

PUBLIC HEARINGS AND MEETINGS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 LAND USE AMENDMENT
 September 30, 2026
 To be heard at: 10:00 AM

APPLICATION INFORMATION		
	LEGAL DESCRIPTIONS: Land Use Amendment: PTN: NW 25-21-02-W5M Future Boundary Adjustment: Plan 9311048, Lot 2, PTN NW 25-21-02-W5M	
	LANDOWNERS: Land Use Amendment: Zackary and Brittany Smith Future Boundary Adjustment: Zackary and Brittany Smith/Mark Knudsen	
	AGENT: Township Planning and Design / Kristi Beunder	
	AREA OF SUBJECT LANDS: Land Use Amendment: 19.5 acres Future Boundary Adjustment: 4.57 acres	
	CURRENT LAND USES: Land Use Amendment: Country Residential District Future Boundary Adjustment: Country Residential District	
	PROPOSED LAND USES: Land Use Amendment: Country Residential District Future Boundary Adjustment: Country Residential District	
PROPOSAL: Amendment to the Country Residential District to allow the future subdivision of one 5.73 +/- acre Country Residential District lot, with a 13.77 +/- Country Residential District balance parcel remaining, and a future boundary adjustment, between PTN: NW 25-21-02-W5M and Plan 9311048, Lot 2, PTN: NW 25-21-02-W5M.		
DIVISION NO: 5	COUNCILLOR: Alan Alger	FILE MANAGER: Theresa Chipchase

EXECUTIVE SUMMARY

Summary of Proposal

Amendment to the Country Residential District to provide one new 5.73 +/- acre Country Residential District lot with a 13.77 +/- acre Country Residential District balance parcel and a future boundary adjustment between PTN: NW 25-21-03-W5M and Plan 9311048, Lot 2, PTN. NW 25-21-02-W5M whereby 6.13 +/- acres are to be removed from PTN: NW 25-21-02-W5M, and 6.13 +/- acres are to be added to Plan 9311048, Lot 2, PTN. NW 25-21-02-W5M. Resulting in one 7.64 +/- acre Country Residential District parcel and one 10.70 +/- acre Country Residential District parcel.

The boundary adjustment will result in the following changes to the existing parcel sizes:

- **PTN: NW 25-21-02-W5M** – 19.50 acres reduced to 13.77 +/- acres with future subdivision and further reduced to 7.64 +/- acres with future boundary adjustment.
- **Plan 9311048, Lot 2, PTN: NW 25-21-02-W5M** - 4.57 acres to 10.70 +/- acres with future boundary adjustment.

Location

The parcel is located approximately 20 kilometres northwest of the Town of Okotoks, 1.8 kilometres south of 242nd Avenue West, 0.2 kilometres north of 265th Avenue and is directly east of 112th Street West. Approximately 7 kilometres, as the crow flies from the southwest boundary of the City of Calgary.

Access

Access to the proposed new lot for Ptn. NW 25-21-02-W5M is to continue to be provided from the common approach location between the yard site on the applicant's lands and the yard site within the acreage to the south, from 112th Street West. Access to the balance is to be constructed to County standards, also from 112th St. W, approximately 120 metres north of existing common approach.

NOTE: Access to the future boundary adjustment is to remain in its current location from 265th Avenue West.

Water and Wastewater

The proposed lot contains the existing yard site and will continue to utilize the existing water well and septic field for this property. A new well and septic system will be required for the balance parcel.

The additional lot involved in the future boundary adjustment also includes a yard site and will continue to utilize the water well and septic tank and field located within this property

Accessory Buildings

Proposed lot: The proposed 5.73 +/- acre lot would contain all accessory buildings for this property. This includes a 10 sq. m. (107 sq. ft.) shed, a 15.5 sq. m. (166.80 sq. ft.) shed, two 12.5 sq. m (134.55 sq. ft.) horse shelters, a 222 sq. m. (2389.59 sq. ft.) Quonset, and an 80.5 sq. m (866.49 sq. ft.) barn. The total accessory building square footage currently allowed on this 19.5 acre parcel is 4,097.78 square feet. Should the subdivision be approved, the 5.73 +/- acre parcel would be allowed 3,500 square feet.

The applicant's site plan indicates that the 10 sq. m. (107 sq. ft.) shed is to be removed from the property. Removal of this shed would still constitute an excess of square footage for this property of 45.59 sq. m (490.78 sq. ft.). Therefore, Council may require the applicant to obtain a development permit to allow the additional accessory building square footage to be retained on the site.

Balance parcel: The balance parcel contains a 7.0 sq. m (75.35 sq. ft.) shed, a 12.5 sq. m (134.55 sq. ft.) horse shelter and a 30 sq. m. (322.92 sq. ft.) sea-can.

The applicants have also indicated that the 7.0 sq. m (75.35 sq. ft.) shed within the proposed balance parcel is to be removed, with the horse shelter to be retained.

Future Boundary Adjustment: Currently this parcel contains a residence with an attached garage, a detached garage (square footage unknown), with an attached 113.5 sq. m (1221.70 sq. ft.) accessory structure, a horse shelter, and a 13.5 sq. m (145.31 sq. ft.) chicken coop which does not meet setbacks to the north boundary of the lot.

Should the future boundary adjustment be approved, the sea can would then fall within Plan 9311048, Lot 2, Ptn. NW 25-21-02-W5M, should the future boundary adjustment not be approved, the sea can would be retained within the balance of Ptn. NW 25-21-02-W5M, in either case a development permit would need to be obtained in order to retain the sea can on either parcel.

The applicant has provided that a development permit will be obtained to retain the sea can.

Additionally, it should be noted that inclusion of the sea can into the boundary adjusted title will not put these landowners over their accessory building numbers or cumulative size allotment under the County's Land Use Bylaw.

Pertinent Site Considerations

The applicants parcel outside of the yard site consists of steeply rolling grassland terrain with a distinctive draw through the eastern portion which while dry, leads from a dugout/pond on the property to the north into a deeper draw and pond on the property to the south (County's MR). The draw includes aspen growth throughout. The yard site along the west boundary contains a mix of spruce, caragana and poplar, west and south of the structures.

Policy Evaluation

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

Referral Considerations

Referred to required Provincial and Municipal bodies as well as all utilities.

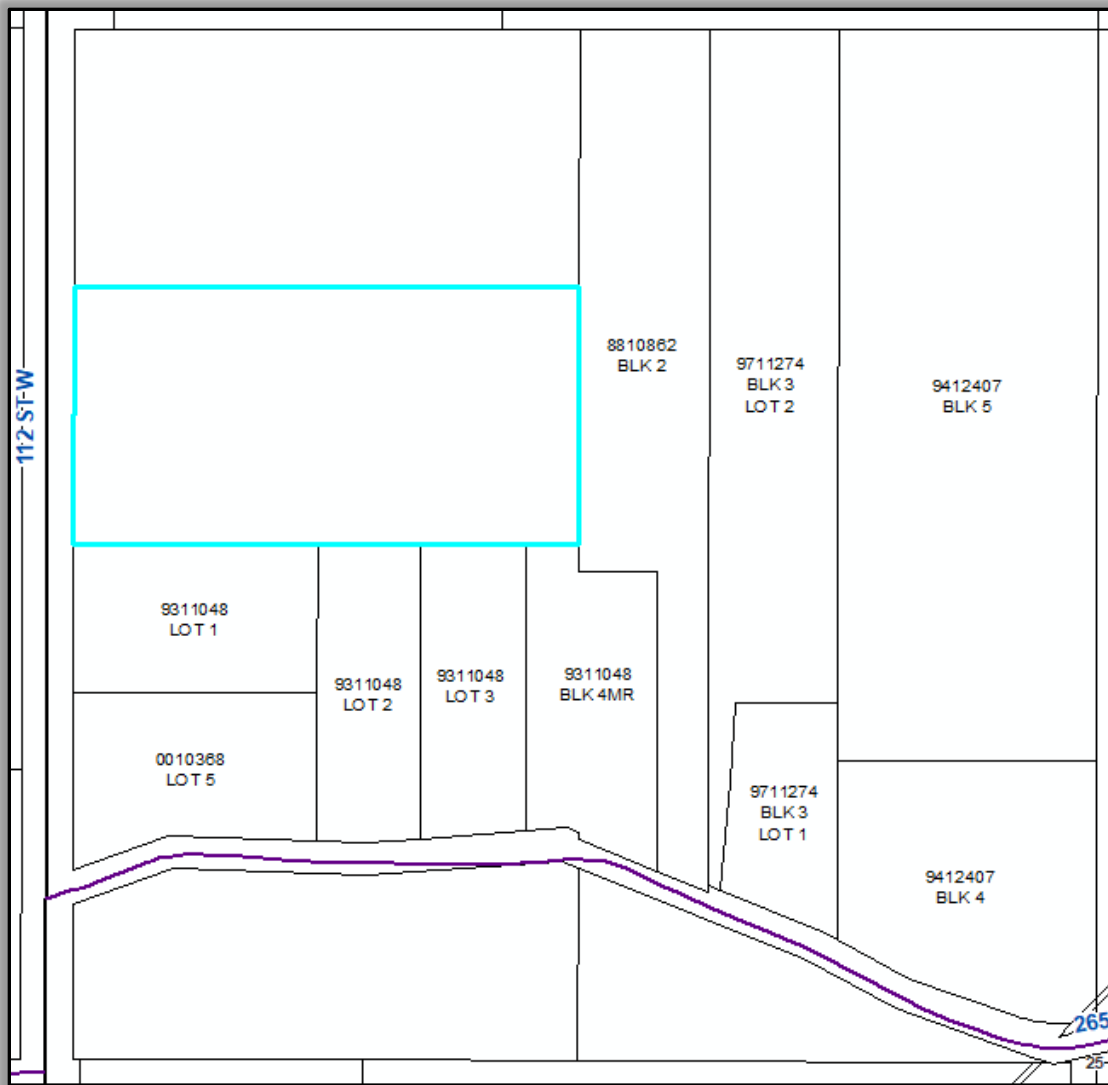
PURPOSE OF APPLICATION

Bylaw XX/2026

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 5.73 +/- acre Country Residential District lot, on Ptn. NW 25-21-02-W5M with a Country Residential District balance parcel of 13.77 +/- acres.

The proposal includes a boundary adjustment with the adjacent 4.57 acre Country Residential District parcel, being Plan 9311048, Lot 2; Ptn. NW 25-21-02-W5M, which would transfer 6.13 +/- acres from the subject parcel, to be consolidated with the 4.57 acres of the adjacent parcel. This consolidation would result in the adjacent parcel being Plan 9311048, Lot 2, Ptn. NW 25-21-02-W5M, increasing in size from 4.57 acres to 10.70 +/- acres and the 13.77 +/- acre balance being, Ptn. NW 25-21-02-W5M reducing in size to 7.64 +/- acres.

QUARTER SECTION BACKGROUND



The quarter first subdivided in 1972 whereby a 33.32 acre lot and a 37.55 acre lot were subdivided along the east boundary of the overall quarter, all parcels were in two parts due to the road plan which dissected the properties. A deferred reserve caveat was registered on each of the new lots.

In 1988 the westerly 33.22 acre parcel subdivided into a long skinny 12.82 acre parcel and a long skinny 17.14 acre parcel. Along with this subdivision, a 3.33 acre Municipal Reserve parcel was also allocated as payment of the reserves owing for these two lots.

In 1993 three lots were subdivided from the southwest corner of the quarter north of the road, one 10.92 acre lot and two 4.57 acre lots with 2.23 acres of Municipal Reserve added to the existing Municipal Reserve parcel increasing it to 5.56 acres, providing the reserves required for the two lots subdivided, deferring the reserves on the 10.92 acre parcel

In 1994 the easternmost parcel within the quarter subdivided one 9.04 acre parcel in two parts due to the road plan, with an easement and right of way agreement registered over the properties for the benefit of access to the larger parcel. Road widening was also surveyed out of the 9.04 acre title.

In 1997 the eastern long skinny parcel further subdivided one 3.46 acre parcel from the southern end of the lot, north of the road, which left a triangle sliver of land as access to the balance parcel.

The remainder of the quarter was split into two 19.5 acre lots, both of which are currently owned by the applicant.

CURRENT LAND USES

Subject Parcel

Country Residential District

Adjacent Lands

Country Residential District, Municipal Reserve, Agricultural District

Area Character

The land lies within an area of intensified Country Residential development, along 112th Street within the quarter in which the applicants are located, as well as to the north within the subdivision under the recently rescinded Wood Valley Estates ASP.

There is a limited public riding arena under DC 29 to the northwest of the application, with an Agricultural Business District parcel one and a half miles to the north (Granary Road). Outside of the pockets of intensified Country Residential District development there are a number of large agricultural holdings including full quarters, as well as those with one to four Country Residential District lots subdivided out.

POLICY EVALUATION

Municipal Development Plan

Policy 3, 7, 9, and 11 of the Residential section of the MDP2010 provide that to consider the proposal to be developable by the Subdivision Authority, residential parcels should be compatible with the surrounding area and existing uses. Further recognizing that the design and infrastructure of residential development should consider the efficient use of land, the cumulative effects of development, the suitability of the lands for residential use, the functional linkage of the proposal to adjoining lands and the conservation of water.

Land Use Bylaw

Should the application be approved, the proposal would meet the parcel density requirements and parcel size requirements as set out in Section 13.1.6.2 a. and b. of the Country Residential District.

The sea can on the property under the Land Use Bylaw will require Development permit approval as will the accessory building square footage in excess of that allowed on a 5.73 +/- acre parcel.

Growth Management Strategy

The subject parcel is located within the North West District. The vision for the North West District identifies lands which fall within this District could likely accommodate minimal to moderate growth but that this growth must be undertaken with careful consideration of the potential impacts on wildlife habitat and watershed areas

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	Public Works is requesting the following as conditions of subdivision: • Septic Disposal Evaluation (PSTS) Public Works also provides the following additional comments and conditions: • No concerns regarding the existing approaches, the proposed approach location is acceptable and will require construction to current standards. Tree trimming may be required if the approach is to be shifted further to the north • Seasonal drainage does run through the south half of LSD 13. The drainage appears minor in nature with large portions that have been historically farmed. • For the proposed boundary adjustment with Lot 2, this new parcel after adjustment would have further subdivision potential, however access to an additional lot could be challenging, with the current location of the residence and the well, in the opinion of the public works department the only option for access to a future lot would be a panhandle along the east boundary.
PUBLIC	
Western Wheel	September 16 th and September 23 rd , 2026
Landowners (Half Mile)	No letters received prior to the submission of this staff report

SUMMARY

Bylaw XX/2026

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 5.73 +/- acre Country Residential District lot, on Ptn. NW 25-21-02-W5M with a Country Residential District balance parcel of 13.77 +/- acres.

The proposal includes a boundary adjustment with the adjacent 4.57 acre Country Residential District parcel, being Plan 9311048, Lot 2; Ptn. NW 25-21-02-W5M, which would transfer 6.13 +/- acres from the subject parcel, to be consolidated with the 4.57 acres of the adjacent parcel. This consolidation would result in the adjacent parcel being Plan 9311048, Lot 2, Ptn. NW 25-21-02-W5M, increasing in size from 4.57 acres to 10.70 +/- acres and the 13.77 +/- acre balance being, Ptn. NW 25-21-02-W5M reducing in size to 7.64 +/- acres.

OPTIONS FOR COUNCIL CONSIDERATION

OPTION #1: APPROVAL OF AMENDMENT

Council may choose to grant 1st reading to the application authorizing amendment of PTN: NW 25-21-02-W5M from the Country Residential District land use rules in order to allow for the future subdivision of one new 5.73 +/- acre Country Residential District lot, with a 13.77 +/- acre Country Residential District balance parcel, and a future boundary adjustment.

In their consideration of the criteria noted in Residential Policy 3 and 9 of the MDP2010, Council is of the opinion that the lands are suitable for the intended residential use and that the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

Further, 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.

Staff suggests Country Residential Sub-District "A" for the proposed 13.77 +/- acre balance parcel (7.64 +/- acres after boundary adjustment) to ensure that the recommendations and restrictions as outlined in septic disposal evaluation (provided as a condition of subdivision) is complied with, to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met may be required. Council may also wish to require a \$5000.00 deposit, as a pre-release condition, to ensure compliance is provided for all conditions of the development permit.

Council may choose to impose the following suggested conditions with the Land Use approval:

Recommended Conditions for Option #1:

1. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and onsite improvements as required by Council and/or the Public Works department;
2. Proof of adequate water supply provided in accordance with the Provincial Water Act, to the satisfaction of the County;
3. Septic Disposal Evaluation to be provided for the proposed 13.77 +/- acre (7.64 +/- acres after adjustment) balance parcel 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. Ptn. NW 25-21-02-W5M, is to provide a complete application for development permit with respect to the additional accessory building square footage that will be located within the proposed 5.73 +/- acre lot, to be provided to the satisfaction of the County, **as a condition of subdivision;**
5. Plan 9311048, Lot 2, Ptn. NW 25-21-02-W5M, is to provide a complete application for development permit with respect to the sea can located within the boundaries of the adjusted parcel, **as a condition of subdivision;**
6. Final amendment application fees to be submitted;
7. Submission of an executed subdivision application and the necessary fees.

OPTION #2 – REFUSAL OF AMENDMENT

Council may choose to refuse the application for the amendment of PTN: NW 25-21-02-W5M from the Country Residential District land use rules in order to allow for the future subdivision of one new 5.73 +/- acre Country Residential District lot with a 13.77 +/- acre Country Residential District balance parcel, and a future boundary adjustment, for the following reasons.

In consideration of the criteria noted in the Residential Policies of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to the efficient use of the land and the suitability of the land for future development.

APPENDICES

APPENDIX A: MAP SET

LOCATION MAP

HALF MILE MAP – LAND USE

HALF MILE MAP – PARCEL SIZES

SITE PLANS

ORTHO PHOTO

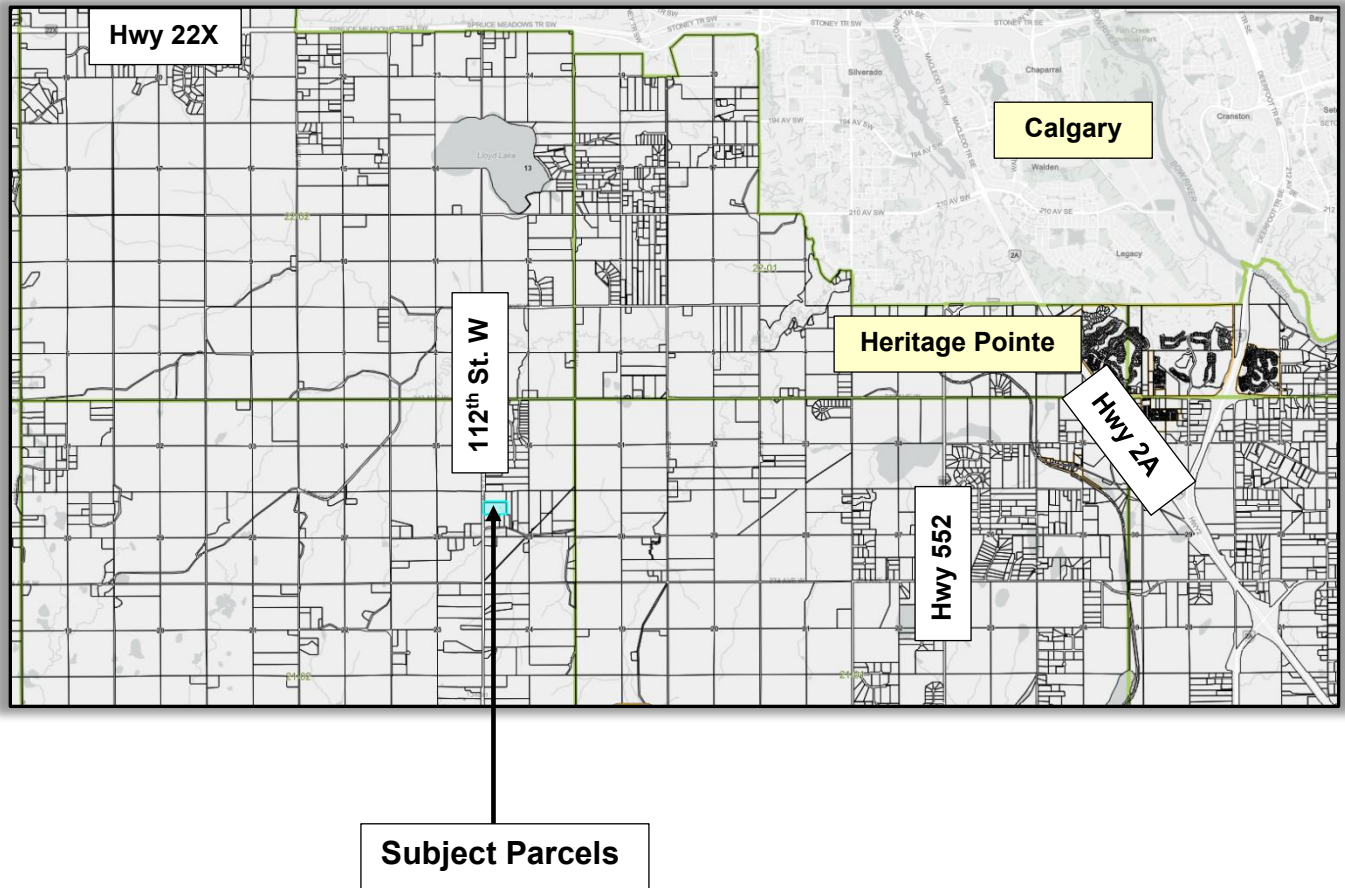
APPENDIX B:

AGENTS LETTER

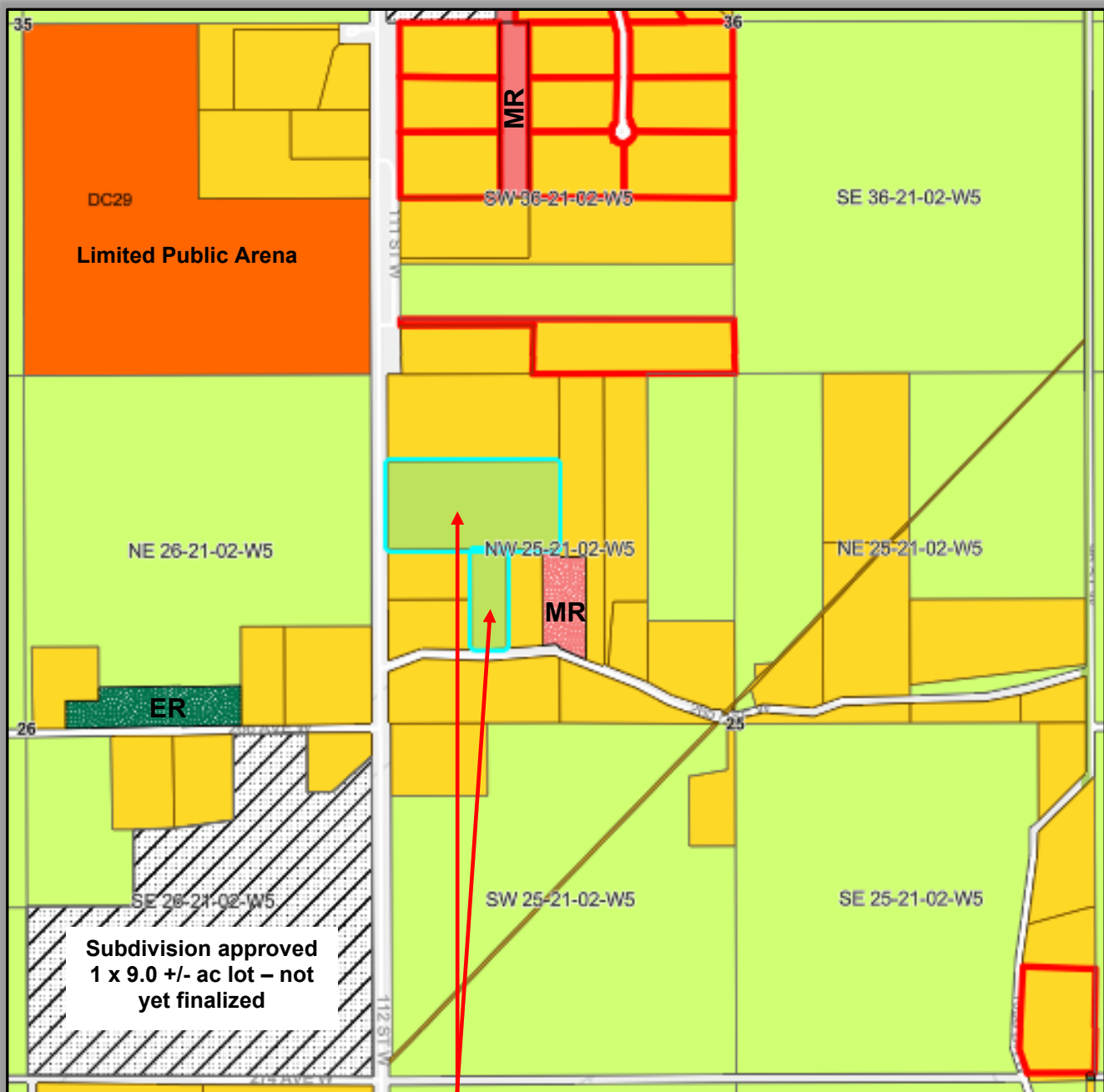
APPENDIX C:

DRAFT BYLAW

APPENDIX A: LOCATION MAP



APPENDIX A: HALF MILE MAP – LAND USE

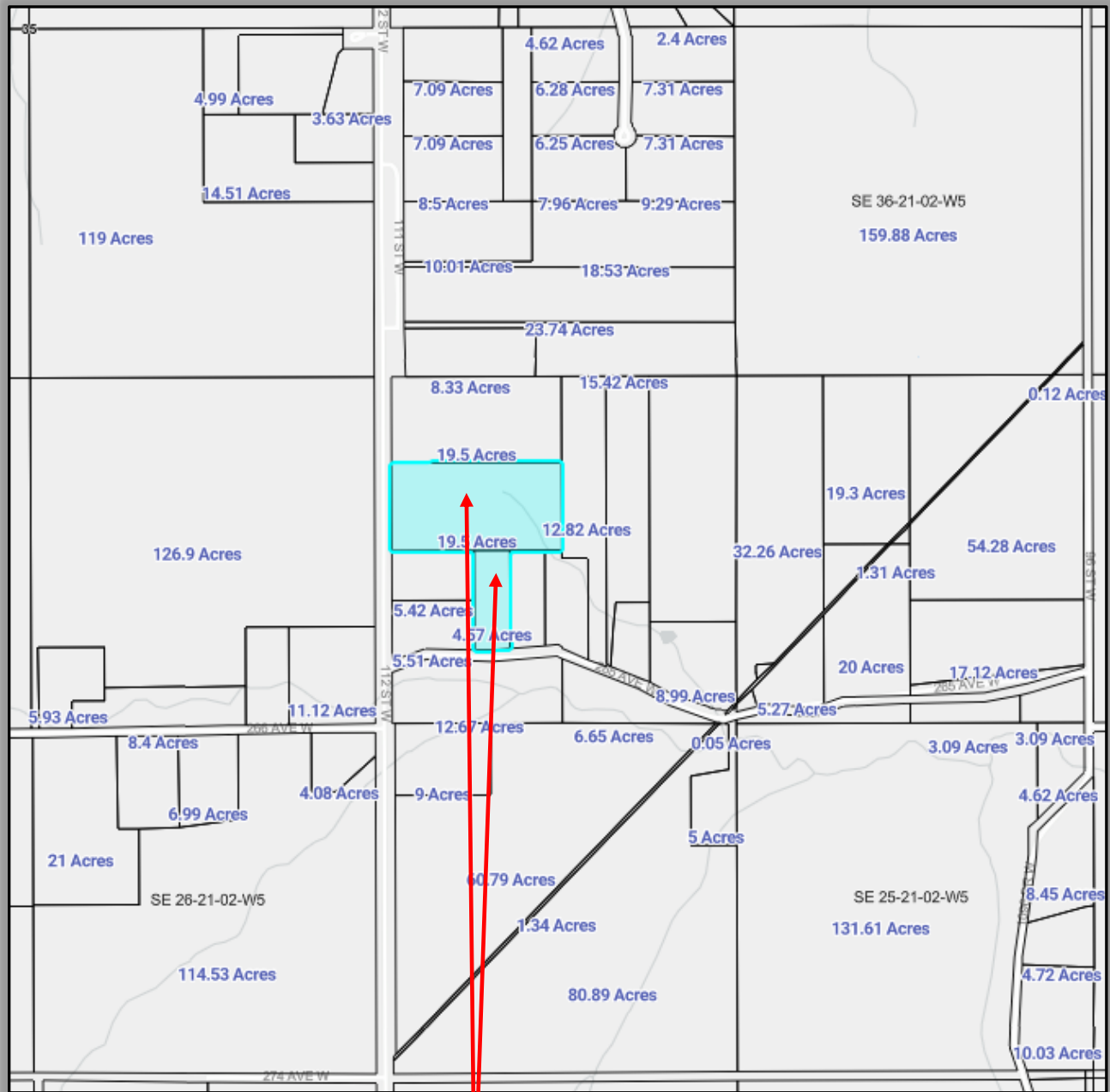


Subject Parcels

Legend

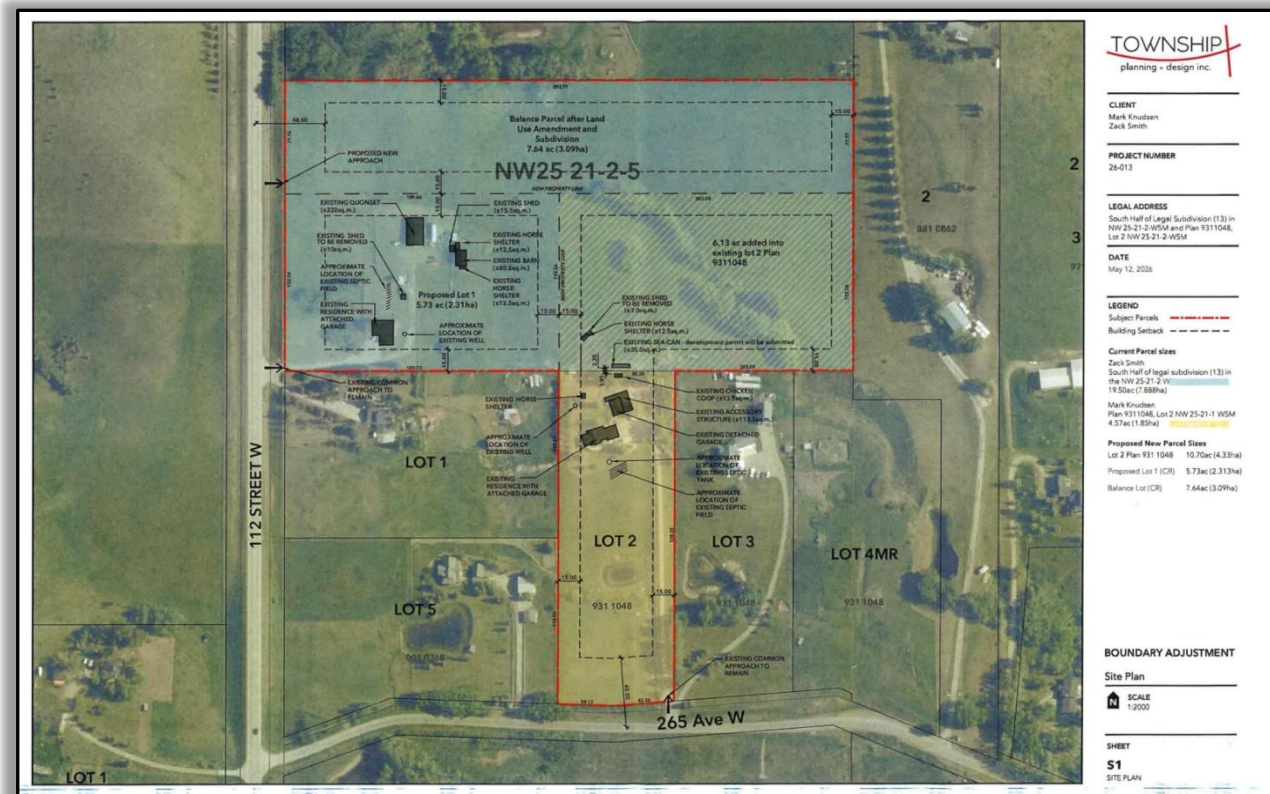
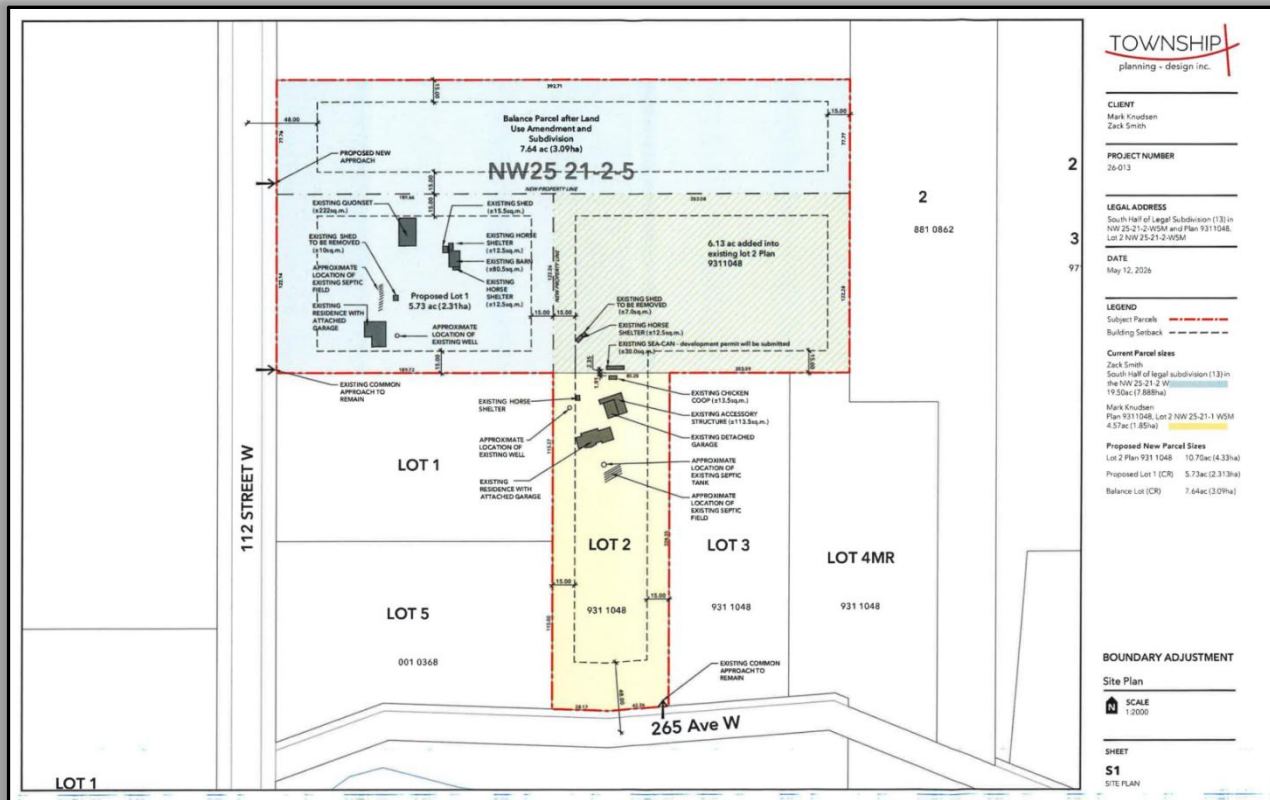
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|--|--|
|  County Roads |  OS- Open Space |
|  Highways |  INR- Natural Resource Extraction |
|  In Transition |  MR- Municipal Reserve |
|  A- Agricultural |  PUL- Public Utility |
|  AA- Agricultural Sub A |  SD- Service District |
|  CR- Country Residential | |
|  CRA- Country Residential Sub A | |
|  DC - Direct Control | |
|  ER- Environmental Reserve | |
|  EP- Environmental Protection | |

APPENDIX A: HALF MILE MAP – LOT SIZES

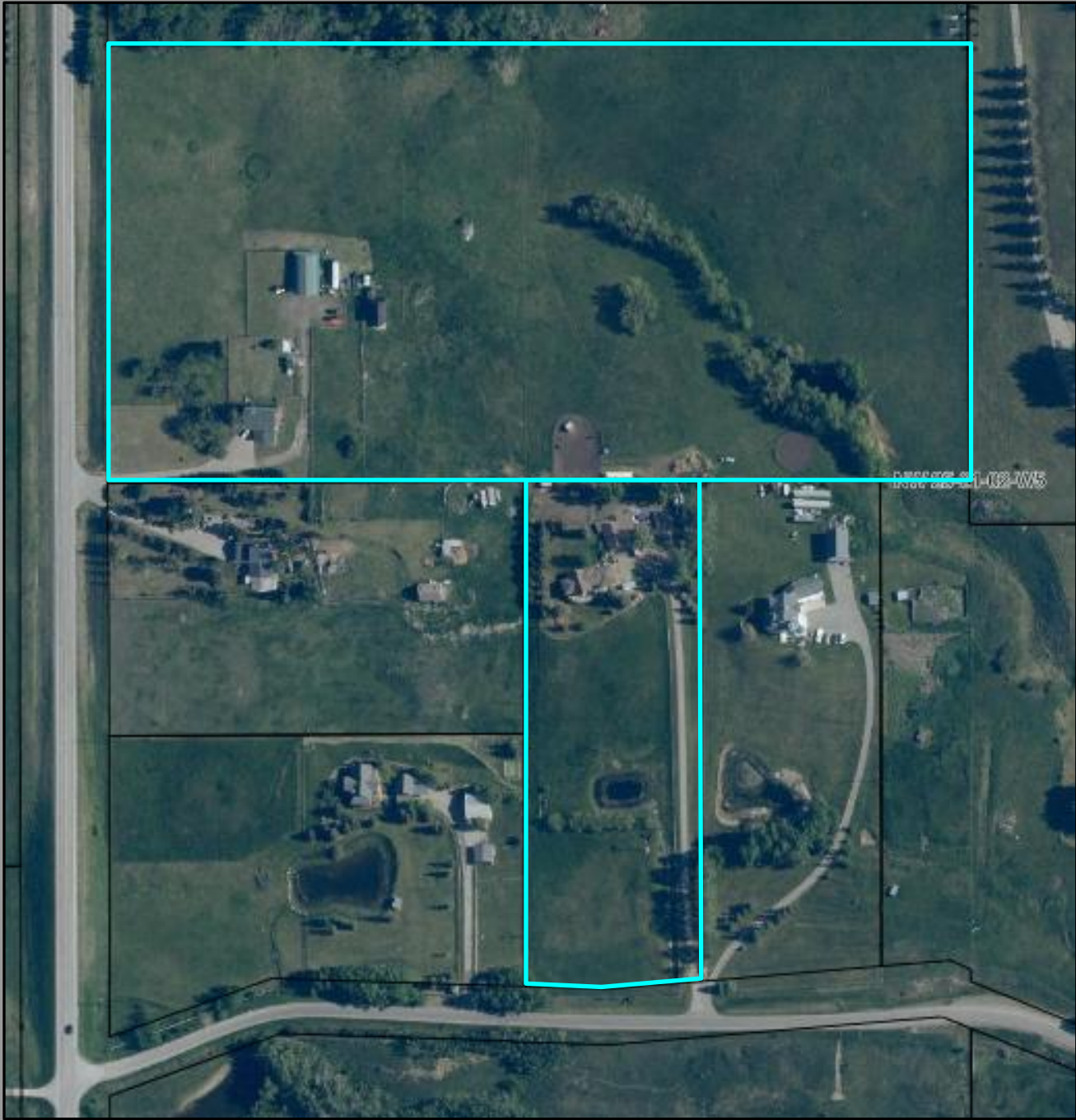


Subject Parcel

APPENDIX A: SITE PLANS



APPENDIX A: COUNTY ORTHO PHOTO



APPENDIX B: AGENTS LETTER

110-259 Midpark Way SE
Calgary, Alberta T2X 1M2

Phone: 403.300.2220
TWPplanning.com

TOWNSHIP
planning + design inc.

Foothills County
Box 5605
High River, AB
T1V 1M7

02/06/2026

ATTN: Samantha Payne, Manager of Planning Applications

RE: Application for Land Use Exemption from the Country Residential District to allow for the creation of one (1) Country Residential (CR) lot and a balance CR parcel and concurrent Boundary Adjustment, on lands legally described as 'The South Half of Legal Subdivision (13) in NW-25-21-2 W5M' and 'Plan 9311048, LOT 2, NW-25-21-2 W5M' in Foothills County.

Landowners: Zackary Edward Smith, Brittany Rae Smith, and Mark Anton Knudsen

Dear Mrs. Payne,

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

- An application for Amendment to the County Residential Land Use District to allow for the creation of one (1) new lot and a balance parcel;
- An application for Boundary Adjustment between proposed Lots 1 and Lot 2;
- The Agency Agreement allowing Township Planning + Design to act as agent for the Landowner(s);
- Payment in the amount of \$1,600 for the Land Use Amendment (\$100 filing fee + Initial Application Fee of \$1,500 per lot). The fee for the Boundary Adjustment will be provided when required;
- A copy of the Abandoned Well Map and Statement;
- A copy of the current Certificate of Title, and
- A copy of the current site plan with and without air photo.

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

Background and Land Ownership

This application involves two adjacent parcels with distinct ownership. Zackary and Brittany Smith are the registered owners of the northern parcel, legally described as the South Half of Legal Subdivision (13) in NW-25-21-2 W5M. Mark Knudsen is the registered owner of the adjacent parcel to the south, legally described as Plan 9311048, Lot 2 in the NW-25-21-2 W5M.

Purpose

The purpose of this application is to request an exemption from the Land Use Bylaw Country Residential (CR) District, in accordance with Section 13.1.6.1, to facilitate the future subdivision of the existing CR parcel. This application seeks to subdivide the Smith lands (currently +/- 19.50 ac / 7.88 ha) to create Proposed Lot 1, totaling +/- 5.73 ac (2.31 ha), to accommodate the existing single detached dwelling, and create a Balance Lot of +/- 7.64 ac (3.09 ha).

Simultaneously, a Boundary Adjustment will move +/- 6.13 ac (2.48 ha) from the Smith lands into Mr. Knudsen's Lot 2, resulting in an enlarged parcel of +/- 10.70 ac (4.33 ha). This Boundary Adjustment





allows for Mark to maintain the accessory structures in the parcel area, which also contains his existing sea-can and horse shelters. A Development Permit application for the sea-can will be submitted at a future stage.

Accessory Structures

For proposed Lot 1, a 10 sqm existing shed will be removed and five (5) accessory structures totaling 343 square metres will be retained. As the Land Use Bylaw permits a maximum of four (4) accessory structures and 325.2 square metres for a parcel of this size, Lot 1 will exceed the maximum number and square footage of buildings allowed without a DP. Therefore, we respectfully request that the additional structure on Proposed Lot 1 (a remaining shed) be recognized as existing, non-conforming.

For Lot 2, removing the 7.0 sqm shed brings the parcel into compliance. This reduces the accessory building count to the permitted maximum of five. The total area of accessory structures remains under the allowed square footage limit.

Location and Access

The subject lands are located immediately west of 112th Street SW and are surrounded by Country Residential parcels similar in size to those being proposed. Currently, the area of proposed Lot 1 is accessed via a shared approach off 112th Street SW through a driveway. After the proposed subdivision, proposed Lot 1 will continue to be accessed by the existing shared approach and driveway. A new approach is proposed off 112 Street SW to provide access to the newly created Balance Parcel. The landowners of the Balance parcel (Zack and Brittany Smith) wish to retain ownership of both Proposed Lot 1 and the Balance Parcel. The boundary-adjusted Lot 2 will continue to use its existing approach from 265 Ave W to the south.

Servicing

Both the Proposed Lot 1 and the boundary-adjusted Lot 2 will be serviced by their own existing wells and septic systems. The balance lot will be serviced by a new well and septic system.

Policy Review

- The site is located within the Northwest District of the Foothills Growth Management Strategy. This district is identified as an area capable of accommodating moderate growth, including country residential development, particularly where existing infrastructure and access are already established.
- The proposed subdivision and boundary adjustment aligns with the Municipal Development Plan by promoting a logical and efficient use of land that optimizes the parcel configuration for the current landowners while maintaining the rural character of the area.
- LUB Policy 9.4.1 requires that a boundary adjustment is made such that "no additional lots are created, and the lot boundaries do not contravene the yard setback limits or minimum or maximum sizes for the district." The boundary adjustment portion of this application strictly aligns with this policy, as it does not create any additional lots itself.
- Because the overall application proposes the creation of one new lot, a Land Use Amendment is being submitted concurrently with the Boundary Adjustment. The requested exemption under Section 13.1.6.1 allows for the future subdivision of the existing Country Residential parcel.
- LUB Policy 9.4.2 states that "no redesignation is required for boundary adjustments where the parcel size of both lots involved remain within the parcel size requirements for that land use district." The proposed boundary adjustment complies with this requirement.



Should you have any questions or require more information, please do not hesitate to contact the undersigned.

Sincerely,

Township Planning + Design Inc.

A handwritten signature in black ink, reading "Robyn Erhardt".

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

Cc: Zackary Edward Smith, Brittany Rae Smith and Mark Anton Knudsen

APPENDIX C: PROPOSED BYLAW

BYLAW XX/2026

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

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

AND WHEREAS 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 5.73 +/- acre Country Residential District lot, on Ptn. NW 25-21-02-W5M with a Country Residential District balance parcel of 13.77 +/- acres.

The proposal includes a boundary adjustment with the adjacent 4.57 acre Country Residential District parcel, being Plan 9311048, Lot 2; Ptn. NW 25-21-02-W5M, which would transfer 6.13 +/- acres from the subject parcel, to be consolidated with the 4.57 acres of the adjacent parcel. This consolidation would result in the adjacent parcel being Plan 9311048, Lot 2, Ptn. NW 25-21-02-W5M, increasing in size from 4.57 acres to 10.70 +/- acres and the 13.77 +/- acre balance being, Ptn. NW 25-21-02-W5M, reducing in size to 7.64 +/- acres.

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:

Ptn. NW 25-21-02 W5M within which shall allow for the future subdivision of one new 5.73 +/- acre Country Residential District lot, with a 13.77 +/- 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:

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__.