

Municipality of Crowsnest Pass

CHINOOK INTERMUNICIPAL
SUBDIVISION & DEVELOPMENT APPEAL BOARD

September 22, 2026

10:00 a.m.

Hearing No. DP2026-097

Applicant /Appellant: Craig Yakubowski

LIST OF EXHIBITS

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Notice of Appeal with Reasons
- D. Notice of Decision DP2026-097 dated August 20, 2026
- E. Development Permit Application DP2026-097
- F. Letter of Support from William and Lori Kovach
- G. Excerpts from Municipality of Crowsnest Pass Land Use Bylaw 1165, 2023
- H. Development Authority Position Statement DP2026-097 SEPT 8 2026

MUNICIPALITY OF CROWSNEST PASS

NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING Development Permit No. DP2026-097

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

**Development Authority of the Municipality of Crowsnest Pass
with respect to Development Permit Application DP2026-097**

APPELLANT/ APPLICANT: Craig Yakubowski

**LEGAL DESCRIPTION:
(SUBJECT PROPERTY)** A portion of NW9 7-3 W5M
(1707 East Hillcrest Drive, Hillcrest, AB)

PROPOSAL: For a "Secondary Suite, Detached" (discretionary Use) with a 489% variance to the Maximum Gross Floor Area and a 78% variance to the height.

DECISION: Refused

PLACE OF HEARING: **Municipality of Crowsnest Pass Administration Office
Council Chambers**
8502 19 Avenue, Coleman, Alberta

DATE OF HEARING: **Tuesday, September 22, 2026**

TIME OF HEARING: **10:00 A.M.**

PROCEDURES PRIOR TO THE HEARING:

1. **Provide Written Submissions** - The Appeal Board encourages all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format, in 1 file. Please contact the Clerk with your written submissions, which will be accepted until **noon (12 p.m.) on September 16, 2026.**

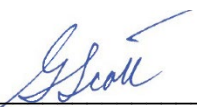
EMAIL: gavinscott@orrsc.com

MAIL: **Gavin Scott, Board Clerk**
Oldman River Regional Services Commission
3105 – 16th Avenue N., Lethbridge, Alberta T1H 5E8

If you are bringing information to the hearing for submission, you are required to supply 12 copies.

2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at www.orrsc.com.

DATE: September 9, 2026

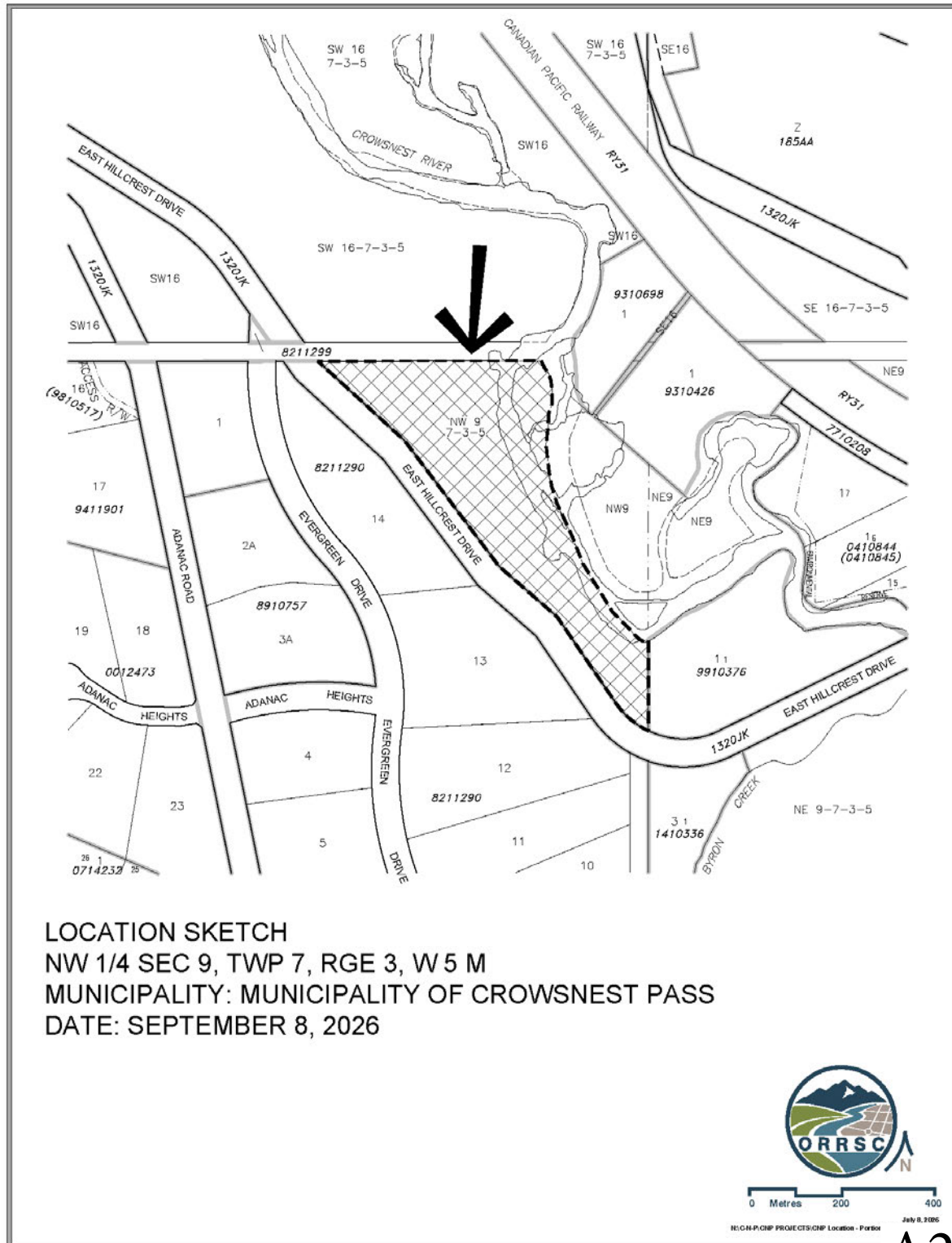


Gavin Scott, Clerk
Subdivision & Development Appeal Board

MUNICIPALITY OF CROWSNEST PASS

CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Land Subject of Appeal DP2026-097
A portion of NW9 7-3 W5M
(1707 East Hillcrest Drive, Hillcrest, AB)



**MUNICIPALITY OF CROWSNEST PASS
CHINOOK INTERMUNICIPAL
SUBDIVISION & DEVELOPMENT APPEAL BOARD**

Development Permit No. DP 2026-097

List of Persons Notified

Municipality:

Municipality of Crowsnest Pass:

CAO

Development Officer

ORRSC Planner, Ryan Dyck

SDAB Members:

Bjorn Berg

Don Anderberg

Rod Kettles

Evert Van Essen

Rupert Hewison

Appellant/ Applicant:

Craig Yakubowski

Other Persons Notified:

Larry Ruzek

2208425 Alberta Ltd

Bernard J Bradley

Alison & Kenneth Bjurstrom

Donald & Betty Maier

Gerrit & Jane Bezooyen

Her Majesty The Queen In Right Of Alberta

Allan Truitt

William G. & Lori A. R. Kovach

Val Gingrich

Brad Wirth



Subdivision and Development Appeal Board (SDAB) Appeal Form

NOTE: This appeal is not considered submitted until the appeal fee has been received by our office. To pay by credit card, please phone 403-562-8833. To pay by any other method, please visit 8502 - 19 Avenue, Coleman.

This form is not intended for appeals where there is a provincial interest. If the subdivision and development you wish to appeal has a provincial interest, please fill out the Land & Property Rights Tribunal Subdivision and Appeal Forms found at <https://www.alberta.ca/subdivision-appeals.aspx>

Applicant Information

Name *

Craig Yakubowski

Mailing Address *

[REDACTED]

E-mail *

[REDACTED]

Phone Number *

[REDACTED]

Details of Appeal

Appeal Deadline *

The appeal deadline is indicated on the notice.

2026-09-10

Is this an appeal for: *

☒ Development Permit

☐ Subdivision

☐ Stop Order

Development Permit Number *

DP2026-097

Are you? *

☒ Original Applicant

☐ Concerned Resident

Documents for Appeal

Please include a pdf or text document with the details of your appeal application and any other supporting documents you may have

1707B house 2.pdf

62.61KB

IMG_2070.jpeg

3.83MB

Signature *

NOTE: This appeal is not considered submitted until the appeal fee has been received by our office. If the form and/or fee are not received by this office before the deadline, this appeal will not be considered.



