


**PUBLIC HEARINGS AND MEETINGS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 SITE SPECIFIC AMENDMENT
 February 19, 2025
 To be heard at: 10:00 AM**

APPLICATION INFORMATION		File No. 25R007
	LEGAL DESCRIPTION: Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18	
	LANDOWNER: Amy Dunham	
	AGENT: Timbercreek Homes Inc.	
	AREA OF SUBJECT LANDS: 0.8 acres	
	CURRENT LAND USE: Residential Community Sub-district 'A'	
PROPOSAL: Site Specific Amendment to Section 13.4.6.4 – <i>Utility Servicing Criteria</i> of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel.		
DIVISION NO: 7	COUNCILLOR: R.D. McHugh	
FILE MANAGER: Brittany Domenjoz		

PREAMBLE:

The subject parcel is located within Phase 2B of the Green Haven Estates ASP, Council granted subdivision approval for this phase in 2017 allowing the creation of 23 x 0.8 acre Residential Community Sub-district 'A' (RCA) lots. All of the requirements were completed, and the subdivision was registered in 2022.

During the land use application for Phase 2B, the residential lots were designated as RCA to ensure that a development permit process would be undertaken on each lot to confirm that all required setbacks/building envelopes were met, and that all restrictions and recommendations as noted within the Stormwater Management plan, Lot Grading plan, High Water Table Testing and Septic Disposal analysis were undertaken in the building process, as well as ensuring that high efficiency tertiary wastewater treatment systems were installed.

A Development Permit application for the construction of a Single Family Dwelling with attached Oversized Garage on the subject parcel was submitted and conditionally approved on September 7, 2022. The Development Permit submission included all of the typical development permit application requirements, and this application also included the required stamped plot plan, executed building grade slip/form and a signed declaration of understanding for wastewater servicing to ensure that a tertiary/mechanical septic system is installed. To date, the conditions of the DP have not been finalized due to the installation of holding tanks rather than the required tertiary/mechanical septic system.

In September of 2024, a new Development Permit application was submitted for the subject parcel for a Personal Use Accessory Building and Lot Grading associated with the excavation and construction of an outdoor pool. Upon review of this application, the County was informed that 2 x 5000 gal on-site wastewater holdings tanks were installed instead of the required tertiary/mechanical treatment system. As such, the applicants have submitted a Site Specific Amendment for Councils consideration. This Development Permit is currently deemed as incomplete until the non-compliant wastewater system that was installed on the subject parcel is addressed, which is the purpose of this Site Specific Amendment application.

EXECUTIVE SUMMARY:

Proposal

Application proposing a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the RC District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel.

Location

The subject parcel is located within Phase 2B of the Green Haven Estates development and accessed from the internal subdivision road, Green Haven View. Green Haven Estates is located directly east and south of the Town of Okotoks and directly west of 48th Street East.

Policy Evaluation

The subject parcel has been reviewed within the terms of the Foothills County and Town of Okotoks Intermunicipal Development Plan, the Green Haven Estates Area Structure Plan and Land Use Bylaw 60/2014.

Referral Considerations

The application was circulated to all internal and external agencies. The Public Works department has reviewed the onsite wastewater evaluation report and provided that if the contractor/builder would have followed the Level 4 PSTS there would have been space for the correct treatment system to be installed as well as space for a back up system in case of failure however this may no longer an option due to the large excavation and disturbed soils at the back of the lot and the installation of the tanks in the NW corner. Further, the Town of Okotoks provided that they have no comment on the application.

PURPOSE OF APPLICATION:

The applicants have applied for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the RC District. The application identifies:

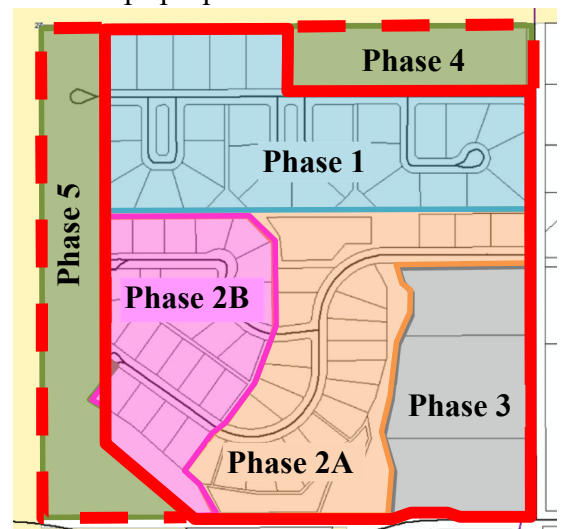
- Wastewater holdings tanks were installed on the subject parcel rather than the required tertiary treatment system.
- An onsite wastewater evaluation report was completed by Groundstar Contracting Ltd. Further information regarding this evaluation and the requirements for on-site wastewater servicing have been provided in the Servicing Criteria section of this report.

BACKGROUND:

The Green Haven Estates ASP was originally adopted in 2007, which included phases 1, 2 and 3, outlined in red. In 2023, Council granted first reading to Bylaw 41/2023 to adopt proposed amendments to the ASP, outlined by the red dashed lines, allowing for 2 new phases, referred to as Phases 4 & 5, this application has not yet been finalized.

In 2012, Council granted 1st reading to Bylaw 63/2012 authorizing the redesignation of the Phase 2 and 3 lands. At this time, the land use was redesignated to Hamlet Residential Sub-district “A” and the Utility Servicing Criteria for the subject lands was to be provided by communal water and individual on-site high efficiency septic systems.

Please note: In 2022, Council approved amendments to the Land Use Bylaw, including revising the name of the Hamlet Residential (HR) District to Residential Community (RC) District. This is the reason for the land use of the subject lands



now being referred to as RC / Residential Community Sub-district “A” (RCA) instead of HR / Hamlet Residential Sub-district “A”(HRA).

Phase 1: Residential Community District parcels, registered in 2012. Communal water treatment and distribution facility was also established in Phase 1.

