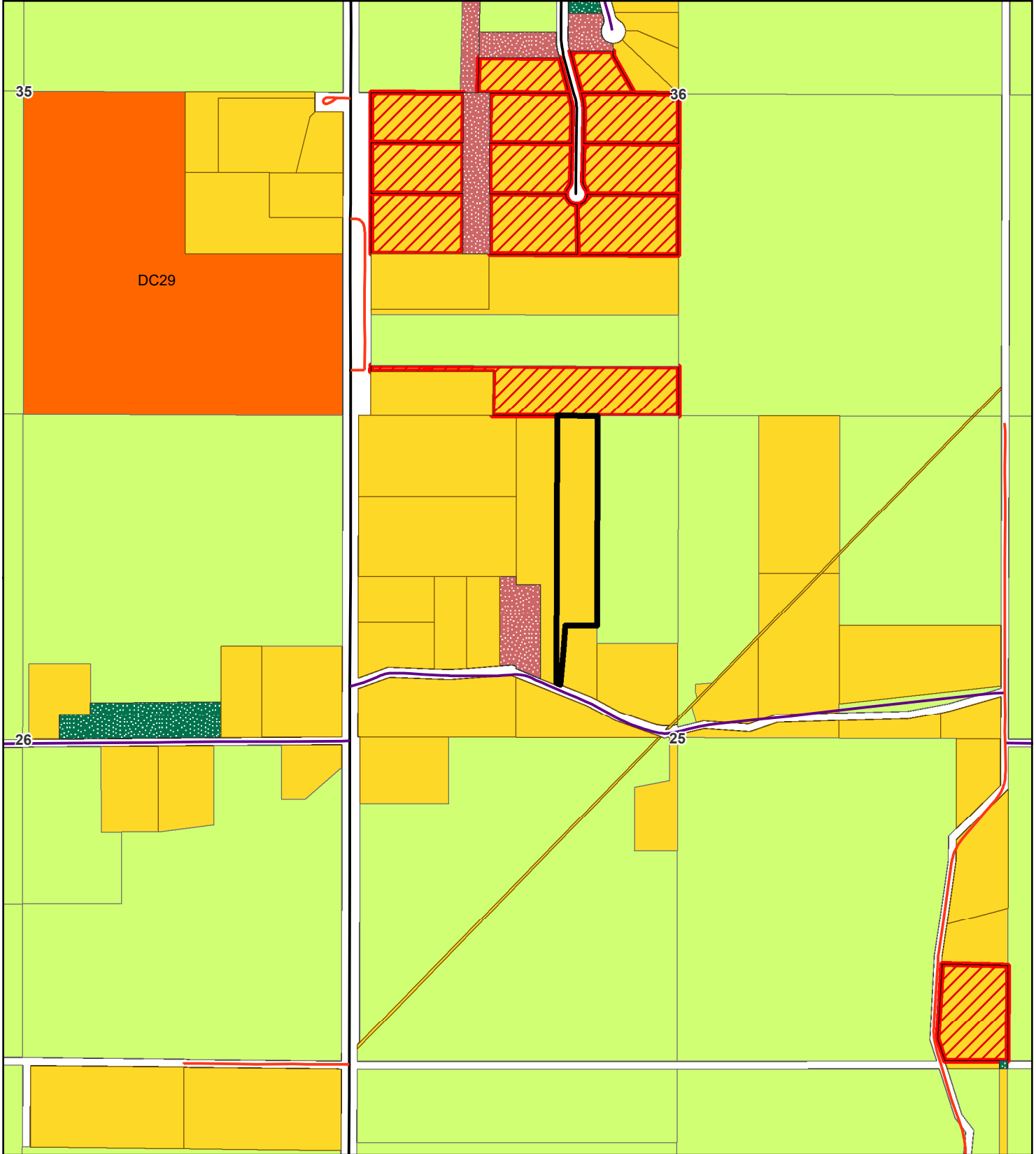




# LAND USE MAP



### Legend

- County Roads
- Highways
- ▨ In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CMC- Community Commercial
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- ER- Environmental Reserve
- FPJ- Federal/ Provincial District
- MR- Municipal Reserve
- PUL- Public Utility
- RC- Residential Community District
- RCA- Residential Community Sub-district "A"
- SD- Service District

Date Printed: 2024-08-21

1:13,169

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Data Sources Include Municipal Records and AltaLIS. © Foothills County 2024



# 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>416389</u> ↗	Application No: <u>24D121</u>
Receipt No.: <u>\$500.00</u> ↘	Tax Roll No: <u>2102255130</u>
Date Received: <u>May 27/24</u>	Date Deemed Complete: <u>June 3, 2024</u>

### PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Ana & Marcus Bateman

Email: [REDACTED]

Applicant's Mailing Address: [REDACTED]

Telephone: [REDACTED]

Legal Land Description: Plan 9711274, Block 3, Lot 2, LSD \_\_\_\_\_, Quarter NW, Section 25, Township 21, Range 2, West of the 5<sup>th</sup> Meridian.

Registered Owner of Land: Ana & Marcus Bateman

Registered Owner Mailing Address: Same as above

Email: same as above Telephone: \_\_\_\_\_

Interest of Applicant if not owner of site: not applicable

### 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.

Application for a New Detached 2 Bedroom Secondary Suite subordinate to the principal dwelling and located on the same parcel as the principal dwelling.

The Detached Secondary Suite is for our son and his young family (wife and children ages 1 and 3 years old) to reside on the property as caretakers and to assist us with the operation of the property as we age. Being that our son is an amputee, we too hope to assist he and his family.

As per Section 5.6.10 of the By-laws, we are requesting that the Development Authority exercise its variance powers to allow for a 10% variance to the allowable 1400 sf for a Secondary Suite of approximately 1539 sf of habitable area in order to accommodate a family of 4. We believe that the measures that will be put in place will ensure that the Suite will not materially interfere with or affect the use, enjoyment, or value of the neighboring properties. Please refer to Additional Information on Secondary Suite Checklist.

**PART 3 SITE INFORMATION**

proposed 2ndary suite to be located on the same parcel as the primary house of 13.54 acres.

Area Of Lot: (In Acres Or Hectares) \_\_\_\_\_

Size Of Proposed Building: 1539.75 sf  
habitable area

Height: will not exceed height requirements pursuant to land use + Development requirements for Foothill County

Is There A Dwelling (Residence) On The Site: Yes  No \_\_\_\_\_

If Yes, How Many? 1

Utilities Presently On Site: yes

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

Utilities Proposed: gas, electrical, telephone; all already on site

Other Land Involved In Application: no

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.):

- 1. Site Plan (showing existing and proposed locations)
- 2. Proposed Floor Plan
- 3. Exterior Views of proposed Secondary Suite

Estimated Date of Commencement: ~ Fall 2024 Estimated Date of Completion: prior to Fall 2026

I, Marcus Bateman & Ana Bateman

hereby certify that I am:

- The Registered Owner; or
- Authorized to act on behalf of the Registered Owner

⊗ Date: may 27, 2024

**RIGHT OF ENTRY**

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

⊗ may 27, 2024  
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 Permits.

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>Ana &amp; Marcus Bateman</u>			
Legal Land Description: Plan <u>9711274</u> Block <u>3</u> Lot <u>2</u>			
Quarter Section <u>NW</u> Township <u>21</u> Range <u>2</u> Meridian <u>W of the 5<sup>th</sup></u>			
Area of Lot (In Acre or Hectares) <u>13.54 acres</u>			
SECONDARY SUITE			
(LOCATED WITHIN)	CHECK	(STAND-ALONE)	CHECK
Existing Principal Dwelling/Attached Garage		Proposed New Detached Secondary Suite	<input checked="" type="checkbox"/>
Existing Accessory Building		Existing Detached Secondary Suite	
Proposed New Principal Dwelling/Attached Garage			
Proposed New Accessory Building			
SUITE INFORMATION			
Secondary Suite existed before Bylaw 68/2023 was adopted: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
Estimated date of Construction (if Secondary Suite existed prior to passage of Bylaw 68/2023): <u>n/a</u>			
Total habitable area of principal dwelling (if suite is located within the dwelling or attached garage): <u>n/a</u> <i>HABITABLE AREA means the sum of all floors of all livable space contained within the exterior walls of the structure above grade (this does not include any basement area except in the case of walk-out basements in which case the walkout basement is considered the first floor), designated for human occupancy including areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage, areas used exclusively for storage, or areas devoted exclusively to mechanical or electrical equipment servicing the development.</i>			
Total Gross Floor Area of Secondary Suite (if detached): <u>~ 1629.32 sf</u> <i>GROSS FLOOR AREA means the total cumulative floor area of all levels of a building measuring to the outside surface of the exterior walls and does not include decks or basements (except in the case of walk-out basements in which case the basement is considered the first floor). Where buildings are separated by a fire wall, the gross floor area is measured from the centreline of the common fire wall. Gross Floor Area may differ from the Habitable Area of a dwelling as it includes any unfinished space(s), storage, attached garage(s), and mechanical or electrical rooms.</i>			
Total area of the Secondary Suite area (sq. ft.): <u>~ 1539.75 sf</u>			
Total number of Dwelling Units on the parcel (prior to making this application): <u>1 (Dwelling is 3150 sq ft.)</u>			
Number of parking spaces provided for the Secondary Suite: <u>3</u>			
Describe availability of storage space accessible to the occupants of the Secondary Suite: <u>~ 270 sf mech; 300sf storage; 50 sf dog wash str; 919.75 sf garage</u>			
WATER SOURCE			
1. Connection to Municipal/Communal Water System Name of Municipal/Communal System Provider <u>n/a</u> <u>Municipal/Communal Water Requirements:</u> <input type="checkbox"/> I have provided a letter of confirmation from owner/operator of the piped water system indicating their approval and that there is adequate water to service the additional use for the Secondary Suite on the subject parcel.			
2. New or Existing Groundwater Well (Check one) <input type="checkbox"/> Connected to new well specifically for the Secondary Suite <input type="checkbox"/> Connection to existing groundwater well <input type="checkbox"/> Propose to share existing groundwater well on site Explain shared use <u>n/a</u> <input type="checkbox"/> I am installing a water cistern to supplement the groundwater source for the Secondary Suite. <u>Groundwater Well Requirements:</u> <input type="checkbox"/> I have provided the most recent water well report for the source groundwater well. <input type="checkbox"/> I have submitted the completed Calculation of the Average Daily / Annual Water Requirements Worksheet.			
3. Water is hauled to the site to cistern or water storage system as the water source for the Secondary Suite <input checked="" type="checkbox"/> Cistern/Water Storage System (please include size of storage) <u>new ~ 3700 gal buried cistern</u> <input checked="" type="checkbox"/> Where is the water supply hauled from (municipal treated source)? <u>Heritage Point - Corix Utilities Bulk Water Sales</u> <input checked="" type="checkbox"/> Provided Water Management Plan outlining proposal to ensure an adequate potable water supply is maintained for the Secondary Suite at all times. <u>Trucked in by Big Rock Water Hauling Services.</u>			

<b>SEWAGE TREATMENT AND DISPOSAL</b>	
<input type="checkbox"/>	Connection to Communal Sewage Collection System (Provide letter of confirmation from system operator)
<input type="checkbox"/>	Connection to Existing Private Sewage Treatment System (provide executed Declaration of Understanding)
<input type="checkbox"/>	Expansion of Existing Private Sewage Treatment System (provide executed Declaration of Understanding) * (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)
<input checked="" type="checkbox"/>	Construction of New Private Sewage Treatment System (provide executed Declaration of Understanding) * (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)
<b>ADDITIONAL INFORMATION REQUIRED</b>	
Specify other supporting material attached that forms part of this application (for example, site plan, covenants, servicing plans and supporting information). <i>Concrete Water Cistern to be buried no restrictive covenants no utility Right of Ways no easements</i>	
Estimated Date of Commencement: <i>Fall of 2024</i>	
Estimated Date of Completion: <i>Fall of 2026; not to exceed 24 mos from commencement</i>	
Describe how the potential for impact on neighbouring properties is minimized (location, design, screening/landscaping, etc.) Location – proposed building site backs onto hill Design – construction style, materials and colour scheme similar and complimentary to principal residence. Wood Frame Construction with concrete basement, Hardie Board siding with asphalt shingle roof. Screening – Tree planting; grading around subject property to drain onto the parcel. Landscaping – native and water-wise and drought resistant trees and shrubs to be planted. Garage and storage part of basement.	
<b>911 ADDRESS INFORMATION</b>	
<input checked="" type="checkbox"/>	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.
<b>PRE-APPLICATION BUILDING AND SAFETY CODES INSPECTION</b>	
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	Pre-application inspection completed (Provide copy of the County's preliminary inspection report)
<input type="checkbox"/>	Pre-application inspection not requested
<b>SECONDARY SUITE REGISTRY</b>	
<input checked="" type="checkbox"/>	I hereby consent to Foothills County publishing my legal description, municipal address, parcel size, land use, Development Permit Application #, 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.
<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<i>May 27, 2024</i>
Sign	Date





# DECLARATION OF UNDERSTANDING

Foothills County

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

Landowners are required to review this Declaration of Understanding and then sign it before a Commissioner for Oaths. Commissioners are available at the County Office by appointment with the Planning Department.

## REGISTERED LANDOWNER(S) DECLARATION

This is to certify that the Landowners (names of all landowners registered on the certificate of title must be included):

Marcus M. Bateman

Print Name

Ana L. Bateman

Print Name

I/(we) understand:

- a. Proof of water for the purposes of household consumption (human consumption, sanitation, fire prevention and water animals, gardens, lawns and trees) is legislated and enforced under the Provincial Water Act.
- b. It is the Landowner's responsibility to understand and acknowledge the estimated water supply requirements necessary for all existing and proposed uses on the property.

The province has development a worksheet titled, "Calculation of the Average Daily / Annual Water Requirements" that can be used to assist you with understanding this requirement and is available on the Province's website here: <https://open.alberta.ca/publications/9781460143414>

- c. It is the Landowner's responsibility to ensure that an adequate potable water supply is provided and maintained for both existing and proposed uses on the property, including the Secondary Suite.

- i. Where a Secondary Suite is being connected to a piped water system, it the landowner's responsibility to submit a letter to the Development Authority providing confirmation from the supplier of the piped water system indicating that there is adequate water available to service the existing uses and proposed additional use (Secondary Suite and associated water use) on the subject parcel, and that the supplier has authorized the approval to connect.