Date Submitted

2026-08-30

Reception Record Payment Received

Date Payment Received	Receipt	
2026-09-01	C_Cash Receipt-Appeal-Yakubowski.pdf	26.89KB

ADO Review & Documentation

Taxroll		
3101801		
Development Permit Application Form		
DP2026-097 Application.pdf		984.61KB
Development Permit or Notice of Decision		
If one exists		
DP2026-097 Development Permit Refused AUG 202 2026.pdf		6.32MB
Adjacent Landowner Mail-Out List		
DP2026-097 ALO List.xlsx		415.52KB

Municipality of Crowsnest Pass

Subdivision and Development Appeal Board

August 31, 2026

RE: DP2026-097 for Secondary Suite at 1707 East Hillcrest Drive, Hillcrest, Ab

Property Address: 1707 East Hillcrest Drive

Legal Description: NW1/4 Section 9, Township 7, Range 3, West of the 5th meridian

In Sept of 2025 we started consulting with the municipality about building a new home on 1707 east Hillcrest Drive. This is a 12-acre parcel of land along the Crowsnest river, just east of the greenhouse. We began with our survey of land and the process to subdivide about 3.14 acres off the 12 acres to build our home to support our family members. Our subdivision was declined due to the requirement of the 6m environmental designation from the high point along the river that affected the future access to the driveway, wells and developed land.

After further discussions with municipality, we have applied for adding a second home to this 12 acres as a secondary suite. Our application has been rejected as it is oversized and exceeds the allowable 1100 square foot maximum size, the new home also exceeds the height restrictions. The large parcel provides substantial separation from neighbouring properties and means that proposed resident will have no impact on the surrounding landowners or neighbors.

We would like to apply for a variance to these building restrictions for the following reasons.

- We will have no visual impact on any residences as our home will be about 160 feet from East Hillcrest Drive and this area is well treed
- The added height of the home will not affect the privacy of our neighbours or landowners.
- The home will be constructed lower in elevation than east Hillcrest drive
- There will be no loss of views for any neighboring properties
- This home is to be built on the opposite end of the 12 acres as compared to the current house of the landowner.

- The design of the home is intended to accommodate the needs of the property and its intended use while efficient and responsible use of the land.

For these reasons we respectfully request that the board exercise its discretion and approve the secondary suite- detached to assist with aging family members that may need assist in the future.

Thank you for your time and consideration, we appreciate the boards responsibility to balance established regulations with unique circumstances of individual properties.

Please take the time to approve our Development Permit

Respectfully,

Craig and Brandi Yakubowski



Box 600
Crowsnest Pass, Alberta,
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474

Notice of Decision

Application No.	DP2026-097
Roll No.	3101801
Application Complete:	July 28, 2026
Notice of Decision:	August 20, 2026
Appeal Period Expires:	September 10, 2026

Approving Authority Development Officer

Land Use District: Non-Urban Area NUA-1

Civic Address: 1707 East Hillcrest Dr.

Legal Land Description: A portion of NW-9-7-3-W5M (LINC 0021264536)

Proposed Development: For a "Secondary Suite, Detached" (discretionary Use) with a 489% variance to the Maximum Gross Floor Area and a 78% variance to the height.

Dear Sir or Madam:

Please be advised that the proposed **Development Permit application DP2026-097** was refused for the following reasons:

The Land Use Bylaw Schedule 15 Section 2.5(c) states that *"The gross floor area of a Secondary Suite, Detached that is enclosed within a detached garage shall not exceed the gross floor area of the garage by more than 10 percent and further, shall not exceed 102m² (1100 ft²), whichever is less and is further subject to the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property."*

- (i) Further to this in 2.6(e) (i) *"The Development Authority may approve a maximum 10% variance of the standard for maximum gross floor area of a Secondary Suite. An application requesting a variance in excess of 10% shall be refused."*

Secondary Suite, Detached	Standard	Proposed	Variance Requested
Front Yard Setback	15.2m	16.76m	N/A
North Side Yard Setback	3.05m	In excess	N/A
South Side Yard Setback	6.1m	In excess	N/A
Rear Yard Setback	6.1m	In excess	N/A
Off street Parking stalls	2 for the SFD + 1 for the Secondary Suite	Minimum 4 parking stalls	N/A

Maximum Secondary Suite Gross Floor Area	102m ²	601.18m ²	499.18m ² (489%) The MPC cannot approve a variance of more than 10%
Maximum Height	6.1m	10.86m	4.76m (78%) The Development Authority cannot approve a variance of more than 10%

The proposed "Secondary Suite, Detached" exceeds the maximum 10% variance the Development Authority can approve for the maximum floor area and maximum height.

Right to Appeal

This decision may be appealed within 21 days after the notice of decision. You may file an appeal with the required appeal fee by the appeal deadline. The SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) has jurisdiction to hear an appeal of the Development Authority's Decision on this development permit.

Subdivision and Development Appeal Board:

Submit the online form: https://portal.laserfiche.ca/o8468/forms/Development_Appeal or visit <https://www.crownsnestpass.com/planning-development/p-d/subdivision-and-development-appeals> to learn more and access the link to appeal. The fee of \$400.00 must be paid with the appeal (will be contacted for payment once the form is sent).

If you have any questions regarding the development permit, please contact the undersigned at development@crownsnestpass.com or make an appointment by calling (403) 562-8833.

Sincerely,



Katherine Mertz
Development Officer

D3

TENTATIVE PLAN [REDACTED]
of part of
N.W.1/4 SEC. 9, TWP. 7, RGE. 3, W.5 M.

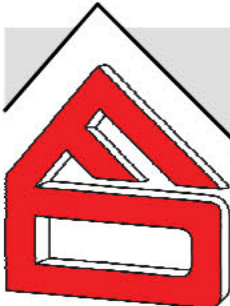
boa

brown okamura & associates ltd.
Professional Surveyors
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED	DRAWN MJ	DATE JAN 20/26
	CHECKED TCP	JOB 25-16961
	SCALE	DRAWING
T.C. Penner, A.L.S.	1:5000	25-16961TA



D4



FULKERTH DRAFTING
& DESIGN STUDIO INC.

2868 SQ. FT.

DO NOT SCALE DRAWINGS. ALL MEASUREMENTS SHALL BE OBTAINED FROM
STATED DIMENSIONS. CONTRACTORS SHALL READ DRAWINGS IN
CONJUNCTION WITH WRITTEN SPECIFICATIONS. ALL DIMENSIONS AND
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SHEET LIST	DEVELOPMENT AREA	JOB # 0116
0 COVER	MAIN FLOOR 2868 sq. ft.	
2 FRONT & REAR ELEVATIONS	REAR DECK COVERED 643 sq. ft.	MUNICIPAL XXX
3 LEFT & RIGHT ELEVATIONS	REAR DECK UNCOVERED 572 sq. ft.	ADDRESS XXX
4 MAIN FLOOR PLAN	VERANDAH 100 sq. ft.	LEGAL XXX
5 BASEMENT FLOOR PLAN	GARAGE 956 sq. ft.	ADDRESS XXX
6 BONUS FLOOR & SECTION A	BASEMENT (DEVELOPED) 2603 sq. ft.	VERSION 2026-07-03
	BASEMENT (UNDEVELOPED) 357 sq. ft.	CONTACT: BROCK FULKERTH (403)-894-5253
	WALKOUT PATIO 1217 sq. ft.	BROCK@FULKERTHDRAFTING.COM
	TOTAL 2868 sq. ft.	

