

# THE FOOTHILLS COUNTY SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

Thursday, November 23, 2023, 1:00 p.m.

Foothills County Administration Office

309 Macleod Trail South – High River



## 23D 171 - Sunquist / Lehmann

*Chair: Gar Beacom*

*Board Members: RD McHugh, Brad Robson, Gloria Wilkinson, Pat Stier*

## Subdivision - F2128-07NE - VanSanten / Tamblyn

*Chair: Gar Beacom*

*Board Members: Brad Robson, Gloria Wilkinson, Pat Stier, Chuck Stormes*

---

	Pages
1. Call Meeting to Order	
2. Adoption of Minutes from Last Meeting - October 24, 2023	2
3. HEARD AT 1:00 p.m. - Development Permit 23D 171 - Sunquist / Lehmann DESCRIPTION: Appeal against the automatic refusal of Development Permit 23D 171 for an Oversized Secondary Suite, Accessory. LEGAL: Plan 1212691, Block 1, Lot 2, Ptn. NW 10-21-05 W5M	
3.1 Notice of Appeal	6
3.2 Development Authority's Decision	20
3.3 Development Permit 23D 171 File Documents	21
4. HEARD AT 2:00 p.m. - Subdivision F2128-07 NE - VanSanten / Tamblyn DESCRIPTION: Appeal against the approval of Subdivision F2128-07NE. LEGAL: Plan 9610425, Lot 2, Ptn. NE 07-21-28 W4M	
4.1 Notice of Appeal	70
4.2 Subdivision Approving Authority's Decision	73
4.3 Subdivision F2128-07NE File Documents	75

The Subdivision and Development Appeal Board for Foothills County met at Foothills County Administration Building and via electronic means (Zoom video conferencing platform) at 12:52 p.m. on October 24, 2023. Present were Chairman G. Beacom, Board members Barb Castell (by electronic means), D. MacDonald, B. Meyers, C. Stormes (by electronic means) and Subdivision and Development Appeal Board Clerk, M. Beck.

D. MacDonald moved that the Minutes of the September 19, 2023 Subdivision and Development Appeal Board Hearing be adopted as circulated.

**CARRIED**

B. Meyers moved that the approval of the October 5, 2023 minutes be postponed until the next Subdivision and Development Appeal Board meeting.

**CARRIED**

**Myers - PTN. NW 19-17-28 W4M – REFUSAL OF DEVELOPMENT PERMIT 23D 170**

The hearing was opened at 1:00 p.m. In attendance were Appellant/Landowner L. Myers, the Development Authority for Foothills County, B. Smith, Member of the Gallery, B. Loeffler and Subdivision and Development Appeal Board Clerk M. Beck.

An appeal was received from the Appellant L. Myers on September 29, 2023, against the refusal of Development Permit 23D 170 for relaxation of setbacks on an existing structure on Plan 960J, Block 1, Lot 16; Ptn. NW 19-17-28 W4M.

Upon having read the materials provided, and upon having heard the representations from the Appellant/Landowner, Member of the Gallery, and the Development Authority for Foothills County with respect to the appeal filed by the Appellant in accordance with Section 685 of the Municipal Government Act against the refusal of Development Permit 23D 170, the Subdivision and Development Appeal Board for Foothills County has decided to:

ALLOW the appeal and OVERTURN the Development Authority's decision to refuse Development Permit 23D 170 for relaxation of setbacks to an existing structure on Plan 960J, Block 1, Lot 16; Ptn. NW 19-17-28 W4M.

The application is thereby APPROVED subject to the following conditions:

**Approval Conditions:**

The existing 'Garage (12.2 x 18.3)' is permitted to remain, as depicted on the Real Property Report *File No. 23-0493* dated *August 8, 2023* from *Absolute Surveys*. All other existing and future development must meet the County setback requirements.

**Advisory Requirements:**

The following requirements are provided by Foothills County as a courtesy to the applicant(s) and property owner(s). These comments will not form the basis of the decision to approve the development permit application. They are simply provided for information purposes.

1. All development is required to comply with all requirements of the Alberta Building, Plumbing, Electrical, and Fire Codes at all times;
2. 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;
3. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit;

**SYNDICATED VENTURES INC./ D. WANDZURA - PTN. NE 14-21-29 W4M –  
APPROVAL OF DEVELOPMENT PERMIT 23D 148**

The hearing was opened at 2:01 p.m. In attendance were Appellant Syndicated Ventures Inc. / D. Wandzura, Applicant/Landowner J. McCormick, Member of the Gallery, the Development Authority for Foothills County, B. Smith, and Subdivision and Development Appeal Board Clerk M. Beck.

An appeal was received from the Appellant Syndicated Ventures Inc. D. Wandzura on September 28, 2023, against the approval of Development Permit 23D 148 for ground mount solar power system, private on Plan 9212071, Lot 1; Ptn NE 14-21-29 W4M.

And upon having read the materials provided, and upon having heard the representations from the Appellant, Applicant/Landowner, and the Development Authority for the Foothills County with respect to the appeal filed by the Appellant in accordance with Section 685 of the Municipal Government Act against the approval of Development Permit 23D 148 the Subdivision and Development Appeal Board for Foothills County has decided to:

DENY the appeal and UPHOLD the Development Authority's decision to approve ground mount solar power system, private on Plan 9212071, Lot 1; Ptn. NE 14-21-29 W4M.

The application is thereby APPROVED subject to the following conditions:

**APPROVAL DESCRIPTION:**

This approval allows for the development and use of Ptn. NE 14-21-29 W4M; Plan 9212071, Lot 1 for:

- a. One +/- 77.4 sq. m [833 sq. ft] ground mounted solar power system, private, in accordance with the submitted and accepted Development Permit application.

**CONDITIONS OF APPROVAL:**

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

1. The applicant shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to the use of this land shall not proceed unless appropriate approvals and permits have been obtained;**
2. The applicant shall obtain any necessary building and safety code permits and inspections to the discretion of the Safety Codes Officer.
3. The applicants shall provide written notification to the Development Authority upon completion of the development, as approved herein;

**ADVISORY REQUIREMENTS:**

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

1. The applicant shall comply with all requirements of the Alberta Utilities Commission for this installation;
2. The applicant is required to ensure all installations are located at least 3.0 metres from all FORTIS Alberta Infrastructure;
3. Development on the property shall at all times comply with the requirements of the Alberta Building, Safety, and Fire Codes;
4. Natural drainage of the property must be maintained. Alteration to natural drainage may only proceed only under the authorization of an approved Development Permit for Lot Grading permit;
5. All development 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;
6. 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;
7. 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;

8. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit;

**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 the 21-day appeal period; should no appeals be received, and completion of all Pre-Release Conditions (if any). Development cannot 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 Development Permit Decision.

**ADJOURN**

G. Beacom moved that the meeting be adjourned at 2:42 p.m.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
CLERK



Notice of Appeal

Subdivision and Development Appeal Board (SDAB)  
Foothills County [www.foothillscounty.ab.ca](http://www.foothillscounty.ab.ca)

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



<b>APPELLANT INFORMATION</b> (e.g. Landowner or Affected Party)			
Name of Appellant(s) <u>Tyler Sunquist &amp; Cassandra Lehmann</u>			
Mailing Address [Redacted]		Province <u>AB</u>	Postal Code
Main Phone #	Alternate Phone #		
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address:			
<b>AGENT INFORMATION &amp; CERTIFICATION</b> (complete section if applicable)			
Name of Organization: <u>Frontier Homes Inc</u>			
Contact Name: <u>Pat McGaffey</u>			
Mailing Address [Redacted]		Province <u>AB</u>	Postal Code [Redacted]
Main Phone # <u>403 371 3744</u>			
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address: <u>frontierhomesincab@gmail.com</u>			
I (We) [Redacted]		hereby authorize <u>Frontier Homes Inc (Pat McGaffey)</u>	
to act on my (our) behalf on matters pertaining to this appeal.			
Signature of Applicant(s) [Redacted]	Date <u>Oct 31/23</u>	Signature of Appellant(s) [Redacted]	Date <u>Oct 31/23</u>
<b>SITE INFORMATION</b>			
Municipal Address (house and street number): [Redacted]			
Legal Land Description: Quarter-Section <u>nw</u>	Plan <u>121269/</u>	Block <u>1</u>	Lot <u>2</u>
Township <u>10</u>		Range <u>21</u>	Meridian <u>5</u>
<b>I AM APPEALING</b> (check only one)			
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
Development Permit # <u>23D171</u>	Subdivision Application #	Enforcement Order #	
Date of Decision: (Y/M/D) <u>2023/10/12</u>	Date of Decision: (Y/M/D)	Date of Decision: (Y/M/D)	
<b>REASON FOR APPEAL</b> (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.			
<p><u>The reason for the appeal is the 900 sq. ft. allowed is too small for what needs to be designed for the customer. As you can see from the current drawing there is an elevator, for easy accessibility that the owners need due to health issues regarding mobility.</u></p>			

**TURN OVER AND COMPLETE REVERSE SIDE**

whether it is 900 sq ft or 1400 sq ft the building width does not change, it's length changes to accommodate the easy accessibility that is important. The width of the building faces the street and has the same decor as the main house, the added length is in the rear, this was done to accommodate the elevator and extra bedroom.

There is 100% acceptance from all neighbors that live in the area, we have included those for the support of the carriage house. We are looking for support of the Appeal board to allow the size of the carriage house to be built.

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]

Oct 31/23  
Date

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

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

<b>CREDIT CARD INFORMATION</b>	
Card type:	<input type="checkbox"/> Visa <input checked="" type="checkbox"/> Master Card <input type="checkbox"/> American Express
Name as it appears on Card:	Patrick McGaffey Card Number: [Redacted]
Date of Expiry:	[Redacted] CVC: [Redacted]
Authorization: I authorize Foothills County to charge \$ 575.00 to my credit card.	
Signature of Card Holder:	[Redacted] Date: Oct 31/23

<b>FOR OFFICE USE ONLY</b>		
Authorized By:	Date:	Receipt #:

### Submitting an Appeal – Subdivision Authority Decisions

Appeals of decisions on subdivision applications are covered by [sections 678 to 682 of the Municipal Government Act](#).

A decision on an application for subdivision may be appealed by the applicant, by a Government department (if that department is required to be circulated on the application) or by the School Authority (with respect to matters related to municipal reserve or school reserve lands).

Appeals must be made by filing a notice of appeal within **14 days** of receipt of the decision with either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears subdivision appeals where there is a provincial interest. Otherwise, the appeals are heard by the local SDAB.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- within Alberta's "Green Area"
- 'adjacent' to or contains a body of water
  - adjacent means contiguous or would be contiguous if not for a railway, road, utility right of way or reserve land
- adjacent to or contains (either partially or wholly) land identified on the Listing of Historic Resources or public land set aside for use as historic resource
- the subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- the subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas
- within the following distances:
  - 1600 metres of a provincial highway
  - 450 metres of a hazardous waste management facility
  - 450 metres of the working area of an operating landfill
  - 300 metres of the disposal area of any landfill
  - 300 metres of a wastewater treatment plant
  - 300 metres of the working area of a non-hazardous waste storage site

*Some of the distances may be varied in writing by a provincial government department, in which case the SDAB will hear the appeal.*

### Submitting an Appeal – Development Authority Decisions

Appeal of development authority decisions are covered by [Sections 684 to 687 of the Municipal Government Act](#).

A decision on an application for development may be appealed by the person applying for the permit or by any person affected by an order, decision or development permit made or issued by a development authority.

An order issued under a decision of Enforcement Services, being a Stop Order or Compliance Order, may be appealed by the person affected by the order.

Appeals must be made by filing a notice of appeal within **21 Days** after the date on which the written decision is given with either the local Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears development appeals where there is a provincial interest. Otherwise, the appeals are heard by the local Subdivision and Development Appeal Board.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- The subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas

#### THE APPEAL FEE MUST ACCOMPANY THE NOTICE OF APPEAL FORM

*\*Appeal fees are set in the County's Fee Bylaw, which is generally reviewed and amended annually.*

Appeal Type	Fee
Development Authority Decision (fee refunded if appellant appears before the Subdivision and Development Appeal Board)	\$100
Development Authority Decision – Automatic Refusal	\$575
Stop Order	\$575
Subdivision Authority Decision (paid at time of subdivision application and used as a credit on endorsement fees except where the owner/agent appeals the subdivision decision or a condition of the subdivision)	\$2,000



### How to submit your appeal and pay your fee

---

Completed Notice of Appeal forms may be submitted by mail, in person or by email. Your Notice of Appeal must be received on or before the final appeal deadline and must include the applicable fees as outlined above.

*Mail or deliver to:*

SDAB Clerk, Foothills County  
Box 5605, 309 Macleod Tr. S., High River, AB T1V 1M7

*Email to:*

appeals@foothillscountyab.ca

Please make cheques payable to "Foothills County"

To pay by Credit Card, please use the Credit Card Authorization section found on page 2 of the Notice of Appeal Form.

**\*\*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\*\***

### What happens after my appeal is submitted?

---

Once your completed Notice of Appeal form is submitted on time and with the required fee, the appeal will be heard by the SDAB within 30 days. The SDAB Clerk will provide you with additional information regarding the appeal hearing.

If the appeal is against the decision of a Subdivision Authority, notice will be sent to you and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to you and to landowners located within the half mile surrounding the subject property.

### More information

---

For more information about filing an appeal or SDAB procedures, please contact the SDAB Clerk at:

Phone: 403-652-2341

Email: [appeals@FoothillsCountyAB.ca](mailto:appeals@FoothillsCountyAB.ca)



# DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 12, 2023

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

**APPLICATION FILE NUMBER:** 23D 171

**LANDOWNER(S):** TYLER SUNQUIST & CASSANDRA LEHMANN

**AGENT:** FRONTIER HOMES INC.

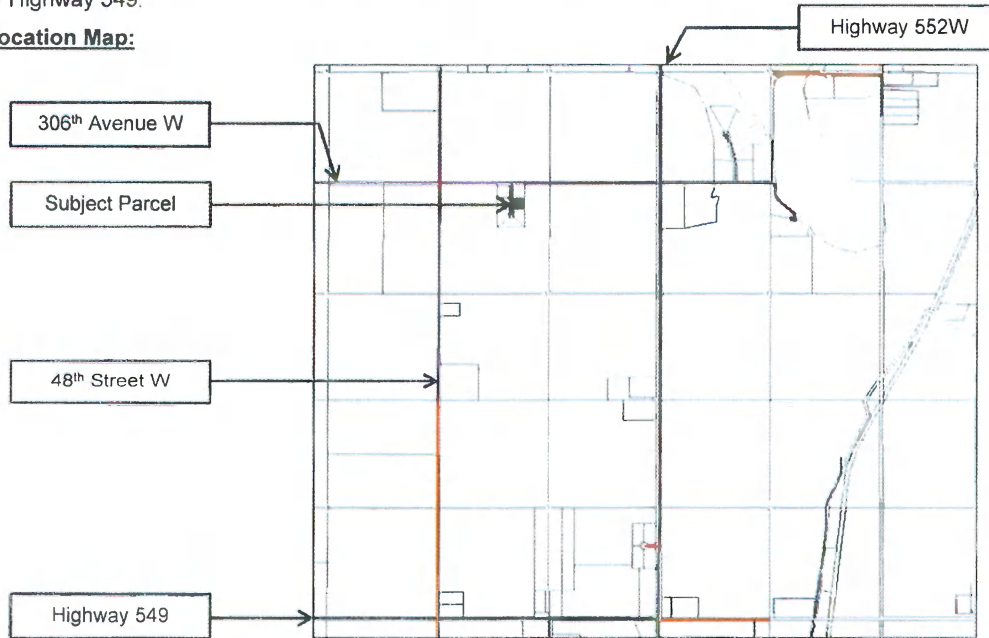
**PROPOSAL DESCRIPTION:** OVERSIZED SECONDARY SUITE, ACCESSORY

**LEGAL DESCRIPTION:** PTN. NW 10-21-01 W5M; PLAN 1212691, BLOCK 1, LOT 2

### LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 2 acre Country Residential District parcel, located on 43<sup>rd</sup> Street W, approximately 100 metres south of 306<sup>th</sup> Avenue W, 1 kilometre west of Highway 552W, and 3 kilometres north of Highway 549.

#### Location Map:



### INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a Secondary Suite, Accessory to be constructed within a proposed accessory building on the subject parcel. The accessory building is to have a total footprint of +/- 1,406 sq. ft. and the Secondary Suite is to be built on the second level of the accessory building, having a total area of +/- 1,406 sq. ft.

*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.

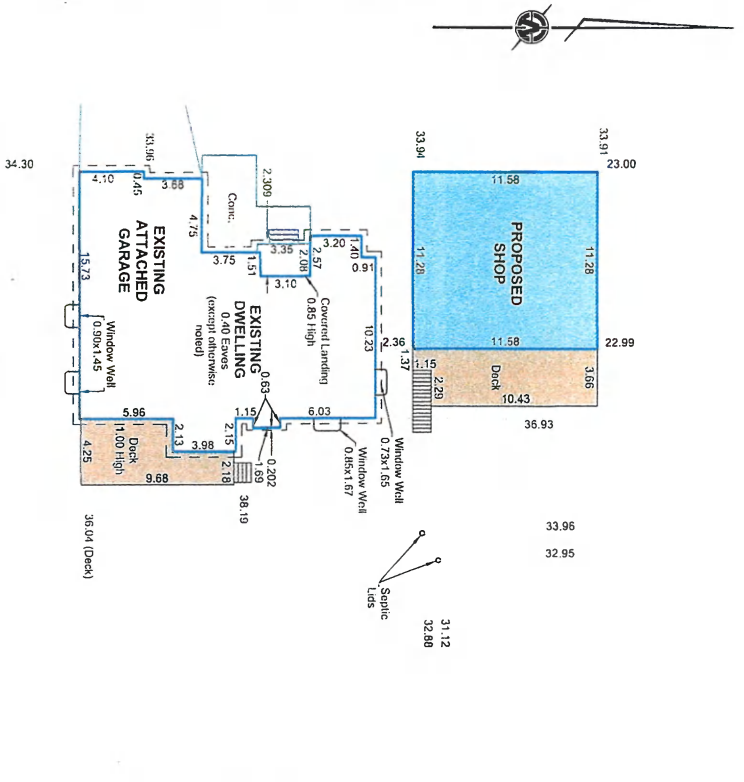
The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of *Secondary Suite, Accessory*, on the subject parcel being a portion of NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2 has been considered by the Development Officer and 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.).

The proposed suite size exceeds the maximum that may be considered by the Development Authority. As such, this application is considered an automatic refusal and if appealed, will be given further consideration by the Development Appeal Board.



DETAIL  
SCALE 1:300

# PLOT PLAN SHOWING PROPOSED SHOP, WATER WELL & SEPTIC LIDS

## SUBJECT PROPERTY:

LOT 2, BLOCK 1, PLAN 121 2691  
306026 43RD STREET WEST, FOOTHILLS COUNTY, ALBERTA

**NOTES:**

- All distances and elevations are in meters and decimals thereof.
- Bearings are 31M-114 Grid and are derived from GNSS observations.
- Survey conducted February 23, 2021 & June 23, 2023.

## LEGEND:

SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN.

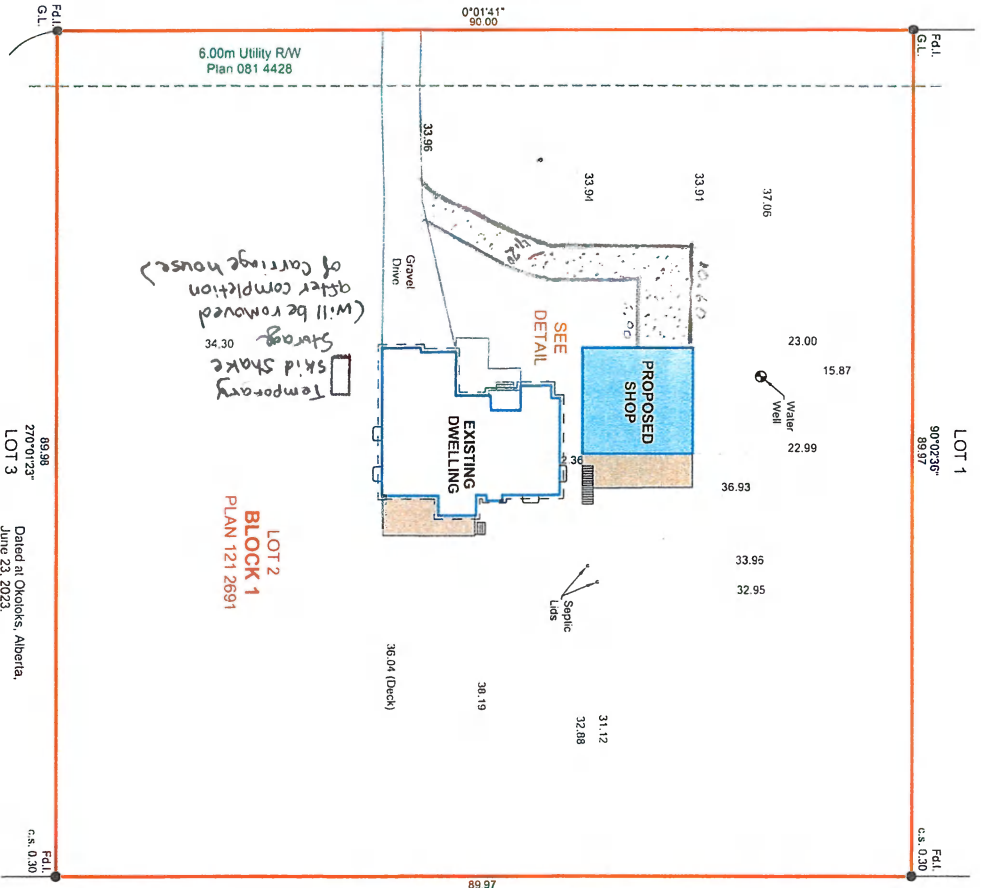
Iron Post found: ●  
Iron Bar found: ○  
Ditch Hole found: X  
Boundary of Subject Property: —  
Right-of-Way: —  
Exterior Wall: —  
Eave: —  
Fence: —

SCALE 1:500

0 10 20 30 40 Meters

89.98 270°07'23" LOT 3  
64.030

Dated at Okotoks, Alberta,  
June 23, 2023.



