



COUNTY OF STETTLER NO. 6 Development Permit No. DP 23087

THIS DEVELOPMENT PERMIT IS HEREBY ISSUED TO:

Applicant: Kerry & Jackie Freeman
Address: Box 601 Erskine, Alberta. T0C 1G0
Owner: Kerry & Jackie Freeman

In respect of development involving: Detached Dwelling with moved in/relocated structure.

Legal description of land to be developed: Lot 49 Block 2 Plan 072 0960

Roll Number: 581559

Rural Address: #13 Marina View Close

Zoning District: Resort Residential Communally Serviced

Pursuant to Land Use Bylaw No. 1443-10, as amended, and as described by the Applicant in Development Permit Application No. DP 23087 you are hereby granted **CONDITIONAL APPROVAL** to proceed with the Detached Dwelling with a moved in/relocated structure.

The following variances have been granted as part of this approval:

1. A variance to the side yard to 4.5' (1.38m) instead of 10' (3.05).

This approval is subject to compliance with the following conditions:

1. The proposed development shall be undertaken and completed in accordance with the attached site plan.
2. The applicant must provide in writing confirmation from an Alberta Safety Codes Officer that the exterior construction material meets the fire rating required to meet safety code prior to occupying the dwelling.
3. The contractor on behalf of the applicant, the applicant, the landowner or their successor in title shall apply for building, electrical, gas, plumbing and private sewage system permits under the Safety Codes Act in respect of the use approved under this development permit. That person must submit a copy of the active permit upon being issued by the Safety Codes Council or other accredited agency to the Development Officer demonstrating compliance with this development permit. Upon completion of the project a copy of the final inspection signed off by the accredited agency inspector for the aforementioned permits shall be submitted to the Development Officer to confirm the construction has been completed in the required time period.
4. The Applicant or an agent working on behalf of the applicant shall enter into a road use agreement with and to the satisfaction of the County of Stettler No. 6 pursuant to Council Policy PS 5.1 Road Use Agreement in order to use County roads to move the dwelling, and shall comply with the terms and conditions of such a road use agreement.

- a) As part of the terms and conditions of the road use agreement the County may require that:
 - i) the applicant and/or any other authorized contractors exclusively use a designated access road; and
 - ii) that the applicant and/or any other authorized contractors shall address any nuisance complaints due to dust, noise or vibration as a result of the transportation component of the business operation to the County's satisfaction as may be defined in Council Policy PS 5.1 Road Use Agreement; and
 - iii) that any agreement, verbal or written, that the applicant makes with other authorized contractors shall require them to directly enter into a separate road use agreement with the County, if deemed necessary by the County.
 - b) In the event that the said road use agreement identifies a designated access road the County shall notify all landowners adjacent to the access road.
5. The location of the buildings must meet the setbacks identified on the attached site plan.
 6. Where the development permit is issued for a relocated building, the construction, exterior finishing renovations of the building shall be completed within **one year** of the date of issue of the development permit.
 7. The exterior of the of the dwelling to be finished with James Hardie Lap Plank (cement fibre) with cedar mill finish.
 8. The applicant must ensure that all waste materials / debris from construction shall be contained to their property until such time it be removed and disposed of properly.
 9. The applicant shall ensure that the finished grade of the property complies with the approved grading plan for Rochon Sands Heights (Buffalo View Estates Upgrading Project # 11623906), as per the attached engineering drawing, at no cost to the County.
 10. The applicant shall make the necessary arrangements for connection to the County's Water and Sewer services. Please contact the County's Utilities Department at 403.742.4441 for further information.
 11. Notification of the Development Authority's decision on the development permit to be published in the Stettler Independent.
 12. Notification of the Development Authority's decision on the development permit to be mailed to adjacent property owners.

13. An appeal period of twenty-one days from the date of notification of the Development Authority's decision applies and if any appeals are submitted pursuant to s. 686 of the Municipal Government Act the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Municipal Government Board, as may be applicable.

Date of Decision: September 27, 2023



Development Officer /GIS Coordinator

Attachments:

Site Plan/Grading Plan Project # 116239306

Appeal

Should you as the applicant, an adjacent landowner or a person with an interest in this application wish to appeal the refusal, approval or any of the conditions of approval, an Appeal Notice must be made in writing by completing the Appeal Form available on the County website at the following link (www.stettlercounty.ca/SDAB). Pursuant to Sections 685 and 686 of the Municipal Government Act, the Appeal Notice must be submitted within 21 days of the **Decision Date** referenced above to:

The Secretary
Subdivision & Development Appeal Board
The County of Stettler No. 6
Box 1270, Stettler, AB
T0C 2L0

The Appeal Notice must contain the reason for the appeal and the applicable fee of \$450. This fee is 100% refundable if the appeal is upheld.

