

Legend

- County Roads
- Highways
- ▨ In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- ER- Environmental Reserve
- MR- Municipal Reserve

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Data Sources Include Municipal Records and AltaLIS.
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July 31, 2024





Application for Development Permit

Land Use Bylaw No. 60-2014

Foothills County

www.foothillscountyab.ca

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

THIS IS NOT A BUILDING PERMIT. Construction practices and standards of construction of any building or any structure authorized by this Development Permit must be in accordance with the Building Bylaw. An application must be made for a Building Permit under the requirements of the Building Bylaw and a Permit must be secured before any work or construction on any building may commence or proceed.

FOR OFFICE USE ONLY

Fee Submitted: 600 Application No: 25D 200
Receipt No.: 440957 Tax Roll No: 1901345110
Date Received: July 3 2025 Date Deemed Complete: July 18 2025

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Dvane Aichele
Email: [REDACTED]
Applicant's Mailing Address: [REDACTED]
Telephone: [REDACTED]
Legal Land Description: Plan 0812913, Block 2, Lot 4, LSD ,
Quarter NW, Section 34, Township 19, Range 1, West of the 5 Meridian.
Registered Owner of Land: Dvane Aichele
Registered Owner Mailing Address: [REDACTED]
Email: [REDACTED] Telephone:
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.

The buildings I am asking for relaxation for are
labeled #1, #2 and #3. The building are horse shelters
and a shed, which have been in the exact location
Since 2009.

PART 3 SITE INFORMATION

Area Of Lot: (In Acres Or Hectares) 4.10 Acres
Size Of Proposed Building: Height:
Is There A Dwelling (Residence) On The Site: Yes ☒ No ☐ If Yes, How Many?: 1
Utilities Presently On Site: yes
Are There Sour Gas Or High Pressure Facilities On Site?: No
Utilities Proposed: N/A
Other Land Involved In Application: N/A

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.):

Site plan

Estimated Date of Commencement: Estimated Date of Completion:

I, Duane Archule

hereby certify that I am:

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

Date: July 4, 2025

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 processing of this application.

July 4, 2025
Date Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

- 1. Land use district:
- 2. Listed as a permitted/discretionary use:
- 3. Meets setbacks: Yes No If "NO", deficient in
- 4. Other information:

PART 5 DECISION

Date of Decision: Date Application Accepted:

This Development Permit Application is:

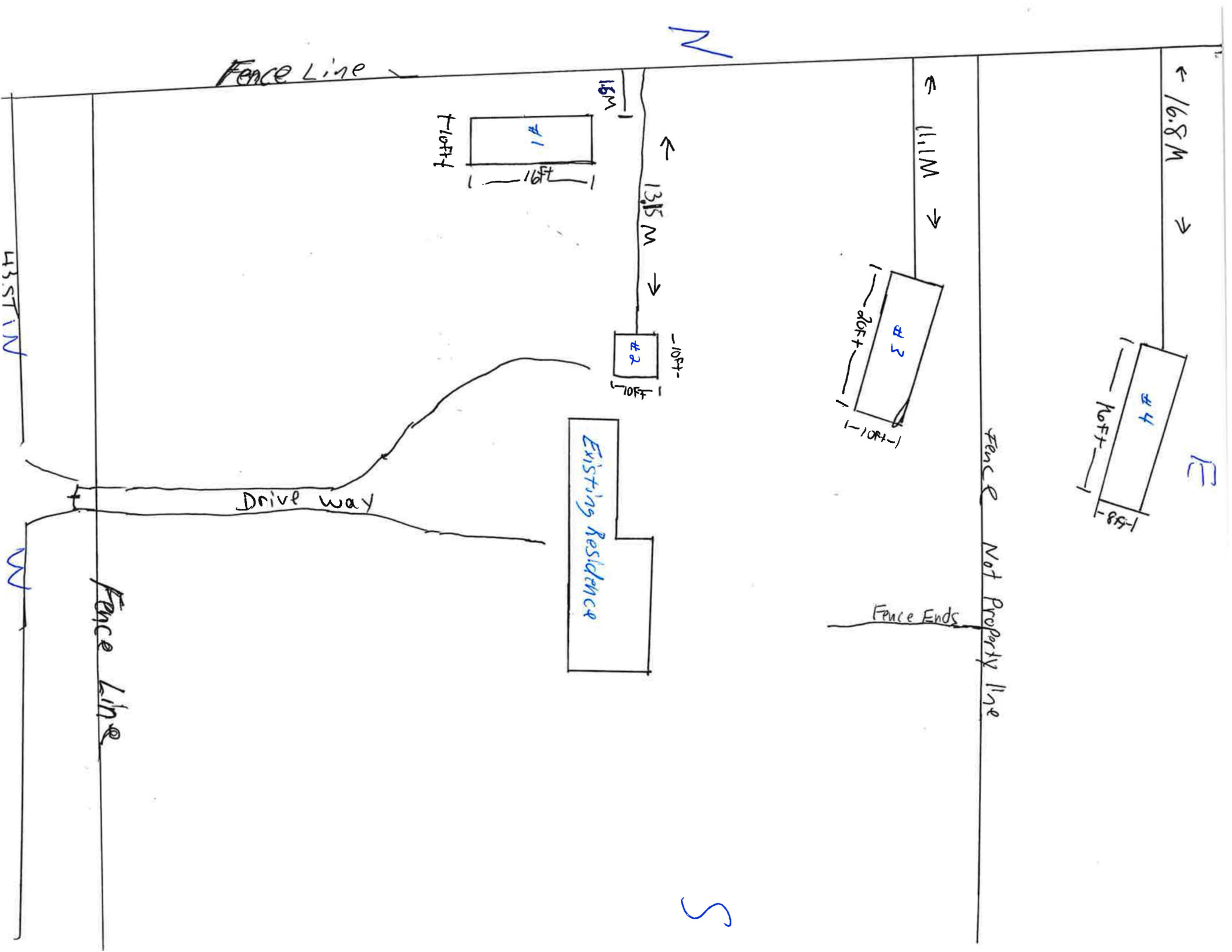
- ☐ APPROVED
- ☐ APPROVED subject to the attached conditions
- ☐ REFUSED for the attached reasons

Notice of Decision Advertised:

Date of Issuance of Development Permit:

Development Officer

NOTE: Development must commence within 12 months of the date of the Date of Issuance of the Permit and be completed within 24 months of the Date of Issuance, unless otherwise stated in the Development Officer's decision.





Legend
 Townships
 Parcels

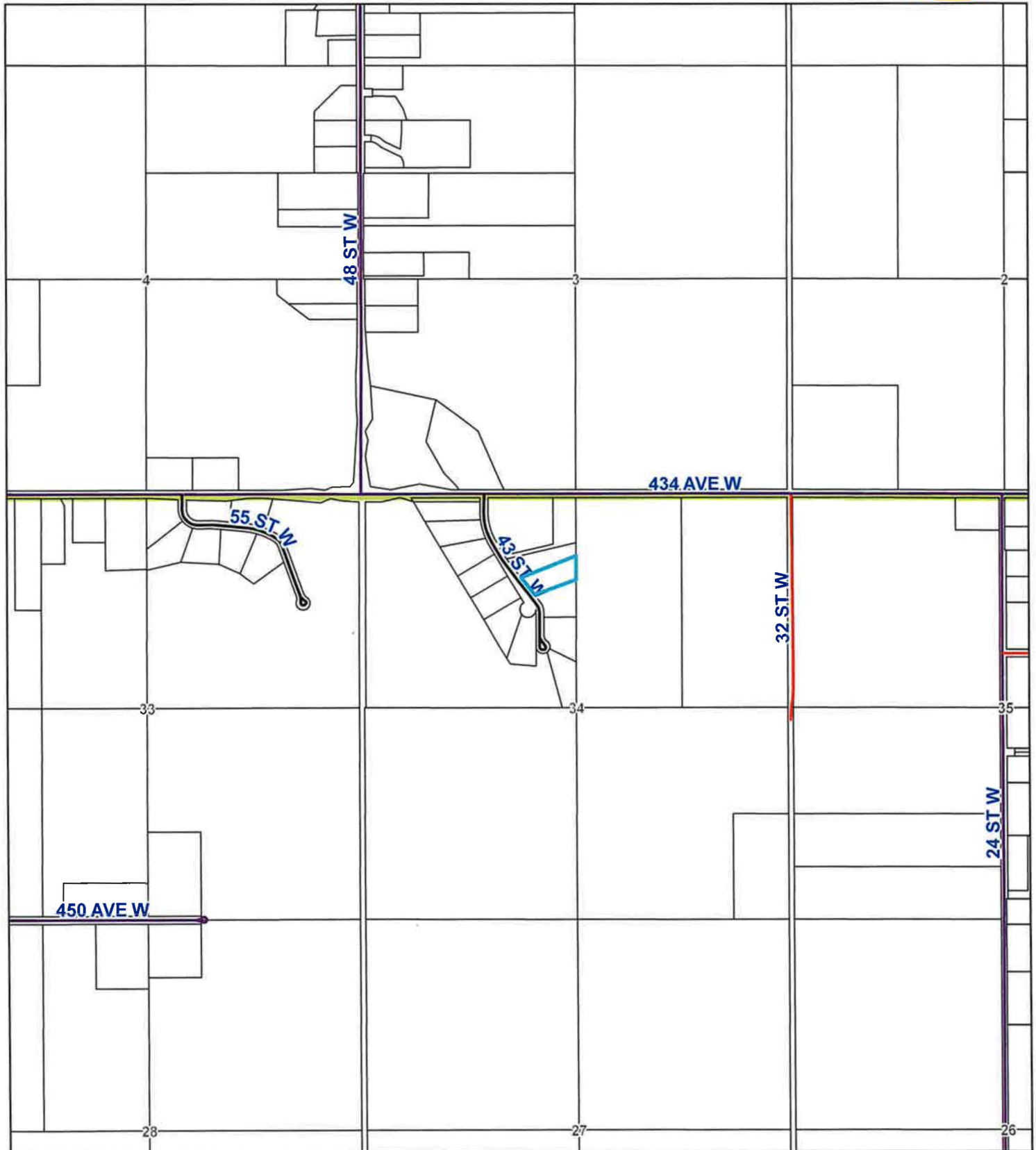
Date Printed: 2025-07-28

1:1,250

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NW 34-19-1 W5M; Plan 0812913 Blk 2 Lot 4



Legend
 Townships
 Parcels

Date Printed: 2025-07-28
 1:20,000

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LAND TITLE CERTIFICATE

| | | |
|--------------|-------------|--------------|
| S | | |
| LINC | SHORT LEGAL | TITLE NUMBER |
| 0033 316 613 | 0812913;2;4 | 161 162 969 |

LEGAL DESCRIPTION

PLAN 0812913

BLOCK 2

LOT 4

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 1.623 HECTARES (4.01 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;1;19;34;NW

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 091 165 856

| REGISTERED OWNER(S) | | | | |
|---------------------|------------|------------------|-----------|---------------|
| REGISTRATION | DATE (DMY) | DOCUMENT TYPE | VALUE | CONSIDERATION |
| 161 162 969 | 14/07/2016 | TRANSFER OF LAND | \$650,000 | SETTLEMENT |

OWNERS

DUANE AICHELE

ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION | | |
|--------------|--------------|--|
| NUMBER | DATE (D/M/Y) | PARTICULARS |
| 751 013 551 | 17/02/1975 | CAVEAT RE : SEE CAVEAT CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. 140 - 6 AVENUE S.W., CALGARY ALBERTA |

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
161 162 969

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

031 379 257 01/11/2003 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.

081 210 527 16/06/2008 CAVEAT
RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL
GOVERNMENT ACT
CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.
BOX 5605
HIGH RIVER
ALBERTA T1V1M7

081 210 562 16/06/2008 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.
GRANTEE - TELUS COMMUNICATIONS INC.
GRANTEE - ATCO GAS AND PIPELINES LTD.
AS TO PORTION OR PLAN:0812914

081 210 564 16/06/2008 RESTRICTIVE COVENANT

101 108 124 15/04/2010 AMENDING AGREEMENT
AFFECTS INSTRUMENT: 081210564

161 162 970 14/07/2016 RELEASE OF DOWER RIGHTS
BY - CHERRIE AICHELE

161 194 154 18/08/2016 MORTGAGE
MORTGAGEE - ALBERTA TREASURY BRANCHES.
33 HERITAGE MEADOWS WAY SE
CALGARY
ALBERTA T2H3B8
ORIGINAL PRINCIPAL AMOUNT: \$756,000

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 28 DAY OF JULY,
2025 AT 09:50 A.M.

