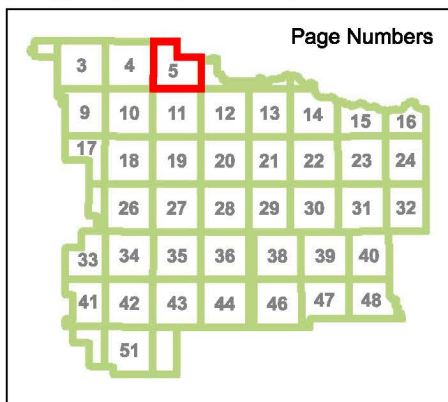
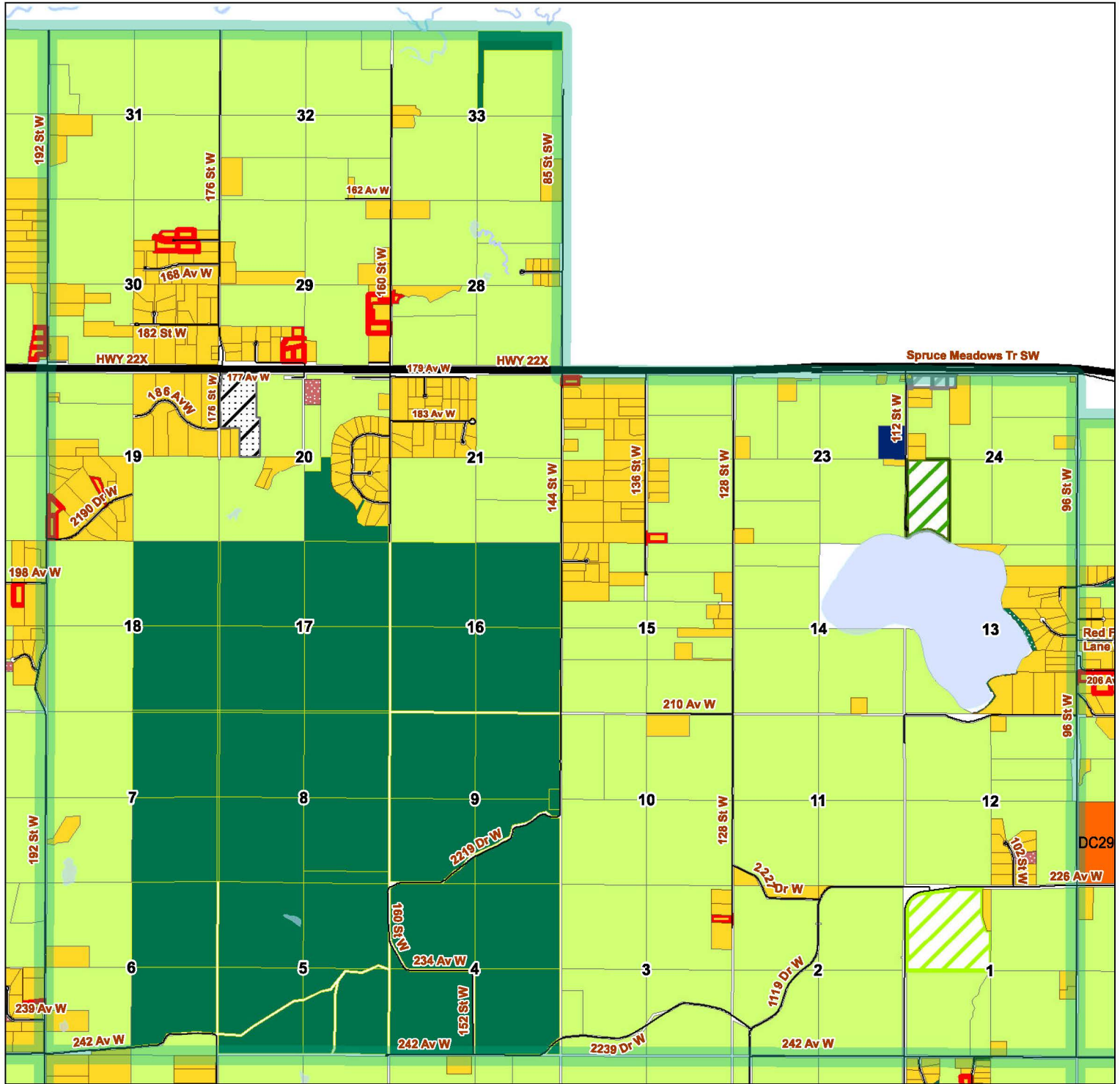




Legend

- County Roads
- Highways
- In Transition
- A- Agricultural
- AB- Agriculture Business
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- ER- Environmental Reserve
- EP- Environmental Protection
- OS- Open Space
- MR- Municipal Reserve
- SD- Service District
- SR- School 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 228
 Receipt No.: 441166 Tax Roll No: 2202297560
 Date Received: July 11 2025 Date Deemed Complete: Aug 19 2025

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Jason Taylor
 Email: [REDACTED]
 Applicant's Mailing Address: [REDACTED]
 Telephone: [REDACTED]
 Legal Land Description: Plan 99/2484, Block 2, Lot _____, LSD _____,
 Quarter NE, Section 29, Township 22, Range 2, West of the 5 Meridian.
 Registered Owner of Land: Jason Taylor
 Registered Owner Mailing Address: _____
 Email: _____ 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.

I am applying for this permit to retain
up to maximum of 10 horses.

Please see attached reasons for why.

THANKS.
Relaxation of setbacks 3 horse shelters north property line.

PART 3 SITE INFORMATIONArea Of Lot: (In Acres Or Hectares) 10.01

Size Of Proposed Building: _____ Height: _____

Is There A Dwelling (Residence) On The Site: Yes X No _____ If Yes, How Many? 1 House + 1 BarnUtilities Presently On Site: YesAre There Sour Gas Or High Pressure Facilities On Site? No

Utilities Proposed: _____

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.):

Estimated Date of Commencement: _____ Estimated Date of Completion: _____

I, Tyson Taylor

hereby certify that I am:

☒ The Registered Owner; or☐ Authorized to act on behalf of the Registered OwnerDate: July 11, 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 to enter upon the land for the purpose of inspection during the processing of this application.

July 11, 2025 _____
 Date Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

1. Land use district: CR
2. Listed as a permitted/discretionary use: discretionary
3. Meets setbacks: Yes ☒ No If "NO", deficient in Horse shelters to North of property.
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: October 8, 2025

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.

To whom it may concern,

I am making this development permit application in lieu of, the warning letter I received. I hope I've compiled this letter/application appropriately.

My understanding is that I was to attach a separate letter, stating why I feel I should be allowed to have 10 horses.

Here are the reasons as follows.

I have also attached pictures for your viewing of the property and the Horses.

- I have been a horse owner for the last 25 years. Since I bought the property 1999 With this number of horses and never had any complaints before.

-The property has numerous large paddocks. And four shelters. With water that service to all the paddocks.

There is also a barn with four stalls and round pen.

As you can see in the photos. Taken this week, there is ample grass as I rotate the paddocks accordingly.

If at anytime I feel that they need supplementary feed , I provide premium quality hay.

The horses as you see in the pictures are very healthy.

Manure has never been an issue as we Harrow weekly.

All of the horses are vet checked. Vaccinated and well looked after.

- majority of the horses have been at my home for many years, and are ultimately retired. They were my kids horses growing up.

To remove them from the property....They maintain no value to a new owner because they are retired.

The only option would only be to sell them to a slaughter house . Which is certainly not what I want to do!

Lastly, I do have a lady who was in an emergency situation back end of June where she had to have her horses brought to my home. On a temporary basis. Her previous place of boarding. She was evicted due to the developer knocking down buildings. She has a mare and a one-year-old two year-old and three-year-old, all of which are for sale.

Our agreement for her stay at my place is a short term home for her horses as I was trying to help her out. Hopefully they sell soon.

She's prepared to sign an affidavit stating such. If required

Thanks for your consideration

Jason

Brittany Smith

From: Brittany Smith
Sent: July 24, 2025 11:55 AM
To: [REDACTED]
Subject: Development Application - Notice of Incomplete
Attachments: ManureManagementRegulations_HorseOwners.pdf; ManureSpreadingRegulations.pdf; Keeping of Livestock & Intensive Livestock.pdf

Hello Jason,

I have been assigned as file manager for your development application for an Intensive Livestock Operation. There are a few items that are required to be submitted prior to deeming your application complete.

As such, Section 683.1 of the Municipal Government Act requires the Development Authority, within 20 days after the receipt of an application for a development permit, to determine whether the application is complete. This letter is being sent to serve as notice of acknowledgement that the application as noted above is considered **incomplete** as of **July 24, 2025**.

The outstanding information required to complete the application includes:

1. The application fee is \$500 not \$100 as was submitted. Please confirm I can proceed with processing payment for the correct fee.
2. A manure management plan and pasture management plan needs to be provided as per the outlined information attached.
3. Site plan to be provided illustrating all standard requirements below:
 - 4.3.2 Applications for Development Permits shall be accompanied by the following information:
 - a. A site plan with North at the top of the page showing:
 - i. The entire parcel and any other land that may be used in conjunction with the parcel for the proposed use. If additional lands are owned by others, must include names and signed consent for proposed development.
 - ii. The legal land description.
 - iii. Dimensions of the parcel.
 - iv. Existing or proposed setbacks, easements or right of ways.
 - v. The location of all existing and proposed buildings, wells, septic tanks, disposal fields, dugouts/private dams, lagoons, culverts, and crossings that may be used in conjunction with proposed development.
 - vi. The height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, corrals, trees, landscaping, curbs, gutters, sidewalks, and other built physical features.
 - vii. Any significant natural features on or adjacent to the parcel.
4. Site plan to also show details specific to intensive livestock operation proposal:
 - a. Manure storage areas
 - b. Paddocks
 - c. Setbacks as per Land Use Bylaw Sections 10.1.9, 10.1.10 and 10.1.4 need to be provided - [Land Use Bylaw | Foothills County](#)
5. How many horses are currently on the property?
6. Please provide a date in which the 4 horses that are temporarily being boarded will be removed from the property by.

The above listed information must be submitted to the undersigned by end of day on **August 15, 2025**. Failure to submit the information listed above will result in the application as noted above being deemed refused as incomplete and will lead to further enforcement pursuant to the Warning Letter issued to the property on June 11, 2025. Further enforcement action will be taken as required including but not limited to issuance of a stop order, fines, and seeking a court injunction.

If you require more time to gather the above listed information, please contact me.
You are encouraged to contact me with any questions that you may have.

Kind regards,

Brittany Smith
Foothills County
Planning & Development Officer

brittany.smith@foothillscountyab.ca

Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7

P. (403) 603-6257 | F. (403) 652-7880



W. www.foothillscountyab.ca

Rec'd Aug 13

Brittany,

There is no manure management,

There is no manipulation of manure whatsoever.

Here is the harrowing schedule as you requested, it's pretty simple.

-once a week, we attach the harrows to the quad and spread the manure into/over the field if there is any speak of.

Typically there is minimal manure especially after a rain, snow and thaw.

If we see it accumulating, which is not the proper term because it's never accumulating, they're just piles(horse poop) , we spread it with the Harrows.

It then decomposes/ integrates into the ground.