LOT 2  
BLOCK 1  
PLAN 121 2691

N.W. 1/4 SEC. 10-21-1-5

REV.	0	Issued	Jun. 23, 2023	M/S/M/D/J/R
COMMENTS		CAD FILE: 23-0387AB		
DATE		JUN. 23, 2023		
INITIALS		23-0387		

M. Kent Croucher, A.L.S.  
*[Signature]*



69 Elma Street West  
Okotoks, Alberta T1S 1J8  
Office: 587-757-0634

**General Notes and Specifications**

**GENERAL NOTES:**

1. THE FOLLOWING PROJECT WAS DESIGNED BY A PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE STRUCTURE SHOWN ON THESE PLANS AND TO THE EXTENT OF THE CONTRACT DOCUMENTS.

**NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

**FOUNDATION PLAN:**

1. THE FOUNDATION PLAN IS SHOWN ON THESE PLANS AND IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

2. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

3. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

4. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

5. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

6. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

7. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

8. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

9. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

10. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

**GENERAL NOTES:**

1. THE FOLLOWING PROJECT WAS DESIGNED BY A PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE STRUCTURE SHOWN ON THESE PLANS AND TO THE EXTENT OF THE CONTRACT DOCUMENTS.

**NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

**FOUNDATION PLAN:**

1. THE FOUNDATION PLAN IS SHOWN ON THESE PLANS AND IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

2. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

3. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

4. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

5. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

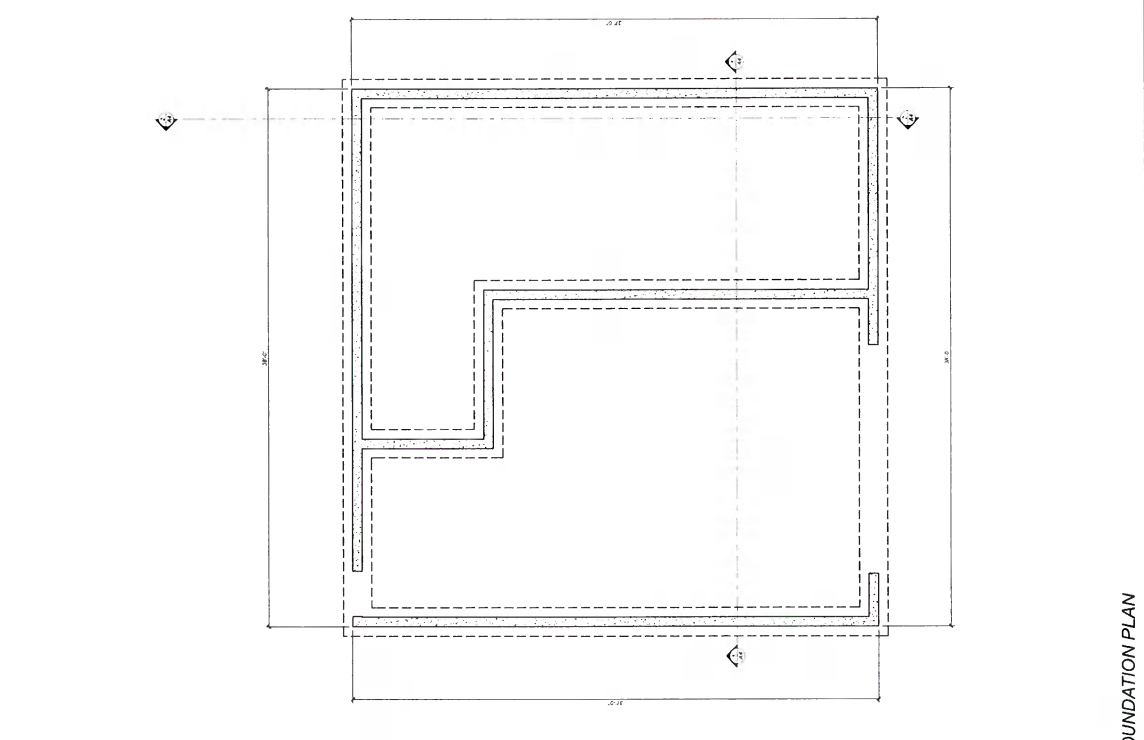
6. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

7. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

8. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

9. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.

10. THE FOUNDATION PLAN IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE REGULATIONS THEREUNDER.



DRAWN BY:	FILE:	SHEET:
	IAN	PLP 2023-033
SCALE:	DATE:	
	AS NOTED	6/26/2023

FLOOR PLANS

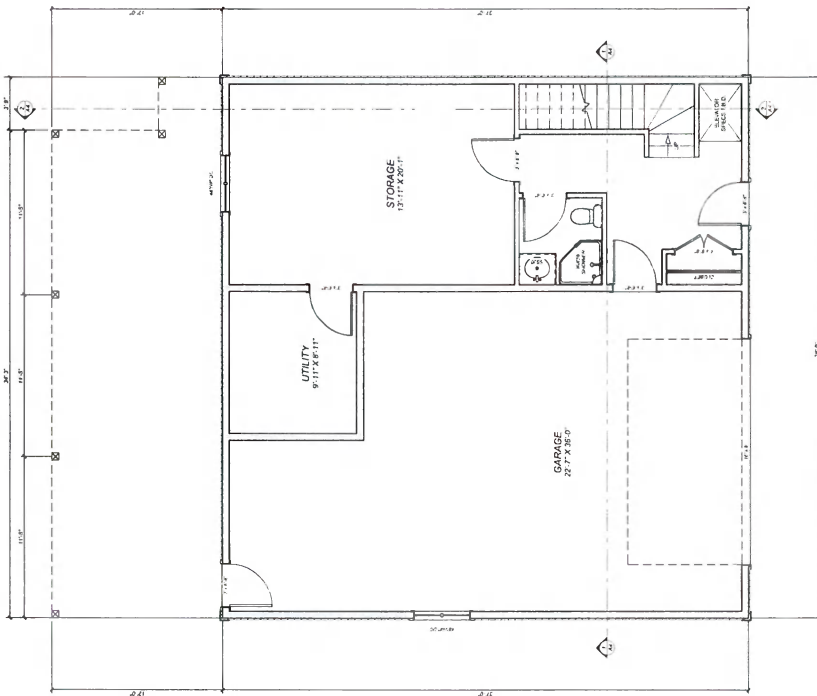
PROJECT ADDRESS:

FOUNDATION PLAN  
SCALE = 1/4" = 1'-0"

CONSULTANT:

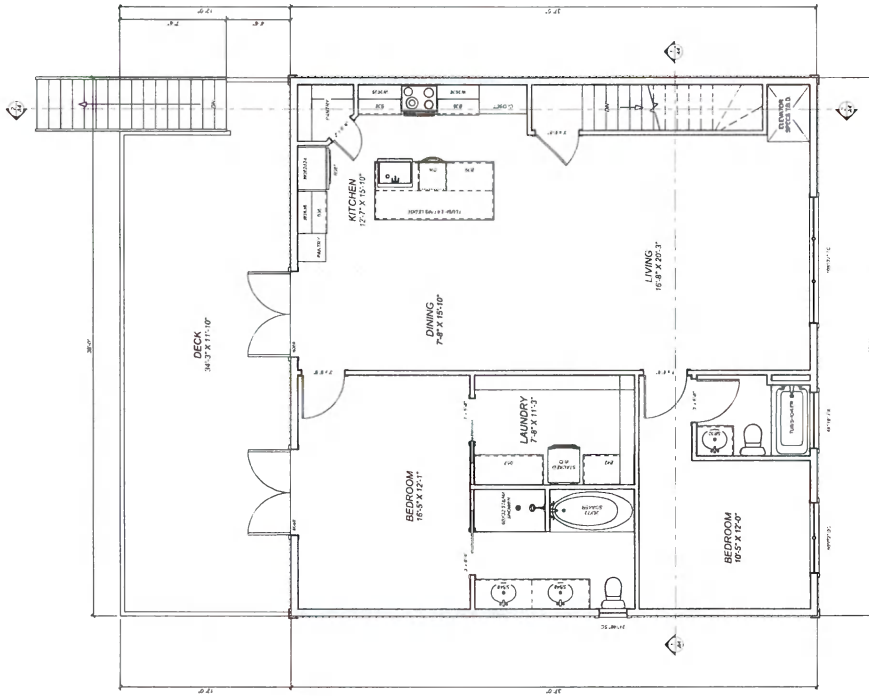
for your residential and commercial design needs  
403.646.7902  
info@plpdesign.com





1 MAIN FLOOR PLAN

A2 SCALE = 1/4" = 1'-0" FLOOR AREA - 240 SQ.FT. / STORAGE AND UTILITY - 415 SQ.FT. / GARAGE - 750 SQ.FT.



2 SECOND FLOOR PLAN

A2 SCALE = 1/4" = 1'-0" FLOOR AREA - 1406 SQ.FT. / DECK - 428 SQ.FT.

CONSULTANT:  
 for your residential and commercial design needs  
 402-434-7322  
 info@plpdesign.com



CLIENT:

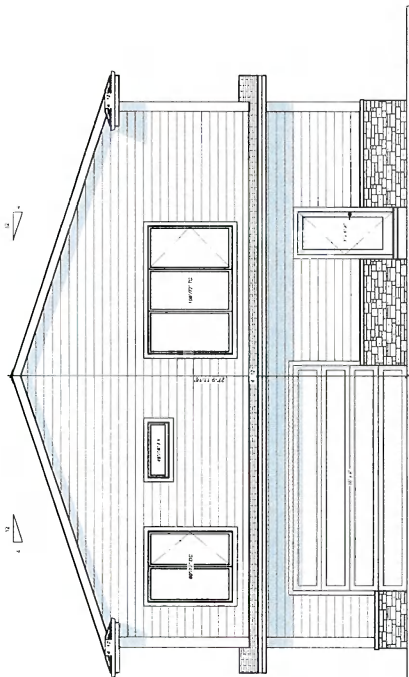
PROJECT ADDRESS:

SHEET:

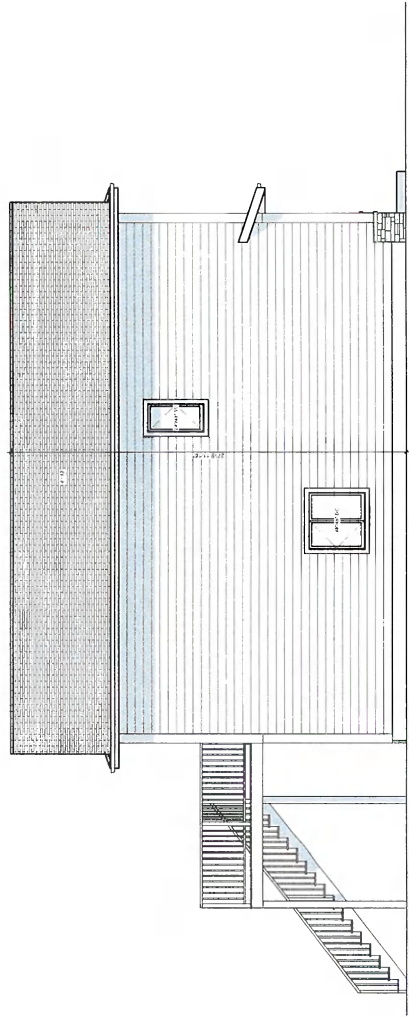
FLOOR PLANS

DRAWN BY: JAN  
 FILE: PLP 2023-033

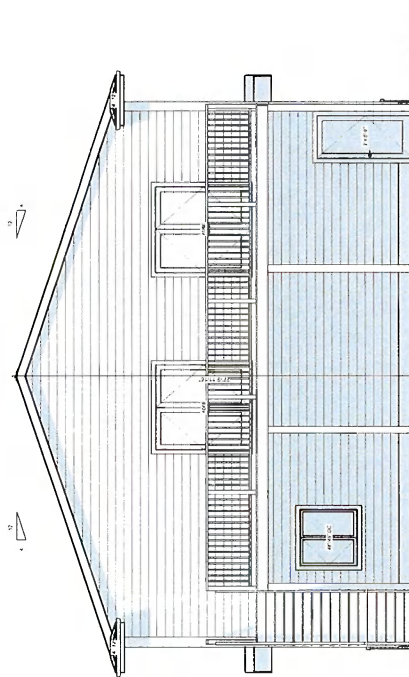
DATE: 6/26/2023  
 SCALE: AS NOTED  
 SHEET: A2



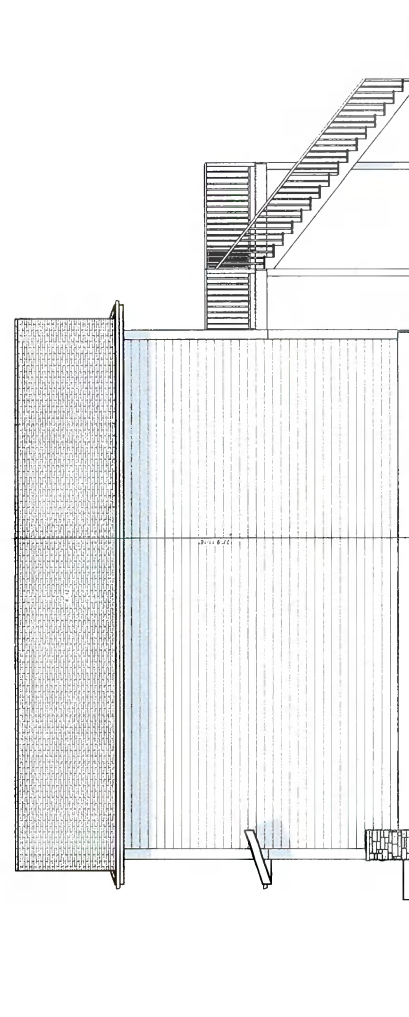
1 FRONT ELEVATION  
SCALE = 3/16" = 1'-0"



2 LEFT ELEVATION  
SCALE = 3/16" = 1'-0"



3 REAR ELEVATION  
SCALE = 3/16" = 1'-0"



4 RIGHT ELEVATION  
SCALE = 3/16" = 1'-0"



CONSULTANT:

to your residential and  
commercial design needs  
409-454-7922  
perry@plpdesign.com

CLIENT:

PROJECT ADDRESS:

SHEET:

ELEVATIONS

DRAWN BY:  
IAN

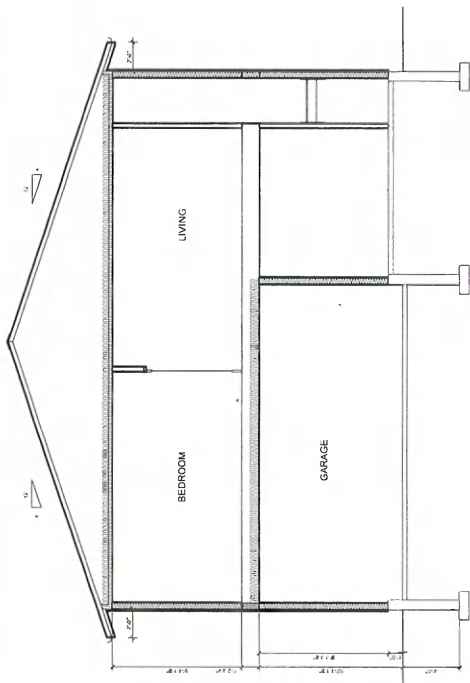
FILE:  
PLP 2023-033

SCALE:  
AS NOTED

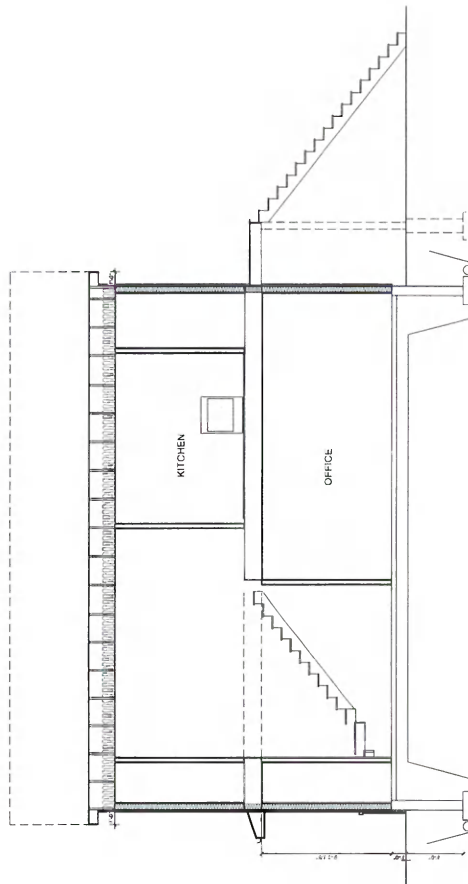
DATE:  
6/26/2023

SHEET:

A3



1 CROSS SECTION 1  
SCALE = 1/4" = 1'-0"



2 CROSS SECTION 2  
SCALE = 1/4" = 1'-0"

CONSULTANT:	 for your residential and commercial design needs 402.644.4732 plp@plpdesign.com	CLIENT:	PROJECT ADDRESS:	SHEET:	
				CROSS SECTIONS	
DRAWN BY:	IAN	SCALE:	AS NOTED	FILE:	SHEET:
				PLP 2023-033	A4
				DATE:	6/26/2023

Hi Neighbours,

This is Tyler and Cassie from the Grey House [REDACTED]. We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie [REDACTED] to pick it up. Please if you have any questions or concerns, reach out to us as well.

Bev Maye

[REDACTED]

[REDACTED]



Hi Neighbours,

This is Tyler and Cassie from the Grey House [REDACTED]. We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie [REDACTED] to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED]

[REDACTED]

COREY DECKER

JAIMIE DECKER

[REDACTED]

All the best!

Hi Neighbours,

This is Tyler and Cassie from the Grey House [REDACTED]. We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie [REDACTED] to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED]

Hi Neighbours,

This is Tyler and Cassie from the Grey House [REDACTED]. We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie [REDACTED] to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED] Jennifer Kuntz [REDACTED]



# DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 12, 2023

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

**APPLICATION FILE NUMBER:** 23D 171

**LANDOWNER(S):** TYLER SUNQUIST & CASSANDRA LEHMANN

**AGENT:** FRONTIER HOMES INC.

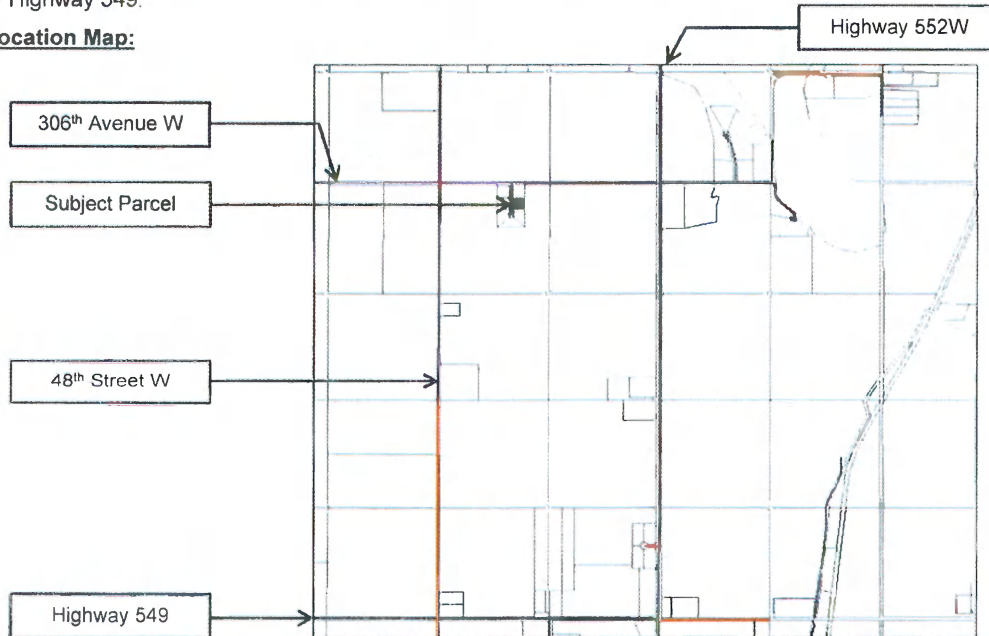
**PROPOSAL DESCRIPTION:** OVERSIZED SECONDARY SUITE, ACCESSORY

**LEGAL DESCRIPTION:** PTN. NW 10-21-01 W5M; PLAN 1212691, BLOCK 1, LOT 2

### LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 2 acre Country Residential District parcel, located on 43<sup>rd</sup> Street W, approximately 100 metres south of 306<sup>th</sup> Avenue W, 1 kilometre west of Highway 552W, and 3 kilometres north of Highway 549.

#### Location Map:



### INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a Secondary Suite, Accessory to be constructed within a proposed accessory building on the subject parcel. The accessory building is to have a total footprint of +/- 1,406 sq. ft. and the Secondary Suite is to be built on the second level of the accessory building, having a total area of +/- 1,406 sq. ft.

*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*, on the subject parcel being a portion of NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2 has been considered by the Development Officer and is **REFUSED** subject to the following.