ORDER NUMBER: 54407850

CUSTOMER FILE NUMBER: AS_Planning

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).

Alison Schori

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: July 28, 2025 10:02 AM
To: [REDACTED]
Cc: Brittany Smith
Subject: Notice of Complete Application – Development Permit 25D 200

Good Morning,

Re: Notice of Complete Application – Development Permit 25D 200
Ptn: NW 34-19-1 W5M; Plan 0812913, Block 2, Lot 4
Relaxation of Setbacks to Existing Structures

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 **July 25, 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 **Brittany Smith** at Brittany.Smith@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



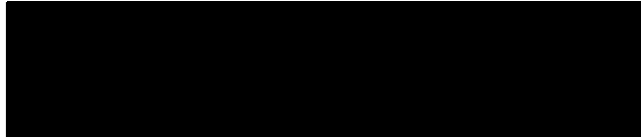
W. www.foothillscountyab.ca

If no wells are listed on-site:

For well sites

I, Dwane Aichele being the registered
Owner(s) or agent acting on behalf of the registered owner(s)
of NW-34-19-1-5
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, 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 7 day of 07, 2025.

OR

If wells are listed on-site:

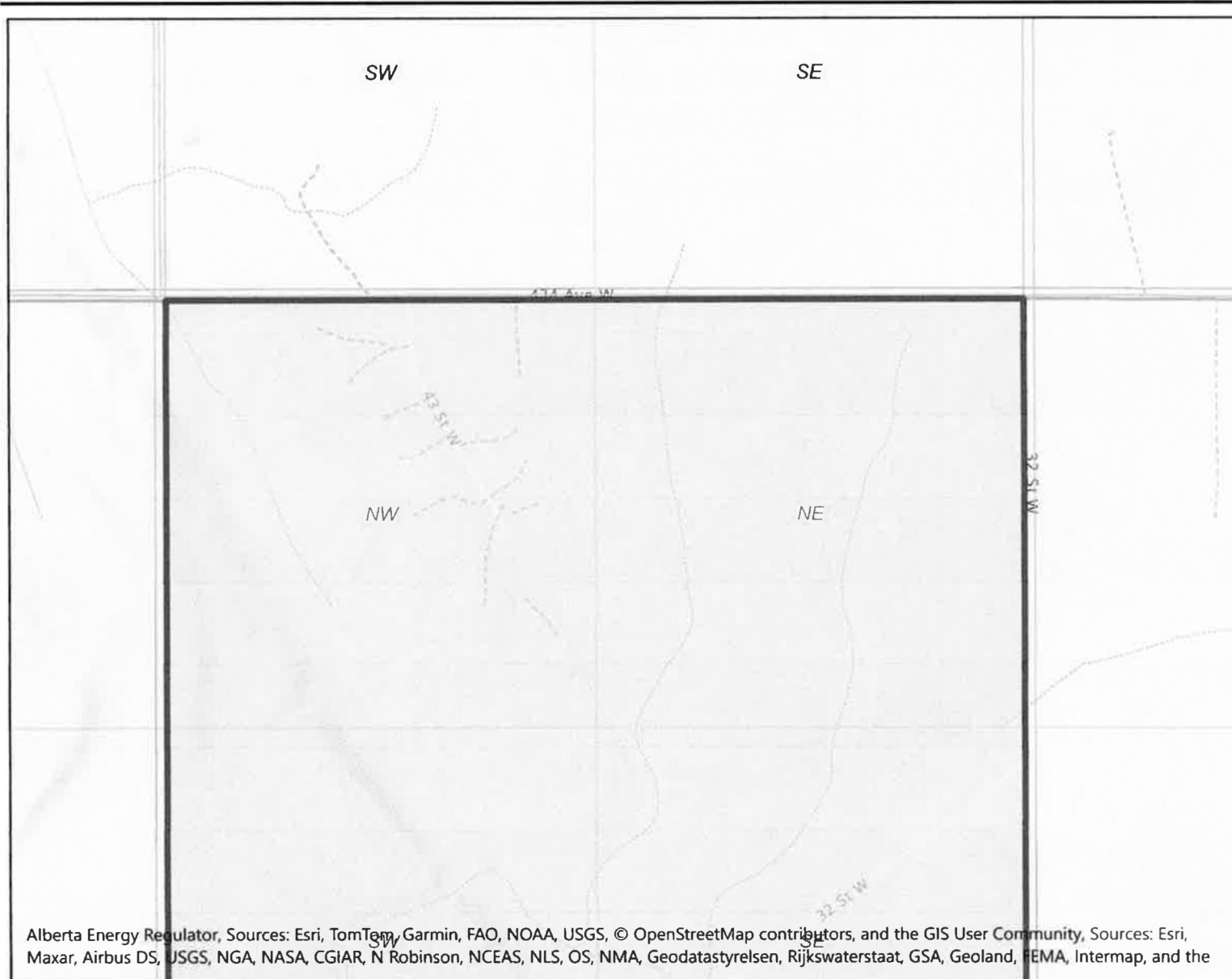
I, _____ being the registered
Owner(s) or agents acting on behalf of the registered owner(s)
of _____
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, 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,



DEVELOPMENT PERMIT CIRCULATION MEMORANDUM

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

File Number: 25D 200

Date: July 28, 2025

Landowner: Duanne Aichele **Agent:**

Legal: Plan 0812913, Block 2, Lot 4

Description: Ptn: NW 34-19-01 W5M

Parcel Size: 4.01 Acres

Proposal: Relaxation of Setbacks to Existing Structures

Enclosed is a copy of the plans for the above-mentioned development. We would appreciate receiving your comments on the proposal within 30 days of the date of this letter.

If you require further information or clarification, please contact the Development Department in High River at (403) 652-2341 by phone or through email using the below address. **Please quote our file name when returning your comments to the attention of our Development Department.** Thank you for your cooperation.

30 DAY CIRCULATION

Contact: Brittany Smith Brittany.Smith@foothillscountyab.ca

Application to be referred to:

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

Notes:

Alison Schori

From: Kallum Umscheid
Sent: August 20, 2025 2:23 PM
To: FC_Planning
Subject: RE: Circulation for Development Permit 25D 200 - Please respond by August 28, 2025
Attachments: 25D200_Aichele_PW Comments.pdf

Good afternoon,

Public Works has reviewed the circulation, and found a point of concern to address:

- As per Land Use Bylaw 5.6.2, a variance of up to 90% on yard setbacks is allowed. In this case the setback can be reduced to 1.5m. While the site plan provided indicates that Structure #1 is setback 1.6m, our records indicate the structure is closer to 0.7m. Please provide proof the structure has been moved to 1.6 meters from the property line.

The signed circulation form with this comment 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 Tel: 403.603.6312
Cell: 403.336.4522
Email: kallum.umscheid@foothillscountyab.ca

From: FC_Planning <Planning@Foothillscountyab.ca>
Sent: July 28, 2025 3:39 PM
To: Dev PWRev <DevPWRev@FoothillsCountyAB.ca>
Cc: Brittany Smith <Brittany.Smith@FoothillsCountyAB.ca>
Subject: Circulation for Development Permit 25D 200 - Please respond by August 28, 2025

Good afternoon,

Find attached our circulation for Development Permit 25D 200. Please review and respond **prior to August 28, 2025.**

Should you have any questions or comments, please direct them to **Brittany Smith** at Brittany.Smith@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



PLANNING & DEVELOPMENT CIRCULATION
PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE

| | |
|--|------------------------------------|
| FILE NUMBER: 25D 200 | LANDOWNER: Duane Aichele |
| FILE MANAGER: Brittany Smith | AGENT: N/A |
| CURRENT LAND USE: CR | PROPOSED LAND USE: Same |
| LEGAL DESCRIPTION: NW 34-19-1 W5M; Plan 0812913, Block 2, Lot 4 | |
| MUNICIPAL ADDRESS: 434062 43 St W | |
| ROLL NUMBER: 1901345110 | |
| DATE REFERRED: July 28, 2025 | |
| PROPOSAL: Relaxation of Setbacks Existing Structures | |

PROPOSAL INFORMATION:

Development Permit

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

Information pertaining to roads on side of the subject lands:

Servicing Comments or Review required:

- Other:
- Road Widening -

OTHER COMMENTS:

Any comments appreciated

PUBLIC WORKS RECOMMENDATIONS:

| | | |
|---|--|--|
| SUGGESTED CONDITIONS FOR CONSIDERATION: | <input type="checkbox"/> Proposed | <input type="checkbox"/> Balance |
| <ul style="list-style-type: none"> Geotechnical Report for Slope Stability High Water Table Testing for Foundation Design: Septic Disposal Evaluation (PSTS) Stormwater Management Plan Lot Grading/Overland Drainage Plan Flood Plain Report (1 in 100 years) Overland Drainage Easement Building Envelopes Traffic Impact Assessment (TIA) Environmental Site Assessment (Phase1 / Phase2) Other: <input type="text"/> | <ul style="list-style-type: none"> <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend <input type="checkbox"/> Redes/Amend | <ul style="list-style-type: none"> <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision <input type="checkbox"/> Subdivision |
| | | <ul style="list-style-type: none"> <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development <input type="checkbox"/> Development |

ADDITIONAL ROAD WIDENING REQUIRED:

☒ No ☐ Caveat ☐ Survey Out
 Amount m Location of Widening Required: ☐ N ☐ E ☐ S ☐ W
 Other:

☒ No ☐ Caveat ☐ Survey Out
 Amount m Location of Widening Required: ☐ N ☐ E ☐ S ☐ W
 Other:

See reverse side.....

RECOMMENDATIONS ON APPROACH REQUIREMENTS:

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

Recommendations: N/A

RECOMMENDATIONS REGARDING INFRASTRUCTURE:

As per Land Use Bylaw 5.6.2, a variance of up to 90% on yard setbacks is allowed.
In this case the setback can be reduced to 1.5m. While the site plan provided indicates
that Structure #1 is setback 1.6m, our records indicate the structure is closer to 0.7m.
Please provide proof the structure has been moved to 1.6 meters from the property line.

ROAD REQUIREMENTS / LIMITATIONS:

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

| | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Road comments and requirements: 90% ban on 43 Street W

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

☐ Yes* ☒ No

*If Yes – Number of Pages: _____

Date Reviewed: August 20, 2025

Reviewer: Kallum Umscheid

Signature: William Ait

Alison Schori

From: Logan Jamieson <Logan.Jamieson@fortisalberta.com> on behalf of Land Service <landserv@fortisalberta.com>
Sent: August 6, 2025 10:48 AM
To: FC_Planning
Subject: FW: [CAUTION] Circulation for Development Permit 25D 200 - Please respond by August 28, 2025
Attachments: 25D 200 Circulation Package.pdf

Good morning,

We have no issues with this development. Please contact 310-WIRE for electrical services.

Let me know if you have any questions.

Logan Jamieson | Land Coordinator Student, Land Department

FortisAlberta | 15 Kingsview Rd. SE Airdrie, AB T4A 0A8 | 403-514-4261

FORTIS
ALBERTA



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: Monday, July 28, 2025 3:39 PM
To: Kurtis Dyck <Kurtis.Dyck@FoothillsCountyAB.ca>; land.admin@atco.com; Land Service <landserv@fortisalberta.com>; circulations@telus.com
Cc: Brittany Smith <Brittany.Smith@FoothillsCountyAB.ca>
Subject: [CAUTION] Circulation for Development Permit 25D 200 - Please respond by August 28, 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,

Find attached our circulation for Development Permit 25D 200. Please review and respond **prior to August 28, 2025.**

Should you have any questions or comments, please direct them to **Brittany Smith** at Brittany.Smith@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

[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.

