



DEVELOPMENT AUTHORITY DECISION

DATE OF DECISION: October 12th, 2022

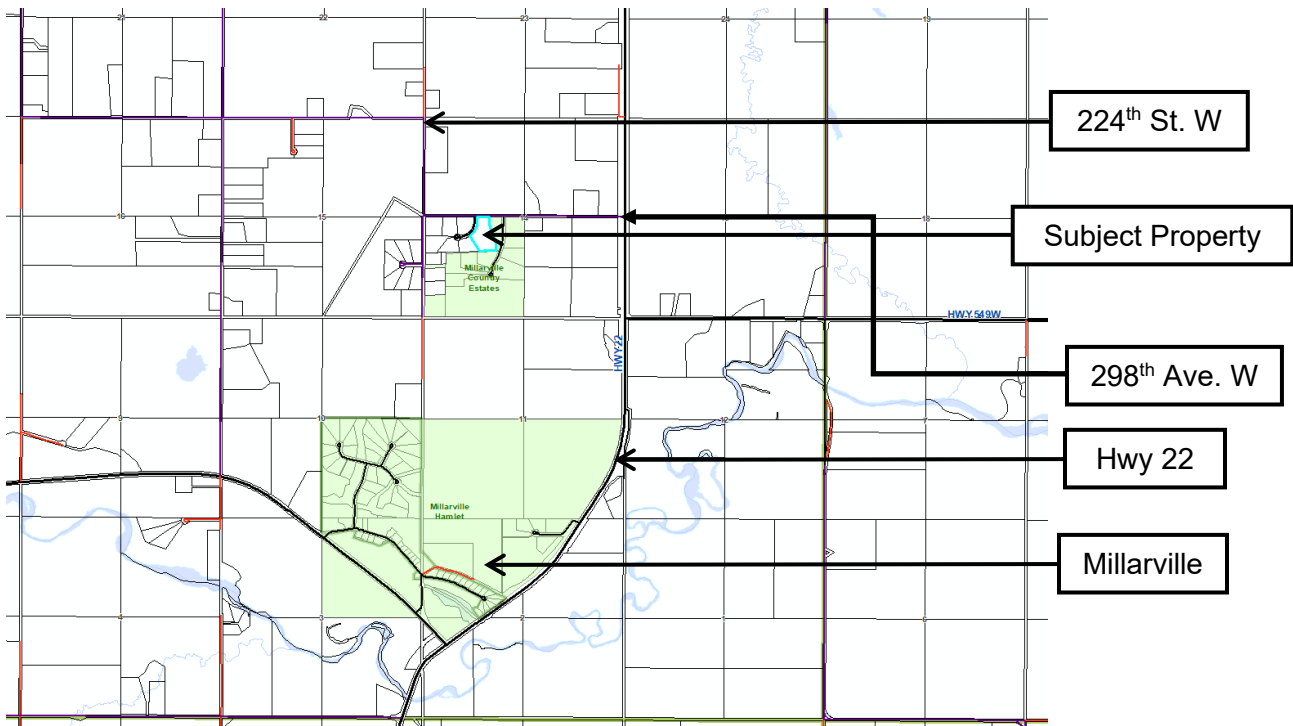
DEVELOPMENT PERMIT APPLICATION FILE NUMBER: 22D 207

LANDOWNER(S): DOUGLAS TAYLOR AND TENA TAYLER

PROPOSAL DESCRIPTION: SEA-CAN FOR PERSONAL USE

LEGAL DESCRIPTION: PTN. SW 14-21-03-W5M; PLAN 0212929, BLOCK 1, LOT 9

LOCATION: The subject property is a 9.46 acre Country Residential District parcel located one kilometer west of Highway 22, directly south of 298th Avenue West, approximately 50 meters west of 224th Street West and 2.4 kilometers north of the Hamlet of Millarville adjacent to the Millarville Country Estates Area Structure Plan.



