


**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
DISPOSITION OF MUNICIPAL RESERVE AND REDESIGNATION
March 12, 2025
To be heard at: 1:30 P.M.**

APPLICATION INFORMATION		FILE NO. 24R054
	LEGAL DESCRIPTIONS: Plan 9812597, Lot 4MR, SW 18-20-28-W4	
	PROPOSED LAND USE: Country Residential "A" District	
	AREA OF SUBJECT LANDS: 3.51 Acres	
	CURRENT LAND USE: Municipal Reserve Parcel	
	LANDOWNER: Foothills County	
PROPOSAL: The application before Council for consideration on two concurrent items: <ol style="list-style-type: none">1. Approval for disposition of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4.2. Application for redesignation of Plan 9812597, Lot 4MR, SW 18-20-28-W4 (3.51 acres) from Municipal Reserve to Country Residential "A" District.		
DIVISION NO: 1	COUNCILLOR: Rob Siewert	FILE MANAGER: Heather Hemingway

EXECUTIVE SUMMARY:

Summary of Proposal

The application before Council is for consideration on two concurrent items:

1. Approval for disposition of the 3.51-acre Municipal Reserve parcel, identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4.
2. Secondly, an application for redesignation of Plan 9812597, Lot 4MR, SW 18-20-28-W4 (3.51 acres), from Municipal Reserve to Country Residential "A" District.

Location of Subject Lands

The subject property is within the Silvertip Ranch Development located southeast of the Aldersyde Highway #2 and Highway 547 Interchange.

Policy Evaluation

The application has been reviewed in terms of the South Saskatchewan Regional Plan, the Foothills County's Municipal Development Plan, Growth Management Strategy, Land Use Bylaw 60/2014, Silvertip Ranch Area Structure Plan, and the Municipal Government Act.

Referral Considerations

This application was subject to a 30-day circulation to referral agencies prior to this hearing. Referral comments have been provided within the staff report, for your reference.

Background

The lands are located within the Silvertip Ranch Area Structure Plan (ASP). The ASP was first adopted in March of 1996 and later amended in 1998 and 1999.

The most recent amendments were adopted June 10, 1999, and allow for:

- Country Residential development of:

- 20 lots sized at 3.50 acres more or less.
- 36 lots to accommodate single family residential development of 1 acre lots.
- Commercial development:
 - One 33-acre Direct Control District #7 lot.
 - Two Highway Commercial District lots (totaling 9.24 acres).
- Three (3) Municipal Reserve parcels totaling 20.66 acres
 - one 14.28 acres, one 3.51 acres and one 2.87 acres.
- One (1) 31.11 acre ER parcel (along the west and north side of the Highwood River); and
- One (1) 0.91 acre public utility lot.

The residential units within the Silvertip Ranch Area Structure Plan have been developed as a bare land condominium plan.

PURPOSE OF THE APPLICATION:

Purpose of the public hearing is twofold:

1. Disposition of Municipal Reserve

Firstly, for Council's consideration of the disposition of the 3.51-acre Municipal Reserve parcel, identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4.

2. Redesignation from Municipal Reserve to Country Residential "A" District

Secondly, for consideration of an application to redesignate the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4, from Municipal Reserve to Country Residential "A" District.

- a. The sub-district A designation is recommended to ensure development of the lot proceeds as intended in the Bylaw.

CURRENT LAND USES

Current land uses of the subject lands and within one half mile of the subject lands are illustrated on the Land Use Map, within Appendix A.

The land use within the Silvertip Ranch development consists of a mix of Country Residential District and Highway Commercial and Direct Control #7 District lands for commercial uses, Environmental Reserve (ER) lands along the west side of the Highwood River, as well as three (3) Municipal Reserve (MR) parcels and one (1) Public Utility lot (PUL).

