


PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
March 12, 2025
To be heard at: 10:00 AM

APPLICATION INFORMATION		FILE NO. 24R050
	LEGAL DESCRIPTION: Ptn. NW 20-18-29 W4M; Plan 0214322, Block 1, Lot 4	
	LANDOWNERS: Kirk Gibbard & Lori King	
	AREA OF SUBJECT LANDS: 64.75 Acres	
	CURRENT LAND USE: Agricultural District (A)	
	PROPOSED LAND USE: Country Residential District (CR)	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 4.75 +/- acre parcel		
PROPOSAL: Redesignation of a portion of NW 20-18-29 W4M; Plan 0214322, Block 1, Lot 4 to Country Residential District to allow for the future subdivision of one +/- 4.75 acre CR parcel, leaving a +/- 60 acre Agricultural balance.		
DIVISION NO: 1	COUNCILLOR: Rob Siewert	
FILE MANAGER: Melanie Michaud		

EXECUTIVE SUMMARY:

Location:

The subject parcel is located on 2562 Dr E, approximately 130 m east of 24th Street East, approximately 800 m west of 40th Street East, approximately 5.7 km west of 88th Street East, and approximately 8 km southwest of the Town of High River.

Policy Evaluation:

The application was reviewed within the terms of the:

- Municipal Development Plan 2010 (MDP2010);
- Land Use Bylaw 60/2014; and
- Growth Management Strategy;

Referral Considerations:

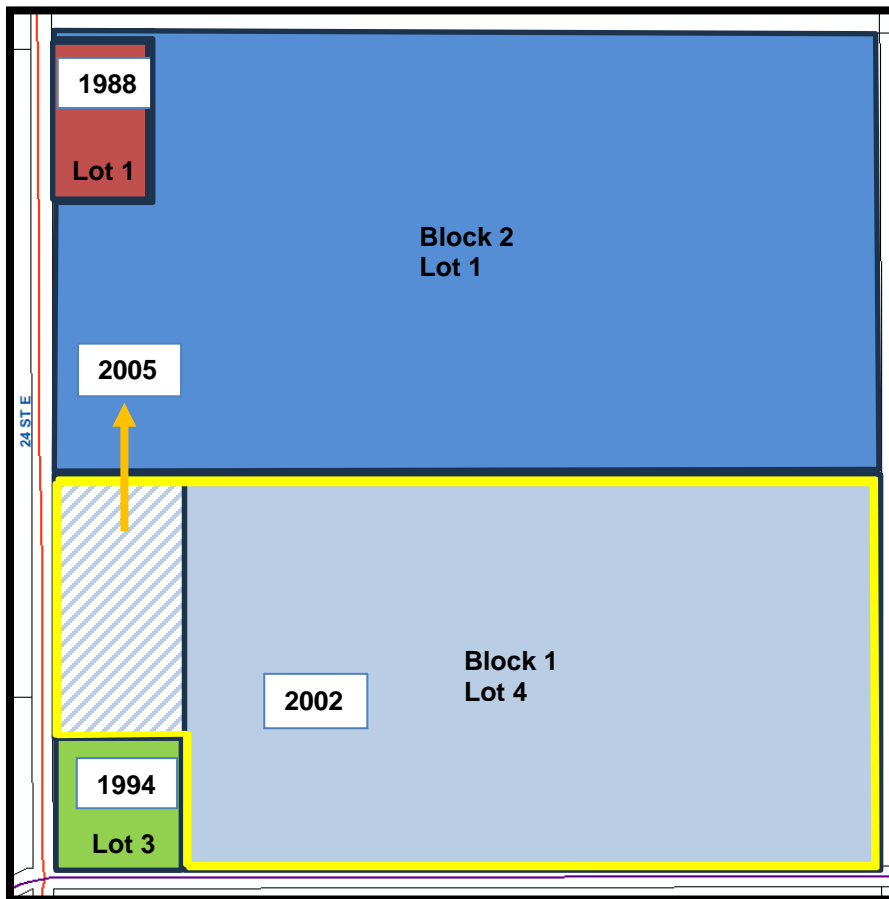
- The application was referred to the required Provincial and Municipal bodies, as well as Utilities.

