

MOUNTAIN VIEW COUNTY

SUBDIVISION AND DEVELOPMENT

APPEAL BOARD HEARING

Tuesday, November 22, 2022
9:00 a.m.

NE 11-32-3 W5 PLAN 1612155 BLOCK 1 LOT 1

JASON & MICHELLE FINNIGAN
(APPELLANT)

CHRISTOPHER & KAYLA GRUDESKI
(APPLICANT/LANDOWNER)

DEVELOPMENT FILE NO. - PLDP20220369

APPEAL FILE NO. - SDABPLDP20220369

AGENDA

SUBDIVISION & DEVELOPMENT APPEAL BOARD HEARING

Mountain View County

The Subdivision & Development Appeal Board will hold an Appeal Hearing on Tuesday, November 22, 2022, in the Council Chamber, 10-1408 Twp Rd. 320, Didsbury, AB and by Remote Call in via Zoom Teleconference.

1. AGENDA
 - 1.1 Adoption of Agenda
2. ADOPTION OF MINUTES
 - 2.1 Nil
3. APPEAL HEARING
 - a.) Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation located on NE 11-32-3 W5 Plan 1612155 Block 1 Lot 1
 - b.) Appeal Procedure
 - **Appeal Statements****Secretary (to read)**
 - **Jurisdiction of Appeal**.....**Secretary (to read)**
 - **Preliminary Issues****Secretary (to read)**
 - **Development Application Background****Planning & Development**
(Margaretha Bloem, Director of Planning & Development Services)
 - **Presentation****Appellant** (Jason & Michelle Finnigan)
 - a.) Others in Support of Appellant
 - b.) Letters submitted in support**Secretary (to read)**
 - **Presentation****Respondents** (Becky Hutchings, Development Officer)
 - a.) Applicant (Christopher & Kayla Grudeski)
 - b.) Others in Support of Respondents
 - c.) Letters submitted in support**Secretary (to read)**
4. BREAK
 - **Summary or Rebuttal**
 - a.) Respondent (Becky Hutchings, Development Officer)
 - b.) Applicant (Christopher & Kayla Grudeski)
 - c.) Appellant (Jason & Michelle Finnigan)
 - **Final Questions by the Board**
 - **Adjournment and dismissal of persons attending the Hearing from Council Chambers**
5. IN-CAMERA (CLOSED MEETING SESSION)
6. ADJOURNMENT



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Notice of Development Appeal



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: PLDP20220369

APPELLANT: Name: Jason & Michelle Finnigan Telephone: 403-586-9295
Address: RR2 Site 12 Box 4 Olds, AB T4H 1P3
Email: jasonmichelle2011@gmail.com Kayla Marie
LANDOWNER: Name: Grudeski Christopher Jason & Telephone: _____
Address: _____

LAND DESCRIPTION: Registered Plan: 1612155 Block: 1 Lot: 1
Part: NE Section: 11 Twp.: 32 Range: 3 Meridian: 5

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):

See attached.

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

October 26, 2022

KEVIN & LISA LAND

Rachel Pavan
RACHEL PAVAN

Michelle Finnigan
Michelle & Jason Finnigan

Appeal Key Points:

a) High traffic volume increases on Range Road 31

- 1) Increased safety risks related to the following:
 - Residents walking and riding bikes on the road (including children)
 - Resident pets who potentially may wander on to the road
 - Livestock that may be on the road, intentionally or unintentionally, which increases the risk to drivers
 - Drivers/business clients, including new drivers, not used to driving on gravel roads (hazards include speed, wildlife, livestock, dust, and meeting oncoming traffic, including machinery or other large vehicles)
 - Range Road 31 has a very narrow width (6m) and steep shoulders. It was not built to accommodate such a large volume of traffic.
 - Heavy truck and trailer use Range Road 31 when road bans are in place on Range Road 25 or Hwy 766 (both paved). RR31 is the only through road between the two.
 - An increase of people and traffic in the area without an increase of Peace Officer patrol, which increases the concern for security, loitering, and traffic violations (ie. speed).
- 2) High volume of traffic to be expected **every** evening (until 10pm) and weekend, as per the proposed business hours outlined in the development permit. (Land Use Bylaw 10.5, #1 - ..."late calling of clients of an unreasonable number")

b) Business itself does not follow the County's economic development goals, nor does it successfully promote business diversification accurately.

- 1) Point #1 under Mountain View County's Economic Develop Goals is "Protecting the Agricultural Identity of Mountain View County". This business is not only non-agricultural, but it is also taking away from productive farmland.
- 2) Negatively impacts the use and enjoyment of neighboring properties within time periods when residents are most likely to be at home (Land Use Bylaw Section 5.2, #9.a.ii., and Section 10.5, #1 - "... excessive lighting....and other nuisances").
- 3) Country Residential is not proper zoning to accommodate this type of business. Any similar businesses within Alberta are located within industrial or commercially-zoned areas.

Development Background
And
Development Application
PLDP20220369

1. Background Summary
2. Presentation



Development Appeal Background

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

SUBJECT: Development Appeal
 SUBMISSION TO: Subdivision and Development Appeal Board
 MEETING DATE: November 22, 2022
 DEPARTMENT: Planning and Development Services
 File: SDABPLDP20220369

Property Information:	NE 11-32-3-5 Plan 1612155 Block 1 Lot 1 Div: Four (4) Located on the west side of Range Road 31, one and a half miles north of Township Road 320.
Appellant:	FINNIGAN, Michelle & Jason
Applicant/Landowner:	GRUDESKI, Christopher Jason & Kayla Marie
Development:	Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation
Land Use Designation: (LUB 21/21)	Section 5.2 Decision on a Development Permit Application Section 10.5 Business (Home Office, Home Based, or Contractors) Section 12.1. R-CR Country Residential District Discretionary Use: Business, Contractors - <i>on stand-alone parcels only</i> Site Regulations: Setback from Agricultural District: 17 m

Overview:

Planning and Development are representing the Municipal Planning Commission regarding an appeal lodged by the appellant concerning a development application approval for:

- **Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation**

On October 06, 2022, Municipal Planning Commission heard an application for a **Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation** and subsequently approved the development application.

A report and presentation on behalf of the Municipal Planning Commission, as a Respondent, will be presented by Development Officer Becky Hutchings.

Respectively Submitted

Jessica Ross, Assistant Director
 Development & Permitting Services.

Planning and Development are representing the Municipal Planning Commission regarding an appeal lodged by the appellant concerning a development application approval for a **Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation**

APPLICANT: GRUDESKI, Christopher Jason & Kayla Marie

LANDOWNER: GRUDESKI, Christopher Jason & Kayla Marie

LEGAL: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

DIVISION: 4

ZONING: Country Residential District (R-CR)

ACRES: 3.01



Mountain View COUNTY

County Location

- Proposed Development Permit Location
- Paved Roads and Highways
- Town/Village
- Mountain View County

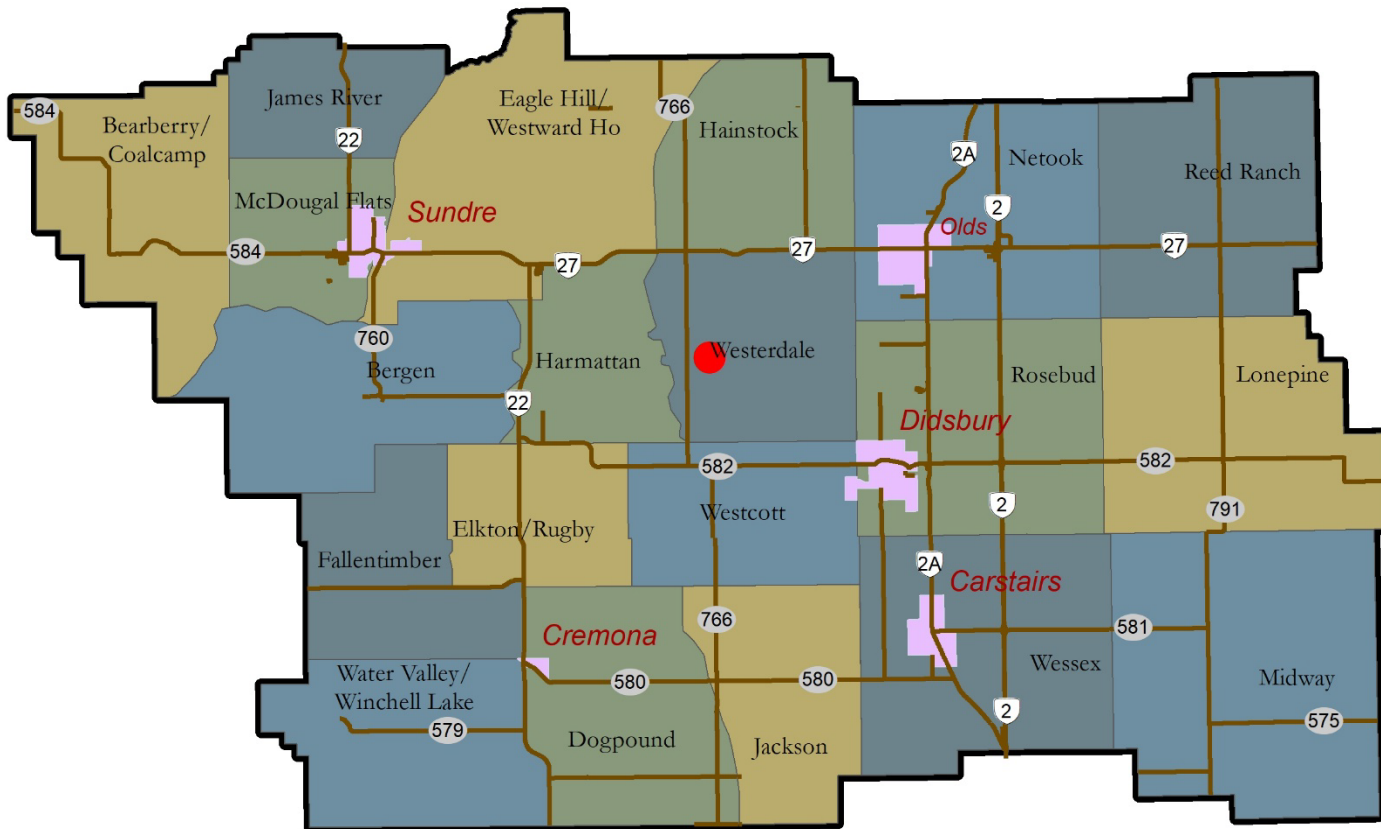
0 5 10 20
Km

Scale: 1:450,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator

NOTE: Point is not to scale and
it is an estimation of the location



Legal Location: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

File Number: PLDP20220369



Mountain View COUNTY

Location, Land Use, Ownership & Circulation

- Rural Address
- Proposed Development Permit
- Airport Height Limitation
- Land Use Zoning**
 - Agricultural District (A)
 - Agricultural (2) District (A(2))
 - Country Residential District (R-CR)
 - Country Residential (1) District (R-CR1)
 - Residential Farmstead District (R-F)
 - Local Commercial District (C-LC)
 - Business Park District (I-BP)
 - Heavy Industrial District (I-HI)
 - Aggregate Extraction/Processing District (AEP)
 - Parks and Conservation District (P-PC)
 - Parks and Recreation District (P-PR)
 - Parks and Comprehensive Recreational District (P-PCR)
 - Institutional, Educational and Cultural District (S-IEC)
 - Airport District (S-AP)
 - Direct Control

→ Subject Land



0 250 500 1,000 1,500 Meters

Scale: 1:25,000

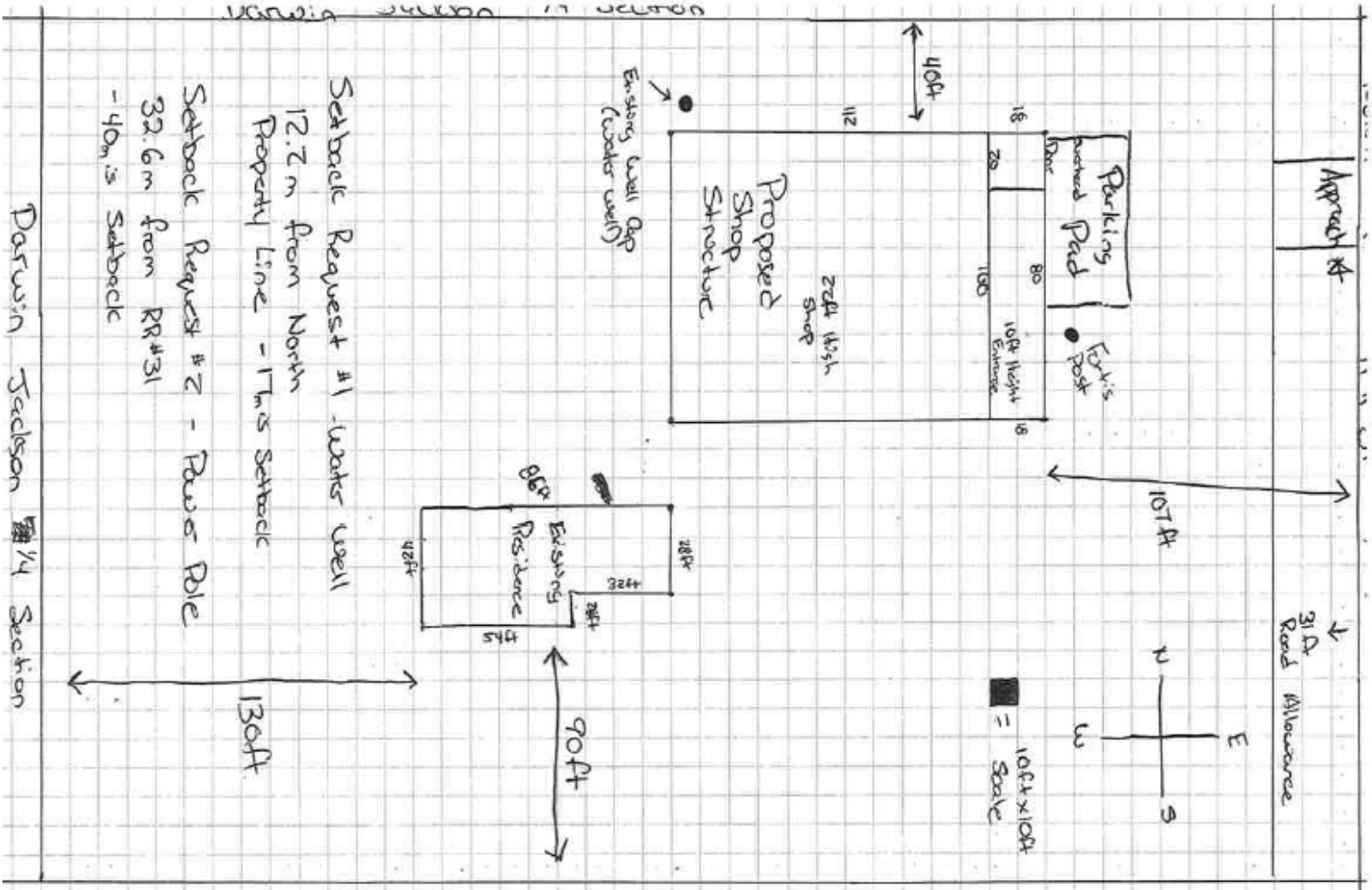
Mountain View County
NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator



SITE PLAN

Exhibit B

Range Road 31



On October 06, 2022, Municipal Planning Commission heard an application for a **Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation** and subsequently approved the development application.

Planning and Development, on behalf of MPC, respectfully requests that the SDAB deny the appeal and uphold the decision of the MPC to approve the Development Permit for the proposed **Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation**.

A report and presentation on behalf of the Municipal Planning Commission, as a Respondent, will be presented by Development Officer Becky Hutchings.

Appellants Package

To: Mountain View County, Subdivision and Development Appeal Board
From: Jason & Michelle Finnigan
32052 Range Road 31, NE 2-32-3-W5

November 14, 2022

Appeal to File No: PLDP20220369

Applicants: Christopher & Kayla Grudeski

As residents of Range Road 31, in the portion of road directed to be utilized for the facility proposed in the above-mentioned development permit, we have a number of concerns that we would like to bring forward.

First of all, we would like to make it known that there are in fact three appellants on this appeal, all with a joint concern of the increase in traffic volume, but also with concerns that affect their individual lifestyles and properties. We were named the sole appellants on the advice of the Subdivision and Development Appeal Board Secretary, as they would not allow for more than one property owner to be listed. The key reasons for appeal initially submitted with our appeal form gave a summary of the concerns of all three appealing parties. We recognize that the proposed building itself does not affect two of the parties, but some building features are a concern to the third co-appellant. Additionally, we would like to withdraw our comment from our initial reasons of appeal in regards to the proposed development taking away from productive farmland. The development permit states a setback relaxation, and we assumed that relaxation was for the north side of the property. That has since been clarified.

I understand that we were not included in the original notice of development due to being out of the half-mile notification zone, and are therefore not considered to be an "adjacent landowner". However, we reside on the route that is proposed to be utilized by the clients of the business/facility in question. That alone should have been grounds to be included in the original notice, or at least been a requirement of the applicant to provide some sort of community consultation program¹. We were told by the Mountain View County Planning & Development team that all information was available on the website at the time of application, and that we could have viewed the development information there. That is not satisfactory nor is it an acceptable means of communication on something so impactful to our community. We should not have to look at a website daily to find out if any of our neighbors are planning any sort of development. The responsibility of community notification should not solely be placed on applicants either, as this situation proves that not all neighbors communicate with each other, regularly or otherwise.

Living on the proposed route, our biggest concern is an increase in traffic volume, and the impending safety risks associated with the increase. We have spoke with the applicant directly, who informed us

¹ Land Use Bylaw No.21/21 Section 4.5 – Community Consultation Program: As some types of developments may have negative impacts on surrounding property owners, applicants will be required to carry out a community consultation program prior to submission of a Development Permit application.

that we could expect up to 2 baseball/softball teams per evening during the week during peak season, and upwards of 10-12 teams on Saturdays and Sundays. If there are 12 kids per team, there's the potential for 24 extra vehicles every weekday evening, and well over 100 every Saturday and Sunday! On average, we typically see around 10-15 daily, so this would be a substantial increase in volume. Even if clients end up carpooling and we cut those figures in half, that is still an excessive amount of traffic for a rural, gravel road that was not developed for that type of traffic volume. Additionally, the hours the applicant is proposing creates a very negative impact on neighboring properties². With weekday hours of 5-10pm³ and weekend hours of 9am-9pm, those are literally the times when our family is home from work and school, and are outside, enjoying our property⁴. Granted, we appreciate the provision within the development permit that requires the applicant to provide dust suppression on the proposed traffic route. While dust is certainly a concern, we are more concerned about safety on our road than we are about the potential dust. If you take a drive up our road, coming north on Range Road 31 from Township Road 320, you will notice that our road is significantly narrower than a lot of other gravel roads in the county, being 6 meters wide north of our property, at most. It can be quite challenging at times to meet oncoming vehicles, particularly if they are pulling farm implements. There are also significantly steep ditches starting north of our property's driveway. According to Mountain View County's Roads Template Procedure⁵, Range Road 31 doesn't even meet the requirements of a Minor Farm Access Road, let alone a Collector Road. If a business such as the proposed is allowed to operate on Range Road 31, Mountain View County should be prepared to not only provide increased maintenance to the road, which they have already stated they would not, but also plan to rebuild and widen the road to meet current requirements of a high-volume, county collector road.

In addition to the narrow width of the road, it is frequented by not only farm machinery, but also oilfield vehicles and heavy trucks. Being that we're the only through road between Hwy 766 and RR 25 (both paved), as soon as road bans come into effect, heavy vehicles tend to take our road when travelling between Highway 27 and Township Road 320 (Bergen Road). Considering that a portion of the applicant's busy season will be in the spring, when road bans are in affect and traffic is already increased, drivers will also be put at greater risk when meeting those heavy trucks.

Additionally, we have young children, and we all enjoy going for bike rides and walks on our road. Those activities occur after school and on weekends, when this business proposes to be most in use. There is also a concern for pets and livestock. We do our best as owners to keep our animals

² Municipal Development Plan Bylaw No.20/20 Section 5.0 – Economic Development Land Use Policies: 5.3.16 – MVC shall recognize and encourage home occupations throughout the County, as long as these home occupations do not have a negative impact on the surrounding area...

³ Land Use Bylaw No.21/21 Section 10.5 – Business (Home Office, Home Based or Contractors): 1.a: At all times the privacy of the adjacent residential dwellings shall be preserved and the business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-road or off-road parking, or other nuisances.

⁴ Land Use Bylaw No.21/21 Section 5.2 – Decision on a Development Permit Application: 9.a.ii. – materially interfere with or affect the use, enjoyment, or value of neighboring properties

⁵ Mountain View County Procedure No. 4005-01, Effective – December 13, 2006: Page 3 of 21

contained on our property, but it's next to impossible to keep cats from travelling outside our property boundary. I am well aware that living so close to a road poses a risk to pets regardless, but the odds of an animal getting hit will increase drastically if the traffic volume increases ten-fold. There is also a risk of livestock potentially being on the road from time to time, whether farmers are intentionally moving them, or they have gotten out of the fenced pastures. This is a common occurrence on Range Road 31, and drivers who are not accustomed to watching for these hazards will be put at a great deal of risk.