### REFUSAL DESCRIPTION:

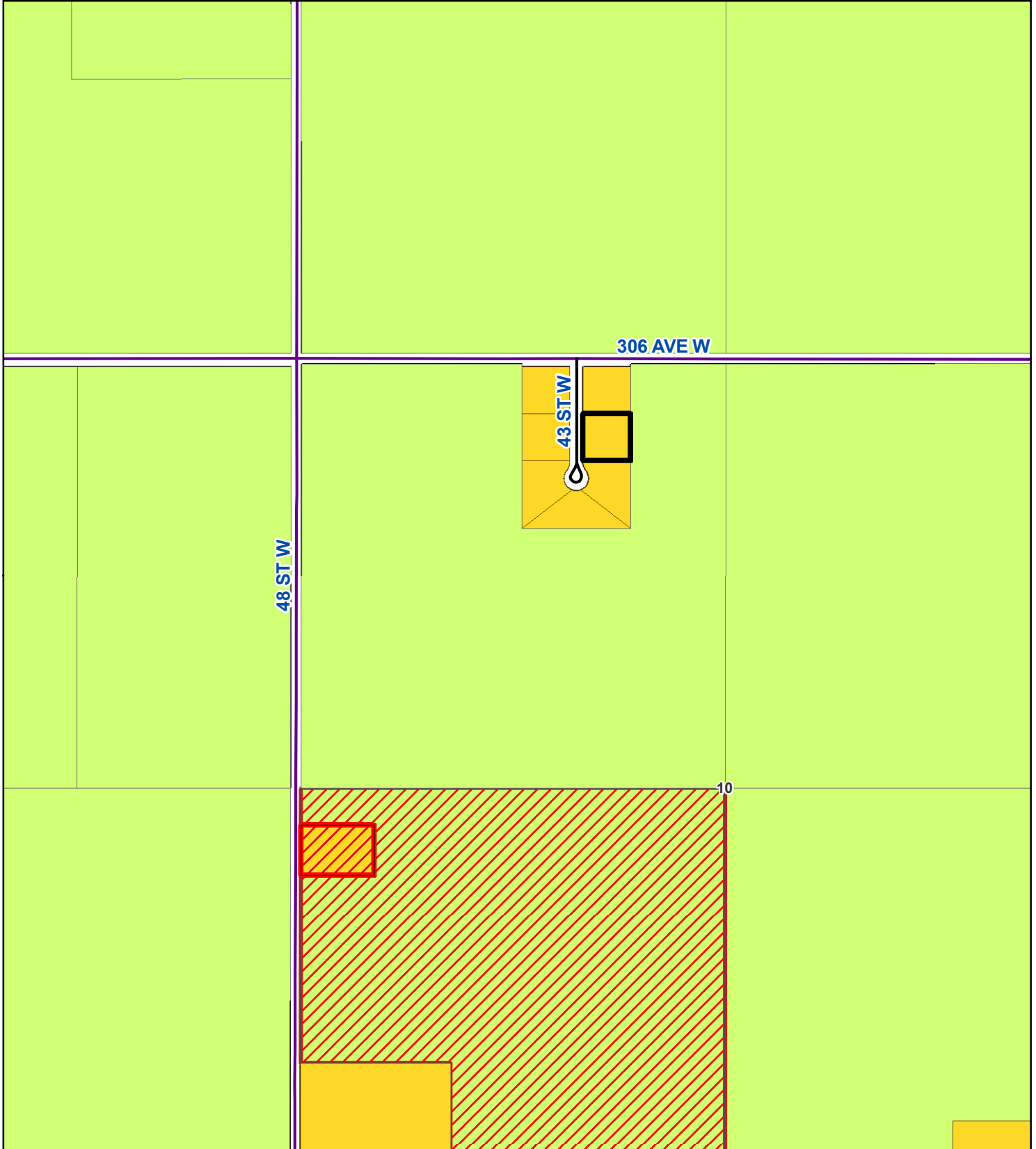
Section 10.26.10 of the Land Use Bylaw 60/2014 identifies that Secondary Suite, Accessory shall meet the following size requirements:

- 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.).

The proposed suite size exceeds the maximum that may be considered by the Development Authority. As such, this application is considered an automatic refusal and if appealed, will be given further consideration by the Development Appeal Board.



# Ptn. NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2



- Legend**
- Parcels
  - A- Agricultural
  - AA- Agricultural Sub A
  - CR- Country Residential
  - CRA- Country Residential Sub A

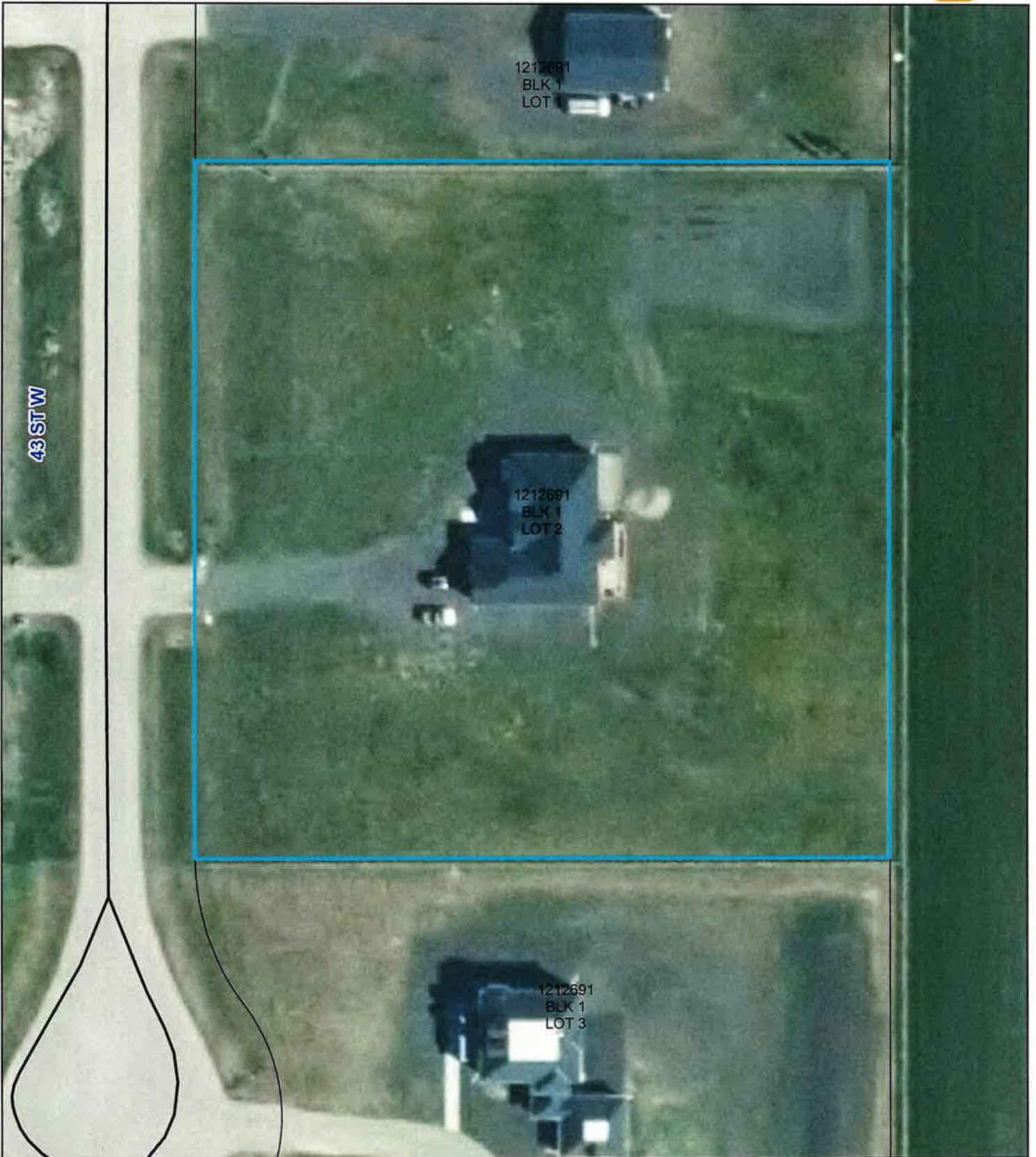
Date Printed: 2023-11-07

1:10,000

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.

Data Sources Include Municipal Records and AltaLIS  
© Foothills County 2023 Page 21 of 106

# NW 10-21-01 W5M



- Legend
- Townships
  - Parcels

Date Printed: 2023-08-21

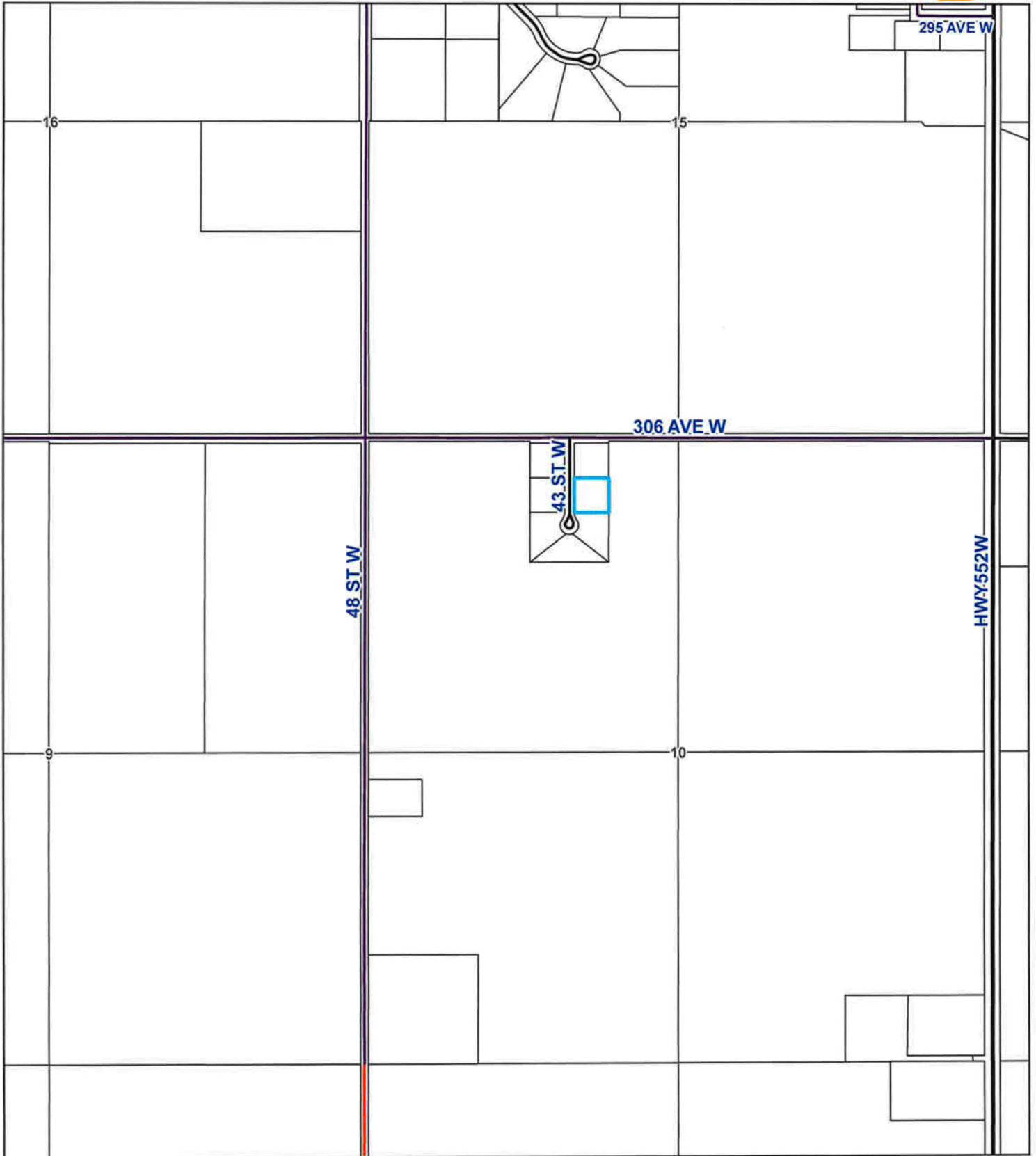
1:683

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.

Data Sources Include Municipal Records and AtlasIS.  
© Foothills County 2023



# NW 10-21-01 W5M



Legend  
 Townships  
 Parcels

Date Printed: 2023-08-21  
 1:13,651

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.

Data Sources Include Municipal Records and AltaLIS.  
 © Foothills County 2023



**FOOTHILLS COUNTY**

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

Fax: 403-652-7880

[www.FoothillsCountyAB.ca](http://www.FoothillsCountyAB.ca)

[planning@foothillscountyab.ca](mailto:planning@foothillscountyab.ca)

October 12, 2023

Frontier Homes Inc, Attn: Pat McGaffey  
52 Cimarron Dr.  
Okotoks, AB T1S 1R9



Dear Sir/Madam:

**Re: Development Permit Application 23D 171  
Ptn: NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2  
Secondary Suite, Accessory**

---

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

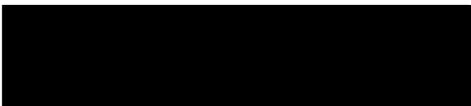
Please be advised that you have the right to appeal this decision to the Development Appeal Board. If you were to appeal the above decision, the Development Appeal Board would base their decision on an appeal hearing which would be open to the applicant and to any landowners within at least one-half 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 November 3, 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](mailto: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 Domenjoz  
Development Officer  
[brittany.domenjoz@foothillscountyab.ca](mailto:brittany.domenjoz@foothillscountyab.ca)  
(403) 603-6242

BD/mm  
Encl.





# DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 12, 2023

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

**APPLICATION FILE NUMBER:** 23D 171

**LANDOWNER(S):** TYLER SUNQUIST & CASSANDRA LEHMANN

**AGENT:** FRONTIER HOMES INC.

**PROPOSAL DESCRIPTION:** OVERSIZED SECONDARY SUITE, ACCESSORY

**LEGAL DESCRIPTION:** PTN. NW 10-21-01 W5M; PLAN 1212691, BLOCK 1, LOT 2

## LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 2 acre Country Residential District parcel, located on 43<sup>rd</sup> Street W, approximately 100 metres south of 306<sup>th</sup> Avenue W, 1 kilometre west of Highway 552W, and 3 kilometres north of Highway 549.

### Location Map:



## INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a Secondary Suite, Accessory to be constructed within a proposed accessory building on the subject parcel. The accessory building is to have a total footprint of +/- 1,406 sq. ft. and the Secondary Suite is to be built on the second level of the accessory building, having a total area of +/- 1,406 sq. ft.

*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*, on the subject parcel being a portion of NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2 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.).

The proposed suite size exceeds the maximum that may be considered by the Development Authority. As such, this application is considered an automatic refusal and if appealed, will be given further consideration by the Development Appeal Board.



# Application for Development Permit

## Land Use Bylaw No. 60-2014

Foothills County

[www.foothillscountyab.ca](http://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: <u>500</u>	Application No: _____
Receipt No.: <u>400858</u>	Tax Roll No: <u>21011050de</u>
Date Received: _____	Date Deemed Complete: _____

### PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Frontier Homes Inc.

Email: frontierhomesinc.ab@gmail.com

Applicant's Mailing Address: \_\_\_\_\_

Telephone: 403 371 3744

Legal Land Description: Plan 121 2691, Block 1, Lot 2, LSD \_\_\_\_\_, Quarter NW, Section 10, Township 21, Range 1, West of the 5 Meridian.

Registered Owner of Land: Cassandra Lehmann / Tyler Sunquist

Registered Owner Mailing Address: \_\_\_\_\_ TOL 1 X 0

Email: \_\_\_\_\_ Telephone: Tyler \_\_\_\_\_ / Cos \_\_\_\_\_

Interest of Applicant if not owner of site: \_\_\_\_\_

### 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.

Build a carriage house for Parents/inlaw Parents  
Seasonal only. (Snow birds)

**PART 3 SITE INFORMATION**

Area Of Lot: (In Acres Or Hectares) 2 acres

Size Of Proposed Building: 1406 sq ft Height: 27' 9 1/16"

Is There A Dwelling (Residence) On The Site: Yes  No  If Yes, How Many? 1 house

Utilities Presently On Site: Gas / Electric

Are There Sour Gas Or High Pressure Facilities On Site? No

Utilities Proposed: Gas / Electrical

Other Land Involved In Application: \_\_\_\_\_

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.):

Plot Plan, Architectural drawings, approval letters from surrounding land owners.

Estimated Date of Commencement: July 15 / 23 Estimated Date of Completion: Dec 30 / 23

I, Pat McGaffey of Frontier Homes Inc.

hereby certify that I am:

The Registered Owner; or

Authorized to act on behalf of the Registered Owner

Date: June 26, 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.

June 26, 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.**



# Secondary Suite Checklist

Foothills County

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 and Safety Code Permits. An application must be made for all required Building and/or Safety Codes Permit.

Construction of Secondary Suites may not commence, nor can a Secondary Suite be occupied, prior to the issuance of all required Development, Building, and Safety Code approvals.

LANDOWNER/APPLICANT INFORMATION	
Name of Landowner(s) / Applicant(s) <u>Cassie Lehmann / Tyler Sunquist</u>	
Legal Land Description: Plan <u>121 2691</u> Block <u>1</u> Lot <u>2</u>	
Quarter Section <u>NW 10</u> Township <u>10 21</u> Range <u>1</u> Meridian <u>5</u>	
Area of Lot (In Acre or Hectares) <u>2 acres</u>	
SECONDARY SUITE	
<i>Is located within:</i>	<b>CHECK</b>
Existing Principal Dwelling	✓
Proposed New Dwelling	✓
Existing Accessory Building	
Proposed New Accessory Building	
SUITE INFORMATION	
Secondary Suite existed before Bylaw 8/2019 was adopted: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Estimated date of Construction (if Secondary Suite existed prior to passage of Bylaw 8/2019): <u>July 15/23</u>	
Total habitable area of principal dwelling (if suite is located within the dwelling or attached garage): <u><del>2507</del></u>	
<i>The habitable area for the purpose of determining Secondary Suite size 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.</i>	
Total Gross Floor Area of Accessory Building (if suite within accessory building): <u>1406</u>	
<i>The Gross Floor Area is the total floor area 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.</i>	
Total area of the Secondary Suite area (sq. ft.): <u>1406</u>	
Total number of Dwelling Units on the parcel (prior to making this application): <u>1</u>	
Number of parking spaces for Secondary Suite: <u>2</u>	
Describe availability of storage space accessible to the occupants of the Secondary Suite:	
WATER SOURCE	
<input type="checkbox"/> connection to Communal Water System (Provide letter of confirmation from system operator)	
<input checked="" type="checkbox"/> Share existing groundwater well (provide executed Declaration of Understanding)	
<input type="checkbox"/> New groundwater well (provide executed Declaration of Understanding)	
<input type="checkbox"/> Other: _____ (ie. water hauled in to site, well enhanced with cistern on site, etc. (provide executed Declaration of Understanding)	



# Secondary Suite Checklist

**Foothills County**

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

## SEWAGE TREATMENT AND DISPOSAL

- Connection to Communal Sewage Collection System (Provide letter of confirmation from system operator)
- Connection to Existing Private Sewage Treatment System (provide executed Declaration of Understanding)
- Expansion of Existing Private Sewage Treatment System (provide executed Declaration of Understanding)  
\* (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)
- Construction of New Private Sewage Treatment System (provide executed Declaration of Understanding)  
\* (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)

## ADDITIONAL INFORMATION REQUIRED

Specify other supporting material attached that forms part of this application (i.e. Site plan, Covenants, Servicing plans and supporting information.

Estimated Date of Commencement: July 15/23

Estimated Date of Completion: unknown

Describe how the potential for impact on neighbouring properties is minimized (i.e. location, design, screening/landscaping, etc.

## 911 ADDRESS INFORMATION

- I hereby acknowledge and understand that I may be required to obtain a new 911 address for safety and emergency purposes for the Secondary Suite developed on the property and agree to do so in accordance with the rules and requirements of the Foothills County and acknowledge that the proposed development may result in additional and/or updated municipal address(es) on the property. Consequently, I understand and accept that this may result in changes to the Canada Post mail address. The county is not responsible for associated costs of such.

## PRE-APPLICATION BUILDING AND SAFETY CODES INSPECTION

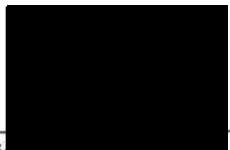
- I hereby acknowledge that I understand that I have the option to have a Building and Safety Codes Officer conduct a pre-development permit application inspection of the existing Secondary Suite for a fee of \$160.00 + 4% Safety Codes Fee. This inspection would allow for a certified Building Inspector to outline how well the existing un-permitted Secondary Suite meets the Alberta Building Code and would provide a better understanding of renovations or changes that may be required to bring the Secondary Suite into compliance with safety regulations.

Pre-application inspection completed (Provide copy of the County's preliminary inspection report)

Pre-application inspection not requested

## SECONDARY SUITE REGISTRY

- I hereby consent to Foothills County publishing my legal description, municipal address and type of Secondary Suite approved on the property within the Secondary Suite Registry as public information. Applicant/Landowner names will not be disclosed on the Registry. This Registry is intended to allow prospective tenants, landowners, realtors, and other interested parties to search permitted Secondary Suites in the Municipality.

  
 \_\_\_\_\_  
 Signature of Landowner / Applicant

June 26/23  
 \_\_\_\_\_  
 Date



# DECLARATION OF UNDERSTANDING

Foothills County

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

Please sign Declaration of Understanding, before returning to Foothills County with Development Permit Application.

## REGISTERED OWNER(S) DECLARATION

This is to certify that the Applicant/Landowner(s) namely:

Frontier Homes Inc

Name

Name

I (we) understand:

- a. It is the "Applicant/Landowner's responsibility to provide water quantity in accordance with the recommendations found in Module 2 of the document "Water Wells That Last For Generations" published by Agriculture and Agri-Food Canada, Alberta Environment, Alberta Agriculture and Food.
- b. It is the Applicant/Landowner's responsibility to comply with the allowable 1250m<sup>3</sup> per year (750 gallons per day) per household allowed under the Water Act;
- c. It is the Applicant/Landowner's responsibility to ensure that the water quality is with the Guidelines for Canadian Drinking Water Quality and the Alberta Health Services Criteria to ensure that the water quality is suitable.
- d. It is the Applicant/Landowner's responsibility to provide adequate wastewater/sewage disposal for the Secondary Suite to the satisfaction of the Building/Safety Codes Office.
  - i. Where an existing private sewage treatment system is being used, a certified septic designer/installer must confirm that the existing system can adequately manage the addition waste or a new system or addition to the existing system has been adequately sized to accommodate the additional waste and the location is suitable
  - ii. Where sewage disposal is connected to an approved piped communal collection system, the operator of the communal system must confirm that the system has adequate capacity for the additional sewage and has authorized the approval to connect.
- e. I acknowledge that the proposed development may result in additional and/or updated municipal address(es) on the property. Consequently, I understand that this may result in changes to the Canada Post mail address. The county is not responsible for associated costs of such.

