



**Mountain View**  
C O U N T Y

**NOTICE OF DECISION**

June 26, 2018

File No.: PLDP20180223

Sent via email and mail: [REDACTED]

HUTTON, COLTER REED & KRYSTAL ANGELA  
[REDACTED], [REDACTED], [REDACTED]

Dear Colter Reed & Krystal Angela Hutton:

**RE: Proposed Development Permit**

**Legal: SW 16-31-3-5**

**Development Proposal: Accessory Building - Attached Garage with Westerly Front Yard Setback Relaxations**

The above noted Development Permit Application on the SW 16-31-3-5 for a Accessory Building - Attached Garage with Westerly Front Yard Setback Relaxations was considered by the Development Officer on June 26, 2018.

The following policies were taken into consideration by the Development Officer when reviewing the application:

Land Use Bylaw No. 15/15

Section 11.1 A – Agricultural District  
Site Regulations: Front Yard Setbacks

The Development Officer concluded that a Accessory Building - Attached Garage with Westerly Front Yard Setback Relaxations is suitable development for SW 16-31-3-5 and conforms to the above noted policies.

As such, the Development Officer 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:**

T 403.335.3311 1.877.264.9754 F 403.335.9207  
1408 - Twp Rd 320 Postal Bag 100 Didsbury, AB, Canada TOM OWO  
[www.mountainviewcounty.com](http://www.mountainviewcounty.com)

**Building Rural Better**

4. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. N/A
6. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
7. N/A
8. N/A
9. N/A
10. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

**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. 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. The Accessory Building - Attached Garage shall not be used for business, industrial, commercial purposes or residential occupancy.
14. The westerly front yard setback relaxation for the proposed attached garage is approved for the life of the building.

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](http://www.mountainviewcounty.com/DiscretionaryUse). This decision will also be advertised on **July 03, 2018** and **July 10, 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 17, 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.

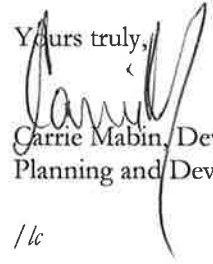
Following the appeal period, should no appeals be submitted, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

Should you wish to appeal this decision, you must file your appeal to the Subdivision & Development Appeal Board. Your appeal must be received by the Subdivision & Development Appeal Board on or before **July**

17, 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, Revised Statutes of Alberta 2000.

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](mailto:cmabin@mvcountry.com).

Yours truly,



Carrie Mabin, Development Officer  
Planning and Development Services

/lc

Enclosures



# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 2 of a Real Property Report and is ineffective if it is detached from page 1,3 or 4. Page 2 of 4

Legal Description: Ptn. SW¼ Sec. 16-31-3-W5M.

Municipality: Mountain View County

NW¼ Sec. 16-31-3-W5M.

808.19  
89°55'35"

16  
31-3-W5M.

Est. By  
Plan 071 5778

Mountain View County  
verifies that the location of the permanent  
buildings or structures as shown in the  
report ~~complies~~ / ~~does not comply with~~  
municipal setbacks and sideyard regulation  
and Land Use Bylaw No. 15/15.

Exceptions \_\_\_\_\_

Relaxation provided pursuant to \_\_\_\_\_

2018 MARCH 29  
Month Day

SW¼ Sec. 16-31-3-W5M.

Development Officer

*PLCC20180105*

SE¼ Sec. 17-31-3-W5M.

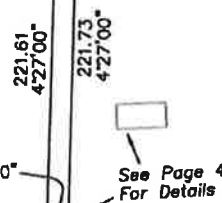
798.58  
179°49'40"  
Road Allowance

20.12  
89°55'35"

798.61  
179°49'40"

*attached garage*

**CONDITIONALLY APPROVED**  
See Page 3 For Details  
**MOUNTAIN VIEW COUNTY**  
*Larivie*  
*PLP20180223 June 26, 2018*  
**PLANNING AND DEVELOPMENT SERVICES**  
**SEE LETTER FOR CONDITIONS**



20.12  
90°00'00"

25.30  
359°49'40"

434.00  
90°00'00"

15.29  
270°00'00"

5.18  
0°00'00"

25.30  
359°46'25"

5.18  
0°00'00"

NE 8  
Fd. No Mk.  
Re-est By Plan 4039JK

NE 8  
Fd. No Mk.  
Re-est By Plan 4039JK

829.10  
90°00'00" Assumed  
NW¼ Sec. 9-31-3-W5M.

Road Widening  
Plan 4039JK

R3  
Fd. I.

N¼ 9  
Fd. No Mk.  
Re-est By  
Plan 4039JK

## ENCUMBRANCES:

| Registration No. | Particulars   |
|------------------|---|
| 981 105 044      | Utility Right of Way - Foothills Natural Gas Co-op Ltd. |
| 051 356 928      | Caveat - Re: Road Widening                              |

## 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. Fences not shown



Scale: 1:5000 Drawn: RLJ  
File No.: 18-057



**SexSmith Surveys Ltd.**

Box 5122, High River, Alberta, T1V 1M3

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**Mountain View**  
**C O U N T Y**

# NOTICE OF DEVELOPMENT APPEAL

1408 Twp. Rd. 320 / Postal Bag 100, Didsbury, AB Canada T0M 0W0  
T 403.335.3311 F 403.335.9207 Toll Free 1.877.264.9754  
www.mountainviewcounty.com

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):**

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*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