

VULCAN COUNTY

SUBDIVISION & DEVELOPMENT APPEAL BOARD

JUNE 19, 2025

**Hearing No. 25-2025
1:30 p.m.**

**Applicant: Dean Folk
Appellants: Jacques and Shelley Parent**

LIST OF EXHIBITS

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Letter of Appeal
- D. Correspondence May 27, 2025
- E. Circulation Response Letters for DP 25-2025
- F. Development Permit Application 25-2025
- G. MPC Minutes May 7, 2025
- H. Notice of Decision DP 25-2025
- I. Excerpts from Vulcan County Land Use Bylaw 2020-028

VULCAN COUNTY

NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Development Permit 25-2025

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 DEVELOPMENT PERMIT ISSUED BY THE:

**Development Authority of Vulcan County
with respect to Development Permit No. 25-2025**

APPLICANT: Dean Folk

APPELLANTS: Jack and Shelley Parent

LEGAL DESCRIPTION: Lot 10, Plan 9612524 within NE 25-18-22-W4M

PROPOSAL: Accessory Building

DECISION: APPROVED with conditions

PLACE OF HEARING: **Vulcan County**
Administration Building, Council Chambers
102 Centre St.
Vulcan, AB

DATE OF HEARING: June 19, 2025

TIME OF HEARING: 1:30 p.m.

PROCEDURES PRIOR TO THE HEARING FOR DP 25-2025:

1. **Provide Written Submissions** - The Appeal Board is encouraging 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. Please contact the Clerk with your written submissions, which will be accepted until 12:00 p.m. June 12, 2025.

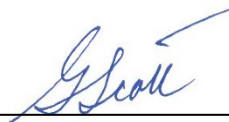
EMAIL: gavinscott@orrsc.com

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**. Any additional submissions submitted up to noon on June 12, 2025, will be posted to the website prior to the hearing.

DATE: June 2, 2025



Gavin Scott, Clerk
Subdivision & Development Appeal Board

A1

Land Subject of Appeal Hearing DP 25-2025
Lot 10, Plan 9612524 within NE 25-18-22-W4M



VULCAN COUNTY

SUBDIVISION & DEVELOPMENT APPEAL BOARD

Development Permit No. DP 25-2025

List of Persons Notified

Municipality:

CAO, Vulcan County
Vulcan County Manager of Development
Services
Vulcan County Development Officer
Vulcan County MPC
ORRSC Planner, Ryan Dyck

SDAB Members:

Christopher Northcott
Evert Van Essen
John Seaman
Michael Collins
Sheila Smidt

Appellant: Jacques & Shelly Parent

Applicant: Dean Folk

Other Persons Notified:

Clapperton; William R
Maines; Brenda L & Terry L
Robinson; Tammy & Schlaht; Holly
Linnington; Beverly & Ken
Dyck; Carl & Dyck; Walter
Minister Of Environmental Protection
Clapperton; William R
Harrington; Karran R
Young, Alfred & Delma



RECEIVED

MAY 27 2025

VULCAN COUNTY

P.O. BOX 180
VULCAN, ALBERTA
T0L 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

Appeal Form

Site Information

Legal Description of Site *PLAN 9612524 LOT 10 DIVISION 5*

Development Permit Number or Subdivision Application Number

DP 25-2025

Appellant Information

Name *JACK and SHELLEY PARENT*

Street Address or Box Number

Box 11

City

MILK

Province

AB

Postal Code

T0L1L0

Email Address

shelleyparent2012@gmail.com

Phone Number

587-973-9998

Appeal Against

Development Permit

☒ Approval

☐ Conditions on Approval

☐ Refusal

Subdivision Application

☐ Approval

☐ Conditions of Approval

☐ Refusal

Order

☐ Notice of Order

Reasons for Appeal (attach separate sheet if required)

See separate sheets attached

Signature of Appellant

J Parent

Date

May 27/25

APPEAL LETTER AGAINST DEVELOPMENT APPROVAL

File Number	
DP 25-2025	Legal Land Description: Plan 9612524, Lot 10

APPELLANT: JACK & SHELLEY PARENT

#9-185006 RANGE ROAD 220 MILO, AB T0L1L0

Shelleyparent2012@gmail.com 587-973-9998

Dean Folk has applied for a Development Permit to construct a 54' by 30' x 15' tall accessory building, on their lot in Milo Estates, at Plan 9612524, Lot 10, approximately 1 km south of the Village of Milo. In the Grouped Country Residential Land Use District, an accessory building over 1600 square feet in size is a discretionary use. Also, the placement of the building encroaches on both setbacks from the adjacent roads, and a variance on those has been requested.

3. The requested setback variance is substantial, as the setback listed in the land use bylaw is stated as being 38.1 m (125 ft) from the centreline of the road allowance. The requested variances are 19.2 m (63 ft) from centreline and 12.4 m (41 ft) from centreline, representing a 51% reduction and a 67.5% reduction respectively.

The property is currently developed with a Dwelling (Moved-in Dwelling DP 50-2013) a large shop 36' x 48' (DP 55-2010) two smaller garages (date of construction estimated 1996), and a shipping container structure (installed sometime between 2008 – 2010; prior to regulatory requirements addressing shipping containers). The property also hosts a Home Occupation 1 for an at-home, automotive repair business, which is exempt from requiring a Development Permit; acknowledged in March 2020.

*There have always been limits on the number of accessory buildings/structures.

**There appears to be a second undeclared business with the same address and phone number – Alberta Docks and Lifts. (?)

1. Grouped Country Residential has several provisions that address how Accessory Buildings can be developed and located with restrictions on height, size, and building materials. The specifics are outlined in the attached Grouped Country Residential Land Use District, Section 12.

- a. The first consideration is the total number of accessory buildings allowed in GCR, which is a maximum of 3. As per the site plans, Mr. Folk has a Dwelling with attached deck, a large Shop, the shipping container structure, and two small garages, one at 160 square feet, and one at 280 square feet making the total accessory buildings on the property currently 4. As the maximum allowed is 3, Mr. Folk has proposed to remove the two small garages on site, which would leave only 2 accessory buildings on the lot (shipping container structure and large shop) with the new building being #3.

This is the third time that we are trying to have the bylaws (as written) properly applied to this ongoing situation.

In reviewing the current bylaws there seem to be several non-compliant issues that in all fairness we feel should be addressed and dealt with before another structure is even considered.

SECTION 28 STATES - that the RPR must be less than 12 months old to accurately depict the number of structures and placement of said structures. If older it must be accompanied with a statutory declaration stating that no new buildings or structures have been erected on the property. Has this been provided?

SECTION 33.3 (a) – VARIANCE: SET BACK – if the variance would not unduly or materially interfere with or affect the use, enjoyment or value of neighboring parcels of land!

The Appellant property is directly to the north of the applicant's property and it would have a very serious negative impact on our enjoyment of the lake view from the 2nd floor sitting area and dining area. The lake view would be almost entirely blocked by the proposed placement of this building. This would almost certainly affect the value of our property when the time comes to sell. (see attached photo)

Section 42.1 (b) A variance shall normally only be considered in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not, generally, common to other land in the same land use district. (eg: a non-conforming lot that is too small to allow for normal setbacks in which case an exception *may* be considered).

In the case of this proposed development being situated on approximately 3 acres, there is ample room to place this structure in an area that would conform to the setback bylaw, especially as the applicant has stated that the building will have no services and will be used for storage only.

As per the bylaws **only 3 accessory buildings are to be allowed** however by my count there are at least 8. Have these buildings all got the required permits?

- 1 – Existing 36'x48' shop
- 2 – Shed on west side of the shop
- 3 – Shed on the east side of the shop
- 4 – 3 (40') sea cans to the south of the house with a non-engineered tin roof spanning them
- 5 – 2 older garage structures that are to be removed
- 6 – A hot tub enclosure
- 7 – A playground structure
- 8 – A permanent large deck/gazebo at the serviced site south of the principal residence where there's also a large 5th wheel trailer

(Why are other lots in Vulcan county being treated differently and being told that these kinds of structures must be removed or the county will have them removed and the owners will be billed for the removal?)

SECTION 51.1 – There is to be a 6-month waiting period to reapply if an application is refused. This is the second application since February 6/25.

NON-COMPLIANCE ISSUES WITH THIS PROPERTY ACCORDING TO THE CURRENT BYLAWS:

NUISANCE means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health and safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odor, heat, light, fumes, vibration, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage, junk, waste or other material; or poses a hazard to health and safety.

AUTO REPAIR AND PAINT SHOP means a building where motor vehicles are repaired and also where motor vehicle bodies and parts, and other metal machines, components, or objects may be painted. Painting of this type shall not be done outdoors, but must be set up in a properly ventilated building. This use may also include an outdoor storage area and an office component. This business is actually a commercial/industrial business that was disallowed by appeal and then allowed without a permit in 2020 in a Rural Recreational zone. We have also discovered that the applicant has a second undeclared business called Alberta Docks and Lifts that has the same address and phone number as Folk Automotive

There has been activity directly across the fence from us in the open air where sandblasting of body parts of an old car was carried out for 1 ½ days – the toxic cloud drifted over to our house and as a result of this, I was transported by ambulance to the nearest hospital due to extreme heart and lung distress. It appears I have now got permanent lung damage that has severely restricted my activities and I am going through ongoing testing on my heart to see what damage has been done.

SECTION 5.3 & 5.4 DUGOUTS

No part of any dugout, regardless of size, shall be located within 76.2 m (250 ft) of the right-of-way of a highway or public road.

There is a dugout that is located within 250 ft of the right of way of a public road.

Dugouts may be allowed closer to the center line of a highway or public road if a barricade is installed along 100 percent of the length of that part of the dugout fronting the highway or public road and 25 percent of the length of the sides of the dugout.

There is no barricade as per the bylaw code Appendix G attached

Has a DLO been obtained to take water from the reservoir as per the current requirements?