-

The barn and the stalls do not get used unless there's an emergency once in 10 years.

2 of the 3 stalls are used for storage

3rd is only use for emergency.

I do not have horses inside the barn.

Please refer to the attached sketch to further understand the paddock rotationThis would be a typical spring to fall schedule when rotating paddocks

Supplemental feed as in hay is feed on average mid sept early october until spring April when we start them on the new grass.

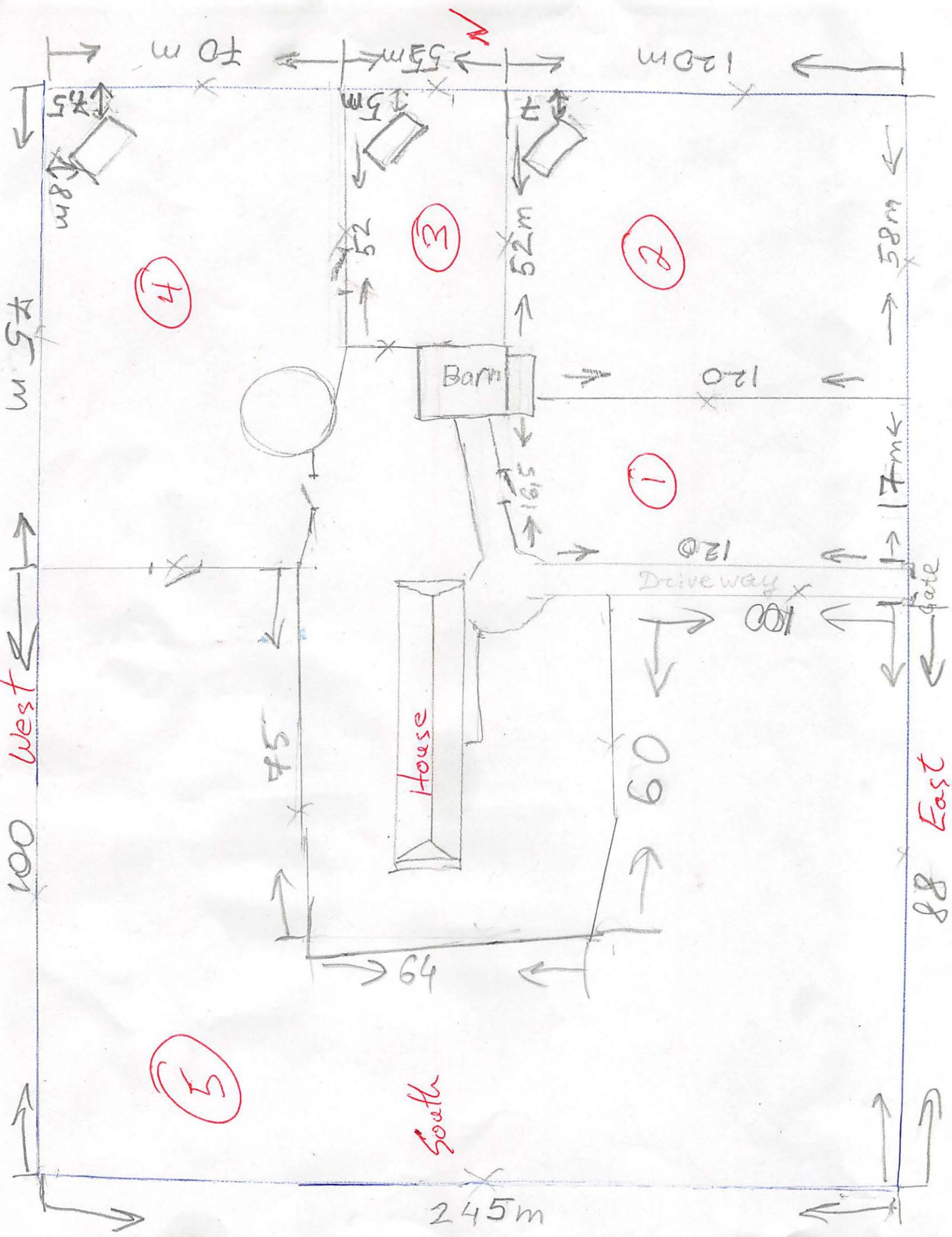
- April or may Horses are split between paddocks 1 and 2.....once the grass is grazed down they will be moved over to paddocks 3 and 4 Typically end of June. Once 3 and 4 are grazed down they will go back to 1 and 2.Back and for as required. Come August they are all together in Paddock 5 until first freeze or hay is required.

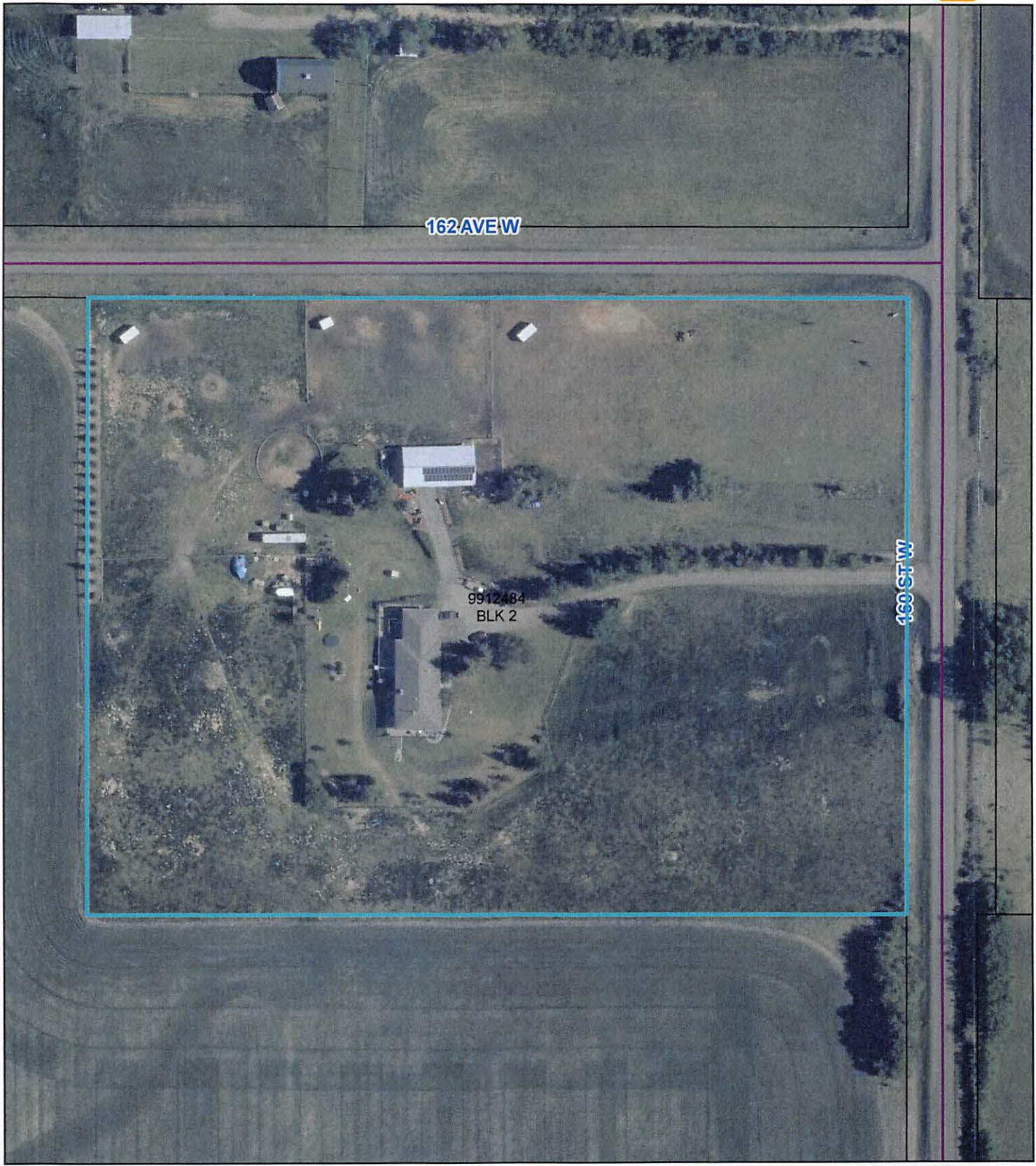
The sketch is a rough dimensions of the property and setbacks.
Everything is as accurate as I can make it. It is not to scale.

Also I have removed 4 horses as of our last discussion.

I have also attached photos of current status of paddock 1 and 2. To show you that rotation of the paddocks works with ample grass for the horses

Thanks
Jason





- Legend
- Townships
 - Parcels

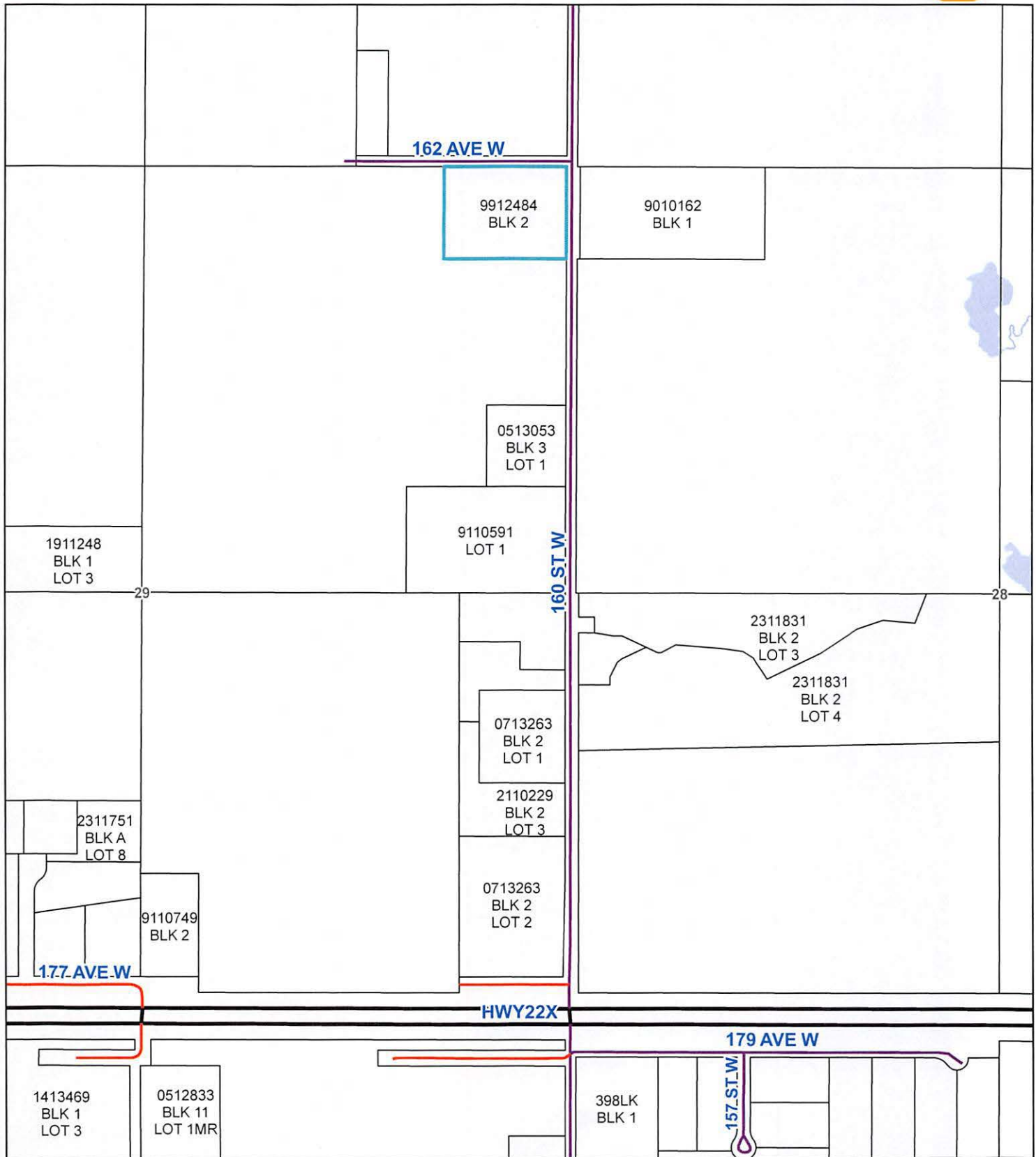
Date Printed: 2025-08-20
1:1,500

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Data Sources Include Municipal Records and AltaLIS.
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NE 29-22-02 W5M; Plan 9912484, Block 2



