



Mountain View
C O U N T Y

NOTICE OF DECISION

July 05, 2018

File No.: PLDP20180188

Sent via email and mail: [REDACTED]

DIXON, SHANE & JODI



Dear Shane & Jodi Dixon:

RE: Proposed Development Permit

Legal: SE 18-33-1-5

Development Proposal: Kennel - Training and Boarding & Change of Use from Farm Use (Barn) to Commercial Use (Kennel) & Rear Yard Setback Relaxation to Kennel Outdoor Exercise Area

The above noted Development Permit Application on the SE 18-33-1-5 for a Kennel - Training and Boarding & Change of Use from Farm Use (Barn) to Commercial Use (Kennel) & Rear Yard Setback Relaxation to Kennel Outdoor Exercise Area was considered by the Municipal Planning Commission on July 05, 2018.

The following policies were taken into consideration by the Municipal Planning Commission when reviewing the application:

Municipal Development Plan
Bylaw No. 09/12

Section 3.0 Agricultural Land Use Policies
Section 3.1.4 - To encourage innovative, sustainable, and diversified agricultural activities

Land Use Bylaw No. 15/15

Section 5.0 Economic Development Land Use Policies
Section 10.8 Kennel
Section 10.8..5: No exterior exercise area used to accommodate dogs shall be located within 30.0 m (98.4 ft) of any property line of the parcel on which the kennel is located.
Section 11.1 A- Agricultural District
Discretionary Use – Kennel

The Municipal Planning Commission concluded that a Kennel - Training and Boarding & Change of Use from Farm Use (Barn) to Commercial Use (Kennel) & Rear Yard Setback Relaxation to Kennel Outdoor Exercise Area is suitable development for SE 18-33-1-5 and conforms to the above noted policies.

As such, the Municipal Planning Commission has approved the application subject to the following conditions:



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. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. N/A

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

11. N/A
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. Prior to construction required 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. One (1) sign, on-site commercial is permitted with the Kennel - Training and Boarding business details, shall be located on the barn on the subject property.
14. Permit approval is conditional to information supplied on the application form for a Kennel - Training and Boarding Development Permit to provide dog training and boarding services. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
15. Approval is granted for a maximum of nineteen dogs on site at all times; Five (5) personal dogs, six (6) dogs associated with the boarding facility and eight (8) dogs for training at any one time.
16. The hours of operation shall be 12:00 pm to 8:00 pm daily, year-round. Dog training shall be limited from Monday to Thursday 6.30 pm until 8.30 pm and weekends by appointment only.
17. The applicant and/or landowner will not allow the dogs to bark or howl excessively or otherwise disturb any persons.
18. On site supervision shall be maintained during the active Kennel - training operation. The dogs shall not be allowed outside without supervision and they will be housed indoors during the night.

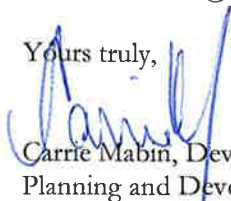
19. All exterior exercise areas (yard) shall be enclosed with a minimum six (6) foot height climb-proof fence.
20. The dogs shall not be permitted to run free off the property.
21. The applicant and/or landowner shall comply with Mountain View County's "Animal Control Bylaw".
22. Waste management of the boarding services shall be in accordance with Provincial requirements regarding waste disposal.
23. Future expansion of the Kennel - Training and Boarding business, including the dog kennel, work area, or additional animals, will require issuance of a new Development Permit.
24. If the development authorized by this Development Permit is not commenced within 2 years from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect.
25. All boarding services and associated facilities shall be kept in a manner satisfactory to the health authority and the Society for the Prevention of Cruelty of Animals (SPCA).
26. A setback relaxation from the north property line for the kennel outdoor exercise area shall be permitted for the life of the business.
27. Should the Development Permit for the kennel operation be considered void the landowner shall meet the maximum dogs on the subject property as per the County's Animal Control Bylaw.

A Notice of Decision for this Development Permit, that lists all the conditions and includes the site plan, will be placed on the County's website at www.mountainviewcounty.com/DiscretionaryUse. This decision will also be advertised on **July 10, 2018** and **July 17, 2018** in the Mountain View Gazette. Should you wish to appeal this decision, or any of its conditions, you must file your appeal to the Subdivision & Development Appeal Board, at the County Office, prior to 4:00 pm on **July 26, 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

