


PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
May 14, 2025
To be heard at: 1:30 PM

APPLICATION INFORMATION		File No. 25R021
	LEGAL DESCRIPTION: Ptn. NW 13-21-4 W5M	
	LANDOWNER: Charles Anderson	
	AGENT: Don Holstead – Absolute Surveys Inc.	
	AREA OF SUBJECT LANDS: 39.74 acres	
	CURRENT LAND USE: Agricultural District (A)	
	PROPOSED LAND USE: Country Residential District (CR)	
NUMBER & SIZE OF PROPOSED NEW PARCELS: One 7.6 +/- & one 13.1 +/- acre CR parcels		
<p>PROPOSAL: Application for the redesignation of a 20.7 +/- acre portion of NW 13-21-4 W5M from Agricultural District to Country Residential District to allow the future subdivision of one 7.6 +/- acre and one 13.1 +/- acre Country Residential District Parcels, leaving a 19.04 +/- acre balance.</p> <p>The proposal also includes a proposed boundary adjustment.</p> <p><i>Please Note: At the subdivision stage, the boundary adjustment would consist of taking the 19.04 +/- acre balance and consolidating it into the adjacent parcel to the east being NE 13-21-04 W5M (which is also owned by the landowner).</i></p>		
DIVISION NO: 3		COUNCILLOR: Barb Castell
FILE MANAGER: Brittany Smith		

EXECUTIVE SUMMARY:

Purpose of Application:

Bylaw XX/2025 – Application for the redesignation of a 20.7 +/- acre portion on Ptn. NW 13-21-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment whereby the 19.04 +/- acres from Ptn. NW 13-21-04 W5M is consolidated into the adjacent 160.0 +/- acre Agricultural District parcel on Ptn. NE 13-21-04 W5M.

Location:

The subject parcel is located directly east of Parkins Road W & approximately 1.6km east of Hwy 762 and 6.8km northwest of the Hamlet of Millarville.

Policy Evaluation:

Reviewed within the terms of the:

- Municipal Development Plan 2010 (MDP2010);

- Land Use Bylaw 60/2014;
- Growth Management Strategy;

Referral Considerations:

- Referred to required Provincial and Municipal bodies, as well as Utilities.

SITE CONSIDERATIONS:

Access:

There are currently two existing approaches to the subject property. The first approach is located just south of the intersection of Parkins Road and 304 Street W (indicated by the orange arrow on figure below), which it is proposed to remain providing access to the 7.6-acre CR lot.

A second existing approach is located further south on Parkins Road (as indicated by the blue arrow) and identified to provide access for the balance. This access continues into the adjacent parcel to the east (also owned by the landowner) to the existing dwelling on NE 13-21-4 W5M.

Note: Another access to NE 13-21-4 W5M currently exists via easement through NW 13-21-4 W5M Plan 0010526, Lot 3 & Plan 9610401, Lot 1, (as indicated by the red arrow) however is not being utilized or considered for use by NE 13-21-4 W5 in future. The County is not a party to this easement agreement.

A third approach (as indicated by the green arrow) is proposed to be constructed just north of the second approach to provide access to the 13.1-acre lot via a 15m panhandle. Public Works has provided comment that this new approach will need to be a common approach with the existing approach to the balance parcel unless the required 15m setback between approaches can be met.



Physiography:

The subject parcel consists of varied terrain with a mix of tree and bare land areas. The parcel is largely sloped with higher elevations within the Northeast corner of the parcel down to the southwest corner. A large manmade dugout exists on the far west of the subject parcel within the proposed 7.6-acre lot. The dugout would be located directly north of the newly proposed property line and the driveway for the 13.1 +/- acre CR parcel.

Existing Development:

The site plan shows the proposed 7.6-acre parcel contains existing development including a dwelling and two detached garages. There is also a greenhouse which is noted to be removed. Upon inspection, another structure located just north of the dwelling was observed that was not listed on the site plan.

The proposed 13.1-acre parcel and the 19.04-acre balance contains no existing development. The adjacent 160 acre Agricultural parcel to the east, being NE 13-21-4 W5M in which a boundary adjustment proposes to consolidate the 19.04 acre balance into, contains a dwelling, a carriage house, two accessory buildings and a green house.

