

REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD

DATE: January 6, 2022	APPEAL NO.: SDAB2021-0088 FILE NO.: CO2020-04832
APPEAL BY: Ryan Clark	
FROM AN ORDER OF THE DEVELOPMENT AUTHORITY to Cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022. (Not Complying With DP2019-3323 - Screening of Stockpiles and Changes to Approved Plans) at <u>9229 Barlow Trail SE.</u> Legal Description: Plan 1512251, Block 7, Lot 1	LAND USE DESIGNATION: I-G
COMMUNITY OF: South Foothills	DATE OF DECISION: December 3, 2021
OWNER: Resman Holdings Ltd.	

Notes:

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature.



NOTICE OF APPEAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

CC 821 (R2014-01)

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee. For filing instructions and fee payment options, see the reverse side of this form.

ISC: Unrestricted

Online Store Information			
Confirmation Number 10398562	Order Number 37090096	Online Form Processed 2021-12-15 8:43:48 AM	
Site Information			
Municipal Address of Site Under Appeal 9229 BARLOW TRAIL SE		Development Permit/Subdivision Application/File Number DP2019-3323	
Appellant Information			
Name of Appellant RYAN CLARK		Agent Name (if applicable)	
Street Address (for notification purposes) PO BOX 23094 1706 4 STREET SW			
City CALGARY	Province ALBERTA	Postal Code T2V 3J9	Residential Phone # 403-870-5776
Business Phone # 403-870-5776	Email Address ryantclark@me.com		

APPEAL AGAINST

Development Permit	Subdivision Application	Notice of Order
<input type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

REASONS FOR APPEAL Sections 678 and 686 of the Municipal Government Act require that the written Notice of Appeal must contain specific reasons for the appeal.

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:

Good morning, I would like to appeal the decision and order to cease all activity at 9229 Barlow Trail SE. I was instructed by the City of Calgary to designate our use as a "Salvage yard".

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated presentation time (minutes/hours) 1 HOUR	Will you be using an agent/legal counsel? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
If yes, what are the issues?	
Do you anticipate bringing any witnesses/experts to your hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	If yes, how many will you be bringing? 2

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 678 and 686. NOTE: THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the City Appeal Boards at 403-268-5312 or PO Box 2100 Stn. "M", #8110, Calgary, AB, T2P 2M5.

FOR OFFICE USE ONLY					
Final Date of Appeal YYYY MM DD	SDAB Appeal Number	Fee Paid <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hearing Date YYYY MM DD	Date Received	
2021 12 27	SDAB2021-0088		2022 01 06	December 15, 2021	

SDAB2021-0088



PLANNING & DEVELOPMENT

December 3, 2021

File # CO2020-04832

RYDON CONSTRUCTION INC
1706 4 ST SW
Calgary, AB T2S3B1

RE: 9229 Barlow Tr SE
Legal Description: Plan 1512251, Block 7, Lot 1

Our investigation of your property located at 9229 Barlow Tr S.E. Calgary, has revealed that a use exists on the property without Development Authority approval (Recyclable Construction Material Collection Depot).

Therefore, the attached Notice has been issued. If you fail to comply with the Notice, legal action may be taken against you as the registered business owner on the property.

Should you wish to appeal this Notice, you must register an appeal with the Subdivision and Development Appeal Board within twenty-one (21) days of receipt of this Notice. A fee of \$200.00 must accompany any appeal.

NOTE: When hearing the appeal, the Subdivision and Development Appeal Board can only consider if the Order has been correctly issued. The Subdivision and Development Appeal Board cannot grant an approval through this appeal. Only through a development permit application can this development or use be reviewed for a decision.

Should you require additional information concerning this matter, you may contact Alessandro Palombi at 403-620-2710 or alessandro.palombi@calgary.ca.

Yours truly,

A handwritten signature in blue ink, appearing to read "CM", followed by a horizontal line.

Chris Meakin
Development Authority
Development Inspection Services

Attachment



PLANNING & DEVELOPMENT

NOTICE

RYDON CONSTRUCTION INC
1706 4 ST SW
Calgary, AB T2S 3B1

A check with City Records discloses that you are the business operator and occupant of property located at 9229 Barlow Trail SE, Calgary, legally described as Plan 1512251, Block 7, Lot 1.

This property is designated I-G Industrial General. The property is being used as a Recyclable Construction Material Collection Depot. No Development Permit has been issued for this use.

You are hereby ordered, pursuant to Section 645(1) of the Municipal Government Act R.S.A. 2000, c. M-26, as amended, to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022.

A handwritten signature in blue ink, appearing to read "Chris Meakin".

Chris Meakin
Development Authority
Development Inspection Services

Date: December 3, 2021



BUSINESS LICENCE

BUSINESS ID #	BUSINESS LICENCE #	START DATE (YYYY MM DD)	EXPIRY DATE (YYYY MM DD)
15854029	BL229806	2020 12 13	2021 12 12

Name: **RYDON RECYCLING**

Business Location: **#A 9229 BARLOW TR SE CALGARY**

LICENCE DESCRIPTION
SALVAGE YARD/AUTO WRECKER

MAIL TO:

RYDON RECYCLING
RYDON CONSTRUCTION INC
PO BOX 23094, 1706 4 STREET SW
CALGARY AB T2S 3B1

BUSINESS OWNER(S)

RYDON CONSTRUCTION INC

This licence is issued under the authority of The City of Calgary's business licensing bylaws. The licence holder must obey all municipal bylaws and provincial and federal laws.

DISPLAY THIS LICENCE FOR PUBLIC VIEWING

NOTE: The holder of this licence must notify the Licence Division by phone (403) 268-5311 or by fax (403) 268-2291 of any change in ownership, address, or business activities.

October 29, 2020 17:05:58



PLANNING & DEVELOPMENT

December 3, 2021

File # CO2020-04832

RYDON CONSTRUCTION INC
1706 4 ST SW
Calgary, AB T2S3B1

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Legal Description: Plan 1512251, Block 7, Lot 1

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Yours truly,

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Chris Meakin
Development Authority
Development Inspection Services

Attachment



PLANNING & DEVELOPMENT

NOTICE

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Calgary, AB T2S 3B1

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A handwritten signature in blue ink, appearing to read "Chris Meakin", written over a light blue grid background.

Chris Meakin
Development Authority
Development Inspection Services

Date: December 3, 2021

From: Ryan Clark <ryantclark@me.com>
Date: May 2, 2019 at 9:10:43 AM MDT
To: "Goldstrom, Evan W." <Evan.Goldstrom@calgary.ca>
Cc: miri.mammadov@outlook.com
Subject: Re: Pre-Application Meeting: Salvage and Recycling Yard

Hi Evan,
 Thanks so much for getting back to me so quickly.
 I believe our classification will be recyclable construction material Depot.
 Our basic business model will be to receive mixed construction material bins from large commercial sites. We are looking for only large safe materials such as wood, metal, wire, concrete Ext. Will then rapidly sort by hand and send the segregated materials to their individual end locations for processing.
 We have no intention of stock piling onsite as that creates inefficiency.
 We currently don't foresee any challenges.
 I hope this helps, please let me know if you have any questions.
 Thank you

Ryan Clark
 Principal
 Rydon Construction Inc.
 P. [403-870-5776](tel:403-870-5776)
 F. [1-888-374-6290](tel:1-888-374-6290)
Ryan@rydonconstruction.ca
 Po box 23094 1706 4st S.W
 Calgary Alberta
 T2s 3b1

On May 2, 2019, at 9:00 AM, Goldstrom, Evan W. <Evan.Goldstrom@calgary.ca> wrote:

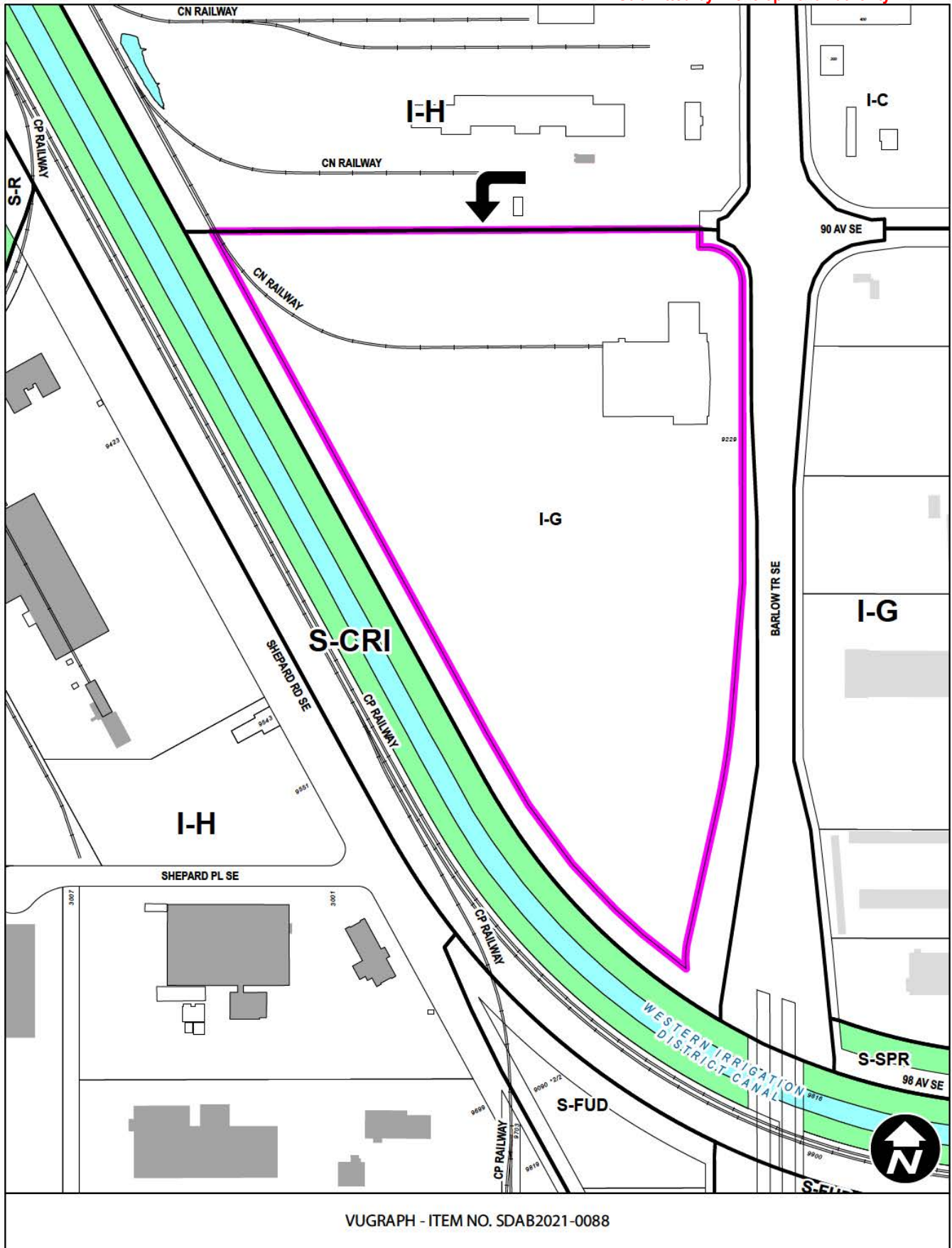
Hi Ryan,

I have received your Pre-App Meeting request for a Salvage and Recycling Yard. To help prepare for the meeting, could you provide me with some background information about your project and any challenges that you see with the potential development?

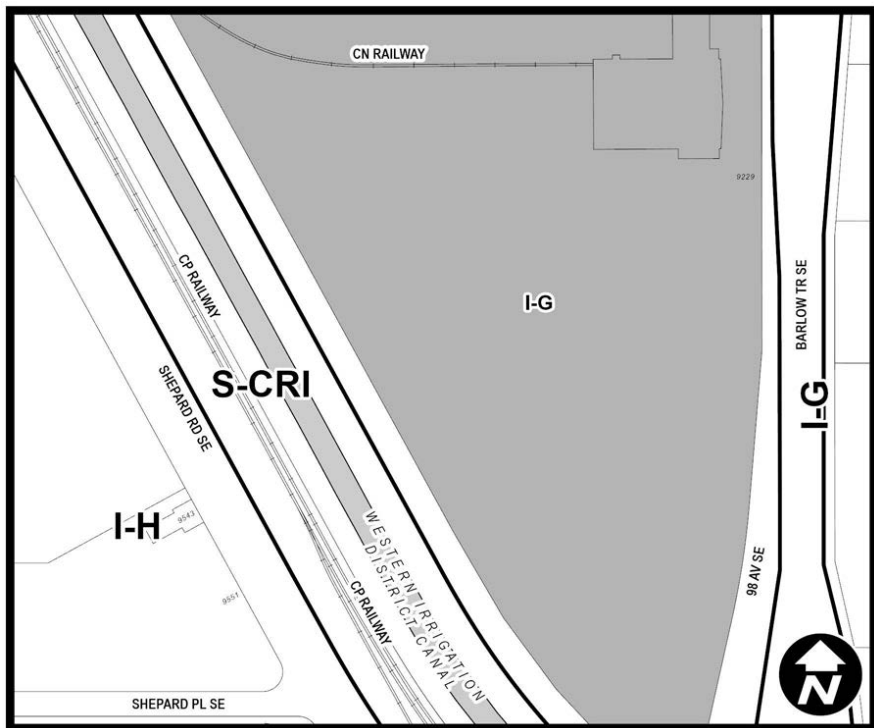
Thanks,
 Evan

Evan Goldstrom, MPlan, RPP, MCIP
 Planner | Community Planning - South
 Planning & Development
 The City of Calgary | Mail Code #8073
 T. [403.268.2573](tel:403.268.2573) | E. evan.goldstrom@calgary.ca

We are moving online! Approved Development Permit notifications in the newspaper will cease as of May 16th. Check out www.calgary.ca/pdmap to learn more about the development activity in your community.



