FOOTHILLS COUNTY
COUNCIL AGENDA

Wednesday, October 14, 2026, 9:00 a.m.
Foothills County Administration Office
309 Macleod Trail South – High River

Pages

A. GENERAL MATTERS

A.1 Call Meeting to Order

A.2 Approval of the Agenda

B. MISCELLANEOUS MUNICIPAL ITEMS

B.1 Elcombe - SW 35-20-28 W4M - Request for Second Approach 3
Presented by: Engineering Technologist Kallum Umscheid

B.2 Cancellation of Council Meetings - RMA Convention and Remembrance Day 65
Presented by: Manager of Legislative Services Sherri Barrett

C. SCHEDULED MEETINGS & PUBLIC HEARINGS

C.1 10:00 a.m. - Loscher - SW 27-20-02 W5M - Redesignation (INR to A) 66
Presented by: Planning & Development Officer Elliott Salmon

C.2 11:00 a.m. - Foothills County - E 05 & W 04-19-26 W4M - Road Closure for Purchase of Undeveloped Road Allowance 84
Presented by: Municipal Lands Administrator Donna Fowler

C.3 11:15 a.m. - CLOSED SESSION - ATIA s. 29 - Waterworth
Presented by: Waterworth Client Success Specialist Gabriel Borges

C.4 1:30 p.m. - Foothills County - NE 20-22-03 W5M - Redesignation & Removal of MR Designation 98
Presented by: Municipal Lands Administrator Donna Fowler

D. MISCELLANEOUS PLANNING ITEMS

E. SUBDIVISION APPROVING AUTHORITY ITEMS

F. CONFIDENTIAL CLOSED SESSION

F.1 Advice from Officials - ATIA s. 29

G. MOTIONS ARISING FROM CONFIDENTIAL CLOSED SESSION

H. ACKNOWLEDGEMENTS AND INFORMATION ITEMS

I. OTHER MATTERS

I.1 Lunch

I.2 Accounts – October 14, 2026

Councillors Estes, McHugh and Callister

I.3 Minutes – October 7, 2026

I.4 Committee Reports

I.5 Next Meeting – October 21, 2026

I.6 Adjourn

COUNCIL ADMINISTRATIVE REPORT

Department: Public Works and Engineering

TITLE: Resident Request for Variance – Allowance for a Second Approach

Author: **Kallum Umscheid, T.T.** Engineering Technologist	**DATE:** **October 14, 2026**
Presenter: **Kallum Umscheid, T.T.** Engineering Technologist	
ATTACHMENTS:	Resident Request Letter, Public Works Circulation Comments, Resident Correspondence

PURPOSE:

To present council a request from Mr. and Mrs. Elcombe for a discretionary variance to Rural Approach Standards Policy 701-002 to be granted.

BACKGROUND:

The Elcombes submitted a request for variance, to be reviewed by council, in response to Public Works comments made on Development Permit File 26D226. The intent of this variance is to allow for a second access to their property to be constructed. The second approach is intended to be the primary access for a secondary suite proposed as part of the aforementioned development permit.

The parcel is 8.9 acres in size, and is located at SW35-20-28-W4, on the East side of 144 St E.

DISCUSSION:

Public Works circulated comments on file 26D226 refusing a proposed second approach in accordance with Rural Approach Standards Policy 701-002 Section 3.1, which stipulates:

'Parcels of land, equal to or less than ten (10) acres, are limited to one (1) rural approach. Where a parcel may be severed by a topographical nature (which is considered impracticable to traverse), a second approach may be considered.'

The parcel is 8.9 acres in size, and is not affected by any topographical limitations.



Figure 1: Subject Parcel

The attached letter, provided by the resident, has provided 4 potential options for access:

Option 1:
A new approach at the south end of the west frontage, running directly east to the proposed building. This would require council approval to proceed.

Option 2:
A new approach at the south end of the west frontage, crossing the south edge of the adjoining agricultural parcel. This will require council approval, and that an easement be registered over the neighboring parcel to proceed.

Option 3:
Connection to the adjoining landowner's existing approach immediately north of the subject parcel. This will require council approval, and that an easement be registered over the neighboring parcel to proceed.

Option 4.
Access off the existing approach and extend the existing driveway south along the west boundary and then east. This adheres to the Rural Approach Standards Policy, and would not require additional approvals or conditions to proceed.



Figure 2: Potential access options as per the request letter

Within the attached letter are more detailed considerations for each access option for council's review.

SUGGESTED MOTIONS FOR CONSIDERATION:

1. Council approve one of the four access options provided and outline any applicable conditions of approval.
2. Council deny the request for variance.

DEVELOPMENT PERMIT CIRCULATION MEMORANDUM

From: Foothills County
Box 5605 // 309 Macleod Trail
High River, AB T1V 1M7
planning@foothillscountyab.ca

File Number: 26D 226

Date: 30-Jul-2026

Landowner: Jesse & Enid Elcombe **Agent:** _____

Legal Land Description: SW 35-20-28 W4M; Plan 9011978, Block 1

Parcel Size: 8.9 Acres

Proposal: Proposed Accessory Building containing a Secondary Suite, Detached; Relaxation of setbacks to Existing Structures & Relaxation to Cumulative Size of Accessory Buildings

Enclosed is a copy of the plans for the above-mentioned development. We would appreciate receiving your comments on the proposal within 30 days of the date of this letter.

If you require further information or clarification, please contact the Development Department in High River at (403) 652-2341 by phone or through email using the below address. **Please quote our file name when returning your comments to the attention of our Development Department.** Thank you for your cooperation.

30 DAY CIRCULATION

Contact: Pierre-David Karolyi Pierre-David.Karolyi@FoothillsCountyAB.ca

Application to be referred to:

Division Councillor		Economic Development	
Development Officer Site Insp.		AB Comm. Development	
Alberta Health Services		AB Energy Regulator	
Alberta Transportation		AB Agriculture & Forestry	
AB Environment		AB Agriculture, Sustainable Resource	
Public Works	✔		
Building & Safety Codes	✔	AB Agriculture, Public Lands Div.	
Municipal Fire Services		Fortis Alberta	
Municipal Addressing	✔	ATCO Gas	
Municipal Community Services		AltaLink	
AFICA		Other: Sunshine Gas Coop.	
Erin Frey (HR Airport only)	✔	Alberta Arts, Culture and Status of Women	

Notes: _____

DEVELOPMENT PERMIT APPLICATION: REVISED PACKAGE CONTENTS

Secondary Suite, Detached

Block 1, Descriptive Plan 901 1978; SW 1/4 35-20-28-W4M

[redacted] (Country Residential, approx. 8.9 ac)

Registered owners / applicants: Jesse Elcombe and Enid Elcombe

Submitted in response to the notice of incomplete application dated July 21, 2026 and subsequent correspondence. This package supersedes the application package dated July 5, 2026 in its entirety.

The application comprises: a Secondary Suite, Detached; a Home Office in the existing accessory building RPR 2; relaxation of setbacks in respect of RPR 3 and RPR 5; and relief under Section 10.26.15 in respect of cumulative accessory building area.

Contents (in filing order):

1. Cover letter / statement in support (responds to each item raised)
2. Development Permit Application form (Parts 1 to 5), incl. DP Application Checklist
3. Abandoned Well Site Form and Schedule A: AER Abandoned Well search (no wells on site)
4. Secondary Suite Checklist (current form)
5. Declaration of Understanding (commissioned)

Appendices:

A Site plan (2017 RPR, SexSmith 17-332, proposed development marked, revised)

B Certificate of Title (current, July 28, 2026; Title No. 211 115 710)

C Letter of Compliance (2021, SexSmith 17-332)

D Real Property Report, pages 1 to 4 (SexSmith 17-332)

E Floor plans and elevations (Plan 72344DA)

F Water well test report (Titan Water Systems, ID 12654A) and Water Requirements Worksheet

G Plan of the office building (RPR 2)

Application: planning@foothillscountyab.ca

Jesse Elcombe and Enid Elcombe
[redacted]

July 28, 2026

Pierre-David Karolyi, Planning and Development Officer
Planning and Development Department
Foothills County
309 Macleod Trail, Box 5605, High River, AB T1V 1M7

RE: Revised Development Permit Application for a Secondary Suite, Detached

Civic Address	[redacted]
Legal Description	Block 1, Descriptive Plan 901 1978; SW 1/4 Sec. 35-20-28-W4M
Certificate of Title	Title No. 211 115 710; LINC 0015 481 765
Land Use District	Country Residential
Parcel Area	approximately 8.9 acres (3.6 ha)

This letter accompanies our revised Development Permit application and responds to each of the items raised in your notice of incomplete application dated July 21, 2026. It supersedes our cover letter of July 5, 2026 in full.

Following your email and our telephone conversation, the application has been expanded and now comprises three matters: the proposed Secondary Suite, Detached; a Home Office in an existing accessory building; and relaxation of setbacks in respect of two existing buildings. A single item of relief is requested under Section 10.26.15 in respect of cumulative accessory building area, addressed at Part 11 below.

For clarity, the requests made in this application are:

- Approval of a Secondary Suite, Detached, as described at Part 1.
- Approval of a Home Office in the existing accessory building identified as RPR 2, as described at Part 8.
- Relaxation of setbacks in respect of the gazebo (RPR 3) and the detached garage (RPR 5), as described at Part 9.
- Relief under Section 10.26.15 in respect of cumulative accessory building area, as described at Part 11.

1. Proposal

The landowners propose the construction of a Secondary Suite, Detached: a detached accessory building containing a self-contained, two-bedroom dwelling of 1,152 sq. ft. on the second floor, over a ground floor of garage and workshop space with a mud room and a bathroom. The building is proposed as post-frame, stick-built on site, on a slab foundation.

The building meets two established needs of the landowners. The ground floor provides enclosed garage and workshop space for the storage and maintenance of vehicles, equipment, and materials associated with the acreage, which the existing outbuildings do not adequately accommodate. The second-floor suite provides on-site accommodation for members of the landowners' immediate family, supporting multi-generational living on a single title without subdivision of the parcel. The use of the proposed building is entirely residential; no business, commercial, or agricultural operation is associated with it.

The application also seeks approval of a Home Office in the existing accessory building identified as RPR 2, and relaxation of setbacks in respect of the gazebo (RPR 3) and the detached garage (RPR 5). Neither the Home Office nor the setback relaxations involve any construction or change to the exterior of those buildings.

The applicant is requesting a new access point onto 144 Street East to serve as the primary access to the secondary suite, as shown on the enclosed site plan (Appendix A). The existing access point is not feasible for this purpose

given the location of the existing buildings and trees on the parcel. The applicant will provide the new approach in accordance with the County's Rural Approach Standards and will obtain any Director of Public Works approval required.

2. Development Details

Landowners	Jesse Elcombe and Enid Elcombe
Applicant	Jesse Elcombe
Building footprint	approximately 2,214 sq. ft. (16.46 m x 12.50 m)
Building height	9.40 m (30 ft 10 in) to ridge
Secondary suite (2nd floor)	1,152 sq. ft.; 2 bedrooms and 2 bathrooms
Ground-floor use	Garage and workshop, mud room, bathroom
Principal dwelling	approximately 2,100 sq. ft. habitable area
Water servicing	Existing private drilled well (tested 10 IGPM / 14,400 gal per day)
Wastewater servicing	New dedicated private sewage treatment system (tank and field)
Access	New access point requested onto 144 Street East to serve as the primary access to the secondary suite
On-site parking	4 stalls: 2 for the principal dwelling, 2 additional for the suite
Est. commencement and completion	Upon approval; within about 6 months of commencement

3. Building Identification and Labelling

The Real Property Report, the 2021 Letter of Compliance, and our earlier correspondence each label the buildings differently, and two separate detached buildings are both shown as "Garage" on the Real Property Report. To remove that ambiguity, the references below are used consistently in this letter, on the site plan, and on both application forms.

Ref.	This application	RPR label	Dimensions	Area	Status
RPR 1	Barn	Shop	5.56 x 12.27 m	734 sq. ft.	Compliant
RPR 2	Office	Garage	8.76 x 7.21 m	680 sq. ft.	Non-conforming (setback)
RPR 3	Gazebo	Gazebo	hexagonal	400 sq. ft.	Non-conforming (setback)
RPR 4	Wood shed	Shed	0.97 x 4.14 m	43 sq. ft.	To be removed
RPR 5	Detached garage	Garage	7.51 x 9.83 m	795 sq. ft.	Second private garage
RPR 6	Garden shed	Shed (north side)	approx. 5 x 9 ft	approx. 45 sq. ft.	To be removed
	Principal dwelling	Bungalow		2,100 sq. ft.	Compliant
	Attached garage	Attached Garage	16 x 23 ft	368 sq. ft.	First private garage
	Proposed building		16.46 x 12.50 m	2,214 sq. ft.	Subject of this application

We confirm your understanding that the building referred to in your correspondence as "the detached garage (RPR 2)" is the 8.76 m x 7.21 m building, shown on RPR Detail 'A' at 0.81 m and 0.76 m from the property line. It was

originally constructed as a single-vehicle garage; the vehicle door opening has since been closed in, and the building is now used for storage and as a home office. It is not usable as a garage in its present form, and is treated throughout this application as an accessory building that remains lawfully non-conforming as to setback.

No other building or roofed structure exists on the parcel. There are no sea-cans, tents, temporary shelters or other roofed structures on the property.

4. Habitable and Floor Areas

The habitable area of the principal dwelling is approximately 2,100 sq. ft., comprising all floors of livable space within the exterior walls above grade, designated for human occupancy. It excludes the attached garage, areas used exclusively for storage, and areas devoted exclusively to mechanical or electrical equipment. The proposed suite is built on a slab foundation and has no basement.

Measure	Area	Comprises
Principal dwelling, habitable area	2,100 sq. ft.	Existing dwelling, excluding attached garage
Proposed building, gross floor area	3,366 sq. ft.	Main level 2,214 plus second floor 1,152
Proposed building, main level	2,214 sq. ft.	Garage and workshop, mud room, bathroom; non-habitable
Secondary suite, habitable area	1,152 sq. ft.	Second floor only; two bedrooms

The suite at 1,152 sq. ft. is smaller than the habitable area of the principal dwelling and below the 1,400 sq. ft. maximum under Section 10.26.13(a), and above the 100 sq. m (1,077 sq. ft.) minimum habitable area per dwelling under Section 13.1.7.7. Both application forms have been corrected to show these figures separately.

5. Private Garage Allocation under Section 4.2.1.9

Section 4.2.1.9 permits up to two private garages, attached or detached, in addition to the accessory buildings allowed under Section 4.2.1.7A, where the cumulative area of the garages does not exceed 111.48 sq. m. (1,200 sq. ft.) in Country Residential. As the office (RPR 2) is not usable as a garage, the two private garages on the parcel are the attached garage and the detached garage (RPR 5).

Garage	Measurement	Area
Attached garage (first garage)	16 x 23 ft, measured	368 sq. ft.
Detached garage, RPR 5 (second garage)	7.51 x 9.83 m, per RPR	795 sq. ft.
Cumulative garage area		1,163 sq. ft.
Maximum permitted, Section 4.2.1.9(b)	111.48 sq. m.	1,200 sq. ft.

The cumulative garage area is within the permitted maximum, and both garages are excluded from the accessory building count and cumulative area in accordance with Sections 4.2.1.9 and 9.2.3.

For completeness, page 4 of the Real Property Report dimensions the attached garage at 5.61 m to 5.77 m by 7.11 m, measured to the extent of the exterior walls, which equates to approximately 429 to 442 sq. ft. The figure of 368 sq. ft. above is the measured garage floor area. Our reading is that the garage floor area is the appropriate measure, since Section 10.26.12 defines Building Footprint as total ground coverage including eaves and states that it is used for assessing lot coverage and cumulative area for accessory buildings, whereas Section 4.2.1.9 speaks to the cumulative area of the garages. If you prefer the exterior dimension, we will resubmit the calculation with RPR 5 in the accessory building total.

6. Accessory Buildings: Number and Cumulative Area

With the wood shed (RPR 4) and garden shed (RPR 6) removed, and the two private garages excluded under Section 4.2.1.9, the accessory buildings on the parcel are:

Accessory building	Reference	Building footprint
Barn	RPR 1	734 sq. ft.
Office	RPR 2	680 sq. ft.
Gazebo	RPR 3	400 sq. ft.
Proposed Secondary Suite, Detached	proposed	2,214 sq. ft.
Total, 4 buildings		4,028 sq. ft.
Maximum permitted, Table 4.2.1.7A	4 buildings	3,500 sq. ft.
Exceedance	nil	528 sq. ft. (15.1%)

The number of accessory buildings is at, and does not exceed, the maximum of four permitted for a parcel of 5.0 to 9.99 acres under Table 4.2.1.7A. The proposal is a net reduction of one structure on the parcel. Areas are stated as building footprint measured to the exterior wall line, consistent with the basis used throughout the Real Property Report and the 2021 Letter of Compliance. The gazebo area is calculated from the six wall dimensions shown on RPR page 4 (4.10, 4.10, 3.32, 3.95, 3.97 and 3.25 m).

7. Statement of Compliance

Requirement	Standard	Proposal	Status
Use	Secondary Suite, Detached	As proposed	Discretionary
Suite size (10.26.13)	Under principal dwelling; max 1,400 sq. ft.	1,152 sq. ft. (house approx. 2,100)	Compliant
Bedrooms (10.26.10)	Maximum 2	2	Compliant
Building height (13.1.7.6)	Max 10.67 m (35 ft)	9.40 m (30 ft 10 in)	Compliant
Front yard (13.1.7.3)	48 m from centreline of Municipal road	in excess of 100 m	Compliant
Side and rear yards (13.1.7.3)	15 m	in excess of 30 m	Compliant
Separation from principal building (9.2.5)	2.4 m	in excess of 50 m	Compliant
Lot coverage (13.1.7.1)	Maximum 40%	well below maximum	Compliant
Parking (9.19.C, 10.26.16)	2 dwelling + 2 suite	4 stalls	Compliant
Accessory bldg. count (Tbl 4.2.1.7A)	Maximum 4 buildings	4 buildings	At maximum
Cumulative area (Tbl 4.2.1.7A)	Max 3,500 sq. ft.	approx. 4,028 sq. ft.	Relief 10.26.15
Home Office (2.5, 13.1)	Permitted use; DP required outside the dwelling	Existing use in RPR 2	Approval sought
Gazebo, RPR 3 (13.1.7.3)	15 m side and rear yards	As existing	Relaxation sought
Detached garage, RPR 5 (13.1.7.3)	15 m side and rear yards	As existing	Relaxation sought
Office, RPR 2 (13.1.7.3)	15 m side and rear yards	0.81 m and 0.76 m	Remains non-conforming

No variance to yard setbacks is sought in respect of the proposed building, and no variance to the maximum number of accessory buildings is sought. Relaxation of setbacks is sought in respect of two existing buildings, addressed at Part 9. The only item of relief is the cumulative accessory-building area, addressed at Part 11.

Page 2 of the Real Property Report dimensions the road allowance west of the parcel at 20.12 m, placing the centreline of 144 Street East approximately 10.06 m west of the west property line; the front yard distance above is measured to that centreline. Please confirm whether 144 Street East is classified as a Municipal Road or a Municipal Road, Major, and whether Caveat 901 259 242 (Roadway, Foothills County) constitutes an agreement for the acquisition of land for road widening such that Section 13.1.7.3 requires the front yard to be measured from a future property boundary.

The applicant further confirms that there are no abandoned oil or gas wells located on the parcel. A completed Abandoned Well Site Form and Schedule A (AER Abandoned Well Map Viewer search) are enclosed in support.

8. Home Office in the Existing Accessory Building (RPR 2)

The building identified as RPR 2 is used as a home office. The undersigned is the principal and sole employee of an incorporated regulatory consulting practice. The work is performed predominantly at client premises off the property, and the building provides desk and file space when working from home. There are no employees other than the undersigned, no client or business visits to the site, no signage, no business vehicles, and no goods or materials stored on the property, indoors or out.

The use meets the definition of Home Office under Section 2.5, being an office situated within a dwelling and/or accessory building where all employees of the business working on the site are residents of the dwelling, no outdoor storage of business materials is situated on the property, and no traffic is generated by the business. Home office is a permitted use in the Country Residential District under Section 13.1.

We accept your advice that the exemption from the Development Permit process under Section 4.2.1.19 applies only where the home office is situated within the dwelling, and that a Development Permit is accordingly required where, as here, the office is situated in a detached accessory building. Approval of the Home Office is therefore sought as part of this application. An annual Foothills County business licence will be obtained in the corporation's name in accordance with Section 10.12.2.

No Home Based Business is operated on the parcel and none is proposed. A plan of the office is enclosed at Appendix G. The building contains no kitchen or cooking facilities, no washroom or plumbing fixtures, and no bedroom or sleeping accommodation, and is not used for accommodation of any kind. It therefore does not meet the definition of a Dwelling Unit under Section 2.5, which requires sleeping facilities, washroom facilities and a kitchen intended for domestic use, and it is not a secondary suite.

The building is used in its existing form. No construction, enlargement, addition or structural alteration is proposed in connection with the Home Office.

9. Relaxation of Setbacks (RPR 3 and RPR 5)

Further to your advice, relaxation of setbacks is requested in respect of the following two existing buildings, so that each is brought into compliance and may be repaired, replaced or structurally altered in future. Neither request involves any construction or change at this time.

Building	Present status	Relaxation requested
Gazebo (RPR 3)	Non-conforming as to setback per the 2021 Letter of Compliance	Relaxation of the applicable yard setback
Detached garage (RPR 5)	In compliance only when the 25 percent variance is applied per the 2021 Letter of Compliance	Relaxation of the applicable yard setback

We understand that Section 1.8.7 permits a non-conforming building to be altered in accordance with the variance powers provided by the Bylaw, and that a relaxation granted now would allow these buildings to be replaced or structurally altered in future, which Section 1.8.7 would otherwise prevent. We also understand that the inclusion of the relaxation increases the total permit fee to $600.00, and we will remit the balance outstanding on request.

No relaxation is sought in respect of the office (RPR 2). Page 3 of the Real Property Report dimensions that building at 0.81 m and 0.76 m from the property line, and we accept your advice that it cannot be brought into compliance by relaxation. It will remain a non-conforming building and will continue in its existing use without enlargement, addition, rebuilding or structural alteration.

The wood shed (RPR 4) and the garden shed (RPR 6) are to be removed rather than relaxed. The garden shed is the structure identified in the 2021 Letter of Compliance as not meeting the 15.0 m minimum side yard setback, and that letter offers removal, together with a commissioned affidavit attesting to the removal, as a remedy. The landowners undertake to remove both structures and to provide that affidavit; we propose to carry out the removals following a decision on this application, and would be content for that undertaking to be made a condition of any approval.

10. Title and Encumbrances

A current Certificate of Title, obtained July 28, 2026, is enclosed at Appendix B. The registered owners are Jesse Elcombe and Enid Elcombe as joint tenants. Three instruments are registered against title: a Utility Right of Way in favour of Sunshine Gas Co-op Ltd. (761 040 558); a Caveat re Roadway in favour of the Municipal District of Foothills No. 31 (901 259 242); and a mortgage (211 115 711).

There are no restrictive covenants registered on title, and accordingly nothing on title is contrary to the establishment of a Secondary Suite on the parcel for the purposes of Section 10.26.18. The Sunshine Gas right of way enters the parcel at the north-east corner and runs to the detached garage (RPR 5); neither the proposed building nor the proposed approach encroaches upon it.

11. Request for Relief under Section 10.26.15 (Cumulative Accessory-Building Area)

The cumulative building footprint of the four accessory buildings (approximately 4,028 sq. ft.) exceeds the 3,500 sq. ft. cumulative maximum by approximately 528 sq. ft. (approximately 15.1 percent). Relief for this exceedance is respectfully requested under Section 10.26.15. The exceedance is not excessive and will not materially interfere with the use, enjoyment, or value of any neighbouring property, for the following reasons:

- The 8.9-acre parcel is bordered on all sides by active agricultural land. The nearest actual dwelling is more than 1.18 km away, with the next-nearest at 1.40 km and 1.52 km. There are no adjacent residences.
- The cumulative footprint of all buildings represents well under 1 percent of the parcel area; lot coverage remains far below the district maximum.
- The building is sited on the parcel such that all required yard setbacks are met by a substantial margin, including the front-yard setback from 144 Street East; no setback relaxation is sought.
- The proposal is a net reduction in the number of structures on the parcel, removing two existing sheds, including the garden shed on the north boundary, which does not meet the minimum side yard setback.
- The number of accessory buildings is within the maximum permitted for the parcel size.
- The building's agricultural character and finish, together with the proposed shelterbelt planting, is consistent with the rural character of the surrounding area.

For these reasons, the landowners respectfully request that the Development Authority approve the application, including the requested relief under Section 10.26.15.

12. Enclosures

Application documents:

- Development Permit Application form (Parts 1 to 5), revised, including the Development Permit Application Checklist
- Abandoned Well Site Form and Schedule A: AER Abandoned Well Map Viewer search (no wells on site)
- Secondary Suite Checklist (current form), revised
- Declaration of Understanding, commissioned

Appendices:

- Appendix A: Site plan (2017 Real Property Report; all structures, removals, servicing, parking, and proposed new access)
- Appendix B: Certificate of Title, current to July 28, 2026 (Title No. 211 115 710)
- Appendix C: 2021 Letter of Compliance (SexSmith 17-332)
- Appendix D: Real Property Report, pages 1 to 4 (SexSmith 17-332)
- Appendix E: Floor plans and elevations (Plan 72344DA, main level and second floor)
- Appendix F: Water well test report (Titan Water Systems, ID 12654A) and Calculation of the Average Daily and Annual Water Requirements Worksheet
- Appendix G: Plan of the office building (RPR 2)

Respectfully submitted,

Jesse Elcombe, Landowner / Applicant
Enid Elcombe, Landowner

[redacted]

DEVELOPMENT PERMIT APPLICATION CHECKLIST

The following requirements must be included with your Development Permit Application. Submissions without all necessary requirements will be deemed incomplete and will not be processed until all items have been included.
All plans shall be submitted as one (1) legible paper copy and/or in digital form (pdf)
Please [V] all that are included within the submitted application package.
Applications to be submitted to planning@foothillscountyab.ca

☐	**Pre-Application Meeting Completed (if required)** This meeting is required for all development permit applications for lands identified within the Plan Area of the Highway 2A Industrial Area Structure Plan. This meeting may also be required for lands identified within the Plan Area of an Intermunicipal Development Plan.
☑	**Completed Application Form and Checklist** The Development Permit Application form is to be completed in full and signed by the registered owner of the land.
☑	**Development Permit Topic Sheet Requirements** All information and documentation must be provided as per the Development Permit Topic Sheet specific to the use being applied for. To obtain the appropriate topic sheet please visit our website: https://www.foothillscountyab.ca/development/land-use/development-information-brochures-cheat-sheets
☐	**Letter of Authorization (if required)** Signed by the registered landowner(s) authorizing person(s) to act on their behalf (if not the Applicant).
☐	**Affidavit or Corporate/Company Seal (if required)** An affidavit or corporate seal is required when the registered owner identified on the certificate of title is listed as a corporation/company. If you have a seal, please affix your seal to every place where your signature is required.
☑	**Application Fees** Current Fees Schedule: https://www.foothillscountyab.ca/government/bylaws/fee-schedule-bylaw-612023
☑	**Site Plan of the Proposed Development (example on reverse side of this page)** Plan must illustrate the following (if applicable): • the entire parcel and any other land that may be used in conjunction with the parcel for the proposed use. If additional lands are owned by others, must include names and signed consent for proposed development; • dimensions/size of the parcel; • existing or proposed setbacks, easements, or rights of way; • the location of all existing and proposed buildings, wells, septic tanks, disposal fields, dugouts, lagoons, culverts, approaches, and crossings that may be used in conjunction with proposed development; • dimensions and setbacks to property lines of all existing and proposed buildings and structures; • any significant natural features on or adjacent to the parcel • identify adjacent roads and highways • site plan orientated so north arrow is at the top of page
☑	**Abandoned Oil/Gas Well Form** This form is to be completed in full and signed by the registered owner(s) of the lands or duly authorized agent. This is a requirement of the Alberta Energy Regulator (AER).
☐	**Alberta Transportation Roadside Development Permit Application (if required)** **PLEASE BE ADVISED THAT IF YOUR PARCEL IS WITHIN 300 METRES OF A PROVINCIAL HIGHWAY OR 800 METRES TO A PROVINCIAL HIGHWAY INTERSECTION YOUR APPLICATION WILL BE CIRCULATED TO ALBERTA TRANSPORTATION AND MAY BE SUBJECT TO A ROADSIDE DEVELOPMENT PERMIT.** To determine if this is required, please contact/visit: 403-297-6311 or http://www.transportation.alberta.ca/613.htm The application form is available at: http://www.transportation.alberta.ca/Content/docType329/Production/rdpapp.pdf
☑	**Other Requirements (attach separate page detailing additional submitted documentation)** All requirements specific to the Development Permit in question must accompany the application. To determine other requirements please review Section 4.3 and Appendix A of the County's Land Use Bylaw 40/2016, which can be viewed on the County's website www.foothillscountyab.ca

NOTE: ADDITIONAL ITEMS MAY BE REQUESTED UPON RECEIPT AND REVIEW OF THE APPLICATION

Application for Development Permit

Land Use Bylaw No. 60-2014

Foothills County www.foothillscountyab.ca
309 Macleod Trail, Box 5605, High River, AB T1V 1M7 • Tel: 403-652-2341 Fax: 403-652-7880

THIS IS NOT A BUILDING PERMIT. Construction practices and standards of construction of any building or any structure authorized by this Development Permit must be in accordance with the Building Bylaw. An application must be made for a Building Permit under the requirements of the Building Bylaw and a Permit must be secured before any work or construction on any building may commence or proceed.

FOR OFFICE USE ONLY

Fee Submitted:_____ Application No: _____

Receipt No.:_____ Tax Roll No: _____

Date Received:_____ Date Deemed Complete: _____

PART 1 APPLICANT/AGENT INFORMATION

Applicant's Name: Jesse Elcombe and Enid Elcombe

Email [redacted]

Applic

Telep

Legal Land Description: Plan 901 1978, Block 1, Lot_____, LSD_____,

Quarter SW, Section 35, Township 20, Range 28, West of the 4 Meridian.

Registered Owner of Land: Jesse Elcombe and Enid Elcombe

Regist [redacted]

Email:

Interest of Applicant if not owner of site: _____

PART 2 PROPOSED DEVELOPMENT

I/We hereby make application in accordance with the plans and supporting information submitted herewith. (which forms part of this application). Please give a brief description of the proposed development, including name of development where applicable.

Secondary Suite, Detached: construction of a detached accessory building with a two-bedroom secondary suite (1,152 sq. ft.) on the second floor, over ground-floor garage and workshop space with a mud room and a bathroom. The suite is under the 1,400 sq. ft. maximum and is smaller than the principal dwelling. No new dwelling unit is created at grade; the ground floor is accessory (garage and workshop) use only.

This application also seeks approval of a Home Office in the existing accessory building (RPR 2),

and relaxation of setbacks in respect of the gazebo (RPR 3) and the detached garage (RPR 5).

The wood shed (RPR 4) and garden shed (RPR 6) are to be removed.

PART 3 SITE INFORMATION

Area Of Lot: (In Acres Or Hectares) 8.9 acres

Size Of Proposed Building: 16.46 m × 12.50 m footpr Height: 9.40 m (30 ft 10 in) to ridge

Is There A Dwelling (Residence) On The Site: Yes ☑ No ☐ If Yes, How Many? one — principal dwelling approx. 2,100 sq. ft. habitable

Utilities Presently On Site: Well, septic, natural gas, electric (all existing)

Are There Sour Gas Or High Pressure Facilities On Site? no

Utilities Proposed: New dedicated private sewage treatment system (tank and field) for the suite; suite served by the existing well, natural gas, and electrical service

Other Land Involved In Application: none

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 FOIP Coordinator at 403-652-2341.

PART 4 DEVELOPMENT

Specify other supporting material attached that forms part of this application. (e.g., Site Plan, Plot Plan, Architectural Drawings, etc.):

Cover letter; Secondary Suites Checklist and Declaration of Understanding; Abandoned Well Site Form with Schedule A (AER search). Appendices: A: site plan (2017 RPR); B: 2021 Letter of Compliance; C: floor plans and elevations (Plan 72344DA); D: water well test report (Titan 12654A); E: Average Daily and Annual Water Requirements Worksheet.

Estimated Date of Commencement: Upon approval Estimated Date of Completion: within 6 months

I, Jesse Elcombe and Enid Elcombe

hereby certify that I am:

☑ The Registered Owner; or

☐ Authorized to act on behalf of the Registered Owner

Date: July 5th 2026

RIGHT OF ENTRY

I, being the owner or person in possession of the above described land and any building thereon, hereby 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.

July 5th 2026 [redacted]

Date Signature of Owner or Authorized Agent

FOR OFFICE USE ONLY

1. Land use district: _____
2. Listed as a permitted/discretionary use: _____
3. Meets setbacks:_____Yes_____No If "NO", deficient in _____
   _____
   _____
4. Other information:_____
   _____
   _____
   _____

PART 5 DECISION

Date of Decision:_____Date Application Accepted: _____

This Development Permit Application is:

☐ APPROVED

☐ APPROVED subject to the attached conditions

☐ REFUSED for the attached reasons

Notice of Decision Advertised: _____

Date of Issuance of Development Permit: _____

_____

Development Officer

NOTE: Development must commence within 12 months of the date of the Date of Issuance of the Permit and be completed within 24 months of the Date of Issuance, unless otherwise stated in the Development Officer's decision.

ABANDONED WELL SITES

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



The location of oil and gas wells that are being drilled or are actively producing is evident, both from the surface and through a notation on the land title. Abandonment of an oil and gas well occurs by rendering the well incapable of flow and placing a cap over the casing approximately one meter below the surface. After surface reclamation is complete and a certificate is issued by Alberta Environment, the well site lease notation may be removed from the title. At this point, there is nothing visible on the surface or on the title to indicate the presence of an abandoned well.

Council and staff give serious consideration to information pertaining to abandoned well sites when evaluating applications for subdivision, land use amendment or redesignation, development permits, and building permits.

The Alberta government has recently introduced new requirements for developers and property owners relating to abandoned wells.

Effective November 1st 2012, subdivision and development applications must be accompanied by documentation from the Alberta Energy Regulator (AER) indicating the presence or absence of abandoned wells on-site. If abandoned wells do exist on-site, subdivision and development applications must show exactly where the wells exist, what the setback distances are (if setbacks are required) and how they have been taken into account. To assist applicants in collecting the required information, the AER has released an 'Abandoned Well Map Viewer' that provides the location, name of the licensee, and status of abandoned wells across Alberta. The viewer is available at:

https://maps.aer.ca/awm/index.html

Through use of the viewer, subdivision and development applications must now contain the following:

1. A map of the search area from the viewer and a statement that there are no wells in the project area or;
2. A list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, as provided by the viewer or Information Services;
3. Written confirmation from the applicant that the licensee responsible for each well has been contacted and the exact well location confirmed;
4. A sketch of the proposed development incorporating the necessary setback area for each well;
5. If the development will result in construction activity within the setback area, a statement confirming that the abandoned wells will be temporarily marked with on-site identification to prevent contact during construction.

The AER Calgary Office can be contacted at:

AER Calgary (Head Office)
Suite 1000, 250 – 5th St. SW
Calgary, AB T2P 0R4
Phone: (403) 297-8311
Toll Free: 1-855-297-8377
Fax: (403) 297-7336
Email: inquiries@aer.ca

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.

If no wells are listed on-site:

I, Enid Ida Elcombe and Jesse James Elcombe being the registered
Owner(s) or agent acting on behalf of the registered owner(s)

of Block 1 Plan 901 1978 (SW 35-20-28-W4M)
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a map of the search area from the viewer and a statement identifying that no abandoned well sites were noted on the above legal description.

[redacted]

Owner/Agent

DATED: this 5th day of July, 2026.

OR

If wells are listed on-site:

I, _____ being the registered
Owner(s) or agents acting on behalf of the registered owner(s)

of _____
(Legal Description)

Do hereby confirm that I have done my due diligence as required by Alberta Municipal Affairs, the M.D. of Foothills, and the AER, by obtaining required information from the 'Abandoned Well Map Viewer" and/or through the AER Information Services, and hereby attach "Schedule A" containing a list and map identifying the locations of abandoned wells within the search area, including the surface coordinates, written confirmation that I have contacted the licensee for each well and that the exact location of each well has been confirmed, a sketch of the proposed development incorporating the necessary setback area for each well, and a statement confirming that abandoned wells will be temporarily marked with on-site identification to prevent contact during construction, if the development will result in construction activity within the setback area.

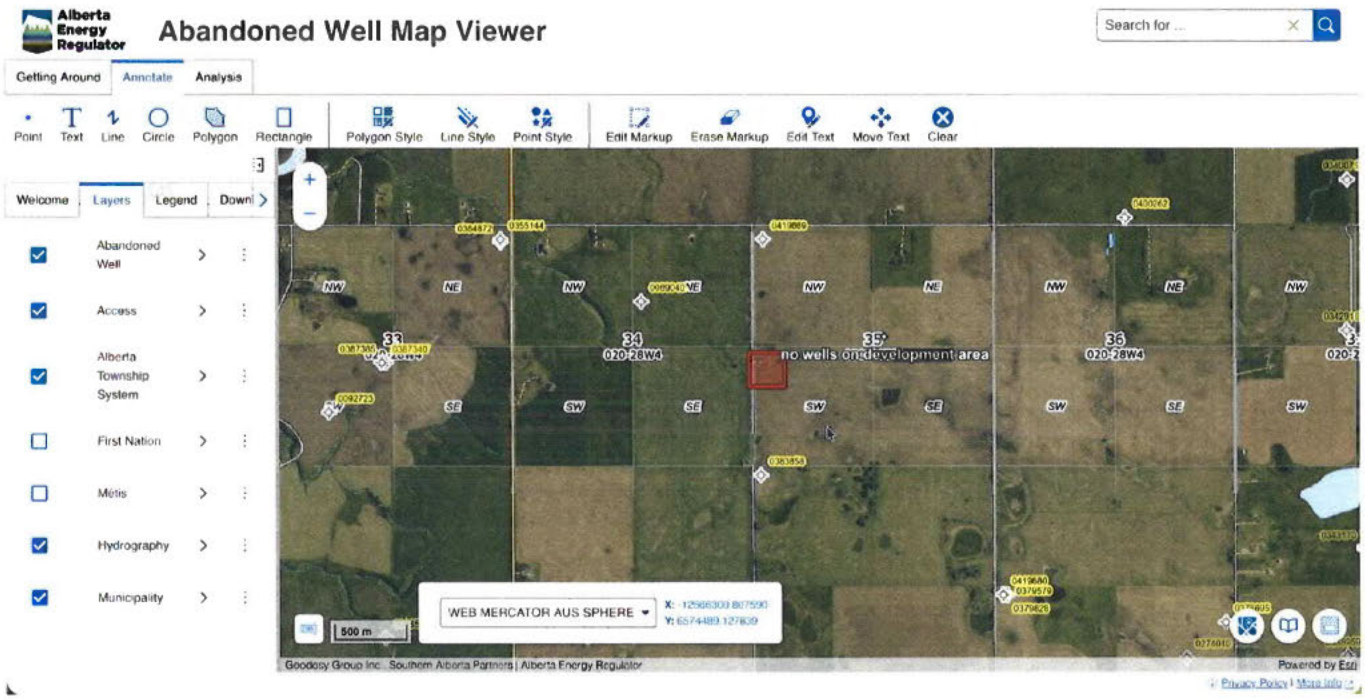
_____
Owner/Agent

DATED: this _____ day of _____, 20_____.

This form shall accompany all applications for Land use, Subdivisions, Development Permits and Building Permits.

SCHEDULE A: ABANDONED WELL SITE SEARCH

AER Abandoned Well Map Viewer (https://maps.aer.ca/awm/index.html). Block 1, Plan 901 1978; SW 1/4 35-20-28-W4M. [redacted]



STATEMENT: NO ABANDONED WELLS ON SITE

The Alberta Energy Regulator (AER) Abandoned Well Map Viewer was searched for the subject lands: Block 1, Plan 901 1978, within the SW 1/4 of Section 35, Township 20, Range 28, West of the 4th Meridian [redacted] The subject parcel is outlined (red) on the map above. No abandoned well sites are located on the parcel or within the development area.

This Schedule A, comprising the search-area map from the viewer and this statement, is submitted with, and forms part of, the completed Abandoned Well Site Form for this Development Permit application.

Please fill in form, print and sign application before returning to Foothills County.
The form must be signed by the landowner(s) of the property.

Secondary Suite Checklist

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

THIS IS NOT A BUILDING PERMIT. Construction practices and standards of construction of any building or any structure authorized by this Development Permit must be in accordance with the Building and Safety Code Permits. An application must be made for all required Building and/or Safety Codes Permits.

Construction of Secondary Suites may not commence, nor can a Secondary Suite be occupied, prior to the issuance of all required Development, Building, and Safety Code approvals.

LANDOWNER/APPLICANT INFORMATION

Name of Landowner(s): Jesse Elcombe and Enid Elcombe

Name of Applicant(s): Jesse Elcombe and Enid Elcombe

Legal Land Description: Plan 901 1978 Block 1 Lot _____

Quarter SW Section 35 Township 20 Range 28 Meridian W4

Area of Lot (In Acre or Hectares): 8.9 acres (3.6 ha)

TYPE OF SECONDARY SUITE

(LOCATED WITHIN)	CHECK	(STAND-ALONE)	CHECK
Existing Principal Dwelling/Attached Garage	☐	Proposed New Detached Secondary Suite	☑
Existing Accessory Building	☐	Existing Detached Secondary Suite	☐
Proposed New Principal Dwelling/Attached Garage	☐		
Proposed New Accessory Building	☐		

SUITE INFORMATION

Secondary Suite existed before Bylaw 68/2023 was adopted: January 31, 2024 ☐ YES ☑ NO

Estimated date of Construction (if Secondary Suite existed prior January 31, 2024): n/a

Total habitable area of principal dwelling (pre≤Secondary Suite): 2,100 sq. ft.

Total area of the Secondary Suite area (sq. ft.): 1,152 sq. ft. (second floor; building gross floor area 3,366 sq. ft.)

The following definitions may be used to help determine the total area of the Secondary Suite:

HABITABLE AREA of a Secondary Suites is the sum of all floors of all livable space contained within the exterior walls of the structure, including the basement, designated for human occupancy including areas for living, sleeping, eating or food preparation, or recreational purposes, but does not include the garage or areas devoted exclusively to mechanical or electrical equipment servicing the development.

BUILDING FOOTPRINT means the total ground coverage or impermeable surface of the building area, including any covered roof structures, cantilevers, eaves, attached and covered decks, garage space, carports, porticos, etc. The Building Footprint is used for assessing things such as lot coverage.

Maximum height of Secondary Suite: 31'

Total number of Dwelling Units on the parcel (prior to making this application): 1

Number of parking spaces provided for the Secondary Suite: 2

Describe availability of storage space accessible to the occupants of the Secondary Suite: main floor garage

WATER SOURCE

1. **Connection to Municipal Water System**

   Name of Municipal Water System or Hamlet/Subdivision:

   _____

   Requirements:

   ☐

connect to existing drilled well for the primary residence

☐

3. Private Wastewater /Sewer System

☐

☐

☑

Supporting documents, attached as appendices:
Appendix A: Site plan (2017 RPR, proposed development marked)
Appendix B: Letter of Compliance (2021, SexSmith 17-332)
Appendix C: Floor plans and elevations (Plan 72344DA)
Appendix D: Water well test report (Titan Water Systems, ID 12654A)
Appendix E: Average Daily and Annual Water Requirements Worksheet

upon approval

Within 6 months of approval

The building is set well back on the approximately 8.9-acre parcel, with the nearest neighbouring dwelling approximately 1.2 km away. It will match the character and design of the existing structures and the general design of the area. A shelterbelt planting is also proposed.

☑

☐

☐

☑

SECONDARY SUITE REGISTRY

☑



July 21st 2026

July 21st 2026

Docusign Envelope ID: 98BD9859-DAD6-8717-804B-6FB134019C53

DECLARATION OF UNDERSTANDING

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

Landowners are required to review this Declaration of Understanding and then sign it before a Commissioner for Oaths. Commissioners are available at the County Office by appointment with the Planning Department.

REGISTERED LANDOWNER(S) DECLARATION

This is to certify that the Landowners (names of all landowners registered on the certificate of title must be included):

Jesse Elcombe	Enid Elcombe
Print Name	Print Name

I/(we) understand:

a. Proof of water for the purposes of household consumption (human consumption, sanitation, fire prevention and water animals, gardens, lawns and trees) is legislated and enforced under the Provincial Water Act.

b. It is the Landowner's responsibility to understand and acknowledge the estimated water supply requirements necessary for all existing and proposed uses on the property.

The province has developed a worksheet titled, "Calculation of the Average Daily / Annual Water Requirements" that can be used to assist you with understanding this requirement and is available on the Province's website here: *https://open.alberta.ca/publications/9781460143414*

c. It is the Landowner's responsibility to ensure that an adequate potable water supply is provided and maintained for both existing and proposed uses on the property, including the Secondary Suite.

i. Where a Secondary Suite is being connected to a piped water system, it the landowner's responsibility to submit a letter to the Development Authority providing confirmation from the supplier of the piped water system indicating that there is adequate water available to service the existing uses and proposed additional use (Secondary Suite and associated water use) on the subject parcel, and that the supplier has authorized the approval to connect.

ii. Where groundwater is being utilized as potable water supply for a Secondary Suite, it is the Landowner's responsibility to supply and maintain an adequate quantity of potable water while still complying with the maximum allowance of 1250m³ per year (750 imperial gallons per day) per household for groundwater sources on a parcel under the Water Act (a Secondary Suites constitutes as an additional household).

Alberta Environment and Parks has published a document called "Water Wells That Last." as a guide for private well owners in Alberta. It is recommended that you review this document if utilizing groundwater as a water supply for your property. A copy can be found at the following link *https://open.alberta.ca/publications/9781460143414*.

iii. Where water is hauled to the site to be utilized as the potable water supply for a Secondary Suite, it is the landowner's responsibility to ensure the appropriate size of cistern or holding tank is installed in accordance with all applicable Municipal and/or Provincial Legislation. The landowner is also responsible for ensuring that all road bans are adhered to.

Municipal Road Ban information can be found on the County's website here: *https://www.foothillscountyab.ca/alerts/2024-spring-road-bans*

d. It is the Landowner's responsibility to ensure that the water quality meets the Guidelines for Canadian Drinking Water Quality and Alberta Health Services Criteria to ensure that the water quality is suitable.

e. It is the Landowner's responsibility to provide adequate wastewater/sewage disposal for the Secondary Suite to the satisfaction of the Building/Safety Codes Officer.

i. Where sewage disposal is connected to an approved piped communal collection system, the operator of the communal system must confirm that the system has adequate capacity for the additional sewage and has authorized the approval to connect.

ii. Where an existing private sewage treatment system is being used, a certified septic designer/installer must confirm that the existing system can adequately manage the additional waste or a new system or addition to the existing system has been adequately sized to accommodate the additional waste and the location is suitable.

f. I acknowledge that the proposed development may result in additional and/or updated municipal address(es) on the property. Consequently, I understand that this may result in changes to the Canada Post mailing address. The county is not responsible for associated costs of such.

I (we) declare to have read and understand the above requirements and have exercised due diligence to ensure that we meet these above noted requirements prior to making application for approval of a Secondary Suite in Foothills County.

Sworn before me at the City
of Cornwall in the Province
of ~~Alberta~~ this 21 day of July, 20 26
Ontario

[redacted]

A Commissioner for Oaths in and for the Province of Alberta

Levi-Matthew Gordon
Licensed Paralegal & Notary Public
Law Society of Ontario Licensee P16277

[redacted]

Landowner (Print Name Below)

Sworn (or Affirmed or Declared) remotely by Jesse and Enid Elcombe stated as being located in Calgary, AB, Canada, before me in Cornwall, ON, Canada, on July 21, 2026, in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.

Sworn before me at the City
of Cornwall in the Province
of ~~Alberta~~ this 21 day of July, 20 26
Ontario

[redacted]

A Commissioner for Oaths in and for the Province of Alberta

Levi-Matthew Gordon
Licensed Paralegal & Notary Public
Law Society of Ontario Licensee P16277

[redacted]

Landowner (Print Name Below)



APPENDIX A

Site Plan

2017 Real Property Report (SexSmith 17-332), proposed development marked; structures to be removed identified; servicing, parking and proposed approach shown

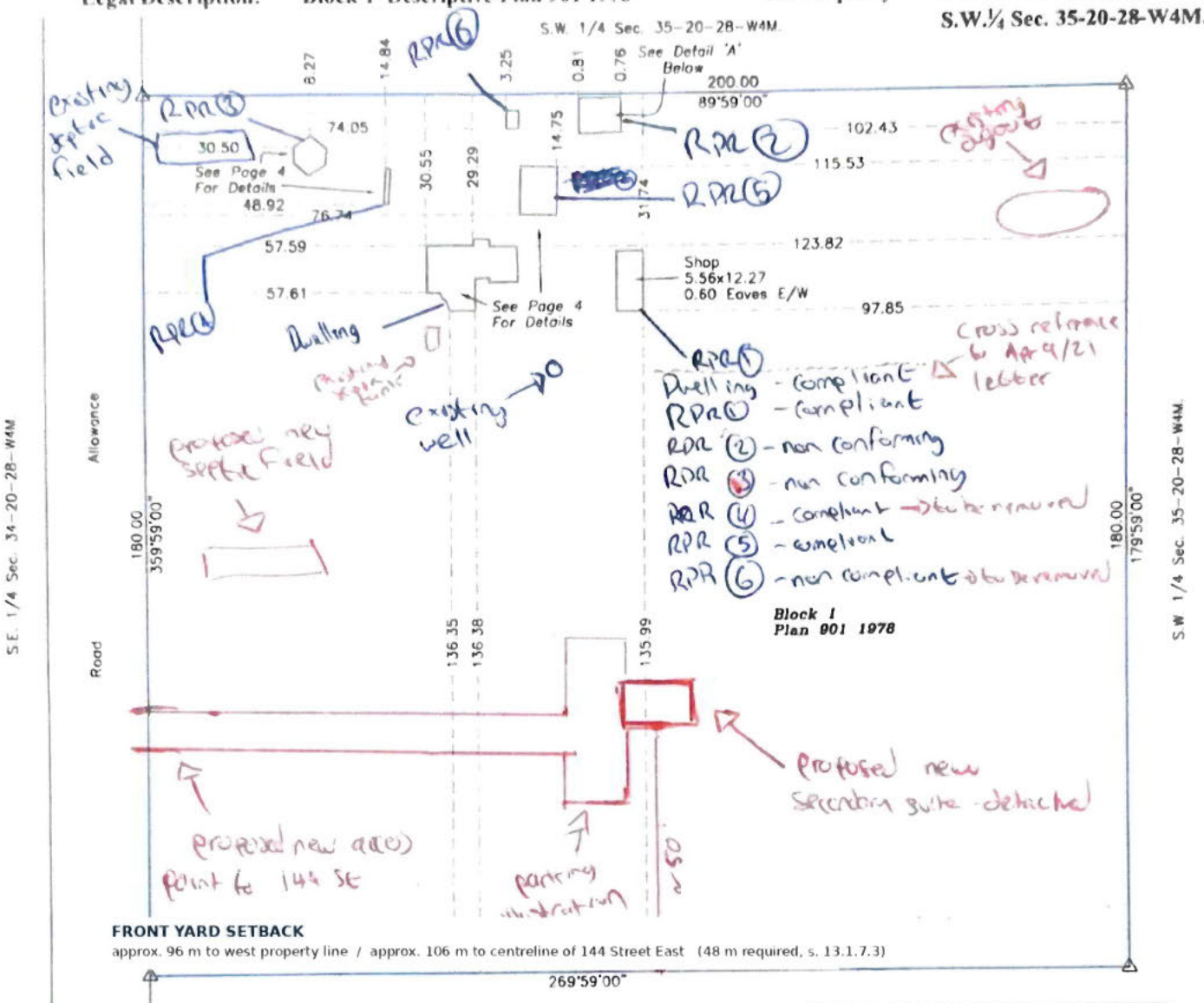
Development Permit Application. Secondary Suite, Detached. Elcombe, [redacted]

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 3 of a Real Property Report and is ineffective if it is detached from page 1, 2 or 4. Page 3 of 4

Legal Description: **Block 1 Descriptive Plan 901 1978** **Municipality:** **M.D. Foothills No. 31**

S.W.¼ Sec. 35-20-28-W4M.



FRONT YARD SETBACK

approx. 96 m to west property line / approx. 106 m to centreline of 144 Street East (48 m required, s. 13.1.7.3)

SITE PLAN NOTES - REVISED

Building references used throughout this application:

RPR 1 Barn 5.56 x 12.27 m, 734 sq. ft.

RPR 2 Office 8.76 x 7.21 m, 680 sq. ft. Former single-vehicle garage, door opening closed in. Home Office approval sought. Remains non-conforming as to setback.

RPR 3 Gazebo approx. 400 sq. ft. Relaxation of setbacks requested.

RPR 4 Wood shed 0.97 x 4.14 m, 43 sq. ft. TO BE REMOVED

RPR 5 Detached garage 7.51 x 9.83 m, 795 sq. ft. Second private garage, s. 4.2.1.9. Relaxation of setbacks requested.

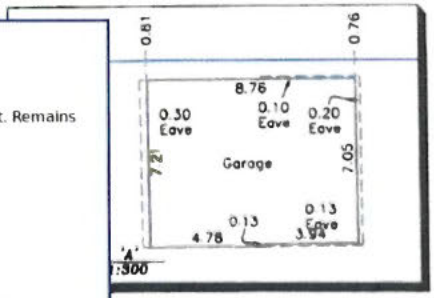
RPR 6 Garden shed, north side approx. 5 x 9 ft, approx. 45 sq. ft. TO BE REMOVED

Attached garage 16 x 23 ft, 368 sq. ft. First private garage, s. 4.2.1.9

Proposed Secondary Suite, Detached 16.46 x 12.50 m, 2,214 sq. ft. footprint

Parking: 4 stalls at 2.75 x 6.0 m, two for the principal dwelling and two for the suite (s. 10.26.16(b)).

Utility right of way: Sunshine Gas Co-op Ltd. (761 040 558) enters at the north-east corner and runs to RPR 5.



1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (c) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Fences not shown

Scale: 1:1250 Drawn: RLJ

File No.: 17-332

P 198

SexSmith Surveys Ltd.

Box 5122, High River, Alberta, T1V 1M3

©Copyright, 2017

APPENDIX B

Certificate of Title

Alberta Land Titles, current to July 28, 2026. Title No. 211 115 710; LINC 0015 481 765

Development Permit Application. Secondary Suite, Detached. Elcombe, [redacted]

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0015 481 765	9011978;1	211 115 710

LEGAL DESCRIPTION

DESCRIPTIVE PLAN 9011978
BLOCK 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 3.6 HECTARES (8.9 ACRES) MORE OR LESS

ATS REFERENCE: 4;28;20;35;SW
ESTATE: FEE SIMPLE

MUNICIPALITY: FOOTHILLS COUNTY

REFERENCE NUMBER: 181 124 672

REGISTERED OWNER(S)

REGISTRATION	DATE (D/M/Y)	DOCUMENT TYPE	VALUE	CONSIDERATION
211 115 710	15/06/2021	TRANSFER OF LAND	$727,500	$727,500

OWNERS

JESSE ELCOMBE

AND
ENID ELCOMBE
BOTH OF:
[redacted]
AS JOINT TENANTS
(DATA UPDATED BY: CHANGE OF ADDRESS 211178312)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
761 040 558	02/04/1976	UTILITY RIGHT OF WAY GRANTEE - SUNSHINE GAS CO-OP LTD.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
901 259 242	17/10/1990	CAVEAT RE : ROADWAY CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 160 HIGH RIVER ALBERTA T0L 1B0
211 115 711	15/06/2021	MORTGAGE MORTGAGEE - COMPUTERSHARE TRUST COMPANY OF CANADA. C/O TRUE NORTH MORTGAGE INC P.O. BOX 351, STATION C KITCHENER ONTARIO N2G 3Y9 ORIGINAL PRINCIPAL AMOUNT: $741,742

TOTAL INSTRUMENTS: 003

PENDING REGISTRATION QUEUE

DRR NUMBER	RECEIVED DATE (D/M/Y)	SUBMITTER	LAND ID
H006BQ8	30/06/2026	FIRST CANADIAN TITLE COMPANY LTD 800-757-2249 CUSTOMER FILE NUMBER: ATB 26141004406	
001		MORTGAGE AMOUNT: $900,000	#211 115 710

TOTAL PENDING REGISTRATIONS: 001

DISCLAIMER: THE DOCUMENT INFORMATION REFLECTED IN THE PENDING REGISTRATION QUEUE HAS NOT BEEN VERIFIED BY LAND TITLES AND MAY BE SUBJECT TO CHANGE UPON REVIEW AND REGISTRATION.

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 28 DAY OF JULY, 2026 AT 06:39 P.M.

ORDER NUMBER: ARLO260729753561

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

APPENDIX C

Letter of Compliance

Foothills County, 2021 (SexSmith 17-332)

Development Permit Application. Secondary Suite, Detached. Elcombe, [redacted]

FOOTHILLS COUNTY

April 9, 2021

Morgan and Erin Smith
[redacted]

Dear Mr. and Mrs. Smith:

RE: LETTER OF COMPLIANCE
Plan 9011978 Block 1; SW 35-20-28 W4
[redacted]

Please note that the above property is designated as Country Residential in our Land Use Bylaw 60/2014.

Provided that all the information shown on this Real Property Report dated July 11, 2017 is accurate; the locations of the Dwelling with attached Decks and attached Garage and the Shop (5.56 x 12.27) are in compliance with the applicable setbacks in Land Use Bylaw 60/2014. The detached Garage (8.76 x 7.21) and Gazebo as shown are considered non-conforming because, while they do not meet current setback requirements, they appear to have been built prior to that being a requirement under the Land Use Bylaw. Non-conforming structures may continue to be used but may not be enlarged, added to, rebuilt, or structurally altered. The locations of the Shed (0.97 x 4.14) and detached Garage (7.51 x 9.83) as shown are in compliance with the applicable setbacks when the variance is applied as per Section 5.6.7 of the Land Use Bylaw. (*5.6.7 The Development Authority may allow with respect to a proposed development, a variance of any yard setback to a maximum of 25% of the setback required by this Bylaw.*) However, the location of the Shed (North side of the property) as shown does not meet the minimum side yard setback of 15.0 m. Should you wish to rectify this situation, the following options are available: move the structure fully within the boundaries of the parcel in compliance with minimum setback requirements and get an updated RPR, remove the structure from the parcel and sign an affidavit attesting to the removal; or apply and be granted approval for a development permit for a relaxation of setbacks.

Please Note: An Affidavit attesting that the Real Property Report, dated July 11, 2017, is identical to the property as it exists today, has been signed by landowner Morgan Smith on March 23, 2021 and fully commissioned by Del Dunlop.

This Letter of Compliance relates only to the building locations in relation to property lines, as per the requirements of the Foothills County Land Use Bylaw No. 60/2014. It does not relate to the requirements of any federal, provincial, or other municipal legislation, nor to the terms or conditions of any easement, covenant, building scheme, agreement or other document affecting the building or land.

If you have any questions or concerns regarding the information in this letter, please contact the Planning Department at (403) 652-2341.

Yours truly,
FOOTHILLS COUNTY Digitally signed by Julie McLean
DN: cn=Julie McLean, o=Foothills County, ou=Planning, email=julie.mclean@foothillscountyab.ca, c=CA
Date: 2021.04.09 13:51:25 -06'00'

Julie McLean
Senior Planner

/do

File No. 17-332 – SexSmith Surveys Ltd.

APPENDIX D

Real Property Report

SexSmith Surveys Ltd. File 17-332, July 11, 2017. Pages 1 to 4 complete, including page 4 site detail

Development Permit Application. Secondary Suite, Detached. Elcombe, [redacted]

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

To: Hank H Bodde and Nadine Bodde
S.W.¼ 35-20-28-W4M.
M.D. of FOOTHILLS No. 31

Re: Block 1 Plan 901 1978

Date of Survey: 04 July, 2017
Date of Title Search: 16 June, 2017

Title No.: 941 130 921
(copy attached hereto)

CERTIFICATION:

I hereby certify that this report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date and of this report, **I am of the opinion that:**

1. the plan illustrates the boundaries of the property, the improvements as defined in part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and rights-of-way affecting the extent of the title to the property;

2. the improvements are entirely within the boundaries of the property;

3. no visible encroachments exist on the property from any improvements situated on an adjoining property;

4. no visible encroachments exist on registered easements or rights-of-way affecting the extent of the property.

PURPOSE

This Report and related plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of (a land conveyance, support of a subdivision application, a mortgage application, a submittal to the municipality for a compliance certificate, etc.). Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights of way affecting the extent of the Property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The attached plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

Dated at High River, Alberta
11 July, 2017

File No. 17-332

Stephen R Hyatt, A.L.S.

This document is not valid unless it bears an original signature (in blue ink) and a (survey company) permit stamp (in red ink).

ALBERTA LAND SURVEYORS' ASSOCIATION
PERMIT NUMBER
P 198
SexSmith
Surveys Ltd.

SexSmith Surveys Ltd.
Box 5122, High River, Alberta, T1V 1M3

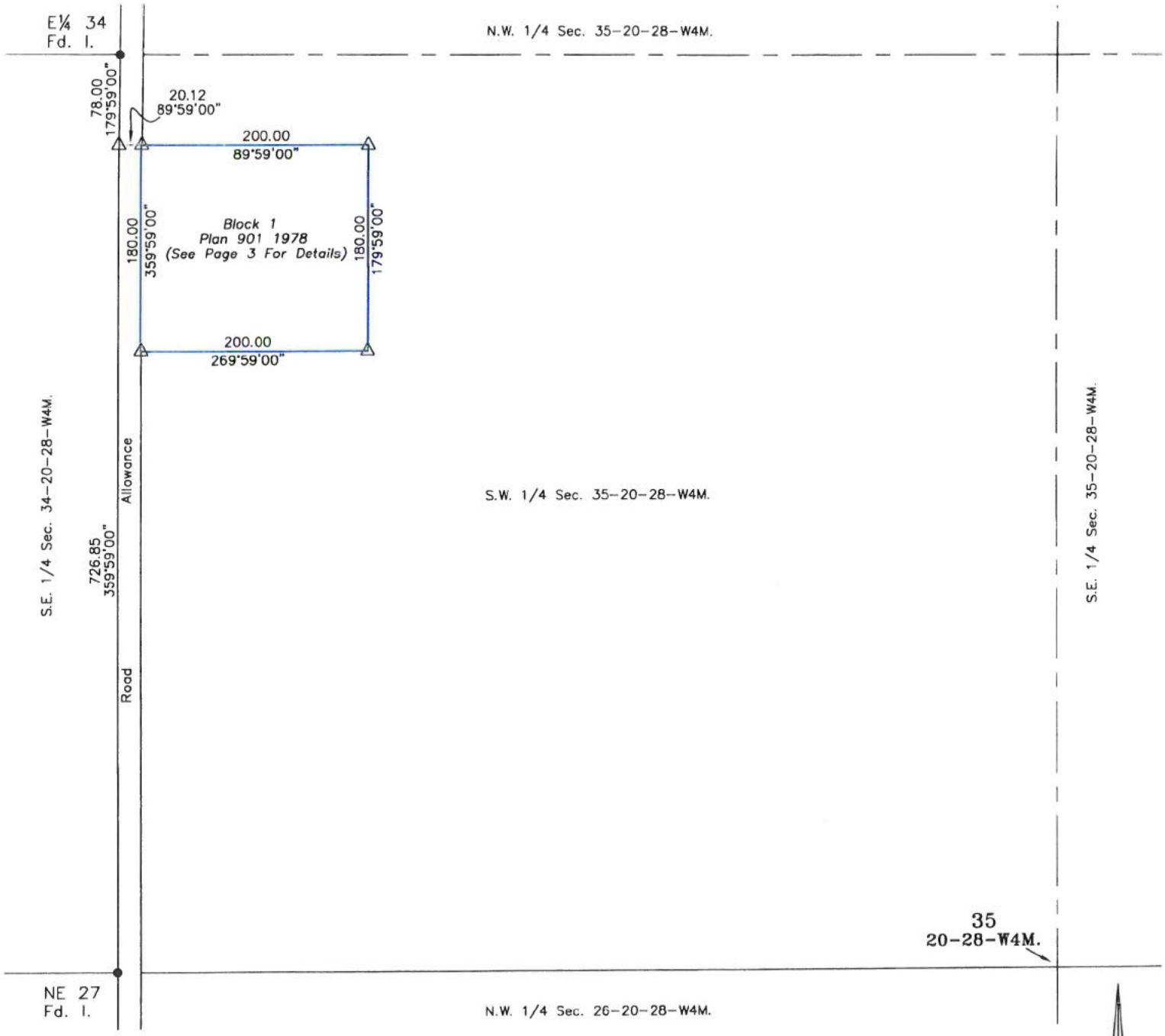
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ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 2 of a Real Property Report and is ineffective if it is detached from page 1, 3 or 4.

Legal Description: **Block 1 Descriptive Plan 901 1978** **Municipality:** **M.D. Foothills No. 31**

S.W.¼ Sec. 35-20-28-W4M.



ENCUMBRANCES:

Registration No. **Particulars**

See Attached Title For Registrations

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Fences not shown

ALBERTA LAND SURVEYORS' ASSOCIATION PERMIT NUMBER P 198 SexSmith Surveys Ltd.

Scale : 1:5000 Drawn: RLJ
File No. : 17-332

SexSmith Surveys Ltd.
Box 5122, High River, Alberta, T1V 1M3

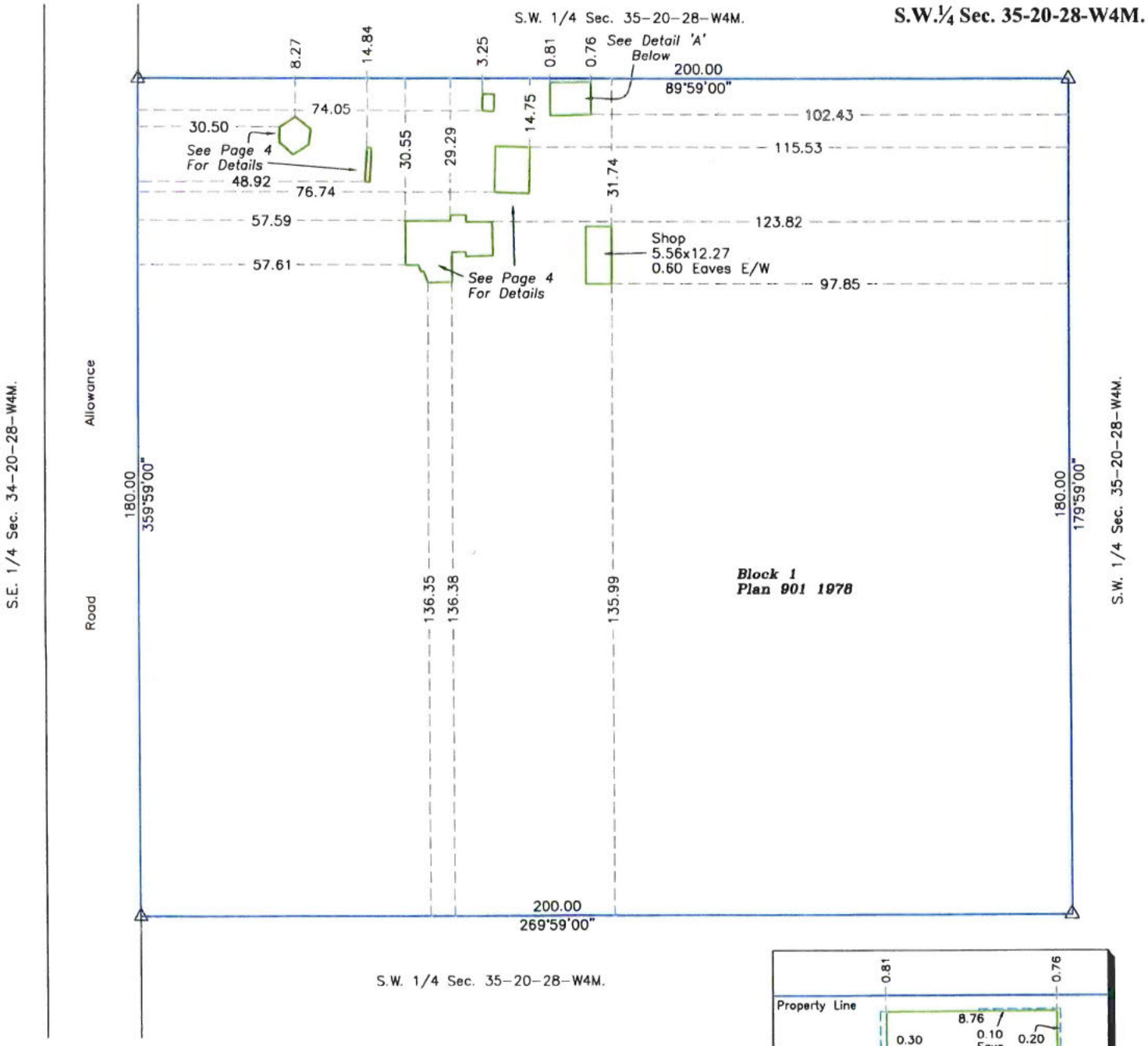
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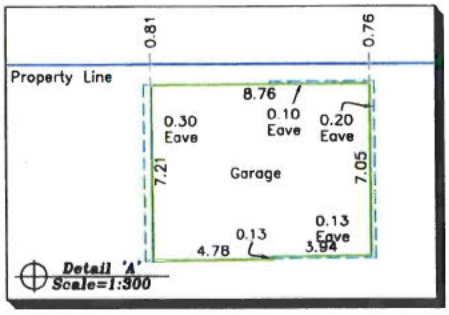
ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 3 of a Real Property Report and is ineffective if it is detached from page 1, 2 or 4.

Legal Description: **Block 1 Descriptive Plan 901 1978** **Municipality:** **M.D. Foothills No. 31**

S.W.¼ Sec. 35-20-28-W4M.





ENCUMBRANCES:

Registration No. Particulars

See Attached Title For Registrations

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Fences not shown





Scale : 1:1250 Drawn: RLJ

File No. : 17-332

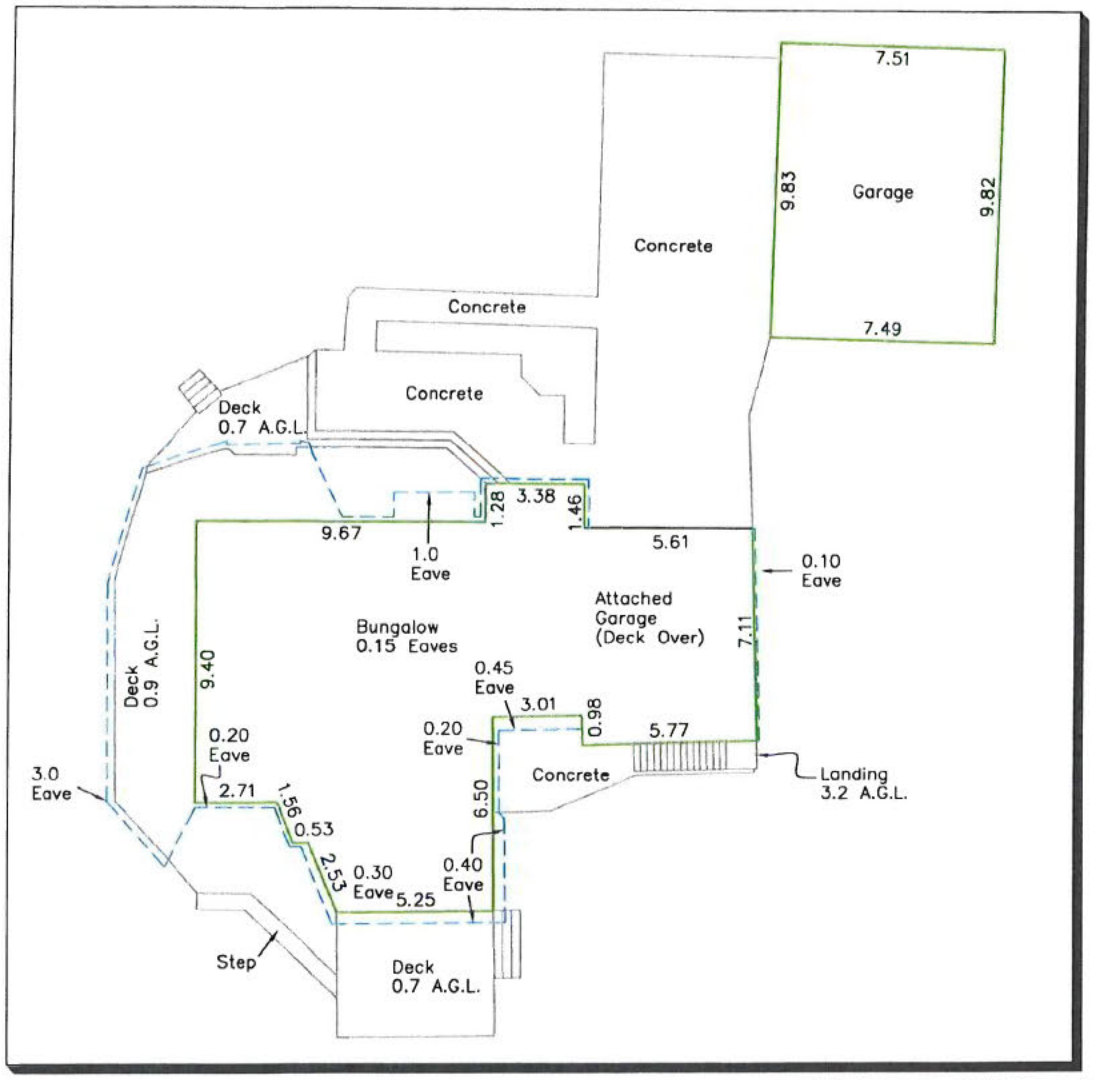
SexSmith Surveys Ltd.
Box 5122, High River, Alberta, T1V 1M3

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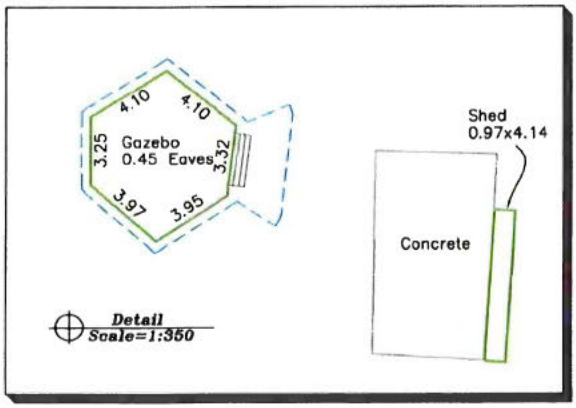
ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT - PLAN

This plan is page 4 of a Real Property Report and is ineffective if it is detached from page 1, 2 or 3.

Legal Description: **Block 1 Descriptive Plan 901 1978** **Municipality:** **M.D. Foothills No. 31**
S.W.¼ Sec. 35-20-28-W4M.







ENCUMBRANCES:
Registration No. **Particulars**
See Attached Title For Registrations

LEGEND:

1. Unless otherwise noted, measurements are made to the extent of the exterior walls
2. Distances are shown in metres and decimals thereof
3. Statutory Iron Posts are shown thus... ●
4. Calculated points are shown thus... △
5. (e) denotes encroachment
6. Eaves are dimensioned to the line of the fascia
7. Fences not shown

ALBERTA LAND SURVEYORS' ASSOCIATION PERMIT NUMBER P 198 SexSmith Surveys Ltd.

Scale : 1:250 Drawn: RLJ
File No. : 17-332

SexSmith Surveys Ltd.
Box 5122, High River, Alberta, T1V 1M3

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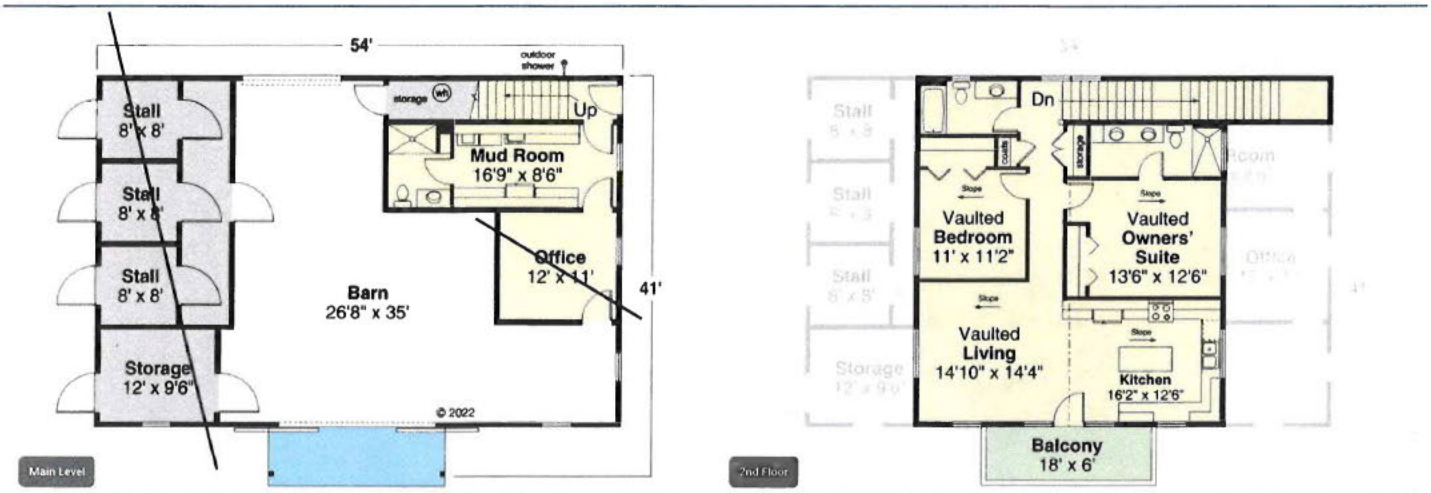
APPENDIX E

Floor Plans and Elevations

Plan 72344DA, main level and second floor

PROPOSED SECONDARY SUITE, DETACHED: FLOOR PLANS

Main Level and Second Floor. Plan 72344DA. Footprint 54 ft x 41 ft (16.46 m x 12.50 m)



NOTE: MAIN LEVEL USE AS PROPOSED

This plan is submitted to show the building's structure, exterior dimensions, and form. The interior layout shown is illustrative and is not the final interior design.

The MAIN LEVEL will be constructed as garage and workshop space with a mud room and a bathroom, as described in Part 2 of the Development Permit application. The areas labelled "Stall" and "Office" on the stock plan will NOT be built as such, that space will be open garage / workshop. No animal stalls and no office are proposed on the main level.

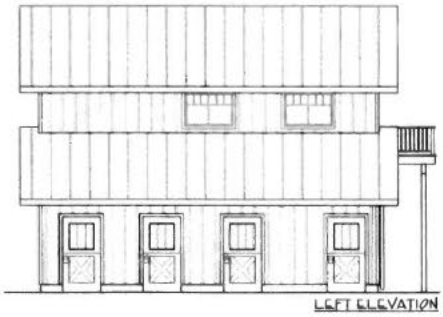
The SECOND FLOOR two-bedroom secondary suite (1,152 sq. ft. habitable) will be built substantially as shown. Height to ridge: 9.40 m (30 ft 10 in). The ground floor is accessory (garage/workshop) space only; no dwelling unit is created at grade.

PROPOSED SECONDARY SUITE, DETACHED: ELEVATION AND EXTERIOR

Left Elevation and Rendering. Plan 72344DA. Two-storey, barn-style, post-frame

Plan 72344DA





BUILDING SUMMARY

Footprint: 54 ft x 41 ft (16.46 m x 12.50 m), 2,214 sq. ft. per floor. Two storeys. Height to ridge: 9.40 m (30 ft 10 in), under the 10.67 m (35 ft) accessory-building limit.

Main level: garage / workshop, mud room, bathroom (as proposed). Second floor: two-bedroom secondary suite, 1,152 sq. ft. habitable, with balcony.

Exterior finish, roof form, window and door placement, and overall massing as shown in the elevation and rendering. Construction to meet Alberta Building Code and Safety Code requirements under separate Building Permit.

APPENDIX F

Water Well Test Report and Water Requirements Worksheet

Titan Water Systems, ID 12654A. 10 IGPM / 14,400 gal per day

TITAN
WATER SYSTEMS
Pumping and Filtration Solutions

WATER WELL TEST / INSPECTION FORM

Client:	Jesse Elcombe		[redacted]		March 23, 2021	
Location:	[redacted]		[redacted]		ID#	12654A
DRAWDOWN					*RECOVERY*	
Time	Depth To Water	Pumping Rate	Remarks		Time	Depth To Water
(min)	(meters)	(IGPM)	*Source Name:*	*House well.*	(min)	(meters)
0	5.38		*Outlet used:*	*Hose bib on pressure tank.*	0	9.92
1	6.11	6.00	***Location:***	***20m southeast of house.***	1	8.69
2	6.31		*Type of well:*	*Drilled, 6" OD.*	2	8.27
3	6.53		*Well Pump:*	*1/2hp 230v Franklin 10gpm.*	3	8.03
4	6.72		***Pressure tank:***	***65gal Steel.***	4	7.85
5	6.90	6.00	*Cistern:*	*None*	5	7.72
7	7.14		*Cistern pump:*	*None*	7	7.50
10	7.29		***Filtration:***	***CF ion, softener, distiller. 10" sed.***	10	7.29
15	7.40	6.00	*Measured from top of:*	*Casing.*	15	6.98
20	7.83	10.00	*Visible water quality:*	*Clear, no sediment, no odour.*		
25	8.02		*Casing stickup:*	*54cm*		
30	8.23		*Lab Sample:*	*Chemistry & Bacteria: Collected by client.*		
40	8.58		*Additional notes:*			
50	8.91	10.00	*Total depth: 120'. Drilled August 2005. GIC ID#1610209*			
60	9.20					
70	9.53		*Pumped at 10 gpm, stable. Likely could pump at 12 gpm with dift pump.*			
80	9.71	10.00	*Original rig air test 12 gpm.*			
90	9.92		*This well is producing 10 gallons per minute. This is 14400 gal/day.*			
			For any water and/or septic servicing please call number below.			
			Troy Niemans 403 601 0811			

Your complete professional water & septic systems company:
Pump & pressure system installations, filtration, cisterns, stock waterers, flow & lab testing, septic tank and field installations
24hr Tel: 403 601 0811 Email: troy@titanwater.ca www.titanwater.ca

Average Daily and Annual Water Requirements

Household Use	
People 360 gpd	131,400 gal/yr

Other Annual Water Requirements		
Irrigation of garden and yard in the summer (assume 6 in. application)		
Area 0 sq. ft. x 3 gal/sq. ft.	=	0 gal.
Chemical spraying 0 acres x 0 gal/acre x 0 applications	=	0 gal.
Greenhouse	=	0 gal.
Other uses	=	0 gal.
Total Annual Other Water Requirements =		**0 gal.**

[1] For fire protection a minimum of 1200 gal / 2 hour is needed to be available.

Total Annual Water Requirements	
Total Annual Household Water Requirements =	**131,400 gal.**
Total Annual Other Water Requirements =	**0 gal.**
Total Annual Water Requirements =	**131,400 gal.**
=	**597,356 litre.**

* Click here for a calculator for determining the size of a dugout.

Note: To change inputs and recalculate, press your browser's Back button.

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APPENDIX G

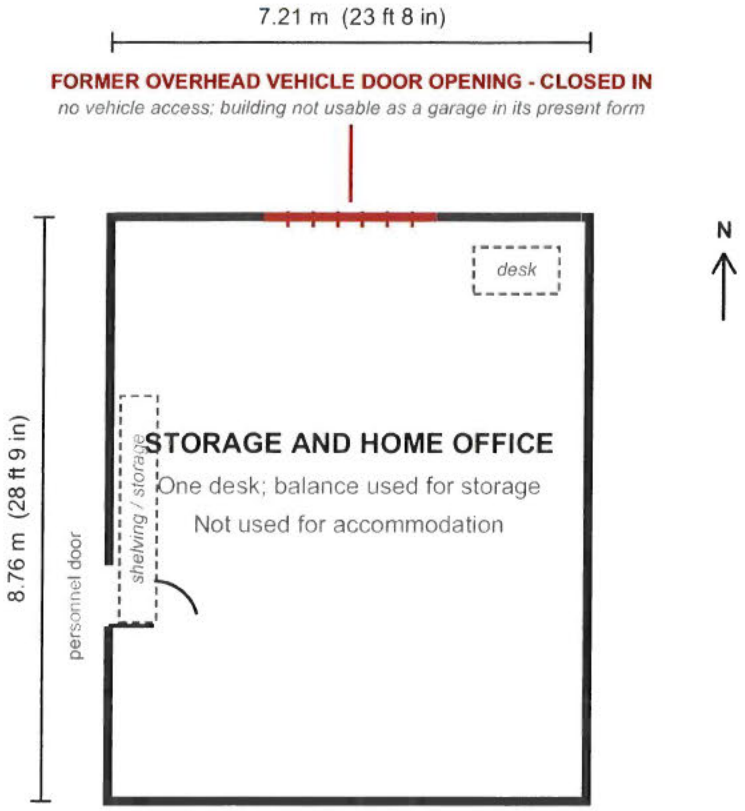
Office Building Plan

Building RPR 2. Provided to confirm the building is not a secondary suite

Development Permit Application. Secondary Suite, Detached. Elcombe, [redacted]

BUILDING RPR 2, OFFICE: PLAN

Existing detached building, 8.76 m x 7.21 m (approx. 680 sq. ft.). Shown as "Garage" on the Real Property Report, Detail 'A'.



NOTES

- There is no kitchen, no cooking facilities, and no room which by design, plumbing, equipment or furnishings could be used as a kitchen.
- There is no washroom and no plumbing fixtures of any kind.
- There is no bedroom and no sleeping accommodation. The building is not used for accommodation of any kind.
- The building accordingly does not meet the definition of Dwelling Unit under Section 2.5 of the Land Use Bylaw, which requires sleeping facilities, washroom facilities and a kitchen intended for domestic use. It is not a Secondary Suite.
- Current use: storage, and one desk used as a home office. See Part 8 of the accompanying cover letter.
- Originally constructed as a single-vehicle garage; the vehicle door opening has been closed in.

Pierre-David Karolyi

From: Elcombe Family [redacted]
Sent: July 21, 2026 11:21
To: Pierre-David Karolyi
Subject: Re: Notice of Information Request - Secondary Suite Application Incomplete
Attachments: Declaration_Secondary Suites_ Elcombe Rev 1.pdf; Secondary Suite Checklist Elcombe rev 1.pdf

Hello Pierre,

Glad to meet you virtually and thanks for the additional information.

In regards to the application form and the declaration of understanding, we did have those included in the application package, I am assuming these were the wrong version of those? Attached you will find the revised Checklist and the Declaration of Understanding with the notary section completed.

In regards to the access road; your comments align with our initial call with the MD that a second access point to the property would likely be very hard to achieve which we fully acknowledge. I know this is a Public Works responsibility, however I would like to provide some additional detail here regarding our logic for the second access point. We evaluated four options to access the proposed secondary suite and determined that Option 1 would be ideal, with Option 2 as the only reasonable alternative:

1. **Access Point 1: Preferred option** - Would require a second access point from Public Work. Has the least disruption to existing vegetation, smallest environmental footprint and impact, uses the least materials and provides the simplest and most straightforward access to the new suite.
2. **Access Point 2: Alternative option -** Effectively the same as Option 1, but uses the neighbouring property to complete the access to 144 Street. From initial discussions with the MD, this would in theory, be allowed, as the neighbouring property has three contiguous quarters sections here that are agricultural zoned, meaning that there is limited restrictions on the number of access points allowed. This would require some arrangement with ourselves and that landowner/an easement agreement at a minimum. This provides similar access as Option 1 but with additional burden on us and the neighbouring landowner. We have already engaged the land owner and they are conceptually in agreement that we would be able to come to an agreement if Public Works were to deny Option 1.
3. **Access Point 3: Not feasible option -** Utilizes the existing access road of the same neighbouring property owner, but access to 144 Street already exists. Would not require any significant vegetation removal like Option 4 but increases the net environmental impact and materials significantly compared to Option 1 or Option 2 while also have negative impacts to the general production and enjoyment of the property.
4. **Access Point 4: Not feasible option** - Utilizes existing driveway, would require a significant amount of work to remove existing vegetation and trees. Front yard has numerous 75ft Poplar trees and the driveway is lined on either side with thick 15ft Carrageenan bushes. Would be the net largest environmental impact and the most destructive to overall property value by destroying much of the from yard of both the existing and proposed dwelling units.


Access Point 3
Access Point 4
Access Point 1
ccess Point 2

PLANNING & DEVELOPMENT CIRCULATION

PUBLIC WORKS DEPARTMENT – CIRCULATION RESPONSE

FILE NUMBER: 26D226	**LANDOWNER:** Jesse and Enid Elcombe
FILE MANAGER: Pierre-David Karolyi	**AGENT:** Jesse Elcombe
CURRENT LAND USE: CR	**PROPOSED LAND USE:** -
LEGAL DESCRIPTION: Ptn. SW 35-20-28 W4; Plan 9011978 Blk 1	
MUNICIPAL ADDRESS: [redacted]	
ROLL NUMBER: 2028352510	
DATE REFERRED: 2026-07-30	
PROPOSAL: Secondary Suite, Detached in proposed accessory building, Relaxation of setbacks of existing buildings, and variance on Cumulative Accessory Building Space	

PROPOSAL INFORMATION:

Development Permit

- Internal Road Proposed: No
- Construction on Road Allowance Proposed: No
- Approaches exist on: Existing
  - Other: Second Approach requested

Information pertaining to roads on North side of the subject lands:

Servicing Comments or Review required:

- Other:

- Road Widening - No Road Widening

OTHER COMMENTS:

Please provide any comments you may have on this application, particularly regarding the second approach, thanks!

PUBLIC WORKS RECOMMENDATIONS:

SUGGESTED CONDITIONS FOR CONSIDERATION: ☑ Proposed ☐ Balance

Geotechnical Report for Slope Stability	☐ Redes/Amend	☐ Subdivision	☐ Development
High Water Table Testing for Foundation Design:	☐ Redes/Amend	☐ Subdivision	☐ Development
Septic Disposal Evaluation (PSTS)	☐ Redes/Amend	☐ Subdivision	
Stormwater Management Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
Lot Grading/Overland Drainage Plan	☐ Redes/Amend	☐ Subdivision	☐ Development
Flood Plain Report (1 in 100 years)	☐ Redes/Amend	☐ Subdivision	☐ Development
Overland Drainage Easement	☐ Redes/Amend	☐ Subdivision	
Building Envelopes	☐ Redes/Amend	☐ Subdivision	☑ Development
Traffic Impact Assessment (TIA)	☐ Redes/Amend	☐ Subdivision	☐ Development
Environmental Site Assessment (Phase1 / Phase2)	☐ Redes/Amend	☐ Subdivision	☐ Development
Other:	☐ Redes/Amend	☐ Subdivision	☐ Development

ADDITIONAL ROAD WIDENING REQUIRED:

☑ **No** ☐ **Caveat** ☐ **Survey Out**

Amount _____m Location of Widening Required: ☐ **N** ☐ **E** ☐ **S** ☐ **W**

Other: _____

☑ **No** ☐ **Caveat** ☐ **Survey Out**

Amount _____m Location of Widening Required: ☐ **N** ☐ **E** ☐ **S** ☐ **W**

Other: _____

See reverse side…..

RECOMMENDATIONS ON APPROACH REQUIREMENTS:
Number of new approaches and/or existing approaches requiring upgrades:

Recommendations:

N/A

RECOMMENDATIONS REGARDING INFRASTRUCTURE:

Parcel is 8.9 acres. Only one access is permitted on parcels of 10 acres or less.

[Where in excess of the development permit application fees, the following review fees will be necessary following the review of the following documents: $200 for Building Envelope Plan ($700 (per plan) - $500 (eng review fee) = $200)

ROAD REQUIREMENTS / LIMITATIONS:

- Road Ban on road ☐ Yes ☑ No
- Load Restricted Bridge ☐ Yes ☑ No
- Road Use Agreement Required ☐ Yes ☑ No

Road comments and requirements:

PUBLIC WORKS SUPPORTING DOCUMENTS (PLEASE ATTACH TO THIS REFERRAL IF ANY):

☐ Yes* ☐ No

**If Yes* – Number of Pages:

Date Reviewed: 2026-08-31 **Reviewer:** Kallum Umscheid

Signature:

From: Elcombe Family
To: Kallum Umscheid
Cc: Pierre-David Karolyi
Subject: Re: 26D226 - 30-day Circulation Responses - 2nd Approach
Date: September 18, 2026 5:27:10 PM
Attachments: Elcombe_Council_Variance_Request_144_Street_East 2026-09-14.pdf
image001.png
Rural Approach Standards Policy.pdf

You don't often get email from [redacted] Learn why this is important

Hi Kallum,

Attached you will find the letter regarding this matter. Please reach out with any questions or clarifications.

Thanks,
Jesse

[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.

On Sep 14, 2026, at 9:21 AM, Kallum Umscheid <Kallum.Umscheid@FoothillsCountyAB.ca> wrote:

Good morning,

Apologies for the delay getting back to you.

The limit of 1 approach for lots 10 acres or less in size is a stipulation of our Rural Approach Standards Policy, which I have attached for your reference. The only exception we can grant is when there is a topographic feature (i.e. a steep slope, body of water) severing access to the parcel. Otherwise, Public Works does not have the authority to make exception to this rule unless directed by council.

If you wish to submit a request to council for an exception, please send me an official letter stating your request is and the reasoning behind it, and I will present it at the next available council session.

Please feel free to contact me if you have any questions or comments.

Sincerely,

Kallum Umscheid
Engineering Technologist
Public Works
Direct: 403.336.4522
Email: kallum.umscheid@foothillscountyab.ca
Please be advised that I am not in the office on Fridays

From: Elcombe Family [redacted]
Sent: September 1, 2026 4:30 PM
To: Pierre-David Karolyi <Pierre-David.Karolyi@FoothillsCountyAB.ca>; Kallum Umscheid

<Kallum.Umscheid@FoothillsCountyAB.ca>
Subject: Re: 26D226 - 30-day Circulation Responses - 2nd Approach

You don't often get email from [redacted] Learn why this is important
Thank you for the update.

Kallum - can we schedule a call to discuss in more detail? I would like to understand the reasoning as well as the potential next steps here regarding the approach options before we make a final decision.

Thanks
Jesse

On Sep 1, 2026, at 3:44 PM, Pierre-David Karolyi <Pierre-David.Karolyi@foothillscountyab.ca> wrote:

Hello Jesse and Enid,

Here are the comments received by different agencies.

Public Works determined that it does not consider they can approve a 2nd approach to the parcel under 10 acres for this parcel. If you wish to pursue the 2nd approach on this parcel, you will need to reach out toKallum.umscheid@foothillscountyab.ca to make a request to Council, who is competent to decide on the matter when it is not a geological feature that prevents passage. However, please note that this is rarely approved, and that I will need to postpone the decision on the development permit until this has been brought to Council.

If you do not intend to make the 2nd approach on the property, please let myself and Kallum know the alternative path that will be taken for the secondary suite.

Best regards,

Pierre-David Karolyi, LL.B., B.Sc.
Planning & Development Officer
Foothills County
309 Macleod Trail, Box 5605, High River, AB, T1V 1M7
t: (403) 603-6310
pkarolyi@foothillscountyab.ca

<image001.jpg>

www.foothillscountyab.ca

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Please be advised that I am not in the office on Fridays.

<26D226_PW Comments.pdf>
<Sunshine Gas.pdf>

[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.

September 14, 2026

Reeve and Council
Foothills County
309 Macleod Trail, Box 5605
High River, AB T1V 1M7

c/o Kallum Umscheid, Engineering Technologist, Public Works

Re: Request for a discretionary variance to Rural Approach Standards Policy 701-002 (revised May 15, 2024), section 3.1
[redacted] (Block 1, Plan 901 1978; SW¼ 35-20-28-W4M)
Development Permit application, Secondary Suite, Detached

Reeve and Councillors,

1. Request

We request Council's approval of one additional rural approach onto 144 Street East serving the above parcel, as a discretionary variance to section 3.1 of Policy 701-002. The parcel is approximately 8.9 acres and is served by one existing approach at the north end of its west frontage. The additional approach would serve the proposed Secondary Suite, Detached, currently before the Development Authority.

I hold a degree in environmental science and am a registered Environmental Professional with the Canadian Environmental Certification Approvals Board. The comparative assessment of routes set out below reflects that background.

2. Basis of the request

Section 3.0 of the policy provides that an additional approach may be approved where the applicant demonstrates a valid operational need. Section 1.5 reserves to the County the authority to allow discretionary variances and the relaxation of standards for both existing and newly constructed approaches.

The policy states its own purpose at the outset. It exists to provide a consistent standard that ensures the safety of the public, and to support effective maintenance and management of the County's road infrastructure network. Section 1.0 reserves to the County the authority to approve or deny approach applications in service of that purpose. We ask that this request be measured against that objective.

We do not assert a topographical severance under section 3.1, and we accept that vegetation is not a topographical feature. The request is made on the basis of operational need, and on the ground that refusing it would not advance the access management objective the policy exists to serve.

3. Site configuration and routes assessed

The existing approach and yard are at the north-west of the parcel. The proposed building is at the south-east. Between them lies a mature tree block occupying much of the west and central portion of the parcel, together with the established vegetation flanking the existing driveway. The front yard carries mature poplar of approximately 75 ft, and the driveway is lined on both sides with established caragana of approximately 15 ft.

Four routes were assessed and provided to the Development Authority on July 21, 2026. They are shown on the figure below. Lengths are approximate, scaled from aerial imagery.

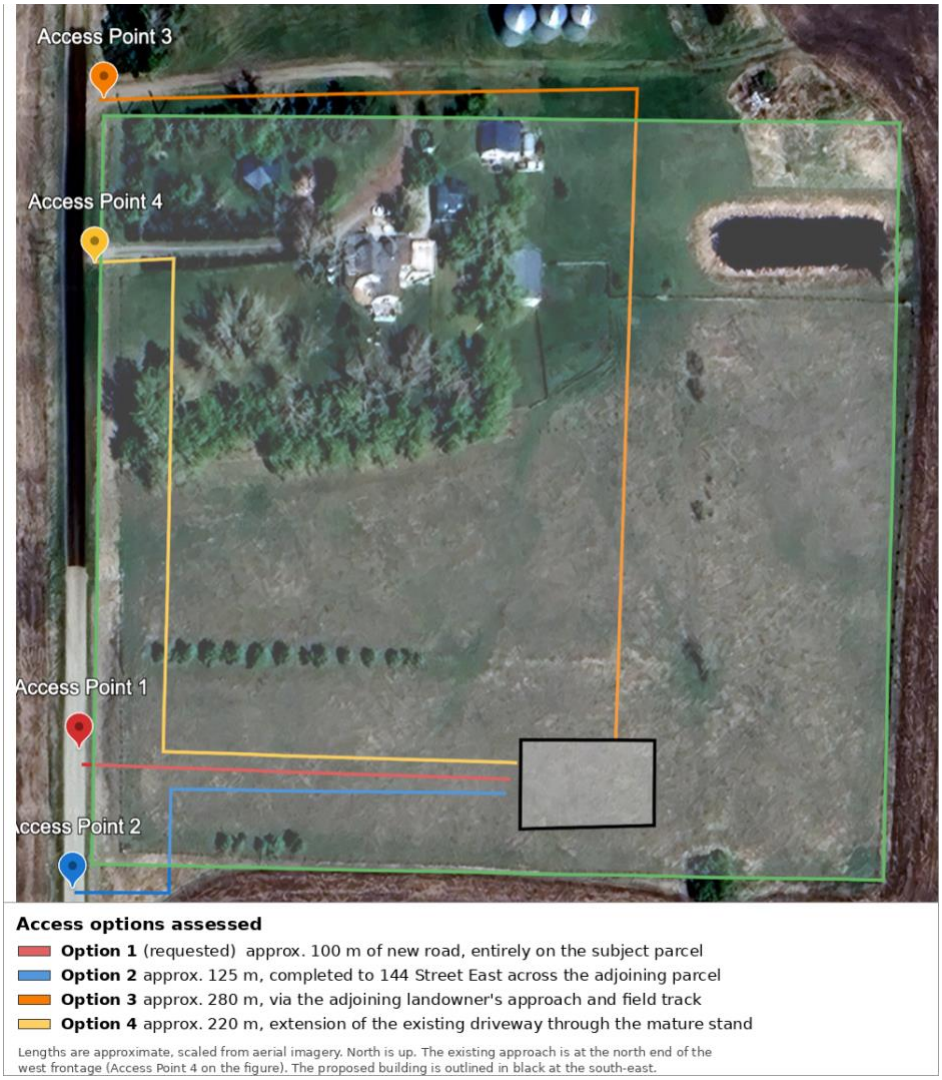


Figure 1. Access options assessed, [redacted]

Option 1, the subject of this request. A new approach at the south end of the west frontage, running directly east to the proposed building. Approximately 100 m of new road. No removal of mature vegetation. It is the shortest route available and the only one located wholly on our own parcel.

Option 2. The same alignment, completed to 144 Street East across the south edge of the adjoining agricultural parcel by way of a new approach built to full compliance with Policy 701-002. Approximately 125 m of new road. The route crosses a corner that is not in cultivation and cannot practically be worked with farm equipment. The adjoining landowner is in agreement. It requires a registered easement over land we do not own.

Option 3. Connection to the adjoining landowner's existing approach at the north, running east and then south along his field access track. Approximately 280 m of new and shared road, the longest of the four. It places permanent residential traffic onto an active agricultural access, and likewise depends on a registered easement over land we do not own.

Option 4. Extension of the existing driveway south along the west boundary and then east. Approximately 220 m of new road, together with removal of the greater part of the mature stand described above.

4. Refusal would not reduce the number of approaches on 144 Street East

We ask Council to weigh this point above all others.

If this request is refused, the route that would proceed is Option 2. Option 2 requires a new rural approach onto 144 Street East, on the same side of the road, approximately 30 m south of the approach now requested. It would be constructed by us to full compliance with Policy 701-002, and the adjoining landowner is in agreement.

The adjoining parcel is agricultural and substantially in excess of the 21-acre threshold in section 3.0, so the one-approach limit in section 3.1 does not apply to it. The result is that the same approach, onto the same road, in substantially the same location, is constrained on our title and unconstrained approximately 30 m away on our neighbour's.

The outcome for the County is materially identical either way. The same road gains one additional compliant approach in substantially the same place, carrying the same traffic. What differs is that Option 2 requires a longer run of constructed road, more imported material, and a registered easement encumbering land we do not own, leaving the access to a permanent dwelling dependent on a private agreement rather than on our own frontage.

We respectfully ask Council to consider whether the distinction between the two locations serves the access management purpose the policy was written to protect.

5. Material, land use, habitat and amenity considerations

Option 1 requires the shortest run of new road, approximately 100 m. Option 2 requires roughly 25 percent more, Option 4 more than double, and Option 3 nearly three times as much. Imported granular material, ground disturbance and long-term maintenance burden scale directly with that length.

Option 4 carries a further cost that the length figure does not capture. It would run south along the west boundary, parallel and immediately adjacent to 144 Street East, through the treed front yard, before turning east. It would therefore consume the principal outlook of both the existing dwelling and the proposed suite, replacing it with a road running alongside a road. The duplication serves no purpose the existing frontage does not already serve.

Option 4 would also require clearing the greater part of the mature stand on the west and central portion of the parcel. That stand is one of the few blocks of established tree cover in an area otherwise given over to open cultivated farmland. It provides wind protection, screening and, materially, habitat. The property supports resident deer, a resident owl that roosts in these trees, and a range of songbirds, in a landscape where such cover is scarce and cannot readily be found elsewhere. Mature poplar of this size cannot be replaced within a reasonable horizon, and its loss would be permanent and irreversible.

Assessed on the measures ordinarily applied to work of this kind, being material consumed, ground disturbed, land permanently removed from use, established vegetation and habitat lost, and amenity foregone, Option 1 is the lowest-impact route available. The alternatives deliver access no better, at more than twice the

environmental cost in the case of Options 3 and 4, and we have not been able to identify an access management benefit that would follow from requiring one of them.

6. Construction commitments

The approach would be designed and constructed at our sole cost, in accordance with Policy 701-002 in all respects, and to the satisfaction of the Director of Public Works and Engineering. The frontage of 144 Street East at this location is gravel, so the paving requirement at section 9.0 is not engaged.

The requested location is at the opposite end of the west frontage from the existing approach and is therefore well clear of the separation required by section 11.4. We would confirm the remaining siting requirements, including the separations under section 11.3 and the sight distance requirement in Table 7 for the posted speed on 144 Street East, with Public Works prior to construction.

7. Conditions we would accept

a. The variance is limited to one additional approach, with no further approaches sought for this parcel.

b. The approach is tied to the Development Permit for the Secondary Suite, Detached, and is constructed only if that permit is approved.

c. Final location and design are to the satisfaction of the Director of Public Works and Engineering.

d. All construction, inspection and restoration costs are borne by the applicant.

We would be pleased to attend the Council session to answer questions. Thank you for your consideration.

Sincerely,

[redacted]

Jesse Elcombe

[redacted]

Enid Elcombe

[redacted]

Policies and Procedures	Policy Name: **Rural Approach Standards**

Section: Public Works **Sub Section:** General (Roads, Utilities)	**Policy Number:** 701-002 **Approved:** September 1, 2011 **Revised:** May 15, 2024

Policy Statement

This policy provides a consistent standard that ensures the safety of the public and that effective maintenance and management practices are adhered to at all times. Rural approach(s) must be situated and constructed to this minimum standard for public safety.

Enforcement

All rural approaches must conform to the regulations specified by Foothills County. Failure to comply with the regulation may result in penalties or fines.

Management of this policy is the responsibility of Foothills County.

Procedure

Purpose

Foothills County is the only agency responsible in the overall proper management of the municipality's road infrastructure network. This responsibility must be carried out to ensure the safety of the public is achieved and that effective maintenance and management practices are strictly adhered at all times.

1.0 Authority:

The County retains the authority to approve or deny any or all rural approach applications.

(1.1) Any rural approach, located on a municipal right of way, shall not be altered, relocated, or constructed without the approval of the County. Applications to make any changes require Foothills County approval.

(1.2) The installation or upgrade of a rural approach shall be constructed in such a manner which does not interfere with the safety of the motoring public or regular maintenance of the road right of way.

(1.3) All expenses associated with developing a rural approach are the responsibility of the applicant.

(1.4) A rural approach which has not been applied for, approved of, or does not meet the Rural Approach Policy may be removed by Foothills County and all costs associated with the removal will be charged to the landowner abutting that rural approach.

(1.5) Foothills County retains the authority to allow for discretionary variances and the relaxation of standards for both existing and newly constructed rural approach.

(1.6) All approaches onto a Provincial Highway must be approved by Alberta Transportation.

2.0 Indemnification:

The applicant shall indemnify and hold harmless Foothills County and its servants, agents, employees and representatives from and against all claims, demands, payments, suits, actions, recoveries and judgements or every nature and description brought against the County, or the Contractors or their agents, employees or Sub-contractors in the repairing, maintenance or usage of the Municipal Road and right-of-ways and this indemnification shall survive the expiry of the application agreement.

3.0 Additional Approach Requests:

An applicant may request for an additional rural approach but must have a valid operational need for a rural approach to be approved. Any applications for new approaches under 21 acres unless for geographical reasons or grandfathered will only be allowed one (1) approach.

(3.1) Parcels of land, equal to or less than ten (10) acres, are limited to one (1) rural approach. Where a parcel may be severed by a topographical nature (which is considered impracticable to traverse), a second approach may be considered.

(3.2) All properties fronting an Internal Subdivision Road are required access from the Internal Subdivision Road, not the Municipal Road.

(3.3) Removal of a common approach to create 2 individual approaches is not permitted.

4.0 Approval Upgrading Requirements:

Applicant(s) for a land redesignation (subdivision/boundary adjustment) are required to upgrade all rural approach(s) onto the redesignated parcel to legal approach dimensions. Note: The applicant may be required to remove existing rural approach(s) if they are deemed not necessary for operational purposes.

(4.1) Rural approach(s) shall be from a developed road allowance only. An undeveloped road allowance must be constructed to County Road Construction Standards prior to rural approach approval.

5.0 Utility Locate Requirements:

The applicant(s) must contact all utility companies to confirm the location of their utility facilities and ensure the applicant or the applicant's agents of the various utility locations. The applicant is responsible for all the expenses of investigations, modifications, or repairs to the utility installations.

6.0 Pipeline Crossings:

Rural approach situated over or adjacent to a pipeline must obtain approval from both the pipeline owner and Foothills County. The applicant may be required to enter into a construction contract for the rural approach with the pipeline owner.

7.0 Temporary Approach:

A temporary rural approach application must attach the application form and a letter outlining the reason for the temporary approach and the length of time required to construct.

Confirmation of approval for any and all municipal, provincial or federal permits or requirements pursuant to the development proposed for the parcel must be submitted as part of the application.

8.0 Utility Locate Requirements:

A rural approach shall be built with the same material as of new or existing road (clay or granular type materials) with the surface structure consistent with the municipal road under the discretion of Foothills County. The surface of the approach shall be to the minimum County standards (DES 4 CL 20) or 20 mm (3/4 inch) crushed gravel a t a minimum depth of 100 mm (4 inches).

9.0 Paved Approaches:

A rural approach which abuts a paved road must be paved from the road to the property line.

(9.1) A paved rural approach shall be Asphalt Concrete Pavement at a minimum depth of 90 millimeters and shall meet the specifications for Commercial "B" mix asphalt as per City of Calgary specifications. The pavement shall cover the entire approach from the shoulder of the road to the property line, or for a minimum distance of eight meters (26 ft).

*Field Access are exempt from this policy. Gravel surfacing is acceptable.

10.0 Traffic Control:

Traffic control when installing or upgrading a rural approach is the sole responsibility of the applicant and shall be as per Alberta Transportation Standards.

(10.1) All subdivision/boundary adjustment approvals are subject to having a proper legal access onto the proposed lot as well as legal access(s) for all other approach(s) onto the balance of the parcel.

(10.2) Regulatory signs – Regulatory signs indicate regulation that applies to a specific time or place on road. (i.e. speed signs, stop signs, school bus stop signs). Application for regulatory type signs must be approved by Municipal Bylaw.

(10.3) Warning signs – Warning signs (i.e. hidden intersection/approach sign or road narrows or bumpy sign) provide an advanced indication of conditions on or adjacent to a road that is potentially hazardous to drivers.

(10.4) An applicant may request for a warning sign to Foothills County Public Works Department adjacent to a rural approach (i.e. school bus ahead sign) pursuant to the Manual of Unified Traffic Devices for Canada, Section A1.3.2. The guidelines of the section such as site lines and location will be reviewed and approved by Administration based on the validity of the request.

11.0 Design Specification:

Sight distances for a rural approach shall conform to the conditions as per Table 7.

(11.1) There shall be no obstruction on the rural approach (gate, gate control box, curbing, fence, mailbox, etc.).

(11.2) The angle of the rural approach shall be 90 degrees to the roadway.

(11.3) A rural approach shall be no closer than 60 meters (200 ft) from the centre line of an intersection, mailbox location, bridge, or any at grade railway crossing.

(11.4) A rural approach shall not be closer than 15 meters (50 ft) from an existing approach on the same side of the road.

(11.5) Maximum gradient of the rural access approach shall not exceed 2% from the shoulder of the road to the property line, or for a minimum distance of 8 meters (26 ft).

(11.6) In the case of 1% gradient the surface of the access must be crowned 2% from centre to edge to ensure drainage into the ditch. See Typical Rural Approach drawing is as per Figure 12.

12.0 Culvert Type and Installation:

A dry rural approach is without a culvert. The approach cannot impede the flow of drainage in the ditch. The maximum side slopes for a dry approach shall be a 3:1 ratio.

(12.1) If a culvert is required, the culvert shall be of new corrugated steel, minimum 500mm (20 inch) diameter. All culvert couplers (if required) shall be buried below the depth of the ground cover of the approach.

(12.2) Minimum ground cover over the culvert is 0.3 meters (1 ft).

(12.3) Culvert ends shall be sloped and require Rip Rap (stone/rocks minimum size 200mm / 8 inches) be installed. Rip Rap shall be placed around the ends of the culvert, as per Figure 12, to ensure drainage through the culvert.

(12.4) The side slopes of the rural approach shall be a 3:1 ratio. NOTE: 3 meters (10 ft) slope/length for 1 meter (3 ft) of rise/height. The side slope shall extend from the edge of the approach to the culvert end.

(12.5) A 6 meter (20 ft) buffer distance between the end of the culvert, for the rural approach, and a power pole, power pole anchor, or utility pedestal must be maintained.

13.0 Approach Types and Widths:

A standard rural approach shall have a minimum surface width of 6 meters (20 ft) at the property line with a 3 meter intersecting radius at municipal road allowance. Minimum 12 meter (40 ft) culvert is required.

(13.1) A common rural approach shall have a minimum surface width of 9 meters (30 ft) at the property line with a 3 meter intersecting radius at municipal road allowance. Minimum 15 meter (50 ft) culvert is required.

(13.2) A commercial rural approach shall have a minimum surface width of 8 meters (26 ft) at the property line with a 6 meter intersecting radius at municipal road allowance. Minimum 14 meter (46 ft) culvert is required.

14.0 Approvals:

Changes to the existing ditch bottom must be approved by the County. NOTE: In a shallow ditch the culvert may need to be counter sunk into the ditch bottom to achieve adequate ground cover over the culvert.

(14.1) All disturbed areas adjacent to the rural approach must be restored to original grade, loamed, seeded and reclaimed in a manner to allow for natural grasses to re-grow.

(14.2) All debris or top soils must be removed from the road allowance and hauled to a safe distance so that no wash out is deposited onto the road allowance.

(14.3) Upon the completion of the construction or alteration of the rural approach(s), and acknowledging that all the above stated conditions have been met, the County must be notified for a final inspection.

(14.4) Failure to meet any of the Rural Approach Standards upon the final inspection will result in the need for a subsequent inspection. The fee for a subsequent inspection is three hundred dollars **($300.00)** per inspection. The fee must be paid to initiate the subsequent inspection.

Table 7

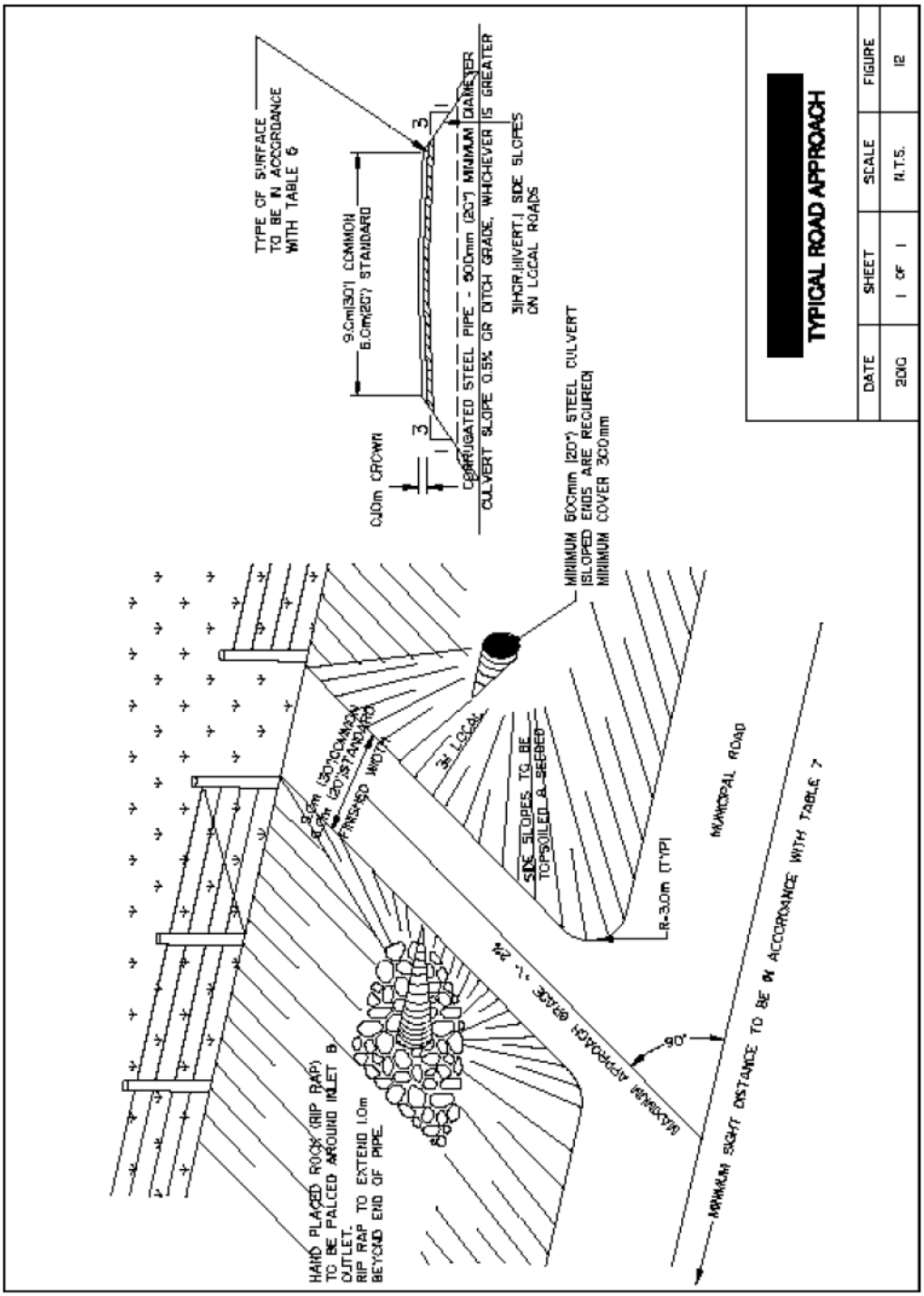
Sight Distance

The height of the object shall be 1.15 meter on the main road. The eye height shall be used at the intersection 1.15 meter for passenger vehicle and 1.80 for single unit trucks/buses.

POSTED SPEED (Km/Hr)	MINIMUM SIGHT DISTANCE REQUIREMENT FROM INTERSECTING ROAD/APPROACH (Meters)
40	**65**
50	**90**
60	**115**
80	**180**

Table 7 has been derived from information gathered by the Transportation Association of Canada (TAC) 1999 Edition Part 2.

FIGURE 12


TYPICAL ROAD APPROACH
DATE
2016
SHEET
1 OF 1
SCALE
N.T.S.
FIGURE
12
TYPE OF SURFACE TO BE IN ACCORDANCE WITH TABLE 6
9.0m(30') COMMON
6.0m(20') STANDARD
CORRUGATED STEEL PIPE - 900mm (36") MINIMUM DIAMETER CULVERT SLOPE 0.5% OR DITCH GRADE, WHICHEVER IS GREATER
3(HOR.):1(VERT.) SIDE SLOPES ON LOCAL ROADS
0.10m CROWN
MINIMUM 600mm (20") STEEL CULVERT ENDS ARE REQUIRED MINIMUM COVER 300mm
3:1 LOCAL
SIDE SLOPES TO BE TOPSOILED & SEEDED
R=3.0m (TYP)
MUNICIPAL ROAD
MAXIMUM APPROACH GRADE 7%
90°
MINIMUM SIGHT DISTANCE TO BE IN ACCORDANCE WITH TABLE 7
HAND PLACED ROCK (RIP RAP) TO BE PALCED AROUND INLET & OUTLET. RIP RAP TO EXTEND 1.0m BEYOND END OF PIPE

DEPARTMENT: Legislative Services	
FOOTHILLS COUNTY	**TOPIC: Cancellation of Council Meetings for RMA Convention and Remembrance Day**
REPORT PRESENTED BY: Manager of Legislative Services Sherri Barrett	

PURPOSE OF REQUEST

To consider cancelling two Wednesday Council meetings due to the Rural Municipalities of Alberta (RMA) Fall Convention and statutory holiday.

BACKGROUND

Due to the Rural Municipalities of Alberta Fall Convention and the Remembrance Day statutory holiday the following Council meetings will need to be cancelled.

- November 4, 2026 - Rural Municipalities of Alberta Fall Convention
- November 11, 2026 - Remembrance Day

REQUEST OF COUNCIL

Proposed Motion:

That the November 4, 2026 and November 11, 2026 meetings of Council be cancelled due to the Fall Rural Municipalities of Alberta Convention and the Remembrance Day statutory holiday.

APPENDICES

Appendix A: None

APPLICATION INFORMATION	**FILE NO. 26R026**
	LEGAL DESC.: Ptn. SW 27-20-2 W5M
	LANDOWNERS: Matthew & Kari Loscher
	AREA OF SUBJECT LANDS: 104.7 Acres
	CURRENT LAND USE: Natural Resource Extraction (INR) District
	PROPOSED LAND USE: Agricultural (A) District
PROPOSAL: Redesignation of the subject 104.7 acre Natural Resource Extraction (INR) District parcel to Agricultural District, and a site-specific amendment to Section 10.17.3 of the Land Use Bylaw to relax the minimum setback distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m.	
DIVISION NO: 2	**COUNCILLOR:** Benita Estes
FILE MANAGER: Elliott Salmon	

EXECUTIVE SUMMARY

Location:

The subject parcel is located in Council Division 2:

- Along the east bank of the Sheep River;
- Approximately 800 m west of 128 St W;
- Approximately 1.6 km north of Highway 7; and
- Approximately 2.5 km northeast of Diamond Valley.

Policy Evaluation:

This application was reviewed within the terms of the Municipal Development Plan 2010 (MDP2010) and Land Use Bylaw 60/2014.

Referral Considerations:

Referred to the required internal departments and external agencies.

PURPOSE OF APPLICATION

Bylaw XX/2026 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District, and a site-specific amendment to Section 10.17.3 of the Land Use Bylaw to relax the minimum setback distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m.

Further, the applicant is requesting Council approval to construct a sub-standard road (Single Access Gravel Standard Road) in the undeveloped road allowance along the south boundaries of SW 27-20-02 W5M and SE 27-20-02 W5M to act as legal access to Ptn. SW 27-20-02 W5M.

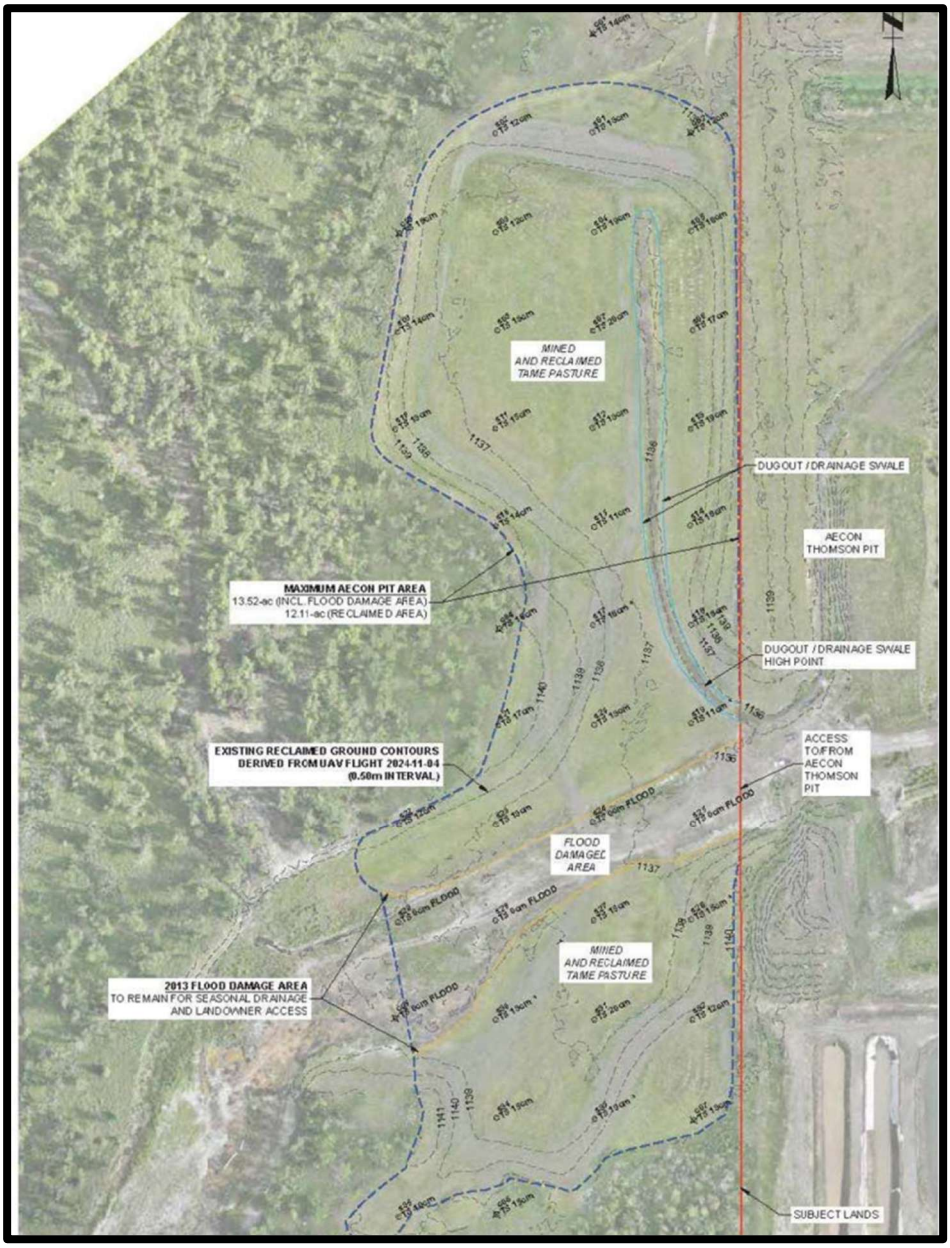
HISTORY

January 10, 2010 – Council gave third and final reading to Bylaw 84/2009 to authorize the redesignation of a 9.5-acre portion of the subject parcel from Agricultural District to Industrial Natural Resources District to allow for gravel extraction.

June 9, 2011 – Alberta Environment and Protected Areas issued a registration on the subject property for the construction, operation or reclamation of a pit on the subject parcel.

January 13, 2025 – Development Permit 24D230 issued for Renewal of Natural Resource Extraction & Processing on SE 27-20-02 W5M (the parcel immediately east of the subject parcel). The projected lifetime of the gravel pit is unknown, though Development Permit 24D230 expires on December 4, 2026.

November 21, 2025 – Alberta Environment and Protected Areas issued a reclamation certificate for the gravel operation that was on the subject parcel.

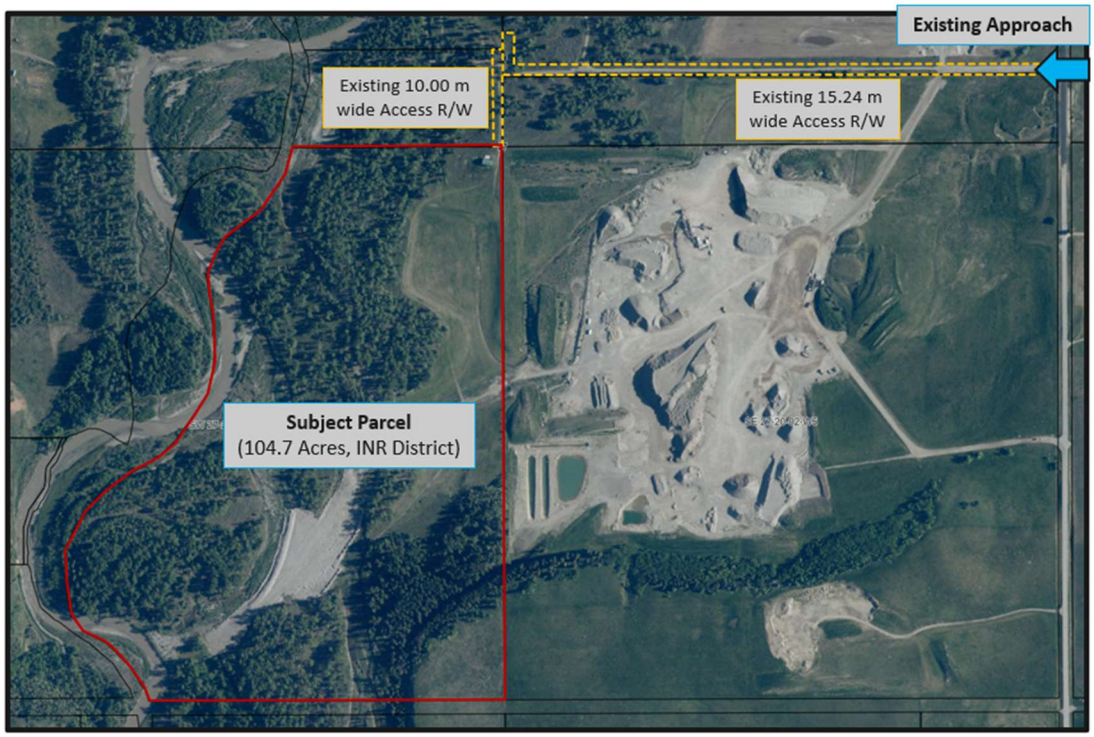


June 10, 2026 – Public Hearing for this redesignation application was postponed to October 14, 2026.

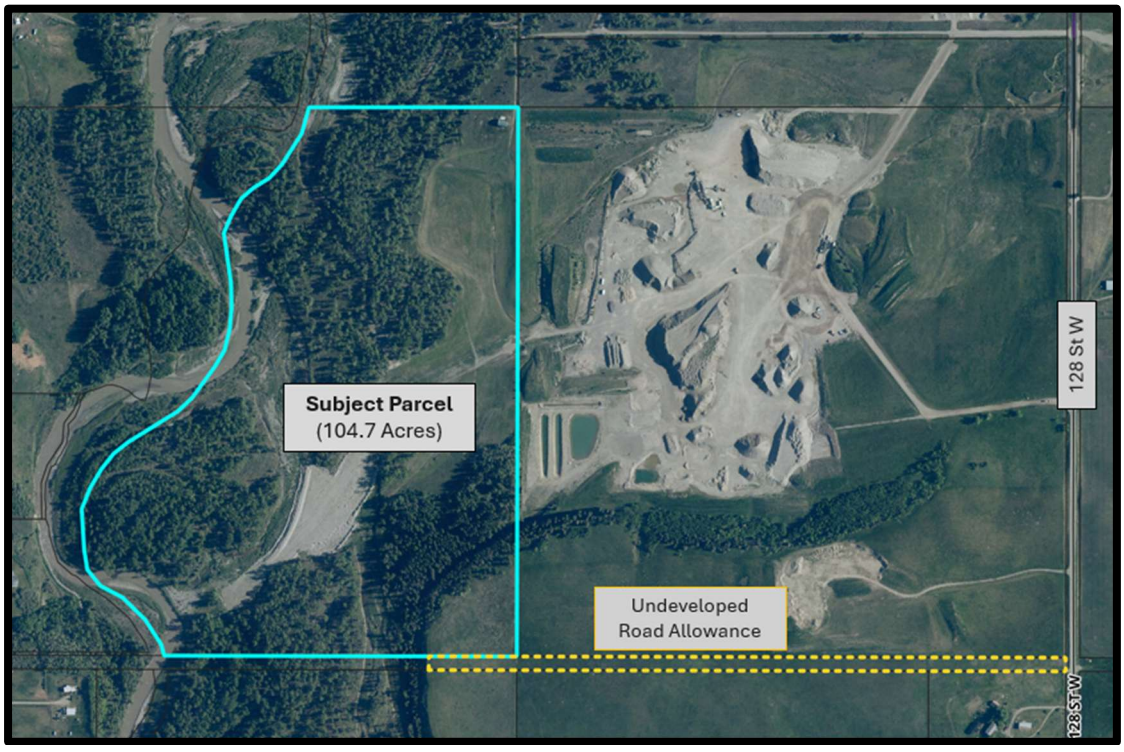
SITE CONSIDERATIONS

Access:

Access to the property is currently through two access easements through NE 27-20-2 W5M and NW 27-20-2 W5M. The agent/applicant has identified that this provides legal physical access to the property, though staff does not believe that the access easement through NE 27-20-2 W5M provides legal access to the subject parcel as the subject parcel is not identified as a grantor on the easement and right-of-way agreement.

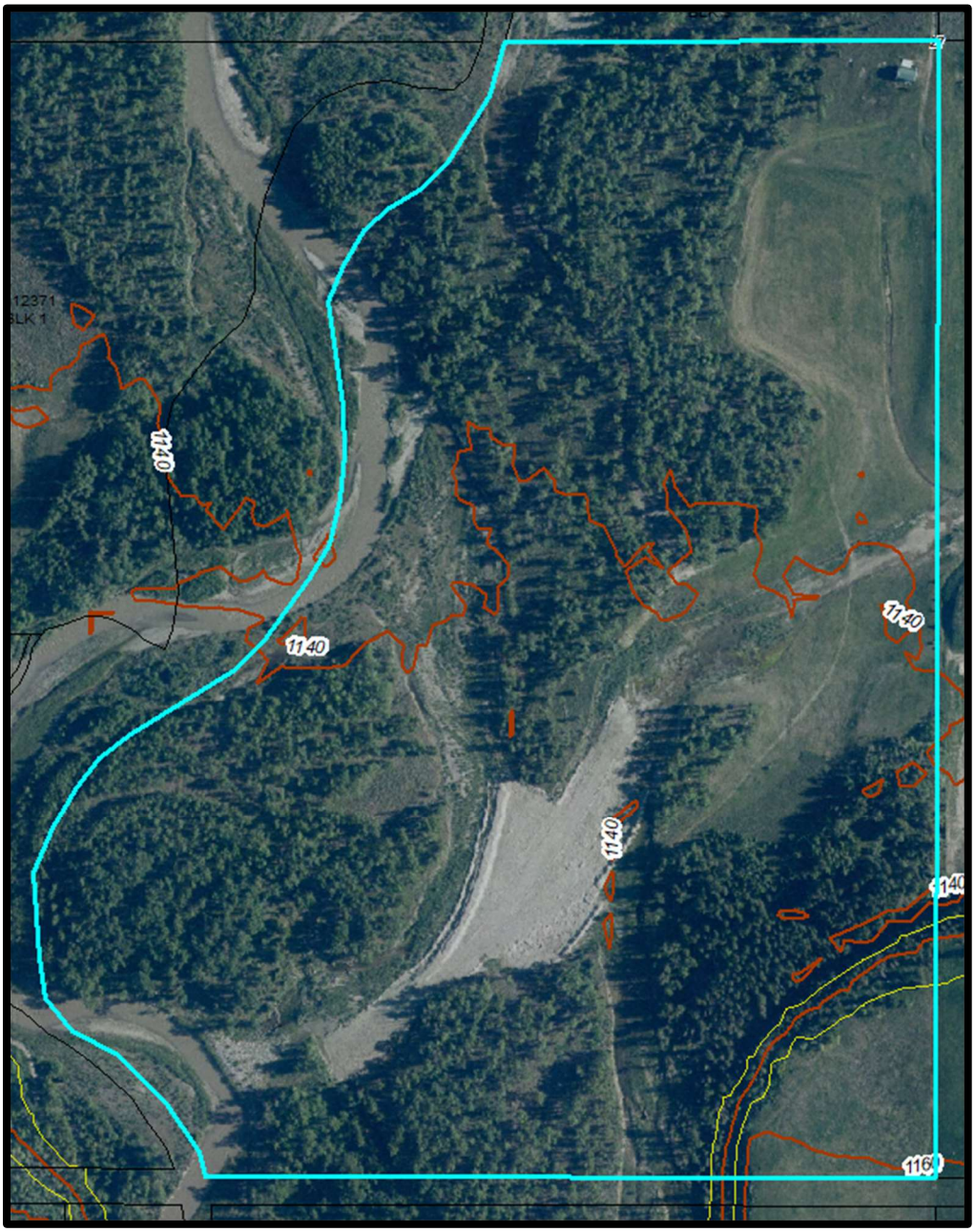


The applicant proposes to construct a sub-standard road in the undeveloped road allowance along the south boundary of SE 27-20-02 W5M and SW 27-20-02 W5M, to be used as legal physical access for the subject parcel.



Physiography and Building Envelope:

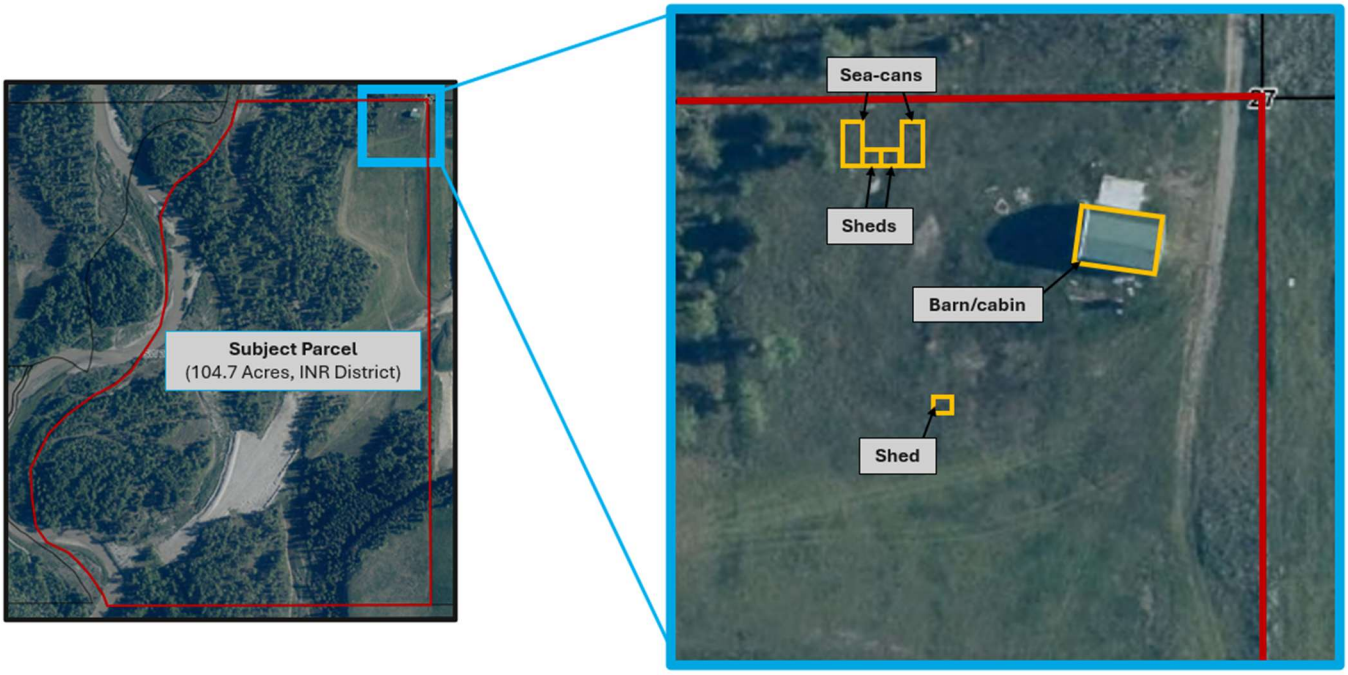
The physiography of the subject parcel contains rolling hills with forests and meadows, featuring the riparian area along the east bank of the Sheep River that forms the west boundary of the subject parcel.



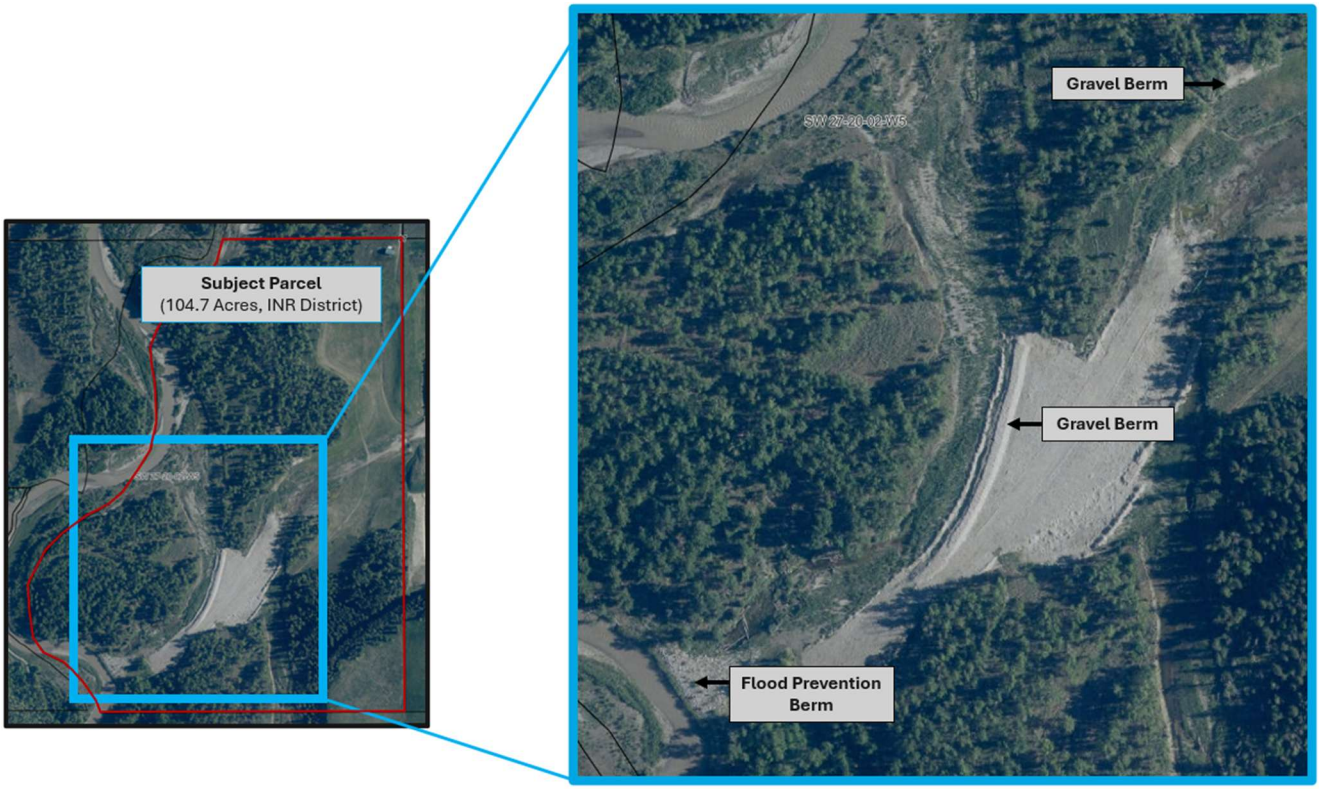
As shown in Appendix A – Flood Hazard Map, a majority of the subject parcel is within the Flood Hazard Protection Overlay. The southeast corner of the subject parcel has a high area with an escarpment, which is bordered on the south side by an undeveloped road allowance.

Existing Development:

The existing development on the subject parcel includes a barn/cabin, two (2) sea-cans, and one (1) shed; some of the sea-cans and sheds do not meet the required 15m setback requirement from the side boundary lines. A Development Permit application was submitted to bring these structures into compliance with the Land Use Bylaw and to move these structures to meet setback requirements.

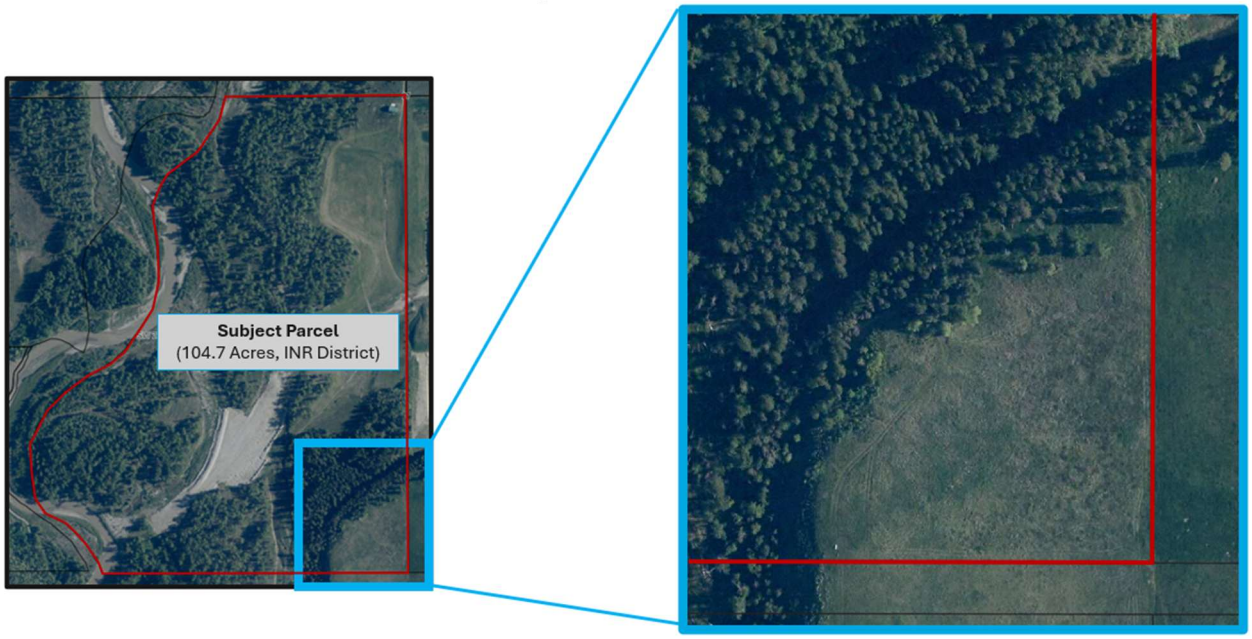


The parcel also contains three berms that were constructed around the time of the 2013 flood. The Flood Prevention Berm was constructed by the County with Provincial approval, and the other two gravel berms were constructed by the County in a State of Local Emergency.



Proposed Development

The applicant is proposing to use the high area with an escarpment for construction of a permanent residence, to be accessed by the aforementioned road allowance. The applicant has submitted a geotechnical report for slope stability to support the construction of a dwelling in this area and construction of an access road in the undeveloped road allowance. The only limitations to development in this area are the 100 m setback requirement to the INR parcel immediately east of the subject parcel, and the ability for the landowner to use the road allowance as legal access.



REFERRAL CIRCULATION

CIRCULATION REFERRALS	
REFEREE	**COMMENTS**
INTERNAL	
Public Works	• Access to the north part of the property is currently via easement across 2 adjacent parcels. The entirety of this access is located within the floodway, including 128 Street W. There is an undeveloped road allowance (hypothetical 370 Ave W) to the south of the subject property, which Public Works recommends be constructed to allow access outside the floodway. It would require construction to current municipal standards, unless permitted to be of substandard construction (Single Access Gravel Standard Road) by Council. Access construction in the undeveloped road allowance requires the execution of a Development Agreement, to be registered on title. • As the immediately adjacent AECON pit is currently in operation, the 100m minimum setback applies. However, the only area of the property outside of the floodway is within the setback.
PUBLIC	
Western Wheel	September 30 and October 7, 2026
Landowners	No submissions received prior to the submission of this staff report.

POLICY EVALUATION

Municipal Development Plan (MDP2010):

Policy 2 of the Agricultural section of the MDP2010 supports maintaining the integrity of the agricultural land base.

Land Use Bylaw 60/2014:

The application meets the lot size restriction as set out in Section 12.1.6.2 of the Agricultural District. A majority of the subject parcel is within the Flood Hazard Protection (FHP) Overlay District, thereby requiring a Development Permit for all uses and activities in the FHP Overlay areas. Further, new development in the floodway will not be permitted if other land outside of the floodway is available on the parcel.

The Land Use Bylaw requires that dwellings be set back a minimum of 100 m from natural resource extraction operations. Further, the Land Use Bylaw allows for the placement of two dwellings on parcels 80 acres and larger.

A Development Permit is required for the placement of more than one sea-can on parcels 21 acres or more in size, and all structures must meet the setback requirement of 15 meters to the property lines. New structures must be accessory to a primary use (e.g. a dwelling, agricultural operation, etc.), and as noted above must be placed outside of the floodway if the land allows.

SUMMARY

Bylaw XX/2026 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District, and a site-specific amendment to Section 10.17.3 of the Land Use Bylaw to relax the minimum separation distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m.

Further, the applicant is requesting Council approval to construct a sub-standard road (Single Access Gravel Standard Road) in the undeveloped road allowance along the south boundaries of SW 27-20-02 W5M and SE 27-20-02 W5M to act as legal access to Ptn. SW 27-20-02 W5M.

OPTIONS FOR COUNCIL CONSIDERATION

OPTION 1 (PART A) – FIRST READING APPROVAL

Council may choose to grant 1st reading to the application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District, and a site-specific amendment to Section 10.17.3 of the Land Use Bylaw to relax the minimum separation distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m for the following reasons:

In consideration of the criteria noted in the Agriculture section of the MDP2010 and the Flood Hazard Protection (FHP) Overlay in Land Use Bylaw 60/2014, Council is of the opinion that the lands are suitable for the intended use and would not be detrimental to the nature of the area.

Staff suggests Agricultural Sub-District "A" for the subject parcel to ensure that the recommendations and restrictions as outlined within the building envelopes plan and geotechnical report for slope stability are complied with, to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met may be required. Council may also wish to require a $5,000.00 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Recommended Conditions for Option #1:

1. Site plan to be provided which identifies building envelopes for the proposed dwelling area, illustrating it meets all setback requirements, incorporates the requirements and recommendations in the geotechnical report for slope stability, and is located outside of the flood hazard area, to the satisfaction of the Public Works department;
2. The landowners are to submit a complete development permit application to bring all non-compliant structures into compliance with the Land Use Bylaw.
3. Final redesignation fees to be submitted.

OPTION 1 (PART B) – APPROVAL OF SUB-STANDARD ROAD

Council may choose to approve the request to construct a sub-standard road (Single Access Gravel Standard Road) in the undeveloped road allowance along the south boundaries of SW 27-20-02 W5M and SE 27-20-02 W5M to act as legal access to Ptn. SW 27-20-02 W5M.

OPTION 2 – REFUSE APPLICATION

Should Council be unable to support the application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District, and a site-specific amendment to Section 10.17.3 of the Land Use Bylaw to relax the minimum separation distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m, the application may be refused for the following reasons:

In their consideration of the criteria within the MDP2010 and LUB 60/2014; Council is of the opinion that the proposed redesignation of the subject property is premature in advance of the cessation of the gravel extraction operation on the adjacent property, and as such the subject property is unable to support the Agricultural Land Use District due to a lack of appropriate building area.

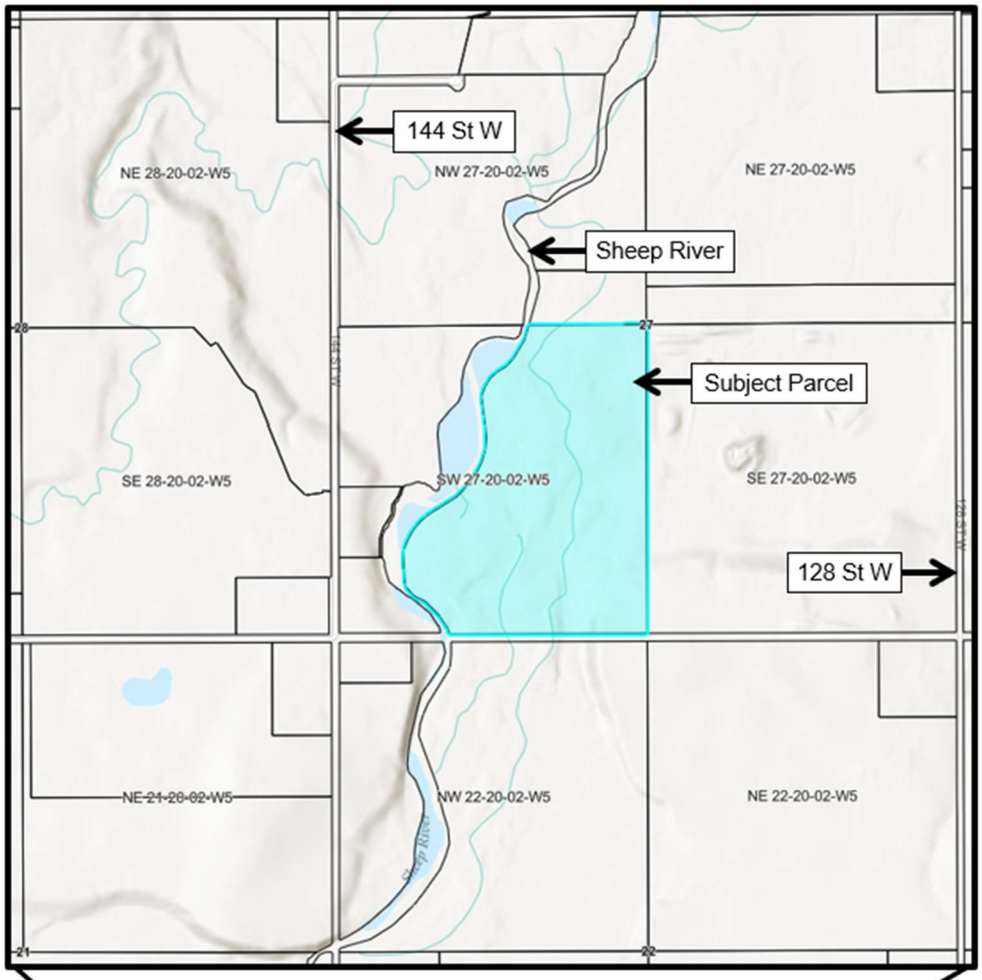
APPENDICES

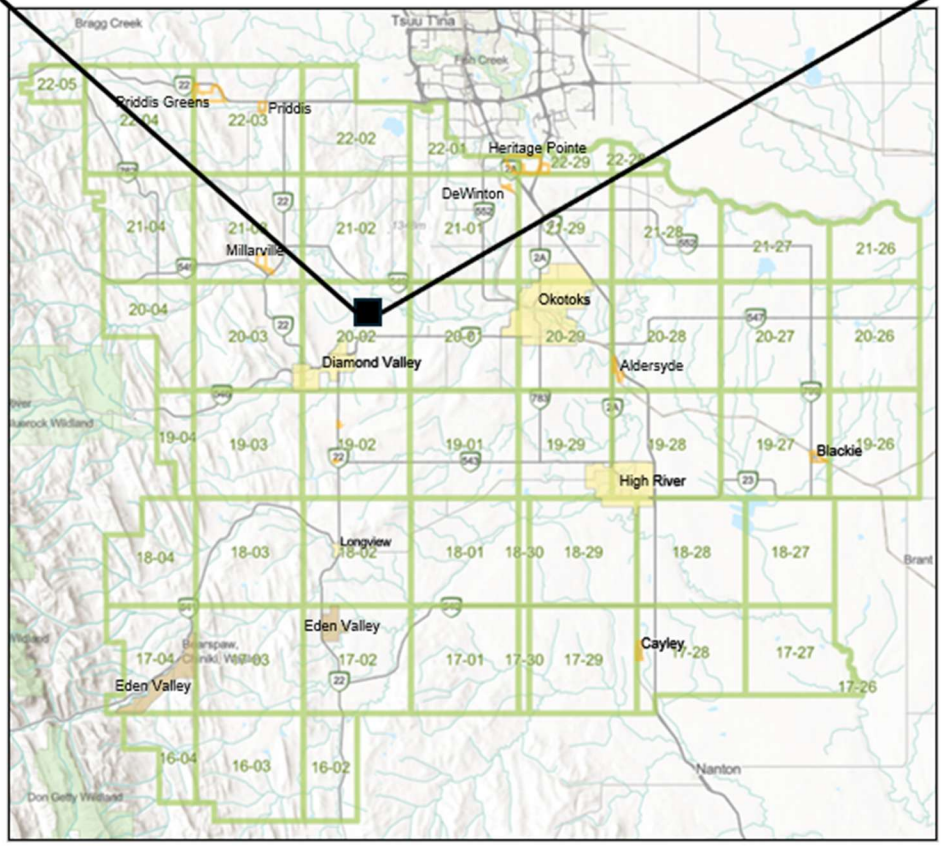
APPENDIX A – MAP SET

- LOCATION MAP
- LAND USE – HALF MILE MAP
- PARCEL SIZES – HALF MILE MAP
- SITE PLANS
- FLOOD HAZARD MAP

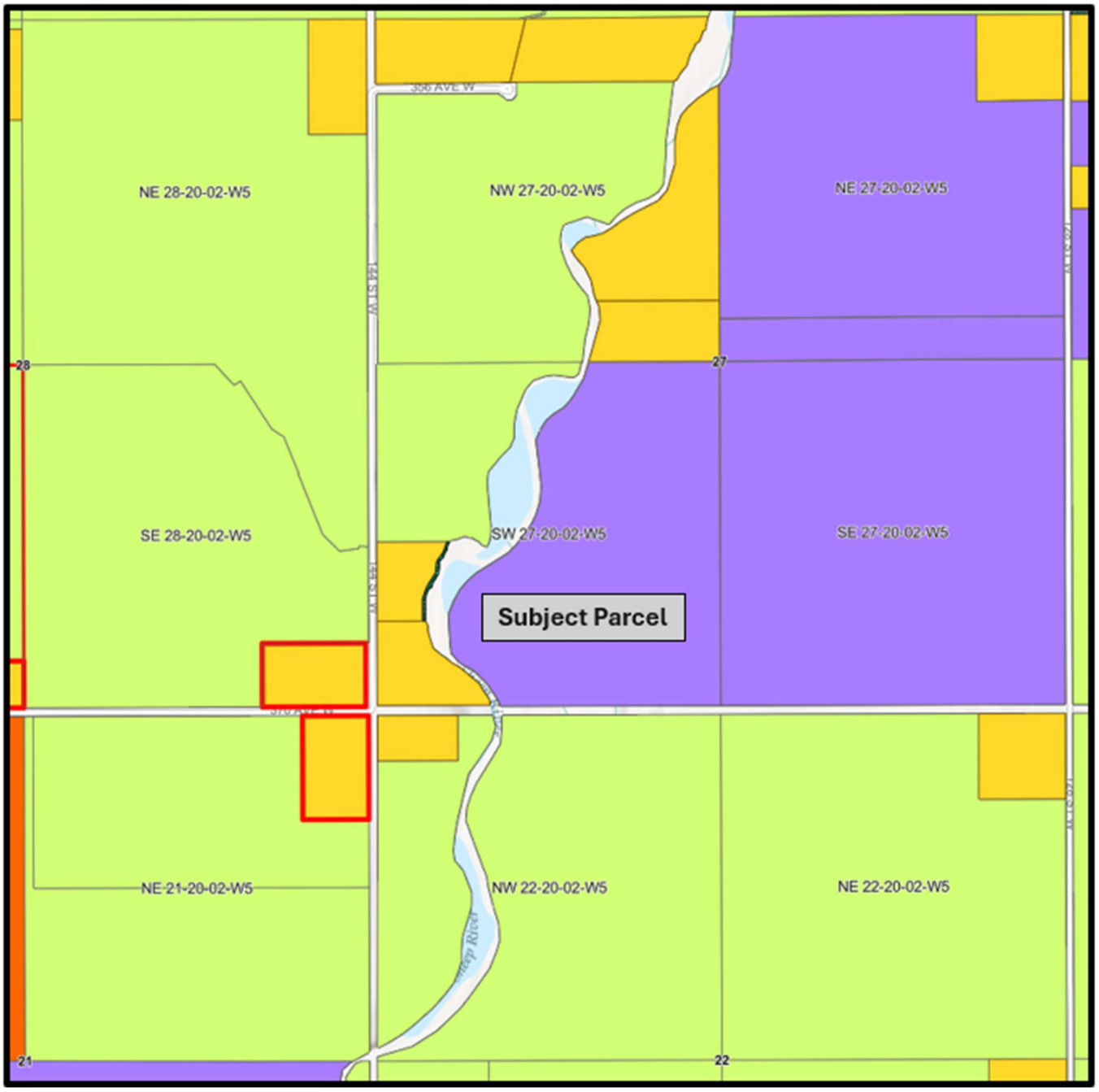
APPENDIX B – DRAFT BYLAW

APPENDIX A – LOCATION MAP





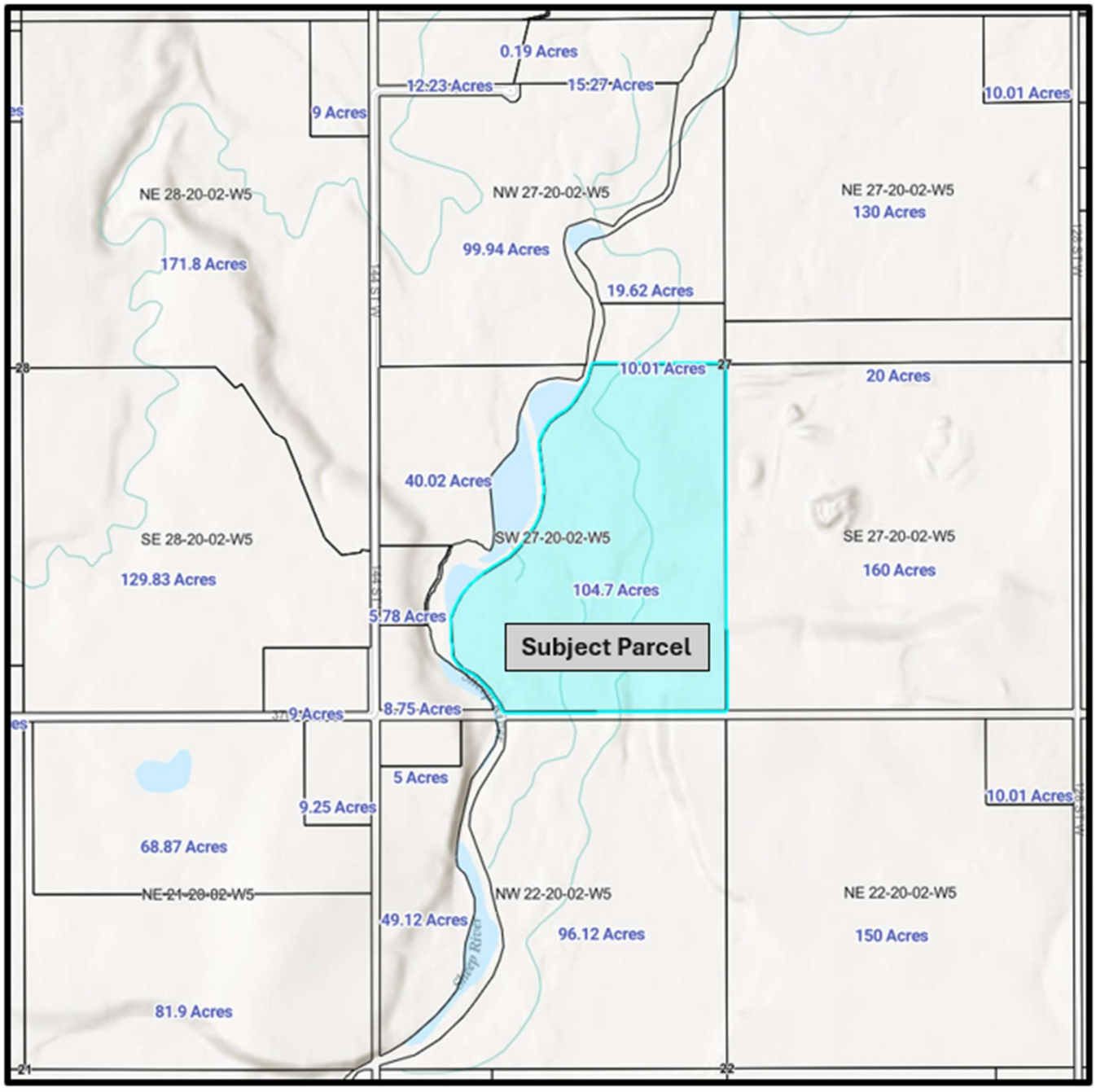
APPENDIX A – LAND USE – HALF MILE MAP



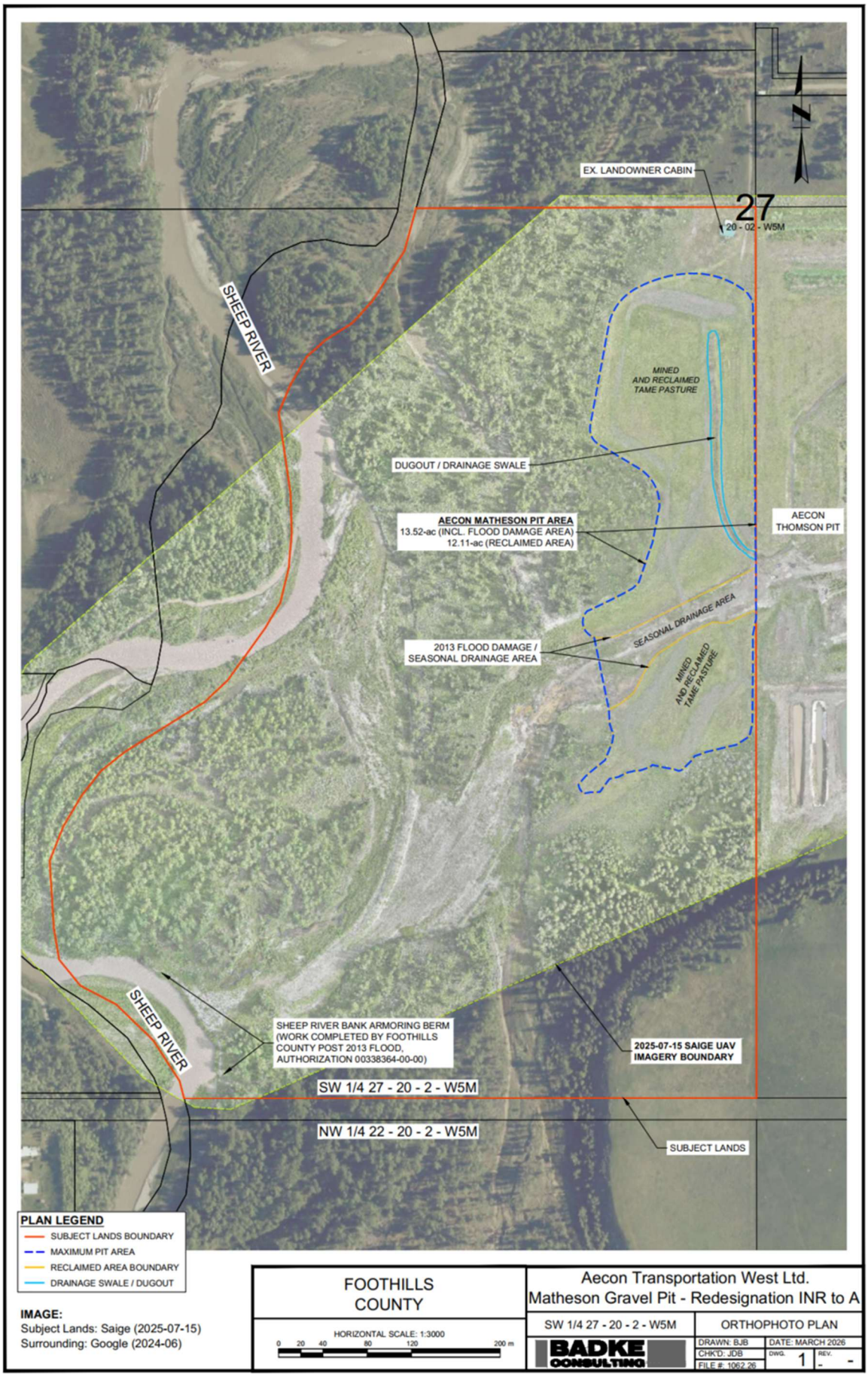
Land Use Districts

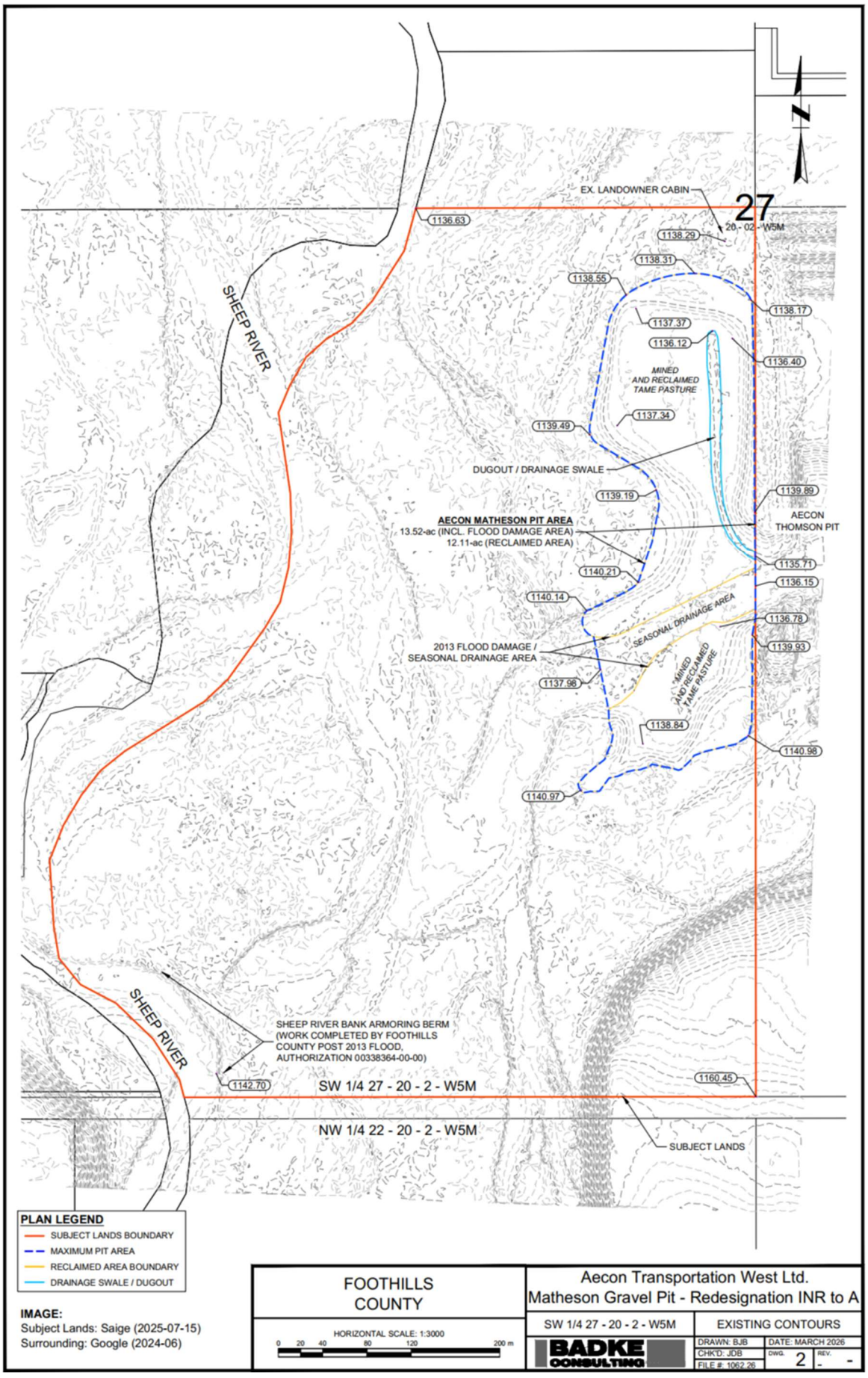
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- ER- Environmental Reserve
- INR- Natural Resource Extraction
- MR- Municipal Reserve

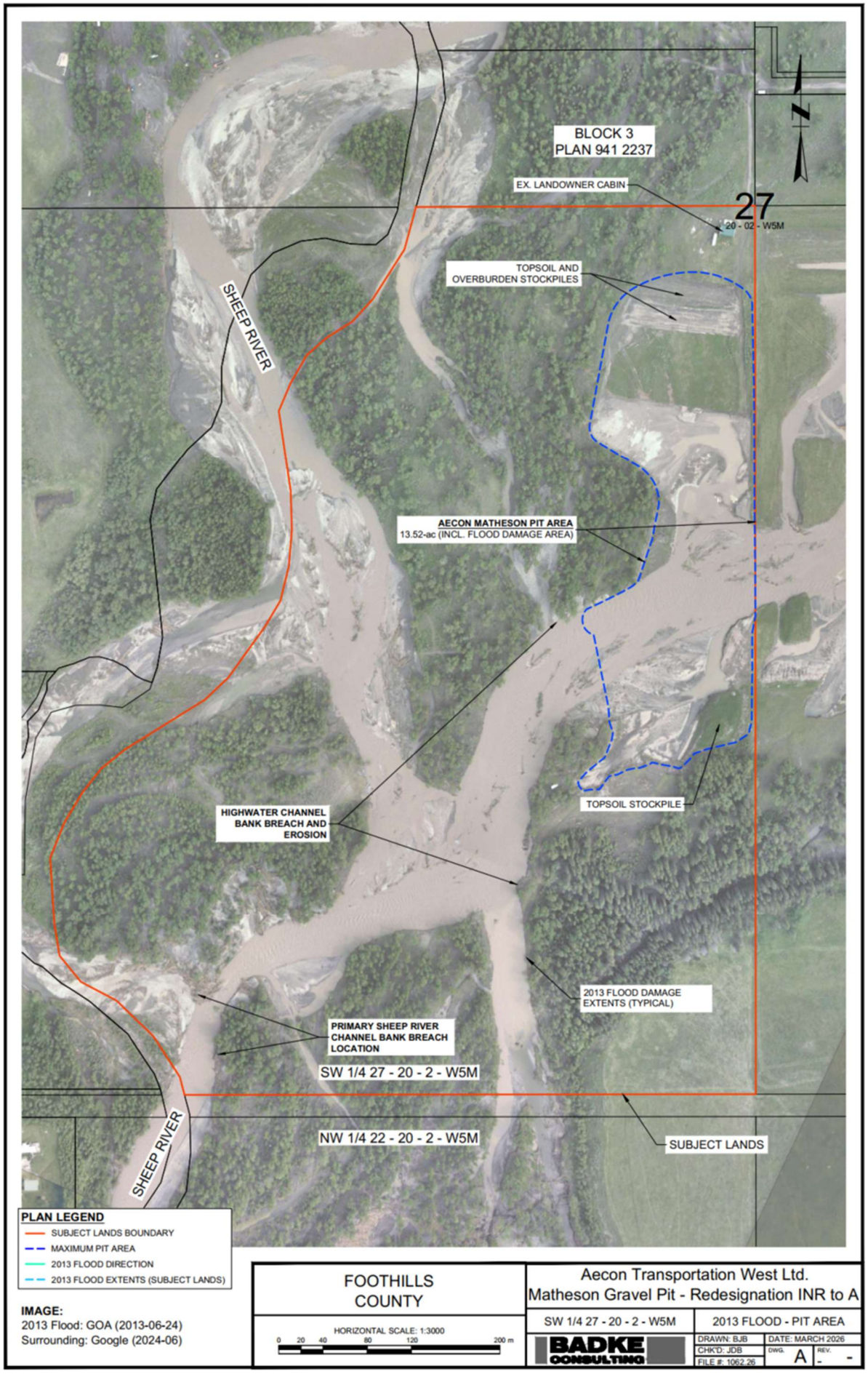
APPENDIX A – PARCEL SIZES – HALF MILE MAP

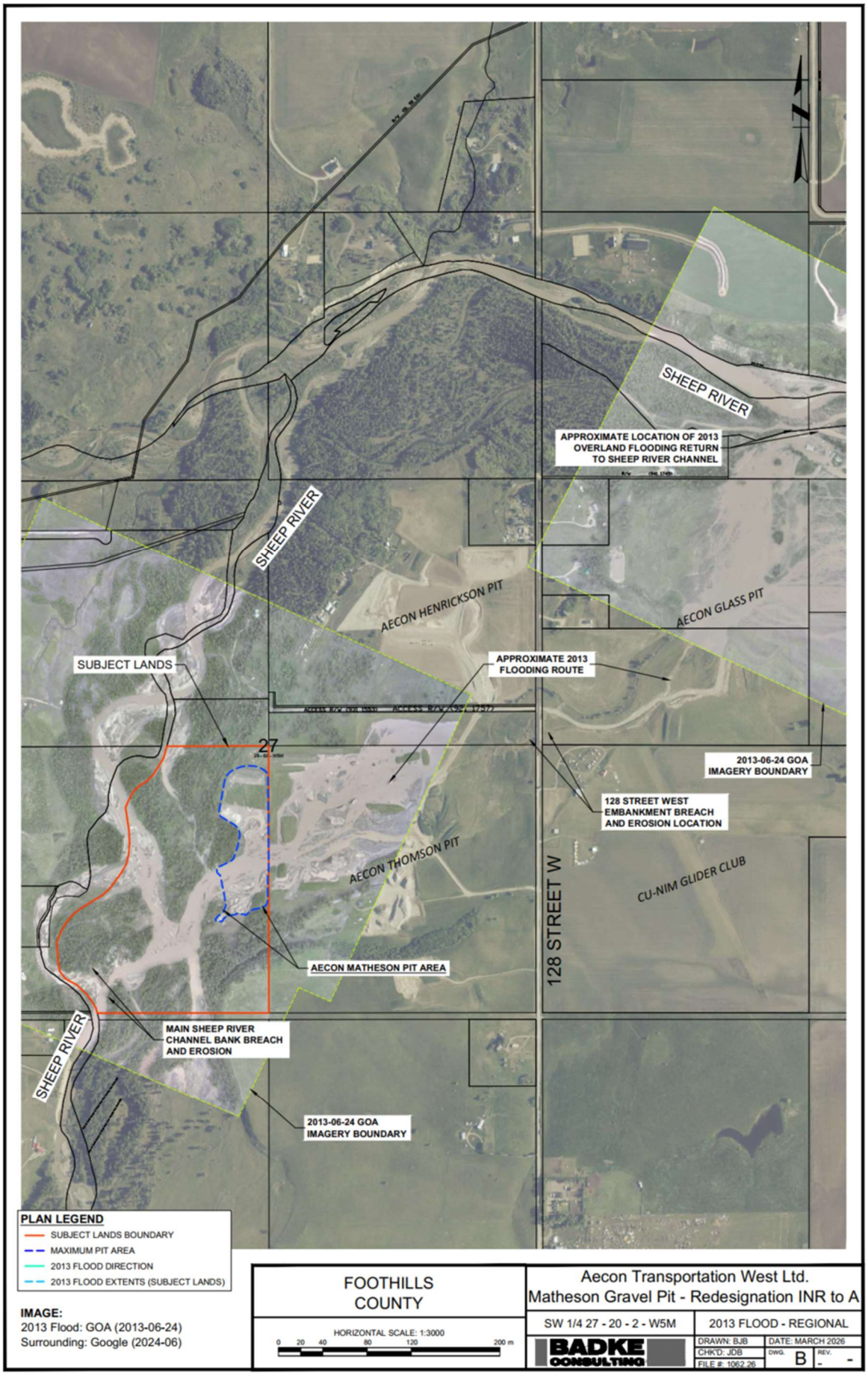


APPENDIX A – SITE PLANS

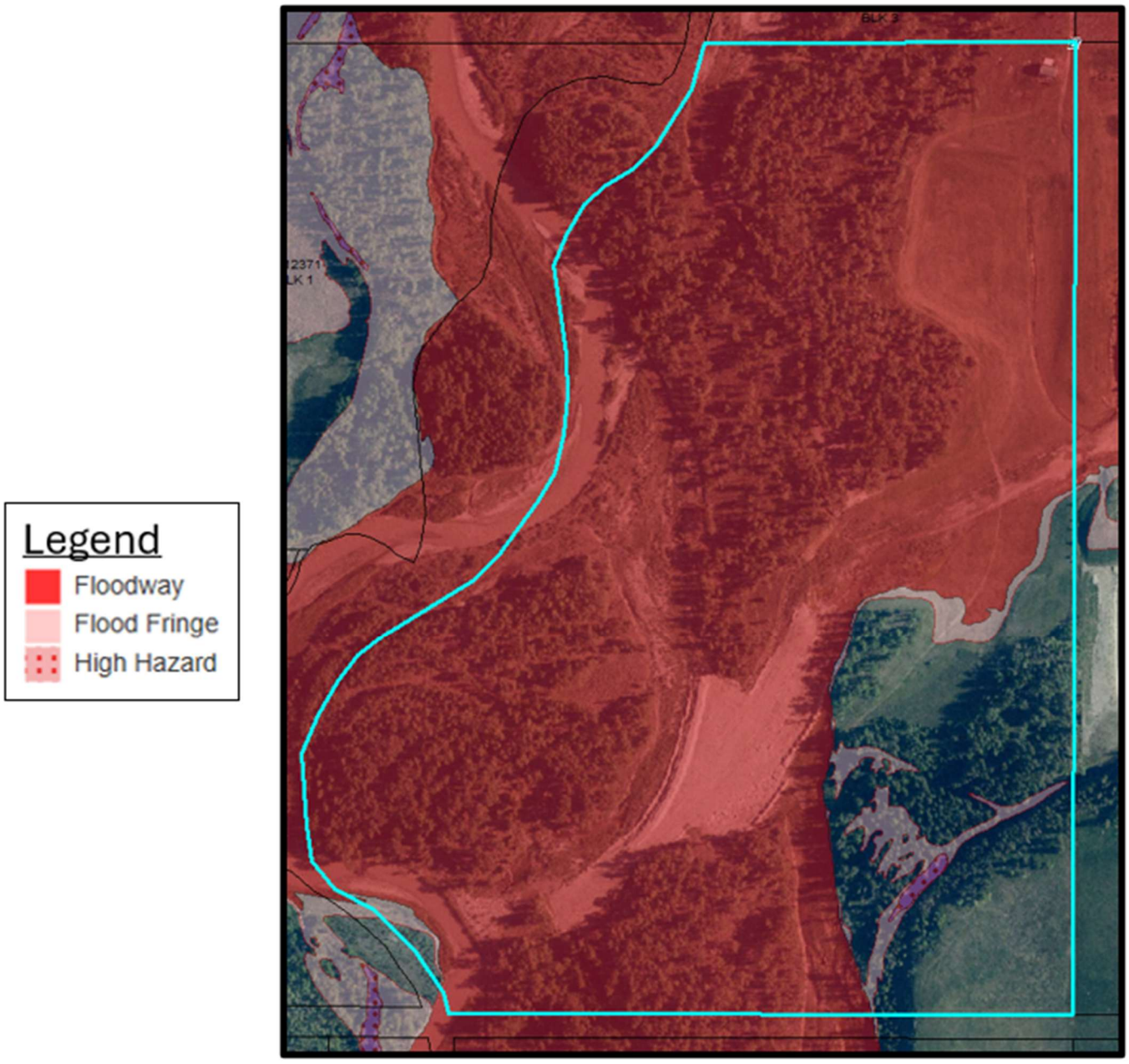



EX. LANDOWNER CABIN
27
20 - 02 - W5M
1136.63
1138.29
1138.31
1138.55
1138.17
1137.37
1136.12
1136.40
MINED AND RECLAIMED TAME PASTURE
1137.34
1139.49
DUGOUT / DRAINAGE SWALE
1139.19
1139.89
AECON THOMSON PIT
AECON MATHESON PIT AREA
13.52-ac (INCL. FLOOD DAMAGE AREA)
12.11-ac (RECLAIMED AREA)
1135.71
1140.21
1136.15
1140.14
SEASONAL DRAINAGE AREA
1136.78
2013 FLOOD DAMAGE / SEASONAL DRAINAGE AREA
1139.93
1137.98
MINED AND RECLAIMED TAME PASTURE
1138.84
1140.98
1140.97
SHEEP RIVER
SHEEP RIVER
SHEEP RIVER BANK ARMORING BERM (WORK COMPLETED BY FOOTHILLS COUNTY POST 2013 FLOOD, AUTHORIZATION 00338364-00-00)
1142.70
SW 1/4 27 - 20 - 2 - W5M
1160.45
NW 1/4 22 - 20 - 2 - W5M
SUBJECT LANDS
PLAN LEGEND
SUBJECT LANDS BOUNDARY
MAXIMUM PIT AREA
RECLAIMED AREA BOUNDARY
DRAINAGE SWALE / DUGOUT
IMAGE:
Subject Lands: Saige (2025-07-15)
Surrounding: Google (2024-06)
FOOTHILLS COUNTY
HORIZONTAL SCALE: 1:3000
0 20 40 80 120 200 m
Aecon Transportation West Ltd.
Matheson Gravel Pit - Redesignation INR to A
SW 1/4 27 - 20 - 2 - W5M
EXISTING CONTOURS
BADKE CONSULTING
DRAWN: BJB
DATE: MARCH 2026
CHK'D: JDB
DWG. 2
REV. -
FILE #: 1062.26


BLOCK 3
PLAN 941 2237
EX. LANDOWNER CABIN
27
20 - 02 - W5M
TOPSOIL AND
OVERBURDEN STOCKPILES
SHEEP RIVER
AECON MATHESON PIT AREA
13.52-ac (INCL. FLOOD DAMAGE AREA)
TOPSOIL STOCKPILE
HIGHWATER CHANNEL
BANK BREACH AND
EROSION
2013 FLOOD DAMAGE
EXTENTS (TYPICAL)
PRIMARY SHEEP RIVER
CHANNEL BANK BREACH
LOCATION
SW 1/4 27 - 20 - 2 - W5M
NW 1/4 22 - 20 - 2 - W5M
SUBJECT LANDS
SHEEP RIVER
PLAN LEGEND
SUBJECT LANDS BOUNDARY
MAXIMUM PIT AREA
2013 FLOOD DIRECTION
2013 FLOOD EXTENTS (SUBJECT LANDS)
IMAGE:
2013 Flood: GOA (2013-06-24)
Surrounding: Google (2024-06)
FOOTHILLS
COUNTY
HORIZONTAL SCALE: 1:3000
0 20 40 80 120 200 m
Aecon Transportation West Ltd.
Matheson Gravel Pit - Redesignation INR to A
SW 1/4 27 - 20 - 2 - W5M
2013 FLOOD - PIT AREA
BADKE CONSULTING
DRAWN: BJB
DATE: MARCH 2026
CHK'D: JDB
DWG. A
REV. -
FILE #: 1062.26


SHEEP RIVER
APPROXIMATE LOCATION OF 2013 OVERLAND FLOODING RETURN TO SHEEP RIVER CHANNEL
SHEEP RIVER
AECON HENRICKSON PIT
AECON GLASS PIT
SUBJECT LANDS
APPROXIMATE 2013 FLOODING ROUTE
27
2013-06-24 GOA IMAGERY BOUNDARY
128 STREET WEST EMBANKMENT BREACH AND EROSION LOCATION
AECON THOMSON PIT
CU-NIM GLIDER CLUB
128 STREET W
AECON MATHESON PIT AREA
MAIN SHEEP RIVER CHANNEL BANK BREACH AND EROSION
SHEEP RIVER
2013-06-24 GOA IMAGERY BOUNDARY
PLAN LEGEND
SUBJECT LANDS BOUNDARY
MAXIMUM PIT AREA
2013 FLOOD DIRECTION
2013 FLOOD EXTENTS (SUBJECT LANDS)
IMAGE:
2013 Flood: GOA (2013-06-24)
Surrounding: Google (2024-06)
FOOTHILLS COUNTY
HORIZONTAL SCALE: 1:3000
0 20 40 80 120 200 m
Aecon Transportation West Ltd.
Matheson Gravel Pit - Redesignation INR to A
SW 1/4 27 - 20 - 2 - W5M
2013 FLOOD - REGIONAL
BADKE CONSULTING
DRAWN: BJB
DATE: MARCH 2026
CHK'D: JDB
DWG. B
REV. -
FILE #: 1062.26

APPENDIX A – FLOOD HAZARD MAP



APPENDIX B – DRAFT 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 the Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District.

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to Section 10.17.3 to relax the minimum setback distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m on the subject parcel, being Ptn. SW 27-20-02 W5M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No.2002 is amended by *redesignating 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay.*

2. Under SECTION 10.17 NATURAL RESOURCE EXTRACTION AND PROCESSING, the following shall be added under Section 10.17.3 only on *Ptn. SW 27-20-02 W5M*:

   To allow for a relaxation to the minimum setback distance between a dwelling and a natural resource extraction operation from 100.0 m to 20.0 m on the subject parcel, being Ptn. SW 27-20-02 W5M.

3. 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 .

DRAFT

PUBLIC HEARING
REPORT TO COUNCIL
Request to Purchase Undeveloped Road Allowance
Public Hearing 11:00 am October 14, 2026

Letter of Request Information	**PL1926-05E**
LEGAL DESCRIPTION: Portion of Undeveloped Road Allowance between E 05 & W 04-19-26 W4M containing ~ 6.14 acres (2.48 ha)	
LANDOWNER: Foothills County	
LICENCE APPLICANT: **Colliton Siding Ltd. (formerly JGL Livestock)**	
PROPOSAL: Request to Purchase Road Allowance	
DIVISION NO: 1	**COUNCILLOR:** Rob Siewert
FILE MANAGER: Donna Fowler, Municipal Lands Administrator	

LOCATION

The road allowance is located 4 km SE of the Hamlet of Blackie, North of Hwy 23 within an undeveloped portion of 304 Street E.

BACKGROUND

The applicant submitted the attached letter request May 21, 2026, to request Council's consideration to close for purchase the above noted portion of road allowance.

On July 8, 2026 staff provided a brief presentation to Council and Council directed administration to proceed with a Public Hearing to consider the closure for purchase of the undeveloped road allowance.

The applicant owns all adjacent parcels of agriculturally zoned land, which are bisected by the CPKC Railway line. The applicant states that CPKC will not allow a level crossing to be built across their tracks on this road allowance, which would effectively block the future construction of a through road on this undeveloped portion of 304 Street E.

Established railway crossings are located to the west on C.I.L Road E and to the east on an undeveloped portion of 320 St E.

The applicant is planning on submitting a future application for the development of an Agri Business on the lands, which they hope to build across both Section 4 and 5, so being able to close and utilize the road allowance land would enable them to make the best use of the site.

Should this application be successful, to avoid land locking any portion of the adjacent parcels, we would recommend that the applicant consolidate the NE & SE ¼'s of section 05-19-26 W4M and the NW & SW ¼'s of section 04-19-26 W4M, south of the CPKC railway line.

The surrounding land is currently in the name of Chinook Feeders (2024) Ltd. The applicant indicates that the land transfers to Colliton Siding Ltd. will be completed prior to entering into a purchase and sale agreement for the subject lands.

CIRCULATION:
The Application File was circulated internally and externally with responses as indicated:

Foothills County Website – Application file posted on September 30, 2026
Western Wheel Advertisement – September 30 & October 7, 2026
Adjacent Landowner Circulation – No concerns to October 6, 2026
External Agencies Circulated – No concerns to October 6, 2026
Internal Departments Circulated – No concerns to October 6, 2026

CPKC sent some information supporting the claim that they would not be interested in developing a level crossing at this location. I have included their communications as Appendix B.

REQUEST OF COUNCIL

We have prepared 3 draft motions for council's consideration:

OPTION 1: APPROVAL

That Council grants first reading to Bylaw XX/2026 to authorize the closure of a portion of the undeveloped road allowance along the eastern boundary of E 05-19-26 W4M containing 6.14 acres more or less for purchase and consolidation. Access will be denied.

Subject to Ministerial approval prior to second and third reading of the Bylaw; and

Subject to the consolidation of the NE & SE ¼'s of section 05-19-26 W4M and the NW & SW ¼'s of section 04-19-26 W4M, south of the CPKC railway line

OPTION 2: POSTPONE

That Council postpones their decision to allow administration to gather more information.

OPTION 3: REFUSAL

That Council denies the application, at this time

APPENDICES

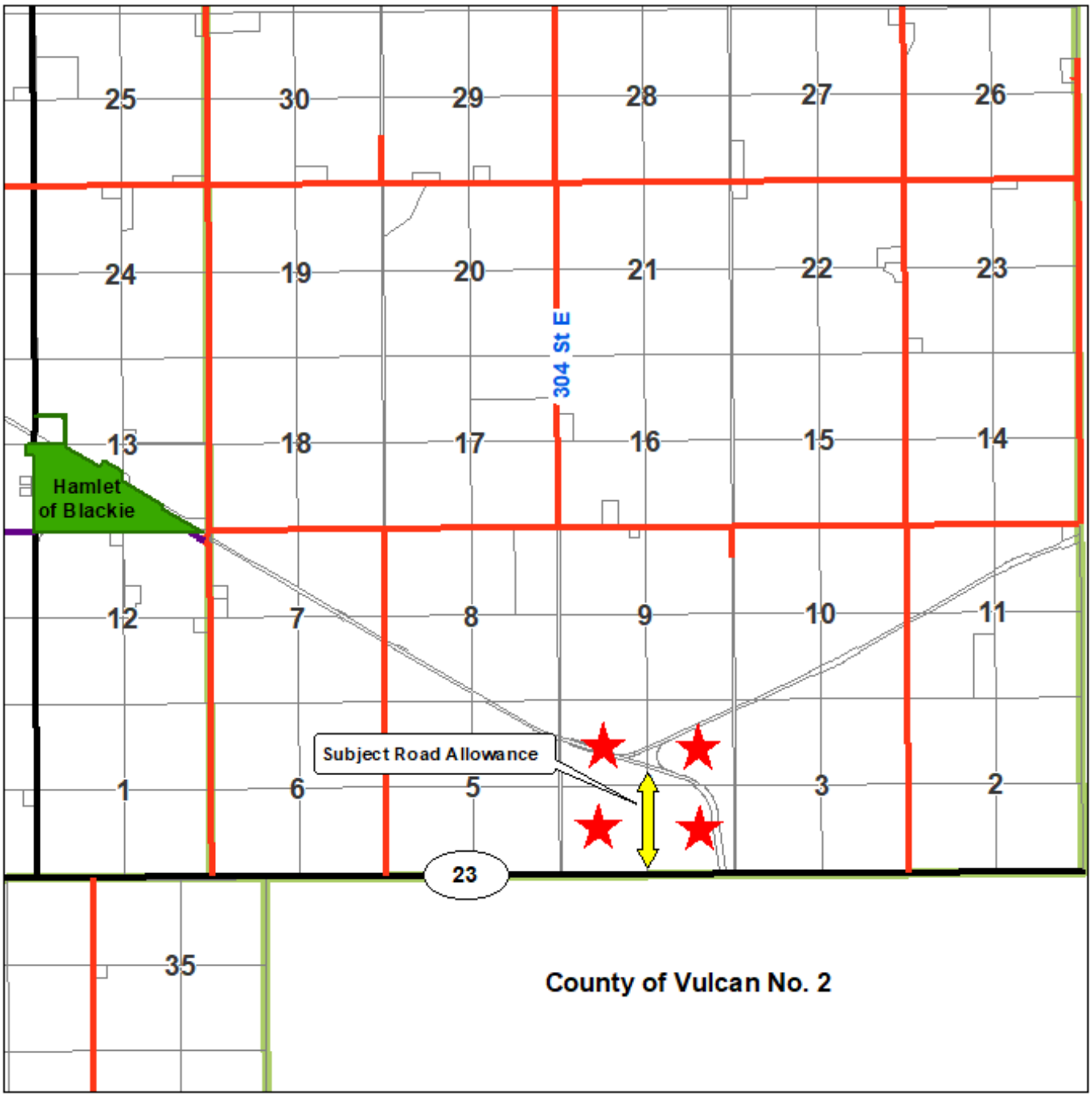
APPENDIX A – Location Maps

APPENDIX B – CPKC Email

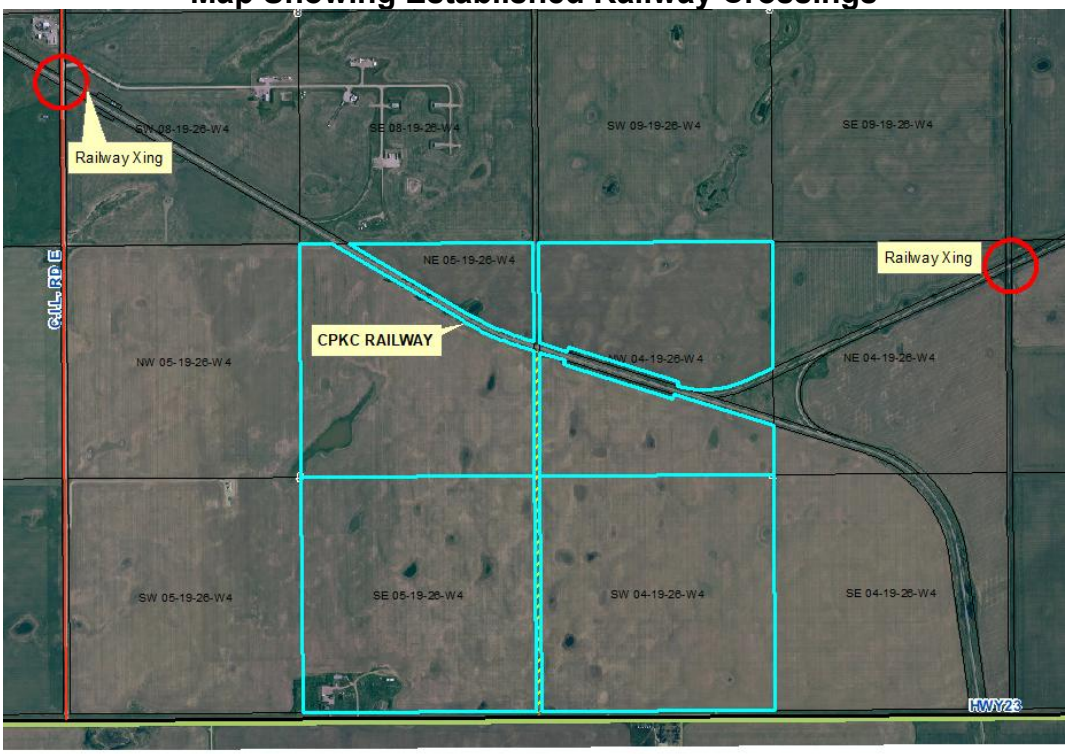
APPENDIX C – Applicant Request Letter

APPENDIX D – Draft Bylaw XX/2026

APPENDIX A:
LOCATION MAP



Map Showing Established Railway Crossings



Map Showing Adjacent Parcels, Railway Line & Road Allowance



APPENDIX C:
APPLICANT REQUEST LETTER

JGL Livestock

Foothills County
Box 5605
High River, AB
T1V 1M7

Attn: Donna Fowler, Municipal Lands Administrator

Dear Donna,

Re: Future Agri Business Development 04-19-26 W4M and 05-19-26 W4M
Owners: 2817558 Alberta Ltd.

JGL Livestock, as partners in the development of a future Agri business, located north of Highway 23, near Eltham, AB, respectfully ask that Foothills County close and allow us to purchase the Alberta road allowance immediately north of Highway 23 and south of the CPKC main line to facilitate our proposed site for the following reasons.

Primarily, CPKC has expressly stated to the current landowner that it will not allow a level crossing to be built across their track on this road allowance. The landowner had asked for a crossing to move his farm machinery across the tracks to adjacent land to the north. Therefore, the 1290 m +/- section of road allowance is landlocked south of the tracks. There are already railway crossings 1.6 km west and east of this location to allow for emergency services and regular traffic flow.

Secondly, the road allowance in question is a T-intersection with Highway 23 due to it being a correction line. Therefore, there is no direct southbound flow for egress anyway.

Our development will extend from section 4 to section 5, and we believe that given the two conditions above, the site makes an excellent candidate for the business. We have highlighted the road allowance below in yellow. The land is currently all farmed.

We look forward to working with Foothills County to develop a site that supports modern agriculture.

Kind regards,

Lorne

JGL Livestock
RR 280 Hwy #1 West, Box 40,
Moose Jaw, SK S6H 4N7
p: 306.692.4911
f: 306.624.2395
w: www.jgl.ca

Partners in agriculture.

JGL Livestock



Lorne Petersen
Director, Strategic Partnerships
JGL Group of Companies
C: 403-415-9444
E: lorne.petersen@jgl.ca
JGL – Partners in agriculture.
A: RR 280 Hwy #1 West,
Box 40, Moose Jaw, SK S6H 4N7

JGL Partners in agriculture.

The information contained in this message may be confidential. It may contain proprietary, privileged, confidential or sensitive material. It is intended to be read only by the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form, is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete and destroy any copy of this message.

Donna Fowler

From: Donna Fowler
Sent: October 6, 2026 1:04 PM
To: FCLands
Subject: FW: 70.72 Aldersyde Subdivision/ 304 Street CPKC Contact for Foothills County

---

From: Paul Whalen [redacted]
Sent: October 6, 2026 8:59 AM
To: Donna Fowler <Donna.Fowler@FoothillsCountyAB.ca>
Cc: Scott Lowden [redacted] Paul Whalen [redacted]
Subject: RE: 70.72 Aldersyde Subdivision/ 304 Street CPKC Contact for Foothills County

> You don't often get email from [redacted]. Learn why this is important

Hi Donna,

To promote safety, Canadian railways and Transport Canada strive to minimize rail/public interactions wherever possible. CPKC's ability to reroute traffic is limited, and with the increasingly long train consists on our network, it remains crucial to protect our corridors and support safe, efficient rail operations. For this reason, and those outlined below, CPKC generally does not permit the establishment of new crossing locations on our system.

Advantages of limiting crossing locations:

1. **Reduced Collision Risk:** Fewer crossings mean fewer opportunities for trains and vehicles or pedestrians to intersect, dramatically lowering the risk of accidents.
2. **Enhanced Train Visibility:** Concentrating safety measures at limited crossings improves effectiveness, helping drivers and pedestrians better recognize rail hazards.
3. **Improved Signaling:** Resources for safety barriers, lights, and alarms can be focused and optimized at essential crossings, increasing reliability.
4. **Minimized Human Error:** Reducing decision points lessens the chances of misjudgment regarding train speed or approach.
5. **Improved Service:** Fewer crossings allow trains to better serve customers and perform switching operations without being restricted by additional road movements.
6. **Consistent Traffic Flow:** Minimizing crossings means fewer interruptions for road and rail traffic, helping avoid congestion and unsafe impatience from drivers.
7. **Easier Maintenance:** With fewer crossings, safety infrastructure can be maintained more efficiently and to a higher standard.
8. **Safer Emergency Response:** Emergency procedures and responses are streamlined with fewer access points to monitor.
9. **Cost Efficiency:** Concentrating safety investments at fewer crossings helps control costs and allows for enhanced safety features at permitted locations.

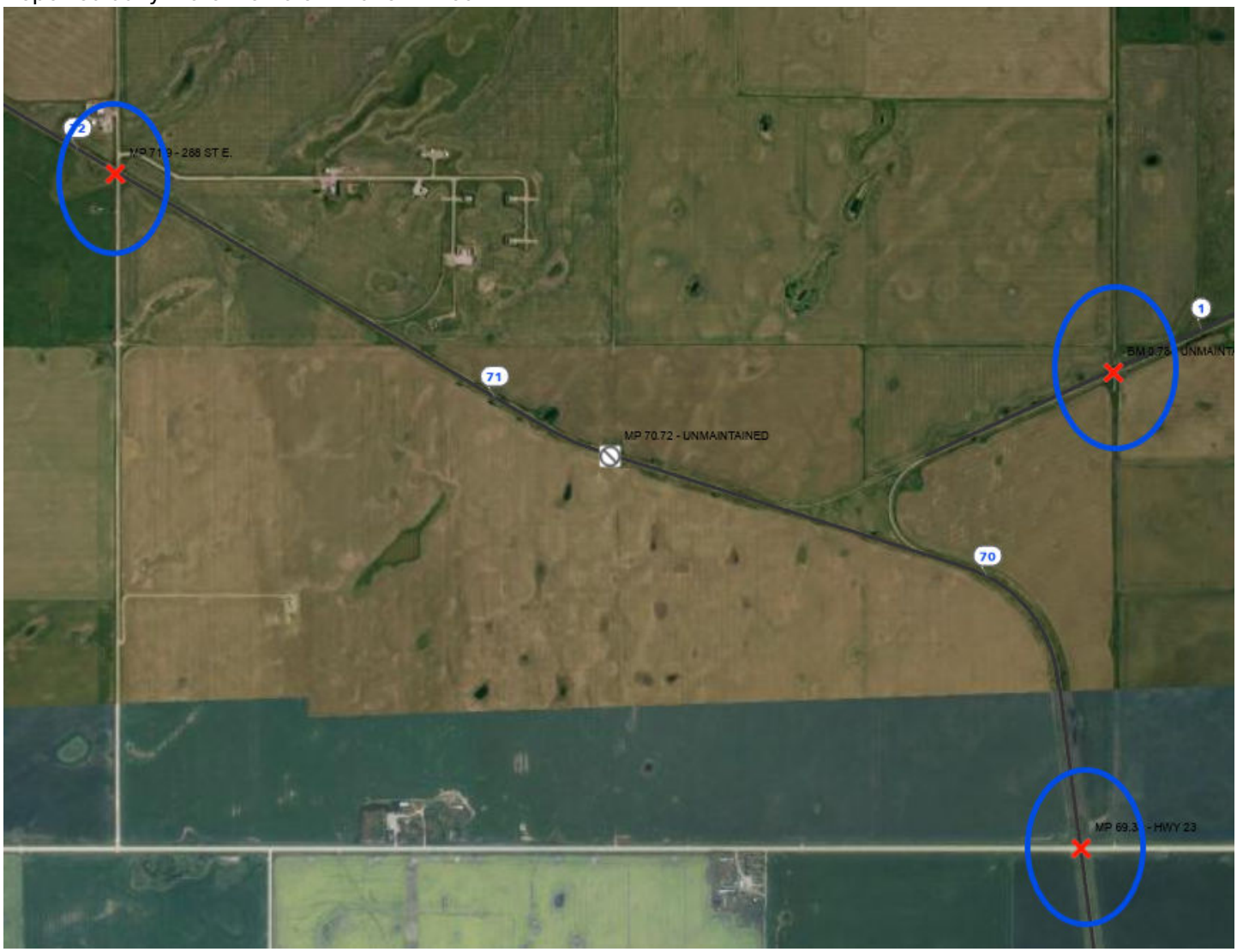
If a new railway crossing were to be considered the approximate costs are below. The below does not include approaches to the railway crossing or power supply to a potential waring system.

2 lane crossing surface = $250,000.00 -Railway crossing surfaces may last 10 to 17 years depending on various factors such as vehicle design, motor vehicle frequency, weather, road clearing material.

Basic warning system if required = $650,000.00

4 lane crossing surface = $350,000.00-Railway crossing surfaces may last 10 to 17 years depending on various factors such as vehicle design, motor vehicle frequency, weather, road clearing material.
Warning system with cantilevers required $850,000.00

Railway crossing in close proximity- 2 railway crossing below are under utilized and could be expanded rather than create another unsafe costly railway crossing.
71.90 Aldersyde Subdivision/ 288 Street
Reported daily motor vehicle in 2017 = 53
.78 Lomond Spur/ 320 Street
Reported daily motor vehicle in 2017 = 0
69.33 Aldersyde Hwy 23
Reported daily motor vehicle in 2015 = 1460



Thank you very much!

Paul Whalen
Public Works, Alberta and British Columbia
Canadian Pacific Kansas City Railway
BLDG #1, Desk 1187
7550 Ogdendale Rd

Calgary, AB, T2C 4X9

Dignity and respect in the work place

Office:403 260 5857
[redacted]

From: Donna Fowler <Donna.Fowler@FoothillsCountyAB.ca>
Sent: Monday, October 5, 2026 11:16 AM
To: Paul Whalen [redacted]
Cc: Scott Lowden [redacted]
Subject: RE: 70.72 Aldersyde Subdivision/ 304 Street CPKC Contact for Foothills County

! Caution: This Message Is From an External Sender !
This email did not originate from CPKC. If the sender is unfamiliar, avoid opening links or attachments.

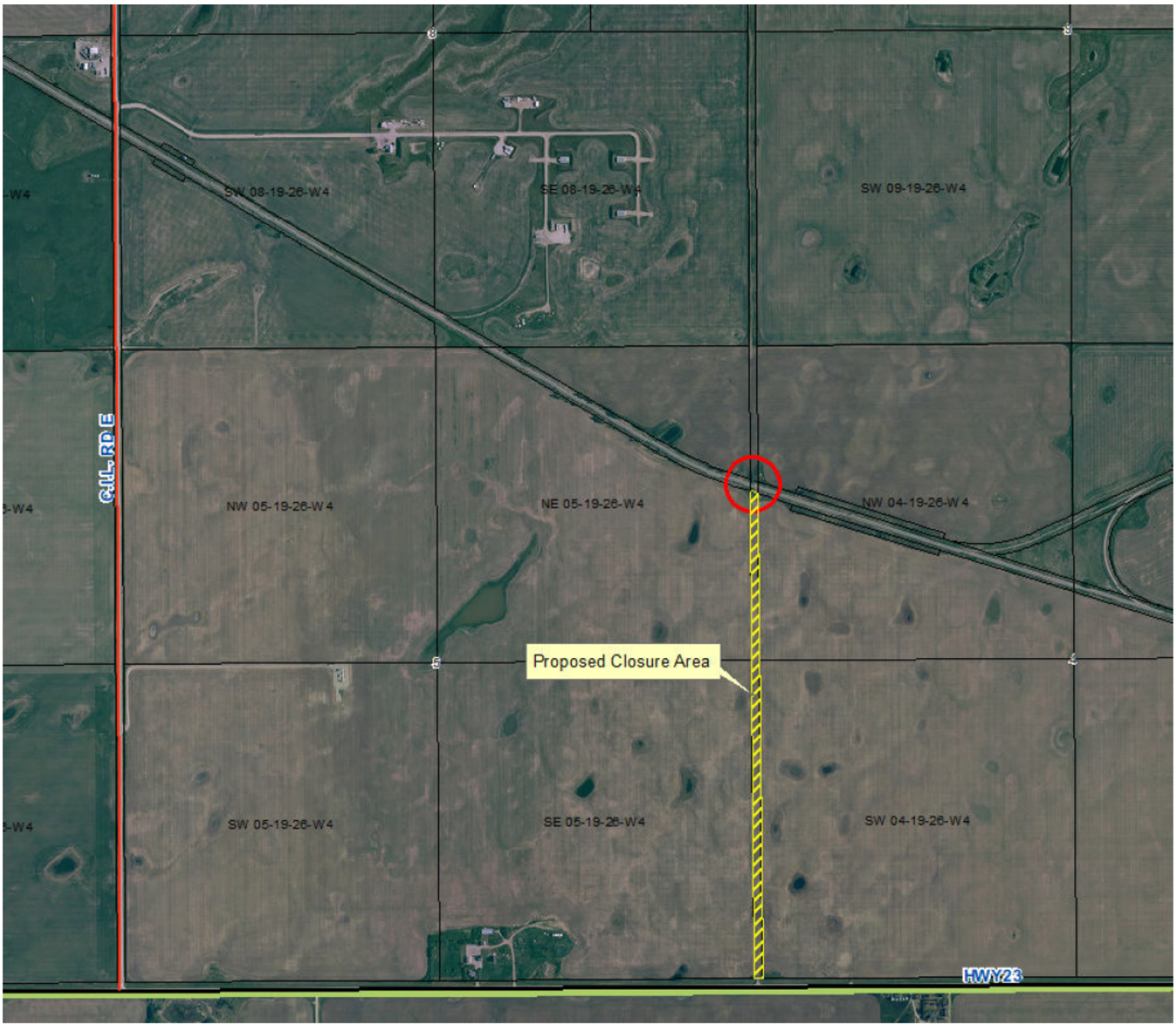
Thanks for the info, Paul.

Could you speak to the likelihood of CPKC allowing a crossing at this location? Foothills County Council is reviewing the application from JGL to close the road allowance south of your line. This would make a future public crossing impossible. We are hoping to confirm JGLs claim that an official level crossing at this location would not be possible as that is part of their reasoning to support the closure of the road allowance.

Please let me know if you require any other information that may help answer our question, any direction you could provide would aid Council in their decision.

Kind regards,

Donna
403-603-6209



From: Paul Whalen [redacted]
Sent: October 2, 2026 1:03 PM
To: Donna Fowler <Donna.Fowler@FoothillsCountyAB.ca>
Cc: Scott Lowden [redacted]>; Paul Whalen [redacted]
Subject: 70.72 Aldersyde Subdivision/ 304 Street CPKC Contact for Foothills County

> You don't often get email from [redacted]. Learn why this is important

Hi Donna,

70.72 Aldersyde Subdivision/ 304 Street
I am responsible for railway crossings at grade in Alberta & BC , I have no record of any communications for this location since I took this position in September of 2016. If a private entity would like to apply for a railway crossing, they can do so by communicating to my self and filling out the attached form.

There is no such thing as a safe railway crossing at grade , some may be safer than others, but they all have risks. It may be better for the community that additional railway crossings are not installed. Please review the quote below from Operation Life Saver and the attached TSB report.

Operation Life Saver

In the United States and Canada Rail-related incidents involving trespassing and grade crossings, approximately 2,300 people are killed or seriously injured each year in these entirely preventable incidents.

Thank you very much!

Paul Whalen
Public Works, Alberta and British Columbia
Canadian Pacific Kansas City Railway
BLDG #1, Desk 1187
7550 Ogdendale Rd
Calgary, AB, T2C 4X9

Dignity and respect in the work place



Office:403 260 5857
[redacted]

From: Donna Fowler <Donna.Fowler@FoothillsCountyAB.ca>
Sent: Thursday, October 1, 2026 2:34 PM

To: Scott Lowden [redacted]
Subject: RE: CPKC Contact

! Caution: This Message Is From an External Sender !

This email did not originate from CPKC. If the sender is unfamiliar, avoid opening links or attachments.

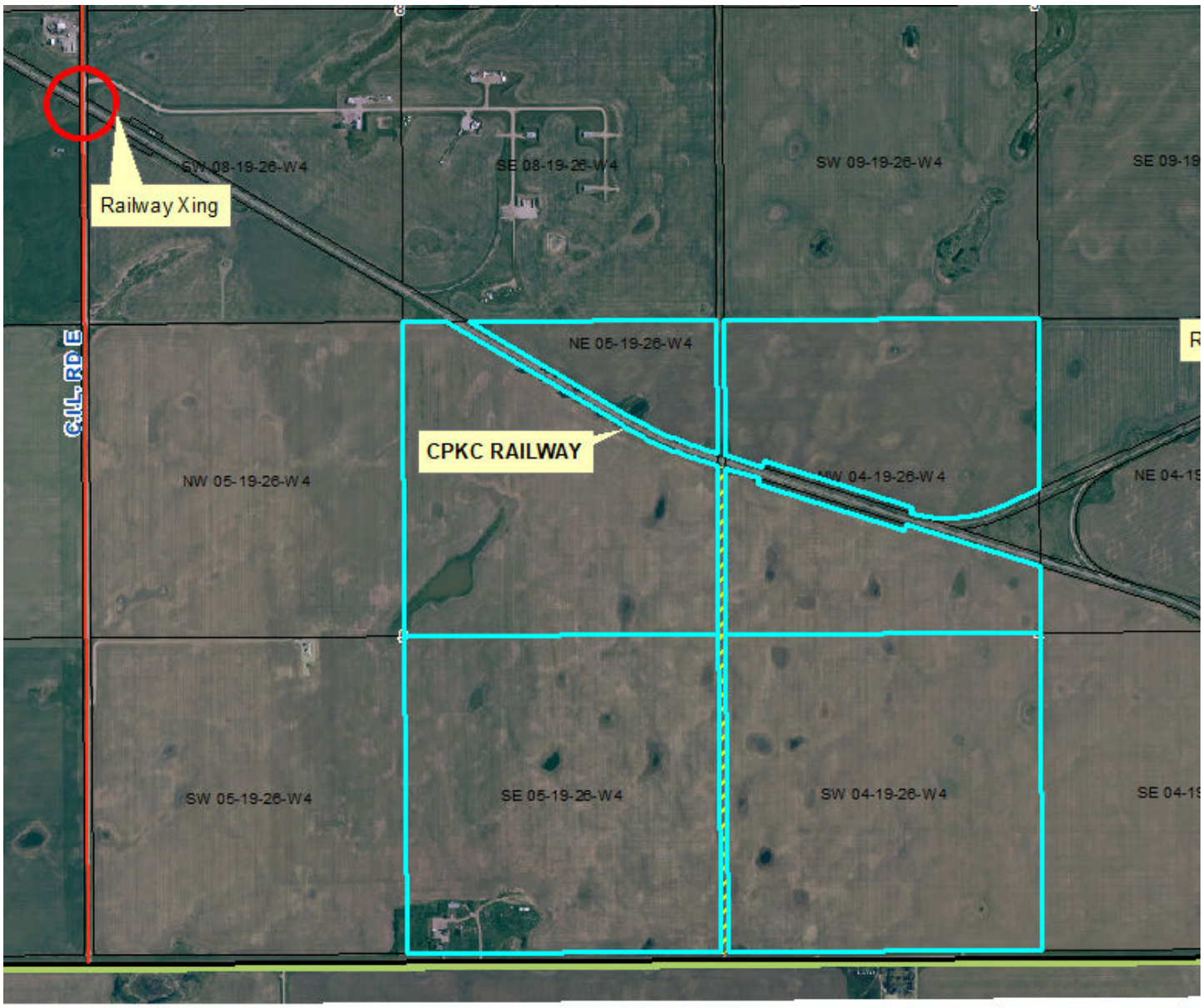
Hi Scott,

As you are aware, JGL has made an application to close a portion of undeveloped road plan that is adjacent the east half of Sec 5-19-26 W4, south of CPKC's railway line.

JGL has stated that they spoke with CPKC regarding the likelihood of developing a level crossing at this location and that they received word it would not be allowed. I would just like to confirm this information and see if you have any further comments regarding the road closure application.

Additionally, we have sent circulations regarding this application to CPKC but to date have not received any response (the response deadline isn't until next week - I just don't want to create double work on your end if someone else is working on a response to that circulation).

I expect that Foothills County Council will have questions regarding CPKC's crossings at C.I.L road to the west and 320 Ave to the east (see drawing below):



Are either of these crossing adequate for farm equipment and/or ordinary traffic to use? The one on CIL Rd looks like it is adequate as it is developed, but there is some concern for the one to the east on the undeveloped portion of 320 Ave E.

If you could please have a look and offer any feedback you may have regarding the application for permanent road allowance closure at this location.

Thanks very much,

Donna Fowler
Municipal Lands Administrator
Foothills County
403-603-6209

APPENDIX D:
DRAFT BYLAW

(File:PL1926-05E)

BYLAW XX/2026

A BYLAW OF FOOTHILLS COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND PURCHASE OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.

WHEREAS the lands hereafter described are no longer required for public travel, and

WHEREAS application has been made to Council to have the highway closed, and

WHEREAS the Council of Foothills County deems it expedient to provide for a bylaw for the purpose of closing certain roads, or portions thereof, situated in the said municipality, and

WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and published in the Western Wheel on September 30, 2026, and October 7, 2026, and

WHEREAS Council was not petitioned in writing by a person claiming to be prejudicially affected by the bylaw.

NOW THEREFORE BE IT RESOLVED that the Council of Foothills County in the Province of Alberta does hereby close to public travel and create title to the following highways, subject to the rights of access granted by other legislation:

ALL THAT PORTION OF ROAD WITHIN PLAN _____
CONTANING 6.14 ACRES (2.48 HECTARES) MORE OR LESS

Excepting thereout all mines and minerals.

Received first reading this ___ day of _____, 2026.

_____
Chief Elected Official

(Seal)

_____
Chief Administrative Officer

APPROVED this day of 20_.

_____
Minister of Transportation & Economic Corridors

Received second reading this day of 20___.

Received third reading and finally passed this day of ,20____.

_____
Chief Elected Official

(Seal)

_____
Chief Administrative Officer

PUBLIC HEARING
REPORT TO COUNCIL
Removal of MR Designation and Rezoning Request
1:30 pm October 14, 2026

APPLICATION INFORMATION		FILE NO. PL2203-20NE MR
	LEGAL DESCRIPTIONS: Plan 9211521, Lot 8MR, NE 20-22-03-W5	
	PROPOSED LAND USE: Country Residential District	
	AREA OF SUBJECT LANDS: 4.62 Acres	
	CURRENT LAND USE: Municipal Reserve Parcel	
	LANDOWNER: Foothills County	
PROPOSAL: The application before Council is for consideration on two concurrent items: 1. Approval of the removal of the Municipal Reserve designation on the parcel identified as Plan 9211521, Lot 8MR, NE 20-22-03 W5M. 2. Application for redesignation of Plan 9211521, Lot 8MR, NE 20-22-03 W5M, from Municipal Reserve to Country Residential District to allow for the subsequent sale and consolidation of this parcel.		
DIVISION NO: 4	**COUNCILLOR:** Suzanne Oel	**FILE MANAGER:** Donna Fowler

LOCATION

The MR parcel is located just south of the subdivision of Priddis Greens, southwest of Highway 22, within NE 20-22-03 W5M.

BACKGROUND

The subdivision within this quarter section consists of 7 country residential lots, 1 municipal reserve lot, 1 environmental reserve lot, and a balance agricultural parcel. The subdivision was created in the early 1990's by Lee Thiessen's father and all lots are still owned by Mr. Thiessen's family and remain undeveloped.

ET Equities (Lee Thiessen) intends to make several applications to achieve the final vision for this parcel:

1. Boundary adjust Lot 2. The northern portion (~2.2ac) would be consolidated into the large agricultural parcel.
2. Consolidate Lots 2-7 into one large AG lot (~41 ac)
3. Request the purchase of this 4.62 ac MR parcel.
4. Amalgamate the MR parcel, Lot 11 and the roadway into the balance agricultural parcel (~93 acres including roadway).

Should the applicant's applications be successful, that would leave one large ~93 acre Agricultural parcel, a second smaller ~ 41 acre Agricultural parcel and one small 0.33 acre ER parcel. Both AG parcels would be accessed via the shared access point off 256 St W. A map showing the potential resulting land use has been included within Schedule A.

On December 17, 2025, a Public Hearing to consider the closure for purchase of the road plan within NE 20-22-03 W5 (184 Ave W) was heard by Foothills County Council and first reading of Bylaw 31/2025 was

granted and subsequently approved by Alberta Transportation and Economic Corridors. This Bylaw was approved conditionally upon successful redesignation, purchase and consolidation of this Lot 8 MR.

CIRCULATION:
The Application File was circulated internally and externally with responses as indicated:

Foothills County Website – Application file posted on October 30, 2026
Western Wheel Advertisement – October 30 & October 7, 2026
¼ mile Landowner Circulation – No concerns to October 6, 2026
External Agencies Circulated -No concerns to October 6, 2026
Internal Departments Circulated – No concerns to October 6, 2026.

This Public Hearing was also advertised via signage at the entrance to the MR, as per the requirements of the MGA. Signage was placed September 29, 2026, and will remain until the conclusion of this Public Hearing.

REQUEST OF COUNCIL

PART A – DISPOSITION OF A MUNICIPAL RESERVE PARCEL

OPTION #1 – APPROVAL

Council may choose to pass the following resolution:

Council approves the disposition of the Municipal Reserve parcel on Plan 9211521, Lot 8MR, NE 20-22-03 W5M, containing 4.62 acres.

Recommended Conditions for Option #1:

1. Staff shall notify the Land Titles registrar that all provisions under the MGA for disposition of the reserve have been complied with and apply for the designation of Municipal Reserve to be removed.

OPTION #2 REFUSAL

Council may choose to refuse the disposition of the Municipal Reserve parcel on Plan 9211521, Lot 8MR, NE 20-22-03W5, containing 4.62 acres for the following reasons:

In consideration of the matter, Council did not find sufficient merit in the application to consider removing the Municipal Reserve suffix of the subject lands at this time.

PART B – REDESIGNATION OF PLAN 9211521, LOT 8MR, NE 20-22-03W5M

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to Bylaw XX/2026 for the redesignation of Plan 9211521, Lot 8MR, NE 20-22-03 W5M (4.62 acres) from Municipal Reserve to Country Residential District. Council is aware that the Country Residential parcel is intended to be consolidated into the surrounding agricultural parcel.

Recommended Conditions for Option #1:

1. Payment of final Land Use fees
2. Further direction from Council regarding the terms of a draft purchase and sale agreement for both the CR parcel and the road acquisition.

OPTION #2 REFUSAL

Council may choose to refuse the application for the redesignation of Plan 9211521, Lot 8MR, NE 20-22-03 W5M (4.62 acres) from Municipal Reserve to Country Residential “A” for the following reasons:

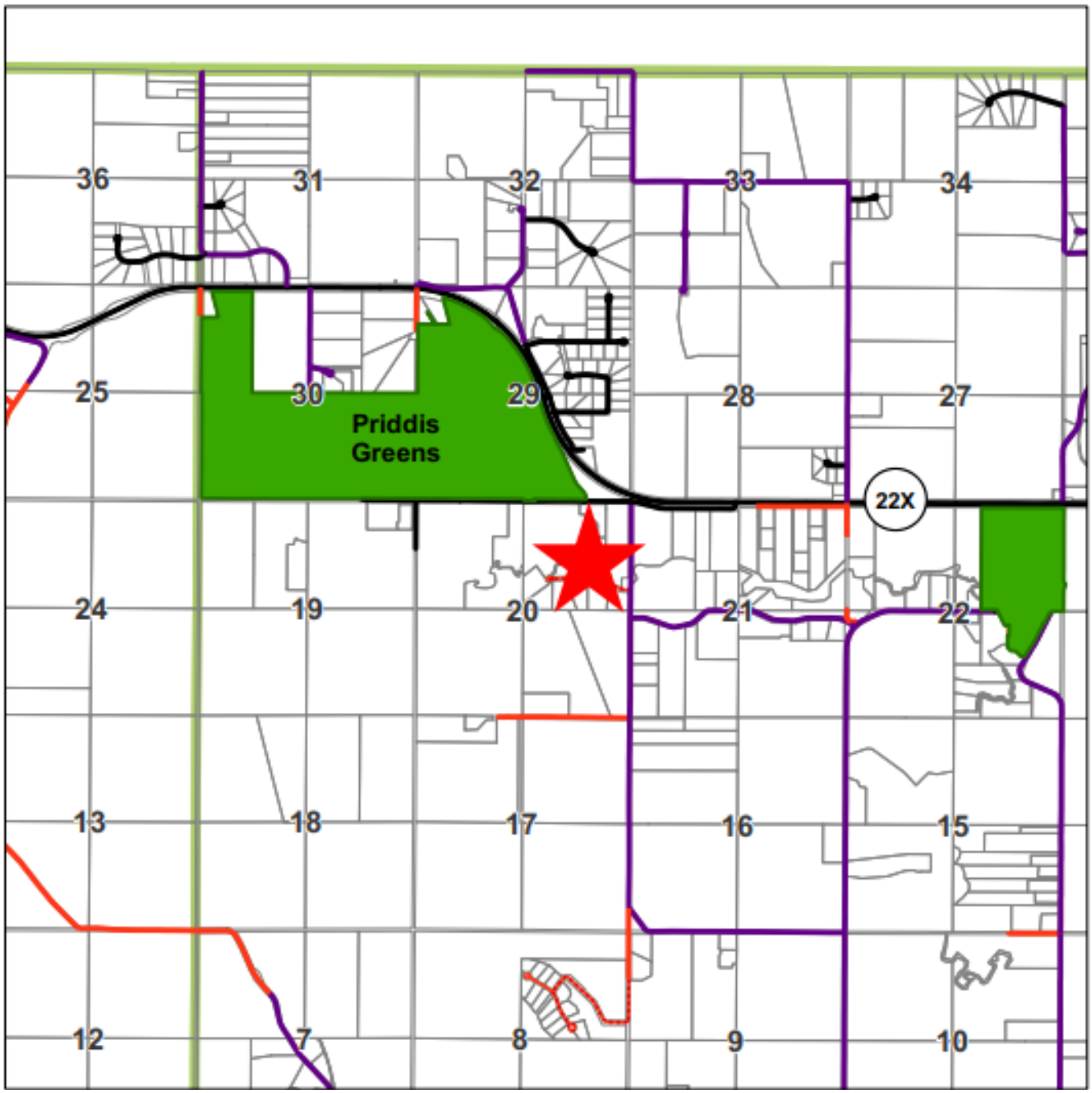
In consideration of the matter, Council did not find sufficient merit in the application to support the land use rezoning of the subject lands from the Municipal Reserve to County Residential “A” District land use at this time.

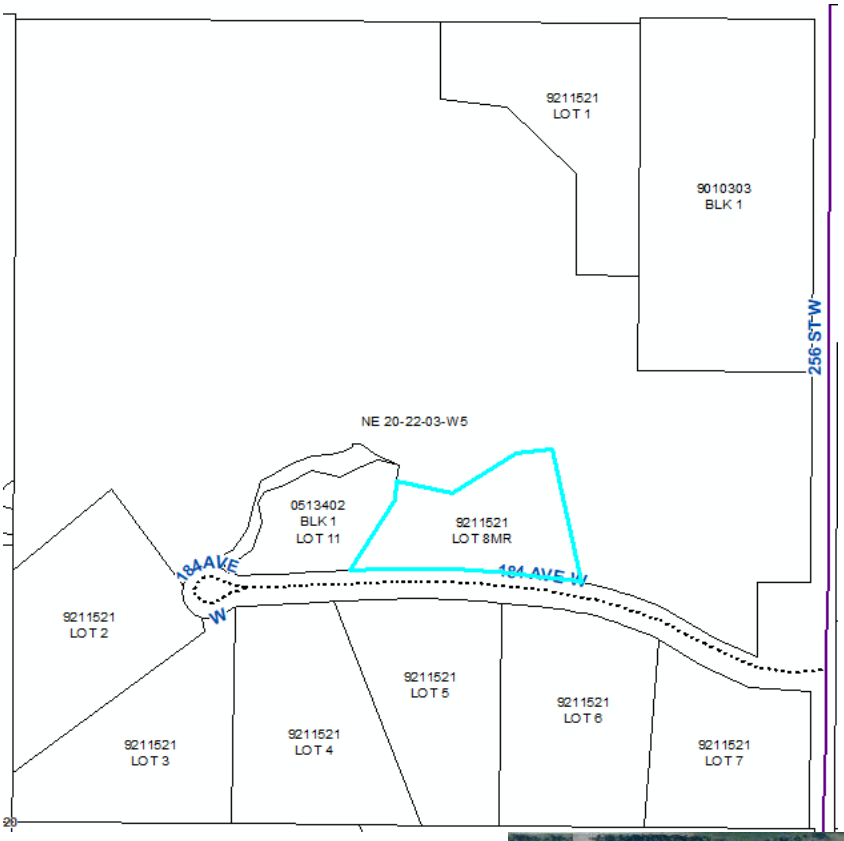
APPENDICES

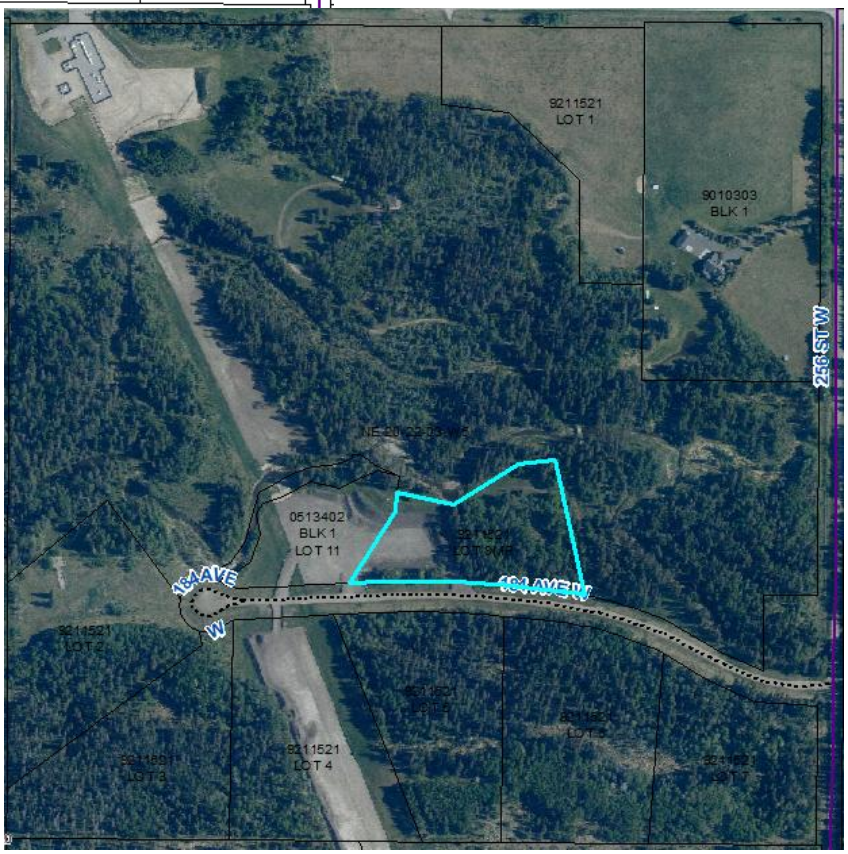
APPENDIX A – Location Maps

APPENDIX B –Draft Bylaw XX/2026

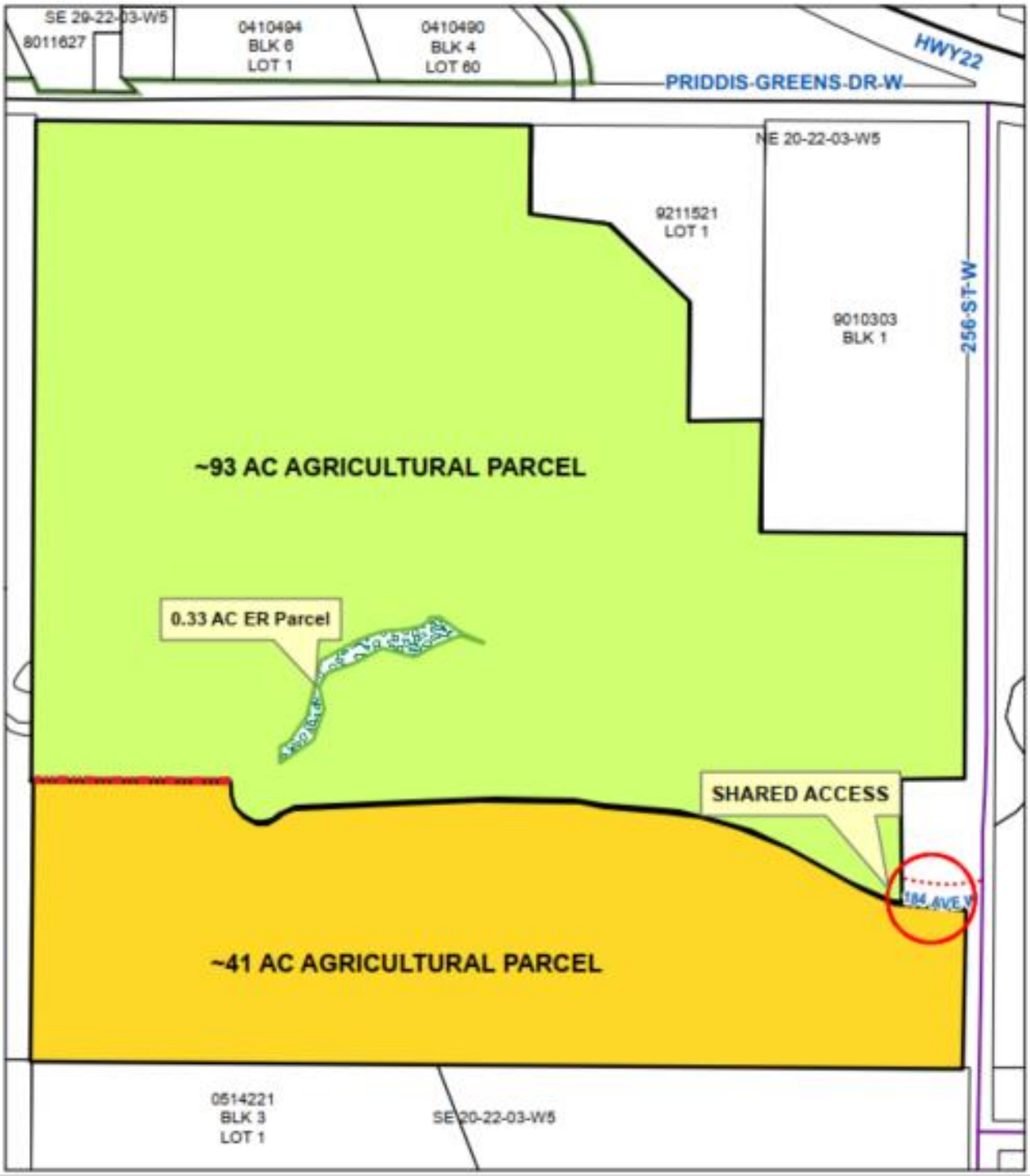
APPENDIX A:
LOCATION MAPS




9211521
LOT 1
9010303
BLK 1
256 ST W
NE 20-22-03-W5
0513402
BLK 1
LOT 11
9211521
LOT 8MR
184 AVE W
184 AVE
W
9211521
LOT 2
9211521
LOT 3
9211521
LOT 4
9211521
LOT 5
9211521
LOT 6
9211521
LOT 7


9211521
LOT 1
9010303
BLK 1
256 ST W
0513402
BLK 1
LOT 11
184 AVE W
184 AVE
W
9211521
LOT 2
9211521
LOT 4

MAP SHOWING POTENTIAL RESULTING LAND USE



APPENDIX B:
DRAFT BYLAW XX/2026

BYLAW XX/2026

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

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

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of Plan 9211521, Lot 8MR; Ptn. NE 20-22-03 W5M from Municipal Reserve to Country Residential District.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2028 is amended by *redesignating a 4.62 +/- acre portion on NE 20-22-03 W5M as Country Residential District*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING:

_____
Reeve

_____
CAO

SECOND READING:

_____
Reeve

THIRD READING:

_____
Reeve

_____
CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this day of , 20 .