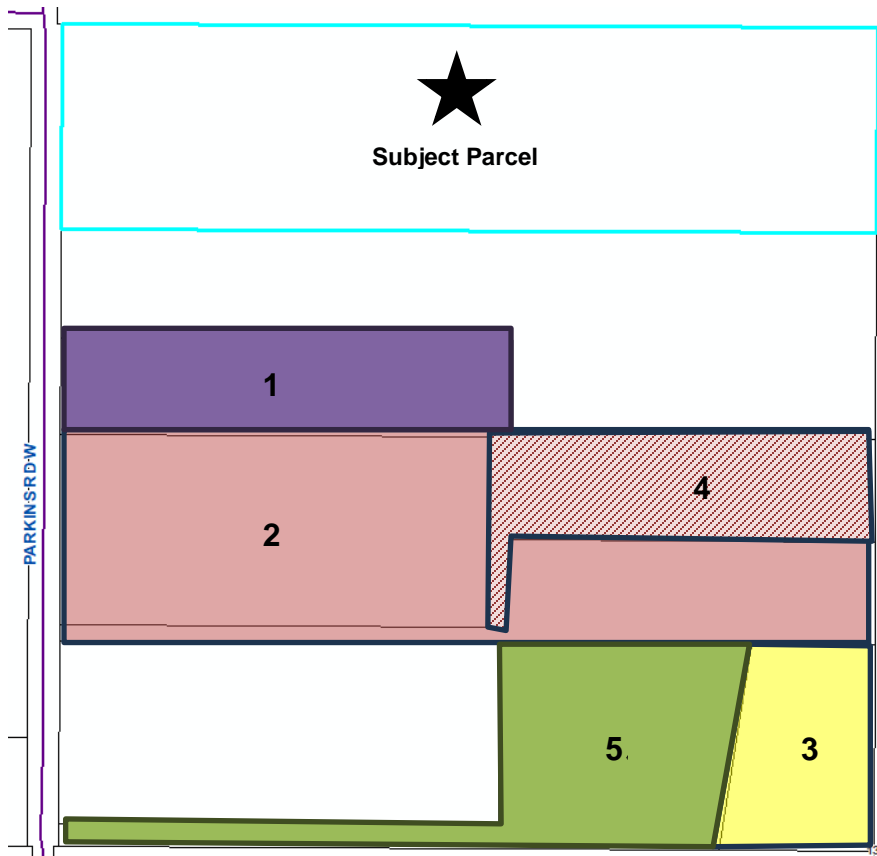
Area Characteristic:

The lands surrounding the subject parcel are comprised of Agricultural District and Country Residential parcels ranging in size from 1.93 – 19.99 acres.

QUARTER SECTION HISTORY:

All subdivisions within the quarter occurred between 1990 and 2000

1. **1990** – 1 x 10.5 acre parcel approved
2. **1993** – 1 x 20.5 acre parcel approved
3. **1995** – 1 x 6.81 acre parcel approved
4. **1998** – 1 x 9.8 acre parcel approved
5. **2000** – 1 x 13.0 acre parcel approved



REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<p>Public Works provided the following comments:</p> <ul style="list-style-type: none"> • The approach to the 7.6-acre lot exists with no safety concerns. It is not 60m away from the intersection, however, it is located directly across from Parkins Rd with no sight distance issues. No Concerns. • A common approach to the 13.1 acre and 179-acre (boundary adjustment) balance will need to be constructed unless the required 15m setback between approaches can be met. • The panhandle to the 13.1-acre lot does not contain any grades exceeding 12%. <p>The following is recommended for the proposed 13.1 +/- acre parcel, as condition of Subdivision:</p> <ul style="list-style-type: none"> • Geotechnical Report for Slope Stability • Septic Disposal Evaluation (PSTS); • Building Envelope <p>The following is recommended for the proposed 13.1 +/- acre parcel at time of development:</p> <ul style="list-style-type: none"> • Lot grading/overland drainage plan.
Rural Addressing	<p>As the approach for NE 13-21-4 W5 is changing, this will necessitate a change in address. Approval condition to contact the GIS department to obtain an updated address will be required at time of Subdivision</p>
EXTERNAL	
Alberta Transportation & Economic Corridors	Requirements of Section 18 & 19 have been met; therefore no variance is required.
Atco Pipelines & Atco Gas	No objections
Pembina	No concerns
PUBLIC	
Western Wheel	April 30 th & May 7 th , 2025
Landowners (half mile)	No submissions received to date

POLICY EVALUATION:**Municipal Development Plan 2010 (MDP2010):**

The application does not generally meet the intent of Policy 2 of the Agricultural section of the MDP2010, which supports maintaining the integrity of the agricultural land base and discouraging the 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 Northwest District of the Growth Management Strategy. The vision for the Northwest District identifies that lands could likely accommodate minimal to moderate growth in the form of both country residential and cluster residential development.

SUMMARY:

Bylaw XX/2025 – Application for the redesignation of a 20.7 +/- acre portion on Ptn. NW 13-21-04 W5M from Agricultural District to Country Residential District, to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment whereby the 19.04 +/- acres from Ptn. NW 13-21-04 W5M is consolidated into the adjacent 160.0 +/- acre Agricultural District parcel on Ptn. NE 13-21-04 W5M.