Surrounding Developments consists of:

- The Ravencrest and Totem Ranch Estates communities are located to the north of Highway 547 consisting of primarily Country Residential District lots. (lot predominantly 3 acres in size with some larger sized lots).
- Six Country Residential District lots located to the south of Silvertip (ranging from 1.27 – 1.7 acres in size) and some larger Agricultural and INR districts to the south.
- Country Lane Estates seasonal RV Park consisting of primarily 300 condominium units and some larger parcels zoned Direct Control #10 District to the northwest.
- Volker Stevin has three Natural Resource Extraction (INR) parcels northwest.
- Two Highway commercial District lots are located to the west across Highway #2 containing the Petro Canada Station and A & W Restaurant, and a large parking area.
- A development is in process to the east and north of the Silvertip Ranch development as part of the *Highfield & Rowland Acres ASP* to allow for a Hamlet Growth Area of approximately 1162 acres of developable lands consisting of both Cluster Residential and Residential Community District parcels, Community Commercial District lands, Municipal and School Reserve, and PUL lots.

SITE CONSIDERATIONS:

Access:

Access is currently by way of an existing approach off Silvertip Drive on the West side of the parcel.

There is an additional access to the parcel through the Environmental Reserve lands on the east side that gains access through the adjacent parcel to the south (Plan 0010395, Unit 3). There is an Easement Agreement on the title of the MR that allows for this access over the adjacent Unit 3. At Council's direction, the associated easement agreement could be discharged prior to sale of the property.

Physiography:

The subject parcel is relatively flat. The land slopes down at the east property line to the Environmental Reserve parcel.

The vegetation consists of grassland with several established trees and shrubs.

Existing Development / Site Improvements:

There is an existing community owned structure (a shed) situated on the eastern portion of the MR parcel. It is suggested that the community remove this development over the upcoming summer months, or Council may have alternative direction regarding this structure.

Servicing and Utility Considerations:

The Silvertip subdivision is currently serviced with water from the Aldersyde water line. The utility right of way (URW 9812598) is located over 12 metres into the lots from the roadways in the development, including the MR lot. There is agreement referencing this utility right of way registered on the residential lots in the development. This agreement speaks to County having access to the URW to manage sewer, water, gas, electrical, telephone.

Water servicing line is at the property line of the Municipal Reserve Parcel.

The same utility right of way (URW 9812598) is along the south 9 metres of the boundary of the MR parcel and continues east through the ER parcel to reach the river.

Parcels in Silvertip are serviced by individual septic systems.

A stormwater system of surface and subsurface drainage has been integrated with the road system to control stormwater run off within the development area.

Other Considerations:

The County proposes to undertake the following:

- a lot level grading / stormwater management plan on the subject parcel.
- The existing residential units within the plan area are developed as a bareland condominium and have a set of registered bylaws and architectural control guidelines under the Condominium Act of Alberta. The County is proposing to work with the condominium association to amend the unit factors in order to include the new lot into the existing condominium association.
- There is a Landscaping Maintenance right of way (0010371) of 27 metres in width registered on the road frontage of all the residential lots within the Silvertip development, however, this right of way does not extend across the MR parcel. At Councils direction, a similar right of way plan could be registered across the new lot for consistency with the remainder of the development. There is no associated agreement that indicates the purpose of this Landscaping Maintenance Right of Way.
- There is a 15m Environmental Reserve Easement Right of Way Plan registered on the east side of the existing Residential lots adjacent to the ER parcel. The easement does not extend over the MR parcel. At Councils direction, a similar ER easement right of way and ER easement agreement could

executed and registered over the eastern 15m portion of the CR"A" lot for consistency with the rest of the development.

POLICY EVALUATION

South Saskatchewan Regional Plan (SSRP)

The SSRP provides a high-level policy framework for all lands in the South Saskatchewan River Basin within Alberta, including all sub basins. The application generally aligns with the policy direction within the SSRP with consideration of policy sections related to: Water, Efficient Use of Land, Outdoor Recreation and Historic Resources, and Community Development.

Municipal Development Plan 2010 (MDP2010):

The application generally meets the intent of Policies 3 and 9 of the Residential section of the MDP2010, which provides that residential parcels should consider their compatibility with the surrounding area and their impact on the agricultural industry. Further, the development must consider the suitability of the lands for residential uses and the efficient use of land.

