

MUNICIPALITY OF CROWSNEST PASS

NOTICE OF DECISION OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING NO. DP2024-321

BOARD MEMBERS:

Evert Van Essen **Bjorn Berg** **Glen Girhiny** **Rupert Hewison** **Lory Moore**
(Chair)

In the matter of an Appeal of the Decision of the Development Authority of the Municipality of Crowsnest Pass, whereby a development permit application (DP2024-321) to operate a Tourist Home on land designated Residential R-1, legally known as Lot 37, Block 1, Plan 2210833 (8630 25 Avenue, Coleman), was approved with conditions.

And in the matter of the Appeal in accordance with Section 686 of the Municipal Government Act by:

APPELLANTS: Dell and Danielle Mathews

And in the matter of an Appeal held under the authority of Sections 627 and 629 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended (MGA).

THE PUBLIC PORTION OF THE HEARING WAS DOCUMENTED AS A RECORD OF PROCEEDINGS

And upon hearing the evidence from and submissions made by the person(s) shown on Appendix B attached hereto, and upon considering the documents shown on a list attached to Appendix A, as being the documents produced and marked as exhibits at the Hearing, and having regard to the South Saskatchewan Regional Plan, the MGA, and the Municipality of Crowsnest Pass Land Use Bylaw No. 1165, 2023 and amendments thereto, the Board has rendered a Decision.


The Decision and reasons for the Decision of the Chinook Intermunicipal Subdivision and Development Appeal Board (the Board) after a Hearing duly convened in accordance with Sections 685 and 686 of the MGA on December 11, 2024, at 1:30 p.m. are as follows:

DECISION:

The Board has decided the **Appeal be DENIED** and the decision of the Development Authority be confirmed. Development Permit Application DP2024-321 is **APPROVED subject to CONDITIONS** as per Appendix C.

Date: **December 23, 2024**

Signed:



Evert Van Essen- Chair of the Subdivision and Development Appeal Board

FACTS:

Upon having heard what was alleged by the Appellant and **upon hearing** others listed in Appendix B of this Decision and **upon having read** the Exhibits noted in Appendix A of this Decision, the Board finds the facts to be as follows:

1. The land subject of the appeal [subject property] is legally known as Lot 37, Block 1, Plan 2210833 with a civic address of 8630 25 Avenue, Coleman.
2. The subject property is designated as Residential R-1 within the Municipality of Crowsnest Pass Land Use Bylaw No. 1165, 2023 (LUB 1165, 2023).
3. Schedule 2 – R-1 of LUB 1165, 2023, states the purpose of the Residential – R-1 land use district is “To provide for a residential environment with the development of predominantly Single-Detached Dwellings while providing opportunity for additional land uses.”
4. A development permit application (DP2024-321) to operate a Tourist Home on the subject property with a maximum occupancy of 8 guests was submitted by the Applicants, Dell and Danielle Mathews, to the Municipality of Crowsnest Pass on September 23, 2024 (Exhibit F).
5. Schedule 17, section 2.3(b)(v) of LUB 1165, 2023, limits a Tourist Home within the Residential R-1 District to a maximum occupancy of 6 guests over the age of two and prohibits the Development Authority from approving any variance to the standard.
6. After discussions with the Municipality of Crowsnest Pass Development Office regarding the maximum occupancy standards prescribed within Schedule 17, section 2.3(b)(v), of LUB 1165, 2023 and the restriction of the Development Authority’s capacity to consider a variance to the standard, the Applicants submitted a revised development permit application (DP2024-321), reducing the maximum occupancy to 6 guests in compliance with the district standard (Exhibit E). DP2024-321 was subsequently deemed complete on October 14, 2024.
7. A Tourist Home is classified as a discretionary use within the Residential R-1 land use district under LUB 1165, 2023 and is defined in part as, *the operation of short-term commercial accommodation within a dwelling unit where the entire property is rented to only one reservation at a time for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence....*
8. Section 11.2(c) in the Administration section of LUB 1165, 2023, allows for the Development Officer to decide upon a discretionary use for a Tourist Home application that meets all applicable minimum standards.
9. The Development Officer, Katherine Mertz, confirmed that the revised DP2024-321 (Exhibit E) met all the criteria for development of a Tourist Home, including the required standards for parking, occupancy and minimum separation distance from any other approved Tourist Home.
10. DP2024-321 was approved by the Development Officer on October 24, 2024, with 20 conditions (Exhibit D), including conditions which limit the maximum occupancy and advertising of the Tourist Home not to exceed six guests over the age of two in accordance with Schedule 17, section 2.3(b)(v).
11. The Notice of Decision for DP2024-321 advised that the decision of the Development Authority may be appealed within the appeal period until November 14, 2024.

