

**MISCELLANEOUS PLANNING ITEM
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 AMENDMENT TO CONDITIONS
 June 4, 2025**

APPLICATION INFORMATION		File No. 24R008
	LEGAL DESCRIPTION: Ptn. SE 16-21-03 W5; Plan 9211023, Blk 1, Lot 1	
	LANDOWNER: Gael Dinnie	
	AREA OF SUBJECT LANDS: 33.43 acres	
	CURRENT LAND USES: Agricultural District (A)	
PROPOSAL: Request to Council to consider amending condition of first reading to Bylaw 19/2024 to allow for a new approach location rather than a common approach as requested by Council.		
LOCATION: The subject parcel is located directly west of 240 St W, approximately 1.5km Northwest of the Hamlet of Millarville and 1.7km North of Hwy 549.		
DIVISION NO: 3		COUNCILLOR: Barb Castell
FILE MANAGER: Brittany Smith		

BACKGROUND:

April 3, 2024: Council granted first reading to Bylaw 19/2024 authorizing a redesignation from Agricultural District Country Residential District in order to allow the future subdivision of one 4.0 +/- acre Country Residential District parcel, leaving a 29.43 +/- acre Agricultural District balance on Plan 9211023, Block 1, Lot 1; Ptn: SE 16-21-03 W5M

EXECUTIVE SUMMARY:

Purpose of Request:

Condition #1 of the Land Use Approval under Bylaw 19/2024 currently states that the landowners are to submit a revised site plan illustrating a common approach between the proposed and balance parcels. The landowner is requesting Council to consider amending Condition #1 of the Land Use approval as they are now proposing to move the approach for the 4.0 +/- acre CR lot to the north to avoid constructing a driveway through the proposed lot to the potential build site.

Public Works advised they had no concerns with the newly proposed location. Approach to be constructed to the County's standards at time of subdivision.

The landowner has provided a letter outlining their request, which has been provided within Appendix A of this staff report. The area Councillor has approved this request to be brought in front of Council.

LAND USE APPROVAL CONDITIONS:

The following conditions were set by Council on April 3, 2024. To date, condition #5 is the only condition completed.

1. The landowners are to submit a revised site plan illustrating a common approach between the proposed and balance parcels.
2. 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;

3. Submission of a Septic Disposal Evaluation for the proposed 4.0 +/- acre parcel to the satisfaction of the County;
4. Proof of adequate water supply to be provided for the proposed 4.0 +/- acre parcel in accordance with the Provincial Water Act, to the satisfaction of the County;
5. Landowners are to submit a Development Permit application to bring the existing Ground Mount Solar Power System into compliance with Land Use Bylaw 60/2014, as a condition of Subdivision;
6. Final Redesignation application fees to be submitted.
7. Submission of an executed subdivision application and the necessary fees.

REQUEST TO COUNCIL:

OPTION 1 APPROVAL:

Should Council have no concerns regarding the amendment to no longer require a common approach be utilized to access the 4.0 +/- acre lot, the following motion has been provided for consideration:

Council has no objection to the request to move the proposed approach for the 4.0 +/- acre parcel to the north to the satisfaction of the County's Public Works Department and no longer requires a common approach with the balance as outlined in the conditions of approval for Bylaw 19/2024.

OR

OPTION 2 REFUSAL:

Should Council wish for the location for the approach to the 4.0 +/- acre lot remain as a common approach as outlined in the conditions of approval for Bylaw 19/2024 or have concerns regarding the new proposed approach location request, the following motion has been provided for consideration:

Council denies the request to change the approach location and therefore, the conditions of approval for first reading to Bylaw 19/2024 be upheld.

APPENDICES:

APPENDIX A: LANDOWNER LETTER OF REQUEST

APPENDIX B: MAP SET

LOCATION MAP

ORIGINAL SITE PLAN

REVISED SITE PLAN WITH APPROACH MOVED TO NORTH

APPENDIX C: BYLAW 19/2024

APPENDIX A: LANDOWNER LETTER OF REQUEST

Morning...it's Friday!

As you know, Barb Castell came out and looked at my property and the change to the approach I'm requesting, and was ok with it.