ROUGH FLOORPLANS

DRAWING : 0



① FRONT ELEVATION
3/16" = 1'-0"



② REAR ELEVATION
3/16" = 1'-0"

D5



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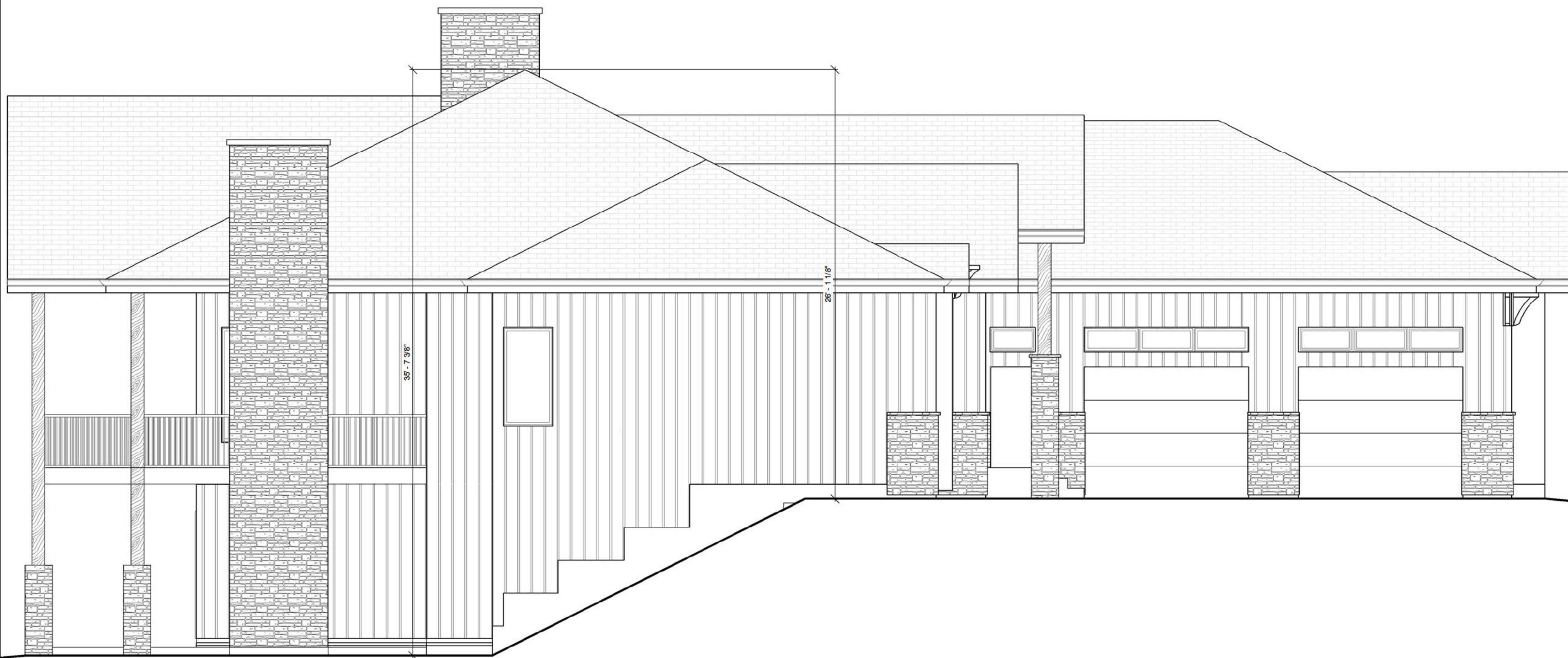
2868 SQ. FT.

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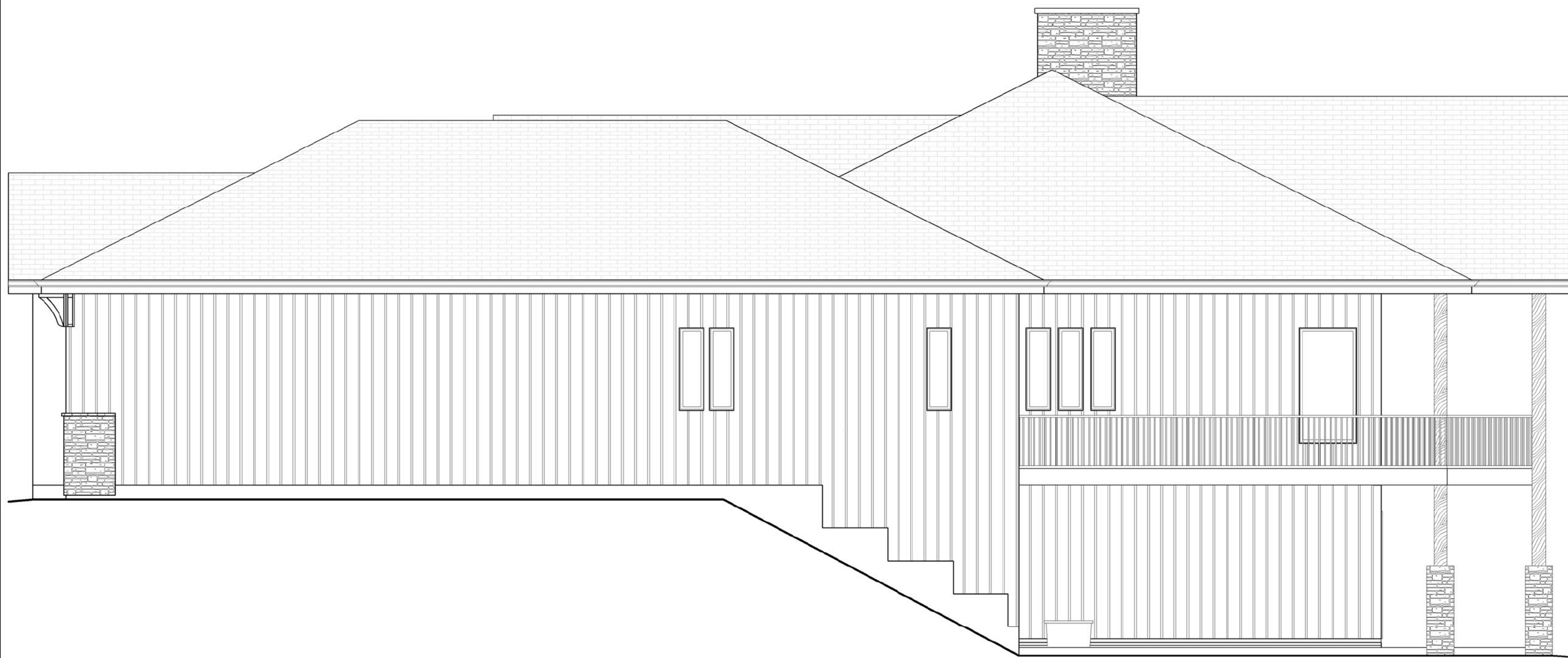
SHEET LIST		DEVELOPMENT AREA		JOB # 0116	
0	COVER	MAIN FLOOR	2868 sq. ft.	MUNICIPAL	XXX
1	FRONT & REAR ELEVATIONS	REAR DECK COVERED	643 sq. ft.	ADDRESS	XXX
2	LEFT & RIGHT ELEVATIONS	REAR DECK UNCOVERED	572 sq. ft.	LEGAL	XXX
3	MAIN FLOOR PLAN	VERANDAH	100 sq. ft.	ADDRESS	XXX
4	BASEMENT FLOOR PLAN	GARAGE	956 sq. ft.	VERSION	2026-07-03
5	BONUS FLOOR & SECTION A	BASEMENT (DEVELOPED)	2603 sq. ft.	CONTACT: BROCK FULKERTH (403)-894-5253	
6		BASEMENT (UNDEVELOPED)	357 sq. ft.	BROCK@FULKERTHDRAFTING.COM	
		WALKOUT PATIO	1217 sq. ft.		
		TOTAL	2868 sq. ft.		