Legend
Townships
Parcels

Date Printed: 2025-08-20

1:10,000

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Paddock

#1

*Note
Ample
Grass



Aug 12/25

Paddock #2

* Note

Gross

Aug 17/25



4 Shelters



4 Sals/ters





4 Sals/Kers

Round Pen



Barn 30x60
with Corral
+ Overhang
Shelter

Stock H₂O.
Access To
All Areas.



Multiple Paddocks
Cross fenced
with wood rails
+ 2x6 Boards







Alberta Water Well Information Database Map NE 29-22-2 W5

Projection

Web Mercator (Auxillary Sphere)

Datum

WGS 84

Date

2025-08-19, 9:23:26 a.m.

Legend

- Groundwater Drilling Report
- ◆ Baseline Water Well Report

<https://groundwater.alberta.ca/WaterWells/d/>

Information as depicted is subject to change, therefore the Government of Alberta assumes no responsibility for discrepancies at time of use.

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LAND TITLE CERTIFICATE

S

LINC SHORT LEGAL
0028 070 118 9912484;2

TITLE NUMBER
041 220 318

LEGAL DESCRIPTION
PLAN 9912484
BLOCK 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 4.05 HECTARES (10.01 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;22;29;NE

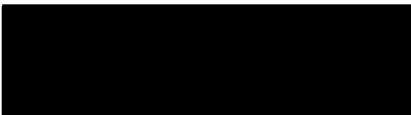
MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 991 352 075

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
041 220 318	14/06/2004	TRANSFER OF LAND	\$390,000	SETTLEMENT

OWNERS

JASON LYNN TAYLOR



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
961 229 451	02/10/1996	CAVEAT RE : EASEMENT
991 246 166	26/08/1999	CAVEAT RE : ACQUISITION OF LAND CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 5605 HIGH RIVER

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
041 220 318

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

ALBERTA T1V1M7

041 220 319 14/06/2004 RELEASE OF DOWER RIGHTS
BY - SUSAN KATHLEEN TAYLOR

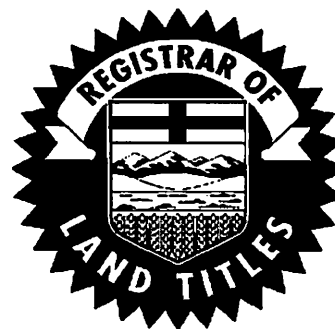
061 238 177 15/06/2006 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
11480 BRAESIDE DR. N.W.
CALGARY
ALBERTA T2W4X8
ORIGINAL PRINCIPAL AMOUNT: \$725,000

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 20 DAY OF AUGUST,
2025 AT 08:50 A.M.

ORDER NUMBER: 54620411

CUSTOMER FILE NUMBER: Planning -ML



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

991246166

ORDER NUMBER: 55070942

ADVISORY

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

CAVEAT

TO THE REGISTRAR OF SOUTH ALBERTA LAND REGISTRATION DISTRICT

TAKE NOTICE THAT the Municipal District of Foothills No. 31, of Box 5605, of the Town of High River in the Province of Alberta, claim an interest by virtue of an Agreement for Acquisition of Land signed by the registered landowner(s) wherein they have agreed to sell to the Municipal District of Foothills No. 31, 17 feet of land along the East boundary of

MERIDIAN 5 RANGE 2 TOWNSHIP 22

SECTION 29

QUARTER NORTH EAST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

	HECTARES	(ACRES) MORE OR LESS
A) PLAN 9110591 DESCRIPTIVE	6.07	15.0

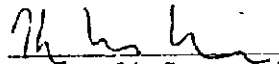
EXCEPTING THEREOUT ALL MINES AND MINERALS

being lands described in Certificate of Title, 981 364 487 standing in the register in the name of Pine Creek Properties Inc., I forbid the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument or certificate of title, as the case may be, is expressed to be subject to my claim.

I APPOINT the Municipal District of Foothills No. 31 at Box 5605, High River, Alberta, T1V 1M7 as the place at which notices and proceedings related hereto may be served.

DATED this 16th day of August, A.D. 1999.

MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

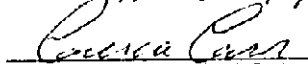

Signature of the Caveator or his Agent

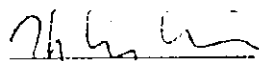
CANADA
PROVINCE OF ALBERTA
TO WIT:

I, Harry Riva Cambrin, Municipal Manager,
of the Municipal District of Foothills No. 31, High River,
in the Province of Alberta, make oath and say:

1. THAT I am the agent for the above-named Caveator.
2. THAT I believe that the said Caveator has a good and valid claim upon the said lands and I say this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN before me at the Town
of High River in the Province of
Alberta this 16th day of August, 1999.


A Commissioner for Oaths in and for the Province of Alberta


Harry Riva Cambrin

COREENA LYNNE CARR
A Commissioner for Oaths
in and for the Province of Alberta
Expiry Date November 14, 2002

wells are listed on-site:

I, Jason Taylor being the registered
Owner(s) or agent acting on behalf of the registered owner(s)
of NE 29-22-2 W5
(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.

Jason Taylor Owner/Agent
DATED: this 11th day of July, 20 25.

OR

If wells are listed on-site:

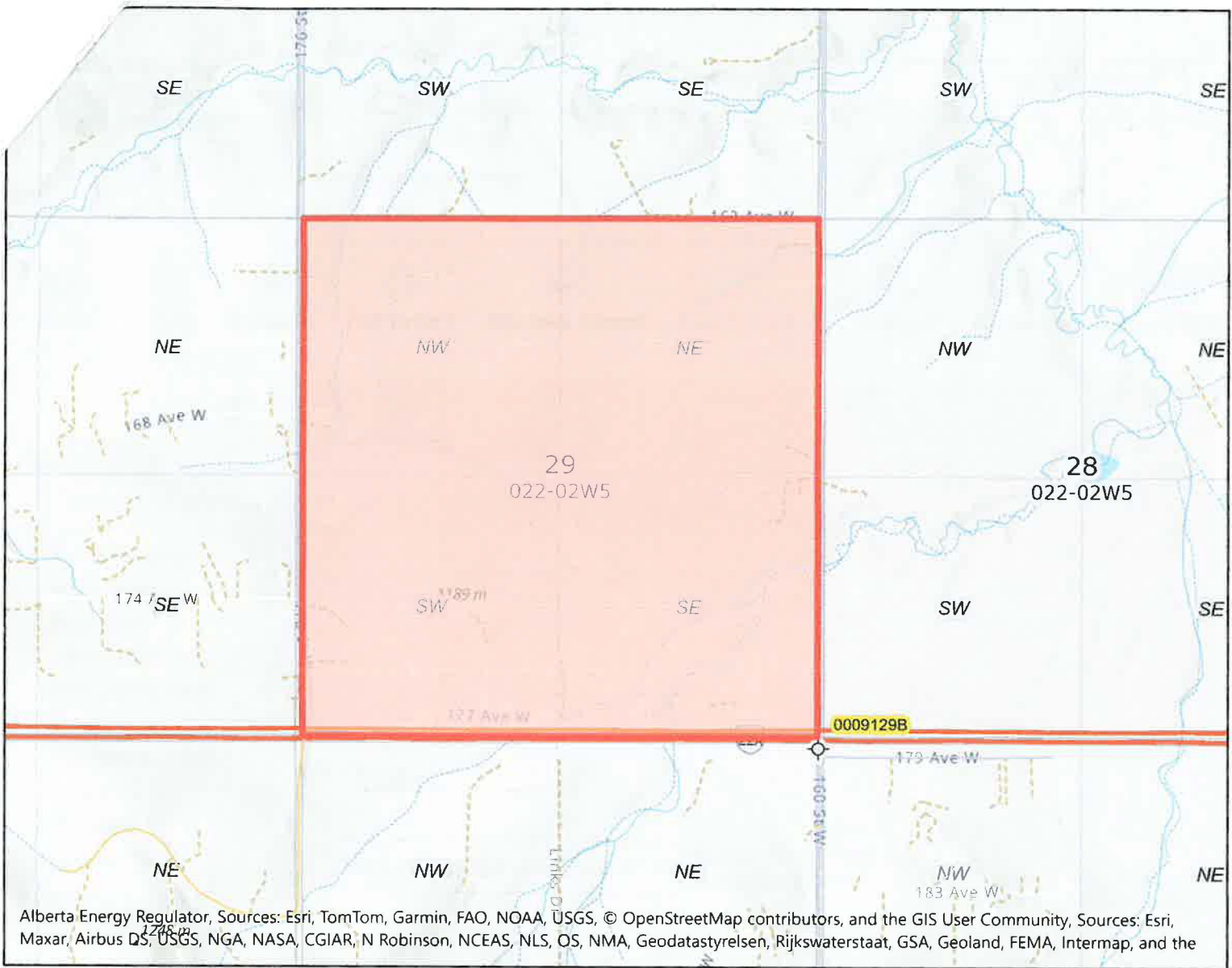
I, Jason Taylor being the registered
Owner(s) or agents acting on behalf of the registered owner(s)
of NE 29-22-2-W5
(Legal Description)

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.



Jason Taylor Owner/Agent
DATED: this 11th day of July, 20 25.

