



Application for Amendment to Land Use Bylaw

Foothills County

www.foothillscountyab.ca

309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

Email: planning@foothillscountyab.ca

Note: An Application Fee of \$ 3100.00 shall accompany this application.

Date Received: 444189 Receipt No. Sept 18/25

THIS SECTION TO BE COMPLETED IN FULL BY THE APPLICANT

I, Nuno and Cherie Canario
Name of Registered Owner (please print)

hereby certify that I am the registered owner of the land described above and authorize

Luke Waldner to act as agent in the matter.
Name of Agent (please print)

PLEASE ACCEPT THIS APPLICATION REGARDING LEGAL LAND DESCRIPTION

All/part of the SW 1/4 sec. 6 twp. 20 range 1 west of 5 meridian.

Being all parts of lot _____ block _____ Reg. Plan No. _____ C.O.T. No. _____

TO: (Choose One)

Redesignate from _____ to _____

Amend the Land use Bylaw by amending the Country Residential land use rules to allow for the future subdivision of 2.4-5acre +/- acre Country Residential Lots
leaving the balance in the existing dwelling lot.

Size of existing parcel(s) 20 acres Size of proposed parcel(s) 4.0-5.0 +/- acre

The reasons for the (redesignation) (amendment) are as follows:

- We purchased this property in 2013 with the long-term vision of establishing a retirement home on the hilltop,
- taking advantage of the panoramic views and natural features of the land. Subdivision of the parcel will allow this Dream to be realized while also
- preserving the existing home for the next generation, ensuring continuity of family use and stewardship of the land.

I certify that the information given on this form and attachment hereto are full and complete and is to the best of my knowledge a true statement of the facts concerning this application.

Date Sept 18, 2025

Signature [Redacted]

Landowner Information

Phone No. [Redacted]

Address: [Redacted]

[Redacted]

I consent to receive documents by email: Yes Yes ___ No

Email Address [Redacted]

Agent Information

Phone No. [Redacted]

Address: [Redacted]

[Redacted]

I consent to receive documents by email: YES Yes ___ No

Email Address [Redacted]

Right of Entry

I, being the owner or person in possession of the above described land and any buildings thereon consent to an authorized person designated by Foothills County to enter upon the land for the purpose of inspection during the processing of this application.

Sept 18, 2025
Date [Redacted]

Is there an access or safety concern with respect to a site inspection: ___ Yes NO No

If yes, please clarify:

****Important Note: Applications must be received with original signed signature. Photocopies, faxes and emails will not be accepted.**

DISCLAIMER: Please note that the personal information collected on this form is authorized under the Municipal Government Act and is required for the purpose of the County's Planning and Development processes. This information may also be shared with appropriate government agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP), if you have any questions about the collection and use of this information, please contact the Municipal Planner at 403-652-2341.

SW 6-20-1 W5M (North 330')
418134 96st W, Foothills AB T1S6A5
Municipal District of Foothills No. 31

~~Area Structure Plan~~ *Land Use application*

1. Introduction

1.1 Purpose of the ~~ASP~~ *LUA*

The purpose of this ~~Area Structure Plan (ASP)~~ *LUA* is to guide the subdivision and development of the subject 20-acre property into three Country Residential lots. This ~~ASP~~ *LUA* ensures that the proposed subdivision complies with the Foothills County Land Use Bylaw (LUB) and Municipal Development Plan (MDP), while preserving the rural character, scenic views, and environmental features of the land.

This plan is not intended to introduce urban forms of development or higher-density patterns. Instead, it complements the existing country residential and acreage parcels already established along 96 Street W, and maintains parcel sizes and layouts consistent with the area's long-standing rural fabric. By supporting low-density residential use on land that is not viable for meaningful agricultural production, the ASP helps protect the agricultural base of Foothills County while strengthening the rural residential character valued by the community.

Our plan emphasizes compliance and forward planning, and it clearly frames the road dedication as a benefit to both the MD and the community, ensuring future rural accessibility while preserving the area's long-term country residential identity.

