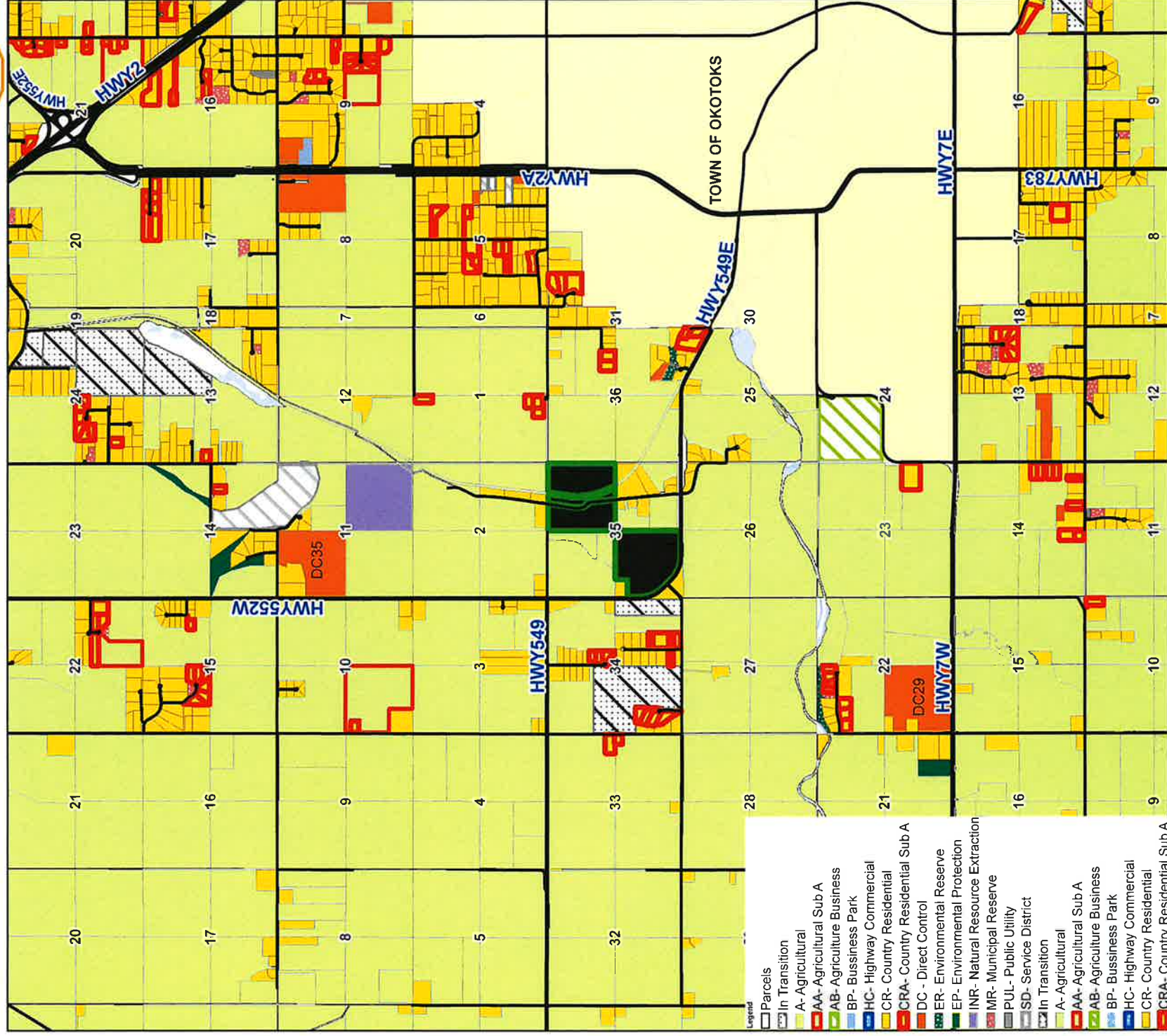




MDF General Project



Date Printed: 2025-10-30
1:63,813

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Data Sources include Municipal Records and AtlasUS.
© Foothills County 2025

Michelle LeDuc

From: FC_Planning
Sent: October 9, 2025 12:26 PM
To: [REDACTED]
Cc: Brenda Bartnik
Subject: Development Officer's Decision for Development Permit 25D 171
Attachments: 25D 171 Development Officers Decision.pdf; 25D 171 Notice of Decision Landowner.pdf; Appeal Form.pdf

Good afternoon,

Please see attached a copy of the Development Officer's Decision for 25D 171. **Please reply stating you have received this email and attachment.**

Please see attached a signed and issued copy of the Landowner Notice of Decision, a copy of the Development Officers Decision and an Appeal form. **Please note**, as per the Canada Post mail strike (effective Thursday, September 25, 2025) we will be holding onto the original copy of the letters. Should you require the hard copy of the documents, they will need to be picked up at our office (address listed below) anytime from Monday – Friday between the hours of 8:00AM and 4:30PM.

If you have any questions, please contact **Brenda Bartnik** of our Planning Department at Brenda.Bartnik@foothillscountyab.ca.

Regards,

**Foothills County
Planning & Development**

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



FOOTHILLS COUNTY
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7
Phone: 403-652-2341
Fax: 403-652-7880
www.FoothillsCountyAB.ca
planning@foothillscountyab.ca

October 9, 2025

Wendy Temple

COPY

Dear Sir/Madam:

Re: Development Permit Application 25D 171
Ptn: SW 35-20-01 W5M & NE 35-20-01 W5M
Lot Grading

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

Please be advised that you have the right to appeal this decision to the Development Appeal Board. If you were to appeal the above decision, the Development Appeal Board would base their decision on an appeal hearing which would be open to the applicant and to any landowners within at least one-half mile who have concerns about the proposed development.

You can submit your Appeal notices to the Secretary of the Development Appeal Board, at the above noted address. Notices of Appeal, including payment of the appeal fee are to be received **no later than October 31, 2025**. Notices of Appeal received after the 21-day notification period will be invalid. If you choose to submit an appeal, please complete the enclosed '**Notice of Development Appeal**' form and mail, drop off, email to appeals@foothillscountyab.ca or fax to 403-652-7880. We will notify you when your appeal is received.

There is a \$100.00 charge to file an appeal. However this 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 the evening of the scheduled appeal hearing.

Should you have any further questions or concerns, please contact the undersigned at the above address and telephone number.

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

Yours truly,

FOOTHILLS COUNTY

Brenda Bartnik
Development Officer
Brenda.Bartnik@foothillscountyab.ca
(403) 603-6222

BB/ml
Encl.



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 9, 2025

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

DEVELOPMENT PERMIT APPLICATION FILE NUMBER: 25D 171

LANDOWNER(S) / APPLICANT(S): WENDY TEMPLE (THOMPSON)

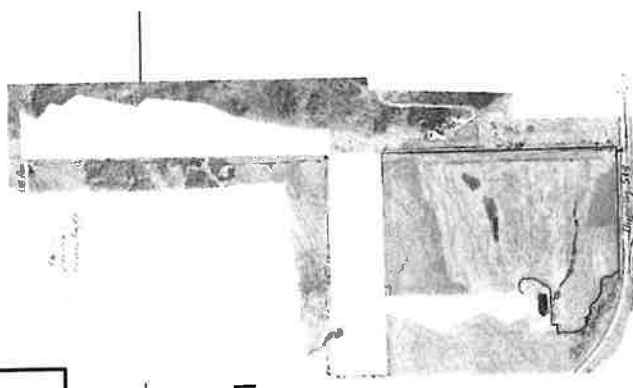
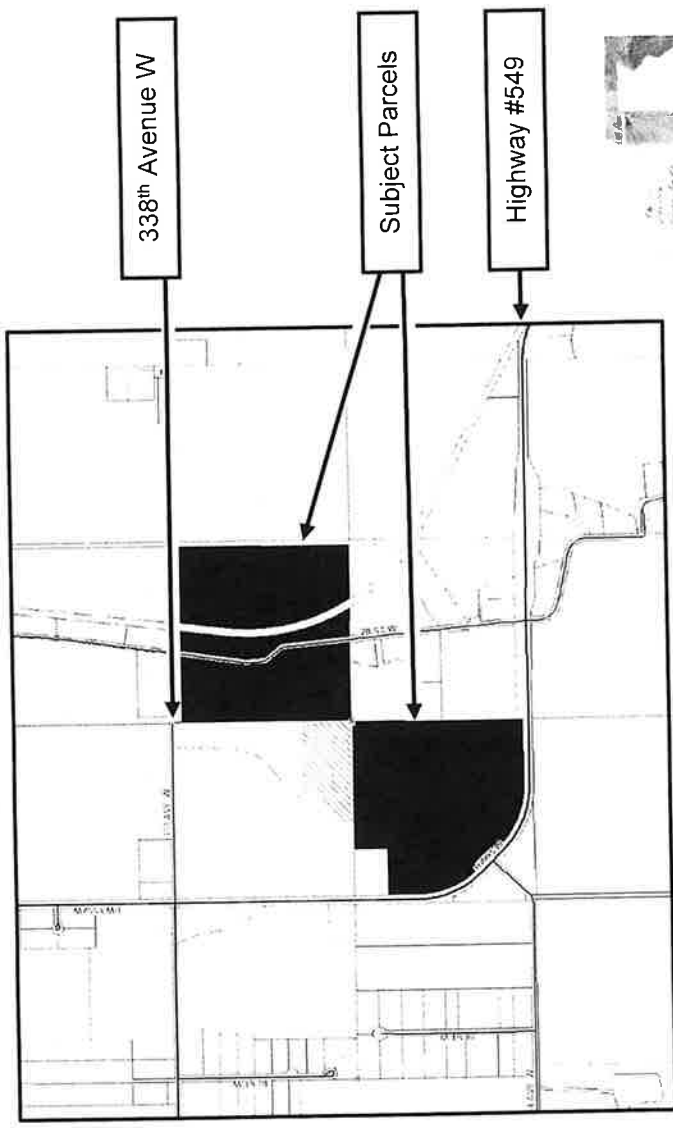
PROPOSAL DESCRIPTION: LOT GRADING

LEGAL DESCRIPTION: PTN. SW 35-20-01 W5M & PTN. NE 35-20-01 W5M

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject properties are 129.31 acre and 149.56 acre Agriculture District parcels that are located in section 35 adjacent to the north and east side of the curve at Highway #549 and Highway #552; and to the southeast of where the developed portion of 338th Avenue west terminates. This is approximately one and one-half mile to the west of the Town of Okotoks' municipal boundary.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted for Lot Grading in order to allow for the import of soil to the two properties. This proposal is in addition to the previous import of soils onto a portion of SW 35-20-01W5M that was authorized under Board Order D19-2024. The proposed activity includes three additional areas of work, as are shaded here.

A maximum 180 loads per day are to bring a cumulative total of +/- 65,000 m³ of soils to the lands. An arrangement with an adjacent landowner is to allow for the movement of vehicles between these lands as well as the potential exit of empty trucks via 338th Avenue.

LOT GRADING includes operations or activity that results in a disturbance of

the earth including the removal of top soil or borrow, borrow pits, berming, excavating, trenching, backfilling, filling, land leveling, re-contouring and, grading other than for building purposes. A development permit is required for relocating soils from lands outside of the County (*Land Use Bylaw 60/2014 9.17.10*).

Lot Grading is a Discretionary Use under the Agricultural Land Use District; therefore, decisions on applications for Development Permit for this use are to the discretion of the Development Officer, and subject to a 21-day appeal period.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of the proposed Lot Grading on the subject parcels, being portion of SW 35-20-01 W5M and portion of NE 35-20-01 W5M, has been considered by the Development Officer and is **REFUSED** subject to the following:

REFUSAL DESCRIPTION:

Section 5.5 of the Land Use Bylaw 60/2014 identifies what is to be demonstrated by information provided by an applicant. Particular to this application there is uncertainty respecting:

- 5.5.1 Proposed development
 - c. Should not cause traffic impacts (in terms of daily and peak hour trip generation
 - f. Is appropriate having regard for geotechnical considerations such as flooding and slope stability

With regard to Sections 5.5.2 & 5.5.3, it is anticipated that the application would benefit from additional supporting information that illustrates:

- i. appropriate setbacks and protections for the recurring/minor stream and the coulee to which the proposed development areas are adjacent;
- ii. the proposed development will enhance productivity of the involved lands/reporting that provides recommendations and requirements for assuring soil quality and health.

This decision is considered a Discretionary Refusal, and if appealed will be given further consideration by the Development Appeal Board.



Application for Development Permit

Land Use Bylaw No. 60-2014

Foothills County

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

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: \$500.00 Application No: 25D 171
 Receipt No.: 437849 Tax Roll No: 2001352530 + 2001357500
 Date Received: May 27/25 Date Deemed Complete: Sept 8/25

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Wendy Thompson
 Email: [REDACTED]
 Applicant's Mailing Address: [REDACTED]
 Telephone: [REDACTED]
 Legal Land Description: Plan Area 3, Block 20, Lot 1, LSD
Area 3 NE, Section 35, Township 20, Range 1, West of the 55 Meridian.
Area 20
 Registered Owner of Land: Wendy Thompson nee Wendy Temple
 Registered Owner Mailing Address: [REDACTED]
 Email: [REDACTED] Telephone: [REDACTED]
 Interest of Applicant if not owner of site: _____

PART 2 PROPOSED DEVELOPMENT

I/We hereby make application in accordance with the plans and supporting information submitted herewith. (which forms part of this application). Please give a brief description of the proposed development, including name of development where applicable.