OPTIONS FOR COUNCIL CONSIDERATION:**OPTION #1 – FIRST READING APPROVAL**

Council may choose to grant 1st reading to the application for the redesignation of a portion of NW 13-21-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment for the following reasons:

In their consideration of the criteria noted in Agriculture Policy 2 of the MDP2010, Council is of the opinion that allowing further fragmentation of the subject lands would not be detrimental to the agricultural 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 13.1 +/- acre parcel be designated as Country Residential Sub-district 'A' to ensure that the recommendations and restrictions as outlined in the Geotechnical Study for Slope Stability, Septic Disposal Evaluation (PSTS), Building Envelope (conditions of subdivision) and Lot Grading/Drainage Plan (condition of development) 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 \$5,000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

Recommended Conditions for Option #1:

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 13.1 +/- acre parcel in accordance with the Provincial Water Act, to the satisfaction of the County;
3. Final redesignation application fees to be submitted.
4. 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 13-21-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment 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 MAP – PARCEL SIZES

SITE PLAN

ORTHO PHOTO

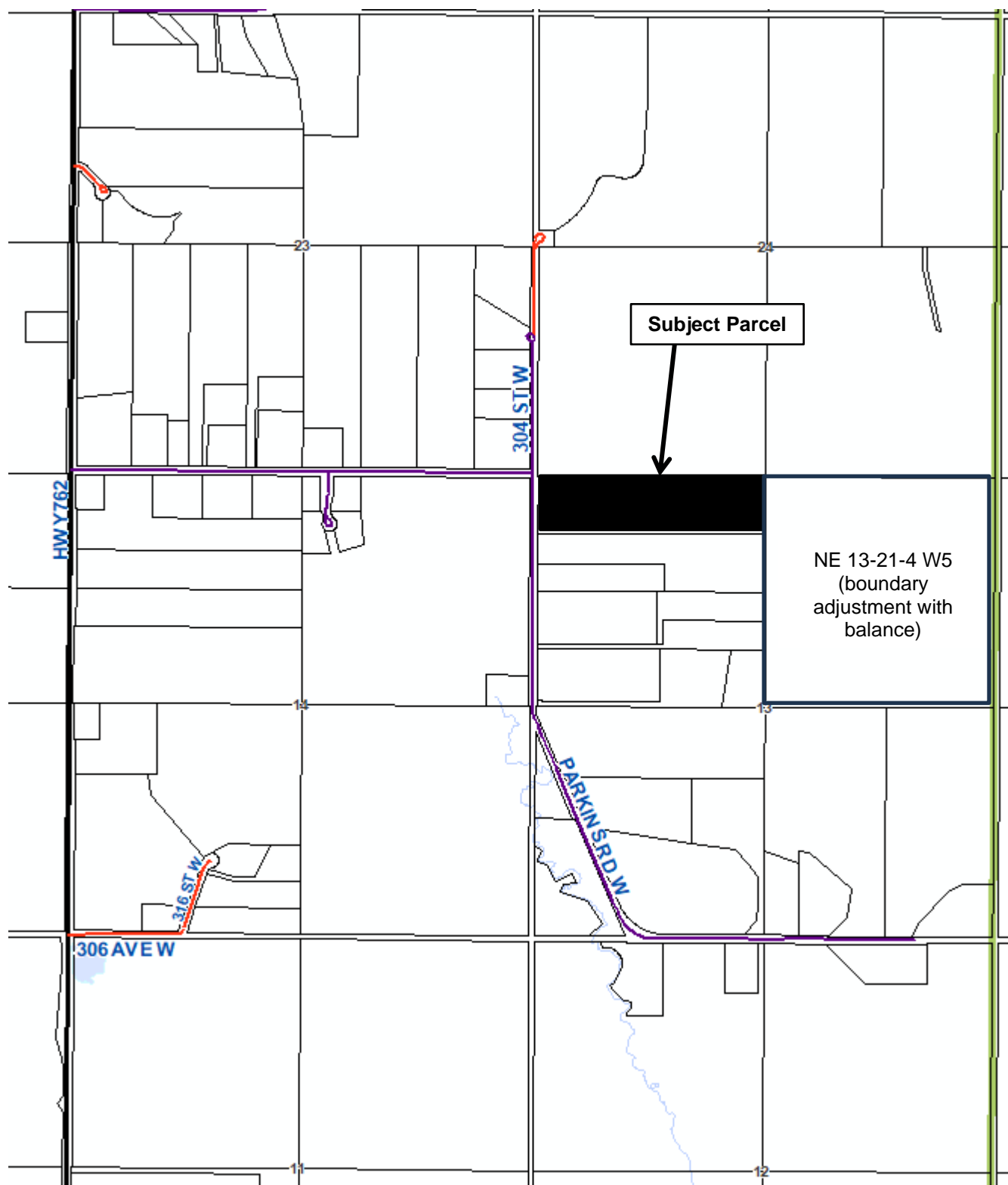
APPENDIX B: BOUNDARY ADJUSTMENT VISUAL REPRESENTATION