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



Alberta Energy Regulator, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the

<Layout_Title>

Base Data provided by: Government of Alberta

Author:

YYY

Print Date:

7/2/2025

Legend

- | | | |
|--|--|--|
| <ul style="list-style-type: none">Abandoned WellsRevised LocationRevised Location Pointer | Roads - Other <ul style="list-style-type: none">UnimprovedUnclassifiedTruck TrailWinterFord Winter CrossingFerry Route | ATS Quarter Section with: <ul style="list-style-type: none">ATS Section label (medium)ATS Section with RoadUnclassifiedATS Township (large scale)Provincial BoundaryLake Label (20K)River Label (20K) |
| Paved Road (20K) <ul style="list-style-type: none">Primary DividedPrimary DividedPrimary Undivided 4LPrimary Undivided 4LPrimary Undivided 2LPrimary Undivided 2LPrimary Undivided 1LPrimary Undivided 1LInterchange RampInterchange RampInterchange RampSecondary DividedSecondary DividedSecondary Undivided 4LSecondary Undivided 4LSecondary Undivided 2LSecondary Undivided 2LSecondary Undivided 1LSecondary Undivided 1L | Gravel Road (20K) <ul style="list-style-type: none">Primary Undivided 2LPrimary Undivided 2LPrimary Undivided 1LPrimary Undivided 1LSecondary Undivided 2LSecondary Undivided 2LSecondary Undivided 1LSecondary Undivided 1L | Lake/River (20K) <ul style="list-style-type: none">Lake or RiverLake or RiverReservoirIcefieldMajor CanalOxbowQuarryDugout |
| Railway (20K Large Scale) <ul style="list-style-type: none">Single LineDouble LineMultiple LineSpur LineAbandonedATS Quarter Section label | Intermittent Lake <ul style="list-style-type: none">Intermittent LakeIntermittent Oxbow | Sandbar / Wetland / <ul style="list-style-type: none">SandbarSandbarSandbar |

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Projection and Datum
WGS 1984 Web Mercator Auxiliary Sphere

Scale 1:30,033



**Alberta
Energy
Regulator**

DEVELOPMENT PERMIT CIRCULATION MEMORANDUM

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

File Number: 25D 228

Date: August 25, 2025

Landowner: Jason Taylor **Agent:** _____

Legal: Plan 9912484, Block 2

Description: Ptn: NE 29-22-02 W5M

Parcel Size: 10.01 Acres

Proposal: Agricultural Intensive Use, being an Intensive Livestock Operation

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

Notes: _____



PLANNING & DEVELOPMENT CIRCULATION
PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE

FILE NUMBER: 25D 228	LANDOWNER: Jason Taylor
FILE MANAGER: Brittany Smith	AGENT: N/A
CURRENT LAND USE: CR	PROPOSED LAND USE: Same
LEGAL DESCRIPTION: NE 29-22-2 W5M; Plan 9912484, Block 2	
MUNICIPAL ADDRESS: 162013 1160 St W	
ROLL NUMBER: 2202297500	
DATE REFERRED: August 25, 2025	
PROPOSAL: Intensive Livestock Operation allowing for maximum 10 horses to remain on property request for relaxation of setbacks for existing horse shelters along north property line.	

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:

Appears there is a drainage course running through southeast portion of property -

Any comments appreciated

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 (Phase1 / Phase2)	☐ Redes/Amend	☐ Subdivision	☐ Development
☐ Other:	☐ 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.....

RECOMMENDATIONS ON APPROACH REQUIREMENTS:

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

Recommendations: None proposed or required for this application

RECOMMENDATIONS REGARDING INFRASTRUCTURE:

Regarding the proposed relaxation of setbacks, the applicant will need to ensure a minimum of 5 metres from the shelters to north property line. This is to accommodate road widening if needed in the future.

No comments or concerns in terms of the intensive livestock operation

ROAD REQUIREMENTS / LIMITATIONS:

- o Road Ban on road
- o Load Restricted Bridge
- o Road Use Agreement Required

☐ Yes	☒ No
☐ Yes	☒ No
☐ Yes	☒ No

Road comments and requirements: _____

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

☐ Yes* ☒ No

*# Yes – Number of Pages: _____

Date Reviewed: Sept 24 2025

Reviewer: Patrick Antle

Signature: 

Brittany Smith

From: Jeff Porter
Sent: October 6, 2025 9:47 AM
To: Brittany Smith
Subject: RE: Circulation for Development Permit 25D 228 - Please respond by September 25, 2025

Hello Brittany,

From an environmental and agricultural perspective the following are potential issues associated with this application:

- There is no precedence of this density of livestock being allowed on this small of a parcel.
- There is an ephemeral drainage that runs through the south portion of the property and in a high precipitation event and during the spring melt there is a high probability of nutrient and contaminant runoff from the property that has the potential to contaminate the wetlands and a well downstream from the property.
- The pictures show good grass growth, but this year has been an abnormally high precipitation and vegetation growth year compared to a normal year in Foothills County. Supplemental feeding for the majority of the year in a normal precipitation and growth year would be required for the number of animals being requested.
- It would be helpful if the applicant could explain how they harrow the manure in tall grass (1 to 2 ft tall) especially paddock 5 which is used later in the season.
- There is no manure removal discussed or detailed in the application from the applicant which would trend towards there being nutrient loading of the soil over time.
- Seeing no water well on the property how is water provided for the household and livestock? If there is a well where is its location on the property and how is it protected from overland flow? There should be a reliable source of water provided for the livestock.

Kind regards,

Jeff

Jeff Porter

Manager of Parks and Recreation
Deputy Director of Emergency Management
Foothills County
Office: 403-603-5410
Cell: 403-333-8126
Fax: 403-603-5415
E-Mail: jeff.porter@foothillscountyab.ca



Brittany Smith

From: Keith Kornelsen
Sent: October 2, 2025 4:10 PM
To: Brittany Smith
Subject: RE: Circulation for Development Permit 25D 228 - Please respond by September 25, 2025

Brittany

I would recommend adhering to the Land Use Bylaw on these issues. They have 10 animal units on a parcel that according to our bylaw can only have 3. Part of the reason that most Counties keep it to one horse for every 3 acres is to avoid ground contamination.

I would have to look at the operation to see if the harrowing is working although if people are complaining about the smell it probably is not working?? I think harrowing would just break the manure up and spread it around which would not solve the smell or ground contamination issues.

Keith

From: Brittany Smith <Brittany.Smith@FoothillsCountyAB.ca>
Sent: October 2, 2025 2:56 PM
To: Keith Kornelsen <Keith.Kornelsen@FoothillsCountyAB.ca>
Subject: Re: Circulation for Development Permit 25D 228 - Please respond by September 25, 2025

Hello Keith,

My knowledge on horses and their excrement production is fairly slim. I am hoping that you may be able to provide a couple reasons from an ASB perspective that may either support a refusal or an approval of this application. In your opinion, does harrowing manure produced by 10 horses on a 10 acre parcel every 2 weeks seem reasonable to avoid smells and leeching into adjacent parcels and drainage courses? Or would there be alternative methods that should be utilized in these circumstances (i.e. short term storage bins for excess manure)?

Thank you for your help in providing a more detailed response.

Kind regards,

Brittany Smith

**Foothills County
Planning & Development Officer**

brittany.smith@foothillscountyab.ca

Foothills County, 309 Macleod Trail S. /Box 5605, High River, AB T1V 1M7

P. (403) 603-6257 | F. (403) 652-7880



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: October 8, 2025

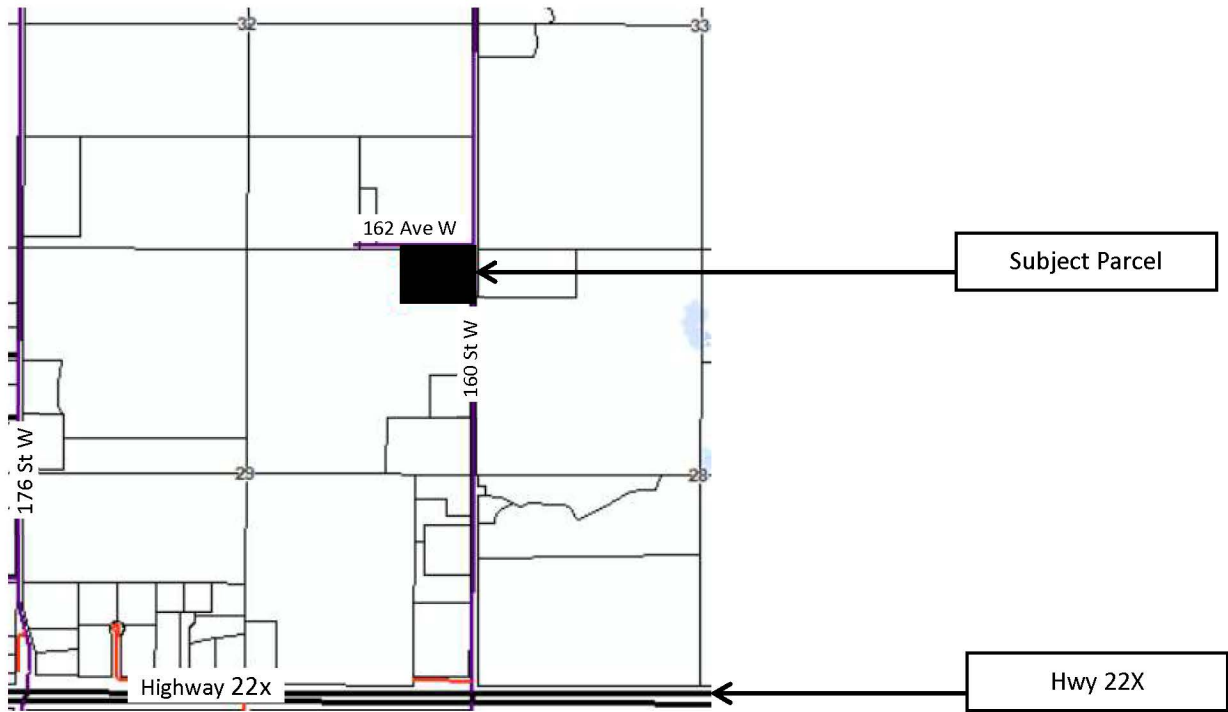
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

DEVELOPMENT APPLICATION FILE NUMBER: 25D 228
LANDOWNER(S): JASON TAYLOR
PROPOSAL DESCRIPTION: INTENSIVE LIVESTOCK OPERATION & RELAXATION OF SETBACKS FOR EXISTING STRUCTURES
LEGAL DESCRIPTION: NE 29-22-02 W5M; PLAN 9912484, BLOCK 2

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 10.01 acre Country Residential District parcel which is accessed from 160 St W and located directly south of 162 Ave W, approximately 1.4km north of Highway 22X.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for a Development Permit has been submitted to allow for the keeping of no more than ten (10) horses, personally owned by the landowners, on the subject property.

The application identifies that the site includes five (5) paddocks, four (4) horse shelters and an existing barn which is used for storage. Manure is identified to be harrowed and spread weekly with no short-term storage areas of manure. The application identifies that horses are split between paddocks 1 and 2, then rotate through paddocks 3, 4 and 5, before rotating back. Supplemental feeding of hay is identified to occur when needed to prevent overgrazing.

As per Section 10.1.7 of the Land Use Bylaw 60/2014, the following applies to all parcels of land on which livestock are kept:

- a. Pasture management shall be maintained to ensure that there is no overgrazing.
- b. Manure management shall occur to ensure no contamination of runoff unto adjacent lands, riparian areas, or to a watercourse; and
- c. Manure management shall be undertaken to reduce odor

Further, an intensive livestock operation and short-term manure storage should be setback a minimum of 150 metres from neighboring dwellings and short-term manure must be setback a minimum of 100 metres from any spring or water well.

As per Section 10.1 of the Land Use Bylaw 60/2014, a maximum of 3 animal units are permitted on parcels between three (3) and nine (9) acres and/or the keeping of more than one animal unit per three (3) acres in excess of nine (9) acres will require a development permit. Therefore, as the total number of animal units exceeds what is permitted, a Development Permit application for an Intensive Livestock Operation must be considered.

