

FOOTHILLS COUNTY
COUNCIL AGENDA - REVISED



Wednesday, September 27, 2023, 9:00 a.m.
Foothills County Administration Office
309 Macleod Trail South – High River

		Pages
A. GENERAL MATTERS		
A.1 Call Meeting to Order		
A.2 Approval of the Agenda		
B. PUBLIC WORKS / ENGINEERING / PARKS & RECREATION		
C. PUBLIC HEARINGS & MEETINGS		
C.1	10:00 a.m. - Atkins - NW 04-21-02 W5M - Redesignation (A to CR) Presented by: Planning Officer, Stacey Kotlar	3
C.2	11:00 a.m. - Fee Bylaw Amendment - Schedule I - Foothills Fire Department Rates and Fees Presented by: Fire Chief, Rick Saulnier	17
C.3	1:30 p.m. - Maynard - NE 21-20-02 W5M - Redesignation (A to CR) Presented by: Planning Officer, Stacey Kotlar	18
C.4	3:00 p.m. - Royal Canadian Mounted Police Presentation - CONFIDENTIAL CLOSED SESSION - FOIP s. 20 Presented by: Detachment Commanders - High River, Okotoks, Diamond Valley	
D. MISCELLANEOUS PLANNING ITEMS		
D.1	924637 Alberta Ltd. - NW 14-21-29 W4M - Request to Amend Condition of Bylaw 33/2023	31
*D.2	White Moose Farms Ltd. - SE 26-22-03 W5M & SW/NW 25-22-03 W5M - New Direct Control District and Redesignation (A to New DC) <i>Postponed from September 20, 2023</i>	39
E. SUBDIVISION APPROVING AUTHORITY ITEMS		
F. MISCELLANEOUS MUNICIPAL ITEMS		
F.1	Cayley Lot Sales - Offer to Purchase Presented by: Municipal Lands Administrator, Donna Fowler	215
G. CONFIDENTIAL CLOSED SESSION		
G.1	Advice from Officials - FOIP s. 24	
G.2	Cavalry FC Regional Field House - FOIP s. 21, 23	

G.3 Laugh 'N' Learn - FOIP s. 23, 24

G.4 Green Haven ASP - FOIP s. 21, 23

H. MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

I. OTHER MATTERS

I.1 Lunch

I.2 Accounts – September 27, 2023
Councillors Oel, Siewert, McHugh


I.3 Minutes – September 20, 2023

I.4 Committee Reports

I.5 Next Meeting – October 4, 2023

I.6 Adjourn

PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
September 27, 2023
To be heard at: 10:00 am

APPLICATION INFORMATION		
	LEGAL DESCRIPTION: PTN. NW 04-21-02 W5M; NE of Rd	
	LANDOWNERS: JASON & STACIE AKINS	
	AREA OF SUBJECT LANDS: 58.43 ACRES	
	CURRENT LAND USE: AGRICULTURAL DISTRICT (A)	
	PROPOSED LAND USE: COUNTRY RESIDENTIAL DISTRICT (CR)	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 2 X 5.07 +/- ACRES		
PROPOSAL: Application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving 48.29 +/- acre Agricultural District balance.		
DIVISION NO: 3	COUNCILLOR: Barb Castell	FILE MANAGER: Stacey Kotlar

EXECUTIVE SUMMARY:

CHANGES MADE TO APPLICATION TO ADDRESS REFERRAL RESPONSES:
 Access to the proposed parcels was initially proposed via a new common approach to be constructed off of Highway 549 and access to the balance parcel was proposed to be provided via 2 existing approaches off of Highway 549. Following the formal application submission and referral circulation, Alberta Transportation and Economic Corridors (ATEC) provided that they would not be open to increasing the net number of highway accesses that currently service the subject parcel but would be willing to discuss other options with the landowner. ATEC also provided a sketch illustrating their preferred access option, which suggest that access be provided to the proposed parcels from the most northerly existing approach via an access easement over the balance lands and service road dedication by caveat. This sketch as well as ATEC’s referral comments are included under Appendix C of this staff report,

Upon discussion with the landowner, they would like to proceed with the amended access option as provided by Alberta Transportation and Economic Corridors.

Location:

The subject parcel is located adjacent to and north of Hwy 549 W, 800 m west of 144 St W, approximately 1 km north of 338 Ave W and approximately 5 km east of Highway 22.

Policy Evaluation:

- Reviewed within the terms of the:
- Municipal Development Plan 2010 (MDP2010);
 - Growth Management Strategy; and
 - Land Use Bylaw 60/2014.

Referral Considerations:

The application submission was referred to required internal departments and external agencies.

PURPOSE OF APPLICATION:

Bylaw XX/2023 – Application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to County Residential District in order to allow the future subdivision of two 5.07 +/- acre Country Residential District parcel, leaving a 48.29 +/- acre Agricultural District balance

HISTORY:

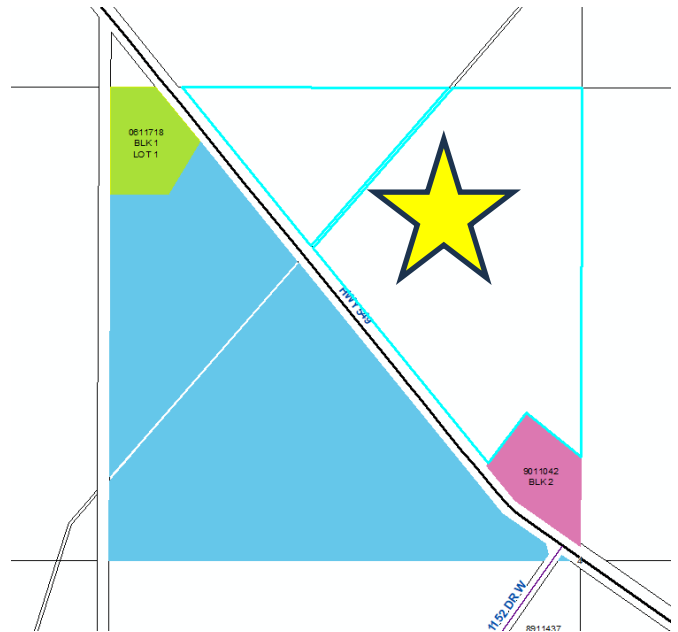
NW 04-21-02 W5M

1975 – A subdivision application was approved to subdivide the full quarter section along the road (i.e. Hwy 549) dividing the quarter into one 85 acre Agricultural parcel (shown in blue) and one 75 acre Agricultural parcel (shown in white outlined with blue).

1976 – A subdivision application was approved to subdivide the pre-existing church and cemetery from the northeast Agricultural parcel (shown in pink).

1988 – A boundary adjustment application was approved to expand the church cemetery by 1 acre north.

2006 – A subdivision application was approved within the southwest parcel to allow the creation of one 5.5 acre Country Residential District parcel (shown in green).



SITE CONSIDERATIONS:

Physiography:

The subject parcel is currently used as farmland and has rolling terrain with a slope from the south west property line up to the north.

Access:

The subject parcel currently has two existing approaches located on Highway 549. The south approach will be retained as the access for the balance parcel.

The application proposed that the new Country Residential parcels have a shared approach off of Highway 549. Alberta Transportation does not support the proposal of any additional approaches. Further to the referral circulation, the landowner wishes to proceed with the amended access strategy as proposed by ATEC. This strategy proposes the northern approach as continued agricultural access for the balance with an easement and service road dedication by caveat to allow access for the new parcels. Public Works is not in favour of an easement and have provided suggestion options to move the existing approach or to construct a service road to provide access from the existing approach.

Existing Development:

The balance parcel contains all existing development, which includes an abandoned house, quonset, barn, machine shed, 3 livestock sheds and granaries. The parcel also includes an Atco Pipeline running through the property from southwest to northeast. This pipeline is depicted on the Half Mile Maps in Appendix A of this document.

MUNICIPAL RESERVE:

To date, no municipal reserves have been provided. As per the County’s Municipal Reserve Policy, as a condition of Subdivision, Council may require that reserves be provided by way of cash-in-lieu of land for the two 5.07 +/- acre Country Residential District parcels.

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>The following are recommended for the two proposed 5.07 +/- acre parcels as condition of subdivision:</p> <ul style="list-style-type: none"> • Septic Disposal Evaluation (PSTS); • Comprehensive Site Drainage Plan; • Lot Grading Plan; • Building Envelopes. <p>Public Works provided the following additional comments:</p> <ul style="list-style-type: none"> • ATEC to provide comment on the proposed approaches; • Grading and drainage plans to show existing contours and drainage as well as any proposed changes if applicable; <p>Updated comments:</p> <p>Public Works provided the following additional comments with respect to the amended access strategy:</p> <ul style="list-style-type: none"> • Public Works is not in favour of an easement, suggested options <ul style="list-style-type: none"> • relocation of the existing approach to a shared approach for the new lots • service road surveyed out and built to provide access from the existing approach to the new lots and agricultural lands
Mapping	No Concerns
EXTERNAL	
Alberta Transportation & Economic Corridors (ATEC)	<ul style="list-style-type: none"> • The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements. • The requirements of Section 19 of the Regulation are not met. To ensure future access management requirements are met a service road is required. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors does not

CIRCULATION REFERRALS	
	grant approval for the subdivision authority to vary the requirements of Section 19 of the Regulation, Transportation and Economic Corridors will accept service road dedication as described: The department shall accept a caveat granting access to both parcels. The caveat shall be 30 m in width and shall run parallel to Highway 549 from the easternmost property line of the westernmost parcel, to the existing access to Highway 549, through the remnant parcel as required. This existing access is approximately 340m from the northernmost point of the current parcel as measured along Highway 549. No new direct access to Highway 549 shall be permitted.
ATGO Gas	No objections
ATCO Pipelines	No objections subject to the following conditions: <ul style="list-style-type: none"> • Any existing land rights shall be carried forward in kind and registered on any newly created lots, public utility lots, or other properties. • Ground disturbances and surface works within 30 m require prior written approval from ATCO Transmissions before commencing • Parking and/or storage is not permitted on ATCO right-of-way. • Encroachments are not permitted on ATCO right-of-way. • Any revisions or amendments to the proposed plans must be re-circulated to ATCO for further review.
PUBLIC	
Western Wheel	Dates of Publication: September 13 & 20, 2023
Land Owners (half mile)	No submissions prior to submission of this staff report

POLICY EVALUATION:

Municipal Development Plan (MDP2010):

Policies 2 and 4 of the Agriculture section of the MDP2010 discourages the subdivision of agricultural lands without thoughtful consideration of the impact the proposed use will have on the existing agricultural users and the surrounding uses.

Policies 3 and 9 of the Residential section of the MDP2010 provide that residential parcels should consider their compatibility with the surrounding area and their impact on the agricultural industry. Further, the development must consider the suitability of the lands for residential uses and the efficient use of land.

Policy 2 of the Agricultural section of the MDP2010 supports maintaining the integrity of the agricultural land base and discourages the fragmentation of agricultural lands within the County.

Land Use Bylaw:

The application meets the density requirements and lot size restrictions as set out in Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

Growth Management Strategy:

The subject parcel is located within the North West District. The vision for the North West District is supportive of minimal to moderate growth with careful consideration of the potential impacts on wildlife habitat and water shed areas.

SUMMARY:

Bylaw XX/2023 – Application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a 48.29 +/- acre Agricultural District balance.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a 48.29 +/- acre Agricultural District balance for the following reasons:

In their consideration of the criteria noted within the Agricultural section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and that fragmentation of the subject lands would not be detrimental to the overall nature of the area. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

Staff suggests that the two proposed 5.07 +/- acre parcels be designated as Country Residential Sub-district "A" to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), Comprehensive Site Drainage Plan, Lot Grading plan, and Building Envelopes (all conditions of subdivision) are complied with, to the satisfaction of the Public Works Department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met, may be required. Council may also wish to require a \$5000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Council may choose to impose the following suggested conditions:

Recommended Conditions for Option #1:

Option A regarding access for Council Consideration:

1. Landowner is to provide a revised site plan illustrating removal of illustrated common approach and future service road dedication as required by ATEC to the satisfaction of ATEC and the County
2. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
3. Landowners are to fully execute an Easement and Access right-of-way Agreement with the County as a third party to the agreement. The Agreement is required to be registered

with an access right-of-way plan over the full extent of the private road required to provide access to the two +/- 5.07 acre Country Residential District lots, concurrently with the plan of survey, to the satisfaction of the County and Alberta Transportation and Economic Corridors, as a condition of subdivision;

Option B regarding access for Council Consideration:

1. Landowner is to provide a revised site plan illustrating removal of illustrated common approach and future service road to be surveyed out to the satisfaction of ATEC and the County
2. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of construction of external transportation infrastructure, payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
3. Proof of adequate water supply to be provided in accordance with the Provincial Water Act for the two proposed 5.07 +/- acre parcels and the balance parcel to the satisfaction of the County;
4. Final redesignation application fees to be submitted;
5. Submission of an executed subdivision application and the necessary fees.

OPTION #2 – POSTPONEMENT

Council may choose to postpone their decision on the application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow for the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a 48.29 +/- acre Agricultural District balance in order for the landowner to provide a revised site plan that illustrates an access management strategy acceptable to both Alberta Transportation and Economic Corridors and the Public Works Department. The revised site plan is to be brought back to Council for their review and consideration prior to a decision being rendered on the application.

OPTION #3 REFUSAL

Council may choose to refuse the application for the redesignation of a portion of NW 04-21-02 W5M from Agricultural District to Country Residential District in order to allow the future subdivision of two 5.07 +/- acre Country Residential District parcels, leaving a +/- 48.29 acre Agricultural District balance for the following reasons:

In consideration of Policy 2 and 4 of the Agriculture section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

Additionally, in consideration of the criteria noted within Residential Policies 3, 9 and 11 of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to the cumulative effects of the development, the efficient use of the land and the suitability of the lands for future development.

APPENDICES

APPENDIX A: MAP SET:

LOCATION MAP

HALF MILE MAP – LAND USE

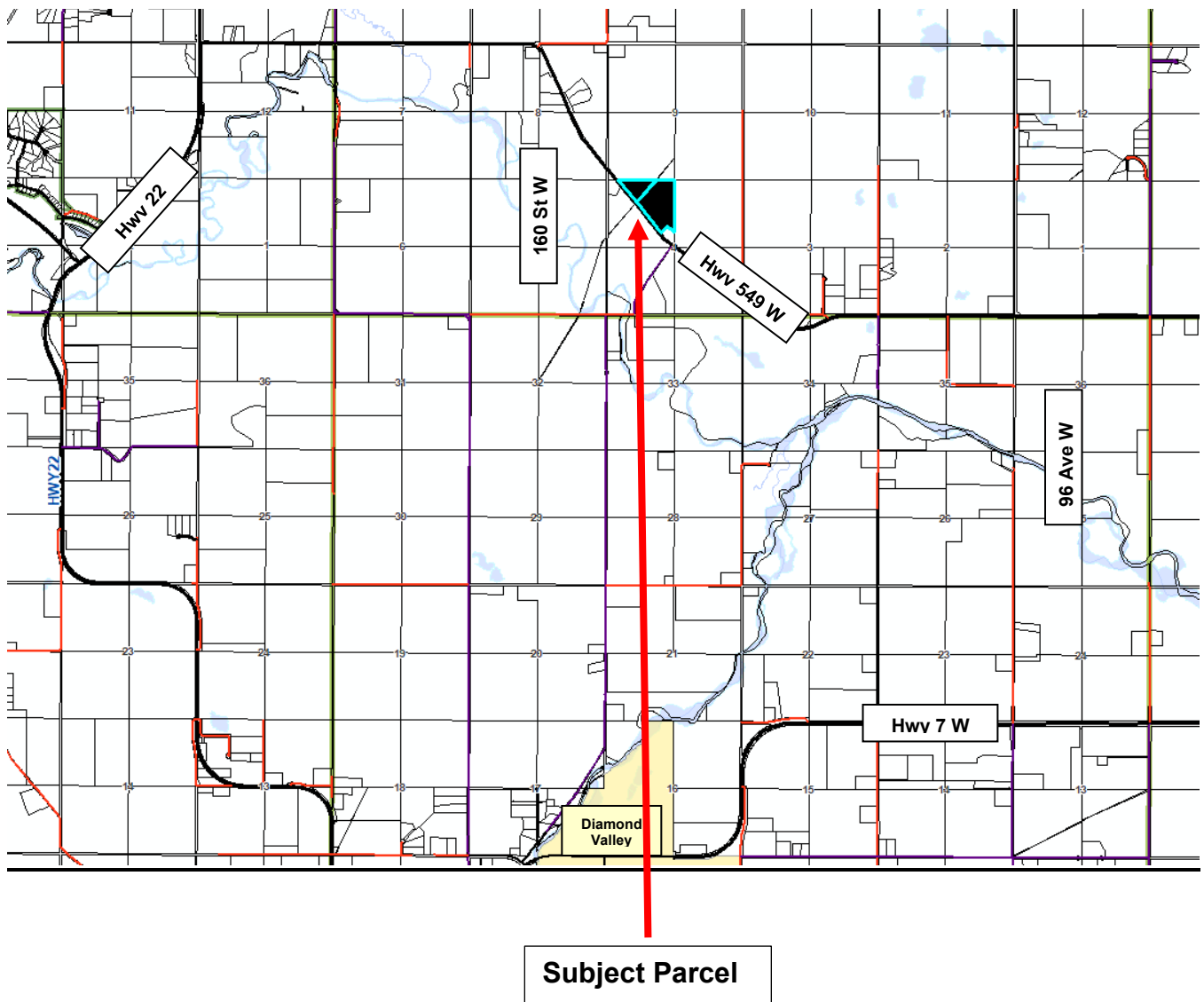
HALF MILE MAP – PARCEL SIZES

SITE PLAN SUBMITTED WITH FORMAL SUBMISSION ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW:

APPENDIX C: REFERRAL RESPONSE SUBMISSIONS

APPENDIX A: LOCATION MAP



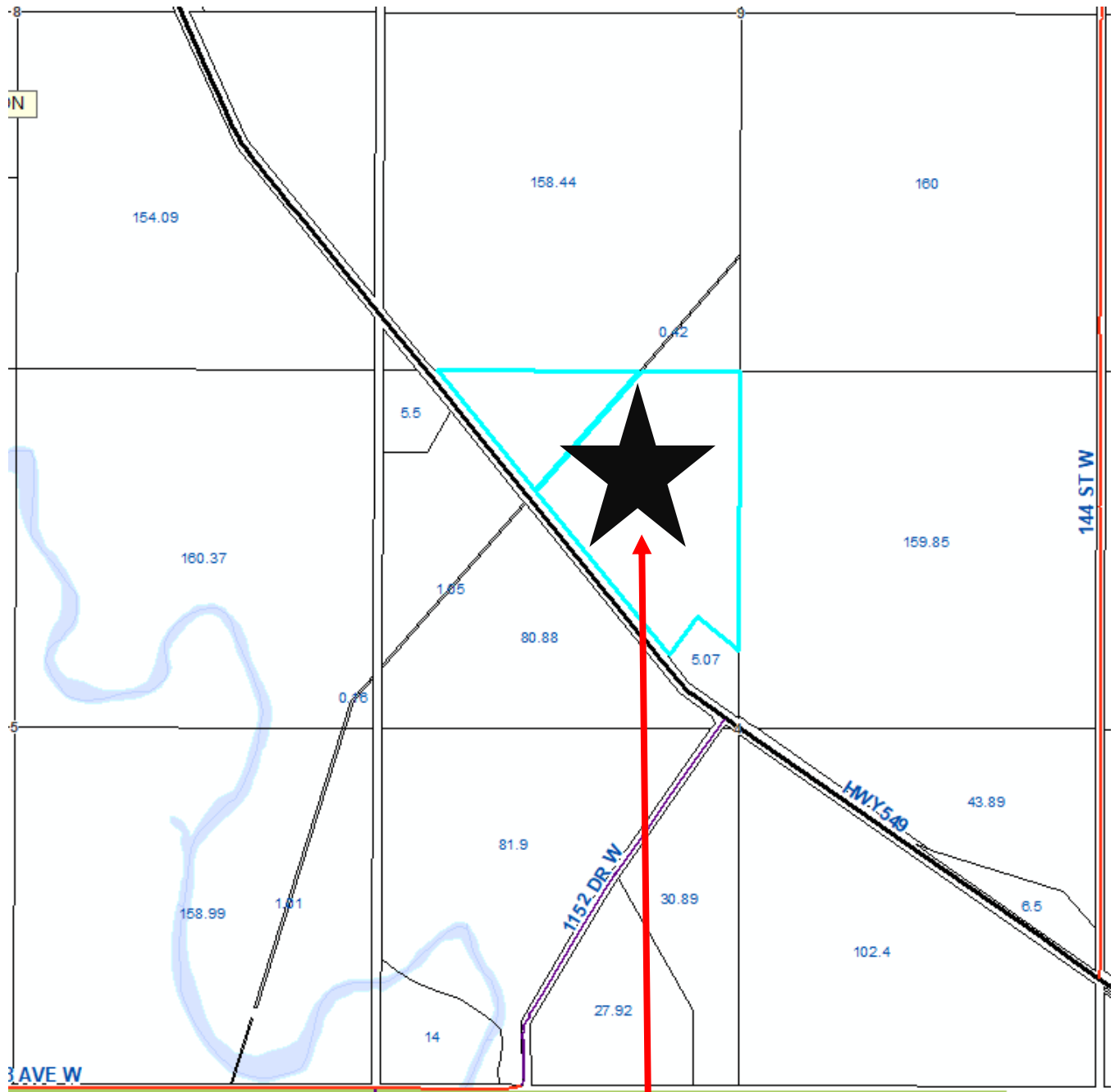
APPENDIX A: LAND USE



Legend

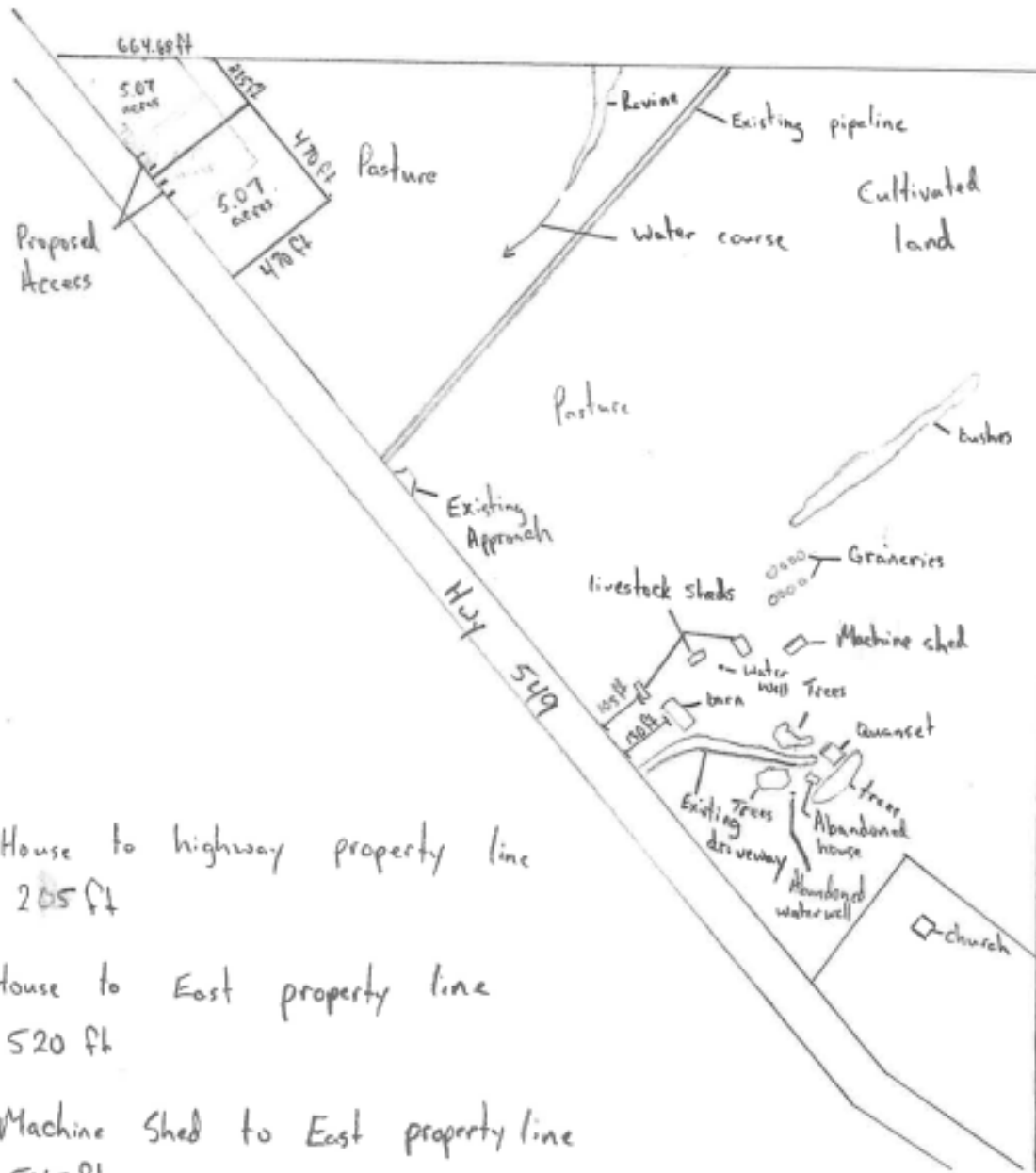
-  A- Agricultural
-  CR- Country Residential
-  SD- Service District
-  ER- Environmental Reserve

APPENDIX A: LOT SIZES (IN ACRES)



Subject Parcel

Site Plan
 NW 1/4 04-21-02 WSM



House to highway property line
 205 ft

House to East property line
 520 ft

Machine Shed to East property line
 545 ft

Quanset to East property line
 450 ft



APPENDIX A: ORTHO PHOTO



BYLAW XX/2023

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 redesignation of a 10.14 +/- acre portion of NW 04-21-02 W5M from Agricultural District to Country Residential District, in order to allow for a future subdivision of two 5.7 +/- acre Country Residential District parcels with an approximate 48.29 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2102 is amended by *redesignating a 10.14 +/- acre portion from NW 04-21-02 W5M as Country Residential.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

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 .

APPENDIX C: REFERRAL RESPONSE SUBMISSIONS:



Alberta Transportation and Economic Corridors Notice of Referral Decision

Land Use Bylaw amendment in proximity of a provincial highway

Municipality File Number:	23R026	Highway(s):	549
Legal Land Location:	QS-NW SEC-04 TWP-021 RGE-02 MER-5	Municipality:	Foothills County
Decision By:	Evan Neilsen	Issuing Office:	Southern Region / Calgary
Issued Date:	2023-09-19 10:54:10	AT Reference #:	RPATH0036006
Description of Development:	Redesignate a +/- 10.14 ac ptn of the subject parcel from A to CR to allow a future subdivision of two X +/-5.7 ac CR lots		



This will acknowledge receipt of your circulation regarding the above noted proposal. Alberta Transportation and Economic Corridors primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed land use amendment(s).

Alberta Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):

1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable
2. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.

This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 549

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. To ensure future access management requirements are met a service road is required. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors does not grant approval for the subdivision authority to vary the requirements of Section 19 of the Regulation, Transportation and Economic Corridors will accept service road dedication as described below:

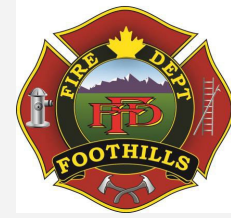
The department shall accept a caveat granting access to both parcels. The caveat shall be 30 m in width and shall run parallel to Highway 549 from the easternmost property line of the westernmost parcel, to the existing access to Highway 549, through the remnant parcel as required. This existing access is approximately 340 m from the northernmost point of the current parcel as measured along Highway 549. No new direct access to Highway 549 shall be permitted.

If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation is required and the comments in respect of Sections 18 and 19 of the Regulation contained in this decision are no longer valid.

Please contact Alberta Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information

Public Hearing
BILLING CAP REPORT
PROPOSED AMENDMENT(S) TO FoothILLS COUNTY FEE BYLAW
SCHEDULE I

Foothills Fire Department



Author: Rick Saulnier - Fire Chief

DATE: Sept 27, 2023

Introduction

Foothills County Council has directed administration to investigate options for full cost recovery of insured fire related expenses as part of the County's billing cap policy. The purpose of this directive is to ensure equitable cost recovery for services rendered to our residents.

Foothills County's Fee Bylaw establishes the fees charged for goods and services provided by the County, including fees for services provided by the Foothills Fire Department. These fees are outlined in Schedule "I" of the current Fee Bylaw 58/2022, and include special considerations whereby charges for firefighting services to fires occurring on residential or agriculturally zoned land within the County, that are not intentionally set by the occupant or caused by an act of nature or vandalism, will be invoiced as actual costs **to a maximum of \$1,500.**

Fire Board Recommendation to Council

Upon review of the billing cap it was determined that in most cases the costs incurred by Foothills County far exceed \$1,500 per incident. As such, the department was absorbing those costs at the expense of our rate payers. Cost recovery, which involves charging people who bear the costs directly, may be considered preferable to tax increases.

It was also determined that most homeowner insurance policies have provisions that would reimburse the homeowner for costs associated with a response to structure fires, hazmat releases, and motor vehicle accidents. ***Foothills County recommends that ratepayers have in-depth discussions with their insurance agents regarding coverage for insurable losses and any other pertinent considerations within their individual insurance policies.***

The Foothills County Fire Board reviewed the following options:


1. Leave the current cap of \$1,500.00 in place;
2. Increase the current cap from \$1,500 to \$10,000;
3. Eliminate the cap and invoice landowners based on the actual expenses incurred.

Subsequently the Fire Board passed a motion to increase the billing cap monetary amount at the March 28, 2023 Fire Board Meeting.

Council Resolution of May 10, 2023

Resolution 328 - That Council authorize administration to prepare a public hearing for Council and the public to consider amendments in the Fee Bylaw to propose an increase of the billing cap for costs associated with Foothills Fire Services to a higher monetary amount of \$10,000.00.

**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
September 27, 2023
To be heard at: 1:30 pm**

APPLICATION INFORMATION		
	LEGAL DESCRIPTION: Ptn. NE 21-20-2 W5M; Plan 9110446, Block 1	
	LANDOWNERS: Alex & Lauren Maynard	
	AREA OF SUBJECT LANDS: 78.09 acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 9.2 +/- acre parcel		
PROPOSAL: Application for the redesignation of a portion of NE 21-20-2 W5M; Plan 9110446, Block 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 9.2 +/- acre Country Residential District parcel, leaving a 68.89 +/- acre Agricultural District balance.		
DIVISION NO: 3	COUNCILLOR: Barb Castell	FILE MANAGER: Stacey Kotlar

EXECUTIVE SUMMARY:

Location:

The subject parcel is located adjacent to and south of 370 Ave W, 825 m east of 160 St W and 1.2 km north of the Town of Diamond Valley.

Policy Evaluation:

Reviewed within the terms of the:

- Municipal Development Plan 2010 (MDP2010);
- Growth Management Strategy; and
- Land Use Bylaw 60/2014.

Referral Considerations:

The application submission was referred to required internal departments and external agencies.

PURPOSE OF APPLICATION:

Bylaw XX/2023 – Application for the redesignation of a portion of NE 21-20-2 W5M; Plan 9110446, Block 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 9.2 +/- acre Country Residential District parcel, leaving a 68.89 +/- acre Agricultural District balance.

HISTORY:

1990- Council granted approval to create two 80 acre parcels with a 20 m panhandle through the north parcel to gain access from the developed road to the south parcel (shown in pink).

Jan 1994 – A Development Permit was approved to build a second residence on a parcel less than 80 acres. This application was approved based on the fact that the parcel is less than 80 acres due to the 20m panhandle needed for access to the south 80 acre parcel. They considered it a nominal 80.

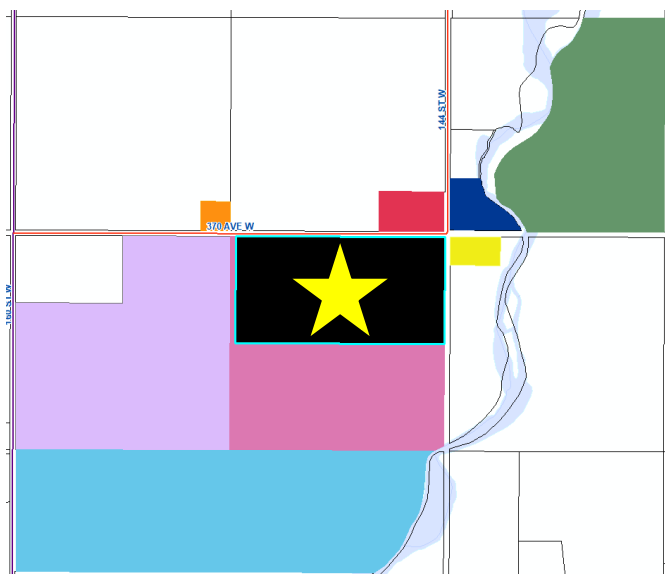
May 1996 - An application was before Council to redesignate a portion of the subject lands from Agricultural Conservation to Country Residential District to allow for the creation of four new lots ranging in size from 2.75 to 3 acres. Council refused this application because it was felt that the subject land is not conducive to Country Residential development due to the agriculturally productive land and the development was inappropriate due to the reduced municipal standards of the road allowance providing access to the property. The applicant then proceeded to apply for subdivision of identical nature and was refused as the zoning of the land did not permit the subdivision.

Dec 1996 – An application was before Council to redesignate 10.5 +/- acres in the north west corner of the subject lands from Agricultural Conservation to Country Residential District. Council denied this application because the road allowance providing access is not built to municipal standards; no demonstrated agricultural use to warrant further subdivision; and proposal is contrary to the Land Use Bylaw.

NW 22-20-2 W5 – 1999 – Subdivision of 5 acre Country Residential District parcel (shown in yellow) from fragmented quarter leaving a 49.12 acre Agricultural District balance.

SW 27-20-2 W5 – 2003 – Subdivision of 8.75 acre Country Residential District parcel (shown in navy) leaving a 5.78 acre Country Residential District balance.

S 21-20-02 W5 – 2013 – Redesignation of 80 acres to Natural Resource Extraction, Sand and Gravel Pit (shown in light blue). This Gravel Pit has an active Development Permit with an expiration date of April 2024.



SW 28-20-2 W5 – 2013 – Subdivision of a 3 acre Country Residential Sub-district "A" first parcel out (shown in orange), leaving a 157 acre Agricultural Sub-district "A" balance approved.

NW 21-20-02 W5 – 2017 – Redesignation to DC #29, Limited Public Riding Arena and Development permit approved. 27,200 sq ft area with attached barn, supporting one event per year and boarding no more than 26 horses (shown in purple).

SE 28-20-2 W5 – 2021 – Subdivision of 9 acre Country Residential Sub-district "A" first parcel out (shown in red), leaving a 150.82 acre Agricultural Sub-district "A" balance approved.

SW 27-20-2 W5 – 2015 – Bylaw expired on the Natural Resource Extraction of Mining & Removal of Gravel. The landowner did not want to continue with the Development Permit (shown in green)

SITE CONSIDERATIONS:

Physiography:

The subject parcel is lightly undulating, sloping upward to the apex of the small hill at the existing residences in the south east corner. The east side of the parcel begins the slope downward toward the Sheep River located in the adjacent quarter to the east.

Access:

The subject parcel is currently accessed from an existing approach on 370 Ave W. Public Works has advised that this approach does not meet current standards. The application is proposing to construct two new approaches on 370 Ave W. One is to provide access to the proposed 9.2 +/- acre parcel. The second proposed approach is for the balance parcel, also on 370 Ave W.

Existing Development:

The proposed 9.2 +/- acre parcel does not have any existing structures but does have the existing driveway.

The 68.89 +/- acre balance parcel contains all existing development, which includes two residences, detached garage, barn, Quonset, and two garden sheds. The applicants propose to relocate one of the 2 residences from the current location to the proposed parcel.

MUNICIPAL RESERVE:

To date, no municipal reserves have been provided. As per the County’s Municipal Reserve Policy, as a condition of Subdivision, Council may require that reserves be provided by way of cash-in-lieu of land for the 9.2 +/- acre Country Residential District parcel.

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>The following are recommended for the proposed 9.2 +/- acre parcel, as a condition of subdivision:</p> <ul style="list-style-type: none"> • Septic Disposal Evaluation (PSTS) <p>Public Works provided the following comments regarding the approaches:</p> <ul style="list-style-type: none"> • Current approach to be removed and relocated 60m west to provide access to the proposed lot. • New approach to the balance to be built to meet County Standards. <p>Public Works provided the following additional comments:</p> <ul style="list-style-type: none"> • Road widening of 5m along the north side of the parcel (south side of 370 Ave W) by Caveat. • Road widening of 5m along the east side of the parcel (west of 144 St W) by Caveat.
Mapping	The mapping department has noted that with the proposed new approaches there will be an address change for the balance parcel.

EXTERNAL	
Alberta Transportation and Economic Corridors (ATEC)	<p>Alberta Transportation provided the following comments:</p> <ul style="list-style-type: none"> • The proposal does not meet Section 18 of the Regulation. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18. • The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19. <p>Note: The full response from Alberta Transportation is included under Appendix C of this staff report.</p>
ATCO Gas	Has no objections
Fortis	Has no concerns
Telus	Has no objections
PUBLIC	
Western Wheel	Dates of Publication: Sept 13 & 20, 2023
Land Owners (half mile)	No submissions prior to public hearing

POLICY EVALUATION:

Municipal Development Plan (MDP2010):

Policies 2 and 4 of the Agriculture section of the MDP2010 discourages the subdivision of agricultural lands without thoughtful consideration of the impact the proposed use will have on the existing agricultural users and the uses surrounding the application.

Policies 3 and 9 of the Residential section of the MDP2010 provide that residential parcels should consider their compatibility with the surrounding area and their impact on the agricultural industry. Further, the development must consider the suitability of the lands for residential uses and the efficient use of land.

Policy 2 of the Agricultural section of the MDP2010 supports maintaining the integrity of the agricultural land base and discourages the fragmentation of agricultural lands within the County.

Land Use Bylaw 60/2014:

The application meets the density requirements and lot size restrictions as set out in Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

Growth Management Strategy:

The subject parcel is located within the North West District. The vision for the North West District is supportive of minimal to moderate growth with careful consideration of the potential impacts on wildlife habitat and water shed areas.

SUMMARY:

Bylaw XX/2023 – Application for the redesignation of a portion of NE 21-20-2 W5M; Plan 9110446, Block 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 9.2 +/- acre Country Residential District parcel, leaving a 68.89 +/- acre Agricultural District balance.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for redesignation of a portion of NE 21-20-2 W5M; Plan 9110446, Block 1 from Agricultural District to Country Residential District in order to allow for the future subdivision of one 9.2 +/- acre Country Residential District lot, with an approximate 68.89 +/- acre Agricultural District balance parcel for the following reasons:

In their consideration of the criteria noted in the Agriculture Policy of the MDP2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area. Further, the application falls within the density provisions and lot size restrictions of the County's Land Use Bylaw with respect to Country Residential development.

Staff suggests Country Residential Sub-district "A" for the proposed 9.2 +/- acre parcels to ensure that the recommendations and restrictions as outlined in the septic disposal evaluation (provided as a condition of subdivision) are complied with to the satisfaction of the Public Works department.

Council may choose to impose the following suggested conditions:

Recommended Conditions for Option #1:

1. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
2. Proof of adequate water supply to be provided for the proposed parcel in accordance with the Municipal Water Policy, to the satisfaction of the County;
3. Septic Disposal Evaluation, provided for the proposed ±9.2 acre lot, to the satisfaction of the Public Works department, **as a condition of subdivision;**
4. Final redesignation application fees to be submitted;
5. Submission of an executed subdivision application and the necessary fees.

OPTION #2 REFUSAL

Council may choose to refuse the application for redesignation of a portion of NE 21-20-2 W5M; Plan 9110446, Block 1 from Agricultural District to Country Residential District for the future subdivision of one 9.2 +/- acre Country Residential District lot, leaving a 68.89 +/- acre Agricultural District balance for the following reasons:

In consideration of the criteria noted within the Agricultural section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

APPENDICES:

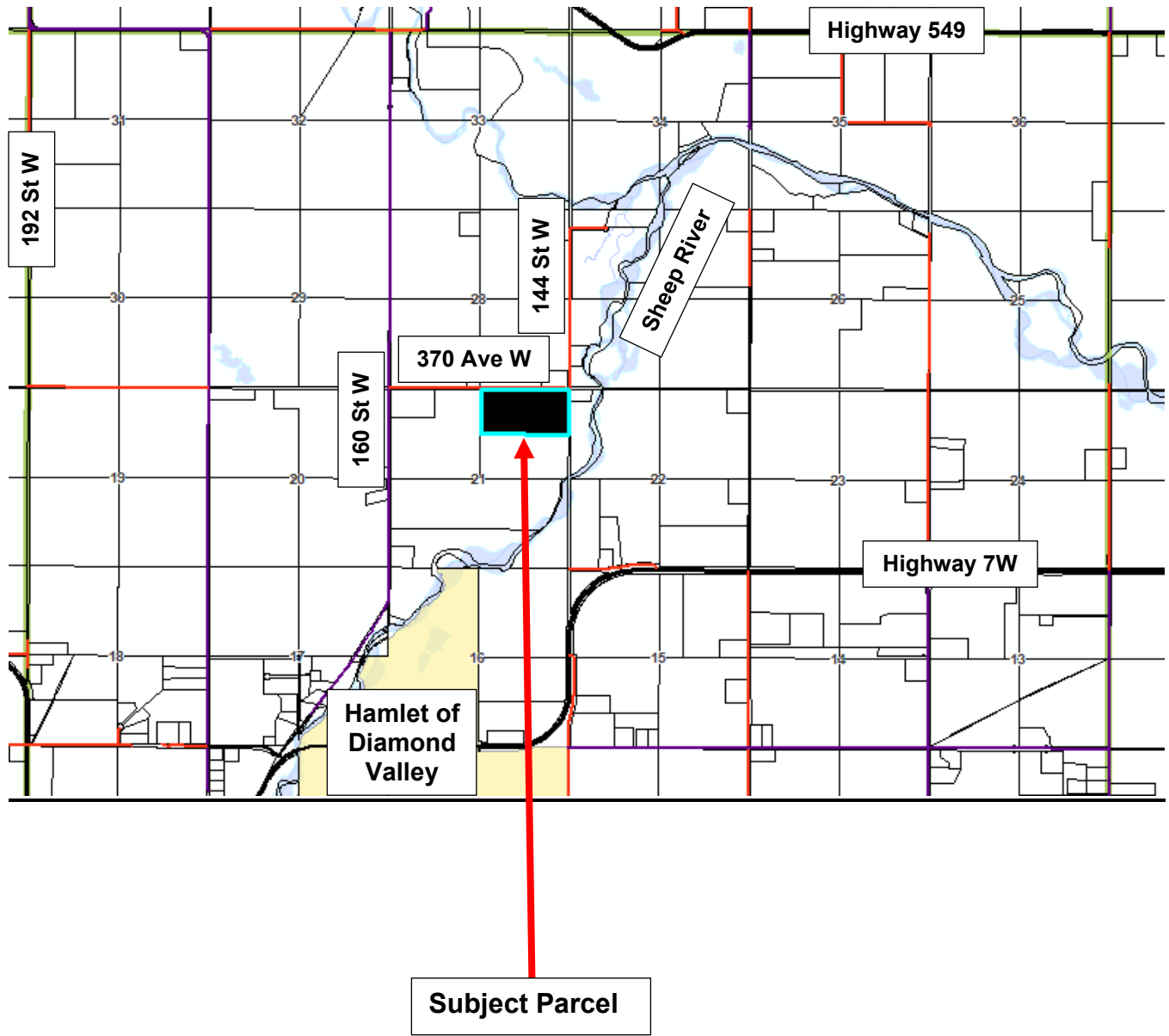
APPENDIX A: MAP SET:

LOCATION MAP
LAND USE MAP
HALF MILE MAP – PARCEL SIZES
SITE PLAN
ORTHO PHOTO

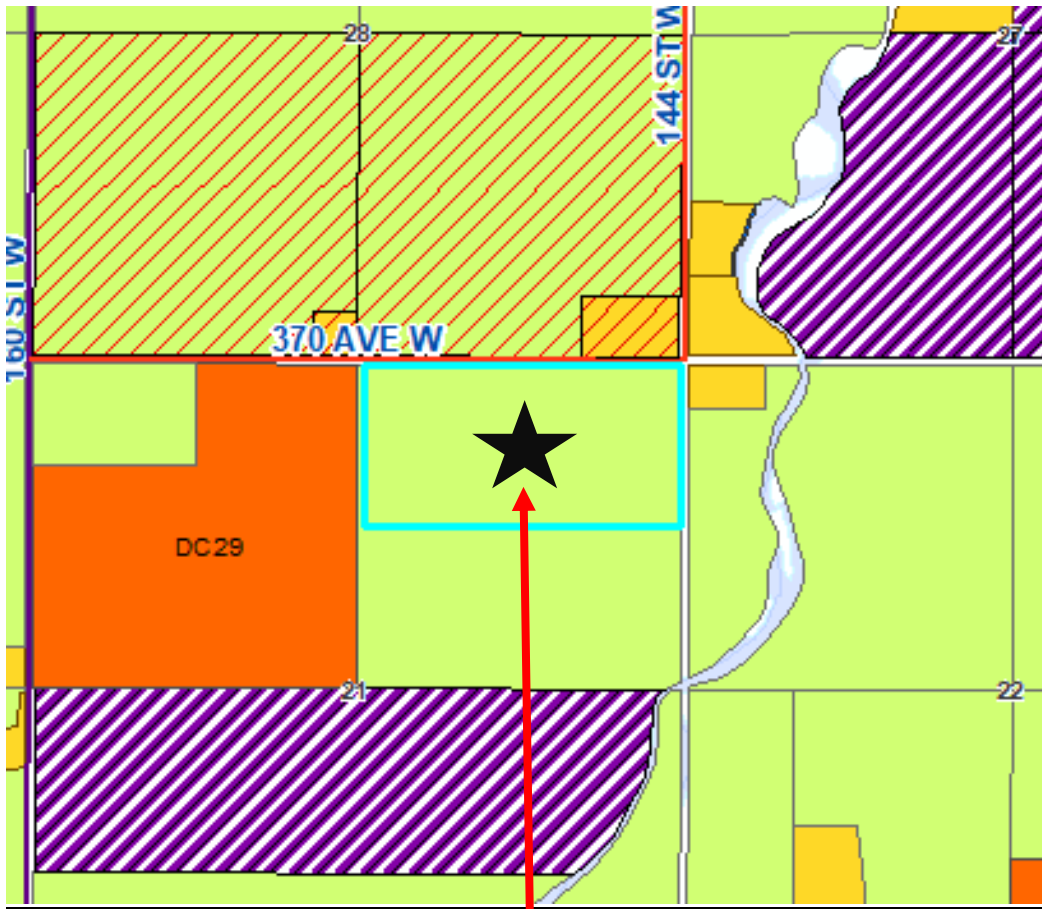
APPENDIX B: PROPOSED BYLAW

APPENDIX C: REFERRAL RESPONSE SUBMISSIONS

APPENDIX A: LOCATION MAP








APPENDIX A: LAND USE

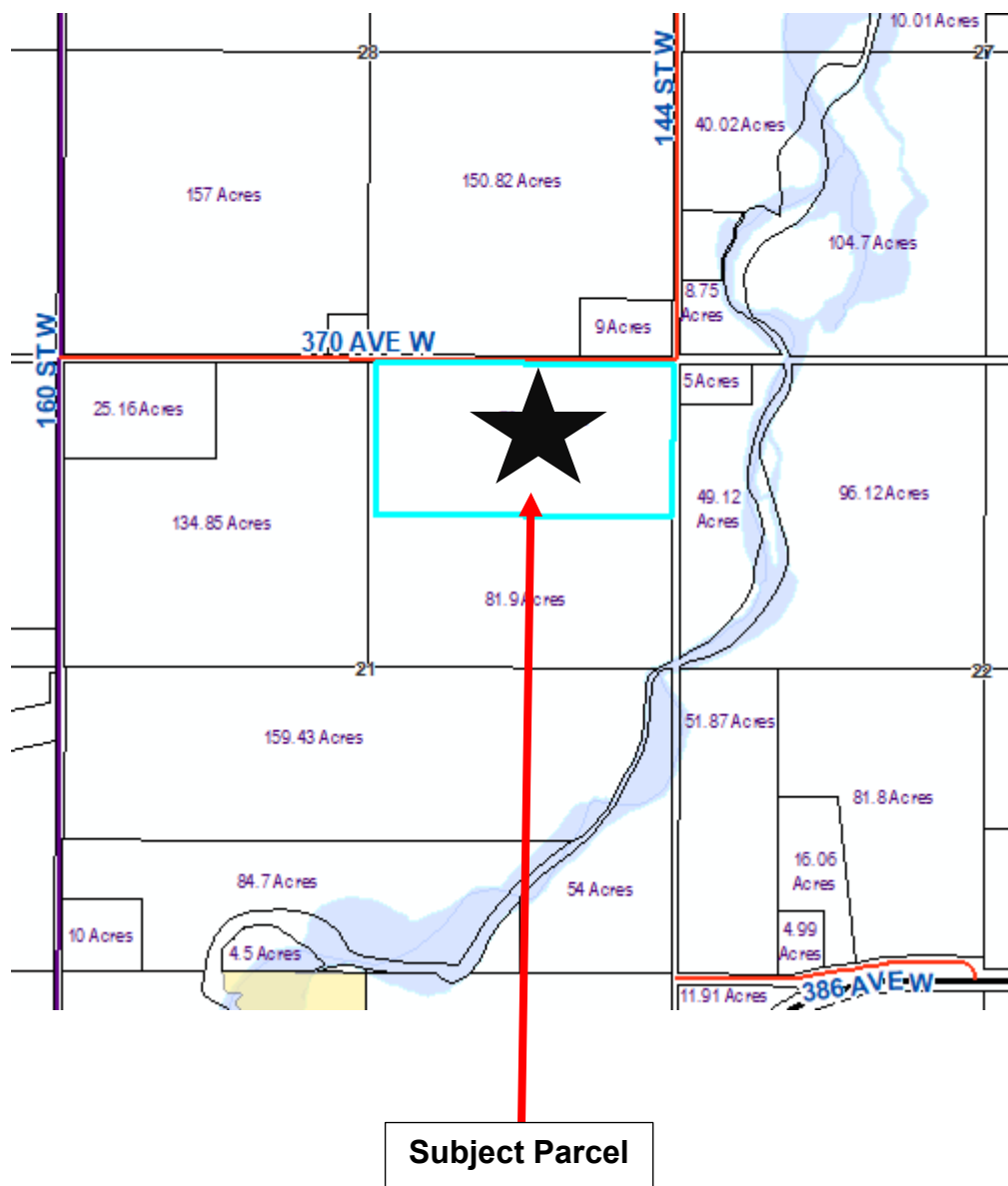


Subject Parcel

Legend

-  A- Agricultural
-  CR- Country Residential
-  CRA- Country Residential Sub A
-  DC29 - Limited Public Commercial Arena
-  INR - Natural Resource Extraction