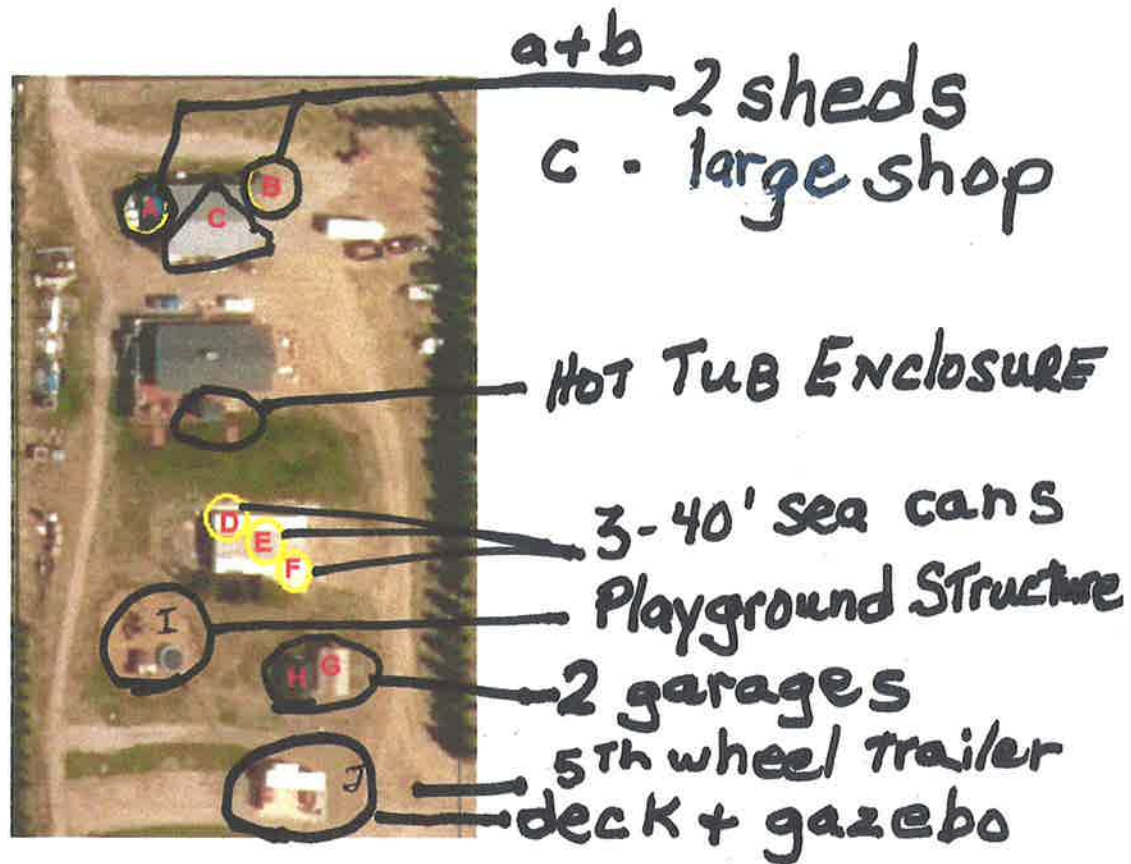
SECTION 6.1

MINIMUM SETBACKS FROM IRRIGATION INFRASTRUCTURE

No part of a building or structure shall be located: (a) within 10.0 m (33 ft) of the centerline of a Bow River Irrigation District (BRID) irrigation pipeline or 3.0 m (10 ft) of a registered right-of-way or easement for any irrigation pipeline or irrigation canal, whichever is greater; (b) within 60.1 m (200 ft) from any BRID or Alberta Environment water reservoir measured from the water's edge at full supply level (FSL) or 30.5 m (100 ft) from the registered reservoir right-of-way, whichever is greater.

Would a private dock and lift be considered such a structure? The applicant has a large dock and lift in place that clearly violates this bylaw.

I'm including this page to show the bylaws that have been disregarded as they apply to the applicant and simply ask that bylaws be applied equally and fairly across the board.



Current Compliance Dugout

Does this dugout meet the requirements for safety (eg barrier or fence)?



-NO Barrier as required by the bylaws.

Proposed new structure

I am strongly apposed to this structure being approved as it does not meet or align with the existing land use bylaws and would have several conflicts with the bylaws if it is approved.



View from Kitchen & Bar Height Dining Table.
View from the 2 chairs in the window area
is considerably lower so view would be completely
blocked.

May 26, 2025

RE: Development Approval for Dean Folk plan 9612524 lot 10 in milo estates.

I do not live directly adjacent to the property, but am a close neighbour that could be impacted by the decision.

I believe there is an appeal to this being requested. And as part of the review process, I would like to submit the following concerns:

1. This is a residential / recreational neighbourhood and I am concerned that the building being developed is to be used to run a mechanical / tire shop or a body shop. This would increase traffic dusk and noise for the area and perhaps create a precedent for other large businesses in the future.
2. It appears that the building is very close to property lines/roadway. It was very hard to determine if this was the case from the diagram I saw.
Is this in violation of current bi-laws? If so will the rest of us property owners be allowed the same approvals.

Thank you for listening
Del Young
Lot 2 Lakeside Properties

County of Vulcan
Planning & Development.

Re: Development approval
Re: Plan 9612524 lot 10

RECEIVED

MAY 27 2025

VULCAN COUNTY

D1

From: [Ala Taremi](#)
To: [Alena Matlock](#)
Subject: FW: Notification of Proposed Development 25-2025
Date: May 2, 2025 3:20:34 PM
Attachments: [Agency Notification Letter 25-2025.pdf](#)

Hi Alena,

Thank you for inviting our comments on the above-referenced application. Alberta Health Services Environmental Public Health (AHS-EPH) understands that this application is proposing to develop an accessory building located at Plan 9612524, Lot 10 in Milo Estates.

At this time, we do not have any concerns with the information as provided. Feel free to contact me if the application is changed in any way, or you have any questions or concerns.

Sincerely,

Ala Taremi, BSc, BEH, CPHI(C)
Environmental Public Health
Safe Healthy Environments
Email: Ala.Taremi@albertahealthservices.ca
Phone: +1-587-943-2790

ahs.ca/eph | ahs.ca/injuryprevention | ahs.ca/suicideprevention

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-----Original Message-----

From: Gina Roldan <Gina.Roldan@albertahealthservices.ca>
Sent: Thursday, April 17, 2025 1:53 PM
To: Ala Taremi <Ala.Taremi@albertahealthservices.ca>
Subject: FW: Notification of Proposed Development 25-2025

Please and thank you,

Gina Roldan
Administrative Support
Environmental Public Health
Alberta Health Services - Calgary Zone
1-833-476-4743 (Phone)
403-943-8056 (Fax)

Safe Healthy Environments
Supporting safe and healthy communities through promotion, prevention, and protection.

ahs.ca/eph | ahs.ca/injuryprevention | ahs.ca/suicideprevention

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-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>

Sent: Thursday, April 17, 2025 11:50 AM

To: CalgaryZone.EnvironmentalHealth <calgaryzone.environmentalhealth@ahs.ca>

Subject: Notification of Proposed Development 25-2025

Caution - This email came from an external address and may contain unsafe content. Ensure you trust this sender before opening attachments or clicking any links in this message _____

Good morning,

Please see attached document regarding proposed Development Permit 25-2025.

Thank you,

From: [Diana Pounall](#) on behalf of [Land Service](#)
To: [Alena Matlock](#)
Subject: Notification of Proposed Development 25-2025
Date: April 29, 2025 9:06:07 AM
Attachments: [Agency Notification Letter 25-2025.pdf](#)

Good day,

FortisAlberta has no concerns with the proposed development, please contact 310-WIRE for any electrical services.

Warm Regards,

Diana Pounall | Land Coordinator, Land Department
FortisAlberta | 15 Kingsview Rd. SE Airdrie, AB T4A 0A8 | p: 587-775-6264

We are FortisAlberta. We deliver the electricity that empowers Albertans to succeed. We keep the power on, not just because it's our job, but because we care about the people we serve. We are reliable, honest and dedicated to our work because our employees, customers and communities matter to us.

-----Original Message-----

From: Alena Matlock <devassist@vulcancounty.ab.ca>
Sent: Thursday, April 17, 2025 11:50 AM
To: Land Service <landserv@fortisalberta.com>
Subject: [CAUTION] Notification of Proposed Development 25-2025

THINK BEFORE YOU CLICK:

Before taking any action, please pause and review this message for any Red Flags and signs of phishing. If this is a suspicious email, before you delete it, use the 'Phish Alert Report' button in Outlook or contact the Service Desk.

Good morning,

Please see attached document regarding proposed Development Permit 25-2025.

Thank you,

From: [circulations.](#)
To: [Alena Matlock](#)
Subject: Re: Notification of Proposed Development 25-2025
Date: April 23, 2025 1:26:44 PM

Good Day,

Thank you for including TELUS in your circulation. At this time, TELUS has no concerns with the proposed activities.

Thank you,

Tanya Roberts

Senior Real Estate Specialist | TELUS Land Solutions Team
Customer Network Planning (CNP)
2930 Centre Avenue NE, Calgary, AB T2A 4Y2

The future is friendly®

circulations@telus.com

On Thu, Apr 17, 2025 at 11:51 AM Alena Matlock <devassist@vulcancounty.ab.ca> wrote:

Good morning,

Please see attached document regarding proposed Development Permit 25-2025.

Thank you,

May 5, 2025

Hello Vulcan County Council and Administration,

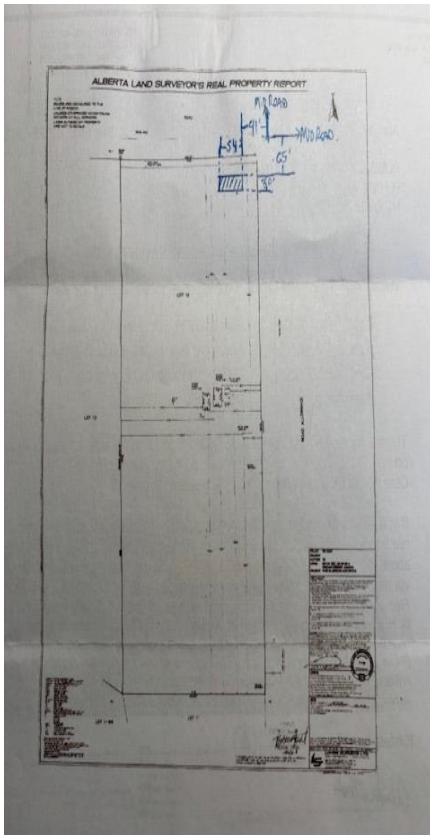
I am writing in opposition to DP 25-2025.

