


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

June 11, 2025

To be heard at: 10:00 AM

APPLICATION INFORMATION		File No. 25R026
	LEGAL DESCRIPTION: SW 11-21-01 W5M	
	LANDOWNERS: William & Mary Elizabeth Cole	
	APPLICANT: Jeff Badke of Badke Consulting Ltd.	
	AREA OF SUBJECT LANDS: 157.97 acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 5.12 +/- acres		
PROPOSAL: Redesignation of a 5.12 +/- acre portion of the subject 157.97-acre Agricultural District parcel to Country Residential (CR) District to allow for the future subdivision of 1 x 5.12 +/- acre CR first parcel out.		
DIVISION NO: 5	COUNCILLOR: Alan Alger	
FILE MANAGER: Aamani Sidhu		

EXECUTIVE SUMMARY:

Location:

The subject parcel is located:

- Located east and adjacent of HWY 552W
- 0.81 kilometers (0.50 miles) south of the intersection of 306 Ave W and HWY552W
- 1.62 kilometers (1.00 mile) north of HWY 549
- 4.29 kilometers (2.67 miles) west of HWY 2A
- 3.38 kilometers (2.10 miles) northwest of the Town of Okotoks

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 – Application to amend the Land Use Bylaw by authorizing the redesignation of a 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential District first parcel out, with an approximate 152.85 +/- acre Agricultural District balance parcel.

SITE CONSIDERATIONS:

History:

The northernmost access previously functioned as a route through the subject quarter to the adjacent quarter to the east, providing access to a gravel pit. Although the gravel pit has since been reclaimed by the County, the access remains in place to facilitate entry to both the eastern portion of the subject quarter and the quarter to the east (SE 11-21-1 W5M).

Access:

The proposed 5.12 +/- acre parcel will be accessed from a proposed common approach located HWY 552W, utilizing a pan handle approximately 122.62 meters (402.40 feet) in length and 15.00 meters (49.21 feet) in width.

There are two existing approaches that provide access to the balance parcel of +/- 158.85 acres from HWY 552W. One approach at the northwest corner of the balance parcel accesses the east side, while another, located near the center of the subject property, provides access to the west side.

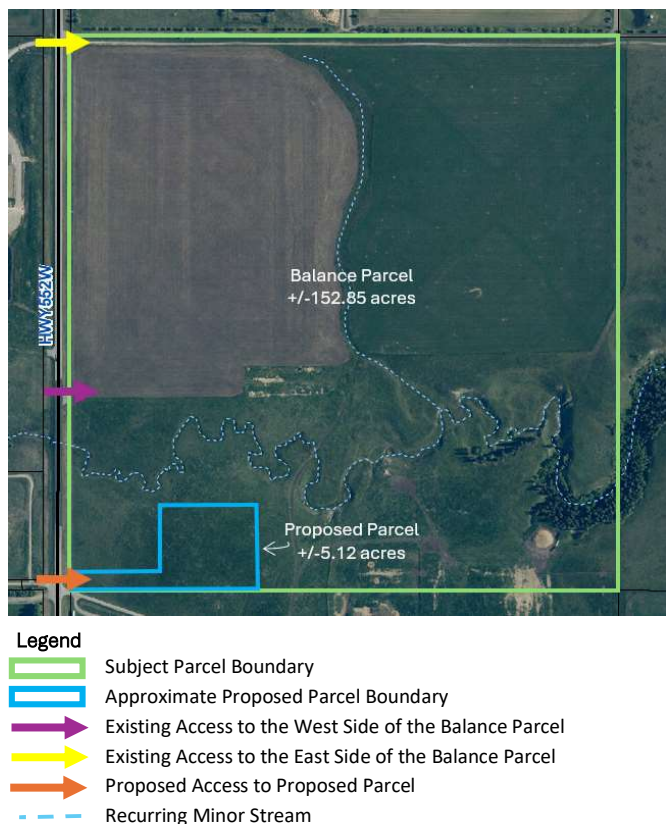
Alberta Transportation and Economic Corridors (ATEC) has required the applicant to provide a subdivision plan indicating a 15m x 30m road stub dedicated by plan of survey, instead of, by caveat, at the time of subdivision referral. The road stub will provide legal and physical access and, also meet Section 19 of the subdivision Regulation.

Please refer to the map displayed for detailed access locations and layout.

Development:

The subject parcel is currently undeveloped.

Physiography:



The subject parcel consists of a diverse arrangement of agricultural parcels, which varies from primarily flat to gently undulating terrain interspersed with areas of moderate relief. The subject lands are used for agricultural purposes including crop cultivation, hay land and cattle grazing. A natural drainage course bisects the property, receiving seasonal runoff from westerly and northerly sources and discharging eastward into the Wilson Coulee. The area surrounding the minor recurring stream forms a shallow depression or dugout-like feature, indicative of localized surface water collection and/or minor erosion shaping.