We recognize and appreciate the Applicant's efforts to address our initial traffic concerns, with the suggestion of re-routing the proposed route for clients to take to and from the business. However, as confirmed by Christofer Atchison with Mountain View County (see Schedule B), if permit changes had been agreed upon and requested, the Applicant would be required to withdraw their current application and submit an entirely new development permit. In turn, the Approving Authority would again have the jurisdiction to approve or deny the application, as well as add further conditions. The Applicant has expressed their frustration with this Appeal setting them back in their development, however, even if we had agreed to their suggested amendment to the route, their build could potentially have been delayed even longer than what this appeal process has created. And if they present alternative options during this appeal process, it still proves that the appeal hearing was required.

Regardless of what clients are advised or suggested to do, via a website or otherwise, people are going to take their preferred or shortest route available. It's also likely that GPS will direct client traffic on to our road, especially for those who live in communities to the south. Furthermore, a co-appellant lives north of the proposed development, so a change in route going north from the business will negatively impact them even more. Attempts have been made with the applicant to discuss a possible solution satisfactory to the neighborhood, but I would like to point out that the applicant has also threatened us as appellants with legal action if our appeal is unsuccessful. That email is attached as Schedule A for your review. While we strive to help out and work with our neighbors to the best of our abilities, being threatened in any manner doesn't exactly promote or encourage cooperation.

We also feel very passionate about the need to preserve rural lands and promote agriculture, which also aligns with Mountain View County's number one economic development goal of "Protecting the agricultural identity of Mountain View County"⁶. This proposed development neither promotes agriculture or rural lifestyle, nor preserves the enjoyment of neighboring properties. We both grew up on farms, with Jason being raised on the property we reside on, and it's extremely important to us that we provide to our children the same peaceful and enjoyable upbringing that we had in the country. While we respect the county's desire to diversify business within Mountain View County, Range Road 31 is not an ideal location for a business such as the proposed. In addition, we feel that the property is neither zoned accurately for this development, nor is the business being defined

⁶ Mountain View County Economic Development Strategy 2022-2027: Section 2, Point #1, page 3

under the proper term. This type of business is inarguably recreational, and Mountain View County has the definition of "Recreation Services, Indoor Participant"⁷ within their Land Use Bylaws, which defines this proposed business much more clearly than "Business/Contractor". It is obvious, though, why the applicant chose to not apply under "Recreation Services, Indoor Participant", as this designation is not allowed under Country Residential Zoning. It is only considered under Local Commercial Districts, Business Park Districts, and other Recreational Districts. We compared the proposed business to two other businesses within our vicinity, both of which were appropriately rezoned to accommodate their businesses, including potential traffic generation, prior to development. Neither business was defined to conform to existing zoning, which we feel is the case in this scenario. Weekend Warriors Paintball, which is located approximately 4.5 miles from the property in question, is zoned Parks & Recreation District. We also compared it to Cork & Crate Farms, which is now zoned Direct Control. We are aware this is an events facility and is not recreational or similar business-wise, but it has the potential for similar sized traffic volume at similar times as the proposed business.

The applicant made it known to us that there are only two other facilities of this kind in Alberta. Our research on these facilities found them to be located in either business parks or other commercially zoned areas within their respective communities. Only one of those facilities is a public facility, called "The Dome Red Deer", which does have later hours during the week, but only 11am-5:30pm on weekends (see Schedule C attached). From a business perspective, we understand why the applicant has set their hours the way they have, accommodating school age clients and their families. However, we feel that this business would be better suited in a location more readily accessible to their clients, and where roadway infrastructure is more suitable and maintained. Mountain View County has outlined that one of their strategic goals is to attract business by showcasing existing business park vacancies. Why would Mountain View County not want to attract a business like the one proposed to a business park area, which is clearly a more suitable location? Our research found numerous lots for sale in multiple business parks within Mountain View County. Netook Crossing, Cowboy Trail, and East Didsbury are all within a 10-20 minute drive from the proposed location, are more accessible and safer routes for business clients coming from all directions, and all have availability at a variety of list prices.

We would also like to call attention to the Mountain View County and Town of Olds Intermunicipal Development Plan (IDP)⁸, which is a cooperative document providing a policy framework for future land uses and infrastructure planning. In the IDP, we would like to highlight the following IDP goal, found in section B, which we feel is relevant to the proposed development:

⁷ Land Use Bylaw No.21/21 – Schedule A: RECREATION SERVICES, INDOOR PARTICIPANT means development providing facilities with an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical facilities would include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; paint ball facilities; bowling alleys and racquet clubs; indoor soccer fields.

⁸ Intermunicipal Development Plan Bylaw No. 19/20, Section A, point 6, page 4

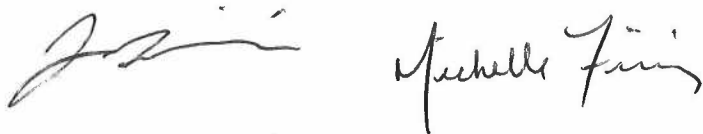
"5) 'To establish a direction for attracting new economic opportunities and improve existing opportunities to secure a long-term economic base for the region'"⁹

This suggests the County of Mountain View and the Town of Olds will work together to attract new businesses that would be mutually beneficial and in appropriate locations. It appears that this likely was not even considered for the matter at hand. Upon application of the initial development permit, a location within the urban, commercially zoned area of the Town of Olds could have been suggested as a more suitable location to develop this facility.

As long-term residents of the Westerdale community, we always strive to encourage community support and positive relationships with our neighbors. It is unfortunate that our integrity has been questioned by the Applicant and their parents, along with our motives for appealing this development. Residents should not be condemned for exercising their legal rights within a very legislated process. A process in which we were encouraged to partake in by our counsellor, Gord Krebs. We do not wish ill-will on the Applicants in any manner, and this appeal is not intended to be anything against them personally or as community members. And as parents of young children, we also strongly support active youth in the community. We think that this business is a fantastic opportunity provided to local youth, and we wish the Applicants success with their endeavor. All we are suggesting is that the Approving Authority, as well as the Applicant, reconsider the location of this proposed business to a more suitable location within Mountain View County. A location that interferes less with rural residents, is more accommodating to their clientele, and that has more suitable zoning for this type of venture.

Thank you for allowing us this opportunity to express our concerns on this development.

Sincerely,



Jason & Michelle Finnigan

⁹ Intermunicipal Development Plan Bylaw No. 19/20, Section B, page 5

SCHEDULE A:

Chris Grudeski <chgrudeski@gmail.com>

Mon, Oct 31,
11:54 AM

to me, landcon@telusplanet.net

This email is intended for all parties of the Development Permit Appeal PLDP20220369

I was made aware Friday of an appeal submitted by Michelle and Jason Finnigan, with signatures of support from Kevin and Lisa Land, as well as Rachel Pavan. I am hoping that there can be an agreement reached with the below proposition:

As stated in the meeting with Mountain View County permits that are in the approval process cannot be altered however, permits that are approved can. What I am hoping for is the appeal to be voluntarily removed and in return, I will follow through with the application to have the route changed to Highway 766. This was initially a provided solution in discussions with both Lisa and Michelle when the conversations first took place. I do believe that this reduces many of the concerns stated in the appeal. I do fully understand the statements in the meeting with MVC that users will take their own routes to the facility, but I can assure you that all of our groups will be directed to Highway 766 through all of our communication platforms including the website.

I am hoping that an agreement can be reached so a 45-day construction delay does not occur. The 45-day delay will be defined as the 30 days it takes MVC to set a hearing, as well as the 14-day timeline for them to offer a decision, which was the timeline given in the meeting by the representatives of Mountain View County.

I am also making all parties involved aware that if the appeal is unsuccessful and the project is able to move forward, I will be seeking through the legal process the business income lost as well as any increased construction costs due to the change in weather from the 45-day delay while the appeal halts development.

Thank you for your time and please feel free to reach out if you have any questions.

Chris Grudeski
chgrudeski@gmail.com
403-559-7887

Schedule B:



Jason & Michelle Finnigan <jasonmichelle2011@gmail.com>

statement confirmation

2 messages

Jason & Michelle Finnigan <jasonmichelle2011@gmail.com>

Tue, Nov 8, 2022 at 4:49 PM

To: Christofer Atchison <catchison@mvcounty.com>

Good afternoon Christofer,

In preparing our appeal package, I was wondering if you could clarify that the following statement is in fact correct:

"If an agreement was made, verbally or otherwise, that the appeal would be withdrawn if the applicant revised the proposed traffic route on their development permit to direct all traffic north and west to Hwy 766 instead of south to Bergen Road, then the applicant would have to withdraw their current permit and re-issue a new one with the updated proposed route. This, in turn, would require the applicant to start the permit application process over again, including being re-submitted to the Approving Authority for consideration."

Thanks,
Michelle Finnigan

Christofer Atchison <catchison@mvcounty.com>

Wed, Nov 9, 2022 at 4:26 PM

To: Jason & Michelle Finnigan <jasonmichelle2011@gmail.com>

Cc: Margaretha Bloem <mbloem@mvcounty.com>

Good Afternoon Michelle,

That is correct. If the Applicant wanted to change anything about their conditional approval, they would need to withdraw their permit application and apply for a new permit. The other option would be for them to continue through the appeal process and present alternative options for the SDAB to consider to minimize the impact on adjacent properties.

An applicant is unable to change their approval, even with adjacent landowner support, without having subsequent approval by a MVC Approving Authority.

Hopefully that makes sense and answers your question.

Enjoy your night,
Christofer

[Login/Register](#)[HomeSports / Programs](#) ▾[Strength And Conditioning](#)[Athletic Therapy](#)[Rent/Field Layout](#)[Sponsors](#)[More](#) ▾[Contact](#)

Directions

The Dome Red Deer

We are located on the East side of Gasoline Alley at 334 Energy Way, in Red Deer. Please note drop-in hours are limited, we recommend signing up for activities at least 24 hours in advance.

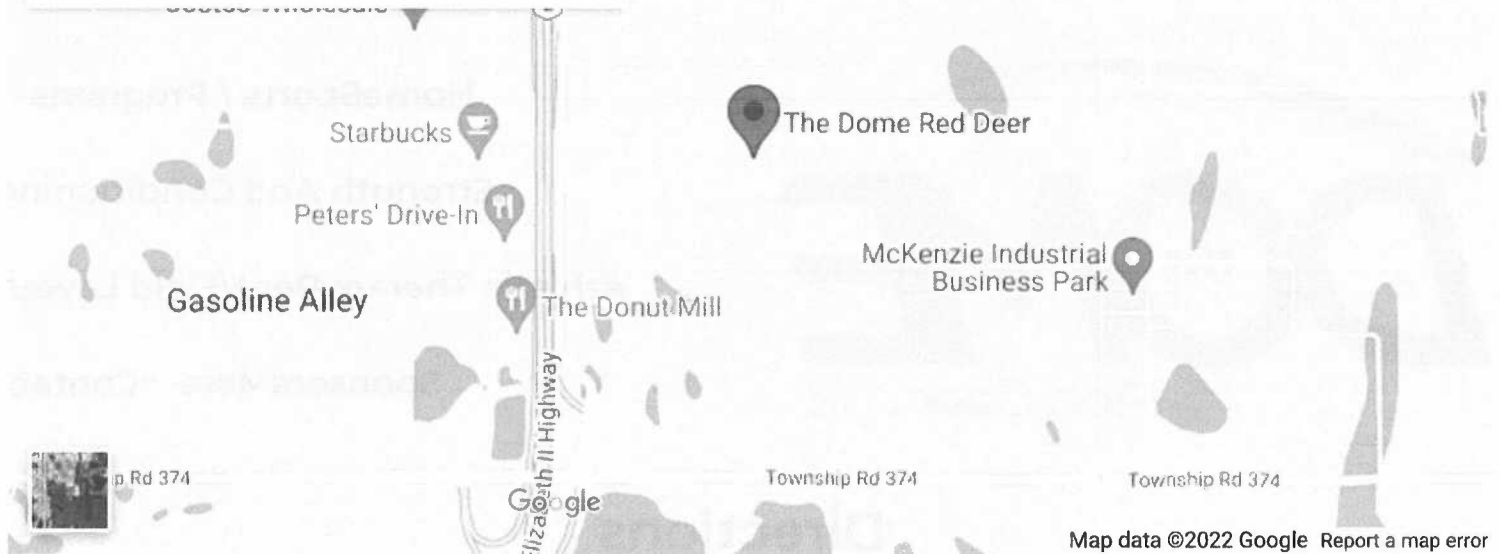
The Dome Red Deer

334 Energy Way, Red Deer County, AB
T4E 0A7

[Directions](#)

4.4 92 reviews

[View larger map](#)

**DOMES HOURS**

Monday - Friday

4:00 PM - 10:00 PM

Saturday & Sunday

11:00 AM - 5:30 PM

HOLIDAY HOURS

December 24-26

Closed

December 27-30

12:00 PM - 6:00 PM

December 31

Closed

January 1

Closed

January 2-5

12:00 PM - 6:00 PM

THE DOME RED DEER

334 Energy Way

Red Deer County AB

T4E 0A7
23

 403-986-0417

Exhibit C

 info@thedomereddeer.com

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T4E 0A7



Directions

Facility Hours

24

Monday - Friday

Saturday

Sunday

Or by appointment

Exhibit C
9:00 AM - 5:00 PM

Call for hours

Call for hours

Office Hours

Monday - Friday

9:30 AM - 5:00 PM

Saturday & Sunday

Closed

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Date: November 1, 2022

To: Mountain View County, Municipal Planning Commission

From: Kevin and Lisa Land, SE01-TWP32-RNG03-W5

RE: Proposed Development Permit, PLDP20220369

To whom it may concern,

Thank-you for the opportunity to appeal this proposed development under review and consideration by the approving authority.

We would like to voice our opposition to the proposed development permit PLDP20220369 put forward by Christopher and Kayla Grudeski (Applicant).

We do not want to be viewed as 'Not in My Backyard' types, but rather as residents with legitimate safety concerns that need to be communicated, reviewed, and addressed. We also question the placement of a sports facility within a Country Residential zone.

We do support economic development and diversification within the Mountain View County (County), subject to County Bylaws and consistent with the goals and strategies set forth by the County. We know that while living within an agricultural and resource-based area there will be developments that may raise concerns to us as residents, and these developments may need to proceed for the net good of the County and Province. We would still find it our duty to voice our concerns, regardless of whether this was an equestrian arena, sports facility, or any other development. We would trust in a fair process and the implementation of optimized solutions that address the risks identified.

We would highlight that the development in question is a proposed business venture, and the issues should be considered in terms of business and risk mitigation, with emotion taken out of the equation. Raising concerns as neighboring residents should not be viewed as a personal attack on the Applicant as we wish success to all of our neighbors. We also recognize the value in a sports facility that promotes athleticism with our local youth. The placement of this sports facility business should be well thought out, respecting the safety of residents, and aligning to County strategic planning documents.

Traffic Increases to Area and Related Concerns

Our main concerns with this proposed development stem from the forecasted increase in traffic, especially on Range Road 31. The majority of RR 31 is narrow (6.0 meter width) and has steep shoulders, making it difficult to meet and pass oncoming vehicles. This road was not built for high use but for agricultural purposes. Inviting more traffic on this road will inherently increase the potential for future vehicle incidents, either by a lone occupant or involving other vehicles, pedestrians, pets, or livestock. Traffic on RR 31 is currently minimal, with some seasonal increases. The increase in traffic that would result from this sports facility would be substantial relative to what residents are currently used to.

We would also not be appreciative of the added vehicle noise on the roads, especially considering the hours of operation of the sports facility, as this is when we are at home trying to enjoy the peace of country residential living.

We are concerned for the added dust that passing motorists would generate but understand that this could be mitigated through calcium application.

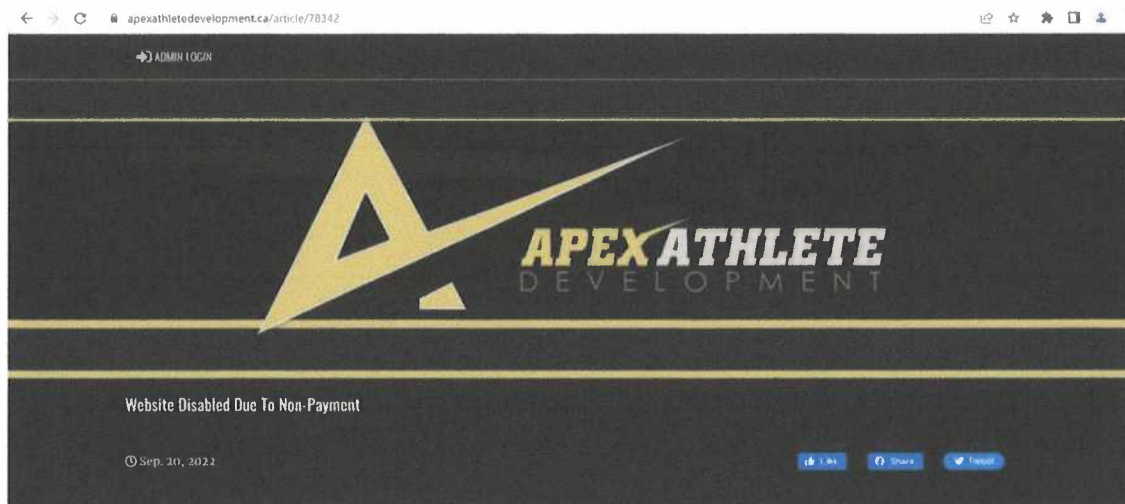
The Applicant has put forward that the sports facility would operate in the winter months, suggesting that certain road concerns would be irrelevant. However, once the sports facility is in place, it could operate as much as possible throughout the spring and summer seasons, thus negating this argument. Operating all year would be permissible under the October 6, 2022, Notice of Decision on this application where it states that this would be considered a year-round facility (condition #16).

In the meeting with County representatives concerning this permit on October 24, 2022, we asked if added law enforcement or road maintenance would be increased for this area to deal with the potential issues and concerns, but no commitment was made. It was suggested that concerns would be addressed through the 'complaint-based' process. As residents, we do not appreciate that we are put in a position where we will have to complain against our neighbor to see concerns addressed, instead of the County stepping up to provide additional support.

We are concerned about rural crime and would not welcome added traffic to our area, which we would find unsettling. As of now, we already stop and take notice when people drive slowly past our place or park near our property. We communicate with our neighbors when we see foreign vehicles that are acting suspiciously. We often get people coming into our yard looking for 'directions'. We are not suggesting that clients of sports facilities are part of the criminal element, but it stands to reason that the more traffic you have in an area, the greater the potential for trespass and crime, pre-meditated or not.

Traffic Flow

The Applicant has stated that he will direct clients to access his residence by travelling on Highway 766, east on TWP Road 32-2, and south on RR 31. The Applicant states that he will communicate this to clients via his website. This is difficult to assess since the Applicant's website states that it has been disabled due to non-payment. See below:



The Applicant's proposed route is asking clients to drive an extra 3 miles to access his property. **We do not feel that an administrative control asking clients to follow the map on the website would be effective.** In the age of phone guided maps looking for the fastest routes and drivers motivated by fuel economy, we do not feel that this could be an effective control. We would find it interesting to know how the County will monitor and enforce such a permit requirement over time. The Applicant's clients could commute using their most convenient route, and there would be no obligation that could be placed on them.

The Applicant had made phone calls to the Appellants, and unfortunately, he concluded that it was agreeable to have traffic directed through a Hwy 766 route. We would like to mention that this phone call was made at an early point when we were just learning about the development, as we only learned of the proposed sports facility after the permit was conditionally approved. Our discussion with the Applicant on October 24, 2022, clarified our reasons as why we are skeptical on whether simple communications to clients will be effective in determining their driving routes.

Mountain View County Stated Goals

In reviewing the *Mountain View County Strategic Plan 2021 – 2022*, there are statements that appear to run contrary to what the proposed development would be creating. The County's Mission is to "Provide high quality services in support of a healthy, safe, and vibrant rural community". Safety is also highlighted as a stated goal to 'promote safe communities'. **Given these strong County values regarding safety, we would hope that the County would closely evaluate the safety risks attributed to the potential increased traffic on RR 31 and note the lack of controls that could be applied to effectively mitigate these risks.**

The 'Council Preferences' in the Strategic Plan make reference in section 4 to 'High Alignment on Social and Environmental Issues', however the wording under this section is extremely vague. Regardless, we would encourage the County to consider the efforts towards their **environmental and social governance**, and question whether approving a development that demands this high level of additional vehicle activity entering the County is in alignment with environmental stewardship.