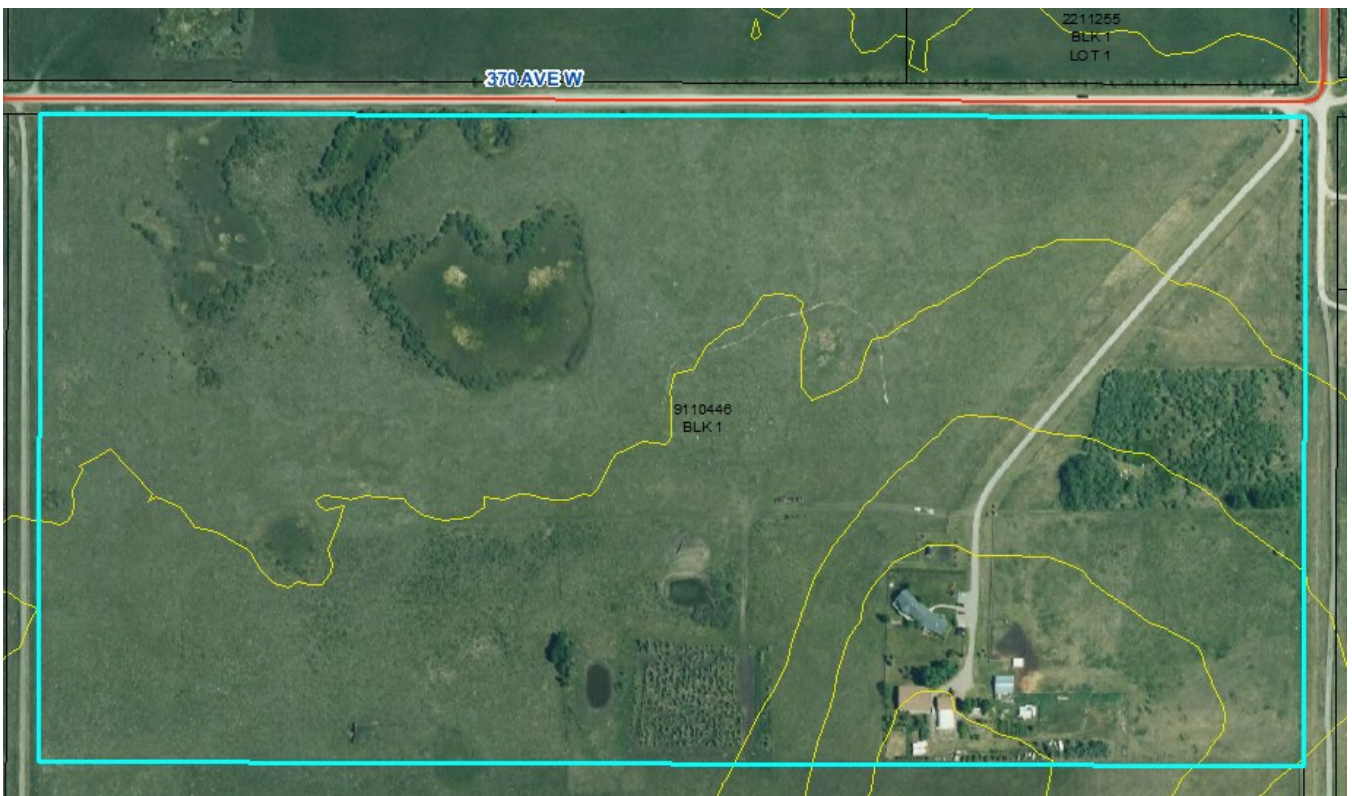
APPENDIX A: LOT SIZES (IN ACRES)



APPENDIX A: SITE PLAN



APPENDIX A: ORTHO



BYLAW XX/2023

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 redesignation of a 9.2 +/- acre portion on Ptn. NE 21-20-02 W5M from Agricultural District to Country Residential District to allow for a future subdivision of one 9.2 +/- acre Country Residential Parcel with an approximate 69.89 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2002 *is amended by redesignating one 9.20 +/- acre parcel on Ptn. NE 21-20-02 W5M as Country Residential District.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING:

Reeve

CAO

SECOND READING:

Reeve

CAO

THIRD READING:

Reeve

CAO

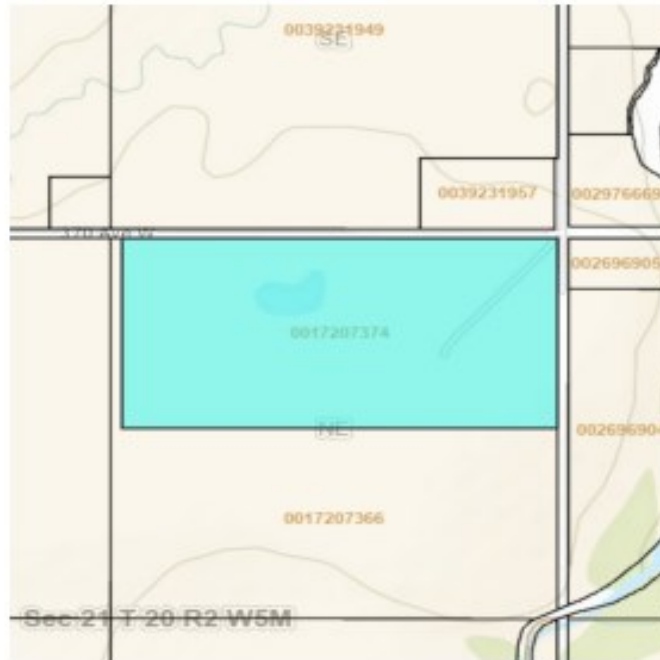
PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this day of _____, 20__.



Alberta Transportation and Economic Corridors Notice of Referral Decision

Land Use Bylaw amendment in proximity of a provincial highway

Municipality File Number:	23R024	Highway(s):	7
Legal Land Location:	QS-NE SEC-21 TWP-020 RGE-02 MER-5	Municipality:	Foothills County
Decision By:	Trevor Richelhof	Issuing Office:	Southern Region / Calgary
Issued Date:	2023-06-08 08:33:43	AT Reference #:	RPATH0035699
Description of Development:	Redesignation of +/-9.2 acre ptn of the subject parcel to Country Residential District (CR) for future subdivision of 1 new +/-9.2 acre CR lot		



This will acknowledge receipt of your circulation regarding the above noted proposal. Alberta Transportation

and Economic Corridors primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed land use amendment(s).

Alberta Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):

1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable
2. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.

This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 7

Transportation and Economic Corridors offers the following comments with respect to this application:


The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.

If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation is required and the comments in respect of Sections 18 and 19 of the Regulation contained in this decision are no longer valid.

Please contact Alberta Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information

**MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
September 27, 2023**

REQUEST FOR COUNCIL CONSIDERATION OF OPTIONS REGARDING POTENTIAL UPGRADES TO 48TH STREET EAST		
	LEGAL DESCRIPTION: Plan 0613506, Block 1, Lot 2, PTN: NW 14-21-29-W4M	
	LANDOWNER: 924637 Alberta Ltd.	
	AGENT: Township Planning and Design Inc. / Kristi Beunder	
	AREA OF SUBJECT LANDS: 69.96 acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District, Municipal Land/Reserve District, Environmental Reserve and Public Utility	
PROPOSAL: REDESIGNATION WITH DENSITY BONUSING		
Request for redesignation from the Agricultural District, to allow the future subdivision of eighteen (18), 2.15 +/- acre to 2.35 +/- acre, Country Residential District lots, with an approximate 20% over dedication of Municipal Land/Reserve District, equal to 14.03 +/- acres, along with a 9.75 +/- acre Environmental Reserve and a 0.80 +/- acre Public Utility Lot, from Plan 0613506, Block 1, Lot 2, PTN: NW 14-21-29-W4M.		
LOCATION: The parcel is located 9.5 kilometres northeast of the Town of Okotoks, 2.0 kilometres south of Hwy 552, approximately one kilometre north of 306 th Avenue East and is directly east of 48 th Street East.		
DIVISION NO: 7	COUNCILLOR: R.D. McHugh	FILE MANAGER: Theresa Chipchase

FIRST READING – BYLAW 33/2023

BYLAW 33/2023

Council gave first reading to Bylaw 33/2023 authorizing the redesignation of Plan 0613506, Block 1, Lot 2; Ptn. NW 14-21-29-W4M from Agricultural District to Country Residential District, Environmental Reserve and Municipal Reserve to allow the future subdivision of eighteen (18) 2.15 +/- acre Country Residential District lots, one (1) 9.75 +/- acre Environmental Reserve, one (1) 0.80 +/- acre Public Utility Lot, one (1) 2.15 +/- acre Municipal Land/Reserve lot, one (1) 5.08 +/- acre Municipal Land/Reserve parcel and one (1) 6.83 +/- acre Municipal Land/Reserve parcel (Pathway) with a density bonus.

In their consideration of the criteria noted in Agriculture Policy 4 of the MDP2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area.

In their consideration of the criteria noted in Residential Policy 3 of the MDP2010, Council is of the opinion that the lands are suitable for residence use and are compatible with the surrounding area and the existing land uses.

The eighteen proposed 2.15 +/- acre to 2.35 +/- acre parcels shall be designated as country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in

the building envelopes, lot grading plans, comprehensive site drainage plan, storm water management plan, septic disposal evaluations and slope stability report (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying all aspects of the noted reports have been met and \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

EXECUTIVE SUMMARY

Summary of Proposal

On May 24th, 2023, Council granted first reading to Bylaw 33/2023, subject to conditions being met by the applicant. Additionally, administration was requested to provide the following:

“2. County administration is to review 48th Street and proposed options for potential upgrades to Council for their consideration prior to 2nd reading.”

Staff reached out to the County’s public works department to provide a review of 48th Street from where the pavement ends north of the development area, to the proposed intersection of 48th Street East and the new internal road, which is approximately 0.6 kilometers in length. Public Works has provided the following comments for Council’s consideration:

“The current road surface on 48th Street East from the new entrance to where the paved section starts (approximately 550 meters to the north) is Maintainable Road Oil (MRO). The costs to replace the MRO or to upgrade this road surface would be as follows:

- MRO: \$155,000.00
- Chip Seal: \$180,500.00
- Pavement: \$292,000.00

Please note: the road width in this location is currently only 20 meters, with a 5 meter acquisition of land along the frontage of the applicant’s title. Additionally, in speaking with the Deputy Director of Operations, Mr. Mike Gallant, he has provided that 48th Street East is currently in good shape in this location and is holding up well.”

SUMMARY

Request to Council to consider the options provided by the County’s Public Works department with respect to Condition #2 of first reading approval under Bylaw 33/2023.

OPTIONS FOR COUNCIL CONSIDERATION

Council is requested to provide direction to administration as to if upgrades to 48th St E are required and if so, Council is requested to consider amending condition #1 of first reading to Bylaw 33/2023 to add the text shown below in red:

Note: the options provided by public works for road upgrades are shown below within condition #1 highlighted in yellow, Council is also requested to specify which option is required.

1. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of construction of all internal transportation infrastructure (the internal road required to provide access to all proposed lots, MLR lands, ER lands and the PUL) and all external transportation infrastructure (upgrading of

48th Street to chip seal or pavement or to replace the existing MRO, from the intersection of 48th Street East and the proposed internal road, north, approximately 0.6 kilometers, to where the MRO intersects with the paved portion of 48th Street East), stormwater management, grading, drainage and payment of community sustainability fee (for all lots proposed) and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;

OPTIONS FOR COUNCIL CONSIDERATION

Council is requested to provide direction to administration as to if upgrades to 48th St E are required. Two options have been provided for Council's review and consideration.

OPTION #1: REQUIRE UPGRADES

If Council directs that 48th St E requires upgrades, Council is requested to consider amending condition #1 of first reading to Bylaw 33/2023 to add the text shown below in red:

Note: options 1 to 3 as provided by public works above for road upgrades are shown in below condition #1 highlighted in yellow, Council is also requested to specify which option is required.

1. *Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of construction of all internal transportation infrastructure (the internal road required to provide access to all proposed lots, MLR lands, ER lands and the PUL) and all external transportation infrastructure (upgrading of 48th Street to chip seal or pavement or to replace the existing MRO, from the intersection of 48th Street East and the proposed internal road, north, approximately 0.6 kilometers, to where the MRO intersects with the paved portion of 48th Street East), stormwater management, grading, drainage and payment of community sustainability fee (for all lots proposed) and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;*

OPTION #2: NO UPGRADES

If Council directs that nothing further is required, Council may wish to consider the following motion:

Council acknowledges the information provided from administration regarding potential upgrades to 48th St E and directs that no upgrades to 48th St E will be required at this time.

APPENDICES

APPENDIX A: MAP SET:

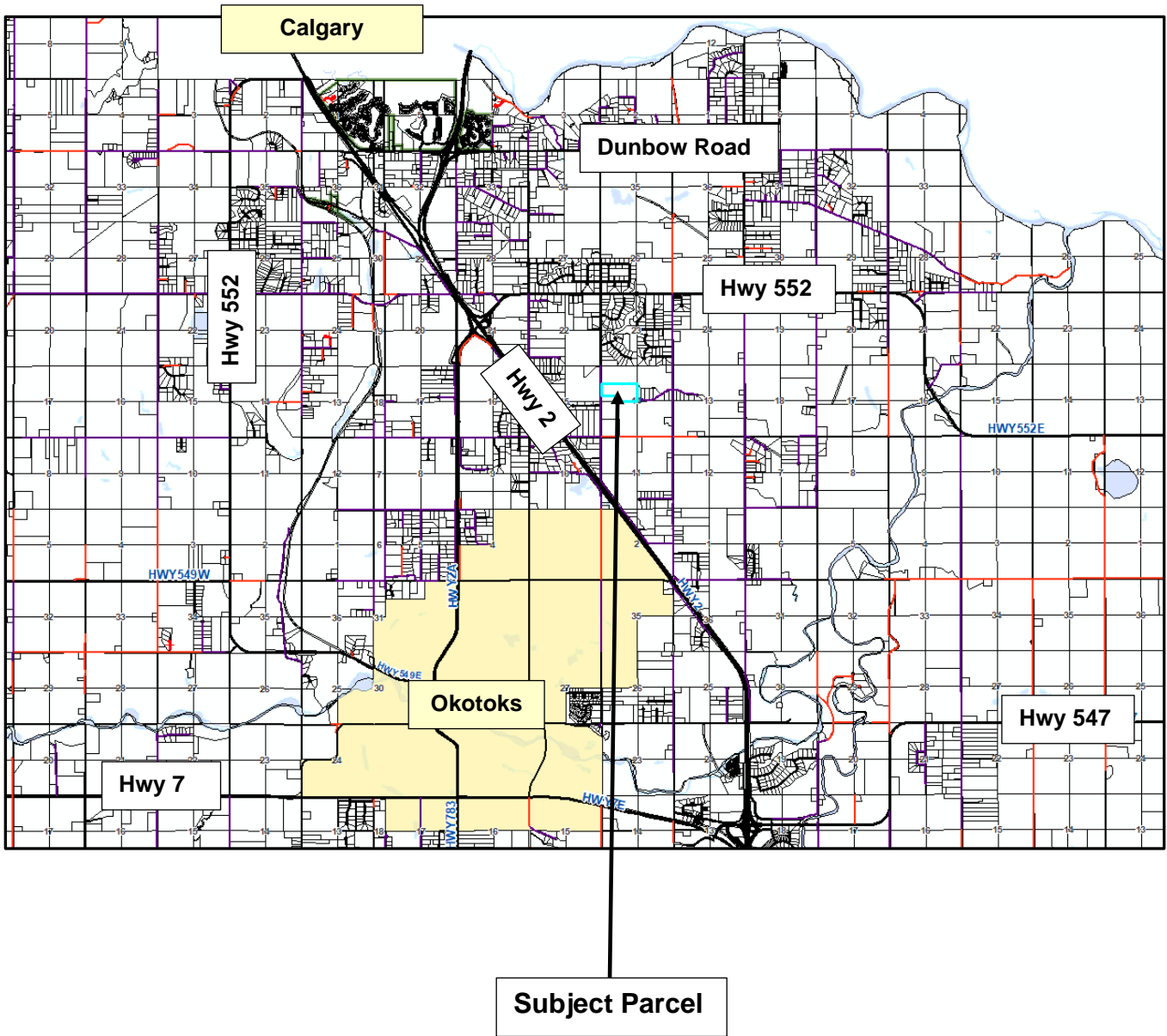
LOCATION MAP

HALF MILE MAP – LAND USE

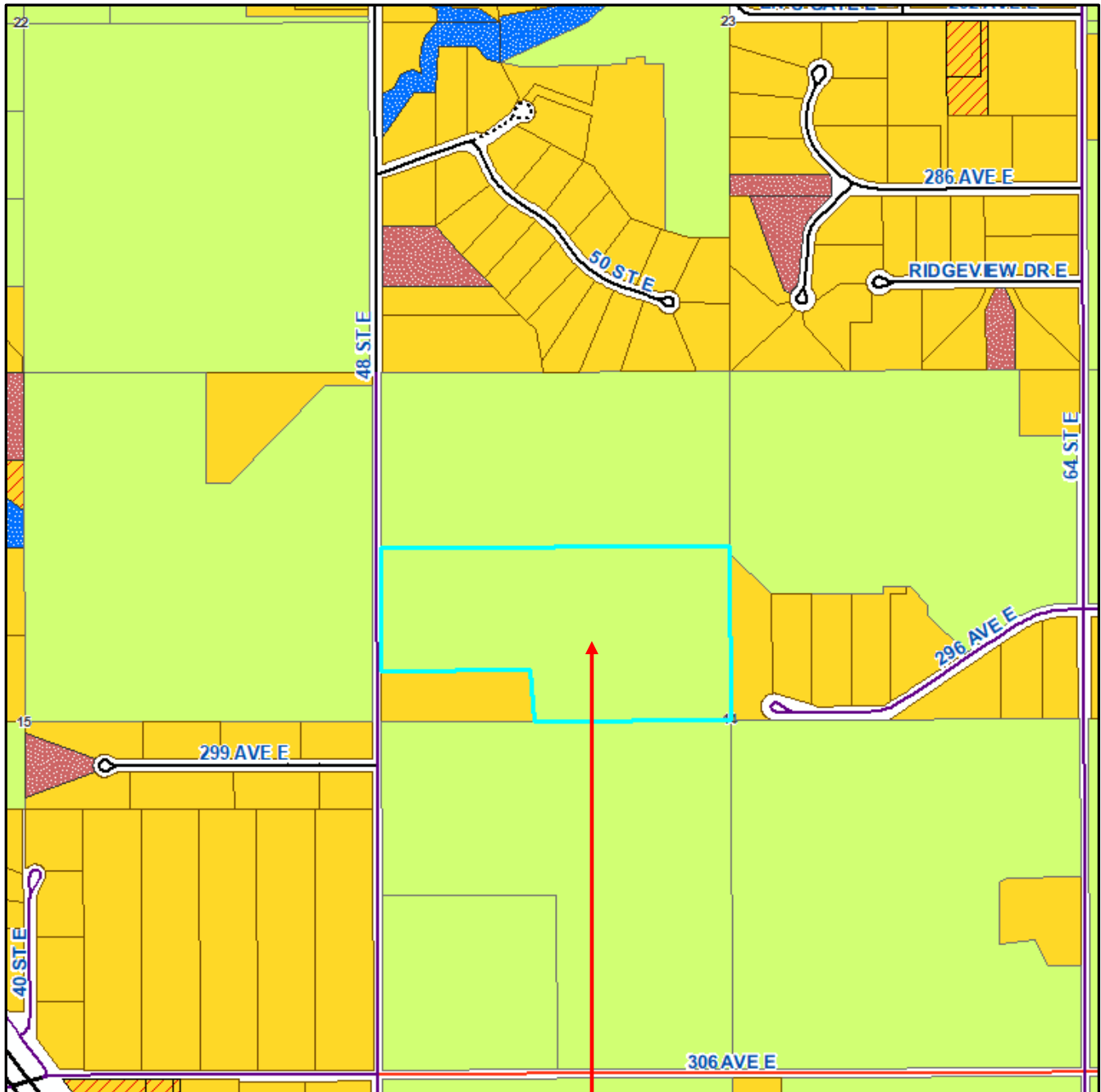
HALF MILE MAP – PARCEL SIZES

SITE PLAN

APPENDIX A: LOCATION MAP



APPENDIX A: HALF MILE MAP – LAND USE

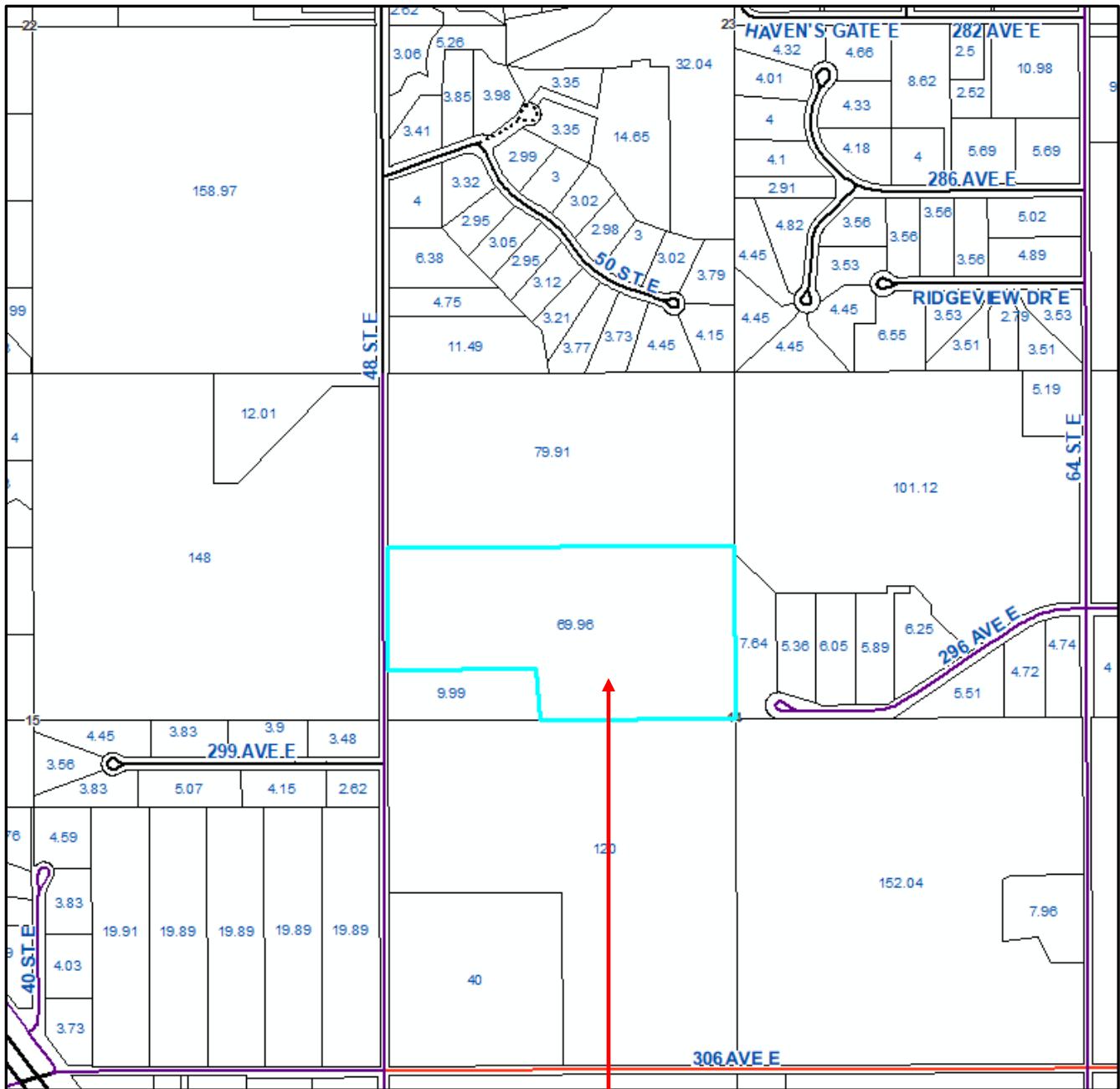


Subject Parcel

Legend

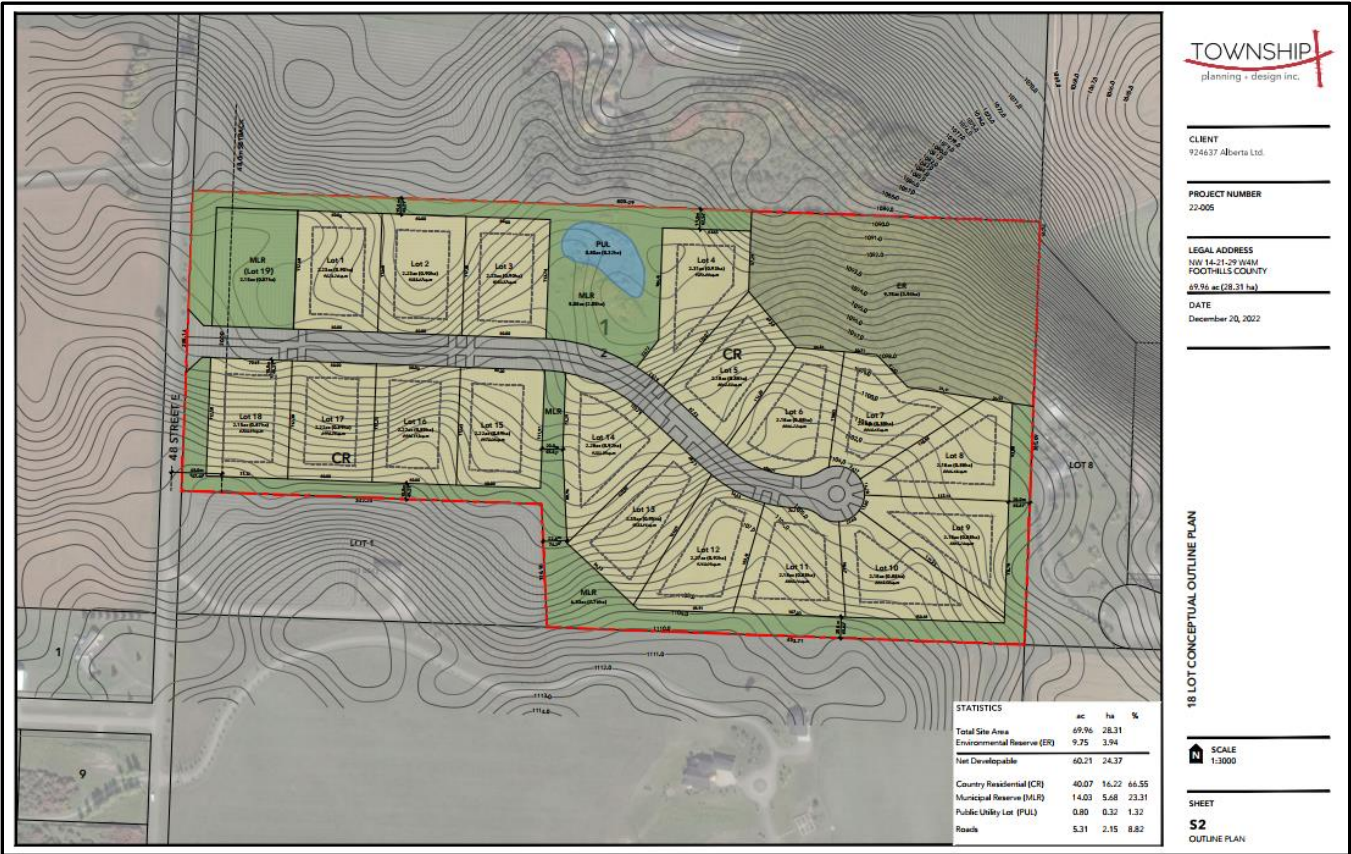
- Pre Developer
- Hard Surface (Chip/oil)
- Gravel
- ... Developer Pavement
- Pavement
- ... In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- BP- Bussiness Park
- CMC- Community Commercial
- HC- Highway Commercial
- INR- Natural Resource Extraction
- OS- Open Space
- PUL- Public Utility
- SD- Service District
- ER- Environmental Reserve
- MR- Municipal Reserve

APPENDIX A: HALF MILE MAP – LOT SIZES



Subject Parcel


APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



**MISCELLANEOUS PLANNING ITEMS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 NEW DIRECT CONTROL DISTRICT AND CONCURRENT
 REDESIGNATION September 27, 2023**

APPLICATION INFORMATION		File No. 23R036 & 23R037
	LEGAL DESCRIPTIONS: SE 26-22-03 W5M; SW 25-22-03 W5M; and NW 25-22-03 W5M	
	LANDOWNER: White Moose Farms Ltd.	
	AGENT: Kristi Beunder of Township Planning + Design Inc.	
	AREA OF SUBJECT LANDS: Total: +/- 459.95 acres SE 26: 150.79 acres SW 25: 149.16 acres NW 25: 160 acres	
	CURRENT LAND USES: Agricultural District	
	PROPOSED LAND USES: New Direct Control District #XX	
<p>PROPOSAL: The following two (2) concurrent applications have been submitted:</p> <ul style="list-style-type: none"> A) Creation of new Direct Control District. B) Application for the redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M, SW 25-22-03 W5M, and NW 25-22-03 W5M from Agricultural District to Direct Control District #XX to allow for an equestrian event venue on lands subject to a Conservation Easement for Agriculture. 		
DIVISION NO: 4	COUNCILLOR: Suzanne Oel	
FILE MANAGER: Brittany Hornsby		

PREAMBLE:

August 23, 2023: Subsequent to submission of the formal application, a revised Direct Control (DC) district was provided by the agent to the County. The revisions were made based on staff comments and can be summarized as follows:

- DC District Heading changed to “Conservation Easement for Agriculture with Excluded Areas”;
- Purpose and Intent section reworded for clarity;
- Some Permitted and Discretionary Uses are marked by an asterisk (*) to identify what is solely allowed in the Excluded Areas;
- Removal of the definitions section.

Upon review of the revised DC district, additional staff comments/suggestions were provided to the agent, which are summarized as follows:

- Include the pertinent information in the proposed DC district from the Conservation Easement for Agriculture;
- Include the standard statement in the proposed DC district that is generally included in the County’s DC districts and a statement that informs the reader of the requirement for a Master Site Development Permit (MSDP);
- Minimum Yard Setbacks for Excluded Areas are not needed as these areas are not separately titled parcels, and therefore standard setbacks would not apply except when the boundary of an Excluded Area coincides with the parcel boundary.

- Definitions section needs to remain as these terms are not defined anywhere else in the Land Use Bylaw (Authorized Agricultural Activities, Conserved Lands, Excluded Areas, and Master Site Development Permit (MSDP)).

The initial version of the DC district is attached in Appendix C.

The revised DC district and copies of the initial staff comments, agents' response and additional staff comments are attached as Appendix D.

EXECUTIVE SUMMARY:

Summary of Proposal:

This report outlines two (2) separate applications that are to be considered concurrently.

- A) Creation of new Direct Control District; and
- B) Redesignation from Agricultural District to the new Direct Control District #XX.

Note: A Master Site Development Permit application has been submitted concurrently with these applications for a commercial equestrian event venue on a portion of SW 25-22-03 W5M. This development permit application includes consideration for Phase 1 of the proposed development and has been deemed incomplete until such time the appropriate land use to allow for the proposed development is in place.

The fulsome applications as submitted by the agent on behalf of the landowner have been included in Appendix B.

Location:

The subject parcels are located directly north of the Highway 22 and Highway 22X junction, approximately 1.6 kilometres south of the current Foothills County municipal boundary and 5 kilometres west of the current City of Calgary and Foothills County municipal boundary.

Public Consultation:

Prior to formal submission, the agent and landowner have undertaken public engagement with stakeholders and members of the community in the forms of personal meetings and a pre-application open house. The engagement methods also included an invitation to the open house that was sent to area residents within one half mile of the subject lands and two (2) advertisements were published in the Okotoks Western Wheel. A What We Heard Report summarizing the consultation efforts was provided to the County on July 14, 2023, and has been included within Appendix F of this staff report.

In addition, one letter has been submitted to the County from an area landowner; this is included as Appendix G.

Policy Evaluation:

Reviewed within the terms of the Calgary Metropolitan Region Growth Plan, the Municipal Development Plan 2010 (MDP2010), Growth Management Strategy and Land Use Bylaw 60/2014.

Referral Considerations:

Referred to required Provincial and Municipal bodies, as well as Utilities. Alberta Transportation and Economic Corridors provided a response of no concern subject to several comments and conditions.

BACKGROUND FOR SUBJECT PARCELS:

September 14, 2022: Council acknowledged the pending Conservation Easement for Agriculture, that was registered on approximately 429.25 acres of land within the West half of Section 25, Township 22, Range 3, West of the 5th Meridian and the South East quarter of Section 26, Township 22, Range 3, West of the 5th Meridian (i.e. the subject lands), by the Alberta Farmland Trust.

PURPOSE OF APPLICATION:

PART A. Application for the creation of a new Direct Control District:

The first application proposes the creation of a new Direct Control (DC) District.

The proposed DC district was created to encompass the uniqueness of the three (3) quarter sections being subject to a Conservation Easement for Agriculture held by the Alberta Farmland Trust and proposed agricultural, equestrian and event venue uses and operations.

As per the Conservation Easement, each of the three (3) subject parcels has an identified area that is referred to as an "Excluded Area". As shown on Figure 3, these areas have been identified by registered Survey Plans for SE 26-22-03 W5M (10 acre Excluded Area) and SW 25-22-03 W5M (15 acre Excluded Area) and has not yet been identified for NW 25-22-03 W5M. Once the Excluded Area has been established for NW 25-22-03 W5M, a Survey Plan will be required as per the Conservation Easement and registered with Alberta Land Titles. The lands outside of the identified Excluded Areas are referred to as "Conserved Lands" in both the Conservation Easement and DC district.

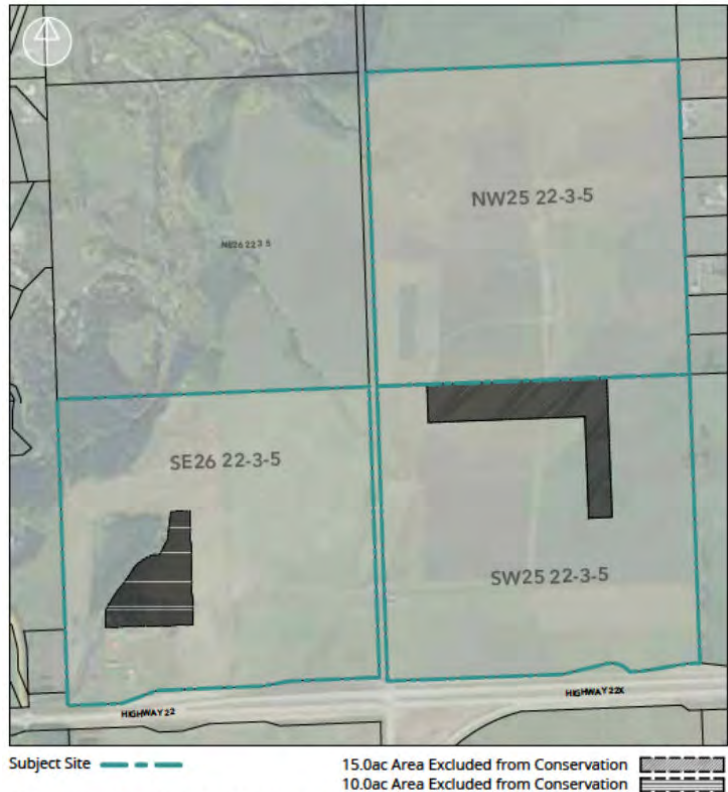


Figure 3 - Excluded Areas Location

The proposed DC district is intended to accommodate commercial equestrian facilities and activities together with normally recognized agricultural endeavors such as the growing of annual cereal crops and perennial forage on the Conserved Lands, while also accommodating other non-agricultural uses on the Excluded Areas such as Dwellings and Retail Stores.

Some of the key components of the proposed DC include:

- Some Permitted and Discretionary Uses exclusively allowed only within the Excluded Areas;
- A note to the reader under the Land Use Requirements section that "No subdivision is permitted under the Conservation Easement for Agriculture". Consistent with the Land Use Bylaw 60/2014, this note is shown in a yellow box to indicate that it does not form part of the Land Use Bylaw and is only provided as context for the reader;
- Standard setbacks would not apply to the Excluded Areas;

Note: Section J of new Direct Control District proposes no setbacks within the boundary delineated as Excluded Area. This is not needed as the Excluded Areas are not separately titled parcels and therefore would not require standard setbacks except when the Excluded Area coincides with the parcel boundary. Should a lesser setback be needed to the property lines (i.e. quarter lines) then this could be requested under a development permit application for Council's consideration.

- Special Events over 250 people will require a separate special event permit;
- Requirement for a Master Site Development Permit (MSDP) for each of the three (3) subject quarter sections, which should include the following information to the satisfaction of Council:
 - o Confirmation that the Land Trust has been circulated with the MSDP proposal;

- Community Engagement Summary;
- Description of the proposed development and phasing plan;
- Site plans with details of all development on the subject quarter section;
- Building elevations and placement;
- Access management strategy and site circulation;
- Servicing strategy;
- Six (6) new definitions.

PART B: Concurrent Application for Redesignation:

The second concurrent application proposes the redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M (150.79 acres), SW 25-22-03 W5M (149.16 acres), and NW 25-22-03 W5M (160 acres) from Agricultural District to the proposed new Direct Control District #XX.

Should both concurrent applications be approved and finalized, development of the subject parcels would not be allowed until such time as the appropriate development permits have been applied for, approved, and issued. As noted in the proposed DC District, a Master Site Development Permit (MSDP) would be required for each quarter in advance of considering any Development Permit application as complete.

Master Site Development Permit for SW 25-22-03 W5: Provided for information purposes only:

The applicants have submitted a Master Site Development Permit (MSDP) application for SW 25-22-03 W5M, which outlines a proposal for a commercial equestrian event venue being referred to as Stable22. This application also includes consideration for Phase 1 of the proposed development. This application has been deemed incomplete until such time the appropriate land use, being the proposed new DC district is in place.

Staff is providing a brief summary of what is proposed under this MSDP submission for information purposes only at this time. Should the applications for the proposed DC district and concurrent redesignation be approved and finalized, a fulsome staff report regarding the proposed MSDP will be drafted and provided to Council for review and consideration.

The MSDP application identifies the following:

The development is being referred to as Stable22 "...a first-class equine facility situated on land that is permanently preserved for agricultural purposes". Stable22 is proposed to be developed in phases as follows:

- **Pre-phase** development will include the construction of two (2) +/- 351 sq. m. hay sheds and an internal driveway; construction of these two (2) sheds is currently underway.

Note: The pre-phase development would be allowed on an Agricultural District parcel under the current Land Use Bylaw 60/2014, with no requirement for a development permit.

- **Phase 1 will include:**
 - Barns A & B having a total of 52 stalls;
 - Horse exercise wheel;
 - Jumping arena;
 - Training arena;
 - Outdoor grass and sand rings;
 - Workshop;
 - Equipment garage
 - Stable22 administration
 - Shavings shed;
 - 66 outdoor paddocks; and
 - 10 Clinics are anticipated.

Note: Phase 1 will also include the placement of a Temporary Mobile Home for Farm Help. A separate development permit application will be required to align with the Land Use Bylaw.

- **Phase 2 will include:**
 - Barn C with 26 stalls; and
 - 24 outdoor paddocks:
- **Phase 3 will include:**
 - The construction of a building within the *Excluded Area* for equestrian related businesses with permanent staff accommodations above.
 - Special Events: Equestrian events which include training clinics, horse competitions and auctions, and additional special events which may include celebrations of life, corporate functions, agri-tourism events, auctions, weddings etc.

Note: Special events will not be contemplated until Phase 3 to ensure the intersection can accommodate this traffic safely. The applicants are working with Alberta Transportation and Economic Corridors to ensure that the phasing and events are in accordance with intersection capacities.

The fulsome applications as submitted by the agent on behalf of the landowner have been included in Appendix B.

SITE CONSIDERATIONS:

Access and Transportation:

SE 26-22-03 W5M is currently accessed from an existing approach on Highway 22, located in the southwest corner of the parcel which is currently utilized for access to the existing yard site.

The applicants are proposing to utilize the existing approach at the intersection of Highway 22 and Highway 22X to provide access to the proposed Phase 1 development of Stable 22.

As requested by Alberta Transportation and Economic Corridors (ATEC), a Traffic Impact Assessment (TIA) was completed by Bunt and Associates on behalf of the landowner. The TIA was requested to review the traffic impacts of the current Phase 1 development of the Master Site Development Permit for Stable22 on SW 25-22-03 W5M (the site). The TIA states that any additional phases, or activities will require a revised and updated TIA and construction/installation of any recommended highway intersection improvements in the TIA prior to approval, at no cost to Alberta Transportation and Economic Corridors.

The TIA study area was limited to the intersection of Highway 22/Highway 22X, of which the site access would form the north leg and would need to be constructed by the developer of the site. Analysis was conducted for Opening Day as well as for a Longer Term (20 year) horizon in 2043. Some of the findings and recommendations can be summarized as follows:

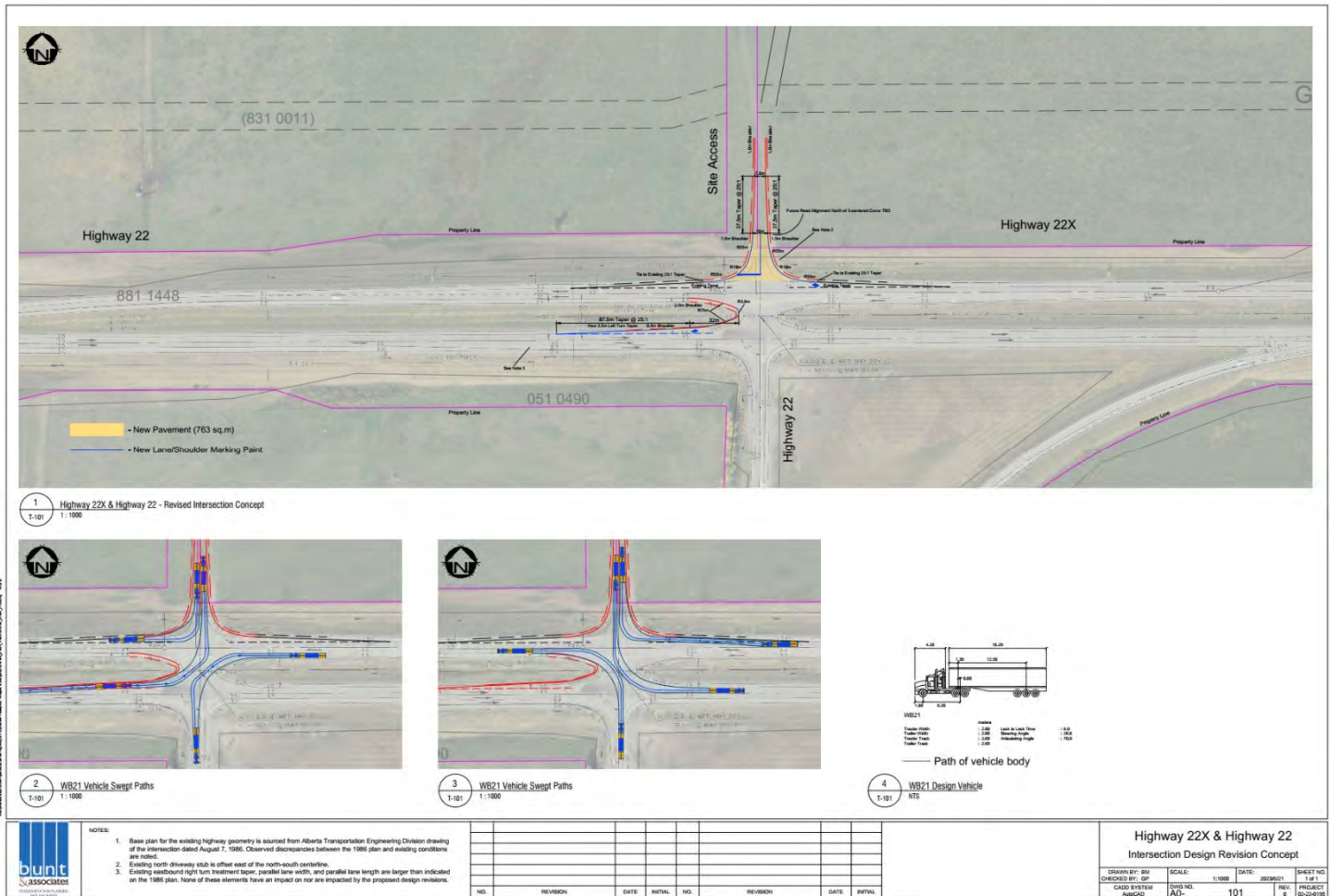
Intersection of Hwy 22 and Hwy 22X:

- Is currently constructed as a “Major T Intersection – Four Lane Highway” with the east/west legs operating as a 4-lane divided highway and the south leg operating as a 2-lane undivided highway;
- Meets minimum sight distance requirements. This will continue to be the case with the construction of the site access.
- Is expected to continue to operate within the acceptable capacity parameters with the inclusion of site traffic related to the Phase 1 development of the site.

Site Access:

- at present is a field access and would form the north leg of the intersection of Hwy 22 and Hwy 22X;
- Phase 1 development would require the site access to be constructed as a Minor roadway as per ATEC guidelines;

- Recommended design concept for the intersection can be found below and under Appendix D of the TIA, which is attached as Appendix B.1 of this report.



Alberta Transportation and Economic Corridors provided a response of no concern subject to several comments and conditions as noted in the Referral Circulation Section of this report, including but not limited to:

Submission of a highway roadside development application with detailed design engineered plans will be required for the proposed highway access and intersection improvements recommended in the Traffic Impact Assessment, to be constructed prior to Phase 1 opening day of the facility, at no cost to Alberta Transportation and Economic Corridors.

Transportation Details provided within the MSDP for SW 25 – For Information Purposes Only:

Phasing of the development is to align with the intersection requirements of Alberta Transportation and Economic Corridors (ATEC). Phase 1 of the development will include horse boarding/training and small-scale clinics with 10-15 additional vehicle trips being anticipated during these clinics. The timing of future phases will be dependent on the intersection monitoring and ATEC approvals and traffic assessment during larger events would be subject to ATEC review. At full build out it is anticipated that the facility will see approximately 100-120 vehicle trips per day and during events it is anticipated that the facility will generate approximately 150-200 vehicle trips per day.

Physiography and Site Improvements:

The lands within the subject parcels have rolling terrain throughout and are predominantly a mix of grass and hay lands.

