


PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
DISPOSITION OF MUNICIPAL RESERVE AND REDESIGNATION
March 12, 2025
To be heard at 2:30 P.M.

APPLICATION INFORMATION		FILE NO. 24R055
	LEGAL DESCRIPTIONS: Plan 9812597, Lot 26MR, SW 18-20-28-W4	
	PROPOSED LAND USE: Country Residential "A" District	
	AREA OF SUBJECT LANDS: 14.28 Acres	
	CURRENT LAND USE: Municipal Reserve Parcel	
	LANDOWNER: Foothills County	
<p>PROPOSAL: The application before Council is for consideration on two concurrent items:</p> <ol style="list-style-type: none">1. Approval for disposition of a 1.88+/- acre portion of the Municipal Reserve parcel identified as Plan 9812597, Lot 26MR, SW 18-20-28-W4.2. Application for redesignation of a 1.88+/- portion of Plan 9812597, Lot 26MR, SW 18-20-28-W4, from Municipal Reserve to Country Residential "A" District to allow for the subdivision of two 0.94 +/- acre lots leaving a remaining 12.41 +/- acre Municipal Reserve parcel. <p style="margin-left: 40px;">The redesignation application includes a site specific amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules and setback exceptions on the proposed two new lots consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size:</p>		
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 a 1.88+/- acre portion of the existing Municipal Reserve parcel, identified as Plan 9812597, Lot 26MR, SW 18-20-28-W4.
2. Secondly, an application for redesignation of a 1.88+/- portion of Plan 9812597, Lot 26MR, SW 18-20-28-W4, from Municipal Reserve to Country Residential "A" District to allow for the subdivision of two 0.94 +/- acre lots, leaving a remaining 12.41 +/- acre Municipal Reserve parcel.

The redesignation application includes a site specific amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules and setback exceptions on the proposed two new lots consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size:

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 an approximately 1.88+/- acre portion of the existing 14.28 acre Municipal Reserve parcel, identified as Plan 9812597, Lot 26MR, SW 18-20-28-W4.

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

Secondly, for consideration on an application to redesignate the 1.88+/- acre portion of the subject 14.28-acre parcel from Municipal Reserve to Country Residential "A" District to allow future subdivision of two 0.94 +/- acre lots from Plan 9812597, Lot 26MR, SW 18-20-28-W4, leaving a 12.41 +/- acre Municipal Reserve parcel remaining.

- a. The sub-district A designation is recommended due to the size of the proposed lots and in consideration of the potential of a high-water table requiring high efficiency septic disposal systems.
- b. The redesignation includes a site specific amendment to the Land Use Bylaw, to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules

The application also includes a site specific amendment to allow for the following setback exceptions under the County Residential land use rules, for the proposed two new lots, consistent with the parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size:

- i. Front yard Setback 15m (49.21 ft) from property line adjacent to any Municipal Road for the new lot registered under the new plan.

- ii. Front yard Setback 5m (16.4 ft) from Internal Subdivision Road for those properties registered under the new plan.
- iii. Side yard setback: 1.5m (4.92 ft) from property line for those properties registered under the new plan.
- iv. Rear yard setback: Principal Building -8m (26.25 ft.) from property line for those properties registered under the new plan.
- v. Rear yard setback: Accessory Building – 1m (3.28 ft) from property line for those properties registered under the new plan.

Both site specific amendments are consistent and align with the existing adjacent Silvertip Ranch development.

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. (lots 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.
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SITE CONSIDERATIONS:

Access:

There is currently no developed approach accessing the Municipal Reserve Parcel. The property is bound by Silvertip Drive on the East and 1085 Drive E. on the West side of the parcel.

Two new approaches are proposed to be constructed off Silvertip Drive for access to the two proposed new lots. A 7m panhandle is proposed to remain as part of the Municipal Reserve balance parcel as pedestrian and emergency access between the two new lots off Silvertip Drive. The main access to the remaining Municipal Reserve parcel is proposed to be from 1085 Drive E. on the west side.

Physiography:

The subject lands are relatively flat in nature. The vegetation consists of grassland with some tree and shrub cover.

Existing Development / Site Improvements:

There is currently no existing development on the site.

Servicing and Utility Considerations:

The Silvertip subdivision is currently serviced with water from the Aldersyde water line. The utility right of way runs along the Silvertip Drive on the east side of the property. A Utility Agreement referencing this Right of way is registered on all lots in the development, except the MR lot. Water servicing will be extended to the property lines of the two new parcels by the County, to service these new lots.