Phase 2A: Residential Community Sub-district ‘A’ parcels, registered in 2015.

Phase 2B: Residential Community Sub-district ‘A’ parcels, registered in 2022.

Phase 3: Residential Community Sub-district ‘A’ parcels, subdivision conditionally approved and has not been registered yet.

The residential lots within Phases 2 and 3 were designated as RCA to ensure that a development permit process would be undertaken on each lot to confirm that all required setbacks/building envelopes were met, and that all restrictions and recommendations as noted within the Stormwater Management plan, Lot Grading plan, High Water Table Testing and Septic Disposal analysis were undertaken in the building process, as well as ensuring that high efficiency tertiary wastewater treatment systems were installed.

Phase 4 and 5: Country Estates Residential Sub-District ‘A’ (CERA) parcels, received first reading to Bylaw 42/2023 on June 28, 2023.

The new lots within Phases 4 and 5 will be designated as CERA to ensure that considerations, recommendations, and restrictions within Stormwater Management Plan, Comprehensive Site Drainage Plan, Lot Grading Plans, Building Envelopes and requirements for installation of high efficiency tertiary wastewater treatment systems and adherence to the 100 meter setback requirement of a wastewater system to a production water well are complied with.

SITE CONSIDERATIONS:

Access

The subject parcel is accessed from an internal subdivision road being Green Haven View that was constructed within a 25 m wide right-of-way and has a paved surface. This road was constructed as part of Green Haven, Phase 2B subdivision and was constructed to meet municipal standards. Public Works provided that some concerns with pump out tanks include additional heavy traffic on the road system.

Physiography

The subject parcel has generally flat to rolling terrain with an escarpment (in excess of 15%) that runs along the lands to the southwest, which is currently designated as Environmental Reserve.

Site Improvements

Existing Development on the parcel includes a residence with an attached garage, approved under Development Permit (22D 169). Excavation on the lot has been started to support the construction of an inground pool. The excavation of the site has recently stopped, and a DP was applied for in September of 2024 to allow for Lot Grading (in support pool excavation) and for the construction of a proposed +/- 480 sq. ft. pool house. The DP is currently deemed as incomplete until the non-compliant wastewater system that was installed on the subject parcel is addressed, which is the purpose of this Site Specific Amendment application.

Servicing Criteria

The subject parcel is currently serviced by the piped Municipal Water and the existing non-compliant on-site wastewater holding tanks.

Wastewater in Green haven Estates Phases 2 and 3 is to be provided via the installation of individual on site tertiary treatment / mechanical septic systems. Lots within Phase 2B (including the subject parcel) must meet the requirements of the Level 4 Assessment Report that was completed on August 12, 2019 by SD Consulting Group – Canada Inc. This assessment was required as a condition of subdivision for Phase 2B, it identifies two viable locations on each lot for the installation of the required tertiary treatment

systems. As such, the applicants are requesting Councils consideration to allow for the existing holding tanks to remain instead of installing the required tertiary/mechanical treatment system.

As noted previously, the applicants have submitted an onsite wastewater evaluation report that was completed by Groundstar Contracting Ltd. This evaluation provides that holding tanks have been chosen as a suitable on-site wastewater system due to the size of the property, soil types as well as the conditions of development. The evaluation further speaks to the calculations, area and setbacks that would be required for the installation of a CSA approved packaged treatment system. Further, the report identifies that due to the constraints of the drainage to the south and west sides of the proposed installation area, the minimum setback from the home could not be achieved.

Public works provides that the Phase 2B Level 4 PSTS was completed as a design to follow during construction and is to guide the potential layout of the required PSTS area. If the contractor/building would have followed the PSTS there would have been space for the correct treatment system to be installed as well as space for a back up system in case of failure. The department has reviewed the onsite wastewater evaluation report and notes that the report was done post construction, excavation and soil disturbance of the rear yard; therefore, there was the potential for the correct treatment system to be installed however this may no longer an option due to the large excavation and disturbed soil at the back of the lot. The onsite wastewater evaluation report and plot plan showing the measurements are attached as Appendix B.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>Public Works provided the following comments:</p> <ul style="list-style-type: none"> • Concerns with pump out tanks include additional heavy traffic on the road system. • The level 4 PSTS was completed as a design to follow during construction and give guidance on the potential layout of the required PSTS area. If the contractor/builder would have followed the PSTS, there would have been space for the correct treatment system to be installed as well as space for back up system in case of failure. • The evaluation report was done post construction, and excavation and soil disturbance of the rear yard. This report explains why the tanks were chosen. It is important to note that there was the potential for the correct treatment system to be installed. This may no longer an option due to the large excavation and disturbed soil at the back of the lot and the installation of the tanks in the NW corner. Without those disturbances there would have been space for the correct treatment system to be installed in the rear with a potential secondary location along the east or west boundary. • The Level 4 PSTS done for Green Haven used a design flow of 450 igpd. The total area required for subsurface disposal was 232 m2 and an additional 232 m2 required for a secondary reserve area. The evaluation report calculated an additional 71.5 igpd due to additional fixtures. With a peak daily flow of 521.5 igpd, the treatment area required is 252.6 m2.

CIRCULATION REFERRALS	
	<ul style="list-style-type: none"> • To conclude, with the excavated and disturbed soil in the rear of the yard, and the installation of tanks in the NW corner, there is likely no room remaining to install any packaged treatment plant. • If the existing holding tanks are not supported, an engineer’s review of the site would be recommended to determine if there is a suitable location remaining on the site for the required treatment system and secondary back up location.
EXTERNAL	
Town of Okotoks	The Town of Okotoks has no comment on this application.
PUBLIC	
Western Wheel	February 5, 2025 and February 12, 2025
Landowners (half mile)	<p>Notice of this application was mailed to area landowners within one-half mile of the subject parcel on January 29, 2025.</p> <p>1 letter was received prior to the submission of this report and included as Appendix E.</p>

POLICY EVALUATION:

Land Use Bylaw 60/2014

The Hamlet Residential District (in 2012, at the time of land use redesignation approval) provided that the Utility Servicing Criteria is to be communal water and communal wastewater disposal systems however, Council approved an alternative servicing strategy that was proposed by the developer, being communal water and individual on-site high efficiency septic systems. The subject lands are currently designated as Residential Community Sub-district “A” (RCA), which provides the same Utility Servicing Criteria as noted above. The RC District is included in the report as Appendix D.