Michelle LeDuc

From: FC_Planning
Sent: September 10, 2025 8:25 AM
To: [REDACTED]
Cc: Brittany Smith
Subject: Development Officer's Decision for Development Permit 25D 200
Attachments: 25D 200 Notice of Decision Landowner.pdf; Appeal Form.pdf; 25D 200 Development Officers Decision.pdf

Good morning,

Please see attached a copy of the Development Officer's Decision for 25D 200, originals to follow in the mail. **Please reply stating you have received this email and attachment.**

If you have any questions, please contact **Brittany Smith** of our Planning Department at Brittany.Smith@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

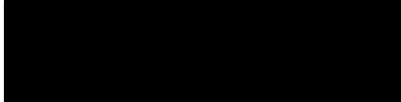
Fax: 403-652-7880

www.FoothillsCountyAB.ca

planning@foothillscountyab.ca

September 10, 2025

Duane Aichele



COPY

Dear Sir/Madam:

**Re: Notice of Decision Re: Development Permit 25D 200
Ptn: NW 34-19-01 W5M; Plan 0812913, Block 2, Lot 4
Relaxation of Setbacks to Existing Structures**

The above-noted development permit application has been approved subject to conditions (copy attached) and subject to a 21-day appeal period. The Development Permit may be signed and issued upon completion of the 21-day appeal period; should no appeals be received, and completion of all Pre-Release Conditions (if any).

The County will advertise the approval of this development permit application in two issues of the Western Wheel and circulate to area landowners (according to County records at this time) adjacent to the subject property. Notices for Development Permit Decisions are also posted on the County website, www.foothillscountyab.ca.

Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal. Notices of Appeal, including payment of the appeal fee are to be received **no later than October 2, 2025**. Notices of Appeal received after the 21-day notification period will be invalid. If you choose to submit an appeal, please use the enclosed 'Notice of Development Appeal' form. We will notify you if we receive appeals from other persons.

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

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

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

Yours truly,
FOOTHILLS COUNTY

Brittany Smith
Development Officer
brittany.smith@foothillscountyab.ca
(403) 603-6257

BS/as
Encl.

**FOOTHILLS COUNTY**

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

Fax: 403-652-7880

www.FoothillsCountyAB.caplanning@foothillscountyab.ca

September 10, 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 adjacent to your property. The details of the Development Permit application are as follows:

| | |
|--|---|
| Development Permit Application File#: | 25D 200 |
| Legal Description: | NW 34-19-01 W5M; Plan 0812913, Block 2, Lot 4 |
| Approval Description: | Relaxation of Setbacks to Existing Structures |
| Applicant/Owner | Duane Aichele(Owner) |
| Location: | Located on the east side of 43 St W, approximately 230 metres south of 434 Ave W at its closest point. |

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 October 2, 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

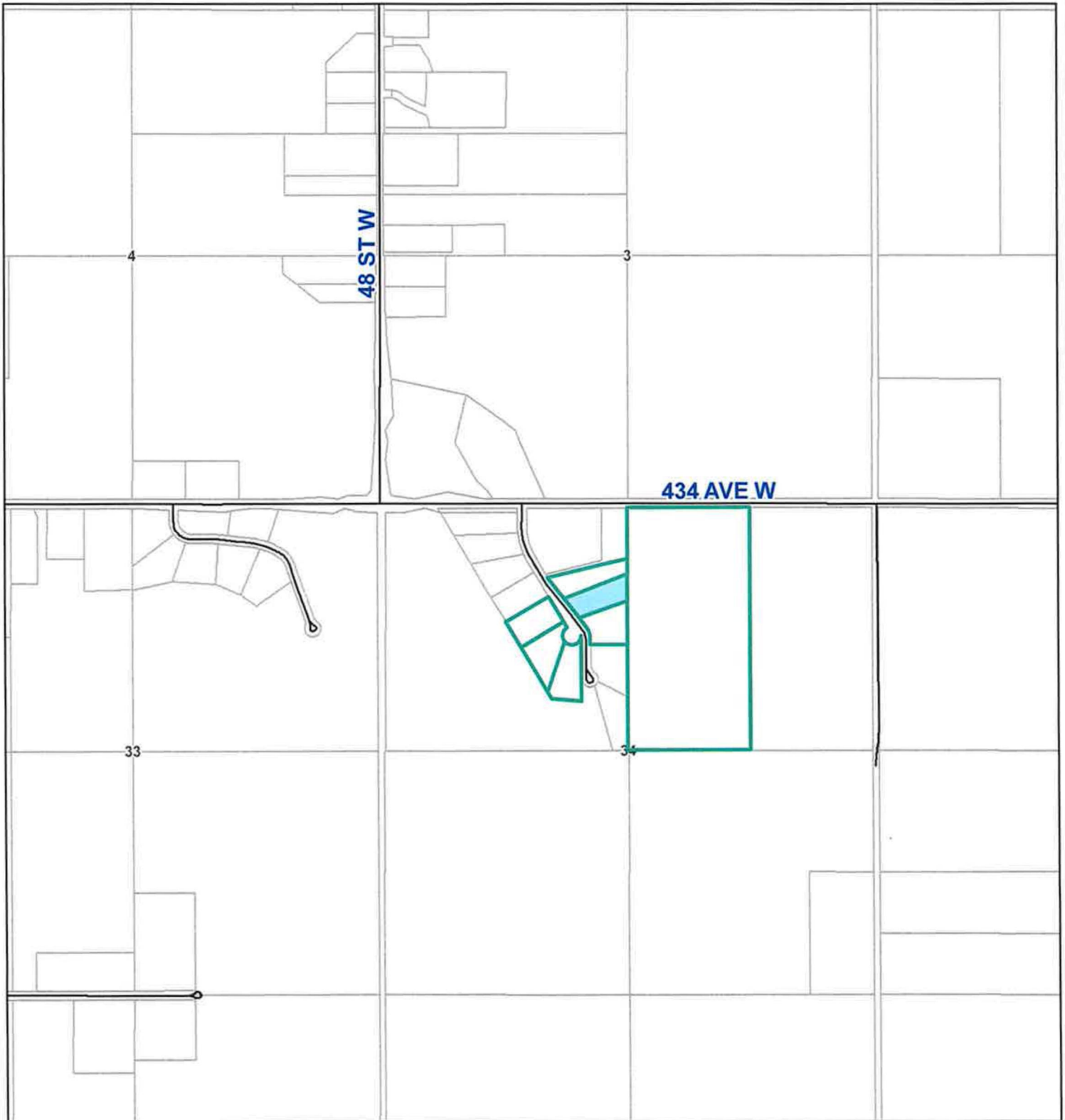
Original Signed By: 

Brittany Smith
Development Officer
Brittany.Smith@foothillscountyab.ca
(403) 603-6257

