

Summer Village of South Baptiste

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NOTICE OF DECISION DEVELOPMENT PERMIT APPROVAL

Date of Issue: October 26, 2020

APPLICANT: Darcy and Susan Coleman

ADDRESS OF DEVELOPMENT: 58 and 62 Baptiste Drive

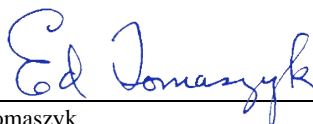
Proposed Development: Construction of a Cabin (Principal Building) on 62 Baptiste Drive.

You are hereby authorized to proceed with the development, subject to these conditions:

- (a) Post a copy of the notice of the decision on the property for which the permit has been granted.
- (b) That construction shall not begin until 15 days after the date of Issue of Notice of Decision; and
- (c) That the development shall comply with all requirements of the current Land Use Bylaw and all other conditions contained herein; and
- (d) That the development shall be carried out within the areas shown on the plans submitted; and
- (e) Where clearing of trees and shrubs is required for the purpose of construction, grading must ensure that existing drainage is maintained. To the maximum extent possible, trees and shrubs and other vegetation to be retained in their natural condition on a site.
- (f) Where Landscaping is required, it shall be carried out within a reasonable time period following the completion of construction; and
- (g) That Safety Codes Permits as may be required be obtained from The Inspections Group in Edmonton, Alberta. Phone: (780) 454-5048 Fax: (780) 454-5522
- (h) Additional conditions may be listed on the next page.

IMPORTANT NOTICES REGARDING DEVELOPMENT PERMITS

1. The applicant or any person who claims to be affected by the decision of the Development Officer may appeal the decision to the Development Appeal Board subject to a \$750 appeal fee. The appeal shall be made in writing, and shall be delivered either in person or by mail along with the appeal fee to the Summer Village office not later than 14 days after the Date of Issue of Notice of Decision.
2. Should an appeal be made against the decision, the development permit shall not come into effect until the appeal has been determined by the Development Appeal Board. Should the Development Appeal Board approve the issue of the Development Permit, the permit shall be considered valid from the date of the Development Appeal Board decision and subject to any Development Appeal Board conditions.
3. This permit is valid for a period of 12 months from the date of issue or the date of an approved decision of the Development Appeal Board. If, after 12 months, the development or construction has not been started or carried out with reasonable diligence, this permit may be invalid.
4. This is a development permit only. It is not a building permit. The applicant is required to ensure that the proposed development or construction complies with all applicable municipal, provincial and federal laws, including but not restricted to the building code; electrical, plumbing and gas codes; and health and environmental regulations.



Ed Tomaszuk
Administrator



Summer Village of South Baptiste

2020 DP 003 Darcy and Susan Coleman Development Application – Principal Building

Located at 58 and 62 Baptiste Drive.

Conditions for Development Approval.

Due to the shape of the lots, the Development Permit application seeks significant relaxations of the relevant setbacks in the Land Use Bylaw. The Summer Village Council must be satisfied the proposed development is appropriate given concerns about possible shoreline erosion and slope instability due to high lake water levels at certain times throughout the year. Additionally, there are concerns about damage due to ice thrusting taking place because of temperature fluctuations during the Winter and Spring. This causes the surface ice on the lake to expand thereby pushing against the shoreline causing heaving of bank soil along with property damage. Soil instability at the site raises concerns about whether the lots are suitable for Development as proposed. The applicant shall accept all risks and liabilities associated with development.

Consequently, Summer Village Council is of the opinion that the following conditions are appropriate and reasonable.

1. The property as shown on the site plan may be unsuitable for development if retained as separate lots. Therefore, consolidation of the two lots into a single property will be required as it would greatly improve suitability for Development. Lot consolidation requires an application to Alberta Land Titles by the Developer.
2. The development permit applicant shall endorse a legal agreement absolving the Summer Village of any liability associated with development on Lots 58 and 62. The agreement would also apply to any future development on respective property.
3. The Developer shall consent to the registration of an appropriately worded Restrictive Covenant to be registered on the titles of respective property. The Covenant would preclude any development not in compliance with the conditions contained herein.
4. The proposed Development must fully comply with the Summer Village Land Use Bylaw except for property boundary setbacks. A variance to the Land Use Bylaw may reduce setbacks to a minimum of three feet from respective property boundaries.
5. The existing cabin (58 Baptiste Drive) shown on Real Property Report (File Number 20207A) and Real Property Report (File Number 20207) prepared by Don Wilson Surveys Ltd. shall be allowed to remain but shall be subject to an encroachment agreement. The Portable Shed and Outhouse on the Easterly Lot (RPR File Number 20207) shall be removed within 12 months.

6. Where clearing of trees and shrubs is required for the purpose of construction, grading must ensure that existing drainage is maintained. To the maximum extent possible, trees and shrubs and other vegetation to be retained in their natural condition on a site.
7. That Safety Codes Permits as may be required by the Alberta Safety Codes Act be obtained from The Inspections Group in Edmonton, Alberta. Phone: (780) 454-5048 Fax: (780) 454-5522.
8. Formal Encroachment agreements are required for any encroachments involving Road Plan 611 BM which will be registered on the titles of respective property.
9. Construction shall not begin on site until the preceding conditions are fulfilled by the developer.