


**MISCELLANEOUS PLANNING ITEM
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 2nd AND 3rd READING TO BYLAW 13/2023
 November 13, 2024**

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| REQUEST FOR 2nd AND 3rd READING TO BYLAW 13/2023 | |
| APPLICATION INFORMATION | |
|  | LEGAL DESCRIPTION: Plan 1577JK, Block 2; NE 17-22-1 W5M |
| | LANDOWNER: Gunnar Investments Inc. / Jay Gunnarson |
| | AGENT: Township Planning + Design Inc. / Kristi Beunder |
| | AREA OF SUBJECT LANDS: 16.38 +/- acres |
| | CURRENT LAND USE: Country Residential District |
| | PROPOSED LAND USE: Country Residential Sub-district "A" |
| NUMBER & SIZE OF PROPOSED PARCEL: 3 new 2.0 +/- acre parcels | |
| PROPOSAL: Amendment to the Country Residential District land use blyaw to allow for the future subdivision of three new 2.0 +/- acre lots with a 9.28 +/- acre balance parcel. This application is requesting an exemption to the current density provisions. | |
| DIVISION NO: 5 | COUNCILLOR: Alan Alger |
| FILE MANAGER: Stacey Kotlar | |

PURPOSE OF REQUEST

Request for Council to provide 2nd and 3rd reading to Bylaw 13/2023.

BACKGROUND

March 1st, 2023 – Council granted 1st reading to Bylaw 13/2023 authorizing an amendment to the Country Residential Land Use District to allow for the future subdivision of three additional Country Residential Sub-district "A" parcels of 2.0 +/- acres, leaving a balance of 9.28 +/- acres Country Residential District.

The three new parcels will be designated as County Residential Sub-district "A" to ensure that considerations, recommendation, and restrictions within Septic Disposal Evaluation, Comprehensive Site Drainage Plan, Lot Grading Plan, and Identification of Suitable Building Envelopes, 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 deposit as a pre-release condition to ensure compliance with all conditions of the development permit will be required.

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 13/2023 authorizing an amendment to the Country Residential land use District to allow for the future subdivision of three additional Country Residential Sub-district “A” parcels of 2.0+/- acres from Ptn. NE 17-22-01 W5M; Plan 1557JK, Block , and to allow for an exemption to the County’s current density policy.

APPENDICES

APPENDIX A - MAP SET:

Location Map
Accepted Site Plan
Ortho Photo

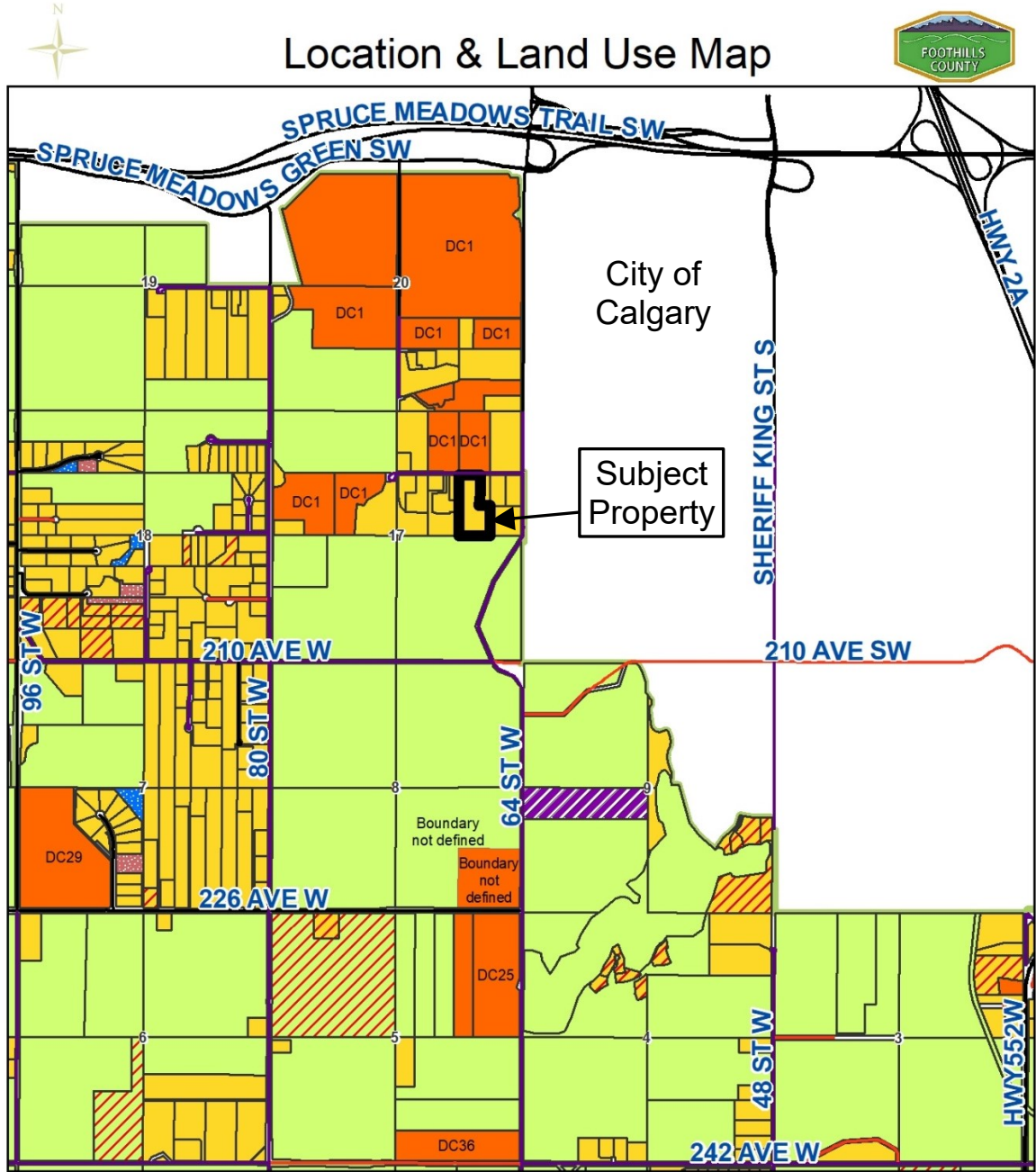
APPENDIX B:

