


**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT
March 4, 2026
To be heard at: 10:00AM**

APPLICATION INFORMATION		File No. 25R 069
	LEGAL DESCRIPTION: PTN. SW 06-20-01 W5M	
	LANDOWNERS: NUNO & CHERIE CANARIO	
	AGENT: ADVANCE CONSTRUCTION & DEMOLITION- LUKE WALDNER	
	AREA OF SUBJECT LANDS: 20 ACRES	
	CURRENT LAND USE: COUNTRY RESIDENTIAL DISTRICT	
	PROPOSED LAND USE: COUNTRY RESIDENTIAL DISTRICT	
NUMBER & SIZE OF PROPOSED NEW PARCELS: Two new 5.0+/- acre Country Residential District parcels with a 10.0 +/- acre Country Residential District balance parcel.		
PROPOSAL: Amendment to the Country Residential District Land Use Rules to allow for the future subdivision of two 5.0 +/- acre Country Residential District parcels, leaving an 10.0 +/- acre Country Residential District balance parcel.		
DIVISION NO: 2	COUNCILLOR: Benita Estes	FILE MANAGER: Kari Furnell

EXECUTIVE SUMMARY:

Summary of Proposal:

To provide two 5.0+/- acre Country Residential District parcels, leaving a 10.0+/- Country Residential District balance parcel.

Location:

The subject parcel is located:

- On the East side of 96 ST W
- Approximately 725 m North of 434 Ave W
- Approximately 4 km South of Highway 7
- Approximately 5.1 km East of Daimond Valley

Policy Evaluation:

Reviewed within the terms of the:

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

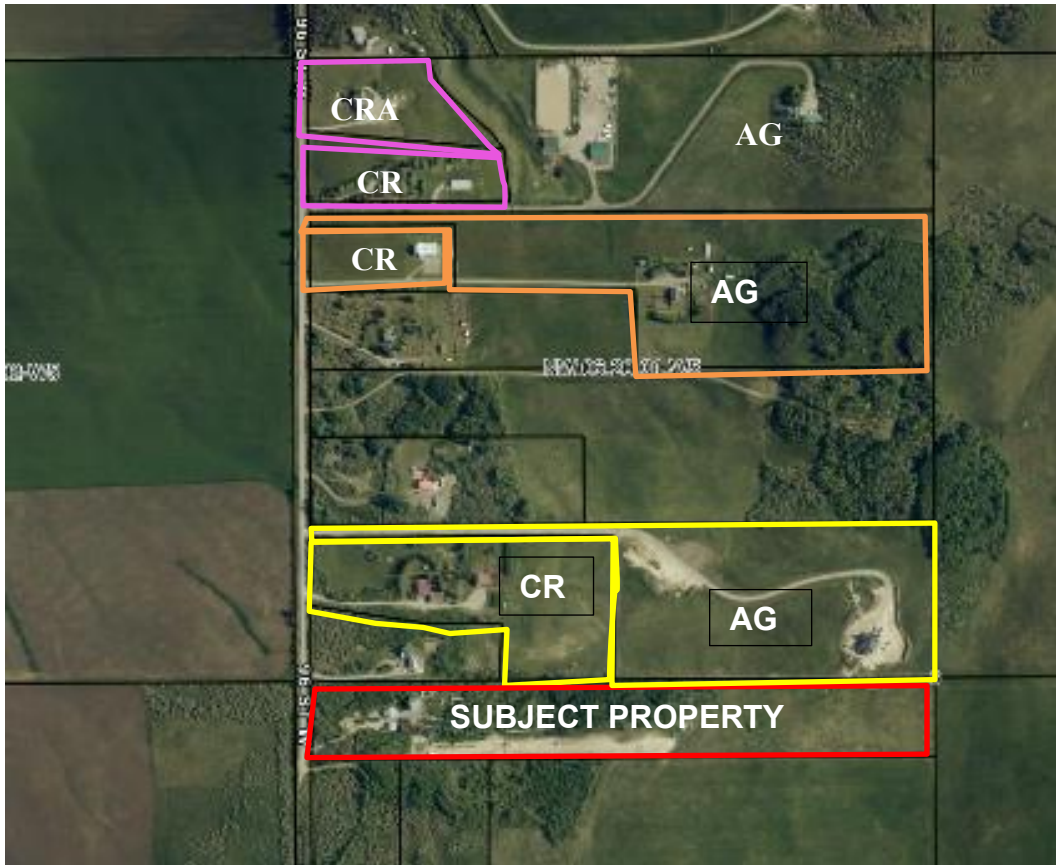
Referral Considerations:

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

PURPOSE OF APPLICATION:

Bylaw XX/2026 – Application to amend the Land Use Bylaw by authorizing an amendment to the Country Residential District Land Use Rules to allow for the future subdivision of two 5.0+/- acre Country Residential District parcels, leaving a 10.0+/- acre Country Residential District balance parcel from the subject parcel, being Ptn. SW 06-20-01 W5M.

History:

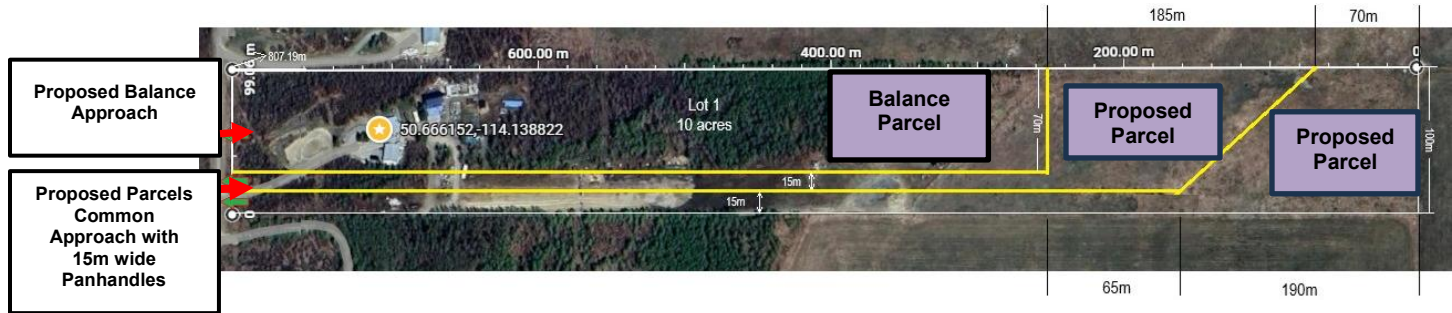


- In 1989, the subject parcel was subdivided.
- In 2007, a 35 acre balance parcel received subdivision approval for the creation of a second parcel of 13+/- acres leaving a balance of 22+/- acres. (as shown outlined in yellow)
- In 2017, the 30+/- acre parcel to the south finalized the subdivision of one 4+/- acre parcel, leaving a balance of 25.5+/- acres. (as Shown outlined in orange)
- In 2018, the 10.08 acre parent parcel was subdivided into two 5.4 acre parcels (as shown outlined in pink). The northern 5.04+/- acre parcel was designated as Country Residential 'A' District to

ensure that all the recommendations and restrictions as outlined in high water table testing for foundation and septic system design, septic disposal evaluation, and identified building envelope to ensure setbacks from slopes exceeding 15%, each provided as conditions of subdivision approval are complied with to the satisfaction of the Public Works.

SITE CONSIDERATIONS:

Access:



There is one existing approach from 96 Street West which is proposed to be widened into a common approach for access to both proposed 5.0 +/- acre parcels via 15 metre wide panhandles. A new standard approach is proposed to be constructed from 96 Street West for access to the balance parcel. The approximate locations for these approaches are shown on the image below by the red arrows.

***Note:** Public Works has no concerns with the new standard approach location for the balance parcel or common approach for the 2 proposed 5.0 +/- acre parcels, noting that a minimum 15 m separation is required to adjacent approaches, and a maximum grade of 2% from the road to the property line. Both approaches will need to be constructed to current municipal standards. As the proposed panhandles have slopes which appear greater than 15%, Public Works suggests an engineered driveway plan..*

Physiography:

Subject Parcel (outlined in blue):

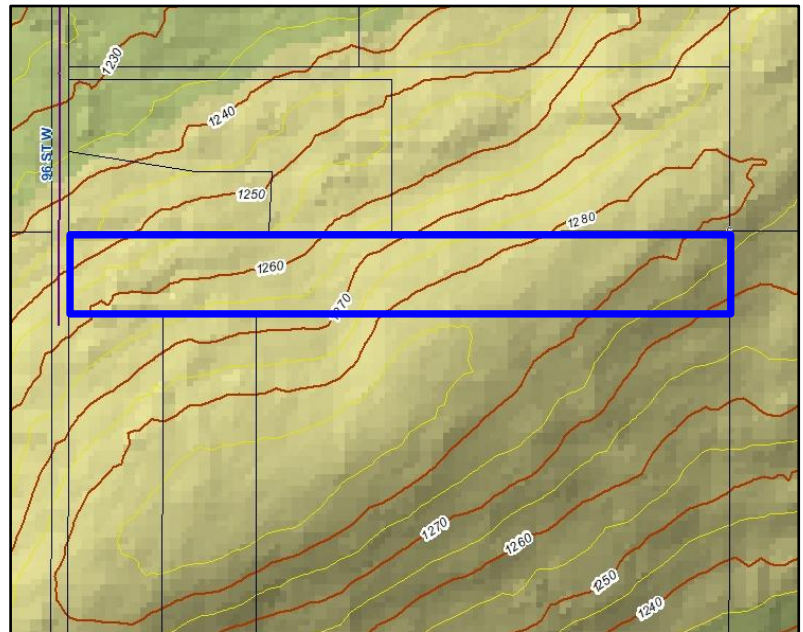
The parcel is situated on an elevated hilltop with a varied landscape consisting of dense tree stands interspersed with open grassland areas.

Balance Parcel:

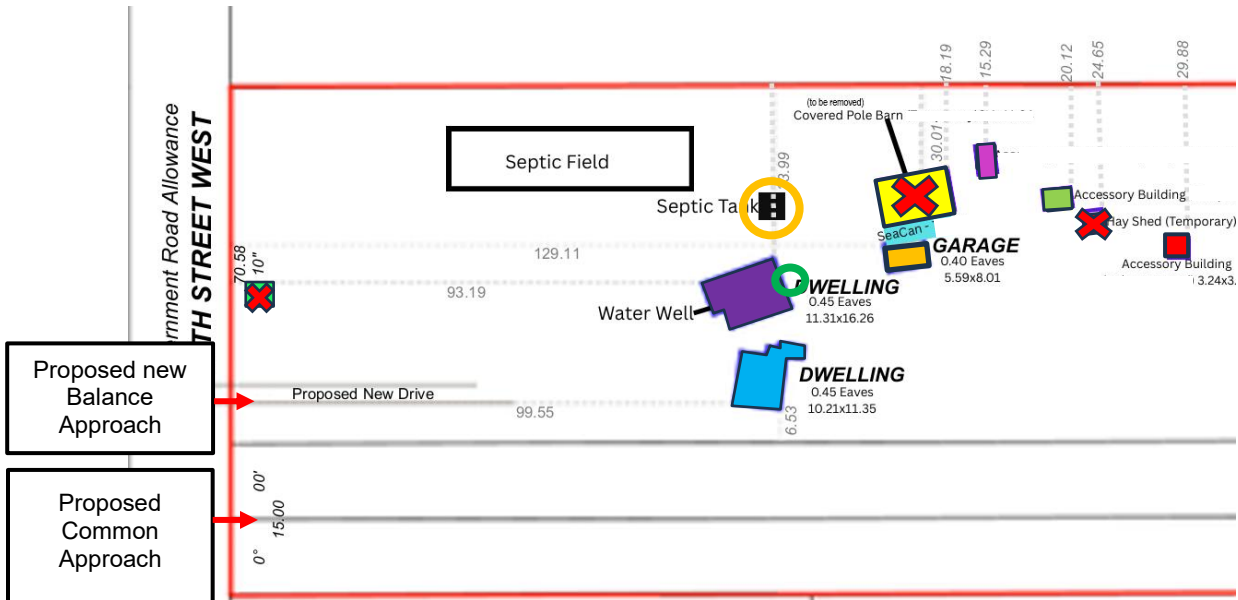
This area features elevation changes and is predominantly covered with a mixed tree canopy, offering consistent vegetation coverage across the parcel.

Proposed Parcels:

These parcels largely exhibit mild rolling hills and are characterized primarily by open grasslands, with limited tree cover and broad, unobstructed sightlines.



Existing Development:



All existing development on the subject property is located within the balance parcel and consists of:

- a Dwelling, Primary (shown in Purple)
- a Secondary Suite, Detached approved under Development Permit 24D 054 (shown in blue)
- a Garage (shown in orange)
- a Covered Pole Barn, to be removed (shown in yellow with a red x)
- a Sea-can (as shown in aquamarine)
- Bus Shelter to be removed (as shown in green with a red x)
- A shed (shown in pink)
- A Greenhouse (shown in green)
- A Hayshed, to be removed (shown with a red X)
- A Shed (shown in red)
- The existing dwellings are serviced via on-site water well (shown with green circle) and septic system (shown outlined in orange).

Note: The location of the Secondary Suite, Detached would not comply with the required side yard setback requirement of the Country Residential District; the Dwelling is shown to only be located 6.53 m from the newly proposed south property line when it would be required to be setback 15 m. Should Council approve this application, Council may also wish to consider acknowledging this structure as non-conforming or require the landowner to obtain a Development Permit for a Relaxation of setbacks. In addition, the landowner has confirmed that they will make application for a Development Permit for the existing sea-can in order for it to remain on the property, as a condition of subdivision,

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Rural Addressing	No Concerns
Public Works	<p>Recommendations:</p> <ul style="list-style-type: none"> • Supports the proposed common approach for the 2 proposed 5+/- acre parcels. Note that 15m separation is required to adjacent approaches, and a maximum grade of 2% from the road to the property line. • Both approaches will need to be constructed to current municipal standards. • As the proposed panhandles contain slopes which appear to exceed 15%, Public Works recommends an engineered driveway plan. It will need to encompass from 96 St W to the building envelopes. • Building Envelopes to be provided for the proposed two 5.0 +/- acre Country Residential District parcels. If the building envelopes contain slopes in excess of 15%, the building envelopes plan is to be supported by a Geotechnical Report for Slope Stability. Otherwise, the building envelopes will need to be setback 30m from the top of slope. Alternatively, a grading plan demonstrating that the slopes are less than 15% is to be submitted. • Septic Disposal Evaluation (PSTS) to be provided for the proposed parcels as a condition of subdivision. • Lot Grading and Drainage Plan to be provided for the proposed 5.0 +/- acre parcels, as a condition of Development Permit • 5m for future road widening along the full west boundary of the subject parcel (east side of 96 St W) by caveat.
EXTERNAL	
ATCO	No concerns
PUBLIC	
Western Wheel	Advertised February 18, 2026 and February 25, 2026
Landowners (Half Mile)	No letters were received before submission of the Staff Report

POLICY EVALUATION:

Municipal Development Plan (MDP2010):

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

Land Use Bylaw 60/2014:

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

Growth Management Strategy:

The subject parcel is located within the South Central District, which is intended to remain predominantly agricultural. Growth in this district is primarily directed to the east, near Highway 2 and the Towns of Okotoks and High River. Any proposed land use redesignation in this area should be carefully evaluated to avoid conflicts with long-established agricultural operations.