SE 26-22-03 W5M is adjacent to Highway 22 and contains tree covered areas in the northwest corner, sloping down towards Fish Creek and the existing yard site in the southwest corner. A portion of the existing yard site (dwellings) is located within the defined Excluded Area for this parcel, in accordance with the Conservation Easement for Agriculture whereas the existing agricultural buildings are located within the Conserved Lands.

NW 25-22-03 W5M does not contain any existing development. The lands within this parcel have rolling to flat terrain with the highest point located along the south boundary and a low-lying area towards the west.

SW 25-22-03 W5M is adjacent to Highway 22X and has rolling to flat terrain with the highest point located towards the east side of the quarter. Two (2) +/- 351 sq. m. hay sheds are currently being constructed on this parcel, as noted within the Master Site Development Permit.

Note: the proposed development as described within the Master Site Development Permit application is for this parcel.

Servicing Considerations:

The subject parcels do not currently have access to piped water or wastewater servicing. Bottled water will be provided for human consumption and a licensed water well for livestock. Stormwater will be managed on site by a stormwater collection pond that will function as a site amenity and used for irrigation and fire protection and an on-site septic system will be installed for wastewater collection.

Note: A water supply letter prepared by Groundwater Resources Information Technologies Ltd. on behalf on the landowner, has been provided confirming that 2 water wells have been installed on SW 25-22-03 W5 to supply water to the proposed Stable22 equestrian facility. Both wells will have to be licensed through Alberta Environment and Protected Areas prior to use. This letter is included in Appendix B.2 of this staff report.

Area Character:

The 3 separately titled parcels have an approximate area of 459.95 acres and are subject to a Conservation Easement for Agriculture. The lands surrounding the subject parcels are a mixture of Agricultural District parcels to the north and south and Country Residential District parcels to the west and east.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>The following are recommended as conditions of Development Permit(s):</p> <ul style="list-style-type: none"> • Septic Disposal Evaluation (PSTS); • Stormwater Management Plan; • Comprehensive Site Drainage Plan; • Lot Grading Plan; and • Building Envelope. <p>Public Works provided the following additional comments:</p> <ul style="list-style-type: none"> • Alberta Transportation and Economic Corridors to comment on intersection and Traffic Impact Assessment. • The engineering can be staged, with updated engineering provided for each new phase. Alternatively, the entire site can

CIRCULATION REFERRALS	
	<p>be engineered once, with compliance letters/as-builts provided at the end of each phase.</p> <ul style="list-style-type: none"> • Water wells will need to be licensed as per the cover letter.
Long Range Planning	<p>Should this proposal be accepted as a “rural employment area” as suggested by the applicant, then under Policy 3.6.1.3 of the growth plan there would be a requirement that it be planned through an ASP. However, the applicants have not provided an ASP document as part of this application. A better option under the growth plan is to consider this as an “agriculture related business” under Policy 3.1.7.1. which indicates that Agriculture related business including Processors, Producers and other Agri-business and related accessory uses do not have any location criteria under the Growth Plan.</p>
EXTERNAL	
Alberta Transportation and Economic Corridors	<p>Alberta Transportation and Economic Corridors has no concerns with the proposed redesignation; however, this is subject to the following comments and conditions.</p> <ol style="list-style-type: none"> 1. Submission of a highway roadside development application with detailed design engineered plans will be required for the proposed highway access and intersection improvements recommended in the Traffic Impact Assessment, to be constructed prior to Phase 1 opening day of the facility, at no cost to Alberta Transportation and Economic Corridors. 2. Only Phase 1 development and related activities would be permitted at this time at the facility, subject to a highway roadside development permit issued by the department. Any additional phases, or activities will require a revised and updated Traffic Impact Assessment (TIA) and construction/installation of any recommended highway intersection improvements in the TIA prior to approval, at no cost to Alberta Transportation and Economic Corridors. 3. Since the highway improvements are required for proposed development, which is within Foothills County, the County should consider the developer post securities for highway improvements. 4. The department further notes willingness to work with the municipality on any requirements of Section 3.1 of the Off-Site Levy Regulations for "transportation infrastructure" should the municipality choose to adopt off-site levies for future transportation infrastructure improvements.
Alberta Farmland Trust	<p>Upon review of the information contained in the package, I believe that the landowner is respectful of their obligations under the Conservation Easement for Agriculture, meeting Alberta Farmland Trust's expectations. Alberta Farmland Trust has no objection to this application to redesignate these lands from Agriculture to Direct Control Land Use.</p>
Alberta Health Services	<p>Alberta Health Services, Environmental Public Health (AHS-EPH) has received the above-noted application. Our team has reviewed the application and understands that the purpose of the application is to redesignate approximately 460 acres of land located at SE 26-22-3</p>

CIRCULATION REFERRALS

W5M, SW 25-22-3 W5M, and NW 25-22-3 W5M to Direct Control District for the development of an equestrian venue with associated mixed uses. AHS-EPH has no objections to the proposed application but would like to provide comment on staff accommodations, and food as it relates to special events and retail.

AHS-EPH would like to note that the staff accommodations will need to meet the Alberta Public Health Act, Housing Regulation 173/99 and the Minimum Housing and Health Standards. These regulations set out requirements that owners must follow regarding the upkeep and condition of properties used for accommodation purposes. Please note that these regulations and standards are distinct and separate from building and construction codes.

General Premise Requirements

Owners must ensure that their accommodation is:

- structurally sound,
- waterproof / windproof / weatherproof,
- free of insect and rodent infestations, and
- free from physical hazards, debris, and refuse.

The facility must also maintain:

- exterior windows and doors that can be locked,
- clean common areas, and
- walls, windows, ceilings, and floors that are in good repair and easily cleanable.

Smoke Alarms

Operational smoke alarms must be installed in all rental dwellings between each sleeping area and the remainder of the suite.

Utilities

The owner must provide a continuous supply of electricity, hot and cold potable water, and heat unless there is a rental agreement showing that utilities are the responsibility of the tenant.

Kitchen

The kitchen area must include a sink, storage cupboards or cabinets, a counter or table, cooking equipment and a refrigerator.

Washroom

All rental suites must include a flush toilet, washbasin and bathtub or shower.

Bedrooms

Rooms used for sleeping must be provided with adequate ventilation in the form of a window or mechanical ventilation that meets the requirements of the Alberta Building Code. If rooms used for sleeping do not have adequate fire suppression (sprinklers) or a door providing direct access to the outside, they must have windows that provide an unobstructed opening of at least 0.35m² with no dimension less than 380 mm. If windows are supplied with security bars, the security bars must open from the inside and not require special tools or knowledge to open.

CIRCULATION REFERRALS	
	<p>As required by the Food Regulation (AR 31/2006) of the Alberta Public Health Act, (RSA 2000):</p> <ul style="list-style-type: none"> • The organizer of a special event must notify the regional health authority of a special event in the form and manner required by the regional health authority. A special event means an event open to and where food is made available to the general public that operates for not more than 15 days within a calendar year in any one health region. • A food handling permit is required if any food items are prepared or sold on site. • The applicant must ensure that the design plans and specifications for any future restaurant or food handling areas are submitted to Environmental Public Health, Alberta Health Services prior to construction.
PUBLIC	
Western Wheel	September 6, 2023, and September 13, 2023
Landowners (half mile)	<p>Notice of this hearing was direct mailed to landowners within one half mile of the three (3) subject parcels.</p> <p>One letter has been received to date and is included as Appendix G.</p>

POLICY EVALUATION:

Calgary Metropolitan Regional Board:

The Calgary Metropolitan Region Growth Plan, Servicing Plan, and Regional Evaluation Framework (REF) were approved by the Minister of Municipal Affairs and went into effect on August 15, 2022. These documents together are intended to provide a policy framework for managing growth and implementing a long-term vision for the Region. According to the REF, only statutory plans must be submitted to the Board for approval, however, as per section 2.1 of the REF all development in the Region must comply with the Growth Plan.

This proposal would be considered as an Employment Area Placetype. Under the growth plan, most Employment Areas are directed to “Preferred Growth Areas” (Urban Municipalities, Joint Planning Areas, or Hamlet Growth Areas) however there are provisions for specific types of employment areas that are not subject to those location criteria, these include: Rural Employment Areas; resource extraction and energy development; agriculture-related business including Processors, Producers, and other Agri-business and related accessory uses; and home-based businesses.

Rural Employment Areas are intended to provide for employment uses best suited to rural locations with large lots and a lower density of lots and require lower levels of servicing than would be found in a Preferred Growth Area. This placetype is not to be located in a Preferred Growth Area or within 2km of an Urban Municipality or a Joint Planning Area or within 2km of another Rural Employment Area. In addition, the Growth Plan requires that Rural Employment Areas are planned through an Area Structure Plan “that identifies how the development protects the function of regional transportation infrastructure and provides water, wastewater and/or Stormwater servicing”.

Further, Policy 3.1.7.1 of the Growth Plan identifies that there are no requirements for Agriculture-related businesses to be planned through a statutory plan and there are no restrictions regarding where they may be located.

Municipal Development Plan 2010 (MDP2010):

This proposal generally aligns with the policy direction within the Economy Section of the MDP2010, specifically with regard to supporting agricultural related businesses and commercial development provided careful consideration has been given to potential impact on adjacent lands, avoiding land use conflicts and maintaining the rural character.

Growth Management Strategy:

The subject parcel is located within the North West District. The vision for the North West District is supportive of minimal to moderate growth with careful consideration of the potential impacts on wildlife habitat and water shed areas.

Land Use Bylaw 60/2014:

The application proposes to amend the Land Use Bylaw 60/2014 by creating a new Direct Control District.

DIRECT CONTROL means a land use designation where Council exercise particular control over the use and development of land or buildings within an area of the County. Council acts as the Development Authority and limiting the right of appeal in accordance with Section 641(1) of the Municipal Government Act.

The purpose and intent of the new Direct Control District #XX is to allow for the Direct Control by the Council over development of the lands. Land use and development requirements are at the discretion of Council. There is no appeal on a development permit decision of Council with respect to a Direct Control District (Land Use Bylaw Section 8.1.9), however Council may require a Public Meeting prior to deciding on any development permit application within a Direct Control District.

SUMMARY:

The applications are requesting Council’s consideration for:

- A) Bylaw XX/2023 – Creation of a new Direct Control District.
- B) Bylaw XX/2023 – Application for the redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M, SW 25-22-03 W5M, and NW 25-22-03 W5M from Agricultural District to Direct Control District #XX to allow for an equestrian event venue on lands subject to a Conservation Easement for Agriculture.

OPTIONS FOR COUNCIL CONSIDERATION:

Council has two motions to consider for these concurrent applications; firstly, the creation of a new Direct Control District as proposed by the applicants, and secondly, the redesignation of the subject parcels from Agricultural District to the newly created Direct Control District.

PART A: CREATION OF NEW DIRECT CONTROL DISTRICT:

OPTION #1 – APPROVAL

Should Council feel that the proposed Direct Control District has merit, is consistent with the existing regional and municipal policy frameworks and no significant planning considerations have been brought forward through the public hearing that cannot be resolved through the planning process; Council may choose to grant 1st reading to the application for the creation of Direct Control District #XX

Recommended Conditions:

- 1. The proposed Direct Control District shall be revised to include all amendments as required by staff to the satisfaction of the Council.

OPTION #2 – POSTPONEMENT

Should Council feel that they require additional information prior to rendering a decision; Council may wish to postpone the application for the creation of a new Direct Control District.

OPTION #3 – REFUSAL

Should Council feel that the application does not have sufficient merit, is not consistent with the existing regional and municipal policy framework or significant planning considerations have been brought forward which Council does not feel can be resolved, Council may wish to refuse the application for the creation of a new Direct Control District.

PART B: REDESIGNATION:

OPTION #1 – APPROVAL

Should Council feel that the proposed redesignation has merit, is consistent with the existing regional and municipal policy frameworks and no significant planning considerations have been brought forward through the public hearing that cannot be resolved through the planning process; Council may choose to grant 1st reading to the application for the redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M; SW 25-22-03 W5M; and NW 25-22-03 W5M, from Agricultural District to Direct Control District #XX.

Recommended Conditions:

1. Prior to further consideration of this redesignation, 2nd and 3rd readings shall be obtained for Bylaw XX/2023 to allow for the creation of the proposed new Direct Control District #XX.
2. Final redesignation application fees to be submitted.

OPTION #2 – POSTPONE APPLICATION

Should Council feel that they require additional information prior to rendering a decision; Council may wish to postpone the redesignation application.

OPTION #3 REFUSAL

Should Council feel that the application does not have sufficient merit, is not consistent with the existing regional and municipal policy framework or if significant planning considerations have been brought forward which Council does not feel can be resolved, Council may wish to refuse the application for redesignation of three (3) separately titled parcels described as, SE 26-22-03 W5M; SW 25-22-03 W5M; and NW 25-22-03 W5M, from Agricultural District to Direct Control District #XX to allow for an equestrian event venue on lands subject to a Conservation Easement for Agriculture.

APPENDICES:

APPENDIX A: MAP SET

LOCATION MAP
LAND USE MAP
PARCEL SIZES
SITE PLAN
ORTHO PHOTO

APPENDIX B: FULL APPLICATION SUBMISSION, INCLUDING:

- B.1. TRAFFIC IMPACT ASSESSMENT**
- B.2. WATER SUPPLY LETTER**

APPENDIX C: PROPOSED DIRECT CONTROL DISTRICT – INITIAL VERSION

APPENDIX D: REVISED DIRECT CONTROL DISTRICT

- D.1 STAFF AND AGENT COMMENTS**
- D.2 ADDITIONAL STAFF COMMENTS**

APPENDIX E: CONSERVATION EASEMENT FOR AGRICULTURE

APPENDIX F: WHAT WE HEARD REPORT

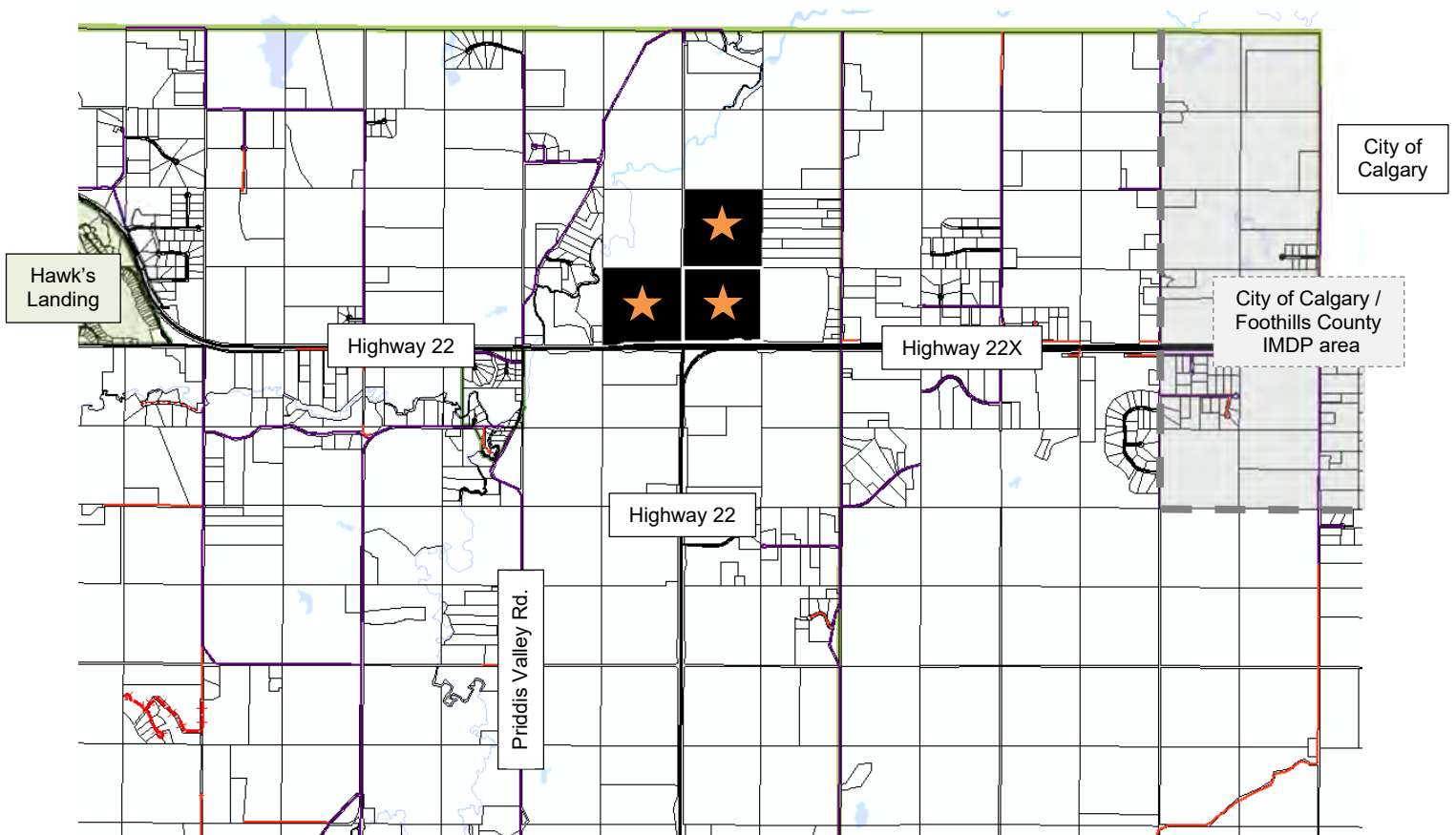
APPENDIX G: AREA LANDOWNER LETTER


APPENDIX H: PROPOSED BYLAWS

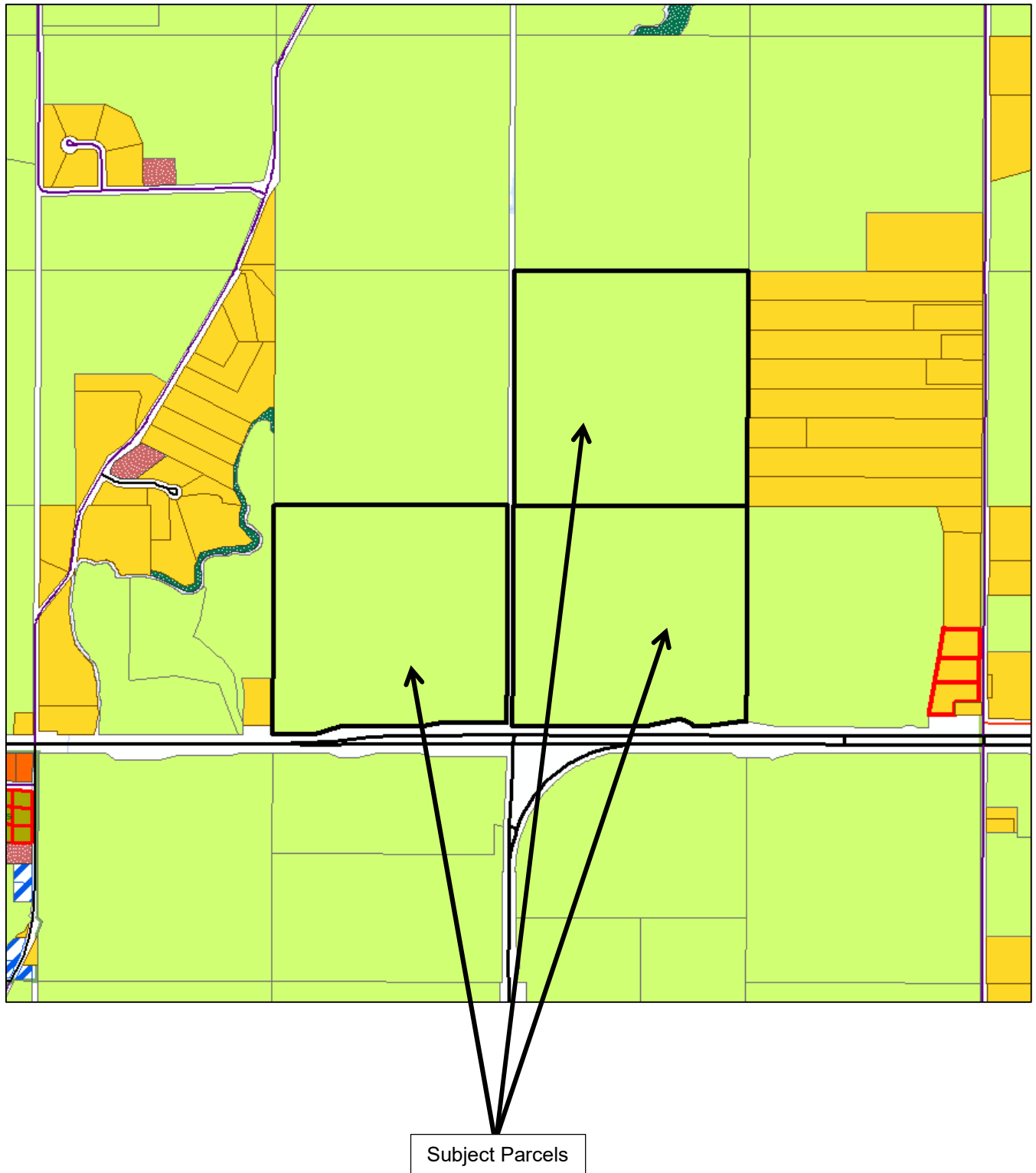
PART A: Creation of new Direct Control District; and

PART B: Redesignation from Agricultural District to Direct Control District #XX

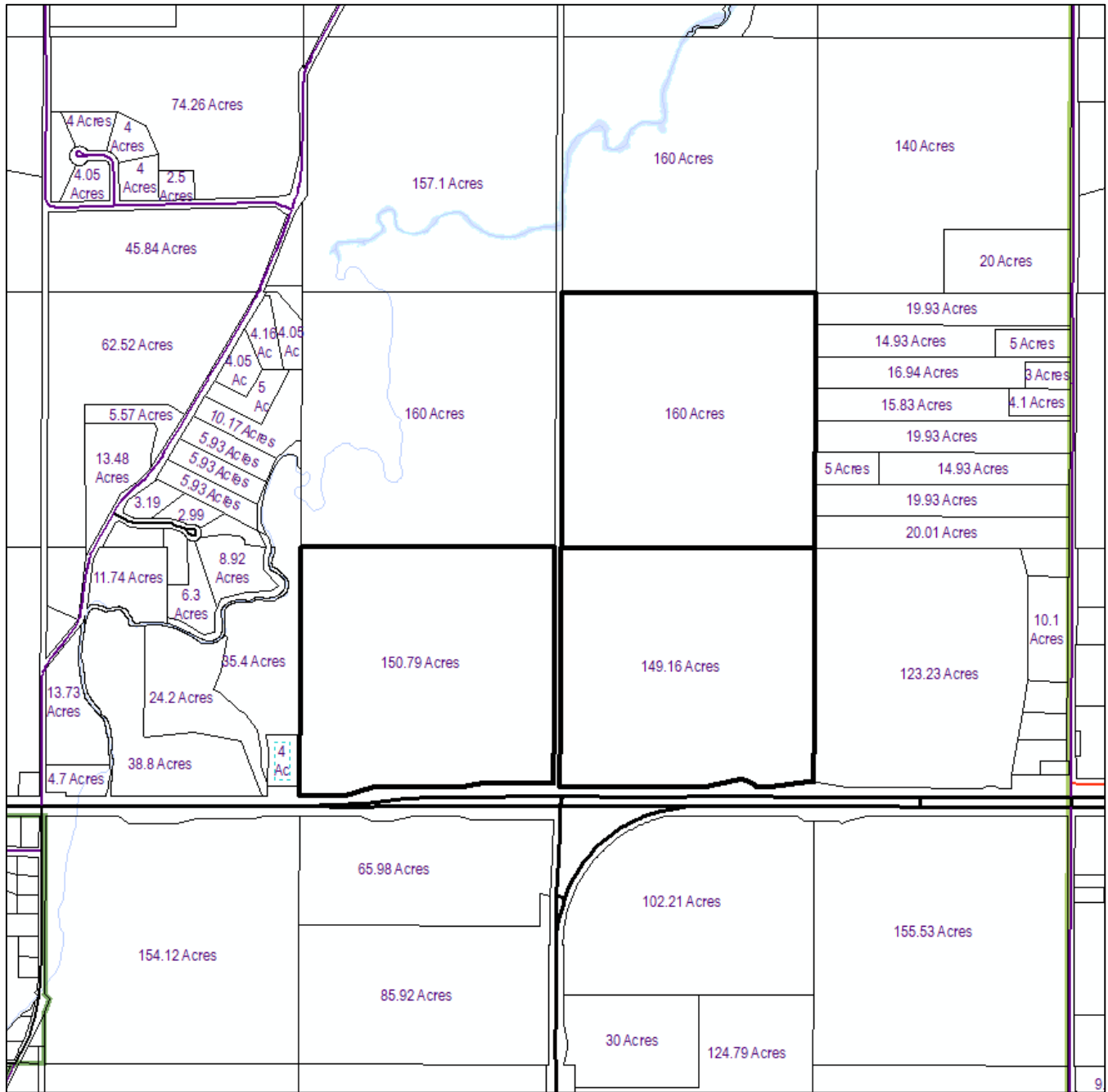
APPENDIX A: LOCATION MAP



 Subject Parcels




APPENDIX A: PARCEL SIZES



APPENDIX A: SITE PLAN



Subject Site 

- A Agricultural District
- CR Country Residential District
- DC Direct Control District

*Extent of DC site coverage will be determined in conjunction with County Administration

APPENDIX A: ORTHO PHOTO





Stable22

LAND USE REDESIGNATION & DEVELOPMENT PERMIT APPLICATION

Stable22

Land Use Redesignation & Development Permit Application

Prepared By

Township Planning + Design Inc.

Prepared For

Stan Carscallen and Eva Friesen
of White Moose Farms Limited

Project Team

Township Planning + Design Inc.

Project Contact Information

Kristi Beunder, RPP, MCIP, B.A., M.E.Des
Principal



321-259 Midpark Way SE | Phone: 403.880.8921
Calgary, Alberta T2X 1M2 | TWPplanning.com

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Pg. 2 Pg. 3	2.0 Site Context 2.1 Site Context & Location 2.2 Transportation and Access 2.3 Servicing 2.4 Phasing 2.5 Abandoned Wells 2.6 Agriculture Conservation Easement
Pg. 4	
Pg. 5	3.0 Application Overview 3.1 Land Use Redesignation Details 3.2 Development Permit Details
Pg. 6	3.3 Policy Alignment 3.4 Special Events
Pg. 10	4.0 Conclusion

Pg. 1	Figures Figure 1: Concept Design
Pg. 2	Figure 2: Site Context
Pg. 4	Figure 3: Easement Location
Pg. 5	Figure 4: Site Image

	Appendices Appendix A: Land Use Plan + Custom DC District (Pending Review) Appendix B: Detailed Site Plans Appendix C: Phasing Plan
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Executive Summary 1.0

1.1 Purpose

The purpose of the application is to redesignate the subject parcels from the existing Agricultural District to a custom Direct Control District (to be included in **Appendix B** upon review by Planning Administration)

We are applying for development permits for each phase of the project, in alignment with the phases presented in section 2.4 Phasing and Phasing Plan in **Appendix C**. The intent is to have a separate Development Permit that addresses each phase and allows the landowner to progress with their development in the manner outlined in this submission while providing the County with oversight of each development permit stage.

A custom Direct Control District is considered for this application in order to address the unique circumstances of this site under a Conservation Easement for Agriculture, and what may occur on this site both within and outside of the identified excluded areas.

It is important to note that parking depicted on the site plans included here are shown in a manner that meets bylaw requirements; however, it is excessive for this use and a relaxation is requested under the proposed DC Bylaw and Land Use Amendment.

1.2 Stable22

Stable22 is a first-class equine facility situated in the stunning Alberta Foothills on land that is permanently preserved for agricultural purposes. At full build-out Stable22 is proposed to feature a large jumping arena, a training arena, three barns with up to 78 stalls, and supports equestrian related businesses in addition to several ancillary uses including an office, workshop, equipment garage, hay shed, shavings shed, outdoor paddocks, as well as three accommodation units for staff and security.

The equestrian related businesses are proposed within a standalone building, and offers the potential of 4 to 5 commercial units (+/- 2000 ft² each) to provide opportunity for sale of tack and horse wear, horse feed, other equestrian related merchandise, or services.

The agricultural accessory uses, inclusive of the hay sheds, shavings shed, workshop, and equipment garage, are also standalone and can be situated on the conservation lands as appropriate agricultural uses and structures.

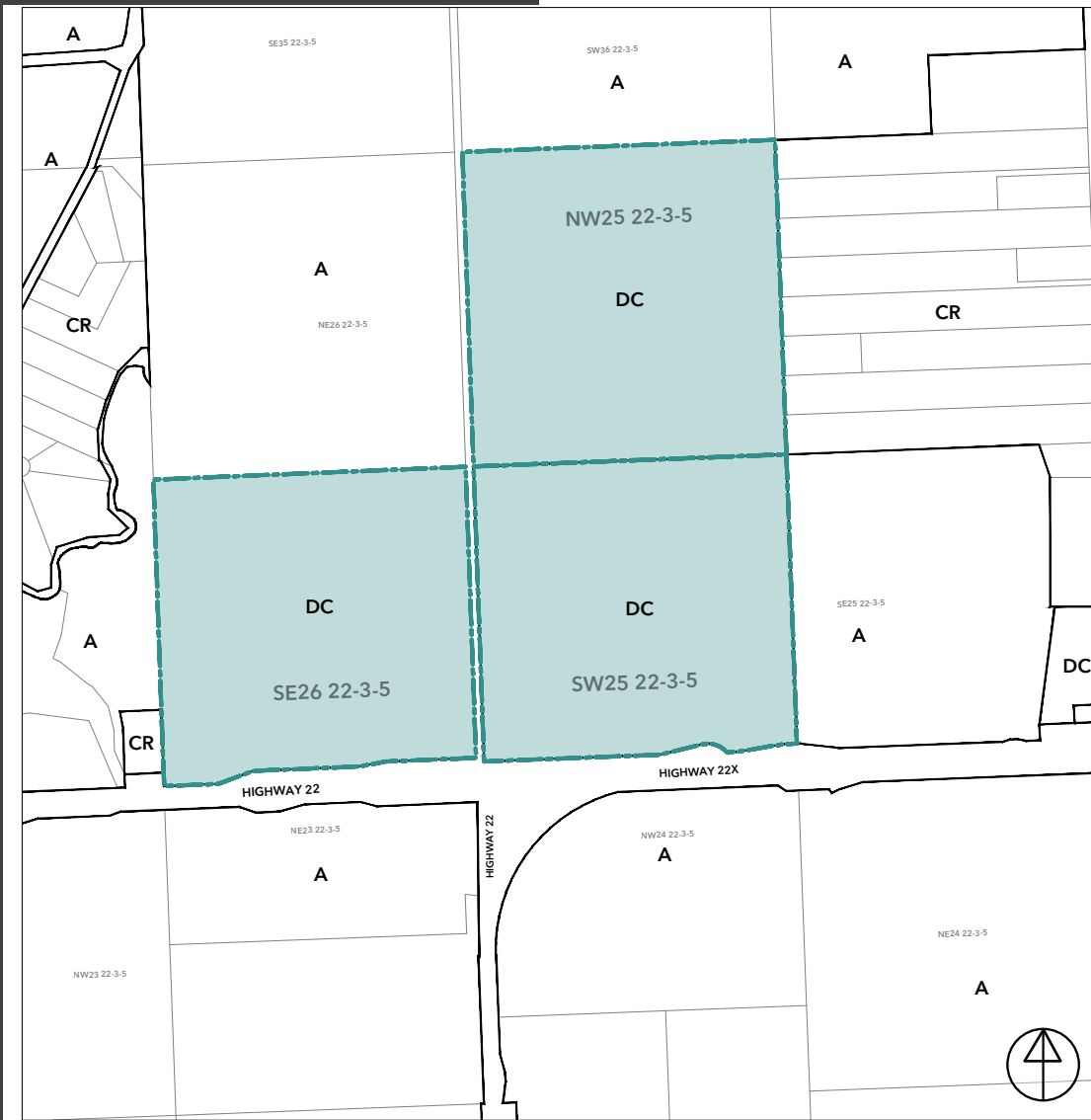
The design of Stable22 is characterized by a “modern farmhouse” aesthetic, intended to feel warm, cozy, and inviting with natural light permeating through the buildings. The outdoor gathering spaces are designed to be provide shade and some amenity to exhibitors and visitors. The site will also include trails for equestrian exercise and training.

2.1 Site Context & Location

Stable22 is comprised of three (3) quarter sections of land (approximately 459.95 acres) located within Foothills County approximately 12 km west of Calgary and 2 km east of the hamlet of Priddis, directly north of the junction of Highway 22X and Highway 22. The location of the subject site reflects an edge condition between established suburban development in the City of Calgary and rural development in Foothills County.

The subject site is currently within an Agricultural Land Use District (A) and is immediately surrounded by agriculture parcels with some fragmented

Site Context 2.0

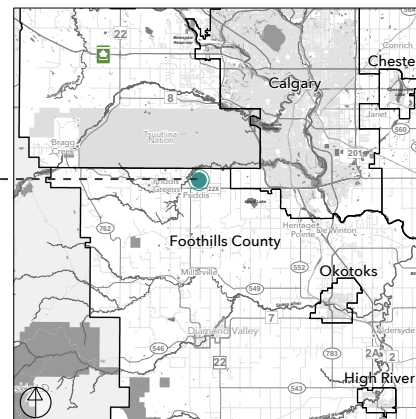


Subject Site - - - -

Figure 2 - Site Context

- A Agricultural District
- CR Country Residential District
- DC Direct Control District

Subject Site



Owner	Legal	Acre/Ha	Existing Uses/Zoning	Future Zoning
White Moose Farms Ltd.	SW-25-22-3W5	149.16/60.31	Agriculture	DC - Direct Control
White Moose Farms Ltd.	SE-26-22-3W5	150.79/60.97	Agriculture	DC - Direct Control
White Moose Farms Ltd.	NW-25-22-3W5	160.00/64.70	Agriculture	DC - Direct Control

2.2 Transportation and Access

Stable22 is accessed via Highway 22X. The sole access point into the property will be at the intersection of Highway 22 and Highway 22X by means of a driveway. The intersection design facilitates access to the subject site from both directions and is subject to review and approval by Alberta Transportation and Economic Corridors (ATEC)

At full build out, Stable22's day-to-day operations are expected to generate approximately 100-120 vehicle trips per day. During equestrian and other special events, traffic may increase to 150-200 trips per day. All parking will be accommodated on the subject site.

Phasing and staging of the project is aligned with the intersection requirements. Phase 1 includes 52 horse stalls, 8 to 12 of which will be utilized by the owners for their personal horses. The other available stalls will be open for boarders/trainers. The timing of future phases is largely dependent on intersection monitoring and utilization over time in conjunction with ATEC. No special events are contemplated in the initial phase. Clinics involving 10 to 15 additional vehicle trips to accommodate outside attendees will be permitted in Phase 1. Larger events would be subject to review by AETC and potential on site demand based traffic control such as duty pay officers and/or flag personnel.

Additional structures proposed in Phase 1 (indoor training arenas, hay shed, horse wheel, shavings shed) do not drive additional vehicle trips. Permits for Temporary mobile homes for farm help (renewable on a two-year basis) will be applied for to allow for staff accommodation in the interim. No horse shows or tournaments are proposed as part of Phase 1. A Traffic Impact Assessment has been prepared and submitted.

2.3 Servicing

Stable22 does not currently have access to a regional piped water or wastewater servicing and regional servicing is not contemplated as part of this application.

- Water will be provided via three sources: bottled water will be provided for human potable water needs, water for livestock will be sourced from a commercially drilled and licensed groundwater well. Irrigation water will be utilized from a surface water collection pond on the site.
- Horse manure will be managed in accordance with the Agricultural Operation Practices Act requirements and incorporated as compost material on the property. Human generated waste as well as gray water from wash bays will be disposed of in an on-site septic field.
- Stormwater will be managed on site utilizing a stormwater collection pond that will also function as a site amenity and provide fire protection.

2.4 Phasing

The Stable22 build-out will occur in at least three phases. Initially, the development will consist of the hay sheds to be built in 2023, which are agricultural accessory buildings and permitted under the current Land Use Bylaw. An internal driveway / road will also be developed in 2023. Phase 1 will include two components of the barn with 52 stalls total, the horse exercise wheel, one large indoor jumping arena, and one smaller indoor jumping arena, the outdoor grass and sand rings, the workshop and garage, the office, shavings shed, and 66 outdoor paddocks. Phase 2 will consist of the final component of the barn with 26-stalls, and 24 outdoor paddocks. Finally, Phase 3 will include the equestrian related businesses building. Separate Development Permits are required for each phase as outlined in this master site development plan.

The landowner will seek flexibility in relation to this phasing plan as construction proceeds to be able to adjust in response to economic factors, supply chain issues, user demand, and intersection capacity. The proposed phasing plan can be found in **Appendix C**.

2.5 Abandoned Wells

There are no abandoned wells identified in the area according to the Alberta Energy Regulator's records. The abandoned well map and declaration are included under separate cover as part of this application.

2.6 Conservation Easement for Agriculture

In September 2022, Foothills County Council acknowledged a Conservation Easement for Agriculture that was to be registered by the Alberta Farmland Trust on approximately 459.95 acres of land owned at the time by Ruth Olive Ann Renner. The Conservation Easement for Agriculture was registered on the title to these lands to permanently preserve the land for agriculture uses (*including equestrian uses and facilities with the exception of an "Excluded Area" within the Conservation Easement that accommodates the proposed equestrian related business activity*). All equestrian related business and service activity will be restricted to the Excluded Area. Because the entire 459.95 acre property has been conserved for agriculture it can never be subdivided. See **Figure 3** for a map depicting the location of the Conservation Easement for Agriculture and excluded area lands. It is important to note, the Excluded Area in NW25 will be determined in future.



Figure 3 - Excluded Areas Location

Application Overview 3.0

This document is intended to supplement the formal Land Use Redesignation and Development Permit application requirements.

3.1 Land Use Redesignation Details

A draft Direct Control District is enclosed with the land use redesignation application. It can be found in **Appendix B**. As the Stable22 lands are subject to a unique Conservation Easement for Agriculture, the intent of the Direct Control District is to allow for the equestrian facility to develop and operate in a manner that aligns with the rules outlined in the Conservation Easement for Agriculture. Specifically, while the Conservation Easement for Agriculture includes excluded areas that may support non-agricultural uses, lands under the Conservation Easement for Agriculture are subject to the usual rules applying to Agricultural parcels in Foothills County. As such, the Direct Control District enables both the agricultural-related uses and a wider range of non-agricultural uses within the excluded areas.

3.2 Special Events

Although the event programming at Stable22 may evolve over time, at full build out it is anticipated that there will be approximately 12 equestrian events per year such as training clinics, horse competitions, and auctions and no more than 20 special events (i.e. celebrations of life, corporate functions, agri-tourism events, auctions, weddings, etc.) per year. Specific details on special events are outlined in Section 3.3 Development Permit Details.

Special Events are not contemplated until the final phase of development. This is to ensure that the intersection at Highway 22/22x is monitored appropriately and that additional traffic from these events can be accommodated safely. The applicant has worked very closely with ATEC to ensure that the staging and phasing of the project, and the events and offerings, are done in accordance with, and in alignment with, intersection capacities.

Given the scope and scale of the project at full build out, the proposed Direct Control zoning crafted for this site (which is under review) allows for up to 250 persons to attend an event at the facility without the facility operator requiring a separate Special Events permit. Should events exceed 250 persons, a Special Events permit may be required to the satisfaction of Foothills County Council.



Figure 4 - Site Image

3.3 Development Permit Details

	Application Details
Site Plan	Two (2) site plans are included as appendices: 1) a land use/layout site plan and 2): a detailed site plan to support the DP applications.
Location	Stable22 is comprised of three (3) quarter sections of land (approximately 459.95 acres) located within Foothills County approximately 12 km west of Calgary and 2 km east of the Priddis, directly north of the junction of Highway 22X and Highway 22.
Roadside Development Permit	An application for a Roadside Development Permit has been submitted to Alberta Transportation as required.
Abandoned Well Statement	There are no abandoned wells identified in the area. The abandoned well map and declaration have been submitted under separate cover.
Business Operations	<p>Equestrian: Boarding, training, clinics, shows, auctions</p> <p>Equestrian Related-Business and Services: Shops that service equestrian and animal and agriculture related services will be housed on site. These may include tack and equestrian clothing, equine feed and supplements, equine gifts, pet store and grooming, massage/maintenance for rider/athletes and other services to support riders.</p> <p>Office: Office space will include Stable22 administrative offices, equine reception services, and may include any related agriculture, equine, and animal services office.</p> <p>Ancillary: hay shed, shavings shed, workshop and equipment garage.</p> <p>Residential Dwellings: Three accommodation units for staff and security incorporated.</p> <p>Agriculture: any part of the property that is not being used for the equestrian facility and associated operations, will be used for the production of hay.</p>
Storage of Business Materials	<p>Materials for storage includes: equipment required for general maintenance such as a tractor for harrowing the rings and moving hay, self propelled lawnmower, a bin truck for hauling manure and shavings etc. as well as an ATV for staff use. This equipment will be stored in the equipment garage. Haying equipment will be brought in during haying season from White Moose Ranch and will not be kept on site.</p> <p>No hazardous, noxious, or flammable materials are expected to be stored on site. Diesel fuel and gasoline are expected to be kept at the farmstead in the SE26.</p> <p>Please see Appendix B Detailed Site Plans for details regarding the location of the equipment garage.</p>
Dates & Hours of Operation	<p>Barn Hours: 7:00am-10:00pm 365 days per year</p> <p>Equine Related Businesses: 9:00am-6:00pm 7 days per week, 365 days per year (Phase 3; anticipated to be closed on statutory holidays).</p> <p>Office: 9:00am - 5:00pm 5 days per week, 260 days per year.</p> <p>Hours of operation are anticipated and subject to change. These hours may vary based on stat holidays.</p>

<p>Buildings</p>	<p>The following new buildings are proposed and will support nine separate uses as outlined below, the square footages have been averaged up to avoid any conflict with as built structures and plans at the Building Permit stage:</p> <p>Main Building- Phase 1 (+/- 10,904 sqm)</p> <ul style="list-style-type: none"> • Jumping Arena - +/- 3,420 sqm (<i>Phase 1</i>) • Training Arena - +/- 1,250 sqm (<i>Phase 1</i>) • Barns & Barn Lanes- +/- 3,770 sqm (<i>Phase 1- Barn A & B. Phase 3- Barn C</i>) • Horse Exercise Wheel - +/- 1,940 sqm (<i>Phase 1</i>) • Office Main Level - +/- 312 sqm (<i>Phase 1</i>) • Office Upper Level - +/- 212 sqm (<i>Phase 1</i>) <p>Standalone Auxiliary & Agriculture Accessory Buildings (+/- 1,769 sqm)</p> <ul style="list-style-type: none"> • Equipment Garage - +/- 540 sqm (<i>Phase 1</i>) • Workshop - +/- 215 sqm (<i>Phase 1</i>) • Shavings Shed - +/- 312 sqm (<i>Phase 1</i>) • Hay Shed (2) - +/- 351 sqm (each) (<i>Pre-Approval Phase</i>) • Temporary Mobile Home for Farm Help - +/- 140 sqm <p>Standalone Business & Staff Dwelling Building- Phase 3 (+/- 1,181 sqm)</p> <ul style="list-style-type: none"> • Equine Related Businesses - +/- 810 sqm • Permanent Staff Accommodations - +/- 371 sqm <p>Daytime Turnout Paddocks (+/- 1000 sqm)</p> <ul style="list-style-type: none"> • 88 Mare/Gelding Shelters - +/- 968 sqm (11 sqm each) • 2 Stallion Shelters - +/- 32 sqm (16 sqm each) <p><i>(By phase as required for livestock)</i></p> <p>All buildings and uses are reflected as permitted or discretionary in the proposed Direct Control land use district. All buildings/structures total to 14,854 sqm.</p>
<p>Employees</p>	<p>The number of employees required for Stable22 operations will increase by phase. While Phase 1 will require 4 full time employees, at full-build out, Stable22 will employ up to 10 full-time staff members. The equestrian related commercial businesses and services will employ up to 16 staff members. Renewable temporary permits for farm help will be sought in Phase 1, more permanent staff accommodation will not be considered until Phase 3.</p>
<p>Parking Provisions</p>	<p>358 parking spaces are provided for facility users and employees. The parking plan is included on the site plan in Appendix B. The application reflects bylaw required parking, however, relaxations to this number will be requested as part of the DC Bylaw and is at Council's discretion.</p>

Access	Stable22 will be accessed via Highway 22X. The sole access point into the property will be at the intersection of Highway 22 and Highway 22X by means of a secure gate to a driveway. The intersection design is subject to review and approval by Alberta Transportation and Economic Corridors (ATEC).
Signage	Stable22 will feature a comprehensive way-finding signage program and entryway signage. Any signs that require a Development Permit will be applied for through a separate application, and we will work with ATEC and the County as required.
Flood Hazard	No identified flood risks are associated with this site.
Vehicles on site	<p>Business Vehicles on Site: There will be tractors for harrowing rings and moving hay as well as an ATV for staff movement. All equipment associated with hay production will not be stored on site.</p> <p>Visitor Vehicles on Site: The number of daily visitors anticipated at Stable22 will increase by Phase. Phase 1 includes 52 horse stalls, 8 to 12 are to accommodate owned horses. As such, 40 to 44 horses will be boarded and typically this results in 35 vehicle trips per day by owners, trainers, ferriers, and veterinarians. Phase one allows for up to 10 clinics per year with an additional 10 outside users maximum which would increase traffic for those days only by allowable outside visitors for the clinics. In Phase 2, a third barn with 26 stalls is added, increasing vehicle trips proportionately. Major traffic drivers such as special events, and equestrian related businesses are not considered until Phase 3 and will not proceed unless ATEC is satisfied that the intersection can accommodate the added vehicle trips. Please refer to the TIA for more specific traffic modeling and details on vehicle trips.</p> <p>Anticipated Vehicles during Equestrian Events: Clinics - 10 horse trailers and 10 personal vehicles per event (<i>Phase 1</i>) Young Horse Shows - 15 horse trailers and 50 personal vehicles per event (<i>Phase 3</i>) Young Horse Auctions - 20 horse trailers and 60 personal vehicles per event (<i>Phase 3</i>) Horse Shows (full build-out) - 75 horse trailers, 150 personal vehicles per event (<i>Phase 3</i>)</p>
Business Visits & Deliveries	<p>Employee trips (barn): estimated 5 per day (and may increase by phase), passenger vehicle which may include truck, car, or van. Deliveries to barn: 1 per week (average), truck Horse arrivals/departures: average 2 per day and may involve vet visits, horse trials, horse shows, horse sales and purchases, some days 15 horses may move and other days there may be none. Garbage truck: one per week Deliveries to equestrian related businesses (Phase 2A): 2 per week, trucks Vet truck/ car: 2 per week Farrier truck: 2 per week Horse wellness services: 2 per week, car/truck Employee trips for equestrian related commercial: 8 per day, car/truck Deliveries to equestrian related businesses: 1 per week, truck (<i>Phase 3</i>) <i>Unless otherwise noted, visits and deliveries are consistent across all phases.</i></p>

<p>Utilities & Servicing</p>	<p>Water: water will be provided via three sources: bottled water will be provided for human potable water needs, water for livestock will be sourced from a commercially drilled and licensed groundwater well on the site. Irrigation water will be utilized from a pond on the site.</p> <p>Wastewater: Human-generated waste and gray water from wash racks will be disposed in an on-site septic field.</p> <p>Stormwater: Stormwater will be managed on site utilizing one stormwater collection pond. The storm pond will also provide fire protection.</p> <p>Garbage: a garbage enclosure is located near the office building. A loading zone will facilitate weekly garbage pickup.</p> <p>Walkways: the subject site is connected via walkways and equine-safe pathways. While walkways are located around the major buildings and near the main building accesses, all other pedestrian connections are facilitated using loose gravel/sand to accommodate horses.</p> <p>Electricity: Standard connection to existing grid and supplemented by solar power.</p>
<p>Engagement</p>	<p>Community engagement commenced prior to application submission. A community open house was held on February 16, 2023 and was advertised for two weeks prior in the Okotoks Western Wheel (February 1, 2023 and February 8, 2023). A What We Heard Report will be prepared and submitted to the County prior to the Public Hearing (date to be determined).</p>
<p>Landscaping, Screening & Grading</p>	<p>Landscaping: Please see Appendix B: Detailed Site Plans for a landscaping plan. Natural landscaping is proposed throughout the site and is integrated into the overall look and feel of Stable22. Landscaping not only serves to enhance the design of the facility, it also demarcates parking areas, drive aisles, and the multi-use trail area and screens loading areas and less inviting areas of the facility.</p> <p>Irrigation: water for irrigation will be drawn from the stormwater ponds on the site provided provincial approvals are achieved.</p> <p>Grading: while some grading will be required to facilitate development of the facility itself, the surrounding landscape, including the significant slopes adjacent to the facility, will remain.</p> <p>Fencing: there is a four wire fence around the entire SW25 quarter. No additional fencing beyond what is required for horses will be utilized.</p>
<p>Nuisances</p>	<p>Manure management: Manure will be managed and retained on the property in accordance with the Agricultural Operations and Practices Act.</p> <p>Noise: Noise is not expected to impact any neighbouring properties as the stable facility will be located in the middle of the property with a minimum of a quarter mile buffer between the stable and the nearest neighbouring home. Under both the land use bylaw and the community standards bylaw, no noise can escape the limitations of the property boundary. Other nuisances related to dust and odours are not anticipated to impact neighbouring properties given the significant buffer between the proposed equestrian facility and other properties.</p>
<p>Dark Skies Compliance</p>	<p>Stable22 will follow Dark Sky Bylaw requirements to ensure the facility integrates sensitively into the rural context and its proximity to the Rothney Observatory.</p>
<p>Business License</p>	<p>Stable22 will obtain a Business License once a Development Permit has been issued.</p>

Special Events Threshold	250 people maximum. This number is subject to change based on final build-out of all buildings and fire rating capacity.
Special Events	Auctions, corporate gatherings, farm to table events, agri-businesses, economic development initiatives, celebrations of life, and other celebrations such as weddings. These events are expected to commence after Phase 2.
Annual Events	<p>Clinics: clinic events are typically taught by a guest to the stable, who is an expert in a particular area of horsemanship. Clinics are typically taught by someone at a higher level of expertise and contains content one would not normally have access to in a normal riding lesson. Six (6) clinics at Stable22 are anticipated to be hosted each year for a duration of two days.</p> <p>Young Horse Shows: young horse shows provide an opportunity for riders and owners to exhibit their horses for judged competition. Four (4), two day shows are anticipated at Stable22 each year.</p> <p>Young Horse Auctions: Horse auctions are an event at which horses are exhibited for sale. Two (2), two day auctions are anticipated at Stable22 each year.</p> <p>Horse Shows: At full build out Stable22 may host larger horse show events dependent on gaps in service that may appear as other local venues shut down. Anticipated 250 horses per show +/- 6-10 tournament opportunities in future.</p> <p>Clinics will be the only annual events hosted during Phase 1. Shows and auctions are anticipated to commence after Phase 2.</p>

3.3 Policy Alignment

South Saskatchewan Regional Plan

The South Saskatchewan Regional Plan (SSRP) is the highest-level policy in the South Saskatchewan region; as such, all plans in the region must align with its directives.