CURRENT LAND USES AND PROPERTY LINES

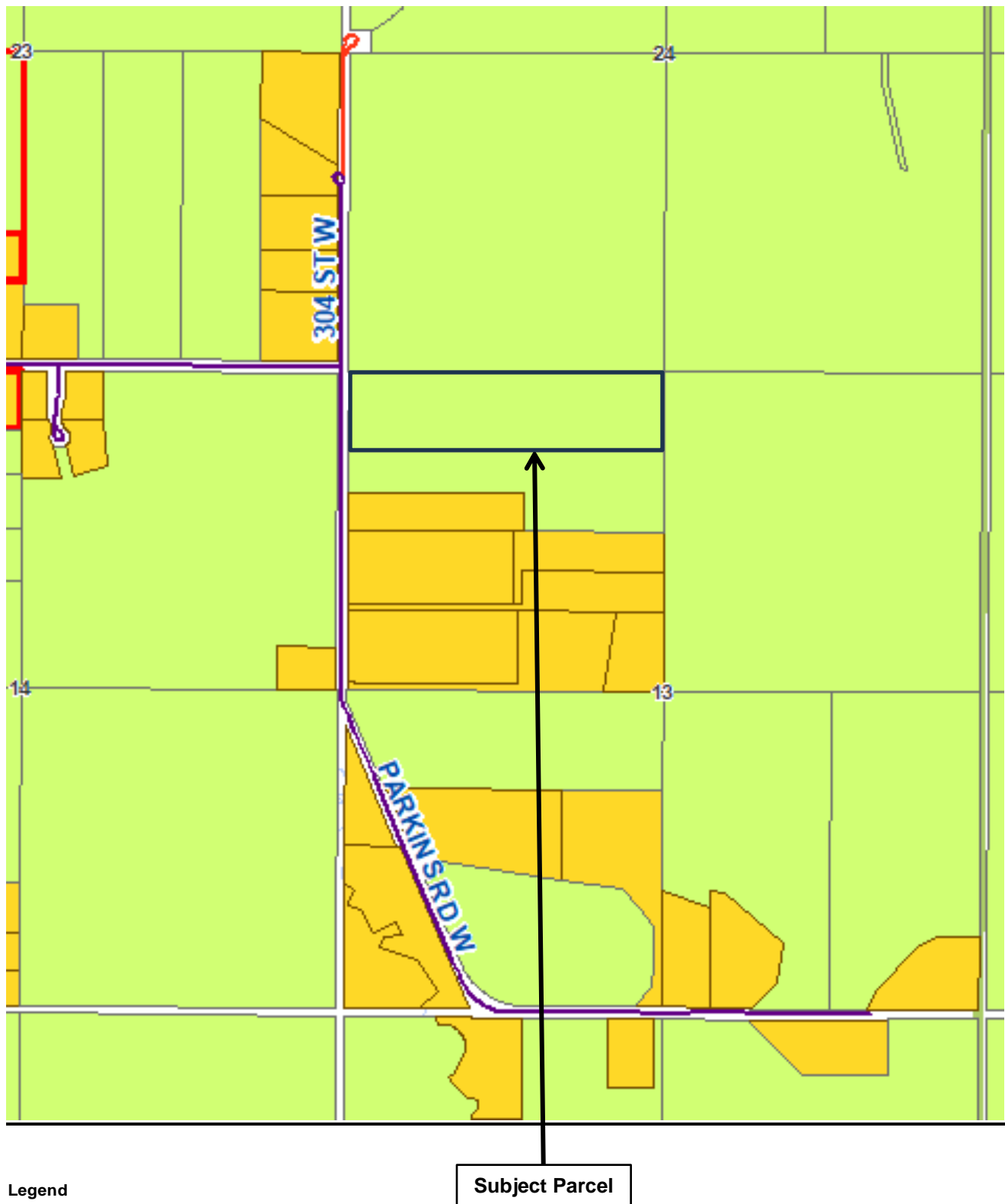
PROPOSED LAND USES (REDESIGNATION) AND PROPERTY LINES (FUTURE BOUNDARY ADJUSTMENT AND SUBDIVISION)

APPENDIX C: PROPOSED BYLAW

APPENDIX A: LOCATION MAP



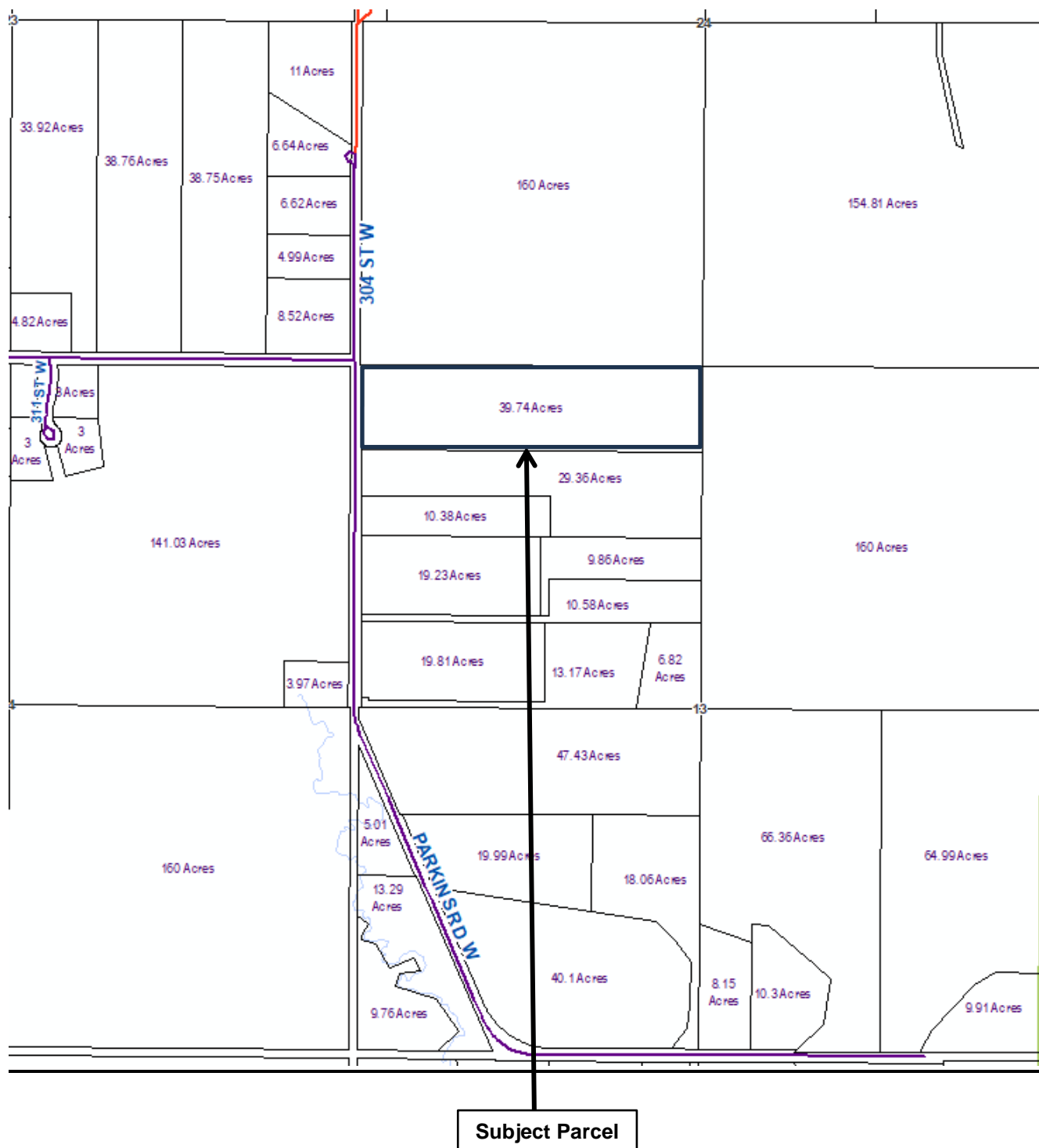
APPENDIX A: LAND USE MAP



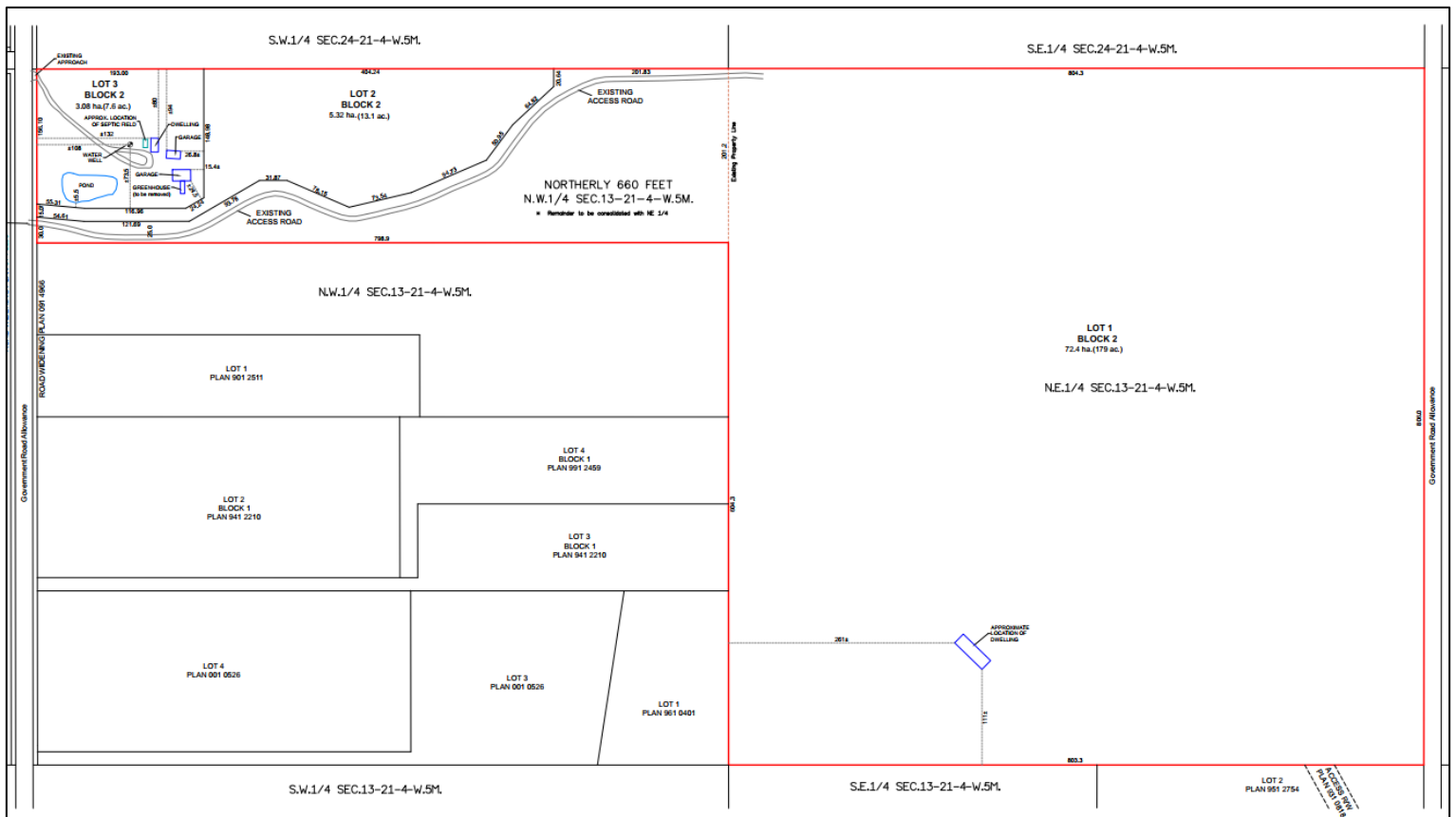
