



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: March 16, 2026

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

DEVELOPMENT PERMIT APPLICATION FILE NUMBER: 26D 022

APPLICANT(S): MCDONALD LUXURY HOMES

PROPOSAL DESCRIPTION: OVERSIZED ATTACHED GARAGE & VARIANCE TO CUMULATIVE SIZE OF ACCESSORY BUILDINGS

LEGAL DESCRIPTION: PTN. NE 06-22-03 W5M; PLAN 9710710, BLOCK 3

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 12.01-acre Country Residential District parcel located approximately 125 meters to the south of Coalmine Road West, 2.1 kilometers north of Plummers Road West, and 7 kilometers west of 240 Street West.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

A development permit (25D 251) was approved on October 27, 2025, for an extension to the existing garage, resulting in a cumulative garage size of 223.3 sq. m. (2,403.6.2 sq. ft.). The approval was conditional upon the removal of the greenhouse and its associated AC unit. For the purposes of calculating the total allowable accessory building area, the shop and pool house were included. The decision accounted for both garage and accessory building cumulative sizes, and the oversized garage fully exhausted the remaining permitted accessory building area. However, a subsequent site inspection determined that a carport had been constructed beyond the scope of the approved development and in excess of the permitted accessory building area. Development permit 25D 251 is still active.

An application for Development Permit has been submitted in replacement of 25D 251, proposing to allow:

- An addition of 159.2 sq. m. to be constructed onto the existing 64.1 sq. m. garage that is attached to the principal residence on this property. The resulting cumulative total of attached garage space is proposed to be +/- 223.3 sq. m.; and
- The approval of the new 139.29 sq. m. carport and existing accessory buildings, comprised of a 139 sq. m. shop and 119.5 sq. m. pool house, with the removal of a 64.4 sq. m. greenhouse and AC unit. The resulting cumulative size for accessory buildings is proposed to be +/- 397.79 sq. m.

Section 4.2.7.1 of Land Use Bylaw 60/2014 allows on a property of this size a maximum of five (5) personal use Accessory Buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) in area without a Development Permit. In addition, a permanent dwelling is permitted up to two private garages (attached or detached) up to a maximum of 111.48 sq. m. (1,200 sq. ft.).

The cumulative area of the existing Accessory Buildings and proposed garage addition exceed what is permitted without a Development Permit under the Land Use Bylaw.

An application for Development Permit must be considered. Decisions on an application for Development Permit for this use are to the discretion of the Development Officer, and subject to a 21-day appeal period.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of the proposed Oversized Attached Garage and variance to the allowable cumulative square footage of Accessory Buildings on the subject parcel, being portion of NE 06-22-03 W5M; Plan 9710710, Block 3, has been considered by the Development Officer and is **REFUSED** subject to the following:

REFUSAL DESCRIPTION:

Section 4.2.1.9 of the Land Use Bylaw 60/2014 provides that permanent dwellings are permitted up to two private garages, attached to the permitted dwelling or detached, in addition to the accessory buildings allowed under Section 4.2.1.7A, where the total cumulative area of the garage(s) does not exceed 111.48 sq. m. (1,200 sq. ft.) on land use districts other than the Agricultural District.

Section 4.2.1.7 b. and Table 4.2.1.7A allows on a 12 acre Country Residential District parcel, as accessory to a permanent dwelling, up to five (5) personal use accessory buildings, where the total cumulative area of the accessory buildings does not exceed 380.9 sq. m. (4,100 sq. ft.).

In reviewing the request, it was noted that:

- a) the proposed garage space of 223.3 sq. m. (2,403.6.2 sq. ft.) would exceed the permitted area for a garage;
- b) the proposed accessory building space of 397.79 sq. m. (4,281.8 sq. ft.) would exceed the permitted cumulative area for accessory buildings; and
- c) the combined garage and accessory building area (621.09 sq. m. or 6,685.4 sq. ft.) – existing and proposed – would exceed the permitted combined area for garages and Accessory Buildings permitted on a lot of this size (492.38 sq. m.) by 128.71 sq. m.

As such, this application is considered a discretionary refusal and if appealed, will be given further consideration by the Development Appeal Board.