



## NOTICE OF DECISION

June 10, 2025

File No.: PLDP20250182

**Sent via email and mail:**

BANACK, STEPHEN & PATSY

RED DEER, AB T4R 2J2

Dear Stephen & Patsy Banack:

**RE: Proposed Development Permit**  
**Legal: NW 20-32-5-5 Plan 0212509 Lot 125**  
**Development Proposal: Accessory Building - Gazebo**

The above noted Development Permit application on the NW 20-32-5-5 Plan 0212509 Lot 125 for an Accessory Building - Gazebo was considered by the Administrative Subdivision & Development Approving Authority on June 10, 2025.

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

Intermunicipal Development Plan Growth Centre Urban Referral/Fringe Area	Within the Growth Centre of McDougal Flats as identified by Municipal Development Plan Bylaw No.20/20.
Municipal Development Plan Bylaw No. 20/20	Section 5.4 Recreational Development Policies Section 6.0 Environmental Land Use Policies Section 7.0 Growth Centres
South McDougal Flats Area Structure Plan Bylaw No. 01/24	Section 7.6 Recreation Section 8.1 Environmentally Significant Areas Section 8.2 Flood Hazard
Land Use Bylaw No. 10/24	Section 9.12. Hazard Lands Section 15.3 P-PCR Parks and Comprehensive Recreation District

The Administrative Subdivision & Development Approving Authority concluded that an Accessory Building - Gazebo is suitable development for NW 20-32-5-5 Plan 0212509 Lot 125 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. 10/24.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
4. If the development authorized by a Development Permit is not complete within twenty-four (24) months from the effective date of the Permit, such Permit approval ceases and the Permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

**STANDARD CONDITIONS IF APPLICABLE:**

5. N/A
6. N/A
7. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
8. N/A
9. No development shall be constructed, placed or stored over an easement or utility right-of-way; the applicant/owner is responsible for contacting Alberta-One-Call and/or other governing authority.

**PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:**

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

**ADDITIONAL CONDITION(S):**

11. The Accessory Building - Gazebo shall be flood-proofed. New mechanical and electrical services and equipment shall be designed and installed a minimum of 0.6 m (2.0 ft.) above the 1 in 100-year design flood.
12. Use of the proposed Accessory Building - Gazebo for business, industrial or commercial purposes or residential occupancy is not permitted.
13. The applicant/landowner shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 061 039 461.

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 **June 17, 2025** and **June 24, 2025** in The Albertan. Should you wish



to appeal this decision, or any of its conditions, your appeal must be received by the Secretary of the Subdivision & Development Appeal Board, by 4:00 p.m. on **July 01, 2025**.

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. 10/24 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

Enclosures



**CONDITIONALLY  
APPROVED**

MOUNTAIN VIEW COUNTY

June 10, 2025

PLDP20250182

PLANNING AND DEVELOPMENT  
SERVICES

SEE LETTER FOR CONDITIONS

UNIT  
124

18.74

35°42'05"  
28.00

13.3m

Destination Trailer

53°14'30"  
28.00

UNIT  
126

Shed

Gazebo

10.17

D-1  
R-3  
BC to

1.8m

2.0m

5.7m

1.5m

4.5m



## 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