



NOTICE OF DECISION

April 18, 2024

File No.: PLDP20240056

Sent via email and mail: [REDACTED]

SCHINKEL, JESSE
[REDACTED]

Dear Jesse Schinkel:

RE: Proposed Development Permit

Legal: SE 28-30-4-5

Development Proposal: Business, Contractors - Tony's Auto Service Ltd., Change of Use of existing Accessory Building - Shop to Commercial Use, and Three Sign, On-Site Commercial

The above noted Development Permit application on the SE 28-30-4-5 for a Business, Contractors - Tony's Auto Service Ltd., Change of Use of existing Accessory Building - Shop to Commercial Use, and Three Sign, On-Site Commercial was considered by the Municipal Planning Commission on April 18, 2024.

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

Municipal Development Plan
Bylaw No. 20/20

Section 3.0 Agricultural Land Use Policies
Section 5.0 Economic Development Land Use Policies

Land Use Bylaw No. 21/21

Section 10.5. Business (Home Office, Home Based, or Contractors)
Section 11.1. A Agricultural District

The Municipal Planning Commission concluded that a Business, Contractors - Tony's Auto Service Ltd., Change of Use of existing Accessory Building - Shop to Commercial Use, and Three Sign, On-Site Commercial is suitable development for SE 28-30-4-5 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. N/A
6. N/A
7. N/A
8. A rural address is required to be posted on the property. The landowner shall contact the Corporate Services Department of Mountain View County to obtain a rural address including the requirements for posting it on the property in accordance with the Rural Addressing Bylaw.
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. Permit approval is conditional to the information supplied on the application form for a Business, Contractors - Tony's Auto Service Ltd., Change of Use of existing Accessory Building - Shop to Commercial Use, and Three Sign, On-Site Commercial. The applicant, landowner, and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
 12. Previously issued Development Permits DP94-082 and PLDP20190261 shall be deemed null and void with the issuance of this Development Permit.
 13. The applicant, landowner, and/or operator shall obtain a Building Permit for the Change of Use of existing Accessory Building - Shop to Commercial Use.
 14. The Hours of Operation shall be year-round, open to the public Monday to Wednesday from 9:00 a.m. to 5:00 p.m., and by appointment only Thursday to Friday from 10:00 a.m. to 3:00 p.m. There shall be no business conducted on Saturdays, Sundays, and statutory holidays.
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15. Client visits shall not exceed a maximum of 5 per day or 10 per week during the open to the public Hours of Operation from Monday to Wednesday and the by appointment only Hours of Operation from Thursday to Friday.
16. Up to three additional employees other than the applicant, landowner, and/or operator are permitted with issuance of this permit.
17. Future expansion and/or intensification of the business including additional work area, additional employees, or additional uses will require the issuance of a new Development Permit.
18. The applicant, landowner, and/or operator shall obtain a license from AMVIC as businesses that are involved in the buying, selling, leasing, repair, and/or maintenance of automobiles, trucks, or recreation vehicles in Alberta must be licensed by AMVIC.
19. Vehicle sales shall not be permitted on this site.
20. The maximum number of client vehicles associated with the Business, Contractors that shall be permitted on site, inside buildings or outside, at any one time, shall be 15 vehicles. Dilapidated vehicles or equipment shall not be permitted to remain or be stored onsite at any time.
21. The proposed Business, Contractors shall not have more than one commercial vehicle associated with the business on the subject property at any given time.
22. All outside storage shall be limited to the proposed parking lot on the west side of the existing shop and must meet all setback requirements. Outside storage shall be screened from view through the use of privacy fence and vegetation to the satisfaction of the County.
23. The entire site shall be maintained in a neat and orderly manner at all times.
24. The applicant, landowner, and/or operator shall not generate noise, smoke, odour, steam, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive to the Approving Authority.
25. All chemicals, oil, and other hazardous materials shall be stored in an approved container system and disposed of off-site in a timely manner by authorized personnel specializing in proper disposal methods.
26. The applicant, landowner, and/or operator shall comply with all environmental standards and permit requirements of the authority having jurisdiction for the containment and disposal of scrap metal and chemicals on site.
27. Three Sign, On-Site Commercial are permitted; two signs mounted on the north and east exterior walls which shall not exceed 4 ft. x 8 ft., and one sign mounted on the west man door of the shop which shall not exceed 1.5 ft. x 1 ft. The signs must be maintained in good repair and the applicant, landowner, and/or operator shall be responsible for removal if the signs are no longer required.
28. The applicant, landowner, and/or operator shall obtain, and adhere to, a Roadside Development Permit from Alberta Transportation. Permit must be obtained from: <https://www.alberta.ca/roadside-development-permits.aspx>
29. The applicant, landowner, and/or operator shall obtain, and adhere to, a Sign Installation Permit from Alberta Transportation. Permit must be obtained from: <https://www.alberta.ca/roadside-development-permits.aspx>



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 23, 2024** and **April 30, 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 9, 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

cc: TONY'S AUTO SERVICE LTD.
C/O Schinkel, Paul & Sharon
20 Murray Pl
Calgary, AB T3Z 3L4 - paulshar@telus.net