PURPOSE OF APPLICATION:

Bylaw XX/2025 – An application has been made for the redesignation of a portion of NW 20-18-29 W4M; Plan 0214322, Block 1, Lot 4, from Agricultural District to Country Residential District in order to allow for the future subdivision of one +/- 4.75 acre Country Residential District lot leaving a +/- 60 acre Agricultural District balance.

HISTORY:

- 1988** In 1988, Lot 1, a 3.78 acre parcel, was created as a boundary adjustment when the original road allowance to the north was closed. It was intended that the road allowance be consolidated with NW 20-18-29 W4M and in exchange, this approximately 4 acre parcel would be created.
- 1994** In 1994, Lot 3, a 4 acre parcel, was created in the southwest corner of the quarter.
- 2002** In 2002, Block 1, Lot 4, a 72.77 acre lot, was created, as outlined in yellow.
- 2005** In 2005, a 7.98 acre portion of Block 1, Lot 4, indicated by the cross-hatched area, was boundary adjusted and consolidated into Block 2, Lot 1.
- Additionally in 2005, Council authorized a Site Specific Amendment for Block 1, Lot 4, to allow for a limited public riding arena and horse boarding.



SITE CONSIDERATIONS:

Access:

The subject parcel is currently accessed from an existing approach on 2562 Drive East. There is a second approach on 2562 Drive East, along the east boundary line. The application proposes to continue to utilize these two existing approaches for the +/- 60 acre balance parcel. A new approach is proposed to be constructed along the south property line on 2562 Drive East to provide access to the proposed +/- 4.75 acre parcel.

Physiography:

The topography of the subject lands is primarily flat. The lands at the southeastern portion of the property have been developed for residential and agricultural use. There are no significant environmental features on the property.

Existing Development / Site Improvements:

At this time, the existing development on the subject parcel includes a single family dwelling, an arena, a tractor storage garage, a shop, two storage sheds, a barn, eight horse shelters, a cow shelter, a windmill and a hayshed. All of the development is in compliance with the current Bylaw requirements and is proposed to remain on the balance parcel with the exception of the cow shelter, one horse shelter and the windmill, which would be on the proposed. If approved, the windmill and horse shelter would not meet setbacks to the proposed property lines and would require relaxation of setbacks through a development permit.

Water and Wastewater Considerations:

The subject property is currently serviced with an existing water well that is located to the northeast of the residence. There is a septic field located northwest of the residence.

Area Characteristics:

The lands surrounding the subject parcel are a mix of Agricultural District as well as Country Residential District parcels ranging in size from 0.67 acres to 10.16 acres. There are two parcels to the northwest designated for Natural Resource Extraction. Currently, natural resource operations are occurring on both properties. There is a confined feeding operation located approximately 3.7 km northwest of the subject property.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>Public Works has no concerns with proposed approach location. The new approach will be required to be built to meet the current standards.</p> <p>An additional 5 m road widening along 2562 Drive East by caveat will be required.</p> <p>A Septic Disposal Evaluation is recommended for the proposed +/- 4.75 acre parcel, as a condition of redesignation.</p> <p><u>Additional Comments:</u></p> <ul style="list-style-type: none">- No topographical features that would reduce the building envelopes more than what is required by the Land Use Bylaw.- No concerns with grades and drainage given the large amount of surrounding absorbent landscape.

CIRCULATION REFERRALS	
GIS/Mapping	GIS/Mapping have no concerns about the application.
EXTERNAL	
ATCO Gas	ATCO Gas and Pipelines have no objection to the proposal.
PUBLIC	
Western Wheel	February 26, 2025 and March 5, 2025
Landowners (Half Mile)	Letters were mailed to landowners within a half-mile of the subject property on February 19, 2025. No submissions have been received to date.