Here is Rev.4 of my Plot Plan with the following changes:

- Solar panel setback distance added

- Power line location added

- New access location with distance of 15m from neighbour's property as you requested

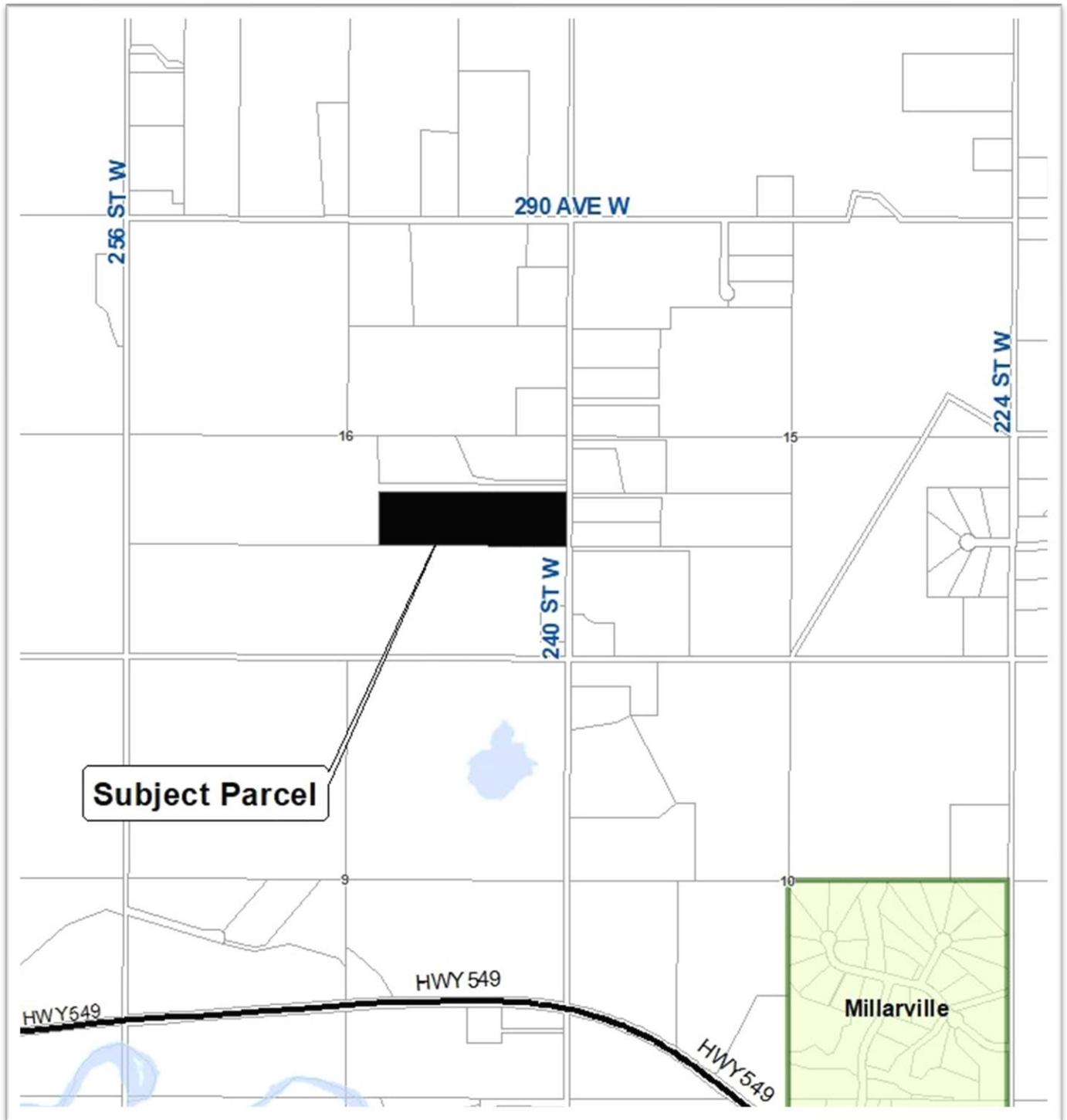
Could you please ensure this is submitted to council for their consideration asap as I can't start anything until approved.

Thanks for your help,

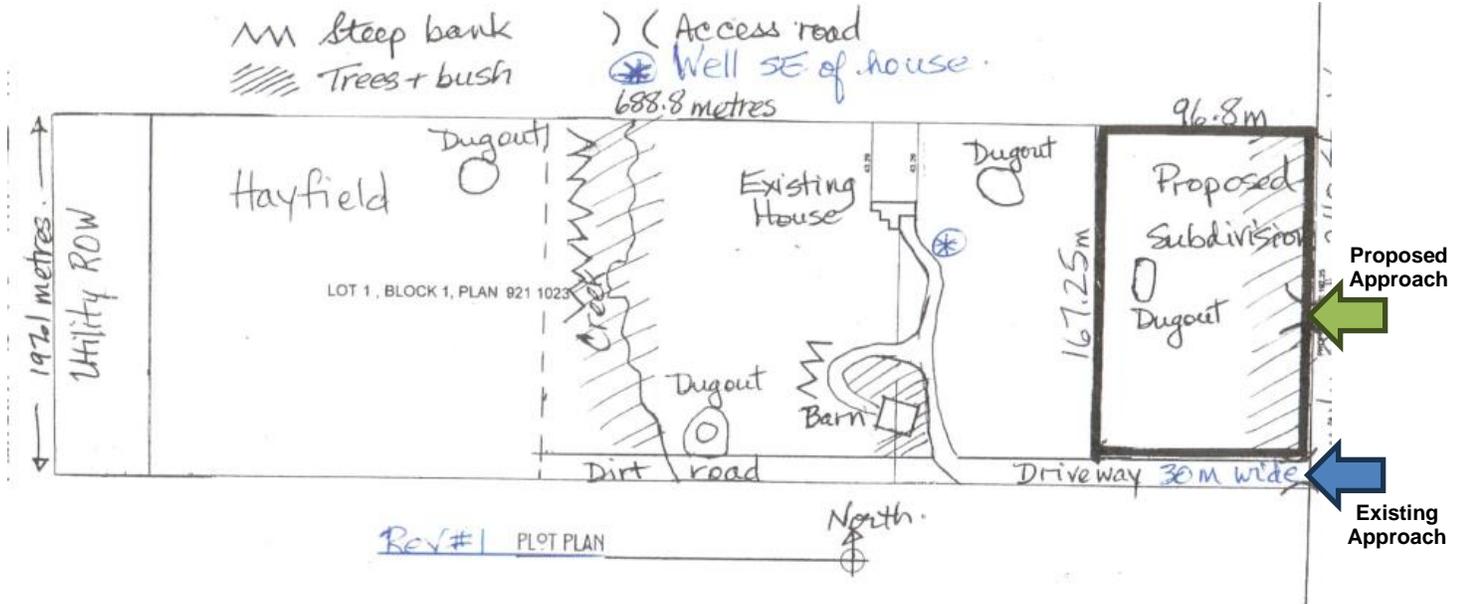
Gael Dinnie



APPENDIX B: LOCATION MAP



APPENDIX B: ORIGINAL SITE PLAN



SE 16-21-3 W5
 Lot 1 Block 1 Plan 9211023

New parcel = 4 acres
 96.8 m x 167.25m
 currently pasture
 Driveway = 30m.

APPENDIX B: REVISED SITE PLAN WITH APPROACH TO THE NORTH

APPLICATION FOR SUBDIVISION OF APPROX. 4 ACRES

Lot dimensions: 96.8m x 167.25m
 Currently trees and pasture along county road

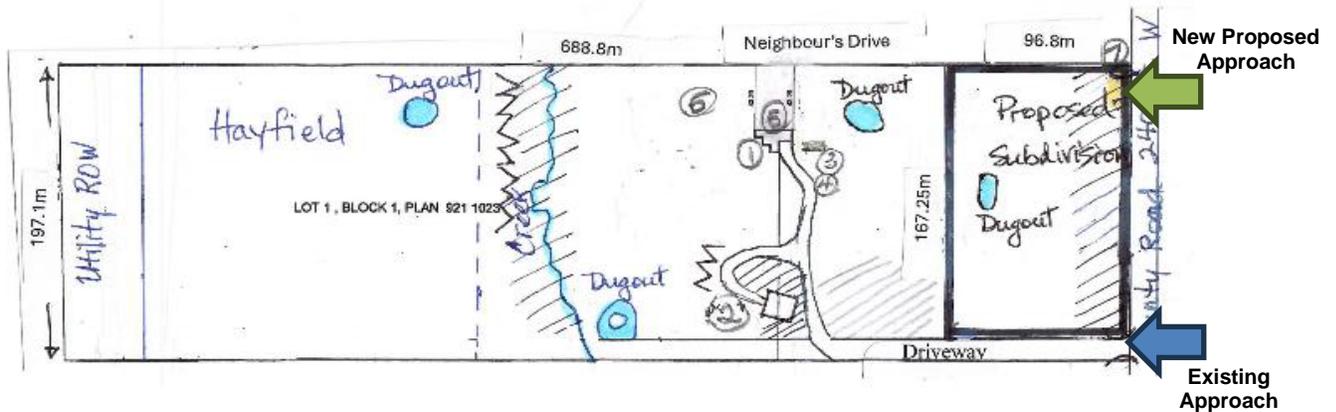
PLOT PLAN Rev.4 dated 16MAY2025

Location

Plan 9211023 Lot 1 Block 1
 SE Q of 16-21-3-W5M

LEGEND

- | | |
|------------------------------|--------------------------|
| House ① | Well ④ |
| Barn ② | Septic tank ⑤ |
| Solar array ③ | Septic field ⑥ |
| 46m from N property line | Power line ⑦ |
| 79m from subdivision to east | |
| Steep ditch | Access road) (|
| Trees & bushes | 15m from power line |
| | and neighbour's approach |
| | per your requirements |



BYLAW 19/2024

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 redesignation of a 4.0 +/- acre portion of SE 16-21-03 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one 4.0 +/- acre Country Residential District parcel with an approximate 29.43 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2103 is amended by *redesignating a 4.0 +/- acre portion from SE 16-21-03 W5M as Country Residential District.*
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: April 3, 2024

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