


**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
SECOND AND THIRD READING TO BYLAW 59/2024  
June 11<sup>th</sup>, 2025**

<b>SECOND AND THIRD READING TO BYLAW 59/2024</b>		
<b>APPLICATION INFORMATION</b>		<b>FILE NO. 24R043</b>
	<b>LEGAL DESCRIPTION:</b> Plan 1153P, Block 3, Lots 1-6, PTN: SW 36-21-01-W5M	
	<b>LANDOWNER:</b> Leon Mulrooney	
	<b>AREA OF SUBJECT LANDS:</b> 0.81 acres	
	<b>CURRENT LAND USE:</b> Community Commercial District	
	<b>PROPOSED LAND USE:</b> Residential Community District with Site Specific Amendment	
<b>PROPOSAL:</b> Redesignation of Plan 1153P, Block 3, Lots 1-6, PTN: SW 36-21-01-W5M from Community Commercial District to Residential Community District with a Site Specific Amendment to allow an exemption to the servicing requirements within the Residential Community Land Use District.		
<b>DIVISION NO:</b> 5	<b>COUNCILLOR:</b> Alan Alger	<b>FILE MANAGER:</b> Theresa Chipchase

### **PURPOSE OF REQUEST**

Request to Council to provide second and third reading to Bylaw 59/2024, as all conditions put forth with first reading of this bylaw have been complied with.

### **BACKGROUND**

#### **Location**

The subject parcel is located within the Hamlet of Dewinton, directly west of Centre Street and directly south of Macleod Trail.

#### **Site Considerations**

The lot contains a well-established water body in the southwest corner of the lot which also extends west to the neighboring lot. The ponding in this location is aided by the elevated rail line south of the lot which provides a berm directing drainage along the backside of all the lots adjacent to this line. The County also has a Municipal Reserve parcel adjacent to the rail line on three of the lots west of the applicant. The MR provides a buffer from the lots to the rail line, also aiding the drainage of water through this area. The pond has been impacted by the placement of three of the six outbuildings on the site, within the wetland.

The lands to the rear of the residence/business structure and east of the row of small outbuildings, is the location of the septic field for the lot, with the septic tank located within the area to the rear of the residence. The water well for the residence is within the northwest corner of the property, north of the residence.

The parcel had contained a considerable amount of outdoor storage including used snowmobiles and parts thereof. The front yard to the north of the structure had additionally been used for storage. The new landowners have removed all the snowmobiles and parts

thereof and have removed all the small outbuildings that were located to the south of the residence.

## **PREVIOUS COUNCIL DIRECTION**

**October 30<sup>th</sup>, 2024, Bylaw 59/2024** – application approved by Council granting first reading to Bylaw 59/2024, under the following motion:

*“Council gave first reading to Bylaw 59/2024 to authorize the redesignation of the 0.81 +/- acre parcel on Plan 1153P, Block 1, Lots 1 through 6; SW 36-21-01 W5M from Community Commercial District to Residential Community District with a Site Specific Amendment to the water and wastewater requirements to allow for individual services on this parcel.*

*In consideration of the criteria noted within Policy 3 of the Residential Section of the MDP2010, Council is of the opinion that the lands are suitable for the intended land use, and redesignation would not be detrimental to the overall nature of the area. Further, the application falls within the lot size and density restrictions of the Residential Community District within the County’s Land Use Bylaw.*

Prior to further consideration of the Bylaw, the applicant will be required to submit the following:

1. All outdoor storage of business related items and materials are to be removed from the parcel to the satisfaction of the County;
2. The two existing 3.31m x 6.17m sheds, the one 3.15m x 6.20m shed, and the one 2.54m x 2.52m shed, all as identified on the provided 2004 Real Property Report and the chicken coop located within the southeast corner of the lot, not identified on the Real Property Report, are to be removed from the subject property, to the satisfaction of the County; and
3. Final redesignation application fees to be submitted.

*Council moved first reading.*

**NOTE:** Please note all conditions of the first reading approval of Bylaw 59/2024 have been met by the landowner.

## **COUNCIL ACTION REQUESTED – SECOND AND THIRD READING TO BYLAW 59/2024**

Request to Council to provide second and third reading to Bylaw 59/2024 for redesignation of the 0.81 +/- acre parcel on Plan 1153P, Block 1, Lots 1 through 6; SW 36-21-01 W5M from Community Commercial District to Residential Community District with a Site Specific Amendment to the water and wastewater requirements to allow for individual services on this parcel.