Parcels in Silvertip are serviced by individual septic systems. The County proposes to include the Sub-district "A" zoning on the proposed parcels to require that high efficiency septic disposal systems are installed.

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, and a PSTS on the proposed new lots.
- 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 lots into the existing condominium association.
- Registration of the Utility Right of Way Agreement on the proposed new parcels.
- There is a 27 metre wide Landscaping Maintenance right of way (0010371) 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. There is no associated agreement that speaks to any restrictions or meaning of the Right of Way.

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 lots are 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
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INTERNAL	
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Public Works /
Engineering

Public works has suggested the following conditions for consideration:

- Septic Disposal Evaluation (PSTS), Stormwater Management Plan, and identification of building envelopes at subdivision.
- Two new approaches will be required – a paved approach with culvert and required to meet all current approach stands.
- Curb stops will be required for the proposed lots.
- 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 an issue 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. to accommodate addressing these new lots.

EXTERNAL	
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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 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 center 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.
5. 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.
6. 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.
ATCO Gas	ATCO Gas and Pipelines have no objection to the proposal.
FORTIS Alberta	FortisAlberta 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 a 1.88+/- acre portion of the Municipal Reserve parcel currently identified as Plan 9812597, Lot 26MR, 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 a 1.88+/- portion of Plan 9812597, Lot 26MR, SW 18-20-28-W4, from Municipal Reserve to Country Residential “A” District to allow for the creation of two 0.94 +/- acre lots, leaving a remaining 12.41 +/- acre Municipal Reserve parcel.

The redesignation application includes a site specific amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules and setback exceptions on the proposed two new lots consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size:

OPTIONS FOR COUNCIL CONSIDERATION

PART A – DISPOSITION OF A PORTION OF MUNICIPAL RESERVE PARCEL

OPTION #1 – APPROVAL

Council may choose to pass the following resolution:

Council approves the disposition of a 1.88+/- acre portion of the Municipal Reserve parcel on Plan 9812597, Lot 26MR, SW 18-20-28-W4 as illustrated in the Site Plan included in this report as Appendix A.

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 concurrently with the subdivision registration.

OPTION #2 REFUSAL

Council may choose to refuse the disposition of a 1.88+/- acre portion of the Municipal Reserve dedication on Plan 9812597, Lot 26MR, SW 18-20-28-W4 for the following reasons:

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

PART B – REDESIGNATION OF PTN. PLAN 9812597, LOT 26MR, SW 18-20-28-W4

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for the redesignation of a 1.88+/- portion of Plan 9812597, Lot 26MR, SW 18-20-28-W4 (14.28 acre) from Municipal Reserve to Country Residential “A” District to allow for the future subdivision of two 0.94^{+/-} acre parcels, leaving a 12.41^{+/-} acre Municipal Reserve parcel, and site specific amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules and setback exceptions on the proposed two new lots consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size, 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 is due to the size of the proposed lots and in consideration of the requirement for high efficiency septic disposal systems.

Recommended Conditions for Option #1:

1. Submission of an executed subdivision application.

OPTION #2 REFUSAL

Council may choose to refuse the application for redesignation of a 1.88+/- portion of Plan 9812597, Lot 26MR, SW 18-20-28-W4 (14.28 acre) from Municipal Reserve to Country Residential “A” District to allow for the future subdivision of two 0.94^{+/-} acre parcels, leaving a 12.41^{+/-} acre Municipal Reserve parcel remaining and site specific amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District land use rules and setback exceptions on the proposed two new lots consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size, for the following reasons:

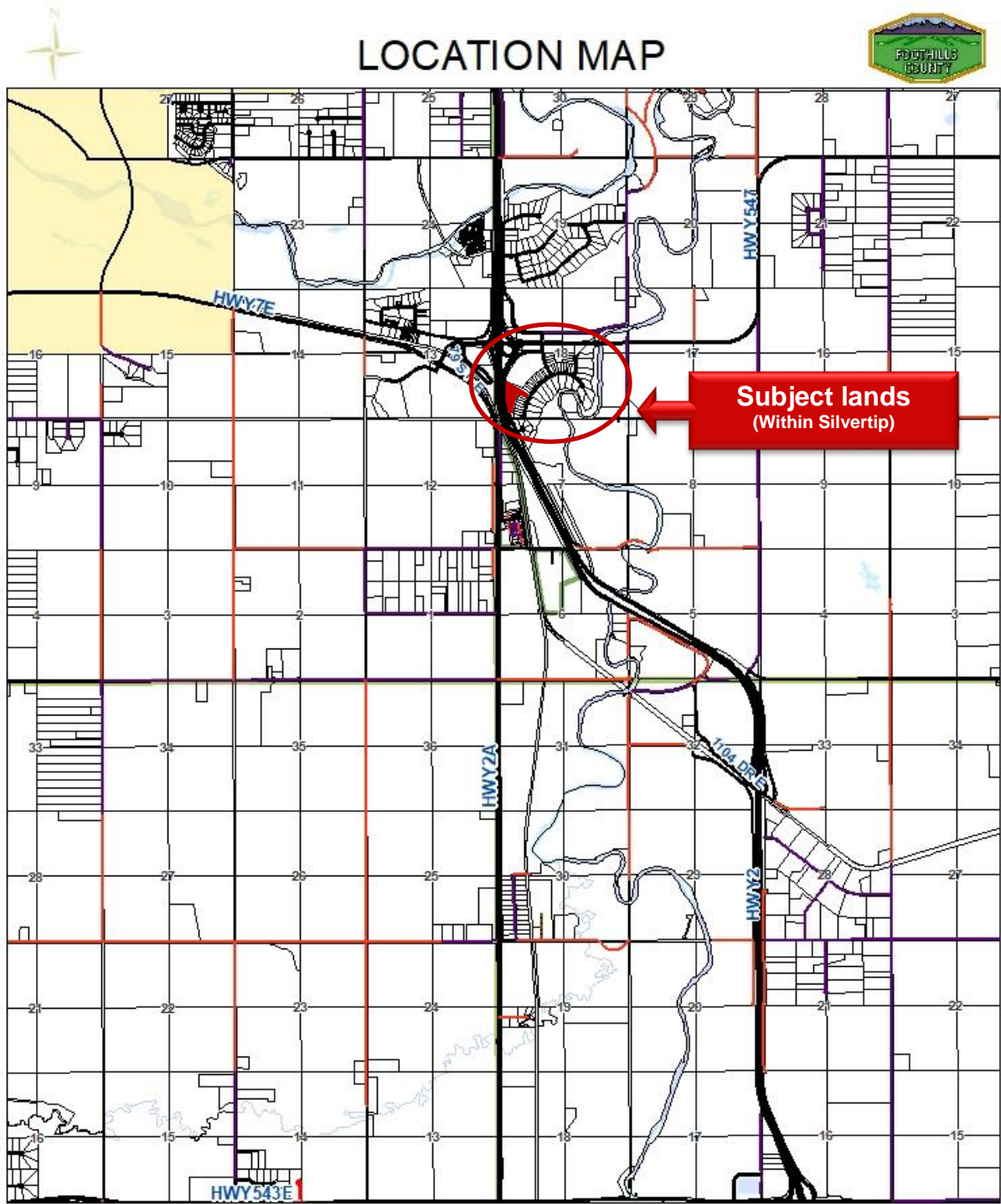
In consideration of the matter, Council did not find sufficient merit in the application to support the land use rezoning of a portion of the subject lands from the Municipal Reserve to County Residential “A” District land use at this time.

