


**MISCELLANEOUS PLANNING ITEM
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 AMENDMENT TO CONDITIONS
 April 22, 2026**

APPLICATION INFORMATION	FILE NO. 25R042
	LEGAL DESC.: SE 29-18-27 W4M
	LANDOWNERS: David R. A. Turner
	AREA OF SUBJECT LANDS: 158.97 Acres
	CURRENT LAND USE: Agricultural District
	PROPOSED LAND USE: Country Residential District
PROPOSAL: Request to Council to consider amending a condition of first reading to Bylaw 69/2025 to allow for eleven (11) accessory buildings rather than the accepted seven (7), and to allow for the retention of all existing approaches rather than the removal of one.	
DIVISION NO: 1	COUNCILLOR: Reeve Siewert
FILE MANAGER: Elliott Salmon	

BACKGROUND

November 12, 2025: Council granted 1st reading to Bylaw 69/2025 to authorize the redesignation of a 9.9 +/- acre portion of Ptn. SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one 9.9 +/- acre Country Residential District parcel with an approximate 149.07 +/- acre Agricultural District balance parcel and to authorize a site specific amendment to the Country Residential District land use rules to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel being Ptn. SE 29-18-27 W4M.

EXECUTIVE SUMMARY

Location:

The subject parcel is located immediately northwest of the intersection of 232 St E and 562 Ave E, approximately 1.5 km east of Frank Lake and approximately 6.5 km southwest of the Hamlet of Blackie.

Purpose of Request:

Condition #3 of the Land Use Approval under Bylaw 69/2025 currently states:

3. The applicant is to provide a revised site plan illustrating the following:
 - i. the removal of one of the existing approaches onto the proposed Country Residential parcel;
 - ii. all property lines located at least 90 metres from the existing open discharge septic system;
 - iii. a total of seven (7) accessory buildings (not including the Dwelling) which are proposed to remain on site and identification of total square footage of these buildings;

The landowner is requesting Council to consider amending Condition #3 of the Land Use Approval as they are now proposing to retain eleven (11) accessory buildings on the property instead of the accepted seven (7) as they currently still use the buildings. Further, the landowner proposes to retain all existing approaches.

The area Councillor has approved this request to be brought in front of Council.