The SSRP provides the long-term vision and sets the desired economic, environmental and social outcomes for the region and guides all municipalities within its plan area. In addition to promoting efficient use of land, avoiding fragmented development, and encouraging environmental stewardship, the SSRP also highlights economic diversification as a key focus. In particular, the SSRP highlights the importance of recreation infrastructure and tourism investment in rural areas and encourages the promotion of the region's unique cultural and natural heritage.

The proposed equine facility, Stable22, is in alignment with the goals and objectives highlighted in the SSRP. Specifically, Stable22 celebrates the agricultural heritage in the area and provides a sizable investment in agricultural tourism, building on the strong equestrian businesses in the area within Foothills County. Furthermore, Stable22 is committed to conducting its operations in a responsible and sustainable way to limit environmental impact.

CMRB Growth Plan

The Calgary Metropolitan Region Board is a governing body comprised of eight municipalities from the Calgary Metropolitan Region including Calgary, Foothills County, Rocky View County, Airdrie, Chestermere, High River, Okotoks, and Cochrane. The Growth Plan provides principals, guidance, and policy for long term planning of the Calgary Region. The Growth Plan emphasizes the desired growth blueprint, economic wellbeing, environmental sustainability, resource optimization, rural and urban lifestyle, and inclusiveness as key principles of the vision for the CMRB.

The proposed Stable22 is currently identified in the Growth Plan as agriculture and can best be characterized as a "rural employment area" placetype. The Growth Plan defines this as an area that "provides opportunities for smaller, lower service employment

outside of Preferred Growth Areas in locations that are well connected to regional transportation infrastructure" (Section 3.1.6). The Growth Plan also highlights the importance of identifying opportunities for agricultural-related tourism. Given that Stable22 is a contextually appropriate agricultural tourism facility and is not located within a Preferred Growth Area or a Joint Planning Area, the proposal is consistent with the goals identified in the CMRB Growth Plan.

Municipal Development Plan

The Foothills County Municipal Development is a high-level planning document that establishes the overall vision for future growth and development in Foothills County. The MDP provides the following vision for the County:

"The MD of Foothills encompasses a diverse rural landscape in which leadership and planning support a strong agricultural heritage, vibrant communities, a balanced economy and the stewardship of natural capital for future generations" (p. 4).

The MDP outlines the importance of supporting opportunities for recreation and education facilities for all Foothills County residents. Especially opportunities that promote healthy lifestyles while also protecting the rural integrity of the area. The MDP goes on to provide policy direction for recreational development and subsequent operation including:

- Minimizing land use conflicts,
- Maintaining privacy for existing neighbours where reasonable,
- Minimizing disturbance or removal of topsoil and vegetation where possible,
- Ensuring that development has acceptable legal and physical access, and
- Working to ensure natural features of the site are retained to retain rural landscape.

Stable22 will embody a celebration of agricultural heritage, provide a recreational facility for the community, and serve to diversity the local tax base, it has also been designed to enhance natural features and minimize impact to landscape where possible, and to integrate into the surrounding landscape and preservation of the agricultural context.

Growth Management Strategy

The Foothills County Growth Management Strategy (GMS) builds on the direction provided in the MDP by identifying opportunities for growth and development and allocating it to areas “where it can be supported by a formal planning framework” (p. 1). The strategy divides the County into five districts. The subject lands are located within the North West District, located just west of Calgary City limits.

The GMS states that moderate growth and development is appropriate in the North West District, in particular in areas “where fragmentation and development has already occurred.” The GMS goes on to note that development in the North West district should carefully consider impacts on wildlife, watersheds, air quality, and costs for soft services including fire protection. Given the largely fragmented nature of the area in proximity to Stable22, the application aligns with the GMS as it reflects growth in an area where development has already occurred, and as previously discussed, seeks to minimize negative impacts on the surrounding area and environment.

Foothills County Land Use Bylaw

To facilitate the development of Stable22 in a manner that reflects the unique nature of this site, this application proposes a custom Direct Control Land Use District for Council to consider.

Conclusion 4.0

Stable22 is proposed as a premier equine destination in Foothills County that sensitively integrates with the rural character and history of the area. Stable22 will provide a variety of amenities and services centered around equine business and sport. The proposed land use redesignation would see all three subject quarter sections redesignated from Agriculture to a custom DC District to support the unique operations

of Stable22 while aligning with Foothills County's direction for growth and development. In addition, the subject site includes a significant Conservation Easement for Agriculture (approximately 459.95 acres) to preserve and protect the land and further celebrate the agricultural heritage of Foothills County while creating a first-class regional amenity.

Stable22

Appendix A

Land Use Plan + Custom Direct Control District



Subject Site - - -

- A Agricultural District
- CR Country Residential District
- DC Direct Control District

*Extent of DC site coverage will be determined in conjunction with County Administration

18.37.1 PURPOSE AND INTENT

To allow for development on lands, which are subject to a Conservation Easement for Agriculture that includes, in each quarter section, a specifically identified Excluded Area that may support non-agricultural activities.

Lands under the Conservation Easement for Agriculture are subject to the uses as outlined in the registered document which varies from the standard land use bylaw Agricultural District land by precluding subdivision and various land uses.

This District also accommodates, within the Excluded Areas only, a range of business, support and service uses.

This District may be appropriate for venues capable of accommodating events that vary significantly in size. Special events over 250 persons will require separate and individual special event permitting. It is intended that Council will control this through the development permit process.

The equestrian event venue is stand alone and does not include accessory to the primary use, for example, a dwelling unit, but will include staff accommodation.

Development Permit applications within this District shall be in alignment with an approved Master Site Development Permit to the satisfaction of Foothills County for each quarter section, listed below, are to be completed in accordance with Section 18.37.6.x of this District at the appropriate time.

This District also allows for the Direct Control by Council over development on the following three quarter sections (the lands):

- SE 26-22-3 W5M (10-acre excluded area)
- SW 25-22-3 W5M (15-acre excluded area)
- NW 25-22-3 W5M (5-acre excluded area to be determined)

These lands, including identification of the excluded areas, are shown on Map A attached hereto.

18.37.2 PERMITTED USES

- Accessory Buildings not requiring a development permit
- Accessory Uses to the Dwelling
- Arena, Commercial
- Agricultural, General
- Administrative Office Accessory to an approved use
- Dwelling, Detached Single Family

- * No more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size
- * No more than 2 such dwellings are permitted on a single lot 32.4 ha (80 ac) or greater in size.

Dwelling, manufactured home under 6.10m (20 ft.) in length or width
* permitted use only on lots 32.4 ha (80 acres) or greater in size.
Dwelling, relocated or moved on
* permitted use only on lots 32.4 ha (80 acres) or greater in size.
Geothermal Equipment, personal or accessory to an approved use
Home Office
Public Works
Signs not requiring a development permit
Solar Power Equipment, personal or accessory to an approved use
Temporary Storage of up to 5 unoccupied recreational vehicles
Temporary Storage of up to 25 Horse Trailers
Utility services, minor

18.37.3 DISCRETIONARY USES

Accessory Use (may be stand alone, attached or accessory to the arena)
Auctioneering Services, Livestock
Agricultural, Intensive
Antenna structures, private
Assembly Use
Boarding Services
Campground accessory to the Event Venue Use
Dwelling, manufactured home (mobile home) - one only
* Discretionary use only on lots less than 80 acres in size
Dwelling, Moved On
* Discretionary use only on lots less than 80 acres in size
Dwelling, Temporary (staff accommodations)
Education Centre
Educational Services Private / Charter
Event
Event, Private
Food Service accessory to the Event Venue use
Food Truck
Greenhouse, private
Intensive Livestock Operation
Intensive Vegetation Operation
Lot Grading
Manmade water features requiring a development permit
Mixed Use Development
Personal Services accessory to the Equestrian Use
Public/Quasi Public Installations and Facilities
Rearing of Livestock
Retail
Retail Store
Retail Kiosk accessory to an approved use
Restaurant
Special Events (larger than 250 people)
Signs requiring a Development Permit
Utility Building
Utility Services, Minor

Wind Energy Conversion System, personal or accessory to an approved use

18.37.4 LAND USE REQUIREMENTS

Standards of the development shall be at the discretion of Council. No subdivision is permitted under the Conservation Easement for Agriculture.

18.37.5 DEVELOPMENT REQUIREMENTS

Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.);

Or as determined by Council.

- b. Accessory Buildings
 - i. 10.67m (35 ft.);

Or as determined by Council.

- c. Radio antennas, internet towers and wind energy conversion systems
 - i. 16m (52.49 ft.);

Or as determined by Council.

Maximum Lot Coverage

- d. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than forty (40) percent of the total development area.

Minimum Yard Setback Requirements:

- e. Front Yard Setback:
 - i. 15m (49.21 ft.) from the right of way of an Internal Subdivision Road;
 - ii. 48m (157.48ft.) from the centre line of a Municipal Road;
 - iii. 64m (209.97 ft.) from the ultimate right of way or 70 meters from the centreline of a Primary Highway, whichever is greater;
 - iv. 40m (131.23 ft.) from a Primary Highway;
 - v. Or as determined by Council.
- f. Side Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- g. Rear Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- h. 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.

i. Corner Parcel Restrictions:

In accordance with Sections 9.27.9 - 9.27.12.

j. Specific setbacks for **Excluded Areas** only:

- i. Zero setbacks within the boundary delineated as excluded area, both within the identified excluded area and as they may relate to adjacent quarter lines, there shall be no setbacks applicable as lands outside the excluded areas are within a Conservation Easement for Agriculture.
- ii. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for road acquisition 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.

Other Minimum Setback Requirements:

- k. See Section 9.27 “Special Setback Requirements” of Land use bylaw for additional setback requirements that may apply;
- l. The Approving Authority may require a greater building setback for any use which, in the opinion of the Approving Authority, may interfere with the amenity of adjacent uses.

Minimum habitable area per Dwelling:

- m. 100 m² (1,077 sq. ft.), this may be smaller if the dwelling is temporary in nature and permitted and applied for as such.

18.37.6 SPECIAL PROVISIONS

Landscaping and Screening:

- a. landscaping shall be completed in accordance with the Municipal Screening Standards;
- b. levels and methods of screening of the site shall be completed in accordance with the Municipal Screening Standards.

Nuisance:

- c. no offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot;

Manure Management

- d. Manure Management shall be undertaken in accordance with the Agricultural Operation and Practices Act.

Special Events:

- e. Special Events over 250 persons require a separate Special Events Permit.

The Development Authority, may, as a condition of issuing a Development Permit impose any condition that addresses a relevant planning and development matter, including but not limited to:

- f. Location and maximum size of facilities to be constructed;
- g. Development setbacks;
- h. Hours of operation;
- i. Number of guest rooms;
- j. Maximum number of days of stay.
- k. Number of employees;
- l. Number of vehicle visits per day;
- m. Number of Animal Units permitted on the property;
- n. Number, duration and size of public or special events permitted;
- o. Noise;
- p. Buffering;
- q. Lighting;
- r. Outdoor storage;
- s. Parking requirements; as directed by Council (seeking relaxation)
- t. Screening of facilities.
- u. Requirements for evacuation and emergency response plans

Any other conditions that Council deems necessary.

Lighting:

- v. all lighting must be in accordance Section 9.15 of this Land use bylaw

Lot Drainage:

- w. lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

Master Site Development Permit(s)

- x. An approved Master Site Development Permit (MSDP) may be required for each of the 3 quarter sections in advance of considering a Development Permit application as complete. As part of the MSDP, the following information may be required to the satisfaction of Council:
 - i. Confirmation that the Land Trust has been circulated with the MSDP proposal;
 - ii. Community Engagement Summary;
 - iii. Description of the proposed development and phasing plan;
 - iv. Site plans with details of all development on the subject quarter section;
 - v. Building elevations and placement;
 - vi. Access management strategy;
 - vii. Servicing strategy;

18.37.7 PROCEDURE

Notwithstanding the procedure established for development permit applications in Section 4, an application for development permit in respect of lands referred to in Section ## may be referred by the Development Officer to the Council for its approval or refusal.

Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council or their delegate shall decide on all applications for development permits with respect to lands referred to in Section ##. The Council or their delegate may approve a development permit application with or without conditions, or may refuse an application for development permit.

There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section ##.

18.37.8 DEFINITIONS

AUTHORIZED AGRICULTURAL ACTIVITIES - The following Agricultural Activities are authorized on the Conserved Lands:

- (a) the breeding, seeding, growing, harvesting, cleaning, feeding, marketing and selling of Authorized Crops;
- (b) the breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of Authorized Species;
- (c) building, maintaining, repairing, replacing and removing Agricultural Structures and all other improvements necessary or useful in connection with the Agricultural activities on the Conserved Lands including, without restricting the generality of the foregoing, fences, corrals, wildlife protection fencing and other barriers to livestock movement in such sizes, configurations and locations as are deemed necessary or appropriate by the Landowner in relation to the Agricultural Products on the Conserved Lands;
- (d) the conduct of public field days, demonstrations, displays, sales, shows and competitions in connection with Agricultural Products;
- (e) the conduct of equestrian activities of all kinds including, without restricting the generality of the foregoing, shows, demonstrations, competitions, contests and sales;
- (f) Agricultural heritage displays, demonstrations, competitions and showcasing;
- (g) modern or current displays, demonstrations, competitions and showcasing of Agricultural Products and farming, ranching and equestrian practises, to promote awareness of Agriculture and the Agricultural Conservation Values;

CONSERVATION EASEMENT FOR AGRICULTURE means an agreement between the landowner and Alberta Farmland Trust, registered as 231010247, on the certificates of title of the subject lands.

CONSERVED LANDS means the lands contained in SE 26-22-3 W5M, SW 25-22-3 W5M and NW 25-22-3 W5M excluding the Excluded Areas.

DWELLING, STAFF means a dwelling unit, either temporary or permanent that is required to house on site staff.

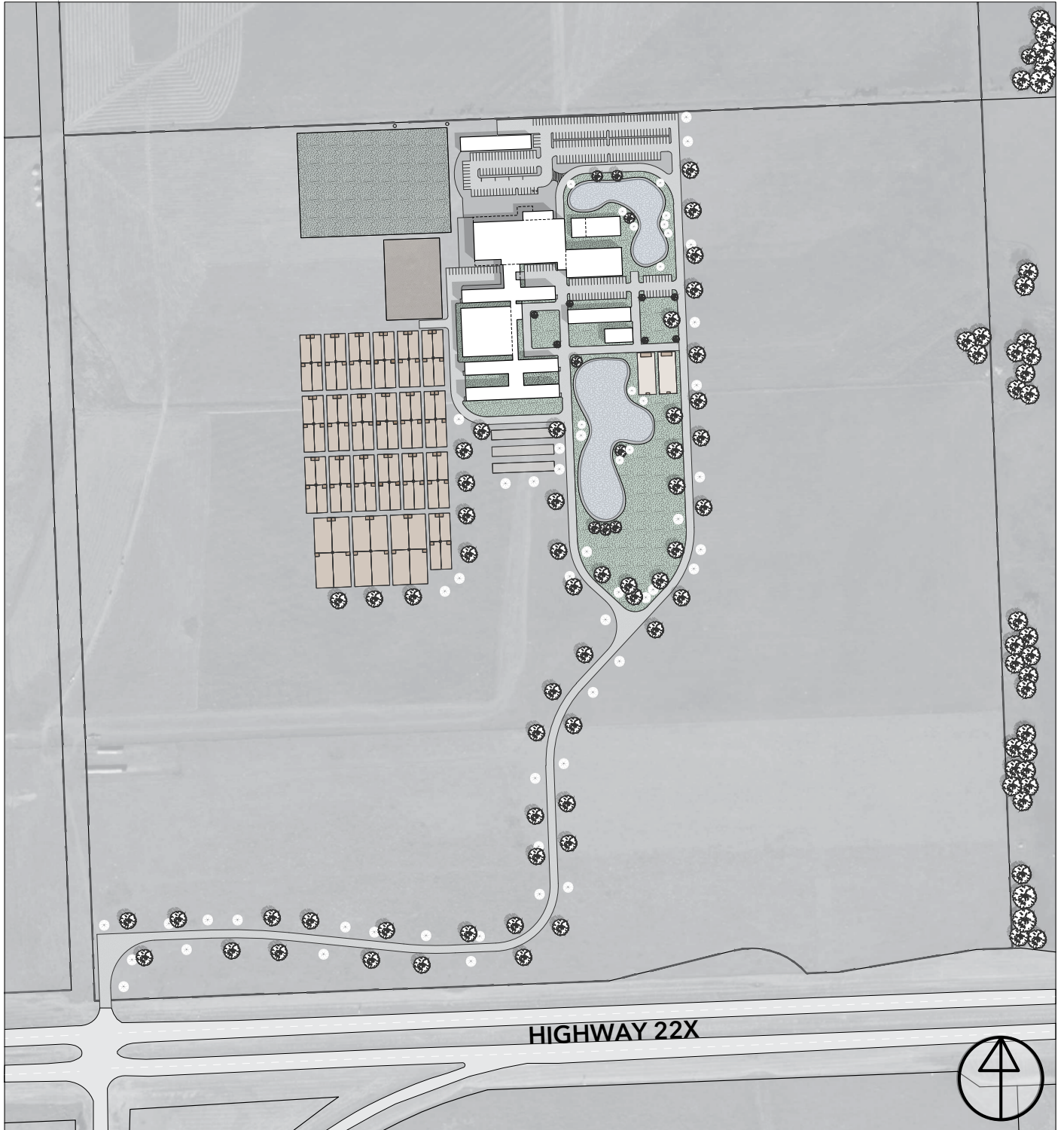
EXCLUDED AREAS means the areas in each of the subject lands comprising approximately 10 acres more or less in SE 26, approximately 15 acres more or less in SW 25 and approximately 5 acres more or less in NW 25, as shown on Map A attached hereto. In accordance with the Conservation Easement for Agriculture, none of the restrictions and limitations set forth the easement, except for the prohibition of subdivision, shall apply to the Excluded Areas such that the Landowner shall have complete freedom (within the limits of this Direct Control district) to carry on whatever activities that the Landowner may wish on the Excluded Areas, whether Agricultural, residential, commercial or industrial.

MASTER SITE DEVELOPMENT PERMIT (MSDP) is a detailed document that provides guidelines for the phased development of each quarter section over a specified period of time. MSDPs are professionally prepared documents that are used to fully inform Council and the public of the proposed development, and may include topics such as but not limited to a proposed phasing plan, servicing and access details for the development and site specific technical analysis.

Stable22

Appendix B Detailed Site Plans

Conceptual Landscaping Plan



CLIENT
CARSCALLEN

PROJECT NUMBER
20-047

LEGAL ADDRESS
SW 25-22-03 W5M

DATE
July 11, 2023

Total Site area
149.16 ac (60.31 ha)

Main Building

Jumping Arena	±3,420 sqm
Training Ring	±1,250 sqm
Barn & Barn Lanes	±3,770 sqm
Horse Wheel	±1,940 sqm
Office (main floor)	±312 sqm
Office (second floor)	±212 sqm

Standalone Auxiliary & Agriculture Accessory Buildings

Equipment Garage	±540 sqm
Workshop	±215 sqm
Shavings Shed	±312 sqm
Hay Shed (each)	±351 sqm
Temp. Mobile Home	±140 sqm

Standalone Business and Staff Dwelling Building

Equine Related Business & Services	±810 sqm
Staff Accommodation	±371 sqm

Daytime Turnout Paddocks

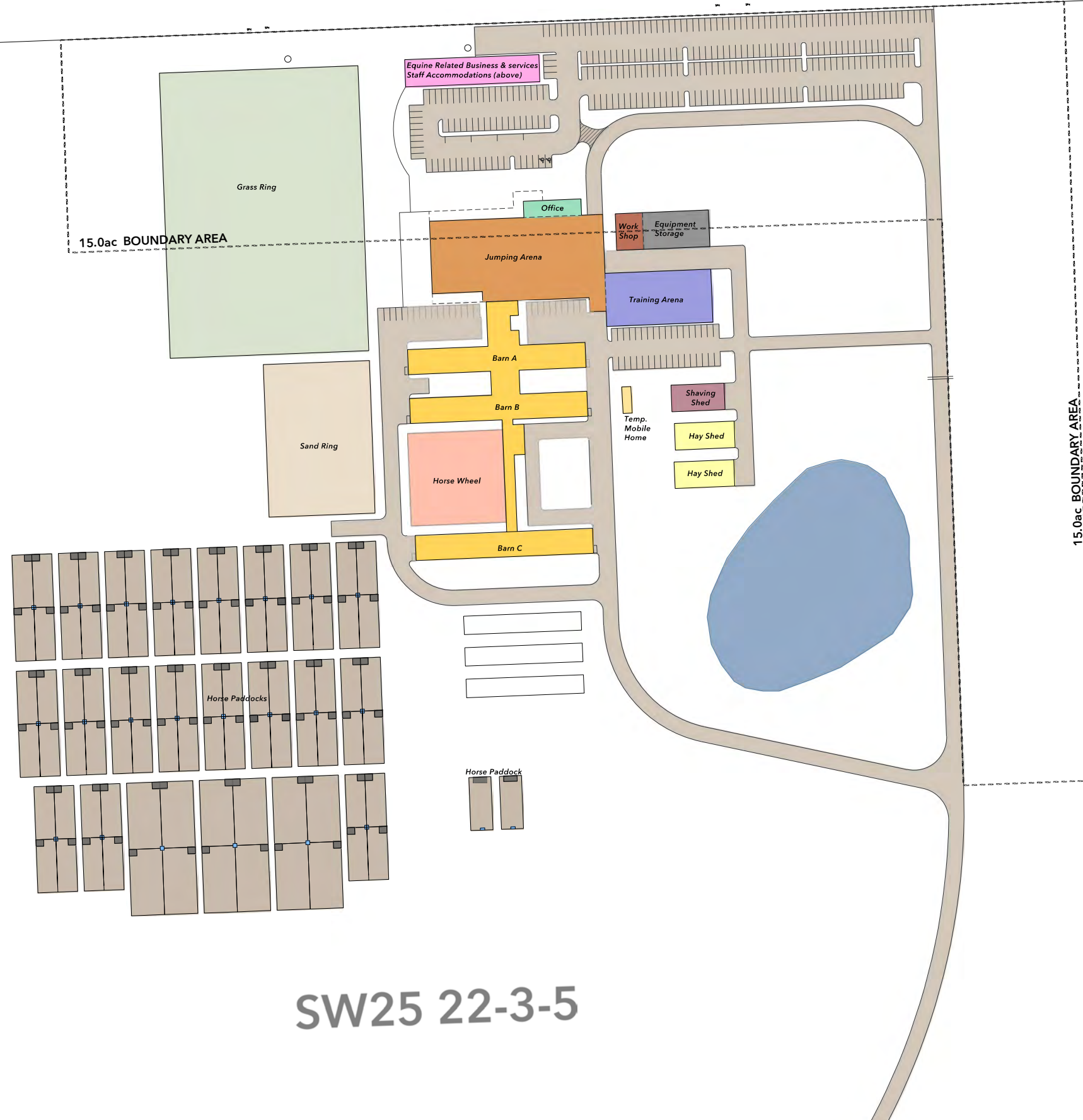
Mare/Gelding Shelters (88)	±11 sqm each
Male Shelters (2)	±16 sqm each

SITE CONCEPT

SCALE
1:2000

SHEET

Figure 1
SITE CONCEPT



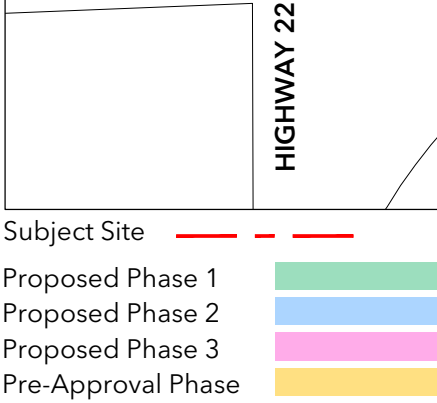
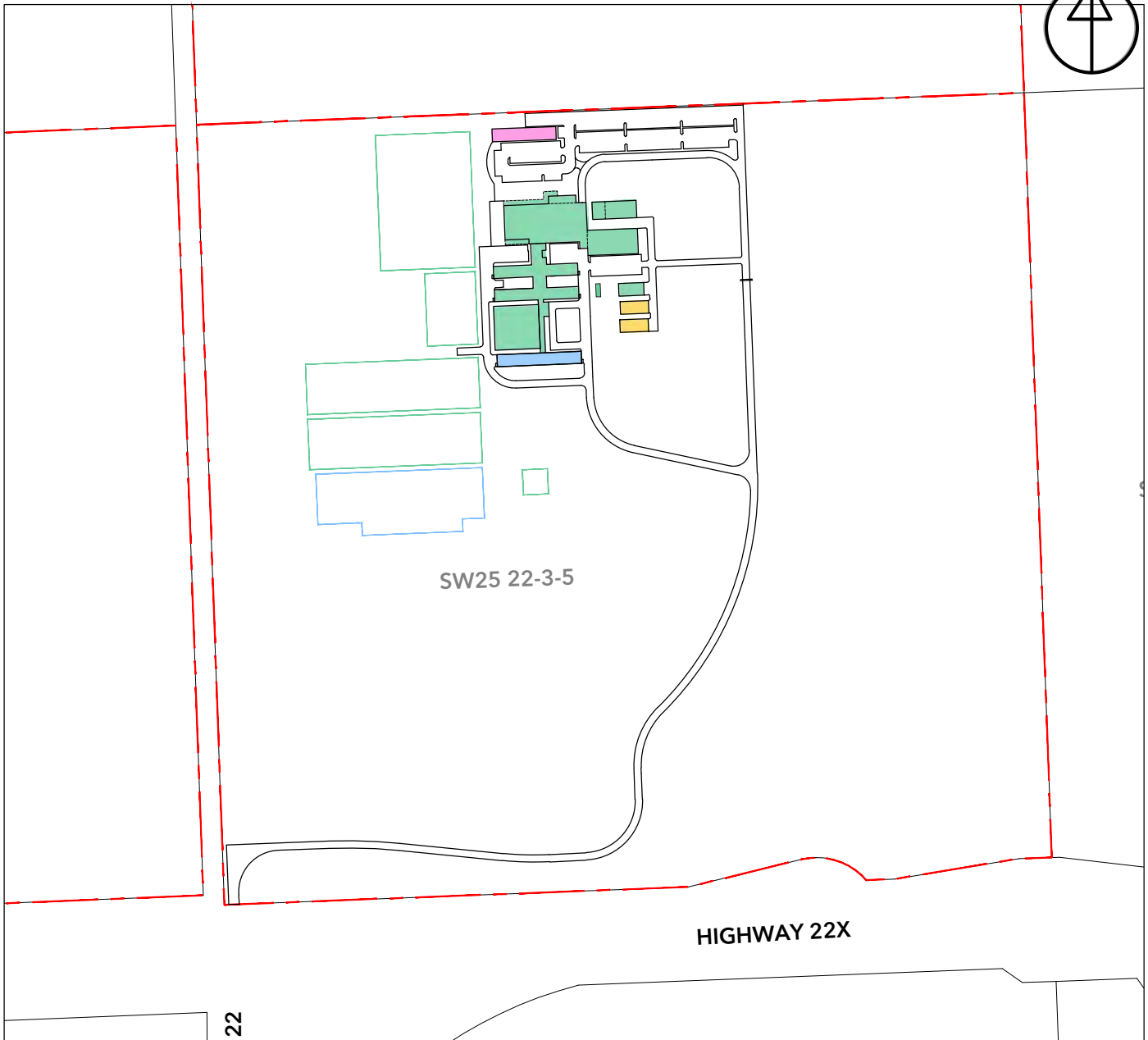
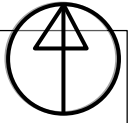
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CONCEPTUAL ONLY
FOR ILLUSTRATIVE PURPOSES
NOT FOR CONSTRUCTION OR
ENGINEERING

Stable22

Appendix C

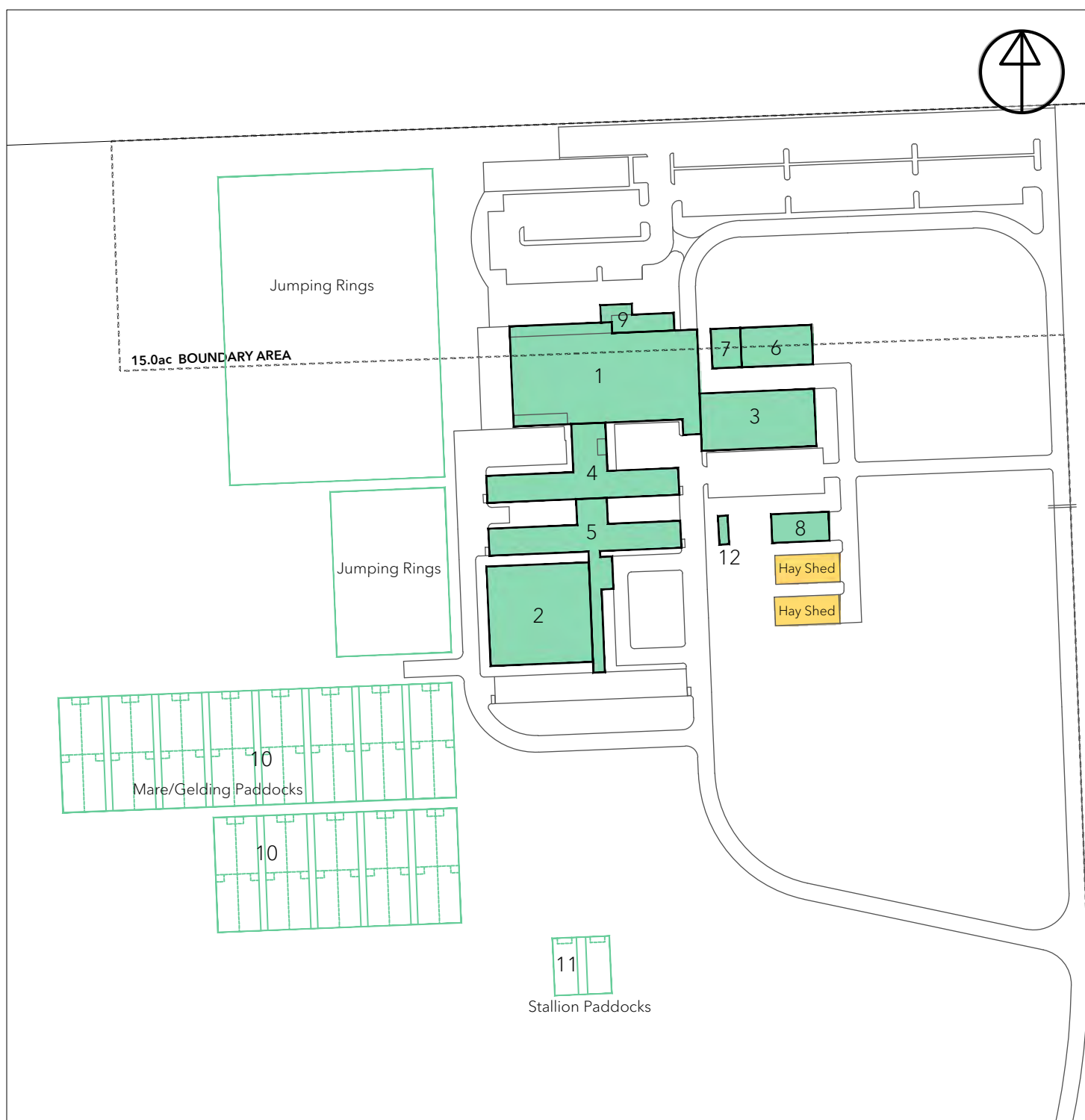
Phasing Plan



NOTE: Phase 1 includes separate permits to allow temporary dwelling(s) for farm help, renewable on a 2-year timeframe.

Pre-Approval	Hay Sheds (2)*: ±351 sqm (each) Pre-Approval: 702 sqm
Phase 1	Jumping Arena: ±3,420 sqm Horse Exercise Wheel: ±1,940 sqm Training Arena: ±1,250 sqm Barn A: ±1,299 sqm Barn B: ±1,491 sqm Equipment Garage: ±540 sqm Workshop: ±215 sqm Shavings Shed: ±312 sqm Office (main floor): ±312 sqm Office (second floor): ±212 sqm Mare/Gelding Shelters: ±704 sqm (64 @ 11 sqm each) Stallion Shelters: ±32 sqm (2 @ 16 sqm each) Temporary Mobile Home for Farm Help: ±140 sqm Phase 1 Total: 11,867
Phase 2	Barn C: ±980 Mare/Gelding Shelters: ±264 sqm Phase 2 Total: 1,244 sqm
Phase 3	Equestrian Related Business and Services: ±810 sqm Staff Accommodation (Upper Level): ±371 sqm Phase 3 Total: 1,181 sqm
Total	14,292 sqm

*Agriculture Accessory Building



- | | |
|---------------------------------------|--|
| 1. Jumping Arena = ±3420 sq.m. | 7. Workshop = ±215 sq.m. |
| 2. Horse Exercise Wheel = ±1940 sq.m. | 8. Shaving Shed = ±312 sq.m. |
| 3. Training Arena = ±1250 sq.m. | 9. Office (main floor) = ±312 sq.m. |
| 4. Barn A = ±1299 sq.m. | Office (second floor) = ±212 sq.m. |
| 5. Barn B = ±1491 sq.m. | 10. Mare/Gelding Shelters = ±704 sq.m. |
| 6. Equipment Garage = ±540 sq.m. | 11. Stallion Shelters = ±32 sq.m. |
| | 12. Temp. Mobile Home = ±140 sq.m. *location to be confirmed |

Phase 1



Stable22 Equestrian Facility Transportation Impact Assessment

FINAL REPORT

Prepared for
White Moose Farms Limited

Date
June 26, 2023

Project Number
02-22-0086

CORPORATE AUTHORIZATION

Prepared By: Brandin McMillan, P.Tech.
Glen Pardoe, P.Eng.

Bunt & Associates Engineering Ltd.
#113 - 334 11 Avenue SE
Calgary, AB T2G 0Y2
Canada

Reviewed By: Glen Pardoe, P.Eng.
Jason Dunn, P.Eng.

Telephone: (403) 252-3343

Date: 2023-06-26

Project #: 02-23-0086

Status: FINAL

APEGA Company Permit to Practice Stamp

Engineer's Stamp

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1. EXECUTIVE SUMMARY

Township Planning + Design Inc. (on behalf of White Moose Farms Limited) is seeking a Land Use Redesignation and Development Permit from Foothills County, plus a Roadside Development Permit from Alberta Transportation Economic Corridors (ATEC) for a site located at the junction of Highway 22/ Highway 22X east of Priddis. The proposed development is a rural equestrian/horse boarding facility. The intent is to seek approval for a Commercial Arena per the Foothills County Land Use By-law. This allows for public usage of the facility with the potential for traffic generation greater than the 16 trip per day threshold identified in the Bylaw, other than any trips generated by any residence located on the lands.

Phase 1 of the Stable22 project will be developed immediately and will include 52 horse stalls/paddocks and supporting uses and will host small events such as clinics, training sessions and seminars. Larger scale spectator events/tournaments are not part of the Phase 1 program and so Phase 1 event traffic will be modest and may occur any day of the week. Future phases of development may seek to accommodate tournaments or other larger events, but those future phases are not part of the current application and would therefore be the subject of a separate study to be completed in the future if/when required.

ATEC requested a Transportation Impact Assessment (TIA) to review the traffic impacts of the current Phase 1 application. The study area was limited to the intersection of Highway 22/Highway 22X, of which the Stable22 site access would form the north leg. Analysis was conducted for Opening Day in 2023 as well as for a Long Term (20 Year) horizon in 2043. Findings and recommendations are summarized below.

1.1 Trip Generation

The Phase 1 site uses are noted below, and the forecast trip generation is summarized in **Table 1.1**.

- 1 regulation sized indoor jumping arena, including offices.
- 1 indoor training arena.
- 3 sheds for equipment, workshop and shavings.
- 2 horse barns with a combined total of 52 horse stalls.
- 1 horse exercise wheel.
- 2 outdoor jumping rings and a total of 52 outdoor paddocks.
- 2 sheds for hay.
- 1 trailer to provide temporary accommodation of up to 2 staff.

Table 1.1: Forecast Worst-Case Vehicle Trip Generation

USE	SOURCE	AM PEAK HOUR			PM PEAK HOUR			DAILY
		Total	In	Out	Total	In	Out	
Rural Horse Boarding/ Equestrian Facility	Bunt Counts – Similar Facility	18	15	3	39	18	21	200

1.2 Findings & Recommendations

Study findings and recommendations are described in **Table 1.2**.

Table 1.2: Findings & Recommendations

SECTION		FINDINGS
Sight Distance		The study area intersection meets minimum sight distance requirements. This will continue to be the case with the construction of the site access, which represents the north (4 th) leg of the intersection.
Intersection Analysis	Opening Day After Development	The study area intersection is expected to continue to operate within acceptable capacity parameters with the inclusion of site traffic related to the current application.
	20 Year Background	<p>The study area intersection is expected to continue to generally operate within acceptable capacity parameters overall, but with the northbound left turn movement beginning to reach capacity.</p> <p>The intersection should be monitored in the future by ATEC to assess possible needs for signalization or other upgrades due to Background growth by 2043, though improvements may not be required at that time given the conservative growth rates used.</p>
	20 Year After Development	<p>The addition of site generated traffic related to the current application will not appreciably alter the operation of this intersection in 2043. Conditions After Development will be similar to those experienced based on 2043 Background conditions.</p> <p>No additional improvements are therefore required as a result of the development of the site.</p>
Roadway Analysis	20 Year Background	All roadways are expected to remain within their daily volume guidelines.
	20 Year After Development	All roadways are expected to remain within their daily volume guidelines.
Warrants	ATEC intersection	<p>The site access should be constructed as a Minor roadway per ATEC guidelines.</p> <p>Development of Phase 1 of the Stable22 site will result in a requirement to extend the existing eastbound left turn taper on Highway 22X from the existing 40 metre (+/-) dimension to accommodate ATEC design criteria, and to facilitate the safe operation of the intersection given the expected vehicle volumes and mix. Note that a parallel eastbound left turn storage lane will not be required given the low site traffic volumes and the absence of any major events/tournaments.</p> <p>If, as part of any future phases of development, the site seeks approval to host larger events/tournaments, then an updated TIA and/or traffic accommodation plan may be required at that time to assess the associated traffic impacts.</p> <p>No further geometric improvements are required to accommodate the current application given the modest site traffic volumes involved.</p> <p>The recommended design concept for the intersection is illustrated in Exhibit 4.7.</p>
	Illumination	Street light illumination is already present at the intersection.

2. INTRODUCTION

2.1 Scope of Work

Based on verbal discussions and email correspondence with Alberta Transportation Economic Corridors (ATEC) noted in **Appendix A**, the scope of work for this study was confirmed to generally conform to ATEC TIA guidelines and included the following:

Development Trip Generation

- *Trip Generation* - Calculate development trips for the Phase 1 development of the Stable22 site based on observed data at a similar rural equestrian/horse boarding site.
- *Trip Assignment* - Assign Phase 1 development trips to the study area intersection at Highway 22/Highway 22X.

Traffic

- *Horizons* - Review traffic conditions for:
 - Existing (2023)
 - Opening Day (2023)
 - Long Term at 20 Years (2043)
- *Intersection Capacity* - Complete weekday peak hour analysis at the study area intersection:
 - Highway 22/Highway 22X
- *Recommendations* - Identify improvements required to support background and/or development traffic.

2.2 Site Context

The Stable22 site is located in Foothills County, east of Priddis, and is bounded by private lands to the north, east and west; and by Highway 22X to the south. The site context is illustrated in **Exhibit 2.1**.

The site may consist of multiple phases of development, with the current application limited to Phase 1 as described in the following section.



Exhibit 2.1
Site Context



3. DEVELOPMENT

The site plan is illustrated in **Figure 3.1**. The current application and subject of this report is the Phase 1 development program, which will include the following:

- 1 regulation sized indoor jumping arena, including offices.
- 1 indoor training arena.
- 3 sheds/barns for equipment, workshop and shavings.
- 2 horse barns with a combined total of 52 horse stalls.
- 1 horse exercise wheel.
- 2 outdoor jumping rings and a total of 52 outdoor paddocks.
- 2 sheds for hay.
- 1 trailer to provide temporary accommodation of up to 2 staff.

The Phase 1 development program does not include a restaurant, retail area, additional tournament horse stalls and the majority of the parking stalls required under the Foothills County Land Use Bylaw to accommodate larger events. The total floor area for Phase 1 will be approximately 11,415 square metres and will facilitate the operation of a typical small-service commercial rural equestrian/horse boarding facility with no hosting of major spectator events or tournaments. The facility will be allowed to offer clinics, classes, workshops and training sessions, but nothing of significance in terms of traffic generation. It is noted that the developer intends to utilize 8 to 12 of the horse stalls for their own personal use, which reduces the scale of the impact, though this was not considered within the analysis.

The intent of the developer is to commence construction in 2023. For the purpose of analysis, it was assumed that Phase 1 would be open in 2023 and the Opening Day conditions were assessed as such. The Long Term 2043 analysis included in the report addresses Phase 1 conditions 20 years hence, per ATEC requirements.

It is noted that the Phase 1 program accommodates the day-to-day equestrian activities related to horse boarding and training, plus small events related to clinics, workshops and group sessions. Larger scale public events such as tournaments are not part of this phase of the development of the site. It is possible that future phases of development may seek to include additional facilities to accommodate tournaments and other such events, which as noted may need to be assessed through a separate TIA and/or development of a Traffic Accommodation Strategy per ATEC guidelines to be completed at such time as those applications are made.

Figure 3.1: Site Plan



3.1 Trip Generation

Trip generation was based on existing conditions at a similar facility. The data collected by Bunt for this purpose is summarized in Table 3.1. This trip generation data was obtained from counts conducted by Bunt (with permission from the owner/operator) at a similar facility in the area, specifically Apex Equestrian Ltd., located on Highway 552 north of Highway 549 northwest of Okotoks. Apex is a rural horse boarding/equestrian facility that includes the following elements, which closely match those proposed for the Phase 1 development of the subject site:

- 1 horse barn with a total of 47 horse stalls.
- 1 indoor jumping arena, including offices.
- 6 sheds/barns for equipment, workshop, shavings and temporary staff lodging.
- 8 small horse shelters.
- 1 outdoor jumping ring and a total of 32 outdoor paddocks
- 1 horse exercise wheel.
- 1 single family dwelling and garage.

The number of horses and the nature of activities that can be accommodated are almost identical for the two sites, but there are differences in the design of the facilities, as follows:

- The Stable22 jumping arena will be a larger, regulation size arena whereas the Apex arena is not.
- The Stable22 jumping arena will include a trailer drive-through at the east end of the building, and a viewing platform at the west end. The Apex arena has neither of these.
- The design of the Stable22 buildings include a corridor to accommodate riders moving their horses between the barns and the indoor training arena to the east and also to the outdoor arenas to the west. The Apex facility does not provide an indoor connection in this manner.

In essence, the Stable22 arena as envisioned as being more up-to-date and superior to what is provided at Apex from a design and functionality point of view, but the differences do not accommodate more horses or riders. As noted in the overall specifications, Stable22 is being designed to accommodate 52 horses, while Apex accommodates 47. The overall similarity in horse and rider capacity is what makes the two facilities comparable in terms of expected Phase 1 traffic generation.

Table 3.1: Observed Apex Trip Generation (May and June 2023)

USE	COUNT DATE	AM PEAK HOUR			PM PEAK HOUR			DAILY VOLUME
		Total	In	Out	Total	In	Out	
Apex Equestrian Facility	Wednesday May 31	5	4	1	13	6	7	65
	Thursday June 1	6	5	1	8	4	4	20
	Friday June 2	2	2	0	5	2	3	13

Note that extracting 10 trips per day from the Apex data set to represent traffic expected to be generated by the existing single-family residence provides a maximum daily volume for the equestrian facility alone of approximately 55 trips based on the Wednesday data, and 10 or fewer daily trips for the Thursday and

Friday. The Apex data was collected by Bunt on three weekdays in May/June 2023. Discussions with the Apex operators confirmed the following germane points regarding the data:

- Conditions in May/June are typical of seasonal peak conditions, but the dates the data was collected may have experienced volumes up to 20% less than would otherwise be expected.
- As with the proposed Stable22 Phase 1 plan, the Apex site is not licensed to host major events/tournaments and is limited to sessions that include activities such as small clinics, practice sessions, and group training sessions.
- Weekend activity is similar in terms of scale/peak behavior to weekday activities. Since weekdays represent the higher background volume scenario for the subject site, weekday data collection at Apex was deemed appropriate for the purpose of this analysis.

There were no cancelations or other adverse factors due to weather during the count period at Apex. Despite the substantive similarity in site layout and use, and despite the confidence in the adequacy of the data sets as collected by Bunt, the decision was made by Bunt to increase the observed Apex volumes by a factor of three (ie. to triple the observed Apex volumes) for use in this TIA, to ensure a conservative result and to allay any concerns that the data collected over the three-day period at Apex was in any way not representative of expected conditions during typical operating periods.

Individual maximum peak hour observed rates were selected, inclusive of the single-family residence at the Apex site, despite there being no plan for a permanent residence at the Stable22 site, and as noted, these were then tripled for use in the analysis. The resulting trip volumes that were used in the analysis in this TIA are summarized in **Table 3.2**. This represents an extremely conservative volume to be used as a basis for analysis in this report.

