


**MISCELLANEOUS PLANNING ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SECOND AND THIRD READING TO BYLAW 34/2025
October 8th, 2025**

SECOND AND THIRD READING TO BYLAW 34/2025		
APPLICATION INFORMATION	FILE NO. 25R019	
	LEGAL DESCRIPTION: SW 03-22-02-W5M	
	LANDOWNERS: 876094 Alberta Ltd. – David Scheidt	
	AREA OF SUBJECT LANDS: 22.60 acres	
	CURRENT LAND USE: Agricultural District	
	PROPOSED LAND USE: Country Residential District	
<p>PROPOSAL: Redesignation of a 3.0 +/- acre portion of the 22.60 acre portion of Ptn. SW 03-22-02-W5M from Agricultural District to Country Residential District.</p> <p>AND</p> <p>A future boundary adjustment whereby 19.60 +/- acres is to be subtracted from the 22.60 acre portion of PTN: SW 03-22-02-W5M and 19.60 +/- acres is to be added to the 100.05 acre portion of PTN: SW 03-22-02-W5M. Resulting in one 3.0 +/- acre Country Residential District parcel and one 119.65 +/- acre Agricultural District parcel.</p> <p>The boundary adjustment will result in the following changes to the existing parcel sizes:</p> <ul style="list-style-type: none"> • PTN: SW 03-22-02-W5M – 22.60 acres to 3.0 +/- acres • PTN: SW 03-22-02-W5M – 100.05 acres to 119.65 +/- acres 		
DIVISION NO: 5	COUNCILLOR: Alan Alger	FILE MANAGER: Theresa Chipchase

PURPOSE OF REQUEST

Request to Council to provide second and third reading to Bylaw 34/2025, **as all conditions put forth with first reading of this bylaw have been complied with.**

BACKGROUND

Location

The parcels are located directly north of 2239 Drive West and directly east of an undeveloped road allowance which is a portion of 144th Street West. Further the lands are approximately five and one half kilometres south of Hwy 22X and the City of Calgary and six and one half kilometres east of Highway 22.

Pertinent Site Considerations

PTN SW 03-22-02-W5M (22.60 acres) – Includes a portion of a steep hillside at its northern end, which descends to a yard site at the toe of the slope of the hill at the southern end, which slopes down from the yard site to the road surface. The yard site consists of a residence, a detached garage a small shed and a greenhouse or workshop structure. The yard site is surrounded by a variety of shelterbelt trees including aspen, poplar, fir and spruce.

PTN: SW 21-22-02-W5M (100.50 acres) – Includes a portion of the slope of a steep hillside to the west and the northeast with a narrow valley between the hillsides which carries drainage through the parcel to the southeast corner where the yard site for this property is located. There is a small pond near the south boundary where the driveway has been constructed through a water body, forming two smaller ponds on either side. There are large groves of aspens and spruce trees all along the side slopes of the valley as well as within the southeast corner, adjacent to the municipal road. The yard site consists of a residence, a shop and a pole building along the east boundary of the property. The pole building would not meet the County’s setbacks to the east property line.

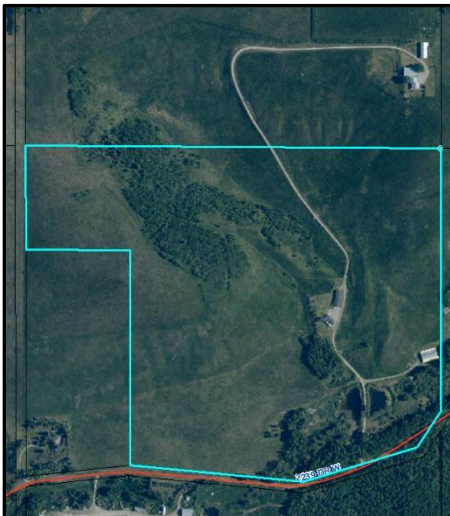
NOTE: At the May 21st, 2025, public hearing Council chose to consider the pole building along the east property line as a non-conforming structure.

