

The Development Appeal Board for Foothills County met via the Zoom video conferencing platform at 1:00 p.m. on July 27, 2021. Present were Chairman G. Beacom; Board members D. Miller, R. Taylor, T. Mills, and R. Percifield and Development Appeal Board Clerks S. Bogart and F. Fairweather.

Ms. Miller moved that the Minutes from the June 24, 2021 Development Appeal Board hearing be approved as presented.

**CARRIED**

Mr. Beacom moved that the Minutes from the June 29, 2021 Development Appeal Board hearing be approved as presented.

**CARRIED**

**BEAUDOIN/WORTHY - PTN. SE 30-21-01 W5M; PLAN 9111121, BLOCK 1 –  
REFUSAL OF EXISTING OVERSIZED SECONDARY SUITE, PRINCIPAL**

The hearing was opened at 1:02 p.m. In attendance were the Applicant/Appellant Cheryl Worthy, the Development Authority for Foothills County, Brittany Hornsby and Development Appeal Board Clerk Susan Bogart.

The appeal was received from the Appellants Stephen Beaudoin and Cheryl Worthy on July 5, 2021 against Development Permit 21D 119 for the refusal of an Existing Oversized Secondary Suite, Principal on PTN. SE 30-21-01 W5M; PLAN 9111121, BLOCK 1.

Upon having read the materials provided, and upon having heard the representations from the Applicants/Appellants, 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 refusal of Development Permit 21D 119, the Subdivision and Development Appeal Board for Foothills County has decided to:

ALLOW the appeal and OVERTURN the Development Authority's decision to refuse Development Permit 21D 119 for an Existing Oversized Secondary Suite, Principal on PTN. SE 30-21-01 W5M; PLAN 9111121, BLOCK 1.

The application is thereby APPROVED, subject to the following conditions:

**PRE-RELEASE CONDITIONS:**

Pre-release conditions must be complied with before the Development Permit will be signed and issued. Failure to complete the pre-release condition(s) on or before **December 27, 2021**, will see this approval be deemed null and void, unless a time extension is issued under agreement between the Development Authority and the Applicant.

1. The applicant shall submit verification from a septic installer that confirms adequate capacity of the existing system (an executed Private Sewage Treatment for Additions and Renovations);

**CONDITIONS OF APPROVAL:**

Please note that the following requirements must be completed within the twenty-four (24) month completion period for this Development Permit unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete the conditions of approval will see the Development Permit 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 use of this land shall not proceed except under benefit of appropriate approvals and permits;**
2. The applicant shall obtain all necessary building, plumbing, gas, septic, and electrical permits and inspections from Foothills County for the Secondary Suite, Principal, to the discretion of the Safety Codes Officer. Acknowledgement from the Safety Codes Officer that the Secondary Suite, Principal, is suitable for it's proposed use and occupancy must be obtained prior to occupancy;
3. It is the applicant's responsibility to obtain and properly post an independent County address for the Secondary Suite, Principal. Emergency address signage shall be installed and maintained for the life of the development;
4. It is the landowners' responsibility to 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 as a courtesy to the applicant(s) and property owner(s). These comments will not form the basis of the decision to approve the development permit application. They are simply provided for information purposes.

1. 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, Principal, at all times;
2. Development on the property shall comply with the requirements of the Alberta Building, Safety, and Fire Codes, at all times; Development Appeal Board 21D 119 – Secondary Suite, Principal July 27, 2021
3. Emergency address signage shall be installed and maintained. The installation of any farm identification signage, or directional signage shall occur only under appropriate permit/authorization from the Foothills County, and as identified within the Land Use Bylaw;
4. 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);

5. It is the applicants' 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;
6. The Secondary Suite, Principal, shall not be operated as a Tourist Home/short-term vacation rental unit, nor shall the Secondary Suite, Principal, be used for any business related purposes; including a Home Based Business or Bed and Breakfast;
7. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
8. All storage on the property shall be in compliance with the requirements of the Land Use Bylaw and the Community Standards Bylaw;
9. All structures shall be located as to adhere to Municipal setback requirements from the boundaries of the legally titled property. No additional variance for setback requirements has been considered under this approval;
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 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.
12. The applicants agree to indemnify and hold harmless Foothills County from any and all third party claims, demands, or actions for which the applicants are legally responsible, including those arising out of negligence or willful acts by the applicants or the applicants' agents. In addition, the applicants will carry insurance to cover general liability including bodily injury and property damage to a third party;

**ISAACSON/GRAVES - PTN. NE 22-21-29 W4M – APPROVAL OF LOT GRADING**

The hearing was opened at 2:05 p.m. In attendance were the Appellants Kenneth Isaacson and Shawna Graves, the Applicant Travis Sharpe, the Development Authority for Foothills County, Brittany Hornsby, the Development Technologist for Foothills County, Parth Mehta, and Development Appeal Board Clerk Felicia Fairweather.

Also in attendance was member of the gallery P. Kinton.

The appeal was received from the Appellants Kenneth Isaacson and Shawna Graves on July 14, 2021 against Development Permit 20D 207 for the approval of Lot Grading on PTN. NE 22-21-29 W4M; Plan 1012121, Block 2, Lot 5.

Upon having read the materials provided, and upon having heard the representations from the Appellants, Applicant, and the Development Authority for Foothills County, and other affected parties 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 20D 207, the Subdivision and Development Appeal Board for Foothills County has decided to:

ALLOW the appeal and OVERTURN the Development Authority's decision to approve Development Permit 20D 207 for Lot Grading on PTN. NE 22-21-29 W4M; PLAN 1012121, BLOCK 2, LOT 5.

The application is thereby refused.

**ADJOURN**

T. Mills moved that the meeting be adjourned at 4:10 pm.

**CARRIED**

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CHAIRMAN

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SECRETARY