As such, the subject parcel does not align with the utility servicing that was approved as part of the land use application for Phases 2 and 3 of the Green Haven Estates ASP.

Green Haven Estates Area Structure Plan

The subject parcel does not generally align with the policy direction noted within the Green Haven Estates Area Structure Plan, specifically with respect to Policy 4.9.1.5 which provides that should a communal system not be feasible, the developer may install individual systems to the satisfaction of the County.

Foothills County and Town of Okotoks intermunicipal Development Plan

The subject parcel is located within the Foothills County and Town of Okotoks Intermunicipal plan area. The Town of Okotoks was circulated on this application, and they do not have any comments with respect to this application.

SUMMARY:

Bylaw XX/2025 - Application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18, subject to the following:

1. Final Site Specific Amendment application fees to be submitted;

OPTION #2 REFUSAL

Council may choose to refuse the application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18, for the following reasons:

In consideration of the Green Haven Estates Area Structure Plan and the previously approved servicing strategy, Council is of the opinion that the Site Specific Amendment to the land use district, and existing non-compliant wastewater holding tanks do not meet the intent of Policy 4.9.1.5 of the Green Haven Estates ASP or the servicing strategy that was approved for these lands.

APPENDICES:

APPENDIX A: MAP SET

MAP 1 – LOCATION MAP

MAP 2 – SITE PLAN

MAP 3 – ORTHO PHOTO

APPENDIX B:

ONSITE WASTEWATER EVALUATION REPORT BY GROUNDSTAR CONTRACTING

APPENDIX C:

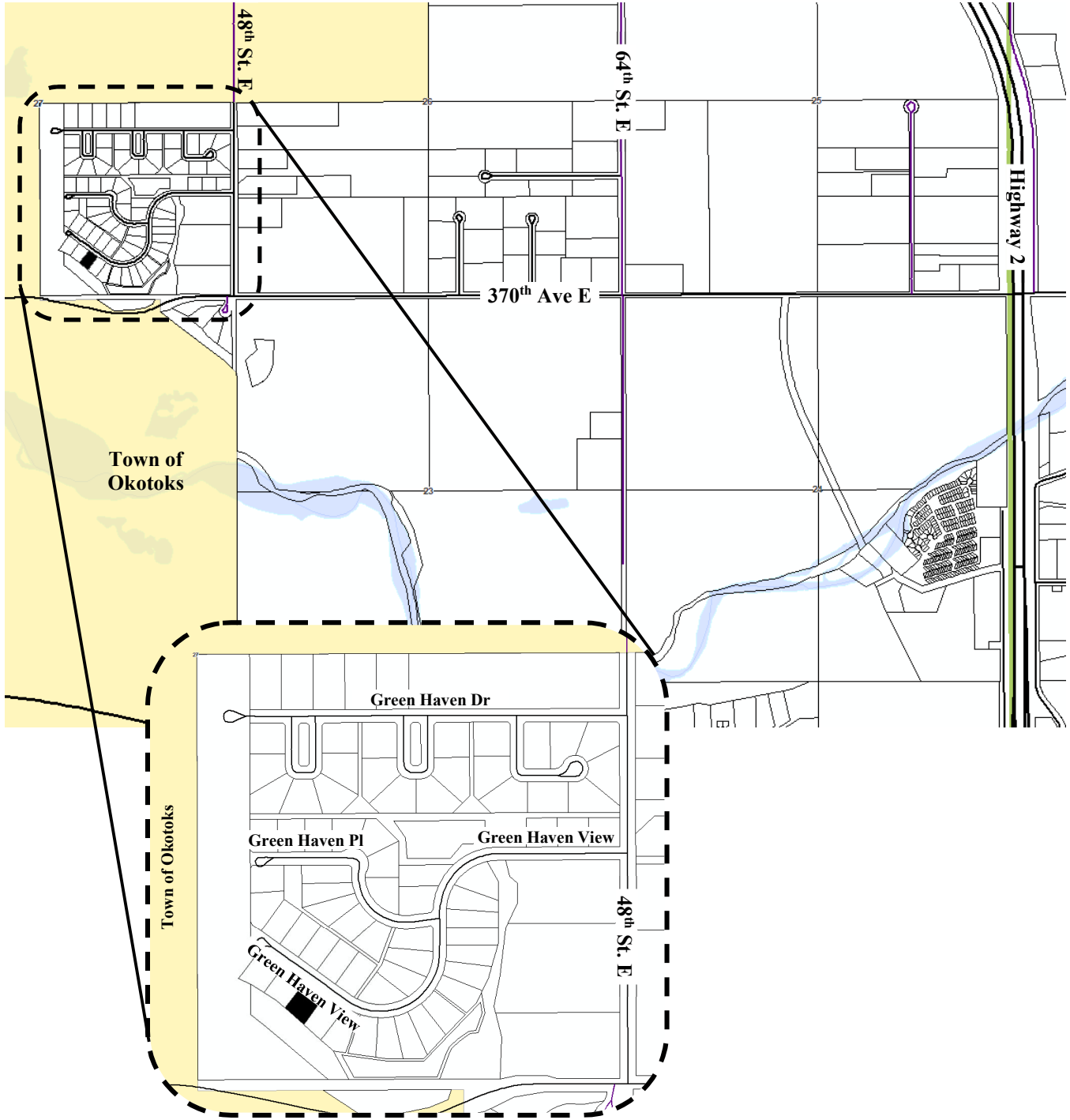
PROPOSED BYLAW

APPENDIX D:

RESIDENTIAL COMMUNITY DISTRICT

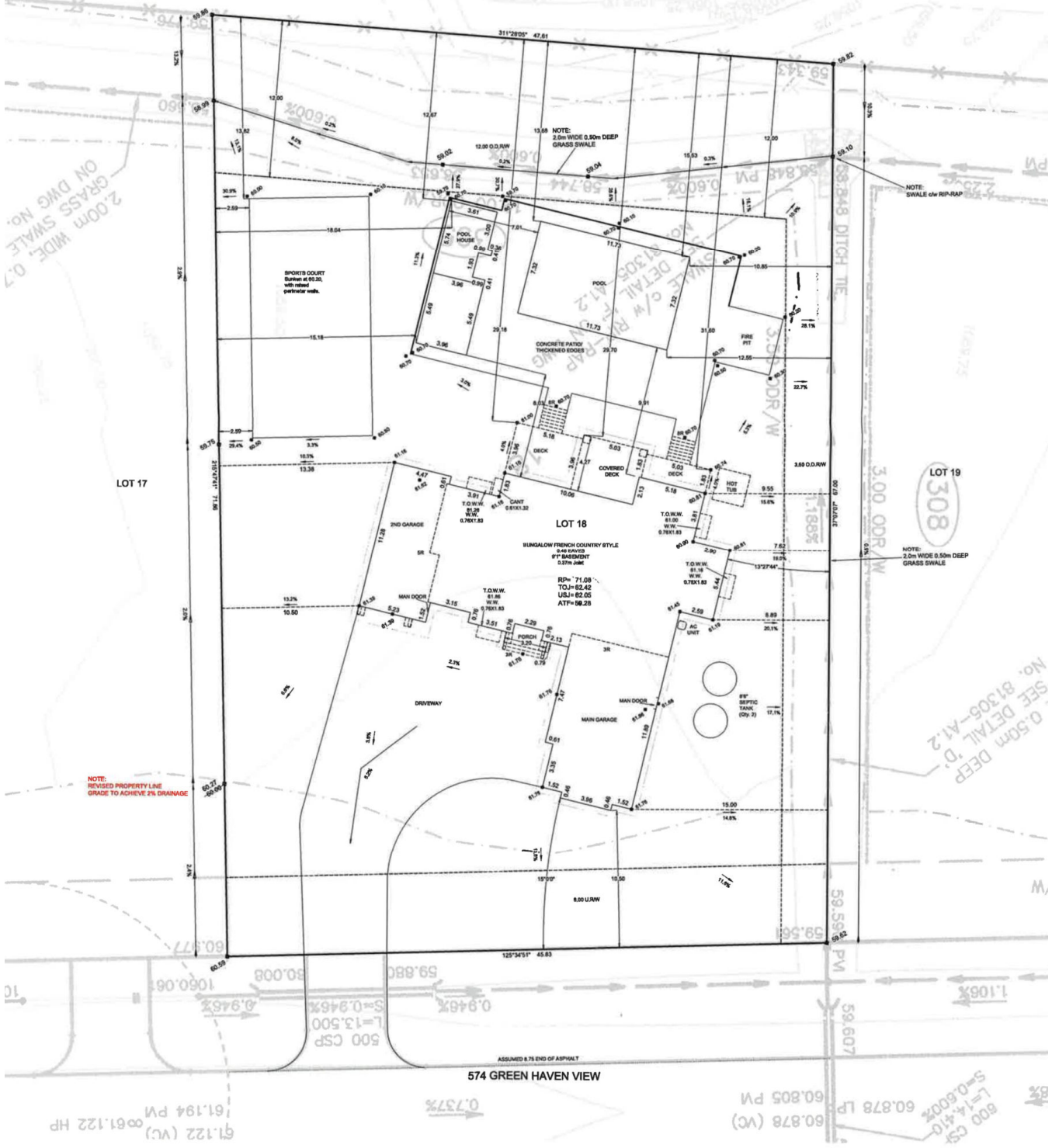
APPENDIX E:

AREA LANDOWNER LETTER



MAP 2 - SITE PLAN

BLOCK 8
LOT 21 ER



2.00m WIDE, 0.7
ON DWG NO.

LOT 19
308

NOTE:
REVISED PROPERTY LINE
GRADE TO ACHIEVE 2% DRAINAGE

SEE DETAIL 'D'
0.50m DEEP
NO. 81305-M1.2

574 GREEN HAVEN VIEW

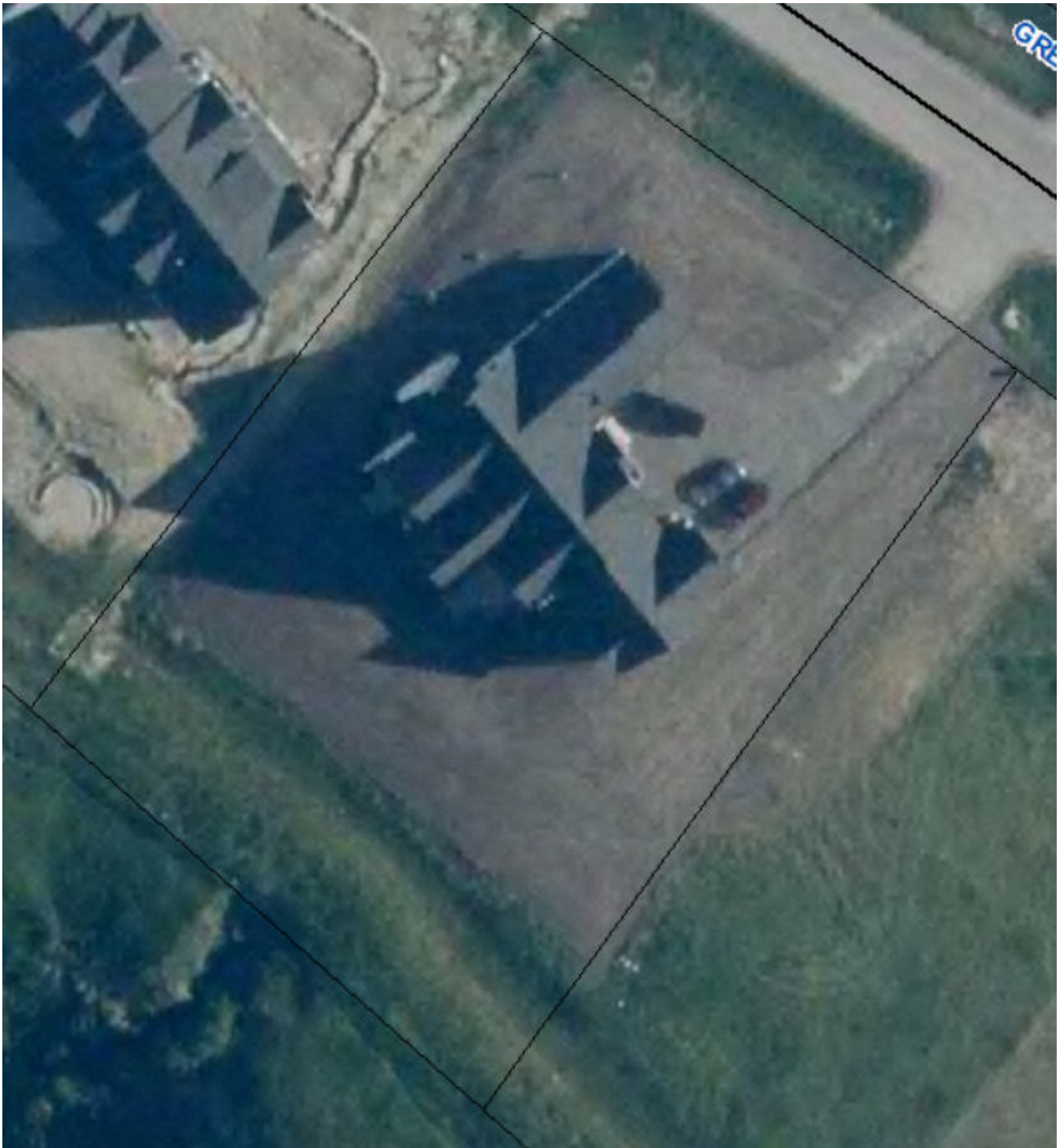
61.122 (VC) 61.194 PM
60.878 (VC) 60.805 PM

800 CSP
L=14.410
S=0.600%

500 CSP
L=13.500
S=0.346%

ASSUMED 8.75 END OF ASPHALT

MAP 3 – ORTHO PHOTO



ONSITE WASTEWATER EVALUATION REPORT BY GROUNDSTAR CONTRACTING



Onsite Wastewater Evaluation Report

Assessment completed by: Royce Neigum of Groundstar Contracting Ltd. PSDS #9609

Customer: Timber Creek Homes

Project Address: 574 Green Haven View

Project Details: Septic system suitability assessment

An evaluation of the above property was completed to assess the suitability of an onsite wastewater treatment system. Based on the size of the property and soil type, as well as the conditions of the development, holding tanks have been chosen as a suitable onsite wastewater system.

The proposed development served is a 2498 square foot 4 bedroom detached home. A preliminary fixture unit count was taken and an additional flow volume of 71.5 Imp Gal was added to design considerations. After initial review of the plans, we could assume this system is to be designed based on a peak daily flow of 521.5 Imp Gal. This development will require a higher than normal effluent treatment due to site constraints so a packaged treatment plant delivering effluent to a sand mound or concrete holding tanks would be suitable here. Calculations for sizing are provided below.

Option 1: The first option would be installation of a CSA approved packaged treatment plant supplying a secondary treated effluent to a sand mound as tertiary treatment for this development will consume an area of approximately 2,719.5 square feet. The sand layer will be 115 feet in length and 6.5 feet wide and covering approximately 751 square feet. The overall width of the completed sand mound will be 21 feet wide and 129.5 feet long. These measurements are calculated based on a Clay Loam soil type and applicable effluent loading rates related to this soil type.

Option 2: The second option for this development would be installation of CSA approved concrete holding tanks.

Wastewater Treatment Design Details

Option 1:

The calculations are below for this development with a packaged treatment plant delivering secondary treated effluent to a sand mound treatment area where effluent will be evenly disbursed via pressure distribution piping.

Treatment Mound Sizing Calculations

The soil type that exists below the sand mound area is Clay Loam with a secondary treated effluent loading rate of 0.45 Imp. Gal./Day/Square Foot. The development is assumed to have a peak daily wastewater flow volume of 521.5 Imp. Gal.

In Situ Soil Infiltration Area:

Required:	1158 Square Feet
Provided:	3318 Square Feet
Slope of area:	<1%
Total toe to toe mound width:	21(6.4m) Feet
Total toe to toe mound length:	157 (48.17m) Feet

Sand Layer Details:

Maximum wastewater flow volumes:	521.5 Imp. Gal.
Hydraulic linear loading rate:	3.7 Imp. Gal./Day/Linear Foot
Sand layer area provided:	628 Square Feet
Sand layer effluent loading rate:	0.83 Imp. Gal./Day/Square Foot
Sand layer width:	4.49 Feet
Sand layer length:	140 Feet

Required Separation Distances:

A packaged treatment plant shall not be located within:

- 10m (33ft) from a water course**
- 10m (33ft) from a water source or water well**
- 6m (20ft) from a property line**
- 1m (3.25ft) from a building**

Note: A packaged treatment plant may be located 1m (3.25ft) from property line if;

- a) It is equipped with odour control mechanisms**
- b) The development has peak flows of less than 5.7m³ per day**
- c) The wastewater strength does not exceed typical levels of residential effluent strength**

Treatment Mounds:

15m (50ft) from a water source

100m (330ft) from a licensed municipal water well

15m (50ft) from a water course, except as provided in Article 2.1.2.4

2.1.2.4.

Separation from Specific Surface Waters

1) The soil - based treatment component of an on -site wastewater treatment system shall be located not less than 90 m (300 ft.) from

the shore of a1

a) lake,

b) river,

c) stream, or

d) creek.

1Intent: Sentence (1) —The terms “lake,” “river,” “stream,” or “creek” are used

specifically to separate them from other types of water courses to which this article does not apply. The purpose is to cause the location of the soil -based treatment component to be far enough from the body of water that upon a failure of surfacing effluent the effluent will not quickly and directly flow into the body of water. Alternatively, as set out in Sentence (2), the soil-based treatment component can be positioned on the lot, away from the body of water and in a location that will make a failure more easily noticed and upon failure will create an immediate inconvenience for the owner. This should result in a faster repair of the system. To achieve the intent of Sentence (2) the building does not have to be directly between the system and body of water. A water - tight septic tank or similar water tight initial treatment component does not need to meet the requirements of this Article.

3m (10ft) from property line

10m (33ft) from a basement, cellar, or crawl space

10m (33ft) from a building that does not have a basement, cellar, or crawl space

3m (10ft) from a septic tank

Option 2:

Maximum daily flow:	521.5 Imp. Gal/Day
Average daily flow:	250 Imp. Gal/Day
Holding Tank Volume:	10,000 Imp Gal
Days of holding based on peak flow	19 Days
Days of holding based on average flow	40 Days

Holding tanks shall not be located within:

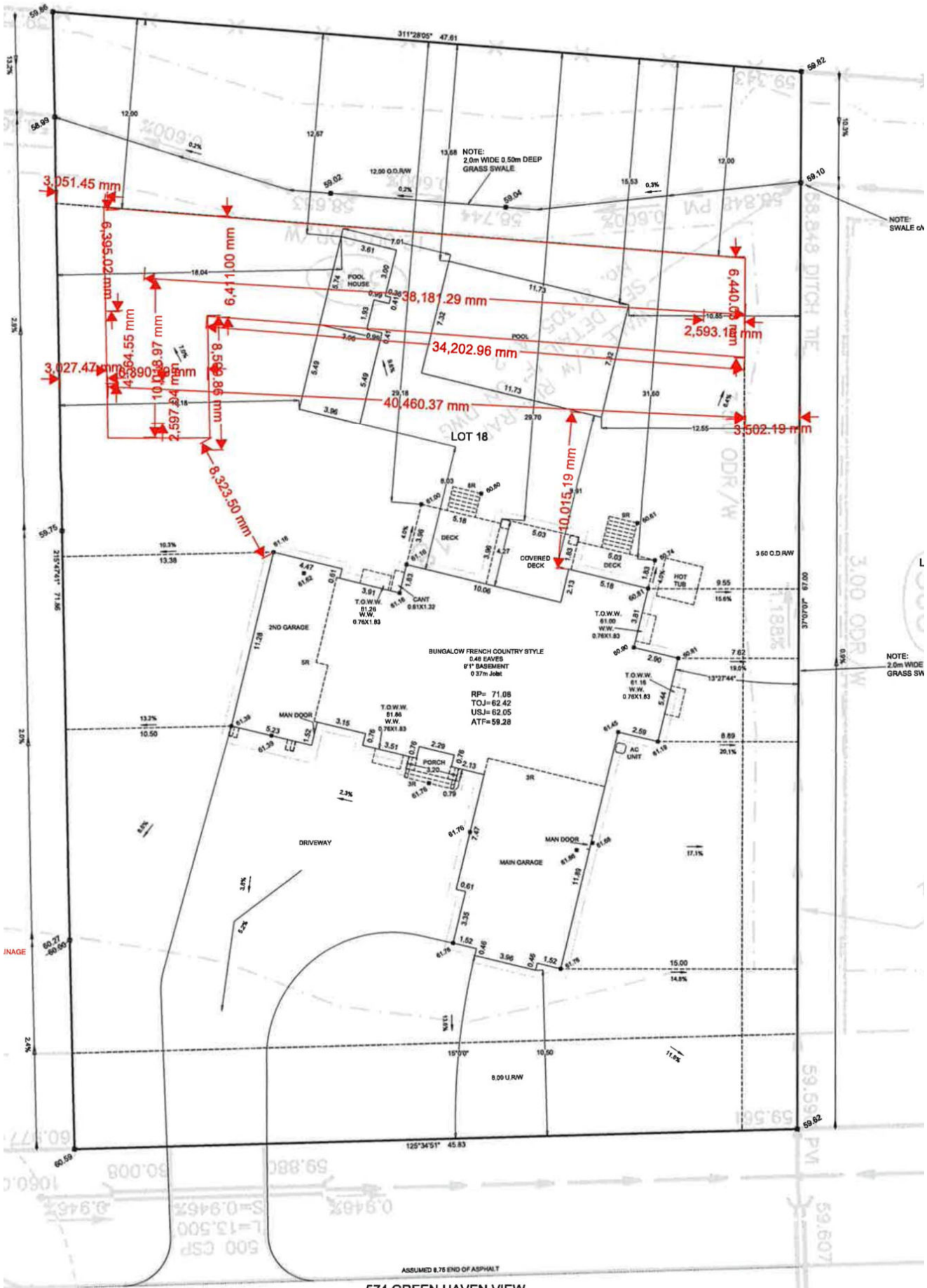
10m (33ft) from a water course

10m (33ft) from a water source or water well

6m (20ft) from a property line

1m (3.25ft) from a building

In closing, calculations were completed and measurements were done to fit the tertiary treatment system on this site. With the constraints of the drainage right of way to the South and the West side of the proposed installation area the maximum area was taken and the minimum area for setback from the home could not be achieved. The plot plan is attached to show measurements for reference. Also, with the system situated directly against the drainage swales to the South and the West the risk of effluent breakout was of great concern. If there was ever a failure within the system the effluent would escape directly into the drainage swale and potentially contaminate the downstream components leading to unknown environmental hazards. Although holding tanks are not ideal for the system owner this is the only design that would be able to serve this particular development. Two 5000 Imp. Gal tanks would serve this property with an approximate once a month pump out schedule.