SUMMARY:

Bylaw XX/2026 – 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 two new 5.0 +/- acre Country Residential District lots, with a 10.0 +/- acre Country Residential District balance parcel on Ptn. SW 06-20-01 W5M.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – FIRST READING APPROVAL

Council may choose to grant 1st reading to Bylaw ##/2026 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of two 5.0 +/- acre Country Residential District parcels, leaving a 10.0 +/- acre Country Residential District balance parcel from Ptn. SW 06-20-01 W5M, for the following reasons:

In their consideration of the criteria noted within the Residential section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

Staff suggests that the two proposed 5.0 +/- acre parcels be designated as Country Residential Sub-district "A" to ensure that the recommendations and restrictions as outlined in the Building Envelopes (condition of land use), Septic Disposal Evaluation (PSTS), and Engineered Driveways, (conditions of subdivision) and Lot Grading and Site Drainage Plans (condition 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 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Recommended Conditions for Option #1:

1. The 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, Engineered Driveways and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
2. Building envelopes shall be provided for the two proposed 5.0 +/- acre Country Residential District parcels, prepared in accordance with Policy 9 of the Residential Section of the MDP2010 and to the satisfaction of the Public Works Department. If any portion of a proposed building envelope contains slopes exceeding 15%, the Building Envelopes Plan must be supported by a Geotechnical Slope Stability Report, to the satisfaction of the Public Works Department. Alternatively, the applicant may submit a grading plan demonstrating that all slopes within the proposed building envelopes are less than 15%, to the satisfaction of the Public Works Department.

3. Proof of adequate water supply to be provided for the two proposed 5+/- acre parcels, in accordance with the Provincial Water Act to the satisfaction of the County.
4. Septic Disposal Evaluations (PSTS) to be provided for the two proposed 5.0+/- acre parcels to the satisfaction of the Public Works department, **as a condition of subdivision**;
5. Lot Grading and Site Drainage Plan to be provided for the two proposed 5.0+/- acre parcels to the satisfaction of the Public Works department, **as a condition of Development Permit**;
6. Development Permit Application to be submitted to bring the existing secondary suite and sea-can into compliance with the Land Use Bylaw, **as a condition of subdivision**;
7. The Pole Barn, Bus Shelter and Shed 1 are to be removed from the subject, **as a condition of subdivision**.
8. Final amendment application fees to be submitted;
9. Submission of an executed subdivision application and the necessary fees.

OPTION #2 - REFUSAL

Council may choose to refuse the application for an amendment to the Country Residential District land use rules to allow for the future subdivision of two 5.0 +/- acre Country Residential District parcels, leaving a 10.0+/- acre Country Residential District balance parcel on Ptn. SW 06-20-01 W5M for the following reasons:

In consideration of the criteria noted within the Residential section of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to cumulative effects of the development and the suitability of the lands for further development.

APPENDICES:

APPENDIX A: MAP SET:

LOCATION MAP

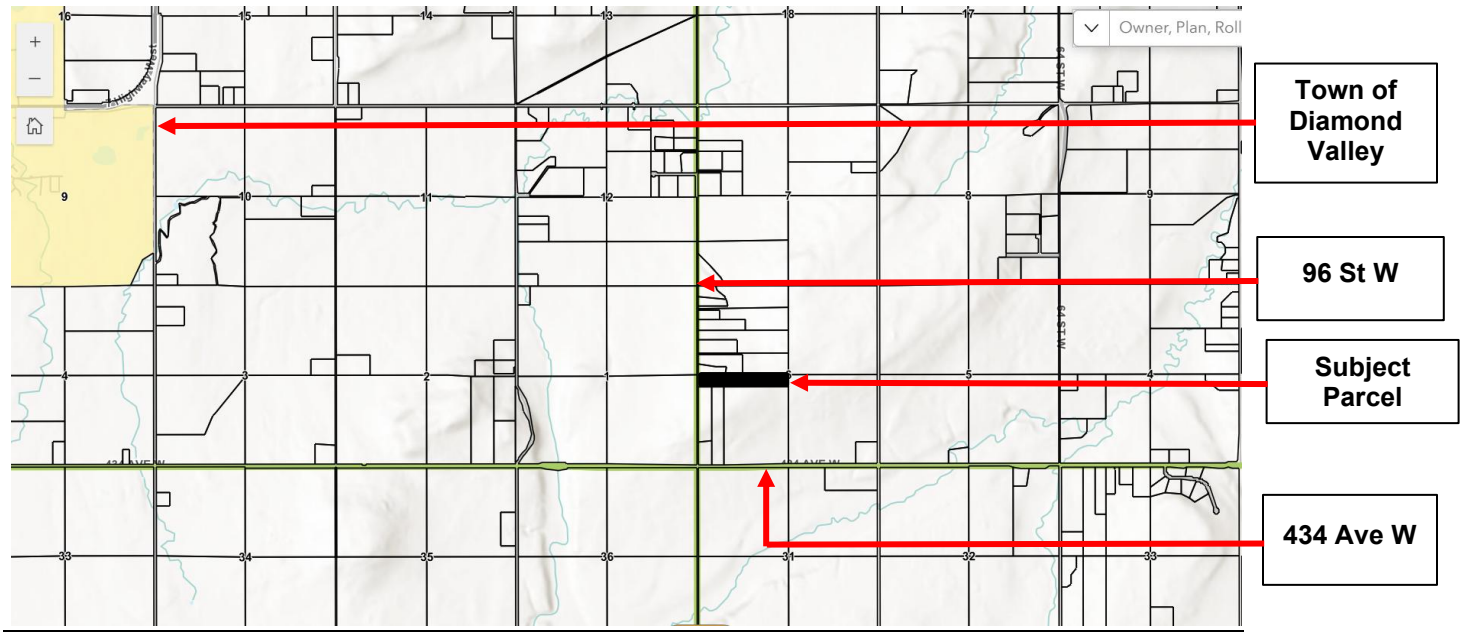
LAND USE - HALF MILE MAP

SITE PLAN

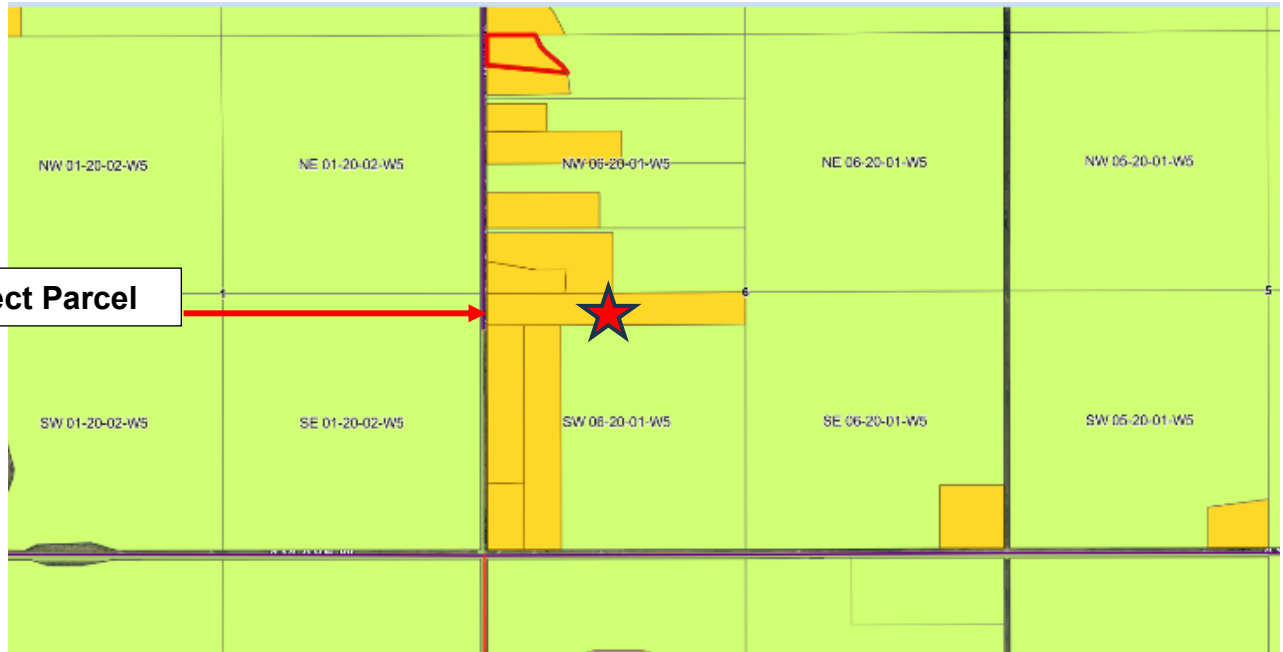
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW


APPENDIX A: LOCATION MAP



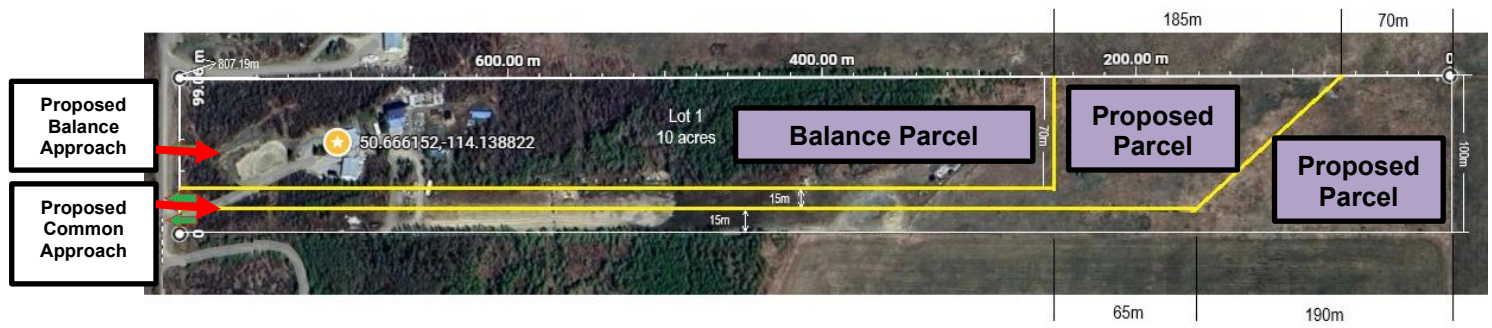
APPENDIX A: LAND USE



Legend

-  A- Agricultural
-  CR- Country Residential
-  CRA- Country Residential Sub A

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



APPENDIX B: PROPOSED BYLAW

BYLAW XX/2026

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 two 5.0+/- acre Country Residential lots, with a 10.0 +/- acre Country Residential balance parcel on Ptn. SW 06-20-01 W5M.

In their consideration of the criteria noted within the Residential section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

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:

Ptn. SW 06-20-01 W5M within which shall allow for the future subdivision of two 5.0+/- acre Country Residential lot, with a 10.0 +/- acre Country Residential balance parcel.
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING:

Reeve

CAO

SECOND READING:

Reeve

CAO

THIRD READING:

Reeve

CAO

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