Excerpt from March 1st, 2023 Council Meeting minutes

APPENDIX C:

Bylaw 13/2023

APPENDIX A: LOCATION MAP



Legend

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

Document Path: C:\Users\jgranson.FCAB\Desktop\DrewsMapStart.mxd

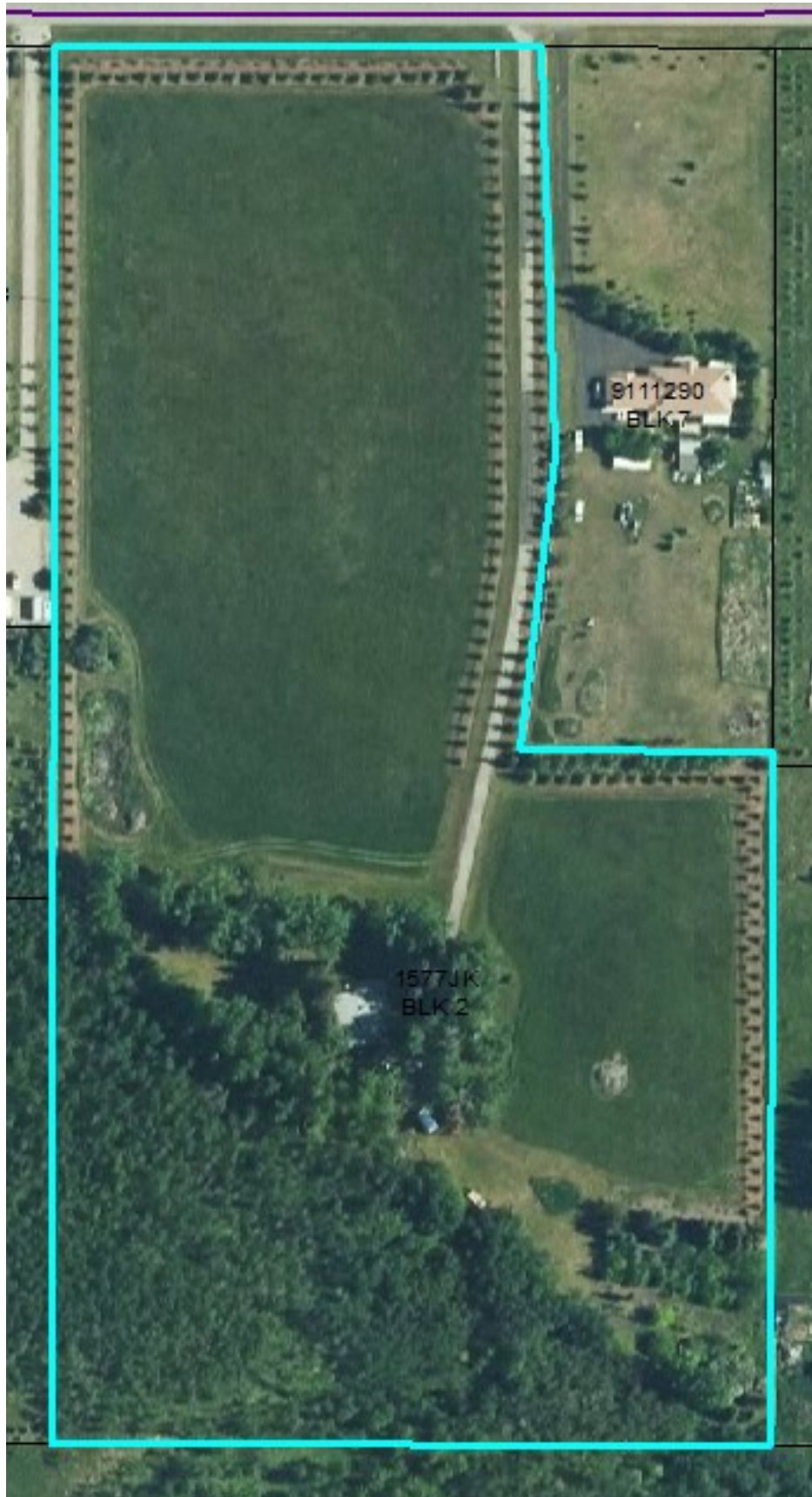
Date Printed: 2/16/2023

1:33,906

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APPENDIX A: ORTHO PHOTO



APPENDIX B:

Excerpt from March 1st, 2023 Council Meeting minutes

C. PUBLIC HEARINGS & MEETINGS

C.1 10:00 a.m. - Gunnar Investments Inc./Gunnarson - NE 17-22-01 W5M - Amend CR (3 lots)

J. Gunnarson, and Agent K. Beunder were in attendance for the public hearing in connection to the proposed amendment to the Country Residential District land use rules to allow for the future subdivision of three (3) new 2.0 +/- acre lots with a 9.28 +/- acre Country Residential District balance parcel within Plan 1577JK, Block 2; Ptn. NE 17-22-01 W5M, including a request for an exception to the density provisions of the Land Use Bylaw.

Also in attendance were S. Olson, K. Olson, A. Jones and B. and J. Powell.

The public hearing was closed.

C.1.1 Gunnar Investment Inc. / Gunnarson - NE 17-22-01 W5M - Decision

BYLAW 13/2023

Bylaw 13/2023 was introduced into the meeting to authorize an amendment to the Country Residential Land Use District land use rules to allow for the future subdivision of three new 2.0 +/- acre Country Residential lots, with a 9.28 +/- acre Country Residential balance on Plan 1577JK, Block 2; Ptn. NE 17-22-01 W5M, and to allow for an exemption to the County's current density policy.

In their consideration of the criteria within the SSRP, MDP2010, LUB 60/2014, and GMS; Council is of the opinion that the proposed amendment for future subdivision of the subject lands 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.

The three new parcels will be designated as Country Residential Sub-District 'A' to ensure that considerations, recommendations, and restrictions within Septic Disposal Evaluations, Comprehensive Site Drainage Plan, Lot Grading Plan, and Identification of Suitable Building Envelopes, 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 with all conditions of the development permit will be required.