It is common knowledge Vulcan County has hired a Development Officer to identify and document properties for noncompliance. This Development Officer was in our community last summer, took photos and one would presume, documented what was found. Therefore, Vulcan County should be aware and informed of what exists on this property.

With each new development application Vulcan County should be looking into and addressing, prior to approving additional development, any noncompliance on properties.

The package circulated to adjacent property owners shared only the Real Property Report (RPR) which is an outdated document and does not accurately reflect what currently exists on the property. Given there are no accessory buildings to be built prior to a residence, this application should be rejected immediately – however we all know this RPR to be incorrect, yet exceptionally misleading as an application.

Real Property Report



Vulcan County GIS, July 2024 Aerial Image



E5

Regardless of the intent to remove the two buildings noted on the RPR, there are still more buildings than acceptable on the current property. Under Section 12 Accessory Buildings:

12.2 *There shall be no **more than three accessory buildings** (not including attached garages and accessory structures) on any parcel.*



Bldg. #2 was moved in after the change to the Rural Recreational Bylaws where there was a limit on the number of accessory buildings permitted on property.

Bldg. #3 – is a hot tub enclosure and counts towards the number of accessory buildings.

Bldgs. 4 through 7 appear to be a combination of tractor trailer trucks/cube vans with a roof between.

Within the community, there was a sea can garage approved but required the applicant to have Engineered stamped fasteners fabricated to ensure the roof is properly secured to the building and would withstand severe winds.

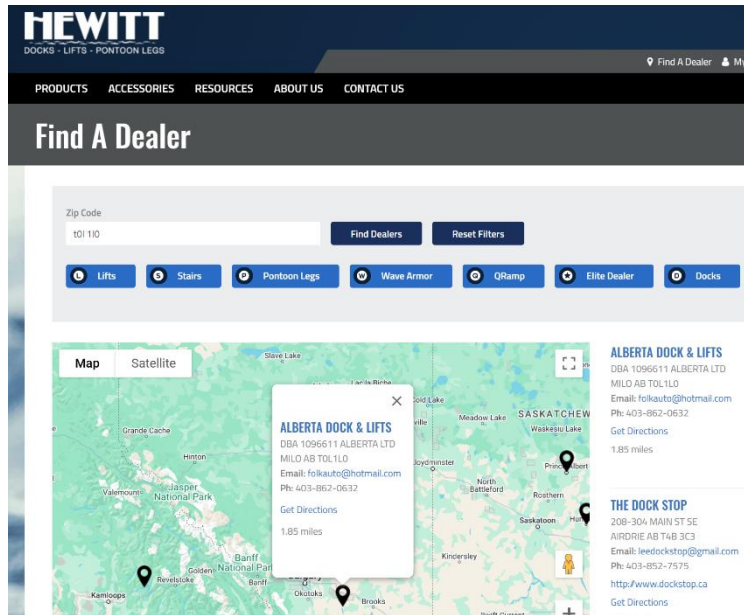
What does “Proposed to be Removed” mean? Are these structures to be removed prior to the proposed building or what course of action does Vulcan County intend to take to ensure these will be removed and how is this going to be enforced?

Given the RPR has no other built structures identified, one cannot determine if there is the proper distance between buildings as stated in the Land Use Bylaw for Grouped Country Residential.

12.3 *An accessory building shall be setback a minimum 3.0 m (10 ft) from the principal dwelling and **from all other structures on the same lot.***

Additionally, the application regarding the total square area is misleading. The application is for a 54ft by 30ft building which is an exterior footprint of 1,620 sq ft, not the interior 1,537 sq ft as noted in the drawings submitted, which given that size, should also require a waiver as that size is in discretionary use.

Furthermore, how many businesses are permitted to operate on one residential property which require commercial buildings. The applicant already runs two businesses out of the property, Folk Automotive and Alberta Docks and Lifts. Of growing concern are the quantity of accessory buildings being requested and is this to grow their businesses in a residential area.



Is this building to grow their businesses if so, how does this align with current Home Occupation permit, is this considered an expansion of their current permit and what is the impact on a residential area.

Under Schedule 5, Section 20 Home Occupations,

20.6 (b) A home occupation use is considered the secondary use of a residence or ancillary building to a residence. Any use which the Development Authority deems to exceed the scale or intensity appropriate for a home occupation shall be directed to locate within an appropriate non-residential land use district. Home occupations that have grown to exceed the reasonable threshold determined by the Development Authority shall be required to relocate to an appropriate non-residential land use district.

There are too many accessory buildings already existing on the property and if approved, the property would have two building at or exceeding 1,600sq ft. Does this align with the Vision Vulcan County Council has for lake properties. Given the tenacity at which Vulcan Country has pursued other properties in the area, I trust this application will be denied until it is compliant with the number of buildings permitted.

I am seeking nothing more than having Vulcan County Council and Administration treat each property with consistency and transparency.

Kind regards,

Tammy Robinson

E7

Attention **Vulcan County** - Development Department
 Regarding Development Permit Application **DP 25-2025**
 Submitted by Grant Turner on May 1, 2025

Please review the following concerns regarding the lot in question and the current state of compliance prior to considering the approval of any additional structures or development. Unfortunately, this is a common issue with several areas and lots throughout Vulcan County. This application is in a Group Country Residential (GCR) community and does not appear to meet the requirements of the Land Use Bylaw.

Existing Shop (Auxiliary Structure)

As circled in **red** below the existing Shop is 36' x 48' x 12' hgt – This structure is much taller than 12 feet. I believe the walls are approximately 12 feet and therefore the overall height of the shop is closer to 19 feet. As per the bylaws only one auxiliary structure can exceed 15 feet.

Vulcan COUNTY		Assessment Summary			
		Year of General Assessment: 2023			
Roll: 310801006					
Legal: 9612524 10 NE-25-18-22-4		Land Area: 3.68 Acres			
Address: 184076 RGE RD 220A		Subdivision:			
		Zoning: GROUPED COUNTRY RESIDENTIAL			
Market Land Valuation		Site Area: 3.68 Acres		Asmt	Value
				28 100%	210,600
Improvement Valuation		Floor Area	Built	Asmt	Value
1 Storey & Basement	SFD - After 1970	1,545 Sq Feet	1990	28 100%	259,000
Detached	Garage	158 Sq Feet	1950	28 100%	1,400
Detached	Garage	276 Sq Feet	1950	28 100%	1,800
Marshall & Swift		Area (Ft2)	Built	Asmt	Value
Concrete Slab on Grade	SHOP 36' x 48' x 12' hgt	1,728 Sq Feet	2011	28 100%	52,500

Other Existing Auxiliary Structures

The assessment and current auxiliary structures appear to be significantly different in the number of structures. As marked on the picture to the right with a **Red** letter and circled in **Yellow** are other existing auxiliary structures that exist. This application indicates that two of the existing structures would be removed, however even by removing these two structures there are still more than the bylaws allow for and Have Allowed for.

Proposed new structure

Some questions and or concerns

- This structure would far exceed the number of allowable in GCR
- Height could be a factor depending on the design – 30 x 60 x ??

This application for development does not meet the requirements of the land use bylaws and therefore should not be approved.





APPLICATION FOR DEVELOPMENT PERMIT

OFFICE USE ONLY			
Application No. <u>25-2025</u>	Roll No. <u>310801006</u>	Deemed Complete <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date of Completion <u>15 Apr 2025</u>
Date Received <u>15 April 2025</u>	Division <u>5</u>	Land Use District <u>Grouped Country Residential</u>	
Application Fee (\$) <u>300.00</u>	Fire Dept. <u>Milo</u>	Use <u>Acc Bldg > 1600 sq ft w setback waiver</u>	
Date Application Fee Received <u>—</u>	Gas Coop <u>Sunshine</u>	Land Title Verified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

1) APPLICANT AND LAND INFORMATION

Applicant Name: Dean Folk.
Phone: 862-0632 **Email:** Folkauto@hotmail.com
Mailing Address: Po Box 225 Milo Ab 702260

IF APPLICANT IS NOT THE REGISTERED OWNER

Applicant's Interest In Property ☐ Agent ☐ Contractor ☐ Tenant ☐ Other: _____
Registered Owner's Name: _____
Phone: _____ **Email:** _____
Mailing Address: _____

Quarter: _____ **Section:** _____ **Township:** _____ **Range:** _____ **W4M**
Plan: 9612524 **Block:** _____ **Lot:** 10
Municipal Street Address (If Applicable): 184076 Ridge Rd 220 A Vulcan County
Parcel Area Acres: 5.4 **Hectares:** _____

Existing Development

Please detail existing buildings, structures, uses, and improvements existing on the parcel.
(If they will be altered as part of this application, please detail the improvements)

On Drawings.



2) DEVELOPMENT DETAILS

Proposed Development

Please detail the proposed development including uses, buildings, structure, and any other planned renovations or improvements; including the dimensions of each.

On Drawings.

Estimated Commencement Date: June - July 25 Estimated Completion Date: Aug 15/25.
Estimated cost of the project (\$): \$35000

For **residential** developments please check all applicable boxes below:

- | | |
|--|---|
| <input type="checkbox"/> Single detached dwelling | <input type="checkbox"/> Manufactured home 1 (new) |
| <input type="checkbox"/> Semi-detached dwelling | <input type="checkbox"/> Manufactured home 2 (previously occupied) |
| <input type="checkbox"/> Ready-to-move home (new) | <input checked="" type="checkbox"/> Accessory building to approved use |
| <input type="checkbox"/> Moved-in dwelling (previously occupied) | <input type="checkbox"/> Accessory building prior to principal building |
| <input type="checkbox"/> Modular home | <input type="checkbox"/> Other: |

3) Other

Access

Is the parcel adjacent to an existing developed roadway? ☒ Yes ☐ No
Is the parcel currently subject to an Approach Agreement with Vulcan County? ☐ Yes ☒ No

Servicing

Please indicate how the proposed development will be serviced

Water Supply

☐ Cistern ☐ Well ☐ Dugout ☐ Coop

Other: _____

Sewer Servicing

☐ Septic Tank ☐ Septic Field ☐ Communal

Other: _____

Location

Please indicate if any of the following are within 1.6 km (1 mile) of the proposed development

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Provincial Highway | <input type="checkbox"/> Confined Feeding Operation | <input type="checkbox"/> Sour gas well or pipeline |
| <input type="checkbox"/> Sewage Treatment Plant | <input type="checkbox"/> Waste Transfer Station or Landfill | <input checked="" type="checkbox"/> River or Waterbody |

Please indicate if any of the following are within 800m (1/2 mile) of the proposed development

- | | |
|--|--|
| <input type="checkbox"/> Slope of 15% or greater | <input checked="" type="checkbox"/> Existing multi-lot residential subdivision |
|--|--|



4) Declaration

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached forms, plans, and documents.

