

**FOOTHILLS COUNTY  
COUNCIL AGENDA**

Wednesday, November 12, 2025, 9:00 a.m.  
Foothills County Administration Office  
309 Macleod Trail South – High River



|                                                                                                                                                                            | Pages |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>A. GENERAL MATTERS</b>                                                                                                                                                  |       |
| A.1 Call Meeting to Order                                                                                                                                                  |       |
| A.2 Approval of the Agenda                                                                                                                                                 |       |
| <b>B. PUBLIC WORKS / ENGINEERING / PARKS &amp; RECREATION</b>                                                                                                              |       |
| B.1 Request to Proceed to Tender for the Dunbow Roundabout<br>Presented by: Director of Public Works Wiaan Kruger                                                          | 3     |
| <b>C. SCHEDULED MEETINGS &amp; PUBLIC HEARINGS</b>                                                                                                                         |       |
| C.1 10:00 a.m. - Turner - SE 29-18-27 W4M - Redesignation (A to CR) and<br>Site Specific Amendment<br>Presented by: Planning Officer Elliott Salmon                        | 4     |
| C.2 11:00 a.m. - Warren/Read - NW 15-20-28 W4M - Amendment (CR)<br>Presented by: Planning Officer Kari Furnell                                                             | 19    |
| C.3 1:30 p.m. - Dunham - SE 27-20-29 W4M - Site Specific Amendment<br>Presented by: Planning Officer Stacey Kotlar                                                         | 29    |
| <b>D. MISCELLANEOUS PLANNING ITEMS</b>                                                                                                                                     |       |
| D.1 Spruce Meadows Ltd. - E 20-22-01 W5M - Development Permit 25D 194                                                                                                      | 57    |
| D.2 Hyatt Auto Sales Ltd. - N 23-17-28 W4M - Bylaw 40/2025 (2nd & 3rd<br>Reading)<br>Councillors Siewert, McHugh, Alger and Oel                                            | 75    |
| D.3 Marshall - SE 03-22-29 W4M - Bylaw 13/2024 (2nd & 3rd Reading)<br>Councillors Siewert, McHugh, Alger and Oel                                                           | 82    |
| <b>E. SUBDIVISION APPROVING AUTHORITY ITEMS</b>                                                                                                                            |       |
| E.1 Marshall - SE 03-22-29 W4M - Request for Subdivision                                                                                                                   | 92    |
| <b>F. MISCELLANEOUS MUNICIPAL ITEMS</b>                                                                                                                                    |       |
| F.1 2025/2026 Alberta Community Partnership - Foothills County Regional<br>Wastewater Environmental Assessment Study<br>Presented by: Municipal Advisor Harry Riva Cambrin | 104   |
| F.2 Foothills County - SE 02-18-28 W4M - Municipal Reserve Parcel License<br>- Bid Results                                                                                 | 107   |

Presented by: Municipal Lands Administrator Donna Fowler

- F.3 Foothills County - NE 32-18-29 W4M/N 33-18-29 W4M/SE 03-19-29 W4M - Municipal Agricultural Parcel License - Bid Results** 117

Presented by: Municipal Lands Administrator Donna Fowler

- F.4 Request to Remove 'No Parking' Signs on Millarville Landing** 123

Presented by: Councillor Kendall

**G. CONFIDENTIAL CLOSED SESSION**

- G.1 Advice from Officials - ATIA s. 29**

**H. MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION**

**I. OTHER MATTERS**

- I.1 Lunch**

- I.2 Accounts – November 12, 2025**  
Councillors McHugh, Callister, Kendall

- I.3 Minutes – November 5, 2025**

- I.4 Committee Reports**

- I.5 Next Meeting – November 26, 2025**

- I.6 Adjourn**

|                                                                                   |                                                               |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------|
| DEPARTMENT:                                                                       |                                                               |
|  | TOPIC: REQUEST TO PROCEED TO TENDER FOR THE DUNBOW ROUNDABOUT |
| REPORT PRESENTED BY: WIAAN KRUGER, DIRECTOR OF PUBLIC WORKS                       |                                                               |

**PURPOSE OF REQUEST**

The purpose of this report is to seek Council’s approval to proceed with the tendering of the Dunbow Roundabout project. Issuing the tender at this time is expected to result in competitive pricing, as construction is scheduled for 2026 and contractors are currently planning their 2026 workloads. Early tendering positions the County advantageously in the market. Tender results, along with a recommendation, will be brought back to Council for consideration and decision.

**BACKGROUND**

Tender-ready documents for the Dunbow Roundabout were received on October 31, 2025. The project has reached a stage where it is ready to be publicly tendered. Administration will ensure that the tender process includes provisions allowing the County to decline awarding the contract should the submitted bids exceed the estimated project costs.

**REQUEST OF COUNCIL**

*Proposed Motion:* That Council authorize Administration to proceed with the tendering of the Dunbow Roundabout project.

**PUBLIC HEARINGS AND MEETINGS**  
**PLANNING AND DEVELOPMENT REPORT TO COUNCIL**  
**REDESIGNATION**  
**November 12, 2025**  
**To be heard at: 10:00 AM**

| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                        | <b>FILE NO. 25R 042</b>        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                           | <b>LEGAL DESC.:</b> SE 29-18-27 W4                     |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>LANDOWNERS:</b> David R. A. Turner                  |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>AREA OF SUBJECT LANDS:</b> 158.97 Acres             |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>CURRENT LAND USE:</b> Agricultural District         |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>PROPOSED LAND USE:</b> Country Residential District |                                |
| <b>PROPOSAL:</b> Redesignation of a +/- 7.5 acre portion of the 158.97 acre Agricultural District parcel to Country Residential District to allow for the future subdivision of a +/- 7.5 acre Country Residential District first parcel out. Further, a Site-Specific Amendment is requested to allow for relaxations to the number, cumulative size and setback distances to existing accessory buildings as a discretionary use on the proposed parcel. |                                                        |                                |
| <b>NUMBER &amp; SIZE OF PROPOSED NEW PARCELS:</b> 1 x 7.5 acre                                                                                                                                                                                                                                                                                                                                                                                             |                                                        |                                |
| <b>DIVISION NO:</b> 1                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                        | <b>COUNCILLOR:</b> Rob Siewert |
| <b>FILE MANAGER:</b> Elliott Salmon                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                        |                                |

### **EXECUTIVE SUMMARY**

#### **Location:**

The subject parcel is located immediately northwest of the intersection of 232 St E and 562 Ave E, approximately 1.5 km east of Frank Lake and approximately 6.5 km southwest of the Hamlet of Blackie.

#### **Policy Evaluation:**

The application was reviewed within the terms of the:

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

#### **Referral Considerations:**

Referred to the required internal departments and external agencies.

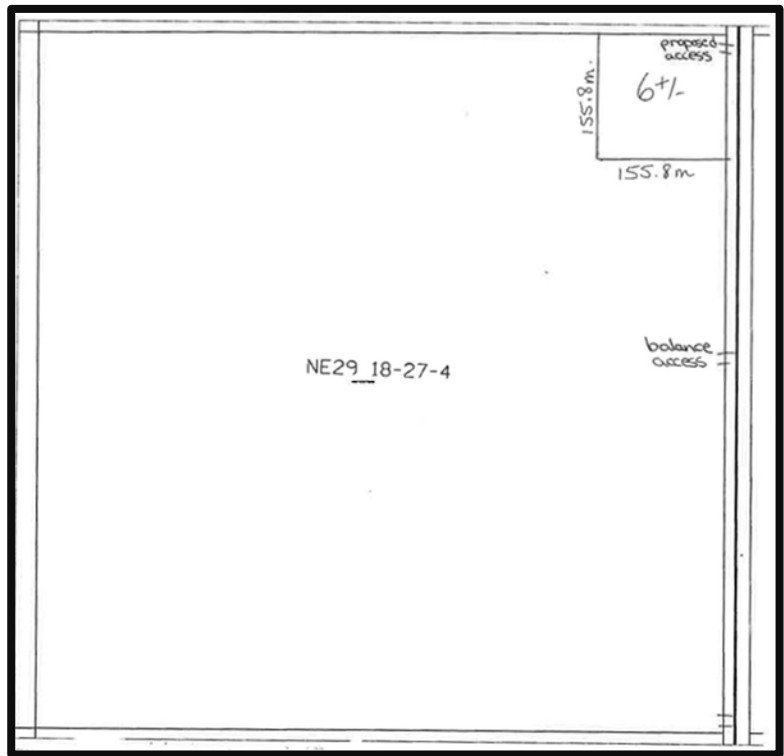
### **PURPOSE OF APPLICATION**

Bylaw XX/2025 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel. Further, Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to the Country Residential District land use rules to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.

## HISTORY

**May 18, 2006** – Council refused an application to redesignate an undeveloped portion of NE 29-18-27 W4M (the quarter section immediately north of the subject parcel) from Agricultural District to Country Residential District to permit the future subdivision of one 6-acre parcel for the following reasons:

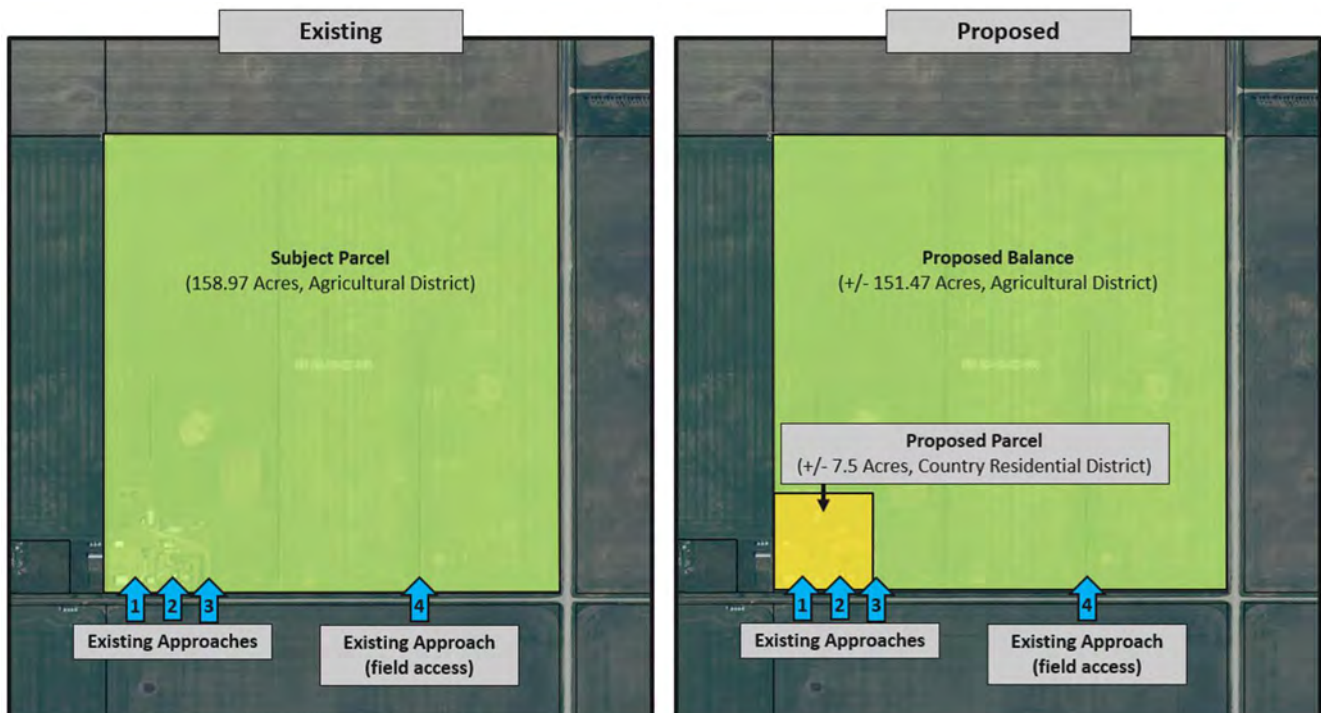
*When considering Section 4.3.2 of the Municipal Development Plan and Section 6 of the Provincial Land Use Policies, Council was of the opinion that the Municipality should be encouraged to limit the fragmentation of agricultural lands and their premature conversion to other uses, especially within agricultural areas.*



## SITE CONSIDERATIONS

### Access:

Access to the subject parcel is currently provided from four existing approaches off 562 Ave E, located on the south side of the subject parcel. As shown on the site plans below, approaches #1 and #2 would provide legal physical access to the proposed +/- 7.5 acre Country Residential District parcel, and approaches #3 and #4 would provide legal physical access to the proposed balance Agricultural District parcel; approach #4 is a field access.



**Physiography:**

The subject parcel is currently used for agricultural purposes and contains interspersed low-lying uncultivated areas.

**Existing Development:**

All existing development on the subject parcel is entirely within the boundaries of the proposed +/- 7.5 acre Country Residential District parcel. Existing development includes a dwelling, Quonset, machine shed, shop, sea-can, greenhouse, garden shed, well house, two garages and two hog barns (i.e. one dwelling and eleven accessory buildings with a cumulative area of approximately 1,198 sq. m.). As of the site visit completed on October 31, 2025, two of the four structures slated for demolition on the site plan have been removed from the property.

The total number and cumulative size of the existing accessory buildings on the property does not meet the requirements as set out in Section 4.2.1.7 of the County's Land Use Bylaw, which outlines that a maximum of four accessory buildings with a cumulative size not to exceed 325.2 sq. m. would be permitted on the proposed +/- 7.5 acre Country Residential District parcel without a Development Permit. Should the application be approved, the proposed +/- 7.5 acre Country Residential District parcel would contain eleven accessory buildings with a cumulative total area of approximately 1,198 sq. m.

Further, six of the structures on the property do not meet the minimum setback requirements set out in the County's Land Use Bylaw.



## REFERRAL CIRCULATION

| CIRCULATION REFERRALS |                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REFEREE               | COMMENTS                                                                                                                                                                                                                                                                                                                                                             |
| INTERNAL              |                                                                                                                                                                                                                                                                                                                                                                      |
| Public Works          | <ul style="list-style-type: none"> <li>Current standards only allow for one approach for properties less than 10 acres.</li> <li>Public Works recommends that one of the approaches to the proposed parcel is removed; however, Council may choose to allow access to remain as-is.</li> <li>Approach upgrades may be required to meet current standards.</li> </ul> |

| CIRCULATION REFERRALS   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         | <ul style="list-style-type: none"> <li>• There are no topographical features on the proposed lot that would reduce the building area further than the setbacks required by the Land Use Bylaw.</li> <li>• The proposed does not adhere to current code regarding setbacks to an open discharge and requires revision to conform. Notably, the distance to the proposed north and east property lines is inadequate as the regulations require a setback of at least 90 metres.</li> <li>• Public Works recommends an assessment of the current system by a qualified professional, confirming its adherence with code requirements and/or making recommendations to bring it into compliance.</li> </ul> |
| <b>EXTERNAL</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Sunshine Gas Co-op Ltd. | No concerns.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>PUBLIC</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Western Wheel           | October 29, 2025 and November 5, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Landowners (adjacent)   | No submissions received prior to the submission of this staff report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## **POLICY EVALUATION**

### **Municipal Development Plan (MDP2010):**

Policies 2 and 4 of the Agriculture section of the MDP2010 support maintaining the integrity of the agricultural land base and discourages the subdivision of agricultural lands without consideration of the impact the proposed use will have on the existing agricultural users and the surrounding uses.

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

The application meets the density requirements and lot size restrictions as set out in Sections 12.1.6.2 of the Agricultural District and 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

The total number, cumulative size and setback distances to existing accessory buildings does not meet the requirements of the County's Land Use Bylaw.

### **Growth Management Strategy:**

The subject property is located within the East District of the Growth Management Strategy. Outside the Blackie ASP plan area, little growth is anticipated for this district and Agriculture will continue to be the dominant land use.

## **SUMMARY**

Bylaw XX/2025 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel. Further, Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to the Country Residential District land use rules to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.

## **OPTIONS FOR COUNCIL CONSIDERATION**

### **OPTION #1 – FIRST READING APPROVAL**

Council may choose to grant 1<sup>st</sup> reading to the application to further amend the Land Use Bylaw by authorizing the redesignation of a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel, and to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel for the following reasons:

*In their consideration of the criteria noted in the Agriculture and Residential sections of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and would not be detrimental to the agricultural nature of the area. Further, the application falls within the density provisions and lot size restrictions of the County's Land Use Bylaw.*

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

1. Landowners are to fully execute and comply with all requirements as outlined in 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. Landowners are to obtain any necessary building and safety codes permits and inspections for the septic system to the discretion of the Safety Codes Officer;
3. The applicant is to provide a revised site plan showing the septic system on the proposed parcel at least 90 metres from all property lines.
4. Final redesignation fees to be submitted;
5. Submission of an executed subdivision application and the necessary fees.

### **OPTION #2 – REFUSE APPLICATION**

Council may choose to refuse the application to further amend the Land Use Bylaw by authorizing the redesignation of a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel, and to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel for the following reasons:

*In consideration of the criteria noted in the Agriculture and Residential sections of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District and allowing the fragmentation of the subject lands, as it is Council's intent to maintain the agricultural land base.*

## **APPENDICES**

### **APPENDIX A – MAP SET**

LOCATION MAP

LAND USE – HALF MILE MAP

PARCEL SIZES – HALF MILE MAP

SITE PLAN – PROPOSED PARCEL

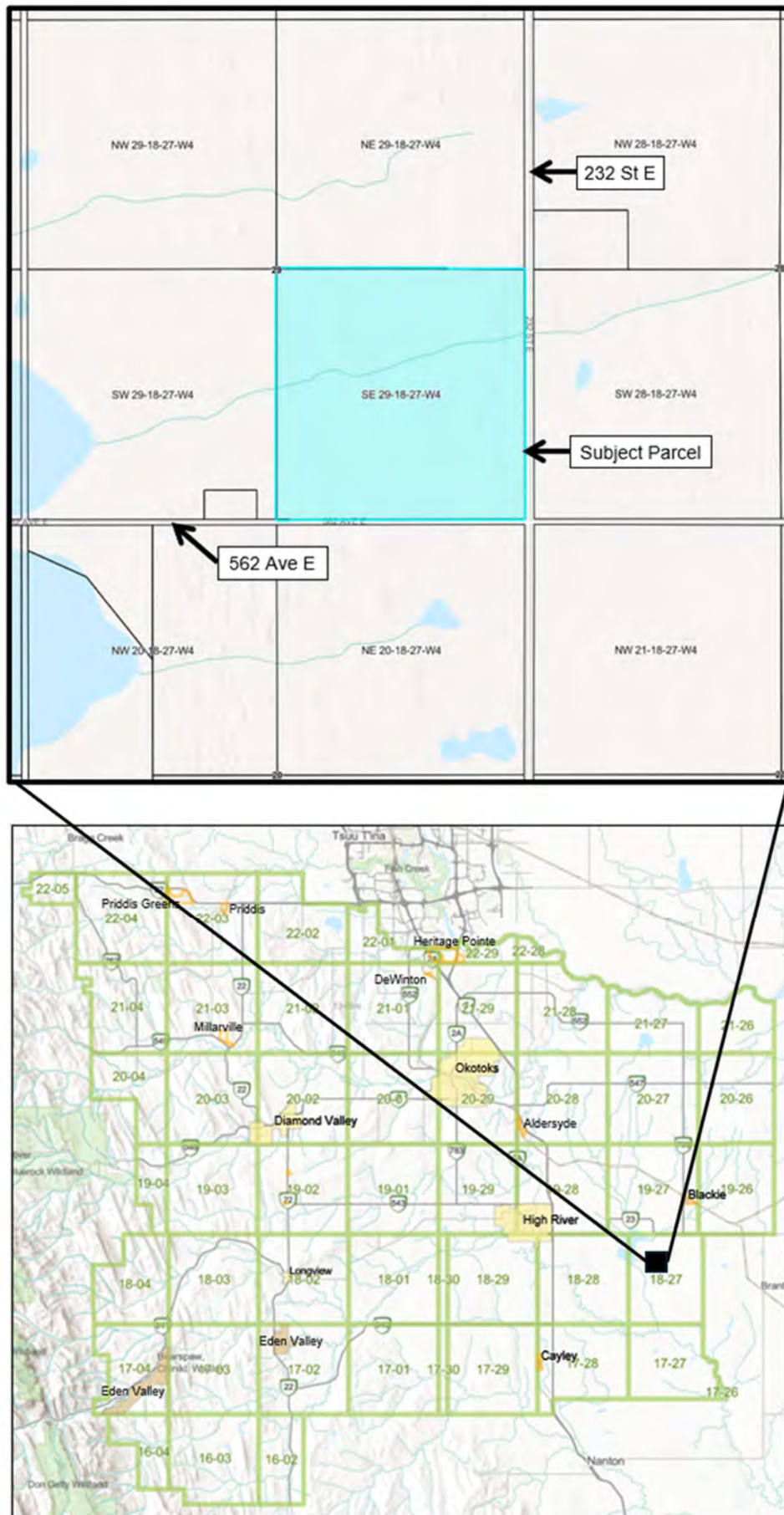
SITE PLAN – PROPOSED AND BALANCE PARCEL

PROPOSED LAND USES

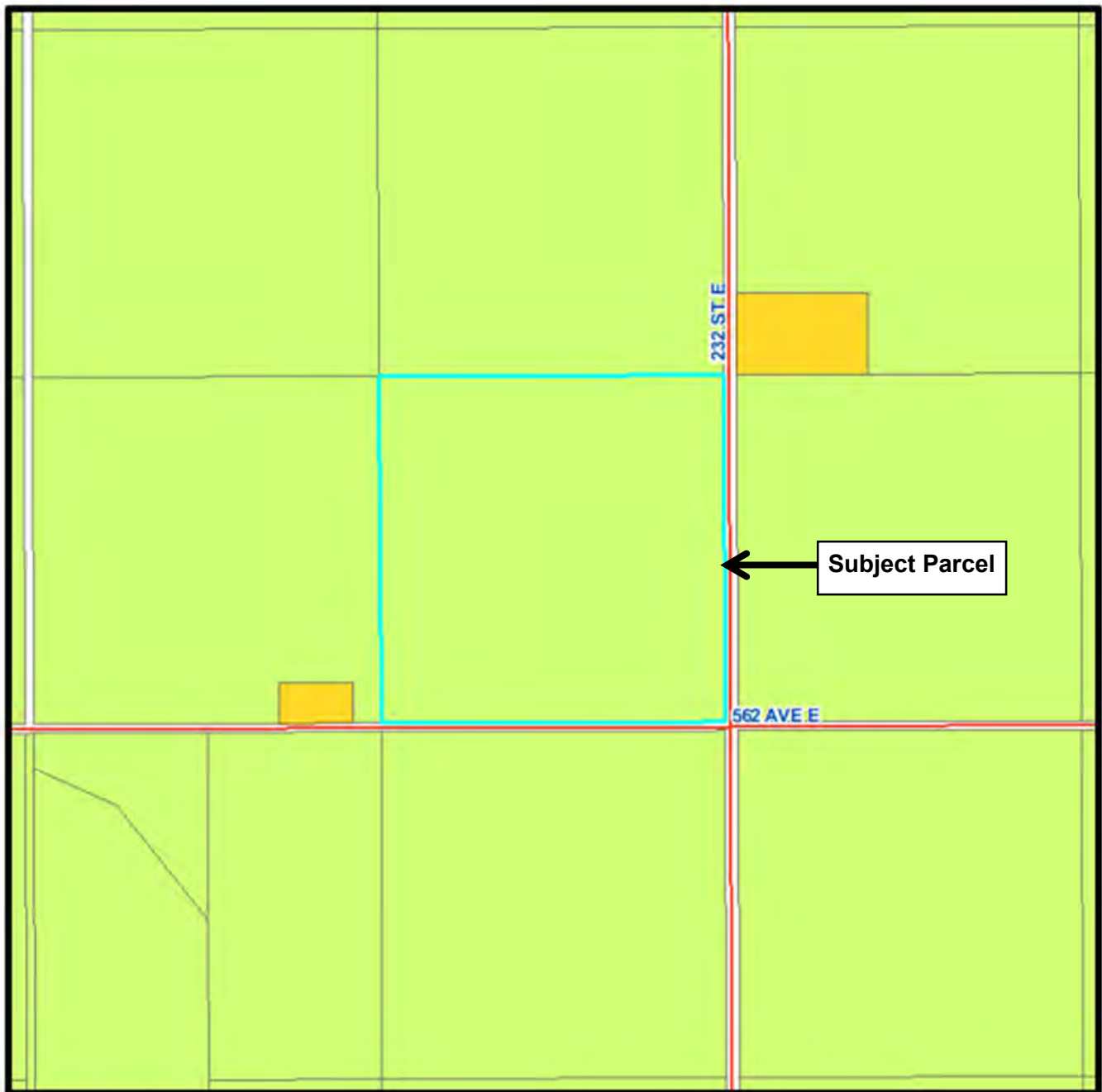
ORTHO PHOTO

### **APPENDIX B – DRAFT BYLAW**

## APPENDIX A: LOCATION MAP



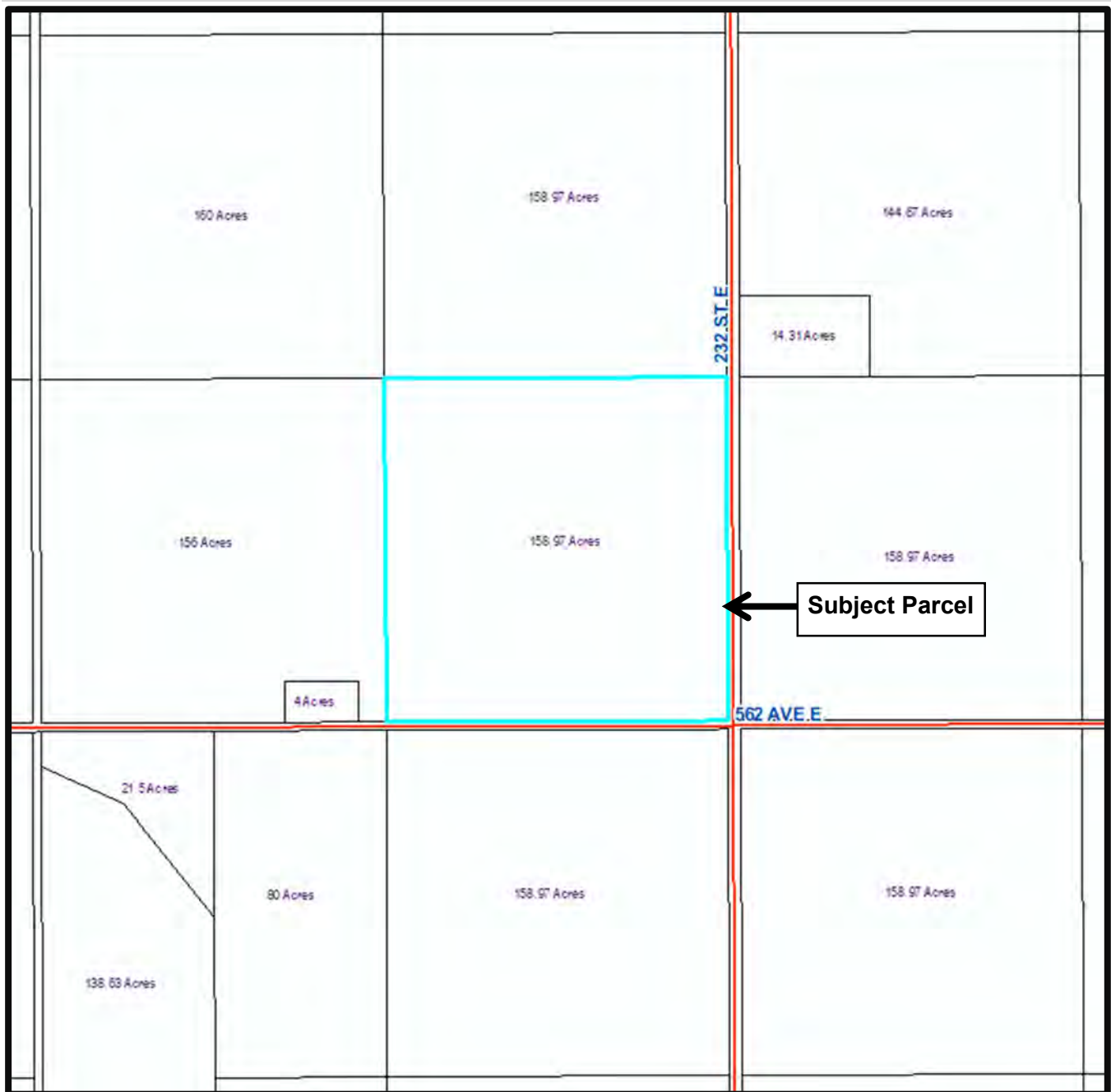
## APPENDIX A: LAND USE – HALF MILE MAP



### Legend

- A- Agricultural
- CR- Country Residential

## APPENDIX A: PARCEL SIZES – HALF MILE MAP



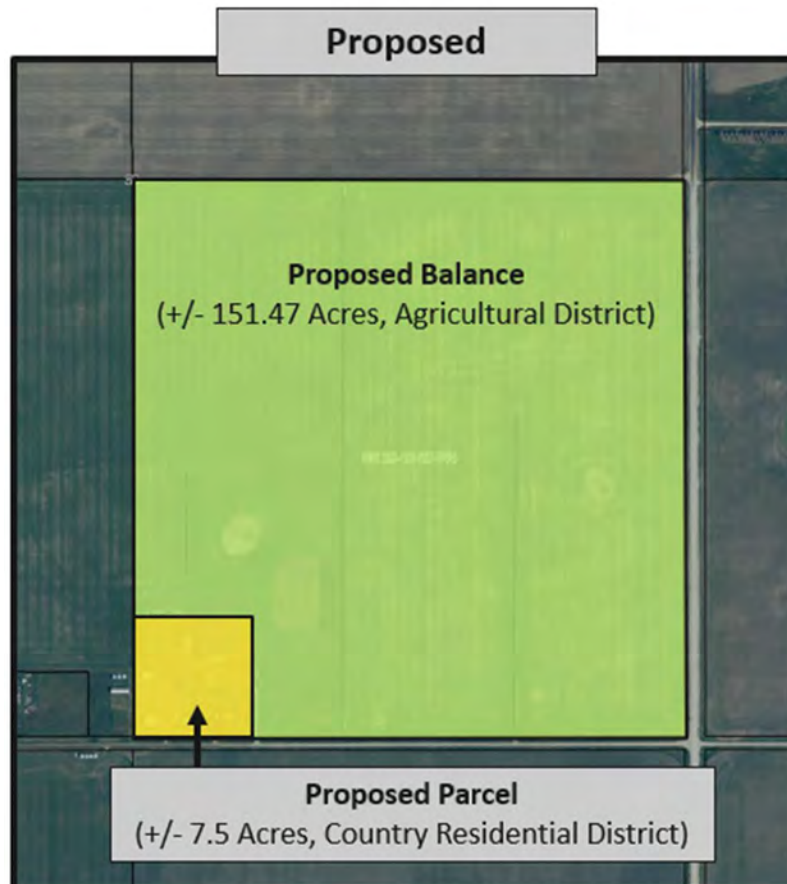
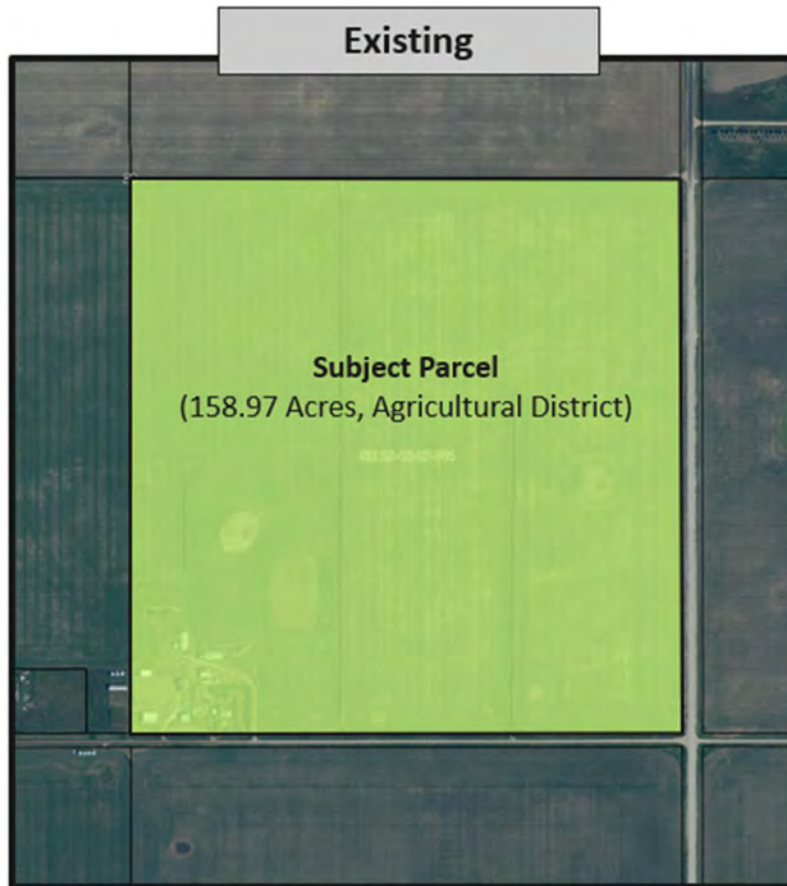
## APPENDIX A: SITE PLAN – PROPOSED PARCEL



**APPENDIX A: SITE PLAN – PROPOSED AND BALANCE PARCEL**



## APPENDIX A: PROPOSED LAND USES



**APPENDIX A: ORTHO PHOTO**



**BYLAW XX/2025**

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

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

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel.