Area 1 & 2 on the S.W. } adding agriculture
Area 3 " " NE. }
soil (soil from farmed land (New Calgary Developments) previously
raw farm land.
These areas are not viable for farm crops
and is to be improved with top soil in order for
crops to be planted. Contouring of property will remain
and no stockpiling will be done.
 1. Drainage will remain the same
 2. Dug out is highlighted on map
 3. max trip 1 day 180 loads (truck 1 pup)
 4. water truck for dust & street sweeper to remove dirt & debris from
 5. noise mitigation - adhering to noise bylaw.

PART 3 SITE INFORMATION

Area Of Lot: (In Acres Or Hectares) _____
 Size Of Proposed Building: N/A Height: _____
 Is There A Dwelling (Residence) On The Site: Yes _____ No ✓ If Yes, How Many? _____
 Utilities Presently On Site: NO
 Are There Sour Gas Or High Pressure Facilities On Site? NO
 Utilities Proposed: NO

 Other Land Involved In Application: _____

DISCLAIMER: Please note that the personal information collected on this form is authorized under the Municipal Government Act and is required for the purpose of the County's Planning and Development processes. This information may also be shared with appropriate government agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP), if you have any questions about the collection and use of this information, please contact the FOIP Coordinator at 403-652-2341.

PART 4 DEVELOPMENT

Specify other supporting material attached that forms part of this application. (e.g., Site Plan, Plot Plan, Architectural Drawings, etc.):

See 4 attached maps - topographical - existing
- watershed - existing
- design

Estimated Date of Commencement: to be determined (fall 25) Estimated Date of Completion: Fall 27

I, _____ hereby certify that I am:

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

Date: May 27/25

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 27/25

Date

 Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

1. Land use district: both AG
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: Oct 9/25 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: _____

[Signature]
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.



LETTER OF AUTHORIZATION

I (We), wendy Thompson being the owner (s)
registered on the title of Lot 2 Block Plan
① NW / NE / SE / SW, Section ② 35, Township 20, Range 1, W S M
give Kidco Construction Ltd permission

to act on my (our) behalf for the purposes of the Development Permit application affecting
the above noted property as submitted to the Foothills County.

May 27 / 25
Date

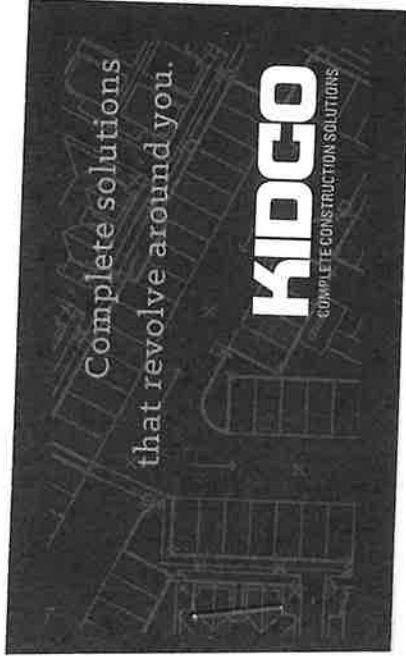
[Redacted Signature]
Signature

Date

Signature

Date

Signature



I, Wendy Thompson being the registered
 Owner(s) or agent acting on behalf of the registered owner(s)
 of NE - 2 - 21 - 1 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, 20 25.

OR

If wells are listed on-site:

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

of _____
 (Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, Foothills County, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer' and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

Owner/Agent

DATED: this _____ day of _____, 20 _____.

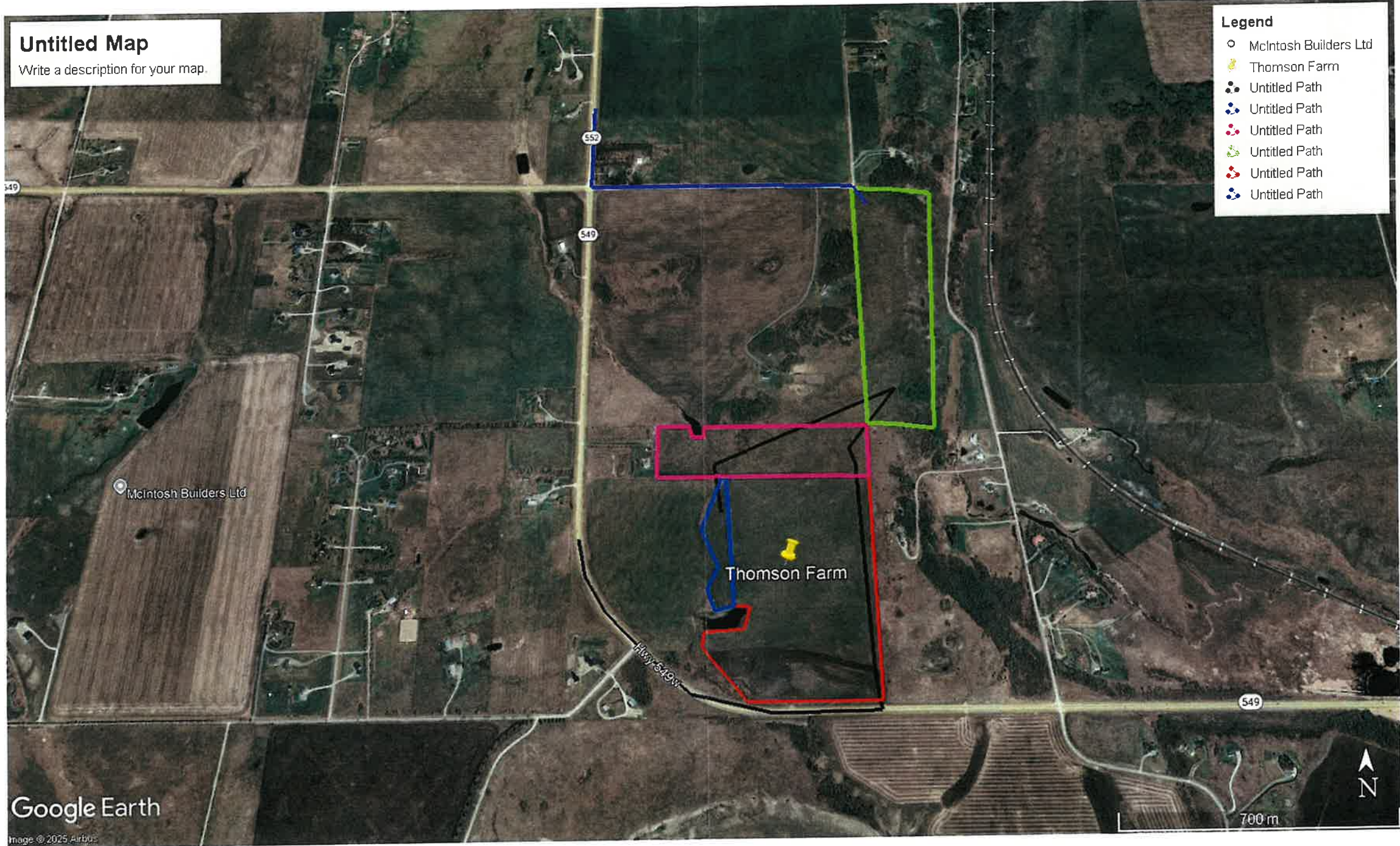
***This form shall accompany all applications for Land use,
 Subdivisions, Development Permits and Building Permits.***

Untitled Map

Write a description for your map.

Legend

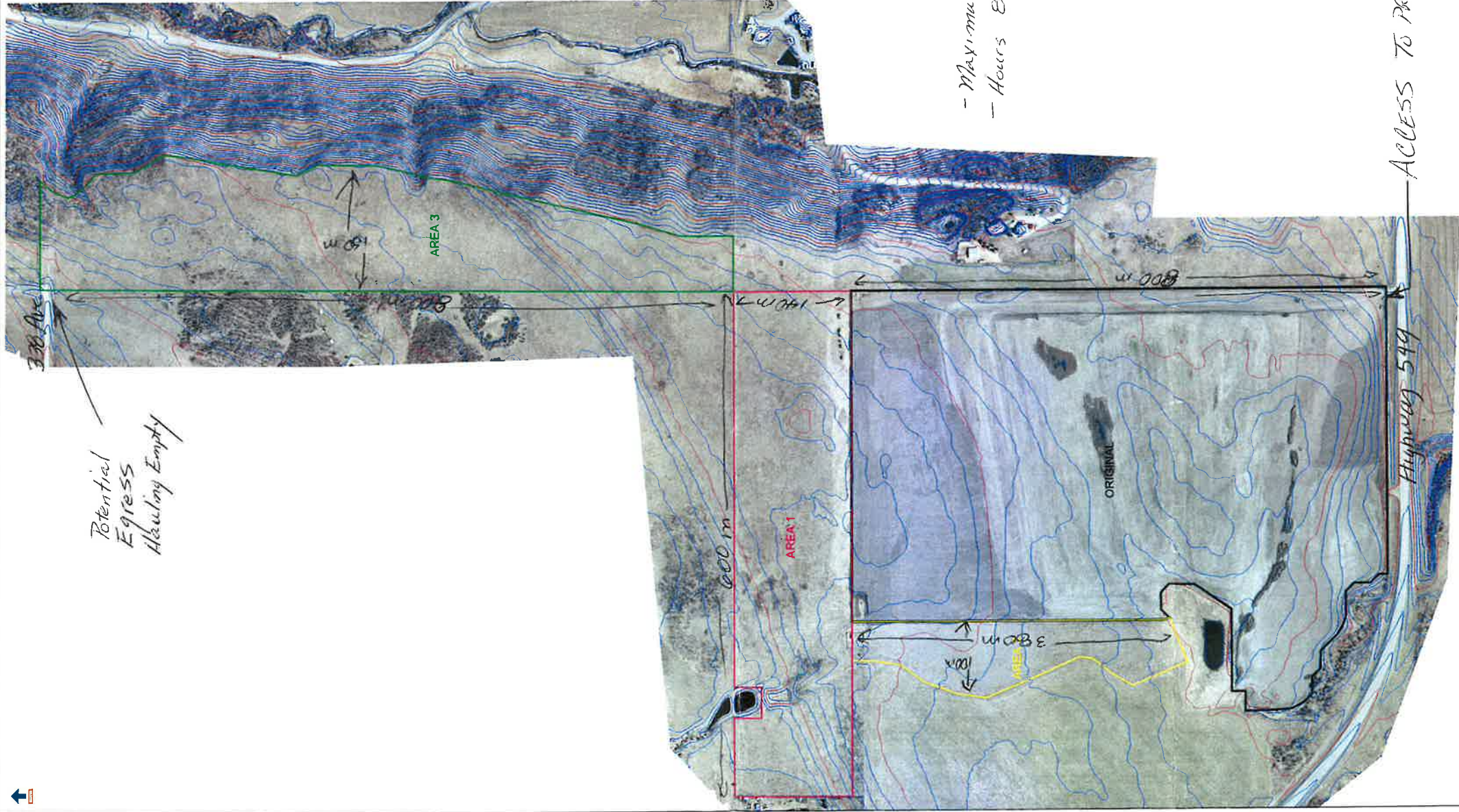
- McIntosh Builders Ltd
- 📌 Thomson Farm
- Untitled Path
- Untitled Path
- Untitled Path
- Untitled Path
- Untitled Path
- Untitled Path





1. The design of the study is a cross-sectional study.

100



KIDCO
COMPLETE CONSTRUCTION SOLUTIONS

PROJECT	THOMSON
DESCRIPTION	EXISTING CONTOURS / Site Plan
PERSON	TRUCKING
DATE	25/05/13
SCALE	1:1
LEGEND	EXISTING CONTOURS PROPOSED CONTOURS VOLUME
UNIT	1 OF 1

1:1
1000

PROJECT

PROJECT

- Maximum Trips 180/day
- Hours 8:00am to 6:00pm

Access To Property

Brenda Bartnik

From: Heather M. Bonnycastle [REDACTED]
Sent: August 24, 2025 7:07 PM
To: Brenda Bartnik
Cc: Donna Carlyle; [REDACTED]
Subject: Access across SE corner of Lot 2, Block 1, Plan 0913333

 You don't often get email from hbonnycastle@mcleod-law.com. [Learn why this is important](#)

Hello Brenda,

As registered Owners of the above property, my sister, Donna Carlyle and I grant access to Wendy Thompson across the SE corner of Lot 2, Block 1, Plan 0913333. This access is granted until revoked in writing.

Please advise if you require anything further.

Heather Bonnycastle

Heather M. Bonnycastle, K.C. | Counsel



Direct 403 873 3703 | **Main** 403 278 9411 | **Fax** 403 271 1769
300, 14505 Bannister Road SE, Calgary AB, T2X 3J3
McLeod Law LLP | [Web](#) | [Bio](#) | [LinkedIn](#)

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

CONFIDENTIALITY NOTICE

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[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.

Brenda Bartnik

From: Wendy Jaspar [REDACTED]
Sent: August 21, 2025 1:03 PM
To: Brenda Bartnik
Subject: Wendy Thompson/Kidco

I have talked to Heather Bonniycastle and Donna Carlyle about accessing the NE quarter through the SW corner of their property. I told them we will put up temporary fencing and replace it when we are done. They are fine with this. Heather can be reached at [REDACTED]. Donna is not well so I have only given Heathers number.

If there is anything else you need please let me know.

Thank you - Wendy

Sent from my iPhone

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.