I/We hereby certify that all plans and information submitted are, to the best of my knowledge, true and correct.

I/We hereby certify that the registered owner of the land is aware of and in agreement with this application.

I/We hereby give consent to allow authorized persons the right to enter the subject land and/or building(s) for the purpose of an inspection with respect to this application.

Date: APR 10/25

Applicant's Signature: [Signature]

Date: _____

Registered Owner's Signature: _____
(Required If Different from Applicant)

5) Development Permit Process

1. The Development Permit Application is to be submitted along with the application fee as described in the Fees for Service Bylaw and any additional information as indicated in Appendix A.
2. The County office will then notify adjacent landowners and may place an ad in the Vulcan Advocate respecting the proposed development.
3. You will receive a copy of the Notice of Decision and Development Permit Application in the mail dated the day the Development Permit was approved, although the Development Permit is not valid until 21 days after the Date of Issue of Notice of Decision.
4. The Development Permit is subject to all conditions specified on the Development Permit.
5. After the advertisement period a copy of the Development Permit and Notice of Decision will be sent to all relevant stakeholders which may require a copy of the approved development permit.
6. If your application has been refused or approved subject to conditions set forth by the Development Authority, you can appeal the decision to the **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** or **LAND AND PROPERTY RIGHTS TRIBUNAL**, as specified on in the Development Permit or Notice of Refusal. If an applicant wishes to appeal the decision, a written notice of appeal must be served to the Vulcan County Planning and Development Department **within 21 days of the Date of Issue of Notice of Decision**. Vulcan County's Planning and Development Department will then forward the appeal to the relevant appeal body. Appeals may be mailed to:


VULCAN COUNTY PLANNING AND DEVELOPMENT
180 VULCAN, ALBERTA T0L 2B0
Phone 403-485-2241 Fax 403-485-2920

Proposed

- * Remove 2 Garages
- * New Shop Surround.
- by 15' tall trees.
- * Built with Engineered Drawings.
- * HARD Steel Walls.



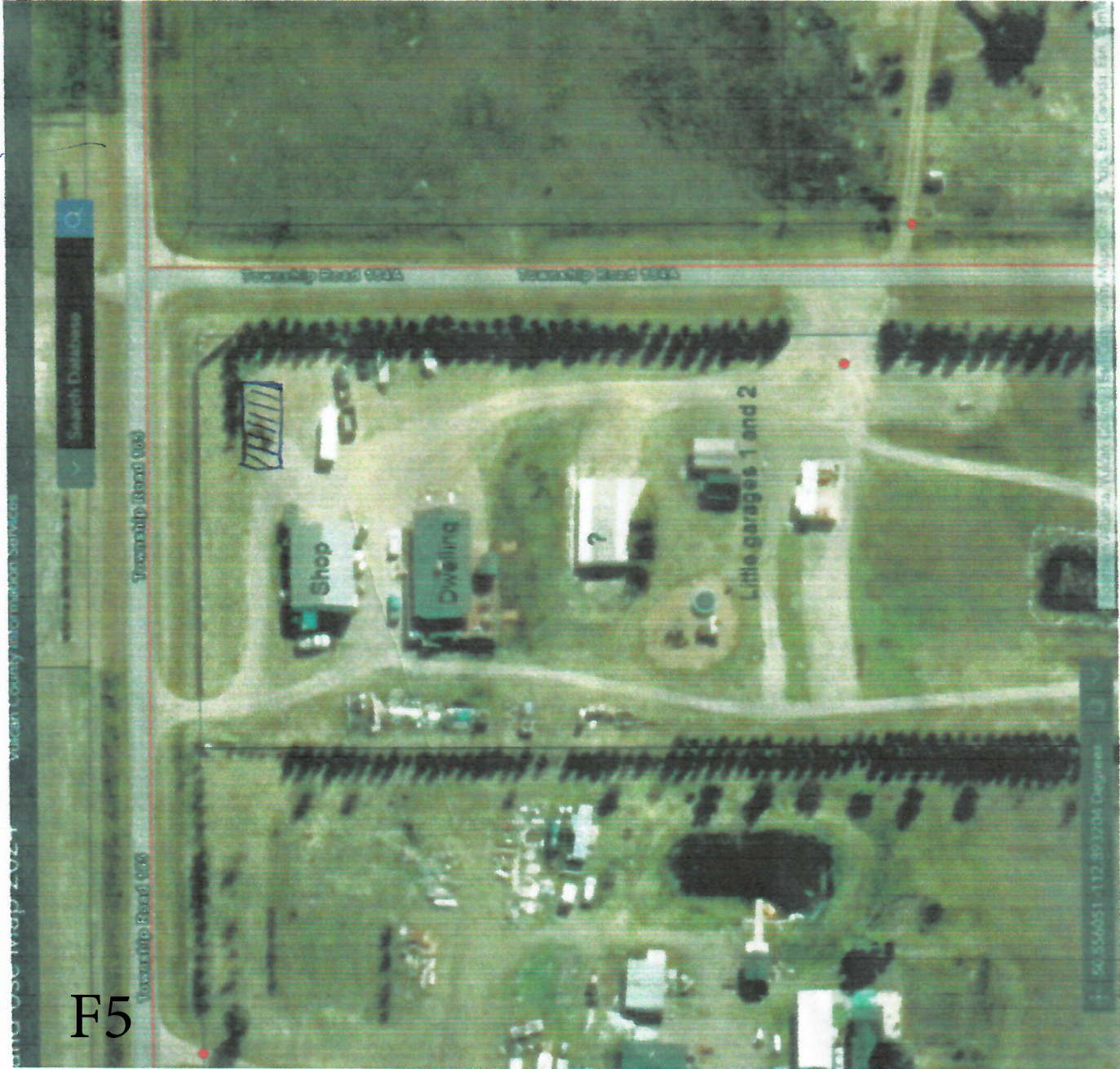
Proposed Development:

 New Hard Sided Building.

* Remove Little Garages 1 and 2.

* Surrounded by 15' + tall trees.

* Built with engineered drawings.



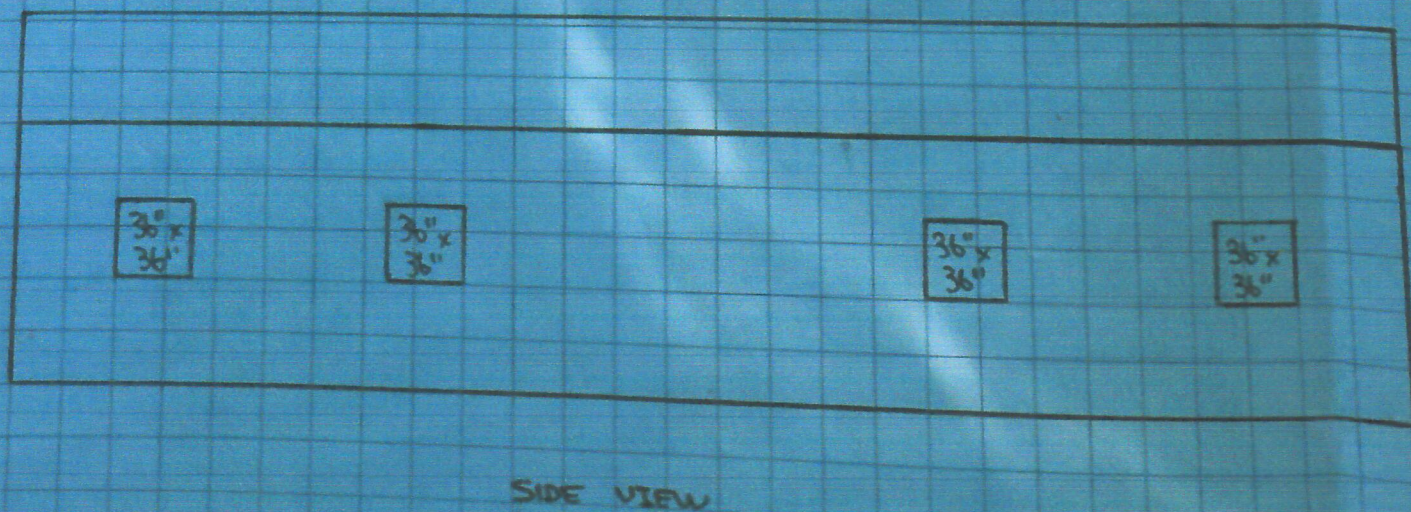
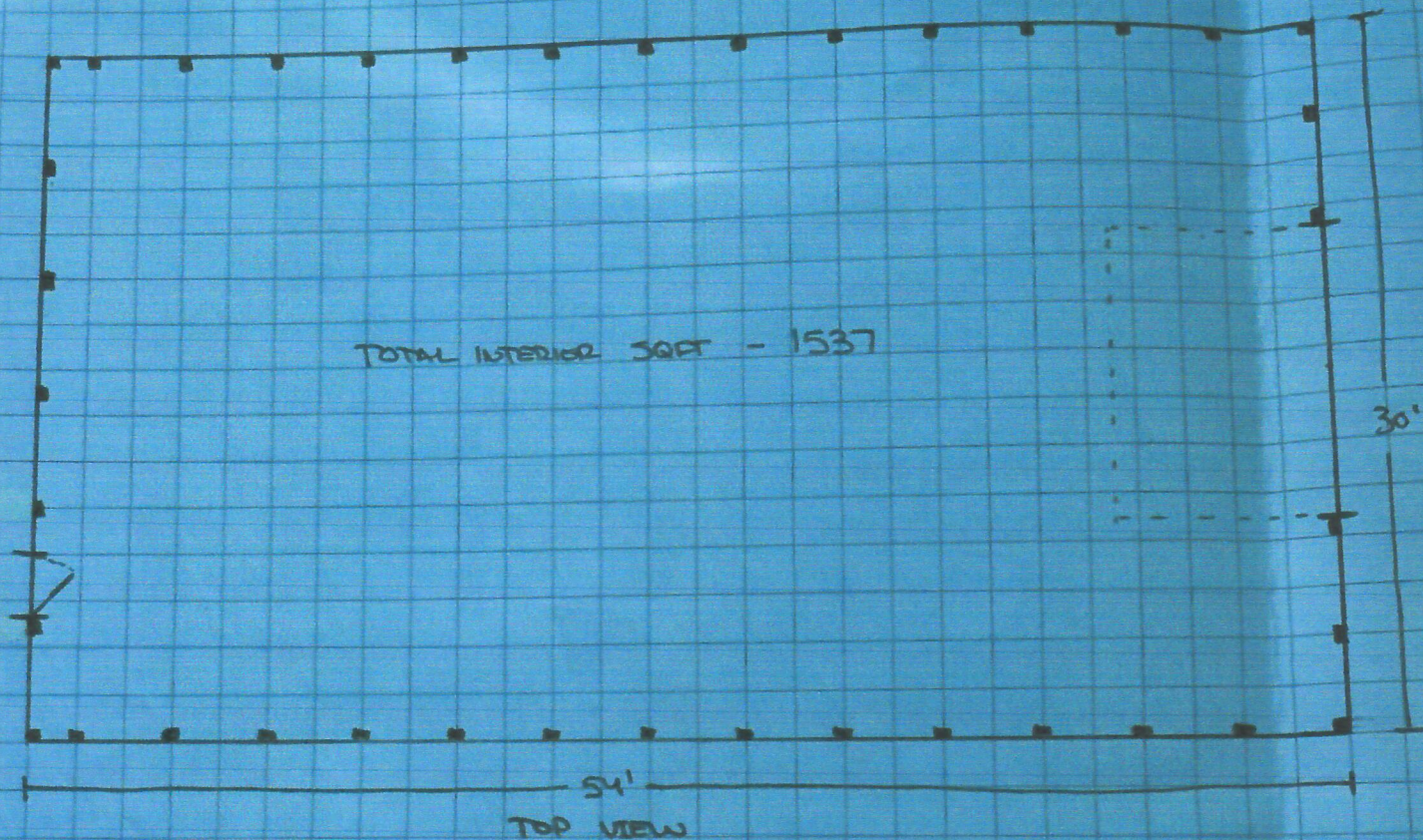
F5

