



# DEVELOPMENT PERMIT DECISION

DATE OF DECISION: July 29, 2024

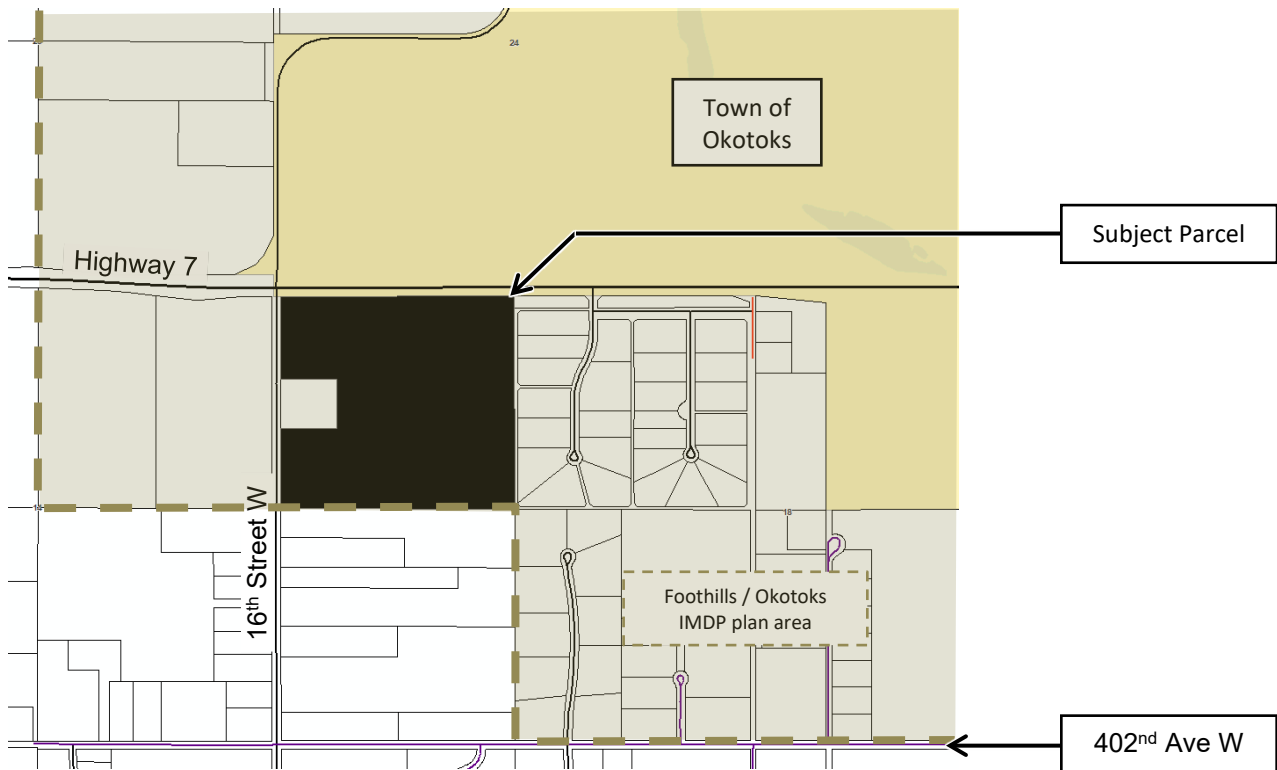
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT.  
PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

**APPLICATION FILE NUMBER:** 24D 116  
**LANDOWNER(S):** GARRY & JOANNE WARNER  
**APPLICANT(S):** PAUL BRENNAND  
**PROPOSAL DESCRIPTION:** FREE STANDING SIGN  
**LEGAL DESCRIPTION:** PTN. NW 13-20-01 W5M

### LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 137.13 acre Agricultural District parcel is located directly south of Highway 7 and east of 16<sup>th</sup> Street W. This is adjacent to the Town of Okotoks and within the Foothills County and Okotoks Intermunicipal Development Plan area.

### Location Map:



### INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for the existing Free Standing Sign to remain on the subject property. The sign is +/- 192 sq. ft. which includes two 12 ft. x 8 ft. surfaces, attached to wooden posts. The location of the sign is approximately 10 m (32.8 ft.) from the north property line adjacent to Highway 7 and approximately 10 m (32.8 ft.) from the west property line adjacent to 16<sup>th</sup> Street W.

Section 9.24.3 of the Land Use Bylaw provides that a sign which is separate from a building must be located to comply with the front yard setback requirements applicable to the principal building, unless otherwise provided or exempted. As such, signs shall be located no closer than 40 m (131.23 ft.) from the ultimate right of way of any

Highway and 48 m (157.48 ft.) from the centerline of a municipal road allowance. The following relaxation of setbacks is requested:

- The sign is located 10 m (32.8 ft.) from the north property line, at its nearest point, when it is required to be setback 40.0 m (131.2 ft.) from the ultimate right of way of the Highway and 10 m (32.8 ft.) from the west property line, when it is required to be setback 48 m (157.48 ft.) from the centerline of a municipal road allowance. Therefore, the applicant is seeking a 30 m (98.4 ft.) or 75% relaxation of setbacks from the north property line and a 23 m (75.5 ft.) or 47.9% relaxation of setbacks from the west property line.

The proposed sign falls outside the parameters as identified in Section 4.2 of the Land Use Bylaw. As such, *Signs (requiring a development permit)* is considered a Discretionary Use; 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.

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The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County with respect to the existing Free Standing Sign on the subject parcel being a portion of NW 13-20-01 W5M has been considered by the Development Officer and is **REFUSED** subject to the following.

**REFUSAL DESCRIPTION:**

In consideration of Section 9.24.3 of the Land Use Bylaw and the information submitted with the application, the Development Authority is of the opinion that the development permit application does not meet the intent of the policy of the Land Use Bylaw or the Agricultural land use district. Further, the application fails to illustrate the connection between the proposed sign and the subject agricultural district parcel.

Therefore, this is considered a discretionary refusal and should the applicants appeal, this request will be given further consideration by the Development Appeal Board.