

**MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
2nd AND 3rd READING TO BYLAW 56/2022
October 16, 2024**

REQUEST FOR 2nd AND 3rd READING TO BYLAW 56/2022	
APPLICATION INFORMATION	
	LEGAL DESCRIPTION: SE 29-21-28 W4M
	LANDOWNER: Gerrit & Joanne Velting
	AGENT: Kaylen Velting
	AREA OF SUBJECT LANDS: 104.61 Acres
	CURRENT LAND USE: Agricultural District
	PROPOSED LAND USE: Country Residential District
NUMBER & SIZE OF PROPOSED PARCEL: 1 x 2.08 acre parcel	
PROPOSAL: Application for the redesignation of a portion of SE 29-21-28 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one 2.08 +/- acre Country Residential District parcel, leaving 26.54 +/- acre Agricultural District balance.	
DIVISION NO: 7	COUNCILLOR: R.D. McHugh
FILE MANAGER: Stacey Kotlar	

PURPOSE OF REQUEST

Request for Council to provide 2nd and 3rd reading to Bylaw 56/2022.

BACKGROUND

October 19, 2022 – Council granted 1st reading to Bylaw 56/2022 authorizing the redesignation of a 2.08 +/- acre portion of SE 29-11-28 W4M from Agricultural District of Country Residential District to allow for the future subdivision of one 2.08 +/- Country Residential Parcel with a 26.54 +/- acre Agricultural District balance parcel.

CONDITIONS TO BE MET AT AMENDMENT

All conditions of 1st reading of the Amendment have been completed.

COUNCIL ACTIONS REQUESTED

Council is respectfully requested to consider granting 2nd and 3rd reading to Bylaw 56/2022 authorizing the redesignation of the Agricultural Land Use District to allow for the future subdivision of one 2.08 +/- acre Country Residential District parcel from Ptn. SE 29-11-28 W4M.

APPENDICES

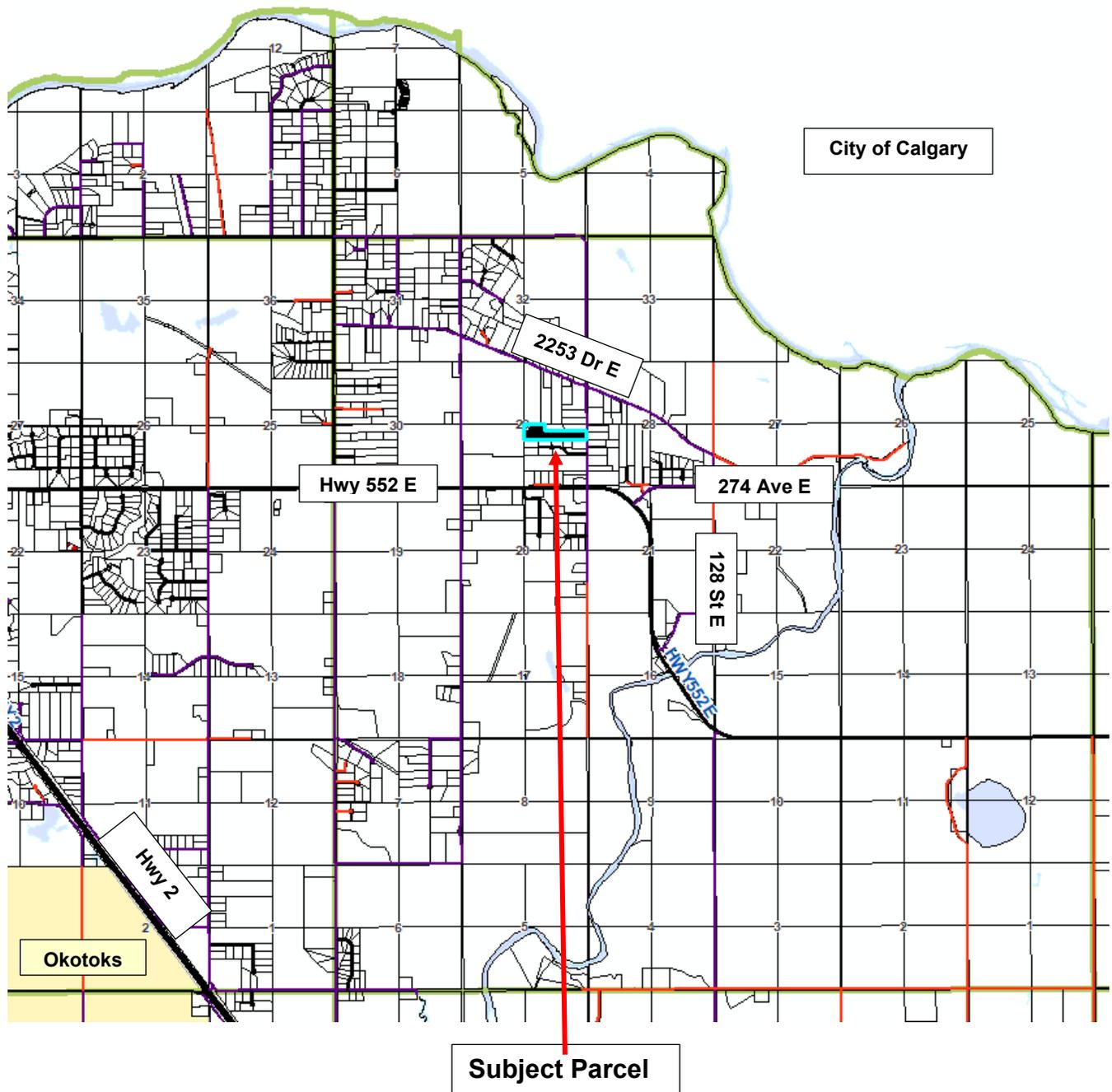
APPENDIX A - MAP SET:

Location Map
Accepted Site Plan
Ortho Photo

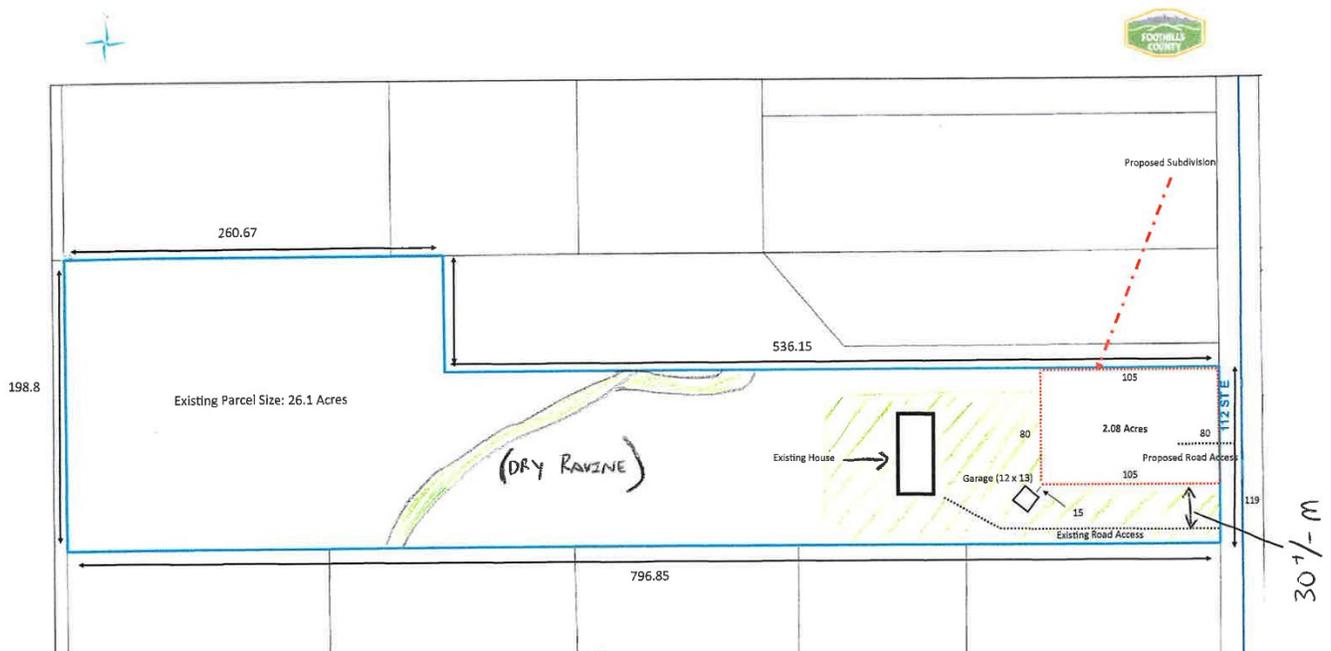
APPENDIX B: EXCERPT FROM THE Oct 19th, 2022 COUNCIL MEETING MINUTES