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to the Country Residential District land use rules to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.

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

1. Land Use Map No. 1827 is amended by redesignating a 7.50 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.50 +/- acre Country Residential lot with an approximate 151.47 +/- acre Agricultural District balance parcel.
2. Under SECTION 13.1 COUNTRY RESIDENTIAL DISTRICT, the following shall be added under Section 13.1.5 DISCRETIONARY USES only on Ptn. 29-18-27 W4M:

*To allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.*

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      .

**PUBLIC HEARINGS AND MEETINGS  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
LAND USE AMENDMENT  
November 12, 2025  
To be heard at: 11:00AM**

| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                        | <b>File No. 25R 047</b>           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------|
|                                                                                                                                                                                                                                                                                                                                                           | <b>LEGAL DESCRIPTION:</b> PTN. NW 15-20-28 W4M; PLAN 7811033, BLOCK 13 |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>LANDOWNERS:</b> CRAIG WARREN & HALEY READ                           |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>AGENT:</b> BADKE CONSULTING LTD. - JEFF BADKE                       |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>AREA OF SUBJECT LANDS:</b> 19.99 ACRES                              |                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>CURRENT LAND USE:</b> COUNTRY RESIDENTIAL DISTRICT                  |                                   |
| <b>PROPOSED LAND USE:</b> COUNTRY RESIDENTIAL DISTRICT                                                                                                                                                                                                                                                                                                                                                                                     |                                                                        |                                   |
| <b>NUMBER &amp; SIZE OF PROPOSED NEW PARCELS:</b> One new 8.82+/- acre Country Residential District parcel with an 11.17+/- acre Country Residential District balance parcel.                                                                                                                                                                                                                                                              |                                                                        |                                   |
| <b>PROPOSAL:</b> Amendment to the Country Residential District Land Use Rules to allow for the future subdivision of one 8.82+/- acre Country Residential District parcel out of the subject 19.99 acre Country Residential District parcel, leaving an 11.17 +/- acre Country Residential District balance parcel. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement. |                                                                        |                                   |
| <b>DIVISION NO:</b> 1                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>REEVE:</b> Rob Siewert                                              | <b>FILE MANAGER:</b> Kari Furnell |

**EXECUTIVE SUMMARY:**

**Summary of Proposal:**

To provide a 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- Country Residential District balance parcel. In addition, +/-1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

**Location:**

The subject parcel is located:

- On 128 ST E
- Approximately 1 km north of 402 Ave E
- Approximately 800 m west of 144 ST E
- Approximately 2 km south of Highway 547

**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/2025 – 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 one 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- acre Country Residential District balance parcel from the subject parcel, being Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

### **SITE CONSIDERATIONS:**

#### Access:

There are two existing accesses from 128 Street East. The approximate locations for these approaches are shown on the below image by the red arrows.



#### Proposed Parcel:

- The north approach and pathway internal to the subject parcel has historically been used as the primary access point for the easterly portion of the subject lands and is proposed to be used to provide access to the proposed parcel via a 12.5m wide panhandle. A 12.5m wide panhandle is proposed rather than the standard 15m due to the location for the existing water well (shown outlined in yellow on the above map) that services the dwelling that is proposed to remain on the +/-11.7 acre balance. The agent has indicated that the topography of the proposed panhandle is generally flat and with the proposed width of 12.5m, will allow for the construction of a residential driveway, while maintaining separation from the existing water well.
- In addition, a portion of the panhandle crosses through an existing drainage course that traverses through the subject parcel, as described in the below paragraph. The agent has indicated that in 2017 a crossing through this existing drainage course was established to provide more suitable access to the easterly portion of the subject parcel. The work done in 2017 included widening and strengthening the crossing, as well as the installation of two 600mm culvert pipes, to ensure drainage through this area is unimpeded.

Public Works has reviewed the proposal and would prefer that the panhandle meet the minimum required standard width of 15m; however, given the limitations due to the proximity of the existing water well, Public Works would accept the proposed 12.5m width. Further, Public Works recommends an engineer's review on the access for the proposed parcel due to the drainage course crossing. The review will need to speak to the existing culvert's ability to handle flow and determine if any upgrades are necessary. If approval for the crossing is required from Alberta Environment & Parks, it is the agent/landowner's responsibility to obtain it. Further, Public Works recommends that the panhandle be

protected for a future road dedication in the event that the subject parcel or adjacent parcel to the north is proposed for subdivision.

### Balance Parcel:

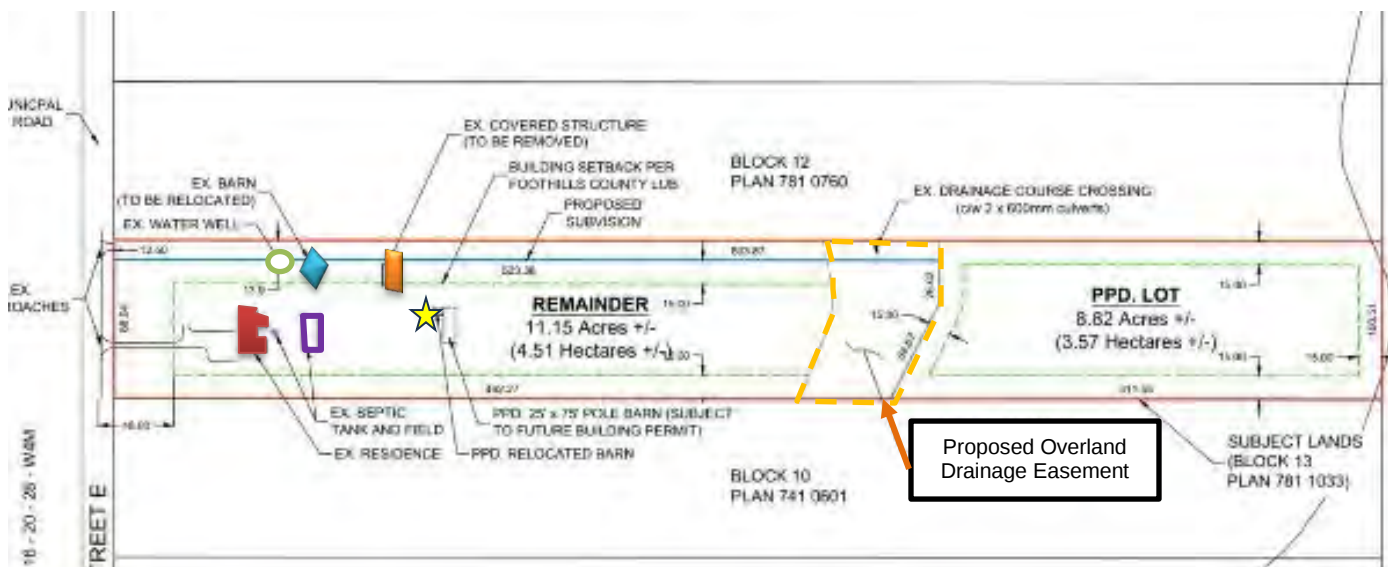
- Access to the balance parcel is proposed from the existing approach that is located approximately in the center of the west end of the property, directly south of the proposed parcel approach.

### Physiography:

- A drainage course runs through the center-east portion of the subject parcel. The approximate area of this drainage course is shown on the above map with the dotted orange lines. This application proposes to protect this drainage course by way of an Overland Drainage Easement.
- No major elevation changes only subtle undulations east and west
- The very easterly portion of the subject parcel was seldomly used as a dirt bike track for recreational, personal use and is no longer in use.

### Existing Development:

All existing development on the subject property would be located within the balance parcel and consists of a Dwelling (shown in red), a Barn (shown in blue) and a fabric covered accessory structure (shown in orange). The barn is proposed to be moved to meet setback requirements (proposed location shown by the yellow star) and the fabric covered accessory structure is proposed to be removed. The existing dwelling is serviced via on-site water well (shown with green circle) and septic system (shown outlined in purple). The application proposes a new water well and a new on-site Private Sewage Treatment System for the proposed parcel.



| CIRCULATION REFERRALS                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REFEREE                                | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>INTERNAL</b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Rural Addressing                       | No Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Public Works                           | <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• An engineer's review of the existing access for the proposed 8.82+/- acre parcel due to the drainage course crossing. The review will need to speak to the existing culvert's ability to handle flow and to determine if any upgrades are necessary. Alberta Environment and Parks will need to confirm if there is an approval in place for the crossing, and if not, it is the agents/landowner's responsibility to obtain it. These requirements are recommended to be addressed as a condition of subdivision.</li> <li>• Public Works would prefer that the proposed panhandle width be 15m wide; however, with the existing water well located within the area, 12.5 m would be acceptable.</li> <li>• Building Envelope to be identified for the proposed parcel as a condition of land use. An appropriate development setback will need to be illustrated to the ephemeral drainage course, based on a qualified engineer's professional opinion from the top of the slope/bank.</li> <li>• Septic Disposal Evaluation (PSTS) to be provided for the proposed parcel as a condition of subdivision.</li> <li>• Public Works agrees with the proposed Overland Drainage Easement and would recommend it be required as a condition of subdivision.</li> </ul> |
| Alberta Environment and Protected Area | No response provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EXTERNAL</b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Sunshine Gas Co-op                     | No concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>PUBLIC</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Western Wheel                          | Advertised October 29, 2025 and November 5, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Landowners (Half Mile)                 | No letters were received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## 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 identified within the East District. The vision for the East District provides that very little growth is anticipated within this district, further, that agriculture will continue to be the dominant land use and careful consideration will be given to the impact on agriculture when applications for land use are considered.

### **SUMMARY:**

Bylaw XX/2025 – Application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 8.82 +/- acre Country Residential District lot, with a 11.17 +/- acre Country Residential balance parcel on Plan 7811033, Block 13; Ptn. NW 15-20-28 W4M. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

### **OPTIONS FOR COUNCIL CONSIDERATION:**

#### **OPTION #1 – FIRST READING APPROVAL**

Council may choose to grant 1<sup>st</sup> reading Bylaw ##/2025 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- acre balance parcel from Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13 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 proposed 8.82 +/- acre parcel be designated as Country Residential Sub-district "A" to ensure that the recommendations and restrictions as outlined in the Building Envelope (condition of land use), Septic Disposal Evaluation (PSTS), and Engineered Driveway, (conditions of subdivision) 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 Driveway and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
2. Road Acquisition Agreement to be executed and registered by way of caveat, concurrently with the Plan of Survey, for a future road dedication over the full length of the 12.5m wide panhandle, to the satisfaction of the Public Works department, **as a condition of subdivision;**
3. Overland Drainage Easement Agreement to be executed and registered by right-of-way plan concurrently with the plan of survey, **as a condition of subdivision;**

4. Septic Disposal Evaluation (PSTS) to be provided for the proposed 8.82+/- acre parcel to the satisfaction of the Public Works department, **as a condition of subdivision**;
5. The covered structure is required to be removed from the property with proof submitted to the County, **as a condition of subdivision**;
6. The barn is to be relocated within the proposed balance parcel and is required to meet all setback requirements, with proof to be submitted to the County, **as a condition of subdivision**;
7. Proof of adequate water supply to be provided for the proposed 8.82+/- acre parcel in accordance with the Provincial Water Act to the satisfaction of the County;
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 one 8.82 +/- acre Country Residential District parcel, leaving an 11.17+/- acre Country Residential District balance parcel on Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13 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**

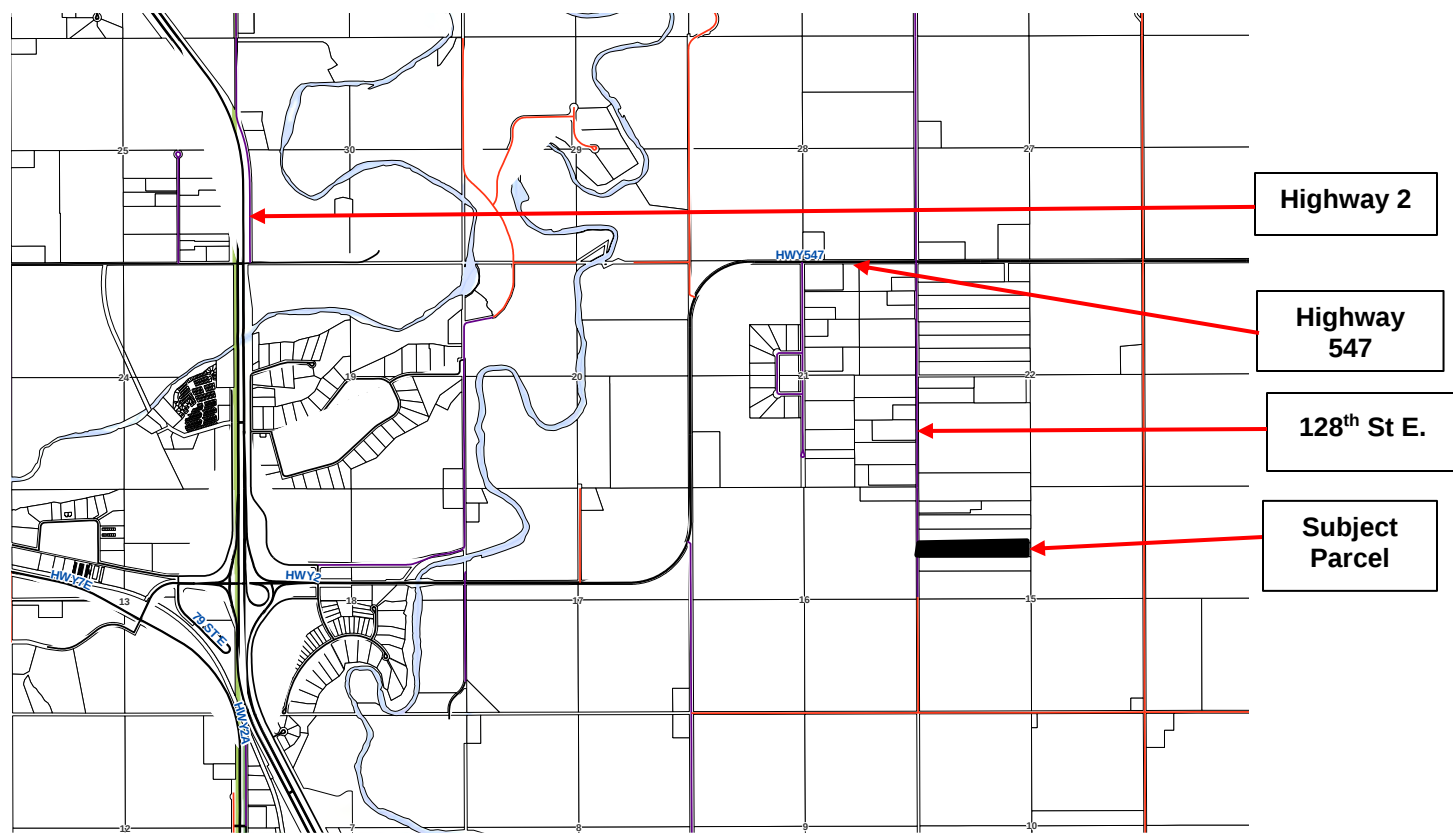
**LAND USE - HALF MILE MAP**

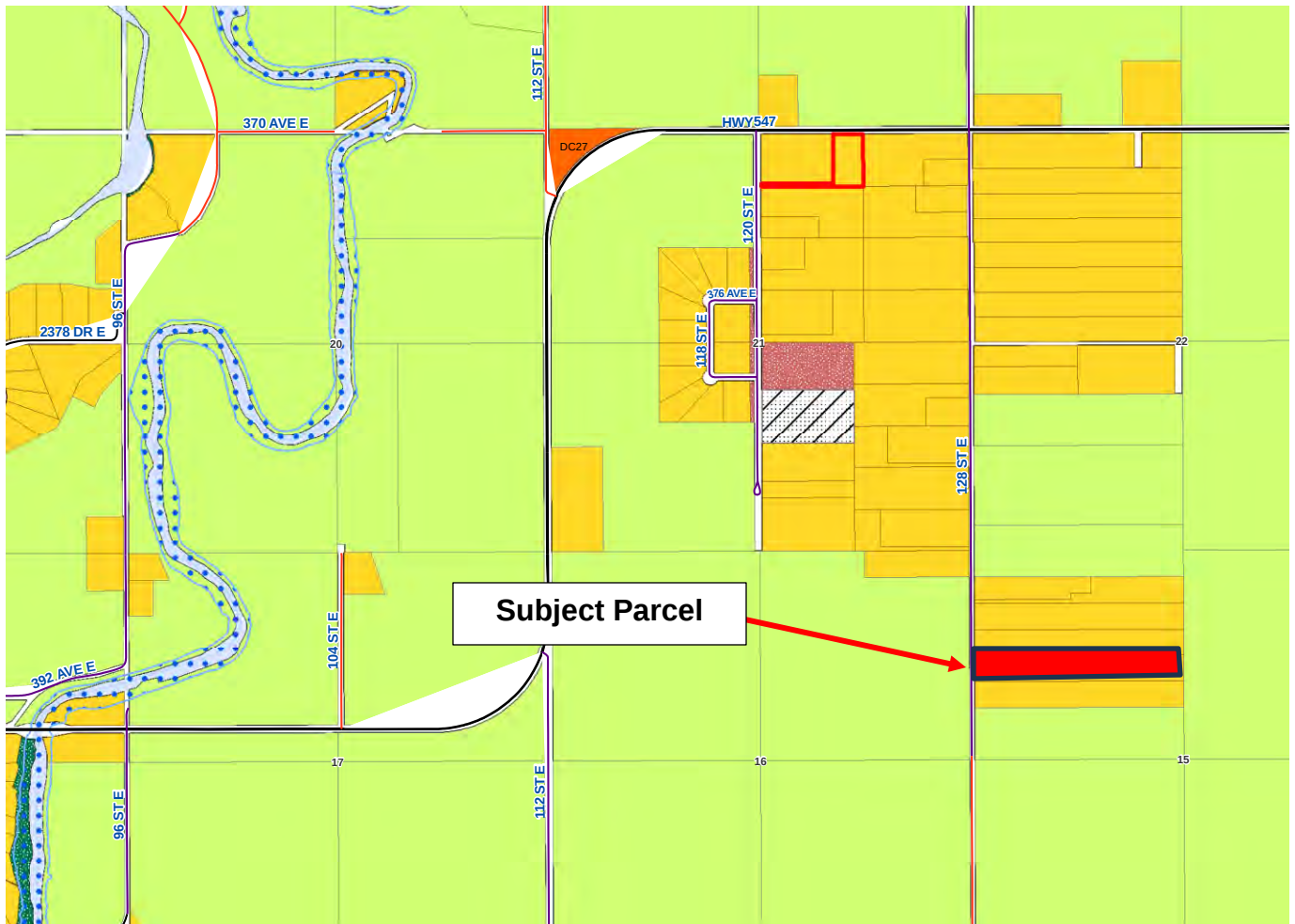
**SITE PLAN**

**ORTHO PHOTO**

### **APPENDIX B: PROPOSED BYLAW**

## APPENDIX A: LOCATION MAP

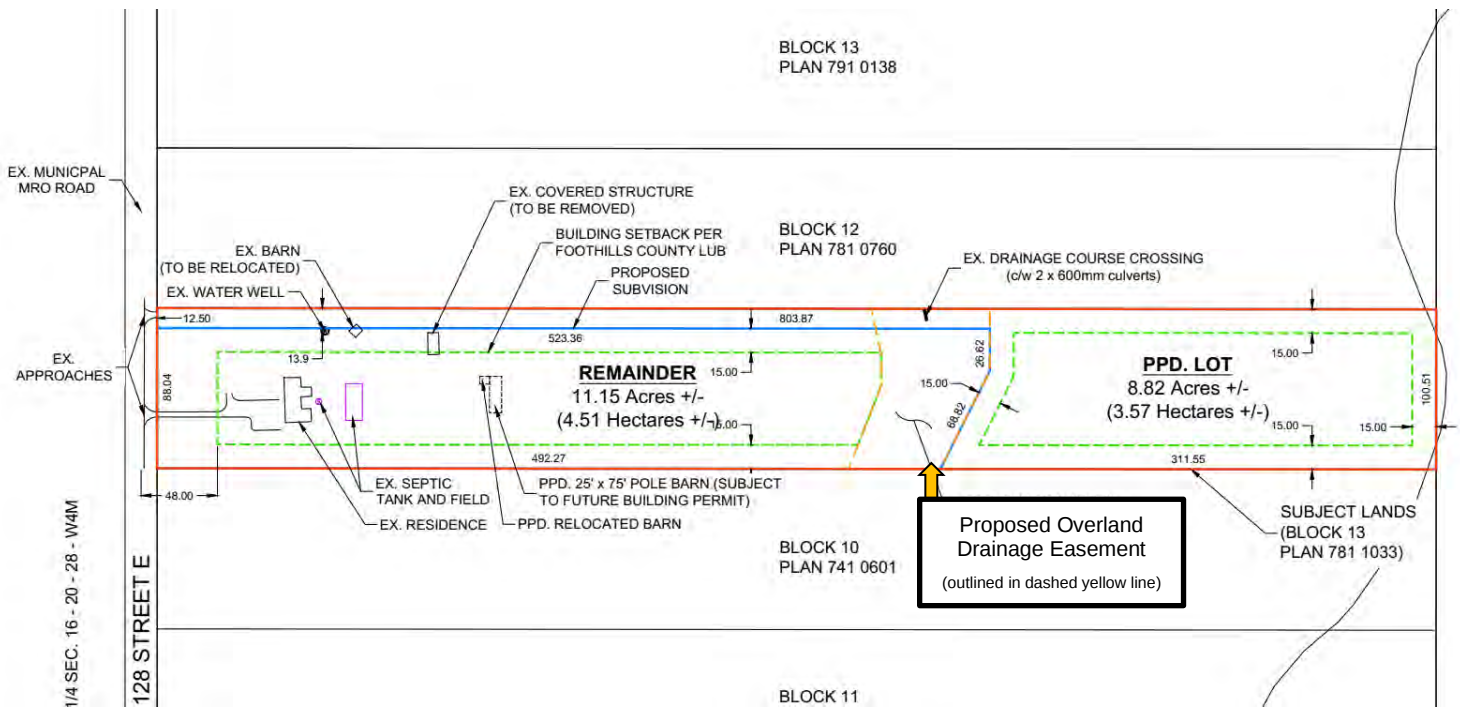




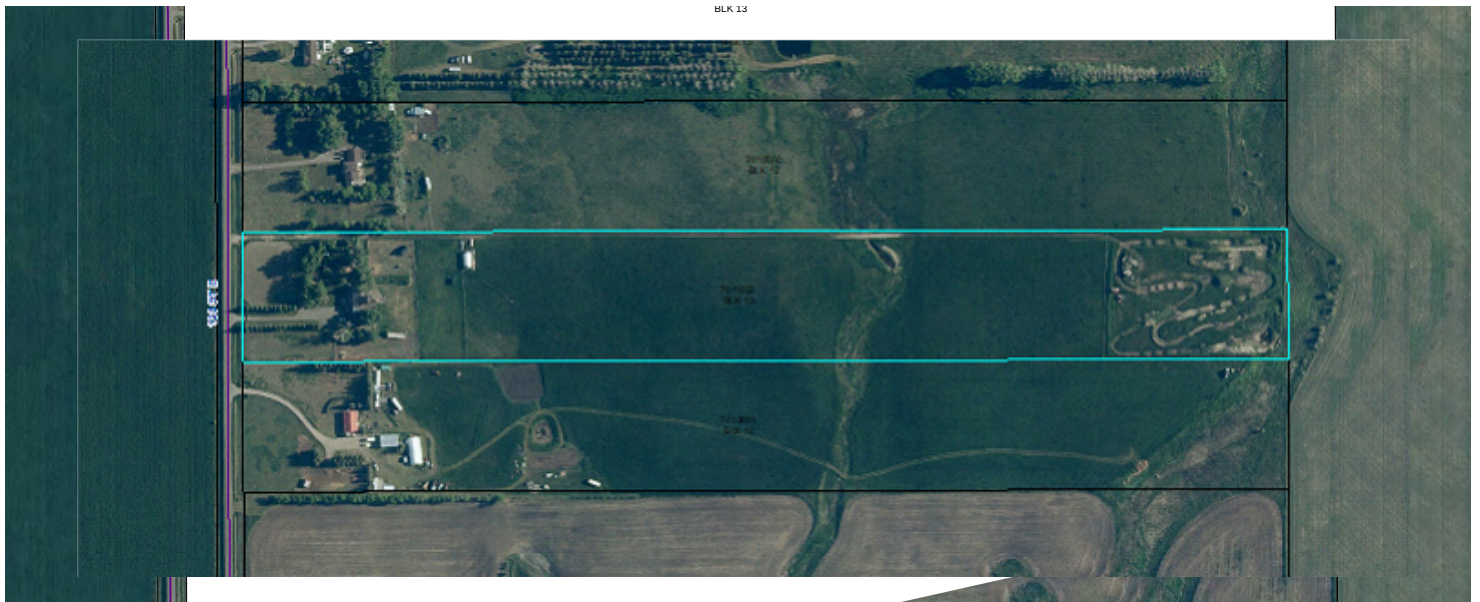
## Legend

- A- Agricultural
- CR- Country Residential
- CRA- Country Residential Sub A
- Natural Resource Extraction
- In transition
- MR- Municipal Reserve

## APPENDIX A: SITE PLAN



## APPENDIX A: ORTHO PHOTO



**BYLAW XX/2025**

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

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

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 8.82 +/- acre Country Residential lot, with a 11.17 +/- acre Country Residential balance parcel on Plan 7811033, Block 13; Ptn. NW 15-20-28 W4M.

**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 7811033, Block 13; Ptn. NW 15-20-28 W4M within which shall allow for the future subdivision of one new 8.82 +/- acre Country Residential lot, with a 11.17 +/- 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   .

**PUBLIC HEARINGS AND MEETINGS**  
**PLANNING AND DEVELOPMENT REPORT TO COUNCIL**  
**SITE SPECIFIC AMENDMENT**  
**November 12, 2025**  
**To be heard at: 1:30 PM**

| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                                                                                                                 |                                                                                  | <b>File No. 25R054</b>         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|--------------------------------|
|                                                                                                                                                                                                                               | <b>LEGAL DESCRIPTION:</b><br>Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18 |                                |
|                                                                                                                                                                                                                                                                                                                | <b>LANDOWNER:</b> Amy Dunham                                                     |                                |
|                                                                                                                                                                                                                                                                                                                | <b>AGENT:</b> TimberCreek Homes Inc.                                             |                                |
|                                                                                                                                                                                                                                                                                                                | <b>AREA OF SUBJECT LANDS:</b> 0.8 acres                                          |                                |
|                                                                                                                                                                                                                                                                                                                | <b>CURRENT LAND USE:</b> Residential Community Sub-district 'A'                  |                                |
| <b>PROPOSAL:</b> Site Specific Amendment to Section 13.4.6.4 – <i>Utility Servicing Criteria</i> of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel. |                                                                                  |                                |
| <b>DIVISION NO:</b> 7                                                                                                                                                                                                                                                                                          |                                                                                  | <b>COUNCILLOR:</b> R.D. McHugh |
| <b>FILE MANAGER:</b> Stacey Kotlar                                                                                                                                                                                                                                                                             |                                                                                  |                                |

**PREAMBLE:**

The subject parcel is located within Phase 2B of the Green Haven Estates ASP, Council granted subdivision approval for this phase in 2017 allowing the creation of 23 x 0.8 acre Residential Community Sub-district 'A' (RCA) lots. All of the requirements were completed, and the subdivision was registered in 2022.

During the land use application for Phase 2B, the residential lots were designated as RCA to ensure that a development permit process would be undertaken on each lot to confirm that all required setbacks/building envelopes were met, and that all restrictions and recommendations as noted within the Stormwater Management plan, Lot Grading plan, High Water Table Testing and Septic Disposal analysis were undertaken in the building process, as well as ensuring that high efficiency tertiary wastewater treatment systems were installed.

A Development Permit application for the construction of a Single Family Dwelling with attached Oversized Garage on the subject parcel was submitted and conditionally approved on September 7, 2022. The Development Permit submission included all of the typical development permit application requirements, and this application also included the required stamped plot plan, executed building grade slip/form and a signed declaration of understanding for wastewater servicing to ensure that a tertiary/mechanical septic system is installed. To date, the conditions of the DP have not been finalized due to the installation of holding tanks rather than the required tertiary/mechanical septic system.

In September of 2024, a new Development Permit application was submitted for the subject parcel for a Personal Use Accessory Building and Lot Grading associated with the excavation and construction of an outdoor pool. Upon review of this application, the County was informed that 2 x 5000 gal on-site wastewater holdings tanks were installed instead of the required tertiary/mechanical treatment system. As such, the applicants have submitted a Site Specific Amendment for Councils consideration. This Development Permit is currently deemed as incomplete until the non-compliant wastewater system that was installed on the subject parcel is addressed.

In December 2024, the agent on behalf of the landowner applied for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District of the Land Use Bylaw to allow for the existing non-compliant on-site wastewater holdings tanks to remain to service the subject property, instead of installing the required high efficiency tertiary treatment system on the subject parcel. This application was refused by Council on February 19<sup>th</sup>, 2025 for the following reasons:

*In consideration of the Green Haven Estates Area Structure Plan and the previously approved servicing strategy, Council is of the opinion that the Site-Specific Amendment to the land use district, and existing non-compliant wastewater holding tanks do not meet the intent of Policy 4.9.1.5 of the Green Haven Estates ASP or the servicing strategy that was approved for these lands. Council requires that the landowner and builder bring the subject property into compliance with the Land Use Bylaw and restrictive covenants.*

In July 2025, the agent, on behalf of the landowner, submitted a request to waive the six-month waiting period for reapplication, citing the availability of new supporting information. Two independent consulting firms had been engaged to prepare updated assessments of the on-site wastewater system, with the resulting formal reports to be submitted for the County's review as part of the revised application. This request was approved.

## **EXECUTIVE SUMMARY:**

### **Proposal**

Application proposing a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the RC District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel.

### **Location**

The subject parcel is located within Phase 2B of the Green Haven Estates development and accessed from the internal subdivision road, Green Haven View. Green Haven Estates is located directly east and south of the Town of Okotoks and directly west of 48<sup>th</sup> Street East.

### **Policy Evaluation**

The subject parcel has been reviewed within the terms of the Foothills County and Town of Okotoks Intermunicipal Development Plan, the Green Haven Estates Area Structure Plan and Land Use Bylaw 60/2014.

### **Referral Considerations**

The application was circulated to all internal and external agencies.

The Public Works Department has reviewed the two new on-site wastewater evaluation reports prepared by D&S Enterprises and Township 27, as well as an independent third-party review of both. Public Works notes that D&S Enterprises has extensive experience and a strong professional reputation. The recommendations provided by D&S are further supported by Township 27, which also recommends retaining the existing holding tanks. In addition, the Township 27 report has been authenticated by a professional engineer.

## **PURPOSE OF APPLICATION:**

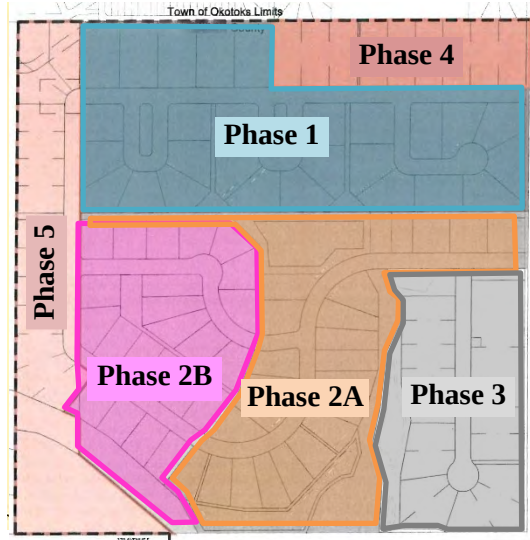
The applicants have applied for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the RC District to allow for wastewater holding tanks instead of the required tertiary treatment system.

## BACKGROUND:

The Green Haven Estates ASP was originally adopted in 2007, which included phases 1, 2 and 3, outlined in red. In 2023, Council granted first reading to Bylaw 41/2023 to adopt proposed amendments to the ASP, outlined by the red dashed lines, allowing for 2 new phases, referred to as Phases 4 & 5, this application has not yet been finalized.

In 2012, Council granted 1<sup>st</sup> reading to Bylaw 63/2012 authorizing the redesignation of the Phase 2 and 3 lands. At this time, the land use was redesignated to Hamlet Residential Sub-district “A” and the Utility Servicing Criteria for the subject lands was to be provided by communal water and individual on-site high efficiency septic systems.

**Please note:** In 2022, Council approved amendments to the Land Use Bylaw, including revising the name of the Hamlet Residential (HR) District to Residential Community (RC) District. This is the reason for the land use of the subject lands now being referred to as RC / Residential Community Sub-district “A” (RCA) instead of HR / Hamlet Residential Sub-district “A” (HRA).



**Phase 1:** Residential Community District parcels, registered in 2012. Communal water treatment and distribution facility was also established in Phase 1.