Additionally, the application requests a relaxation of setbacks to three horse shelters 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 as labelled on the site plan is located 7.5 m (24.6 ft.) from the north property line and 8.0 m (26.25 ft.) from the west property line, when it is required to be setback 15.0 m (49.21 ft.) from both the north and west property lines. Therefore, the applicant is seeking a 7.5 m or 50.0% relaxation to the north property line, and a 7.0m or 46.6% relaxation to the west property line.
- Structure #2 as labelled on the site plan is located 5.0 m (16.40 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 10.0 m or 66.6% relaxation.
- Structure #3 as labelled on the site plan is located 7.0 m (22.9 ft.) from the north property line, when it is required to be setback 15.0 m (49.21 ft). Therefore, the applicant is seeking an 8.0m or 53.3% 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.

Intensive Livestock Operation and Relaxation of Setbacks to Existing Structures are Discretionary Uses under the Country Residential 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 Intensive Livestock Operation and Relaxation of Setbacks to Existing Structures on the subject parcel being a portion of NE 29-22-02 W5M; Plan 9912484, Block 2 has been considered by the Development Officer and is **REFUSED** subject to the following.

REFUSAL DESCRIPTION:

The total number of animal units on the subject property exceeds what is permitted. As per the Land Use Bylaw, parcels between three (3) and nine (9) acres are permitted a total of three (3) animal units and for parcels in excess of nine (9) acres, one animal unit per three (3) acres is permitted. Therefore, the parcel is permitted to have a total of 3 horses. To have a total of ten (10) horses, the parcel would have to be a minimum of 30 acres in size.

Table 10.1 A Number of Animals Equivalent to One Animal Unit

TYPE OF ANIMAL	# OF ANIMALS EQUIVALENT TO ONE ANIMAL UNIT
Horses:	
Horse (1 year and older)	1
Mare with Foal	1
Weanling	2
Miniature	4

Additionally, intensive livestock operations and short-term storage of manure shall be setback a minimum of 150 m from neighboring dwellings and 100 m from neighboring wells. There are 3 neighboring wells within the 100m setback distance and one residence within the 150m setback distance.

Upon review of the application, the County's Agricultural Service Board provided that although the property looked well maintained with little evidence of overgrazing this year - intensive grazing and overall health of the land may pose an issue in the future. Further, the proposed manure management plan of harrowing once a week with no pickup and containment of manure poses potential risks of contamination of nearby water wells and leeching into the seasonal drainage course that runs through the southeast corner of the parcel located within identified paddock #5.

Regarding the request for relaxation of setbacks, as these structures are movable in nature and there is ample space on the subject parcel in which these structures could be moved to meet setback distances, the request for the relaxation has also been refused.

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

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;

Mazzeppa:

- 13.1.8.7 For the following properties in Mazeppa:

Plan 7893FT, Block A, S $1/2$ and N $1/2$ (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;



The Keeping of Livestock in Foothills County

Land Use Bylaw Regulations & Applications

www.foothillscountyab.ca

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

AGRICULTURAL GENERAL means systems of tillage and animal husbandry which involve methods used on large areas of land for the raising of crops or the rearing of livestock (provided that the density of the operation does not exceed 1 animal unit per 3 acres of land) either separately or in conjunction with one another in unified operations and includes buildings and other structures incidental to the agricultural operation except where the intent of the building or structure is to be used as an “arena, private”, “arena, limited public”, or “arena, commercial”.

AGRICULTURAL (INTENSIVE USE) means systems of tillage and animal husbandry which involve concentrated methods used on areas of land to raise crops or keep livestock, poultry, and other animals, or their products for market, and includes intensive livestock operations, intensive swine operations, intensive poultry operations, and intensive vegetative operations.

LIVESTOCK means animals kept or raised for use, for profit, or for pleasure; including but not limited to: beefalo, buffalo, camels, cattle, elk, goats, horses, llamas, mules, rabbits, sheep, poultry, swine, and, zebras.

More information on agricultural use and livestock regulation can be found in Section 10.1 of this bylaw.

- The keeping of livestock shall not be permitted on parcels less than three (3) acres in size.
- The keeping of more than three (3) animal units on parcels between three (3) and nine (9) acres and/or the keeping of more than one animal unit per three (3) acres in excess of nine (9) acres will require a Development Permit.
- Table 10.1 A outlines the number of animals equivalent to one animal unit for the purposes of this Bylaw.

Please note: Backyard Hens are not included as Livestock Animal Units as they are dealt with separately in accordance with Section 10.27 of the Land Use Bylaw.

Table 10.1 A Number of Animals Equivalent to One Animal Unit

TYPE OF ANIMAL	# OF ANIMALS EQUIVALENT TO ONE
Cattle:	
Dairy Cows	1
Beef, Cows or Bulls (greater than 1,000 lbs. – may include calf at side)	1
Buffalo or Beefalo	1
Feeder Cattle (between 500 lbs. and 1,200 lbs.)	2
Replacement Heifers (between 500 lbs. and 1,000 lbs.)	2
Calves (less than 500 lbs. – excludes calves at side)	5
Swine:	
Sow, farrow to weaning (includes gilts suckling 18 kg)	2
Feeder Hogs (54 kg average)	2
Weaner Hogs (less than 20 kg)	5
Poultry:	
Backyard Hens (See Section 10.27)	N/A
Chickens or Ducks	30
Geese or Turkey Hens, heavies	10
Geese or Turkey Toms, heavies	10
Geese or Turkey broilers	10
Sheep:	
Rams or Ewes plus Lambs at side	5
Lambs	12
Horses:	
Horse (1 year and older)	1
Mare with Foal	1
Weanling	2
Miniature	4

Table 10.1 A Number of Animals Equivalent to One Animal Unit Cont'd

Miscellaneous:	
Donkeys	2
Mules	1
Elk, Bulls	3
Elk, Cows	4
Elk, Calves	12
Llamas	5
Alpaca	6
Goats	5
Ostriches	3
Emu	7
Rabbits	40
NOTE: The Approving Authority may determine the number of animals equivalent to one animal unit for any kind of animal not named above.	

INTENSIVE LIVESTOCK OPERATIONS:

It may be possible to address and increase the permitted number of animals through application for a Development Permit for an intensive livestock use. Prior to application with the County, you must first determine if your proposed operation falls under Provincial guidelines for Confined Feeding Operations, by contacting the area Natural Resources Conservation Board (NRCB) office.

Please note that applicants must ensure that they meet the following requirements, found under Section 10.1 of the Land Use Bylaw for the Development Authority to consider approving an application:

1. A Development Permit is required for all intensive livestock operation whether such operations involve a new facility or expansion of an existing facility.
2. A new intensive livestock operation or an expansion of an existing intensive livestock operation and related short-term manure storage should be setback a minimum of 150 meters (492.13 feet) from neighboring dwellings. In determining the extent of the setback, the distance shall be measured from the neighboring dwelling (not the property line of the lot upon which it is located) to the point closes to the intensive livestock operation, including related manure storage facilities. Activities associated with the intensive livestock operation or related short-term manure storage, such as feed handling and storage, office, water supply, and land upon which manure is spread shall not be considered part of the intensive livestock operation or related short-term manure storage for the purposes of determining the minimum setback limit.
3. A facility for the short-term storage of manure must be setback a minimum of 100 meters (328 feet) from any spring or water well and 30 meters (99 ft.) from an open body of water. The Approving Authority may consider a variance to the setback based upon circumstances particular to a specific application.
4. If there is a concern with the environmental impact of an agricultural intensive use, the Development Permit application will be referred for comment to Alberta Environmental Protection, the Regional Health Authority and Alberta Agriculture, Food and Rural Development.
5. It is the responsibility of the owner and operator of any agricultural intensive use to ensure that all manure storage facilities are designed and constructed to avoid contamination of groundwater, prevent contaminated surface water from leaving the property, and reduce odor nuisance.
6. The owner and operator of an intensive livestock operation shall be required to satisfy the Development Authority that sufficient land is available for the use of the manure produced by the operation.
7. In no circumstances shall a new or expanded intensive livestock operation be permitted within 122m (400 ft.) from a watercourse or water body which is not entirely surrounded by the lot or lots on which the operation is located, unless suitable containment facilities are constructed to the satisfaction of the Approving Authority.
8. All intensive use applications must comply with all applicable provisions of the Agricultural Operations Practices Act, Code of Practice.
9. Seasonal feeding or wintering livestock between November 1 and May 31 are to be considered under the intensive use requirements.
10. If approved, the Development Authority may impose more restrictive conditions on approval of an application for a Development Permit for an intensive Agricultural Operation than those set out above.

- 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.

- 5.6.3 The Development Authority may allow with respect to existing development on Residential Community District zoned property, a variance of a side yard setback to a maximum of 25% of the setback required by this Bylaw.
- 5.6.4 The Development Authority may allow with respect to a proposed development, a variance of any yard setback to a maximum of 25% of the setback required by this Bylaw.
- 5.6.5 The variance power given to the Development Authority under Section 5.6.4 of this Bylaw shall not be exercised with respect to a proposed development unless the landowner can demonstrate that the proposed location is the most appropriate site for the proposed development”.
- 5.6.6 The development authority may allow a variance of building height to a maximum of 50% required under this bylaw, with respect to development within the Industrial Districts, Commercial Districts, and the Service District.
 - a. The variance power given to the Development Authority with respect to building height within the Industrial, Commercial and the Service Districts, shall not be exercised unless it has been determined that such a request for variance is integral to the design or operations of the development.
- 5.6.7 A Development Officer may issue a Letter of Compliance where a minor non-compliance exists no greater than 5% in Residential Community District and for Country Estate District parcels 0.80 acres or smaller or 2.5% in all other land use districts, subject to the provisions of section 5.6 “Variances”.
- 5.6.8 Compliance may be granted for structures which are no larger than 1.5 sq. m. (16 sq. ft.) in size and do not exceed 2m (6.5 ft.) in height that are fully contained within the boundaries of the property, which do not meet municipal setbacks.
- 5.6.9 Within two years from the date the updated Secondary Suite provisions adopted under Bylaw 68/2023 (January 31, 2024), the following variances may be considered when applying for approval to bring existing suites into compliance, which were not previously allowed in Foothills County prior to the passing of said bylaw:
 - a. The Development Authority may issue a Development Permit for an existing oversized Secondary Suite if:
 - i. The Secondary Suite existed prior to the date of the adoption of these regulations; and
 - ii. The Secondary Suite is no more than 25% greater than the size permitted under Section 10.26 Secondary Suites; and
 - iii. A Development Permit has been granted approval within two years of the date which Bylaw 68/2023 received third reading on January 31, 2024.
 - b. The Development Authority may issue a Development Permit for reduced building setbacks for a Secondary Suite where:
 - i. the building code, safety code, and fire code requirements can be met (for example side yard setbacks may not be relaxed on smaller parcels due to separation distances of residential buildings with greater than 10 minutes fire department response time).
 - ii. it does not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.

