


**PUBLIC HEARINGS AND MEETINGS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 REDESIGNATION
 October 2, 2024
 To be heard at: 1:30 P.M.**

APPLICATION INFORMATION		FILE NO. 24R029
	LEGAL DESCRIPTION: 14-17-04 W5M Plan 2210426, Block 1, Lot 2	
	AREA OF SUBJECT LANDS: 60.91 acres	
	CURRENT LAND USE: Agricultural District (A)	
	PROPOSED LAND USE: Community Commercial District (CMC)	
	LANDOWNER: Bearspaw First Nation	
	AGENT: Urban Systems Ltd.	
PROPOSAL: Application for the redesignation of a portion of 14-17-04 W5M; Plan 2210426, Block 1, Lot 2 from Agricultural District to Community Commercial District to allow for the future subdivision of one +/- 5.0 acre Community Commercial District parcel, leaving a +/- 55.91 acre Agricultural District balance.		
DIVISION NO: 2	REEVE: Delilah Miller	
FILE MANAGER: Brenda Bartnik		

EXECUTIVE SUMMARY:

Location of Subject Lands

This property is a bare land, fragmented title that is located adjacent to the south side of Highway #541 on either side of the main entrance to Eden Valley; approximately three and one-half miles to the east of the boundary of the Kananaskis Improvement District.

This application specifically involves those lands (+/- 25.26 acre area) that are located to the east side of the road surface.

Summary of Proposal

The application proposes redesignation of one +/- 5.0 acre portion of the subject lands to Community Commercial District.

The proposed redesignation is being undertaken to support future subdivision and subsequent development of a gas station and rest area.

Background

Transfer of a cumulative total of 79.9 acres from the Crown occurred in January of 2023 and in May of that year, the current landowner assumed titles.

At the time that the associated land exchange occurred, a separate 18.99 acre parcel was created between the south boundary of the subject and the Highwood River, resulting in the +/- 55.91 acre subject. Reference to this separately titled area can be found within this report under the Physiography section.

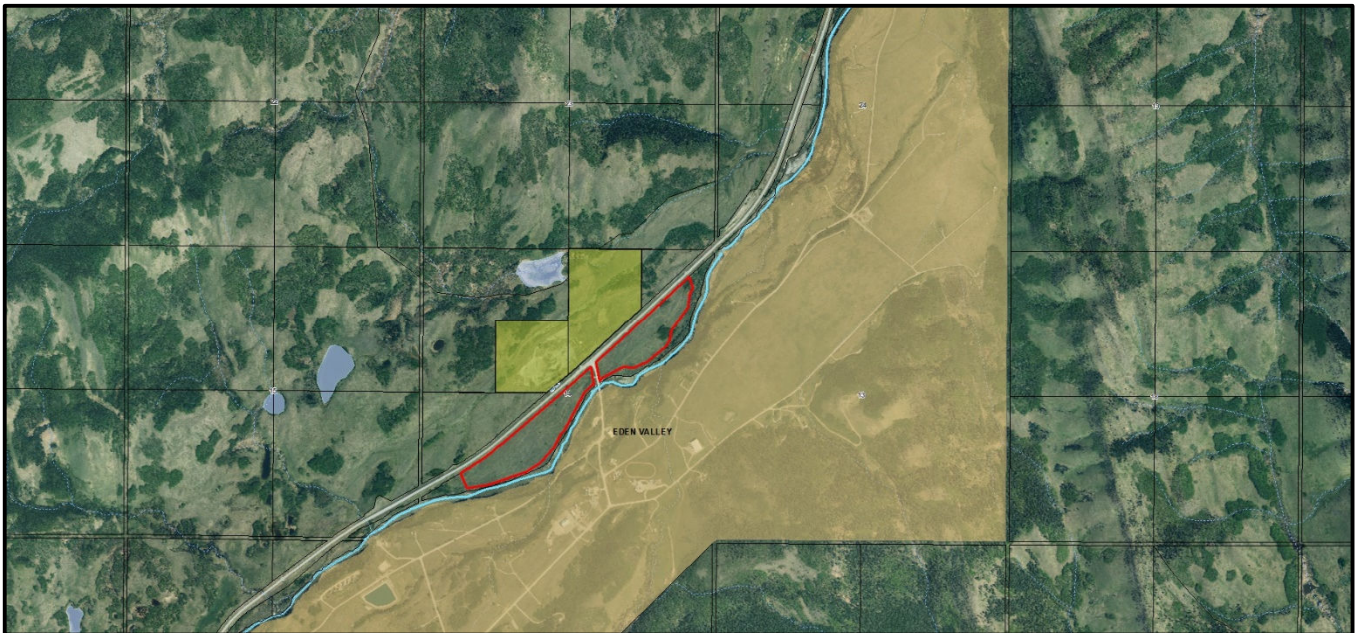
PURPOSE OF THE APPLICATION:

In support of feasibility for use and occupancy under the Community Commercial District, the applicant has provided plans that outline proposed future development of this +/- 5.0 acre area. Potential proposed uses under this application are Service Station and Convenience Store, both of which are available uses under the Community Commercial District (see Appendix C).

SITE CONSIDERATIONS:

Surrounding Area:

Excepting a slim strip of Country Residential District land that touches the very north boundary of the subject parcel, lands in this area are zoned Agricultural District. Many area properties are identified as having ownership by the Crown and are occupied under grazing leases. Eden Valley First Nations Reserve lies across the river, to the south.



The Alberta Infrastructure lands marked in yellow, above contain natural resource extraction operations.

Access:

The subject lands are bisected by the main road leading into Eden Valley. Entrance to the proposed 5.0+/- acre is to come off the east side of that main road.

The application notes that as the property is adjacent to Highway #541, it is anticipated that it can have its own access from the Highway. Optionally, it is proposed that access to what would become the eastern portion of the fragmented balance could run along the northern portion of the subject site.

Servicing Considerations:

Wastewater is proposed to be serviced by onsite sanitary tanks.

It is proposed that potable water will be hauled in to service the contemplated development of the subject lands.