- ii. Where groundwater is being utilized as potable water supply for a Secondary Suite, it is the Landowner's responsibility to supply and maintain an adequate quantity of potable water while still complying with the maximum allowance of 1250m<sup>3</sup> per year (750 imperial gallons per day) per household for groundwater sources on a parcel under the Water Act (a Secondary Suites constitutes as an additional household).

*Alberta Environment and Parks has published a document called "Water Wells That Last." as a guide for private well owners in Alberta. It is recommended that you review this document if utilizing groundwater as a water supply for your property. A copy can be found at the following link <https://open.alberta.ca/publications/9781460143414>.*

- ✓ iii. Where water is hauled to the site to be utilized as the potable water supply for a Secondary Suite, it is the landowner's responsibility to ensure the appropriate size of cistern or holding tank is installed in accordance with all applicable Municipal and/or Provincial Legislation. The landowner is also responsible for ensuring that all road bans are adhered to.

Municipal Road Ban information can be found on the County's website here: <https://www.foothillscountyab.ca/alerts/2024-spring-road-bans>

- d. It is the Landowner's responsibility to ensure that the water quality meets the Guidelines for Canadian Drinking Water Quality and Alberta Health Services Criteria to ensure that the water quality is suitable.

- e. It is the Landowner's responsibility to provide adequate wastewater/sewage disposal for the Secondary Suite to the satisfaction of the Building/Safety Codes Officer.

- i. 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.

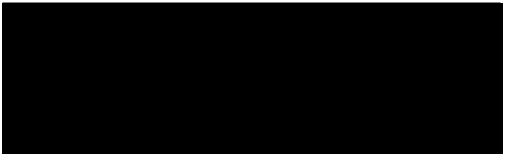
- ii. Where an existing private sewage treatment system is being used, a certified septic designer/installer must confirm that the existing system can adequately manage the additional waste or a new system or addition to the existing system has been adequately sized to accommodate the additional waste and the location is suitable.
- f. 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 mailing address. The county is not responsible for associated costs of such.

I (we) declare to have read and understand the above requirements and have exercised due diligence to ensure that we meet these above noted requirements prior to making application for approval of a Secondary Suite in Foothills County.

(X)

Sworn before me at the Town  
of High River in the Province  
of Alberta this 27 day of May, 2024

Leslie Elizabeth Fitzgerald  
A Commissioner for Oaths in and for the Province of Alberta



Marcus M. Bateman  
Landowner (Print Name Below)

**Leslie Elizabeth Fitzgerald**  
**A Commissioner for Oaths**  
**in and for the Province of Alberta**  
**My Commission Expires February 27, 2027**

Sworn before me at the Town  
of High River in the Province  
of Alberta this 27 day of May, 2024

Leslie Elizabeth Fitzgerald  
A Commissioner for Oaths in and for the Province of Alberta



And L. [Redacted]  
Landowner (Print Name Below)

**Leslie Elizabeth Fitzgerald**  
**A Commissioner for Oaths**  
**in and for the Province of Alberta**  
**My Commission Expires February 27, 2027**



Site Plan 1.1

Bateman  
Property  
96196-265 Ave W,  
Foothills, AB  
NW25; 21; 2 W5

BLOCK 2  
PLAN 931 1048

BLOCK 5  
PLAN 941 2407

N

-NOTE:

- Habitable area of 2ndary Suite is located above garage, storage area & mechanical room.
- 2ndary Suite to be located on a hillside that will allow for all drainage from structure & grounds to drain only onto the principal property.

2ndary Suite Structure to be located more than 15 m from property line (to include overhangs at ~ 16 m.)

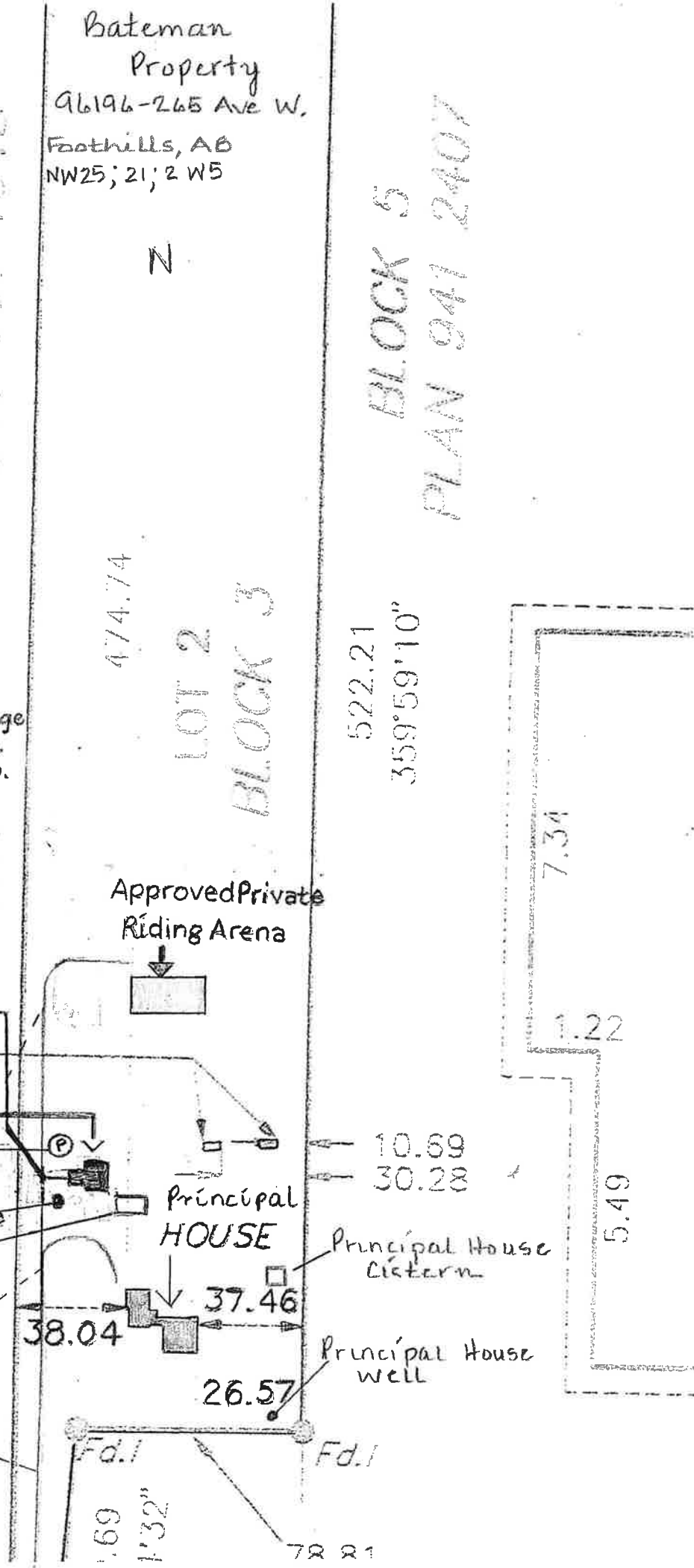
Access to 2ndary Suite garage from existing road.

Wood Horse Shelters  
6.07x2.97

- 3 Parking spaces

- Proposed Secondary Suite
- Proposed Cistern (buried)
- Proposed Septic Field & Tank ~ 15 m from cistern

Existing Road



474.74

LOT 2  
BLOCK 3

522.21  
359'59'10"

559'59'05"  
664.25

Approved Private  
Riding Arena

7.34

1.22

10.69  
30.28

Principal  
HOUSE

Principal House  
Cistern

37.46  
38.04

Principal House  
Well

26.57

5.49

Fd.1

Fd.1

1.69  
1'32"

78 21

# Site Plan 1

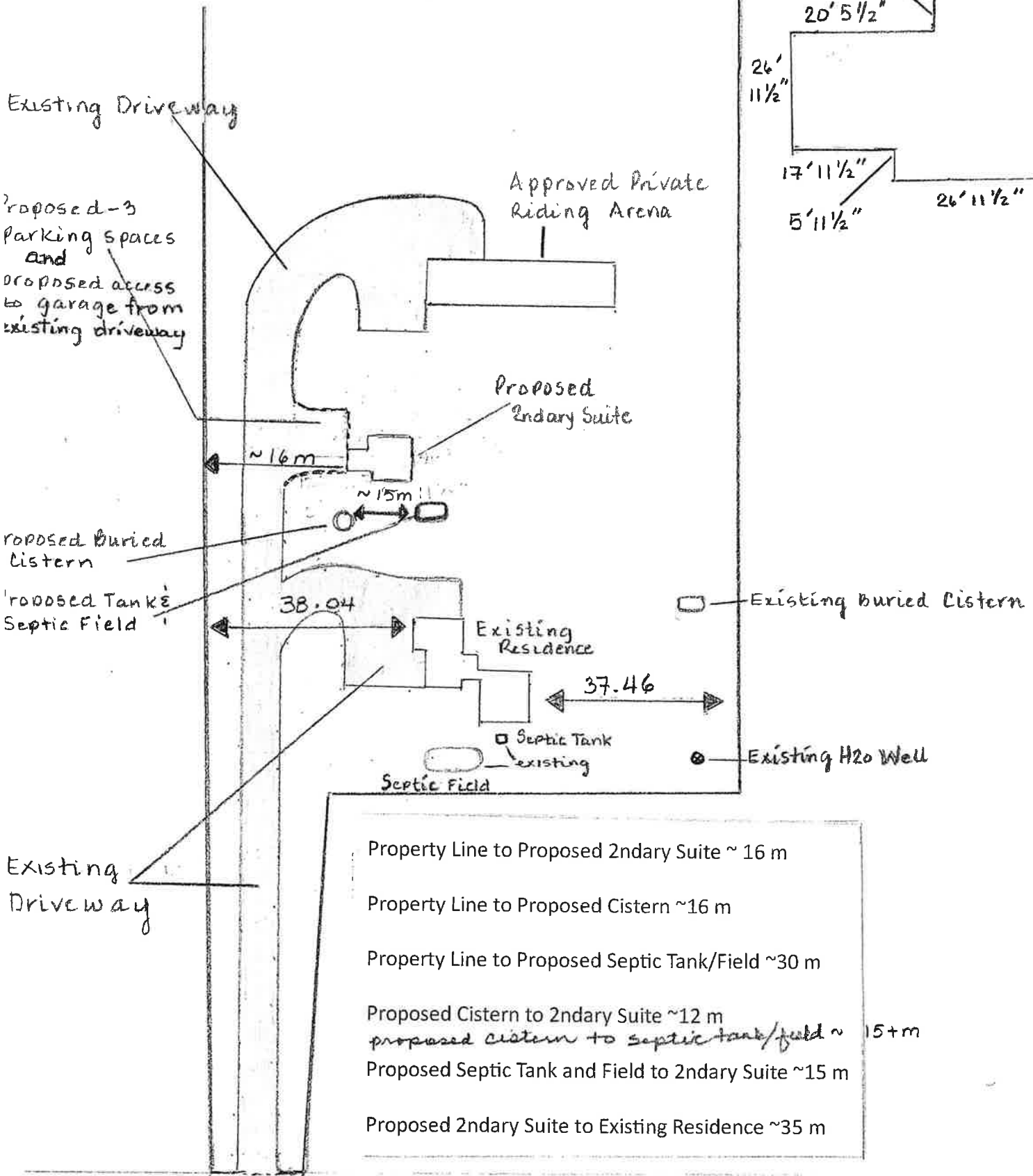
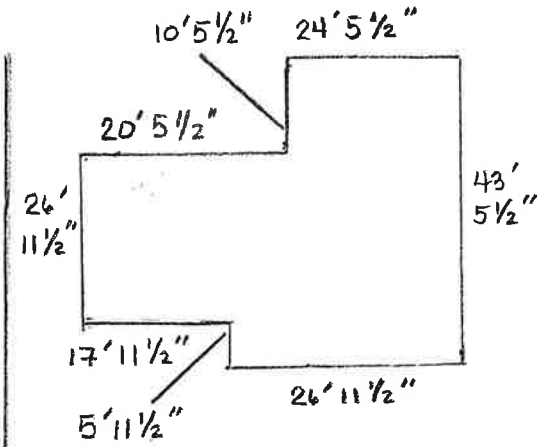
Boteman Property