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

- 5.6.10 The Development Authority may allow a 10% variance to the maximum size requirements of a new Secondary Suite, where the Development Authority is of the opinion it will not materially interfere with or affect the use, enjoyment, or value of the neighboring properties.
- 5.6.11 The Development Authority may allow up to a 25% variance to the allowable maximum size requirements of a Secondary Suite, where an application has been made for a change in use from an approved Dwelling, Temporary to a Secondary Suite, Detached, in accordance with Section 10.26.
- 5.6.12 The Development Authority may issue a Development Permit for the renewal of a Dwelling, Temporary, in excess of the Maximum Dwelling Density within the applicable land use district, if an approved Development Permit for that Dwelling, Temporary is in place, and is occupied in accordance with the approval, prior to the date of passage of the bylaw amendments adopting the Maximum Dwelling Density, where it is determined that it does not materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.
- 5.6.13 The Development Authority may issue a Development Permit for a Dwelling, Temporary that has been prefabricated, built, or factory constructed before September 2, 2007, if an approved Development Permit for that Dwelling, Temporary is in place and occupied in accordance with that approval, should it have appropriate C.S.A. certification, or an equivalent at the time of placement on the subject parcel, to the satisfaction of the Safety Codes Officer.

5.7 NOTICE OF DECISION

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

the standard

Environmental Standards for Alberta's Livestock Industry

Revised September 2012

Agdex 096-7

Manure Management Regulations for Horse Owners

“The purpose of AOPA is to ensure that the province's livestock industry will grow in an environmentally sustainable manner as it meets the opportunities presented by local and world markets.”

Manure management requirements for all Alberta agricultural operations, including **horse owners**, are outlined in the Standards and Administration Regulation of the *Agricultural Operation Practices Act* (AOPA). However, new or expanding horse operations which exceed specified animal numbers may also need a permit from the Natural Resources Conservation Board (NRCB).

Managing your manure

All horse owners are required to manage manure according to AOPA regulations. These requirements apply to:

- wintering sites (seasonal feeding and bedding sites) and livestock corrals
- manure storage
- manure application
- record keeping and soil testing

Manure includes straw, other bedding material, litter, soil and feed. The rules are the same for composted manure.

Do you need a permit?

If your facility existed prior to January 1, 2002, was above threshold numbers and has not expanded or modified any facilities, it is considered to have been deemed a permit, based on the capacity of the operation at the time. No action is necessary by the operator.

However, new and expanding operations that exceed threshold animal numbers and are not an equestrian stable, auction market, race track, or exhibition ground, will need a permit under AOPA. A registration, approval or authorization will be required depending on the proposed development or expansion. A registration or approval permit will depend on your animal numbers whereas those operations improving their long term manure storage may require an authorization. Each permit has different requirements.

Equine Threshold Animal Numbers

Type of Horse Operation	Permit Type	
	Registration	Approval
Feeders > 750 lbs	100-299	300+
Foals < 750 lbs	350-999	1000+
Mules	100-299	300+
Donkeys	150-449	500+

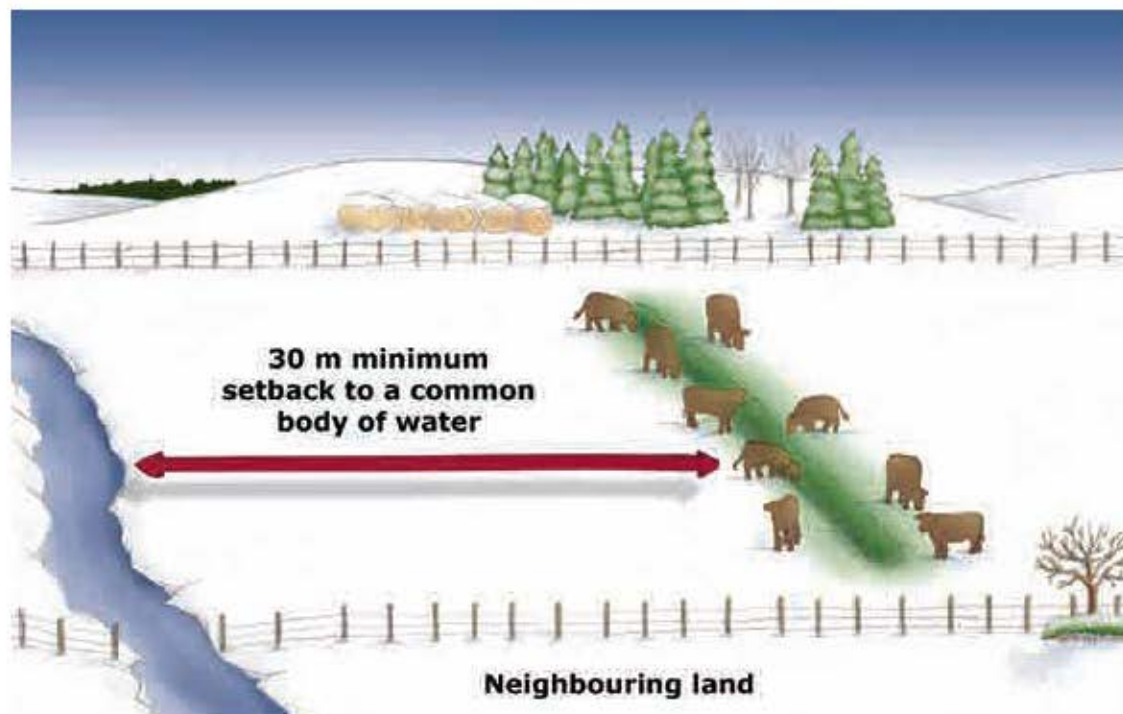
For more information, refer to the contacts at the end of this publication.



Wintering Sites and Livestock Corrals

Wintering sites are referred to as seasonal feeding and bedding sites (SFBS) in AOPA. Seasonal feeding and bedding sites and horse corrals must be located at least 30 metres away from a common body of water (Figure 1).

Figure 1. Wintering site or livestock corral setback distances

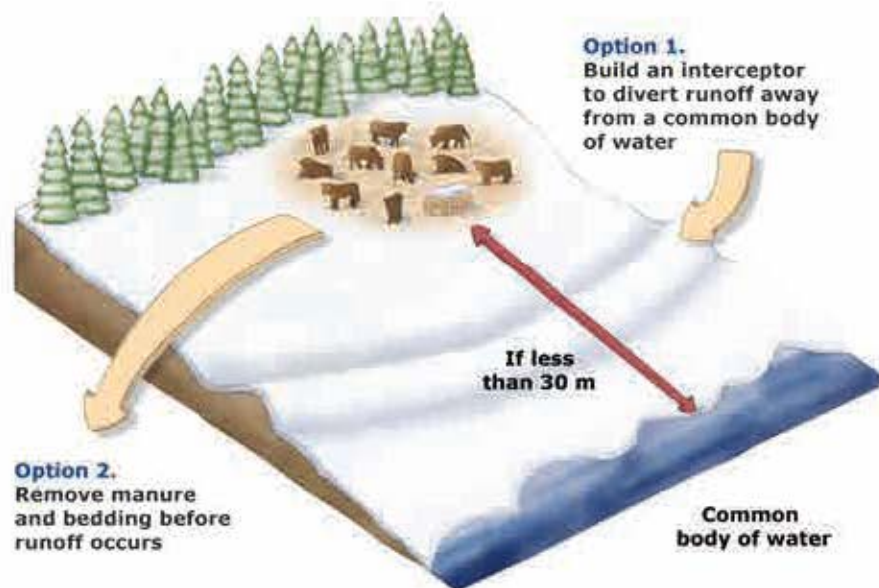


If a corral or SFBS is closer than 30 metres, there are two options (Figure 2):

Option 1: Design the site to divert runoff away from the common body of water (e.g. berm or ditch) or

Option 2: Move manure and bedding to an appropriate manure storage facility or area before runoff occurs.

Figure 2. Options for sites that do not meet the 30 metre setback distance



“A common body of water refers to the bed and shores of rivers, streams, creeks (both permanent and intermittent) and canals as well as reservoirs, lakes, marshes and sloughs that are shared by or common to more than one landowner.”

Manure Storage

Proper storage of manure is an important aspect of any horse operation. Manure storage sites should be considered as either short term or long term storage.

1. Short term manure storage

Short term manure storage sites allow horse owners to stockpile manure before it is spread on the land. A short term storage site can store manure for a total of seven months within a three year period, regardless of the amount of manure stored.

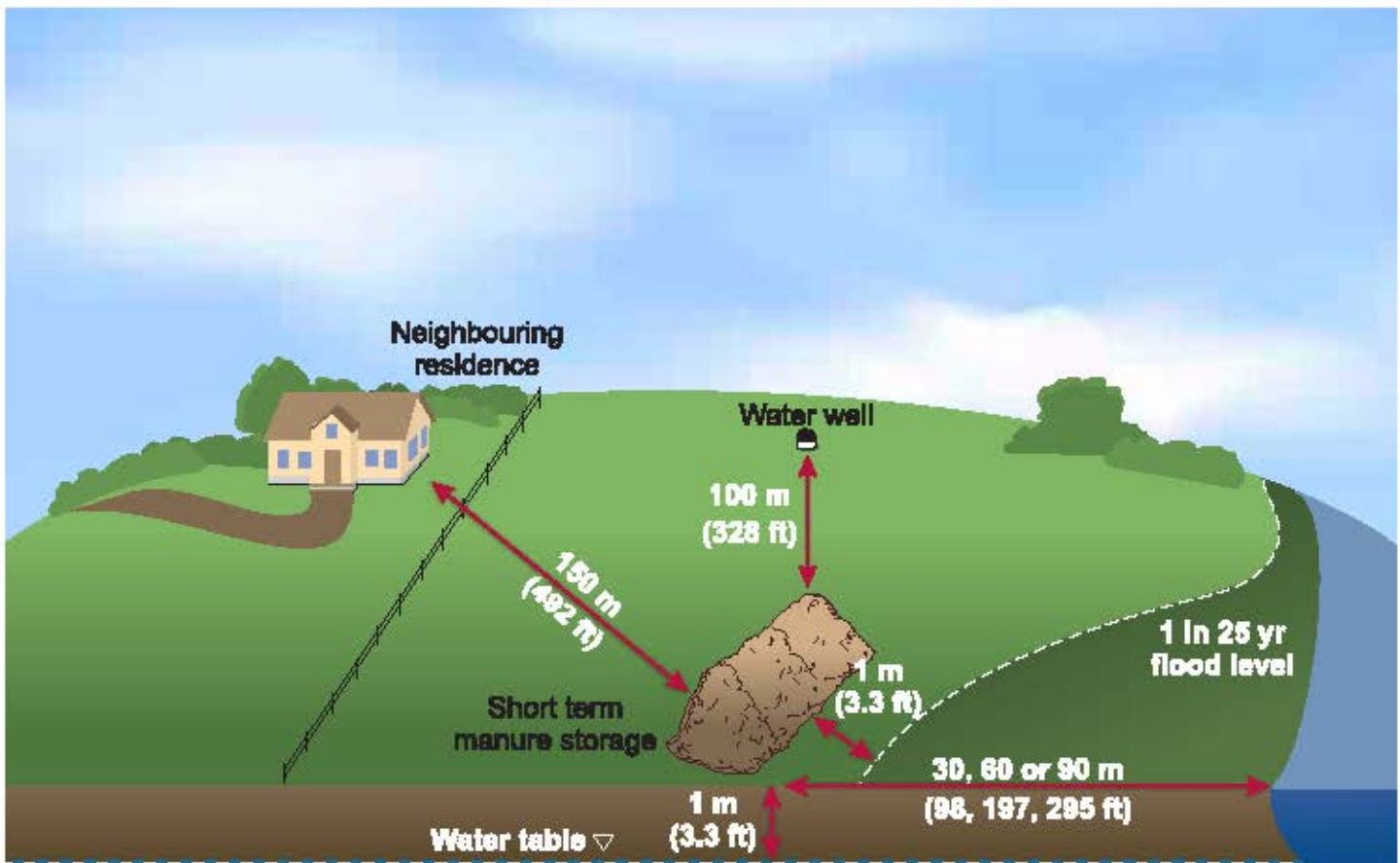
Location of short term solid manure storage sites must be:

- at least 150 metres from a residence or occupied building that the producer does not own;
- at least one metre above the water table;
- a setback distance to common bodies of water (see table below);
- at least 100 m from a spring or water well; and,
- above the 1 in 25 year flood level.