APPENDIX C: BYLAW 56/2022

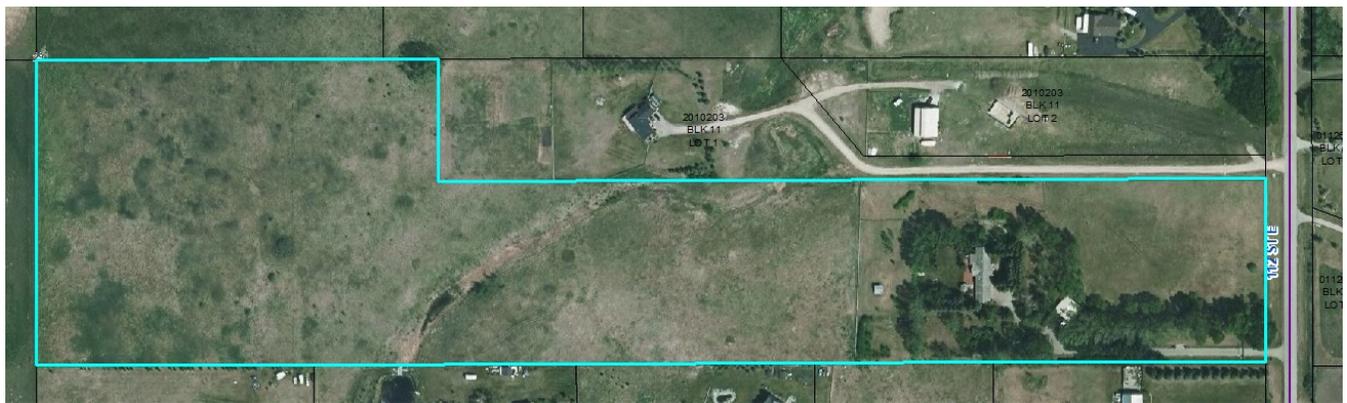
APPENDIX A: LOCATION MAP



APPENDIX A: ACCEPTED SITE PLAN



ORTHO PHOTO



APPENDIX B: EXCERPT FROM THE Oct 18th, 2023 COUNCIL MEETING MINUTES

C. PUBLIC HEARINGS & MEETINGS

C.2 1:30 p.m. - Velting - SE 29-21-28 W4M - Redesignation (A to CR)

G. and J. Velting were in attendance for the public hearing in connection to the proposed redesignation of a 2.08 +/- acre portion of SE 29-21-28 W4M from Agricultural District to Country Residential District to allow for a future subdivision of one 2.08 +/- acre Country Residential Parcel with an approximate 26.54 +/- acre Agricultural District balance parcel.

Also in attendance was K. Velting.

One letter was received from G. and J. Velting.

The public hearing was closed.

C.2.1 Velting - SE 29-21-28 W4M - Decision

BYLAW 56/2022

Bylaw 56/2022 was introduced into the meeting to authorize the redesignation of a 2.08 +/- acre portion of SE 29-21-28 W4M from Agricultural District to Country Residential District to allow for a future subdivision of one 2.08 +/- acre Country Residential Parcel with an approximate 26.54 +/- acre Agricultural District balance parcel.

In their consideration of the criteria within the SSRP, MDP2010, LUB 60/2014, and GMS; Council is of the opinion that the proposed redesignation for future subdivision of the subject lands, would not be detrimental to the agricultural nature of the area, is generally compatible with the surrounding areas, and will not unduly interfere with neighbouring land uses or materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

Prior to further consideration of the bylaw the applicant will be required to submit the following:

1. Landowners are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purposes of payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and the Public Works [department](#);
2. Proof of adequate water supply to be provided for the proposed 2.08 +/- acre parcel in accordance with the Provincial Water Act, to the satisfaction of the [County](#);
3. All accesses to be located and culverts and approaches to be installed to current Municipal subdivision road standards to the satisfaction of the Public Works Department, as a condition of [subdivision](#);
4. Site plan to be provided which identifies building envelopes for the proposed 2.08 +/- acre parcel, that 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](#);
5. Septic Disposal Evaluation for the proposed 2.08 +/- acre parcel, to the satisfaction of the Public Works department, as a condition of [subdivision](#);
6. Comprehensive Site Drainage Plan to be provided for the proposed 2.08 +/- acre parcel, to the satisfaction of the Public Works Department, as a condition of [subdivision](#);
7. Lot Grading Plan to be provided for the proposed 2.08 +/- acre parcel, to the satisfaction of the Public Works Department, as a condition of [subdivision](#);
8. Final redesignation application fees to be [submitted](#);
9. Submission of an executed subdivision application and the necessary fees.

Resolution 862

Moved by: Councillor McHugh

That Bylaw 56/2022 be given first reading.

BYLAW 56/2022

**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 2.08 +/- acre portion of SE 29-21-28 W4M from Agricultural District to Country Residential District to allow for a future subdivision of one 2.08 +/- acre Country Residential Parcel with an approximate 26.54 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2128 is amended by *redesignating the 2.08 +/- acre portion from SE 29-21-28 W4M as Country Residential District.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: October 19, 2022

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 .