574 GREEN HAVEN VIEW

BYLAW XX/2025

BEING A BYLAW OF FOOTHILLS COUNTY TO AUTHORIZE AN AMENDMENT TO THE LAND USE BYLAW NO. 60/2014 AS AMENDED

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, and amendments thereto, the Council of Foothills County in the Province of Alberta, has adopted Land Use Bylaw No. 60/2014 and amendments thereto;

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to Section 13.4.6.4 – Utility Servicing Criteria of the Residential Community District land use rules to allow for the existing non-compliant on-site wastewater holding tank to remain instead of installing the required tertiary treatment system on Plan 2210304, Block 8, Lot 18; Ptn. SE 27-20-29 W4M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

- 1. Under SECTION 13.4. RESIDENTIAL COMMUNITY DISTRICT, the following shall be added under Section 13.4.6.4 UTILITY SERVICING CRITERIA:

To allow for the existing non-compliant on-site wastewater holding tank to remain instead of installing the required tertiary treatment system on Plan 2210304, Block 8, Lot 18; Ptn. SE 27-20-29 W4M.

- 2. This Bylaw shall have effect on the date of its third reading and upon signing.

FIRST READING:

Reeve

CAO

SECOND READING:

Reeve

CAO

THIRD READING:

Reeve

CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this day of 20 .

Foothills County Land Use Bylaw |

13.4 RESIDENTIAL COMMUNITY DISTRICT

RC

13.4.1 PURPOSE AND INTENT

To provide for municipally or communally serviced residential development located within Hamlet boundaries and/or in comprehensively planned developments outside of Hamlet boundaries, where supported by an adopted area structure plan and/or outline plan, consistent with the policies outlined in the Municipal Development Plan. This District was formerly named Hamlet Residential District and Residential District and includes all lands previously zoned as such in the County.

13.4.2 SUB-DISTRICT

13.4.2.1 Parcels may include the following sub-districts in cases where Council feels that there is a need. Not all parcels will be separated into sub-districts. Should a parcel include the sub-district, all district rules apply with the addition of the special provisions noted in accordance with the sub-district:

- a. Sub-district “A” is a designation added to the land use district indicating a requirement for special consideration on the development of the site and/or placement and construction of buildings or structures on the lands through approval of a development permit. Reference Section 2.4 of this Bylaw for more details on special provisions for parcels with sub-district “A”.

13.4.3 GENERAL REQUIREMENTS:

- 13.4.3.1 Refer to Section 4.2 “No Development Permit Required” in the Land Use Bylaw for uses not requiring a development permit.
- 13.4.3.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

13.4.4 PERMITTED USES	13.4.5 DISCRETIONARY USES
Accessory buildings not requiring a development permit Accessory uses Dwelling, Attached (where contemplated in an approved ASP) Dwelling single family Home office Public works Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of one (1) recreational vehicle Utility services, minor	Accessory buildings requiring a development permit Antenna structures, private Bed and Breakfast Family Day Home Dwelling, Attached Dwelling, moved on Home based business Type I Home based business Type II Kennels, private Lot grading Manmade water bodies, private Secondary Suite, Principal Secondary Suite, Detached Signs requiring a development permit Solar Power System, Private requiring a Development Permit Temporary storage of up to 2 unoccupied recreation vehicles

Foothills County Land Use Bylaw |

13.4.6 LAND USE REQUIREMENTS

- 13.4.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 13.4.6.2 In order to facilitate the purpose and intent of this district and ensure the comprehensive development of Residential Community uses within the District, the following applies to applications for subdivision:
- a. Parcel Density:
 - i. Minimum 3 gross units per acre (3 gross upa);
 - ii. Maximum 10 gross units per acre (10 gross upa).
 - b. Minimum Parcel Size:
 - i. 464m² (0.11 acres);
 - ii. The area in title at the time of passage of this Bylaw.
 - c. Maximum Parcel size:
 - i. 0.32 ha (0.80 ac) unless the lot forms part of a condominium plan; or
 - ii. The area in title at the time of passage of this Bylaw.
- 13.4.6.3 Required Developable Area:
 - a. In accordance with Section 9.8 of this Bylaw.
- 13.4.6.4 Utility Servicing Criteria
 - a. Communal water and communal wastewater disposal systems;

13.4.7 DEVELOPMENT REQUIREMENTS

- 13.4.7.1 Maximum Lot Coverage:
 - a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than 50 percent of the lot area.
- 13.4.7.2 Maximum Dwelling Unit Density
 - a. Maximum dwelling unit density for a parcel is one Dwelling, Single Family in accordance with Section 10.10, and one Dwelling, Secondary Suite in accordance with Section 10.26.
 - b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.
- 13.4.7.3 Minimum Yard Setbacks Requirements
 - a. Front Yard Setbacks:
 - i. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
 - ii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
 - iii. 48m (157.48 ft) from the centreline of a Municipal road;
 - iv. 15m (49.21 ft) from internal subdivision road outside of a hamlet boundary;
 - v. 4m (13.12 ft) from the right of way of a municipal road or internal subdivision road located within a hamlet boundary.

Foothills County Land Use Bylaw |

- b. Side Yard Setbacks:
 - i. 1.5m (4.92 ft) from the property line.
 - ii. Notwithstanding sub-section 13.4.7.3 (b)(i), the side yard setbacks do not apply to the common wall side of a structure where a common wall exists
- c. Rear Yard Setbacks:
 - i. Principal Building – 8m (26.25 ft) from the property line;
 - ii. Accessory Building – 1m (3.28 ft.) from the property line; and
 - iii. Decks and associated staircases (steps) may project into the rear yard setback to a maximum of 1.5m (4.92 ft.);
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.
- e. See Section 13.4.8 “Exceptions” for any setbacks exemptions that have been approved by Bylaw for particular developments.

See Section 9.27.9 through 9.27.12 for additional provisions regarding setbacks pertaining to parcels with two frontages.

13.4.7.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.;

13.4.7.5 Other Minimum Setback Requirements:

- a. See Section 9.27 “Special Setback Requirements” of this bylaw for additional setback requirements that may apply.

13.4.7.6 Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.)
- b. Accessory Buildings:
 - i. 10.67m (35 ft.)
- c. Radio antennas, internet towers and wind turbines
 - i. 16m (52.49 ft.);

13.4.7.7 Minimum habitable area per dwelling

- i. 84 sq. m. (904.20 sq. ft.)

13.4.8 EXCEPTIONS:

- 13.4.8.1 Secondary Suites are not permitted on any lot with the hamlets of Heritage Pointe or Priddis Greens.

Heritage Pointe Development:

- 13.4.8.2 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road for all residential properties under the Heritage Pointe Area Structure Plan;

Foothills County Land Use Bylaw |

- 13.4.8.3 Rear yard setbacks: 3m (9.84 ft.) from the property line, only on those lots located on “Ravine Drive” in Heritage Pointe in accordance with Bylaw 805 including the CRR49 District amendments from 1986;
- 13.4.8.2.i Bareland Condominium Units on “Ravine Drive” in Heritage Pointe shall be no less than 3.048m (10 ft.) between buildings;
- 13.4.8.4 Front Yard setbacks: relaxation of up to 90% on front yard setbacks for corner lots for those properties under the Heritage Pointe Area Structure Plan;
- 13.4.8.5 Dwelling, attached is a Discretionary Use only on parcels along “Ravine Drive” in Heritage Pointe;
- 13.4.8.6 Rear yard setbacks: 1.5 meter encroachment into regular rear yard setbacks requirements for above grade decks; for those properties within Heritage Pointe Area Structure Plan area;
- 13.4.8.7 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Heritage Pointe Area Structure Plan.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Heritage Pointe.

Heritage Pointe Stage 3 - Artesia Development:

- 13.4.8.8 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road; for those properties within the Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.9 Side Yard setbacks: relaxation of up to 90% on side yard setbacks on corner lots provided the front yard is designated by the developer for those properties within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.10 Rear yard setbacks: 1.5m encroachment into regular rear yard setbacks requirements for above grade decks; for those properties within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.11 Maximum Height Requirement: relaxation of the maximum height requirements for all buildings to 12m within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.12 Dwelling, attached is a discretionary use on parcels along “Artesia Gate” “Spring Water Bay, and “Spring Water Close” in Heritage Pointe Stage 3 – Artesia
- 13.4.8.13 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Heritage Pointe Stage 3 – Artesia Area Structure Plan.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Heritage Pointe which includes Artesia Development.

Greenhaven Development:

- 13.4.8.14 Front yard setbacks: 8m (26.25 ft.) from property line adjacent to 48th St. E; for those properties registered as Plan 1210671, Block 3, Lots 3 – 5;
- 13.4.8.15 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to Green Haven Drive and 100 Green Haven Court; for those properties registered as Plan 1210671, Block 3, Lots 3 – 5;

Foothills County Land Use Bylaw |

- 13.4.8.16 Front yard setbacks: 8m (26.25 ft.) from the property line adjacent to 48th St. E. to; for those properties included in Phase 2 & Phase 3 of the Green Haven Estates Area Structure Plan;
- 13.4.8.17 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road; for those properties registered in Phase 2 & Phase 3 of the Green Haven Estates Area Structure Plan;
- 13.4.8.18 Lots within Green Haven Estates may range in size from 0.81 acres (0.33 ha) to 2.54 acres (1.03 ha.), in accordance with the Green Haven Estates Area Structure Plan;

Priddis Greens Development:

- 13.4.8.19 Dwelling, attached is a Discretionary Use only on parcels Priddis Greens in SE 30-22-03-W5 consisting of the following plans:

Located on Sunset Way: Units 1 – 4 in the following plan numbers:

9010223, 8910127, 8910128, 8910356, 8910538, 8911028, 9010222, 9011301,
9011856, 9012391, 9110935, 9012392, 9011855, 9010650, 9010780, 89114631,
8910665.

Located on Sunrise Way: Units 1 – 4 in the following plan numbers:

8810478, 8811193, 8810198, 8711262, 8810237, 8810019, 8711609, 8810236,
8811193.

- 13.4.8.20 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within Priddis Greens.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Priddis Greens.

Hawks Landing:

- 13.4.8.21 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Hawks Landing Area Structure Plan.

- 13.4.8.22 Setback: 8m (26.25 ft.) from the undeveloped road allowance right of way on the west side³ of the development located on Plan 0713569, Block 4, Lots 59-62 & Plan 0410490, Block 4, Lot 1

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Priddis Greens which includes the Hawks Landing development.

Cottonwood Development:

- 13.4.8.23 Dwelling, attached is a Discretionary Use only on parcels in S.E. 07-22-28-W4 along “Cottonwood Boulevard” in Cottonwood, consisting of Plan 0112316, Units 1-4, Plan 9212354, Units 1-4, and Plan 9410836, Units 1-4.

Hamlet of Naphtha

- 13.4.8.24 Front yard setbacks on lots within the boundaries of the Hamlet of Naphtha are reduced to 15m from the right of way of Highway #22.

From: LT <[REDACTED]>
Sent: February 11, 2025 9:55 AM
To: Public Hearings <PublicHearings@foothillscountyab.ca>
Subject: Public Hearing Participation

You don't often get email from [REDACTED]. [Learn why this is important](#)

Date: Wednesday, February 19, 2025

How I will attend: Video Conference

Name: Leanne Ivison

Mailing Address: [REDACTED]

Email address: [REDACTED]

Phone Number: [REDACTED]

Purpose for attending: neighbouring landowner in opposition to

So I wish to be clear that I am not totally against the allowance of the proposed Site Septic Amendment to the non-compliance. What I would like to see, is a better management system of the septic alarm going off for hours at a time before it is turned off. It is so loud that when it goes off, it makes being outside difficult.

Thank you,

Leanne