The County has stated its' vision and goals in the *Mountain View County Economic Strategy 2022-2027*. There are descriptions made in this document relating to development in the spirit of preventing conflict and finding outcomes that are mutually beneficial. In attracting business, the County states that "that there are a number of locations within Mountain View County that are ideal for business attraction. In particular, **utilizing the various business parks and regional airport lots within the County tend to be appealing to new business opportunities**". We support economic development consistent with the intentions of this latest strategy, but do not agree that the sports facility moving from an urban centre to a rural property is in alignment with this strategy.

Alignment with County Bylaws

The development permit is proposed under the 'Business, Contractors' definition, as described in *Mountain View County Bylaw No. 21/21, Land Use Bylaw*. If this is how it is to be assessed, it may be noted that section 10.5, 1 a) states that "At all times the privacy of the adjacent residential dwellings shall be preserved and the business shall not unduly offend neighbouring or adjacent residents by way of excessive lighting, late calling of clients of an unreasonable number, traffic congestion, or excessive on-road or off-road parking, or other nuisances". **It would appear that this proposed development is in violation of this statement when considering the numerous concerns posed by its neighbors.**

We would also reference Land Use Bylaw – Bylaw 21/21, 'Section 5.2 Decision on a Development Permit Application' where it states under part 9 that a proposal could be approved if it does not **"unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment, or value of neighbouring properties"**.

In our opinion as residents, experiencing a substantially heightened level of traffic, especially after 5:00 p.m. weekdays, and all day on both Saturday and Sundays, is expected to interfere with the use and enjoyment of our property and negatively affect our neighborhood.

Question of Appropriate Zoning for a Recreational Sports Facility

We would question the County on how this development permit is being put through as a 'Business, Contractor', when the definition of this project is more fitting to **'Recreation Services, Indoor Participant'**.

Land Use Bylaw – Bylaw 21/21, Definitions: "RECREATION SERVICES, INDOOR PARTICIPANT means development providing facilities within **an enclosed building for sports and active recreation** where patrons are predominantly participants and any spectators are incidental and attend on a nonrecurring basis. **Typical facilities would include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; paint ball facilities; bowling alleys and racquet clubs, indoor soccer fields**".

An indoor sports field would seem to fit perfectly within the description of the 'Recreation Services, Indoor Participant' description. **It would seem possible that the development permit in question was not proposed under this definition because 'Recreation Services, Indoor Participant' is not considered for discretionary approval under a R-CR County Residential District, on which the Applicant wishes to build on.** 'Recreation Services, Indoor Participant' is considered under Local Commercial Districts, Business Park Districts, and other Recreational Districts (see Section 18 Land Use District Maps). **It would appear that a square peg is trying to fit into this round hole to alleviate the restrictions as a Country Residential Property.**

Compare this to Land Use Bylaw – Bylaw 21/21, Definitions: "BUSINESS, CONTRACTORS means a business, trade or craft for gain or support conducted within the residential dwelling and/or accessory buildings for a person who occupies the dwelling". This definition is well suited to independent contractors who run a small business out of their home office and need a shop for the truck, trailer, tools, and materials – **not a 13,000 square foot indoor sports facility.**

If the County is determining that it is acceptable to build sports facilities on Country Residential property, perhaps there are other properties located on high grade collector roads that would have fewer impacts on County areas residents and County resources.

If the County chooses to allow the construction of a sports facility on Country Residential property, we would encourage the County to update its' bylaw definitions and guiding information on where indoor sports facilities can be developed for improved clarity for County residents and developers.

Situating a sports facility such as the one proposed in a commercial and recreational district makes much more sense and would be consistent with what we see with other indoor sports facilities in southern Alberta.

The Dome Red Deer:



Duvernay Fieldhouse in Okotoks (next to Okotoks Dawgs location on the map):



The County website provides a listing of six business parks within the County (in addition to the Olds Didsbury Airport lots):

- Netook Crossing Business Park
- Cowboy Trail Industrial Park
- East Didsbury Industrial Park
- Rainbow Industrial Park
- Willow Hill Industrial Park
- West Sundre Industrial Park

At last check there were 10 lots for sale at the Cowboy Trail Industrial Park, and 18 at the Netook Crossing Business Park.

Communications with Applicant

We must note that the Applicant has already threatened the appellants with legal action if the appeal made was not rescinded (email received from the Applicant on October 31, 2022). No effort was made prior to the submission of this development permit to knock on our door, provide introductions, and discuss the proposed activities. Trust has not been developed by the Applicant, but rather an adversarial relationship has been established by him, which is unfortunate. How does this indicate that, moving forward, that the Applicant will be respectful and cooperative with his neighbors, and ask his clients to do the same (i.e. follow prescribed driving routes and other permit conditions)? We also did not appreciate the letter received from the Applicant's mother criticizing our appeal and stirring controversy and heartache between long-standing neighbors.

A County resident should be allowed to have a conversation about an issue without immediate threats and divisions being created. We have tried to respectfully follow the County process and will entrust to the County to fairly decide on the future of the proposed development.

If the development was to proceed, we would expect that future issues would be difficult to resolve with the Applicant directly. Our concerns would have to be addressed through the 'complaint based' process of the County, which we have stated previously that we would not appreciate.

Future conflict and heartache can be avoided by the County by not approving this development on this property, but instead working with the Applicant to locate this sports facility in commercial or recreational space within the County, which would be consistent with the County's economic strategy and bylaws as we understand them.

Conclusion

We support a diversity of businesses within the County that are properly situated, consistent with County strategy, and lead to a net benefit to County residents. For this development permit, there is an apparent **net loss to the neighbors** for the safety concerns and other reasons mentioned, as created by the increased traffic entering from neighboring urban communities. It would not even appear to be a benefit to clients of this business who now have to commute outside of their town, in all weather, to access the proposed sports facility. Although the Mountain View County is gaining commercial tax revenue, we would question whether this would outweigh the added strain on road maintenance, policing, and staff dealing with future issues (resident complaints) and enforcement. **It would appear that the proposed development only benefits the Applicant, who is looking to save development costs by shoehorning a sports facility onto his current residential property, rather than properly investing in available commercial property for his business within the County or surrounding communities.**

We would encourage the County representatives to re-evaluate this proposed sports facility placement to ensure that it is in a location consistent with County planning, as the zoning appears to be out of alignment with what is allowed on Country Residential properties.

Thank-you for considering our concerns. If you have any questions or follow-up, please don't hesitate to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kevin and Lisa Land". The signature is fluid and cursive, with a large loop at the end.

Kevin and Lisa Land

Mountain View County

To: Mountain View County, Subdivision and Development Appeal Board
From: Darren & Rachel Pavan
3068 Township Road 322

November 14, 2022

Appeal to File No: PLDP20220369
Applicants: Christopher & Kayla Grudeski

We, Darren & Rachel Pavan, moved to our present home 25 years ago to raise cattle, in partnership with Barry & Nancy Schmitt. Township Road 322 runs east-west past our property, and Range Road 31 runs north-south at our corner. We chose to move here 25 years ago because the peace and enjoyment of an agricultural community is what we desired. Since then, we have been active members of the Westerdale community, and enjoy being neighbors with all other members. That is what makes the potential development in question unfortunate, as it has the potential to divide long-standing community relationships.

Our initial concern to this development was dust suppression, as expressed in my previous letter submitted to the county during the initial development permit application process. As we have learned further details on this development, our list of concerns has grown. The increase in traffic volume is a huge factor, which in turn creates further nuisances related to traffic noise and headlight disturbance. LED headlights are commonly used in vehicles now and are extremely bright, shining across our yard and home when vehicles approach from the west or north. Excessive noise and light pollution is also a concern in relation to the building itself. With a fabric structure being proposed, it can only be assumed that large generators will be required to light and heat this facility. Generators that would likely run constantly during colder months. One can also assume that high illumination would also be required during winter months, which would be quite excessive and distracting.

Very little traffic currently travels on Township Road 322 (Amerada Road) after 7-8pm on week nights; even less on weekends. Yes there are seasonal increases, such as at harvest or hunting season, but we respect those times as we understand those are part and partial of living in an agricultural community. We watch in awe as massive farm equipment goes by every spring and fall, but they are never a detriment to our daily lives, or to the enjoyment of our property. However, with the proposed traffic volume, every weekday evening and all day every weekend, our quality of life will be very negatively impacted. We ride our horses on the roads, our neighbors drive their heavy horse teams on our road, and we also drive cattle to and from pasture on our roads. Greater traffic volume will pose extremely high risks to drivers, local residents, and our animals, along with wildlife in the area as well. Deer and moose frequent our area, and someone not used to driving rural roads may not be as aware as they should be to these potential hazards.

We are by no means against a multi-sport athletic facility for young and up-and-coming athletes, and we wish the applicants well with their entrepreneurial venture. However, we feel very strongly that the risks outweigh the benefits if the proposed development were to proceed on Range Road 31, both for locals AND business clientele. It is the type of business that should be situated in a commercially zoned area of Mountain View County. We feel a relocation like that would make commuting for clientele more affordable, and also more accessible. Other similar facilities in Alberta, like The Dome Red Deer, are situated on commercial land, within city limits. While an urban center would also be an ideal location for the proposed business, there are numerous vacancies within County business parks that could house an athletic facility and still keep the business local. Being closer to an urban center could also bring forward more potential for sponsorships and fundraising opportunities with local businesses.

Our rural community is also active in watching out for each other, and each other's properties. With rural crime escalating in recent years, we are all a bit more leary of strange vehicles than we maybe were in the past. Now we are not trying to insinuate in any way that athletes are criminals, nor are we passing judgement about the demographic. It's a pretty safe assumption though that an increase in people, in any area, brings forth a greater risk for safety and security. The Charter of Rights clearly states that every Canadian has the right to peace and security. We feel our peace and security would no longer exist, or at least be negatively impacted, if this proposed development is allowed to go ahead.

We chose rural farm life for a reason. We chose to raise beef, which in turn is sold to help feed the Canadian people. We chose to surround ourselves with fellow farmers, including acreage owners who sustain themselves with homegrown produce and livestock. We all respect and appreciate the rural and agricultural way of life, as we chose to move and live here willingly. And now, our rural peace and security is being threatened by this proposed development. A development to be situated on a Country Residential-zoned property and should not be.

Our fellow co-appellants have brought forth to you the facts, and the Bylaws to back up those facts. We wanted to take a different approach and provide you with an insight of our chosen rural world that we live and breathe 7 days a week, 365 days a year.

Enclosed is also an excerpt taken directly from Mountain View County's Economic Development Strategy. I have highlighted the primary focus of "economic growth to be located in areas that prevent conflict with the agricultural sector". Please tell us how the proposed business fits within this focus.

Sincerely,



Darren & Rachel Pavan

- ✖ • Protecting the agricultural identity of Mountain View County - "Mountain View County
✖ differentiates itself from other municipalities in proximity through its agricultural identity. The strong foundation of agriculture and support that the sector has from ratepayers, industry, and other community partners, including Olds College, certainly speaks to the importance of Mountain View County's Agricultural Identity. Although a primary focus of this strategy will be to encourage economic growth to be located in areas that prevent conflict with the agricultural sector, council is supportive of encouraging traditional, innovative, and value-added agriculture industry throughout the municipality."

November 13, 2022

To whom it may concern,

**Re: Notice of Subdivision and Development Appeal Board Hearing for PLDP20220369
Development Permit Application on NE-11-32-3 W5 Plan 1612155 Block 1 Lot 1**

Although the proposed development and business does not impact us directly, I do have a few concerns as a frequent user of that road and just as a county resident.

We value the quiet and seclusion life that living in the country provides. We live in the country to get away from the busyness and people of urban life. Having a high customer based business in a rural area will bring extra people to our area, that wouldn't otherwise. With additional people brings additional traffic to the nearby roads, more people lost stopping to ask for directions, or driving around while they wait. The effect of those possibilities is the loss of our seclusion and privacy.

It is the volume of customers that the proposed business will draw that is the concern. A few new/additional vehicles a day would not affect the area. But the fact that there will be several teams worth of vehicles every weeknight and weekend is the concern. If the additional people/traffic was just for several scheduled events throughout the year, or just a few people per day, I would not have the same level of concern.

I also feel that this is an urban type of business, which I feel should be in an urban area. Just the same that rural business are not accepted in urban areas. This urban business is proposed to have a large draw of customers from central Alberta. If this business was in a town, it could bring business to that town. What does this business bring to our rural area?

I do have concerns for additional traffic the proposed business will bring. RR 31 is narrower than many county gravel roads and as a frequent user of the road, I have safety concerns with the possibility of higher traffic volume. It requires extra attention to meet oncoming traffic on that road. And doing so in winter, with possibly un-plowed roads is even more difficult. Will urban drivers be aware of the extra care required? Will they also be aware of the care required to watch for livestock on the road which has happened numerous times.

I do not know the applicants personally, other than as "neighbours". They have provided a great business and opportunity for athletes in Olds which is amazing. As with the usual friendly feelings of country neighbours who you don't truly know, I would still love to see them succeed and for their business to thrive! It is simply the location of this urban business in a rural area that I have concerns with.

Thank you for your time.

Jody Farr
32031 Range Road 30

November 14, 2022

To: Mountain View County, Subdivision and Development Appeal Board,

RE: Apex Athletic Development, File No. PLDP20220369

I have personally looked into the services provided by Apex Athletic Development, and I am disappointed that they are looking at building out in the country rather than keeping the business more accessible in town or at least within a county business park. There are a lot of viable locations within Olds and area that would be better suited for this type of business - Netook Crossing for example. It has good exposure to the Highway 2 corridor, which could also be a good draw in from neighboring counties. Having this type of business, with its proposed excessive traffic volume, is meant to be at a location on pavement. What will the added cost be to the county for maintenance on the projected roadway? Or will there be additional maintenance even? Is this a gravel road that is plowed and graded regularly? I also feel for the locals who live on the road leading to and from the proposed location. I am sure they prefer the country to be away from the noise and higher populated areas, not to mention the privacy that country life brings.

I want to highlight an example of a general youth baseball team coming out to the proposed location. On an average team, you are looking at 11-15 players. So even if we split that in half and 8 vehicles are now travelling down these once quiet gravel roads, that is a large increase in traffic that was once just for the locals who live on this roadway. Then you can factor in any other activities that are currently being offered in Olds by Apex Athletic Development, regardless of whether the current plan is to offer them at this proposed facility or not. Add in volleyball teams, which average 10-14 players. This is to be offered nightly after school and every weekend, year round. I would hate to be a local farmer, having to move cattle or machinery down the range road, while also having to navigate additional traffic. With the additional traffic proposed on this roadway, who monitors the security and traffic of it? Is it up to Apex Athletic Development to make sure that the dust suppressant is applied in a timely fashion in the spring, or is it now up to the locals to complain EVERY YEAR? If this business was in town or within a commercial area, they wouldn't have the added cost of dust suppression and clients wouldn't have to be concerned of the condition of the roads, or have the increase in travel time and fuel consumption.

In conclusion, I am not against this business, I am actually in favor of it. Just not the location that is being proposed. I know I am not alone in saying that if the business moves out to the proposed location, our family will not be supporting it.

Thank you,

Tracy Fouchier
14 Westhill Crescent, Didsbury

Concerned citizen and potential Apex Athletic Development client

November 14, 2022

Appeal to File No: PLDP20220369 – Development Proposal for Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation

To Whom It May Concern,

Our young families are currently second-generation ranchers on large purebred cattle operations just down the road, south from the Applicant. While we don't know them personally, there are a few concerns that we feel need to be addressed as we believe this athletic sports facility should not be approved.

First and foremost, we are very concerned with the amount of increased traffic we'd see from this development. Both our ranching operations utilize the land along RR 31, both north and south sides of Bergen Road, and also including rented grassland adjacent to the applicant. Throughout the year, we utilize Range Road 31 to move cattle as part of our business activities. Cattle are moved up and down the road, gathering and walking the cattle on horseback, with our young kids also helping.

Traffic – what is the County's plan to mitigate increased traffic? As it stands today, RR 31 is quite narrow and can be hard to pass oncoming vehicles especially in the winter when the roads aren't plowed. The road is extremely narrow in front of Finnigan's home, with steep ditches. If a vehicle were to go into the ditch, it would most certainly flip or roll. We assume that most of these individuals travelling to this location are from urban areas and we're sure that many will be teenagers who've just received their licenses, or young adults that have little to no experience driving on country gravel roads.

Although we can appreciate that the applicant has committed to communicate with his clients on the route to travel to his private athletic training facility, unfortunately, people are going to use their own discretion and use the path that they find is most convenient, or take them by what Google Maps may suggest. If one is coming from the south on Hwy 766, approaching Hwy 582, RR 31 will be the shortest path to the facility versus using the mile jog west to stay on Hwy 766 pavement. People coming from all over Central Alberta will all take different roads which we believe will affect a significant number of neighbors.

With additional traffic being brought to our area, unfortunately the reality is, the risk of increased rural crime. Although we aren't insinuating that the applicant's clients would contribute personally, it is a fear and realization that our rural crime rate does increase and property damage and/or stolen property will occur.

There also isn't a clear parking plan set in place. When looking at the submitted plan, in our opinion, there is not a large enough parking pad for the amount of people they would be expecting. In a parking plan, we'd expect the amount of parking needs to be doubled to allow enough room for two time slots to overlap. Meaning, one group of people in the building for their session and a second group coming early to be ready for their session. If we expect 10 – 12 people per session, that could entail more than 20 vehicles at a time to be present. The parking pad they currently illustrate does not appear to be sufficient to ensure vehicles are not parking on the side of the road. In other developments that we have seen, applicants are required to provide a detailed parking plan to ensure the adjacent county road doesn't become utilized for overflow parking as it has in many instances.

Overall, this business doesn't appear to support the County's economic goals of protecting the agricultural identity of Mountain View County. It is a business better suited for the Town of Olds or Town of Didsbury, or a business park within Mountain View County, where it can be easily accessed and is more location friendly for County residents and also clients of the proposed business.

Kind Regards,

Scott & Kerrie Harvie
Harvie Crest Cattle Co
31547 Range Road 31 (w1/2 36-31-3 W5)

Cole & Jill Harvie
Harvie Ranching
RR2, Olds AB

PLDP 20220369

Harlene & Jim McLean
RR #2 Site 13, Box 2,
Aldo. A.B.
T4H 1P3

November 14/2022

To whom it may concern;
In relevant to development on
NE-11-32-3W5M plan 1612155 Block 1 lot 1.

We are against a large commercial
operation in a farming community
unrelated to farming.

Harlene & Jim McLean
NE 23-32-3W-5M.

To Mountaine View County
Re, Chris Grudski

We are opposed to the Development of A Sports Plex Being built just off RR31. there will be more traffic on the Range Road. More Dust Problem for farms, Animals and People. Will there Be dust control on RR31? ~~Possible~~ more crime In the county. Speeding on the Road is A Potential risk. Why are we using farm land for this Sports Plex when we are already loosing more & more farm land each year. How much water is needed to run this Sports Plex. Why is it not being built In a town or city where it is more convenient. Will there be a dinning facility located on site?

These are Some of our concerns as residence on RR31 with this Sports Plex being developed on our Road
Please take these concerns Into ~~your~~ Consideration

SE.35.32.3.5

Ron Murphy

Shaileen Murphy

Ruth Murphy

Nov 12, 2022.

To whom it may concern.

My name is Jim White I live on the SW $\frac{1}{4}$ sec 24 township 32, range 3 west of 5. or (32339 range road 31).

I am writing in objection to the application by Christopher and Kayla Brudeski for a Private Athletic Training Facility for multi-sports athletes.

I feel this type of business is better suited to be in a more urban environment. Range Road 31 is a narrow seldom used gravel road.

I drive farm equipment past the Brudeski acreage. There is barely enough room for large implements on this road. If you meet another vehicle on the road there is no room to pass.

The extra traffic this proposed business would create would cause a great deal of safety concerns making drivers of vehicles and equipment at risk. O

Also we and many of our friends and neighbors ride and drive our horses up and down Range Road 31. Because there is presently little traffic on this road it is fairly safe for us to do so.

In the spring and the fall, we and our neighbors drive cattle to and from summer pastures up and down Range road 31.

With the proposed traffic on this road to and from this proposed sport facility it would make our quiet range road quite treacherous. It is already difficult to drive farm equipment down because it is so narrow.

People who are not familiar with rural life would not be patient for cattle on the road. Not respect people and horses walking up and down this road. Driving teams of draft horses would become a precarious proposition with all this new traffic.

Our home was broken in to in March while we were on vacation. I would imagine the crime in the area would increase with this facility just down the road from us.

I feel this facility is needed in Olds or Oldsbury but has

not any justified reason to be built in an agricultural area.

I am sure that there are areas in or ~~close to~~ close to either Old or Odsburg that would also help to support such a facility. and that would be better situated for this extra traffic such a facility would generate. I think that the proximity to fast food outlets ~~would~~ and convenience stores would also prosper for such a facility being built in an urban setting.

I feel the building of such a facility in a farming and ranching area on Range Road 31 is not in the best interests of either the community nor the county.

