



FOOTHILLS COUNTY

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

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www.FoothillsCountyAB.ca

planning@foothillscountyab.ca

October 15, 2025

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

Dear Sir/Madam:

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

Development Permit Application File#: 25D 170

Legal Description: SW 28-18-01 W5M

Approval Description: Intensive Vegetation Operation; Agricultural Processing & Distribution

Applicant/Owner Dale, Margaret, Mark & Sunny Barrett

Location: Located on the northeast corner of the intersection of 562nd Avenue and 64th Street west

Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal. Notices of Appeal, including payment of the appeal fee are to be filed with the Subdivision and Development Appeal Board within 21 days from the date of the development permit decision (attached). Notices of Appeal and payment of the appeal fee are to be received **no later than November 6, 2025**. Notices of Appeal received after the 21-day notification period will be invalid.

The form required for the Notice of Development Appeal is available on the Foothills County website. To access the form, please visit the following link: <https://www.foothillscountyab.ca/resources/notice-development-appeal>. For further assistance or if you would like us to email you the form, please contact our Planning and Development Department at **403-652-2341** or via email at Planning@FoothillsCountyAB.ca.

You should not rely on Notices of Appeal filed by other persons as giving you the right to be heard at an appeal hearing, as only the appellant, applicant or authorized representative of either party is guaranteed the opportunity to be heard at an appeal hearing. If you choose to submit an appeal, please complete the '**Notice of Development Appeal**' form found on our website and return the completed form with payment of the required appeal fee to the Subdivision and Development Appeal Board Clerk by email at appeals@FoothillsCountyAB.ca or by fax at 403-652-7880.

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

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

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

Yours truly,
FOOTHILLS COUNTY

Original Signed By...

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

BB/ml
Encl. – Development Authority Decision



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 15, 2025

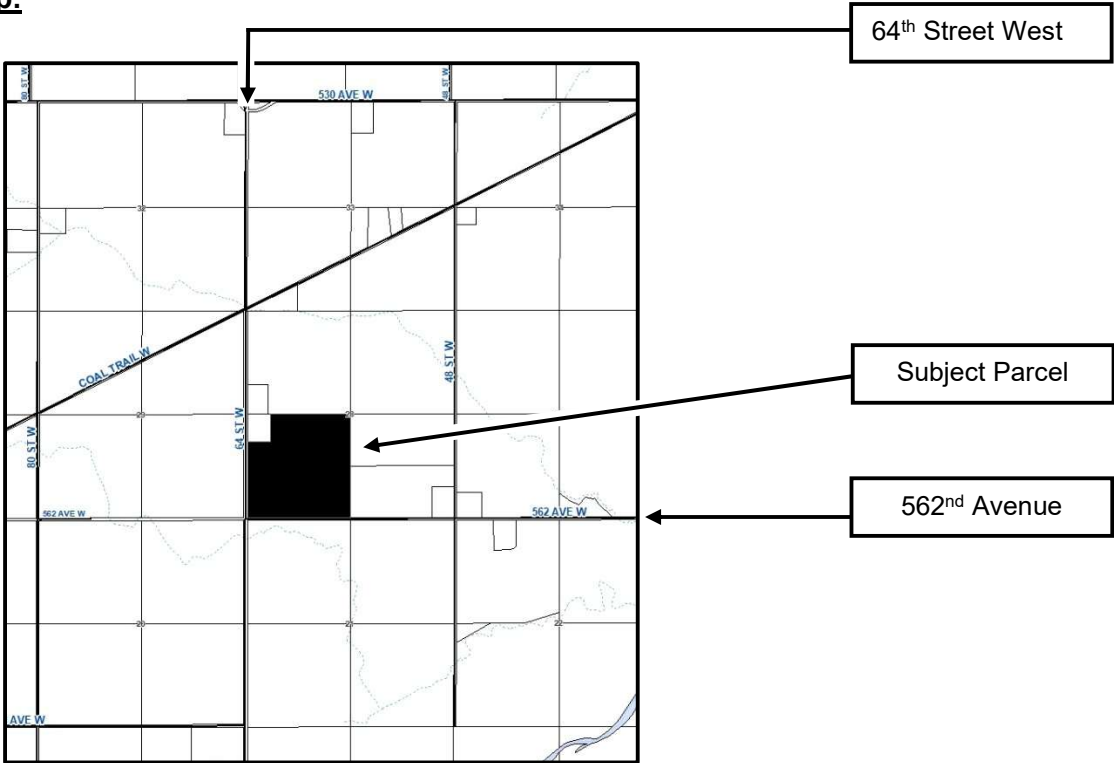
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

APPLICATION FILE NUMBER: 25D 170
LANDOWNER(S): DALE, MARGARET, MARK & SUNNY BARRETT
APPLICANT(S): MARK & SUNNY BARRETT
PROPOSAL DESCRIPTION: INTENSIVE VEGETATION OPERATION; AGRICULTURAL PROCESSING & DISTRIBUTION
LEGAL DESCRIPTION: PTN. SW 28-18-01 W5M

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 149.48 acre Agricultural District parcel located on the northeast corner of the intersection at 562nd Avenue and 64th Street west.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for an Intensive Vegetation Operation and Agricultural Processing and Distribution, the purpose of which is to support an apple orchard and the production of apple products on the subject parcel. Product is to be distributed to off site locations; there will be no retail sales on this site.