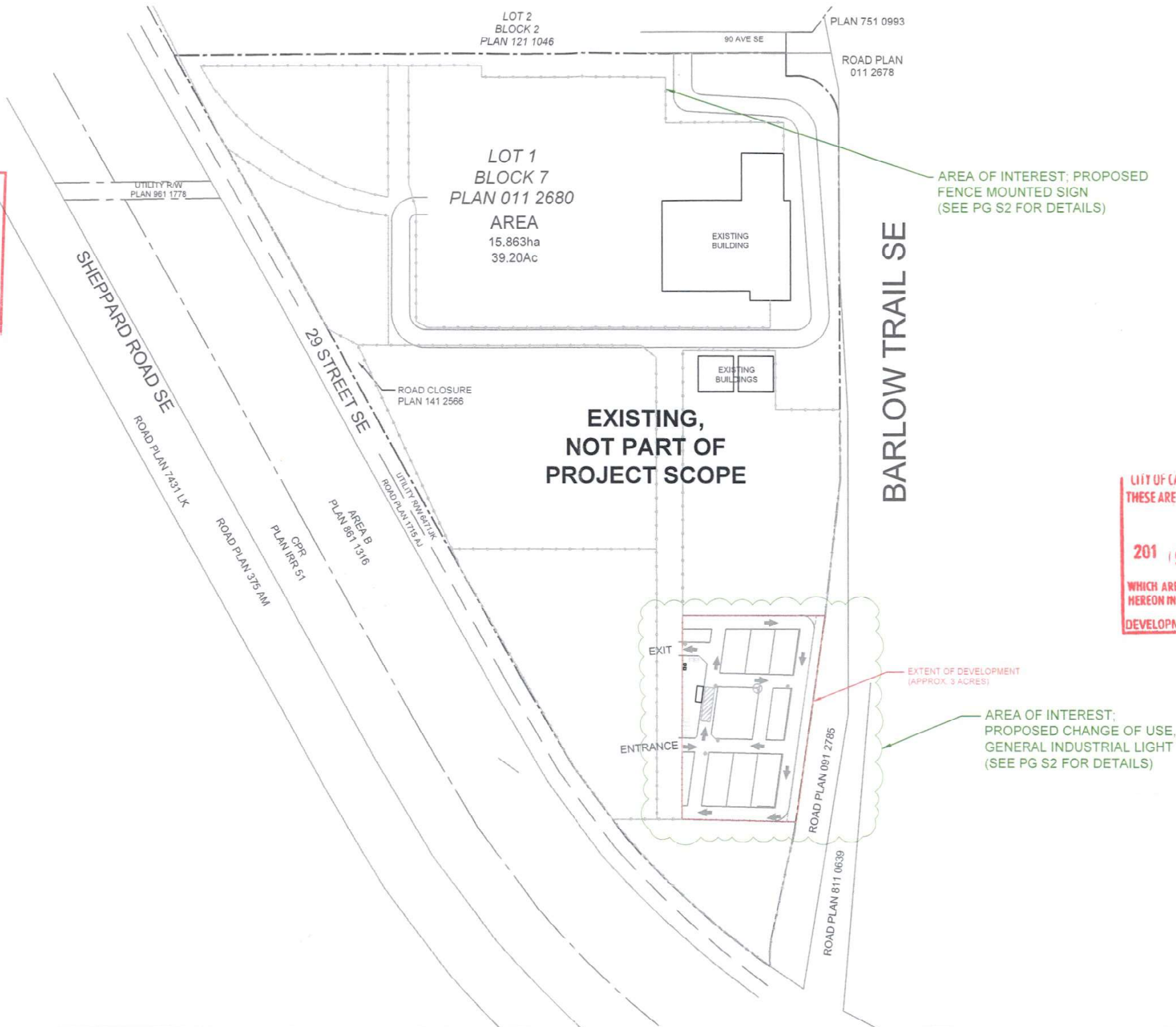
10



SDAB2021-0088

NOTE:
CHANGE OF USE APPLICATION FOR PROPOSED
RECYCLING SORTING FACILITY.

AMENDED DRAWINGS
DP No. Date Received
201 9-3323 AUG 08 2019
THESE DRAWINGS REFER TO ABOVE
DEVELOPMENT PERMIT NO.



**DEVELOPMENT
PERMIT
DECISION
RENDERED
ON THIS PLAN**

CITY OF CALGARY - CORPORATE PLANNING APPLICATIONS GROUP
THESE ARE THE PLANS REFERRED TO IN DEVELOPMENT PERMIT NO.
DP No. Date Issued
201 9-3323 SEP 19 2019
WHICH ARE APPROVED SUBJECT TO THE ALTERATIONS IF ANY SHOWN
HEREON IN RED OR AS OTHERWISE NOTED IN THE DEVELOPMENT PERMIT.
DEVELOPMENT AUTHORITY: *[Signature]*

SITE INFORMATION FROM
LEGAL SURVEY DATED:
AUGUST 10, 2015

THIS DOCUMENT IS THE PROPERTY OF PERMIT
MASTERS. THE UNAUTHORIZED REPRODUCTION
OR DISTRIBUTION WILL BE PROSECUTED.

**1
S1** **OVERALL SITE PLAN**
1:3000
DO NOT SCALE DRAWINGS

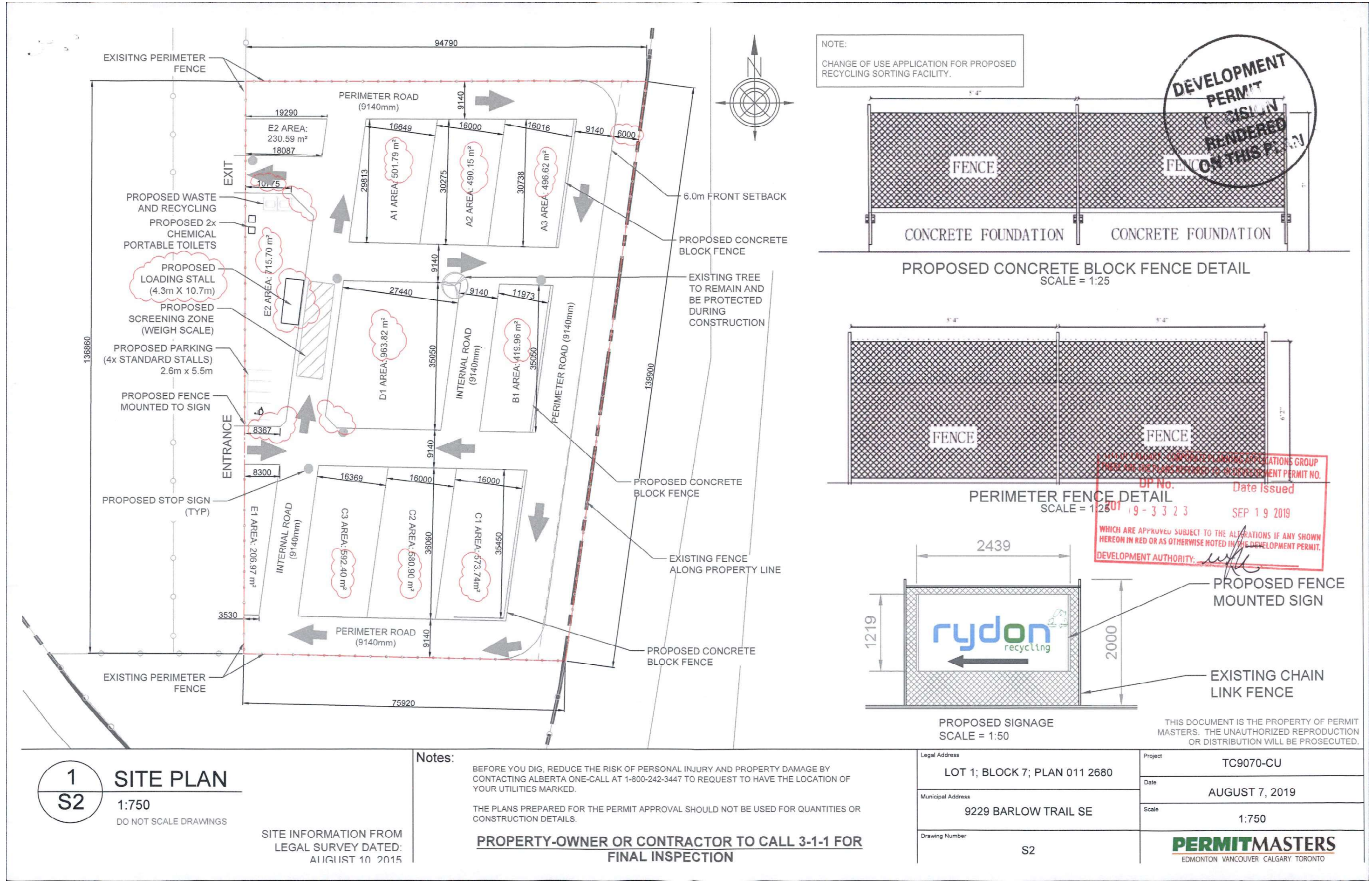
Notes:

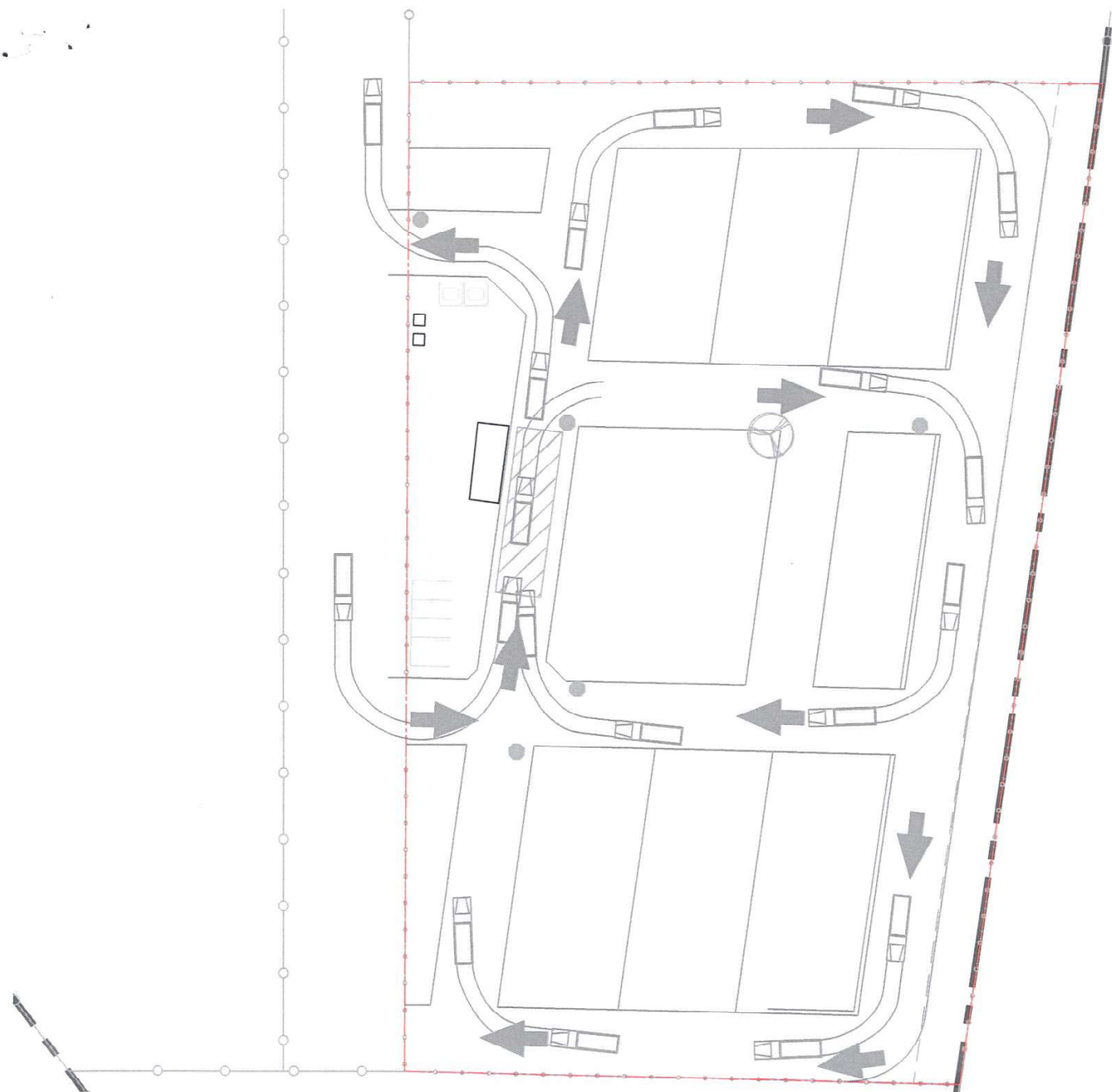
BEFORE YOU DIG, REDUCE THE RISK OF PERSONAL INJURY AND PROPERTY DAMAGE BY
CONTACTING ALBERTA ONE-CALL AT 1-800-242-3447 TO REQUEST TO HAVE THE LOCATION OF
YOUR UTILITIES MARKED.