Growth Management Strategy:

The subject parcel is located within the Central District. Growth is expected to continue within this district with significant development and intensification expected. Consideration of municipal neighbours and environmental impacts should be considered, and opportunities for joint initiatives to support effective, efficient, and affordable services in this area.

Silvertip Ranch Area Structure Plan

The subject lands are located within the Silvertip Ranch ASP. The lot is being rezoned to Country Residential District to align with the ASP and other parcels located adjacent.

Land Use Bylaw 60/2014:

The application meets the purpose and intent of the Country Residential District and remains consistent with the existing development under the Silvertip ASP, with the residential lands zoned Country Residential District and inclusion of the same exemptions to the minimum lot sizes as set out in Section 13.1.6.2 and setback requirements in accordance with Section 13.1.8 of the Country Residential District within the County's Land Use Bylaw as the existing development.

CIRCULATION REFERRALS

REFEREE

COMMENTS

INTERNAL

Public Works /
Engineering

Public works has suggested the following conditions for consideration:

- There appears to be a structure/shed on the SE corner of the lot that is not County owned.
- Septic Disposal Evaluation (PSTS), and identification of building envelopes are requested.
- 50mm water line lot service on the south side of the approach.
- The PSTS design does look at the high-water levels among many other factors and will recommend the appropriate level of treatment based on the site specific findings.
- Building envelope to consider required setbacks as per the LUB and to exclude any right of way from the proposed building envelope.
- Public works recommends a basic lot level stormwater report that utilizes low impact development techniques and suggestions.

GIS / Mapping

Addressing will be difficult on this development as the current addressing is consecutive numbers leaving no gaps to allow for future development such as this.

GIS recommend re-addressing the existing 11 mailing addresses on the southern portion of Silvertip Dr.

EXTERNAL

Alberta
Transportation and
Economic
Corridors (ATEC)

Transportation and Economic Corridors primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed land use amendment(s).

Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):

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 618.4(1) of the Municipal Government Act, 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 subject land is within the permit area of a highway as outlined in the Highways Development and Protection Regulation; however TEC exempts all residential uses that otherwise comply with the municipality's Land Use Bylaw from the requirement to obtain a Roadside Development Permit. This exemption does not apply to any waivers, variances, or non-residential uses within the proposed parcels. Additionally, any further subdivision beyond that proposed within this application or any future change of zoning/ land use redesignation will void this exemption for the affected parcel(s). The proponent and/or municipality is encouraged to confirm any permit requirements with TEC prior to construction if there is any uncertainty as to TEC permitting requirements.
4. Transportation and Economic Corridors accepts no responsibility for the noise impacts or other impacts of highway traffic upon any development or occupants thereof. The subdivision design should include adequate physical features to ensure that the proposed use of land is compatible with the adjacent provincial highway system. Some of these features might, for example, include landscaping and/or berming to provide noise attenuation and visual screening from the highway. Implementation of these features is the responsibility of the owner/municipality.
5. Transportation and Economic Corridors expects that the municipality will mitigate the cumulative impacts of traffic generated by developments approved on the local road connection to the highway system, pursuant to the South Saskatchewan Regional Plan and Section 648(2)(c.2) of the Municipal Government Act.

Telus

Telus has no concerns with the proposed activities.

ATCO Gas

ATCO Gas and Pipelines have no objection to the proposal.

FORTIS Alberta

Fortis Alberta Inc. does not have any concerns.

PUBLIC

Western Wheel

Public Hearing was advertised February 26, 2025, and March 5, 2025.

Notification of the application and public hearing were mailed to landowners within one half mile of the subject lands.

Landowners

In accordance with Section 674(3) of the MGA, notice of the public hearing was posted on or near the Municipal Reserve parcel subject of the hearing.

SUMMARY:

Council is asked for consideration on the following:

1. Council is requested to grant approval for the disposition of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4 by resolution.
2. Bylaw XX/2025 – Council is requested to consider 1st reading to Bylaw XX/2025 to allow for the redesignation of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4 from Municipal Reserve to Country Residential “A” District.