In consideration of the criteria noted within Policy 3 of the Residential Section of the MDP2010, Council is of the opinion that the lands are suitable for the intended land use, and redesignation would not be detrimental to the overall nature of the area. Further, the application falls within the lot size and density restrictions of the Residential Community District within the County’s Land Use Bylaw.

## **APPENDICES**

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### **APPENDIX A - MAP SET:**

LOCATION MAP

LAND USE MAP

LOT SIZES MAP

SITE PLAN

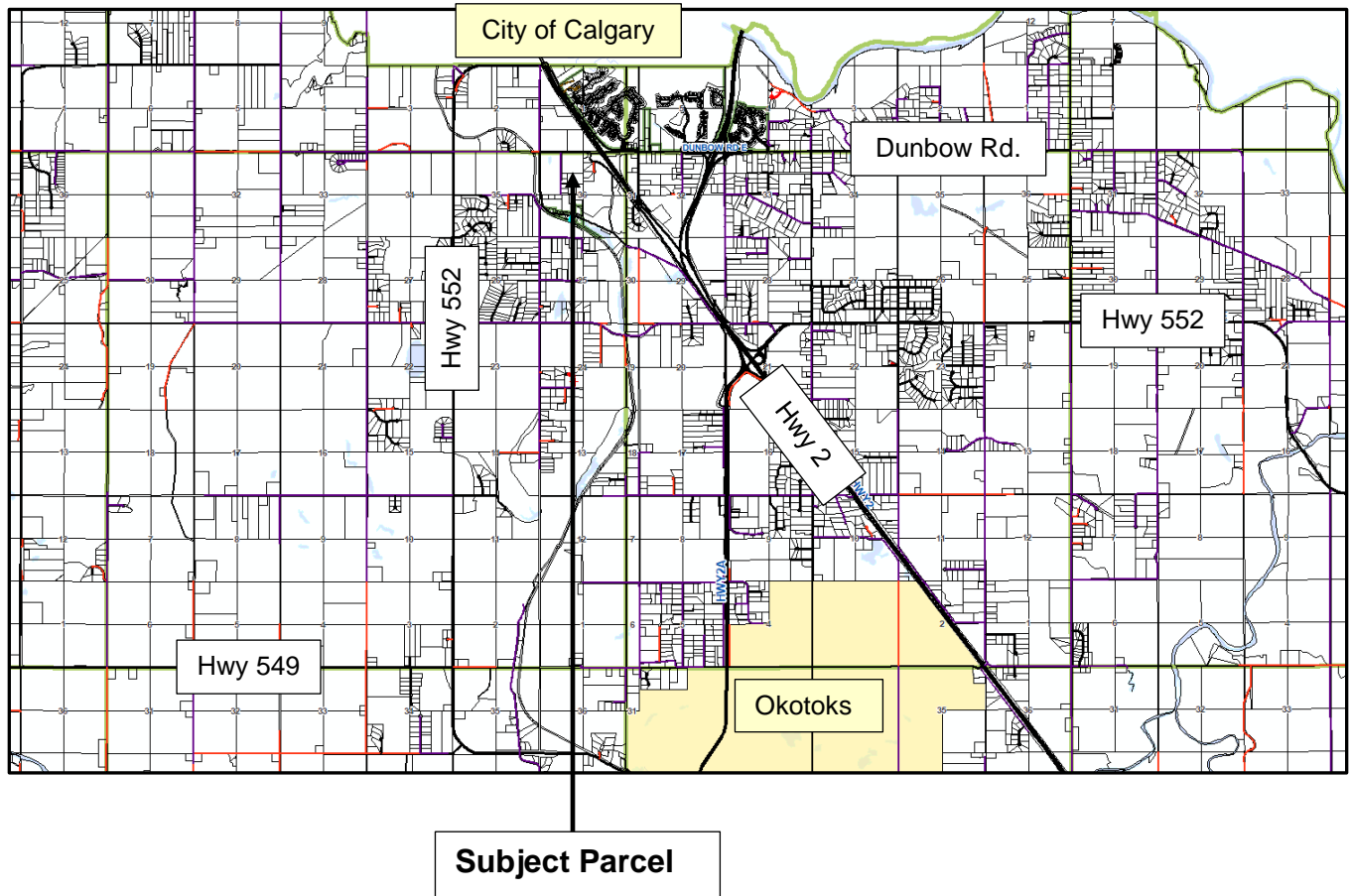