Jim M Whyte

Jim M Whyte

Tara L. Whyte

Tara L. Whyte

Joanne Whyte

Respondents Package
Submitted by
Development Officer

1. Request for Decision to SDAB
2. Location, Land Use and Ownership Map
3. RFD to MPC
4. Adopted MPC Minutes
5. Notice of Decision
6. Aerial Photograph
7. Environmental Scan Map
8. Site Sketch
9. Development Permit Application
10. Didsbury Fire Department Letter
11. Letter of Concern
12. Applicant Response
13. Presentation



Report to the SDAB

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

SUBJECT:	Development Permit Application	REVIEWED AND APPROVED FOR SUBMISSION
SUBMISSION TO:	Subdivision & Development Appeal Board	CAO:
MEETING DATE:	November 22, 2022	MANAGER: JBR
DEPARTMENT:	Planning and Development Services	DIRECTOR: MB
FILE NO.:	PLDP20220369	PREPARER: BH
LEGAL:	NE 11-32-3-5 Plan 1612155 Block 1 Lot 1	LEGAL/POLICY REVIEW:
		FINANCIAL REVIEW:

ADMINISTRATIVE POSITION:

RECOMMENDED ACTION:

That the Subdivision and Development Appeal Board (SDAB) uphold the decision of the Municipal Planning Commission (MPC) to approve the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation, in accordance with the Land Use Bylaw No. 21/21, and the submitted application, within NE 11-32-3-5 Plan 1612155 Block 1 Lot 1, submitted by GRUDESKI, Christopher Jason & Kayla Marie, Development Permit No. PLDP20220369.

The following policies and legislation affect this application:

1. Compliance with Land Use Bylaw No. 21/21

Administration reviewed the application against the Land Use Bylaw (LUB) and the following sections apply to the proposal:

Section 5.2 Decision on a Development Permit Application

1. In making a decision on an application, the Approving Authority may approve the application with or without conditions, or if it relates to a discretionary use, refuse the application.
4. In reviewing a Development Permit application, the Approving Authority may request additional information or documentation this is considered necessary to make a determination.
7. The Approving Authority shall recommend approval or refusal of the application and may impose such conditions that are considered necessary to mitigate potential impacts.

Section 10.5 Business (Home Office, Home Based, or Contractors)

Table 10.5-1: Business, Home Based and Contractors Standards

- Stand-alone R-F, R-CR parcels can be considered with pre-notification to surrounding landowners.
- Discretionary Use.

Section 12.1. R-CR Country Residential District

Permitted Use: Accessory Building – Shop

Discretionary Uses: Business, Contractors - *on stand-alone parcels only*
 Setback Relaxation

Site Regulations: Yard Setbacks from existing Agricultural Districts: 17 m

2. Municipal Development Plan Bylaw No. 20/20

Administration reviewed the application against the Municipal Development Plan (MDP) and the following sections apply to the proposal:

Section 4.0 Residential Land Use Policies

Policies

4.3.19 Home occupations that do not have any negative impact on the surrounding area are considered to be appropriate for rural residential areas.

Section 5.0 Economic Development Land Use PoliciesGoals

5.1.1 To establish opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.

Objectives

5.2.3 To encourage and allow appropriate forms of home occupations as a legitimate type of development within MVC.

Policies

5.3.16 MVC shall recognize and encourage home occupations throughout the County, as long as these home occupations do not have a negative impact on the surrounding area and are consistent with the uses outlined in the County's Land Use Bylaw.

3. Current Zoning and Zoning History

The property is an established 3.01-acre Country Residential District (R-CR) parcel that features an existing dwelling with attached garage. It was redesignated from Agricultural District and subdivided from the parent parcel in 2013 via Application Number PLRDSD20130329.

4. Development Permit History

PLDP20180124: Dwelling, Single Detached with Attached Garage

APPLICATION PROPOSAL:

The applicants are requesting consideration for a Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation on a 3.01-acre Country Residential District (R-CR) parcel. The proposed Accessory Building - Shop will be a 13,000 sq. ft. indoor athletic training facility featuring a full baseball infield, located on the northeast corner of the property. The Business, Contractors – Private Athletic Training for Multi-Sport Athletes will be operating entirely within the proposed Accessory Building - Shop. As the minimum side yard setback from existing Agricultural Districts is 17.0 m in the Country Residential District, and the proposed shop is not perceived to negatively impact the Agricultural District land use on the north boundary, the applicants are also requesting a northerly side yard setback relaxation to 12.2 m for the proposed shop. The proposed Business, Contractors impacts have been examined and have been determined to be in compliance with the standards set out in Land Use Bylaw No. 21/21, Table 10.5-1: Business, Home Based and Contractors Standards.

Circulation

During the Development Permit application process, the application was circulated to 12 adjacent landowners within a 0.5-mile radius of the subject property. Only one Letter of Concern was submitted to the County as a result of the circulation. The letter raised questions on the increase in traffic flow past their property, and presented concerns regarding dust impact on their livestock along Township Road 322, advising that this was already an issue. A question on the Hours of Operation was also raised. The applicants responded by providing their proposed Hours of Operation, a breakdown of anticipated peak-business versus low-business times, and plans to mitigate dust by directing their clientele to access the property via Range Road 31 from the south, off of the paved Township Road 320. The applicants pointed out that their peak-business times would be during the winter and spring months, when dust is naturally suppressed by snow and ice, and that their low-business times would be during the summer and fall months, when dust tends to be more of an issue.

The application was circulated to the County's Operational Services Department for comment. Operational Services requested that the applicants provide dust control on Range Road 31 from Township Road 320 in front of residences. Condition 22 of the conditionally approved Development Permit addresses concerns relative to dust and directs traffic.

Appellants' Reasons for the Appeal

The appellants, Jason and Michelle Finnigan, submitted the appeal; however, Kevin and Lisa Land, and Rachel Pavan, also signed the appeal form. Of this collective, only the Pavans reside within the 0.5-mile circulation radius. The rest of the appellants reside south of the proposed development on Range Road 31, along the proposed route from Township 320; the Finnigans being approximately 0.8 miles south, and the Lands being approximately 1.4 miles south.

The appellants provided the following reasons for the appeal (Administration's response is in italics):

Appellants' concern:

High traffic volume on Range Road 31, combined with the narrow width of the road (6 m), poses increased safety risks to all users of the road, including drivers, pedestrians, agricultural activities, and animals at large. This is exacerbated by heavy truck and trailer use on Range Road 31 when road bans are in place on Range Road 25 or Highway 766.

As per Section 5.2 of Land Use Bylaw No. 21/21, the Approving Authority "may impose such conditions that are considered necessary to mitigate potential impacts". In considering the implications of traffic generation of the proposed business, the conditionally approved Development Permit imposed the following conditions:

19. The applicant, landowner and/or operator shall ensure that all communications related to accessing the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, including all clientele visiting the site, are directed to utilize Township Road 320 to Range Road 31.

22. Prior to Issuance of the Development Permit the applicant, landowner and/or operator shall enter into a Road Use Agreement that directs the traffic generated by the Business, Contractors - Private Athletic Training for Multi-Sport Athletes to utilize Township Road 320 to Range Road 31 and provides for dust suppression along Range Road 31 from Township Road 320 in front of residences.

The Road Use Agreement also includes provisions to ensure conformance with the Traffic Safety Act, as well as the County's General Traffic Bylaw No. 03/21. In consultation with the Operations Department, the identified route is considered acceptable for the proposed traffic.

Appellants' concern:

Increase of people and traffic in the area without an increase of Peace Officer patrol increases the security risks.

All conditions of a Development Permit are enforceable, and it is the responsibility of the applicant, landowner and/or operator to comply with the conditions. The Complaint Process is available to residents to report non-compliance with County approved bylaw, policy or procedure, which requires investigation. The Complaint Process, as outlined in Policy and Procedure No. 1021, is available to residents via the County website, the County app, email or telephone. The County can increase patrol presence in areas identified as requiring it. Residents are encouraged to contact the RCMP to report security threats and suspicious activity.

Appellants' concern:

High traffic volume until 10:00 p.m. every day contradicts Land Use Bylaw No. 21/21:

Section 5.2.9.a.ii "...materially interfere with or affect the use, enjoyment, or value of neighbouring properties..."

Section 10.5.1.a "...excessive lighting, late calling of clients of an unreasonable number... other nuisances ..."

The applicant has not proposed, nor has the MPC approved, any additional lighting or signage for the proposed development. Condition 15 of the conditionally approved Development Permit provides for any expansion to obtain a new Development Permit. Condition 18 provides for no signage. In approving the application subject to Condition 16, the MPC did not perceive the number of clients related to the business, as well as the proposed days and hours of operation, to be unreasonable. Any operations observed outside of the approved Hours of Operation outlined within the Development Permit can be enforced through the County's Complaint Policy and Procedure No. 1021, as outlined above.

Appellants' concern:

Business does not follow the County's economic development goals, nor does it successfully promote business diversification accurately.

MPC approved the application as it complies with the policies of the Municipal Development Plan Bylaw No. 20/20, Section 4.0 Residential Land Use Policies and Section 5.0 Economic Development Land Use Policies, outlined above in Section 2 of this report.

Appellants' concern:

Point #1 under Mountain View County's Economic Develop Goals is "Protecting the Agricultural Identity of Mountain View County". This business is not only non-agricultural, but it is also taking away from productive farmland.

The proposal complies with the policies of the Municipal Development Plan Bylaw No. 20/20, Section 4.0 Residential Land Use Policies and Section 5.0 Economic Development Land Use Policies, outlined above in Section 2 of this report.

The development is contained entirely within a Country Residential District zoned parcel. Accordingly, it is not taking away from productive farmland.

Goal 2 of the County's Economic Development Strategy 2022-2027 provides for the diversification of the economic base of the County to ensure tax base sustainability and provide a high level of service. As part of the economic development objectives noted in the Economic Development Strategy, business growth potential, business retention and business expansion are areas that have been identified for strategic action items. This includes growing home based businesses.

Appellants' concern:

Country Residential is not proper zoning to accommodate this type of business. Any similar businesses within Alberta are located within industrial or commercially zoned areas.

The proposed use is a use that can be considered within the Country Residential District as outlined in the County's Land Use Bylaw No. 21/21 under Section 12.1. R-CR Country Residential District. The applicants have met the requirements outlined in Section 10.5 Business (Home Office, Home Based, or Contractors), and have satisfied all of the requirements set out in Table 10.5-1: Business, Home Based and Contractors Standards. Accordingly, MPC considered the proposed development appropriate for the subject property.

CONCLUSION:

The Approving Authority, MPC, considered the submitted application on October 06, 2022, and approved the application for the following reasons:

MPC 22-067

- Business, Contractors – Private Athletic Training for Multi-Sport Athletes is a use that can be considered in the Country Residential District on a standalone parcel.
- Accessory Building – Shop with Setback Relaxation is a use that can be considered in the Country Residential District.
- The Municipal Development Plan encourages the establishment of opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.

SDAB Options:

In accordance with Section 687 of the Municipal Government Act, the options before the SDAB are to:

1. Uphold the decision of the approving authority;
2. Revoke the decision of the approving authority;
3. Make or substitute an approval, decision or conditions of its own.

As outlined in this report, Planning and Development, on behalf of MPC, respectfully requests that the SDAB deny the appeal and uphold the decision of the MPC to approve the Development Permit for the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation.

Respectfully Submitted

Planning and Development on behalf of the Mountain View County Municipal Planning Commission

ATTACHMENT(S):

- 01 - Location, Land Use and Ownership Map
- 02 - Request for Decision to MPC on October 06, 2022
- 03 - Adopted MPC Minutes of October 06, 2022 (excerpts)
- 04 - Notice of Decision
- 05 - Aerial Photograph
- 06 - Environmental Scan Map

- 07 - Site Sketch
- 08 - Application with Business Details
- 09 - Didsbury Fire Department Letter
- 10 - Letter of Concern
- 11 - Applicant Response to Letter of Concern
- 12 - SDAB Presentation

Note: The complete file and any previous files are available for the SDAB to review if required.



Mountain View COUNTY

Location, Land Use, Ownership & Circulation

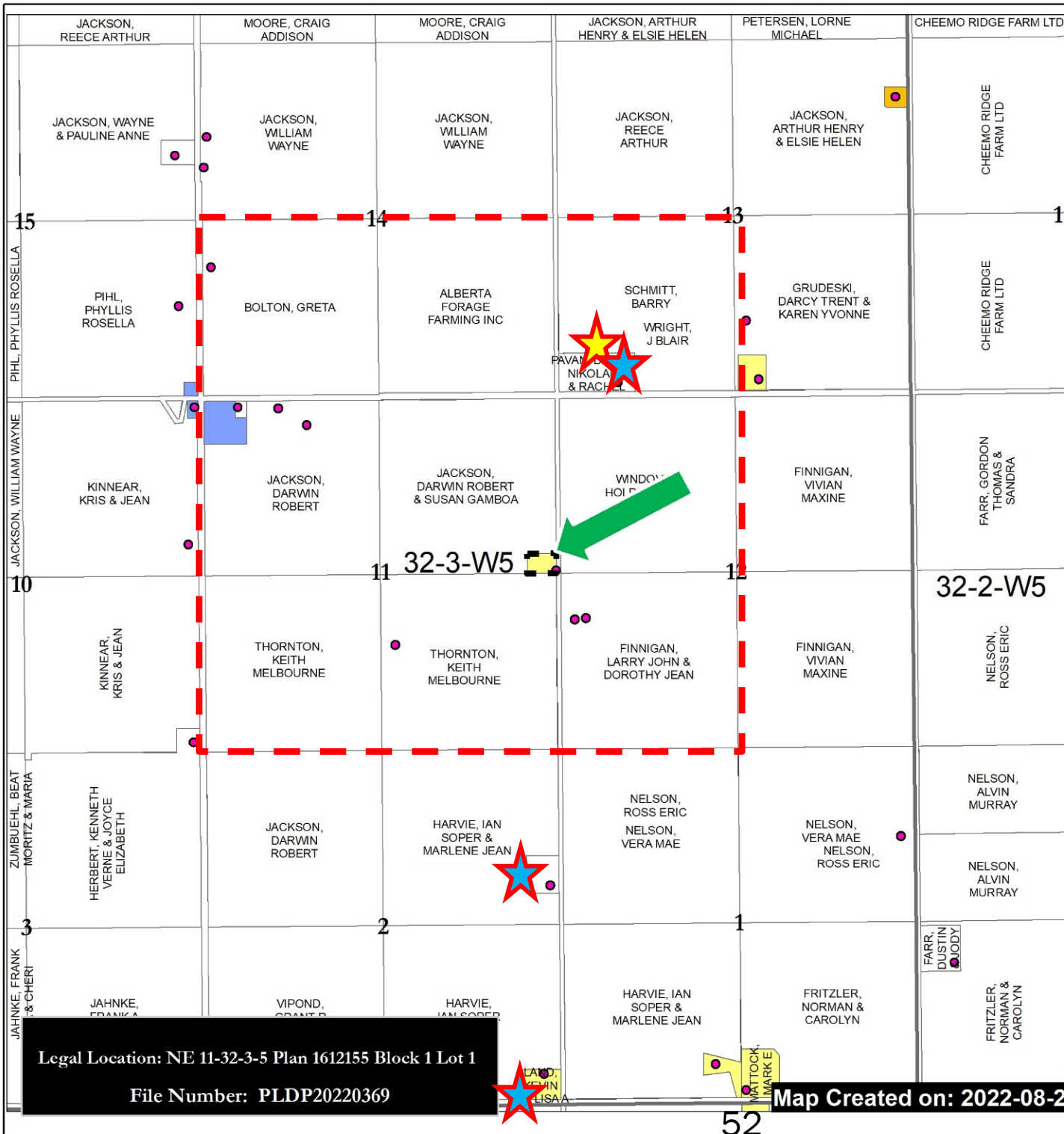
- Rural Address
- Proposed Development Permit
- Airport Height Limitation
- Land Use Zoning**
 - Agricultural District (A)
 - Agricultural (2) District (A(2))
 - Country Residential District (R-CR)
 - Country Residential (1) District (R-CR1)
 - Residential Farmstead District (R-F)
 - Local Commercial District (C-LC)
 - Business Park District (I-BP)
 - Heavy Industrial District (I-HI)
 - Aggregate Extraction/Processing District (AEP)
 - Parks and Conservation District (P-PC)
 - Parks and Recreation District (P-PR)
 - Parks and Comprehensive Recreational District (P-PCR)
 - Institutional, Educational and Cultural District (S-IEC)
 - Airport District (S-AP)
 - Direct Control
- Circulation Response
- Appellant
- Subject Land



0 250 500 1,000 1,500 Meters

Scale: 1:25,000

Mountain View County
NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator





Request for Decision

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

SUBJECT:	Development Permit Application	REVIEWED AND APPROVED FOR SUBMISSION
SUBMISSION TO:	Municipal Planning Commission	CAO:
MEETING DATE:	October 06, 2022	MANAGER: JBR
DEPARTMENT:	Planning and Development Services	DIRECTOR: MB
FILE NO.:	PLDP20220369	PREPARER: BH
LEGAL:	NE 11-32-3-5 Plan 1612155 Block 1 Lot 1	LEGAL/POLICY REVIEW:
		FINANCIAL REVIEW:

ADMINISTRATIVE POSITION:

Supports Approval

That the Municipal Planning Commission (MPC) approve the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation in accordance with Land Use Bylaw No. 21/21 and the submitted application, within NE 11-32-3-5 Plan 1612155 Block 1 Lot 1, submitted by GRUDESKI, Christopher Jason & Kayla Marie, Development Permit No. PLDP20220369, subject to the following conditions:

CONDITIONS:

The works outlined in this application are 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 Conditions:

13. Permit approval is conditional to information supplied on the application form for a proposed Business, Contractors - Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. All activities related to the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be contained within the proposed Accessory Building - Shop identified on the Site Plan. No additional outdoor activities related to the Business, Contractors - Private Athletic Training for Multi-Sport Athletes are permitted with the issuance of this Development Permit.
15. Future expansion of the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, additional buildings or uses, work area or additional employees will require a new Development Permit.
16. The Hours of Operation for the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be year-round, Monday to Friday from 5:00 p.m. until 10:00 p.m. and Saturday to Sunday from 9:00 a.m. until 9:00 p.m.
17. Parking shall be contained within a specified area, as indicated on the applicant's Site Plan. No parking of vehicles shall be permitted within County road allowances at any time.
18. No signs have been approved with this permit. Any future signage shall be applied for through the Development Permit process.
19. The applicant, landowner and/or operator shall ensure that all communications related to accessing the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, including all clientele visiting the site, are directed to utilize Township Road 320 to Range Road 31.
20. The applicant, landowner and/or operator shall provide a Fire Protection Plan to the satisfaction of Mountain View County that includes notification to the local Fire Department.
21. As per the submitted application, a northerly side yard setback relaxation for the proposed Accessory Building - Shop is granted for the life of the building.

PRIOR TO ISSUANCE CONDITIONS:

22. Prior to Issuance of the Development Permit the applicant, landowner and/or operator shall enter into a Road Use Agreement that directs the traffic generated by the Business, Contractors - Private Athletic Training for Multi-Sport Athletes to utilize Township Road 320 to Range Road 31 and provides for dust suppression along Range Road 31 from Township Road 320 in front of residences.

BACKGROUND / PROPOSAL:

Facts:

Legal Location:	NE 11-32-3-5 Plan 1612155 Block 1 Lot 1
Directions:	Located on the west side of Range Road 31, one and a half miles north of Township Road 320.
Division:	4
Rural Community/Urban Centre:	Westerdale
Owner:	GRUDESKI, Christopher Jason & Kayla Marie
Applicant:	GRUDESKI, Christopher Jason & Kayla Marie
Proposed Development:	Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation
Discretionary Use:	Yes - Business, Contractors is considered a Discretionary Use within the Country Residential District (R-CR), and setback relaxations are considered a Discretionary Use within all districts.
Zoning:	Country Residential District (R-CR)
Parcel Size:	3.01 acres

Project Value:	\$450,000.00	
Proposed Building Size:	13,000 sq ft	
Setback Relaxations/Variations:	LUB Setback Requirement:	From Agricultural Districts: 17 m/55.8 ft
	Setback Requested:	Shop, Northerly Side Yard: 12.2 m/40 ft

Key Dates, Communications, and Information:

Application Submitted	August 22, 2022
Application Circulated	Yes - circulated to 12 adjacent landowners within a half mile of the subject property and Operational Services. A referral was sent to Economic Development for information purposes.
Circulation Dates	August 31, 2022 to September 22, 2022
Supportive Information Requested/Submitted	The applicants were requested to submit confirmation of adequate fire suppression and acknowledgement of the requirement for a Road Use Agreement including direction of traffic generated by the proposed business and dust suppression along Range Road 31 from Township Road 320. The applicants provided a letter regarding firefighting capabilities from the Didsbury Fire Department (Attachment 05) relative to the size of the building proposed and acknowledged the requirement for the Road Use Agreement provisions.
Application Revised from Submission	No
Communications Received from referrals	Operational Services responded that the amount of traffic generated by the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes will require the applicants to direct traffic to utilize Township Road 320 (chip-seal) to Range Road 31 (gravel) and provide dust suppression along Range Road 31 from Township Road 320 in front of residences.
Objections Received and Addressed	There was one Letter of Concern received from an adjacent landowner regarding dust generated by the increase in traffic (Attachment 06). The applicants provided a response to the adjacent landowner's Letter of Concern on September 26, 2022 (Attachment 07).

