



## NOTICE OF DECISION

May 23, 2023

File No.: PLDP20230148

Sent via email and mail: [REDACTED]

MCCOWAN, LLANA & MORLEY, JOHN  
[REDACTED]

Dear Llana & John:

**RE: Proposed Development Permit**

**Legal: NE 6-29-3-5**

**Development Proposal: Business, Home Based (JD's Auto-Tech Services Inc.) with Setback Relaxations to Existing Structures**

The above noted Development Permit application on the NE 6-29-3-5 for a Business, Home Based (JD's Auto-Tech Services Inc.) with Setback Relaxations to Existing Structures was considered by the Administrative Subdivision & Development Approving Authority on May 23, 2023.

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

Municipal Development Plan	3.0 Agricultural Land Use Policies
Bylaw No. 20/20	5.0 Economic Development Land Use Policies
Land Use Bylaw No. 21/21	10.5. Business (Home Office, Home Based, or Contractors)
	11.1. A Agricultural District

The Administrative Subdivision & Development Approving Authority concluded that a Business, Home Based (JD's Auto-Tech Services Inc.) with Setback Relaxations to Existing Structures is suitable development for NE 6-29-3-5 and conforms to the above noted policies.

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

### STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 21/21.
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.
4. If the development authorized by a Development Permit is not complete 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.

**STANDARD CONDITIONS IF APPLICABLE:**

5. Landowners shall be responsible for dust control on the County road adjacent to their property.
6. N/A
7. 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.
8. N/A
9. N/A
10. N/A
11. 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:**

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. Permit approval is conditional to information supplied on the application form for a Business, Home Based (JD's Auto-Tech Services Inc.) with Setback Relaxations to Existing Structures. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Future expansion and/or intensification of the business, additional employees, or additional uses will require the issuance of a new Development Permit.
15. The applicant, landowner and/or operator shall obtain a license from AMVIC as businesses that are involved in the buying, selling, or leasing, repair and maintenance of automobiles, trucks or recreation vehicles in Alberta must be licensed by AMVIC.
16. The Hours of Operation shall be year-round, from 9:00 a.m. to 4:00 p.m., Monday to Friday.
17. The proposed business shall not generate more than two customer visits per day.
18. The maximum number of client vehicles permitted on site, inside buildings or outside, at any one time shall be two client vehicles.
19. No outside storage of equipment related to the business is approved with this permit.



20. No commercial vehicles related to the business are approved with this permit.
21. No signage related to the business is approved with this permit.
22. The applicant, landowner and/or operator shall not generate noise, smoke, odour, steam, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive to the Approving Authority.
23. The applicant, landowner and/or operator shall dispose of all scrap metal, chemicals, oil, and other hazardous materials collected and contained on site in a timely manner to prevent possible soil contamination, and shall comply with all environmental standards and permit requirements of the authority having jurisdiction regarding the containment and disposal of said materials.
24. The applicant, landowner and/or operator shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 011 156 270.
25. As per the submitted application, southerly setback relaxations are granted for the life of the buildings.

Note: Portions of this property are contained within an Environmentally Significant Area, therefore the applicant and/or landowner is encouraged to maintain and preserve the natural state of the land.

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 <https://www.mountainviewcounty.com/p/development-permits>. This decision will be advertised on **May 30, 2023** and **June 06, 2023** in The Albertan. Should you wish to appeal this decision, or any of its conditions, your appeal must be received by the Secretary of the Subdivision & Development Appeal Board, by 4:00 p.m. on **June 13, 2023**.

Enclosed is a copy of the appeal provisions which outlines your right to appeal this decision pursuant to Section 685 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. 21/21 may 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. 211 or by email at [bhutchings@mvcountry.com](mailto:bhutchings@mvcountry.com).

Yours truly,

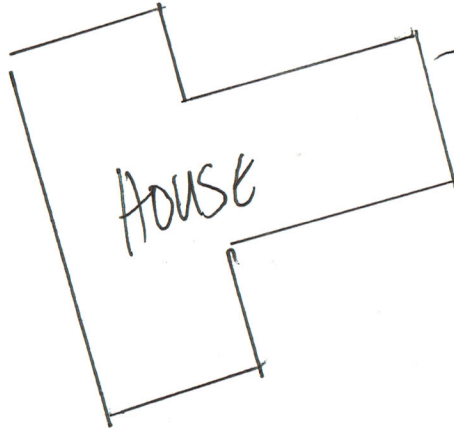
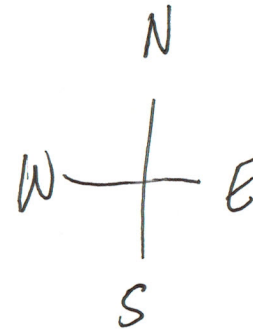


Becky Hutchings, Development Officer  
Planning and Development Services

/lc

Enclosures



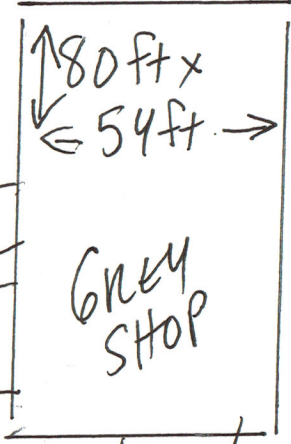


**CONDITIONALLY  
APPROVED**  
MOUNTAIN VIEW COUNTY  
May 23, 2023  
PLDP20230148 *[Signature]*  
PLANNING AND DEVELOPMENT  
SERVICES  
SEE LETTER FOR CONDITIONS

< 1/8 mile to property line  
←



← 82 ft →



3/8th mile  
From east  
property  
line

YARD

70 ft  
↓ to property line

SEACAN #1

27 ft  
from  
South property  
line

SEACAN #2  
41 ft from south  
property line

SEACAN #2

SEACAN #1

MORLEY/MCCOWAN



## 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 - 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.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

File Number of the Development Application: \_\_\_\_\_

APPELLANT: Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_

LANDOWNER: 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/Affected Person (Fee \$425.00) (b) ☐ Developer/Applicant/Landowner (Fee \$425.00)

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

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The personal information on this form is being collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act (FOIP) and *Municipal Government Act* Sections 678 and 686 for the purpose of preparing and conducting an Appeal Hearing. By providing the above personal information, **the applicant consents to the information being made available to the public and Appeal Board in its entirety** under Section 17(2) of the Alberta Freedom of Information and Protection of Privacy Act. Any inquiries relative to the collection or use of this information may be directed towards to: Mountain View County FOIP Coordinator 1408 - Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0 Ph: 403-335-3311

\_\_\_\_\_  
Signature of Appellant/Agent

\_\_\_\_\_  
Date