



NOTICE OF DECISION

June 21, 2022

File No.: PLDPA20220252

Sent via email and mail: [REDACTED]

VAN ES, JOHN & CHERYL
[REDACTED]

Dear John & Cheryl Van Es:

RE: Proposed Development Permit

Legal: SW 30-32-5-5 Plan 0512102 Block 5 Lot 1

**Development Proposal: Amendment to PLDP20200261 for Dwelling, Prefabricated with
Temporary RV Accommodations and Accessory Building - Sea Can**

The above noted Development Permit application on the SW 30-32-5-5 Plan 0512102 Block 5 Lot 1 for a Amendment to PLDP20200261 for Dwelling, Prefabricated with Temporary RV Accommodations and Accessory Building - Sea Can was considered by the Administrative Subdivision & Development Approving Authority on June 21, 2022.

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	4.0 Residential Land Use Policies
South McDougal Flats Area Structure Plan Bylaw No. 02/10	7.6 Residential
Land Use Bylaw No. 21/21	Section 6 Amendment Process 6.2 Contents of an Amendment Application Section 9.9 Dwellings, Prefabricated Section 4.2 No Development Permit Required Section 12.1 Country Residential District (R-CR)

The Administrative Subdivision & Development Approving Authority concluded that a Amendment to PLDP20200261 for Dwelling, Prefabricated with Temporary RV Accommodations and Accessory Building - Sea Can is suitable development for SW 30-32-5-5 Plan 0512102 Block 5 Lot 1 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. 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. 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. All manufactured dwellings must have Canadian Standards Association (CSA) certification. If a particular manufactured dwelling has been damaged or structurally altered, the manufactured dwelling shall be certified as safe by an accredited structural engineer.
14. It shall be the responsibility of the owner to place the manufactured dwelling on a foundation or base in accordance with the requirements of the Alberta Safety Codes Act.



15. All manufactured dwellings shall be skirted from the ground to floor level with a durable finish that complements the existing exterior finish of the manufactured dwelling.
16. A maximum of one (1) sea can unit shall be considered an Accessory Building on this property. The sea can must meet district regulations (setbacks). The exterior finish shall match or complement the exterior finish of the principal building and the container shall be screened from view through the provision of appropriate landscaping and/or screening.
17. The one (1) sea can is for personal storage purposes only. Use of the proposed storage containers for residential occupancy is not permitted.
18. Temporary Recreational Vehicle Living Accommodation will be permitted only during the active construction of the proposed dwelling. Living accommodations in the RV will cease within twenty-four (24 months) of the issuance of this permit or upon final inspection of the dwelling – whichever comes first. No further occupancy or camping will be permitted.
19. The applicant and/or landowner shall adhere to all the requirements itemized within the Development Agreements on Title as Instrument 001 353 500 and 051 209 264.

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 28, 2022** and **July 05, 2022** in The Albertan. Should you wish to appeal this decision, or any of its conditions, your appeal must be received by the Secretary of the Subdivision & Development Appeal Board, by 4:00 p.m. on **July 12, 2022**.

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

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

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 171 or by email at jreimer@mvcounty.com.

Yours truly,



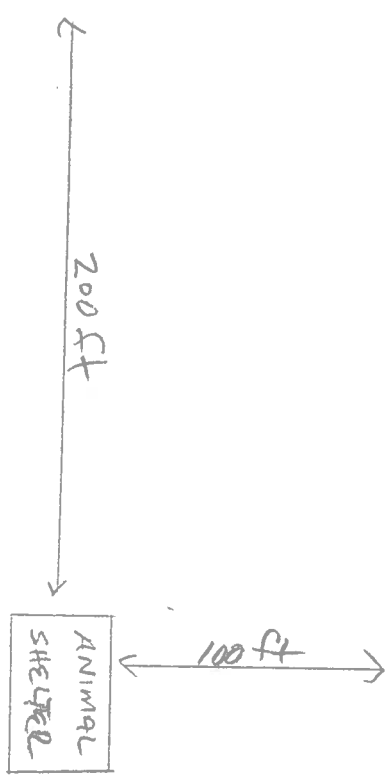
Jaydan Reimer, Development Officer
Planning and Development Services

/lc

Enclosures



CONDITIONALLY
APPROVED
MOUNTAIN VIEW COUNTY
PLDPA20220252
June 21, 2022
PLANNING AND DEVELOPMENT
SERVICES
SEE LETTER FOR CONDITIONS



NORTH

FENCE LINE

509 ft

130 ft

4 ft

PROPOSED
MODULAR
HOME

SEACAN
40 X 8

BARN

227 ft

175 ft

168.5 ft

152 ft

146 ft

DRIVEWAY

ROAD (324.33 RR 607)

PLDP 20200261



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