APPENDICES

APPENDIX A: MAP SET

- LOCATION MAP
- LAND USE MAP
- SITE PLAN

APPENDIX B: PROPOSED BYLAW

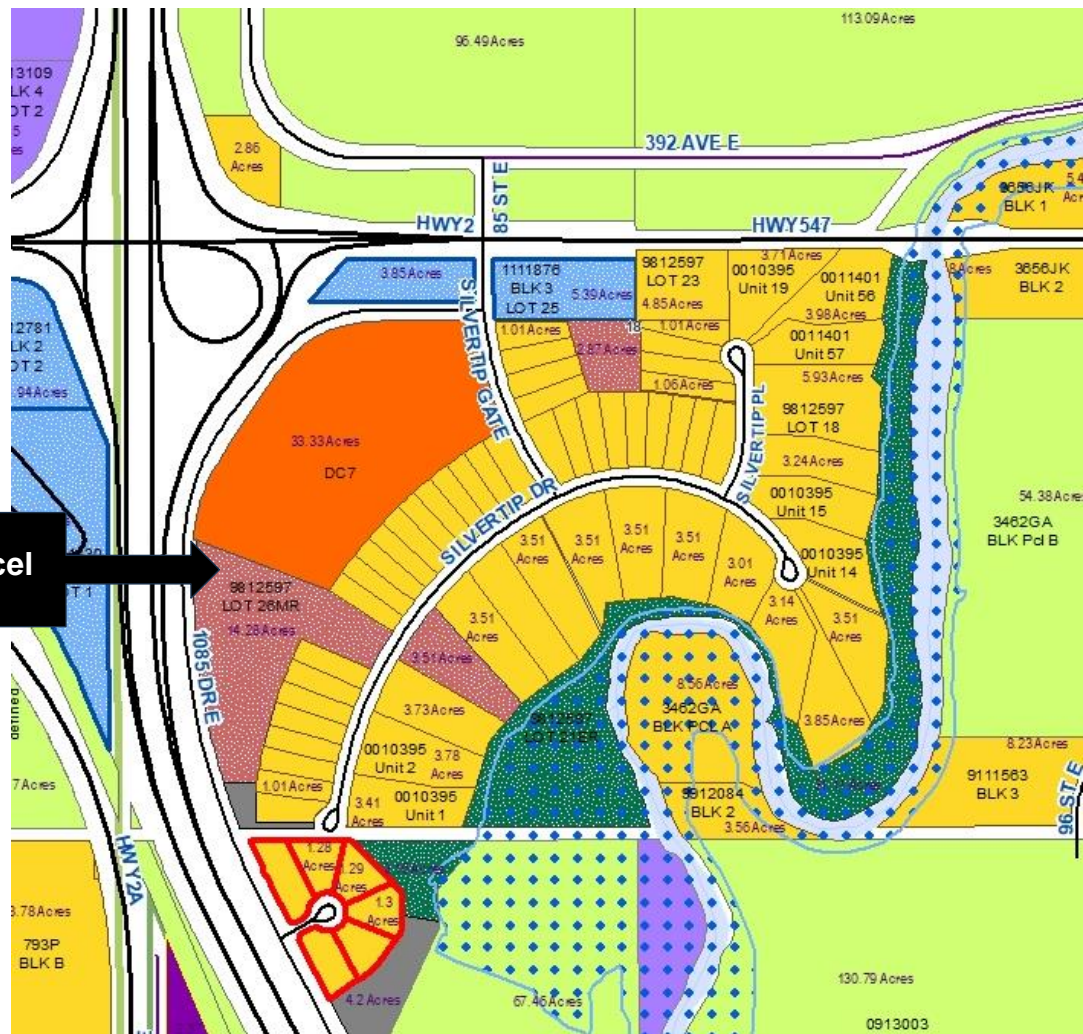


Legend
Townships
Hamlet
Town
Parcels

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

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LAND USE MAP



Subject parcel

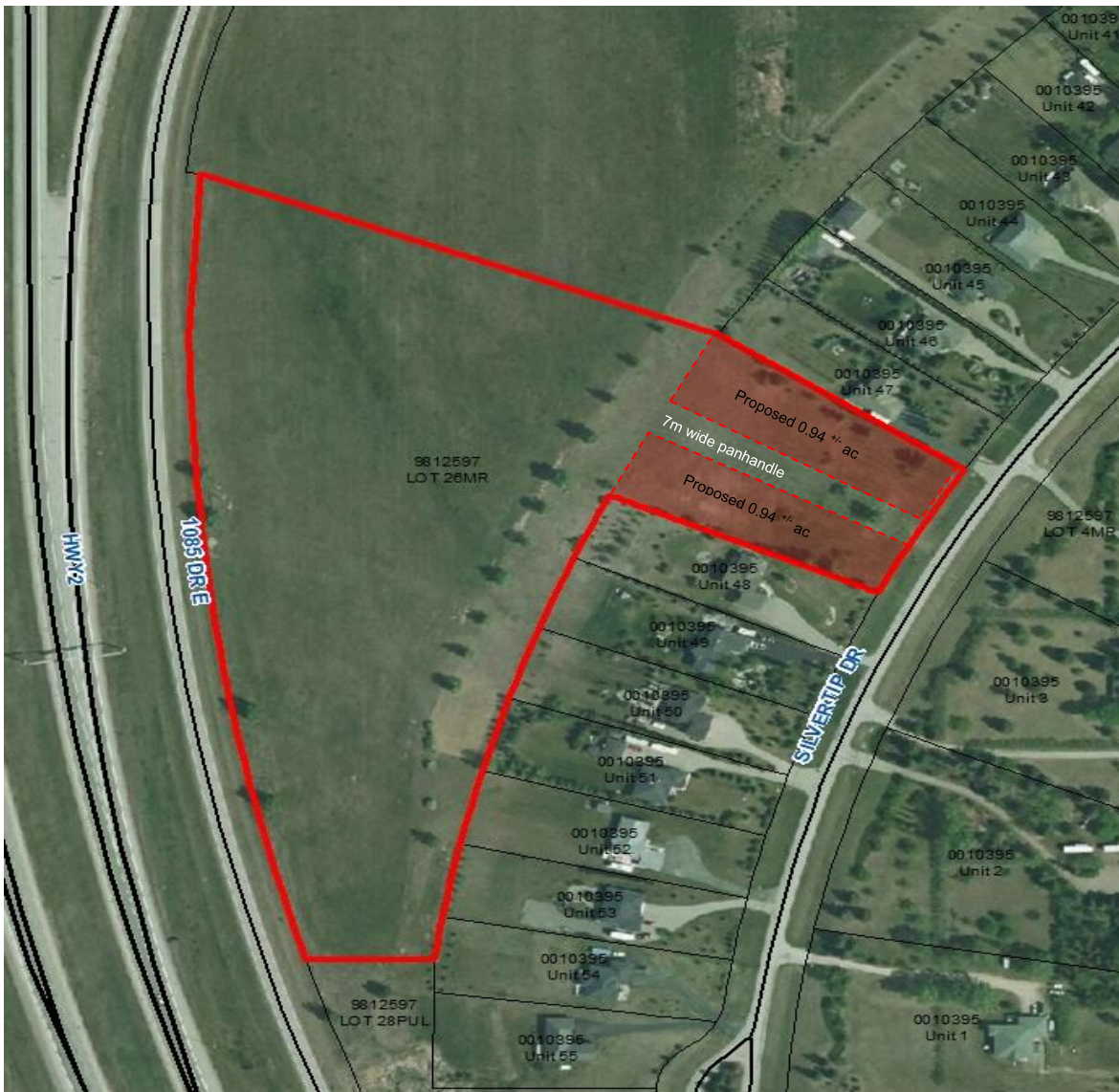
Legend

	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		RCA- Residential Community Sub-district "A"
	RB- Rural Business		FPJ-Federal/ Provincial District		SD- Service District
	CR- Country Residential		GI- General Industry		SR- School Reserve

SITE PLAN

Plan 9812597, Lot 26 MR, SW 18-20-28-W4 (14.28 acres)

- Disposal and redesignation of approximately 1.88^{+/-} acre portion of Lot 26MR to allow for future redesignation and subdivision of two 0.94^{+/-} acre Country Residential "A" District parcels.
- This leaves a Municipal Reserve parcel of approximately 12.41 acres with a 7m panhandle connecting the balance of the MR parcel to Silvertip Drive.



Dotted red line shows proposed new lots to be disposed and subdivided from the Municipal Reserve

Portion of lot 26 MR to be
disposed of and rezoned to
CR-A to allow for subdivision
into two 0.94+/- acre parcels

9812597
LOT 26MR

14.28

1085 DRE

0.91
9812597
LOT 28PUL

0010395
Unit 55

1.01

0010395
Unit 54

1.01

0010395
Unit 53

1.01

0010395
Unit 52

1.01

0010395
Unit 51

1.01

0010395
Unit 50

1.01

0010395
Unit 49

1.01

0010395
Unit 48

1.01

SW 18-20-28-W4

0010395
Unit 47

0.94

0010395
Unit 46