THE PLANS PREPARED FOR THE PERMIT APPROVAL SHOULD NOT BE USED FOR QUANTITIES OR
CONSTRUCTION DETAILS.

**PROPERTY-OWNER OR CONTRACTOR TO CALL 3-1-1 FOR
FINAL INSPECTION**

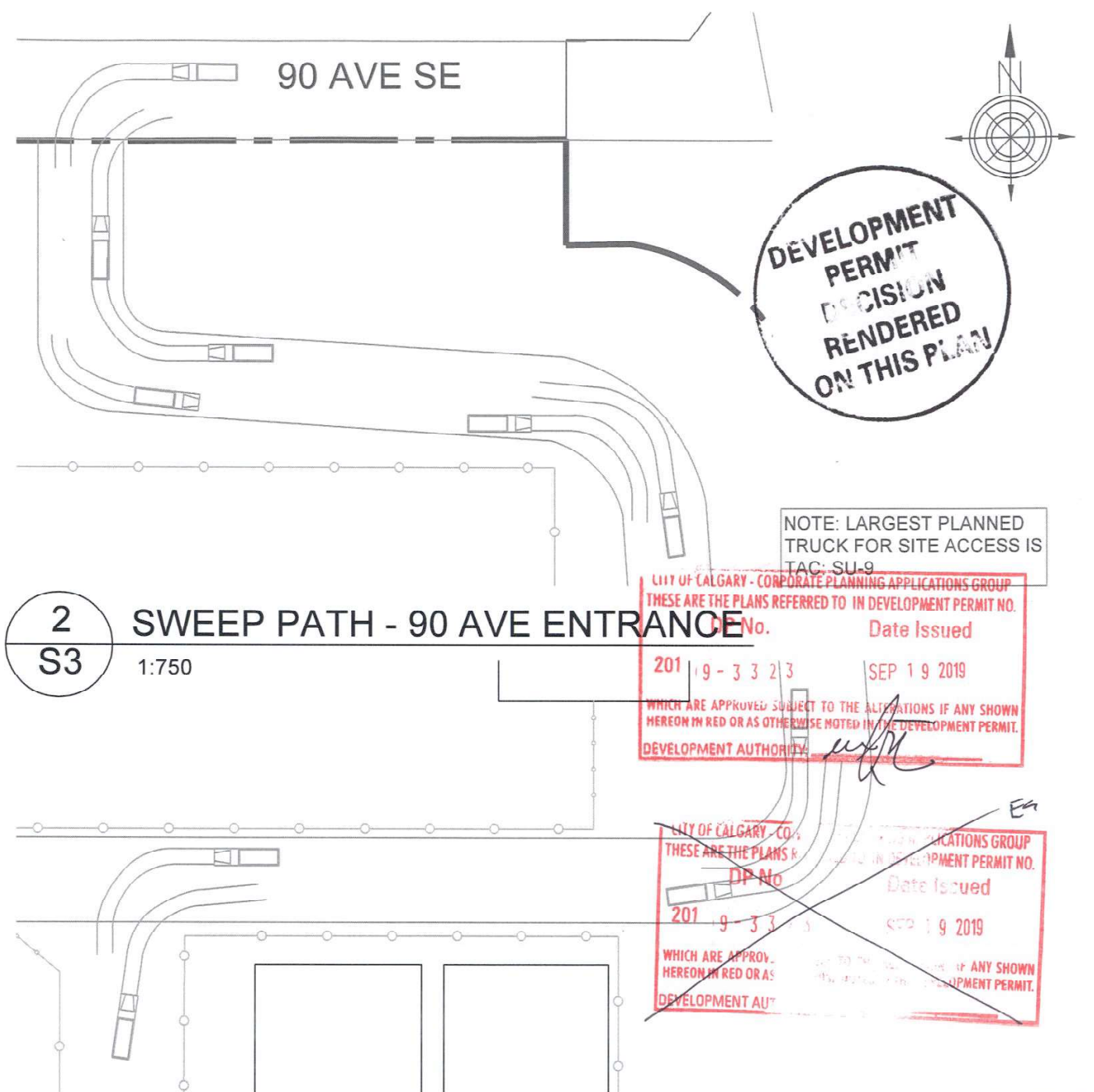
Legal Address	LOT 1; BLOCK 7; PLAN 011 2680	Project	TC9070-CU
Municipal Address	9229 BARLOW TRAIL SE	Date	AUGUST 7, 2019
Drawing Number	S1	Scale	1:3000
		PERMITMASTERS EDMONTON VANCOUVER CALGARY TORONTO	





1 SWEEP PATH - PROPOSED DEVELOPMENT

S3 1:750



3 SWEEP PATH - WITHIN SITE
S3 1:750

NOTE: LARGEST PLANNED TRUCK FOR SITE ACCESS IS TAC: SU-9

CITY OF CALGARY - CORPORATE PLANNING APPLICATIONS GROUP
 THESE ARE THE PLANS REFERRED TO IN DEVELOPMENT PERMIT NO. **2019-3323**
 Date Issued **SEP 19 2019**
 WHICH ARE APPROVED SUBJECT TO THE ALTERATIONS IF ANY SHOWN
 HEREON IN RED OR AS OTHERWISE NOTED IN THE DEVELOPMENT PERMIT.
 DEVELOPMENT AUTHORITY *[Signature]*

CITY OF CALGARY, CO.
THESE ARE THE PLANS &
DP No
2019-33
WHICH ARE APPROVED
HEREON IN RED OR AS
DEVELOPMENT AUTHORITY

SITE INFORMATION FROM
LEGAL SURVEY DATED:
AUGUST 10, 2015

THIS DOCUMENT IS THE PROPERTY OF PERMIT
MASTERS. THE UNAUTHORIZED REPRODUCTION
OR DISTRIBUTION WILL BE PROSECUTED.

Notes:

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THE PLANS PREPARED FOR THE PERMIT APPROVAL SHOULD NOT BE USED FOR QUANTITIES OR CONSTRUCTION DETAILS.

PROPERTY-OWNER OR CONTRACTOR TO CALL 3-1-1 FOR
FINAL INSPECTION

Legal Address

LOT 1; BLOCK 7; PLAN 011 2680

Municipal Address

9229 BARLOW TRAIL SE

Drawing Number

S3

Project	
---------	--

TC9070-CU

Date

AUGUST 7, 2019

Scale

1:750

PERMITMASTERS
EDMONTON VANCOUVER CALGARY TORONTO

DO NOT SCALE DRAWINGS

Goldstrom, Evan W.

From: Nicole Couvillon [REDACTED]
Sent: Friday, August 23, 2019 10:09 AM
To: Goldstrom, Evan W.
Subject: [EXT] Re: DP2019-3323 Notification of Approval



Hello Evan,

Thank you for this. Here is Ryan's response with regards to the sign. If you need anything further perhaps contacting him directly for that information would be most effective.

"As for the sign and fastening. It's will be zap strapped to the fence. No permanent fasteners or footings. The sign itself will be a fabric material."

Kind regards,

On Thu, Aug 22, 2019 at 4:31 PM Goldstrom, Evan W. <Evan.Goldstrom@calgary.ca> wrote:

Hi Ryan, Nicole, Erin,

Please see the attached Notification of Approval and Conditions of Approval for your Development Permit at 9229 Barlow Trail SE. Please note that the Development Authority has included a Prior to Release condition around requiring more details around the sign (material and fastening). This can be included in the drawing set and resubmitted, or just submitted to me in writing. As the use is discretionary, it will go into advertising next Thursday, August 29 for a 21 day period.

Have a great day.

Evan Goldstrom, MPlan, RPP, MCIP
 Planner | Community Planning - South

Planning & Development

The City of Calgary | Mail Code #8073
 T. 403.268.2573 | E. evan.goldstrom@calgary.ca

Municipal Building, 800 Macleod Trail SE

P.O. Box 2100, Station M, Calgary, AB, T2P 2M5



Check out www.calgary.ca/pdmap to learn more about the development activity in your community.

NOTICE -

This communication is intended ONLY for the use of the person or entity named above and may contain information that is confidential or legally privileged. If you are not the intended recipient named above or a person responsible for delivering messages or communications to the intended recipient, YOU ARE HEREBY NOTIFIED that any use, distribution, or copying of this communication or any of the information contained in it is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and then destroy or delete this communication, or return it to us by mail if requested by us. The City of Calgary thanks you for your attention and co-operation.



Nicole Couvillon
Project Manager
Architectural Technologist



Please consider the environment before
printing this email.



**DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007**

DP2019-3323

This permit relates to land in the City of Calgary municipally described as:

9229 BARLOW TR SE

#A 9229 BARLOW TR SE

Community: **South Foothills**

L.U.D.:I-G

and legally described as:

1512251;7;1

and permits the land to be used for the following development:

Changes to Site Plan: Salvage Yard (concrete block fence, waste & recycle, weight scale, portable toilets and parking); Change of Use: Salvage Yard; New: Sign - Class C (Freestanding Sign)

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **August 22, 2019**

Development Authority **Rafal Cichowlas**

File Manager: **Evan Goldstrom**

Release Date: _____

This permit will not be valid if development has not commenced by: August 22, 2021

This Development Permit was advertised on: **August 29, 2019**

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

WARNING

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Applicant: **PERMIT MASTERS**
Address: **920, 736 8 AV SW**
City: **CALGARY, AB, T2P 1H4**
Phone: **[REDACTED]**

Complete Address and Legal Description listing for Development Permit DP2019-3323

Address Type	Address	Legal Description
Building	9229 BARLOW TR SE	
Parcel	9229 BARLOW TR SE	1512251;7;1
Suite	#A 9229 BARLOW TR SE	



Conditions of Approval – Development Permit

Application Number: DP2019-3323
Application Description: Changes to Site Plan: Salvage Yard (concrete block fence, waste & recycle, weight scale, portable toilets and parking); Change of Use: Salvage Yard; New: Sign - Class C (Freestanding Sign)
Land Use District: Industrial - General
Use Type: Discretionary
Site Address: 9229 BARLOW TR SE
Community: SOUTH FOOTHILLS
Applicant: PERMIT MASTERS

CPAG Team:

Planning

EVAN GOLDSTROM (403) 268-2573 Evan.Goldstrom@calgary.ca

Development Engineering

DARREN FLOOD (403) 268-1766 Darren.Flood@calgary.ca

Transportation

IRIS YE (403) 268-1657 Iris.Ye@calgary.ca

Parks

MITCH CAVE (403) 268-6430 Mitch.Cave@calgary.ca

Prior to Release Requirements

The following requirements shall be met prior to the release of the permit. All requirements shall be resolved to the satisfaction of the Approving Authority:

Planning:

1. Provide additional detail around the material of the proposed fence mounted sign, including how the sign will be mounted to the fence. The detail can added to amended drawings, or as a separate written submission to the File Manager.

Permanent Conditions

The following permanent conditions shall apply:

Planning:

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

2. No changes to the approved plans shall take place unless authorized by the Development Authority.
3. A Development Completion Permit shall be issued for the development; **before the use is commenced or the development occupied**. A Development Completion Permit is independent from the requirements of Building Permit occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for the Development Completion Permit.
4. The garbage enclosure(s) shall be kept in a good state of repair at all times and the doors shall be kept closed while the enclosures are not actively in use for delivery or removal of refuse.

Development Engineering:

No comments.

Transportation:

5. The developer shall be responsible for the cost of public work and any damage during construction in City road right-of-ways, as required by the Manager, Transportation Planning. All work performed on public property shall be done in accordance with City standards.
6. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way, bylawed setbacks and corner cut areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, lay-bys, utility work, +15 bridges, culverts, etc. All temporary shoring, etc., installed in the City rights-of-way, bylawed setbacks and corner cut areas must be removed to the satisfaction of the Manager of Transportation Planning, at the applicant's expense, upon completion of the foundation. Prior to permission to construct, contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.

