**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

November 4, 2026

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

Dear Sir/Madam:

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

| | |
|---|---|
| **Development Permit Application File#:** | **26D 153** |
| **Legal Description:** | **SW 35-20-03 W5M; Plan 2511976, Block 1, Lot 2** |
| **Approval Description:** | **Dwelling, Single Family with Oversized Attached Garages and Secondary Suite, Principal on a CR-A Lot** |
| **Applicant/Owner** | **Dean Guidolin (Applicant) / Michael & Theresa Cortese (Owner)** |
| **Location:** | **Located at the bend of 350 Avenue West and 224 Street West, just east of Highway 22 and about 2 kilometers south of the Hamlet of Millarville.** |

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 25, 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:** November 4, 2026

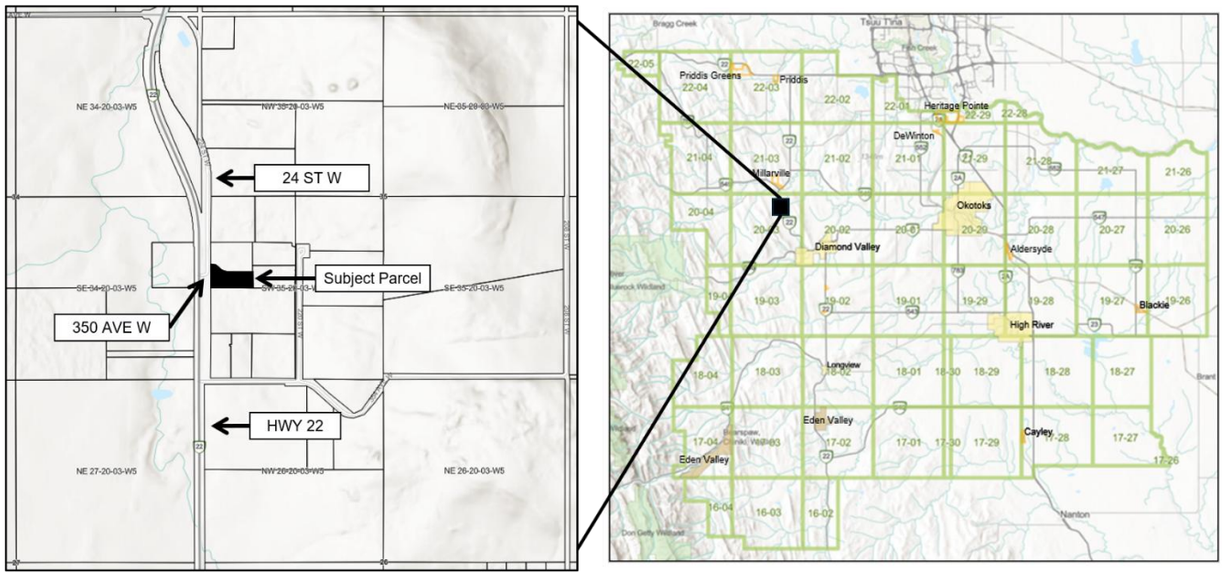
**THIS IS NOT A DEVELOPMENT PERMIT OR BUILDING PERMIT. PLEASE REFER TO THE NOTES SECTION BELOW FOR ADDITIONAL INFORMATION.**

**DEVELOPMENT APPLICATION FILE NUMBER:** 26D153
**LANDOWNER(S):** MICHAEL AND THERESA CORTESE
**APPLICANT (S):** DEAN GUIDOLIN
**PROPOSAL DESCRIPTION:** DWELLING, SINGLE FAMILY WITH OVERSIZED ATTACHED GARAGES AND SECONDARY SUITE, PRINCIPAL, ON A COUNTRY RESIDENTIAL SUB-DISTRICT 'A' LOT
**LEGAL DESCRIPTION:** PLAN 2511976 BLOCK 1 LOT 2; PTN. SW 35-20-03 W5

## LOCATION AND DESCRIPTION OF SUBJECT PARCEL:

The subject property is a 3.46-acre Country Residential Sub-district 'A' parcel, located at the bend of 350 Avenue West and 224 Street West, just east of Highway 22 and about 2 kilometres south of the Hamlet of Millarville.

**Location Map:**




## INTENT OF THE DEVELOPMENT PERMIT APPLICATION:

An application for a Development Permit has been submitted to allow for the construction of a Single-Family Dwelling, with two Attached Garages exceeding permitted cumulative garage area, and with a Secondary Suite, Principal, on the subject property.

At the time of subdivision approval for this property, the Foothills Council designated the subject property as Country Residential Sub-district 'A' to ensure that all recommendations and restrictions as noted within the Septic Disposal Evaluation, High Water Table Testing, Building Locations, Lot Grading and Overland Drainage plan are adhered to through issuance of a Development Permit.