12. On November 12, 2024, an Appeal with reasons (Exhibit C) was submitted by Dell and Danielle Mathews (Appellants), with the reasons as follow:

- *The original approval for the Tourist Home designation granted by the Municipality of The Crownsnest Pass is appreciated, we believe granting an additional two visitors to the home is expected to expand the reach for renters and have very little to no impact on the neighbourhood and pose no inconvenience to homeowner satisfaction in the vicinity of our home.*
- *Our target renters are families looking to enjoy the amenities of the Crownsnest Pass, not only during a few of the noted holidays throughout the year, but during what many consider the off or shoulder seasons of spring and fall. In a perfect setting, an extended family of a couple sets of parents and 1–2 children each can gather in our home, spending time together doing the profoundly important things, making memories for a lifetime.*
- *This home is also intended for use by our family of five and we anticipate entertaining family and friends, which is why we set up the home to comfortably sleep upwards of eight people, with ample bathrooms, bedrooms, and entertainment areas. This also includes off-street parking for four vehicles.*

13. LUB 1165, 2023 requires that a Tourist Home operation obtain a development permit and comply with the standards outlined in Schedule 17 Standards for Short-Term Rental / Bed & Breakfast and Tourist Home.

14. The maximum occupancy for a Tourist Home is regulated based on the Land Use District designation of a property as prescribed in LUB 1165, 2023 Schedule 17, section 2.3(b)(v) which states:

- (v) A Tourist Home in any land use district where it is listed as a use shall comply with the maximum occupancy standards stated in the **table below**, in addition to the applicable parking standards. The maximum occupancy shown in the table below is the maximum number of guests over the age of two that may be advertised for rental accommodation, subject to the ability to accommodate the off-street parking requirement as stated in Schedule 6 and a maximum of 2 guests per bedroom including one bonus room (e.g., the living room with pull-out couch). The Development Authority shall not approve any variance to the maximum occupancy standard or the off-street parking standard for a Tourist Home.

Land Use District	Maximum Occupancy
Residential R-1 to R-5	6
CSV and CRV	8
Grouped Country Residential – GCR-1 Non-Urban Area – NUA-1 Retail Commercial – C-1 Drive-In Commercial – C-2	Based on the number bedrooms and the site conditions to comply with the off-street parking requirements

15. The minimum distance separation between Tourist Homes is as prescribed in LUB 1165, 2023, Schedule 17, section 2.2(a) which states, “There shall be a minimum separation distance of 200 m between Tourist Homes in the Residential R-1 to R-5 land use districts.”
16. The minimum off-street parking spaces required for a Tourist Home are as prescribed in LUB 1165, 2023, Schedule 6, Table 1, which prescribes 1 parking space per 4 guests and parking for all vehicles, including recreational vehicles, utility trailers and ATV trailers shall be accommodated on the subject property.
17. Johan van der Bank, Manager of Development and Trades, indicated that the standards within LUB 1165, 2023 for Tourist Homes had been in place for approximately 3 years and are intended to help manage the impacts of Tourist Homes within the community. It was submitted that Tourist Homes were not regulated prior to 2021, but due to complaints from citizens, with issues such as large groups partying, noise, garbage, parking issues, etc., Council requested standards to be established within the land use bylaw to regulate the use and that since the adoption of the standards, the issues relating to Tourist Homes have improved. It was additionally submitted that the Tourist Home standards were debated individually and thoroughly by Council and that the maximum occupancy standard established within each of the land use districts was intended for uniform application, as the standards specifically preclude the Development Authority from granting a variance to the prescribed maximum occupancy.
18. The Manager of Development and Trades and the Development Officer explained that the maximum occupancy allowances for Tourist Homes within LUB 1165, 2023 vary based on the Land Use District designation: the Residential Districts (R-1 to R-5) limit the maximum occupancy to 6 guests over the age of two which is based on a typical 3-bedroom home with 2 occupants per bedroom; the CSV and CRV Districts provide for a greater maximum occupancy of up to 8 guests, as these districts are for comprehensively designed communities intended to accommodate tourists and resort activities; the Grouped Country Residential District does not specify a maximum standard and instead is dependent on the number of bedrooms and site conditions, such as lot size and parking availability, which could allow for a higher occupancy depending on the circumstances.
19. The Appellant, Dell Mathews, indicated that he had purchased the subject property as a secondary residence and the Tourist Home allowance was intended to provide supplemental income when the residence was not in use by his family and guests. The Appellant indicated that the residence was designed with three bedrooms and a bonus room which can comfortably accommodate eight people (excluding future basement development). The Appellant explained that the standard floor plan for the Stranville Living residence, which is under construction on the subject property, had been modified to provide for a large second bedroom on the upper level in place of the typical bonus room and would be ideal to allow for use of the residence as a Tourist Home for two couples with a couple of kids for a maximum occupancy of eight. The Appellant indicated that parking for four vehicles is available in the attached two-car garage and the driveway.
20. The subject property is located within the new Aurora Subdivision comprised of approximately 45 Residential R-1 lots (Exhibit I5). The intended build-out of the subdivision includes duplexes on the lots adjacent to 24 Avenue and single-detached dwellings within the two-cul-de-sacs (25 Avenue). The duplex lots west of 86A Street are fully developed as are the single-detached lots on 25 Avenue in the cul-de-sac west of 86A Street.
21. The majority of the lots within the Aurora Subdivision are under the ownership of the developer, Trilogy Real Estate Group, with Stranville Living serving as the builder. The residences within the subdivision are typically being constructed as spec homes for sale.

