



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: August 23, 2023

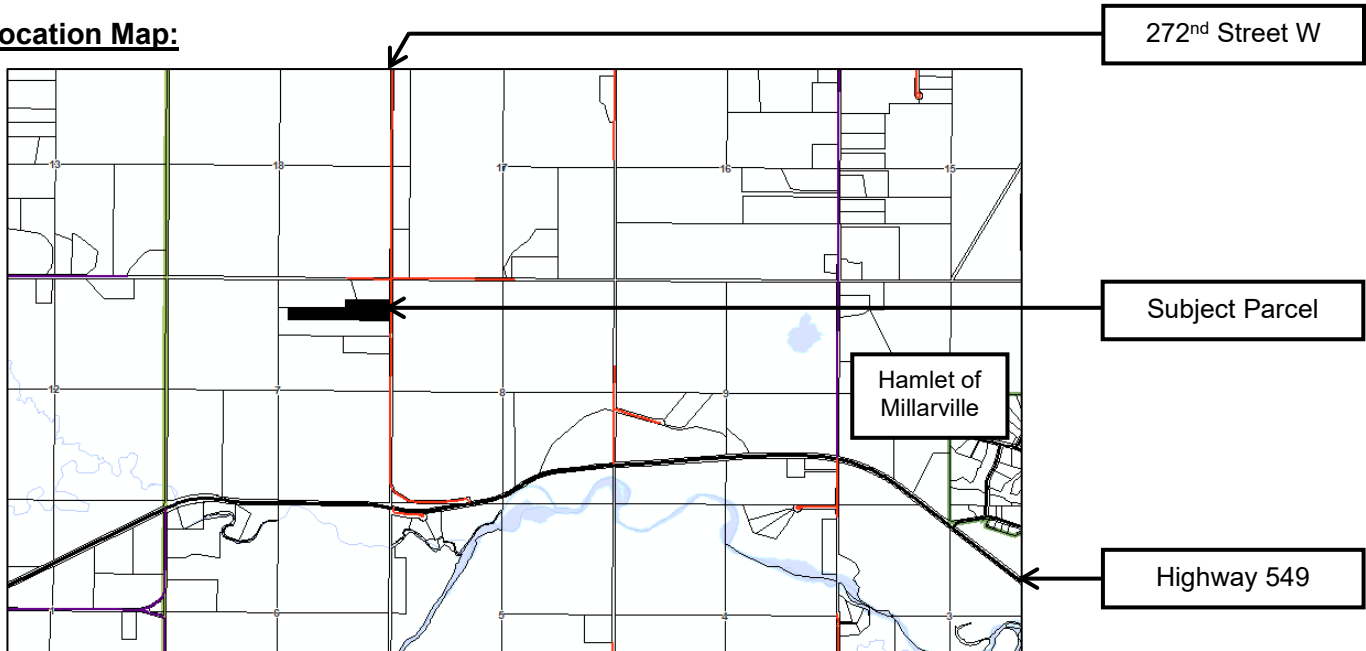
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

APPLICATION FILE NUMBER: 23D 135
LANDOWNER(S): JUDY FRIESEN
APPLICANT: TOWNSHIP PLANNING + DESIGN INC.
PROPOSAL DESCRIPTION: SECONDARY SUITE, ACCESSORY (MOVED, ON)
LEGAL DESCRIPTION: PTN. NE 07-21-03 W5M; PLAN 1013400, BLOCK 1, LOT 6

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 21 acre Country Residential District parcel located on 272nd Street W, approximately 1.3 kilometres north of Highway 549 and 4 kilometres northwest of the Hamlet of Millarville.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a Cabin (+/- 887.3 sq. ft.) to be moved to the subject property. The application proposes the construction of a +/- 315 sq. ft. Garage attached to the cabin, in order to be considered as a Secondary Suite, Accessory. An engineer's letter has verifying the structure (cabin) to be in working condition and safe to move has been submitted with the application.

Secondary Suite, Accessory means a dwelling, secondary suite, located within an accessory building or detached garage which is subordinate to the principal dwelling on the same parcel, that has a Minimum Habitable area of 37 sq. m. (400 sq. ft.), and a maximum size of up to 50% of the gross floor area of the accessory building to a maximum of 83.6 sq. m. (900 sq. ft.).

Secondary Suite is a Discretionary Use under the Country Residential Land Use District; therefore, decisions on applications for Development Permit for this use are to the discretion of the Development Officer, and subject to a 21-day appeal period.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of *Secondary Suite, Accessory (Moved, On)*, on the subject parcel being a portion of NE 07-21-03 W5M; Plan 1013400, Block 1, Lot 6 has been considered by the Development Officer and is **REFUSED** subject to the following.

REFUSAL DESCRIPTION:

Section 10.26.10 of the Land Use Bylaw 60/2014 identifies that Secondary Suite, Accessory shall meet the following size requirements:

- Minimum habitable area: 37 sq. m. (400 sq. ft.);
- Maximum size: up to 50% of the gross floor area of the accessory building to a maximum of 83.6 sq. m. (900 sq. ft.).

As the size of the Cabin (+/- 887.3 sq. ft.) exceeds 50% of the gross floor area of the proposed garage (+/- 315 sq. ft.), this application is considered an automatic refusal and if appealed, will be given further consideration by the Development Appeal Board.