

**FOOTHILLS COUNTY
COUNCIL AGENDA**


Wednesday, April 8, 2026, 12:30 p.m.
Foothills County Administration Office
309 Macleod Trail South – High River



Pages

- A. GENERAL MATTERS**
 - A.1 Call Meeting to Order
 - A.2 Approval of the Agenda
- B. MISCELLANEOUS MUNICIPAL ITEMS**
- C. SCHEDULED MEETINGS & PUBLIC HEARINGS**
 - C.1 1:30 p.m. - Weston - NE 17-22-04 W5M - Redesignation (A to CR) 2
Presented by: Planning Officer Theresa Chipchase
- D. MISCELLANEOUS PLANNING ITEMS**
 - D.1 Blagojevic - SW 24-21-01 W5M - Request to Amend Conditions 23
- E. SUBDIVISION APPROVING AUTHORITY ITEMS**
- F. CONFIDENTIAL CLOSED SESSION**
 - F.1 Advice from Officials - ATIA s. 29
 - F.2 Broadband Support Services - ATIA s. 19 & 29
Presented by: Manager of Information Technology Hollis Jacobsen
- G. MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION**
- H. ACKNOWLEDGEMENTS AND INFORMATION ITEMS**
- I. OTHER MATTERS**
 - I.1 Lunch
 - I.2 Accounts – April 8, 2026
Councillors Estes, McHugh, Callister
 - I.3 Minutes – April 1, 2026
 - I.4 Committee Reports
 - I.5 Next Meeting – April 15, 2026
 - I.6 Adjourn

**PUBLIC HEARINGS AND MEETINGS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 REDESIGNATION
 April 8, 2026
 To be heard at: 1:30 PM**

| LAND USE REDESIGNATION APPLICATION | | |
|--|--|--|
|  | LEGAL DESCRIPTION: NE 17-22-04-W5M | |
| | LANDOWNER: Doug Weston | |
| | AGENT: Township Planning and Design Inc./Kristi Beunder | |
| | AREA OF SUBJECT LANDS: 159 Acres | |
| | CURRENT LAND USES: Agricultural District | |
| | PROPOSED LAND USES: Country Residential District/Agricultural District | |
| PROPOSAL: Redesignation of a portion of NE 17-22-04-W5M, from Agricultural District to Country Residential District, to allow the future subdivision of one 8.78 +/- acre Country Residential District lot, leaving a 150.22 +/- acre Agricultural District balance parcel. | | |
| DIVISION NO: 4 | DEPUTY REEVE: Suzanne Oel | FILE MANAGER: Theresa Chipchase |

EXECUTIVE SUMMARY

Summary of Proposal

Redesignation of a portion of NE 17-22-04-W5M, in order to provide the future subdivision of one 8.78 +/- acre Country Residential District parcel, as the first parcel out of the quarter, leaving a 150.22 +/- acre Agricultural District balance parcel.

Location

The subject parcel is located 6.5 kilometres south of Hwy 22, 2.5 kilometres east of the Kananaskis Improvement District, one kilometre east of Highway 762, 125 metres east of 194th Avenue West.

Access

Access to the 8.78 +/- acre lot is proposed to be provided with construction of an engineered driveway through a 30 metre wide road acquisition agreement registered on the adjacent title west of the proposed parcel (Plan 0512982, Block 1, Lot 6, Ptn: NW 17-22-04-W5M), and east of the developed portion of 194th Avenue West. With a 30 metre by 30 metre road plan area to be surveyed out of the new lot for a future turnaround.

Public Works has recommended that 194th Avenue West be extended, to the east, to serve as access to the new lot, the adjacent landowner northeast of the applicant, and to Lot 7 within the adjacent subdivision to the west.

The extension of 194th Avenue West is to be constructed to the County's road construction standards (double chip seal), within the 30 metre wide acquisition of land registered on the adjacent lands (Plan 0512982, Block 1, Lot 7) which is to be surveyed out, by the applicant, as Road Plan.

Policy 9.1.5 and 9.1.9 of the County's Land Use Bylaw provides the following with regards to easements and easement access:

9.1.5 For purposes of this Bylaw, an easement agreement or easement does not constitute legal access unless a future road dedication or utility right of way has been registered over the easement area and the County has become a party to the easement to ensure that it cannot be removed without Council resolution.

9.1.9 The Council may allow access by way of easement in special circumstances if deemed appropriate. In such case, the County will be party to the easement agreement and the agreement shall be registered on title. A road acquisition agreement and Caveat may be required over the easement area registered on title of the subject lands.

Based on the statement above from the County's Land Use Bylaw, should Council agree to allow construction of a private engineered driveway over Plan 0512982, Block 1, Lot 7, the applicant will be responsible for acquiring an easement and access right of way agreement from the owners of Plan 0512982, Block 1, Lot 7, for the proposed engineered driveway.

Access to the balance south of Fish Creek, where the applicant's residence and yard site are located, is to remain as a private easement over the south boundary of the adjacent lands to the west (NW 17-22-04-W5M).

The landowner's proposal makes no provisions for access to the balance lands north of Fish Creek, east of the proposed new lot.

Please see the applicant's agent's submission attached as Appendix C for additional detail on their proposal for access.

SERVICING CONSIDERATIONS

Water History Adjacent Parcel (NW 17-22-04-W5M)

The existing water reservoir was developed in coordination with a water treatment plant, as a private communal system for the development of seven lots subdivided out of the NW quarter in 2005. The water reservoir, treatment plant and bulk water station were eventually assumed by Foothills County and are zoned Direct Control District #13.

The water treatment plant and reservoir as registered under Direct Control District #13, states within Policy 18.13.3, under the Discretionary Uses, that the "*Water Reservoir, Water Treatment and Distribution is limited to lots found on the subject quarter as created with Bylaw 7/2004.*"

Bylaw 7/2004 is the Bylaw which approved the seven lots from the NW 17-22-04-W5M, adjacent to this application, to the west. This Bylaw does not extend to any additional lots within the NE 17-22-04-W5M, which is the location of this proposal. Bylaw 7/2004 is attached as Appendix D to this staff report.

Water

The applicant has proposed connection of the new lot to the County's water line which is serviced by the water treatment plant on the adjacent quarter to the west, with an existing water well to continue servicing the residence on the balance of the quarter.

Extension of the water line would require approval of an amendment to the Discretionary Uses within Policy 18.13.3 of Direct Control District #13, to allow the additional lot to obtain water from the Fish Creek Ranch Water Distribution and Treatment system as approved under Bylaw

7/2004, or would need to be considered by Council, under Policy 18.13.3 as a “further” use within the District. Alternatively the applicant could choose to provide proof of water under the County’s Municipal Water Policy which would require a well to be drilled and a Q20 report to be provided acceptable to the County’s Public Works department.

Should Council agree to allow an engineered driveway through the adjacent parcel as access to the new lot, connection of the new lot to the existing water system would require the applicant to obtain consent from Plan 0512982, Block 1, Lot 7 for the registration of a utility right of way, over a portion of their property, to extend the water line infrastructure to the proposed new lot.

The County’s Public Works department has confirmed that should Council agree to allow connection of the new lot to the existing water system, located within the NW 17-22-04-W5M, that connection for the new lot can be supported within the existing system.