Appeal Authority:

Subdivision & Development Appeal Board	No provincial approvals required.
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Applicable Directions, Policy and Regulations:

Intermunicipal Development Plan Growth Centre Urban Referral/Fringe Area	Not within any IDPs.
Municipal Development Plan Bylaw No. 20/20	<p>Section 4.0 Residential Land Use Policies</p> <p>4.3.19 Home occupations that do not have any negative impact on the surrounding area are considered to be appropriate for rural residential areas.</p> <p>Section 5.0 Economic Development Land Use Policies</p> <p>5.1.1 To establish opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.</p> <p>5.2.3 To encourage and allow appropriate forms of home occupations as a legitimate type of development within MVC.</p> <p>5.3.16 MVC shall recognize and encourage home occupations throughout the County, as long as these home occupations do not have a negative impact on the surrounding area and are consistent with the uses outlined in the County's Land Use Bylaw.</p>
Area Structure Plan	Not within any ASPs.
Land Use Bylaw No. 21/21	Section 5.2 Decision on a Development Permit Application

	Section 10.5 Business (Home Office, Home Based, or Contractors) Section 12.1. R-CR Country Residential District Discretionary Use: Business, Contractors - <i>on stand-alone parcels only</i> Site Regulations: Setback from Agricultural District: 17 m
Policy and Procedures	N/A

Land Use and Development

Predominant development on property	This is an established Country Residential District (R-CR) consisting of an existing dwelling with attached garage.
Oil and gas facilities on property/adjacent	No oil or gas facilities on site.
Abandoned Oil Well	No abandoned wells - verified August 22, 2022.
Surrounding land uses	Surrounded by Agricultural District.

Physical and Natural Features

ESAs and Classifications	Not within any ESAs.
Topographical constraints on property	Land is relatively flat.
Waterbodies and wetlands on property	None
Potential for Flooding	Low risk

Planning and Development History

Prior RD/SD/DP/BP Applications	PRBP20180437: New Single Family dwelling with attached garage and basement development PLDP20180124: Dwelling, Single Detached with Attached Garage
Encumbrances on title affecting application	None

Servicing and Improvements Proposed/Existing

Water Services	Private well
Sewer Services	Private septic field
Storm water/Drainage Improvements	No improvements proposed
Solid Waste Disposal	No improvements proposed

Suitability Assessment

Land suitable for intended use	Yes
Compatible with surrounding land uses	Yes
Appropriate legal and physical access	Yes

Development Proposal

The applicants are requesting consideration for a Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation on a 3.01 acre Country Residential District (R-CR) parcel located within the rural community of Westerdale. The property currently features an existing dwelling with attached garage and is surrounded by Agricultural District.

Building Construction

The proposed Accessory Building - Shop will be a 130 ft. x 100 ft. (13,000 sq. ft.) indoor athletic training facility featuring a full 180 baseball infield, located on the northeast corner of the property. There will be a main entrance and a 20 ft. x 20 ft. (400 sq. ft.) indoor storage area, with the balance of the building dedicated to the indoor infield. Due to the proposed use and size of the building, Administration will require a Building Permit to be obtained and the building to be constructed to meet the Safety Codes Act of Alberta requirements for Commercial Occupancy.

The applicants have provided confirmation that the Accessory Building - Shop will be built to Commercial Standards and have acknowledged the requirements of the Alberta Building Code based on the size of the building. The building permit will ensure adequate fire suppression requirements are met in accordance with the Alberta Building Code and have included a letter from the local fire department indicating the rural fire capabilities relative to the structure.

proposed. The applicants have engaged Operational Services and are in the process of creating a separate approach and access to the facility.

Business Information

The applicants are proposing to operate a private athletic training facility for multi-sport athletes within the proposed Accessory Building - Shop. As per the Land Use Bylaw's Table 10.5-1: Business, Home Based and Contractors Standards, the proposal impacts and compliance with the standards are identified in the third column of the table below:

Standard	Contractors Business	Applicants' Proposal
Maximum occupied area of principal and accessory buildings	Shall be limited to the existing principal dwelling unit and accessory buildings. The operator of the business must reside on the property in which the business is being operated from.	The applicants/landowners reside on the property. There is an existing dwelling with attached garage. The application includes a proposed Accessory Building - Shop wherein all activities related to the business will occur.
Storage	All outside storage related to the business including vehicles, trailers and equipment shall be kept within a building or screened storage area and shall not be placed within the yard setbacks.	None. The proposal designates a 400 sq ft indoor storage space within the proposed Accessory Building - Shop. No outside storage has been proposed with this application.
External Appearance	No variation from the external appearance and residential character of land or buildings shall be allowed.	None. All activities related to the business will take place within the proposed Accessory Building - Shop. Parking is provided in front on the proposed Accessory Building - Shop as per the Site Plan submitted with the application.
Exterior Impact	The contractor's business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Approving Authority.	None aside from potential dust impacts from traffic generation, which shall be addressed via a Road Use Agreement that includes provisions for a specified route utilization and dust suppression along said route.
Signage	One (1) sign and shall be in accordance with the Mountain View County Industrial and Commercial Design Guidelines. No illuminated signs shall be allowed.	None. No signage has been proposed with this application.
Customer Traffic Generation	Customer traffic generation shall be at the discretion of the Approving Authority.	The business will be open year-round with an anticipated average of 25 customers per day and 100 customers per week.
Business Related Vehicles	Commercial vehicles shall be at the discretion of the Approving Authority.	None. No commercial vehicles have been proposed with this application.
Employees	Employees, in addition to the permanent resident(s) of the property engaged within the business, shall be allowed at the discretion of the Approving Authority.	None. No employees are proposed with this application outside of the applicants/landowners who reside on the property.
Community Preliminary Notification of Application	Stand-alone R-F, R-CR parcels can be considered with pre-notification to surrounding landowners. Not allowed on multi-lot R-CR or R-CR(1) parcels. Discretionary Use.	The proposal was circulated within a half mile of the subject property and only one letter of concern was received.

Circulation

This proposal was circulated to 12 adjacent landowners, within a half mile of the subject property and only one Letter of Concern was submitted to the County. The adjacent landowners inquired with respect to the increase in traffic flow past their property. They advised that they have livestock housed in fields along Township Road 322 and that dust is already an issue for the livestock. They also inquired with respect to the Hours of Operation.

The applicants' response included their proposed Hours of Operation:

- Monday to Friday from 5:00 p.m. until 10:00 p.m.
- Saturday to Sunday from 9:00 a.m. until 9:00 p.m.

as well as a monthly breakdown of business times:

- Busy Season: November to April
 - Peak time of business.
- Weather Dependent Season: May to August
 - Typically very quiet due to outdoor sport venues within the surrounding community being open.
- Indoor Court Sport Season: September to October
 - Very slow time of business.

Regarding the dust concerns, the applicants have advised that they anticipate most traffic to access the facility on Range Road 31 from the south via Township Road 320. The applicants also advised that most of their clientele prefer to use paved roads. The applicants pointed out that their peak time of business would be during the winter and spring months, when dust is naturally suppressed by snow and ice, and that their slowest time of business would be during the summer and fall months when dust tends to be more of an issue.

The application was circulated to Operational Services and Economic Development for information purposes. Operational Services asked for confirmation of traffic direction to the proposed facility. The applicants responded that they will be directing their clientele to access the facility by travelling north on Range Road 31 from Township Road 320. They stipulated that their clientele prefer to stay off the gravel roads and will gladly adhere to this route. Operational Services requested that the applicants provide dust control on Range Road 31 from Township Road 320 in front of residences. Condition 23 will assist with concerns relative to dust on the adjacent range road and direct traffic to not affect residences north of the facility.

Setback Relaxation

As per the Land Use Bylaw, for properties zoned Country Residential District (R-CR), the minimum side yard setback from existing Agricultural Districts is 17 m/55.8 ft. The applicants are requesting consideration for a northerly side yard setback relaxation for the proposed Accessory Building - Shop to 12.2 m/40 ft. due to the proximity of the Foothills Gas Coop residential service lines and the private water well on the south side of the proposed building site. Furthermore, the proposed development is not perceived to negatively impact the Agricultural District land use on the north boundary.

Conclusion

Administration has reviewed this application and can support approval as:

- Business, Contractors – Private Athletic Training for Multi-Sport Athletes is a use that can be considered in the Country Residential District on a standalone parcel.
- Accessory Building – Shop with Setback Relaxation is a use that can be considered in the Country Residential District.
- The Municipal Development Plan encourages the establishment of opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.
- Concern with respect to dust suppression raised as a result of the circulation shall be addressed by the applicants via a Road Use Agreement as a Prior to Issuance Condition of the Development Permit.
- The proposed development is not perceived to have a negative impact on adjacent lands or uses.

OPTIONS/BENEFITS/DISADVANTAGES

Options:

The options before MPC are to:

1. Approve the proposed development with the conditions as listed/attached;

2. Approve the proposed development with amended conditions;
 3. Defer the proposed development and request additional information;
 4. Refuse the proposed development.
-

ATTACHMENT(S):

- 01 - Location, Land Use and Ownership Map
- 02 - Site Sketch
- 03 - Environmental Scan Map
- 04 - Aerial Photograph
- 05 - Application with Business Details
- 06 - Didsbury Fire Department Letter
- 07 - Letter of Concern
- 08 - Applicant's Response to Letter of Concern
- 09 - Presentation

Note: The complete file is available for Municipal Planning Commission to review if required.

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the Municipal Planning Commission held on October 06, 2022, in the Council Chambers, 1408 Twp Rd. 320, Didsbury, AB. and the opportunity to join Via Zoom Cloud

PRESENT: M. McNaughton; Member-At-Large
C. Keleman; Member-At-Large

D. Fulton; Councillor/Chair
A. Miller; Councillor
G. Krebs; Councillor

IN ATTENDANCE: J. Ross; Assistant Director, Planning & Development/Acting Secretary, Municipal Planning Commission
R. Pohl; Planning Technician
J. Reimer; Development Officer
B. Hutchings; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: J. Ross called the meeting to order at 9:00 a.m.

AGENDA
MPC 22-062 Moved by D. Fulton
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of October 06, 2022 as presented.
Carried.

APPOINTMENT of CHAIR - September 06, 2022 Meeting

J. Ross, Acting Secretary, Municipal Planning Commission called for nominations for the position of Chair for the Meeting of October 06, 2022

A. Miller nominated D. Fulton for the position of Chair for the meeting of October 06, 2022

J. Ross called for nominations a second and third time.

MPC 22-063 Moved by G. Krebs
That nominations cease.
Carried.

J. Ross declared D. Fulton as Chair of the Municipal Planning Commission effective immediately; and further, that the appointment be for the October 06, 2022 meeting.

G. Krebs removed himself from the following item as the applicant is a relative.

PLDP20220369

NE 11-32-3-5

Plan 1612155 Blk - 1 L - 1

Planning and Development Services presented an overview of a proposed development located at NE 11-32-3-5 Plan 1612155 Blk - 1 L - 1, and provided information as introduced in the agenda package, including the location map, aerial photos and site photos. Planning and Development Services provided specific information to the application as follows:

- Application is for Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation.
- Applicant / Landowner - GRUDESKI, Christopher Jason & Kayla Marie
- One letter of concern was received concerning dust from traffic. This is addressed with Condition 22. A Road Use Agreement is required.

Municipal Planning Commission discussed the following:

- Administration clarified the number of residences on the access route that will require dust suppression.

Applicant, Christopher Grudeski, was present.

Moved by A. Miller

MPC 22-067

That the Municipal Planning Commission (MPC) approve the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation in accordance with Land Use Bylaw No. 21/21 and the submitted application, within NE 11-32-3-5 Plan 1612155 Block 1 Lot 1, submitted by GRUDESKI, Christopher Jason & Kayla Marie, Development Permit No. PLDP20220369, subject to the following conditions:

CONDITIONS:

The works outlined in this application are 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.

Adopted

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 Conditions:

13. Permit approval is conditional to information supplied on the application form for a proposed Business, Contractors - Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. All activities related to the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be contained within the proposed Accessory Building - Shop identified on the Site Plan. No additional outdoor activities related to the Business, Contractors - Private Athletic Training for Multi-Sport

Adopted

Athletes are permitted with the issuance of this Development Permit.

15. Future expansion of the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, additional buildings or uses, work area or additional employees will require a new Development Permit.
16. The Hours of Operation for the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be year-round, Monday to Friday from 5:00 p.m. until 10:00 p.m. and Saturday to Sunday from 9:00 a.m. until 9:00 p.m.
17. Parking shall be contained within a specified area, as indicated on the applicant's Site Plan. No parking of vehicles shall be permitted within County road allowances at any time.
18. No signs have been approved with this permit. Any future signage shall be applied for through the Development Permit process.
19. The applicant, landowner and/or operator shall ensure that all communications related to accessing the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, including all clientele visiting the site, are directed to utilize Township Road 320 to Range Road 31.
20. The applicant, landowner and/or operator shall provide a Fire Protection Plan to the satisfaction of Mountain View County that includes notification to the local Fire Department.
21. As per the submitted application, a northerly side yard setback relaxation for the proposed Accessory Building - Shop is granted for the life of the building.

PRIOR TO ISSUANCE CONDITIONS:

22. Prior to Issuance of the Development Permit the applicant, landowner and/or operator shall enter into a Road Use Agreement that directs the traffic generated by the Business, Contractors - Private Athletic Training for Multi-Sport Athletes to utilize Township Road 320 to Range Road 31 and provides for dust suppression along Range Road 31 from Township Road 320 in front of residences.

Carried.

G. Krebs rejoined the meeting

CORRESPONDENCE

Information Items

MPC 22-068

Moved by A. Miller

That the Municipal Planning Commission receive the following items as information:

- 1) 20220920 ASDAA Agenda
- 2) 20220927 ASDAA Agenda
- 3) Permitted Development Permits Approved

Carried.



NOTICE OF DECISION

October 6, 2022

File No.: PLDP20220369

Sent via email and mail: [REDACTED]

GRUDESKI, CHRISTOPHER JASON & KAYLA MARIE
[REDACTED]

Dear Christopher & Kayla Grudeski:

RE: Proposed Development Permit

Legal: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

Development Proposal: Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation

The above noted Development Permit application on the NE 11-32-3-5 Plan 1612155 Block 1 Lot 1 for a Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation was considered by the Municipal Planning Commission on October 6, 2022.

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

Municipal Development Plan	Section 4.0 Residential Land Use Policies
Bylaw No. 20/20	Section 5.0 Economic Development Land Use Policies
Land Use Bylaw No. 21/21	Section 5.2 Decision on a Development Permit Application
	Section 10.5 Business (Home Office, Home Based, or Contractors)
	Section 12.1. R-CR Country Residential District

The Municipal Planning Commission concluded that a Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation is suitable development for NE 11-32-3-5 Plan 1612155 Block 1 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 proposed Business, Contractors - Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. All activities related to the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be contained within the proposed Accessory Building - Shop identified on the Site

Plan. No additional outdoor activities related to the Business, Contractors - Private Athletic Training for Multi-Sport Athletes are permitted with the issuance of this Development Permit.

15. Future expansion of the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, additional buildings or uses, work area or additional employees will require a new Development Permit.
16. The Hours of Operation for the Business, Contractors - Private Athletic Training for Multi-Sport Athletes shall be year-round, Monday to Friday from 5:00 p.m. until 10:00 p.m. and Saturday to Sunday from 9:00 a.m. until 9:00 p.m.
17. Parking shall be contained within a specified area, as indicated on the applicant's Site Plan. No parking of vehicles shall be permitted within County road allowances at any time.
18. No signs have been approved with this permit. Any future signage shall be applied for through the Development Permit process.
19. The applicant, landowner and/or operator shall ensure that all communications related to accessing the Business, Contractors - Private Athletic Training for Multi-Sport Athletes, including all clientele visiting the site, are directed to utilize Township Road 320 to Range Road 31.
20. The applicant, landowner and/or operator shall provide a Fire Protection Plan to the satisfaction of Mountain View County that includes notification to the local Fire Department.
21. As per the submitted application, a northerly side yard setback relaxation for the proposed Accessory Building - Shop is granted for the life of the building.

PRIOR TO ISSUANCE CONDITIONS:

22. Prior to Issuance of the Development Permit the applicant, landowner and/or operator shall enter into a Road Use Agreement that directs the traffic generated by the Business, Contractors - Private Athletic Training for Multi-Sport Athletes to utilize Township Road 320 to Range Road 31 and provides for dust suppression along Range Road 31 from Township Road 320 in front of residences.

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 **October 11, 2022** and **October 18, 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 27, 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, you will receive a letter detailing the "Prior To Issuance" conditions that must be met prior to the Development Permit being issued. Once all "Prior To Issuance" conditions have been met, 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.

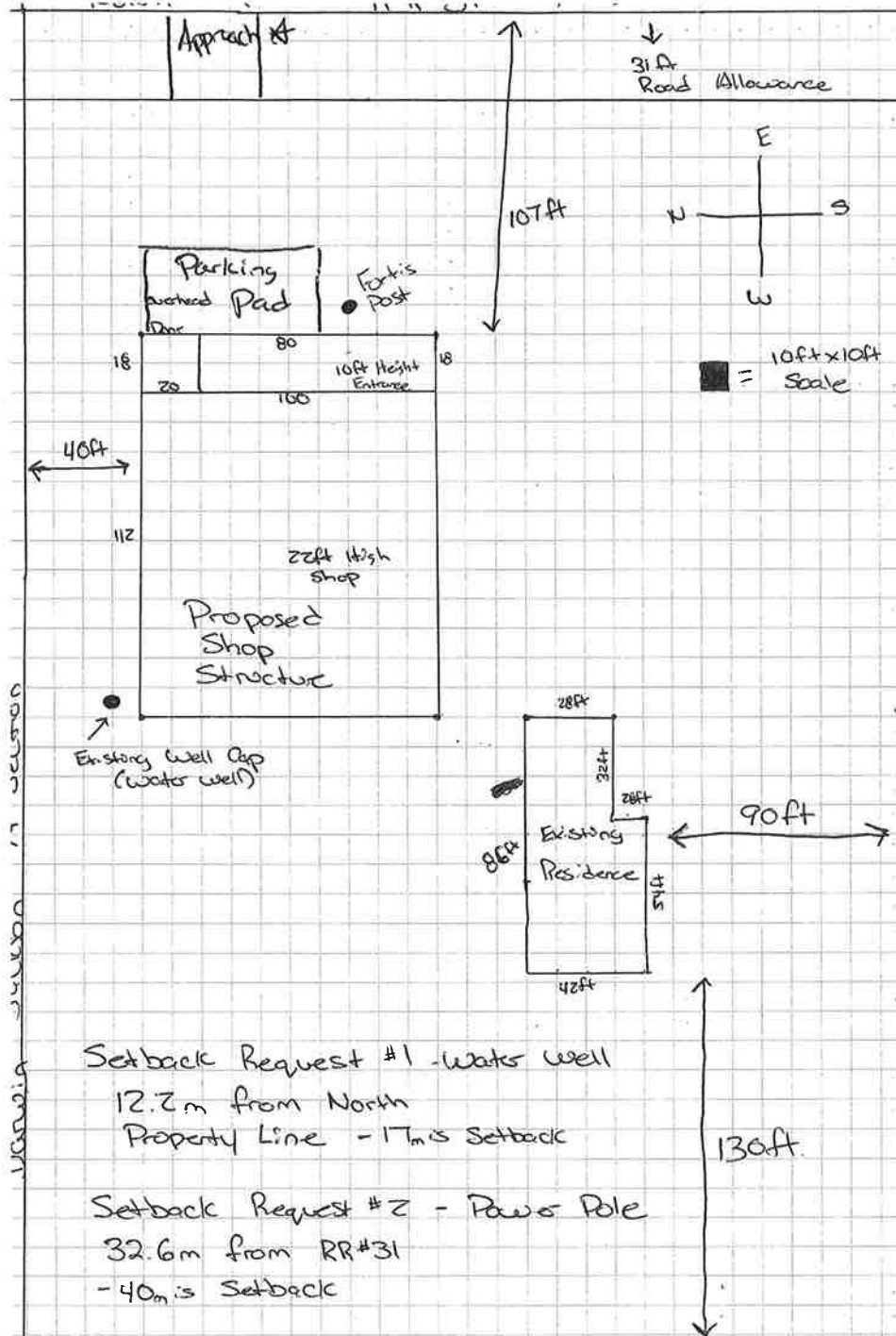
Yours truly,



Becky Hutchings, Development Officer
Planning and Development Services

/lc

Enclosures



Darwin Jackson 1/4 Section





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 (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