Brenda Bartnik

From: Jesse Smyke <jsmyke@kidco.ca>
Sent: August 21, 2025 9:21 AM
To: Brenda Bartnik; Trent Bradley; [REDACTED]
Subject: RE: Foothills Notice of Incomplete Application - 25D XXX Thompson

Hi Brenda,

Wendy (permit applicant) has reviewed the haul route with the adjacent landowner and has received permission to access site using the haul route provided. Letter of approval will be provided prior to commencement of hauling.

The locates for the site show there are no utilities, and the transmission lines have been removed.

Please let us know if you require anything further.

Thanks,

Jesse Smyke
Project Manager

DIRECT
MOBILE 587.581.5094
MAIN 403.730.2029
FAX 403.730.7660
WEB KIDCO.CA

KIDCO | COMPLETE CONSTRUCTION SOLUTIONS

This email and any attachments containing confidential information are intended only for the individual or entity named above. Any dissemination or action taken in reliance on this email or attachments by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and delete this message and any attachments.

From: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Sent: July 24, 2025 1:23 PM
To: Jesse Smyke <jsmyke@kidco.ca>; Trent Bradley <tbradley@kidco.ca>; [REDACTED]
Subject: RE: Foothills Notice of Incomplete Application - 25D XXX Thompson

Hi Jesse,

The black haul route that is shown appears to affect a separate independently held lot and a transmission line right of way.

Are there existing approvals/authorizations that are available for submission?

Brenda Bartnik
Planning & Development Officer
Foothills County
Direct line: (403) 603-6222

Brenda Bartnik

From: Brenda Bartnik
Sent: July 24, 2025 1:23 PM
To: Jesse Smyke; Trent Bradley
Subject: RE: Foothills Notice of Incomplete Application - 25D XXX Thompson

Hi Jesse,

The black haul route that is shown appears to affect a separate independently held lot and a transmission line right of way.

Are there existing approvals/authorizations that are available for submission?

Brenda Bartnik
Planning & Development Officer
Foothills County
Direct line: (403) 603-6222

Brenda.bartnik@foothillscountyab.ca

From: Jesse Smyke <jsmyke@kidco.ca>
Sent: July 11, 2025 2:20 PM
To: Trent Bradley <tbradley@kidco.ca>; Brenda Bartnik
<Brenda.Bartnik@FoothillsCountyAB.ca>
Subject: RE: Foothills Notice of Incomplete Application - 25D XXX Thompson

Good afternoon Brenda,

Please see below comments regarding the Notice of Incomplete Application for the above-mentioned permit.

1. Kidco's role (assisting landowner with obtaining permit and performing the work onsite)
2. Haul Route (see attached image, black haul route will be entering site to access all 3 Area's.
Purple route is exiting the site with empty trucks. **Both entrance and exit will be utilizing existing approaches)
3. Total Estimated Volumes per Area's (Area 1 +/-25,000m3. Area 2 +/- 10,000m3. Area 3 +/- 30,000m3)

We trust the above information rectifies the outstanding line items to complete the permit application. Please let us know if you need anything else.

Thanks,

Michelle LeDuc

From: FC Planning
To: [REDACTED]
Cc: Brenda Bartnik
Subject: Notice of Complete Application – Development Permit 25D 171

Good afternoon,

Re: Notice of Complete Application – Development Permit 25D 171
Ptn: SW/NE/NW 35-20-01 W5M; Plan 0913333, Block 1, Lot 2
Lot Grading

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 September 3, 2025.

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 **Brenda Bartnik** at Brenda.Bartnik@foothillscountyab.ca

Regards,

Foothills County
Planning & Development

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

Brenda Bartnik

From: Brenda Bartnik
Sent: July 7, 2025 1:48 PM
To: [REDACTED]
Cc: Trent Bradley
Subject: Foothills Notice of Incomplete Application - 25D XXX Thompson
Attachments: Notice of Incomplete Application 25DXXX.pdf

Re: Notice of Incomplete Application – Development Permit

Lot Grading

NE 35-20-01 W5M & SW 35-20-01 W5M

This correspondence is being sent to you to serve as a notice of acknowledgement that the application as noted above is considered **incomplete** as of July 7, 2025.

Attached are the File Manager's comments regarding this application.

If you have any questions or concerns, please feel free to contact me.

Brenda Bartnik
Planning & Development Officer
Foothills County

Direct line: (403) 603-6222

Brenda.bartnik@foothillscountyab.ca



FOOTHILLS COUNTY
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7
Tel: 403-652-2341 Fax: 403-652-7880
www.foothillscountyab.ca

July 7, 2025

Wendy Thompson

VIA email: [REDACTED]

RE: NE 35-20-01 W5M & SW 35-20-01 W5M
NOTICE OF INCOMPLETE APPLICATION – Development Permit
Lot Grading

This letter is being sent to serve as notice of acknowledgement that the application as noted above is considered incomplete as of **July 7, 2025**.

The outstanding information required to complete the application includes:

1. A Letter of Authorization for Kidco Construction Ltd. has been provided along with this application however the company is not identified on the application form. Please confirm Kidco's role in the project.
2. Provide a haul route for each parcel, including as to how the NE 35-20-01 W5M is to be accessed (both ingress and egress).
3. Provide the total amount of soil that is to be placed within each proposed area.

The above listed information is requested prior end of day July 21, 2025.

You are encouraged to contact me with any questions that you may have.

Sincerely,
Foothills County

Brenda Bartnik
Planning & Development Officer
Direct: (403) 603-6222
Email: Brenda.Bartnik@FoothillsCountyAB.ca

Cc: tbradley@kidco.ca

DEVELOPMENT PERMIT CIRCULATION

MEMORANDUM

From: Foothills County
Box 5605 // 309 Macleod Trail
High River, AB T1V 1M7
planning@foothillscountyab.ca

File Number: 25D 171

Date: September 3, 2025

Landowner: Wendy Temple **Agent:**

Legal: Plan 0913333, Block 1, Lot 2

Description: Ptn: SW/NE 35-20-01 W5M & NW 35-20-01 W5M

Parcel Size: 129.31, 149.56 & 23.57 Acres

Proposal: Lot Grading

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: Brenda Bartnik Brenda.Bartnik@foothillscountyab.ca

Application to be referred to:

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

Notes:

Michelle LeDuc

From: FC_Planning
Sent: September 3, 2025 2:13 PM
To: landserv@fortisalberta.com; land.admin@atco.com; circulationsgrowthandimprovement@atco.com; Land_Inquiries@transalta.com; Sheri Merchant
Cc: Brenda Bartnik
Subject: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025
Attachments: 25D 171 Circulation Package.pdf

Good afternoon,

Find attached our circulation for Development Permit 25D 171. Please review and respond **prior to October 3, 2025.**

Should you have any questions or comments, please direct them to **Brenda Bartnik** at Brenda.Bartnik@foothillscountyab.ca

Regards,

**Foothills County
Planning & Development**

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)

Michelle LeDuc

From: FC_Planning
Sent: September 3, 2025 2:13 PM
To: Dev PWRev
Cc: Brenda Bartnik
Subject: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025
Attachments: 25D 171 Circulation Package.pdf; PW Referral Form - 25D 171.pdf

Good afternoon,

Find attached our circulation for Development Permit 25D 171. Please review and respond **prior to October 3, 2025.**

Should you have any questions or comments, please direct them to **Brenda Bartnik** at Brenda.Bartnik@foothillscountyab.ca

Regards,

**Foothills County
Planning & Development**

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

Michelle LeDuc

From: FC_Planning
Sent: September 3, 2025 2:13 PM
To: Alan Alger
Cc: Brenda Bartnik
Subject: Circulation Package for Development Permit 25D 171
Attachments: 25D 171 Circulation Package.pdf

Good afternoon,

Please find attached the Circulation Package for Development Permit 25D 171. This circulation is being provided to you for information purposes only as the subject parcel is located within your Division.

Regards,

**Foothills County
Planning & Development**

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

Michelle LeDuc

From: FC_Planning
To: FC Assessment
Cc: Brenda Bartnik
Subject: Development Officer's Decision - Development Permit 25D 171(2001352530 & 2001357500)
Attachments: 25D 171 Development Officers Decision.pdf

Good afternoon,

Please find attached the Development Officer's Decision for Development Permit 25D 171. The roll number for this parcel is 2001352530 & 2001357500.

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

Regards,

**Foothills County
Planning & Development**

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

Michelle LeDuc

From: FC_Planning
Sent: October 9, 2025 12:35 PM
To: Alan Alger
Cc: Brenda Bartnik
Subject: Development Officer's Decision - Development Permit 25D 171
Attachments: 25D 171 Development Officers Decision.pdf

Good morning,

Please find attached the Development Officer's Decision for Development Permit 25D 171. This is being provided to you for information purposes only as the subject parcel is located within your Division.

Regards,

**Foothills County
Planning & Development**

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

Brenda Bartnik

From: Tracy Davidson <tracy.davidson@fortisalberta.com> on behalf of Land Service <landserv@fortisalberta.com>
Sent: September 24, 2025 12:02 PM
To: Brenda Bartnik
Subject: FW: [CAUTION] Circulation for Development Permit 25D 171 - Please respond by October 3, 2025
Attachments: 25D 171 Circulation Package.pdf; Powerline Facility Map.pdf

Hello,

Please be advised, FortisAlberta Inc. has no concerns regarding this development permit.

Please ensure the applicant knows they must contact 310-WIRE if working within 8 meters of our facilities to arrange for an onsite safety orientation and to make arrangements for any electrical services or visit www.fortisalberta.com

Thank you,

Tracy Davidson | Land Coordinator

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



We are FortisAlberta. We deliver the electricity that empowers Albertans to succeed. We keep the power on, not just because it's our job, but because we care about the people we serve. We are reliable, honest and dedicated to our work because our employees, customers and communities matter to us.

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, September 3, 2025 2:13 PM
To: Land Service <landserv@fortisalberta.com>; land.admin@atco.com; circulationsgrowthandimprovement@atco.com; Land_Inquiries@transalta.com; Sheri Merchant <Sheri.Merchant@FoothillsCountyAB.ca>
Cc: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Subject: [CAUTION] Circulation for Development Permit 25D 171 - Please respond by October 3, 2025

THINK BEFORE YOU CLICK:

Before taking any action, please pause and review this message for any **Red Flags** and signs of phishing. If this is a suspicious email, **before you delete it**, use the 'Phish Alert Report' button in Outlook or contact the Service Desk.

Good afternoon,

September 18, 2025

Circulation Package: 25D 171

The Distribution Engineering Growth Department of ATCO Gas Distribution has reviewed the above named plan and approves the work provided the following conditions are met:

Right-of-ways will be required for the gas mains within property and should be 2.4 metres wide if provided for the sole use of ATCO, and 3.5 metres if shared with other shallow utilities. Please note, all costs associated with obtaining the right-of-way will be borne by the developer/owner.

The utility right-of-way requirements within the subdivision may change depending upon actual gas main layout, direction of development and boundary locations of the different construction phases. Final rights-of-way requirements must be satisfied at the time of gas main design.

All right-of-ways are to be registered as general utility rights-of-way granted to the City / Town and are to be registered simultaneously with the legal plan of the subdivision.

A gas main extension will be required to service the proposed development. Natural gas services may be obtained by making formal application with our Calgary office (calgaryregiongasdesign@atcogas.com).

Before ATCO can process a work order for gas main installation in the area, we must be in receipt of the following:

- (1) Legal plan.
- (2) Utility right-of-way plan.
- (3) Complete set of approved engineering drawings, including profiles, coordinate plan, building grades (if applicable) and the location of all other utilities
- (4) Construction schedule.
- (5) A digital file of the computer base plan in the "DWG" or "DGN" format (AutoCAD 2010) in modelspace.
- (6) Preliminary electrical drawing with dimensioned URWs, alignments, and road crossings.

We require six to nine months to complete the distribution system design, and to process a work order for our Construction Department to schedule. Prior to the installation of gas mains, the area must be within 150 mm (6") of final grade, all obstructions must be removed from the gas main alignment, and the installation of all other underground utilities must be completed.

ATCO

The developer must ensure that driveways are not constructed prior to the installation of gas mains in the subdivision. If driveways are pre-installed, a sleeve must be provided at the proper depth and alignment for our use. Otherwise, the cost of coring under the driveway or cutting out and replacing the driveway will be invoiced to the developer at the prevailing rates. The locations of sleeves will be confirmed during the design of the gas mains.

For further information and requirements for natural gas servicing, please refer to the "[Guide to Natural Gas Servicing](#)" found on the ATCO website.

There are existing ATCO facilities in the area. If it should be necessary to lower, relocate or make any alterations to the existing facilities and/or appurtenances due to this project, please contact ATCO Gas Distribution at calgaryregiongasdesign@atcogas.com with a minimum of one (1) year notice to enable an adequate and timely response. Note that all alteration costs will be borne by the developer / owner. If existing ATCO facilities within a registered easement or URW are being impacted (facility crossing and/or vehicle and equipment crossings), please contact the ATCO Land Group at Crossings@atco.com to obtain a crossing/proximity agreement.

There are abandoned ATCO facilities in the work area. Please contact ATCO South Operations Dispatch at 403-245-7220 to confirm status of the gas lines at least 48 hours prior to excavation.

There are high pressure gas transmission facilities in the work area. Please contact Vicki Porter at 780-420-8012 for more information.

If gas service is required, to avoid delays, the owner / developer should follow the steps listed on the ATCO website ([New Natural Gas Service Line or Changes](#)) or contact ATCO Customer Assistance Centre at 310-5678, or their local ATCO Gas Distribution agency office at their earliest convenience to discuss the service contract, gas load requirements, timing details and any associated costs. To avoid delays a minimum notice of 6 months is recommended. Note, each lot / unit is to have a separate service line.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO website. Applications for new services residential or commercial please view our [ATCO Quick Connect Guide](#).