BS/as
Encl. – Development Authority Decision



Adjacent NW 34-19-01 W5M



Legend

- Roads
- ▭ Parcels
- Subject Parcel

Date: 2025-09-08

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Data Sources Include Municipal Records and AltaLIS. 1 Miles

NOTICE OF DEVELOPMENT

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

1. **Development Permit Application 25D 208**
Ptn. NW 01-22-01 W5M; Plan 2510570, Block 2, Lot 9
Dwelling, Semi-Detached and Relaxation of Setbacks
County Contact- Stacey Kotlar- Development Officer
2. **Development Permit Application 25D 209**
Ptn. NW 01-22-01 W5M; Plan 2510570, Block 2, Lot 10
Dwelling, Semi-Detached and Relaxation of Setbacks
County Contact- Stacey Kotlar- Development Officer
3. **Development Permit Application 25D 198**
Ptn. SE 15-21-29 W4M; Plan 9112581, Block 6, Lot 2
Oversized Attached Garage and Sea-cans
County Contact- Brenda Bartnik- Development Officer
4. **Development Permit Application 25D 218**
Ptn. NW 28-21-01 W5M; Plan 9511487, Block 1
Oversized Accessory Building and Secondary Suite, Detached
County Contact- Brenda Bartnik- Development Officer
5. **Development Permit Application 25D 204**
Ptn. NW 27-21-01 W5M; Plan 1911254, Block 4, Lot 6
Dwelling, Single Family with Attached Garage and Secondary Suite, Detached on a CRA Lot
County Contact- Brittany Smith- Development Officer
6. **Development Permit Application 25D 200**
Ptn. NW 34-19-01 W5M; Plan 0812913, Block 2, Lot 4
Relaxation of Setbacks to Existing Structures
County Contact- Brittany Smith- Development Officer

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

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

- a. the Development Permit File Number (i.e., 25D 000) that you are appealing.
- b. detailed reasons for appealing; and
- c. your full name (printed and signature), legal description, mailing address, and phone number.

Appeals must be received by the SDAB Clerk no later than 4:30 P.M. on October 2, 2025, and must be accompanied by a \$100.00 appeal fee. *The appeal fee will be refunded following the hearing if there is record that the appellant or someone authorized to act on behalf of the appellant attended the scheduled appeal hearing.*

SEND NOTICE OF DEVELOPMENT APPEAL FORM AND APPEAL FEE VIA:

Email (scanned pdf): appeals@foothillscountyab.ca or

Fax: 403-652-7880

- *For email submissions, if you do not receive a reply email from our office confirming receipt of your submission, please contact the SDAB Clerk immediately (403) 603-6227.*

Appeal Forms can be submitted in-person at our office located at Foothills County, 309 Macleod Trail S, Box 5605, High River, AB, T1V 1M7

Michelle LeDuc

Planning & Development Assistant

Original Dates of Publication **September 10 and September 17, 2025**

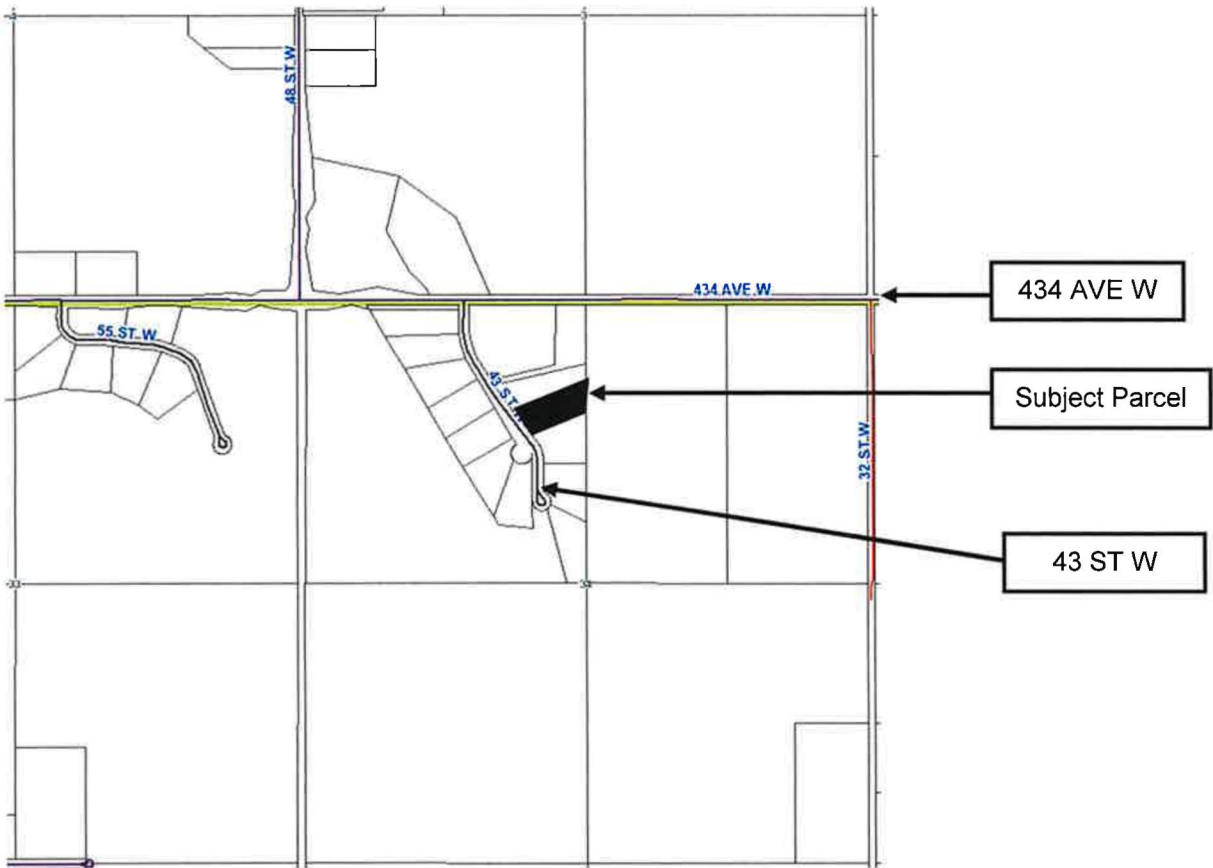


DEVELOPMENT AUTHORITY DECISION
DATE OF DECISION: September 10, 2025

**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 200
LANDOWNER(S): DUANE AICHELE
PROPOSAL DESCRIPTION: RELAXATION OF SETBACKS FOR EXISTING STRUCTURES
LEGAL DESCRIPTION: PTN: NW 34-19-01 W5M; PLAN 0812913, BLOCK 2, LOT 4

LOCATION: The subject property is a 4.01-acre Country Residential parcel located on the east side of 43 St W, approximately 230 metres south of 434 Ave W at its closest point.



