

THE FOOTHILLS COUNTY SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

Tuesday, April 14, 2026, 1:00 p.m.
Foothills County Administration Office
309 Macleod Trail South – High River



Chair: Gar Beacom

Board Members: Rob Siewert, Brian Saltman, Brad Robson, Marcia Reid

	Pages
1. Call Meeting to Order	
2. Adoption of Minutes from Last Meeting	
2.1 Adoption of Minutes - March 19, 2026	2
3. HEARD AT 1:00 p.m. - Development Permit 26D 357	
Appellant/Applicant/Landowner: Roy Staple	
DESCRIPTION: Appeal against the Refusal of Development Permit 25D 357 for a Relaxation of Setbacks for Existing Structures and Secondary Suite, Existing	
LEGAL: Plan 9110575, Block 2, Lot 14; Ptn. SE 22-22-03 W5M	
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The Subdivision and Development Appeal Board for Foothills County met at Foothills County Administration Building at 12:54 p.m. on March 19, 2026. Present were Chairman P. Stier, Board members RD McHugh, B. Meyers, M. Reid and D. Larson and Subdivision and Development Appeal Board Clerk G. Stanley.

M. Reid moved that the minutes of the January 15, 2026, Subdivision and Development Appeal Board Hearing be approved as circulated.

RD McHugh moved that the minutes of January 29, 2026, Subdivision and Development Appeal Board Hearing be approved as circulated.

B. Meyers moved that the minutes of February 3, 2026, Subdivision and Development Appeal Board Hearing be approved as circulated.

SELWAY – SW 07-22-10 W5M – APPROVAL OF DEVELOPMENT PERMIT 25D 326 FOR A SEA-CAN FOR PERSONAL USE

The hearing was opened at 1:00 p.m. In attendance were the Appellants A. & K. Cranston, S. Millett, G. Hoffer, B. Howse, Landowner P. Selway, and affected parties K. & P. Bose, the Development Authority for Foothills County, K. Furnell, and Subdivision and Development Appeal Board Clerk G. Stanley.

On January 14, 2026, the Development Authority for Foothills County approved Development Permit 25D 326 for a Sea-Can for Personal Use.

The hearing was closed at 1:59 p.m.

Having been satisfied that notice of this hearing was provided in accordance with the Municipal Government Act, R.S.A. 2000, Chapter M-26;

And upon having read the materials provided, and upon having heard the representations from the Appellants, Landowners, affected parties and the Development Authority for Foothills County with respect to the appeal filed by the Appellants in accordance with Section 685 of the Municipal Government Act against the approval of Development Permit 25D 326 for a Sea-Can for Personal Use on Plan 0212015, Block 2, Lot 8; Ptn. SW 07-22-10 W5M (The "Property").

The Subdivision and Development Appeal Board for Foothills County (the "Board") has decided to:

UPHOLD the appeal and OVERTURN the Development Authority's decision to approve Development Permit 25D 326 for a Sea-Can for Personal Use on Plan 0212015, Block 2, Lot 8; Ptn. SW 07-22-10 W5M.

The application is thereby REFUSED.

**WOODS – NW 25-21-01 W5M - APPROVAL OF DEVELOPMENT PERMIT 25D 335
FOR A RELAXATION OF SETBACKS TO EXISTING STRUCTURE**

The hearing was opened at 2:19 p.m. In attendance were the Appellants D. Habetler & J. Wagar, Landowners K & C Woods, and affected party G. Pool, the Development Authority for Foothills County S. Kotlar, and Subdivision and Development Appeal Board Clerk G. Stanley.

On February 4, 2026, the Development Authority for Foothills County approved Development Permit 25D 335 for a Sea-Can for a Home-Based Business, Type III and 2 Sea-Cans.

The hearing was closed at 3:22 p.m.

And upon having read the materials provided, and upon having heard the representations from the Appellants, Landowners, affected party and the Development Authority for Foothills County with respect to the appeal filed by the Appellants in accordance with Section 685 of the Municipal Government Act against the approval of Development Permit 25D 335 for a Home-Based Business, Type III and 2 Sea-Cans on Plan 8410566, Block 5; Ptn. NW 25-21-01 W5M (The "Property").

The Subdivision and Development Appeal Board for Foothills County (the "Board") has decided to:

DENY the appeal and UPHOLD the Development Authority's decision to approve Development Permit 25D 335 for a Home-Based Business, Type III and 2 Sea-Cans on Plan 8410566, Block 5; Ptn. NW 25-21-01 W5M.

The application is thereby APPROVED subject to the following conditions:

APPROVAL DESCRIPTION:

This approval allows for the development and use of Plan 8410566, Block 5; NW 25-21-01 W5M for:

- a) Calgary Lawn Solutions operating under the criteria of Home-Based Business Type 111, in accordance with the submitted and accepted Development Permit Application and the conditions and requirements included herein;
- b) Hours of Operation are to be from Monday-Saturday, 7:00 a.m. - 5:00 p.m.
- c) Maximum of five (5) non-resident employees;
- d) Outdoor storage of business-related equipment and materials as per the accepted storage locations identified on the site plan;
- e) A maximum of twelve (12) business vehicles permitted on the site per day.

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, plumbing, gas, septic, and electrical permits and inspections applicable to use and occupancy of the existing development used in conjunction with the business;
3. Screening for the outdoor storage areas and vehicle parking is to be completed as per the submitted landscaping and screening plan to the satisfaction of the Development Authority;
4. If landscaping is used for screening, the applicants are to ensure that the vegetation is maintained in order to support visual screening from adjacent lands and roadways. Should proposed and-or existing vegetation on the subject property be removed or reduced in a way that no longer conceals the storage locations from adjacent lands and roadways, the landowner must replace with similar or greater material(s) in order to ensure that the same or great visual screening is maintained;
5. It is the applicant's responsibility to ensure the Sea-Cans are maintained to be safe, functional and in good repair, including the preservation of the exterior finish, to ensure that the Sea-Can aesthetically compliments the primary structure on the subject property. Any damage must be repaired;
6. The applicant is required to maintain an annual business license with Foothills County;
7. All waste materials are to be handled and disposed of under guidelines provided by governing Provincial regulatory bodies, at an approved waste disposal and/or recycling site. There shall be no long-term storage of waste materials on the property, nor burning of waste materials on the property. Garbage and waste must be stored in weatherproof and animal-proof containers and must be fully screen from neighboring lands;
8. Notwithstanding the ban on the burning of business waste materials on the property, as stated in Condition # 7 above, in addition, the mandatory requirement for Fire Permits on all properties as per the regulations in section 8.10 of Foothills-Fire-Services-Bylaw-18-2015 shall continue to remain in place; and
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 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 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;
3. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
4. All on-site business operations shall be wholly contained within the boundaries of the legally titled lot. Internal access roads for business-related traffic, sufficient parking, and turnaround space shall be provided within the boundaries of the titled parcel. Laneways and loading areas must be kept free of all debris, materials and/or equipment, and it is the landowner's responsibility to ensure that access for fire department apparatus is provided for at all times;
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; and
6. 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. 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.
3. 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 Subdivision and Development Appeal Board Order D07/2026.
4. 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 Subdivision and Development Appeal Board Order D05/2026.

ADJOURN

G. Beacom adjourned the meeting at 3:22 p.m.

CHAIRMAN

CLERK



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) <u>Roy Staple</u>			
Mailing Address [Redacted]			
Main Phone # [Redacted]			
I consent to receive documents by email: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address: [Redacted]			
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: Quarter-Section	Plan Township	Block Range	Lot Meridian

I AM APPEALING (check only one)		
Development Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Refusal Development Permit # <u>25D 357</u> Date of Decision: (Y/M/D) _____	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal Subdivision Application # _____ Date of Decision: (Y/M/D) _____	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order Enforcement Order # _____ 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.

The development officer is allowed to consider setback relaxation of 90% and greater.
Application 25D 357 includes the following requests:
Relaxation of front yard setback for existing wood structure (proposed secondary suite) 52% (24.83m/48m)
Relaxation of front yard setback for existing accessory building 34% (16.5m/48m)
Relaxation of side yard setback for existing accessory building 32% (4.84m/15m)
Relaxation of front yard setback for existing metal shed 46% (22.18m/48m)
Relaxation of front yard setback for existing sea-can 43% (20.6m/48m)
Relaxation of front yard setback for existing garage 2 82% (39.5m/48m)
Relaxation of side yard setback for existing garage 2 77% (11.5m/15m)
Relaxation of front yard setback for existing garage 1 82% (39.5m/48m)
Relaxation of side yard setback for existing outhouse 79% (11.87m/15m)

TURN OVER AND COMPLETE REVERSE SIDE

As the requested setbacks exceed what the development officer is allowed to consider, I am appealing to Council to consider and approve the requested setbacks.

The proposed secondary suite is located within an existing structure that was previously presented to Council as a structure that would be removed. This has proven to be problematic for a number of reasons; the existing structure houses the water supply and gas supply to the main dwelling, the existing structure houses an office and a tool room.

Part of the existing structure was badly water damaged and the water damaged part was demolished. The part of the existing structure that remains is dry and sound. Repurposing the existing structure for residential use allows me to provide a home for a family member who would otherwise have no home.

Again, the decision to allow retention of the existing structure exceeds what the development officer is allowed to consider, again, I am appealing to Council to consider and approve the retention of the existing structure.

Please note that the personal information collected is authorized under the Municipal Government Act and the Protection of Privacy Act (POPA), Section 4(c). Your comments and name will become a part of a public agenda. Inquiries about the collection of this information should be directed to the Foothills County Access to Information Coordinator, P.O. Box 5605, High River, Alberta T1V 1M7. Telephone 403-652-2341.

Roy Staple
Digitally signed by Roy Staple
 DN: C=CA, E=roy.staple@gmail.com, CN=Roy Staple
 Date: 2026.03.18 13:37:19-06'00'

Signature of Appellant(s) OR
 Person Authorized to Act on Behalf of Appellant(s)

2026-03-18

Date

A hearing must be held within 30 days from the receipt of your Notice of Appeal. Written notice of the date and time of the hearing will be sent by regular mail. If the appeal is against the decision of a Subdivision Authority, notice will be sent to the appellant, landowner(s) of the subject property, and to landowners adjacent to the subject property. If the appeal is against the decision of a Development Authority, notice will be sent to the appellant, landowner(s) of the subject property and to landowners located within the half mile surrounding the subject property.

****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. ****

PAYMENT OF APPEAL FEE

If submitting the Notice of Appeal form and paying the appeal fee in person, you do not need to complete this section.
 If submitting the Notice of Appeal form by email, you must complete this section.