Setback distances for short term manure storages

Average slope within 90 metres of a common body of water	Setback distance required from the common body of water
4% or less	30 m
4% to 6%	60 m
6% to 12%	90 m
Greater than 12%	No storage

Figure 3. Short term manure storage setbacks



2. Long term manure storage

A manure storage site is considered a long term manure storage if it is used for more than seven months over a three year period. If the storage contains over 500 tonnes of manure it will require an authorization permit from the NRCB.

Long term manure storage facilities need to be constructed to meet the following requirements:

- use run-on and runoff controls to protect surface water;
- be located at least 100 metres from a water well or spring and 30 metres from a common body of water;
- be sited at least 1 metre above the one in 25 year maximum flood level; and,
- have either a naturally occurring protective layer or other liner to protect groundwater.

Manure Application

For more information on manure application please refer to the Agdex 096-8 2012 *Manure Spreading Regulations*.

Record Keeping and Soil Testing

Manure management records are required by operators who handle 500 tonnes of manure or more in a year. These records must be kept for five years. Soil tests are also

required on the land where the manure is to be applied. Record keeping is not required if less than 500 tonnes is handled in a year.

The following table uses average values from the Manure Characteristics and Land Base Code to calculate the number of animals required to produce 500 tonnes of manure annually.

Average Equine Manure Production Values

Type	Annual Manure Production (Tonnes)	Number of Animals to Produce 500 Tonnes Annually
Feeders > 750 lbs	2.5	200
Foals < 750 lbs	0.8	625
Mules	1.9	263
Donkeys	1.3	385

Soil test results for land on which manure is applied must not be older than three years. The only exception is for soil texture, which is a one-time analysis. The record keeping requirements do not apply to manure produced when livestock are grazing.

Details on what information must be collected for records are available in Agdex 096-3 Manure Management Record Keeping Regulations.

Enforcement of AOPA

Horse owners are required to properly manage manure production. The NRCB has the responsibility to enforce the regulations and have the ability to investigate all livestock operations. The NRCB receives complaints through their Toll Free Response line: 1.866.383.6722.

Generally complaints received are regarding odour and flies. On operations where a risk to the environment has been identified, the NRCB will work with the horse owner to ensure that risks are mitigated and AOPA requirements are addressed. If the risk is imminent or the operator does not want to take steps to address them, enforcement actions may be taken.

For more information:
(Dial 310-0000 to be connected toll-free)

Alberta Agriculture and Rural Development

www.agric.gov.ab.ca/aopa

Lethbridge: (403) 381-5885
Red Deer: (403) 755-1475
Morinville: (780) 939-1218
Ag-Info Centre: 310 FARM (3276)
Publications: 1-800-292-5697

Natural Resources Conservation Board

www.nrcb.gov.ab.ca

Lethbridge: (403) 381-5166
Red Deer: (403) 340-5241
Morinville: (780) 939-1212
Fairview: (780) 835-7111
Response line: 1-866-383-6722

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Environmental Standards for Alberta's Livestock Industry

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Agdex 096-5

Manure Spreading Regulations

“The purpose of AOPA is to ensure that the province's livestock industry can grow to meet the opportunities presented by local and world markets in an environmentally sustainable manner.”

The *Agricultural Operation Practices Act* (AOPA) includes regulations for spreading manure or compost for all livestock operations in Alberta. The manure spreading regulations include requirements for manure incorporation, soil nitrogen and salinity limits, setback distances, record keeping and soil testing.

The term manure in this publication includes the livestock excreta, straw, other bedding material, litter, soil, wash water and feed in the manure. Composted manure has the same requirements as manure. Terms used in this publication have been simplified to make it easier to read. Complete definitions are found in Section 1 of the legislation.

For more information on the regulations, please refer to the contacts listed at the end of this publication.

Manure incorporation requirements

Manure must be incorporated within 48 hours when applied to cultivated land (except when applied to forages or direct-seeded crops, frozen or snow-covered land or unless an operation has a permit that specifies a different incorporation requirement). Additional requirements related to manure incorporation are outlined in the sections on setback distances in this publication.

Soil nitrogen and salinity limits

The regulation sets soil nitrate-nitrogen and salinity limits. It should be noted that these limits can only be exceeded if a producer has a nutrient management plan that has been approved by the Natural Resources Conservation Board (NRCB).

To ensure the salts in manure do not affect plant growth, the regulations specify that manure must not be applied to soils that have an electrical conductivity (salinity) greater than 4 deciSiemen per metre (dS/m) from the top 0 to 15 cm of the soil. Manure should not be applied at levels that may increase the soil salinity (after manure is applied) by more than 1 dS/m from a soil depth of 0 to 15 cm.

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The soil nitrate-nitrogen limits are set according to various farming methods, soil groups, soil textures and the depth to the water table.

The following table specifies the nitrate-nitrogen levels that may not be exceeded in the top 60 cm of soil after manure application.

Nitrate-nitrogen limits in soil (Standards and Administration Regulation, Schedule 3, Table 3)

Farming method	Soil group	Sandy (>45% sand and water table <4 m)	Sandy (>45% sand and water table >4 m)	Medium and fine textured soils
Dryland	Brown	80 kg/ha (75 lb/ac)	110 kg/ha (100 lb/ac)	140 kg/ha (125 lb/ac)
	Dark Brown	110 kg/ha (100 lb/ac)	140 kg/ha (125 lb/ac)	170 kg/ha (150 lb/ac)
	Black	140 kg/ha (125 lb/ac)	170 kg/ha (150 lb/ac)	225 kg/ha (200 lb/ac)
	Grey Wooded	110 kg/ha (100 lb/ac)	140 kg/ha (125 lb/ac)	170 kg/ha (150 lb/ac)
Irrigated	All groups	180 kg/ha (160 lb/ac)	225 kg/ha (200 lb/ac)	270 kg/ha (240 lb/ac)

Note: To convert kg/ha into lbs/ac, divide by 1.1 (eg. 110 kg/ha / 1.1 = 100 lbs/ac)

Nutrient management plans

Nutrient management plans are not mandatory for every person who applies manure. Under AOPA, an approved nutrient management plan is required if a person wants to exceed the soil nitrate-nitrogen or salinity limits when applying manure. The NRCB can approve a nutrient management plan for applying manure in excess of the limits if the NRCB is satisfied that implementing the plan will not adversely affect the soil or the environment.

requirements under AOPA. The NRCB may approve a manure handling plan that provides an alternative to complying with the manure application and storage requirements. For example, an operation may submit a manure handling plan where an agreement is in place with others who will be accepting the manure from the operation. Manure production and transfer records must also be kept in these situations.

Records required:

- soil test results
- amount of manure produced or handled
- name and address of each person who receives or applies manure as well as applicable dates
- land location where manure is applied
- application rates of manure and fertilizer

Manure handling plans

A person applying for a CFO permit can submit a manure handling plan to the NRCB for approval to reduce or eliminate the need to meet the manure application and storage

Record keeping and soil testing

Each person who handles 500 tonnes or more per year of manure must keep manure management records for five years and must also conduct soil tests on the land where the manure is applied. The manure must also be applied according to the soil nitrogen and salinity limits in the legislation or an NRCB approved nutrient management plan. The soil test results for land on which manure is applied must not be older than three years except for soil texture, which is a one-time analysis. The record keeping requirements do not apply to manure produced by livestock when they are grazing. Further details and examples of record keeping forms are available from the contacts listed at the end of this publication.

Compliance and enforcement process

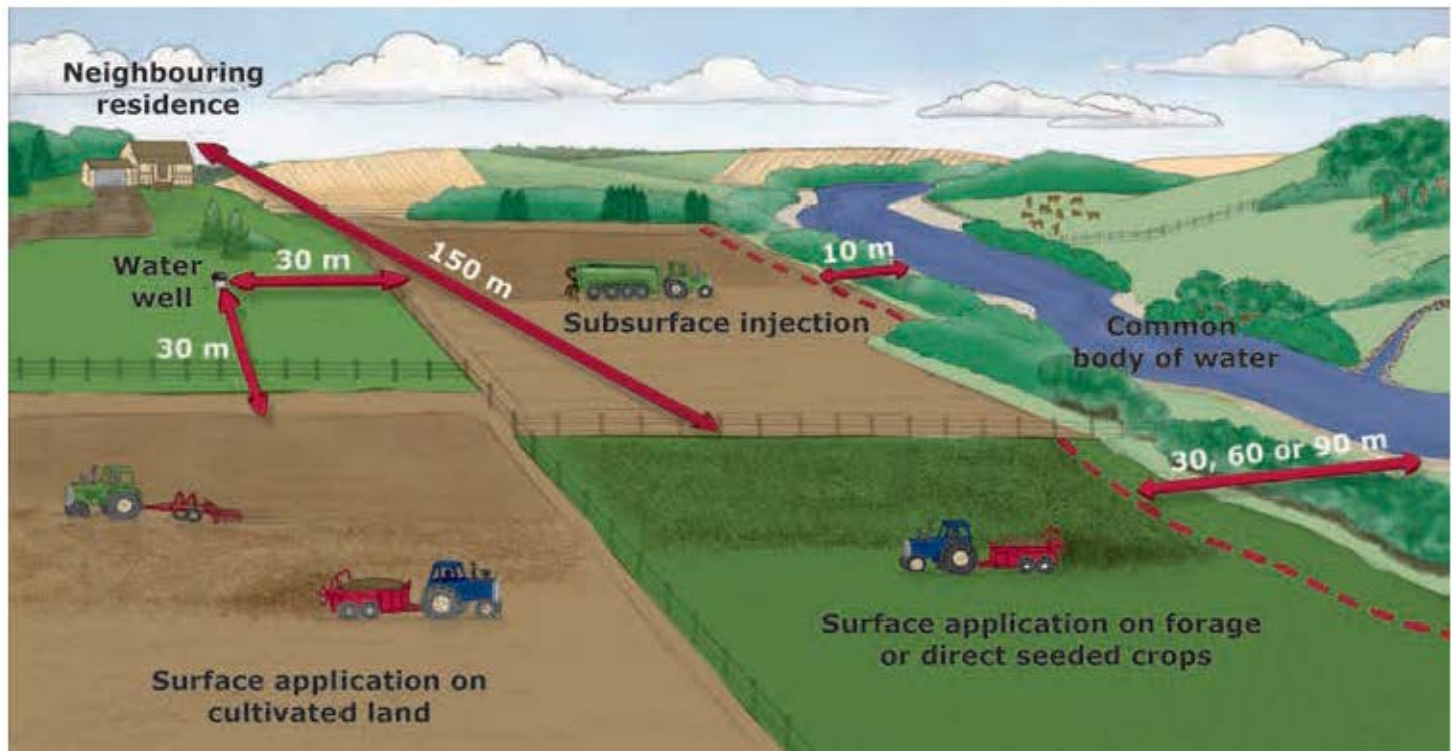
The NRCB is responsible for administering the legislation. An inspection by the NRCB can be triggered if the NRCB receives a complaint. NRCB inspectors typically look at potential risks to the environment or problems related to manure handling, storage and application. If a problem is found, inspectors will work with operators to resolve the situation. When determining the appropriate enforcement response, inspectors will consider the significance of any non-compliance as well as the risk to the environment and the operator's willingness to address the issue voluntarily.