**Phase 2A:** Residential Community Sub-district ‘A’ parcels, registered in 2015.

**Phase 2B:** Residential Community Sub-district ‘A’ parcels, registered in 2022.

**Phase 3:** Residential Community Sub-district ‘A’ parcels, registered in 2025.

The residential lots within Phases 2 and 3 were designated as RCA to ensure that a development permit process would be undertaken on each lot to confirm that all required setbacks/building envelopes were met, and that all restrictions and recommendations as noted within the Stormwater Management plan, Lot Grading plan, High Water Table Testing and Septic Disposal analysis were undertaken in the building process, as well as ensuring that high efficiency tertiary wastewater treatment systems were installed.

**Phase 4 and 5:** Country Estates Residential Sub-District ‘A’ (CERA) parcels, Bylaw 42/2023 received 2<sup>nd</sup> and 3<sup>rd</sup> Reading July 2, 2025.

The new lots within Phases 4 and 5 will be designated as CERA to ensure that considerations, recommendations, and restrictions within Stormwater Management Plan, Comprehensive Site Drainage Plan, Lot Grading Plans, Building Envelopes and requirements for installation of high efficiency tertiary wastewater treatment systems and adherence to the 100 meter setback requirement of a wastewater system to a production water well are complied with.

## SITE CONSIDERATIONS:

### Access

The subject parcel is accessed from an internal subdivision road being Green Haven View that was constructed within a 25 m wide right-of-way and has a paved surface. This road was constructed as part of Green Haven, Phase 2B subdivision and was constructed to meet municipal standards. Public Works provided that some concerns with pump out tanks include additional heavy traffic on the road system.

### Physiography

The subject parcel has generally flat to rolling terrain with an escarpment (in excess of 15%) that runs along the lands to the southwest, which is currently designated as Environmental Reserve.

## **Site Improvements**

Existing Development on the parcel includes a residence with an attached garage, approved under Development Permit (22D 169). Excavation on the lot has been started to support the construction of an inground pool. The excavation of the site was stopped, and a DP was applied for in September of 2024 to allow for Lot Grading (in support pool excavation) and for the construction of a proposed +/- 480 sq. ft. pool house. The DP is currently deemed as incomplete until the non-compliant wastewater system that was installed on the subject parcel is addressed, which is the purpose of the initial and subsequent Site Specific Amendment application.

## **Servicing Criteria**

The subject parcel is currently serviced by the piped Municipal Water and the existing non-compliant on-site wastewater holding tanks.

Wastewater in Green Haven Estates Phases 2 and 3 is to be provided via the installation of individual on site tertiary treatment / mechanical septic systems. Lots within Phase 2B (including the subject parcel) must meet the requirements of the Level 4 Assessment Report that was completed on August 12, 2019 by SD Consulting Group – Canada Inc. This assessment was required as a condition of subdivision for Phase 2B, it identifies two viable locations on each lot for the installation of the required tertiary treatment systems. As such, the applicants are requesting Councils consideration to allow for the existing holding tanks to remain instead of installing the required tertiary/mechanical treatment system.

Previously, the applicants have submitted an onsite wastewater evaluation report that was completed by Groundstar Contracting Ltd. This evaluation provides two suitable options for the subject parcel; installation of a CSA approved packaged treatment plant supplying a secondary treated effluent to a sand mound as tertiary treatment or CSA approved concrete holding tanks. The reports states that holding tanks have been chosen as a suitable on-site wastewater system due to the size of the property, soil types as well as the conditions of development. The evaluation further speaks to the calculations, area and setbacks that would be required for the installation of a CSA approved packaged treatment system. Further, the report identifies that due to the constraints of the drainage to the south and west sides of the proposed installation area, the risk of effluent breakout was of great concern and the minimum setback from the home could not be achieved. The onsite wastewater evaluation report and plot plan showing the measurements are attached as Appendix B

Public works provides that the Phase 2B Level 4 PSTS was completed as a design to follow during construction and is to guide the potential layout of the required PSTS area. If the contractor/building would have followed the PSTS there would have been space for the correct treatment system to be installed as well as space for a back up system in case of failure. The department has reviewed the onsite wastewater evaluation report and notes that the report was done post construction, excavation and soil disturbance of the rear yard; therefore, there was the potential for the correct treatment system to be installed however this may no longer an option due to the large excavation and disturbed soil at the back of the lot.

D&S Enterprises Wastewater Design was retained to provide an independent review of the lot, along with the septic holding tanks and to determine if there are any viable options for an onsite soil-based treatment system. This review is dated April 7, 2025 and is included in Appendix C. This report determined that the area of disturbed soils combined with the minimum required setbacks, leaves insufficient space for a soil-based treatment system that will meet the requirements of the Alberta Private Sewage System Standard of Practice 2021 (SOP) and the Level 4 PSTS. D&S Enterprises is of the opinion that with the information provided and reviews at the time of the investigation, the property in it is current state will not be conducive to installing a soil-based treatment system and is limited to holding tanks as the only viable option that would be SOP compliant.

Township 27 Inc were consulted to provide a third party review of system in place and history of the parcel dated May 20, 2025. This review recommended retaining the existing 2 holding tanks stating the reasons as the severely disturbed condition of the soils, insufficient area available for an adequate

Engineered fill solution, the proximity to the drainage swale at the southern edge of the proposed treatment mound where significant grades are present, and locational changes given the ROW's and the required setbacks for the PSTS and its associated treatment mound. This report is included as Appendix D.

## REFERRAL CIRCULATION:

| CIRCULATION REFERRALS     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REFEREE                   | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>INTERNAL</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Public Works              | <p>Public Works provided the following comments:</p> <ul style="list-style-type: none"> <li>• A third party review was done on the supplied reports</li> <li>• D&amp;S Enterprises have extensive experience and a solid reputation</li> <li>• Township 27 report is authenticated by a professional engineer</li> <li>• D&amp;S recommendations are further supported by Township 27 recommending retaining the holding tanks</li> <li>• If a pump out system is accepted as the only alternative in this case, safety codes should confirm that the existing is compliant with the applicable code</li> </ul> |
| <b>EXTERNAL</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| ATCO                      | No concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Fortis                    | No concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Telus                     | No concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>PUBLIC</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Western Wheel             | October 29 <sup>th</sup> and November 5 <sup>th</sup> , 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Landowners<br>(half mile) | <p>Notice of this application was mailed to area landowners within one-half mile of the subject parcel on January 29, 2025.</p> <p>No submission were received prior to completion of this report.</p>                                                                                                                                                                                                                                                                                                                                                                                                          |

## POLICY EVALUATION:

### Land Use Bylaw 60/2014

The Hamlet Residential District (in 2012, at the time of land use redesignation approval) provided that the Utility Servicing Criteria is to be communal water and communal wastewater disposal systems however, Council approved an alternative servicing strategy that was proposed by the developer, being communal water and individual on-site high efficiency septic systems. The subject lands are currently designated as Residential Community Sub-district "A" (RCA), which provides the same Utility Servicing Criteria as noted above. The RC District is included in the report as Appendix F.

As such, the subject parcel does not align with the utility servicing that was approved as part of the land use application for Phases 2 and 3 of the Green Haven Estates ASP.

### Green Haven Estates Area Structure Plan

The subject parcel does not generally align with the policy direction noted within the Green Haven Estates Area Structure Plan, specifically with respect to Policy 4.9.1.5 which provides that should a communal system not be feasible, the developer may install individual systems to the satisfaction of the County.

## **Foothills County and Town of Okotoks intermunicipal Development Plan**

The subject parcel is located within the Foothills County and Town of Okotoks Intermunicipal plan area. The Town of Okotoks was circulated on this application, and they do not have any comments with respect to this application.

### **SUMMARY:**

Bylaw XX/2025 - Application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18.

### **OPTIONS FOR COUNCIL CONSIDERATION:**

#### **OPTION #1 – APPROVAL**

Council may choose to grant 1<sup>st</sup> reading to the application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18, subject to the following:

1. Final Site Specific Amendment application fees to be submitted;

#### **OPTION #2 REFUSAL**

Council may choose to refuse the application for a Site Specific Amendment to Section 13.4.6.4 – *Utility Servicing Criteria* of the Residential Community District to allow for the existing non-compliant on-site wastewater holdings tanks to remain instead of installing the required tertiary treatment system on the subject parcel, being, Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18, for the following reasons:

*In consideration of the Green Haven Estates Area Structure Plan and the previously approved servicing strategy, Council is of the opinion that the Site Specific Amendment to the land use district, and existing non-compliant wastewater holding tanks do not meet the intent of Policy 4.9.1.5 of the Green Haven Estates ASP or the servicing strategy that was approved for these lands.*

### **APPENDICES:**

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

- MAP 1 – LOCATION MAP
- MAP 2 – SITE PLAN
- MAP 3 – ORTHO PHOTO

#### **APPENDIX B:**

GROUNDSTAR CONTRACTING ONSITE WASTEWATER EVALUATION REPORT

#### **APPENDIX C:**

D&S ENTERPRISES RESIDENTIAL ONSITE WASTEWATER TREATMENT SYSTEM

#### **APPENDIX D:**

TOWNSHIP 27 INC. SITE REVIEW

#### **APPENDIX E:**

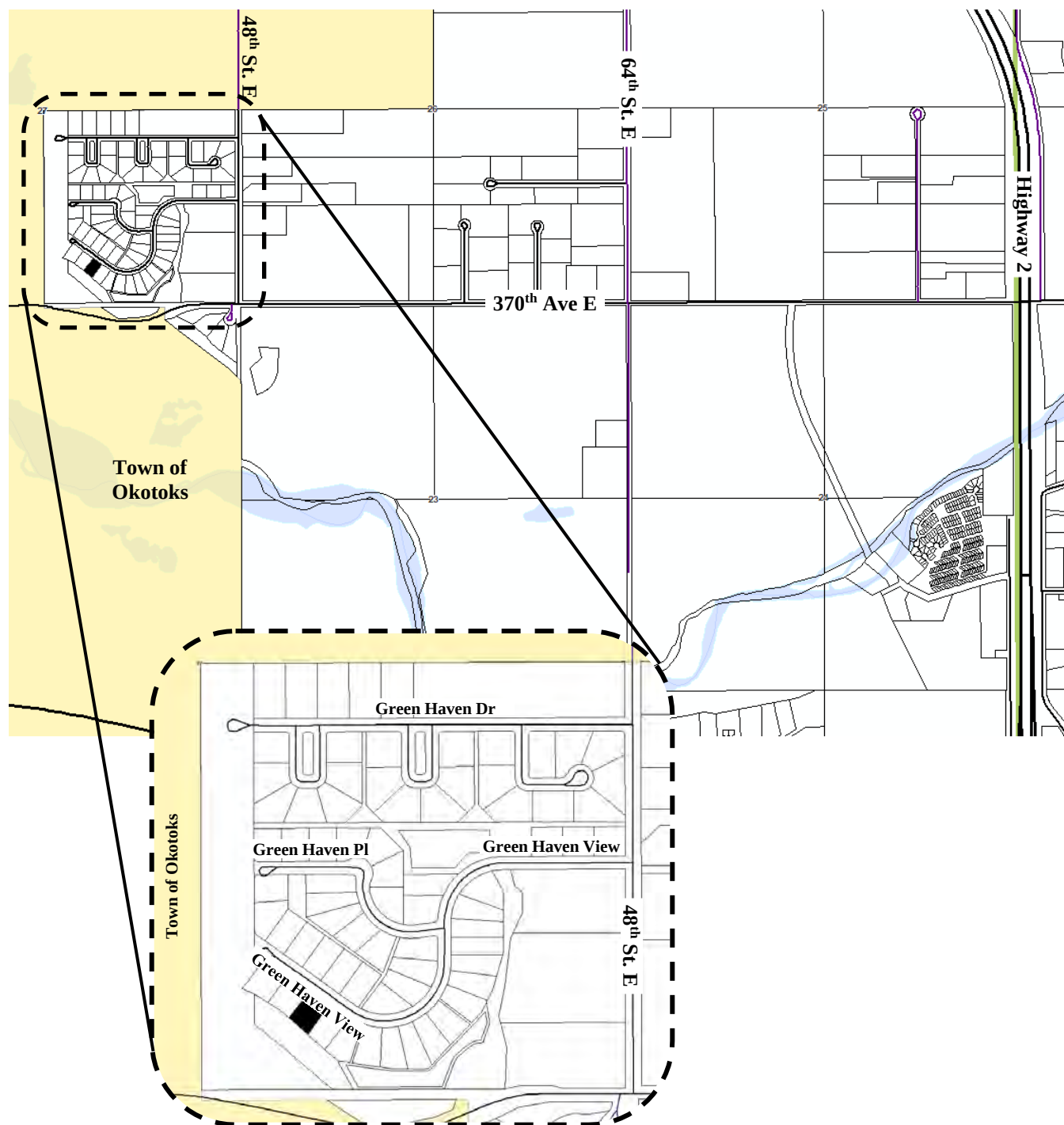
PROPOSED BYLAW

#### **APPENDIX F:**

RESIDENTIAL COMMUNITY DISTRICT

## APPENDIX A:

### MAP 1 – LOCATION MAP





MAP 3 – ORTHO PHOTO



GROUNDSTAR CONTRACTING ONSITE WASTEWATER EVALUATION REPORT



**Onsite Wastewater Evaluation Report**

**Assessment completed by:** Royce Neigum of Groundstar Contracting Ltd. PSDS #9609

**Customer:** Timber Creek Homes

**Project Address:** 574 Green Haven View

**Project Details:** Septic system suitability assessment

An evaluation of the above property was completed to assess the suitability of an onsite wastewater treatment system. Based on the size of the property and soil type, as well as the conditions of the development, holding tanks have been chosen as a suitable onsite wastewater system.

The proposed development served is a 2498 square foot 4 bedroom detached home. A preliminary fixture unit count was taken and an additional flow volume of 71.5 Imp Gal was added to design considerations. After initial review of the plans, we could assume this system is to be designed based on a peak daily flow of 521.5 Imp Gal. This development will require a higher than normal effluent treatment due to site constraints so a packaged treatment plant delivering effluent to a sand mound or concrete holding tanks would be suitable here. Calculations for sizing are provided below.

**Option 1:** The first option would be installation of a CSA approved packaged treatment plant supplying a secondary treated effluent to a sand mound as tertiary treatment for this development will consume an area of approximately 2,719.5 square feet. The sand layer will be 115 feet in length and 6.5 feet wide and covering approximately 751 square feet. The overall width of the completed sand mound will be 21 feet wide and 129.5 feet long. These measurements are calculated based on a Clay Loam soil type and applicable effluent loading rates related to this soil type.

**Option 2:** The second option for this development would be installation of CSA approved concrete holding tanks.

## Wastewater Treatment Design Details

### Option 1:

The calculations are below for this development with a packaged treatment plant delivering secondary treated effluent to a sand mound treatment area where effluent will be evenly disbursed via pressure distribution piping.

### Treatment Mound Sizing Calculations

The soil type that exists below the sand mound area is Clay Loam with a secondary treated effluent loading rate of 0.45 Imp. Gal./Day/Square Foot. The development is assumed to have a peak daily wastewater flow volume of 521.5 Imp. Gal.

### In Situ Soil Infiltration Area:

|                                |                   |
|--------------------------------|-------------------|
| Required:                      | 1158 Square Feet  |
| Provided:                      | 3318 Square Feet  |
| Slope of area:                 | <1%               |
| Total toe to toe mound width:  | 21(6.4m) Feet     |
| Total toe to toe mound length: | 157 (48.17m) Feet |

### Sand Layer Details:

|                                   |                                |
|-----------------------------------|--------------------------------|
| Maximum wastewater flow volumes:  | 521.5 Imp. Gal.                |
| Hydraulic linear loading rate:    | 3.7 Imp. Gal./Day/Linear Foot  |
| Sand layer area provided:         | 628 Square Feet                |
| Sand layer effluent loading rate: | 0.83 Imp. Gal./Day/Square Foot |
| Sand layer width:                 | 4.49 Feet                      |
| Sand layer length:                | 140 Feet                       |

### Required Separation Distances:

### A packaged treatment plant shall not be located within:

- 10m (33ft) from a water course
- 10m (33ft) from a water source or water well
- 6m (20ft) from a property line
- 1m (3.25ft) from a building

**Note: A packaged treatment plant may be located 1m (3.25ft) from property line if;**

- a) It is equipped with odour control mechanisms**
- b) The development has peak flows of less than 5.7m<sup>3</sup> per day**
- c) The wastewater strength does not exceed typical levels of residential effluent strength**

### **Treatment Mounds:**

**15m (50ft) from a water source**

**100m (330ft) from a licensed municipal water well**

**15m (50ft) from a water course, except as provided in Article 2.1.2.4**

2.1.2.4.

Separation from Specific Surface Waters

1) The soil - based treatment component of an on -site wastewater treatment system shall be located not less than 90 m (300 ft.) from the shore of a1

a) lake,

b) river,

c) stream, or

d) creek.

1Intent: Sentence (1) —The terms “lake,” “river,” “stream,” or “creek” are used

specifically to separate them from other types of water courses to which this article does not apply. The purpose is to cause the location of the soil -based treatment component to be far enough from the body of water that upon a failure of surfacing effluent the effluent will not quickly and directly flow into the body of water. Alternatively, as set out in Sentence (2), the soil-based treatment component can be positioned on the lot, away from the body of water and in a location that will make a failure more easily noticed and upon failure will create an immediate inconvenience for the owner. This should result in a faster repair of the system. To achieve the intent of Sentence (2) the building does not have to be directly between the system and body of water. A water - tight septic tank or similar water tight initial treatment component does not need to meet the requirements of this Article.

**3m (10ft) from property line**

**10m (33ft) from a basement, cellar, or crawl space**

**10m (33ft) from a building that does not have a basement, cellar, or crawl space**

**3m (10ft) from a septic tank**

### **Option 2:**

|                                       |                    |
|---------------------------------------|--------------------|
| Maximum daily flow:                   | 521.5 Imp. Gal/Day |
| Average daily flow:                   | 250 Imp. Gal/Day   |
| Holding Tank Volume:                  | 10,000 Imp Gal     |
| Days of holding based on peak flow    | 19 Days            |
| Days of holding based on average flow | 40 Days            |

**Holding tanks shall not be located within:**

**10m (33ft) from a water course**

**10m (33ft) from a water source or water well**

**6m (20ft) from a property line**

**1m (3.25ft) from a building**

In closing, calculations were completed and measurements were done to fit the tertiary treatment system on this site. With the constraints of the drainage right of way to the South and the West side of the proposed installation area the maximum area was taken and the minimum area for setback from the home could not be achieved. The plot plan is attached to show measurements for reference. Also, with the system situated directly against the drainage swales to the South and the West the risk of effluent breakout was of great concern. If there was ever a failure within the system the effluent would escape directly into the drainage swale and potentially contaminate the downstream components leading to unknown environmental hazards. Although holding tanks are not ideal for the system owner this is the only design that would be able to serve this particular development. Two 5000 Imp. Gal tanks would serve this property with an approximate once a month pump out schedule.



## *D&S Enterprises Wastewater Design*

**Residential Onsite Wastewater Treatment System (OWTS)  
Timber Creek Homes/Amy Dunham  
574 Green Haven View**



**Date:** April 7, 2025

**Legal Description of Property:**

SE ¼ Sec 27 Twp 20 Rge 29 W4M  
Lot 18; Blk 8; Plan: 221 0304  
574 Green Haven View – Green Haven Estates Phase 2B

To Whom It May Concern,

It is understood that Foothills County Council rejected a variance request for the home located at 574 Green Haven View, to continue using the septic holding tanks that were installed at the time of the home build. It is further understood that Council recommended that the applicant explore additional options for the septic treatment system, to bring the home into compliance with the applicable bylaws. D&S Enterprises was subsequently retained by TimberCreek Homes, to provide an independent review of the lot, along with the septic holding tanks that were installed and to determine if there are any viable options for an on-site soil-based treatment system.

D&S Enterprises reviewed all of the relevant background information provided including the Level 4 PSTS Document for Green Haven, building design information, along with the information contained in the Council agenda packet dated February 19, 2025. On March 5, 2025, at approximately 1:15pm, D&S Enterprises visited the site to view and evaluate the disturbed portions of the back yard and determine if there were any remaining areas of the yard that would be conducive to a soil-based treatment system. A portion of the backyard of the property was observed to have undergone extensive excavation for the future installation of a private swimming pool and the area surrounding the pool excavation was significantly disturbed by heavy equipment. The property currently appears to have 2-5000 Imperial Gallon holding tanks installed for collection of the wastewater from the home. There is a 12.0m overland drainage right of way on the south portion of the property and a 3.5m overland drainage right of way on the west portion of the property according to the supplied plot plans. It is understood that the overland drainage right of way cannot be used for a soil-based treatment component. The required setbacks for a soil-based treatment system were measured and it was determined that there was very limited space for a soil-based treatment system to be installed that would meet the minimum requirements of the Alberta Private Sewage Systems Standard of Practice 2021 (SOP) or the Level 4 PSTS that was completed for the Green Haven subdivision. Additionally, the finished grade plot plan for the lot indicated that the side yard will have a final slope ranging from 13.2% to 18.3%, in order to meet the requirements of the storm water management plan for the subdivision.

The Level IV Assessment Report for Green Haven Estates completed by SD Consulting Group, dated August 12, 2019, stated that Lots 8, 9, and 10 (Block 6) were “entirely covered with disturbed fill soils” and “these lots will require holding tanks for onsite wastewater management.” It would appear as though the only compliant option for the Green Haven subdivision would be a holding

# D&S Enterprises Wastewater Design

tank, in the event that the soils have been disturbed and the lot was not conducive to an on-site soil-based treatment system. Soil-based treatment systems are all based upon soil structure, texture and depth to a restrictive condition as defined in the SOP. Heavy equipment used for excavation disturbs the soil structure and can cause compaction of the soils and often the area becomes unsuitable due to the inability to determine an infiltration loading rate on the soils as outlined in the SOP.

The excavation of the pool and surrounding area has created disturbance to the soil inventory that is problematic for a soil-based treatment system. Furthermore, filling the excavation in with any fill material potentially can cause a “bathtub” scenario. This means that the system may work initially however over time there is significant potential for the excavated area to fill up to the point that effluent surfaces and the system is deemed to have failed. Soils typically cannot be rehabilitated once they are disturbed, in regard to soil-based treatment systems. The projected peak daily flow volume from the home is approximately 3,137 liters per day and Silty Clay Loam textured soils with a Grade 2 Blocky structure (assumed from similar sites in the area) has a secondary treated soil effluent loading rate of 22L/m<sup>2</sup>/d. Based upon the projected peak daily flow volume from the residence at 574 Green Haven View and the assumed soils of Silty Clay Loam texture and Grade 2 blocky structure an area of approximately 290m<sup>2</sup> (approximately 150m<sup>2</sup> for the actual trenches and approximately 140m<sup>2</sup> for the minimum trench separation area). In D&S Enterprises' opinion based on the information provided at this time, there is insufficient undisturbed area on the property to accommodate a soil-based treatment system and achieve all the required setback distances as per the SOP.

Required setbacks as per the SOP:

## **Packaged Sewage Treatment Plant / Pre-aeration Settling Tank**

10m (33ft) water source or water well,  
100m (330ft) from a licensed municipal water well,  
10m (33ft) water course,  
**1m (3.25ft) a building, and**  
**6m (20ft) property line.**<sup>1</sup>

<sup>1</sup>(May be 1m (3.25ft) from property line if odour control mechanisms exist AND peak flow is less than 5.7m<sup>3</sup> (1,250 Imp.Gal) AND effluent does not exceed typical strength wastewater.

## **Treatment Fields**

15m (50ft) water source or water well,  
100m (330ft) from a licensed municipal water well,  
15m (50ft) water course, except as provided in Article 2.1.2.4.,<sup>2</sup>  
1m (3.25ft) building w/ no foundation,  
**5m (17ft) building w/ foundation but no basement, crawl space or cellar,**  
**10m (33ft) building w/ foundation w/ basement, crawl space or cellar,**  
5m (17ft) septic tank or packaged sewage treatment plant, and  
1.5m (5ft) property line.

## **Treatment Mounds**

15m (50ft) water source or water well,  
100m (330ft) from a licensed municipal water well,

# D&S Enterprises Wastewater Design

15m (50ft) water course except as provided in Article 2.1.2.4., <sup>2</sup>  
**10m (33ft) a building,**  
3m (10ft) septic tank, and  
3m (10ft) property line.

<sup>2</sup> The soil based treatment component of an on-site wastewater treatment system shall not be less than 90m (300 ft.) from the shore of a lake, river, stream or creek. The 90m (300 ft.) setback does not apply to watercourses or water bodies that are not a lake, river, stream or creek. And where a principal building or other development feature is situated between the soil-based treatment component and a lake, river, stream or creek, such that a failure of the system causing effluent on the ground surface will be obvious and create undesirable impact on the owner, the distance may be reduced to the minimum distance requirement set out in the SOP for the particular type of treatment system being used.

The area of disturbed soils combined with the minimum required setbacks, leaves insufficient space for a soil-based treatment system that will meet the requirements of the SOP and the Level 4 PSTS. When there is less than the required space for a soil-based treatment component a variance can be requested, for a deviation from the Alberta Private Sewage Systems Standard of Practice 2021 (SOP). This is not recommended for this home, as it could increase the likelihood of the system failing in the future. In summary, D&S Enterprises is of the opinion that with the information provided and reviewed at the time of the investigation, the property in its current state will not be conducive to installing a soil-based treatment system and is limited to holding tanks as the only viable option that would be SOP compliant.

If you have any questions or concerns, please feel free to contact me at the number below.

Regards,



Digitally signed by Daniel A. Morris  
Date: 2025.04.07 13:53:05 -06'00'  
Adobe Acrobat version:  
2025.001.20435

Daniel Morris

Certified Onsite Wastewater Designer and Installer in the Province of Alberta PS 8518  
Alberta Onsite Wastewater Management Association member in good standing since 2002  
Alberta Onsite Wastewater Management Association Instructor for certified Private Sewage Installers Training Program (2007-present)  
Private Sewage Working Group Member for Alberta Private Sewage Systems Standard of Practice 2015 Third Edition and 2021 Fourth Edition and currently a member of the Private Sewage Sub-Council for the proposed 2026 Fifth Edition

D&S Enterprises, High River, AB  
403-652-0348

[dswastewaterdesign@gmail.com](mailto:dswastewaterdesign@gmail.com)

[www.dswastewaterdesign.com](http://www.dswastewaterdesign.com)

TOWNSHIP 27 INC. SITE REVIEW

**Township 27 Inc.**

20105 Township Rd. 274 Rocky View County, AB T4B 5A3  
Ph: 403 830 1093

**SITE REVIEW**

Date: May 20, 2025

Project: 574 Green Haven View

Ptn. SE 27-20-29 W4M; Plan 2210304, Block 8, Lot 18

Client: Timber Creek Homes

Distribution: Mr. Jim Crawford, Mr. Blair Hann

**Purpose:**

The undersigned has been requested to review the history, pertinent documentation and facts relating to the sewer system at 574 Green Haven View, Foothills County and to provide a professional opinion as to potential installation of a compliant PSTS.

**Background:**

The subject parcel is located in Phase 2B of the Green Haven Estates ASP.

A conditional approval for the Development Permit Application for construction of a single family dwelling with oversized garage was provided on September 7, 2022. This application included a stamped plot plan, executed lot building/grading plan and a signed declaration of understanding for wastewater servicing to include a PSTS.

A tertiary septic system was not installed as per the recommendations of the August 2019 Level 4 PSTS report authored by SD Consulting Group – Canada Inc. (See Appendix A). Rather, a double holding tank system was installed by Groundstar Contracting Ltd. This system consisted of 2 each 5,000 Imp. Gallon holding tanks, with no packaged sewage treatment system.

In September 2024 a new Development Permit was submitted for the addition of a pool, pool house and other landscape improvements for the property. The new development permit is currently deemed incomplete until the matter of the septic system has been fully addressed.

**Factors and Considerations:**

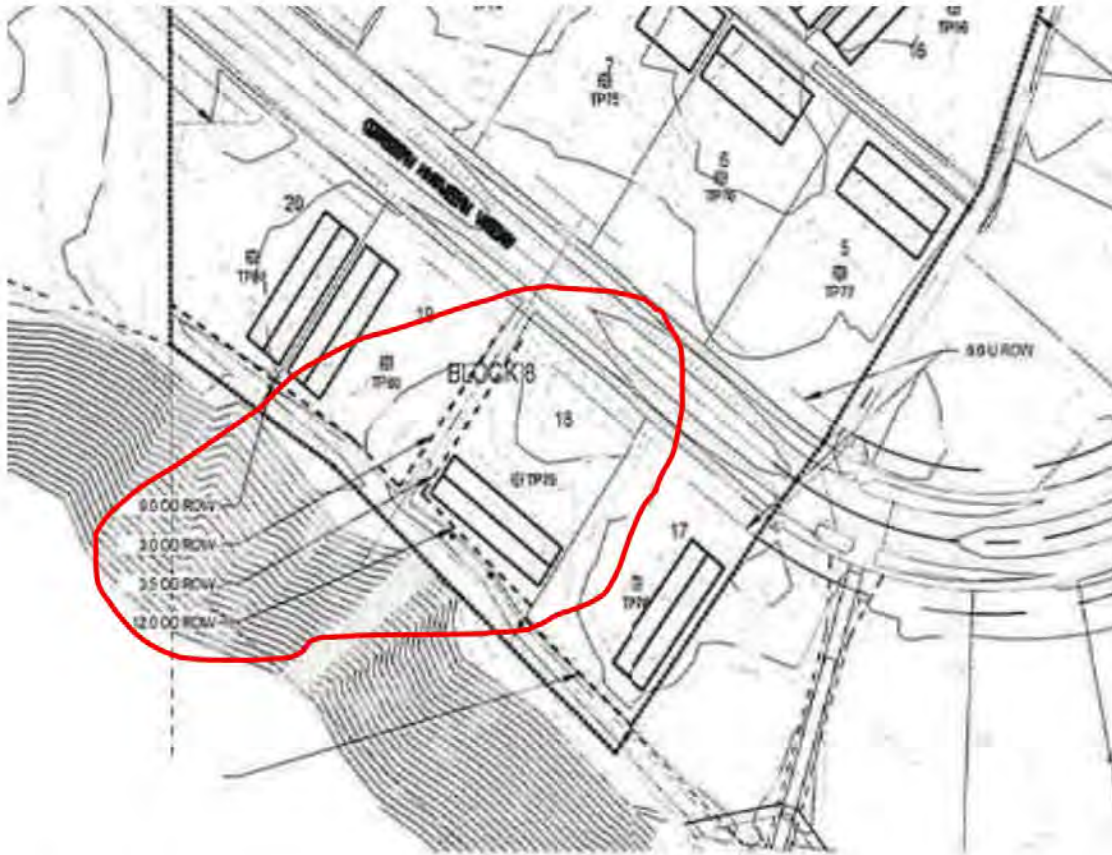
The Level 4 Assessment report identified above by SD Consulting Group provided analyses of the various soil conditions found in phase 2B and defined effective flow rates for calculation of required soil infiltration areas and sand layer areas within the treatment mounds. Along with this data, a plot plan of phase 2B was provided within this report identifying recommended areas within each lot where these treatment mounds could be located.

2 reports were issued for Phase 2:

The first report dealt with all lots except Block 6, Lots 8 to 10.

The second report dealt with Block 6, Lots 8 to 10. These lots were located in areas of fill and disturbed native soils.

Page 21 of the SD Consulting group report included the following area map, identifying potential PSTS locations for lot 18:

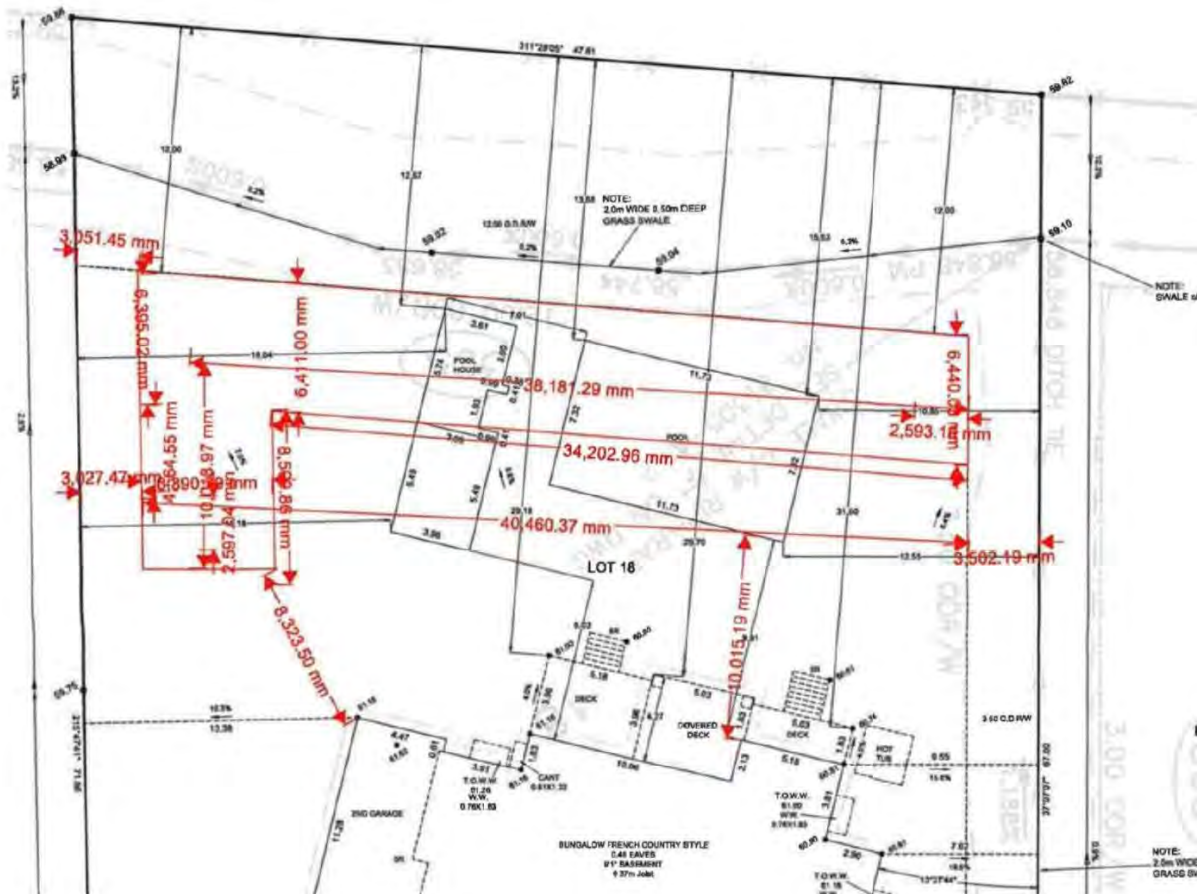


The proposed location for the PSTS was at the south edge of the property, in an east/west alignment. ROW's are identified along the west and south edges of the property to provide for subdivision drainage swales. As a result of these swales, there are significant slopes on the west side and rear yard grades along the boundaries of the proposed PSTS location.