OPTIONS FOR COUNCIL CONSIDERATION

PART A – DISPOSITION OF MUNICIPAL RESERVE PARCEL

OPTION #1 – APPROVAL

Council may choose to pass the following resolution:

Council approves the disposition of the 3.51-acre Municipal Reserve parcel on Plan 9812597, Lot 4MR, SW 18-20-28-W4.

Recommended Conditions for Option #1:

1. Staff shall notify the Land Titles registrar that all provisions under the MGA for disposition of the reserve have been complied with and apply for the designation of Municipal Reserve to be removed.

OPTION #2 REFUSAL

Council may choose to refuse the disposition of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4.

In consideration of the matter, Council did not find sufficient merit in the application to consider removing the Municipal Reserve suffix on the subject lands at this time.

PART B – REDESIGNATION OF PTN. PLAN 9812597, LOT 4MR, SW 18-20-28-W4 (3.51 ACRES)

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for the redesignation of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4 from Municipal Reserve to Country Residential “A”, for the following reasons:

In their consideration of the criteria noted within the MDP2010, Council is of the opinion that the lands are suitable for the intended use. Further, the application meets the purpose and intent under the Country Residential District within the County’s Land Use Bylaw and is consistent with the existing development in the Silvertip Ranch Area Structure Plan.

Note: The Sub-District A designation in consideration of the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), lot level stormwater report, identification of suitable Building Envelopes and utility connection requirements 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 \$5000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit will be required.

Recommended Conditions for Option #1:

1. PSTS completed to the satisfaction of the County.
2. Lot level grading/Stormwater plan to be submitted to the satisfaction of the County's public works department.
3. Building envelopes identified to the satisfaction of the public works department.
4. Council to provide specific direction on the need for concurrent registration of the ERE right of way and Agreement as well as a Landscaping Maintenance Rights of Way.
5. The existing Utility Agreement to be registered on the title of the subject lands.
6. Council to provide specific direction regarding the removal of the shed at the east end of the parcel as well as the irrigation infrastructure that may cross the parcel.
7. Council may request that administration work with the community association to include the lot into the condominium plan and be subject to the same restrictive covenants and condominium bylaws as the balance of the Silvertip development. Council may indicate that the necessary amendments to the condominium plan and bylaws be at the cost of the Municipality.

