



NOTICE OF DECISION

May 23, 2023

File No.: PLDP20230164

Sent via email and mail: [REDACTED]

BELL, DARCY & DUSEVIC, SONYA
[REDACTED]

Dear Darcy & Sonya:

RE: Proposed Development Permit

Legal: NW 20-32-5-5 Plan 0212509 Lot 54

Development Proposal: Accessory Building - Gazebo with Setback Relaxation

The above noted Development Permit application on the NW 20-32-5-5 Plan 0212509 Lot 54 for an Accessory Building - Gazebo with Setback Relaxation was considered by the Administrative Subdivision & Development Approving Authority on May 23, 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 | 5.4 Recreational Development Policies 6.0 Environmental Land Use Policies 7.0 Growth Centres & Economic Nodes |
| South McDougal Flats Area Structure Plan Bylaw No. 02/10 | 8.7 Recreation |
| Land Use Bylaw No. 21/21 | 9.12 Hazard Lands 15.3 Parks & Comprehensive Recreation District |

The Administrative Subdivision & Development Approving Authority concluded that an Accessory Building - Gazebo with Setback Relaxation is suitable development for NW 20-32-5-5 Plan 0212509 Lot 54 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. 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. As per the submitted application, a westerly side yard setback relaxation is granted for the life of the Accessory Building - Gazebo.
 14. The Accessory Building - Gazebo shall be flood-proofed. New mechanical, 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.
 15. Use of the proposed Accessory Building - Gazebo for business, industrial or commercial purposes is not permitted.
 16. The applicant and/or landowner shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 021 258 959.
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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 **May 30, 2023** and **June 06, 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 **June 13, 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@mvcountry.com.