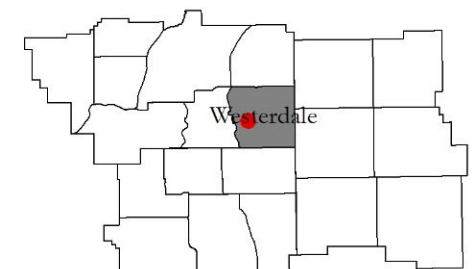
Date



Mountain View COUNTY

Topography & Water

- Application Location
- Contours - 5m
- Rivers and Creeks**
- Unclassified
- mvc Stream Class**
- Activity Restrictions
- No Activity Restrictions
- Proposed Development Permit

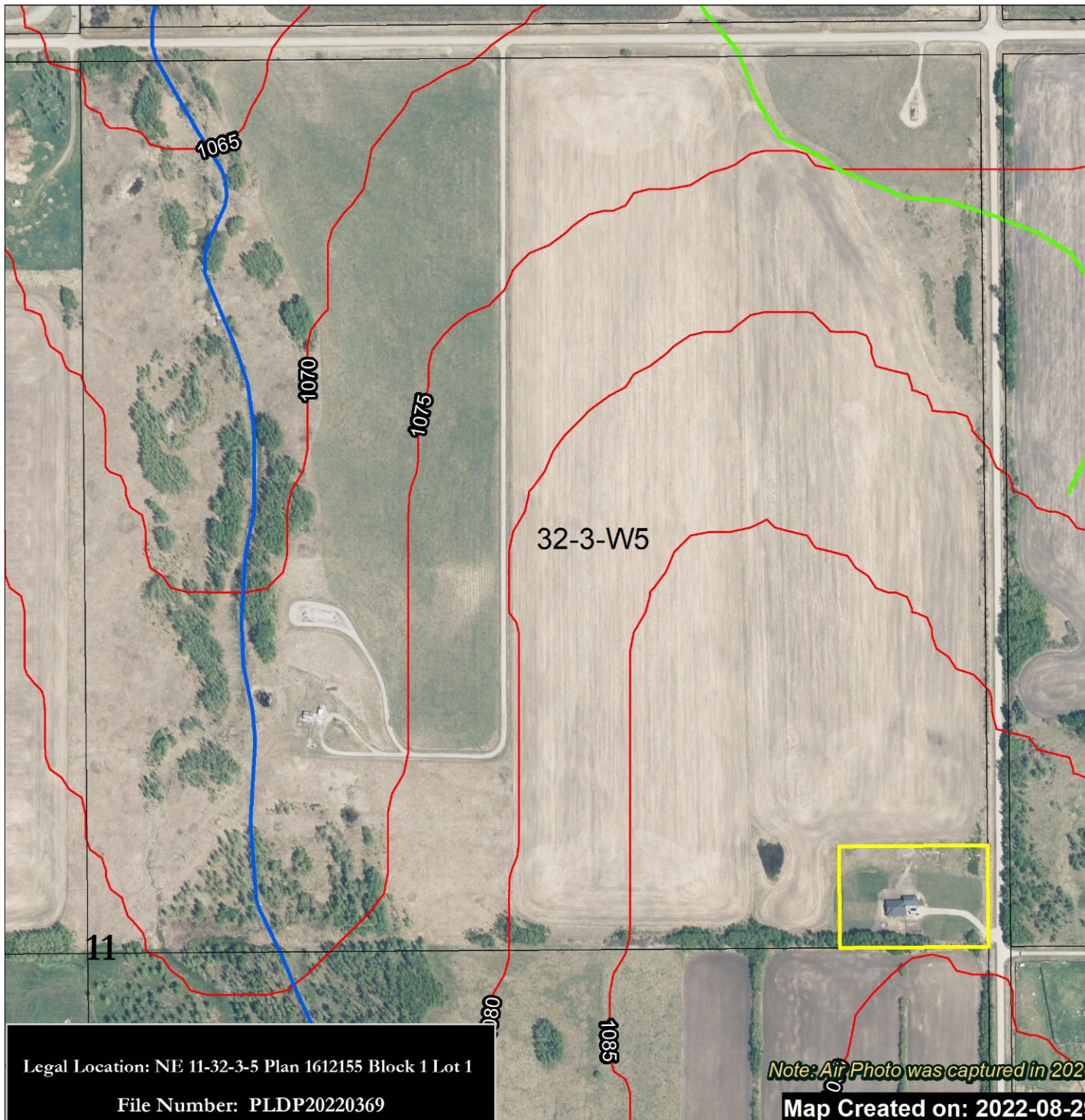


0 50 100 200 Meters

Scale: 1:5,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator



Legal Location: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

File Number: PLDP20220369

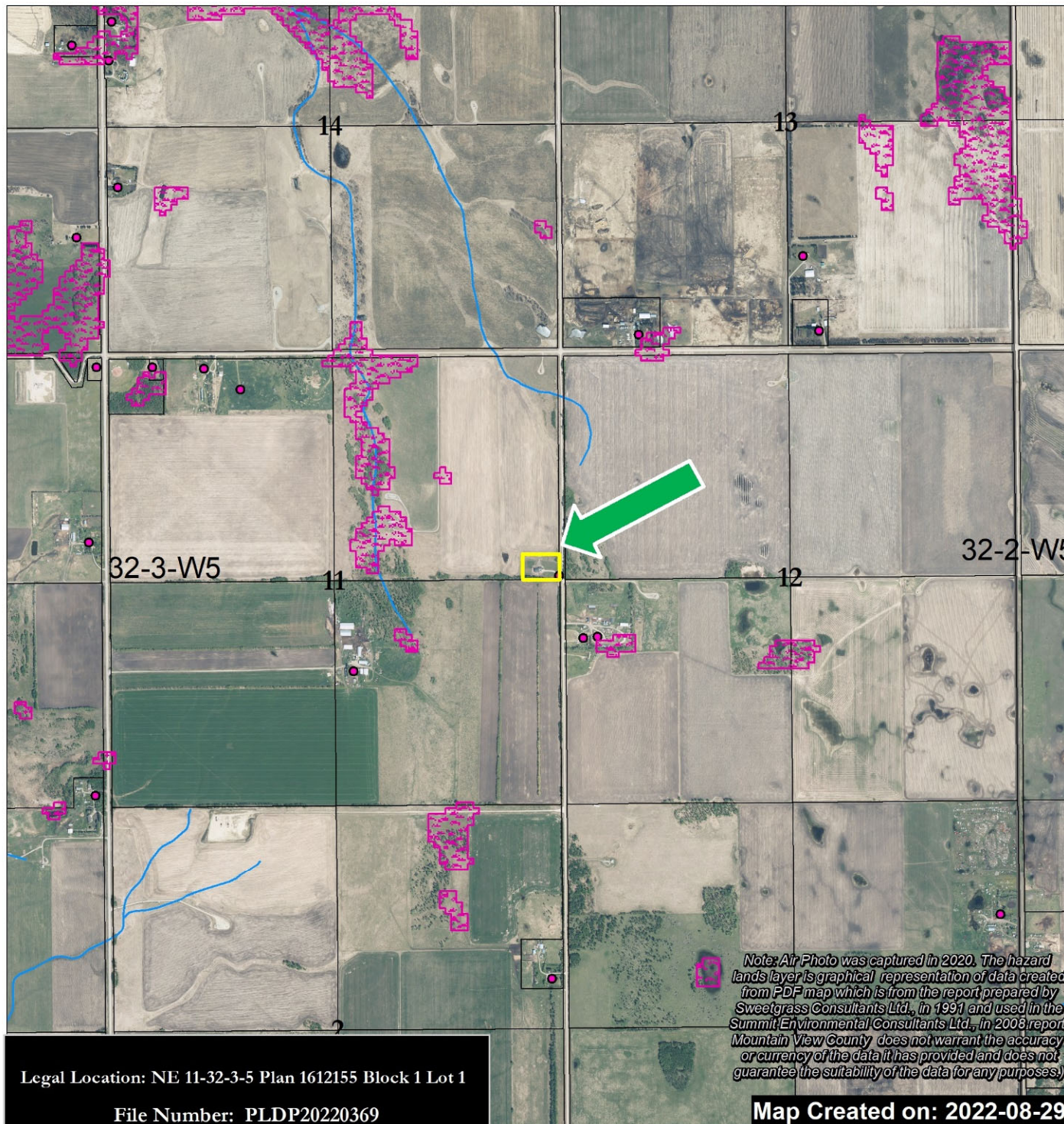
Note: Air Photo was captured in 2020

Map Created on: 2022-08-29



Mountain View COUNTY

Environmental Scan



- | | |
|--|---|
| ■ Floodway | Conservation Easement (Legacy Land Trust Society) |
| Flood Fringe | ● Rural Address |
| Environmental Scan | Proposed Development Permit |
| — Rivers and Creeks | ■ Growth Centres |
| Floodplain | Historical Resources |
| Aeolian Deposit | <all other values> |
| Wetlands | a-Archaeological Resources |
| Colonial Nesting Bird Range | a, p |
| Environmentally Significant Areas | h-Historical Sites |
| ESA_number | p-Palaeontological Resources |
| 1 (Very High) | Nuisance Grounds |
| 2 (High) | Landfills |
| 3 (Moderate) | ■ Gravel Pits |
| 4 (Low) | ■ Sewage Lagoons |
| Alberta Merged Wetland | CFO - NRCB Approved |
| Bog | — Subject Land |
| Fen | |
| Marsh | |
| Open Water | |
| Swamp | |



0 500 1,000 Meters

Scale: 1:20,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest

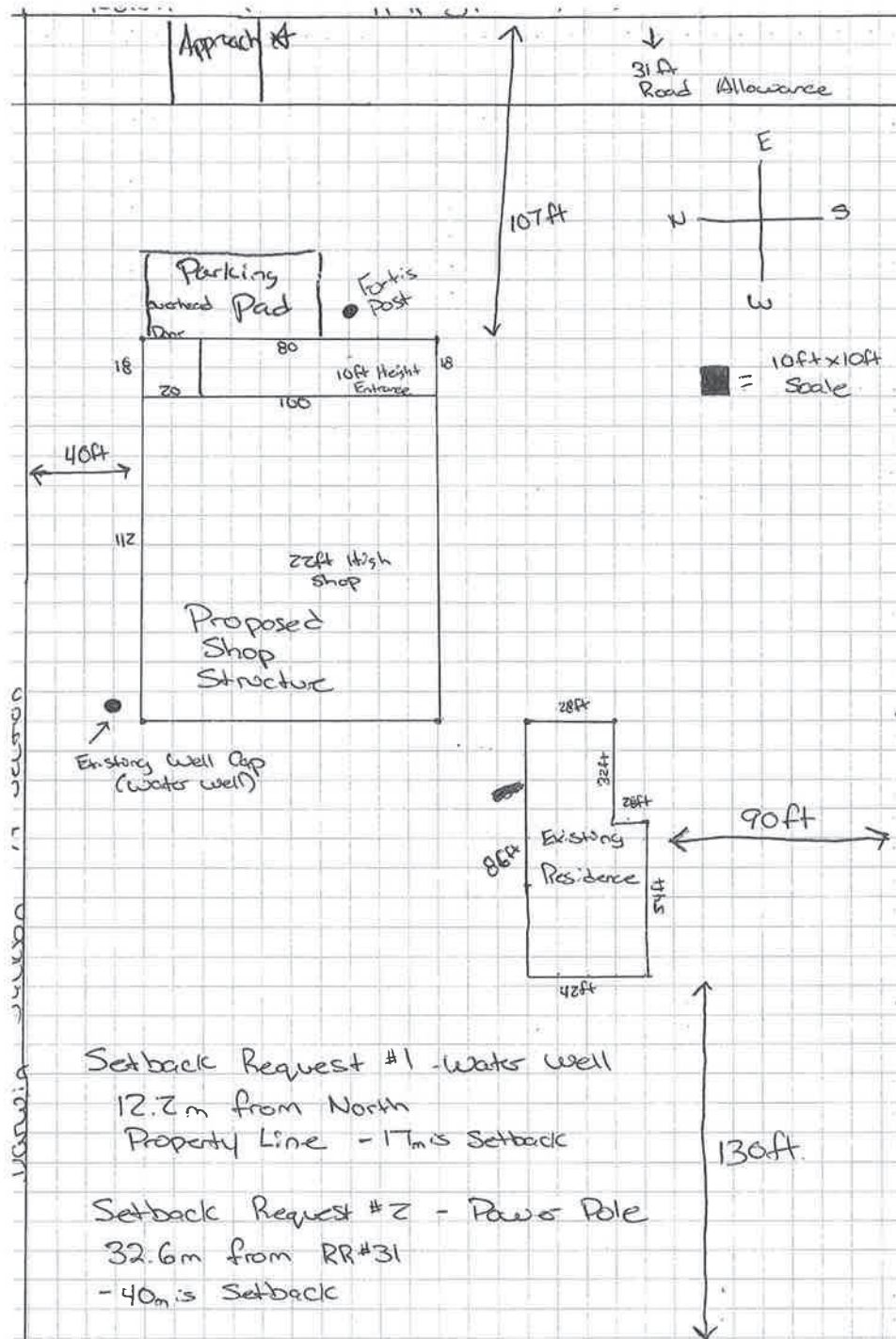
Projection: Transverse_Mercator

Note: Air Photo was captured in 2020. The hazard lands layer is graphical representation of data created from PDF map which is from the report prepared by Sweetgrass Consultants Ltd., in 1991 and used in the Summit Environmental Consultants Ltd., in 2008 report. Mountain View County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purposes.

Map Created on: 2022-08-29

Legal Location: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

File Number: PLDP20220369



Darwin Jackson 1/4 Section



Mountain View
C O U N T Y

DEVELOPMENT PERMIT APPLICATION BUSINESS USES

10-1408 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

Date: August 21, 2022

Contact Details

NAME OF APPLICANT(S): Chris + Kaitie Gaudeski

Address:

Town/City:

Postal Code: T4H 1P3

Phone #:

Alternate Phone #:

Email:

LANDOWNER(s) (if applicant is not the landowner): Same as above

Address:

Town/City:

Postal Code:

Phone #:

Alternate Phone #:

Email:

Site Information

RURAL ADDRESS:

LEGAL: NE Section: 11 Township: 32 Range: 3 West of 5 Meridian

Plan: 1612155

Block: 1 Lot: 1

Parcel Size: 3 Acres

Nature of the Business

Name of Business: TBD

Nature of Business - describe the nature of the business including services provided, products manufactured, items repaired, and goods offered for sale. If necessary, use additional pages:

Contractors Business - Private Athletic Training for Multi-Sport Athletes

Complete the following checklist:

1. Will any clients visit the home or property? Yes
2. Will there be an potential for exterior impacts such as noise, smoke, dust, fumes? No (Dust)
3. Will there be any outside signage related to the business? No
4. How many employees in addition to the permanent residents? 0
5. How many business related vehicles will be on the property? 0

If you have answered **YES** to any of the questions above or have employees and business related vehicles then your business is not considered a Home Office and **requires** a Development Permit and the completion of the this form.

If you have answered **NO** to the questions your business may be considered a Home Office and completion this page and the signature page is only required if you require confirmation from Mountain View County.

BUSINESS DETAILS

The following questions explain the details of your proposed business.

You may include supplement information such as Website address, Brochures, Business Plans, Marketing Info, etc.

Will there be existing or new buildings used for the business? Indicate all structures and uses on Site Sketch.

Yes 12,800ft² Indoor Facility - Full 18U Baseball Infield
All other age groups are smaller.

What is the area which will be occupied for the proposed business? Indicate building area occupied by the proposed business on the site plan.

12,800 ft²

How many people will be employed, including yourself: 2

Number of customers during an Average Day: 25

Average Week: 100

Hours of Operation: Mon-Fri 5-10 Sat/Sun 9-9 (Booking Dependent)

Days of Operation: Monday - Sunday

Months of Operation: January - December

Vehicles used for the business. Describe number, size, and type (ie. commercial vehicles, cars, trucks, etc.)

0 - Personal Only
Will be parked in resident garage

Where will parking be provided for employees/clients/customers and delivery trucks? Indicate parking area(s) on the site plan:

Yes

What outdoor/indoor storage will be on the property related to the Business:

20x20 indoor storage

Will there be Signs for the business? Indicate size and the location of the proposed signs below and on the site plan

NO

Please note: if your proposal is not for a Home Based Business, a Development Permit application package must also be completed and submitted along with this form for business uses.

Signature & Authorization Form

I, Chris Grudski

confirm that the above information accurately describes the business that will be/is operating

on: LEGAL: NE Section: 11 Township: 32 Range: 3 West of 5 Meridian
 Plan: 1612155 Block: (Lot: (

- ☒ I am the registered landowner(s) of the property as identified above
- ☐ I am authorized by the registered landowner(s) of the property to operate the Business as identified in this application

August 21, 2022

Date

Signature of Landowner

August 21, 2022

Date

August 21, 2022

Date

Signature of Authorized Applicant

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) for the purpose of reviewing and evaluating an application for Home Office Business. By providing the above personal information, the applicant consents to the information being made available to the public and Approving Authority 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 10-1408 – Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0
 Ph: 403-335-3311



Mountain View
COUNTY

DEVELOPMENT PERMIT APPLICATION

10-1408 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

Application Date: August 22, 2022

PLDP

Discretionary

Permitted

Submission Requirements

- | | |
|--|---|
| <input type="checkbox"/> Application form | <input type="checkbox"/> Abandoned Oil/Gas Well Information from AER |
| <input type="checkbox"/> Development Permit fees | <input type="checkbox"/> Applicant's signature |
| <input type="checkbox"/> Certificate of Title - current within 30 days | <input type="checkbox"/> Registered Landowner's signature(s) (if required) |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Supplemental Forms - for Secondary Suites or Business Uses (if required) |

Contact Details

NAME OF APPLICANT(s): Chris + Kayla Grzeski

Address: [REDACTED] Town/City: [REDACTED] Postal Code: T4H 1P3

Phone #: [REDACTED] Alternate Phone #: [REDACTED]

Email: [REDACTED]

LANDOWNER(s) (if applicant is not the landowner): As above

Address: [REDACTED] Town/City: [REDACTED] Postal Code: [REDACTED]

Phone #: [REDACTED] Alternate Phone #: [REDACTED]

Email: [REDACTED]

Site Information & Development Details

RURAL ADDRESS: [REDACTED]

LEGAL: NE Section: 11 Township: 32 Range: 3 West of 5 Meridian

Plan: 1612155 Block: 1 Lot: 1 Parcel Size: 3 Acre

Is property adjacent to a developed County or Provincial Road? Yes

Existing BUILDINGS: House

Number of Existing DWELLINGS: 1

PROPOSED DEVELOPMENT: Contractor / Discretionary
(what are you applying for) 100x112ft Shop

Proposed and Existing Setbacks

Indicate distance from Property Lines:

☐ Metres

☒ Feet

Front: 80ft Shop (East)

Side: 40ft Shop (North)

Rear: 130ft House

Side: 90ft House

Proposed Construction Details

Type of STRUCTURE: Shop If Dwelling, what type:
 If Other, describe: Foundation/Basement:
 Square Footage: ~~12,000~~ 12,800 Building Height: 22ft + Roof Pitch
 *If Mobile Home: Year: Size: Model:
 Serial Number: Name/Make of Unit:
 *If "Move-On" Home: - submit photographs of the dwelling Year Built:
 Name of Mover: Present Location of Dwelling:

Abandoned Oil/Gas Well Information

Have you contacted the AER (Website) to determine if you have an abandoned oil and/or gas well? Yes
 • Is there an abandoned oil/gas well on the property? Unknown
 • If yes, identify it on your site sketch and provide the Name of Licensee:
 We require a printout of the mapping from the AER Website. To get this information go to the following website:
<https://extmapviewer.aer.ca/AERAbandonedWells/Index.html> website is hard to use

Other Details

Are any of the following uses within one (1) mile of the proposed development:

- Gas Facilities/Pipelines Yes Distance: 900m
- Confined Feeding Operations: No Distance: -

Sewage System: Septic Field Type: Septic Field If other:
 Water Supply: Personal well Type: well If other:
 Has proposed development started? No
 Estimated start date: October 15, 2022 Estimated completion date: January 1, 2023
 Estimated cost of project:

Right of Entry Agreement

I hereby grant approval for Mountain View County staff to access the property for a Site Inspection. [Signature]

Please note: there may be additional forms required for your proposal. Once your proposal has been reviewed by County staff, you may receive an email requesting more information.