Appeal fees are outlined on the attached information sheet - **Submitting an Appeal**

[Handwritten mark]

CREDIT CARD INFORMATION	
Card type:	<input type="checkbox"/> Visa <input type="checkbox"/> Master Card <input type="checkbox"/> American Express
Name as it appears on Card:	Card Number:
Date of Expiry:	CVC:
Authorization: I authorize Foothills County to charge \$ _____ to my credit card.	
Signature of Card Holder:	Date: 2026-03-18

FOR OFFICE USE ONLY		
Authorized By:	Date:	Receipt #:



DEVELOPMENT PERMIT DECISION

DATE OF DECISION: February 25, 2026

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

APPLICATION FILE NUMBER: 25D 357

LANDOWNER(S): ROY STAPLE

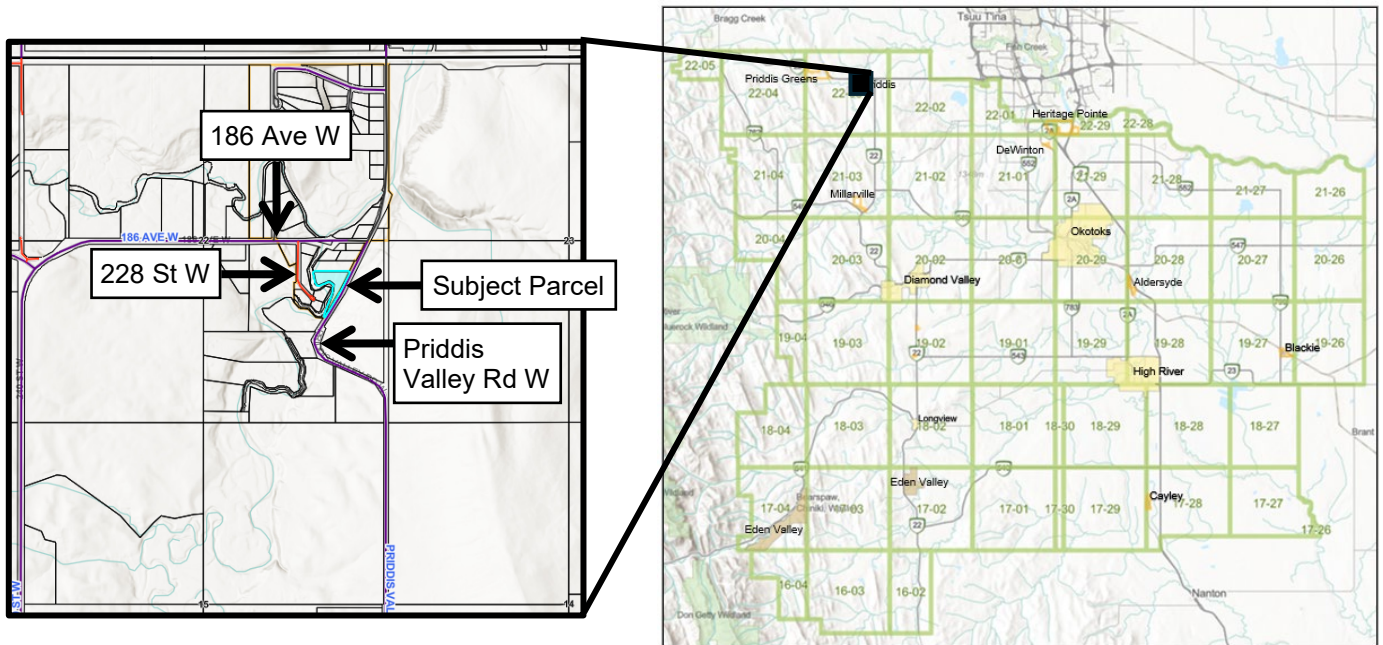
PROPOSAL DESCRIPTION: RELAXATION OF SETBACKS FOR EXISTING STRUCTURES AND SECONDARY SUITE, EXISTING

LEGAL DESCRIPTION: Ptn. SE 22-22-3 W5M; PLAN 9110575, BLOCK 2, LOT 14

LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is an existing 2.27 acre Country Residential District parcel, located adjacent to and west of Priddis Valley Rd W, adjacent to and east of Fish Creek, and 140 m south of 186 Ave W.

Location Map:



INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for a 1,200 sq. ft. Secondary Suite within an existing structures on the subject parcel. Additionally, the application also requests a Relaxation of Setbacks to seven (7) existing structures. The submitted Site Plan shows that the location of the structures identified do not comply with the Foothills County setbacks as outlined within the Section 13.1.7.3 of the Land Use Bylaw 60/2014. The following will require approval:

- Existing Wood Structure (proposed Secondary Suite) 24.83m from Priddis Valley Rd
- Existing Accessory Building 16.5 m from Priddis Valley Rd and 4.84 m from west property line
- Existing Metal Shed 22.18 m from Priddis Valley Rd
- Existing Sea-can 20.6 m from Priddis Valley Rd
- Existing Garage 2 11.50 m from the north property line and 39.5 m from Priddis Valley Rd
- Existing Garage 1 39.5 m from Priddis Valley Rd
- Existing Outhouse 11.87 m from the north property line

Secondary Suite, Detached means a Dwelling, Secondary Suite, which is detached from and subordinate to, the principal dwelling on the same parcel. A Secondary Suite, Detached on parcels 1 acre and larger in size shall be smaller than the habitable area of the principal dwelling, to a maximum of 1,400 sq. ft. in size; so long as all other requirements under the land use district are met.

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

Secondary Suite and Relaxation of Setbacks 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 Secondary Suite and Relaxation of Setbacks, on the subject parcel being a portion of SE 22-22-3 W5M; Plan 9110575, Block 2, Lot 14 has been considered by the Development Officer and is **REFUSED** for the following reason:

REFUSAL DESCRIPTION:

Section 13.1.7.3 of the Land Use Bylaw 60/2014 identifies that minimum yard setback requirements shall be:

- a) Front Yard Setbacks:
 - iii. 48m (157.48 ft) from the centreline of a Municipal 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

Although Section 5.6.2 of the Land Use Bylaw 60/2014 allows the Development Authority to consider a variance of up to 90% of the required setback, the extent and number of setback relaxations requested in this application exceed what can be reasonably supported.

In addition, the proposed secondary suite is located within an existing building that was previously presented to Council as a structure that would be removed. The continued presence of this structure—and the proposal to intensify its use through the addition of a secondary suite—does not align with the prior direction provided by Council. As such, the Development Authority cannot support the retention or repurposing of this building for residential use.

For these reasons, the Development Authority is unable to approve the development permit application. This is considered a discretionary refusal and should the applicants appeal, this request will be given further consideration by the Development Appeal Board.



Application for Development Permit

Land Use Bylaw No. 60-2014

Foothills County

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

www.foothillscountyab.ca

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: 250 357
 Receipt No.: _____ Tax Roll No: 2203220050
 Date Received: Jan 5 2006 Date Deemed Complete: Jan 5 2006

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Roy Staple
 Email: roy.staple@gmail.com
 Applicant's Mailing Address: _____
 Telephone: _____
 Legal Land Description: Plan 911 0575, Block 2, Lot 14, LSD _____,
 Quarter S.E., Section 22, Township 22, Range 3, West of the 5 Meridian.
 Registered Owner of Land: Roy Staple
 Registered Owner Mailing Address: _____
 Email: _____ Telephone: _____
 Interest of Applicant if not owner of site: N/A

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.

Relaxation of front yard setback for existing wood framed structure 1 (proposed secondary suite 1) from 48 metres from centerline of municipal road to proposed 24.83 metres, a relaxation of 48.3%. Relaxation of front yard setback for existing wood framed structure 2 (accessory building) from 48 metres from centerline of municipal road to proposed 16.5 metres, a relaxation of 65.6%. Relaxation of front yard setback for metal garden shed (accessory building) from 48 metres from centerline of municipal road to proposed 22.18 metres, a relaxation of 53.8%. Relaxation of front yard setback for sea can (accessory building) from 48 metres from centerline of municipal road to proposed 20.6 metres, a relaxation of 57%. Relaxation of front yard setback for car garage 1 & car garage 2 from 48 metres from centerline of municipal road to proposed 39.5 metres, a relaxation of 17.7%. Relaxation of side yard setback for car garage 2 from 15 metres from North property line to proposed 11.5 metres, a relaxation of 23.3%. Relaxation of side yard setback for existing outhouse from 15 metres from North property line to proposed 11.87 metres, a relaxation of 20.9%.

and Secondary Suite, Existing

PART 3 SITE INFORMATION

Area Of Lot: (In Acres Or Hectares) 2.27 Acres

Size Of Proposed Building: _____ Height: _____

Is There A Dwelling (Residence) On The Site: Yes No _____ If Yes, How Many? 1

Utilities Presently On Site: Electricity & natural gas

Are There Sour Gas Or High Pressure Facilities On Site? No

Utilities Proposed: None

Other Land Involved In Application: None

DISCLAIMER: Please note that the personal information collected on this form is authorized under the Municipal Government Act and is required for the purpose of the County's Planning and Development processes. This information may also be shared with appropriate government agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection and use of this information, please contact the FOIP Coordinator at 403-652-2341.

PART 4 DEVELOPMENT

Specify other supporting material attached that forms part of this application. (e.g., Site Plan, Plot Plan, Architectural Drawings, etc.):

Site plan

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

Roy Staple

hereby certify that I am:

The Registered Owner; or

Authorized to act on behalf of the Registered Owner

Date: 2025-12-10

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.

2025-12-10

Date

[Signature]

Signature of Owner or Authorized Agent

Digitally signed by Roy Staple
DN: cn=Roy Staple, o=Foothills County, ou=Planning and Development, email=roy.staple@foothillscolorado.gov, c=US
Date: 2025.12.10 07:58:48 -0700

FOR OFFICE USE ONLY

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

- 4. Other information: _____

PART 5 DECISION

Date of Decision: _____ Date Application Accepted: _____

This Development Permit Application is:

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

Notice of Decision Advertised: _____

Date of Issuance of Development Permit: _____

Development Officer

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

Please fill in form, print and sign application before returning to Foothills County.

The form must be signed by the landowner(s) of the property.



Secondary Suite Checklist

Foothills County

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 and Safety Code Permits. An application must be made for all required Building and/or Safety Codes Permits.

Construction of Secondary Suites may not commence, nor can a Secondary Suite be occupied, prior to the issuance of all required Development, Building, and Safety Code approvals.

LANDOWNER/APPLICANT INFORMATION

Name of Landowner(s) **Roy Martin Staple**

Name of Applicant(s) **Roy Martin Staple**

Legal Land Description: Plan **911 0575** Block **2** Lot **14**

Quarter Section **S.E 22** Township **22** Range **3** Meridian **W5M**

Area of Lot (In Acre or Hectares) **2.27 Acres**

TYPE OF SECONDARY SUITE

(LOCATED WITHIN)	CHECK	(STAND-ALONE)	CHECK
Existing Principal Dwelling/Attached Garage		Proposed New Detached Secondary Suite	
Existing Accessory Building	✓	Existing Detached Secondary Suite	
Proposed New Principal Dwelling/Attached Garage			
Proposed New Accessory Building			

SUITE INFORMATION

Secondary Suite existed before Bylaw 68/2023 was adopted: January 31, 2024 YES NO

Estimated date of Construction (if Secondary Suite existed prior January 31, 2024): **1925-06-13**

Total habitable area of principal dwelling (pre-Secondary Suite):

Total area of the Secondary Suite area (sq. ft.): **1200**

The following definitions may be used to help determine the total area of the Secondary Suite:

HABITABLE AREA of a Secondary Suites is the sum of all floors of all livable space contained within the exterior walls of the structure, including the basement, designated for human occupancy including areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage or areas devoted exclusively to mechanical or electrical equipment servicing the development.