On a Country Residential District property, permanent dwellings are permitted private garage space (attached or detached) having a maximum size of up to 1,200 sq. ft. shared between up to two garages. Permanent dwellings are permitted a single attached secondary suite with up to 1,400 sq. ft of habitable space. This application proposes a +/- 757 sq. ft. secondary suite above an attached garage. It also proposes one +/- 1,416 sq. ft. attached garage, and a second +/- 768 sq. ft., attached 'workshop' garage, for a total oversized garage area of 2,184 sq. ft.

*As the size of the proposed garage will be greater than what is permitted for a property of this size, an application for a Development Permit must be considered as a Discretionary Use under the Country Residential Land Use District; therefore, decisions on applications for a Development Permit for this use are to the discretion of the Development Officer, and are 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 Single-Family Dwelling with an Oversized Attached Garage and Secondary Suite, Principal, on the subject parcel 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 Plan 2511976, Block 1, Lot 2; Ptn. SW 35-20-03 W5 the construction of a Single Family Dwelling with a height of 34'1", two Oversized Attached Garages (+/- 2,184 sq. ft. total) and Secondary Suite, Principal, (+/- 757 sq. ft.) as proposed and shall be located as to adhere to all applicable property line setbacks and the approved Building Envelope and in accordance with the submitted and accepted Development Permit application and plans as acknowledged as acceptable by the Development Authority.

## PRE-RELEASE CONDITION

*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 **April 4, 2027** 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 and Overland Drainage Plan, to the satisfaction of the Public Works Department.
2. The applicant shall submit a compliance deposit in the amount of $5,000.00. This deposit will be refunded at such time that the involved professional(s) provide written verification that all aspects of the noted reports and accepted plans have been satisfied, and that the project has been completed.
3. The applicant shall submit a Water Connection fee of $15,000 as well as meter installation costs, or proof that these have been paid, to the satisfaction of the Public Works Department;
4. The applicant shall pay all engineering review fees, to the satisfaction of 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 up to date approval from Alberta Transportation and Economic Corridors to complete the development, to the satisfaction of the Development Authority.
2. 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**;
3. 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.
4. It is the landowner's responsibility to ensure that all considerations and recommendations are adhered to as identified within the following accepted documents:
    a. Lokietko Subdivision 338172-224 Street W. (Block 1, Plan 9111950, SW35-20-3-5) Groundwater for Foundations, signed on November 5, 2024, by Michael A. Kitchen, P.Eng.;
    b. Lokietko Subdivision 338172-224 Street W. (Block 1, Plan 9111950, SW35-20-3-5) Developable Area, signed on January 15, 2025, by Michael A. Kitchen, P.Eng.;
    c. Lokietko Subdivision 338172-224 Street W. (Block 1, Plan 9111950, SW35-20-3-5) Private Sewage Treatment Systems (PSTS) Assessment, signed on November 5, 2024, by Michael A. Kitchen, P.Eng.;
5. 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 following accepted document:
    a. The Lot Grading and Overland Drainage plan, as accepted by the Public Works Department.
6. The applicants 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. Development on the property shall comply with the requirements of the applicable Building & Safety Codes at all times;
2. Emergency address signage shall be installed and maintained, to the satisfaction of the County's Emergency Services;
3. No portion of the Dwelling, Attached Garage shall be used for the purpose of any business-related uses without first obtaining any necessary approvals from the Foothills County;
4. No topsoil shall be removed from the subject lands, and natural drainage must be maintained. When relocating or placing materials and conducting development on the land, the applicant shall ensure that measures are taken to contain those materials and mitigate effects with respect to dust, erosion, runoff, and weeds. Alteration to natural drainage may proceed as acknowledged within the accepted *Stormwater Management Plan*, or under the authorization of an approved Development Permit for Lot Grading;
5. All exterior lighting applications must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw, which requires outdoor lights to be fully shielded, energy-efficient, and directed downward to minimize glare, light trespass, and sky glow;
6. All structures shall adhere to Municipal setback requirements from the boundaries of the legally titled property, as illustrated within the accepted site plan. No variance for yard setbacks has been considered under this approval;
7. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land;
8. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the implementation of this permit.

## 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 must not proceed until this permit has been signed and issued.
3. 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.
4. Notification of this Development Permit Decision will be advertised in two issues of the Western Wheel and can also be viewed on our website, ***www.foothillscountyab.ca.***
5. The Development Permit, once signed and issued, shall thereafter be null and void if the development or use is abandoned for a period of six months.
6. The conditions of this Development Permit Decision must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit Decision.

# Notice of Appeal

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

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

| **APPELLANT INFORMATION** *(e.g. Landowner or Affected Party)* | | |
|---|---|---|
| Name of Appellant(s) | | |
| Mailing Address | Province | Postal Code |
| Main Phone # | Alternate Phone # | |
| I consent to receive documents by email: ☐ 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