Alberta Land Surveyor's Real Property Report

CLIENT: PAUL & SHARON SCHINKEL

LEGAL DESCRIPTION:

LOT: Remainder Of The CIVIC ADDRESS: 4305 TWP RD 304
BLOCK: S.E.1/4 28 MOUNTAIN VIEW COUNTY
PLAN: 30-4 w5M LOCATION: S.E.1/4 Sec.28 Twp.30 Rg.4 w5M

LEGEND & NOTES:

DISTANCES ARE IN METRES AND DECIMALS THEREOF. AGL MEANS ABOVE GROUND LEVEL.
STATUTORY IRON POSTS FOUND ARE SHOWN THUS .
IRON BARS FOUND SHOWN THUS .
TEMPORARY POINT ESTABLISHED SHOWN THUS .
ALL FENCES ARE WITHIN 0.2m OF PROPERTY LINES EXCEPT WHERE SHOWN OTHERWISE.
EAVES ARE MEASURED TO LINE OF FASCIA, UNLESS OTHERWISE SPECIFIED.
UNLESS OTHERWISE SPECIFIED, THE CLEARANCES SHOWN ARE TO FINISHED SIDING
MEASURED PERPENDICULARLY FROM THE PROPERTY BOUNDARIES.

TITLE INFORMATION:

TITLE NUMBER: 231 349 100 SEARCHED ON THE DATE OF: DECEMBER 9, 2023
PROPERTY IS SUBJECT TO:
831 150 725: URW-COCHRANE LAKE GAS CO-OP.
011 372 464: CAVEAT (ROAD WIDENING)-MTN. VIEW CTY.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS REPORT WAS PREPARED AND PERFORMED UNDER MY SUPERVISION, DIRECTION, AND CONTROL, AND IN ACCORDANCE WITH THE STANDARDS AND RULES FOR THE PRACTICE OF SURVEYING PRESCRIBED BY THE ALBERTA LAND SURVEYORS' ASSOCIATION, ACCORDINGLY WITHIN THOSE STANDARDS AND AS OF THE "DATE OF SURVEY", I AM OF THE OPINION THAT:

1. THE REPORT ILLUSTRATES THE BOUNDARIES OF THE PROPERTY, THE IMPROVEMENTS AS DEFINED IN PART C, SEC. 6.5 OF THE ALBERTA LAND SURVEYORS' ASSOCIATION'S MANUAL OF STANDARD PRACTICE, & REGISTERED EASEMENTS AND RIGHTS-OF-WAY AFFECTING THE EXTENT OF TITLE TO THE PROPERTY;
2. THE IMPROVEMENTS ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PROPERTY;
3. NO VISIBLE ENCROACHMENTS EXIST ON THE PROPERTY FROM ANY IMPROVEMENTS SITUATED ON AN ADJOINING PROPERTY;
4. NO VISIBLE ENCROACHMENTS EXIST ON REGISTERED EASEMENTS OR RIGHTS-OF-WAY AFFECTING THE EXTENT OF PROPERTY.

PURPOSE: THIS REPORT HAS BEEN PREPARED FOR THE BENEFIT OF THE PROPERTY OWNER, SUBSEQUENT OWNERS, AND ANY OF THEIR AGENTS FOR THE PURPOSE OF A BUSINESS LICENSE.

COPYING IS PERMITTED ONLY FOR THE BENEFIT OF THESE PARTIES. WHERE APPLICABLE, REGISTERED EASEMENTS AND UTILITY RIGHTS-OF-WAY AFFECTING THE EXTENT OF THE PROPERTY HAVE BEEN SHOWN. UNLESS OTHERWISE SHOWN, PROPERTY CORNER MARKERS HAVE NOT BEEN PLACED DURING THE SURVEY FOR THIS REPORT. THIS PLAN SHOULD NOT BE USED TO ESTABLISH BOUNDARIES DUE TO THE RISK OF MISINTERPRETATION OR MEASUREMENT ERROR BY THE USER. THE INFORMATION SHOWN ON THIS REAL PROPERTY REPORT REFLECTS THE STATUS OF THIS PROPERTY AS OF THE DATE OF SURVEY ONLY. USERS ARE ENCOURAGED TO HAVE THE REAL PROPERTY REPORT UPDATED FOR FUTURE REQUIREMENTS AS SUBSEQUENT DEVELOPMENT CHANGES ON THE PROPERTY WILL NOT BE REFLECTED ON THE REPORT.

DATED AT ROCKY MOUNTAIN HOUSE, ALBERTA

FEBRUARY 5, 2024.

R.L. HAAGSMA A.L.S.

MOUNTAIN VIEW COUNTY APPROVAL

THE LOCATION OF THE BUILDINGS AS SHOWN ON THE ABOVE PLAN COMPLIES WITH THE SETBACK, REARYARD, AND SIDEYARD REQUIREMENTS OF THE LAND USE BYLAW OF MOUNTAIN VIEW COUNTY.

APPROVED THIS DAY OF 2024.