Parks:

No comments.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

Planning:

7. Please see the attached document with advisory comments from Enmax.
8. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, it must be submitted to the Subdivision and Development Appeal Board (4th Floor, 1212 31 Avenue NE, Calgary, AB T2E 7S8) [DJ3 Building] **within 21 days after the date on which the decision is made**. An appeal along with reasons must be submitted, together with payment of a \$100.00 fee, to the Subdivision and Development Appeal Board. An

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

appeal may also be filed online at <http://www.calgarysdab.ca> or mailed to Subdivision and Development Appeals Board (#8110), P.O. Box 2100, Station M, Calgary AB T2P 2M5. To obtain an appeal form, for information on appeal submission options or the appeal process, please visit the website or call 403-268-5312.

9. The approval of this Development Permit does not include bottle return services as a Bottle Container Drop-Off Depot.

Development Engineering:

No comments.

Transportation:

10. The locations and design of driveways must be approved by Transportation Planning. New driveways including driveway modifications, removal and rehabilitations of unused driveway crossings or relocations, sidewalks, wheelchair ramps, and lane paving must be constructed to City standards at the developer's expense. Obstructions such as storm catch basins, hydrants, power poles, etc., must be relocated to City standards at developer's expense.
11. The City does not grant approval for the placement of underground irrigation sprinkler systems in City owned lands or boulevards that are adjacent to the development site and are installed at the developer's risk. The City of Calgary will not assume liability or responsibility for repair or replacement in event it has been damaged or destroyed during construction on City owned lands or boulevards by city workers or its authorized contractors.

Parks:

No comments.



LAND USE BYLAW INFRACTION REPORT

Name	Rydon Recycling			
Address	9229 Barlow Trail SE			
City	CALGARY	Prov	AB	PC T2C 2N8

Property Address	9229 Barlow Trail SE	Inspection Date	November 17, 2020
Legal Description	9512730;3;1	File Number	CO2020-04832

A complaint has been received relating to your property. The following item(s) require your attention.

Infraction Description

An inspection of the property located at 9229 Barlow Trail SE has identified the following:

- Quonset structure on site without Development Authority approval
- Office trailer location does not match the approved plans of DP2019-3323
- Garbage enclosure has been removed contrary to DP2019-3323
- Outdoor activities and equipment located outside of a building not screened from view of an adjacent expressway
- Concrete block fencing does not match the approved plans of DP2019-3323
- Pile sizes and locations do not match the approved plans of DP2019-3323

This is contrary to the Land Use Bylaw 1P2007.

Changes to the use of the subject property must be reflected on a new Development Permit application.

A Development Permit must be submitted to, and accepted by the Development Authority for changes to the approved plans and current condition of the site no later than December 18, 2020.

Thank you for your attention to this matter, please contact the undersigned if you have any questions or concerns.

A follow-up inspection will be conducted to ensure compliance.



FAILURE TO COMPLY MAY LEAD TO PROSECUTION IN ACCORDANCE WITH THE APPROPRIATE LEGISLATION

Development Inspector	Nick Spielman	Phone	(403) 852-3647	Email	nick.spielman@calgary.ca
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SDAB2021-0088



SITE PLAN

SHOWING AS-BUILT OF
STORAGE PILES

WITHIN

PART OF LOT 1, BLOCK 7,
PLAN 151 2251

9229 BARLOW TRAIL S.E.,
CALGARY, ALBERTA

NOTES:

1. DISTANCES ARE IN METRES AND DECIMALS THEREOF.
2. COORDINATE SYSTEM:
DATUM: NAD83 (ORIGINAL)
PROJECTION: 3° TRANSVERSE MERCATOR
REFERENCE MERIDIAN: 114° WEST
COMBINED SCALE FACTOR 0.999740
3. ELEVATIONS ARE GEODETIC REFERRED TO ASCM 59972.
4. GROUND AND AERIAL SURVEY CONDUCTED ON SEPTEMBER 8, 2020.
5. CONTOURS SHOWN ARE AT 0.5 METRE INTERVALS.

LEGEND:

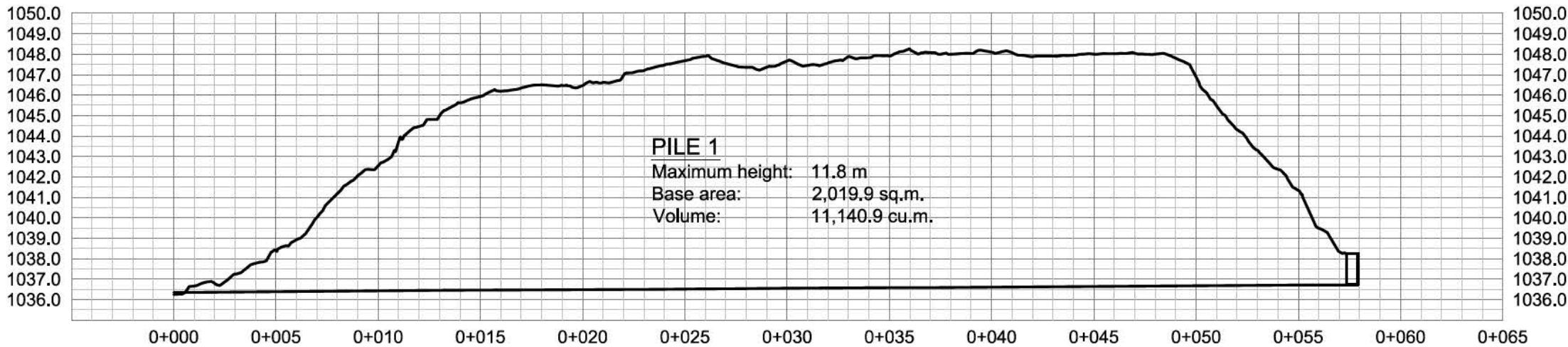
SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN SHOWN BELOW.
ALBERTA SURVEY CONTROL MARKER (ASCM)
IRON SPIKE PLACED.
TOE OF PILE
EXISTING CONTOUR MAJOR.
EXISTING CONTOUR MINOR.

SCALE 1:250 0 5 10 15 20 Metres

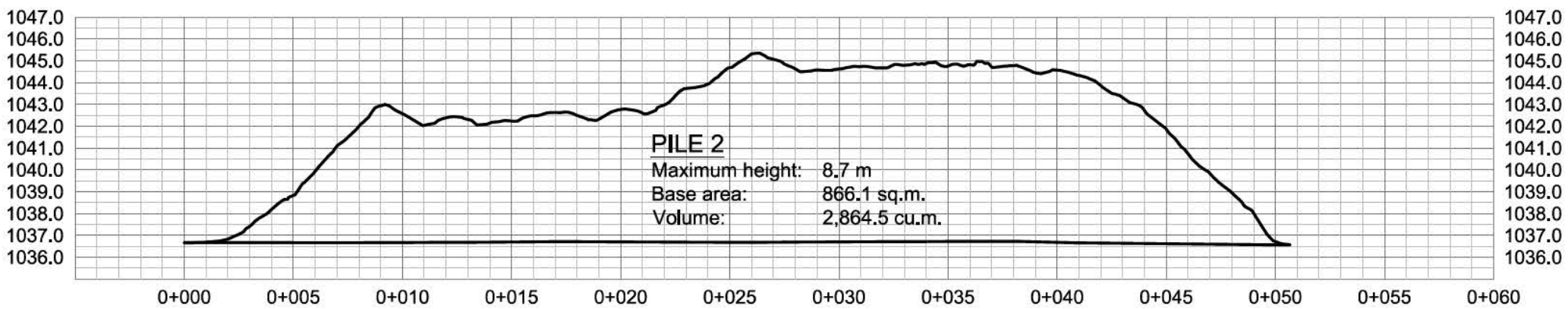
Control Points (Grid)

Point #	Northing	Easting	Elevation	Description
1	5648416.643	1233.562	1036.29	Placed Sp ke
3	5648025.142	1156.069	1036.50	Placed Sp ke
4	5647997.472	1197.408	1036.87	Placed Sp ke
5	5648053.715	1236.332	1036.77	Placed Sp ke
6	5648053.051	1201.491	1036.50	Placed Sp ke
7	5647969.499	1230.116	1036.38	Placed Sp ke
8	5647923.355	1214.435	1036.13	Placed Sp ke
9	5647926.197	1157.172	1036.03	Placed Sp ke
59972	5647989.237	926.812	1036.38	ASCM 59972

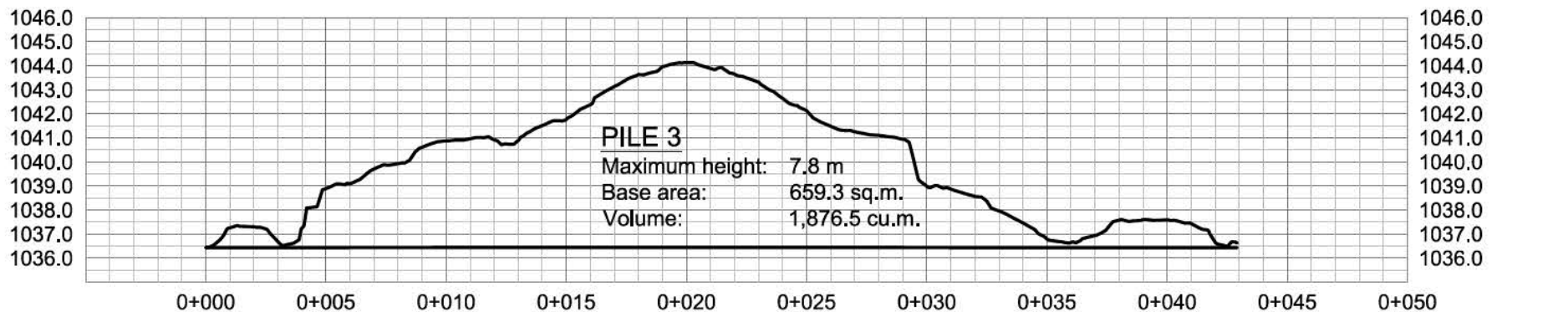
PILE 1 Section



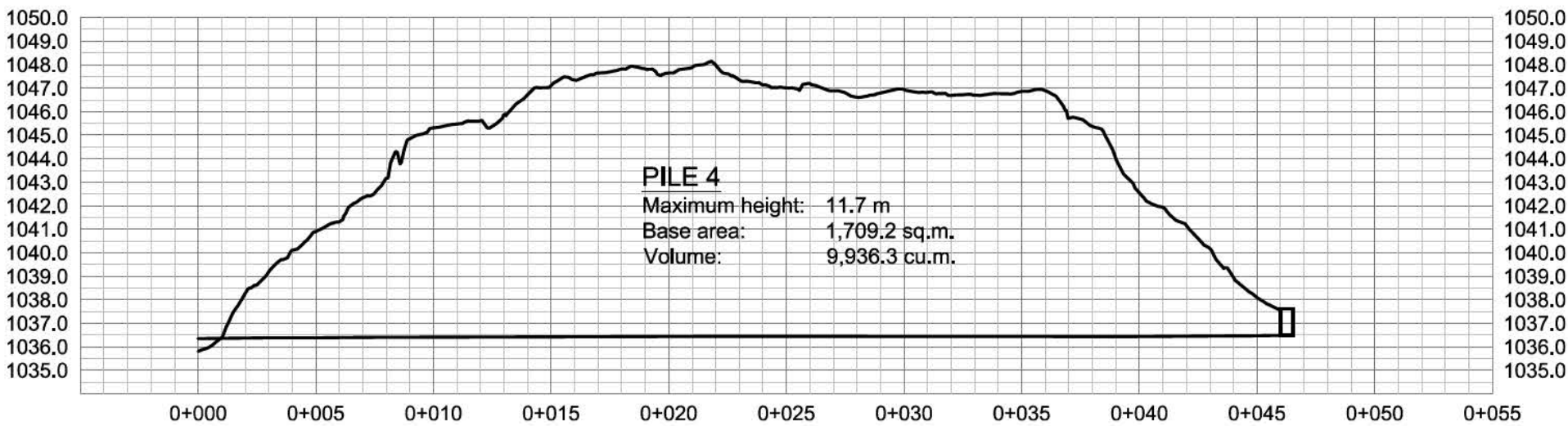
PILE 2 Section



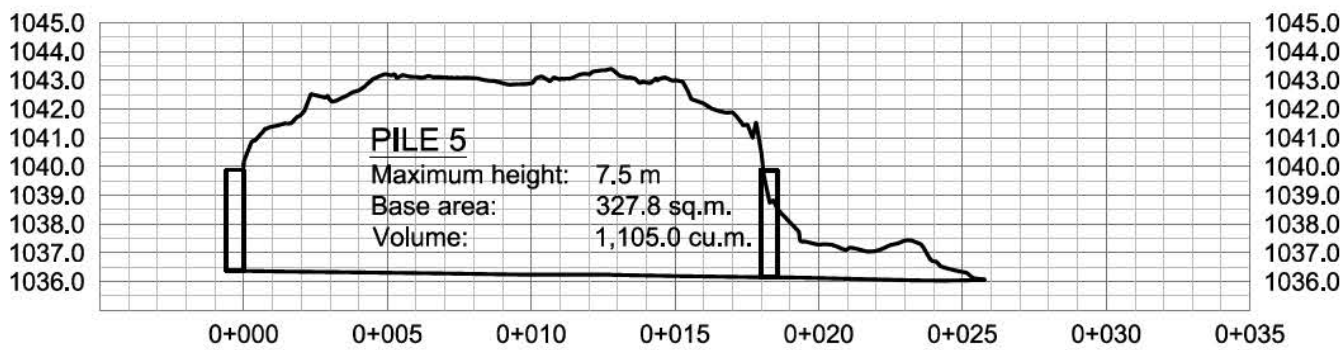
PILE 3 Section



PILE 4 Section



PILE 5 Section



rydon
recycling



Dated at Okotoks, Alberta,
11 September, 2020.