Frontier Homes Inc

Name of Applicant/Landowner (Please Print)

Name of Applicant/Landowner (Please Print)

Signature of Applicant/Landowner

Signature of Applicant/Landowner

June 26/23

Date Signed

Date Signed



VIA EMAIL: [Martine.Callum@foothillscountyab.ca](mailto:Martine.Callum@foothillscountyab.ca)

RE: **Development Permit Application:** Secondary Suite, Accessory  
**Legal Address:** Plan 1212691 Block 1, Lot 2; Ptn. NW 10-21-1 W5M

Hi Martine

Answer to your questions

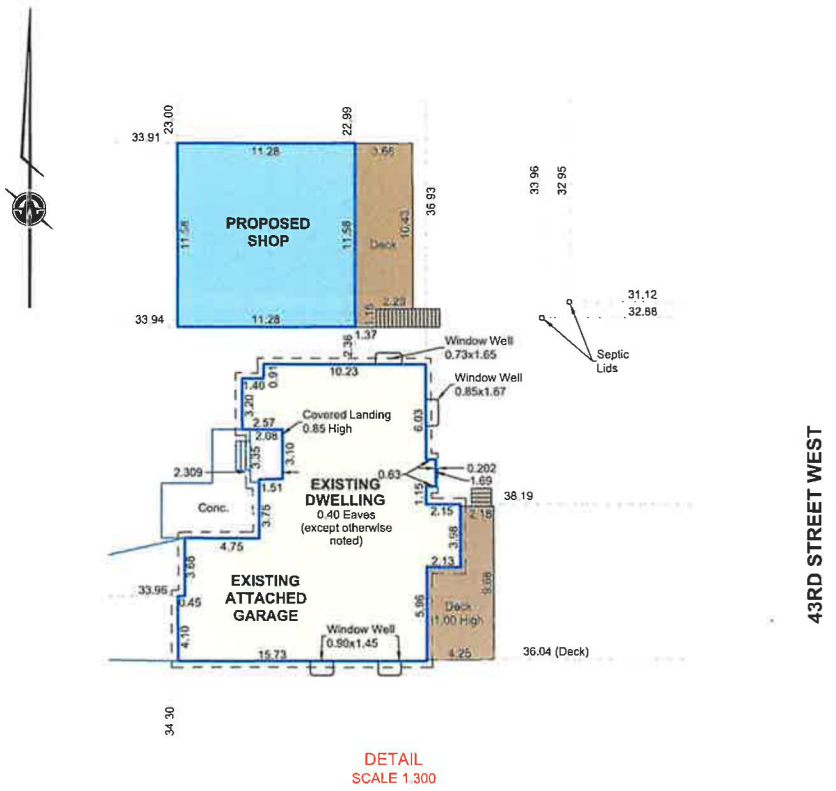
- 1) Proposed shop: The proposed garage shown on the site plan is to be built for the carriage house
- 2) Storage: as indicated on the plan it is storage
- 3) Sewage: it is an existing private sewage
- 4) Closet: Everything pertaining to the lower level is for the garage
- 5) Naturally the home owner is aware of the sq ft permitted for secondary suites, hence the reason why there is an information and signature package by area residences for their approval of this carriage house build.
- 6) Business: There is NO business run on the property
- 7) If you read the plot plan properly it is a temporary skid shack
- 8) Building Height: Building height is 8.26 meters as indicated on the drawings submitted.

So please carry on with your automatic refusal so that we can appeal unless you take into consideration the area land owners have approved it to be built there as per drawing and signed letters submitted.

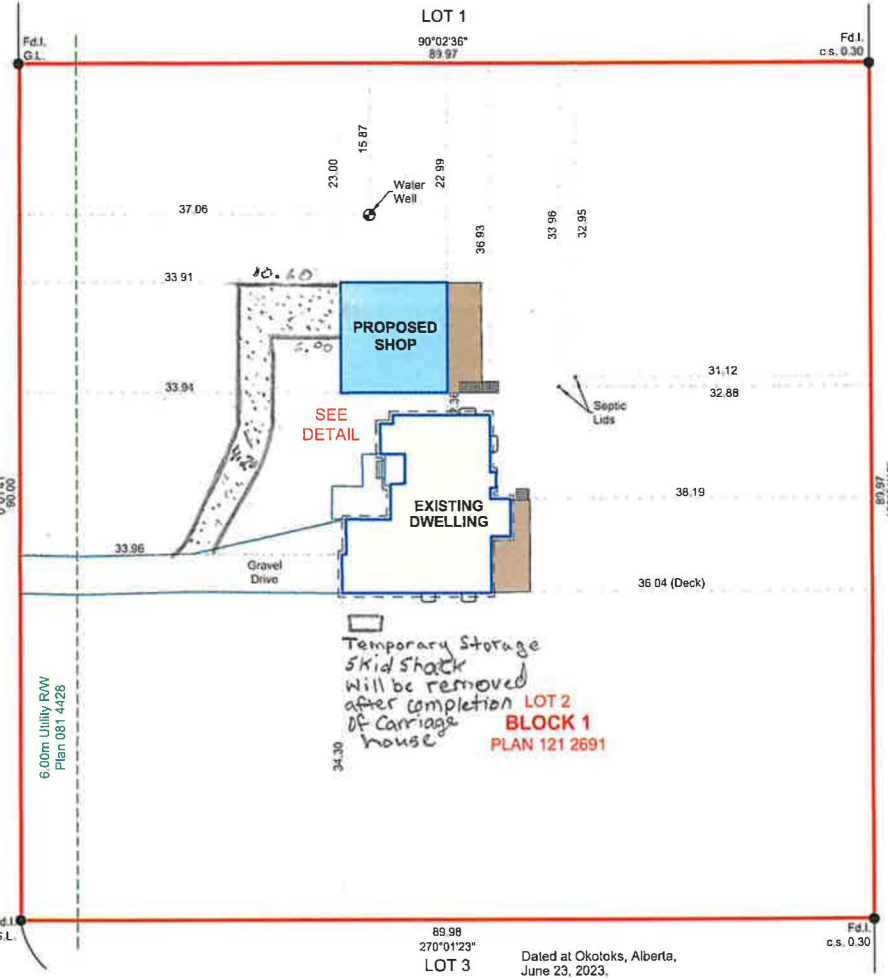
Thank you

Pat McGaffey  
Frontier Homes Inc.  
PH: 403 371 3744





DETAIL  
SCALE 1:300



SCALE 1:500

LEGEND:

SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN.

Iron Post found	●	A	Arc	L	Iron Post
Iron Bar found	◆	A/C	Air Conditioner	m	metre
Drill Hole found	⊗	A.G.	Above Ground	ML	Mark
Calculated Position	⊠	ARW	Access Right-of-Way	OD	Overland Drainage
Boundary of Subject Property	—	Calc.	Calculated	PL	Property Line
Right-of-Way	---	Can.	Canilever	R	Radius
Exterior Wall	—	Conc.	Concrete	(R)	Radial
Eave	---	C.S.	Countersunk	Rask	Restored
Fence	—X—	D.H.	Drill Hole	Ret.	Retaining
		Fd.	Found	R/W	Right-of-Way
		Ign	Foundation	URW	Utility Right-of-Way
		Fl.	Floor	WW	Window Well
		G.L.	Ground Level		

Dated at Okotoks, Alberta,  
June 23, 2023.

*M. Kent Croucher*  
M. Kent Croucher, A.L.S.



## PLOT PLAN SHOWING PROPOSED SHOP, WATER WELL & SEPTIC LIDS

SUBJECT PROPERTY:  
LOT 2, BLOCK 1, PLAN 121 2691

- NOTES :
- All distances and elevations are in metres and decimals thereof.
  - Bearings are 3TM-114 Grid and are derived from GNSS observations.  
CSF: 0.999721
  - Survey conducted February 23, 2021 & June 23, 2023.

© Copyright Absolute Surveys Inc., 2023

REV.	COMMENT	DATE	INITIALS
0	Issued	Jun 23, 2023	MS/MDJR
ABSOLUTE SURVEYS		CAD File : 23-0387AB	Job No: 23-0387
69 Elma Street West Okotoks, Alberta T1S 1J8 Office: 587-757-0634			

**General Notes and Specifications**

**GENERAL NOTES:**

**1.00 GENERAL INFORMATION:**

THE DESIGN AND CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES AS REQUIRED BY THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**2.00 MATERIALS:**

ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT BEFORE USE.

**3.00 CONSTRUCTION:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES AS REQUIRED BY THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**4.00 PROTECTION:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES DURING CONSTRUCTION.

**5.00 SAFETY:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A SAFE WORKING ENVIRONMENT AT ALL TIMES.

**6.00 COMPLETION:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETING ALL WORK AS SPECIFIED AND OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES AS REQUIRED BY THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**FLOOR AND ROOF SYSTEMS:**

ALL FLOOR AND ROOF SYSTEMS SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER AND SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT BEFORE USE.

**1.00 FLOOR SYSTEMS:**

ALL FLOOR SYSTEMS SHALL BE DESIGNED TO SUPPORT THE DEAD AND LIVE LOADS AS SPECIFIED IN THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**2.00 ROOF SYSTEMS:**

ALL ROOF SYSTEMS SHALL BE DESIGNED TO SUPPORT THE DEAD AND LIVE LOADS AS SPECIFIED IN THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**FOUNDATION AND WALLS:**

ALL FOUNDATION AND WALL SYSTEMS SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER AND SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT BEFORE USE.

**1.00 FOUNDATION:**

ALL FOUNDATION SYSTEMS SHALL BE DESIGNED TO SUPPORT THE DEAD AND LIVE LOADS AS SPECIFIED IN THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**2.00 WALLS:**

ALL WALL SYSTEMS SHALL BE DESIGNED TO SUPPORT THE DEAD AND LIVE LOADS AS SPECIFIED IN THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL:**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER AND SHALL BE APPROVED BY THE ARCHITECT AND THE LOCAL BUILDING DEPARTMENT BEFORE USE.

**1.00 MECHANICAL:**

ALL MECHANICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**2.00 ELECTRICAL:**

ALL ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**3.00 PLUMBING:**

ALL PLUMBING SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**4.00 HVAC:**

ALL HVAC SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**5.00 ROOFING:**

ALL ROOFING SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**6.00 INTERIORS:**

ALL INTERIOR FINISHES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**7.00 EXTERIORS:**

ALL EXTERIOR FINISHES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**8.00 UTILITIES:**

ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AS SPECIFIED IN THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**9.00 FINISHES:**

ALL FINISHES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**10.00 ACCESSIBILITY:**

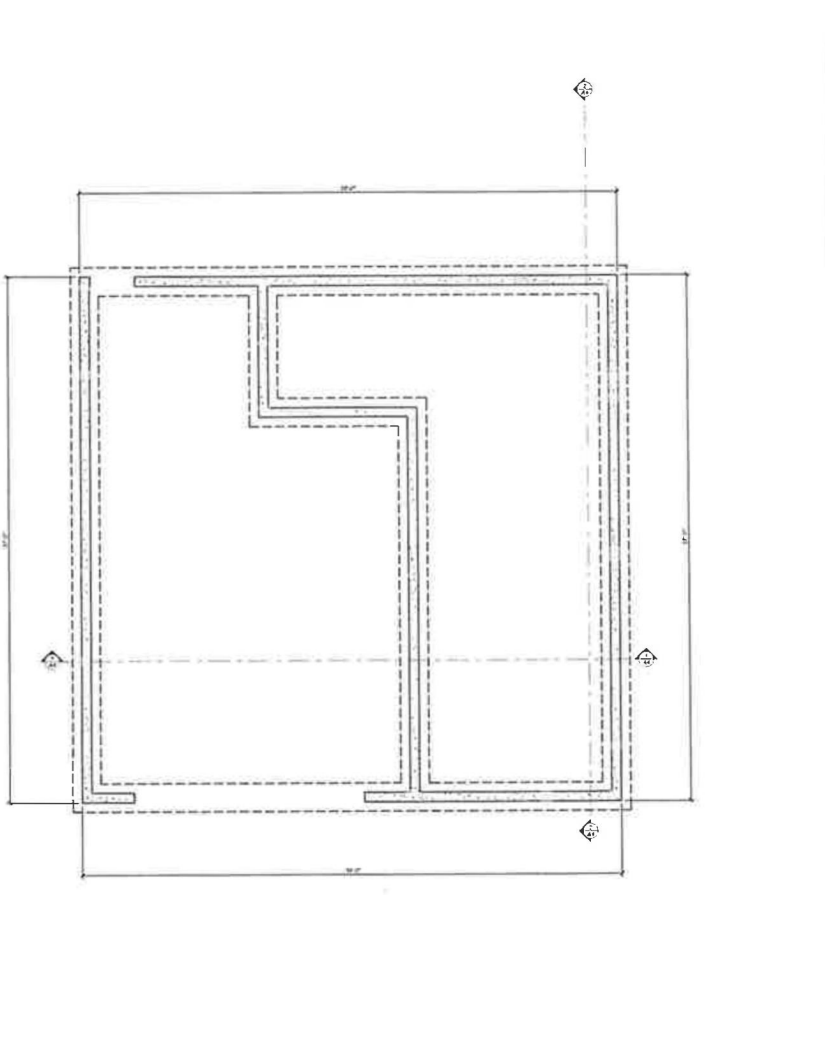
ALL ACCESSIBILITY FEATURES SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

**MECHANICAL AND ELECTRICAL (CONT.):**

ALL MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.

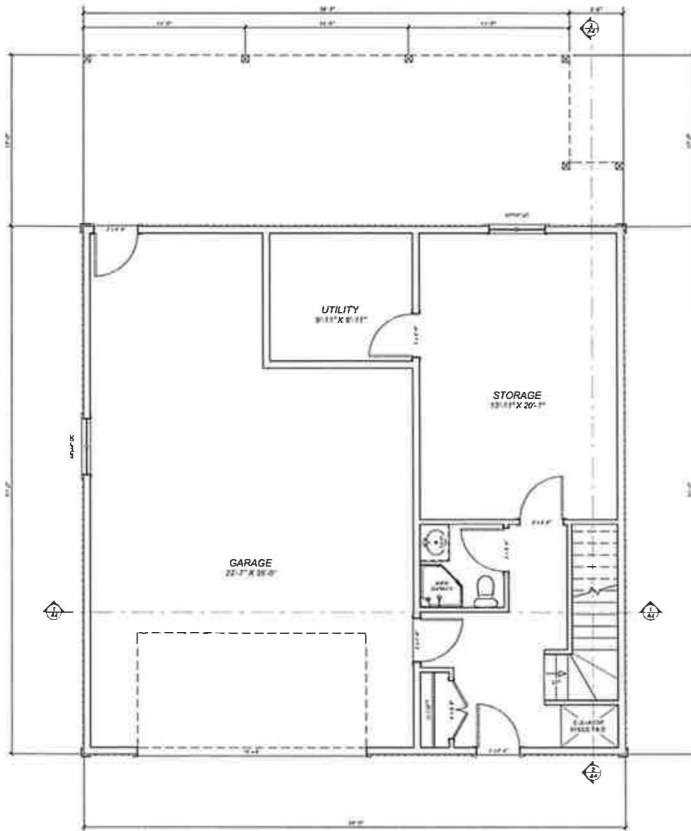
**11.00 SCHEDULING:**

ALL SCHEDULING SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE LOCAL BUILDING CODE AND ANY OTHER CODES AND REGULATIONS.



**2**  
**A1** FLOOR PLANS  
SCALE = 1/4" = 1'-0"

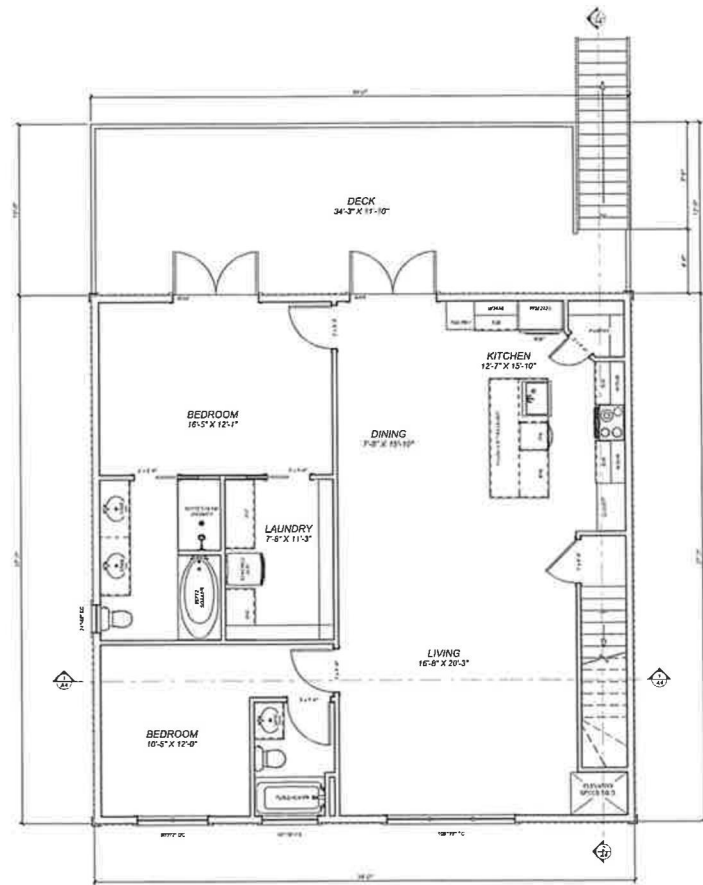
CONSULTANT:	for your residential and commercial design needs	CLIENT:		PROJECT ADDRESS:		SHEET:		DRAWN BY:	FILE:	SHEET:
PLP	403 454 7932 perry@plpinc.com							IAN	PLP 2023-033	A1
								SCALE:	DATE:	
								AS NOTED	6/26/2023	



1  
A2

**MAIN FLOOR PLAN**

SCALE = 1/4" = 1'-0" FLOOR AREA - 240 SQ.FT. / STORAGE AND UTILITY - 415 SQ.FT. / GARAGE - 750 SQ.FT.



2  
A2

**SECOND FLOOR PLAN**

SCALE = 1/4" = 1'-0" FLOOR AREA - 1405 SQ.FT. / DECK - 428 SQ.FT.

CONSULTANT:



for your residential and commercial design needs  
403-454-7932  
parry@plparchitecture.ca

CLIENT:

PROJECT ADDRESS:

SHEET:

FLOOR PLANS

DRAWN BY:	FILE:	SHEET:
IAN	PLP 2023-033	
SCALE:	DATE:	
AS NOTED	6/26/2023	

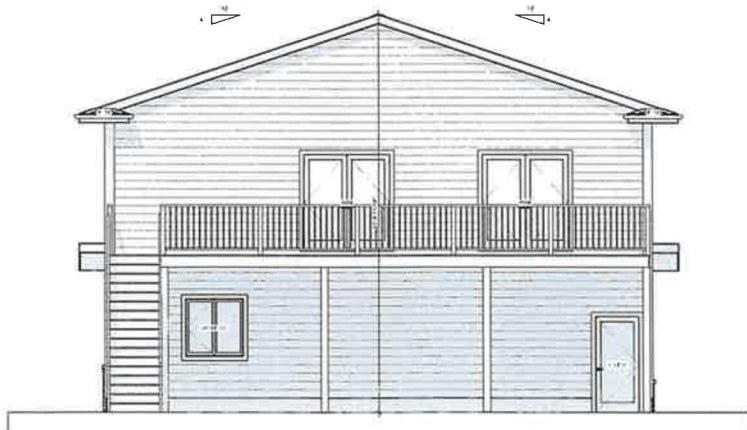
A2



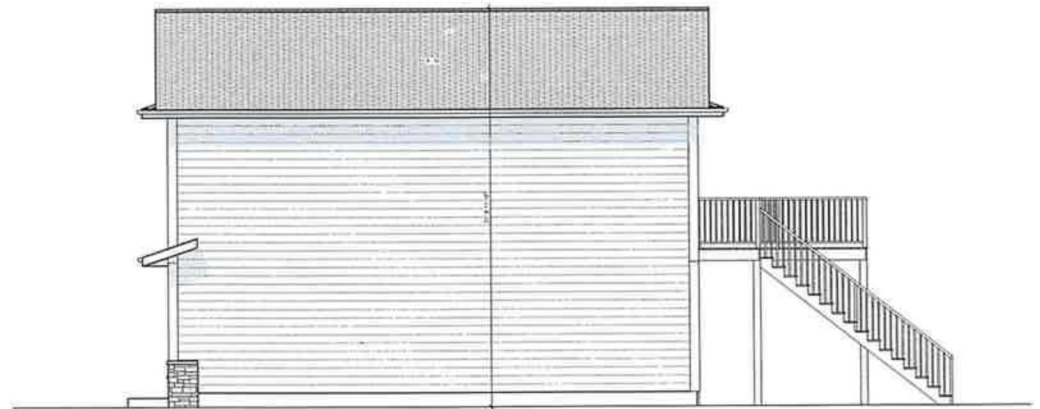
1  
A3 FRONT ELEVATION  
SCALE = 3/16" = 1'-0"



2  
A3 LEFT ELEVATION  
SCALE = 3/16" = 1'-0"



3  
A3 REAR ELEVATION  
SCALE = 3/16" = 1'-0"



4  
A3 RIGHT ELEVATION  
SCALE = 3/16" = 1'-0"

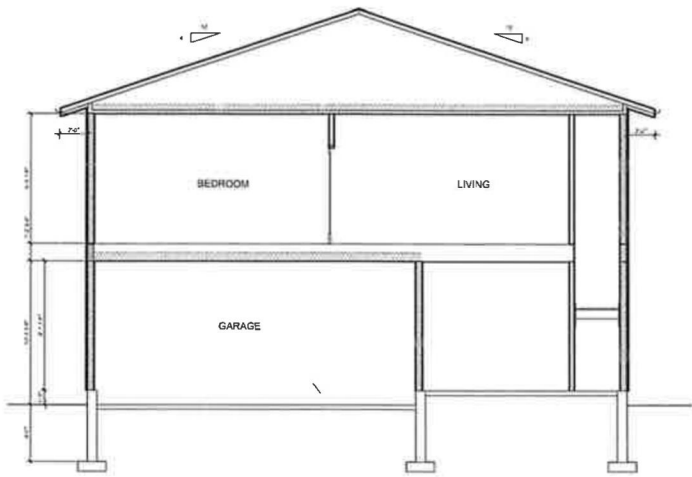
CONSULTANT:	 for your residential and commercial design needs 403-454-7832 perry@plpdesign.com	CLIENT:

PROJECT ADDRESS:
------------------

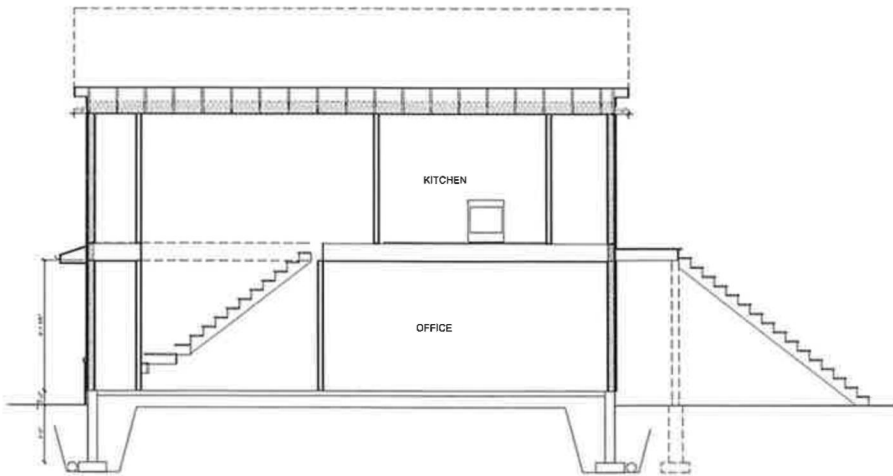
SHEET:
--------

ELEVATIONS	
------------	--

DRAWN BY:	FILE:	SHEET: <b>A3</b>
IAN	PLP 2023-033	
SCALE:	DATE:	
AS NOTED	6/26/2023	



1 CROSS SECTION 1  
A4 SCALE = 1/4" = 1'-0"



2 CROSS SECTION 2  
A4 SCALE = 1/4" = 1'-0"

CONSULTANT:  for your residential and commercial design needs 403 454-7853 perry@plparchitecture.ca	CLIENT:	PROJECT ADDRESS:	SHEET:  CROSS SECTIONS	DRAWN BY: FILE:	SHEET:  A4
				IAN PLP 2023-033	
				SCALE: DATE:	
				AS NOTED 6/26/2023	



LAND TITLE CERTIFICATE

S  
LINC                                      SHORT LEGAL                                      TITLE NUMBER  
0035 376 698                              1212691;1;2                                      211 114 777

LEGAL DESCRIPTION  
PLAN 1212691  
BLOCK 1  
LOT 2  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.809 HECTARES (2 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;1;21;10;NW  
  
MUNICIPALITY: FOOTHILLS COUNTY  
  
REFERENCE NUMBER: 191 215 701

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 114 777	12/06/2021	TRANSFER OF LAND	\$889,000	CASH & MORTGAGE

---

OWNERS  
CASSANDRA LEHMANN

AND  
TYLER SUNQUIST  
BOTH OF:  
[REDACTED]  
[REDACTED]  
[REDACTED]  
AS JOINT TENANTS

---

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
071 460 706	14/09/2007	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD.