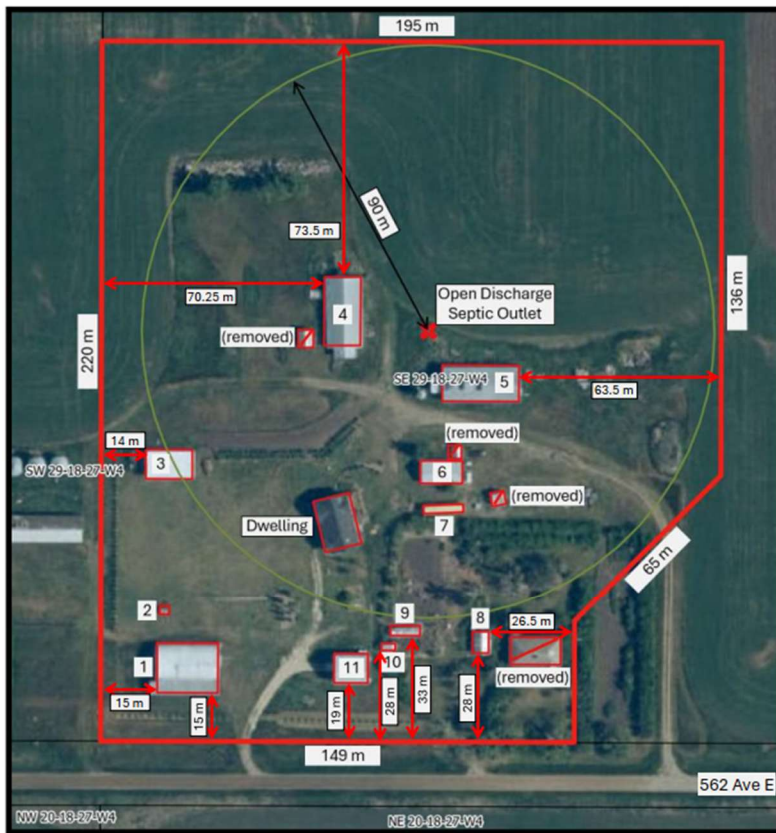
LAND USE APPROVAL CONDITIONS

1. Landowners are to fully execute and comply with all requirements as outlined in 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. Landowners are to obtain any necessary building and safety codes permits and inspections for the septic system to the discretion of the Safety Codes Officer;
3. The applicant is to provide a revised site plan illustrating the following:
 - i. **the removal of one of the existing approaches onto the proposed Country Residential parcel;**
 - ii. all property lines located at least 90 metres from the existing open discharge septic system;
 - iii. **a total of seven (7) accessory buildings (not including the Dwelling) which are proposed to remain on site and identification of total square footage of these buildings;**
4. The applicant is advised that the Site Specific Amendment to the Country Residential Land Use District rules allows for consideration through issuance of a Development Permit to allow for additional buildings, accessory to the residence, to a maximum cumulative size as identified within the required site plan under condition 3, and as acknowledged by Council. Prior to any buildings being deemed compliant, it is the landowner's responsibility to obtain approval through issuance of an appropriate Development Permit;
5. The applicant is to provide a qualified professional assessment of the existing open discharge septic system for review and acceptance by Foothills County, to confirm its adherence with code requirements;
6. Final redesignation fees to be submitted; and
7. Submission of an executed subdivision application and the necessary fees.

NEW SITE PLAN

Below is the new site plan for the proposal. The original site plan can be found in Appendix A.

25R 042 - SE 29-18-27 W4M



Accessory building	Dimensions	Area
1 – Quonset	54' x 62'	3,348 sq. ft.
2 – Well House	3' x 3'	9 sq. ft.
3 – Machine Shed	30' x 48'	1,440 sq. ft.
4 – Hog Barn	36' x 72'	2,592 sq. ft.
5 – Hog Barn	40' x 64'	2,560 sq. ft.
6 – Shop	27' x 40'	1,080 sq. ft.
7 – Sea-can	8' x 40'	320 sq. ft.
8 – Garage	12' x 20'	240 sq. ft.
9 – Greenhouse	8' x 30'	240 sq. ft.
10 – Garden Shed	8' x 10'	80 sq. ft.
11 – Garage	31' x 32'	992 sq. ft.
Total Area:		12,901 sq. ft.

RELEVANT REFERRAL COMMENTS FROM 1ST READING STAFF REPORT

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<ul style="list-style-type: none"> • Current standards only allow for one approach for properties less than 10 acres. • Public Works recommends that one of the approaches to the proposed parcel is removed; however, Council may choose to allow access to remain as-is. • There are no topographical features on the proposed lot that would reduce the building area further than the setbacks required by the Land Use Bylaw.

POLICY EVALUATION

Land Use Bylaw 60/2014:

The total number, cumulative size and setback distances to existing accessory buildings does not meet the requirements of the County’s Land Use Bylaw. Table 4.2.1.7A below shows the maximum number and

cumulative size of accessory buildings for the proposed +/- 9.9 acre parcel without an issued Development Permit.

