

**PUBLIC HEARINGS AND MEETINGS  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 LAND USE AMENDMENT  
 April 23, 2025  
 To be heard at: 1:30 PM**

**LAND USE AMENDMENT AND DENSITY EXEMPTION**



**LEGAL DESCRIPTION:**

Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M

**LANDOWNER:** Earl and Alice Mennie

**AGENT:** Mark Mennie

**AREA OF SUBJECT LANDS:** 13.76 acres

**CURRENT LAND USE:** Country Residential District

**PROPOSED LAND USE:** Country Residential District

**PROPOSAL:** Amendment to the Country Residential District to allow the future subdivision of one 6.891 +/- acre Country Residential District lot, with a 6.869 +/- acre Country Residential District balance remaining.

**NOTE:** Application will require an exemption to the County's Density Policy.

**DIVISION NO:** 5

**COUNCILLOR:** Alan Alger

**FILE MANAGER:** Theresa Chipchase

**EXECUTIVE SUMMARY**

**Summary of Proposal**

To provide one new 6.891 +/- acre Country Residential District lot from Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M, with a 6.869 +/- acre Country Residential District balance parcel.

**The application will require an exemption to be provided to the County's Density Policy.**

**Location**

The applicant's parcel is 2.5 kilometres west and 3.3 kilometres south of the City of Calgary and is 0.3 kilometres outside of the Growth Area under the Calgary/County Intermunicipal Development Plan. The land is also at the southern extent of 85<sup>th</sup> Street West, approximately one half kilometre south of 210<sup>th</sup> Avenue West and one kilometre east of 96<sup>th</sup> Street West.

**Access**

Access to the proposed lot and the balance parcel are proposed from a common approach off the southern end of the cul de sac on 85<sup>th</sup> Street West, from this location the applicant is further proposing to split the existing 15 meter wide panhandle into two 7.5 metre wide panhandle driveways, one that is to run straight south to the balance parcel and one that is to extend south approximately 104 metres before running east within an 18.28 metre wide panhandle along the north boundary of the existing parcel to provide access to the proposed lot.

**Pertinent Site Conditions**

The parcel outside of the yard site consists of rolling to sloped terrain throughout. With slopes in excess of 15% within the southern half of the property. The yard site is landscaped with various tree and shrub species, including a number of mature shelterbelt rows of both poplar and spruce trees along the north boundary and a mature laneway of poplar trees along the eastern boundary

of the existing panhandle. There is also a powerline which runs north to south along the west boundary of the existing panhandle.

At the bottom of the slope in the southeastern corner of the property there are additional groves of aspens.

West of the yard site there is a natural swale that runs from north to southwest, with groves of aspens and other native species growing alongside the swale.

## **Policy Evaluation**

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Reviewed within the terms of the County's Municipal Development Plan 2010, Growth Management Strategy, and Land Use Bylaw.

## **Reserve Dedication**

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### **Municipal Reserve**

The applicant's title includes a deferred reserve caveat registered in 2005, whereby the reserves for the applicant's 13.76 acre lot were deferred by caveat.

Should the applicant be approved the **Subdivision Approving Authority** may wish to consider the following with regards to the provision of reserves:

Reserves to be provided by cash in lieu of land for the existing 13.76 acres, in accordance with Subsections 666(1) and 666(2) of the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy Adopted April 18<sup>th</sup>, 1996.

## **Density Policy**

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The application, if approved by Council, will require an exemption to the County's density policy as it does not meet Section 13.1.6.2 (a)(i) of the Country Residential District within the County's Land Use Bylaw. In accordance with this policy, the parcel would not be eligible for additional subdivision, as it has reached its maximum density allowance.

Section 13.1.6.1.2 (a)(i) provides the following policy:

*In order to facilitate the purpose and intent of this district and ensure the comprehensive development of country residential uses within the district, the following applies to applications for subdivision:*

*a. Parcel Density:*

- i. Maximum of one lot per 2.02 ha. (5 acres) of existing land contained under the same title to a maximum of 32 lots per quarter section.*

The application also does not conform to the density provisions as set out in Policy 15 of the Residential Section of the Municipal Development Plan 2010:

*15. Country Residential District, Cluster Residential District, Country Estate Residential District, Hamlet Residential District, Residential Multi-Family District, and Residential Manufactured Home District subdivisions shall comply with the density, parcel size, and servicing requirements as outlined in the appropriate section of the Land Use Bylaw*

## **Referral Considerations**

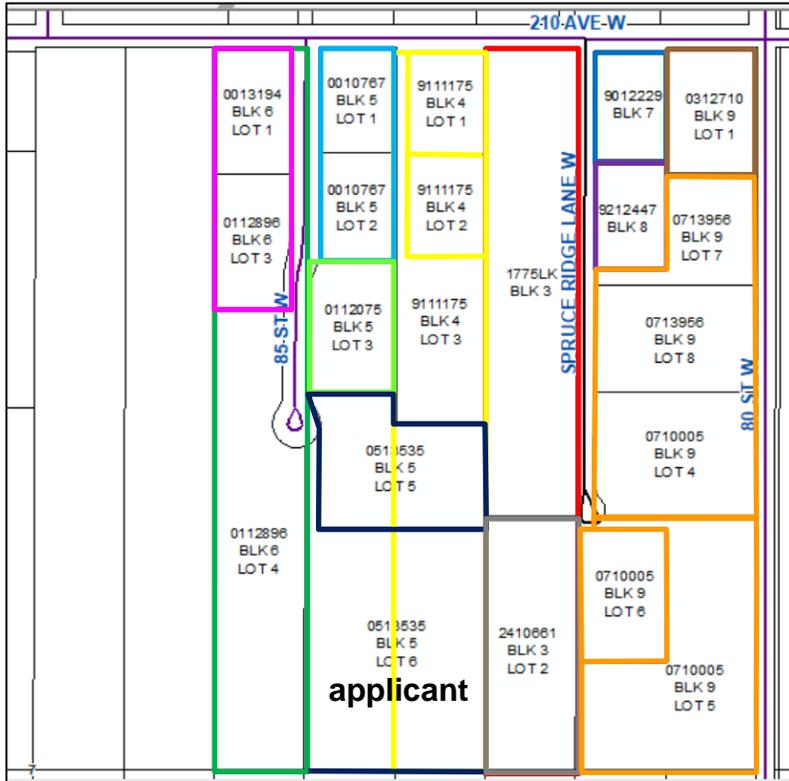
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Referred to required Provincial and Municipal bodies as well as all utilities.

## PURPOSE OF APPLICATION

**Bylaw XX/2025** – Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 6.891 +/- acre Country Residential District parcel, leaving a 6.869 +/- acre Country Residential District balance parcel, on Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M, with an exemption to the County's density provisions.

## QUARTER SECTION HISTORY



**1972** – Calgary Regional Planning Commission approved one 40 acre parcel and two 20 acre parcels from the middle of the subject quarter. Reserves for the full quarter had been previously deferred. The applicant's parcel was part of the east 20 acre parcel. Lot identified on the map above in red.

