

The Subdivision and Development Appeal Board for Foothills County met at Foothills County Administration Building and via electronic means (Zoom video conferencing platform) at 1:00 p.m. on November 23, 2023. Present were Chairman G. Beacom, Board members R.D. McHugh, B. Robson, P. Stier, G. Wilkinson (by electronic means) and Subdivision and Development Appeal Board Clerk, K. Conrad.

G. Beacom moved that the Minutes of the October 24, 2023 Subdivision and Development Appeal Board Hearing be adopted as circulated.

**CARRIED**

**SUNQUIST / LEHMANN – NW 10-21-01 W5M – REFUSAL OF DEVELOPMENT PERMIT 23D 171 – OVERSIZED SECONDARY SUITE, ACCESSORY**

The hearing was opened at 1:00 p.m. In attendance were Appellant/Landowners, T. Sunquist and C. Lehmann; the Appellant's Agent, P. McGaffey; the Development Authority for Foothills County, B. Domenjoz; and Subdivision and Development Appeal Board Clerk K. Conrad.

An appeal was received from the Appellants T. Sunquist and C. Lehmann on October 31, 2023, against the refusal of Development Permit 23D 171 for an oversized secondary suite, accessory, on Plan 1212691, Block 1, Lot 2; Ptn. NW 10-21-01 W5M.

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 171, the Subdivision and Development Appeal Board for Foothills County has decided to:

DENY the appeal and UPHOLD the Development Authority's decision to refuse Development Permit 23D 171 for an Oversized Secondary Suite, Accessory on Plan 1212691, Block 1, Lot 2; Ptn. NW 10-21-01 W5M.

The application is thereby DENIED.

**VANSANTEN / TAMBLYN – NE 07-21-28 W4M – APPROVAL OF SUBDIVISION APPLICATION F2128-07NE**

The hearing was opened at 2:00 p.m. In attendance were Appellant J. VanSanten, Appellant's Agent R. Potrie, the Development Authority for Foothills County, B. Smith, the Foothills County Council Representative D. Miller, and Subdivision and Development Appeal Board Clerk K. Conrad.

An appeal was received from the Appellants J. VanSanten and D. Tamblyn on November 3, 2023 against subdivision F2128-07NE approval condition #7, which

indicated Public Reserve was to be provided by way of cash-in-lieu of land based on \$47,828 per acre on the account of 10% of the 10.52 +/- acre subject parcel.

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 Subdivision F2128-07NE the Subdivision and Development Appeal Board for Foothills County has decided to:

DENY the appeal and UPHOLD the Subdivision Authority's decision to approve subdivision application F2128-07NE for the creation 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 and confirm the conditions of approval that were imposed by the Subdivision Authority.

The application is thereby APPROVED, subject to the following conditions:

**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.

**ADJOURN**

P. Stier moved that the meeting be adjourned at 3:08 p.m.

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CHAIRMAN

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CLERK