DEVELOPMENT OFFICER FOR MOUNTAIN VIEW COUNTY.

DATE OF SURVEY: FEBRUARY 2, 2024

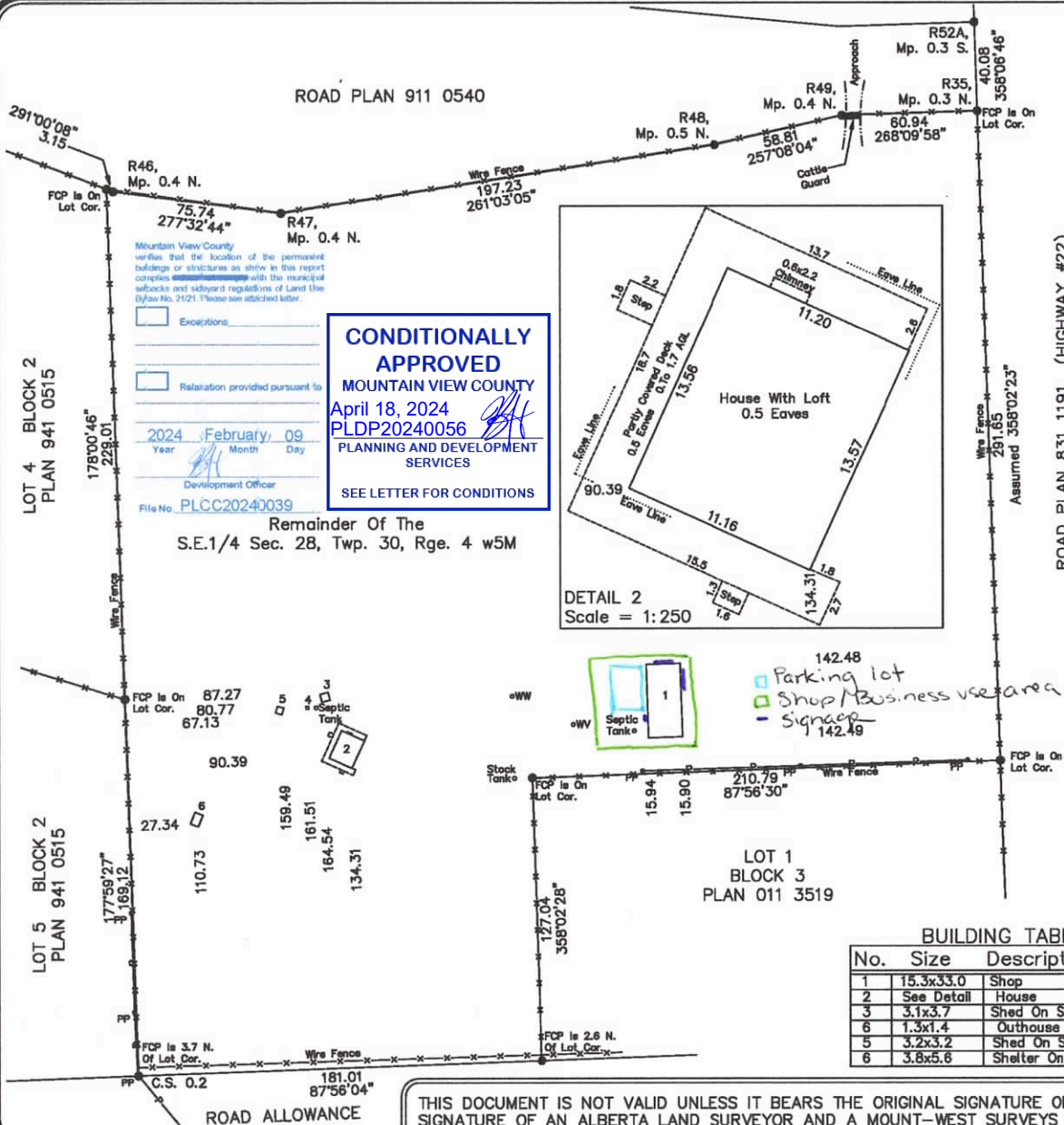
SCALE = 1 : 2000

DRAWN BY: RMD

Job: R-004-24.1

CHECKED BY: RLH

HIGH COUNTRY SURVEYS
BOX 1930, ROCKY MOUNTAIN HOUSE
T4T 1B4
Ph: (403) 845-5974
Fax: (403) 845-2974 2024 ©



DETAIL 2
Scale = 1:250

| No. | Size | Description | Eaves |
|-----|------------|------------------|-------|
| 1 | 15.3x33.0 | Shop | 0 |
| 2 | See Detail | House | .5 |
| 3 | 3.1x3.7 | Shed On Skids | .2 |
| 6 | 1.3x1.4 | Outhouse | .2 |
| 5 | 3.2x3.2 | Shed On Skids | .3 |
| 4 | 3.8x5.6 | Shelter On Skids | .3 |

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OR DIGITAL SIGNATURE OF AN ALBERTA LAND SURVEYOR AND A MOUNT-WEST SURVEYS PERMIT STAMP.



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