

**FOOTHILLS COUNTY**

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

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www.FoothillsCountyAB.caplanning@foothillscountyab.ca

December 17, 2025

«MailName»

«AddLine1»

«AddLine2» «AddLine3»

«City», «Prov» «Postal»

Dear Sir/Madam:

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

Development Permit Application File#: 25D 265**Legal Description:** Ptn. NW 02-21-29 W4M; Plan 1013617, Block 2, Lot 3**Approval Description:** Relaxation of Number of Accessory Buildings, Sea-Can and Relaxation of Setbacks for Two Existing Accessory Buildings**Applicant/Owner** Cameron & Jackie Burtnick (Owner)**Location:** Located directly east of 1048 Drive E, parallel to Highway 2, approximately 150 meters east of lands within the Town of Okotoks.

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 January 8, 2026**. 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... 

Theresa Chipchase
Development Officer
Theresa.Chipchase@foothillscountyab.ca
(403) 603-6223

TC/hd
Encl. – Development Authority Decision



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: December 17th, 2025

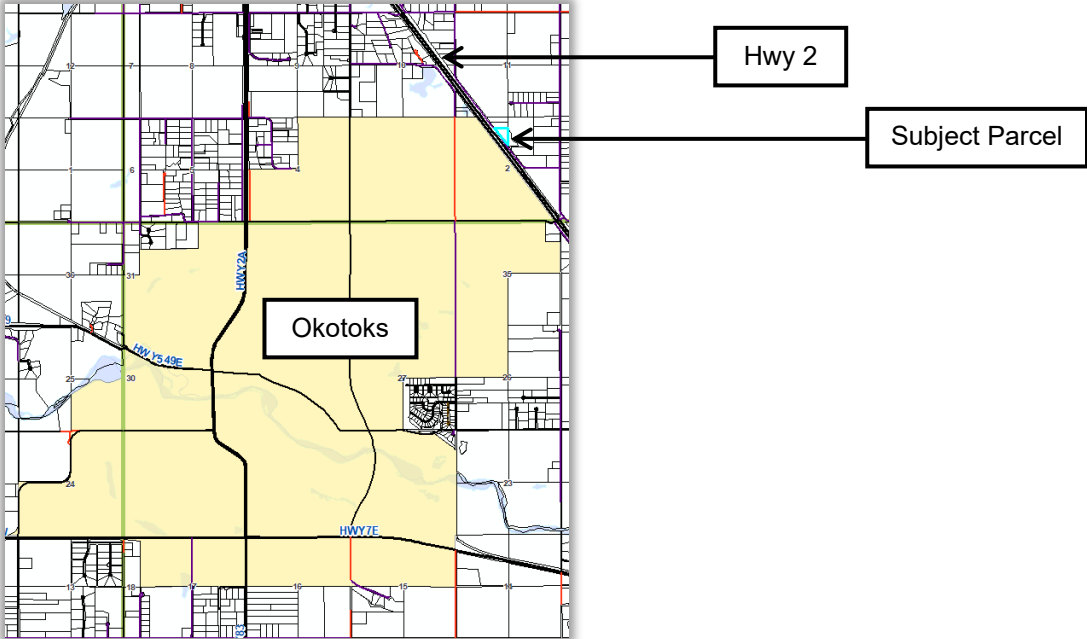
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

DEVELOPMENT APPLICATION FILE NUMBER: 25D 265
LANDOWNERS/APPLICANTS: CAMERON AND JACQUELINE BURTNIK
PROPOSAL DESCRIPTION: RELAXATION OF NUMBER OF ACCESSORY BUILDINGS, SEA-CAN AND RELAXATION OF SETBACKS FOR TWO EXISTING ACCESSORY BUILDINGS
LEGAL DESCRIPTION: PLAN 1013617, BLOCK 2, LOT 3; PTN. NW 02-21-29-W4M

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 6.67 acre Country Residential District parcel, located directly east of 1048 Drive East, parallel to Highway 2, approximately 150 metres east of lands within the Town of Okotoks.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted for the following:

- Compliance of the accessory buildings on the property with Land Use Bylaw 60/2014.
- Allow the existing personal use sea-can to remain on the subject property.
- Relaxation of Setbacks to one (1) existing accessory buildings.

The submitted and accepted site plan illustrates that there are a total of five (5) accessory buildings on the subject parcel with a total cumulative size of 2368 sq. ft (220 sq. m.). Section 4.2.7.1 of the Foothills County Land Use Bylaw 60/2014 allows a property of 6.67 acres to have a total of four (4) personal use accessory buildings with a total cumulative size not to exceed 3500 sq. ft. (325.16 sq. m.).

The submitted site plan also identifies that one of the above noted five (5) accessory buildings is an existing 40 foot long by 8 foot wide or 320 sq. ft. (29.73 sq. m.) sea-can, which has been painted grey to match the existing pole shed on the site. The sea-can has been screened by relocating it east of an existing shelter belt on the property, as shown on the applicants accepted site plan. Section 9.2.8 of the Foothills County Land Use Bylaw 60/2014, identifies that sea-cans may be considered as accessory buildings for personal storage purposes, provided the exterior finish matches or complements the exterior finish of the principle building(s) and/or the sea-can is generally screened from view to the satisfaction of the Development Authority.

Lastly, the submitted site plan also shows that the location of one (1) existing accessory building does not comply with the required yard setbacks as outlined within Section 13.1.7.3 of the Country Residential District of Land Use Bylaw 60/2014.

Section 4.2.7.1 of the Land Use Bylaw 60/2014 allows a maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,500 sq. ft.) accessory to the residence, without the requirements of a Development Permit, for a 6.67 acre Country Residential District parcel. The number of existing accessory buildings on the subject parcel exceeds the maximum allowed under the Land Use Bylaw by one (1).

The following will require approval:

- The additional accessory building located on the property outside those allowed under Section 4.2.7.1 of the Foothills County Land Use Bylaw 60/2014, will require Development Permit approval.

Section 9.2.8 of the Land Use Bylaw 60/2014 provides that Sea-cans may be considered as accessory buildings for personal storage.

The following will require approval:

- The existing Sea-can, as shown on the submitted and accepted site plan, provided by the applicant, is a Discretionary Use within Section 9.2.8 of the Foothills County Land Use Bylaw 60/2014 and will require Development Permit approval.

Section 5.6.2 of the Land Use Bylaw 60/2014 provides the Development Authority with the ability to provide a variance of any side or rear yard setback to a maximum of 90% with respect to existing development within the Country Residential District Land Use.

The following setback relaxations will require approval:

- The Chicken Coop 1 (140 sq. ft.) is located 1.524 m. (5.0 ft.) at its closest point, from the north property line, when it is required to be setback 15 m. Therefore, the applicant is seeking a 13.476 m or 89.84% relaxation of setbacks from the north property line.
- The Pole Shed (1600 sq. ft.) is located 2.134 m (7.00 ft.) from its closest point, from the north property line, and 3.962 m (13 ft.) from the east property line, when it is required to be setback 15 m from both the north and east property lines. Therefore, the applicant is seeking a 12.87 m. or 85.77 % relaxation of setbacks from the north property line and an 11.04 m. or 73.59% relaxation of setbacks from the east property line.

Approval of the requested variances and the sea-can listed above 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 a variance to the allowable number of accessory buildings, retention of the sea-can and relaxation of setbacks for the existing accessory buildings currently located on the subject parcel, being a portion of Plan 1013617, Block 2, Lot 3; Ptn. NW 02-21-29 W4M, have been considered by the Development Officer and are **APPROVED** subject to the following.

APPROVAL DESCRIPTION:

This approval allows for the development and use of Plan 1013617, Block 2, Lot 3; Ptn. NW 02-21-29-W4M for the retention of a 320 sq. ft. sea-can in the location provided on the accepted site plan, retention of five (5) accessory buildings on a 6.67 acre Country Residential District parcel, and to allow the following setback relaxations to the existing accessory buildings:

- a. *Relaxation of setbacks to the existing Chicken Coop 1 (140 sq. ft.) whereby it is permitted to be located no closer than 1.524 m from the north property line, as depicted on the accepted site plan, submitted by the applicants.*
- b. *Relaxation of setbacks to the existing Pole Shed (1600 sq. ft.) whereby it is permitted to be located no closer than 2.134 m from the north property line, and 3.962 m from the east property line, as depicted on the accepted site plan, submitted by the applicants.*

CONDITIONS OF APPROVAL:

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

- 1. The applicant shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. **Any revisions and/or additions to the use of this land shall not proceed unless appropriate approvals and permits have been obtained;**

SEA-CAN SPECIFIC:

- 2. The existing vegetation shall be maintained in order to support visual screening from adjacent lands and roadways. Should existing vegetation on the subject property be removed or reduced in a way that no longer conceals the Sea-can from adjacent lands and roadways, the landowners must replace it with similar or greater material(s) in order to ensure that the same or greater visual screening of the Sea-cans is maintained.

ADVISORY REQUIREMENTS:

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

PLEASE NOTE: THIS DEVELOPMENT PERMIT REPLACES DEVELOPMENT PERMIT 23D 029 IN ITS ENTIRETY.

ACCESSORY BUILDINGS/SEA-CAN/RELAXATION OF SETBACKS:

- 1. Development shall comply with the applicable Building and Fire Codes at all times. The applicants are required to obtain all necessary building, plumbing, gas, septic, and electrical permits and inspections applicable to use and occupancy as a single family dwelling;
- 2. No additional accessory buildings nor garages will be permitted to be constructed on the parcel without first applying for and obtaining any required development permits. This includes two or three sided buildings with roofs, horse shelters, sheds, tents and or buildings with temporary foundations.
- 3. 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 Foothills County;
- 4. No portion of the existing dwelling or accessory buildings shall be used as a secondary dwelling unit without first obtaining all necessary approvals from Foothills County;
- 5. No topsoil shall be removed from the subject property and natural drainage of the property must be maintained. Alterations to natural drainage may proceed only under the authorization of an issued Development Permit for Lot Grading;
- 6. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;

7. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land;
8. 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;

SEA-CAN SPECIFIC:

9. The Sea-can shall be used for the storage of personal items only. Rental of, or use of the container in conjunction with a business, home occupation, or for any type of residential purpose – including overnight stays, has not been considered under this approval. Modifications to, attachments and/or additions to the container are not permitted;
10. Should the Sea-can be removed from the subject property for greater than 60 consecutive days, the Sea-can would not be permitted to return to the subject property without receiving an updated approval.

NOTES:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.
2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period; should no appeals be received, and completion of all Pre-Release Conditions (if any). Development can not proceed until this permit has been signed and issued.
3. Notification of this Development Permit Decision will be advertised in two issues of the Western Wheel and circulated to area landowners (according to County Records at this time) within the subject quarter-section and for one-half mile surrounding the subject parcel. Development Permit Notices can also be viewed on our website, [**www.foothillscountyab.ca**](http://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.



Notice of Appeal

Subdivision and Development Appeal Board (SDAB)
Foothills County www.foothillscountyab.ca

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

APPELLANT INFORMATION (e.g. Landowner or Affected Party)			
Name of Appellant(s)			
Mailing Address		Province	Postal Code
Main Phone #		Alternate Phone #	
I consent to receive documents by email: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address:			
AGENT INFORMATION & CERTIFICATION (complete section if applicable)			
Name of Organization:			
Contact Name:			
Mailing Address		Province	Postal Code
Main Phone #			
I consent to receive documents by email: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address:			
I (We)_____hereby authorize _____ to act on my (our) behalf on matters pertaining to this appeal.			
_____ Signature of Appellant(s)		_____ Date	_____ Signature of Appellant(s)
_____ Date		_____ Date	
SITE INFORMATION			
Municipal Address (house and street number):			
Legal Land Description:	Plan	Block	Lot
Quarter-Section	Township	Range	Meridian

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

Submitting an Appeal – Subdivision Authority Decisions

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

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

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

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

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

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

Submitting an Appeal – Development Authority Decisions

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

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

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

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

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

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

THE APPEAL FEE MUST ACCOMPANY THE NOTICE OF APPEAL FORM

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

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

How to submit your appeal and pay your fee

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

Mail or deliver to:

SDAB Clerk, Foothills County

Box 5605, 309 Macleod Tr. S., High River, AB T1V 1M7

Email to:

appeals@foothillscountyab.ca

Please make cheques payable to "Foothills County"

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

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

What happens after my appeal is submitted?

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

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

More information

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

Phone: 403-652-2341

Email: appeals@FoothillsCountyAB.ca