

THE FOOTHILLS COUNTY SUBDIVISION AND DEVELOPMENT APPEAL BOARD REVISED AGENDA

Tuesday, September 19, 2023, 1:00 p.m.

Foothills County Administration Office

309 Macleod Trail South – High River



Chair: Gar Beacom

Board Members: Alan Alger, Brad Meyers, Rick Hansen, Dan MacDonald

Pages

1. **Call Meeting to Order**
2. **Adoption of Minutes from Last Meeting**
 - 2.1 Minutes - August 8, 2023
The approval of the August 8, 2023 minutes be postponed until the next Subdivision and Development Appeal Board Meeting.
 - 2.2 Minutes - August 31, 2023
The approval of the August 31, 2023 minutes be postponed until the next Subdivision and Development Appeal Board Meeting.
3. **HEARD AT 1:00 p.m. - Development Permit 23D 135**

Landowner: Judy Friesen
Appellants: Judy Friesen and Josh Friesen
Applicant: Township Planning + Design Inc.

DESCRIPTION: Appeal against the refusal of Development Permit 23D 135 for a Secondary Suite, Accessory (Moved On) .
LEGAL: Plan 1013400, Block 1, Lot 6; Ptn. NE 07-21-03 W5M

 - 3.1 Notice of Appeal 2
 - 3.2 Development Authority's Decision 4
 - *3.3 Development Permit 23D 135 File Documents 5
 - *3.4 Written Submission 48



Notice of Appeal

Subdivision and Development Appeal Board (SDAB)
Foothills County www.foothillscountyab.ca

309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

APPELLANT INFORMATION (e.g. Landowner or Affected Party)			
Name of Appellant(s) Judy Friesen, Josh Friesen			
Mailing Address		Province	Postal Code
Main Phone #		Alternate Phone #	N/A
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address:			
AGENT INFORMATION & CERTIFICATION (complete section if applicable)			
Name of Organization: Township Planning + Design Inc.			
Contact Name: Robyn Erhardt			
Mailing Address		Province	Postal Code
	Suite 321, 259 Midpark Way SE	AB	T2X 1M2
Main Phone #	587-574-8788		
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address: robyn@twpplanning.com			
I (We) Judy Friesen and Josh Friesen hereby authorize Township Planning + Design Inc.			
to act on my (our) behalf on matters pertaining to this appeal.			
Please see Agency Agreement attached			
Signature of Appellant(s)	Date	Signature of Appellant(s)	Date
SITE INFORMATION			
Municipal Address (house and street number):			
Legal Land Description:	Plan	Block	Lot
Quarter-Section	Township	Range	Meridian
NE 7	21	3	W5

I AM APPEALING (check only one)		
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal Development Permit # 23D 135 Date of Decision: (Y/M/D) 2023/08/23	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal Subdivision Application # Date of Decision: (Y/M/D)	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order Enforcement Order # Date of Decision: (Y/M/D)
REASON FOR APPEAL (attach separate page(s) if required)		
All appeals should contain the reasons for the appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal.		
The appellants are appealing the automatic refusal decision of a discretionary use secondary suite. The proposed development permit application (DP# 23D 135) for a secondary suite, aligns with the LUB regulations with the exception of the maximum size limits, which resulted in the automatic refusal. The appellant requests the application be reviewed on its merits and the intention for compassionate care use.		

TURN OVER AND COMPLETE REVERSE SIDE

This information is being collected for the Subdivision and Development Appeal Board of Foothills County and will be used to process your appeal and to create a public record of the appeal hearing. This information is collected in accordance with Section 33(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the collection or use of this information, contact the FOIP Coordinator at (403) 652-2341.

[Redacted Signature]

August 23, 2023

Signature of Appellant(s) OR
Person Authorized to Act on Behalf of Appellant(s)

Date

A hearing must be held within 30 days from the receipt of your Notice of Appeal. Written notice of the date and time of the hearing will be sent by regular mail. If the appeal is against the decision of a Subdivision Authority, notice will be sent to the appellant, landowner(s) of the subject property, and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to the appellant, landowner(s) of the subject property and to landowners located within the half mile surrounding the subject property.

****NOTE FOR EMAIL SUBMISSIONS ONLY: IF YOU DO NOT RECEIVE AN EMAIL CONFIRMATION NOTIFYING YOU OF RECEIPT OF YOUR APPEAL, PLEASE CONTACT THE SDAB CLERK IMMEDIATELY. ****

PAYMENT OF APPEAL FEE

If submitting the Notice of Appeal form and paying the appeal fee in person, you do not need to complete this section.
If submitting the Notice of Appeal form by email, you must complete this section.

Appeal fees are outlined on the attached information sheet - **Submitting an Appeal**

✂

CREDIT CARD INFORMATION	
Card type:	<input type="checkbox"/> Visa <input type="checkbox"/> Master Card <input type="checkbox"/> American Express
Name as it appears on Card:	Card Number:
Date of Expiry:	CVC:
Authorization: I authorize Foothills County to charge \$ _____ to my credit card.	
Signature of Card Holder:	Date:

FOR OFFICE USE ONLY		
Authorized By:	Date:	Receipt #:

Note: appeal fee of \$575.00 was paid at the time of submitting the Development Permit Application.
Please see attached receipt.



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: August 23, 2023

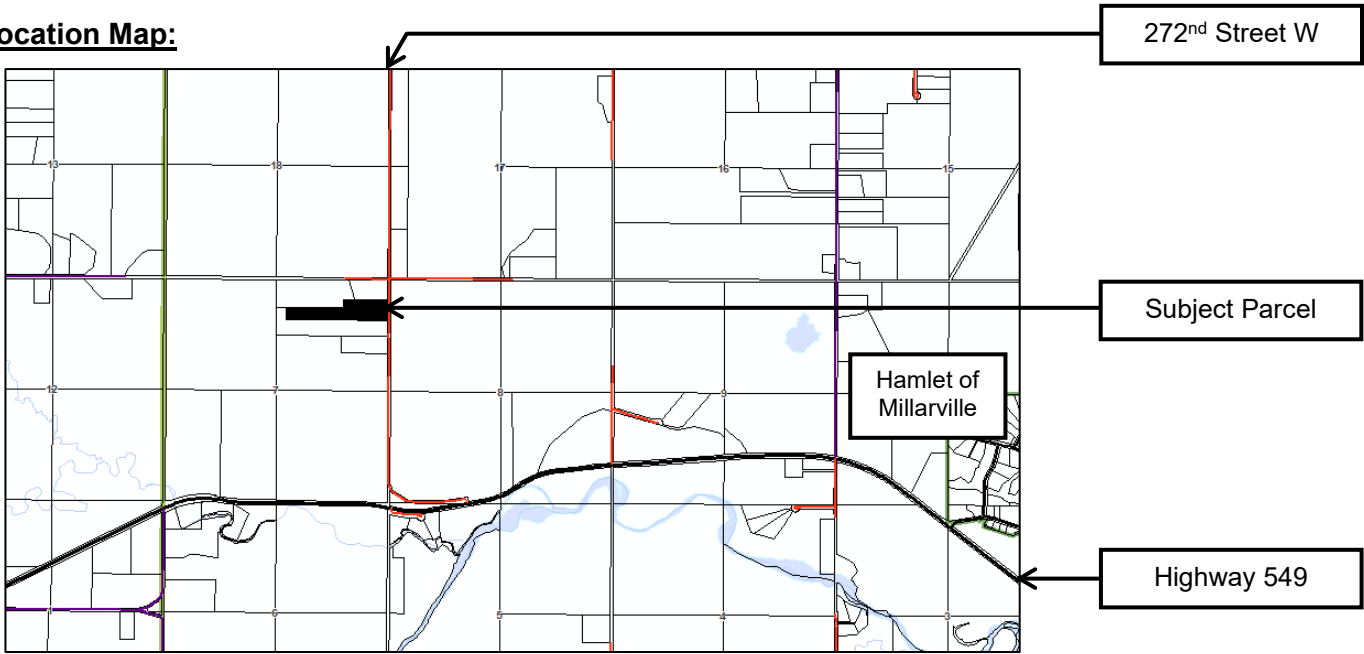
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

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.



FOOTHILLS COUNTY

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

Fax: 403-652-7880

www.FoothillsCountyAB.ca

planning@foothillscountyab.ca

August 23, 2023

Township Planning + Design Attn: Kristi Beunder
321-259 Midpark Way SE
Calgary, AB T2X 1M2

COPY

Dear Sir/Madam:

Re: Development Permit Application 23D 135
Ptn: NE 07-21-03 W5M; Plan 1013400, Block 1, Lot 6
Move-On Secondary Suite, Accessory

Your development permit application for the above-noted operation has been refused for the attached reasons.

Please be advised that you have the right to appeal this decision to the Development Appeal Board. If you were to appeal the above decision, the Development Appeal Board would base their decision on an appeal hearing which would be open to the applicant and to any landowners within at least one-half mile who have concerns about the proposed development. **Please note that there is an appeal fee of \$575.00.**

You can submit your Appeal notices to the Secretary of the Development Appeal Board, at the above noted address. Notices of Appeal, including payment of the appeal fee are to be received **no later September 14, 2023**. Notices of Appeal received after the 21-day notification period will be invalid. If you choose to submit an appeal, please complete the enclosed 'Notice of Development Appeal' form and mail, drop off, email to appeals@foothillscountyab.ca or fax to 403-652-7880. We will notify you when your appeal is received.

Should you have any further questions or concerns, please contact the undersigned at the above address and telephone number.