M. Kent Croucher
M. Kent Croucher, A.L.S.

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REV.	Issued	DATE	MS/GM/KC
0	Issued	Sep. 11, 2020	MS/GM/KC
1	COMMENT	DATE	INITIALS
1	ABSOLUTE SURVEYS INC.	20-0353-SP	
1	69 Elma Street West Okotoks, AB, T1S 1J8 587-757-0634	CAD File:	
1		JOB No.:	20-0353



SITE PLAN

SHOWING AS-BUILT OF
STORAGE PILES

WITHIN
PART OF LOT 1, BLOCK 7,
PLAN 151 2251

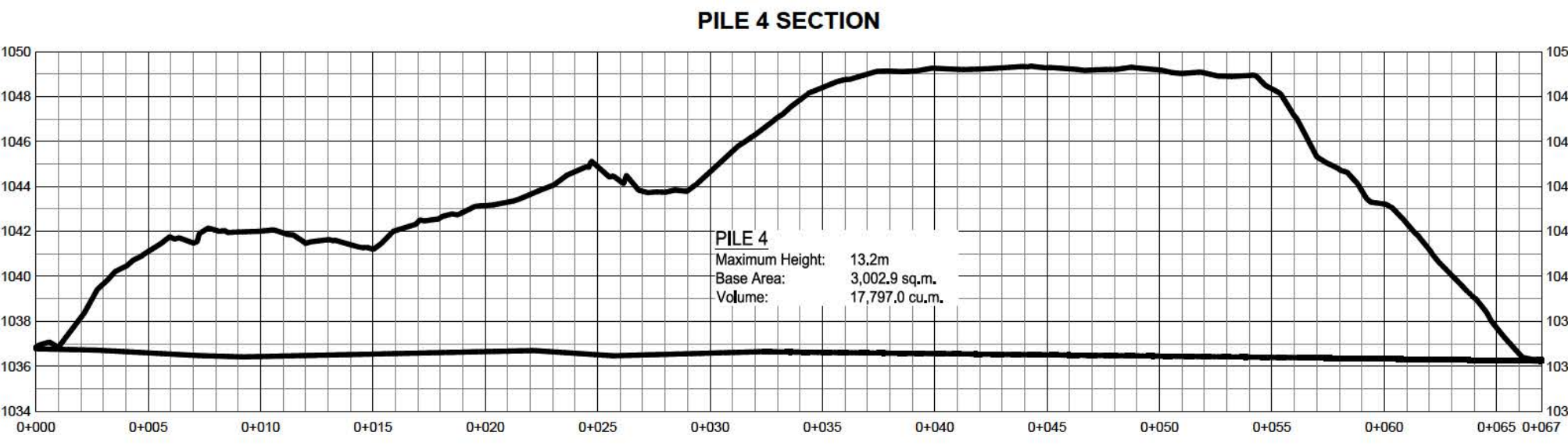
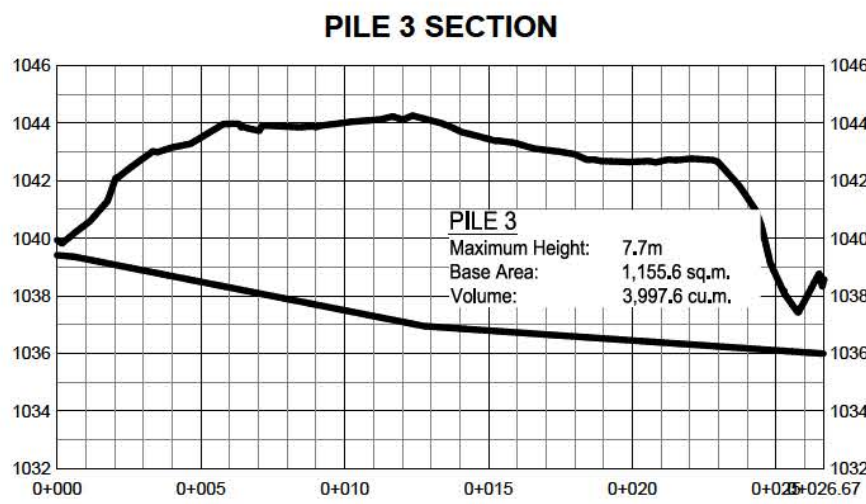
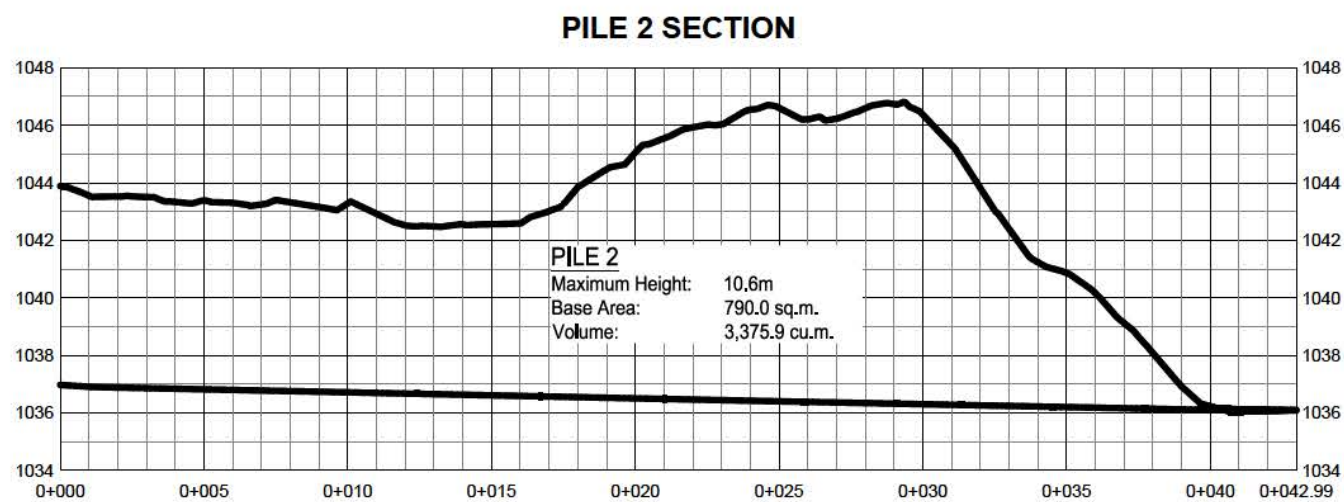
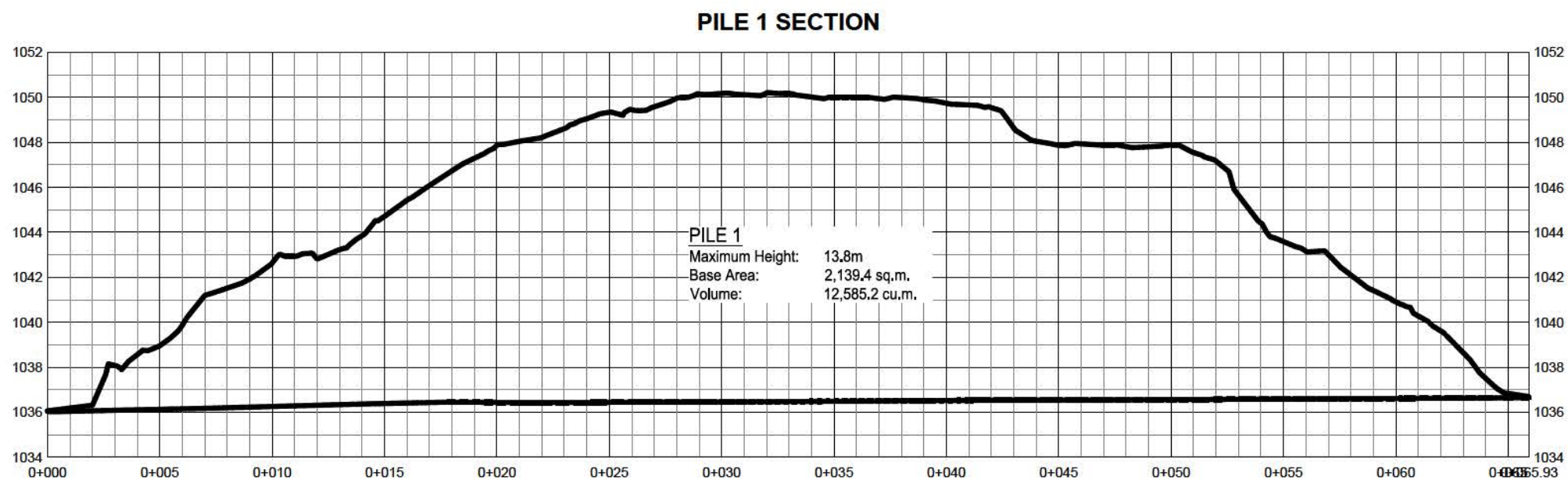
9229 BARLOW TRAIL SE,
CALGARY, ALBERTA

NOTES:

1. DISTANCES ARE IN METRES AND DECIMALS THEREOF.
2. COORDINATE SYSTEM:
DATUM: NAD83 (ORIGINAL)
PROJECTION: 3° TRANSVERSE MERCATOR
REFERENCE MERIDIAN: 114° WEST
COMBINED SCALE FACTOR 0.999740
3. ELEVATIONS ARE GEODETIC REFERRED TO ASCM 59972.
4. GROUND AND AERIAL SURVEY CONDUCTED ON JULY 30, 2021.
5. CONTOURS SHOWN ARE AT 1.0 METRE INTERVALS.

LEGEND:

SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN SHOWN BELOW.
ALBERTA SURVEY CONTROL MARKER (ASCM)
IRON SPIKE PLACED
TOE OF PILE
EXISTING CONTOUR MAJOR
EXISTING CONTOUR MINOR



Point Table				
Point #	Northing	Easting	Elevation	Description
1	5649416.64	1233.56	1036.29	PL SPK
2	5647989.24	926.81	1036.38	FD ASCM 59972
2000	5647929.15	1136.97	1035.95	PL SPK
2001	5647925.42	1141.87	1035.92	PL PAINT
2002	5648025.99	1145.49	1036.46	PL PAINT
2003	5648054.76	1160.61	1036.46	PL PAINT
2004	5648055.02	1211.61	1036.65	PL PAINT
2005	5648014.27	1236.48	1036.58	PL PAINT
2006	5647974.55	1189.48	1036.66	PL PAINT
2007	5647925.54	1216.13	1036.05	PL PAINT

SCALE 1:250 0 5 10 15 20 Metres

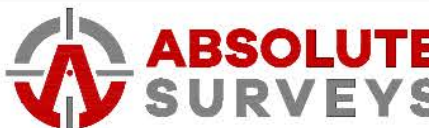


Dated at Okotoks, Alberta,
August 18, 2021.