Important information and notes:

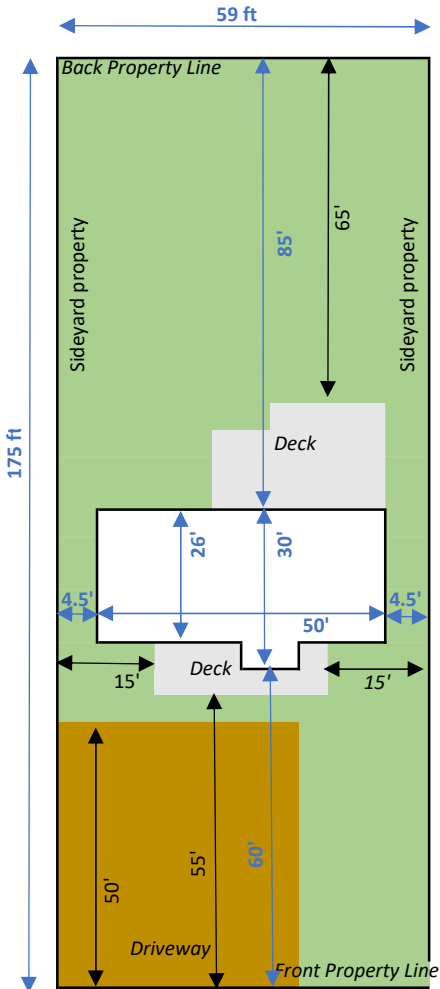
- a. The applicant/property owner for a residential development permit adjacent to or in the Agricultural District is hereby notified that the purpose of the Agricultural District is to provide landowners with the right to farm, and that agricultural activities in the District have precedence.
- b. An abandoned well search indicated that there are either no abandoned wells on the property or if there are, that the proposed subdivision area, project site or building site is located outside of the required setback distance from any abandoned well on the property.
- c. The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the County of Stettler No. 6 Land Use Bylaw and does in no way relieve or excuse the Development Permit holder from obtaining any other permit (including safety codes permits e.g. building,

electrical, gas, plumbing, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the County, or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. It remains the developer's or applicant's responsibility to ensure compliance with these matters. Further, the issuance of this development permit specifically does not absolve the applicant or the landowner from their responsibility to comply with the Environmental Protection and Enhancement Act, the Water Act or the Public Lands Act, for example, relative to impacting a wetland on the subject property, but not excluding other provisions. It is the applicant or landowner's responsibility to undertake a wetland assessment of the subject property by a Qualified Wetland Science Practitioner to determine if any of the activities permitted under this development permit may impact a wetland.

- d. The Land Use Bylaw contains development standards and regulations that apply to but cannot be listed in this development permit due to limited space. These regulations address matters relating to many aspects of the approved development or use, such as access points, lines of sight, public safety setbacks, to mention a few. It is the applicant's or developer's responsibility to ensure that they are fully aware of all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use by contacting the County's Planning and Development department.
- e. The applicant/property owner is responsible for:
 - (i) determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor;
 - (ii) ensuring that any structures approved under this development permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear and side yard setbacks approved in this development permit;
 - (iii) ensuring that the development approved under this development permit shall not disturb, affect or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way and any easements as they may exist, over, under, or through the Lands;
 - (iv) ensuring that the construction activity approved under this Development Permit is undertaken in a manner that does not cause a disturbance or damage to adjacent properties;
 - (v) making suitable arrangements with utility companies for provision of all services and/or necessary easements for utility rights-of-way;
 - (vi) notifying Alberta 1st Call at 1-800-242-3447 to arrange for field locating prior to construction, should any excavations be required near utility lines;
 - (vii) ensuring that permanent structures are located outside the 1:100-year flood plain of any body of water;
 - (viii) ensuring that foundation & drainage systems are constructed under the supervision of a qualified geo-technical engineer on any slope exceeding 15% to protect the bank from erosion and to ensure slope stability;
 - (ix) ensuring that a 2-meter separation is provided between the water table and footings

for the buildings;

- (x) ensuring that the property is graded in such a manner that the rate and volume of surface runoff from storm water drainage do not exceed that which existed prior to the issuance of this Development Permit. Where an approved storm water management plan exists, the property must be graded in accordance with the storm water management plan.



Marina View Close