96196 265 Ave W

Foothills, AB NW25; 21; 2 W5

N

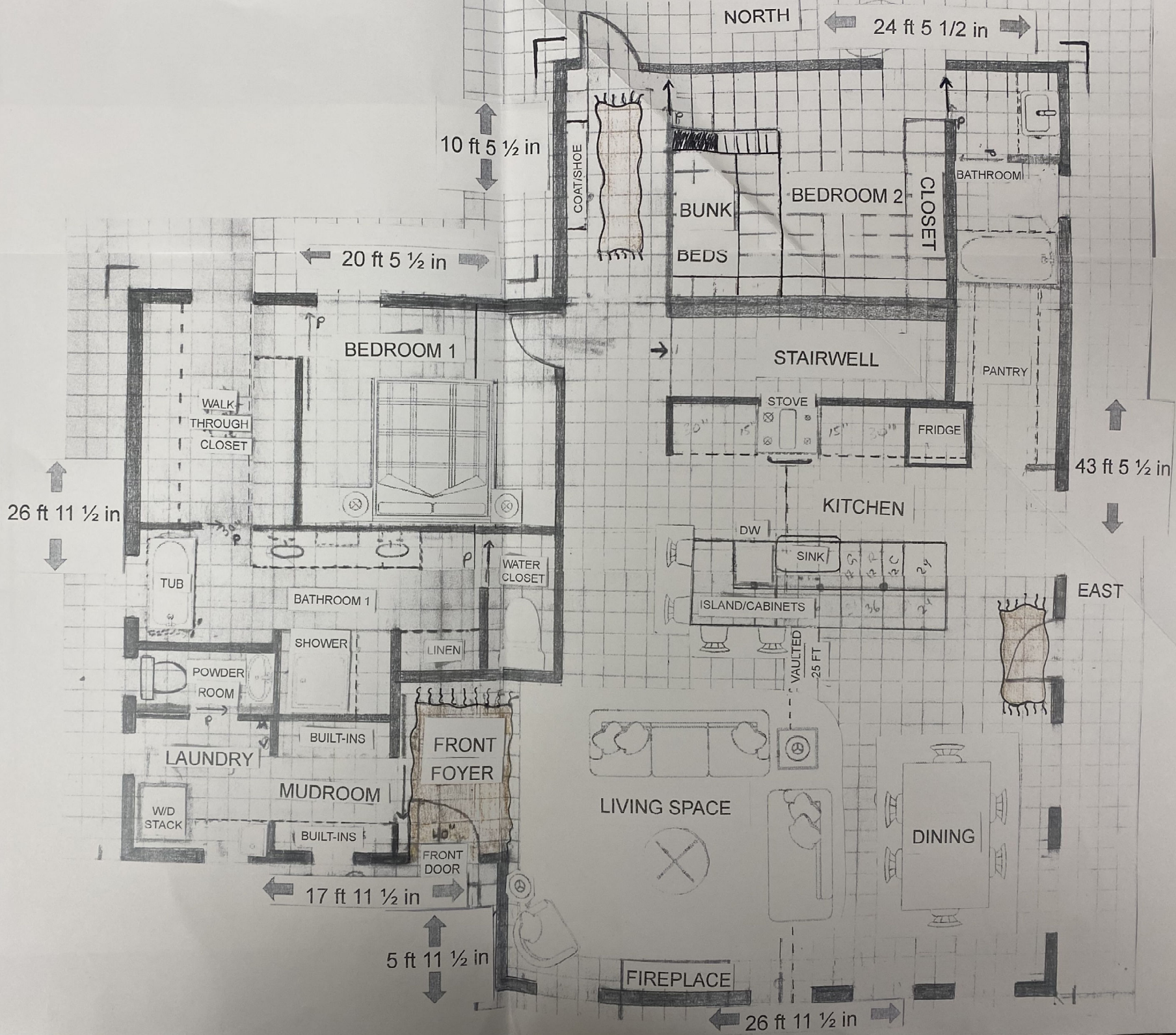
# Proposed 2ndary Suite



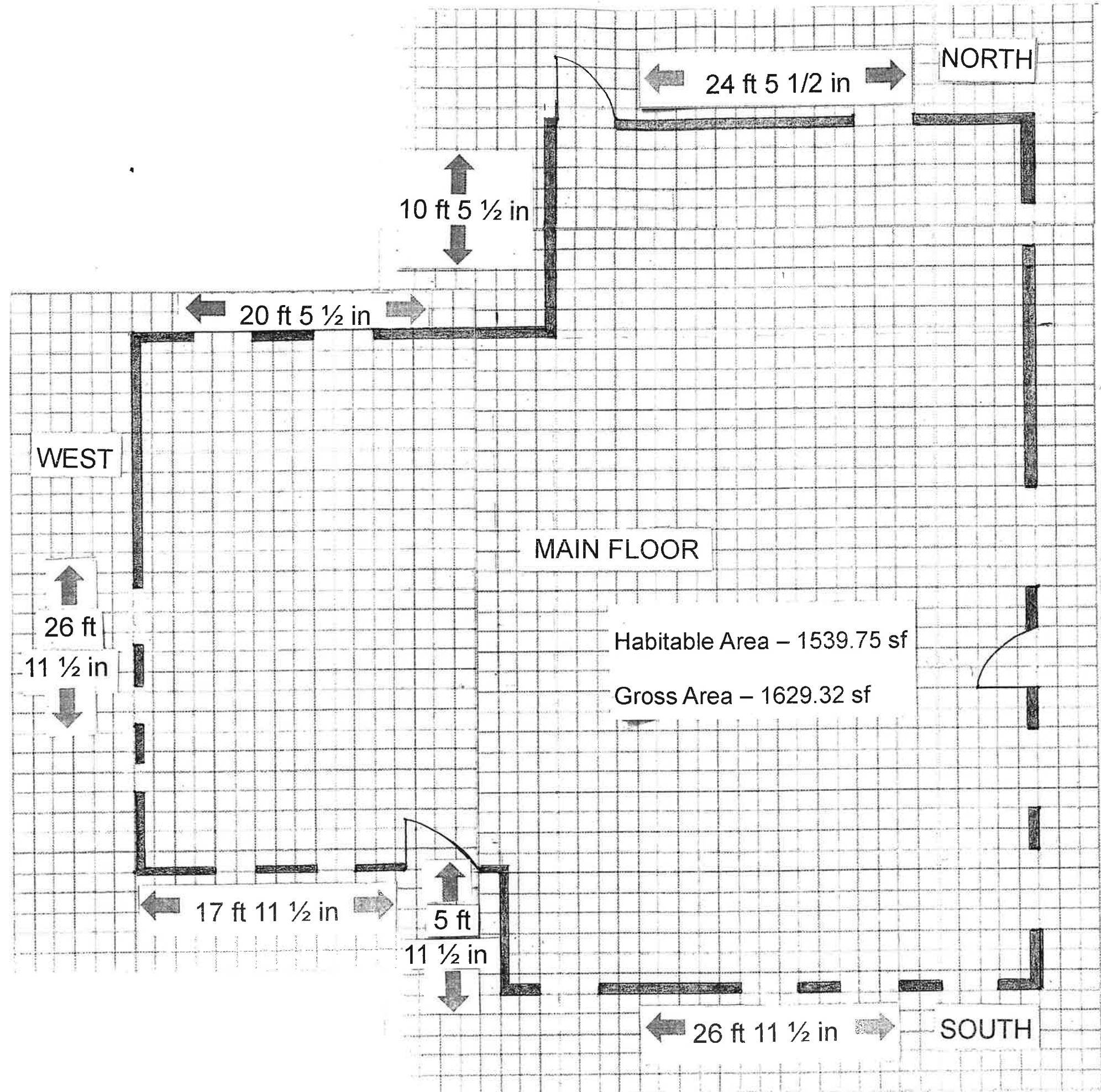
Existing Driveway

- Property Line to Proposed 2ndary Suite ~ 16 m
- Property Line to Proposed Cistern ~ 16 m
- Property Line to Proposed Septic Tank/Field ~ 30 m
- Proposed Cistern to 2ndary Suite ~ 12 m
- proposed cistern to septic tank/field ~ 15+m
- Proposed Septic Tank and Field to 2ndary Suite ~ 15 m
- Proposed 2ndary Suite to Existing Residence ~ 35 m