M. Kent Croucher
M. Kent Croucher, A.L.S.

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REV	ISSUED	DATE	INITIALS
0	Issued	Aug. 18, 2021	MS/MD/KC
COMMENT			
CAD File :		21-0552SP	
Job No.:		21-0552	



69 Elma Street West
Okotoks, Alberta T1S 1J8
Office: 587-757-0634



Nov 9, 2021 at 2:55:48 PM



Nov 9, 2021 at 2:55:57 PM



Nov 9, 2021 at 3:17:11 PM



Nov 9, 2021 at 3:17:16 PM



Nov 9, 2021 at 3:17:33 PM



Nov 9, 2021 at 3:21:12 PM



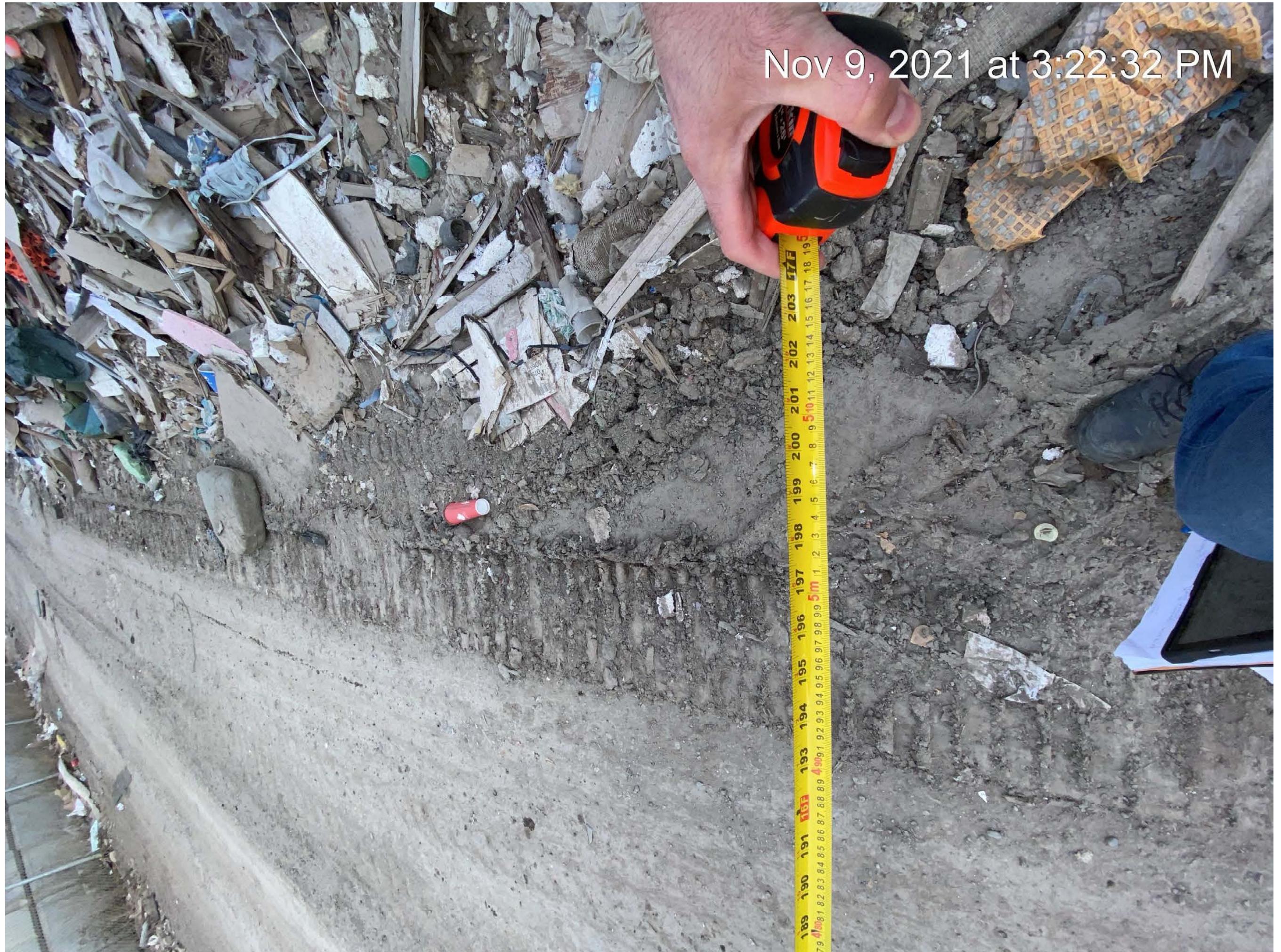
Nov 9, 2021 at 3:21:20 PM



Nov 9, 2021 at 3:21:51 PM



Nov 9, 2021 at 3:22:32 PM



Nov 9, 2021 at 3:22:36 PM

Nov 9, 2021 at 3:23:45 PM



Nov 9, 2021 at 3:23:47 PM



Nov 9, 2021 at 3:23:53 PM



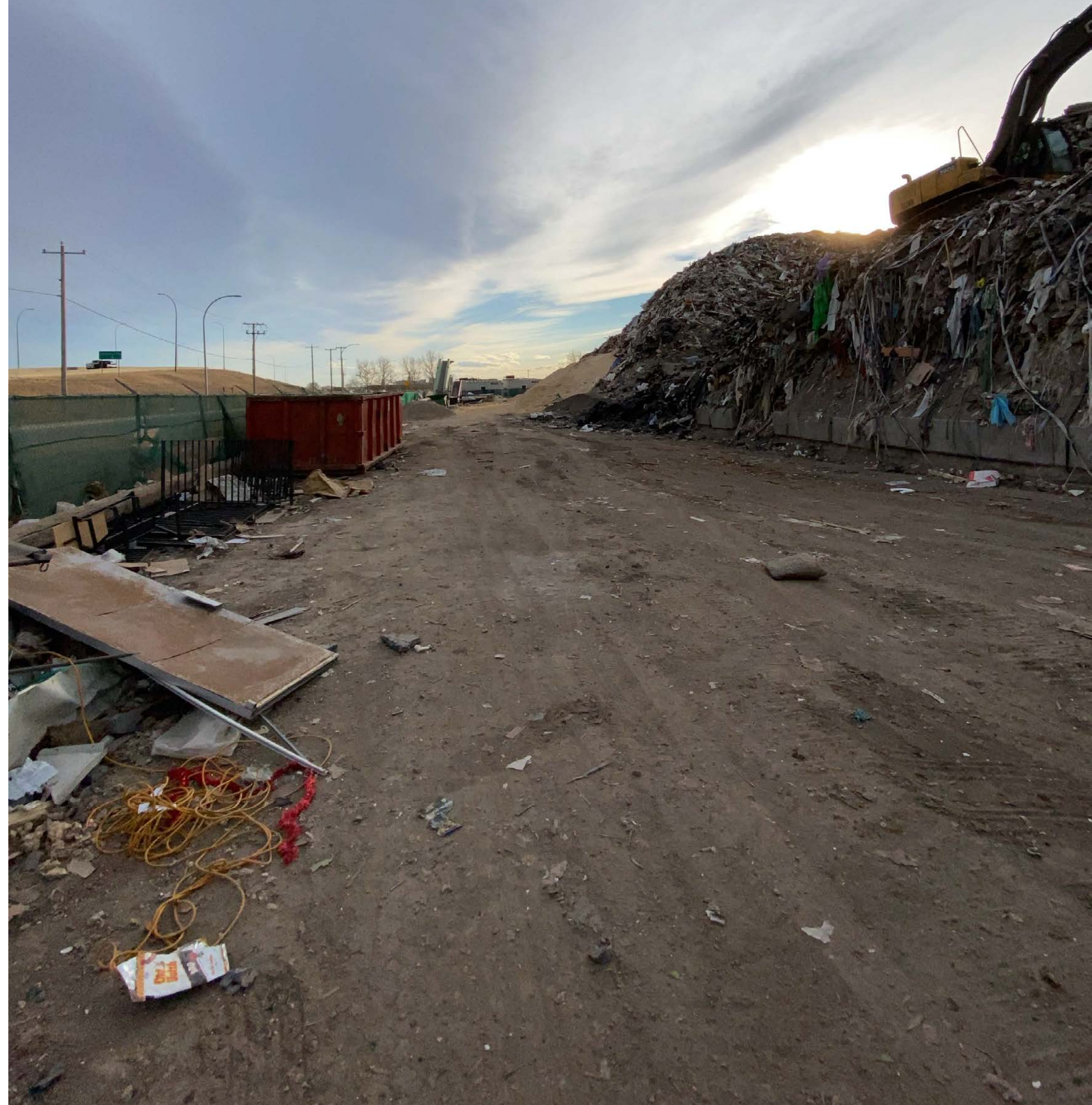
Nov 9, 2021 at 3:26:17 PM



Nov 9, 2021 at 3:26:39 PM



Nov 9, 2021 at 3:27:00 PM



Nov 9, 2021 at 3:28:21 PM



Nov 9, 2021 at 3:29:13 PM



Nov 9, 2021 at 3:29:26 PM



Nov 9, 2021 at 3:48:54 PM



44 Government of Alberta ■ Corporation/Non-Profit Search Corporate Registration System

Date of Search: 2021/12/02
Time of Search: 01:44 PM
Search provided by: CITY OF CALGARY - DEVELOPMENT & BUILDING APPROVAL
Service Request Number: 36630615
Customer Reference Number:

Corporate Access Number: 2012660110
Business Number: 835667924
Legal Entity Name: RYDON CONSTRUCTION INC.

Name History:

Previous Legal Entity Name	Date of Name Change (YYYY/MM/DD)
1266011 ALBERTA LTD.	2007/07/26

Legal Entity Status: Active
Alberta Corporation Type: Named Alberta Corporation
Registration Date: 2006/09/05 YYYY/MM/DD
Date of Last Status Change: 2019/11/18 YYYY/MM/DD

Registered Office:

Street: 1706 4 ST SW
City: CALGARY
Province: ALBERTA
Postal Code: T2S3B1

Mailing Address:

Post Office Box: PO BOX 23094 RPO MISSION
City: CALGARY
Province: ALBERTA
Postal Code: T2S3B1

Email Address: RYANTCLARK@ME.COM

Directors:

Last Name: CLARK
First Name: RYAN
Middle Name: T.
Street/Box Number: P.O. BOX 23094, 1706 4 STREET S.W.

SDAB2021-0088

City: CALGARY
Province: ALBERTA
Postal Code: T2S3B1

Voting Shareholders:

Last Name: CLARK
First Name: RYAN
Middle Name: T.
Street: P.O. BOX 23094, 1706 4 STREET S.W.
City: CALGARY
Province: ALBERTA
Postal Code: T2S3B1
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: SEE SCHEDULE "A".
Share Transfers Restrictions: SEE SCHEDULE "B".
Min Number Of Directors: 1
Max Number Of Directors: 7
Business Restricted To: NONE.
Business Restricted From: NONE.
Other Provisions: SEE SCHEDULE "C".

Associated Registrations under the Partnership Act:

Trade Partner Name	Registration Number
RYDON RECYCLING	TN21921150

Other Information:

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2020	2021/06/03

Outstanding Returns:

SDAB2021-0088

Annual returns are outstanding for the 2021 file year(s).

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2006/09/05	Incorporate Alberta Corporation
2007/07/26	Name Change Alberta Corporation
2009/11/19	Change Director / Shareholder
2014/03/12	Change Address
2019/11/05	Status Changed to Start for Failure to File Annual Returns
2020/02/19	Update BN
2021/06/03	Enter Annual Returns for Alberta and Extra-Provincial Corp.

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
Share Structure	ELECTRONIC	2006/09/05
Restrictions on Share Transfers	ELECTRONIC	2006/09/05
Other Rules or Provisions	ELECTRONIC	2006/09/05

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.





LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0036 781 011

1512251;7;1

151 198 726

LEGAL DESCRIPTION

DESCRIPTIVE PLAN 1512251

BLOCK 7

LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 15.863 HECTARES (39.2 ACRES) MORE OR LESS

ATS REFERENCE: 4;29;23;21;SE

ESTATE: FEE SIMPLE

MUNICIPALITY: CITY OF CALGARY

REFERENCE NUMBER: 151 198 725

121 323 453

REGISTERED OWNER(S)

REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
151 198 726	10/08/2015	DESCRIPTIVE PLAN		

OWNERS

RESMAN HOLDINGS LTD.

OF 1401 HASTINGS CRES SE

CALGARY

ALBERTA T2G 4C8

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
4844JN	06/06/1966	UTILITY RIGHT OF WAY
		GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
		"PORTIONS DESCRIBED IN INSTRUMENT"
7291KL	05/12/1969	CAVEAT
		CAVEATOR - THE CITY OF CALGARY.

(CONTINUED)

SDAB2021-0088

ENCUMBRANCES, LIENS & INTERESTSPAGE 2
151 198 726

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
791 216 524	28/12/1979	CAVEAT CAVEATOR - THE CITY OF CALGARY.
121 188 108	25/07/2012	CAVEAT RE : EASEMENT CAVEATOR - PRUDENTIAL STEEL ULC. C/O FRASER MILNER CASGRAIN LLP 2900 MANULIFE PLACE 10180-101STREET, EDMONTON ATTN: HERB ZECHEL ALBERTA T5J3V5 AGENT - HERB ZECHEL

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF
DECEMBER, 2021 AT 08:16 A.M.

ORDER NUMBER: 43227371

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

SDAB2021-0088

Government of Alberta ■ Corporation/Non-Profit Search

Corporate Registration System

Date of Search: 2021/12/03
 Time of Search: 08:22 AM
 Search provided by: CITY OF CALGARY - DEVELOPMENT & BUILDING APPROVAL
 Service Request Number: 36634074
 Customer Reference Number:

Corporate Access Number: 207481631

Business Number:

Legal Entity Name: RESMAN HOLDINGS LTD.

Legal Entity Status: Active

Alberta Corporation Type: Named Alberta Corporation

Method of Registration: Amalgamation

Registration Date: 1997/08/01 YYYY/MM/DD

Registered Office:

Street: 900. 517 - 10TH AVENUE SW

City: CALGARY

Province: ALBERTA

Postal Code: T2R0A8

Records Address:

Street: 900. 517 - 10TH AVENUE SW

City: CALGARY

Province: ALBERTA

Postal Code: T2R0A8

Email Address: CORPORATE@MILESDAVISON.COM

Primary Agent for Service:

Last Name	First Name	Middle Name	Firm Name	Street	City	Province	Postal Code	Email
SPENCE	CHARLES	D.	MILES DAVISON LLP	900, 517 - 10 AVENUE SW	CALGARY	ALBERTA	T2R0A8	CORPORATE@MILESDAVISON.COM

Directors:

Last Name: TAYLOR

First Name: DONALD

Middle Name: J

Street/Box Number: 1401 HASTINGS CRES SE

City: CALGARY

Province: ALBERTA

Postal Code: T2G4C8

SDAB2021-0088

Last Name: TAYLOR
First Name: DAVID
Middle Name: C.
Street/Box Number: 1304 BALDWIN CRESCENT S.W.
City: CALGARY
Province: ALBERTA
Postal Code: T2R2B5

Voting Shareholders:

Last Name: DONALD J. TAYLOR, DAVID C. TAYLOR AND TAYLOR FAMILY TRUST PTC LIMITED, TRUSTEES OF THE TAYLOR FAMILY TRUST
Street: 1401 HASTINGS CRESCENT SE
City: CALGARY
Province: ALBERTA
Postal Code: T2G4C8
Percent Of Voting Shares: 100

Details From Current Articles:

The information in this legal entity table supersedes equivalent electronic attachments

Share Structure: THE ATTACHED SCHEDULE IS INCORPORATED INTO AND FORMS PART OF THE ARTICLES OF THE CORPORATION.
Share Transfers Restrictions: THE ATTACHED SCHEDULE IS INCORPORATED INTO AND FORMS PART OF THE ARTICLES OF THE CORPORATION.
Min Number Of Directors: 1
Max Number Of Directors: 9
Business Restricted To: NONE.
Business Restricted From: NONE.
Other Provisions: THE ATTACHED SCHEDULE 2 IS INCORPORATED INTO AND FORMS PART OF THIS FORM.

Holding Shares In:

Legal Entity Name
AIRTEX INDUSTRIES MANAGEMENT LTD.
NEXT BEVERAGES INC.
ALBERTA GARMENT MANUFACTURING COMPANY LTD.
SABELL CORPORATION
ARDEN ENERGY INC.
NORBERRY ENERGY INC.
RESMAN INVESTMENTS LTD.
ZEPHYR CAPITAL CORP.
THUNDERSTONE QUARRIES CANMORE LTD.

1270640 ALBERTA LTD.
STEWART CREEK (BLCO) LTD.
RESMAN MANAGEMENT LTD.
20M HOLDINGS LTD.
PURELEAU LIMITED
ORPYX MEDICAL TECHNOLOGIES INC.
EDON PROPERTIES INC.
RESMAN (FORT MCMURRAY) HOLDINGS LTD.
PAINTBRUSH RIDGE DEVELOPMENT LTD.
1819576 ALBERTA LTD.
EXEN ENERGY LTD.
NORTH SHORE PETROLEUM LTD.

Associated Registrations under the Partnership Act:

Trade Partner Name	Registration Number
AIRTEX MANUFACTURING PARTNERSHIP	PT4659199

Other Information:

Amalgamation Predecessors:

Corporate Access Number	Legal Entity Name
207144734	714473 ALBERTA LTD.
207178450	717845 ALBERTA LTD.
202726683	AIRTEX INDUSTRIES LTD.
205349046	RESMAN HOLDINGS LTD.
203011101	RESMAN OIL AND GAS LTD.

Last Annual Return Filed:

File Year	Date Filed (YYYY/MM/DD)
2021	2021/09/13

Filing History:

List Date (YYYY/MM/DD)	Type of Filing
2013/03/14	Name/Structure Change Alberta Corporation
2014/04/08	Change Address
2021/09/13	Enter Annual Returns for Alberta and Extra-Provincial Corp.
2021/10/20	Change Director / Shareholder

Attachments:

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)

SDAB2021-0088

Shares in Series	ELECTRONIC	2005/12/15
Share Structure	ELECTRONIC	2013/03/14
Restrictions on Share Transfers	ELECTRONIC	2013/03/14
Other Rules or Provisions	ELECTRONIC	2013/03/14
Cancellation of a Series of Shares	ELECTRONIC	2013/03/14
Amendment to a Series of Shares	ELECTRONIC	2013/03/14

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.



SDAB2021-0088



PLANNING & DEVELOPMENT

SERVED TO RYAN CLARK OF
RYDON CONSTRUCTION INC ON
DECEMBER 6, 2021 AT 10:30AM AT
8815 44 ST SE. NOTICE WAS
SERVED BY DEVELOPMENT INSPECTOR
ALESSANDRO PALOMBI.

NOTICE

RYDON CONSTRUCTION INC
1706 4 ST SW
Calgary, AB T2S 3B1

A check with City Records discloses that you are the business operator and occupant of property located at 9229 Barlow Trail SE, Calgary, legally described as Plan 1512251, Block 7, Lot 1.

This property is designated I-G Industrial General. The property is being used as a Recyclable Construction Material Collection Depot. No Development Permit has been issued for this use.

You are hereby ordered, pursuant to Section 645(1) of the Municipal Government Act R.S.A. 2000, c. M-26, as amended, to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022.

Chris Meakin
Development Authority
Development Inspection Services

Date: December 3, 2021



PLANNING & DEVELOPMENT

December 3, 2021

File # CO2020-04832

RYDON CONSTRUCTION INC
1706 4 ST SW
Calgary, AB T2S3B1

RE: 9229 Barlow Tr SE

Legal Description: Plan 1512251, Block 7, Lot 1

Our investigation of your property located at 9229 Barlow Tr S.E. Calgary, has revealed that a use exists on the property without Development Authority approval (Recyclable Construction Material Collection Depot).

Therefore, the attached Notice has been issued. If you fail to comply with the Notice, legal action may be taken against you as the registered business owner on the property.

Should you wish to appeal this Notice, you must register an appeal with the Subdivision and Development Appeal Board within twenty-one (21) days of receipt of this Notice. A fee of \$200.00 must accompany any appeal.

NOTE: When hearing the appeal, the Subdivision and Development Appeal Board can only consider if the Order has been correctly issued. The Subdivision and Development Appeal Board cannot grant an approval through this appeal. Only through a development permit application can this development or use be reviewed for a decision.

Should you require additional information concerning this matter, you may contact Alessandro Palombi at 403-620-2710 or alessandro.palombi@calgary.ca.

Yours truly,

Chris Meakin
Development Authority
Development Inspection Services

Attachment

Calgary

PO BOX 2100 STN M
CALGARY AB CANADA T2P 2M5

December 3, 2021

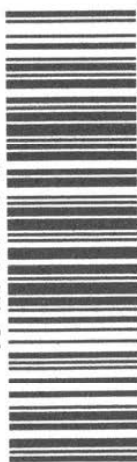
RESMAN HOLDINGS LTD
900, 517 - 10TH AVENUE SW
Calgary, AB T2R0A8

REGISTERED

RECOMMANDÉ

R RN 425 299 808 CA R RN 425 299 808 CA

SIGNATURE



TRACKING NUMBER

RN 425 299 808 CA

N° DE REPÉRAGE

33-086-584 (17-12)
Sender warrants that this item does not contain non-mailable matter.
L'expéditeur garantit que cet envoi ne contient pas d'objet inadmissible.



PLANNING & DEVELOPMENT

December 3, 2021

File # CO2020-04832

RESMAN HOLDINGS LTD
900, 517 – 10TH AVENUE SW
Calgary, AB T2R0A8

RE: 9229 Barlow Tr SE
Legal Description: Plan 1512251, Block 7, Lot 1

Our investigation of your property located at 9229 Barlow Tr S.E. Calgary, has revealed that a use exists on the property without Development Authority approval (Recyclable Construction Material Collection Depot).

Therefore, the attached Notice has been issued. If you fail to comply with the Notice, legal action may be taken against you as the registered business owner on the property.

Should you wish to appeal this Notice, you must register an appeal with the Subdivision and Development Appeal Board within twenty-one (21) days of receipt of this Notice. A fee of \$200.00 must accompany any appeal.

NOTE: When hearing the appeal, the Subdivision and Development Appeal Board can only consider if the Order has been correctly issued. The Subdivision and Development Appeal Board cannot grant an approval through this appeal. Only through a development permit application can this development or use be reviewed for a decision.

Should you require additional information concerning this matter, you may contact Alessandro Palombi at 403-620-2710 or alessandro.palombi@calgary.ca.

Yours truly,

A handwritten signature in blue ink, appearing to read "CM", followed by a horizontal flourish.

Chris Meakin
Development Authority
Development Inspection Services

Attachment



PLANNING & DEVELOPMENT

NOTICE

RESMAN HOLDINGS LTD.
OF 1401 HASTINGS CRES SE
Calgary, AB T2G4C8

A check with the Land Titles Office discloses that you are the registered owner of property located at 9229 Barlow Trail SE, Calgary, legally described as Plan 1512251, Block 7, Lot 1.

This property is designated I-G Industrial General. The property is being used as a Recyclable Construction Material Collection Depot. No Development Permit has been issued for this use.

You are hereby ordered, pursuant to Section 645(1) of the Municipal Government Act R.S.A. 2000, c. M-26, as amended, to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022.

A handwritten signature in blue ink, appearing to read "CM", followed by a horizontal line.

Chris Meakin
Development Authority
Development Inspection Services

Date: December 3, 2021

**Tracking number**

RN425299808CA

Delivered

Delivery progress

Date	Time	Location	Progress	Post office
Dec. 10	2:45 pm	CALGARY, AB	Delivered	
Dec. 10	2:45 pm		Signature available	
Dec. 10	9:21 am	CALGARY, AB	Item available for pickup at Post Office	BANKERS HALL PO
Dec. 9	1:52 pm	CALGARY, AB	Item in transit to Post Office	
Dec. 9	6:19 am	CALGARY, AB	Notice card left indicating where and when to pick up item	
Dec. 9	6:10 am	CALGARY, AB	Item out for delivery	
Dec. 9	4:10 am	CALGARY, AB	Item processed	
Dec. 7	5:49 pm	CALGARY, AB	Item processed	

Features and options

Signature Required



Development Authority Response to Notice of Appeal

Appeal number: SDAB2021-0088

Complaint job number: CO2021-04832

Address: 9229 Barlow Trail SE

Legal Description: Plan 1512251, Block 7, Lot 1

Land Use: Industrial - General (I-G) District

Community: South Foothills

DA Attendance: Yes

Summary on factors, considerations and rationale for issuing Notice

On December 3, 2021, the Development Authority issued a Section 645 Municipal Government Act order to Rydon Construction Inc and Resman Holdings Ltd. instructing them to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022 as there is no Development Permit issued for the use of Recyclable Construction Material Collection Depot (temporary).

The issuance of the notices deals solely with the use that is occurring at the site of 9229 Barlow Trail SE. Notwithstanding, to give a complete picture of what is occurring at the site we are introducing three factors which played a part in determining the action taken by the Development Authority of issuing the notices.

1. Issuance of Development Permit (DP2019-3323).
2. Discovery on site that Rydon Construction Inc was not operating as the approved use of Salvage yard
3. Issuance of the Notice to Rydon Construction Inc. and Resman Holdings Ltd.

Issuance of Development Permit (DP2019-3323)

Development Permit DP2019-3323 was approved for Changes to Site Plan: Salvage Yard (concrete block fence, waste & recycle, weight scale, portable toilets and parking); Change of Use: Salvage Yard; New: Sign - Class C (Freestanding Sign) and released to Rydon

Construction Inc. on September 20, 2019. The Development Completion Permit DCP2019-2412 was issued for occupancy and commencement of the use on December 13, 2019.

Part 4, Division 1, Section 288.1 of the City of Calgary Land Use Bylaw 1P2007 (Bylaw) states in part, that Salvage Yard

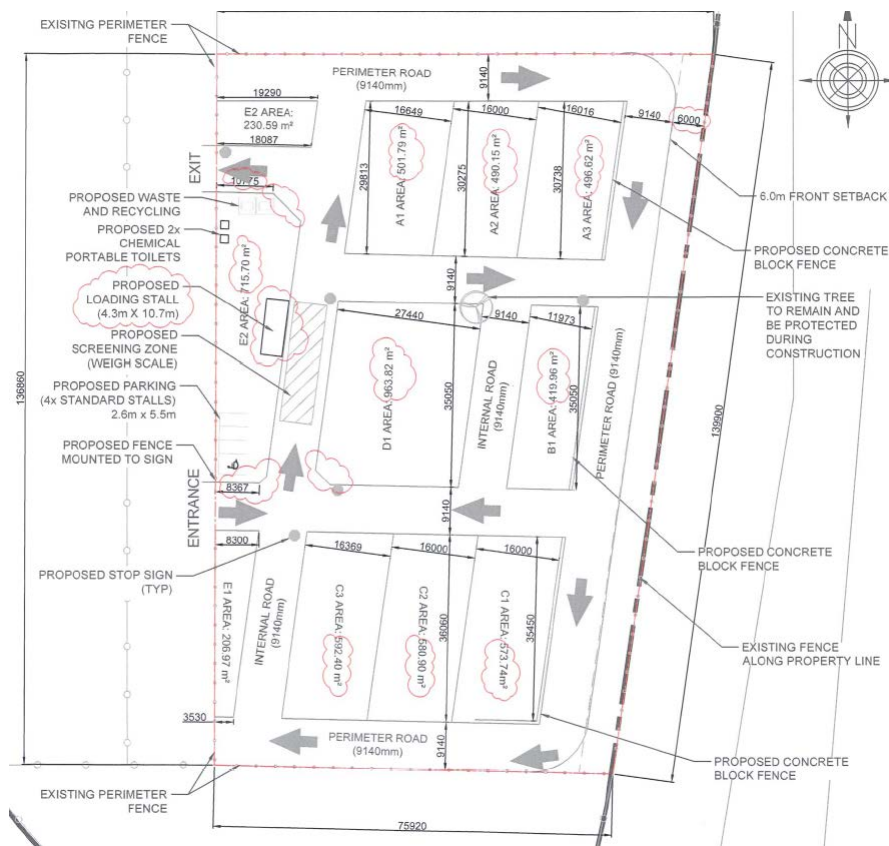
(a) means a use

(i) where any of the following are stored, dismantled, or crushed:

- a) Dilapidated Vehicles; **and**
- b) Damaged, inoperable or obsolete goods, machinery or equipment, building material, or other scrap material;

The approved Development Permit plans indicate:

- size of piles in square meters and;
- interior and perimeter road network.
- Proposed perimeter fence



On October 20, 2020 a complaint was received from the business licensing division at the City of Calgary alleging that materials stockpiled on the site exceeded the height allowed and that material and dust were escaping the parcel to adjacent areas.

On November 17, 2020, The Development Inspector met with Mr. Ryan Clark who identified himself as the owner of Rydon Construction Inc. operating the business out of 9229 Barlow Trail SE.

The Development Inspector conducted an inspection at 9229 Barlow Trail SE and observed that the site was not in compliance with the approved plans and conditions of approval. The inspector observed the following contraventions at the time of inspection:

1. The office trailer location on site did not match the approved Development Permit and has been relocated north of its approved location.
2. The required garbage enclosure has been removed.
3. Several concrete block containment fences for construction waste material have been erected in addition to those indicated on the approved plans of DP2019-3323.
4. Approved parking area has been expanded north from the original location to the new location of the office trailer.
5. A storage building (Quonset) measuring approximately 6.10m x 6.10m x 5.48 m in height was constructed at the north west corner of the site without approvals.
6. Materials stored outside of the building can be clearly viewed from Barlow Trail Se.

Part 8, Division 2, Section 914 of the Bylaw states in part that loading docks, outdoor activities and equipment located outside of a building must be screened from view of an adjacent expressway, major street, LRT corridor or regional pathway.

Part 1, Division 2, Section 13 (90) of the Bylaw defines a major street as meaning a street identified as a Street in the Transportation Bylaw. Barlow Trail is defined as a major street in the City of Calgary Transportation Bylaw 26M96.

At that time, Mr. Clark, advised that he was unable to comply with DP2019-3323 because the business has grown beyond their expectations and Mr. Clark advised the inspector that he had plans to move the business to an indoor location along with all material on site within the next year or so.

An inspection report was issued to Mr. Clark requiring Development Authority approvals for all non-compliances or removal of all materials to meet the current Development Approval no later than December 18, 2020.

On May 3, 2021 after many conversations with Mr. Clark who indicated that he planned to apply for development permits and put the site into compliance with the approved Development Permit, the inspector attended the site to observe that all contraventions previously identified were still in non-compliance and conducted a query of the City of Calgary land use management system (POSSE) to discover that no new Development Permit application had been received by the Development Authority.

Discovery on site that Rydon Construction Inc was not operating as the approved use of Salvage yard.

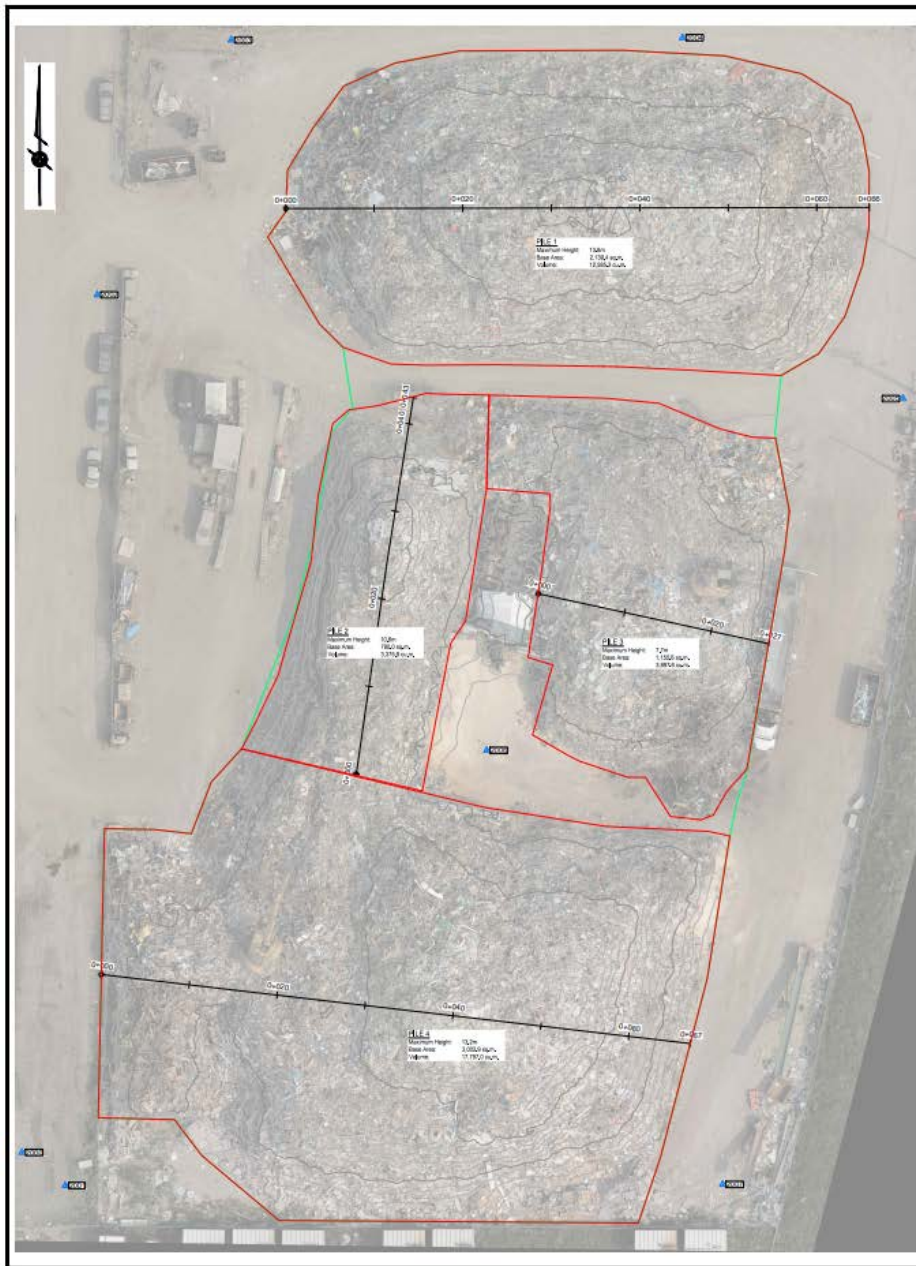
On November 9, 2021, a Development Inspector attended the site with a group of inspectors from various city departments. The Development Inspector observed that deficiencies 1 through 5 above had been either removed from the site or new approvals were applied for but on hold due to more information required from the applicant, Rydon Construction Inc. The pile configurations had increased from the size of all previous inspections and could still be clearly

viewed from Barlow Trail, indicating that no action had been taken to rectify non-compliance with the Development Permit. Further, the pile sizes had grown to the point where perimeter roads are limited or non-existent, in contravention of the Development Permit approval.

Drone survey conducted by Absolute Surveys for Rydon Recycling as directed by Calgary Fire Department on September 11, 2020. Full survey to be included in submission package.



Drone survey conducted by Absolute Surveys for Rydon Recycling as directed by Calgary Fire Department on August 18, 2021. Full survey to be included in submission package.



During this inspection, the inspector observed the site to consist of discarded construction materials such as wood, drywall, metal, old furniture and other miscellaneous discarded construction materials. The equipment on site is used to crush, sort, weigh and transport the materials. No dilapidated Vehicles were observed on site being stored, dismantled or crushed. The Development Inspector had a conversation with Mr. Clark in which he learned that no dilapidated vehicles were being or had been stored, dismantled or crushed on the site at any time.

Part 4, Division 1, Section 274.1 of the Bylaw states in part that Recyclable Construction Material Collection Depot (temporary)

(a) means a use:

- (i) where recyclable waste materials from the construction of buildings on other parcels are stored temporarily prior to their removal and processing on a different parcel;
- (ii) where the materials may be dimensional lumber, drywall, woody vegetation and shrubs, asphalt shingles, asphalt and concrete, scrap metal, plastics, wire and cardboard, but must not include adhesives or sealants, aerosols, food, vegetable matter, motor vehicles or motor vehicle parts, tires, or petroleum and petroleum-based products;
- (iii) that is not a landfill, waste disposal facility, or recycling plant for any materials or components of these materials;
- (iv) where storage activities may occur either within or outside of a building;

The Development Inspector determined that the activities taking place on this site do not meet the definition of Salvage Yard, specifically as no dilapidated vehicles are being stored, dismantled or crushed and pursuant to Section 130 (5) of the Bylaw, the use of Recyclable Construction Material Collection Depot (temporary) is the use under which the development more clearly fits.

Issuance of the Notice to Rydon Construction Inc. and Resman Holdings Ltd.

Considering the above factors, the Development Authority made the determination that the most appropriate course of action was to issue a Notice for the unapproved use that Rydon Construction Inc. was operating on site. The Development Authority felt that it was more appropriate to identify that the Development Permit is not issued for the correct use, rather than to require Rydon Construction Inc. to add the storing, dismantling or crushing of dilapidated vehicles to their use, which was never intended by Rydon in the first place. Further, Rydon had demonstrated as illustrated in the above factors that the intensity of their operation had increased beyond what they proposed in their application and that compliance with the approved DP2019-3323, although under direction from the Development Authority, had not been achieved by Rydon in the past 12 months. Rydon Construction Inc. continued to increase the size of the piles as shown by the surveys, therefore continuing non-compliance with the approved Development Permit instead of rectifying the non-compliance.

In preparation of issuing the Notices, on December 2, 2021, the Development Inspector conducted a search of the Government of Alberta Corporate Registration System (CORES) which shows that Ryan Clark is the sole Director of Rydon Construction Inc.

On December 3, 2021, the Development Inspector conducted a Land Titles search showing that the parcel legally addressed as Plan 1512251, Block 7, Lot 1, civically addressed as 9229 Barlow Tr SE, is registered to Resman Holdings Ltd.

On December 3, 2021, the Development Inspector conducted a search of the Government of Alberta Corporate Registration System (CORES) to find that Resman Holdings Ltd. Is registered to the address of 900, 517 - 10 Avenue SW.

On December 6, 2021, a Notice was served via personal delivery by the Development Inspector to Rydon Construction Inc, instructing them to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022 as there is no

Development Permit issued for the use of Recyclable Construction Material Collection Depot (temporary).

On December 6, 2021, a notice to Resman Holdings Inc., the owner of the parcel, was issued via registered mail instructing them to cease all activity on the property immediately and remove all materials and equipment from the property by January 3, 2022 as there is no Development Permit issued for the use of Recyclable Construction Material Collection Depot. A search of the Canada Post tracking system confirms that this Notice was delivered to Resman Holdings Inc. on December 10, 2021 @ 2:45 pm.

On December 15, 2021, Mr. Ryan Clark of Rydon Construction Inc. appealed the issuance of the order to Rydon Construction Inc. stating he was instructed by the City of Calgary to designate their use as a Salvage Yard.

Part 4, Division 1, Section 130 (4) of the Bylaw states that unless otherwise referenced in subsection (7), the use definitions must not be interpreted to include a development that clearly falls within another defined use.

Pursuant to Sections 130, 288.1 and 274.1 of the Land use Bylaw, It is the Development Authority's opinion that Rydon Construction is not operating as the approved use of Salvage Yard as there are no dilapidated vehicles being stored, dismantled or crushed on this property. Rather, the operations more closely reflect the use of Recyclable Construction Waste Collection Depot (temporary).

The Development Authority respectfully requests the board to uphold the order.