POLICY EVALUATION:

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 or residential uses and the efficient use of land.

The application does not generally meet the intent of Policy 2 of the Agriculture section of the MDP2010, which supports maintaining the integrity of the agricultural land base and discourages fragmentation of agricultural lands within the County.

Land Use Bylaw 60/2014:

The application meets the density requirements and lot size restrictions as set out in Sections 12.1.6.2 of the Agricultural District and 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

Growth Management Strategy:

The subject parcel is located within the South Central District. The vision for this District is supportive of moderate growth and development, particularly in areas where there is infrastructure nearby and where agricultural operations are less likely to be affected.

SUMMARY:

Bylaw XX/2025 – Application for redesignation of a +/- 4.75 acre portion of the 64.75 acre Agricultural District subject parcel to Country Residential District to allow for the future subdivision of one new +/- 4.75 acre CR Lot with a +/- 60 acre Agricultural District balance.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for the redesignation of a portion of NW 20-18-29 W4M; Plan 0214322, Block 1, Lot 4 from Agricultural District to Country Residential District to allow for the future subdivision of one +/- 4.75 acre Country Residential District parcel, leaving a +/- 60 acre Agricultural District balance for the following reasons:

In their consideration of the criteria noted within the Agricultural section of the MDP2010, 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 overall nature of the area. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

Staff suggests that the proposed +/- 4.75 acre parcel be designated as Country Residential Sub-District 'A' to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), (condition of redesignation) 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, may be required. Council may also wish to require a \$5000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Recommended Conditions for Option #1:

1. The 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. Submission of a Development Permit application for a relaxation of setbacks for the windmill and horse shelter to the proposed property line **as a condition of subdivision.**
3. Submission of a Septic Disposal Evaluation for the proposed +/- 4.75 acre parcel, to the satisfaction of the Public Works department **as a condition of redesignation.**
4. Proof of adequate water supply to be provided for the proposed +/- 4.75 acre parcel in accordance with the Municipal Water Policy to the satisfaction of the County;
5. Final redesignation application fees to be submitted;
6. Submission of an executed subdivision application and the necessary fees.

OPTION #2 REFUSAL

Council may choose to refuse the application for the redesignation of a portion of NW 20-18-29 W4M; Plan 0214322, Block 1, Lot 4 from Agricultural District to Country Residential District to allow for the future subdivision of one +/- 4.75 acre Country Residential District parcel, leaving a +/- 60 acre Agricultural District balance for the following reasons:

In consideration of the criteria noted within the Agricultural section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

APPENDICES:

APPENDIX A: MAP SET

LOCATION MAP

LAND USE MAP

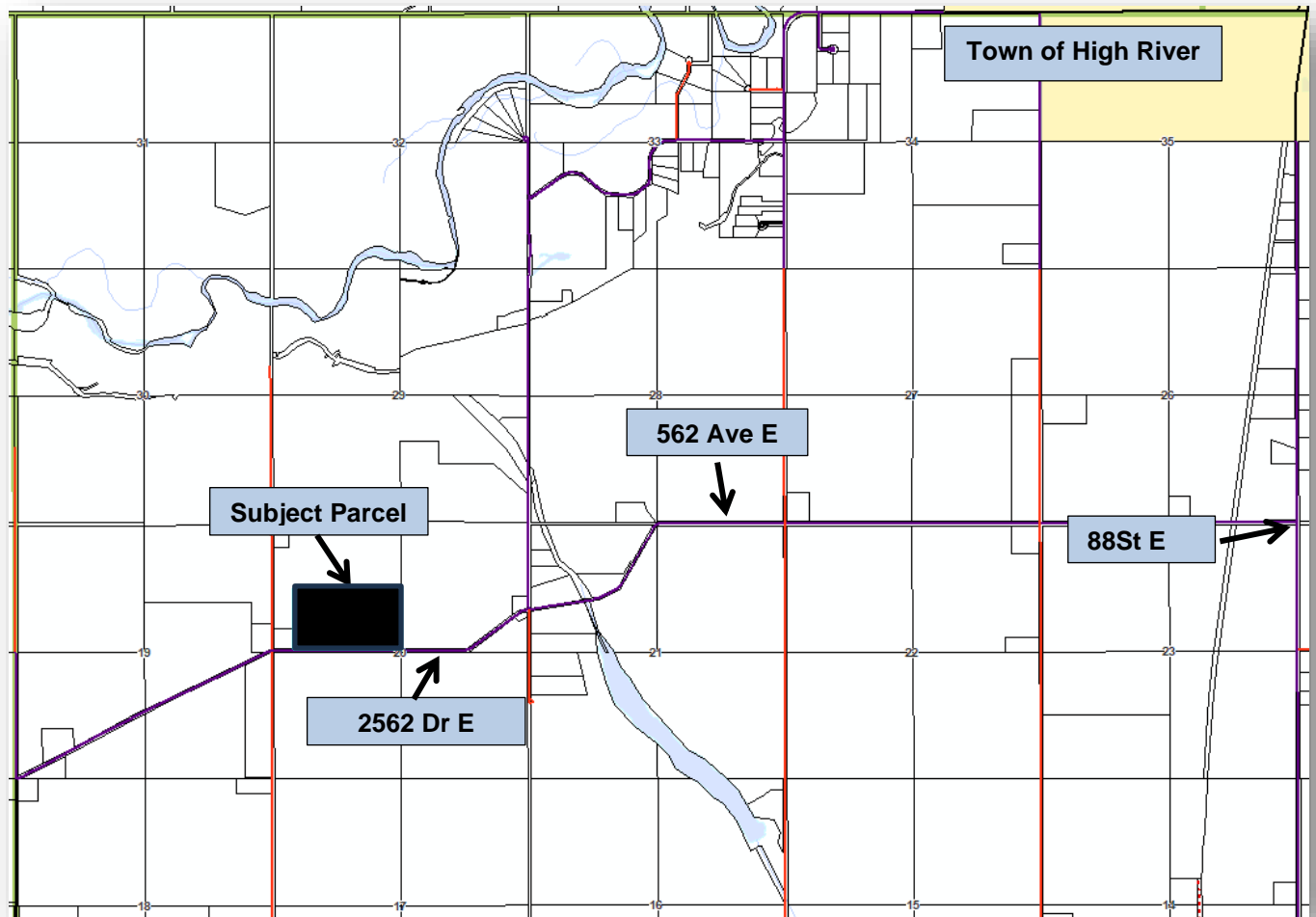
HALF MILE – PARCEL SIZES