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.

Growth Management Strategy (GMS):

The subject parcel is located within the Central District, which has been the growth engine for the MD and this trend is expected to continue into the future. While significant development and intensification of development is expected in this area, it will need to be undertaken bearing in mind the aspirations of our municipal neighbours and with due consideration to riparian and wetland areas. Opportunities for joint initiatives will play a key role in providing effective, efficient and affordable services for this area.

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.

REFERRAL CIRCUALTION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	No concerns with the service road by caveat. The existing/proposed lot provides significant area of absorbent landscaping which will provide sufficient infiltration of any increased runoff caused by future lot development. No topographical features present within the proposed lot that would decrease the developable area.

CIRCULATION REFERRALS	
	<p><u>Suggested Condition for Consideration at the Redesignation Stage for the Proposed 5.12 +/- Acre Parcel:</u></p> <ol style="list-style-type: none"> 1. Septic disposal evaluation (PSTS) to be provided for the proposed parcel, as a condition of redesignation.
Rural Addressing	No addressing concerns.
Alberta Transportation and Economic Corridors (ATEC)	<p>Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment:</p> <ol style="list-style-type: none"> 1. After review, Alberta Transportation has no concerns, or objections with the proposed land use amendment. 2. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable. 3. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies. <p>Transportation and Economic Corridors offers the following comments with respect to the subsequent subdivision:</p> <p>The requirements of Section 18 of the Regulation would not be met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors is prepared to grant approval for the subdivision authority to vary the requirements of Section 18 of the Regulation at the time of subsequent subdivision.</p> <p>The requirements of Section 19 of the Regulation are not met. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors is prepared to grant approval for the subdivision authority to vary the requirements of Section 19 of the Regulation at the time of subsequent subdivision. Subject to the following:</p> <p>Provide a subdivision plan indicating a 15m x 30m road stub dedicated by plan of survey, instead of, by caveat, at the time of subdivision referral. The road stub will provide legal and physical access, and also meet Section 19 of the subdivision Regulation.</p> <p>If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation is required and the comments in respect of Sections 18 and 19 of the Regulation contained in this decision are no longer valid.</p>
PUBLIC	
Western Wheel	May 28, and June 4, 2025

CIRCULATION REFERRALS

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 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential District first parcel out with an approximate 152.85 +/- 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 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential District first parcel out with an approximate 152.85 +/- acre Agricultural District balance parcel for the following reasons:

In their consideration of the criteria noted in Agriculture section and Residential 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. Proof of adequate water supply to be provided for the proposed 5.12 +/- acre parcel in accordance with the Municipal Water Policy, to the satisfaction of the County;
3. Submission of a Septic Disposal Evaluation (PSTS) for the proposed 5.12 +/- acre parcel, to the satisfaction of the Public Works department, as a condition of redesignation;
4. Final redesignation application fees to be submitted;
5. 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 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential District first parcel out with an approximate 152.85 +/- 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 - AERIAL MAP

SITE PLAN 2 – AERIAL MAP (ZOOMED)