---

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

# 211 114 777

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
081 367 425	30/09/2008	UTILITY RIGHT OF WAY GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - ATCO GAS AND PIPELINES LTD. AS TO PORTION OR PLAN:0814428
081 367 426	30/09/2008	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. AS TO PORTION OR PLAN:0814428
121 243 942	19/09/2012	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 5605 HIGH RIVER ALBERTA T1V1M7
121 243 947	19/09/2012	RESTRICTIVE COVENANT
141 174 590	10/07/2014	AMENDING AGREEMENT AFFECTS INSTRUMENT: 121243947
211 114 778	12/06/2021	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. 10 WRIGHT BLVD STRATFORD ONTARIO N4Z1H3 ORIGINAL PRINCIPAL AMOUNT: \$711,200

TOTAL INSTRUMENTS: 007

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 21 DAY OF AUGUST,  
2023 AT 10:29 A.M.

ORDER NUMBER: 48121573

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

( CONTINUED )

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).

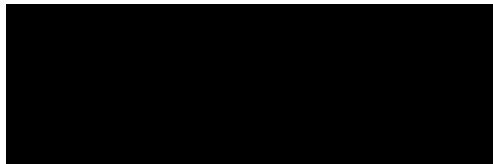




LETTER OF AUTHORIZATION

I (We), Cassandra Lehmann + Tyler Sunquist being the owner (s)  
registered on the title of Lot 2 Block 1 Plan 1212691  
NW NE / SE / SW, Section 10, Township 21, Range 1, W 5 M  
give Frontier Homes Inc. permission  
to act on my (our) behalf for the purposes of the Development Permit application affecting  
the above noted property as submitted to the Foothills County.

June 22, 2023  
Date



June 22, 2023  
Date

Signature 

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## Melanie Michaud

---

**From:** FC\_Planning  
**Sent:** August 21, 2023 10:36 AM  
**To:** Pat sr. McGaffey  
**Cc:** Martine Callum  
**Subject:** Notice of Complete Application - Development Permit 23D 171

Good morning,

**Re: Notice of Complete Application – Development Permit 23D 171  
Ptn: NW 10-21-01 W5M; Plan 1212691, Block 1, Lot 2  
Secondary Suite, Accessory**

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 August 21, 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 **Martine Callum** at [martine.callum@foothillscountyab.ca](mailto:martine.callum@foothillscountyab.ca).

Regards,

**Foothills County  
Planning & Development**

[FC\\_Planning@foothillscountyab.ca](mailto: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](http://www.foothillscountyab.ca)

I, Pat McGaffey of Frontier Homes Inc. being the registered  
Owner(s) or agent acting on behalf of the registered owner(s)

of Lot 2, Block 1, Plan# 1212691  
(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.

Frontier Homes Inc  
Owner/Agent

DATED: this 26 day of June, 2023.

**OR**

If wells are listed on-site:

I, \_\_\_\_\_ being the registered  
Owner(s) or agents 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**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: XXX

Printing Date: 6/26/2023

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: 9,027.98

0.14 Kilometers 0

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere



# DEVELOPMENT PERMIT CIRCULATION MEMORANDUM

---

**From:** Foothills County  
Box 5605 // 309 Macleod Trail  
High River, AB T1V 1M7  
[planning@foothillscountyab.ca](mailto:planning@foothillscountyab.ca)

**File Number:** 23D 171

**Date:** August 21, 2023

**Landowner:** Cassandra Lehmann and Tyler Sunquist      **Agent:** Frontier Homes Inc

**Legal:** Plan 1212691, Block 1, Lot 2

**Description:** Ptn: NW 10-21-01 W5M

**Parcel Size:** 2.0 Acres

**Proposal:** Secondary Suite, Accessory

Enclosed is a copy of the plans for the above-mentioned development. We would appreciate receiving your comments on the proposal within 30 days of the date of this letter.

If you require further information or clarification, please contact the Development Department in High River at (403) 652-2341 by phone or through email using the below address. **Please quote our file name when returning your comments to the attention of our Development Department.** Thank you for your cooperation.

## 30 DAY CIRCULATION

Contact: Martine Callum      [martine.callum@foothillscountyab.ca](mailto:martine.callum@foothillscountyab.ca)

Application to be referred to:

Division Councillor	_____	Economic Development	_____
Development Officer Site Insp.	_____	AB Comm. Development	_____
Alberta Health Services	_____	AB Energy Regulator	_____
Alberta Transportation	_____	AB Agriculture & Forestry	_____
AB Environment	_____	AB Agriculture, Sustainable Resource	_____
Public Works	X _____	AB Agriculture, Public Lands Div.	_____
Building & Safety Codes	_____	Fortis Alberta	X _____
Municipal Fire Services	_____	ATCO Gas	X _____
Municipal Addressing	X _____	AltaLink	_____
Municipal Community Services	_____	Other: <u>Telus</u>	_____
AFICA	_____		_____
Erin Frey (HR Airport only)	_____		_____

**Notes:** \_\_\_\_\_



**PLANNING & DEVELOPMENT CIRCULATION**  
**PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE**

<b>FILE NUMBER:</b> 23D 171	<b>LANDOWNER:</b> Cassandra Lehmann and Tyler Sunquist
<b>FILE MANAGER:</b> Martine Callum	<b>AGENT:</b> Frontier Homes
<b>CURRENT LAND USE:</b> CR	<b>PROPOSED LAND USE:</b>
<b>LEGAL DESCRIPTION:</b>	
Plan: 1212691 Block 1 Lot 2 Unit:	NW 10-21-1 W5M
<b>MUNICIPAL ADDRESS:</b> [REDACTED]	
<b>DATE REFERRED:</b> August 21, 2023	
<b>PROPOSAL:</b> Development Permit for 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 on: Existing parcel
  - Other:
- o Servicing Comments or Review required: Yes
  - Other:

**ROAD WIDENING:**

Information pertaining to roads on (north and east) side of the subject lands:

- o Not Applicable

**OTHER COMMENTS:**

Please provide any comments regarding Secondary Suite, Accessory

**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 Septic Disposal Evaluation (PSTS)                 | <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 checked="" type="checkbox"/> Development |
| o Lot Grading Plan                                  | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" 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 |   |
| 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 (Phase 1 / Phase 2) | <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: \_\_\_\_\_

See reverse side.....

**RECOMMENDATIONS ON APPROACH REQUIREMENTS:**  Upgrading Required  
Number of Approaches Requiring Upgrades: \_\_\_\_\_

Other Recommendations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECOMMENDATIONS REGARDING INFRASTRUCTURE:** \_\_\_\_\_  
Lot grading/drainage plan recommended to ensure natural drainage is maintained  
Will require a plan showing existing grades/drainage and proposed grades/drainage  
\_\_\_\_\_  
\_\_\_\_\_

**ROAD REQUIREMENTS / LIMITATIONS:**

- o Road Ban Requirement?

Yes  No.

If yes, which restrictions apply: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- o Bridge Crossing Required

Yes  No

- o Load Restricted Bridge

Yes  No

If yes, which restrictions apply: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL COMMENTS OR REQUIREMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

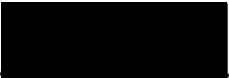
**PUBLIC WORKS SUPPORTING DOCUMENTS (PLEASE ATTACH TO THIS REFERRAL IF ANY):**

Yes\*  No

\*If Yes – Number of Pages: \_\_\_\_\_

Date Reviewed: Sept 15, 2023

Reviewer: Wiaan Kruger

Signature: 

## Melanie Michaud

---

**From:** Robert Miller  
**Sent:** September 19, 2023 2:33 PM  
**To:** Martine Callum  
**Cc:** FC\_Planning  
**Subject:** FW: Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023  
**Attachments:** 23D 171-Frontier-Sunquist.pdf

Martine,

Please add a post approval condition that they contact the GIS department to obtain a secondary address. Please notify the GIS department if this is approved.

Thanks,

Rob

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Monday, August 21, 2023 12:52 PM  
**To:** Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; landserv@fortisalberta.com; HP.Circulations@atco.com; southlandadmin@atcogas.com; circulations <circulations@telus.com>  
**Cc:** Martine Callum <Martine.Callum@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023

Good afternoon,

Find attached our circulation for development permit 23D 171. Please review and respond **prior to September 21, 2023**.

Should you have any questions or comments, please direct them to **Martine Callum** at [martine.callum@foothillscountyab.ca](mailto:martine.callum@foothillscountyab.ca).

Regards,

**Foothills County  
Planning & Development**

[FC\\_Planning@foothillscountyab.ca](mailto: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](http://www.foothillscountyab.ca)



## Melanie Michaud

---

**From:** Porter, Vicki <Vicki.Porter@atco.com>  
**Sent:** September 14, 2023 10:00 AM  
**To:** FC\_Planning  
**Subject:** RESPONSE 23-3347 RE: Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023

ATCO Transmission high pressure pipelines has no objections.

Questions or concerns related to ATCO high pressure pipelines can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

Thank you,

### Vicki Porter

Sr. Admin Coordinator, Engineering Ops  
Gas Distribution  
ATCO Pipelines and Liquids GBU

Email: [vicki.porter@atco.com](mailto:vicki.porter@atco.com)

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Monday, August 21, 2023 12:52 PM  
**To:** Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; landserv@fortisalberta.com; Circulations, HP <HP.Circulations@atco.com>; South Land Administration <SouthLandAdministration@atco.cul.ca>; circulations <circulations@telus.com>  
**Cc:** Martine Callum <Martine.Callum@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 23D 171 - Please Respond by September 21, 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 171. Please review and respond **prior to September 21, 2023**.

Should you have any questions or comments, please direct them to **Martine Callum** at [martine.callum@foothillscountyab.ca](mailto:martine.callum@foothillscountyab.ca).

Regards,

**Foothills County  
Planning & Development**

[FC\\_Planning@foothillscountyab.ca](mailto:FC_Planning@foothillscountyab.ca)

## Martine Callum

---

**From:** circulations <circulations@telus.com>  
**Sent:** August 25, 2023 11:15 AM  
**To:** Martine Callum  
**Subject:** RE: Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from circulations@telus.com. [Learn why this is important](#)

Good morning,

TELUS Communications Inc. has no objection to the above circulation.

Thank you,

**Tanya Roberts**  
**Sr Real Estate Specialist**  
TELUS | Customer Network Implementation (CNI) | Rights of Way  
2930 Centre Avenue NE, Calgary, AB T2A 4Y2  
[circulations@telus.com](mailto:circulations@telus.com)



[Facebook](#) [Instagram](#) [Twitter](#) [LinkedIn](#) [YouTube](#)

*TELUS Restricted – Privileged & Confidential  
Not to be forwarded or copied without express consent of the originator*

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Monday, August 21, 2023 12:52 PM  
**To:** Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; landserv@fortisalberta.com; HP.Circulations@atco.com; southlandadmin@atcogas.com; circulations <circulations@telus.com>  
**Cc:** Martine Callum <Martine.Callum@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023

**ATTENTION:** This email originated from outside of TELUS. Use caution when clicking links or opening attachments. | Ce courriel provient de l'extérieur de TELUS. Soyez prudent lorsque vous cliquez sur des liens ou ouvrez des pièces jointes.

Good afternoon,

Find attached our circulation for development permit 23D 171. Please review and respond **prior to September 21, 2023.**

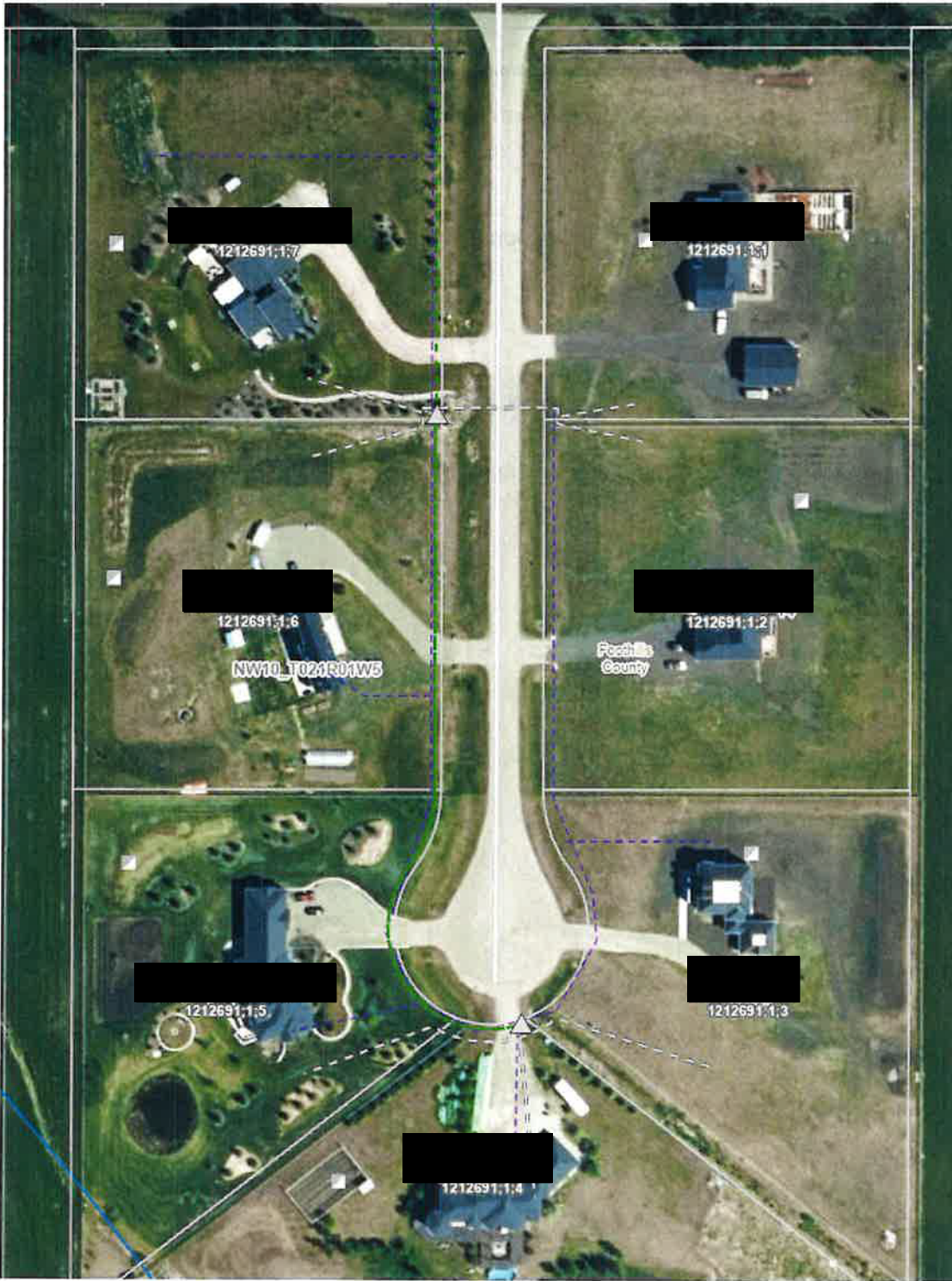
## Martine Callum

---

**From:** Tracy Davidson <tracy.davidson@fortisalberta.com> on behalf of Land Service <landserv@fortisalberta.com>  
**Sent:** August 24, 2023 10:04 AM  
**To:** Martine Callum  
**Subject:** FW: [CAUTION] Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023  
**Attachments:** 23D 171-Frontier-Sunquist.pdf

You don't often get email from landserv@fortisalberta.com. [Learn why this is important](#)

Good morning,  
FortisAlberta Inc. has no concerns regarding this development permit application.



Thank you,

**Tracy Davidson** | Land Coordinator

**FortisAlberta Inc.** | 100 Chippewa Road, Sherwood Park, AB, T8A 4H4 | Direct 780-464-8815



## Martine Callum

---

**From:** Minyukova, Veronika <veronika.minyukova@atco.com>  
**Sent:** August 21, 2023 1:16 PM  
**To:** Martine Callum  
**Subject:** RE: Circulation for Development Permit 23D 171 - Please Respond by September 21, 2023

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon,

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:** Monday, August 21, 2023 12:52 PM  
**To:** Robert Miller <Robert.Miller@FoothillsCountyAB.ca>; landserv@fortisalberta.com; Circulations, HP <HP.Circulations@atco.com>; South Land Administration <SouthLandAdministration@atco.cul.ca>; circulations <circulations@telus.com>  
**Cc:** Martine Callum <Martine.Callum@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 23D 171 - Please Respond by September 21, 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 171. Please review and respond **prior to September 21, 2023.**

Should you have any questions or comments, please direct them to **Martine Callum** at [martine.callum@foothillscountyab.ca](mailto:martine.callum@foothillscountyab.ca).

Regards,

### Foothills County Planning & Development

[FC\\_Planning@foothillscountyab.ca](mailto: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

Hi Neighbours,

This is Tyler and Cassie from the Grey House ( [REDACTED] ). We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie ( [REDACTED] ) to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED]

[REDACTED]

COREY DECKER

JAIMIE DECKER

[REDACTED]

All the best!

Hi Neighbours,

This is Tyler and Cassie from the Grey House ( [REDACTED] ). We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie ( [REDACTED] ) to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED] [REDACTED]

Hi Neighbours,

This is Tyler and Cassie from the Grey House ( [REDACTED] ). We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie ( [REDACTED] ) to pick it up. Please if you have any questions or concerns, reach out to us as well.

[REDACTED] Jennifer Kuntz [REDACTED]



Hi Neighbours,

This is Tyler and Cassie from the Grey House ( [REDACTED] ). We want to say hello and tell you about an upcoming project. We are looking to add a carriage house on the north side of our property for my (Cassie's) parents to live in. Our property is about 35 square feet short of 2 acres meaning we have to apply to the County for a project variance.

We want to do our due diligence and talk to everyone in our cul de sac first so nothing comes as a surprise when you see the notice posted. We are using Frontier Homes, the same builder as for home. The carriage house will be in a complimentary style to our current house and less than 1400 square feet of living space for the snowbirds. If approval is received this project is planned to start in July and be wrapped up late fall.

As proof that we've talked to all our neighbors we would like to present this letter signed and dated with our application to the County.

If we weren't able to chat with you in person and you have no concerns about our project it would be most helpful if you were able to sign and date this letter by your address to expedite our approval. Feel free to drop it off at our house or call/text Cassie ( [REDACTED] ) to pick it up. Please if you have any questions or concerns, reach out to us as well.

Bev Maye

[REDACTED]

[REDACTED]

**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.*

- d. For lot grading that may adversely impact the natural drainage direction or volume into, out of, or through a property or the natural drainage storage capacity of the property.