Signature & Authorization Form

I, Chris Gredeski


confirm that the above information accurately describes the Development Permit proposal for:

LEGAL: NE Section: 11 Township: 32 Range: 3 West of 5 Meridian
 Plan: 1612155 Block: 1 Lot: 1

- ☒ I am the registered landowner(s) of the property as identified above
- ☒ I am authorized by the registered landowner(s) of the property to obtain a Development Permit as identified in this application


August 21, 2022

Date


Signature of Landowner


August 21, 2022

Date


Signature of Landowner

August 21, 2022

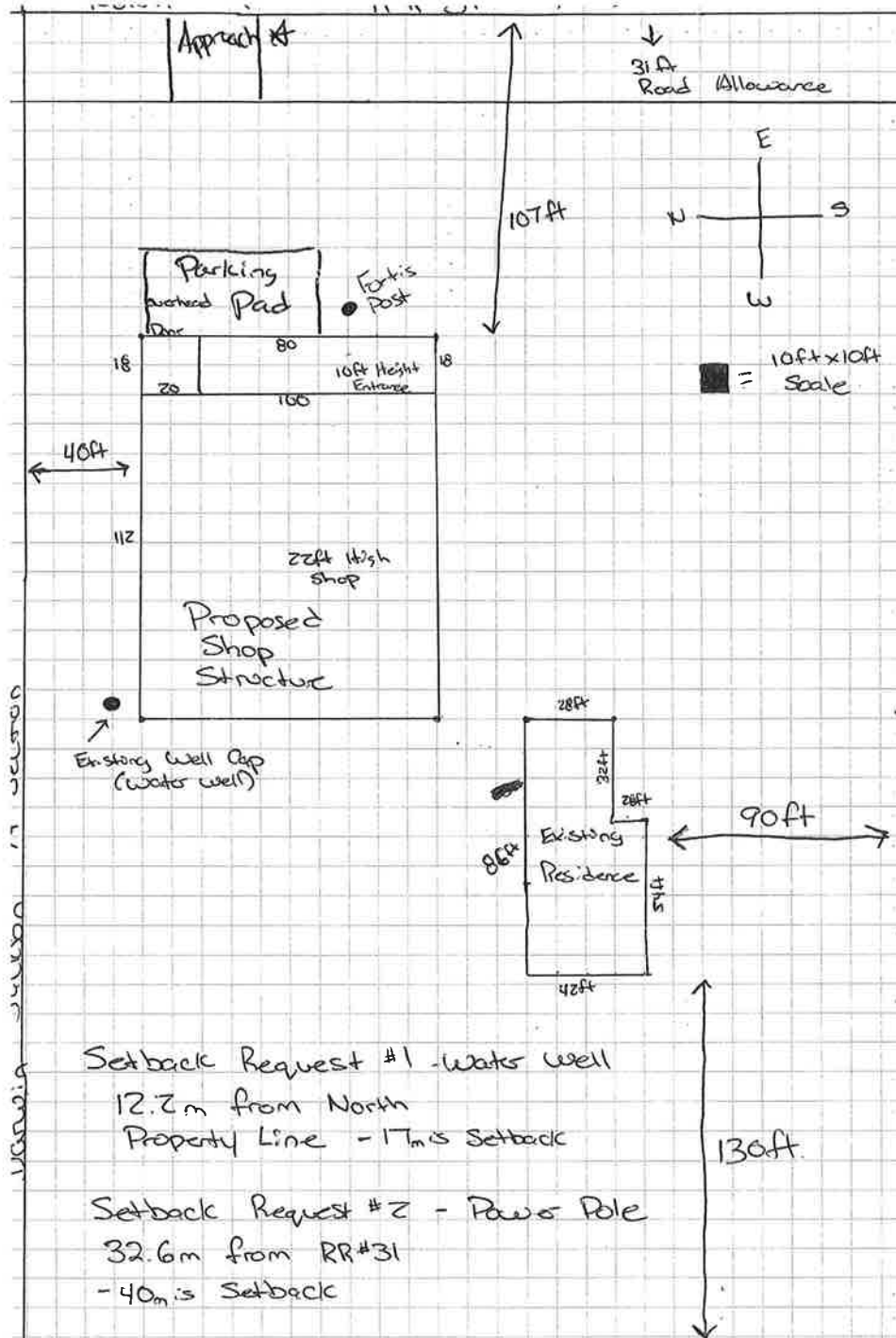
Date


Signature of Applicant

Additional Information

- A Building Permit may be required for development of structures. Contact Planning and Development for information at 403-335-3311.

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) for the purpose of reviewing and evaluating an application for Home Office Business. By providing the above personal information, the applicant consents to the information being made available to the public and Approving Authority 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 10-1408 – Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0
 Ph: 403-335-3311





DIDSBURY FIRE DEPARTMENT
Box 790, 2700 19th Street, Didsbury
403-335-3222
didsburyfiredepartment@didsbury.ca



September 24, 2022

Mr. Chris Grudeski
[REDACTED]

RE: Indoor Athletic Training Centre

Mr. Grudeski,

In discussions with you regarding the firefighting capabilities of the Didsbury Fire Department in relation to managing a fire in your proposed facility I can advise you of the following:

1. The Didsbury Fire Department utilizes 2 Engines, 1 Water Tender and potentially 1 Aerial Apparatus (pending access conditions and need) to respond to rural structure fires.
2. Mountain View County has extensive mutual aid agreements within and external to our response area for the use and supply of water shuttle and fire suppression apparatus.
3. The Dogpound Creek has been used, and we have access capability to draft water from it, although access may be limited depending on the time of year and ground conditions.
4. Our response times to your area are of the length that the potential to fight a structure fire, of the potential of your proposed facility, may be limited regardless of the on-site water supply indicated in NFPA 1142.
5. We evaluate your proposed facility as a Hazard Classification 7 (lowest hazard) according to NFPA 1142.

We suggest that given the circumstances of rural locations with prolonged response from the Fire Department that early detection through the use of smoke and fire alarm systems be considered. Vehicle access to the site aids Fire Department apparatus in the event of an emergency, and limiting the sources of ignition through careful planning, inspection and safe practices is your best protection measure.

Respectfully,

Curtis Mousseau
Fire Chief
Didsbury Fire Department
Town of Didsbury

From: Rachel Pavan [REDACTED]
Date: Sep. 20, 2022 10:31 p.m.
Subject: PLDP20220369
To: Becky Hutchings <bhutchings@mvcounty.com>
Cc:

Exhibit D

Rachel and Darren Pavan

[REDACTED]
[REDACTED]
[REDACTED]
Ph [REDACTED]
Cell [REDACTED]
Cell [REDACTED]
Email [REDACTED]

We would like to know the predicted increase in traffic flow, past our farm. We live on the acreage mentioned in the letter sent out, but farm the rest of the quarter owned by Barry Schmitt. We have livestock housed in fields along the TWP 322. Dust is already an issue for the livestock.

2nd. What are the hours of operation? The letter states year round, does this mean 7 days a week?
From what time am- pm?

Increased traffic is our main concern, especially the dust.

Thankyou for your time and for giving us the opportunity to ask questions and voice our concerns.
Sincerely, Darren and Rachel Pavan.

Chris Grudeski



RE: Rachel and Darran Pavan

To whom it may concern,

Please see the response in return to the written response to Darren and Rachel Pavan regarding the application submitted by myself, Chris Grudeski. Traffic flow appears to be the largest concern for Mr. and Mrs. Pavan. Please also note that the times listed are when groups could access the business, not a set schedule as demand changes on multiple factors. Please see below the projected schedule for our business based in a monthly format:

January - Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)
 February - Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)
 March - Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)
 April - Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)
 May- Weather Dependant, but typically very quiet with outdoor sports venues being open
 June-Weather Dependant, but typically very quiet with outdoor sports venues being open
 July-Weather Dependant, but typically very quiet with outdoor sports venues being open
 August-Weather Dependant, but typically very quiet with outdoor sports venues being open
 September- Indoor Court Sport Seasons, very slow time of business
 October- Indoor Court Sport Seasons, very slow time of business
 November- Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)
 December- Busy season, (5:00pm-10:00pm Weekdays) (9:00am-9:00pm Weekends)

The busy season I expect to see increased traffic on two secondary roads. The first being the Bergan Road, with Secondary Highway 766 seeing traffic from certain locations. I would expect the traffic on Township Road 322 (North of the building) to see very little traffic increase, as most people would look to use paved roads as preference. The building will house indoor synthetic field grass, which will be used primarily in seasons when outdoor grass field sports aren't possible. This makes us busy for 6 months of the year (November-April), and then very weather dependent, but typically very slow (May-October). The hours listed in the application letter are when we would allow users, however because of the above factors we are typically very quiet in the months when dust would be a major issue.

Please feel free to contact me with any more questions or concerns, and thank you for your time!

Sincerely,

Chris Grudeski



PLDP20220369

Becky Hutchings
Development Officer
November 22, 2022



APPLICANT: GRUDESKI, Christopher & Kayla

LANDOWNER: GRUDESKI, Christopher & Kayla

LEGAL: NE 11-32-3-5

Plan 1612155 Block 1 Lot 1

DIVISION: 4

ZONING: Country Residential District (R-CR)

ACRES: 3.01

PROPOSED DEVELOPMENT:

Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation



Mountain View COUNTY

County Location

- Proposed Development Permit Location
- Paved Roads and Highways
- Town/Village
- Mountain View County

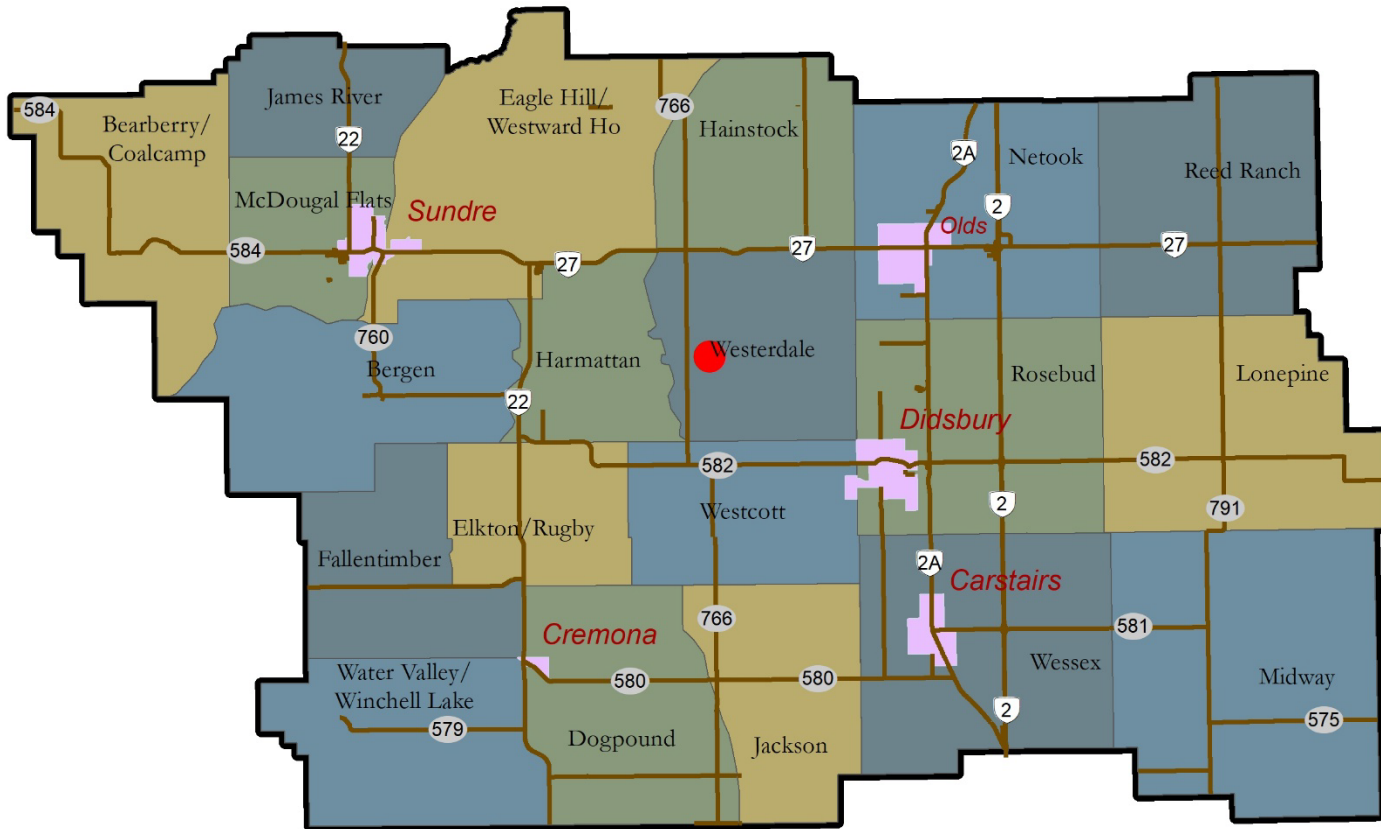
0 5 10 20
Km

Scale: 1:450,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator

NOTE: Point is not to scale and
it is an estimation of the location



Legal Location: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

File Number: PLDP20220369



Mountain View COUNTY

Location, Land Use, Ownership & Circulation

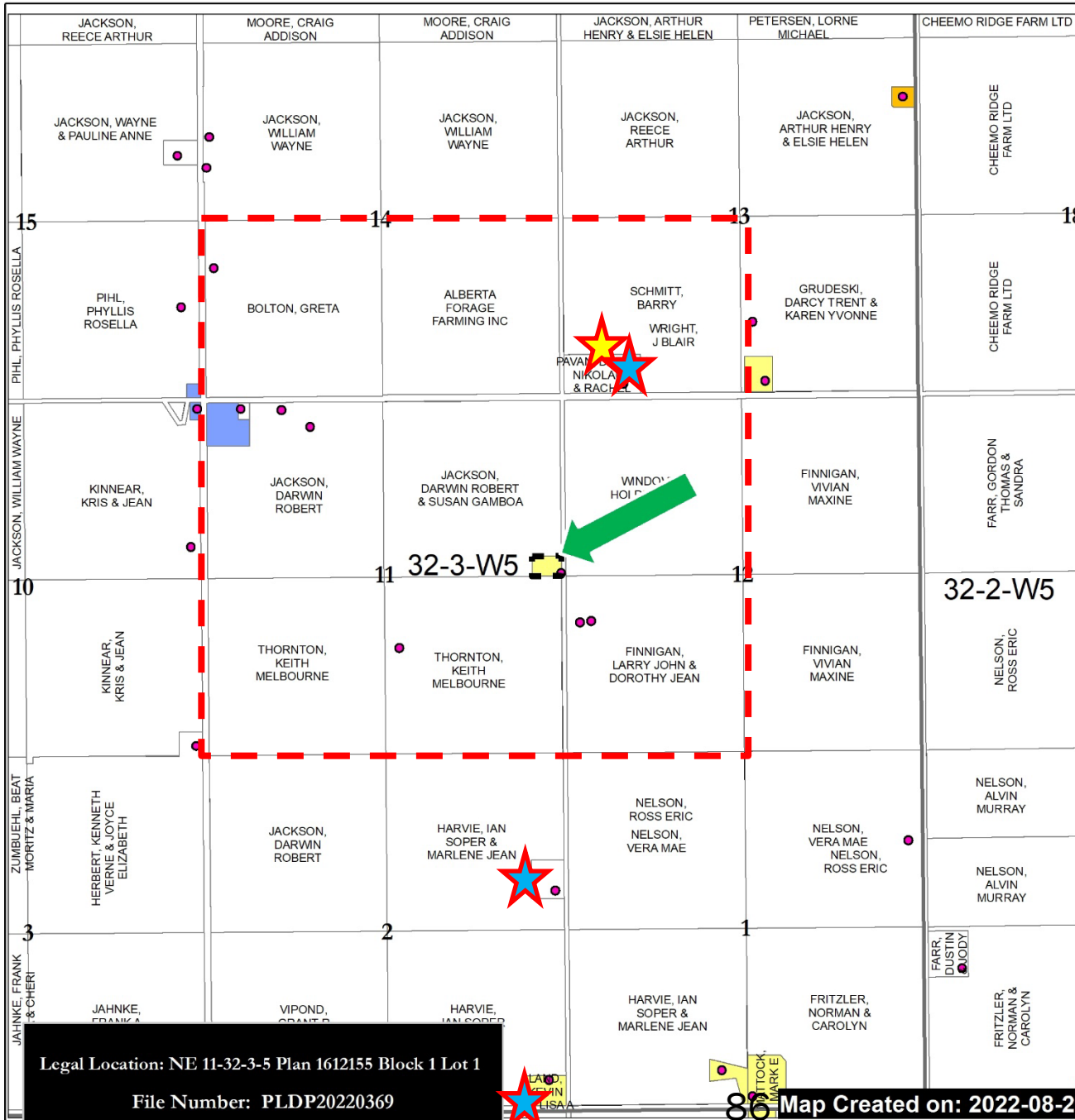
- Rural Address
- Proposed Development Permit
- Airport Height Limitation
- Land Use Zoning**
 - Agricultural District (A)
 - Agricultural (2) District (A(2))
 - Country Residential District (R-CR)
 - Country Residential (1) District (R-CR1)
 - Residential Farmstead District (R-F)
 - Local Commercial District (C-LC)
 - Business Park District (I-BP)
 - Heavy Industrial District (I-HI)
 - Aggregate Extraction/Processing District (AEP)
 - Parks and Conservation District (P-PC)
 - Parks and Recreation District (P-PR)
 - Parks and Comprehensive Recreational District (P-PCR)
 - Institutional, Educational and Cultural District (S-IEC)
 - Airport District (S-AP)
 - Direct Control
- Circulation Response**
- Appellant**
- Subject Land



0 250 500 1,000 1,500 Meters

Scale: 1:25,000

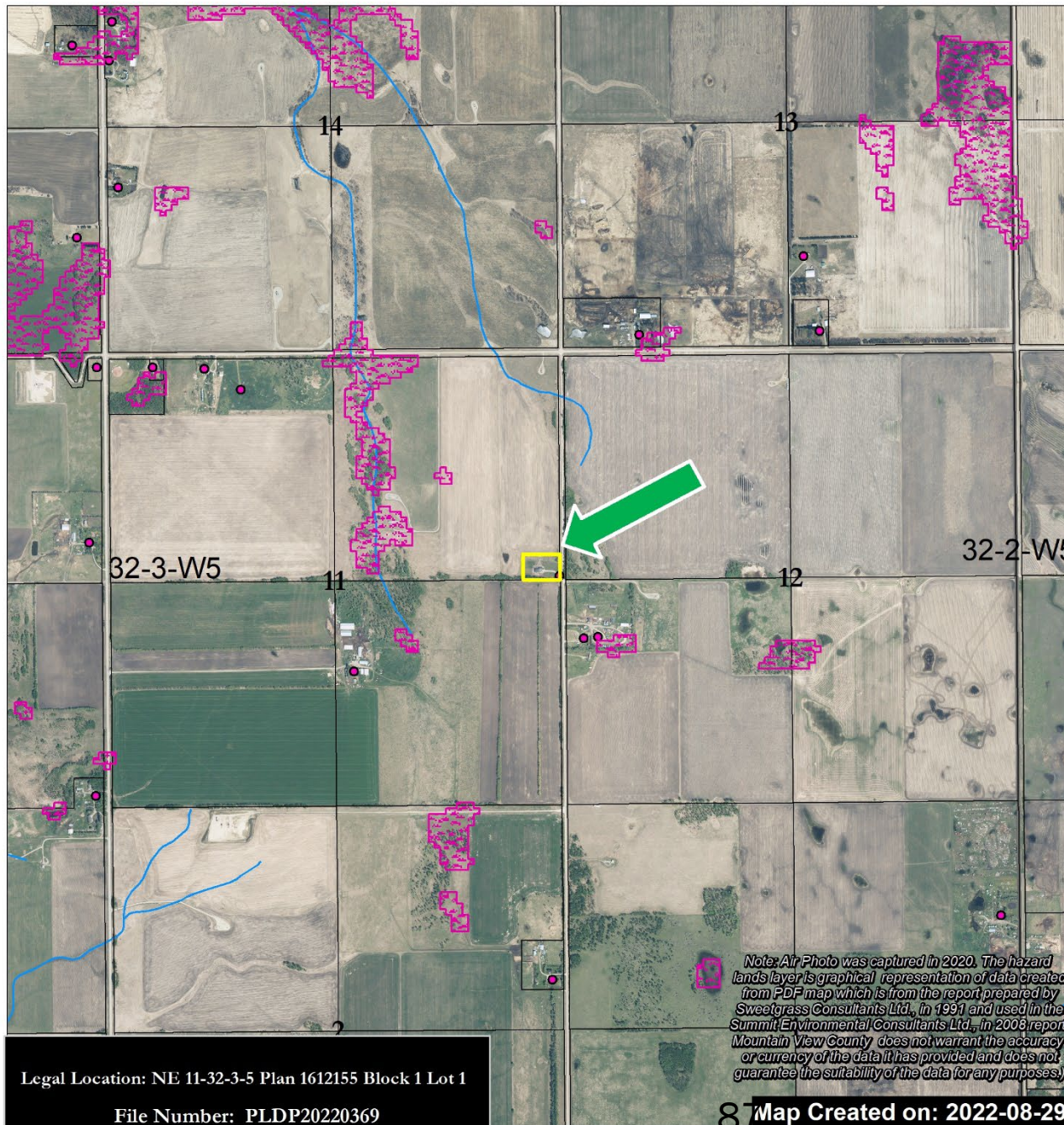
Mountain View County
NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator





Mountain View COUNTY

Environmental Scan



- Floodway
- Flood Fringe
- Rivers and Creeks
- Floodplain
- Aeolian Deposit
- Wetlands
- Colonial Nesting Bird Range
- Environmentally Significant Areas
- ESA_number
- 1 (Very High)
- 2 (High)
- 3 (Moderate)
- 4 (Low)
- Alberta Merged Wetland
- Bog
- Fen
- Marsh
- Open Water
- Swamp
- Conservation Easement (Legacy Land Trust Society)
- Rural Address
- Proposed Development Permit
- Growth Centres
- Historical Resources
- <all other values>
- a-Archaeological Resources
- a, p
- h-Historical Sites
- p-Palaeontological Resources
- Nuisance Grounds
- Landfills
- Gravel Pits
- Sewage Lagoons
- CFO - NRCB Approved
- Subject Land



0 500 1,000 Meters

Scale: 1:20,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator

Note: Air Photo was captured in 2020. The hazard lands layer is graphical representation of data created from PDF map which is from the report prepared by Sweetgrass Consultants Ltd., in 1991 and used in the Summit Environmental Consultants Ltd., in 2008 report. Mountain View County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purposes.