22. The subject property is 438.91 m² in size and proximate to the minimum lot size requirement of 418.1 m² for lots within the Residential R-1 District. The dwelling, currently at foundation state of construction, provides for a front yard setback of 6.1 m, side yard setbacks of 2.13 m and 2.44 m, and a rear yard setback of 7.3 m measured to the attached deck (Exhibit G13). There is no direct access to the rear of the lot except through the side yards of the property, as the Aurora Subdivision does not have rear lanes.
23. The MGA, section 687(3) states in part:
- (3) In determining an appeal, the board hearing the appeal referred to in subsection (1)*
- (a.1) must comply with any applicable land use policies;*
 - (a.2) subject to section 638, must comply with any applicable statutory plans;*
 - (a.3) subject to clauses (a.4) and (d), must comply with any land use bylaw in effect;*
 - (a.4) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises;*
 - (b) must have regard to but is not bound by the subdivision and development regulations;*
 - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;*
 - (d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw, if in its opinion,*
 - (i) the proposed development would not*
 - (A) unduly interfere with the amenities of the neighbourhood, or*
 - (B) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land, and*
 - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.*

HAVING REGARD TO THE FINDINGS OF FACT; and having regard for statutory plans, the South Saskatchewan Regional Plan, Land Use Bylaw No. 1165, 2023, and the MGA, the Board makes the decision to **DENY** the appeal and **CONFIRM** the decision of the Municipality of Crowsnest Pass Development Authority for Development Permit Application DP2024-321.

The **Development Permit Application DP2024-321** to allow for the operation of a “Tourist Home” with a maximum occupancy of 6 guests over the age of two on land legally described as Lot 37, Block 1, Plan 2210833 with a civic address of 8630 25 Avenue, Coleman, is **APPROVED subject to conditions as per Appendix C.**

The Board makes the decision to **DENY** the appeal and **CONFIRM** the decision of the Municipality of Crowsnest Pass Development Authority for DP2024-321 for the **following REASONS:**

REASONS:

1. The Board finds the intent of the Residential – R-1 District to be primarily for residential use and that other uses that may be considered are to be secondary in nature, especially those more business or commercial related uses such as a Tourist Home. In the opinion of the Board, the maximum occupancy of 6 guests per Tourist Home which has been established within the municipality’s Land Use Bylaw for land designated Residential R-1 is intended to help manage potential impacts of the use and maintain the principal residential intent of the neighbourhood. Furthermore, the Board

finds that LUB 1165, 2023 contains several other land use districts which provide opportunity for landowners, developers and business owners to achieve an occupancy standard for Tourist Homes that exceeds the standard prescribed within the Residential R-1 through R-5 land use districts.

2. The Board is of the opinion there are no extraordinary or unique circumstances relating to the proposed development, the subject property, or its location to provide justification to exceed the established standards of LUB 1165, 2023 and thereby warranting the Board to grant a variance to the maximum occupancy standard of 6 guests over the age of two for lots with the Residential R-1 Land Use District designation as prescribed in Schedule 17, section 2.3(b)(v).

