


**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
SECOND AND THIRD READING TO BYLAW 27/2023  
May 15<sup>th</sup>, 2024**

<b>SECOND AND THIRD READING TO BYLAW 27/2023</b>		
<b>APPLICATION INFORMATION</b>	<b>FILE NO. 23R014</b>	
	<b>LEGAL DESCRIPTION:</b> PTN: SE 36-21-29-W4M	
	<b>LANDOWNERS:</b> Olajumoke and Mofoluwaso Abolarin	
	<b>AGENT:</b> Township Planning and Design Inc. / Kristi Beunder	
	<b>AREA OF SUBJECT LANDS:</b> 18.88 acres	
	<b>CURRENT LAND USE:</b> Agricultural District	
	<b>PROPOSED LAND USE:</b> Country Residential District with ERE	
<p><b>PROPOSAL:</b> Redesignation of PTN: SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two 4.15 and 5.60 +/- acre Country Residential Sub-District “A” lots with an approximate 7.71 +/- Country Residential District balance parcel with Environmental Reserve Easement dedication.</p>		
<b>DIVISION NO:</b> 6	<b>COUNCILLOR:</b> Don Waldorf	<b>FILE MANAGER:</b> Theresa Chipchase

**PURPOSE OF REQUEST**

Request to Council to provide second and third reading to Bylaw 27/2023, as all conditions put forth with first reading of this bylaw have been complied with.

**BACKGROUND**

**Location**

The parcel is located directly west of 80<sup>th</sup> Street East, approximately 0.5 kilometres north of 255<sup>th</sup> Avenue, 0.1 kilometres south of 294A Avenue East and 1.0 kilometres south of Dunbow Road. It is approximately 5.5 kilometres southeast of the Hamlet of Heritage Pointe and the City of Calgary.

**Pertinent Site Considerations**

The property contains the outbuildings from the farm site original to the quarter section with additional structures added over time. Outside of the yard site, the lands include portions of a large wetland, which includes a diverse population of waterfowl, amphibians and wetland vegetation as well as a large undefined and associated riparian area. Large piles of topsoil, sand, gravel, etc. have been brought onto the parcel by the applicant and located in the southeastern corner within the wetland area. Outside of the wetland and riparian lands adjacent to the wetland, the parcel slopes from its highest point along the northern boundary to its lowest point along the southern boundary whereby there is a valley formation with the wetland located within it. These lands are predominantly disturbed native prairie grasslands with planted poplars and spruce trees surrounding the residence along the partial north, east and west boundaries.

## **PREVIOUS COUNCIL DIRECTION**

**May 10<sup>th</sup>, 2023, Bylaw 27/2023** – application approved by Council granting first reading to Bylaw 27/2023, under the following motion:

*“Council gave first reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.*

*The new parcels shall be designated as Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.*

*Council moved first reading.*

As a condition of the first reading approval Council required the applicant to provide the following:

*“Submission of a revised site plan illustrating two new Country Residential District lots for Council’s approval. The revised site plan is not required to illustrate a municipal reserve parcel and is to identify the building envelopes, ERE, as well as to identify the structures that will be removed or remain on the lands.”*

## **COUNCIL ACTION REQUESTED:**

### **ACKNOWLEDGEMENT AND ACCEPTANCE OF REVISED SITE PLAN**

Request to Council to acknowledge and accept the revised site plan submitted by the applicants in accordance with Condition #1 of first reading approval to Bylaw 27/2023, the revisions are attached as part of Appendix A within this staff report.

## **COUNCIL ACTION REQUESTED:**

### **SECOND AND THIRD READING TO BYLAW 27/2023**

Request to Council to provide second and third reading to Bylaw 27/2023 authorizing the redesignation of 18.88 +/- acres from Ptn. SE 36-21-29-W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property. In their consideration of the criteria noted in Agriculture Policy 4 of the MDP 2010, Council is of the opinion that fragmentation of the subject lands would not be detrimental to the agricultural nature of the area, Additionally, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County’s Land Use Bylaw.