BUILDING FOOTPRINT means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing things such as lot coverage.

Maximum height of Secondary Suite: **20'**

Total number of Dwelling Units on the parcel (prior to making this application): **1**

Number of parking spaces provided for the Secondary Suite: **2**

Describe availability of storage space accessible to the occupants of the Secondary Suite: **Existing wood framed structure 2**

WATER SOURCE

1. Connection to Municipal Water System

Name of Municipal Water System or Hamlet/Subdivision: _____

Requirements:

- I have attached a letter of confirmation from the County indicating there is adequate water to service the additional use (Secondary Suite) on the subject parcel.
- I have completed and attached the necessary "Application for Connection to Municipal Services" and Municipal Servicing Declaration for approval to connect to the municipal water system.
- I have included a site plan showing the existing water line on the parcel and illustrating the proposed new water line and/or water line connection location as it ties into the existing system.

2. Connection to Non-Municipally Owned Communal Water System

Name of Private Water System Provider _____

Requirements:

- I have attached a letter from owner/operator of the piped water system, confirming approval to connect and confirmation there is adequate water available to service the additional use for the Secondary Suite on the subject parcel.

3. New or Existing Groundwater Well (Check one)

- Connected to new well specifically for the Secondary Suite
- Connection to existing groundwater well on the parcel specifically for the Secondary Suite
- Propose to share existing groundwater well on site.
Explain shared use Existing well capacity is adequate to supply water to secondary suites
- I am installing a water cistern to supplement the groundwater source for the Secondary Suite (if this option is selected, the below Section 4 must also be completed).

4. Water is hauled to the site to the cistern or water storage system as the water source for the Secondary Suite

- Cistern/Water Storage System (please include size of storage) _____
- Where is the water supply hauled from (municipal treated source)? _____
- I have provided a Water Management Plan outlining a proposal to dictate how an adequate potable water supply is to be maintained for the Secondary Suite at all times.

SEWAGE TREATMENT AND DISPOSAL

1. Connection to Municipal Wastewater/Sewer System

Name of Municipal System/Hamlet/Subdivision: _____

Requirements:

- I have attached a letter of confirmation from the County indicating there is adequate capacity for the additional wastewater to service the additional use on the subject parcel.
- I have completed and attached the necessary "Application for Connection to Municipal Services" for approval to connect to the municipal wastewater/sewer system.
- I have included a site plan showing the existing wastewater/sewer line on the parcel and have illustrated the proposed new wastewater/sewer line and/or connection location as it ties into the existing system.

2. Connection to Non-Municipally Owned Wastewater /Sewer System

Name of Private Wastewater/Sewer System Provider _____

Requirements:

- I have attached a letter from owner/operator of the wastewater/sewer system, confirming approval to connect to the system and confirmation there is adequate capacity to service the additional use of a Secondary Suite on the subject parcel.
- I have completed and attached the necessary "Application for Connection to Municipal Services" and Municipal Servicing Declaration for approval to connect to the municipal wastewater system.

3. Private Wastewater /Sewer System

- Connection to existing private sewage treatment system on the property
* (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)
- Expansion of existing private sewage treatment system on the property
* (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)
- Construction of new private sewage treatment system on the property
* (Landowner responsibility to ensure sewage treatment system meets the Safety Code requirements)

ADDITIONAL INFORMATION REQUIRED

Specify other supporting material attached that forms part of this application (i.e., Site plan, Covenants, Servicing plans, Floor Plan, Elevation Drawings, proposed and/or existing screening, and supporting information).

Site plan

Estimated Date of Commencement:

2026-04-01

Estimated Date of Completion:

2026-09-30

Describe how the potential for impact on neighbouring properties is minimized (location, design, screening/landscaping, installation of cistern/water storage, etc.)

Location. Neighbours have limited visibility of existing accessory building due to forest and other structures.

911 ADDRESS INFORMATION

- I hereby acknowledge and understand that I may be required to obtain a new 911 address for safety and emergency purposes for the Secondary Suite developed on the property and agree to do so in accordance with the rules and requirements of the Foothills County and acknowledge that the proposed development may result in additional and/or updated municipal address(es) on the property. Consequently, I understand and accept that this may result in changes to the Canada Post mail address. The county is not responsible for associated costs of such.

PRE-APPLICATION BUILDING AND SAFETY CODES INSPECTION

- I hereby acknowledge that I understand that I have the option to have a Building and Safety Codes Officer conduct a pre-development permit application inspection of the existing Secondary Suite for a fee of \$160.00 + 4% Safety Codes Fee. This inspection would allow for a certified Building Inspector to outline how well the existing un-permitted Secondary Suite meets the Alberta Building Code and would provide a better understanding of renovations or changes that may be required to bring the Secondary Suite into compliance with safety regulations.
- Pre-application inspection completed (Provide copy of the County's preliminary inspection report)
- Pre-application inspection not requested

SECONDARY SUITE REGISTRY

I hereby consent to Foothills County publishing my legal description, municipal address, parcel size, land use, Development Permit Application #, and type of Secondary Suite approved on the property within the Secondary Suite Registry as public information. Applicant/Landowner names will not be disclosed on the Registry. This Registry is intended to allow prospective tenants, landowners, realtors, and other interested parties to search permitted Secondary Suites in the Municipality.

SIGNATURES

Digitally signed by Roy Staple
DN: C=US, E=rstaple@bumsmcd.com,
O=Burns & McDonnell, OU=Pipe Design,
CN=Roy Staple
Date: 2025.12.10 07:59:38-07'00'

2025-12-10

Signature of Landowner(s)

Date

Signature of Landowner(s)

Digitally signed by Roy Staple
DN: C=US, E=rstaple@bumsmcd.com,
O=Burns & McDonnell, OU=Pipe
Design, CN=Roy Staple
Date: 2025.12.10 08:00:21-07'00'

Date

2025-12-10

Signature of Applicant(s)

Date

Signature of Applicant(s)

Date



DECLARATION OF UNDERSTANDING

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

Landowners are required to review this Declaration of Understanding and then sign it before a Commissioner for Oaths. Commissioners are available at the County Office by appointment with the Planning Department.

REGISTERED LANDOWNER(S) DECLARATION

This is to certify that the Landowners (names of all landowners registered on the certificate of title must be included)

Roy Martin Staple

Print Name

Print Name

I/(we) understand:

- a. Proof of water for the purposes of household consumption (human consumption, sanitation, fire prevention and water animals, gardens, lawns and trees) is legislated and enforced under the Provincial Water Act.
- b. It is the Landowner's responsibility to understand and acknowledge the estimated water supply requirements necessary for all existing and proposed uses on the property.

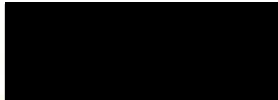
The province has developed a worksheet titled, "Calculation of the Average Daily / Annual Water Requirements" that can be used to assist you with understanding this requirement and is available on the Province's website here: <https://open.alberta.ca/publications/9781460143414>

- c. It is the Landowner's responsibility to ensure that an adequate potable water supply is provided and maintained for both existing and proposed uses on the property, including the Secondary Suite.
 - i. Where a Secondary Suite is being connected to a piped water system, it the landowner's responsibility to submit a letter to the Development Authority providing confirmation from the supplier of the piped water system indicating that there is adequate water available to service the existing uses and proposed additional use (Secondary Suite and associated water use) on the subject parcel, and that the supplier has authorized the approval to connect.
 - ii. Where groundwater is being utilized as potable water supply for a Secondary Suite, it is the Landowner's responsibility to supply and maintain an adequate quantity of potable water while still complying with the maximum allowance of 1250m³ per year (750 imperial gallons per day) per household for groundwater sources on a parcel under the Water Act (a Secondary Suites constitutes as an additional household).
Alberta Environment and Parks has published a document called "Water Wells That Last" as a guide for private well owners in Alberta. It is recommended that you review this document if utilizing groundwater as a water supply for your property. A copy can be found at the following link <https://open.alberta.ca/publications/9781460143414>.
 - iii. Where water is hauled to the site to be utilized as the potable water supply for a Secondary Suite, it is the landowner's responsibility to ensure the appropriate size of cistern or holding tank is installed in accordance with all applicable Municipal and/or Provincial Legislation. The landowner is also responsible for ensuring that all road bans are adhered to.
Municipal Road Ban information can be found on the County's website here: <https://www.foothillscountyab.ca/alerts/2024-spring-road-bans>
- d. It is the Landowner's responsibility to ensure that the water quality meets the Guidelines for Canadian Drinking Water Quality and Alberta Health Services Criteria to ensure that the water quality is suitable.
- e. It is the Landowner's responsibility to provide adequate wastewater/sewage disposal for the Secondary Suite to the satisfaction of the Building/Safety Codes Officer.
 - i. Where sewage disposal is connected to an approved piped communal collection system, the operator of the communal system must confirm that the system has adequate capacity for the additional sewage and has authorized the approval to connect.

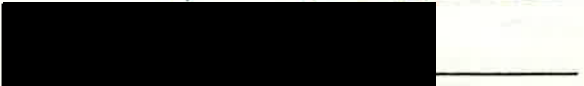
- ii. Where an existing private sewage treatment system is being used, a certified septic designer/installer must confirm that the existing system can adequately manage the additional waste or a new system or addition to the existing system has been adequately sized to accommodate the additional waste and the location is suitable.
- f. I acknowledge that the proposed development may result in additional and/or updated municipal address(es) on the property. Consequently, I understand that this may result in changes to the Canada Post mailing address. The county is not responsible for associated costs of such.

I (we) declare to have read and understand the above requirements and have exercised due diligence to ensure that we meet these above noted requirements prior to making application for approval of a Secondary Suite in Foothills County.

Sworn before me at the hamlet of Priddis
of _____ in the Province
of Alberta this 19 day of December, 2025



Landowner (Print Name Below)
Roy Martin Staple



A Commissioner for Oaths in and for the Province of Alberta

JANE GREYDANUS MORGAN
A Commissioner for Oaths
in and for the Province of Alberta
My Commission expires June 14, 2025
Appointee No. 0749909

Sworn before me at the _____
of _____ in the Province
of Alberta this _____ day of _____, 20_____

Landowner (Print Name Below)

A Commissioner for Oaths in and for the Province of Alberta

If no wells are listed on-site:

I, Roy Staple being the registered
Owner(s) or agent acting on behalf of the registered owner(s)
of Lot 14 Block 2 Plan 911 0575
(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.



Digitally signed by Roy Staple
DN: C=US, E=rstaple@burnsmcd.com, O=Burns
& McDonnell, OU=Pipe Design, CN=Roy Staple
Date: 2025.12.10 08:19:44-07'00'

Roy Staple

Owner/Agent

DATED: this 10 day of December, 2025.