**1973** – Calgary Regional Planning Commission approved the subdivision of a 40 acre parcel into two 20 acre parcels. Reserves continued to be deferred, as was required under the Intermunicipal Development Plan (IDP) between Calgary and the County at that time. The IDP under later revision excluded this quarter section and reserves began to be provided as per the County's Reserve Policy. Parcel outlined on the map above in dark green.

**1990** – One 2.40 acre lot subdivided from a 20 acre parcel near east boundary of quarter leaving a 17.60 acre balance parcel. Road widening was surveyed out of the north lot. Parcel outlined on the map above in dark blue

**1991** – Two 2.5 acre lots subdivided from a 20 acre parcel leaving a 14.88 acre balance parcel with panhandle access to 210<sup>th</sup> Avenue, with easement access allowed to both, two acre lots over the panhandle to the 14.88 acre balance parcel. Parcel outlined on the map above in yellow.

**1992** – Additional 2.40 acre lot subdivided out of the 20 acre parcel near the east boundary of the quarter further reducing this 20 acre parcel to 15.20 acres with a panhandle from this lot as access

to 210<sup>th</sup> Avenue. An access right of way plan was registered over this panhandle for access to the 2.40 acre lot. Parcel outlined on the map on the preceding page in purple.

**2000** – The applicant subdivided two 2.50 acre lots from their 20 acre parcel leaving approximately 15.0 +/- acres remaining in the balance parcel, the south lot was provided access through a 15.0 meter wide panhandle with a portion dedicated (0.55 acre) and surveyed out as road plan. Reserves were provided for the two new lots and deferred on the balance parcel. Parcel outlined on the map on the preceding page in bright blue.

**2000** – Adjacent neighbor west of the applicant registered the subdivision of one 3.0 and one 4.97 acre lot, which required the construction of a 30 meter wide 3.0 acre internal road with a full cul de sac at the southern end (85<sup>th</sup> Street West). The applicant provided the land, already surveyed out as road plan, as well as the remainder of the panhandle to their balance parcel for development of this internal road. Reserves were paid on the two new lots and continued to be deferred on the balance parcel. Parcel outlined on the map on the preceding page in pink.

**2001** – Applicant registered the subdivision of one 3.51 acre lot, east of the newly constructed road (85<sup>th</sup> Street West). Reserves were paid on the new lot and deferred by caveat on the balance parcel. Parcel outlined on the map on the preceding page in lime green.

**2003** – One 3.58 acre lot registered from the 40 acre parcel in the north east corner of the subject quarter section, no road widening was required from 210<sup>th</sup> Avenue and access to the lot was provided from 80<sup>th</sup> Street on the east boundary, leaving an approximately 16.20 acre balance parcel. Reserves paid on new lot and deferred on balance parcel. Parcel outlined on the map on the preceding page in brown.

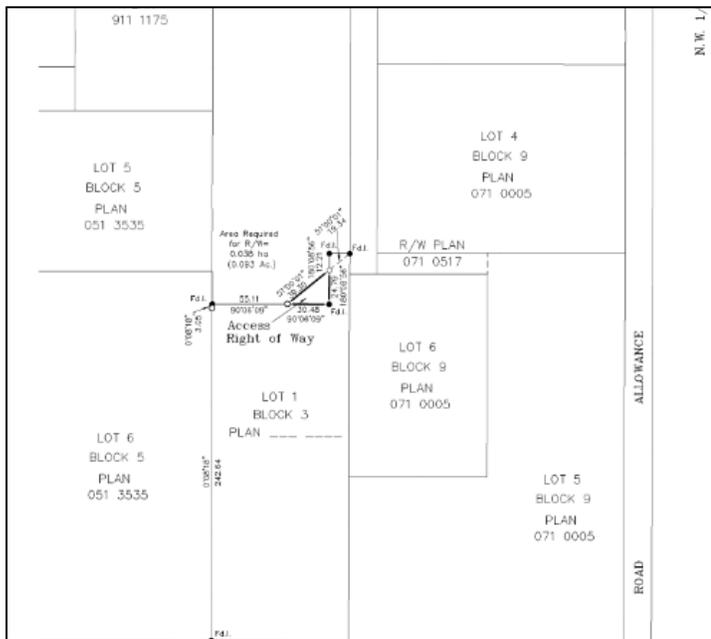
2005 – Applicant boundary adjusted the remainder of the 20 acre parcel to the east into the remainder of his 20 acre parcel

**2005** – Applicant subdivided one 6.10 acre lot from their 19.86 acre lot with a panhandle access to the 13.76 acre balance remaining. Reserves were provided for the new lot and deferred on the balance parcel. Parcel outlined on the map on the preceding page in navy blue.

2006 – Boundary adjustment and one lot approval along east boundary of quarter, reserves were provided on the new lot and partial adjustment area, with reserves deferred on balance parcel.

**2007** - Five additional lots registered from the 40 acre parcel in the northeast corner of the subject quarter section, all with access to the twenty metre wide access right of way which was extended into a 20 metre wide, 2.65 acre Road Plan which is now Spruce Ridge Lane West. An access right of way was registered over the panhandle to Lot 5. Parcel outlined on the map on the preceding page in orange.

**2007** – One additional 6.24 acre lot with panhandle access to the cul de sac at the southern end of Spruce Ridge Lane, southwest of the cul de sac was registered.



Along with the 6.24 acre lot, an access right of way was also registered by Plan over a small triangle of land within the 90 degree portion of the lot as shown on the registered plan to the left. This was to facilitate an existing driveway which gave access to the south lot and was encroaching into the northern lot

Reserves were provided for the new lot and deferred by caveat on the balance parcel.

**2024** – boundary adjustment occurred between the lot with the triangular shaped access right of way and the lot to the south, with the panhandle. The boundary adjustment corrected the driveway which did not fall within the panhandle to the south lot and was encroaching into the lot to the north. Reserves were paid for the adjusted area with a deferred reserve caveat remaining on the north lot. Parcel outlined on the map in dark grey.

**CURRENT LAND USE**

**Subject Parcel**

Country Residential District

**Adjacent Lands**

Country Residential District

**Area Character**

Close to the amenities within the City of Calgary, the area is a mix of Country Residential and Agricultural zoned properties. Located within an equestrian community, the lands are also near Spruce Meadows, Sulky Ridge Estates and Rocky Mountain Show Jumping as well as the Sirocco Golf Course and Granary Road.

**POLICY EVALUATION**

**Municipal Development Plan**

Policy 3 and 9 of the Residential section of the MDP2010 provides that to consider the proposal to be developable by the Subdivision Authority, residential parcels should be compatible with the surrounding area and existing uses.

Further recognizing that the design and infrastructure of residential development should consider density, the efficient use of land, the environmental impact, the cumulative effects of development, the suitability of the lands for residential use and the conservation of water.

Policy 11 of the Residential section of the MDP2010 provides that the design and infrastructure of residential development should functionally link adjoining lands.

Policy 15 of the Residential section of the MDP2010, further provides that Country Residential District subdivision shall comply with the density requirements as outlined within the Country Residential District of the municipality's Land Use Bylaw.