**Accessory Buildings/Structures:**

- 4.2.1.7 A detached accessory building where it is accessory to a primary residence:
  - a. having an area 20.8 sq. m. (224 sq. ft.) or less, where an accessory building is a permitted use in the land use district, including those lands designated as Sub-district “A”, Direct Control District, or within the Flood Hazard Protection Overlay, provided the structure does not result in the cumulative accessory buildings on the property exceeding the size or number of accessory buildings allowed under Table 4.2.1.7A, and
  - b. having an area greater than 20.8 sq. m. (224 sq. ft.) where an accessory building is a permitted use in the land use district and does not exceed the cumulative size of accessory buildings allowed under Table 4.2.1.7A except on any lands designated Sub-district “A”, Direct Control District, or Flood Hazard Protection Overlay District or where the accessory building is being relocated from another property. Relocation of structures requires a Development Permit in accordance with Section 9.21 of this bylaw.

**Table 4.2.1.7A**

PARCEL SIZE	SIZE OF ACCESSORY BUILDING
Less than 1 acre	Maximum of two (2) buildings with a total cumulative size not to exceed 41.8 sq. m. (450 sq. ft.) accessory to the residence
1.0 - 1.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 88.26 sq. m. (950 sq. ft.) accessory to the residence
2 - 2.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 155.6 sq. m. (1,675 sq. ft.) accessory to the residence
3.0 - 4.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,075 sq. ft.) accessory to the residence
5.0 - 9.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 325.2 sq. m. (3,500 sq. ft.) accessory to the residence
10.0 - 14.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) accessory to the residence
15.0 - 20.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 422.7 sq. m. (4,550 sq. ft.) accessory to the residence
21.0 acres and over in size:	Maximum of six (6) buildings with a total cumulative size not to exceed 478.5 sq. m. (5,150 sq. ft.) accessory to the residence.
Agricultural District and Agricultural Business District Parcels	Any size accessory building to be used for agricultural, general purposes on agricultural zoned parcels when an agricultural operation exists on the property, in accordance with Section 4.2.1.7 of this Bylaw.

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.) I

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 buildings requiring a development permit
Accessory uses	Agricultural intensive – on lots 3 acres or more in size
Agricultural (general)	Agricultural specialty
Dwelling, single family	Antenna structures, private
Home Based Business Type I	Arenas, private
Home office	Bed & breakfast
Signs not requiring a development permit	Day home services
Solar Power System, Private (Not requiring a Development Permit)	Dwelling, moved on
Temporary storage of no more than 1 unoccupied recreation vehicles (within Hamlet boundary)	Dwelling, temporary
Temporary storage of up to 5 unoccupied recreation vehicles (outside a Hamlet boundary)	Home based business Type II
Public works	Home based business Type III
Utility services, minor	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 m<sup>2</sup> (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 <sup>1</sup>/<sub>2</sub> and N <sup>1</sup>/<sub>2</sub> (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;

**Development Permit 23D 171 – Proposed Oversized Secondary Suite, Accessory**

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

**APPROVAL DESCRIPTION:**

Upon completion of the below noted pre-release conditions, this approval allows for the construction of an Oversized Secondary Suite, Accessory, having a total habitable area of +/- 1,406 sq. ft., to be built on the second level of a proposed +/- 1,406 sq. ft. Accessory Building, on the subject property.

**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 **April 23, 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. Submission of a Comprehensive Site Drainage and Lot Grading Plan to be prepared and stamped by a Professional Engineer for the subject lands, to the satisfaction of the Public Works Department. The applicant is advised that review and acceptance of the required report may be subject to payment of review fee(s) as per the Foothills County fee schedule;

**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 for the proposed Accessory Building and Secondary Suite, Accessory, to the discretion of the Safety Codes Officer;
3. It is the applicant's responsibility to obtain and properly post an independent County address(es) for the primary dwelling and proposed Secondary Suite, Accessory. *The applicants are advised that additional addressing will cause a change to the existing mailing address for the property. Please contact the County's GIS department for information in this regard;*
4. Prior to the County acknowledging completion of the development, the following shall be illustrated:
  - a. A review from the designated professional shall be submitted, confirming that all improvements are consistent with the submitted Comprehensive Site Drainage and Lot Grading Plan, and any recommendations and/or revisions as have been accepted by the County.
  - b. Removal of the temporary Storage Skid from the subject parcel;
  - c. Completion of all required permits and inspections for the Secondary Suite, Accessory and associated Accessory Building;
5. It is the applicant's responsibility to provide written notification to the Development Authority upon completion of the development, as approved herein.

**ADVISORY REQUIREMENTS:**

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

1. Development on the property shall comply with the requirements of the Alberta Building, Safety, and Fire Codes, at all times;
2. 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;
3. A minimum of two parking spaces located entirely within the boundaries of the legally titled parcel shall be available for use by the occupant(s) of the Secondary Suite, Accessory at all times;
4. The applicants are responsible to comply with the requirements of Alberta Health Services, including but not limited to the regulatory requirements under the Alberta Public Health Act, Housing Regulation 173/99 and the Minimum Housing and Health Standards (MHHS);

5. It is the applicant's responsibility to ensure that water servicing and sanitary sewer servicing are adequately provided, maintained, and operated, in compliance with all pertinent regulatory requirements, for the life of the development;
6. 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.
7. 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 or as acknowledged within the Site Drainage and Lot Grading Plan;
8. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
9. All structures shall be located as to adhere to Municipal setback requirements from the boundaries of the legally titled property. No additional variance for setback requirements has been considered under this approval;
10. 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;
11. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit.

**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.



# PLANNING PROTOCOL INC.

#200-1201 5 Street SW Calgary, AB, T2P 0Y6

Cell: (403) 703 - 1726  
www.planningprotocol2.com

November 3, 2023

Foothills County

309 Macleod Trail

High River, AB. T1V 1 M7

Re: Jane VanSanten, Dorothy Tamblyn

Lot 2, Plan 961 0425

Foothills County Subdivision file # F 2128-07NE

Attention Subdivision & Development Appeal Board



Please find enclosed the following;

- 1) An original copy of the Signed Appeal,
- 2) Application fee for the Appeal \$2,000.00 already paid with subdivision submission.
- 3) Also please find attached our reason for Appealing **Condition # 7**

We are appreciative of the official subdivision approval granted but we would like to officially appeal a condition of approval. As part of the Approval **Condition # 7** states that the landowner must pay cash in lieu of MR on the total parent parcel at the rate of \$47,828 for the entire 10.52 acres. We feel that this condition is too onerous and tantamount to a refusal as it places the landowner in a situation where they financially would be incapable of finalising this subdivision. The land owner is not opposed to paying cash in lieu of MR on the 3.3 acre lot but are respectfully requesting that the cash in lieu be deferred on the balance parcel? This is the reason for our appeal. The land owner is accepting of all the other conditions.

Should you have any questions feel free to contact myself

Sincerely

Rodney Potrie MCIP, BaSc, RPP, CET, AACIP, ACP, ADOA

Planning Protocol

- **Also Please note the our address has changed**



# Notice of Appeal

Subdivision and Development Appeal Board (SDAB)  
Foothills County [www.foothillscountyab.ca](http://www.foothillscountyab.ca)

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

<b>APPELLANT INFORMATION (e.g. Landowner or Affected Party)</b>		
Name of Appellant(s) JANE Van Santen & Dorothy Tamblyn		
Mailing Address		Province   Postal Code
Main Phone #		Alternate Phone #
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Email Address:		
<b>AGENT INFORMATION &amp; CERTIFICATION (complete section if applicable)</b>		
Name of Organization: Planning Protocol (Rodney Patrie)		
Contact Name: RODNEY PATRIE		
Mailing Address	Province	Postal Code
#200-1201-55T S.W. CALGARY AB	AB	T2R-0Y6
Main Phone #		
403-703-1726		
I consent to receive documents by email: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Email Address: rod@planningprotocol2.com		
I (We) JANE & DOROTHY hereby authorize PLANNING PROTOCOL to act on my (our) behalf on matters pertaining to this appeal.		
* [Signature]	Date: Nov 3/23	[Signature] Date: Nov 3/23
<b>SITE INFORMATION</b>		
Municipal Address (house and street number):		
Legal Land Description: Plan 9610425 Block 28 Lot 2		
Quarter-Section	Township	Range Meridian
PTW NE 7	21	28 W24M
<b>I AM APPEALING (check only one)</b>		
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal Development Permit # Date of Decision: (Y/M/D)	Subdivision Authority Decision <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal Subdivision Application # Date of Decision: (Y/M/D) 2023/10/18	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order Enforcement Order # Date of Decision: (Y/M/D)
<b>REASON FOR APPEAL (attach separate page(s) if required)</b>		
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.		
Condition #7 requesting cash in lieu of MR on the entire parent parcel. We feel this is too onerous & feel the MR should be taken on the 3.3 AC PARCEL only at this time.		

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.

\*



Nov 3/23  
Date

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

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

2

<b>CREDIT CARD INFORMATION</b>	
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:

<b>FOR OFFICE USE ONLY</b>		
Authorized By:	Date:	Receipt #:



**FOOTHILLS COUNTY**  
**BOX 5605, 309 MACLEOD TRAIL**  
**HIGH RIVER AB T1V 1M7**  
**TELEPHONE (403) 652-2341**  
[planning@foothillscountyab.ca](mailto:planning@foothillscountyab.ca)

**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

\*\*\*\*\*

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:

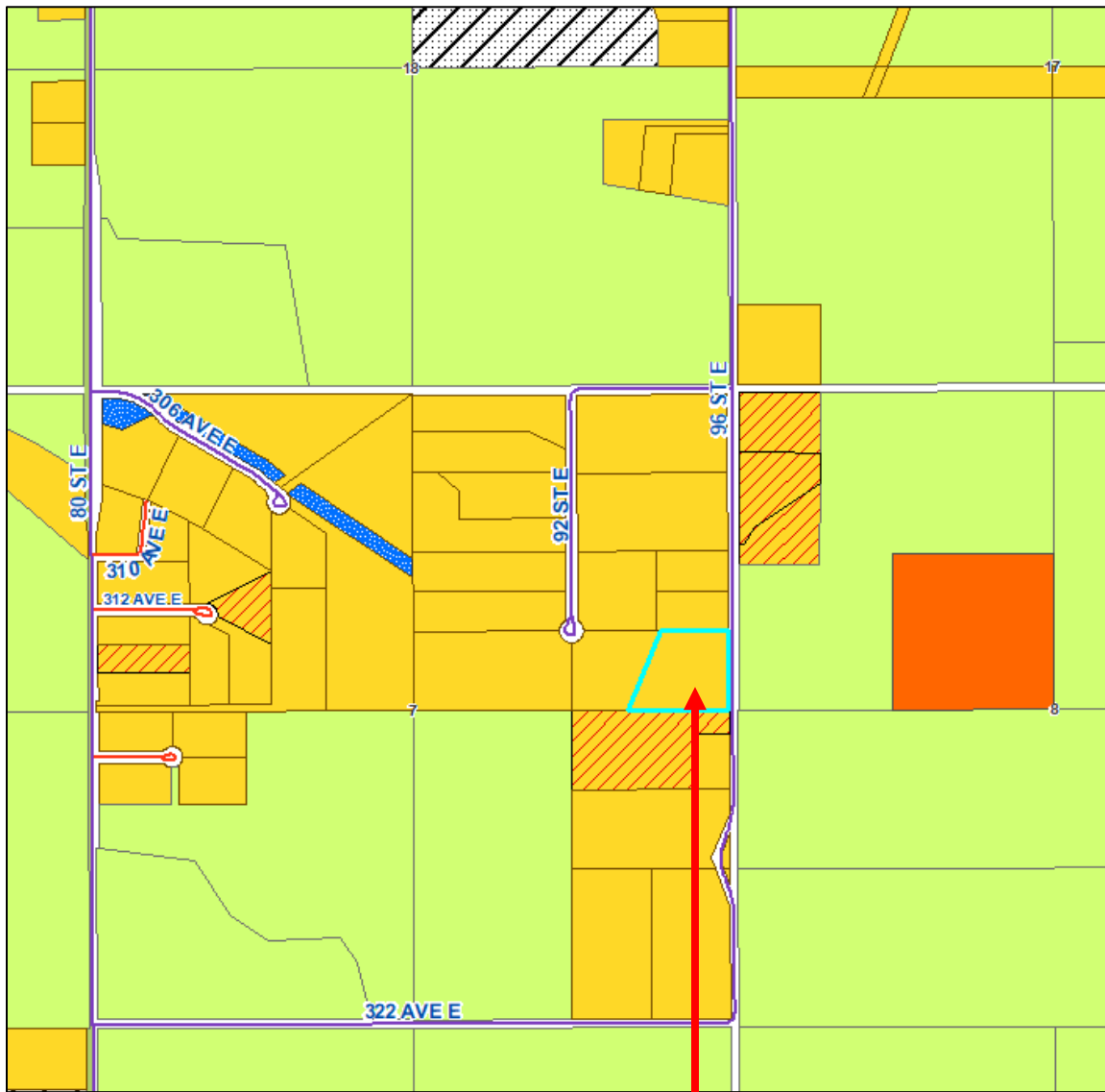
1. The application is consistent with Section 9 of the Matters Related to Subdivision and Development Regulation; and
2. The subject lands have the appropriate land use designation.

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.**

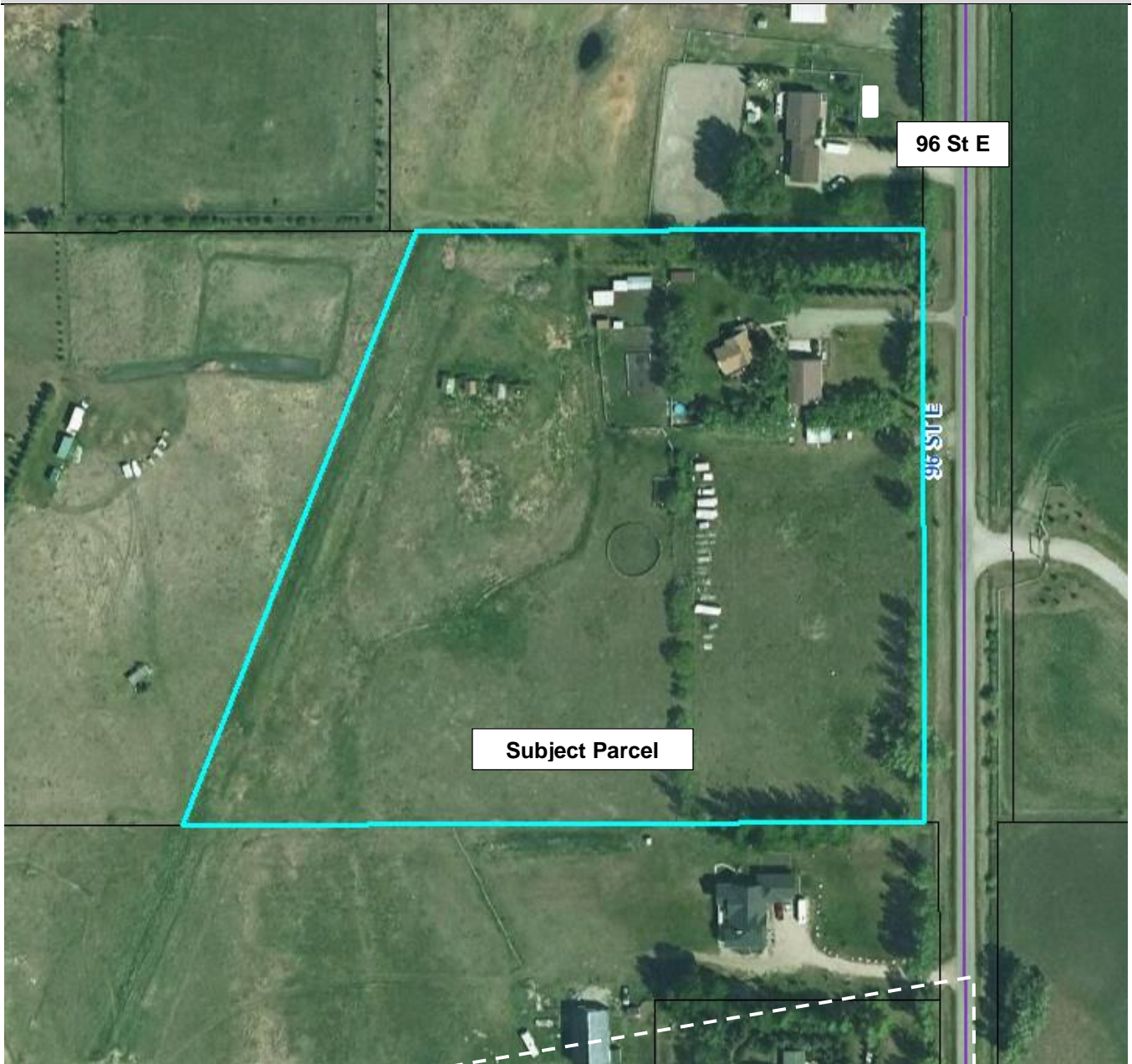
**APPENDIX A: HALF MILE MAP – LAND USE**



**Subject Parcel**

Legend		
Hard Surface (Chip/oil)	CR- Country Residential	MR- Municipal Reserve
Gravel	CRA- Country Residential Sub A	MLR- Municipal Land/Reserve District
Developer Pavement	DC - Direct Control	
Pavement	BP- Bussiness Park	
Flood Hazard Protection District	RB- Rural Business	
In Transition	INR- Natural Resource Extraction	
A- Agricultural	EP- Environmental Protection	
AA- Agricultural Sub A	ER- Environmental Reserve	

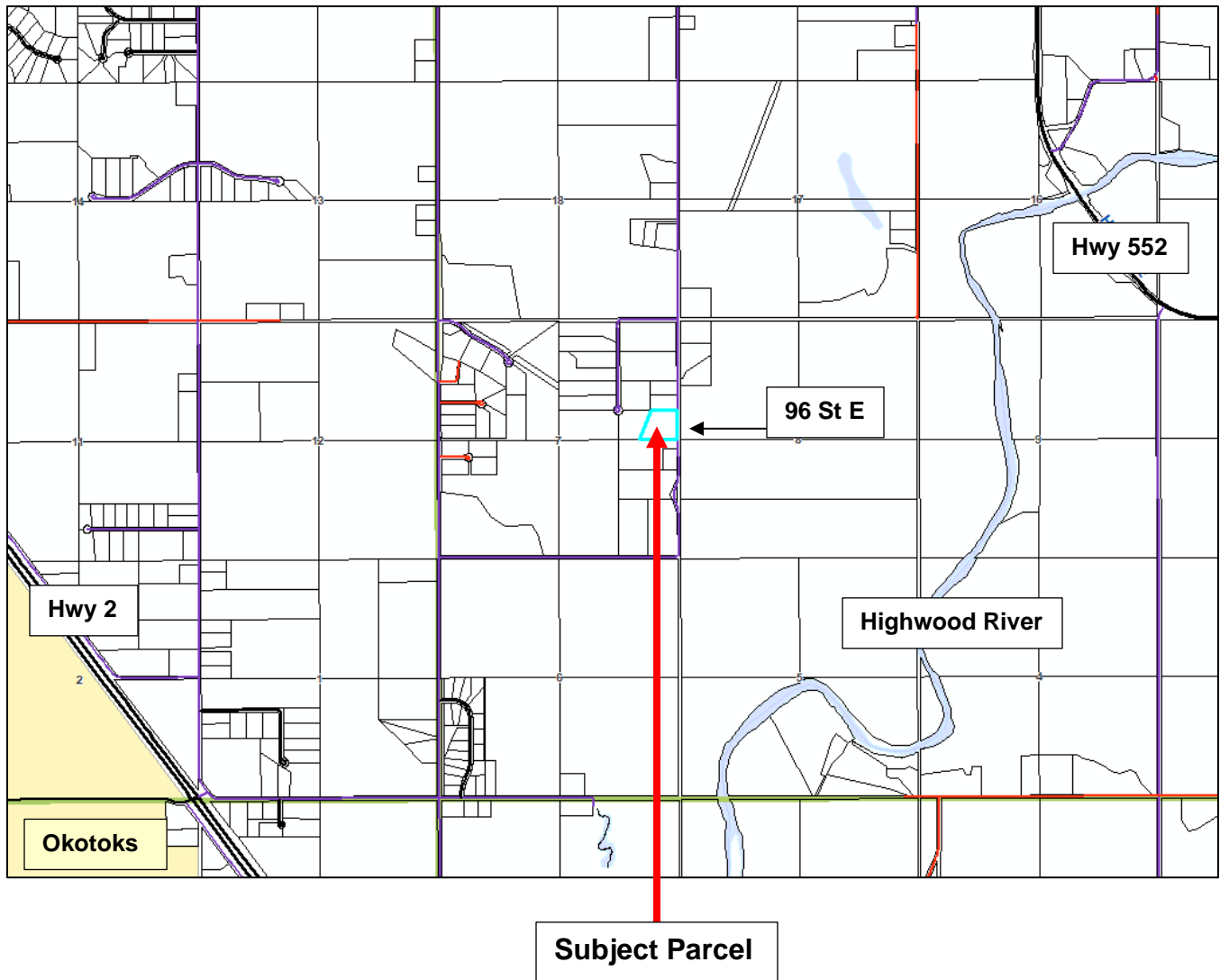
**APPENDIX A: ORTHO PHOTO**



**APPENDIX A: SITE PLAN**



**APPENDIX A: LOCATION MAP**





# Subdivision Application

Foothills County

www.foothillscountyab.ca

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

This form is to be completed in full wherever applicable by the registered owners of the land that is the subject of the application or by a person authorized to act on the registered owner's behalf.

**FOR OFFICIAL USE ONLY**

Date of Receipt: #150-01105123 Date Deemed Complete: Roll #:   
 Fees Submitted: \$950.00 Receipt No.: #150-389660 File No.: FA128-07NE   
 \$2000.00

**1. NAME OF REGISTERED OWNERS OF LAND TO BE SUBDIVIDED:**

JANE VASANTEA & DOROTHY TAMBLUN

Address: [Redacted] Postal Code: [Redacted]

Business Phone: [Redacted]

I consent to receive documents by email:  Yes  No Email Address: [Redacted]

**2. NAME OF AUTHORIZED PERSON ACTING ON BEHALF OF REGISTERED OWNER(S) (IF ANY):**

PLANNING PROTOCOL (ROD POTRIE)

Address: 2922-3 AVE N.E. CALGARY, AB Postal Code: T2A 6T7

Home Phone: Business Phone: 403-703 1726

I consent to receive documents by email:  Yes  No Email Address: rod@planningprotocol2.com

I (We) JANE VASANTEA & DOROTHY TAMBLUN hereby authorize PLANNING PROTOCOL (RODNEY POTRIE) to act on my (our) behalf on matters pertaining to this application for subdivision.