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, construction of all external and internal transportation infrastructure (namely construction of the internal subdivision road, cul-de-sac bulb, and new approach construction) 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 all parcels, including the balance lands, in accordance with the Provincial Water Act, to the satisfaction of the County;
3. Final Amendment application fees to be submitted;
4. Submission of an executed subdivision application and the necessary fees.

Resolution 142

Moved by: Councillor Alger

That Bylaw 13/2023 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING

BYLAW 13/2023

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 an amendment to the Country Residential Land Use District land use rules to allow for the future subdivision of three new 2.0 +/- acre Country Residential lots, with a 9.28 +/- acre Country Residential balance on Plan 1577JK, Block 2; Ptn. NE 17-22-01 W5M, and to allow for an exemption to the County's current density policy.

The three new parcels will be designated as Country Residential Sub-District 'A' to ensure that considerations, recommendations, and restrictions within Septic Disposal Evaluations, Comprehensive Site Drainage Plan, Lot Grading Plan, and Identification of Suitable Building Envelopes, 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 with all conditions of the development permit will be required.

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 1577JK, Block 2; NE 17-22-01 W5M within which shall allow for the future subdivision of three new 2.0 +/- acre Country Residential lots, with a 9.28 +/- acre Country Residential balance parcel.
2. An exemption to the density provisions as outlined in Policy 15 of the Residential Section of the MDP2010 and Section 13.1.6.2 (a)(i) of the Country Residential District within the County's Land Use Bylaw.
3. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: March 1, 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 .