Table 3.2: Peak Hour Vehicle Trip Generation For TIA

USE	SOURCE	AM PEAK HOUR			PM PEAK HOUR			DAILY
		Total	In	Out	Total	In	Out	
Rural Equestrian Facility	Maximum Observed at Apex	6	5	1	13	6	7	65
Rural Equestrian Facility	Tripled for Use in Analysis	18	15	3	39	18	21	200

3.2 Trip Distribution

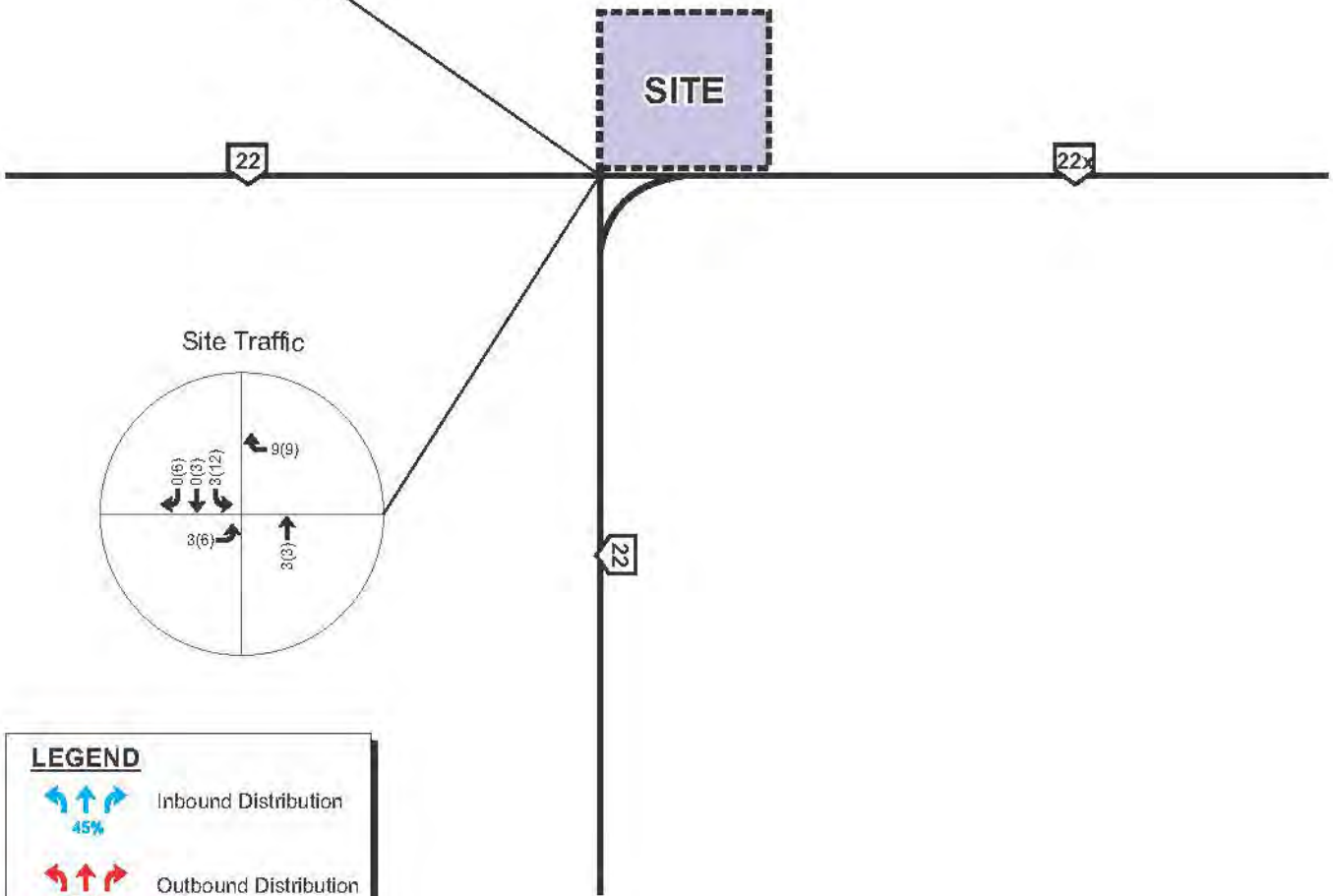
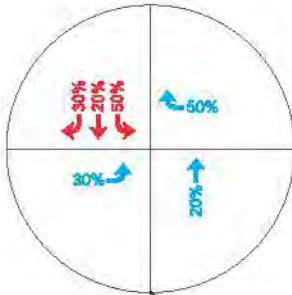
Vehicle trips were distributed based on a blend of several factors, including the orientation of existing turning movements at the intersection, the relative location of population in the County. The trip distribution used in this study is illustrated in **Exhibit 3.1**.

3.3 Access

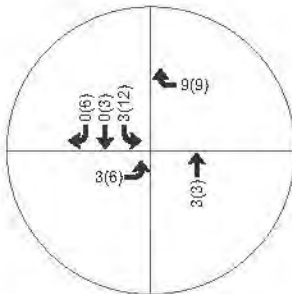
Access to the site will be provided via the north leg of the Highway 22X/Highway 22 intersection, which will need to be constructed by the developer as part of the project. All vehicle trips were assigned to this access. The resulting development generated traffic volumes are illustrated in **Exhibit 3.1**.



Site Traffic Distribution



Site Traffic



LEGEND

- Inbound Distribution
45%
- Outbound Distribution
45%
- Vehicle Volumes
- AM (PM) Peak Hour Volumes

Exhibit 3.1
Site Traffic Distribution & Volumes



4. TRAFFIC CONDITIONS

4.1 Road Network

The characteristics of roadways near the site are summarized in **Table 4.1**.

Table 4.1: Existing Roadway Characteristics

ROADWAY	CLASSIFICATION	CROSS-SECTION		POSTED SPEED	FACILITIES	
		# Lanes	Median		Shoulder	Illumination
Highway 22 (west of intersection) ¹	Provincial Highway	4	Yes	100 km/h	Yes	Yes
Highway 22 (south of intersection)	Provincial Highway	2	No	100 km/h	Yes	Yes
Highway 22X (east of intersection)	Provincial Highway	4	Yes	100 km/h	Yes	Yes

4.2 Intersections

Existing and After Development intersection configurations and controls at study intersections are illustrated in **Exhibit 4.1**.

4.3 Sight Distance

A sight distance review was undertaken at study area intersections based on the Transportation Association of Canada (TAC) *Geometric Design Guide for Canadian Roads* (2017) for the following:

- *Minimum Stopping Sight Distance (SSD)*, which is the distance a vehicle travels from the instant the driver sights an object and decides to stop, to the instant the vehicle comes to a complete stop after applying brakes. This distance is usually sufficient to allow reasonably competent and alert drivers to come to a hurried stop under ordinary conditions. (Source: Table 2.5.2)
- *Intersection Sight Distance (ISD)*, which is defined as the sight distance required for a vehicle to complete either a crossing or turning manoeuvre safely. (Source: Table 9.9.4 - Case B1 left turn from stop for a passenger vehicle)

¹ Highway 22 transitions from 4 to 2 lanes over the 750m length directly west of the intersection.

Minimum sight distances based on design speeds are summarized in **Table 4.2**. The review confirms sight distance requirements are met for the assumed design speed of 120 km/h (posted speed of 100 km/h), assuming the exiting vehicle has refuge within the median space.

Table 4.2: Sight Distance

SPEED	STOPPING SIGHT DISTANCE	INTERSECTION SIGHT DISTANCE	AVAILABLE SIGHT DISTANCE	
			To/From East	To/From West
120 km/h	250 m	255m	>300m	>300m

4.4 Volumes

4.4.1 Existing

Traffic counts used in this study are summarized in **Table 4.3**. The existing traffic volumes are summarized in **Exhibit 4.2**. Traffic count data is included in **Appendix B**.

Table 4.3: Background Data Source

INTERSECTION	COUNT DATE	DAY OF WEEK	SOURCE
Highway 22/Highway 22X	2022	N/A	ATEC 100 th Highest Hour

4.4.2 Background

Background traffic is traffic that would be present on the road network in future years regardless of the development of the Site. This traffic is representative of yearly growth on the roadways as well as other residential, commercial, or industrial developments that may have been approved in the region.

Historical average annual daily traffic volumes (AADT) on Highway 22 and 22X from the most recent 5-year period of growth (pre pandemic) are summarized in **Table 4.4**.

Table 4.4: Average Annual Daily Traffic (AADT) Growth - Highway 22 & 22X

YEAR	SOUTH LEG AADT VOLUME	EAST LEG AADT VOLUME	WEST LEG AADT VOLUME
2014	3900	6350	7930
2015	4190	7000	8650
2016	4120	7160	8960
2017	3980	6920	8660
2018	3720	6560	8160
2019	3730	6590	8200
5-YEAR GROWTH RATE (PER YEAR)	-0.9%	0.8%	0.7%

The historical data exhibits a growth rate of under 1% for the east and west intersection legs, and a negative growth rate for the south leg. Notwithstanding this, ATEC TIA guidelines prescribe the use of a growth rate of 2% in the absence of available data. Although data was available suggesting a rate of less than 1%, a linear growth rate of 2% was applied to through movements on both roadways to ensure an adequately conservative outcome. A linear growth rate of 2% was also applied to all existing turning movements, excluding the north leg as it is currently a field access and will form the eventual site access for which traffic volumes will be developed.

Background traffic volumes are illustrated in Exhibit 4.2.

4.4.3 After Development

Development generated traffic volumes were added to Background traffic volumes to forecast the After Development traffic volumes illustrated in Exhibit 4.2.

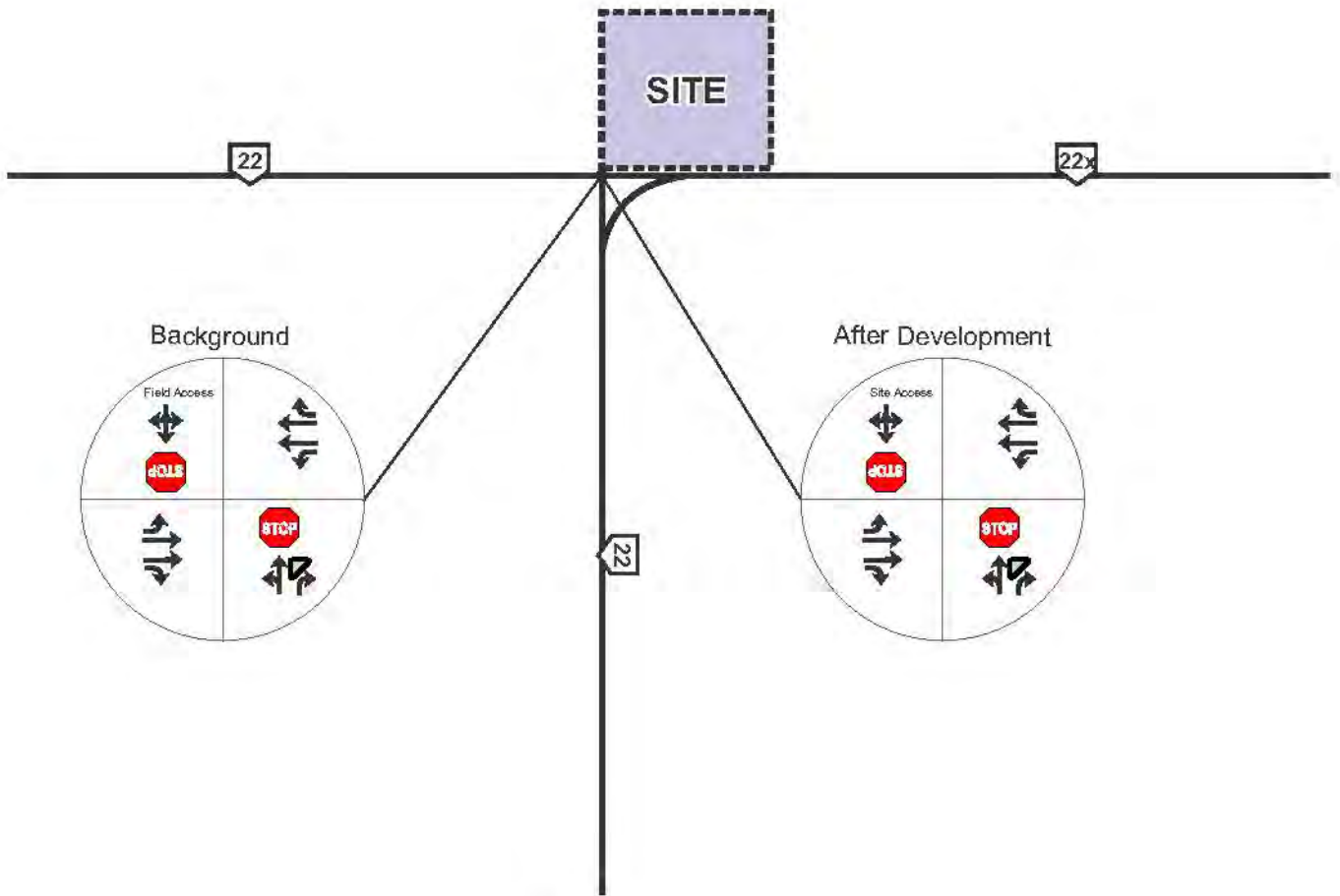


Exhibit 4.1
Intersection Configurations



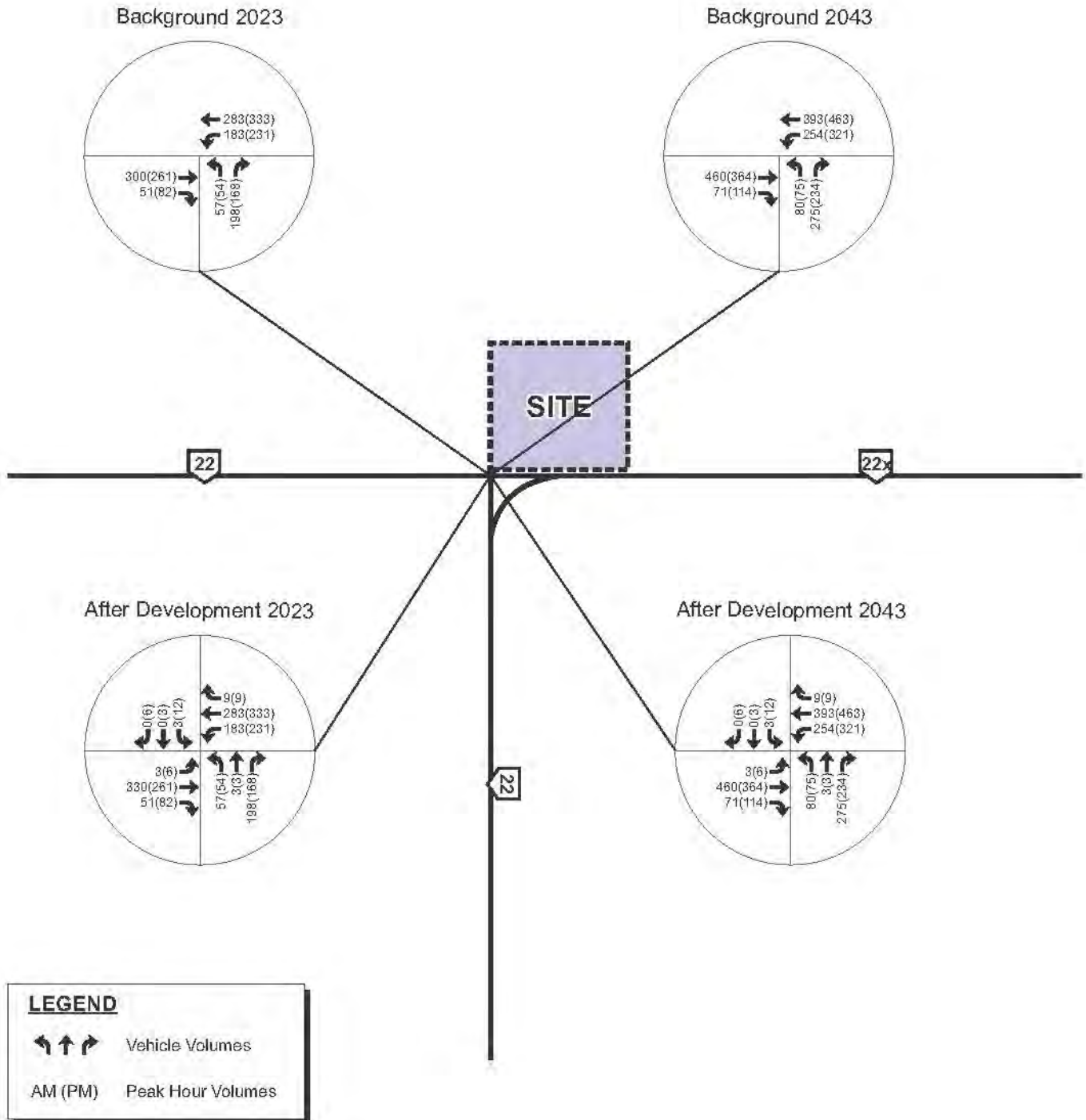


Exhibit 4.2

Background & After Development Traffic Volumes



4.5 Intersection Analysis

Synchro 11 traffic analysis software was used to review intersection operational conditions based on the methods outlined in the Highway Capacity Manual. Traffic operations were assessed using the performance measures of volume-to-capacity (v/c) and Level of Service (LOS).

The volume-to-capacity (v/c) ratio of an intersection movement represents the ratio between the demand volume and available capacity. ATEC guidelines accept a v/c ratio of 0.85 or less. The Level of Service (LOS) rating is based on average vehicle delays ranging from LOS A (minimal delay) to LOS F (significant delay). ATEC guidelines accept an overall LOS C at highway access intersections with a LOS D on any single approach at full-build out.

Intersection capacity analysis was completed for the following scenarios:

- Background
 - Existing/Opening Day (2023)
 - Long Term (2043)
- After Development
 - Opening Day (2043)
 - Long Term

The analysis was completed as per ATEC TIA guidelines with a saturation flow rate of 1850 vehicles per hour and a peak hour factor of 0.92. The volume to capacity (v/c) ratio, level of service, average control delay (in seconds), and 95th percentile queue (in metres) are summarized in this report. Synchro output reports are provided in **Appendix C**. It is also noted that the analysis was undertaken assuming a two-stage crossing of Highway 22X given the availability of the median refuge. Given the remote rural location, no pedestrians were assigned to the intersection and minimum volumes were represented by the proposed site traffic based on the tripling of observed values at the Apex site.

4.5.1 Background Analysis

Existing/Opening Day

The Existing/Opening Day intersection analysis is summarized in **Table 4.5** based on the intersection configuration illustrated in Exhibit 4.1 and volumes illustrated in Exhibit 4.2. The results confirmed the intersection to be operating well within acceptable capacity parameters during both the weekday AM and PM peak periods.

Table 4.5: Existing/Opening Day (2023) Background Intersection Analysis

INTERSECTION	MOVEMENT & LANES	AM PEAK HOUR				PM PEAK HOUR			
		v/c	LOS	Delay	Queue	v/c	LOS	Delay	Queue
Highway 22/Highway 22X (Unsignalized)	EBL ¹	1	-	-	-	-	-	-	-
	EBT	2	0.11	A	0	<5	0.08	A	0
	EBR	1	0.03	A	0	<5	0.05	A	0
	WBL	1	0.18	A	9	<5	0.21	A	9
	WBT	2	0.09	A	0	<5	0.11	A	0
	WBR ¹	1	-	-	-	-	-	-	-
	NBTL	1	0.17	C	17	<5	0.19	C	20
	NBR	N/A ²	-	-	-	-	-	-	-
	<i>Overall</i>		-	A	2.9	-	-	A	3.3

Long Term

Long Term Background intersection analysis is summarized in **Table 4.6**. The results of the analysis confirmed the overall adequacy of the intersection to operate within acceptable capacity parameters, but with one movement expected to operate at a LOS of E during the PM peak period. The movement in question is the northbound movement, which was found to exhibit a LOS of E with delays of up to approximately 40 seconds and 95th percentile queues in the order of 17 metres. It is noted that this movement was also found to exhibit a v/c ratio of 0.46 in the PM peak hour, which is well below typical capacity thresholds. No issues were found to occur during the AM peak hour.

Although a LOS of E represents the point in ATEC design philosophy where improvement should be considered, it should be noted that the 2043 forecasts were developed using an ATEC default growth rate of 2% per year, which is higher than the 1% rate observed in the area for the decade preceding COVID as noted earlier in this report. As such, it is possible or even likely that the actual 2043 volumes may be lower than what has been assessed here, in which case the northbound movement will likely operate more effectively than suggested by these outputs. When combined with the fact that the condition was found to occur only during the PM peak hour and not during the AM peak hour (and therefore, by extension, other times of the day), it is recommended that ATEC monitor this intersection and re-assess the need for improvements at a time closer to 2043. Signalization at that time may or may not be warranted based on actual volumes, but the review of forecasts at this time are indeterminate.

¹ 0 volume movement to field access

² The northbound right turn movement at this intersection is provided via a separate channelized right turn lane that is very large and is outside the operational area of the intersection. As such, it was not included in the assessment of the intersection.

Table 4.6: Long Term (2043) Background Intersection Analysis

INTERSECTION	MOVEMENT & LANES		AM PEAK HOUR				PM PEAK HOUR			
			v/c	LOS	Delay	Queue	v/c	LOS	Delay	Queue
Highway 22/Highway 22X (Unsignalized)	EBL ¹	1	-	-	-	-	-	-	-	-
	EBT	2	0.15	A	0	<5	0.12	A	0	<5
	EBR	1	0.05	A	0	<5	0.07	A	0	<5
	WBL	1	0.28	B	10	9	0.34	B	10	12
	WBT	2	0.13	A	0	<5	0.15	A	0	<5
	WBR ¹	1	-	-	-	-	-	-	-	-
	NBTL	1	0.37	D	29	12	0.46	E	42	17
	NBR	N/A ²	-	-	-	-	-	-	-	-
	Overall		-	A	3.9	-	-	A	4.8	-

4.5.2 After Development

Opening Day

Opening Day After Development intersection analysis with the combined consideration of Background and site generated traffic is summarized in Table 4.7. The results confirmed the expectation for the intersection to continue well within acceptable capacity parameters during both the weekday AM and PM peak periods with the inclusion of site generated traffic, given the modest scale of site traffic expected to be present.

Table 4.7: Opening Day (2023) After Development Intersection Analysis

INTERSECTION	MOVEMENT & LANES		AM PEAK HOUR				PM PEAK HOUR			
			v/c	LOS	Delay	Queue	v/c	LOS	Delay	Queue
Highway 22/Highway 22X (Unsignalized)	EBL	1	<0.01	A	8	<5	0.01	A	8	<5
	EBT	2	0.11	A	0	<5	0.08	A	0	<5
	EBR	1	0.03	A	0	<5	0.05	A	0	<5
	WBL	1	0.18	A	9	<5	0.21	A	9	6
	WBT	2	0.09	A	0	<5	0.11	A	0	<5
	WBR	1	0.01	A	0	<5	0.01	A	0	<5
	NBTL	1	0.18	C	17	<5	0.22	C	21	6
	NBR	N/A ²	-	-	-	-	-	-	-	-
	SBLTR	1	0.01	C	17	<5	0.08	C	18	<5
Overall		-	A	3.0	-	-	A	3.7	-	

Long Term

Long Term After Development intersection analysis is summarized in Table 4.8. The results of the analysis essentially mirrored the 2043 Background results, given the modest scale of expected site generated traffic.

¹ 0 volume movement to field access

² The northbound right turn movement at this intersection is provided via a separate channelized right turn lane that is very large and is outside the operational area of the intersection. As such, it was not included in the assessment of the intersection.

The results of the analysis continued to confirm the overall adequacy of the intersection to operate within acceptable capacity parameters, but with the northbound movement expected to experience a LOS of E during the PM peak period. Forecast delays for this movement increased due to site traffic from 41 seconds to approximately 48 seconds, and delays for the 95th percentile increased from 17 metres to 19 metres. The impact of the inclusion of site traffic is therefore insignificant and warrants no further improvements to the intersection beyond the monitoring of conditions by ATEC as recommended in the Background analysis.

It is again noted that although a LOS of E represents the point in ATEC design philosophy where improvement could be considered, the 2043 forecasts were developed using an ATEC default growth rate of 2% per year, which is higher than the 1% rate observed in the area as noted earlier in this report. As well, the site volumes used were deliberately conservative per the discussion noted for the Apex counts. This suggests that the actual 2043 volumes are likely to be lower than what has been assessed here, with commensurately improved operating conditions. No intersection control improvements are therefore required due to the Phase 1 development of the site.

Table 4.8: Long Term (2043) After Development Intersection Analysis

INTERSECTION	MOVEMENT & LANES		AM PEAK HOUR				PM PEAK HOUR			
			v/c	LOS	Delay	Queue	v/c	LOS	Delay	Queue
Highway 22/Highway 22X (Unsignalized)	EBL	1	<0.01	A	8	<5	0.01	A	9	<5
	EBT	2	0.15	A	0	<5	0.12	A	0	<5
	EBR	1	0.05	A	0	<5	0.07	A	0	<5
	WBL	1	0.28	B	10	9	0.33	B	10	11
	WBT	2	0.13	A	0	<5	0.15	A	0	<5
	WBR	1	0.01	A	0	<5	0.01	A	0	<5
	NBTL	1	0.39	D	29	13	0.52	E	49	20
	NBR	N/A ¹	-	-	-	-	-	-	-	-
	SBLTR	1	0.02	C	25	<5	0.14	D	30	<5
<i>Overall</i>			-	A	4.0	-	-	A	5.7	-

4.6 Daily Volumes

To review roadway classifications and capacities, daily vehicle traffic volumes were calculated and compared to ATEC environmental guidelines. Environmental guidelines represent the desired daily volume range for a roadway, whereas the actual physical capacity can be higher.

Background daily volumes were determined by reviewing ATEC count data for Exiting/Opening Day conditions. Site traffic daily volumes were developed based on the count data collected at Apex and tripled for the purpose of analysis as noted earlier in this report. The resulting daily volume analysis is summarized in Table 4.9.

¹ The northbound right turn movement at this intersection is provided via a separate channelized right turn lane that is very large and is outside the operational area of the intersection. As such, it was not included in the assessment of the intersection.

Table 4.9: Daily Volume Analysis

ROADWAY	SECTION	CLASS.	DAILY VOLUMES				
			Guideline	2023 BG	2043 BG	2023 AD	2043 AD
Site Access	North of HWY 22X	N/A	N/A	0	0	200	200
Highway 22	West of Intersection ¹	2-lane Undivided	<12,000	5,880	8,180	5,940	8,240
Highway 22	South of Intersection	2-lane Undivided	<12,000	3,630	5,060	3,670	5,100
Highway 22X	East of Intersection	4-lane Divided	>12,000	7,550	10,500	7,650	10,600

The analysis confirmed that the Highway 22 and 22X sections can be expected to continue to operate within their respective guidelines through to 2043 with the inclusion of site generated traffic.

The analysis also confirmed that the Site Access should be constructed as a Minor roadway per ATEC guidelines, or similar.

4.7 Collision History

Safety performance along the adjacent road network and study intersection was reviewed based on collision data obtained from Alberta Transportation for the most recent 5-year period of available data (2014 – 2018). The data is included in Appendix B.

Over the 5-year period, a total of 14 incidents were reported within 200 metres of the Highway 22 & 22X intersection in all directions. 8 of the 14 incidents involved an animal on the roadway. The reported incidents by type are summarized in Table 4.10.

Table 4.10: Highway 22 & 22X Collision History – 2014 – 2018

COLLISION TYPE	# OF COLLISIONS	PROPORTION
Animal	8	57%
Rear-end	2	14%
Angle	2	14%
Run-off-Road	2	14%

Thirteen of the incidents resulted in property damage only, while one resulted in an injury. The review of collision history does not note a common collision occurrence by type nor a high frequency of incidents. No further analysis was undertaken.

4.8 Intersection Turn Warrants

The study area intersection is currently constructed as a “Major T Intersection - Four Lane Highway” per Figure D9.1d of the *ATEC Highway Geometric Design Guide*, with the east/west legs operating as a 4-lane divided highway and the south leg operating as a 2-lane undivided highway. The highway transitions to a 2-lane undivided cross section some distance to the west of the study area. The north leg of the intersection at present is a field access and does not constitute a Minor Road in ATEC nomenclature.

¹ Highway 22 transitions from 4 to 2 lanes over the 750m length directly west of the intersection.

Since the north leg is the location of the proposed site access, the north leg will be required to match the alignment and general cross section of the existing south leg for continuity.

Eastbound and westbound left and right turn tapers are already provided at the existing intersection. Warrants for separate left and right turn lanes were therefore assessed per the ATEC *Highway Geometric Design Guide*. It is noted that the south leg includes a wide radius northbound right turn that separates that turn movement completely from the intersection and as such, no analysis was undertaken to assess the need for improvements to that movement.

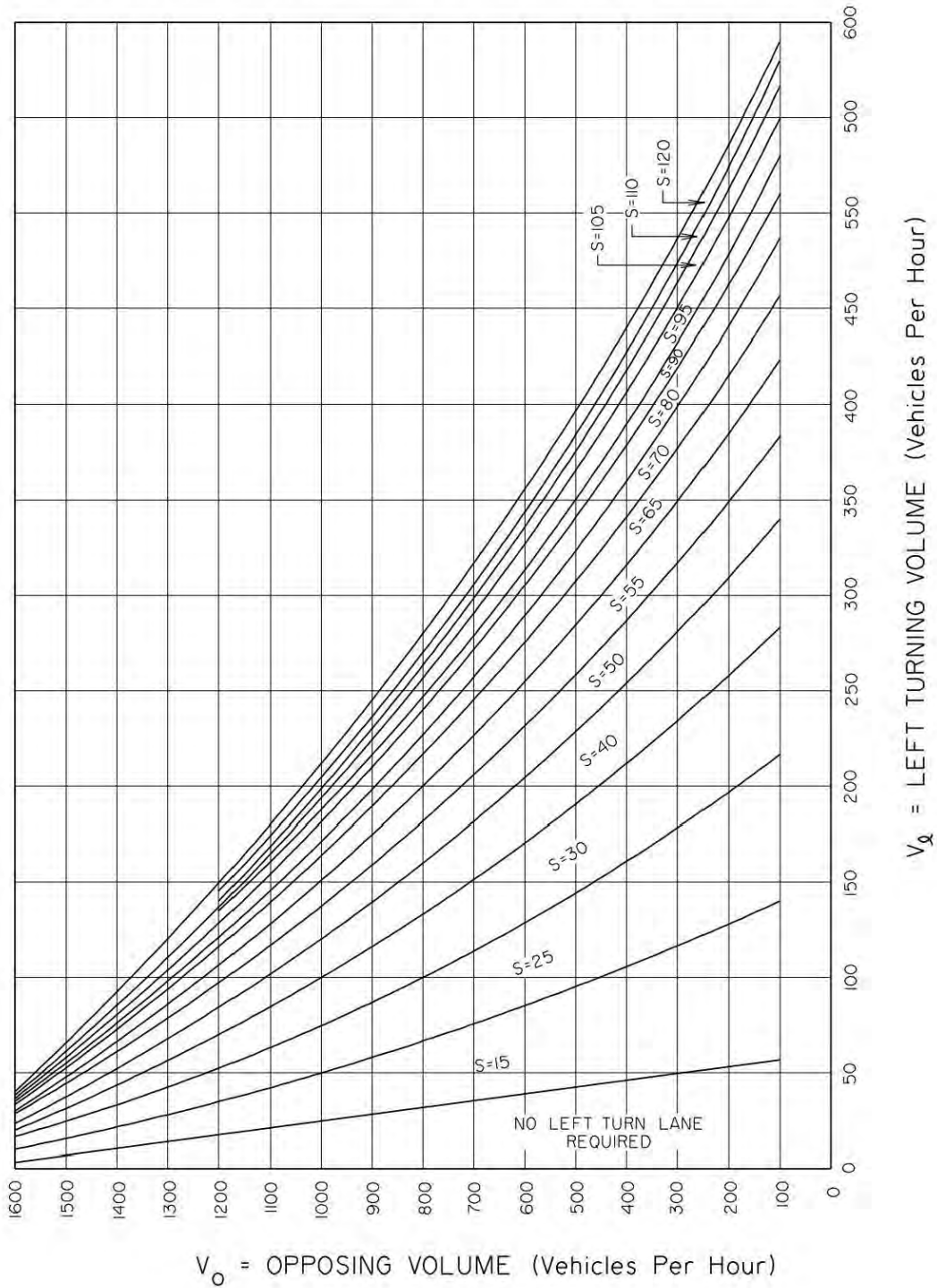
4.8.1 Right Turn Lane

Section D-8.7 of the Guide states that the criteria for a parallel right turn lane on a 4-lane highway is the same as for a 2-lane highway. The Guide suggests a turning volume of more than 360 vehicles per day as the threshold for a separate right turn lane in addition to the standard taper. At this location, the westbound right turn into the new site access does not meet this threshold, as it is forecast to experience fewer than approximately 10 vehicles per hour or approximately 50 vehicles per day.

4.8.2 Left Turn Lane

The warrant for an eastbound left turn lane into the site was reviewed per Section D-8.6 of the Guide. Figure D-8.6c represents a graph to assess the need for the provision of a separate left turn lane. The peak hour left turn volume is forecast to be fewer than 10 vehicles per hour, and the forecast opposing peak hour volume at 2043 is forecast to be fewer than 800 vehicles per hour. Inserting these values into the graph confirmed that no parallel left turn lane would be required. Figure D-8.6c is included here in **Figure 4.1**.

Figure 4.1: ATEC Highway Geometric Design Guideline - Figure D-8.6c



4.9 Intersection Design

Although separate left and right turn lanes are not required, it will be necessary to provide appropriate tapers. The ATEC *Highway Geometric Design Guide* was again used to assess the taper requirements based on intersection type. The upgrade of the north leg of the intersection to a Minor Road results in the overall intersection design being revised to represent a “Major-Minor Road Intersection - Four Lane Divided Highway” per Figure D-9.1c of the aforementioned ATEC source document. The two configurations from the ATEC guide are illustrated in **Figure 4.2 & Figure 4.3**.

The assessment of necessary geometric improvements inherent to the design were then assessed using the criteria noted on the two ATEC base designs. The addition of a Minor Road on the north side of the intersection dictated a need to check the need to add parallel storage/acceleration/deceleration lanes to the already present tapers at the intersection.

The results of this assessment based on the outcome of the analysis and the review of ATEC design guidelines confirmed the following regarding the overall intersection design for Highway 22/Highway 22X:

- The current intersection provides an eastbound left turn taper of approximately 40 to 50 metres, measured from the beginning of the taper widening to the bullnose of the median. This is similar to what is illustrated in ATEC design drawing D9.1d.
- The ATEC Design Guide requires a taper length of 87.5 metres, plus bullnose, to accommodate the addition of a Minor Road on the north leg of the intersection, per ATEC drawing D9.1c. This corresponds to a gross distance of approximately 100 to 140 metres, measured from the bullnose to the beginning of the taper widening.
- Other intersections to the east along Highway 22X exhibit left turn tapers varying from approximately 70 or 80 metres to approximately 100 to 120 metres in length. This is generally consistent with the dimension identified in the previous bullet. As such, the treatment in this manner would be consistent with other similar treatments in the area.
- Improvements to accommodate geometry in excess of what is shown on ATEC drawing D9.1c are not required to support Phase 1 of the proposed development.

The recommended intersection design is illustrated on **Exhibit 4.7**, which represents a modified version of the drawing submitted to ATEC for pre-analysis consideration in February 2023. The full-sized concept plan is included in **Appendix D**.

If in the future the developer of the site seeks to host large events/tournaments, it is understood that this would necessitate the submission of an application for a permit from ATEC to assess the need for additional analysis that could include but not be limited to the development of an eastbound left turn lane, new or improved acceleration lanes, and/or temporary traffic measures and event management through the development of a separate Traffic Accommodation Strategy per ATEC guidelines. These considerations are not necessary for the Phase 1 development.

Figure 4.2: ATEC Highway Geometric Design Guideline - Figure D-9.1c

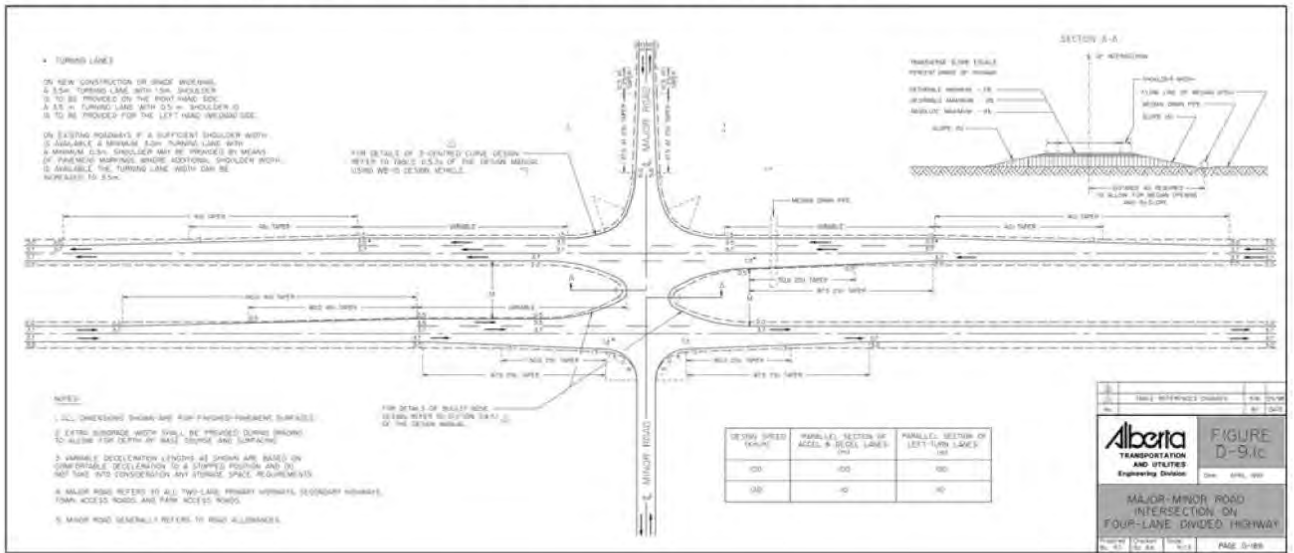
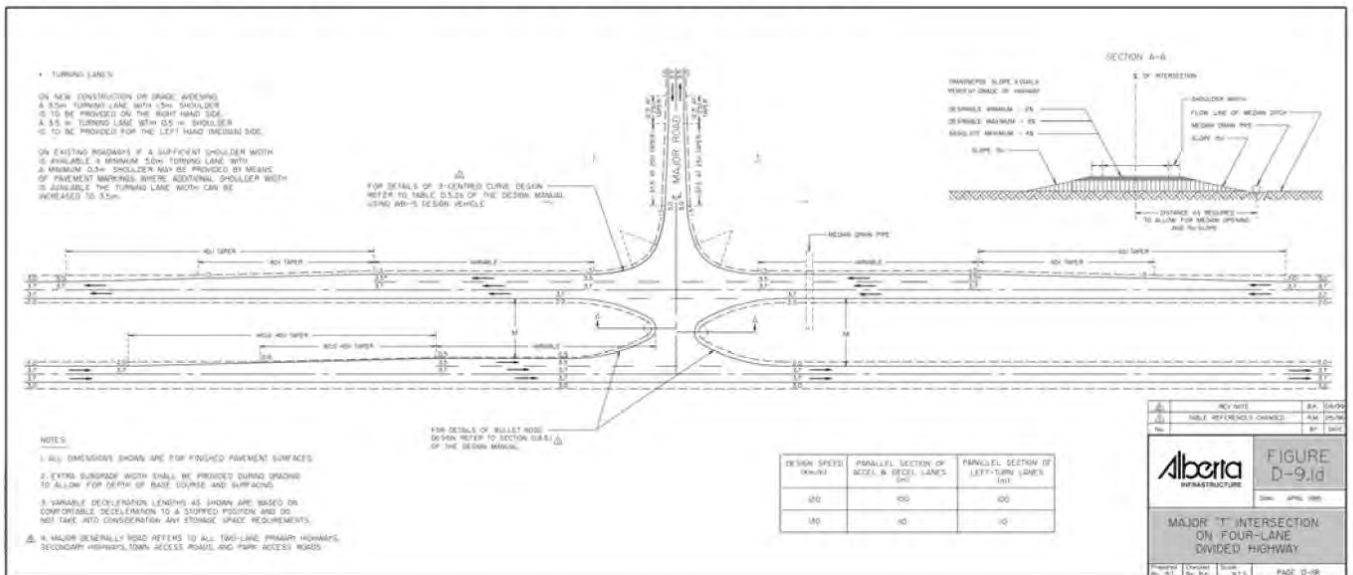


Figure 4.3: ATEC Highway Geometric Design Guideline - Figure D-9.1d



4.9.1 Illumination Warrant

An illumination warrant was not completed since the study area intersection is currently fully illuminated.

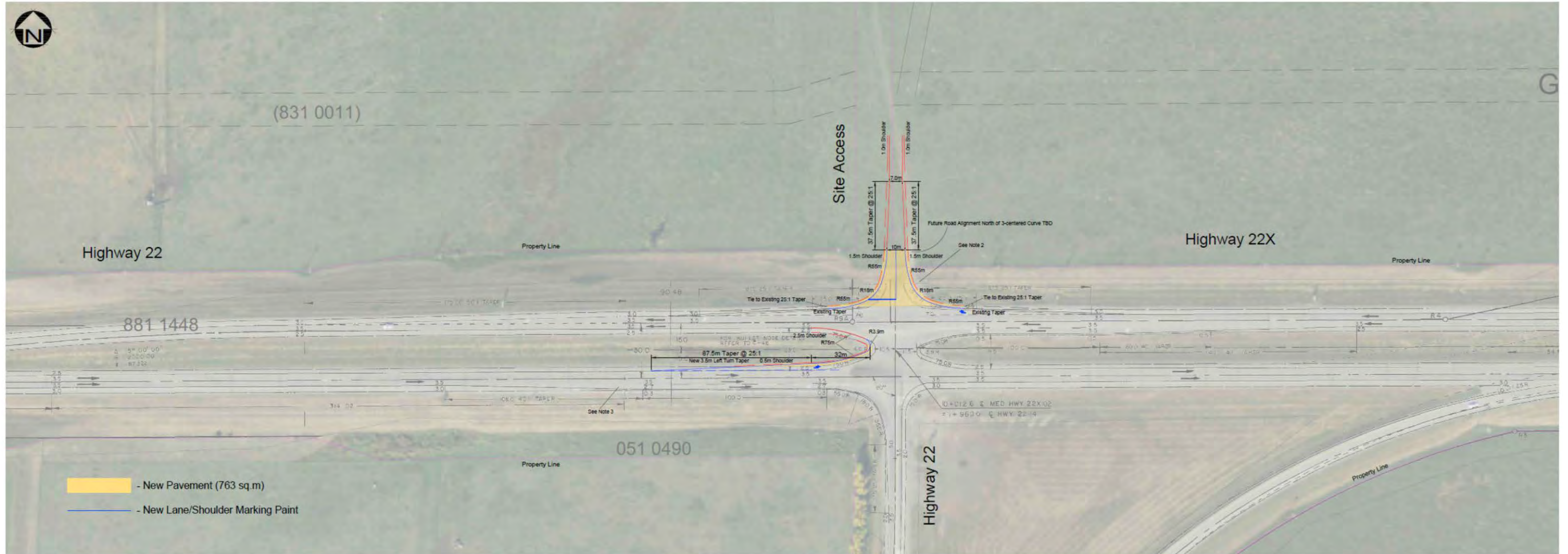


Exhibit 4.3
 Recommended After Development Intersection Design - Highway 22 & 22X

APPENDIX A

Scope Correspondence

From: Glen Pardoe <gpardoe@bunteng.com>
Sent: Thursday, June 22, 2023 4:18 PM
To: Jerry Lau <Jerry.Lau@gov.ab.ca>; Gerry Benoit <gerry.benoit@gov.ab.ca>
Cc: Brandin McMillan <bmcmillan@bunteng.com>; Trevor Richelhof <Trevor.Richelhof@gov.ab.ca>
Subject: Re: Hwy 22X Equestrian Facility

Gerry and Jerry,

It had been a while since we chatted about this one, so I thought I'd drop you a line with an update.

Brandin and I are nearing completion of the modified TIA you requested for the equestrian facility on Highway 22X at the junction with Highway 22. Per our discussion back in early May regarding general scope, we have completed the TIA based on the following:

- Traffic analysis of the Hwy 22/22X intersection for the peak hours using ATEC 100th highest hour volumes and appropriate growth rates.
- Horizons aligned with Opening Day and Opening Day + 20 Years, per ATEC TIA guidelines.
- Trip generation based on a similar site (Apex Equestrian on 552 NW of Okotoks) with due consideration of event activity. In our conversation with you about this site at the time, you noted your interest in understanding event activities and we have applied that thought process to the data we collected over the three days we were at their site.
- Assessment of left and right turn taper/parallel lane requirements at the intersection per ATEC guidelines.
- Conceptual design of improvements necessary at the Hwy22/22X intersection per ATEC design guidelines.

The study will be coming your way late tomorrow or at worst, Monday. We trust you'll be happy with how we've laid it out.

Thanks

GP

Glen Pardoe, P.Eng. | Principal | Lead, BD & Communications (he/him)

Bunt & Associates Engineering Ltd.
Suite 113 - 334 11th Avenue SE, Calgary, AB, T2G 0Y2
p 587 349 7569 w www.bunteng.com

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Written with respect and gratitude for the Traditional Territories upon which we work and live.

Thanks

From: Glen Pardoe <gpardoe@bunteng.com>
Date: Friday, April 28, 2023 at 4:23 PM
To: Jerry Lau <Jerry.Lau@gov.ab.ca>
Cc: Brandin McMillan <bmcmillan@bunteng.com>, Trevor Richelhof <Trevor.Richelhof@gov.ab.ca>, Gerry Benoit <gerry.benoit@gov.ab.ca>
Subject: Re: Hwy 22X Equestrian Facility

Thanks Jerry. Let's go with 1:30-2:00 on Tuesday. I'll send an invitation.

GP

From: Jerry Lau <Jerry.Lau@gov.ab.ca>
Date: Friday, April 28, 2023 at 4:00 PM
To: Glen Pardoe <gpardoe@bunteng.com>, Gerry Benoit <gerry.benoit@gov.ab.ca>
Cc: Brandin McMillan <bmcmillan@bunteng.com>, Trevor Richelhof <Trevor.Richelhof@gov.ab.ca>
Subject: RE: Hwy 22X Equestrian Facility

Hello Glen,

Gerry and I are available Tuesday after 1:30.

Thanks.

Jerry Lau, P. Eng.
Infrastructure Manager
Southern Region
Transportation and Economic Corridors
Government of Alberta

Tel 403-297-8633
Jerry.Lau@gov.ab.ca



Classification: Protected A

From: Glen Pardoe <gpardoe@bunteng.com>
Sent: Friday, April 28, 2023 3:14 PM
To: Gerry Benoit <gerry.benoit@gov.ab.ca>; Jerry Lau <Jerry.Lau@gov.ab.ca>
Cc: Brandin McMillan <bmcmillan@bunteng.com>; Trevor Richelhof <Trevor.Richelhof@gov.ab.ca>
Subject: Hwy 22X Equestrian Facility

CAUTION: This email has been sent from an external source. Treat hyperlinks and attachments in this email with care.

Hi Gerry and Jerry,

As you know, we are working for Stan Carscadden who is seeking to develop an equestrian facility on Hwy 22X where it meets Hwy 22, just east of Priddis. We previously developed some preliminary intersection design concepts, and in the time since we understand that Stan has met with the two of you. You are looking for some traffic analysis and we have now been asked to scope that with you.

Brandin and I would welcome the opportunity to chat with the two of you so that we can work out a scope, get a proposal done up for Stan and get the show on the road. We are aware of the traditional ATEC TIA guidelines but we understand from Stan (per your meeting) that the requirement here is for a traffic memo so we want to be sure we scope it correctly. Since you both met with Stan it would be great if both of you could be part of this scope meeting.

In terms of key points to consider, I note the following for consideration ahead of our meeting:

- You have 2022 intersection counts at 22X/22. This is good and provides a solid base for us to work from.
- The plan they submitted shows a facility that is pretty much a photocopy of another facility on SH 552 just north of Okotoks called Apex Equestrian (see attached aerial photo). These two facilities have about the same number of horse stalls, barn facilities and associated outbuildings, and run the same kind of operation, so we propose to count that site for a full week to get a decent base trip generation rate to use.

In any event, we can chat more about this next week. I'd like to try and tee something up for Monday or Tuesday if you are both free. How about something between 10-12 Monday or any time before 11 or after 3 on Tuesday?