Table 4.2.1.7A

PARCEL SIZE	SIZE OF ACCESSORY BUILDING
Less than 1 acre	Maximum of two (2) buildings with a total cumulative size not to exceed 41.8 sq. m. (450 sq. ft.) accessory to the residence
1.0 - 1.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 88.26 sq. m. (950 sq. ft.) accessory to the residence
2 - 2.99 acres in size	Maximum of three (3) buildings with a total cumulative size not to exceed 155.6 sq. m. (1,675 sq. ft.) accessory to the residence
3.0 - 4.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 285.7 sq. m. (3,075 sq. ft.) accessory to the residence
5.0 - 9.99 acres in size	Maximum of four (4) buildings with a total cumulative size not to exceed 325.2 sq. m. (3,500 sq. ft.) accessory to the residence
10.0 - 14.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 380.9 sq. m. (4,100 sq. ft.) accessory to the residence
15.0 - 20.99 acres in size:	Maximum of five (5) buildings with a total cumulative size not to exceed 422.7 sq. m. (4,550 sq. ft.) accessory to the residence
21.0 acres and over in size:	Maximum of six (6) buildings with a total cumulative size not to exceed 478.5 sq. m. (5,150 sq. ft.) accessory to the residence.
Agricultural District and Agricultural Business District Parcels	Any size accessory building to be used for agricultural, general purposes on agricultural zoned parcels when an agricultural operation exists on the property, in accordance with Section 4.2.1.7 of this Bylaw.

As shown on the new site plan, the landowner is proposing to keep eleven (11) accessory buildings with a cumulative size of +/- 12,901 sq. ft.

OPTIONS FOR CONSIDERATION

Below are three (3) possible options for Council’s consideration:

OPTION #1: APPROVAL

Should Council choose to amend the conditions of the Land Use Approval under Bylaw 69/2025 to allow for eleven (11) accessory buildings and to waive the requirement for the removal of one existing approach, the following motion has been provided for consideration:

Council has no objection to the request to allow for eleven accessory buildings on the proposed +/- 9.9 acre parcel and to allow for all existing approaches to remain.

Recommended Amended Conditions for Option #1 (changes in bold):

1. Landowners are to fully execute and comply with all requirements as outlined in 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. Landowners are to obtain any necessary building and safety codes permits and inspections for the septic system to the discretion of the Safety Codes Officer;
3. The applicant is to provide a revised site plan illustrating the following:
 - ~~i. the removal of one of the existing approaches onto the proposed Country Residential parcel;~~
 - i. all property lines located at least 90 metres from the existing open discharge septic system;

- ~~ii. a total of seven (7) accessory buildings (not including the Dwelling) which are proposed to remain on site and identification of total square footage of these buildings;~~
 - ii. a total of eleven (11) accessory buildings (not including the Dwelling) which are proposed to remain on site and identification of total square footage of these buildings;
4. The applicant is advised that the Site Specific Amendment to the Country Residential Land Use District rules allows for consideration through issuance of a Development Permit to allow for additional buildings, accessory to the residence, to a maximum cumulative size as identified within the required site plan under condition 3, and as acknowledged by Council. Prior to any buildings being deemed compliant, it is the landowner's responsibility to obtain approval through issuance of an appropriate Development Permit;
 5. The applicant is to provide a qualified professional assessment of the existing open discharge septic system for review and acceptance by Foothills County, to confirm its adherence with code requirements;
 6. Final redesignation fees to be submitted; and
 7. Submission of an executed subdivision application and the necessary fees.

OPTION #2: REFUSAL

Should Council choose to refuse the request to amend the conditions of the Land Use Approval under Bylaw 69/2025, the following motion has been provided for consideration:

Council denies the request to allow for eleven accessory buildings on the proposed parcel and to allow for all existing approaches to remain and therefore, the conditions of approval for first reading to Bylaw 69/2025 be upheld.