There is an existing ATCO service in the area. If it should be necessary to lower, relocate, or make any alteration to our existing service due to this proposal, please view our , please view our [ATCO Quick Connect Guide](#) and apply through [Quick Connect](#). Note that all alteration costs will be borne by the developer / owner. If the existing service line requires demolition or cutback please submit a request through [Quick Connect](#) or email GasApplicationsCalgary@atco.com for more information.

Due to the expansion/addition, the existing service size, meter space, and main size will need to be reviewed by ATCO. It is recommended that the owner contact **ATCO Customer Assistance Centre** at **310-5678** at their earliest convenience with their existing and future gas load and pressure requirements to enable adequate lead time to review if a service or main upgrade is required, the associated costs, and if necessary proceed with design and installation process.

Due to this proposal, a gas main upgrade may be required to the existing distribution system. It is required that the owner/developer email CalgaryRegionGasDesign@atcogas.com.

This development may benefit from ATCO's Construction Energy Services. Contact NaturalgasSales@atco.com or visit our [Construction Energy Webpage](#) for more Information.

It will always remain the responsibility of the proponent to verify the exact location and depths of nearby facilities by arranging for an in-field location with Utility Safety Partners at 1-800-242-3447 or utilityafety.ca. Please contact Utility Safety Partners prior to any surface construction.

- (1) Utility Safety Partners (1-800-242-3447) for locates to verify the alignment of the existing gas facilities.
- (2) Contact ATCO South Operations Dispatch at 403-245-7220 for an inspection of the exposed lines (including hydrovacholes) prior to backfill. Inspection services are available Monday to Friday, 8am – 4pm.
- (3) Hydrovac or hand expose facilities to verify horizontal and vertical alignment of all gas mains in conflict areas. This should be done as soon as possible to determine if the main will need to be relocated.
- (4) If existing gas mains require lowering or relocation due to the proponent's project, notification must be given to our ATCO Gas Distribution Engineering Department with a minimum of one (1) year notice. Forward plans and requirements to the ATCO Gas Distribution Engineering Department at 909 – 11th Ave. SW Calgary, AB, T2R 1L8.

Please refer to the "[Working Around Natural Gas](#)" Safety Handbook found on our website.

These conditions are not meant to contradict any applicable existing law (ie. franchise agreement, bylaw, etc.), and therefore the existing applicable law shall prevail. Should any condition(s) be null or void due to the superseding applicable law, all other conditions shall prevail.

If you have any **questions or concerns regarding this reply**, please contact our engineer: **Shaggy Asomugha**, shaggy.asomugha@atco.com.

Kind regards,

Brenda Bartnik

From: Bruce Weberg
Sent: October 3, 2025 1:04 PM
To: Brenda Bartnik; Keith Kornelsen
Subject: Re: request for comment - application for Lot Grading

Hi Brenda

Will they be maintaining the rd? If so, I would ask them not to grade the dust control by the house to the north unless absolutely needed. Other than that, no concerns.

Get [Outlook for Android](#)

From: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Sent: Friday, October 3, 2025 10:49:30 AM
To: Keith Kornelsen <Keith.Kornelsen@FoothillsCountyAB.ca>; Bruce Weberg <Bruce.Weberg@FoothillsCountyAB.ca>
Subject: request for comment - application for Lot Grading

Good morning,

I am looking for your comment with respect to the attached application for development permit as I want to ensure I have all available information prior to making a decision next week.

In a nutshell:

It is with respect to agricultural lands where a contractor is importing soils from a Calgary construction site to the subject lands which are located on the curve at Highway #549 and #552 just west of Okotoks. This is a project that is proposed to continue from what had previously occurred on the SW quarter of section 35. The premise is that the imported soils will allow for crops to be planted/to make the lands more productive. The application identifies max daily trips at 180 loads (truck and pup). These trips are to enter from #549, traverse north and exit empty onto #552 via 338 avenue.

I have the following specific questions:

Keith: Along with any additional comments that you may have, I am wondering as to the true benefit of the import of soils/the feasibility of farming the areas that are targeted to receive soils given the topography (slopes/gullies/intermittent streams).

Bruce: I understand that a road use agreement will be required for the use of 338th. Along with any additional comments that you may have, I am wondering as to if you have any input respecting that volume of traffic on 338th and/or at the intersection with Highway #552.

Much thanks,

Brenda

Brenda Bartnik

From: Keith Kornelsen
Sent: October 6, 2025 1:54 PM
To: Brenda Bartnik; Bruce Weberg
Subject: RE: request for comment - application for Lot Grading
Attachments: AEP Water Act Essentials.pdf

Brenda

I have seen work like this on land before. Adding soil and contouring land could improve the land for agriculture. Landowners have gotten into trouble before when doing work such as this by disrupting water flow or water bodies. I think they need authorization from Alberta Environment to make these changes??

Thanks

Keith

From: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Sent: October 3, 2025 10:50 AM
To: Keith Kornelsen <Keith.Kornelsen@FoothillsCountyAB.ca>; Bruce Weberg <Bruce.Weberg@FoothillsCountyAB.ca>
Subject: request for comment - application for Lot Grading
Importance: High

Good morning,

I am looking for your comment with respect to the attached application for development permit as I want to ensure I have all available information prior to making a decision next week.

In a nutshell:

It is with respect to agricultural lands where a contractor is importing soils from a Calgary construction site to the subject lands which are located on the curve at Highway #549 and #552 just west of Okotoks. This is a project that is proposed to continue from what had previously occurred on the SW quarter of section 35. The premise is that the imported soils will allow for crops to be planted/to make the lands more productive. The application identifies max daily trips at 180 loads (truck and pup). These trips are to enter from #549, traverse north and exit empty onto #552 via 338 avenue.

I have the following specific questions:

Keith: Along with any additional comments that you may have, I am wondering as to the true benefit of the import of soils/the feasibility of farming the areas that are targeted to receive soils given the topography (slopes/gullies/intermittent streams).

Bruce: I understand that a road use agreement will be required for the use of 338th. Along with any additional comments that you may have, I am wondering as to if you have any input respecting that volume of traffic on 338th and/or at the intersection with Highway #552.

Much thanks,

The Water Act Essentials



Farmers' Advocate Office (FAO)
Alberta Agriculture & Forestry
farmers.advocate@gov.ab.ca
www.farmersadvocate.gov.ab.ca
310-FARM (3276)



Allocation of Water

A person who requires water resources above and beyond their statutory right of diversion may apply for a licence. The licence will stipulate an annual maximum diversion volume and rate, as well as the source, location, and purpose of the use. This licence is apportioned, which means it is attached to the land, not the individual applicant. The allocation does not necessarily reflect the amount the person will actually use.

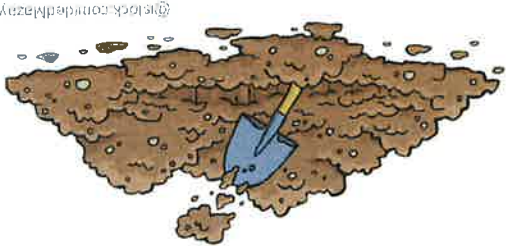
What is the priority sequence?

The priority sequence only comes into play in the event that a water shortage occurs within a basin. All water licences, with the exception of household licences, are given a priority number. Alberta's system is "first in time, first in right," which means that older licence numbers are given priority over newer licences in the event of a water shortage.

Statutory Right to Divert Water

Under the Water Act, a person who occupies land above groundwater or adjacent to a water body is entitled to divert 1,250m³ per year as a "household user" if they do not have a municipal water source. Household uses include human consumption, sanitation, fire prevention and watering animals, gardens, lawns, and trees. Household users have the highest priority under the legislation.

Any "traditional agricultural user" who diverted water prior to January 1, 1999 may continue to divert up to 6,250m³ per year without a licence, approval, or authorization. A "traditional agricultural user" is someone who diverts water for the purpose of raising animals or applying pesticides to crops. A traditional agricultural user is not protected in the priority sequence unless they registered their use as a farm unit with AEP prior to 2003.



@jeylock.com/dhazay

Making Changes to Water on Your Land

Under the Water Act, all water in Alberta is property of the Crown, even if it is located on private property. This means that a landowner wishing to make any alterations to the water flow on their land should contact AEP to obtain an approval prior to beginning the activity. This includes any changes to drainage or changes to the purpose of a diversion, the installation of tile drainage, infilling, and the creation of dugouts, ditches, berms, and water crossings. AEP will examine aquatic effects and possible impacts to other users before issuing an approval. For more information on Water Act approvals, please call AEP toll free at 310-3773 (within Alberta) or 1-877-944-0313 (outside of Alberta).

Wetlands

Wetlands include bogs, fens, swamps, marshes and shallow open waters. The ownership of wetlands is determined by the permanence of the wetland. The province does not claim ownership to the bed of wetlands that are not reasonably permanent.

Implementation of Alberta's Wetland Policy began in 2015. The goal of Alberta's Wetland Policy is to avoid impacts to wetlands wherever possible, and replace wetlands when permanent losses cannot be avoided.

Grant funding for pro-active wetland restoration projects may be available to landowners through Growing Forward 2 (Agriculture & Forestry) or Ducks Unlimited.

Assistance

Farmers who are interested in improving their water supply security can obtain technical assistance. Grants may also be available for certain activities but prior approval is required. Please call an Alberta Agriculture and Forestry Water Specialist through the Ag Info Centre at 310-FARM (3276) to learn more.

Suspected Non-Compliance by Adjacent Landowner

If you suspect that an adjacent landowner's activities are impacting the water flow on your land, the first step is to try to talk to the adjacent landowner to try to find an appropriate resolution. If you suspect the adjacent landowner is not in compliance with the *Water Act*, you may wish to start a file with the compliance and enforcement division of AEP by calling the 24 Hour Environmental Hotline at 1-800-222-6514. Landowners wishing to report an adjacent landowner's suspected non-compliance should ensure their own activities are above reproach, as the investigator will be examining all non-compliant activities on the affected lands.

It is important to understand that this process will not necessarily render an immediate resolution to the issue, particularly if the call to AEP is made during a busy season. Landowners are encouraged to be patient and respectful as the investigation takes place. Requests for updates should be made through the 24 Hour Hotline. If you suffering a losses or damage as a result of someone else's non-compliance with the *Water Act* and you are seeking immediate relief, you have the option of applying for an injunction to the Court of Queen's Bench to order the person stop the activity.



istock.com/felton

Powers of an AEP Investigator

Landowners should be aware that an inspector or investigator with AEP has the right to enter or gain access to any place, except a private dwelling, for the purposes of the *Water Act*. They must try to enter at a reasonable time and give advance notice to the owner or occupant. The investigator's powers including requiring that equipment be set into operation, taking photographs or copies of documents, and making reasonable inquiries of people.

It is against the law to interfere with the work of an inspector or investigator carrying out their duties. As a landowner, you have the right to ask for an identification card and an explanation of the powers and duties that they are hoping to carry out. An inspector or investigator must have the consent of the occupant to enter a private dwelling.



istock.com/felton

Debris

Removal of debris in water bodies is not the responsibility of the provincial government or the municipality. A person who owns or occupies the land adjacent to a water body may remove debris (including beaver dams) without a *Water Act* authorization, if the water body is not frequented by fish. However, a *Public Lands Act* authorization may be needed. In any case, a courtesy notification should be provided to adjacent landowners if impacts are anticipated.

Role of the Farmers' Advocate Office (FAO)

Since the *Water Act* is under the regulatory authority of AEP, any water-related concerns should go through the 24 Environmental Hotline at 1-800-222-6514 before the Farmers' Advocate Office (FAO) is contacted.

Staff at the FAO assess possible involvement in water-related files on a case-by-case basis, recognizing that the regulatory authority and technical expertise lie within AEP.

Historical Information

Historical aerial images may help demonstrate how water flows have changed as a result of a neighbour's alleged activities. These can be purchased base on flight lines through Alberta Environment and Parks (AEP). However, it is important to keep in mind that the "way it was" is not always the whole story. Historical alterations to the flow of water may have disproportionately benefited one user over another. Water may have been controlled in a way that is not (or was not) legal.

Alison Schori

From: Gas Land Department <land.admin@atco.com>
Sent: October 1, 2025 3:23 PM
To: FC.Planning
Subject: ATCO Transmission 2976 Response RE: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025

ATCO Transmission wishes to confirm we have no conflict as we have no high-pressure pipelines in the proposed area.

NOTE: ATCO Distribution [Gas] will reply under separate email.
Thank you for allowing ATCO to review your proposal and provide feedback.

**Cleva Thomas
(she/her)**

Senior Administrative Coordinator, Lands
T. 780-409-4782



[ATCO.com](https://www.atco.com) [LinkedIn](#) [Facebook](#) [Instagram](#) [X](#)

In the spirit of reconciliation, we acknowledge the traditional territories and homelands on which many of our ATCO operations and facilities are located. We honour and respect the diverse history, languages, ceremonies, and culture of the Indigenous Peoples who call these areas home.

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: Wednesday, September 3, 2025 2:13 PM
To: landserv@fortisalberta.com; Gas Land Department <land.admin@atco.com>; CirculationsGrowthandImprovement <CirculationsGrowthandImprovement@atco.com>; Land_Inquiries@transalta.com; Sheri Merchant <Sheri.Merchant@FoothillsCountyAB.ca>
Cc: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Subject: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025

CAUTION: This email originated outside of ATCO. Do not click links or open attachments unless you trust the sender and know the content is safe. Immediately report suspicious emails using the **Phish Alert Report button**.

