

**FOOTHILLS COUNTY  
COUNCIL AGENDA**



Wednesday, May 15, 2024, 9:00 a.m.  
Foothills County Administration Office  
309 Macleod Trail South – High River

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	<b>Pages</b>
<b>A. GENERAL MATTERS</b>	
A.1 Call Meeting to Order	
A.2 Approval of the Agenda	
<b>B. PUBLIC WORKS / ENGINEERING / PARKS &amp; RECREATION</b>	
B.1 2024 Summer Road Bans	3
Presented by: Deputy Director of Operations Mike Gallant	
B.2 Rural Approach Standards - Policy Amendment	13
Presented by: Development and Road Technologist Wiaan Kruger	
<b>C. PUBLIC HEARINGS &amp; MEETINGS</b>	
C.1 10:00 a.m. - West View Hutterian Brethren - SW 06-18-28 W4M - Proposed Redesignation (A to CR)	20
Presented by: Planning and Development Officer Brittany Smith	
C.2 11:00 a.m. - Southern - NE 19-22-02 W5M - Request to Purchase Undeveloped Statutory Road Allowance	31
Presented by: Municipal Lands Administrator Donna Fowler	
C.3 1:30 p.m. - Lake at Heritage Pointe Owners Association (LAHPO) - NE 01-22-01 W5M - Redesignation (RCD to OSP)	41
Presented by: Planning and Development Officer Brittany Domenjoz	
<b>D. MISCELLANEOUS PLANNING ITEMS</b>	
D.1 Abolarin - SE 36-21-29 W4M - Bylaw 27/2023 (2nd & 3rd Reading)	69
<b>E. SUBDIVISION APPROVING AUTHORITY ITEMS</b>	
E.1 Abolarin - SE 36-21-29 W4M - Request for Subdivision	79
E.2 Walia - SE 29-21-29 W4M - Request for Time Extension	92
<b>F. MISCELLANEOUS MUNICIPAL ITEMS</b>	
F.1 Bar U - NW 1/4 08-17-02 W5M / NE 1/2 07-17-02 W5M - Request to Close and Purchase Undeveloped Road Allowance	100
Presented by: Municipal Lands Administrator Donna Fowler	
F.2 2024 Mill Rate Bylaw and Budget Amendment	108
Presented by: Director of Corporate Services Christine Hummel and	

Deputy Director of Corporate Services Reginald Hammond

**F.3 High River District Health Care Foundation - Request for Sponsorship** 121  
Presented by: Manager of Legislative Services Sherri Barrett

**F.4 Foothills Country Hospice Society - Request for Support** 124  
Presented by: Manager of Legislative Services Sherri Barrett

**G. CONFIDENTIAL CLOSED SESSION**

**G.1 Advice from Officials - FOIP s. 24**

**H. MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION**

**I. OTHER MATTERS**

**I.1 Lunch**

**I.2 Accounts – May 15, 2024**  
Deputy Reeve Waldorf; Councillors McHugh and Castell

**I.3 Minutes – May 8, 2024**

**I.4 Committee Reports**

**I.5 Next Meeting – May 22, 2024**

**I.6 Adjourn**

<b>DEPARTMENT:</b> Public Works	
	<b>TOPIC:</b> 2024 Summer Road Bans
<b>REPORT PREPARED BY:</b> Steve Anderson <b>REPORT PRESENTED BY:</b> Mike Gallant	

**PURPOSE OF REQUEST**

Council to review the proposed Summer 2024 Road Bans

**BACKGROUND**

**REQUEST OF COUNCIL**

*Proposed Motion: That Council move that the Reeve and Chief Administrative Officer or designate be authorized to sign Vehicle Weight Order No. 240/2024 and that this Order become effective at 10:00 a.m. Thursday, May 16, 2024.*

**APPENDICES**

Appendix A: Attached 'Schedule A'

**VEHICLE WEIGHT ORDER NO. 240/2024**

**ORDER OF THE VEHICLE WEIGHT COMMITTEE OF THE  
FOOTHILLS COUNTY**

Pursuant to the authority granted under the provisions of Bylaw No. 461 and amending Bylaw No. 488 of the Foothills County in the Province of Alberta, pursuant to the authority granted by the Minister of Transportation under the Traffic Safety Act, the Vehicle Weight Committee of the Municipal District orders that effective **10:00 AM, Thursday, May 16, 2024**, the following percentage axle weights are in force:

	<u>Percentage Axle Weight</u>
Schedule "A"	Attached

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Municipal Manager

A copy of this Order is filed with the Motor Transport Branch of  
Alberta Infrastructure & Transportation

# Foothills County - 2024 Summer Road Ban List (SCHEDULE A)

**Effective: Thursday, May 16, 2024 @ 10:00 am**

No.	Road	Lg	%	Surface
1	1016 Drive E., from 2A to 280 Avenue	1.78 km	50	mro/dust control
2	102 Street W., North of 226 Avenue	0.80 km	90	pavement
3	104 Street E., South of Hwy 552, & 274 Avenue, BJ Imports	0.2 km	90	pavement
4	1064 Drive E., South of 338 Avenue	1.60 km	100	mro/dust control
5	10 Street E., North and South of 274 Avenue	0.30 km	90	pavement
6	1106 Drive W., South from 242 Avenue, Wood Valley Estates	1.30 km	90	pavement
7	112 Street W., South from Hwy 7 to 434 Ave W	4.88 km	75	mro/dust control
8	112 Street E., South from Dunbow Rd E to Hwy 552	3.20 km	90	chip seal
9	112 Street W., South from Hwy 22X, Red Deer Lake	0.80 km	100	pavement
10	112 Street W., from 226 Avenue to Hwy 549	11.50 km	100	pavement
11	112 Street W., from 626 Avenue W to 639 Avenue W	1.30 km	90	mro/dust control
12	120 Street E., South from Hwy 547	1.50 km	90	chip seal
13	121 Street E., North of 274 Avenue	0.35 km	90	pavement
14	128 Street E., between Hwy 552 E and Hwy 547	6.60 km	75	chip seal
15	128 Street E., South of Hwy 547 to 394 Avenue E (up to gravel)	2.40 km	90	mro/dust control
16	128 Street W., North of 370 Ave W	1.60 km	100	pavement
17	128 Street W., North of Hwy 7 to 370 Ave W	1.60 km	100	pavement
18	12 Street E., South of 394 Avenue E.	0.30 km	75	pavement
19	148 Avenue, West of 224 Street W.	0.60 km	90	pavement
20	155 Avenue, East of 240 Street W.	0.20 km	90	pavement
21	156 Avenue, East of 288 Street W.	0.20 km	90	pavement
22	158 Avenue W., West from Priddis Creek Drive	0.50 km	90	chip seal
23	160 Avenue, West of 288 Street W., Kerr	0.90 km	90	pavement
24	160 Avenue W., West of Priddis Creek Drive	0.80 km	90	chip seal
25	160 Street E., 434 Avenue to 450 Avenue	1.60 km	100	pavement
26	160 Street W, North of 162 Ave W	1.30 km	75	mro/dust control
27	160 Street W, North of Hwy 22X to 162 Ave W	1.30 km	75	mro/dust control
28	160 Street W., South of Hwy 22X to 183 Ave W	1.00 km	90	chip seal
29	Red Willow Cres W	1.20 km	90	asphalt
30	160 Street W., West between 386 & 370 Avenue	1.60 km	50	mro/dust control
31	160 Street W., from 626 Avenue W to 618 av.	0.80 km	90	mro/dust control
32	162 Avenue W., East of Priddis Creek Drive	0.50 km	90	chip seal
33	168 Avenue, West of 176 Street W., Parkside Management	0.70 km	90	pavement
34	168 Street W., North from 402 Avenue	0.80 km	100	pavement

35	16 Street E., South from (Dunbow Rd) 243 Avenue E to 245 Ave E	0.20 Km	90	pavement
36	16 Street E., South from (Dunbow Rd) 245 Ave E to 269 avenue E	2.40 km	75	chip seal
37	16 Street E., North of Hwy 2A	0.80 km	90	pavement
38	16 Street W., South from 226 Avenue, Dewinton AIT Pit	3.2 Km	90	chip seal
39	16 Street W., South from 242 Ave W Avenue to 16 ST W	1.0 km	90	Pavement
40	16 Street W., South from Highway 7 to 434 Ave W, Looy's Road	4.70 km	90	pavement
41	16 Street W., South from 434 Avenue W, Looy's Road	1.6 Km	90	chip seal
42	175 Avenue, West of 240 Street W.	0.18 km	90	pavement
43	176 Street W., South of 22X, Krausert	1.50 km	90	chip seal
44	176 Street W., South from 338 Ave W to 402 Ave W	6.60 km	75	chip seal
45	179 Avenue, East of 160 Street W.	0.80 km	90	mro/dust control
46	182 Street W., North of 174 Avenue	0.10 km	90	pavement
47	186 Avenue, West from 226 Street W to 240 Street W	1.60 km	90	chip seal
48	186 Avenue W., From 226 Street W to 225 Street W	1.40 km	90	chipseal
49	192 Street W., South of Hwy 22X to 2190 Drive W	1.6 km	90	chip seal
50	192 Street W., South of Hwy 22X, from 2190 Drive W to 210 Avenue W	1.6 km	90	chip seal
51	192 Street W., South from Hwy 549 to 318 Ave W, Racetrack	1.00 km	100	pavement
52	192 Street W., South from 318 Ave W to 338 Avenue W, Racetrack	2.20 km	75	chip seal
53	194 Avenue W., East of 368 ST W (Fish Creek Ranch)	0.7 km	90	double chip seal
54	195 Avenue W., East of Hwy 762 to 368 ST W (Fish Creek Ranch)	1.00 km	90	double chip seal
55	196 Avenue, East of 144 Street W., Castiglione	0.20 km	90	chip seal
56	198 Ave W, East of 96 Street W	0.64 km	90	paved
57	19 Street E., North of Hwy 543 E, Tongue Creek Estates	0.80 km	90	pavement
58	202 Avenue, West of 80 Street W., Hauck	0.40 km	90	mro/dust control
59	202 Avenue, West of 96 Street W.	0.30 km	90	pavement
60	Red Fox Lane West., East of 96 Street W.	0.60 km	90	pavement
61	206 Avenue, East of 96 Street W.	0.40 km	90	pavement
62	208 Street W., South from 146 Ave W, (Sarcee Indian Res, Priddis Valley Rd)	5.80 km	75	chip seal
63	208 Street W., (Hwy 22) south of 313 Avenue	0.60 km	90	pavement
64	208 Street W., South of 434 Ave W	1.60 km	90	mro/dust control
65	208 Street W., North of 450 Ave W	0.50 km	90	mro/dust control
66	20 Street W., South of 20 ST W (off Hwy 549)	0.30 km	90	pavement
67	20 Street W., North of Hwy 549	1.60 km	90	mro/dust control
68	20 Street W., South of Hwy 549	0.80 km	90	mro/dust control
69	211 Street W., South of Plummer's Road	0.25 km	75	pavement
70	214 Avenue W. / 368 Street W., West of Hwy 762	1.40 km	90	chip seal
71	2157 Drive W.	0.70 km	90	pavement
72	218 Avenue E From 80 Street to 72 Street, Bowview Estates	0.7 km	90	chip seal
73	220 Street W., South of 298 Avenue, Lineham	0.25 km	90	pavement
74	223 Ave W., South of Hwy 762, from 352 Ave W to 348 St W	0.60 km	90	pavement

75	223 Ave W., South of Hwy 762 to 352 Street W	0.30 km	90	mro/dust control
76	224 Street, East North from Hwy 23 to 498 Avenue	1.80 km	90	chip seal
77	2255 Drive E., From Meridian to 2 Street E	0.30 km	90	chip seal
78	2255 Drive E/Macleod Tr., From 2 St E to 16 Street W	2.00 km	90	pavement
79	226 Avenue, West from 80 Street E.	0.80 km	90	mro/dust control
80	229 Avenue W., West of Hwy 762 (Mountain Wood Estates)	0.80 km	90	chip seal
81	229 Street W., North of Millarville Rd	1.40 km	90	pavement
82	22 Street W., North of 242 Avenue, Stella	0.25 km	90	pavement
83	2311 Drive W, West of Hwy 762, Square Butte	3.60 km	90	mro/dust control
84	236 Avenue, East of 80 Street E.	2.20 km	90	pavement
85	2378 Drive E., West of 96 Street E.	0.65 km	90	pavement
86	240 Street W., North from Hwy 22 to 146 Avenue (Tsuu T'ina Nation)	2.00 km	75	mro/dust control
87	240 Street W., from 186 Avenue, South to Plummer's Road	5.50 km	90	chip seal
88	242 Avenue, between Hwy 552 and 64 Street W.	3.20 km	90	chip seal
89	242 Avenue, East of HWY 762	1.00 km	100	MRO/dust control
90	1331 Dr W, East of 336 Street W.	1.00 km	75	pavement
91	244 Avenue, West of 48 Street W., Knupp	0.50 km	90	chip seal
92	242 Avenue, West of Hwy 2A to 16 Street W.	1.00 km	90	pavement
93	243 Avenue E., South from Dunbow Road	0.50 km	90	pavement
94	249 Avenue E, West of 88 Street E	0.35 km	90	pavement
95	24 Street E., North of East of Artisia Blvd, Dunbow Road	0.40 km	90	mro/dust control
96	24 Street W., North of 274 Avenue	0.60 km	90	pavement
97	250 Avenue, East of 20 Street E.	0.40 km	50	pavement
98	250 Avenue, East of Hwy 552	0.50 km	90	pavement
99	256 Street W., South of Priddis Greens Drive	3.20 km	90	mro/dust control
100	258 Avenue W., West from Hwy 552 and Service Road	0.20 km	90	pavement
101	260 Avenue W., West from Hwy 552 Service Road	0.10 km	90	pavement
102	261 Avenue E., East of 80 Street	0.66 km	90	pavement
103	262 Avenue W., East of Hwy 552	0.70 km	90	pavement
104	265 Avenue W., East of Hwy 552	0.60 km	90	pavement
105	268 Avenue W., East of 48 Street W.	0.30 km	75	pavement
106	274 Avenue E., North of Hwy 552 (Old Service Road)	1.00 km	90	mro/dust control
107	274 Avenue, East from Hwy 552, to 2255 Dr E, Sandstone Coulee	5.00 km	90	chip seal
108	274 Avenue, West from Hwy 552 to 48 St W	1.60 km	90	chip seal
109	276 Avenue E., East from 32 Street E.	0.35 km	90	mro/dust control
110	280 Avenue, West of 112 Street E., 552 Estates	0.35 km	90	pavement
111	282 Avenue E. & North on 60 Street E., West of 64 Street E.	0.87 km	90	pavement
112	286 Ave E, West of 64 ST E	0.50 km	90	pavement
113	286 Avenue W., East of 16 Street W.	0.70 km	90	mro/dust control
114	288 Avenue, East of 32 Street E.	0.70 km	90	mro/dust control

115	28 Street E., South of 402 Avenue, Evans	0.30 km	90	chip seal
116	290 Avenue, East of 240 Street W.	1.60 km	100	mro/dust control
117	292 Avenue E., East of 32 Street	0.80 km	90	pavement
118	295 Avenue W., West of Hwy 552	0.40 km	90	mro/dust control
119	296 Avenue, West of 64 Street E., Duhra	0.80 km	90	chip seal
120	298 Avenue W., West of Hwy 22	1.60 km	100	mro/dust control
121	340 Avenue E. and 2A Street E., East of 2 Street E.	0.40 km	90	pavement
122	2 Street E., East of Hwy 2, South from Dunbow Road	1.20 km	90	pavement
123	2 Street W., South of 387 Avenue	0.46 km	75	pavement
124	303 Avenue W, West of Meridan Street	0.56 km	90	pavement
125	304 ST W, North of Parkins Road	0.50 km	90	chip seal
126	306 Avenue, East from Hwy 2A to Hwy 2, Hebson	3.20 km	75	chip seal
127	306 Avenue, from Hwy 799 to east boundary	9.60 km	100	pavement
128	306 Avenue, East of 80 Street E.	0.60 km	90	mro/dust control
129	306 Avenue, East from Hwy 552	1.20 km	90	pavement
130	30 Street E., North & South of 306 Avenue	0.34 km	90	pavement
131	312 Avenue, East of 17 Street E.	0.80 km	90	mro/dust control
132	320 Avenue, West of 64 Street E.	0.80 km	90	chip seal
133	322 Avenue, West of Hwy 2A	1.60 km	90	mro/dust control
134	322 Avenue, from Hwy 2A East	1.30 km	90	chip seal
135	322 Avenue W., West of Hwy 22	0.40 km	90	pavement
136	32 Street E., from Dunbow Road South to Hwy 552	3.20 km	100	pavement
137	32 Street E., North from 306 Avenue to 301 Avenue	0.50 km	90	chip seal
138	32 Street E., South from 306 to 332 Avenue	1.60 Km	90	pavement
139	338 Avenue, East from 64 Street E to 80 Street E	2.40 km	90	chip seal
140	338 Avenue E, East of 80 ST E	1.0 km	90	Double chip seal
141	338 Avenue, West from Hwy 22	3.00 km	90	mro/dust control
142	352 Street W., North from Hwy 22X, Leisure Lake	2.40 km	90	mro/dust control
143	352 Street W., North from HWY 762, Old mill Road	0.90 km	90	mro/dust control
144	368 ST W., East of Hwy 762 (Fish Creek Ranch)	0.20 km	90	double chip seal
145	370 Avenue, from 40 Street E. to Hwy 2, Okotoks	3.50 km	75	pavement
146	378 ave E, East of 81 Street E	0.5 km	90	pavement
147	387 Avenue W., East of Sundance Trail W.	0.35 km	90	pavement
148	38 Street W., North of 354 Avenue, McDonald/Knupp	0.70 km	90	mro/dust control
149	392 Avenue E., Aldersyde Overpass NE Service Road W. of 85 Street E.	0.80 km	100	pavement
150	393 Avenue E., East of 32 Street E.	0.60 km	90	mro/dust control
151	394 Avenue, West of 16 Street E.	0.30 km	90	pavement
152	402 ave., East of 2 Street E	1.60 km	90	mro/dust control
153	402 ave., East of meridian Street	0.03 km	90	mro/dust control
154	402 ave., East from 176 st to 1160 DR W	0.7 km	75	chip seal



155	402 ave, West of 6 Street W	1.00 km	90	mro/dust control
156	402 ave, West of meridian Street	0.60 km	90	mro/dust control
157	404 Avenue, East of 32 Street E.	0.30 km	90	pavement
158	405 Avenue, East of Hwy 783.	0.40 km	75	pavement
159	408 Avenue, West from Hwy 783	0.10 km	90	pavement
160	40 Street E., North from Highway 2, Millard Road	0.4 km	90	mro/dust control
161	40 Street E., from 546 to 538 Avenue	0.50 km	90	chip seal
162	40 Street E., from 546 to 538 Avenue	0.10 km	90	chip seal
163	40 Street W., South of Hwy 549	0.5 km	75	pavement
164	418 Avenue E., West of Hwy 2A	0.40 km	100	mro/dust control
165	434 Avenue, from 112 Street E. to 160 Street E.	3.40 km	100	pavement
166	434 Ave E, west of Hwy 783	0.80 km	90	pavement
167	434 Avenue, from 112 Street E. to 160 Street E.	1.60 km	100	pavement
168	434 Avenue, from 2 Street E. to Meridian Street.	0.30 km	90	mro/dust control
169	434 Avenue, from Meridian Street to 16 Street W.	1.60 km	90	mro/dust control
170	434 Avenue from 160 Street E. to Hwy 799	6.40 km	90	mro/dust control
171	434 Avenue, East of Hwy 783 to Hwy 2A	6.40 km	90	mro/dust control
172	434 Avenue, from 64 Street W. to HWY 22.	4.80 km	90	mro/dust control
173	434 Avenue, from 2 Street E. to 64 Street W.	4.80 km	90	mro/dust control
174	43 Street W., South of 434 Avenue, McIntyre	0.5 km	90	pavement
175	466 Avenue, East from Hwy 2 to 144 ST E Alder Heights	3.20 km	90	mro/dust control
176	466 Avenue, West of Hwy 22	0.80 km	100	mro/dust control
177	48 Street E., North of Hwy 552, Norris Coulee	0.6 Km	90	pavement
178	48 Street E., North of 370 Ave E	0.80 km	75	pavement
179	48 Street E., North of Hwy 543 E	1.60 km	90	mro/dust control
180	48 Street W., South from 274 Avenue	1.6 km	90	chip seal
181	48 Street W., between Hwy 7 & 434 Avenue	4.80 km	75	chip seal
182	498 Avenue from 256 Street East to 224 St E	3.20 km	90	chip seal
183	530 Avenue & 538 Avenue, West from 64 Street E., River Road	0.80 km	75	chip seal
184	57 Street E., North of 370 Avenue	0.4 km	90	pavement
185	594 Avenue, between 104 ST E and 8 Street E., Lafarge Haul Road	8.00 km	100	pavement
186	594 Avenue, between Meredian Street and 8 Street E.	0.90 km	100	pavement
187	594 Avenue, between 104 ST E and 8 Street E., Lafarge Haul Road	1.60 km	100	pavement
188	594 Avenue, between Hwy 2 and 104 ST E (No Truck Route)	1.60 km	50	chip seal
189	618 Avenue W., from Hwy 22 to 160 Street W	1.60 km	90	mro/dust control
190	626 Avenue W., from 112 Street W to 128 Street W	1.60 km	90	mro/dust control
191	626 Avenue W., from 128 Street W to 144 Street W	1.60 km	90	mro/dust control
192	626 Avenue W., from 144 Street W to 160 Street W	1.60 km	90	mro/dust control
193	642 Avenue W., from 639 Avenue to Hwy 540 W	2.00 km	90	mro/dust control
194	64 Street W., from 242 Ave W to 226 Ave W	1.60 km	90	mro/dust control

195	64 Street W., from 226 Ave W to Golf Course entrance	0.50 km	90	double chip seal
196	64 Street W., from Golf Course entrance to 210 Ave W	1.60 km	50	double chip seal
197	64 Street W., from 210 Ave W to 198 Ave W	1.60 km	50	double chip seal
198	210 Ave W., from 64 St W to County Boundary	1.60 km	50	Gravel
199	64 Street E. Between 306 Avenue E and 338 Avenue E	3.20 km	75	mro/dust control
200	64 Street E., South of 370 Avenue	1.10 km	90	mro/dust control
201	64 Street W., from Hwy 7 to 434 Avenue	4.80 km	90	mro/dust control
202	64 Street W., from 434 Avenue to 466 Avenue	3.20 km	90	mro/dust control
203	64 Street W., from 466 Avenue to HWY 543	3.20 km	90	mro/dust control
204	658 Avenue, from 40 Street E. to 184 Street E.	14.40 km	90	mro/dust control
205	6 Street W., North of 402 Avenue	0.65 km	90	pavement
206	6 Street W., South from 402 Avenue	0.40 km	90	pavement
207	6 Street W., North of 434 Avenue	0.70 km	90	pavement
208	72 Street E (226 Av to 218 Av)	0.5 km	90	chip seal
209	72 Street E., North from Dunbow Road	1.6 km	90	chip seal
210	72 Street E., South from 530 Avenue, High River	0.80 km	90	mro/dust control
211	76 Street E., North from Dunbow Road	1.60 km	90	chip seal
212	80 Street E., North of 226 Ave E	0.75 km	100	pavement
213	80 Street E., South of 226 Ave E	1.60 km	100	pavement
214	80 Street E. from 242 Avenue (Dunbow) to HWY 552 E	3.20 km	90	pavement
215	80 Street E, from 370 Avenue to 354 Avenue	1.60 km	90	chip seal
216	80 Street W., from City limits South to 196 Ave W	0.80 km	90	mro/dust control
217	80 Street W., from 196 Ave W to 226 Avenue	3.20 km	90	mro/dust control
218	80 Street W, From 226 Ave W to 274 Ave	4.80 km	90	chip seal
219	81 Street E., Aldersyde Overpass NE Service Road, N. from Ravencrest Dr.	0.40 Km	90	pavement
220	100 Country Meadows Place East, North of 2253 Drive E.	0.20 km	75	mro/dust control
221	200 Country Meadows, North of 2253 Drive E.	0.20 km	75	oiled
222	88 Street E., from High River South to 570 Avenue	3.20 km	90	chip seal
223	88 Street E., from 570 Avenue to 658 Avenue	8.80 km	90	chip seal
224	8 Street E., South of 322 Avenue	1.00 km	90	mro/dust control
225	594 Avenue, and 8 Street E., Lafarge Haul Road	1.60km	100	chip seal
226	90 Street W., North of 226 Avenue	0.60 km	90	pavement
227	96 Street E., South of Hwy 547	1.00 km	90	mro/dust control
228	96 Street W., from Hwy 22 to 226 Avenue	6.40 km	100	pavement
229	98 Street E., North of 2248 Drive E.	0.30 km	90	pavement
230	81 Street E., Aldersyde Service Road, S. of M.D Shop	0.50 km	100	pavement
231	81 Street E., Aldersyde Service Road, N. of M.D Shop	1.1 km	100	pavement
232	Aspen Creek Dr. W., West of Hwy 762	1.90 km	90	chip seal
233	24 Street E., South of 306 Avenue (Aspen Meadows Rise)	0.75 km	75	pavement
234	Railway Avenue, Blackie	1.00 km	100	pavement

235	Willowside Drive E., North of 306 Avenue	0.20 km	90	pavement
236	Railway Avenue, Cayley	0.50 km	75	pavement
237	8 Street E., South of 434 Avenue, Clear Mountain Drive E.	1.60 km	90	pavement
238	514 Avenue, from Meridian Street to 360 m west of 16 St E., Coal Trail	1.54 km	100	pavement
239	514 Avenue, from 360 m west of 16 St E. to 56 St E., Coal Tr	5.34 km	90	chip seal
240	578 Avenue, from 160 Street W. to Meridian Street, Coal Trail	19.0 km	90	chip seal
241	292 Avenue W. or 290 Avenue W., East of 48 Street	0.70 km	90	pavement
242	27 Street W., at 250 Avenue (Dynasty Drive West)	0.84 km	90	pavement
243	20 Street W., South of 250 Avenue, Ifko	0.15 km	90	pavement
244	Dunbow Road E (242 Ave E), Between Hwy 2 and 80 ST E	8.00 km	100	pavement
245	Dunbow Road E (242 Ave E), Between 80 ST E and 112 ST E	3.20 km	90	pavement
246	Dunbow Road E., from Hwy 2a to HWY 2	3.20 km	100	pavement
247	Dewinton Ridge Road	0.80 km	90	pavement
248	Dewinton Riding Club Road East	1.70 km	90	dust control
249	Hawks Landing Drive	2.50 km	90	pavement
250	Hawks Landing Rise - off Hawks Landing Drive	0.50 km	90	pavement
251	82 Street E., North of 338 Avenue, Highwood Meadows Drive	0.80 km	90	pavement
252	Hawks Nest - off Priddis Greens Drive W.	1.00 km	90	pavement
253	153 Avenue W., East of 352 Street (Leisure Lake Bay)	0.25 km	75	pavement
254	Leisure Lake Dr, North of 352 ST W ( Off Hwy 22 W)	1.40 km	90	pavement
255	Meridian Street, from 594 Avenue to Hwy 540	3.20 km	90	mro/dust control
256	Maple Leaf Road, East of HWY 2A	1.60 km	100	pavement
257	Millarville Road., from 229 St W to Hwy 549 W	1.0 km	90	pavement
258	Norris Coulee Trail	2.30 km	90	pavement
259	Old Quarry Road, South from 242 Avenue	1.50 km	90	pavement
260	Plummer's Road, from Hwy 22 to 1240 Drive W.	3.40 km	90	pavement
261	Plummer's Road, from Pothole Creek to 1240 Drive W.	0.90 km	90	pavement
262	Plummer's Road, from 240 ST to Pothole Creek	1.10 km	90	pavement
263	Plummer's Road, from 1240 Drive W. to 288 Street W.	3.70 km	90	pavement
264	Plummer's Road, from 288 Street W. to Hwy 762	4.70 km	75	chip seal
265	2 Street E., North from 242 Avenue to Heritage Pointe entrance	0.30 km	100	pavement
266	Pine Creek Road, Hwy 2A to 233 Avenue	0.90 km	100	pavement
267	Pine Creek Road, South of 233 Avenue to Heritage Pointe Entrance	1.00 km	90	pavement
268	Pinehurst Drive	1.00 km	90	pavement
269	Pine Ridge Drive Road, West of Hwy 762	1.80 km	90	chip seal
270	253 Avenue, East of 240 Street W., Pothole Creek	0.35 km	90	mro/dust control
271	Priddis Creek Drive West, East leg, North of Hwy 22 to 158 Avenue	2.40 km	100	mro/dust control
272	Priddis Creek Drive West, North of 158 Avenue to Hwy 22	1.60 km	90	mro/dust control
273	178 Avenue, West from Hwy 22 to 264 Street W.	1.20 km	100	pavement
274	178 Avenue, West from 264 Street W.	1.6 km	90	pavement

275	Parkins Road	4.30 km	90	chip seal
276	Priddis Ridge Road W.	0.50 km	90	mro/dust control
277	Priddis Valley Road W., North of Hwy 22	3.20 km	75	double chip seal
278	Priddis Valley Road W., South of 186 Avenue	1.00 km	90	mro/dust control
279	Priddis Valley Road W., South of 194 Avenue to 274 Avenue	8.00 km	90	mro/dust control
280	184 Avenue, West of 160 Street W., Red Willow Cr. W.	0.30 km	90	pavement
281	172 Avenue and 1262 Drive W., East of Hwy 22, Ranchers Hill	1.10 km	90	pavement
282	220 Street W., North of 158 Avenue, Runge Rd	0.25 km	90	mro/dust control
283	10 Street E., South of 306 Avenue (Rusty Spurs Drive)	0.50 km	90	pavement
284	Sage Valley Drive E., East of Hwy 783	0.66 km	90	pavement
285	Willowside Drive E., North of 306 Avenue	0.20 km	90	pavement
286	Sharall Circle E.	0.50 km	75	pavement
287	85 Street E., South of 1085 Drive E., Silvertip	0.40 km	90	pavement
288	Spruce Ridge Lane W.	0.53 km	75	pavement
289	5 Street W., South of Highway 7, Sundance Trail	0.70 km	90	pavement
290	Sunset Ridge Drive E.	0.90 km	90	pavement
291	Tamarack Drive E.	0.40 km	75	pavement
292	72 St.W.(Tournament Lane)s.of property line to dead end	0.50 Km	75	mro/dust control
293	Willowside Drive E., North of 306 Avenue	1.15 km	90	pavement
294	105 Street W., South of 242 Avenue, White Post Lane	0.70 km	90	mro/dust control
295	272 ST W., Between HWY 22 & 162 Ave W	0.40 km	90	chipseal
296	162 Ave W., Between HWY 22 & 264 ST W	0.60 km	90	chipseal
297	1262 DR W., From 162 Ave W to 166 Ave W	0.40 km	90	chipseal
298	1262 DR W., South of 166 Ave W.	0.80 km	90	pavement

\*\*\*\*\* END OF LIST \*\*\*\*\*

# COUNCIL ADMINISTRATIVE REPORT

Department: Public Works



**TITLE:** Policy Amendment - Rural Approach Standards

**Author and Presenter:** Wiaan Kruger, Development & Road Technologist I

**DATE:** May 15, 2024

## **PURPOSE:**

The request is for Council to review the amendment to the Rural Approach Standards Policy. The amendment includes the addition of the following points to the Policy:

- (3.2) All properties fronting an Internal Subdivision Road are required access from the Internal Subdivision Road, not the Municipal Road.
- (3.3) Removal of a common approach to create 2 individual approaches is not permitted.

## **BACKGROUND & DISCUSSION:**

Currently all new subdivisions require each property to gain access from the Internal Subdivision Road. All properties gaining access from the Municipal Road requires relocation to the Internal Subdivision Road. The addition of this requirement within the Standards will provide support to Administration with any requests to relocate or add an approach to the Municipal Road.

Common approaches can be removed and replaced with 2 single approaches provided the new approaches meet Standards. Common approaches are primarily constructed in highly populated areas in the County. These areas have a high density of approaches along the County roads. Constructing a common approach provides access to two properties without the need for two individual approaches.

The proposed amendments will limit the number of new approaches onto County roads while still allowing for the thoughtful addition or relocation of existing approaches that would meet Standards.

## **RECOMMENDATION:**

Council to approve the proposed Amendment to Policy 701-002 – Rural Approach Standards.



**Policies and  
Procedures**

**Policy Name:**

**Rural Approach Standards**

**Section:**

Public Works

**Sub Section:**

General (Roads, Utilities)

**Policy Number:**

701-002

**Approved:**

September 1, 2011

**Revised:**

**Policy Statement**

This policy provides a consistent standard that ensures the safety of the public and that effective maintenance and management practices are adhered to at all times. Rural approach(s) must be situated and constructed to this minimum standard for public safety.

**Enforcement**

All rural approaches must conform to the regulations specified by Foothills County. Failure to comply with the regulation may result in penalties or fines.

Management of this policy is the responsibility of Foothills County.

**Procedure**

**Purpose**

Foothills County is the only agency responsible in the overall proper management of the municipality's road infrastructure network. This responsibility must be carried out to ensure the safety of the public is achieved and that effective maintenance and management practices are strictly adhered at all times.

1.0 **Authority:**

The County retains the authority to approve or deny any or all rural approach applications.

- (1.1) Any rural approach, located on a municipal right of way, shall not be altered, relocated, or constructed without the approval of the County. Applications to make any changes require Foothills County approval.
- (1.2) The installation or upgrade of a rural approach shall be constructed in such a manner which does not interfere with the safety of the motoring public or regular maintenance of the road right of way.
- (1.3) All expenses associated with developing a rural approach are the responsibility of the applicant.
- (1.4) A rural approach which has not been applied for, approved of, or does not meet the Rural Approach Policy may be removed by Foothills County and all costs associated with the removal will be charged to the landowner abutting that rural approach.

(1.5) Foothills County retains the authority to allow for discretionary variances and the relaxation of standards for both existing and newly constructed rural approach.

(1.6) All approaches onto a Provincial Highway must be approved by Alberta Transportation.

2.0 Indemnification:

The applicant shall indemnify and hold harmless Foothills County and its servants, agents, employees and representatives from and against all claims, demands, payments, suits, actions, recoveries and judgements of every nature and description brought against the County, or the Contractors or their agents, employees or Sub-contractors in the repairing, maintenance or usage of the Municipal Road and right-of-ways and this indemnification shall survive the expiry of the application agreement.

3.0 Additional Approach Requests:

An applicant may request for an additional rural approach but must have a valid operational need for a rural approach to be approved. Any applications for new approaches under 21 acres unless for geographical reasons or grandfathered will only be allowed one (1) approach.

(3.1) Parcels of land, equal to or less than ten (10) acres, are limited to one (1) rural approach. Where a parcel may be severed by a topographical nature (which is considered impracticable to traverse), a second approach may be considered.

(3.2) All properties fronting an Internal Subdivision Road are required access from the Internal Subdivision Road, not the Municipal Road.

(3.3) Removal of a common approach to create 2 individual approaches is not permitted.

4.0 Approval Upgrading Requirements:

Applicant(s) for a land redesignation (subdivision/boundary adjustment) are required to upgrade all rural approach(s) onto the redesignated parcel to legal approach dimensions. Note: The applicant may be required to remove existing rural approach(s) if they are deemed not necessary for operational purposes.

(4.1) Rural approach(s) shall be from a developed road allowance only. An undeveloped road allowance must be constructed to County Road Construction Standards prior to rural approach approval.

5.0 Utility Locate Requirements:

The applicant(s) must contact all utility companies to confirm the location of their utility facilities and ensure the applicant or the applicant’s agents of the various utility locations. The applicant is responsible for all the expenses of investigations, modifications, or repairs to the utility installations.

6.0 Pipeline Crossings:

Rural approach situated over or adjacent to a pipeline must obtain approval from both the pipeline owner and Foothills County. The applicant may be required to enter into a construction contract for the rural approach with the pipeline owner.

7.0 Temporary Approach:

A temporary rural approach application must attach the application form and a letter outlining the reason for the temporary approach and the length of time required to construct

Confirmation of approval for any and all municipal, provincial or federal permits or requirements pursuant to the development proposed for the parcel must be submitted as part of the application.

#### 8.0 Utility Locate Requirements:

A rural approach shall be built with the same material as of new or existing road (clay or granular type materials) with the surface structure consistent with the municipal road under the discretion of Foothills County. The surface of the approach shall be to the minimum County standards (DES 4 CL 20) or 20 mm (3/4 inch) crushed gravel at a minimum depth of 100 mm (4 inches).

#### 9.0 Paved Approaches:

A rural approach which abuts a paved road must be paved from the road to the property line.

(9.1) A paved rural approach shall be Asphalt Concrete Pavement at a minimum depth of 90 millimeters and shall meet the specifications for Commercial "B" mix asphalt as per City of Calgary specifications. The pavement shall cover the entire approach from the shoulder of the road to the property line, or for a minimum distance of eight meters (26 ft).

\*Field Access are exempt from this policy. Gravel surfacing is acceptable.

#### 10.0 Traffic Control:

Traffic control when installing or upgrading a rural approach is the sole responsibility of the applicant and shall be as per Alberta Transportation Standards.

(10.1) All subdivision/boundary adjustment approvals are subject to having a proper legal access onto the proposed lot as well as legal access(s) for all other approach(s) onto the balance of the parcel.

(10.2) Regulatory signs – Regulatory signs indicate regulation that applies to a specific time or place on road. (i.e. speed signs, stop signs, school bus stop signs). Application for regulatory type signs must be approved by Municipal Bylaw.

(10.3) Warning signs – Warning signs (i.e. hidden intersection/approach sign or road narrows or bumpy sign) provide an advanced indication of conditions on or adjacent to a road that is potentially hazardous to drivers.

(10.4) An applicant may request for a warning sign to Foothills County Public Works Department adjacent to a rural approach (i.e. school bus ahead sign) pursuant to the Manual of Unified Traffic Devices for Canada, Section A1.3.2. The guidelines of the section such as site lines and location will be reviewed and approved by Administration based on the validity of the request.

#### 11.0 Design Specification:

Sight distances for a rural approach shall conform to the conditions as per Table 7.