APPENDICES

APPENDIX A – MAP SET

LOCATION MAP

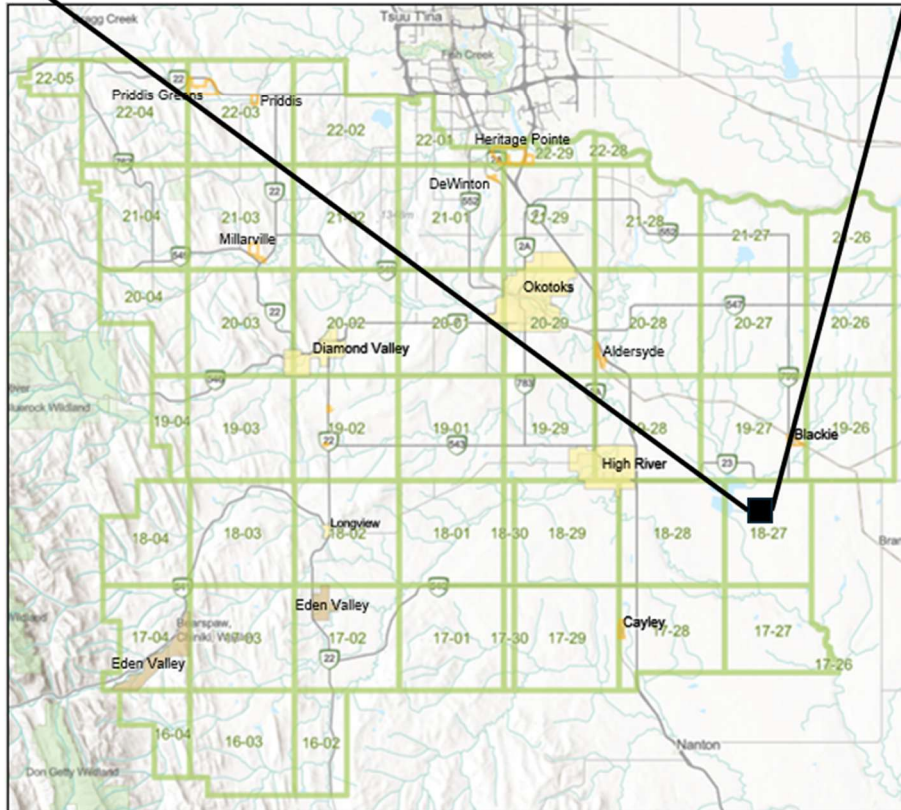
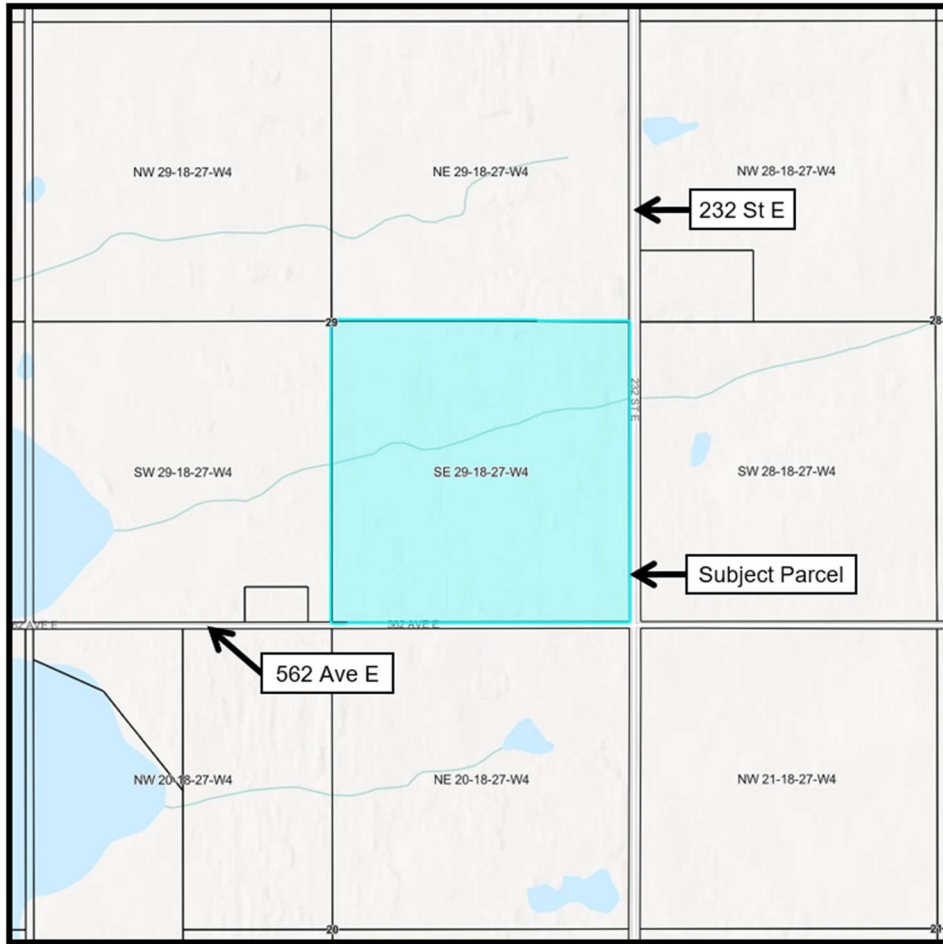
ORIGINAL SITE PLANS