INTENT OF APPLICATION:

The applicants have submitted a Development Permit application, requesting a relaxation of setbacks to three accessory buildings on the subject property. The locations of the accessory buildings do not meet Foothills County Setback requirements of 15 metres to the north property line. The applicants are requesting the following relaxations

- Structure #1 (10ft x 16ft) as labelled on the site plan is located 1.8 m (6.00 ft.) from the north property line, when it is required to be setback 15.0 m (49.21 ft.). Therefore, the applicant is seeking a 13.21 m or 88% relaxation.
- Structure #2 (10ft x 10ft) as labelled on the site plan is located 13.15 m (43.14 ft.) from the north property line, when it is required to be setback 15.0 m (49.21 ft.). Therefore, the applicant is seeking a 1.85 m or 12.3% relaxation.
- Structure #3 (20ft x 10 ft) as labelled on the site plan is located 11.1 m (36.42 ft.) from the north property line, when it is required to be setback 15.0 m (49.21 ft.). Therefore, the applicant is seeking a 3.9 m or 26% relaxation.

Section 5.6.2 of the Land Use Bylaw 60/2014 identifies that on Country Residential properties; it is within the discretion of the Development officer to allow for a maximum 90% variance for required setbacks with respect to existing development.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County with respect to the relaxation of setbacks for existing structures on Ptn. NW 34-19-01 W5M; Plan 0812913, Block 2, Lot 4 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. NW 34-19-01 W5M; Plan 0812913, Block 2, Lot 4 for a Relaxation of Setbacks for three accessory buildings located as per the submitted and accepted development application and site plan.

CONDITIONS OF APPROVAL:

Please note that the following requirements must be completed within the twenty-four (24) month completion period for this Development Permit unless a time extension is issued 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 maintain the development in accordance with all conditions of approval and the application for development permit that has been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to use of this land shall not proceed except under benefit of appropriate approvals and permits;**
2. As the number of accessory buildings exhausts the number allowed on a Country Residential Parcel of 4.01 acres, no further buildings are permitted to be placed on the parcel without applying for and obtaining the necessary approvals through the County, this includes any structure with three walls and a roof and those structures placed on temporary foundations.

ADVISORY REQUIREMENTS:

The following advisory requirements are provided by Foothills County as a courtesy to the applicant(s) and property owner(s). These comments will not form the basis of the decision to approve the development permit application. They are simply provided for information purposes.

1. The accessory buildings shall not exceed a maximum height, from grade to peak, of 10.67 meters (35 ft.) which is the maximum permitted within the Country Residential Land Use district;
2. All structures on this parcel are to be used for personal use only and shall not be used in association with any business, or for the purpose of storing business related materials, without first obtaining all necessary approvals from the Foothills County;
3. No portion of the accessory buildings shall be used as a secondary dwelling unit without first obtaining all necessary approvals from the Foothills County;
4. Future development must meet the County's Minimum Setback Requirements or apply for and be granted a relaxation of setbacks.
5. Development on the property shall at all times comply with the requirements of the Building, Plumbing, Electrical, Safety, and Fire Codes;
6. Natural drainage of the property must be maintained. Alteration to natural drainage may only proceed only under the authorization of an approved Development Permit for Lot Grading permit, or as acknowledged within the required Site Drainage and/or Lot Grading Plan;
7. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
8. 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;
9. 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;

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 cannot 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 landowners (according to County Records at this time) adjacent to the subject parcel. Development Permit Notices can also be viewed on our website, www.foothillscountyab.ca.
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.

SECTION 13 RESIDENTIAL DISTRICTS

13.1 COUNTRY RESIDENTIAL DISTRICT

CR

13.1.1 PURPOSE AND INTENT

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

13.1.2 SUB-DISTRICT

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

13.1.3 GENERAL REQUIREMENTS:

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

| 13.1.4 PERMITTED USES | 13.1.5 DISCRETIONARY USES |
|---|--|
| Accessory buildings not requiring a development permit Accessory uses Agricultural (general) Dwelling, single family Home Based Business Type I Home office Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of no more than 1 unoccupied recreation vehicles (within Hamlet boundary) Temporary storage of up to 5 unoccupied recreation vehicles (outside a Hamlet boundary) Public works Secondary Suite, Principal Utility services, minor | Accessory buildings requiring a development permit Agricultural intensive – on lots 3 acres or more in size Agricultural specialty Antenna structures, private Arenas, private Bed and Breakfast Day home services Dwelling, moved on Dwelling, temporary Home based business Type II Home based business Type III Intensive vegetation operation Kennels, private Lot grading Manmade water bodies, private Secondary Suites, Detached Signs requiring a Development Permit Solar Power System, Private (Requiring a Development Permit) |

| 13.1.4 PERMITTED USES | 13.1.5 DISCRETIONARY USES |
|-----------------------|---|
| | Temporary storage of no more than 2 unoccupied recreation vehicles (within Hamlet boundary) |

13.1.6 LAND USE REQUIREMENTS

- 13.1.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 13.1.6.2 In order to facilitate the purpose and intent of this district and ensure the comprehensive development of country residential uses within the District, the following applies to applications for subdivision:
- a. Parcel Density:
 - i. Maximum one lot per 2.02 ha (5 acres) of existing land contained under the same title to a maximum of 32 lots per quarter section.
 - b. Minimum Parcel Size:
 - i. The area in title at the time of passage of this Bylaw; or
 - ii. A parcel of land no less than 0.81 ha (2.0 acres).
 - c. Maximum Parcel size:
 - i. 8.49 ha (20.99 ac); or
 - ii. The area in title at the time of passage of this Bylaw.
- 13.1.6.3 Required Developable Area:
- a. In accordance with Section 9.8 of this Bylaw.
- 13.1.6.4 Utility Servicing Criteria
- a. Individual wells and individual wastewater disposal systems;
 - b. Communal water and communal wastewater disposal systems; or
 - c. A combination of a. and b. as determined by Bylaw amending this section.

