



FOOTHILLS COUNTY

309 Macleod Trail, Box 5605

High River, Alberta T1V 1M7

Phone: 403-652-2341

Fax: 403-652-7880

www.FoothillsCountyAB.ca

planning@foothillscountyab.ca

April 29, 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 your property. The details of the Development Permit application are as follows:

Development Permit Application File#: 26D 011
Legal Description: NW 22-20-28 W4M; Plan 402LK, Block 2
Approval Description: Home Based Business Type II
Applicant/Owner Township Planning + Design Inc. (Applicant) / James Henry & Jaime Anne Love (Owner)
Location: Located on 128 St E, and 130 m south of Highway 547.

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 May 21, 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.

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...

Stacey Kotlar
Development Officer
stacey.kotlar@foothillscountyab.ca
(403) 603-6207

SK/as

Encl. – Development Authority Decision



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: April 29, 2026

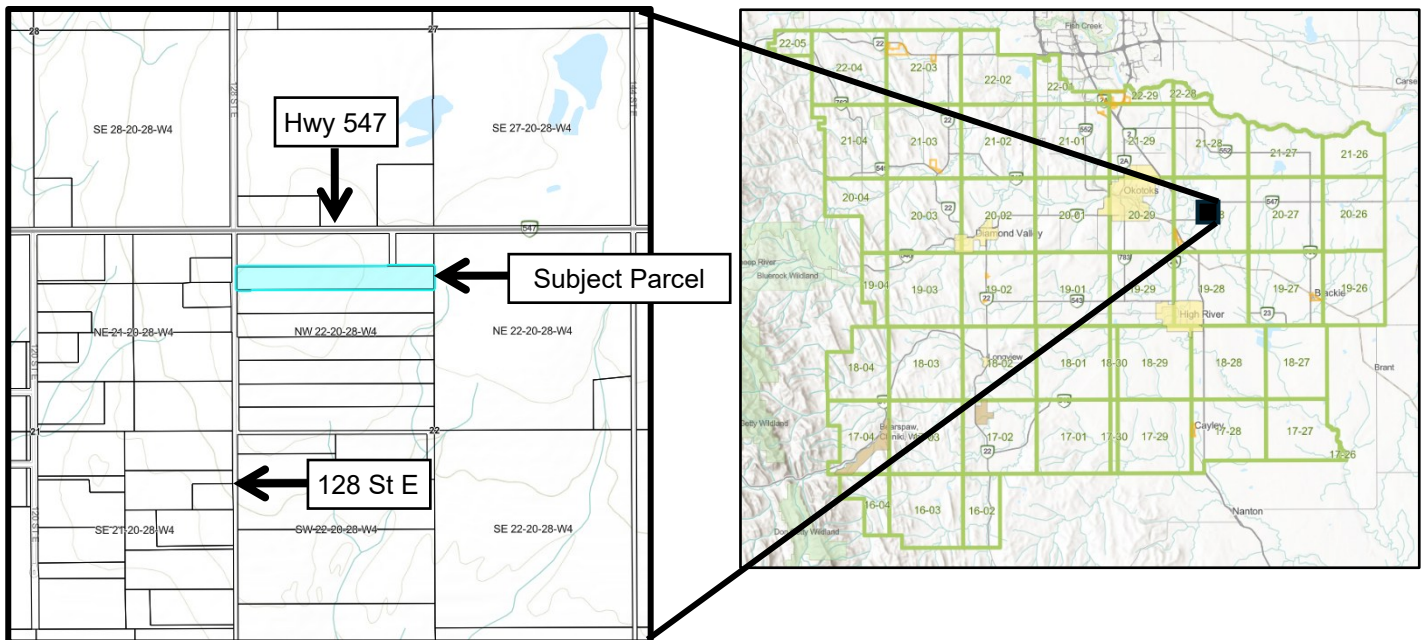
THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.

APPLICATION FILE NUMBER: 26D 011
LANDOWNER(S): JAMES & JAIME LOVE
APPLICANT(S): KRISTI BEUNDER OF TOWNSHIP PLANNING + DESIGN INC.
PROPOSAL DESCRIPTION: HOME BASED BUSINESS TYPE II
LEGAL DESCRIPTION: NW 22-20-28 W4M; PLAN 402LK, BLOCK 2

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 18.98 acre Country Residential District parcel, located on 128 St E, and 130 m south of Highway 547.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a Home Based Business, Type II, to operate a small-scale winery and wine tasting room. The application proposes:

- Winemaking process including grape crushing and pressing, fermentation, clarifying and filtering, aging in steel tanks or barrels, and bottling;
- Primary Sales are business to business through Alberta Gaming, Liquor & Cannabis (AGLC);
- Secondary Sales direct to consumer through wholesale, online sales and wine club sales;
- Onsite wine tasting room available by prepaid appointments (following AGLC regulations);
- No retail sales or storefront sales proposed for this application;
- Maximum of six (6) business visits per day, appointment only for tastings and online sales pick up;
- Business activity to be contained within existing structure "Workshop" (18.32m x 16.97m);
- Hours of Operation proposed to be Monday-Thursday by special reservation only, Friday – Sunday 11am-6pm appointments;
- Three (3) non-resident employees during winemaking in October, two (2) non-resident employees mid-June to mid-September;
- One (1) business owned 3 Ton refrigerated van.

Home Based Business, Type II is a Discretionary Use 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 Home Based Business, Type II, on the subject parcel being a portion of NW 22-20-28 W4M; Plan 402LK, Block 2 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, this approval allows for the development and use of NW 22-20-28 W4M; Plan 402LK, Block 2 for:

- a. *Hello Someday Wine* operating under the criteria of Home Based Business, Type II, in accordance with the submitted and accepted Development Permit Application and the conditions and requirements included herein;
- b. Hours of Operation are to be Friday to Sunday, 11am-6pm, Monday to Thursday by special reservation;
- c. Maximum three (3) non-resident employees;
- d. Maximum of six (6) business visits per day;
- e. No additional outside storage was considered in this approval.

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 **September 29, 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 applicants are to submit a written verification of waiver or approval of Commercial Well License from Alberta Environmental Protection Agency to the satisfaction of the Development Authority.

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;**
2. The applicants are required to obtain all necessary Building and Safety Code permits and inspections applicable to use and occupancy of the existing development on site. Development shall comply with the applicable Building and Fire Codes at all times;
3. It is the applicant's responsibility to contact the County's Fire Inspector and obtain all necessary approvals and inspections prior to the operations of the business. Proof of such is to be submitted to the Development Authority;
4. The applicant is required to maintain an annual business license with Foothills County;
5. An Emergency Response Plan shall be submitted for review and acceptance by the County's Director of Emergency Management;
6. The applicant is required to obtain a Highway Roadside Development Application and subsequent development permit from Alberta Transportation and Economic Corridors;
7. It is the applicant's responsibility to obtain and properly post independent County address(es) for the business building. Please contact the County's GIS Department to be assigned the new address and obtain information regarding address signage.
8. The landowner shall be responsible for ensuring that the use and occupancy of the facility are undertaken in full compliance with all applicable Alberta Gaming, Liquor and Cannabis (AGLC) licensing requirements.
9. The applicants 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 the development.

1. Development is to comply with the criteria for Home Based Business Type II that exists at the time of issuance of this approval, and includes:
 - a. One or more residents of the parcel must be the primary owner of the business;
 - b. Parking is provided in accordance with the requirements set out in Section 9.19 of this bylaw;
 - c. Home business shall not generate noise, smoke, odor, dust fumes, exhaust, vibration, heat, glare, refuse matter or other nuisances considered offensive or excessive by the Development Authority;
 - d. Signage no larger than 0.55 sq. m. (5.92 sq. ft) in area. This sign is permitted to be placed at the entry of the property, provided it is solely on the landowner's property and not in the road right of way;
 - e. At all times, the privacy of the adjacent residential dwellings shall be preserved. The home based business shall not in the opinion of the Development Authority, unduly offend or otherwise interfere

with live ability or enjoyment of the neighboring properties and is required to comply with the Community Standards Bylaw.

2. Containers for garbage and recycling materials that are located outdoors shall be weatherproof and animal-proof and must be visibly screened from adjacent lands. Waste materials shall be disposed of at an approved waste disposal site. Secondary containment for fluids shall be implemented wherever appropriate;
3. 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;
4. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
5. 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. This includes, but is not limited to:
 - a. Compliance with the requirements of Alberta Environment and Parks respecting any use of well water for business uses;
 - b. Compliance with the requirements of Alberta Transportation and Economic Corridors;
 - c. Compliance with the requirements of Alberta Health Services;
6. The landowner/applicant indemnify and hold harmless the County against the cost of any claims or actions, or awards for loss or damage to the Owner(s) arising from the use of the subject property;
7. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit;

NOTES:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.
2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period 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.
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

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)

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) _____
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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.

TURN OVER AND COMPLETE REVERSE SIDE

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