Minimum setback distances for manure application

Setback distances are required to reduce nuisance effects on neighbours and to minimize the risk of manure leaving the land on which it is applied and entering a common body of water. Manure must be applied at least:

- 150 m away from a residence or other occupied building that the operator does not own if the manure will not be incorporated when spreading on forage or direct-seeded crops
- 30 m away from a water well
- 10 m away from a common body of water if subsurface injection is used
- 30 m away from a common body of water if manure is surface-applied
- and incorporated within 48 hours of application, except when applied on forage, direct-seeded crops, frozen or snow-covered land.



Minimum setback distance to a residence or occupied buildings

If manure is spread on cultivated land and is incorporated within 48 hours of spreading, no setbacks are required from neighboring residences. If manure is spread without incorporation the manure must be spread at least 150 m from any residence, other building or other occupied structure that the operator does not own (including residences, churches and schools). Examples of buildings or structures not occupied by people include granaries and hay storage sheds.

As a courtesy, producers are encouraged to notify their neighbors before spreading manure, although notice is not required by the regulations.

Minimum setback distances for application on forage, direct-seeded crops, frozen or snow-covered land

A person whose confined feeding operation (CFO) or manure storage has at least nine months of manure storage must not spread manure or compost on land that is frozen or snow-covered. However, the legislation recognizes that there may be exceptional circumstances that create the need for operators to spread manure on snow or frozen ground. In these cases, the operators must obtain permission from the NRCB before spreading.

CFOs constructed before January 1, 2002, that do not have nine months of storage can continue to spread on frozen and snow-covered ground, but they must comply with the various setbacks and soil nutrient limits in the regulations.

A person who applies manure on forage, direct-seeded crops, frozen or snow-covered land must meet the minimum setback distances for manure application, keeping in mind the average slope of the land near the common body of water.

Even if setbacks are met, reasonable care must be taken to ensure manure does not enter a common body of water from runoff.

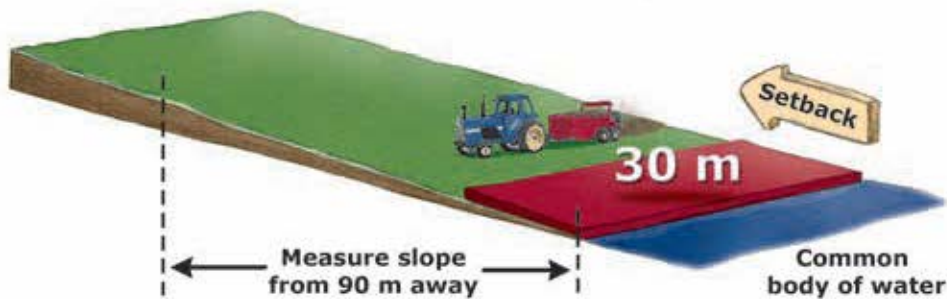
The setback distances required are based on slope if the land slopes toward a common body of water, as shown in the following table and diagrams:

Setback distances required for manure application

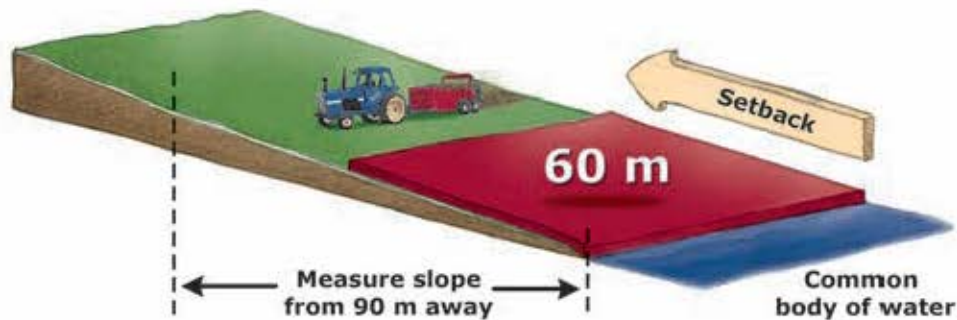
Average slope within 90 meters of a common body of water	Setback distance required from the common body of water
4% or less	30 m
Greater than 4% to less than 6%	60 m
6% or greater, but less than 12 %	90 m
If the slope is 12% or greater, do not apply manure on the land. Once the slope is less than 12% manure can be applied.	

Setbacks for manure application on land with less than 12% slope (on forage, direct-seeded crops, frozen or snow-covered land)

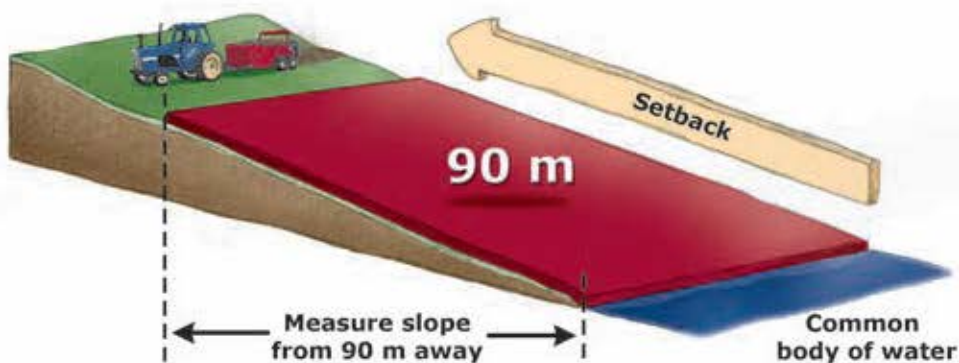
4% slope or less



4 - 6% slope

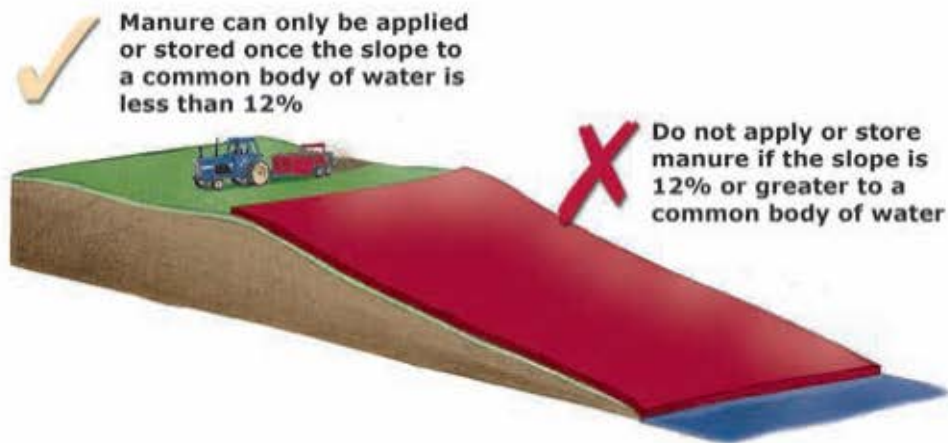


6 - 12% slope



“ Even if setbacks are met, reasonable care must be taken to ensure manure does not enter a common body of water from runoff. ”

**Setbacks for manure application on land with 12% slope or greater
(on forage, direct-seeded crops, frozen or snow-covered land)**



Determining slope

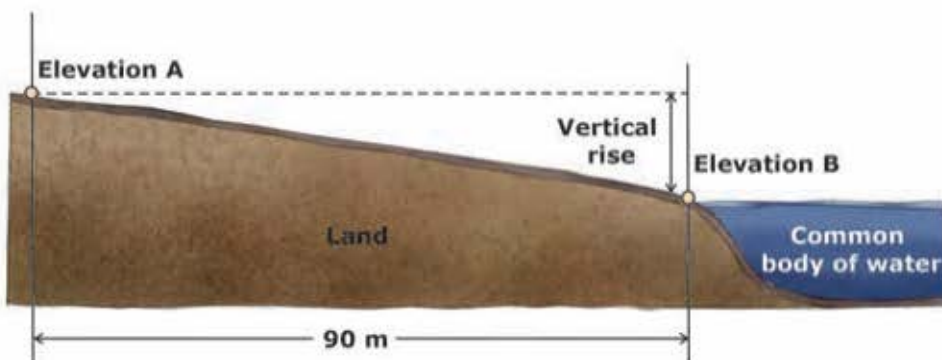
To determine the average slope, use the shore of the common body of water as the starting point. Measure horizontally 90 metres away and then measure the vertical difference in elevation. The percent (%) slope is calculated by dividing the vertical rise from the shore to the field location by 90 m. The following formula shows the calculation:

$$\text{Average \% Slope} = \frac{(\text{Elevation A (m)} - \text{Elevation B (m)})}{90 \text{ metres}} \times 100$$

The following examples may help as a guide in determining the slope of the land:

- 4% slope is equal to a 3.6 m rise over a 90 m horizontal distance
- 6% slope is equal to a 5.4 m rise over a 90 m horizontal distance
- 12% slope is equal to a 10.8 m rise over a 90 m horizontal distance

The following figure illustrates where the elevations should be measured.



Common body of water

The term “**common body of water**” in the legislation includes the bed and shore of a water body that is shared by (common to) more than one landowner. The following table summarizes what is and is not considered a common body of water.

A common body of water includes	A common body of water does not include
The bed and shore of the following: • River, stream, creek • Reservoir, lake, marsh, slough • Irrigation canal • Drainage canal	A reservoir, lake, marsh, slough, or temporary stream that is completely surrounded by private land controlled by the owner or operator and has no outflow going directly beyond the private land to a drainage canal, reservoir, river, permanent stream or creek, lake or potable water source that is being used for human or livestock consumption.
	An irrigation canal or a drainage canal that is completely surrounded by private land controlled by the owner or operator and has no outflow going beyond the private land.
	A roadside ditch.
	A storm drainage or wastewater system (sewer system).

For more information, contact:
(Dial 310-0000 to be connected toll-free)

Alberta Agriculture and Forestry

www.agriculture.alberta.ca/aopa

Lethbridge: (403) 381-5885

Red Deer: (403) 755-1475

Morinville: (780) 939-1218

Ag-Info Centre: 310 FARM (3276)

Publications: (780) 427-0391

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Lethbridge: (403) 381-5166

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Morinville: (780) 939-1212

Fairview: (780) 835-7111

Response line: 1-866-383-6722