13.1.7 DEVELOPMENT REQUIREMENTS

- 13.1.7.1 Maximum Lot Coverage
- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than forty (40) percent of the lot area.
- 13.1.7.2 Maximum Dwelling Unit Density
- a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite in accordance with Section 10.25, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10.
 - b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.

13.1.7.3 Minimum Yard Setbacks Requirements

- a. Front Yard Setbacks:
 - i. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
 - ii. 48m (157.48 ft) from the centreline of a Municipal road;
 - iii. 15m (49.21 ft.) from the right of way of an internal subdivision road.
- b. Side Yard Setbacks:
 - i. 15m (49.21 ft.) from the property line.
- c. Rear Yard Setbacks:
 - i. 15m (49.21 ft.) from the property line.
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.
- e. See Section 13.1.8 “Exceptions” for any setbacks exemptions that have been approved by Bylaw.

13.1.7.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

13.1.7.5 Other Minimum Setback Requirements:

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

13.1.7.6 Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.)
- b. Accessory buildings and arenas:
 - i. 10.67m (35 ft)
- c. Radio antennas, internet towers and wind turbines:
 - i. 16m (52.49 ft.);

13.1.7.7 Minimum habitable area per dwelling

- a. 100 m² (1,077 sq. ft.)

13.1.8 EXCEPTIONS:

Silvertip:

- 13.1.8.1 Front yard setback: 5m (16.4 ft) from Internal Subdivision Road – Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;
- 13.1.8.2 Front yard setback: 15m (49.21 ft) from property line adjacent to any Municipal Road; for those properties registered under Condominium Plan 0010395 (Silvertip);

- 13.1.8.3 Side yard setback: 1.5m (4.92 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;
- 13.1.8.4 Rear yard setback: Principal Building - 8m (26.25 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres;
- 13.1.8.5 Rear yard setback: Accessory Building - 1m (3.28 ft) from Property Line; for those properties registered under Condominium Plan 0010395 (Silvertip) and having an area of less than 1.99 acres.

Sirroco:

- 13.1.8.6 For the following properties within the Sirroco Area Structure Plan: Plan 1311328, Block 1, Lot 6-9, Plan 1311328, Block 2, Lot 1, and Plan 1311328, Block 3, Lot 1:
- Front yard setback: 5m (16.4 ft.) from the property line;
 - Side yard setback: 1.5m (4.92 ft.) from the property line;
 - Rear yard setback: 8m (26.25 ft.) from the property line for the principle building and 1m (3.28 ft.) from the property line for any accessory building;

Mazzepa:

- 13.1.8.7 For the following properties in Mazeppa:

Plan 7893FT, Block A, S $\frac{1}{2}$ and N $\frac{1}{2}$ (1.38 acres)

Front yard setback:

- 4m (13.12 ft) from the right of way of the municipal road on the west side;
- 15m to the right of way of a municipal road on south side;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback:

- 8m (26.25ft.) from the property line for the principal building;
- 1m (3.28 ft.) from the property line for any accessory building.

Plan 4098EL, Block 1, Lot 2 and Lot 3 & Plan 4098EL Lot 1, (0.35 acres)

Front yard setback: 4m (13.12 ft) from the property line;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback:

- 8m (26.25ft.) from the property line for the principal building;
- 1m (3.28 ft.) from the property line for any accessory building.

Plan 9610255, Lot 4 all within NW 30-19-27-W4 (2.57 acres – 34m strip):

Front yard setback: 15m (49.21 ft) from the property line;

Side yard setback: 1.5m (4.92 ft.) from the property line;

Rear yard setback: 15m (49.21 ft.) from the property line.

NW 30-19-27-W4 (14.06 acres)

Front yard setback: 15m (49.21 ft) from the property line;

- e. Is compatible with surrounding areas in terms of land use (including the use, function, enjoyment, and value of adjacent lots), scale of development, and potential effects on the stability or rehabilitation of the area.
 - f. Is appropriate having regard for geotechnical considerations such as flooding and slope stability.
 - g. Will not cause a negative effect on community services and facilities such as schools, parks, fire protection, and health.
 - h. Any potential adverse effect can be adequately mitigated by conditions; and
 - i. Is consistent with municipal land, right of way or easement requirements.
- 5.5.2 In determining the significance of an adverse effect or nuisance factor, a Development Authority may consider:
- a. The expected magnitude and consequence of the effect or nuisance.
 - b. The expected extent, frequency, and duration of exposure to the effect or nuisance.
 - c. The use and sensitivity of adjacent or nearby sites relative to the effect or nuisance.
 - d. Adherence to relevant environmental legislation or widely recognized performance standards; and
 - e. The reliability and record of the proposed methods, equipment, and techniques in controlling or mitigating detrimental effects or nuisances.
- 5.5.3 A Development Authority may be guided in the exercise of discretion through reference to reports prepared by an accredited professional that justify alternatives to Bylaw requirements.

5.6 VARIANCES

- 5.6.1 The Development Authority may exercise its variance powers, prescribed in Sections 5.6.2 to Section 5.6.13, and approve a development permit for a permitted or discretionary use, with or without conditions, which does not comply with the regulations of this Bylaw, if the Development Authority determines that:
- a. The proposed development would not unduly interfere with the amenities, use, enjoyment, or value of adjacent lots.
 - b. The proposed development would be consistent with the general purpose or character (urban or rural) of the district.
 - c. There are factors unique to the development, use and site (such as the location of existing buildings) which are not generally common to other development and land in the same district, and which would result in unnecessary hardship or practical difficulties for the proposed development to comply with the provisions of this Bylaw; and
 - d. There are mechanisms to mitigate the effect on adjacent lots.
- 5.6.2 The Development Authority may allow a variance on existing development, on any yard setback to a maximum of 90% of the setback required by this Bylaw, with the exception of:
- a. a side yard setback on lands zoned Residential Community District.
 - b. a setback to a Municipal road that would result in development being less than 5m from the ultimate right of way of the Municipal road, Municipal Road, Major, or Internal Subdivision road.