Intensive Vegetation Operation and Agricultural Processing and Distribution are Discretionary Uses 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 an Intensive Vegetation Operation and Agricultural Processing and Distribution, on the subject parcel being Ptn. SW 28-18-01 W5M has been considered by the Development Officer and is **APPROVED** subject to the following.

APPROVAL DESCRIPTION:

- This approval allows for the development and use of Ptn. SW 28-18-01 W5M for:
- a. An Intensive Vegetation Operation, that includes an apple tree orchard and the construction/use of one +/- 3,000 sq. ft. greenhouse;
 - b. The processing and distribution of alcoholic and non-alcoholic apple products within the +/- 3,000 shop on the property;
 - c. Supporting internal access laneways, loading, and parking.

PRE-RELEASE CONDITION(S):

Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **March 15, 2025** will see this development permit decision deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).

1. The applicant is required to submit a refundable security deposit in the amount of \$3,000 to ensure compliance with the applicable Building, Safety and Fire Codes. This deposit will be refunded at such time that all required permits and inspections have been obtained and the buildings have been verified to be suitable for the intended use and occupancy by the County's Safety Codes Officer and the Foothills Fire 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 development shall be executed in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate;
2. Prior to work commencing, the applicant is to submit a lot grading and drainage plan, to the satisfaction of the County's Public Works department. The plan is to show proposed berms with top/base elevations, proposed parking lot grading, as well as finished elevations at structures. Questions in this regard may be addressed with the County's Public Works department – Patrick Antle: 403-603-6248.
3. All necessary building and safety code permits and inspections for the proposed and the existing building shall be obtained from the County;
4. Prior to any occupancy, the applicant shall contact the Foothills Fire Department to arrange for a fire inspection. It is the applicant's responsibility to provide proof of such to the File Manager. Authorization for occupancy of the building/any portion thereof, shall not be granted until such time that required safeties and functionality are illustrated to have been met;
5. The approach to the development area shall be installed to meet business/commercial standards, to the satisfaction of the County's Public Works department;
6. A detailed parking plan is to be submitted for review and acceptance by the Development Authority, prior to implementation. This plan is to include detail respecting:
 - a. The provision of accessible parking stalls and the required related signage;
 - b. The use of parking bumpers/stops, jersey barriers, or similar to provide stall delineation and ensure safe pedestrian access;
7. An Emergency Response Plan shall be submitted for review and acceptance by the County;
8. Prior to the County acknowledging completion of the development, the applicant is to submit as-builts and a letter of conformance from the respective Professional Engineer, verifying that all improvements are consistent with the plans and recommendations within the accepted site grading and drainage plan(s). Approaches shall be inspected by the Public Works department wherever applicable;
9. The applicant is required to maintain an annual business license with Foothills County;
10. The applicant shall provide written notification to the Development Authority upon completion of the development;
11. The applicant 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.

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. The applicant is to maintain 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. Development shall comply with the applicable Building, Safety, and Fire Codes at all times;
3. The applicant is responsible to ensure that on-site parking and loading are at all times able to sustain use and occupancy. At no time shall the local municipal road surfaces be used for the purpose of loading/unloading, parking, or as a stacking space;
It is the landowner's responsibility to ensure appropriate internal access and site circulation for fire department apparatus and emergency access at all times;
4. Exterior lighting must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw and comply with section 9.15 of the Land Use Bylaw 60/2014. It is expected that internal light abatement will be implemented within the greenhouse to shield from light pollution during night-time hours;
5. The installation of commercial signage has not been considered under this approval. Any installation of commercial signage shall proceed only under the approval of an independent application for development permit;
6. Waste materials shall be disposed of in compliance with local requirements and those regulations and guidelines as put forth by the Provincial authorities having jurisdiction. Containers for garbage or recycling materials that are located outdoors shall be weatherproof and animal-proof and must be fully screened from adjacent lands and roadways;
7. Grading and drainage shall at all times be maintained as per the plan(s) and recommendations accepted to be appropriate by the municipality and must at all times be safe, functional, and in a good state of repair;
8. In the circumstance where 10 loads daily, or greater than 7 days of continuous hauling are to occur on municipal roads for any reason, the applicant is required to first enter into a road use agreement with the County's Public Works department. Please contact RoaData – 1-888-444-9288;
9. Conducting events, food service, and/or retail sales on site have not been considered under this approval;
10. 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;
11. The landowner/applicant indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the Owner(s) arising from development and use of the subject property.

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 the 21-day appeal period; should no appeals be received, and completion of all Pre-Release Conditions (if any). Development can not proceed until this permit has been signed and issued.
3. Notification of this Development Permit Decision will be advertised in two issues of the Western Wheel and circulated to area landowners (according to County Records at this time) within the subject quarter-section and for one-half mile surrounding the subject parcel. Development Permit Notices can also be viewed on our website.
4. This Development Permit Decision is subject to a 21-day appeal period. Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal.
5. 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.
6. 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.