\* SEE ATTACHED LETTER OF \* AUTHORIZATION

Signature of Landowner(s) Date Signature of Landowner(s) Date

**3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED:**

All (part) of the NE 1/4 Sec. 7 Twp. 21 Range 28 West of 4 Meridian.

Being all/parts of Lot 2 Block Reg. Plan No. 9610425 C.O.T. No. 041/09 660

Total area of the above parcel of land to be subdivided 4.25 hectares (10.52 acres).

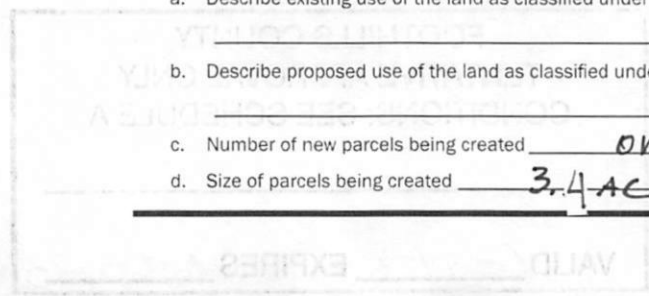
Municipal Address (if applicable)

**4. LOCATION OF LAND TO BE SUBDIVIDED:**

- a. The land is situated in Foothills County.
- b. Is the land situated immediately adjacent to the municipal boundary? Yes \_\_\_ No X  
If Yes, the adjoining municipality is \_\_\_\_\_
- c. Is the land situated within 1.6 kilometres (1 mile) of the centre line of a Highway right of way? Yes \_\_\_ No X If Yes, the Highway is No. \_\_\_\_\_
- d. Does the proposed parcel contain or is adjacent to a river, stream, lake or other body of water, or by a drainage ditch or canal? Yes \_\_\_ No \_\_\_ If Yes, state its name \_\_\_\_\_
- e. Is the land within 1.5 kilometres (0.93 miles) of a sour gas facility? Yes \_\_\_ No X
- f. Are there any oil or gas wells or pipelines on or within 100 metres of the land? Yes \_\_\_ No X

**5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED:**

- a. Describe existing use of the land as classified under a land use bylaw CR
- b. Describe proposed use of the land as classified under a land use bylaw CR - Amendment. AND CRA - COUNTY RESIDENTIAL SUB-DISTRICT 2
- c. Number of new parcels being created one
- d. Size of parcels being created 3.4 AC



**6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED:**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) gently sloping
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) There are multiple domestic trees & shrubs.
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) loam, clay

**7. EXISTING BUILDINGS ON THE LAND TO BE SUBDIVIDED:**

Describe any building, historical or otherwise and any structures on the land and whether they are to be demolished or moved:  
1- home (older vintage), 1- GARAGE (Newer vintage)  
several small sheds / (all to remain).

**8. WATER AND SEWER SERVICES**

If the proposed subdivision is to be served by other than a water distribution system and a wastewater collection system, describe the manner of providing water and sewage disposal: serviced by a great water well (well log attached) serviced by septic tank and field

**9. REGISTERED OWNER(S) OR PERSON ACTING ON HIS /HER BEHALF:**

I/We, Jane Vansanten & Dorothy Tamblyn hereby certify that

- I/We are the registered owner(s), or
- I/We are authorized to act on behalf of the registered owner(s)

and that the information given on this form is full and complete and is, to the best of my/our knowledge, a true statement of the facts relating to this application for subdivision.

Address: [Redacted]  
Signed: [Redacted] \*  
Date: 1/12/2022 Phone No. [Redacted]

**RIGHT OF ENTRY**

I/We, JANE Vansanten & Dorothy Tamblyn hereby authorize Foothills County to enter my/our land for the purpose of conducting a site inspection in connection with my/our application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

[Redacted Signature] \*  
[Redacted Signature] \*  
Signature of Registered Owner(s)

THIS SECTION FOR OFFICIAL USE		<b>FOOTHILLS COUNTY</b> <b>TENTATIVE APPROVAL ONLY</b> <b>CONDITIONS: SEE SCHEDULE A</b> <hr/> <b>VALID <u>Oct 18/23</u> EXPIRES <u>Oct 18/24</u></b>
Decision	<u>Approved</u>	
The reasons for refusal or conditions of approval are attached.		
Date	<u>October 30/2023</u>	
Signed	[Redacted Signature]	





Jane Van Santen  
County of Foothills

PLAN SHOWING  
Overland Drainage

AFFECTING  
Lot 2 Plan 9610425

SCALE: 1:1000

ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

**LEGEND**

- Subject Property -
- Septic Field -
- Existing Water Well -
- Building Envelope -
- Seasonal Drainage -
- Setbacks -
- 10m overland drainage easement -
- Proposed Water Well -

Existing Home Approach

Existing Secondary Access

Range Rd 285

96 St E (Paved)

Lot 1 Proposed Approach

7.12 ac

Total: 3.4 ac

BUILDING ENVELOPE (1.0 ac)

Proposed Water Well

Outside Riding Area

Five (5) meter ERE from drainage course

Old Sheds

Sheds

HOME

Garage

Shed

Vehicles

Vehicles and Farm Equipments

Figure 4.2

DRAWN BY		DATE		FILE NO.	
S. TAJ		Jan 24 23		P 746-01	
CHECKED BY		DATE		FILE NO.	
R. POTRE		Jan 24 23		P 746-01	

**Planning Protocol**  
2922 3rd Ave NE  
Calgary Alberta T2A 6T7  
Mobile: (403) 703-1726  
Office: (403) 230-5522  
Email: rd@planningprotocol2.com  
Url: www.planningprotocol2.com

CAD FILE: Feasibility Study 23.dwg



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0026 658 617            9610425;;2                      041 109 660

LEGAL DESCRIPTION  
PLAN 9610425  
LOT 2  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 4.256 HECTARES (10.52 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;28;21;7;NE

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 041 075 853

---

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
041 109 660	25/03/2004	TRANSFER OF LAND	\$415,000	\$415,000

---

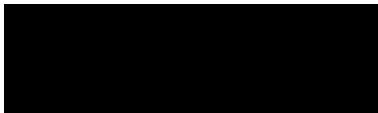
OWNERS

JANE VANSANTEN

AND

DOROTHY D TAMBLYN

BOTH OF:



AS JOINT TENANTS

---

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
831 068 034	18/04/1983	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

---

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

071 200 619      26/04/2007 MORTGAGE  
MORTGAGEE - THE BANK OF NOVA SCOTIA.  
1401 - 17TH. AVENUE, S.W., CALGARY  
ALBERTA T2T0C6  
ORIGINAL PRINCIPAL AMOUNT: \$720,000

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 16 DAY OF  
FEBRUARY, 2022 AT 12:12 P.M.

ORDER NUMBER:    43711447

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).



# ABANDONED WELL SITES

## Foothills County

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

The location of oil and gas wells that are being drilled or are actively producing is evident, both from the surface and through a notation on the land title. Abandonment of an oil and gas well occurs by rendering the well incapable of flow and placing a cap over the casing approximately one meter below the surface. After surface reclamation is complete and a certificate is issued by Alberta Environment, the well site lease notation may be removed from the title. At this point, there is nothing visible on the surface or on the title to indicate the presence of an abandoned well.

Council and staff give serious consideration to information pertaining to abandoned well sites when evaluating applications for subdivision, land use amendment or redesignation, development permits, and building permits.



***The Alberta government has recently introduced new requirements for developers and property owners relating to abandoned wells.***

Effective November 1<sup>st</sup> 2012, subdivision and development applications must be accompanied by documentation from the Alberta Energy Regulator (AER) indicating the presence or absence of abandoned wells on-site. If abandoned wells do exist on-site, subdivision and development applications must show exactly where the wells exist, what the setback distances are (if setbacks are required) and how they have been taken into account. To assist applicants in collecting the required information, the AER has released an 'Abandoned Well Map Viewer' that provides the location, name of the licensee, and status of abandoned wells across Alberta. The viewer is available at:

<https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>

Through use of the viewer, subdivision and development applications must now contain the following:

1. A map of the search area from the viewer and a statement that there are no wells in the project area or;
2. A list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, as provided by the viewer or Information Services;
3. Written confirmation from the applicant that the licensee responsible for each well has been contacted and the exact well location confirmed;
4. A sketch of the proposed development incorporating the necessary setback area for each well;
5. If the development will result in construction activity within the setback area, a statement confirming that the abandoned wells will be temporarily marked with on-site identification to prevent contact during construction.

The AER Calgary Office can be contacted at:

**AER Calgary (Head Office)**  
Suite 1000, 250 - 5th St. SW  
Calgary, AB T2P 0R4  
Phone: (403) 297-8311  
Toll Free: 1-855-297-8377  
Fax: (403) 297-7336  
Email: [inquiries@aer.ca](mailto:inquiries@aer.ca)

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

If no wells are listed on-site:

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.

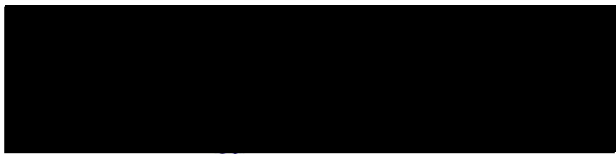
\_\_\_\_\_  
Owner/Agent  
DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**OR**

If wells are listed on-site:

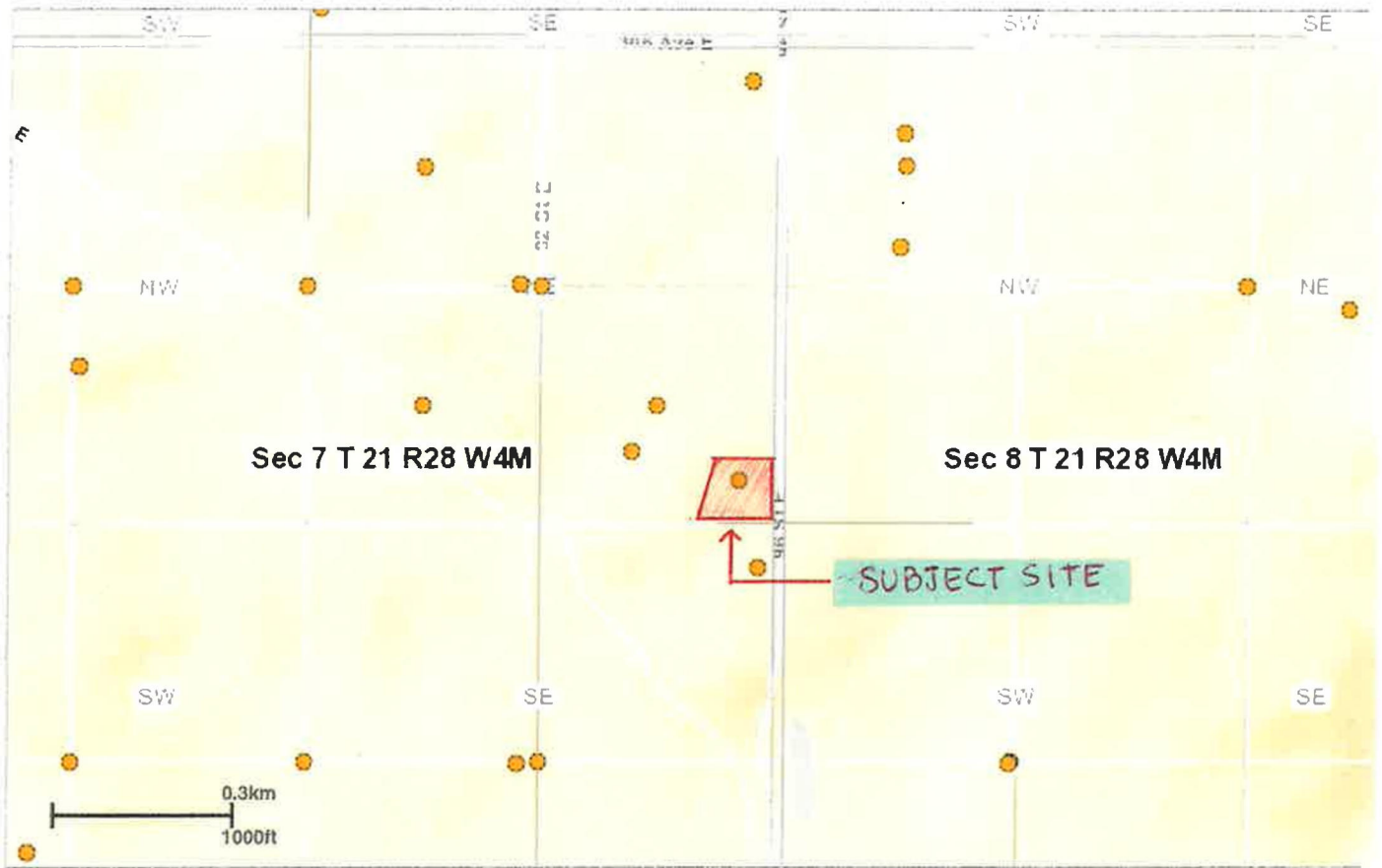
I, Planning Protocol (Rodney Potrie) being the registered  
Owner(s) or agents acting on behalf of the registered owner(s)  
of Lot 3 Plan 9610425  
(Legal Description)

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 11 day of JAN, 2022.

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



### Alberta Water Well Information Database Map

**Projection**

Web Mercator (Auxillary Sphere)

**Datum**

WGS 84

**Date**

12/13/2021, 9:46:27 AM

**Legend**

- Groundwater Drilling Report
- ◆ Baseline Water Well Report

<http://groundwater.alberta.ca/WaterWells/d/>

Information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at time of use.  
© 2009 Government of Alberta  
© Government of Alberta | Copyright Government of Alberta | Esri, HERE, Garmin, NGA, USGS, NPS

## Brittany Smith

---

**From:** circulations <circulations@telus.com>  
**Sent:** August 22, 2023 12:57 PM  
**To:** Brittany Smith  
**Subject:** RE: Foothills County Circulation F2128-07NE-Vansanten-Tamblyn-Reply by September 21, 2023

Good afternoon,

TELUS Communications Inc. has no objection to the above circulation.

Thank you,

**Tanya Roberts**

**Sr Real Estate Specialist**

Network Engineering & Operations (NEO) | TELUS | Rights of Way  
2930 Centre Avenue NE, Calgary, AB T2A 4Y2

[circulations@telus.com](mailto:circulations@telus.com)



[Facebook](#) [Instagram](#) [Twitter](#) [LinkedIn](#) [YouTube](#)

*TELUS Restricted – Privileged & Confidential*

*Not to be forwarded or copied without express consent of the originator*

---

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Monday, August 21, 2023 9:38 AM  
**To:** AEP.EPEAapprovCal@gov.ab.ca; southlandadmin@atcogas.com; HP.circulations@atco.com; landserv@fortisalberta.com; 3rdpartyrequests@altalink.ca; subdivisions@fortisalberta.com; circulations <circulations@telus.com>; Julie Sills <Julie.Sills@FoothillsCountyAB.ca>; subdivisions@contractlandstaff.com  
**Cc:** Brittany Smith <Brittany.Smith@FoothillsCountyAB.ca>  
**Subject:** FW: Foothills County Circulation F2128-07NE-Vansanten-Tamblyn-Reply by September 21, 2023

**ATTENTION:** This email originated from outside of TELUS. Use caution when clicking links or opening attachments. | Ce courriel provient de l'extérieur de TELUS. Soyez prudent lorsque vous cliquez sur des liens ou ouvrez des pièces jointes.

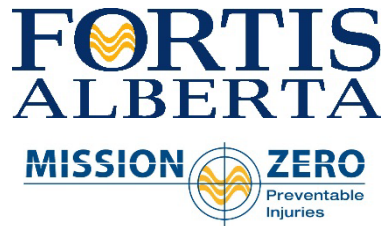
Good morning,

Find attached our circulation for Subdivision F2128-07NE. Please review and respond **prior to September 21, 2023**. Should you have any questions or comments, please direct them to **Brittany Smith** at [brittany.smith@foothillscountyab.ca](mailto:brittany.smith@foothillscountyab.ca).

Regards,

**Foothills County  
Planning & Development**

[FC\\_Planning@foothillscountyab.ca](mailto:FC_Planning@foothillscountyab.ca)



Tracy Davidson  
Land Department

**FortisAlberta Inc.**  
320 – 17 Ave SW  
Calgary, AB T2S 2V1

Phone# 780-464-8815  
Cell#  
[www.fortisalberta.com](http://www.fortisalberta.com)  
Email:  
[tracy.davidson@fortisalberta.com](mailto:tracy.davidson@fortisalberta.com)

August 24, 2023

Foothills County  
PO Box 5605  
High River, Alberta  
T1V 1M7

**Attention:** Brittany Smith

**RE: FortisAlberta Condition for Subdivision Approval**

**FortisAlberta Reference No.:** 320133409

**MD File No.:** F2128-07NE

**Location/Legal Description:** NE 7-21-28-W4M

**Customer Name:** Jane Vansanten and Dorothy Tamblyn

Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

Sincerely,



Tracy Davidson

RE: 320133409



## MD/County Circulation Response

Date: August 25, 2023

Completed By: Jessica Lahnert

File Number: F2128-07NE

Legal: NE-07-21-28-W4, Plan 9610425, Lot 2

Landowner: Jane Vansanten & Dorothy Tamblyn

MD/County Contact: Brittany Smith

In reference to the above request, please be advised of ATCO Gas' response and **notify the landowner** of the following:

**ATCO Gas has no objection**

- ATCO Gas has no need for a Utility Right of Way currently
- ATCO Gas' existing and future lines are protected by an existing Utility Right of Way
- The proposed does not fall within ATCO Gas' franchise area
- The landowner/developer has met our criteria for URW and has been registered as instrument number: \_\_\_\_\_

**ATCO Gas Objects with the following comments –**

- The Landowner is **required to contact ATCO Gas via Email: southlandadmin@atcogas.com** to facilitate execution of Utility Right of Way to the satisfaction of ATCO Gas

\*Once the URW has been registered at the Alberta Land Titles Office, we will notify the MD/County\*

**ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:**

- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilitysafety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact [Crossings@atcogas.com](mailto:Crossings@atcogas.com) to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email [southlandadmin@atco.com](mailto:southlandadmin@atco.com)

## Brittany Smith

---

**From:** FC\_Planning  
**Sent:** September 15, 2023 3:48 PM  
**To:** Brittany Smith  
**Subject:** FW: RESPONSE 23-3345 RE: Foothills County Circulation F2128-07NE-Vansanten-Tamblyn-Reply by September 21, 2023

---

**From:** Porter, Vicki <Vicki.Porter@atco.com>  
**Sent:** Thursday, September 14, 2023 9:50 AM  
**To:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Subject:** RESPONSE 23-3345 RE: Foothills County Circulation F2128-07NE-Vansanten-Tamblyn-Reply by September 21, 2023

ATCO Transmission high pressure pipelines has no objections.

Questions or concerns related to ATCO high pressure pipelines can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).

Thank you,

### Vicki Porter

Sr. Admin Coordinator, Engineering Ops  
Gas Distribution  
ATCO Pipelines and Liquids GBU

Email: [vicki.porter@atco.com](mailto:vicki.porter@atco.com)

---

**From:** FC\_Planning <[Planning@Foothillscountyab.ca](mailto:Planning@Foothillscountyab.ca)>  
**Sent:** Monday, August 21, 2023 9:38 AM  
**To:** [AEP.EPEAapprovCal@gov.ab.ca](mailto:AEP.EPEAapprovCal@gov.ab.ca); South Land Administration <[SouthLandAdministration@atco.cul.ca](mailto:SouthLandAdministration@atco.cul.ca)>; Circulations, HP <[HP.Circulations@atco.com](mailto:HP.Circulations@atco.com)>; [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com); [3rdpartyrequests@altalink.ca](mailto:3rdpartyrequests@altalink.ca); [subdivisions@fortisalberta.com](mailto:subdivisions@fortisalberta.com); [circulations@telus.com](mailto:circulations@telus.com); Julie Sills <[Julie.Sills@FoothillsCountyAB.ca](mailto:Julie.Sills@FoothillsCountyAB.ca)>; [subdivisions@contractlandstaff.com](mailto:subdivisions@contractlandstaff.com)  
**Cc:** Brittany Smith <[Brittany.Smith@FoothillsCountyAB.ca](mailto:Brittany.Smith@FoothillsCountyAB.ca)>  
**Subject:** FW: Foothills County Circulation F2128-07NE-Vansanten-Tamblyn-Reply by September 21, 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 morning,

Find attached our circulation for Subdivision F2128-07NE. Please review and respond **prior to September 21, 2023**.



**FOOTHILLS COUNTY**

309 Macleod Trail, Box 5606  
High River, Alberta T1V 1M7  
Phone: 403-652-2341  
Fax: 403-652-7880  
Planning@FoothillsCountyAB.ca  
www.FoothillsCountyAB.ca

August 22, 2023  
File # F2128-07NE

Planning Protocol  
Attn: Rodney Potrie  
2922 – 3 Avenue NE  
Calgary, AB T2A 6T7

**COPY**

Dear Mr. Potrie:

**RE: PROPOSED SUBDIVISION – NOTICE OF COMPLETE**

**LEGAL DESCRIPTION: PTN. NE 7-21-28 W4; PLAN 9610425, LOT 2**

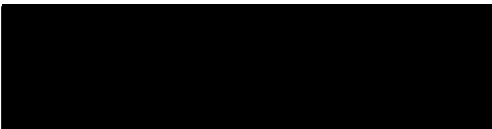
---

Section 653.1 of the Municipal Government Act requires the Subdivision Authority, within 20 days after the receipt of an application for subdivision, 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 August 16, 2023.

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 the undersigned.