OR

If wells are listed on-site:

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

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

Owner/Agent

DATED: this _____ day of _____, 20_____.

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

Getting Around | Annotate | Analysis

- Print
- Help
- Zoom In
- Full Extent
- Previous Extent
- Next Extent
- Polygon
- Rectangle
- Export To Excel

Legend | Downloads | Locate Abandoned Well

Abandoned Well

Abandoned Wells



Revised Location



Revised Location Pointer

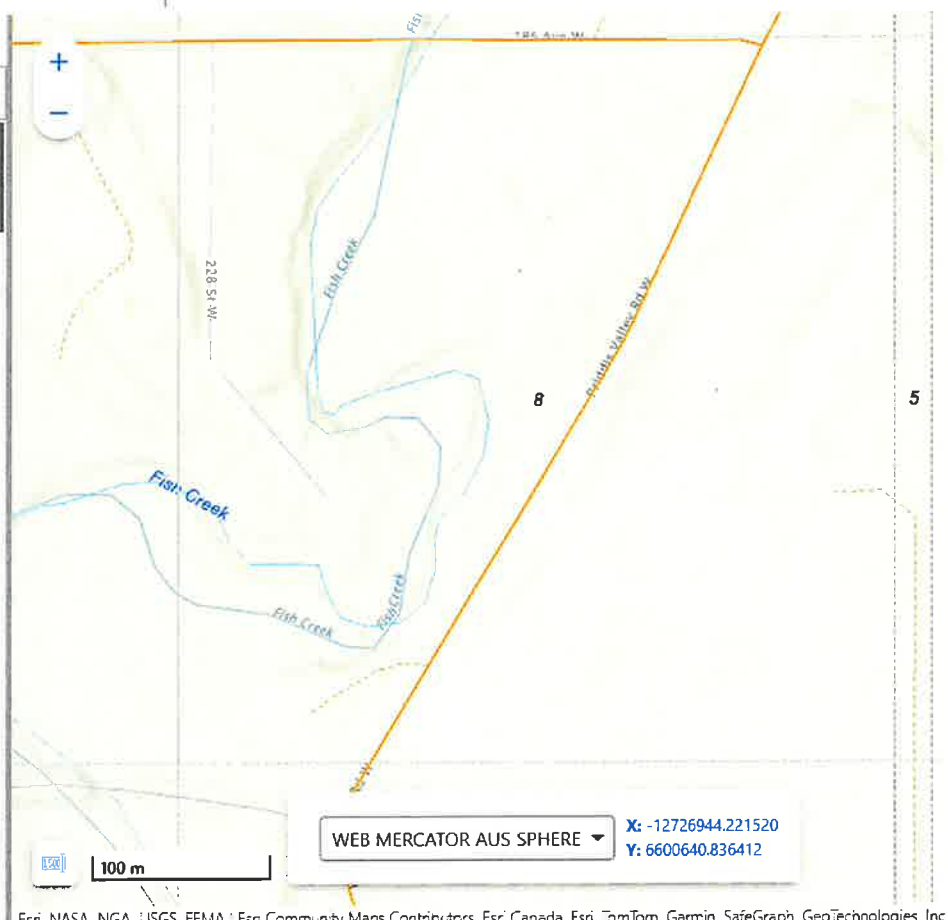


Access

Paved Road

Paved Road (20K)

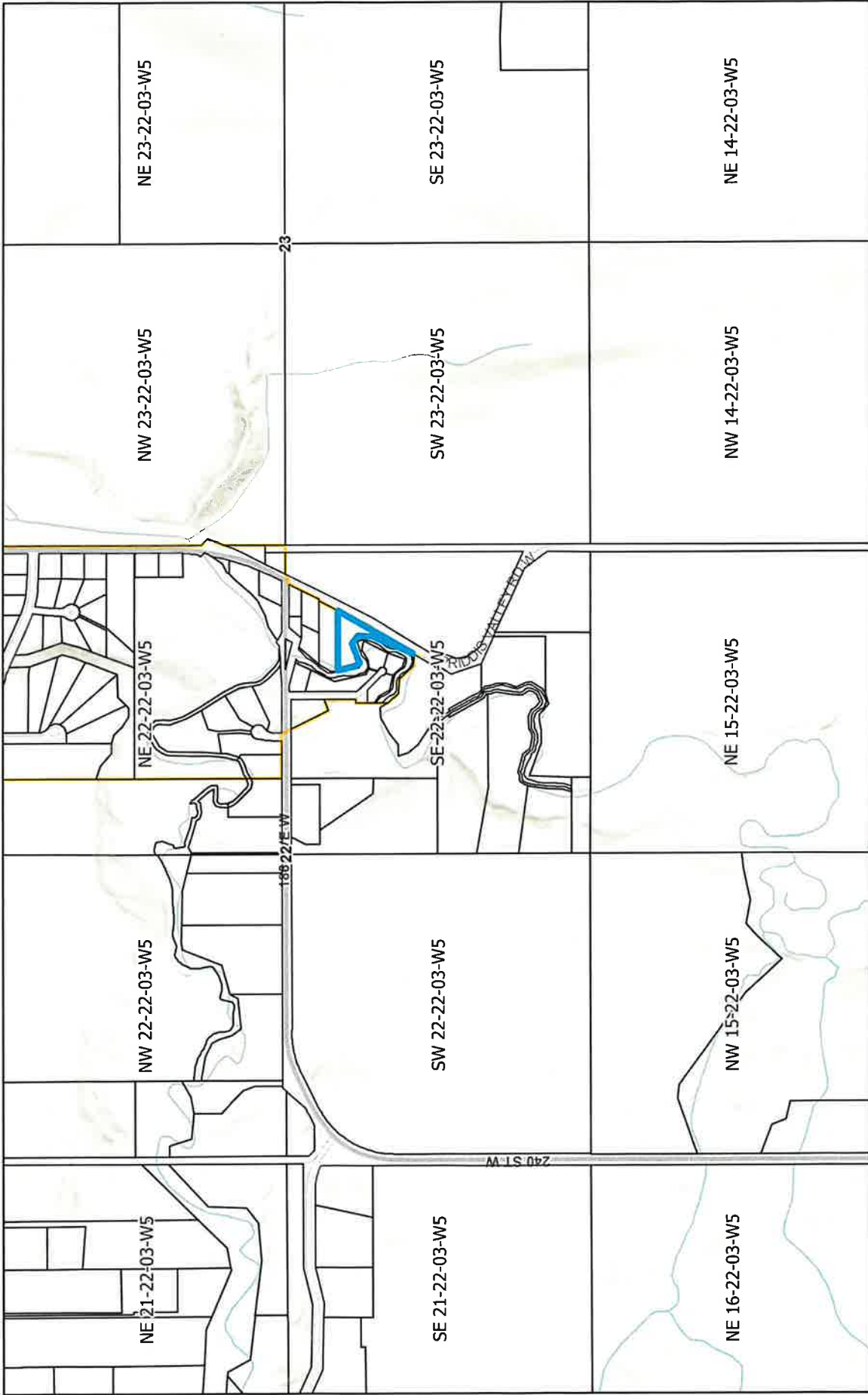
- Primary Divided
- Primary Divided
- Primary Undivided 4L
- Primary Undivided 4L
- Primary Undivided 2L
- Primary Undivided 1L
- Primary Undivided 1L
- Interchange Ramp



Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, Esri, Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc

No abandoned well sites were noted on Lot 14 Block 2 Plan 911 0575

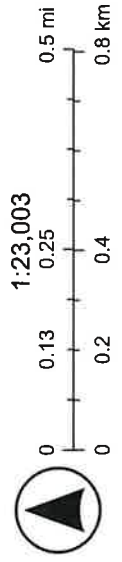
SE 22-22-03 W5; Plan 9110575 Blk 2 Lt 14



2025-12-24, 9:12:07 a.m.

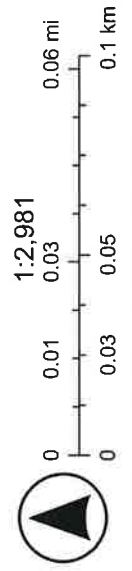
- Parcels
- Settlement
- Hamlet

- Townships
- World_Hillshade



Esri, NASA, NGA, USGS, FEMA

SE 22-22-03 W5; Plan 9110575 Blk 2 Lt 14



City of Calgary, Geodesy Group Inc., Southern Alberta Partners

2025-12-24, 9:16:12 a.m.

- Parcels
- World Imagery
- High Resolution 30cm Imagery
- Settlement
- Low Resolution 15m Imagery
- Citations
- Hamlet
- High Resolution 60cm Imagery
- 60cm Resolution Metadata



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0020 921 722 9110575;2;14 181 222 904

LEGAL DESCRIPTION

PLAN 9110575
BLOCK 2
LOT 14
CONTAINING 0.92 HECTARES (2.27 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS


ATS REFERENCE: 5;3;22;22;SE
ESTATE: FEE SIMPLE

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 131 266 739

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 222 904	16/10/2018	TRANSFER OF LAND	\$477,350	NIL

OWNERS

ROY MARTIN STAPLE


ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
841 194 572	29/11/1984	CAVEAT RE : ROADWAY CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. P. O. BOX 160, HIGH RIVER ALBERTA AGENT - A J SPARKS

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
181 222 904

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
911 042 819	28/02/1991	UTILITY RIGHT OF WAY GRANTEE - MEOTA GAS CO-OP LIMITED.
201 034 975	19/02/2020	MORTGAGE MORTGAGEE - CEDAR PEAKS MORTGAGE INVESTMENTS INC. 104, 7370 SIERRA MORENA BLVD SW CALGARY ALBERTA T3H4H9 ORIGINAL PRINCIPAL AMOUNT: \$320,000
201 034 976	19/02/2020	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - CEDAR PEAKS MORTGAGE INVESTMENTS INC. 104, 7370 SIERRA MORENA BLVD SW CALGARY ALBERTA T3H4H9 AGENT - ADRIANNA M WORMAN
201 034 977	19/02/2020	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - TATYANA STAPLE 62 WEST COACH WAY SW CALGARY ALBERTA T3H0M9 AGENT - JEFFREY V KAHANE

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 24 DAY OF
DECEMBER, 2025 AT 09:18 A.M.