### Land Use Bylaw

The application, if approved, would meet the lot size restrictions as set out in Section 13.1.6.2 of the Country Residential District within the municipality's Land Use Bylaw, however the proposal would not comply with the density requirements for this District as set out in Section 13.1.6.2.

### Growth Management Strategy

The subject parcel is located within the Central District. The vision for the Central District identifies that lands which fall within this District are expected to see intensified and significant development.

CIRCULATION REFERRALS	
REFEREE	COMMENTS
<b>EXTERNAL</b>	
ATCOGas	No objections
ATCO Transmission	ATCO Transmission high pressure pipelines have no objections
<b>INTERNAL</b>	
Public Works	<p>Public Works has requested the following be completed for the <b>proposed lot</b>, as a condition of a <b>land use</b> approval:</p> <ol style="list-style-type: none"> <li>Engineered Driveways and Access Management Strategy.</li> </ol> <p>The above is requested based on the following public works comments:</p> <p>Public Works recommends engineered driveways and an access management strategy that shows 2 driveways can be built and shared equally within the panhandles.</p> <p>As per Division B Article 3.2.5.6. (Fire Department Access): driveways shall have a clear width, not less than 6 metres, unless it can be shown that lesser widths are satisfactory.</p> <p>The access management strategy is to show how the engineered driveways meet up with the cul de sac, with a common approach that meets standards, without having any negative impacts to the neighbouring approach to the north.</p> <p>The trees would have to be cleared within the panhandles and there is a power pole that might need to be moved, 80 metres south of the approach, along the west panhandle boundary.</p> <p>Public Works has requested the following be completed for the <b>proposed lot</b>, as conditions of a <b>subdivision</b> approval:</p> <ol style="list-style-type: none"> <li>Geotechnical for Slope Stability (required if building envelopes falls within 30m of slopes equal to or exceeding 15%)</li> <li>Septic Disposal Evaluation (PSTS)</li> </ol>

## CIRCULATION REFERRALS

	<p>3. Building envelopes</p> <p>Public Works has requested the following be completed for the proposed lot, as conditions of a <b>development permit</b> approval:</p> <p>1. Lot Grading Plan/Overland Drainage Plan</p>
GIS/Mapping	<p>The current addressing does not have room for new development, as such we will need to update the existing address on the property.</p> <p>Please add a post approval condition that the applicant agrees to update their mailing address by contacting the County's GIS department to obtain a new address.</p> <p>Please ensure the applicant is aware of this requirement before proceeding.</p>
<b>PUBLIC</b>	
Western Wheel	April 9 <sup>th</sup> and April 16 <sup>th</sup> , 2025
Landowners (Half Mile)	One letter was submitted prior to the submission of the staff report.

## SUMMARY

**Bylaw XX/2025** – Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 6.891 +/- acre Country Residential District parcel, leaving a 6.869 +/- acre Country Residential District balance parcel, on Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M, and to allow an exemption to the County's current density policy.

## OPTIONS FOR COUNCIL CONSIDERATION

### OPTION #1 – APPROVAL

Council may choose to grant 1<sup>st</sup> reading to the application for amendment to the Country Residential Land Use District to allow the future subdivision of one new 6.891 +/- acre Country Residential lot with a 6.869 +/- acre Country Residential balance parcel on Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M, and to allow for an exemption to the County's current density policy for the following reasons:

*Council is supportive of the application, as it is considered to be in alignment with the intent of the Residential section of the MDP2010, specifically with respect to directing additional Country Residential development to lands already zoned Country Residential.*

*Furthermore, in this instance, Council is in favor of allowing an exemption to the density provisions as outlined in Policy 15 of the MDP2010 and Section 13.1.6.2 (a)(i) of the Country Residential District within the County's Land Use Bylaw.*

*Staff suggests Country Residential Sub-District "A" for the new 6.891 +/- acre proposed parcel to ensure that the recommendations and restrictions as outlined within the engineered driveways (provided as a condition of land use), the building envelopes, septic disposal evaluations, and slope stability report (provided as conditions of the subdivision) and the drainage and lot grading plans (provided as conditions of Development permit) are complied with, to the satisfaction of the*

*Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met may be required. Council may also wish to require a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit.*

Council may choose to impose the following suggested conditions:

**Recommended Conditions for Option #1:**

1. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of engineered driveways, drainage, grading, payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;
2. Proof of adequate water supply to be provided in accordance with the Provincial Water Act, to the satisfaction of the County;
3. Septic disposal evaluation to be provided, for the proposed new 6.891 acre lot, 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, **as a condition of subdivision**;
4. Lot Grading / Drainage Plans to be provided for the subject lands, to the satisfaction of the Public Works department, **as a condition of development permit**;
5. Site plan to be provided which identifies building envelopes, for the proposed new 6.891 +/- acre lot, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department, **as a condition of subdivision**;
6. Engineering to be provided which illustrates that the two proposed driveways, one to the 6.891 +/- lot and one to the 6.869 +/- acre balance can be located and constructed within the existing 15 metre wide panhandle, and additionally provision of an access management strategy which illustrates how the engineered driveways are to meet the cul de sac, with a common approach that meets the County's road construction standards, without having any negative impacts on the neighbouring approach to the north. Both are to be provided to the satisfaction of the Public Works department;
7. Final amendment application fees to be submitted;
8. Submission of an executed subdivision application and the necessary fees.

**OPTION #2 - REFUSAL**

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Council may choose to refuse the application for amendment to the Country Residential Land Use District in order to allow the future subdivision of one new 6.891 +/- acre Country Residential lot with a 6.869 +/- acre Country Residential balance parcel on Plan 0513535, Block 5, Lot 6, PTN: NE 07-22-01-W5M, and to allow for an exemption to the County's current density policy for the following reasons:

*In consideration of the criteria noted in the Residential Policy of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to the cumulative effects of the development, the efficient use of the land and the functional linkage of properties.*

*Further in accordance with Residential Policy 15 of the MDP2010 and Section 13.1.6.2.(a)(i) of the Country Residential District within the County's Land Use Bylaw, Council is of the opinion that the application does not comply with the County's density provisions.*

## **APPENDICES**

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

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LOCATION MAP

HALF MILE MAP – LAND USE

HALF MILE - PARCEL SIZES

SITE PLAN

ORTHO PHOTO

### **APPENDIX B:**

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PROPOSED BYLAW

### **APPENDIX C:**

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PROPOSAL SUBMITTED BY LANDOWNERS