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assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional engineer verifying the at all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

## **APPENDICES**

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

LOCATION MAP

LAND USE MAP

LOT SIZES MAP

SITE PLAN – ORIGINAL

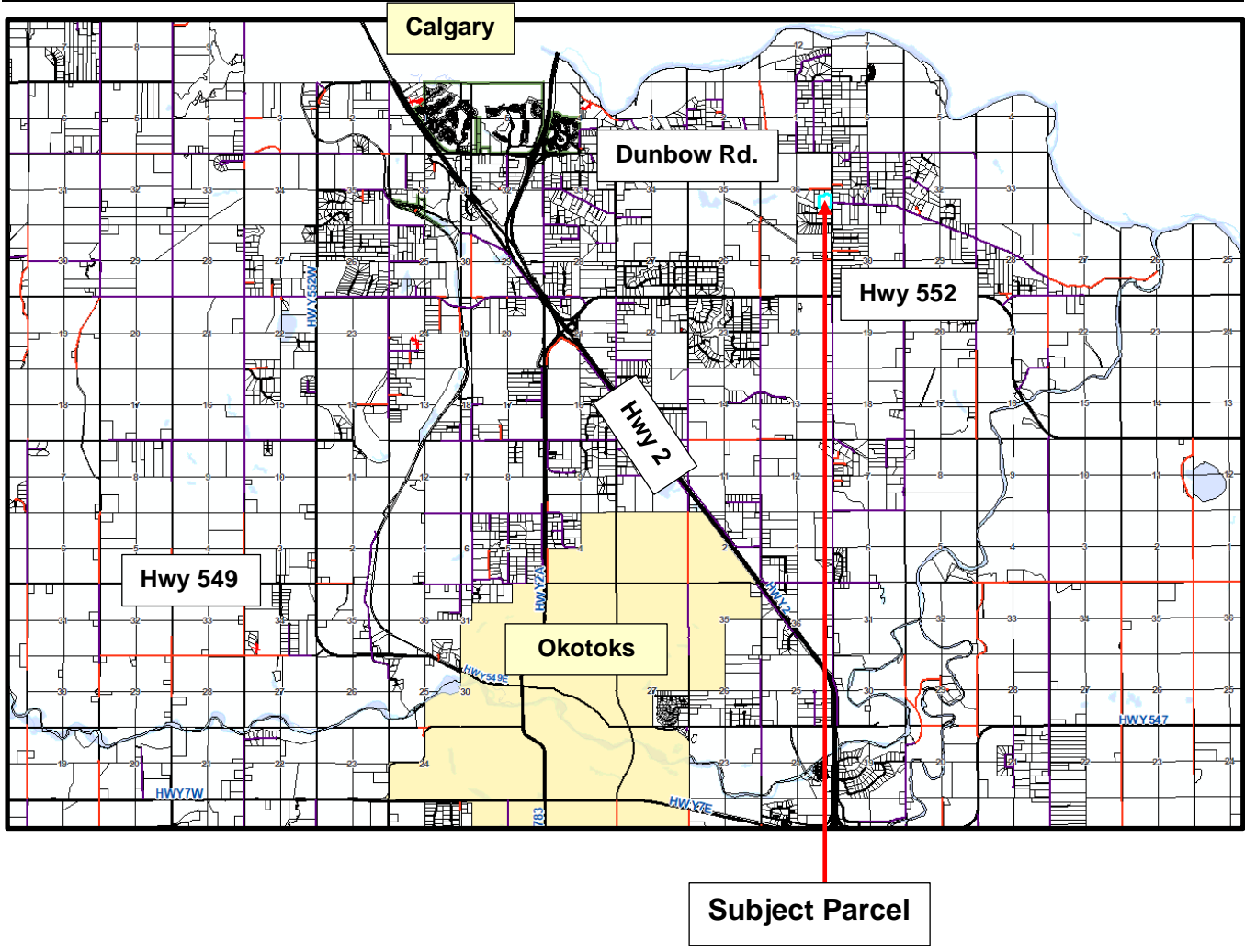
