



NOTICE OF DECISION

July 07, 2022

File No.: PLDP20220234

Sent via email and mail: joyunleashedproject@gmail.com

JOY UNLEASHED LTD.
RR2, Site 3, Comp 30
Carstairs, AB T0M 0N0

Dear Karen Miller:

RE: Proposed Development Permit
Legal: SW 20-30-3-5 Plan 1014218 Block 2 Lot 1
Development Proposal: Kennel, Commercial and Dwelling, Single Detached with Attached Accessory Building - Kennel

The above noted Development Permit application on the SW 20-30-3-5 Plan 1014218 Block 2 Lot 1 for a Kennel, Commercial and Dwelling, Single Detached with Attached Accessory Building - Kennel was considered by the Municipal Planning Commission on July 07, 2022.

The following policies were taken into consideration by the Municipal Planning Commission when reviewing the application:

Municipal Development Plan Bylaw No. 20/20	3.0 Agricultural Land Use Policies 5.0 Economic Development Land Use Policies
Land Use Bylaw No. 21/21	2.5 Definitions 10.10. Kennel, Commercial Section 11.1 Agricultural District

The Municipal Planning Commission concluded that a Kennel, Commercial and Dwelling, Single Detached with Attached Accessory Building - Kennel is suitable development for SW 20-30-3-5 Plan 1014218 Block 2 Lot 1 and conforms to the above noted policies.

As such, the Municipal Planning Commission 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. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
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. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.
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 Kennel, Commercial and Dwelling, Single Detached with Attached Accessory Building - Kennel to provide dog breeding services. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Approval is granted for a maximum of twenty-four puppy litters a year and up to fifty-five dogs (including adult dogs and puppies) for breeding at any one time.
15. The Hours of Operation for the office shall be year-round by appointment only between 11:00 a.m. to 7:00 p.m.



16. On-site supervision shall be maintained during the active kennel operation. The dogs shall not be allowed outside without supervision, and they will be housed indoors during the night from 9:00 p.m. to 8:00 a.m.
17. All exterior exercise areas (yard) shall be enclosed with a minimum six-foot height climb-proof fence.
18. The applicant, landowner and/or operator will not allow the dogs to bark or howl excessively or otherwise disturb any persons.
19. The dogs shall not be permitted to run free off the property.
20. Future expansion of the Kennel, Commercial (Breeding) including the dog kennel, boarding of dogs, additional work area, additional kennel services or additional animals, will require issuance of a new Development Permit.
21. The applicant, landowner and/or operator shall comply with Mountain View County's "Dog Control Bylaw".
22. Waste management of the breeding operation shall be in accordance with Provincial requirements regarding waste disposal.
23. All breeding operations and associated facilities shall be kept in a manner satisfactory to the health authority and the Society for the Prevention of Cruelty of Animals (SPCA).
24. No signage has been approved with issuance of this permit. Any future signage on the subject property will require issuance of a new permit.
25. The applicant, landowner and/or operator shall adhere to all the requirements itemized within the Restrictive Covenant registered on Title as Instrument 101 333 910.

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 **July 12, 2022** and **July 19, 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 **July 28, 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 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@mvcounty.com.

Yours truly,



Jaydan Reimer, Development Officer
Planning and Development Services



/lc

Enclosures

cc: Circle E Farms Ltd c/o Kees Uittenbogerd Box 570 Linden, AB T0M 1J0 - kees.uitt@gmail.com



CONDITIONALLY APPROVED
MOUNTAIN VIEW COUNTY
 PLDP20220234
 July 7, 2022
 PLANNING AND DEVELOPMENT SERVICES
 SEE LETTER FOR CONDITIONS

PROPOSED: KENNEL/PERSONAL RESIDENCE building
 30303- RR 35
 (Township Road 303 and Range Road 35)

Kennel:
 Building Main floor: 4800 sq.ft main floor with closed in soundproof dog runs
 Heated concrete floors; insulated walls/roof
 Grooming Room, Show room, large and small pens
 Outside perimeter: 6'0" high closed in dog containment fencing