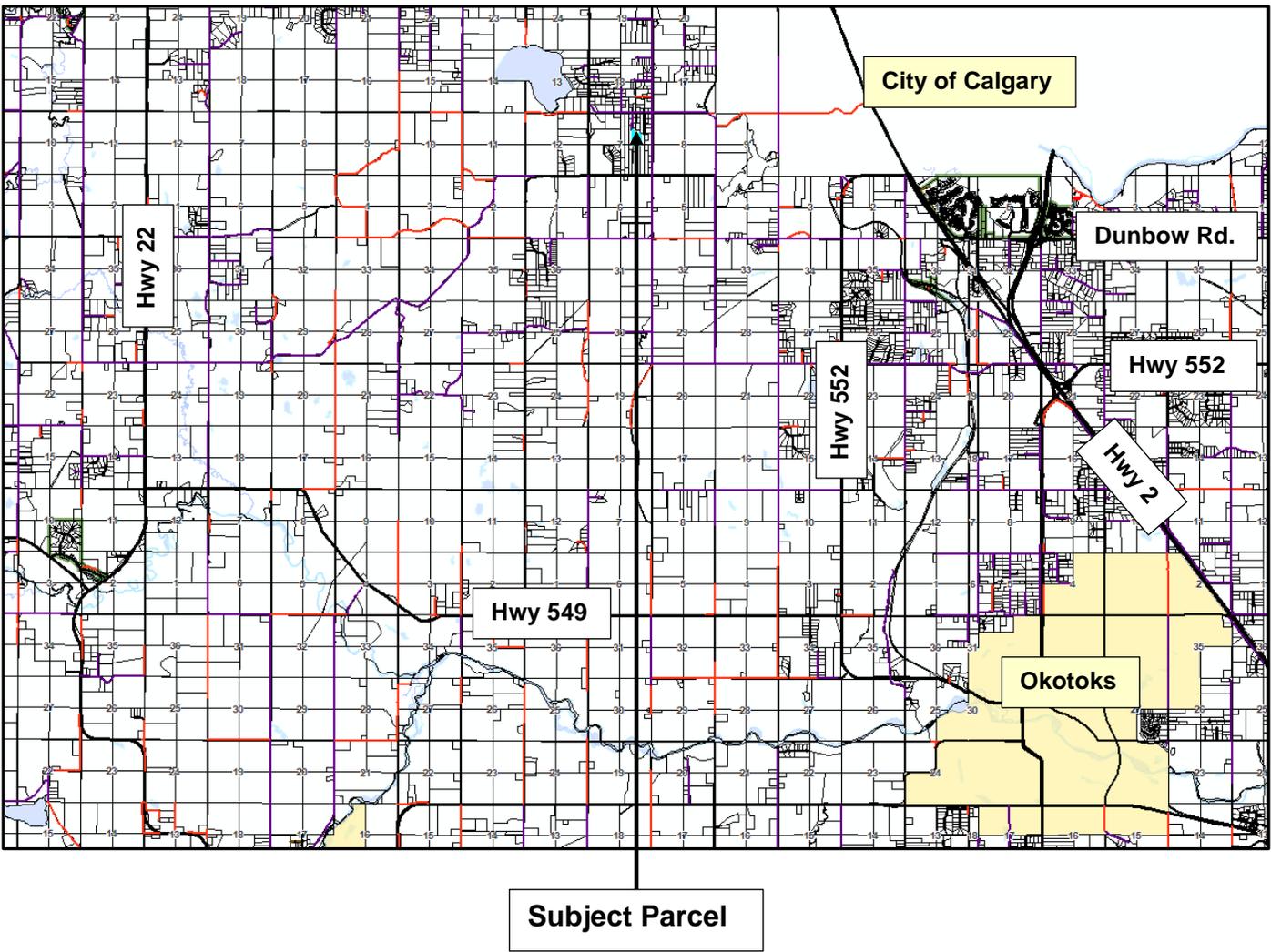
### **APPENDIX D:**

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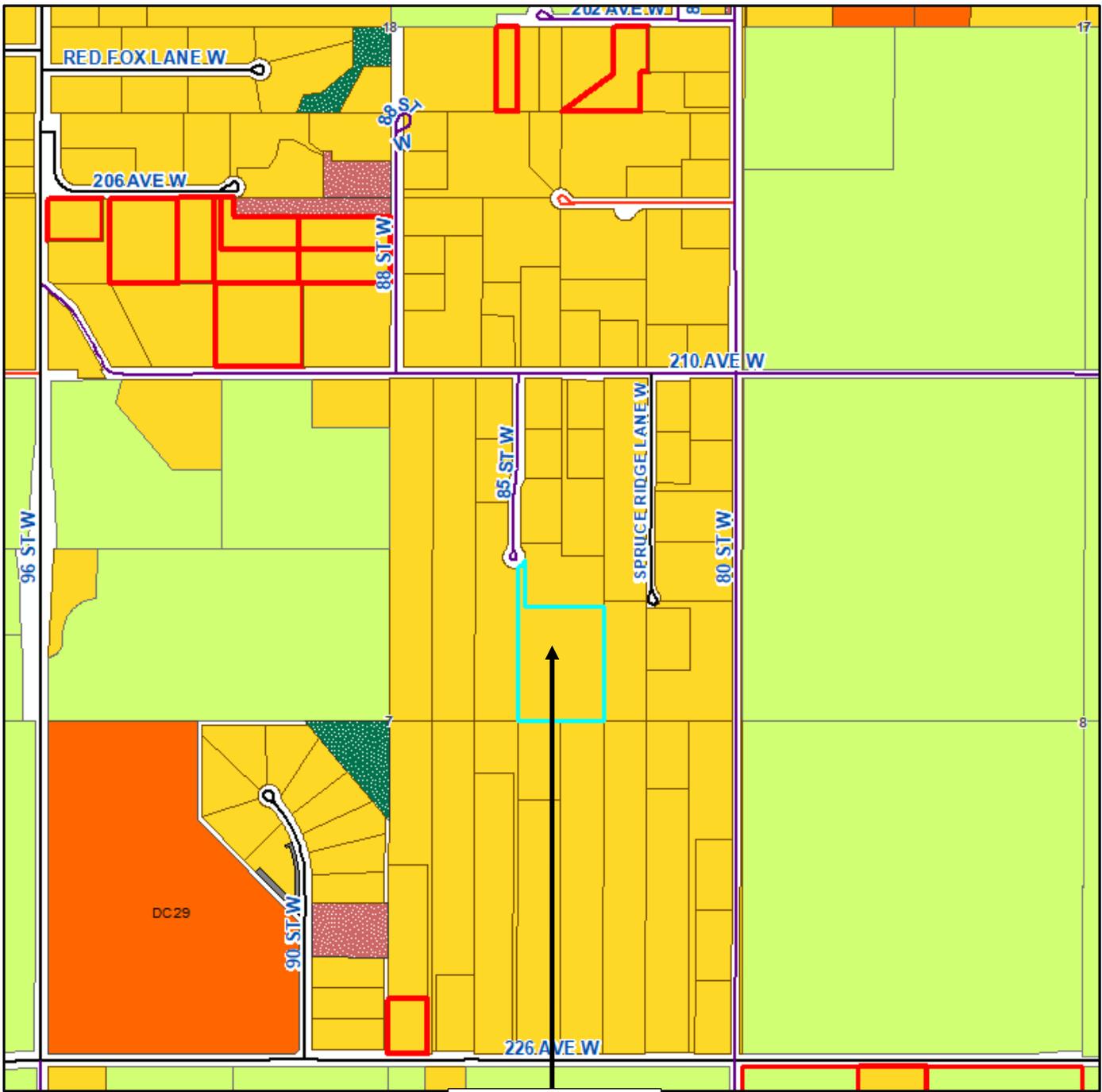
ADJACENT LANDOWNER LETTER (PROVIDED BY APPLICANT)