Groundstar Contracting Ltd. prepared a report on their installation, included herewith as Appendix B.

Groundstar included area calculations for the required treatment mound size. We concur with Groundstar's calculations for a required PSTS treatment mound and clay loam classification of the soils.

Groundstar also included a copy of the lot plan, with dimensions regarding setback requirements for the PSTS and available sizes:



Given the calculated area requirements and the available areas for construction of this mound, it becomes apparent that locating a sufficiently sized mound would be problematic, given setback requirements and the steep slopes on the south and west periphery of the lot.

An independent review report was prepared by D&S Enterprises Wastewater Design, dated April 7, 2025, for this property. It is included herewith as Appendix C.

In general terms, the D&S Enterprises report corroborates the Groundstar design calculations for the required treatment mound size. We agree with both the D&S and Groundstar methodology and calculations for the size of required treatment mound.

The D&S report goes on to address the current existing site conditions and provides commentary regarding suitability of the existing soils for construction of a PSTS on the site.

Excavation has commenced for the proposed pool area, and the soils that presently exists have been both disturbed and mixed. This creates significant uncertainty in determining the consistency and content of available soils for the treatment system.

A solution has been suggested that would consist of providing an “Engineered fill” to the excavated area, then placing the treatment mound on top of this area. This solution is problematic from a number of standpoints:

- An “Engineered fill” solution can be designed to backfill the excavated area. However, “Engineered fill” only addresses the area filled. The interface between the fill area and existing soils is not addressed, effectively creating an boundary of dissimilar soils along the perimeter of the areas that are backfilled. The D&S Enterprises report identifies a “bathtub effect” risk for Engineered fill to the excavated area, whereby effluent can accumulate in the engineered fill areas, and build up to the point where itnt can overflow the filled area. There is a risk of this occurring with an Engineered fill solution for this property, given the extent of the disturbed soils at the site.
- The setbacks and inclusion of the ROW’s for the swales does not allow for enough area for an effective “Engineered fill” solution for this Lot.
- There are significant grades along the south edge of this lot to accommodate a drainage swale. These range from 16% to 30% along the edge of what would be the “Engineered fill” solution for the PSTS. These grades reduce the effective lateral soil support for this edge of the treatments area. With a lack of sufficient lateral support, surcharges of system effluent could create enough lateral force to “breakout” of the slope. To exacerbate this risk, the disturbed nature of the soils adjacent to the engineered fill area could create conditions whereby effluent follows through the dissimilar soils adjacent to the filled area. This would result in significant safety risk and ecological damage to the swale downstream of this lot, risks that would be deemed unacceptable.

There is insufficient area along the eastern edge of the property to accommodate sufficient PSTS treatment area given the required setbacks.

The level 4 report prepared by SD Consulting Group – Canada Inc. addressing Block 6, Lots 8 to 10 identifies disturbed soils on those lots. The findings by SD identify a potential solution for holding tanks being installed in lieu of a full PSTS for these lots. This would not be dissimilar to the conditions that presently exist at lot 18.

#### **Recommendation and Conclusions:**

We recommend retaining the existing 2 holding tanks. Our reasons for this recommendation are as described above and are summarized as follows:

- The severely disturbed condition of the soils within the proposed PSTS location.
  - Insufficient area available for an adequate Engineered fill solution.
-

- The proximity of the drainage swale at the southern edge of the proposed treatment mound, where significant grades are present – see above.
- Locational challenges given the ROW's and the required setbacks for the PSTS and its associated treatment mound.

Our review, findings and recommendations are based on the documentation provided including:

- SD Consulting Group – Canada, Level 4 reports for Phase 2A
- D&S Enterprises Wastewater Design report dated April 7, 2025
- On Site Wastewater Evaluation Report by Groundstar Contracting Ltd.
- Schaeffer Andrew Ltd. Letter dated January 17, 2025 with Plot Plan
- Potion of Agenda Package – Council meeting Feb. 19, 2025
- Notice of Public hearing dated January 29, 2025

Best regards  
TOWNSHIP 27 INC.



 APEGA PERMIT#16807 MAY 20, 2025  
Eric Krautheim, MMC., P.Eng.

Appendix A: SD Consulting Level 4 PSTS reports  
Appendix B: Groundstar Contracting Ltd. Report  
Appendix C: D&S Wastewater Design report dated April 7, 2025

PROPOSED BYLAW

BYLAW XX/2025

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

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

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to Section 13.4.6.4 – Utility Servicing Criteria of the Residential Community District land use rules to allow for the existing non-compliant on-site wastewater holding tank to remain instead of installing the required tertiary treatment system on Plan 2210304, Block 8, Lot 18; Ptn. SE 27-20-29 W4M.

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

1. Under SECTION 13.4. RESIDENTIAL COMMUNITY DISTRICT, the following shall be added under Section 13.4.6.4 UTILITY SERVICING CRITERIA:

*To allow for the existing non-compliant on-site wastewater holding tank to remain instead of installing the required tertiary treatment system on Plan 2210304, Block 8, Lot 18; Ptn. SE 27-20-29 W4M.*

2. This Bylaw shall have effect on the date of its third reading and upon signing.

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   .

## Foothills County Land Use Bylaw

**13.4 RESIDENTIAL COMMUNITY DISTRICT****RC****13.4.1 PURPOSE AND INTENT**

To provide for municipally or communally serviced residential development located within Hamlet boundaries and/or in comprehensively planned developments outside of Hamlet boundaries, where supported by an adopted area structure plan and/or outline plan, consistent with the policies outlined in the Municipal Development Plan. This District was formerly named Hamlet Residential District and Residential District and includes all lands previously zoned as such in the County.

**13.4.2 SUB-DISTRICT**

13.4.2.1 Parcels may include the following sub-districts in cases where Council feels that there is a need. Not all parcels will be separated into sub-districts. Should a parcel include the sub-district, all district rules apply with the addition of the special provisions noted in accordance with the sub-district:

- a. Sub-district "A" is a designation added to the land use district indicating a requirement for special consideration on the development of the site and/or placement and construction of buildings or structures on the lands through approval of a development permit. Reference Section 2.4 of this Bylaw for more details on special provisions for parcels with sub-district "A".

**13.4.3 GENERAL REQUIREMENTS:**

- 13.4.3.1 Refer to Section 4.2 "No Development Permit Required" in the Land Use Bylaw for uses not requiring a development permit.
- 13.4.3.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

| <b>13.4.4 PERMITTED USES</b>                                     | <b>13.4.5 DISCRETIONARY USES</b>                            |
|------------------------------------------------------------------|-------------------------------------------------------------|
| Accessory buildings not requiring a development permit           | Accessory buildings requiring a development permit          |
| Accessory uses                                                   | Antenna structures, private                                 |
| Dwelling, Attached (where contemplated in an approved ASP)       | Bed and Breakfast                                           |
| Dwelling single family                                           | Family Day Home                                             |
| Home office                                                      | Dwelling, Attached                                          |
| Public works                                                     | Dwelling, moved on                                          |
| Signs not requiring a development permit                         | Home based business Type I                                  |
| Solar Power System, Private (Not requiring a Development Permit) | Home based business Type II                                 |
| Temporary storage of one (1) recreational vehicle                | Kennels, private                                            |
| Utility services, minor                                          | Lot grading                                                 |
|                                                                  | Manmade water bodies, private                               |
|                                                                  | Secondary Suite, Principal                                  |
|                                                                  | Secondary Suite, Detached                                   |
|                                                                  | Signs requiring a development permit                        |
|                                                                  | Solar Power System, Private requiring a Development Permit  |
|                                                                  | Temporary storage of up to 2 unoccupied recreation vehicles |

**13.4.6 LAND USE REQUIREMENTS**

- 13.4.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 13.4.6.2 In order to facilitate the purpose and intent of this district and ensure the comprehensive development of Residential Community uses within the District, the following applies to applications for subdivision:
- a. Parcel Density:
    - i. Minimum 3 gross units per acre (3 gross upa);
    - ii. Maximum 10 gross units per acre (10 gross upa).
  - b. Minimum Parcel Size:
    - i. 464m<sup>2</sup> (0.11 acres);
    - ii. The area in title at the time of passage of this Bylaw.
  - c. Maximum Parcel size:
    - i. 0.32 ha (0.80 ac) unless the lot forms part of a condominium plan; or
    - ii. The area in title at the time of passage of this Bylaw.
- 13.4.6.3 Required Developable Area:
- a. In accordance with Section 9.8 of this Bylaw.
- 13.4.6.4 Utility Servicing Criteria
- a. Communal water and communal wastewater disposal systems;

**13.4.7 DEVELOPMENT REQUIREMENTS**

- 13.4.7.1 Maximum Lot Coverage:
- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than 50 percent of the lot area.
- 13.4.7.2 Maximum Dwelling Unit Density
- a. Maximum dwelling unit density for a parcel is one Dwelling, Single Family in accordance with Section 10.10, and one Dwelling, Secondary Suite in accordance with Section 10.26.
  - b. Or as determined by the Approving Authority in accordance with an approved Area Structure Plan or Outline Plan.
- 13.4.7.3 Minimum Yard Setbacks Requirements
- a. Front Yard Setbacks:
    - i. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
    - ii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
    - iii. 48m (157.48 ft) from the centreline of a Municipal road;
    - iv. 15m (49.21 ft) from internal subdivision road outside of a hamlet boundary;
    - v. 4m (13.12 ft) from the right of way of a municipal road or internal subdivision road located within a hamlet boundary.

- b. Side Yard Setbacks:
  - i. 1.5m (4.92 ft) from the property line.
  - ii. Notwithstanding sub-section 13.4.7.3 (b)(i), the side yard setbacks do not apply to the common wall side of a structure where a common wall exists
- c. Rear Yard Setbacks:
  - i. Principal Building – 8m (26.25 ft) from the property line;
  - ii. Accessory Building – 1m (3.28 ft.) from the property line; and
  - iii. Decks and associated staircases (steps) may project into the rear yard setback to a maximum of 1.5m (4.92 ft.);
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.
- e. See Section 13.4.8 “Exceptions” for any setbacks exemptions that have been approved by Bylaw for particular developments.

*See Section 9.27.9 through 9.27.12 for additional provisions regarding setbacks pertaining to parcels with two frontages.*

**13.4.7.4 Corner Parcel Restrictions:**

- a. In accordance with Section 9.27.9 - 9.27.12.;

**13.4.7.5 Other Minimum Setback Requirements:**

- a. See Section 9.27 “Special Setback Requirements” of this bylaw for additional setback requirements that may apply.

**13.4.7.6 Maximum Height of Structures:**

- a. Principal buildings, first vehicle garage, and car ports:
  - i. 12m (39.37 ft.)
- b. Accessory Buildings:
  - i. 10.67m (35 ft.)
- c. Radio antennas, internet towers and wind turbines
  - i. 16m (52.49 ft.);

**13.4.7.7 Minimum habitable area per dwelling**

- i. 84 sq. m. (904.20 sq. ft.)

**13.4.8 EXCEPTIONS:**

- 13.4.8.1 Secondary Suites are not permitted on any lot with the hamlets of Heritage Pointe or Priddis Greens.

**Heritage Pointe Development:**

- 13.4.8.2 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road for all residential properties under the Heritage Pointe Area Structure Plan;

- 13.4.8.3 Rear yard setbacks: 3m (9.84 ft.) from the property line, only on those lots located on "Ravine Drive" in Heritage Pointe in accordance with Bylaw 805 including the CRR49 District amendments from 1986;
- 13.4.8.2.i Bareland Condominium Units on "Ravine Drive" in Heritage Pointe shall be no less than 3.048m (10 ft.) between buildings;
- 13.4.8.4 Front Yard setbacks: relaxation of up to 90% on front yard setbacks for corner lots for those properties under the Heritage Pointe Area Structure Plan;
- 13.4.8.5 Dwelling, attached is a Discretionary Use only on parcels along "Ravine Drive" in Heritage Pointe;
- 13.4.8.6 Rear yard setbacks: 1.5 meter encroachment into regular rear yard setbacks requirements for above grade decks; for those properties within Heritage Pointe Area Structure Plan area;
- 13.4.8.7 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Heritage Pointe Area Structure Plan.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Heritage Pointe.

**Heritage Pointe Stage 3 - Artesia Development:**

- 13.4.8.8 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road; for those properties within the Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.9 Side Yard setbacks: relaxation of up to 90% on side yard setbacks on corner lots provided the front yard is designated by the developer for those properties within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.10 Rear yard setbacks: 1.5m encroachment into regular rear yard setbacks requirements for above grade decks; for those properties within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.11 Maximum Height Requirement: relaxation of the maximum height requirements for all buildings to 12m within Heritage Pointe Stage 3 Area Structure Plan area - Artesia;
- 13.4.8.12 Dwelling, attached is a discretionary use on parcels along "Artesia Gate" "Spring Water Bay, and "Spring Water Close" in Heritage Pointe Stage 3 – Artesia
- 13.4.8.13 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Heritage Pointe Stage 3 – Artesia Area Structure Plan.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Heritage Pointe which includes Artesia Development.

**Greenhaven Development:**

- 13.4.8.14 Front yard setbacks: 8m (26.25 ft.) from property line adjacent to 48th St. E; for those properties registered as Plan 1210671, Block 3, Lots 3 – 5;
- 13.4.8.15 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to Green Haven Drive and 100 Green Haven Court; for those properties registered as Plan 1210671, Block 3, Lots 3 – 5;

- 13.4.8.16 Front yard setbacks: 8m (26.25 ft.) from the property line adjacent to 48th St. E. to; for those properties included in Phase 2 & Phase 3 of the Green Haven Estates Area Structure Plan;
- 13.4.8.17 Front yard setbacks: 4m (13.12 ft.) from the property line adjacent to the internal road; for those properties registered in Phase 2 & Phase 3 of the Green Haven Estates Area Structure Plan;
- 13.4.8.18 Lots within Green Haven Estates may range in size from 0.81 acres (0.33 ha) to 2.54 acres (1.03 ha.), in accordance with the Green Haven Estates Area Structure Plan;

**Priddis Greens Development:**

- 13.4.8.19 Dwelling, attached is a Discretionary Use only on parcels Priddis Greens in SE 30-22-03-W5 consisting of the following plans:

Located on Sunset Way: Units 1 – 4 in the following plan numbers:

9010223, 8910127, 8910128, 8910356, 8910538, 8911028, 9010222, 9011301, 9011856, 9012391, 9110935, 9012392, 9011855, 9010650, 9010780, 89114631, 8910665.

Located on Sunrise Way: Units 1 – 4 in the following plan numbers:

8810478, 8811193, 8810198, 8711262, 8810237, 8810019, 8711609, 8810236, 8811193.

- 13.4.8.20 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within Priddis Greens.

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Priddis Greens.

**Hawks Landing:**

- 13.4.8.21 A garage up to 50% of the dwelling size (provided that the garage does not exceed a maximum of 2,400 sq. ft.) split into two different structures, either attached or detached from the residence is permitted on parcels that are located on lands within the Hawks Landing Area Structure Plan.

- 13.4.8.22 Setback: 8m (26.25 ft.) from the undeveloped road allowance right of way on the west side3 of the development located on Plan 0713569, Block 4, Lots 59-62 & Plan 0410490, Block 4, Lot 1

See Section 13.4.8.1 - Secondary Suites are not permitted on any lot with the Hamlet of Priddis Greens which includes the Hawks Landing development.

**Cottonwood Development:**

- 13.4.8.23 Dwelling, attached is a Discretionary Use only on parcels in S.E. 07-22-28-W4 along "Cottonwood Boulevard" in Cottonwood, consisting of Plan 0112316, Units 1-4, Plan 9212354, Units 1-4, and Plan 9410836, Units 1-4.

**Hamlet of Naphtha**

- 13.4.8.24 Front yard setbacks on lots within the boundaries of the Hamlet of Naphtha are reduced to 15m from the right of way of Highway #22.

**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
DEVELOPMENT PERMIT APPLICATION  
November 12, 2025**

| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                         | <b>FILE NO. 25D 194</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                        | <b>DATE APPLICATION DEEMED COMPLETE:</b> July 21, 2025                  |                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>LEGAL DESCRIPTION:</b><br>Plan 1011285, Block 2, Lot 1; E 20-22-1 W5 |                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>LANDOWNER:</b> Spruce Meadows Ltd.                                   |                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>APPLICANT:</b> Kristi Beunder, Township Planning + Design Inc.       |                         |
| <b>CURRENT LAND USE:</b> Direct Control District #1 (DC#1 – Spruce Meadows)                                                                                                                                                                                                                                                                                                                                                                                             |                                                                         |                         |
| <b>AREA OF SUBJECT LANDS:</b> 295.02 acres                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                         |                         |
| <b>POLICY AREA:</b> The application falls within the boundaries of the <i>Spruce Meadows Area Structure Plan</i> (See MAP 2 – SPRUCE MEADOWS ASP AREA in Appendix A), is within the Interface Policy Area of the <i>Foothills and the City of Calgary Intermunicipal Development Plan</i> (See MAP 3 – FOOTHILLS / CITY OF CALGARY IDP INTERFACE POLICY AREA in Appendix A) and is within the Central District under Foothills County's <i>Growth Management Plan</i> . |                                                                         |                         |
| <b>PROPOSAL:</b> Development Permit 25D 194 – New building for a Sports Medicine Medical/Sports Physio Facility accessory to the equestrian and sport facility                                                                                                                                                                                                                                                                                                          |                                                                         |                         |
| <b>DIVISION NO:</b> 5                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>COUNCILLOR</b> Alan Alger                                            |                         |
| <b>FILE MANAGER:</b> Brittany Smith                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                         |                         |

**EXECUTIVE SUMMARY:**

**Summary of Proposal:**

The proposal is to construct a new +/- 12,500 sq. ft. building west of Spruce Meadows Way SW and approximately 570m south of Spruce Meadows Green SW. The building will accommodate a Commercial Business, being a Sport Medicine clinic that provides diagnostic evaluations, treatments and preventative therapies for any person with a musculoskeletal injury.

**Pertinent Site Considerations**

The subject lands are located adjacent to the City of Calgary and the South West Calgary Ring Road and across Spruce Meadows Way from residential development in the City of Calgary, as well as other DC#1 District parcels and a Country Residential District parcel in Foothills County (See MAP 1 – LOCATION and MAP 4 – LAND USE MAP in Appendix A). They are also within the Spruce Meadows ASP plan area (See MAP 2 – SPRUCE MEADOWS ASP AREA in Appendix A).

**Policy Evaluation Summary**

Spruce Meadows is located in the Interface Policy Area of the Foothills County / City of Calgary Intermunicipal Development Plan (See MAP 3 – FOOTHILLS / CITY OF CALGARY IDP INTERFACE POLICY AREA in Appendix A). As such, development permit applications for uses that may have off-site impacts must be circulated to the City for comment.

Accessory Building, Detached, and a Commercial Business, accessory to the equestrian and sport facility are both permitted uses under the DC#1 District in the Land Use Bylaw 60/2014. Since this proposal meets all other provisions under the Land Use Bylaw, it must be approved with or without conditions.

**Referral Considerations Summary:**

This application was circulated internally and to external agencies. Foothills Fire Department provided a review that outlines advisory information, and the Public Works department had no concerns. ATCO Gas and ATCO Transmission indicated they had no concerns as there are no high-pressure pipelines in the proposed area. ATCO Gas advises approval of the work provided conditions are met regarding the status of gas lines prior to excavation.

The City of Calgary provided comments regarding transportation and access off Spruce Meadows Way. These comments have been included in the circulation section of this staff report.

**PURPOSE OF APPLICATION:**

The application before Council is for a development permit to enable the construction of a new building within the center of the Good Friends and Good Commerce District within the Spruce Meadows ASP area, directly west of Spruce Meadows Way SW. The building will accommodate an Innovative Sport Medicine Clinic housing clinicians from 10 disciplines, including Sport Medicine Physicians, Physiotherapy, Athletic Therapy, Chiropractic, Massage Therapy, Strength and Conditioning, Sport Psychology, Sport Nutrition, Biomechanics, and Orthotics.

As the subject lands are located in a direct control district, Council is the Approving Authority for development permit applications.

**Background:**

On March 25, 2020 Foothills County Council granted 2<sup>nd</sup> and 3<sup>rd</sup> readings to Bylaw 62/2019 approving the Spruce Meadows Area Structure Plan and Bylaws 63/2019 and 64/2019 approving associated Land Use Bylaw Amendments to the DC#1 District to accommodate the continued expansion and diversification of the Spruce Meadows facility as an equestrian and sport venue.

**Proposal:**

The proposed new building is approximately 12,500 sq. ft. (1,162 sq. m.) in size, with a height of approximately 39 ft (12m). The building is to be located as shown on MAP 5 – SITE PLAN included in Appendix A.

**Hours of Operation and Employees**

The facility is proposed to operate from 7:00am to 8:00pm Monday to Thursday, 7:00am to 5:00pm Fridays, 7:00am to 12:00pm Saturdays and will be closed on Sundays. It is anticipated that the facility will employ approximately 37 people (28 clinicians and 9 support staff/management).

**Access**

The building will be accessible by the public from Spruce Meadows Way either via the traffic circle and Ron Southern Drive or through the existing parking lot.

The designated emergency access route is from Spruce Meadows Way via the traffic circle onto Ron Southern Drive.

### Parking and Loading

Lot 4 parking is proposed to be utilized for the Sports Medicine clinic and will be shared with the Foxtrot Restaurant. A designated loading space has been included in the Development Permit submission as well as 3 barrier free parking spaces near the front entrance. There are also 158 regular parking stalls situated immediately adjacent to the building's north side in what is known as Lot 4, as shown on MAP 5 – SITE PLAN included in Appendix A.

Under Section 9.19 of Foothills County's Land Use Bylaw 60/2014 for professional, business, financial and office support services, 3 parking stalls per 100 sq. m (1,076 sq. ft) of gross floor area or 3 parking stalls for each full or part-time professional, whichever is greater. The application identifies it will require 25 parking stalls for employees and 25 parking stalls for patients.

### Servicing

The proposed building will be serviced by the Spruce Meadows / City of Calgary water line connection and include a pump out connection to the comprehensive sanitary system in place at Spruce Meadows. Water will primarily be used for clinic activities, patient hydration, general sanitation, hand washing, washrooms and laundry.

*The County's Public Works department provided comment that no additional Stormwater Management Plan revisions or changes to servicing agreements would be required so long as confirmed by the City of Calgary. The City of Calgary provided no comments regarding servicing agreements.*

### Landscaping and Screening

The landscaping will be consistent with existing landscaping established at the Spruce Meadows venue. Additional screening is not required as the east side of the venue is heavily screened by large and long-standing trees along Spruce Meadows Way making views into this site, intentionally, very limited.

### Setbacks

The proposed location of the structure meets development setbacks as outlined in the DC#1 District. MAP 5 – SITE PLAN included in Appendix A shows the dimension to the nearest property line (the east property line), it indicates that the structure will be 28.68 m from Spruce Meadows Way at its nearest point. In the DC#1 District setbacks are outlined as follows:

- 40m from a Primary Highway;
- 10m from any other public roadway;
- Or as determined by Council.

## **SITE CONSIDERATIONS:**

### **Access and Transportation Infrastructure:**

With the construction of the South West Calgary Ring Road (SWCRR), and the development of residential and commercial areas within the City of Calgary east of the Spruce Meadows Venue, the road systems that provide access to Spruce Meadows have seen significant improvements including the installation of a traffic circle providing access from Spruce Meadows Way onto Ron Southern Drive.

**Current Land Use:****Subject Parcel:**

Direct Control District #1

**Adjacent Lands:**

The subject parcel is bound on the north by Stoney Trail and the east by Spruce Meadows Way and the City of Calgary. Lands south of the subject parcel are mostly part of the Spruce Meadows facility and designated DC#1, with the exception of one Country Residential District parcel (See MAP 6 - LAND USE in Appendix A).

**Servicing Considerations:**

The Spruce Meadows site has traditionally received water from ground wells and a seasonal 4" trickle line from the City of Calgary. However, in 2017, the City of Calgary agreed to provide wastewater servicing and upgraded water servicing to Spruce Meadows under a Master Servicing Agreement with Foothills County. The fully executed agreement was received from the City on March 4, 2020 and Spruce Meadows has been receiving water from the City and being billed through the County since that time. They are not currently connected to the City of Calgary wastewater system, but this is provided for in the Master Servicing Agreement and anticipated by 2027.

**POLICY EVALUATION:****City of Calgary and Foothills County Intermunicipal Development Plan (IDP):**

Spruce Meadows is located in the plan area of the City of Calgary and Foothills County IDP. In Section 2.3 of the IDP, Spruce Meadows is identified as an important regional asset "worthy of continued support from the two municipalities as it continues to grow and evolve into the future".

Spruce Meadows is also located in the Interface Policy Area, which is an area within the IDP immediately adjacent to the municipal boundary (See MAP 3 - FOOTHILLS / CITY OF CALGARY IDP INTERFACE POLICY AREA in Appendix A). In the Interface Area, it is recognized that cross boundary land use impact must be considered.

The City of Calgary provided comments regarding transportation and access off Spruce Meadows Way. These comments have been included in the circulation section of this staff report.

**Municipal Development Plan (MDP 2010):**

This application complies with the objectives and policy contained in Foothills County's Municipal Development Plan (MDP2010). The following are of note with respect to the Spruce Meadows facility in general:

- Objectives 3 and 7 and Policies 2, 3, 4, and 7 of the Recreation section, and
- Objectives 1 and 2, and Policies 2 and 15 of the Economy section of the MDP.

**Spruce Meadows Area Structure Plan (ASP):**

The proposed commercial building site is located in the center of the Good Friends and Good Commerce District in the ASP as illustrated in MAP 6 – ASP PLAN AREA DISTRICTS in Appendix A. The ASP indicates that the Good Friends and Good Commerce district "will support family-

oriented activities in a commercial, retail, and restaurant area, with a focus on winter programming and expanded activities year-round”.

The applicant has provided that the medical facility is for sports medicine which is in line with Soccer and Equestrian athletes and supportive of the same. The Sports Medicine building is available for general public use and is therefore commercial land use and this is what is contemplated in the Spruce Meadows ASP.

A link to the full Spruce Meadows Area Structure Plan can be found here:

<https://www.foothillscountryab.ca/resources/spruce-meadows-area-structure-plan>

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

The purpose and intent of the DC#1 District is to enable development in accordance with the Spruce Meadows ASP and to allow direct control by the Council over the lands in the ASP area. As previously mentioned, under the DC#1 District, as accessory uses to the primary use of the site, the commercial business is listed as a permitted use.

| <b>CIRCULATION REFERRALS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REFEREE</b>               | <b>COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>INTERNAL</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Engineering / Public Works   | <p>No concerns.</p> <p>No additional Stormwater Management Plan revisions are required.</p> <p>No changes required regarding servicing agreements, however, would need to be confirmed by the City of Calgary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Municipal Fire Services      | <p>Review and Suggestions</p> <ul style="list-style-type: none"> <li>• Address of property is to be posted</li> <li>• Ensure access for Fire department apparatus as per the National Fire Code 2019 Div. B Sec 2.5.1</li> <li>• Fire extinguishers are to be installed as per the National Fire Code 2019 Div. B Sec. 2.1.5 and NFPA 10.</li> <li>• Fire Safety Plan is to be posted as per the National Fire Code 2019 Div. B Sec. 2.8.2.</li> <li>• Doors and means of egress as per the National Fire Code 2019 Div. B Sec. 2.7.1</li> <li>• Emergency and Exit Lighting shall be Tested, Inspected and Maintained as per National Fire Code 2023 Div. B Sec. 2.7.3</li> <li>• Water-Based fire protection systems shall be Tested, Inspected and Maintained as per National Fire Code 2019 Div. B Sec. 6.4.1</li> <li>• Fire inspection of clinic building required prior to occupancy.</li> </ul> |
| Municipal Addressing         | <p>County addressing recommends the following:</p> <ul style="list-style-type: none"> <li>• Addressing required for the clinic off Spruce Meadows Way SW</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>EXTERNAL</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| City of Calgary              | <p>The City of Calgary has reviewed the above noted application and has the following comments:</p> <p>Transportation:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## CIRCULATION REFERRALS

|                                             |                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | <ul style="list-style-type: none"> <li>• Spruce Meadows Way is a City of Calgary roadway. The City is supportive of the new clinic using the access to Spruce Meadows Way.</li> </ul>                                                                                                                                                                                      |
| Alberta Health Services                     | Alberta Health Services, Environmental Public Health at this time does not have any concerns with the information as provided.                                                                                                                                                                                                                                             |
| Alberta Transportation & Economic Corridors | The proposed development falls within the permit area of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed development, however, will not cause any concern for ongoing highway operation or future highway expansion and therefore issues an exemption from the permit requirements for this development listed. |
| ATCO Gas                                    | Approves the work provided advisory conditions are met.                                                                                                                                                                                                                                                                                                                    |
| ATCO Pipelines                              | No concerns.                                                                                                                                                                                                                                                                                                                                                               |

## SUMMARY

The application before Council is for a development permit for a new building to accommodate a commercial business being a Sports Medicine clinic accessory to the equestrian and sport facility. This use is permitted under the DC#1 Land Use District and so if they comply with all provisions of the Land Use Bylaw must be approved.

## OPTIONS FOR COUNCIL CONSIDERATION:

### OPTION #1 – APPROVAL

As a permitted use, should Council be of the opinion that they have sufficient information to make a decision and that the proposed development is in compliance with the Land Use Bylaw 60/2014, then Council must approve the application.

**The suggested motion for Option #1 is as follows:**

*Moved that Development Permit 25D 194 to allow the construction of a new building for a commercial business accessory to the equestrian and sport facility on Plan 1011285, Block 2, Lot 1; E 20-22-1 W5 be approved subject to the following conditions:*

**Council is requested to provide direction on whether they wish to delegate authority to the Development Officer to review and accept conditions.**

## APPROVAL DESCRIPTION

This approval allows for the construction of a new building as a commercial business approximately as illustrated on the site plan provided on Plan 1011285, Block 2, Lot 1; E 20-22-01 W5.

## SUGGESTED CONDITIONS OF APPROVAL FOR COUNCIL'S CONSIDERATION

Council may wish to impose any of the following conditions or any additional conditions, as a pre-release condition(s), should Council be of the opinion that the requirement be addressed prior to the Development Permit being signed and issued. Revisions and/or additions to this

approval shall be acknowledged and accepted by the Development Authority prior to implementation.

## **CONDITIONS OF APPROVAL**

Please note that the following requirements must be completed within the twenty-four (24) month completion period for this Development Permit unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete the conditions of approval will see the Development Permit deemed null and void.

1. Development must adhere to the Spruce Meadows Servicing Study (September 2019) prepared by ISL Engineering and Land Services submitted to Foothills County in support of the Spruce Meadows ASP, in particular with respect to stormwater drainage.
2. The applicant shall obtain all necessary building and safety codes permits applicable to use and occupancy of the involved building. The development and use of the land are to comply with the requirements of the applicable Building, Plumbing, Electrical and Fire Codes at all times. It is the applicant's responsibility to provide proof of such to the Development Authority.
3. It is the applicant's responsibility to contact County Fire Services and obtain all necessary approvals and inspections and provide proof of the same to the Development Authority;
4. The applicant shall obtain and maintain a municipal address for the proposed building to the satisfaction of the County's GIS department.
5. It is the applicant's responsibility to provide notification to the Development Authority upon completion of the development.

## **ADVISORY CONDITIONS**

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity and do not form part of the approval description or conditions of approval. It is the sole responsibility and liability of the applicant(s)/landowner(s) to ensure adherence with these requirements.

6. The applicants shall construct, operate and maintain the development in accordance with all conditions of approval and plans as submitted to, and acknowledged or approved by the Council. Addition to, or revisions to the uses approved herein may occur only upon obtaining appropriate municipal approvals;
7. This approval is in addendum to previous approvals on the subject property and does not supersede any conditions or requirements of previous Development Permits as approved;
8. The applicants are responsible for adhering to the accepted technical documentation submitted in support of the Spruce Meadows ASP and this application to the satisfaction of the Development Authority. Any revision to said documentation is required to be submitted to the Municipality for review and acceptance prior to implementation;
9. It is the applicant's responsibility to ensure that sufficient parking is available at all times. Parking within public road rights-of-way is prohibited. Should the landowner fail to provide sufficient parking resulting in vehicles in attendance to the subject lands being parked within neighboring road rights-of-way, this permit may be revoked and considered null and void;

10. Applicants are to comply with all utility easements and agreements, to the satisfaction of the County and the utility companies;
11. Signage for development has not been considered under this approval. A separate application for any signage which requires approval through a development permit will need to be submitted for approval.
12. The issuance of a development permit by Foothills County does not relieve the applicants of the responsibility of complying with all other applicable municipal bylaws and requirements, the requirements of all applicable Federal and/or Provincial acts regulations and/or guidelines, and all requirements regarding pipeline and utility rights of way.
13. The applicants indemnify and hold harmless the Municipality against the cost of any claims or actions, or awards for loss or damage to the Owner(s) arising from the use of the subject property;
14. The applicants shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to this permit.

#### **OPTION #2 POSTPONE APPLICATION**

Should Council have concerns regarding certain aspects of the application or feel that they require additional information in order to render a decision, Council may choose to postpone a decision on the application in order to obtain additional information from the applicant or to hold a Public Meeting at which the applicant or the applicant's agent is in attendance.

**The suggested motion for Option #2 is as follows:**

*Moved that Council postpone making a decision on Development Permit application 25D 194 until such time as \_\_\_\_\_ (either additional information is provided or a public meeting can be held).*

#### **APPENDICES**

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

**MAP 1 - LOCATION**

**MAP 2 - SPRUCE MEADOWS ASP PLAN AREA**

**MAP 3 - FOOTHILLS / CITY OF CALGARY IDP INTERFACE POLICY AREA**

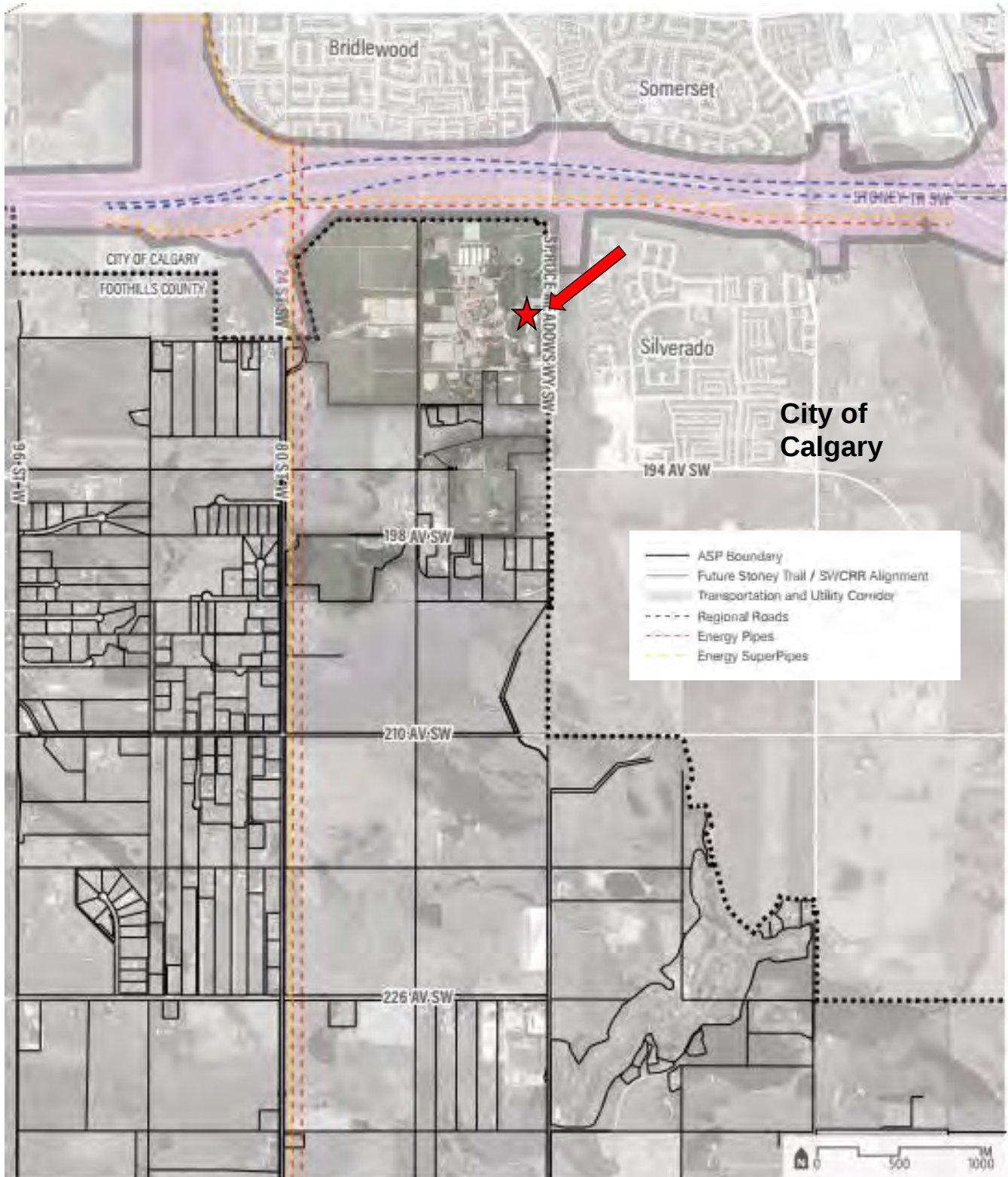
**MAP 4 - LAND USE MAP**

**MAP 5 - SITE PLAN**

**MAP 6 – ASP PLAN AREA DISTRICTS**

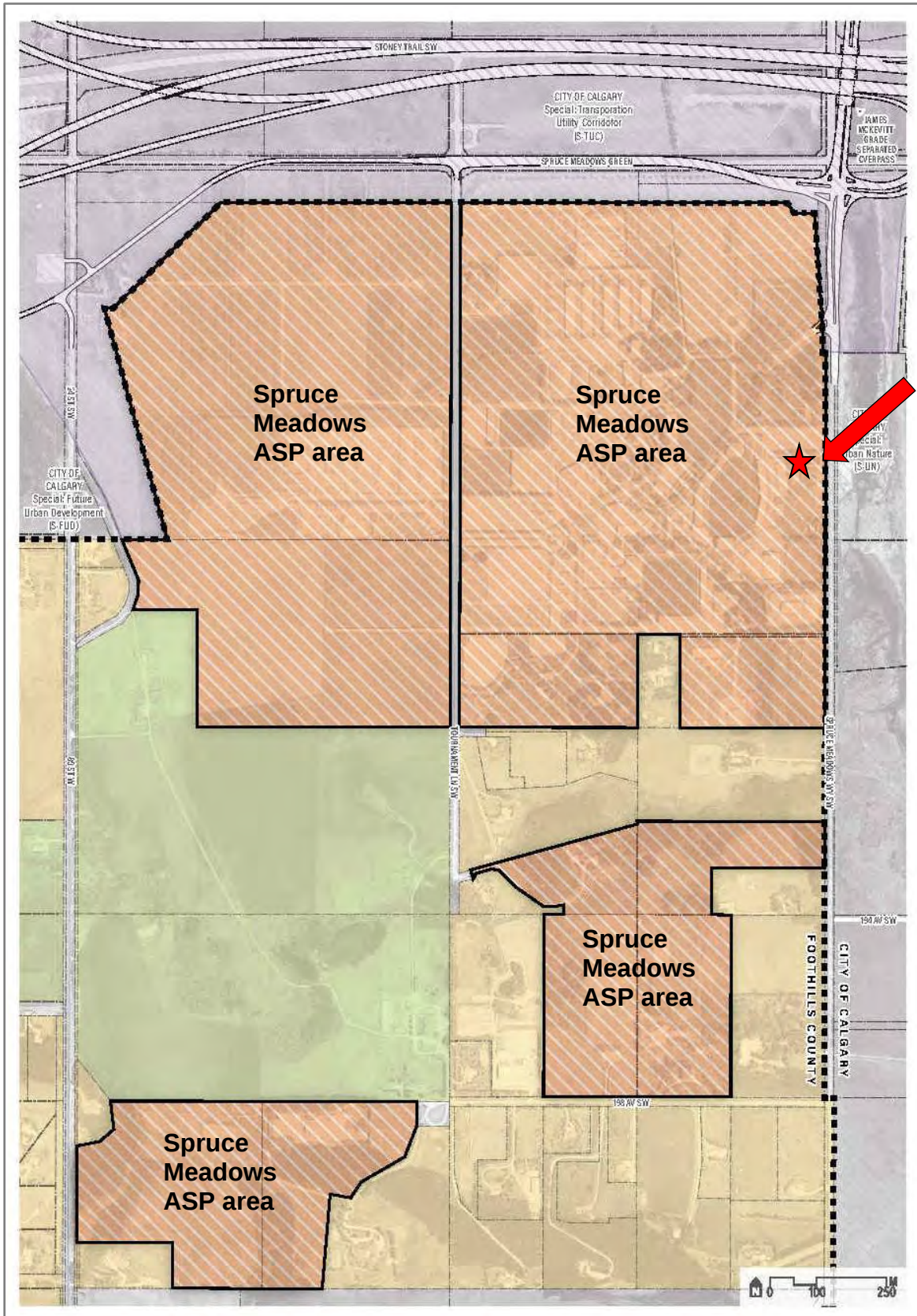
##### **APPENDIX B: DC#1 DISTRICT**

MAP 1 – LOCATION



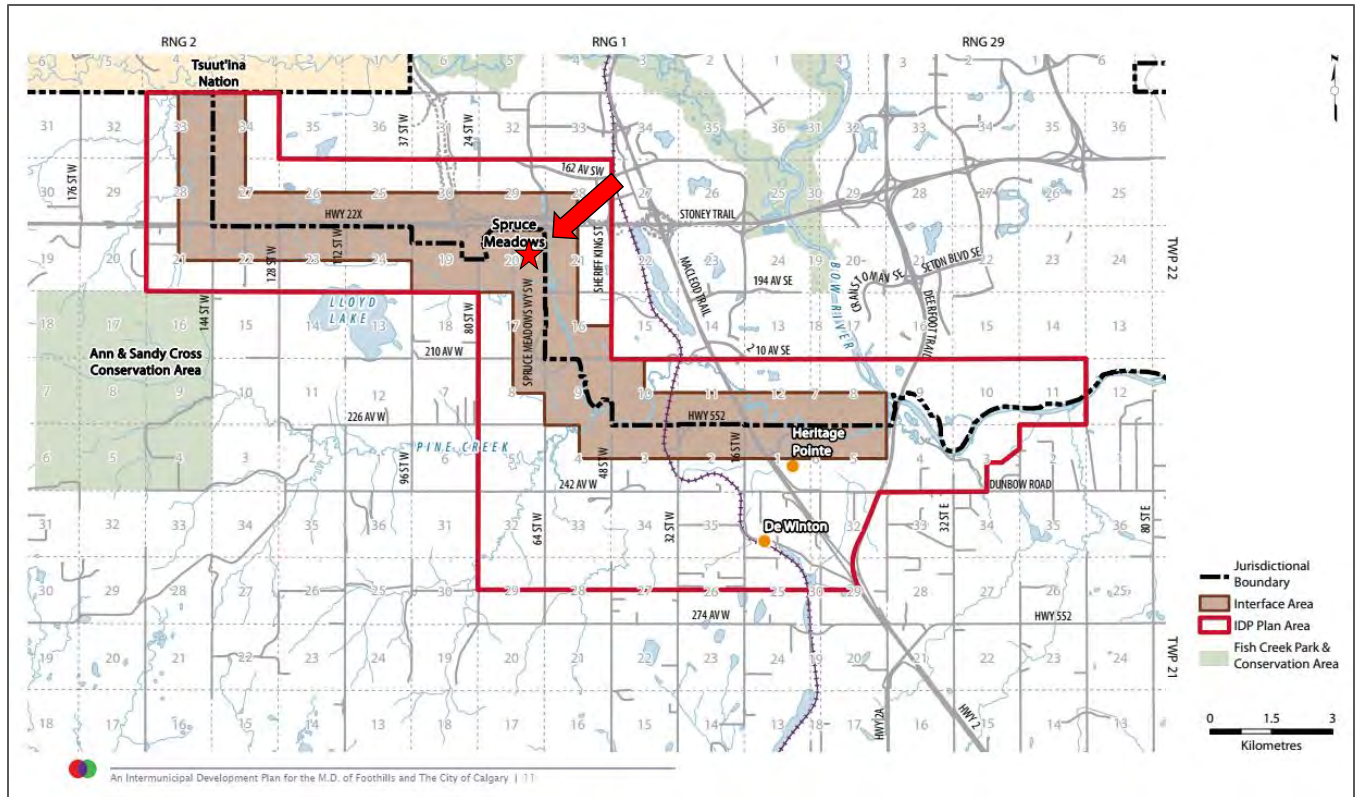
\*Base Map from Figure 1.0.1 Spruce Meadows ASP

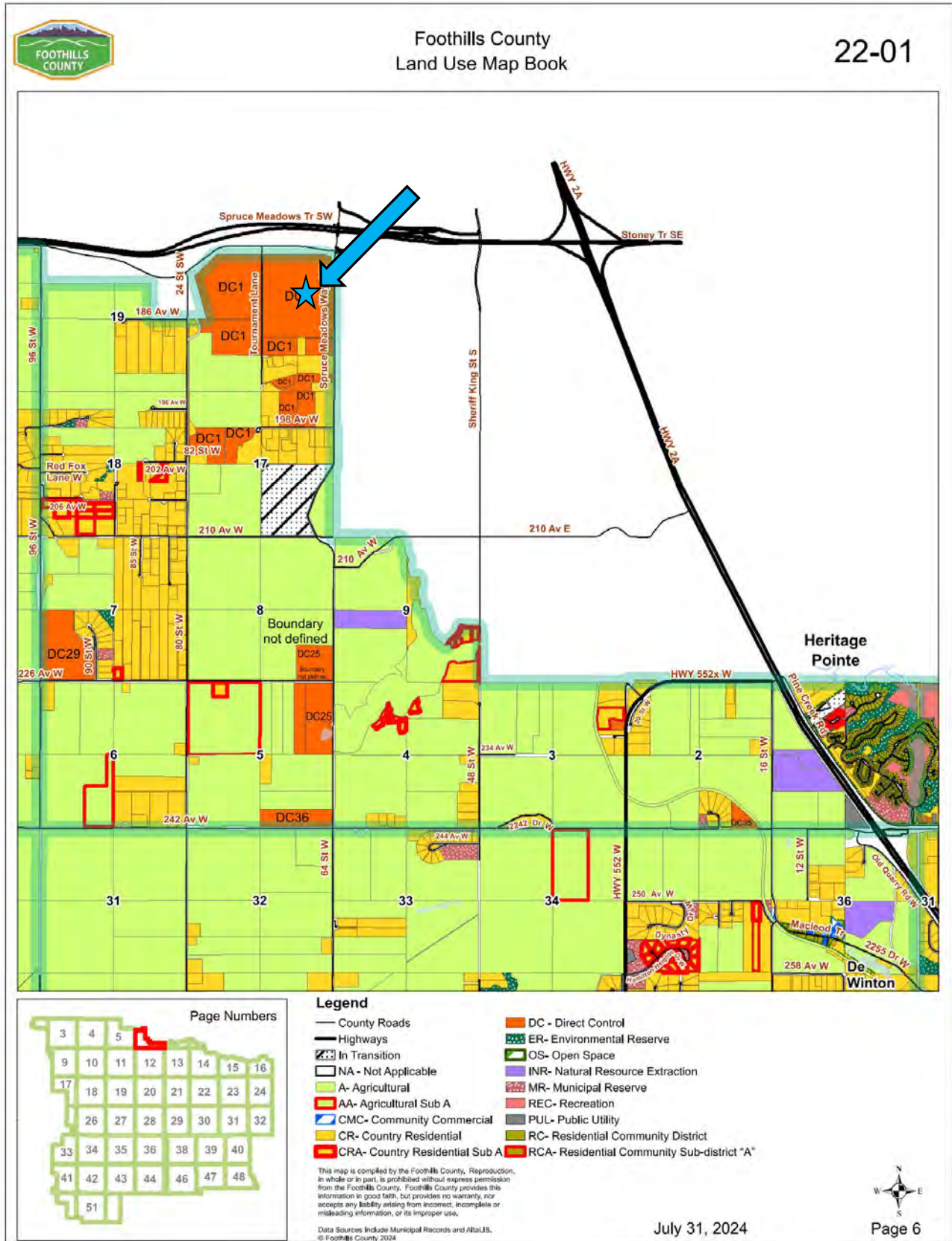
## MAP 2 - SPRUCE MEADOWS ASP PLAN AREA



\*Base Map from Figure 3.1.2 Spruce Meadows ASP

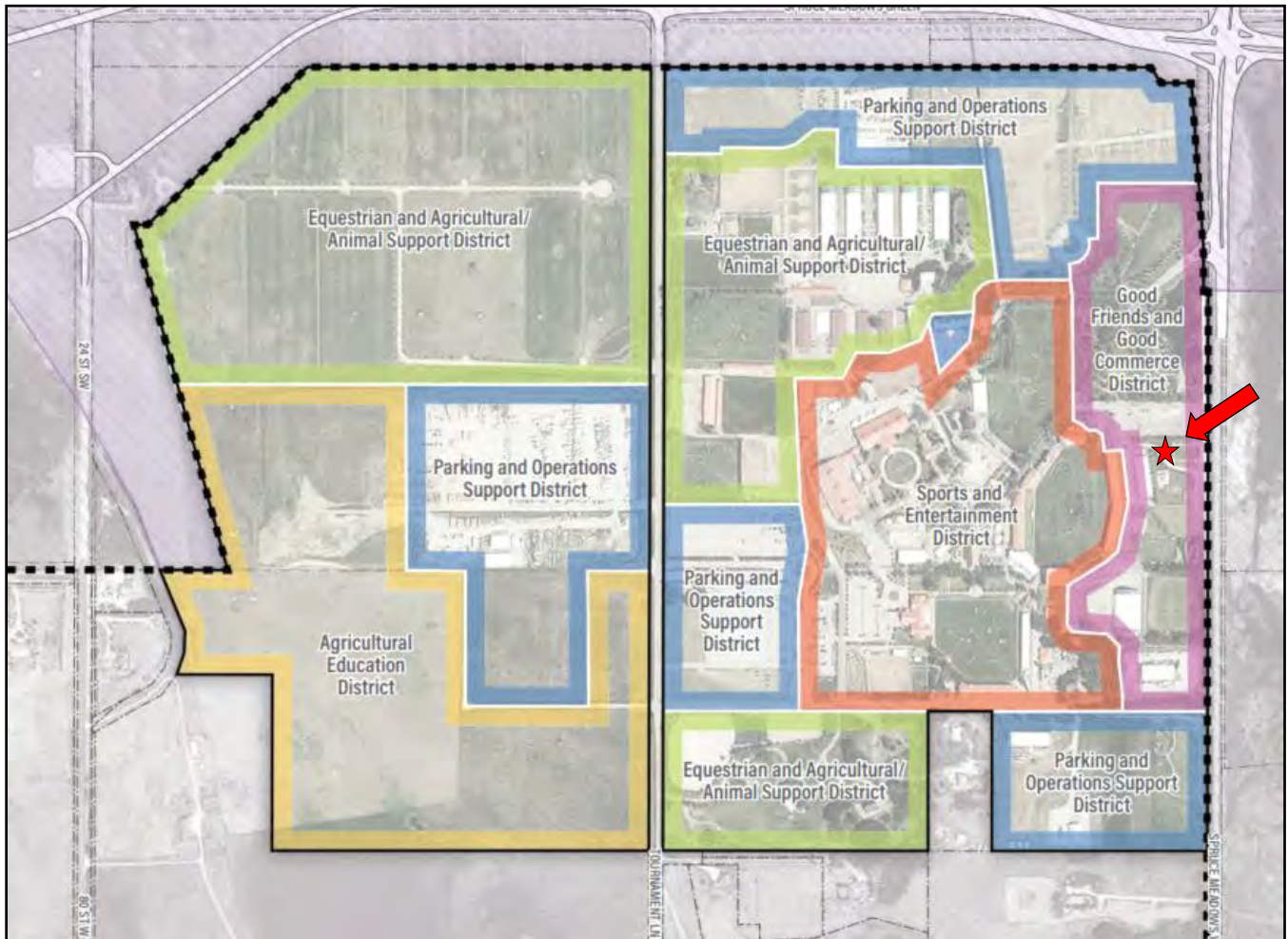
## MAP 3 – FOOTHILLS / CITY OF CALGARY IDP INTERFACE POLICY AREA







## MAP 6 – SPRUCE MEADOWS ASP PLAN AREA DISTRICTS



## Foothills County Land Use Bylaw |

**SECTION 18 DIRECT CONTROL DISTRICT****18.1 DIRECT CONTROL DISTRICT #1 (DC1)****DC#1****18.1.1 PURPOSE AND INTENT**

The purpose and intent of this district is to enable development in accordance with the Spruce Meadows Area Structure Plan and to allow direct control by the Council over development on the following lands that together comprise the Spruce Meadows Equestrian Centre:

| Legal Description                          | Area (ac) | Lot, Block, Plan                                                                                          | Registered Owner                                   |
|--------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Ptn. SE 20-22-1 W5M and Ptn. N 20-22-1 W5M | 295.50    | Lot 1, Block 2, Plan 1011285                                                                              | Spruce Meadows                                     |
| Ptn. SE 20-22-1 W5M                        | 15.00     | Lot 1, Block C, Plan 9810485                                                                              | Spruce Meadows                                     |
| Ptn. SE 20-22-1 W5M                        | 13.98     | Lot 7, Block A, Plan 0312600                                                                              | Spruce Meadows                                     |
| Ptn. SE 20-22-1 W5M                        | 10.01     | Lot 6, Block F, Plan 9011302                                                                              | Spruce Meadows Executive (Charparo Tree Farm Ltd.) |
| Ptn. NE 17-22-1 W5M                        | 19.46     | North of Roadway Plan 1577JK, East of Block 6 on Plan 205LK, West of the East 660 feet of Quarter Section | Spruce Meadows                                     |
| Ptn. NE 17-22-1 W5M                        | 19.48     | Block 6, Plan 205LK                                                                                       | Spruce Meadows                                     |
| Ptn. SW 20-22-1 W5M                        | 59.20     | Lot 1, Block 2, Plan 1011927                                                                              | Spruce Meadows Executive (Charparo Tree Farm Ltd.) |
| Ptn. SE 20-22-1 W5M                        | 19.03     | South Half of Block E, Plan 2231JK                                                                        | Spruce Meadows Executive                           |
| Ptn. NW 17-22-1 W5M                        | 32.89     | Legal Subdivision 12                                                                                      | Spruce Meadows Executive (Charparo Tree Farm Ltd.) |
| Ptn. NW 17-22-1 W5M                        | 21.31     | Legal Subdivision 11                                                                                      | SM Executive (Charparo Tree Farm Ltd.)             |
| <b>TOTAL ACREAGE</b>                       | 505.86    |                                                                                                           |                                                    |

**18.1.2 PERMITTED USES**

Accessory Building, Detached  
Accessory Use  
Administration Office  
Agricultural (Intensive Use)  
Agricultural, General  
Animal Boarding Services  
Animal Care Services  
Apiary  
Arena, Private  
Arena, Limited Public  
Business Offices  
Club House  
Commercial Business, accessory to the equestrian and sport facility  
Child Care Facility  
Drinking Establishment, accessory to the equestrian and sport facility  
Dwellings, Detached Single Family  
Education Centre  
Educational and Interpretive Use  
Event  
Event, Private  
Food Truck  
Food Service, Accessory  
Heli-pad  
Home Based Business I  
Home Office  
Interpretive Pathway  
Liquor Sales, accessory to the equestrian and sport facility  
Mobile Sales Vehicle  
Museum/Art Gallery  
Natural Science Exhibits  
Neighbourhood Pub, accessory to the equestrian and sport facility  
Open Air Performance and Art Space, accessory to the equestrian and sport facility  
Outdoor Café  
Outdoor Display Area  
Outdoor Storage, accessory to the equestrian and sport facility  
Public Market  
Public Works  
Recreation, Passive  
Recreational, Indoor  
Recreational, Outdoor  
Restaurant, accessory to the equestrian and sport facility  
Retail Store, accessory to the equestrian and sport facility  
Signs requiring a Development Permit  
Solar Power System, Private (Not requiring a Development Permit)  
Special Event  
Temporary (short-term) Manure Storage  
Utility Services (Minor)

**18.1.3 DISCRETIONARY USES**

Additional uses at the discretion of Council  
Additional Dwellings  
Amusement and Entertainment Services  
Arena, Commercial  
Campground, Minor, accessory to the equestrian facility  
Commercial Business, Not accessory to the equestrian and sport facility  
Commercial Storage  
Conference Centre  
Cultural Facilities  
Dog Park  
Drinking Establishment, Not accessory to the equestrian and sport facility  
Dwellings, Duplex  
Dwelling, Temporary  
Home Based Business I  
Hotel  
Intensive Vegetation Operation  
Kennels, Private  
Liquor Sales, Not accessory to the equestrian and sport facility  
Man-made water bodies, private  
Neighborhood Pub, Not accessory to the equestrian and sport facility  
Open Air Performance and Art Spaces, Not accessory to the equestrian and sport facility  
Park Model  
Religious Assembly  
Restaurant, Not accessory to the equestrian and sport facility  
Retail Store, Not accessory to the equestrian and sport facility  
Secondary Suite, Detached  
Secondary Suite, Principal  
Solar Power System, Private (Requiring a Development Permit)  
Temporary Farm Help Accommodation

**18.1.4 LAND USEREQUIREMENTS**

18.1.4.1 Standards of development shall be at the discretion of Council.

**18.1.5 DEVELOPMENT REQUIREMENTS**

18.1.5.1 The maximum height of principal and accessory structures shall be at the discretion of Council.

18.1.5.2 The Minimum Yard Setback Requirements shall be as follows:

- a. 40m from a Primary Highway.
- b. 10m from any other public roadway.
- c. Or as determined by Council.

**18.1.6 SPECIAL PROVISIONS**

18.1.6.1 Landscaping and Screening:

- a. Landscaping shall be completed as determined by Council.
- b. Levels and methods of screening of the site shall be determined by Council.

- 18.1.6.2 The Approving Authority, may, as a condition of issuing a Development Permit impose any condition that addresses a relevant planning and development matter, including but not limited to:
- a. Location and maximum size of facilities to be constructed.
  - b. Development setbacks.
  - c. Hours of operation.
  - d. Number of guest rooms.
  - e. Maximum number of days of stay.
  - f. Number of employees.
  - g. Number of vehicle visits per day.
  - h. Number, duration and size of events permitted.
  - i. Noise.
  - j. Buffering.
  - k. Lighting.
  - l. Outdoor storage.
  - m. Parking requirements.
  - n. Screening of facilities.
  - o. Any other condition that Council deems necessary.
- 18.1.6.3 Noise:
- a. Spruce Meadows is exempted from adherence to the Community Standards Bylaw with regard to noise.
- 18.1.6.4 Lot Drainage:
- a. Lot grading and drainage shall be in accordance with Section 9.17 of the Land Use Bylaw and Section 6.2.3 of the Spruce Meadows Area Structure Plan or modified at the discretion of Council.
- 18.1.6.5 Water and Wastewater Servicing:
- a. Water and wastewater servicing shall be in accordance with Section 6.2.1 and 6.2.2 of the Spruce Meadows Area Structure Plan or modified at the discretion of Council.
- 18.1.7 PROCEDURE**
- 18.1.7.1 Notwithstanding the procedure established for Development Permit applications in Section 4, an application for a Development Permit in respect of the lands referred to in Section 18.1.1 shall be referred by the Development Officer to the Council for its approval or refusal.
- 18.1.7.2 There is no appeal to the Appeal Board from a decision of the Council on an application for a Development Permit in respect of the lands referred to in Section 18.1.1.

**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
2<sup>nd</sup> AND 3<sup>rd</sup> READING TO BYLAW 40/2025  
November 12, 2025**

| <b>REQUEST FOR 2<sup>nd</sup> AND 3<sup>rd</sup> READING TO BYLAW 40/2025</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>LEGAL DESCRIPTION:</b><br>N 23-17-28 W4M; Plan 9811515, Block 1 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>LANDOWNER:</b> HYATT AUTO SALES LTD.                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>AGENT:</b> KRISTI BEUNDER, TOWNSHIP PLANNING + DESIGN           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>AREA OF SUBJECT LANDS:</b> 158.57 ACRES                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>CURRENT LAND USE:</b> AGRICULTURAL DISTRICT                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>PROPOSED LAND USE:</b> AGRICULTURAL DISTRICT                    |
| <b>PROPOSAL:</b> Site specific amendment to the Agricultural District to add a use for the subject lands, being: Vehicle Testing: strictly involves performance testing and handling tests that are conducted on tracks or specialized courses to assess steering response, braking, cornering, and overall vehicle dynamics (ie. Performance, handling, braking). This includes high performance vehicles available to the general public. This does not include drag racing, funny cars, or any modified or enhanced race cars which may produce noise that exceeds standards which are not permitted. |                                                                    |
| <b>DIVISION NO:</b> 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>REEVE:</b> Rob Siewert                                          |
| <b>FILE MANAGER:</b> Stacey Kotlar                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                    |

### PURPOSE OF REQUEST

Request for Council to provide 2<sup>nd</sup> and 3<sup>rd</sup> reading to Bylaw 40/2025.

### BACKGROUND

**September 10, 2025** – Council postponed the decision for 2<sup>nd</sup> and 3<sup>rd</sup> Reading to a future Council meeting to allow for administration to seek legal advice.

**June 4, 2025** – Council granted 1<sup>st</sup> reading to Bylaw 40/2025 authorizing the site specific amendment of the Agricultural Land Use District to allow for vehicle testing on tracks or specialized courses within a portion of N 23-17-28 W4M; Plan 9811515, Block 1 as a Discretionary Use. This includes Vehicle Testing on the 1.5 km +/- asphalt strip for conducting vehicle testing and video recording of the vehicle test, to a maximum of twelve (12) days per year, occurring on Monday – Friday 9:00am – 6:00 pm, testing luxury vehicles; one (1) Customer VIP event, once per year with max 30 person held on a weekend between May 1<sup>st</sup> and Sept 30<sup>th</sup>; one (1) Hyatt Auto Sales Ltd. staff event, once per year with max 60 person held on a weekend between May 1<sup>st</sup> and Sept 30<sup>th</sup>.

Note: an excerpt from the June 4<sup>th</sup>, 2025 Council meeting minutes outlining this approval is included under Appendix B.

## **CONDITIONS TO BE MET AT AMENDMENT**

All conditions of 1<sup>st</sup> reading of the Amendment have been completed.

## **COUNCIL ACTIONS REQUESTED**

Council is respectfully requested to consider granting 2nd and 3rd reading to Bylaw 40/2025 authorizing Site specific amendment to the Agricultural District to add a permitted use for the subject lands, being: Vehicle Testing: strictly involves performance testing and handling tests that are conducted on tracks or specialized courses to assess steering response, braking, cornering, and overall vehicle dynamics (ie. Performance, handling, braking). This includes high performance vehicles available to the general public. This does not include drag racing, funny cars, or any modified or enhanced race cars which may produce noise that exceeds standards which are not permitted.

## **APPENDICES**

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

Location Map  
Site Plan  
Ortho Photo

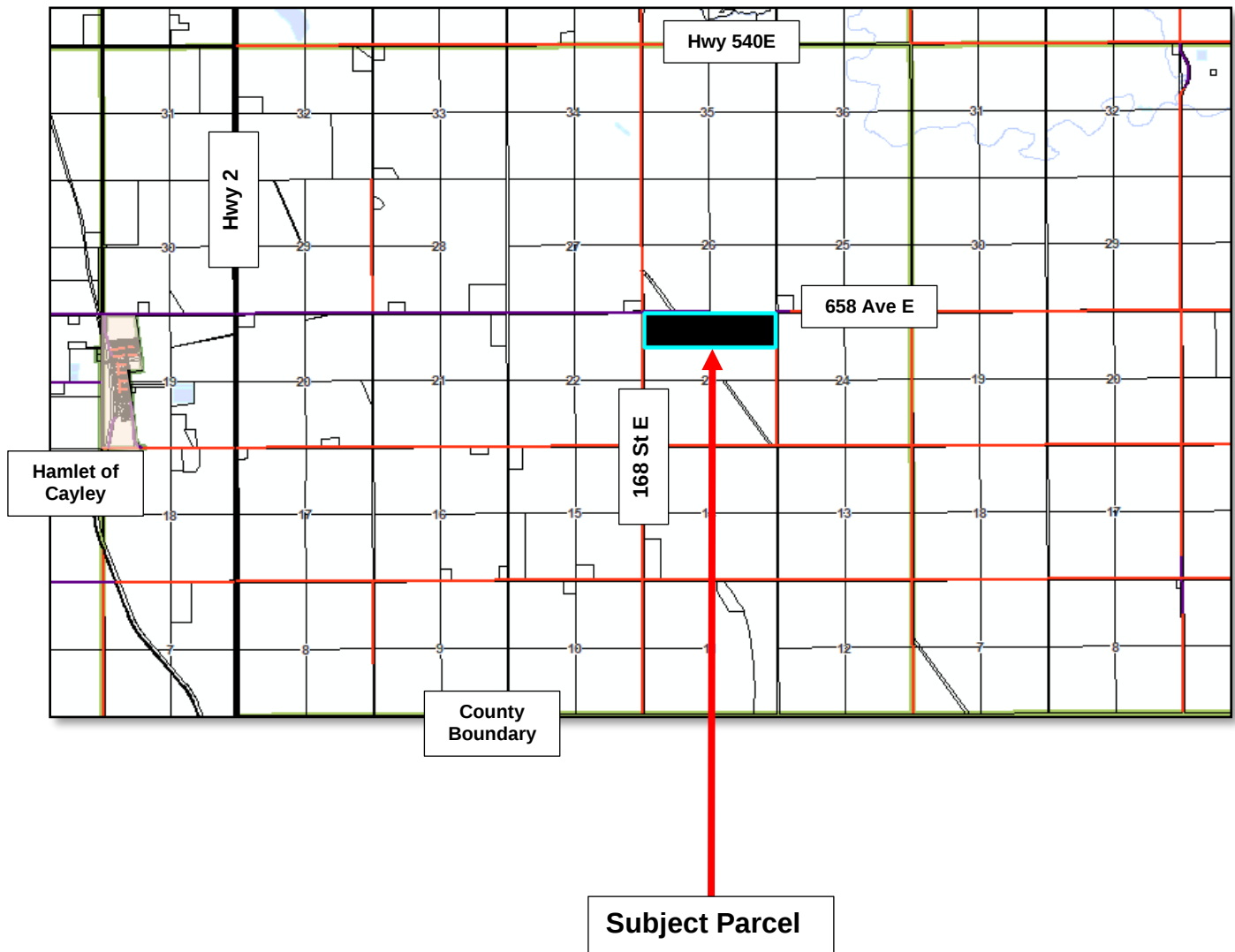
### **APPENDIX B:**

Excerpt from June 4th, 2025 Council Meeting minutes

### **APPENDIX C:**

Bylaw 40/2025

## APPENDIX A: LOCATION MAP



**APPENDIX A: SITE PLAN**



**APPENDIX A: ORTHO PHOTO**



**C. PUBLIC HEARINGS & MEETINGS**

C.1 10:00 a.m. - Hyatt Auto Sales Ltd. - N 23-17-28 W4M - Site Specific Amendment

S. Itzcovitch and Agent B. Libawski were in attendance for the public hearing in connection to the proposed Site Specific Amendment to the Agricultural District land use rules to allow for vehicle testing that strictly involves performance testing and handling tests that are conducted on tracks or specialized courses to assess steering response, braking, cornering, and overall vehicle dynamics (i.e. performance, handling, braking). This includes high-performance vehicles available to the general public. This does not include drag racing, funny cars, or any modified or enhanced race cars or cars which may produce noise that exceeds standards which are not permitted as a Permitted Use on Plan 9811515, Block 1; Ptn. N 23-17-28 W4M.

Also in attendance were M. Aboulhosn and R. Hohlruss.

One letter of support was received from R. Hohlruss.

The public hearing was closed.

C.1.1 Hyatt Auto Sales Ltd. - N 23-17-28 W4M - Decision

**Bylaw 40/2025**

Bylaw 40/2025 was introduced into the meeting to authorize a Site Specific Amendment of the Agricultural Land Use District to allow for vehicle testing on tracks or specialized courses within a portion of N 23-17-28 W4M; Plan 9811515, Block 1 as a Discretionary Use. This includes Vehicle Testing on the 1.5 km +/- asphalt strip for conducting vehicle testing and video recording of the vehicle test, to a maximum of twelve (12) days per year, occurring on Monday - Friday 9:00 a.m. - 6:00 p.m., testing luxury vehicles; one (1) Customer VIP event, once per year with max 30 person held on a weekend between May 1st and Sept. 30th; one (1) Hyatt Auto Sales Ltd. staff event, once per year with max 60 person held on a weekend between May 1st and Sept 30th.

In consideration of the application, Council is of the opinion that the proposed Site Specific Amendment, and subsequent use of the subject lands, would not be detrimental to the nature of the area and will not unduly interfere with neighbouring land uses or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

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

1. Noise mitigation plan as a condition of the development permit
2. Final amendment application fees to be submitted; and
3. Submission of a complete Development Permit application and the necessary fees.

**Resolution 509**

**Moved by:** Councillor Siewert

That Bylaw 40/2025 be given first reading.

**THE BYLAW WAS PASSED FOR ONE READING**

BYLAW 40/2025

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

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

**AND WHEREAS** the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to the Agricultural District land use rules to allow for vehicle testing that strictly involves performance testing and handling tests that are conducted on tracks or specialized courses to assess steering response, braking, cornering, and overall vehicle dynamics (i.e. performance, handling, braking). This includes high-performance vehicles available to the general public. This does not include drag racing, funny cars, or any modified or enhanced race cars or cars which may produce noise that exceeds standards which are not permitted as a Permitted Use on Plan 9811515, Block 1; Ptn. N 23-17-28 W4M.

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

1. Under SECTION 12.1 AGRICULTURAL DISTRICT, the following shall be added under Section 12.1.4 PERMITTED USES only on *Plan 9811515, Block 1; Ptn. N 23-17-28 W4M*:

*Vehicle testing* that strictly involves performance testing and handling tests that are conducted on tracks or specialized courses to assess steering response, braking, cornering, and overall vehicle dynamics (i.e. performance, handling, braking). This includes high-performance vehicles available to the general public. This does not include drag racing, funny cars, or any modified or enhanced race cars or cars which may produce noise that exceeds standards which are not permitted.

2. This Bylaw shall have effect on the date of its third reading and upon signing.

FIRST READING: June 4, 2025

\_\_\_\_\_  
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   .

MISCELLANEOUS PLANNING ITEM  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 SECOND AND THIRD READING TO BYLAW 13/2024  
 November 12<sup>th</sup>, 2025

| SECOND AND THIRD READING TO BYLAW 13/2024                                                                                                                                                                                                                                      |                                                                                                 |                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------|
| APPLICATION INFORMATION                                                                                                                                                                                                                                                        |                                                                                                 | FILE NO. 23R052                        |
|                                                                                                                                                                                               | <b>LEGAL DESCRIPTION:</b><br>Plan 6600JK, Block 2, PTN. SE 03-22-29 W4M                         |                                        |
|                                                                                                                                                                                                                                                                                | <b>LANDOWNERS:</b> David and Janet Marshall                                                     |                                        |
|                                                                                                                                                                                                                                                                                | <b>AGENT:</b> Township Planning and Design Inc. / Kristi Beunder                                |                                        |
|                                                                                                                                                                                                                                                                                | <b>AREA OF SUBJECT LANDS:</b> 19.42 acres                                                       |                                        |
|                                                                                                                                                                                                                                                                                | <b>CURRENT LAND USE:</b> Country Residential District                                           |                                        |
|                                                                                                                                                                                                                                                                                | <b>PROPOSED LAND USE:</b> Country Residential District and Country Residential Sub-District "A" |                                        |
| <b>PROPOSAL:</b> Amendment to the Country Residential District to allow the future subdivision of one 8.40 +/- acre Country Residential Sub-District "A" lot with a 9.22 +/- acre Country Residential District balance parcel from Plan 6600JK, Block 2, Ptn. SE 03-22-29 W4M. |                                                                                                 |                                        |
| <b>DIVISION NO:</b> 6                                                                                                                                                                                                                                                          | <b>COUNCILLOR:</b> John Callister                                                               | <b>FILE MANAGER:</b> Theresa Chipchase |

### PURPOSE OF REQUEST

Request to Council to provide second and third reading to Bylaw 13/2024, **as all conditions put forth with first reading of this bylaw have been complied with.**

**Please note:** the following Council members were present at the February 28<sup>th</sup>, 2024, public hearing whereby Bylaw 13/2024 was granted 1<sup>st</sup> reading: Councillor Oel, Councillor Alger, Councillor Siewert and Councillor McHugh.

### BACKGROUND

#### **Location**

The property is located 1100 meters south of the Bow River, 0.2 kilometers north of Dunbow Road, 3.1 kilometers east of Highway 2 and the Heritage Pointe (Artesia) Area Structure Plan, approximately 4 kilometers southeast of the City of Calgary (outside of the IDP), directly west of 44<sup>th</sup> Street East.

#### **Pertinent Site Considerations**

The lands are for the most part flat, with a slight slope extending to the southeast, and a steep slope extending to the north, at the top end of the triangle portion of the property. The applicants yard site sits at the highest point of the parcel. Landscaping has occurred over a large portion of the west side of the property including the installation of retaining walls south of the residence and east of the shop. There is also a large, fenced compound, east of the shop, that is used for personal storage. Spruce trees have been planted along the full south boundary, north of the existing driveway, north of the yard site, and east of the compound, with aspen groves in the far north corner and along the east boundary between the applicant and the adjacent landowner.

## PREVIOUS COUNCIL DIRECTION

**February 28<sup>th</sup>, 2025, Bylaw 13/2024** – application approved by Council, granting first reading to Bylaw 13/2024, under the following motion:

*“Bylaw 13/2024 was introduced into the meeting to authorize an amendment to the Country Residential District land use rules to allow the future subdivision of three new 3.486 +/- acre, 3.72 +/- acre and 4.09 +/- acre Country Residential District lots with a 5.01 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2, PTN: SE 03-22-29-W4M.*

*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.*

*The three new 3.486 to 4.09 +/- acre lots shall be designated Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes, septic disposal evaluations, and lot grading/overland drainage plans (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

### **Conditions of Approval**

- 1. Revised site plan which provides an access management strategy acceptable to Council, to the satisfaction of the Public Works department;*
- 2. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of drainage, grading, internal road infrastructure and 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;*
- 3. Proof of adequate water supply to be provided for all lots and the balance, in accordance with the Provincial Water Act, to the satisfaction of the County;*
- 4. Septic disposal evaluations to be provided, for proposed Lots 1, 2, and 3, 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;*
- 5. Lot grading/overland drainage plan to be provided for the subject lands, to the satisfaction of the Public Works department, as a condition of the subdivision;*
- 6. Site plan to be provided which identifies building envelopes, for Lots 1, 2 and 3, 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;*
- 7. Applicant is to comply with all requirements of Alberta Arts, Culture and Status of Women, to the satisfaction of their department, as a condition of subdivision;*
- 8. Final amendment application fees to be submitted;*
- 9. Submission of an executed subdivision application and the necessary fees.*

**THE BYLAW WAS PASSED FOR ONE READING”**

**April 9<sup>th</sup>, 2025** – Council approved revisions to the applicant's site plan reducing the number of lots proposed from three (3) new lots to one (1) new lot and revising the access management strategy for the parcel, under the following resolution:

*"That Council approve the requested amendments to Bylaw 13/2024, in support of the revised site plan, as provided by the landowners of Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M, Bylaw 13/2024 is therefore to be revised as follows:*

*Bylaw 13/2024 was amended to authorize an amendment to the Country Residential District land use rules to allow the future subdivision of one new 8.40 +/- acre Country Residential District lot with a 9.22 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M.*

*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.*

*The one new 8.40 +/- acre lot shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation, and lot grading/overland drainage plan (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

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

- 1. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of drainage, grading, and payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;*
- 2. Proof of adequate water supply to be provided for the new lot and the balance, in accordance with the Provincial Water Act, to the satisfaction of the County;*
- 3. Septic disposal evaluation to be provided for the new lot, in accordance with Part 2 Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department, as a condition of subdivision;*
- 4. Lot grading/overland drainage plan to be provided for the subject lands, to the satisfaction of the Public Works department, as a condition of the subdivision;*
- 5. Site plan to be provided which identifies building envelopes for the new lot, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department, as a condition of subdivision;*
- 6. Applicant is to comply with all requirements of Alberta Arts, Culture and Status of Women, to the satisfaction of their department, as a condition of subdivision;*
- 7. Final amendment application fees to be submitted; and*
- 8. Submission of an executed subdivision application and the necessary fees."*

## **COUNCIL ACTION REQUESTED**

Request to Council to consider second and third reading to Bylaw 13/2024 for amendment to the Country Residential District land use rules in order to allow the future subdivision of one new 8.40 +/- acre Country Residential District lot with a 9.22 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M 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.*

*The one new 8.40 +/- acre lot shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation, and lot grading/overland drainage plan (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

## **APPENDICES**

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

LOCATION MAP

HALF MILE MAP - LAND USES

HALF MILE MAP – PARCEL SIZES

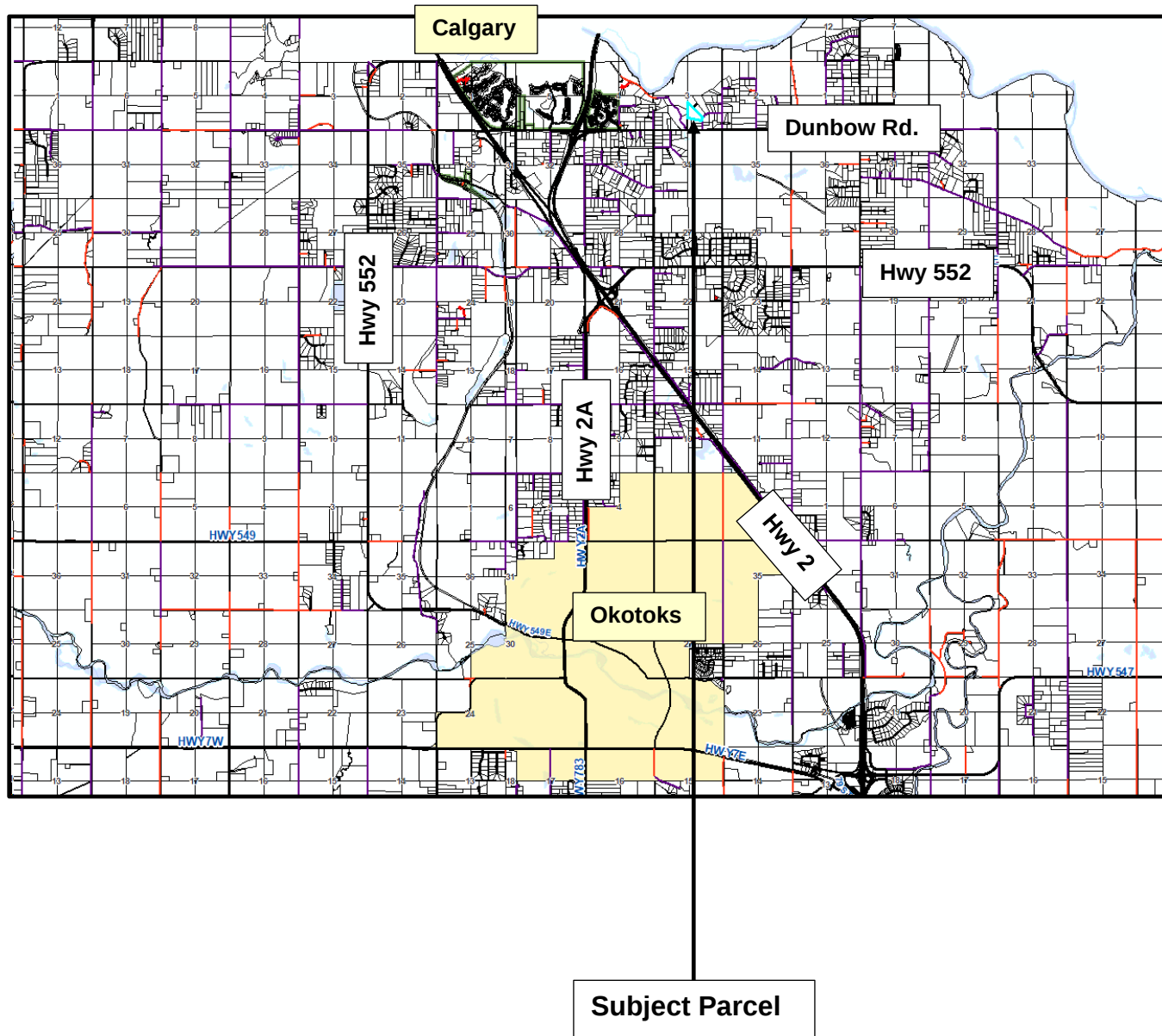
SITE PLAN

ORTHO PHOTO

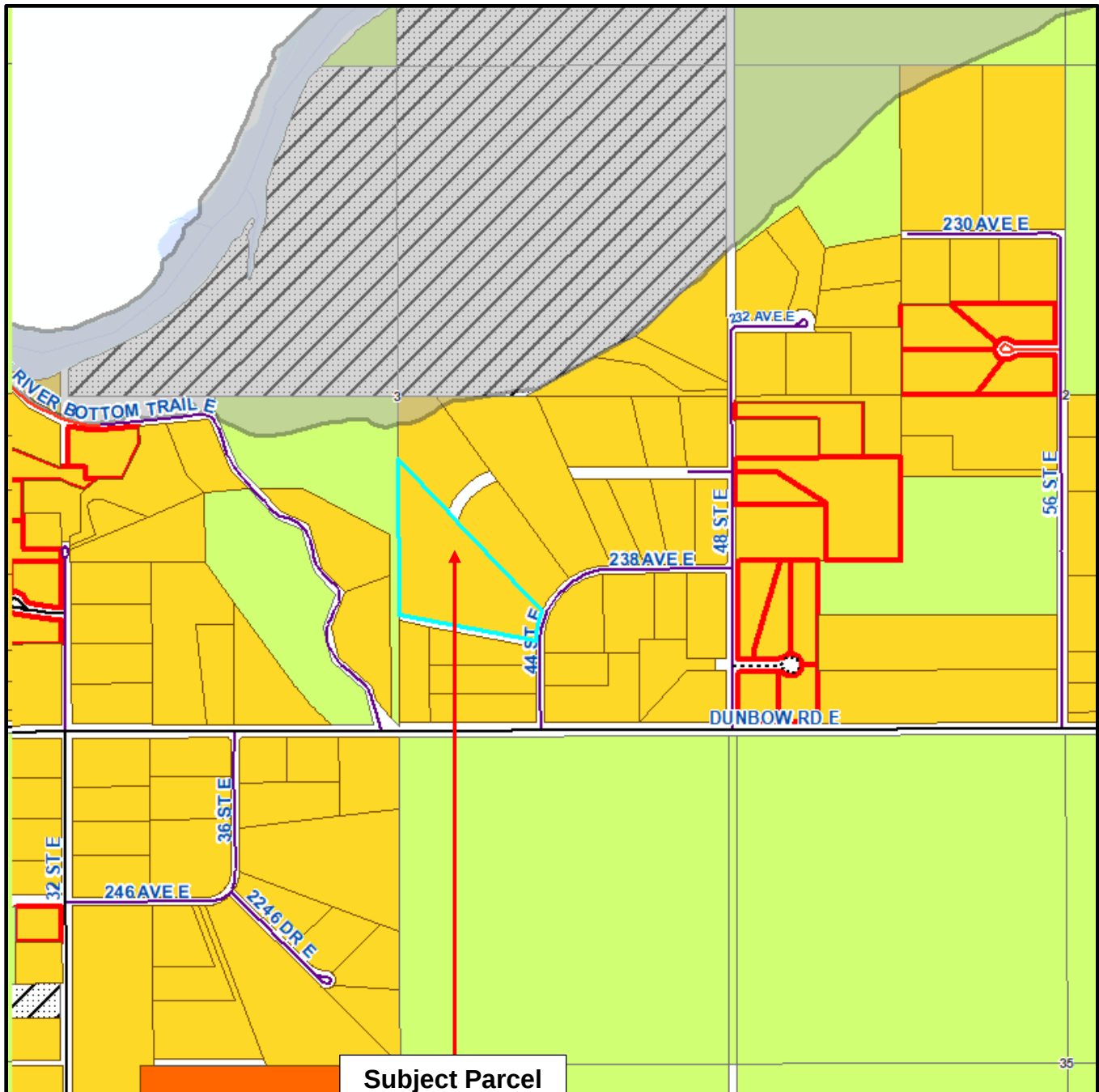
### **APPENDIX B:**

DRAFT BYLAW

## APPENDIX A: LOCATION MAP



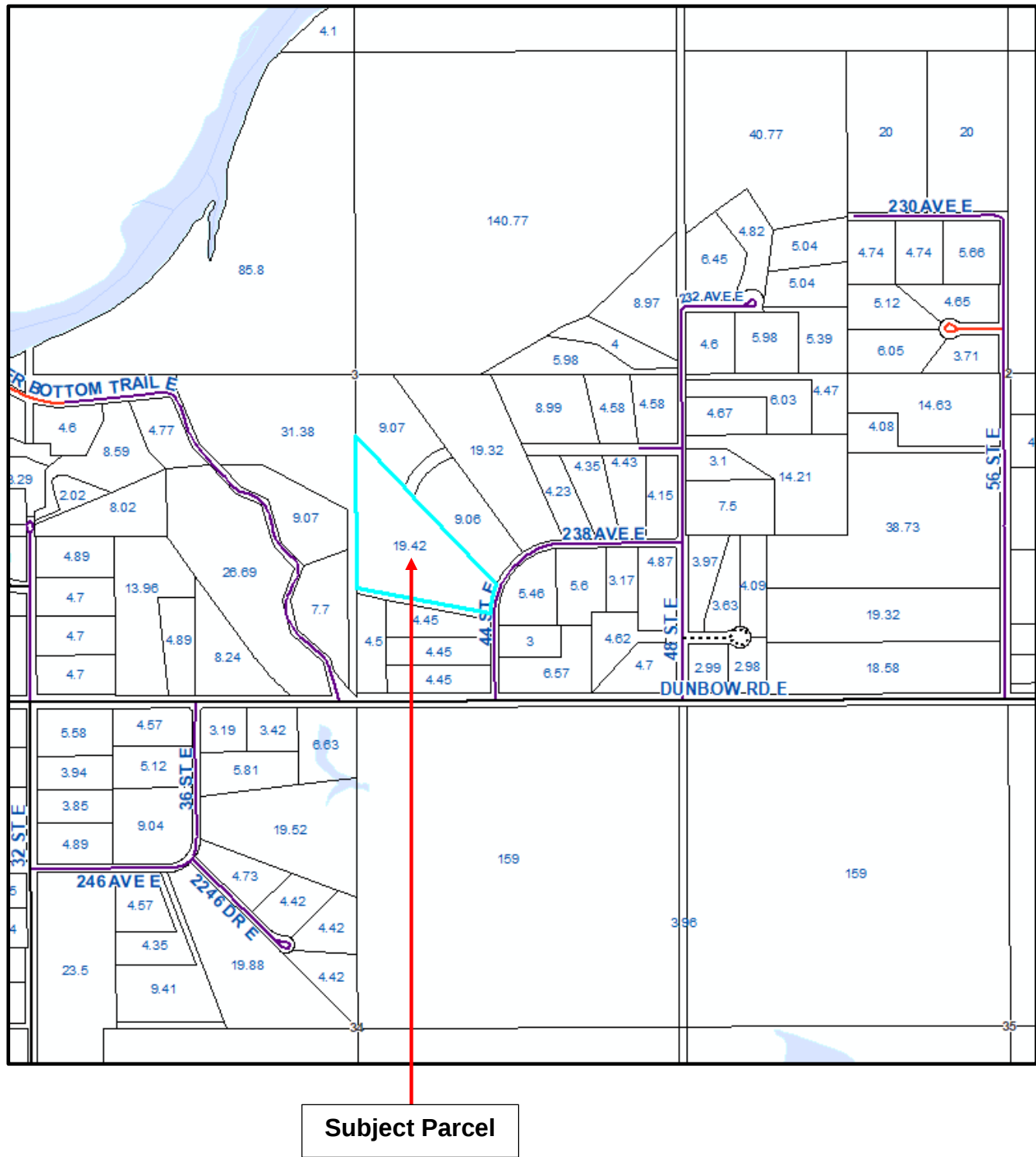
## APPENDIX A: HALF MILE MAP – LAND USE



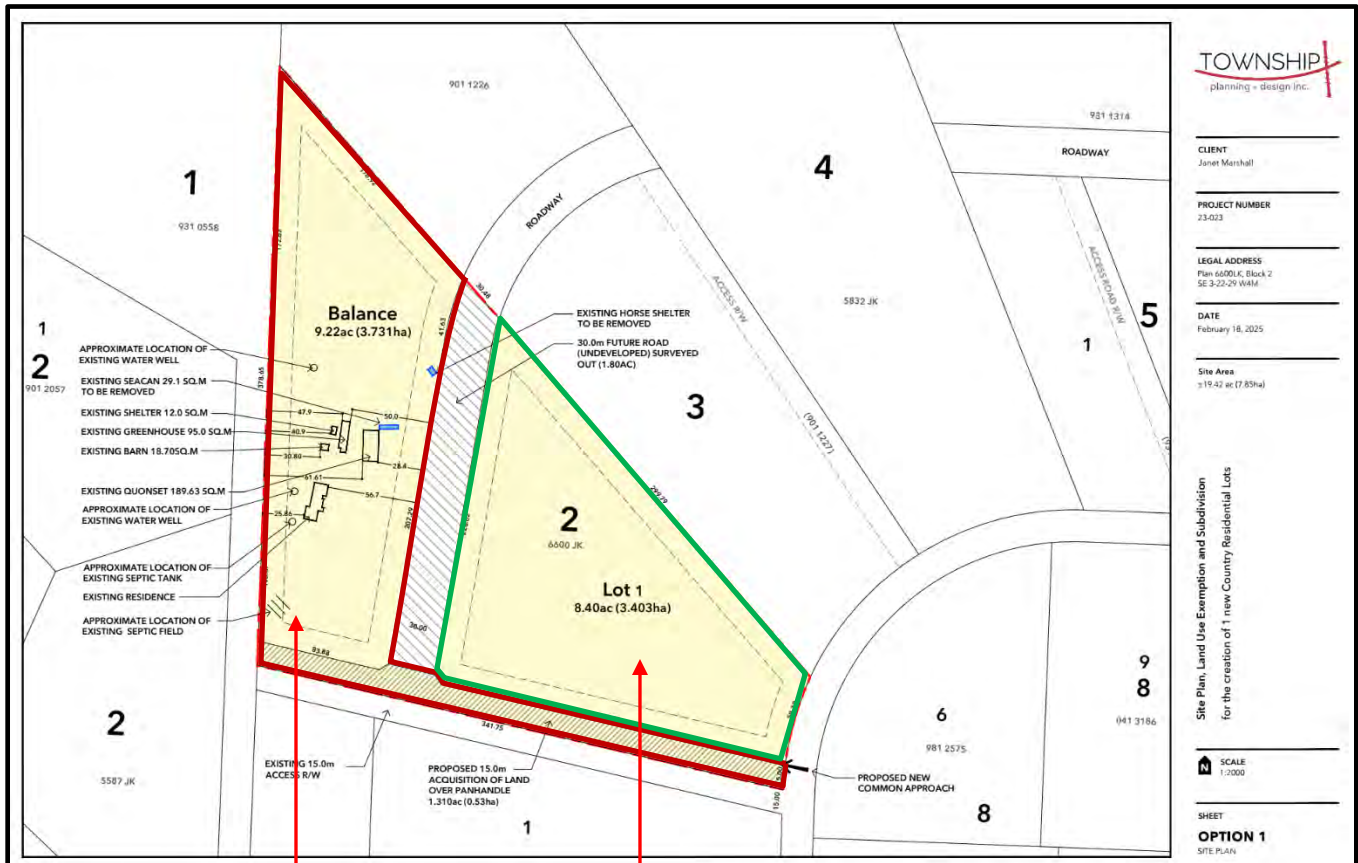
### Legend

- |                                    |                                  |                                      |
|------------------------------------|----------------------------------|--------------------------------------|
| — Hard Surface (Chip/oil)          | CR- Country Residential          | MR- Municipal Reserve                |
| — Gravel                           | CRA- Country Residential Sub A   | MLR- Municipal Land/Reserve District |
| --- Developer Pavement             | DC - Direct Control              |                                      |
| — Pavement                         | BP- Bussiness Park               |                                      |
| — Flood Hazard Protection District | RB- Rural Business               |                                      |
| — In Transition                    | INR- Natural Resource Extraction |                                      |
| — A- Agricultural                  | EP- Environmental Protection     |                                      |
| — AA- Agricultural Sub A           | ER- Environmental Reserve        |                                      |

## APPENDIX A: HALF MILE MAP – LOT SIZES



## APPENDIX A: SITE PLAN



Proposed 8.40 +/- acre lot, outlined in green

Proposed 9.22 +/- acre balance parcel, outlined in red



**BYLAW 13/2024**

**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 Land Use District land use rules in order to allow for the future subdivision of one new 8.40 +/- acre Country Residential District lot with a 9.22 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M.

The one new 8.40 +/- acre lot shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation, and lot grading/overland drainage plan (provided as conditions of Subdivision) are complied with, to the satisfaction of the Public Works department.

**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 6600JK, Block 2; SE 03-22-29 W4M within which shall allow for the future subdivision of one new 8.40 +/- acre Country Residential District lot with a 9.22 +/- acre Country Residential District balance parcel.*

2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: February 28, 2024

\_\_\_\_\_  
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\_\_.

**SUBDIVISION APPROVING AUTHORITY ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
SUBDIVISION APPROVAL  
November 12<sup>th</sup>, 2025**

| <b>REQUEST FOR SUBDIVISION APPROVAL</b>                                                                                                                                                                                   |                                                                                                |                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|----------------------------------------|
| <b>APPLICATION INFORMATION</b>                                                                                                                                                                                            | <b>FILE NO. F2229-03SE</b>                                                                     |                                        |
|                                                                                                                                          | <b>LEGAL DESCRIPTION:</b><br>Plan 6600JK, Block 2, PTN. SE 03-22-29 W4M                        |                                        |
|                                                                                                                                                                                                                           | <b>LANDOWNER:</b> David and Janet Marshall                                                     |                                        |
|                                                                                                                                                                                                                           | <b>AGENT:</b> Township Planning and Design / Kristi Beunder                                    |                                        |
|                                                                                                                                                                                                                           | <b>AREA OF SUBJECT LANDS:</b> 19.42 Acres                                                      |                                        |
|                                                                                                                                                                                                                           | <b>CURRENT LAND USE:</b> Country Residential District and Country Residential Sub-District "A" |                                        |
| <b>PROPOSAL:</b> Subdivision of one 8.40 +/- acre Country Residential Sub-District "A" lot with an approximate 9.22 +/- acre Country Residential District balance parcel from Plan 6600JK, Block 2, PTN. SE 03-22-29 W4M. |                                                                                                |                                        |
| <b>DIVISION NO:</b> 6                                                                                                                                                                                                     | <b>COUNCILLOR:</b> John Callister                                                              | <b>FILE MANAGER:</b> Theresa Chipchase |

**PURPOSE OF REQUEST**

Requesting approval from the Subdivision Approving Authority for the application which proposes the subdivision of one 8.40 +/- acre Country Residential Sub-District "A" lot with an approximate 9.22 +/- acre Country Residential District balance parcel from Plan 6600JK, Block 2, PTN. SE 03-22-29 W4M.

**PREVIOUS COUNCIL DIRECTION**

**February 28<sup>th</sup>, 2025, Bylaw 13/2024** – application approved by Council, granting first reading to Bylaw 13/2024, under the following motion:

*"Bylaw 13/2024 was introduced into the meeting to authorize an amendment to the Country Residential District land use rules to allow the future subdivision of three new 3.486 +/- acre, 3.72 +/- acre and 4.09 +/- acre Country Residential District lots with a 5.01 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2, PTN: SE 03-22-29-W4M.*

*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.*

*The three new 3.486 to 4.09 +/- acre lots shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelopes, septic disposal evaluations, and lot grading/overland drainage plans (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

**April 9<sup>th</sup>, 2025** – Council approved revisions to the applicant’s site plan reducing the number of lots proposed from three (3) new lots to one (1) new lot and revising the access management strategy for the parcel, under the following resolution:

*“That Council approve the requested amendments to Bylaw 13/2024, in support of the revised site plan, as provided by the landowners of Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M, Bylaw 13/2024 is therefore to be revised as follows:*

*Bylaw 13/2024 was amended to authorize an amendment to the Country Residential District land use rules to allow the future subdivision of one new 8.40 +/- acre Country Residential District lot with a 9.22 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M.*

*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.*

*The one new 8.40 +/- acre lot shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation, and lot grading/overland drainage plan (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

**November 12<sup>th</sup>, 2025, Bylaw 13/2024** – Council granted second and third reading to Bylaw 13/2024 to authorize an amendment to the Country Residential District to allow the future subdivision of one new 8.40 +/- acre Country Residential Sub-District “A” lot with a 9.22 +/- acre Country Residential District balance parcel on Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M 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.

The one new 8.40 +/- acre lot shall be designated Country Residential Sub-District "A" to ensure that the recommendations and restrictions as outlined in the building envelope, septic disposal evaluation, and lot grading/overland drainage plan (provided as conditions of Subdivision) 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, and a \$5000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

## **EXECUTIVE SUMMARY**

### **Location**

The property is located 1100 meters south of the Bow River, 0.2 kilometers north of Dunbow Road, 3.1 kilometers east of Highway 2 and the Heritage Pointe (Artesia) Area Structure Plan, approximately 4 kilometers southeast of the City of Calgary (outside of the IDP), directly west of 44<sup>th</sup> Street East.

## **Access**

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Access to the proposed lot and balance parcel are to come from the construction of a common approach connecting the parcels to 44<sup>th</sup> Street on the east boundary of the existing title. The balance parcel is also to include a 15 metre wide panhandle along the south boundary of the lot connecting the balance to the developed municipal roadway. Additionally, the 15 metre wide panhandle to the balance parcel is to include the registration of an acquisition of land by caveat for future road development.

Further, the proposal is to provide a 30 metre wide or 1.80 acre area of Road to be surveyed out of the existing title as future connection to the existing Road Plan northeast of the applicant.

## **Physiography**

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The lands are flat for the most part, with a slight slope extending to the southeast, and a steep slope extending to the north, within the top end of the triangle portion of the property. The applicants yard site sits at the highest point of the parcel. Landscaping has occurred over a large portion of the west side of the property including the installation of retaining walls south of the residence and east of the shop. There is also a large, fenced compound, east of the shop, that is used for personal storage. Spruce trees have been planted along the full south boundary, north of the existing driveway, north of the yard site, and east of the compound, with aspen groves in the far north corner and along the east boundary between the applicant and the adjacent landowner.

## **Existing Development**

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### **Balance Parcel**

The balance parcel, outside of the residence and attached garage, contains several accessory buildings, including a large shop and greenhouse along with a small portion of a private fenced storage yard.

**NOTE:** Council required the portion of the storage compound, within the area proposed to be surveyed out as the “30.0m Future Road (Undeveloped)” on the applicant’s site plan, to be removed from the Future Road, as a condition of the subdivision approval.

**NOTE:** Council further required that the existing sea-can, and the horse shelter, not able to meet the setbacks to the “future road”, also to be removed from the property, as indicated on the applicant’s attached site plan, as a condition of the subdivision.

## **Reserve Dedication**

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### **Municipal Reserve**

The Subdivision Approving Authority may wish to consider the following with regards to the provision of reserves:

Reserves to be provided by cash in lieu of land for the existing 19.42 acre parcel, in accordance with subsections 666(1) and 666(2) of the Municipal and School Reserves section of the Municipal Government Act and the County’s Public Reserve Policy, adopted April 18<sup>th</sup>, 1996.

## **PURPOSE OF REQUEST**

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Requesting approval from the Subdivision Approving Authority for the application which proposes the subdivision of one 8.40 +/- acre Country Residential Sub-District “A” lot with an approximate 9.22 +/- acre Country Residential District balance parcel from Plan 6600JK, Block 2, PTN. SE 03-22-29 W4M.

| <b>CIRCULATION REFERRALS</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REFEREE</b>                           | <b>COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>INTERNAL</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Public Works                             | <p>Public Works has requested the following be completed for the proposed lot, as conditions of the subdivision approval:</p> <ol style="list-style-type: none"> <li>1. Building Envelopes for new lot;</li> <li>2. Septic Disposal Evaluation for new lot;</li> <li>3. Five metres road widening along the west boundary of 44<sup>th</sup> Street East</li> </ol> <p>Public Works provides the following additional comments:</p> <ul style="list-style-type: none"> <li>• Public Works supports surveying out the 30 metre, 1.80 +/- acre area;</li> <li>• All structures and the old driveway are to be removed from the surveyed-out area and all structures are to meet setback requirements to the road area that is to be surveyed out;</li> <li>• Public Works has no concerns with the proposed 15 metre wide panhandle to the balance parcel and is in support of the 15 metre wide acquisition of land in this location;</li> <li>• Public Works has no concerns with the proposed common approach.</li> </ul> |
| GIS/Mapping                              | No concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>EXTERNAL</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| TELUS                                    | TELUS Communications Inc. at this time, has no concerns with the proposed activities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| FortisAlberta                            | We have reviewed the plan and determined that no easement is required by FortisAlberta.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| ATCOGas                                  | ATCO Gas has no need for a Utility Right of Way, currently.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| ATCO Transmissions                       | ATCO Transmission high pressure pipelines has no objections.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Alberta Arts Culture and Status of Women | Alberta Arts, Culture and Status of Women has no objections to the proposed Amendment, but the applicant should be informed that Historical Resources Act approval must be obtained prior to proceeding with any land surface disturbance associated with subdivision development by submitting a Historic Resources Application through Alberta Arts, Culture and Status of Women's Online Permitting and Clearance (OPaC) system                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Alberta Transportation                   | This property is outside of the Alberta Transportation and Economic Corridors control limits as set out in the Subdivision and Development Regulation as it is located greater than 1600 meters from the center line of Highway 2. The Department therefore, has no objections or concerns regarding this proposal, and Section 18 of the Subdivision and Development Regulation would not apply to the subdivision application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>PUBLIC</b>                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Landowners (Adjacent)                    | No letters received prior to the filing of this staff report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## REQUEST OF THE SUBDIVISION APPROVING AUTHORITY

The Subdivision Approving Authority may choose to approve the subdivision of one 8.40 +/- acre Country Residential District Sub-District "A" lot with an approximate 9.22 +/- acre Country Residential District balance parcel from Plan 6600JK, Block 2; Ptn. SE 03-22-29 W4M.

The Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 9 of the Matters Related to Subdivision and Development Regulation and therefore it is recommended that the application be approved as per the tentative plan for the following reasons:

- The application is consistent with Section 9 of the Matters Related to Subdivision and Development Regulation and;
- The subject lands have the appropriate land use designations

In consideration of the criteria noted within the Residential Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
2. It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s), septic tank(s) and field(s) and water well(s) within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
3. Completion of all pre-release conditions as noted in the executed Municipal Development Agreement to the satisfaction of the County and where applicable the appropriate external agencies. These conditions include:
  - a. Payment of \$11,300.00, per new lot, Community Sustainability Fee, as set out in Section 3.03 of the executed Municipal Development Agreement;
  - b. Submission of all required engineering review fees;
  - c. All utility right of way agreements, easements, licenses and installations.
4. Public Reserve: to be provided by cash in lieu of land based on \$67,411.00 per acre on account of 10% of the subject 19.42 acre parcel, as per the Municipal and School Reserves section of the Municipal Government Act and the County's Public Reserve Policy (adopted April 18/96);
5. Road acquisition agreement for the purpose of road dedication, to be executed and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 15.0 metres in width, parallel to the full south boundary of the subject parcel;
6. Road acquisition agreement for the purpose of road dedication, to be executed and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 5.0 metres in width, parallel to the full east boundary (44<sup>th</sup> St. E) of the subject parcel;
7. The 1.80 +/- acres of road dedication, described as "Future Road (1.80 +/- acres)" within the applicant's approved site plan, is to be surveyed out of the existing title, to the satisfaction of the Public Works department;

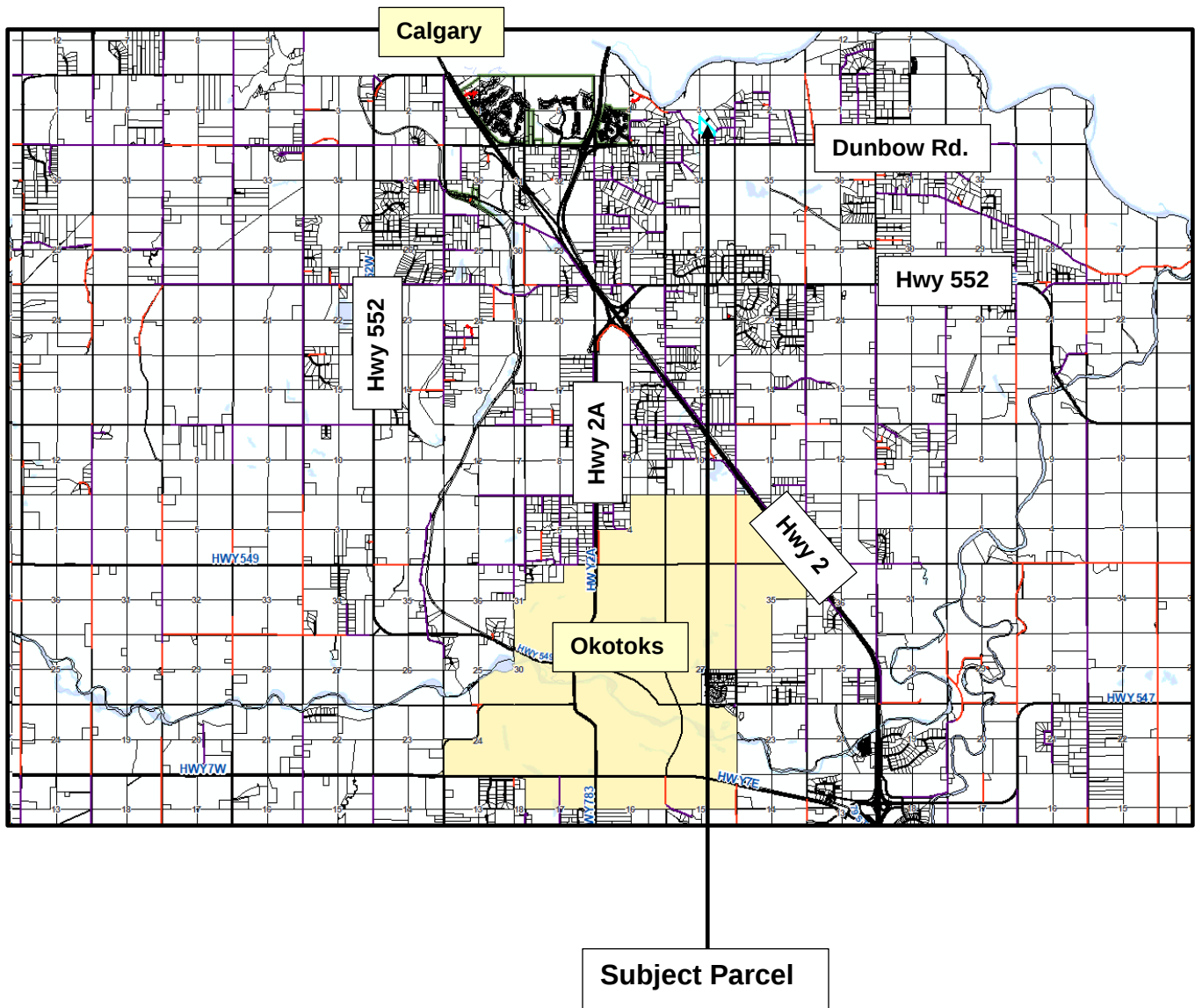
8. Site Plan to be provided, which identifies building envelopes for the proposed 8.40 +/- acre Sub-District "A" lot, which meets the requirements as outlined in Policy 9 under the Residential section of the MDP2010 and Section 17 of the Matters Related to Subdivision and Development Regulation, to be provided to the satisfaction of the Public Works department;
9. Septic Disposal Evaluation, to be provided for the proposed 8.40 +/- acre Country Residential Sub-District "A" 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;
10. Lot Grading/Overland Drainage Plan to be provided for the subject lands, to the satisfaction of the Public Works department;
11. The existing 29.1 square metre sea-can and the existing horse shelter, as illustrated on the applicant's site plan, are to be removed from the property, to the satisfaction of the County;
12. All development and improvements, including that portion of the existing driveway, which are located within the area labelled "Future Road (1.80 +/- acres)", that is to be surveyed out of the applicant's title, are to be removed, to the satisfaction of the Public Works department;
13. The driveway for the proposed 9.22 +/- acre balance parcel, is to be constructed within the 15 metre panhandle proposed for this parcel, to the satisfaction of the Public Works department;
14. All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;
15. Applicant is to comply with all requirements of Alberta Arts, Culture and Status of Women, to the satisfaction of their department, with confirmation of completion provided to the satisfaction of the County;
16. Landowners are to pay all arrears of taxes on the existing parcels prior to finalization of the subdivision; and
17. Submission of subdivision endorsement fees.

## **APPENDICES**

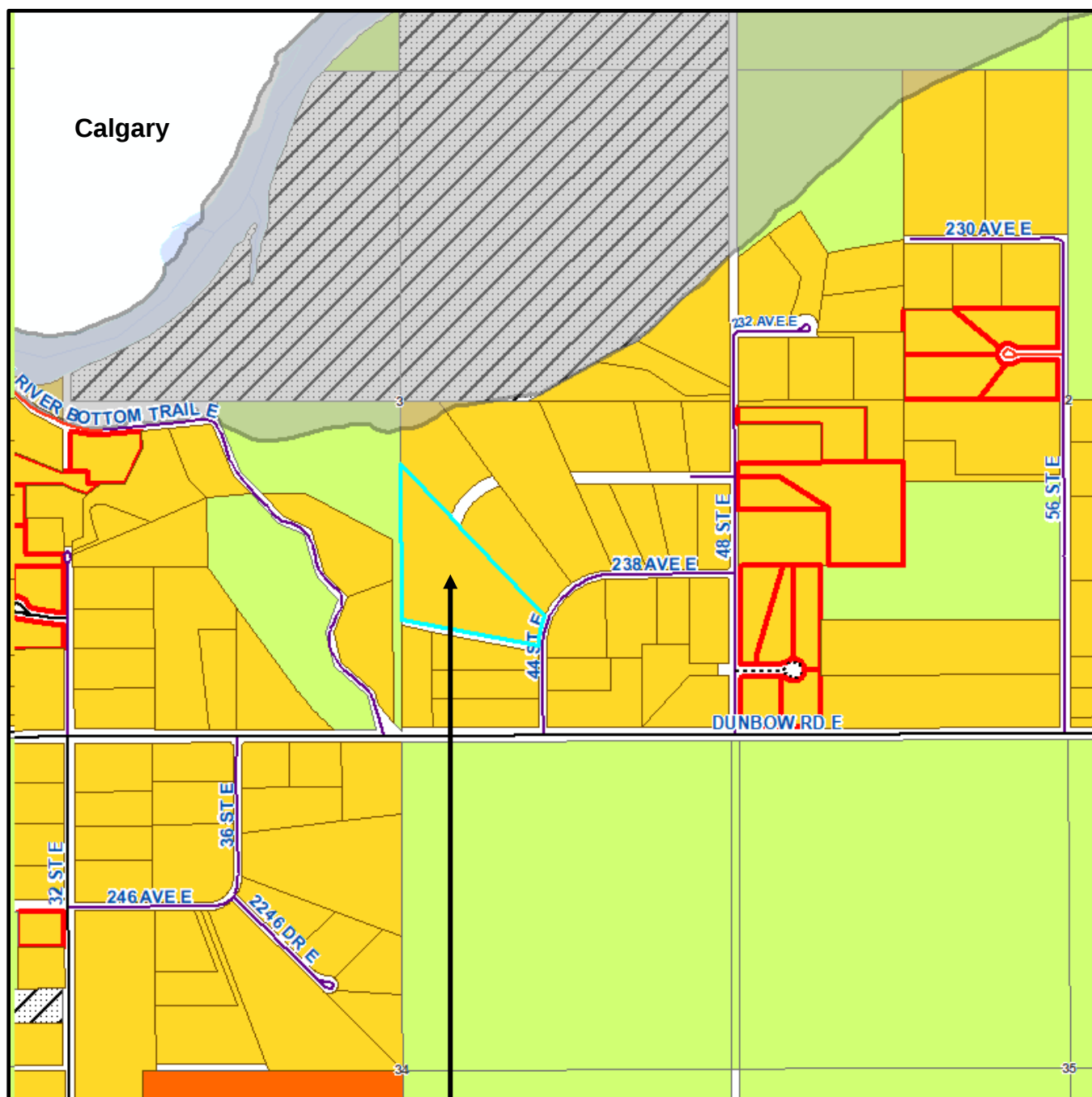
### **APPENDIX A - MAP SET:**

LOCATION MAP  
LAND USE MAP  
LOT SIZES MAP  
SITE PLAN  
ORTHO PHOTO

## APPENDIX A: LOCATION MAP



## APPENDIX A: HALF MILE MAP – LAND USE



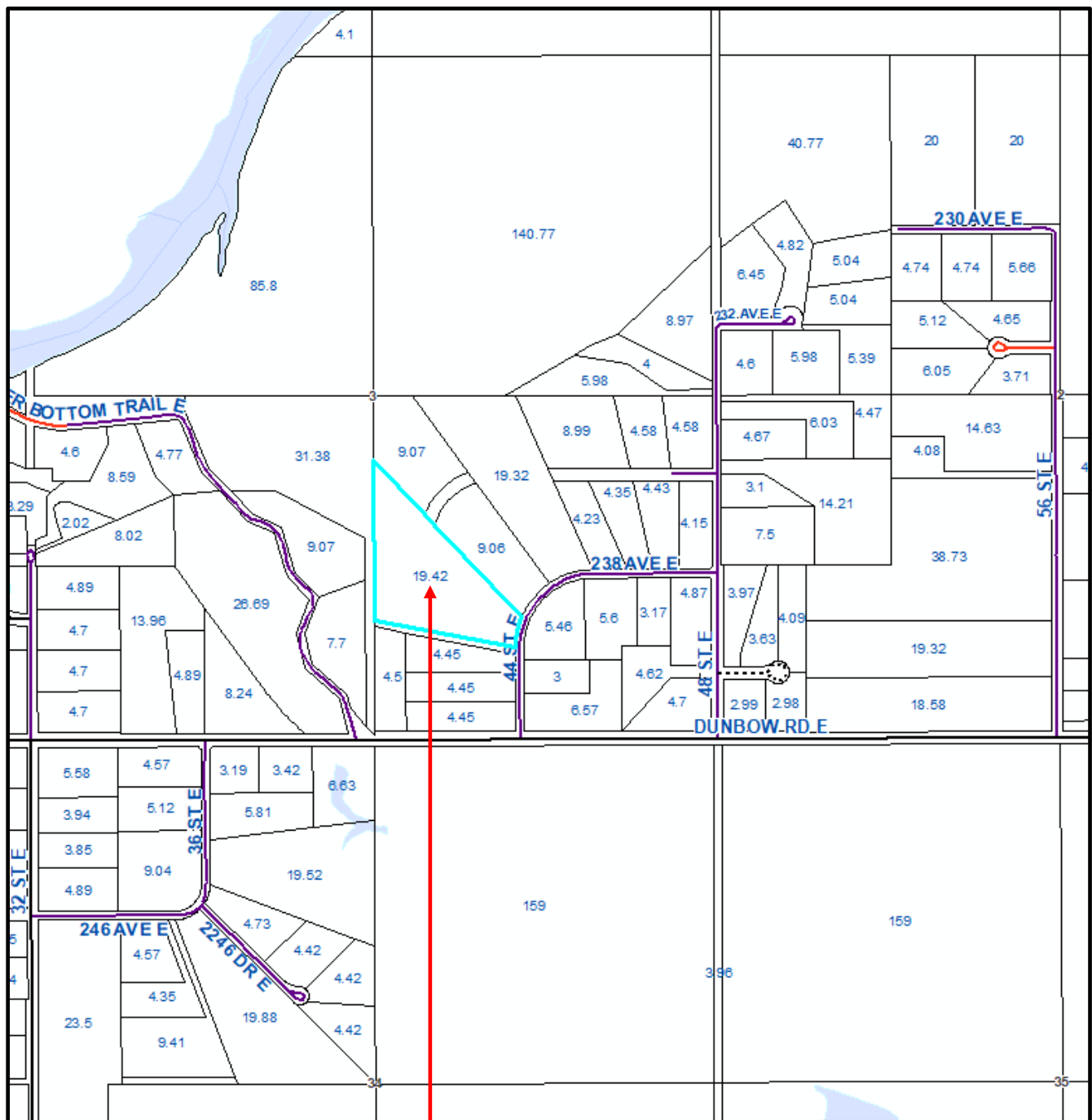
### Legend

- Hard Surface (Chip/oil)
- Gravel
- Developer Pavement
- Pavement
- Flood Hazard Protection District
- In Transition
- A- Agricultural
- AA- Agricultural Sub A

### Subject Parcel

- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- BP- Bussiness Park
- RB- Rural Business
- INR- Natural Resource Extraction
- EP- Environmental Protection
- ER- Environmental Reserve
- MR- Municipal Reserve
- MLR- Municipal Land/Reserve District

# APPENDIX A: HALF MILE MAP – LOT SIZES



Subject Parcel

**TOWNSHIP**  
planning + design inc.

CLIENT  
Janet Marshall

PROJECT NUMBER  
23-023

LEGAL ADDRESS  
Plan 6600LK, Block 2  
SE 3-23-29 W4M

DATE  
February 18, 2025

Site Area  
±19.42 ac (7.85ha)

Site Plan, Land Use Exemption and Subdivision  
for the creation of 1 new Country Residential Lots

SCALE  
1:2000

SHEET  
**OPTION 1**  
SITE PLAN

**Balance**  
9.22ac (3.731ha)

**Lot 1**  
8.40ac (3.403ha)

EXISTING HORSE SHELTER TO BE REMOVED  
30.0m FUTURE ROAD (UNDEVELOPED) SURVEYED OUT (1.89AC)

EXISTING SEACAN 29.1 SQ.M TO BE REMOVED  
EXISTING SHELTER 12.0 SQ.M  
EXISTING GREENHOUSE 95.0 SQ.M  
EXISTING BARN 18.70SQ.M  
EXISTING QUONSET 189.63 SQ.M  
APPROXIMATE LOCATION OF EXISTING WATER WELL  
APPROXIMATE LOCATION OF EXISTING SEPTIC TANK  
EXISTING RESIDENCE  
APPROXIMATE LOCATION OF EXISTING SEPTIC FIELD

EXISTING 15.0m ACCESS R/W  
PROPOSED 15.0m ACQUISITION OF LAND OVER PANHANDLE 1.4310ac (0.533ha)

30 metre wide road dedication to be surveyed out of title, not to be constructed

Common approach

15 metre wide proposed road acquisition over panhandle to balance parcel (crosshatched)

Existing 15 metre wide access right of way surveyed out, south of applicant

Balance 9.22 acre parcel - outlined on the site plan above in red  
Proposed 8.40 acre lot - outlined on the site plan above in yellow  
Sea can and horse shelter proposed to be removed, circled in red on site plan



# PUBLIC RESERVE CALCULATION

## INTEROFFICE MEMORANDUM

DATE: July 23, 2025

TO: Planning Department

FROM: Teresa Lemon

### Public Reserve Amount For Subdivision

File No: F2229-03SE  
 Legal: SE-3-22-29-4, Plan 6600JK Block 2  
 Subject: Marshall, roll #2229030020  
 Parcel Size: 19.42 acres  
 Mkt Zone: 3  
 Trees: Improved Few Mature Trees  
 Views:  
 River/Creek:

### CONCLUSION

Based on the following sales, the fair market value for a 19.42 acre parcel in this area is : **\$67,411** per acre.

| Sale | Mz | Qr | Sec | Twp | Rge | M | Sale Date | Acres | Sale Price | Time Adj | Time Adj Sale Price | Loc Adj | Size Adj | Trees Adj | View Adj | River/Creek Adj | Final Adjusted Sale Price | Indicated Price Per Acre For 19.42 Acs |
|------|----|----|-----|-----|-----|---|-----------|-------|------------|----------|---------------------|---------|----------|-----------|----------|-----------------|---------------------------|----------------------------------------|
| 1    | 26 | S  | 26  | 21  | 01  | 5 | Mar-25    | 14.11 | \$890,000  | 1.00     | \$890,000           | 1.15    | 1.19     | 40000     |          |                 | \$1,257,965               | \$64,777                               |
| 2    | 16 | SW | 13  | 21  | 04  | 5 | Apr-24    | 19.99 | \$625,000  | 1.01     | \$631,250           | 2.10    | 0.98     | 10000     |          |                 | \$1,309,113               | \$67,411                               |
| 3    | 5  | SW | 36  | 20  | 29  | 4 | Jun-24    | 37.50 | \$785,000  | 1.01     | \$792,850           | 1.53    | 0.83     | 40000     |          |                 | \$1,046,840               | \$53,905                               |
| 4    | 16 | SE | 16  | 21  | 04  | 5 | Nov-24    | 14.70 | \$795,000  | 1.00     | \$795,000           | 1.89    | 1.17     | -20000    |          |                 | \$1,737,984               | \$89,495                               |
| 5    | 22 | NE | 04  | 22  | 03  | 5 | Nov-24    | 33.50 | \$855,000  | 1.00     | \$855,000           | 1.46    | 0.86     | -10000    |          |                 | \$1,063,538               | \$54,765                               |
| 6    | 12 | NE | 22  | 22  | 03  | 5 | Jun-24    | 27.92 | \$995,000  | 1.01     | \$1,004,950         | 1.83    | 0.91     | 10000     |          |                 | \$1,683,543               | \$86,691                               |
| 7    | 4  | SW | 32  | 21  | 28  | 4 | Sep-24    | 9.24  | \$675,000  | 1.00     | \$675,000           | 1.60    | 1.45     | 10000     |          |                 | \$1,576,000               | \$81,153                               |

| DEPARTMENT: Legislative Services                                                  |                                                                                                                      |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
|  | TOPIC: 2025/2026 Alberta Community Partnership - Foothills County Regional Wastewater Environmental Assessment Study |
| REPORT PRESENTED BY: Municipal Advisor Harry Riva Cambrin                         |                                                                                                                      |

#### PURPOSE OF REQUEST

To consider a regional wastewater environmental assessment study.

#### BACKGROUND

The partnership between Foothills County and the Town of High River is a collaboration with a history of shared municipal service delivery in areas such as water and wastewater management, regional land use, emergency management, transportation, waste management, and recreation.

Alberta Environment and Protected Areas now require additional impact analysis and river modelling related to potential treated wastewater discharge into the Highwood River.

The regional wastewater environmental assessment study will assess the existing infrastructure and waterbody conditions and develop an infrastructure planning tool. This will provide a critical analysis of wastewater impacts, environmental models, and recommendations that will inform proactive wastewater management strategies and upgrades.

#### REQUEST OF COUNCIL

*Proposed Motion:*

*That Council direct administration to endorse the 2025/2026 Alberta Community Partnership grant application with the Town of High River for a joint wastewater treatment facility.*

#### APPENDICES

Appendix A: Draft Project Description - Regional Wastewater Environmental Assessment Study

## **2025/26 – Alberta Community Partnership – Foothills County Regional Wastewater Environmental Assessment Study**

### **Draft Project Description**

The partnership between Foothills County and the Town of High River is a collaboration with a history of shared municipal service delivery in areas such as water and wastewater management, regional land use, emergency management, transportation, waste management, and recreation.

The partnership recognizes the importance of safe, adequate, and sustainable wastewater management. It aims to ensure it is positioned to address future operational and environmental requirements through the development of a regional wastewater environmental assessment study. The condition of wastewater service delivery infrastructure is a key element of municipal and regional sustainability and is a critical consideration for growth and attracting investment to the region.

Due to the elevated stream sensitivity to temperature fluctuations, Alberta Environment and Protected Areas now requires additional impact analysis and river modelling related to the potential treated wastewater discharge into the Highwood River. The partnership currently lacks comprehensive instream analysis data, which is crucial for providing the partners with river capacity assessment information and options for planning and the collaborative delivery of regional wastewater management services. This aligns with and supports the intermunicipal collaboration framework (ICF) objective, which emphasizes the importance of regional cooperation in delivering vital core municipal services.

The regional wastewater environmental assessment study will assess the existing infrastructure and water body conditions and develop an infrastructure planning tool. This will provide a critical analysis of wastewater impacts, environmental models, and recommendations that will inform proactive wastewater management strategies and upgrades.

Assessment of the regional wastewater system will inform environmental impacts, expansion and planning requirements, priority of the required work, and future considerations for implementation. The expected project outputs are:

1. Data collection, review, and analysis of supporting information, including max flow rates for discharge into the Highwood River that do not negatively impact the environment.
2. River data updates.
3. River modelling that includes flow, dissolved oxygen, temperature, ammonia, and mass balance (i.e., flow rate reduction).
4. Environmental impact analysis and simulations related to wastewater treatment facility expansion.
5. Inflow and infiltration (I&I) capacity analysis. Past flooding events in High River have stressed their Frank Lake Pump Station and Forcemain's capacity. The Town shares this forcemain with a meat processing facility for treated wastewater discharge to Frank Lake. Last summer, both entities were forced to alternate pumping due to high surge flow from rain events. An alternate use solution between the municipality and the meat plant wastewater services will be identified. At a minimum, a portion of the expected I&I will be proposed to be discharged to the river.

6. Preliminary design for an upgraded wastewater treatment facility with suitable discharge locations.
7. Proposal to Alberta Environment and Protected Areas of an alternative treated wastewater discharge to the Highwood River for the two municipalities.
8. Updated 10-year capital plans.

Depending on the results of the river stream modelling, additional work may be undertaken to evaluate potential changes in wastewater quality or discharge conditions to the Highwood River. This could include reassessing discharge flow limits and identifying options for emergency storage.

- Review of Maximum Flows Due to Inflow and Infiltration (Optional). Assess and develop a plan for emergency discharge to the Highwood River under extreme inflow and infiltration conditions during future peak wet-weather events.
- Exfiltration Gallery (Optional). Conduct a site analysis to identify additional storage options, including the feasibility of a new exfiltration gallery, utilization of existing storage ponds, or construction of additional ponds.

The above “Optional” items would only be undertaken if grant funding is successful.

The development and efficient delivery of core municipal services is critical to the viability, economic stability, and quality of life in the region. The regional project will provide comprehensive new or enhanced wastewater information.

## **Draft Council Resolutions**

### **For Project Manager:**

So moved that the **Foothills County** supports the submission of a 2025/26 Alberta Community Partnership grant application in support of the Regional Wastewater Environmental Assessment Study project and is prepared to manage the grant project and related compliance requirements. There is no matching contribution required.

### **For Project Participant(s):**

So moved that the **Town of High River** supports Foothills County's (managing partner) submission of a 2025/26 Alberta Community Partnership grant application in support of the Regional Wastewater Environmental Assessment Study project. There is no matching contribution required.



**MISCELLANEOUS MUNICIPAL ITEM  
REPORT TO COUNCIL  
Municipal Reserve License – Bid Results  
November 12, 2025**

|                                                                                                                                                  |                                |                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------|
| Application information                                                                                                                          |                                | File: PL1828-SE02 |
| <b>LEGAL DESCRIPTION:</b><br>Municipal Reserve located within SE 02-18-28 W4M; Plan 2111089, Blk 1, Lot 1MR containing 86.24 acres more or less. |                                |                   |
| <b>LANDOWNER:</b> Foothills County                                                                                                               |                                |                   |
| <b>PROPOSAL:</b> Municipal Reserve License – Bid Results                                                                                         |                                |                   |
| <b>DIVISION NO:</b> 1                                                                                                                            | <b>COUNCILLOR:</b> Rob Siewert |                   |
| <b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator                                                                                 |                                |                   |

## LOCATION

The Municipal Reserve parcel is located approximately 9 km northeast of the Hamlet of Cayley, 6 km east of Hwy 2 along 184 St. E, adjacent to the Little Bow River.

## BACKGROUND

### History

This parcel was purchased through the AEPA FREC program in 2018 and as such, is not suitable for further development.

### December 2020:

Council instructed administration to accept bids to license this parcel for the purpose of stewardship and grazing. We received 4 bids, and the license was awarded to Ferra Ag Inc. for 5 years at the rate of \$52/acre (\$4,539.60 per year). This License expires **December 31, 2025**.

### August 5, 2025

The previous Licensee, Ferra Ag., submitted a letter to request Council consider renewing the license for a further five-year term on the same terms and conditions, with the yearly fee to increase from \$4,539.60 to \$5,250.00 (\$60.90/ac).

### August 27, 2025:

After reviewing the applicants request, Council directed administration to proceed with advertising to accept bids to license the 86.2-acre Municipal Reserve parcel.

The Notice of Intent was published in two editions of the Western Wheel (October 8 & October 15, 2025) and was advertised on our website. In response to the Canada Post strike, we contacted adjacent landowners by telephone and email, as we were uncertain whether the mailed Notice of Intent would be delivered in a timely manner.

Four submissions were received, and are attached as Appendix B for your reference:

**1) Ferra Ag. Inc.**

- \$6,375 (\$~73 per acre/yr)
- Adjacent landowner directly east of the MR
- Light grazing & haying
- Proposed five year term

**2) Joel & Annika Stewart**

- \$6,000 (\$69.5 per acre/yr)
- Adjacent landowner directly north of the MR
- Grazing & Stewardship
- Proposed 10 year term

**3) Norman Ross & Jennifer Lewis**

- \$3,017 (\$35 per acre/yr)
- Provide water to livestock through permission access from adjoining land.
- Grazing and Stewardship
- Proposed 10 year term

**4) Pat McGaffey**

- \$3,448 (\$40 per acre/yr)
- Grazing and Stewardship
- Proposed 5 year term

**REQUEST OF COUNCIL**

Council may wish to consider one of the following options:

**Option A:**

Direct administration to accept one of the 4 bids received, at the price offered by the proponent, and for a term deemed appropriate by council.

*Suggested wording:*

To direct administration to proceed with entering into a Licensing Agreement with \_\_\_\_\_.  
for the +/- 86.2 acre Municipal Reserve, being legally described as SE 02-18-28 W4M; Plan 2111089, Blk 1, Lot 1MR with the following terms:

Proposed Term: \_\_\_\_ years

Yearly Licensing Fee: \$\_\_\_\_\_

Purpose: \_\_\_\_\_

Proposed Management Plan: Weed management

Access to the public will be denied

**Option B:**

Direct administration to gather further information to support their decision.

**Option C:**

Direct administration to reject all submitted bids, at this time.

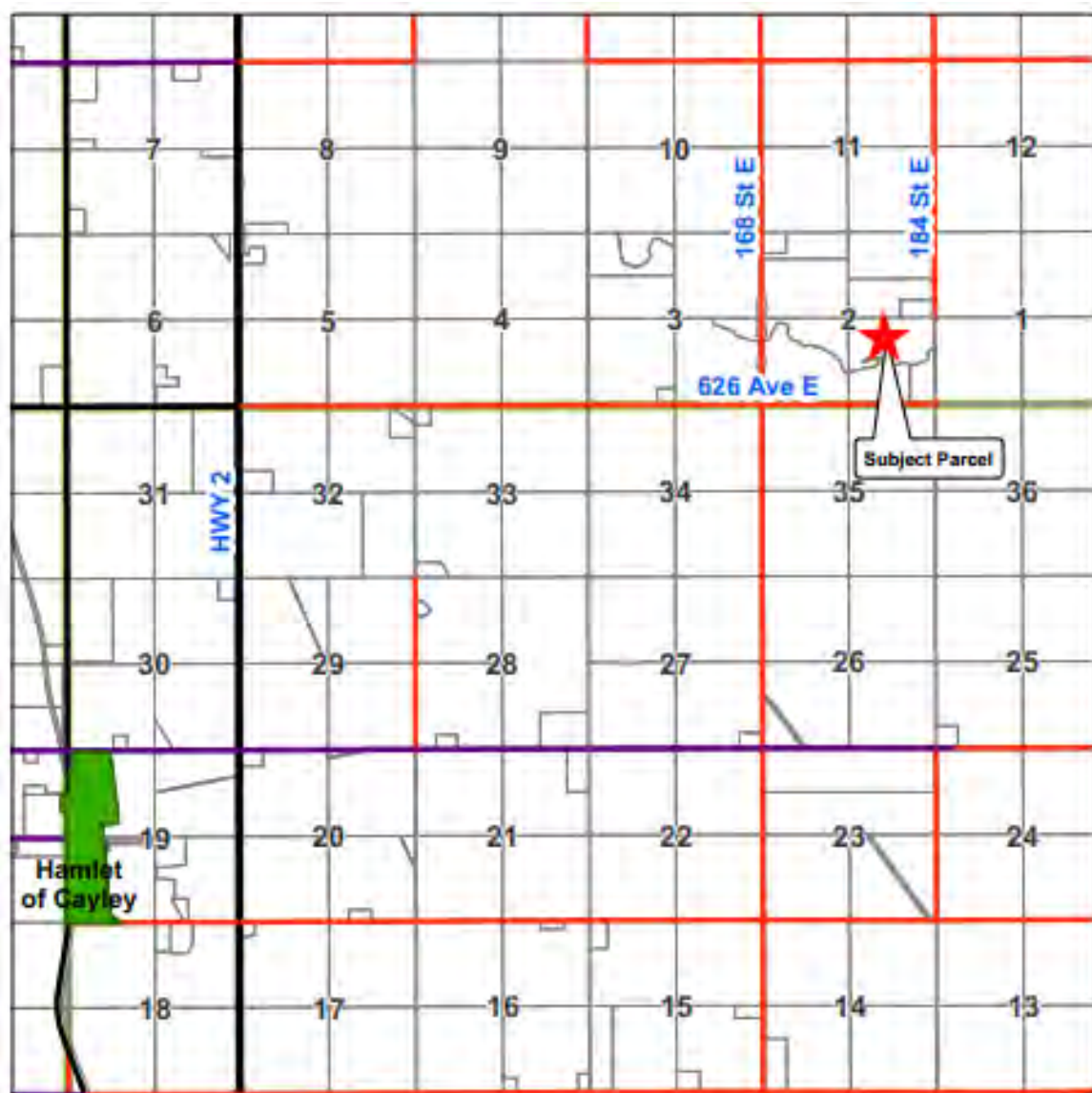
## APPENDICES

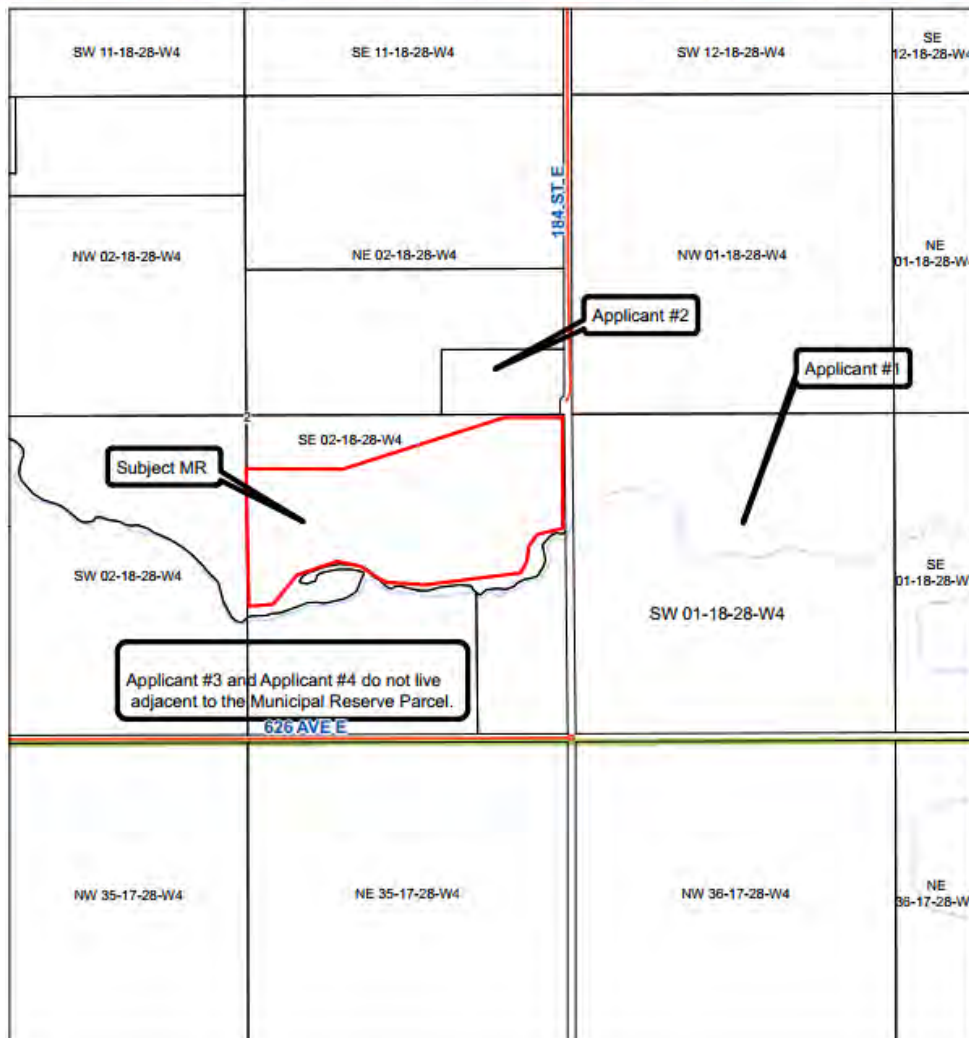
### APPENDIX A - Location Maps & Photos

#### APPENDIX B – Bid Letters

- 1) Ferra Ag Inc.
- 2) J. Stewart
- 3) N.R., & J. Lewis
- 4) P. McGaffey

### APPENDIX A: LOCATION MAPS & PHOTOS







**Looking Southwest from property entrance**



**Looking South from property entrance**

## APPENDIX B: Request Letters



### **Ferra Ag. Inc.**

Box 5820

High River, Alberta T1V 1P3

Office Phone: (403) 652-5227

Cell Phone: [REDACTED]

Oct. 20, 2025

Foothills County

309 Macleod Trail, Box 5605

High River, AB T1V 1M7

*RE: Municipal Reserve Licence/Re-Lease Request for SE 02-18-28W4M; North of Little Bow River*

Ferra Ag. Inc. is submitting this proposal to re-lease the 87.3± acres in the SE 02-18-28W4. As the current Lessee, we are keenly invested in the well-being of this land and have been excellent stewards of the property over the duration of our present lease. We have consistently paid rent on time, abided by all lease terms, and are willing to pay administrative fees as part of this process.

We have used the Municipal Reserve for light grazing and have only baled the existing hay and grass fields twice in the 5 years we have leased the land. We have cycled portions of our herd in for grazing for 1 to 4 months each year, depending on conditions. We have been mindful to avoid overgrazing, particularly when facing drought years. Areas under stress during droughts, such as hillsides, have been temporarily fenced off using electric fencing when necessary. We have checked and maintained permanent fences regularly and will continue to do so. In addition to this careful stewardship of the native grasses and other vegetation, we have opened the area to some respectful community members, permitting field training of high-performance dogs in the area, demonstrating a community-minded approach that does not endanger the land.

Ferra Ag. Inc. still owns the land (SW 01-18-28W4) directly east of this Municipal Reserve. A director of the company, Eric Jones, owns the acreage directly south of and overlooking the Municipal Reserve, and currently lives there with his wife and five children, providing easy access to, as well as consistent visual monitoring of, the area. Ferra Ag. Inc. manages a cow-calf herd, currently at 100 head, on the 9 continuous quarters that adjoin the above Municipal Reserve.

Ferra Ag. Inc. is offering a 5-year term for the lease. Further, we are interested in longer lease times, if such terms are attractive to the Municipal District. We propose the yearly lease fee increase to \$6375.00 (~\$73/ac), also open to negotiation. The lease will continue to be included in our existing farm insurance that has \$5MM Public Liability.

Yours Truly,

**Auburn Phillips Jones on behalf of Lori Jones for**

**Ferra Ag. Inc.**

*Appended please find I) a copy of the current lease and II) our initial proposal from 2020*



**To Whom It May Concern,**

We are writing to formally express our interest in leasing the municipal reserve parcel located at **SE 02-18-28 W4M; Plan 2111089, Block 1, Lot 1MR.**

As adjacent landowners residing at **NE 02-18-28 W4M, Plan 9310699, Lot 2 (601107 184 St E)**, we have a direct and vested interest in this parcel. Access to the municipal reserve is through an easement on our property, and notably, the water well that services our residence is situated on this reserve. These factors contribute to our strong connection and responsibility toward the stewardship of this land.

As a young family with three small children, we are actively working toward establishing a small-scale agricultural operation to raise our children with this valuable experience as we ourselves were raised. Our intention is to utilize the parcel for **grazing and stewardship purposes**, supporting a modest number of livestock and ensuring the land is responsibly maintained.

**Proposal Summary:**

- **Bid Amount:** \$6,000 per year
- **Intended Use:** Grazing and land stewardship
- **Proposed Management Plan:**
  - Support 6–8 cow/calf pairs, depending on field conditions
  - Implement rotational grazing as necessary to maintain forage health
  - Proactive weed management, including control of invasive and noxious species
  - Regular maintenance of all fencing and gates
- **Preferred Term:** 10-year lease (open to alternative term lengths as per Council's preferences)

We are committed to maintaining the ecological integrity of the land while contributing to the local agricultural landscape. We appreciate your time and consideration of our proposal and look forward to the opportunity to discuss this further.

Sincerely,  
**Joel and Annika Stewart**

**Nicole Poffenroth**

---

**From:** Ross-Jenn Lewis [REDACTED]  
**Sent:** October 21, 2025 1:58 PM  
**To:** FCLands  
**Subject:** Bid for municipal reserve

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello Donna,

Please find below my bid for the Municipal Reserve Located at SE-02-18-28 W4M: Plan 211089, Blk 1, Lot MR containing 86.2 acres.

**Bid** - \$35/ Acre = 86.2 acres x 35 = \$3017.00

**Purpose** - Livestock grazing

**Legal Address of the Municipal Parcel** - SE-02-18-28 W4M: Plan 211089, Blk 1, Lot MR

**Legal Address of Applicant** - NW4-19-1-W5M in Foothills County

**Proposed manage plan** - I am under the impression that water is an issue on this parcel, I have a plan in place to provide water to livestock through permission access on adjoining land from Lucille Akitt. The land would be grazed from June - October of each year or until the grass would bear, depending on the year. I would stock it with roughly 15 cow/ calf pairs.

**Proposed term** - 10 years or the maximum number of years available.

Regards,

Norman Ross Lewis and Jennifer Lewis

[REDACTED]

[REDACTED]

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



October 21, 2025

## Proposal for Licensing Municipal Reserve Parcel

Dear Foothills County Council,

I am thrilled to submit my proposal to license a portion of the Municipal Reserve Parcel located at SE 02-18-28 W4M; Plan 211089, Blk 1, Lot 1MR, which contains 86.2 acres. I appreciate the opportunity to contribute to the stewardship of this land while aligning with the Council's guidelines and objectives. Let's explore the details!

### Proposal Details

#### 1. Bid Amount:

- Offer: \$40 per acre annually
- Total: \$3,448 for the 86.2 acres

#### 2. Purpose of License:

- Primary Use: Sustainable grazing and land stewardship to enhance soil health and biodiversity.

#### 3. Legal Addresses:

- Municipal Parcel: SE 02-18-28 W4M; Plan 211089, Blk 1, Lot 1MR
- Applicant Address: Alberta Supreme Meats Inc. 118- 8989 Macleod tr. SW, Calgary, Alberta T2H 0M2

#### 4. Proposed Management Plan:

- Land Management: Implement rotational grazing practices to prevent overgrazing.
- Environmental Practices: Use of environmentally friendly techniques to maintain and improve land quality.

#### 5. Proposed Term of License:

- Duration: 5 years, with an option for renewal based on mutual agreement and review.

Owner [REDACTED] Pres. [REDACTED] CFO [REDACTED]  
VP HR [REDACTED]  
PH: Pat Sr. [REDACTED] /Pat Jr. [REDACTED] /Bud [REDACTED] /Greg [REDACTED]



#### Actionable Steps:

- Review the Proposal: Ensure it meets the regulations.
- Site Assessment: I am open to conducting a joint site visit to discuss any specific requirements.

#### Alternative Perspectives:

- While the primary focus is on grazing, other purposes like cultivation or ecological restoration might also be viable. Each option offers unique benefits and challenges that could be explored further.

#### \*\*Looking Forward\*\*:

I am eager to bring my expertise and dedication to this endeavor, ensuring the land is managed responsibly and sustainably.

Best regards,

Pat McGaffey  
Owner/CEO  
Alberta Supreme Meats Inc.

cc. Patrick McGaffey, Bud McGaffey, Greg McGaffey

Owner [REDACTED] Pres [REDACTED] CFO [REDACTED]  
VP HR [REDACTED]  
PH: Pat Sr. [REDACTED] /Pat Jr. [REDACTED] /Bud [REDACTED] /Greg [REDACTED]



**MISCELLANEOUS MUNICIPAL ITEM  
REPORT TO COUNCIL  
Municipal Agricultural Parcel License – Bid Result  
November 12, 2025**

|                                                                                                                                                                                                                                                                  |                                 |                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------|
| Application information                                                                                                                                                                                                                                          |                                 | File: PL18-29NE |
| <b>LEGAL DESCRIPTION:</b><br>Municipally owned parcels located within:<br>A) NE 32-18-29 W4M containing 127.89 acres more or less;<br>B) Ptn N 33-18-29 W4M containing 13.1 acres more or less; and<br>C) Ptn SE 03-19-29 W4M containing 105 acres more or less. |                                 |                 |
| <b>LANDOWNER:</b> Foothills County                                                                                                                                                                                                                               |                                 |                 |
| <b>PROPOSAL:</b> Municipaly owned agricultural parcels – Bid Result                                                                                                                                                                                              |                                 |                 |
| <b>DIVISION NO:</b> 2                                                                                                                                                                                                                                            | <b>COUNCILLOR:</b> Benita Estes |                 |
| <b>FILE MANAGER:</b> Donna Fowler, Municipal Lands Administrator                                                                                                                                                                                                 |                                 |                 |

## LOCATION

The municipally owned agricultural parcels are located approximately 3 km west of the Town of High River and 1.6km South of Coal Trail.

## BACKGROUND

### History:

Foothills County purchased these agricultural parcels in 2019 from Western Feedlots, with the intention to mine them for gravel in the future.

### December 2020:

Council instructed administration to accept bids to license these parcels for the purpose of cultivation. We received 5 bids and the licenses were awarded to Mike Macklin for 5 years at a rate of \$106/acre (\$26,074.94 per year). This license expires **November 30, 2025**.

### May 28, 2025:

The applicant submitted a letter, to request Councils consideration to renew the license for a further five-year term at the rate of \$121.90/acre (\$29,986.18/year).

### June 11, 2025:

After reviewing the applicants request, Council directed administration to proceed with advertising to accept bids to license the Municipal Agricultural parcels.

The Notice of Intent was published in two editions of the Western Wheel (October 8 & October 15, 2025) and was advertised on our website. In response to the Canada Post strike, we contacted adjacent landowners by telephone and email, as we were uncertain whether the mailed Notice of Intent would be delivered in a timely manner.

One submission was received from Mike Macklin, to license the subject agricultural parcels for \$176.00/acre (\$43,294.24) per year for a period of 3 – 10 years for the purpose of cultivation and stewardship.

Mr. Macklin is aware of the possibility of early cancellation of a portion of the licensed land should the County be ready to proceed with gravel extraction. The Licensing Agreement allows for this possibility, and the Licensee would receive a proportionate share of the licensing fee back, should this happen prior to the expiration of the licensing term.

## **REQUEST OF COUNCIL**

If Council is amenable to the proponents offer, direct administration to accept the bid submission from Mike Macklin to license the municipal agriculture parcels, being legally described as:

1. NE 32-18-29 W4M containing 127.89 acres more or less;
2. Ptn N 33-18-29W4M containing 13.1 acres more or less, and
3. Ptn SE 03-19-29W4M containing 105 acres more or less

For cultivation and stewardship with the following conditions:

Proposed Term: \_\_\_\_ years

Yearly Licensing Fee: \$43,294.24

Purpose: Cultivation and Stewardship only

Proposed Management Plan: Weed Management

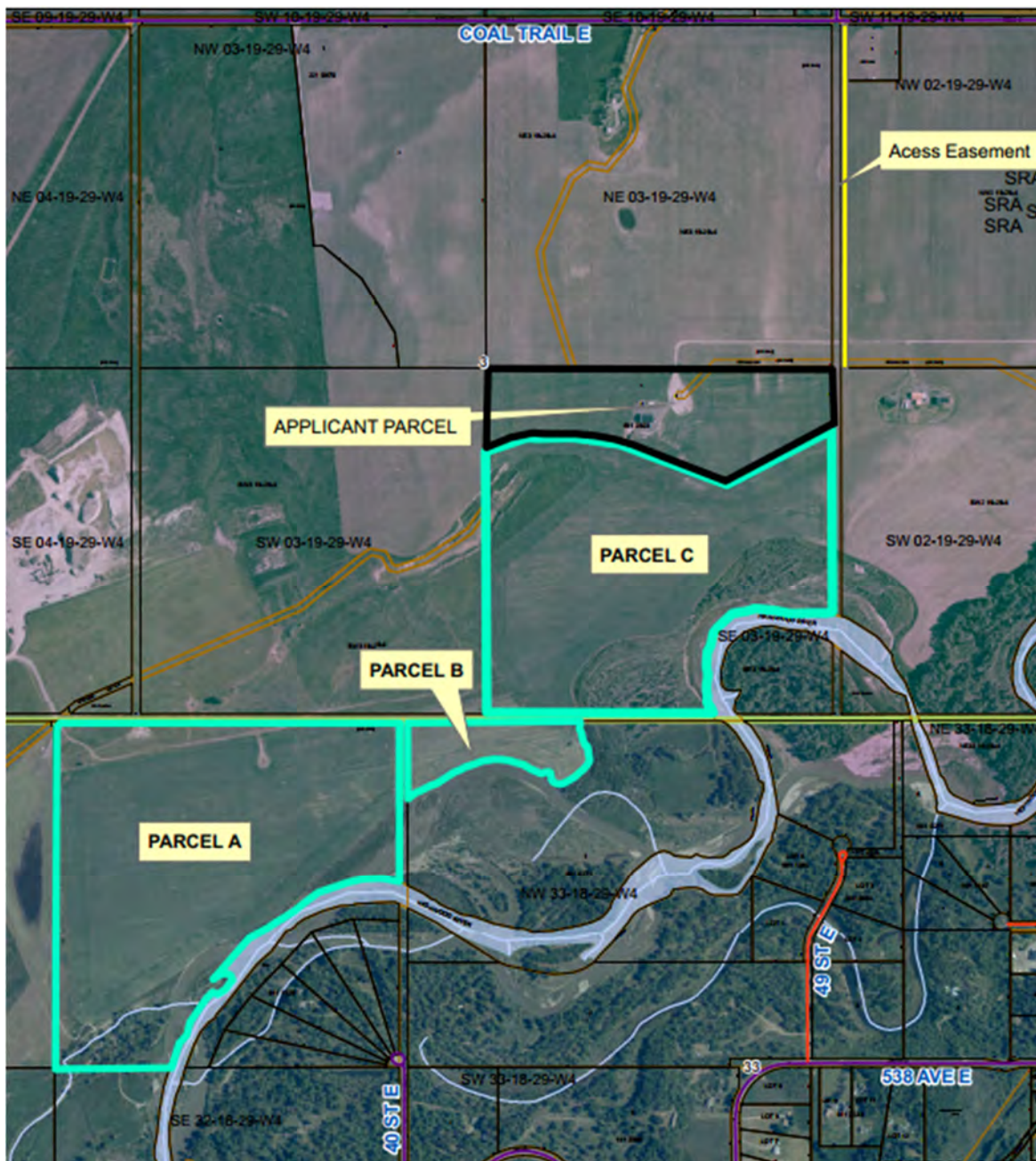
Access will be denied

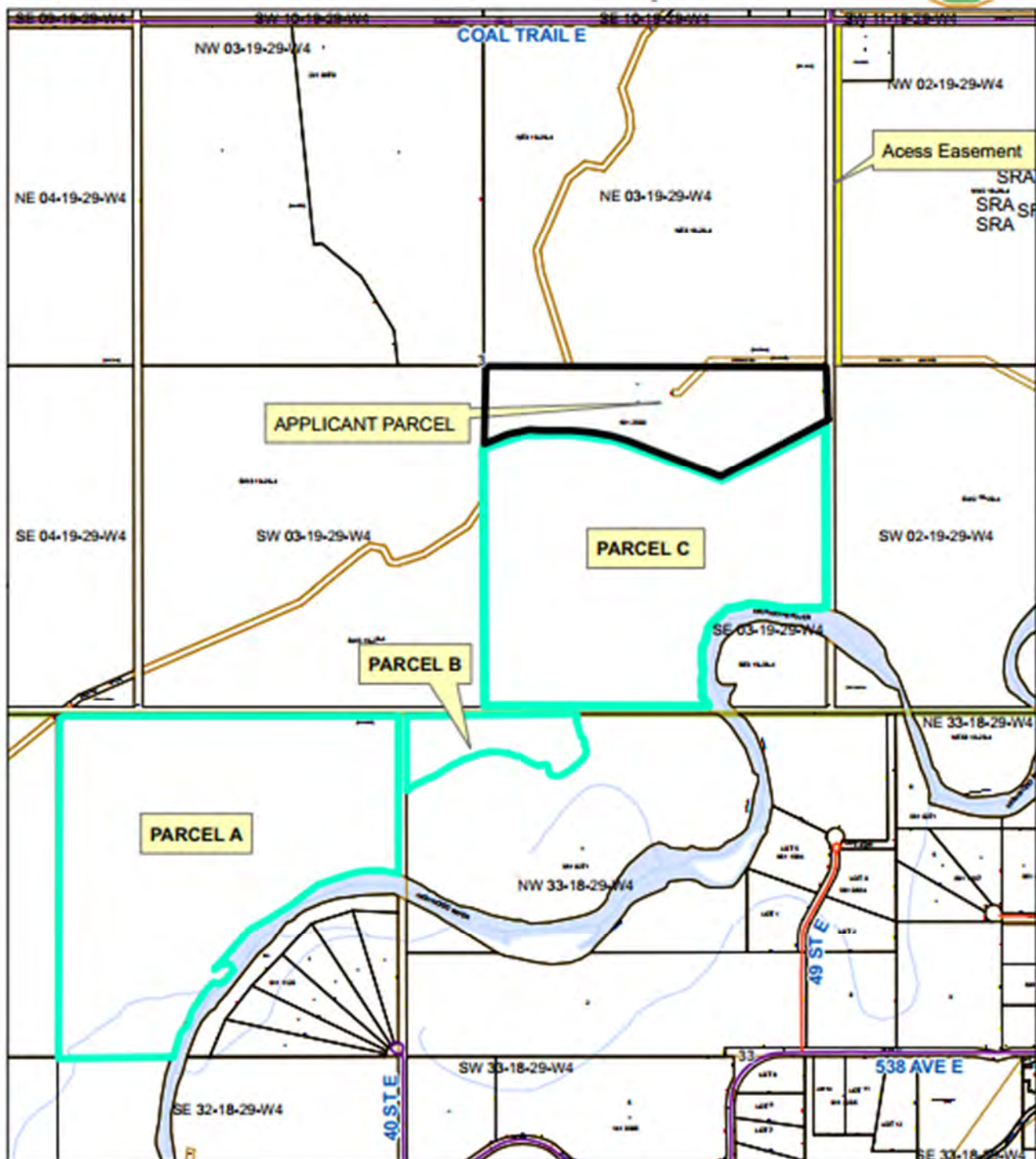
## **APPENDICES**

### **APPENDIX A – Location Maps**

### **APPENDIX B – Bid Letter - M. Macklin**

**APPENDIX A:  
LOCATION MAPS**





## APPENDIX B:

### Bid Letter - M. Macklin

**Subject:** Proposal for Lease of Municipal Lands – Foothills County

**To:** Council of Foothills County

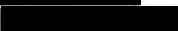
**Attn:** Donna Fowler

**From:**

Michael Macklin



Phone:



Re: Municipal Lands for Lease

#### **Legal Land Descriptions:**

- NE 32-18-29-W4M (127.89 acres)
- N 33-18-29-W4M (13.1 acres)
- SE 03-19-29-W4M (105 acres)

**Total:** 245.39 acres

#### *1. Experience and Background*

I have dedicated my life to farming and ranching, with 59 years of hands-on experience in the industry. Currently, I manage approximately 1,100 acres of cereal crops in the High River area. My own property, located at SE 03-19-29-W4M, borders the north side of the lands under consideration for lease.

#### *2. Stewardship and Land Improvement*

Over the past five years, I have held the lease for these municipal lands. During this period, I have implemented sustainable farming practices focused on soil health and organic matter enhancement. The land, previously affected by flooding and characterized by silty soil, has shown marked improvement in fertility and crop yield. If selected for renewal, I will continue these practices to maintain and further improve the productivity of the land.

#### *3. Proposed Lease Term*

I respectfully request a lease term of at least three years, with a preference for five years. Ideally, a ten-year lease would provide stability for both parties, allowing for effective long-term land management and accommodating the natural variability in agricultural production.

#### *4. Lease Fee Proposal*

I propose an annual lease rate of \$176 per acre. For a total of 245.99 acres, this amounts to \$43,294.24 per year.

**Calculation:** \$176/acre × 245.39 acres = \$43,294.24

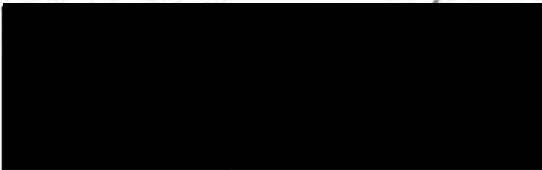
*5. Conflict of Interest Declaration*

I confirm that I have no conflicts of interest with the Town of High River, Foothills County Council, management, or employees.

Thank you for considering my proposal. I am available to discuss any aspect of this application and look forward to the opportunity to continue stewarding these lands.

**Sincerely,**

Michael Macklin

A large black rectangular redaction box covers the signature area. A small blue mark is visible below the box.

|                                                                                   |                                                                           |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <b>DEPARTMENT: Legislative Services</b>                                           |                                                                           |
|  | <b>TOPIC: Request to Remove 'No Parking' Signs on Millarville Landing</b> |
| <b>REPORT PRESENTED BY: Councillor Laura Kendall</b>                              |                                                                           |

#### PURPOSE OF REQUEST

To consider a resident's request to remove the 'No Parking' signs recently installed on Millarville Landing.

#### BACKGROUND

On September 24, 2025, Council provided 1<sup>st</sup> reading to Bylaw 60/2025 as written below.

#### Bylaw 60/2025

Bylaw 60/2025 was introduced into the meeting to authorize a 'No Parking' Zone and the installation of three (3) No Parking (RB-51) signs along the south side of Millarville Landing, within the Hamlet of Millarville.

On October 1, 2025 Council provided 2<sup>nd</sup> and 3<sup>rd</sup> reading to Bylaw 60/2025.

#### REQUEST OF COUNCIL

*Proposed Motion:*

*That Council consider providing 1<sup>st</sup> reading to Draft Bylaw XX/2025 to repeal Bylaw 60/2025.*

#### APPENDICES

Appendix A: Letter of Request – Dated October 28, 2025  
Appendix B: Bylaw 60/2025  
Appendix C: Draft Bylaw XX/2025 to repeal Bylaw 60/2025

October 28, 2025

**Laura Kendall**  
Foothills County  
309 Macleod Trail  
High River, Alberta  
T1V 1M7

**Re: Request for Removal of Recently Installed "No Parking" Signs**

Dear Councillor Kendall,

I am writing on behalf of the signed residents of Millarville Landing to express our concerns regarding the recently installed "No Parking" signs on Millarville Landing, Millarville. We have been informed that the decision to install these signs was made in response to a complaint, and it appears that no further investigation was conducted to determine whether the issue was shared by other residents in the area.

As residents and neighbors of Millarville, we can confirm that parking has never been a problem on this street. It is disappointing that taxpayer funds were used to install signage without a thorough review of the broader community's needs or opinions.

Additionally, the new signs are an unnecessary blight obstructing the natural and beautiful view of our surroundings.

Understanding that you are a new councillor and not responsible for this, we respectfully request that the Foothills County Council review this matter and consider removing the "No Parking" signs. We also ask that future actions based on individual complaints be properly investigated, with input sought from affected residents before any decisions are finalized.

Thank you for your time and attention to this matter. I look forward to your response and to a fair resolution that reflects the views of our community.

Sincerely,

*Jan & Dale Tranberg - 11 Millarville Landing*  
 - 13 MILLARVILLE LANDING

*Jason & Kristen Parker - 15 Millarville Landing*

*Susan & David Yawching - 14 MILLARVILLE LANDING*

*Craig & Samantha McCulloch - 9 MILLARVILLE LANDING*

*Russ & Brenda Eastwood 6 Millarville Landing*

*K + BRIGITTE LITTLEWOOD - 4 MILLARVILLE LANDING*

*Jan & Jamie Wehman 3 Millarville Landing*

**BYLAW 60/2025**

**BEING A BYLAW OF FOOTHILLS COUNTY IN THE PROVINCE OF ALBERTA, TO  
AUTHORIZE THE ERECTION OF TRAFFIC CONTROL SIGNS**

**WHEREAS** it is deemed advisable that a 'No Parking' Zone and the installation of signage be erected.

**AND WHEREAS** pursuant to the provisions of the Traffic Safety Act, being Chapter T-6, R.S.A. 2000, and amendments thereto, the Council of Foothills County in the Province of Alberta, enacts as follows:

1. That Council authorize a 'No Parking' Zone and the installation of three (3) No Parking (RB-51) signs along the south sides of Millarville Landing, within the Hamlet of Millarville.
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: September 24, 2025

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

SECOND READING: OCT 01 2025

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

THIRD READING: OCT 01 2025

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 1 day of October 2025.

## **BYLAW XX/2025**

**BEING A BYLAW OF FOOTHILLS COUNTY TO REPEAL BYLAW 60/2025 BEING A  
BYLAW TO AUTHORIZE THE ERECTION OF TRAFFIC CONTROL SIGNS**

**WHEREAS** Section 191(1)(2) of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended, provides that Councils may repeal a bylaw;

**AND WHEREAS** Bylaw 60/2025 to authorize a 'No Parking' Zone and the installation of three (3) No Parking (RB-51) signs along the south sides of Millarville Landing, within the Hamlet of Millarville was given third and final reading on October 1, 2025.

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

1. Bylaw 60/2025, being a Bylaw of Foothills County to authorize a 'No Parking' Zone and the installation of three (3) No Parking (RB-51) signs along the south sides of Millarville Landing, within the Hamlet of Millarville is hereby repealed upon this bylaw coming in to effect.
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       .