OPTION #2 REFUSAL

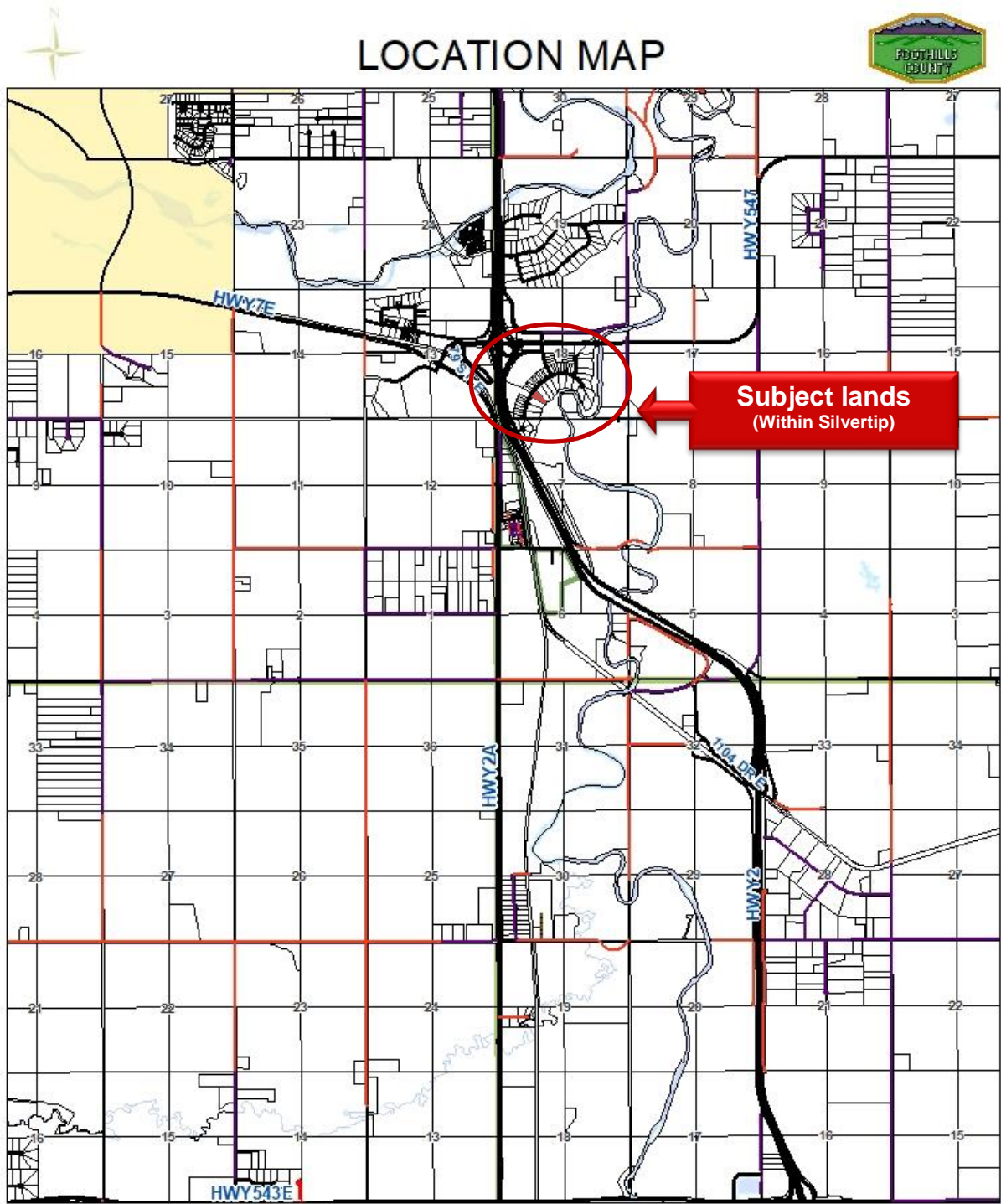
Council may choose to refuse the application for redesignation of the 3.51-acre Municipal Reserve parcel identified as Plan 9812597, Lot 4MR, SW 18-20-28-W4 from Municipal Reserve to Country Residential "A" District for the following reasons:

In consideration of the matter, Council did not find sufficient merit in the application to support the land use rezoning of a portion of the subject lands from the Municipal Reserve to County Residential "A" District land use at this time.