Good afternoon,

Find attached our circulation for Development Permit 25D 171. Please review and respond **prior to October 3, 2025**.

Should you have any questions or comments, please direct them to **Brenda Bartnik** at Brenda.Bartnik@foothillscountyab.ca

Michelle LeDuc

From: Government of Alberta <services@gov.ab.ca>
Sent: September 3, 2025 2:23 PM
To: Brenda Bartnik; FC_Planning
Subject: DO NOT REPLY – RPATH Submission RPATH0058680 Municipal Referral – Development
25D 171

This email will acknowledge receipt of your submission RPATH0058680 for Municipal Referral – Development submitted on 2025-09-03 14:22:23 MDT.

Alberta Transportation staff will review your submission, and will advise you through the Roadside Planning Application Tracking Hub (RPATH) Portal if additional information is required.

Updates will be provided throughout the process via the RPATH portal.

You will be notified via email when a decision is made regarding your application, at which time you will be able to download any relevant documentation.

Please contact Alberta Transportation through the RPATH Portal [RPATH0058680](#) with any questions.

Unsubscribe | Notification Preferences

Ref:MSG30355751_DDlb7cs36iP2TiNwRMc

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.



Transportation and Economic Corridors Notice of Referral Decision

Municipal Development in Proximity of a Provincial Highway

Municipality File Number:	25D 171	Highway(s):	549, 552
Legal Land Location:	QS-SW SEC-35 TWP-020 RGE-01 MER-5	Municipality:	Foothills County
Decision By:	Gerry Benoit	Issuing Office:	Southern Region / Calgary
Issued Date:	September 23, 2025	AT Reference #:	RPATH0058680
Description of Development: Lot Grading			



This will acknowledge receipt of your circulation regarding the above noted proposal. Alberta Transportation and Economic Corridors primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed development(s).

Alberta Transportation and Economic Corridors offers the following comment and observation with respect to the proposed development:

- The proposed development will require a Highway Roadside Development Application and subsequent development permit from the department. Information for the applicant is available on Alberta Transportation and Economic Corridors website at the following website link:
<https://www.alberta.ca/roadside-development-permits.aspx>

Please contact Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions or require additional information.

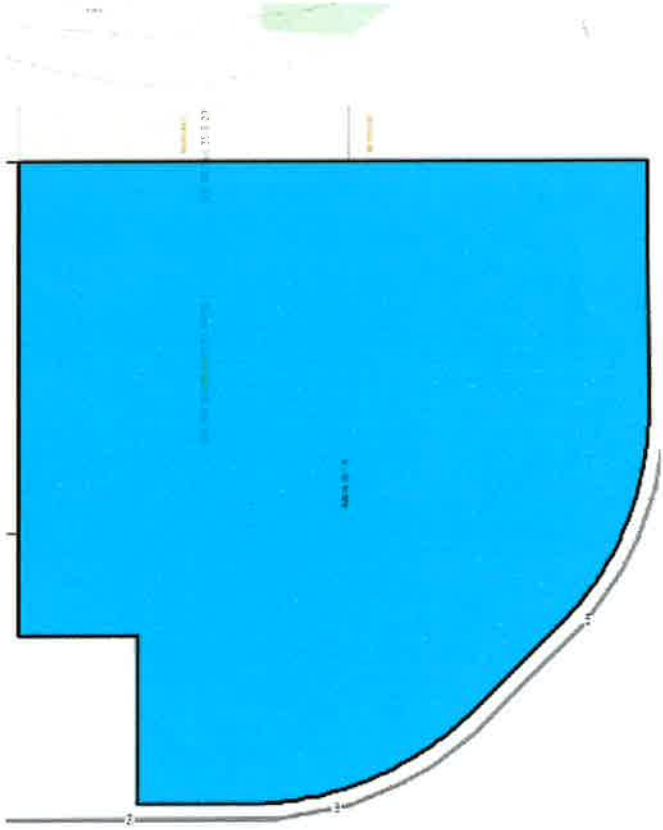


Issued by **Gerry Benoit, Development & Planning Tech**, on
September 23, 2025, on behalf of the Minister of
Transportation and Economic Corridors



Transportation and Economic Corridors Permit
Request for Development Permit - On Private Property
in Proximity of a Provincial Highway - **Approved**

Permit Number:	2024-0047270	Highway(s):	549, 552
Issued to (Permittee):	Kidco Construction Ltd 4949 76th Avenue SE Calgary Alberta jsmyke@kidco.ca		
Legal Land Location:	QS-SW SEC-35 TWP-020 RGE-01 MER-5	Municipality:	Foothills County
Approved By:	Trevor Richelhof	Issuing Office:	Southern Region / Calgary
Issued Date:	November 29, 2024		
Description of Development:	Import and placement of topsoil for agricultural purpose no more than 0.5m thick		



Transportation and Economic Corridors Permit No. **2024-0047270** is issued to the above named Permittee under authority of Section 14 of the *Highways Development and Protection Act* (the Act) authorizing the development(s) listed herein, and a further application is required for any changes or additions.

The approved site plan forms a part of this permit and any changes to the approved site plan will require an amendment or a new permit application.

This permit is subject to the following terms and conditions, which should be carefully reviewed:

1. This permit is subject to the provisions of Section 11-19 inclusive of the Highways Development and Protection Act (Chapter H-8.5 2004), amendments thereto, and Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.
2. This permit is issued subject to any other municipal, provincial, or federal approvals that may be required. Issuance of a permit by Transportation and Economic Corridors does not guarantee the permittee will be able to obtain other required approvals and does not excuse violation of any regulation, bylaw, or Act that may affect the proposed development.
3. The Permittee consents to a person designated by Transportation and Economic Corridors to enter upon land during construction and again upon completion of construction for the purpose of inspection to ensure the terms and conditions of this permit are met.
4. All works authorized by this permit shall be constructed, altered, maintained or operated at the sole expense of the Permittee. The permittee expressly waives any right to claim damages or compensation (including injurious affection) for development, signs or other encumbrances that are placed in an area required for future widening of the highway right of way for highway improvement purposes
5. In consideration of the permit issued in respect to this development, the Permittee shall indemnify and hold harmless Transportation and Economic Corridors, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized.
6. The Permittee shall conform to the approved site plan. Failure to conform to the approved site plan without an approved amendment may result in enforcement measures as laid out in the Act
7. All established surface drainage patterns adjacent to the highway right of way which existed prior to the grading operation shall not be altered or disturbed in any way.
8. The proposed development is to be set back from the highway right of way, as shown on the attached site plan. No encroachment within this setback distance is permitted without an amendment to this permit.
9. This permit approves only the development contained herein, and a further application is required for any changes or additions
10. Transportation and Economic Corridors is under no obligation to reissue a permit if the development is not commenced before expiry of this permit
11. Any yard lights, area lighting or other lights that are considered distracting to the motoring public, or create a traffic hazard, are not permitted.

12. No new direct highway access will be permitted. Access shall be via the local municipal road or existing access.
13. Pursuant to Section 11(2) of the Highways Development and Protection Regulation, a permit for a sign is not required for a business identification sign for this development provided that the sign is located no closer to the highway than the proposed building or is no more than 30m from either side of the building. If a proposed sign does not meet these requirements the landowner shall submit a separate sign application.
14. Transportation and Economic Corridors accepts no responsibility for the noise impacts or other impacts of highway traffic upon any development or occupants thereof.

Failure to comply with the terms and conditions of this permit is an offense pursuant to Section 35 of the Highways Development and Protection Regulation (the Regulation), and may result in enforcement or penalties as described in Section 55 of the Act and Section 35-36 of the Regulation.

This permit is valid for a period of **two years from the date of issuance**. If the works authorized by this permit have not commenced within this timeframe, the permit expires and the Permittee must submit a request for an extension, or reapply for a new permit, if they wish to proceed. Transportation and Economic Corridors is under no obligation to reissue a permit if the development is not commenced before expiry of this permit.

Please contact Transportation and Economic Corridors through [RPATH application](#) if you have any questions, updates, additions, or require additional information.



Issued by **Trevor Richelhof, Development & Planning Tech**, on
November 29, 2024 on behalf of the Minister of Transportation and
Economic Corridors pursuant to *Ministerial Order 52/20 – Department of
Transportation and Economic Corridors Delegation of Authority*

Alison Schori

From: Kallum Umscheid
Sent: October 1, 2025 10:40 AM
To: FC Planning; Brenda Bartnik
Subject: RE: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025
Attachments: 25D 171_PW Comments.pdf

Good morning,

Public Works has reviewed the proposed permit.

Should the applicant choose to use 338 Ave W as site egress, they will require a Road Use Agreement given the projected number of vehicles per day.

The signed circulation form containing these comments is attached here for your records.

Please feel free to contact me if you have any questions or concerns.

Sincerely,



Kallum Umscheid
Engineering Technologist
Public Works

Direct: 403.336.4522

Email: kallum.umscheid@foothillscountyab.ca

Please be advised that I am not in the office on Fridays

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: September 3, 2025 2:13 PM
To: Dev PWRRev <DevPWRRev@FoothillsCountyAB.ca>
Cc: Brenda Bartnik <Brenda.Bartnik@FoothillsCountyAB.ca>
Subject: Circulation for Development Permit 25D 171 - Please respond by October 3, 2025

Good afternoon,

Find attached our circulation for Development Permit 25D 171. Please review and respond **prior to October 3, 2025.**

Should you have any questions or comments, please direct them to **Brenda Bartnik** at Brenda.Bartnik@foothillscountyab.ca

Regards,

Foothills County
Planning & Development

FC_Planning@foothillscountyab.ca



PLANNING & DEVELOPMENT CIRCULATION
PUBLIC WORKS DEPARTMENT - CIRCULATION RESPONSE

FILE NUMBER: 25D 171	LANDOWNER: Wendy Temple	
FILE MANAGER: Brenda Barthik	AGENT:	
CURRENT LAND USE: AG	PROPOSED LAND USE: same	
LEGAL DESCRIPTION: SW 35-20-01 & NE 35-20-01 with addtl. access over Plan 0913333, Block 1, Lot 2		
MUNICIPAL ADDRESS: not addressed		
ROLL NUMBER: 2001352530, 2001357500, 2001355010		
DATE REFERRED: September 3, 2025		
PROPOSAL: Lot Grading		

PROPOSAL INFORMATION:

Development Permit
☐ Internal Road Proposed: Yes ☐
☐ Construction on Road Allowance Proposed: Yes ☐ see below
☐ Approaches exist on: ☐
▪ Other: ☐

Information pertaining to roads on ☐ side of the subject lands:

Servicing Comments or Review required:

▪ Other: ☐

☐ Road Widening - ☐

OTHER COMMENTS:

This application proposes expanding that are to which soils are already being hauled, including using an additional property to the northeast for this purpose. The haul route into the NE crosses over a lot on the adjacent NW 35-20-01. Are the submitted plans sufficient for this purpose or are additional/ reporting required? Is there any requirements for the use of 338th Avenue west/an approach to the same? Is there any comment respecting a portion of the works occurring adjacent to the coulee?

PUBLIC WORKS RECOMMENDATIONS:

SUGGESTED CONDITIONS FOR CONSIDERATION: ☐ Proposed ☐ Balance

☒ Geotechnical Report for Slope Stability	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ High Water Table Testing for Foundation Design:	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Septic Disposal Evaluation (PSTS)	☐ Redes/Amend	☐ Subdivision	
☐ Stormwater Management Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Lot Grading/Overland Drainage Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Flood Plain Report (1 in 100 years)	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Overland Drainage Easement	☐ Redes/Amend	☐ Subdivision	
☐ Building Envelopes	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Traffic Impact Assessment (TIA)	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Environmental Site Assessment (Phase 1 / Phase2)	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Other: Road Use Agreement	☒ Redes/Amend	☐ Subdivision	☐ 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.....

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

No comments or concerns.

- Road Ban on road

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

Use Agreement will be required.

☐	Yes*
☒	No

***If Yes -- Number of Pages:** _____

Reviewer: Kallum Umscheid

Signature:



LAND TITLE CERTIFICATE

LINC	SHORT LEGAL	TITLE NUMBER
0026	603 209	101 043 622
	5;1;20;35;SW	

MERIDIAN 5 RANGE 1 TOWNSHIP 20
SECTION 35

THAT PORTION OF THE SOUTH WEST QUARTER WHICH LIES NORTHEAST OF THE MAIN ROAD

**ON PLAN 9310538
CONTAINING 55.45 HECTARES (137.02 ACRES)
MORE OR LESS**

EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES	MORE OR LESS
DESCRIPTIVE	9512860	3.12	7.71	

EXCEPTING THEREOUT ALL MINES AND MINERALS

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 001 360 270

REGISTRATION	DATE (DMY)	REGISTERED OWNER (S)	DOCUMENT TYPE	VALUE	CONSIDERATION
101 043 622	11/02/2010		TRANSFER OF LAND	\$877,000	NOMINAL

WENDY EVELYN TEMPLE

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		

9030DN . 08/02/1927 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
101 043 622

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

320-17 AVE SW CALGARY ALBERTA T2S2V1		PORTION OF NE1/4 OF SEC.34-20-1-W5M AS DESCRIBED & AS TO PLAN RW 203 IN THE SW1/4 OF SEC.35-20-1-W5M "DATA UPDATED BY: TRANSFER OF UTRW NO. 1333FR" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021218501) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 071355639)
--	--	---

911 065 105	03/04/1991	CAVEAT RE : ACQUISITION OF LAND CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. P. O. BOX 160, HIGH RIVER ALBERTA AGENT - HARRY RIVA CAMBRIN
-------------	------------	---

951 280 543	07/12/1995	AFFIDAVIT OF SURVIVING JOINT TENANT NEW TITLE ISSUED AFFECTED PLAN: 9512860 AFFECTED PARTY: JOHN GRABEL THOMPSON
-------------	------------	---

101 043 623	11/02/2010	RELEASE OF DOWER RIGHTS BY - IAN MICHAEL TEMPLE
-------------	------------	--

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 7 DAY OF JULY,
2025 AT 04:02 P.M.