INFORMATIVE:

This decision serves as the development permit approval subject to conditions for DP2024-321 as per Appendix C.

Although the decision of the Municipality of Crowsnest Pass Development Authority has been confirmed, the Board recommends that the Municipality of Crowsnest Pass consider review of the current Tourist Home standards prescribed within LUB 1165, 2023, particularly the metrics for establishing maximum occupancy, including consideration for allowance of variance capability by the Development Authority.

APPENDIX A

Documentary Material Submitted to the Board:

EXHIBIT ITEM

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Notice of Appeal
- D. Notice of Decision dated October 24, 2024
- E. Development Permit Application – Revised – October 12, 2024
- F. Development Permit Application – Original – September 23, 2024
- G. Site Plan and Drawings
- H. Excerpts from Municipality of Crowsnest Pass Land Use Bylaw 1165, 2023
- I. Development Authority Report to SDAB DP2024-321

APPENDIX B

List of persons who gave oral evidence or made submissions at the hearing:

CAPACITY	NAME
Appellants/Applicants:	Dell Mathews
Municipal Representatives:	Katherine Mertz – Development Officer Johan van der Bank - Manager of Development & Trades
Gallery	None

<p><u>IMPORTANT:</u> This Decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons, subject only to Appeal to the Provincial Court of Appeal.</p>

APPENDIX C
Development Permit DP2024-321

Development Permit 2024-321 to allow for the operation of a “Tourist Home” with a maximum occupancy of 6 guests over the age of two on land legally described as Lot 37, Block 1, Plan 2210833 with a civic address of 8630 25 Avenue, Coleman, within the Residential R-1 District, is **APPROVED subject to the following CONDITIONS:**

1. The landowner shall install and maintain for the lifetime of the Short-Term Rental / Bed & Breakfast, Tourist Home operation one wall sign or freestanding sign between 0.18m² (3ft²) and 0.72m² (8ft²), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public in accordance with the approved signage plan. **The sign shall be installed no later than 3-months from the date of the Notice of Decision of the Chinook Intermunicipal Subdivision and Development Appeal Board Hearing No. DP2024-321.**
2. Development must be commenced or carried out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and /or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void.
3. The development shall comply with and be carried out and completed in its entirety in accordance with the attached approved site plan and the development standards and yard setbacks in Residential R-1 district in Land Use Bylaw 1165, 2023, as amended.
4. The Tourist Home shall not advertise for or accommodate more than six guests over the age of two.
5. The Landowner shall not operate more than one Tourist Home rental unit per certificate of title, regardless of the number of approved dwelling units on the parcel (e.g. Secondary Suite, Duplex/Semi-Detached, Multi-unit Residential Building or an Apartment).
6. Any portion of the building that is not rented as part of the approved Tourist Home rental unit (Secondary Suite, Duplex / Semi-Detached Dwelling) shall remain unoccupied during the rental period of the Tourist Home. More than one dwelling unit shall not be occupied unless the development permit for the Tourist Home is surrendered and revoked.
7. A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for the Short-Term Rental / Bed & Breakfast or Tourist Home guests.
8. A minimum of two (2) off-street parking spaces per unit shall be maintained as required in the Land Use Bylaw. Parking of vehicles associated with the business shall be confined to within the subject parcel only. Parking for all recreation vehicles, utility trailers and ATV trailers associated with the use of a Short-Term Rental / Bed & Breakfast or Tourist Home that are disengaged from the towing vehicle shall be accommodated on the subject property and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard.
9. The Short-Term Rental/Bed & Breakfast, Tourist Home development permit owner shall provide to the Development Officer the name and phone number of a local person (an adult) who can respond to any complaints in person within a 30-minute contact time, and who is authorized to act as their representative. The owner of the Tourist Home shall be required as a condition of approval to keep this information up to date throughout the lifetime of the Tourist Home operation.

