

**FOOTHILLS COUNTY**

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

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[www.FoothillsCountyAB.ca](http://www.FoothillsCountyAB.ca)[planning@foothillscountyab.ca](mailto:planning@foothillscountyab.ca)

March 4, 2026

«MailName»

«AddLine1»

«AddLine2» «AddLine3»

«City», «Prov» «Postal»

Dear Sir/Madam:

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

**Development Permit Application File#:** 26D 007C & 26D 007D

**Legal Description:** NW 32-21-29 W4M; Plan 1530LK, Block 1 (Future Proposed Block 9, Lots 50 & 51)

**Approval Description:** Temporary Show Home & Relaxation of Setbacks

**Applicant/Owner:** Partners Development Group (Applicant) / Heritage Crossing GP Ltd (Owner)

**Location:** Located within the boundaries of the Hamlet of Heritage Pointe and accessed from 2<sup>nd</sup> street E, east of Highway 2A and west of Highway 2 and directly south of Dunbow Rd E. The subject lands are identified within the Plan Areas of the Foothills County and City of Calgary Intermunicipal Development Plan and the Heritage Crossing Are Structure Plan.

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 March 26, 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](mailto: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](mailto:appeals@FoothillsCountyAB.ca) or by fax at 403-652-7880.

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

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

Yours truly,  
FOOTHILLS COUNTY

Original Signed By... 

Brittany Smith  
Development Officer  
[Brittany.Smith@foothillscountyab.ca](mailto:Brittany.Smith@foothillscountyab.ca)  
(403) 603-6257

BS/as  
Encl. – Development Authority Decision



**DEVELOPMENT AUTHORITY DECISION**  
**DATE OF DECISION:** March 4, 2026

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

**DEVELOPMENT PERMIT APPLICATION FILE NUMBER:** 26D 007C  
**APPLICANT(S):** PARTNERS DEVELOPMENT GROUP – RICHARD MARSTERS  
**LANDOWNER(S):** HERITAGE CROSSING GP LTD.  
**PROPOSAL DESCRIPTION:** TEMPORARY SHOW HOME & RELAXATION OF SETBACKS  
**LEGAL DESCRIPTION:** PTN: NW 32-21-29 W4M; PLAN 1530LK, BLOCK 1 (Future Proposed Block 9, Lot 50)

**LOCATION AND DESCRIPTION OF SUBJECT PARCEL:**

The subject 6.89-acre property (shaded in blue on the below map) is located within the boundaries of the Hamlet of Heritage Pointe and accessed from 2<sup>nd</sup> Street E, east of Highway 2A and west of Highway 2 and directly south of Dunbow Rd E. The subject lands are identified within the Plan Areas of the Foothills County and City of Calgary Intermunicipal Development Plan and the Heritage Crossing Area Structure Plan.

The landowner is currently in the process of finalizing the phase 2 subdivision application for the subject lands, which is being referred to by the landowner as Heritage Crossing. This subdivision consists of 26 Residential Multi-Family Sub-district “A” lots, with additional lands to be dedicated as Municipal Reserve.



**INTENT OF THE DEVELOPMENT PERMIT APPLICATION:**

An application for Development Permit has been submitted to allow for the construction of one Dwelling, Townhouse unit to be used as a Temporary Show Home on **proposed Lot 50, Block 9** of the Heritage Crossing Phase 2 subdivision.

At the time of subdivision approval for this property, the Foothills County Council designated the subject property as Residential Multi-Family Sub-district “A” to ensure that all restrictions and recommendations as noted within the required Stormwater Management, Master Drainage Plan, Lot Grading, High Water Table Report for Foundation Designs, Geotechnical Report and Building Envelopes are adhered to through issuance of a Development Permit.

A compliance deposit in the amount of \$5,000 and a completion certificate by a professional engineer are required as part of this Development Permit. This deposit will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and plans have been satisfied, and that the development has been completed.