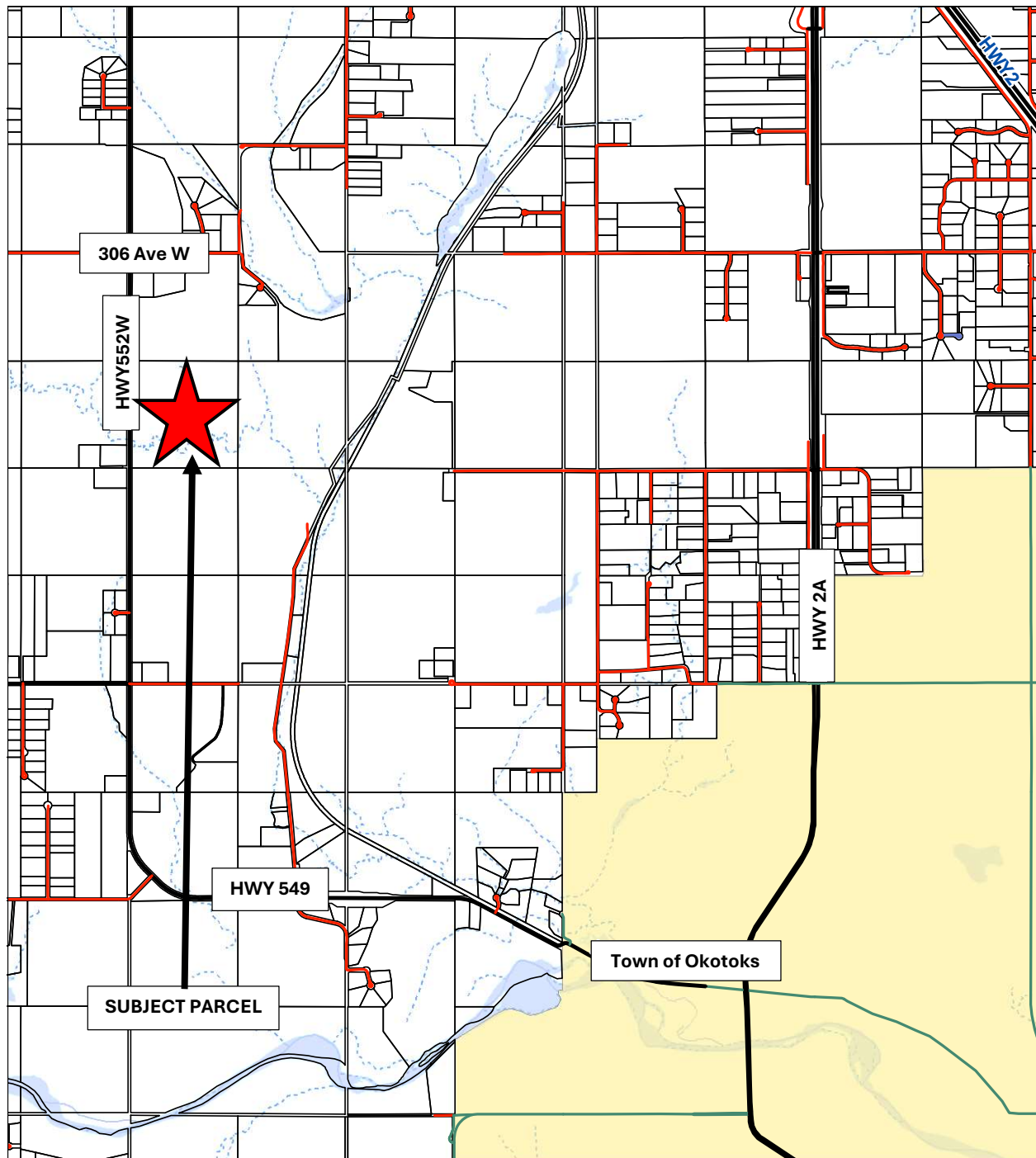
SITE PLAN 3 – PROPOSED PARCEL WITH APPROACH DETAIL