(11.1) There shall be no obstruction on the rural approach (gate, gate control box, curbing, fence, mailbox, etc.).

(11.2) The angle of the rural approach shall be 90 degrees to the roadway.

(11.3) A rural approach shall be no closer than 60 meters (200 ft) from the centre line of an intersection, mailbox location, bridge, or any at grade railway crossing.



- (11.4) A rural approach shall not be closer than 15 meters (50 ft) from an existing approach on the same side of the road.
- (11.5) Maximum gradient of the rural access approach shall not exceed 2% from the shoulder of the road to the property line, or for a minimum distance of 8 meters (26 ft).
- (11.6) In the case of 1% gradient the surface of the access must be crowned 2% from centre to edge to ensure drainage into the ditch. See Typical Rural Approach drawing is as per Figure 12.

#### 12.0 Culvert Type and Installation:

A dry rural approach is without a culvert. The approach cannot impede the flow of drainage in the ditch. The maximum side slopes for a dry approach shall be a 3:1 ratio.

- (12.1) If a culvert is required, the culvert shall be of new corrugated steel, minimum 500mm (20 inch) diameter. All culvert couplers (if required) shall be buried below the depth of the ground cover of the approach.
- (12.2) Minimum ground cover over the culvert is 0.3 meters (1 ft).
- (12.3) Culvert ends shall be sloped and require Rip Rap (stone/rocks minimum size 200mm / 8 inches) be installed. Rip Rap shall be placed around the ends of the culvert, as per Figure 12, to ensure drainage through the culvert.
- (12.4) The side slopes of the rural approach shall be a 3:1 ratio. NOTE: 3 meters (10 ft) slope/length for 1 meter (3 ft) of rise/height. The side slope shall extend from the edge of the approach to the culvert end.
- (12.5) A 6 meter (20 ft) buffer distance between the end of the culvert, for the rural approach, and a power pole, power pole anchor, or utility pedestal must be maintained.

#### 13.0 Approach Types and Widths:

A standard rural approach shall have a minimum surface width of 6 meters (20 ft) at the property line with a 3 meter intersecting radius at municipal road allowance. Minimum 12 meter (40 ft) culvert is required.

- (13.1) A common rural approach shall have a minimum surface width of 9 meters (30 ft) at the property line with a 3 meter intersecting radius at municipal road allowance. Minimum 15 meter (50 ft) culvert is required.
- (13.2) A commercial rural approach shall have a minimum surface width of 8 meters (26 ft) at the property line with a 6 meter intersecting radius at municipal road allowance. Minimum 14 meter (46 ft) culvert is required.

#### 14.0 Approvals:

Changes to the existing ditch bottom must be approved by the County. NOTE: In a shallow ditch the culvert may need to be counter sunk into the ditch bottom to achieve adequate ground cover over the culvert.

- (14.1) All disturbed areas adjacent to the rural approach must be restored to original grade, loamed, seeded and reclaimed in a manner to allow for natural grasses to re-grow.

- (14.2) All debris or top soils must be removed from the road allowance and hauled to a safe distance so that no wash out is deposited onto the road allowance.
- (14.3) Upon the completion of the construction or alteration of the rural approach(s), and acknowledging that all the above stated conditions have been met, the County must be notified for a final inspection.
- (14.4) Failure to meet any of the Rural Approach Standards upon the final inspection will result in the need for a subsequent inspection. The fee for a subsequent inspection is three hundred dollars (**\$300.00**) per inspection. The fee must be paid to initiate the subsequent inspection.

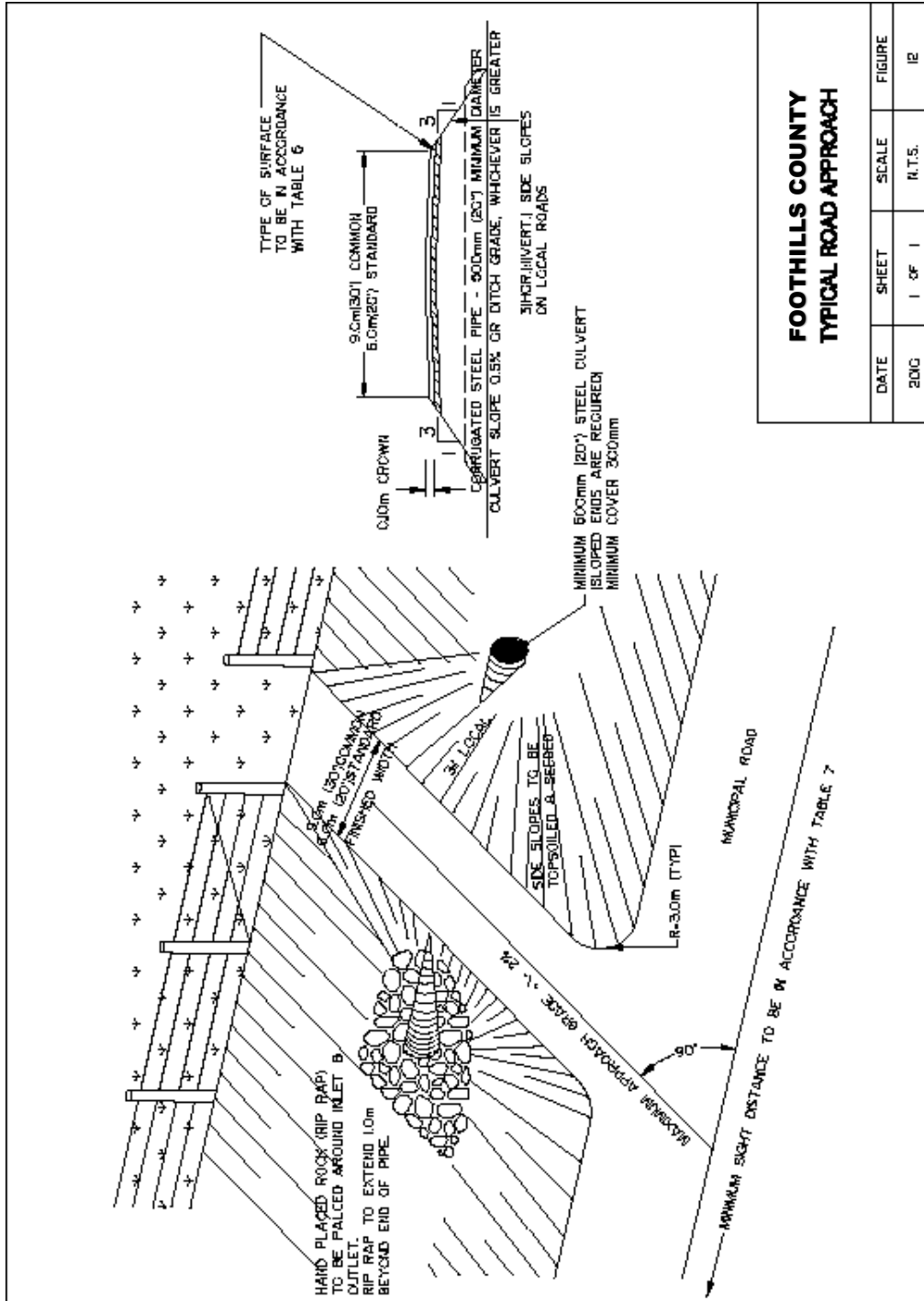
**Table 7**  
**Sight Distance**

The height of the object shall be 1.15 meter on the main road. The eye height shall be used at the intersection 1.15 meter for passenger vehicle and 1.80 for single unit trucks/buses.

<b>POSTED SPEED (Km/Hr)</b>	<b>MINIMUM SIGHT DISTANCE REQUIREMENT FROM INTERSECTING ROAD/APPROACH (Meters)</b>
<b>40</b>	<b>65</b>
<b>50</b>	<b>90</b>
<b>60</b>	<b>115</b>
<b>80</b>	<b>180</b>

Table 7 has been derived from information gathered by the Transportation Association of Canada (TAC) 1999 Edition Part 2.


**FIGURE 12**



**FOOTHILLS COUNTY  
TYPICAL ROAD APPROACH**

DATE	SHEET	SCALE	FIGURE
2010	1 OF 1	N.T.S.	12

**PUBLIC HEARINGS AND MEETINGS  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 REDESIGNATION  
 May 15, 2024  
 To be heard at: 10:00 AM**

<b>APPLICATION INFORMATION</b>		<b>File No. 24R010</b>
	<b>LEGAL DESCRIPTION:</b> Ptn. SW 06-18-28 W4M	
	<b>LANDOWNERS:</b> WESTVIEW HUTTERIAN BRETHERN	
	<b>AGENT:</b> SEXSMITH SURVEYS – KELLY ERICK	
	<b>AREA OF SUBJECT LANDS:</b> 158.03	
	<b>CURRENT LAND USE:</b> Agricultural District (A)	
	<b>PROPOSED LAND USE:</b> Country Residential District (CR)	
<b>NUMBER &amp; SIZE OF PROPOSED NEW PARCELS:</b> 1 x 4.94 +/- acre CR parcel		
<b>PROPOSAL:</b> Application for the redesignation of a portion of SW 06-18-28 W4M from Agricultural District to Country Residential District to allow the future subdivision of one 4.94 +/- acre Country Residential District first parcel out, leaving a 153.09 +/- acre Agricultural District balance.		
<b>DIVISION NO:</b> 1	<b>COUNCILLOR:</b> Rob Siewert	
<b>FILE MANAGER:</b> Brittany Smith		

**EXECUTIVE SUMMARY:**

**Location:**

The subject parcel is located directly north of Highway 540 E and directly east of 104 St E, approximately 760m west of Highway 2 and 3.2km north of the Hamlet of Cayley.

**Policy Evaluation:**

Reviewed within the terms of the:

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

**Referral Considerations:**

- Referred to required Provincial and Municipal bodies, as well as Utilities.

**SITE CONSIDERATIONS:**

**Access:**

Both the proposed and balance parcels are to be accessed from existing approaches located on Highway 540 E. Alberta Transportation provided that the existing westernmost approach may be required to be removed with preference of a new approach coming off 104 St E and advised to either remove or consolidate the easternmost approach to create a common approach with the adjacent parcel to the east. Full comments from Alberta Transportation are provided in the referral section.

**Physiography:**

The subject parcel consists of mostly farmland with a minor recurring drainage course that runs southeast through the southwest corner of the parcel and through a large dugout just north of the proposed 4.94-acre parcel.

**Existing Development:**

The proposed balance has no development other than a water hydrant located 1.71m east of the proposed 4.94-acre lot boundary, whereas the proposed 4.94-acre parcel contains the following development:

- 1,500 sq. ft. Residence
- 503 sq. ft, Garage
- 947sq. ft, Garage
- 247 sq. ft Garage
- 4, 357 sq. ft. Barn
- 1,339 sq. ft Barn
- 718 sq. ft pole shelter
- 501 sq ft shed
- 179 sq. ft shed
- 62.5 sq. ft shed
- 52 sq.ft shed
- 341 sq.ft. lean-to
- water well

Accessory buildings on the property have a cumulative size of 9,246.5 square feet.

**As per Table 4.2.1.7A of the Land Use Bylaw 60/2014** – parcels between 3.0 and 4.99 acres in size are allowed a maximum of four (4) buildings with a total cumulative size not to exceed 285.77 sq. m. (3,075 sq. ft.).

**Please Note:** The residence, garage, shed, barn, shed and pole shelter along the south side of the property do not meet the required front yard setback of 70m to the centerline of a provincial highway within the Country Residential District of Land Use Bylaw 60/2014. Currently, these structures are considered non-conforming or require the landowner to make application for a development permit for a relaxation of setbacks to bring the structures into compliance with the current Land Use Bylaw. The locations of these structures are shown highlighted on Appendix A – Site Plan.

Council may request any of the following as conditions regarding the existing structures if the application is granted approval.

1. Council may ask for the removal of some of the structures to bring the number and cumulative size into compliance with the current land use bylaw.
2. Council may acknowledge and deem the buildings non-conforming, which mean the structures are able to remain, but cannot be renovated, added to, moved, or replaced.
3. Council may require a development permit be submitted to request a to relaxation of setbacks and the number and cumulative size of the excess buildings.

**Area Characteristic:**

The lands surrounding the subject parcel are predominately Agricultural District parcels with three Country Residential District parcels ranging in size from 5.6 – 19.7 acres located directly east, west and northeast of the subject parcel.

**REFERRAL CIRCULATION:**

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	Public Works provided no comments or concerns.
<b>EXTERNAL</b>	
Alberta Transportation	<ul style="list-style-type: none"> <li>• Pursuant to Section 618.3(1) of the Municipal Government Act, the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA Plan if applicable</li> <li>• Pursuant to Section 618.4(1) of the MGA, the department expects 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</li> <li>• The proponent is advised that the existing westernmost main highway access from the subject parcel onto Highway 540 does not align with the department’s current guidelines for direct access from a parcel on to a minor two-lane highway. This section of Highway 540 is a minor two-lane highway and as such our current policy advised that “access to private lands is not permitted within 400m of a public road intersection”. The current main access is only approximately 70m from the intersection of Highway 540 and Range Road 290 and so the removal of this access may be a requirement of any future subdivision or development permit application. The departments preference would be for the parcel to obtain access from a local road (Range Road 290) in lieu of direct highway access.</li> <li>• Furthermore, the department may also request the removal or consolidation of the existing easternmost field access as our access guidelines identify that “the distance between approaches should be at least 200m” and that “utilizing a joint access should be considered”.</li> </ul>
<b>PUBLIC</b>	
Western Wheel	May 1 <sup>st</sup> & May 8 <sup>th</sup> , 2024.
Landowners (half mile)	Notified on April 24 <sup>th</sup> , 2024. No submissions received to date.

**POLICY EVALUATION:**

**Municipal Development Plan 2010 (MDP2010):**

The application meets the intent of Policy 5 of the Agricultural section of the MDP2010, which supports the subdivision of one parcel out of an un-subdivided quarter section.

Further, the application does not generally meet the intent of Policy 2 of the Agricultural section of the MDP2010, which supports maintaining the integrity of the agricultural land base and discouraging 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 Sections 12.1.6.2 of the Agricultural District and 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 South Central District. The vision for the South Central District is supportive of moderate growth on the east side of the district close to the towns of High River and Okotoks with careful consideration to avoid land use conflicts with long established agriculture operations.

**SUMMARY:**

Bylaw XX/2024 – Application for the redesignation of a portion of SW 06-18-28 W4M from Agricultural District to Country Residential District to allow for the future subdivision of one 4.94 +/- acre Country Residential District first parcel out, leaving a 153.09 +/- acre Agricultural District balance.

**OPTIONS FOR COUNCIL CONSIDERATION:**

**OPTION #1 – FIRST READING APPROVAL**

Council may choose to grant 1<sup>st</sup> reading to the application for the redesignation of a portion of SW 06-18-28 W4M, from Agricultural District to Country Residential District to allow for the future subdivision of one 4.94 +/- acre Country Residential District first parcel out, leaving a 153.09 +/- acre Agricultural District balance parcel for the following reasons:

*In their consideration of the criteria noted in Agriculture Policy 5 of the MDP2010, Council is of the opinion that allowing the first parcel out 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 Country Residential District within the County’s Land Use Bylaw.*

**Recommended Conditions for Option #1:**

1. **Option a.** Landowners shall submit a Development Permit application for a Relaxation to bring the number and size of existing structures and structures that do not meet the required setbacks to the south property line into compliance with the current Land Use Bylaw 60/2014.

**OR**

**Option b.** The excess buildings and existing structures that do not meet current setbacks are acknowledged as non-conforming.

- 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. All approach locations to comply with Alberta Transportation and Economic Corridors recommendations and/or Foothills County Standards, at time 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 the redesignation of a portion of SW 06-18-28 W4M from Agricultural District to Country Residential District to allow the future subdivision of one 4.94 +/- acre Country Residential District first parcel out, leaving a 153.09 +/- acre Agricultural District balance parcel 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:**

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**APPENDIX A: MAP SET**

**LOCATION MAP**

**LAND USE MAP**

**HALF MILE MAP – PARCEL SIZES**

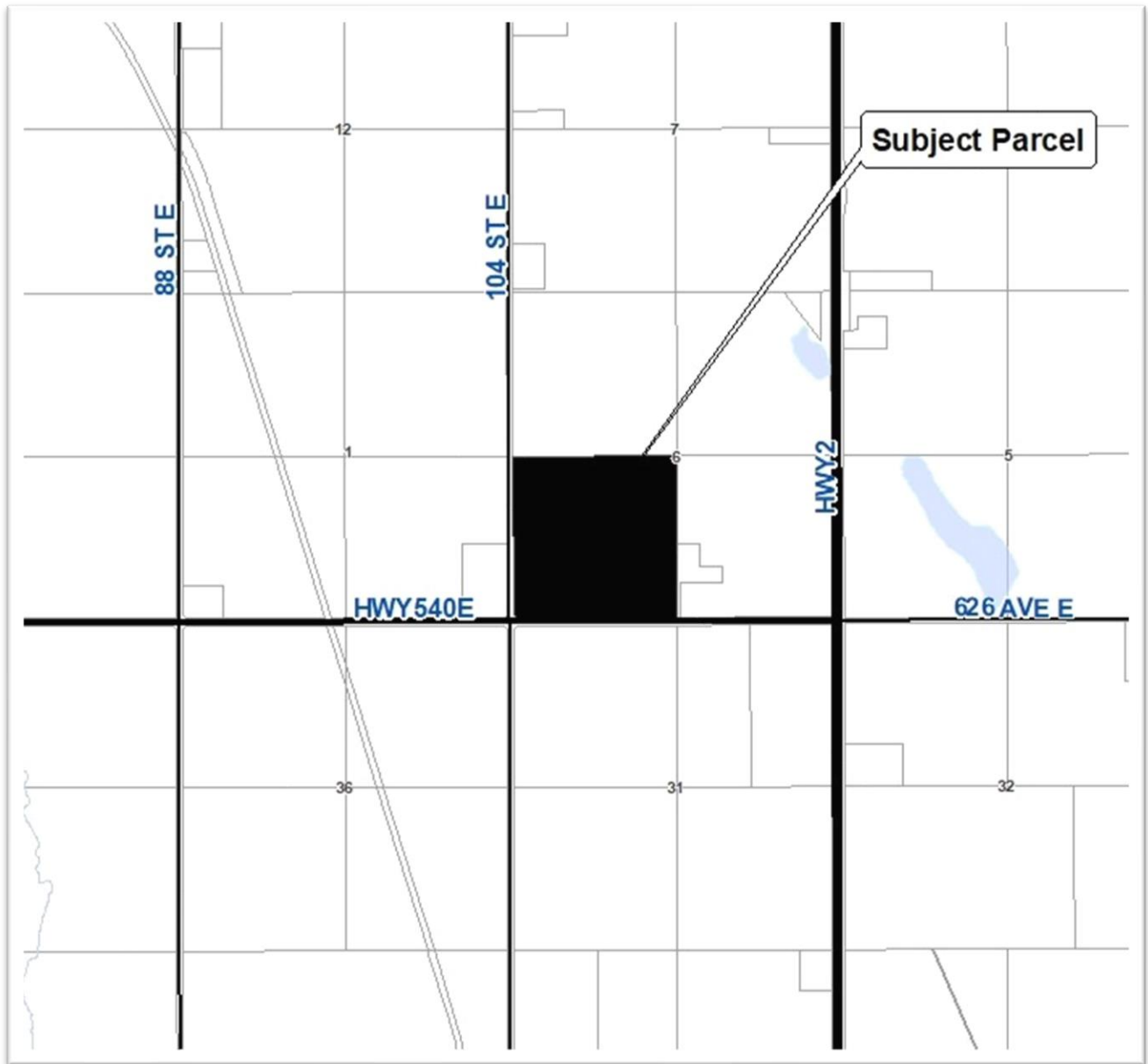
**SITE PLAN**

**ORTHO PHOTO**

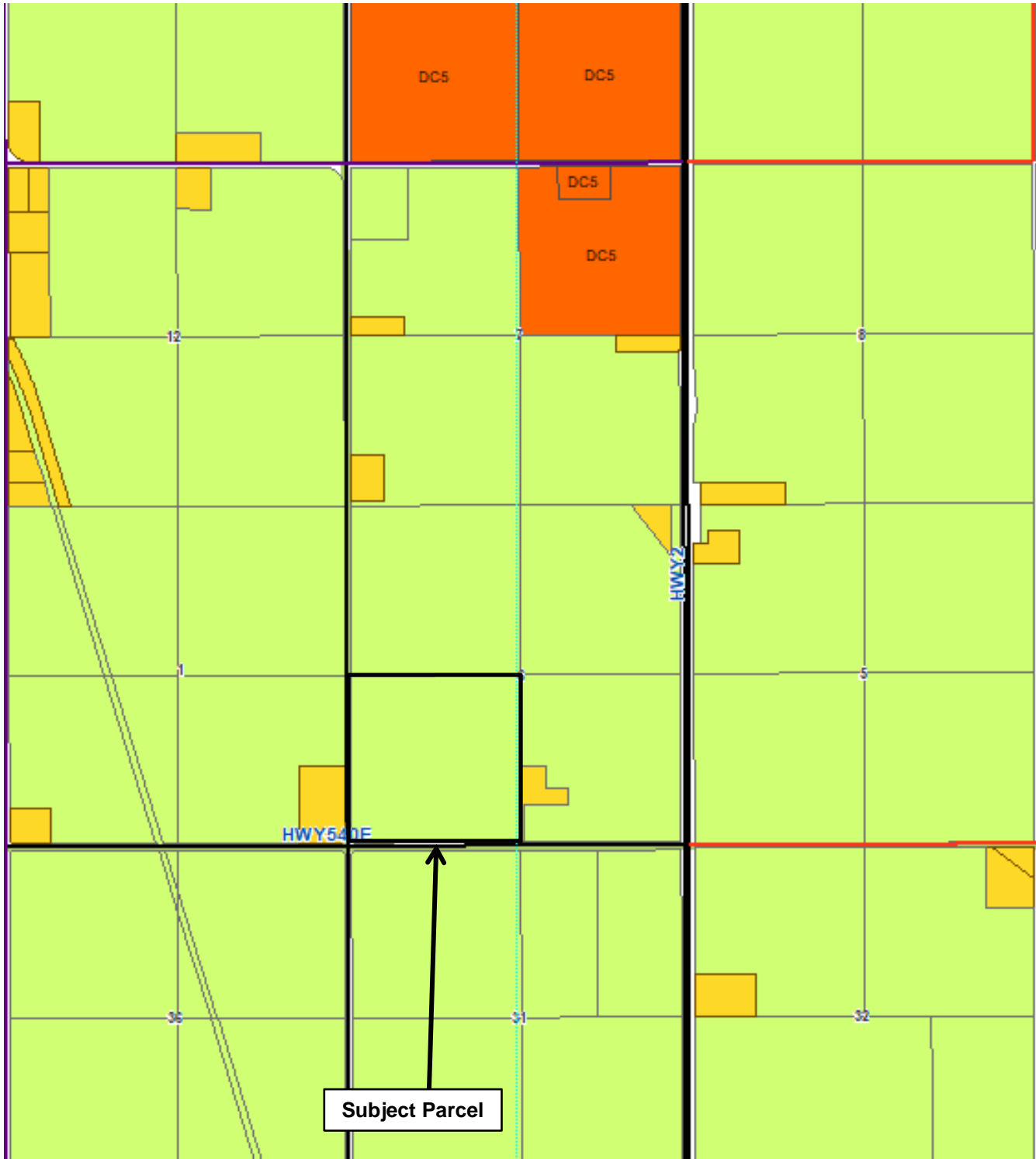
**APPENDIX B: PROPOSED BYLAW**



**APPENDIX A: LOCATION MAP**



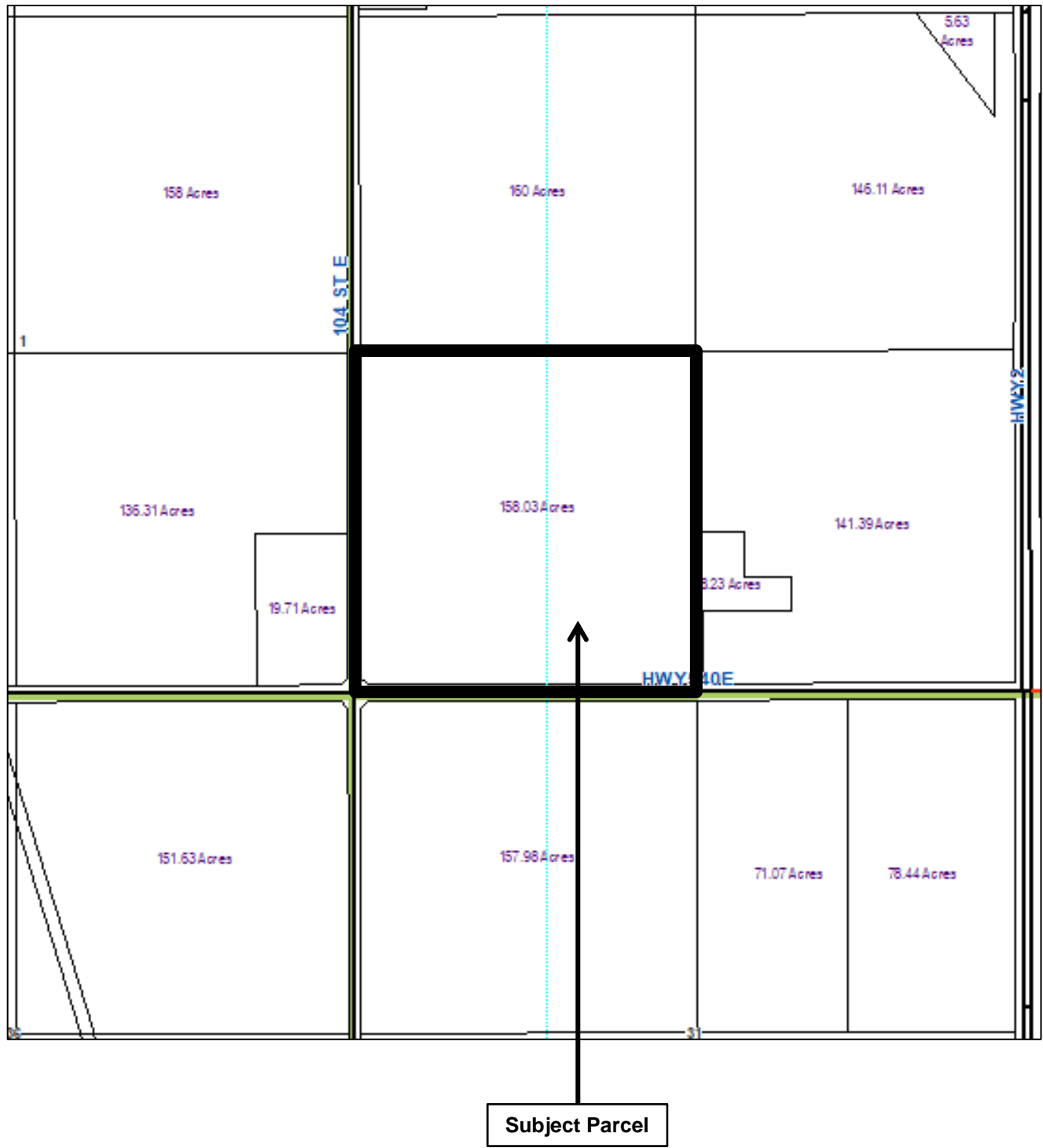
**APPENDIX A: LAND USE MAP**



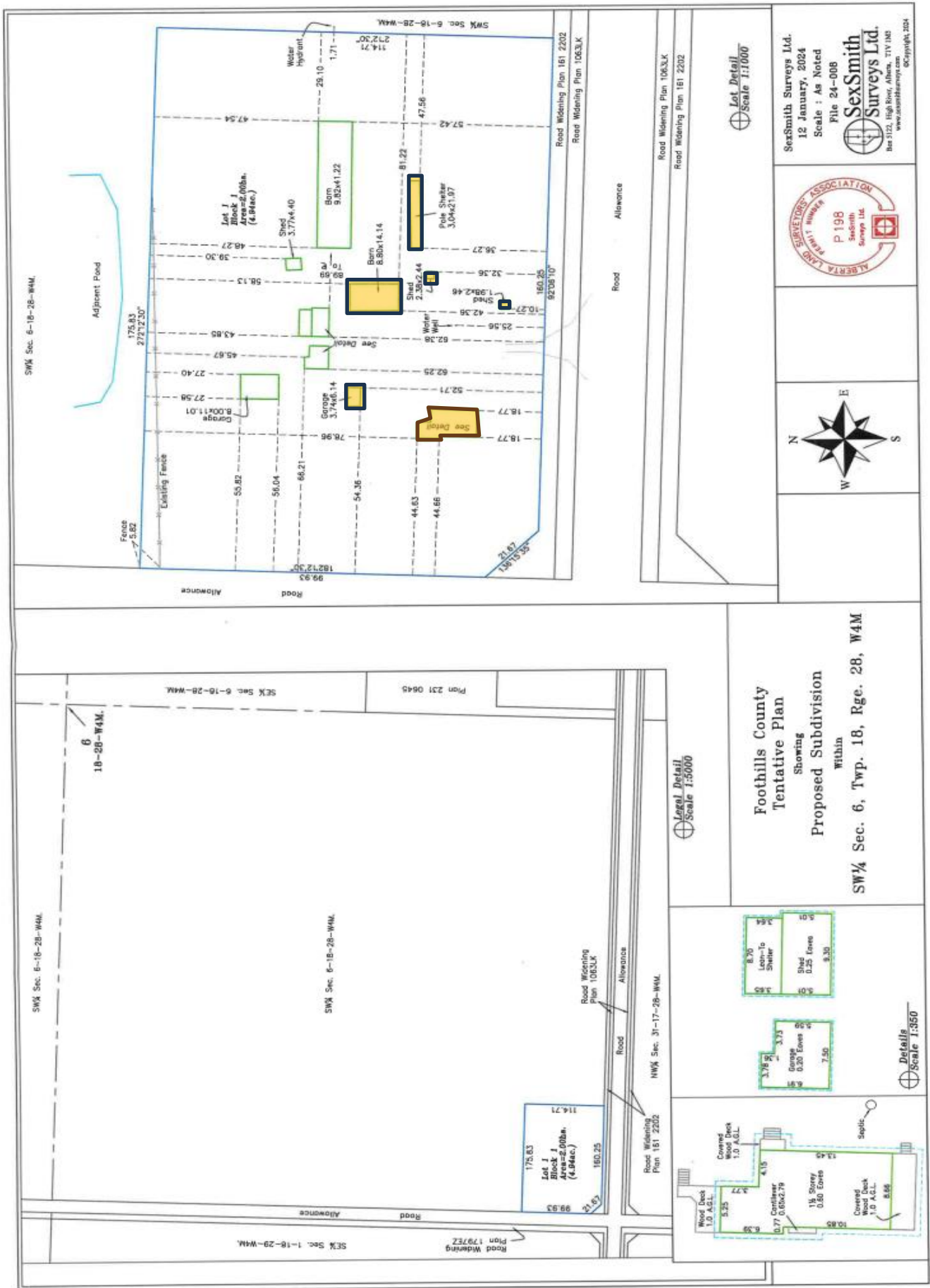
**Legend**

- |                                  |                                  |                       |
|----------------------------------|----------------------------------|-----------------------|
| — Hard Surface (Chip/oil)        | DC - Direct Control              | MR- Municipal Reserve |
| ... Developer Gravel             | HR- Hamlet Residential           |                       |
| — Gravel                         | HRA-Hamlet Residential Sub A     |                       |
| — Pavement                       | CMC- Community Commercial        |                       |
| ▨ In Transition                  | PUL- Public Utility              |                       |
| ■ A- Agricultural                | FPJ-Federal/ Provincial District |                       |
| ■ CR- Country Residential        | SD- Service District             |                       |
| ▨ CRA- Country Residential Sub A | ER- Environmental Reserve        |                       |

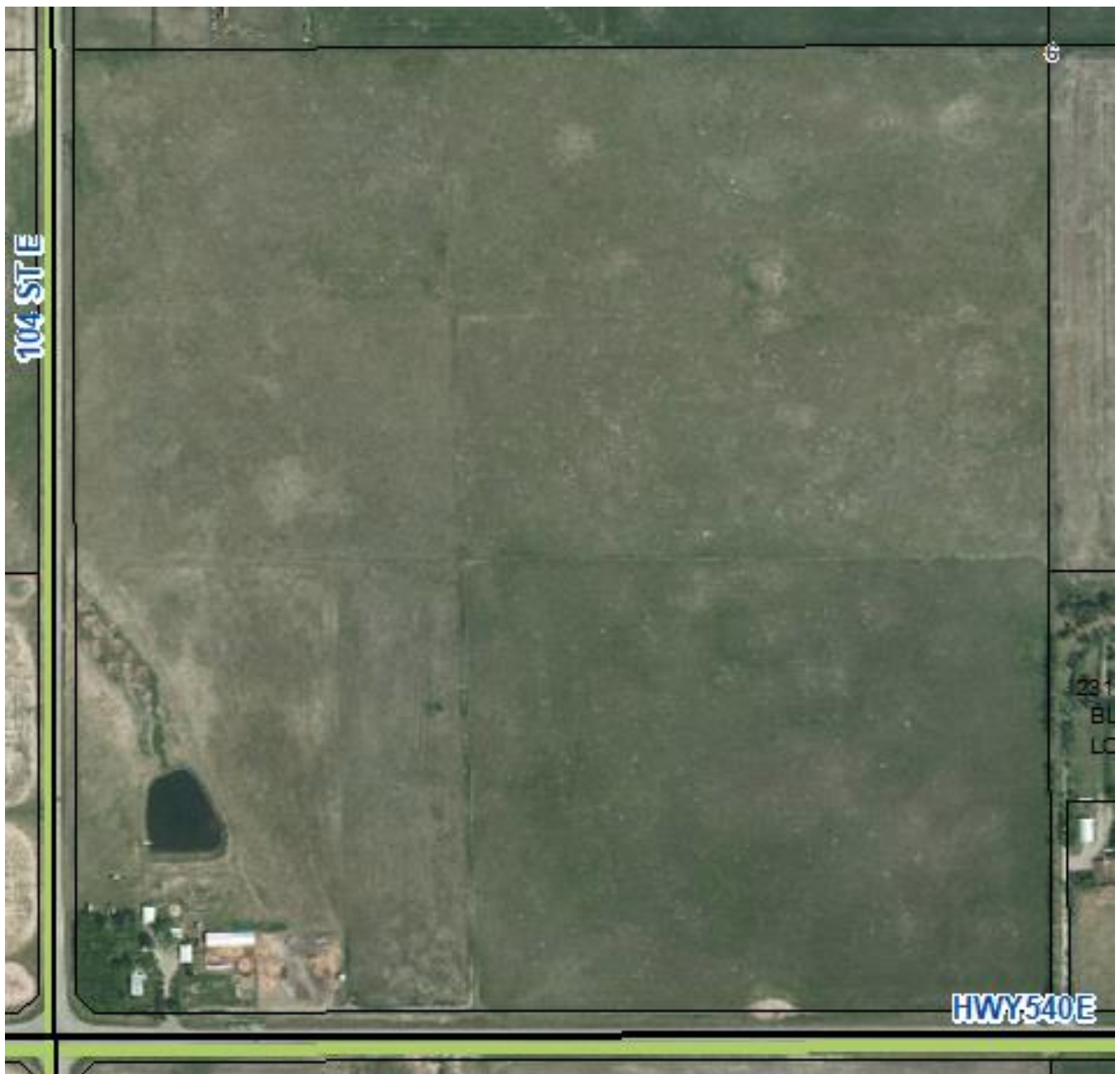
**APPENDIX A: HALF MILE MAP – PARCEL SIZES**



# APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



**BYLAW XX/2024**

**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 the redesignation of a 4.94 +/- acre portion of SW 06-18-28 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of a 4.94 +/- acre Country Residential parcel with an approximate 153.09 +/- balance parcel.

**NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:**

1. Land Use Map No. 1828 is amended by *redesignating a 4.94 +/- acre portion from SW 06-18-28 W4M 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        ⇒ 2024.



**PUBLIC HEARING  
REPORT TO COUNCIL  
PURCHASE OF ROAD ALLOWANCE**  
May 15, 2024 at 11:00 am

<b>Application information</b>		<b>File: PL2202-19E</b>
<b>LEGAL DESCRIPTION:</b> Undeveloped Road Allowance and undeveloped Roadway adjacent to the east boundary of Plan 7710975, Lot 1 NE 19-22-02 W5M and undeveloped Road Allowance adjacent to a portion of the east boundary of Plan 1111889, Blk 1 Lot 1 SE 19-22-02 W5M		
<b>LANDOWNER:</b> Foothills County		
<b>LICENCE APPLICANT:</b> Township Planning & Design Inc. (for Nancy Southern)		
<b>PROPOSAL:</b> Closure of the statutory undeveloped road allowance and undeveloped roadway for the purpose of purchase and consolidation, containing approximately 1.66 acres. Access will be denied.		
<b>DIVISION NO:</b> 4	<b>COUNCILLOR:</b> Suzanne Oel	
<b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator		

**LOCATION**

The Undeveloped Road Allowance and Roadway are located approximately 0.8 km north of the Cross Conservancy Area, 3.3km east of Hwy 22 and 0.5km south of Hwy 22X, adjacent to a portion of the east boundary of E 19-22-02 W5M and directly south of 176 Street west.

**BACKGROUND**

**November 15, 2023:**

Staff provided a brief presentation to Council for the consideration of the request Township Planning & Design on behalf of Nancy Southern for the closure and purchase of the undeveloped road allowance and roadway adjacent to their property.

Council directed administration to proceed with a public hearing to consider the road closure of a portion of the undeveloped road allowance adjacent to the east boundary of Plan 7710975, Lot 1; NE 19-22-02 W5M and of the adjacent unused Roadway for the purpose of purchase and closure.