NOTE: APPEAL SUBMISSION REQUIREMENTS ARE OUTLINED ON THE ENCLOSED
'NOTICE OF DEVELOPMENT APPEAL' FORM

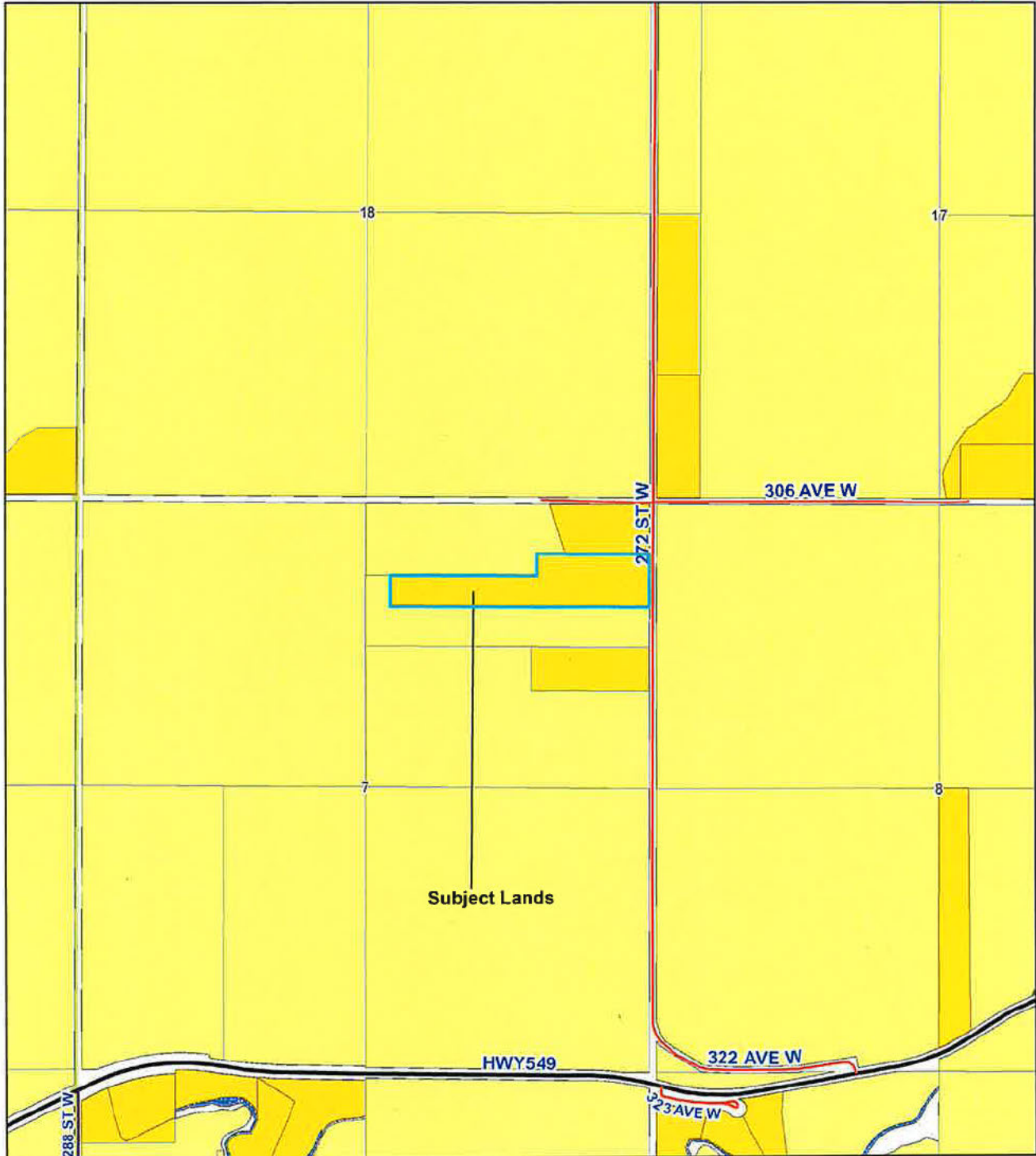
Yours truly,
FOOTHILLS COUNTY


Brittany Hornsby
Development Officer
brittany.hornsby@foothillscountyab.ca
(403) 603-6242

BH/mm
Encl.

Subject Lands

Ptn. NE 7-21-3 W5M; Plan 1013400, Blk 1, Lot 6



Legend

- In Transition
- A- Agricultural
- CR - Country Residential

Document Path: C:\Prj\PlanningData\MDF_Planning.mxd

Date Printed: 2023-08-28

1:15,000

This map is compiled by the Foothills County. Reproduction, in whole or in part, is prohibited without express permission from the Foothills County. Foothills County provides this information in good faith, but provides no warranty, nor accepts any liability arising from incorrect, incomplete or misleading information, or its improper use.

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Application for Development Permit

Land Use Bylaw No. 60-2014

Foothills County

www.foothillscountyab.ca

309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

THIS IS NOT A BUILDING PERMIT. Construction practices and standards of construction of any building or any structure authorized by this Development Permit must be in accordance with the Building Bylaw. An application must be made for a Building Permit under the requirements of the Building Bylaw and a Permit must be secured before any work or construction on any building may commence or proceed.

FOR OFFICE USE ONLY

Fee Submitted: \$500.00 Application No: 23D135
 Receipt No.: 398620 Tax Roll No: 2103077520
 Date Received: — Date Deemed Complete: July 4, 2023

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Kristi Beunder RPP, MCIP - Township Planning + Design
 Email: Kristi@twppanning.com
 Applicant's Mailing Address: 321 - 259 Midpark Way SE
 Telephone: 403.880.8921
 Legal Land Description: Plan 1013400, Block 1, Lot 6, LSD —,
 Quarter NE, Section 7, Township 21, Range 3, West of the 5 Meridian.
 Registered Owner of Land: Judy Irene Friesen
 Registered Owner Mailing Address: [REDACTED]
 Email: [REDACTED] Telephone: —
 Interest of Applicant if not owner of site: Agent

PART 2 PROPOSED DEVELOPMENT

I/We hereby make application in accordance with the plans and supporting information submitted herewith. (which forms part of this application). Please give a brief description of the proposed development, including name of development where applicable.

* Please refer to attached cover letter

PART 3 SITE INFORMATIONArea Of Lot: (In Acres Or Hectares) 21.0ac (8.50ha)Size Of Proposed Building: 887.3 sq.ft Cabin & 315 sq.ft Garage Height: 18'Is There A Dwelling (Residence) On The Site: Yes X No If Yes, How Many? 1Utilities Presently On Site: yesAre There Sour Gas Or High Pressure Facilities On Site? N/AUtilities Proposed: Power, gas, phoneOther Land Involved In Application: N/A

DISCLAIMER: Please note that the personal information collected on this form is authorized under the Municipal Government Act and is required for the purpose of the County's Planning and Development processes. This information may also be shared with appropriate government agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection and use of this information, please contact the FOIP Coordinator at 403-652-2341.

PART 4 DEVELOPMENT

Specify other supporting material attached that forms part of this application. (e.g., Site Plan, Plot Plan, Architectural Drawings, etc.):

Refer to site plan

Estimated Date of Commencement: Fall 2023 Estimated Date of Completion: Winter 2024

I, Kristi, Beunder, RPP, MCIP

hereby certify that I am:

☐ The Registered Owner; or

☒ Authorized to act on behalf of the Registered Owner

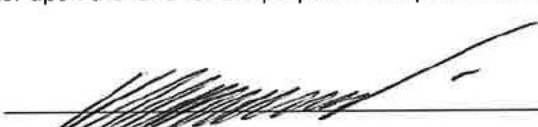
Date: May 18, 2023

RIGHT OF ENTRY

I, being the owner or person in possession of the above described land and any building thereon, hereby consent to an authorized person designated by Foothills County to enter upon the land for the purpose of inspection during the processing of this application.

May 18, 2023

Date


Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

1. Land use district: _____
2. Listed as a permitted/discretionary use: _____
3. Meets setbacks: _____ Yes _____ No If "NO", deficient in _____

4. Other information: _____

PART 5 DECISION

Date of Decision: _____ Date Application Accepted: _____

This Development Permit Application is:

- ☐ APPROVED
- ☐ APPROVED subject to the attached conditions
- ☐ REFUSED for the attached reasons

Notice of Decision Advertised: _____

Date of Issuance of Development Permit: _____

 Development Officer

NOTE: Development must commence within 12 months of the date of the Date of Issuance of the Permit and be completed within 24 months of the Date of Issuance, unless otherwise stated in the Development Officer's decision.

321-259 Midpark Way SE | Phone: 403.880.8921
Calgary, AB T2X 1M2 | TWPplanning.com

TOWNSHIP
planning + design inc.

Foothills County
Box 5605
High River, AB
T1V 1M7

RECEIVED
MAY 24 2023

05/23/23

ATTN: Samantha Payne, Planning Coordinator

RE: Development Permit Application – Secondary Suite, Accessory for land legally described as Plan 1013400, Block 1, Lot 6 NE 7-21-3 W5M consisting of 21.0 acres (8.5 ha) within Foothills County.

Landowners: Judy Friesen

Dear Samantha,

Please find enclosed the following in support of the above-mentioned Development Permit Application:

- The formal application for Development Permit to allow for a Secondary Suite, Accessory;
- The Letter of Authorization allowing Township Planning + Design Inc. to act as agent for the landowner;
- A credit card authorization for the Development Permit application fee of \$1075.00 (\$100 filing fee + \$400 application fee + \$575 appeal fee);
- A copy of the abandoned well map and declaration, showing one abandoned water well south of the subject parcel;
- A copy of the site plan with and without air photo; and
- A copy of the draft building plans.
- A copy of the Certificate of Title.

To assist the Planning Department with the evaluation of this application we offer the following:

The intent of this application is to allow for a Secondary Suite, Accessory and garage to be built on the 21.0 acre (8.50 ha) parcel. The parcel is zoned Country Residential, which allows for a Secondary Suite, Accessory as a discretionary use. We understand that a Secondary Suite, Accessory is allowed to be constructed on a parcel if attached to an accessory building, as such, the garage will be built as an accessory structure on the parcel (detached from the existing single-family dwelling with attached garage) and the secondary suite will be attached to this garage. This design meets the criteria for a Secondary Suite, Accessory in the Land Use Bylaw (LUB) definitions.

We recognize that a Secondary Suite, Accessory can be up to 900sq.ft. in size but not exceeding 50% the size of the attached accessory building as per LUB policy 10.26.10. The new garage will be 315sq.ft and the secondary suite will be 887.3 sq.ft, which exceeds 50% of the gross floor area of the garage; therefore, we understand that the development officer may not be able to approve the application as the proposed secondary suite does not align with the Land Use Bylaw. As a result, we may need to appeal a refusal decision and appear before the Subdivision, Development, and Appeal Board (SDAB). Our objective is to work with the County but also help meet our client's objectives.

The existing buildings on the parcel include a single-family dwelling (1929sq.ft) with attached garage (580sq.ft) and barn (1600 sq ft). Following the construction of the garage and secondary suite, the total

number and gross floor area of accessory buildings on the parcel will continue to align with the requirements in the LUB for a parcel of this size.

There are two water wells on the subject parcel. One is currently in use for the existing single-family dwelling, and the other is currently not in use but suitable for domestic purposes. The well currently not in use is proposed to service the secondary suite. The secondary suite and garage will be accessed from an extension from the existing road, and 1 parking stall (one per bedroom) will be provided as required in the LUB.

The secondary suite is an existing historic family cabin that the landowners intend to move onto their property and renovate in order to keep the cabin as a piece of family history. The secondary suite will provide a home for an ageing family-member who wishes to continue to live on the property and close to family. The existing single-family dwelling on the parcel will remain in the family.

Please let us know if you have any questions or require any additional information.

Sincerely,
Township Planning + Design Inc.

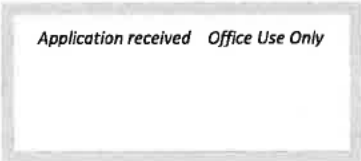


Kristi Beunder, B.A., M.E.Des.
RPP MCIP
Principal/Senior Planner
Urban + Regional Planning

Cc: Judy Friesen and Josh Friesen – Landowners

RELOCATION OF A BUILDING/STRUCTURE/DWELLING MOVED ON CHECKLIST

TO BE SUBMITTED WITH DEVELOPMENT PERMIT APPLICATION:



Mail/Deliver: Planning Department
Foothills County
Box 5605, 309 Macleod Tr. S.
High River, AB T1V 1M7
Email: Planning@FoothillsCountyAB.ca

THIS IS NOT A BUILDING PERMIT. Construction practices and standards of construction of any building or any structure authorized by a Development Permit must be in accordance with the Alberta Building Code and Safety Codes Act and Regulations. A subsequent application must be made for all required Building and/or Safety Codes Permits. Relocation of a Building, Structure or Dwelling, Moved On may not commence prior to the issuance of all required Development, Building, and Safety Code approvals.

LANDOWNER/APPLICANT INFORMATION	
Name of Landowner(s) / Applicant(s) Judy Irene Friesen (landowner)	Email: [redacted]
Mailing Address: [redacted]	Postal Code: [redacted]
Telephone (Home)	Telephone (Mobile) [redacted]
CURRENT LOCATION OF BUILDING/STRUCTURE/DWELLING TO BE MOVED	
Legal Land Description: Plan _____ Block _____ Lot _____ Quarter Section NW - 12 Township 12 Range 31 Meridian 1 Municipal Address: _____ Municipality/City/Town: Moosomin, Saskatchewan	
DESTINATION OF MOVED BUILDING/STRUCTURE/DWELLING	
Legal Land Description: Plan 1013400 Block 1 Lot 6 Quarter Section NE - 7 Township 21 Range 3 Meridian 5 Municipal Address: _____ Area of Lot (In Acres) 21 acres Land Use: Country Residential	
Proposed haul route of building/structure/dwelling: Highway 13 across southern Saskatchewan, Highway 3 across southern AB, north into Foothills County.	
MOVING COMPANY INFORMATION	
Name of Mover: Koala Building Movers Inc.	
Mailing Address: [redacted]	Town: [redacted]
Email address: koalabuilding movers@yahoo.ca	Postal Code: [redacted]
Telephone (Business) 204-466-2829	Telephone (Mobile)
Name of Insurance Company for mover: Lake View Insurance Brokers	
Mailing Address: [redacted]	Postal Code [redacted]
Telephone (Business) 204-453-0106	Telephone (Mobile)
CURRENT BUILDING/STRUCTURE/DWELLING INFORMATION	
> Accessory Building/Structure (excluding proposed additions, if any) Total Gross Floor Area 1201.3 sq.ft. *total floor area of each floor measured to the outside surface of the exterior walls.	> Dwelling (excluding proposed additions, if any) Total Habitable Area 887.3 sq.ft. *sum of all floors of all livable space contained within the exterior walls of the structure above grade and includes walkout basement areas.
Please note that additions to the original building/ structure/dwelling cannot be considered by the Development Officer as part of the minimum size requirement.	
Building/Structure/Dwelling Finished Height: 14'4"	
Building/Structure/Dwelling Description: (include explanations of any improvements proposed to the exterior or interior of the building) Historic cabin to be moved onto the subject site and renovated. Improvements are detailed below under the "Building/structure/Dwelling Completion" section.	
Intended Use of the Building/Structure/Dwelling: Secondary Suite - accessory and garage	

ADDITIONS TO BUILDING/STRUCTURE/DWELLING

ARE THERE ANY PROPOSED ADDITIONS TO THE STRUCTURE?

YES

NO

If you answered yes above, please describe all proposed additions/alterations to the structure: (include size and location)

A 497 square foot addition on back of cabin will be mostly garage with a bathroom and utility room on one end as shown in the site plan attached.

SITE PLAN:

Please attach a site plan showing the proposed location for the building/structure/dwelling (include setback distances to the property lines, roads, slopes greater than 15%, water bodies, etc.) Please include location of water well, on-site sewage disposal, and other buildings.

PHOTOGRAPHS

Please provide pictures for the building/structure/dwelling showing:

- a. Exterior (Front, Rear, and side views);
- b. Artistic drawing or renderings of the how the exterior of the building/structure/dwelling is to look when it is completed;

BUILDING/STRUCTURE/DWELLING COMPLETION

****Note: Construction must be completed within one year of the issuance of the Development Permit**

Construction start date: Fall 2023

Construction Completion date: Spring 2024

Please provide a detail list of improvements and work required to the exterior of the building/structure/dwelling for completion. Detailed cost estimates for the work to be completed shall be included. Cost estimates may be used to confirm the amount of the security or deposit required in accordance with the Land Use Bylaw and current Fee Schedule:

Interior improvements:

- Wiring (lights, switches, plugs)
- Plumbing/heating (in-floor heat, and all household plumbing)
- Framing bedroom walls
- Full kitchen installation

Estimate cost of interior improvements - \$60,000

Exterior Improvements:

- No improvements to exterior of cabin
- The 497 square foot addition on back of cabin will be mostly garage with a bathroom and utility room on one end as shown in layout plan.

Estimate cost to build addition: \$40,000

Standards:

Prior to approval of a Development Permit and/or Building permit for a relocated building/structure/dwelling, the following are expected:

- ❖ The building/structure/dwelling shall have a high standard of exterior finish;
- ❖ No additions are included with the building/structure/dwelling to meet the minimum square footage as required in the Land Use Bylaw;
- ❖ The design of the building/structure/dwelling is compatible with adjacent development;
- ❖ The intended use of the building/structure/dwelling is in compliance with the Land Use Bylaw. A copy of detailed cost estimates for the work to be completed shall be included with the Development Permit Application.

Security:

A security or deposit is required (equal to the value of construction of the foundation and/or all other work required to complete the building/structure/dwelling to the high standard of exterior appearance with a minimum security amount as set out in the Fee Schedule approved by Council. The security deposit will be released upon inspection of the structure confirming that the exterior of the building/structure/dwelling is complete as per the conditions of Development Permit.

Incomplete Construction:

Should the building/structure/dwelling not be completed in accordance with the terms of the Development Permit (not to exceed one year), the County may use the funds in the security to complete the building/structure/dwelling in accordance with the condition of Development Permit. Any surplus funds left over upon completion, will be returned to the applicant.

DECLARATION

I hereby certify that the information stated on and submitted with the form, is true and accurate. By signing this declaration, I agree to comply with all Bylaws and County Regulations, it being expressly understood that the issuing of a Development Permit does not relieve my obligations of complying with the Bylaws, County Regulation, and Development Permit Conditions. I also further agree that if a permit is revoked for any cause, or irregularity, or non-conformance of said Bylaws, regulations, or permits, that in consideration of issuing of the permit, all claims are waived arising therefore against the Foothills County.

Signature of Landowner/Applicant

/Agent

Digitally signed 06/31/2023

Date June 30, 2023



AGENCY AGREEMENT

Judith Friesen

authorizes

Kristi Beunder RPP, MCIP - Township Planning + Design Inc.

to provide

Planning and Design Services

for

The preparation of a Site Plan and Development Permit to allow for a stand-alone Secondary Suite lot for land legally described as Plan 1013400, Block 1, Lot 6 NE 7-21-3 W5M consisting of 21.0 acres (8.5 ha) within Foothills County.

Client agrees that services are to be provided in accordance with the letter proposal from Township Planning + Design Inc. to Judith Friesen dated 23 March 2023, which outlines the scope of services, deliverables and fee basis for the project.


Judith Friesen

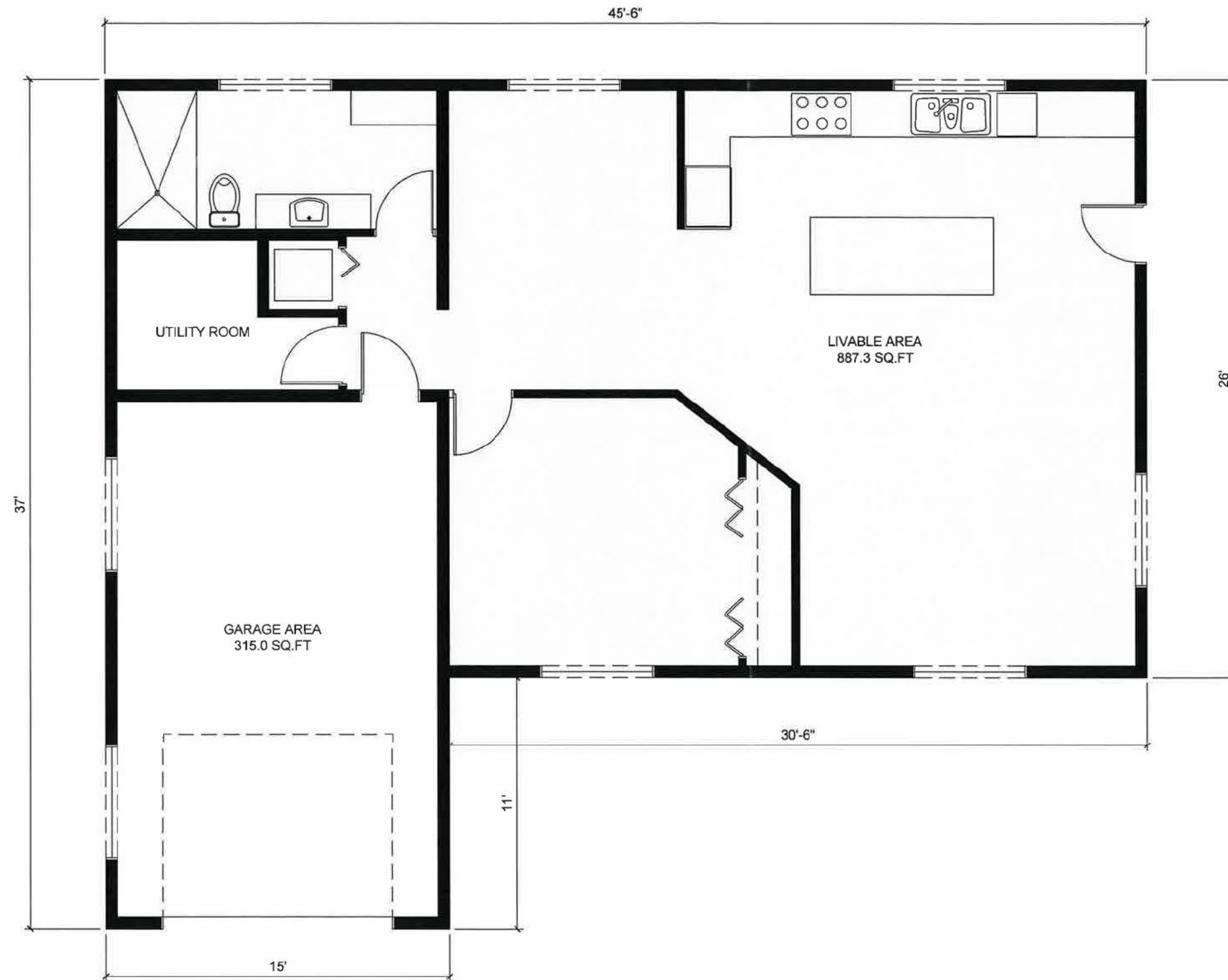
March 25, 2023
Date

CLIENT
John Friesen

PROJECT NUMBER
23-012

LEGAL ADDRESS
Plan 1013400, Block 1, Lot 1
NE 7-21-3 W5M

DATE
March 22, 2023



FLOOR PLAN

SCALE
3/16"

SHEET
S1
FLOOR PLAN

CLIENT
JOSH FRIESEN

PROJECT NUMBER
23-012

LEGAL ADDRESS
Plan 1013400, Block 1, Lot 6
NE 7-21-3 W5M

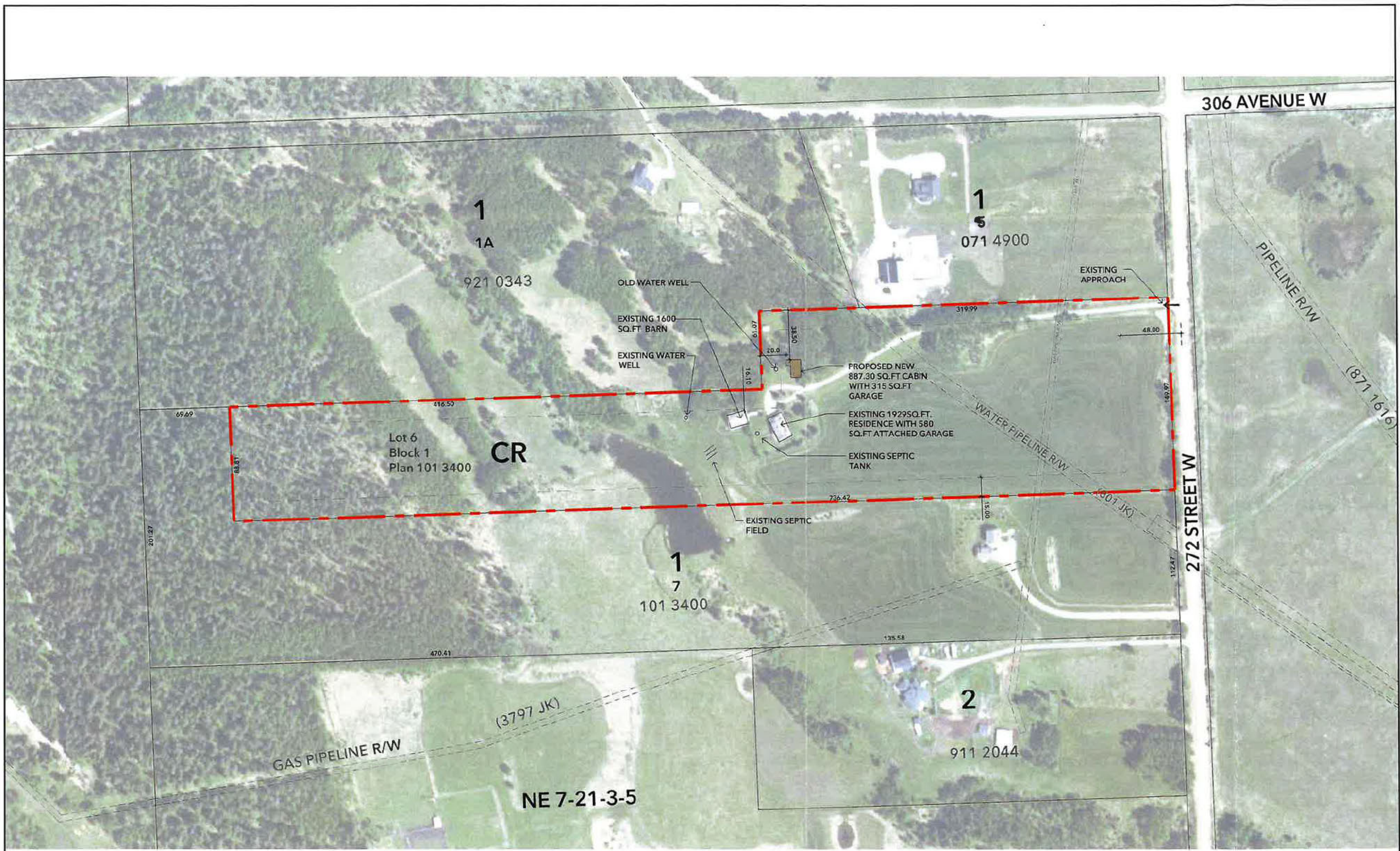
DATE
May 15, 2023

Subject Site Area
Lot 6, Block 1, Plan 103400
21.0 ac (8.50ha)

DEVELOPMENT PERMIT FOR SECONDARY SUITE

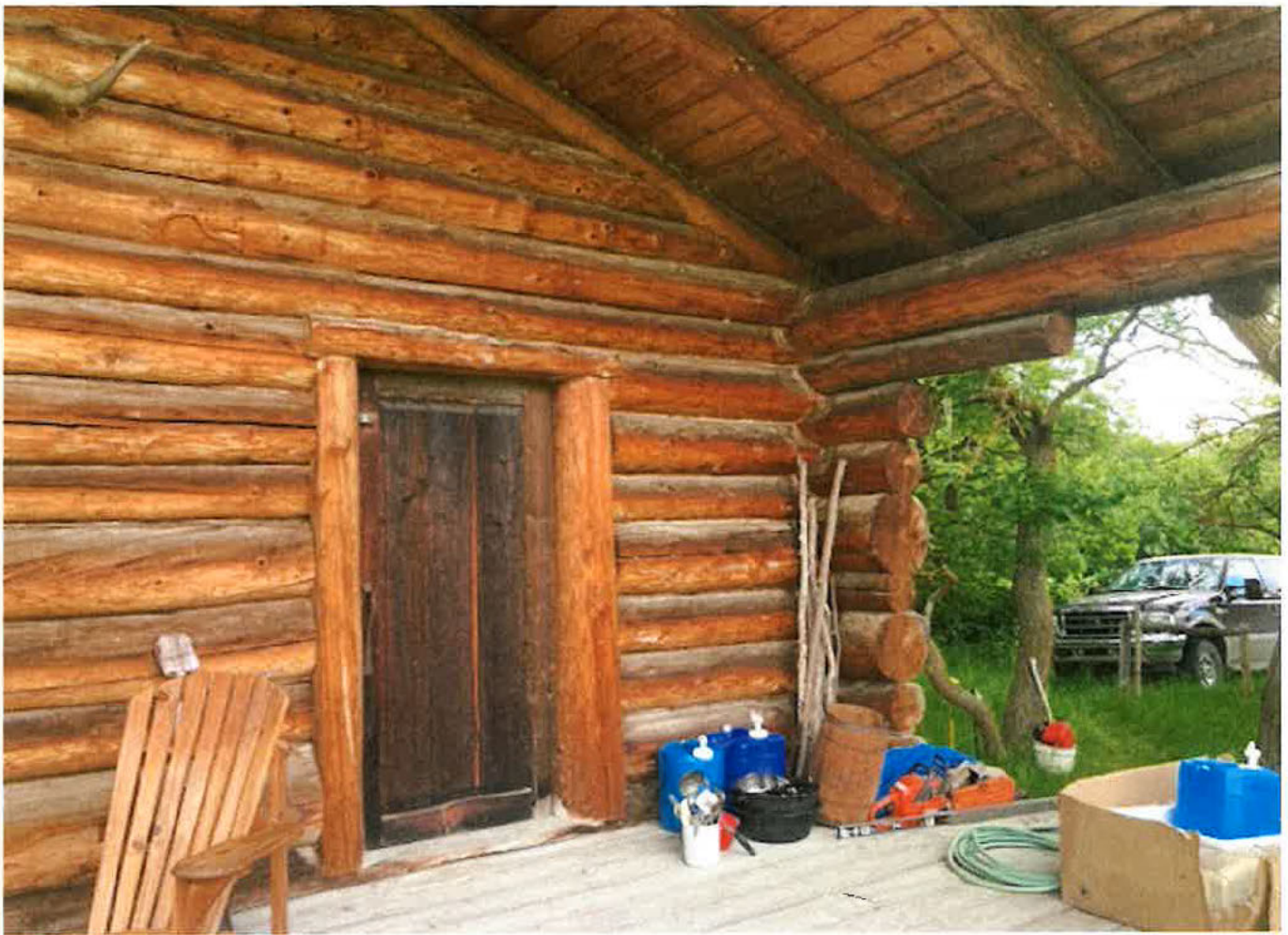
SCALE
1:3000

SHEET
S1
SITE PLAN









Alstran Corp.

PO Box 5321
Station A
Calgary, Alberta
T2H 1X6



July 3, 2023

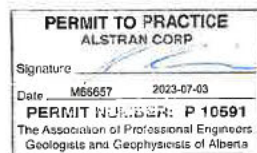
Torqued Industries

Re: Friesen Log Cabin Relocation

The Friesen cabin has been reviewed and it has been determined that the log structure is structurally sound enough to be relocated. The destination address is: NE-7-21-3 W5M, Plan 1013400, Block 1, Lot 6. Following the relocation, the cabin is to be renovated and any code compliancy issues will be addressed at the time of the permits & renovation. If there are any questions, please feel free to contact us.

Regards,

Electronic Original



Ryan M. Bailey, P.Eng
Alstran Corp.

PO BOX532, Station A
Calgary, Alberta,
T2H 1X6

ryan.bailey@alstran.com
ph: 403.477.3971



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0034 472 902 1013400;1;6 101 270 601

LEGAL DESCRIPTION
PLAN 1013400
BLOCK 1
LOT 6
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 8.5 HECTARES (21 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;21;7;NE

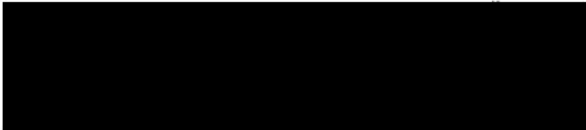
MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 101 125 412
 101 125 411

REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
101 270 601	10/09/2010	SUBDIVISION PLAN		

OWNERS

JUDY I FRIESEN



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
4076FF	27/04/1943	CAVEAT CAVEATOR - CONOCOPHILLIPS CANADA RESOURCES CORP. BOX 130 STN M CALGARY ALBERTA T2P2H7 AGENT - SUSAN WILSON (DATA UPDATED BY: TRANSFER OF CAVEAT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

101 270 601

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

001176991)
(DATA UPDATED BY: CHANGE OF NAME 021078248)
(DATA UPDATED BY: CHANGE OF NAME 081382780)

4266GV . 09/03/1955 CAVEAT
CAVEATOR - ATCO GAS AND PIPELINES LTD.
ATT: LAND DEPT
6TH FLR, 909 11TH AVE SW
CALGARY
ALBERTA T2R1L8
(DATA UPDATED BY: TRANSFER OF CAVEAT
131080239)

2073IF . 08/06/1961 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN NATURAL RESOURCES LIMITED.
BOX 6926, STATION "D"
CALGARY
ALBERTA T2P2G1
AS TO PORTION OR PLAN:801JK
"DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY
871127370"
(DATA UPDATED BY: CHANGE OF NAME 041086705)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 141118459)

4216JI . 26/10/1965 CAVEAT
CAVEATOR - CONOCOPHILLIPS CANADA RESOURCES CORP.
BOX 130
STN M
CALGARY
ALBERTA T2P2H7
"DATA UPDATED BY: TRANSFER OF CAVEAT 861004529 &
871070701"
(DATA UPDATED BY: TRANSFER OF CAVEAT
011141638)
(DATA UPDATED BY: CHANGE OF NAME 021078256)
(DATA UPDATED BY: CHANGE OF NAME 081382773)

831 130 272 18/07/1983 CAVEAT
RE : RESTRICTIVE COVENANT

841 110 587 27/06/1984 CAVEAT
RE : PIPELINE AGREEMENT
CAVEATOR - CANADIAN NATURAL RESOURCES LIMITED.
BPX 6926
STATION "D"
CALGARY
ALBERTA T2P2G1
"DATA UPDATED BY: TRANSFER OF CAVEAT 871134659"

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

101 270 601

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

(DATA UPDATED BY: CHANGE OF NAME 041087996)
(DATA UPDATED BY: TRANSFER OF CAVEAT
141099369)

901 284 329 15/11/1990 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

051 157 486 09/05/2005 MORTGAGE
MORTGAGEE - ALBERTA TREASURY BRANCHES.
122 CENTRE AVE W
BOX 147
BLACK DIAMOND
ALBERTA T0LOH0
ORIGINAL PRINCIPAL AMOUNT: \$400,000

061 238 081 15/06/2006 AMENDING AGREEMENT
AMOUNT: \$455,000
AFFECTS INSTRUMENT: 051157486

061 283 333 14/07/2006 CAVEAT
RE : ACQUISITION OF LAND
CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.
BOX 5605
HIGH RIVER
ALBERTA T1V1M7

061 283 335 14/07/2006 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.
BOX 5605
HIGH RIVER
ALBERTA T1V1M7

101 270 602 10/09/2010 CAVEAT
RE : EASEMENT

TOTAL INSTRUMENTS: 012

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 7 DAY OF JULY,
2023 AT 08:36 A.M.

ORDER NUMBER: 47724880

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) .

Melanie Michaud

From: FC_Planning
Sent: July 7, 2023 8:42 AM
To: kristi@twppanning.com; [REDACTED]
Cc: Brittany Hornsby
Subject: Notice of Complete Application - Development Permit 23D 135

Good morning,

Re: Notice of Complete Application – Development Permit 23D 135
Ptn: NE 07-21-03 W5M; Plan 1013400, Block 1, Lot 6
Move-on Secondary Suite, Accessory

Section 683.1 of the Municipal Government Act requires the Development Authority, within 20 days after the receipt of an application for a development permit, to determine whether the application is complete or incomplete. This letter is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **complete** as of July 4, 2023.

Please note, this is not an approval of your permit, but indicates that your application has been accepted by the County and will now proceed to the next stages of the development permit process.

Notwithstanding the above, in the course of processing your application, we may request additional information or documentation from you that is considered necessary to review your application.

If you have any questions or concerns regarding the information in this letter, please contact **Brittany Hornsby** at brittany.hornsby@foothillscountyab.ca.

Regards,

Foothills County
Planning & Development

FC_Planning@foothillscountyab.ca

Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7

P. (403) 652-2341 | F. (403) 652-7880



W. www.foothillscountyab.ca

I, _____ being the registered
Owner(s) or agent acting on behalf of the registered owner(s)
of _____
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, Foothills County, and the AER by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a map of the search area from the viewer and a statement identifying that no abandoned well sites were noted on the above legal description.

Owner/Agent

DATED: this _____ day of _____, 20_____.

OR

If wells are listed on-site:

I, Krist Beunder RPP, MCIP - Township Planning + Design Inc. being the registered
Owner(s) or agents acting on behalf of the registered owner(s)
of Plan 1013400, Block 1, Lot 6, NE 7-21-3 W5M
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, Foothills County, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

Owner/Agent

DATED: this 23 day of May, 2023.

***This form shall accompany all applications for Land use,
Subdivisions, Development Permits and Building Permits.***



Abandoned Well Map

Base Data provided by: Government of Alberta

Author Township Planning +
Design

Printing Date: 5/15/2023

Date Date (if applicable)

Legend

- ✖ Abandoned Well (Large Scale)
- Revised Well Location (Large Scale)
- Revised Location Pointer
- Paved Road (20K)
 - Primary Divided
 - Primary Undivided 4L
 - Primary Undivided 2L
 - Primary Undivided 1L
 - Interchange Ramp
 - Secondary Divided
 - Secondary Undivided 4L

The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: <http://www.aer.ca/copyright-disclaimer>.

Scale: 4,513.99

0 0.5 1 kilometers

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere



Licence Number	Licensee Name	Status	Latitude	Longitude	Fluid	Licence Surface Location Label	Licensee Id	Address 1	Address 2	City	Province	Postal Code	Phone Number
B0000290	Canadian Natural Resources Limited	RecCertified	50.773782	-114.397112	WATER	16-07-021-03W5	0HE9						

Brittany Hornsby

From: Brittany Hornsby
Sent: August 15, 2023 8:56 AM
To: steve.kullman@cnrl.com
Subject: FW: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023
Attachments: 23D 135-Friesen.pdf

Good Morning Steve,

I just wanted to follow up with the below noted circulation package. We previously talked on the phone and I just wanted to confirm if CNRL had any comments with respect to the abandoned oil and gas well on this property.

Thank you,

Brittany Hornsby,
Planning & Development Officer
P. (403) 603 6242

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, July 12, 2023 3:21 PM
To: Kurtis Dyck <Kurtis.Dyck@FoothillscountyAB.ca>; Robert Miller <Robert.Miller@FoothillscountyAB.ca>; HP.Circulations@atco.com; southlandadmin@atcogas.com; paul.v.mandry@cop.com; steve.kullman@cnrl.com
Cc: Brittany Hornsby <Brittany.Hornsby@FoothillscountyAB.ca>
Subject: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

Good afternoon,

Find attached our circulation for development permit 23D 135. Please review and respond **prior to August 14, 2023.**

Should you have any questions or comments, please direct them to **Brittany Hornsby** at brittany.hornsby@foothillscountyab.ca.

Regards,

**Foothills County
Planning & Development**

FC_Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | F. (403) 652-7880



W. www.foothillscountyab.ca

Brittany Hornsby

From: FC_Planning
Sent: August 14, 2023 8:33 AM
To: Brittany Hornsby
Subject: FW: Circulation for Development Permit 23D 135 - NE 7-21-3-W5M
Attachments: 23D 135-Friesen.pdf

From: Hargrave, David <David.R.Hargrave@conocophillips.com>
Sent: Friday, August 11, 2023 4:45 PM
To: FC_Planning <Planning@Foothillscountyab.ca>
Subject: FW: Circulation for Development Permit 23D 135 - NE 7-21-3-W5M

You don't often get email from david.r.hargrave@conocophillips.com. [Learn why this is important](#)

Thank you for sending this notice.

Please be advised that ConocoPhillips has no objection to the proposed development.

Thank you for your continuing cooperation,

David Hargrave
Surface Land Analyst
ConocoPhillips Canada
Phone (403)260-1694 ***Please note new office phone number, effective June 19, 2018***.

From: Mandry, Paul V <Paul.V.Mandry@conocophillips.com>
Sent: Tuesday, July 18, 2023 8:57 AM
To: Hargrave, David <David.R.Hargrave@conocophillips.com>
Subject: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

Hello David,

Paul

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, July 12, 2023 3:21 PM
To: Kurtis Dyck <Kurtis.Dyck@FoothillsCountyAB.ca>; Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; HP.Circulations@atco.com; southlandadmin@atcogas.com; Mandry, Paul V <Paul.V.Mandry@conocophillips.com>; steve.kullman@cnrl.com
Cc: Brittany Hornsby <Brittany.Hornsby@FoothillsCountyAB.ca>
Subject: [EXTERNAL]Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Find attached our circulation for development permit 23D 135. Please review and respond **prior to August 14, 2023.**

Should you have any questions or comments, please direct them to **Brittany Hornsby** at brittany.hornsby@foothillscountyab.ca.

Regards,

**Foothills County
Planning & Development**

FC_Planning@foothillscountyab.ca

Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7

P. (403) 652-2341 | **F.** (403) 652-7880



W. www.foothillscountyab.ca

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.

Brittany Hornsby

From: Robert Miller
Sent: August 15, 2023 7:00 AM
To: Brittany Hornsby
Subject: FW: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023
Attachments: 23D 135-Friesen.pdf

Brittany,

No concerns. Let me know if it gets approved.

Thanks,

Rob

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, July 12, 2023 3:21 PM
To: Kurtis Dyck <Kurtis.Dyck@FoothillsCountyAB.ca>; Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; HP.Circulations@atco.com; southlandadmin@atcogas.com; paul.v.mandry@cop.com; steve.kullman@cnrl.com
Cc: Brittany Hornsby <Brittany.Hornsby@FoothillsCountyAB.ca>
Subject: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

Good afternoon,

Find attached our circulation for development permit 23D 135. Please review and respond **prior to August 14, 2023.**

Should you have any questions or comments, please direct them to **Brittany Hornsby** at brittany.hornsby@foothillscountyab.ca.

Regards,

**Foothills County
Planning & Development**

FC_Planning@foothillscountyab.ca
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PLANNING & DEVELOPMENT CIRCULATION
PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE

FILE NUMBER: 23D 135	LANDOWNER: Judy Friesen
FILE MANAGER: Brittany Hornsby	APPLICANT: Township Planning + Design
CURRENT LAND USE: Agricultural	PROPOSED LAND USE: N/A
LEGAL DESCRIPTION:	
Plan: 1013400 Block 1 Lot 6 Unit:	NE 07-21-03 W5M
MUNICIPAL ADDRESS: [REDACTED]	
DATE REFERRED: July 12, 2023	
PROPOSAL: Moved on Secondary Suite, Accessory	

PLANNING STAFF NOTES:

PROPOSAL INFORMATION:
DEVELOPMENT PERMIT

- o Internal Road Proposed: No
- o Construction on Road Allowance Proposed: No
- o Approaches exist: 272nd Street W
- o Servicing Comments or Review required: No

ROAD WIDENING:
N/A

OTHER COMMENTS:
Thank you!

PUBLIC WORKS RECOMMENDATIONS:

SUGGESTED CONDITIONS FOR CONSIDERATION:

- | | | | |
|---|--------------------------------------|--------------------------------------|--------------------------------------|
| o Geotechnical Report for Slope Stability | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o High Water Table Testing for Foundation Design: | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Stormwater Management Plan | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Comprehensive Site Drainage Plan | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Lot Grading Plan | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Flood Plain Report (1 in 100 years) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Overland Drainage Easement | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Building Envelopes | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Traffic Impact Assessment (TIA) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Other: _____ | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o Road Use Agreement / Contribution: \$ _____ | | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| ▪ Road Name(s): _____ | | | |
| ▪ Number of Kilometers: _____ | | | |
| ▪ Location (ATS): _____ | | | |
| o Environmental Site Assessment (Phase1 / Phase2) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| o <input type="checkbox"/> Proposed | | | |
| o <input type="checkbox"/> Balance | | | |
| o <input type="checkbox"/> Other: _____ | | | |

ADDITIONAL ROAD WIDENING REQUIRED:

☐ No ☐ Caveat ☐ Survey Out
Amount _____m Location of Widening Required: ☐ N ☐ E ☐ S ☐ W
Other: _____

☐ No ☐ Caveat ☐ Survey Out
Amount _____m Location of Widening Required: ☐ N ☐ E ☐ S ☐ W
Other: _____

RECOMMENDATIONS ON APPROACH REQUIREMENTS: ☐ Upgrading Required
Number of Approaches Requiring Upgrades: _____

Other Recommendations: _____

RECOMMENDATIONS REGARDING INFRASTRUCTURE: _____

ROAD REQUIREMENTS / LIMITATIONS:

- Road Ban Requirement?
☐ Yes ☐ No.
If yes, which restrictions apply: _____

- Bridge Crossing Required
☐ Yes ☐ No
- Load Restricted Bridge
☐ Yes ☐ No
If yes, which restrictions apply: _____

ADDITIONAL COMMENTS OR REQUIREMENTS: _____
due to the small size of the proposed building on the 21 acres PW has no comment or concerns.

PUBLIC WORKS SUPPORTING DOCUMENTS (PLEASE ATTACH TO THIS REFERRAL IF ANY):

☐ Yes* ☐ No

*If Yes – Number of Pages: _____

Date Reviewed: July 20, 2023

Reviewer: Wiaan Kruger

Signature: W Kruger

Brittany Hornsby

From: Minyukova, Veronika <veronika.minyukova@atco.com>
Sent: July 13, 2023 7:39 AM
To: Brittany Hornsby
Subject: RE: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

Good Morning,

ATCO Gas has no objections to the proposed Development Permit.

Thanks!

Veronika Minyukova

Summer Student
ATCO Gas | Land

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, July 12, 2023 3:21 PM
To: Kurtis Dyck <Kurtis.Dyck@FoothillscountyAB.ca>; Robert Miller <Robert.Miller@FoothillscountyAB.ca>; Circulations, HP <HP.Circulations@atco.com>; South Land Administration <SouthLandAdministration@atco.cul.ca>; paul.v.mandry@cop.com; steve.kullman@cnrl.com
Cc: Brittany Hornsby <Brittany.Hornsby@FoothillscountyAB.ca>
Subject: Circulation for Development Permit 23D 135 - Please Respond by August 14, 2023

****Caution – This email is from an external source. If you are concerned about this message, please report using Phish Alert Button in your Outlook for analysis.****

Good afternoon,

Find attached our circulation for development permit 23D 135. Please review and respond **prior to August 14, 2023.**

Should you have any questions or comments, please direct them to **Brittany Hornsby** at brittany.hornsby@foothillscountyab.ca.

Regards,

**Foothills County
Planning & Development**

FC_Planning@foothillscountyab.ca
Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7
P. (403) 652-2341 | F. (403) 652-7880



W. www.foothillscountyab.ca

Development Permit 23D 135 – Moved-On Secondary Suite, Accessory

Should the board wish to approve the application as proposed by the applicant, the following option has been provided for consideration:

APPROVAL DESCRIPTION:

Upon completion of the below noted pre-release condition, this approval allows for a +/- 887.3 sq.ft. Cabin to be moved onto the subject property and located beside a newly constructed +/- 315 sq.ft. Garage, in order to serve as a Secondary Suite, Accessory.

PRE-RELEASE CONDITION:

*Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **February 19, 2024**, will see this approval be deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).*

1. The applicant is to submit a refundable security deposit in the amount of \$5000 in order to ensure compliance with the conditions of this permit; specifically, to ensue construction of the foundation and all other work required to complete the exterior of the dwelling to a high standard of appearance. This security will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and plans have been satisfied, and that the development meets the conditions of this approval.

CONDITIONS OF APPROVAL:

The following requirements must be completed within twenty-four (24) months from the date the Development Permit is signed and issued. Failure to complete the conditions of approval will see the Development Permit be deemed null and void unless a time extension is approved under agreement between the Development Authority for Foothills County and the Applicant(s).

1. The applicant shall maintain the development in accordance with all conditions of the Subdivision and Development Appeal Board Order **D###/2023** and plans that have been acknowledged by the Subdivision and Development Appeal Board to be appropriate. Any revisions and/or additions to use of this land shall not proceed except under benefit of appropriate approvals and permits;
2. The applicant shall obtain all necessary building, plumbing, gas, septic, and electrical permits and inspections from Foothills County, to the discretion of the Safety Codes Officer. Acknowledgement from the Safety Codes Officer that the Secondary Suite, Accessory is suitable for it's proposed use and occupancy must be obtained prior to occupancy;
3. Prior to moving the Dwelling Unit, a transport permit shall be obtained from *RoaData Service Ltd.* If alternations to the existing approach to the property must be made to accommodate the move of the building, the County's Public Works department must first be consulted;
4. All structural and exterior renovations are to be completed within one year of the issuance of the Development Permit, failing which, the deposit for compliance will be forfeited in order to see completion of the required renovations and/or removal of the Dwelling, Moved On from the property;
5. It is the applicant's responsibility to obtain and properly post an independent County address for the Secondary Suite, Accessory. Please contact the County's GIS Department to be assigned new address(es) and obtain information regarding address signage;
6. Prior to the County acknowledging completion of the development and refunding the deposit for compliance, the following shall be illustrated :
 - a. All exterior surfaces of the dwelling must be finish; with consistent and aesthetically pleasing materials, and no exterior surface may remain unfinished or uncovered;
 - b. The County's Safety Codes Officer shall acknowledge completion of all required permits and inspection and shall verify the Secondary Suite, Accessory – Moved On and associated Accessory Building to be suitable for the proposed use(s) and occupancy(ies). Any requirements or recommendations from the Engineer with respect to required remedial measures shall be met prior to occupancy.
7. Failure to locate the Dwelling, Moved On onto a permanent foundation within 60 days of its arrival onto the lot shall see this approval deemed null and void;
8. It is the applicant's responsibility to provide written notification to the Development Authority upon completion of the development, as approved herein;
9. The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by Foothills County with respect to the implementation of this permit;

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. Development on the property shall comply with requirements of the Alberta Building, Safety, and Fire Codes at all times;
2. Any new installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
3. Average height of the accessory building, from grade to peak, shall not exceed 10.67 metres, which is the maximum height permitted within the Country Residential Land Use District;
4. A minimum of two parking spaces located entirely within the boundaries of the legally title parcel shall be available for use by the occupant(s) of the Secondary Suite, Accessory at all times;
5. It is the landowner's responsibility to ensure that water servicing and sanitary sewer servicing are adequately provide, maintained, and operated, in compliance with all pertinent regulatory requirements, for the life of the development;
6. The landowners are responsible to comply with the requirements of Alberta Health Services, including but not limited to the regulatory requirements under the Alberta Health Act, Housing Regulation 173/99 and the Minimum Housing and Health Standards (MHHS);
7. All structures on this parcel are to be used for personal use only and shall not be used in association with any business, or for the purpose of storing business related materials. The Secondary Suite, Accessory shall not be operated as a tourist home/short-term vacation rental unit, nor shall be used for any business related purposes; including Home Based Business or Bed and Breakfast without first obtaining all necessary approvals from the Foothills County.
8. 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;
9. No topsoil shall be removed from the subject property and natural drainage of the property must be maintained. Alterations to natural drainage may proceed only under the authorization of an issued development Permit for Lot Grading;
10. 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;
11. 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;
12. 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;

NOTES:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.
2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of all Pre-Release Conditions (if any). Development can not proceed until this permit has been signed and issued.
3. The Development Permit, once signed and issued, shall thereafter be null and void if the development or use is abandoned for a period of six months.
4. The conditions of this Development Permit Decision must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Subdivision and Development Appeal Board Order **D##/2023**.

DWELLING, FOURPLEX means a separate building which consists of two attached duplex dwellings, or a building containing only two stories exclusive of basement, divided vertically into four dwelling units with either one or two complete walls in common with adjoining units or an independent entrance, either directly or through a vestibule. See *Figure 10.10 A for an illustration on Dwelling types and Section 10.10 for more information on dwelling provisions.*

DWELLING, MANUFACTURED HOME means a dwelling unit with a minimum width of 6.1m (20ft.), built in whole or in part in a certified plant or site, in accordance with the CSA standards and/or applicable Building Code, for transportation to a building site. A Dwelling Manufactured Home must be constructed after September 2, 2007. A Modular Home and Double Wide Mobile Home are included under this definition.

DWELLING, MOBILE HOME means a prefabricated or factory-constructed, transportable Dwelling Unit which is equal to or less than 6.1m (20 ft.) in width, designed and built to CAN/CSA Standard, to be moved, from one point to another as a single unit, and which is, upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as placement on a foundation and connection to utilities. A Dwelling Mobile Home must be constructed after September 2, 2007. A Dwelling, Mobile Home does not include a recreational vehicle or park model.

DWELLING, MOVED ON means a Dwelling, Single Family or Dwelling Manufactured Home that has previously been lived in or used as a residence, which has now been relocated to a new parcel for the purpose of a Dwelling Unit. Dwelling, Mobile Homes that have been renovated, added to or altered in any way from their original CSA Standard, now being relocated to a new parcel for the purpose if a Dwelling Unit shall be considered under the Dwelling, Moved on provisions.

DWELLING, SECONDARY SUITE means a subordinate Dwelling Unit located on a parcel in addition to the principal Dwelling Unit, which constitutes a self-contained living accommodation unit comprised of kitchen facilities, sleeping amenities, and washroom facilities consisting of a full bathroom including tub and/or shower fixture and has a separate entrance or includes a door which can be physically closed or locked off from the remainder of the principal dwelling. A Dwelling, Secondary Suite may include a Secondary Suite, Principal or a Secondary Suite, Accessory, but does not include a Tourist Home.

DWELLING, SEMI-DETACHED means a building containing two dwelling units sharing a common wall extending from the first floor to the roof and located side by side with each dwelling unit having at least one separate entrance. See *Figure 10.10 A for an illustration on Dwelling types and Section 10.10 for more information on dwelling provisions.*

DWELLING, SINGLE FAMILY means a single building which contains one Dwelling Unit in accordance with the applicable Building Code and Section 10.10 of this Bylaw. A Dwelling, Single Family may contain a Secondary Suite in accordance with Section 10.26 and still be considered a Dwelling, single family.

DWELLING, TEMPORARY means a Dwelling, Manufactured Home; Dwelling, Mobile Home or Dwelling Single Family for the purpose of use as a dwelling which has not been situated on a permanent foundation, located on a parcel on a temporary basis in accordance with Section 10.10. This does not include the temporary storage of an unoccupied structure without appropriate utilities or Recreational Vehicles.

DWELLING, TOWNHOUSE means a building divided vertically into three or more separate dwelling units, each of which has an independent entrance either directly or through a common vestibule. See *Figure 10.10 A for an illustration on Dwelling types and Section 10.10 for more information on dwelling provisions.*

DWELLING UNIT means a building or a portion of a building providing sleeping and washroom facilities, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household. A dwelling or dwelling unit does not include more than one room which, due to its design, plumbing, equipment, and furnishings, may be used as a kitchen.

SATELLITE ANTENNA means a three axis, parabolic, tracking antenna and attendant processing equipment for reception and transmission of electromagnetic radio signals from and to orbiting satellites.

SATELLITE DISH means an accessory use or structure where a parabolic “dish” shaped structure is used for the transmission and reception of high frequency electromagnetic waves that are transmitted from an orbiting satellite. *More information can be found in Section 10.21 of this bylaw.*

SCALE HOUSE means an office, located a short distance from the main entrance, where all incoming vehicles must stop to be weighed or measured and receive a disposal ticket.

SCREENING means a fence, earth berm, hedge or trees used to visually and/or physically separate areas or functions. *Refer to Section 9.14 Landscaping, Fencing and Screening and Appendix G Screening Standards for more information.*

SEA-CAN (sea-can, intermodal shipping container, cargo container, steel container, and railway car) means an intermodal shipping container off a chassis that was originally used for the shipping of goods, which is now used as an accessory building. A chassis may be defined as a wheeled structure which the Sea-can may be affixed to for the purposes of vehicular transportation. *Additional information on how Sea-cans relate to accessory building regulations can be found in Section 9.2 of this bylaw. Information on signage on Sea-cans can be found in Section 9.24 of this bylaw.*

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.

SECONDARY SUITE, PRINCIPAL means a dwelling, Secondary Suite, located within the principal dwelling unit or above a garage attached to the principal dwelling in accordance with Section 10.26 of this bylaw.

SERVICE STATION means the servicing and minor repairing of vehicles, including the sale of fuel, lubricating oils, and minor accessories. This use may also include a truck stop.

SETBACK means the distance which a building or other structure is to be removed from a property line, a street or road, a river or stream, a shore or flood plain, or any a place which needs protection.

SEWAGE LAGOON means an artificial pool constructed for storage and treatment of sewage. More information on regulations related to man-made water features can be found in Section 9.18 of this Bylaw.

SHOW HOME means the use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder’s construction quality, design options or methods;

SIGN means any device or structure used for the display of advertisements, pictures and/or messages and without, in any way, restricting the generality of the foregoing, includes posters, notices, panels and boarding. *More information and specific definitions for signage can be found in Section 9.24 of this bylaw.*

SITE PLAN means a plan showing the boundaries of a lot, the location and use of all existing and proposed buildings upon that lot, the use or intended use of the portions of the lot on which no buildings are situated, the fenced, screened and grassed areas, and the location and species of all existing and proposed shrubs and trees within a development.

SITE-SPECIFIC USE BYLAW means a bylaw which amends this Bylaw to make provision for a site-specific permitted or discretionary use to be carried out on a specified lot subject to any limitations contained in the bylaw.

SOLAR POWER SYSTEM, PRIVATE means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy for a single landowner, resident, business, or occupant of a site, for personal, domestic, business use, and/or agriculture uses on-site. Annual electricity produced for the site is generally expected to be equal to consumption. *More information can be found in Section 10.22.*

Bylaw, with the exception of side yard setbacks within Residential Community District lands.

- 5.6.3 The Development Authority may allow with respect to existing development on Residential Community District zoned property, a variance of a side yard setback to a maximum of 25% of the setback required by this Bylaw.
- 5.6.4 The Development Authority may allow with respect to a proposed development, a variance of any yard setback to a maximum of 25% of the setback required by this Bylaw.
- 5.6.5 The variance power given to the Development Authority under Section 5.6.4 of this Bylaw shall not be exercised with respect to a proposed development unless the landowner can demonstrate that the proposed location is the most appropriate site for the proposed development".
- 5.6.6 The development authority may allow a variance of building height to a maximum of 50% required under this bylaw, with respect to development within the Industrial Districts, Commercial Districts and the Service District.
 - a. The variance power given to the Development Authority with respect to building height within the Industrial, Commercial and the Service Districts, shall not be exercised unless it has been determined that such a request for variance is integral to the design or operations of the development.
- 5.6.7 A Development Officer may issue a Letter of Compliance where a minor non-compliance exists no greater than 5% in Residential Community District and for Country Estate District parcels 0.80 acres or smaller or 2.5% in all other land use districts, subject to the provisions of section 5.6 "Variances".
- 5.6.8 Compliance may be granted for structures which are no larger than 1.5 sq. m. (16 sq. ft.) in size and do not exceed 2m (6.5 ft.) in height that are fully contained within the boundaries of the property, which do not meet municipal setbacks.
- 5.6.9 Within two years from the date the Secondary Suite provisions were adopted under Bylaw 8/2019 (April 17, 2019), the following variances may be considered on previously existing suites:
 - a. The Development Authority may issue a Development Permit for an oversized Secondary Suite if:
 - i. The Secondary Suite existed prior to the date of the adoption of these regulations; and
 - ii. The Secondary Suite is no more than 25% greater than the size permitted under Section 10.26 Secondary Suites; and
 - iii. A Development Permit has been granted approval within two years of the date which Bylaw 8/2019 received third reading on April 17, 2019;
 - b. The Development Authority may issue a Development Permit for reduced building setbacks for a Secondary Suite that existed prior to the date of the adoption of these regulations, where it does not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.
- 5.6.10 The Development Authority may allow a 10% variance to the maximum size requirements of a new Secondary Suite, where the Development Authority is of the opinion it will not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.

10.26 SECONDARY SUITES

- 10.26.1 A Secondary Suite may be located within a principal Dwelling Unit or above a garage attached to the principal dwelling, or within an accessory building or detached garage on the same parcel, as per the definitions in Section 2.5 in accordance with all provisions under this section;
- 10.26.2 Secondary Suite shall be subordinate to a principal dwelling and shall only be located on a parcel where Secondary Suite, Principal or Secondary Suite, Accessory is listed as a permitted or discretionary use under the appropriate land use district;
- 10.26.3 Where a Secondary Suites is a permitted use under the applicable land use district but does not meet all other provisions under this bylaw, it shall be considered a Discretionary use;
- 10.26.4 A Development Permit shall be obtained for all Secondary Suites in the County;
- 10.26.5 All Secondary Suites shall have an approved Building Permit and shall comply with all applicable Building and Safety Code Requirements;
- 10.26.6 All Secondary Suites shall comply with the Land Use and Development Requirements such as height requirements, setback regulations, dwelling density, and lot coverage, for the applicable land use district;
- 10.26.7 A Secondary Suite shall not be operated as a Tourist Home or as a short term vacation rental unit or include a Home Based Business Minor or Major, or Bed and Breakfast;
- 10.26.8 A parcel shall be limited to one Secondary Suite;
- 10.26.9 Occupancy shall be restricted to a maximum of two bedrooms per suite;
- 10.26.10 Secondary Suites shall meet the following size requirements:

- a. Secondary Suite, principal:

- i. Minimum habitable area: 37 sq. m. (400 sq. ft.)
- ii. Maximum size: no larger than 40% of the habitable area of the principal dwelling to a maximum of 83.6 sq. m. (900 sq. ft.) in size

For the purpose of determining Secondary Suite size, the habitable area is the sum of the floor areas of all livable space contained within the exterior walls of the structure including the basement. This does not include the garage area, or basement areas used exclusively for storage, or areas devoted exclusively to mechanical or electrical equipment servicing the building.

- b. Secondary Suite, accessory:

- i. Minimum Habitable area: 37 sq. m. (400 sq. ft.)
- ii. 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.)

The Gross Floor Area is the total floor area of each floor of a building measured to the outside surface of the exterior walls, including covered patio or deck areas, or where buildings are separated by fire walls, to the centerline of the common fire wall and does not include basements or uncovered decks.

- 10.26.11 Existing unpermitted Secondary Suites may be allowed some variances, within two years from the date these provisions were passed April 17, 2019 under Bylaw 8/2019, in accordance with Section 5.6 of this bylaw.
- 10.26.12 Secondary Suite, accessory shall be considered as part of the total allowable number of accessory buildings and total accumulated area of accessory buildings in accordance with parcel size as identified in Table 4.2.1.7A of the Land Use Bylaw;
- 10.26.13 All Secondary Suites shall provide proof of adequate water servicing and sanitary sewer servicing to the satisfaction of the Development Authority;
- 10.26.14 Each Secondary Suite shall provide a minimum of one on-site parking space per bedroom in accordance with Section 9.19 of this bylaw;
- 10.26.15 All Secondary Suites shall have their own distinct County address to facilitate accurate emergency response;
- 10.26.16 All restrictive covenants existing on title shall be submitted with applications for Secondary Suites. Should a restrictive covenant be contrary to allowing for a Secondary Suite, the application shall be considered a Discretionary Use under the land use district in which the Development Authority may refuse the Development Permit application;
- 10.26.17 A Secondary Suite shall not be a mobile home;

Permit Considerations

- 10.26.18 In considering a Development Permit application for Secondary Suites, the Development Authority may consider factors such as:
 - a. Any significant adverse impacts on the adjacent properties and dwellings (for example: drainage, fire protection, access, etc.);
 - b. Adequate water and wastewater services for the additional use on the site;
 - c. The architectural character of the Secondary Suite, including:
 - i. In the case of a Secondary Suite, principal, the use of design strategies that minimize structural changes to the exterior of the principal dwelling, so that it maintains the appearance of a single dwelling; and
 - ii. The availability of an indoor storage area located on the property for use of the residents of the Secondary Suite to minimize visual impact to neighboring properties;
 - d. Site design features, including:
 - i. The need for landscaping or screening to provide privacy between the Secondary Suite and adjacent properties and dwellings;
 - ii. The need for adequate space to accommodate parking and loading for use by residents of the Secondary Suite;
 - e. Such other considerations as the Development Authority may deem to be relevant.

All Secondary Suites, with a valid Development Permit will be recorded on the Secondary Suite Registry for public information;

SECTION 13 RESIDENTIAL DISTRICTS

13.1 COUNTRY RESIDENTIAL DISTRICT

CR

13.1.1 PURPOSE AND INTENT

To provide for acreage development consistent with the policies outlined in the Municipal Development Plan.

13.1.2 SUB-DISTRICT

13.1.2.1 Parcels may include the following sub-district in cases where Council feels that there is a need. Not all parcels will be separated into sub-districts. Should a parcel include the sub-district, all district rules apply with the addition of the special provisions noted in accordance with the sub-district.

13.1.2.2 Sub-district "A" is a designation added to the land use district indicating a requirement for special consideration on the development of the site and/or placement and construction of buildings or structures on the lands through approval of a development permit. Reference Section 2.4 of this Bylaw for more details on special provisions for parcels with sub-district "A".

13.1.3 GENERAL REQUIREMENTS:

13.1.3.1 Refer to Section 4.2 "No Development Permit Required" in the Land Use Bylaw for uses not requiring a development permit.

13.1.3.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

13.1.4 PERMITTED USES	13.1.5 DISCRETIONARY USES
Accessory buildings not requiring a development permit Accessory uses Agricultural (general) Dwelling, single family Home Based Business Type I Home office Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of no more than 1 unoccupied recreation vehicles (within Hamlet boundary) Temporary storage of up to 5 unoccupied recreation vehicles (outside a Hamlet boundary) Public works Utility services, minor	Accessory buildings requiring a development permit Agricultural intensive – on lots 3 acres or more in size Agricultural specialty Antenna structures, private Arenas, private Bed & breakfast Day home services Dwelling, moved on Dwelling, temporary Home based business Type II Home based business Type III Intensive vegetation operation Kennels, private Lot grading Manmade water bodies, private Secondary Suites, Accessory (Outside Hamlet Boundaries)

13.1.4 PERMITTED USES	13.1.5 DISCRETIONARY USES
	Secondary Suite, Principal (Outside Hamlet Boundaries) Signs requiring a Development Permit Solar Power System, Private (Requiring a Development Permit) Temporary storage of no more than 2 unoccupied recreation vehicles (within Hamlet boundary)

13.1.6 LAND USE REQUIREMENTS

- 13.1.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 13.1.6.2 In order to facilitate the purpose and intent of this district and ensure the comprehensive development of country residential uses within the District, the following applies to applications for subdivision:
- a. Parcel Density:
 - i. Maximum one lot per 2.02 ha (5 acres) of existing land contained under the same title to a maximum of 32 lots per quarter section.
 - b. Minimum Parcel Size:
 - i. The area in title at the time of passage of this Bylaw; or
 - ii. A parcel of land no less than 0.81 ha (2.0 acres).
 - c. Maximum Parcel size:
 - i. 8.49 ha (20.99 ac); or
 - ii. The area in title at the time of passage of this Bylaw.
- 13.1.6.3 Required Developable Area:
- a. In accordance with Section 9.8 of this Bylaw.
- 13.1.6.4 Utility Servicing Criteria
- a. Individual wells and individual wastewater disposal systems;
 - b. Communal water and communal wastewater disposal systems; or
 - c. A combination of a. and b. as determined by Bylaw amending this section.

13.1.7 DEVELOPMENT REQUIREMENTS

- 13.1.7.1 Maximum Lot Coverage
- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than forty (40) percent of the lot area.
- 13.1.7.2 Maximum Dwelling Unit Density
- a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.

13.1.7.3 Minimum Yard Setbacks Requirements

a. Front Yard Setbacks:

- i. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
- ii. 48m (157.48 ft) from the centreline of a Municipal road;
- iii. 15m (49.21 ft.) from the right of way of an internal subdivision road.

b. Side Yard Setbacks:

- i. 15m (49.21 ft.) from the property line.

c. Rear Yard Setbacks:

- i. 15m (49.21 ft.) from the property line.

d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.

e. See Section 13.1.8 "Exceptions" for any setbacks exemptions that have been approved by Bylaw.

13.1.7.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

13.1.7.5 Other Minimum Setback Requirements:

- a. See Section 9.27 "Special Setback Requirements" of this bylaw for additional setback requirements that may apply.

13.1.7.6 Maximum Height of Structures:

a. Principal buildings, first vehicle garage, and car ports:

- i. 12m (39.37 ft.)

b. Accessory buildings and arenas:

- i. 10.67m (35 ft)

c. Radio antennas, internet towers and wind turbines:

- i. 16m (52.49 ft.);

13.1.7.7 Minimum habitable area per dwelling

- a. 100 m² (1,077 sq. ft.)

13.1.8 EXCEPTIONS:

Silvertip:

13.1.8.1 Front yard setback: 5m (16.4 ft) from Internal Subdivision Road – Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;

13.1.8.2 Front yard setback: 15m (49.21 ft) from property line adjacent to any Municipal Road; for those properties registered under Condominium Plan 0010395 (Silvertip);

- 13.1.8.3 Side yard setback: 1.5m (4.92 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;
- 13.1.8.4 Rear yard setback: Principal Building - 8m (26.25 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;
- 13.1.8.5 Rear yard setback: Accessory Building - 1m (3.28 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres.

Sirroco:

- 13.1.8.6 For the following properties within the Sirroco Area Structure Plan: Plan 1311328, Block 1, Lot 6-9, Plan 1311328, Block 2, Lot 1, and Plan 1311328, Block 3, Lot 1:
- Front yard setback: 5m (16.4 ft.) from the property line;
 - Side yard setback: 1.5m (4.92 ft.) from the property line;
 - Rear yard setback: 8m (26.25 ft.) from the property line for the principle building and 1m (3.28 ft.) from the property line for any accessory building;

Mazzeppa:

- 13.1.8.7 For the following properties in Mazeppa:

Plan 7893FT, Block A, S $\frac{1}{2}$ and N $\frac{1}{2}$ (1.38 acres)

Front yard setback:

- 4m (13.12 ft) from the right of way of the municipal road on the west side;
- 15m to the right of way of a municipal road on south side;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback:

- 8m (26.25ft.) from the property line for the principal building;
- 1m (3.28 ft.) from the property line for any accessory building.

Plan 4098EL, Block 1, Lot 2 and Lot 3 & Plan 4098EL Lot 1, (0.35 acres)

Front yard setback: 4m (13.12 ft) from the property line;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback:

- 8m (26.25ft.) from the property line for the principal building;
- 1m (3.28 ft.) from the property line for any accessory building.

Plan 9610255, Lot 4 all within NW 30-19-27-W4 (2.57 acres – 34m strip):

Front yard setback: 15m (49.21 ft) from the property line;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback: 15m (49.21 ft.) from the property line.

NW 30-19-27-W4 (14.06 acres)

Front yard setback: 15m (49.21 ft) from the property line;

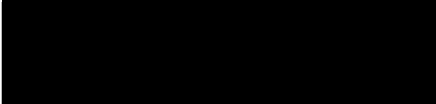
Subdivision and Development Appeal Board
Foothills County AB
Box 5605 High River AB
T1V 1M7

Sept 11 2023

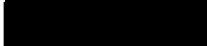
Dear Board Members:

Re: Development Permit Application 23D 135
Appellants Judy Friesen and Josh Friesen
Landowner Judy Friesen
Legal Plan 1013400 Blk1 Lt 6 Ptn NE07-21-3-W5M
Appeal Against the Redusal of 23D 135 for a secondary suite ,accessory (moved on)

We are :
Greg P Hanson and Donna M Hanson
neighbour and adjacent landowner



Ptn NE 07-21-3-W5M/306117 272 St West



We wish to register our formal support of the Application by Judy and Josh Friesen to move a cabin onto Judy Friesen's land as a residence for a family member.

The reasons for our support are as follows:

Permits the Friesen family to stay together and in close proximity to each other as a family unit for mutual support.

This is for family use and not a rental to unknown parties.

It will not require significant changes to the existing property or access.

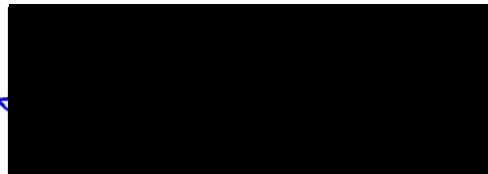
It does not impose any adverse impact, visual or nuisance to adjoining properties.

The existing home and property are well maintained and we are confident that the cabin will also be maintained to the same standard.

This cabin has significant sentimental value to the family.

The Friesen family are long standing, active members in the community.

Your truly,



Greg and Donna Hanson