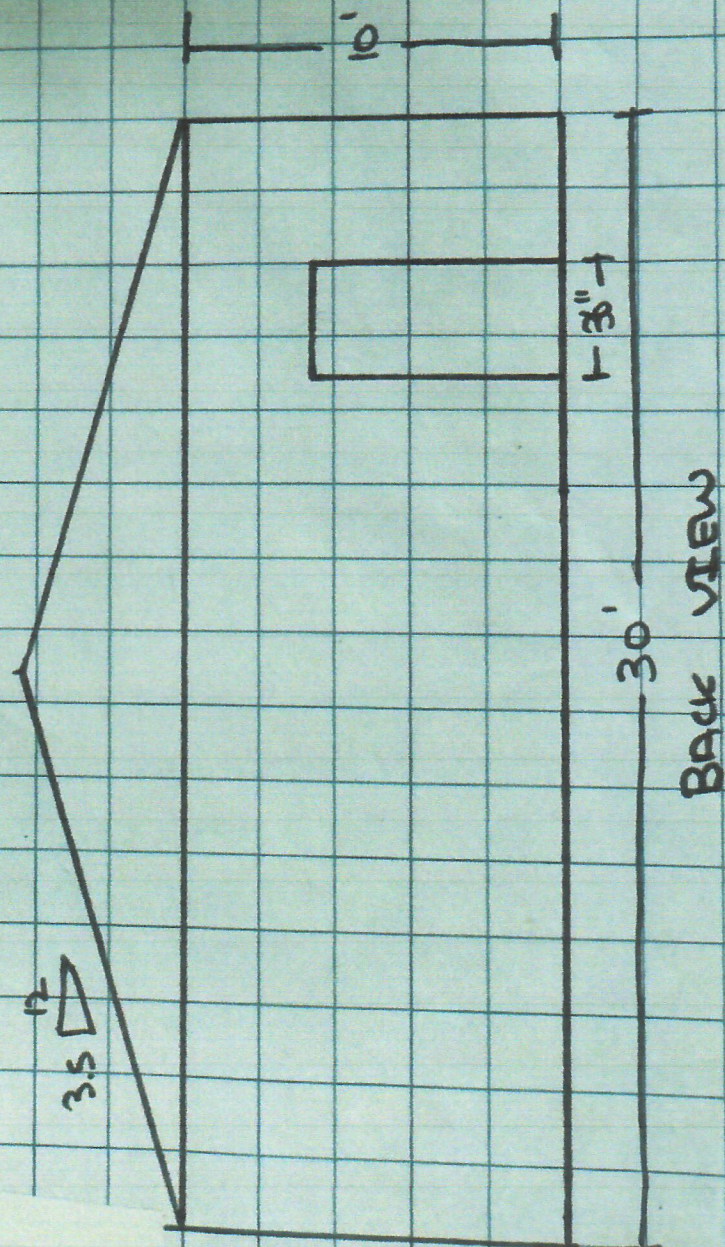
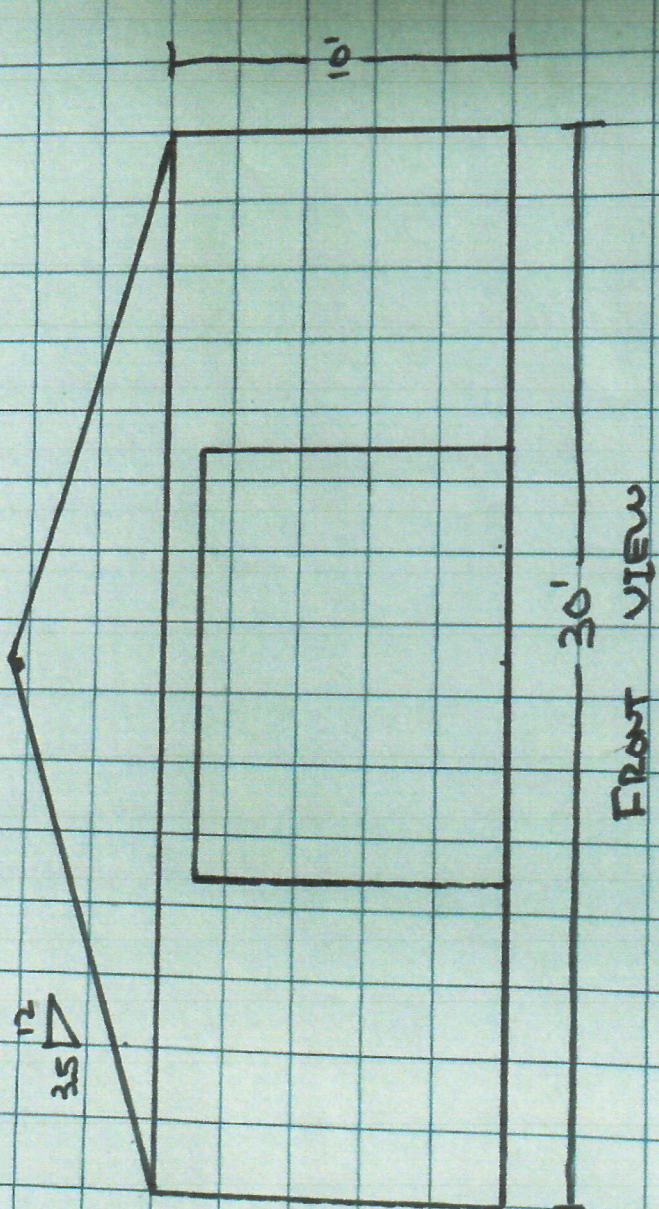
DEAN FOLK - SHOP SKETCH

184076 PR 220A

POSTS

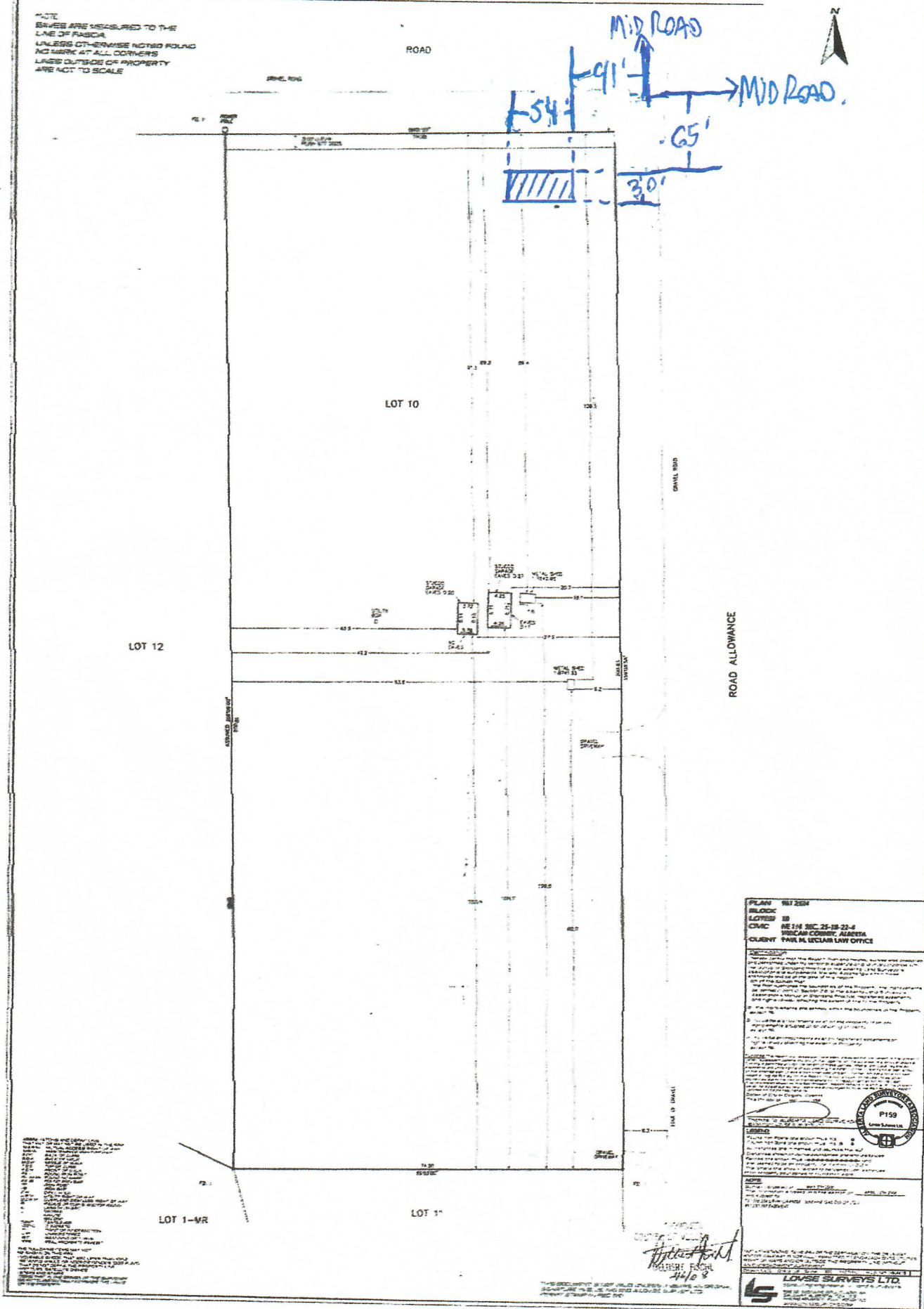
- RAFTERS 4' OC FOR SIDE WALLS (2x6 - 3 PLY)
- POSTS 5' OC FOR END WALLS (2x6 - 3 PLY)
- 2x6 WALL STRAPPING @ 24" OC
- 2x6 ROOF STRAPPING @ 24" OC
- TRUSS BRACING AS PER ENGINEERED DRAWING.
- PRESSURE TREATED 2x8 BOTTOM STRAPPING.
- 1 - 36' MAIN DOOR (LOCATION MAY VARY FROM DRAWING)
- 4 - 36" x 36" WINDOWS (LOCATIONS MAY VARY FROM DRAWING)
- 1 - 12' W x 9' H OVERHEAD DOOR
- ROOF PEAK NOT TO EXCEED 15' MAX





