



NOTICE OF DECISION

May 07, 2024

File No.: PLDP20240107

Sent via email and mail:
&

Wiebe, Bretton & Amber

Dear Bretton & Amber Wiebe:

RE: Proposed Development Permit

Legal: SE 13-34-5-5 Plan 9512064 Block 1

Development Proposal: Change of Use of Accessory Building - Shop to Dwelling, Single Detached and Setback Relaxations to Existing Structures

The above noted Development Permit application on the SE 13-34-5-5 Plan 9512064 Block 1 for a Change of Use of Accessory Building - Shop to Dwelling, Single Detached and Setback Relaxations to Existing Structures was considered by the Administrative Subdivision & Development Approving Authority on May 07, 2024.

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

Municipal Development Plan
Bylaw No. 20/20

Section 3.0 Agricultural Land Use Policies
Section 6.0 Environmental Land Use Policies

Land Use Bylaw No. 21/21

Section 9.12. Hazard Lands
Section 11.1. A Agricultural District

The Administrative Subdivision & Development Approving Authority concluded that a Change of Use of Accessory Building - Shop to Dwelling, Single Detached and Setback Relaxations to Existing Structures is suitable development for SE 13-34-5-5 Plan 9512064 Block 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. 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. 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 applicant/landowner shall obtain a Building Permit for the Change of Use for the existing Accessory Building - Shop to a Dwelling, Single Detached.
 12. The applicant/landowner shall adhere to the flood fringe development standards in Section 9.12. Hazard Lands of Land Use Bylaw No. 21/21. No basements are permitted.
 13. The Dwelling, Single Detached 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.
 14. All recommendations of the James River Flood Assessment, prepared by Hydroconsult EN3 Services Ltd. for Challenger Geomatics Ltd., dated March 2003, shall be adhered to.
 15. Temporary RV Accommodation is permitted only during the active construction of the proposed Change of use of Accessory Building - Shop to Dwelling, Single Detached. Living accommodation
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in the RV will cease within 24 months of the issuance of this Development Permit, or upon final inspection of the Dwelling, Single Detached, whichever comes first. No further RV occupancy or camping is permitted.

16. As per the submitted application, setback relaxations are granted for the life of the buildings.
17. As the subject land is located within an ESA 1 (very high significance) designation, measures shall be taken to preserve the integrity of the land, the trees, and any wildlife. Future proposals may require additional studies including a Flood Risk Assessment and Erosion Control Measures.

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 14, 2024** and **May 21, 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 Land & Property Rights Tribunal, by 4:00 p.m. on **May 28, 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. 211 or by email at bhutchings@mvcountry.com.

Yours truly,



Becky Hutchings, Development Officer
Planning and Development Services
/mh

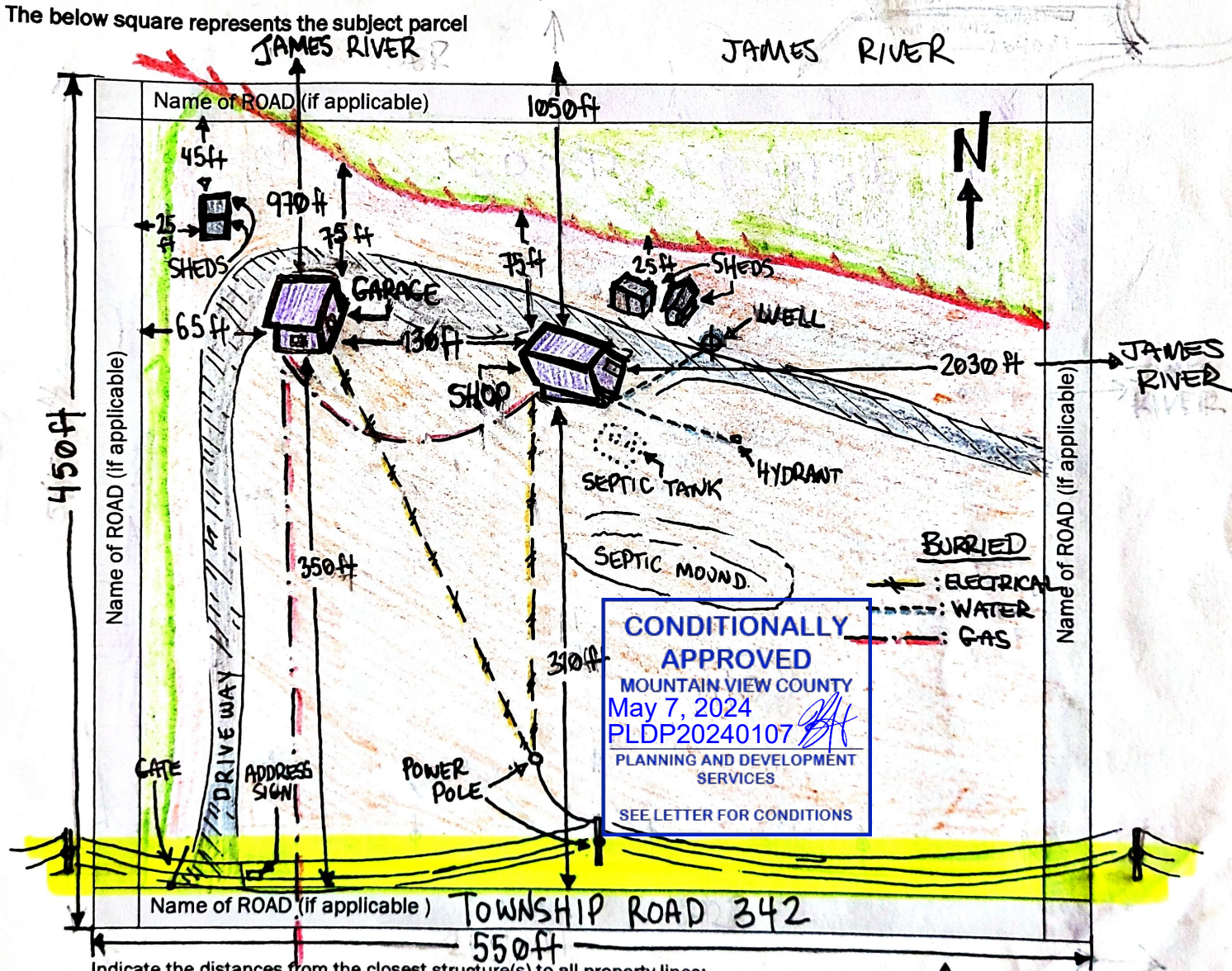


Site Plan of Proposed Development

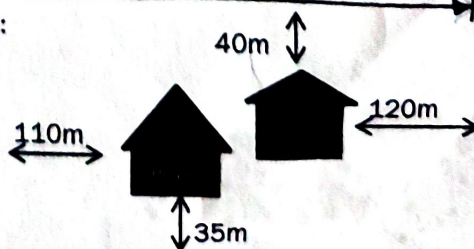
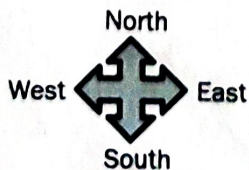
The Site Plan shall include:

- ✓ 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:





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