ROUGH FLOORPLANS

DRAWING : 2



① LEFT ELEVATION1
3/16" = 1'-0"



② RIGHT ELEVATION1
3/16" = 1'-0"

D6



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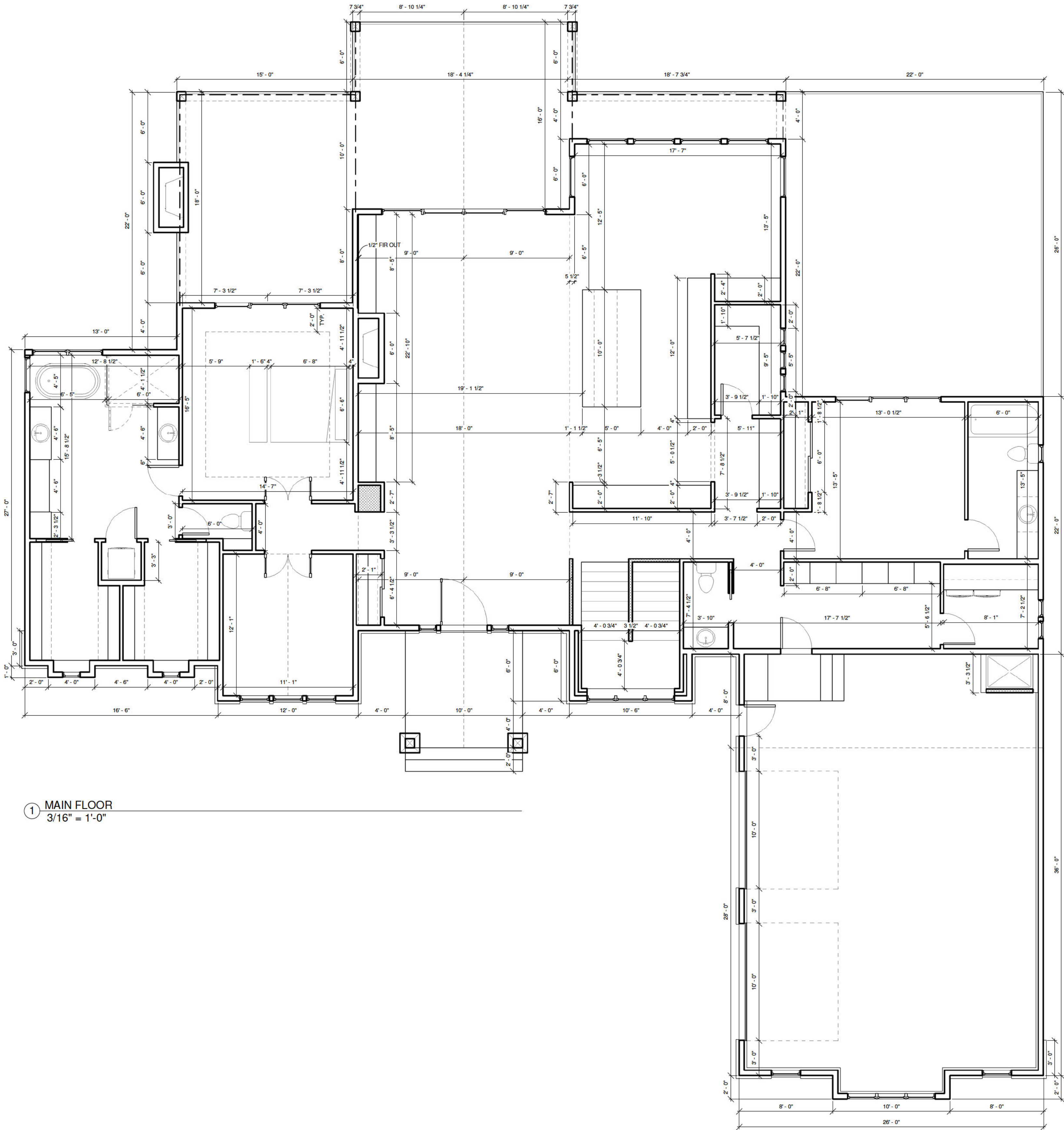
2868 SQ. FT.

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	TOTAL 2868 sq. ft.	

ROUGH FLOORPLANS

DRAWING : 3



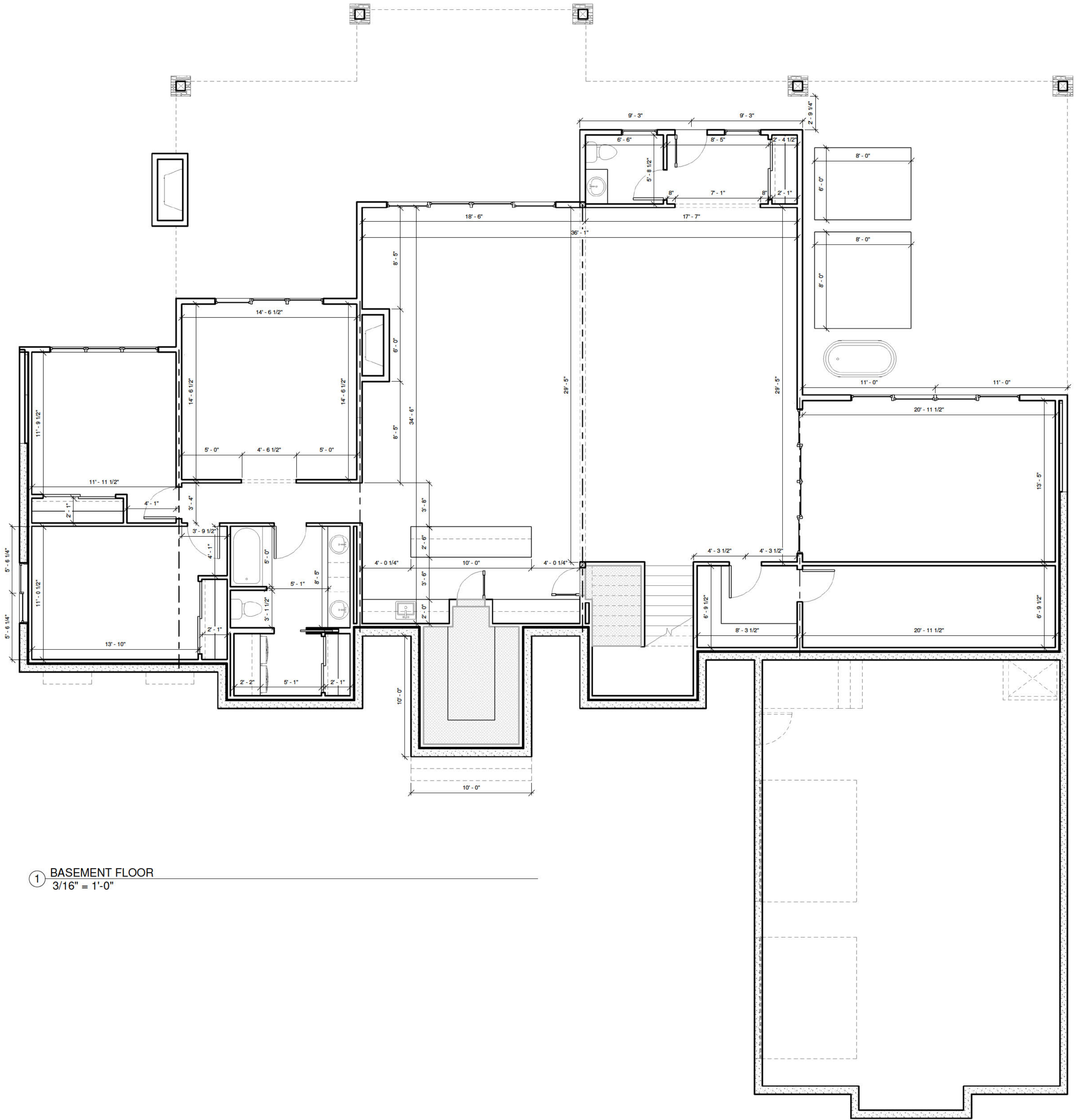
① MAIN FLOOR
3/16" = 1'-0"

D7

2868 SQ. FT.

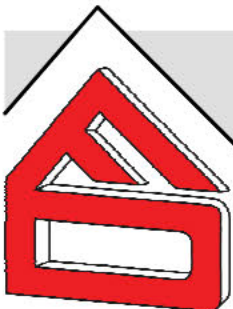
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		BASEMENT (UNDEVELOPED)	357 sq.ft.	BROCK@FULKERTHDRAFTING.COM	
		WALKOUT PATIO	1217 sq.ft.		
		TOTAL	2868 sq.ft.		



1 BASEMENT FLOOR
3/16" = 1'-0"

D8



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2868 SQ. FT.

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	TOTAL 2868 sq.ft.	BROCK@FULKERTHDRAFTING.COM

ROUGH FLOORPLANS

DRAWING : 5

RECEIVED

JUL 07 2026



Box 600
Crowsnest Pass, Alberta
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474
Email: development@crownsnestpass.com

MUNICIPALITY OF
CROWSNEST PASS

Office Use Only

Application No.

Land Use District

Roll No.

