



## NOTICE OF DECISION

September 26, 2023

File No.: PLDP20230338

Sent via email and mail: [REDACTED]

WATT, LEONARD RAE & TAMMY ANDREA  
[REDACTED]

Dear Leonard & Tammy Watt:

**RE: Proposed Development Permit**

**Legal: SW 16-31-1-5 Plan 8610956 Lot 1A**

**Development Proposal: Setback Relaxations to Existing Structures**

The above noted Development Permit application on the SW 16-31-1-5 Plan 8610956 Lot 1A for Setback Relaxations to Existing Structures was considered by the Administrative Subdivision & Development Approving Authority on September 26, 2023.

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

Municipal Development Plan Bylaw No. 20/20	3.0 Agricultural Land Use Policies 6.0 Environmental Land Use Policies
Land Use Bylaw No. 21/21	9.12. Hazard Lands 11.1. A Agricultural District

The Administrative Subdivision & Development Approving Authority concluded that Setback Relaxations to Existing Structures is suitable development for SW 16-31-1-5 Plan 8610956 Lot 1A and conforms to the above noted policies.

As such, the Administrative Subdivision & Development Approving Authority has approved the application subject to the following conditions:

### STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 21/21.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.

3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
4. If the development authorized by a Development Permit is not complete within twenty-four (24) months from the effective date of the Permit, such Permit approval ceases and the Permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

**STANDARD CONDITIONS IF APPLICABLE:**

5. Landowners shall be responsible for dust control on the County road adjacent to their property.
6. N/A
7. N/A
8. N/A
9. N/A
10. N/A
11. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

**PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:**

12. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regards to building, electrical, gas, plumbing, and private sewage disposal systems. Prior to construction required permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

**ADDITIONAL CONDITION(S):**

13. Setback relaxations are granted for the life of the buildings as per the Real Property Report prepared by SexSmith Surveys Ltd. on August 30, 2023.
14. The applicant and/or landowner shall obtain, and adhere to, a Roadside Development Permit from Alberta Transportation. Permit must be obtained from: <https://www.alberta.ca/roadside-development-permits.aspx>

Note: Portions of this property are contained within an Environmentally Significant Area, therefore the applicant and/or landowner is encouraged to maintain and preserve the natural state of the land.


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 03, 2023** and **October 10, 2023** 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 **September 17, 2023**.

Enclosed is a copy of the appeal provisions which outlines your right to appeal this decision pursuant to Section 685 of the Municipal Government Act. Please note that if development commences prior to the end of the appeal period, a fine as specified in Section 7 of Land Use Bylaw No. 21/21 may be applied.



Following the appeal period, should no appeals be submitted, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 211 or by email at [bhutchings@mvcounty.com](mailto:bhutchings@mvcounty.com).

Yours truly, 

Becky Hutchings, Development Officer  
Planning and Development Services

/mh

Enclosures



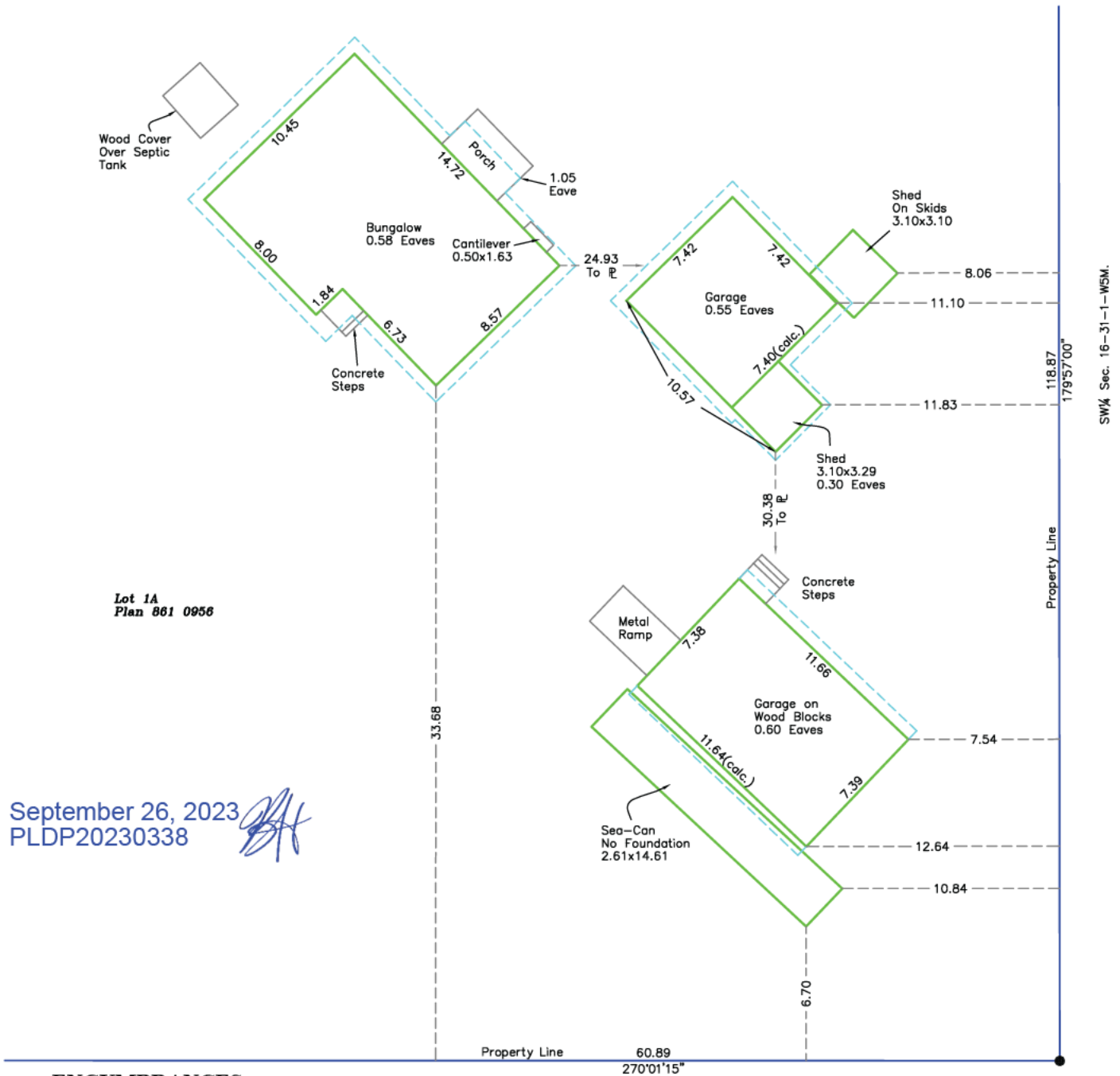
# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 3 of a Real Property Report and is ineffective if it is detached from page 1 or 2.

Page 3 of 3

Legal Description: Lot 1A Plan 861 0956

Municipality: Mountain View County  
SW $\frac{1}{4}$  Sec. 16-31-1-W5M



## ENCUMBRANCES:

Registration No.	Particulars
6074KG	Caveat
841 084 789	Caveat
141 321 643	Mortgage - Canadian Imperial Bank of Commerce

## LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Unless otherwise noted, fences are shown within 0.20m of Property Lines



Scale : 1:300 Drawn: RLJ  
File No. : 23-357

**SexSmith**  
Surveys Ltd.  
Box 5122, High River, Alberta, T1V 1M3

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**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/Affected Person (Fee \$425.00) (b) ☐ Developer/Applicant/Landowner (Fee \$425.00)

**REASON(S) FOR THE APPEAL (use additional paper if required):**

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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