**CIRCULATION:**

The Application File was circulated internally and externally with responses as indicated:

Foothills County Website – Application file posted on May 1st, 2024

Western Wheel Advertisement – May 1<sup>st</sup> and 8<sup>th</sup>, 2024

Adjacent Landowner Circulation – No concerns to May 7, 2024

External Agencies Circulated – One concern from ATCO Gas (see Appendix B) to May 7, 2024)

Internal Circulation – No Concerns or No Response to May 7, 2024

## REQUEST OF COUNCIL

1. After reviewing the information provided during the public hearing that Council consider granting first reading to bylaw ##/2024 to authorize the closure of the **undeveloped statutory road allowance** located adjacent to the east boundary of Plan, Lot 1; NE 19-22-02 W5M and the east boundary of a portion of Plan 1111889 Blk 1, Lot 1; SE 19-22-02 W5M containing approximately 1.35 acres for closure, purchase and consolidation.

and

2. After reviewing the information provided during the public hearing that Council consider granting first reading to bylaw ##/2024 to authorize the closure of a portion of the **undeveloped roadway** located adjacent to the east boundary of Plan 77120975, Lot 1; NE 19-22-02 W5M containing approximately 0.31 acres for closure, purchase and consolidation.

Subject to the applicant entering into a Utility Right of Way Agreement with Atco Gas, subject to the satisfaction of Atco Gas, prior to second and third reading of the Bylaws.

## APPENDICES

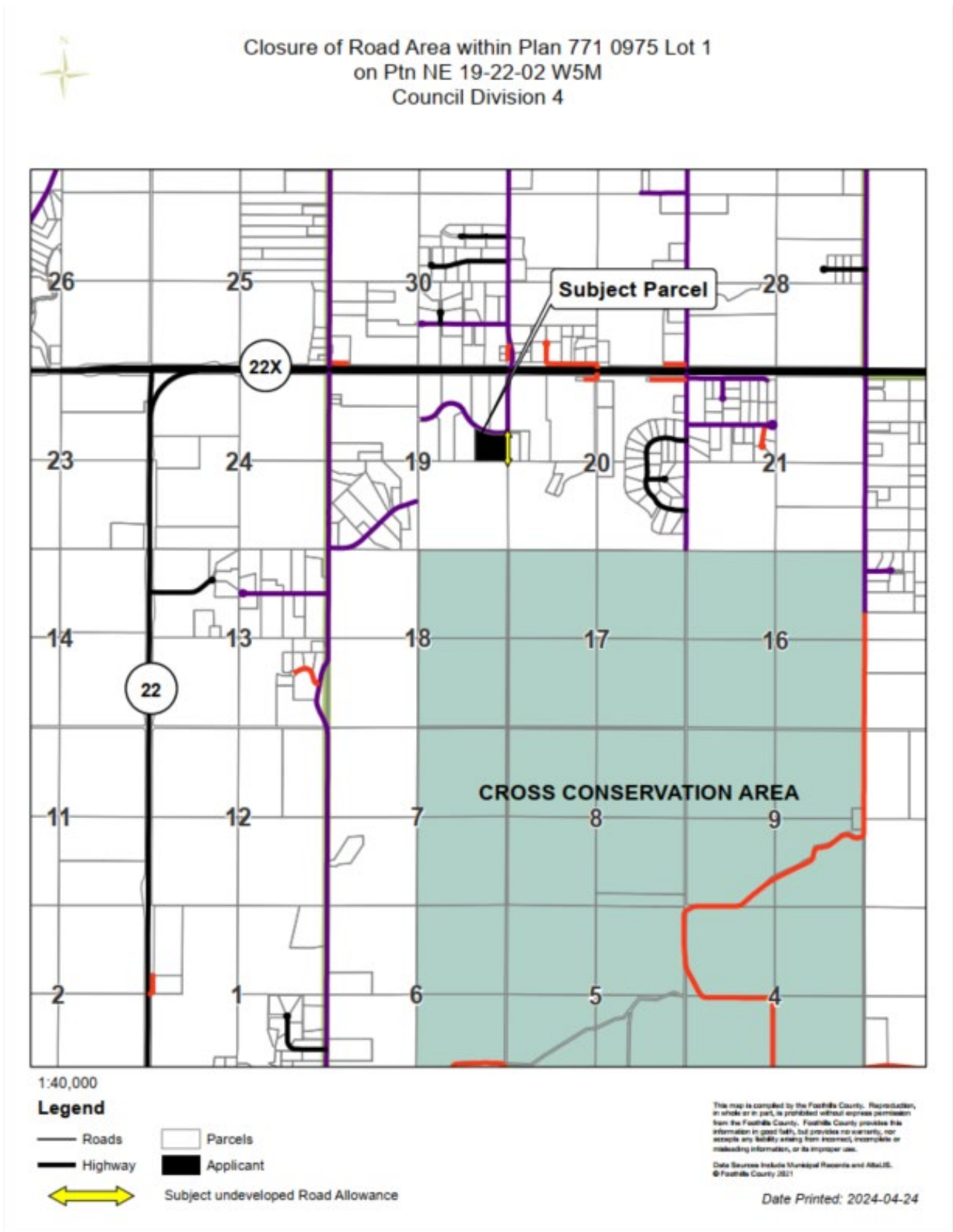
**APPENDIX A - MAP SET:**  
**LOCATION MAP**  
**ORTHOPHOTO**

**APPENDIX B - ATCO GAS RESPONSE TO CIRCULATION**

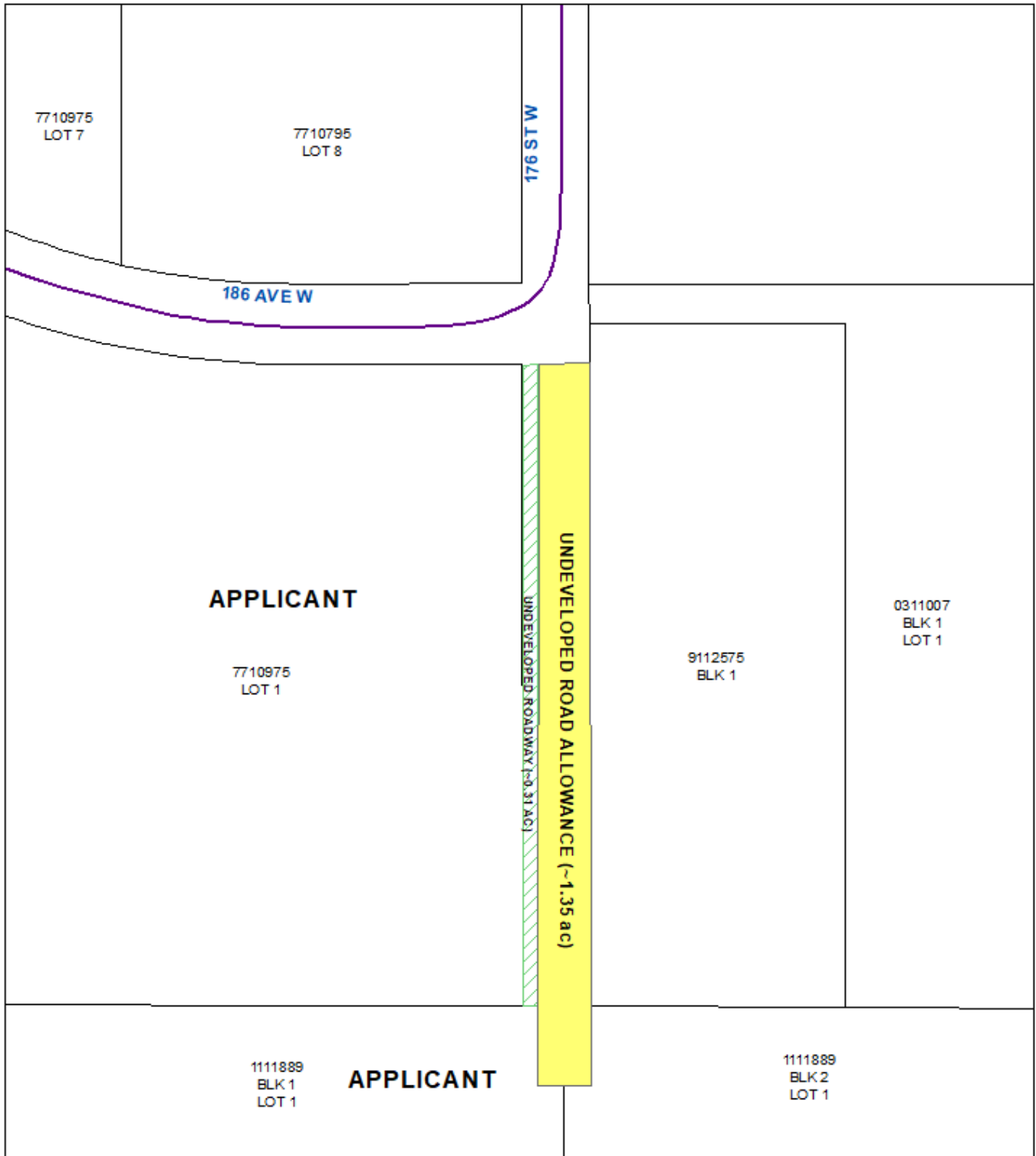
**APPENDIX C – 1. BYLAW ##/2024**  
**2. BYLAW ##/2024**

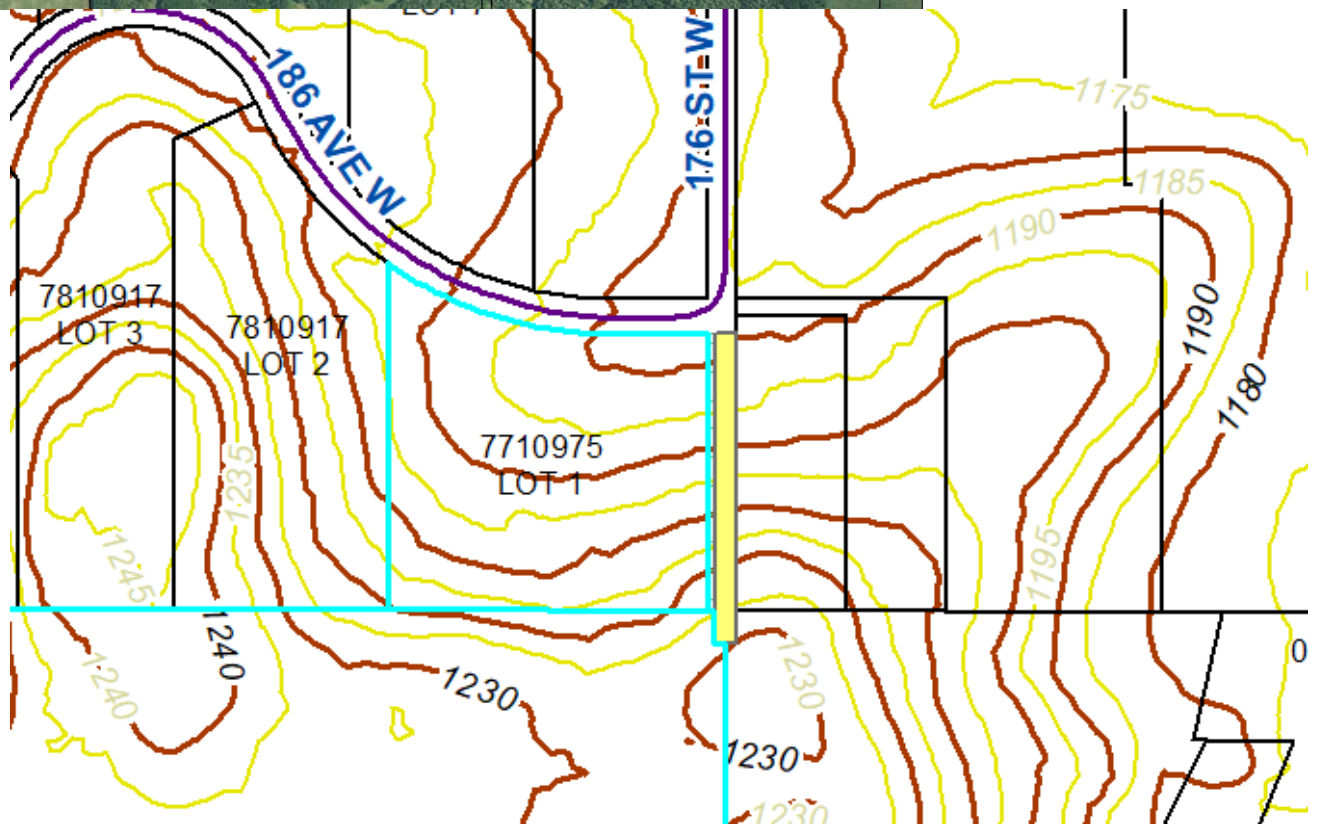
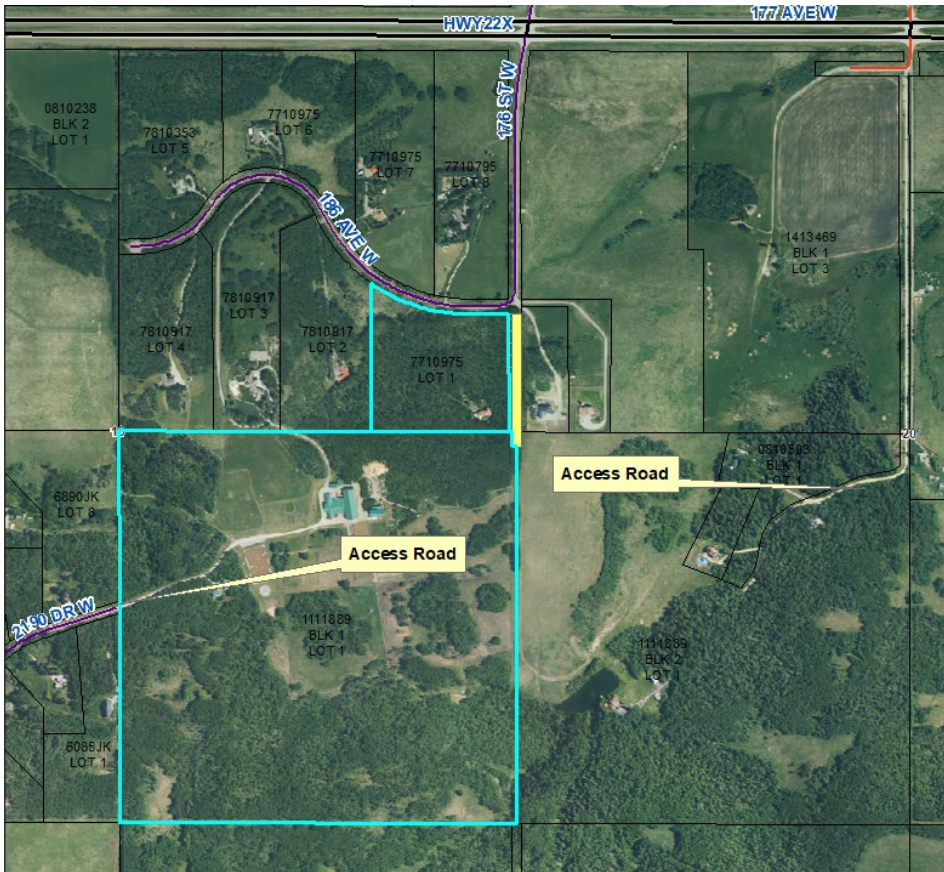


**APPENDIX A:  
LOCATION MAP**



**ORTHOPHOTO**





**APPENDIX B:  
ATCO Gas Letter**



**MD/County Circulation Response**

Date: April 26, 2024

Completed By: Jessica Lahnert

File Number: PL2022-19NE  
Legal: NE-19-22-02-W5  
Landowner: Nancy Southern  
MD/County Contact: Donna Fowler

In reference to the above request, please be advised of ATCO Gas' response and **notify the landowner** of the following:

- ATCO Gas has no objection**
  - ATCO Gas has no need for a Utility Right of Way currently
  - ATCO Gas' existing and future lines are protected by an existing Utility Right of Way
  - The proposed does not fall within ATCO Gas' franchise area
  - The landowner/developer has met our criteria for URW and has been registered as instrument number: \_\_\_\_\_
- ATCO Gas Objects with the following comments –**
  - The Landowner is **required to contact ATCO Gas via Email:** [southlandadmin@atcogas.com](mailto:southlandadmin@atcogas.com) to facilitate execution of Utility Right of Way to the satisfaction of ATCO Gas

\*Once the URW has been registered at the Alberta Land Titles Office, we will notify the MD/County\*

**ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:**

- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilitysafety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact [Crossings@atcogas.com](mailto:Crossings@atcogas.com) to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email [southlandadmin@atco.com](mailto:southlandadmin@atco.com)

**BYLAW ##/2024**

**A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND LICENSE OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.**

**WHEREAS** the lands hereafter described are no longer required for public travel, and

**WHEREAS** application has been made to Council to have the highway closed, and

**WHEREAS** the Council of Foothills County deems it expedient to provide for a bylaw for the purpose of closing certain roads, or portions thereof, situated in the said municipality, and

**WHEREAS** notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and published in the Western Wheel on May 1<sup>st</sup> and May 8<sup>th</sup>, 2024, and

**WHEREAS** Council was not petitioned in writing by a person claiming to be prejudicially affected by the bylaw.

**WHEREAS** a Utility Right of Way Agreement with Atco Gas is required.

**NOW THEREFORE BE IT RESOLVED** that the Council of Foothills County in the Province of Alberta does hereby close to public travel and create title to the following described highways, subject to the rights of access granted by other legislation:

**PARCEL A**

A PORTION OF THE ROAD ALLOWANCE LYING EAST OF PLAN 7710975, LOT 1 WITHIN NE ¼ OF SECTION 19 TOWNSHIP 22 RANGE 02 WEST OF THE 5TH MERIDIAN CONTAINING 1.20 ACRES MORE OR LESS.

Excepting thereout all mines and minerals

**PARCEL B**

A PORTION OF THE ROAD ALLOWANCE LYING EAST OF PLAN 1111889, BLK 1 LOT 1 WITHIN SE ¼ OF SECTION 19 TOWNSHIP 22 RANGE 02 WEST OF THE 5TH MERIDIAN CONTAINING 0.15 ACRES MORE OR LESS.

Excepting thereout all mines and minerals

Received first reading this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Chief Elected Official  
(Seal)

\_\_\_\_\_  
Chief Administrative Officer

**APPROVED** this      day of                      20\_\_.

\_\_\_\_\_  
Minister of Transportation

Received second reading this              day of                      ,

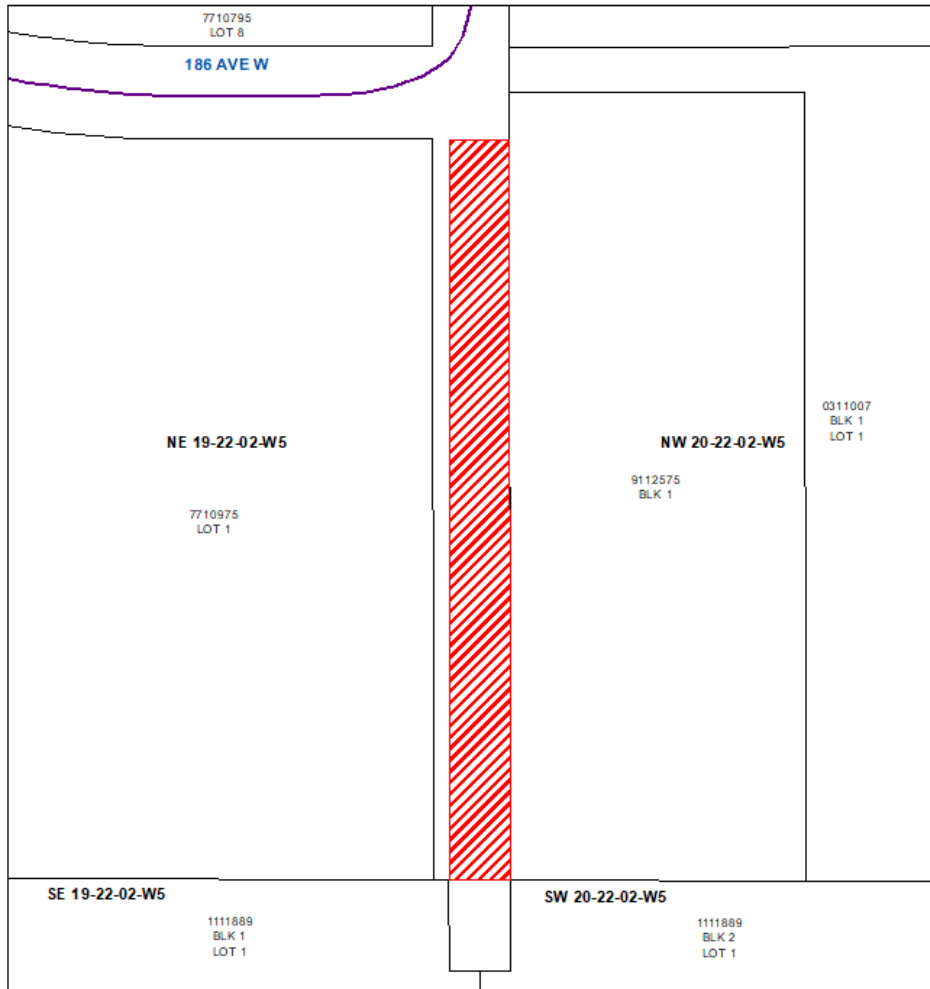
Received third reading and finally passed this              day of                      ,

\_\_\_\_\_  
Chief Elected Official  
(Seal)

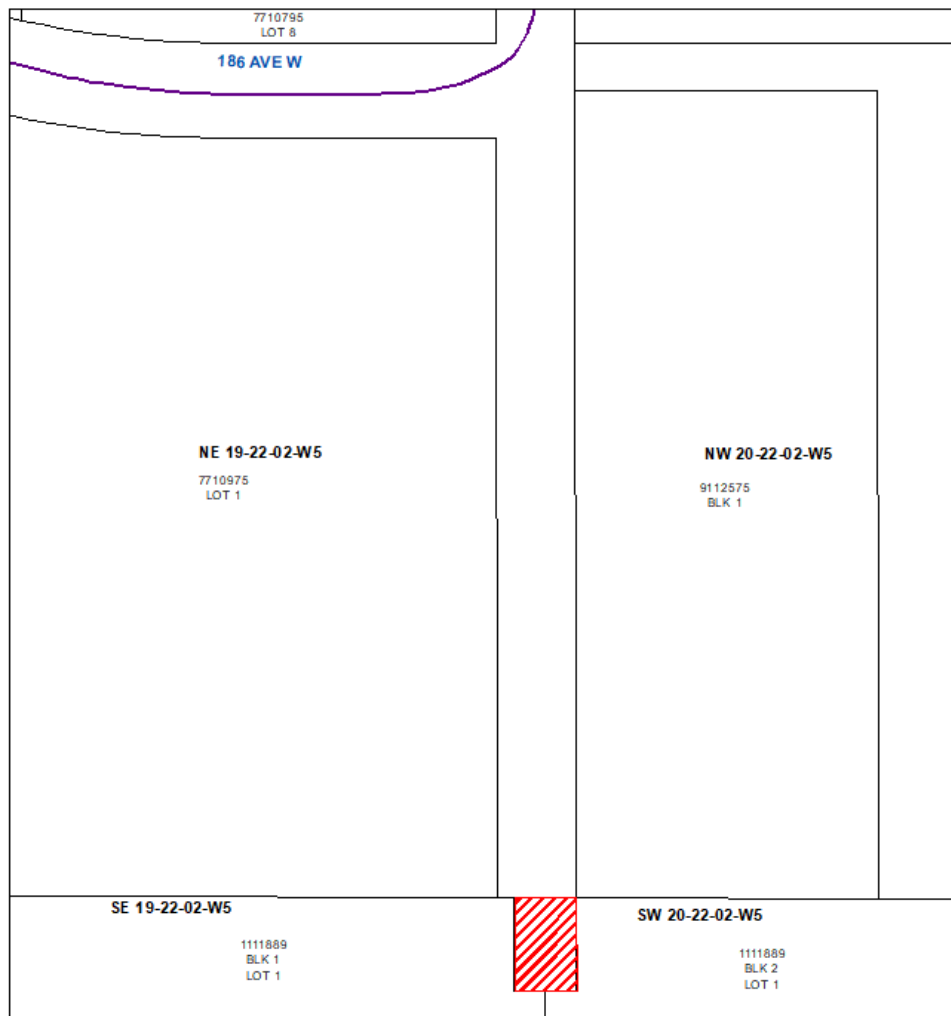
\_\_\_\_\_  
Chief Administrative Officer

**SCHEDULE "A"**  
**(Site Plan)**

**Parcel A**



**Parcel B**



**BYLAW ##/2024**

**A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND LICENSE OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.**

**WHEREAS** the lands hereafter described are no longer required for public travel, and

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**WHEREAS** notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and published in the Western Wheel on May 1<sup>st</sup> and May 8<sup>th</sup>, 2024, and

**WHEREAS** Council was not petitioned in writing by a person claiming to be prejudicially affected by the bylaw.

**WHEREAS** a Utility Right of Way Agreement with Atco Gas is required.

**NOW THEREFORE BE IT RESOLVED** that the Council of Foothills County in the Province of Alberta does hereby close to public travel and create title to the following described highways, subject to the rights of access granted by other legislation:

A PORTION OF THE ROAD ALLOWANCE LYING EAST OF PLAN 7710975, LOT 1 WITHIN NE ¼ OF SECTION 19 TOWNSHIP 22 RANGE 02 WEST OF THE 5TH MERIDIAN CONTAINING 0.31 ACRES MORE OR LESS.  
Excepting thereout all mines and minerals

Received first reading this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Chief Elected Official (Seal)

\_\_\_\_\_  
Chief Administrative Officer

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Minister of Transportation

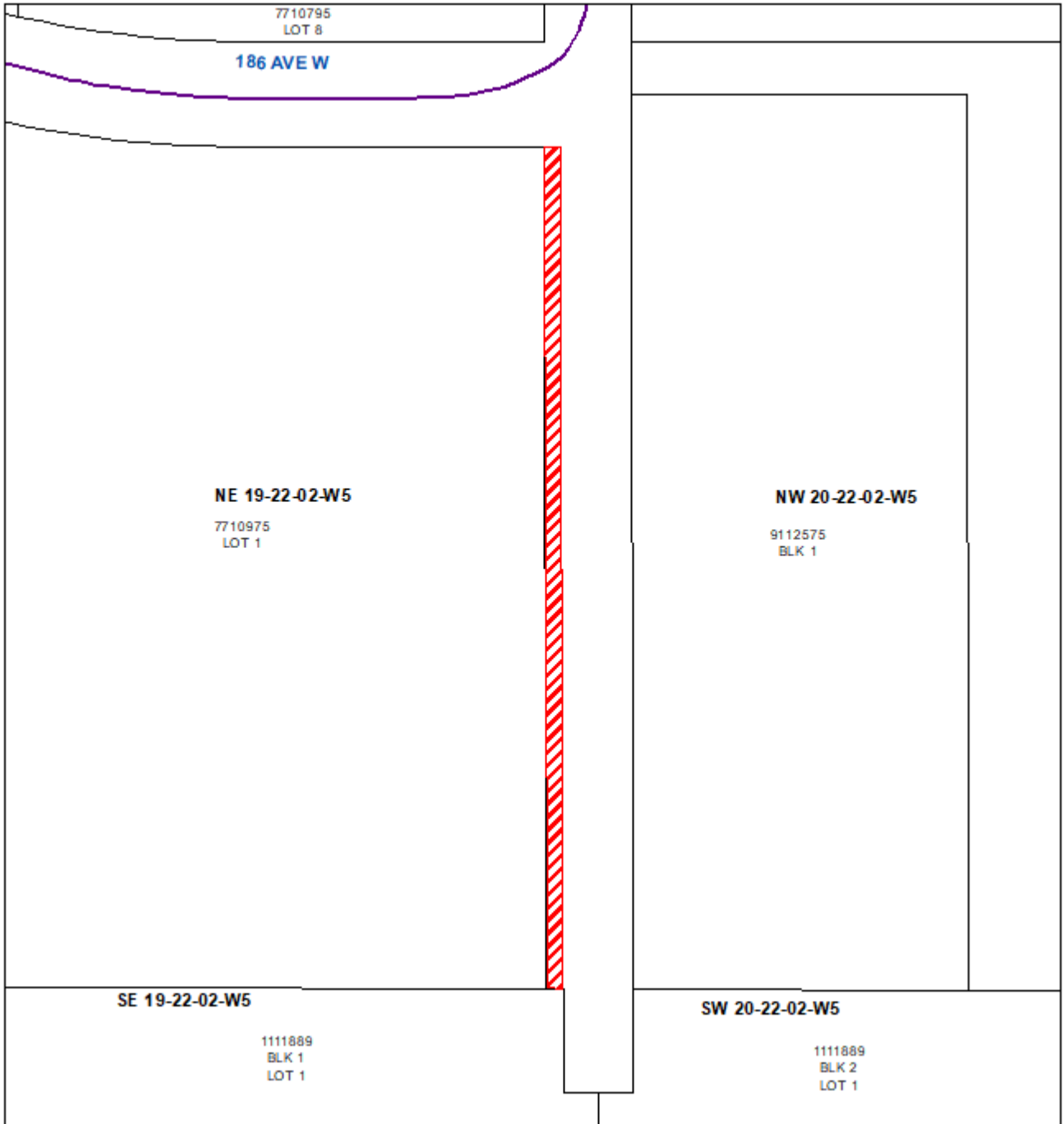
Received second reading this \_\_\_\_ day of \_\_\_\_\_,

Received third reading and finally passed this \_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Chief Elected Official (Seal)


\_\_\_\_\_  
Chief Administrative Officer

**SCHEDULE "A"**  
**(Site Plan)**





**PUBLIC HEARINGS AND MEETINGS  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 REDESIGNATION  
 May 15, 2024  
 To be heard at: 1:30 PM**

<b>APPLICATION INFORMATION</b>		<b>FILE NO. 24R017</b>
	<b>LEGAL DESCRIPTION:</b> NE 01-22-01 W5M; Plan 0611735, Block 25, Lot 16	
	<b>LANDOWNER:</b> Lake at Heritage Pointe Owners Association (LAHPOA)	
	<b>APPLICANT:</b> Rick Gallant / President, LAHPOA	
	<b>CURRENT LAND USE:</b> Residential Community District	
	<b>PROPOSED LAND USE:</b> Open Space District	
	<b>AREA OF SUBJECT LANDS:</b> 2.46 acres	
<b>PROPOSAL:</b> Application proposing the redesignation of the subject parcel being, portion of NE 01-22-01 W5M; Plan 0611735, Block 25, Lot 16 from Residential Community District to Open Space District, to bring the non-conforming parcel into compliance with the Land Use Bylaw and to allow for the replacement and upgrade/expansion of the existing play structure.		
<b>DIVISION NO:</b> 6	<b>DEPUTY REEVE:</b> Don Waldorf	
<b>FILE MANAGER:</b> Brittany Domenjoz		

**EXECUTIVE SUMMARY**

**Summary of Proposal:**

Redesignation of the 2.46 acre subject parcel to Open Space District to bring the subject parcel into compliance with the current Land Use Bylaw and allow for the replacement and upgrading/expansion of the existing play structure.

**Location:**

The subject property is located adjacent to Heritage Isle within the Hamlet of Heritage Pointe. It is approximately 475 metres northeast of Highway 2, 2 kilometres north of Dunbow Road, and 1 kilometre south of the current Foothills County / City of Calgary municipal boundary.

**Policy Evaluation Summary**

Heritage Pointe is located in the Interface Policy Area of the Foothills County / City of Calgary Intermunicipal Development Plan and within the Heritage Point Area Structure Plan area. Therefore, the application has been reviewed within the terms of the MDP2010, Heritage Pointe ASP, Foothills County / City of Calgary Intermunicipal Plan, and the Land Use Bylaw.

**Public Consultation and Community Engagement:**

Prior to formal submission, the agent and landowner undertook public and community engagement with stakeholders and members of the community in the forms of developing a playground committee, survey, newsletters, presentations at the AGM and publishing the board meeting minutes on the website.

A playground committee was created in 2021 which developed a survey seeking input on the community playground design, 144 survey responses were received. From 2021 to 2023, a number of updates were provided through newsletters attached to the annual HOA invoices and presentations prepared for the AGM's. The Community Engagement Summary was provided with the submission of this application and has been included as Appendix C of this staff report.

**Referral Considerations Summary:**

This application was circulated to internal and external agencies. The City of Calgary and the County’s Public Works department have no concerns and Alberta Transportation and Economic Corridors (ATEC) provided that the proposed development is exempt from the requirements of a permit.

**HISTORY OF HERITAGE POINTE AREA STRUCTURE PLAN**

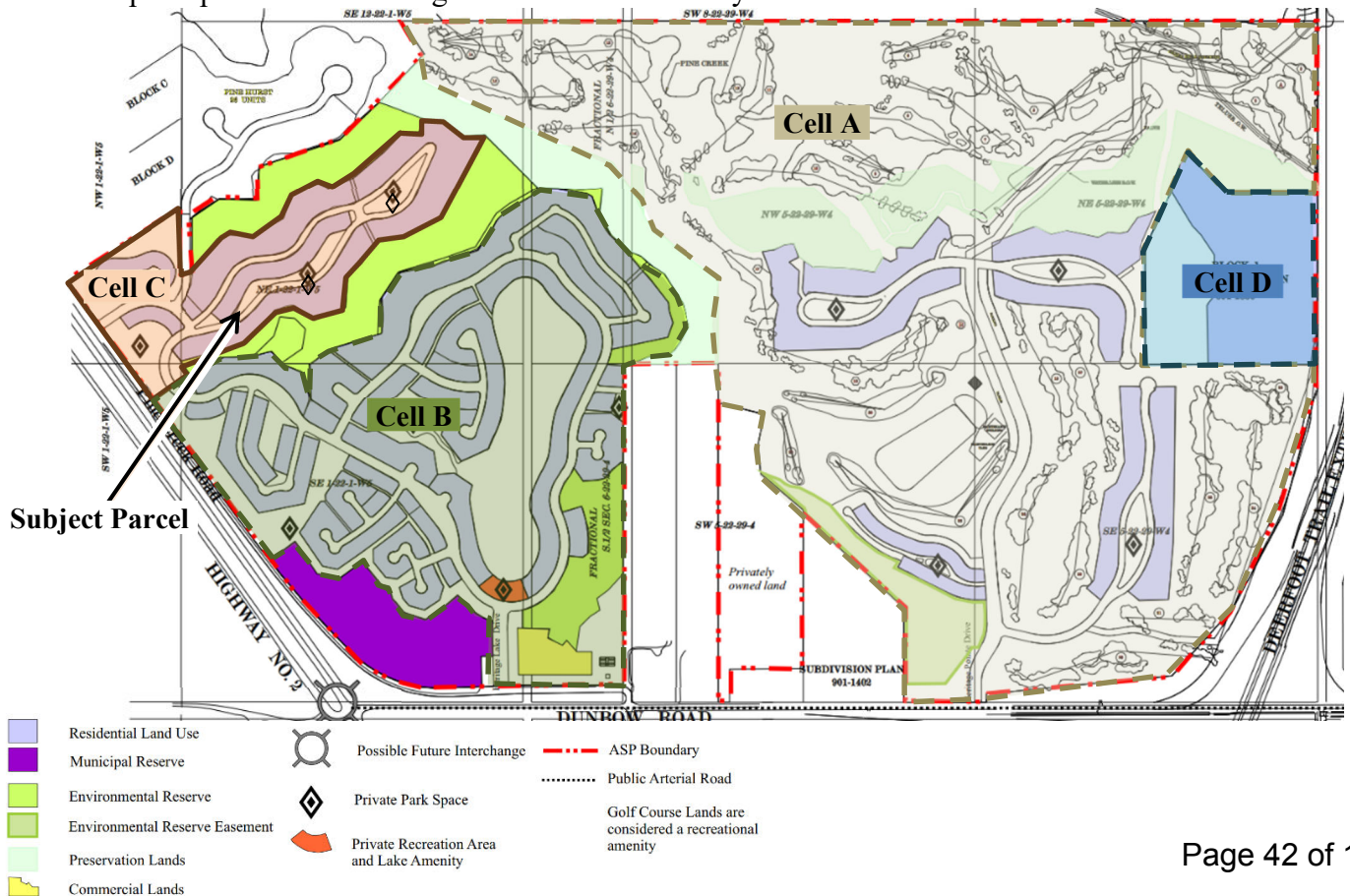
Development within Heritage Pointe began in 1991 with the Heritage Pointe Golf Course & Clubhouse and four residential development areas. The original ASP was adopted in 1995 and was amended 2004 to allow for a revision to the plan area boundary.

The ASP allocates lands for various uses such as residential, golf course, lake and lake amenity, retail/commercial, park land and natural green space. The Recreation section of the ASP outlines a number of objectives which includes that other forms of active and passive recreational uses, outside the golf course are to be developed along with recreational trails that link parks and open spaces. Further, this section provides that the development of private parks with pathways, sitting areas, landscaping and children’s play areas should be communally created and maintained. The Private Park Area section provides that private park spaces are to be established and maintained by the Homeowner’s Association.

Private Park Spaces have been identified in the ASP and shown throughout the plan area on the below map. A private park area is identified within the subject parcel, as shown by this symbol ◊.

In 2005, Council granted third and final reading to Bylaw 56/2005 authorizing the redesignation of Plan 795JK Block E in W. 1-22-1 W5M and Plan 0110933 Block 5 in E. 1-22-1-W5M (Cell C) from Agricultural District to Residential District. The subject parcel is located within development area Cell C and has since been developed.

When the land use application was originally submitted in 2005, the subject parcel was intended and proposed as a Private Park Space. These lands were designated as residential district as this was the most appropriate land use district available at that time. Since then, other land use districts have been created that are more suitable for the intended use; therefore, the applicants are proposing to redesignate the subject lands to Open Space District to align with the Land Use Bylaw.



**PURPOSE OF APPLICATION**

The application before Council is proposing the redesignation to Open Space District to bring the subject parcel into compliance with the current Land Use Bylaw and allow for the replacement and upgrading/expansion of the existing play structure. The application identifies:

- A Life Cycle Assessment was conducted by Morrison Herschfield in 2018 which provided that the community playground required replacement by 2025.
- The current land use does not support the replacement and upgrade/expansion of the park, or the existing use; therefore, an application was made to bring the non-conforming parcel into compliance with the current Land Use Bylaw.
- The Play Structure is proposed to have a total footprint of +/-5,892 sq. ft. and includes a zip line, 2 cup saucers, swings, climbing web, tower and slides, small slide, and 2 swing saucers with a picnic table.
- The maximum height of the tower (with large slide) is 28 ft., and the maximum height of the small slide is 14' 8".