Date Received

Development Permit Application Form - Residential

(Single Detached-Dwelling, Multi-Unit Dwellings, Moved-In Buildings, Additions, Sheds, Decks, Garages, Porches, Secondary Suites)

PLEASE NOTE: This application is ONLY for a development permit. If a building permit is also required, you must apply for it separately prior to construction. Providing an email means you consent to receiving documents or communications related to this application, including but not limited to development permit decisions, acknowledgments confirming an application is complete, and any notices identifying any outstanding documents and information by email. Please be sure to complete the entire application. **Failure to send in a complete application can result in a delay of your permit.**

Applicant Information

Name: Craig and Brandi Yakubowski
Phone: [REDACTED]
[REDACTED]
Mailing Address/Box#: [REDACTED]
City and Postal Code: [REDACTED]

Property Information

Municipal Street Address: [REDACTED]
Lot(s): 1
Block: 1
Plan: NW.1/4 sec 9-7-3-5

Land Title Certificate and Registrations (Choose One)

☐ **Current Certificate of Title and Registrations on Title (Within 3 Months - Attached)**
Obtain online from Land Titles (Spin2 website) or a Registries Office

☒ **I am requesting the Municipality to obtain the required certificate of title** and registered documents and apply all costs to the application fee (\$25.00)

PLEASE CONFIRM ONE OF THE FOLLOWING:

- ☐ I am the registered owner of the above noted property
- ☐ I have entered into a binding agreement to purchase the above noted property with the registered owner(s) (please attach a copy of the agreement)
- ☒ I have permission of the registered owner(s) of the above noted property to make the attached application for a Development Permit (please complete or attach a separate authorization letter from the owner with their contact information)

Type of Development (Check all that apply)

ITEMS REQUIRED TO SUBMIT WITH APPLICATION	Site Plan	Parking Plan (on Site Plan)	Elevation Plans	Floor Plans (Include Basement)	Landscape Plan	Photos (All Sides)
☐ Single Detached-Dwelling	✓	✓	✓	✓	•	•
☐ Multi-Unit Dwelling	✓	✓	✓	✓	✓	•
☐ Addition	✓	•	✓	•	•	•
☐ Garage, Shed, Deck, Porch	✓	•	✓	•	•	For Sea Can
☒ Secondary Suite	✓	✓	•	✓	•	•
☐ Moved-In Building	✓	For Dwelling	✓	For Dwelling	•	✓
☐ Existing Development	✓	✓	✓	If Applicable	•	✓

Proposed Use / Description of Proposed or Existing Development and Reason for Variance Request (If applicable):	Anticipated Start Date:
Developing second dwelling on 12 acres of land and add a 40'x 60' shop to further support family (parents) in their current residence which is zoned as NUA-1.	As soon as approved

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

DEVELOPMENT SPECIFICATIONS – ALL DEVELOPMENTS			
Provide measurements in metres below and show on site plan (Refer to sample Site Plan for requirements)			
Total Lot Area (m ²)	12 acres	Front Yard Setback (m)	Primary Front: Secondary Front:
Building Footprint Area (m ²)	Existing: 279 Proposed: 266	Rear Yard Setback (m)	+50
Gross Floor Area (m ²) (Roofed floor area of all storeys)	597 including attached	Side Yard Setback (m) (Indicate N/S/E/W)	Side 1: 16.78 Side 2: +50
Habitable Floor Area (m ²) (Dwelling Only - Sum of all above grade storeys – do not include garage or basement)	129	Building Height (m) (Finished Grade to Top of Tallest Peak)	26'-2"

WATER AND SEWER SERVICES				
Is your property connected to Municipal Services? ☐ Water ☐ Sanitary OR ☐ Requires Connection from Street				
OR ☒ Private (well) water and Private septic system capacity (if applicable): Capacity: _____ Number of Bedrooms: <u>4</u> If none, please describe and show the location of private services on site plan. (water well & private septic system, including disposal)				
PARKING AND ACCESS Identify Parking and driveway on a separate attached site plan. See Land Use Bylaw Schedule 6 – Off-Street Parking and Loading Area Standards.				
# of parking stalls on property	4	# of driveway accesses / approaches	2	
Parking Stall Length (per stall – m ²)	232	Parking Stall Width (per stall – m ²)	232	
ADDITIONAL PROPERTY INFORMATION			Yes	No
Any abandoned wells on property: If yes, submission required pursuant to ERCB Directive 079			☐	☒
Any known environmental issues or studies affecting this property: If yes, attach description/reports			☐	☒
Any known historic buildings on the property or adjacent property:			☐	☒
Is the entire parcel of land (not just the development site): The subject of a license, permit, approval or other authorization granted by any of the following: Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, AND/OR The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas? If you answered "Yes" to any of these, please provide the approval, authorization number and/or license number here: _____			☐	☒
MOVED-IN BUILDING (If Applicable. May require additional authorization from Transportation Department)				
Year of Building		Date of Expected Move In		
SECONDARY SUITE INFORMATION (If Applicable)				
☐ Basement ☐ Attached to Principal Building (A),(B) ☒ Separate Building ☐ Within Detached Garage (C),(D)				
(A) Net Floor Area of Principal Building (m ²)	266	(B) Net Floor Area of Proposed Suite within Principal Building (m ²)		
(C) Gross Floor Area of Detached Garage(m ²)		(D) Gross Floor Area of Secondary Suite within Detached Garage(m ²) or as a Separate Building		

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

AUTHORIZATION

- I am aware that this application will be reviewed by the Development Authority and may be delayed or refused if the application and/or information provided is incomplete. I will be notified within 20 days if it is complete or incomplete.
- I understand that additional information may be required after the application has been deemed complete.
- I understand if the subject property is located within an area where development constraints exist, (e.g., non-operating landfill, grade issues etc.) additional information and/or reports may be required.

The information I have provided herein and herewith is true, and to the best of my knowledge, accurate and complete.

Name of Applicant (please print)

Signature of Applicant

Name of Applicant (please print)

Signature of Applicant

Name of Owner (if different than applicant)

Signature of Owner

Registered Owner(s) Mailing Address:

Registered Owner Email(s) and Phone Number(s):

OR ☐ Permission Letter Attached (Use if there is more than one owner, include authorization, signature, and contact information for each owner registered on the land title) If the applicant or owner is a corporation, please attach a current corporate search

SAMPLE SITE AND ELEVATION PLAN (Sample Only – Please Provide Your Plans Separately)



SITE PLAN MUST INCLUDE:

- Property Civic Address and North Arrow
- Adjacent roadway and lanes
- Lot dimensions and lot area
- Existing and Proposed structures identifying dimensions, including height, floor area, building footprint, habitable floor area (as applicable), percentage of lot coverage
- Distances from foundations to front, side and rear property lines (measured perpendicular to the lot line)
- Location of access, driveway, sidewalks and curbs and any registered utility right of ways or easements
- Location and number of off-street parking spaces
- Location of existing water and wastewater service connections, and alignment from property boundary to building (if known)

The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

RECEIVED

JUL 07 2026

MUNICIPALITY OF
CROWSNEST PASS

Municipality of Crowsnest Pass
Planning and Development Department
8502 – 19 Avenue
Coleman, Alberta
T0K 0E0

July 6, 2026

Attention: Ms. Katherine Mertz
Development Officer
Municipality of Crowsnest Pass

Re: Owner's Authorization and Consent

Property Address: 1707 East Hillcrest Drive, Crowsnest Pass, Alberta.

Legal Description: NW ¼ Section 9, Township 7, Range 3, West of the 5th Meridian

Dear Ms. Mertz,

Please accept this letter as my formal authorization and written consent for **Brandi and Craig Yakubowski** to apply for a Development Permit with the Municipality of Crowsnest Pass for the construction and establishment of a second dwelling on the above-noted property.

I confirm that I am the registered owner of the property described above and authorize Brandi and Craig Yakubowski to act on my behalf for the purposes of submitting and processing this application.

The following documents are enclosed in support of the application:

Appendix A – Tentative Site Plan prepared by Brown, Okamura and Associates Ltd., Lethbridge, submitted by Craig Yakubowski.

Appendix B - Residential Development Permit Application submitted by Craig and Brandi Yakubowski.

Should you require any additional information or documentation, please do not hesitate to contact either myself or [REDACTED] at [REDACTED]

"I certify that the information contained in this authorization is true and correct to the best of my knowledge and that I am the registered owner of the above-described property."