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I AM APPEALING (check only one)		
Development Authority Decision ☐ Approval ☐ Conditions of Approval ☐ Refusal <u>Development Permit #</u> Date of Decision: (Y/M/D) _____	Subdivision Authority Decision ☐ Approval ☐ Conditions of Approval ☐ Refusal <u>Subdivision Application #</u> Date of Decision: (Y/M/D) _____	Decision of Enforcement Services ☐ Stop Order ☐ Compliance Order <u>Enforcement Order #</u> Date of Decision: (Y/M/D) _____
REASON FOR APPEAL (attach separate page(s) if required)		
All appeals should contain the reasons for the appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal.		

Submitting an Appeal – Subdivision Authority Decisions

Appeals of decisions on subdivision applications are covered by [sections 678 to 682 of the Municipal Government Act](#).

A decision on an application for subdivision may be appealed by the applicant, by a Government department (if that department is required to be circulated on the application) or by the School Authority (with respect to matters related to municipal reserve or school reserve lands).

Appeals must be made by filing a notice of appeal within **14 days** of receipt of the decision with either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears subdivision appeals where there is a provincial interest. Otherwise, the appeals are heard by the local SDAB.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- within Alberta’s "Green Area"
- ‘adjacent’ to or contains a body of water
 - adjacent means contiguous or would be contiguous if not for a railway, road, utility right of way or reserve land
- adjacent to or contains (either partially or wholly) land identified on the Listing of Historic Resources or public land set aside for use as historic resource
- the subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- the subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas
- within the following distances:
 - 1600 metres of a provincial highway
 - 450 metres of a hazardous waste management facility
 - 450 metres of the working area of an operating landfill
 - 300 metres of the disposal area of any landfill
 - 300 metres of a wastewater treatment plant
 - 300 metres of the working area of a non-hazardous waste storage site

Some of the distances may be varied in writing by a provincial government department, in which case the SDAB will hear the appeal.

Submitting an Appeal – Development Authority Decisions

Appeal of development authority decisions are covered by [Sections 684 to 687 of the Municipal Government Act](#).

A decision on an application for development may be appealed by the person applying for the permit or by any person affected by an order, decision or development permit made or issued by a development authority.

An order issued under a decision of Enforcement Services, being a Stop Order or Compliance Order, may be appealed by the person affected by the order.

Appeals must be made by filing a notice of appeal within **21 Days** after the date on which the written decision is given with either the local Development Appeal Board or the Land and Property Rights Tribunal. Which board is the appropriate board to hear the appeal will depend on certain factors with respect to the land involved. The Land and Property Rights Tribunal hears development appeals where there is a provincial interest. Otherwise, the appeals are heard by the local Subdivision and Development Appeal Board.

Notice of appeal should be filed with the Land and Property Rights Tribunal when the subject property is:

- The subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission
- The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas

THE APPEAL FEE MUST ACCOMPANY THE NOTICE OF APPEAL FORM

**Appeal fees are set in the County’s Fee Bylaw, which is generally reviewed and amended annually.*

Appeal Type	Fee
Development Authority Decision (fee refunded if appellant appears before the Subdivision and Development Appeal Board)	\$100
Development Authority Decision – Automatic Refusal	\$575
Stop Order	\$575
Subdivision Authority Decision (paid at time of subdivision application and used as a credit on endorsement fees except where the owner/agent appeals the subdivision decision or a condition of the subdivision)	\$2,000

How to submit your appeal and pay your fee

Completed Notice of Appeal forms may be submitted by mail, in person or by email. Your Notice of Appeal must be received on or before the final appeal deadline and must include the applicable fees as outlined above.

Mail or deliver to:

SDAB Clerk, Foothills County
Box 5605, 309 Macleod Tr. S., High River, AB T1V 1M7

Email to:

appeals@foothillscountyab.ca

Please make cheques payable to "Foothills County"

To pay by Credit Card, please use the Credit Card Authorization section found on page 2 of the Notice of Appeal Form.

****NOTE FOR EMAIL SUBMISSIONS ONLY: IF YOU DO NOT RECEIVE AN EMAIL CONFIRMATION NOTIFYING YOU OF RECEIPT OF YOUR APPEAL, PLEASE CONTACT THE SDAB CLERK IMMEDIATELY****

What happens after my appeal is submitted?

Once your completed Notice of Appeal form is submitted on time and with the required fee, the appeal will be heard by the SDAB within 30 days. The SDAB Clerk will provide you with additional information regarding the appeal hearing.

If the appeal is against the decision of a Subdivision Authority, notice will be sent to you and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to you and to landowners located within the half mile surrounding the subject property.

More information

For more information about filing an appeal or SDAB procedures, please contact the SDAB Clerk at:

Phone: 403-652-2341

Email: appeals@FoothillsCountyAB.ca