**FOOTHILLS COUNTY**
309 Macleod Trail, Box 5605
High River, Alberta T1V 1M7
Phone: 403-652-2341
Fax: 403-652-7880
www.FoothillsCountyAB.ca
planning@foothillscountyab.ca

October 28, 2026

«MailName»
«AddLine1»
«AddLine2» «AddLine3»
«City», «Prov» «Postal»

Dear Sir/Madam:

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

| | |
|---|---|
| **Development Permit Application File#:** | **26D 250** |
| **Legal Description:** | **SW 5-22-4 W5M; Plan 0813501, Block 1, Lot 6** |
| **Approval Description:** | **Secondary Suite, Detached in proposed accessory building with a relaxation of setbacks** |
| **Applicant/Owner** | **Heather Meaney (Applicant) / Laura A Timmermans & Thoma Sharuga (Owner)** |
| **Location:** | **Located 100 metres northeast of the intersection of 368 Street West and 242 Avenue West. It is approximately 1.5 kilometres west of Highway 762 and 1.7 kilometres east of the northwest County limits** |

Pursuant to Section 685(2) of the Municipal Government Act, a person affected by this decision has a right of appeal. Notices of Appeal, including payment of the appeal fee are to be filed with the Subdivision and Development Appeal Board within 21 days from the date of the development permit decision (attached). Notices of Appeal and payment of the appeal fee are to be received **no later than November 18, 2026.** Notices of Appeal received after the 21-day notification period will be invalid. The form required for the Notice of Development Appeal is available on the Foothills County website. To access the form, please visit the following link:https://www.foothillscountyab.ca/development/land-development/development-permit-notices For further assistance or if you would like us to email you the form, please contact our Planning and Development Department at **403-652-2341** or via email at Planning@FoothillsCountyAB.ca

You should not rely on Notices of Appeal filed by other persons as giving you the right to be heard at an appeal hearing, as only the appellant, applicant or authorized representative of either party is guaranteed the opportunity to be heard at an appeal hearing. If you choose to submit an appeal, please complete the **'Notice of Development Appeal'** form found on our website and return the completed form with payment of the required appeal fee to the Subdivision and Development Appeal Board Clerk by email at appeals@FoothillsCountyAB.ca or by fax at 403-652-7880.

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

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

Yours truly,
FOOTHILLS COUNTY

*Original Signed By...*

Pierre-David Karolyi
Development Officer
pierre-david.karolyi@foothillscountyab.ca
(403) 603-6310

PK/sp
Encl. – Development Authority Decision

# DEVELOPMENT PERMIT DECISION

**DATE OF DECISION:** October 28, 2026

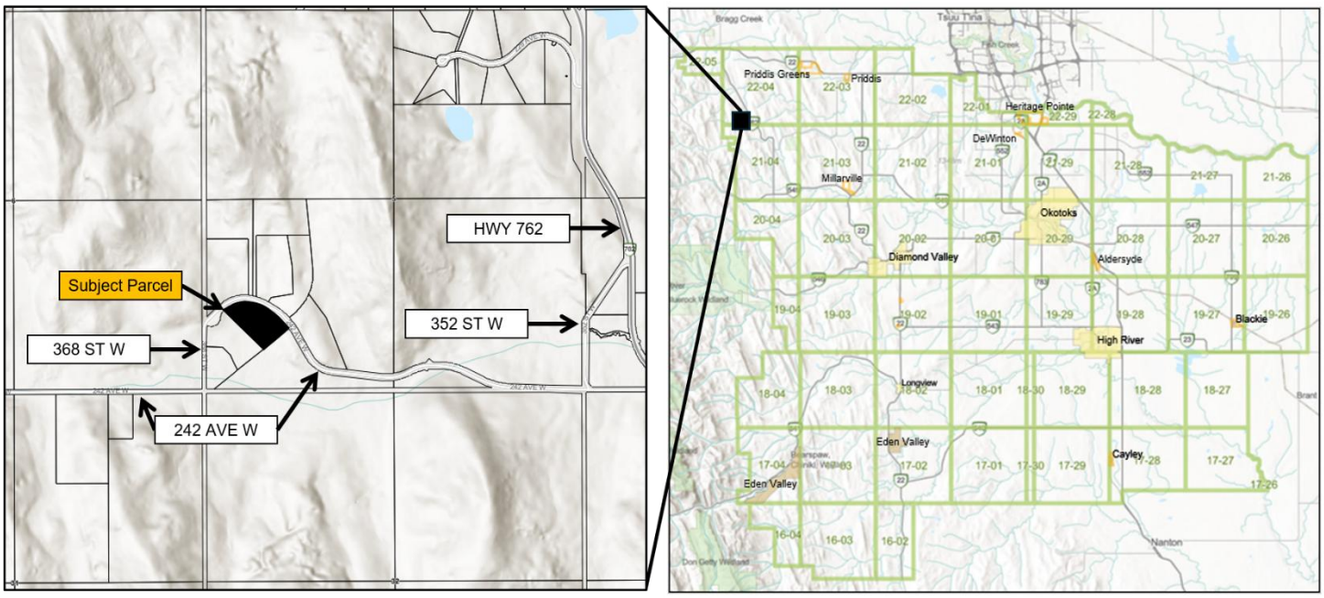
**THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.**