Sincerely,

[REDACTED]

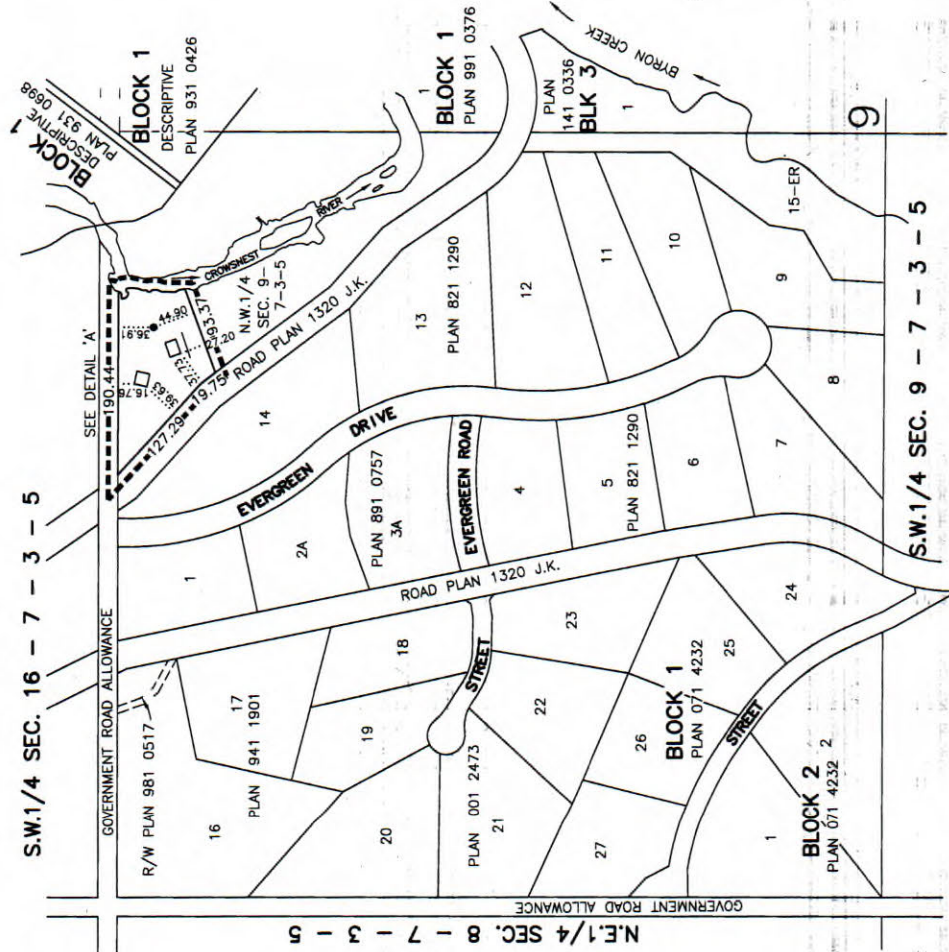
Property Owner

and

[REDACTED]

Appendix: A

F3



CRAIG YAKUBOWSKI

bod brown okamura & associates ltd.
Professional Surveyors
2830 - 12 Avenue North, Lethbridge, Alberta

TENTATIVE PLAN
of part of
N.W.1/4 SEC. 9, TWP. 7, RGE. 3, W.5 M.

Municipality of Crownsnest Pass

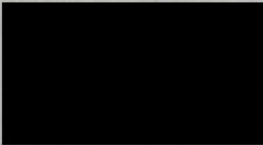
NOTE : Portion to be approved is outlined thus
and contains approximately 1.25 ha.
Distances are in metres and decimal parts thereof.
Distances and areas are approximate and are
subject to change upon final survey.

APPROVED	DRAWN MJ	DATE JAN 20/26
	CHECKED TCP	JOB 25-16961
	SCALE	DRAWING
T.C. Penner, A.L.S.	1:5000	25-16961TA

NO.	ADJUSTED LOT SIZE	REVISION	DATE	BY
1			FEB 2/25	MJ



F4



September 2, 2026

Development Officer
Municipality of the Crownsnest Pass
P.O. Box 600
Blairmore, AB T0K OE0

Subject: Development Permit Application DP2026-097 for 1707 East Hillcrest Drive

Dear Sir or Madam:

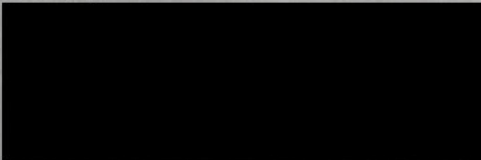
We are writing to express our support for Mr. and Mrs. Craig Yakubowski's proposed secondary-suite development on a portion of NW-9-7-3 W5M.

Our property is located at 1650 East Hillcrest Drive, within SW-16-7-3 W5M, and borders NW-9-7-3 W5M. The road allowance proposed for site access runs between the properties. Mr. Yakubowski kindly provided the notice of decision for application DP2026-097, which included the site plan and house design in Appendix A.

We understand that variances are required for height and floor area; however, based on the materials provided, we do not object to those variances or to the development as proposed. In our view, the proposed development is consistent with the character and scale of current development in this area of the Crownsnest Pass. We also appreciate that the proposed road access appears to address our concern that members of the public not mistake the access route for public river access through our adjacent property.

Thank you for considering our comments in support of Development Permit Application DP2026-097. We would be pleased to provide any additional information that may assist your review.

Sincerely,



MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA



LAND USE BYLAW NO. 1165, 2023



December 2023

Consolidated to 1269,2026 June 2026

Prepared by

G1



NON-URBAN AREA – NUA-1

PURPOSE: *To ensure that these areas, typically on the periphery of existing development, allow only restricted uses and maintain parcels of large sizes to provide maximum flexibility for use and development if or when the land is used for urban development.*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²),
not prior to the establishment of the principal
building or use
Agriculture
Exploratory Excavation / Grade Alteration /
Stockpiling
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector
and freestanding Small Wind Energy
Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast, inside an
approved dwelling unit
Sign – Types:
Fascia or Wall
Freestanding
Murals
Portable
Projecting
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use up to 72.8 m² (784 ft²) prior to
the establishment of the principal building or use
Accessory Building or Use over 72.8 m² (784 ft²)
Animal Care Service Facility, Large
Animal Care Service Facility, Small
Auction Market
Auction Market, Livestock
Canvas Covered Structure
Contractor Services, Limited
Contractor Services, General
Drive-In Theatre
Home Occupation – Class 2
Intensive Horticultural Operation
Manufactured Home
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and
freestanding Small Wind Energy Conversion System
Recreational Vehicle Storage
Renewable Energy Operation
Resource Extraction
Resource Processing
Riding Arena / Rodeo Ground
Secondary Suite, Detached
Sign – Types:
Roof
Third-Party
Single-Detached Dwelling
Tourist Home, inside an approved dwelling unit
Tree Felling, within minimum yard setback
Work Camp

2. MINIMUM LOT SIZE – see Schedule 4 section 16

Contractor Services, General	– 2.0 hectares (5 acres)
Other uses	– 1.2 hectares (3 acres) or existing titles

3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Principal use including principal structures under "Agriculture"	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1	20	3.05	10
Tree Felling			The same as Accessory Buildings			

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	– 10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	– 13.0 m (42.6 ft)
Secondary Suite, Detached (above garage)	– 7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure)	– 6.1 m (20.0 ft)
Other accessory buildings	– 6.1 m (20.0 ft)
Principal Structures under "Agriculture"	– No maximum

5. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling	– 102 m ² (1,100 ft ²) habitable floor area
--------------------------	--

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

10. MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

11. SIGN STANDARDS – See Schedule 11.

12. STANDARDS FOR RENEWABLE ENERGY OPERATIONS – See Schedule 12.

13. ANIMAL CARE SERVICE FACILITY REGULATIONS – See Schedule 13.

14. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

15. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 17.