ORDER NUMBER: 55878117

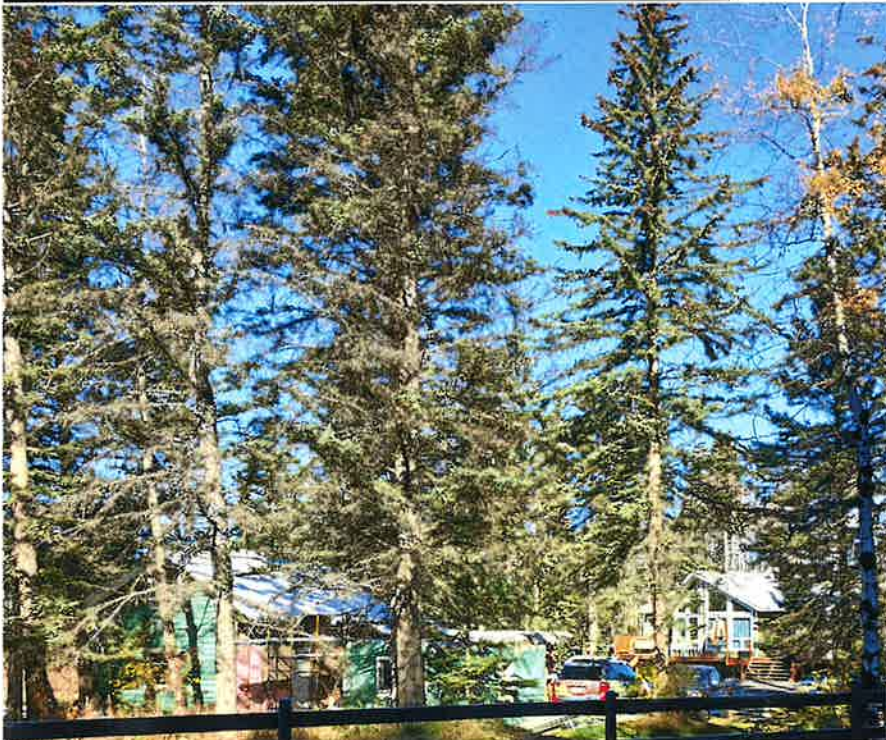
CUSTOMER FILE NUMBER: MM-Planning



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

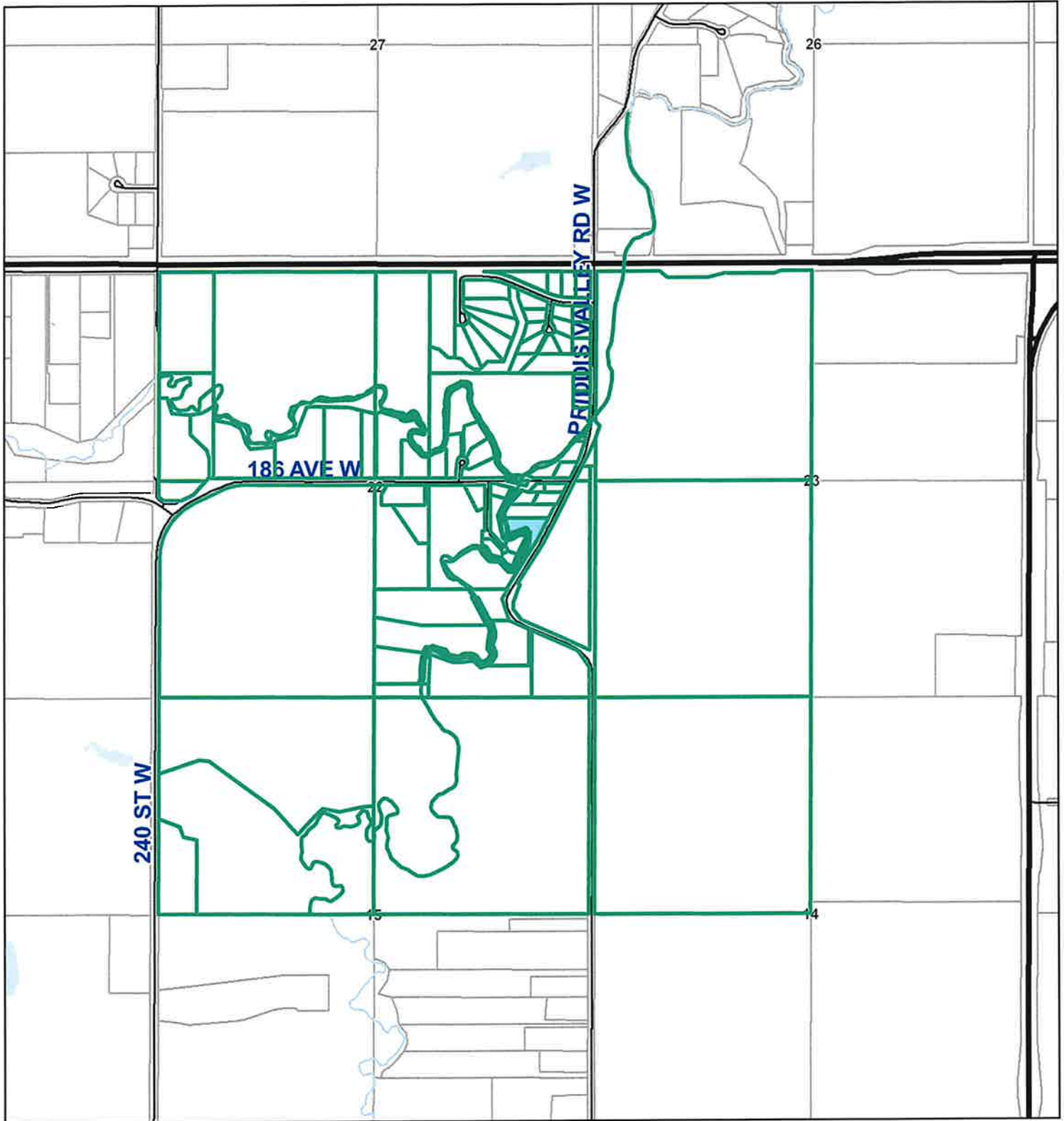








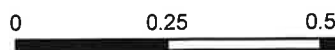
Half Mile SE 22-22-3 W5M; Plan 9110575 Blk 2 Lot 14



Legend

- Roads
- Highway
- Parcels
- Subject Parcel

Date: 2026-02-19



This map is compiled by the Foothills County. Reproduction, in whole or in part, is prohibited without express permission from the Foothills County. Foothills County provides this information in good faith, but provides no warranty, nor accepts any liability arising from incorrect, incomplete or misleading information, or its improper use.

Data Sources include Municipal Records and AltaLIS.



PLANNING & DEVELOPMENT CIRCULATION
PUBLIC WORKS DEPARTMENT - CIRCULATION RESPONSE

FILE NUMBER: 25D 357	LANDOWNER: Ron Staple
FILE MANAGER: Stacey Kotlar	AGENT:
CURRENT LAND USE: CR	PROPOSED LAND USE:
LEGAL DESCRIPTION: SE 22-22-3 W5M; Plan 9110575, Block 2, Lot 14	
MUNICIPAL ADDRESS: [REDACTED]	
ROLL NUMBER: 2203220050	
DATE REFERRED: Jan 5, 2026	
PROPOSAL: Relaxaion of setbacks for existing structures and Secondary Suite, on parcel completely within the Floodway, Flood Fringe and Hazard Flood Fringe.	

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:

There is a lot going on with this applciaiton. It is a result of enformcement. In previous applications the proposed secondary suite (the previous dwelling) and the southern most wood structure were considered non-conforming. The land owner had said that he would remove the previous dwelling/proposed secondary suite. The 2 proposed "car garage" at the north of the property are tent-like structures. But, the biggest concern in the change to the Flood mapping - it was not previously considered.

PUBLIC WORKS RECOMMENDATIONS:

SUGGESTED CONDITIONS FOR CONSIDERATION:

Proposed Balance

- | | | | |
|--|--------------------------------------|--------------------------------------|---|
| <input type="radio"/> Geotechnical Report for Slope Stability | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> High Water Table Testing for Foundation Design: | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Septic Disposal Evaluation (PSTS) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | |
| <input type="radio"/> Stormwater Management Plan | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Lot Grading/Overland Drainage Plan | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Development |
| <input type="radio"/> Flood Plain Report (1 in 100 years) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Overland Drainage Easement | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | |
| <input type="radio"/> Building Envelopes | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Traffic Impact Assessment (TIA) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Environmental Site Assessment (Phase1 / Phase2) | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Development |
| <input type="radio"/> Other: <u>Flood Assessment by a qualified professional</u> | <input type="checkbox"/> Redes/Amend | <input type="checkbox"/> Subdivision | <input checked="" type="checkbox"/> Development |

ADDITIONAL ROAD WIDENING REQUIRED:

No Caveat Survey Out

Amount _____m Location of Widening Required: N E S W

Other: _____

No Caveat Survey Out

Amount _____m Location of Widening Required: N E S W

Other: _____

See reverse side.....

RECOMMENDATIONS ON APPROACH REQUIREMENTS:

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

Recommendations: _____

None proposed or required for this application

RECOMMENDATIONS REGARDING INFRASTRUCTURE:

Multiple structures are located within the flood fringe, a flood assessment by a qualified professional is required. The report will need to address elevations of existing improvements and minimum recommended elevations. A lot grading plan is also required showing existing site elevations - including main floor/slab of existing structures, ground elevations near structures.

General comment that setbacks appear to be to the unwidened road right of way, there is a 5m widening along Priddis Valley Rd The south wood frame structure appears to be less than 2m from property line, which would be of concern.

ROAD REQUIREMENTS / LIMITATIONS:

