


**PUBLIC HEARINGS AND MEETINGS  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 LAND USE AMENDMENT  
 April 22, 2026  
 To be heard at: 10:00 AM**

<b>APPLICATION INFORMATION</b>		<b>FILE NO. 26R006</b>
	<b>LEGAL DESC.:</b> Ptn. SE 13-21-1 W5M; Plan 0716335 Blk 3 Lot 5	
	<b>LANDOWNERS:</b> Beverly Badke Estate	
	<b>AGENT:</b> Jeff Badke – Badke Consulting Ltd.	
	<b>AREA OF SUBJECT LANDS:</b> 10.02 Acres	
	<b>CURRENT LAND USE:</b> Country Residential District	
<b>PROPOSAL:</b> Amendment to the Country Residential District Land Use rules to allow for the future subdivision of two new +/- 2.40 acre to +/- 4.62 acre Country Residential lots, leaving a +/- 3.00 acre Country Residential balance parcel.		
<b>NOTE:</b> The application will require an exemption to the County’s Density Policy.		
<b>DIVISION NO:</b> 5	<b>COUNCILLOR:</b> Alan Alger	
<b>FILE MANAGER:</b> Elliott Salmon		

**EXECUTIVE SUMMARY**

**Location:**

The subject parcel is located:

- Adjacent to and north of 303 Avenue W;
- Approximately 150m west of Meridian Street;
- Approximately 300m north of 306 Avenue W; and
- Approximately 3.5km northwest of the Town of Okotoks.

**Policy Evaluation:**

Reviewed within the terms of the:

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

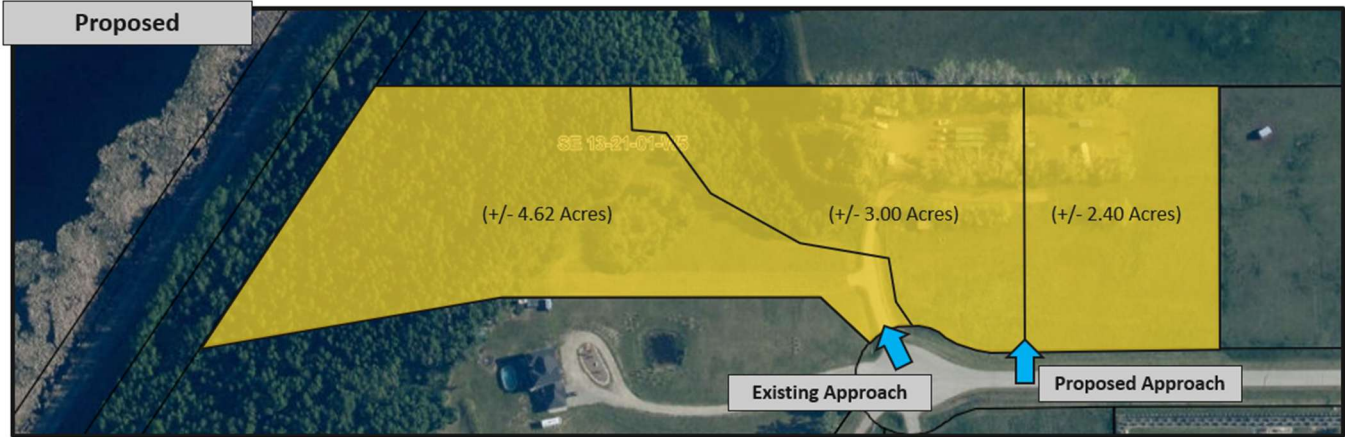
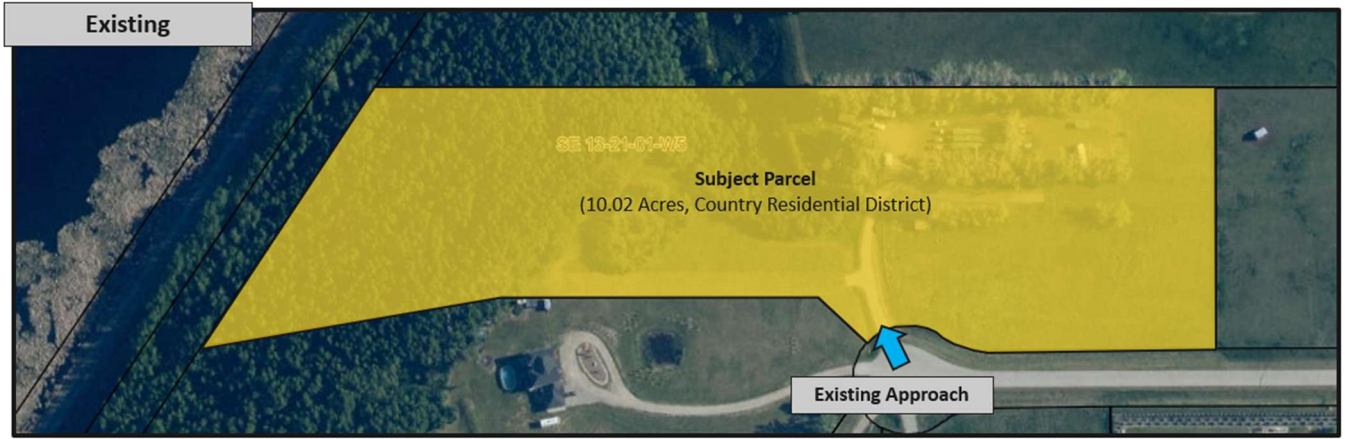
**Referral Considerations:**

Referred to the required internal departments and external agencies.

**SITE CONSIDERATIONS**

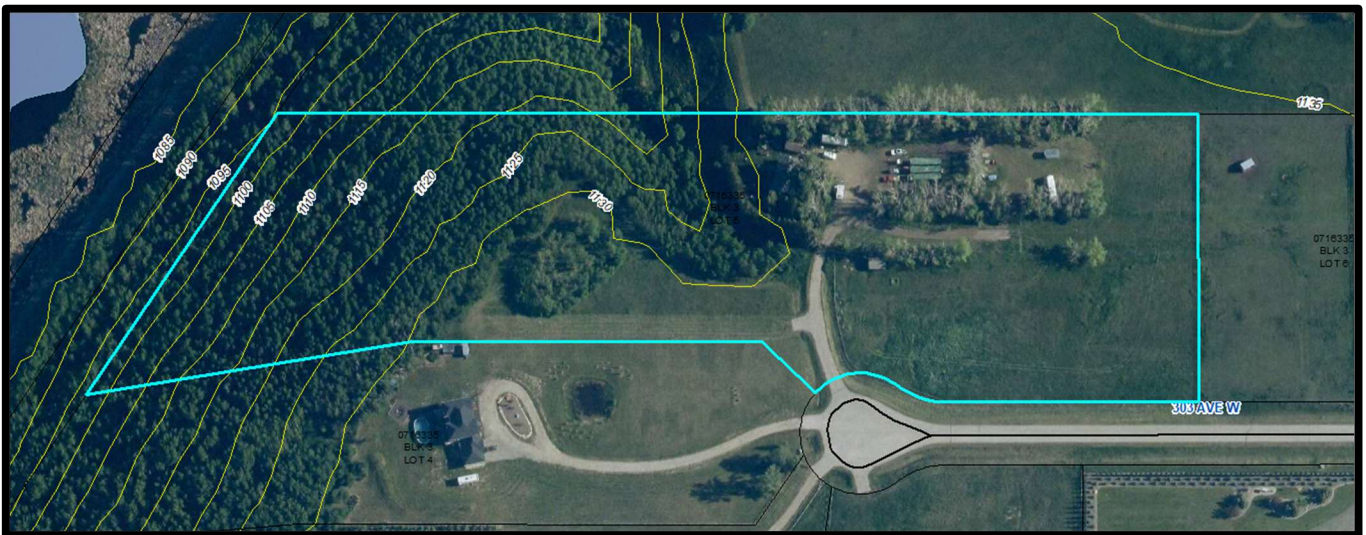
**Access:**

The subject parcel has one existing approach on 303 Avenue W. The application proposes that access to the two eastern lots is provided through a common approach, with the existing access being for the third lot.



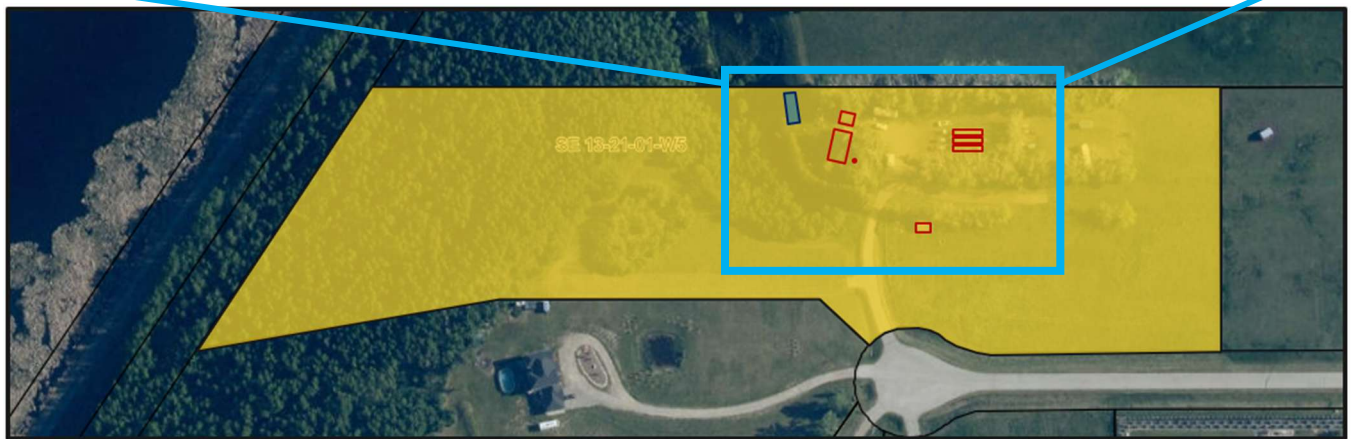
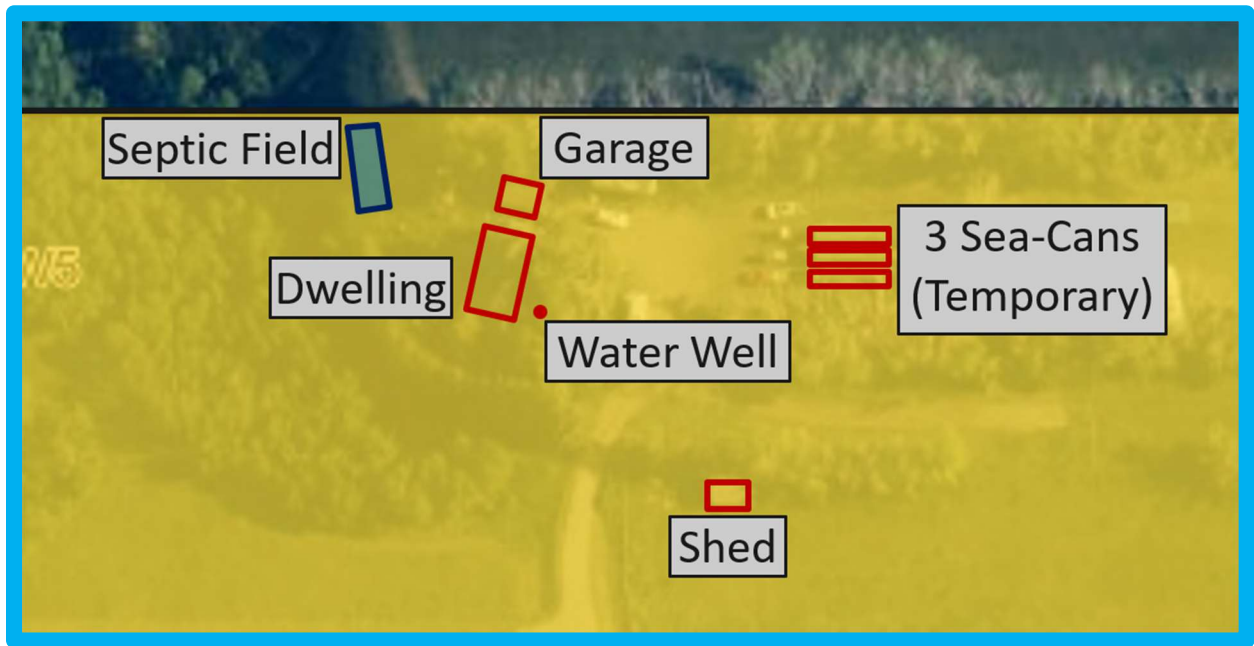
**Physiography and Environmental Reserve Easement:**

The subject parcel is flat in the east with steeper, treed slopes in the west half that are covered by an Environmental Reserve Easement.



**Existing Development:**

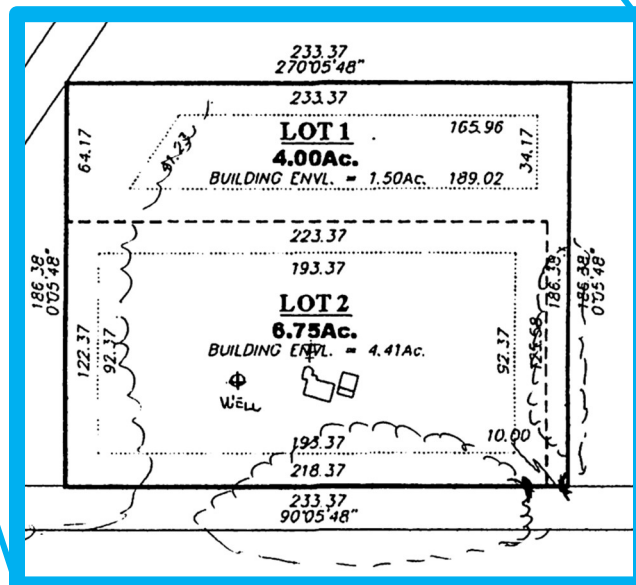
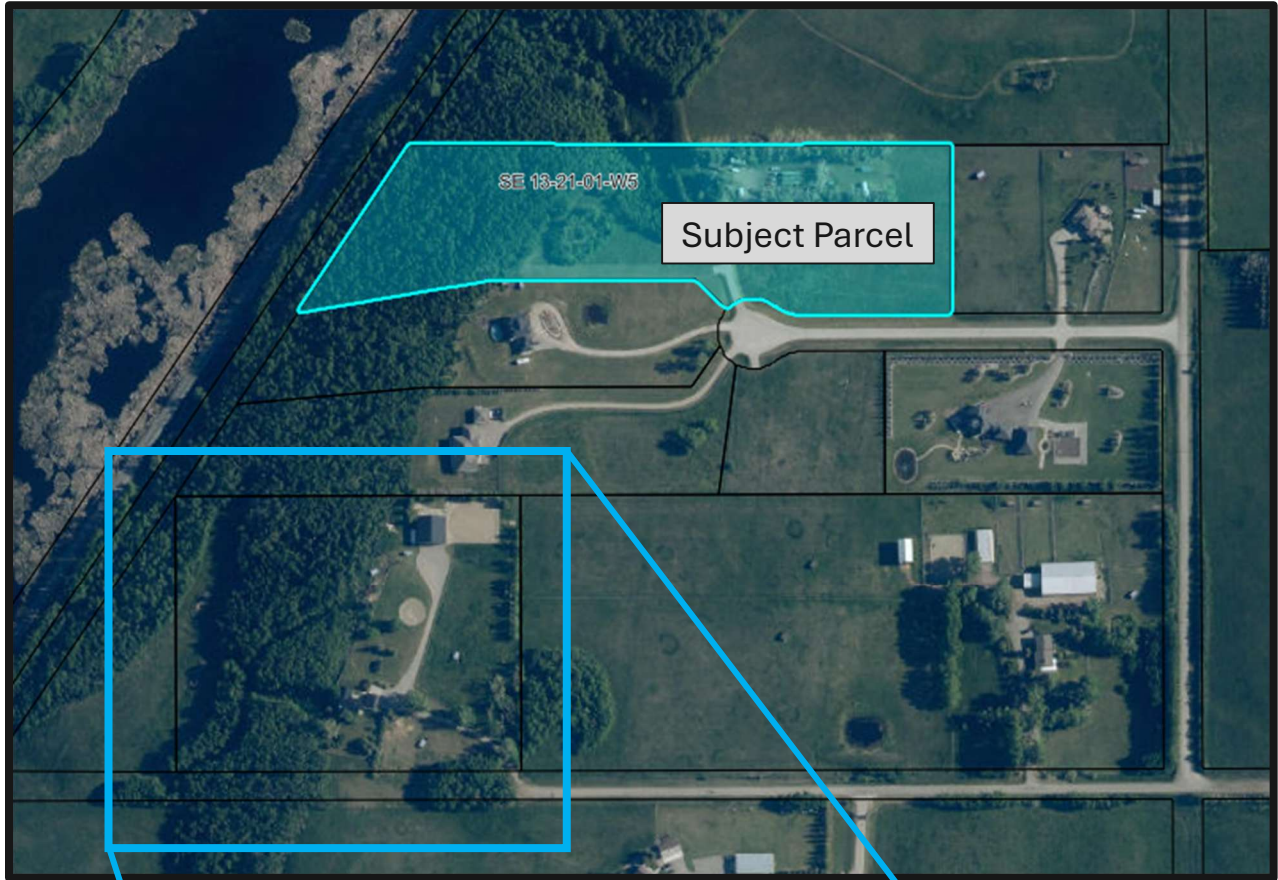
Existing development on the property includes a dwelling, garage, shed, three (3) sea-cans, and a water well and septic field to support that development. The garage is located 10.48 m from the north property line, which does not comply with the required 15 m setback. As noted in a letter of compliance issued in 2006, this garage was identified as non-conforming as it was legally constructed prior to the implementation of the current bylaw.



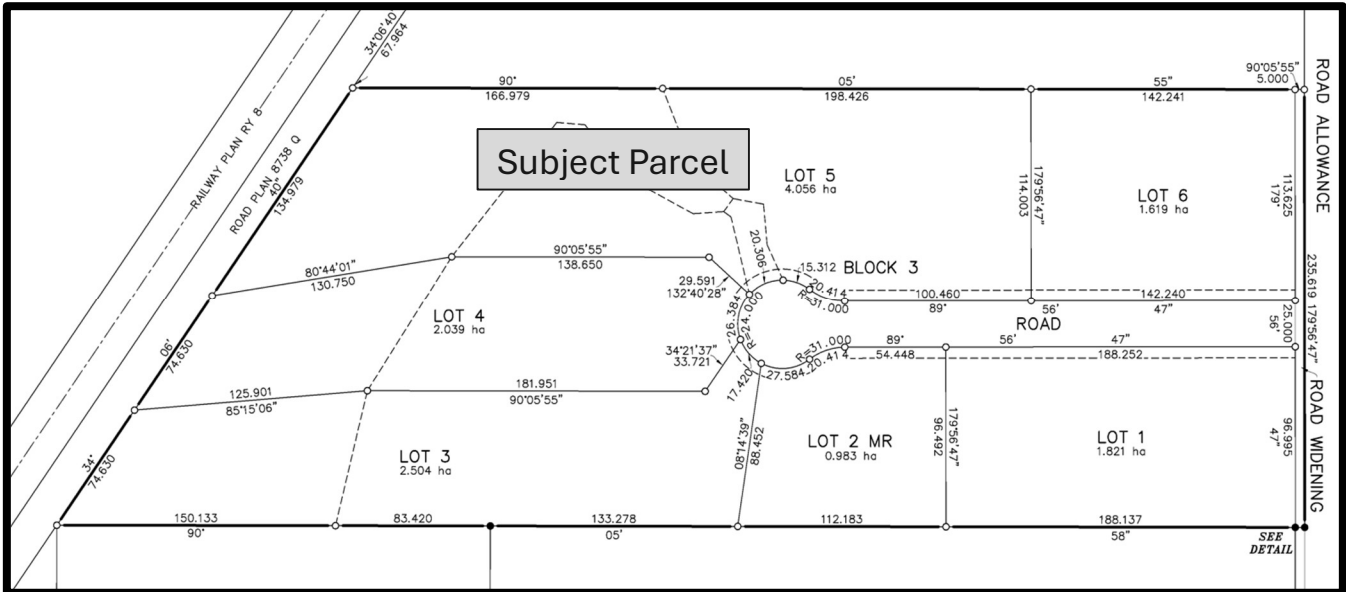
## QUARTER SECTION HISTORY

**July 19, 2001:** Council refused an application for amendment to the Country Residential Land Use Rules to allow for a future subdivision of a +/- 4.00 acre Country Residential District lot from a 10.75 acre parcel (Plan 8710648, Block 2), as shown in the site plan below. The reasons for refusal include:

- Inappropriate size and location for a country residential parcel in an agricultural area;
- Coulee should be protected from development.



**November 1, 2007** Council gave third and final reading to Bylaw 142/2006 to authorize the redesignation of the 32.48 acre portion of SE 13-21-1 W5 from Agricultural District to Country Residential District to permit the future subdivision of a municipal reserve parcel and four additional parcels, one of which is the 10.02 acre subject parcel of this application.



**REFERRAL CIRCULATION**

CIRCULATION REFERRALS	
REFEREE	COMMENTS
<b>INTERNAL</b>	
Public Works	<ul style="list-style-type: none"> <li>Sight lines are acceptable at the proposed approach location. No comments or concerns otherwise.</li> <li>Setbacks from slopes 15% or greater must be 30 meters. Please provide a building envelope accounting for the 30 meter slope setback or provide a Slope Stability Analysis indicating the current proposed building envelopes are viable, as a condition of land use approval.</li> </ul>
<b>EXTERNAL</b>	
ATCO Gas	The ATCO Gas circulation response can be seen in Appendix C.
<b>PUBLIC</b>	
Western Wheel	April 8 <sup>th</sup> and April 15 <sup>th</sup> , 2026
Landowners	No submissions received prior to the submission of this 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. The development must also consider the suitability of the lands for residential use and the efficient use of land.

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 Land Use Bylaw.

### **Growth Management Strategy:**

The subject parcel is located within the Central District of the Growth Management Strategy. The vision for the Central District identifies that lands are expected to be the growth engine for the County and are to see intensified and significant developments while carefully considering riparian and wetland areas as well as aspirations of our Municipal neighbours.

### **Land Use Bylaw 60/2014:**

The application, if approved, would meet the lot size restrictions set out in Section 13.1.6.2 (b) and (c) of the Country Residential District within the Land Use Bylaw; however, the proposal would not comply with the density requirements for the Country Residential District as set out in Section 13.1.6.2 (a).

The existing garage does not meet current setback requirements.

### **SUMMARY**

**Bylaw XX/2026** – 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 new 2.40 +/- acre to 4.62 +/- acre Country Residential lots, with a 3.00 +/- acre Country Residential balance parcel on Plan 0716335, Block 3, Lot 5; Ptn. SE 13-21-01 W5M and to allow for an exemption to the County’s current density policy.

### **OPTIONS FOR COUNCIL CONSIDERATION**

#### **OPTION #1 – FIRST READING 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 for the future subdivision of two new 2.40 +/- acre to 4.62 +/- acre Country Residential lots, with a 3.00 +/- acre Country Residential balance parcel on Plan 0716335, Block 3, Lot 5; Ptn. SE 13-21-01 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 favour of allowing an exemption to the density provisions as outlined in Policy 15 of the MDP2010 and Section 13.1.6.2 (a) of the Country Residential District within the County’s Land Use Bylaw.*

*Staff suggests Country Residential Sub-District “A” for the proposed parcels to ensure that the recommendations and restrictions as outlined within the building envelopes and slope stability report 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 \$5,000.00 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.*

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

1. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the Community Sustainability Fee and any other necessary municipal and on-site improvements as required by Council and the Public Works department.

2. Proof of adequate water supply to be provided in accordance with the Municipal Water Policy, to the satisfaction of the County;
3. Site plan to be provided which identifies building envelopes for the proposed lots, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010, to the satisfaction of the Public Works department.
4. Submission of a Geotechnical Report for Slope Stability for the proposed +/- 4.62 acre and +/- 3.00 acre parcels, to the satisfaction of the Public Works department.
5. Final amendment fees to be submitted.
6. Submission of an executed subdivision application and the necessary fees.

### **OPTION #2 – REFUSAL**

Council may choose to refuse the application for amendment to the Country Residential Land Use District to allow for the future subdivision of two new 2.40 +/- acre to 4.62 +/- acre Country Residential lots, with a 3.00 +/- acre Country Residential balance parcel on Plan 0716335, Block 3, Lot 5; Ptn. SE 13-21-01 W5M and to allow for an exemption to the County's current density policy for the following reasons:

*In consideration of the criteria noted 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.*

*Further, in accordance with Residential Policy 15 of the MDP2010 and Section 13.1.6.2. (a) 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**

### APPENDIX A – MAP SET

LOCATION MAP

LAND USE – HALF MILE MAP

PARCEL SIZES – HALF MILE MAP

SITE PLANS

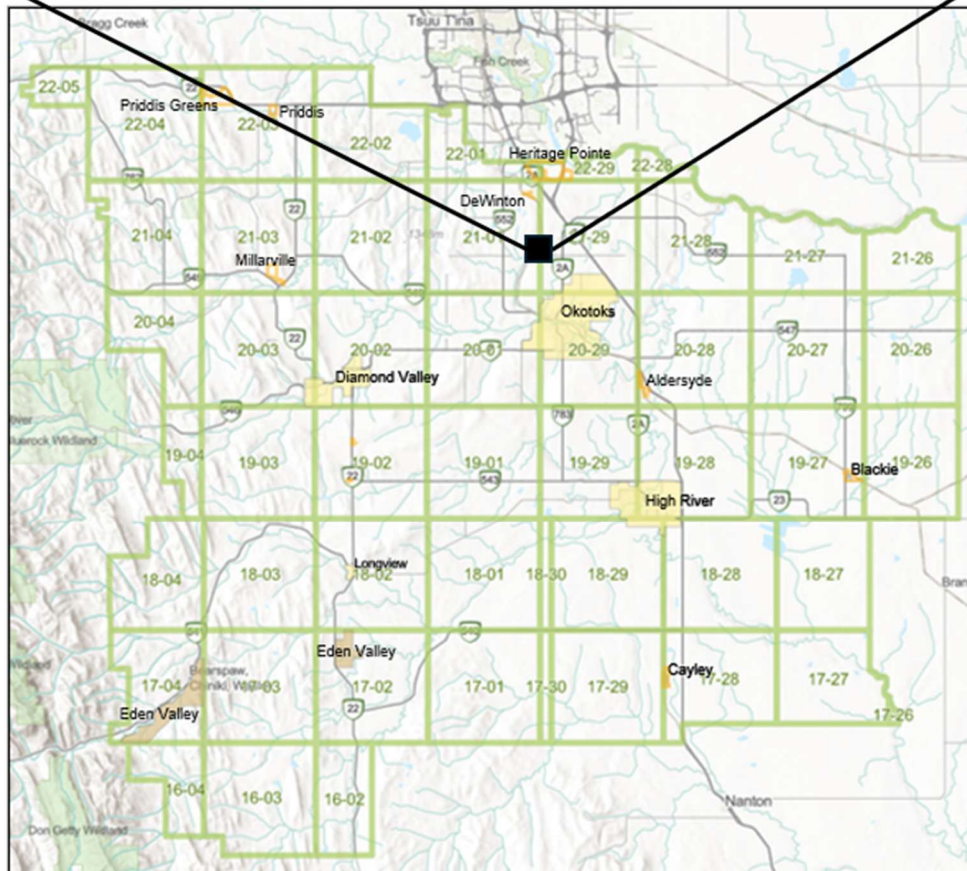
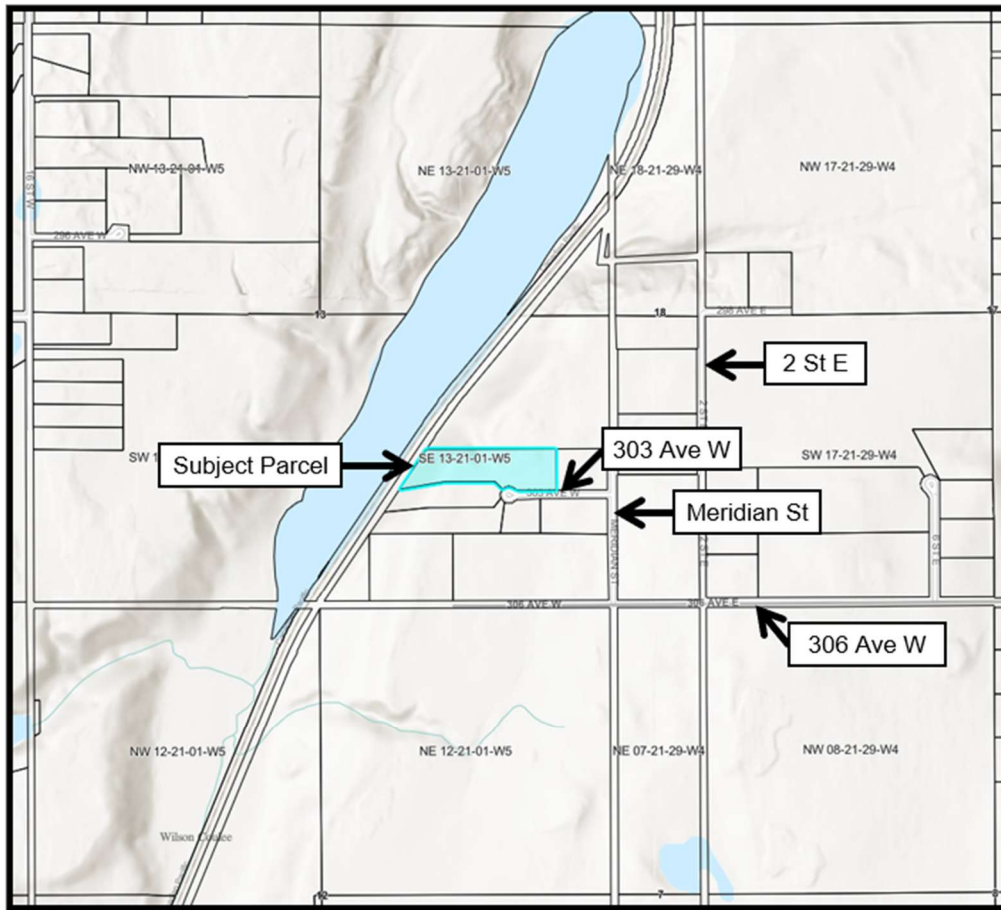
PROPOSED LAND USES

ORTHO PHOTO

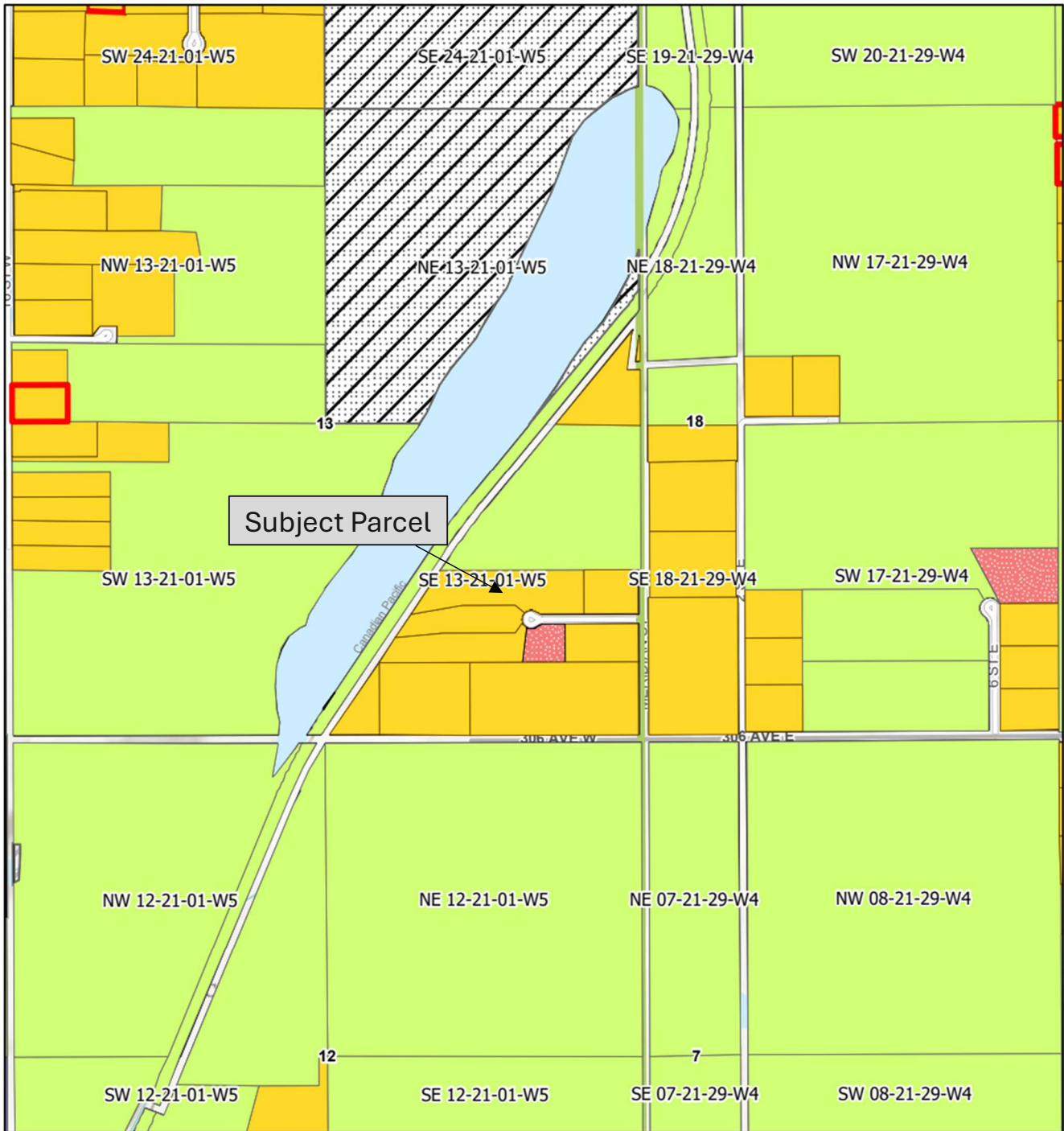
### APPENDIX B – DRAFT BYLAW

### APPENDIX C – CIRCULATION RESPONSE FROM ATCO GAS

**APPENDIX A – LOCATION MAP**



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

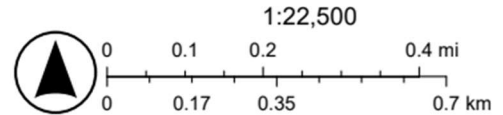


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Land Use Districts

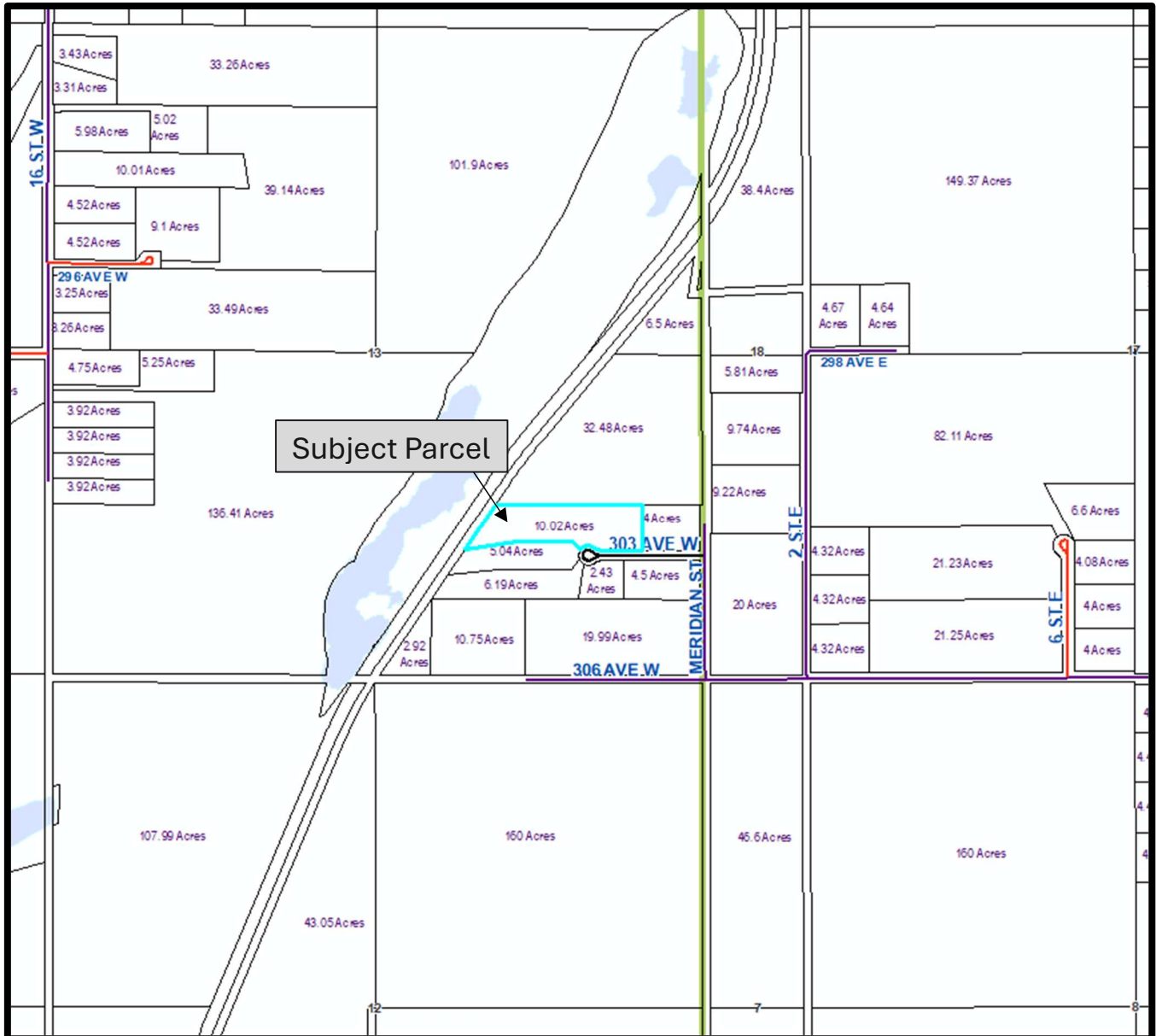
- A- Agricultural
- CR- Country Residential
- CRA- Country Residential Sub A
- ER- Environmental Reserve
- INR- Natural Resource Extraction

- MR- Municipal Reserve
- SD- Service District
- In Transition
- Parcels
- Townships
- World\_Hillshade

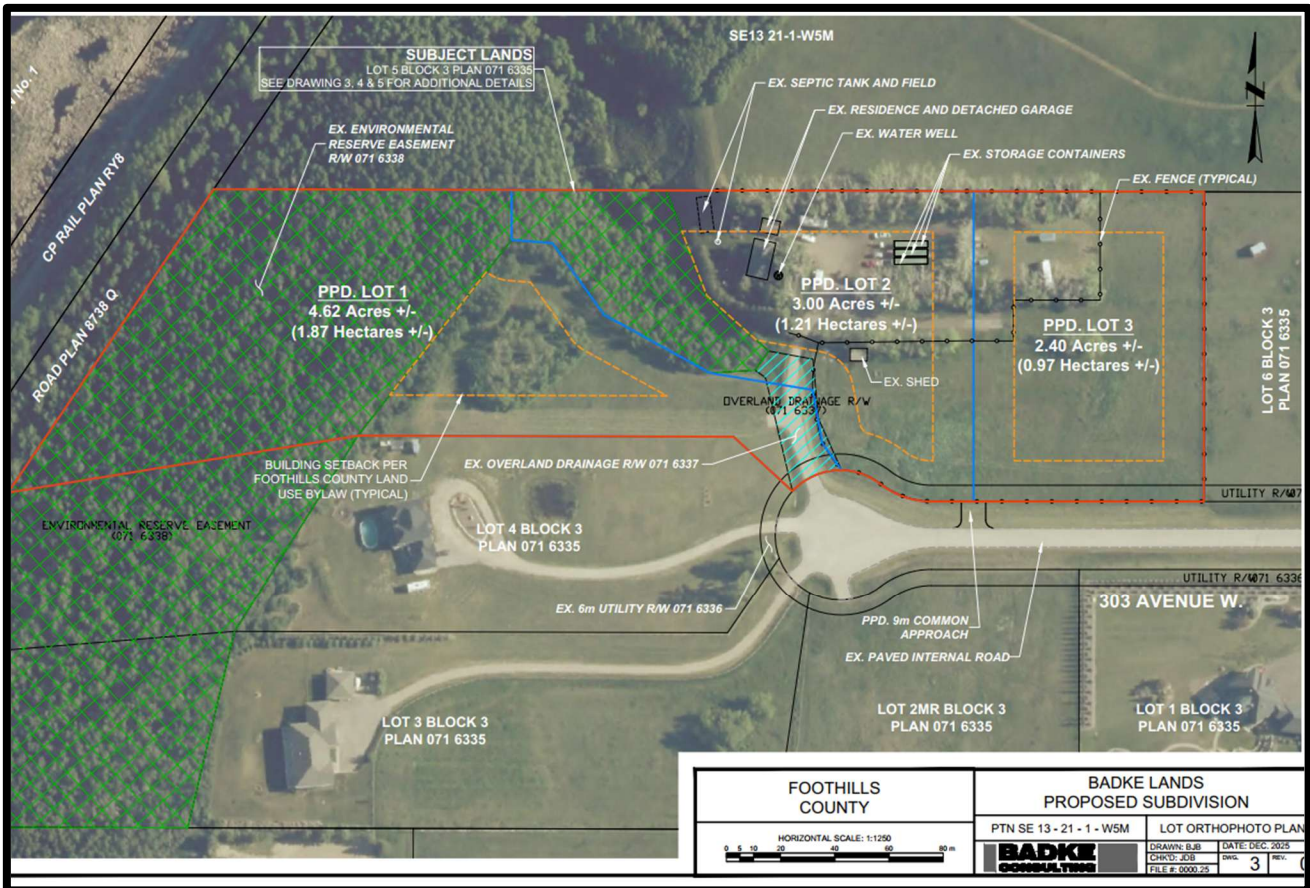
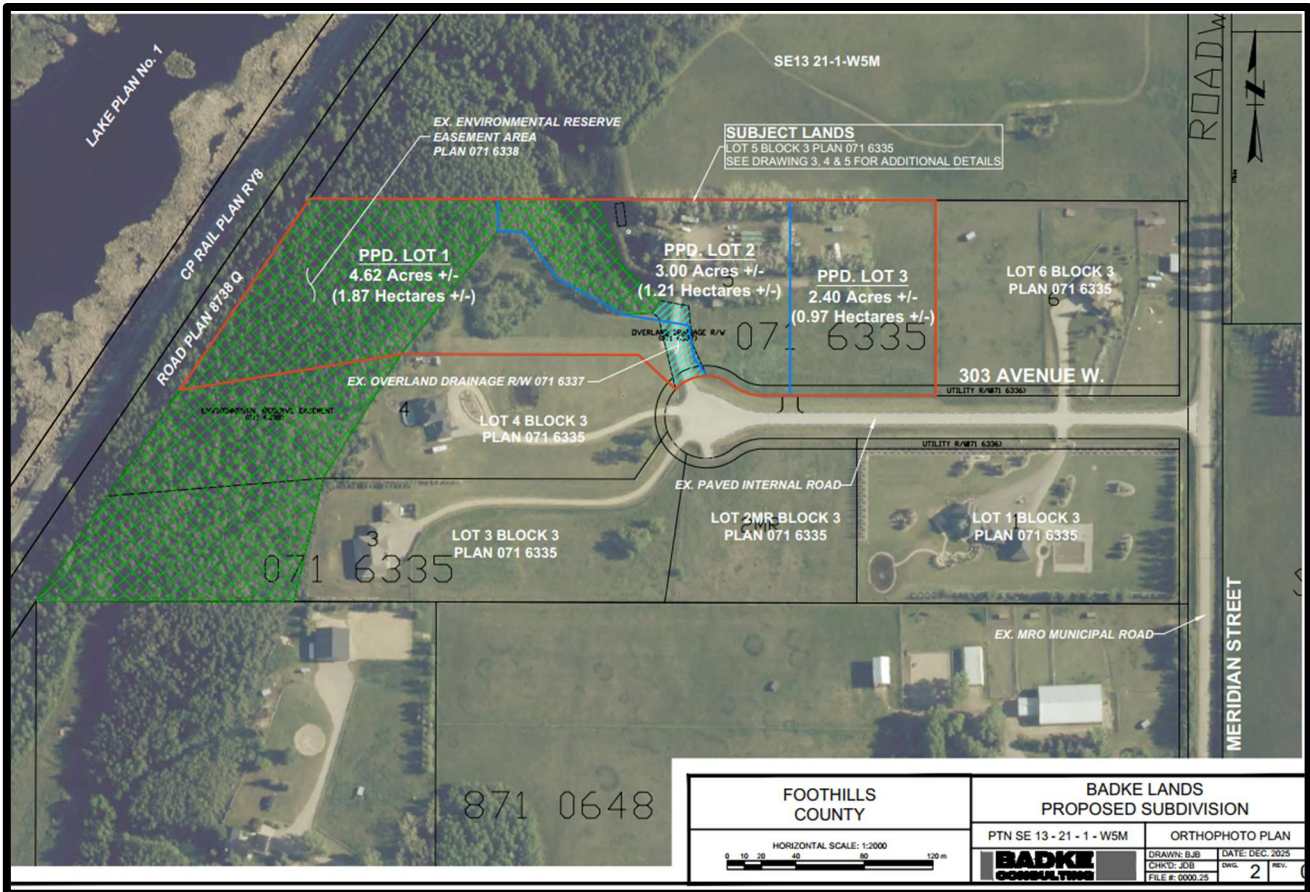


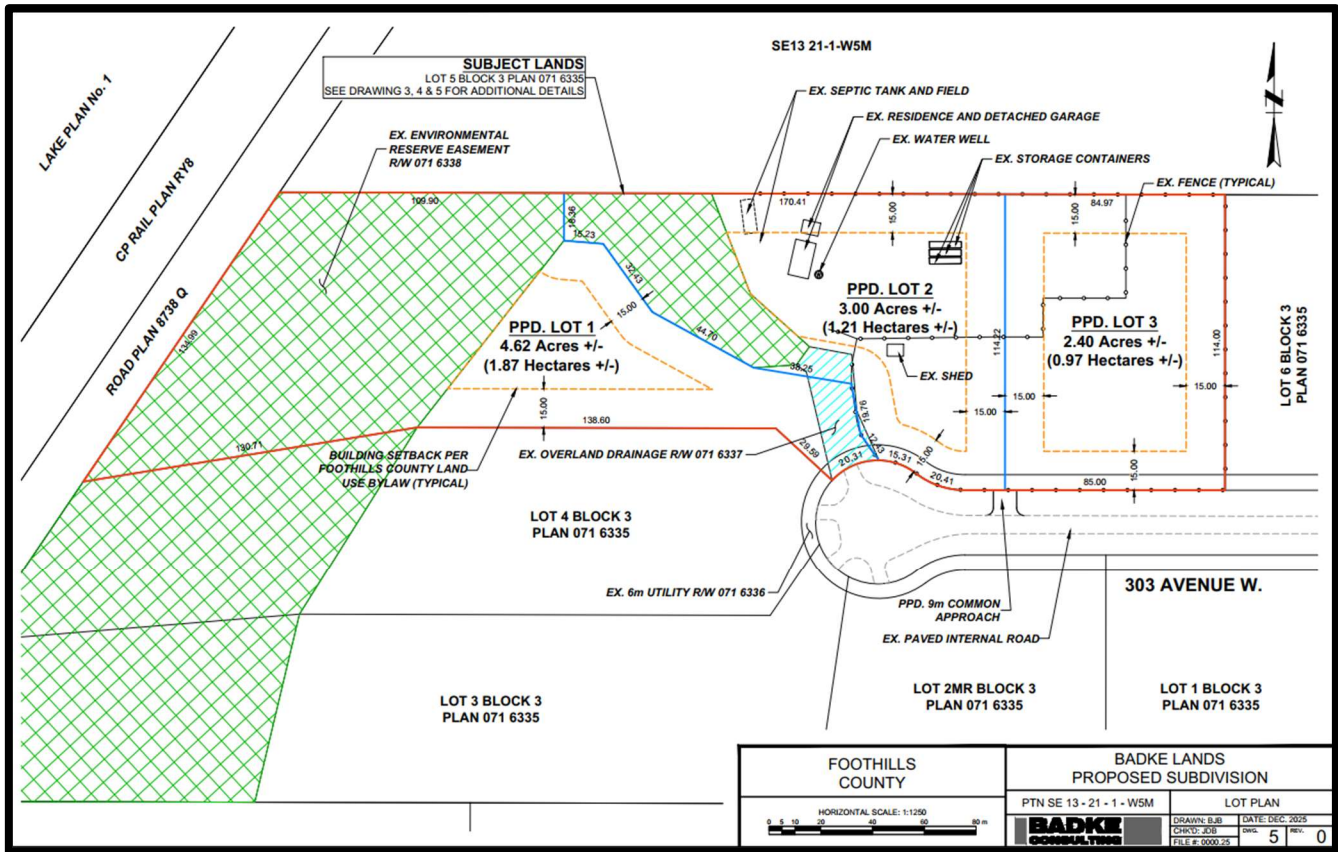
Esri, NASA, NGA, USGS, FEMA

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



# APPENDIX A – SITE PLANS





FOOTHILLS COUNTY		BADKE LANDS PROPOSED SUBDIVISION	
HORIZONTAL SCALE: 1:1250		PTN SE 13 - 21 - 1 - W5M	LOT PLAN
		<b>BADKE CONSULTING</b>	DRAWING: B-20 CHECK: JCB FILE #: 0000-25
		DATE: DEC. 2025	SHEET: 5 REV: 0

**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 new 2.40 +/- acre to 4.62 +/- acre Country Residential lots, with a 3.00 +/- acre Country Residential balance parcel on Plan 0716335, Block 3, Lot 5; Ptn. SE 13-21-01 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 0716335, Block 3, Lot 5; Ptn. SE 13-21-01 W5M within which shall allow for the future subdivision of two new 2.40 +/- acre to 4.62 +/- acre Country Residential lots, with a 3.00 +/- 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) 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      .

April 7, 2026

**Circulation Package: 26R006**

The Distribution Engineering Growth Department of ATCO Gas Distribution has reviewed the above named plan and approves the work provided the following conditions are met:

Right-of-ways will be required for the gas mains within property and should be 2.4 metres wide if provided for the sole use of ATCO, and 3.5 metres if shared with other shallow utilities. Please note, all costs associated with obtaining the right-of-way will be borne by the developer/owner.

The utility right-of-way requirements within the subdivision may change depending upon actual gas main layout, direction of development and boundary locations of the different construction phases. Final rights-of-way requirements must be satisfied at the time of gas main design.

All right-of-ways are to be registered as general utility rights-of-way granted to the City / Town and are to be registered simultaneously with the legal plan of the subdivision.

**Encroachment Note:** Encroachments within the utility right-of-way (URW) will not be permitted without a formal encroachment agreement. Any structures or improvements placed within the URW without such agreement may be removed at ATCO's discretion, and all associated costs will be the responsibility of the builder or developer.

A gas main extension will be required to service the proposed development. Natural gas services may be obtained by making formal application with our Calgary office ([calgaryregiongasdesign@atcogas.com](mailto:calgaryregiongasdesign@atcogas.com)).

Before ATCO can process a work order for gas main installation in the area, we must be in receipt of the following:

- (1) Legal plan.
- (2) Utility right-of-way plan.
- (3) Complete set of approved engineering drawings, including profiles, coordinate plan, building grades (if applicable) and the location of all other utilities
- (4) Construction schedule.
- (5) A digital file of the computer base plan in the "DWG" or "DGN" format (AutoCAD 2010) in modelspace.
- (6) Preliminary electrical drawing with dimensioned URWs, alignments, and road crossings.

We require six to nine months to complete the distribution system design, and to process a work order for our Construction Department to schedule. Prior to the installation of gas mains, the area must be within 150 mm (6") of final grade, all obstructions must be removed from the gas main alignment, and the installation of all other underground utilities must be completed.

The developer must ensure that driveways are not constructed prior to the installation of gas mains in the subdivision. If driveways are pre-installed, a sleeve must be provided at the proper depth and alignment for our use. Otherwise, the cost of coring under the driveway or cutting out and replacing the driveway will be invoiced to the developer at the prevailing rates. The locations of sleeves will be confirmed during the design of the gas mains.

For further information and requirements for natural gas servicing, please refer to the "[Guide to Natural Gas Servicing](#)" found on the ATCO website.

There are existing ATCO facilities in the area. If it should be necessary to lower, relocate or make any alterations to the existing facilities and/or appurtenances due to this project, please contact ATCO Gas Distribution at [calgaryregiongasdesign@atcogas.com](mailto:calgaryregiongasdesign@atcogas.com) with a minimum of one (1) year notice to enable an adequate and timely response. Note that all alteration costs will be borne by the developer / owner. If existing ATCO facilities within a registered easement or URW are being impacted (facility crossing and/or vehicle and equipment crossings), please contact the ATCO Land Group at [Crossings@atco.com](mailto:Crossings@atco.com) to obtain a crossing/proximity agreement.

There are abandoned ATCO facilities in the work area. Please contact ATCO South Operations Dispatch at 403-245-7220 to confirm status of the gas lines at least 48 hours prior to excavation.

If gas service is required, to avoid delays, the owner / developer should follow the steps listed on the ATCO website ([New Natural Gas Service Line or Changes](#)) or contact ATCO Customer Assistance Centre at 310-5678, or their local ATCO Gas Distribution agency office at their earliest convenience to discuss the service contract, gas load requirements, timing details and any associated costs. To avoid delays a minimum notice of 6 months is recommended. Note, each lot / unit is to have a separate service line.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO website. Applications for new services residential or commercial please view our [ATCO Quick Connect Guide](#).

There is an existing ATCO service in the area. If it should be necessary to lower, relocate, or make any alteration to our existing service due to this proposal, please view our , please view our [ATCO Quick Connect Guide](#) and apply through [Quick Connect](#). Note that all alteration costs will be borne by the developer / owner. If the existing service line requires demolition or cutback please submit a request through [Quick Connect](#) or email [GasApplicationsCalgary@atco.com](mailto:GasApplicationsCalgary@atco.com) for more information.

This development may benefit from ATCO's Construction Energy Services. Contact [NaturalgasSales@atco.com](mailto:NaturalgasSales@atco.com) or visit our [Construction Energy Webpage](#) for more Information.

It will always remain the responsibility of the proponent to verify the exact location and depths of nearby facilities by arranging for an in-field location with Utility Safety Partners at 1-800-242-3447 or [utilityafety.ca](http://utilityafety.ca). Please contact Utility Safety Partners prior to any surface construction.

- (1) Utility Safety Partners (1-800-242-3447) for locates to verify the alignment of the existing gas facilities.
- (2) Contact ATCO South Operations Dispatch at 403-245-7220 for an inspection of the exposed lines (including hydrovac holes) prior to backfill. Inspection services are available Monday to Friday, 8am – 4pm.
- (3) Hydrovac or hand expose facilities to verify horizontal and vertical alignment of all gas mains in conflict areas. This should be done as soon as possible to determine if the main will need to be relocated.
- (4) If existing gas mains require lowering or relocation due to the proponent's project, notification must be given to our ATCO Gas Distribution Engineering Department with a minimum of one (1) year notice. Forward plans and requirements to the ATCO Gas Distribution Engineering Department at 909 – 11th Ave. SW Calgary, AB, T2R 1L8.

Please refer to the "[Working Around Natural Gas](#)" Safety Handbook found on our website.

These conditions are not meant to contradict any applicable existing law (ie. franchise agreement, bylaw, etc.), and therefore the existing applicable law shall prevail. Should any condition(s) be null or void due to the superseding applicable law, all other conditions shall prevail.

If you have any **questions or concerns regarding this reply**, please contact: **Shaggy Asomugha**, [Shaggy.Asomugha@atco.com](mailto:Shaggy.Asomugha@atco.com).

Kind regards,

**Alix Gregoraschuk** (she/her)  
Administrative Coordinator, Distribution Engineering Growth  
ATCO Gas & Pipelines

**P.** 403 476 0626  
**A.** 909 11th Ave SW Calgary, AB Canada T2R 1L8

The logo for ATCO Energy Systems, featuring the word "ATCO" in a bold, black, sans-serif font with a blue underline, followed by "Energy Systems" in a blue, sans-serif font.