0.94

0010395
Unit 45

0.94

0010395
Unit 44

0.94

33.33

3.41
0

SILVERTIP DR

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 1.8 +/- acre portion of Plan 9812597, Lot 26MR; Ptn. SW 18-20-28 W4M from Municipal Reserve to Country Residential Subdistrict A to allow for a future subdivision of two new 0.94 +/- Country Residential parcels with an approximate 12.41 +/- acre Municipal Reserve balance parcel and authorize a Site Specific Amendment to allow for an exception to the minimum 2 acre parcel size under the Country Residential District and setback exceptions consistent with the other parcels within the Silvertip development Condominium Plan 0010395 having an area of less than 1.99 acres in size under 13.1.8 of the Land Use Bylaw, to align with the adjacent development in the Silvertip community.

The new parcels will be designated as Country Residential Sub-District "A" 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 1.8 +/- acre portion, on Ptn. SW 18-20-28 W4M as Country Residential Subdistrict A.*
2. Under SECTION 13.1 COUNTRY RESIDENTIAL DISTRICT, the following shall be added:

Site Specific Amendment for the two new lots to allow for an exception to the minimum 2 acre parcel size and setback exceptions consistent with the other parcels within the Silvertip development Condominium plan 0010395 having an area of less than 1.99 acres in size under 13.1.8 of the Land Use Bylaw, to align with the adjacent development in the Silvertip community.
3. 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 .**