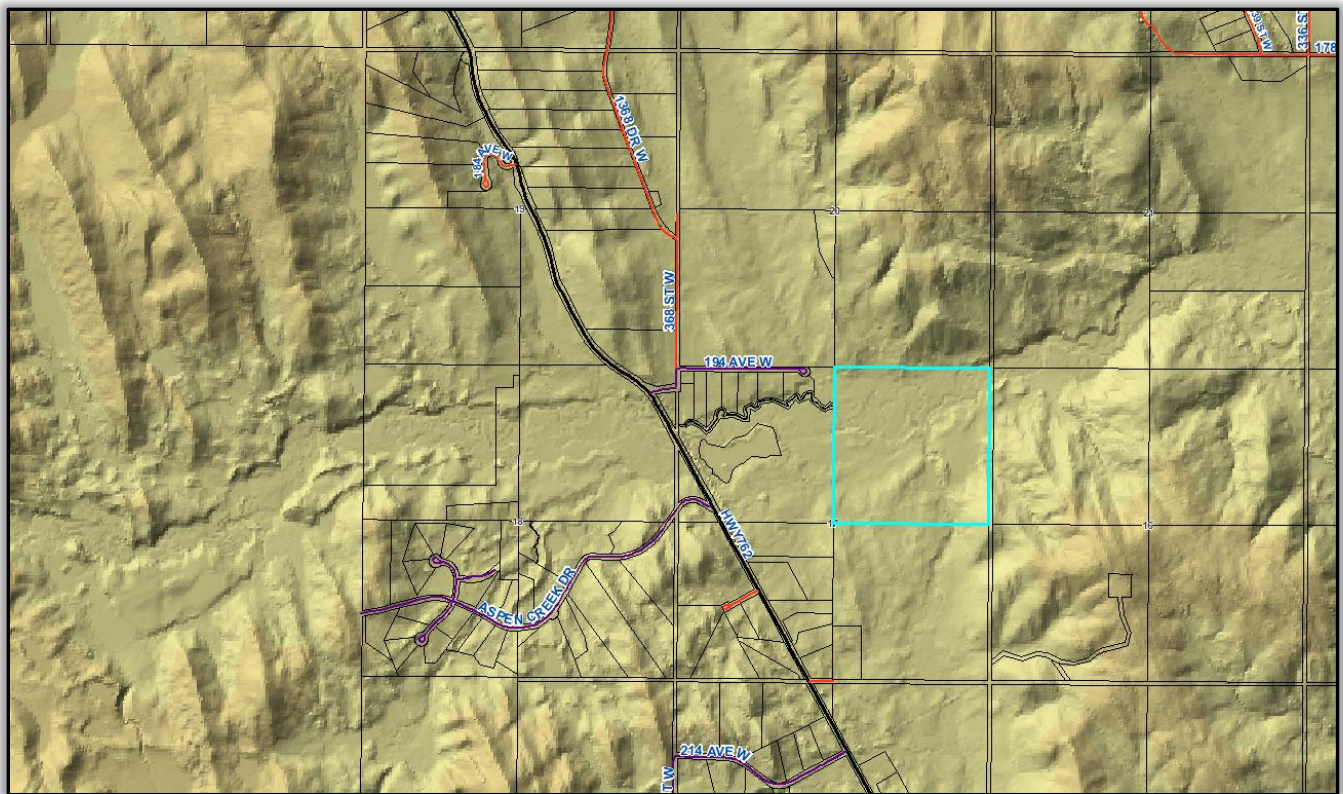
All required agreements and costs for extension of the water infrastructure to connect the new lot to the existing water distribution system, are the responsibility of the Developer.

Wastewater

The lands within the proposed lot mirror those within the adjacent seven lot subdivision, which illustrates the property to include areas of high water, therefore it is anticipated that alternative septic solutions outside a conventional septic tank and field may be required, which will be provided with the septic disposal evaluation, required as a condition of subdivision.

SITE CONSIDERATIONS

Physiography



The property outlined above in blue, is very diverse consisting of a wide, low, flat, valley bottom with a portion of Fish Creek through roughly the northern half, which includes a large meandering

riparian area adjacent to the creek, consisting of dense red willow, willow and other aquatic vegetation as well as some areas of native grasses. The creek splits to have an east /west run and a north/south run through this quarter. Both are well defined, with the north/south run being dammed and turned into a large and small pond east of the applicant's yard site, with directed drainage to the pond at the northwest corner and an outlet from the pond off the southern end allowing the north/south run to continue through its natural channel. The applicant's yard site within the southern portion of the quarter consists of a residence, barn, hay shed and horse shelters and is surrounded by groves of aspen and spruce.

Environmental Considerations

Fish Creek and Adjacent Riparian Lands

A significant portion of the proposed lot is low, covered in red willow, adjacent to Fish Creek. No protection measures are proposed for those lands within the proposed lot which function as riparian lands to Fish Creek. Additionally, the building envelope suggested for the proposed lot provides setbacks to property lines but does not address setbacks to lands considered riparian to the Fish Creek. Should the application be approved by Council, the applicant may be required to determine setbacks and a building envelope appropriate for development of the proposed parcel with respect to the extent of the environmental features noted on the property.

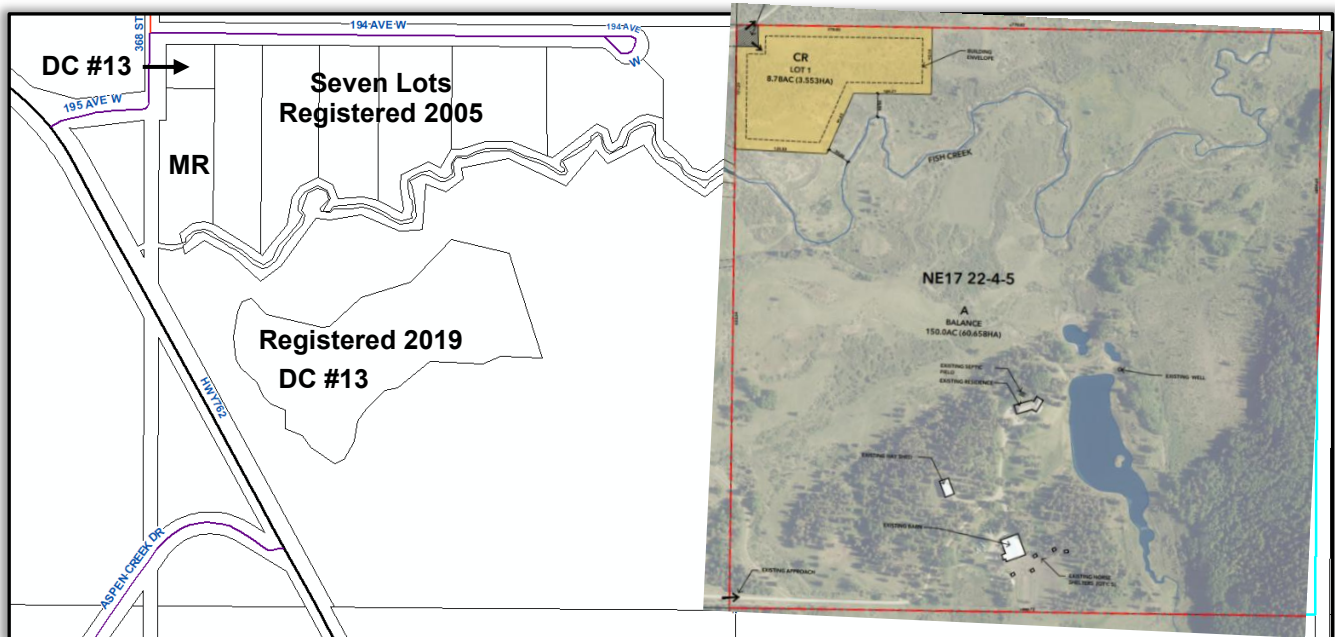
Policy Evaluation

Reviewed within the terms of the County's Municipal Development Plan 2010, Growth Management Strategy, and the Land Use Bylaw 60/2014.

Referral Considerations

Referred to required internal departments and external agencies.

ADJACENT QUARTER SECTION BACKGROUND



March 20th, 2003 – Fish Creek Area Structure Plan – proposal to allow the future subdivision of twenty nine (29), 2.0 to 2.9 acre lots in three phases (Phase 1 – nine lots, Phase 2 – seven lots, Phase 3 – thirteen lots) with two Municipal Reserve (MR) parcels and a 60 metre wide

Environmental Reserve Easement (ERE) over Fish Creek. Two internal roads were also proposed with an Agricultural Balance.

Phase One development of the nine lots was to be provided with water from a communal water system (with licensing approval for diversion of up to 13,540 cubic metres of water from Fish Creek), Phases 2 and 3 were proposed to be provided by communal or private water systems. A Geotechnical report provided conventional septic would not be suitable, and that mound, individual treatment plants or communal treatment plants would be recommended. The ASP was refused under the following motion:

“Moved that the application to adopt the Fish Creek Area Structure Plan in NW 17-22-04-W5M be refused. It is Council’s opinion that a high density development such as this is both inappropriate and inconsistent with the character of the area. Council also noted concern over the general lay of the land and inherent conditions due to its proximity to Fish Creek.”

March 27th, 2003 – The subsequent redesignation application for the nine lots within Phase 1, provided with the request for the ASP was also refused under the following motion:

“The land has not been redesignated to allow for the future subdivision of nine country residential parcels; Council recently refused the application to adopt the Fish Creek Area Structure Plan in its entirety due to the high density being inconsistent and inappropriate with the character of the area. At the time, they also noted concern over the general lay of the land and inherent conditions due to its proximity to Fish Creek.”

May 15th, 2003 - Council passed the following resolution:

*“Moved that the landowner be advised that no Area Structure Plan will be required prior to a redesignation application being submitted for seven additional lots in NW 17-22-04-W5M
Also moved that Council is not willing to allow a waiver of Section 6.7.0 of the Land Use Bylaw which outlines that an applicant may not be submitted until the expiration of at least six months for the date of the last refusal.”*

January 15, 2004 - First reading approved for redesignation of a portion of the NW 17-22-04-W5M from Agricultural District to Country Residential Sub-District “A” to allow future subdivision of seven (7), 4.0 to 5.7 +/- acre Country Residential Sub-District A lots with an Agricultural District balance, approved under the following conditions:

- Percolation and high water table testing for all new lots

The high water table testing provided with this approval provided that packaged wastewater treatment systems or mound systems would be required and that all wastewater systems must be outside the ERE’s registered on the lots.

It was also noted that Lot 7 was wet, with a highwater table, that no basement should be constructed on this lot, that engineered footings and other mechanisms to ensure a new residence is able to withstand the high ground water, the surface water and potentially unstable ground was to be employed and that no specific engineering was completed for this lot outside of a septic disposal evaluation.

- Submission of a combination of ERE and ER to Council’s satisfaction
- Cost estimates for upgrades to the municipal road from Hwy 762 to 50 metres beyond the proposed internal road
- Communal water system to satisfaction of Council (DC Bylaw granted 3rd reading April 8, 2004)

February 26th, 2004 – First reading granted to Bylaw 31/2004 for redesignation of a 14.74 acre portion of the NW of 17 for a water reservoir and a 2.98 acre portion of the NW 17 for a water treatment plant.

April 8th, 2004 – 3rd reading was provided to Bylaw 31/2004 redesignating of a portion of NW 17-22-04-W5M from Agricultural District to Direct Control District # 13 to allow for the water reservoir and treatment plant.

Direct Control District # 13 under Policy Section 18.13.3, Discretionary Uses, limits parcels that can connect to the water treatment and distribution system, to the seven lots approved within NW 17-22-04-W5M under Bylaw 7/2004.

May 27th, 2004 – Council passed the following resolution:

“Moved that further to conditions previously set forth by Council on January 15, 2004, Council will require the developer to enter into a Development Agreement for the road upgrading of the municipal road required from the intersection of Secondary Highway 762 to 50 metres beyond the proposed internal road.

Also moved that the request for a communal water system, as set out in the minutes of January 15, 2004, be amended to include the following:

- *All required licenses and approvals from Alberta Environmental Protection for the communal water system are to be in place prior to the registration of the lots.*
- *Developer’s Agreement for the required internal subdivision road is to include provision for the construction of the communal water system.”*

July 22nd, 2004 – second and third reading were granted to Bylaw 7/2004.

July 22nd, 2004 - Subdivision approval granted, which required:

- 10 metre wide Environmental Reserve (ER) over Fish Creek with 20 metre wide Environmental Reserve Easement (ERE) on both the North and South sides of the ER
- Private Water System
- Registration of a 3.61 acre Municipal Reserve parcel located directly south of the water treatment plant;
- 30 metre wide agreement for acquisition of land registered over north boundary of Lot 7 for the purposes of a highway, road, street, land, bridge, culvert, ditch or drain and to allow cutting and clearing of trees, brush or other growth, the excavating of, piling, ditching, removal or redistribution of earth, sand and gravel and removal or relocation of fences
- Water utility agreement registered over waterline pipeline Right of Way 1010193, with subsequent access right of way under the same plan for access to the water reservoir on the balance parcel.

POLICY EVALUATION

Municipal Development Plan

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

Policy 5 of the Agricultural section of the MDP2010 provides one parcel from a previously un-subdivided quarter section may be supported if the parcel is as small as possible encompassing an existing yard site and that it is designed in a manner that respects the natural capital including but not limited to soils, vegetation, water bodies and their associated riparian areas, and views and that the parcel has year round physical and legal access to a developed MD roadway.

Policy 2, 4, 9, and 10 of the Environmental Conservation and Open Space section of the MDP2010 requires protective measures be taken where development is proposed in or near fish spawning grounds, nesting, feeding, staging areas for birds, wintering areas for ungulates, wildlife corridors and wetlands. Further identifying that features and setbacks that are not suitable for development may be designated as Environmental Reserve Easement, that an assessment to determine top of bank where the bed and shore of a water course are not defined, may be required and that employment of the County's Riparian Setback Matrix Model may also need to be undertaken.

Policies 3, 9 and 12 of the Residential section of the MDP2010 provide that in order to consider the proposal to be developable by the Subdivision Authority, residential parcels should be compatible with the surrounding area and existing uses, should have a developable parcel with a water table and soils suitable for residential construction. Further providing that the design and infrastructure of residential development should consider the agricultural industry, the efficient use of land, the environmental impact and the cumulative effects of development along with the suitability of the lands for residential use, appropriate setbacks from all surface water features for the purpose of riparian land protection and the conservation of water.

Policy 11 and 14 of the Residential section of the MDP2010 also provides that the design and infrastructure of the residential development should functionally link adjoining lands and that creation of residential parcels on the basis of access by easement should not be supported.

Land Use Bylaw

The new lot, if approved, would meet the lot size restrictions and density requirements as set out in Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

Growth Management Strategy

The subject parcel is located within the North West District. The vision for the North West District identifies that lands which fall within this District are expected to see minimal to moderate growth in the form of Country Residential and Cluster Residential development with careful consideration of the potential impacts on wildlife habitat and watershed areas.

PURPOSE OF APPLICATION

Bylaw XX/2026

WHEREAS Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of an 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District balance parcel.

| CIRCULATION REFERRALS | |
|------------------------------|---|
| REFEREE | COMMENTS |
| EXTERNAL | |
| ATCO Gas and Pipelines | No Objections |
| ATCO Transmissions | ATCO Transmission wishes to confirm we have no conflict as we have no high-pressure pipelines in the proposed area. |
| ATEC | <p>This will acknowledge receipt of your circulation regarding the noted proposal. The subsequent subdivision application would be subject to the requirements of Section 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 762</p> <p>Transportation and Economic Corridors offers the following comments with respect to this application:</p> <p>The requirements to Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulations.</p> <p>The requirements of Section 19 are met, therefore no variance is required.</p> |
| INTERNAL | |
| Public Works | <p>Public Works provides the following comments regarding access:</p> <p>There has been discussion with the applicant regarding access to the proposed lot.</p> <p>Public Works recommends the landowner develop a road to current county standards within the 30 meter acquisition of land over the north boundary of the lands to the west, this would include relocation of the existing cul de sac bulb within the 30 metre by 30 metre area identified on the applicant's site plan. Noting that additional area may be required if determined by the detailed engineering.</p> <p>This would allow legal and physical access to be provided to the proposed lot, the balance parcel and the adjacent quarter (SE 20-22-04-W5M) from a developed county road.</p> <p>It is worth noting that the driveway within the 30 metre acquisition of land registered over the north boundary of Lot 7, Block 1, Plan 0512982 provides access to this Lot and has not yet been surveyed out of this title. The applicant if required to survey out the acquisition and develop the road as recommended by public works</p> |

CIRCULATION REFERRALS

would need to provide access to Lot 7, Block 1, Plan 0512982 as part of the Road Plan extension.

Also of note, there is a keypad wrought iron gate with light standards (installed by the owner of the SE 20-22-04-W5M) within the driveway through the acquisition area which would require removal with construction of a public road.

The applicant is also to be aware that 194th Avenue West has a road ban of 90%, therefore any hauling is to adhere to this ban.

194th Avenue West is a double chip seal surface.

The extension of 194th Avenue West is to be surfaced with double chip seal, at the applicants cost.

Public Works also provides the following comments regarding water:

The current Fish Creek Water System has the capacity to support an additional lot.

The existing water main will need to be extended by the Municipality's contractor, at the applicant's expense.

A 2 inch water line is required through the road acquisition area until the water line is within the new lot.

Should Council allow an engineered driveway through the adjacent private property, the water line is to be registered under a Utility Right of Way, at the expense of the applicant.

Public Works also provides the following comments regarding building envelopes:

Additionally, suggest that the applicant employ the Riparian Setback Matrix Model or Stepping Back from the Water completed by a qualified environmental professional to determine an appropriate building envelope and setbacks for the proposed lot with respect to Fish Creek and its riparian lands.

Public Works provided the following recommendations as conditions of the **subdivision for the proposed lot:**

- High Water Table Testing for Foundation Design
- Septic Disposal Evaluations
- Building Envelopes
- Engineered road and water infrastructure designs, cost estimates, letters of credit and insurance will be required;

Public Works provided the following recommendations as conditions of the **development permit for the proposed lot:**

- Lot grading/overland drainage plan

CIRCULATION REFERRALS

| | |
|---------------------------|---|
| PUBLIC | |
| Western Wheel | March 25 th and April 1 st , 2026 |
| Landowners (Half Mile) | No correspondence received prior to submission of staff report. |

SUMMARY

Bylaw XX/2026

WHEREAS Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of a 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District balance parcel.

OPTIONS FOR COUNCIL CONSIDERATION

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for redesignation of an 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District balance parcel for the following reasons:

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

Staff suggests Country Residential Sub-District “A” for the proposed lot to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation and high water table testing (provided as conditions of subdivision) and lot grading/drainage plans (provided as 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 \$5000.00 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Council may choose to impose the following suggested conditions:

Recommended Conditions for Option #1:

1. Water Condition Options:
 - a. Submission of an application for Amendment to Section 18.13.3 Discretionary Uses within Direct Control District #13, in order to include connection of the proposed 8.78 +/- acre new lot to the Water Treatment and Distribution system within NW 17-22-04-W5M, that is currently limited to those lots created under Bylaw 7/2004;
 - b. Consideration of the proposed 8.78 +/- acre lot as a “further use” under Section 18.13.3 Discretionary Uses of Direct Control District #13, allowing the new lot to be connected to the Water Treatment and Distribution system within the NW 17-22-04-W5M, that is currently limited to those lots created under Bylaw 7/2004;

- c. Proof of adequate water supply to be provided for the new 8.78 +/- acre lot, in accordance with the Municipal Water Policy, to the satisfaction of the County.
2. Applicant to provide a revised site plan, which illustrates the construction of a County Road, extending 194th Avenue to the east, with an appropriate turnaround provided at the eastern end, as access to the new lot and the adjacent neighbors, to the satisfaction of the Public Works department;
3. The revised site plan is also to identify building envelopes, for the proposed 8.78 +/- acre lot, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010, the building envelope determination is also to be provided through the completion of the County's Riparian Setback Matrix Model or the Province's Stepping Back from the Water document, to the satisfaction of the Public Works department;
4. Landowners to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purpose of external road development, water utility infrastructure, shallow utility servicing, water connection fees, grading, drainage, 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;
5. Thirty (30) metre wide Agreement for Acquisition of Land (Registration No. 051316522) registered over the north boundary of Plan 0512982, Block 1, Lot 7, adjacent to the application, is to be surveyed out, by the applicant, for the purpose of the external road construction required to extend 194th Avenue West, as legal and physical access to the proposed new 8.78 +/- acre lot, as a condition of **subdivision**;
6. The locked entry gate and all its associated infrastructure, located within the 30 metre wide Agreement for Acquisition of Land, on the adjacent landowner's property, is to be removed in its entirety, to the satisfaction of the County's public works department; as a condition of **subdivision**;
7. A 30 metre x 30 metre area of land is to be surveyed out of the applicant's title, as shown on the accepted site plan, for provision of a turnaround to be constructed by the applicant as part of the required road construction extension of 194th Avenue West, as a condition of **subdivision**;
8. Lot Grading Plan to be provided for proposed 8.78 +/- acre lot, to the satisfaction of the Public Works department, as a condition of **development permit**;
9. Geotechnical Report completed in accordance with Municipal standards to be provided for High Water Table Testing for the proposed new 8.78 +/- acre lot, to the satisfaction of the Public Works department, as a condition of **subdivision**;
10. Septic Disposal Evaluation to be provided for the proposed new 8.78 +/- 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**;
11. Final redesignation application fees to be submitted;
12. Submission of an executed subdivision application and the necessary fees.

OPTION #2 - REFUSAL

Council may choose to refuse the application for redesignation of a 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District balance parcel for the following reasons:

In consideration of the criteria noted within Residential Policies 3,9,11,12 and 14 of the MDP2010 and Policies 2,4,9, and 10 of the Environmental Conservation and Open Space section 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 and environmental impact of the development, the efficient use of the land, the provision of legal and physical access, and the suitability of the lands for further development. Further, in consideration of the criteria noted within the Agricultural section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

APPENDICES

APPENDIX A: MAP SET:

LOCATION MAP

HALF MILE MAP – LAND USE

HALF MILE MAP – PARCEL SIZES

SITE PLAN

ORTHO PHOTO

APPENDIX B:

PROPOSED BYLAW

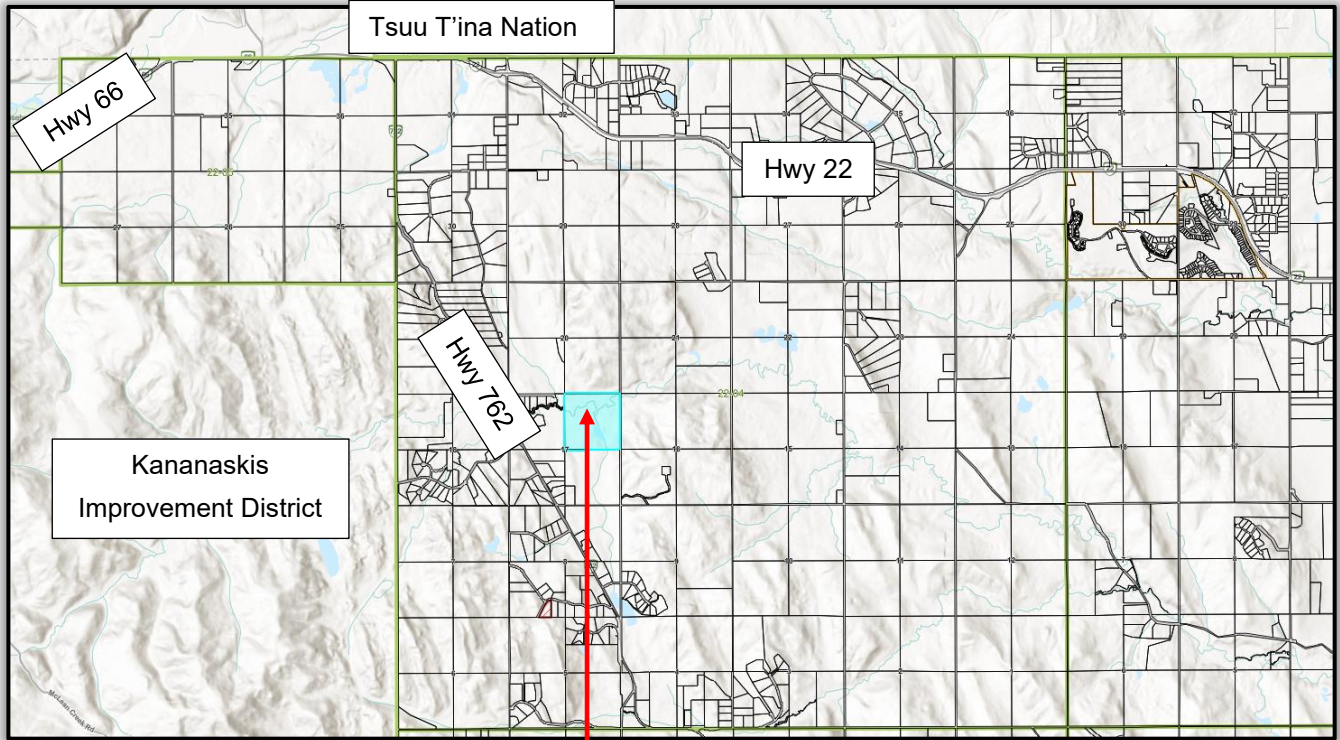
APPENDIX C:

APPLICANTS AGENT'S SUBMISSION

APPENDIX D:

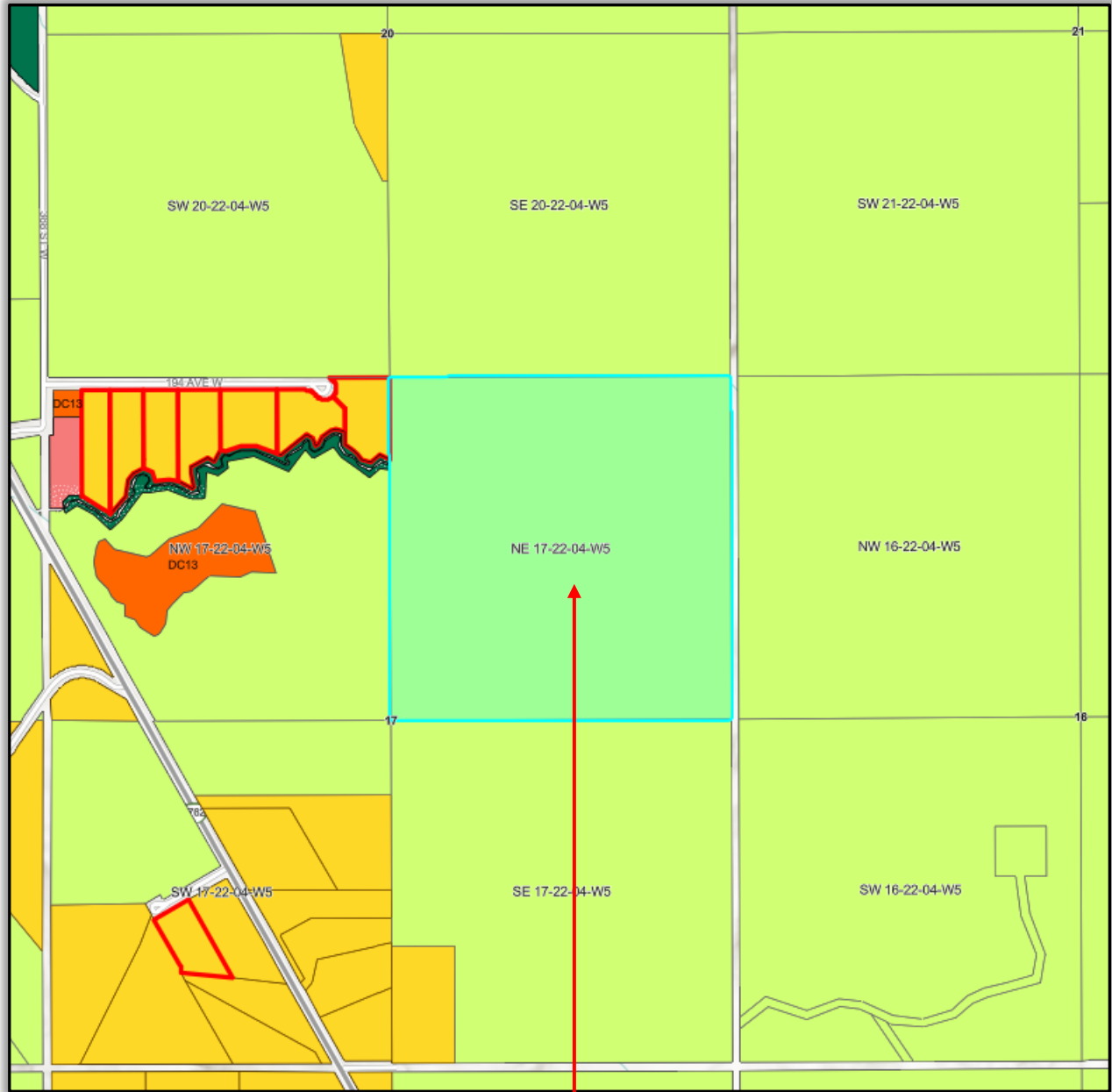
BYLAW 7/2004

APPENDIX A: LOCATION MAP



Subject Parcel

APPENDIX A: LAND USE MAP

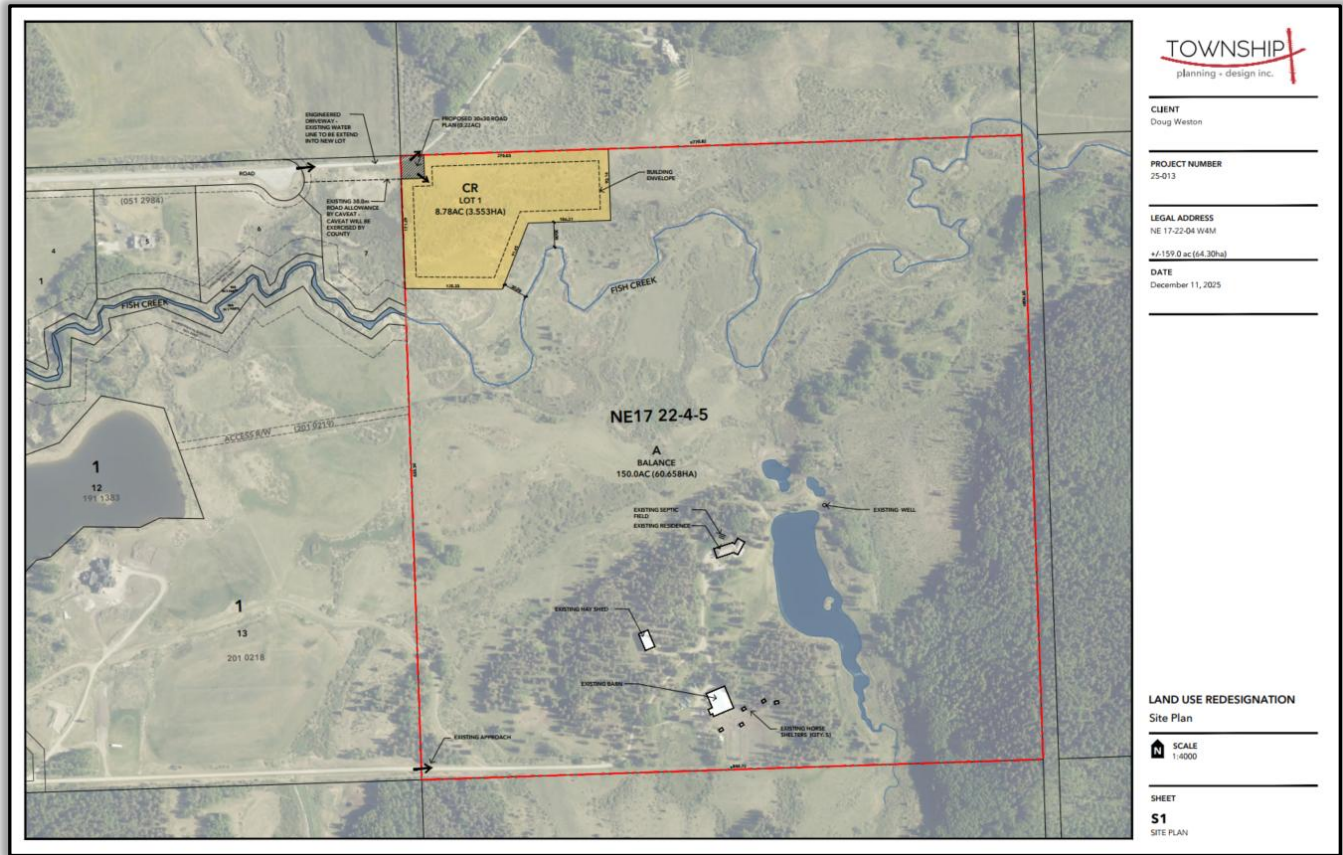


Subject Parcel

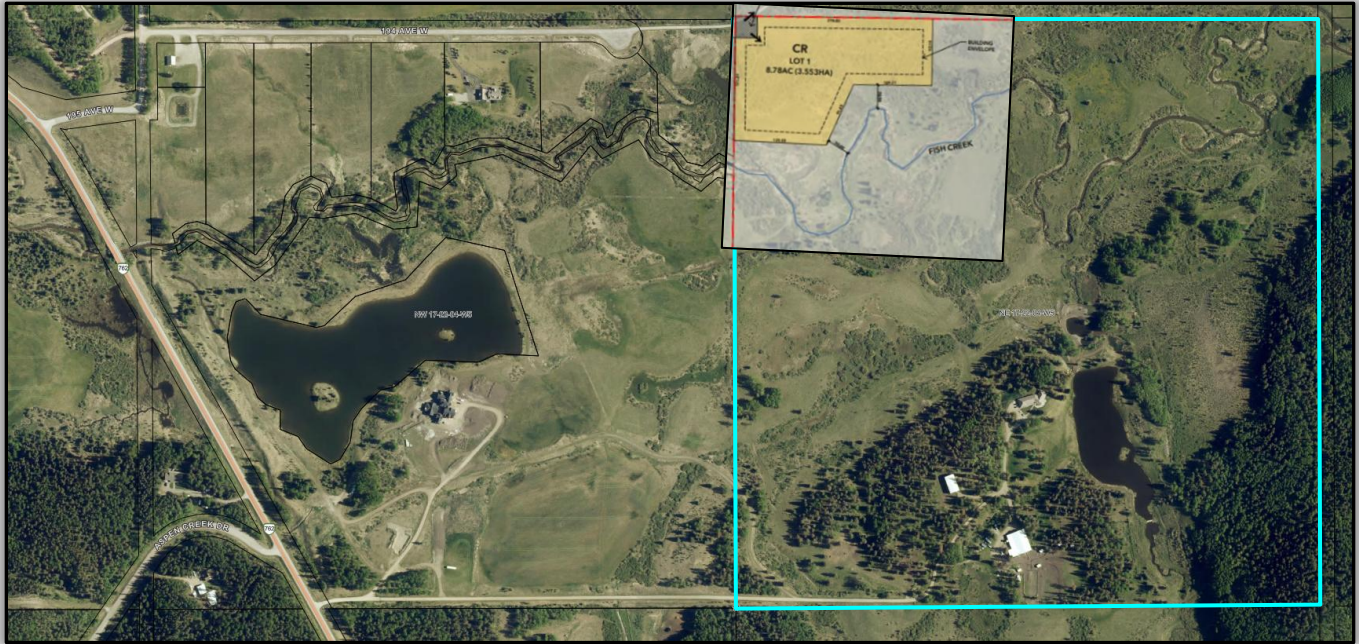
Legend

- County Roads
- Highways
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- ER- Environmental Reserve
- EP- Environmental Protection
- INR- Natural Resource Extraction
- MR- Municipal Reserve
- REC- Recreation
- PUL- Public Utility
- RC- Residential Community District
- SD- Service District

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



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 the redesignation of an 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2204 is amended redesignation of a 8.78 +/- acre portion on Ptn. NE 17-22-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 8.78 +/- acre Country Residential lot, with an approximate 150.22 +/- acre Agricultural District 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_____.

APPENDIX C: APPLICANT'S AGENTS SUBMISSION

110-259 Midpark Way SE | Phone: 403.880.8921
Calgary, AB T2X 1M2 | TWPplanning.com



Foothills County
Box 5605
High River, AB
T1V 1M7

May 2, 2025

Updated Jan 08, 2026

ATTN: Samantha Payne, Manager of Planning Applications

RE: Application for Land Use Redesignation from Agricultural to Country Residential to allow for the future subdivision of one (1) new parcel (± 8.78 ac/±3.55 ha) with a ± 150.0 ac (± 60.65 ha) Agricultural balance for the land legally described as NE 17-22-04 W5M within Foothills County.

Landowner: Douglas A Weston

Dear Samantha Payne,

Please find enclosed the following in support of the above-mentioned application for amendment to the Land Use Bylaw:

- o The formal application for Land Use Redesignation from A - Agricultural District to CR - Country Residential District to allow for the creation of one (1) (± 8.78 ac / ± 3.55 ha) new parcel;
- o The Letter of Authorization allowing Township Planning + Design Inc. to Act as agent for the landowner;
- o A Credit Card Authorization for processing of the applicable Land Use Bylaw amendment fee of \$1,600.00 (\$100 filing fee + \$1,500/new lot initial application fee);
- o A copy of the Abandoned Well Map and Statement, showing no abandoned wells in the immediate vicinity; and
- o Two (2) copies of the site plan, one with, and one without air photo.

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

Rationale: This land use amendment application is intended to facilitate a first parcel out from a previously unsubdivided quarter section. The application seeks to redesignate a ± 8.78 ac (± 3.55 ha) parcel of land in the northwest corner of the quarter section from Agriculture District to Country Residential District to facilitate the future subdivision of the lot. The proposed parcel integrates with the existing country residential development to the west by continuing the subdivision pattern along 194 Avenue West. The intent is to accommodate a single detached dwelling on the newly created parcel.

Location, Access, and Servicing: The subject site is located one quarter section east of Highway 762 at the end of 194 Avenue West and within the service area of the West Foothills Water Treatment Plant. Access to the proposed parcel will be provided from the existing driveway that extends from 194 Avenue W through Lot 7 to the proposed parcel. We have also proposed a 30x30 road dedication on the proposed lot to provide legal access to the proposed lot and the SE 20-22-4 W5M as the existing driveway to the SE 20 is the common driveway through Lot 7 and it encroaches on the proposed parcel.

Easement number 821 096 provided access over NW 17-22-4-W5M to both NE1 7-22-4-W5M and SE 20-22-4-W5M but following the creation of the Benchands subdivision in 2005 the easement was removed and not replaced. There is also a caveat registered over Lot 7 that grants to the County a 30m wide strip of land along the north boundary of Lot 7 as a road dedication; however, the County has not exercised that caveat

so the 30m strip of land is still contained within the Title of Lot 7. This is problematic for access to the NE 17-22-4-W5M and SE 20-22-4-W5M quarter sections as there is currently no legal or physical access, as defined by the County. Through discussions with Administration and the area Councilor, it is our understanding that the County would exercise the caveat registered on Lot 7 as part of this application to provide the legal access to the NE 17 and SE 20 quarter sections.

Physical access to the proposed lot is to be provided by way of an engineered driveway within the area to be exercised by the County and taken out as road dedication. We have been notified that Public Works would recommend a County-standard road here; however, the topography and natural features pose significant challenges to a road of this size. In addition, should a County-standard road be built it would significantly impact the developable area of Lot 7. At the time that Lot 7 was created, the County reviewed and approved the building envelope for that Lot and did not account for the possibility of the 30m road dedication along the north. For the reasons above, we would request that Council consider an engineered driveway as appropriate access to the proposed parcel.

Water will be provided by an extension to the existing 6" pipeline that services the Benchlands from the West Foothills Water Treatment Plant and terminates on Lot 7. The landowners have confirmation from the County that up to two additional connections to the piped system have been approved. This proposed development will utilize one of those connections. Sanitary servicing will be provided through an onsite private septic system.

The existing dwelling and accessory buildings on the balance parcel are currently accessed from Highway 762 by way of an access easement (Registration # 201 216 776) through Plan 2010218, Block 1, Lot 13 and will continue to be accessed in this manner.

Policy Considerations: The subject site does not fall within an Intermunicipal Development Plan or Area Structure Plan; therefore, the guiding policy is the Municipal Development Plan and the Land Use Bylaw with additional direction taken from the Growth Management Strategy (GMS). Located in the Northwest District (as per the GMS), this area supports minimal or moderate growth in areas where fragmentation and development have already occurred, maintaining a quaint rural feel, and ensuring natural features and forestation are preserved. The proposed lot configuration follows the pattern of country residential parcels already established along 194 Avenue W and aligns with the Foothills County Municipal Development, which directs additional subdivision to areas with existing country residential development. The proposed lot aligns with the Land Use Bylaw regulations for country residential parcels and maintains a typical rural building envelope suitable for development.

Should you have any questions or concerns please do not hesitate to contact us.

Sincerely,
Township Planning + Design Inc.



Robyn Erhardt, B.A., M.Plan.
RPP, MCIP
Senior Planner
Urban + Regional Planning

Cc: *Douglas A Weston - Landowner*

BYLAW 7/2004

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 TO AUTHORIZE AN AMENDMENT TO THE LAND USE BYLAW NO. 1/99 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 the Municipal District of Foothills No. 31 in the Province of Alberta, has adopted Land Use Bylaw No. 1/99 and amendments up to and including those passed on September 30, 1999,