Yours truly,  
**FOOTHILLS COUNTY**



**Brittany Smith**  
Planning and Development Officer  
E. Brittany.Smith@FoothillsCountyAB.ca  
P. (403) 603-6257

BS/de

cc. Landowners – Jane Vansanten and Dorothy Tamblyn



## FOOTHILLS COUNTY

309 Macleod Trail, Box 5606

High River, Alberta T1V 1M7

Phone: 403-652-2341

Fax: 403-652-7880

Planning@FoothillsCountyAB.ca

www.FoothillsCountyAB.ca

August 22, 2023  
File # F2128-07NE

Planning Protocol  
Attn: Rodney Potrie  
2922 – 3 Avenue NE  
Calgary, AB T2A 6T7

**COPY**

Dear Mr. Potrie:

**RE: PROPOSED SUBDIVISION – NOTICE OF TIME EXTENSION**

**LEGAL DESCRIPTION: PTN. NE 7-21-28 W4; PLAN 9610425, LOT 2**

---

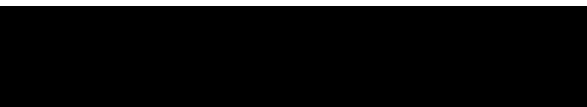
Section 6 of the Subdivision and Development Regulation requires the Council to make a decision on a completed subdivision application within 60 days of its receipt unless an agreement is entered into with the applicant to extend this period. To permit the Subdivision Approving Authority to make a decision on your application we are requesting you to enter into the time extension agreement set out below. Without this agreement, we will be unable to deal with your application after the 60-day period has expired. This is a **standard letter** and **will not hold your application up in any way.**

If you concur with our request, please complete the agreement set out below and forward it to the above mailing address. Please note that this is a standard form sent to all landowners who apply for Subdivision.

If you have any questions or concerns regarding the information in this letter, please contact the undersigned.

Yours truly,

**FOOTHILLS COUNTY**



**Brittany Smith**

Planning and Development Officer

E. Brittany.Smith@FoothillsCountyAB.ca

P. (403) 603-6257

BS/dn

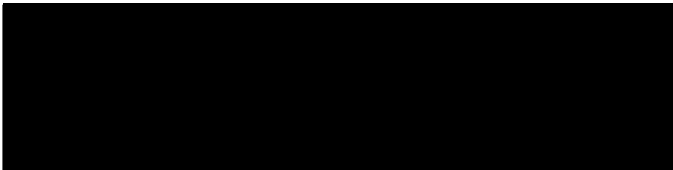
cc. Landowners – Jane Vansanten and Dorothy Tamblyn

---

**TIME EXTENSION AGREEMENT**

---

In accordance with Section 681(1) (b) of the Municipal Government, I, Rodney Potrie, do hereby enter into an agreement with Foothills County and agree to extend the time prescribed under Section 6 of the Subdivision and Development Regulations November 22, 2023.



Rodney Potrie  
Planning Protocol

Oct 5/2023  
Date



**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 22, 2023

«MailName»

«AddLine1»

«AddLine2» «AddLine3»

«city», «prov» «POSTAL»

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION– Ptn. NE 7-21-28 W4M; Plan 961 0425, Lot 2 (10.52 Acres)**

Foothills County has received an application from Rodney Potrie & Trevor Williams of Planning Protocol on behalf of landowners Jane Vansanten and Dorothy Tamblyn, proposing a subdivision of one (1) ±3.30 acre Country Residential Sub-district “A” (CRA) lot. A location map for the subject parcel and a site plan are enclosed.

Under the Municipal Government Act adjacent landowners no longer have the opportunity to appeal the decision of the Subdivision Authority to the Subdivision and Development Appeal Board or Land and Property Rights Tribunal. However, as per Section 653(3)(b) of the Act, the Subdivision Authority is required to give notice of the subdivision application to adjacent landowners. According to our records you are an adjacent landowner.

The file for this application may be reviewed at the County Office in High River during regular office hours - Monday to Friday, 8:30 AM to 4:30 PM. Any adjacent landowners that have concerns or feel they are affected by the proposal can make a written submission to Council as the Subdivision Authority prior to **September 22, 2023**. If we do not hear from you in that time, it will be assumed that you have no objections. There will be no public hearing, only written submissions will be considered. **It is to be noted that your submission will be considered to be part of a file that can be viewed by the public at any time.**

Should you have any questions or wish to submit a letter, please do not hesitate to contact the undersigned.

Yours truly,

**FOOTHILLS COUNTY**



*Original Signed by:*

**Brittany Smith**

Planning & Development Officer

E. Brittany.Smith@FoothillsCountyAB.ca

P. (403) 603-6257

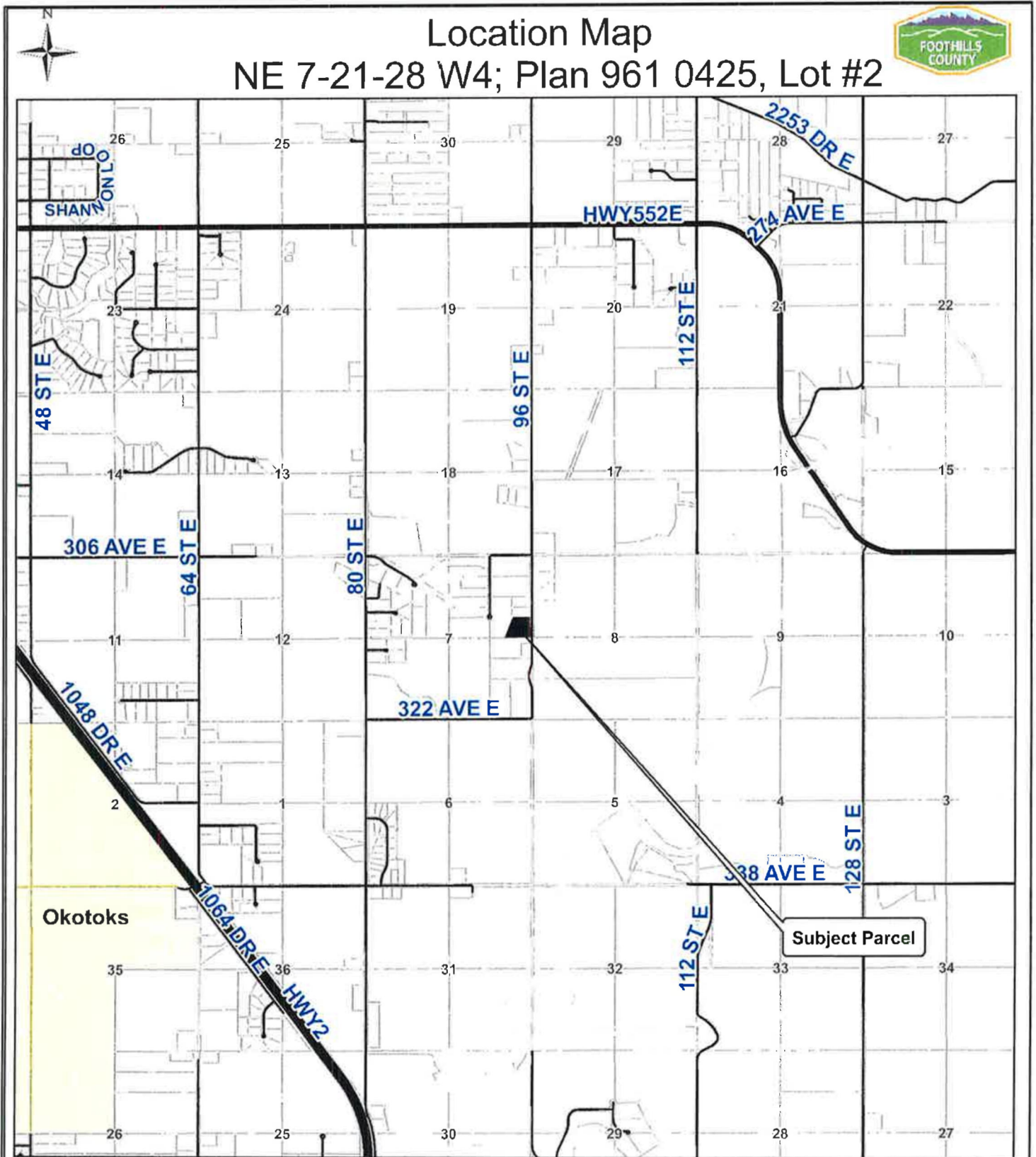
BS/de

cc. Agent – Rodney Potrie & Trevor Williams of Planning Protocol  
Landowners – Jane Vansanten & Dorothy Tamblyn

LOCATION MAP



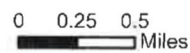
Location Map  
NE 7-21-28 W4; Plan 961 0425, Lot #2



Legend

- Roads
- Parcels
- Highway
- Subject Parcel
- Town

Date: 1/16/2023



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.

Date Sources Include Municipal Records and AIA/LIS © Foothills County 2022

Document Path: C:\P\PlanningData\MDF\_Planning\_HalfMoCirc.mxd

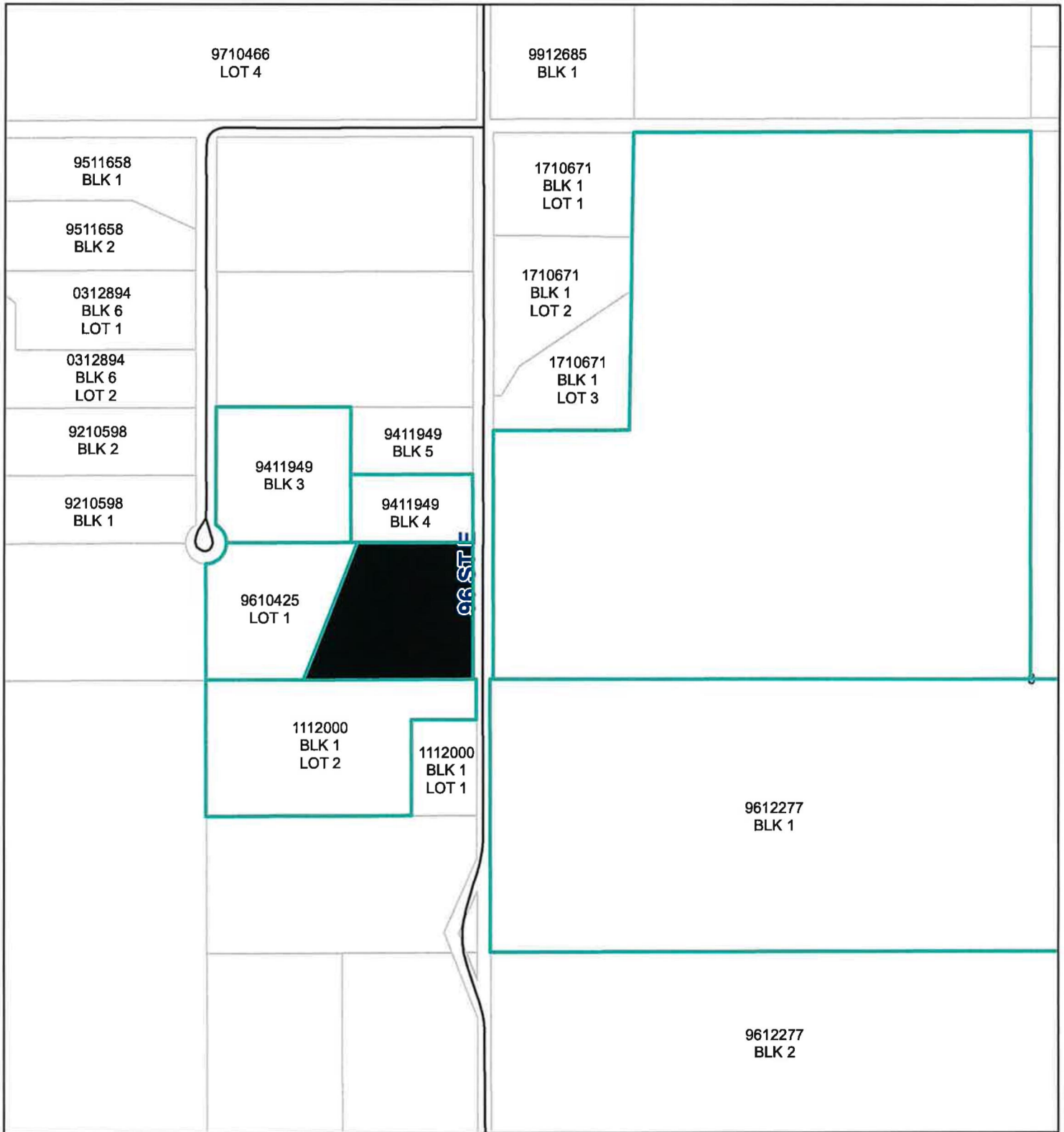
**SITE PLAN**







# Adjacent Landowner Map NE 07-21-28 W4; Plan 9610425, Lot 2



## Legend

-  Roads
-  Parcels
-  Subject Parcel


Date: 2023-08-21

0 0.25

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.

Date Sources Include Municipal Records and AltaLIS.  
© Foothills County 2023

**SUBDIVISION APPROVING AUTHORITY ITEM  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 SUBDIVISION APPROVAL  
 October 18, 2023**

<b>REQUEST FOR SUBDIVISION APPROVAL</b>	
<b>APPLICATION INFORMATION</b>	<b>FILE NO. F2128-07NE</b>
	<b>LEGAL DESCRIPTION:</b> Ptn. NE 07-21-28 W4M; Plan 9610425, Lot 2
	<b>LANDOWNERS:</b> Jane Vansanten & Dorothy Tamblyn
	<b>AGENT:</b> Planning Protocol – Rod Potrie
	<b>AREA OF SUBJECT LANDS:</b> 10.52 acres
	<b>CURRENT LAND USES:</b> Country Residential Sub-district “A” New Lot: +/- 3.30 acres Country Residential District Balance: +/- 7.22 acres
<b>PROPOSAL:</b> Subdivision to create one 3.30 +/- acre Country Residential Sub-district “A” parcel with a 7.22 +/- acre Country Residential District balance parcel.	
<b>LOCATION:</b> The subject parcel is located on 96 Street East, approximately 4 kilometres northeast of the Town of Okotoks	
<b>DIVISION NO:</b> 7	<b>COUNCILLOR:</b> R.D. McHugh
<b>FILE MANAGER:</b> Brittany Smith	

**PURPOSE OF REQUEST:**

Request of the Subdivision Approving Authority to approve the subdivision application which proposes the creation of one 3.30 +/- acre Country Residential Sub-district “A” parcel from Ptn. NE 07-21-28 W4M; Plan 9610425, Lot 2, leaving a 7.22 +/- acre Country Residential District balance parcel.

**BACKGROUND:**

**October 18, 2023** - Council granted third and final reading to Bylaw 20/2022 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 3.30 +/- acre Country Residential Sub-district “A” parcel from Ptn. NE 07-21-28 W4M; Plan 9610425, Lot 2, with a 7.22 +/- acre Country Residential District balance parcel.

*The new 3.30 +/- acre lot was designated as Country Residential Sub-district “A” to ensure that the recommendations and restrictions as outlined in the high water table testing, septic disposal evaluation, storm water management plan, comprehensive site drainage plan, lot grading plan, building envelopes and Overland Drainage Easement and Right-of-Way Agreement (all to be provided as conditions of land use amendment) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

**MUNICIPAL RESERVE:**

Section 666(1) of the Municipal Government Act states that Council may require the owner of a parcel of land that is subject to a subdivision proposal, to provide land for municipal reserve or provide money in place of the municipal reserve.

To date, no municipal reserves have been provided. In accordance with Section 666(1) of the Municipal government Act and the County’s Municipal Reserve Policy adopted April 18/96, the Subdivision Approving Authority may wish to consider requiring cash-in-lieu for the 10.52 acre subject parcel.

**REFERRAL CIRCUALTION:**

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	Public Works has the following recommendations on Approaches: <ul style="list-style-type: none"> <li>Existing Approach upgrading required.</li> <li>Recommend removal of second existing approach to balance parcel: Only 1 approach allowed for a parcel under 10 acres; alternately Council may acknowledge and allow both approaches to stay.</li> </ul> **See note provided with recommended conditions below** <ul style="list-style-type: none"> <li>Proposed approach location are to be built to County’s Rural Approach Standards and Culvert required.</li> </ul>
<b>EXTERNAL</b>	
Fortis	No Easement / Utility Right of Way required
Atco Gas	No Objection – existing Utility Right of Way
Atco Pipelines	No Objections
<b>PUBLIC</b>	
Landowners (adjacent)	No Submissions

**REQUEST OF THE SUBDIVISION APPROVING AUTHORITY:**

Council, as the Subdivision Authority is respectfully requested to approve the subdivision of one new 3.30 +/- acre Country Residential Sub-district “A” parcel from Ptn. NE 07-21-28 W4M; Plan 9610425, Lot 2, leaving a 7.22 +/- acre Country Residential District balance parcel. Should Council choose to approve the proposed subdivision, the following motion has been provided for consideration:

The subdivision 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; therefore, it is recommended that the application be approved as per the tentative plan for the following reasons:

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

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

**Recommended Conditions:**

*\*\*Please note that the Landowners are seeking option 2 for condition 6 as listed below, due to the existing development creating difficulties accessing the remainder of the balance parcel if the secondary access is to be removed\*\**

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. The existing 2<sup>nd</sup> approach that is labelled on the site plan as the "Existing Secondary Access"
  - a. Option 1: 2<sup>nd</sup> Approach to be removed to the satisfaction of the Public Works Department;
  - b. Option 2: Council may acknowledge and approve the 2<sup>nd</sup> approach to 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.

**APPENDICES:**

**APPENDIX A: MAP SET**

LOCATION MAP  
SITE PLAN  
ORTHO PHOTO

**APPENDIX B:**

ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION

**APPENDIX B:  
ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION**

**INTEROFFICE MEMORANDUM**

DATE: September 12 2023

TO: Planning Department

FROM: Julie Sills

3.00 Public Reserve Amount For Subdivision

File No: F2128-07NE  
 Legal: NE 7-21-28-W4 (2128077510)  
 Subject: Jane Vansanten and Dorothy Tamblin  
 Parcel Size: 10.52 acres  
 Mkt Zone: 4  
 Trees: Lots mature  
 Views:  
 River/Creek:

**CONCLUSION**

Based on the following sales, the fair market value for a 10.52 acre parcel in this area is : \$47,828 per acre.

Sale	Mz	Qr	Sec	Twp	Rge	M	Sale Date	Acres	Sale Price	Time Adj	Time Adj Sale Price	Loc Adj	Size Adj	Trees Adj	View Adj	River/Creek Adj	Final Adjusted Sale Price	Indicated Price Per Acre For 10.52 Acs
1	4	NW	15	21	29	4	06-10-2022	7.79	\$410,000	1.01	\$414,100	1.00	1.05	60000	1645		\$496,450	\$47,191
2	4	SE	15	21	29	4	08-04-2021	5.07	\$350,000	1.00	\$350,000	1.00	1.15	60000	34691		\$497,191	\$47,262
3	4	SW	31	21	28	4	07-15-2022	7.39	\$348,500	1.00	\$348,500	1.00	1.06	60000	34691		\$464,101	\$44,116
4	4	SW	01	21	29	4	10-17-2022	6.00	\$377,000	1.00	\$377,000	1.00	1.09	60000	34691		\$505,621	\$48,063
5	12	SE	32	22	03	5	08-05-2022	10.29	\$575,000	1.00	\$575,000	0.91	1.00	60000	139		\$583,389	\$55,455
6	12	NW	26	22	04	5	02-10-2023	11.83	\$510,000	1.03	\$525,300	0.91	0.98		34691		\$503,154	\$47,828
7	12	NW	26	22	04	5	06-19-2023	10.10	\$619,500	1.01	\$625,695	0.91	1.01	10000	34691		\$619,767	\$58,913

**COMMENTS:**

## **Municipal Reserve Policy**

### **Public Reserve Policy (Adopted April 18/96)**

Under Section 666(1) of the Municipal Government Act the Council may require the owner of a parcel of land that is subject to a subdivision proposal, to provide land for municipal reserve or provide money in place of the municipal reserve.

The amount of land or cash-in-lieu of land to be provided for municipal reserve will be equal to 10% of the titled parcel(s). The land required to be provided as environmental reserve or environmental reserve easement will not be included in the calculation of municipal reserve.

Under Section 671(2) it states that Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school authority or by them jointly only for any or all of the following purposes:

- a. a public park;
- b. a public recreation area;
- c. school authority purposes;
- d. to separate areas of land that are used for different purposes.

#### **I. NO PUBLIC RESERVE IS REQUIRED WHEN:**

- a. one lot is to be created from a quarter section;
- b. land is to be subdivided into lots of 16 hectares (39.5 acres) or more and is to be used only for agricultural purposes;
- c. the land to be subdivided is .8 hectares (1.98 acres) or less; or
- d. reserves have already been provided for the title.

Even though no public reserve is required, a Deferred Reserve Caveat may be placed on title at the discretion of Council to notify the landowner that at the time that the parcel is further subdivided, municipal reserve will be required.

#### **II. FORM OF RESERVE – DEDICATION OF LAND OR CASH-IN-LIEU**

For a redesignation or subdivision application, when the reserves to be provided are more than 1.98 acres, a separate lot must be shown on the site plan. It will be at the discretion of Council at the time of the decision as to whether land will be taken or cash-in-lieu.

On lots 21 acres or less, 10% cash-in-lieu of land will be required under the following circumstances:

- a. on the full original parcel where the land is being subdivided to the maximum density allowed under the Land Use Bylaw.
- b. on two of the lots where the proposal is to create 75% of the maximum allowable density with the reserves being deferred on the largest lot.
- c. on one of the lots where the proposal is to create 50% of the maximum allowable density with the reserves being deferred on the largest lot.

#### **III. COUNCIL MAY REQUIRE THE RESERVES TO BE DEFERRED WHEN:**

- a. it is deemed that the maximum allowable density allowed under the Land Use Bylaw has not been obtained. The balance of the reserves owing on the existing title will be deferred, by Caveat, on the largest lot.
- b. parcels are located within an urban fringe or Inter-Municipal Development area;
- c. the new lot is created under the 'Agricultural District' Land Use Rules.

A Deferred Reserve Caveat would be placed on title to notify the owner on title that at the time that this parcel is further subdivided, municipal reserve will have to be provided.

This policy will serve as a guideline and the form of Public Reserve will remain at the discretion of Council.

## 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 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 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 m<sup>2</sup> (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 <sup>1</sup>/<sub>2</sub> and N <sup>1</sup>/<sub>2</sub> (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;