



NOTICE OF DECISION

April 23, 2024

File No.: PLDP20240117

Sent via email and mail: [REDACTED]

Ness, David & Audra
[REDACTED]

Dear David & Audra Ness:

RE: Proposed Development Permit
Legal: NW 20-32-5-5 Plan 0212509 Lot 59
Development Proposal: Accessory Building - Gazebo

The above noted Development Permit application on the NW 20-32-5-5 Plan 0212509 Lot 59 for a Accessory Building - Gazebo was considered by the Administrative Subdivision & Development Approving Authority on April 23, 2024.

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

Municipal Development Plan	Section 5.4 Recreational Development Policies
Bylaw No. 20/20	Section 6.0 Environmental Land Use Policies

Land Use Bylaw No. 21/21	Section 9.12 Hazard Lands
	Section 15.3 Parks & Comprehensive Recreation District

The Administrative Subdivision & Development Approving Authority concluded that a Accessory Building - Gazebo is suitable development for NW 20-32-5-5 Plan 0212509 Lot 59 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.

T 403.335.3311 1.877.263.9754 F 403.335.9207
10-1408 Twp Rd 320 Postal Bag 100 Didsbury, AB, Canada T0M 0W0
www.mountainviewcounty.com

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. N/A
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. No development shall be constructed, placed or stored over an easement or utility right-of-way; the applicant/owner is responsible for contacting Alberta-One-Call and/or other governing authority.

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

10. 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 regard 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):

11. The Accessory Building - Gazebo shall be flood-proofed. New mechanical, electrical services and equipment shall be designed and installed a minimum of 0.6 m (2.0 ft.) above the 1 in 100-year design flood. New or replacement private sewer systems shall be designed and installed to be flood-proofed.
12. Use of the proposed Accessory Building - Gazebo for business, industrial, commercial purposes, or residential occupancy is not permitted
13. The applicant and/or landowner shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 021 258 959.

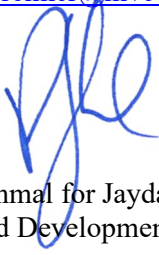
A Notice of Decision for this Development Permit, that lists all the conditions and includes the site plan, will be placed on the County's website at <https://www.mountainviewcounty.com/p/development-permits>. This decision will be advertised on **April 30, 2024** and **May 07, 2024** in The Albertan. 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 **May 14, 2024**.

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. 171 or by email at jreimer@mvcountry.com .

Yours truly,

A handwritten signature in blue ink, appearing to be 'JReimer', is written over the 'Yours truly,' text.

Peggy Grochmal for Jaydan Reimer, Development Officer
Planning and Development Services

/mh

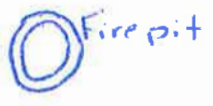


Lot 59



Shed

More than 1 metre

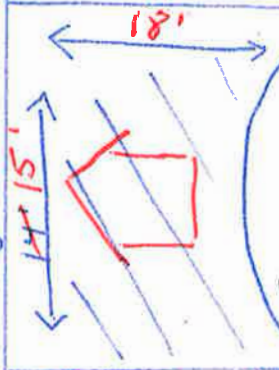


Fire pit

**CONDITIONALLY
APPROVED**
MOUNTAIN VIEW COUNTY
PLDP20240117
April 23, 2024
PLANNING AND DEVELOPMENT
SERVICES
SEE LETTER FOR CONDITIONS

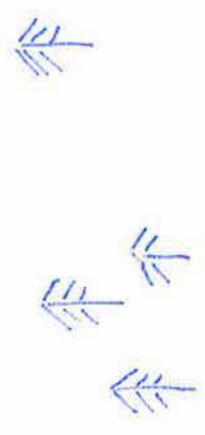
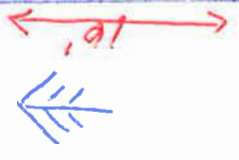
Variable depth
based on Curvature
of current Cement

New Cement



Gazebo
Set back
1 metre from
Property line
as per PLDP
Approval

Current Cement



Lot 60

Street



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):

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