Thanks

GP

Glen Pardoe, P.Eng. | Principal | President (he/him)

Bunt & Associates Engineering Ltd.
Suite 113 - 334 11th Avenue SE, Calgary, AB, T2G 0Y7
p 587 349 7569 or 403 669 8125 w www.bunteng.com

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APPENDIX B

Traffic Data

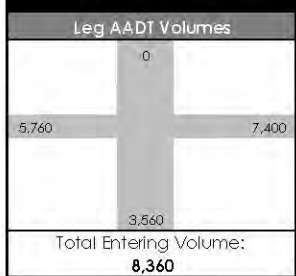
Reference Number:
67180

Intersection of:
22 & 22X NE OF PRIDDIS

North On:	Vehicle Type	Volume	%
	A: Passenger Vehicle	0	####
	B: Recreational Vehicle	0	####
	C: Bus	0	####
	D: Single Unit Truck	0	####
	E: Tractor Trailer Unit	0	####

AADT 0
ASDT 0

2022 AADT / ASDT Estimates



From North			
	Right	Thru	Left
	0	0	0
A	0	0	0
B	0	0	0
C	0	0	0
D	0	0	0
E	0	0	0

To North			
	Right	Thru	Left
	0	0	0
A	0	0	0
B	0	0	0
C	0	0	0
D	0	0	0
E	0	0	0

To West	
Volume	%
2,880	
2,688	
23	
21	
76	
72	

West On: 22	Volume	%
A	2,688	93.3%
B	23	0.8%
C	21	0.7%
D	76	2.6%
E	72	2.5%

AADT 5,760
ASDT 7,110

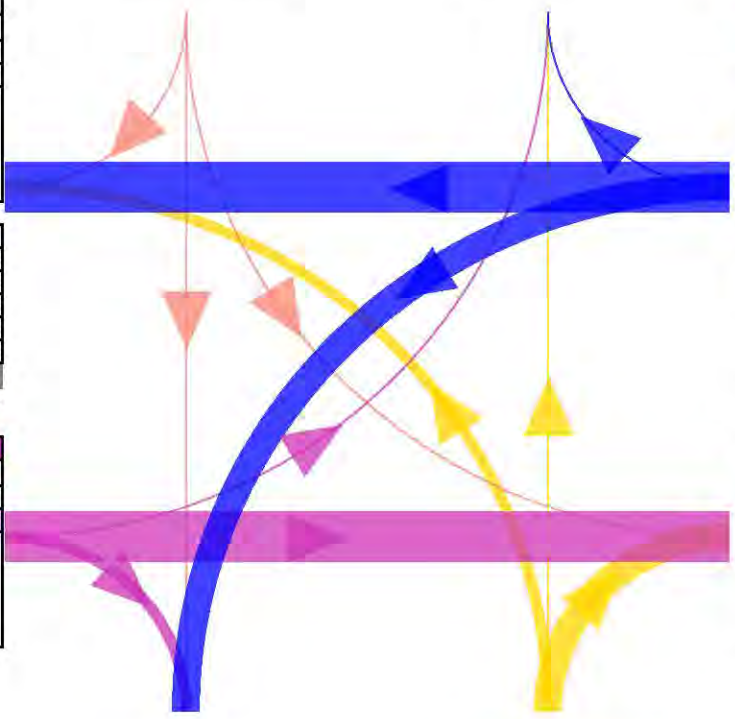
From East			
	Left	Thru	Right
	1,300	2,400	0
A	1,221	2,276	0
B	7	15	0
C	4	14	0
D	44	60	0
E	24	35	0

East On: 22X	Vehicle Type	Volume	%
	A: Passenger Vehicle	3,483	94.1%
	B: Recreational Vehicle	14	0.4%
	C: Bus	38	1.0%
	D: Single Unit Truck	98	2.6%
	E: Tractor Trailer Unit	67	1.8%

AADT 7,400
ASDT 9,130

From West			
	Left	Thru	Right
	0	2,400	480
A	0	2,253	416
B	0	11	6
C	0	31	10
D	0	55	16
E	0	50	32

To East	
Volume	%
3,700	
3,483	
14	
38	
98	
67	



To South	
Volume	%
1,780	
1,637	
13	
14	
60	
56	

From South			
	Left	Thru	Right
	480	0	1,300
A	412	0	1,230
B	8	0	3
C	7	0	7
D	16	0	43
E	37	0	17

South On: 22	Vehicle Type	Volume	%
	A: Passenger Vehicle	1,637	92.0%
	B: Recreational Vehicle	13	0.7%
	C: Bus	14	0.8%
	D: Single Unit Truck	60	3.4%
	E: Tractor Trailer Unit	56	3.1%

AADT 3,560
ASDT 4,230

ABBREVIATIONS:

AADT: Annual Average Daily Traffic. Average daily traffic expressed as vehicles per day for the period from January 1 to December 31 (inclusive), 365 days.

ASDT: Average Summer Daily Traffic. Average daily traffic expressed as vehicles per day for the period from May 1 to September 30 (inclusive), 153 days.

NOTE:
Coloured line thickness corresponds to turning movement volume.

Reference Number:
67180

Intersection of:
22 & 22X NE OF PRIDDIS

North On:	Vehicle Type	Volume	%
	A: Passenger Vehicle	0	####
	B: Recreational Vehicle	0	####
	C: Bus	0	####
	D: Single Unit Truck	0	####
	E: Tractor Trailer Unit	0	####
		AM	0

2022 AM 100th Highest Hour Estimates	
Leg AM Volumes	
0	974
707	479
Total Entering Volume: 1,080	

From North			
	Right	Thru	Left
	0	0	0
A	0	0	0
B	0	0	0
C	0	0	0
D	0	0	0
E	0	0	0

To North	
	0
A	0
B	0
C	0
D	0
E	0

To West	
	333
A	317
B	0
C	2
D	12
E	2

From East			
	Left	Thru	Right
	179	277	0
A	165	265	0
B	0	0	0
C	4	2	0
D	10	8	0
E	0	2	0

West On: 22	Volume	%
A	673	95.2%
B	2	0.3%
C	10	1.4%
D	16	2.3%
E	6	0.8%
AM		707

Vehicle Type	Volume	%
A	930	95.5%
B	2	0.2%
C	14	1.4%
D	20	2.1%
E	8	0.8%
AM		974

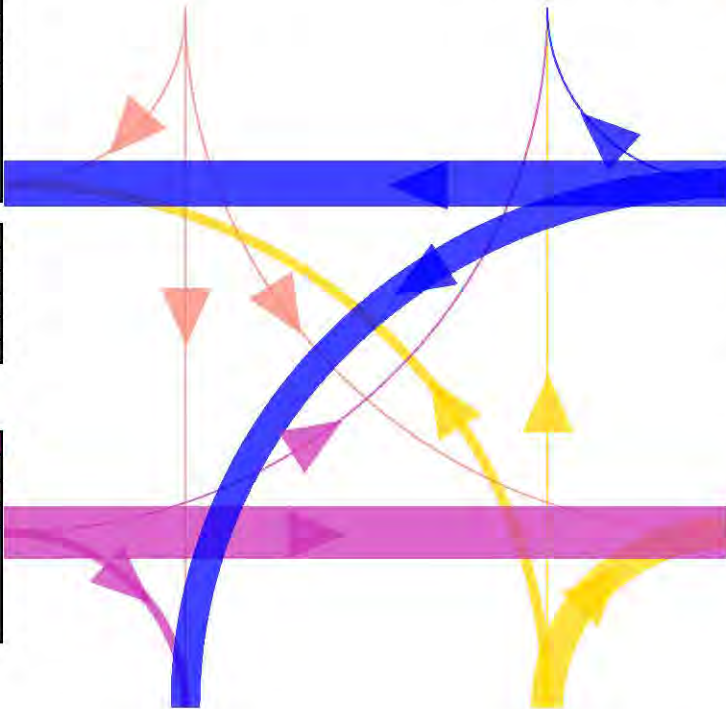
From West			
	Left	Thru	Right
	0	324	50
A	0	310	46
B	0	2	0
C	0	8	0
D	0	2	2
E	0	2	2

To East	
	518
A	500
B	2
C	8
D	2
E	6

To South	
	229
A	211
B	0
C	4
D	12
E	2

From South			
	Left	Thru	Right
	56	0	194
A	52	0	190
B	0	0	0
C	0	0	0
D	4	0	0
E	0	0	4

South On: 22	Vehicle Type	Volume	%
	A: Passenger Vehicle	453	94.6%
	B: Recreational Vehicle	0	0.0%
	C: Bus	4	0.8%
	D: Single Unit Truck	16	3.3%
	E: Tractor Trailer Unit	6	1.3%
AM		479	



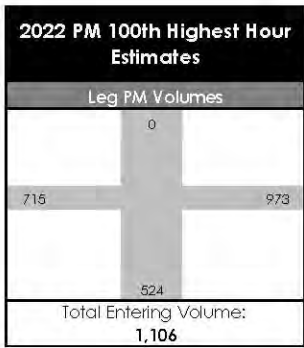
NOTE:
Coloured line thickness corresponds to turning movement volume.

Reference Number:
67180

Intersection of:
22 & 22X NE OF PRIDDIS

Vehicle Type	Volume	%
A: Passenger Vehicle	0	####
B: Recreational Vehicle	0	####
C: Bus	0	####
D: Single Unit Truck	0	####
E: Tractor Trailer Unit	0	####

PM 0



From North

	Right	Thru	Left
0	0	0	0
A	0	0	0
B	0	0	0
C	0	0	0
D	0	0	0
E	0	0	0

To North

	Volume
0	0
A	0
B	0
C	0
D	0
E	0

To West

	Volume
379	379
A	361
B	0
C	7
D	4
E	7

From East

	Left	Thru	Right
552	226	326	0
A	215	315	0
B	1	0	0
C	3	4	0
D	3	3	0
E	4	4	0

West On: 22

Vehicle Type	Volume	%
A: Passenger Vehicle	654	91.5%
B: Recreational Vehicle	1	0.1%
C: Bus	24	3.4%
D: Single Unit Truck	10	1.4%
E: Tractor Trailer Unit	26	3.6%

PM 715

East On: 22X

Vehicle Type	Volume	%
A: Passenger Vehicle	919	94.5%
B: Recreational Vehicle	2	0.2%
C: Bus	17	1.7%
D: Single Unit Truck	12	1.2%
E: Tractor Trailer Unit	23	2.4%

PM 973

From West

	Left	Thru	Right
336	0	256	80
A	0	231	62
B	0	0	1
C	0	10	7
D	0	3	3
E	0	12	7

To East

	Volume
421	421
A	389
B	1
C	10
D	6
E	15

To South

	Volume
306	306
A	277
B	2
C	10
D	6
E	11

From South

	Left	Thru	Right
218	53	0	165
A	46	0	158
B	0	0	1
C	3	0	0
D	1	0	3
E	3	0	3

South On: 22

Vehicle Type	Volume	%
A: Passenger Vehicle	481	91.8%
B: Recreational Vehicle	3	0.6%
C: Bus	13	2.5%
D: Single Unit Truck	10	1.9%
E: Tractor Trailer Unit	17	3.2%

PM 524

NOTE:
Coloured line thickness corresponds to turning movement volume.

Collision Data - Alberta Transportation

Location: Highway 22X:2 (from km 0.000 to km 0.200)

Years: 2014 - 2018

Date	Occurrence Hour	Location	Severity	Collision Type	Km	Collision Description
6/17/2017	1:12:00 AM	22	PDO	Miscellaneous		Veh travelling E on HWY 22X at HWY 22 when she struck a deer. No injuries, damage sticker 0 issued.
12/2/2016	12:00:00 PM		PDO	Rear-end	0.102	Object 1 was travelling east when she pulled over two lanes and slowed for a police car on the side of the road and was hit in the rear by Object 2.
1/5/2014	10:48:00 AM		PDO	Miscellaneous	0.068	W/B HWY 22X JUST BEFORE HWY 22 JUNCTION HIT DEER

Collision Data - Alberta Transportation

Location: Highway 22:14 (from km 0.000 to km 0.200)
Years: 2014 - 2018

Date	Occurrence Hour	Location	Severity	Collision Type	Km	Collision Description
8/14/2018	2:24:00 AM	022X	PDO	Run-off-road and strike fixed object		Object 1 travelling north at a high rate of speed on Highway 22, failed to stop at the stop sign at the T-intersection of Highway 22 and Highway 22X. Object 1 ran off road and went 150 metres into the north fi
3/17/2017	2:24:00 AM	HIGHWAY 22/22X JUNCTION	PDO	Miscellaneous	0.085	Object 1 was traveling east on highway 22 when another vehicle hit moose and then Swerved left to avoid moose but it struck on passenger side of front windshield This collision related to Collision Case Numbe
3/17/2017	3:36:00 AM	HIGHWAY 22/22X JUNCTION	PDO	Miscellaneous	0.113	Object 1 was heading east on Highway 22, went into left lane and vehicle drove over moose that was laying on the road. Object 1 rolled over and landed on passenger side. This collision related to Collision Ca
3/17/2017	2:09:36 AM	HIGHWAY 22/22X JUNCTION	PDO	Miscellaneous	0.108	Object 1 was heading East on Highway 22 when Moose came onto the Road. Object 1 hit Moose on his front Left Bumper. This collision related to Collision Case Number 798895 and 798884. (Same moose three separa
9/7/2014	3:36:00 AM	022X	PDO	Rear-end	0.012	V1 STOPPED ON HIGHWAY 22 AT THE INTERSECTION WITH HIGHWAY 22X WAITING TO TURN LEFT. V2 FAILED TO STOP IN TIME AND COLLIDED WITH THE REAR OF V1 CAUSING DAMAGE ONLY.

Collision Data - Alberta Transportation

Location: Highway 22:12 (from km 49.300 to km 49.100)

Years: 2014 - 2018

Date	Occurrence Hour	Location	Severity	Collision Type	Km	Collision Description
1/19/2017	7:12:00 AM	022X	PDO	Run-off-road-only	49.277	Object 1 was travelling east on Highway 22X when had to swerve to avoid collision. Object 1 left road to the north and hit packed snow in the median. Reference case 773326
1/19/2017	7:12:00 AM	022X	PDO	Angle	49.277	Object 1 was travelling north attempting a west turn. Eastbound vehicle turning south blocked object 1 sight. Object 1 proceeded to make westbound turn and Object 2 travelling east, in the outside lane, struck
9/8/2017	7:12:00 AM	274 AVENUE WEST	PDO	Miscellaneous	49.179	Object 1 was travelling south when deer came out onto the road.
5/26/2015	2:52:48 AM	HIGHWAY 22X	PDO	Miscellaneous	49.19	OBJECT 1 WAS DRIVING NORTH ON HIGHWAY 22 ON THE EXIT RAMP GOING TO HIGHWAY 22X WHEN DEER CAME OUT FROM DITCH.
5/27/2014	12:00:00 PM	022X	Injury	Angle	49.278	A VEHICLE WAS HEADING NORTH ON HIGHWAY 22 WHEN PULLED OUT AT THE INTERSECTION TO TURN WEST ONTO 22X. OBJECT 1 WAS IN THE OUTSIDE LANE HEADING EAST ON 22X AND HAD TO SWERVE INTO THE INSIDE LANE TO MISS THE VEHI DRIVING SOUTH ON 22 AT HIGHWAY 22X AND A DEER RAN OUT. STUCK DEER WITH TRUCK FRONT DRIVERS SIDE, BOUNCED UP AND SHATTERED WINDOW AND BROKE OFF MIRROR. DAMAGE STICKER ISSUED.
6/16/2014	7:12:00 AM	022X	PDO	Miscellaneous	49.138	MIRROR. DAMAGE STICKER ISSUED.

APPENDIX C

Synchro Reports



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Traffic Volume (veh/h)	0	330	51	183	283	0	57	0	0	0	0	0	
Future Volume (Veh/h)	0	330	51	183	283	0	57	0	0	0	0	0	
Sign Control		Free			Free				Stop		Stop		
Grade		0%			0%				0%		0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly flow rate (vph)	0	359	55	199	308	0	62	0	0	0	0	0	
Pedestrians													
Lane Width (m)													
Walking Speed (m/s)													
Percent Blockage													
Right turn flare (veh)													
Median type													
	Raised			Raised									
Median storage (veh)													
	2			2									
Upstream signal (m)													
pX, platoon unblocked													
vC, conflicting volume	308			414			911		1065	180	886	1120	154
vC1, stage 1 conf vol							359		359		706	706	
vC2, stage 2 conf vol							552		706		180	414	
vCu, unblocked vol	308			414			911		1065	180	886	1120	154
tC, single (\$)	4.1			4.2			7.6		6.6	7.0	7.5	6.5	6.9
tC, 2 stage (\$)							6.6		5.6		6.5	5.5	
tF (\$)	2.2			2.2			3.5		4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			82			83		100	100	100	100	100
cM capacity (veh/h)	1249			1127			363		331	829	309	299	864
Direction, Lane #													
	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1			
Volume Total	0	180	180	55	199	154	154	0	62	0			
Volume Left	0	0	0	0	199	0	0	0	62	0			
Volume Right	0	0	0	55	0	0	0	0	0	0			
cSH	1700	1700	1700	1700	1127	1700	1700	1700	363	1700			
Volume to Capacity	0.00	0.11	0.11	0.03	0.18	0.09	0.09	0.00	0.17	0.00			
Queue Length 95th (m)	0.0	0.0	0.0	0.0	4.9	0.0	0.0	0.0	4.6	0.0			
Control Delay (s)	0.0	0.0	0.0	0.0	8.9	0.0	0.0	0.0	16.9	0.0			
Lane LOS					A				C		A		
Approach Delay (s)	0.0			3.5			16.9			0.0			
Approach LOS							C			A			
Intersection Summary													
Average Delay	2.9												
Intersection Capacity Utilization	33.1%			ICU Level of Service						A			
Analysis Period (min)	15												



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR						
Lane Configurations	↘	↗↗	↘	↘	↗↗	↘		↗			↗↗							
Traffic Volume (veh/h)	0	261	82	231	333	0	54	0	0	0	0	0						
Future Volume (Veh/h)	0	261	82	231	333	0	54	0	0	0	0	0						
Sign Control		Free				Free			Stop		Stop							
Grade		0%				0%			0%		0%							
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92						
Hourly flow rate (vph)	0	284	89	251	362	0	59	0	0	0	0	0						
Pedestrians																		
Lane Width (m)																		
Walking Speed (m/s)																		
Percent Blockage																		
Right turn flare (veh)																		
Median type																		
	Raised				Raised													
Median storage (veh)																		
	2				2													
Upstream signal (m)																		
pX, platoon unblocked																		
vC, conflicting volume	362			373			967		1148		142		1006		1237		181	
vC1, stage 1 conf vol							284		284				864		864			
vC2, stage 2 conf vol							683		864				142		373			
vCu, unblocked vol	362			373			967		1148		142		1006		1237		181	
tC, single (s)	4.2			4.2			7.5		6.5		6.9		7.5		6.5		6.9	
tC, 2 stage (s)							6.5		5.5				6.5		5.5			
tF (s)	2.3			2.2			3.5		4.0		3.3		3.5		4.0		3.3	
p0 queue free %	100			79			81		100		100		100		100		100	
cM capacity (veh/h)	1158			1168			303		276		880		239		252		831	
Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1								
Volume Total	0	142	142	89	251	181	181	0	59	0								
Volume Left	0	0	0	0	251	0	0	0	59	0								
Volume Right	0	0	0	89	0	0	0	0	0	0								
cSH	1700	1700	1700	1700	1168	1700	1700	1700	303	1700								
Volume to Capacity	0.00	0.08	0.08	0.05	0.21	0.11	0.11	0.00	0.19	0.00								
Queue Length 95th (m)	0.0	0.0	0.0	0.0	6.2	0.0	0.0	0.0	5.4	0.0								
Control Delay (s)	0.0	0.0	0.0	0.0	8.9	0.0	0.0	0.0	19.7	0.0								
Lane LOS					A				C	A								
Approach Delay (s)	0.0			3.7			19.7			0.0								
Approach LOS							C			A								
Intersection Summary																		
Average Delay	3.3																	
Intersection Capacity Utilization	33.9%			ICU Level of Service						A								
Analysis Period (min)	15																	



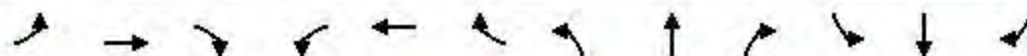
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Traffic Volume (veh/h)	0	460	71	254	393	0	80	0	0	0	0	0	
Future Volume (Veh/h)	0	460	71	254	393	0	80	0	0	0	0	0	
Sign Control		Free				Free			Stop		Stop		
Grade		0%				0%			0%		0%		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Hourly flow rate (vph)	0	500	77	276	427	0	87	0	0	0	0	0	
Pedestrians													
Lane Width (m)													
Walking Speed (m/s)													
Percent Blockage													
Right turn flare (veh)													
Median type													
	Raised				Raised								
Median storage (veh)													
	2				2								
Upstream signal (m)													
pX, platoon unblocked													
vC, conflicting volume	427		577				1266		1479	250	1229	1556	214
vC1, stage 1 conf vol							500		500		979	979	
vC2, stage 2 conf vol							766		979		250	577	
vCu, unblocked vol	427		577				1266		1479	250	1229	1556	214
tC, single (\$)	4.1		4.2				7.6		6.6	7.0	7.5	6.5	6.9
tC, 2 stage (\$)							6.6		5.6		6.5	5.5	
tF (\$)	2.2		2.2				3.5		4.0	3.3	3.5	4.0	3.3
p0 queue free %	100		72				63		100	100	100	100	100
cM capacity (veh/h)	1129		979				237		217	747	184	175	792
Direction, Lane #													
	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1			
Volume Total	0	250	250	77	276	214	214	0	87	0			
Volume Left	0	0	0	0	276	0	0	0	87	0			
Volume Right	0	0	0	77	0	0	0	0	0	0			
cSH	1700	1700	1700	1700	979	1700	1700	1700	237	1700			
Volume to Capacity	0.00	0.15	0.15	0.05	0.28	0.13	0.13	0.00	0.37	0.00			
Queue Length 95th (m)	0.0	0.0	0.0	0.0	8.8	0.0	0.0	0.0	12.2	0.0			
Control Delay (s)	0.0	0.0	0.0	0.0	10.1	0.0	0.0	0.0	28.7	0.0			
Lane LOS					B				D		A		
Approach Delay (s)	0.0				4.0				28.7		0.0		
Approach LOS									D		A		
Intersection Summary													
Average Delay			3.9										
Intersection Capacity Utilization			42.1%				ICU Level of Service				A		
Analysis Period (min)			15										



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	364	114	321	463	0	75	0	0	0	0	0
Future Volume (vph)	0	364	114	321	463	0	75	0	0	0	0	0
Ideal Flow (vphpl)	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850
Storage Length (m)	30.0		200.0	150.0		75.0	0.0		0.0	0.0		0.0
Storage Lanes	1		1	1		1	0		0	0		0
Taper Length (m)	7.6			7.6			7.6			7.6		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Fit			0.850									
Fit Protected				0.950				0.950				
Satd. Flow (prot)	1748	3322	1486	1709	3417	1799	0	1742	0	0	1834	0
Fit Permitted				0.950				0.950				
Satd. Flow (perm)	1748	3322	1486	1709	3417	1799	0	1742	0	0	1834	0
Link Speed (km/h)		100			100			100			100	
Link Distance (m)		320.0			242.9			99.1			99.9	
Travel Time (s)		11.5			8.7			3.6			3.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	7%	7%	7%	4%	4%	4%	2%	2%	2%	2%	2%	2%
Adj. Flow (vph)	0	396	124	349	503	0	82	0	0	0	0	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	396	124	349	503	0	0	82	0	0	0	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		16.0			16.0			0.0			0.0	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width (m)		4.9			4.9			4.9			4.9	
Two way Left Turn Lane												
Headway Factor	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
Turning Speed (km/h)	24		14	24		14	24		14	24		14
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Area Type:	Other
Control Type:	Unsignalized
Intersection Capacity Utilization	42.9%
ICU Level of Service	A
Analysis Period (min)	15



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↙	↕	↘	↙	↕	↘		↕			↕	
Traffic Volume (vph)	3	330	51	183	283	9	57	3	0	3	0	0
Future Volume (vph)	3	330	51	183	283	9	57	3	0	3	0	0
Ideal Flow (vphpl)	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850	1850
Storage Length (m)	30.0		200.0	150.0		75.0	0.0		0.0	0.0		0.0
Storage Lanes	1		1	1		1	0		0	0		0
Taper Length (m)	7.6			7.6			7.6			7.6		
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Fit			0.850			0.850						
Fit Protected	0.950			0.950			0.954				0.950	
Satd. Flow (prot)	1742	3484	1559	1709	3417	1529	0	1733	0	0	1742	0
Fit Permitted	0.950			0.950			0.954				0.950	
Satd. Flow (perm)	1742	3484	1559	1709	3417	1529	0	1733	0	0	1742	0
Link Speed (km/h)		100			100			100			100	
Link Distance (m)		320.0			242.9			99.1			99.9	
Travel Time (s)		11.5			8.7			3.6			3.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	2%	2%	2%	4%	4%	4%	3%	3%	3%	2%	2%	2%
Adj. Flow (vph)	3	359	55	199	308	10	62	3	0	3	0	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	3	359	55	199	308	10	0	65	0	0	3	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(m)		16.0			16.0			0.0			0.0	
Link Offset(m)		0.0			0.0			0.0			0.0	
Crosswalk Width (m)		4.9			4.9			4.9			4.9	
Two way Left Turn Lane												
Headway Factor	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
Turning Speed (km/h)	24		14	24		14	24		14	24		14
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Area Type:	Other
Control Type:	Unsignalized
Intersection Capacity Utilization	33.1%
Analysis Period (min)	15
	ICU Level of Service A



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↙	↕	↘	↙	↕	↘		↕			↕	
Traffic Volume (veh/h)	6	261	82	231	333	9	54	3	0	12	3	6
Future Volume (Veh/h)	6	261	82	231	333	9	54	3	0	12	3	6
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	7	284	89	251	362	10	59	3	0	13	3	7
Pedestrians												
Lane Width (m)												
Walking Speed (m/s)												
Percent Blockage												
Right turn flare (veh)												
Median type												
		Raised			Raised							
Median storage (veh)												
		2			2							
Upstream signal (m)												
pX, platoon unblocked												
vC, conflicting volume	372			373			990	1172	142	1022	1251	181
vC1, stage 1 conf vol							298	298		864	864	
vC2, stage 2 conf vol							692	874		158	387	
vCu, unblocked vol	372			373			990	1172	142	1022	1251	181
tC, single (\$)	4.2			4.2			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (\$)							6.5	5.5		6.5	5.5	
tF (\$)	2.3			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			79			79	99	100	95	99	99
cM capacity (veh/h)	1148			1168			287	267	880	238	248	831
Direction, Lane #												
	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1		
Volume Total	7	142	142	89	251	181	181	10	62	23		
Volume Left	7	0	0	0	251	0	0	0	59	13		
Volume Right	0	0	0	89	0	0	0	10	0	7		
cSH	1148	1700	1700	1700	1168	1700	1700	1700	286	306		
Volume to Capacity	0.01	0.08	0.08	0.05	0.21	0.11	0.11	0.01	0.22	0.08		
Queue Length 95th (m)	0.1	0.0	0.0	0.0	6.2	0.0	0.0	0.0	6.1	1.8		
Control Delay (s)	8.2	0.0	0.0	0.0	8.9	0.0	0.0	0.0	21.0	17.7		
Lane LOS	A				A				C	C		
Approach Delay (s)	0.2				3.6				21.0	17.7		
Approach LOS									C	C		
Intersection Summary												
Average Delay			3.7									
Intersection Capacity Utilization			35.5%		ICU Level of Service				A			
Analysis Period (min)			15									



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↙	↑↑	↗	↙	↑↑	↗		↖			↕	
Traffic Volume (veh/h)	3	460	71	254	393	9	80	3	0	3	0	0
Future Volume (Veh/h)	3	460	71	254	393	9	80	3	0	3	0	0
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	3	500	77	276	427	10	87	3	0	3	0	0
Pedestrians												
Lane Width (m)												
Walking Speed (m/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		Raised			Raised							
Median storage (veh)		2			2							
Upstream signal (m)												
pX, platoon unblocked												
vC, conflicting volume	437			577			1272	1495	250	1236	1562	214
vC1, stage 1 conf vol							506	506		979	979	
vC2, stage 2 conf vol							766	989		258	583	
vCu, unblocked vol	437			577			1272	1495	250	1236	1562	214
tC, single (\$)	4.1			4.2			7.6	6.6	7.0	7.5	6.5	6.9
tC, 2 stage (\$)							6.6	5.6		6.5	5.5	
tF (\$)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			72			63	99	100	98	100	100
cM capacity (veh/h)	1119			979			234	212	747	183	173	792
Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1		
Volume Total	3	250	250	77	276	214	214	10	90	3		
Volume Left	3	0	0	0	276	0	0	0	87	3		
Volume Right	0	0	0	77	0	0	0	10	0	0		
cSH	1119	1700	1700	1700	979	1700	1700	1700	233	183		
Volume to Capacity	0.00	0.15	0.15	0.05	0.28	0.13	0.13	0.01	0.39	0.02		
Queue Length 95th (m)	0.1	0.0	0.0	0.0	8.8	0.0	0.0	0.0	13.1	0.4		
Control Delay (s)	8.2	0.0	0.0	0.0	10.1	0.0	0.0	0.0	29.8	24.9		
Lane LOS	A				B				D	C		
Approach Delay (s)	0.0				3.9				29.8	24.9		
Approach LOS									D	C		
Intersection Summary												
Average Delay			4.0									
Intersection Capacity Utilization			41.9%		ICU Level of Service				A			
Analysis Period (min)			15									



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR				
Lane Configurations	↙	↑↑	↗	↙	↑↑	↗		↑			↕					
Traffic Volume (veh/h)	6	364	114	321	463	9	75	3	0	12	3	6				
Future Volume (Veh/h)	6	364	114	321	463	9	75	3	0	12	3	6				
Sign Control		Free			Free			Stop			Stop					
Grade		0%			0%			0%			0%					
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92				
Hourly flow rate (vph)	7	396	124	349	503	10	82	3	0	13	3	7				
Pedestrians																
Lane Width (m)																
Walking Speed (m/s)																
Percent Blockage																
Right turn flare (veh)																
Median type																
	Raised				Raised											
Median storage (veh)																
	2				2											
Upstream signal (m)																
pX, platoon unblocked																
vC, conflicting volume	513		520		1368		1621		198		1414		1735		252	
vC1, stage 1 conf vol					410		410				1201		1201			
vC2, stage 2 conf vol					958		1211				214		534			
vCu, unblocked vol	513		520		1368		1621		198		1414		1735		252	
tC, single (\$)	4.1		4.1		7.5		6.5		6.9		7.5		6.5		6.9	
tC, 2 stage (\$)					6.5		5.5				6.5		5.5			
tF (\$)	2.2		2.2		3.5		4.0		3.3		3.5		4.0		3.3	
p0 queue free %	99		67		50		98		100		90		98		99	
cM capacity (veh/h)	1049		1042		165		155		810		126		129		748	
Direction, Lane #																
	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1						
Volume Total	7	198	198	124	349	252	252	10	85	23						
Volume Left	7	0	0	0	349	0	0	0	82	13						
Volume Right	0	0	0	124	0	0	0	10	0	7						
cSH	1049	1700	1700	1700	1042	1700	1700	1700	165	169						
Volume to Capacity	0.01	0.12	0.12	0.07	0.33	0.15	0.15	0.01	0.52	0.14						
Queue Length 95th (m)	0.2	0.0	0.0	0.0	11.3	0.0	0.0	0.0	19.4	3.5						
Control Delay (s)	8.5	0.0	0.0	0.0	10.2	0.0	0.0	0.0	48.1	29.6						
Lane LOS	A				B				E		D					
Approach Delay (s)	0.1				4.1				48.1		29.6					
Approach LOS									E		D					
Intersection Summary																
Average Delay			5.6													
Intersection Capacity Utilization			45.4%		ICU Level of Service				A							
Analysis Period (min)			15													

APPENDIX D

Conceptual Design



Groundwater Resources
Information Technologies Ltd.

February 15, 2023

File: 2022 – 1924

Township Planning & Design
Kristi@twplanning.com

Attention: Kristi Beunder

Dear Ms. Beunder

**RE: Water Supply from on site wells – White Moose Farms
SW – 25 – 22 – 3W5, Foothills County**

Two water supply wells have been installed on the above mentioned property to supply water for a proposed equestrian facility at the site. Secondary backup/observation wells were also installed.

The first well was installed in 2021 and obtains water from a sandstone aquifer from a depth of 47.2 – 54.9 m below ground. Pumping tests undertaken on this well show a long term yield of 13,000 cubic metres of water per year.

The second well was installed in 2022 and also obtains water from a sandstone aquifer from a depth of 45.7 – 76.2 m below ground. A long term yield from this well of more than 35,000 cubic metres per year is estimated from this well.

The water consists of a sodium-bicarbonate type water with a Total Dissolved Solids concentration of less than 850 mg/L. This water is acceptable for livestock use and for human consumption with minimal treatment.

Sufficient water for the proposed facility is present. Both supply wells will have to be licensed through Alberta Environment and Protected Areas prior to use at the facility.

Yours truly,

Ken Hugo, P.Geol.

**18. __ DIRECT CONTROL DISTRICT #XX (DC XX)
CONSERVATION EASEMENT and EVENT VENUE**

DC# _____

18.37.1 PURPOSE AND INTENT

To allow for development on lands, which are subject to a Conservation Easement for Agriculture that includes, in each quarter section, a specifically identified Excluded Area that may support non-agricultural activities.

Lands under the Conservation Easement for Agriculture are subject to the uses as outlined in the registered document which varies from the standard land use bylaw Agricultural District land by precluding subdivision and various land uses.

This District also accommodates, within the Excluded Areas only, a range of business, support and service uses.

This District may be appropriate for venues capable of accommodating events that vary significantly in size. Special events over 250 persons will require separate and individual special event permitting. It is intended that Council will control this through the development permit process.

The equestrian event venue is stand alone and does not include accessory to the primary use, for example, a dwelling unit, but will include staff accommodation.

Development Permit applications within this District shall be in alignment with an approved Master Site Development Permit to the satisfaction of Foothills County for each quarter section, listed below, are to be completed in accordance with Section 18.37.6.x of this District at the appropriate time.

This District also allows for the Direct Control by Council over development on the following three quarter sections (the lands):

- SE 26-22-3 W5M (10-acre excluded area)
- SW 25-22-3 W5M (15-acre excluded area)
- NW 25-22-3 W5M (5-acre excluded area to be determined)

These lands, including identification of the excluded areas, are shown on Map A attached hereto.

18.37.2 PERMITTED USES

- Accessory Buildings not requiring a development permit
- Accessory Uses to the Dwelling
- Arena, Commercial
- Agricultural, General
- Administrative Office Accessory to an approved use
- Dwelling, Detached Single Family

- * No more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size
- * No more than 2 such dwellings are permitted on a single lot 32.4 ha (80 ac) or greater in size.

Dwelling, manufactured home under 6.10m (20 ft.) in length or width
* permitted use only on lots 32.4 ha (80 acres) or greater in size.
Dwelling, relocated or moved on
* permitted use only on lots 32.4 ha (80 acres) or greater in size.
Geothermal Equipment, personal or accessory to an approved use
Home Office
Public Works
Signs not requiring a development permit
Solar Power Equipment, personal or accessory to an approved use
Temporary Storage of up to 5 unoccupied recreational vehicles
Temporary Storage of up to 25 Horse Trailers
Utility services, minor

18.37.3 DISCRETIONARY USES

Accessory Use (may be stand alone, attached or accessory to the arena)
Auctioneering Services, Livestock
Agricultural, Intensive
Antenna structures, private
Assembly Use
Boarding Services
Campground accessory to the Event Venue Use
Dwelling, manufactured home (mobile home) - one only
* Discretionary use only on lots less than 80 acres in size
Dwelling, Moved On
* Discretionary use only on lots less than 80 acres in size
Dwelling, Temporary (staff accommodations)
Education Centre
Educational Services Private / Charter
Event
Event, Private
Food Service accessory to the Event Venue use
Food Truck
Greenhouse, private
Intensive Livestock Operation
Intensive Vegetation Operation
Lot Grading
Manmade water features requiring a development permit
Mixed Use Development
Personal Services accessory to the Equestrian Use
Public/Quasi Public Installations and Facilities
Rearing of Livestock
Retail
Retail Store
Retail Kiosk accessory to an approved use
Restaurant
Special Events (larger than 250 people)
Signs requiring a Development Permit
Utility Building
Utility Services, Minor

Wind Energy Conversion System, personal or accessory to an approved use

18.37.4 LAND USE REQUIREMENTS

Standards of the development shall be at the discretion of Council. No subdivision is permitted under the Conservation Easement for Agriculture.

18.37.5 DEVELOPMENT REQUIREMENTS

Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.);

Or as determined by Council.

- b. Accessory Buildings
 - i. 10.67m (35 ft.);

Or as determined by Council.

- c. Radio antennas, internet towers and wind energy conversion systems
 - i. 16m (52.49 ft.);

Or as determined by Council.

Maximum Lot Coverage

- d. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than forty (40) percent of the total development area.

Minimum Yard Setback Requirements:

- e. Front Yard Setback:
 - i. 15m (49.21 ft.) from the right of way of an Internal Subdivision Road;
 - ii. 48m (157.48ft.) from the centre line of a Municipal Road;
 - iii. 64m (209.97 ft.) from the ultimate right of way or 70 meters from the centreline of a Primary Highway, whichever is greater;
 - iv. 40m (131.23 ft.) from a Primary Highway;
 - v. Or as determined by Council.
- f. Side Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- g. Rear Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- h. 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.

i. Corner Parcel Restrictions:

In accordance with Sections 9.27.9 - 9.27.12.

j. Specific setbacks for **Excluded Areas** only:

- i. Zero setbacks within the boundary delineated as excluded area, both within the identified excluded area and as they may relate to adjacent quarter lines, there shall be no setbacks applicable as lands outside the excluded areas are within a Conservation Easement for Agriculture.
- ii. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for road acquisition 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.

Other Minimum Setback Requirements:

- k. See Section 9.27 “Special Setback Requirements” of Land use bylaw for additional setback requirements that may apply;
- l. The Approving Authority may require a greater building setback for any use which, in the opinion of the Approving Authority, may interfere with the amenity of adjacent uses.

Minimum habitable area per Dwelling:

- m. 100 m² (1,077 sq. ft.), this may be smaller if the dwelling is temporary in nature and permitted and applied for as such.

18.37.6 SPECIAL PROVISIONS

Landscaping and Screening:

- a. landscaping shall be completed in accordance with the Municipal Screening Standards;
- b. levels and methods of screening of the site shall be completed in accordance with the Municipal Screening Standards.

Nuisance:

- c. no offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot;

Manure Management

- d. Manure Management shall be undertaken in accordance with the Agricultural Operation and Practices Act.

Special Events:

- e. Special Events over 250 persons require a separate Special Events Permit.

The Development Authority, may, as a condition of issuing a Development Permit impose any condition that addresses a relevant planning and development matter, including but not limited to:

- f. Location and maximum size of facilities to be constructed;
- g. Development setbacks;
- h. Hours of operation;
- i. Number of guest rooms;
- j. Maximum number of days of stay.
- k. Number of employees;
- l. Number of vehicle visits per day;
- m. Number of Animal Units permitted on the property;
- n. Number, duration and size of public or special events permitted;
- o. Noise;
- p. Buffering;
- q. Lighting;
- r. Outdoor storage;
- s. Parking requirements; as directed by Council (seeking relaxation)
- t. Screening of facilities.
- u. Requirements for evacuation and emergency response plans

Any other conditions that Council deems necessary.

Lighting:

- v. all lighting must be in accordance Section 9.15 of this Land use bylaw

Lot Drainage:

- w. lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

Master Site Development Permit(s)

- x. An approved Master Site Development Permit (MSDP) may be required for each of the 3 quarter sections in advance of considering a Development Permit application as complete. As part of the MSDP, the following information may be required to the satisfaction of Council:
 - i. Confirmation that the Land Trust has been circulated with the MSDP proposal;
 - ii. Community Engagement Summary;
 - iii. Description of the proposed development and phasing plan;
 - iv. Site plans with details of all development on the subject quarter section;
 - v. Building elevations and placement;
 - vi. Access management strategy;
 - vii. Servicing strategy;

18.37.7 PROCEDURE

Notwithstanding the procedure established for development permit applications in Section 4, an application for development permit in respect of lands referred to in Section ## may be referred by the Development Officer to the Council for its approval or refusal.

Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council or their delegate shall decide on all applications for development permits with respect to lands referred to in Section ##. The Council or their delegate may approve a development permit application with or without conditions, or may refuse an application for development permit.

There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section ##.

18.37.8 DEFINITIONS

AUTHORIZED AGRICULTURAL ACTIVITIES - The following Agricultural Activities are authorized on the Conserved Lands:

- (a) the breeding, seeding, growing, harvesting, cleaning, feeding, marketing and selling of Authorized Crops;
- (b) the breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of Authorized Species;
- (c) building, maintaining, repairing, replacing and removing Agricultural Structures and all other improvements necessary or useful in connection with the Agricultural activities on the Conserved Lands including, without restricting the generality of the foregoing, fences, corrals, wildlife protection fencing and other barriers to livestock movement in such sizes, configurations and locations as are deemed necessary or appropriate by the Landowner in relation to the Agricultural Products on the Conserved Lands;
- (d) the conduct of public field days, demonstrations, displays, sales, shows and competitions in connection with Agricultural Products;
- (e) the conduct of equestrian activities of all kinds including, without restricting the generality of the foregoing, shows, demonstrations, competitions, contests and sales;
- (f) Agricultural heritage displays, demonstrations, competitions and showcasing;
- (g) modern or current displays, demonstrations, competitions and showcasing of Agricultural Products and farming, ranching and equestrian practises, to promote awareness of Agriculture and the Agricultural Conservation Values;

CONSERVATION EASEMENT FOR AGRICULTURE means an agreement between the landowner and Alberta Farmland Trust, registered as 231010247, on the certificates of title of the subject lands.

CONSERVED LANDS means the lands contained in SE 26-22-3 W5M, SW 25-22-3 W5M and NW 25-22-3 W5M excluding the Excluded Areas.

DWELLING, STAFF means a dwelling unit, either temporary or permanent that is required to house on site staff.

EXCLUDED AREAS means the areas in each of the subject lands comprising approximately 10 acres more or less in SE 26, approximately 15 acres more or less in SW 25 and approximately 5 acres more or less in NW 25, as shown on Map A attached hereto. In accordance with the Conservation Easement for Agriculture, none of the restrictions and limitations set forth the easement, except for the prohibition of subdivision, shall apply to the Excluded Areas such that the Landowner shall have complete freedom (within the limits of this Direct Control district) to carry on whatever activities that the Landowner may wish on the Excluded Areas, whether Agricultural, residential, commercial or industrial.

MASTER SITE DEVELOPMENT PERMIT (MSDP) is a detailed document that provides guidelines for the phased development of each quarter section over a specified period of time. MSDPs are professionally prepared documents that are used to fully inform Council and the public of the proposed development, and may include topics such as but not limited to a proposed phasing plan, servicing and access details for the development and site specific technical analysis.

18. __ DIRECT CONTROL DISTRICT #XX (DC XX)**CONSERVATION EASEMENT and EVENT VENUE FOR AGRICULTURE****DC# _____****WITH EXCLUDED AREAS****18.37.1 PURPOSE AND INTENT**

~~The To~~ purpose and intent of this District is to allow for development on ~~lands, which SE 26-22-3 W5M (with 10 acre Excluded Area), SW 25-22-3 W5M (with 15 acre Excluded Area) and NW 25-22-3 W5M (with 5 acre Excluded Area yet to be designated).~~ These quarter sections are subject to a Conservation Easement for Agriculture held by the Alberta Farmland Trust that includes, ~~in each~~ within its definition of the "Agriculture" that is permitted on the conserved lands, all forms of breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of horses.

~~Each~~ quarter section, ~~a specifically identified~~ has an "Excluded Area" that may support non-agricultural ~~activities.uses.~~

~~Lands under the Conservation Easement for Agriculture are subject to the uses as outlined in the registered document which varies from the standard land use bylaw Agricultural District land by precluding subdivision and various land uses.~~

~~This District also accommodates, within the Excluded Areas only, a range of business, support and service uses.~~

~~This District may be appropriate for venues capable of accommodating events that vary significantly in size. Special events over 250 persons will require separate and individual special event permitting. It is intended that Council will control this through the development permit process.~~ This direct control District is intended to accommodate commercial equestrian facilities and activities together with normally recognized agricultural endeavours such as the growing of annual cereal crops and perennial forage on the conserved lands, while also accommodating other non-agricultural uses that may be proposed from time to time on the Excluded Area within each quarter section.

The Conservation Easement for Agriculture has been made a matter of permanent public record, having been registered on the title to each of the three quarter sections as Instrument No. 231 010 247 at the Land Titles Office for the South Alberta Land Registration District. The Excluded Areas within SE 26 and NW 25 have been surveyed by an Alberta Land Surveyor and are identified by the registered Survey Plans which form a part of the Conservation Easement for Agriculture.

When the Excluded Area within NW 25 has been designated as between the landowner and Alberta Farmland Trust, then that Excluded Area will also be surveyed by an Alberta Land Surveyor, the Conservation Easement for Agriculture will be amended to add the registered Survey Plan for that Excluded Area, and the amendment will also then be registered at the Land Titles Office so as to create a permanent public record of that Excluded Area.

~~The equestrian event venue is stand alone and does not include accessory to the primary use, for example, a dwelling unit, but will include staff accommodation.~~

~~Development Permit applications within this District shall be in alignment with an approved Master Site Development Permit to the satisfaction of Foothills County for each quarter section, listed below, are to be completed in accordance with Section 18.37.6.x of this District at the appropriate time.~~

~~This District also allows for the Direct Control by Council over development on the following three quarter sections (the lands):~~

~~SE 26-22-3 W5M (10 acre excluded area)~~

~~SW 25-22-3 W5M (15 acre excluded area)~~

~~NW 25-22-3 W5M (5 acre excluded area to be determined)~~

~~These lands, including identification of the excluded areas, are shown on Map A attached hereto.~~

18.37.2 PERMITTED USES (WITH THOSE USES THAT ARE EXCLUSIVELY PERMITTED WITHIN THE EXCLUDED AREAS BEING MARKED BY ASTERISK)

Accessory Buildings not requiring a development permit

*Accessory Uses to ~~the~~ Dwelling

Arena, Commercial

Agricultural, General

Administrative Office Accessory to an approved use

*Dwelling, Detached Single Family

- * No more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size

- * No more than 2 such dwellings are permitted on a single lot 32.4 ha (80 ac) or greater in size.

*Dwelling, manufactured home under 6.10m (20 ft.) in length or width

- * permitted use only on lots 32.4 ha (80 acres) or greater in size.

*Dwelling, relocated or moved on

- * permitted use only on lots 32.4 ha (80 acres) or greater in size.

Geothermal Equipment, personal or accessory to an approved use

*Home Office

Public Works

Signs not requiring a development permit

Solar Power Equipment, personal or accessory to an approved use

*Temporary Storage of up to 5 unoccupied recreational vehicles

Temporary Storage of up to 25 Horse Trailers

Utility services, minor

18.37.3 DISCRETIONARY USES (WITH THOSE USES THAT ARE EXCLUSIVELY PERMITTED WITHIN THE EXCLUDED AREAS BEING MARKED BY ASTERISK)

Accessory Use (may be stand alone, attached or accessory to the arena)

Auctioneering Services, Livestock

Agricultural, Intensive

Antenna structures, private

Assembly Use

Boarding Services

- *Campground accessory to the Event Venue Use
- *Dwelling, manufactured home (mobile home) - one only
 - * Discretionary use only on lots less than 80 acres in size
- *Dwelling, Moved On
 - * Discretionary use only on lots less than 80 acres in size
- *Dwelling, Temporary (staff accommodations)
- *Education Centre
- *Educational Services Private / Charter
- Event
- Event, Private
- Food Service accessory to the Event Venue use
- Food Truck
- Greenhouse, private
- Intensive Livestock Operation
- Intensive Vegetation Operation
- Lot Grading
- Manmade water features requiring a development permit
- *Mixed Use Development
- Personal Services accessory to the Equestrian Use
- Public/Quasi Public Installations and Facilities
- Rearing of Livestock
- *Retail
- *Retail Store
- Retail Kiosk accessory to an approved use
- *Restaurant
- Special Events (larger than 250 people)
- Signs requiring a Development Permit
- Utility Building
- Utility Services, Minor
- Wind Energy Conversion System, personal or accessory to an approved use

18.37.4 LAND USE REQUIREMENTS

Standards of the development shall be at the discretion of Council. ~~No subdivision is permitted under the Conservation Easement for Agriculture.~~

No subdivision is permitted under the Conservation Easement for Agriculture.

18.37.5 DEVELOPMENT REQUIREMENTS (WITH THOSE THAT ARE EXCLUSIVELY APPLICABLE TO THE EXCLUDED AREAS BEING MARKED BY ASTERISK)

Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.);

Or as determined by Council.

- b. Accessory Buildings
 - i. 10.67m (35 ft.);

Or as determined by Council.

- c. Radio antennas, internet towers and wind energy conversion systems
 - i. 16m (52.49 ft);

Or as determined by Council.

Maximum Lot Coverage

- d. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than forty (40) percent of the total development area.

Minimum Yard Setback Requirements:

- e. Front Yard Setback:
 - i. 15m (49.21 ft.) from the right of way of an Internal Subdivision Road;
 - ii. 48m (157.48ft.) from the centre line of a Municipal Road;
 - iii. 64m (209.97 ft.) from the ultimate right of way or 70 meters from the centreline of a Primary Highway, whichever is greater;
 - iv. 40m (131.23 ft.) from a Primary Highway;
 - v. Or as determined by Council.
- f. Side Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- g. Rear Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council
- h. 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.
- i. Corner Parcel Restrictions:

In accordance with Sections 9.27.9 - 9.27.12.

~~j.~~ ~~Specific~~ ~~No~~ setbacks ~~for~~ applicable to Excluded Areas ~~only~~:

~~i.~~ ~~Zero~~ There will be no setbacks within the boundary delineated as ~~excluded area~~ Excluded Area, both within the identified ~~excluded area~~ Excluded Area and as they may relate to adjacent quarter lines, ~~there shall be no setbacks applicable~~ as lands outside the ~~excluded areas~~ Excluded Areas are within ~~a~~ the Conservation Easement for Agriculture.