ORTHO PHOTO

APPENDIX B – DRAFT BYLAW


APPENDIX C – EXCERPTS FROM COUNCIL MINUTES

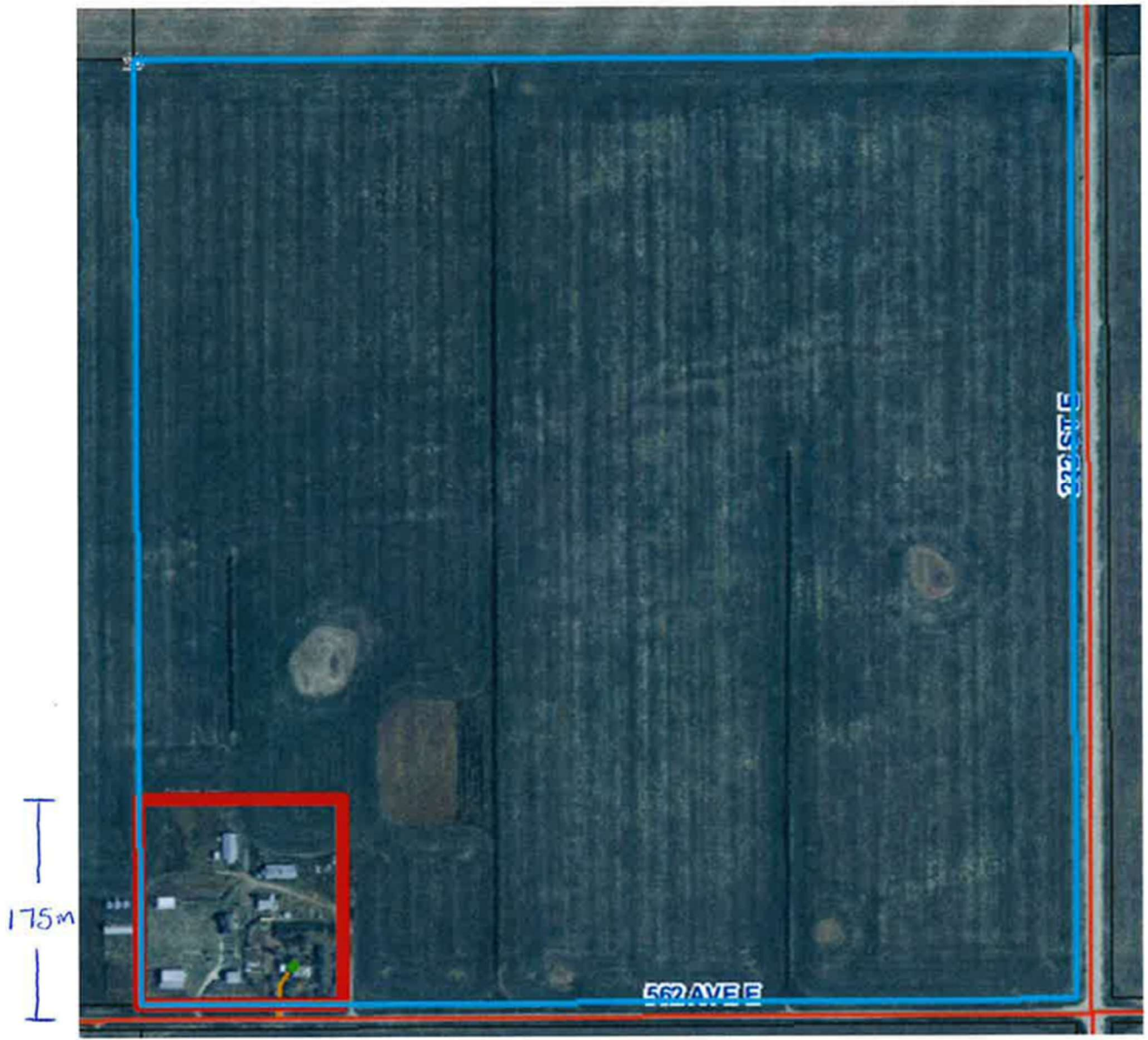
APPENDIX A – LOCATION MAP



APPENDIX A – ORIGINAL SITE PLANS



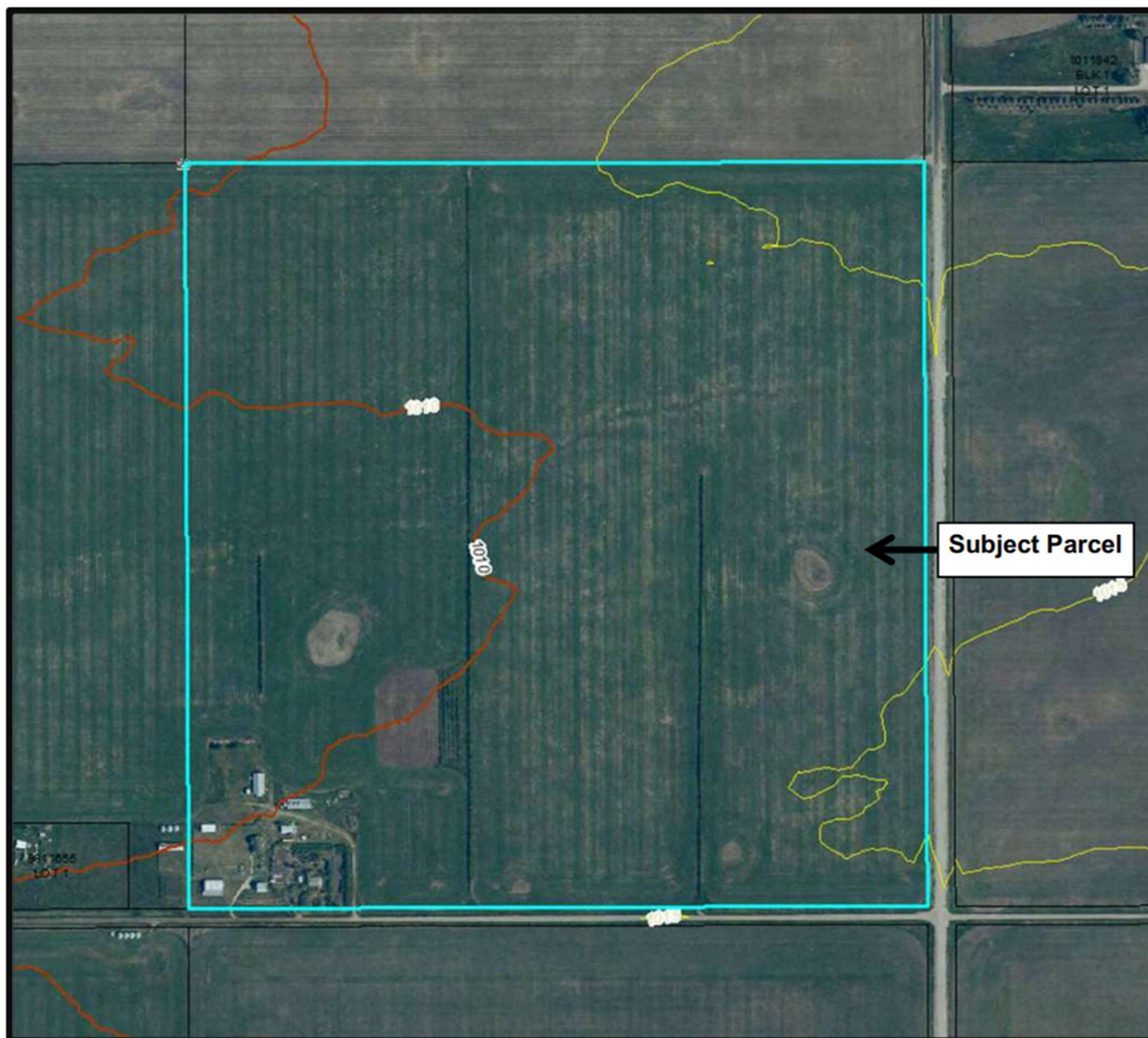
-  Existing Access(es)
-  To be removed or demolished