ORTHO MAP 1

ORTHO MAP 2 – CONTOURS

APPENDIX B: PROPOSED BYLAW

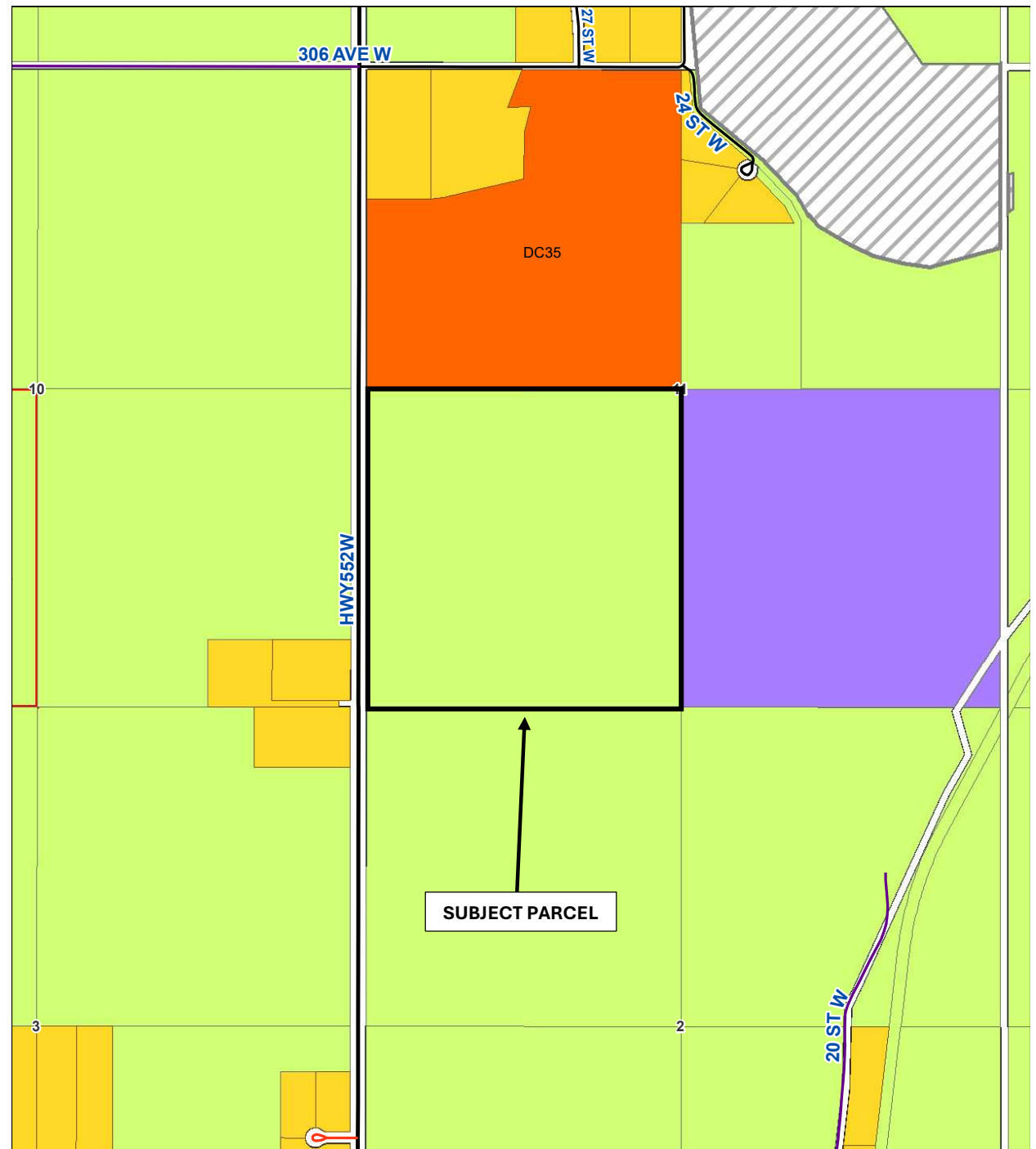
APPENDIX A: LOCATION MAP



Legend

- Parcels
- Province
- Town
- Water Body
- Recurring/ Minor Stream

APPENDIX A: LAND USE MAP

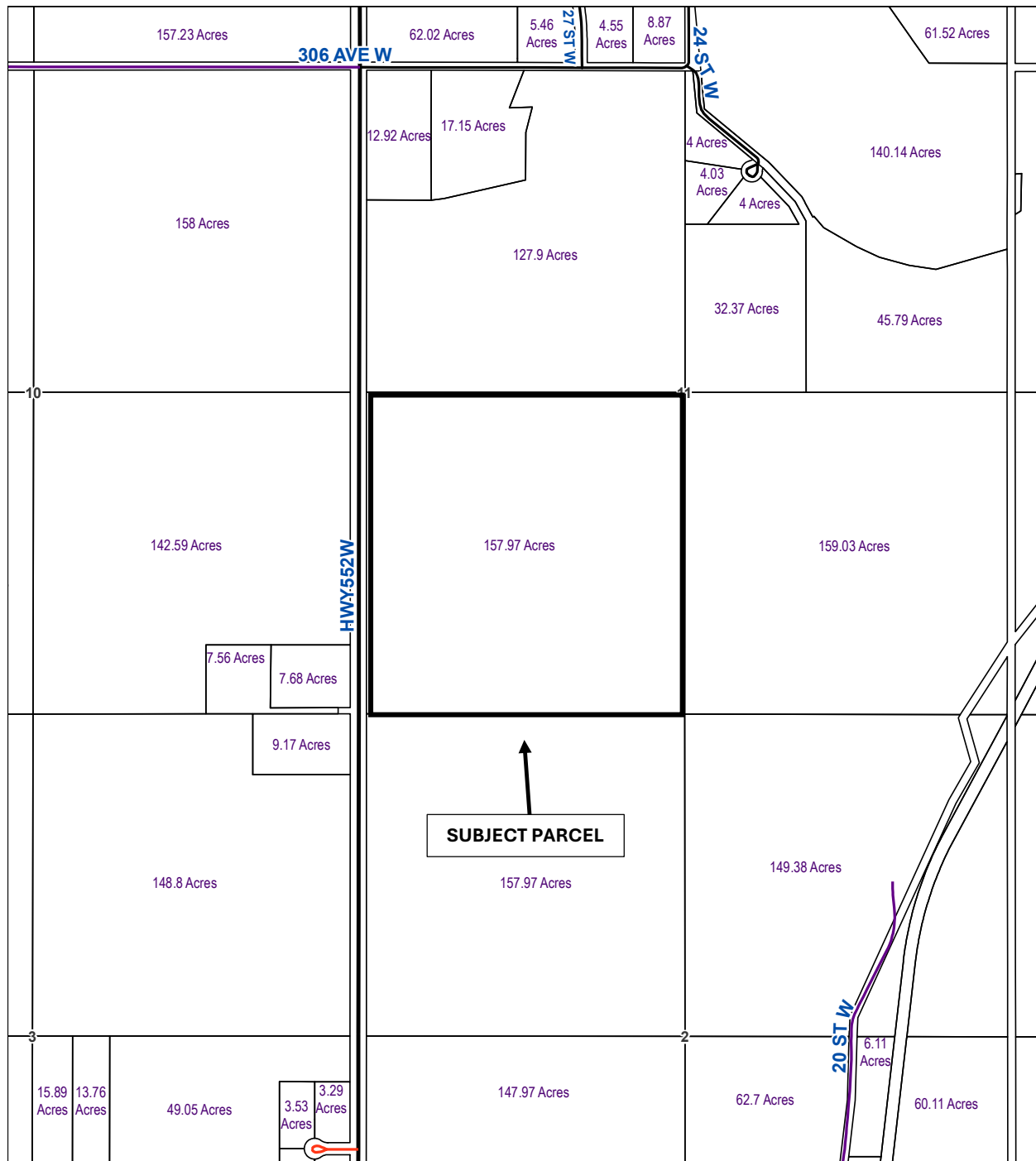


Legend

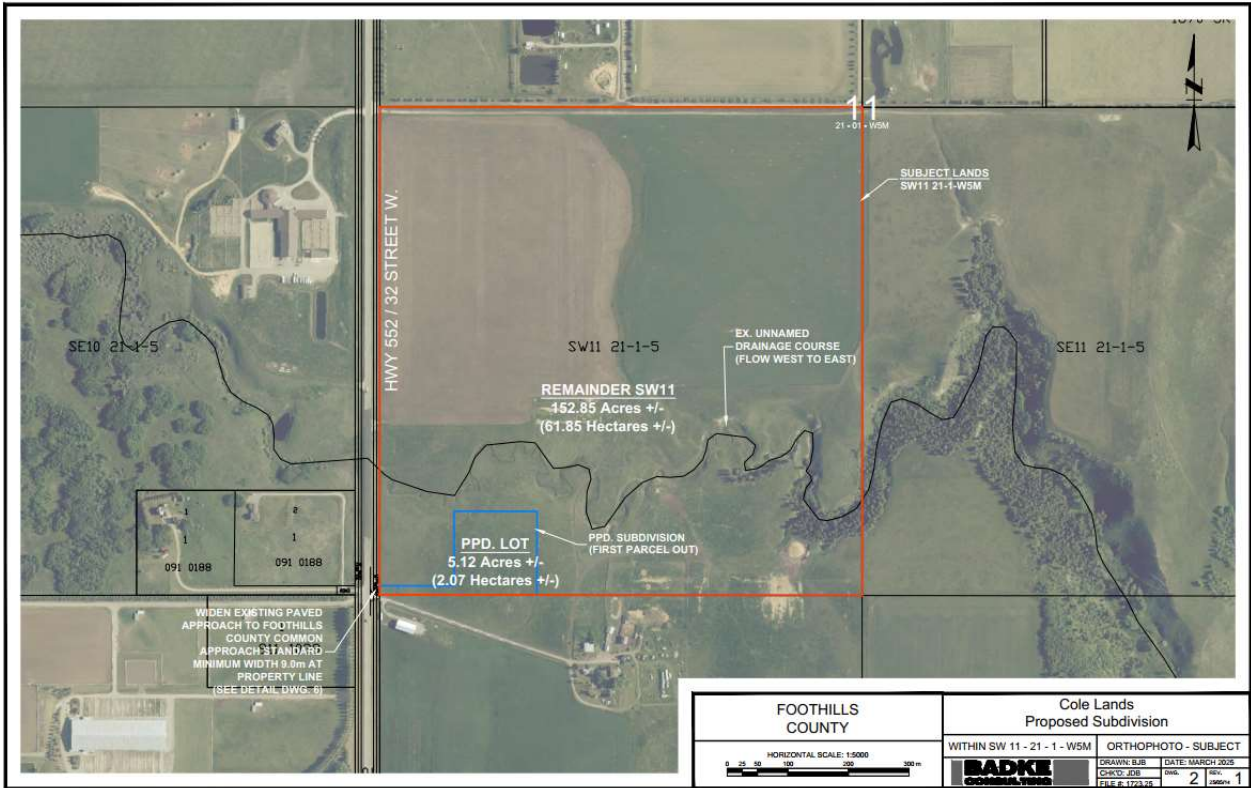
- Parcels
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- DC - Direct Control
- INR- Natural Resource Extractor
- SD- Service District