The layout and renderings of the proposed play structure is included as as Appendix B of this staff report.

**SITE CONSIDERATIONS:**

**Access:**

Access to the existing park can be achieved from an existing pathway system that runs through the parcel or from the internal subdivision road, Heritage Isle which runs adjacent to the property. No changes are proposed to access within this application.

**Physiography:**

The lands within the subject parcel are flat with mature trees surrounding the existing park, throughout the subject parcel and along the internal subdivision road, Heritage Isle.

**REFERRAL COMMENTS**

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	Public Works has no concerns. Please be advised that no parking is permitted on the roadway at any time.
<b>EXTERNAL</b>	
Alberta Transportation & Economic Corridors	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 amendments(s).  Transportation and Economic Corridors offers the following comments and observations with respect to the proposed development(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

CIRCULATION REFERRALS	
	<p>connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.</p> <p>3. <b>The proposed development is exempted from the requirement of a permit pursuant to Section 25 of the Highways Development and Protection Regulation.</b> This exemption is subject to the provisions of Sections 11- 23 and Sections 55-59 of the Highways Development and Protection Act (Chapter H-8.5, RSA, 2004) and amendments thereto, and Sections 8-15, Sections 24-25, and Sections 35-36 of the Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.</p> <p>4. Alberta Transportation and Economic Corridors has no other comments with respect to this proposal.</p>
City of Calgary	The City of Calgary has reviewed the application with respect to the Intermunicipal Development Plan and other applicable policies and provided no comments.
<b>PUBLIC</b>	
Western Wheel	May 1, 2024 and May 8, 2024
Landowners (half mile)	This application was mailed to area landowners on April 24, 2024. Four letters from area landowner were received prior to the submission of this report. These letters have been included as Appendix F of this report.

**POLICY EVALUATION**

**Foothills County / City of Calgary Intermunicipal Development Plan:**

Heritage Pointe is located in the Interface Policy Area, which is an area within the IDP immediately adjacent to the municipal boundary. In the Interface Area, it is recognized that cross boundary land use impact must be considered. The City of Calgary provided that they have no comment with the proposed redesignation.

**Municipal Development Plan (MDP2010):**

This application generally aligns with the objectives and policy contained in the Recreation section of the Foothills County’s Municipal Development Plan (MDP2010).

**Heritage Pointe ASP:**

The subject parcel has been identified as a Private Park Space within ASP and was originally intended for this use.

**Land Use Bylaw 60/2014:**

The purpose and intent of the Open Space District is to preserve the lands for conservation, passive recreation or education uses that may be owned or managed by the County, an individual landowner, or condominium association. *Private Amenity Space* is listed as a Permitted Use under the Open Space District.

*PRIVATE AMENITY SPACE* means development of private open space reserved for private uses, for active or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purpose of private amenity space, the open space and associated recreational facilities are privately owned, operated, and maintained by a landowner, a homeowner’s association, or a community association.

The Open Space District has been included as Appendix D and the Residential Community District has been included as Appendix E of this staff report.

## **SUMMARY**

Bylaw XX/2024 – Application for the redesignation of the subject parcel being, portion of NE 01-22-01 W5M; Plan 0611735, Block 25, Lot 16 from Residential Community District to Open Space District, to bring the non-conforming parcel into compliance with the Land Use Bylaw and to allow for the replacement and upgrade/expansion of the existing play structure.

## **OPTIONS FOR COUNCIL CONSIDERATION**

### **OPTION #1 – APPROVAL**

Council may choose to grant 1<sup>st</sup> reading to the application for the redesignation of the subject parcel being, portion of NE 01-22-01 W5M; Plan 0611735, Block 25, Lot 16 from Residential Community District to Open Space District, to bring the non-conforming parcel into compliance with the Land Use Bylaw and to allow for the replacement and upgrade/expansion of the existing play structure, for the following reasons:

*Council is of the opinion that the proposed redesignation and use of the subject lands aligns with the Heritage Pointe Area Structure Plan, Municipal Development Plan (MDP2010) and Land Use Bylaw. Further, Council acknowledges the front yard setback exemption, as approved in the previous non-conforming land use district.*

### **Recommended Conditions for Option #1:**

1. Submission of a complete Development Permit Application package and the necessary fees.

### **OPTION #2 – REFUSAL**

Council may choose to refuse the application for the redesignation of the subject parcel being, portion of NE 01-22-01 W5M; Plan 0611735, Block 25, Lot 16 from Residential Community District to Open Space District, to bring the non-conforming parcel into compliance with the Land Use Bylaw and to allow for the replacement and upgrade/expansion of the existing play structure.

Should there be concerns brought forward through the public hearing process that Council does not feel can be mitigated, Council may choose to refuse the application.

## **APPENDICES**

### **APPENDIX A: MAP SET**

- MAP 1 – LOCATION
- MAP 2 – LAND USE MAP
- MAP 3 – SITE PLAN
- MAP 4 – ORTHO PHOTO

### **APPENDIX B:**

PLAY STRUCTURE RENDERINGS

### **APPENDIX C:**

PUBLIC ENGAGEMENT SUMMARY

### **APPENDIX D:**

OPEN SPACE DISTRICT

### **APPENDIX E:**

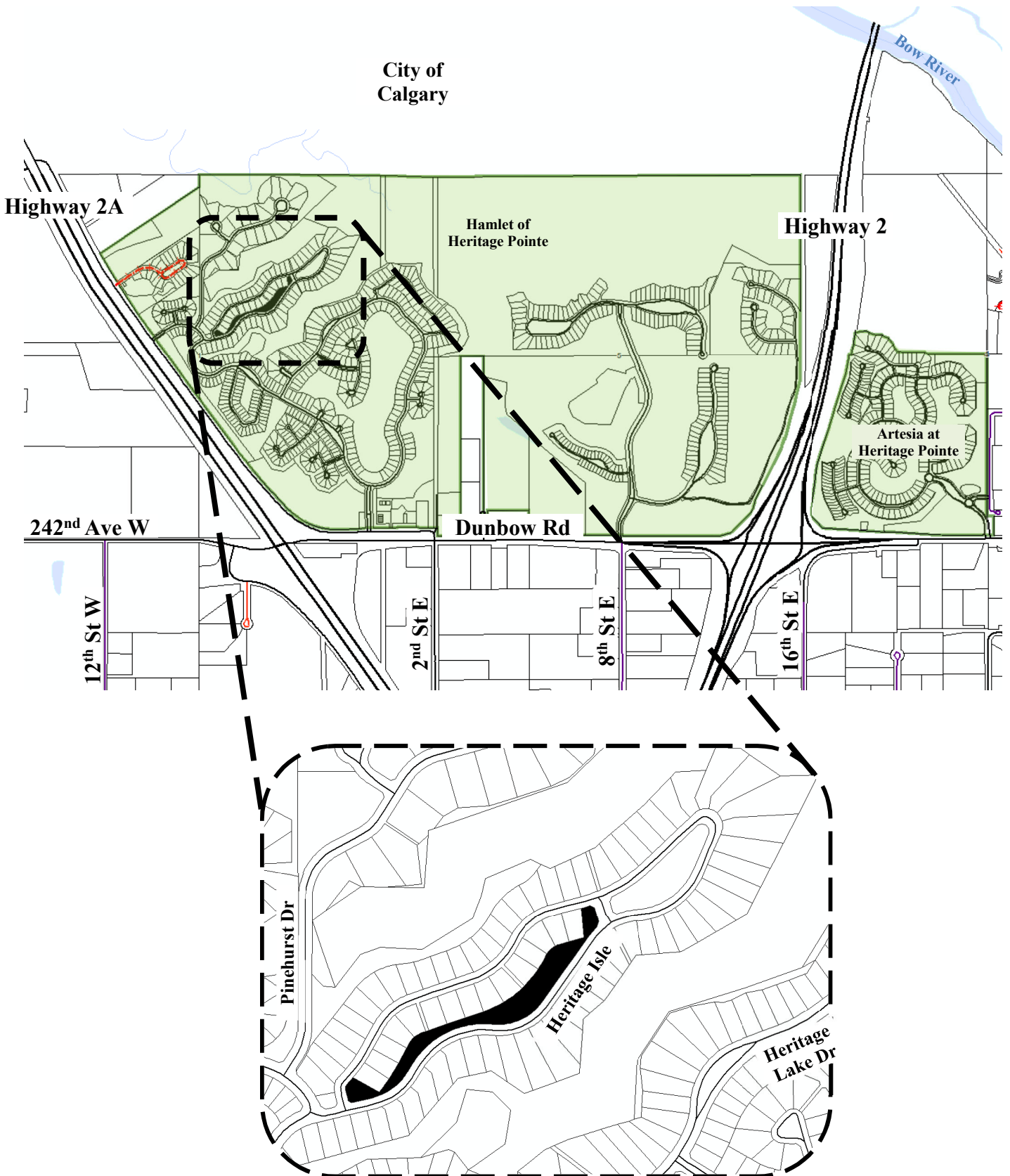
RESIDENTIAL COMMUNITY DISTRICT

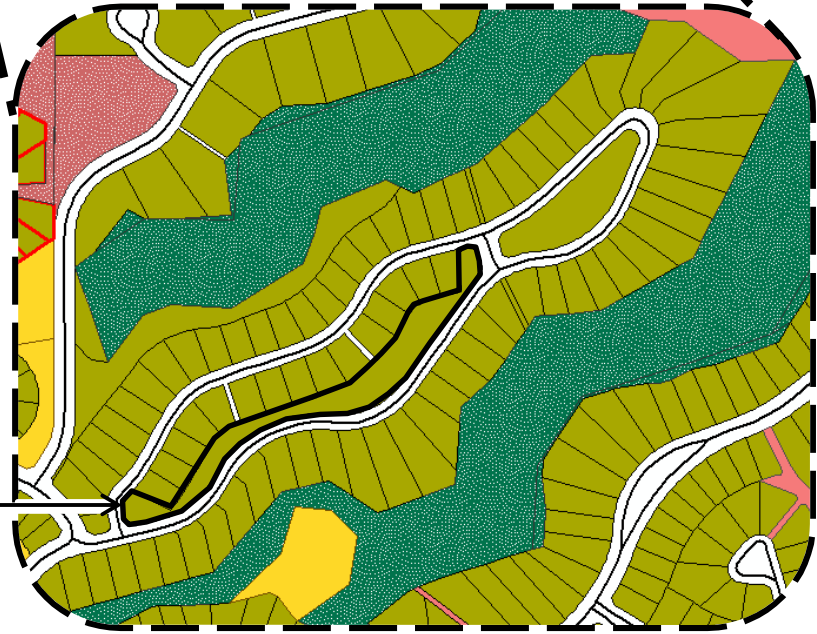
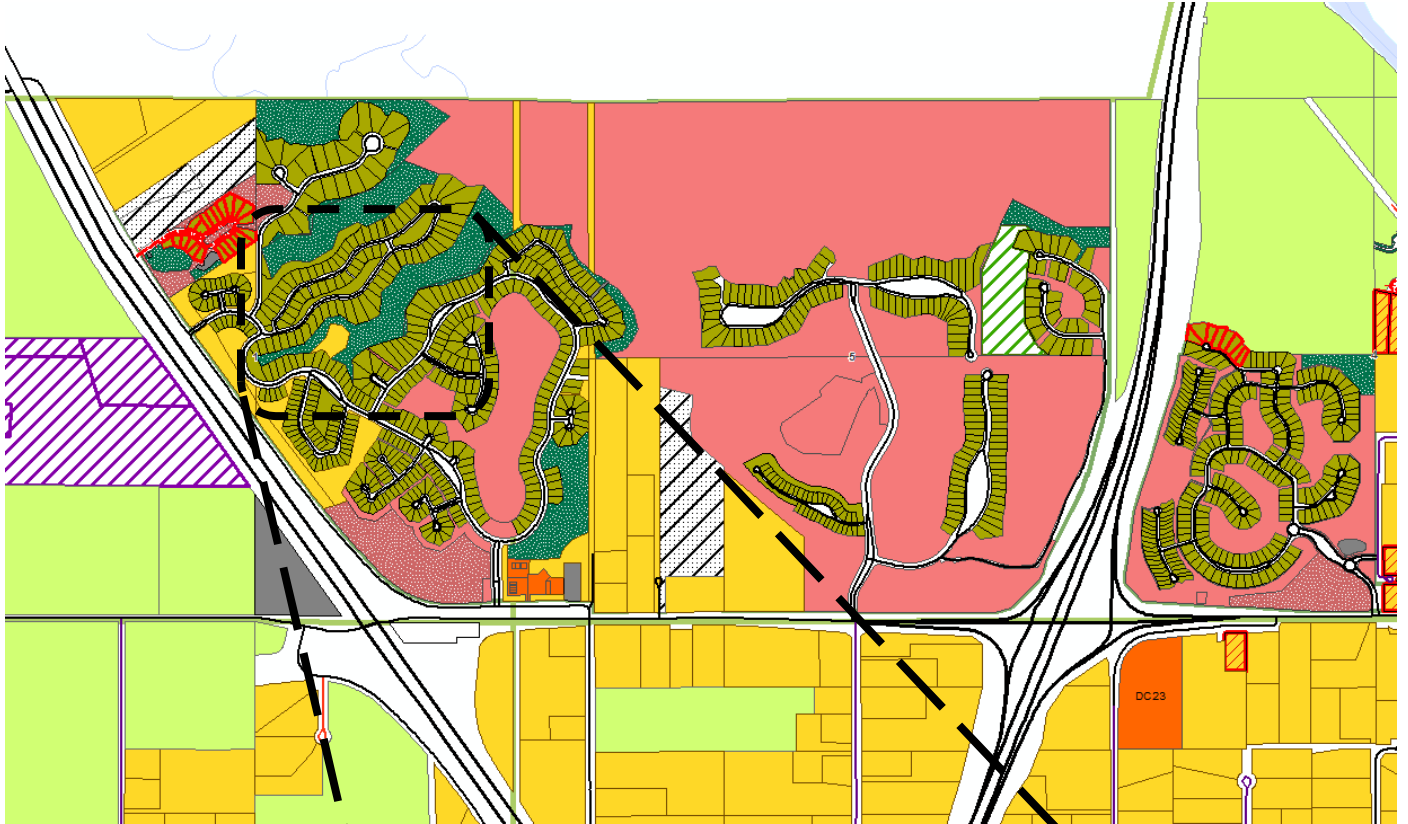
### **APPENDIX F:**

AREA LANDOWNER LETTERS

### **APPENDIX G:**

PROPOSED BYLAW





Subject Parcel

**Legend**

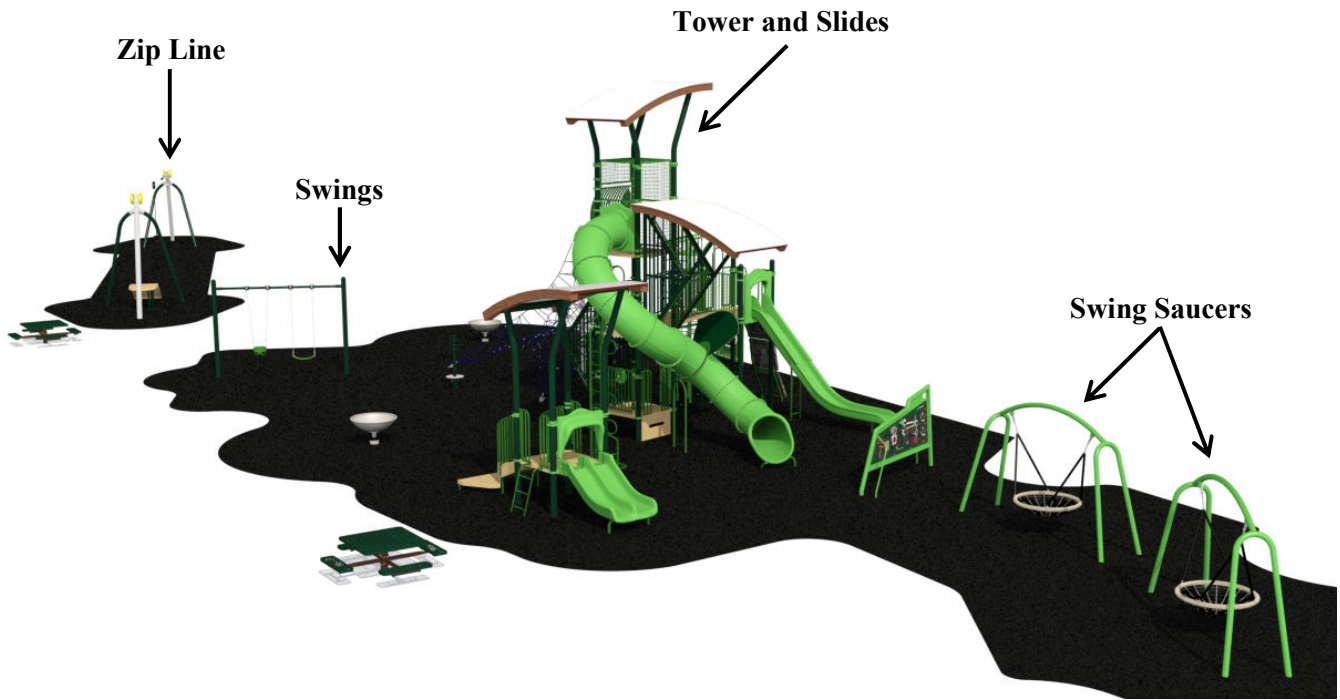
- Hard Surface (Chip/oil)
- Gravel
- ... Developer Pavement
- Pavement
- ▭ Flood Hazard Protection District
- ▭ In Transition
- ▭ A- Agricultural
- ▭ AA- Agricultural Sub A
- ▭ CR- Country Residential
- ▭ CRA- Country Residential Sub A
- ▭ DC - Direct Control
- ▭ RC- Residential Community District
- ▭ RCA- Residential Community Sub-district "A"
- ▭ INR- Natural Resource Extraction
- ▭ REC- Recreation
- ▭ OS- Open Space
- ▭ PUL- Public Utility
- ▭ ER- Environmental Reserve
- ▭ MR- Municipal Reserve

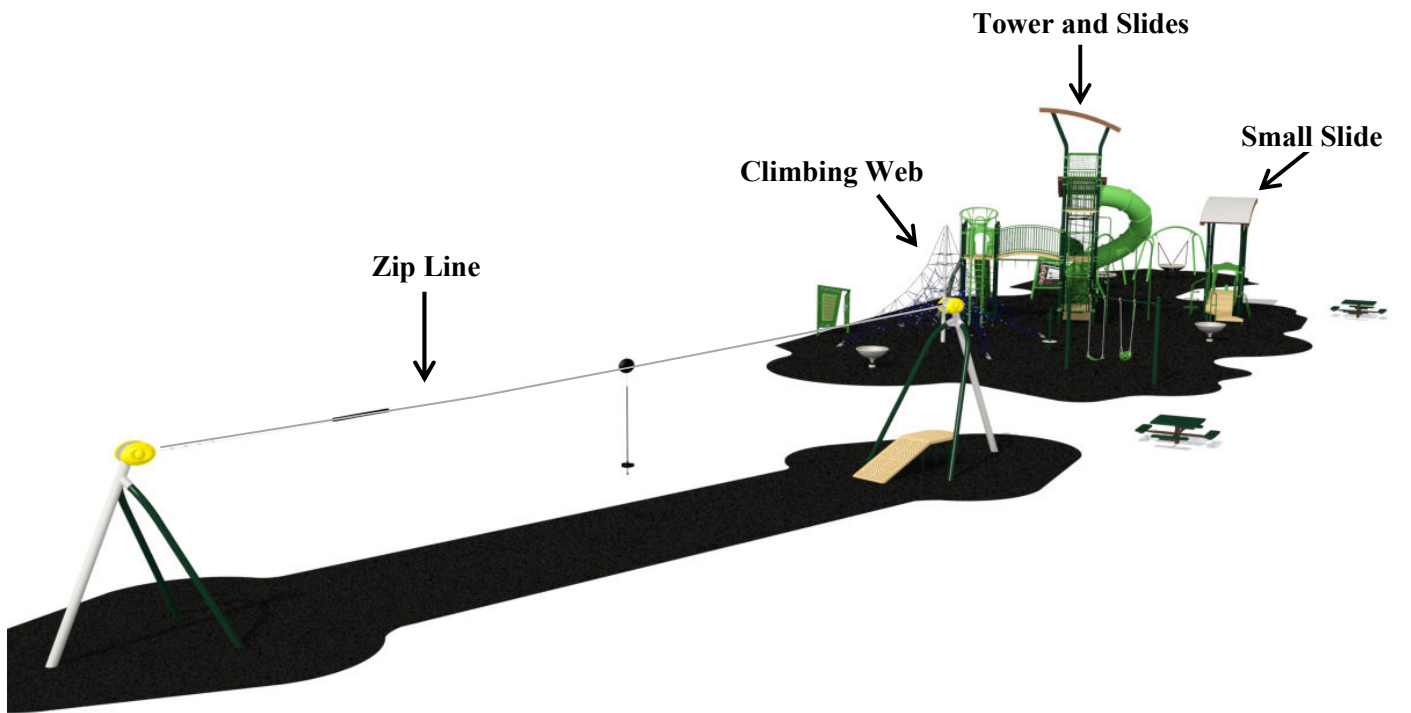
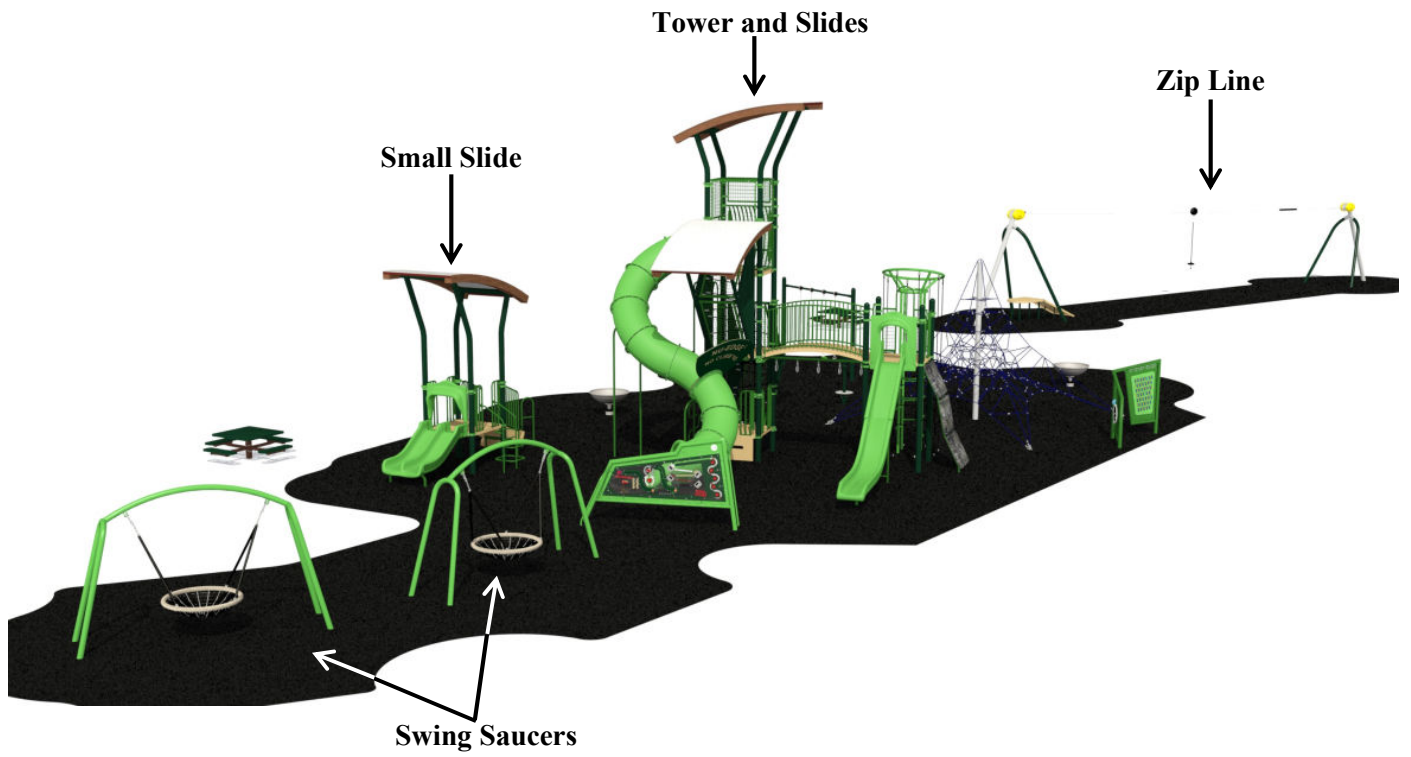






**APPENDIX B: PLAY STRUCTURE RENDERINGS**







March 13, 2024

### Community Engagement Summary for Heritage Isle Playground

- June 2018 – community Life Cycle Assessment conducted by Morrison Herschfield indicates community playgrounds will require replacement by 2025. Board begins deliberations on how best to advance the replacement/upgrade of the existing community palygrounds.
- September 2021 – community canvassed for volunteers for a committee to explore upgrading the Heritage Isle playground. Six community members put their names forward.
- October 2021 – the playground committee developed a comprehensive survey seeking input on the new playground design. Survey distributed through email and Facebook to most community residents (note: not all residents have an email on file). 144 survey responses provided detailed input on what residents would like to see in the new playground upgrade.
- February 2022 – an RFP was developed and sent to 5 playground suppliers who subsequently submitted 10 different playground proposals. Committee recommended the preferred supplier and worked to finalize the design details based on survey feedback.
- January 2022, 2023 and 2024 – community provided with a brief update on the playground progress through a newsletter included with their annual HOA fee invoices.
- June 2022 and 2023 – an update on the playground was included in the respective AGM presentations complete with pictures. AGM presentations and speaking notes are posted to the community website. No questions or issues with the playground plan.
- September 2023 – playground equipment purchased and put into storage to avoid further escalation in costs.
- Board meeting minutes are also posted to the community website and include a standing agenda item on the playground upgrade every month from October 2021 through to February 2024.

- March 2024 – several Isle residents raised concerns about the new playground (see attached email correspondence). Board met with concerned residents to try to address their concerns as this was the first the Board had heard that anyone had an issue with the playground upgrade. The Board agreed to reconsider an alternate location for the playground but upon consulting with affected residents concluded this was not an appropriate solution.
- Prior to the meeting with the Board, a concerned resident posted their concerns to a community Facebook page seeking additional support against the playground. In response, there were 50 comments posted in favour of the playground with 202 “likes” for the favourable comments. There were 4 opposing comments which garnered 6 “likes”.

#### Concerned Residents



Names and Addresses Redacted  
for the Public File (7 lots)

**16.2 OPEN SPACE DISTRICT**

**OS**

**16.2.1 PURPOSE AND INTENT**

To preserve lands that have natural capability for conservation, passive recreation and education. These lands may be owned or managed by the County, an individual landowner, public land trust, or condominium association.

**16.2.2 GENERAL REQUIREMENTS:**

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

16.2.3 PERMITTED USES	16.2.4 DISCRETIONARY USES
Accessory buildings not requiring a development permit Natural science exhibits Park Private amenity space Public works Recreation, passive Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit)	Accessory buildings requiring a development permit Community services Dwelling, single family dwelling Dwelling, temporary Lot grading Private lake Signs requiring a development Solar Power System, Private (Requiring a Development Permit) Special event Utility services, minor

**16.2.5 LAND USE REQUIREMENTS**

- 16.2.5.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 16.2.5.2 In order to facilitate the purpose and intent of this district and ensure the sustainable development of open space uses within the District, the following applies to applications for subdivision:
  - a. Parcel Density:
    - i. Parcel density requirements shall be determined by the Approving Authority, and in accordance with an approved area structure plan or outline plan, if applicable.
  - b. Minimum Parcel Size:
    - i. The area on title at the time of passage of this Bylaw, whichever is greater; or
    - ii. As determined by the Approving Authority and in accordance with an approved area structure plan or outline plan, if applicable.

- c. Maximum Parcel size:
  - i. The area on title at the time of passage of this Bylaw, whichever is lesser; or
  - ii. As determined by the Approving Authority and in accordance with an approved area structure plan or outline plan, if applicable.

16.2.5.3 Utility Servicing Criteria

- a. As determined by the Approving Authority and in accordance with an approved area structure plan or outline plan if applicable.

**16.2.6 DEVELOPMENT REQUIREMENTS**

16.2.6.1 Management Plan:

- a. A management plan may be required by the Approving Authority to outline the use of the land, how the land will be maintained, who is responsible for ongoing maintenance, and any other items deemed appropriate by the Approving Authority. All development permit applications must conform to the management plan on lands where a management plan has been approved.

16.2.6.2 Maximum Lot Coverage

- a. As determined by the Approving Authority, in accordance with an approved area structure plan or outline plan if applicable.

16.2.6.3 Minimum Yard Setbacks Requirements

- a. Front Yard Setbacks:
  - i. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.
  - ii. 48m (157.48 ft) from the centreline of the Municipal Road.
  - iii. 15m (49.21 ft) from the property line from an Internal Road.
  - iv. As determined by the Approving Authority in conformance with an approved Area Structure Plan.
- b. Side Yard Setbacks:
  - i. 15m (49.21 ft) from the property line.
- c. Rear Yard Setbacks:
  - i. 15m (49.21 ft) from the property line.
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.

16.2.6.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

16.2.6.5 Other Minimum Setback Requirements:

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

16.2.6.6 Maximum Height of Structure:

- a. Buildings - 10.67m (35 ft);
- b. Satellite dishes, radio antennas, internet towers and wind turbines - 16m (52.49 ft).

**16.2.7 SPECIAL REQUIREMENTS**

**16.2.7.1 Management Plan:**

- a. All development permit applications must conform to a management plan if required by the Approving Authority. Such management plan shall be prepared by the applicant and approved by the Approving Authority prior to the time that an application for a development permit is made.

**16.2.7.2 Lighting:**

- a. All lighting must be in accordance with Section 9.15 of this Land use bylaw and with the Municipal Dark Sky bylaw.

**16.2.7.3 Lot Drainage:**

- a. Lot grading and drainage shall be in accordance with Section 9.17 of this Land use bylaw.

**16.2.7.4 Other:**

- a. The Approving Authority may allow a building to be occupied by a combination of one or more of the above mentioned uses listed for this district and each use shall be considered as a separate use, and each use shall obtain a separate development permit.

**16.2.8 EXCEPTIONS:**



**Foothills County Land Use Bylaw |**

**13.4 RESIDENTIAL COMMUNITY DISTRICT**

**RC**

**13.4.1 PURPOSE AND INTENT**

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

**13.4.2 SUB-DISTRICT**

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

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

**13.4.3 GENERAL REQUIREMENTS:**

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

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

**13.4.6 LAND USE REQUIREMENTS**

- 13.4.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 13.4.6.2 In order to facilitate the purpose and intent of this district and ensure the comprehensive development of Residential Community uses within the District, the following applies to applications for subdivision:
  - a. Parcel Density:
    - i. Minimum 3 gross units per acre (3 gross upa);
    - ii. Maximum 10 gross units per acre (10 gross upa).
  - b. Minimum Parcel Size:
    - i. 464m<sup>2</sup> (0.11 acres);
    - ii. The area in title at the time of passage of this Bylaw.
  - c. Maximum Parcel size:
    - i. 0.32 ha (0.80 ac) unless the lot forms part of a condominium plan; or
    - ii. The area in title at the time of passage of this Bylaw.
- 13.4.6.3 Required Developable Area:
  - a. In accordance with Section 9.8 of this Bylaw.
- 13.4.6.4 Utility Servicing Criteria
  - a. Communal water and communal wastewater disposal systems;

**13.4.7 DEVELOPMENT REQUIREMENTS**

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

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

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

13.4.7.4 Corner Parcel Restrictions:

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

13.4.7.5 Other Minimum Setback Requirements:

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

13.4.7.6 Maximum Height of Structures:

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

13.4.7.7 Minimum habitable area per dwelling

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

**13.4.8 EXCEPTIONS:**

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

**Heritage Pointe Development:**

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

## Foothills County Land Use Bylaw |

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

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

### **Heritage Pointe Stage 3 - Artesia Development:**

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

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

### **Greenhaven Development:**

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

## Foothills County Land Use Bylaw |

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

### **Priddis Greens Development:**

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

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

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

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

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

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

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

### **Hawks Landing:**

- 13.4.8.21 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Hawks Landing Area Structure Plan.
- 13.4.8.22 Setback: 8m (26.25 ft.) from the undeveloped road allowance right of way on the west side<sup>3</sup> of the development located on Plan 0713569, Block 4, Lots 59-62 & Plan 0410490, Block 4, Lot 1

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

### **Cottonwood Development:**

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

### **Hamlet of Naphtha**

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

## APPENDIX F: AREA LANDOWNER LETTERS

April 30, 2024

Foothills County  
Planning & Development Department  
Attn: Brittany Domenjoz

Dear Brittany,

This letter is in response to the letter we received regarding the Proposed Redesignation of:

Legal Description of Subject Parcel:  
NE 1-22-1 W5M; Plan 0611735, Block 25, Lot 16

Rick Gallant of Lake at Heritage Pointe Homeowners Association (HOA) is proposing the redesignation of the green space along Heritage Isle. Our address is 193 Heritage Isle, which backs onto the proposed redesignated green space.

If this Redesignation of this Subject Parcel entitles the HOA to implement further structures as they seem fit, then we are NOT in favor of this proposal.

As you are now aware, the HOA was planning to construct a new and much larger playground on this parcel without directly contacting any of the homeowners who either back or face onto the greenspace. As far as we know, very few residents, including ourselves, were not aware of the plans for a larger playground. We understood that only the Tot Lot was being upgraded. The HOA was also going to attempt this without a Development Permit until it was brought to their attention just recently.

1. The HOA Board is speaking on behalf of the community who, once again, had no knowledge of this Application. The Board has not communicated clearly or specifically to any of the homeowners directly impacted by their decision for application. Doesn't the HOA Board need prior approval by the community to apply for rezoning on the community's behalf... specifically the homes directly impacted?
2. The existing playground on this parcel has always been designated as a Tot Lot and from the plans we only recently saw, the new playground will be geared towards older kids.
3. If the plan is that the Tot Lot be amalgamated with the playground, we feel the two playgrounds should not become one. Larger equipment and older kids would likely be intimidating to small children. Keep the playgrounds separate so both can be enjoyed to their fullest would be more beneficial.

4. The current Tot Lot is approximately 29m in length. The new playground will be approximately 65m in length – over two times larger.
5. We were the first house on the Isle and one of the reasons that we purchased our lot was that it was close to the Tot Lot where we could sit and watch our grandchildren play from our deck. Changing the Tot Lot to a large playground is not conducive to what was proposed by the Developer when lots were sold and the Isle was built. We may have not selected our lot initially if we had known there would be a large playground with a zip line in close proximity.
6. The HOA is now proposing a playground with a zip line only 19m from the backyard and decks of our neighbors which could cause a higher noise factor. As well, the new tower structure is 3 times the height of the current tower now... right at deck height which could cause privacy issues.
7. The Isle is a very quiet and desirable neighborhood within a great community. Property values along the greenspace of Heritage Isle will certainly be negatively affected by the construction of such a large and undeniably well used and loud playground
8. The added traffic may essentially affect the other homes. Heritage Isle is a quiet street far removed from the core of the community on the narrowest street in Heritage Pointe with only one way in and out. The increased traffic due to the park's location itself would turn our street into a parking lot with very little room to maneuver vehicles. There are not any sidewalks on either side of the street. Currently the school buses and garbage trucks have trouble maneuvering through the streets on the Isle. This is not a safe or logical location for the community's main playground. We feel it belongs closer to the Lake House, in a larger green space in the subdivision or over by the berm with the ball diamond and soccer field. We are very concerned for the safety of our neighbors and potential pedestrians, drivers and small children wanting to play at the park.
9. This big, beautiful playground will become a sore spot for many homeowners along the greenspace. It is just too large and too big of a change in such a small quiet area. It will be too intrusive and belongs elsewhere where it can be an asset to the entire community. This is not the right spot for this playground.
10. To be clear, we are in favor of the larger playground as well as upgrading the existing Tot Lot; both would be a wonderful asset to the community. We just feel the two parks should not become one large park. Both parks belong in their own appropriate settings and non-intrusive settings.

To reiterate we are very concerned for the safety of the children and the neighborhood.

Thank you for your time and consideration.

Yours sincerely,  
Linda and Kevin Middlemiss  
193 Heritage Isle

## Brittany Domenjoz

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**From:** Sandy Parhar [REDACTED]  
**Sent:** April 30, 2024 8:39 PM  
**To:** Brittany Domenjoz  
**Subject:** Heritage Lake land re designation

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

April 30, 2024

Foothills County  
Planning & Development Department  
Attn: Brittany Domenjoz

Dear Brittany,

This letter is in response to the letter we received regarding the Proposed Redesignation of Legal Description of Subject Parcel:  
NE 1-22-1 W5M; Plan 0611735, Block 25, Lot 16

Rick Gallant of Lake at Heritage Pointe Homeowners Association is proposing the redesignation of the green space along Heritage Isle which our home backs onto.  
Our address is 177 Heritage Isle.

First and foremost... I'm not sure why this particular green space needs to be redesignated. From what we understand... We were told the tot lot was being improved, not redesignated. This particular parcel is a very narrow piece of green space with a tot lot on it.... There are some other wonderful spaces... within Heritage Lake... that are away from high traffic areas and the narrow street ....which is where this proposed new playground is slated to be built. Yes ,the new playground will bring an increase in car traffic and foot traffic... Which we find alarming... given the narrow roadway. A solution suggested was they could make it a one-way street... But that still doesn't factor in children playing in a narrow green space and running out into traffic... No matter which way the traffic is going.

We received a notice quite recently... That many cars are not stopping at the three-way stop... Which is the only way in and out of the isle. Not only will this increase traffic potentially cause a problem ...This particular lot is not well lit ... and could be the backdrop for individuals participating in unwanted behaviour. We have been told by Rick and his committee... That if problems should arise... We should be phoning the RCMP. This is not a solution...We believe there should be a more proactive approach.

Also.... We not sure how many houses are located At Heritage Lake, and out of those.....how many of those households voted... And of those who voted... How many were in favour of this redesignation?? That number or percentage would be great to know!