WRITTEN SUBMISSION -NEIGHBOURING LANDOWNER

**APPENDIX A: LOCATION MAP**



# APPENDIX A: HALF MILE MAP – LAND USE

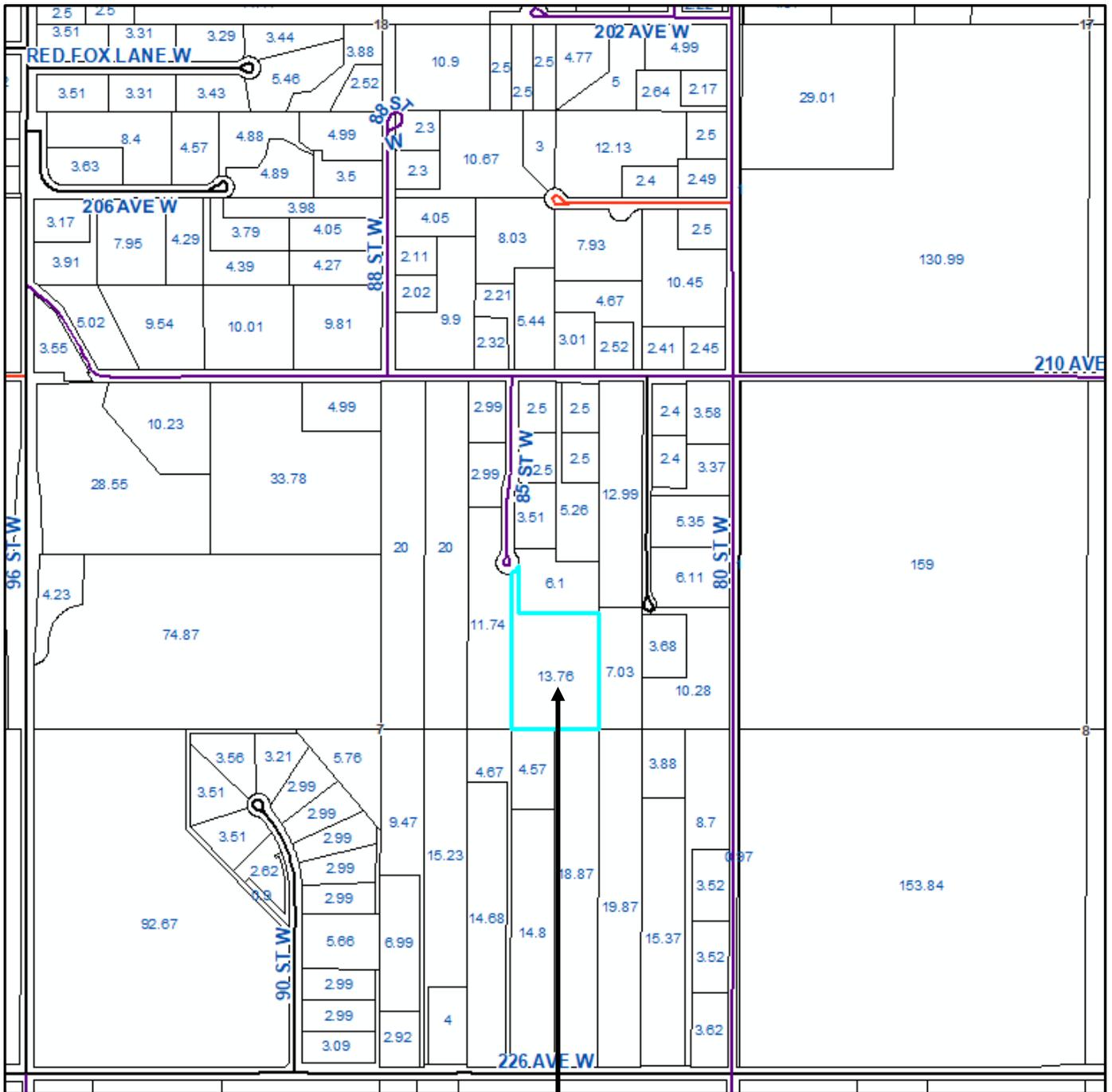


Subject Parcel

## 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              | Environmental Reserve                |
| 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        |                                      |

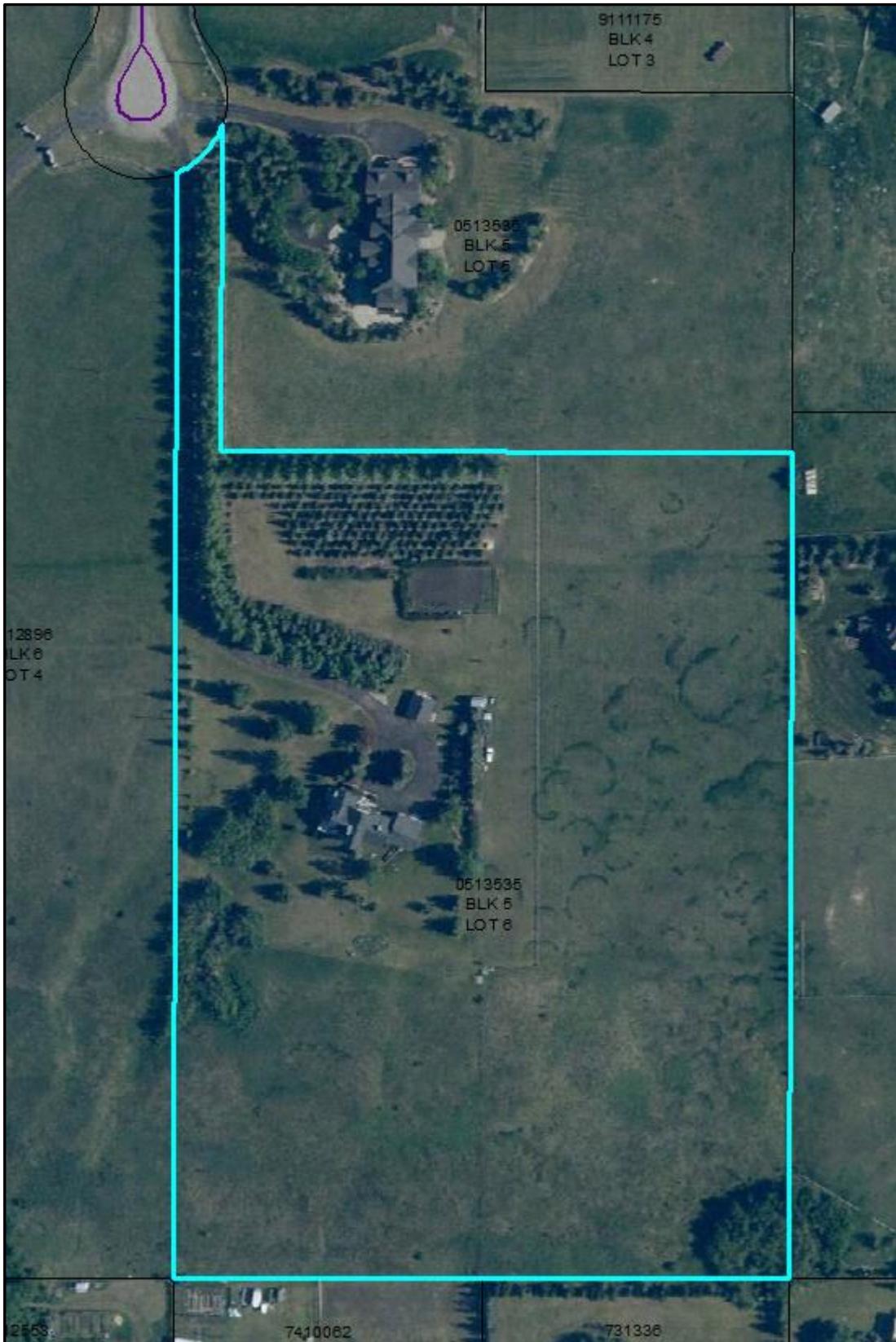
**APPENDIX A: HALF MILE MAP – LOT SIZES**