ORTHO PHOTO

SITE PHOTOS

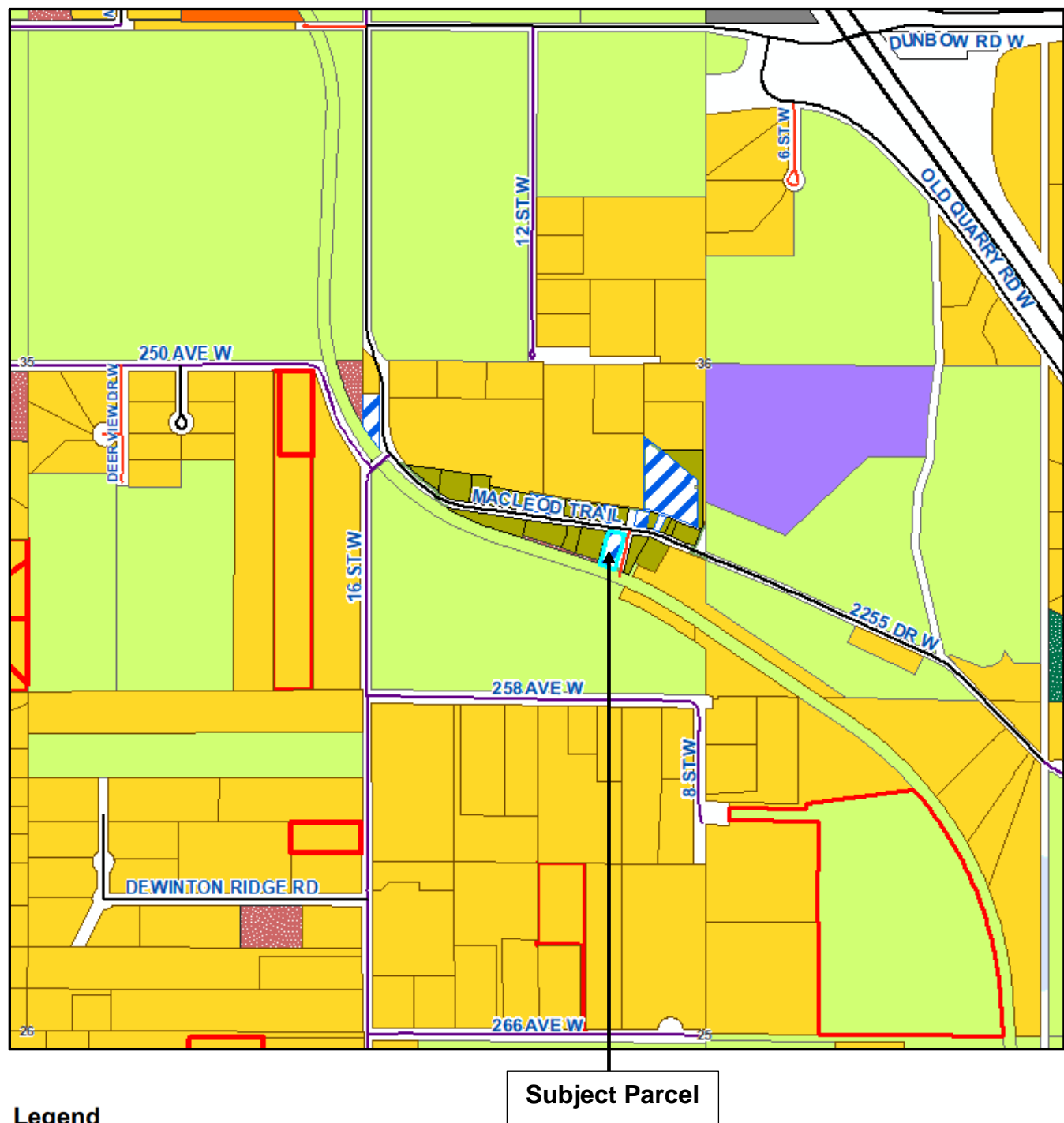
### **APPENDIX B**

BYLAW 59/2024 – FIRST READING

## APPENDIX A: LOCATION MAP



## APPENDIX A: HALF MILE MAP – LAND USE



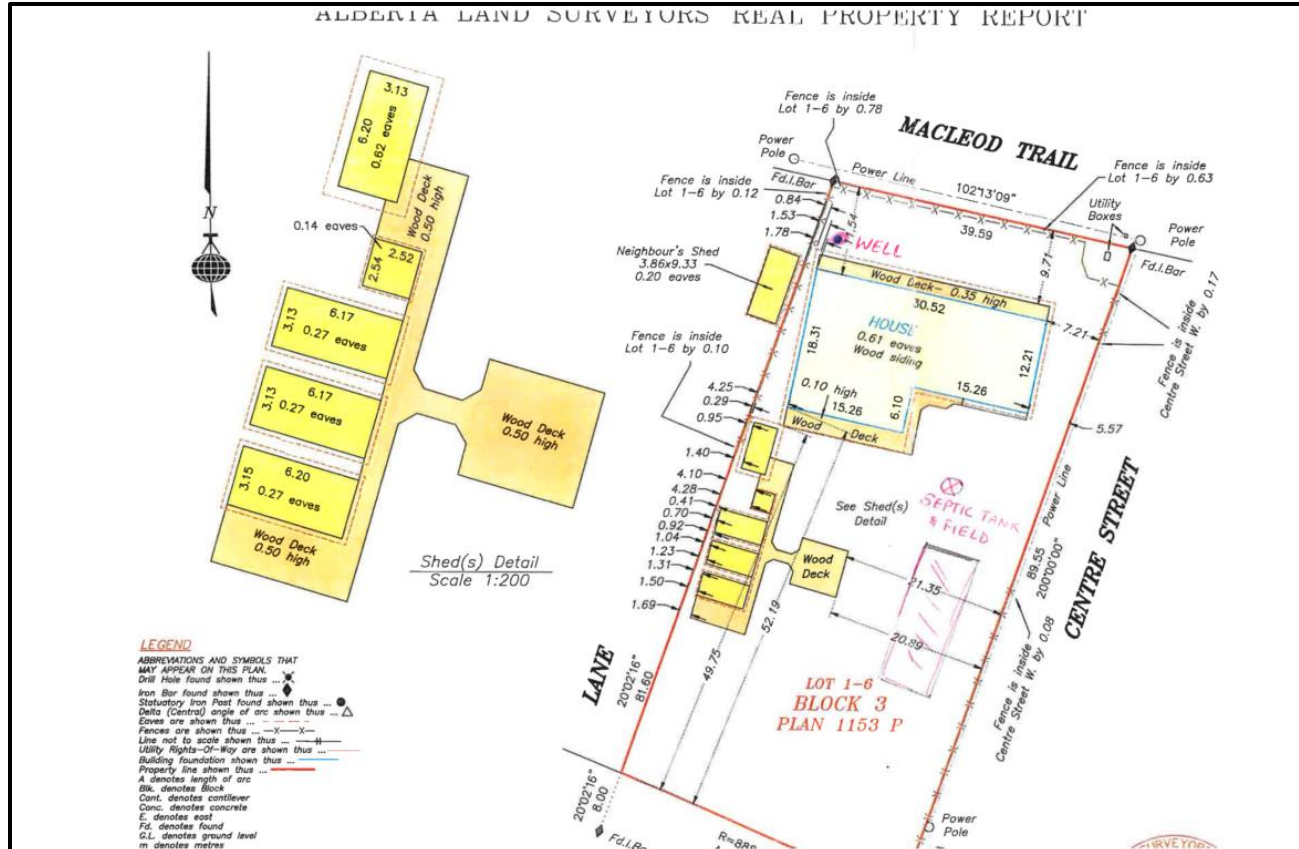
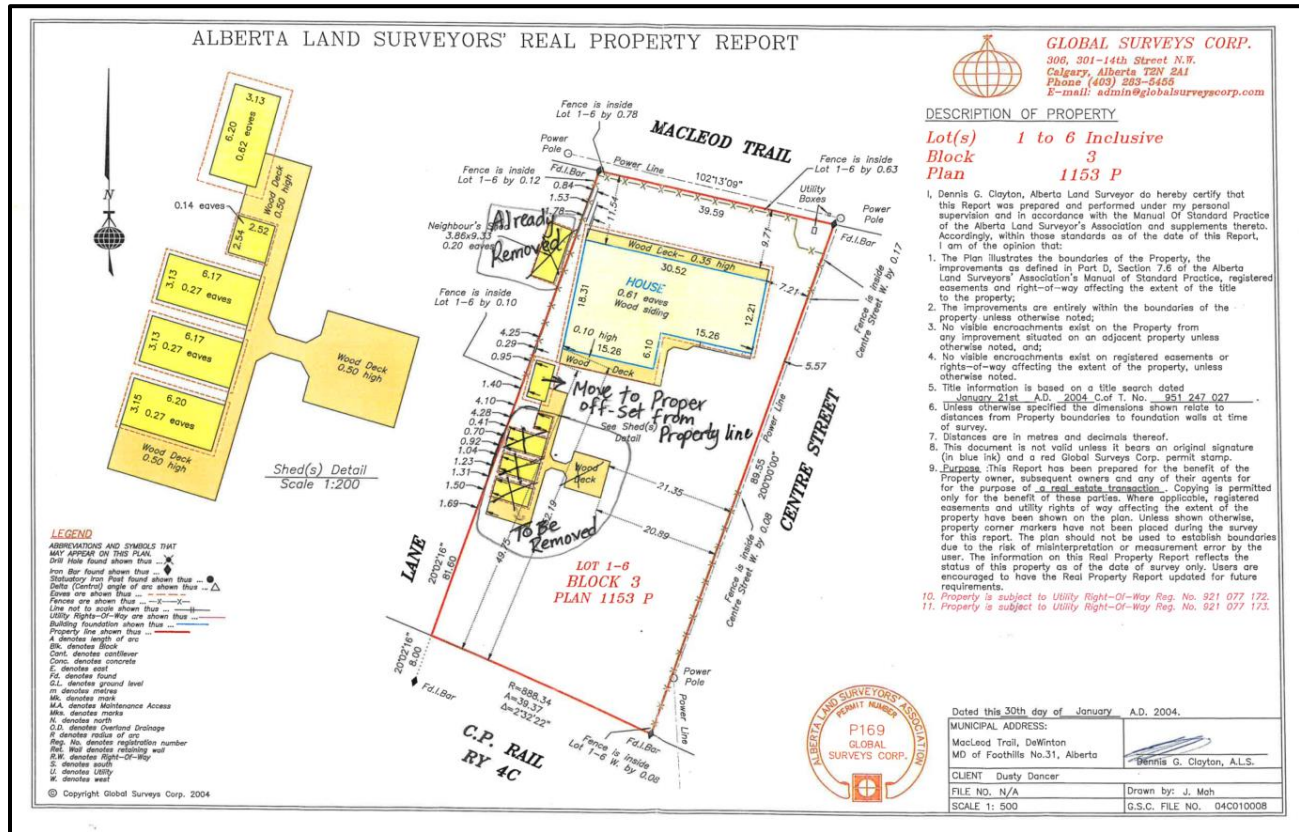
### Legend

- |                                  |                                    |
|----------------------------------|------------------------------------|
| — County Roads                   | DC - Direct Control                |
| — Highways                       | ER- Environmental Reserve          |
| ▨ In Transition                  | EP- Environmental Protection       |
| □ NA - Not Applicable            | INR- Natural Resource Extraction   |
| ■ A- Agricultural                | MR- Municipal Reserve              |
| ■ AA- Agricultural Sub A         | REC- Recreation                    |
| ■ CMC- Community Commercial      | PUL- Public Utility                |
| ■ CR- Country Residential        | RC- Residential Community District |
| ■ CRA- Country Residential Sub A | SD- Service District               |

The map displays a residential subdivision with the following streets and features:

- Streets:** 250 AVE W, 258 AVE W, 266 AVE W, 12 ST W, 16 ST W, 8 ST W, DEERVIEW DR W, DEWINTON RIDGE RD, OLD QUARRY RD W, and PINE CREEK.
- Subject Parcel:** A parcel located between 258 AVE W and 266 AVE W, and between 16 ST W and 8 ST W, is highlighted in red and labeled "Subject Parcel" with a red arrow pointing to it.
- Other Features:** A lake is located in the upper left, and a creek is on the right. Various land parcels are outlined and labeled with their acreage.

# APPENDIX A: SITE PLAN (OUTLINING STRUCTURES TO BE REMOVED FROM SITE)





## APPENDIX A: ORTHO PHOTO





## APPENDIX A: SITE PHOTOS











**BYLAW 59/2024**

**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, 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 the subject 0.81 +/- acre parcel on Plan 1153P, Block 3, Lots 1 through 6; Ptn. SW 36-21-01 W5M from Community Commercial District to Residential Community District; with a Site Specific Amendment to the water and wastewater requirements for the Residential Community District.

**NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:**

1. Land Use Map No. 2101 is amended by the redesignation of the subject 0.81 +/- acre parcel on Plan 1153P, Block 3, Lots 1 through 6; Ptn. SW 36-21-01 W5M from Community Commercial District to Residential Community District.
2. Under SECTION 13.4 Residential Community District a Site Specific amendment to the Residential Community District for the water and wastewater requirements.
3. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: October 30, 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\_\_.