SITE PLAN - REVISED

ORTHO PHOTO

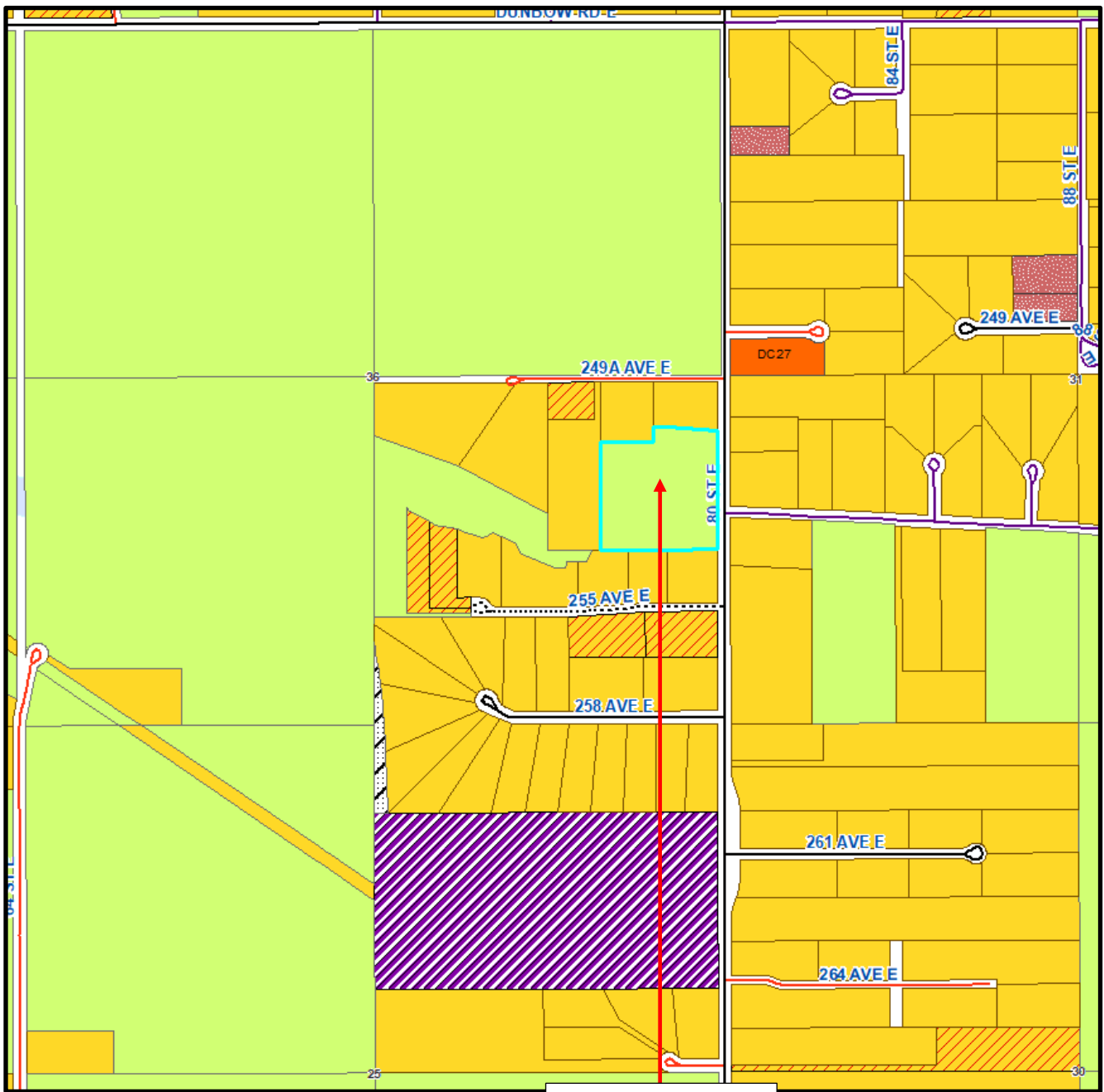
### **APPENDIX B**

BYLAW 27/2023 – FIRST READING

**APPENDIX A: LOCATION MAP**



# APPENDIX A: HALF MILE MAP – LAND USE



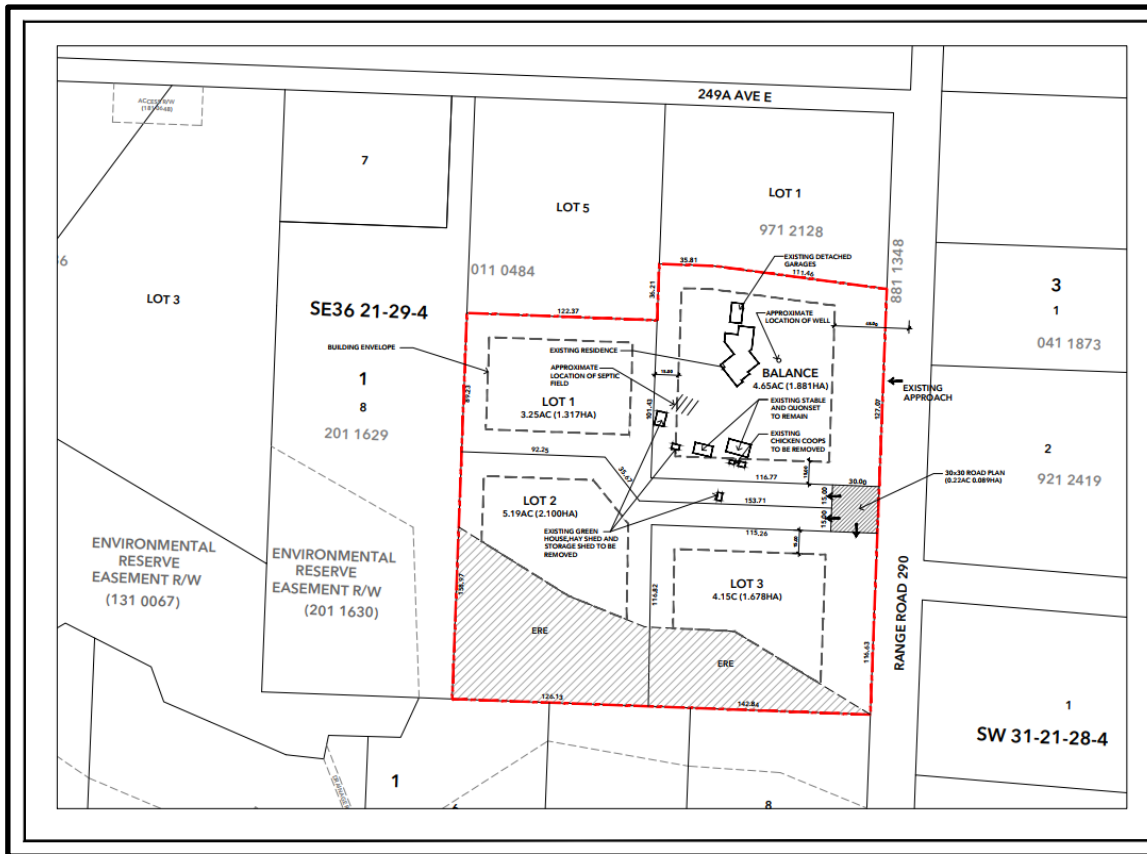
**Subject Parcel**

## Legend

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



# APPENDIX A: ORIGINAL SITE PLAN



**TOWNSHIP**  
planning + design inc.

CLIENT  
ABOLARN PROPERTIES

PROJECT NUMBER  
22-012

LEGAL ADDRESS  
SE 36-21-29 W4M  
17.460 AC (7.066HA)

DATE  
May 2, 2023

**NOTE**

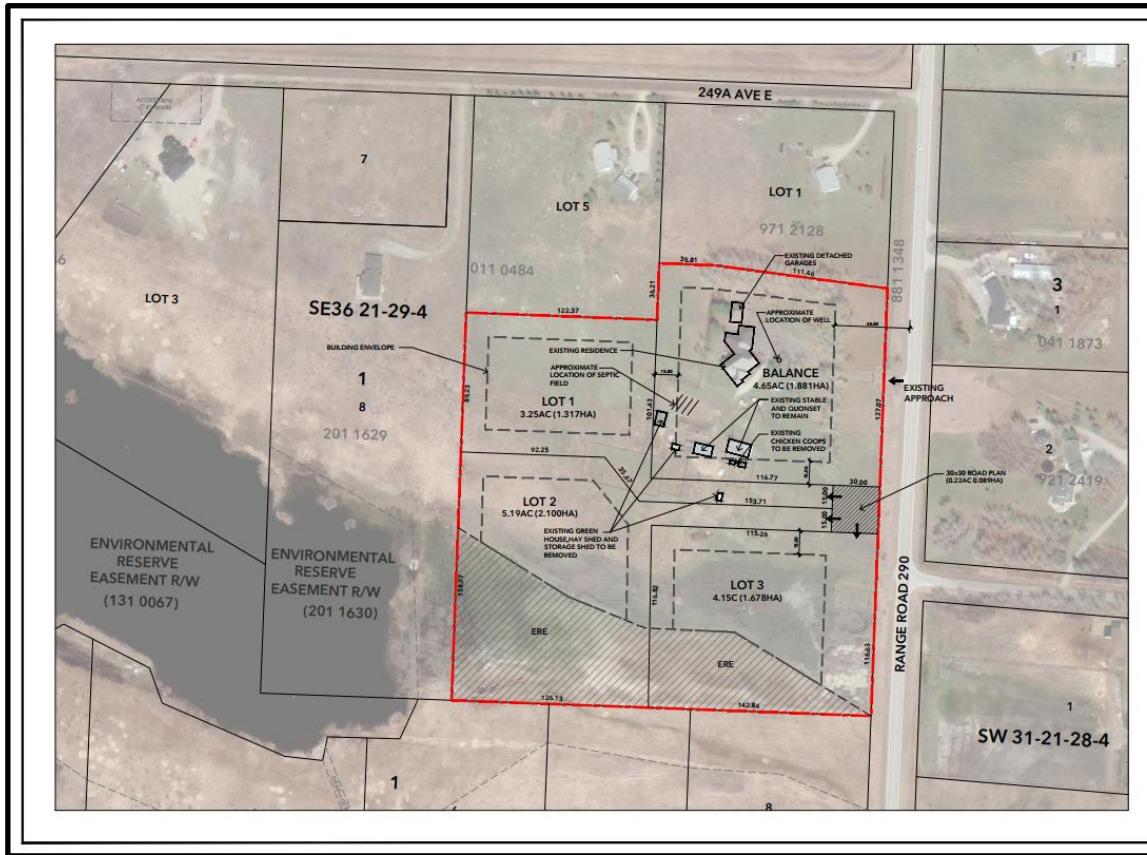
\* In our research we have determined a discrepancy between surveyed area and Land Titles. Values may be revised upon formal survey.

Lot 1 Building Envelope 5468.40m<sup>2</sup>  
Lot 2 Building Envelope 6051.15m<sup>2</sup>  
ERE: 2.58ac (0.965ha)  
Lot 3 Building Envelope 5868.35m<sup>2</sup>  
ERE: 1.23ac (0.498ha)

LAND USE REDESIGNATION + SUBDIVISION  
3 COUNTRY RESIDENTIAL LOT CONCEPT

SCALE  
1:2000

SHEET  
**S1 - Opt 2**  
SITE PLAN



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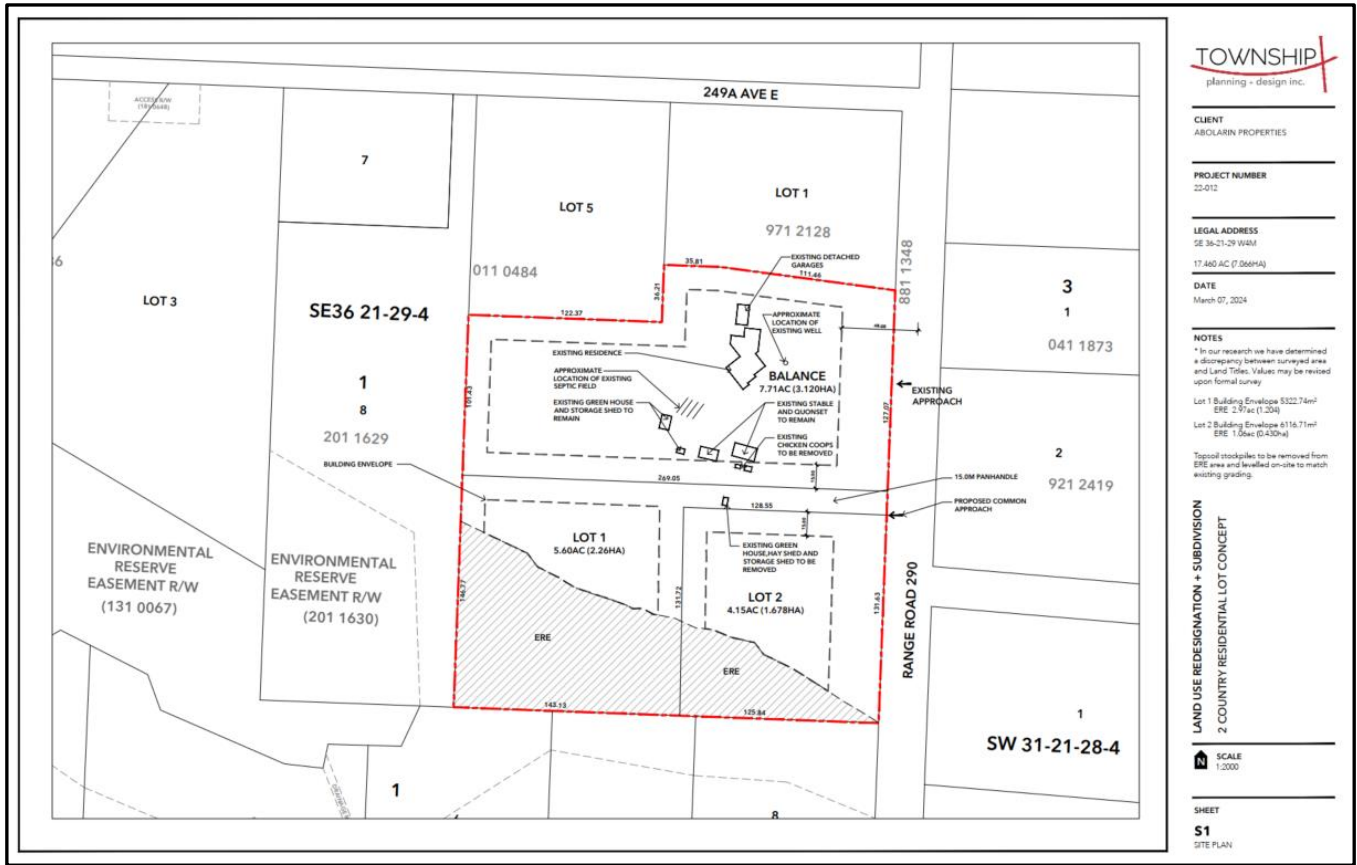
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LAND USE REDESIGNATION + SUBDIVISION  
3 COUNTRY RESIDENTIAL LOT CONCEPT

SCALE  
1:2000

SHEET  
**S1 - Opt 2**  
SITE PLAN

# APPENDIX A: REVISED SITE PLAN



**TOWNSHIP**  
planning + design inc.

CLIENT  
ABOLARIN PROPERTIES

PROJECT NUMBER  
22-012

LEGAL ADDRESS  
SE 36-21-29 W4M  
17.460 AC (7.066HA)

DATE  
March 07, 2024

**NOTES**

\* In our research we have determined a discrepancy between surveyed area and Land Titles. Values may be revised upon formal survey.

Lot 1 Building Envelope 5322.74m<sup>2</sup>  
ERE 2.97ac (1.204)

Lot 2 Building Envelope 6116.71m<sup>2</sup>  
ERE 1.06ac (0.430ha)

Topsoil stockpiles to be removed from ERE area and levelled on-site to match existing grading.

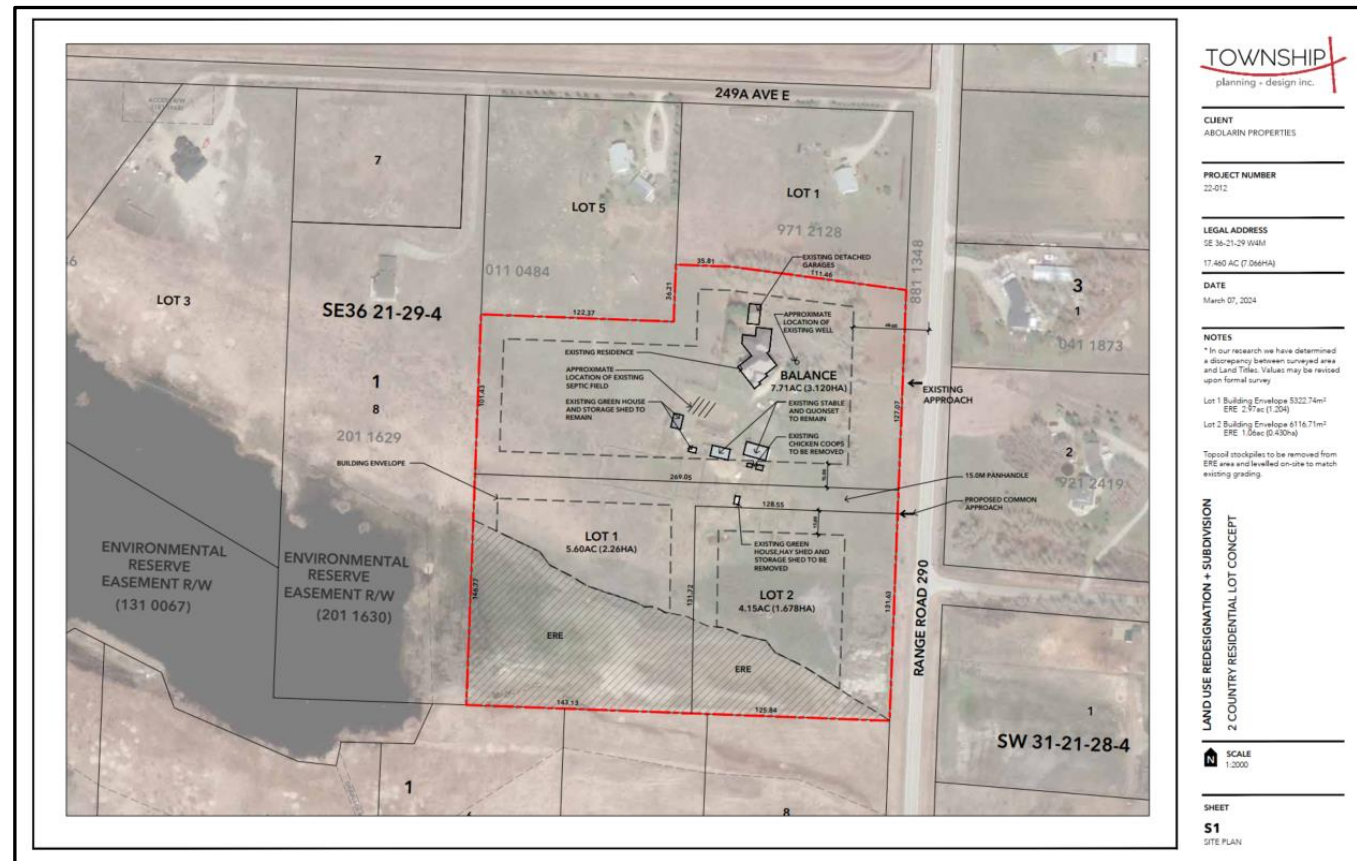
**LAND USE REDESIGNATION + SUBDIVISION**

2 COUNTRY RESIDENTIAL LOT CONCEPT

SCALE  
1:2000

SHEET  
S1

SITE PLAN



**TOWNSHIP**  
planning + design inc.

CLIENT  
ABOLARIN PROPERTIES

PROJECT NUMBER  
22-012

LEGAL ADDRESS  
SE 36-21-29 W4M  
17.460 AC (7.066HA)

DATE  
March 07, 2024

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**LAND USE REDESIGNATION + SUBDIVISION**

2 COUNTRY RESIDENTIAL LOT CONCEPT

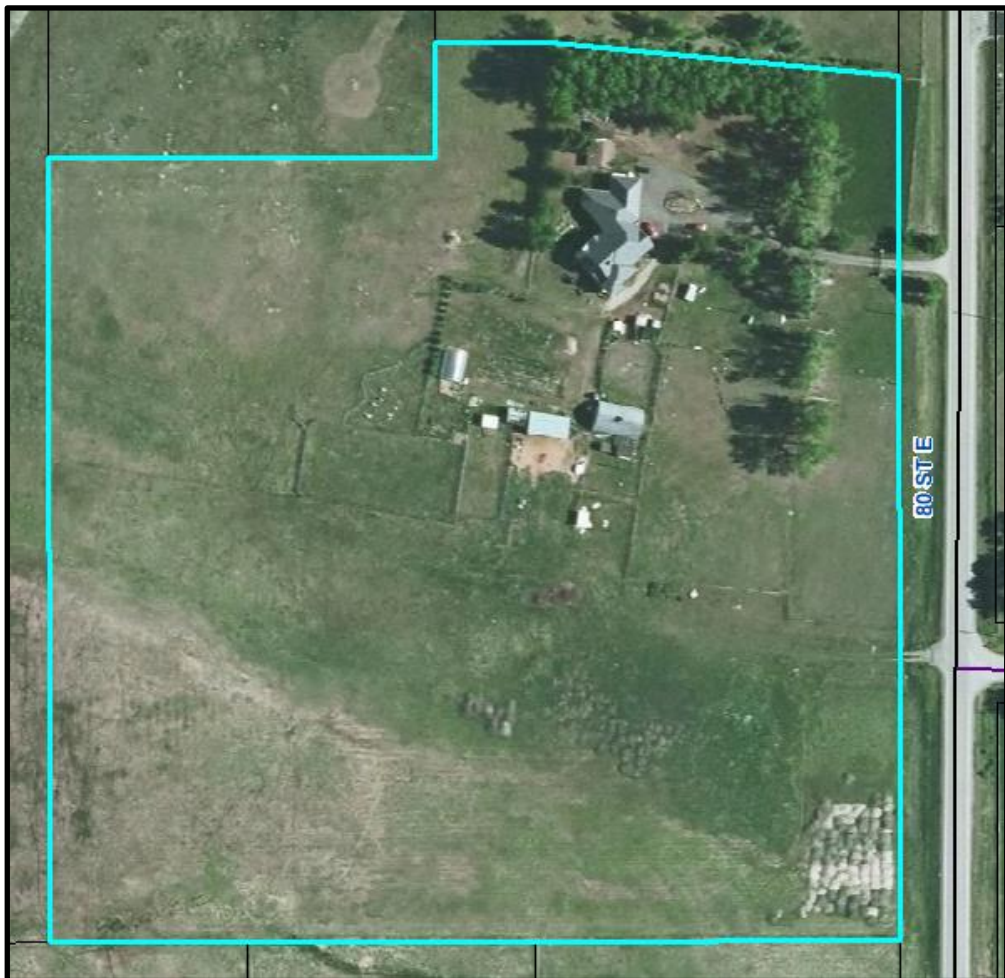
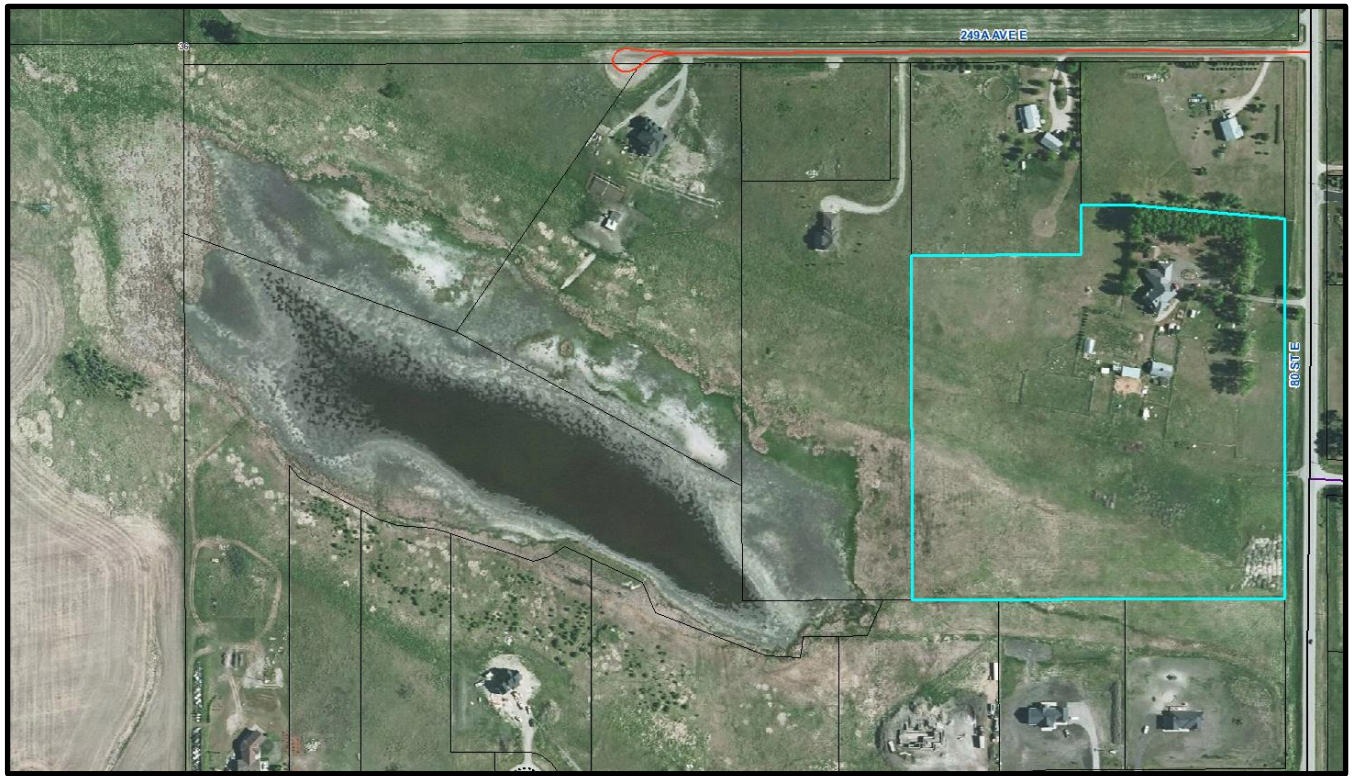
SCALE  
1:2000

SHEET  
S1

SITE PLAN



APPENDIX A: ORTHO PHOTO



**BYLAW 27/2023**

**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 redesignation of 18.88 +/- acres from Ptn. SE 36-21-29 W4M from Agricultural District to Country Residential District to allow the future subdivision of two Country Residential District lots with a Country Residential District Balance and Environmental Reserve Easement registered over a portion of the subject property.

The new parcels shall be designated as Country Residential Sub-District “A” to ensure that the recommendations and restrictions as outlined in the building envelopes and environmental site assessment (provided as conditions of land use) and septic disposal evaluations, high water table testing, lot grading plans and comprehensive site drainage, (provided as conditions of subdivision) are complied with to the satisfaction of the Public Works department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met and a \$5,000.00 deposit as a pre-release condition to ensure compliance of all conditions of the development permit will be required.

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

1. Land Use Map No. 2129 is amended by *redesignating the 18.88 +/- acre parcel on Ptn. SE 36-21-29 W4M as Country Residential District.*  
*SE 36-21-29 W4M within which shall allow for the future subdivision of two new Country Residential Sub-District “A” parcels.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: May 10, 2023

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