Thanks for your consideration to our concerns.

Sat and Sandy Parhar



April 30, 2024

Foothills County  
Planning & Development Department  
Attn: Brittany Domenjoz

Dear Brittany,

This letter is in response to the letter we received regarding the Proposed Redesignation of Legal Description of Subject Parcel:  
NE 1-22-1 W5M; Plan 0611735, Block 25, Lot 16

Rick Gallant of Lake at Heritage Pointe Homeowners Association is proposing the redesignation of the green space along Heritage Isle which our home backs onto. Our address is 201 Heritage Isle.

If this Redesignation of this Subject Parcel entitles the HOA to implement further structures as they seem fit, then we are NOT in favor of this proposal.

As you are now aware, the HOA was planning to construct, this Spring, a new and much larger playground on this parcel without directly contacting any of the homeowners who either back or face onto the greenspace. I went door to door myself... no one was aware of the plans for a larger playground and that only the Tot Lot was to be upgraded. The HOA was also going to attempt this without a Development Permit until it was brought to their attention just recently.

1. The HOA Board is speaking on behalf of the community who, once again, had no knowledge of this application. The Board has not communicated clearly or specifically to any of the homeowners directly impacted by their decision for application. Doesn't the HOA Board need prior approval by the community to apply for rezoning on the community's behalf... specifically the homes directly impacted?
2. The existing playground on this parcel has always been designated as a Tot Lot.
3. The new playground will be geared towards older kids.
4. The two playgrounds should not become one. Larger equipment and older kids would likely be intimidating to small children. Keep the playgrounds separate so both can be enjoyed to their fullest.
5. The current Tot Lot is approximately 29m in length.
6. The new playground will be approximately 65m in length – over two times larger.
7. Our home currently and never has had a playground behind it, but if the larger playground goes through here, then there will be a zip line behind our home – only 19m from our backyard and deck... our outdoor living will no longer be peaceful.
8. If the County is considerate of the impact to neighboring homes, why isn't the HOA?

9. The 2.46 acres of greenspace the HOA says the playground is going on is very narrow as indicated on the County map. The site plan is not indicated on the map and does not show itself to be in the narrowest part of the greenspace, where the HOA intends to construct the playground and where homes are most impacted.
10. The distance between our back property line and the front property line of the home across the greenspace is only 37m. Within this 37m space consists of a street, a public walking path and a few trees. This does not seem like a logical place to squeeze in a zipline as well.
11. We purchased our home because there wasn't a playground directly behind. We certainly would not have purchased our home if a zip line was outside our back door.
12. Heritage Isle is a very quiet and desirable neighborhood within a great community; property values along the greenspace of Heritage Isle will certainly be negatively affected by the construction of such a large and undeniably well used and loud playground. The added traffic may essentially affect the other homes.
13. The new tower structure is 3 times the height of the current tower now... right at deck height. Privacy would then be an issue. At such a close proximity to the home closest to it, they may as well all have meals together lol!!
14. This big, beautiful playground will become a sore spot for many homeowners along the greenspace. It is just too large and too big of a change in such a small quiet area. It'll be too intrusive. It belongs elsewhere where it can be an asset to the entire community.
15. Heritage Isle is a quiet street far removed from the core of the community on the narrowest street in Heritage Pointe with only one way in and out. The increased traffic due to the park's location itself would turn our street into a parking lot with very little room to maneuver vehicles. There aren't even any sidewalks on this part of the street. The school buses and garbage trucks have enough trouble as it is. This is not a safe or logical location for the community's main playground – it belongs closer to the Lake House, in a larger greenspace.... Or over the berm with the ball diamond and soccer field.
16. To be clear.... We are in favor of the larger playground as well as upgrading the existing Tot Lot; both would be a wonderful asset to the community. We just feel the two parks should not become one large park. Both parks belong in their own appropriate settings and non-intrusive settings.

Thank you for your time and consideration.

Yours sincerely,  
Leslie and Larry Stadnick  
201 Heritage Isle

**From:** [Dave Robertson](#)  
**To:** [Public Hearings](#)  
**Subject:** Written Submission  
**Date:** May 5, 2024 9:57:57 PM

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

Hello,

I am writing to comment on the proposed redesignation and expansion of the children's play area.

The meeting is being held on May 15 at 1:30 PM.

My name is Dave Robertson

92 Heritage Lake Shores, Heritage Pointe [REDACTED]  
[REDACTED]

My comments are as follows:

This is the only play structure in the community.

This is exactly what we want kids to be doing; not sitting in front of tv, games and phones.

This is for young kids, therefore the noise will not be early or late at night.

Besides, it is a happy noise; who does not enjoy watching kids have fun.

While it is true someone could get hurt, I am a believer in exposing kids to minor risks so they learn how to manage real life.

So I am in favour of expanding the structure.

Dr. Dave Robertson

**BYLAW XX/2024**

**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 the redesignation of the 2.46 +/- acre being Plan 0611735, Block 25, Lot 16; Ptn. NE 01-22-01 W5M from Residential Community District to Open Space District to bring the non-conforming parcel into compliance with the current Land Use Bylaw and to allow for the replacement and upgrade / expansion of the existing play structure. Further, Council acknowledges the front yard setback exemption, as approved in the previous non-conforming land use district (Residential Community).

**NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:**

1. Land Use Map No. 2201 is amended by redesignating 2.46 +/- acre being Plan 0611735, Block 25, Lot 16; Ptn. NE 01-22-01 W5M from Residential Community District to Open Space District;
2. This Bylaw shall have effect on the date of its third reading and upon signing.

FIRST READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

SECOND READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO


THIRD READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

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

**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
SECOND AND THIRD READING TO BYLAW 27/2023  
May 15<sup>th</sup>, 2024**

<b>SECOND AND THIRD READING TO BYLAW 27/2023</b>		
<b>APPLICATION INFORMATION</b>	<b>FILE NO. 23R014</b>	
	<b>LEGAL DESCRIPTION:</b> PTN: SE 36-21-29-W4M	
	<b>LANDOWNERS:</b> Olajumoke and Mofoluwaso Abolarin	
	<b>AGENT:</b> Township Planning and Design Inc. / Kristi Beunder	
	<b>AREA OF SUBJECT LANDS:</b> 18.88 acres	
	<b>CURRENT LAND USE:</b> Agricultural District	
	<b>PROPOSED LAND USE:</b> Country Residential District with ERE	
<p><b>PROPOSAL:</b> Redesignation of PTN: SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two 4.15 and 5.60 +/- acre Country Residential Sub-District “A” lots with an approximate 7.71 +/- Country Residential District balance parcel with Environmental Reserve Easement dedication.</p>		
<b>DIVISION NO:</b> 6	<b>COUNCILLOR:</b> Don Waldorf	<b>FILE MANAGER:</b> Theresa Chipchase

**PURPOSE OF REQUEST**

Request to Council to provide second and third reading to Bylaw 27/2023, as all conditions put forth with first reading of this bylaw have been complied with.

**BACKGROUND**

**Location**

The parcel is located directly west of 80<sup>th</sup> Street East, approximately 0.5 kilometres north of 255<sup>th</sup> Avenue, 0.1 kilometres south of 294A Avenue East and 1.0 kilometres south of Dunbow Road. It is approximately 5.5 kilometres southeast of the Hamlet of Heritage Pointe and the City of Calgary.

**Pertinent Site Considerations**

The property contains the outbuildings from the farm site original to the quarter section with additional structures added over time. Outside of the yard site, the lands include portions of a large wetland, which includes a diverse population of waterfowl, amphibians and wetland vegetation as well as a large undefined and associated riparian area. Large piles of topsoil, sand, gravel, etc. have been brought onto the parcel by the applicant and located in the southeastern corner within the wetland area. Outside of the wetland and riparian lands adjacent to the wetland, the parcel slopes from its highest point along the northern boundary to its lowest point along the southern boundary whereby there is a valley formation with the wetland located within it. These lands are predominantly disturbed native prairie grasslands with planted poplars and spruce trees surrounding the residence along the partial north, east and west boundaries.

**PREVIOUS COUNCIL DIRECTION**

**May 10<sup>th</sup>, 2023, Bylaw 27/2023** – application approved by Council granting first reading to Bylaw 27/2023, under the following motion:

*“Council gave first reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.*

*The new parcels shall be designated as Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

*Council moved first reading.*

As a condition of the first reading approval Council required the applicant to provide the following:

*“Submission of a revised site plan illustrating two new Country Residential District lots for Council’s approval. The revised site plan is not required to illustrate a municipal reserve parcel and is to identify the building envelopes, ERE, as well as to identify the structures that will be removed or remain on the lands.”*

**COUNCIL ACTION REQUESTED:  
ACKNOWLEDGEMENT AND ACCEPTANCE OF REVISED SITE PLAN**

Request to Council to acknowledge and accept the revised site plan submitted by the applicants in accordance with Condition #1 of first reading approval to Bylaw 27/2023, the revisions are attached as part of Appendix A within this staff report.

**COUNCIL ACTION REQUESTED:  
SECOND AND THIRD READING TO BYLAW 27/2023**

Request to Council to provide second and third reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.

The new parcels shall be designated as Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site

assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

## **APPENDICES**

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### **APPENDIX A - MAP SET:**

LOCATION MAP

LAND USE MAP

LOT SIZES MAP

SITE PLAN – ORIGINAL

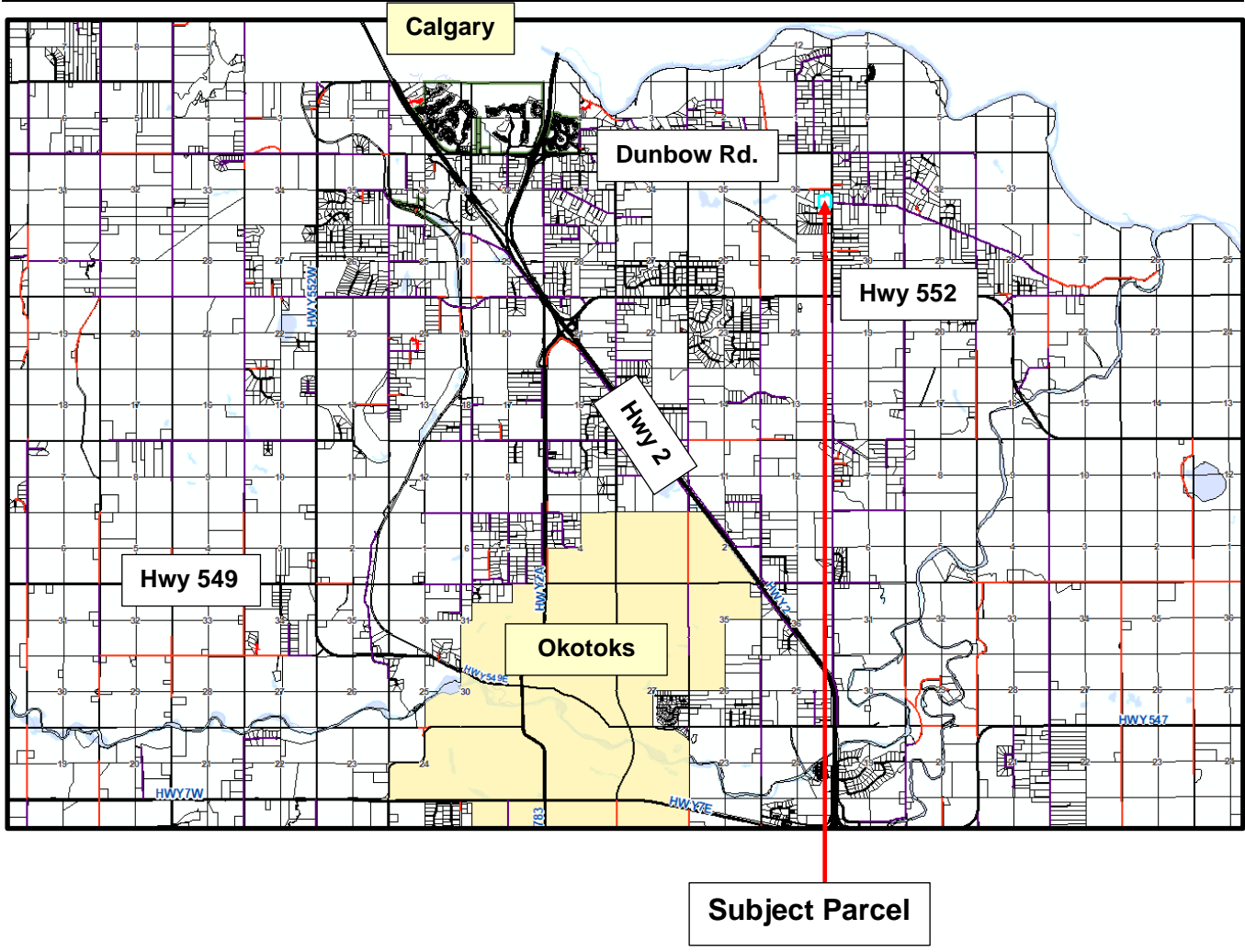
SITE PLAN - REVISED

ORTHO PHOTO

### **APPENDIX B**

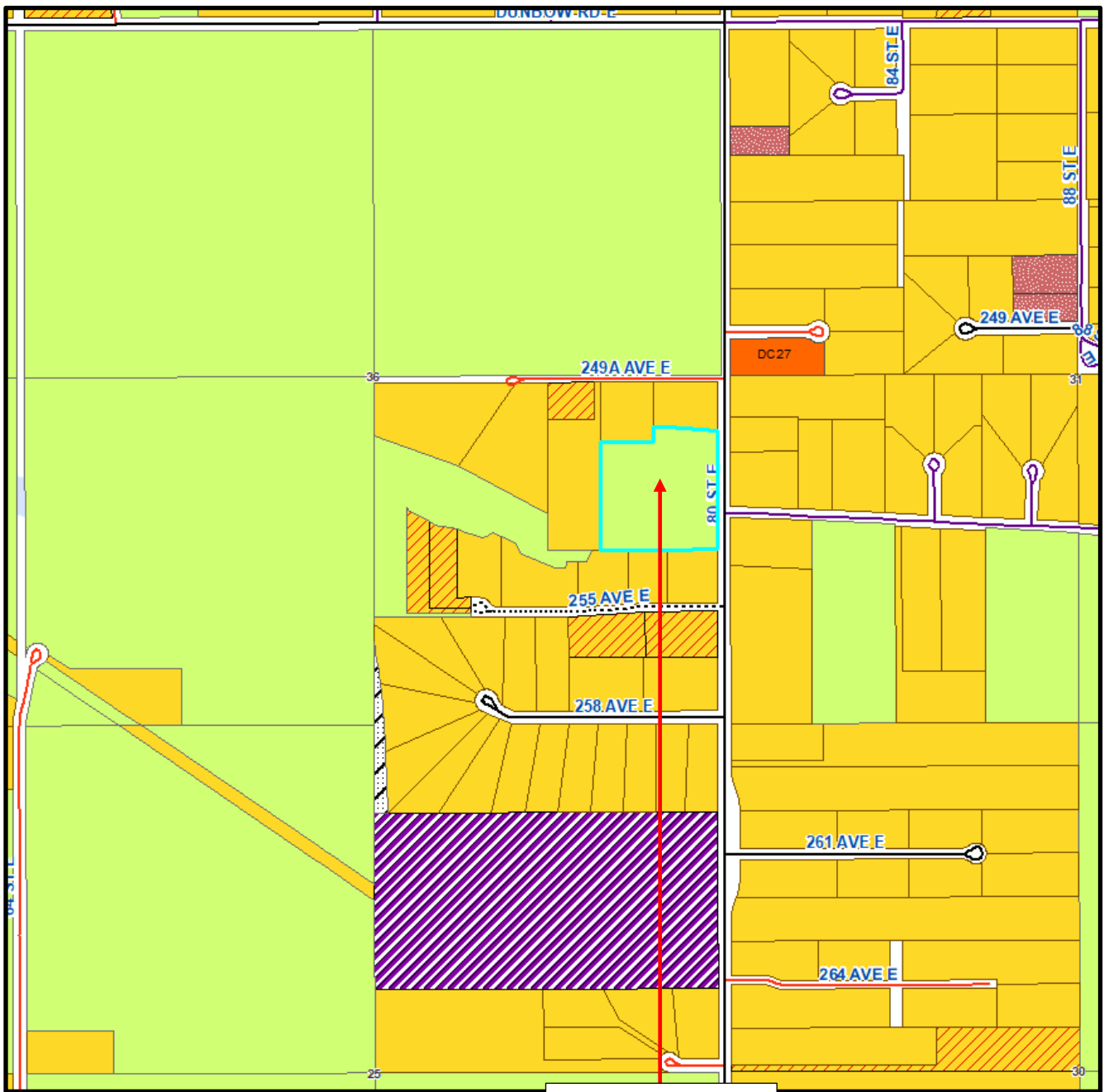
BYLAW 27/2023 – FIRST READING

**APPENDIX A: LOCATION MAP**





**APPENDIX A: HALF MILE MAP – LAND USE**

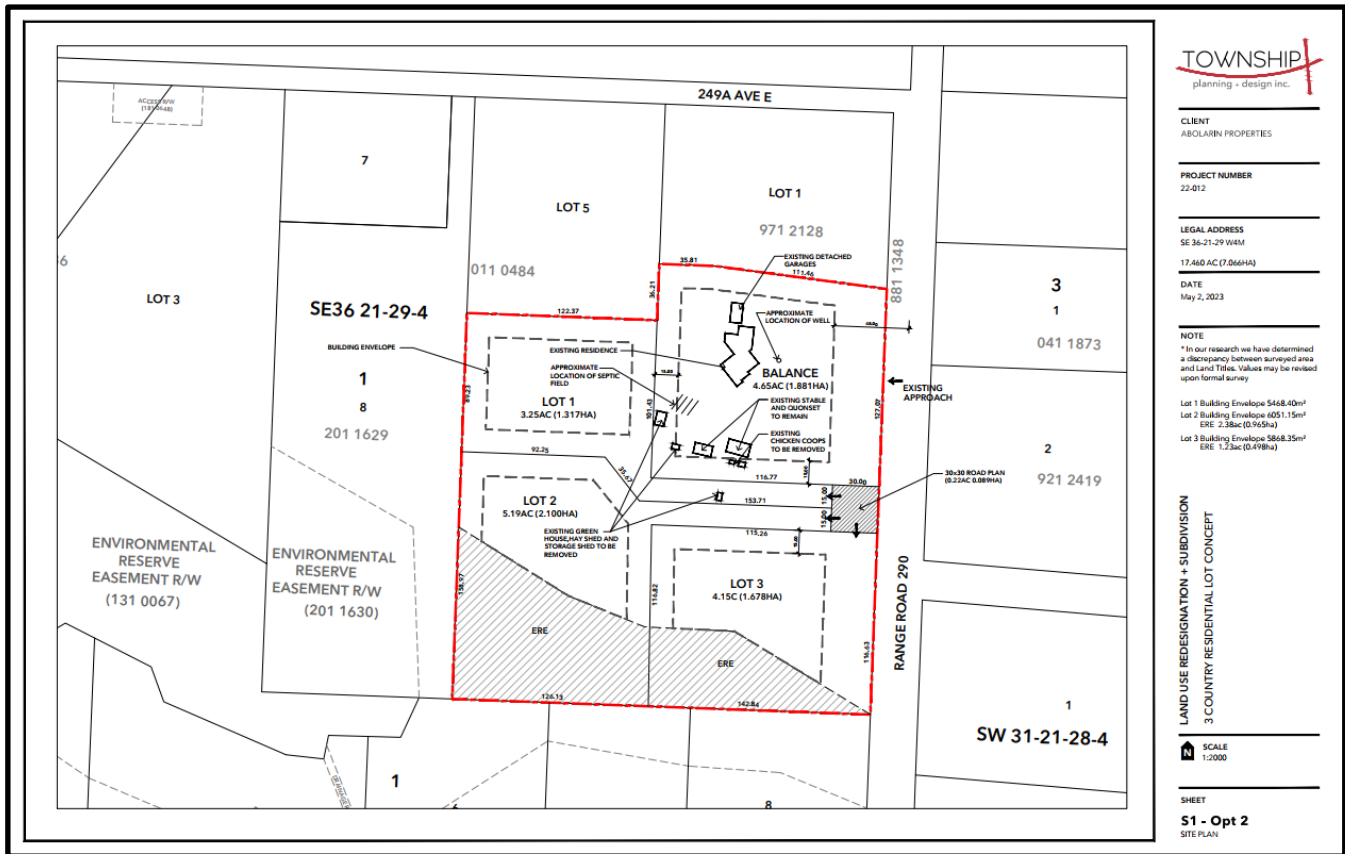


**Subject Parcel**

Legend		
Hard Surface (Chip/oil)	CR- Country Residential	MR- Municipal Reserve
Gravel	CRA- Country Residential Sub A	MLR- Municipal Land/Reserve District
Developer Pavement	DC - Direct Control	
Pavement	BP- Bussiness Park	
Flood Hazard Protection District	RB- Rural Business	
In Transition	INR- Natural Resource Extraction	
A- Agricultural	EP- Environmental Protection	
AA- Agricultural Sub A	ER- Environmental Reserve	



# APPENDIX A: ORIGINAL SITE PLAN



**TOWNSHIP**  
planning + design inc.

CLIENT  
ABOLARN PROPERTIES

PROJECT NUMBER  
22-012

LEGAL ADDRESS  
SE 36-21-29 W4M  
17.460 AC (7.066HA)

DATE  
May 2, 2023

**NOTE**

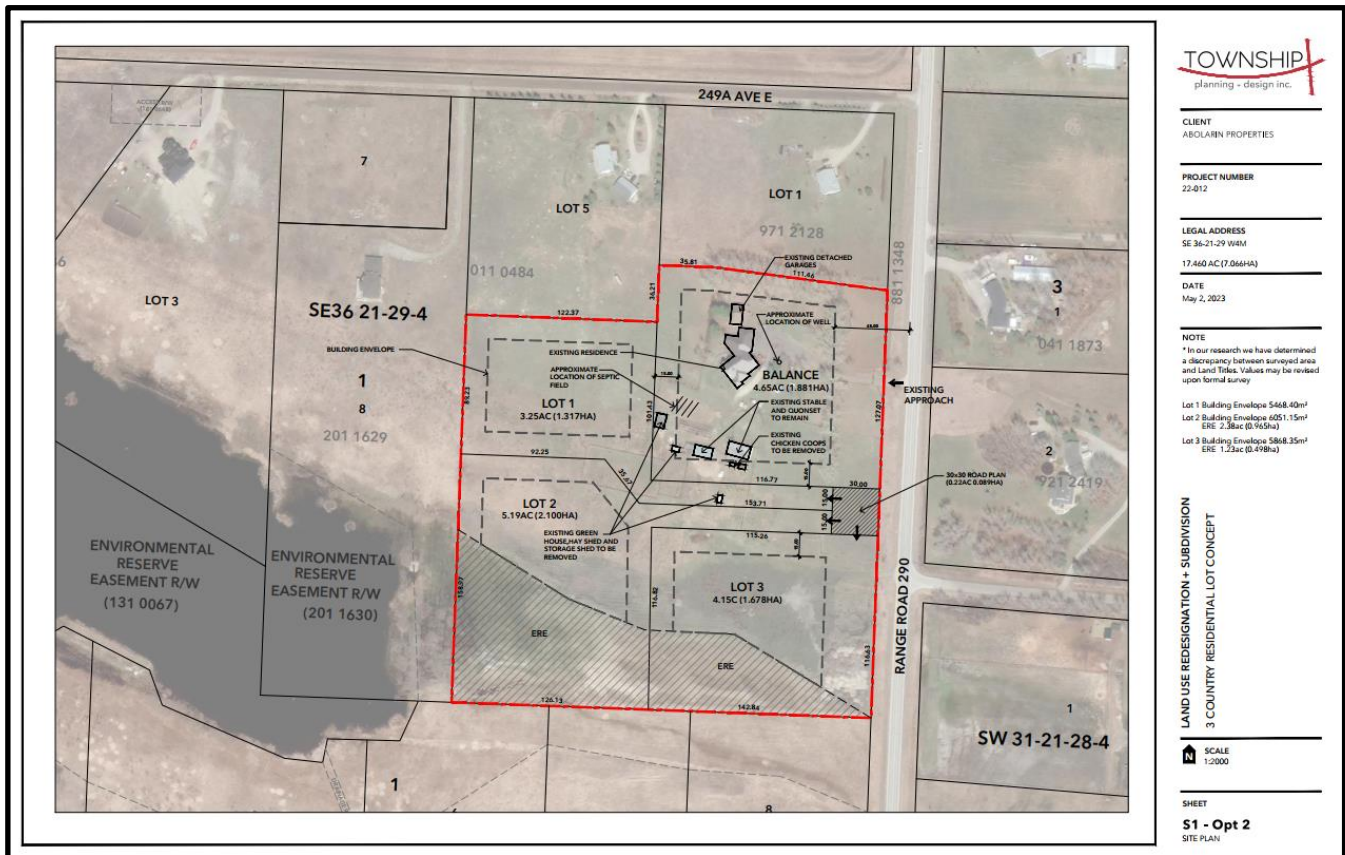
\* In our research we have determined a discrepancy between surveyed area and Land Titles. Values may be revised upon formal survey.

Lot 1 Building Envelope 5468.40m<sup>2</sup>  
Lot 2 Building Envelope 6051.15m<sup>2</sup>  
ERE 2.58ac (0.965ha)  
Lot 3 Building Envelope 5868.35m<sup>2</sup>  
ERE 1.23ac (0.498ha)

LAND USE REDESIGNATION + SUBDIVISION  
3 COUNTRY RESIDENTIAL LOT CONCEPT

SCALE  
1:2000

SHEET  
**S1 - Opt 2**  
SITE PLAN



**TOWNSHIP**  
planning + design inc.

CLIENT  
ABOLARN PROPERTIES

PROJECT NUMBER  
22-012

LEGAL ADDRESS  
SE 36-21-29 W4M  
17.460 AC (7.066HA)

DATE  
May 2, 2023

**NOTE**

\* In our research we have determined a discrepancy between surveyed area and Land Titles. Values may be revised upon formal survey.

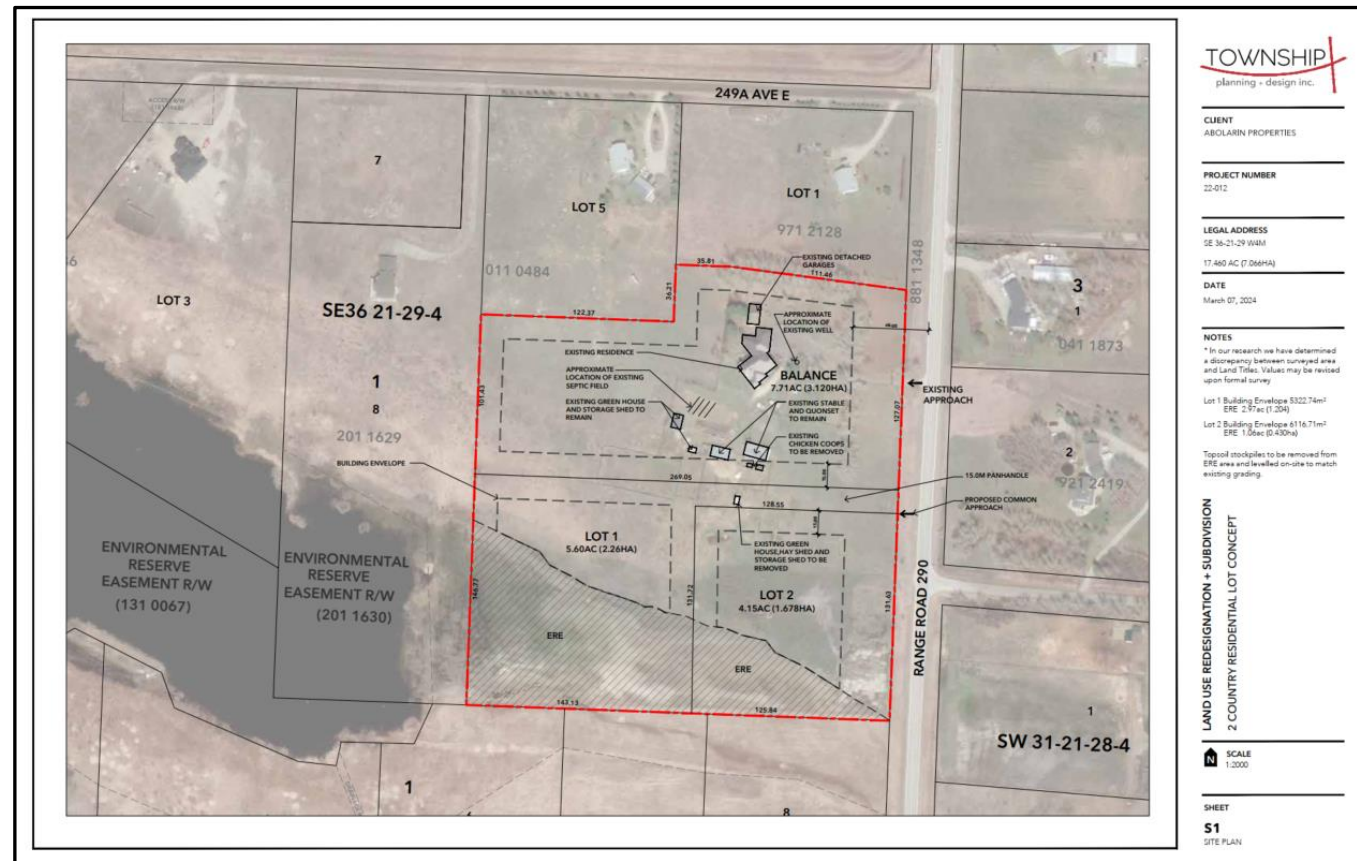
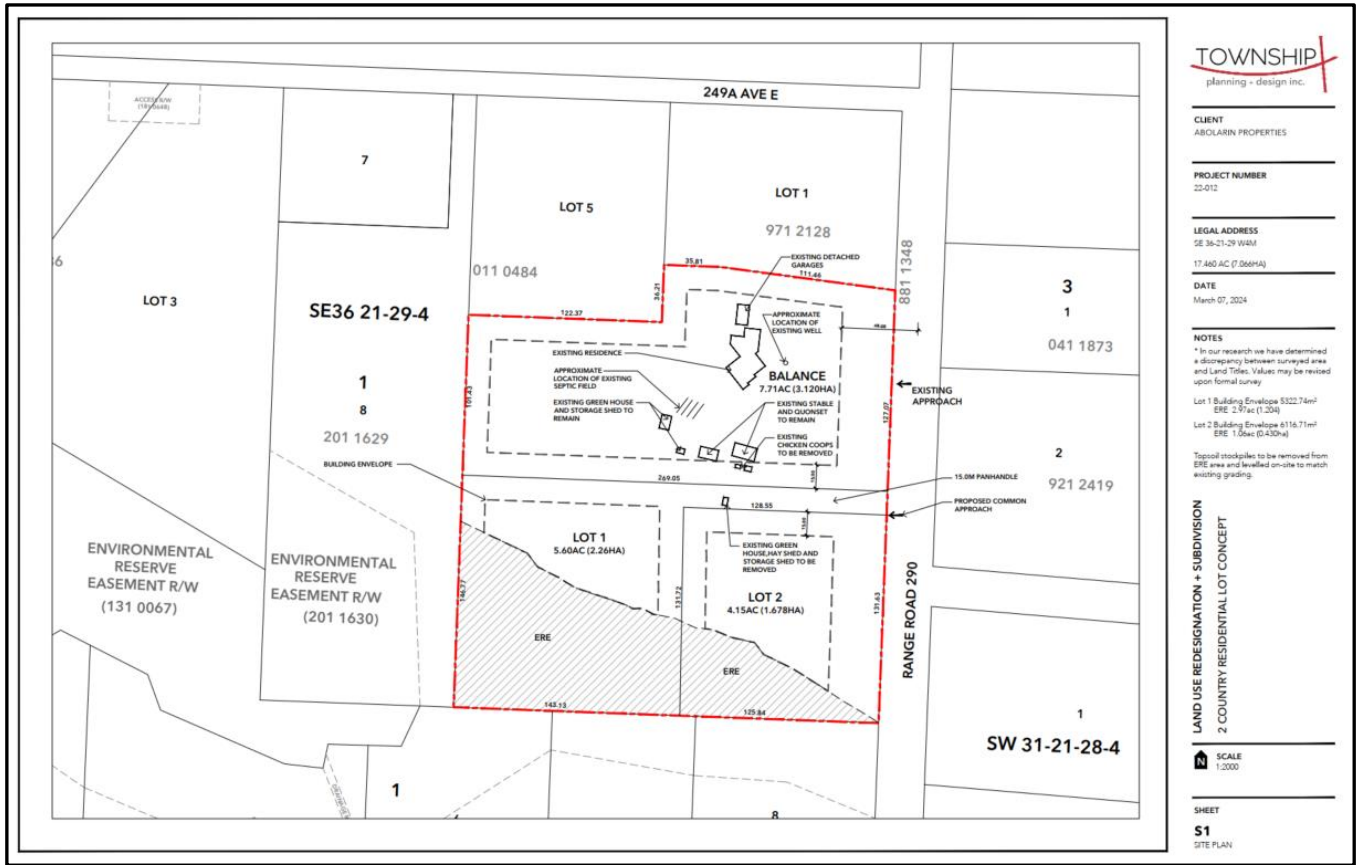
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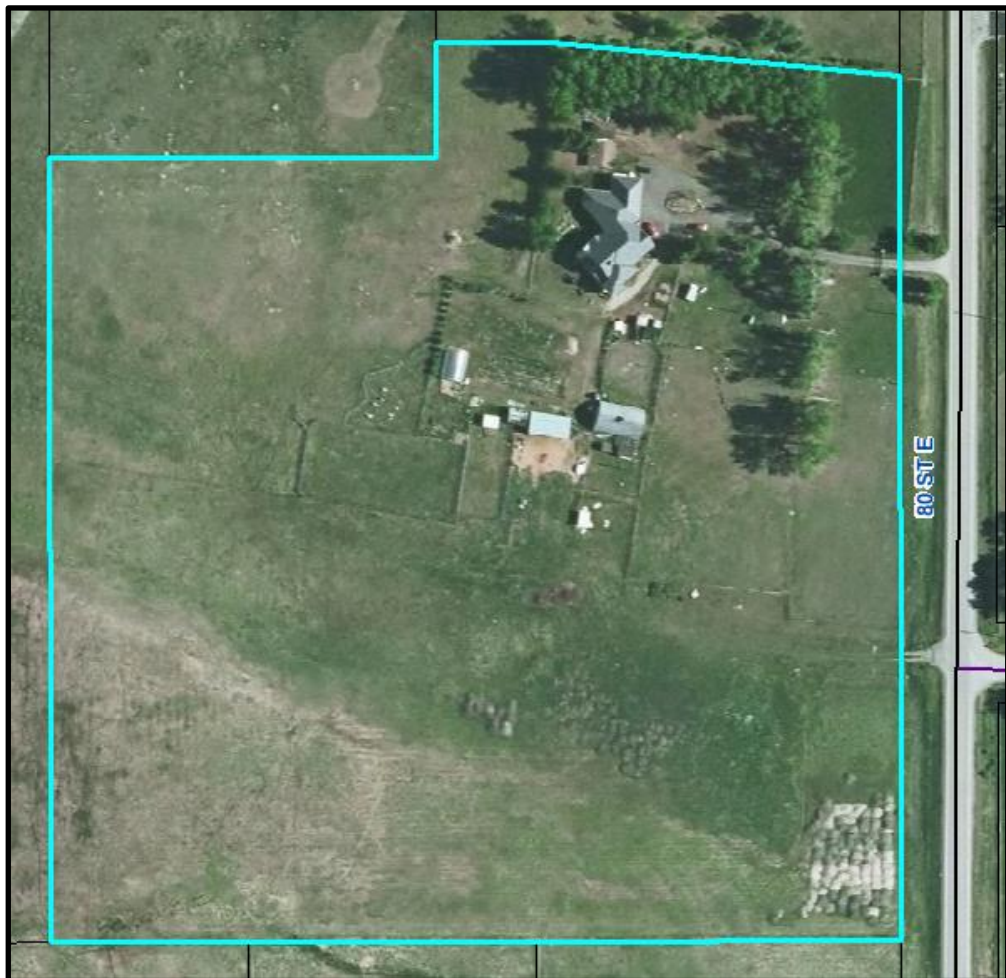
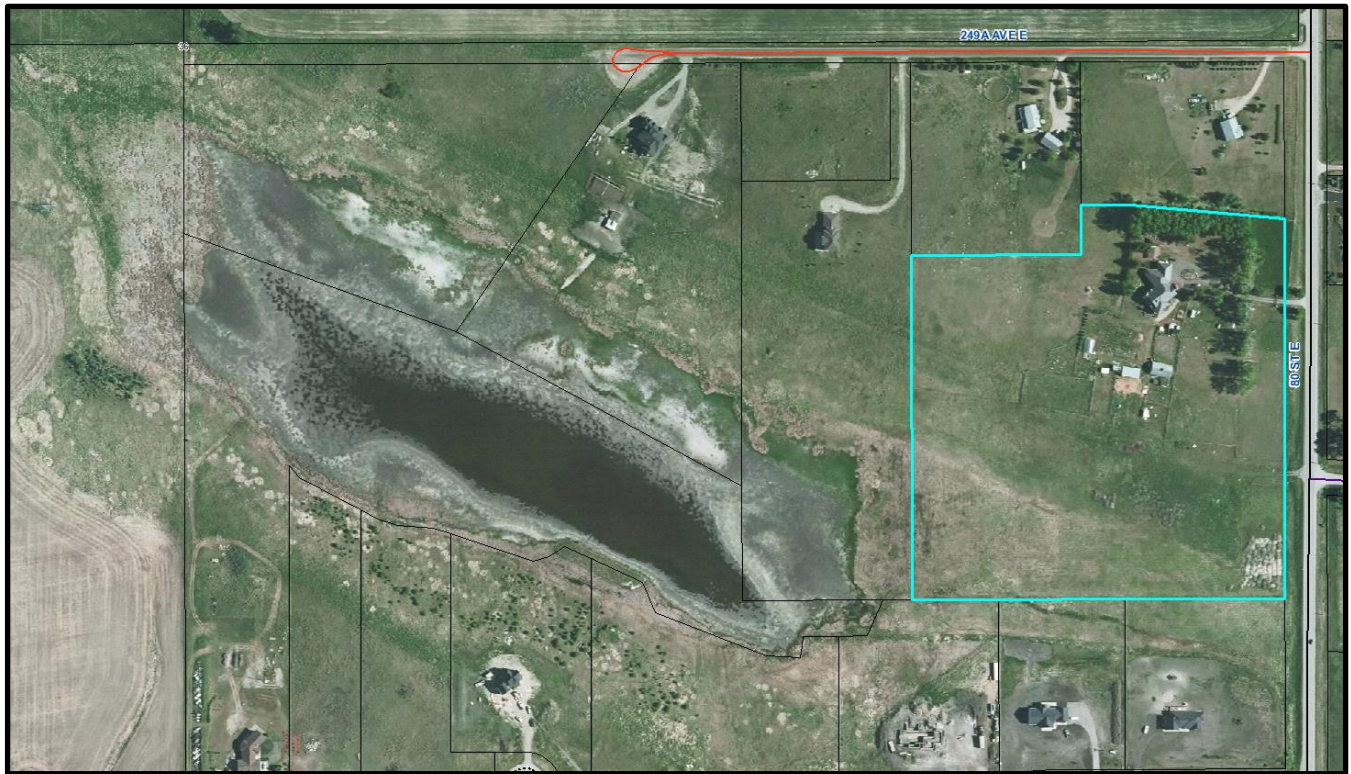
SCALE  
1:2000

SHEET  
**S1 - Opt 2**  
SITE PLAN

# APPENDIX A: REVISED SITE PLAN



APPENDIX A: ORTHO PHOTO



**BYLAW 27/2023**

**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 18.88 +/- acres from Ptn. SE 36-21-29 W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property.