F8

NOTES:
EAVES ARE MEASURED TO THE
LINE OF FASCIA.
UNLESS OTHERWISE NOTED FOLLO-
WING NO MARK AT ALL CORNERS
LINES OUTSIDE OF PROPERTY
ARE NOT TO SCALE



F9



F10



F11



Highway 542

Lake McGregor

Milo

2nd N

1st N

1st S

Railway Ave S

Range Road 215

Range Road 215

Range Road 220

Township Road 185

F12



VULCAN COUNTY
MINUTES
Municipal Planning Commission
Meeting
May 7, 2025
Council Chambers
Administration Building
102 Centre Street, Vulcan, Alberta

Present: Chair Kelly Nelson Vice Chair Doug Logan
Member Jodie Gateman Member Shane Cockwill
Member Jason Schneider Member Laurie Lyckman

Also Present: Nels Petersen, Chief Administrative Officer
Lansey Middleton, Manager of Legislative Services
Whitney Ivarson, Municipal Assistant
Anne Erickson, Manager of Development Services
Alena Matlock, Development Officer
Ryan Dyck, ORRSC Planner

As per Procedure Bylaw 2021-036, all resolutions of the Municipal Planning Commission are recorded votes, when resolutions are carried unanimously, names will not be recorded.

Call to Order

Chair Nelson called the meeting to order at 9:00 a.m.

Adoption of Agenda and Emergent Issues

MPC 2025-05-07-01 MOVED BY MEMBER LYCKMAN that the agenda be adopted as presented.

CARRIED UNANIMOUSLY.

Adoption of Minutes

Minutes of the April 16, 2025 Municipal Planning Commission Meeting

MPC 2025-05-07-02 MOVED BY VICE CHAIR LOGAN that the minutes of the April 16, 2025 Municipal Planning Commission meeting be adopted as amended, with a correction to the spelling of ORRSC in the Information Items section.

CARRIED UNANIMOUSLY.

Action List

Development Permit Summary

MPC 2025-05-07-03 MOVED BY MEMBER GATEMAN that the Development Permit Summary be accepted as information.

CARRIED UNANIMOUSLY.

Development Permits

Development Permit Application 22-2025 - Morozoff

Single Detached Dwelling; No Developed Access - NW 32-14-21 W4

A. Matlock presented the application from Gordon Morozoff to complete a partially as built Single Detached Dwelling on NW 32-14-21 W4.

The applicant was not present to speak to the application.

Chair Nelson invited anyone who deemed themselves affected by the application to speak:

- Dwayne Dallmann, resident of Little Bow Resort (adjacent landowner), had questions regarding the road agreement:
 - Concerned with the clause about adjacent landowners having to pay the developer for the use of the road if it's rebuilt;
 - Will the developer be required to put a culvert in and build the ditch to ensure proper drainage;

Development Permit Application 25-2025 - Folk

Accessory Building > 1600 Sq Ft. - Plan 9612524, Lot 10, Milo Estates

A. Matlock presented the application from Dean Folk to construct a 54' by 30' x 15' tall accessory building on his lot in Milo Estates. The placement of the building encroaches on both setbacks from adjacent roads, and a variance on those has been requested.

Chair Nelson invited the applicant to speak. Dean Folk noted the following:

- his previous application for a soft-sided structure was denied, so this proposal is a smaller building with steel walls and wood interior;

Chair Nelson invited anyone who deemed themselves affected by the application to speak:

- Shelly Parent, lives north of the applicant, spoke in opposition and noted:
 - critical information is omitted, and there are non-compliant issues that should be addressed before this is considered;
 - only 3 accessory buildings permitted, and this property has many buildings;
 - what is the intended use of the building;
 - objecting to the accessory building and the business that is operating;
 - has experienced health issues due to the business activity, resulting in toxic dust release;

Applicant Rebuttal: Mr. Folk provided the following remarks:

- the issue before MPC is only the building, not the business;
- the building will be used for storage of equipment;
- the two smaller garages will be removed.

Subdivisions

Subdivision Application 2025-0-042 - Clark

S 22-13-24 W4

R. Dyck presented the application to subdivide one agricultural parcel containing 108 acres that spans the quarter line between the south half. The lands are vacant farmlands and contain a wetland.

Alberta Environment and Protected Areas, Water Boundary Unit, responded regarding the wetland facility on the north quarter line, which shall be listed as a permanent facility owned by the Crown. This can be noted on the land title.

The applicant was not present to speak. No one else was present to speak for or against the application.

- MPC 2025-05-07-04 MOVED BY MEMBER LYCKMAN that the Agricultural subdivision of S1/2 22-13-24-W4M (Certificate of Title No. 081 342 826 +1), to subdivide one (1) parcel from two previously subdivided quarter sections; BE APPROVED subject to the following conditions:
1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Vulcan County.
 2. That the applicant or owner shall enter into a road approach agreement with Vulcan County.
- CARRIED UNANIMOUSLY.

Subdivision Application 2025-0-049 - Myrlee Farms

NE 24-20-23 W4

R. Dyck presented the application to subdivide the quarter section into two 80-acre parcels. The lands are vacant farmlands with a draw/drainage corridor along the west side of the quarter.

Wendy Williams, who represents Myrlee Farms, was present and noted that her family farms the land, and the owner requested that it be subdivided.

No one else was present to speak for or against the application.

- MPC 2025-05-07-05 MOVED BY MEMBER GATEMAN that the Agricultural subdivision of NE1/4 24-20-23-W4M (Certificate of Title No. 941 315 205, 981 137 974), to subdivide a previously unsubdivided quarter section into two halves; BE APPROVED subject to the following conditions:
1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Vulcan County.

2. That the applicant or owner shall enter into a road approach agreement with Vulcan County.

CARRIED UNANIMOUSLY.

Closed Meeting

MPC 2025-05-07-06 MOVED BY MEMBER LYCKMAN that the Municipal Planning Commission move to a closed session at 9:46 a.m., pursuant to Section 197(2.1) of the *Municipal Government Act* and Section 23(1)(b) of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY.

MPC 2025-05-07-07 MOVED BY MEMBER COCKWILL that the Planning Commission move to an open session at 10:39 a.m.

CARRIED UNANIMOUSLY.

Motions Arising out of the Closed Meeting

Development Permit Application 22-2025

MPC 2025-05-07-08 MOVED BY MEMBER LYCKMAN that the Municipal Planning Commission approve Development Permit 22-2025 with the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks, as established in Land Use Bylaw 2020-028 are met.
3. All outstanding taxes shall be paid prior to the commencement of this development.
4. This is not a building permit. All Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
5. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
6. That a Development Agreement be made to construct a road along Range Road 213 and Township Road 150 to the satisfaction of Vulcan County Director of Operations.
7. That a geotechnical report be performed on the property and if a hazard is identified that mitigation measures are implemented to the satisfaction of the Development Authority.

8. That, as per the Alberta Health Services response letter, prior to any installation of a sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer.
 9. The development will ensure the residence has a potable water supply in accordance with the Environmental Protection and Enhancement Act's Potable Water Regulation (AR 277/2003).
 10. Any private sewage disposal system must be completely contained within the property boundaries and must comply with the most recent Alberta Private Sewage Systems Standard of Practice.
 11. This Development Permit must be commenced and carried out with reasonable diligence within 12 months of the date of issuance, and if determined to be so, is valid for 24 months from the date of decision. Extensions to these limits may be obtained according to the terms in Land Use Bylaw 2020-028.
 12. All activities within the reservoir right of way shall occur as per provincial requirements.
 13. Any lighting installed on site shall be downward cast.
- CARRIED UNANIMOUSLY.

Development Permit Application 25-2025

MPC 2025-05-07-09

MOVED BY MEMBER GATEMAN that the Municipal Planning Commission approve Development Permit 25-2025 with the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks, as established in Land Use Bylaw 2020-028 are met except the setback from the road shall be reduced from 38.1 m to 19.8 m and 12.4 m respectively as per the submitted site plan.
3. All outstanding taxes shall be paid prior to the commencement of this development.
4. Prior to release and effectiveness, the Development permit application fee of \$300.00 shall be paid to administration.
5. This is not a building permit. All Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.

6. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
7. The accessory building shall be fixed to the ground through some form of foundation, screw piles, or anchoring.
8. That any lighting installed on the exterior of the building be downward cast.
9. That the exterior finish of the building shall be muted in color and will seek to match the character of surrounding developments to the satisfaction of the Development Authority.
10. That the applicant removes the two garages, labelled on the submitted documents as Garage 1 and 2, within 90 days of permit issuance.
11. This Development Permit must be commenced and carried out with reasonable diligence within 12 months of the date of issuance, and if determined to be so, is valid for 24 months from the date of decision. Extensions to these limits may be obtained according to the terms in Land Use Bylaw 2020-028.

CARRIED UNANIMOUSLY.

Briefing Note on a Development Permit

MPC 2025-05-07-10 MOVED BY VICE CHAIR LOGAN that the Briefing Note be received for information.

CARRIED UNANIMOUSLY.

Adjournment

Chair Nelson adjourned the meeting at 10:41 a.m.

Kelly Nelson,
Chair

Anne Erickson,
Manager of Development Services



P.O. BOX 180
VULCAN, ALBERTA
TOL 2B0

TELEPHONE: 1-403-485-2241
TOLL FREE: 1-877-485-2299
FAX: 1-403-485-2920
www.vulcancounty.ab.ca

Dean Folk
PO Box 225
Milo, AB TOL 1L0

May 7, 2025

Re: Development Permit 25-2025

Dear Applicant(s),

Please read all the conditions of the permit carefully as you will be required to comply with all of them. Vulcan County has given conditional approval to your development permit application for an Accessory Building > 1600 sq ft on Plan 9612524, Lot 10; your enclosed permit will take effect after **21 days – May 29, 2025.**

As per *Alberta Municipal Government Act [Section 685]* you are eligible to appeal the conditions of the approval from the Development Authority. The appeal can be made in writing to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board and must contain the reasons for your appeal. The written appeal, along with the \$600 appeal fee can be mailed to the address at the top of the page or dropped off at the County Office at 102 Centre Street in Vulcan. The appeal period ends on **May 28, 2025**, any appeal must be received by Vulcan County before this deadline.

Note, this is not a building permit; you will need to contact **one** of the following agencies Vulcan County works with:

- Superior Safety Codes (1-866-999-4777; or by email to info@superiorsafetycodes.com)
- The Inspections Group (1-888-852-3558; email south@inspectionsgroup.com)
- Park Enterprises Ltd. (403-329-3747; email: contact@parkinspections.com)

They will handle permitting for all the safety code permits and inspections required (building, electrical, gas, plumbing, and private septic). If you have any questions, please contact me at (403)485-3135 or email devassist@vulcancounty.ab.ca.

Kindest regards,

A handwritten signature in blue ink, appearing to read "Alena Matlock".

Alena Matlock
Development Officer
Vulcan County



**DEVELOPMENT PERMIT
25-2025**

Development Permit 25-2025 for an **Accessory Building >1600 sq ft** in Grouped Country Residential on Plan 9612524, Lot 10 as applied for by Dean Folk has been:

- () APPROVED
(x) APPROVED, subject to the following conditions:

1. No Development authorized by this Development Permit shall commence:
 - a. Until at least 21 days after the issue of the Development Permit, or
 - b. If an appeal is made, until the appeal is decided on.
2. The minimum/maximum requirements for all setbacks, as established in Land Use Bylaw 2020-028 are met except the setback from the road shall be reduced from 38.1 m to 19.8 m and 12.4 m respectively as per the submitted site plan.
3. All outstanding taxes shall be paid prior to the commencement of this development.
4. Prior to release and effectiveness, the Development permit application fee of \$300.00 shall be paid to administration.
5. This is not a building permit. All Permits as required under the Safety Codes Act and its regulations shall be obtained and a copy of the Building Permit and any other required Safety Code Act approvals or permits shall be submitted to the County.
6. The applicant is solely responsible to obtain and comply with any other required Municipal, Provincial or Federal government permits, approvals, or licenses.
7. The accessory building shall be fixed to the ground through some form of foundation, screw piles, or anchoring.
8. That any lighting installed on the exterior of the building be downward cast.
9. That the exterior finish of the building shall be muted in color and will seek to match the character of surrounding developments to the satisfaction of the Development Authority.
10. That the applicant removes the two garages, labelled on the submitted documents as Garage 1 and 2, within 90 days of permit issuance.
11. This Development Permit must be commenced and carried out with reasonable diligence within 12 months of the date of issuance, and if determined to be so, is valid for 24 months from the date of decision. Extensions to these limits may be obtained according to the terms in Land Use Bylaw 2020-028.

If approved, you are hereby authorized to proceed with the specified development after 21 days of the issuance of this permit, provided that any stated conditions are complied with, and the development is in accordance with any approved plans and application.

Should an appeal be made against this decision to the Chinook Intermunicipal Subdivision and Development Appeal Board, this Development Permit shall be null and void. The appeal would be governed by By-law 2021-012.

Signature of Development Officer

May 7, 2025

Date of Decision

NOTE: THIS IS NOT A BUILDING PERMIT.

NOTE: FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT WILL RESULT IN PUNITIVE ACTION BEING TAKEN BY THE DEVELOPMENT OFFICER AS AUTHORIZED BY SECTIONS 557, 566 AND 646 OF THE MUNICIPAL GOVERNMENT ACT.

APPEAL PROCEDURE

The Land Use Bylaw provides that any person claiming to be affected by the decision may appeal to the Secretary of the Chinook Intermunicipal Subdivision and Development Appeal Board **WITHIN 21 DAYS AFTER NOTICE OF THE DECISION IS GIVEN.** Contact the Development Officer (403-485-2241) for more information.

H2



LAND USE BYLAW NO. 2020-028

March 2021

(Consolidated to Bylaw 2025-004, February 2025)



- 33.3 Upon receipt of a completed application for a permitted use that requests a variance, as stipulated in Section 41.1, the Development Officer:
- (a) may grant the variance if, in the opinion of the Development Officer, the variance 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; or
 - (b) may refer the development application involving a request for a limited variance to the Municipal Planning Commission for a decision;
 - (c) is not required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting a limited variance under this section.
- 33.4 Upon receipt of a completed application for a permitted use, the Development Officer may refer the application to the Municipal Planning Commission for a decision.
- 33.5 Where a use is listed as a permitted use, but is noted within the individual land use district or elsewhere in this Bylaw as being discretionary in a certain situation (i.e. timing relative to the establishment of another use, exceeding a certain size or threshold etc.), the use is discretionary.

SECTION 34 DISCRETIONARY USE APPLICATIONS

- 34.1 Upon receipt of a completed application for a development permit for a discretionary use for which the Municipal Planning Commission is authorized to decide upon, the Development Officer shall:
- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
 - (b) refer the application to the Municipal Planning Commission for a decision.
- 34.2 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon, the Development Officer shall:
- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
 - (b) make a decision on the application in accordance with Section 34.3 or refer the application to the Municipal Planning Commission for a decision.
- 34.3 When making a decision on a development permit for a discretionary use, the Development Authority must take into account:
- (a) any statutory plans or non-statutory plans or studies affecting the parcel or type of development;
 - (b) the purpose statement in the applicable land use district;
 - (c) the appropriateness of the location and parcel for the proposed development;
 - (d) the land use compatibility and impact of the proposed development with respect to adjacent land uses and the greater community;
 - (e) the merits of the proposed development;
 - (f) access, transportation and servicing requirements.

- 34.4 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including government departments and referral agencies as applicable, compatibility and suitability of the proposed use, Section 34.3, and any other relevant matters, the applicable Development Authority may:
- (a) approve a development permit with or without conditions, stating reasons; or
 - (b) refuse to approve the development permit, stating reasons.
- 34.5 The Development Authority may place any of the conditions stipulated in Section 33.1 on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area, or to achieve a logical land use planning objective.
- 34.6 The Development Authority may issue a development permit for a discretionary use granting approval of some portion, aspect or use of the proposed development, and refusing another portion, aspect or use of the proposed development, and shall provide reasons for the partial refusal.

SECTION 35 DEVELOPMENT PERMIT CONDITIONS

- 35.1 When a development permit is approved with conditions all “prior to release” conditions must be satisfied prior to the permit being released and becoming effective.
- 35.2 When a development permit is approved with conditions of an ongoing nature, those conditions must be satisfied in perpetuity.

SECTION 36 ADDITIONAL PLANNING REQUIREMENTS

- 36.1 A conceptual scheme may be required, at the discretion of the Municipal Planning Commission, prior to determining that an application for a discretionary use is complete (in accordance with Section 32.2), when in the opinion of the Municipal Planning Commission a development is not at its full build out stage.
- 36.2 The Municipal Planning Commission may require, as a condition of development permit, that the conceptual scheme forms part of the development permit and, if desired to be deviated from in the future, shall require a subsequent application for a development permit in order to approve the deviation, along with a revised conceptual scheme.

SECTION 37 DIRECT CONTROL DISTRICTS

- 37.1 Upon receipt of a completed application for a development permit in a Direct Control district, the Development Officer shall:
- (a) refer the application to Council for a decision, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer; and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 43.

- (b) the Development Authority wishes to ensure the suitability or compatibility of a multi-phase project prior to allowing full build out of the project by only allowing one or more phases to commence;
- (c) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.

40.2 Temporary use applications shall be subject to the following conditions:

- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the established time period;
- (b) the Development Authority may require the applicant to submit security guaranteeing the cessation or removal of the temporary use; and
- (c) any other conditions as deemed necessary in accordance with Section 33.1.

40.3 A use deemed temporary in nature shall be processed in accordance with the corresponding Sections 33 and 34 of this Bylaw. Notification of adjacent landowners and other persons likely to be affected shall be in accordance with Section 43 of this Bylaw.

SECTION 41 APPLICATIONS REQUIRING A VARIANCE

41.1 The Development Officer may, in deciding upon an application for a permitted use, or a discretionary use – Development Officer, allow a minor variance:

- (a) up to 10 percent of any one numeric standard of this Bylaw and/or;
- (b) up to 50 percent of one yard requirement (front, rear or side) for existing development within the Rural General – RG Land Use District to bring development into compliance;

provided it is in accordance with the criteria in Section 41.3(a) and (b).