Legend

- A- Agricultural
- CR- Country Residential

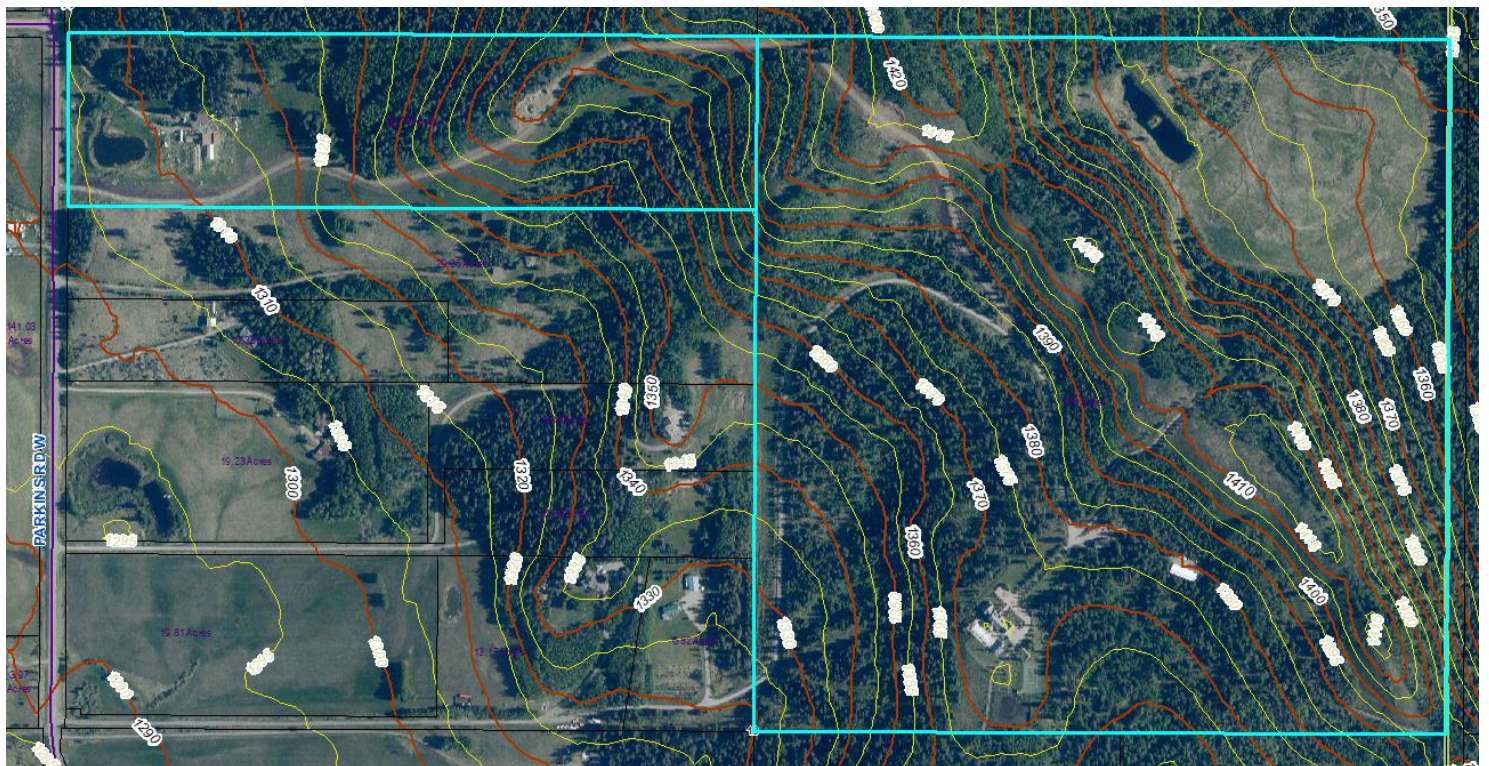
APPENDIX A: HALF MILE MAP – PARCEL SIZES