Council approved a request from the applicant on February 4, 2026, allowing for the construction of 4 Dwelling, Townhouse units to be used as Temporary Show Homes on proposed lots 48, 49, 50 & 51, block 9 of the Heritage Crossing subdivision, in advance of shallow utilities and registration of the subdivision with land titles. This approval was subject to the landowner obtaining all required Development Permits and Building and Safety Codes Permits and executing the necessary agreements to address the provision of security, and matters such as but not limited to, liability insurance, access and other provisions associated with safety to the satisfaction of the County.

As defined within the Land Use Bylaw 60/2014, *SHOW HOME* means: *The use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder’s construction quality, design options, or methods.*

Further, the proposed above grade deck does not meet the required setback distance of 8.0m from the east property line and the applicants are requesting the following relaxation:

- The Above Grade Deck is proposed to be located 6.0m from the east property line when the required setback is 8.0m. Therefore, the applicants are seeking a 2.0m or 25% relaxation.

Section 5.6.4 and 5.6.5 of the Land Use Bylaw 60/2014 identifies that it is within the discretion of the Development Authority to approve relaxations to a maximum of 25% on proposed structures.

Dwelling, Townhouse to be utilized as a Temporary Show Home within the Residential Multi-Family District, and relaxation of setbacks is considered a discretionary use and is 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 to the construction of a Dwelling, Townhouse utilized as a Temporary Show Home on a portion of NW 32-21-29 W4M; Plan 1530LK, Block 1 (Proposed Lot 50, Block 9), and relaxation of setbacks has been considered by the Development Officer and is **APPROVED** subject to the following.

### **APPROVAL DESCRIPTION:**

Upon completion of the below noted Pre-Release Condition(s), this approval allows for the construction of one Dwelling, Townhouse to be used as a Temporary Show Home on **proposed lot 50, block 9** of the Heritage Crossing Phase 2 Subdivision for a temporary period of 36 months from the date the Development Permit is issued, with a relaxation of setbacks for the proposed above grade deck.

Show Home, Temporary is an unoccupied Dwelling unit that is to be used as a sales center and as a facility to demonstrate the landowner's construction quality, design options, or methods.

Hours of operation (open to the public) for the Show Home are approved as follows:

- a. 2:00pm to 8:00pm – Monday thru Thursday
- b. 12:00pm to 5:00pm – Friday
- c. 10:00am to 5:00pm – Saturday

The proposed above grade deck is permitted to be located no closer than 6.0 m (19.69 ft.) from the east property line, as depicted on the accepted site plan.

### **PRE-RELEASE CONDITION(S):**

*Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **August 4, 2026**, will see this development permit decision deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).*

1. The Landowner(s) are to execute and comply with all requirements as noted in the Show Home Agreement (the Agreement).
2. Subsequent to the execution of the Agreement, the landowner shall provide the following:
  - a. **Surety:** provide irrevocable and unconditional surety in the amount of \$10,000 to ensure compliance with the Agreement and development permit conditions. The surety must be kept in good standing until it is released by the County in accordance with the Agreement;
  - b. **Private Temporary Road Access:**
    - i. an engineer's review shall be provided confirming that the temporary access road(s) is able to support access for Emergency Response Vehicles;
    - ii. a sign shall be installed in a location approved by the Public Works department, indicating that the road is private; and
    - iii. the landowner shall maintain the private access road(s) in a suitable condition until the construction of the permanent internal subdivision road is complete and accepted by the County; all to the satisfaction of the County's Public Works Department and Municipal Fire Department;
  - c. **Signage:** temporary signage shall be erected on proposed lot 50, block 9 exterior to the Show Home, for the purpose of advising the general public that the Show Home is not for sale and cannot be occupied until servicing of the lands is completed, and all required development permits and building and safety codes permits have been issued. The physical nature of the sign and its location is subject to review and approval by the file manager, and the landowner is responsible for maintenance of the sign once installed.
3. The applicant is to provide written verification with respect to how water will be provided for firefighting, to the satisfaction of the County's Public Works Department and Municipal Fire Department.
4. The applicant shall submit a compliance deposit in the amount of \$5,000 to ensure compliance with the sub-district "A" provisions. This deposit will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and accepted plans have been satisfied, and that the project has been completed.

### **CONDITIONS OF APPROVAL:**

*The following requirements must be completed within thirty-six (36) 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. This temporary Development Permit may be renewed upon application to the Development Authority, provided that no changes have been made to the original application.*

1. The applicant shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the County to be appropriate. Any revisions and/or additions to use of this land shall not proceed except under benefit of appropriate approvals and permits;
2. The applicant is required to obtain all necessary building and safety codes permits and inspections applicable for the use of the proposed Show Home and to provide a sanitary privy to the satisfaction of the Safety Codes Officer;

3. It is the applicant's responsibility to obtain and properly post independent County address(es), to the satisfaction of the County's GIS Department;
4. The Dwelling, Townhouse / Show Home must not exceed the maximum height of 12 metres (39.37 ft.), which is the maximum permitted within the Residential Multi-Family Land Use District;
5. The attached garage shall not exceed a maximum footprint of 1,200 sq.ft. in size;
6. Within two (2) weeks of commencement of construction of the basement for the Show Home, the landowner shall provide a Real Property Report for the Show Home showing the location of the foundation walls in relation to the future property boundaries;
7. The applicant must maintain an annual business license with Foothills County. Failure to obtain a Business License each year will result in the permit being considered null and void;
8. Prior to the County acknowledging completion of the development, the landowner shall submit an as-built with grade slips confirming the building grades align with the accepted Heritage Crossing Grading Plan, to the satisfaction of the Foothills County Public Works Department;
9. While being used as a Show Home, the building shall not be used as a living residence at any time – this includes for the purpose of overnight accommodations. Upon expiration of the 36 month completion date and/or prior to the structure being used for the purpose of a living residence, all materials and uses related to the Show Home, including signage, shall be removed from the property, in their entirety;
10. Any materials or goods related to real estate or business uses, including garbage, must be stored within the building, or attached sales centre and storage area. No outdoor storage is permitted at any time;
11. Prior to the change in occupancy and the County acknowledging completion of this development permit application, the applicant shall submit a complete development permit application for the change in use and occupancy from a Show Home to a private Dwelling, Townhouse. Please be advised that a condition of this development permit decision will require the landowner to obtain all necessary building and safety code permits and inspections applicable for the change in use and occupancy for the Dwelling, Townhouse, to the satisfaction of the Safety Codes Officer;
12. It is the landowner's responsibility to ensure that all considerations and recommendations are adhered to as identified within the following accepted documents:
  - i. Stormwater Management Plan *prepared by LGN Consulting Engineering Ltd and signed by Luis G Narvaez on December 13, 2024.*
  - ii. Stormwater Management Letter Report *completed by LGN Consulting Engineering Ltd and signed by Luis G Narvaez on November 22, 2025.*
  - iii. Geotechnical Report *prepared by Brian Tingley and signed by Martin D. Ward on February 23, 2022*
  - iv. Building Envelope / Developable Area
13. Prior to the County acknowledging completion of the development, the applicant shall obtain a letter from a designated professional confirming the development adheres to all comments and recommendations as provided within the accepted reports (above); Please note that an engineer's report review fee may be requested by our Public Works Department;
14. Once the building has been converted and occupied as a Dwelling, Townhouse; and/or should the Show Home use cease for a period of 6 months or longer; and/or upon expiration of a temporary Development Permit, this development/use will become null and void;
15. The landowner 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.
16. The applicant shall provide written notification to the Development Authority upon completion of the development, as approved herein;

#### **ADVISORY REQUIREMENTS:**

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

1. Development and use of the land shall comply with all requirements of the national and provincial Building and Fire Codes at all times;
2. Emergency address signage shall be installed and maintained;
3. No topsoil is permitted to be removed from the property;
4. Installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw;
5. Sump pumps and stormwater drainage systems shall not be connected to the wastewater system;
6. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land.

#### **NOTES:**

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.

2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period or submission of the executed appeal notification period waiver; 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 Sections 685(1) and 685(3) 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.



**DEVELOPMENT AUTHORITY DECISION**  
**DATE OF DECISION:** March 4, 2026

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

**DEVELOPMENT PERMIT APPLICATION FILE NUMBER:** 26D 007D  
**APPLICANT(S):** PARTNERS DEVELOPMENT GROUP – RICHARD MARSTERS  
**LANDOWNER(S):** HERITAGE CROSSING GP LTD.  
**PROPOSAL DESCRIPTION:** TEMPORARY SHOW HOME & RELAXATION OF SETBACKS  
**LEGAL DESCRIPTION:** PTN: NW 32-21-29 W4M; PLAN 1530LK, BLOCK 1 (Future Proposed Block 9, Lot 51)

**LOCATION AND DESCRIPTION OF SUBJECT PARCEL:**

The subject 6.89-acre property (shaded in blue on the below map) is located within the boundaries of the Hamlet of Heritage Pointe and accessed from 2<sup>nd</sup> Street E, east of Highway 2A and west of Highway 2 and directly south of Dunbow Rd E. The subject lands are identified within the Plan Areas of the Foothills County and City of Calgary Intermunicipal Development Plan and the Heritage Crossing Area Structure Plan.

The landowner is currently in the process of finalizing the phase 2 subdivision application for the subject lands, which is being referred to by the landowner as Heritage Crossing. This subdivision consists of 26 Residential Multi-Family Sub-district “A” lots, with additional lands to be dedicated as Municipal Reserve.



**INTENT OF THE DEVELOPMENT PERMIT APPLICATION:**

An application for Development Permit has been submitted to allow for the construction of one Dwelling, Townhouse unit to be used as a Temporary Show Home on **proposed Lot 51, Block 9** of the Heritage Crossing Phase 2 subdivision.

At the time of subdivision approval for this property, the Foothills County Council designated the subject property as Residential Multi-Family Sub-district “A” to ensure that all restrictions and recommendations as noted within the required Stormwater Management, Master Drainage Plan, Lot Grading, High Water Table Report for Foundation Designs, Geotechnical Report and Building Envelopes are adhered to through issuance of a Development Permit.

A compliance deposit in the amount of \$5,000 and a completion certificate by a professional engineer are required as part of this Development Permit. This deposit will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and plans have been satisfied, and that the development has been completed.

Council approved a request from the applicant on February 4, 2026, allowing for the construction of 4 Dwelling, Townhouse units to be used as Temporary Show Homes on proposed lots 48, 49, 50 & 51, block 9 of the Heritage Crossing subdivision, in advance of shallow utilities and registration of the subdivision with land titles. This approval was subject to the landowner obtaining all required Development Permits and Building and Safety Codes Permits and executing the necessary agreements to address the provision of security, and matters such as but not limited to, liability insurance, access and other provisions associated with safety to the satisfaction of the County.

As defined within the Land Use Bylaw 60/2014, *SHOW HOME* means: *The use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder’s construction quality, design options, or methods.*

Additionally, the proposed above grade deck does not meet the required setback distance of 8.0m from the east property line and the dwelling does not meet the required setback of 4.0m from the right of way of an internal subdivision road within a hamlet boundary, the applicants are requesting the following relaxation:

- The Above Grade Deck is proposed to be located 6.0m from the east property line when the required setback is 8.0m. Therefore, the applicants are seeking a 2.0m or 25% relaxation.
- The Dwelling, Townhouse is proposed to be located 3.98m from the right of way of the internal subdivision road to the south. Therefore, the applicants are seeking a 0.02m or 0.5% relaxation.

Section 5.6.4 and 5.6.5 of the Land Use Bylaw 60/2014 identifies that it is within the discretion of the Development Authority to approve relaxations to a maximum of 25% on proposed structures.

Dwelling, Townhouse to be utilized as a Temporary Show Home within the Residential Multi-Family District, and relaxation of setbacks is considered a discretionary use and is 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 to the construction of a Dwelling, Townhouse utilized as a Temporary Show Home on a portion of NW 32-21-29 W4M; Plan 1530LK, Block 1 (Proposed Lot 51, Block 9), and relaxation of setbacks has been considered by the Development Officer and is **APPROVED** subject to the following.

### **APPROVAL DESCRIPTION:**

Upon completion of the below noted Pre-Release Condition(s), this approval allows for the construction of one Dwelling, Townhouse to be used as a Temporary Show Home on **proposed lot 51, block 9** of the Heritage Crossing Phase 2 Subdivision for a temporary period of 36 months from the date the Development Permit is issued, with a relaxation of setbacks for the proposed above grade deck.

Show Home, Temporary is an unoccupied Dwelling unit that is to be used as a sales center and as a facility to demonstrate the landowner's construction quality, design options, or methods.

Hours of operation (open to the public) for the Show Home are approved as follows:

- a. 2:00pm to 8:00pm – Monday thru Thursday
- b. 12:00pm to 5:00pm – Friday
- c. 10:00am to 5:00pm – Saturday

The proposed above grade deck is permitted to be located no closer than 6.0 m (19.69 ft.) from the east property line and the Dwelling is permitted to be no closer than 3.98m from the south property line, as per the accepted plan.

### **PRE-RELEASE CONDITION(S):**

*Pre-release condition(s) must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **August 4, 2026**, will see this development permit decision deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant(s).*

1. The Landowner(s) are to execute and comply with all requirements as noted in the Show Home Agreement (the Agreement).
2. Subsequent to the execution of the Agreement, the landowner shall provide the following:
  - a. **Surety:** provide irrevocable and unconditional surety in the amount of \$10,000 to ensure compliance with the Agreement and development permit conditions. The surety must be kept in good standing until it is released by the County in accordance with the Agreement;
  - b. **Private Temporary Road Access:**
    - i. an engineer's review shall be provided confirming that the temporary access road(s) is able to support access for Emergency Response Vehicles;
    - ii. a sign shall be installed in a location approved by the Public Works department, indicating that the road is private; and
    - iii. the landowner shall maintain the private access road(s) in a suitable condition until the construction of the permanent internal subdivision road is complete and accepted by the County; all to the satisfaction of the County's Public Works Department and Municipal Fire Department;
  - c. **Signage:** temporary signage shall be erected on proposed lot 51, block 9 exterior to the Show Home, for the purpose of advising the general public that the Show Home is not for sale and cannot be occupied until servicing of the lands is completed, and all required development permits and building and safety codes permits have been issued. The physical nature of the sign and its location is subject to review and approval by the file manager, and the landowner is responsible for maintenance of the sign once installed.
3. The applicant is to provide written verification with respect to how water will be provided for firefighting, to the satisfaction of the County's Public Works Department and Municipal Fire Department.
4. The applicant shall submit a compliance deposit in the amount of \$5,000 to ensure compliance with the sub-district "A" provisions. This deposit will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and accepted plans have been satisfied, and that the project has been completed.

### **CONDITIONS OF APPROVAL:**

*The following requirements must be completed within thirty-six (36) 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. This temporary Development Permit may be renewed upon application to the Development Authority, provided that no changes have been made to the original application.*

1. The applicant shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the County to be appropriate. Any revisions and/or additions to use of this land shall not proceed except under benefit of appropriate approvals and permits;
2. The applicant is required to obtain all necessary building and safety codes permits and inspections applicable for the use of the proposed Show Home and to provide a sanitary privy to the satisfaction of the Safety Codes Officer;

3. It is the applicant's responsibility to obtain and properly post independent County address(es), to the satisfaction of the County's GIS Department;
4. The Dwelling, Townhouse / Show Home must not exceed the maximum height of 12 metres (39.37 ft.), which is the maximum permitted within the Residential Multi-Family Land Use District;
5. The attached garage shall not exceed a maximum footprint of 1,200 sq.ft. in size;
6. Within two (2) weeks of commencement of construction of the basement for the Show Home, the landowner shall provide a Real Property Report for the Show Home showing the location of the foundation walls in relation to the future property boundaries;
7. The applicant must maintain an annual business license with Foothills County. Failure to obtain a Business License each year will result in the permit being considered null and void;
8. Prior to the County acknowledging completion of the development, the landowner shall submit an as-built with grade slips confirming the building grades align with the accepted Heritage Crossing Grading Plan, to the satisfaction of the Foothills County Public Works Department;
9. While being used as a Show Home, the building shall not be used as a living residence at any time – this includes for the purpose of overnight accommodations. Upon expiration of the 36 month completion date and/or prior to the structure being used for the purpose of a living residence, all materials and uses related to the Show Home, including signage, shall be removed from the property, in their entirety;
10. Any materials or goods related to real estate or business uses, including garbage, must be stored within the building, or attached sales centre and storage area. No outdoor storage is permitted at any time;
11. Prior to the change in occupancy and the County acknowledging completion of this development permit application, the applicant shall submit a complete development permit application for the change in use and occupancy from a Show Home to a private Dwelling, Townhouse. Please be advised that a condition of this development permit decision will require the landowner to obtain all necessary building and safety code permits and inspections applicable for the change in use and occupancy for the Dwelling, Townhouse, to the satisfaction of the Safety Codes Officer;
12. It is the landowner's responsibility to ensure that all considerations and recommendations are adhered to as identified within the following accepted documents:
  - i. Stormwater Management Plan *prepared by LGN Consulting Engineering Ltd and signed by Luis G Narvaez on December 13, 2024.*
  - ii. Stormwater Management Letter Report *completed by LGN Consulting Engineering Ltd and signed by Luis G Narvaez on November 22, 2025.*
  - iii. Geotechnical Report *prepared by Brian Tingley and signed by Martin D. Ward on February 23, 2022*
  - iv. Building Envelope / Developable Area
13. Prior to the County acknowledging completion of the development, the applicant shall obtain a letter from a designated professional confirming the development adheres to all comments and recommendations as provided within the accepted reports (above); Please note that an engineer's report review fee may be requested by our Public Works Department;
14. Once the building has been converted and occupied as a Dwelling, Townhouse; and/or should the Show Home use cease for a period of 6 months or longer; and/or upon expiration of a temporary Development Permit, this development/use will become null and void;
15. The landowner 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.
16. The applicant shall provide written notification to the Development Authority upon completion of the development, as approved herein;

#### **ADVISORY REQUIREMENTS:**

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

1. Development and use of the land shall comply with all requirements of the national and provincial Building and Fire Codes at all times;
2. Emergency address signage shall be installed and maintained;
3. No topsoil is permitted to be removed from the property;
4. Installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw;
5. Sump pumps and stormwater drainage systems shall not be connected to the wastewater system;
6. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land.

#### **NOTES:**

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.

2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period or submission of the executed appeal notification period waiver; 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 Sections 685(1) and 685(3) 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](http://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

**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)

<b>Development Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal <u>Development Permit #</u>  Date of Decision: (Y/M/D) _____	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal <u>Subdivision Application #</u>  Date of Decision: (Y/M/D) _____	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order <u>Enforcement Order #</u>  Date of Decision: (Y/M/D) _____
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**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.***

Subdivision and Development Appeal Board Hearing and Requests	Fee
Requests to Adjourn, Postpone or Recess a Subdivision and Development Appeal Board Hearing	\$500
Appeal fee for all appeals to a Development Officers decision	\$100
Appeal fee for all Development Appeals when the application is not within the Development Officers discretion	\$575
Appeal fee for Appeal of a Stop Order	\$575
Appeal fee for Appeal of a Subdivision Authority decision* *Paid at the time of subdivision application and credited to endorsement fee if no appeal is filed	\$2,000
Appeal fee for Appeal of a Compliance Order issued as per Sections 545 and 546 of the Municipal Government Act	\$575

## 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](mailto:appeals@FoothillsCountyAB.ca)