16. DEFINITIONS – See Schedule 18.

STANDARDS FOR SECONDARY SUITES

1. **Secondary Suite** –refer to Schedule 18A for the definition of Secondary Suite.
2. **All Secondary Suite Types (Attached and Detached)**
 - 2.1 A secondary suite shall only be allowed on a properly districted parcel:
 - (a) on which the principal use or principal building is a Single-Detached Dwelling, a Duplex / Semi-detached Dwelling (except in the R-1 district), or a Multi-Unit Residential Building as defined in this Bylaw;
 - (b) on which each principal dwelling unit that contains a Secondary Suite has an individual certificate of land title, which may be either a fee simple title with a party wall agreement or a condominium title. For clarity, a Duplex / Semi-Detached Dwelling unit or a unit within a Multi-Unit Residential Building that contains a Secondary Suite shall be subdivided prior to the issuance of a development permit for a Secondary Suite;
 - (c) on which both the Secondary Suite and the principal dwelling unit comply with and satisfy without variances the applicable minimum off-street parking requirements established in Table 1 of the Off-Street Parking and Loading Area Standards Schedule of this bylaw; and
 - (d) within a land use district where the principal building and a Secondary Suite are listed as permitted or discretionary uses.
 - 2.2 There shall be no more than one Secondary Suite developed on a property in any land use district, except in the Grouped Country Residential (GCR-1) district. In the GCR-1 district no more than one Secondary Suite, Attached and two Secondary Suites, Detached shall be allowed on a property.
 - 2.3 When a Secondary Suite has been approved on a property in the R-1 to R-5, CSV, CRV, GCR-1, and NUA-1 land use districts, the Secondary Suite and/or the principal dwelling unit or principal building shall not be approved or used as a Tourist Home, except when the entire property is rented out as one Tourist Home rental unit, and subject to the standards established for Tourist Homes in this Bylaw. Where a development permit for a Secondary Suite is issued in a principal dwelling that is approved as a Tourist Home, the development permit that was issued in respect of the Tourist Home shall be revoked as a condition of the development permit for the Secondary Suite.
 - 2.4 In the R-1 to R-5, CSV, CRV, GCR-1, and NUA-1 land use districts, a Secondary Suite and/or the principal dwelling unit on the subject property shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
 - (a) requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
 - (b) requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this Bylaw regarding Home Occupations).
 - 2.5 The gross floor area of a Secondary Suite is restricted as follows:
 - (a) The gross floor area of a Secondary Suite, Attached shall not exceed the lesser of 83.6m² (900 ft²) or 40 percent of the net floor area of the principal dwelling unit in which it is

located, except when it is located in the basement of a principal dwelling, in which case it may encompass the entire basement area.

- (b) The area of a Secondary Suite, Detached shall count toward the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.
 - (c) The gross floor area of a Secondary Suite, Detached that is enclosed within a detached garage shall not exceed the gross floor area of the garage by more than 10 percent and further, shall not exceed 102m² (1100 ft²), whichever is less and is further subject to the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.
 - (d) The gross floor area of a Secondary Suite, Detached that is a stand-alone Accessory Building shall not exceed 102m² (1100 ft²), and is subject to the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.
 - (e) Restrictions on Variance Authority:
 - (i) The Development Authority may approve a maximum 10% variance of the standard for maximum gross floor area of a Secondary Suite. An application requesting a variance in excess of 10% shall be refused.
 - (ii) The Development Authority shall not approve a variance to the 15 percent maximum lot coverage ratio combined for Accessory Buildings for the purpose of accommodating a Secondary Suite, Detached.
- 2.6 The applicant for a Secondary Suite shall demonstrate that the municipal water and wastewater infrastructure, or if applicable, the on-site private water and wastewater facilities, have capacity to service the Secondary Suite(s) and, if required, the applicant/landowner shall be required to upgrade municipal infrastructure or on-site private water and wastewater facilities (or provide alternative servicing) at no cost to the municipality.
- 3. Secondary Suite enclosed within a Principal Dwelling (including a Secondary Suite above an attached garage)**
- 3.1 When a Secondary Suite is enclosed within a Single-Detached dwelling the exterior frontage of the Single-Detached dwelling shall appear as a typical Single-Detached Dwelling.
- 3.2 A Secondary Suite enclosed within a principal dwelling shall have an entrance separate from and secondary to the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the building. Exterior access to the Secondary Suite shall be subordinate in both location, size, and appearance to the access of the principal dwelling.
- 4. Secondary Suite enclosed within an Accessory Building (i.e. inside a detached garage or as a stand-alone Accessory Building)**
- 4.1 For a Secondary Suite, Detached the Development Authority may approve a maximum variance of 10 percent to the maximum height of an Accessory Building to accommodate the Secondary Suite, and only when the proposed side and/or rear yard setbacks are acceptable to the Development Authority or increased to its satisfaction as a condition of the variance.
- 4.2 For a Secondary Suite located in an Accessory Building the Development Authority may require higher standards, including but not limited to minimum yard setbacks, screening, orientation of windows, maximum building height, roof slope, specification of side yard elevation design, exterior finishing to match that of the principal building , or other standards that the Development Authority considers relevant, necessary and reasonable

Development Permit DP2026-097

Information used in making the decision

MGA

Municipal Government Act, s. 685(1) provides that the person applying for a development permit may appeal to the SDAB when their application has been refused.

683.1 (1) and 684(1)

- The application was submitted on July 7, 2026
- The application was deemed complete on July 28, 2026
- The notice of refusal was issued on August 20, 2026
- The appeal was submitted on September 1, 2026

Municipal Development Plan:

2.1.5 Detached Accessory Dwellings To support gentle increases in density, take advantage of existing infrastructure, and provide affordable housing options, secondary suites and accessory dwelling units shall be encouraged throughout Crowsnest Pass communities. To facilitate the development of accessory dwelling units, the MCNP shall amend the land use bylaw to add regulations to guide this type of development. Amendments shall be developed with the intent of ensuring compatibility with existing residential development and at a minimum should address parking requirements, relationship to the principal building and adjacent development (site coverage, setbacks, height) and maintaining adequate amenity and landscaping areas on a lot.

Land Use Bylaw:

Administration Section:

- 5.1 The Municipal Planning Commission, or the Development Officer pursuant to delegated authority provided for in this Bylaw:
- (b) **shall not approve** a variance of a measurable standard established in this Bylaw, as specified below or as stated in:
 - (vi) the parking requirement for and/or not more than 10% of the maximum habitable floor area of a Secondary Suite;
 - (ix) the maximum height of an Accessory Building containing a Secondary Suite, Detached by more than 10 percent;
- 11.1 Upon receipt of a completed application for a development permit for a discretionary use (except as may be otherwise provided for in this Bylaw) or for variances assigned to the Municipal Planning Commission, the Development Officer shall process the application for a decision by the Municipal Planning Commission at its next available meeting, within the timelines prescribed in the Act.

11.2 In addition to the authority otherwise assigned to it in this Bylaw, the Development Officer is authorized, but not required, to decide upon and either approve or refuse the following discretionary uses development permit applications which are otherwise assigned to the Municipal Planning Commission:

- (d) a discretionary use application for a Secondary Suite that meets all the applicable minimum standards (i.e the application does not propose a variance from an applicable minimum standard established in this Bylaw) or that proposes a variance to a standard that is within the Development Officer's variance authority established here or elsewhere in this Bylaw, including a maximum 10% variance to the maximum habitable floor area (which is the maximum variance authority of the Municipal Planning Commission as established in the Bylaw), and further provided that the Development Officer shall refuse a discretionary use application for a Secondary Suite that proposes to exceed the maximum 10% variance authority of the Municipal Planning Commission to the maximum habitable floor area (i.e. the Development Officer does not need to bring such an application to the Municipal Planning Commission for refusal);

13.3 When making a decision on a development permit for a discretionary use, the Development Authority shall seek to achieve the orderly, compatible, economical and beneficial use of land, development, and patterns of settlement, and to maintain and improve the quality of the physical environment, within the following context, but not limited to it:

- (a) the decision must be in accordance with the South Saskatchewan Regional Plan;
- (b) the decision must have regard to applicable statutory plans and comply with the same however, where discrepancy exist between an applicable statutory plan and this Bylaw, the Land Use Bylaw takes precedence over a statutory plan;
- (c) the decision must have regard to the provisions of applicable non-statutory plans or studies affecting the parcel or type of development;
- (d) the appropriateness of the location and the suitability of the parcel for the proposed development;
- (e) the compatibility and impact of the proposed development with respect to existing and future adjacent development and the neighbourhood;
- (f) the merits of the proposed development;
- (g) access, transportation and servicing requirements;
- (h) the Subdivision and Development Regulation;
- (i) stormwater management and site grading;
- (j) the land use definitions, the purpose statement of the applicable land use district, the development standards of the applicable land use district and the applicable Schedules in this Bylaw.