Access



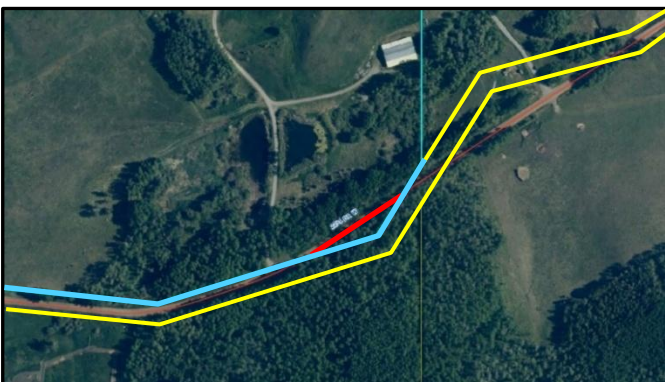
Access to the existing 22.60 acre parcel is provided from an approach to 2239 Drive West through a driveway located within the undeveloped road allowance (144th St. W), as shown in the aerial photo to the right (applicant's parcel outlined in blue). Public Works has no concerns with the approach and driveway being located within the road allowance.

NOTE: The road allowance has been fenced into the 22.60-acre parcel (to be reduced to 3.0 +/- acres), with an inactive license currently on that portion of the allowance. The landowner could apply for transfer and reactivation of that license for the benefit of the proposed 119.65 +/- acre parcel located north of 2239 Dr. W.



The access to the balance connects directly to 2239 Drive West on the east side of that parcel and further connects the adjacent lands, north of the applicant, over the applicant’s title.

NOTE: Access to the adjacent lands to the north does not include a registered agreement nor an Access Right of Way Plan.



The municipal road developed through the quarter (red line on the inset to the left), which is 2239 Dr. West, was partially constructed outside of the registered Road Plan (yellow lines on the inset to the left), within the southeast corner of the applicant’s parcel (blue lines on the inset to the left).

NOTE: Council, with approval of first reading to Bylaw 34/2025 required the following be provided as a condition of subdivision with regards to the area of road (red line on the inset to left) that is not included within the road plan for 2239 Dr. W.:

“The applicant will be required to consent to the registration of additional road plan to include the existing road that currently crosses a portion of the subject parcel’s southern boundary. The survey of the road plan will be undertaken at the expense of the County as a condition of subdivision.”

PREVIOUS COUNCIL DIRECTION

May 21st, 2025, Bylaw 34/2025 – application approved by Council granting first reading to Bylaw 34/2025, under the following motion:

“Bylaw 34/2025 was introduced into the meeting to authorize the redesignation of a 3.0 +/- acre portion of Ptn. SW 03-22-02-W5M from Agricultural District to Country Residential District to allow for a future boundary adjustment whereby 19.60 +/- acres from the 22.60 +/- acre portion of Ptn. SW 03-22-02-W5M is consolidated into the 100.05 +/- acre portion of Ptn. SW 03-22-02-W5M.

In consideration of the criteria noted in Agriculture Policy 2 and 4 of the MDP2010, Council is of the opinion that the land use resignation for the purpose of a future boundary adjustment for the subject lands would not be detrimental to the agricultural nature of the area or the integrity of the agricultural land base. Further the application falls within the density provisions and lot size restrictions set out within the Country Residential and Agricultural Districts within the County’s Land Use Bylaw.

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

- 1. Final redesignation application fees to be submitted;*
- 2. An agreement for acquisition of land in the amount of 5 metres along the south boundary of both parcels will be required to be executed and registered by way of caveat as a condition of subdivision*
- 3. The applicant will be required to consent to the registration of additional road plan to include the existing road that currently crosses a portion of the subject parcel’s southern boundary. The survey of the road plan will be undertaken at the expense of the County as a condition of subdivision; and*
- 4. Submission of an executed subdivision application and the necessary fees.”*

COUNCIL ACTION REQUESTED

Request to Council to consider second and third reading to Bylaw 34/2025 for redesignation of a 3.0 +/- acre portion of Ptn. SW 03-22-02-W5M from Agricultural District to Country Residential District to allow for a future boundary adjustment whereby 19.60 +/- acres from the 22.60 +/- acre portion of Ptn. SW 03-22-02-W5M is consolidated into the 100.05 +/- acre portion of Ptn. SW 03-22-02-W5M.

In consideration of the criteria noted in Agriculture Policy 2 and 4 of the MDP2010, Council is of the opinion that the land use resignation for the purpose of a future boundary adjustment for the subject lands would not be detrimental to the agricultural nature of the area or the integrity of the agricultural land base. Further the application falls within the density provisions and lot size restrictions set out within the Country Residential and Agricultural Districts within the County’s Land Use Bylaw.

APPENDICES

APPENDIX A - MAP SET:

LOCATION MAP

HALF MILE MAP - LAND USES

HALF MILE MAP – PARCEL SIZES

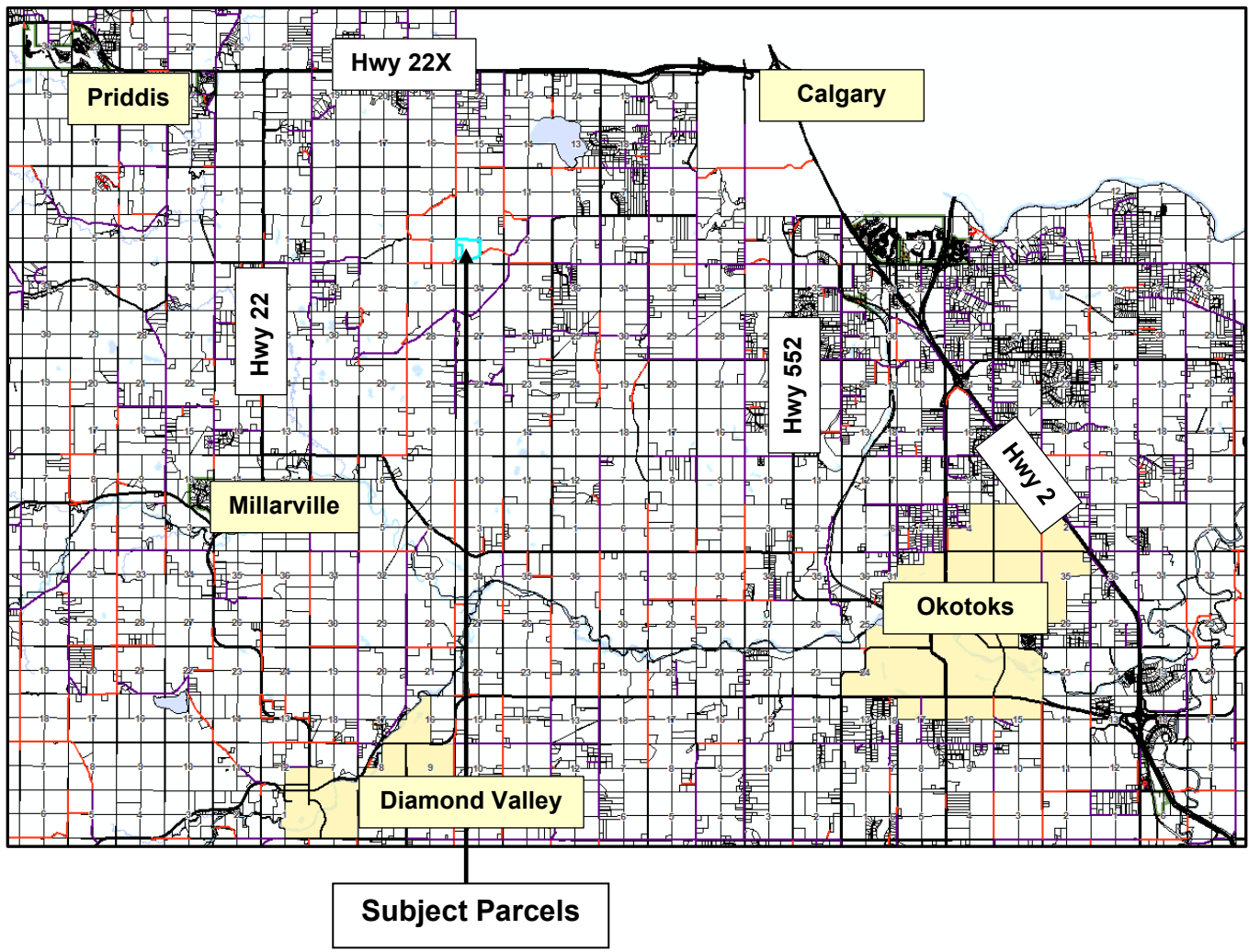
SITE PLAN

ORTHO PHOTO

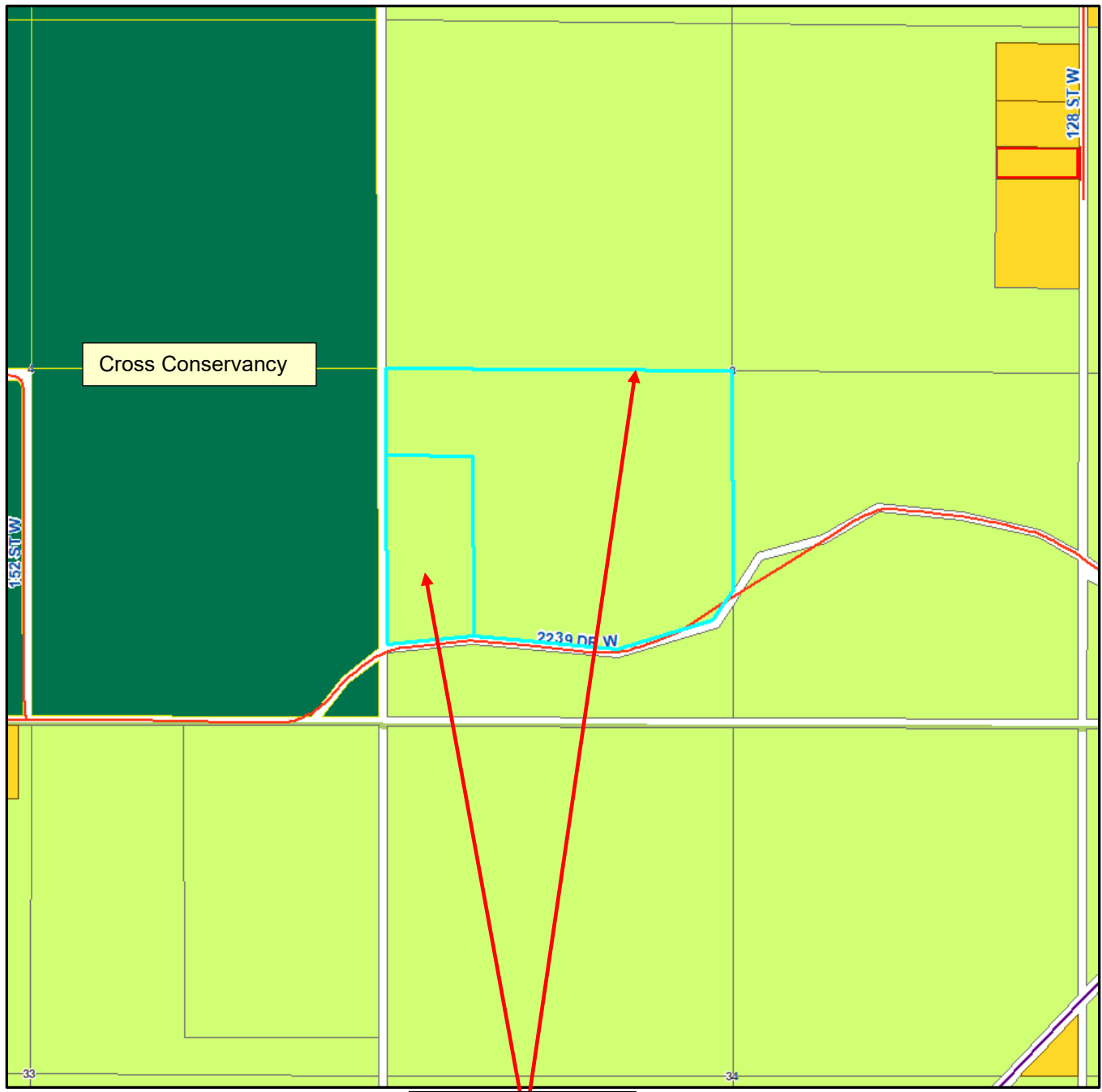
APPENDIX B:

BYLAW – FIRST READING

APPENDIX A: LOCATION MAP



APPENDIX A: HALF MILE MAP – LAND USE

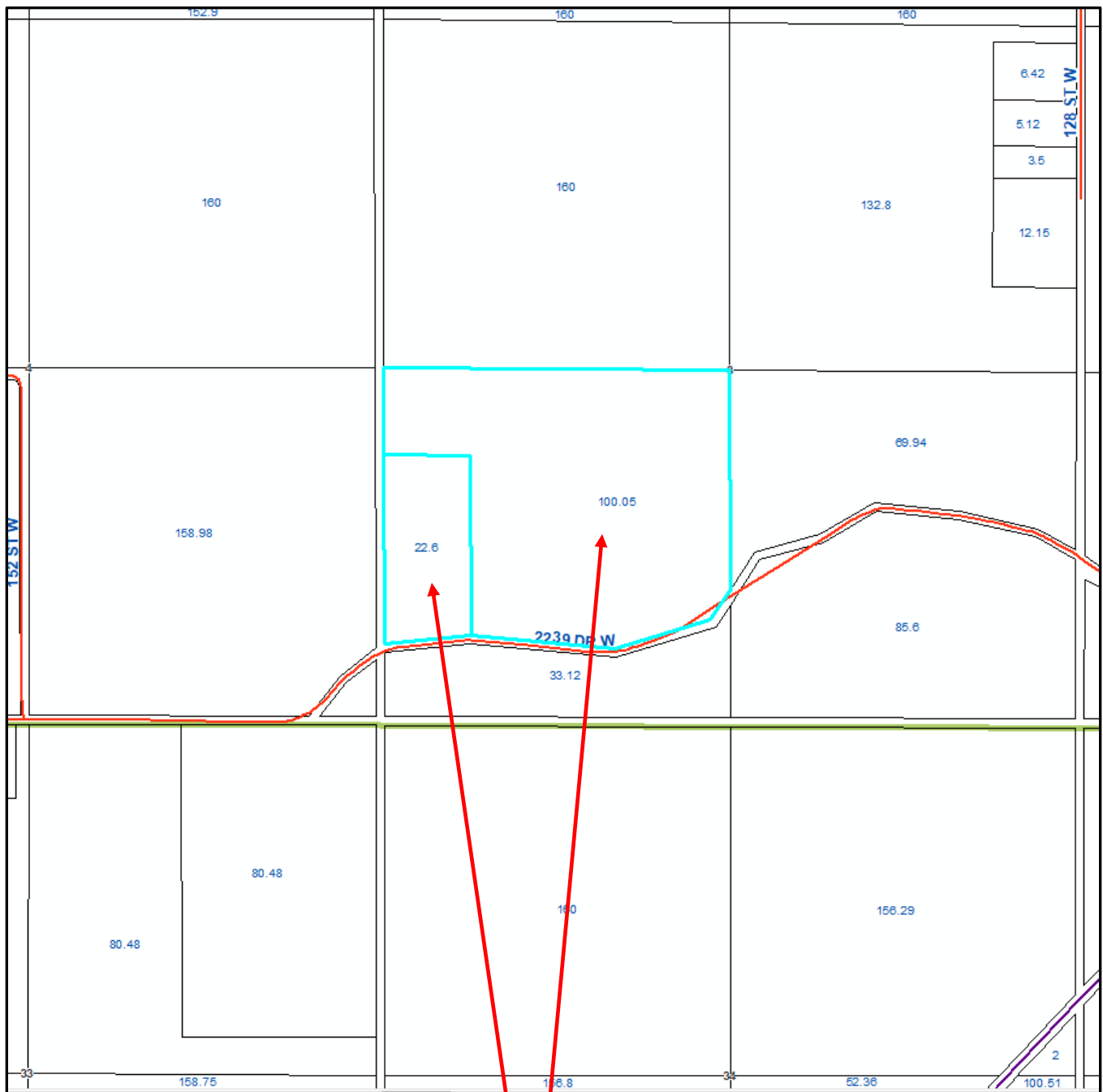


Subject Parcels

Legend

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> Hard Surface (Chip/oil) Gravel Developer Pavement Pavement Flood Hazard Protection District In Transition A- Agricultural AA- Agricultural Sub A | <ul style="list-style-type: none"> CR- Country Residential CRA- Country Residential Sub A DC - Direct Control BP- Bussiness Park RB- Rural Business INR- Natural Resource Extraction EP- Environmental Protection ER- Environmental Reserve | <ul style="list-style-type: none"> MR- Municipal Reserve MLR- Municipal Land/Reserve District |
|---|---|---|

APPENDIX A: HALF MILE MAP – LOT SIZES

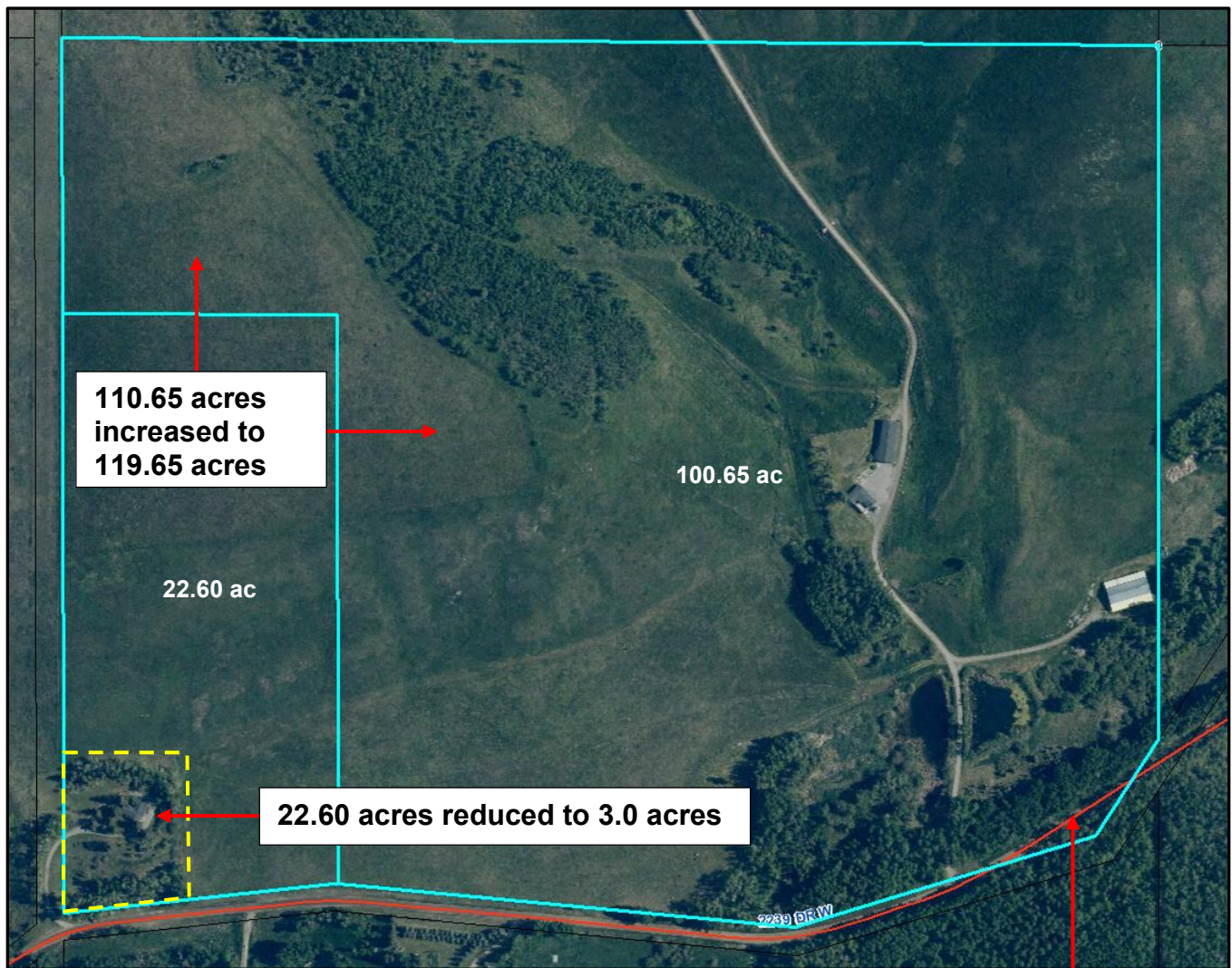


Subject Parcels

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



Portion of 2239 Dr. W to be surveyed out of the applicant's title and into Road Plan. County to provide survey for this land requirement.

BYLAW 34/2025

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 3.0 +/- acre portion of Ptn. SW 03-22-02 W5M from Agricultural District to Country Residential District, to allow for a future boundary adjustment whereby 19.60 +/- acres from the 22.60 +/- acre portion of Ptn. SW 03-22-02 W5M is consolidated into the 100.05 +/- acre portion of Ptn. SW 03-22-02 W5M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 1729 is amended by redesignating a 3.0 +/- acre portion of Ptn. SW 03-22-02 W5M from Agricultural District to Country Residential District, to allow for a future boundary adjustment whereby 19.60 +/- acres from the 22.60 +/- acre portion of Ptn. SW 03-22-02 W5M is consolidated into the 100.05 +/- acre portion of Ptn. SW 03-22-02 W5M.
2. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: May 21, 2025

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_____.