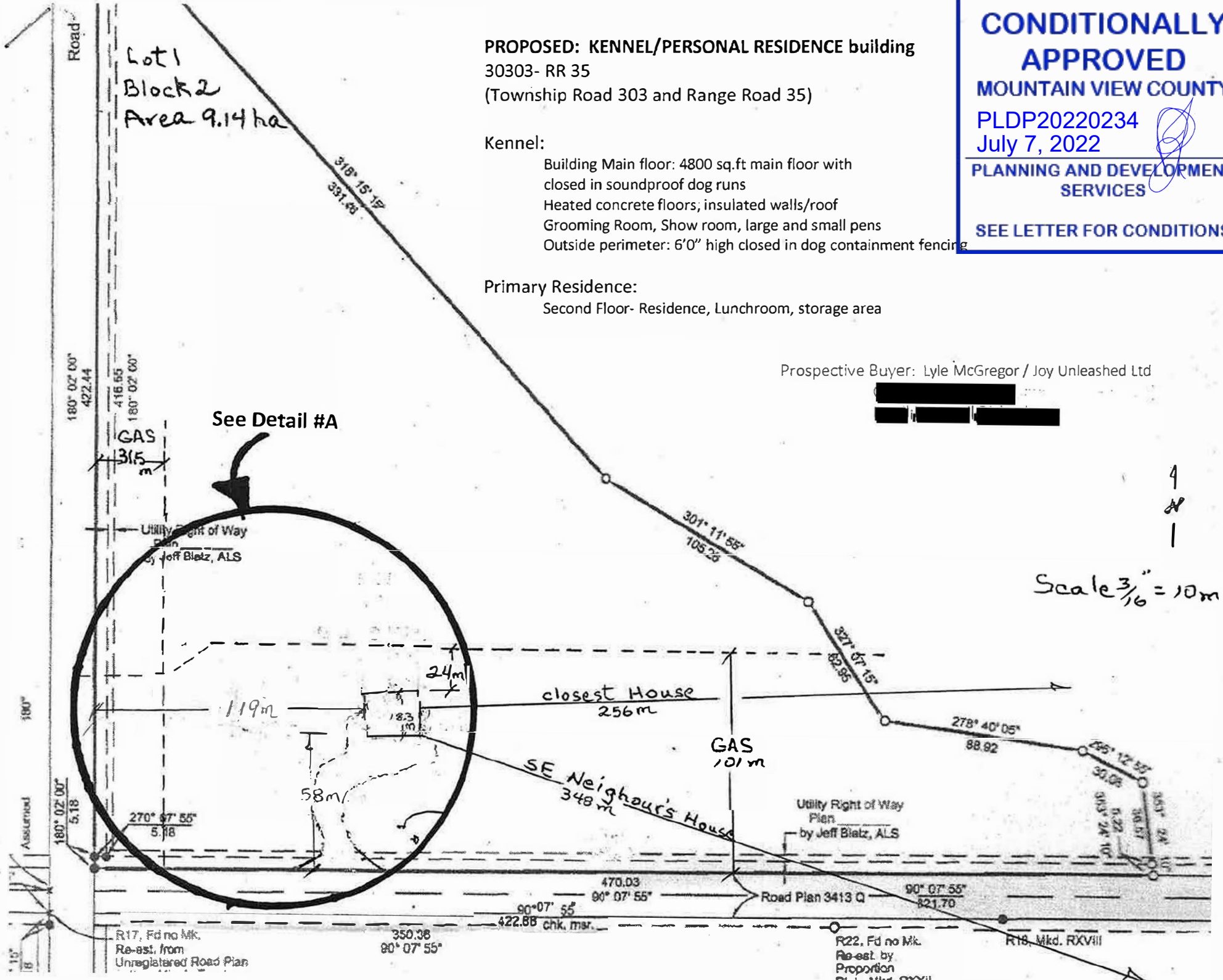
Primary Residence:
 Second Floor- Residence, Lunchroom, storage area

Prospective Buyer: Lyle McGregor / Joy Unleashed Ltd



4
 N
 1

Scale $\frac{3}{16}'' = 10m$



See Detail #A

Lot 1
 Block 2
 Area 9.14 ha

GAS
 31.5 m

Utility Right of Way
 Plan
 by Jeff Blatz, ALS

closest House
 256 m

GAS
 101 m

SE Neighbour's House
 348 m

Utility Right of Way
 Plan
 by Jeff Blatz, ALS

Road Plan 3413 Q

R17, Fd no Mk.
 Re-est. from
 Unregistered Road Plan

R22, Fd no Mk.
 Re-est. by
 Proportion

R18, Mkd. RXVIII



Mountain View
C O U N T Y

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,

(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.

the person applying for the permit or affected by the order under section 645 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