10. The Short-term Rental/ Bed & Breakfast, Tourist Home Landowner shall post their development permit number and business license number and the approved number of rental units and approved maximum occupancy on all of their advertisements of the rental property as a condition of development permit approval. Failure to advertise correctly will result in land use bylaw enforcement, including a Municipal Violation Tag and fine.
11. A Short-Term Rental/Bed & Breakfast, Tourist Home development permit shall only be valid as long as it coincides with an active Business License and a development permit. If the Business License lapses, is transferred to another person, or is revoked for any reason, the development permit will expire, and a new application will be required to reinstate the development permit and subsequently the business license. The development permit shall be temporary and the period for which it shall be valid shall coincide with the period during which the original applicant for the development permit holder continues to be the property owner - for greater clarity, in the event that the property is transferred to a third party the development permit expires, and a new development permit application by the new property owner would be required to continue the operation.
12. It is the responsibility of the Landowner to comply with federal and provincial legislation (e.g. Alberta Health, Safety Codes Act and Fire Code regulations) and other municipal bylaws [e.g. the Community Standards Bylaw regarding the control of wildlife attractants (e.g. by providing a bear proof garbage receptacle), restrictions on noise, loud music or other disturbances, and the requirement to obtain a business license under the Business License Bylaw].
13. The operator of a Short-Term Rental/Bed & Breakfast or a Tourist Home shall make available to their guests a copy of this schedule of the Land Use Bylaw, the Community Standards Bylaw, the Fire and Rescue Services Bylaw, and shall ensure that guests are aware of and adhere to fire bans in the area – albertafirebans.ca.
14. Contraventions/violations of this or any other municipal bylaw by the operator of a Short-Term Rental/Bed & Breakfast or a Tourist Home or by their guests shall result in the issuing of a Municipal Violation Tag (fine) pursuant to the Fees Rates and Charges Bylaw to the Landowner or guest depending on the infraction.
15. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality.
16. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner's and/or Applicant'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 Municipality's Department of Development, Engineering & Operations.

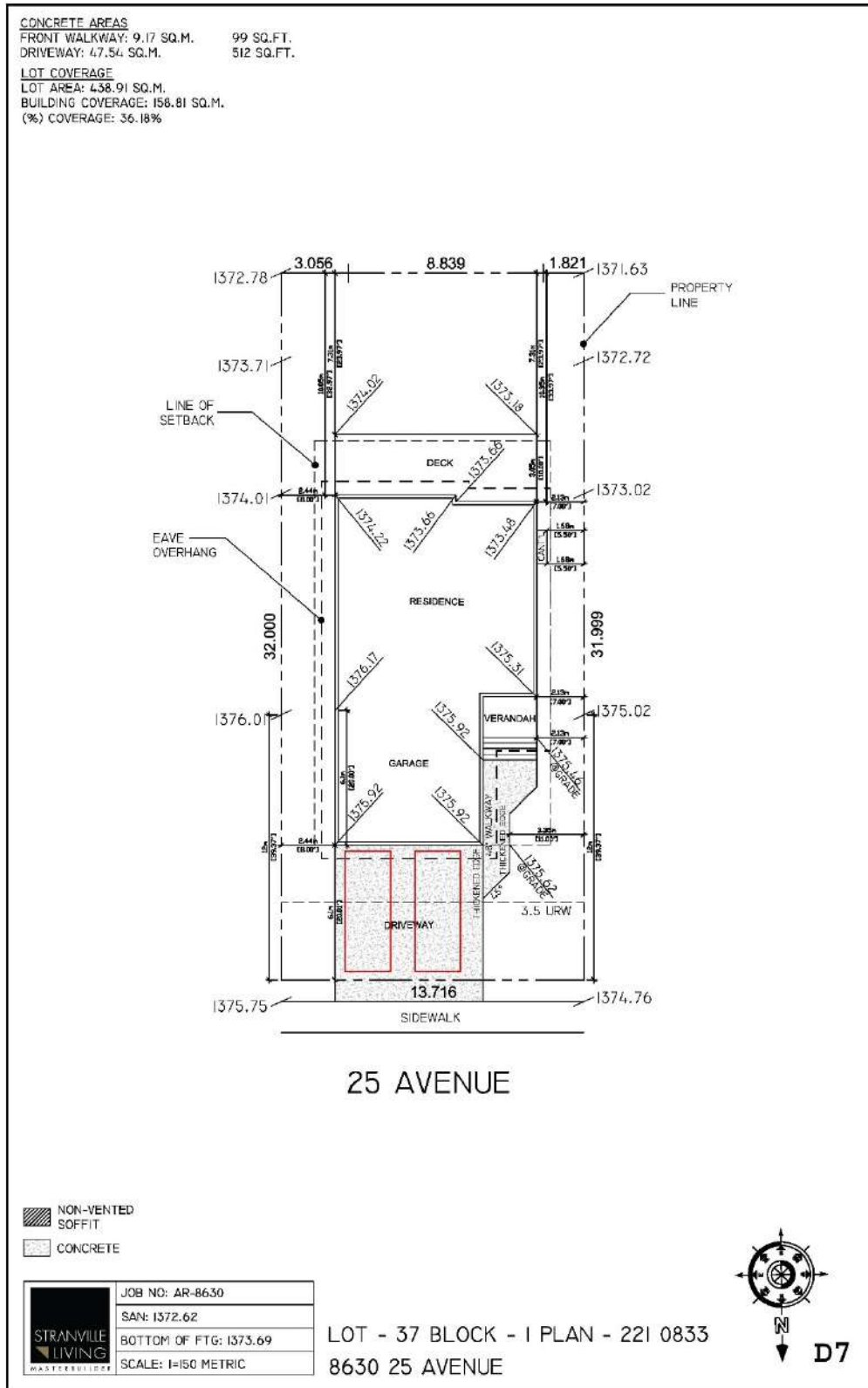
17. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality's Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

