26, 2018
PLANNING AND DEVELOPMENT SERVICES
SEE LETTER FOR CONDITIONS



Mountain View
C O U N T Y

NOTICE OF DEVELOPMENT APPEAL

1408 Twp. Rd. 320 / Postal Bag 100, Didsbury, AB Canada TOM OW0
T 403.335.3311 F 403.335.9207 Toll Free 1.877.264.9754
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Excerpt from the Municipal Government Act, Section 685(1) - Grounds for Appeal
685(1) - If a development authority:

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

File Number of the Development Application: _____

APPELLANT: Name: _____ Telephone: _____
Address: _____

LAND OWNER: Name: _____ Telephone: _____
Address: _____

LAND DESCRIPTION: Registered Plan: _____ Block: _____ Lot: _____
Part: _____ Section: _____ Twp.: _____ Range: _____ Meridian _____

THIS APPEAL IS COMMENCED BY, ON BEHALF OF:

- (a) _____ Adjacent Landowner (Fee \$425.00)
- (b) _____ Developer/Applicant/Landowner (Fee \$425.00)

REASON(S) FOR THE APPEAL (use additional paper if required):

In accordance with the MGA section 686(4) and the FOIPP Act section 40(1) all information you have provided, including personal information, will be made available to the Public in its original state.

Signature of Appellant/Agent

Date