~~j.~~ ~~ii.~~ ~~If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for road acquisition 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.~~

Other Minimum Setback Requirements:

- k. See Section 9.27 “Special Setback Requirements” of Land use bylaw for additional setback requirements that may apply;
- l. The Approving Authority may require a greater building setback for any use which, in the opinion of the Approving Authority, may interfere with the amenity of adjacent uses.

*Minimum habitable area per Dwelling:

- m. 100 m² (1,077 sq. ft.), this may be smaller if the dwelling is temporary in nature and permitted and applied for as such.

18.37.6 SPECIAL PROVISIONS (WITH THOSE THAT ARE EXCLUSIVELY APPLICABLE TO THE EXCLUDED AREAS BEING MARKED BY ASTERISK)

Landscaping and Screening:

- a. landscaping shall be completed in accordance with the Municipal Screening Standards;
- b. levels and methods of screening of the site shall be completed in accordance with the Municipal Screening Standards.

Nuisance:

- c. no offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot;

Manure Management

- d. Manure Management shall be undertaken in accordance with the Agricultural Operation and Practices Act.

Special Events:

- e. Any Special Events over 250 persons will require a separate Special Events Permit.

The Development Authority, may, as a condition of issuing a Development Permit impose any condition that addresses a relevant planning and development matter, including but not limited to:

- f. Location and maximum size of facilities to be constructed;
- g. Development setbacks;
- h. Hours of operation;
- i. *Number of guest rooms;
- j. *Maximum number of days of stay;
- k. Number of employees;
- l. Number of vehicle visits per day;
- m. Number of Animal Units permitted on the property;
- n. Number, duration and size of public or special events permitted;
- o. Noise;

- p. Buffering;
- q. Lighting;
- r. Outdoor storage;
- s. Parking requirements; ~~as directed by Council (seeking relaxation)~~
- t. Screening of facilities.
- u. Requirements for evacuation and emergency response plans

Any other conditions that Council deems necessary.

Lighting:

- v. all lighting must be in accordance Section 9.15 of this Land use bylaw

Lot Drainage:

- w. lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

Master Site Development Permit(s)

- x. An approved Master Site Development Permit (MSDP) ~~may~~shall be required for ~~each~~any one of the 3 quarter sections in advance of considering as complete, a Development Permit application ~~as complete~~for a development on that quarter section. As part of the MSDP, the following information may be required to the satisfaction of Council:
 - i. Confirmation that the Land Trust has been circulated with the MSDP proposal;
 - ii. Community Engagement Summary;
 - iii. Description of the proposed development and phasing plan;
 - iv. Site plans with details of all development on the subject quarter section;
 - v. Building elevations and placement;
 - vi. Access management strategy and site circulation;
 - vii. Servicing strategy~~;~~.

18.37.7 PROCEDURE

Notwithstanding the procedure established for development permit applications in Section 4, an application for development permit in respect of lands referred to in Section #.# may be referred by the Development Officer to the Council for its approval or refusal.

Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council or their delegate shall decide on all applications for development permits with respect to lands referred to in Section #.#. The Council or their delegate may approve a development permit application with or without conditions, or may refuse an application for development permit.

There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section #.#.

~~18.37.8~~ **DEFINITIONS**

~~**AUTHORIZED AGRICULTURAL ACTIVITIES**—The following Agricultural Activities are authorized on Conserved Lands:~~

- ~~(a) — the breeding, seeding, growing, harvesting, cleaning, feeding, marketing and selling of Authorized Crops;~~
- ~~(b) — the breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of Authorized Species;~~
- ~~(c) — building, maintaining, repairing, replacing and removing Agricultural Structures and all other improvements necessary or useful in connection with the Agricultural activities on the Conserved Lands including, without restricting the generality of the foregoing, fences, corrals, wildlife protection fencing and other barriers to livestock movement in such sizes, configurations and locations as are deemed necessary or appropriate by the Landowner in relation to the Agricultural Products on the Conserved Lands;~~
- ~~(d) — the conduct of public field days, demonstrations, displays, sales, shows and competitions in connection with Agricultural Products;~~
- ~~(e) — the conduct of equestrian activities of all kinds including, without restricting the generality of the foregoing, shows, demonstrations, competitions, contests and sales;~~
- ~~(f) — Agricultural heritage displays, demonstrations, competitions and showcasing;~~
- ~~(g) — modern or current displays, demonstrations, competitions and showcasing of Agricultural Products and farming, ranching and equestrian practises, to promote awareness of Agriculture and the Agricultural Conservation Values;~~

~~**CONSERVATION EASEMENT FOR AGRICULTURE** means an agreement between the landowner and Alberta Farmland Trust, registered as 231010247, on the certificates of title of the subject lands.~~

~~**CONSERVED LANDS** means the lands contained in SE 26 22 3 W5M, SW 25 22 3 W5M and NW 25 22 3 W5M excluding~~

~~**DWELLING, STAFF** means a dwelling unit, either temporary or permanent that is required to house on site staff.~~

~~**EXCLUDED AREAS** means the areas in each of the subject lands comprising approximately 10 acres more or less in SE 26, approximately 15 acres more or less in SW 25 and approximately 5 acres more or less in NW 25, as shown on Map A attached hereto. In accordance with the Conservation Easement for Agriculture, none of the restrictions and limitations set forth the easement, except for the prohibition of subdivision, shall apply to the Excluded Areas such that the Landowner shall have complete freedom (within the limits of this Direct Control district) to carry on whatever activities that the Landowner may wish on the Excluded Areas, whether Agricultural, residential, commercial or industrial.~~

~~**MASTER SITE DEVELOPMENT PERMIT (MSDP)** is a detailed document that provides guidelines for the phased development of each quarter section over a specified period of time. MSDPs are professionally prepared documents that are used to fully inform Council and the public of the proposed development, and may include topics such as but not limited to a proposed phasing plan, servicing and access details for the development and site specific technical analysis.~~

APPENDIX D.1: STAFF AND AGENT COMMENTS

COUNTY STAFF COMMENTS ON INITIAL DC DISTRICT – BLACK TEXT AGENT'S RESPONSE TO ADDRESS COMMENTS – GREEN TEXT

1. Heading: Is confusing and doesn't really capture what the district is actually for. What about – Event Venue on Lands Subject to a Conservation Easement?

We agree that the heading is confusing and should be improved. Much of the confusion and potential confusion from the heading and from the alternative that you have suggested, arises from the juxtaposition of the agricultural uses as defined in the Conservation Easement, and the potential non-agricultural uses that may be proposed for the Excluded Areas. We suggest that the juxtaposition be avoided in the heading by keeping the heading very simple and to the point. We suggest "Conservation Easement for Agriculture with Excluded Areas".
2. Purpose and Intent Section: Is also very confusing. It needs to be revised to be more specific and clearly outline what it is for. Suggest that paragraph 1 is a good start but paragraphs 2, 3, 4 and 5 either don't make sense or aren't appropriate in this section.

We agree and apologize for confusion in our previous drafts of the PURPOSE AND INTENT section. We have therefore redrafted the section to hopefully meet your request that it be made more specific and more clearly outline what the section is for.
3. Permitted and Discretionary Uses: Staff is still of the opinion that if the intent is to create a custom DC district is to address the conservation easement, then it should be appropriately addressed in the district including the permitted and discretionary uses being structured to identify what is allowed in the conserved lands vs. what is allowed in the excluded areas.

We have complied with your preference to have the permitted and discretionary uses identified as being allowed exclusively in the Excluded Areas as opposed to on the conserved lands.
4. Land Use Requirements Section: Suggest the second sentence be provided as a note and not part of that section of the bylaw. This can be identified by a yellow highlighted box as identified in paragraph 2 of the User Guide section in the Land Use Bylaw. For example, see Section 4.2.1.4.

That change has been made.
5. Minimum Yard Setbacks – Section J: This is not needed as the excluded areas are not separately titled parcels and therefore would not require setbacks.

The Excluded Area in SW 25 is adjacent to the north quarter line of that quarter section. It is our concern that the County might require a P/L setback in that Excluded Area. Therefore, we believe Section J should be included since the adjacent NW 25 is also subject to the same Conservation Easement for Agriculture.
6. Minimum habitable area per Dwelling Section: Clarify what the intent of this is?

We have included a square footage for temporary dwelling that is lower than the LUB allows in order to allow temporary staff accommodation. Please note that this can only be located within an Excluded Area.
7. Explanation needs to be provided for what type of parking relaxation the district is looking for.

In applying for a development permit for Phase 1 of this development, the applicant will be asking Council to treat the parking requirement as relevant to Phase 1 only. We have assumed that a parking accommodation letter would be required at the development permit stage in order to provide for the reduction.
8. Conditions that may be imposed section – remove everything after the semi-colon on point "s" (i.e. just needs to read as, Parking requirements).

Agreed.

9. Master Site Development Permit(s) Section:
- a) the requirement should be a “shall” and not a “may”.
Agreed.
 - b) x.i.: written confirmation that the land trust supports the MSDP should be the requirement as circulating the application to them is not enough.
Requiring written confirmation from the Land Trust to evidence its support for the MSDP gives an effective veto to the Land Trust over the MSDP. We think that it is inappropriate for the County to be delegating its authority over the MSDP to any other third party, including the Land Trust in this case. We believe that a circulation to the MSDP will be ample protection based on the knowledge that the Land Trust would inevitably raise a concern with the County if it felt that an MSDP was in some way inconsistent with its Conservation Easement for Agriculture.
 - c) consider adding the requirement for “site circulation” to the access management strategy.
Agreed.
 - d) consider adding the requirement for an Emergency Response Plan.
We have not done that at this point in the belief that if an emergency response plan were to be required in this case, it would be made a condition of a development permit.
10. Definitions Section: Definitions provided for “Authorized Agricultural Activities” and “Conserved Lands” are appropriate to be included but need to actually be used in the district. Suggest that they be included in the purpose and intent section to describe lands under the conservation easement.
We had added the definitions section at the suggestion of the planning department. However, upon review, it has become clear to us that those definitions are not particularly helpful and indeed may be misleading because they themselves refer to defined terms that would need to be understood from the Conservation Easement for Agriculture before the definition itself was meaningful. We have therefore opted for the reference to the permanent public record nature of the Conservation Easement for Agriculture in the Purpose and Intent section so that readers of this DC Bylaw could understand that the full text of the Conservation Easement for Agriculture, including the Survey Plans of the Excluded Areas, are readily and permanently available to everyone. We believe that is a better solution than including definitions that only tell part of the story and therefore are not particularly helpful.
11. Need to outline a Dwelling Unit Density that will be allowed on the parcels; should address the single family dwellings and staff housing.
The text of the Bylaw provides that density cannot exceed what is normally allowed under Agriculture which is to say 2 residences per quarter section. In this case, all residences can only be constructed in Excluded Areas.
12. Staff Housing as it has been defined in this district needs to be listed as a permitted or discretionary use.
Dwelling, Temporary (Staff Accommodations) is listed as discretionary, 2 permanent dwellings are listed as permitted and only allowed in Excluded Areas.

APPENDIX D.2: ADDITIONAL STAFF COMMENTS

COUNTY STAFF COMMENTS ON REVISED DC DISTRICT – BLACK TEXT

Upon review of the revised DC, staff have the following comments:

1. It was staffs understanding that the intent behind creating a new DC district was to bridge the requirements for both the unique Conservation Easement for Agriculture and the County's Land Use Bylaw under a new Land Use District, so that all affected parties clearly understood what development would be allowed to occur on the 3 subject quarter sections, for both the Conserved Lands and the Excluded Areas. The way the DC is currently written requires the County and any affected party to refer to both the DC district and the Conservation Easement for Agriculture to determine and understand how and what development would be allowed on the subject quarter sections. Staff suggest that the DC be revised to include the pertinent information from the Conservation Easement for Agriculture rather than referring the reader to it, such as but may not be limited to the following:
2. The following statements need to remain within the Purpose and Intent Section; the first is a standard statement generally included in the County's DC districts and the second statement informs the reader of the requirement for MSDP as outlined in a below section of the DC:

This District also allows for the Direct Control by Council over development on the following three quarter sections (the lands):

- SE 26-22-3 W5M (10-acre excluded area)
- SW 25-22-3 W5M (15-acre excluded area)
- NW 25-22-3 W5M (5-acre excluded area to be determined)

These lands, including identification of the excluded areas, are shown on Map A attached hereto.

AND

Development Permit applications within this District shall be in alignment with an approved Master Site Development Permit (MSDP) to the satisfaction of Foothills County for each quarter section. Each MSDP is to be completed in accordance with Section 18.37.6.x of this District at the appropriate time.

3. Minimum Yard Setbacks – Section J: This is not needed as the excluded areas are not separately titled parcels and therefore would not require standard setbacks. Should a lesser setback be needed to the property lines (i.e. quarter lines) then this could be requested under a development permit application for Council's consideration. Further, there may be concerns from a Building and Safety Codes stance for a zero lot setback.
4. The Definitions Section needs to remain as these terms are not defined anywhere else in the Land Use Bylaw, in particular: Authorized Agricultural Activities, Conserved Lands, Excluded Areas and Master Site Development Permit (MSDP).

CONSERVATION EASEMENT FOR AGRICULTURE

BETWEEN:

RUTH OLIVE ANN RENNER (a.k.a. Ruth Renner)

- and -

ALBERTA FARMLAND TRUST

as of 25th day of August, 2022

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CONSERVATION EASEMENT FOR AGRICULTURE

THIS AGREEMENT made as of the 25th day of August, 2022.

BETWEEN:

RUTH OLIVE ANN RENNER (a.k.a. Ruth Renner), of the
District of Priddis, in the Province of Alberta

OF THE FIRST PART

- and -

ALBERTA FARMLAND TRUST, a company incorporated under
Part 9 of the Alberta *Companies Act*

OF THE SECOND PART

WHEREAS the Landowner is the registered owner of the Lands in fee simple;

AND WHEREAS the Act enables an owner, such as the Landowner, who owns property such as the Lands, to grant an conservation easement by way of agreement to a qualified organization such as AFT, in respect of property such as the Lands;

AND WHEREAS the Landowner recognizes that most of the Lands are quality farm land with good soils and water availability such that its crop production and the quality of its pastures make it ideally suited for Agricultural purposes for all times into the future;

AND WHEREAS the Landowner wishes to grant and convey to AFT a conservation easement in perpetuity by way of this Agreement because her father acquired, cleared and first cultivated these Lands in 1935, because of her love and respect for these Lands, because of her enthusiasm as an equestrian rider and because of the fact that these Lands have been operated as a successful Agricultural operation for so many years;

AND WHEREAS the Landowner is prepared to grant this conservation easement as a voluntary personal decision based on her desire that the Conserved Lands be preserved for Agricultural purposes;

NOW THEREFORE in consideration of One (\$1.00) Dollar, the terms and conditions set out in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Landowner, the Parties agree as follows.

ARTICLE 1 - INTERPRETATION

1.1 Definitions – In this Agreement, including the recitals and the Schedules hereto, the following words and phrases shall have the meanings set forth below unless the context hereof otherwise requires.

“Act” means the *Alberta Land Stewardship Act* being Chapter A-26.8 of the Statutes of Alberta, 2009 as the same may be amended or replaced from time to time in relation to the granting and maintenance of conservation easements.

“AFT” means Alberta Farmland Trust and its successors and assigns.

“Agreement” means this Conservation Easement Agreement including the recitals and the Schedules hereto.

“Agriculture” and all derivatives of that word shall have the meaning attributed thereto in Article 4.

“Agricultural Conservation Values” shall be as described in Section 2.2.

“Agricultural Showcase Farm” means an Agricultural operation having among its primary purposes the demonstration, promotion, competing, selling or showcasing of Agricultural Products and the means of breeding, seeding, growing, showing, competing, feeding, maintaining, marketing and harvesting Agricultural Products and other aspects of Agriculture.

“Agricultural Structures” shall have the meaning attributed thereto in Section 5.1.

“Authorized Agricultural Activities” shall have the meaning attributed thereto in Section 4.4.

“Authorized Crops” shall have the meaning attributed thereto in Section 4.2.

“Authorized Products” means Authorized Crops and Authorized Species.

“Authorized Species” shall have the meaning attributed thereto in Section 4.3.

“Conserved Lands” means the Lands excluding the Excluded Areas.

“Court” means the Court of Queen’s Bench of Alberta, all Courts having jurisdiction to hear appeals therefrom and all Courts which in the future exercise the jurisdiction of such Courts as they are constituted as at the date of this Agreement.

“Ecological Goods and Services” means the benefits arising from the ecological functions of healthy ecosystems.

“Excluded Areas” means the areas in each of SE 26, SW 25 and NW 25 comprising approximately 10 acres more or less in SE 26, approximately 15 acres more or less in SW

25 and approximately 5 acres more or less in NW 25 as more fully described in Article 9 and as marked in Schedule "B" as "AREA 'A' " for each of SE 26 and SW 25.

"Game Farm" means land used for the business of domesticating, raising, keeping, herding or otherwise enclosing Game Farm Animals and game birds such as partridge, quail and pheasants, for the purpose of displaying, harvesting, hunting or otherwise using them for commercial purposes.

"Game Farm Animal" means:

- (a) an animal of a species prescribed under the *Livestock Industry Diversification Act*, being Chapter L-17 of the Revised Statutes of Alberta, 2000, as a "domestic cervid", that is kept in a domesticated condition and that does not belong to the Crown;
- (b) penned, enclosed or privately-owned caribou, black bear, grizzly bear, mountain lion or cougar, white-tailed deer, mule deer, black-tailed deer, elk, moose, antelope, bighorn sheep, mountain goat and red deer; and
- (c) any animal which could interbreed with any of the species described in (b) above.

"Gravel Pit Operations" means the mining of sand and gravel, the stockpiling of sand and gravel and the placement of overburden and other refuse material arising from the mining of sand and gravel on an area within the Lands.

"Industry Operations" means any seismic, exploration, development, production and/or transportation of or for petroleum, natural gas, natural gas liquids, coal bed methane, coal, uranium and any other mineral substances.

"Intensive Livestock Operation" means any feedlot or covered facility of significant investment and/or permanence, intended for holding cattle, horses, swine, sheep, bison, elk, deer, wild boar, poultry or any other domestic or wild animal or bird in a confined space for the purpose of growing or finishing the animals for meat production at a density greater than 15 individuals of the species in question per acre.

"Landowner" means Ruth Olive Ann Renner (a.k.a. Ruth Renner) and her heirs, executors, administrators, personal representatives, successors and assigns.

"Lands" means the Lands legally described in Schedule "A" and as shown on the map in Schedule "B".

"NW 25" means that part of the Lands legally described as the North West Quarter of Section 25, Township 22, Range 3, West of the Fifth Meridian in the Province of Alberta.

"Parties" means the Landowner and AFT and their respective heirs, executors, administrators, personal representatives, successors and assigns.

"Permitted Encumbrances" shall be as identified in Schedule "A".

“Person” means an individual, partnership, corporation, limited or unlimited liability company, trust, unincorporated organization, union, government or any department or agency of government and, without restricting the generality of the foregoing, shall include each of the Parties.

“Purposes” means the purposes and the expressed intent of this Conservation Easement Agreement as set forth in Article 2.

“Regulatory Body” means Foothills County, Alberta Environment, the Alberta Energy Regulator, the Alberta Utilities Commission, the Alberta Surface Rights Board, the Alberta Natural Resources Conservation Board, the Canada Energy Regulator, Environment Canada, the Court and any other municipal, provincial or federal body, agency, court, tribunal, government, governmental agency or department of government, as may from time to time replace the foregoing agencies or otherwise have any jurisdiction over the Lands.

“SE 26” means that part of the Lands legally described as the South East Quarter of Section 26, Township 22, Range 3, West of the Fifth Meridian in the Province of Alberta.

“SW 25” means that part of the Lands legally described as the South West Quarter of Section 25, Township 22, Range 3, West of the Fifth Meridian in the Province of Alberta. “Subdivision” or “Subdivide” means the division of a quarter section or any part thereof by an instrument, a plan or by any other means.

“Term” means the term of this Agreement which is from the date of this Agreement and continuing thereafter in perpetuity.

1.2 Schedules – The Schedules to this Agreement are, by this reference, expressly incorporated herein and shall form part of this Agreement. The Schedules are as follows:

Schedule “A” – List of Lands and the Permitted Encumbrances
Schedule “B” – Map of the Lands and location of the Excluded Areas

1.2 Headings - The headings in this Agreement are inserted for convenience of reference only and shall not affect the meaning, interpretation or construction of this Agreement.

1.3 Singular and Plural / Masculine and Feminine Etc. - Whenever the singular or masculine or neuter is used in this Agreement, the same shall be construed as meaning plural or feminine or referring to a body politic or corporate and vice versa, as the context requires.

1.4 Articles, Sections, Etc. - In this Agreement, all references to an Article, a Section, a subsection or a Schedule shall be a reference to an Article, Section, Subsection or Schedule of this Agreement.

1.5 Applicable Law - This Agreement shall be governed by and interpreted in accordance with the laws applicable in the Province of Alberta.

- 1.6 Entire Agreement - There are no representations, warranties, covenants or agreements made between the Parties with respect to the matters referred to herein, other than as are set forth in this Agreement, and this Agreement shall constitute the entire agreement between the Parties in relation to the matters referred to herein. No amendment, alteration or change to this Agreement shall be effective unless in writing and signed by each of the Parties.

ARTICLE 2 – PURPOSES OF THIS CONSERVATION EASEMENT

- 2.1 Landowner's Purposes in Granting this Conservation Easement – The Landowner's purposes in granting this Conservation Easement are as follows:
- (a) to retain the Agricultural heritage of the Conserved Lands by keeping the Conserved Lands available for Agriculture in perpetuity;
 - (b) to contribute to a workable, productive and sustainable Agricultural landscape in the Priddis region;
 - (c) to preserve the economic viability of Agricultural activities on the Conserved Lands;
 - (d) to adopt a flexible and adaptive approach to conserving the viability of Agricultural activities on the Conserved Lands by anticipating and authorizing the evolution of Agriculture as an economic enterprise in the years to come;
 - (e) to remove the Subdivision rights from the Conserved Lands;
 - (f) to contribute in a small way to what the Landowner perceives to be unchecked suburban residential and non-farm development in the Calgary region; and
 - (g) to set a standard for the conservation of Agricultural land in the Calgary region.
- 2.2 Agricultural Conservation Values – The Landowner wishes to enable the Conserved Lands to remain in Agriculture by preserving and protecting its Agricultural viability. No activity which shall significantly impair the actual or potential Agricultural use of the Conserved Lands shall be permitted. The Agricultural viability and the desire to preserve future economically successful Agricultural activities on the Conserved Lands are collectively referred to herein as the “Agricultural Conservation Values”.
- 2.3 Legislated Purposes of a Conservation Easement for Agriculture – In accordance with the Act, this conservation easement is for the purpose of the protection, conservation and enhancement of Agricultural land or land for Agricultural purposes as well as providing for open space use consistent with the aforementioned Purposes.
- 2.4 Public Interest – The Parties acknowledge that there is a public interest and benefit in the protection, conservation and enhancement of the Agricultural Conservation Values of the Conserved Lands.

- 2.5 General – This Agreement is to be construed, interpreted, performed and applied so as to give effect to the Purposes and to enforce the restrictions and conditions of the conservation easement described herein.

ARTICLE 3 – GRANT OF THE CONSERVATION EASEMENT

- 3.1 The Grant – The Landowner hereby irrevocably and unconditionally grants, assigns, sets over and conveys to AFT, a conservation easement on the Conserved Lands in perpetuity, all in accordance with the terms and provisions of this Agreement. Such conservation easement is granted by the Landowner to AFT, voluntarily, without duress, and unconditionally on the terms described in this Agreement.
- 3.2 An Interest Running with the Lands - The conservation easement granted by the terms of this Agreement shall constitute an interest in the Conserved Lands that shall run with the titles to the Lands.
- 3.3 Fully Enforceable – The terms and conditions of the conservation easement established by this Agreement shall be fully enforceable regardless of whether they constitute positive or negative covenants, and notwithstanding the fact that AFT may not at the time of this Agreement, nor from time to time in the future, have any interest in any land that would be accommodated or benefited by the conservation easement created hereby, other than the Conserved Lands themselves.
- 3.4 Binding on All Future Owners of the Lands – Upon the registration of this Conservation Easement for Agriculture at the Land Titles Office on the titles to the Lands, the Landowner, and every transferee, and every other Person deriving title from the Landowner or through tax proceedings, is deemed to be affected with notice of all of the terms and provisions of this Agreement, and all such Persons shall be bound by the terms and conditions of this Agreement.
- 3.5 Registration of this Conservation Easement – Upon the execution and delivery of this Agreement, this Agreement shall be registered at the Land Titles Office on the titles to the Lands and the Parties shall execute and deliver all documents that may be required to effect such registration.

ARTICLE 4 - DEFINITION OF AGRICULTURE

- 4.1 Introduction – In defining the forms of Agriculture to be pursued on the Conserved Lands, the Landowner is cognisant of the tremendous changes that have occurred in Agriculture over her lifetime, and hence she is aware of the grave difficulty in anticipating the future evolution in Agricultural production and in Agricultural practices. She has therefore opted for a broad and flexible definition of Agriculture in order to achieve the Purposes and to further the Agricultural Conservation Values. Specifically, the Landowner seeks to achieve her goal of allowing economic Agricultural enterprises and activities to be maintained on the Conserved Lands in the midst of rapid urbanization in the Calgary region and global climate change.
- 4.2 Authorized Crops – The crops authorized on the Conserved Lands shall comprise:

- (a) field crops of all kinds capable of growing in the Priddis area including, without restricting the generality of the foregoing, oats, barley, wheat, flax, rye, canola, corn, peas, beans and potatoes;
 - (b) forage crops of all kinds capable of growing in the Priddis area including, without restricting the generality of the foregoing, alfalfa, brome, timothy, fescue, clover, sweet clover and orchard grass;
 - (c) native range grasses of all kinds capable of growing in the Priddis area;
 - (d) horticultural production including nursery stock, shrubs, trees and flowers; and
 - (e) vegetables, fruits and all kinds of edible greenhouse production.
- 4.3 Authorized Species – The species that are authorized on the Conserved Lands are cattle (both beef and dairy), horses, ponies, mules, donkeys, sheep, goats, Alpaca's, Llama's, swine, poultry, bees, fish and other water inhabiting species grown directly or indirectly for human consumption.
- 4.4 Authorized Agricultural Activities – The following Agricultural Activities are authorized on the Conserved Lands:
- (a) the breeding, seeding, growing, harvesting, cleaning, feeding, marketing and selling of Authorized Crops;
 - (b) the breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of Authorized Species;
 - (c) building, maintaining, repairing, replacing and removing Agricultural Structures and all other improvements necessary or useful in connection with the Agricultural activities on the Conserved Lands including, without restricting the generality of the foregoing, fences, corrals, wildlife protection fencing and other barriers to livestock movement in such sizes, configurations and locations as are deemed necessary or appropriate by the Landowner in relation to the Agricultural Products on the Conserved Lands;
 - (d) the conduct of public field days, demonstrations, displays, sales, shows and competitions in connection with Agricultural Products;
 - (e) the conduct of equestrian activities of all kinds including, without restricting the generality of the foregoing, shows, demonstrations, competitions, contests and sales;
 - (f) Agricultural heritage displays, demonstrations, competitions and showcasing;
 - (g) modern or current displays, demonstrations, competitions and showcasing of Agricultural Products and farming, ranching and equestrian practises, to promote awareness of Agriculture and the Agricultural Conservation Values;

- (h) Agricultural education at every level; and
- (i) the operation of an Agricultural Showcase Farm.

ARTICLE 5 – STRUCTURES ON THE CONSERVED LANDS

5.1 Agricultural Structure – Agricultural structures and buildings of every nature and kind whatsoever including without restrictin the generality of the foregoing, barns, greenhouses, irrigation equipment, livestock shelters, arena’s, hay sheds, shops and garages for Agricultural equipment and machinery used on the Lands and structures for storage of grain and other Agricultural Products shall be authorized on the Conserved Lands, provided however that:

- (a) they must pertain to the Agricultural Products and the Authorized Agricultural Activities on the Conserved Lands;
- (b) not more than 15% of the area of the Conserved Lands on any quarter section may be covered by buildings and structures; and
- (c) any free-standing single family residences must be located on the Excluded Areas.

ARTICLE 6 – ROADS, TRAILS, ETC.

All such roads, trails, bridges, rights of way, utility installations, septic fields, livestock watering facilities, utility corridors, fire protection ponds, livestock manure composting facilities, solar and wind power generation equipment and pipelines as are reasonably necessary or useful in connection with the Authorized Agricultural Activities and uses on the Excluded Areas, may be constructed and maintained on the Lands.

ARTICLE 7 – SPECIFICALLY EXCLUDED ACTIVITES

- 7.1 Intensive Livestock Operations – Intensive Livestock Operations that cover an area greater than 20 acres shall not be permitted on the Conserved Lands.
- 7.2 Game Farms – No Game Farm or the raising or holding of Game Farm Animals shall be permitted on the Conserved Lands except as part of an Agricultural Showcase Farm and in any event any such Game Farm shall not exceed 15 acres on the Conserved Lands.
- 7.3 Zoos – The operation of a zoo and the breeding, maintaining, feeding or keeping of animals for the specific purpose of their being housed in a zoo setting, shall not form a part of the activities authorized for the Conserved Lands hereunder.
- 7.4 Industrial and Commercial Activities – No industrial or commercial activities shall be authorized on the Conserved Lands except for the Authorized Agricultural Activities hereunder and except for such commercial activities which are complimentary of, and related to Authorized Agricultural Activities.

- 7.5 Gravel Pit Operations – No Gravel Pit Operations shall be permitted on the Conserved Lands.

ARTICLE 8 – RESTRICTIONS AND CONDITIONS

- 8.1 Compliance – The Landowner shall observe and comply with all of the restrictions and conditions in relation to the Conserved Lands imposed under this Agreement throughout the Term of this Agreement. Additionally, the Landowner shall be responsible to ensure that all such restrictions and conditions are honoured, together with all of the other provisions of this Agreement, by any tenant, lessee, grazing lease holder, invitee and any other Person who may from time to time have the use of or access to the Conserved Lands.
- 8.2 Trespassers – The Parties recognize that from time to time trespassers may come onto the Lands. The Landowner shall use reasonable efforts to avoid breaches of this Agreement by all such trespassers.
- 8.3 Preservation of the Agricultural Conservation Values – The provisions of this Agreement are intended to maintain the Agricultural Conservation Values of the Conserved Lands and to fulfill the Purposes of this Agreement over the perpetual Term of this Agreement.

ARTICLE 9 - THE EXCLUDED AREAS

- 9.1 Fixed Excluded Areas - The Excluded Areas in SE 26 and SW 25 shall be fixed as shown on the map in Schedule “B”.
- 9.2 Floating Excluded Area - The location of the Excluded Area within NW 25 shall not be fixed until it is surveyed and staked by an Alberta Land Surveyor who shall register a plan thereof with the Alberta Surveys Branch and until notice of the Excluded Area as so established is given by the Landowner to AFT.
- 9.3 Road Access to Excluded Areas - The Landowner shall be entitled to construct and maintain road access to each Excluded Area and to include gate/entrance signage at the entry to the Lands and on such road access appropriate for uses that may from time to time be in place on the Lands including the Excluded Area.
- 9.4 Excluded Areas Not Restricted - None of the restrictions and limitations set forth in this Agreement, except for the prohibition of subdivision in Article 16, shall apply to the Excluded Areas such that the Landowner shall have complete freedom (within the limits of the law and the requirements and policies of Regulatory Bodies) to carry on whatever activities that the Landowner may wish on the Excluded Areas, whether Agricultural, residential, commercial or industrial.

ARTICLE 10 – AFT’S RIGHT OF ACCESS TO THE CONSERVED LANDS

- 10.1 Access Right – AFT shall throughout the Term of this Agreement have a right of access to the Conserved Lands.

- 10.2 Purpose of the Right of Access - The purposes of AFT's right of access to the Conserved Lands are to enable AFT to:
- (a) determine compliance with the provisions of this Agreement by the Landowner through inspection and examination of the Conserved Lands and of all improvements thereon;
 - (b) enforce this Agreement; and
 - (c) prepare its position and submissions should it wish to oppose, limit or modify Industry Operations proposed for the Conserved Lands, or inspect and observe Industry Operations that are approved for the Conserved Lands, and the rehabilitation of the Lands following the completion of Industry Operations.
- 10.3 AFT's Representatives – AFT's right of access to the Conserved Lands hereunder shall include a right of access for AFT's directors, officers, employees, contractors, consultants, volunteers and other representatives as AFT may deem necessary, to assist it in carrying out the purposes of its right of access as set forth in Section 10.2.
- 10.4 AFT to Exercise Careful Access – AFT shall take care to not unduly disrupt the Lands and the Authorized Agricultural Activities in exercising its right of access hereunder. Such access shall be on foot when accessing fields and where vehicles are necessary or appropriate, they shall be kept on roads or trails designated for access on the Lands. AFT shall also take care to avoid, as much as is reasonably possible in the circumstances, interference with the Landowner's Authorized Species and her use and enjoyment of the Conserved Lands to the extent not prohibited by the terms of this Agreement.
- 10.5 AFT's Access by Appointment – In exercising its right of access hereunder, AFT shall take reasonable steps to do so in accordance with an appointment that meets the reasonable scheduling and convenience of the Landowner. If, after AFT has taken such reasonable steps, such an appointment cannot be obtained, then AFT may exercise its right of access to the Conserved Lands hereunder by providing the Landowner with no less than 48 hours' prior written notice.
- 10.6 No Public Access – Nothing in this Agreement grants any right of access to the general public or to any other Person other than AFT and its representatives as provided in this Article 10. AFT shall not have the right to grant any right of access to the Conserved Lands to any Person other than as is expressly provided in this Article 10.

ARTICLE 11 – PRESERVATION OF LANDOWNER'S RIGHTS

Following the execution and delivery of this Agreement, the Landowner shall have the right to continue to use, occupy and enjoy the Lands to the fullest extent as was the case prior to this Agreement, subject only to compliance with the terms and provisions of this Agreement. AFT shall have no interests in the Lands other than as are set forth or arise from the terms of this Agreement.

**ARTICLE 12 – EXPLORATION, DEVELOPMENT, PRODUCTION AND
TRANSPORTATION OF PETROLEUM, NATURAL GAS, COAL AND OTHER
MINERAL SUBSTANCES**

12.1 This Conservation Easement Constitutes an Interest in the Conserved Land – The Landowner and AFT hereby acknowledge and confirm that pursuant to subsection 32 (1) of the Act, the conservation easement created under the terms of this Agreement constitutes an interest in land held by AFT. Accordingly, whenever the Landowner or AFT is contacted by any Person wanting to conduct any Industry Operations on the Conserved Lands, the notified Party shall immediately advise such Person that the other Party also holds an interest in the Conserved Lands and therefore needs to be notified.

12.2 Landowner’s Obligations – If and when the Landowner and/or AFT is contacted by any Person wanting to conduct Industry Operations on the Conserved Lands, the Landowner shall not grant its consent to the Industry Operations, and shall not grant or enter into any surface lease, surface licence, easement, pipeline right of way agreement, seismic program, road right of way agreement or provide other form of authorization or approval to any Industry Operations, without first consulting with AFT.

The Landowner acknowledges that, where possible, it will require that Industry Operations conform with the provisions of this Agreement, and agrees that it will pursue all reasonable measures to minimize disturbance to the Authorized Agricultural Activities as a result of Industry Operations. The Landowner will consult with AFT to ensure that Industry Operations are conducted using the current and best practices of the day, as a minimum, to protect the Agricultural Conservation Values of the Conserved Lands.

12.3 Opposition to Industry Operations – If and to the extent that either AFT, in its capacity as the holder of an interest in land by virtue of this Agreement, or the Landowner, decides to oppose and does oppose any proposed Industry Operation, access to or use of the Conserved Lands by any third party in a manner that is, in the opinion of either AFT or the Landowner or both of them, contrary to the Agricultural Conservation Values, then that Party shall have the right to do so provided that its doing so shall not obligate the other Party to incur any expenditures of money in supporting the opposition.

12.4 Surface Rights Revenues and Ecological Goods and Services Revenues – Any surface rights revenues, Ecological Goods and Services revenues, or other compensation with respect to any Industry Operations shall accrue to the sole benefit of the Landowner.

ARTICLE 13 – CONSULTATION AND ALTERNATIVE DISPUTE RESOLUTION

13.1 Issues Should be Resolved by Agreement - It is the intention of the Parties to foster the Purposes over the Term of this Agreement. The Parties agree that a cooperative and consultative relationship is essential to achieving such Purposes. As new or unforeseen circumstances, issues, knowledge, or opportunities emerge over time in relation to Agricultural practise, the Agriculture industry and other matters, the Parties will consult and consider means of addressing those to their mutual satisfaction either within or beyond the scope of this Agreement. Where any differences or misunderstandings arise,

the Parties shall in good faith cooperate to the fullest extent that they can to resolve those, and to achieve their mutual ultimate goal of fulfilling the Purposes of this Agreement.

- 13.2 Mediation – If the Parties are unable to resolve an issue through negotiation, then either Party may suggest the use of a mediator who would be agreed to by the Parties and who would be authorized to assist them and to advise them as to a reasonable resolution of the issue. The Parties shall in good faith utilize the services of a mediator where it is reasonable to do so in the circumstances, before submitting the dispute to arbitration pursuant to Section 13.3.
- 13.3 Arbitration – The Parties may by mutual agreement submit any issue between them to arbitration and the following provisions shall apply to such arbitration.
- (a) Either Party may at any time, by notice to the other, request that the Parties submit an issue between them to arbitration. The Party making the request shall be referred to as the “Initiating Party”. The notice from the Initiating Party shall include a clear statement of the matter in issue and a succinct statement of the Initiating Party’s position in relation thereto (the “Initiator’s Notice of Claim”). Together with the Initiator’s Notice of Claim, the Initiating Party shall provide a list of at least three potential arbitrators who it believes are qualified and may be available to act. Such list shall place the arbitrators in the order of the Initiating Party’s preference.
 - (b) Within 14 days after its receipt of the Initiator’s Notice of Claim, the other Party (the “Responding Party”) shall advise the Initiating Party in writing whether or not it consents to submit the matter to arbitration. If the Responding Party agrees to resolve the matter by arbitration, then it shall within 21 days of its receipt of the Initiator’s Notice of Claim, deliver to the Initiating Party a notice containing a succinct statement of the Responding Party’s position in response to the Initiator’s Notice of Claim (the “Respondent’s Reply”). Together with the Respondent’s Reply, the Responding Party shall issue a notice to the Initiating Party, either accepting one of the arbitrators suggested by the Initiating Party, or providing a list of at least three alternate names for the arbitrator in order of preference.
 - (c) If the Parties are unable to agree on the single arbitrator to determine the matter in question between them, then such arbitrator shall be appointed by a Justice of the Court of Queen’s Bench of Alberta.
 - (d) An arbitrator appointed under this Agreement shall be an individual who is qualified, either through academic qualifications in Agriculture or career experience in Agriculture or both, to determine the matter in question.
 - (e) The arbitration by the single arbitrator shall be conducted in accordance with the provisions of the Arbitration Act (Alberta) as amended or replaced from time to time. The Parties shall work together cooperatively to agree on all procedural and other aspects of the arbitration, provided however that if they are unable to agree on any aspect thereof, then the matter shall be resolved by the arbitrator.

(f) The Parties shall work together to complete their respective submissions to the arbitrator within 30 days after the delivery of the Respondent's Reply, and the Parties shall instruct the arbitrator to provide his or her decision in writing within 30 days after the completion of those submissions. All submissions made to the arbitrator by either Party shall be made only in the presence of, or with the consent of, the other Party, and any arbitration hearing shall be conducted in the City of Calgary or any other location upon which the Parties may agree.

(g) The decision of the arbitrator shall be final and binding on the Parties.

13.4 Resort to Litigation, If Necessary – If either Party considers that any alleged breach of this Agreement or any other question in relation to this Agreement, would be better dealt with by the Court, then either Party may commence an action in Court, provided however that the Parties' access to the Court shall be restricted to only circumstances where they have first, in good faith, either participated in, or offered to participate in, the open and candid discussions contemplated in Sections 13.1 and 13.2. Once the Parties have agreed to submit a matter to arbitration, however, then that particular issue shall be finally resolved by arbitration in a manner which is fully binding on the Parties, and shall not be made the subject of an action in Court.

13.5 Costs – If the Court, or an arbitrator, as the case may be, concludes that one of the Parties has acted in a manner which is both in breach of this Agreement and unreasonable, then the Court or such arbitrator may award costs as such Court or arbitrator sees fit, on a solicitor and its own client basis.

ARTICLE 14 – DEFAULT AND ENFORCEMENT

14.1 Notice of Default – If either Party is in default of any of the terms or provisions of this Agreement, then the other Party may give notice of such default and the following stipulations will apply.

(a) Such notice shall describe the default in reasonable detail and shall stipulate the steps which, in the opinion of the Party not in default, need to be taken by the defaulting Party to remedy the default, to prevent its continuation or recurrence and to alleviate the adverse implications arising from the default. The Party in default shall have 60 days, or such other time as the Parties may agree is reasonable in the circumstances, within which to remedy the default.

(b) Notwithstanding any other provision of this Agreement and any principle of law or equity to the contrary, any failure or delay by either Party in enforcing or strictly enforcing any of the terms or provisions of this Agreement, shall not under any circumstances constitute a waiver, alteration, amendment, abrogation or change in the terms and provisions of this Agreement nor in that Party's right to insist at any time on the strict compliance by the other Party with its obligations hereunder.

14.2 Prevention of Anticipated Breach and Urgent Matters – Notwithstanding the provisions of Article 13, if AFT has reason to anticipate that the Landowner is about to breach this

Agreement in a manner which, in AFT's opinion, would be harmful to the Agricultural Conservation Values, or if a breach of this Agreement by the Landowner has already occurred and is of such a nature that, in AFT's opinion, it would be inappropriate for the Landowner to be given 60 days notice of default (an "Urgent Breach"), then AFT may proceed to immediately seek a remedy in Court to prevent or stop the breach of this Agreement without giving 60 days notice of default, or any prior notice whatsoever, to the Landowner.

- 14.3 AFT's Interest to Continue – Neither AFT's rights under this Agreement nor its interest in land hereunder shall be diminished in any way by reason of any damage to the Conserved Lands or any reduction in the Agricultural Conservation Values of the Conserved Lands whether any such damage or reduction is caused by a breach of this Agreement or otherwise.

ARTICLE 15 – REPRESENTATIONS AND WARRANTIES

- 15.1 Title to the Property – The Landowner hereby covenants, warrants and represents that she is the legal and beneficial owner of the Lands and that when the conservation easement created by this Agreement is registered on the titles to the Lands, it will be subject only to the Permitted Encumbrances.
- 15.2 Landowner's Authority – The Landowner hereby covenants, warrants and represents that she is executing and delivering this Agreement as the Person who has the full right and authority to enter into this Agreement and to grant the conservation easement created by the terms and provisions of this Agreement.
- 15.3 AFT's Warranties – AFT hereby covenants, warrants and represents that it is a non-profit company incorporated under Part 9 of the Alberta Companies Act, that it is a qualified organization under subparagraph 28(c)(iv) of the Act, that it has the right to enter into this Agreement and that the individual executing and delivering this Agreement on behalf of AFT is duly authorized to do so.

ARTICLE 16 – NO SUBDIVISION OF THE LANDS

- 16.1 Subdivision of any of the quarter sections within the Lands is prohibited.

ARTICLE 17 – ASSIGNMENT

- 17.1 Landowner's Right to Assign – Subject to the prohibitions of subdivision in Article 16, the Landowner may sell, assign, lease, rent, license, mortgage or encumber and in any other way convey any interest in or rights to the Lands and may permit any mortgagee or encumbrance to assign any ownership interest in the Lands, subject always to this conservation easement, at any time without the necessity of any consent from AFT.
- 17.2 Notice of Assignment by the Landowner – Within 10 days after the effective time of any change of ownership of the Lands, the Landowner shall give written notice to AFT of the change of ownership, which notice shall include the name and contact information of the new owner of the Lands.

- 17.3 Release of Landowner on Assignment – A Person who is an assigning Landowner in relation to the Lands shall not be liable to AFT for any breach of this Agreement by any assignee or successor in title of such Landowner, provided that a Transfer of Land has been registered at the Land Titles Office with respect to the ownership of the Lands. At that point in time, the assigning Landowner shall be released from all ongoing obligations under the terms of this Agreement in relation to the Lands, effective as of the date of the registration of the Transfer of Land, and shall be released from all liability with respect to breaches of this Agreement in relation to the Lands occurring after such registration date.
- 17.4 Assignment by AFT – AFT shall not assign any of its rights or obligations under this Agreement without the prior written consent of the Landowner, which consent shall not be unreasonably withheld. Any such assignment shall be to an organization with similar objectives and mandate to those of AFT. AFT shall give notice to the Landowner of any proposed assignment of any rights or obligations under this Agreement and any such notice shall include the name and address of the proposed assignee, the nature and extent of the proposed assignment and whether the proposed assignee is a “qualified organization” under the Act or a Person that is otherwise legally qualified to hold an conservation easement.
- 17.5 Release of AFT – AFT shall not be liable to the Landowner with respect to its ongoing obligations effective as of the effective time of its assignment of its interest hereunder, and shall not be liable to the Landowner for any breach of this Agreement occurring after such effective date provided that:
- (a) AFT shall have assigned all of its interest under this Agreement; and
 - (b) AFT shall have given notice to the Landowner of the assignment as contemplated in Section 17.4 and in accordance with the provisions of the Act.

ARTICLE 18 - INDEMNITIES AND RESPONSIBILITIES

- 18.1 Landowner’s Indemnity – The Landowner hereby indemnifies AFT, and hereby agrees to save AFT harmless together with its directors, officers, employees, agents, contractors, volunteers and representatives (all of which shall together be called the “AFT’s Indemnitees”), from and against any and all actions, causes of action, suits, claims, demands, awards, losses, liabilities, damages, costs and expenses of every nature and kind whatsoever (including legal fees and disbursements on a solicitor and its own client basis) (a “Claim Against AFT”), incurred, suffered or sustained by, or on behalf of, AFT’s Indemnitees and arising out of or occasioned by:
- (a) any act or omission, negligent or otherwise, in the use, occupation, operation and maintenance of the Lands by the Landowner or by any Person other than AFT’s Indemnitees, using or on the Lands;
 - (b) the presence on or under the Lands, or the escape, seepage, leakage, spillage, discharge, emission or release of any hazardous substances on or from the Lands, either onto any lands (including any part of the Lands themselves), or into the atmosphere or any water; and

- (c) the Landowner's ongoing ownership, use, operation, upkeep and maintenance of the Lands.

Notwithstanding the foregoing, the Landowner shall have no liability to AFT with respect to any Claim Against AFT arising out of or caused by the negligence or misconduct of AFT's Indemnitees or any of them.

- 18.2 AFT's Indemnity – AFT hereby indemnifies the Landowner and hereby agrees to save harmless the Landowner, its directors, officers, employees, agents, contractors, volunteers, and representatives (all of which shall be together called the “Landowner's Indemnitees”), from and against any and all actions, causes of action, suits, claims, demands, awards, losses, liabilities, damages, costs and expenses of every nature or kind whatsoever (including legal fees and disbursements on a solicitor and its own client basis) (a “Claim Against the Landowner”), incurred, suffered or sustained by or on behalf of the Landowner's Indemnitees and arising out of or occasioned by any act or omission, negligent or otherwise, in the carrying out by AFT of its right of access to the Conserved Lands as provided under the terms of this Agreement (including without restricting the foregoing, the right of access by the directors, officers, employees, agents, contractors, consultants, volunteers and other representatives who might from time to time come on the Conserved Lands at the request of and on behalf of AFT). Notwithstanding the foregoing, AFT shall have no liability to the Landowner with respect to any Claim Against the Landowner arising out of or caused by the negligence or misconduct of the Landowner's Indemnitees or any of them.

ARTICLE 19 - MISCELLANEOUS PROVISIONS

- 19.1 Time – Time shall be of the essence of this Agreement.
- 19.2 Severability – If any terms or provisions of this Agreement are determined to be invalid, prohibited or unenforceable, then such terms and provisions shall be severable from the remainder of this Agreement and the validity and enforceability of the remaining terms and provisions of this Agreement shall not be affected.
- 19.3 Entire Agreement – This Agreement constitutes the entire agreement between the Parties with regard to the matters dealt with herein and there are no understandings, agreements, warranties, representations or covenants, whether express or implied, verbal or written, between the Parties concerning the matters contained herein, except those expressly contained in this Agreement.
- 19.4 Amendment – This Agreement may be amended from time to time by agreement between the Parties and no amendment hereof shall be effective unless in writing duly executed and delivered by both the Landowner and AFT.
- 19.5 Parties to Bear Their Own Costs – Except as may be expressly ordered by a Court or by arbitrators, as the case may be, each of the Parties shall be responsible for its own legal fees and disbursements and other expenses arising from the negotiation, documentation and implementation of this Agreement and from any matter or thing arising from or in relation to this Agreement.