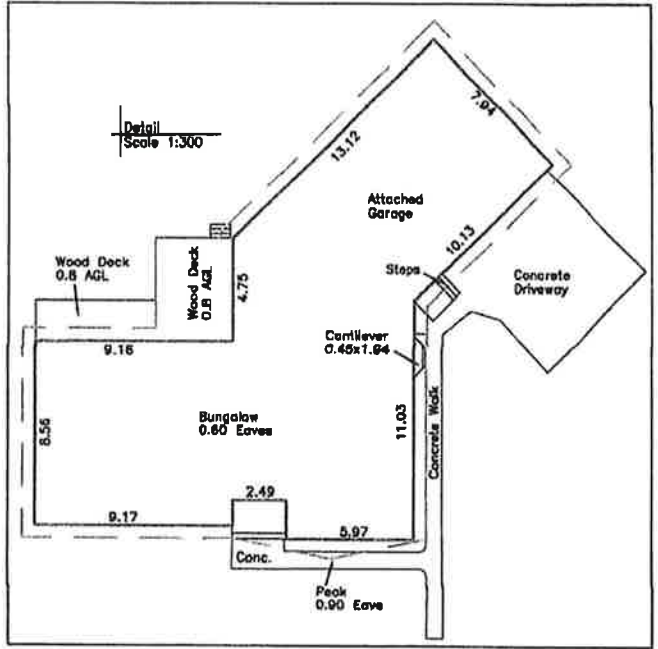
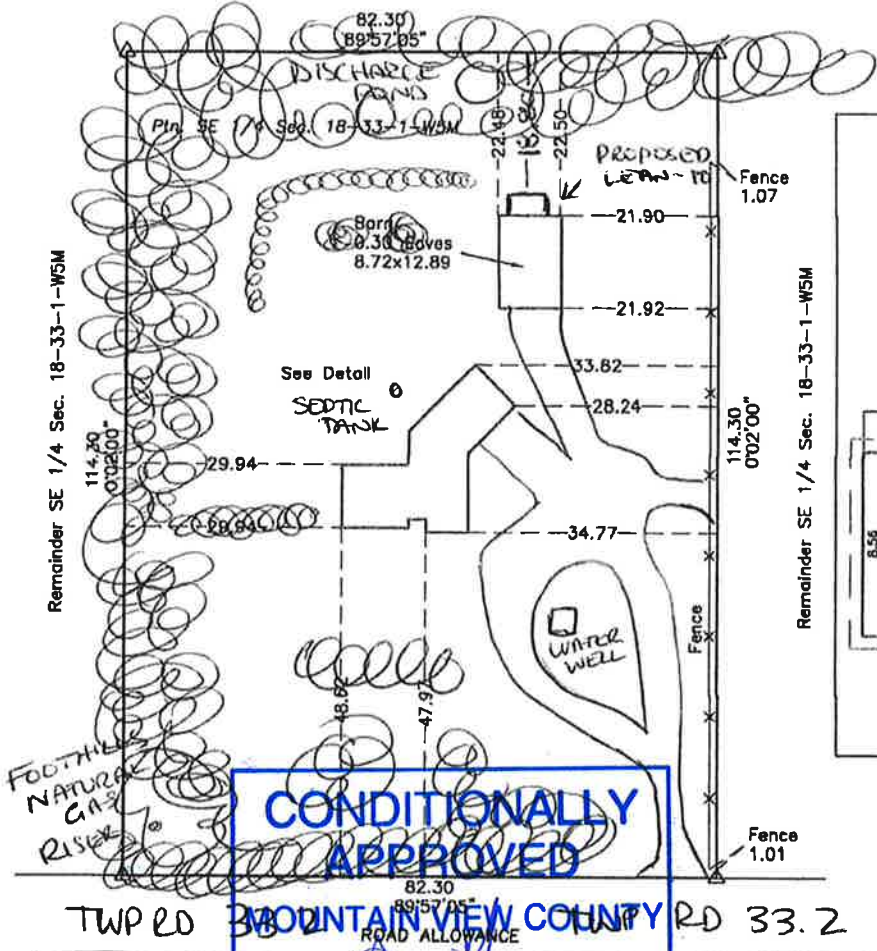
/k/

Enclosures

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 3 of a Real Property Report and is ineffective if it is detached from page 1 or 2. Page 3 of 3
 Legal Description: Ptn. SE 1/4 Sec. 18-33-1-W5M Municipality: Mountain View County

Remainder SE 1/4 Sec. 18-33-1-W5M



CONDITIONALLY APPROVED
MOUNTAIN VIEW COUNTY
 PLD 20080188, July 05, 2012
PLANNING AND DEVELOPMENT SERVICES
SEE LETTER FOR CONDITIONS

Mountain View County verifies that the location of the permanent buildings or structures as shown in this report complies with municipal setbacks and sideyard regulations of Land Use Bylaw No. 11/11.

Exceptions _____

Relaxation provided pursuant to DPEO-039-Granting a setback relaxation for dwelling + Section 5.1.9(b) of LUB 11/11

2012 July 1 26
 Year Month Day

Development Officer
 File No. PLD 20080188
 Scale: 1:1000 Drawn: LKM
 File No.: 12-236

ENCUMBRANCES:

Registration No. Particulars
 751 055 970 Utility Right of Way - Foothills Natural Gas Co-op Ltd.

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Unless otherwise noted, fences are shown within 0.20m of Property Lines

RECEIVED

MAY 7 2 2010

MOUNTAIN VIEW COUNTY
 OSBURY



SexSmith Surveys Ltd.
 Box 5122, High River, Alberta, T1V 1M3
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