ORDER NUMBER: 54222467

CUSTOMER FILE NUMBER: Planning -ML

END OF CERTIFICATE



(CONTINUED)

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

LINC	SHORT	LEGAL	TITLE	NUMBER
0020	925	690	5:1:20:35:NE	941 005 317

MERIDIAN 5 RANGE 1 TOWNSHIP 20
SECTION 35
QUARTER NORTH EAST
CONTAINING 160 ACRES MORE OR LESS
EXCEPTING FIRST: THE RAILWAY ON PLAN RY8 CONTAINING
6.30 ACRES MORE OR LESS
SECONDLY: THE ROADWAY ON PLAN 3320Q, CONTAINING
4.14 ACRES MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

REFERENCE NUMBER: 157I198

WENDY F. TEMPLE

101 094 835 06/04/2010 RELEASE OF DOWER RIGHTS
BY - IAN MICHAEL TEMPLE

(CONTINUED)

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 15 DAY OF MAY,
2025 AT 10:53 A.M.

ORDER NUMBER: 53723542

CUSTOMER FILE NUMBER:



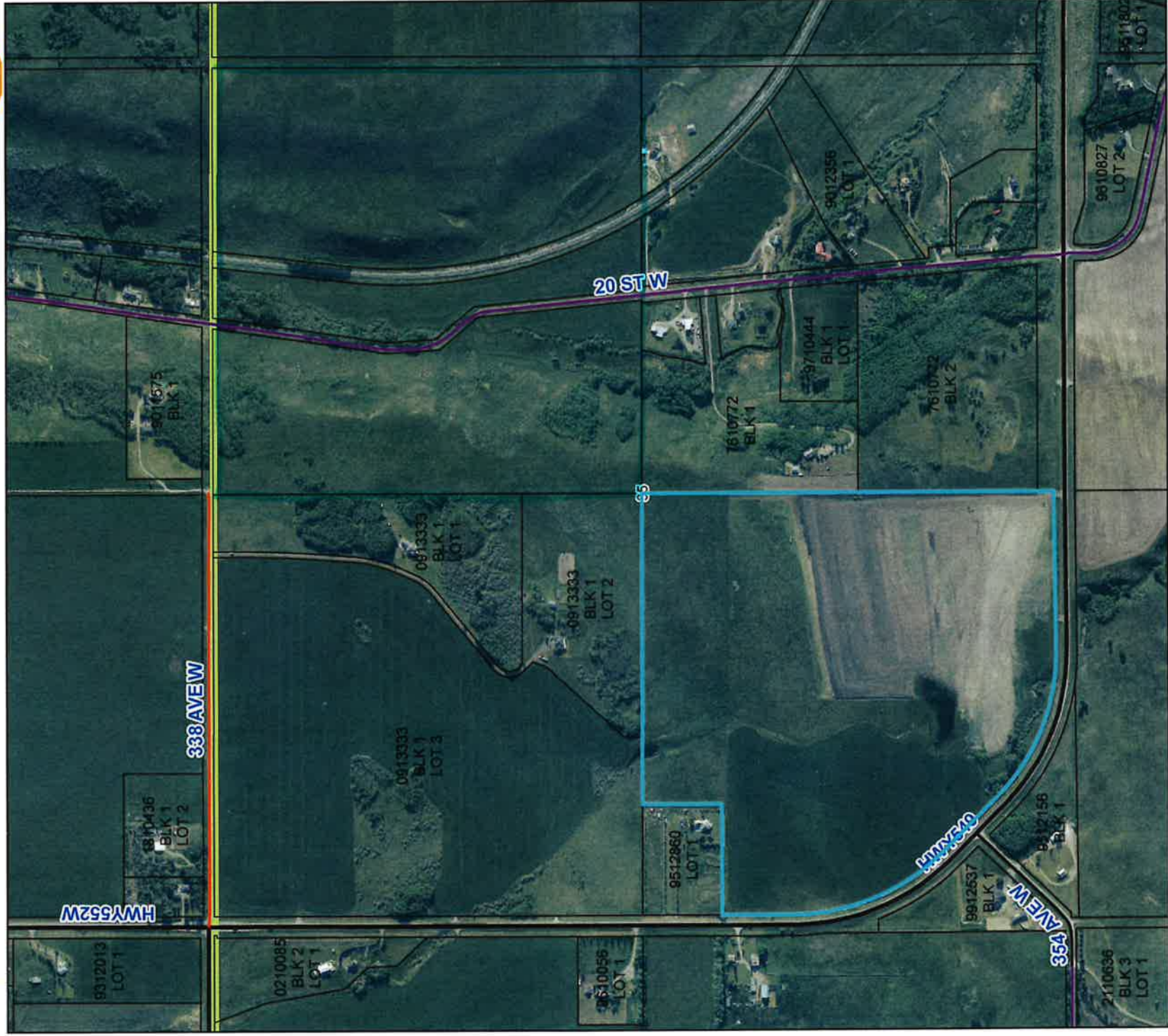
END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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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).



SW 35-20-01 W5M; NE 35-20-01 W5M



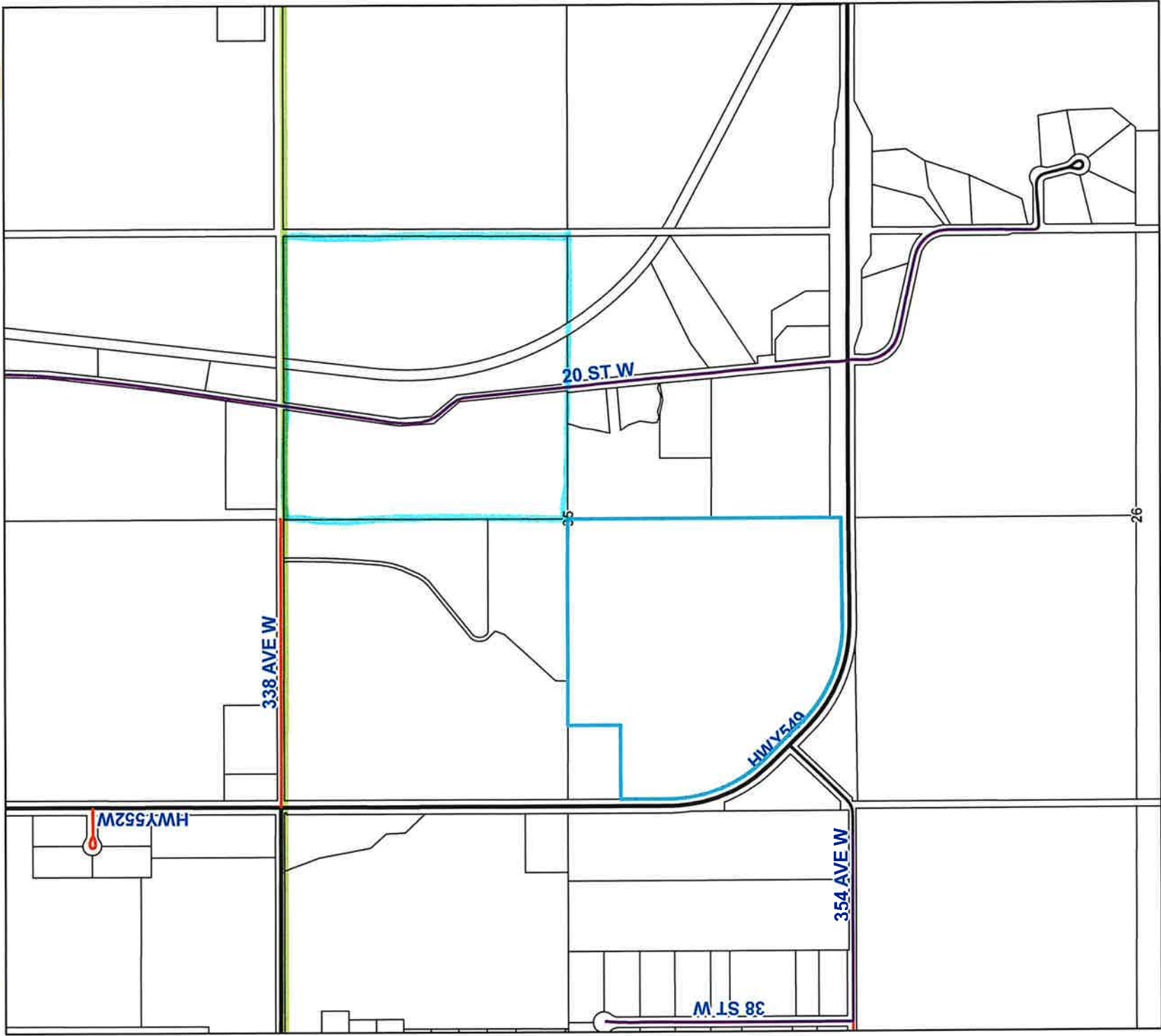
Legend
Townships
Parcels

Date Printed: 2025-07-07
1:10,000

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SW 35-20-01 W5M; NE 35-20-01 W5M



Approval Description & Conditions of Approval for Boards Consideration

APPROVAL DESCRIPTION:

This approval allows for the development and use of Plan 9111799, Block 1, Lot 6; Ptn. NW 32-21-28 W4M for:

This approval allows for the development and use of Ptn. SW 35-20-01 W5M and NE 35-20-01 W5M for the relocation of soils to this property, in accordance with the submitted and accepted Development Permit application and those conditions and requirements as included herein.

PRE-RELEASE CONDITIONS:

Pre-release conditions must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before April 13, 2026, will see this approval be deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).

1. The applicant shall submit a compliance deposit in the amount of \$5,000.00. This deposit will be refunded at such time that the involved professional(s) provide a survey and engineered review illustrating that all work is consistent with the accepted reports and plans, and that the project as approved by the County, has been completed;
2. As the development falls within the permit area of a provincial highway, a permit is to be obtained from the Ministry of Transportation and Economic Corridors. Application for this permit can be submitted through the RPATH portal at <https://roadsideplanning.alberta.ca> and may be subject to additional requirements;
3. The applicant is to enter into a Road Use Agreement with regard to the use of 338th Avenue west, to the satisfaction of the County's Public Works Department

CONDITIONS OF APPROVAL:

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

1. The applicant shall undertake the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to the use of this land shall not proceed unless appropriate approvals and permits have been obtained;**
2. The applicant(s) is responsible to plant/ensure that sustainable vegetative cover and/or temporary control(s) are established within the work area, to ensure that materials are contained and effects with respect to dust, erosion and runoff are mitigated;
3. Third party soil sampling/testing is to occur in order to ensure the soil that has been/is to be relocated to this property is suitable for use for agricultural purposes. Results of this testing are to be provided to the County;

4. Prior to the Municipality acknowledging completion of the development, and following the completion of all work on site, the applicant shall submit a review from a designated professional(s), confirming that the development has been completed in alignment with the accepted plans;
5. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit; and
6. The applicants shall provide written notification to the Development Authority upon completion of the development, as approved herein.

ADVISORY REQUIREMENTS:

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

1. This approval is for development as has been identified within the Plans accepted by the County. Deviation from accepted Plans will require re-submission for review and acceptance by the County;
2. Hours of operations (all works related to the relocation of soils to these lands) are restricted to 8:00 am to 6:00 pm, Monday through Friday and 9:00 am to 6:00 pm Saturdays. No hauling is to occur on Sundays or statutory holidays;
3. The applicant is to provide all required engineering review fees to the satisfaction of the County's Public Works department;
4. The applicant is wholly responsible for all costs of improvements, remedial works and/or maintenance during and after development of the land, and shall maintain the property in accordance with the submitted plans and recommendations in order to ensure that adverse impacts on area lands are avoided;
5. When placing materials and conducting operations on the land, the operator shall ensure that measures are taken to contain those materials and mitigate effects with respect to dust, erosion, runoff, weeds, and the tracking of deleterious materials onto area highway surfaces;
6. The landowners indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the owner, arising from soils being relocated to/on this property; and
7. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land.

NOTES:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.
2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of any prerelease conditions. Development shall not proceed until the Development Permit has been signed and issued.
3. The Development Permit, once signed and issued, shall thereafter be null and void if the development or use is abandoned for a period of six months.
4. The conditions of this Development Permit Decision must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit Decision.

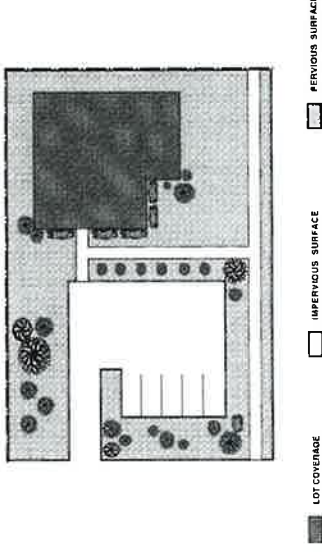
LOT means:

- a Quarter Section.
- a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office.
- a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office.
- a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a Legal Subdivision; or
- a part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in a Certificate of Title by reference to a Plan of Subdivision.

LOT AREA means the total surface area of a Lot.