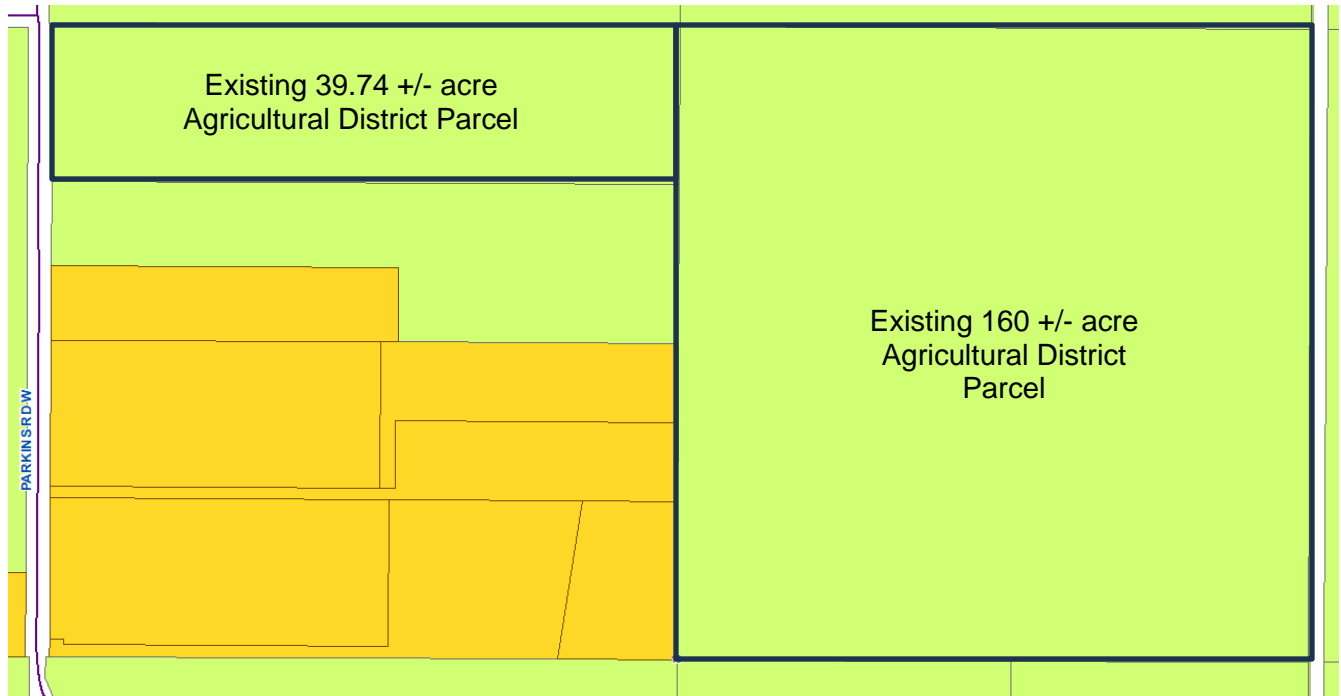
APPENDIX A: SITE PLAN



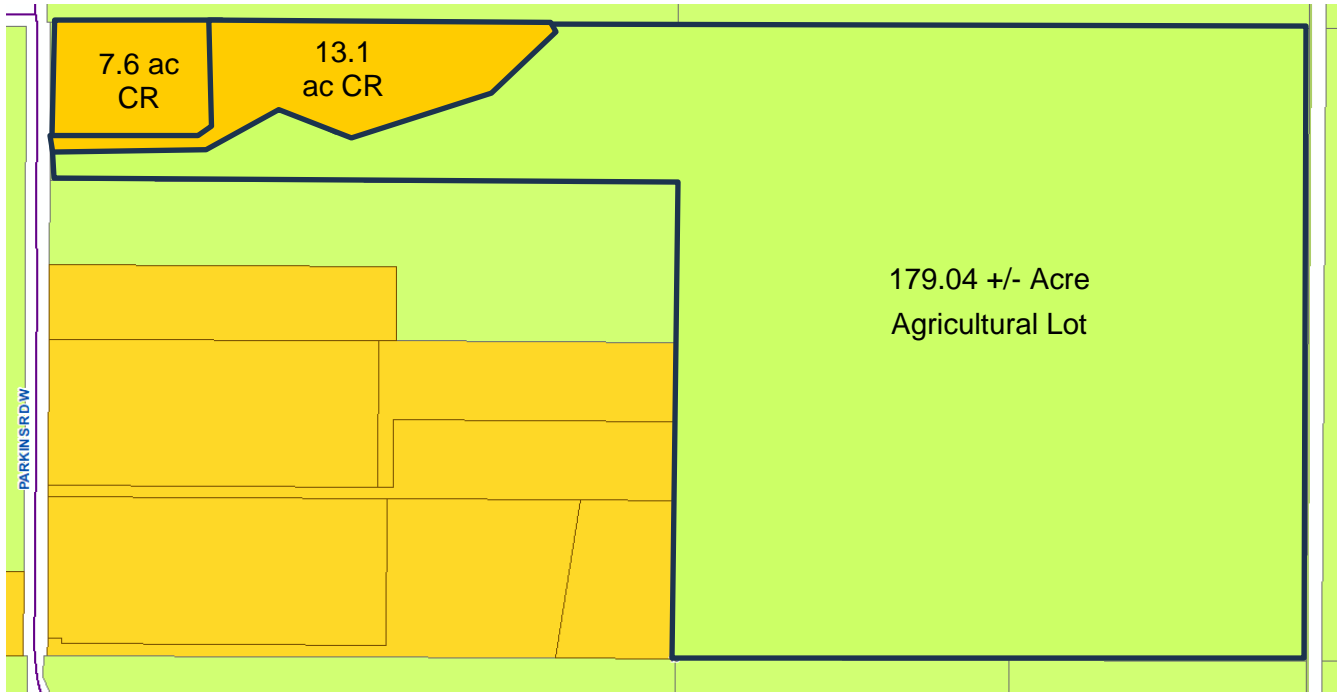
APPENDIX A: ORTHO PHOTO



APPENDIX B: CURRENT LAND USES & PROPERTY LINES



APPENDIX B: PROPOSED LAND USES (REDESIGNATION) AND PROPERTY LINES (FUTURE BOUNDARY ADJUSTMENT AND SUBDIVISION)



APPENDIX C: PROPOSED BYLAW

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 20.7 +/- acre portion on Ptn. NW 13-21-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment whereby the 19.04 +/- acres from Ptn. NW 13-21-04 W5M is consolidated into the adjacent 160.0 +/- acre Agricultural District parcel on Ptn. NE 13-21-04 W5M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2104 is amended by redesignating a 20.7 +/- acre portion on Ptn. NW 13-21-04 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 7.6 +/- acre Country Residential lot, and one new 13.1 +/- acre Country Residential lot with an approximate 19.04 +/- acre Agricultural District balance parcel and a future boundary adjustment whereby the 19.04 +/- acres from Ptn. NW 13-21-04 W5M is consolidated into the adjacent 160.0 +/- acre Agricultural District parcel on Ptn. NE 13-21-04 W5M
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 .