Yours truly, 

Becky Hutchings, Development Officer
Planning and Development Services

/lc

Enclosures

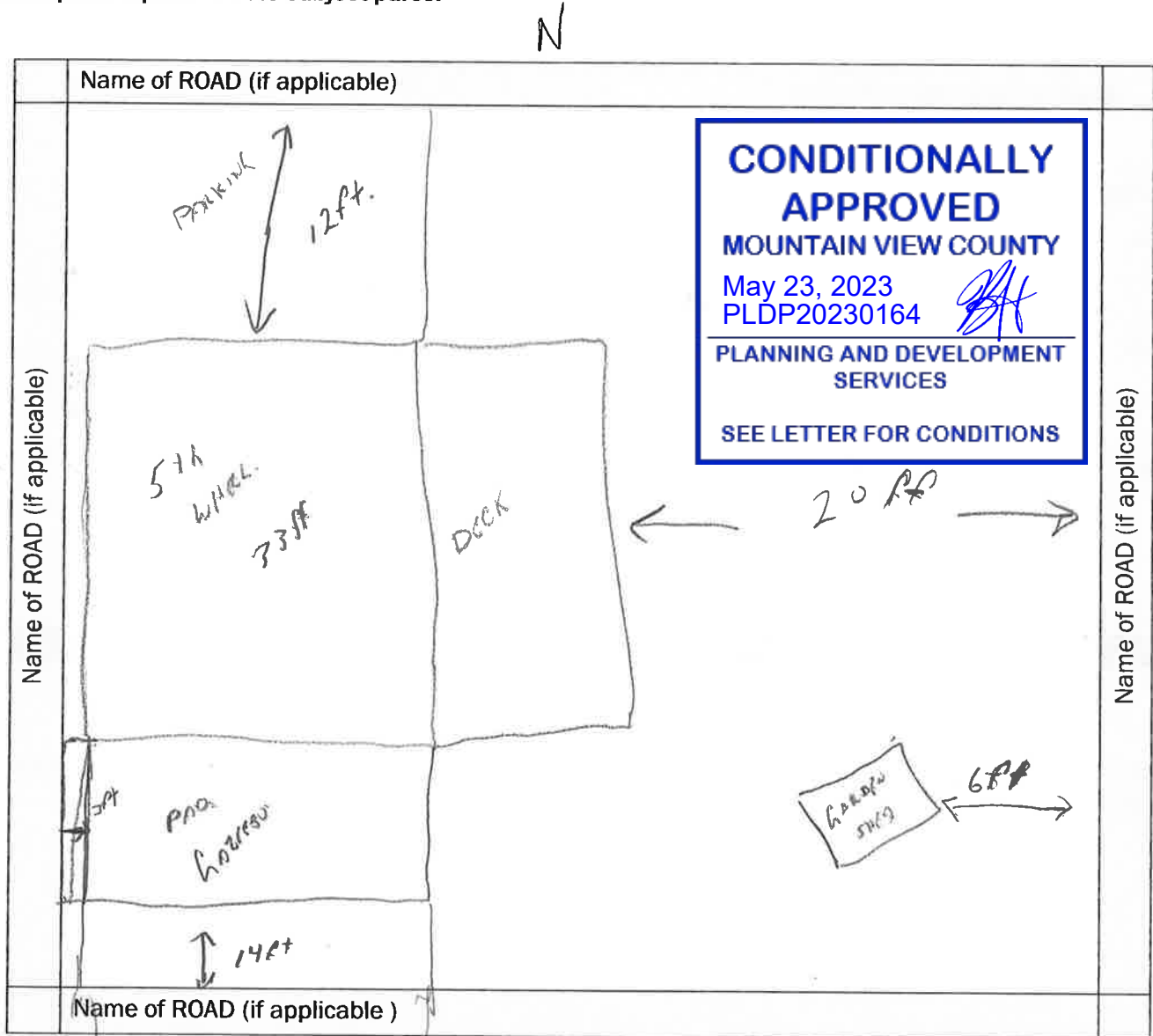


Site Plan of Proposed Development

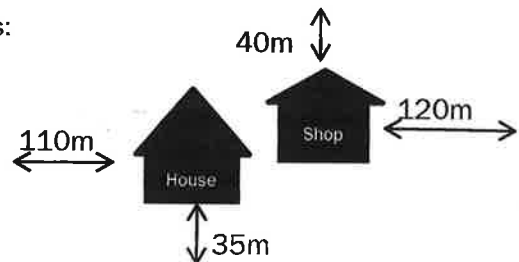
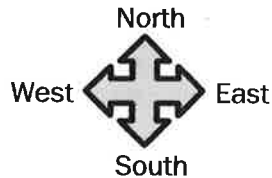
The Site Plan shall include:

- ☐ Property dimensions (all sides)
- ☐ Location and labels of **all** structures including proposed structures including dwellings, sheds, signs, etc
- ☐ Setback measurements, from all sides of the property lines, for all structures, new and existing
- ☐ Identify roadways and indicate existing and/or proposed access to the site
- ☐ Identify the location of oil & gas wells, pipelines & facilities - if applicable
- ☐ Indicate the location of water wells and septic tank/sewage disposal systems
- ☐ Location of all easements such as utility right of way, caveat, etc. - if applicable

The below square represents the subject parcel



Indicate the distances from the closest structure(s) to all property lines:
For Example:





NOTICE OF DEVELOPMENT APPEAL

1408 Twp. Rd. 320 / Postal Bag 100, Didsbury, AB Canada T0M 0W0
T 403.335.3311 F 403.335.9207 Toll Free 1.877.264.9754
www.mountainviewcounty.com

Excerpt from the Municipal Government Act, Section 685 - Grounds for Appeal

685(1) - If a development authority:

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

File Number of the Development Application: _____

APPELLANT: Name: _____ Telephone: _____
Address: _____
Email: _____

LANDOWNER: Name: _____ Telephone: _____
Address: _____

LAND DESCRIPTION: Registered Plan: _____ Block: _____ Lot: _____
Part: _____ Section: _____ Twp.: _____ Range: _____ Meridian: _____

THIS APPEAL IS COMMENCED BY, ON BEHALF OF:

- (a) ☐ Adjacent Landowner/Affected Person (Fee \$425.00) (b) ☐ Developer/Applicant/Landowner (Fee \$425.00)

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

The personal information on this form is being collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act (FOIP) and *Municipal Government Act* Sections 678 and 686 for the purpose of preparing and conducting an Appeal Hearing. By providing the above personal information, **the applicant consents to the information being made available to the public and Appeal Board in its entirety** under Section 17(2) of the Alberta Freedom of Information and Protection of Privacy Act. Any inquiries relative to the collection or use of this information may be directed towards to: Mountain View County FOIP Coordinator 1408 - Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0 Ph: 403-335-3311

Signature of Appellant/Agent

Date