**Subject Parcel**



APPENDIX A: ORTHO PHOTO



**BYLAW XX/2025**

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

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

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 6.891 +/- acre Country Residential lot, with a 6.869 +/- acre Country Residential balance on Plan 0513535, Block 5; Lot 6; Ptn. NE 07-22-01 W5M and to allow for an exemption to the County's current density policy.

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

1. Under SECTION 13.0.0 COUNTRY RESIDENTIAL DISTRICT, the following shall be added under Part 8 Bylaw Amendments:

*Plan 0513535, Block 5, Lot 6; Ptn. NE 07-22-01 W5M within which shall allow for the future subdivision of one new 6.891 +/- acre Country Residential lot, with a 6.869 +/- acre Country Residential balance parcel.*

2. An exemption to the density provisions as outlined in Policy 15 of the Residential Section of the MDP2010 and Section 13.1.6.2 (a)(i) of the Country Residential District within the County's Land Use Bylaw.
3. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

SECOND READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

THIRD READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

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

**Mennie Sub-division Application - submitted November 15th, 2024 - Attachment**

**February 24th, 2025**

**To the members of Council and the Planning Department of Foothills County**

**My name is Earl Mennie**, I am a long time resident and land owner in our county since 1987. I am now retired from my full time position as a Farm Manager located near the City of Calgary for almost 30 years after moving from rural Saskatchewan in 1974. I still continue to annually assist other Farmers in the Indus area during harvest, I remain active with our local Red Deer Lake Church, and always keep an eye out for my neighbors - when the snow is deep, a fence needs repair or if grass fire conditions loom. My dear wife Alice and I will be celebrating our 62nd Wedding Anniversary this November, our daughter Faith works with TC Energy, she and her husband reside in Calgary, our son Mark now resides in Southern California and travels extensively with his professional photography career.

**This letter is to accompany my formal application of sub-division submitted to the County for your planning Department to add to their staff report, noting their findings - all for review and key decisions to make. I note that our son is representing us during the application process, but he suggested with his assistance, I pen this personal letter as we proceed with this process to apply to Foothills County, to subdivide our 13.76 acre parcel of property.**

This application of sub-division was professionally guided, surveyed and personally delivered to your Planning Department in November 2024. There is in fact 25+ years of history leading to this particular application with our initial purchase of the property as a 20 acre vertically surveyed parcel in 1987, sometimes referenced as a "Spaghetti 20". I began subdividing it in the year 2000, with the addition of a boundary adjustment to the due east of our newly built home, also in the same year, to create the present 13.76 acre parcel. All these steps were clearly guided by your County policies and the unique challenges created by the long vertical parcels ("the Spaghetti 20's") originally with the design intentions to garner valley and mountain views for all residents along the top of the foothill, that runs approximately parallel to 210 Ave, at that time in the 1970's.

These prior 1999 - 2001 developments north of my current homesite met all your past Planning Departments recommendations, and were approved by prior Councils. This included my western neighbors (the Sinneave Family) and I, were required to construct a new municipal road, now known as 85th Street W with a full sized Cul-de-sac, including a portion with buried electrical utilities to save our neighbors trees, all to your municipal building standards to fairly serve the new parcels, as well my western neighbors' home on the 30 acre parcel purchased in 1999.

With my acquisition of approximately 9 acres to my due east of my current homestead in 2004, then in 2005 with the creation of another approved subdivision (Lot 5 - to my due north) which created my current "Lot 6 on Plan 051 3535, a total of 13.76 acres", **I was fully aware, with my prior 85th Street West building experience guided by the County, that a municipal standard road for access would be required to ever consider a subdivision of my property in the future** - a plan set in motion in 1999 - which was key part of my wife Alice and our retirement planning.

Efforts were initiated to plan a standard municipal road, running East/West from 80th Street West, to also directly assist my fellow neighbors and their similar plans to subdivide their 20 acre properties. This common plan was agreed upon by several neighbors in 2005; which even included a on site visit by a Foothills County Engineering Representative for their opinion of the construction of a safe approach to 80th Street, a standard Cul-de-sac and the latest road building standards required by the County. We all set out to create cooperative, informed steps for all neighbors to craft their own subdividing plans, noting the road easement measurements, setbacks, the design of a Cul-de-sac requiring a portion of my property, the sharing of the costs to create the proposed 1/4 mile municipal road, to serve all parties.

Unfortunately - soon after in late 2005, our mutual plan for a standard municipal road to connect with 80th Street fell through, as the County advised the neighborhood group that no access to 80th Street would be permitted, as a result of a decision to make 80th street a major transportation thoroughfare, which was 20 years away; but imminent. The mutual plan of a connection to 80th Street between multiple neighbors that my property was going to be anchoring with a Cul-de-sac, was then lost.

The same group - but without my participation, was then advised and eventually granted by the County, the opportunity to build a municipal paved road and hammerhead turn-around on a smaller easement, now known as Spruce View Lane in 2007. My eastern portion of my property, was in effect - as decided by the now designated "future transportation corridor on 80th Street" - eliminated my potential to subdivide my 13.76 acre parcel; my plan to subdivide Lot 6 Block 5 became "**land locked**" in 2007 with no clear opportunity to garner the required municipal access.

However, I note that my fellow neighbor, Mr. Jim Henry at the time, in approximately 2006, had uniquely surveyed on his own 20 acres, on his first southernmost subdivision parcel, a possible way for me to eventually purchase in the future, a slightly angled 15 meter wide panhandle from the south portion of his remaining 14 acre lot, which in effect would be able create a lane to the recently built Spruce View Lane.

**I have a letter signed in May 2006 by my two adjacent landowners to my North and East, (Skreslet - Lot 5 Block 5 & Henry - Block 3) of an agreement illustrating this future cooperation, and I am willingly share a copy of it, for your review if so asked - in the greater understanding of the 25 year history of my application.**

This neighborly effort can even be seen in pre 2024 municipal maps, with an approximate 60'+ eastern "opening on my eastern border" (Lot 6, Block 5) as the means of connecting a future lane in the 2022 application, coincidentally illustrated in **File # F2201-07NE which in effect upon your Planning Department and Council's approval in 2023, "then blocked any possibility of a lane to be cooperatively negotiated between neighbors, due to this boundary adjustment request on Block 3, limiting any eastern municipal road access opportunity to my property"**. This is in contrast as we note in the details of the aforementioned 2006 three landowners agreement vs within the 2022 file, a one page letter noting a simple pasture extension to exercise their horse as the the late Mr. Henry had allegedly mentioned to that landowner at some point.

**Unfortunately, as I was ready to re-engage the Henry family for our original plan of purchasing and planning a lane across 330ft of their property, sadly, Jim Henry suddenly passed away in 2013.** Our original plan was put on hold, any friendly efforts to initiate a process of negotiating with my neighbor a purchase of a pan handle, to then submit a subdivision application to the County to review - was stopped cold.

Fast forward to mid January 2024, when we finally learned indirectly of a boundary adjustment agreement between the Henry homestead and the southern acreage owner. (**File # F2201-07NE**). We clearly note this is now a "**done deal**", however myself and other neighbors on 85th Street, ironically, did not receive any official correspondence in the form of letters from the County in the fall of 2022 nor witness any formal notice posted on the property; only the appearance of a "single steel survey peg" in 2022...

With this history noted in this letter - this application has been 25 years in the making.

**We note several cooperative discussions and email correspondence with your Planning Staff about our application. We are clearly aware of the two issues and also the looming Public Reserve assessment, that would apply to this subdivision:**

**Access:** Municipal road access, for our proposed subdivision via two professionally designed lanes on a single 15m wide North-South portion of the existing panhandle, appears to be a suitable engineered solution in the opinion of your Public Works Department. **I am pleased to learn of this detail, and I will certainly initiate a professionally engineered solution to meet the County's request of Lot 8's connection to the 85th Street Cul-de-Sac and also solve my design concerns of the "practicality of snow removal in the winter."** I believe this favorable two lane opinion forwarded by your Public Works Department could also offer diplomatic solutions to my adjacent eastern neighbors on Blocks 3 and 4, who also could face municipal access challenges with their existing shared lanes if your current policies were to be applied for "individual municipal road access", to their parcels today. We hope this opinion expressed by Public Works may assist our neighbors in the future.

**Density:** As recently advised by your professional Planning Department Staff, this quarter section, zoned Country Residential, is allowed a total of 32 Residents, 32 water wells and 32 Septic systems.

**In light of this, your Planning Department Representatives, kindly noted to me and my son Mark, in our scheduled meeting of January 27th, that an Easement on Density for this Country Residential Zoning to allow one more Residence (a 33rd technically), would be required for this to proceed.** I acknowledge your density rules as per my applications' easement request as guided by your Planning Department. I also note the current challenges our Council faces with demands to increase housing in both multi family areas or large estates in our County. However; this designation of 32 residences faces unique challenges on this particular quarter section in recognition of the sloping topography, the existing residence parcels as they are surveyed differently and notably - the fresh water wells that now already outnumber the existing 22 residences on this particular quarter.

I note the large undeveloped 25 acre parcel directly to my west (the Sinneave Family with one residence built in 2001- Block 6 & 7), plus the challenge of what may be allowed for a possible "3 parcel future subdivision" by my new 2023 western neighbor on their property (The Sycz Family, on their own "Spaghetti 20 - Block 8"). Both of these neighbors have challenges with the shared topography of a natural slope, a 30 meter wide municipal road and an accompanying full size Cul-de-sac stipulation. It is in my opinion there could be two scenarios looming for Council to ponder; a total of 32 Residents that may never be met because of the topography, views or residents' efforts to maintain large parcels. Alternatively, I predict another over density easement (35+/- residences) would be eventually forthcoming to financially accommodate a professionally designed private development with a longer municipal road as the result of the economics of residential acreage development; all are mutual challenges Foothills Country and the MD of Rocky View face as the City of Calgary expands rapidly in the decades.

My subdivision application, as noted earlier, was part of my family's retirement planning, leaving the prime location on my 13.76 acre parcel - the crest of this quarter section's foothill - for a buyer to build their dream home with a view to the mountains, with my home's location on Lot 6 Block 5 and the large amount of trees I planted in 2001, not to be interfering with that view as I planned.

**My son Mark Mennie is my Designated Representative for this application,** in light of his own familiarity of the challenging civic processes of development, his writing abilities and his good fortune to hear better than I, with my farm induced hearing impairment vs his professional endeavors of capturing photos underneath the blades of a roaring helicopter, however - he utilized hearing protection.

**Mark will diligently answer your questions and insights during the public process to the best of my family's collective experience, all in an effort for my childrens' desire to assist their aging parents to enjoy their sunset years in their own residence, their gardens and view of the Rocky Mountains.**

We have also engaged most of our neighbors on 85th Street West during this initial process to make them aware of our plans, the challenges we may face in this process and the slight increase of traffic, such perhaps a new family that will school bus route, as a small effort of transparency for this pending application.

**Please do not hesitate to reach out to us or to your Planning Department staff to forward any inquires; if your review process allows this type of Council engagement with a Resident and their application.**

Thank you to all of you for taking your time to review my letter.

Sincerely,

A large black rectangular redaction box covering the signature area.

**Earl and Alice Mennie  
210072 85th Street W**

A black rectangular redaction box covering the address area.

**Earl and Alice Mennie**  
210072 85th Street West

January 15th, 2025

### **Hello Neighbors**

We are writing to you as your long time neighbors at the south end of 85th Street West; we are the acreage with the western style wooden post gate, situated in the Municipal District (MD) of Foothills County.

**We are reaching out to inform you of our recent, standard application of a sub-division of our 13 acre property, the NE 1/4 of 07-22-01, W of the 5th, Lot 6. Block 5. Plan 051 3535, in Division 5 of Foothills County, submitted to the MD in November 2024.**

We are proposing the creation of a 7 +/- acre parcel of land, currently in our area zoned for single country residential development, including "a professionally surveyed, short and equally shared, 400' (120m) approximate pan handle reaching to our mutual Cul-de-Sac" at the south end of 85th Street West.

**In practical terms, this was always our plan to properly subdivide the 13 acre lot we crafted from our original purchase in this area over 35 years ago; leaving our "highest ground" for future development of a 5 - 7 acre residential parcel, for someones' dream home to be situated on the crest of the foothill - with a great un-obstructed valley and mountain view.**

Historically speaking; our original idea for subdivision that we wished to initiate in 2003, was in fact professionally advised at that time by our own MD's Engineering Department (and with the cooperation and understanding of our eastern neighbors near 80th Street West). Unfortunately it was stopped by a sudden 2004 MD decision that limited any new "east/west public road development and connection to 80th Street West - because of a major transportation corridor proposed to be in place by the 2020's". We believe past actions between the Province, the City and the County in the 2010's have delayed such a major transportation corridor for many years to come.