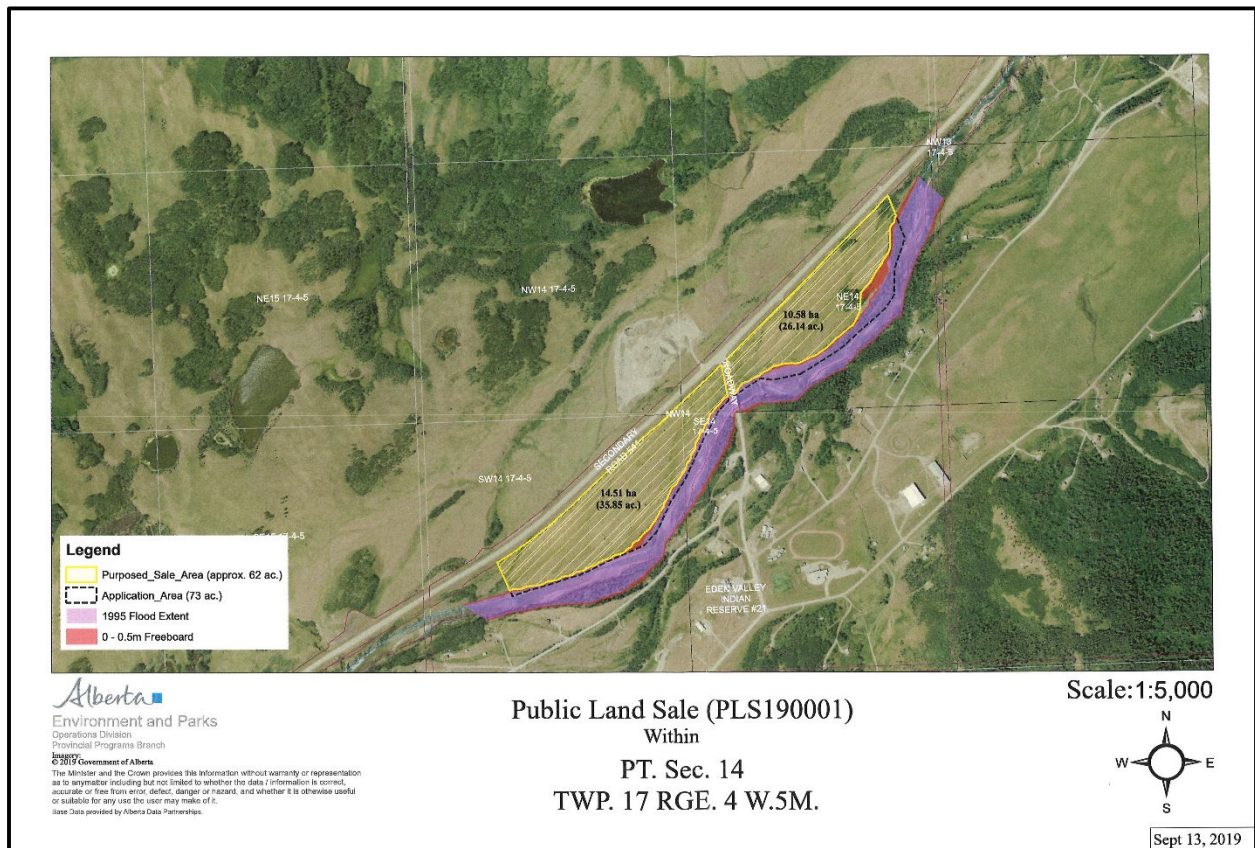
Physiography and Environmental Considerations:

The involved lands are mostly grassland, slightly sloping and terracing towards the river.

At the time of land transfer, an 18.99 acre parcel was divided off of what is now the balance lands (subject of this application) with in intent of prohibiting development in the floodplain. Agreement pursuant to section 21 of the Public Lands Act is incorporated under the certificate of title to this river adjacent property that is held by Bears paw First Nation. The Primary Purpose of the agreement is as follows:

.....That the lands will be used for the purpose of an undisturbed intact native grassland, wildlife habitat and floodplain area. The Corporation shall retain title to the Lands and shall not undertake or permit others to undertake any development on the Lands or any disturbance to the natural state of the Lands.....

Consent of the Minister is required for disturbance or development of the Lands for any purpose.



Flood mapping has not been conducted along this portion of the Highwood River. The division of this lot which separates the subject from the river was determined based upon shape files provided by Alberta Environment at the time of public land sale and this application states that the south property line of the subject lands is the floodplain limit for a 1:350 to 1:500 year event.

A Draft Limited Biophysical Site Assessment from 2018 has been provided to this office. The following notes are included within that document:

- The location is currently inaccessible or severely limited to wildlife use due to existing disturbances.
- Soil ratings identify that there are severe limitations for sustained agricultural production.

POLICY REVIEW:

Policy Evaluation

The subject property is located within the South West District (Growth Management Strategy) of the County and is not involved under any existing Area Structure Plan or Outline Plan documents.

Land Use Bylaw:

Pertinent sections:

Environmental Considerations:

9.27.17 On a lot adjacent to a water body where the bed and shore is crown owned such as a river, creek, and/or lake, a minimum setback of 30.0 m (98.43 ft.) from the top of bank to any development shall be required to reduce environmental impacts and manage risk.

A detailed stormwater analysis has not been prepared yet; it is proposed to be completed as part of the subsequent development permit submission. Preliminary findings note the potential risks due to the proximity to the Highwood River and emphasize the need for effective stormwater management measures.

9.27.20 On a lot adjacent to a slope of 15% (8.3°) or greater, development shall be setback a minimum of 30m, or the distance determined by a Geotechnical Report.

9.27.21 If, in the opinion of the Approving Authority, a slope might be unstable, a geotechnical assessment by a professional engineer may be required in order to evaluate stability, and to recommend appropriate development setbacks, consistent with provincial guidelines.

9.27.22 If the Approving Authority is satisfied by the submission of a Professional environmental and/or geotechnical assessment that the variance of a setback is warranted, the setback may be increased or reduced accordingly.

9.27.23 Within the minimum setback as required by Section 9.27.17 through 9.27.22, land disturbance and the removal of trees or vegetation shall be minimized to reduce environmental effects and the risk of property damage.