The new parcels shall be designated as Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as 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 and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

**NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:**

1. Land Use Map No. 2129 is amended by *redesignating the 18.88 +/- acre parcel on Ptn. SE 36-21-29 W4M as Country Residential District.*  
*SE 36-21-29 W4M within which shall allow for the future subdivision of two new Country Residential Sub-District “A” parcels.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: May 10, 2023

\_\_\_\_\_  
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\_\_\_\_\_.

**SUBDIVISION APPROVING AUTHORITY ITEM  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 SUBDIVISION APPROVAL  
 May 15<sup>th</sup>, 2024**

<b>REQUEST FOR SUBDIVISION APPROVAL</b>		
<b>APPLICATION INFORMATION</b>	<b>FILE NO. F2129-36SE</b>	
	<b>LEGAL DESCRIPTION:</b> PTN: SE 36-21-29-W4M	
	<b>LANDOWNERS:</b> Olajumoke and Mofoluwaso Abolarin	
	<b>AGENT:</b> Township Planning and Design Inc. / Kristi Beunder	
	<b>AREA OF SUBJECT LANDS:</b> 18.88 acres	
	<b>CURRENT LAND USE:</b> Agricultural District	
<b>PROPOSED LAND USE:</b> Country Residential District with ERE.		
<b>PROPOSAL:</b> Subdivision of two 4.15 and 5.60 +/- acre Country Residential Sub-District "A" lots with an approximate 7.71 +/- Country Residential District balance parcel with Environmental Reserve Easement dedication.		
<b>DIVISION NO:</b> 6	<b>COUNCILLOR:</b> Don Waldorf	<b>FILE MANAGER:</b> Theresa Chipchase

**PURPOSE OF REQUEST**

Requesting approval from the Subdivision Approving Authority for the application which proposes the subdivision of two 4.15 and 5.60 +/- acre Country Residential Sub-District "A" lots with an approximate 7.71 +/- Country Residential District balance parcel with Environmental Reserve Easement dedication.

**PREVIOUS COUNCIL DIRECTION**

**May 10<sup>th</sup>, 2023, Bylaw 27/2023** – application approved by Council granting first reading to Bylaw 27/2023, under the following motion:

*“Council gave first reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.*

*The new parcels shall be designated as Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*


**May 15<sup>th</sup>, 2024, Bylaw 27/2023** - Council gave third and final reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

The new parcels shall be designated as Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	<p>Public Works is requesting the following for both proposed Country Residential Sub-District "A" lots, as conditions of <b>subdivision</b>:</p> <ol style="list-style-type: none"> <li>1. Septic Disposal Evaluation (PSTS) Testing;</li> <li>2. Building Envelopes;</li> <li>3. Comprehensive Site Drainage Plan;</li> <li>4. Lot Grading Plans;</li> <li>5. High Water Table Testing.</li> </ol> <p>Additional recommendations as provided by Public Works to be applied to a <b>subdivision</b> approval:</p> <ul style="list-style-type: none"> <li>• The proposed common approach location on the revised site plan is acceptable and favorable over 2 separate approaches within a short distance from an intersection. The current field approach, across from the intersection to Lot 2 will have to be permanently closed off.</li> </ul> <p><b>NOTE:</b> The ESA provided to the County has been reviewed by the Public Works department and has been reviewed and accepted by Alberta Environment and Protected Areas.</p> <p>With regards to the stockpiles on the site public works also accepts the landowner's statement within their attached cover letter that the stockpiles will be removed from the lands to be designated as ERE and will be levelled on site (outside of the ERE) to match the existing grading. (Please see the landowners agents cover letter attached to this staff report as part of Appendix A)</p>
GIS/Mapping	No concerns with application.



# CIRCULATION REFERRALS

<b>EXTERNAL</b>	
<p>Alberta Environment and Protected Areas</p>	<p>As far as the soil assessment goes, this does not appear to be an activity regulated by EPA if it is not a hazardous material. Thus, the usage or disposal of the material is up to the landowner and/or county but must remain outside of the waterbody.</p> <p>Regards,</p> <p><b>Luis Fossi</b>, M.Sc., P. Ag.          Environmental Protection Officer, Wetlands Specialist          Calgary, Regulatory Assurance Division South          Alberta Environment and Protected Areas          Government of Alberta</p> <p>2nd Floor, Deerfoot Square          2938 11 Street NE          Calgary, AB T2E 7L7</p> <p>Office 403 297 3837          Cell 403 899 3168  <a href="mailto:Luis.Fossi@gov.ab.ca">Luis.Fossi@gov.ab.ca</a>          Environmental Emergencies 1 800 222 6514</p> 
<p>TELUS</p>	<p>Telus Communications Inc. will require a utility right of way in order to provide service to the proposed Lot 1. Please have TELUS' requirements added as a condition of approval and have the applicant contact <a href="mailto:rightofwayAB@telus.com">rightofwayAB@telus.com</a> to initiate a TELUS Utility Right of Way agreement.</p>
<p>ATCOGas</p>	<p>ATCO Gas has no objection. ATCO Gas' existing and future lines are protected by an existing Utility Right of Way</p>
<p>ATCO Transmission</p>	<p>ATCO Transmission high pressure pipelines has no objections</p>
<b>PUBLIC</b>	
<p>Landowners (Adjacent)</p>	<p>No letters received prior to the filing of this staff report.</p>

## REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

The Subdivision Approving Authority may choose to approve the two 4.15 and 5.60 +/- acre Country Residential Sub-District "A" lots with an approximate 4.65 +/- Country Residential District balance parcel with Environmental Reserve Easement dedication over portions of the two new lots.

The Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 of the Matters Related to Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

- The application is consistent with Section 9 of the Matters Related to Subdivision and

Development Regulation and;

- The subject lands have the appropriate land use designations.

In consideration of the criteria noted in Residential Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
2. Environmental Reserve Easement agreement to be fully executed and registered by Right of Way Plan, concurrently with the Plan of Survey, to the satisfaction of the County;
3. It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s), septic tank and field and water well(s) within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
4. Completion of all pre-release conditions as noted in the executed Municipal Development Agreement to the satisfaction of the County and where applicable the appropriate external agencies. These conditions include:
  - a. Payment of the \$11,300 per new lot Community Sustainability Fee;
  - b. Submission of all necessary engineering review fees;
  - c. All utility right of way agreements, easements, licenses and installation.
5. Septic Disposal Evaluation, to be provided for the 4.15 +/- ac and 5.60 +/- acre Country Residential Sub-District "A" lots, in accordance with Part 2 Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department;
6. Site plan to be provided, which identifies building envelopes for the 4.15 +/- ac and 5.60 +/- acre Country Residential Sub-District "A" lots, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010, to be provided to the satisfaction of the Public Works department;
7. Lot Grading Plans, to be provided for the 4.15 +/- acre and 5.60 +/- acre Country Residential Sub-District "A" lots, to the satisfaction of the Public Works department;
8. Comprehensive Site Drainage Plan, to be provided for the subject parcel, to the satisfaction of the Public Works department;
9. Geotechnical Report, completed in accordance with Municipal standards, to be provided for high water table testing, for foundation design, for the 4.15 +/- acre and the 5.60 +/- acre Country Residential Sub-District "A" lots, to the satisfaction of the Public Works department;
10. Reserves: to be provided by cash in lieu of land based on \$31,307.00 per acre on account of 10% of the 18.88 acre parent parcel, subtracting the proposed Environmental Reserve Easement, as per Subsections 666(1), 666(2) and 666(3) of the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy (adopted April 18/96);
11. All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;

12. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and
13. Submission of subdivision endorsement fees.

## **APPENDICES**

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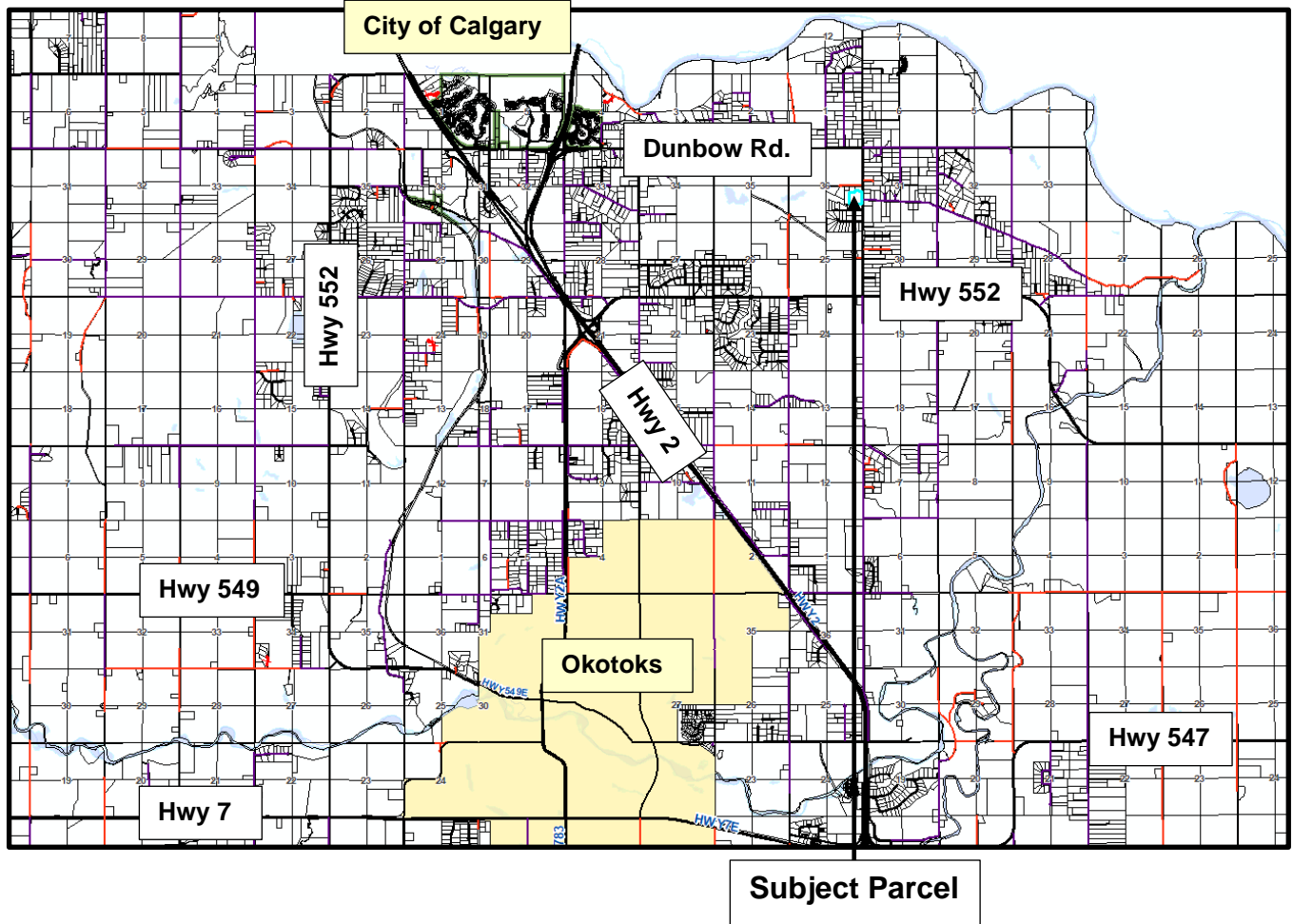
### **APPENDIX A - MAP SET:**

LOCATION MAP  
LAND USE MAP  
LOT SIZES MAP  
SITE PLAN  
ORTHO PHOTO  
LANDOWNERS AGENT'S LETTER

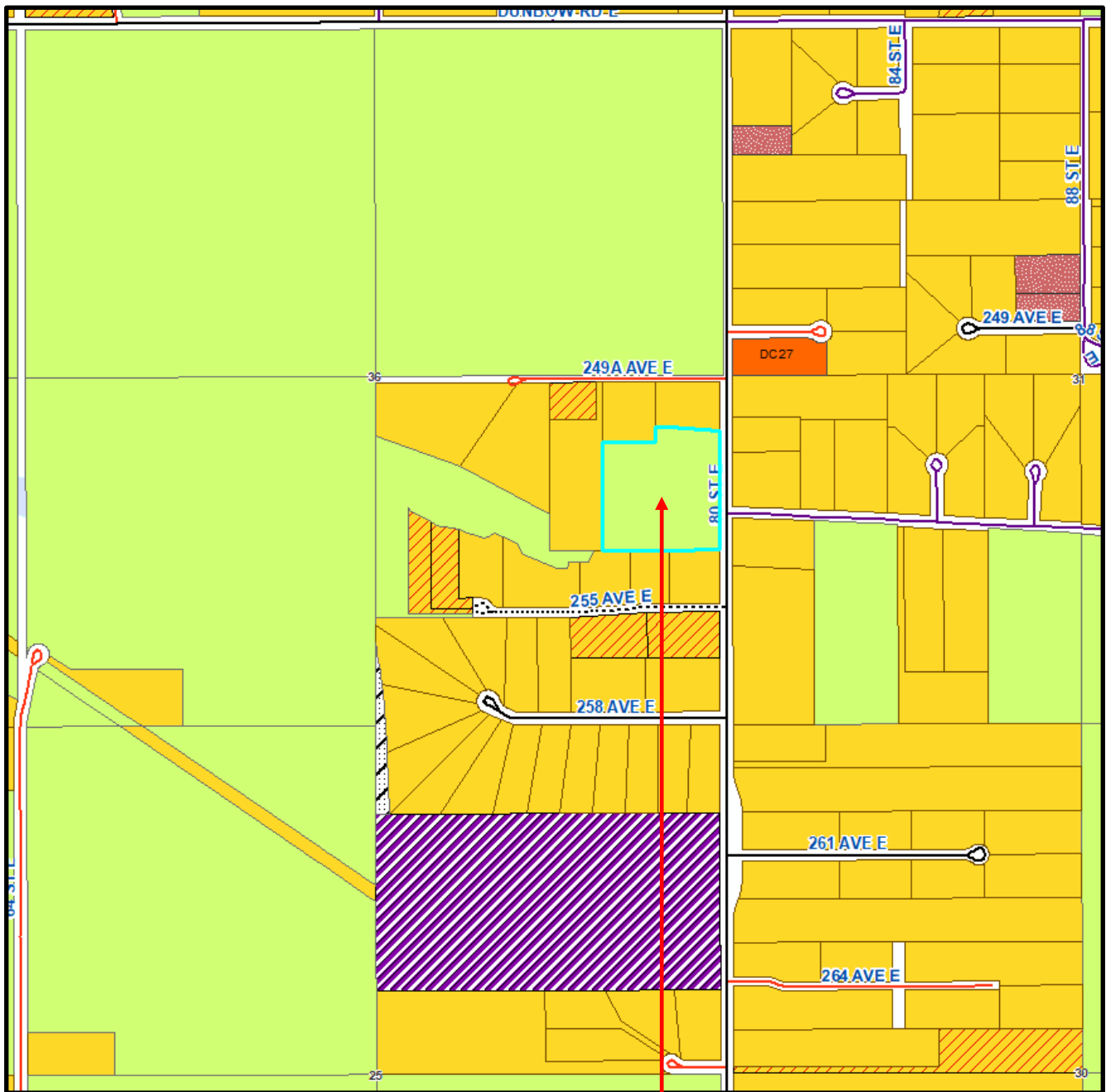
### **APPENDIX B:**

ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION

**APPENDIX A: LOCATION MAP**



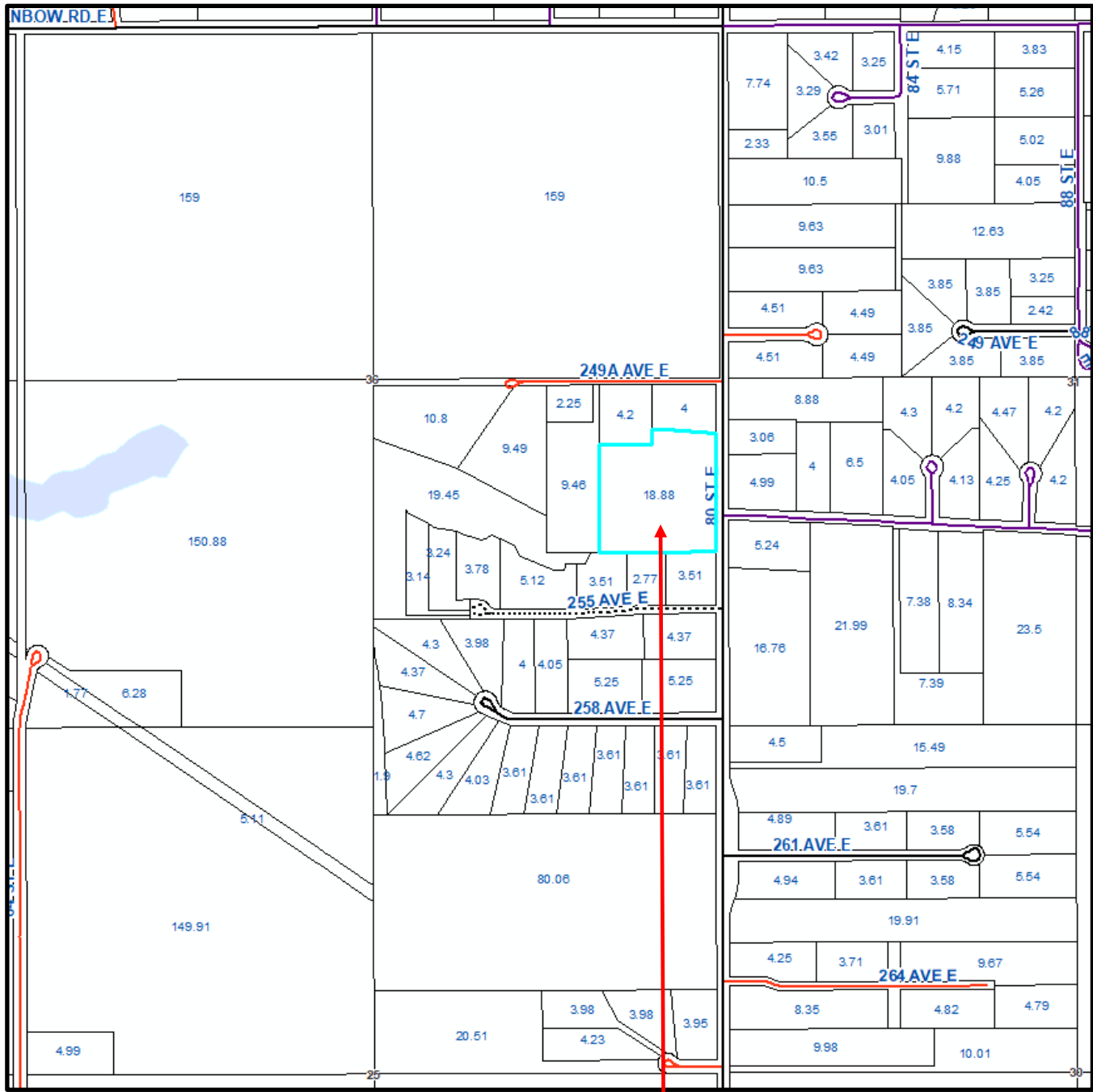
# APPENDIX A: LAND USE MAP



**Subject Parcel**

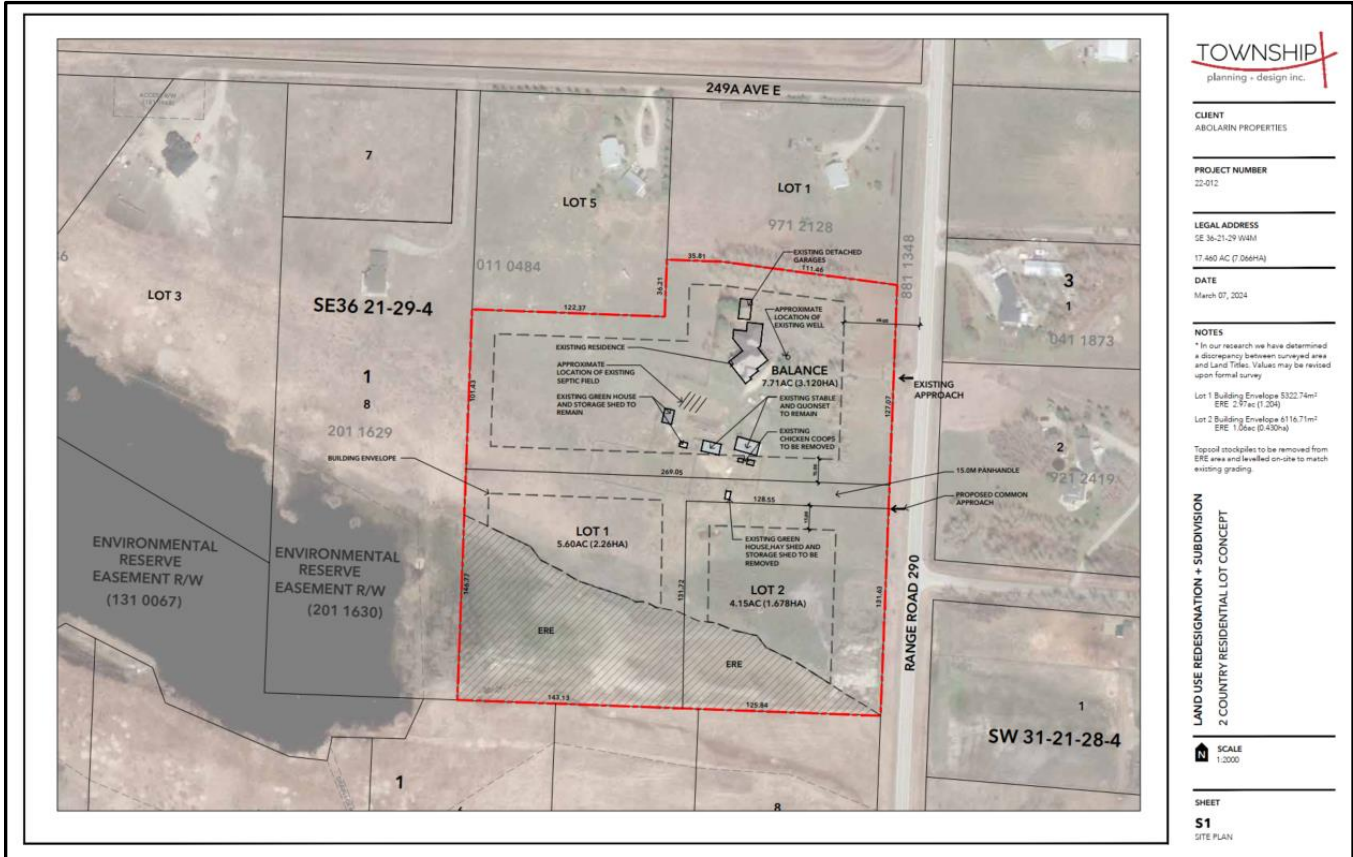
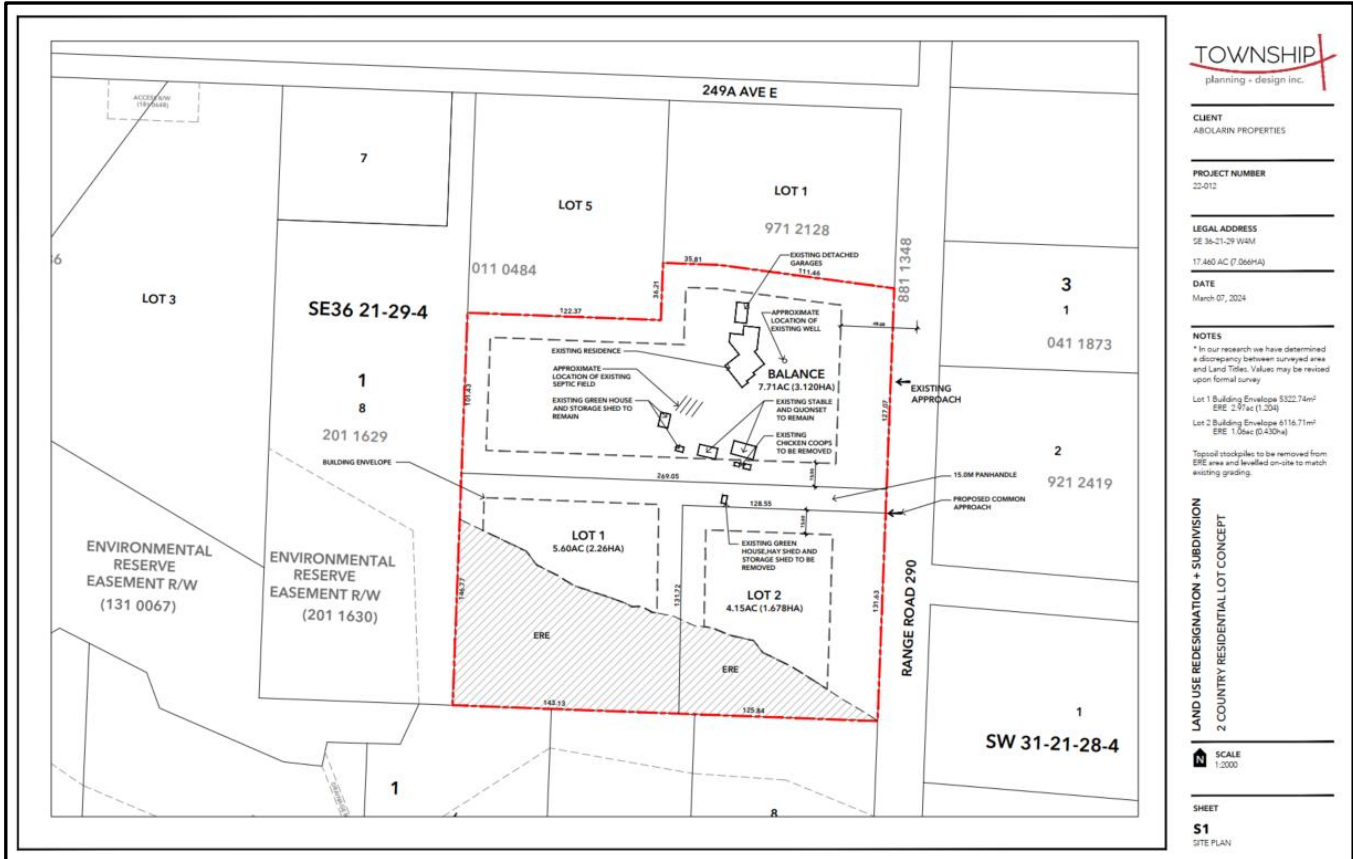
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Pavement	BP- Bussiness Park	
Flood Hazard Protection District	RB- Rural Business	
In Transition	INR- Natural Resource Extraction	
A- Agricultural	EP- Environmental Protection	
AA- Agricultural Sub A	ER- Environmental Reserve	

**APPENDIX A: LOT SIZES MAP**

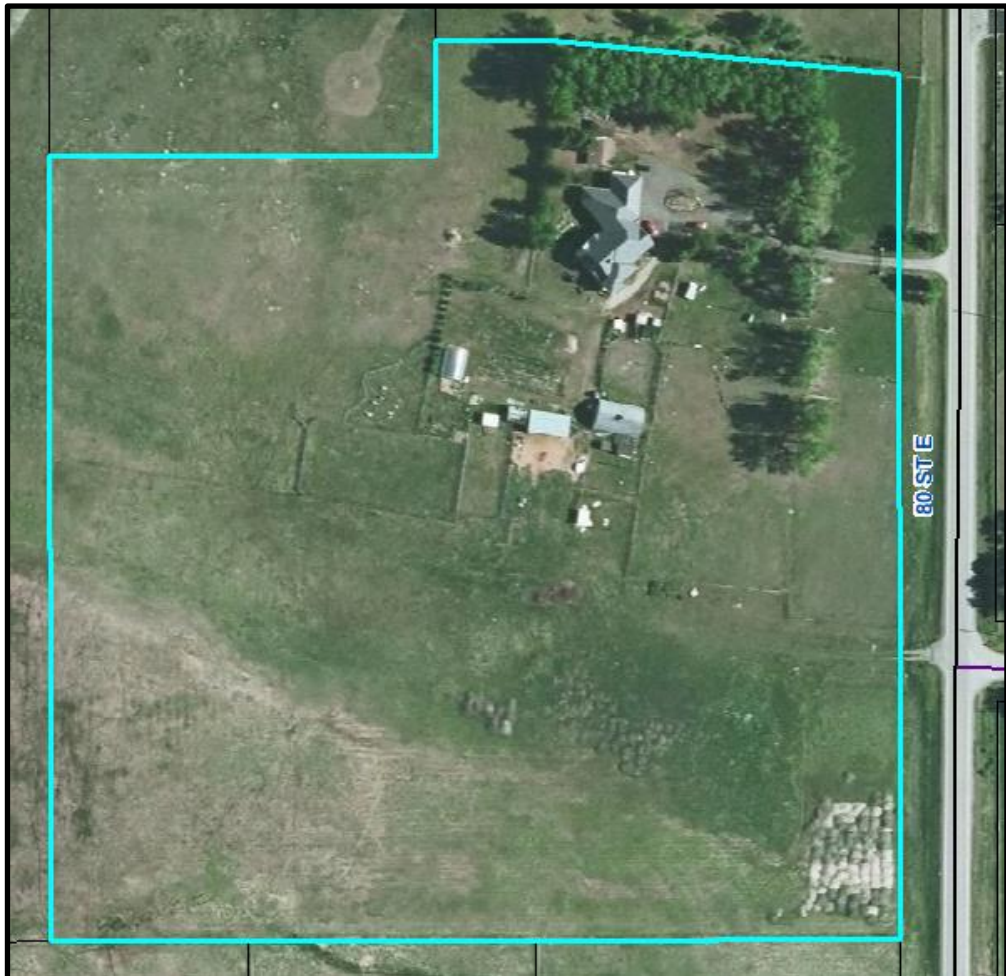
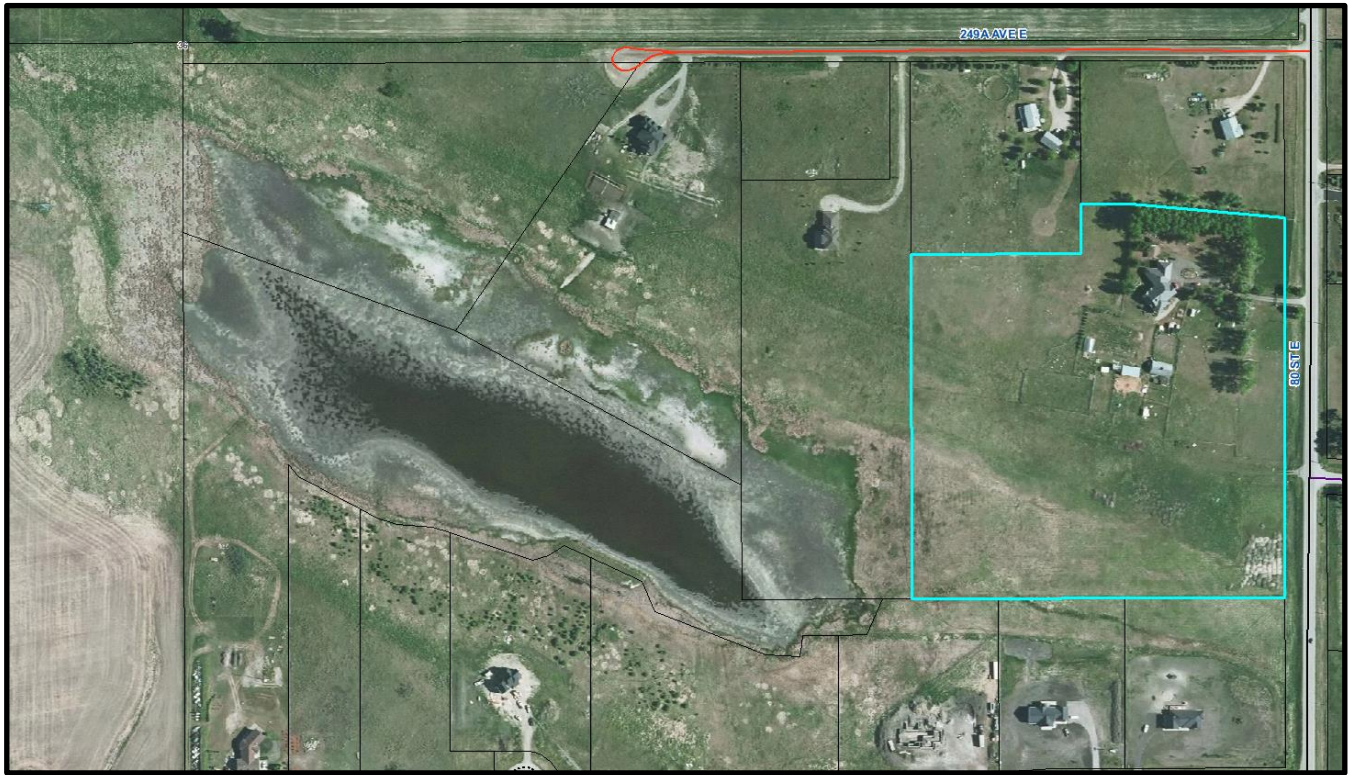


**Subject Parcel**

# APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO







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

Foothills County  
Box 5605  
High River, AB  
T1V 1M7

March 6<sup>th</sup>, 2024

ATTN: Samantha Payne, Planning Coordinator

RE: Application for Subdivision to allow for the creation of two (2) new Country Residential Lots ( $\pm 5.60$ ,  $\pm 4.15$ ac) within SE 36-21-29 W4M ( $\pm 17.460$  ac) in Foothills County.

Landowners: Mofoluwaso & Olajumoke Abolarin

Dear Mrs. Payne,

Please find enclosed the following in support of the above-mentioned Land Use Application:

- The formal application for subdivision to allow for the creation of two (2) CR- Country Residential parcels ( $\pm 5.60$ ,  $\pm 4.15$  ac);
- The Letter of Authorization allowing Township Planning + Design Inc. to Act as agent for the landowner(s);
- Credit Card Authorization Form for the applicable fee of \$900.00 per lot (\$1,800.00) + \$100.00 filing fee + \$2,000.00 appeal fee, totaling \$3,900.00;
- A copy of the Abandoned Well Map and Statement;
- A copy of the current Certificate of Title; and
- A copy of the site plan with and without air photo.

To assist Planning and Development with the evaluation of this application we offer the following additional information;

Foothills County Council granted first reading for the Land Use Redesignation at the, May 10, 2023 Council Meeting. The first reading of Bylaw 27/2023 decision supports the redesignation of an +/- 17.46 acre portion of the subject parcel on SE 36-21-29 W4M from Agricultural District to Country Residential District to allow for the future subdivision of two (2) Country Residential District lots ( $\pm 5.60$ ,  $\pm 4.15$  ac), with a  $\pm 7.71$  acre Country Residential District Balance and Environmental Reserve Easement registered over a portion of the two new lots.

In addition, to satisfy the County's Public Works and Compliance departments, and based on the response received from AEPA, the topsoil stockpiles that are currently on site will be removed from the ERE area and levelled on-site to match the existing grading. This will occur outside of the designated wetland area so as not to affect the drainage course within the ERE. This has been annotated in the attached site plan.

Should you have any further questions, please do not hesitate to contact the undersigned.

Sincerely,  
Township Planning + Design Inc.

A handwritten signature in black ink, consisting of a series of overlapping, slightly curved strokes that form a cursive-style name.

Kristi Beunder, B.A., M.E.Des.  
RPP MCIP  
Senior Planner / Principal  
Urban + Regional Planning

Cc: *Mofoluwaso & Ojalumoke - Landowners*

**APPENDIX B:  
ASSESSMENT SPREADSHEET – PUBLIC RESERVE AMOUNT FOR SUBDIVISION**

**INTEROFFICE MEMORANDUM**

DATE: April 4, 2024

TO: Planning Department

FROM: Julie Sills

**Public Reserve Amount For Subdivision**


File No: F2129-36SE  
 Legal: SE 36-21-29; LSD 8  
 Subject: Abolarin, Olajumoke & Mofoluw  
 Parcel Size: 18.88 acres  
 Mkt Zone: 4  
 Trees: Lots of Mature Trees  
 Views: Full Mountain View  
 River/Creek:

**CONCLUSION**

Based on the following sales, the fair market value for a 18.88 acre parcel in this area is : **\$31,307** per acre.