LOT COVERAGE means the area of a lot which a building or group of buildings with their accessory buildings and impervious surfaces cover.

Figure 2.5A



LOT, CORNER means a lot where two or more adjoining property lines about a road or a highway.

LOT GRADING means any work, operation or activity that results in a disturbance of the earth including the removal of top soil or borrow, borrow pits, berming, excavating, trenching, backfilling, filling, land leveling, re-contouring and, grading other than for building purposes but does not include aggregate extraction, commercial logging, tree clearing, landscaping, dugouts/private dams, ornamental ponds, man-made water bodies, private, storm water ponds, or lagoons for the purpose of processing wastewater as defined by this Bylaw. *More information on Lot Grading can be found in Section 9.17 of this bylaw.*

M

MAN-MADE WATER BODIES, PRIVATE means a man-made water body created for landscaping purposes, or private, active, or passive recreational use, having a depth of 1m (3.28 ft.) or greater but does not include a dugout or storm water management facility.

MANUFACTURED HOME See Dwelling, manufactured home.

MANUFACTURING, LIGHT means the assembling of goods, products, or equipment whose activities are primarily carried on within an enclosed building and no nuisance factor is created or apparent outside of the building.

MANURE STORAGE FACILITY means a storage facility for manure that is livestock excreta, associated feed losses, bedding, litter, soil, and wash water, but does not include manure to which the Fertilizers Act (Canada) applies. A Manure Storage Facility will require authorization through the Natural Resources Conservation Board.

MINI STORAGE See the definition for Commercial Storage and refer to Section 10.16 Commercial Storage.

4.2.1.2 The upgrading and/or surfacing of private driveways beyond the municipal right of way so long as the upgrading or surfacing does not:

- a. Adversely impact the natural drainage direction or volume into, out of, or through a property; and/or
- b. Adversely impact the natural drainage storage capacity of the property.

Agriculture and Livestock:

4.2.1.3 Agricultural general uses in a District which lists Agricultural general as a permitted use.

4.2.1.4 The keeping of no more than three (3) animal units on parcels between three (3) and nine (9) acres,

- a. The keeping of no more than one animal unit per three (3) acres in excess of nine (9) acres.

Table 10.1 A under Section 10.1Agricultural Uses and Livestock Regulations outlines the number of animals equivalent to one animal unit.

4.2.1.5 In all Agricultural District, Agricultural Business District, and Direct Control District parcels in which Agricultural, general operations are being conducted, the number of animal units per acre is allowed to be exceeded when confined on site for a period of no more than 30 consecutive days for:

- a. Branding.
- b. Sorting.
- c. Herd health management.
- d. Market delivery; and
- e. When confined on site for a period of no more than 60 consecutive days for calving and foaling.

4.2.1.6 On Agricultural District, Agricultural Business District, and Direct Control District parcels, any construction, excavation, or other activity necessary in order to enable the land to be used for Agricultural, General purposes, except where:

- a. The site of the development is within the minimum setback distance required to a Municipal Road or Provincial Highway.

(Please note, although you may not require a Development Permit by the Foothills County, a roadside development permit may be required from Alberta Transportation for any development within 300m (984.25 ft.) of a Provincial Highway.)

- b. The construction, excavation or other activity is to construct or accommodate the construction of a building to be used as a Dwelling, Moved On, a Dwelling, Secondary Suite, or Dwelling, Temporary.
- c. Construction involving a building to be used as an “arena, private”, “arena, limited public” or “arena, commercial” as defined under Section 2.5 Definitions of this Bylaw in which case a Development Permit is required; or
- d. For lot grading that may adversely impact the natural drainage direction or volume into, out of, or through a property or the natural drainage storage capacity of the property.

- 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:
- 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
 - 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.

- 4.2.1.1.29 A fence or other means of enclosure greater than 2m (6.56 ft.) in height, constructed in accordance with all other provisions of this bylaw, for livestock confinement or as a livestock wind break on Agricultural and Agricultural Business District zoned lands where the fence is setback in accordance with the minimum yard setback requirements for the applicable land use district.

Keeping of Dogs:

- 4.2.1.1.30 The keeping of up to three (3) adult dogs over 6 months of age at any one time, on a lot containing a dwelling.

Provisions on Keeping of dogs can be found under Section 9.12 and information on Dog Kennels can be found under Section 10.13 of this Bylaw.

Landscaping:

- 4.2.1.1.31 Landscaping, as defined by this bylaw, does not require a Development Permit so long as it meets lot grading and all other requirements of this bylaw.

Provisions on Landscaping can be found under Section 9.14 of this Bylaw.

Lot Grading:

- 4.2.1.1.32 The construction, maintenance, and repair of private walkways and private driveways provided none of the work done adversely impacts the natural drainage of the property. or affects the adjoining municipal road allowance or highway driving surface.

- 4.2.1.1.33 The construction, maintenance, and repair of retaining walls provided:

- a. Retaining walls greater than 1m (3.28 ft) in height are designed by a Professional Engineer.
- b. They do not encroach onto public land or into a utility right of way; and
- c. They do not impede surface drainage.

- 4.2.1.1.34 The stripping or stockpiling of soil, construction or upgrading of municipal roads, construction of internal roads, installation of utilities and grading of the site whereby any such activities are carried out in accordance with the approved subdivision or development permit provided it does not affect the natural drainage. *Please refer to Section 9.17 for more information on lot grading and drainage of a lot.*

- 4.2.1.1.35 Where lot grading is being carried out in accordance with an approved Development Permit, servicing agreement or signed development agreement between the owner/developer and the County on the subject parcel.

- 4.2.1.1.36 Lot grading, which does not:

- a. Adversely impact the natural drainage direction or volume into, out of, or through a property; or
- b. Adversely impact the natural drainage storage capacity of the property.

4.2.1.37

The placing of topsoil or fill on a property in accordance with provisions under Section 9.17, provided there is no adverse impact on the natural drainage direction or volume into, out of, or through the property or adjacent land, or adverse impact on the natural drainage storage capacity of the property, for the purposes of:

- a. The placing or replacing of sand and fill for the purposes of an indoor or outdoor riding arena or
- b. Development of less than 1 acre, where the placing of clean topsoil is for landscaping purposes as defined by this Bylaw, on parcels 1 acre in size and larger, no more than once annually; or
- c. The placing of up to 20 cubic yards of topsoil for the purposes of landscaping as defined by this bylaw, on parcels under 1 acre in size no more than once annually, or
- d. Development of less than 1 acre where the placing of up to 1.0m (3.28 ft.) of fill, adjacent to or within 15m of a building under construction that has a valid Building Permit; or
- e. The placement of fill or topsoil on any site in accordance with an already approved Development Permit, Subdivision Approval, or Development Agreement.

Provisions on lot grading and drainage can be found under Section 9.17 of this Bylaw.

Man-Made Water Bodies:

4.2.1.38

Man-made water bodies including:

- a. A dugout/private dam on Agricultural District parcels when it is being used for agriculture, general use so long as it complies with all other requirements of this bylaw.
- b. Construction or upgrading of an Ornamental Pond (shallower than 1m (3.28 ft.) so long as the construction will not adversely impact natural drainage direction or volume nor adversely impact the natural drainage storage capacity of the property and it meets all other requirements of this bylaw.
- c. A storm water pond or lagoon for the purpose of processing wastewater where the construction is in accordance with Provincial approvals and approved under an approved Development Permit or signed developer's agreement entered into between the landowner/developer and the County.

so long as they are in compliance with all Provincial and Federal requirements and regulations.

Provisions on Man-made water bodies can be found under Section 9.18 of this Bylaw.

Signs:

4.2.1.39

Campaign signs for Federal, Provincial, Municipal, Regional Health Authority or School Board elections on private property, to a maximum of one (1) sign per lot provided that:

- a. Such signs are removed within seven (7) days after the election. Candidates must ensure that the site is returned to its previous condition; and

9.16 LOT DIMENSIONS

- 9.16.1 No Development Permit shall be issued for any development on a lot the area or width of which is less than the minimum prescribed for the District in which the Lot is located, except that a lot of separate record in the Land Titles Office, existing at the date of the passing of this Bylaw, containing less than the required minimum area or width may be used subject to the discretion of the Development Authority if all other requirements of this Bylaw are observed.
- 9.16.2 Whenever it is intended to use two or more abutting lots described within existing Certificates of Title to form a larger area of land for the purpose of carrying out a development thereon, the larger area so formed shall be used in the determination of the lot area, and the boundaries of the larger area so formed shall be used in the determination of the lot width, lot depth and setback requirements prescribed for the District in which the larger area so formed is located. A Development Permit shall not be issued until assurance satisfactory to the Development Authority is given by appropriate agreement or otherwise, that the individual lots forming part of the larger area will not be subdivided and will not be used for any other purpose for so long as the proposed development is carried out on the larger area so formed.

9.17 LOT GRADING AND DRAINAGE

- 9.17.1 Section 4.2.1 of this bylaw outlines all provisions where no Development Permit is required for the construction of lot grading and drainage. All other instances are considered requiring a Development Permit. It is the landowner's responsibility to ensure that they have obtained all necessary permits.
- 9.17.2 The regulations contained within this subsection are intended to apply primarily to those situations where lot grading is proposed.
- a. Independent of, or prior to, approved Development Permit on the same parcel.
 - b. Independent of, or prior to, a signed development agreement between the owner/developer and the County; or
 - c. Independent of, or prior to an approved resource extraction use on the same parcel.
- 9.17.3 The Approving Authority may require, as a condition of a Development Permit, redesignation, land use amendment, or subdivision, that a developer submit a lot grading and/or drainage or Storm water management plan.
- 9.17.4 Unless lot grading is part of a signed development agreement, every application for lot grading is considered a Discretionary Use within the designated land use district of this Bylaw which affects the subject land and shall require a Development Permit unless exempted from a Development Permit under Section 4.2.1 "No Development Permit Required".
- 9.17.5 An application for Development Permit with respect to lot grading shall, in addition to the information requirements of Section 4.3 and Section 4.4, include engineered plans and a written description of the proposal describing:
- a. The location and dimensions of the proposed disturbed area.
 - b. Existing conditions of the land including topography, vegetation, surface drainage patterns, and water courses.

- c. The type of lot grading activity proposed including:
- i. Proposed grade elevations all over disturbed areas.
 - ii. Proposed surface drainage patterns.
 - iii. Amount of topsoil to be removed and replaced.
 - iv. Amount off clay cut and/or fill.
- d. Any impact on existing drainage in terms of volume and flow rate.
- e. Engineering analysis will be required for changing of existing drainage pattern.
- f. Proposed access, haul routes and haul activities.
- g. Proposals for preventing nuisance from dust.
- h. A reclamation plan that includes measures for controlling erosion and sediment, vegetation, weeds, etc.; and
- i. The costs required to reclaim the property.
- 9.17.6 All lot grading shall, to the extent practical, retain the natural contour of the land, minimize the necessity to use retaining walls or any other controlling structure and ensure positive drainage to appropriate receiving water courses. If a person alters the lot drainage on a property so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighboring properties.
- Where, in the process of an approved development, areas require lot grading, the topsoil shall be removed before work commences and replaced following the completion of the work.
- 9.17.7 Borrow areas may be allowed in any land use district provided that:
- 9.17.8
- a. A Development Permit has been issued for lot grading.
 - b. The excavated material is used as fill in a development within the County or an adjacent County for development that has been approved by that County.
 - c. The maximum area of excavation does not exceed 8 ha; the maximum amount of material to be removed from the site does not exceed 40,000 m³ and the excavated material does not contain sand or gravel.
 - d. There is no impact on water flows to or from adjacent lands.
 - e. A reclamation plan has been prepared for the site, to the satisfaction of the Approving Authority in consultation with the Municipal Engineer; and
 - f. The time from commencement of excavation to completion of reclamation does not exceed 120 days.
- 9.17.9 A Development Permit shall be required for any berm that exceeds 1m (3.28 ft.) in height and shall be subject to no impact on existing drainage. The berm shall be located and landscaped to the satisfaction of the Director of Public Works and Engineering.
- 9.17.10 A Development Permit shall be required for relocating topsoil from one property to another in the County or from lands outside of the County except where it is in accordance with an executed Development Agreement or exempted under Section 4.2.1 of this Bylaw.

- 9.17.11 On applications for Development Permit for the placing of topsoil on a property in accordance with Section 9.17.10, the Development Authority, may require the following:
- a. an executed Development Agreement, and/or
 - b. a Road Use Agreement to the satisfaction of the County's Public Works department or written confirmation from the County that a Road Use Agreement is not required; and
 - c. An approved engineered Lot Drainage Plan to the satisfaction of the County's Public Works Department.

9.17.12 The Development Authority may require the applicant of a proposed development to provide landscaped screening of large stockpile areas in accordance with the "Screening Standards". The Development Authority will use their discretion when accepting applications and imposing conditions on approvals, in determining if the screening standards apply and to what extent.

Additional information and provisions that pertain to lot grading can be found in Section 9.14 "Landscaping, Fencing, and Screening"; and Section 9.18 "Man-made Water Bodies".