265 Ave West







NORTH

← 24 ft 5 1/2 in →

↑ 10 ft 5 1/2 in ↓

← 20 ft 5 1/2 in →

WEST

EAST

MAIN FLOOR

↑ 43 ft 5 1/2 in ↓

↑ 26 ft 11 1/2 in ↓

Habitable Area - 1539.75 sf

Gross Area - 1629.32 sf

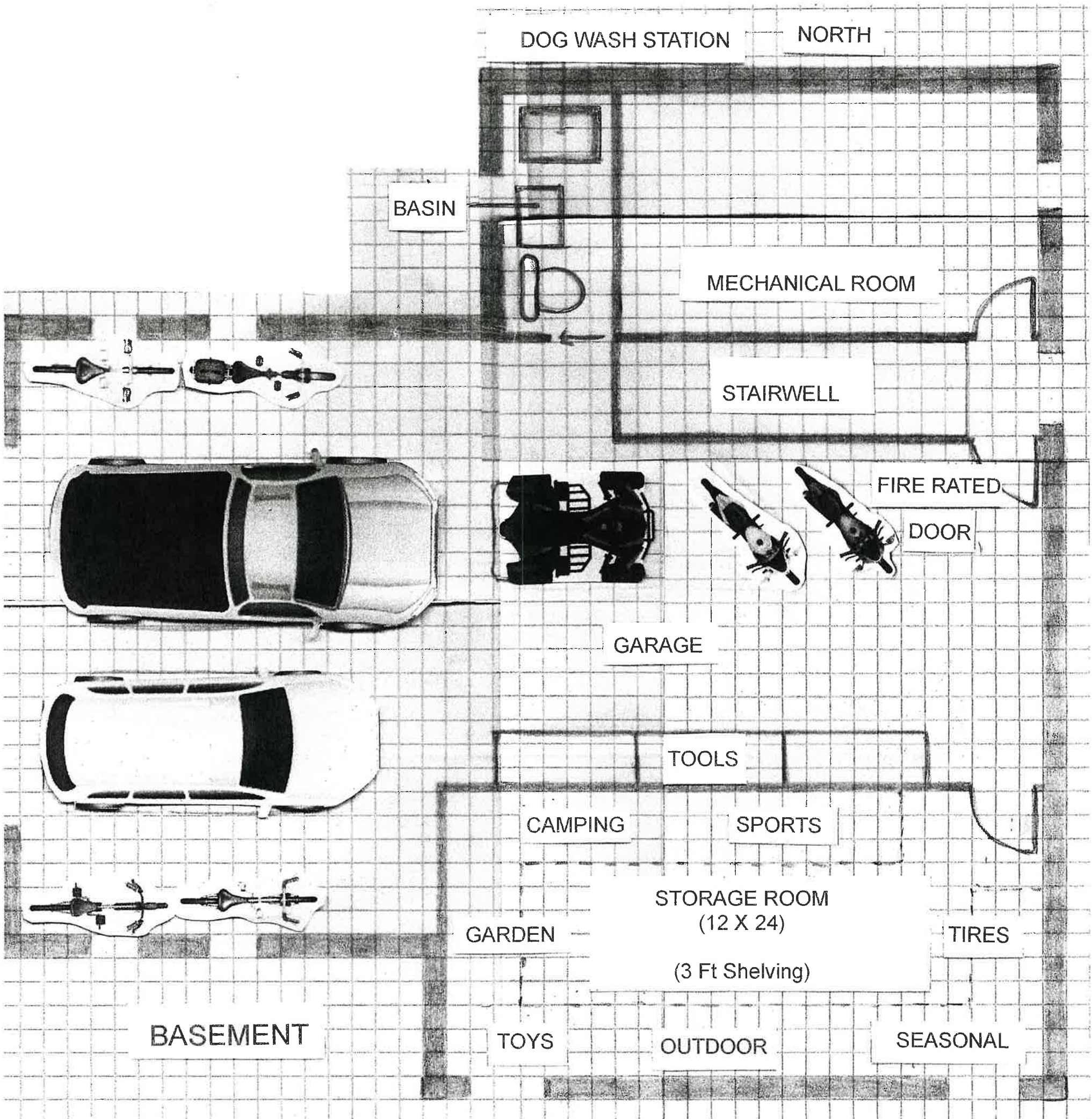
← 17 ft 11 1/2 in →

↑ 5 ft 11 1/2 in ↓

← 26 ft 11 1/2 in →

SOUTH







FRONT OF SECONDARY SUITE



SOUTH ELEVATION

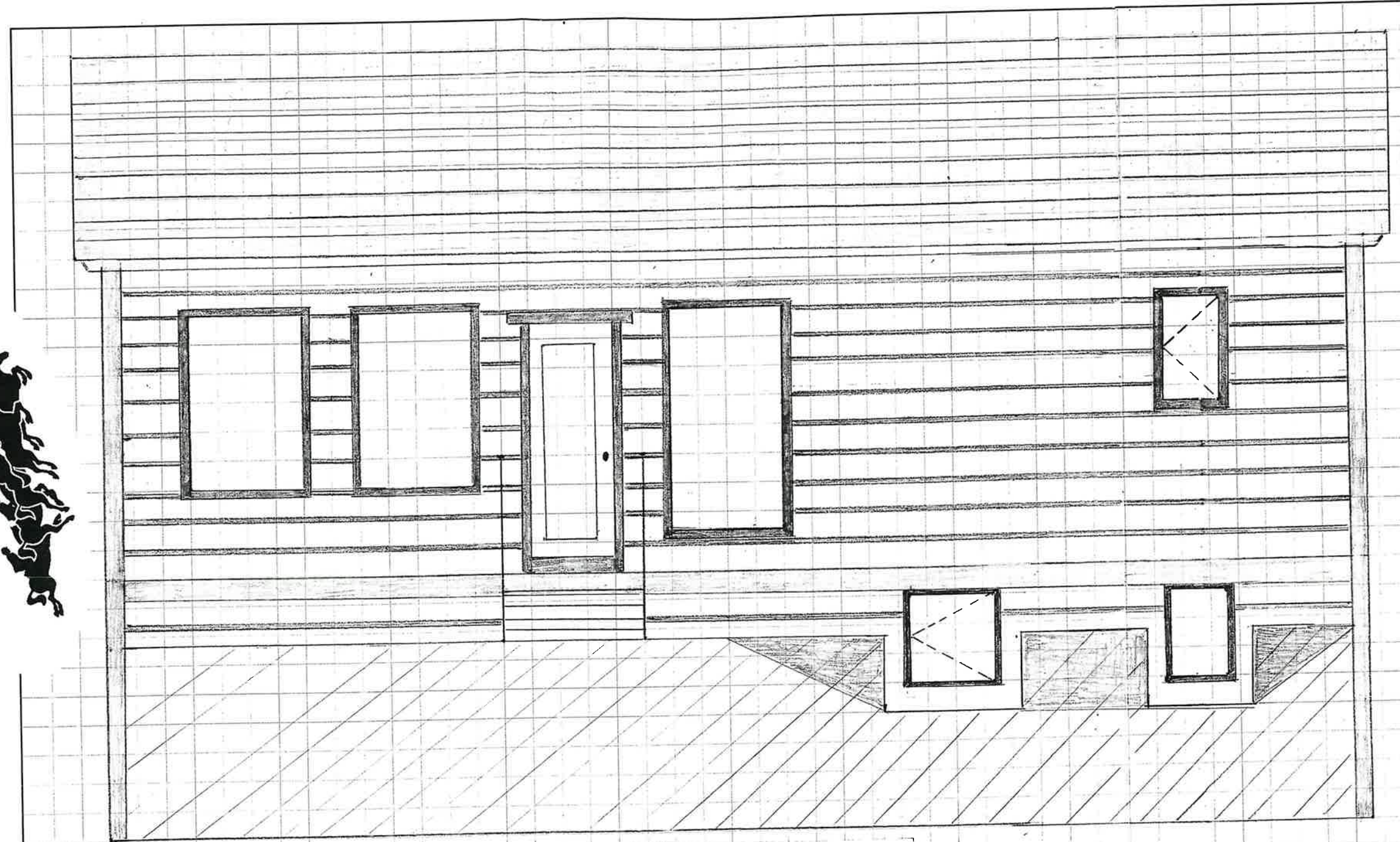


BACK OF SECONDARY SUITE



NORTH ELEVATION





EAST ELEVATION



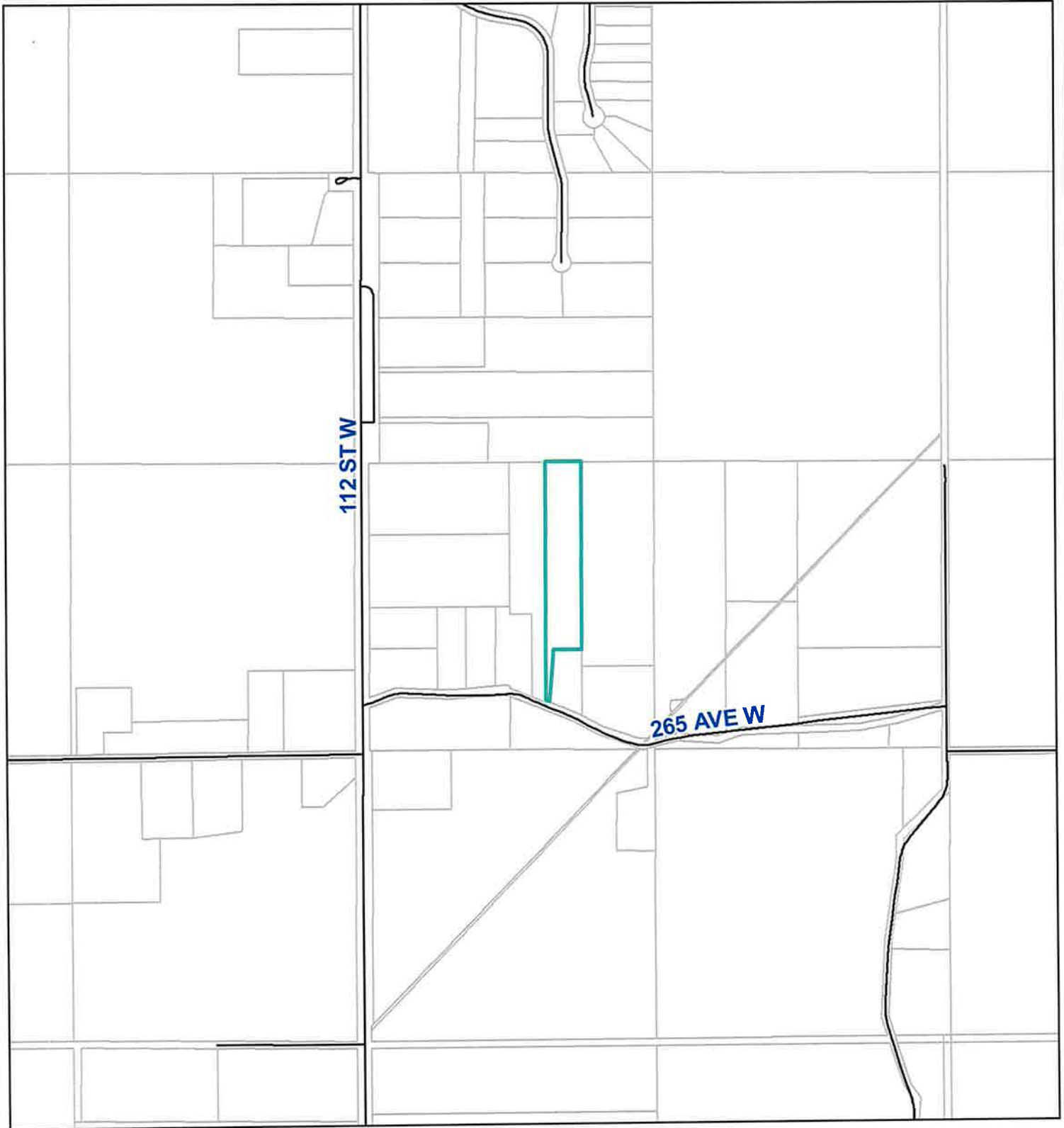
WEST ELEVATION





# NW 25-21-02 W5M; Plan 9711274, Blk 3, Lot 2

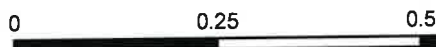
## Half Mile Map



### Legend

- Roads
- ▭ Parcels
- ▬ Subject Parcel

Date: 2024-06-12

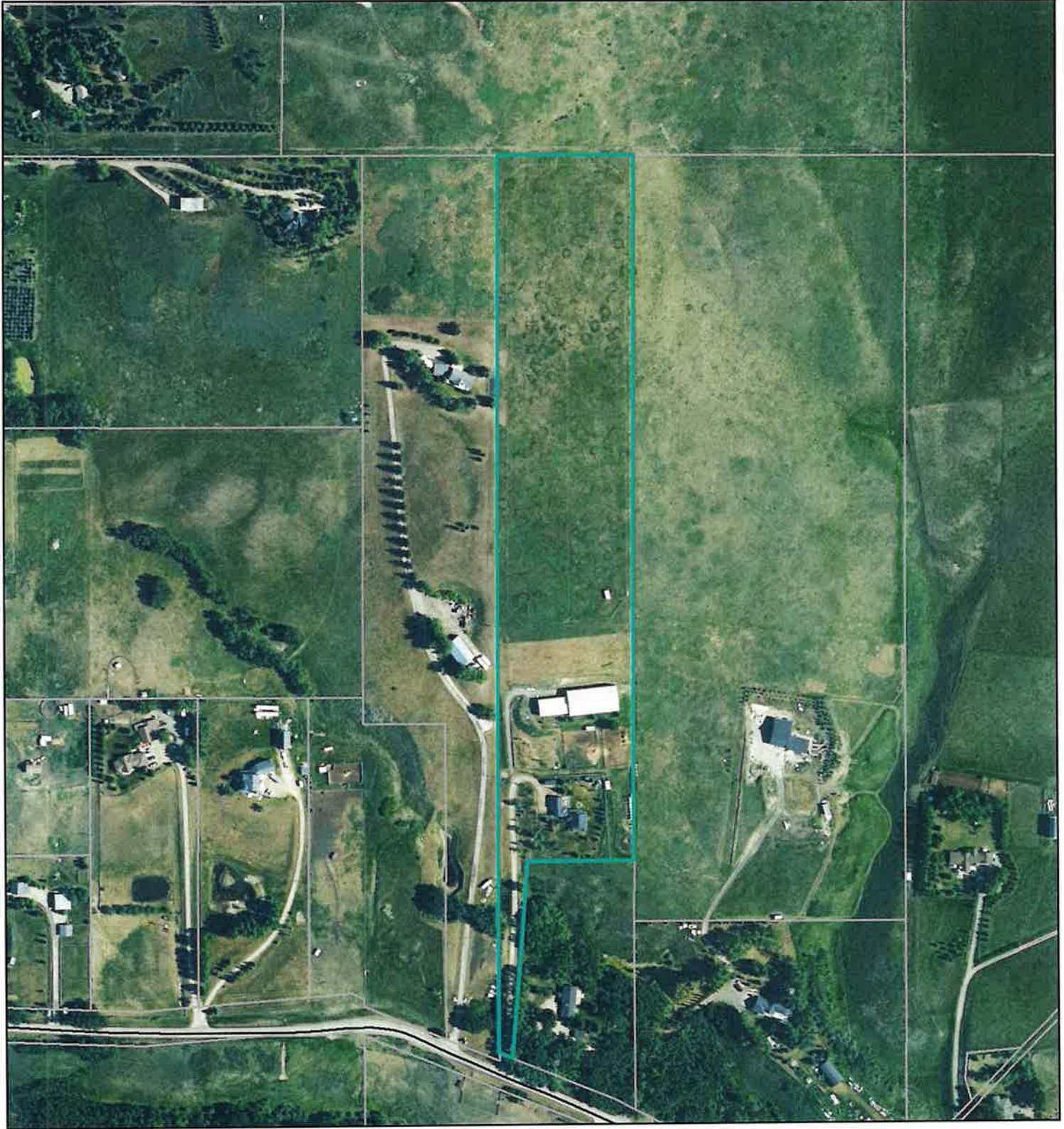


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Data Sources Include Municipal Records and Atlas. 1 Miles



# NW 25-21-02 W5M; Plan 9711274, Blk 3, Lot 2 Ortho Map



## Legend

-  Roads
-  Parcels
-  Subject Parcel

Date: 2024-06-12

0



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Data Sources Include Municipal Records and Aerial Imagery



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0027 112 151            9711274;3;2                      971 280 671

LEGAL DESCRIPTION

PLAN 9711274

BLOCK 3

LOT 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 5.48 HECTARES (13.54 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;2;21;25;NW

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 971 199 542 +1

---

REGISTERED OWNER(S)					
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION	
971 280 671	19/09/1997	TRANSFER OF LAND	\$125,000	\$125,000	

---

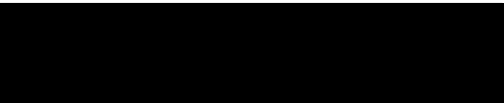
OWNERS

MARCUS M BATEMAN

AND

ANA LAURA BATEMAN

BOTH OF:



AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 201146168)

---

ENCUMBRANCES, LIENS & INTERESTS

---

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
761 020 374	20/02/1976	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

---

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 971 280 671

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS

081 119 444    02/04/2008 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500,10004 JASPER AVE  
EDMONTON  
ALBERTA T5J1R3  
ORIGINAL PRINCIPAL AMOUNT: \$500,000

091 107 080    22/04/2009 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTER EAST, 10205-101 STREET,  
5TH FLOOR  
EDMONTON  
ALBERTA T5J5E8  
ORIGINAL PRINCIPAL AMOUNT: \$68,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 4 DAY OF JUNE,  
2024 AT 03:55 P.M.

ORDER NUMBER: 50699041

CUSTOMER FILE NUMBER: Planning-DE



\*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).

**Donna Eaton**

---

**From:** FC\_Planning  
**Sent:** June 12, 2024 10:29 AM  
**To:** [REDACTED]  
**Cc:** Brittany Domenjoz  
**Subject:** Notice of Complete Application 24D 121

Good morning,

**Re: Notice of Complete Application – Development Permit 24D 121  
Ptn: NW 25-21-02 W5M; Plan 9711274, Blk 3, Lot 2  
Secondary Suite, Detached**

Section 683.1 of the Municipal Government Act requires the Development Authority, within 20 days after the receipt of an application for a development permit, to determine whether the application is complete or incomplete. This letter is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **complete** as of June 3, 2024.

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

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

If you have any questions or concerns regarding the information in this letter, please contact **Brittany Domenjoz** at [brittany.domenjoz@foothillscountyab.ca](mailto:brittany.domenjoz@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)



# 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:

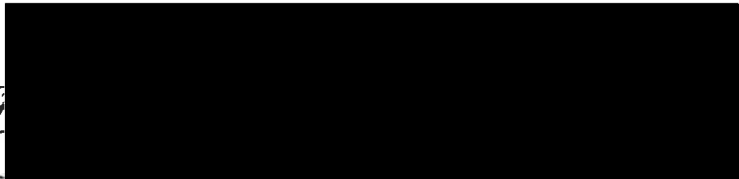
**AER Calgary (Head Office)**  
 Suite 1000, 250 - 5th St. SW  
 Calgary, AB T2P 0R4  
 Phone: (403) 297-8311  
 Toll Free: 1-855-297-8377  
 Fax: (403) 297-7336  
 Email: [inquiries@aer.ca](mailto:inquiries@aer.ca)

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

I, Marcus & Ana Bateman being the registered  
Owner(s) or agent acting on behalf of the registered owner(s)

of NW 25; 21; 2 W5  
(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 27 day of may, 2024.

downloaded rmap attached (enclosed in pkg)

**OR**

I, \_\_\_\_\_ being the registered  
Owner(s) or agents acting on behalf of the registered owner(s)

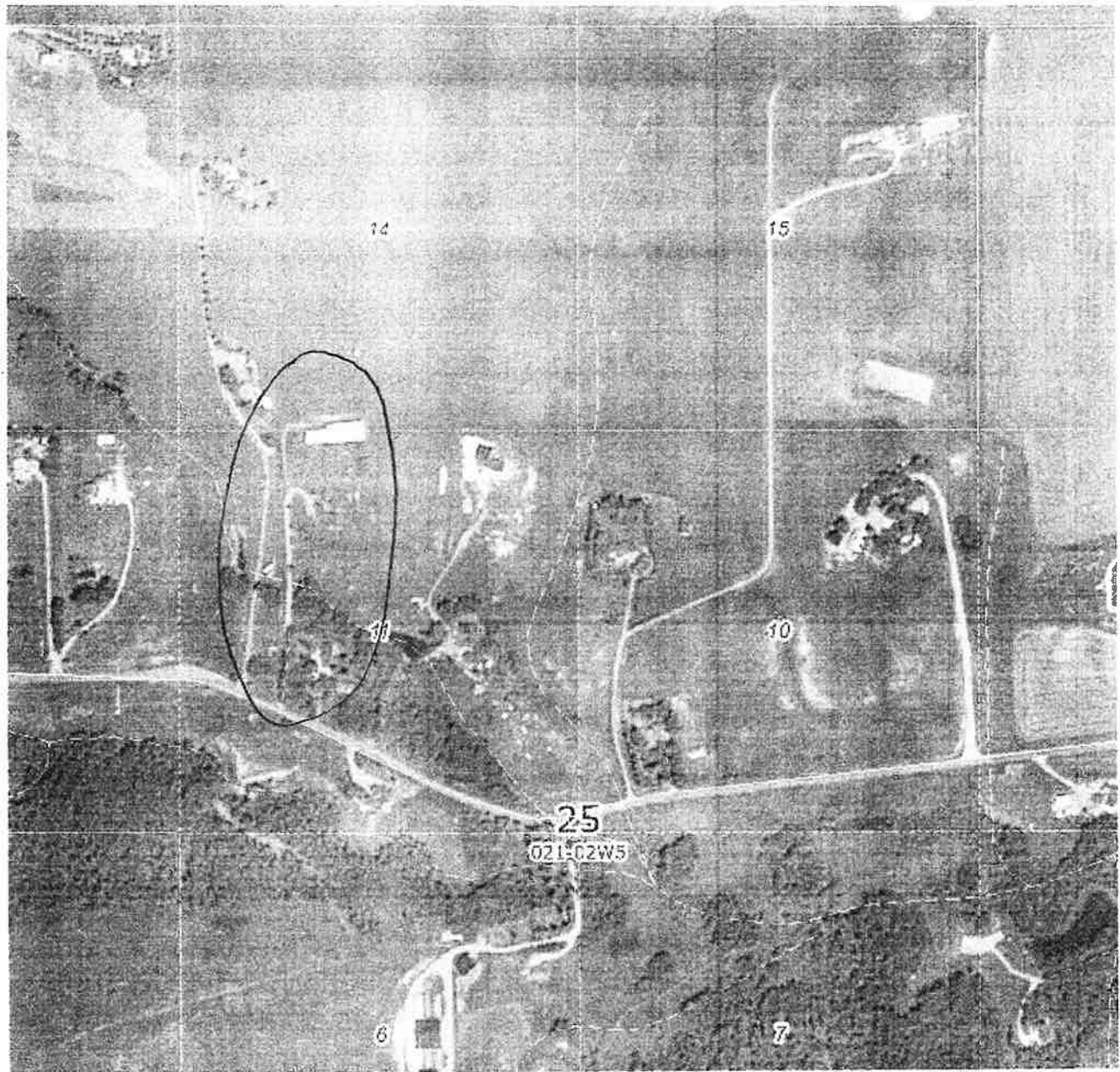
of \_\_\_\_\_  
(Legal Description)

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 - No Abandoned Wells Noted - NW25;21;2 W5**

Base Data provided by: Government of Alberta

Author XXX

Printing Date: 5/26/2024

Date Date (if applicable)

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

Projection and Datum:

WGS84 Web Mercator Auxiliary Sphere



**Alberta Energy Regulator**

**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



**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)

July 31, 2024

Marcus & Ana Bateman

**COPY**

Dear Sir/Madam:

**Re: Notice of Decision Re: Development Permit 24D 121  
Ptn: NW 25-21-02 W5M; Plan 9711274, Block 3, Lot 2  
Secondary Suite, Detached**

---

The above-noted development permit application has been approved subject to conditions (copy attached) and subject to a 21-day appeal period. 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).