Legal Location: NE 11-32-3-5 Plan 1612155 Block 1 Lot 1

File Number: PLDP20220369

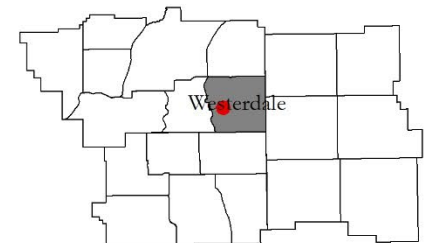
8 Map Created on: 2022-08-29



Mountain View COUNTY

Topography & Water

- Application Location
- Contours - 5m
- Rivers and Creeks**
- Unclassified
- mvc Stream Class**
- Activity Restrictions
- No Activity Restrictions
- Proposed Development Permit

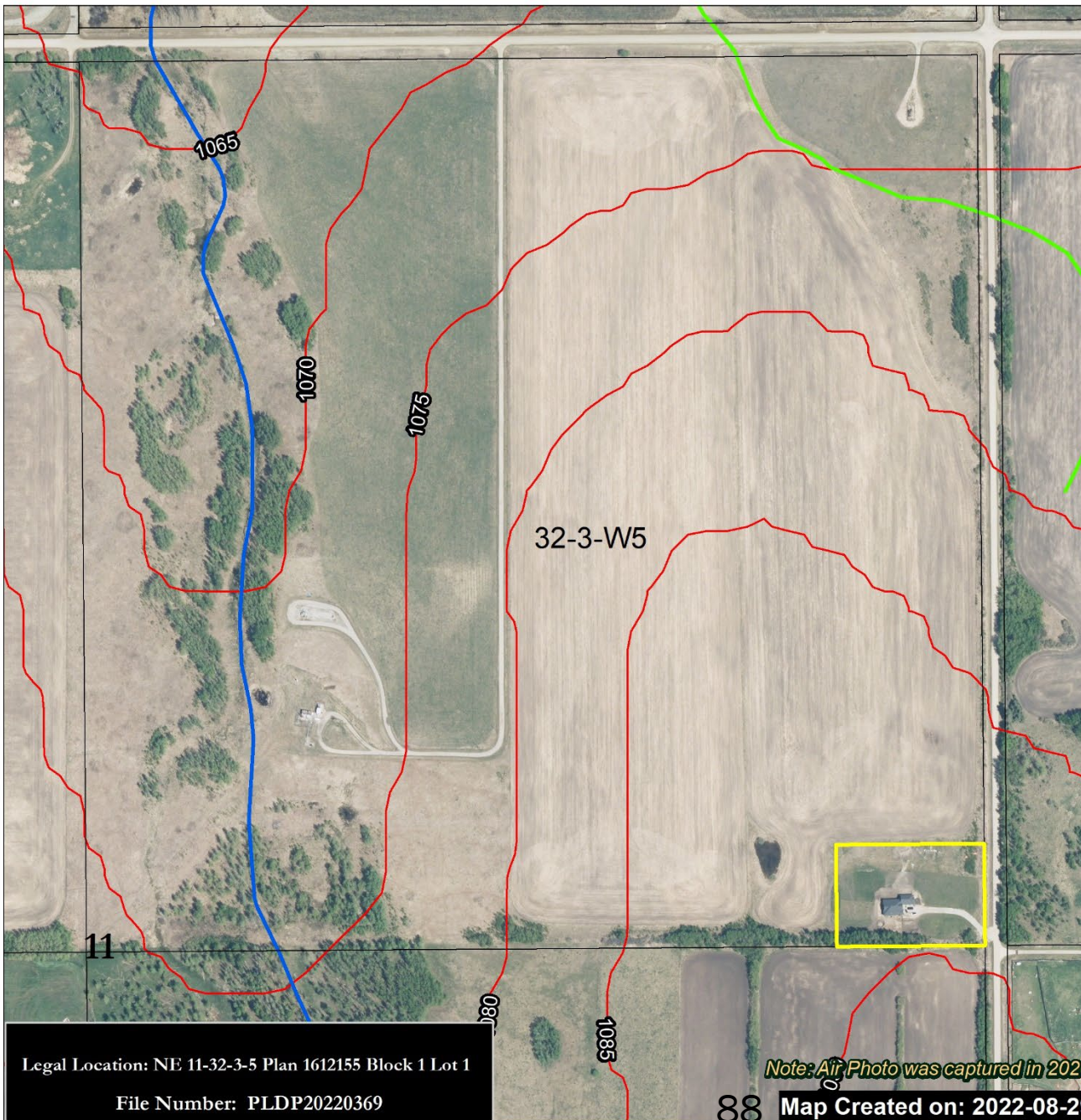


0 50 100 200 Meters

Scale: 1:5,000

Mountain View County

NAD_1983_CSRS_10TM_AEP_Forest
Projection: Transverse_Mercator

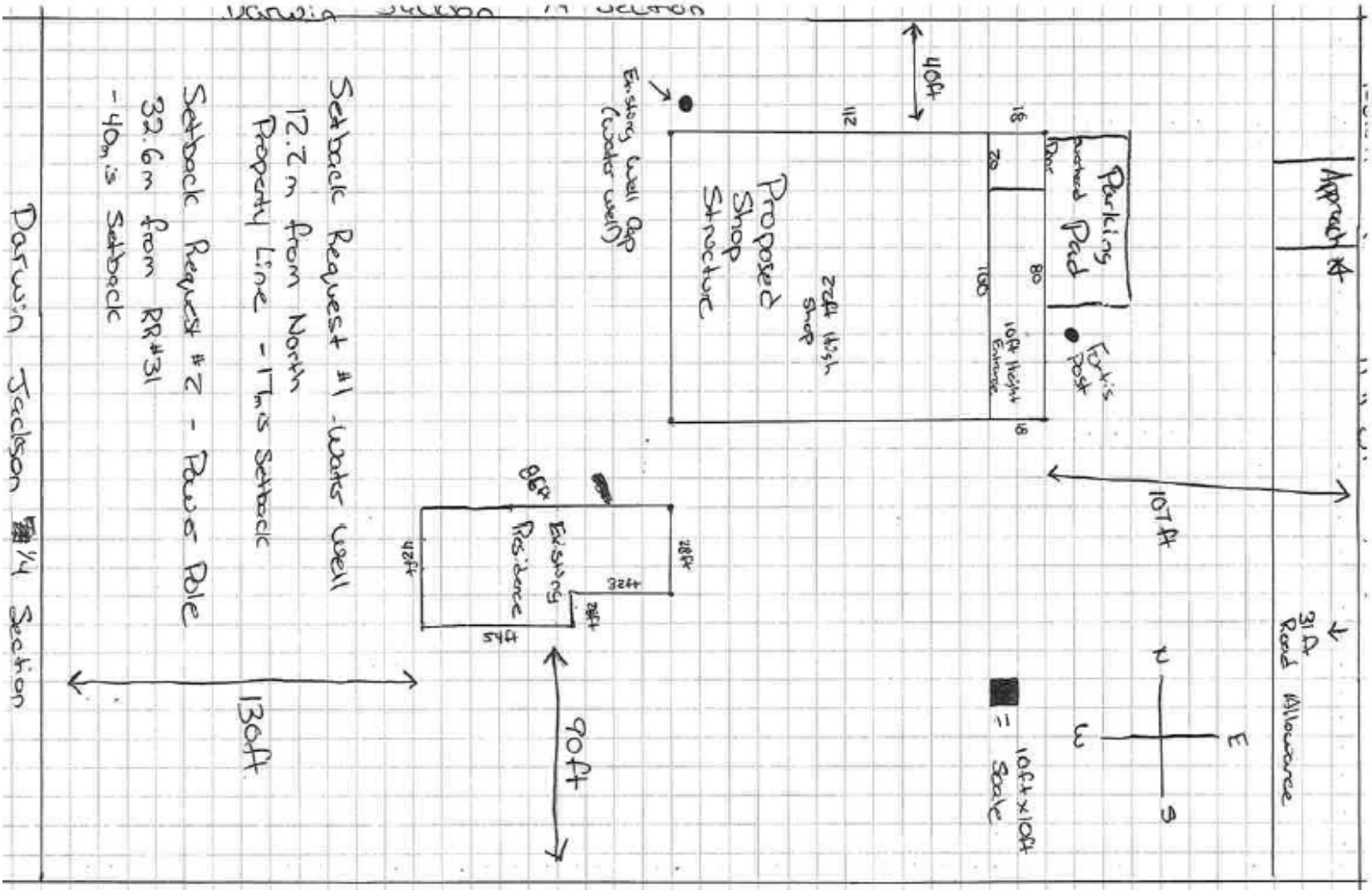


Standard	Contractors Business	Proposal
Maximum occupied area of principal and accessory	Shall be limited to the existing principal dwelling unit and accessory buildings. The operator of the business must reside on the property in which the business is being operated from.	Is limited to accessory buildings and the operator resides on site.
Storage	All outside storage related to the business including vehicles, trailers and equipment shall be kept within a building or screened storage area and shall not be placed within the yard setbacks.	No storage.
External Appearance	No variation from the external appearance and residential character of land or buildings shall be allowed.	None, all activities are within Accessory Building – Shop.
Exterior Impact	The contractor's business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Approving Authority.	None aside from dust to be addressed with dust suppression.
Signage	One (1) sign and shall be in accordance with the Mountain View County Industrial and Commercial Design Guidelines. No illuminated signs shall be allowed.	No signage.
Customer Traffic Generation	The discretion of the Approving Authority.	25 per day or 100 per week
Business Related Vehicles	The discretion of the Approving Authority	None
Employees	The discretion of the Approving Authority	None

SITE PLAN

Exhibit D

Range Road 31



SITE PHOTOS

Exhibit D

North on Range Road 31



South on Range Road 31



Entrance to Property



SITE PHOTOS

Exhibit D

Shop Site Looking North



Shop Site Looking East



Shop Site Looking West



CONCLUSION:

The Approving Authority, MPC, considered the submitted application on October 06, 2022, and approved the application for the following reasons:

MPC 22-067

- Business, Contractors – Private Athletic Training for Multi-Sport Athletes is a use that can be considered in the Country Residential District on a standalone parcel.
- Accessory Building – Shop with Setback Relaxation is a use that can be considered in the Country Residential District.
- The Municipal Development Plan encourages the establishment of opportunities for economic development that will provide variety and diversity in location, servicing standards, and types of uses.

As outlined in this report, Planning and Development, on behalf of MPC, respectfully requests that the SDAB deny the appeal and uphold the decision of the MPC to approve the Development Permit for the proposed Business, Contractors – Private Athletic Training for Multi-Sport Athletes within Accessory Building – Shop with Setback Relaxation.

use to Development Permit Appeal PDL20220369
 Letter of Support of the Applicant: Chris and Kayla Grudeski

After the recent pandemic, I thought that I had witnessed the greatest division in countries, communities, families and friends I would ever experience. To respect and appreciate the entire dichotomy that was reflected was a task but to facilitate healing is proving to be as arduous. But I was wrong regarding the power of the pandemic compared to more micro situations. Evidence supports the fact that all were affected by the Covid virus, whereas the recent appeal launched against the sports training facility in the community will affect a supposed few. I do wonder if the appellants have considered the ripple effect to neighbors and friends when they have chosen to challenge an approved development. Rural communities have never been so fragile, and this fracturing will be long term to many residents of ours. The concerns expressed in the appeal are not shared by all in the community and people will discuss the merits of the arguments the appellants have presented.

The applicants have had many challenges trying to establish a sports facility that many people can access. Although the focus is to provide opportunity for talented and committed athletes seeking greater skill development, previous groups included primary school aged children who wished to explore different sports. The entire gamut of programs offered is under review as relocation is necessary following the recent sale of the current facility. After travelling many kilometers in his youth to participate in competitive baseball, Chris Grudeski's dream was to offer the coaching, off season training and skill development which would align with the greatest future opportunities for many of local youth. Many of these teens may not have the ability or resources to develop to their potential if longer commute distances and higher registrations are required.

Recent increases in economic stressors have many rural residents concerned about a rural crime increase. This was voiced by one of the appellants in conversation. Should this project be allowed to proceed I can assure you that countless youth (and those who deal with youth) can attest that sports are what prevented the youth and their peers from disastrous life choices. Also, the families that are supporting these children have no desire to steal or deface area residents' property because none wish to jeopardize their attendance. That being said, I would like to address the key points as presented in the launched appeal.

High volume of traffic on range road 31:

Increased safety risks: The rural roads are shared with residents, pets, livestock and wildlife as noted in bullets 1-4. The hazards noted in bullet 4 are also voiced by most people residing along any rural road in our province. However, the people driving the rural infrastructure must assume the responsibility to exercise caution and judgement in their driving habits. Likewise, any pedestrians, bikers, equestrians, and even ATV's (somewhat illegal) must be aware that they are sharing the road with motorized vehicles of various sizes, vision restrictions, speed and stopping abilities. Again, proper awareness and etiquette combined with common sense and education of safety measures should be employed by those not only driving but also by those using the road for their personal benefit.

I agree the range road in question is relatively narrow and is flanked by steep shoulders as identified in bullet 5. All area residents should make accommodations when meeting traffic, especially when the oncoming vehicles are farming implements, school buses or larger trucks. If the road is not constructed to accommodate larger volumes of traffic, should not the appellants also be canvassing for alternate routes during road bans? The road would have been constructed to spec and obviously is able to accommodate large vehicles during the bans, so personal vehicles such as SUVs and cars would not add immeasurable stress to the actual road. The bans serve the purpose to preserve roadways susceptible to extreme damage during the transition from winter to spring conditions. It is in the municipalities best management practices to allow the gravel roads to be utilized and certainly the participants could be informed and instructed to exercise increased caution. The traffic to the proposed facility would likely choose pavement over gravel. The few that would drive gravel could be forewarned regarding the potential hazards and employ whatever measures to ensure safety. In addition, it is ludicrous to allow private citizens to dictate who can and cannot travel on public infrastructure.

I disagree with bullet #7 and believe this can be addressed by the above-mentioned note on potential increase in rural crime. If a particular residence or area is presenting concerns, any citizen can contact the County law enforcement and offer observations. A peace officer may not be able to be present immediately but once a concern is identified investigation should follow. Repeated calls from residents regarding concerns such as traffic violations would be investigated at a future time. Security and loitering are insignificant factors related to the clientele attending the sports venue. They neither covet nor will damage/ steal our belongings. I would go as far as to suggest that the extra people attending such a facility would deter the scouting and stealing behaviours that rural areas are experiencing. This was an actual expressed thought by neighboring business owners in the previous location of Apex Athlete Development when a zoning alteration had to occur.

Regarding the high volumes of traffic up until 10pm (or shortly thereafter) there may indeed be a few participants who may drive south on 31 to the Bergen Road but most would choose to return via 766 to highways leading to home (mostly eastbound then north or south at a major highway). Regarding unreasonability, I would like you to clarify what is an unreasonable hour or number. Although I recognize extenuating circumstances such as harvest should be considered I suggest that the same timeframe and number should apply equally to all area residents. As the facility is relocating to a rural address, many people will choose to carpool, which will substantially decrease the number of vehicles. I may not be able to offer this as fact until the facility is utilized, but neither can the appellants offer their opinion of drastically increased traffic as fact.

Section b Bullet 1: Regarding the business not following the county's economic development plan or promoting business diversification accurately, I would suggest that if this was the case, the planning and development team would not have passed the application unanimously. For reference, please refer to the 2022-2027 Mountainview County's publication (penned by D. Singleton) acknowledging the updated strategic plan. When a proposal for development is presented to the county, the neighboring landowners must be notified within a ½ mile (quarter section) radius. This was completed and the planning/development commission met to assess and discuss the merits and pitfalls before approving and publicly posting their decision. This policy/procedure excluded two of the appellants because of a distance to residence factor. Of note I would like to identify that all the appellants live on acreages and

are highly unlikely to sell the parcels of land back to the landowners at an agriculturally established price. Therefore, all are negatively affecting the base of productive farmland. The facility identified in the appeal will be located within the 3 acres already removed from the NE ¼ of section 11, so this argument is void.

According to bullet 2, I would like clarification on how this will negatively affect landowners when residents are most likely to be home. I would also like identification of what is considered a nuisance beyond noise and light. The facility will not even be visible to the southern two properties, so the lighting issue presented is negligible for them. Certainly, the neighbors renting across the road may have extra illumination up until 10 pm., but they did not express a formalized concern regarding any of the issues identified by the appellants. The northern acreage resided on by the third appellant party has an equestrian arena that is often lit up past 11 pm in the winter months. Of note, affected neighbors have never complained even though it is in direct view from their home. I do not write this to alter behaviours, I just wish for those reading this composition that items that are identified as causes of concern are the same ones some appellants engage in. If the concern is the noise of sports equipment and the participants engaged in the sports, I find it difficult to imagine that noise will travel the distance of over a ½ mile on a regular basis. While it is true that on occasion, when atmospheric conditions allow noise to travel further than normal, there may be some residual sound, but all activity will be muffled by a two layered tarp constructed building.

Bullet3): As I shared previously the business was originally located in an industrial park in Olds. Most of the businesses that the appellants identify as being like that proposed, are located in a city and are managed by a sports club or the municipality, not a private individual. It is almost impossible for visiting athletes to book these facilities as both cost and travel is prohibitive to rural teams. Apex is to offer an alternative that surrounding townspeople and county residents could access (mostly during winter months). Development on an existing acreage removes the cost of procuring land and therefore construction and maintenance would be factored into the decreased cost for participants allowing for greater inclusion.

After the notice was published, the southern two families decided to coordinate a plan of concern. At this point it is my understanding Chris Grudeski contacted Lisa Land and Michelle Finnigan, stressing he would alter the route to 766 if the appeal was rescinded. This occurred in the early-midweek October 17th and Chris Grudeski was somewhat surprised when he received notification on the 21st requesting his attendance at a meeting scheduled for Monday the 24th at 11 am. It has been presented to me by an associate to the appellants, Mr.Grudeski was not focused or respectful as was on his phone during some of the time during the appeal. I would suggest that he was taking time away from his teaching position and because one appellant was almost an hour late felt he had to stay to address any newly presented concerns.

Everyone has the right to appeal a decision, but I question the motives behind the appeal being launched. I originally thought that the appellants would have accurate and strong rationale for launching but the presenting key points are not ones that substantiate non-development. In addition, the verbal acknowledgement by one of the appellants at the meeting attended by the appellants, applicant and county representative further solidifies my belief that this action is based not on true opposition to the facility but more so on a 'not in my backyard' attitude. To imply that an equestrian facility would not be

challenged because all the appellants were "horse people" leaves little doubt as to the true motives behind the appeal.

The facts exist, and cannot be disputed, that Mr. Grudeski accessed the proper channels for a development permit. The permit was granted unanimously by the committee. The proper policy and procedure were adhered to, and the decision shared publicly. After neighbors voiced concerns, Mr. Grudeski attempted to find solutions that would be conducive to both the concerned parties and the business.

Many people of Westerdale, including some adjacent landowners are eager to support this project with the vision of providing positive recreational opportunities to children. And not just because I am the parent of Mr. Grudeski, I have reflected on this situation and experienced anger and disbelief. I have encouraged Mr. Grudeski to seek resolutions not conflict. The present situation suggests that no reciprocity in actions occurred and probably was not even seriously considered.

I am forwarding this letter in support of the development approved but appealed by PLDP20220369. I would like to inquire if interested parties can attend the appeal to listen and observe or if it is a closed meeting. I understand the scheduled hearing is November 22 at 9 am. If attendance is not allowed or encouraged, I have been tasked to determine if others could forward letters of support. If I need to transfer this letter to formalized documentation provided by Mountain View County, please supply the proper forms.

Thank you,

A handwritten signature in cursive script that reads "Karen Grudeski". The signature is written in dark ink and is positioned above the typed name and contact information.

Karen Grudeski R.R.#2 Olds T4H 1P3 403-556-5564cell 403-335-4568 home

kgrudeski@gmail.com

Applicant Package

No Submission