



AMENDED NOTICE OF DECISION

September 20, 2022

File No.: PLDP20220268

Sent via email and mail: [REDACTED]

ZARICHNEY, Sheldon Murray & Theresa Marie
[REDACTED]

Dear Sheldon & Theresa Zarichney:

RE: Proposed Amended Development Permit

Legal: NW 20-32-5-5 Plan 0911079 Lot 38

Development Proposal: Accessory Buildings - Two Sheds, Arizona Room, Gazebo and Two Covered Decks with Setback Relaxations

The above noted **Amended** Development Permit application on the NW 20-32-5-5 Plan 0911079 Lot 38 for Accessory Buildings - Two Sheds, Arizona Room, Gazebo and Two Covered Decks with Setback Relaxations was considered by the Administrative Subdivision & Development Approving Authority on September 20, 2022.

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

Growth Centre	Within Town of Sundre Growth Centre
Municipal Development Plan Bylaw No. 20/20	Section 5.4 Recreational Development Policies Section 7.0 Growth Centres & Economic Nodes
South McDougal Flats Area Structure Plan	Section 8.7 Recreation
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 Accessory Buildings - Two Sheds, Arizona Room, Gazebo and Two Covered Decks with Setback Relaxations is suitable development for NW 20-32-5-5 Plan 0911079 Lot 38 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. 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. 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. As per the submitted application, the northerly front yard setback relaxation for the RV and the westerly side yard setback relaxation for Shed 1 are granted for the life of the buildings.
14. The Accessory Buildings - Two Sheds, Arizona Room, Gazebo and Two Covered Decks 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.
15. Use of the proposed Accessory Buildings - Two Sheds, Arizona Room, Gazebo and Two Covered Decks for business, industrial, commercial purposes, or residential occupancy is not permitted.
16. The applicant, landowner and/or operator shall adhere to all the requirements itemized within the Development Agreements registered on Title as Instruments 021 258 959, 091 045 611, and 091 045 612.



An **Amended** Notice of Decision for this **Amended** 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 **September 27, 2022** and **October 04, 2022** 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 **October 11, 2022**.

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 **Amended** 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

/ss

Enclosures



LOT 38 Phase 3,

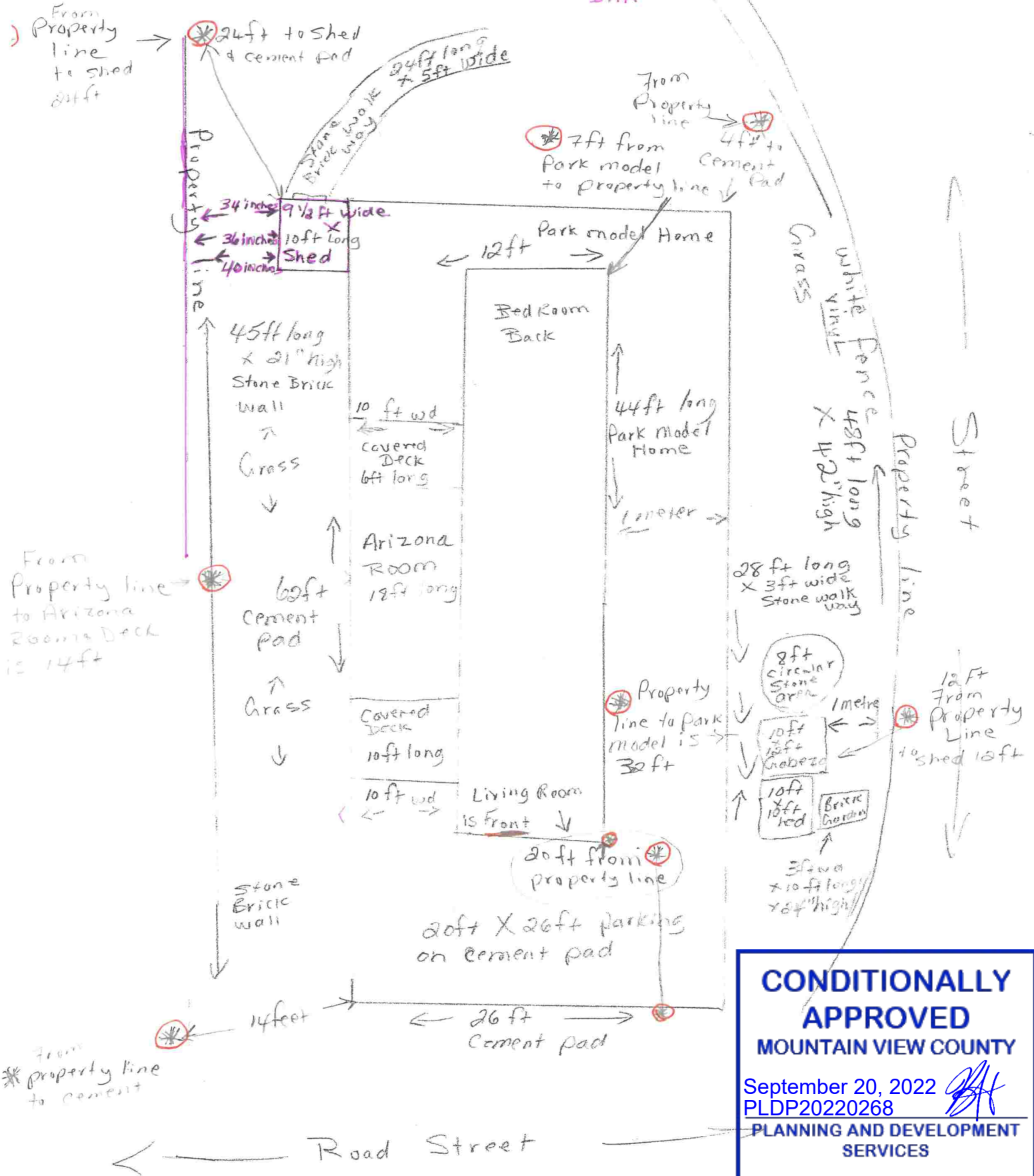
owners: Theresa & Sheldon Zarichney

Legal: NW 20 032 5 5

P0911079 Block B Lot 38

Surveyed by Sundre A.E. Tom 1/10

Revised
changes in purple
INK





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 (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