- 19.6 Headings – The headings in this Agreement have been included for convenience of reference only and shall not be referred to in the interpretation of this Agreement.
- 19.7 Statutory References – Every reference in this Agreement to a specific statutory provision shall be deemed to include regulations made pursuant to it, all amendments in force from time to time to that statutory provision, and any statute or regulation that may be passed from time to time in the future which has the effect of supplementing, changing or replacing that statutory provision referred to.
- 19.8 Hereof, etc. - “Hereof”, “herein”, “hereunder” and similar expressions refer to this Agreement and not to any particular Section, subsection or Schedule and the terms “Article”, “Section”, “subsection” and “Schedule” followed by a number and/or letter, refer to the specified Article, Section, subsection or Schedule of this Agreement.
- 19.9 Joint and Several – If in the future the Landowner with respect to any quarter section within the Lands, at any time or from time to time comprises more than one Person, then the obligations of the Landowner in relation to that quarter section shall be the joint and several obligations of all such Persons.
- 19.10 Relationship of the Parties – This Agreement is intended to establish a conservation easement with respect to the Lands in accordance with the Act. Nothing contained in this Agreement shall be construed as creating any partnership, joint venture or association of any kind or as imposing upon either Party any partnership duty, fiduciary duty, obligation or liability to the other Party hereto or to any other Person who is not a Party to this Agreement.
- 19.11 The Parties hereby acknowledge and confirm that the Landowner has been advised by AFT to obtain independent legal, financial and tax advice prior to entering into this Agreement
- 19.12 Notices – Any notice (which term includes any request or waiver) provided or given hereunder shall be sufficiently given by either Party if in writing and delivered by hand, by email or mailed by prepaid registered post:

If to the Landowner by mail as follows:

Ruth Olive Ann Renner
c/o Linda Laforest



If to AFT as follows:

Alberta Farmland Trust
900, 332 - 6 Avenue SW
Calgary, Alberta T2P 0B2

With copy to:

Ralph Nelson
c/o Highwood Valley Ranch



Any notice provided by one Party to the other shall be sufficiently given if in writing and delivered by hand, by email or other electronic communication, or mailed by registered post to the addresses set forth above. Any notice delivered by hand or email or other electronic communication shall be deemed to have been given on the day and time given. Any notice which is mailed shall be deemed to have been given on the seventh business day following the day of mailing. Either Party may give notice to the other Party of its change of address or email address and thereafter the new address or email address shall be the address of such Party for the purpose of giving notice pursuant to this Agreement.

- 19.13 Further Assurances – Each Party shall, without further consideration, execute and deliver all such further deeds and documents, and shall provide such further assurances as may be reasonably required, and shall cause all such things to be done as may be reasonably necessary to give full effect to the terms and conditions of this Agreement.
- 19.14 Matter of Public Record – The Parties acknowledge that registration of this Agreement as a conservation easement at the Land Titles Office against the titles to the Lands, shall render this Agreement a matter of public record.

[remainder of page intentionally left blank]

19.15 Enurement – This Agreement shall enure to the benefit of and shall be binding upon the Parties and their respective heirs, executors, administrators, personal representatives, successors and assigns.

IN WITNESS WHEREOF the Parties have duly executed this Agreement, as of the day and year first above written.

Alberta Farmland Trust



Denis M. Kennedy
Treasurer



Witness

Kristin F. Yarish
Barrister & Solicitor



Ruth Olive Ann Renner,
by her attorney by Power of Attorney,
Linda Laforest

AFFIDAVIT OF EXECUTION

CANADA) I, Kristin F. Yarish
) Barrister & Solicitor, of the City of
PROVINCE OF ALBERTA) Calgary, in the Province of Alberta, **MAKE**
) **OATH AND SAY:**
) **TO WIT**)
)

1. THAT I was personally present and did see Linda Laforest, the attorney by Power of Attorney for Ruth Olive Ann Renner, named in the annexed instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.
2. THAT the said instrument was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.
3. THAT I know the said Linda Laforest and Ruth Olive Ann Renner and they are in my belief both of the full age of eighteen years.

SWORN BEFORE ME at the City of)
Calgary, in the Province of Alberta, this 29)
day of August, 2022)
_____)
A Commissioner for Oaths in and for the)
Province of Alberta.)

JUDY A. GIBBS
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires April 10, 2025


_____)

SCHEDULE "A" TO THE CONSERVATION EASEMENT FOR AGRICULTURE AGREEMENT DATED AS OF THE 25th DAY OF AUGUST, 2022, BETWEEN RUTH OLIVE ANN RENNER AND ALBERTA FARMLAND TRUST

Legal Description of the Lands

MERIDIAN 5 RANGE 3 TOWNSHIP 22
SECTION 25
QUARTER NORTH WEST
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

MERIDIAN 5 RANGE 3 TOWNSHIP 22
SECTION 25
QUARTER SOUTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT

PLAN	NUMBER	HECTARES	(ACRES)
ROAD	8811448	4.39	10.84

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

MERIDIAN 5 RANGE 3 TOWNSHIP 22
SECTION 26
QUARTER SOUTH EAST
EXCEPTING THEREOUT

PLAN	NUMBER	HECTARES	(ACRES)
ROAD	8811448	3.73	(9.21)

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

Permitted Encumbrances

8355LB	12/01/1972 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited
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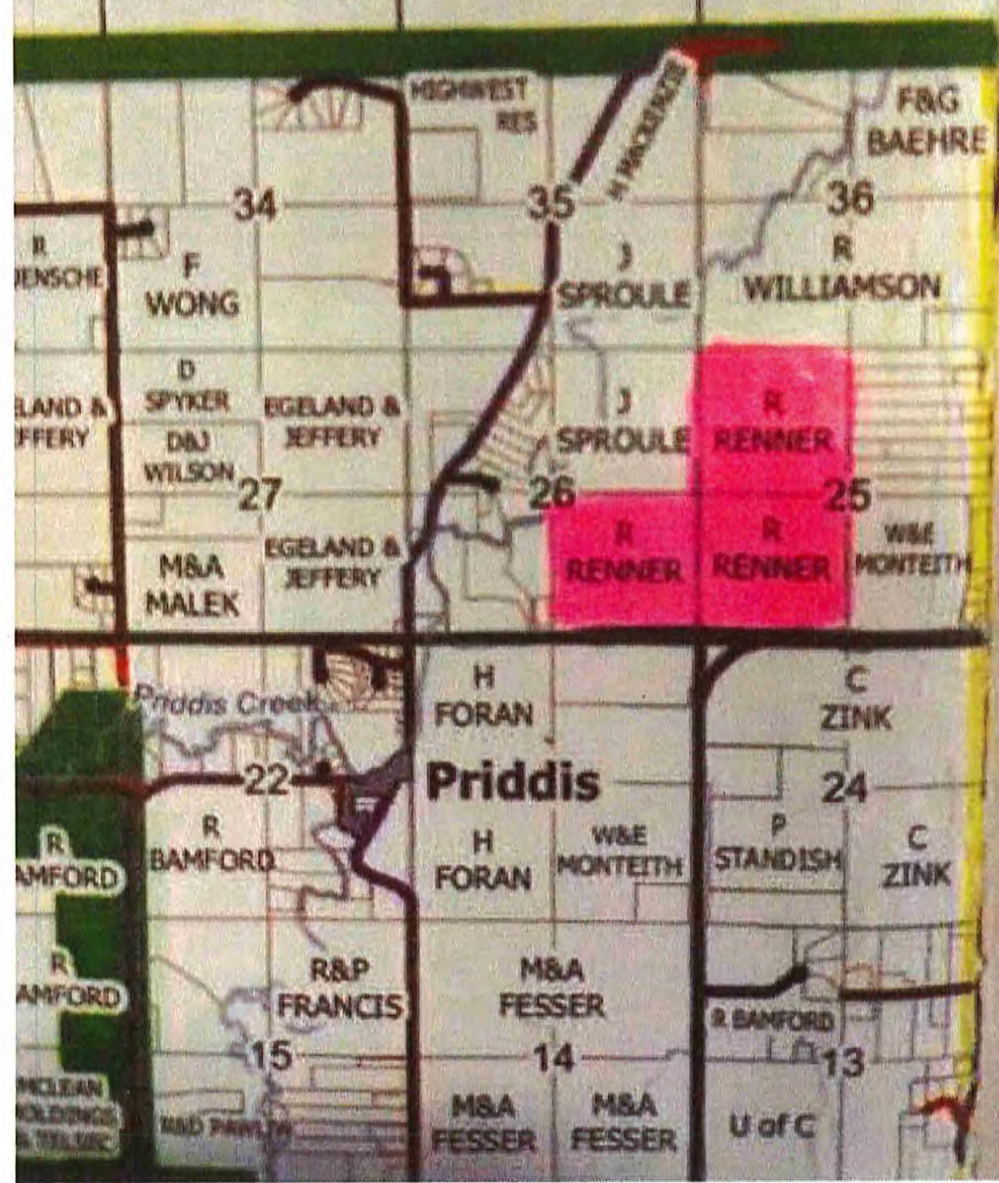
891 163 049	18/08/1989 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited
801 220 265	30/12/1980 Caveat Caveator – Canadian Western Natural Gas Company Limited
831 052 016	24/03/1983 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited
891 163 049	18/08/1989 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited
6473KO	04/06/1970 Caveat Caveator – Meota Gas Co-Operative Association Limited
797LG	08/12/1971 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited
801 220 264	Caveat Caveator – Canadian Western Natural Gas Company Limited
831 051 515	23/03/1983 Utility Right of Way Grantee – Canadian Western Natural Gas Company Limited

SCHEDULE "B" TO THE CONSERVATION EASEMENT FOR AGRICULTURE AGREEMENT DATED AS OF THE 25th DAY OF AUGUST, 2022, BETWEEN RUTH OLIVE ANN RENNER AND ALBERTA FARMLAND TRUST

Map of the Lands
(comprising 3 pages)

ange 3

240 St W 224 St W 208 St W 192



SUBJECT
FOOTHILLS COUNTY
P.L. MARSHALL, ALS 2022

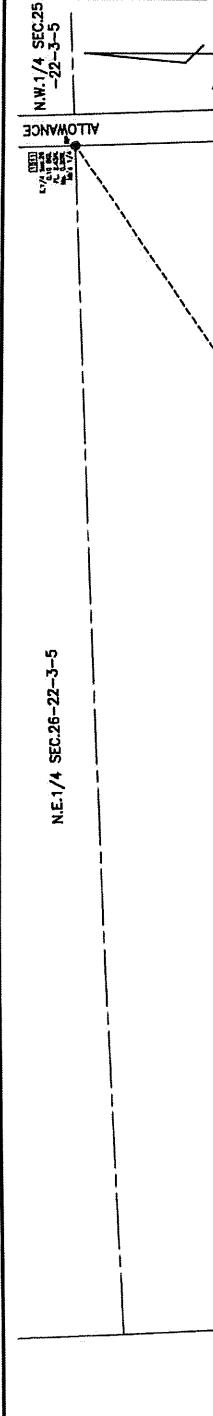
REGISTERED BY
MTC INCORPORATED LIMITED

REGISTERED
ENTERED AND REGISTERED
ON _____
INSTRUMENT NO _____
ADDRESS/STAIR _____

ALBERTA LAND TITLES OFFICE

PLAN NO. _____
ON _____
INSTRUMENT NO _____

REGISTERED
ALBERTA LAND TITLES OFFICE
ENTERED AND REGISTERED
ON _____
INSTRUMENT NO _____



FOOTHILLS COUNTY
PLAN SHOWING SURVEY FOR
CONSERVATION EASEMENT PURPOSES
AFFECTING PORTION OF
S.E.1/4 SEC.26, TWP.22, RGE.3, W.5M.
SCALE: 1:1500

P.L. MARSHALL, ALS 2022

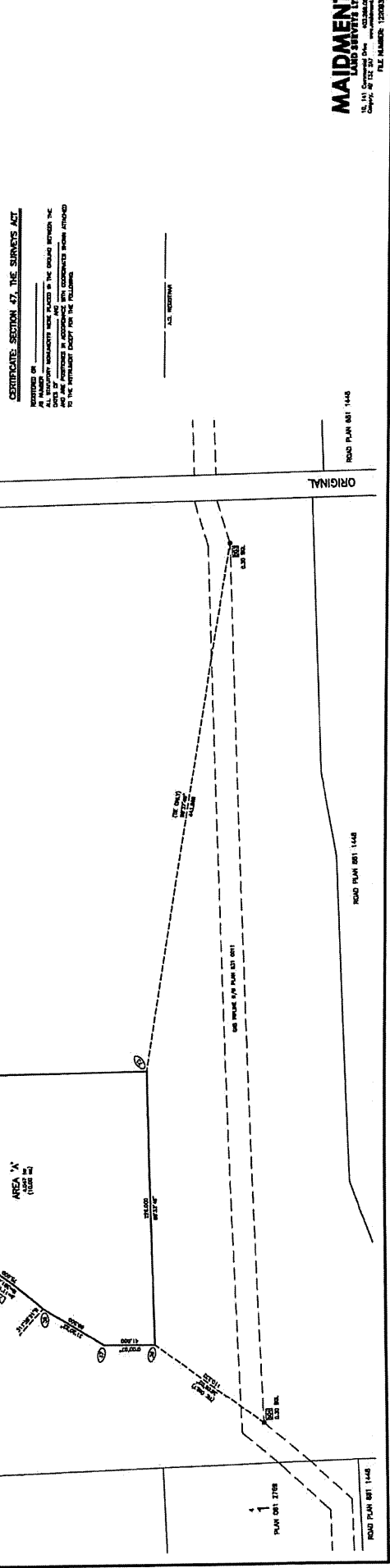
LEGEND

1. AREA SET OFF BY THIS PLAN SHOWN BY DASHED LINE AND CORNER MARKS.
2. ROAD RESERVATION FOR THIS PLAN SHOWN BY DASHED LINE AND CORNER MARKS.
3. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.
4. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.
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11. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.
12. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.
13. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.
14. BOUNDARY OF THE SURVEY SHOWN BY DASHED LINE AND CORNER MARKS.

CERTIFICATE, SECTION 47, THE SURVEY ACT

REGISTERED ON _____

ALL SURVEY INSTRUMENTS NOW PLACED IN THE PUBLIC DOMAIN BY THE SURVEY ACT ARE HEREBY DECLARED VALID AND CORRECTED TO THE INTENT OF THE ACT.



MAIRDMENT
REGISTERED LTD.
S.S. 1511 C.T. 2014
Company # 272 2014
FILE NUMBER: 12345678

NOTARIAL CERTIFICATE


CANADA
PROVINCE OF ALBERTA

I, **KRISTIN YARISH**, of the City of Calgary, in the Province of Alberta, a Notary Public by royal authority duly appointed **DO CERTIFY** that the paper writing hereto annexed is a true copy of a document produced and shown to me and purporting to be:

***ENDURING POWER OF ATTORNEY of RUTH OLIVE ANN RENNER, also known as
RUTH RENNER, dated June 19, 2014***

the said copy having been compared by me with the original document, an act whereof being requested, I have granted under my notarial form and seal of office to serve as occasion shall or may require.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office at the City of Calgary, in the Province of Alberta, this 30th day of August, 2022.



Kristin Yarish
Barrister and Solicitor
A Notary Public in and for the Province of Alberta



ENDURING POWER OF ATTORNEY

THIS POWER OF ATTORNEY is given by me, **RUTH OLIVE ANN RENNER** (the "Donor"), presently of Priddis, Alberta, on the 19th day of June, 2014.

1. I REVOKE any previous Powers of Attorney granted by me.
2. I APPOINT my friend, **LINDA LAFOREST**, an adult, presently of 72 Woodcroft Place S.W., Calgary, Alberta T2W 3X3, to be my attorney in accordance with the *Powers of Attorney Act* of Alberta (hereinafter referred to as my "Attorney").

IN THE EVENT of the death or refusal or inability of **LINDA LAFOREST** to act or to continue to act, I APPOINT **BMO TRUST COMPANY**, having an office at 350 – 7th Avenue S.W., 7th Floor, Calgary, Alberta T2P 3N9, to be my attorney in accordance with the *Powers of Attorney Act* of Alberta (hereinafter referred to as my "Attorney").

The written declaration of **LINDA LAFOREST** declining to act, or of a medical doctor confirming an inability to act or to continue to act, shall be conclusive proof of its occurrence and that Attorney's appointment shall be revoked.

3. My Attorney has authority to:
 - (a) to deal with my real property, personal property and financial affairs, including payment of all expenses incurred for my benefit, and do anything else on my behalf that I may lawfully do by an attorney;
 - (b) to obtain information from the Canada Revenue Agency notwithstanding that any such information may be of a confidential nature; and
 - (c) to appoint **BMO TRUST COMPANY** to act as a co-Attorney by written instrument to act with her, or to employ or retain and pay any agents, managers, employees, or other persons, firms or corporations in connection with the administration of my assets or any particular asset and for such length of time as my Attorney considers advisable and to delegate duties and powers to them without liability for such delegation.
4. In addition, and without limiting the generality of the foregoing, I specifically instruct and direct my Attorney:
 - (a) to initiate or complete transactions with respect to any of my real property and to grant a conservation easement in respect of any of my real property to such qualified organization as my Trustee in its absolute discretion deems appropriate for the purpose of the protection, conservation and enhancement of agricultural land or land for agricultural purposes pursuant to the *Alberta Land Stewardship Act*, as amended;

- (b) to negotiate the terms of the conservation easement with any parties or governmental bodies as may be required and to execute and deliver all documents and agreements as may be required, and to take all steps and do any things that may be required in connection with the conservation easement;
- (c) to pay all expenses associated with initiation and completion of the granting of a conservation easement by me from my assets; and
- (d) to pay any expenses incurred in relation to the monitoring or supervision of the conservation easement by my Attorney while my real property subject to a conservation easement is owned by me.

5. My Attorney shall exercise the authority hereby granted for my benefit alone.

6. This Power of Attorney shall continue notwithstanding my mental incapacity or physical infirmity which may occur after the execution of this Power of Attorney.

7. This Power of Attorney is not subject to any conditions or restrictions.

8. While **LINDA LAFOREST** acts as my Attorney and whether or not she exercises her authority under paragraph 3(c) above, she shall be entitled to be paid compensation for her services to me as my Attorney from the income or capital of my assets such amounts as I may approve while I am mentally capable or as my Attorney may, in her discretion, consider reasonable; provided that such compensation shall not in any year exceed the lesser of \$75,000.00 or 3% of the average value of my assets calculated on an annual basis, except as may otherwise be ordered by the court on a passing of the Attorney's accounts.

9. In the event **BMO TRUST COMPANY** acts as my Attorney, authorize my Attorney, BMO Trust Company as follows:

- (i) to manage my financial affairs by opening and/or continuing to operate one or more custodial, non-discretionary managed or discretionary managed accounts at BMO Trust Company and/or with BMO Nesbitt Burns or any subsidiary or related party of BMO Trust Company, or such account(s) with other institutions whether or not a member of the Bank of Montreal Group of Companies ("BMOGC") or its subsidiaries, as it from time to time deems advisable (the "Account" or "Accounts"), and to transfer or deposit any or all of my assets into such Account or Accounts to be held in my name, its name or the name of its agents or nominees, and to sell or dispose of any or all of my assets and deposit the net sale proceeds into such Account or Accounts; and
- (ii) in its discretion, to invest and reinvest all or any of my assets in any investment, whether or not income producing or in any mutual fund, pooled fund, or similar fund, including funds issued or managed by BMO Trust Company or a subsidiary or related party of BMO Trust Company, and such an investment shall not be an unlawful delegation of my attorney's authority; and

**NOTES ON THE ENDURING
POWER OF ATTORNEY**

Dated June 19th, 2014

***READ THESE NOTES BEFORE SIGNING
THE ENDURING POWER OF ATTORNEY***

1. The effect of this document is to authorize the person you have named as your Attorney to act on your behalf with respect to your property and financial affairs.
2. Unless you state otherwise in the document, your Attorney will have very wide powers to deal with your property on your behalf. The Attorney will also be able to use your property for your benefit. You should consider very carefully whether or not you wish to impose any restrictions on the powers of your Attorney.
3. This document is an "enduring" power of attorney, which means that it will not come to an end if you become mentally incapable of managing your own affairs. At that point your Attorney will have a duty to manage your affairs and will not be able to resign without first obtaining permission from the court. The power of attorney comes to an end if you or your Attorney dies.
4. You may cancel this power of attorney at any time, as long as you are mentally capable of understanding what you are doing.
5. You should ensure that your Attorney knows about this document and agrees to being appointed as Attorney.

RUTH OLIVE ANN RENNER

TO

LINDA LAFOREST

OR

BMO TRUST COMPANY

ENDURING POWER OF ATTORNEY

**FIELD LLP
Barristers and Solicitors
400, 604 – 1st Street SW
Calgary, Alberta
T2P 1M7**

WHAT WE HEARD REPORT

PRE-APPLICATION OPEN HOUSE, FOOTHILLS COUNTY

STABLE22

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APPENDIX - VERBATIM EMAILS AND RESPONSES

01

1.0 PROJECT OVERVIEW

BACKGROUND

Stable22 will be a first-class equine facility, situated in the stunning Alberta Foothills on land that is permanently preserved for agricultural purposes. Stable22 will provide horse owners and riders with an exceptional equestrian experience. Exhibitors and Boarders will feel engaged with their horses while having opportunities to explore a varied experience in the sport of show jumping through training, competitions, equestrian related businesses, events, and an extensive trail network.

White Moose Farms Limited, owned by Stan Carscallen and Eva Friesen, are applying for a land use redesignation from the Agricultural District (A) land use to a custom Direct Control district to accommodate the proposed activities on the site. A comprehensive Development Permit application, will accompany the land use redesignation application and provide details about the proposed development and subsequent operation of the site.

Prior to any formal community engagement, Mr. Carscallen met with eight (8) nearby landowners over the weekends of February 4 and 5, and February 11 and 12, 2023. The objective of the meeting was to open the lines of communication and ensure that landowners near the proposed Stable22 facility could hear about the project directly from the proponent and share any questions or concerns in the future.

As part of the project, Township Planning + Design (TWP) created an Engagement Plan that was reviewed and approved by the landowner/proponent. The Engagement Plan was implemented in January 2023. The first milestone of the formal Engagement process was the Pre-Application Open House, which took place at the Priddis Community Hall in Priddis, AB on Thursday, February 16, 2023 from 5:00 until 8:00 PM. The Open House was hosted in advance of any formal submission to Foothills County and was intended to introduce the community at large to the project and understand what concerns or questions the community has about the project. Landowners within one mile of the subject site were sent direct mail invitations to the open house and two (2) advertisements / "open to all" residents and landowner invitations were published in the Okotoks Western Wheel in advance of the event. The questions and concerns that we heard from the community will be addressed through both the municipal application and the public decision-making process.

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2.0 COMMUNICATION & ENGAGEMENT METHODS

The Communication & Engagement Methods undertaken include:

- The Proponent met directly with the eight (8) nearby residents and landowners who might be considered to be potentially affected by the proposed development.
- Open House Advertisement
 - Advertisements/"open to all" residents and landowners invitations were published in the Okotoks Western Wheel on February 1 and February 8, 2023.
 - Landowners located within one mile of the subject site were sent direct mail invitations to the Open House.



Engagement Radius



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- A dedicated project website was created and launched in January 2023. The website, www.stable22.com, contained the invitation and event details for the Open House, as well as a direct link to a dedicated TWP team member's email address. The Open House Boards that were displayed and explained at the event were posted to the website on February 17, 2023, the day following the event.
- A dedicated TWP team member's contact information was shared on engagement materials. They have been the point of contact for community feedback in order to ensure consistency and efficiency. To date, there have been four (4) email messages (in some cases with multiple responses) and no phone calls. Verbatim emails and responses are included in **Appendix - Verbatim Emails and Responses**.
- Open House Event - February 16, 2023:
 - Approximately 40 people attended the Open House at the Priddis Community Hall, approximately 2.4 km southwest from the subject site.
 - The Open House was drop-in format but there was also a formal presentation from the landowner and the project team starting at 6:00 PM. The presentation lasted approximately 45 minutes and the landowners discussed their vision and goals for Stable22 and their history in the Priddis area while the TWP Principal shared detailed information about the project.
 - Three (3) planners from TWP and the landowners were in attendance to listen to the community's comments and feedback and to answer questions.
 - A total of 11 project information boards were set up with specific descriptions about the subject site, the proposed operations of Stable22, the Conservation Easement for Agriculture, and the proposed Direct Control land use district.

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- Individual Stakeholder Conversations:
 - The Project Team met with an identified stakeholder, and they took the time to share the feedback that was heard from community members in their one-on-one conversations.
 - As mentioned previously, prior to the Open House, Mr. Carscallen met with the most nearby neighbours as marked with an 'X' in the figure below.



 Subject Site

 Door Knock Site

05

3.0 WHAT WE HEARD: OPEN HOUSE

COMMON THEMES

Through conversations with community members during the open house and via email after the open house, several common themes were identified:

- Conservation Easement for Agriculture: What is the Conservation Easement for Agriculture? How do the Excluded Areas work?
- Groundwater Capacity: Is there enough groundwater to support the proposed operations?
- Access and approach to the facility: concerns about traffic, safety, and the existing intersection.
- Anticipated land uses: Will residential development be contemplated as part of the application?
- Perceived Market Demand: Perception of over-saturation of equestrian facilities in the area.

The following section outlines the feedback and comments received from the public in more detail as well as the Project Team's responses.

DETAILED FEEDBACK

Conservation Easement for Agriculture

Some community members wanted to understand how the Conservation Easement for Agriculture functions and how the excluded areas work. Some community members expressed concern that the excluded area has not been identified for NW-25.

Project Team Response

In September 2022, Foothills County Council acknowledged a Conservation Easement for Agriculture that was to be registered by the Alberta Farmland Trust on approximately 459.95 acres of land owned at the time by Ruth Olive Ann Renner. The Conservation Easement for Agriculture was registered on the title to these lands to permanently preserve the land for agriculture uses (including equestrian uses and facilities with the exception of an "Excluded Area" within the

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DETAILED FEEDBACK CONT.

Conservation Easement for Agriculture that accommodates the proposed equestrian related business activity and other non-agricultural uses). All equestrian related business activity will be restricted to the Excluded Area. Because the entire 459.95-acre property has been conserved for agriculture, it can never be subdivided.

With regard to the questions about the Excluded Area within NW-25, the definition of the Excluded Area within NW-25 was negotiated between Ruth Renner and Alberta Farmland Trust and is outside of the scope of the current application by the present landowner. That considered, the Conservation Easement precludes anything that is not defined as agriculture happening anywhere on NW-25 except in the yet to be designated, 5-acre Excluded Area. Any proposal for development within the Excluded Area will be subject to review and approval by Foothills County.

Groundwater Capacity

Some attendees expressed concern as to whether there is enough groundwater capacity to service the facility.

Project Team Response

The Project Team explained that the groundwater will only be used for a component of the operations at Stable22. Specifically, water for livestock will be sourced from a commercially drilled and licensed groundwater well on the site. Bottled water will be provided for human potable water needs, while the intent is that irrigation water will be utilized from surface water collection ponds on the site.

With regard to community comments pertaining to groundwater, there is a formal process for groundwater well licensing that will need to be followed; the tests are for 24- or 48-hour flow. The tests include a drawdown and recovery curve with analysis of each. The commercial groundwater licensing process is public; however, the Project Team does not believe it is prudent to commence this process until there is some direction from Council with respect to the application.

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DETAILED FEEDBACK CONT.

Access and Intersection Design

Some community members expressed concern about the location of the sole access to the property, which is an approach on the north side of the Highway 22 and Highway 22X intersection. We heard some community members express concern about intersection safety and anticipated congestion at the intersection during events or during peak seasons.

Project Team Response

The Application will be circulated to Alberta Transportation and Economic Corridors (ATEC) for review and a Roadside Development Permit will be required. ATEC will determine whether further study or any upgrade to the intersection is required. TWP contacted ATEC on two occasions prior to submitting the application formally to the County and ATEC currently has the matter under review.

Anticipated Land Uses

Some members of the community wanted to know how much residential is contemplated as part of the application.

Project Team Response

The Project Team clarified that the only dwellings contemplated as part of the application are three (3) staff accommodation units located above the equestrian-related businesses within the Excluded Area. Because of the Conservation Easement for Agriculture, free-standing, single-family residences are not permitted on the site except for in the Excluded Areas. As previously discussed, any development in the Excluded Areas will be subject to approval by Foothills County.

Perceived Market Demand

Some community members commented that there are enough equestrian facilities in the area to accommodate the current demand.

Project Team Response

Our understanding is that all the equestrian facilities that have opened in the area over the last five years are full. Additionally, most other equestrian facilities are private or semi-private which doesn't leave opportunities for those who need a place to learn and practice the sport of show jumping.

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4.0 WHAT WE HEARD: INDIVIDUAL STAKEHOLDER CONVERSATIONS

COMMON THEMES

Through conversations with stakeholders the following themes were identified:

- **Support for the Project:** many of the neighbours that Mr. Carscallen spoke to prior to the Open House expressed that they are supportive of the project and keen to see it proceed. Some of them or family members are equestrians.
- **Conservation Easement for Agriculture:** In addition to questions received at the Open House regarding the Conservation Easement for Agriculture (outlined in Section 3.0), it was noted to the Project Team that there are questions from the community about how the Conservation Easement for Agriculture can include equestrian uses.
- **Access and Traffic:** In addition to concerns about safety, which were discussed in Section 3.0, the Project Team received commentary on the potential impact of Stable22's operations on the Highway 22/Highway22X Intersection.
- **Development on Agricultural Lands:** some community members have apparently expressed that they believe the project will cover productive soil.
- **Proposed Direct Control District:** some community members have indicated that they do not understand the proposed Direct Control District.
- **Distrust about Future Residential Development:** some community members expressed doubt in the proposition that the development will not evolve into some kind of housing development.

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DETAILED FEEDBACK

Support for the Project

When the Mr. Carscallen met with eight (8) of the neighbouring landowners and residents, all were generally supportive of the project. In particular, several of the landowners were enthusiastic to see the project proceed because themselves or their family members are equestrians and would use the services offered by Stable22. Many neighbours asked questions about traffic impact, interference with water supply, and interference to mountain views, but after discussion, they all appeared to be satisfied with the explanations given by the proponent.

Conservation Easement for Agriculture

In addition to questions that were asked about the future of NW-25 (discussed in Section 3.0), we heard that some community members perceive the proposed development at Stable22 to be “high impact” and not in alignment with the Conservation Easement envisioned by Ruth Renner. Finally, we heard that there has been some confusion from community members about how the equestrian-related facilities are defined as “agriculture”.

Project Team Response

Ruth Renner’s attorney by Power of Attorney had the responsibility to implement what Ms. Renner intended for the land, and that is undoubtedly exactly what she has done. With regard to the perception that the proposed facilities at Stable22 are “high impact,” only a small portion of the subject site will be developed (approximately 3.7 acres of the 459.95 acres, or 0.008 percent of the site at full buildout) and the majority of the lands will remain as hay producing land for White Moose Ranch and the horses at Stable22.

Finally, with regard to the comments about whether equestrian-related facilities are defined as “agriculture”, the Conservation Easement for Agriculture allows for the equestrian and related activities proposed by Stable22 on the subject site. Specifically, Section 4.4 of the Conservation Easement for Agriculture identifies the following as “Authorized Agricultural Activities”:

“breeding, raising, feeding, training, schooling, stabling, managing, displaying, marketing, selling, competing, demonstrating and showing of Authorized Species¹.”

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DETAILED FEEDBACK

Access and Traffic

In addition to sharing several concerns outlined in Section 3.0 (intersection safety, potential for additional study etc.), a stakeholder asked the Project Team if Stable22 would coordinate their operations with other events and activities in the County to avoid putting additional traffic pressures on the intersection. They also wanted to know how a semi-truck would access the site during an event or a high traffic situation. They suggested an alternative access from 192nd should be considered, however, the landowner does not own the intervening property. Additionally topography is not feasible in that area because o asked the Proje

Project Team Response

The primary traffic driver in the area is the Millarville Market which occurs on Saturday mornings. Other traffic drivers in the area include people driving to the mountains, especially on summer weekends. Given that weekends are essential days to host horse shows and other proposed events at Stable22, the landowner could not feasibly coordinate with other events and activities in the area to limit traffic or they would not be able to operate effectively. Ultimately, while upgrades may be required to the intersection, the costs should not be solely borne by one landowner as this intersection has facilitated numerous development projects over time and no contributions were requested for any upgrades associated with previous developments.

With regard to the question about how a semi would access the site during a high traffic situation, the landowner has noted that they experience this regularly as they conduct farming operations on the subject property. While the access will need to be carefully managed during high-traffic periods, the landowner has noted that it is by no means more difficult, nor needing any more care, when approaching the intersection from the North than for the traffic approaching the intersection from the east, west, or south.

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DETAILED FEEDBACK CONT.

Development on Agricultural Lands

We heard that there are some community members who believe that the project covers the most productive soils in the area.

Project Team Response

As noted in the previous response, only a small portion of the land (less than 1%) will be impacted by the development of Stable22. The balance of the lands, apart from the Renner Homestead and a small pasture on SE26, will be kept for the growing of hay for White Moose Ranch and the horses at Stable22.

Proposed Direct Control District

The Project Team heard that there is some confusion amongst community members about the use of a Direct Control district and how it will impact future approvals on the subject site.

Project Team Response

The Project Team is proposing a Direct Control land use district to accommodate the proposed Stable22 facilities because there are no existing land use districts in Foothills County that can accommodate the types of programming being proposed by Stable22. It is worth noting that the Direct Control district requires that Foothills County Council be the development authority for all future development on the subject lands. This means that Council will control any future development on the subject lands. The DC district had not been reviewed by Foothills County administration at the time of the Open House, so it was not presented to the public.

Potential for Crime on the Property

A stakeholder noted that they have been hearing about increased crime in the vicinity of the subject site and wanted to understand what security provisions would be put in place at Stable22.

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DETAILED FEEDBACK CONT.

Project Team Response

Stable22 will have a secure front gate that will be positioned off the driveway access. Remote security cameras will be utilized throughout the facility and security will be offered by staff living on site.

Questions about the Landowner's Intentions

The Project Team was made aware that there are some questions about the landowners' intentions due to Mr. Carscallen's previous involvement in the development of Priddis Greens.

Project Team Response

The landowners are passionate about the proposed project and Mr. Carscallen has been a resident or landowner in the Priddis district for about 70 years. These landowners are not going to do something contrary to what they say they are going to do, nor would Council allow that to happen. The last development proposal undertaken by Mr. Carscallen was in relation to Priddis Greens and was made over 25 years ago.

5.0 NEXT STEPS

The application has been submitted to Foothills County and is currently being circulated for comment. Meanwhile, the ongoing channels of communication are open and include the project website, www.stable22.com which now provides detailed information about the project and a dedicated team member for the community to contact with questions or comments. The Project Team strives to respond to all inquiries within a reasonable time.

Upon completion of the circulation, the County and Alberta Transportation and Economic Corridors may come back with comments or items to be addressed within the application. The Project Team will continue to update the community with any material changes to the application via the project website, and direct communication with any directly affected stakeholders.

APPENDIX - VERBATIM EMAILS AND RESPONSES

01

EMAIL CHAIN #1

“ Hi

I am a resident along 192 st which is kitty corner to your proposed project. I was not able to attend the open house. Are you able to send me the ground water survey that you obtained as per the website. I have a few concerns but ground water bring the main one. I look forward to seeing that and engaging about this project. Cheers ”

Hello [REDACTED],

The engineer is further refining his work and we will be sending an update when that is available. Please stand by with this request, we will get it to you!

I appreciate your email and sad to hear you couldn't attend the open house, it was a good time.

Talk soon,

Amelia
Township Planning

EMAIL CHAIN #2

“ I completely forgot about the open house yesterday! I live in Priddis area.

*Im all for your stable!
I do have a question about the access from the highway into the stable. Where will it be? ”*

Hello [REDACTED],

You missed a good time! We had a really awesome turn out and a lot of support, which is nice to hear from you as well.

Access will be immediately north of 22 so making a Cross hair with the rest of the road infrastructure. I do know there were chats about having a side road access last night, so nothing is set in stone as of yet. Any plan will have to get approved by Alberta Transportation.

We are mindful of the road dynamic and will make sure it's done properly.

Thanks so much for your email and question,

Amelia

02

“ Hello Township Planning + Design Inc.,

Thank you for your presentation last week at the Stable22 Open House in Priddis.

I have the following questions:

1) The following statement was included on your website:

“...White Moose Farms Limited is applying for a land use redesignation from A-Agriculture land use district to a custom DC-Direct Control District to accommodate the proposed activities on the site. The proposed Direct Control District is a hybrid between the Special Events District and the Commercial Arenas District.”

What Direct Control district will you be applying for?

I see Commercial Arenas mentioned in DC#29 but I see no mention of the “Special Events District” in the Foothills County Land Use Bylaws. Can you clarify?

2) I have concerns about ground water supply in our area. Can you please provide me with a copy of your Ground Water Supply Evaluation.

3) I have concerns with traffic flow at the intersection of Hwy 22 and Hwy 22X. Can you please provide me with a copy of your Traffic Impact Assessment?

Thank you.

Regards, ”

Email chain continues on following page

03

Good Afternoon [REDACTED],

Thank you for attending the open house and for sending a follow-up email. To answer your questions:

1. The Direct Control District we are applying for is a custom one, not yet something that exists in the Land Use Bylaw until Council approves it. This is being undertaken because of the unique circumstances associated with the Conversation Easement for Agriculture registered on these sites. It is a blend of DC 29 and DC 35 in order to allow flexibility of use in the excluded areas. We are in the process of submitting the concurrent Land Use Redesignation and Development Permit application. The County has not seen our proposed DC district and we would like their input on it before it is made available to the public, it will be available through approvals process. The Special Events Bylaw 66/97 can be found in Appendix H of the Land Use Bylaw. You can click this link to review the bylaw: <https://www.foothillscountyab.ca/sites/default/files/2022-07/LUB%20appendix%20updated%20Dec%202021.pdf>
2. We have two drilled wells rather than undertake a preliminary assessment. Each well was drilled to commercial standards, and each well will be licensed to supply the project. The first well was installed in 2021 and obtains water from a sandstone aquifer from a depth of 47.2 – 54.9 m below ground. Pumping tests undertaken on this well show a long-term yield of 13,000 cubic metres of water per year. The second well was installed in 2022 and also obtains water from a sandstone aquifer from a depth of 45.7 – 76.2 m below ground. A long-term yield from this well of more than 35,000 cubic metres per year is estimated from this well.
3. We have provided our project outline and layout to Alberta Transportation twice over the last two years and they have not indicated that a TIA is necessary. They will see this application two more times, once through the circulation referral process and once with our application to them for a roadside development permit. To date they have not requested any Traffic Impact Assessment be prepared.

I hope this helps and please do not hesitate to reach out for further clarity or concerns.

All the best,

Amelia
Township Planning

Email chain continues on following page

04

“ Amelia,

Thank you for your reply.

Regarding Question 2) Water Concerns.

The Stable22 website in the Q&A section refers to a Groundwater Supply Evaluation that was completed. It says:

“Can the groundwater accommodate this use?

A Groundwater Supply Evaluation was completed for the Stable22 groundwater supply well and monitoring wells. This is undertaken not only to determine performance of the well but also to analyze groundwater usage in the area to determine expected capacity without causing interference to any other groundwater users. It was determined that groundwater demands in the area are currently considered low to moderate and the study found that the well on site is fully capable of providing 10,000m³/year of water; more than double the anticipated required water for site operation. Groundwater will only be required for a portion of Stable22’s operations including water needs within the barns and wash racks for horses, while the stormwater ponds will serve as the source for irrigation and fire protection. Exhibitors and attendees will be provided with bottled water for potable water consumption.”

Q2a) If this Groundwater Supply Evaluation exists, can you please provide a copy of it for my reference?

Q2b) Can you please provide a breakdown of the estimated water volume use for all site operations (including from the storm water ponds)?

Regarding Question 3) Traffic Concerns.

Foothills County requires a Traffic Impact Assessment as part of the Engineering Requirements for a Commercial Arena.

See: www.foothillscountyab.ca/sites/default/files/2022-12/Arenas.pdf

As a resident of this area, traffic concerns at the intersection of Hwy 22 and Hwy 22X is a major concern and a TIA would be helpful to determine any required mitigative measures at this intersection.

Regards, ”

Email chain continues on following page

05

Dear [REDACTED],

1. With regard to Groundwater supply, we have attached a letter from our hydrogeologist that explains the process and our results. This is all we can do at this time without any further consent or approvals from the County.
2. We have not prepared a storm water management plan, therefore, we cannot estimate the catchment for you. A full SWMP will be a condition of approval at the Development Permit stage.
3. As the access road to this arena is within provincial jurisdiction, a TIA cannot be requested by the County for this application. As we have mentioned, AT has been approached several times and will be receiving the formal application as part of a circulation referral and roadside DP applications.

Thank you for your inquires.

Best,

Amelia

“ Amelia,

Thank you for your reply.

1) Water Concerns

a) The Groundwater Resources letter you attached indicates “long term pumping tests were undertaken on the wells” at rates of 20.8 igpm and 15 igpm. Can you provide me with the details of these tests including the recovery periods?

b) Can you please provide a breakdown of the estimated water volume use for all site operations?

2) SWMP – I will wait to see this at the Development Permit stage.

3) TIA – I will discuss this further with AT

4) New Question: It would be good to know what the Conservation Easement says so I can offer my comments on the redesignation from Agricultural to DC that is being proposed. Can your provide me a copy of the Conservation Easement for Agriculture on the Stable22 lands?

Thank you for your consideration.

Regards, ”

Email chain continues on following page

06

Dear [REDACTED],

We offer the following in response to your further inquiries.

As was described in the detailed letter provided to you prepared by Mr. Hugo, the tests are 24 or 48 hours flow. This used to be called a Q20 test if your familiar with those kinds of reports. It includes a drawdown and recovery curve with analysis of same. As mentioned, the licensing process is a public one, however, it is not prudent of us to enter this process until we have some direction from Council with respect to our application.

Please find the conversation easement for agriculture attached.

We hope this satisfies your inquiries.

Amelia

“ Amelia,

In response to your email, I respectfully submit a summary and status of my inquiries:

1) Water Concerns

a) Detailed Water Well Test Results - Not Resolved

b) Estimated Water Usage for all site operations - Not Resolved

I will wait until Township Planning has “some direction from Council with respect to (your) application”, as you suggested.

2) Storm Water Management Plan - Not Resolved

I will wait to see this at the Development Permit stage, as you suggested.

3) Traffic Impact Assessment - Not Resolved

I have discussed this with Alberta Transportation and have let them know of my traffic concerns at the intersection of Hwy 22 and Hwy 22X.

I will wait to see if a TIA is required and if so, what those results are.

4) Request for Conservation Easement for Agriculture - Resolved

I received this document today ... with thanks.

Thank you for your consideration.

Regards, ”

█ Email chain continues on following page

07

EMAIL CHAIN #3

[Redacted],

I have noted down that inquiry 1, 2, and 3 will need some clarity further down the road.

Thanks again for voicing your thoughts and concerns to us.

I will be in touch,

Amelia

EMAIL CHAIN #4

“ Good morning. I am reaching out to you on behalf of the University of Calgary. As you might know, the university has a facility called the Rothney Astrophysical Observatory (RAO) near to your proposed facility. The RAO is used for teaching and learning and engaging the next generation of scientists, astronomers, and the community at large. The area around the RAO is considered “dark sky country”. We are part of a dark sky corridor on the western section of Calgary that includes the Weaselhead Conservation Society, Leighton Art Centre, Ann & Sandy Cross Conservation Area. The RAO works with our dark sky partners to advocate for dark and quiet skies to protect the wilderness of the night sky. We would be interested in engaging with your project to give some feedback on potential impacts to the conservation of night sky. Thank you.”

Good Afternoon [Redacted],

Thank you for you reaching out regarding the Stable22 Project and the additional information on the Rothney Astrophysical Observatory. We appreciate the work you do and recognize the importance of dark skies for ecological health of our nocturnal friends in the area. Stable22 will follow Foothills County Dark Skies requirements to ensure the facility integrates sensitively into the rural context and its proximity to the RAO.

Best,

Amelia

APPENDIX G: AREA LANDOWNER LETTER

I am a neighbouring landowner living on 10 acres due east of the subject parcels on 192 St W. We have lived here for 25 years and I oppose this proposal for several reasons.

The proposed development will add significantly to road congestion at the intersection of Hwy 22 and Hwy 22x. These roadways have become extremely busy over the last number of years especially on weekends, with both vehicular traffic and cyclists. Increased traffic entering and leaving this development will result in collisions and potentially fatalities. The application is silent on how this increased traffic congestion will be managed other than to state that a study will be completed by ATEC.

My major concern however is water use. Drought conditions over the last number of years have distressed all neighbouring surface water sources such as Fish Creek. These drought conditions will also have stressed groundwater sources, and the water requirements of the proposed development are not sustainable. The application is both silent on average daily water requirements of the development and the availability of water from the aquifer. It would be irresponsible of the County to approve this development without this understanding.

Finally, there are many stables and barns in the area including 2 at the north end of 192 St bordering T'su Tina lands. The world famous Spruce Meadows is a 10 minute drive to the east. It is not clear that another large facility of this type is needed given the above risks.

The application is vague and open ended on how the development could evolve over time and this is concerning.

I intend to elaborate on these concerns at the public hearing.

Regards, Ron Myers, PhD

APPENDIX H: PROPOSED BYLAWS

PART A: Creation of new Direct Control District

BYLAW XX/2023

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

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

AND WHEREAS the Council of Foothills County in the province of Alberta passed Bylaw XX/2023, being a Bylaw for the purpose of the creation of a Direct Control District to allow Direct Control by Council over development on lands subject to a Conservation Easement for Agriculture.

NOW THEREFORE, the Council of Foothills County, duly assembled, and pursuant to the authority conferred upon it by the Municipal Government Act, RSA 2000, c M-26 and amendments thereto, enacts as follows:

1. This Bylaw may be cited as "Direct Control District #XX" (~~DC#XX~~) for the purpose of Direct Control by Council over development on lands subject to a Conservation Easement for Agriculture.
2. That Schedule "A" attached hereto and forming part of this Bylaw be established as the Foothills Country Direct Control District #XX (~~DC#XX~~)
3. This Bylaw comes into full force and effect at such time as it has received third reading and has been signed in accordance with the Municipal Government Act.

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 .

BYLAW XX/2023

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, 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 the redesignation of W ½ 25-22-03 W5M and SE 26-22-03 W5M from Agricultural District to Direct Control District #XX.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2203 is amended by *redesignating W ½ 25-22-03 W5M and SE 26-22-03 W5M to Direct Control District #XX.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

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 .



**MISCELLANEOUS MUNICIPAL ITEM
REPORT TO COUNCIL
CAYLEY – OFFER TO PURCHASE**
September 27, 2023

Application information	File: Brown
LEGAL DESCRIPTION: Plan 0813068, Block 9, Lot 2	
LANDOWNER: Foothills County	
APPLICANT: Hayden and Cassandra Brown	
PROPOSAL: Offer to Purchase a lot in the Hamlet of Cayley	
DIVISION NO: 1	COUNCILLOR: Rob Siewert
FILE MANAGER: Donna Fowler	

LOCATION

The lot is located on the northern side of the Hamlet of Cayley

BACKGROUND

Foothills County owns several lots that are ready for development and listed for sale in the Hamlet of Cayley. This specific 0.162 acre (656.20 sq.m.) lot is listed for sale at \$77,250.00

Haden and Cassandra Brown have made an offer to purchase Plan 0813068 Block 9, Lot 2 for the purchase price of \$70,000.00.

REQUEST OF COUNCIL

After reviewing the information provided, that Council considers agreeing to the sale of Plan 0813068, Block 9, Lot 2 to Hayden and Cassandra Brown for the Purchase Price of \$70,000.00 plus GST.

APPENDICES

APPENDIX A :
LOCATION MAP
ORTHOPHOTO
EMAIL FROM LANDOWNER

**APPENDIX A:
LOCATION MAP**





LANDOWNER EMAIL

Donna Fowler

From: Cassandra Brown [REDACTED]
Sent: September 11, 2023 5:58 PM
To: FCLands
Subject: Cayley Lots For Sale

Follow Up Flag: Follow up
Flag Status: Flagged

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

To Whom it May Concern,

My name is Cassandra Brown, my husband Hayden and I are interested in buying plan 0813068 block 9, lot 2 on the north end of Cayley. That being said, we were wondering if you would be willing to sell it for \$70,000 based on the cost of building this is what we can afford, as we are a young family with a 2 month old little boy. We would love to raise our family in Cayley given the opportunity.

thank you for your consideration,

Hayden & Cassandra Brown

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.