The County will advertise the approval of this development permit application in two issues of the Western Wheel and circulate to area landowners (according to County records at this time) within the subject quarter section and for one half mile surrounding the subject property. Notices for Development Permit Decisions are also posted on the County website, [www.foothillscountyab.ca](http://www.foothillscountyab.ca).

Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal. Notices of Appeal, including payment of the appeal fee are to be received **no later than August 22, 2024**. Notices of Appeal received after the 21-day notification period will be invalid. If you choose to submit an appeal, please use the enclosed 'Notice of Development Appeal' form. We will notify you if we receive appeals from other persons.

The appeal fee will be returned 2 to 3 weeks after the appeal hearing, if there is record that the appellant or someone authorized to act on behalf of the appellant was in attendance at the time of the scheduled appeal hearing.

Should you have any questions, concerns, or require clarification on the appeal process, please contact the undersigned.

**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/as  
Encl.





## 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)

July 31, 2024

«MailName»  
«AddLine1»  
«AddLine2» «AddLine3»  
«City», «Prov» «Postal»

Dear Sir/Madam:

TAKE NOTICE that, in accordance with Land Use Bylaw No. 60/2014, a Development Permit application has been approved subject to conditions (attached) and a 21-day appeal period, for a parcel of land that is located within one half mile of your property. The details of the Development Permit application are as follows:

**Development Permit Application File#:** 24D 121

**Legal Description:** NW 25-21-02 W5M; Plan 9711274, Block 3, Lot 2

**Approval Description:** Secondary Suite, Detached

**Applicant/Owner:** Marcus & Ana Bateman

**Location:** Located on 265<sup>th</sup> Avenue W, approximately 1.6 km south of 242<sup>nd</sup> Avenue W, 1.0 km west of 96<sup>th</sup> Street W and 500 m east of 112<sup>th</sup> Street W.

Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal. Notices of Appeal, including payment of the appeal fee are to be filed with the Subdivision and Development Appeal Board within 21 days from the date of the development permit decision (attached). Notices of Appeal and payment of the appeal fee are to be received **no later than August 22, 2024**. Notices of Appeal received after the 21-day notification period will be invalid.

You should not rely on Notices of Appeal filed by other persons as giving you the right to be heard at an appeal hearing, as only the appellant, applicant or authorized representative of either party is guaranteed the opportunity to be heard at an appeal hearing. If you choose to submit an appeal, please complete the enclosed 'Notice of Development Appeal' form and return to the County by email at [appeals@FoothillsCountyAB.ca](mailto:appeals@FoothillsCountyAB.ca) or by fax at 403-652-7880.

The appeal fee will be returned 2 to 3 weeks after the appeal hearing if there is record that the appellant or someone authorized to act on behalf of the appellant was in attendance at the time of the scheduled appeal hearing.

Should you have any questions, concerns, or require clarification on the appeal process, please contact the undersigned.

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

Yours truly,  
FOOTHILLS COUNTY

Original Signed By...

Brittany Domenjuz  
Development Officer

[Brittany.Domenjuz@foothillscountyab.ca](mailto:Brittany.Domenjuz@foothillscountyab.ca)

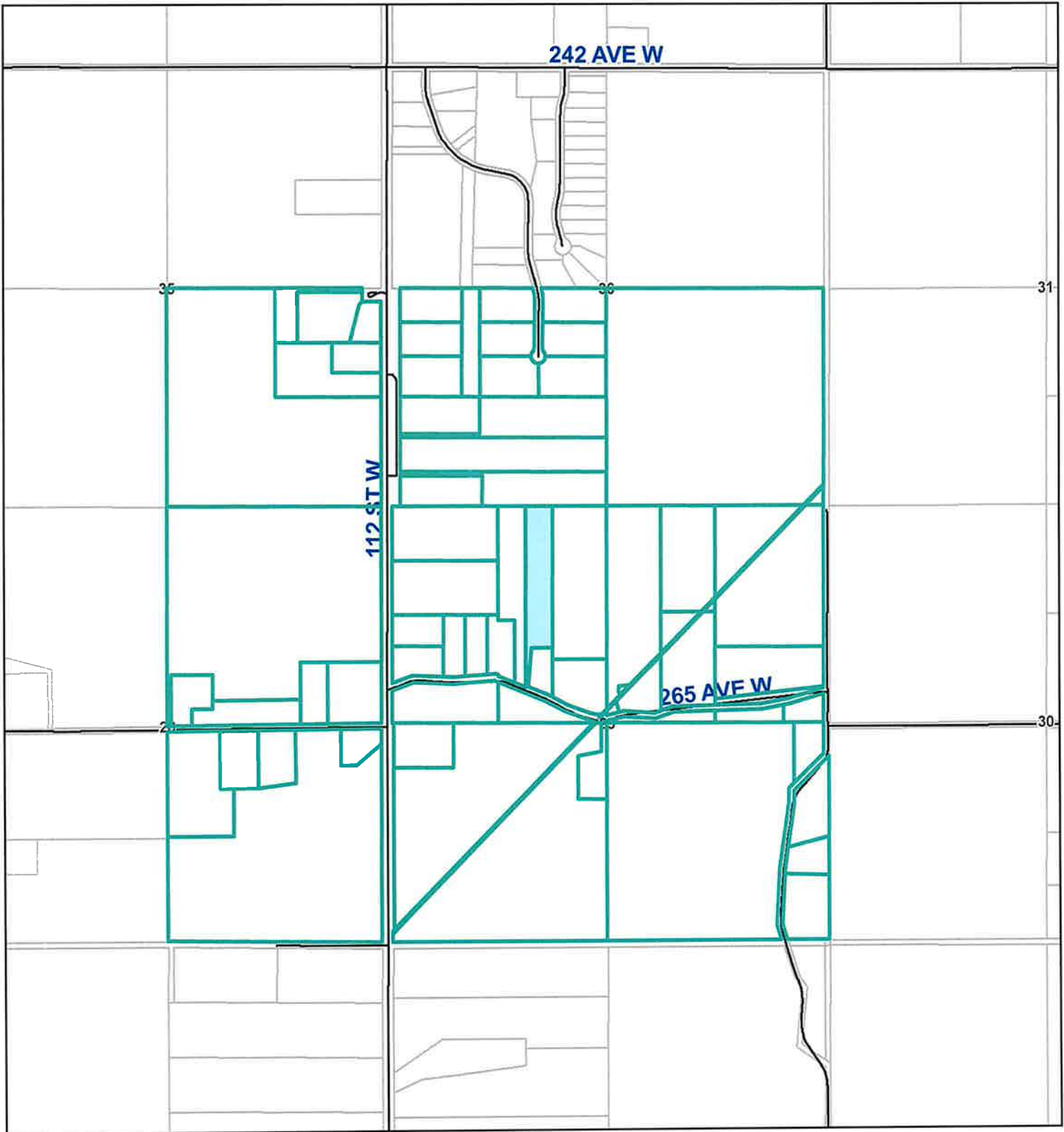
(403) 603-6242

BD/as  
Encl.



# Half Mile

NW 25-21-2 W5M; Plan 9711274 Blk 3 Lot 2



### Legend

- Roads
- Parcels
- Subject Parcel

Date: 2024-07-25



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.

Data Sources include Municipal Records and AltaLIS.

# File No. 24D 121 Circulation List

July 25, 2024  
Page 1 of 3

<i>RollNo</i>	<i>MainName</i>	<i>Qtr-Sc-Tw-Rg M</i>	<i>Plan-Blk-Lot</i>	<i>Hamlet/Subdivision</i>	<i>Size Unit</i>	<i>Zone</i>
2102250000	Ludwig Von Maldeghem	SE 25-21-2 W5			131.61 Acres	A
2102250010	Wade Thorsteinson & Jillian Daniel	SE 25-21-2 W5	Plan 1812166 Blk 1 Lot 1		4.72 Acres	CR
2102250020	Robert W. Fotheringham	SE 25-21-2 W5	Plan 9210546 Blk 2		8.45 Acres	CR
2102250030	Kenneth & Linda Rathby	SE 25-21-2 W5	Plan 9210546 Blk 3		4.62 Acres	CR
2102250040	Ashley N & German Jimenez Ruiz	SE 25-21-2 W5	Plan 1812166 Blk 1 Lot 2		10.03 Acres	CRA
2102252500	Rachel Margaret Foss	SW 25-21-2 W5			80.89 Acres	A
2102252510	ATCO Gas & Pipelines Ltd	SW 25-21-2 W5	Plan GL48 RW Lot 21		1.34 Acres	CR
2102252520	Rachel Margaret Foss	SW 25-21-2 W5	Plan 9310391 Blk 1		5.00 Acres	CR
2102252530	Sankara N & Uma M Jaisankar	SW 25-21-2 W5	Plan 9410580 Blk 1		60.79 Acres	A
2102252540	Robert P & Andrea J M Janzen	SW 25-21-2 W5	Plan 9412416 Blk 2		9.00 Acres	CR
2102255000	Gavin Murphy & Jennifer Simper	NW 25-21-2 W5	Plan 9711274 Blk 3 Lot 1		3.46 Acres	CR
2102255010	Felix & Judith Von Vegesack	NW 25-21-2 W5	Plan 9412407 Blk 4		8.99 Acres	CR
2102255020	Dorn J. Ries	NW 25-21-2 W5			19.50 Acres	CR
2102255030	Zackary & Brittany Smith	NW 25-21-2 W5			19.50 Acres	CR
2102255040	Carol J Pacaud	NW 25-21-2 W5	Plan 9311048 Lot 1		5.42 Acres	CR
2102255050	Bruno Emanuel Arnold	NW 25-21-2 W5			12.67 Acres	CR
2102255060	ATCO Gas & Pipelines Ltd	NW 25-21-2 W5	Plan GL48 RW Lot 21		0.05 Acres	CR
2102255070	Foothills County	NW 25-21-2 W5	Plan 9311048 Blk 4MR		5.56 Acres	MR
2102255080	Randall Plaszewsky	NW 25-21-2 W5	Plan 8810862 Blk 2		12.82 Acres	CR
2102255090	Jay Jay Hamilton & Jillian Edgar	NW 25-21-2 W5			6.65 Acres	CR
2102255100	Mark A. Knudsen	NW 25-21-2 W5	Plan 9311048 Lot 2		4.57 Acres	CR
2102255110	Garth Irving Reid Estate	NW 25-21-2 W5	Plan 9311048 Lot 3		4.57 Acres	CR
2102255120	Lonnie Joseph Saulnier	NW 25-21-2 W5	Plan 9412407 Blk 5		28.17 Acres	A
2102255130	Marcus & Ana L. Bateman	NW 25-21-2 W5	Plan 9711274 Blk 3 Lot 2		13.54 Acres	CR
2102255140	Nigel D. & Jennifer F. Warren	NW 25-21-2 W5	Plan 0010368 Lot 5		5.51 Acres	CR
2102257500	Florent Baillet & N Kindy-Baillet	NE 25-21-2 W5			54.28 Acres	A
2102257500	Peter Olesen & Anna Kindy	NE 25-21-2 W5			54.28 Acres	A
2102257510	David & Natasha Lamarre	NE 25-21-2 W5	Plan 0412565 Blk 7 Lot 2		3.09 Acres	CR
2102257520	Louis & Elisabeth Onyekweili	NE 25-21-2 W5	Plan 9411373 Blk 6		32.26 Acres	A
2102257530	Kelly & Jan Mclean	NE 25-21-2 W5	Plan 8210507 Blk 1		20.00 Acres	CR

# File No. 24D 121 Circulation List

July 25, 2024  
Page 2 of 3

<i>RollNo</i>	<i>MailName</i>	<i>Qtr-Sc-Tw-Rg M</i>	<i>Plan-Blk-Lot</i>	<i>Hamlet/Subdivision</i>	<i>Size Unit</i>	<i>Zone</i>
2102257540	ATCO Gas & Pipelines Ltd	NE 25-21-2 W5	Plan GL48 RW Lot 21		1.31 Acres	CR
2102257550	Valerie Joan Paulson	NE 25-21-2 W5	Plan 9411373 Blk 5		5.27 Acres	CR
2102257560	Neal & Luisa Jensen	NE 25-21-2 W5	Plan 9110096 Blk 3		17.12 Acres	CR
2102257570	Holly Jean Hardman	NE 25-21-2 W5	Plan 9211745 Blk 4		19.30 Acres	CR
2102257580	Daniel & Caroline Leonn	NE 25-21-2 W5	Plan 0412565 Blk 7 Lot 1		3.09 Acres	CR
2102260000	Russ & Shelley Wright	SE 26-21-2 W5	Plan 0716416 Blk 1 Lot 1		21.00 Acres	A
2102260020	Brad & Teresa M. Robson	SE 26-21-2 W5	Plan 9212657 Blk 1		4.08 Acres	CR
2102260030	Dean Mosher	SE 26-21-2 W5	Plan 9911866 Blk 2		7.49 Acres	CR
2102260040	Thomas Wade Adams	SE 26-21-2 W5	Plan 0012202 Blk 3		6.99 Acres	CR
2102260050	Steven G. & Gail L. Stumpf	SE 26-21-2 W5			114.53 Acres	A
2102267500	John P & Pauline Hogan	NE 26-21-2 W5	Plan 9711301 Blk 2		5.66 Acres	CR
2102267510	Kevin, Brody & Jocelyn Scott	NE 26-21-2 W5	Plan 9212051 Lot 1		11.12 Acres	CR
2102267520	Eric Dalphond	NE 26-21-2 W5	Plan 9611190 Blk 1		5.93 Acres	CR
2102267530	Foothills County	NE 26-21-2 W5	Plan 9711301 Blk 3ER		8.40 Acres	ER
2102267540	Bowa Environmental Ltd	NE 26-21-2 W5			126.90 Acres	A
2102350000	1791874 Alberta Corp	SE 35-21-2 W5			119.00 Acres	DC29
2102350010	Peisi Yu & Hua Kang	SE 35-21-2 W5	Plan 0012150 Blk 2 Lot 2		10.01 Acres	CR
2102350020	Randy & Barbara Plaschewsky	SE 35-21-2 W5	Plan 9110740 Blk 1		4.99 Acres	CR
2102350030	Ulrich & Monika Kuenz	SE 35-21-2 W5			14.51 Acres	CR
2102350040	Christopher & Renata Tuzimek	SE 35-21-2 W5	Plan 0012150 Blk 2 Lot 1		3.63 Acres	CR
2102350050	718299 Alberta Ltd	SE 35-21-2 W5	Plan 0012150 Blk 2 Lot 3		4.99 Acres	CR
2102360000	Roderick & Lynne Curzon	SE 36-21-2 W5			159.88 Acres	A
2102360010	ATCO Gas & Pipelines Ltd	SE 36-21-2 W5	Plan GL48 RW Lot 21		0.12 Acres	CR
2102362500	Curtis & Lauren Young	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 15	Wood Valley Estates	8.50 Acres	CRA
2102362510	Clark G. & Hedy J. Seaborn	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 17	Wood Valley Estates	7.09 Acres	CRA
2102362520	Ian Kim Hannah	SW 36-21-2 W5	Plan 2211578 Blk 6 Lot 1		8.33 Acres	CR
2102362530	Fred & Lisa Zimmerman	SW 36-21-2 W5	Plan 7410231 Blk 5		23.74 Acres	A
2102362540	Sylvia Checkley	SW 36-21-2 W5	Plan 9511538 Blk 4 Lot 1		10.01 Acres	CR
2102362550	Robert & Julie C Baker	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 16	Wood Valley Estates	7.09 Acres	CRA
2102362560	Dan K. & Jacki C. Skibinski	SW 36-21-2 W5	Plan 9511538 Blk 4 Lot 2		18.53 Acres	CR

# File No. 24D 121 Circulation List

July 25, 2024  
Page 3 of 3

<i>RollNo</i>	<i>MainName</i>	<i>Qtr-Sq-Tw-Rg M</i>	<i>Plan-Blk-Lot</i>	<i>Hamlet/Subdivision</i>	<i>Size Unit</i>	<i>Zone</i>
2102362570	Robert B & Diane M Ramsay	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 8	Wood Valley Estates	7.31 Acres	CRA
2102362580	Lawrie S. & Gloria J. Hrynuk	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 9	Wood Valley Estates	7.31 Acres	CRA
2102362590	Grant D. & Amy L. Shaw	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 10	Wood Valley Estates	9.29 Acres	CRA
2102362600	Jik Chiew Chan	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 11	Wood Valley Estates	7.96 Acres	CRA
2102362610	Christopher & Linda Hayes	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 12	Wood Valley Estates	6.25 Acres	CRA
2102362620	Attila Istvan & Marta Timea Komlodi	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 13	Wood Valley Estates	6.28 Acres	CRA
2102362630	Foothills Courty	W 36-21-2 W5	Plan 0211261 Blk 3 Lot 14MR	Wood Valley Estates	6.62 Acres	MIR
2102362640	Rees Matzner & Jennifer Tims	SW 36-21-2 W5	Plan 2211578 Blk 6 Lot 2		15.42 Acres	CRA



## NOTICE OF DEVELOPMENT

The following Development Permit has been approved subject to certain conditions and subject to a 21-day appeal period:

1. **Development Permit Application 24D 145**  
Ptn. SE 15-19-29 W4M; Plan 1010654, Block 1, Lot 2  
Building, Accessory to Natural Resource Extraction & Processing  
*County Contact-Brenda Bartnik -Development Officer*
2. **Development Permit Application 24D 123**  
Ptn. SE 27-21-01 W5M; Plan 2311674, Block 3, Lot 4  
Single Family Dwelling with Oversized Attached Garage on CRA Lot  
*County Contact-Stacey Kotlar-Development Officer*
3. **Development Permit Application 24D 107**  
Ptn. SE 7-22-03 W5M; Plan 9311441, Block 3  
Relaxation of Setbacks to Existing Structures  
*County Contact- Stacey Kotlar-Development Officer*
4. **Development Permit Application 24D 104**  
Ptn. NE 32-21-29 W4M; Plan 9710197, Lot 1  
Fascia Sign & Solid Fence with Relaxation of Setbacks  
*County Contact-Brittany Domenjoz-Development Officer*
5. **Development Permit Application 24D 113**  
Ptn. SW 16-20-29 W4M; Plan 9011782, Block 11  
Free Standing Sign  
*County Contact-Brittany Domenjoz-Development Officer*
6. **Development Permit Application 24D 121**  
Ptn. NW 25-21-02 W5M; Plan 9711274, Block 3, Lot 2  
Secondary Suite, Detached  
*County Contact- Brittany Domenjoz-Development Officer*
7. **Development Permit Application 24D 126**  
Ptn. SE 03-22-29 W4M; Plan 1112304, Block 8, Lot 10  
Secondary Suite, Detached  
*County Contact- Melanie Michaud-Development Officer*
8. **Development Permit Application 24D 127**  
Ptn. SW 10-22-03 W5M; Plan 9311120, Lot 1  
Ground Mount Solar Power System, Private & Relaxation of Setbacks  
*County Contact- Melanie Michaud-Development Officer*
9. **Development Permit Application 24D 133**  
Ptn. NW 01-22-01 W5M; Plan 2311381, Block 1, Lot 15  
Single Family Dwelling with Attached Oversized Garage on RCA Lot  
*County Contact- Melanie Michaud-Development Officer*

The file for the development permit application can be made available upon request. Should you wish to review a file or should you have any questions, please contact our Planning & Development Department at Telephone: (403) 652-2341 or Email: [Planning@FoothillsCountyAB.ca](mailto:Planning@FoothillsCountyAB.ca).

Pursuant to Section 685(2) of the Municipal Government Act, any person affected by these decisions may submit an appeal to the Subdivision and Development Appeal Board (SDAB) Clerk. Should you choose to submit an appeal, please complete the Notice of Development Appeal Form, which can be obtained from our website, [www.FoothillsCountyAB.ca](http://www.FoothillsCountyAB.ca) or emailed/faxed out upon request. Alternatively, you can submit a letter outlining your appeal, which must contain the following information:

- a. the Development Permit File Number (i.e., 21D 000) that you are appealing.
- b. detailed reasons for appealing; and
- c. your full name (printed and signature), legal description, mailing address, and



phone number.

**Appeals must be received by the SDAB Clerk no later than 4:30 P.M. on Thursday August 22, 2024, and must be accompanied by a \$100.00 appeal fee. The appeal fee will be refunded following the hearing if there is record that the appellant or someone authorized to act on behalf of the appellant attended the scheduled appeal hearing.**

**SEND NOTICE OF DEVELOPMENT APPEAL FORM AND APPEAL FEE VIA:**

**Email (scanned pdf):** [appeals@foothillscountyab.ca](mailto:appeals@foothillscountyab.ca) or

**Fax:** 403-652-7880 or

**Mail/Deliver:** SDAB Clerk, Foothills County, 309 Macleod Trail S, Box 5605, High River, AB, T1V 1M7

- *For email submissions, if you do not receive a reply email from our office confirming receipt of your submission, please contact the SDAB Clerk immediately (403) 603-6227.*
- *The notice of appeal form may be mailed, but if it is received after the appeal deadline, the appeal will be invalid.*

Alison Schori

Planning & Development Assistant

Original Dates of Publication **July 31, 2024 & August 7, 2024**

## Alison Schori

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**From:** FC\_Planning  
**Sent:** July 31, 2024 8:30 AM  
**To:** Alan Alger  
**Cc:** Brittany Domenjoz  
**Subject:** Development Officers Decision- Development Permit 24D 121  
**Attachments:** 24D 121 DO Decision.pdf

Good morning,

Please see attached a copy of the Development Officer's Decision for 24D 121, which is within your division.

If you have any questions please contact **Brittany Domenjoz** of our Planning Department at [Brittany.Domenjoz@foothillscountyab.ca](mailto:Brittany.Domenjoz@foothillscountyab.ca) .

Regards,

[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)

## Alison Schori

---

**From:** FC\_Planning  
**Sent:** July 31, 2024 8:30 AM  
**To:** 'analaura.bateman@gmail.com'  
**Cc:** Brittany Domenjoz  
**Subject:** Development Officers Decision- Development Permit 24D 121  
**Attachments:** 24D 121 DO Decision.pdf; 24D 121 Letter.pdf; Appeal Form.pdf

Good morning,

Please see attached a copy of the Development Officer's Decision for 24D 121, which is within your division.

If you have any questions please contact **Brittany Domenjoz** of our Planning Department at [Brittany.Domenjoz@foothillscountyab.ca](mailto:Brittany.Domenjoz@foothillscountyab.ca) .

Regards,

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## Alison Schori

---

**From:** FC\_Planning  
**Sent:** July 31, 2024 8:30 AM  
**To:** Assessment Dept.  
**Cc:** Brittany Domenjoz  
**Subject:** Development Officers Decision- Development Permit 24D 121, Roll No. 2102255130  
**Attachments:** 24D 121 DO Decision.pdf

Good morning,

Please find attached the Development Officer's Decision for Development Permit 24D 121. The roll number for this parcel is 2102255130

Should you have any questions, please do not hesitate to contact **Brittany Domenjoz** at [Brittany.Domenjoz@foothillscountyab.ca](mailto:Brittany.Domenjoz@foothillscountyab.ca).

Regards,

**Foothills County  
Planning & Development**

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

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# DEVELOPMENT PERMIT CIRCULATION MEMORANDUM

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

**File Number:** 24D 121

**Date:** June 14, 2024

**Landowner:** Marcus & Ana L. Bateman    **Agent:** N/A

**Legal:** Plan 9711274 Block 3 Lot 2

**Description:** Ptn: NW 25-21-02 W5M

**Parcel Size:** 13.54 Acres

**Proposal:** Secondary Suite, Detached

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:     Brittany Domenjoz     [Brittany.Domenjoz@foothillscountyab.ca](mailto:Brittany.Domenjoz@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	X _____	Fortis Alberta	_____
Municipal Fire Services	_____	ATCO Gas	_____
Municipal Addressing	X _____	AltaLink	_____
Municipal Community Services	_____	Other:	_____
AFICA	_____		_____
Erin Frey (HR Airport only)	_____		_____

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

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

<b>FILE NUMBER:</b> 24D 121	<b>LANDOWNER:</b> Marcus & Ana Bateman
<b>FILE MANAGER:</b> Brittany Domenjoz	<b>AGENT:</b>
<b>CURRENT LAND USE:</b> Country Residential	<b>PROPOSED LAND USE:</b>
<b>LEGAL DESCRIPTION:</b> NW 25-21-02 W5M; Plan 9711274, Block 3, Lot 2	
<b>MUNICIPAL ADDRESS:</b> 96196 265 Ave W	
<b>ROLL NUMBER:</b> 2102255130	
<b>DATE REFERRED:</b> June 12, 2024	
<b>PROPOSAL:</b> Secondary Suite, Detached	

**PROPOSAL INFORMATION:**

Development Permit

- Internal Road Proposed:  \_\_\_\_\_
- Construction on Road Allowance Proposed:  \_\_\_\_\_
- Approaches exist on:  \_\_\_\_\_
  - Other: \_\_\_\_\_

Information pertaining to roads on  side of the subject lands:

    Servicing Comments or Review required:

- Other: \_\_\_\_\_
- Road Widening -

**OTHER COMMENTS:**

Water is being hauled in to service the suite, with a new +/- 3700 gal buried cistern.  
 Please confirm if PW has any comment (road use?)  
 thank you!

**PUBLIC WORKS RECOMMENDATIONS:**

**SUGGESTED CONDITIONS FOR CONSIDERATION:**

Proposed                       Balance

- |                                                                       |                                      |                                      |                                                 |
|-----------------------------------------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------------------|
| <input type="radio"/> Geotechnical Report for Slope Stability         | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Development |
| <input type="radio"/> High Water Table Testing for Foundation Design: | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |
| <input type="radio"/> Septic Disposal Evaluation (PSTS)               | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision |                                                 |
| <input type="radio"/> Stormwater Management Plan                      | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |
| <input type="radio"/> Lot Grading/Overland Drainage Plan              | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Development |
| <input type="radio"/> Flood Plain Report (1 in 100 years)             | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |
| <input type="radio"/> Overland Drainage Easement                      | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision |                                                 |
| <input type="radio"/> Building Envelopes                              | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Development |
| <input type="radio"/> Traffic Impact Assessment (TIA)                 | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |
| <input type="radio"/> Environmental Site Assessment (Phase1 / Phase2) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |
| <input type="radio"/> Other: _____                                    | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development            |

**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:**

Number of new approaches and/or existing approaches requiring upgrades: \_\_\_\_\_

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

**RECOMMENDATIONS REGARDING INFRASTRUCTURE:**

Proposed suite, cistern and septic appears to be within areas containing slopes exceeding 15% or within 30m of areas containing slopes of 15% or more.

If the building envelope falls within that area, Slope Stability report will be required using actual data from the site. If the building envelope site is 30m or more away from slopes exceeding 15%, no Slope Stability report is required.

No concerns with water hauling but please note that 112 St W is currently banned at 90% year road and have to be followed.

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**ROAD REQUIREMENTS / LIMITATIONS:**

- o Road Ban on road  Yes  No
- o Load Restricted Bridge  Yes  No
- o Road Use Agreement Required  Yes  No

Road comments and requirements: 90% ban on 112 St W year round

\_\_\_\_\_  
\_\_\_\_\_

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

Yes\*     No

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

Date Reviewed: July 15, 2024

Regards,  
Reviewer: *W Kruger*  
Signature: Wiaan Kruger

## Brittany Domenjoz

---

**From:** Robert Miller  
**Sent:** July 10, 2024 1:36 PM  
**To:** Brittany Domenjoz  
**Subject:** FW: Circulation for Development Permit 24D 121, Please Respond by July 15, 2024  
**Attachments:** 24D 121 Bateman.pdf

Brittany,

No concerns.

Please notify if approved.

Rob

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Friday, June 14, 2024 11:08 AM  
**To:** Kurtis Dyck <Kurtis.Dyck@FoothillsCountyAB.ca>; Robert Miller <Robert.Miller@FoothillsCountyAB.ca>  
**Cc:** Brittany Domenjoz <Brittany.Domenjoz@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 24D 121, Please Respond by July 15, 2024

Good morning,

Find attached our circulation for development permit 24D 121. Please review and respond **prior to July 15, 2024**

Should you have any questions or comments, please direct them to **Brittany Domenjoz** at [Brittany.Domenjoz@foothillscountyab.ca](mailto:Brittany.Domenjoz@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



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## Alison Schori

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**From:** FC\_Planning  
**Sent:** June 14, 2024 11:08 AM  
**To:** Kurtis Dyck; Robert Miller  
**Cc:** Brittany Domenjoz  
**Subject:** Circulation for Development Permit 24D 121, Please Respond by July 15, 2024  
**Attachments:** 24D 121 Bateman.pdf

Good morning,

Find attached our circulation for development permit 24D 121. Please review and respond **prior to July 15, 2024**

Should you have any questions or comments, please direct them to **Brittany Domenjoz** at [Brittany.Dopmenjoz@foothillscountyab.ca](mailto:Brittany.Dopmenjoz@foothillscountyab.ca) .

Regards,

**Foothills County  
Planning & Development**

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

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## Brittany Domenjoz

---

**From:** Brittany Domenjoz  
**Sent:** July 10, 2024 8:41 AM  
**To:** Dev PWRev  
**Subject:** FW: Circulation for Development Permit 24D 121, Please Respond by July 25, 2024  
**Attachments:** 24D 121 Bateman.pdf; PW Referral Form.pdf

Good Morning,

I wanted to confirm if you received this circulation. Public Works may have been missed in this email, my apologies.

If possible, can you please review the attached file and provided comments - I can extend the timeline to July 25, 2024. If you need additional time, please let me know.

Thank you,

**Brittany Domenjoz,**  
Planning & Development Officer / Business Licence Officer  
P. (403) 603 6242



**Please note that I am not in the office on Fridays**

**From:** FC\_Planning <Planning@Foothillscountyab.ca>  
**Sent:** Friday, June 14, 2024 11:08 AM  
**To:** Kurtis Dyck <Kurtis.Dyck@FoothillsCountyAB.ca>; Robert Miller <Robert.Miller@FoothillsCountyAB.ca>  
**Cc:** Brittany Domenjoz <Brittany.Domenjoz@FoothillsCountyAB.ca>  
**Subject:** Circulation for Development Permit 24D 121, Please Respond by July 15, 2024

Good morning,

Find attached our circulation for development permit 24D 121. Please review and respond **prior to July 15, 2024**

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

Regards,

**Foothills County**  
**Planning & Development**

[FC\\_Planning@foothillscountyab.ca](mailto:FC_Planning@foothillscountyab.ca)  
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P. (403) 652-2341 | F. (403) 652-7880



## Alison Schori

---

**From:** FC\_Planning  
**Sent:** June 14, 2024 11:08 AM  
**To:** Devyn Murray  
**Cc:** Brittany Domenjoz  
**Subject:** Circulation for Development Permit 24D 121, Please Respond by July 15, 2024  
**Attachments:** PW Referral Form.pdf; 24D 121 Bateman.pdf

Good morning,

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Should you have any questions or comments, please direct them to **Brittany Domenjoz** at [Brittany.Dopmenjoz@foothillscountyab.ca](mailto:Brittany.Dopmenjoz@foothillscountyab.ca) .

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**RETAINING WALL** means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.

**RIPARIAN AREAS** means lands adjacent to a watercourse where the vegetation and soils show evidence of being influenced by the presence of water, the green zone around a watercourse, and the transitional zone between surface water and drier uplands which plays a vital role in the healthy functioning of both.

**RIPARIAN MATRIX MODEL** means a scientifically based model supported by the County to assist in the protection of shorelines, water quality and riparian areas, while allowing for development to occur in a sustainable manner by establishing appropriate setbacks for development from important riparian areas. *More information on the riparian matrix model can be found in Appendix F.*

## S

**SALVAGE FACILITY** a place where second-hand goods, including furniture, books, toys, clothing, building material, and other salvageable items are collected to be sorted and stored for sale or resale.

**SAND & GRAVEL OPERATIONS** means those operations engaged in the extraction of sand and gravel which may include washing, crushing, stockpiling, concrete plants, and asphalt plants.

**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, DETACHED** means a *Dwelling, Secondary Suite*, which is detached from and subordinate to, the principal dwelling located on the same parcel. A Secondary Suite, Detached may be a stand-alone suite or a suite within or attached to, an accessory building or detached garage on the same parcel as the principal dwelling and shall be constructed in accordance with all provisions under Section 10.26.

**SECONDARY SUITE, PRINCIPAL** means a dwelling, *Secondary Suite*, located within the principal dwelling unit, in an extension or addition to the principal dwelling, 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 bodies can be found in Section 9.18 of this Bylaw.

- e. The placement of fill or topsoil on any site in excess of the limits identified under 4.2.1.37.

**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, within the Flood Hazard Protection Overlay, and/or within the Airport 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 does not exceed to maximum permitted height under the designated Land Use District or the Airport Protection Overlay, 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, or within lands defined under policy 11.2.4.2 within the Airport Protection Overlay, 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.

- 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 updated Secondary Suite provisions adopted under Bylaw 68/2023 (January 31, 2024), the following variances may be considered when applying for approval to bring existing suites into compliance, which were not previously allowed in Foothills County prior to the passing of said bylaw:
  - a. The Development Authority may issue a Development Permit for an existing 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 68/2023 received third reading on January 31, 2024.
  - b. The Development Authority may issue a Development Permit for reduced building setbacks for a Secondary Suite where:
    - i. the building code, safety code, and fire code requirements can be met (for example side yard setbacks may not be relaxed on smaller parcels due to separation distances of residential buildings with greater than 10 minutes fire department response time).
    - ii. it does not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.



This applies to Secondary Suites on parcels under 2 acres in size and Secondary Suites within hamlet boundaries or Secondary Suite, Detached on other parcels (within hamlet boundaries does not include the hamlets of Heritage Pointe and Priddis Greens).

- 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.
- 5.6.11 The Development Authority may allow up to a 25% variance to the allowable maximum size requirements of a Secondary Suite, where an application has been made for a change in use from an approved Dwelling, Temporary to a Secondary Suite, Detached, in accordance with Section 10.26.
- 5.6.12 The Development Authority may issue a Development Permit for the renewal of a Dwelling, Temporary, in excess of the Maximum Dwelling Density within the applicable land use district, if an approved Development Permit for that Dwelling, Temporary is in place, and is occupied in accordance with the approval, prior to the date of passage of the bylaw amendments adopting the Maximum Dwelling Density, where it is determined that it does not materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.
- 5.6.13 The Development Authority may issue a Development Permit for a Dwelling, Temporary that has been prefabricated, built, or factory constructed before September 2, 2007, if an approved Development Permit for that Dwelling, Temporary is in place and occupied in accordance with that approval, should it have appropriate C.S.A. certification, or an equivalent at the time of placement on the subject parcel, to the satisfaction of the Safety Codes Officer.

## 5.7 **NOTICE OF DECISION**

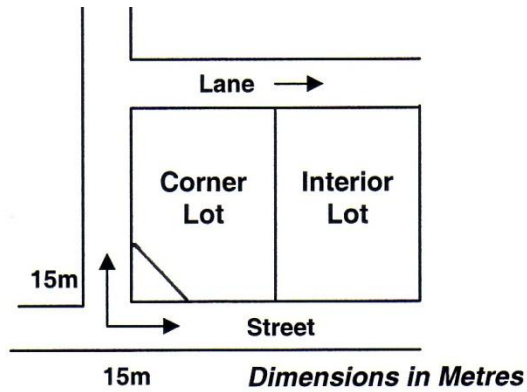
- 5.7.1 A decision on applications for a Development Permit shall:
  - a. Specify the date on which the decision was made and must be given or sent to the applicant on the same day the decision is made.
  - b. All decisions on applications for a Development Permit shall be given in writing and sent by ordinary mail to the applicant.
- 5.7.2 If an application is conditionally approved or refused by the Development Authority, the notice of decision shall contain the conditions imposed as part of the approval or the reasons for the refusal.
- 5.7.3 Notice of decisions on approved applications for development of a discretionary use or permitted use with a variance, shall be sent by ordinary mail to the applicant, and a notice of the development shall be:
  - a. Published in a local newspaper circulating within the Foothills County; or
  - b. Sent by ordinary mail to adjacent landowners; or
  - c. Posted conspicuously on the property.
- 5.7.4 For decisions under Section 5.7.3, the Development Authority may choose to direct mail decisions to properties beyond the adjacent/adjoining properties at their discretion.

## 9.27 SPECIAL SETBACK REQUIREMENTS

### General Provisions:

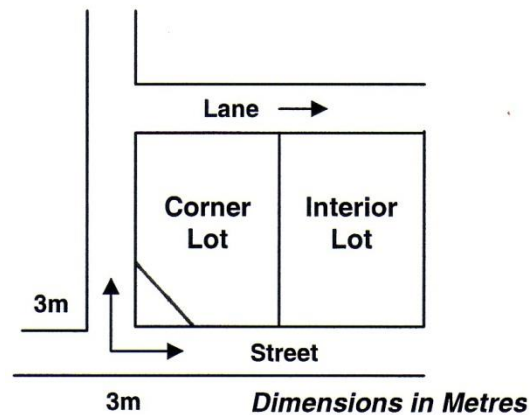
- 9.27.1 The minimum setback distances required for front, side, and rear yards do not apply to driveways, sidewalks, or steps with associated landings under 0.6m (2 ft.) above grade, wholly within the lot.
- 9.27.2 At grade (less than 0.60m (2ft) attached patios and decks may be constructed to within 1m (3ft) of a side or rear yard in all land use districts.
- 9.27.3 Above grade (0.60m (2ft) and more above grade) attached patios and decks must meet the setback requirements of the land use district in which they are located.
- 9.27.4 A deck with a roof shall be considered a part of the structure they are abutting and shall meet all applicable setbacks.
- 9.27.5 Balconies, eaves, fireplaces, sills, canopies, window wells, and cornices may project into the minimum front or side yard setback to a maximum of 600mm (1.97 ft.) or into the minimum rear yard setback to a maximum of 1.5m (4.92 ft.) on Agricultural District, Country Residential District, Cluster Residential District parcels, and may project into the minimum rear yard setback, of a Estate Residential District and Residential Manufactured Home District parcels to a maximum of 0.8m (2.62 ft.) for the principal building and 0.1m (0.33 ft.) for an accessory building.
- 9.27.6 Balconies, eaves, fireplaces, sills, canopies, window wells, and cornices may project into the minimum rear yard setback to a maximum of 1.5m (4.92 ft.) on Residential Community District parcels for the principal building and 0.1m (0.33 ft.) for an accessory building.
- 9.27.7 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 or road dedication purposes, the front, side, and rear yard setback shall be the greater of 15m (49.21 ft.) from the future front yard boundary or the distance set out in minimum requirements for yard setbacks in the appropriate land use district.
- 9.27.8 Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with abutting properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.
- 9.27.9 Where more than one minimum setback distance is applicable under this Bylaw, the greater distance shall prevail.
- 9.27.10 Notwithstanding any other provision contained in this Bylaw no person shall place or maintain any object, structure, fence, hedge, shrub, or tree in or on that part of a corner lot location:
  - a. within Agricultural District, Country Residential District, Cluster Residential District, Rural Business District, Natural Resource Extraction District, all Park and Recreation Districts which lies within a triangle as illustrated on the sketch below:

Figure 9.27.9 A



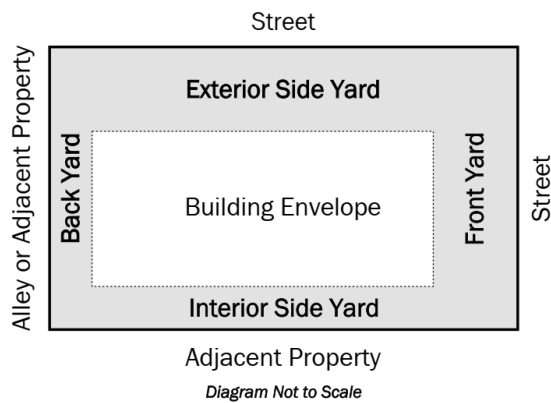
- b. within all other Residential and Commercial Districts not noted above, all Industrial Districts, Service, Districts, and Utility districts which lie within a triangle as illustrated on the sketch shown below:

Figure 9.27.9 B



- 9.27.11 In the case of a corner lot, the front yard shall be the narrower of the two frontages as shown in Figure 9.27.10.A. If they are equal, it shall be at the discretion of the Approving Authority.

Figure 9.27.10 A



- 9.27.12 For all corner lots, the minimum setback on the exterior side yard shall be the same distance as if deemed a front yard setback to that particular type of road in the applicable district, however this does not impose a rear yard on the opposite side as is the case of a front yard. (See Figure 9.27.10A)

- 9.27.13 Notwithstanding subsection 9.27.9 and 9.27.10, standard barbed wire fencing or equivalent shall be permitted within the identified sight triangle.
- 9.27.14 Sight triangle requirements shall be considered and applied in conjunction with the Alberta Transportation and Utilities Highway Geometric Design Guide, based on consideration of existing right-of-way and design speed.
- 9.27.15 All residential un-sprinklered buildings, located in excess of 10 minutes for fire department notification and scene response time (determined by the local fire department), with a setback distance of less than 2 meters must be constructed in accordance with the applicable Building Code requirements for High Intensity Residential Fire.
- 9.27.16 All attached garages, located outside of the 10 minutes fire department notification and scene response time (determined by the local fire department), must be constructed in accordance with the Applicable Building Code requirements for High Intensity Residential Fire.

**Environmental Considerations:**

- 9.27.17 On a lot adjacent to a water body where the bed and shore is crown owned such as a river, creek, and/or lake, a minimum setback of 30.0 m (98.43 ft.) from the top of bank to any development shall be required to reduce environmental impacts and manage risk.
- 9.27.18 Developers may be required to utilize and follow the “*Riparian Setback Matrix Model*” and associated “*Developers Guidelines*” to determine appropriate development setbacks from riparian areas in the County. The “*Riparian Setback Matrix Model*” and associated “*Developers Guidelines*” are attached as *Appendix F*.
- 9.27.19 See Section 9.13 for information pertaining to development in and near areas subject to flooding.
- 9.27.20 On a lot adjacent to a slope of 15% (8.3°) or greater, development shall be setback a minimum of 30m, or the distance determined by a Geotechnical Report.
- 9.27.21 If, in the opinion of the Approving Authority, a slope might be unstable, a geotechnical assessment by a professional engineer may be required in order to evaluate stability, and to recommend appropriate development setbacks, consistent with provincial guidelines.
- 9.27.22 If the Approving Authority is satisfied by the submission of a Professional environmental and/or geotechnical assessment that the variance of a setback is warranted, the setback may be increased or reduced accordingly.
- 9.27.23 Within the minimum setback as required by Section 9.27.16 through 9.27.21, land disturbance and the removal of trees or vegetation shall be minimized to reduce environmental effects and the risk of property damage.

**Setbacks to Municipal Utilities and Services:**

- 9.27.24 All development shall comply with the applicable Provincial legislation and approvals with respect to setback to Municipal Utilities and Services unless the setback is varied by the Approving Authority with the written consent of the Deputy Minister of Environment.



use do not unduly affect the amenities of the residential neighborhood in which they are located:

- a. The intent of the occupant is to stay for short term vacation purposes rather than use the property as a residence.
- b. None of the sleeping unit(s) within the dwelling are permitted to contain a kitchen or kitchen facilities.
- c. Tourist homes shall not interfere with the rights of other residents to quiet enjoyment of a residential neighborhood.
- d. Only an approved dwelling, by way of building permit, is permitted to be used for overnight accommodations, no sleeping accommodations are permitted in any garage or accessory building on site.
- e. Provide one on-site parking stall per bedroom.
- f. Ensure that the dwelling conforms to the Alberta Safety Codes and any other provincial regulations.
- g. Ensure that the dwelling is inspected and signed off by the M.D. of Foothills Fire Chief.
- h. Where food is being prepared by the owner of the home, Alberta Health approvals will be required, where food is being prepared by the renters, no approvals are required.
- i. Not display any form of signage unless approved under the Development Permit or is permitted under Section 4.2.1.39.

## **10.25 SECONDARY SUITES**

- 10.25.1 A Secondary Suite may be considered in accordance with the following:
  - a. Secondary Suite, Principal - located within a principal Dwelling Unit, in an extension or addition to the principal dwelling, or above a garage attached to the principal dwelling on the same parcel, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.
  - b. Secondary Suite, Detached - detached from and subordinate to the principal dwelling, and may be a stand-alone suite, or a suite within, or attached to an accessory building or detached garage on the same parcel as the principal dwelling, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.
- 10.25.2 Secondary Suites are not permitted within the hamlets of Heritage Pointe and Priddis Greens.
- 10.25.3 A Secondary Suite shall be subordinate to a principal dwelling and shall only be located on a parcel where Secondary Suite, Principal or Secondary Suite, Detached is listed as a permitted or discretionary use under the appropriate land use district.
- 10.25.4 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.
- 10.25.5 A Development Permit shall be obtained for all Secondary Suites in the County.
- 10.25.6 All Secondary Suites shall have an approved Building Permit and shall comply with all applicable Building and Safety Code Requirements.
- 10.25.7 All Secondary Suites shall comply with the Land Use and Development Requirements such as height requirements, setback regulations, and lot coverage, for the applicable land use district.

- 10.25.8 A Secondary Suite shall only be permitted on a site in accordance with the maximum dwelling unit density requirements under the applicable land use district or in accordance with Section 10.10.5 where the maximum dwelling unit density is not listed in the land use district.
- 10.25.9 A parcel shall be limited to one Secondary Suite.
- 10.25.10 Occupancy shall be restricted to a maximum of two bedrooms per suite.
- 10.25.11 A Secondary Suite, Principal, shall be smaller than the habitable area of the principal dwelling to a maximum of 1,400 sq. ft. in size.
- 10.25.12 Notwithstanding Section 10.26.11, a Secondary Suite may exceed 1,400 sq. ft. in size where a Secondary Suite, Principal is situated:
  - a. Entirely within the basement of the principal dwelling and the building footprint of the basement is greater than 1,400 sq. ft. in size.
  - b. Within the entire loft area above a garage attached to the principal dwelling, provided the Secondary suite does not exceed the building footprint of the attached garage and the Secondary suite remains smaller in size than the habitable area of the principal dwelling.

*Building Footprint* means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing lot coverage and cumulative area for accessory buildings on a parcel.

For the purpose of determining Secondary Suite size, the habitable area of a Secondary Suite is the sum of all floors of all livable space contained within the exterior walls of the structure, including the basement, which is designated for human occupancy. This includes areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage, or areas devoted exclusively to mechanical or electrical equipment servicing the development.

- 10.25.13 A Secondary Suite, Detached shall meet the following maximum size requirements:
  - a. on parcels 1 acre and larger in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,400 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.
  - b. on parcels less than 1 acre in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,000 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited, to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.
- 10.25.14 A Secondary Suite, Detached 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.
- 10.25.15 Where a Secondary Suite, Detached exceeds the maximum total number of buildings and/or total cumulative size of buildings allowed, based on parcel size in accordance with Table 4.2.1.7A of this bylaw, the Development Authority reserves the right to refuse a Development Permit for the Secondary Suite should they feel the number of buildings and/or cumulative size of buildings on the parcel is

excessive and may materially interfere with, or affect the use, enjoyment, or value of the neighbouring property.

- 10.25.16 Each Secondary Suite shall provide the following on-site parking spaces for Secondary Suites:
- a. a minimum of one additional on-site parking space for a Secondary Suite up to a maximum 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw.
  - b. a minimum of two additional on-site parking spaces for a Secondary Suite larger than 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw.
- 10.25.17 All Secondary Suites shall have their own distinct County address to facilitate accurate emergency response.
- 10.25.18 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 or additional dwelling unit, the application shall be considered a Discretionary Use under the land use district in which the Development Authority may refuse the Development Permit application.
- 10.25.19 A Dwelling, Manufactured Home or Dwelling, Mobile Home may be approved by Development Permit as a Secondary Suite, Detached where:
- a. The unit has been prefabricated, built or factory-constructed within ten (10) years of the date of the application.
  - b. The unit is placed upon an approved permanent foundation pursuant to the provisions of the building code.
  - c. The development is in compliance with all requirements of Section 10.26 for Secondary Suites.
  - d. It would not cause the maximum dwelling density for the parcel to be exceeded.
  - e. The development meets all other development requirements as per the applicable land use district.
  - f. All applicable fire, building and safety codes requirements are met.
  - g. The Secondary Suite is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish) to the satisfaction of the Development Authority.
  - h. A current report, completed by a certified engineer, is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
  - i. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.25.20 The Development Authority, in their discretion, may consider a development permit for a change of use from an existing Dwelling, Temporary to a Secondary Suite, Detached, if the Dwelling, temporary has approvals under a previous Development Permit and can provide, to the satisfaction of the Development Authority, the following:
- a. The unit is placed upon an approved permanent foundation pursuant to the provisions of the applicable building code as part of the change of use approval.
  - b. The unit must be prefabricated, built or factory-constructed more recently than September 2, 2007.

- c. Must be in compliance with all requirements of Section 10.26 for Secondary Suites.
  - d. Does not exceed the maximum dwelling density and maximum height requirements and meets all other requirements as per the applicable land use district.
  - e. The unit is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish).
  - f. A current Engineer's report is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
  - g. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.25.21 Further to 10.26.20, in all cases a Development Permit for the change of use of a Dwelling, Temporary to a Secondary Suite, Detached will be considered a Discretionary Use.
- 10.25.22 The Development Authority reserves the right to refuse a Development Permit for a prefabricated dwelling (Dwelling, manufactured home or Dwelling, mobile home) that is of poor appearance or condition.
- 10.25.23 Existing unpermitted Secondary Suites that were not allowed under the land use bylaw prior to the passing of Bylaw 68/2023 (January 31, 2024), may be allowed some variances, within two years from the date these provisions were passed, in accordance with Section 5.6 of this bylaw when applying for Development Permit approval to bring them into conformance.

### **Servicing Requirements**

- 10.25.24 It is the landowner's responsibility to provide proof of adequate water servicing and sanitary sewer servicing for a Secondary Suite, to the satisfaction of the Development Authority.
- 10.25.25 Where a proposed Secondary Suite is to be serviced with a communal or municipal piped water supply, the following is required:
- a. a letter shall be submitted to the Development Authority providing confirmation from the owner/operator of the piped water system, indicating that there is adequate water available to service the additional use of the proposed Secondary Suite on the subject parcel.
  - b. Where a separate water connection/or line extension may be required, confirmation from the utility corporation/ owner/operator of the piped water system, that the line has been installed, connected, and where applicable appropriate meters installed to their satisfaction, shall be submitted to the Development Authority.

In some areas, such as the Foothills County Hamlets, the water connection may need to be assessed on a case-by-case basis to ensure there is sufficient line size to accommodate the additional use for the site prior to approval. Separate water meter devices may be required for Secondary Suites at the discretion of the utility provider.



10.25.26 Where a secondary suite is to be serviced utilizing ground water, the Development Authority (Development Officer, Council, or Development Appeal Board) may require an updated pump test and/or hydrogeologist report or other validation data, completed by a professional engineer or hydrogeologist, on the source groundwater well be submitted to the County for review to confirm that the source water well can sustain an adequate water supply for the existing and proposed development with no anticipated interference to any neighboring wells.

10.25.27 Where water is hauled to the site as the primary water source for a Secondary Suite (to a cistern or water storage system) the applicants must provide proof, to the satisfaction of the Development Authority, that the system will provide an adequate quantity of potable water for the proposed use.

Where there is no piped municipal or communal water system available for water supply to a Secondary Suite, installation of a water cistern, in support of the water supply, is encouraged and recommended.

10.25.28 The proposed method of managing the wastewater/sewage system for the Secondary Suite shall be provided to the satisfaction of the Development Authority and shall consist of either:

- a. A private sewage treatment system that can adequately manage the additional waste; or a new system or additions to the existing system, that have been adequately sized to accommodate the additional waste, and the location is suitable, and meets the current Safety Codes.
- b. Where sewage disposal is connected to an approved piped communal collection system, a letter providing conformation from the sewage disposal operator that the system has adequate capacity for the additional sewage and authorization to connect.

#### **Permit Considerations**

10.25.29 In considering a Development Permit application for a Secondary Suite, 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 to sustain the current and proposed 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. In the case of a Secondary Suite, Detached, the suite, should be constructed and finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to size/scale, location, and/or color/finish).
  - iii. 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 may be recorded on the Secondary Suite Registry for public information.

## 10.26 **BACKYARD HENS**

- 10.26.1 No Development Permit is required for the keeping of backyard hens in accordance with Section 10.27 of this bylaw. Section 4.2.1 outlines where no Development Permit is required under this bylaw.
- 10.26.2 Backyard hens are only permitted as an accessory use to a principal dwelling on site and hen owners must reside on the property upon which the hens will be kept.
- 10.26.3 A maximum of six (6) backyard hens shall be permitted on a parcel under 3 acres in size, outside of Hamlet boundaries in accordance with provisions under this section.
- 10.26.4 Roosters are prohibited on parcels under 3 acres in size and are not included within the backyard hen provisions under Section 10.27.
- 10.26.5 Backyard hens shall not be permitted to run at large and shall be maintained in an appropriate coop and/or enclosure.
- 10.26.6 Coops and enclosures for backyard hens shall be located in the rear yard and shall meet all other provisions under the land use bylaw including but not limited to lot coverage, building allowances based on parcel size, maximum height requirements, and minimum yard setbacks.
- 10.26.7 Location of the hen coop should be in a place that will be mindful and considerate of your neighbors.
- 10.26.8 Manure must be removed, discarded, and/or properly composted to prevent nuisance to neighboring properties.
- 10.26.9 Landowners shall take reasonable measures to ensure that coops are maintained in good repair and sanitary condition, and free from vermin and noxious or offensive smells, carcasses, or excessive manure or waste.
- 10.26.10 Hens shall not be slaughtered or disposed of on site.
- 10.26.11 Backyard hen owners shall comply with Alberta Animal Health Act and any other applicable standards adopted by the Province of Alberta.
- 10.26.12 Owners must obtain Premises Identification (PID) under the Premises Identification Regulation in the Alberta Animal Health Act.
- 10.26.13 Hen owners are encouraged to obtain some level of training on small flock ownership or study the Guide for small flock owners published by the Alberta Government and operate in accordance with the most current guidelines. *Link: 2015-raising-chickens-alberta-06-2015.pdf.*

## SECTION 13 RESIDENTIAL DISTRICTS

### 13.1 COUNTRY RESIDENTIAL DISTRICT

**CR**

#### 13.1.1 PURPOSE AND INTENT

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

#### 13.1.2 SUB-DISTRICT

- 13.1.2.1 Parcels may include the following sub-district in cases where Council feels that there is a need. Not all parcels will be separated into sub-districts. Should a parcel include the sub-district, all district rules apply with the addition of the special provisions noted in accordance with the sub-district.
- 13.1.2.2 Sub-district “A” is a designation added to the land use district indicating a requirement for special consideration on the development of the site and/or placement and construction of buildings or structures on the lands through approval of a development permit. Reference Section 2.4 of this Bylaw for more details on special provisions for parcels with sub-district “A”.

#### 13.1.3 GENERAL REQUIREMENTS:

- 13.1.3.1 Refer to Section 4.2 “No Development Permit Required” in the Land Use Bylaw for uses not requiring a development permit.
- 13.1.3.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

13.1.4 PERMITTED USES	13.1.5 DISCRETIONARY USES
Accessory buildings not requiring a development permit Accessory uses Agricultural (general) Dwelling, single family Home Based Business Type I Home office Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of no more than 1 unoccupied recreation vehicles (within Hamlet boundary) Temporary storage of up to 5 unoccupied recreation vehicles (outside a Hamlet boundary) Public works Secondary Suite, Principal 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 and Breakfast Family Day Home Dugout (for general ag use) Dwelling, moved on Dwelling, temporary Home based business Type II Home based business Type III Intensive vegetation operation Kennels, private Lot grading Man-made water bodies, private Secondary Suites, Detached Signs requiring a Development Permit

13.1.4 PERMITTED USES	13.1.5 DISCRETIONARY USES
	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 in accordance with Section 10.25, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10.
  - b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.



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. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
  - iii. 48m (157.48 ft) from the centreline of a Municipal road;
  - iv. 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;