1.2 Planning & Compliance Background

In preparation for this application, the landowners have worked closely with Foothills County administration over the past year to ensure regulatory compliance on the property. Specifically, the existing secondary suite was brought into full compliance under the MD's permit process and **Secondary Suite Compliance Addendum**, with all conditions of approval completed and confirmed on **May 8, 2025**. This demonstrates the landowners' commitment to meeting or exceeding County standards, and provides important context for the proposed subdivision.

1.3 Secondary Suite Setback Consideration

The existing secondary suite, previously brought into compliance via the MD of Foothills permit process and **Secondary Suite Compliance Addendum** (conditions completed May 8, 2025), will not meet the Land Use Bylaw setback requirements under the proposed subdivision design. Under Section 5.6.2 of the LUB, the Development Authority may grant a variance for an existing

development to allow a reduction in yard setback of up to 90%. Considering this, the applicants respectfully request that subdivision approval include either a **Development Permit for relaxation of setbacks**, or the **registration of a setback easement on title**, to formalize recognition of the secondary suite while ensuring continued compliance and protecting the integrity of the subdivision layout.

1.4 Community Engagement

Under the guidance and advice of the Foothills County administration, the applicants have also consulted with immediate neighbors, who expressed appreciation for being informed and have not raised objections to the plan. This demonstrates both the land's appropriateness for residential use and the applicants' commitment to working in step with the community and Foothills County policy objectives. The applicants/landowners are committed to transparency, collaboration, and maintaining positive relationships within the community.

1.4 Acknowledgment of Parcel Form

The applicants acknowledge that narrow or "skinny" parcels can present a challenge with planning. In this case, the long, narrow configuration of the subject property naturally limits its suitability for agricultural use but creates an opportunity for carefully planned residential subdivision. The proposed panhandle or road design makes the best and highest use of the land, providing well-sized residential parcels, and maintaining efficient access.

2. Plan Area and Context

2.1 Legal Land Description

- SW 6-20-1 W5M (North 330')

2.2 Location and Surrounding Land Uses

- **North:** Existing country residential parcels.
- **South:** Existing country residential parcels.
- **West:** Agricultural lands (cultivation and grazing). Agricultural, Existing country residential and rural residential properties.
- **East:** Agricultural lands (cultivation and grazing). Agricultural, Existing country residential and rural residential properties.

Rural Character Alignment

This subdivision is consistent with the existing pattern of country residential development along 96 Street W and does not represent urban expansion or higher-density growth. The long,

narrow shape of the parcel makes it unsuitable for agricultural production, but ideal for low-density residential use. By creating a small number of acreages that mirror the established country residential parcels to the north, the plan protects the agricultural base of the County while complementing the existing rural fabric of the neighborhood. As an infill subdivision, it makes sense within this context, providing continuity with the existing pattern of development while avoiding urbanization. This ^{LOA}ASP supports Foothills County's goal of maintaining rural character and ensures that future development in this area remains consistent with the surrounding country residential context.

3. Existing Conditions

3.1 Current Land Use and Zoning

- Parcel is zoned **Country Residential (CR)**, permitting subdivision into parcels of 5 acres or greater.

3.2 Site Characteristics

- **Topography:** Rolling slopes suitable for walk-out basements, unimpeded views and flat developable area.
 - **Vegetation:** Mature trees cover the west half; open grassland on the eastern hilltop.
 - **Water Features:** None identified; no wetlands or streams present.
 - **Views:** Panoramic vistas to the west and south.
-

4. Proposed Subdivision Concept

4.1 Layout

The subdivision will create three parcels:

Lot Area (acres)	E-W Length	N-S Width	Access
A ~7-8	~417 m	~70 m	Direct from 96 St W
B ~5.5-6 (incl. driveway)	~190-200 m	~70-85 m	Panhandle to 96 St W
C ~5-8 (incl. driveway)	~200-250 m	~100 m	Panhandle to 96 St W

(See Figure 1 – Subdivision Concept Plan)

This layout represents a **preliminary concept** prepared to illustrate parcel sizing, access, and developable areas. The applicants are fully open to refining or re-drawing the configuration in response to feedback from Foothills County Council and administration to ensure the subdivision best aligns with County policy objectives and community context.

4.2 Building Site Envelopes (Minimum Developable Area)

In accordance with the Foothills County Land Use Bylaw (LUB) and Subdivision Standards, each parcel will demonstrate a minimum contiguous developable area of **0.4 hectares (1.0 acre)**. The proposed developable areas will be land that is:

- Free of constraints such as slopes exceeding 15%, wetlands, floodplains, or environmental reserve;
- Of sufficient size and configuration to accommodate a dwelling, private septic system, well, and required yard setbacks;
- Accessible from the proposed internal driveways off municipal road.

Each lot will meet the minimum building site envelope requirement, ensuring compliance with County subdivision regulations and providing flexibility in dwelling siting while maintaining environmental protection standards.

4.3 Access and Transportation

- **Lot A:** Direct frontage access to 96 Street W.
- **Lots B & C:** Accessed via 15 m wide panhandle driveways, meeting Foothills County minimum width standards for private access.

The layout of the panhandles has been designed to preserve the potential for a future municipal road allowance to enhance community connectivity. The panhandles will be intentionally designed to closely match County rural road standards as set out in the **Engineering Design and Construction Standards**, allowing adequate space for a roadway surface and ditches. This ensures that, if required in the future, the County could assume the panhandles as a public roadway with minimal reconfiguration.

4.4 Future Road Allowance Dedication

The landowner proposes to dedicate a **future municipal road allowance (~3.95 acres)** along the southern portion of the property, extending east from 96 Street W. This dedication is intended to:

1. Provide a corridor for potential future subdivision expansion in the surrounding area, ensuring long-term connectivity in accordance with Foothills County transportation objectives.
2. Provide a safe turnaround for school buses, snow removal, and emergency vehicles at the top of 96 Street W, reducing operational challenges and improving safety.
3. Reduce reliance on long panhandle driveways, thereby lowering servicing and maintenance impacts.
4. Serve as a public infrastructure contribution, potentially counting towards Municipal Reserve requirements, while improving community access and transportation safety. Long-term alignments with the County's **Transportation Master Plan** and subdivision servicing standards.

The dedication is intended as a **public infrastructure contribution** that enhances operational safety and community growth potential. The landowner respectfully requests that this road allowance dedication be considered either in whole or in part as fulfilling Municipal Reserve obligations.

(See Figure 2 – Proposed Future Road Allowance)

5. Servicing

- **Water:** Private on-site wells for each parcel.
 - **Sewage:** Private septic systems designed per Alberta Private Sewage Standards of Practice.
 - **Power/Communications:** To be extended from 96 Street W to each building site, designed and installed in accordance with MD conditions and standards
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6. Environmental Considerations

- No environmentally significant areas identified. Treed areas will be protected and new trees planted on new lots for privacy.
- Driveway and building placement will **minimize tree removal** and preserve natural slopes.
- New homes will maximize **privacy** and **preserve views** for all parcels and neighbors.

- Erosion control and best management practices will be applied during construction.
- Both parcels have adequate **Developable Area** or **Building Site Envelope** area to meet MD standards.

Lighting and Dark Sky Compliance

All exterior lighting for the proposed subdivision, including driveways, homes, and accessory structures, will be designed and installed to **meet or exceed the Municipal District of Foothills Dark Sky Policy**. This includes using fully shielded fixtures, minimizing light trespass beyond property boundaries, and selecting energy-efficient, low-intensity lighting to preserve the natural night sky. The development will ensure that lighting does not negatively impact neighboring properties or wildlife, while maintaining safety and security.

7. Implementation

- The landowners have a demonstrated track record of following through with Foothills County approvals and conditions, as shown by the successful completion of the Secondary Suite Compliance Addendum on **May 8, 2025**. This reflects an ongoing commitment to meeting County standards and ensures confidence in the timely execution of this subdivision plan.
- Further Phases of Implementation will be as per MD processes and approvals.
 - **Phase 1:** Subdivision approval and registration of three lots.
 - **Phase 2:** Construction of driveways and installation of servicing.
 - **Phase 3:** Building permit applications and home construction.

8. Figures

- **Figure 1:** Subdivision Concept Plan
 - **Figure 2:** Proposed Future Road Allowance Dedication
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Government Road Allowance
96TH STREET WEST

15.00

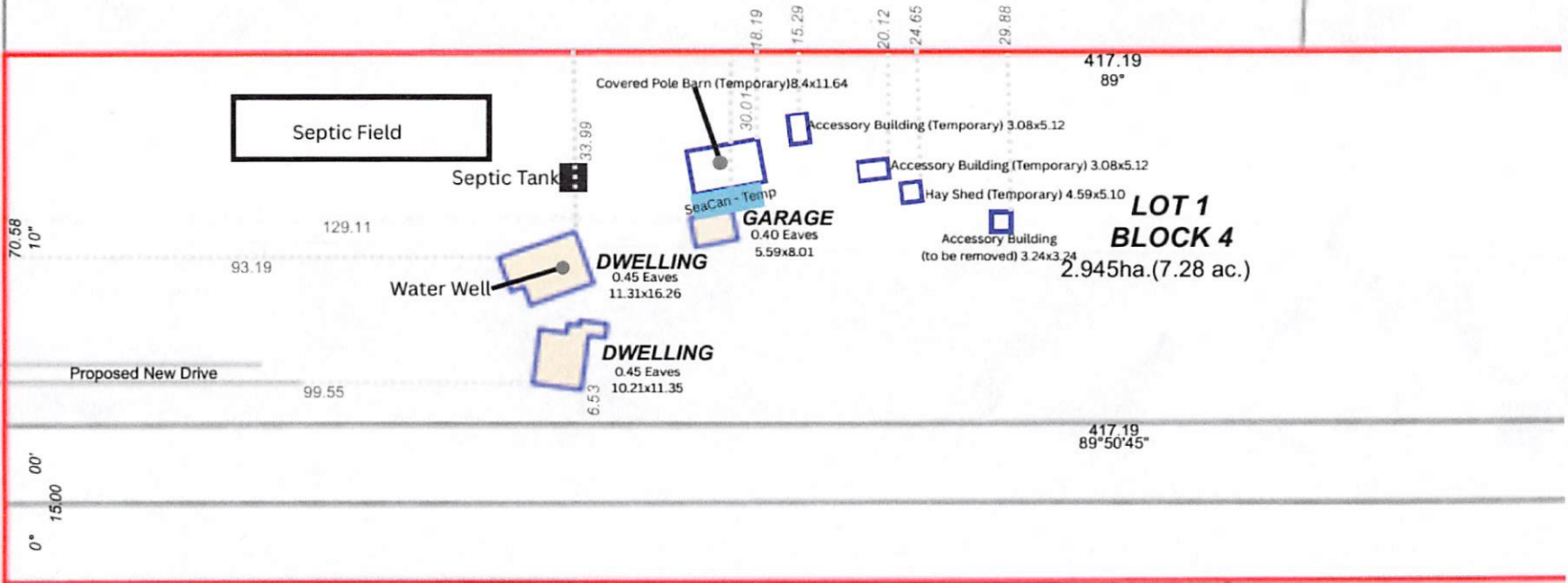
70.58
10"

0°
15.00
00'

S.W. 1/4 SEC. 6-20-1-W.5M.

BLOCK2
PLAN 991 0881

BLOCK1
PLAN 901 0243



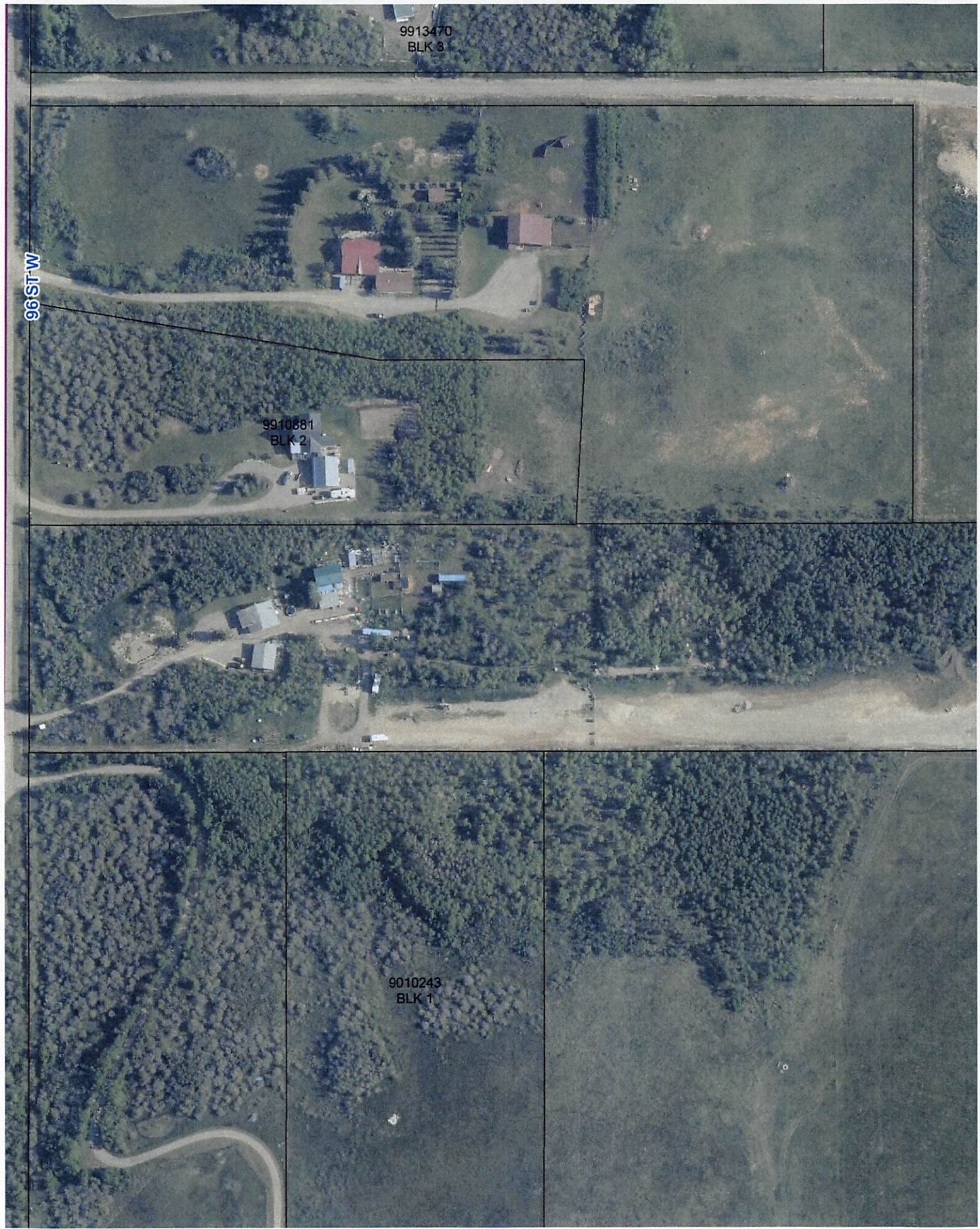
LOT 1
BLOCK 4
2.945ha.(7.28 ac.)

9913470
BLK 3

96 ST W

9910881
BLK 2

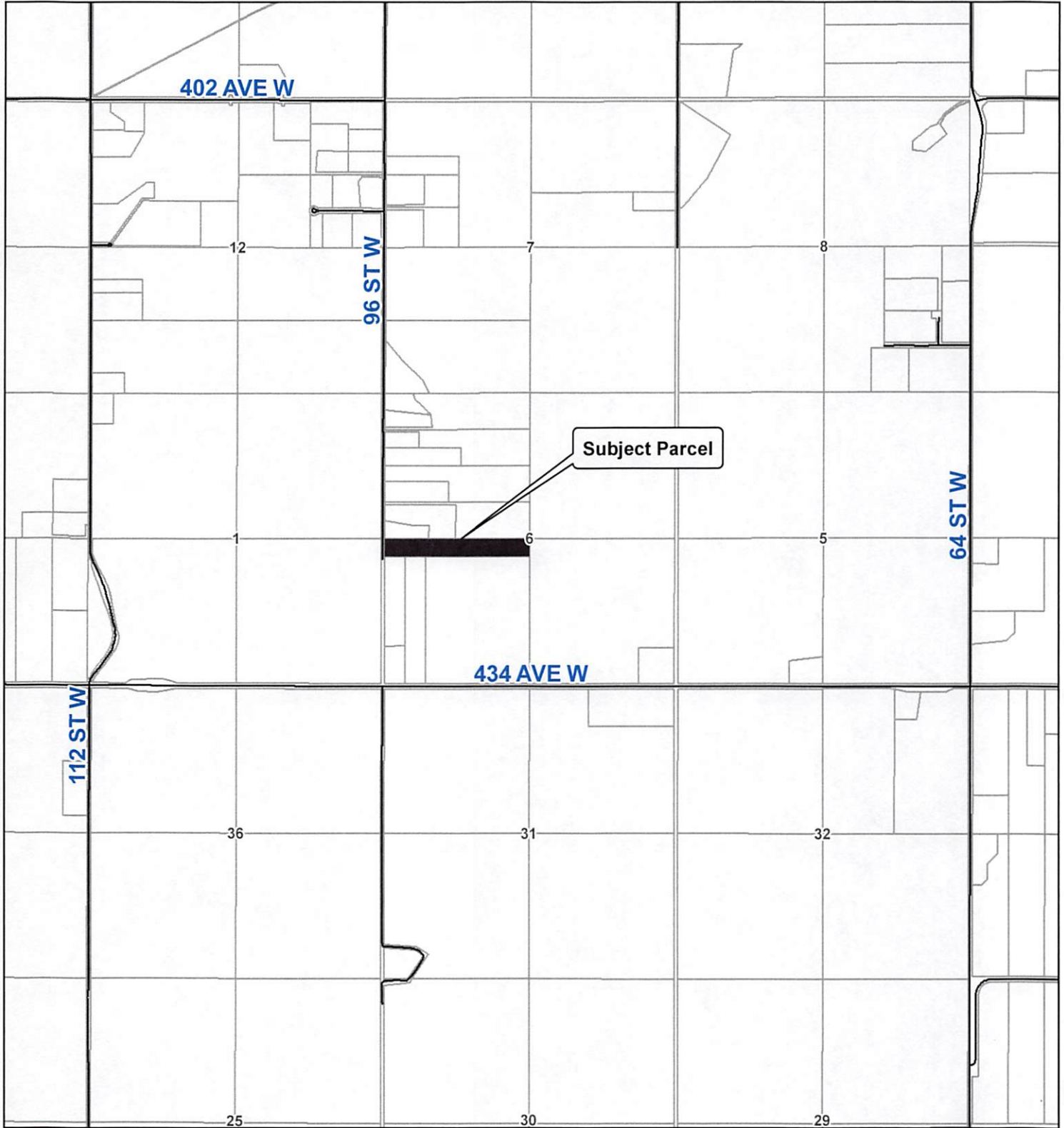
9010243
BLK 1





Location Map

Ptn. SW 06-20-01 W5M



Legend

- Roads
- ▭ Parcels
- ▬ Subject Parcel

Date: 2025-11-21

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