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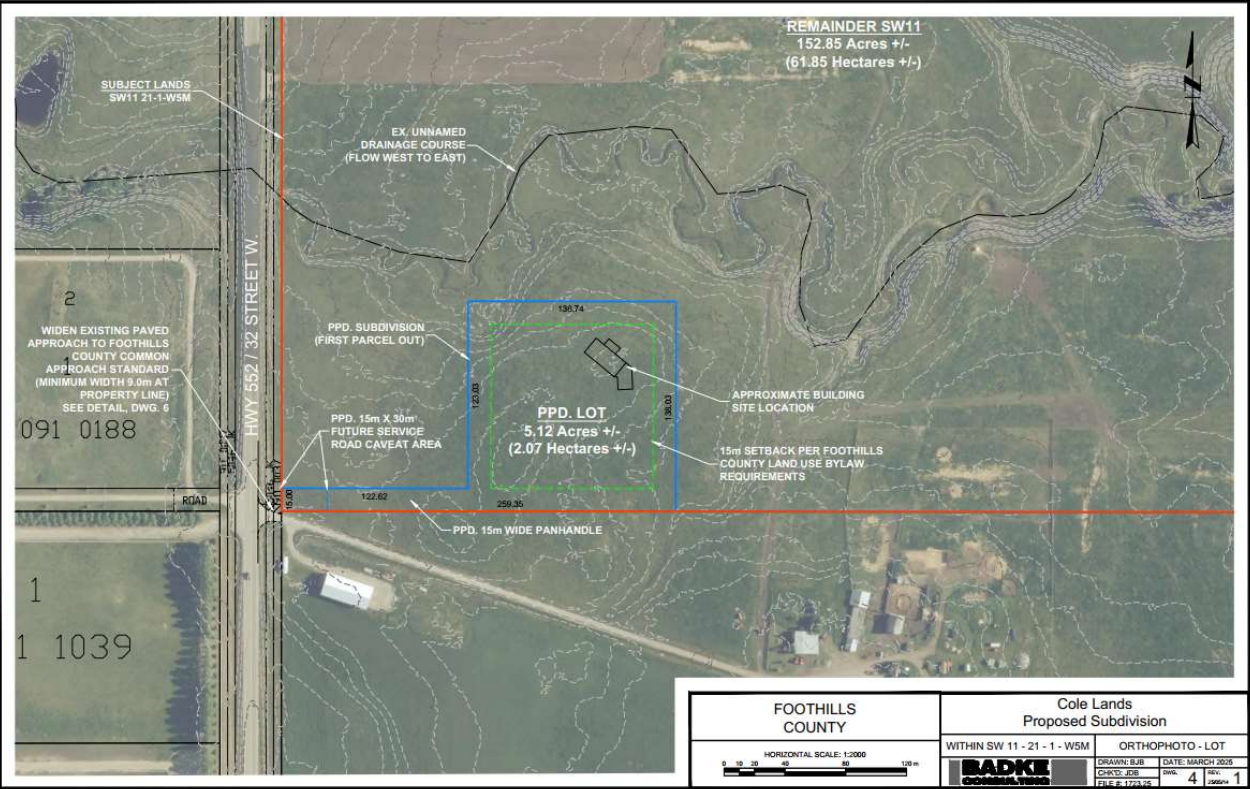
APPENDIX A: HALF MILE MAP – PARCEL SIZES



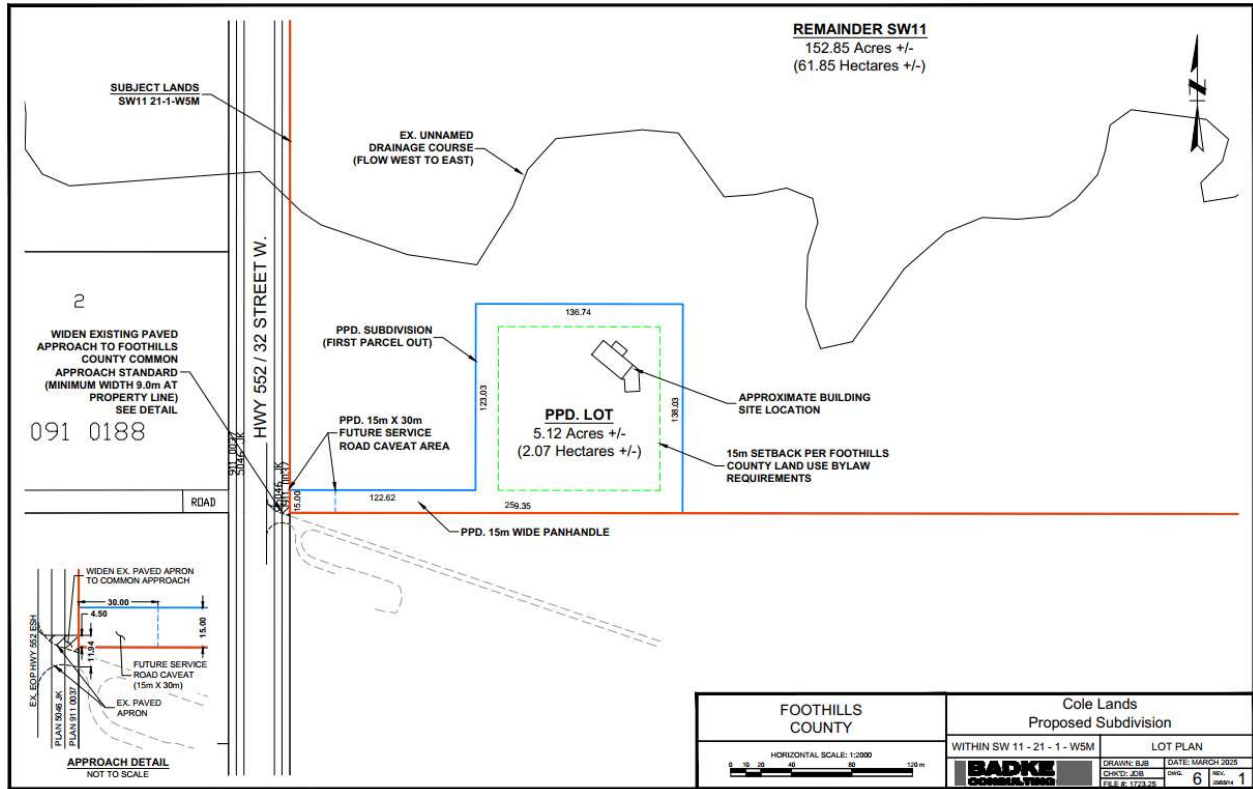
APPENDIX A: SITE PLAN 1 – AERIAL MAP



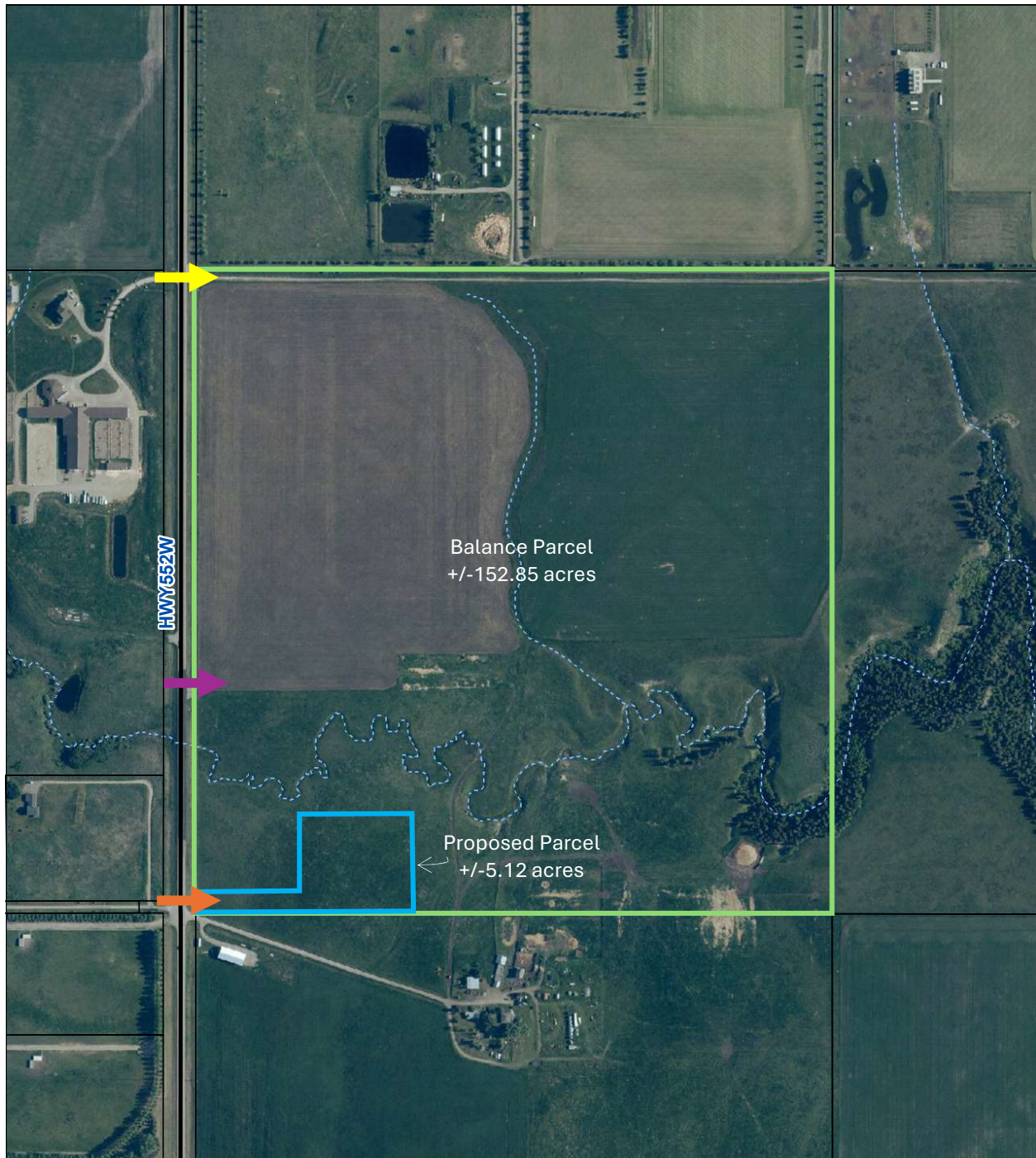
APPENDIX A: SITE PLAN 2 – AERIAL MAP (ZOOMED)