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

Road comments and requirements: _____

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

- Yes* No

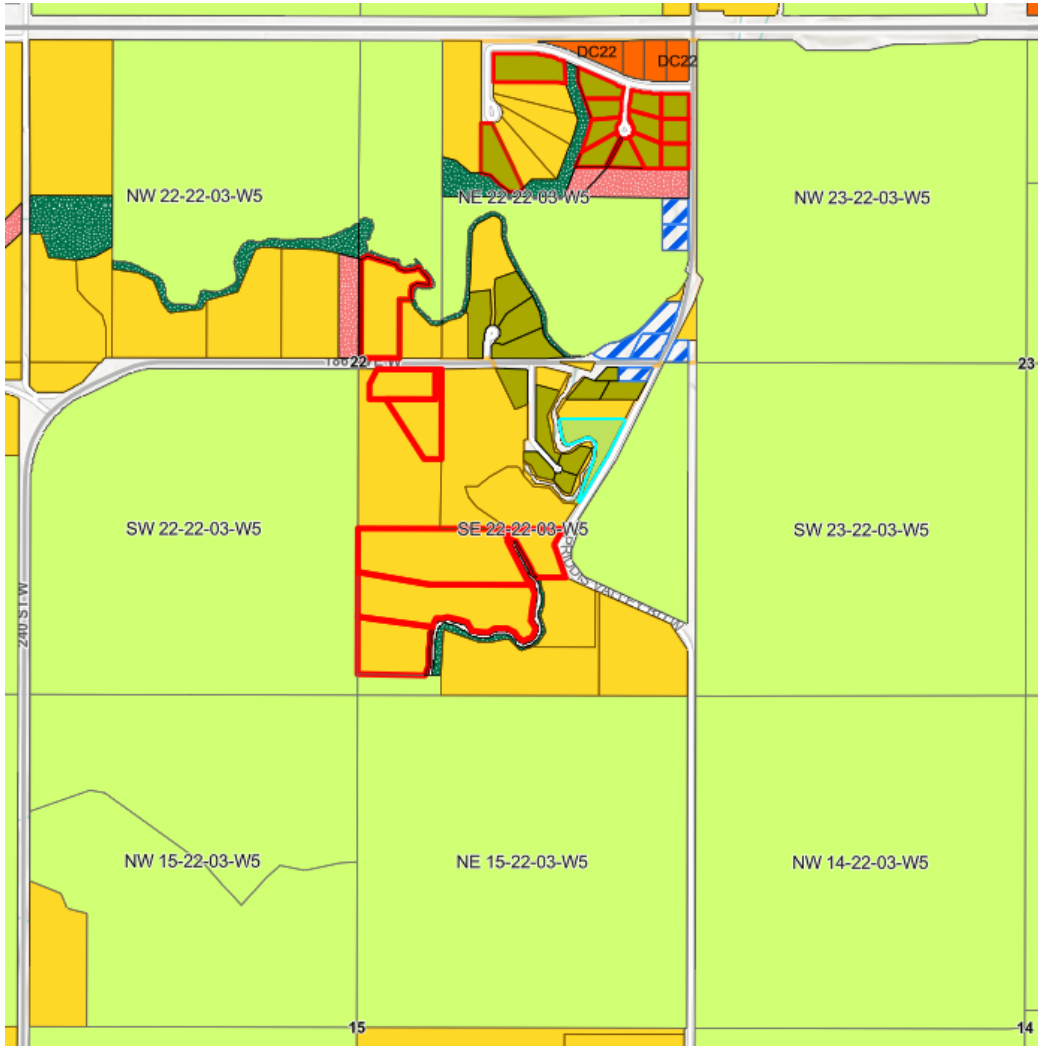
*If Yes – Number of Pages: _____

Date Reviewed: January 22 2025

Reviewer: Patrick Antle

Signature: 

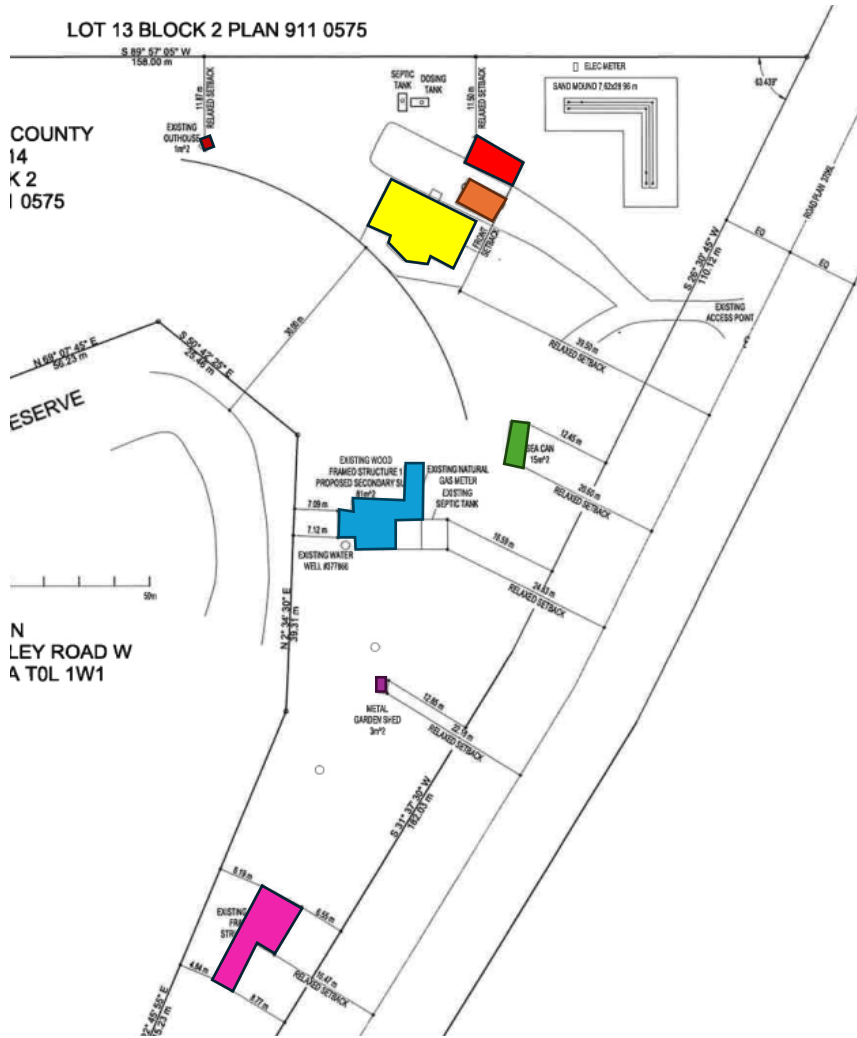
Land Use Map



- A- Agricultural
- AA- Agricultural Sub A
- AB- Agriculture Business
- BP- Bussiness Park
- CMC- Community Commercial
- HC- Highway Commercial
- RB- Rural Business
- CR- Country Residential
- CRA- Country Residential Sub A
- CERA- Country Estate Residential Sub Dist A
- DC - Direct Control
- EPA- Environmental Protection Sub A
- ER- Environmental Reserve
- EP- Environmental Protection
- OS- Open Space
- IE- Industrial Edge
- INR- Natural Resource Extraction
- FPJ- Federal/ Provincial District
- GI- General Industry

LOT 13 BLOCK 2 PLAN 911 0575

COUNTY
14
K 2
I 0575



- Outhouse = 1 sq m
- Garage = 28 sq m
- Garage = 24 sq m
- Dwelling
- Sea Can = 15 sq m
- Secondary Suite = 81 sq m
- Garden Shed = 3 sq m
- Wood Structure = 73 sq m

5 structures = 173 sq m

Plus 2 garages

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

Foothills County Land Use Bylaw |

13.1.4 PERMITTED USES	13.1.5 DISCRETIONARY USES
	Solar Power System, Private requiring a Development Permit 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 10.26, 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. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
 - iii. 48m (157.48 ft) from the centreline of a Municipal road;
 - iv. 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);

Foothills County Land Use Bylaw |

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

Sirroco:

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

Mazzepa:

- 13.1.8.7 For the following properties in Mazeppa:

Plan 7893FT, Block A, S 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;

PART 5 OVERLAY DISTRICTS

SECTION 11 OVERLAY DISTRICTS

11.1 2013 FLOOD HAZARD PROTECTION OVERLAY

FHP

11.1.1 PURPOSE AND INTENT

The general purpose of this section is to provide for the safe and efficient use of lands within the floodway and flood fringe of all the rivers, streams, creeks, and waterways as they are defined under the Alberta Environment's Flood Hazard Identification Program, as well as the areas impacted by June 2013 flood event within the Foothills County.

The intent of this section is to discourage new development on lands subject to flooding and achieve the long term goal of maintaining and decreasing the overall density of development on lands that may be subject to flooding.

11.1.2 APPLICATIONS

11.1.2.1 The provisions of this section shall apply to the following areas of the County:

- a. Areas within floodway;
- b. Areas within flood fringe;
- c. Areas impacted by June 2013 flood event.

See below for definitions and in Section 2.5 "Definitions" of this bylaw for more information.

The areas within *floodway* and *flood fringe* can be viewed at Alberta Environment web site: (<https://floods.alberta.ca/>)

11.1.2.2 The *areas impacted by June 2013 flood event* can be viewed in Map A and are subject to this overlay district.

11.1.2.3 In the *Flood Hazard Protection Overlay*, the permitted and discretionary uses listed in the land use district in which the site is located shall continue to apply if supported by engineering and technical studies and meet all applicable development requirements.

11.1.2.4 Where provisions of the *Flood Hazard Protection Overlay* appear to be in conflict with the regulations of the land use district, the provisions of the overlay shall take precedence and be applied in addition to the regulations of the district.

11.1.3 DEVELOPMENT REQUIREMENTS

11.1.3.1 A Development permit is required for all permitted and discretionary uses and activities within the *Flood Hazard Protection Overlay*.

11.1.3.2 Notwithstanding Section 11.1.3.1, no development permit is required for a detached accessory building having an area of 20.8 sq.m. (224 sq. ft.) or less in size in accordance with Section 4.2.1.7.

11.1.3.3 The Approving Authority may issue a signed waiver to allow for development on a site without the requirements of a Development Permit in accordance with Section 4.2.1 of the Land Use Bylaw, where the landowner/applicant can provide proof that the development is located outside of the designated Flood Hazard Protection Overlay area on the property.

- 11.1.3.4 For new development proposed within the *floodway*, proof must be provided that no other lands are available to locate the development within the lot. Should other lands be available on the lot that are outside of the floodway, new development within the *floodway* will not be permitted.
- 11.1.3.5 Development may be permitted in areas identified as *Lands impacted by the 2013 Flood Event* on Map A, if proof is submitted to the satisfaction of the Approving Authority, that the land subject to the proposed development was not impacted in any way by the June 2013 flood event.
- 11.1.3.6 Development may be permitted in the *Flood Hazard Protection Overlay* at the discretion of the Approving Authority based on the following plans, studies and information which are certified by a qualified and registered professional engineer:
- a. Appropriate engineering and technical studies supporting development safely within the *Flood Hazard Protection Overlay area* will be required at the time of development permit application;
 - b. An application for a development permit, accompanied by detailed drainage studies and plans drawn to metric scale showing the nature, location, dimensions, elevation of the site and the location of existing or proposed structures, fill, storage of materials, and drainage facilities;
 - c. Any structure proposed including habitable rooms, electrical panels and heating units and operable windows will be *flood-proofed* where required, as specified in the applicable Building Code;
 - d. Information on grade elevation in relation to the 1:100 year flood elevation and/or the elevation of the 2013 flood event;
 - e. Canadian Mortgage and Housing Corporation guidelines for building in flood susceptible areas;
 - f. Basement drainage; and/or
 - g. Site drainage.
- 11.1.3.7 The Approving Authority may refer to Alberta Environment, for comment on any development permit application for development within the *flood hazard area*.
- 11.1.3.8 The Approving Authority shall not issue a development permit until it is satisfied through the submission of engineering reports that adequate *flood proofing* exists.
- 11.1.3.9 The Approving Authority shall permit minor renovations and repairs to an existing building, whether structural or not, in the *flood fringe* without requiring the *flood proofing* of a building.
- 11.1.3.10 All mechanical and electrical equipment within a building shall be located at or above the *designed flood level*.
- 11.1.3.11 Basements shall be discouraged in new buildings within the *flood fringe, floodway and on lands impacted by 2013 Flood*, unless they are *flood proofed* to the satisfaction of the Approving Authority.
- 11.1.3.12 Within the *Flood Hazard Protection Overlay Area*, no inside or outside storage of chemicals, explosives, flammable liquids, toxic or waste materials that cannot readily removed in the event of a flood shall be allowed.

11.1.4 FLOOD HAZARD WARNING AND DISCLAIMER OF LIABILITY

11.1.4.1 The degree of flood protection intended to be provided by this section is considered reasonable for regulatory purposes and is based on historical records and engineering and scientific methods of study for river and lakeshore settings. Larger floods may occur, or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This section does not imply that areas outside the floodway and flood fringe boundaries will always be totally free from flooding or flood damages, nor shall this section create a liability on the part of or be a cause of action against the Foothills County or any officer or employee thereof for any flood damages that result from the reliance on this section.

11.1.4.2 **Map A** titled *Lands Impacted by the 2013 Flood Event* shows the outside perimeter of the 2013 flood affected areas based on all information that the Foothills County has available. The area identified as *Lands Impacted by the 2013 Flood Event* on this map may be amended if landowners submit adequate proof to the satisfaction of the Approving Authority that their land was not impacted by the June 2013 flood.

11.1.5 DEFINITIONS

Designed Flood Level: is the flood level that is used to delineate the flood limits. For Alberta's Flood Hazard Identification Program, the minimum frequency would be 1:100 year return period flood calculated at the time of the study. The design flood may also be a historical open water and ice jam flood.

Flood Hazard Area: The total area flooded by a 1:100 year flood. It is usually divided into floodway and flood fringe zones.

Floodway: The portion of the flood hazard area where flows are deepest, fastest, and most destructive. Floodway is described in the Alberta Environment's Flood Hazard Identification Program (<http://www.alberta.ca/final-flood-maps.aspx>).

Flood Fringe: Floodwater in the flood fringe is generally shallower and flows more slowly than in the floodway. Flood fringe is the outer portion of the flood hazard area. Flood fringe is described in the Alberta Environment's Flood Hazard Identification Program (<http://www.alberta.ca/final-flood-maps.aspx>).

Flood Proofing: With respect to a building or building extension, a design, manner of construction or siting thereof for the purpose of preventing damage by floods of a specified magnitude.

Lands impacted by 2013 Flood Event: are those lands which the County identifies were impacted by flooding on June 20th, 2013. These lands may or may not be within the flood hazard area. Some of these lands may only have been partially flooded or minimally impacted, while some may have been significantly impacted.

Flood Hazard Protection Overlay area or Lands Subject to Flooding are those lands included within one or all of the following areas:

- a. Floodway;
- b. Flood Fringe; or
- c. Lands impacted by 2013 Flood Event.

- 4.2.1.9 Permanent dwellings are permitted up to two private garages, attached to the permitted dwelling or detached, in addition to the accessory buildings allowed under Section 4.2.1.7A, where:
- the total cumulative area of the garage(s) does not exceed 167.23 sq. m. (1,800 sq. ft.), on Agricultural zoned properties; or
 - the total cumulative area of the garage(s) does not exceed 111.48 sq. m. (1,200 sq. ft.) on all other land use districts.

Table 4.2.1.7A

PARCEL SIZE	SIZE OF ACCESSORY BUILDING
Less than 1 acre	Maximum of two (2) buildings with a total cumulative size not to exceed 41.8 sq. m. (450 sq. ft.) accessory to the residence
1.0 - 1.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 88.26 sq. m. (950 sq. ft.) accessory to the residence
2 - 2.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 155.6 sq. m. (1,675 sq. ft.) accessory to the residence
3.0 - 4.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,075 sq. ft.) accessory to the residence
5.0 - 9.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 325.2 sq. m. (3,500 sq. ft.) accessory to the residence
10.0 - 14.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) accessory to the residence
15.0 - 20.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 422.7 sq. m. (4,550 sq. ft.) accessory to the residence
21.0 acres and over in size:	Maximum of six (6) buildings with a total cumulative size not to exceed 478.5 sq. m. (5,150 sq. ft.) accessory to the residence.
Agricultural District and Agricultural Business District Parcels	Any size accessory building to be used for agricultural, general purposes on agricultural zoned parcels when an agricultural operation exists on the property, in accordance with Section 4.2.1.7 of this Bylaw.

- 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 side yard setback on lands zoned Residential Community District.
 - 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.

10.26 SECONDARY SUITES

- 10.26.1 A Secondary Suite may be considered in accordance with the following:
- Secondary Suite, Principal - located within a principal Dwelling Unit, in an extension or addition to the principal dwelling, or above a garage attached to the principal dwelling on the same parcel, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.
 - Secondary Suite, Detached - detached from and subordinate to the principal dwelling, and may be a stand-alone suite, or a suite within, or attached to an accessory building or detached garage on the same parcel as the principal dwelling, as per the definitions in Section 2.5 in accordance with all provisions under Section 10.26.
- 10.26.2 Secondary Suites are not permitted within the hamlets of Heritage Pointe and Priddis Greens.
- 10.26.3 A Secondary Suite shall be subordinate to a principal dwelling and shall only be located on a parcel where Secondary Suite, Principal or Secondary Suite, Detached is listed as a permitted or discretionary use under the appropriate land use district.
- 10.26.4 Where a Secondary Suites is a Permitted Use under the applicable land use district but does not meet all other provisions under this bylaw, it shall be considered a Discretionary Use.
- 10.26.5 A Development Permit shall be obtained for all Secondary Suites in the County.
- 10.26.6 All Secondary Suites shall have an approved Building Permit and shall comply with all applicable Building and Safety Code Requirements.
- 10.26.7 All Secondary Suites shall comply with the Land Use and Development Requirements such as height requirements, setback regulations, and lot coverage, for the applicable land use district.

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- 10.26.8 A Secondary Suite shall only be permitted on a site in accordance with the maximum dwelling unit density requirements under the applicable land use district or in accordance with Section 10.10.5 where the maximum dwelling unit density is not listed in the land use district.
- 10.26.9 A parcel shall be limited to one Secondary Suite.
- 10.26.10 Occupancy shall be restricted to a maximum of two bedrooms per suite.
- 10.26.11 A Secondary Suite, Principal, shall be smaller than the habitable area of the principal dwelling to a maximum of 1,400 sq. ft. in size.
- 10.26.12 Notwithstanding Section 10.26.11, a Secondary Suite may exceed 1,400 sq. ft. in size where a Secondary Suite, Principal is situated:
- Entirely within the basement of the principal dwelling and the building footprint of the basement is greater than 1,400 sq. ft. in size.
 - Within the entire loft area above a garage attached to the principal dwelling, provided the Secondary suite does not exceed the building footprint of the attached garage and the Secondary suite remains smaller in size than the habitable area of the principal dwelling.

Building Footprint means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing lot coverage and cumulative area for accessory buildings on a parcel.

For the purpose of determining Secondary Suite size, the habitable area of a Secondary Suite is the sum of all floors of all livable space contained within the exterior walls of the structure, including the basement, which is designated for human occupancy. This includes areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage, or areas devoted exclusively to mechanical or electrical equipment servicing the development.

- 10.26.13 A Secondary Suite, Detached shall meet the following maximum size requirements:
- on parcels 1 acre and larger in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,400 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.
 - on parcels less than 1 acre in size, the Secondary Suite shall be smaller than the habitable area of the principal dwelling up to a maximum of 1,000 sq. ft. in size, so long as all other requirements under the appropriate land use district are met (including but not limited, to minimum building setbacks, maximum height requirements, maximum dwelling unit density, and maximum lot coverage) and the Secondary Suite meets all requirements of Section 10.26.
- 10.26.14 A Secondary Suite, Detached shall be considered as part of the total allowable number of accessory buildings and total accumulated area of accessory buildings in accordance with parcel size as identified in Table 4.2.1.7A of the Land Use Bylaw.
- 10.26.15 Where a Secondary Suite, Detached exceeds the maximum total number of buildings and/or total cumulative size of buildings allowed, based on parcel size in accordance with Table 4.2.1.7A of this bylaw, the Development Authority reserves the right to refuse a Development Permit for the Secondary Suite should they feel the number of buildings and/or cumulative size of buildings on the parcel is

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excessive and may materially interfere with, or affect the use, enjoyment, or value of the neighbouring property.

- 10.26.16 Each Secondary Suite shall provide the following on-site parking spaces for Secondary Suites:
- a. a minimum of one additional on-site parking space for a Secondary Suite up to a maximum 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw.
 - b. a minimum of two additional on-site parking spaces for a Secondary Suite larger than 1,000 sq. ft. in size, in accordance with Section 9.19 of this bylaw.
- 10.26.17 All Secondary Suites shall have their own distinct County address to facilitate accurate emergency response.
- 10.26.18 All restrictive covenants existing on title shall be submitted with applications for Secondary Suites. Should a restrictive covenant be contrary to allowing for a Secondary Suite or additional dwelling unit, the application shall be considered a Discretionary Use under the land use district in which the Development Authority may refuse the Development Permit application.
- 10.26.19 A Dwelling, Manufactured Home or Dwelling, Mobile Home may be approved by Development Permit as a Secondary Suite, Detached where:
- a. The unit has been prefabricated, built or factory-constructed within ten (10) years of the date of the application.
 - b. The unit is placed upon an approved permanent foundation pursuant to the provisions of the building code.
 - c. The development is in compliance with all requirements of Section 10.26 for Secondary Suites.
 - d. It would not cause the maximum dwelling density for the parcel to be exceeded.
 - e. The development meets all other development requirements as per the applicable land use district.
 - f. All applicable fire, building and safety codes requirements are met.
 - g. The Secondary Suite is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish) to the satisfaction of the Development Authority.
 - h. A current report, completed by a certified engineer, is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
 - i. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.26.20 The Development Authority, in their discretion, may consider a development permit for a change of use from an existing Dwelling, Temporary to a Secondary Suite, Detached, if the Dwelling, temporary has approvals under a previous Development Permit and can provide, to the satisfaction of the Development Authority, the following:
- a. The unit is placed upon an approved permanent foundation pursuant to the provisions of the applicable building code as part of the change of use approval.
 - b. The unit must be prefabricated, built or factory-constructed more recently than September 2, 2007.

- c. Must be in compliance with all requirements of Section 10.26 for Secondary Suites.
 - d. Does not exceed the maximum dwelling density and maximum height requirements and meets all other requirements as per the applicable land use district.
 - e. The unit is finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to color/finish).
 - f. A current Engineer's report is submitted for consideration with the application, confirming that the construction and condition of the unit meets all building code requirements, if deemed necessary by the Development Authority.
 - g. Site design features are submitted for consideration with the Development Permit application, including landscaping or screening proposed to provide privacy between the Secondary Suite and adjacent properties and dwellings, if deemed necessary by the Development Authority.
- 10.26.21 Further to 10.26.20, in all cases a Development Permit for the change of use of a Dwelling, Temporary to a Secondary Suite, Detached will be considered a Discretionary Use.
- 10.26.22 The Development Authority reserves the right to refuse a Development Permit for a prefabricated dwelling (Dwelling, manufactured home or Dwelling, mobile home) that is of poor appearance or condition.
- 10.26.23 Existing unpermitted Secondary Suites that were not allowed under the land use bylaw prior to the passing of Bylaw 68/2023 (January 31, 2024), may be allowed some variances, within two years from the date these provisions were passed, in accordance with Section 5.6 of this bylaw when applying for Development Permit approval to bring them into conformance.

Servicing Requirements

- 10.26.24 It is the landowner's responsibility to provide proof of adequate water servicing and sanitary sewer servicing for a Secondary Suite, to the satisfaction of the Development Authority.
- 10.26.25 Where a proposed Secondary Suite is to be serviced with a communal or municipal piped water supply, the following is required:
- a. a letter shall be submitted to the Development Authority providing confirmation from the owner/operator of the piped water system, indicating that there is adequate water available to service the additional use of the proposed Secondary Suite on the subject parcel.
 - b. Where a separate water connection/or line extension may be required, confirmation from the utility corporation/ owner/operator of the piped water system, that the line has been installed, connected, and where applicable appropriate meters installed to their satisfaction, shall be submitted to the Development Authority.

In some areas, such as the Foothills County Hamlets, the water connection may need to be assessed on a case-by-case basis to ensure there is sufficient line size to accommodate the additional use for the site prior to approval. Separate water meter devices may be required for Secondary Suites at the discretion of the utility provider.

10.26.26 Where a secondary suite is to be serviced utilizing ground water, the Development Authority (Development Officer, Council, or Development Appeal Board) may require an updated pump test and/or hydrogeologist report or other validation data, completed by a professional engineer or hydrogeologist, on the source groundwater well be submitted to the County for review to confirm that the source water well can sustain an adequate water supply for the existing and proposed development with no anticipated interference to any neighboring wells.

10.26.27 Where water is hauled to the site as the primary water source for a Secondary Suite (to a cistern or water storage system) the applicants must provide proof, to the satisfaction of the Development Authority, that the system will provide an adequate quantity of potable water for the proposed use.

Where there is no piped municipal or communal water system available for water supply to a Secondary Suite, installation of a water cistern, in support of the water supply, is encouraged and recommended.

10.26.28 The proposed method of managing the wastewater/sewage system for the Secondary Suite shall be provided to the satisfaction of the Development Authority and shall consist of either:

- a. A private sewage treatment system that can adequately manage the additional waste; or a new system or additions to the existing system, that have been adequately sized to accommodate the additional waste, and the location is suitable, and meets the current Safety Codes.
- b. Where sewage disposal is connected to an approved piped communal collection system, a letter providing conformation from the sewage disposal operator that the system has adequate capacity for the additional sewage and authorization to connect.

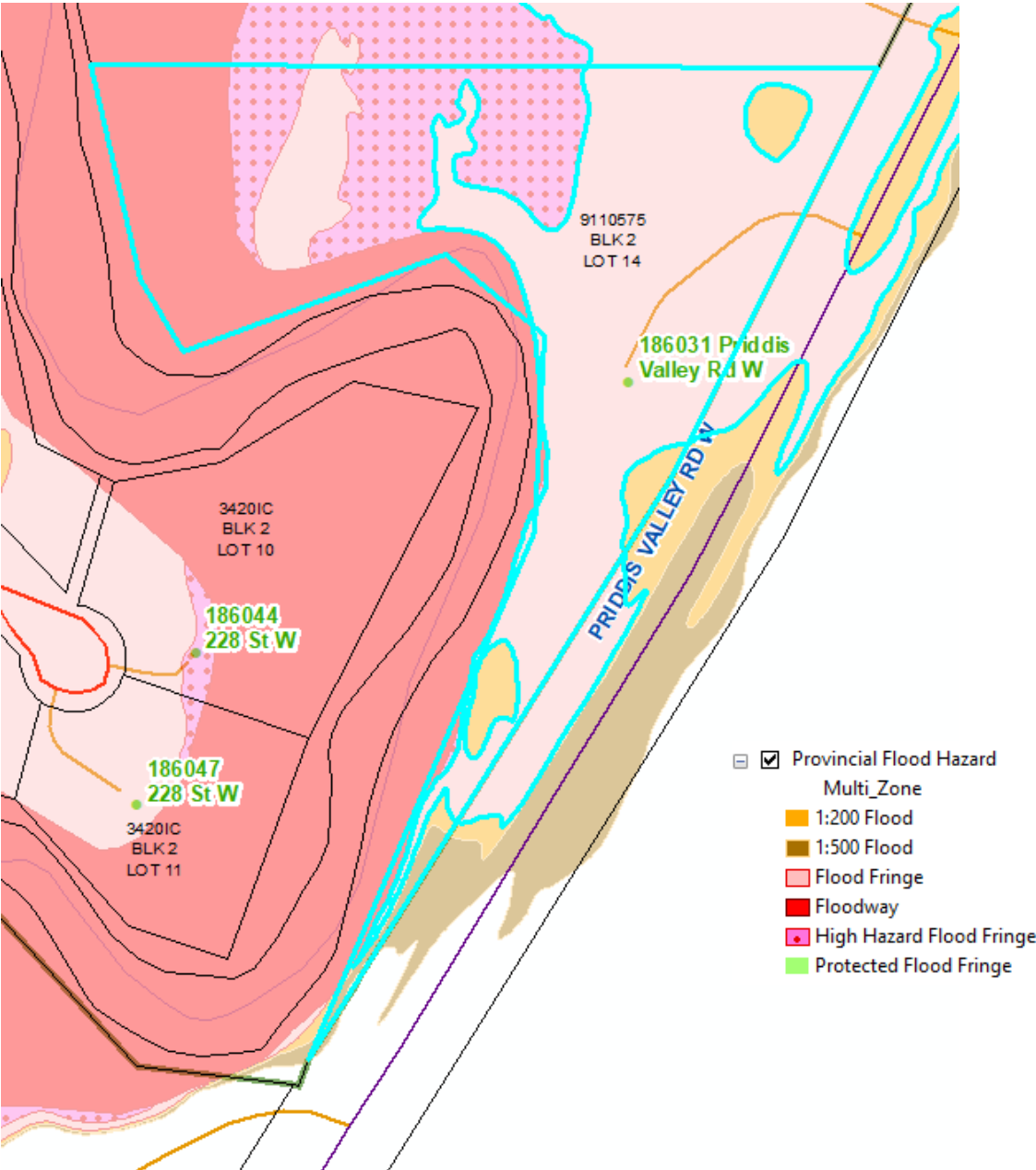
Permit Considerations

10.26.29 In considering a Development Permit application for a Secondary Suite, the Development Authority may consider factors such as:

- a. Any significant adverse impacts on the adjacent properties and dwellings (for example: drainage, fire protection, access, etc.).
- b. Adequate water and wastewater services to sustain the current and proposed additional use on the site.
- c. The architectural character of the Secondary Suite, including:
 - i. In the case of a Secondary Suite, principal, the use of design strategies that minimize structural changes to the exterior of the principal dwelling, so that it maintains the appearance of a single dwelling; and
 - ii. In the case of a Secondary Suite, Detached, the suite, should be constructed and finished in a manner that is visually compatible with the principal dwelling on the same lot and in keeping with the visual character of the area (consideration given to size/scale, location, and/or color/finish).
 - iii. The availability of an indoor storage area located on the property for use of the residents of the Secondary Suite to minimize visual impact to neighboring properties.
- d. Site design features, including:
 - i. The need for landscaping or screening to provide privacy between the Secondary Suite and adjacent properties and dwellings.
 - ii. The need for adequate space to accommodate parking and loading for use by residents of the Secondary Suite.
- e. Such other considerations as the Development Authority may deem to be relevant.

All Secondary Suites, with a valid Development Permit may be recorded on the Secondary Suite Registry for public information.

Provincial Flood Mapping



History

- 13D 085 Relaxation of Setbacks for Proposed Dwelling - approved
- 15D 007 Temporary Dwelling during construction and relaxation of setbacks to proposed temporary dwelling – automatic refusal
 - Landowner identified that the existing dwelling (the proposed secondary suite) will be removed and the southern structure is to remain a non-conforming
- Appeal Refusal overturned to allow temporary dwelling during construction and relaxation of setbacks
- 17D 092 Relaxation of setbacks for Proposed Dwelling
- 17D 201 Temporary Dwelling during construction and relaxation of setbacks to proposed temporary dwelling.

Recommended Conditions:

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 **Sept 14, 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 applicant shall submit a Lot Grading/Overland Drainage Plan to the satisfaction of the County’s Public Works department. A lot grading plan needs to show existing site elevations – including main floor/slab of existing structures, ground elevations near structures.
2. The applicant shall submit Flood Assessment by a qualified professional to the satisfaction of the County’s Public Works Department. The report will need to address elevations of existing improvements and minimum recommended elevations.

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.***

3. The applicant shall maintain the development in accordance with all conditions of approval and the application for development permit that has been acknowledged by the municipality to be appropriate. Any revisions and/or additions to use of this land shall not proceed except under benefit of appropriate approvals and permits;

4. The applicant is required to obtain all necessary building, plumbing, gas, septic, and electrical permits and inspections from Foothills County for the Secondary Suite, Detached to the discretion of the County's Safety Codes Officer;
5. It is the applicant's responsibility to obtain and properly post independent County address(es) for the principal dwelling and secondary suite prior to occupancy. Please contact the County's GIS Department to be assigned new address(es) and obtain information regarding address signage. The applicants are advised that additional addressing may cause a change to the existing mailing address for the property. Please contact the County's GIS department for information in this regard;
6. 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 the development.

1. Development shall comply with the applicable Building and Fire Codes at all times.
2. Any new installations of mechanical and/or electrical equipment shall be illustrated to be located at or above the 1:100 year flood level;
3. Whenever possible all chemicals and/or fuels should be stored in secure and elevated containment to reduce the likelihood of contamination if floodwater impacts the structure;
4. Emergency address signage shall be installed and maintained for the life of the development;
5. The applicants are responsible to comply with the requirements of Alberta Health Services, including but not limited to the regulatory requirements under the Alberta Public Health Act, Housing Regulation 173/99 and the Minimum Housing and Health Standards (MHHS)
6. As per the executed Declaration of Understanding submitted with the application, it is the landowners' responsibility to ensure that water servicing and sanitary sewer servicing are adequately provided, maintained, and operated; in compliance with all pertinent regulatory requirements, for the life of the development;
7. A minimum of two parking spaces located entirely within the boundaries of the legally titled parcel shall be available for use by the occupant(s) of the Secondary Suite, Detached, at all times;
8. 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;
9. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
10. 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;
11. The applicant agrees to indemnify and hold harmless Foothills County from any and all third party claims, demands, or actions for which the applicant is legally responsible, including those arising out of negligence or willful acts by the applicant or the applicant's agent(s). In addition, the applicant will carry insurance to cover general liability including bodily injury and property damage to a third party;
12. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit;

NOTES:

1. **This is not a Building Permit.** Construction practices and standards of construction of any building or any structure authorized by the Development Permit, once signed and issued, must be in accordance with the Building and Safety Codes Permits. An application must be made for all required Building and/or Safety Codes Permits.
2. **This is not a Development Permit.** The Development Permit may be signed and issued upon completion of the 21-day appeal period; should no appeals be received, and completion of all Pre-Release Conditions (if any). Development 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 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.