


**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT**

May 14, 2025

To be heard at: 10:00 AM

APPLICATION INFORMATION		File No. 25R023
	LEGAL DESCRIPTION: NW 10-21-02 W5M	
	LANDOWNERS: Kenneth & Linda Miklos	
	APPLICANT: Kristi Beunder of Township Planning + Design Inc.	
	AREA OF SUBJECT LANDS: 159.88 acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 9.0 +/- ac.		
PROPOSAL: Redesignation of 9.0 +/- acre portion of the subject 159.88-acre Agricultural District parcel to Country Residential (CR) District to allow for the future subdivision of 1 x +/- 9.0 acre CR first parcel out.		
DIVISION NO: 5	COUNCILLOR: Alan Alger	
FILE MANAGER: Aamani Sidhu		

EXECUTIVE SUMMARY:

Location:

The subject parcel is located:

- East and adjacent to 144 St W
- 2.5 kilometers (1.6 miles) west of 112 St W
- 2.2 kilometers (1.4 miles) north of the intersection of HWY 549 and 114 St W
- 1.6 kilometers (1.0 miles) east of the intersection of 160 St W and 306 Ave W
- 7.3 kilometers (4.5 miles) north of the Town of Diamond Valley

Policy Evaluation:

Reviewed within the terms of the:

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

Referral Considerations:

- Referred to the necessary internal departments and required external agencies.

PURPOSE OF APPLICATION:

Bylaw XX/2025 – Redesignation of a 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential lot, with an approximate 150.88 +/- acre Agricultural District balance parcel.

SITE CONSIDERATIONS:

Access:

The proposed 9.0 +/- acre parcel is accessed by an existing approach via 144 St W, which includes a 35.77 m long by 15.00 m wide panhandle. The developed portion of the road allowance ends after this approach. Access to the balance parcel is proposed from the existing turnaround measuring 48.04 m, located at the southern edge of the subject parcel. Please refer to the map below for details.

Existing Development:

The proposed +/- 9.0-acre parcel includes the existing residence, two accessory structures, water well, and septic system.

Physiography:

The subject parcel features significant slopes, substantial tree cover, and a small dugout. The dugout is seasonally replenished by precipitation runoff and serves as source for stock watering.

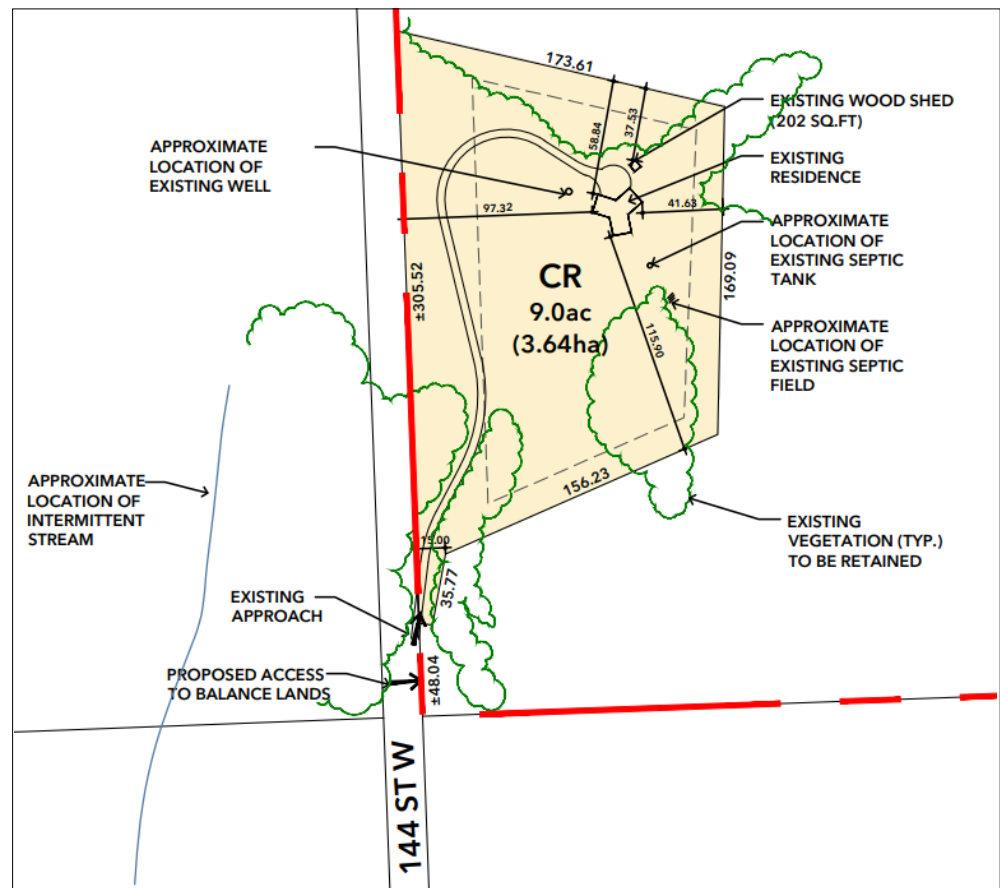


Figure 1. Portion of site plan showing the proposed parcel, existing development, existing approach, and proposed approach to the balance parcel.

POLICY EVALUATION:

Municipal Development Plan (MDP2010):

The application meets the intent of Policy 5 of the Agriculture section of the MDP2010, which supports the subdivision of one parcel from an unsubdivided quarter section, provided specific criteria are met to minimize impact on the agricultural balance. The application satisfies the requirements outlined, including appropriate parcel size, respect for natural capital, consideration of access, no adverse effects on neighboring agricultural operations, and proper zoning for subdivision. However, it does not fully align with the intent of Policy 2, which aims to maintain the integrity of the agricultural land base and discourages fragmentation.

Land Use Bylaw No. 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 (GMS):

The subject parcel is located within the Northwest District, which anticipates continued development pressure. This area is likely to accommodate minimal to moderate growth in the form of both country residential and cluster residential development. Support may be anticipated for the idea of a more intense form of development such as Hamlet Residential in close proximity to existing hamlets if appropriate utility infrastructure is available. This growth must be undertaken with careful consideration of the potential wildlife habitat and watershed areas.

REFERRAL CIRCUALTION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	There are no concerns with the proposed or existing approach. Grades of 25% exist approximately 150 m north of the current cul-de-sac on 144 St W. The undeveloped portion of the 144 St W road allowance to the north could be extended in the future if needed. Public Works recommends a 5 m road widening by caveat along the east side of 144 St W for the NW 10 quarter, and to survey out +/-35 m along 144 St W to accommodate road widening for the cul-de-sac in the southwest corner of the quarter section.
PUBLIC	
Western Wheel	April 30, 2025 and May 7, 2025.
Landowners (half mile)	No letters received prior to the hearing date.

SUMMARY:

Bylaw XX/2025 – Application to amend the Land Use Bylaw by authorizing the redesignation of a 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential lot, with an approximate 150.88 +/- acre Agricultural District balance parcel.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for the redesignation of a 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential District first parcel out, with an approximate 150.88 +/- acre Agricultural District balance parcel for the following reasons:

In their consideration of the criteria noted in Agriculture section section of the MDP2010, Council is of the opinion that allowing the first parcel out 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 County's Land Use Bylaw.

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. Final redesignation application fees to be submitted;
3. 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 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential District first parcel out, with an approximate 150.88 +/- acre Agricultural District balance parcel for the following reasons:

In consideration of the criteria noted in the Agriculture section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the agricultural district and allowing the fragmentation of the subject lands, as it is Council's intent to maintain the agricultural land base.

APPENDICES:

APPENDIX A: MAP SET

LOCATION MAP

LAND USE MAP

HALF MILE MAP – PARCEL SIZES

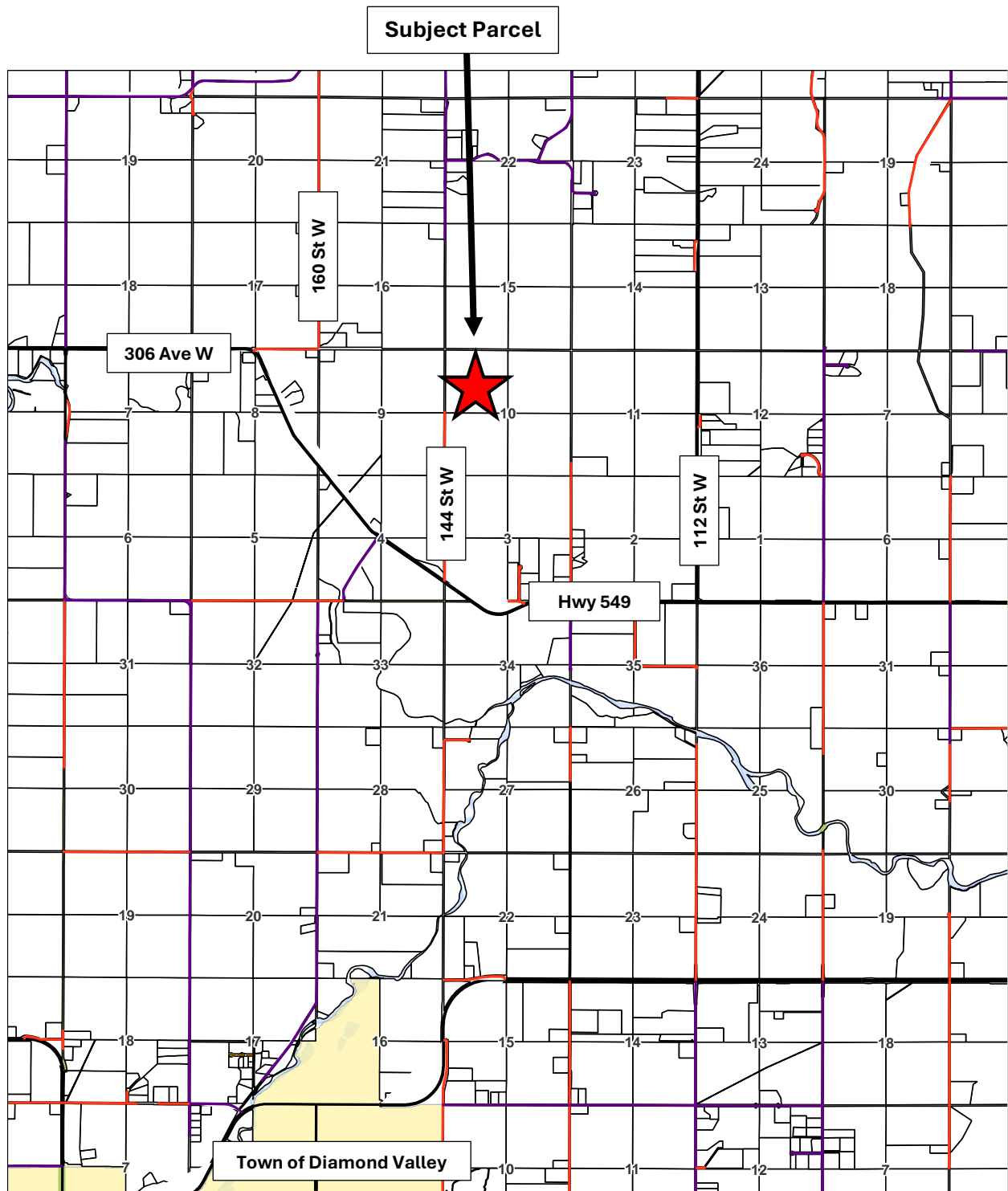
SITE PLAN 1

SITE PLAN 2

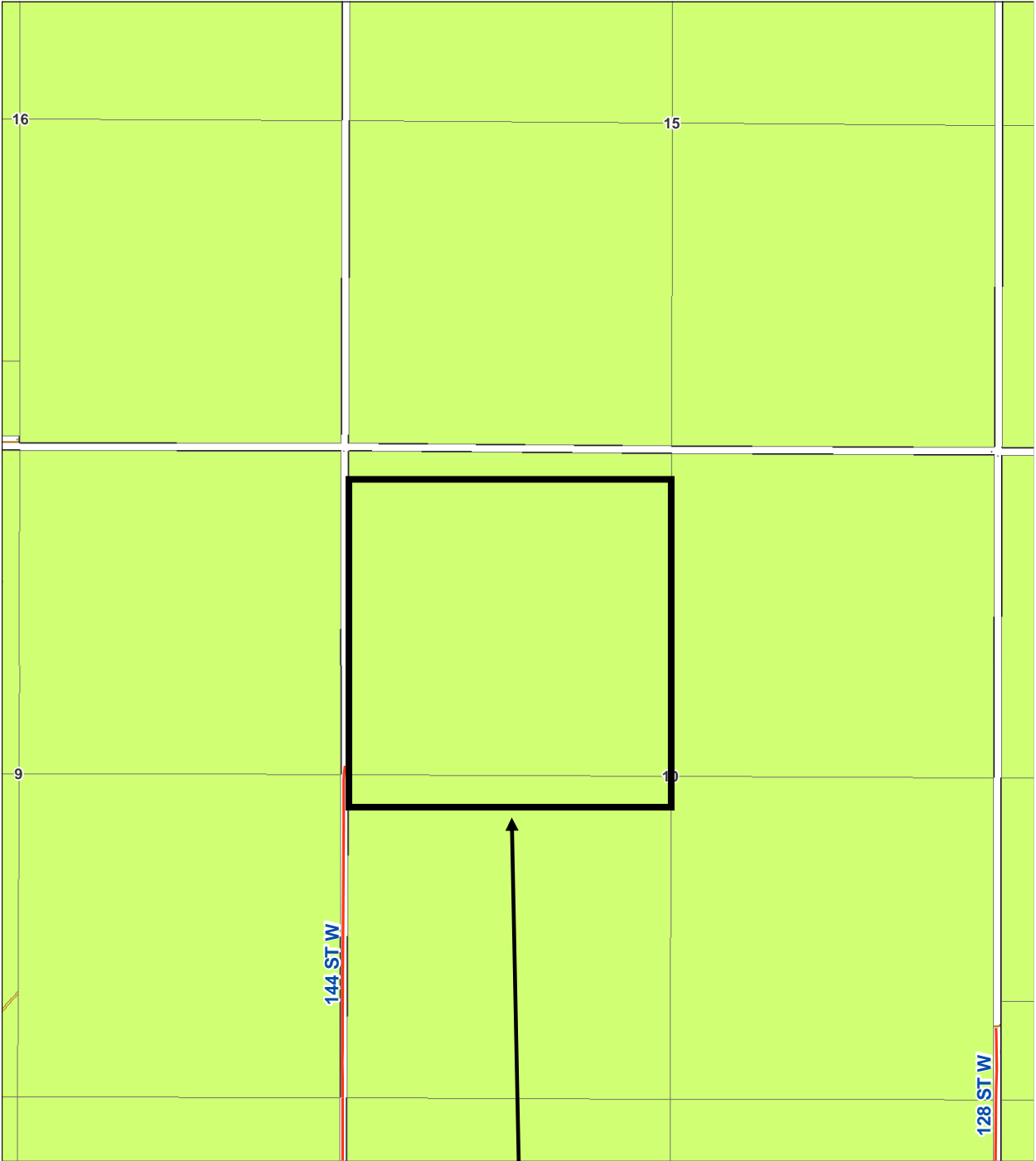
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW

APPENDIX A: LOCATION MAP



APPENDIX A: LAND USE MAP



Legend

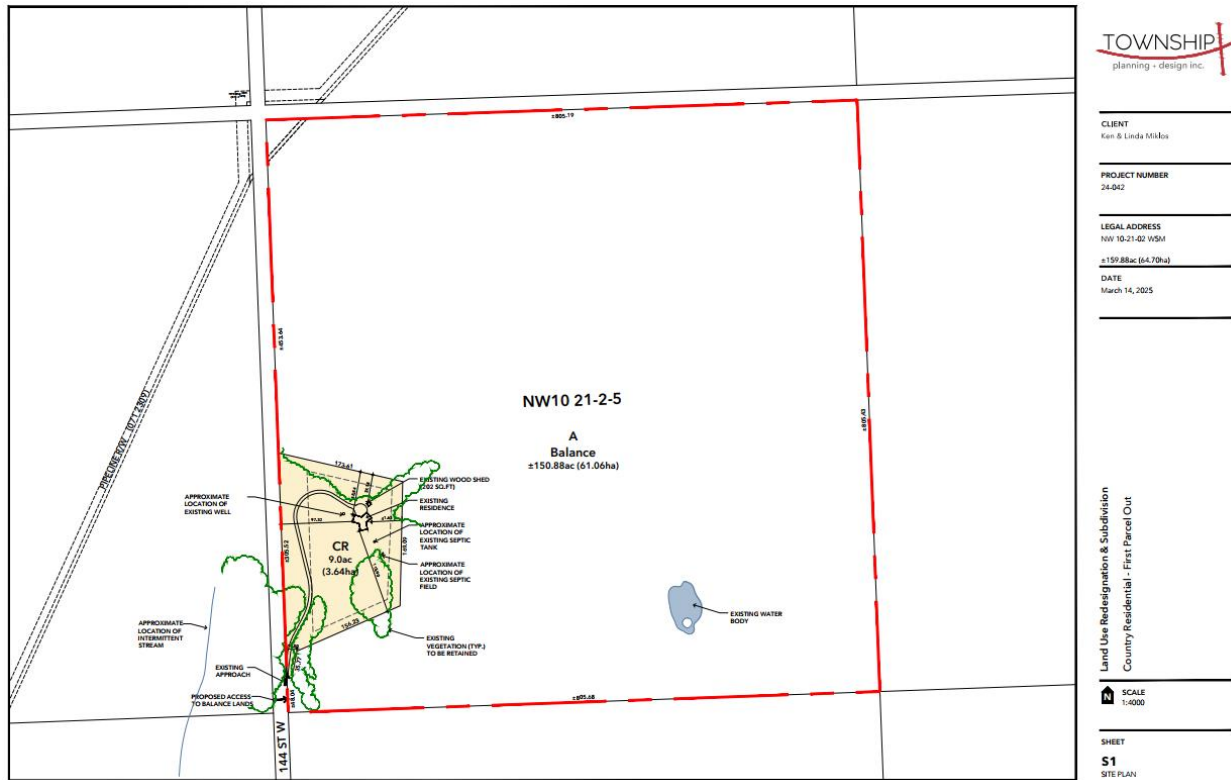
■ A- Agricultural

Subject Parcel

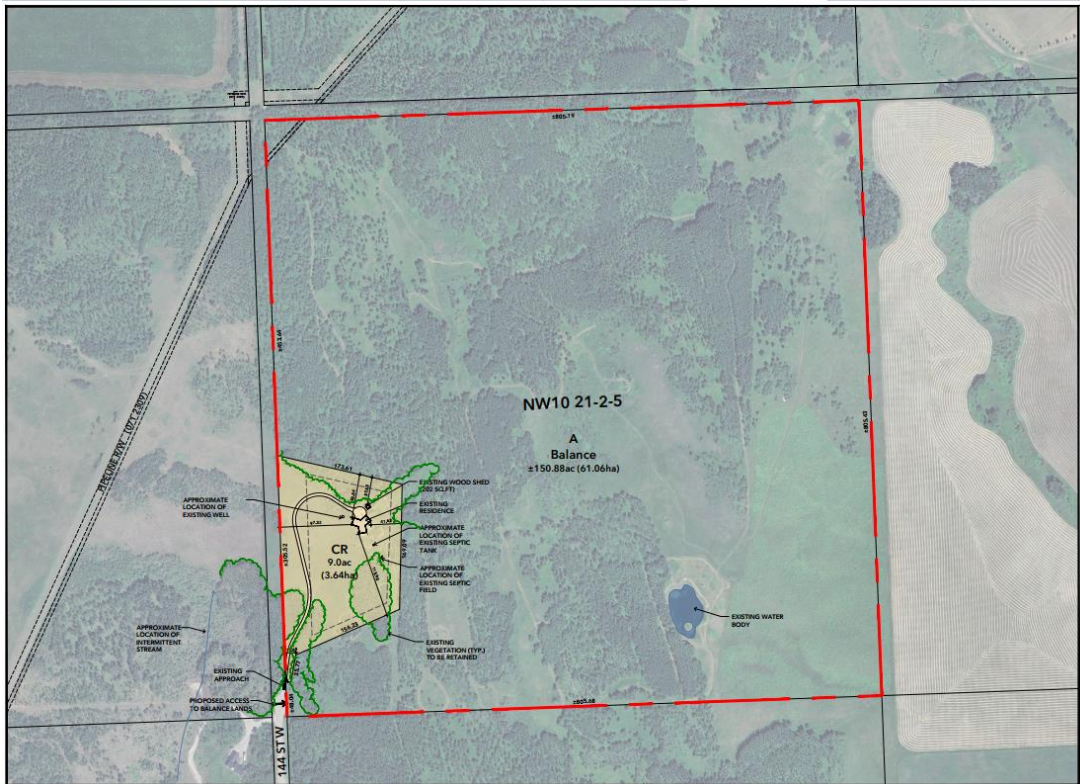
APPENDIX A: HALF MILE MAP – PARCEL SIZES



APPENDIX A: SITE PLAN 1



APPENDIX A: SITE PLAN 2



TOWNSHIP
planning • design inc.

CLIENT
Ken & Linda Millos

PROJECT NUMBER
24-042

LEGAL ADDRESS
NW 10-21-02 R5M

±150.88ac (61.06ha)

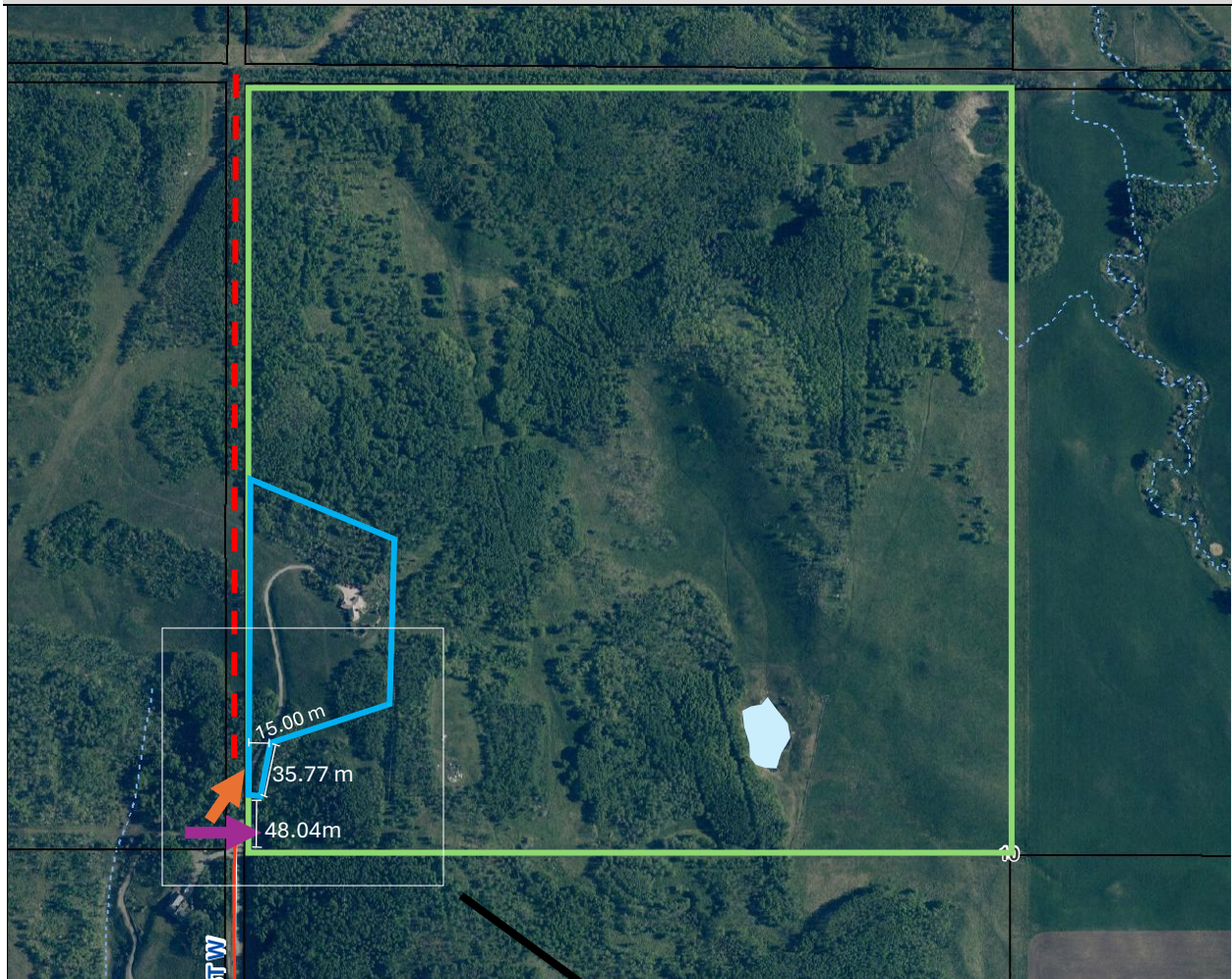
DATE
March 14, 2025

Land Use Redesignation & Subdivision
County Residential - First Parcel Out

SCALE
1:4000

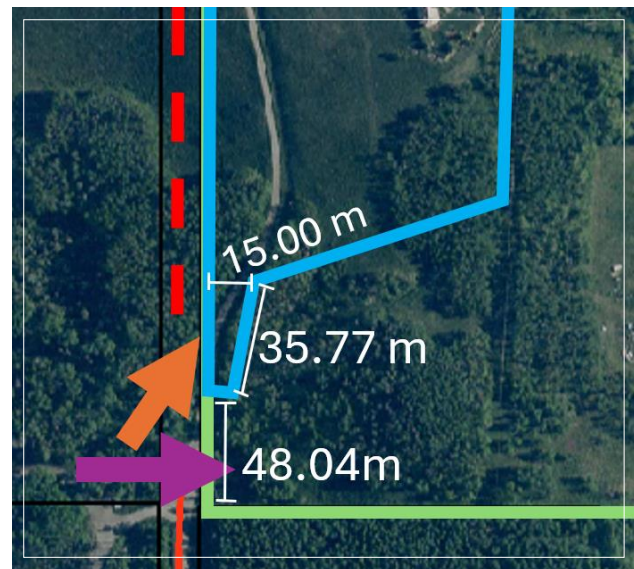
SHEET
S1
SITE PLAN

APPENDIX A: ORTHO MAP



Legend

- Existing Parcel Boundary
- Approximate Proposed Parcel Boundary
- ➔ Proposed Access to the Balance Parcel
- ➔ Existing Access to Proposed Parcel
- Road (144 St W)
- Undeveloped Road Allowance
- Recurring Minor Stream
- Water Body



APPENDIX B: 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 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential lot, with an approximate 150.88 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2204 is amended redesignation of a 9.0 +/- acre portion on NW 10-21-02 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.0 +/- acre Country Residential lot, with an approximate 150.88 +/- acre Agricultural District balance parcel.
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 .