SITE PLAN

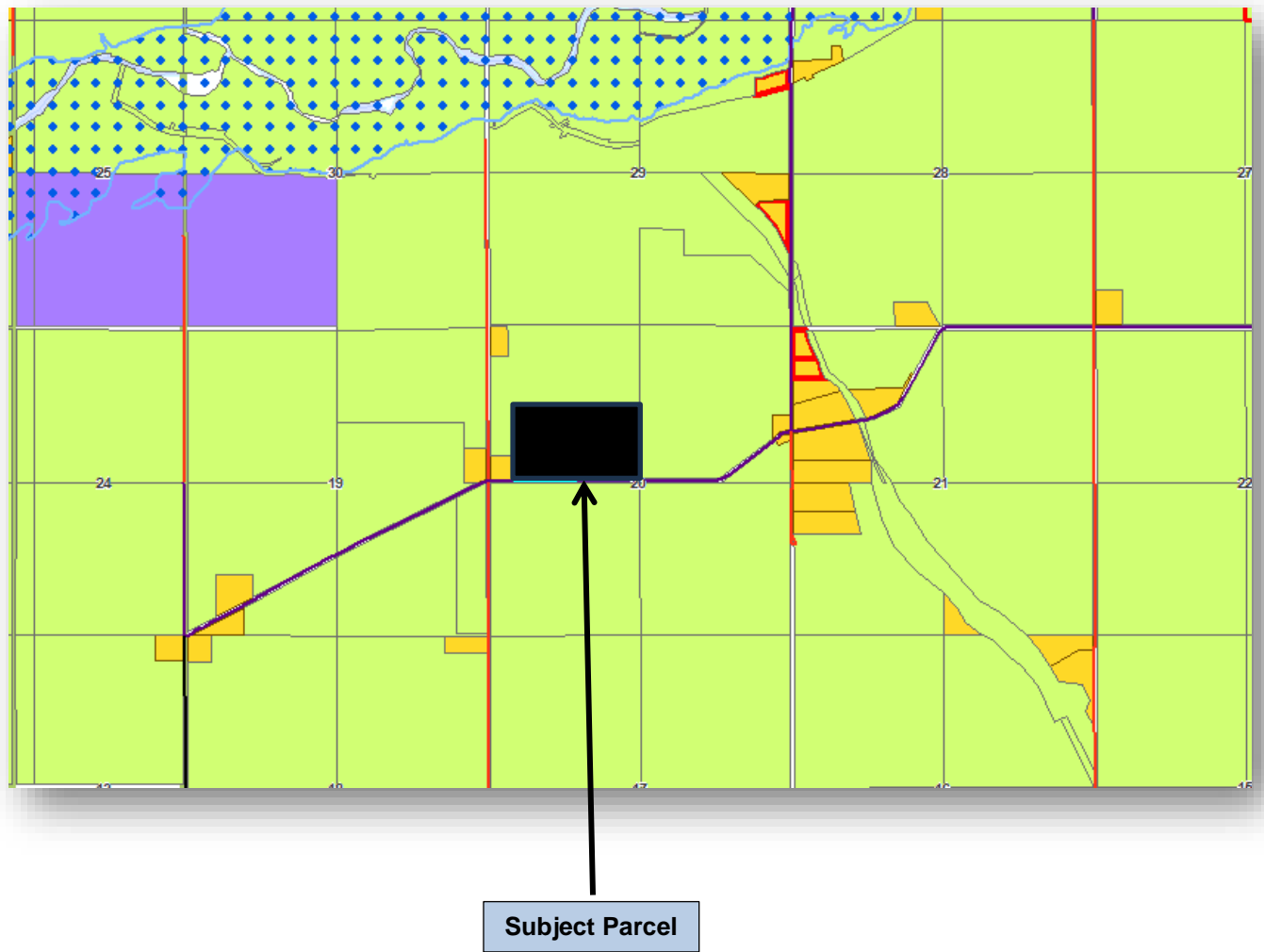
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW

APPENDIX A: LOCATION MAP



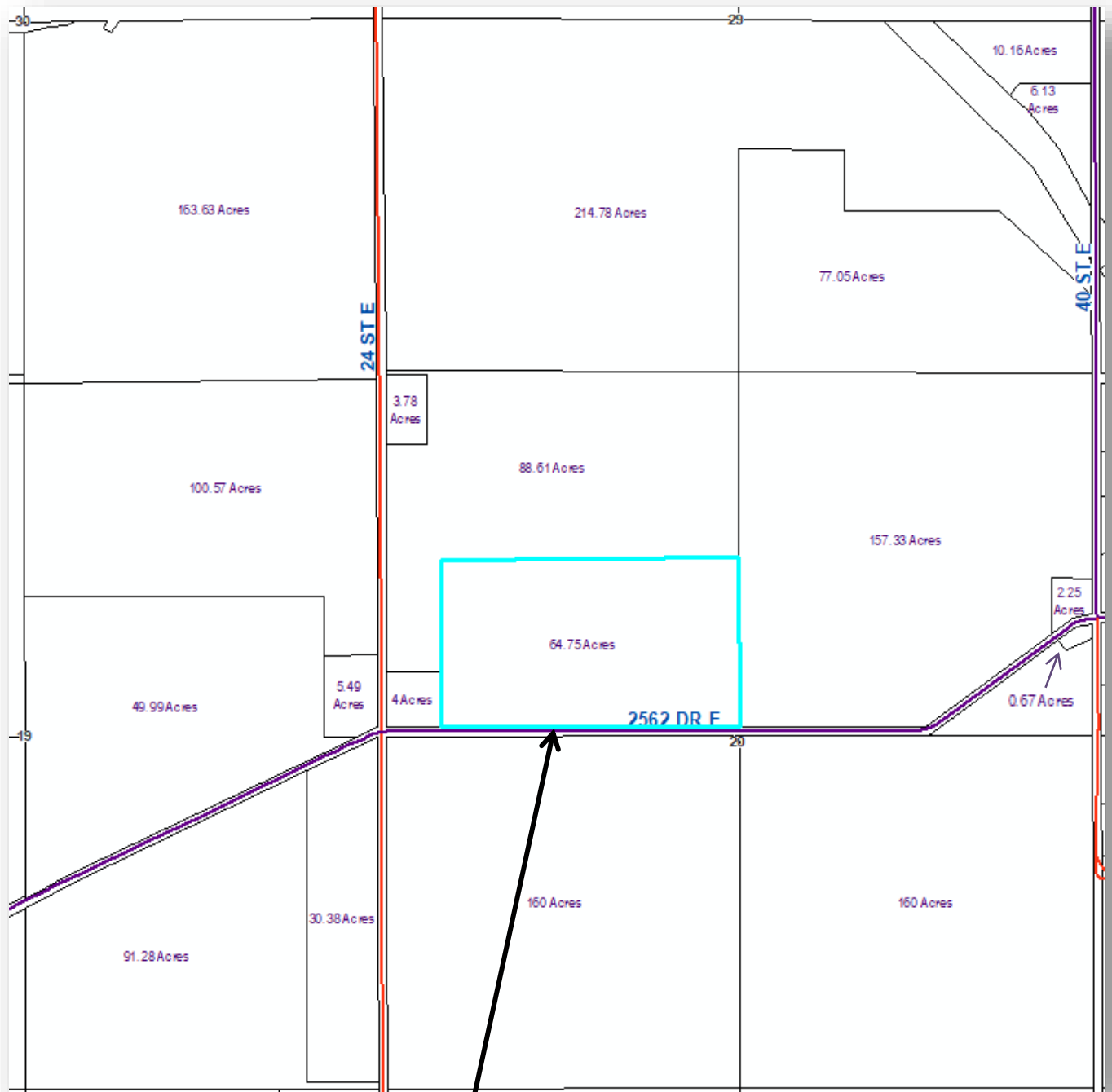
APPENDIX A: LAND USE MAP



Legend

Multiple Land Uses	HR- Hamlet Residential	ER- Environmental Reserve
A- Agricultural	CMC- Community Commercial	MR- Municipal Reserve
AA- Agricultural Sub A	INR- Natural Resource Extraction	
AB- Agriculture Business	DC- Direct Control	
CR- Country Residential	EP- Environmental Protection	
CRA- Country Residential Sub A	PUL- Public Utility	

APPENDIX A: HALF MILE – PARCEL SIZES



Subject Parcel



- | | | |
|--------------------|-------------|------------------|
| 1- HOUSE | 4- STORAGE | 8- BARN |
| 2- TRACTOR STORAGE | 5- STORAGE | 9- HORSE shelter |
| 3- Shop | 6- Hay shed | 10- Cow shelter |
| 11- septic | 12- well | |



APPENDIX A: ORTHO PHOTO



BYLAW XX/2025

**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 4.75 +/- acre portion on Ptn. NW 20-18-29 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 4.75 +/- acre Country Residential parcel with an approximate 60.00 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. **Land Use Map No. 1829 is amended by redesignating one 4.75 +/- acre parcel on Ptn. NW 20-18-29 W4M as Country Residential 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 .