INTENT OF APPLCIAITON: The applicants have submitted a Development Permit application to allow for the placement of one sea-can for personal use storage. The application identifies that the sea-can is to be painted to match the trim on the existing residence, placed on a graveled pad, anchored to the satisfaction of the County and is to be surrounded by the existing mature Poplar and Spruce trees on the property, for the purpose of screening.

Sea-Can is considered a Discretionary Use within the Country Residential District of the Land Use Bylaw 60/2014. Section 9.28 of the Bylaw provides that a Sea-Can may be considered as an accessory building to be used from personal storage provided that the exterior matches or compliments the exterior finish of the principal building(s) and is generally screened from the view of neighboring lands and municipal roadways to the satisfaction of the Development Authority.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of the proposed Sea-Can for Personal Use on the subject property, being portion of SW 14-21-03-W5M; Plan 0212929, Block 1, Lot 9, has been considered by the Development Officer and is **APPROVED** subject to the following:

APPROVAL DESCRIPTION:

This approval allows for the placement of one sea-can on Plan 0212929, Block 1, Lot 9, PTN: SW 14-21-03-W5M, for personal storage only and shall be located on the subject parcel, as identified on the submitted site plan, within the accepted Development Permit application.

CONDITIONS OF APPROVAL:

Please note that the following requirements must be completed within the twenty-four (24) month completion period for this Development Permit unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete and/or comply with the following conditions of approval will see the Development Permit deemed null and void.

1. The applicant shall maintain the development and use in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to the use of this land shall not proceed except under benefit of appropriate approvals;**
2. The existing mature vegetation shall be maintained in order to support visual screening from adjacent lands and roadways. Should existing vegetation on the subject property be removed or reduced in a way that no longer conceals the sea-can from adjacent lands and roadways, the landowners must

replace with similar or greater material(s) in order to ensure that the same or greater visual screening of the Sea-can is maintained;

3. Exterior finishing of the Sea-Can shall be completed as per the accepted application. It is the applicant's responsibility to ensure the Sea-Can is maintained to be safe, functional and in good repair, including the preservation of the exterior finish, to ensure that the Sea-can aesthetically complements the primary structure on the subject property. Any damage must be repaired in a timely manner and the unit shall be refinished at any such time that it begins to appear unsightly from age or degradation;
4. The Sea-Can shall be used for the storage of personal items only. Rental of, or use of the container in conjunction with a business, home occupation, or for any type of residential purpose – including overnight stays, has not been considered under this approval. Any such additional use(s) will require approval under appropriate independent municipal application(s). Modifications to, or attachments/additions to the container is not permitted;
5. Should the Sea-Can be removed from the subject property for greater than 60 consecutive days, the Sea-Can would not be permitted to return to the subject property without receiving an updated approval;
6. It is the landowner's responsibility to provide notification to the Development Authority upon completion of the development, as approved herein;

ADVISORY REQUIREMENTS:

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity. It is the responsibility and liability of the applicant(s) and landowner(s) to ensure adherence with these requirements for the life of the development.

1. It is mandatory that all development comply with all requirements of the Alberta Building, Plumbing, Electrical, and Fire Codes at all times, including but not limited to anchoring the Sea Can and the placement of the Sea Can on a graveled base.
2. Any new installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
3. Natural drainage of the property must be maintained. Alteration to natural drainage may proceed only under the authorization of an approved Development Permit for Lot Grading;
4. All structures shall be located as to adhere to Municipal setback requirements from the boundaries of the legally titled property. No variance for yard setbacks has been considered under this approval;
5. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land;
6. The applicant is wholly responsible for all costs of improvements, remedial works and/or maintenance during and after development of the land, and shall maintain the property in accordance with the submitted plans and recommendations in order to ensure that adverse impacts on area lands are avoided;
7. The landowners indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the owner, arising from soils being relocated to/on this property;
8. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit;

Note: Notification of this decision will be advertised in two issues of the Western Wheel and circulated to area landowners (according to County Records at this time) within one-half mile surrounding. Development Permit Notices can also be viewed on our website, www.foothillscountyab.ca.

Note: This Development Permit shall thereafter be null and void if the development or use is abandoned for a period of six months.

Note: The conditions of this Development Permit must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit.