

**FOOTHILLS COUNTY**  
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**HIGH RIVER AB T1V 1M7**  
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**MEMORANDUM OF TRANSMITTAL**

**TO: Planning Protocol**  
**Attn: Rodney Potrie & Trevor Williams**  
**2922 – 3 Avenue NE**  
**Calgary, AB T2A 6T7**

**OUR FILE: F2128-07NE**  
**DATE: October 30, 2023**  
**APPEAL TIME UP: November 20, 2023**

**COPY ADDRESSES**

Assessment Department  
Landowner  
File Copy

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Attached you will find an extract of the Foothills County Subdivision Authority's decision of **October 18, 2023** at which time your subdivision application was conditionally **APPROVED**. The conditions of approval are outlined in the attached extract.

Prior to the submission of any final documents we advise that it is the **APPLICANT'S** responsibility to ensure that all conditions of approval have been met within one year of the approval date, and that the Council has received documented evidence to this effect. Should you have any questions regarding your conditions of approval, please call the Planning Department at (403) 652-2341. Please note that final subdivision fees of \$900.00 per new lot are due when you finalize this subdivision. Staff is authorized to ask for a Certified Cheque, Cash, VISA, Interac or money order for final subdivision fees, taxes and public reserve monies for those applicants who wish to receive their plan for registration at Land Titles Office.

Should there be an agent as applicant, the agent is expected to ensure that his client is fully advised as to the effect of the notification.

In accordance with the Municipal Government Act, an appeal from this decision or conditions attached thereto may be commenced by:

- (a) the applicant;
- (b) a Government department if the application is required by the subdivision and development regulations to be referred to that department;
- (c) the School Divisions with respect to reserve

by filing written notice of the appeal with the **Subdivision and Development Appeal Board** within 14 days of receipt of the written decision of the subdivision approving authority. The date of receipt of the decision is deemed to be 7 days from the date the decision is mailed.

A Notice of Appeal form has been attached to this Memorandum of Transmittal to assist you with such an appeal should you choose to make one.

If you would like to inspect the minutes, have any questions on the decision or appeal process please contact our Planning and Development Department.

**E.3 Vansanten / Tamblyn - NE 07-21-28 W4M - Request for Subdivision****Resolution 716****Moved by: Councillor McHugh**

That the subdivision of one 3.30 +/- acre Country Residential Sub-District "A" parcel leaving a 7.22 +/- acre Country Residential District balance parcel on Plan 9610425, Lot 2; Ptn. NE 07-21-28 W4M has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 of the Matters Related to Subdivision and Development Regulation and therefore the application be approved as per the tentative plan for the following reasons:

1. The application is consistent with Section 9 of the Matters Related to Subdivision and Development Regulation; and
2. The subject lands have the appropriate land use designation.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Register of the South Alberta Land Titles District;
2. It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the locations of the adjacent municipal road(s), water well(s) within the boundaries of the appropriate parcels and that the site plan is surveyed according to municipal setback requirements;
3. Landowners to execute an Overland Drainage Easement and Right-of-Way Agreement, which is required to be registered by right-of-way plan concurrent with the plan of survey, over the full extent of the intermittent seasonal drainage course, to the satisfaction of the Public Works department;
4. Completion of all pre-release conditions as noted in the executed Municipal Development Agreement to the satisfaction of the Municipality and where applicable the appropriate external agencies. These conditions include:
  - a. Payment of the \$11,300.00 per new lot Community Sustainability Fee;
5. All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;
6. As the approved site plan illustrates a common approach between the proposed and balanced parcel, Council requires the access labelled "existing secondary access" to be removed. If the applicant instead develops a single approach to the proposed parcel, then the "existing secondary access" could remain;
7. Public Reserve: to be provided by way of cash-in-lieu of land based on \$47,828 per acre on the account of 10% of the subject 10.52 acre parcel;
8. Landowners are to provide all utility easements and agreements, to the satisfaction of the County and the utility companies;
9. Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision;
10. Submission of subdivision endorsement fees.

**CARRIED.**