APPENDICES**APPENDIX A: MAP SET**

- LOCATION MAP
- LAND USE MAP
- SITE PLAN

APPENDIX B: PROPOSED BYLAW



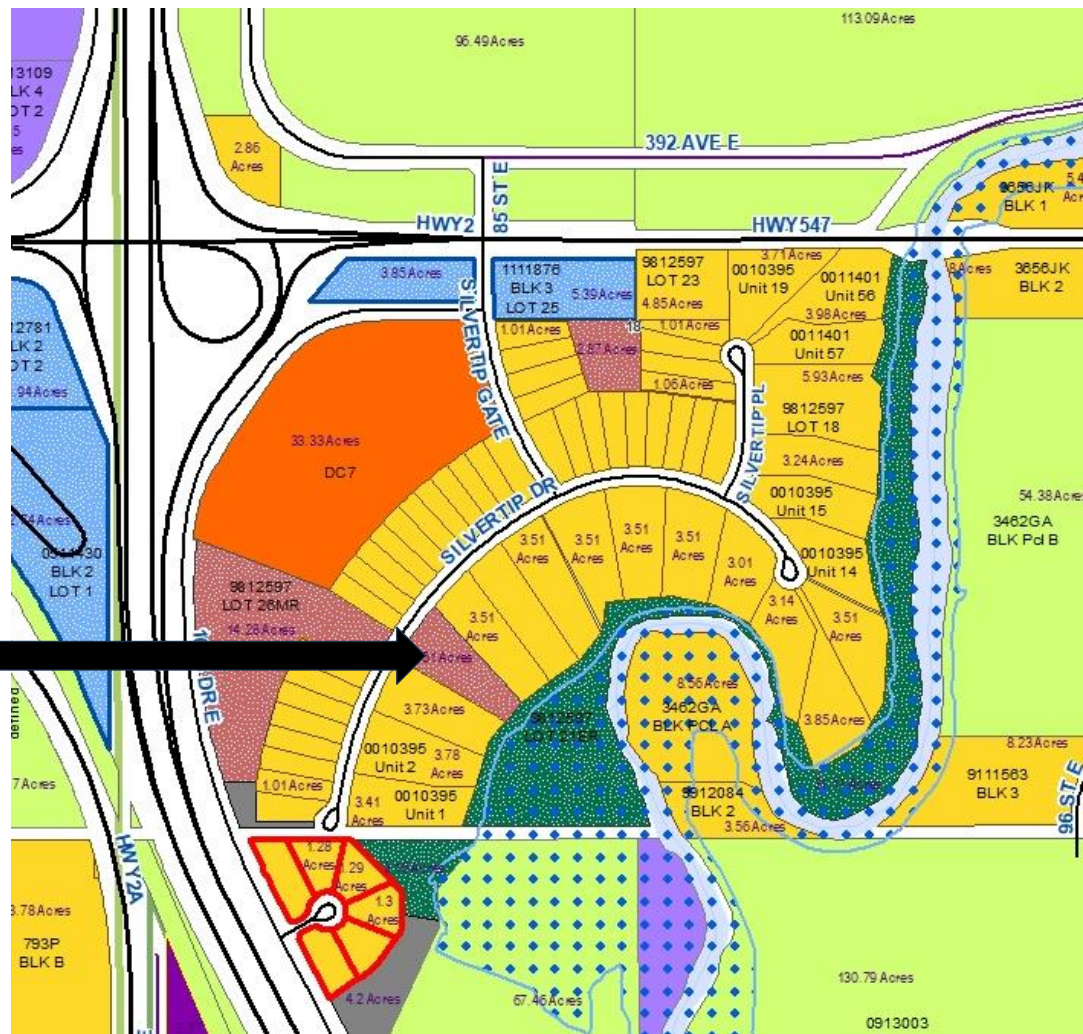
- Legend
- Townships
 - Hamlet
 - Town
 - Parcels

Date Printed: 2024-11-08
1:63,360

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Data Sources include Municipal Records and AtlasGIS.
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LAND USE MAP



Subject parcel

Legend

	In Transition		CRA- Country Residential Sub A		HMI- Hamlet Industry
	NA - Not Applicable		DC - Direct Control		LIID- Low Intensity Industry District
	A- Agricultural		EPA- Environmental Protection Sub A		MLR-Municipal Land/Reserve District
	AA- Agricultural Sub A		ER- Environmental Reserve		MR- Municipal Reserve
	AB- Agriculture Business		EP- Environmental Protection		REC- Recreation
	BP- Bussiness Park		OS- Open Space		PUL- Public Utility
	CMC- Community Commercial		IE- Industrial Edge		RC- Residential Community District
	HC- Highway Commercial		INR- Natural Resource Extraction		SDA- Residential Community Sub-district "A"
	RB- Rural Business		FPJ-Federal/ Provincial District		RD- Service District
	CR- Country Residential		GI- General Industry		SR-School Reserve

SITE PLAN



Plan 9812597, Lot 4 MR, SW 18-20-28-W4 (3.51 acres)

- Disposal and redesignation of the 3.51 acres Municipal Reserve identified as Plan 9812597, Lot 4MR SW 18-20-28-W4 from Municipal Reserve to Country Residential "A" District.



APPENDIX B: PROPOSED BYLAW

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 the redesignation of a 3.51 +/- acre portion of Plan 9812597, Lot 4MR; Ptn. SW 18-20-28 W4M from Municipal Reserve to Country Residential Subdistrict A in order to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), High Water Table Testing, lot level stormwater report, identification of suitable Building Envelopes and utility connection requirements 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 \$5000 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. Land Use Map No. 2028 is amended by *redesignating one 3.51 +/- acre portion, on Ptn. SW 18-20-28 W4M as Country Residential Subdistrict A.*
- 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 .