This 2003 plan, mutually discussed by our neighbors, was to the benefit all adjacent landowners for municipal road access, as we hold old signed documents similar to the spirit of this 2025 letter; all in support this prior cooperative effort to find an easy sub-division solution for all. This unfortunate 2004 decision by a past Council, did then leave us and our neighbors an alternative option, with an originally subdivided / uniquely surveyed solution adjacent to us, of future access to the then newly built Spruce Ridge Lane. Due to unfortunate events over the years - this cooperative effort fell through.

**Now in 2025, we wish to move forward with our new proposal, and use this 7 acre subdivision as our original retirement plan to remain in our home for the long term, as we originally designed it to be.**

We are prepared to meet the stipulations set down by past Council decisions, typical easements granted in the past for our area and to our knowledge, "prior landowners' agreements for shared municipal road access that do apparently exist in our immediate area". We recognize our current Council's decisions; the MD's Planning Departments' challenges with proposals big and small and the growing demands for a balanced approach for more planned country residential development. All of this is to be presented in our application at a future public hearing we expect this spring, at our Council Chambers in High River.

**We assume like any other residential developments or changes in our area - all landowners within a 1/2 mile (0.8 km) are notified by a special letter sent by standard mail to all of you by the MD. Please keep an eye out for this official correspondence; we believe transparency is important for all, for due process of any changes within proximity to our properties.**

As is usually the case, MD stipulations would include the proving of suitable water availability by a new well drilled, gas & power access on our shared grid, the MD's expectation of the 50' (15 meter) setbacks on the 310 foot wide lot we are applying for, including future gestures of neighborly actions, such as mutually beneficial shelter belts (trees), fire guards (long grass mowed each fall) and appropriate fencing for grazing animals / pet control.

**We also recognize current architectural controls of height and a neighborly approach to each others' view.** This can always be an issue, but we believe with neighborly input, architectural solutions and our own MD's detailed process of development application reviews, the amazing views along this foothill - can be shared and enjoyed by all.

**We do specifically note - included in this application, is the basic proposal of a shared 400' (120m) long North / South portion of the 50' (15m) wide access lane (aka "a pan handle") to the "85th street Cul de Sac".** This "short lane" is to be shared equally on title, as recommended by our professional planning consultants (as crafted for previous projects they have steered and have clearly noted in our standard 2024 application) that simplifies this municipal road access requirement by the MD. **This in addition does not require "we as an applicant, having to insist on the purchase of land from our neighbors to make our application possible".** It has been suggested to us recently, that a purchase of an additional 50' (15 meter) "sliver" of property from our western neighbors is a solution, however we believe this would in turn affect our west neighbors possible, future subdivision plans, including their own required municipal access as guided by the MD; that we expect and accept such development could happen in the future. They may also have their own future municipal road access challenges, as we ourselves also faced previously and then solved with the development of the municipal, 1/4 mile long road with a properly sized Cul-de-Sac; now named as "85th Street West" in the year 2000.

**We await what the Public Reserve or Environmental reserve options will be asked by the MD during the application process on this 7 acre site, as the topography creates a great view and exclusive residential opportunity.** We acknowledge the southern slope does harbor native plants and grasses, that years ago was unfortunately overgrazed by the original ranching. Presently, the 1970's survey of the original "long and skinny lots; which sometimes are referred to by the MD as the "Spaghetti 20's"; some of these ancient grasslands, are again flourishing, where they are not developed or overgrazed.

**We are asking your support as our neighbor along our unique location, either in the form of your own written letter of acknowledgement and support,** or simply signing at the bottom; endorsing the spirit of this letter, which we would present to the MD later this month, as our application is being processed via due process, for our Council to review and publicly present.

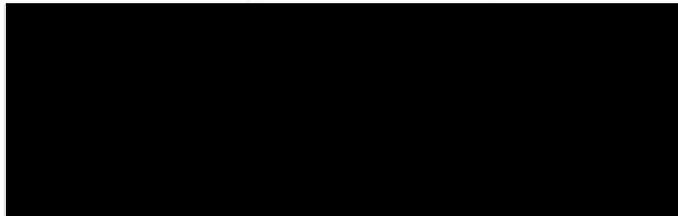
**We also understand other neighbors in our immediate area are proposing the subdivision of their own property, and we support their application(s)** and note the unique challenges of access on these "Spaghetti 20's", as per the guidelines the MD asks of us all in this "country residential" zoned area.

**We believe there are solutions in our application to satisfy our neighbors, the Foothills County Planning Department and all members of Council, in the effective and suitable use of land for development, to satisfy all.**

Please do not hesitate to reach out by a voice call or drop in for a coffee, as the details described in this letter - can certainly be confusing; we invite any and all of your questions - that this letter may initiate.

Please accept our open invite to take a walk of the proposed lot to take in the view, walk the slope to see the original foliage that existed there before the early 20th century ranching, that was followed by the subsequent 20 acre lots, during the 1970's development efforts that were crafted by the MD a generation ago.

Sincerely and thank you -



**Earl and Alice Mennie**



**& Mark Mennie** (as per the Foothills Letter of Authorization; Nov 12th, 2024)

I, STEFAN SYCZ (print name) of  
88001 210 AVE W 85th Street West, in the County of  
Foothills, understand the parameters, description and even the history of the  
Earl and Alice Mennie, 7 +/- acre application to subdivide their property: **NE 1/4  
of 07-22-01, W of the 5th, Lot 6. Block 5. Plan 051 3535, in division 5 of  
Foothills County.**

I wish to support this application in principle, via my signed approval of this letter, which included my understanding of their explanation of this application, including their offer to walk and observe the view of the proposed sub-division.

I also understand - that the detailed, and public information shared above by Earl and Alice, will also be shared by the MD during the public process.

Signed:  \_\_\_\_\_

on this 21 of Jan 2025.

**From:** [Margaret Gorgenyi](#)  
**To:** [Public Hearings](#)  
**Subject:** PROPOSED AMENDMENT & DENSITY EXEMPTION-LLD: NE7-22-1-W5M PLAN 0513535 BLOCK 5, LOT 6  
**Date:** April 14, 2025 6:46:16 PM

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To Whom It May Concern:

We, Les Gorgenyi & Margaret Gorgenyi have resided at #100-80018-226 Ave W [REDACTED] since June, 1998. We noticed a substantial increase of subdivision in this area.

Our concern of the above application is not obstruction of view, but water usage and having 3 years of drought conditions, this could potentially be a huge problem for us and many of our neighbors.

Kindly take this into consideration.

Thank you!

Les Gorgenyi  
Margaret Gorgenyi

E-mail: [REDACTED]

[EXTERNAL EMAIL] This email has originated from outside of the Foothills County organization. Do not click on any links or open any attachments unless you recognize the senders Name and Email address.