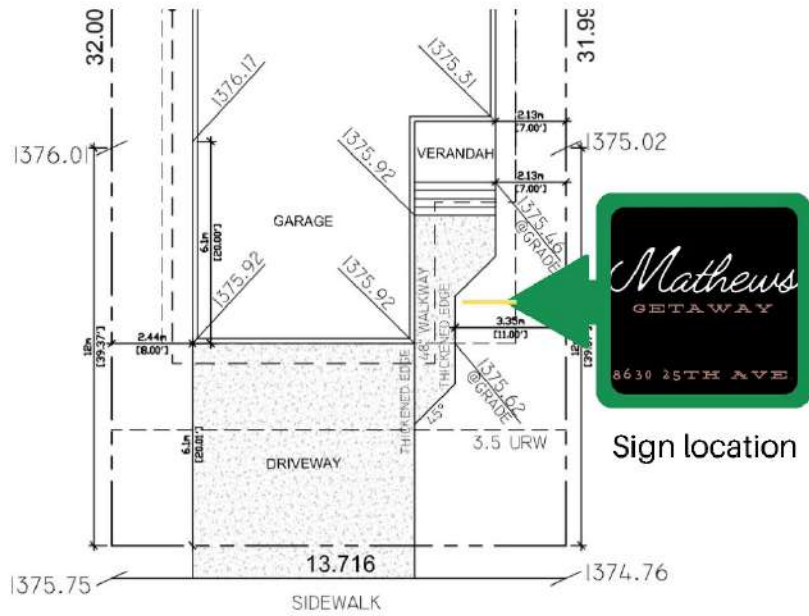
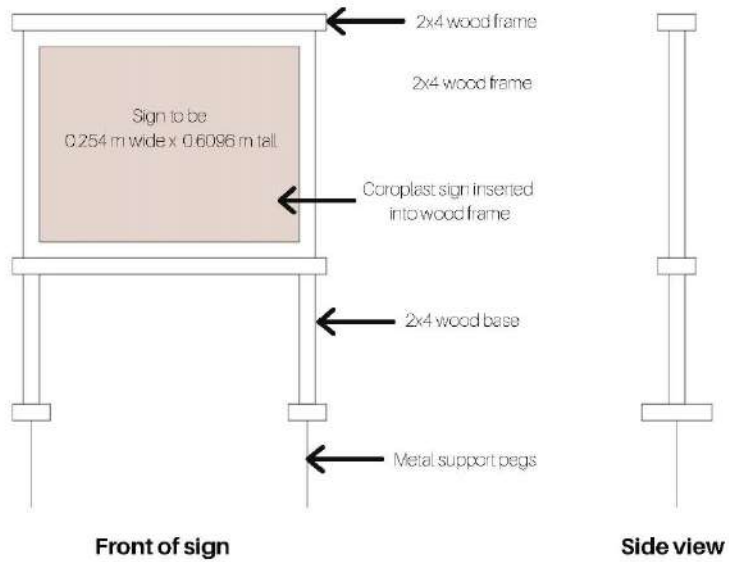
Important Information & Notes:

- a) 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 Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters.
- b) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
 - (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (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. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity 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. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and/or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) 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.
 - (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade/slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan/stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.

- (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
- (xii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved stormwater management plan exists, the property must be graded in accordance with the stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.
- (xiii) Being aware of FireSmart Regulations including the Municipality's FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
- (xiv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable). It is the owner's responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing construction, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner's agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.

APPROVED SITE PLAN





Signage for tourist home 8630 25th Ave. Coleman, AB.