APPENDIX A: SITE PLAN 3 – PROPOSED PARCEL WITH APPROACH DETAILS



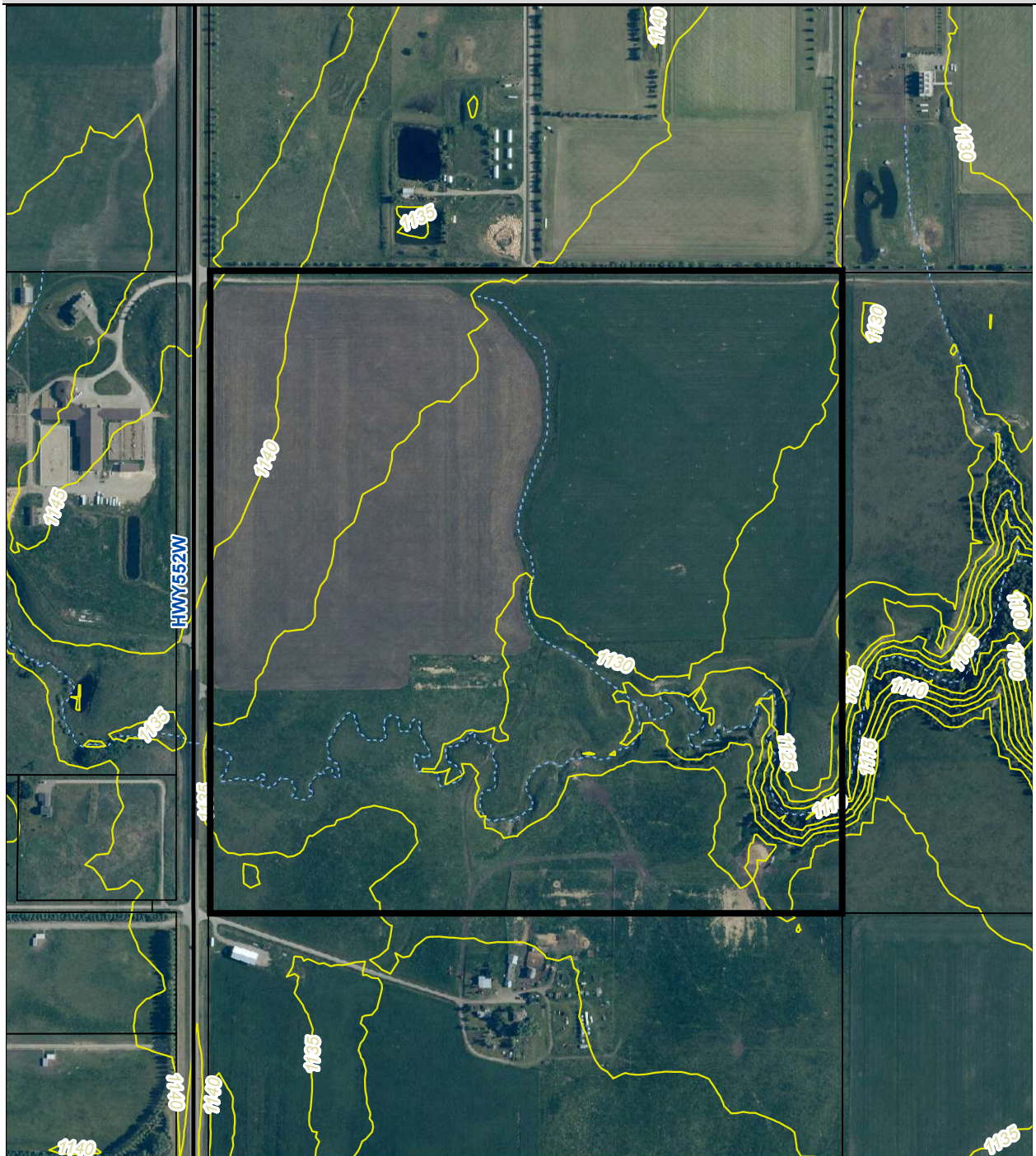
APPENDIX A: ORTHO MAP 1



Legend

-  Subject Parcel Boundary
-  Approximate Proposed Parcel Boundary
-  Existing Access to the West Side of the Balance Parcel
-  Existing Access to the East Side of the Balance Parcel
-  Proposed Access to Proposed Parcel
-  Recurring Minor Stream

APPENDIX A: ORTHO MAP 2 – CONTOURS



Legend

- Parcels
 Recurring/ Minor Stream
 5m Contours

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 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential lot with an approximate 152.85 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 2101 is amended by redesignating a 5.12 +/- acre portion on SW 11-21-01 W5M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.12 +/- acre Country Residential lot with an approximate 152.85 +/- 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 .