Sale	Mz	Qr	Sec	Twp	Rge	M	Sale Date	Acres	Sale Price	Time Adj	Time Adj Sale Price	Loc Adj	Size Adj	Trees Adj	View Adj	River/Creek Adj	Final Adjusted Sale Price	Indicated Price Per Acre For 18.88 Acs
1	3	NW	02	22	29	4	Aug-23	6.05	\$523,950	1.00	\$523,950	0.75	1.30	10000	49241		\$570,092	\$30,196
2	4	NW	15	21	29	4	Jun-22	7.79	\$410,000	1.09	\$446,900	1.05	1.23	60000	9129		\$646,300	\$34,232
3	5	N	10	21	29	4	May-22	6.55	\$358,000	1.09	\$390,220	0.97	1.28	60000	49241		\$593,738	\$31,448
4	3	SW	33	21	29	4	May-23	11.10	\$750,000	1.01	\$757,500	0.63	1.14	60000	-15642		\$588,395	\$31,165
5	3	SW	02	22	29	4	Jul-22	14.21	\$635,000	1.07	\$679,450	0.59	1.08	60000	49241		\$542,187	\$28,718
6	4	SW	31	21	28	4	Jul-22	7.39	\$348,500	1.07	\$372,895	1.05	1.24	60000	49241		\$594,750	\$31,502

**SUBDIVISION APPROVING AUTHORITY ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
TIME EXTENSION REQUEST  
May 15, 2024**

<b>REQUEST FROM APPLICANT FOR TIME EXTENSION</b>		
<b>APPLICATION INFORMATION</b>	<b>FILE NO. F2129-29SE</b>	
	<b>LEGAL DESCRIPTION:</b> Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M	
	<b>LANDOWNER:</b> Madhur and Katrina Anand Walia	
	<b>AREA OF SUBJECT LANDS:</b> 11.98 acres	
	<b>CURRENT LAND USE:</b> Country Residential District	
	<b>PROPOSED LAND USES:</b> Country Residential Sub-District "A"	
<b>PROPOSAL:</b> Second time extension request for completion of the conditions of the subdivision approval for one 2.0 +/- acre Country Residential Sub-District "A" lot from Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel.		
<b>DIVISION NO: 6</b>	<b>COUNCILLOR:</b> Don Waldorf	<b>FILE MANAGER:</b> Theresa Chipchase

**PURPOSE OF REQUEST**

Request to the Subdivision Approving Authority for consideration of a second one-year time extension to the subdivision which approved one 2.0 +/- acre Country Residential Sub-District "A" lot with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel. The first, time extension approved by Council will expire on May 18<sup>th</sup>, 2024. The second extension if granted would allow the applicant until May 18<sup>th</sup>, 2025, to complete their subdivision conditions.

**BACKGROUND**

**May 18<sup>th</sup>, 2022** – Subdivision was conditionally approved by the Subdivision Approving Authority under the following motion:

*“Council moved that the subdivision of one 2.0 +/- acre Country Residential parcel from Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29 W4M with a 9.98 +/- acre Country Residential Sub-District "A" balance parcel has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 and 16 of the Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan and that a variance be granted to Sections 14 and 15 of the Regulation for the following reasons:*

- *The application is consistent with Section 7 of the Subdivision and Development Regulations;*
- *The subject lands have the appropriate land use designations;*

- Pursuant to Section 16 of the Regulation, written approval was received from the Minister of Transportation allowing the Subdivision Authority to grant a variance to Sections 14 and 15 of the Regulation.

*In consideration of the criteria noted in Residential Policy 3 of the MDP2010, the Subdivision Authority is of the opinion that the application is compatible with the surrounding area and will not unduly interfere with neighboring land uses or affect the use, enjoyment, or value of the neighboring properties.*

*Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:*

1. *Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;*
2. *It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s) and water well(s) within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;*
3. *Completion of all pre-release conditions as noted in the executed Municipal Development Agreement to the satisfaction of the County and where applicable the appropriate external agencies. These conditions include:*
  - a. *Payment of the \$11,300 per new lot Community Sustainability Fee;*
  - b. *Submission of all necessary engineering review fees;*
  - c. *All utility right of way agreements, easements, licenses and installation.*
4. *Public Reserve: Reserves to be provided by cash in lieu of land based on \$43,538.00 per acre on account of 10% of the 11.98 acre parent parcel;*
5. *Septic Disposal Evaluation to be provided for the 9.98 +/- acre balance parcel, to the satisfaction of the Public Works Department;*
6. *Comprehensive site drainage plan to be provided for the subject parcel, to the satisfaction of the Public Works department;*
7. *Lot Grading Plans to be provided for the 9.98 +/- acre balance parcel, to the satisfaction of the Public Works department;*
8. *Geotechnical report completed, in accordance with County standards, to be provided for high water table testing, for foundation design for the proposed 9.98 +/- acre balance parcel, to the satisfaction of the Public Works department;*
9. *Site plan to be provided which identifies building envelopes for the 9.98 +/- acre balance parcel, which meets the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department;*
10. *All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works Department;*
11. *Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and*
12. *Submission of subdivision endorsement fees.*

**April 19<sup>th</sup>, 2023** – Council approved the first, time extension under the following motion:

*“MOVED that the Subdivision Approving Authority has no objection to the time extension as requested and the landowner therefore has until May 18, 2024, to complete all conditions of subdivision approval as originally set forth on May 18, 2022.”*

**NOTE:** The applicant has provided the fee required for the second time extension request along with a letter. The time extension letter has been attached as Appendix B, to this staff report.

## **REQUEST OF THE SUBDIVISION APPROVING AUTHORITY**

The Subdivision Approving Authority is respectfully requested to consider a second one-year time extension for the subdivision originally approved on May 18<sup>th</sup>, 2022, for Plan 0614354, Block 1, Lot 2, PTN: SE 29-21-29-W4M. which expired on May 18<sup>th</sup>, 2023, and was first time extended to May 18<sup>th</sup>, 2024. Approval of this request would provide the applicant until May 18<sup>th</sup>, 2025, to complete their outstanding conditions.

## **APPENDICES**

### **APPENDIX A - MAP SET:**

LOCATION MAP

LAND USE AND LOT SIZES MAP

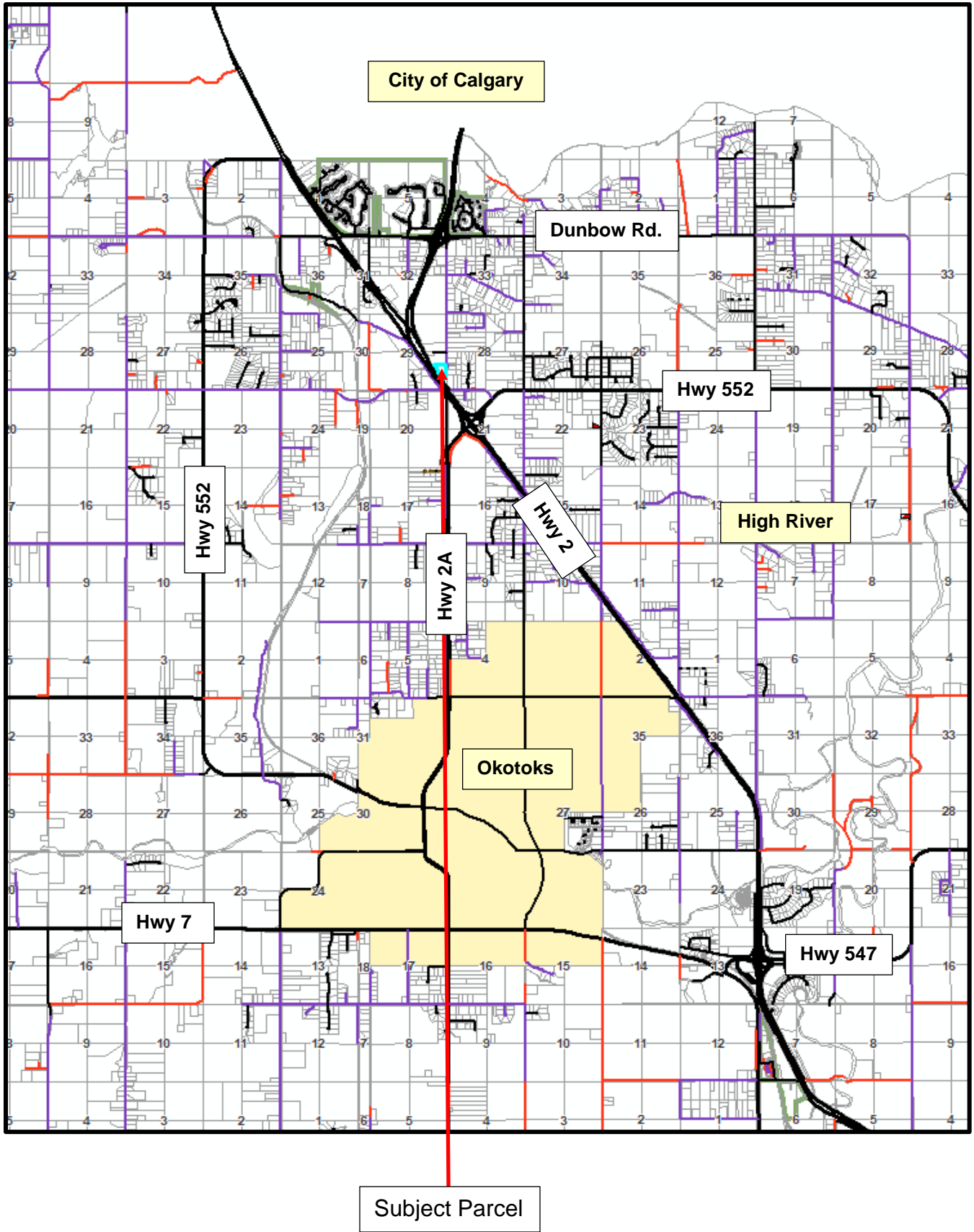
SITE PLAN

ORTHO PHOTO

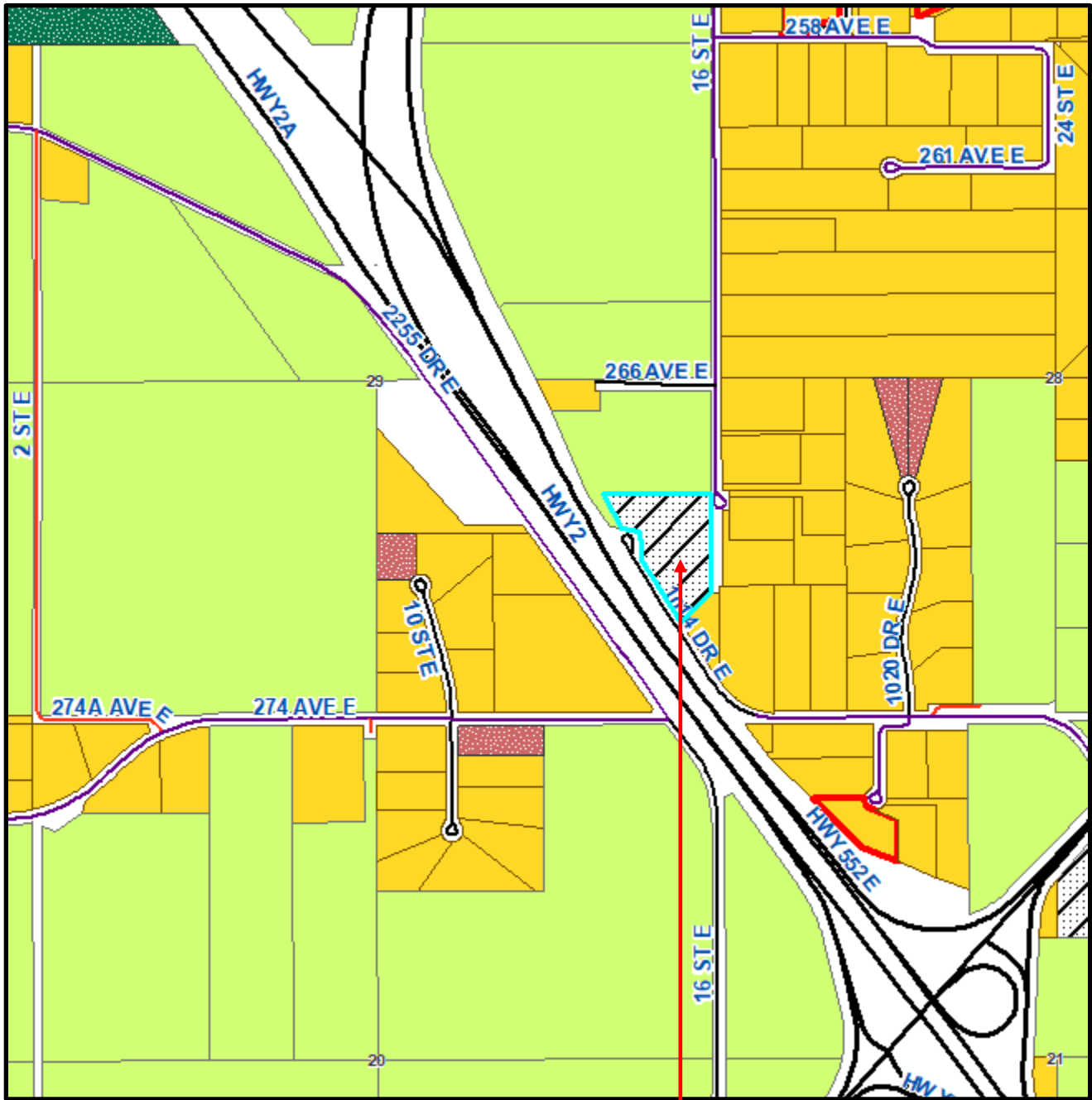
### **APPENDIX B:**

LETTER OF REQUEST FROM APPLICANT

APPENDIX A: LOCATION MAP



**APPENDIX A: LAND USE AND LOT SIZES**



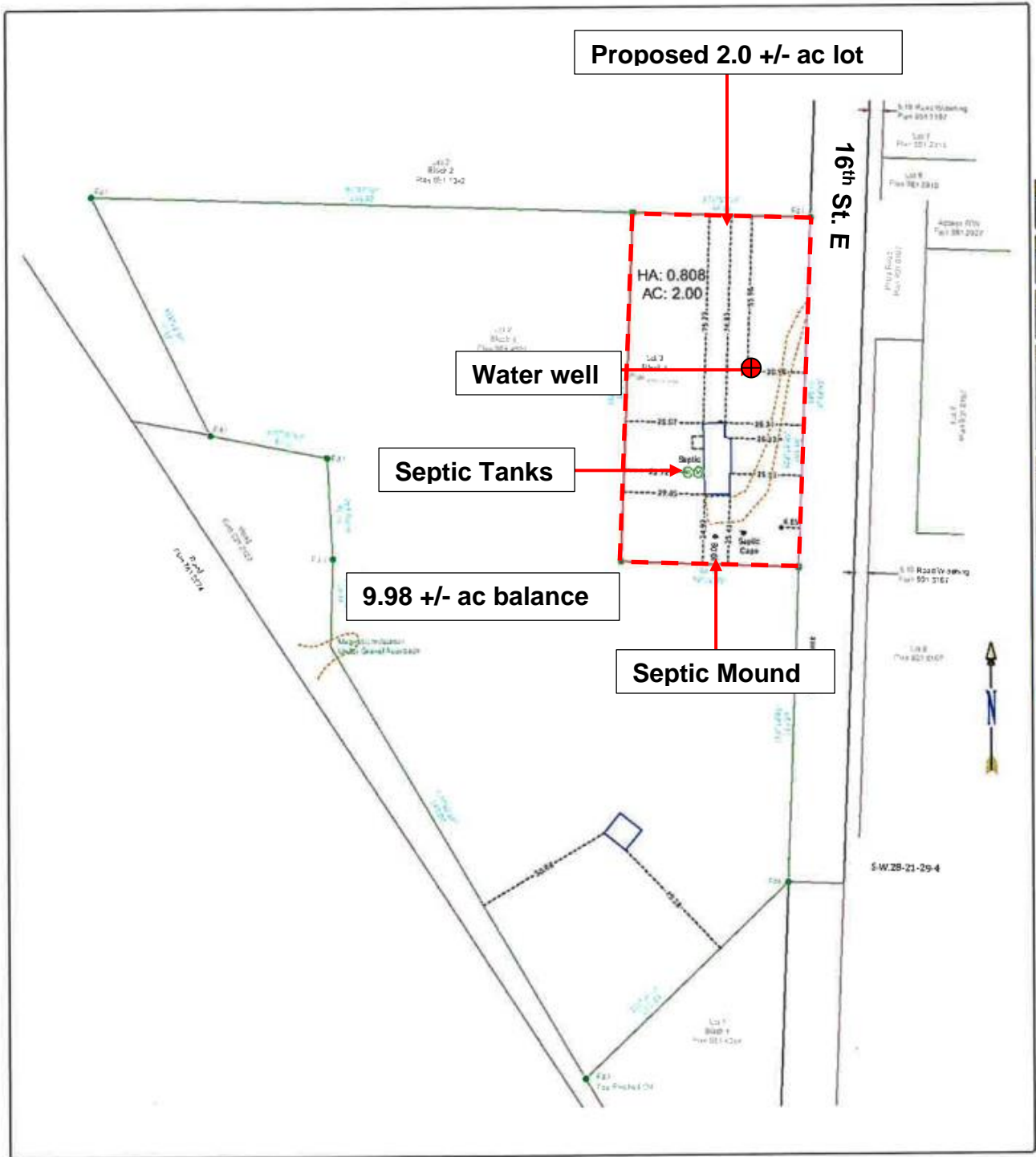
**Subject Parcel**

**Legend**

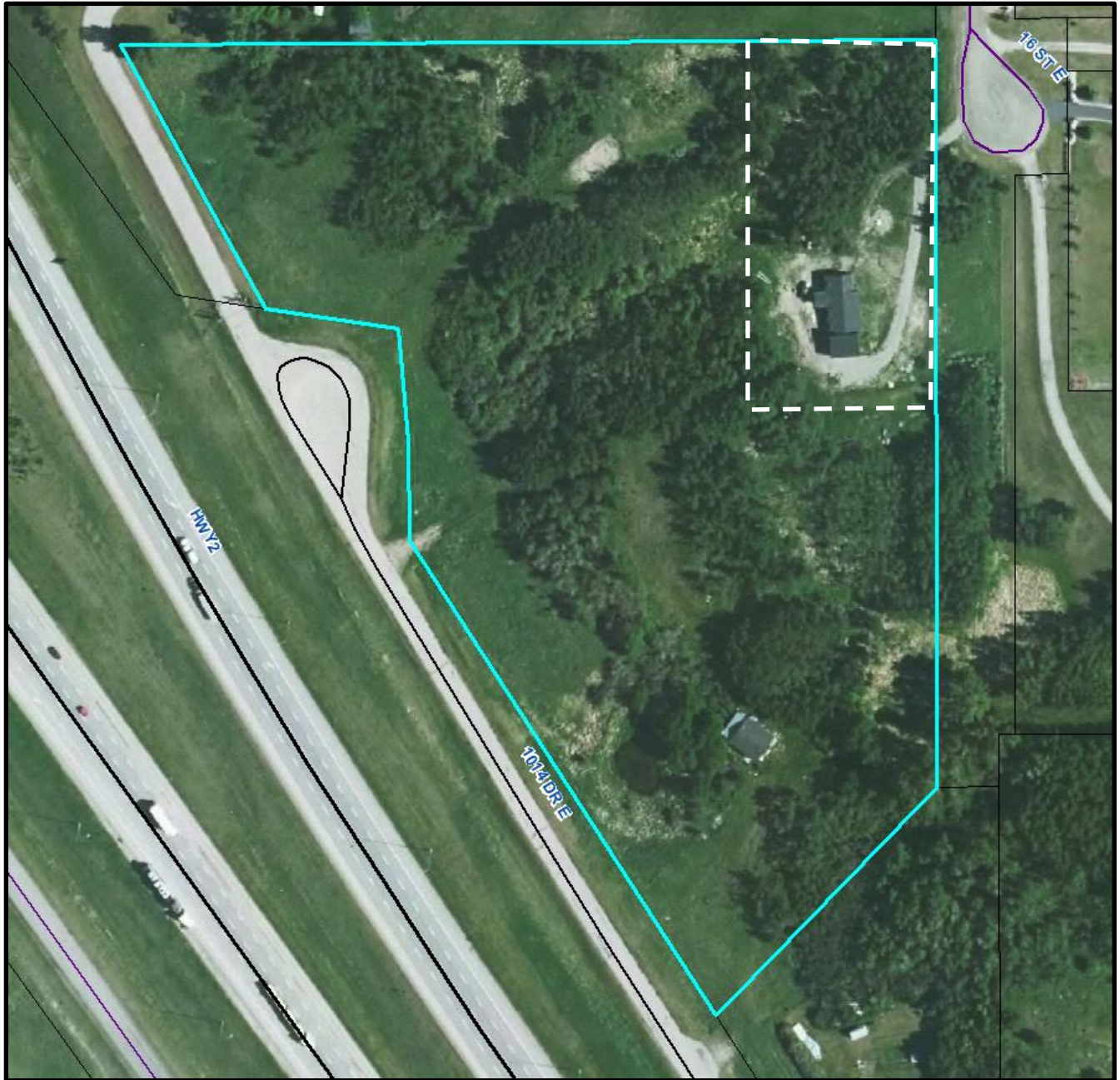
- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li><span style="color: purple;">—</span> Hard Surface (Chip/oil)</li> <li><span style="color: red;">—</span> Gravel</li> <li><span style="border-bottom: 1px dashed black;">   </span> Developer Pavement</li> <li><span style="border-bottom: 2px solid black;">   </span> Pavement</li> <li><span style="background-color: gray; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Flood Hazard Protection District</li> <li><span style="background-color: lightgray; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> In Transition</li> <li><span style="background-color: lightgreen; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> A- Agricultural</li> <li><span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px;"></span> AA- Agricultural Sub A</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CR- Country Residential</li> <li><span style="background-color: orange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> CRA- Country Residential Sub A</li> <li><span style="background-color: lightorange; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> DC - Direct Control</li> <li><span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> BP- Bussiness Park</li> <li><span style="background-color: lightblue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> RB- Rural Business</li> <li><span style="background-color: purple; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> INR- Natural Resource Extraction</li> <li><span style="background-color: green; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> EP- Environmental Protection</li> <li><span style="background-color: blue; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> ER- Environmental Reserve</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MR- Municipal Reserve</li> <li><span style="background-color: red; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> MLR- Municipal Land/Reserve District</li> </ul> |
|--|---|---|



**APPENDIX A: SITE PLAN**



APPENDIX A: ORTHO PHOTO



## APPENDIX B: LETTER OF REQUEST FROM APPLICANT

May 2, 2024

Foothills County

309, Macleod Trail

High River, Alberta T1V 1M7

### **Re: Subdivision Application Extension for One Year.**

#### **To MD of Foothills Council:**

Please accept this letter for the extension of subdivision requirements completion timeline with one more year for the country residential parcel on Plan 0614354, Block1, Lot 2 PTN: SE 29-21-29-W4M. I have also provided the application payment form along with this letter. All the requirements of subdivision are complete only waiting for funds to be approved for subdivision fee.

Please let me know if you need any further information.

Thank you,

Best Regards,

*Madhur Walia*

Madhur (Rauj) Walia

██████████



**Miscellaneous Municipal Item  
REPORT TO COUNCIL  
Request to Purchase an Undeveloped Road Allowance  
May 15, 2024**

<b>Letter of Request information</b>		<b>File: Bar U</b>
<b>LEGAL DESCRIPTION:</b> Undeveloped road allowance between NW ¼ 08-17-02 W5M and NE ½ 07-17-02 W5M containing 1.16 hectares (2.866 acres)		
<b>LANDOWNER:</b> Foothills County		
<b>LICENCE APPLICANT:</b> Natural Resources Canada/Government of Canada on behalf of Parks Canada		
<b>PROPOSAL:</b> Request to Close and Purchase a portion of the Undeveloped Road Allowance		
<b>DIVISION NO:</b> 2	<b>COUNCILLOR:</b> Delilah Miller	
<b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator		

**LOCATION**

The undeveloped RA is located within the Bar U Ranch National Historic Site approximately 11km South of the Village of Longview, 1.6km West of HWY 22 and just North of HWY 540 W (2698 Dr. W).

**BACKGROUND**

This Road Allowance was surveyed and registered as plan 231 0901 on May 3, 2023 by Natural Resources Canada, Surveyor General Branch with the understanding that Crown applications were exempt from the formal road closure process prior to registering the survey.

Further to conversations between the applicant and administration, the Applicant submitted an email letter on June 3, 2024, to request Council’s consideration to purchase the above noted undeveloped road allowance.

This request was put on hold while administration looking for guidance regarding the correct process for road allowance closures requested by the Provincial or Federal Government.

It was since decided that the regular procedure should stand so we are continuing to process this request and will require a Bylaw be passed and Ministerial approval be granted to the closure.

The applicant has secured preliminary consent to this closure from the only adjoining landowner to the west and the closure of this portion of road allowance would not restrict access to any other parcels as they all have independent access.

This RA is crossed at one point by Pekisko Creek and a private internal road was constructed across the east and west parcels, both owned by the applicant.

## **REQUEST OF COUNCIL**

---

If Council is amenable to the landowner's request, direct administration to proceed with a public hearing in order to consider the road closure of the undeveloped road allowance between NW ¼ 08-17-02 W5M and NE ¼ 07-17-02 W5M for purchase. Access will be denied.

## **APPENDICES**

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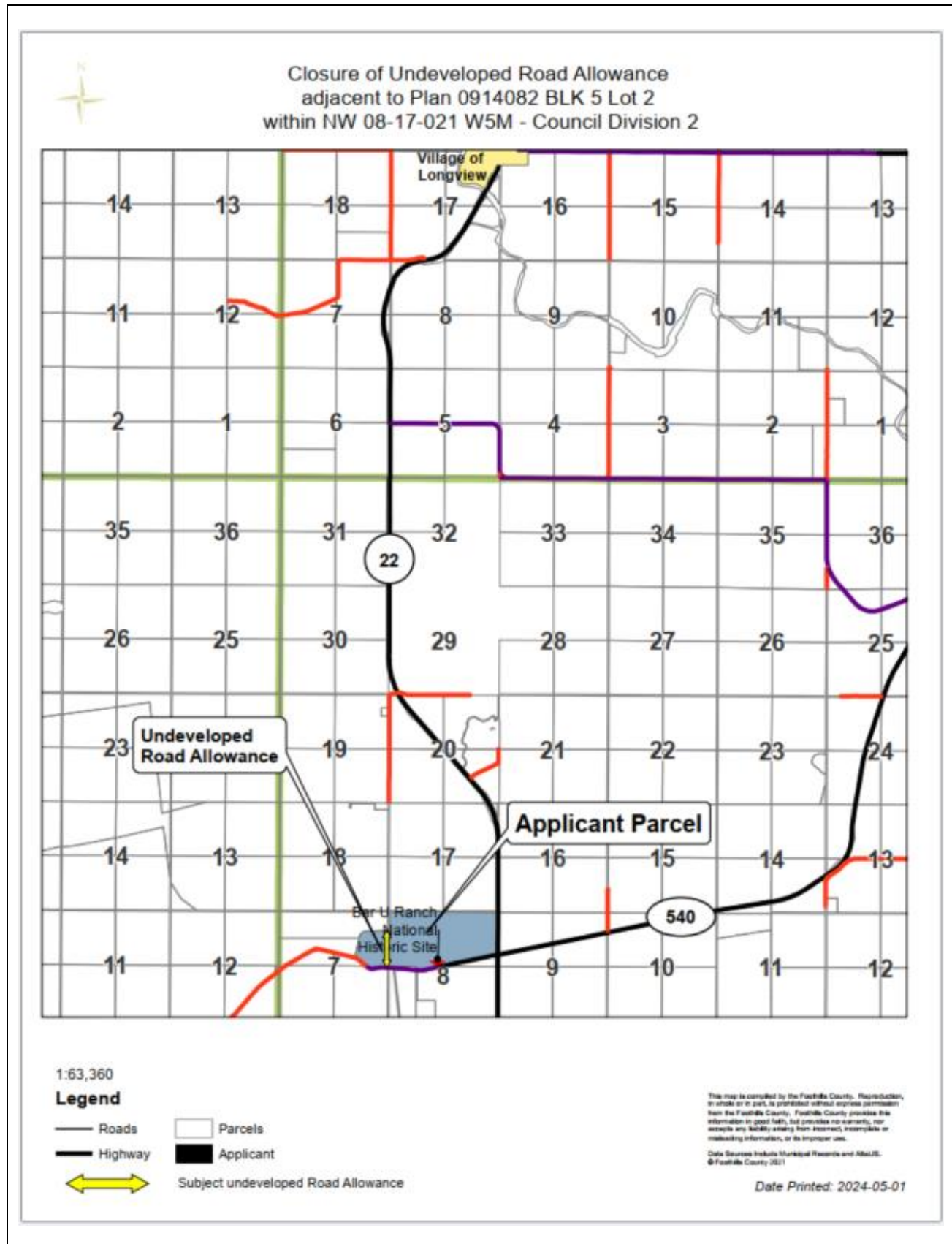
**APPENDIX A – Location Maps**

**APPENDIX B – Applicant Request Letter**

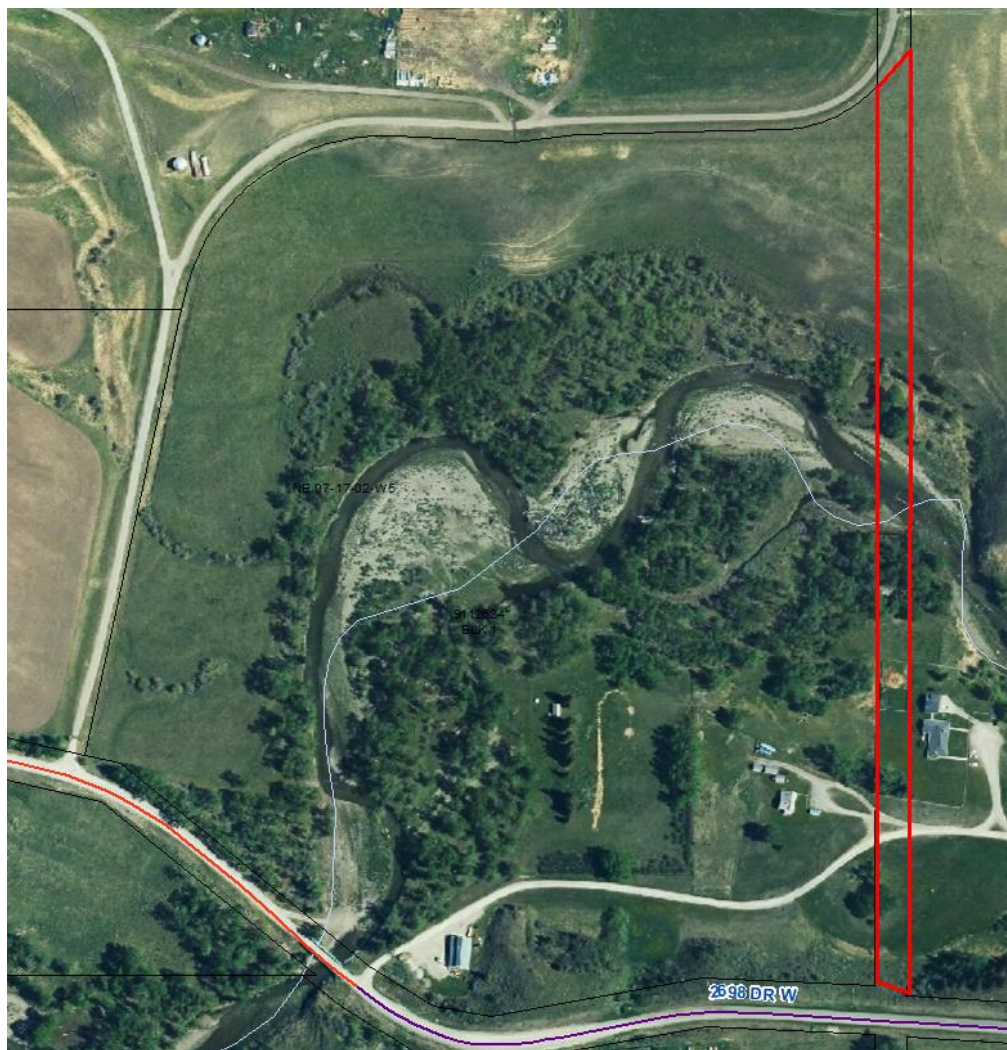
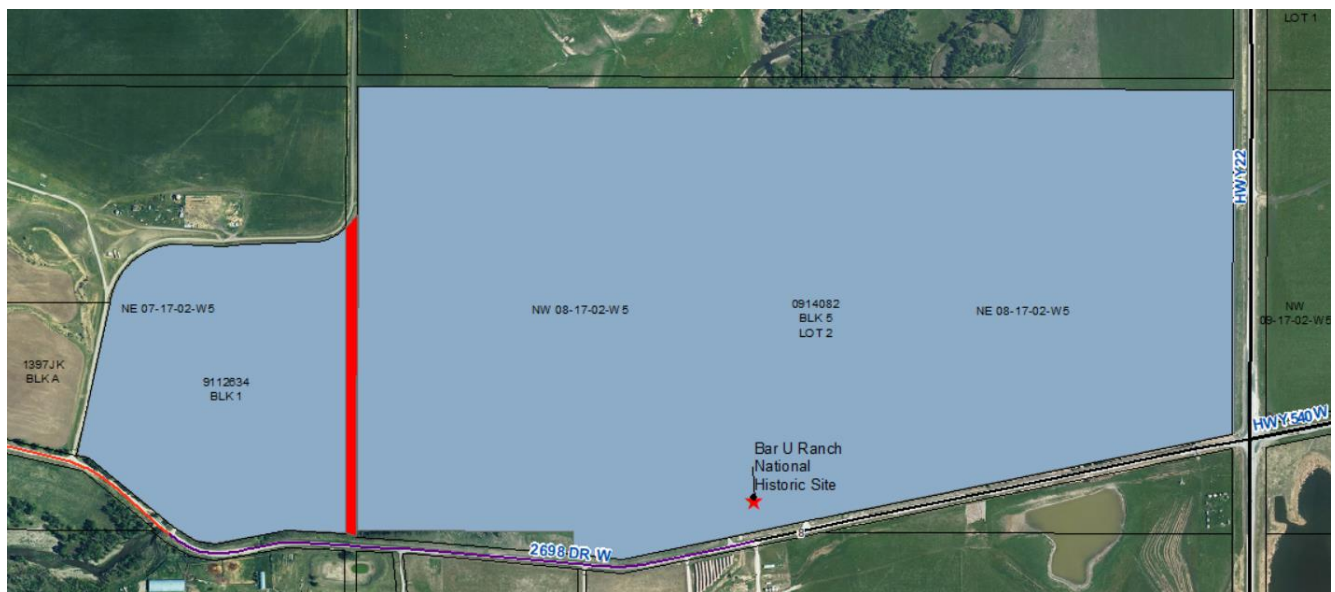
**APPENDIX C – Neighbouring Landowner Consent Letter**

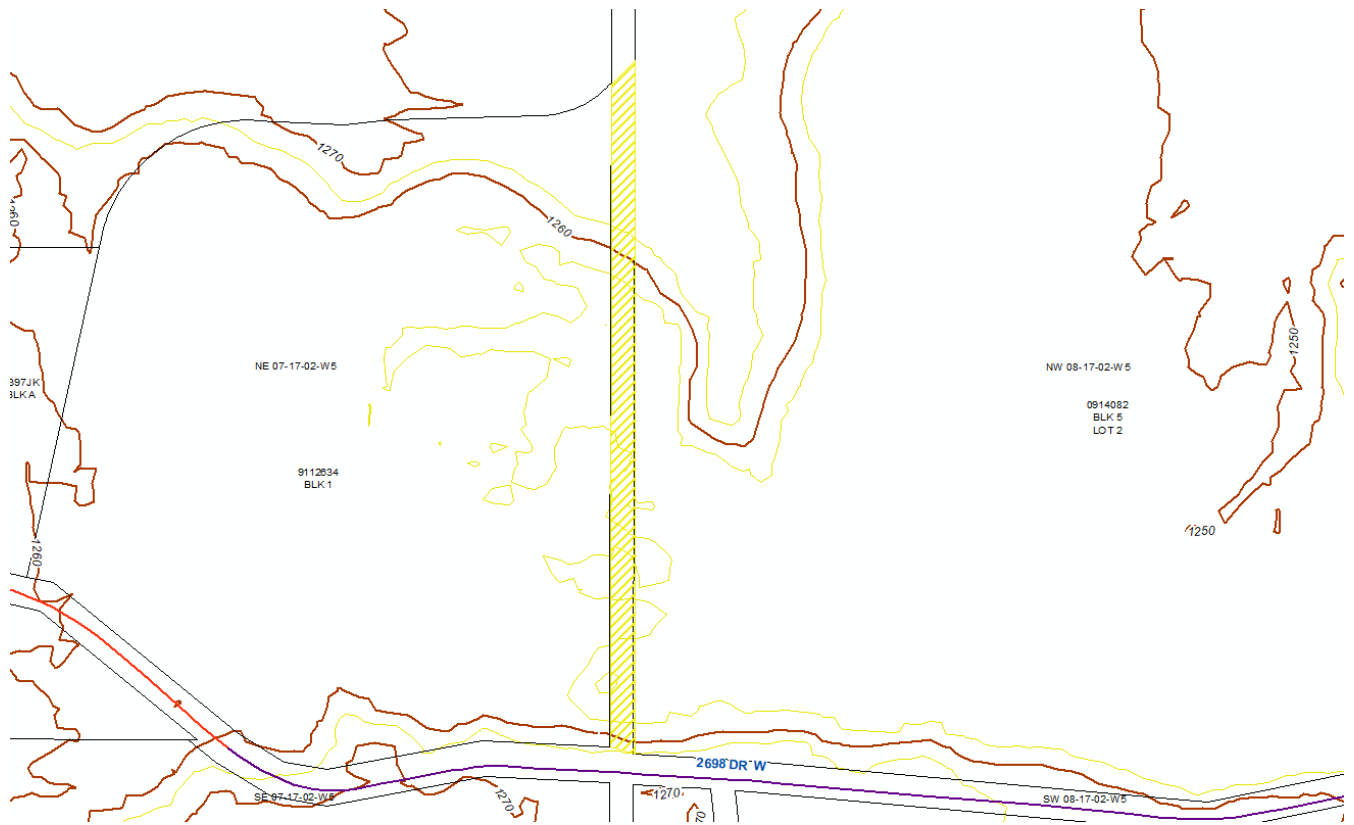
**APPENDIX D – Registered Survey**

**APPENDIX A:  
LOCATION MAP**



# ORTHOPHOTOS







## APPENDIX B: APPLICANT REQUEST LETTER

*Public Lands, Community and Recreation Department, Foothills County  
309 Macleod Trail SW, Box 5605, High River, AB, T1V 1M7*

**Attn: Council of Foothills County, Alberta**

**Re: Proposed Road Closure (Plan 231 0901) at Bar U Ranch Historic Site**

Enclosed is a copy of Survey Plan 231 0901 within the West ½ of Section 8, Township 17, Range 2, West of the 5<sup>th</sup> Meridian.