Setbacks for contemplated development are shown under Appendix B of this report. A 2019 geotechnical report which includes recommendations for developing the lands is currently under review by this office (submitted following referral circulation).

10.17.3 Natural resource extraction shall not be permitted within 100.0m (328.1 ft.) of an existing dwelling, nor shall a dwelling be permitted within 100.0m (328.1 ft.) of a natural resource extraction operation.

While a Dwelling Unit (accessory to commercial use) is a Discretionary Use under the Community Commercial District, the existing Natural Resource operations to the north would be unlikely to have any effect given width of the Provincial Highway and setback requirements from that road surface.

CIRCULATION REFERRALS

REFEREE	COMMENTS
INTERNAL	
Engineering / Public Works	1. The application notes that both the Stormwater Management Plan and a Biophysical Impact Assessment are being drafted, or in the preliminary stage.

CIRCULATION REFERRALS

	<ul style="list-style-type: none"> - A Stormwater Management Plan is recommended at the time of Development Permit. - A final Biophysical Impact Assessment particular to the proposed development should be provided at the time of Development Permit. <p>2. Access conditions from Highway #541, if any, are to be determined by Alberta Transportation and Economic Corridors.</p> <p>3. Main Street (principal Access to Eden Valley) is maintained by Bearspaw First Nation.</p> <p><i>Geotechnical Assessment (2019 remains under review)</i></p>
Foothills Fire Department	<p>Since this stage is a rezoning, we don't have much to comment on, however, would like to review as each stage progresses so we can comment on accessibility and occupancy requirements and recommendations.</p>
EXTERNAL	
Transportation and Economic Corridors	<p>Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment.</p> <ol style="list-style-type: none"> 1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable. 2. Pursuant to Section 618.4(1) of the MGA, the department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies. 3. The applicant is advised that any development within the highway right-of-way or within 300 metres beyond the limit of a controlled highway or within 800 metres from the centre point of an intersection of the highway and another highway would require a permit from Transportation and Economic Corridors. This requirement is outlined in the Highways Development and Protection Regulation. The subject property is within the noted permit area and, as such, any development would require the said permit. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and stipulated as a condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. 4. No new direct highway access will be permitted. Access shall be via the local municipal road or existing access. <p>This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters</p>

CIRCULATION REFERRALS

	<p>Related to Subdivision and Development Regulation (The Regulation), due to proximity of Highway 541.</p> <p>Transportation and Economic Corridors offers the following comments with respect to this application:</p> <p>The requirements of Section 18 of The Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of The Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of The Regulation.</p> <p>The requirements of Section 19 of The Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of The Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of The Regulation.</p> <p>If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation is required and comments in respect of Sections 18 and 19 of The Regulation contained in this decision are no longer valid.</p>
PUBLIC	
Western Wheel	Advertised September 18 th and 25 th , 2024
Area Land Owners	½ mile circulation mailed September 11, 2024

SUMMARY

It is requested that Council approve this application to Redesignate one +/- 5.0 acre portion of the subject lands to Community Commercial District.

Council may wish to provide direction respecting the following:

1. The application identifies that at the time of land transfer, Alberta Environment and Parks determined the south property line of the subject lands as the floodplain limit for a 1:350 to 1:500 year event. Additionally, a geotechnical assessment confirming the riverbank as stable has been provided.
Does Council acknowledge that, subject to final acceptable reporting and congruent development plans, the development setbacks as identified (Appendix B) would satisfy the requirements under section 9.27 of the Land Use Bylaw?
2. Given comment provided by Transportation and Economic Corridors, is there requirement for an agreement that would provide access to the subsequent eastern fragmented balance of the lands?

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – FIRST READING APPROVAL

Council may choose to grant 1st reading XX/2024 to authorize the redesignation of a portion of 14-17-04; Plan 2210426, Block 1, Lot 2 to allow for the future subdivision of one 5.0 +/- acre Community Commercial District parcel, leaving a 55.91 acre balance.

In their consideration of the application, Council is of the opinion that the lands are suitable for the intended use and that fragmentation of the subject lands would not be detrimental to the nature of the area and will not unduly interfere with neighbouring land uses or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

Recommended Conditions for Option #1:

1. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purpose of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;
2. Stormwater Management Plan to be provided for the subject lands, to the satisfaction of the Public Works department, **as a condition of the development permit**;
3. Final Biophysical Impact Assessment to be provided, to the satisfaction of the Public Works department, **as a condition of the development permit**;
4. Geotechnical Assessment to be confirmed to be completed in accordance with municipal standards, to the satisfaction of the Public Works department;
5. Final Redesignation application fees to be submitted;
6. Submission of an executed subdivision application and the necessary fees.

OPTION #2 – POSTPONE A DECISION ON THE APPLICATION

Moved that a decision on Bylaw XX/2024 be postponed subject to submission of (XXX).

OPTION #3 – REFUSE THE APPLICATION

Council may choose to refuse the application for the redesignation of a portion of 14-17-04; Plan 2210426, Block 1, Lot 2 to allow for the future subdivision of on 5.0 +/- acre Community Commercial District parcel, leaving a 55.91 acre balance, for the following reason(s):

Council is of the opinion that the application does not adequately address the Goals and Objectives of the Environmental Conservation and Open Space Section of the Municipal Development Plan 2010.

APPENDICES

APPENDIX A:

LOCATION MAP
ORTHO PHOTO
SITE PLANS

APPENDIX B:

SETBACKS

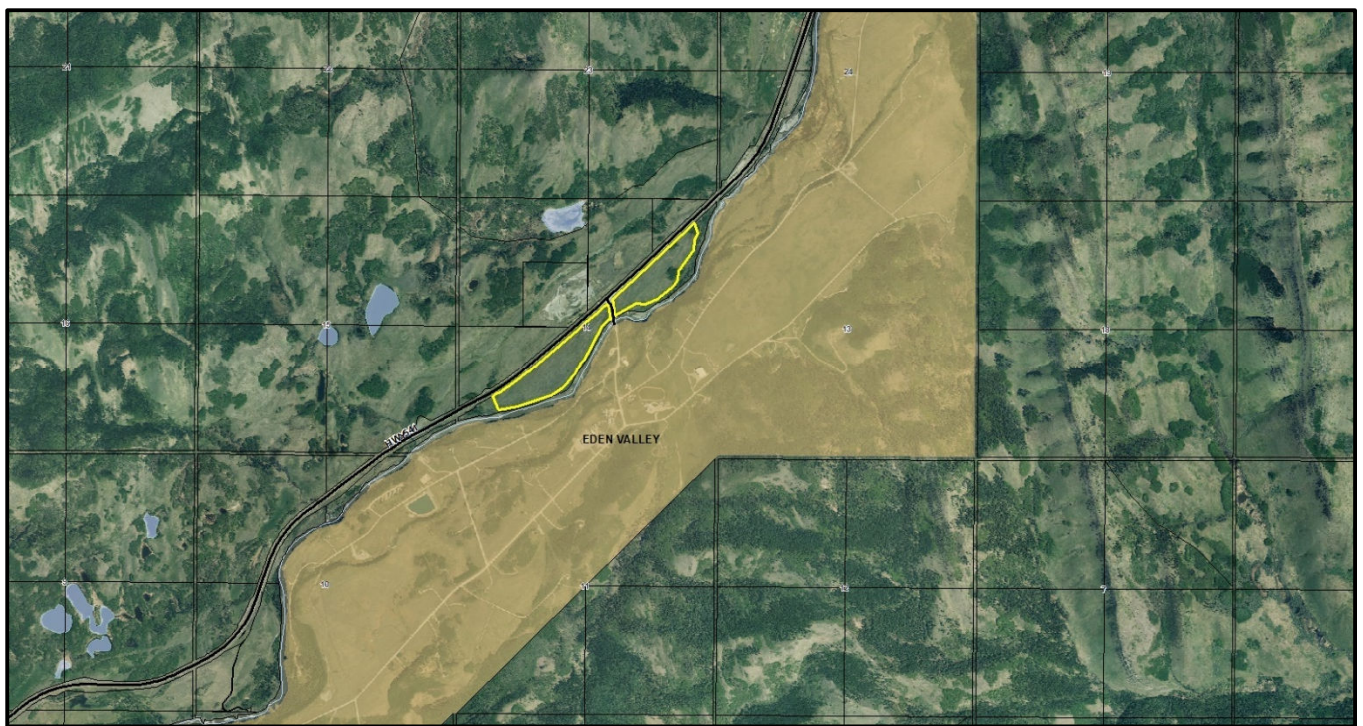
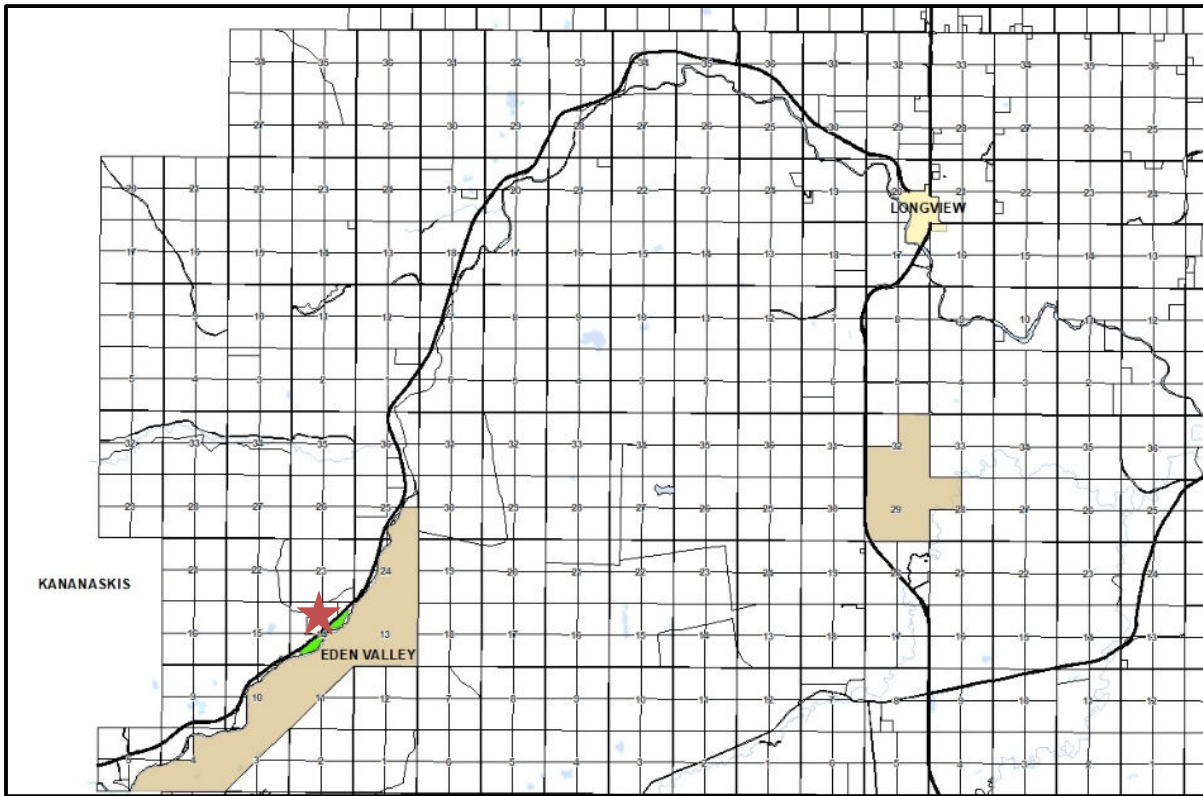
APPENDIX C:

AGRICULTURAL DISTRICT
COMMUNITY COMMERCIAL DISTRICT

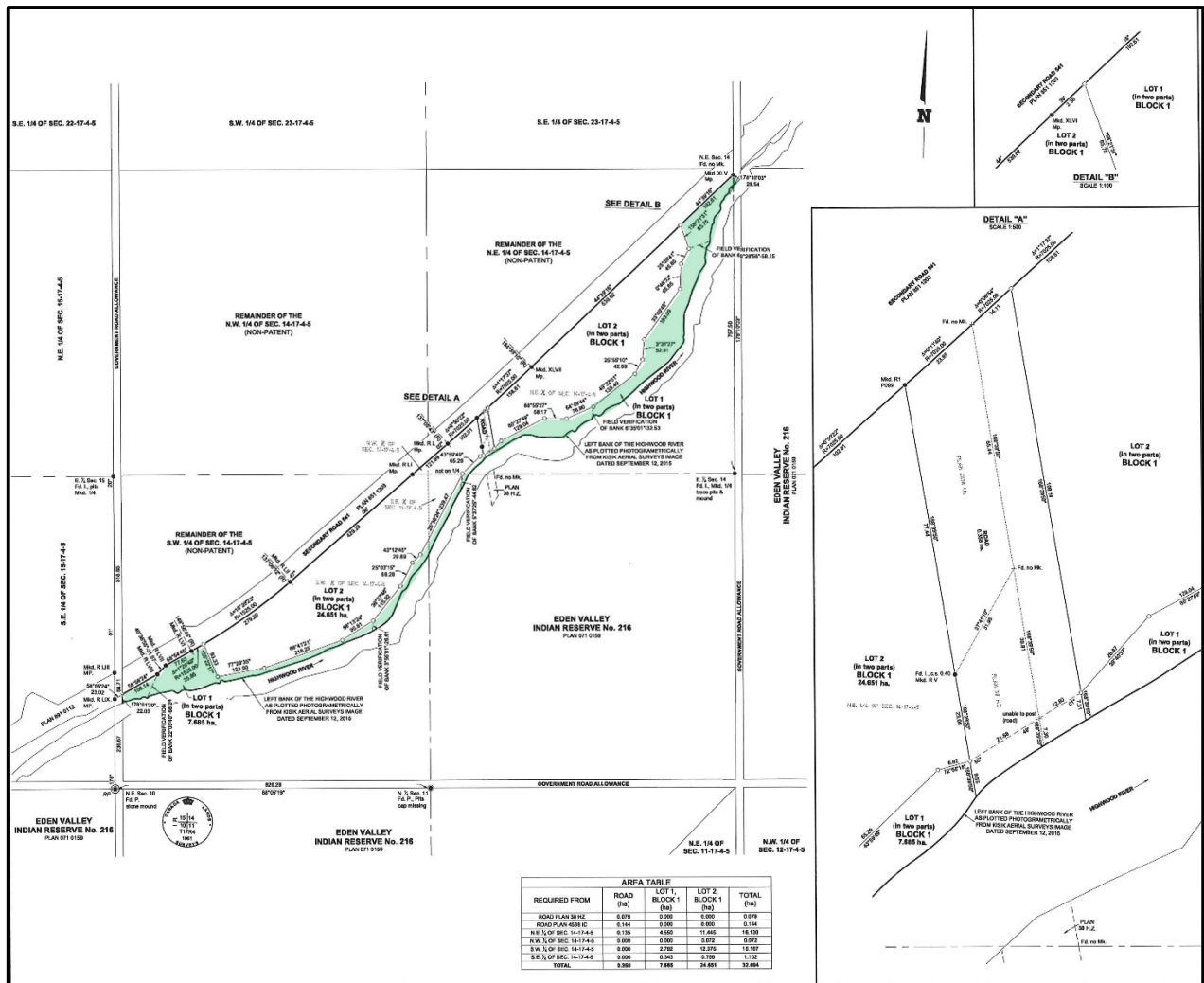
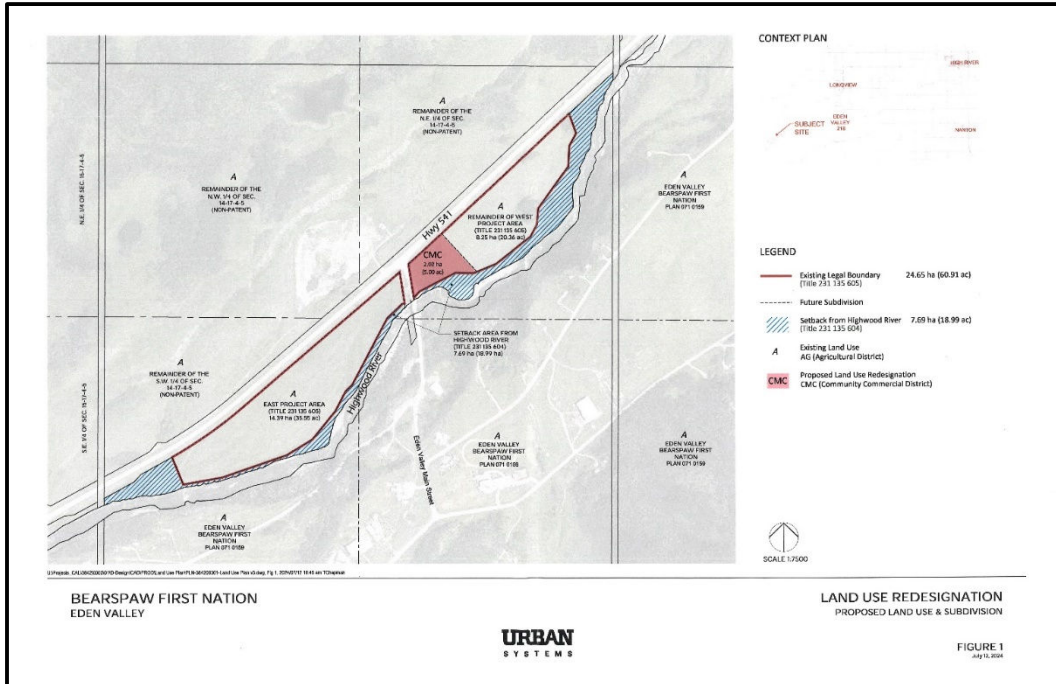
APPENDIX D:

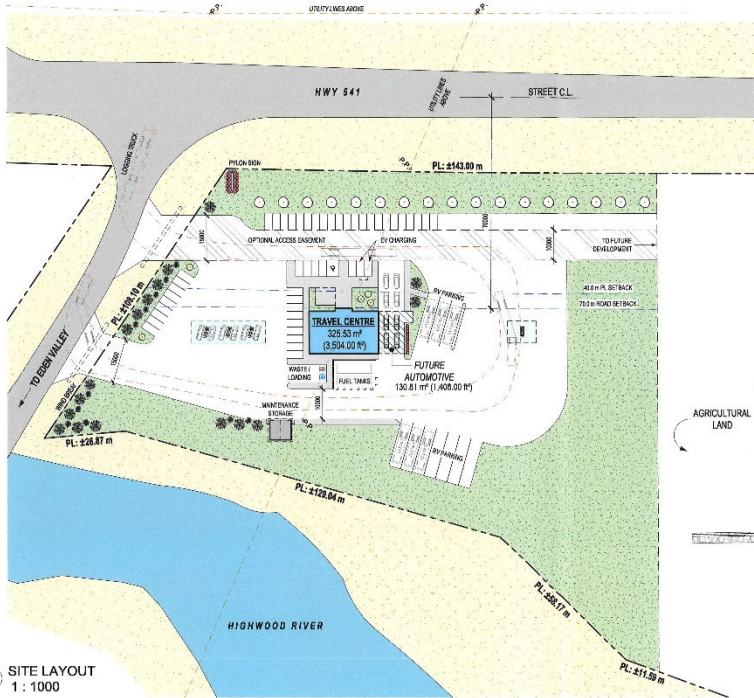
PROPOSED BYLAW

APPENDIX A
LOCATION MAP
ORTHO PHOTO



SITE PLANS





① SITE LAYOUT
1 : 1000

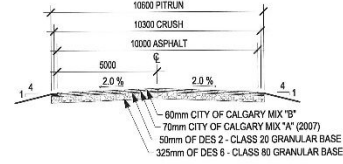
SITE INFORMATION

LOT AREA:
TOTAL LOT AREA: 25.38 acres (10.28 ha) 102,808.63 m²
PROPOSED DEVELOPMENT AREA: 5.00 acres (2.02 ha) 20,257.67 m²

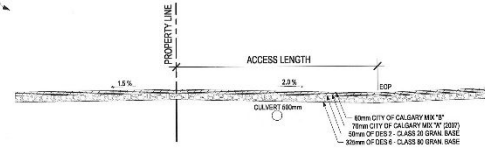
USES:
GAS BAR
C-STORE

BUILDING AREA:

TRAVEL CENTRE: 325.53 m² (3,504.00 ft²)
FUTURE AUTOMOTIVE: 132.81 m² (1,438.00 ft²)
FUTURE FOOTPRINT: 455.34 m² (4,912.00 ft²)



③ ACCESS STRUCTURE DETAIL
1 : 150



② ACCESS CROSS-SECTION
1 : 150

COM-TECH
www.comtechdesign.com
306 1235 26th Avenue S.E.
Calgary, Alberta T2G 1R7
403 283 3040

CLIENT:
ARNOLD BISH

REVISIONS		
REV.	DATE	DESCRIPTION

PROJECT
EDEN VALLEY TRAVEL CENTER
N.E. 1/4 OF SEC. 14, TWP. 17, RGE. 4, W.5M (BLOCK 1)
EDEN VALLEY INDIAN RESERVE

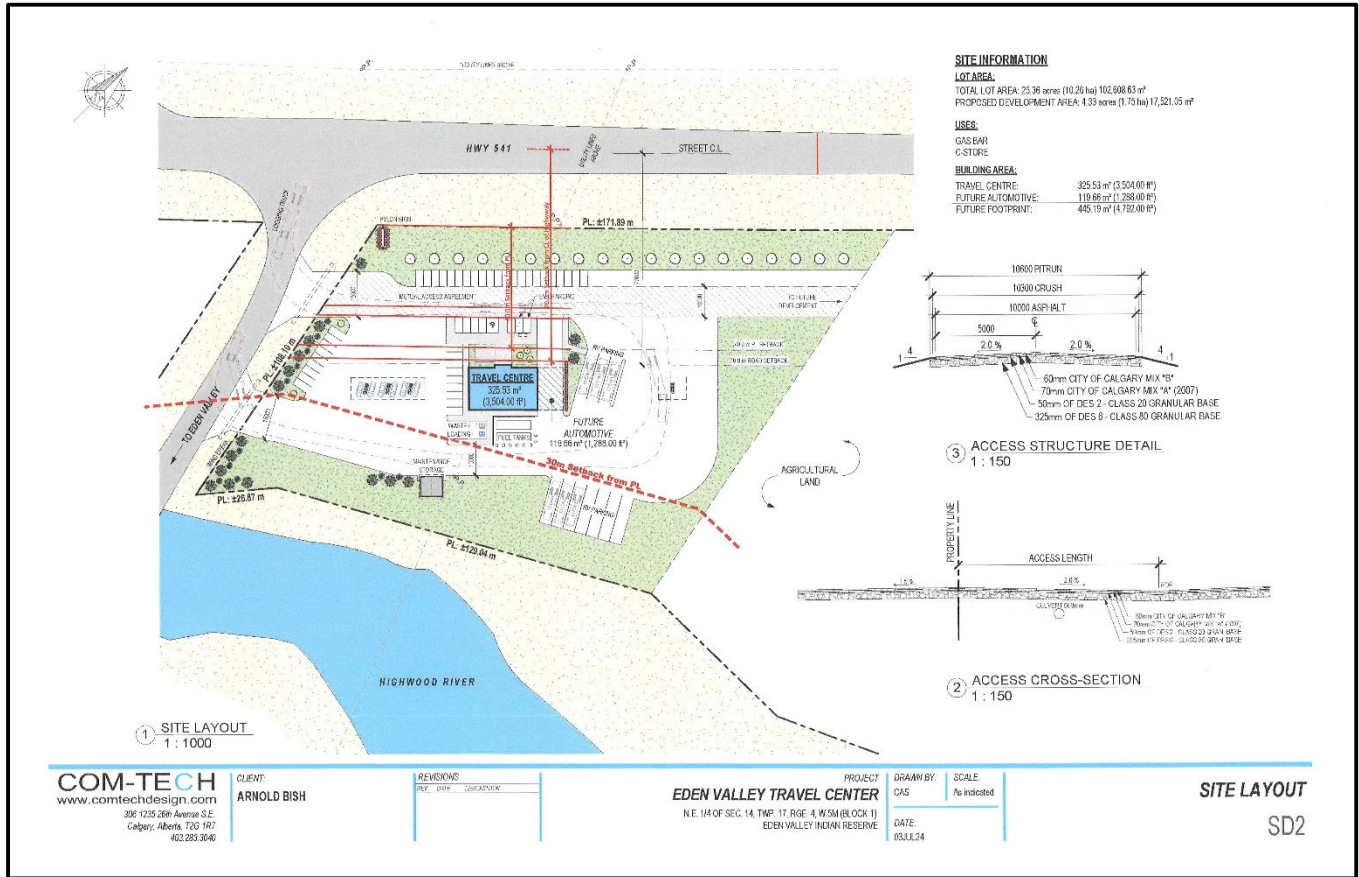
DRAWN BY:
CAS

SCALE:
As Indicated

DATE:
12JUL24

SITE LAYOUT
SD2

APPENDIX B SETBACKS



PART 6 LAND USE DISTRICTS

SECTION 12 AGRICULTURAL DISTRICTS

12.1 AGRICULTURAL DISTRICT

A

12.1.1 PURPOSE AND INTENT

To promote a wide range of agricultural land uses that encourage growth, diversification and development of the agricultural industry while having regard for the agricultural value and rural character of the area consistent with the policies outlined in the Municipal Development Plan.

12.1.2 SUB-DISTRICT

12.1.2.1 Parcels may include the following sub-districts in cases where Council feels that there is a need. Not all parcels will be separated into sub-districts. Should a parcel include the sub-district, all district rules apply with the addition of the special provisions noted in accordance with the sub-district:

- a. Sub-district "A" is a designation added to the land use district indicating a requirement for special consideration on the development of the site and/or placement and construction of buildings or structures on the lands through approval of a development permit. Reference Section 2.4 of this Bylaw for more details on special provisions for parcels with sub-district "A".

12.1.3 GENERAL REQUIREMENTS:

12.1.3.1 Refer to Section 4.2 "No Development Permit Required" in the Land Use Bylaw for uses not requiring a development permit.

12.1.3.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

Foothills County Land Use Bylaw |

12.1.4 PERMITTED USES	12.1.5 DISCRETIONARY USES
Accessory buildings not requiring a development permit Accessory uses Agricultural, general Agricultural specialty Dugout Dwelling, single family *no more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size. *no more than 2 such dwellings are permitted on a single lot 32.4 ha (80 ac) or greater in size. Dwelling, Mobile Home *permitted use only on lots 32.4 ha (80 acres) or greater in size. Home Based Business Type I Home Based Business Type II Home Office Public Works Secondary Suite, detached Secondary suite, principal Signs not requiring a Development Permit Solar Power System, Private (Not requiring a Development Permit) Temporary storage of up to 5 unoccupied recreation vehicles	Abattoir, Minor Accessory buildings requiring a development permit Aerodrome/airstrip (private use) Agricultural intensive use Agricultural processing and distribution *does not includes retail sales on the site. Agricultural support services *does not includes retail sales on the site. Animal boarding services Antenna structures, private Arena, private Bed and Breakfast Family Day Home Dwelling, Mobile Home *discretionary use on lots less than 80 acres in size. Dwelling, moved on Dwelling, temporary Home based business Type III Intensive vegetation operation Kennel, private Lot Grading Man-made water bodies, private (requiring a permit). Signs (requiring a development permit) Solar Power System, Private (requiring a Development Permit) Special Event Temporary storage of between 6 and 10 unoccupied recreation vehicles Utility service, minor

12.1.6 LAND USE REQUIREMENTS

- 12.1.6.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 12.1.6.2 In order to facilitate the purpose and intent of this district and ensure the sustainability of agricultural uses within the District, the following applies to applications for subdivision:
 - a. Parcel Density:
 - i. Number of lots per quarter section or area of land in certificate of title existing when this bylaw was adopted; or
 - ii. The number of lots allowed by bylaw amending this section.
 - b. Minimum Parcel Size:
 - i. A parcel of land no less than 8.49 Ha (21 acres) in size;

Foothills County Land Use Bylaw |

- ii. That portion of a parcel remaining after approval of a re-designation which facilitates a subdivision and after the subsequent registration of said subdivision reduces the area of the parent parcel to a size of 21 acres or greater in size; or
 - iii. The area in title at the time of passage of this Bylaw.
 - c. Maximum Parcel size:
 - i. None.
- 12.1.6.3 Required Developable Area:
 - a. In accordance with Section 9.8 of this Bylaw.
- 12.1.6.4 Utility Servicing Criteria
 - a. Individual wells and individual wastewater disposal systems;
 - b. Communal water and communal wastewater disposal systems;
 - c. A combination of a. and b. as determined by Bylaw amending this section.
- 12.1.7 DEVELOPMENT REQUIREMENTS
- 12.1.7.1 Maximum Lot Coverage
 - a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than sixty (60) percent of the lot area.
- 12.1.7.2 Maximum Dwelling Unit Density
 - a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.
 - b. Maximum dwelling unit density for a parcel 80 acres or larger in size is two Dwellings, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.
- 12.1.7.3 Minimum Yard Setback Requirements
 - a. Front Yard Setbacks:
 - i. 15m (49.21 ft.) from the right of way of an internal subdivision road.
 - ii. 48m (157.48 ft.) from the centreline of a Municipal road.
 - iii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
 - iv. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.
 - b. Side Yard Setbacks:
 - i. 15m (49.21 ft.) from the property line.
 - c. Rear Yard Setbacks:
 - i. 15m (49.21 ft.) from the property line.
 - d. In addition, if the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.

Foothills County Land Use Bylaw |

12.1.7.4 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

12.1.7.5 Other Minimum Setback Requirements:

- a. See Section 9.27 "Special Setback Requirements" of this bylaw for additional setback requirements that may apply.

12.1.7.6 Maximum Height of Structures:

- a. Principal buildings, first vehicle garage, and car ports:
 - i. 12m (39.37 ft.)
- b. Accessory Buildings and Arenas:
 - i. 10.67m (35 ft.)
- c. Radio antennas, internet towers and wind turbines:
 - i. 16m (52.49 ft.);

12.1.7.7 Minimum habitable area per dwelling

- a. 100 m² (1,077 sq. ft.)

12.1.8 EXCEPTIONS:

Foothills County Land Use Bylaw |

14.2 COMMUNITY COMMERCIAL DISTRICT

CMC

14.2.1 PURPOSE AND INTENT

To accommodate a broad range of business, commercial uses, and services appropriate within Hamlets or in planned developments supported by an adopted area structure plan and/or outline plan. This District was formally named Hamlet Commercial and includes all lands zoned Hamlet Commercial in the County.

14.2.2 GENERAL REQUIREMENTS:

- 14.2.2.1 Refer to Section 4.2 “No Development Permit Required” in the Land Use Bylaw for uses not requiring a development permit.
- 14.2.2.2 Refer to Section 9 and Section 10 respectively for the general and specific land use regulations and provisions that apply to this District.

14.2.3 PERMITTED USES	14.2.4 DISCRETIONARY USES
Business office Community services Convenience store Contractor, limited Financial services Government services Grocery store Post office Protective and emergency services Public works Restaurant Signs not requiring a development permit Solar Power System, Private (Not requiring a Development Permit) Utility services, minor	Accessory buildings requiring a development permit Accessory uses Agricultural support services Amusement and entertainment services Animal care services Auto body Auto repair Auto sales Campground Car / truck wash Commercial business Commercial school or college Conference centre Child Care Facility Drinking establishment Dwelling unit (accessory to commercial use) Government Services Health care services Hotel Intensive vegetation operation Liquor sales Lot grading Mixed use building (residential and business) Motel Outdoor café Patio (accessory to principal business use) Personal service establishment Public market Public quasi-public

Foothills County Land Use Bylaw |

14.2.3 PERMITTED USES	14.2.4 DISCRETIONARY USES
	Recreation, indoor Recycling collection point Residential care facility Retail garden centre Retail store Service station Signs requiring a Development Permit Solar Power System, Private (Requiring a Development Permit) Storage compound Wholesale

14.2.5 LAND USE REQUIREMENTS

- 14.2.5.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.
- 14.2.5.2 In order to facilitate the purpose and intent of this district and ensure the sustainable development of community commercial uses within the District, the following applies to applications for subdivision:
 - a. Parcel Density:
 - i. Parcel density requirements shall be determined by the Approving Authority, in accordance with an approved area structure plan or outline plan, if applicable.
 - b. Minimum Parcel Size:
 - i. 929.0 m² (10,000 ft²) for lots serviced by a municipal or communal piped sewer and water system.
 - ii. 1,858 m² (20,000 ft²) for lots not serviced by a piped water or sewer system.
 - iii. The area on title at the time of passage of this Bylaw, whichever is greater; or
 - iv. The minimum parcel size may be amended by the Approving Authority in accordance with an approved area structure plan or outline plan.
 - c. Maximum Parcel size:
 - i. As determined by the Approving Authority in accordance with an approved area structure plan or outline plan.
 - ii. The area in title at the time of passage of this Bylaw, whichever is lesser.
- 14.2.5.3 Utility Servicing Criteria
 - a. Municipal or communal water and wastewater disposal systems.
 - b. Municipal or communal water system, and an advanced package sewage treatment system; or
 - c. On site water storage system on site and/or wastewater pump out tanks if deemed appropriate by the Approving authority in accordance with an approved area structure plan or outline plan.

Foothills County Land Use Bylaw |

14.2.6 DEVELOPMENT REQUIREMENTS

14.2.6.1 Maximum Lot Coverage

- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than (60) sixty percent of the lot area.

14.2.6.2 Minimum Yard Setbacks Requirements

- a. Front Yard Setbacks:
 - i. 0 m from the right of way of a municipal road or internal subdivision road located within a Hamlet.
 - ii. 6m (19.68 ft) from the right of way of a Municipal Road located outside of a Hamlet.
 - iii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
 - iv. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.
- b. Side Yard Setbacks:
 - i. 1.5 m (4.92 ft) from the property line.
 - ii. Where the side yard abuts a residential district, the setback shall be increased by 50%.
- c. Rear Yard Setbacks:
 - i. Principal Building – 6m (19.69 ft) from the property line.
 - ii. Accessory Building – 1.5 (4.92 ft) from the property line.
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.

14.2.6.3 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

14.2.6.4 Other Minimum Setback Requirements:

- a. See Section 9.27 “Special Setback Requirements” of this bylaw for additional setback requirements that may apply.

14.2.6.5 Maximum Height of Structures:

- a. 12m (39.37 ft).

14.2.7 SPECIAL REQUIREMENTS

14.2.7.1 Landscaping and Screening:

- a. Landscaping shall be completed in accordance with the Municipal Screening Standards.
- b. Levels and methods of screening of the site shall be completed in accordance with the Municipal Screening Standards.

Foothills County Land Use Bylaw |

14.2.7.2 Lighting:

- a. All lighting must be in accordance Section 9.15 of the Land use bylaw and with the Municipal Dark Sky Bylaw.

14.2.7.3 Lot Drainage:

- a. A Development agreement shall be entered into for lot grading to the satisfaction of the Director, Public Works and Engineering.
- b. Lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

14.2.7.4 Other:

- a. The Approving Authority may allow a building to be occupied by a combination of one or more of the above mentioned uses listed for this district and each use shall be considered as a separate use, and each use shall obtain a separate development permit.

14.2.8 EXCEPTIONS:

BYLAW XX/2024

**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 a 5.0 +/- acre portion of Plan 2210426, Block 1, Lot 2; Ptn. 14-17-04 W5M from Agricultural District to Community Commercial District, in order to allow for the future subdivision of one 5.0 +/- acre Community Commercial District parcel with an approximate 55.91 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 1704 is amended by redesignating a 5.0 +/- acre portion of Plan 2210426, Block 1, Lot 2; Ptn. 14-17-04 W5M from Agricultural District to Community Commercial 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

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 .