13.4 The Municipal Planning Commission or the Development Officer, subject to the restrictions established under Variance and Encroachment Authority in this Bylaw, and the Subdivision and Development Appeal Board, as may be applicable, may approve an application for, or an appeal of, a development permit even though the proposed development does not comply with the standards

in this Bylaw if, in the opinion of the Municipal Planning Commission, the Development Officer or the Subdivision and Development Appeal Board:

- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;

and

- (b) the proposed development conforms with the use prescribed for the subject land or building in Schedule 2.

14.3 The Municipal Planning Commission may exercise a discretion relative to variances in respect of the following matters: ...

- (b) Notwithstanding the above, the Municipal Planning Commission **shall not** approve a variance of a measurable standard established in this Bylaw, as specified below or as stated in:
 - (vii) Not more than 10% of the maximum habitable floor area of a Secondary Suite
 - (x) the maximum height of an Accessory Building containing a Secondary Suite, Detached by more than 10 percent;

21.0 The **Subdivision and Development Appeal Board**, in determining an appeal, may exercise its discretion, to any extent that it deems appropriate, relative to the variance of any measurable development standard established in this Bylaw, except when such a measurable standard is established in a land use table or in a land use definition, or when it is prohibited in the Municipal Government Act.

21.1 Any person affected by a decision of, or an order, issued by the Development Authority or by the Development Authority's failure to make a decision within the legislated timeline, has the right, pursuant to the Municipal Government Act, to appeal said decision, order or failure in accordance with the relevant provisions of the Act.

21.2 An appeal shall be commenced by serving a written notice of the appeal to the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as the case may be, and the reasons for it in accordance with the relevant provisions of the Municipal Government Act within 21 days after the written decision is given or the order is made or the date on which the legislated timeline or extension expires.

21.3 Any person affected by a decision of an appeal body may appeal such decision to the Court of Appeal in accordance with the relevant provisions of the Act.

21.4 Upon receiving an appeal, the Subdivision and Development Appeal Board shall notify those persons that are required to be notified of an approval or a refusal of a development permit.

Schedule 4:

18.1 Number of *Dwelling Units and Cabins and/or Recreational Vehicles* on a Parcel of Land or a Bare Land Condominium Unit

- (a) Where more than one dwelling unit type is listed as separate uses in a land use district, it does not imply that all such dwelling units may be approved to exist or to be placed or constructed at the same time on the same parcel of land or bare land condominium unit, except as provided for in this section.
- (b) No person shall construct or place or cause to be constructed or placed more than one dwelling unit or more than one cabin, one recreational vehicle, one Park Model Trailer CSA-Z240, or one Cottage Model CSA-Z241 on a parcel of land or a bare land condominium unit, except where:

- (i) in the sole discretion of the Development Authority:

(A) the additional dwelling unit(s) is (are) contained in a building designed for two or more dwelling units, or is (are) located on a parcel of land or a bare land condominium unit in a land use district that expressly allows for two or more dwelling units on the parcel or the bare land condominium unit, but not necessarily in the same building;
and:

(B) the additional dwelling unit(s) is (are) located in a land use district that includes either a Secondary Suite, a Duplex / Semi-Detached Dwelling, a Multi-unit Residential Building, an Apartment Building, a Mixed-use Building or Mixed-use Development, resort accommodation within a Tourist Accommodation, or a Manufactured Home in an unsubdivided Manufactured Home Community; or...



NON-URBAN AREA – NUA-1

PURPOSE: *To ensure that these areas, typically on the periphery of existing development, allow only restricted uses and maintain parcels of large sizes to provide maximum flexibility for use and development if or when the land is used for urban development.*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²),
not prior to the establishment of the principal
building or use
Agriculture
Exploratory Excavation / Grade Alteration /
Stockpiling
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector
and freestanding Small Wind Energy
Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast, inside an
approved dwelling unit
Sign – Types:
Fascia or Wall
Freestanding
Murals
Portable
Projecting
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use up to 72.8 m² (784 ft²) prior to
the establishment of the principal building or use
Accessory Building or Use over 72.8 m² (784 ft²)
Animal Care Service Facility, Large
Animal Care Service Facility, Small
Auction Market
Auction Market, Livestock
Canvas Covered Structure
Contractor Services, Limited
Contractor Services, General
Drive-In Theatre
Home Occupation – Class 2
Intensive Horticultural Operation
Manufactured Home
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and
freestanding Small Wind Energy Conversion System
Recreational Vehicle Storage
Renewable Energy Operation
Resource Extraction
Resource Processing
Riding Arena / Rodeo Ground
Secondary Suite, Detached
Sign – Types:
Roof
Third-Party
Single-Detached Dwelling
Tourist Home, inside an approved dwelling unit
Tree Felling, within minimum yard setback
Work Camp

2. MINIMUM LOT SIZE – see Schedule 4 section 16

Contractor Services, General	– 2.0 hectares (5 acres)
Other uses	– 1.2 hectares (3 acres) or existing titles



3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Principal use including principal structures under "Agriculture"	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1	20	3.05	10
Tree Felling			The same as Accessory Buildings			

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	– 10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	– 13.0 m (42.6 ft)
Secondary Suite, Detached (above garage)	– 7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure)	– 6.1 m (20.0 ft)
Other accessory buildings	– 6.1 m (20.0 ft)
Principal Structures under "Agriculture"	– No maximum

5. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling	– 102 m ² (1,100 ft ²) habitable floor area
--------------------------	--

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

10. MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

11. SIGN STANDARDS – See Schedule 11.

12. STANDARDS FOR RENEWABLE ENERGY OPERATIONS – See Schedule 12.

13. ANIMAL CARE SERVICE FACILITY REGULATIONS – See Schedule 13.

14. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

15. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 17.

16. DEFINITIONS – See Schedule 18.

H6

STANDARDS FOR SECONDARY SUITES

1. **Secondary Suite** means a second dwelling unit located on the same property and land title as that on which an existing Single-Detached Dwelling is the principal use, but the Secondary Suite, regardless of its location, is sub-ordinate to the Single-Detached Dwelling in gross floor area. A Secondary Suite may be located inside a Single-Detached Dwelling or inside an Accessory Building that is located on the same property as an existing Single-Detached Dwelling. A Secondary Suite is a self-contained dwelling unit, which means that it provides sleeping, cooking and washroom facilities.
2. **All Secondary Suite Types**
 - 2.1 A secondary suite shall only be allowed on a property on which the principal use or principal building is a Single-Detached Dwelling as defined in this Bylaw and in a land use district where Secondary Suite is listed as a use.
 - 2.2 There shall be no more than one Secondary Suite developed on a property in any land use district, except in the Grouped Country Residential (GCR-1) district. In the GCR-1 district no more than one Secondary Suite, Attached and two Secondary Suites, Detached shall be allowed on a property.
 - 2.3 When a Secondary Suite has been approved on a property in the R-1 to R-5, CSV, CRV, GCR-1, and NUA-1 land use districts, the Secondary Suite and/or the principal Single-Detached Dwelling shall not be approved or used as a Tourist Home, except when the entire property is rented out as one Tourist Home rental unit, and subject to the standards established for Tourist Homes in this Bylaw. Where a development permit for a Secondary Suite is issued in a Single-Detached Dwelling containing an approved Tourist Home, the development permit that was issued in respect of the Tourist Home shall be revoked as a condition of the development permit for the Secondary Suite.
 - 2.4 In the R-1 to R-5, CSV, CRV, GCR-1, and NUA-1 land use districts, a Secondary Suite and/or the Single-Detached Dwelling on the property where a Secondary Suite has been approved shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
 - (a) requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
 - (b) requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this Bylaw regarding Home Occupations).
 - 2.5 The off-street parking standard per Secondary Suite shall be in accordance with the Off-street Parking and Loading Area Standards Schedule of this Bylaw and the Development Authority shall not approve a variance to the off-street parking requirement.
 - 2.6 The gross floor area of a Secondary Suite is restricted as follows:
 - (a) The gross floor area of a Secondary Suite, Attached shall not exceed the lesser of 83.6m² (900 ft²) or 40 percent of the net floor area of the Single-Detached Dwelling in which it is located, except when it is located in the basement of a principal building, in which case it may encompass the entire basement area.
 - (b) The area of a Secondary Suite, Detached shall count toward the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.