



NOTICE OF DECISION

April 08, 2025

File No.: PLDP20250096

Sent via email and mail:

KIMMEL, RICHARD MARK

DIDSBURY, AB T0M 0W0

Dear Richard Mark Kimmel:

RE: Proposed Development Permit

Legal: SE 18-31-2-5 Plan 0714674 Block 1 Lot 1

Development Proposal: Dwelling, Single Detached to Replace Existing Dwelling, Accessory Building - Sea Can, and Setback Relaxations to Existing Structures

The above noted Development Permit application on SE 18-31-2-5 Plan 0714674 Block 1 Lot 1 for a Dwelling, Single Detached to Replace Existing Dwelling, Accessory Building - Sea Can, and Setback Relaxations to Existing Structures was considered by the Administrative Subdivision & Development Approving Authority on April 08, 2025.

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

Municipal Development Plan Section 3.0 Agricultural Land Use Policies
Bylaw No. 20/20

Land Use Bylaw No. 10/24 Section 4.2. No Development Permit Required
Section 9.8 Dwelling Density
Section 11.1. A Agricultural District

The Administrative Subdivision & Development Approving Authority concluded that a Dwelling, Single Detached to Replace Existing Dwelling, Accessory Building - Sea Can, and Setback Relaxations to Existing Structures is suitable development for SE 18-31-2-5 Plan 0714674 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:

STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 10/24.

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. 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. This permit is issued for a Dwelling, Single Detached to Replace Existing Dwelling. The existing dwelling shall be removed, and the site reclaimed, within 24 months as per Condition #4 of this permit, or upon occupancy in the new dwelling, whichever occurs first. Only one dwelling is permitted with the issuance of this permit.
12. If the existing dwelling is being demolished, the applicant/landowner shall obtain a Demolition Permit prior to commencing demolition.
13. Use of the existing Accessory Building - Sea Can for business, industrial, commercial purposes, or residential occupancy is not permitted.
14. Setback relaxations are granted for the life of the buildings as per the submitted application.

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 15, 2025** and **April 22, 2025** 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 **April 29, 2025**.



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. 10/24 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.

Yours truly,



Becky Hutchings, Development Officer
Planning and Development Services

Enclosures

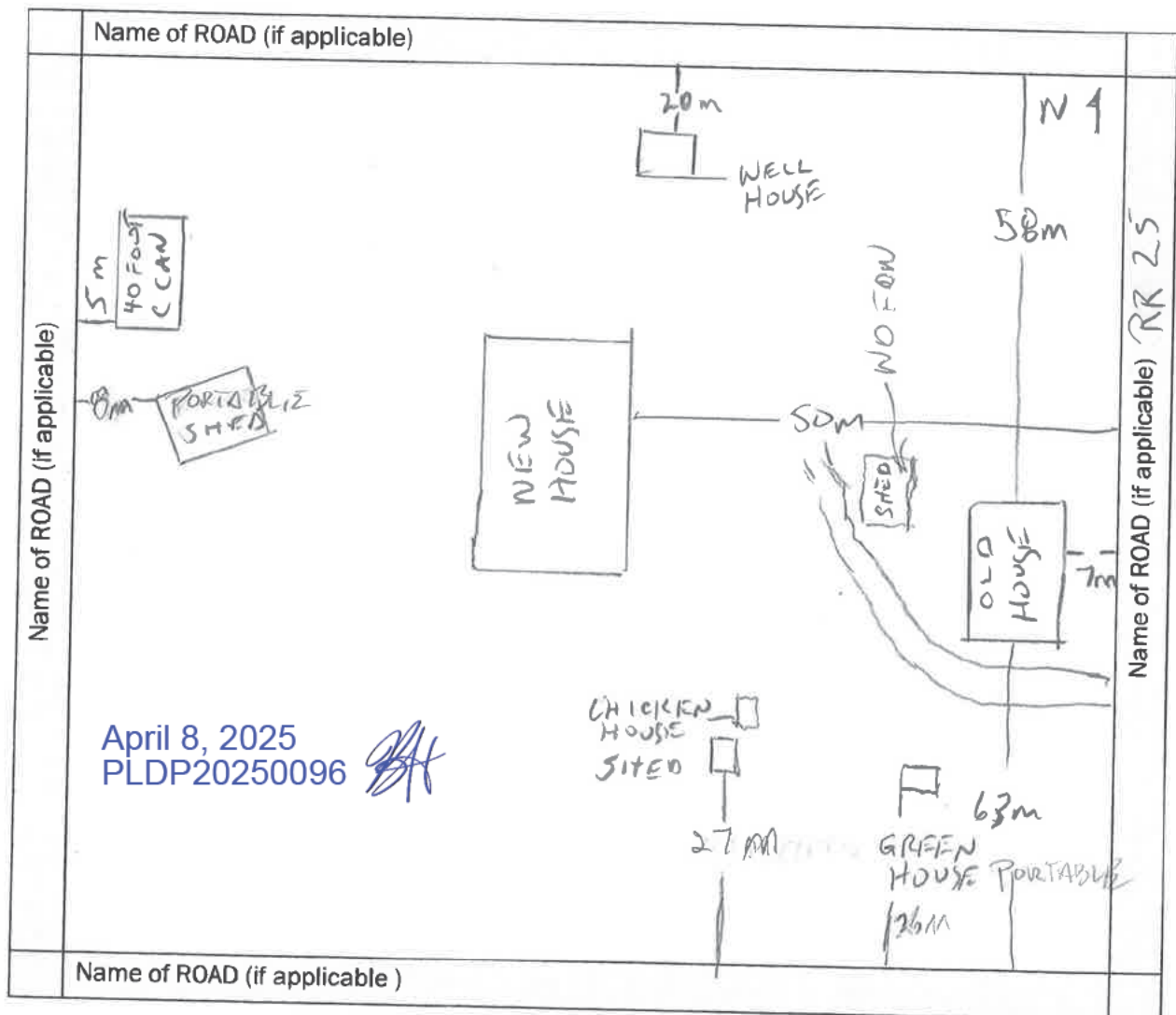


Site Plan of Proposed Development

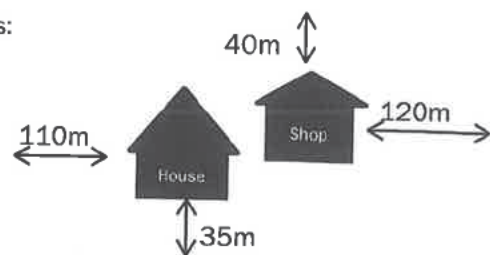
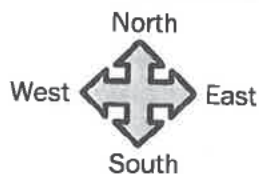
The Site Plan shall include:

- ☐ Property dimensions (all sides)
- ☐ Location and labels of **all** structures including proposed structures including dwellings, sheds, signs, etc
- ☐ Setback measurements, from all sides of the property lines, for all structures, new and existing
- ☐ Identify roadways and indicate existing and/or proposed access to the site
- ☐ Identify the location of oil & gas wells, pipelines & facilities - if applicable
- ☐ Indicate the location of water wells and septic tank/sewage disposal systems
- ☐ Location of all easements such as utility right of way, caveat, etc. - if applicable

The below square represents the subject parcel



Indicate the distances from the closest structure(s) to all property lines:
For Example:





Mountain View
COUNTY

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