**DEVELOPMENT APPLICATION FILE NUMBER:** 26D250
**LANDOWNER(S):** LAURA A TIMMERMANS & THOMA SHARUGA
**PROPOSAL DESCRIPTION:** SECONDARY SUITE, DETACHED IN PROPOSED ACCESSORY BUILDING WITH RELAXATION OF SETBACKS
**LEGAL DESCRIPTION:** PTN. SW 5-22-4 W5M; PLAN 0813501 BLOCK 1, LOT 6

## LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is a 7.14-acre Country Residential District parcel, with road access on 242 Avenue West and located 100 metres northeast of the intersection of 368 Street West and 242 Avenue West. It is approximately 1.5 kilometres west of Highway 762 and 1.7 kilometres east of the northwest County limits.

**Location Map:**




## INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for Development Permit has been submitted to allow for the construction of a +/- 1148 sq. ft. Secondary Suite, Detached within a proposed garage, with a height of 7.825 metres (25.67 ft.), on the subject parcel, at a distance of 36.16 metres from the road centreline. This considers the removal of the outhouse near the existing shed.

*Secondary Suite, Detached* means a *Dwelling, Secondary Suite*, which is detached from and subordinate to, the principal dwelling located on the same parcel. A Secondary Suite, Detached 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.

A Structure of this size is permitted on this size of parcel, however, the proposed location requires a relaxation to the front yard setback distances. Furthermore, development within a slope exceeding 15% requires a suitability report by a qualified professional. The applicants are requesting the following relaxation of setbacks for the proposed Accessory Building within a slope exceeding 15%:

- The +/- 1148 sq. ft. Secondary Suite Accessory Building is proposed to be located no closer than 36.16 metres to the road centreline, when it is required to be setback 48.0 m. Therefore, the applicants are seeking a 11.84m or 25% relaxation of setbacks for this structure from the front property line at its closets point.

Sections 5.6.4 and 5.6.5 of the Land Use Bylaw 60/2024 identify that it is within the discretion of the Development Authority to approve relaxations to a maximum of 25% on the proposed structures, provided that the applicant can provide rationale as to why the proposed location is the most appropriate location for the proposed structure.

*Secondary Suite, Detached* is a Discretionary use under the Country Residential Land Use District, and a relaxation of setbacks is a Permitted use with a Variance; 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.

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The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect to the Secondary Suite, Detached with relaxation of setbacks on the subject parcel, being Portion of SW 05-22-04 W5M; Plan 0813501, Block 1, Lot 6, has been considered by the Development Officer and is **APPROVED** subject to the following:

## APPROVAL DESCRIPTION:

This approval allows for the development and use of the subject parcel, for:

a. A +/- 1148 sq. ft. Secondary Suite, Detached within a proposed garage, with a total building height of 7.825 metres (25.67 ft.), on the subject parcel, at a distance of 36.16 metres from the road centreline within slopes exceeding 15%, in accordance with the submitted and accepted Development Permit application as accepted by the County.

## PRE-RELEASE CONDITIONS:

Pre-Release Conditions must be fulfilled before the Development Permit will be signed and released, unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete the pre-release conditions on or before **March 28, 2027** will see this approval be deemed null and void.

1. A Geotechnical Report for Slope Stability for the Secondary Suite/Garage shall be provided to the satisfaction of the Public Works department.
2. A Lot Grading Plan confirming positive drainage from the proposed structure, to the satisfaction of the Public Works department;
3. The payment of any engineering review fees to the Public Works department.

## 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 shall obtain any necessary building and safety code permits and inspections from the County to the discretion of the Safety Codes Officer. The development is required to illustrate compliance with the requirements of the Alberta Building, Plumbing, Electrical, and Fire Codes at all times.
3. It is the landowner's responsibility to ensure that all considerations and recommendations are adhered to as identified within the accepted Geotechnical Report for Slope Stability Report.
4. Prior to the County acknowledging completion of the development, the applicant shall obtain a letter from a designated professional confirming the development adheres to all comments and recommendations as provided within the accepted Geotechnical Report for Slope Stability Report.
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 COMMENTS:

*The following advisory comments are provided by Foothills County as a courtesy to the applicant(s) and property owner(s). They are provided for information purposes and are intended to advise the applicant(s) and landowner(s) of their responsibility and liability regarding requirements that must be adhered to.*

1. Overland drainage of intermittent water courses shall not be impeded.
2. Development shall comply with the applicable Building and Fire Codes at all times.
3. Emergency address signage shall be installed and maintained for the life of the development;
4. A minimum of one parking space 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;
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. Any existing or future private sewage disposal systems must be completely contained within the property boundaries and must comply with the most recent Alberta Private Sewage Systems Standard of Practice.
7. As per the executed Declaration of Understanding submitted with the application, it is the landowner's 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;
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.
1. This Development Permit Decision is subject to a 21-day appeal period. Pursuant to Section 685(1) and 685(3) of the Municipal Government Act, a person affected by this decision has a right of appeal.
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 Development Permit Decision.

# Notice of Appeal

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

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

| **APPELLANT INFORMATION** *(e.g. Landowner or Affected Party)* | | |
|---|---|---|
| Name of Appellant(s) | | |
| Mailing Address | Province | Postal Code |
| Main Phone # | Alternate Phone # | |
| I consent to receive documents by email: ☐ Yes ☐ No | | |
| Email Address: | | |

| **AGENT INFORMATION & CERTIFICATION** *(complete section if applicable)* | | |
|---|---|---|
| Name of Organization: | | |
| Contact Name: | | |
| Mailing Address | Province | Postal Code |
| Main Phone # | | |
| I consent to receive documents by email: ☐ Yes ☐ No | | |
| Email Address: | | |

I (We)_____hereby authorize _____
to act on my (our) behalf on matters pertaining to this appeal.

_____ _____ _____ _____
Signature of Appellant(s) Date Signature of Appellant(s) Date

**SITE INFORMATION**

Municipal Address (house and street number):

Legal Land Description: Plan Block Lot
Quarter-Section Township Range Meridian

**I AM APPEALING** *(check only one)*

| **Development Authority Decision** | **Subdivision Authority Decision** | **Decision of Enforcement Services** |
|---|---|---|
| ☐ Approval | ☐ Approval | ☐ Stop Order |
| ☐ Conditions of Approval | ☐ Conditions of Approval | ☐ Compliance Order |
| ☐ Refusal | ☐ Refusal | |
| Development Permit # | Subdivision Application # | Enforcement Order # |
| Date of Decision: (Y/M/D) _____ | Date of Decision: (Y/M/D) _____ | 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.

**TURN OVER AND COMPLETE REVERSE SIDE**

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

_____ _____

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

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**

✂ _____

| CREDIT CARD INFORMATION | | |
|---|---|---|
| Card type: ☐ Visa ☐ Master Card ☐ 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: |

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

## Submitting an Appeal – Subdivision Authority Decisions

Appeals of decisions on subdivision applications are covered by sections 678 to 682 of the Municipal Government Act.

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

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

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

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

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

## Submitting an Appeal – Development Authority Decisions

Appeal of development authority decisions are covered by Sections 684 to 687 of the Municipal Government Act.

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

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

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

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

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

**THE APPEAL FEE MUST ACCOMPANY THE NOTICE OF APPEAL FORM**

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

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

## How to submit your appeal and pay your fee

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

*Mail or deliver to:*
SDAB Clerk, Foothills County
Box 5605, 309 Macleod Tr. S., High River, AB T1V 1M7

*Email to:*
appeals@foothillscountyab.ca

Please make cheques payable to "Foothills County"

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

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

## What happens after my appeal is submitted?

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

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

## More information

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

Phone: 403-652-2341 Email: appeals@FoothillsCountyAB.ca