9.18

MAN MADE WATER BODIES

- 9.18.1 A Development Permit is required for the construction of man-made water bodies except where exempt from getting a Development Permit under Section 4.2.1 "No Development Permit Required" of this bylaw.
- 9.18.2 An application for a Development Permit shall be obtained through the County with respect to a dugout/private dam when a parcel is less than 21 acres or on a parcel over 21 acres, when it is being used for purposes other than agriculture, general use.
- 9.18.3 Some dugouts/private dams require licences and approvals under the Water Act in addition to Municipal requirements. It is the landowner's responsibility to consult with Alberta Environment on application approvals and license requirements.
- 9.18.4 Dugouts/private dams shall:
- a. Be located a minimum of 30m (98.43 ft.) from centerline of any Municipal Road to the top of the bank.
 - b. Be located a minimum of 25m (82.02 ft.) from the center of any Secondary Highway to the top of bank.
 - c. Be a minimum of 40m (131.23 ft.) from the ultimate right of way of any Primary Highway to the top of bank; and
 - d. Not encroach upon, or affect, any watercourse or drainage easement.
- 9.18.5 Dugouts/private dam should be located in accordance with the recommended setbacks set out by Alberta Agriculture, Food & Rural Development as per their latest revision/amendment. It is the landowner and/or developers' responsibility to check with Alberta Agriculture, Food & Rural Development, and other applicable government departments for current regulations.
- 9.18.6 Landowners and/or developers are responsible to enquire about and comply with all necessary regulations and licensing requirements through provincial bodies such as Alberta Environment when developing any man-made water body or enhancing existing feature. Exemption from the requirement for a municipal approval does not exempt the landowner and/or developer from the necessary Provincial approvals.

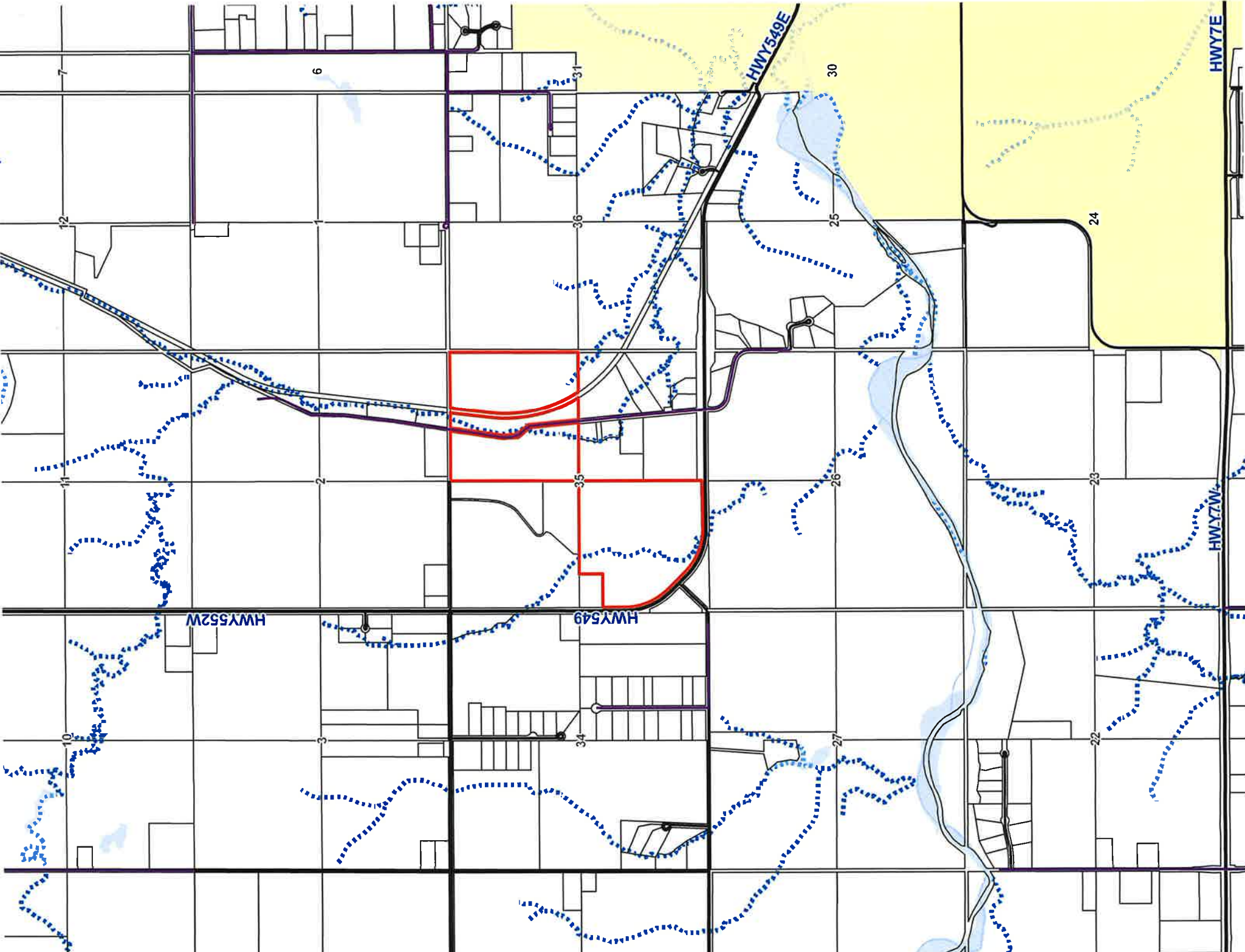
- 9.27.13 Notwithstanding subsection 9.27.9 and 9.27.10, standard barbed wire fencing or equivalent shall be permitted within the identified sight triangle.
- 9.27.14 Sight triangle requirements shall be considered and applied in conjunction with the Alberta Transportation and Utilities Highway Geometric 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.

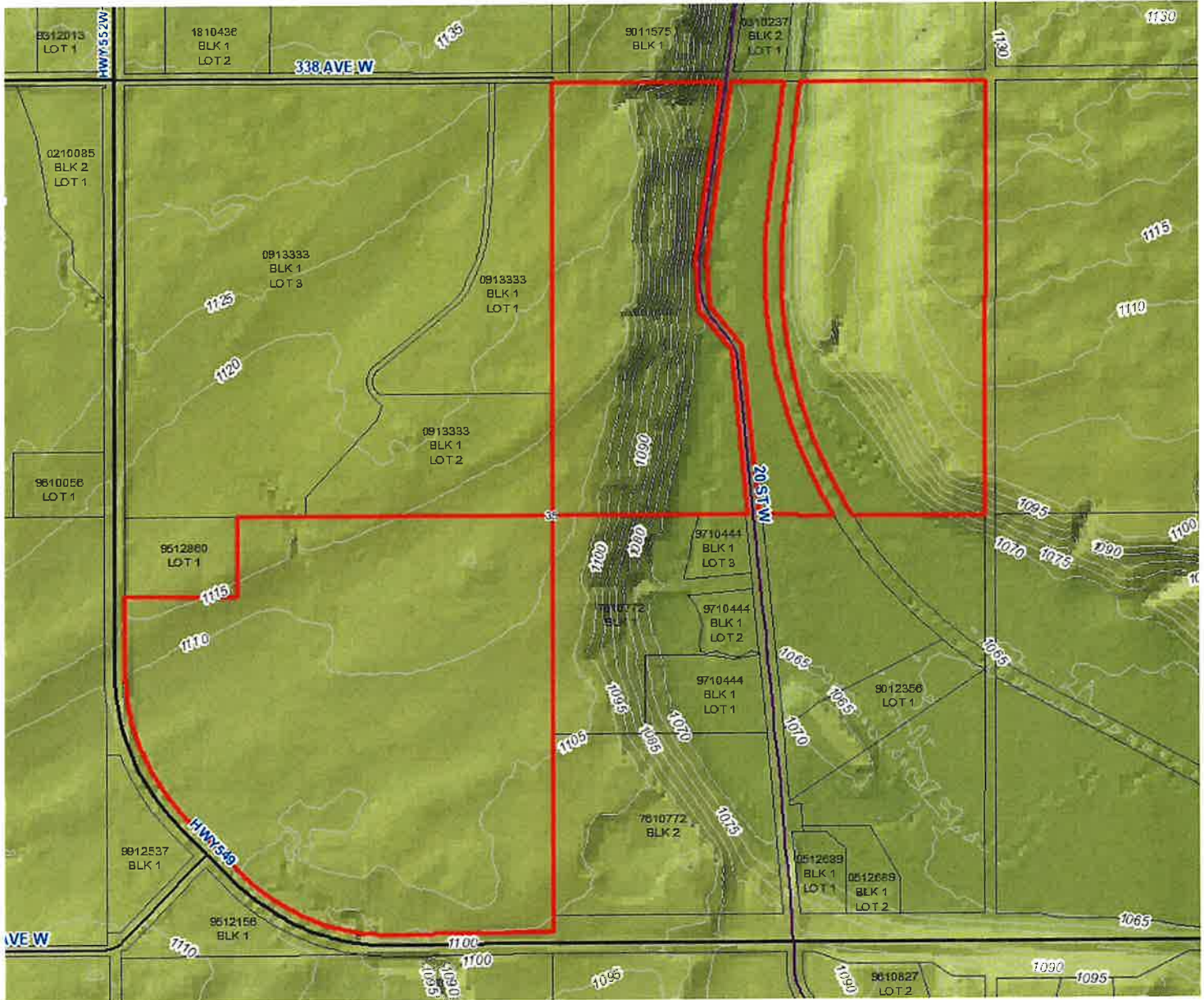
Environmental Considerations:

- 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 and Provincial Legislation and Approvals

- 9.27.24 All development shall comply with the applicable Provincial legislation and approvals with respect to setbacks contained therein unless the setback is varied by the Approving Authority as set out in the Matters Relating to Subdivision and Development Regulation and Guidelines for Setback Reviews, each as may be replaced or amended from time to time.
- 9.27.25 It is the responsibility of the landowner/developer to contact the appropriate department for updated and current regulations in accordance with 9.27.23.





PART 6 LAND USE DISTRICTS

SECTION 12 AGRICULTURAL DISTRICTS

12.1 AGRICULTURAL DISTRICT

A

12.1.1 PURPOSE AND INTENT

To promote a wide range of agricultural land uses that encourage growth, diversification and development of the agricultural industry while having regard for the agricultural value and rural character of the area consistent with the policies outlined in the Municipal Development Plan.

12.1.2 SUB-DISTRICT

12.1.2.1 Parcels may include the following sub-districts 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:

- a. 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".

12.1.3 GENERAL REQUIREMENTS:

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

12.1.4 PERMITTED USES	12.1.5 DISCRETIONARY USES
Accessory buildings not requiring a development permit Accessory uses Agricultural, general Agricultural specialty Dugout Dwelling, single family *no more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size. *no more than 2 such dwellings are permitted on a single lot 32.4 ha (80 ac) or greater in size. Dwelling, Mobile Home *permitted use only on lots 32.4 ha (80 acres) or greater in size. Home Based Business Type I Home Based Business Type II Home Office Public Works Secondary Suite, detached Secondary suite, principal Signs not requiring a Development Permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of up to 5 unoccupied recreation vehicles	Abattoir, Minor Accessory buildings requiring a development permit Aerodrome/airstrip (private use) Agricultural intensive use Agricultural processing and distribution *does not includes retail sales on the site. Agricultural support services *does not includes retail sales on the site. Animal boarding services Antenna structures, private Arena, private Bed and Breakfast Family Day Home Dwelling, Mobile Home *discretionary use on lots less than 80 acres in size. Dwelling, moved on Dwelling, temporary Home based business Type III Intensive vegetation operation Kennel, private Lot Grading Man-made water bodies, private (requiring a permit). Signs (requiring a development permit) Solar Power System, Private (requiring a Development Permit) Special Event Temporary storage of between 6 and 10 unoccupied recreation vehicles Utility service, minor

12.1.6 LAND USE REQUIREMENTS

12.1.6.1 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.

12.1.6.2 In order to facilitate the purpose and intent of this district and ensure the sustainability of agricultural uses within the District, the following applies to applications for subdivision:

- a. Parcel Density:
 - i. Number of lots per quarter section or area of land in certificate of title existing when this bylaw was adopted; or
 - ii. The number of lots allowed by bylaw amending this section.
- b. Minimum Parcel Size:
 - i. A parcel of land no less than 8.49 Ha (21 acres) in size;

- ii. That portion of a parcel remaining after approval of a re-designation which facilitates a subdivision and after the subsequent registration of said subdivision reduces the area of the parent parcel to a size of 2.1 acres or greater in size; or
 - iii. The area in title at the time of passage of this Bylaw.
 - c. Maximum Parcel size:
 - i. None.
- 12.1.6.3 Required Developable Area:**
- a. In accordance with Section 9.8 of this Bylaw.
- 12.1.6.4 Utility Servicing Criteria**
- a. Individual wells and individual wastewater disposal systems;
 - b. Communal water and communal wastewater disposal systems;
 - c. A combination of a. and b. as determined by Bylaw amending this section.

12.1.7 DEVELOPMENT REQUIREMENTS

- 12.1.7.1 Maximum Lot Coverage**
- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than sixty (60) percent of the lot area.
- 12.1.7.2 Maximum Dwelling Unit Density**
- a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.
 - b. Maximum dwelling unit density for a parcel 80 acres or larger in size is two Dwellings, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.
- 12.1.7.3 Minimum Yard Setback Requirements**
- a. Front Yard Setbacks:
 - i. 15m (49.21 ft.) from the right of way of an internal subdivision road.
 - ii. 48m (157.48 ft.) from the centreline of a Municipal road.
 - iii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
 - iv. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.
 - 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. In addition, 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.

12.1.7.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

12.1.7.5 Other Minimum Setback Requirements:

- a. See Section 9.27 “Special Setback Requirements” of this bylaw for additional setback requirements that may apply.

12.1.7.6 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.);

12.1.7.7 Minimum habitable area per dwelling

- a. 100 m² (1,077 sq. ft.)

12.1.8 EXCEPTIONS: