

**WRITTEN
SUBMISSION**

Date:

Foothills County
Box 5605
High River,
Alberta T1V 1M7

ATTN: Reeve Miller and Members of Council

RE: Application for a Land Use Bylaw Amendment to facilitate a land use redesignation from the Agricultural District (A) to Country Residential District (CR) and future subdivision to create six (6) new Country Residential (CR) parcels (± 6.94 ac to ± 8.06 ac in size) for the land legally described as Lot 4, Block 2, Plan 0513416, NW-32-22-3 W5M (± 152.42 ac) within Foothills County.

Landowner: Gerhard Silvis

Dear Reeve Miller and Members of Council,

We are landowners within close proximity to the above-mentioned application for a Land Use Bylaw Amendment to facilitate a land use redesignation to allow for the creation of six (6) new Country Residential lots (± 6.94 ac to ± 8.06 ac in size) on the existing ± 152.42 acres of land.

We have reviewed the application and wish to advise Council that we ~~fully~~ **support** this application.

Additional comments we would like to add include:

Subject to a suitable restrictive covenant agreement and ARCHITECTURAL Controls Agreement in place.

Sincerely,

R. and D. Scott

Our Legal Description:

SE Quarter: 32 Township: 32 Range: 3 W5M
32 22

AREA: 35 acres

Sept 26, 2025

Jessie and Scott Boyle



October 5, 2025

**Foothills County
Planning & Development
Theresa.chipchase@foothillscountyAB.ca
403-603-6233**

Dear Theresa Chipchase,

Re: Proposed Country Residential Redesignation at Ptn. NW 32-22-03 W5M; Plan 0513416, Block 2, Lot 4 (the "Parcel")

We are the property owners of the First Parcel Out from the Parcel in question and while we understand the want for development by the applicants and by the County, we are writing to express our concerns of the proposed subdivision based on our experience. The Parcel to be subdivided and redesignated has a history of developmental issues and financial issues which has put strain on the relationship between the First Parcel Out and the Parcel, as well as strain on the surrounding neighborhood, and we are looking for support to ensure any subdivision that is approved is done responsibly and transparently with the best interest of current and future homeowners.

Developmental Issues:

The subdivision that was completed in 2011 to create the First Parcel Out was already developed on both parcels. The County did not make the Developer accountable to provide physical legal access to this proposed lot. A road did exist to provide access through the balance parcel, but the First Parcel Out had no legal rights (no registered easement), and the legal access required as part of the subdivision to be provided through the panhandle was not developed to create a driveway. The legal access to this day still contains private infrastructure (the Parcel's gate on the Road Allowance and the Parcel's electrical panel on the First Parcel Out land) and public infrastructure (powerline) that prevent the creation and use of a driveway on the legal access.

The Country did not make the Developer accountable to construct the granted Road Allowance to the subdivided lot and the balance parcel (as well as other properties) to County Road Standards. Therefore, it is not maintained by the County, nor to adequate level by the developer. This road is in poor condition and has not seen any maintenance (other than snow removal) within the 9 years we have lived here.

A Restrictive Covenant was registered to the titles in May 2011 after the subdivision was completed in 2011 with respect to "the Developer is developing a planned quality housing subdivision on the balance lands and considers it is desirable for the greater enjoyment of the lots and that it will increase the value of the lots and it is for the benefit of all of the future owners of the individual lots and that it will protect the owner of each lot against the improper development and use of surrounding lots as will depreciate the value of his lot and that it will prevent haphazard or inharmonious improvements or improper designs or materials, to impose and annex certain restrictions and covenants to the lots and that in making sales of the lots that the lots shall be conveyed subject to the restrictions, covenants and limitations hereinafter set forth".

Through the review of the Staff Notes for the Public Hearing, clauses of this Restricted Covenant are noted throughout with respect to the well, objection to further subdivision of the balance of lands, and consolidation of lands. We would like to highlight that the Restrictive Covenant needs to be considered in the full context of its origination and that the specific clauses should not be referenced if other clauses are not being upheld by the Developer (the registered owner in possession of the Parcel) within their own property. A small selection of examples of clauses within the Restrictive Covenant that are not being met by the applicant are:

- Nor shall any house designated for more than one family be built
- No mobile home shall be parked or placed on any lot
- No outdoor ATV
- Dog(s) must be confined indoors or within a structured shelter between the hours of 10:00 p.m. and 6:00 a.m.
- Perimeter fencing is permitted provided it is three-rail preserved wood.
- Weeds are not permitted to grow and must be maintained.

While we, as neighbors, have not raised issue with any of the above clauses, it is important to note that you cannot selectively enforce clauses to your benefit. We have verbally discussed the removal of the restrictive covenant with the applicant and require clarity on whether this subdivision voids this restrictive covenant, especially when it has not been followed to date.

Financial Issues:

Since 2015, the Parcel has been sold once through auction and once through judicial sale and has been recently up for sale for over a year.

Financial strain has been seen through lack of maintenance of the property by the previous and existing owners such as the spread of noxious weeds to the surrounding properties. This property was in immaculate condition when we moved here.

Financial strain has also caused an increased volume of traffic on the road due to rentals of land for livestock, land for commercial storage, multiple AirBnBs, room(s) for a tenant, and buildings for workshop and/or storage. Many of these renters are not invested in the community and contribute

to the increased rate of degradation of the roads, strangers arriving to our property late at night, and unsafe driving practices that put our families at risk.

As noted above, we are respectfully requesting the County to ensure responsible and transparent development that protects all current and future property owners. We have experienced personal stress and relationship strain due to the previous developer not being held accountable and do not want this to be any future homeowners experience. We are looking for the County's support to ensure that the current development rectifies the outstanding issues for physical access to the First Parcel Out and upgrade of the road allowance to County standards, to ensure that the endeavor is fully financed to enable whatever is approved is fully executed within a timely manner and upholds quality standards, and that the development does not cause negative impacts to the surroundings.

We look forward to engaging with you at the public hearing and would welcome the opportunity to discuss our concerns further.

Thank you for your attention to this matter.

Sincerely,

Jessie and Scott Boyle

From: [Rae Callan](#)
To: [Public Hearings](#)
Subject: further to public hearing Gerhard Silvas Oct 08
Date: October 5, 2025 3:45:33 PM

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I would like to propose that a walking/cycling/riding path be planned along the fence line with NE 32-22-3-W5

The walking path would connect with and complete a circle route for a neighborhood walking/cycling/riding path . A path (is maintained by local community members) which is used, goes north to south along an access road on the east side of Ranchers Hill/Marquis Ranches and connects with local roads in the community. This additional walking path would complete a circle route for local walkers/cyclists/riders within Ranchers Hill/Marquis Ranches and neighboring landowners.

the walking path would be accessed from both 146th Ave West and the dead end portion of 264 St West

Rae L Callan

[REDACTED]

Neighbor
Support

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