A portion of an undeveloped government road allowance separates two parcels owned by His Majesty the King in Right of Canada as represented by the Minister of the Environment for the Parks Canada Agency. In between these parcels is a portion of a road allowance whose title is still vested in the province.

Please be advised that I am proposing to close this portion of the road allowance and that the land will later be consolidated into the titles of the two adjoining parcels.

A road currently exists that goes around the edge of the western parcel and adjoins the government road allowance going to the north, so not access issues will be created as a result of this road closure.

In order to proceed with the closure, I request on behalf of Parks Canada that you consider the closure and purchase of the portion of the undeveloped government road allowance.

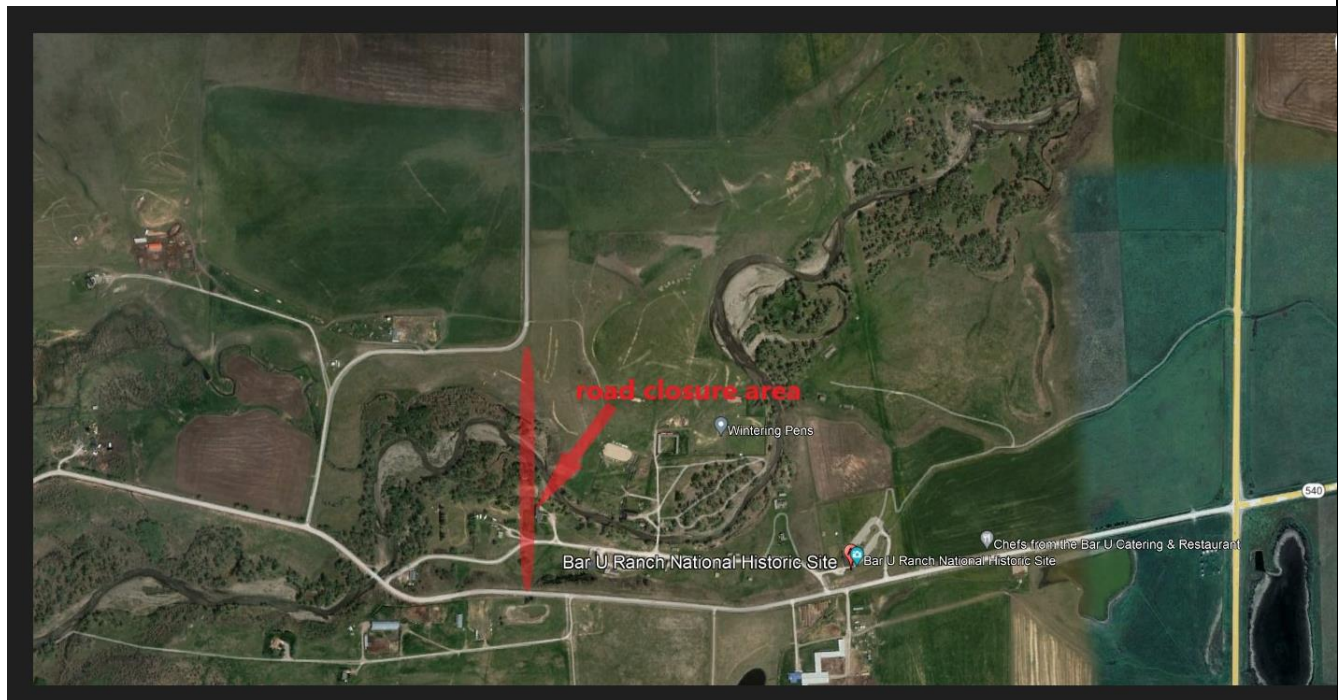
Thank you,

**Noelle Machon, ALS, CLS**

*Senior Surveyor, Alberta Regional Office*

*Surveyor General Branch*

*Natural Resources Canada / Government of Canada*



**APPENDIX C:  
NEIGHBORING LANDOWNER CONSENT LETTER**

June 9, 2023

**Attn: Nelson Brothers Lazy H Ranches Ltd.**

**Re: Proposed Road Closure (Plan 231 0901) at Bar U Ranch Historic Site**

Enclosed is a copy of Survey Plan 231 0901 within the West 1/2 of Section 8, Township 17, Range 2, West of the 5<sup>th</sup> Meridian.

A portion of an undeveloped government road allowance separates two parcels owned by His Majesty the King in Right of Canada as represented by the Minister of the Environment for the Parks Canada Agency. In between these parcels is a portion of a road allowance whose title is still vested in the province.

Please be advised that I am proposing to close this portion of the road allowance and that the land will later be consolidated into the titles of the two adjoining parcels.

A road currently exists that goes around the edge of the western parcel and adjoins the government road allowance going to the north, so no access issues will be created as a result of this road closure.

In order to proceed with the closure, I request on behalf of Parks Canada that you indicate your agreement with this closure by signing and returning a copy of this letter by email. Should you have any objections, there will be an opportunity to notify the county of foothills before the first reading of the bylaw.

Thank you,

**Noelle Machon, ALS, CLS**

*Senior Surveyor, Alberta Regional Office*

*Surveyor General Branch*

*Natural Resources Canada / Government of Canada*

**Enclosures**

- 2310901 (Portion of Gov Road Allowance to be closed)
- Titles ("Title W5-2-17-8, plan 0914082, 091270872, 38517183\_0\_0" and "Title W5-2-17-2-E, plan 9112634, 911295140, 38517183\_0\_1")
- Sketch of area (all three parcels) ("Road Closure Sketch")
- "Google Earth View"
- "Sketch on Google Earth"

**I hereby certify that I have no objections to the closure of portion of the government road allowance shown on survey plan 2310901 located in the West 1/2 of Section 8, Township 17, Range 2, West of the 5<sup>th</sup> meridian.**


June 16, 2023  
Date

Cam Nelson  
Printed Name

[Redacted Signature]  
Signature

**APPENDIX D:  
REGISTERED SURVEY**



<b>DEPARTMENT: Corporate Services</b>	
	<b>TOPIC: MILL RATE BYLAW AND BUDGET AMENDMENT</b>
<b>REPORT PREPARED BY:</b> Garity Stanley <b>REPORT PRESENTED BY:</b> Christine Hummel and Reginald Hammond	

**PURPOSE OF REQUEST**

To authorize the rates of taxation for the year 2024 and to consider amendments to the 2023 budget.

**BACKGROUND**

**REQUEST OF COUNCIL**

To consider first reading of a Mill Rate Bylaw to authorize the rates of taxation for the year 2024.

To consider amendments to the 2024 budget as presented.

**APPENDICES**

Appendix A - 2024 Budget Amendments, Mill Rate and Property Tax Bylaw Package

# **Foothills County**

## **2024 Budget Amendments, Mill Rate and Property Tax Bylaw Package**

# 2024 Budget Amendments

## Revenues

Foothills County's assessment growth was 15.03% in 2023 (for the 2024 taxation year). This increase is attributed to new growth in the area (2.38%) and market value growth (12.66%).

## Mill Rate

	2024	2023	Percentage change
<b>Residential</b>	<b>6.032642</b>	<b>6.391168</b>	<b>-5.61%</b>
<b>Farm</b>	<b>13.961564</b>	<b>13.385092</b>	<b>4.31%</b>
<b>Non-Residential</b>	<b>12.549231</b>	<b>12.267649</b>	<b>2.30%</b>
<b>Machinery &amp; Equip.</b>	<b>8.959003</b>	<b>8.841949</b>	<b>1.32%</b>

## Operating Expenses

Changes to the previously approved budget are as follows:

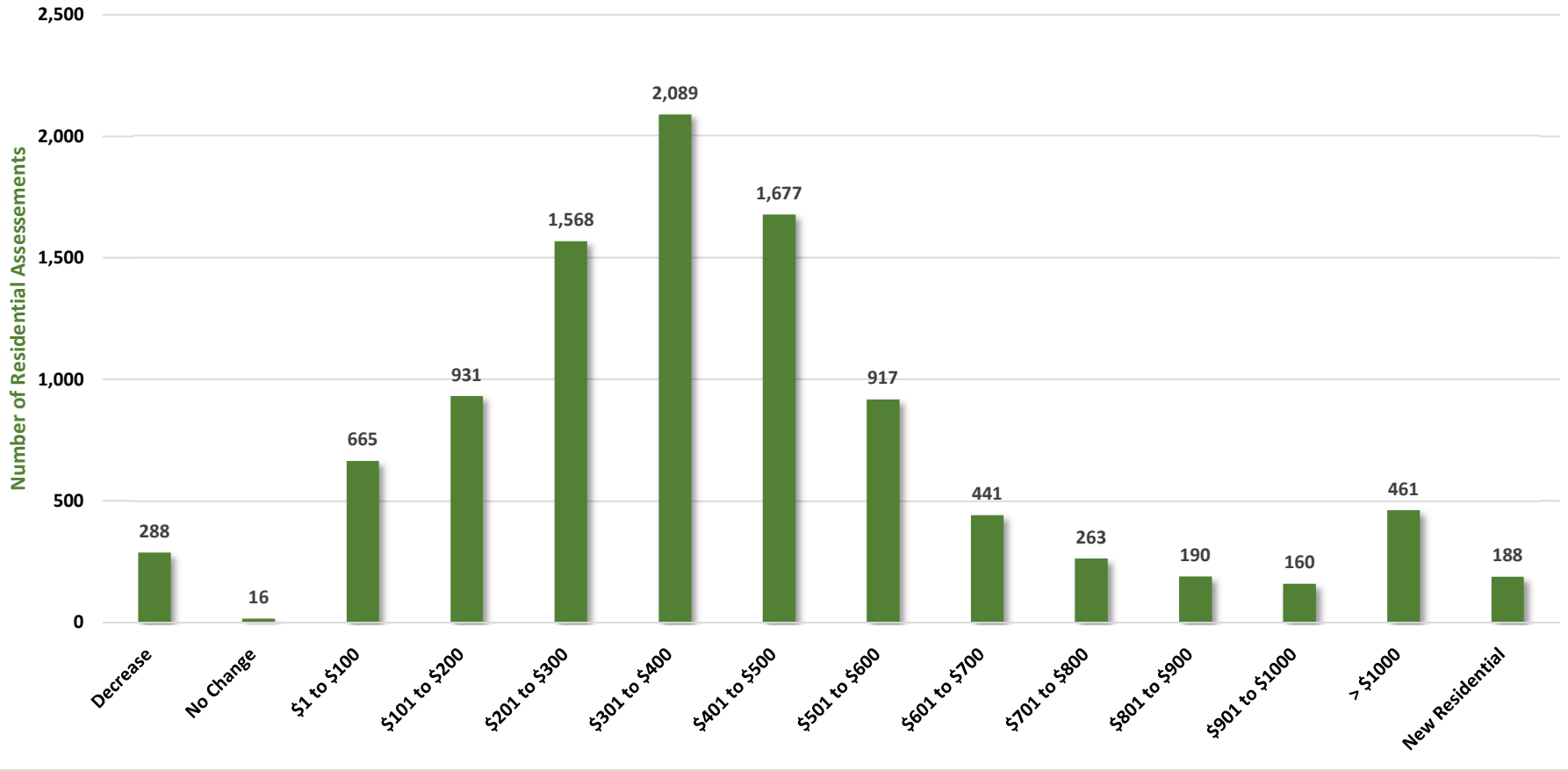
	Increase
<b>Expense Increases</b>	
School Requisition	\$ 2,294,722
Seniors Foundation	30,512
Designated Industrial Requisition	3,725
RCMP	6,651
<b>Increase to budgeted expenses</b>	<b>2,335,610</b>



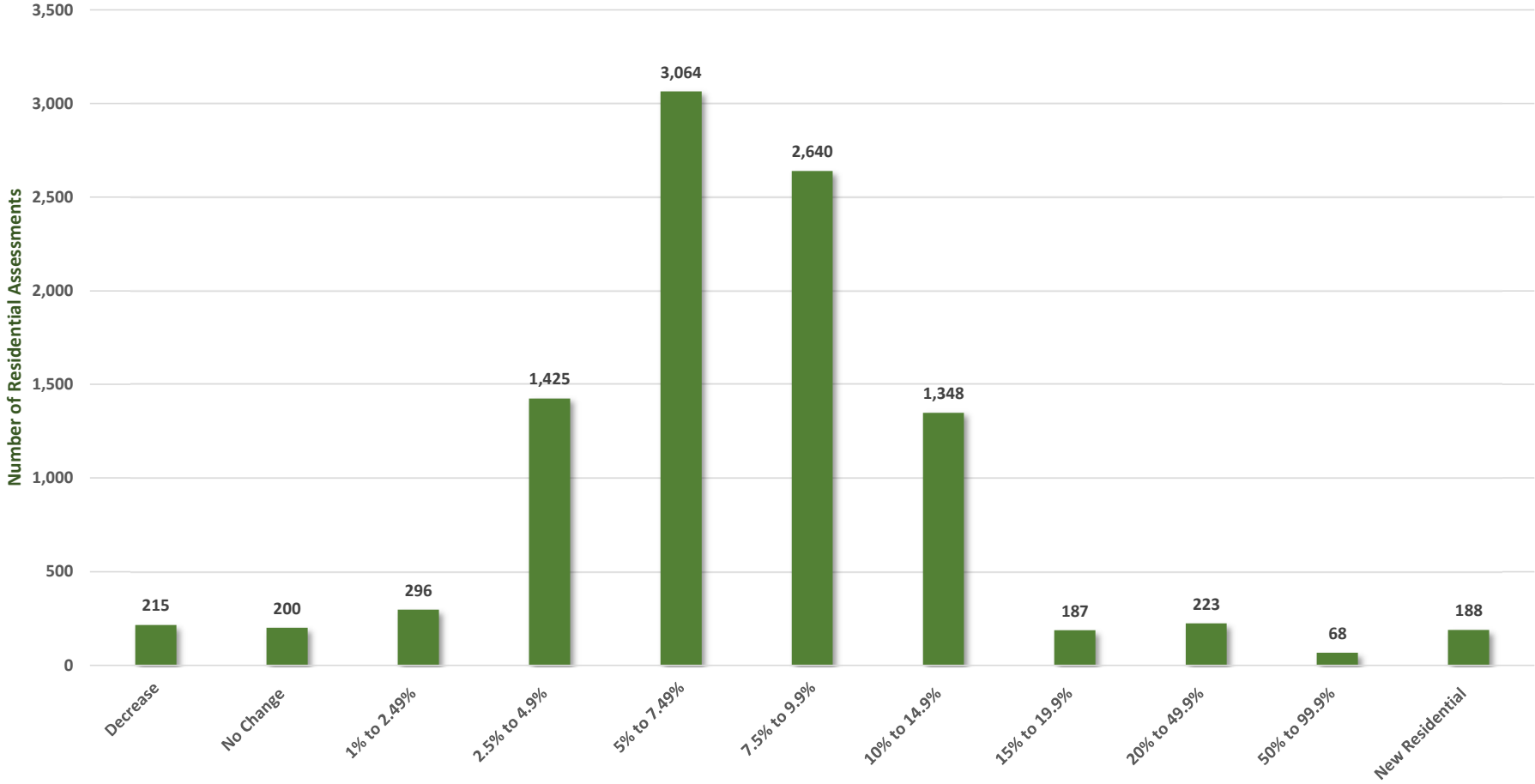
<b>TAX LEVIES</b>		2022	2023	2024	2025	2026	
		Budget	Budget	Budget	Projected	Projected	
<b>SCHOOL</b>							
ASFF RESID. & FARM		16,203,985	16,892,873	18,671,814	19,605,405	20,585,675	
ASFF NON RES.		3,520,991	3,571,403	3,903,905	4,099,100	4,304,055	
ASFF M&E		0					
SEP. RESID. & FARM		1,820,321	1,877,498	2,046,500	2,148,825	2,256,266	
SEP. NON RES.		95,892	98,717	112,992	118,642	124,574	
SEP. M&E							
<b>Total School</b>		<b>21,641,189</b>	<b>22,440,491</b>	<b>24,735,211</b>	<b>25,971,972</b>	<b>27,270,570</b>	<b>3.20%</b>
<b>OTHER</b>							
SENIORS FOUNDATION		983,000	988,481	1,030,512	1,056,275	1,082,682	
AMBULANCE & DISP.		197,000	247,940	230,000	235,750	241,644	
RECREATION		2,743,890	2,603,691	3,314,693	3,397,560	3,482,499	
FIRE		5,280,935	5,743,275	6,024,961	6,175,585	6,329,975	
LIBRARY	Marigold/Urban Municipa	470,000	557,483	715,300	733,183	751,513	
RCMP		1,331,925	2,087,063	2,093,714	1,999,320	1,999,320	
DESIGNATED INDUST. PROP.		41,067	42,160	46,025	47,176	48,355	
<b>Total Other</b>		<b>11,047,817</b>	<b>12,270,093</b>	<b>13,455,205</b>	<b>13,644,849</b>	<b>13,935,988</b>	<b>1.65%</b>
<b>MUNICIPAL</b>							
RESIDENTIAL		18,638,125	20,184,144	21,728,143	22,271,347	22,828,131	
FARM		1,220,888	1,322,160	1,423,299	1,458,881	1,495,353	
M&E		1,522,582	1,648,879	1,775,011	1,819,386	1,864,871	
INDUSTRIAL AND COMM.		7,341,804	7,950,801	8,559,003	8,772,978	8,992,302	
Minimum Tax		30,000	30,000	30,000	30,000	30,000	
Local Improvements		11,340	11,340	11,340	11,340	11,340	
<b>Total Municipal</b>		<b>28,764,739</b>	<b>31,147,324</b>	<b>33,526,796</b>	<b>34,363,932</b>	<b>35,221,997</b>	<b>3.32%</b>
<b>TOTAL TAXES</b>		<b>61,453,745</b>	<b>65,857,908</b>	<b>71,717,212</b>	<b>73,980,753</b>	<b>76,428,555</b>	



## Impact of 2024 Test Levy on 9,854 Residential Assessments



### Impact of 2024 Test Levy on 9,854 Residential Assessments



### Impact of 2024 Test Levy on 924 Non-Residential Assessments

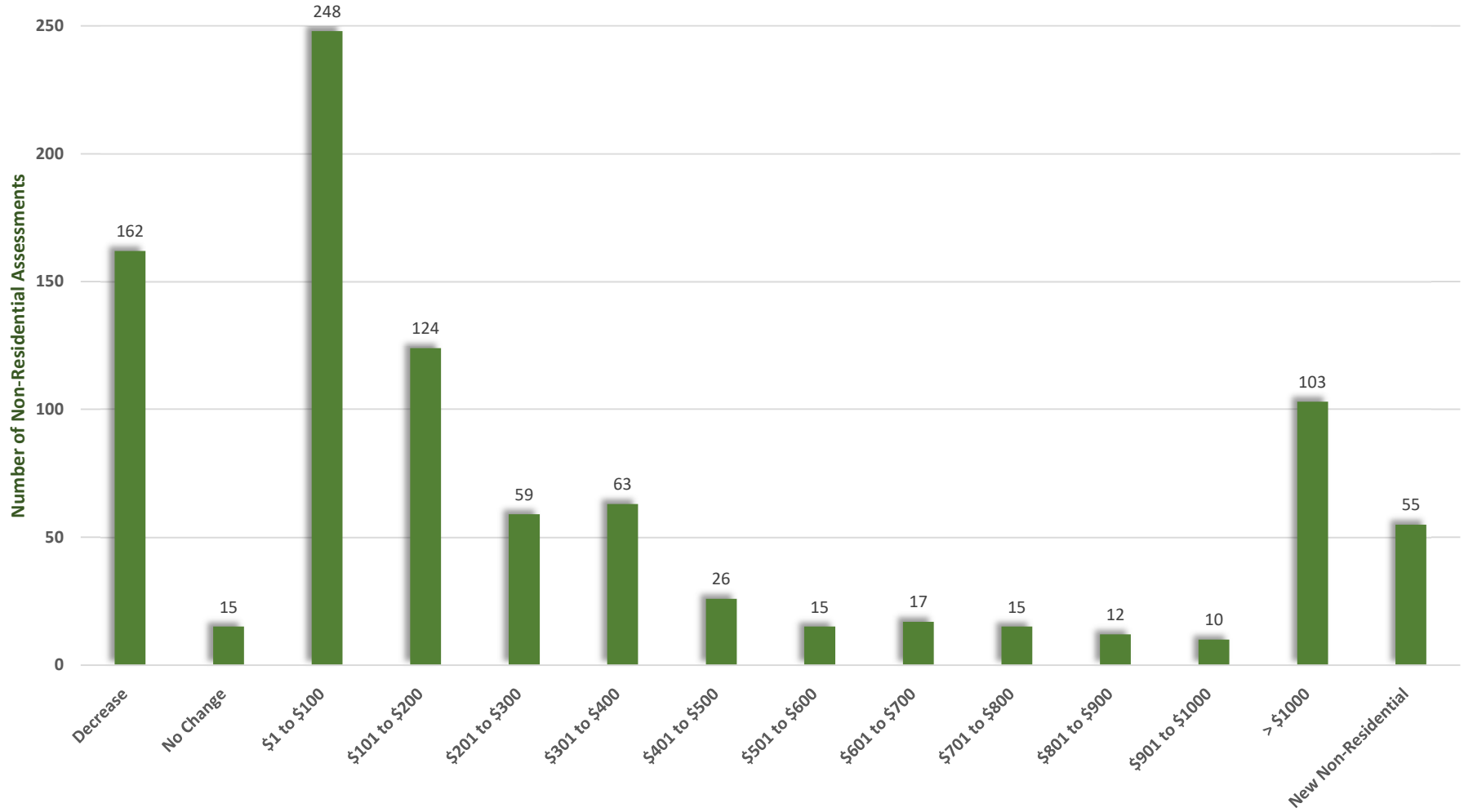


Chart does not include Linear, M & E, or Oilfied Assessments

### Impact of 2024 Test Levy on 924 Non-Residential Assessments

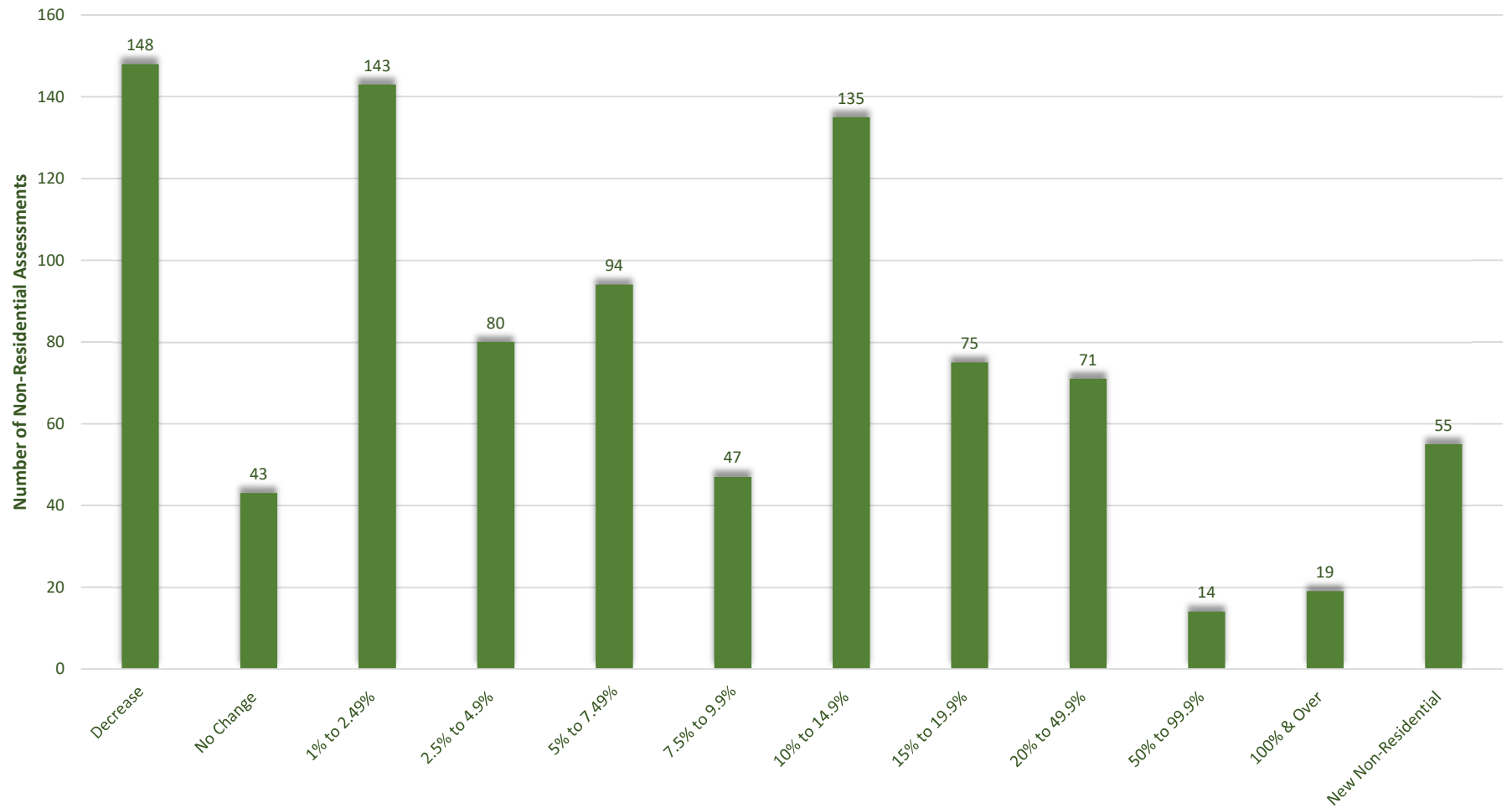


Chart does not include Linear, M & E , or Oilfield Assessments

To reconcile the preamble of the attached bylaw to the budget, the following information is required:

The total expenditures of \$118,071,962 are made up of the following budget components Page 1.2 of the budget summary (attached):

Municipal Expenditures	\$100,386,362	
Capital Purchases/Projects	33,043,025	
Long-Term Debt Principal Payments	1,725,878	
Less: Amortization	<u>(17,083,303)</u>	
	\$118,071,962	A

The total non-tax revenues of \$46,396,090 are made up of the following budget items:

Non-tax Revenue	\$20,993,745	
New Debt Financing	25,000,000	
Transfer from Restricted Surplus	361,005	
Extra Revenue from Minimum Tax	30,000	
Local Improvement Levy	<u>11,340</u>	
	\$ 46,396,090	B

Property taxes to be levied equal \$ **71,675,872** (A-B).

This draft Mill Rate Bylaw includes changes as presented in the amended budget. No other changes have been made to the 2024 budget.

**BYLAW NO.XX/2024**

**A BYLAW OF THE FOOTHILLS COUNTY  
TO AUTHORIZE THE RATES OF TAXATION FOR THE YEAR 2024**

**WHEREAS** the Foothills County has prepared and adopted detailed estimates of the municipal revenue and expenditures as required; and

**WHEREAS** the estimated municipal expenditures and transfers set out in the budget for the Foothills County for the calendar year **2024** total one hundred and eighteen million seventy-one thousand nine hundred and sixty-two dollars (\$118,071,962); and

**WHEREAS** the estimated municipal revenues and transfers from all sources other than taxation is estimated at forty-six million three hundred and ninety-six thousand and ninety dollars (\$46,396,090), and the balance of seventy-one million six hundred and seventy-five thousand eight hundred and seventy-two dollars (\$71,675,872) is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundations Fund (ASFF)	
Residential and Farmland	\$18,671,814
Non-residential	\$3,903,905
Machinery and equipment	\$0
Christ the Redeemer Separate School Division	
Residential and Farmland	\$2,046,500
Non-residential	\$112,992
Machinery and equipment	\$0
Senior's Foundation	\$1,030,512
Designated Industrial Property Tax Requisition	\$46,025

**WHEREAS**, taxes to fund other expenditures and transfers are:

911 Call Center	\$230,000
Recreation	\$3,314,693
Fire Protection	\$6,024,961
RCMP	\$2,093,714
Library	\$715,300
General Municipal	\$33,526,796

**WHEREAS**, the Council of the Foothills County is required each year to levy on the assessed value of all property tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS**, the Council is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M26, Revised Statutes of Alberta, 2000, and amendments thereto; and

**WHEREAS**, the assessed value of all property in the Foothills County as shown on the assessment roll is:

Residential	\$8,888,493,940
Non-residential	\$1,135,595,690
Farmland	\$137,205,990
Machinery and equipment	<u>\$212,368,860</u>
	<u>\$10,373,664,480</u>

**NOW THEREFORE**, under the authority of the Municipal Government Act, the Council of the Foothills County, in the Province of Alberta, duly assembled, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Foothills County:

	Tax Levy	Assessment	Tax Rate Mills
<b>General Municipal</b>			
Residential	\$21,728,143	\$8,888,493,940	2.444525
Farmland	1,423,299	\$137,205,990	10.373447
Non-residential	8,559,003	\$1,135,595,690	7.666384
Machinery and equipment	1,775,011	\$212,368,860	7.666384
<b>TOTAL General Municipal</b>	<u>\$33,485,456</u>	<u>\$10,373,664,480</u>	
<b>Other</b>			
Senior's Foundation	\$1,030,512	\$10,373,593,840	0.099340
Ambulance and 911	\$230,000	\$10,373,664,480	0.022172
Recreation	\$3,314,693	\$10,373,664,480	0.319530
Fire Protection	\$6,024,961	\$10,373,664,480	0.580794
RCMP	\$2,093,714	\$10,373,664,480	0.201830
Library	\$715,300	\$10,373,664,480	0.068953
Designated Industrial Property	\$46,025	\$602,144,950	0.076500
<b>TOTAL Other</b>	<u>\$13,455,205</u>		
<b>ASFF</b>			
Residential and Farmland	\$18,671,814	\$8,134,101,707	2.295498
Non-residential	\$3,903,905	\$1,087,369,733	3.590228
Machinery and equipment	\$0	\$229,044,310	0
<b>TOTAL ASFF</b>	<u>\$22,575,719</u>	<u>\$9,450,515,750</u>	
<b>Christ the Redeemer Separate School Division</b>			
Residential and Farmland	\$2,046,500	\$891,527,583	2.295498
Non-residential	\$112,992	\$31,471,968	3.590228
Machinery and equipment	\$0	\$149,180	0
<b>TOTAL Separate School</b>	<u>\$2,159,492</u>	<u>\$923,148,731</u>	

2. Notwithstanding the foregoing, the minimum tax on any parcel will be Forty Eight Dollars (\$48.00).
3. Administration has signed enrollment agreements with Assessed Persons who have opted to receive the Combined Assessment and Tax Notice electronically. The Notice(s) will be provided to the Assessed Person as a PDF attachment via the email address supplied by the Assessed Person. The electronic versions have the same value as paper versions and should be treated as such. It is the responsibility of the Assessed Person to provide the correct email address and to inform the County of any changes to their email address. Non-receipt is not justification for late payment and penalties will apply.
4. This Bylaw shall have effect on the date of its third reading.

First Reading May 15, 2024

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Reeve

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Chief Administrative Officer

Second Reading: May 22, 2024

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Reeve

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Chief Administrative Officer

Third Reading: May 22, 2024

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Reeve

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Chief Administrative Officer

**PASSED IN OPEN COUNCIL** assembled at the Town of High River,  
in the Province of Alberta this 22nd day of May, 2024



<b>DEPARTMENT: Legislative Services</b>	
	<b>TOPIC: High River District Health Care Foundation - Dinner &amp; Auction</b>
<b>REPORT PREPARED BY:</b> Garity Stanley <b>REPORT PRESENTED BY:</b> Sherri Barrett	

**PURPOSE OF REQUEST**

To consider the request for support made by the High River District Health Care Foundation.

**BACKGROUND**

Administration received a letter of request from the High River District Health Care Foundation for support of the 36<sup>th</sup> Annual High River District Health Care Dinner & Auction. The evening will include a raffle, auction items, dancing and connecting with neighbours and friends all in the support of the local healthcare team in High River and Nanton.

In previous years (most recent being 2023), Council has supported the event by way of a Champion Sponsor in the amount of \$1,000 and provided the donation of a silent auction item.

**REQUEST OF COUNCIL**

*Proposed Motion:*

That Council acknowledge the invitation to attend the High River District Health Care Foundation Dinner and Auction and authorize support by way of a Champion Sponsor in the amount of \$1,000.00 and the donation of a silent auction item.

**APPENDICES**

Appendix A: Letter of Request



April 10, 2024

Dear Reeve Miller & Council,

What a night we celebrated at the 35<sup>th</sup> Annual High River District Health Care Foundation Dinner & Auction MASH Bash 2.0 last October. It was a night of firsts and record-breaking goals. For the first time we raised over \$200,000 in one night, the live auction almost doubled the highest value it had previously reached and the raffles sales were through the roof! That is thanks to our incredible sponsors, donors and all those who enjoyed the evening.

I am inviting you to partner with us again and be a part of this long-standing tradition by renewing your sponsorship. Your participation in 2023 as a **Champion Sponsor** is greatly appreciated, I've attached an outline of the sponsorship benefits. Your commitment enables us to put patient's first by enhancing services and equipment to better care for our community. If you have any questions or to confirm your participation, please contact me directly at 403-652-0129, or email [cathy.couey@ahs.ca](mailto:cathy.couey@ahs.ca) prior to June 28.

As we begin planning for this upcoming event the bar has been set high due to the incredible success of the MASH Bash 2.0. As we move forward in planning the 36<sup>th</sup> annual Dinner & Auction we guarantee there will once again be amazing raffle and auction items, dancing, connecting with neighbors and friends, all in the spirit of supporting our local healthcare in High River and Nanton, we hope that you will be a part it.

Yours truly,

A handwritten signature in blue ink that reads 'Cathy Couey'.

Cathy Couey  
Fund Development and Communications Office

*For your convenience your sponsorship can now be paid by EFT to [rhonda.bew@ahs.ca](mailto:rhonda.bew@ahs.ca)*



High River District Health Care Foundation

560 - 9th Ave S.W., High River, Alberta T1V 1B3 • ph: 403.652.0129 • f: 403.601.6611 [www.highriverhealthfoundation.ca](http://www.highriverhealthfoundation.ca)

# 2024 Dinner & Auction Sponsorship Opportunities

*In 2023 you partnered to be a Champion Sponsor, below outlines the benefits that are offered with that sponsorship in addition some of our other opportunities. To ensure that you receive full sponsorship benefits, please confirm your participation by June 28, 2024. For your convenience your sponsorship can now be paid by EFT to [rhonda.bews@ahs.ca](mailto:rhonda.bews@ahs.ca), when doing so please note what the transfer is for.*

## **CHAMPION SPONSOR \$1000** (25 sponsorships available)

2 Tickets (value \$190)

Recognition on invitation, auction catalogue

Recognition on Facebook, Instagram & LinkedIn (1 per week leading up to event)

Name recognition at the event (signage, auction catalogue & power point)

Recognition post event in the newspaper & social media thank you

Name recognition on signage at the Hospital for one year following the event

## **CENTER PIECE SPONSOR \$1500** (1 sponsorship available)

2 Tickets (value \$190)

Logo strategically placed in each centre piece

Recognition in the auction catalogue, event power point

Recognition on Facebook, Instagram & LinkedIn (1 per week leading up to event)

Recognition post event in newspaper & social media thank you advertisement

Access to our Social Media Partner Tool Kit

## **LEAD SPONSOR \$2500** (12 sponsorships available)


4 Tickets (value \$380)

Logo recognition on all pre and post event promotional materials and at the event

Recognition on Facebook, Instagram & LinkedIn (2 posts per week leading up to event)

Logo recognition on signage at the High River Hospital for the year following the event

Access to our Social Media Partner Tool Kit

<b>DEPARTMENT:</b>	
	<b>TOPIC: Foothills Country Hospice Society – Request for Support - Capital Campaign</b>
<b>REPORT PREPARED BY:</b> Garity Stanley <b>REPORT PRESENTED BY:</b> Sherri Barrett	

**PURPOSE OF REQUEST**

To consider the Foothills Country Hospice Society’s request for support of their capital campaign.

**BACKGROUND**

The Foothills Country Hospice Society (FCHS) is requesting support for their capital campaign. Attached is the letter of request.

During the February 14, 2024 Council meeting, the Foothills Country Hospice Society presented to Council on their operation, activities, future plans and goals.

The Society is working towards the expansion of the hospice doubling the care that they can provide to those who are terminally ill and require end-of -life care.

**REQUEST OF COUNCIL**

*Proposed Motion:*

That Council acknowledge Foothills Country Hospice Society’s request for support and authorize a donation in the amount of \$ \_\_\_\_\_.

**APPENDICES**

Appendix A: Letter of Request



April 29, 2024

Foothills County Council  
Attention: Allan Alger  
309 Macleod Trail  
High River, Alberta  
T1V 1M7

Dear Foothills County Council,

On behalf of Foothills Country Hospice, I would like to extend our deepest gratitude for the opportunity you provided us to present to the council. Your past support—\$50,000 toward our original build, gala sponsorship, and program funding—has been invaluable, and for that, we are immensely thankful.

However, as our community grows, so does the need for expanded services. We have a significant and necessary vision to enhance our community outreach services while also opening new beds to serve more patients and their families. This vision is not only ambitious but also essential to meet the increasing demands of our community.

Therefore, we humbly ask you to consider supporting our capital campaign. Your backing will be pivotal in bringing this vision to life and ensuring that we can continue to provide exceptional palliative and end-of-life care right here in the Foothills community.

Foothills Country Hospice is committed to serving the Foothills community with the highest standard of care. We are proud to be a part of this community and to offer support and comfort to those in their time of need.

Thank you for your consideration and for your continued support.

Warm regards,

Shaun Dyer, Executive Director