AND WHEREAS the Council has further passed amending Bylaw No. 4599, 5999, 13299, 7999, 11099, 9999, 9499, 10399, 12099, 7899, 1299, 17399, 11599, 13199, 14499, 15999, 11399, 14699, 10199, 12699, 4699, 9599, 3099, 19099, 15199, 15299, 12699, 12799, 1199, 18599, 2399, 16599, 16699, 17199, 5599, 9999, 14599, 10099, 17599, 17999, 8199, 13899, 17699, 16399, 17499, 16199, 14999, 16099, 22000, 10899, 122000, 252000, 18699, 8099, 18499, 18699, 19099, 19199, 5799, 299, 3199, 112000, 19299, 10999, 6699, 352000, 13799, 452000, 17899, 13699, 102000, 12199, 2599, 14399, 52000, 7799, 162000, 212000, 9599, 11499, 399, 172000, 1899, 822000, 422000, 7099, 16199, 152000, 712000, 482000, 3799, 512000, 1112000, 17099, 552000, 17299, 382000, 542000, 662000, 11699, 15699, 922000, 762000, 652000, 402000, 1142000, 14699, 3899, 532000, 1232000, 962000, 852000, 392000, 832000, 822000, 142000, 462000, 999, 1352000, 332000, 442000, 17799, 1942000, 17399, 1152000, 642000, 17099, 682000, 412000, 1272000, 18799, 602000, 1032000, 1052000, 16599, 16799, 772000, 1432000, 1242000, 1342000, 12164, 1202000, 1696, 232000, 1082000, 1122000, 8999, 892000, 1352000, 1599, 1472000, 1502000, 1572000, 1482000, 482000, 10499, 952000, 1372000, 18999, 1492000, 1692000, 1362000, 1702000, 742000, 912000, 962000, 1192000, 882000, 1212000, 72001, 702000, 902000, 6999, 1222000, 2032000, 1682000, 2966, 1992000, 1442000, 4299, 2899, 2072000, 1632000, 2082000, 2012000, 1802000, 142001, 1002000, 662000, 6899, 572001, 1832000, 1022001, 102001, 2042000, 432000, 1662000, 62001, 1710200, 112001, 2701, 712001, 8399, 2062000, 2002000, 1292000, 232001, 1862000, 1972000, 1422000, 42000, 862001, 642001, 10299, 1902000, 452001, 1812000, 992001, 342000, 212001, 342001, 562001, 872000, 522001, 82001, 2102000, 1942000, 92001, 792000, 312001, 672001, 422001, 1552000, 722001, 812001, 462001, 852001, 1102001, 402001, 942001, 882001, 622001, 1322000, 1092001, 1412000, 432001, 14899, 282001, 222001, 1852000, 412001, 1202001, 1472001, 832001, 1512000, 1991991, 792001, 152001, 1222001, 202001, 1282001, 1382001, 282001, 1452001, 1372001, 1392001, 332001, 22001, 512001, 872001, 1212001, 1042001, 482001, 652001, 1172001, 1852000, 1512001, 1022001, 1652001, 1172000, 542001, 1752000, 1602001, 1802001, 1402001, 162001, 1272001, 892001, 492001, 1462001, 512001, 1632001, 1642001, 1782001, 212002, 1772001, 242000, 222000, 1592001, 682001, 1512001, 1582000, 132002, 1032001, 62002, 1422001, 1542001, 1252001, 322001, 1542000, 1532001, 1762001, 32002, 632001, 692001, 1552001, 1122001, 362002, 42002, 342002, 662001, 172001, 92002, 732000, 1482001, 1302000, 762000, 17102001, 1882000, 1852000, 1182001, 119, 2001, 62002, 1872001, 1892001, 82002, 502002, 452002, 382002, 1032002, 32001, 1312001, 472001, 472002, 892002, 402002, 772002, 622002, 632002, 782002, 602001, 522002, 1232001, 1502001, 242002, 1262001, 382002, 852002, 1532000, 1052002, 1342001, 1852001, 1012001, 252002, 922002, 982001, 462002, 1102002, 1172002, 1152002, 1752001, 812002, 532002, 202002, 1522001, 322002, 1062001, 712002, 1582000, 1792001, 512002, 1122002, 692002, 1272002, 1632000, 142002, 872002, 1802000, 1732001, 812002, 432002, 592002, 152002, 1582001, 832002, 1242001, 1192002, 972002, 902002, 1862001, 2022000, 702002, 1432000, 42001, 52001, 1552002, 1682002, 1652002, 582002, 1142002, 1132002, 1232002, 1202002, 1602002, 1612002, 1002001, 822001, 1282002, 782002, 252003, 892002, 1582002, 1642002, 282003, 1512002, 1592002, 112003, 902001, 1502002, 422002, 442002, 982002, 1422002, 212003, 1572002, 32003, 1842001, 452003, 982002, 72003, 1112002, 842001, 8911994, 182003, 802001, 1192002, 562003, 1352002, 1662002, 312003, 192002, 192003, 841994, 891994, 962002, 1412002, 1722001, 1302001, 352002, 372002, 1072002, 272003, 3992003, 122003, 1082001, 712003, 622003, 622003, 1212002, 1392002, 612003, 432003, 1442002, 1032002, 1542002, 852003, 462003, 1812001, 342003, 92003, 412003, 322003, 1012003, 372003, 332003, 232003, 1892001, 1632002, 422003, 72002, 902003, 632003, 1272003, 762003, 1052003, 912003, 1262002, 472003, 962003, 222002, 1402003, 872003, 482003, 482003, 632003, 1332003, 1382000, 1032003, 442003, 1752001, 912002, 692003, 532003, 1502003, 1082003, 382003, 82003, 1252002, 792003, 1322003, 1142003, 68a2002, 642003, 1462003

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of NW 17-22-4 W5 from Agricultural District to Country Residential 'A' District in order to allow for the future subdivision of seven additional lots ranging in size from 4 to 5.7 acres.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2204 is amended by redesignating NW 17-22-4 W5 as Country Residential 'A' District.
2. Upon registration at Land Titles Office, Calgary, Alberta, of seven additional parcels, the balance of the land shall remain designated as Agricultural District.
3. This Bylaw shall have effect on the date of its third reading.

FIRST READING: January 15, 2004

Roy R. McLean
Reeve
[Signature]
Municipal Manager

SECOND READING: July 22, 2004


Roy R. McLean
Reeve
[Signature]
Municipal Manager

THIRD READING: July 22, 2004

Roy R. McLean
Reeve
[Signature]
Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 22 day of July, 2004

**MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
AMENDMENT TO CONDITIONS
April 8, 2026**

| | | |
|---|--|---|
| APPLICATION INFORMATION | | File No. 25R071 |
| The following Councillors can vote on this item: <i>Reeve Siewert, Deputy Reeve Oel, Councillor Alger, Councillor McHugh, Councillor Callister, Councillor Kendall, Councillor Estes</i> | | |
|  | LEGAL DESCRIPTION: Plan 0911451 Block 2 Lot 12, PTN: SW 24-21-1 W5 | |
| | LANDOWNERS: Radosav Blagojevic | |
| | AGENT: Badke Consulting Ltd. / Jeff Badke | |
| | AREA OF SUBJECT LANDS: 19 acres | |
| | CURRENT LAND USES: Country Residential District | |
| | PROPOSED LAND USE: Country Residential District | |
| PROPOSAL: Request to Council to consider amending condition of first reading to Bylaw 08/2026 to approve the estimated Maintainable Road Oil Surface contribution as requested by Council. | | |
| LOCATION: The subject parcel is located between Calgary and Okotoks, approximately 2.6 km east of Highway 2A, 1.4 km south of 274 Avenue West, and is east adjacent to 11 Street West. | | |
| DIVISION NO: 5 | COUNCILLOR: Alan Alger | FILE MANAGER: Pierre-David Karolyi |

BACKGROUND:

March 11, 2026: Council granted first reading to Bylaw 08/2026 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of three new 4.43 +/- acres to 5.0 acres +/- Country Residential lots with a 5.0-acre Country Residential balance parcel on Plan 0911451; Block 2; Lot 12; Ptn. SW 24-21-1 W5M.

EXECUTIVE SUMMARY:

Purpose of Request:

Condition #1 of the Land Use Approval under proposed Bylaw 19/2024 currently states that the landowners are to execute and comply to a Development Agreement for the purpose of a contribution toward a maintainable road oil surface for 11 Street West, along payment of the community sustainability fee. Administration was requested to provide the estimated amount of the contribution toward a maintainable road oil surface for 11 Street West.

Staff reached out to the County's Public Works department for review and it was advised that the recommended contribution is \$15,000.

LAND USE APPROVAL CONDITION:

The following condition was set by Council on March 11, 2026 for 1st reading:

1. *Landowners are to fully execute and comply with all requirements as outlined within the County's Development Agreement for the purpose of a contribution toward a maintainable road oil surface for 11th Street West, 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;*

SUMMARY:

Request to Council to consider the amount of \$15,000 provided by the County's Public Works department with respect to Condition #1 of first reading approval under Bylaw 08/2026.

REQUEST TO COUNCIL:

OPTION 1 APPROVAL:

Should Council determine the \$15,000 contribution as acceptable, Council is requested to consider amending Condition #1 of First Reading of Bylaw 08/2026 to include the following text shown in red:

*Landowners are to fully execute and comply with all requirements as outlined within the County's Development Agreement for the purpose of a **\$15,000** contribution toward a maintainable road oil surface for 11th Street West, 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;*

OR

OPTION 2 ALTERNATE AMOUNT:

Should Council determine that the proposed \$15,000 contribution is not adequate, Council may wish to consider the following motion:

Council acknowledges the information provided from administration regarding the proposed maintainable road oil surface contribution for 11th Street West and directs that a different amount is to be considered.

APPENDICES:

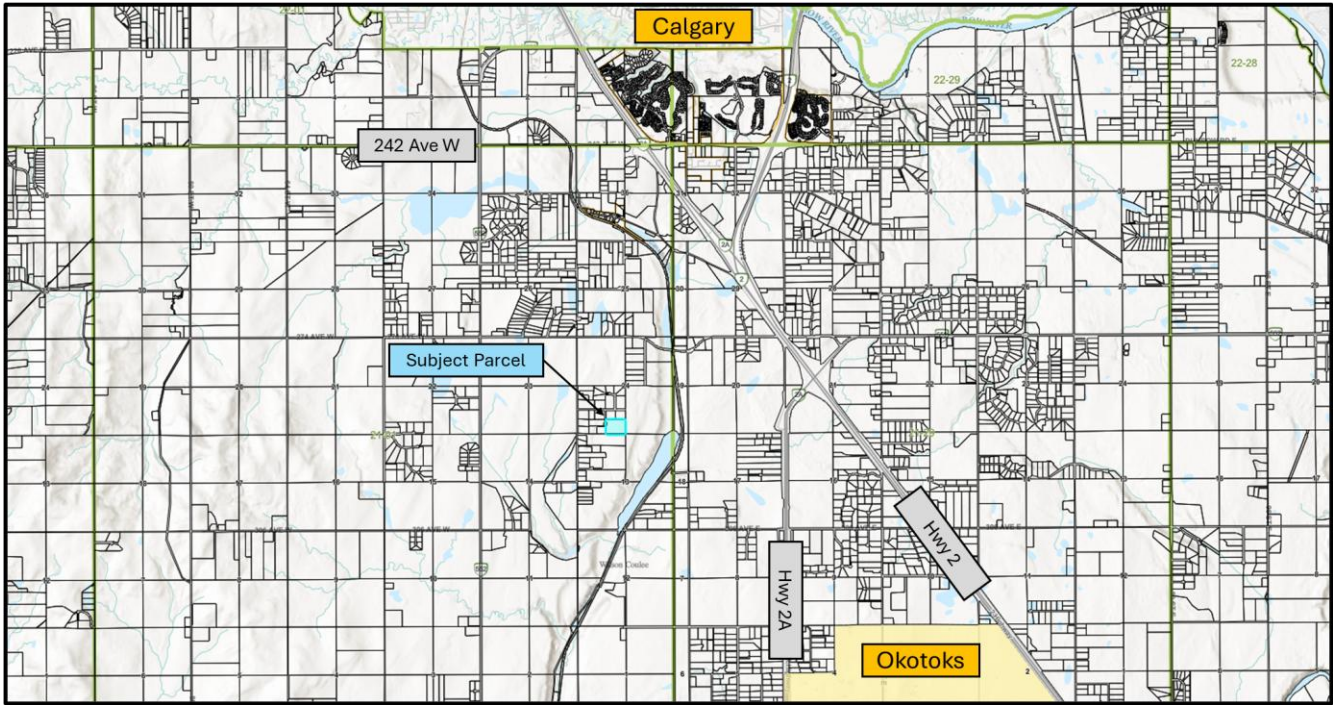
APPENDIX A: MAP SET

LOCATION MAP

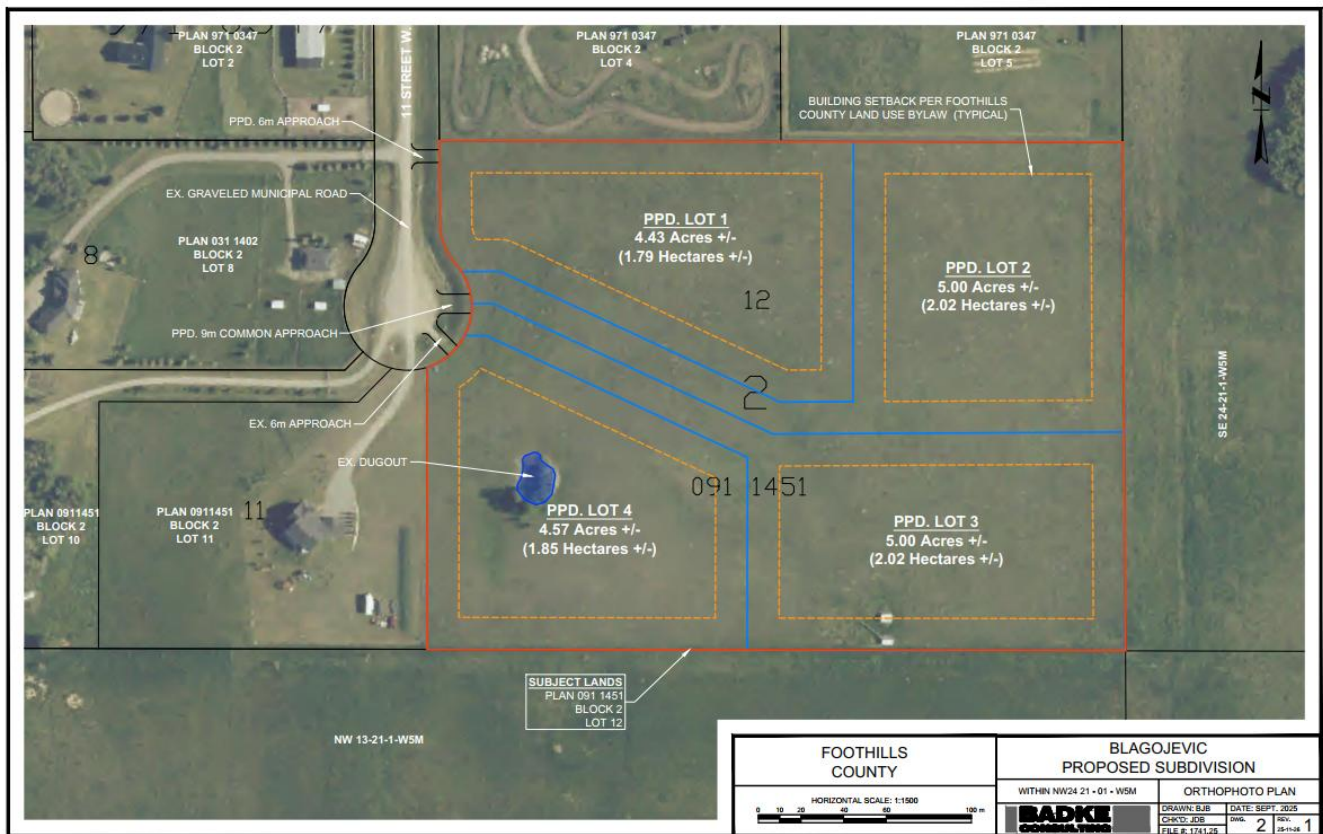
SITE PLAN

APPENDIX B: BYLAW FIRST READING MINUTES – MARCH 11, 2026

APPENDIX A: LOCATION MAP



APPENDIX A: SITE PLAN



Bylaw 08/2026

Bylaw 08/2026 was introduced into the meeting to authorize an amendment to the Country Residential District land use rules on Plan 0911451, Block 2, Lot 12; Ptn. SW 24-21-01 W5M to allow for the future subdivision of three new 4.43 +/- to 5.0 +/- acre Country Residential District lots with an approximate 5.0 +/- acre Country Residential District balance.

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

Prior to further consideration of the Bylaw, the Applicant will be required to submit the following:

1. Landowners are to fully execute and comply with all requirements as outlined within the County's Development Agreement for the purpose of a contribution toward a maintainable road oil surface for 11th Street West, 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 is to be provided in accordance with the Provincial Water Act for all parcels, to the satisfaction of the County;
3. Septic Disposal Evaluation to be provided for all parcels, 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. High Water Table Testing for Foundation Design to be submitted to the satisfaction of the Public Works department, as a condition of subdivision;
5. Site plan to be provided which identifies building envelopes, for all parcels, 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. The landowners are to remove the two accessory buildings currently on the property that are present without a principal building and within rear setbacks as per the County's Land Use Bylaw, as proposed by the applicants, as a condition of subdivision;
7. Lot Grading/ Drainage Plans to be provided for the subject lands, to the satisfaction of the Public Works Department, as a condition of a development permit;
8. Final amendment application fees to be submitted; and

9. Submission of an executed subdivision application and the necessary fees.

Moved by: Councillor Alger

That Bylaw 08/2026 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING