

**PUBLIC HEARINGS AND MEETINGS**  
**PLANNING AND DEVELOPMENT REPORT TO COUNCIL**  
**LAND USE AMENDMENT**  
**October 21, 2026**  
**To be heard at: 11:00 AM**

| <b>REQUEST FOR LAND USE AMENDMENT</b>                                                                                                                                              |                                                                                                          |                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------|
| <b>APPLICATION INFORMATION</b>                                                                                                                                                     | <b>FILE NO. 26R038</b>                                                                                   |                                           |
|                                                                                                   | <b>LEGAL DESCRIPTION:</b><br>Plan 0911874 Block 3 Lot 5, PTN: SW 01-21-29 W4M                            |                                           |
|                                                                                                                                                                                    | <b>LANDOWNERS:</b> East-West Renovations Ltd (Attn. Obanel Espejel Cabrera)                              |                                           |
|                                                                                                                                                                                    | <b>AGENT:</b> Badke Consulting Ltd. / Jeff Badke                                                         |                                           |
|                                                                                                                                                                                    | <b>AREA OF SUBJECT LANDS:</b> 11.54 Acres                                                                |                                           |
|                                                                                                                                                                                    | <b>CURRENT LAND USE:</b> Country Residential Sub-district "A"                                            |                                           |
|                                                                                                                                                                                    | <b>PROPOSED LAND USE:</b> Country Residential Sub-district "A" with amended reasons for Sub-district "A" |                                           |
| <b>PROPOSAL:</b> Amendment to the Country Residential District land use rules to allow for the future subdivision of 1 new +/- 5.54 acre Country Residential Sub-district "A" lot. |                                                                                                          |                                           |
| <b>DIVISION NO:</b> 7                                                                                                                                                              | <b>COUNCILLOR:</b> RD McHugh                                                                             | <b>FILE MANAGER:</b> Pierre-David Karolyi |

## EXECUTIVE SUMMARY

### **Location**

The subject parcel is located near Okotoks, approximately 700 m northeast of the north end of the Town of Okotoks and 600 m east of the intersection of Highway 2 and 338 Avenue East. It is not within the Okotoks Intermunicipal Development Plan.

### **Access**

Both accesses are proposed to be constructed through panhandles sharing an approach on Eastway Drive. There is an existing field approach on the south-east corner of the subject parcel.

### **Policy Evaluation**

Reviewed within the terms of the Municipal Development Plan 2010, Growth Management Strategy, and Land Use Bylaw 60/2014.

### **Referral Considerations**

Referred to required internal departments and external agencies, with comments summarized below and within the circulation referrals section.

Public Works had recommendations regarding approaches, the crossing of drainage areas, and abandoned pipeline setbacks. They also recommend septic testing, building envelopes, and high water table testing, and they deemed the proposed Overland Drainage Easement acceptable.

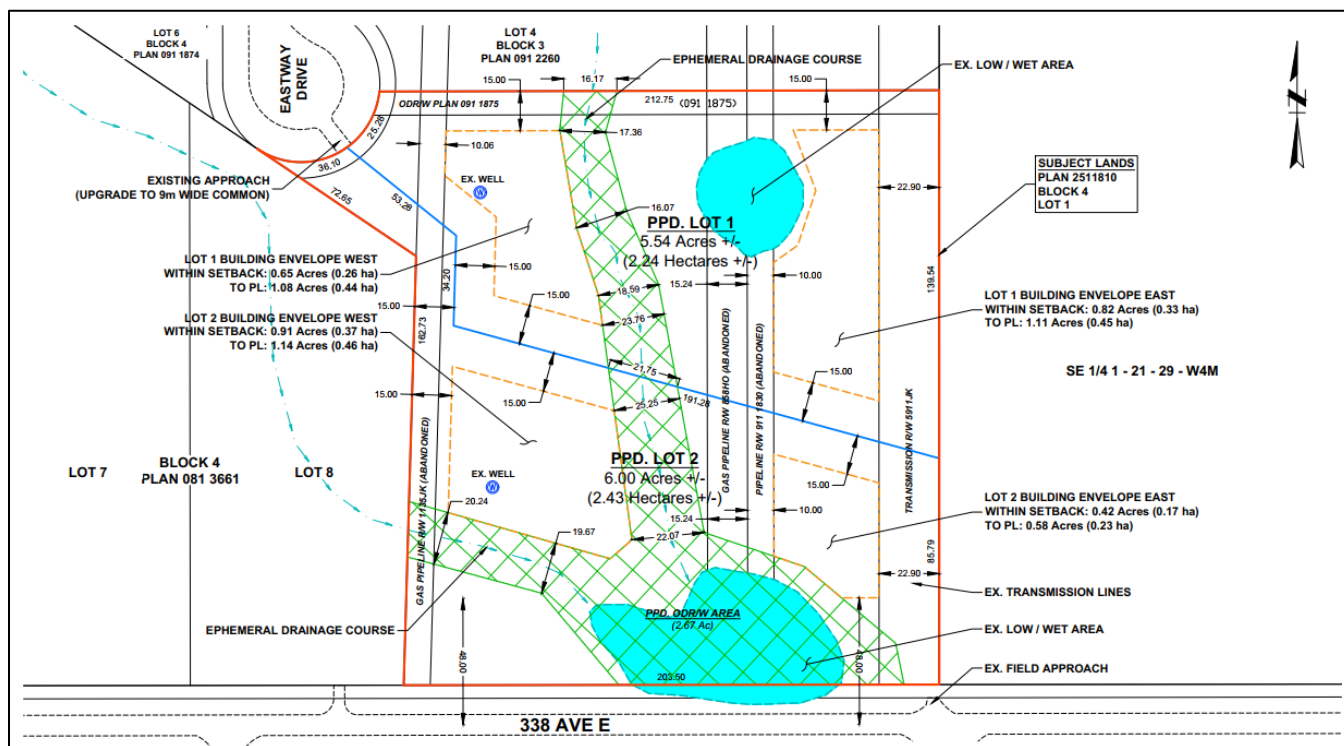
AltaLink indicated having a 138kV transmission line and right of way along the east side of the subject parcel which may affect height restrictions, setbacks, and grounding of metal structures,

which would require developments to be reviewed by AltaLink prior to construction and final designs.

ATCO Transmission and FortisAlberta had no concerns. Telus also had no concerns but want to have the opportunity to review at the subdivision or development stages.

## PURPOSE OF APPLICATION

**Bylaw XX/2026** - Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.54 +/- acres Country Residential Sub-district “A” parcel from an existing 11.54-acre Country Residential Sub-district “A” balance parcel on Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M, with a proposed +/- 2.67-acre Overland Drainage Right of Way as per the Site Plan below.



## HISTORICAL BACKGROUND

### QUARTER SECTION

**1965** – Fragmentation of the undivided quarter section into four (4) 40-acre Agricultural District parcels.

**2002**- Redesignation of a 11.5-acre portion of the 40-acres to Country Residential District, with a 27.92-acre balance including the subject parcel.

**2006-2008** – Creation of Eastway Drive East from the central 40-acre parcel and 27.92-acre parcel, and redesignation for subdivision of these lands into nine (9) Country Residential District parcels and one municipal reserve parcel. The five (5) easternmost parcels, with the subject parcel, were designated sub-district “A” to address building site of the properties and to accommodate 100-metre pipeline setbacks (Bylaw 215/2006). This pipeline was later abandoned.

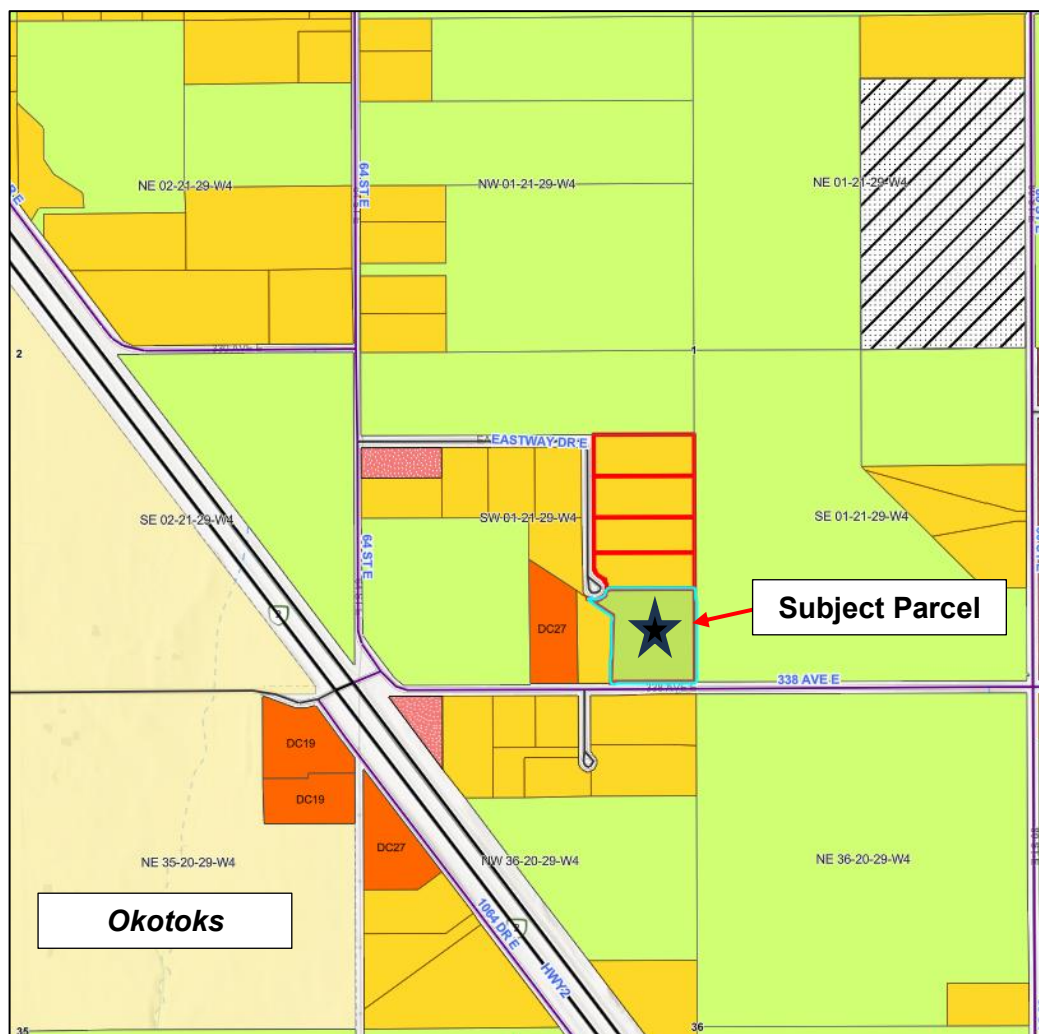
**2011** – The redesignation of two 4.5-acre parcels from a 40-acre Agricultural District parcel 370 metres north of the subject parcel was tabled to obtain clarification regarding sour gas pipeline setbacks and to negotiate access to the parcels. Redesignation was never completed.

**2020** – One 7.42-acre Country Residential Parcel 35 metres west of the subject parcel was redesignated to Direct Control District #27, Major Home-Based Business, to allow for a Greenhouse Sales Business, with a site-specific amendment allowing up to 16 business trips a day. This is accessed from a different road than the subject parcel.

### **SURROUNDING QUARTER SECTIONS**

Between the 1960s and 2026, twenty-eight (28) Country Residential parcels were subdivided from the eight adjacent quarter sections, not including the area west of Highway 2 that was annexed by the Town of Okotoks in 2017, and three Direct Control Districts west of Highway 2.

Notably, also between 2006 and 2008, the Riverstone Estates subdivision to the south of the subject parcel subdivided an agricultural district parcel into seven (7) Country Residential District parcels between 3 and 8 acres in size, with a 3-acre Municipal Reserve parcel. Two of the parcels traversed by the same pipeline as the subject parcel had also been intended to be designated as Sub-district “A” at first reading, although it is unknown why this was not the case for the final bylaw.



### **CURRENT LAND USE**

#### **Subject Parcel**

Country Residential Sub-district “A”.

### **Adjacent Lands**

Lands adjacent to the subject parcel are zoned Agricultural District to the east and southeast, Country Residential District to the south and west, and Country Residential Sub-district "A" to the north.

## **SITE CONSIDERATIONS**

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### **Access**

The subject parcel is accessed by Eastway Drive East, as shown on the map below. The intent is for a shared approach for both parcels through an upgrade to the existing approach to County standards.

Eastway Drive East is currently a 7.6-metre wide paved subdivision road constructed within a 30-meter right of way. It starts to the west at 64 Street East, and ends to the south with a cul-de-sac.



Public Works requires the approaches to be built to current municipal standards for a common approach and to be paved as Eastway Drive is a paved road.

### **Physiography and Existing Development**

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The subject parcel is mostly flat, yet contains two drainage courses (see ortho photo below) and two areas that may classify as wetlands. It is undeveloped with the exception of two water wells.



## **POLICY EVALUATION**

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

Policy 2.6 and of the Environmental Conservation & Open Space section of the MDP 2010 provides that protective measures be taken for development in or near wetlands.

Policies 3 and 9 of the Residential section of the MDP 2010 provide that in order to consider the proposal to be developable by the Subdivision Authority, residential parcels should be compatible with the surrounding area and existing uses. They further provide that the design and infrastructure of residential development should consider the agricultural industry, the efficient use of land, the environmental impact, and the cumulative effects of development along with the suitability of the lands for residential use and the conservation of water.

### **Growth Management Strategy**

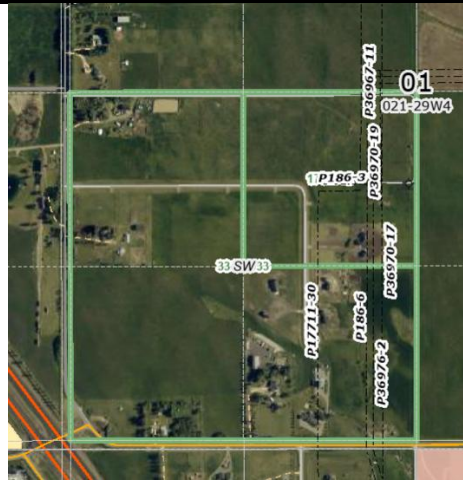
The subject parcel is located inside the Central District. The vision for the Central District identifies that lands which fall within this District are expected to see intensified and significant development while maintaining rural character and the protection of natural areas.

### **Land Use Bylaw**

The application, if approved, would meet the lot size restrictions and density requirements as set out in Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw. A minimum 30-metre setback is required for crown owned water bodies, as set out in Section 9.27.17 of the Land Use Bylaw.

| <b>CIRCULATION REFERRALS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>REFEREE</b>               | <b>COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>EXTERNAL</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Alberta Energy Regulator     | <p>The Alberta Energy Regulator (AER) indicated that there is an abandoned well in the vicinity and to contact the licensee for the current sour gas setback. However, the AER response refers to a different quarter section; although staff have requested clarification, a revised response was not received at the time of this report.</p> <p>The AER online mapping shows the four abandoned pipelines, but no abandoned wells.</p> |

## CIRCULATION REFERRALS



AltaLink

We have a 138kV transmission line and right-of-way (ROW) along the East side of the subject property.

The ROW is around 23m wide with the transmission line approximately on the center. Despite this, height restrictions for buildings/surface improvements may exist up to ~22.3m from transmission line centerline (so, up to ~10.8m West of the Western edge of the ROW, inside of Lot 1 and Lot 2).

Actual restrictions will vary by location, development within Lot 2 would have the largest restrictions (being closer to mid-span, where the wires can swing further with wind): At the ROW boundary height might be restricted for objects more than ~2.5m in height to comply with code, though limitations on building/object height become gradually less restrictive further West. As such, any improvements more than 2.5m in height within 11m of the ROW boundary (within Lot 1 and Lot 2) should be reviewed between the landowner and AltaLink before they go ahead with construction/finalize design, to avoid creating any conflicts or safety issues.

Additionally, development in proximity to transmission circuits may require additional bonding/grounding on large metallic components such as eavestroughs, chain link fencing, metal roofs/building cladding, etc. This is to bleed off induced currents from the EMF generated by the line. Ungrounded or electrically isolated metal can otherwise build up a charge which can result in nuisance shocks (when someone touches the metal and creates a path to ground). The landowner would be responsible for bonding/grounding of any such metallic objects/improvements.

ATCO Gas  
ATCO Transmission

Neither organization had any concerns.

Fortis

No concerns.

## CIRCULATION REFERRALS

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Telus                     | No concerns with the proposed activities at the Land Use stage, but will want to have the opportunity to review at subdivision and/or development stages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>INTERNAL</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Public Works              | <p>Public Works provided the following recommendations as conditions of the <b>subdivision</b>:</p> <ul style="list-style-type: none"> <li>• High Water Table Testing for Foundation Design</li> <li>• Septic Disposal Evaluation (PSTS)</li> <li>• Building Envelopes</li> </ul> <p>Public Works provided the following recommendations as conditions of the <b>development</b>:</p> <ul style="list-style-type: none"> <li>• Lot grading and overland drainage plan</li> </ul> <p>Public Works provided the following additional comments:</p> <ul style="list-style-type: none"> <li>• The proposed ODRW over the seasonal drainage courses, as proposed, is acceptable.</li> <li>• Applicant is responsible to obtain approvals from Alberta Environment if required for driveways crossing drainage course/wetland areas.</li> <li>• Common approach will require paved surface as Eastway Drive is a paved road</li> <li>• Applicant is responsible to confirm setback requirements with the AER from the abandoned pipelines.</li> </ul> |
| <b>PUBLIC</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Western Wheel             | October 7 <sup>th</sup> and 14 <sup>th</sup> , 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Landowners<br>(Half Mile) | No correspondence received prior to submission of staff report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

## SUMMARY

**Bylaw XX/2026** - Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.54 +/- acres Country Residential Sub-district "A" parcel from an existing 11.54-acre Country Residential Sub-district "A" balance parcel on Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M, with a proposed +/- 2.67-acre Overland Drainage Right of Way.

## OPTIONS FOR COUNCIL CONSIDERATION

### OPTION #1 – APPROVAL

Council may choose to grant 1<sup>st</sup> reading to the application for amendment to the Country Residential land use rules of Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M, in order to allow for a future subdivision of one new 5.54 +/- acres Country Residential Sub-district “A” parcel from an existing 11.54-acre Country Residential Sub-district “A” balance parcel, with a proposed +/- 2.67-acre Overland Drainage Right-of-Way, for the following reasons:

*In consideration of the criteria noted within Residential Policies 3 and 9 of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and fragmentation of the subject lands would not be detrimental to the overall nature of the area, and is compatible with the surrounding uses and environmental concerns. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.*

*Staff suggests revision to the existing Country Residential Sub-district “A” to consider updated conditions for both the proposed and balance parcels to ensure that the recommendations and restrictions as outlined in the high water table testing for foundation design, septic disposal evaluation and building envelopes (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met, may be required. Council may also wish to require a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit.*

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

1. Proof of adequate water supply to be provided for all proposed Country Residential parcels in accordance with the Provincial Water Act, to the satisfaction of the County;
2. Site plan to include the Overland Drainage Right-of-Way as proposed, **as a condition of subdivision**;
3. Septic Disposal Evaluation to be provided for all parcels, in accordance with Part 2 Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department, **as a condition of subdivision**;
4. High Water Table Testing for Foundation Design to be submitted to the satisfaction of the Public Works department, **as a condition of subdivision**;
5. Site plan to be provided which identifies building envelopes, for all parcels, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department, **as a condition of subdivision**;
6. Lot Grading / Drainage Plans to be provided for the subject lands, to the satisfaction of the Public Works department, **as a condition of development permit**;
7. Final amendment application fees to be submitted;
8. Submission of an executed subdivision application and the necessary fees.

### OPTION #2 - REFUSAL

Council may choose to refuse the application for amendment to the Country Residential land use rules of Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M, in order to allow for a future subdivision of one new 5.54 +/- acres Country Residential Sub-district “A” parcel from an existing 11.54-acre Country Residential Sub-district “A” balance parcel, with a proposed +/- 2.67-acre Overland Drainage Right of Way, for the following reasons:

*In consideration of the criteria noted within Residential Policies 3 and 9 of the MDP 2010, Council is of the opinion that the application does not adequately address the cumulative effects of the development, the environment and the efficient use of the land.*

## **APPENDICES**

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

LOCATION MAP

HALF MILE MAP – LAND USE

QUARTER SECTION MAP – PARCEL SIZES

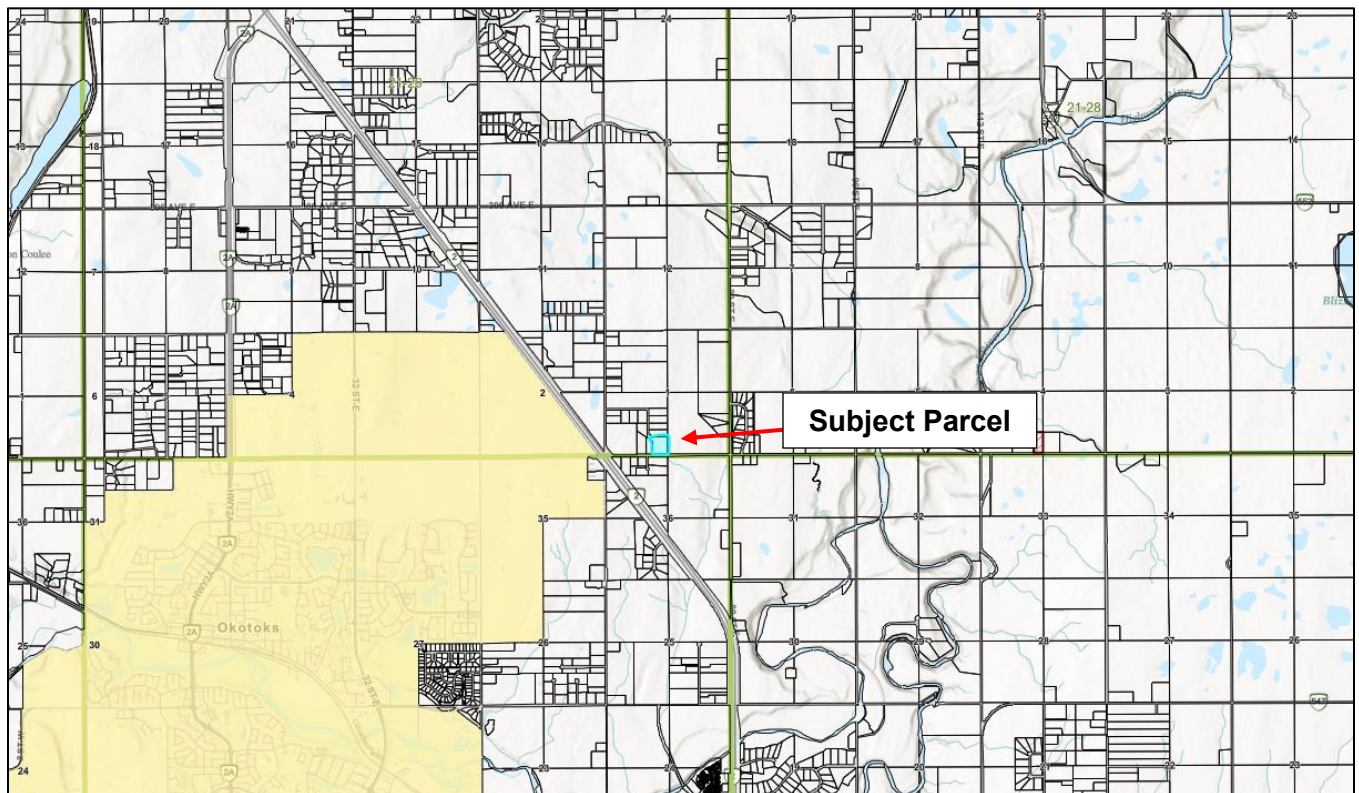
SITE PLAN

ORTHO PHOTO & PHYSIOGRAPHY

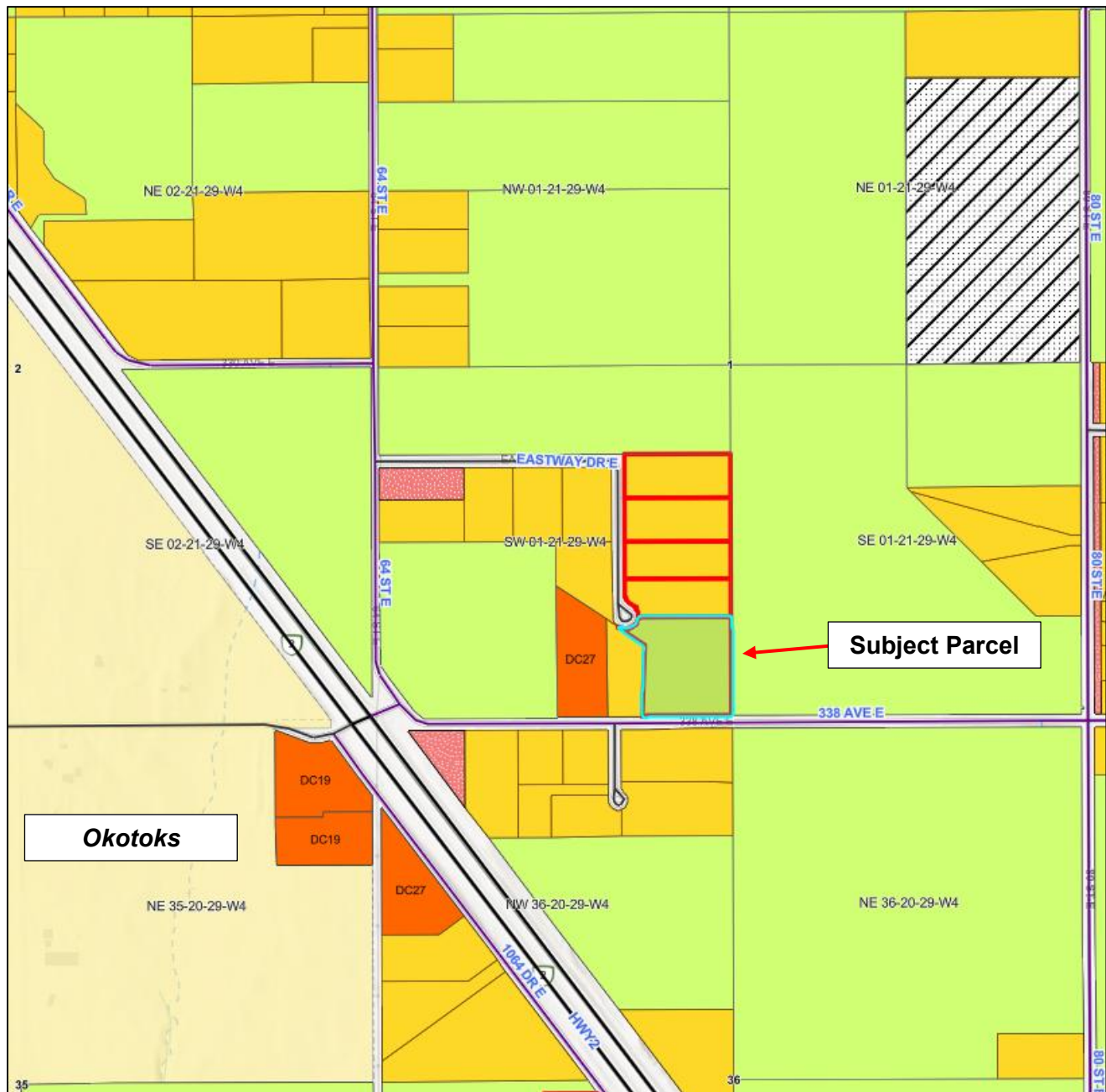
### **APPENDIX B:**

PROPOSED BYLAW

## **APPENDIX A: LOCATION MAP**



# APPENDIX A: LAND USE MAP



## Legend

### Land Use Districts

- A- Agricultural
- CR- Country Residential
- CRA- Country Residential Sub A Settlement
- DC - Direct Control



MR- Municipal Reserve



In Transition



Parcels



Town



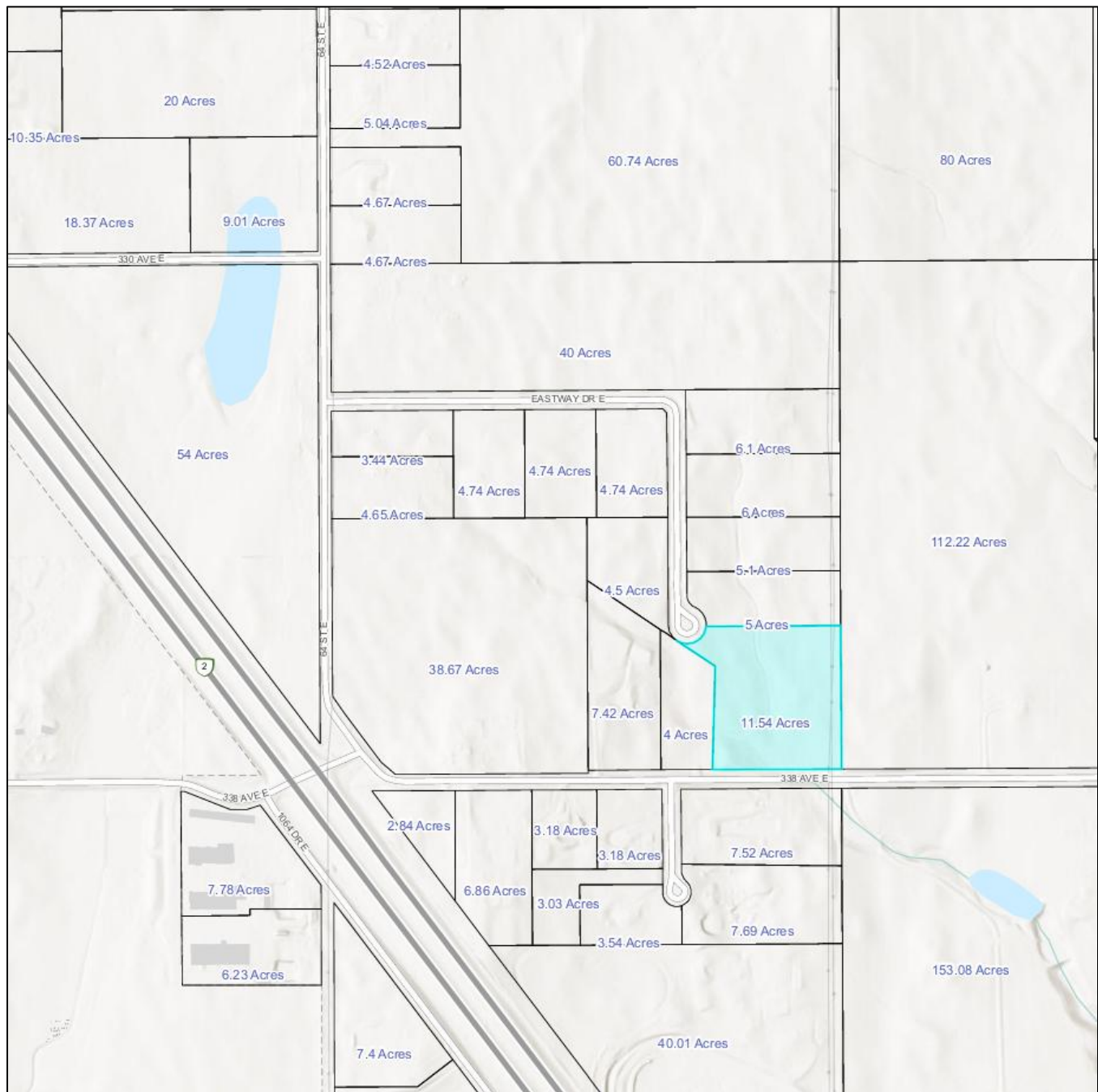
Townships



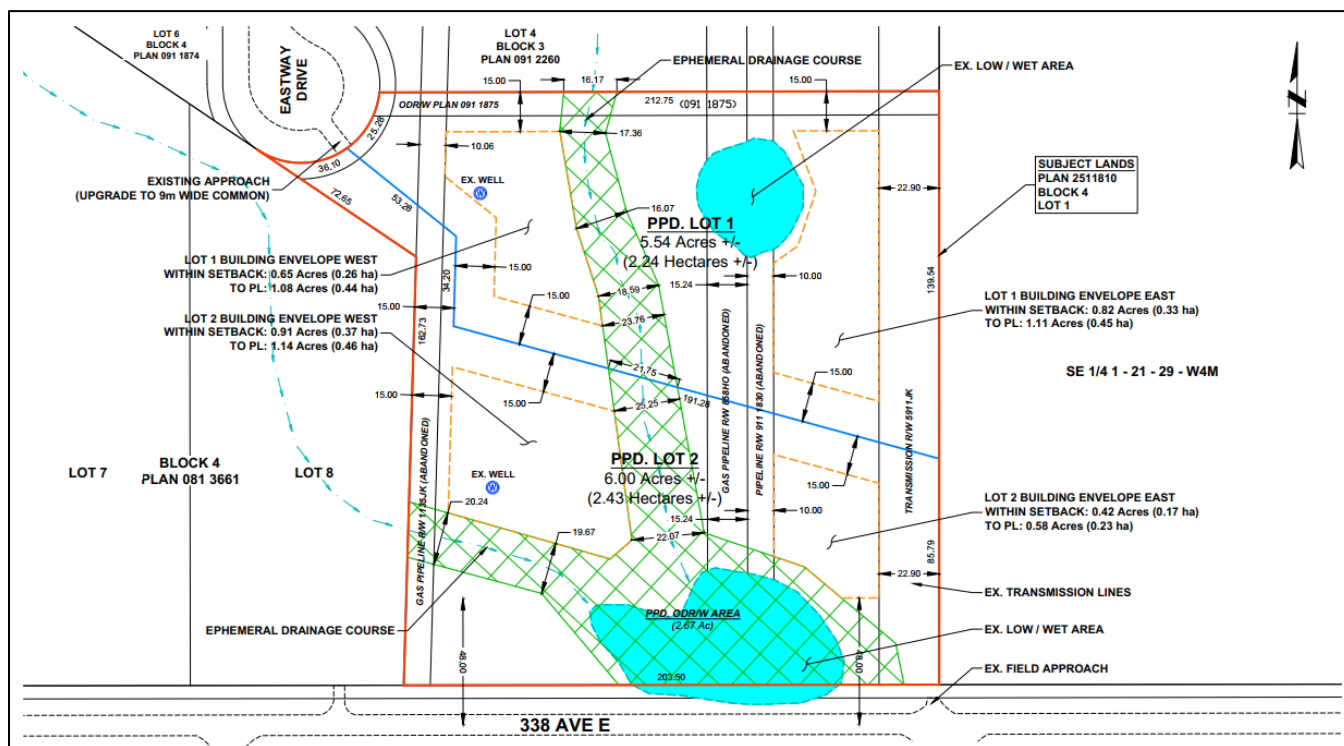
Recurring Minor Stream

World\_Hillshade

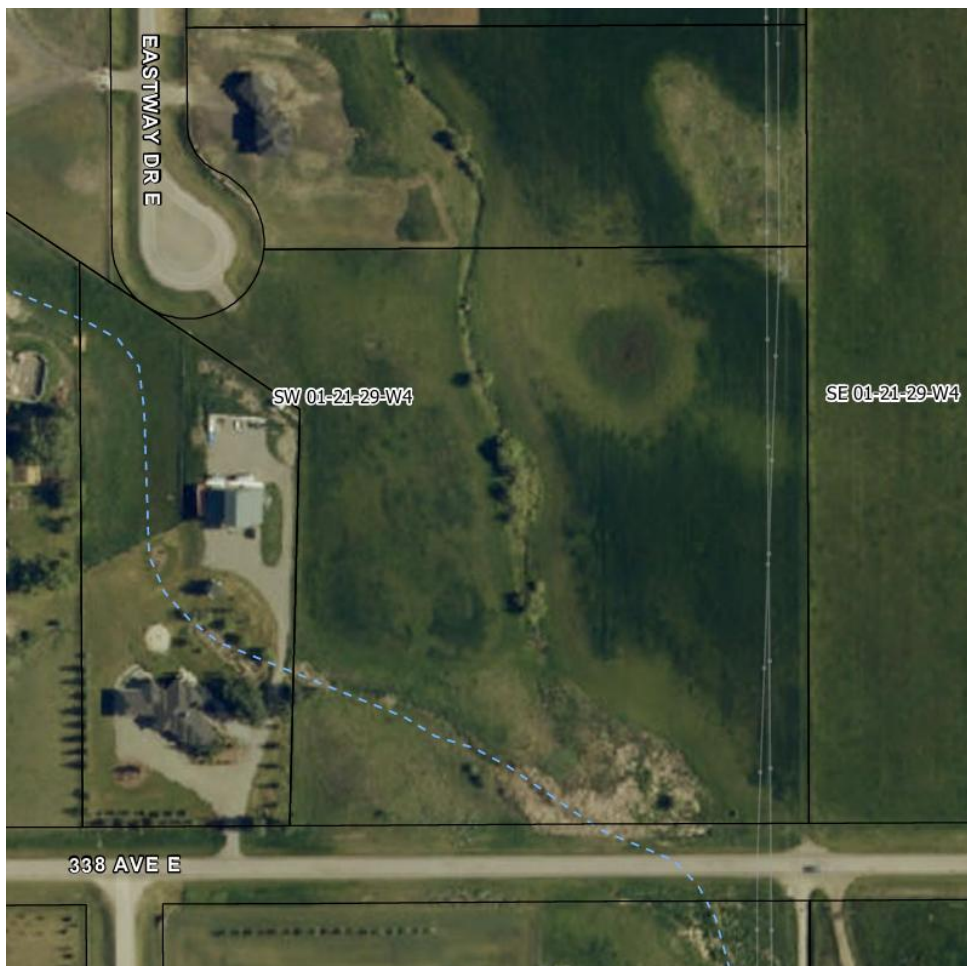
## APPENDIX A: PARCEL SIZES MAP



## APPENDIX A: SITE PLAN



## APPENDIX A: ORTHO PHOTO & PHYSIOGRAPHY



**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 an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.54 +/- acre Country Residential Sub-District "A" lot, with a 6.00 +/- acre Country Residential District Sub-District "A" balance parcel on Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M.

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

1. Under SECTION 13.0.0 COUNTRY RESIDENTIAL DISTRICT, the following shall be added under Part 8 Bylaw Amendments:

*Plan 0911874, Block 3, Lot 5; Ptn. SW 01-21-29 W4M within which shall allow for the future subdivision of one new 5.54 +/- acre Country Residential Sub-District "A" lot, with a 6.00 +/- acre Country Residential Sub-District "A" balance parcel.*

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

FIRST READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

SECOND READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

THIRD READING:

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO

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