



New Building Application Review Process

Overview:

The purpose of this document is to define the role the Board of Directors of the Bearspaw Country Estates Homeowners Association (HOA) will play in reviewing a planning application made by an owner of a lot and/or a builder in connection with the proposed building of a residence, renovation or material alteration to an existing residence in Bearspaw Country Estates. The Board of the HOA has hired a consultant (IBI Group) to administer the architectural design guidelines (Architectural Guidelines) adopted by the Board from time to time pursuant to a restrictive covenant registered against all the lots in Bearspaw Country Estates. The review by the HOA will be conducted once a planning submission has been made to IBI Group including a plot plan, construction drawings and other requirements as set out in the Architectural Guidelines.

Timing of the Review:

The Architectural Guidelines state that IBI Group will return plans within 5 working days of receipt, after which time, if stamped “approved”, the owner/builder may proceed to apply for a building permit from the Rocky View County. The Architectural Guidelines also state that IBI Group will contact the HOA to conduct a site review once the location is staked. The HOA will review the position of the home on the site and its impact on the view lines of neighbouring homes. The HOA undertakes to make reasonable efforts to conduct the site review and advise IBI Group of any issues, or grant its approval, within 3 business days of being notified the site has been staked.

Details of the Review:

The site review by the HOA will be conducted by a minimum of three (3) Board members who will consider a number of factors including (but not limited to) the following:

- Adherence to the Architectural Standards in place at the time of the application (<http://www.bearspawcountryestates.com/Architectural%20Design%20Guidelines%20-%20Bearspaw%20Country%20Estates.PDF>)
- the impact of the proposed location on sightlines of existing residences
- to the extent practicable, the impact of the proposed location on sightlines of future residences
- site environmental conditions such as trees, drainage zones and elevation changes

Evidence of the Review:

The evidence of the review will be documented in the form of emails to the Chair and/or Vice-Chair of the Board of the HOA and recorded in the minutes of the next meeting held by the Board of the HOA.

Communication of the results of the Site Review:

Following the site review by the Board, a response will be sent back to the applicant (via IBI Group) with the relevant outcome. The application will either be approved as submitted, or changes will be requested before the application will be considered again. This communication back to the applicant via IBI Group will be from with the Chair or Vice-Chair of the Board of the HOA.

Appeal process:

In the event the owner/builder disagrees with the determination of the Board members conducting the site review, the applicant may appeal the determination to the full Board of the HOA. An applicant wishing to appeal a decision must provide the IBI Group with written notice, accompanied by the reason(s) for the appeal and all supporting arguments in writing. IBI Group will in turn advise the HOA of the appeal. A Board meeting will be called to allow the applicant to present his or her case for approval, which may include a visit to the proposed site. The HOA will undertake to hold the Board meeting in a timely manner after IBI Group has notified the HOA of the appeal. The decision of the Board of the HOA will be communicated to the applicant in writing following the Board meeting.

This document was adopted by the Board of Directors of the Bearspaw Country Estates Homeowners Association effective January 1, 2014.