41.2 The Development Officer is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to Section 21.2 of this Bylaw and section 643(5)(c) of the MGA. The Development Officer may refer a matter respecting a non-conforming building to the Municipal Planning Commission for a decision.

41.3 The Municipal Planning Commission may approve or conditionally approve a permitted use referred to the Municipal Planning Commission pursuant to Section 33.4 or, a discretionary use that does not comply with this Bylaw if, in the opinion of the Municipal Planning Commission, the use complies with the following tests:

- (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; and
- (b) the proposed development conforms with the use as defined in the land use bylaw.

NOTE TO READER: *The definition of a use cannot be waived (see Use Definitions). Meaning that the intended purpose of the use cannot be changed, and if a defined use is not listed in the particular land use district applicable to the land subject of the application, there is not ability to approve that use. A land use bylaw amendment would be required to either redesignate a parcel to a district that provides for the desired use, or, for a text amendment to add a particular use to the land use district.*

SECTION 42 LIMITATIONS ON VARIANCE PROVISIONS

- 42.1 In approving an application for a development permit with a variance to a Measurable Standard, the Development Authority shall have regard for the following:
- (a) the general purpose and intent of the appropriate land use district; and
 - (b) a variance shall normally only be considered in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not, generally, common to other land in the same land use district.

SECTION 43 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY AFFECTED

- 43.1 Where notification of adjacent landowners and other persons likely to be affected is required, the Development Officer shall, at least 7 days before the meeting of the Municipal Planning Commission or the decision of the Development Officer:
- (a) mail (postal service or electronic mail) or hand deliver written notice of the application to:
 - (i) adjacent landowners and other persons likely to be affected by the issuance of a development permit;
 - (ii) affected municipalities if, in the opinion of the Development Authority, the proposed development could have an impact upon land uses adjacent to the County boundary or if required by an applicable intermunicipal development plan;
 - (iii) any other persons, government departments, advisory committee, homeowner association or referral agency that is deemed to be affected; or
 - (b) publish a notice of the application in a newspaper circulating in the municipality where the application is located; or
 - (c) post a notice of the application in a conspicuous place on the property; or
 - (d) any combination of the above; and
 - (e) notwithstanding the above, the notice shall always be posted in a prominent place within the County Office, and on the official municipal website.
- 43.2 In all cases, notification shall:
- (a) describe the nature and location of the proposed use or development;
 - (b) state the place and time where the Municipal Planning Commission will meet to consider the application; and
 - (c) state the process for the submission of written or oral comments on the application.
- 43.3 When considering applications for which notices have been served, the Development Authority may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.
- 43.4 The notification of immediately adjacent landowners is always required, while the notification of non-adjacent landowners and other persons is at the discretion of the Development Authority. In evaluating the extent of notification required for a particular development permit, the Development Officer shall use discretion (except where a specific notification standard is required in respect of a particular use or situation in this Bylaw) while aiming to notify all persons likely to be affected by a development.

GROUPED COUNTRY RESIDENTIAL – GCR

PURPOSE: *To provide for clustered large lot residential development on parcels that can support private water and sewage systems in areas where there is a minimum of conflict with adjacent land uses pursuant to the Municipal Development Plan.*

SECTION 1 USES

1.1 Permitted Uses

Accessory building (*less than 1,600 ft²*)
Accessory structure or use
Additions to existing buildings
Home occupation 1
Manufactured dwelling 1
Modular dwelling 1
Ready-to-move dwelling
Sign, Category 1 (*e*)
Single detached dwelling
Utilities (*e*)

1.2 Discretionary Uses – MPC

Accessory building (*greater than 1,600 ft²*)
Child care facility
Intensive horticultural operation
Parks and playgrounds
Renewable energy, individual
Riding stable/arena
Second dwelling unit
Secondary suite
Shipping container
Short-Term Rental 2

Discretionary Uses – DO

Home occupation 2
Manufactured dwelling 2
Modular dwelling 2
Moved-in building
Moved-in dwelling
Short-Term Rental 1

(e) means “Exempt” and development will not require a development permit if it meets all the provisions of this Bylaw and is in accordance with any applicable requirements in Schedule 3.

SECTION 2 PARCEL AND LOT SIZE

2.1 Vacant Parcels

- (a) existing parcels;
- (b) minimum of 0.4 ha (1 acre);
- (c) maximum of 1.2 ha (3 acres).

2.2 **All Other Uses**

Parcel and lot sizes for all other land uses shall be determined by the Municipal Planning Commission after consideration of comments from relevant agencies and in accordance with, but not limited to, the *Municipal Government Act*, a regional plan, the *Subdivision and Development Regulation*, this Land Use Bylaw, the Municipal Development Plan and any other applicable legislation or regulations.

SECTION 3 DENSITY

- 3.1 The creation of three or more new contiguous lots to a maximum of 10 contiguous lots may be allowed on a quarter section of land.
- 3.2 The Municipal Planning Commission may increase or decrease the total number of parcels based on location and/or the suitability of the land to be subdivided or developed, etc. in accordance with an adopted area structure plan.

SECTION 4 SERVICING REQUIREMENTS

- 4.1 Every development shall be required to install a sewage disposal system and potable water system to the satisfaction of the Development Authority and in accordance with any applicable County Design Guidelines. The Development Authority may refuse a development if the parcel on which it is proposed is not large enough to support a sewage disposal system to the standard required.

SECTION 5 MINIMUM FLOOR AREA REQUIREMENT

- 5.1 The minimum floor area of the principal dwelling shall not be less than 74.3 m² (800 ft²), not including multi-unit dwellings.

SECTION 6 MAXIMUM BUILDING HEIGHT

- 6.1 Principal Building: 10.5 m (34.4 ft)
- 6.2 Accessory Building(s): one at 6.7 m (22 ft) with all subsequent buildings at 4.6 m (15 ft)

SECTION 7 MAXIMUM LOT COVERAGE

- 7.1 Principal Building: 10%
- 7.2 Accessory Building(s): 5% (cumulative of all accessory buildings)

SECTION 8 MINIMUM SETBACK FROM PROPERTY LINES

- 8.1 All structures and buildings shall be setback 7.6 m (25 ft) or as established in an adopted area structure plan or conceptual scheme from all property lines not fronting on or adjacent to a municipal roadway.

SECTION 9 MINIMUM SETBACKS FROM ROADS

- 9.1 No part of a building or structure shall be located within 38.1 m (125 ft) of the centre line of any public roadway which is not designated as a provincial highway under the *Highways Development and Protection Regulation*.

- 9.2 Any road designated as a provincial highway under the *Highways Development and Protection Regulation* is subject to setbacks as required by Alberta Transportation and any applications for development adjacent to a highway should be referred to Alberta Transportation for a Roadside Development Permit.
- 9.3 No part of any dugout, regardless of size, shall be located within 76.2 m (250 ft) of the right-of-way of a highway or public road.
- 9.4 Dugouts may be allowed closer to the centre line of a highway or public road if a barricade is installed along 100 percent of the length of that part of the dugout fronting the highway or public road and 25 percent of the length of the sides of the dugout.

SECTION 10 MINIMUM SETBACKS FROM IRRIGATION INFRASTRUCTURE

- 10.1 No part of a building or structure shall be located:
- (a) within 10.0 m (33 ft) of the centreline of a Bow River Irrigation District (BRID) irrigation pipeline or 3.0 m (10 ft) of a registered right-of-way or easement for any irrigation pipeline or irrigation canal, whichever is greater;
 - (b) within 60.1 m (200 ft) from any BRID or Alberta Environment water reservoir measured from the water's edge at full supply level (FSL) or 30.5 m (100 ft) from the registered reservoir right-of-way, whichever is greater.

SECTION 11 ACCESS

- 11.1 The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction or upgrade of any approach(es) necessary to serve the development area in accordance with County Design Guidelines.
- 11.2 To ensure proper emergency access, all developments shall have direct legal and physical access to a public roadway in accordance with County Design Guidelines. If the development is within 300 m (984.3 ft.) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- 11.3 The requirement for a service road or subdivision street to provide access may be imposed as a condition of subdivision approval for any new development. Survey and construction costs shall be the responsibility of the applicant.

SECTION 12 ACCESSORY BUILDINGS

- 12.1 An accessory building shall not be used as a dwelling unit.
- 12.2 There shall be no more than three accessory buildings (not including attached garages and accessory structures) on any parcel.
- 12.3 An accessory building shall be setback a minimum 3.0 m (10 ft) from the principal dwelling and from all other structures on the same lot.
- 12.4 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

- 12.5 An accessory building exceeding 148.6 m² (1,600 ft²) may be approved where, in the opinion of the Development Authority, the size, design, location, building style and materials of the building are complementary to the principal building and compatible with adjacent developments. The Development Authority may require high quality design measures and building materials in order to mitigate the impact of a large accessory building.
- 12.6 An accessory building shall only be constructed after the principal building has been constructed or the principal use established; except where the accessory building is used for agricultural purposes as outlined in Section 1.4(a) of Schedule 3.

SECTION 13 FENCES AND SHELTERBELTS

- 13.1 Agricultural fences constructed of rails, stakes, strung wire, or similar material with more than 85 percent of their surface area open for free passage of light and air may be located along the property boundaries of any agricultural parcel and are not subject to the 38.1 m (125 ft) setback from municipal roads or the required setbacks for the land use district.
- 13.2 Fences used as an enclosure, barrier, boundary, means of protection, privacy screening or confinement constructed of any allowable material (wood, stone/brick, metal, or plastic) with less than 85 percent of their surface area open for free passage of light must be located outside the required setbacks for the land use district and shall not exceed 2.4m (8 ft.) in height.
- 13.3 In rural areas along municipal roads, the construction or erection of a fence, hedge or shelterbelt shall comply with the following:
- (a) no fence, hedge, tree or shelterbelt shall be erected which would unduly restrict the vision of approaching traffic; and
 - (b) no fence, hedge, tree or shelterbelt under Section 13.2 shall be erected closer than 7.6 m (25 ft) of the right-of-way of a municipal road. This provision shall not apply to existing yardsites developed before the passing of this Bylaw.

SECTION 14 LAND SUITABILITY AND SERVICING REQUIREMENTS – See Schedule 4.

SECTION 15 STANDARDS OF DEVELOPMENT – See Schedule 5.