172m

7.5 acres.

APPENDIX A – ORTHO PHOTO



BYLAW 69/2025

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 9.9 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.9 +/- acre Country Residential lot with an approximate 149.07 +/- acre Agricultural District balance parcel.

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by authorizing a Site-Specific Amendment to the Country Residential District land use rules to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 1827 is amended by redesignating a 9.9 +/- acre portion on SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 9.9 +/- acre Country Residential lot with an approximate 149.07 +/- acre Agricultural District balance parcel.
2. Under SECTION 13.1 COUNTRY RESIDENTIAL DISTRICT, the following shall be added under Section 13.1.5 DISCRETIONARY USES only on *Ptn. 29-18-27 W4M*:

To allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel, being Ptn. SE 29-18-27 W4M.

3. This Bylaw shall have effect on the date of its third reading and upon being signed.

FIRST READING: November 12, 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 .

**FOOTHILLS COUNTY
COUNCIL MINUTES**

**November 12, 2025, 9:00 a.m.
Foothills County Administration Office
309 Macleod Trail South – High River**

Present: Reeve Siewert, Deputy Reeve Oel, Councillor Alger, Councillor McHugh, Councillor Callister, Councillor Kendall (by electronic means), Councillor Estes

Administration: CAO R. Payne, Municipal Advisor H. Riva Cambrin, Deputy Director of Planning D. Granson, Manager of Legislative Services S. Barrett, Recording Secretary F. Fairweather

C. SCHEDULED MEETINGS & PUBLIC HEARINGS

C.1 10:00 a.m. - Turner - SE 29-18-27 W4M - Redesignation (A to CR) and Site Specific Amendment

D. Turner was in attendance for the public hearing in connection to the proposed redesignation of a 7.5 +/- acre portion of Ptn. SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one 7.5 +/- acre Country Residential District parcel with an approximate 151.47 +/- acre Agricultural District balance parcel and proposed site specific amendment to the Country Residential District land use rule to allow for a relaxation to the number, cumulative size and setback distances to existing accessory building on the proposed parcel being Ptn. SE 29-18-27 W4M.

The public hearing was closed.

C.1.1 Turner - SE 29-18-27 W4M - Decision

Bylaw 69/2025

Bylaw 69/2025 was introduced into the meeting to authorize the redesignation of a 9.9 +/- acre portion of Ptn. SE 29-18-27 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one 9.9 +/- acre Country Residential District parcel with an approximate 149.07 +/- acre Agricultural District balance parcel and to authorize a site specific amendment to the Country Residential District land use rule to allow for a relaxation to the number, cumulative size and setback distances to existing accessory buildings on the proposed parcel being Ptn. SE 29-18-27 W4M.

In their consideration of the criteria noted in the Agriculture and Residential sections of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and 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, and policy 5 of the MDP2010 supports the subdivision of one parcel from a previously un-subdivided quarter section.

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

1. Landowners are to fully execute and comply with all requirements as outlined in 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. Landowners are to obtain any necessary building and safety codes permits and inspections for the septic system to the discretion of the Safety Codes Officer;
3. The applicant is to provide a revised site plan illustrating the following:
 - i. the removal of one of the existing approaches onto the proposed Country Residential parcel;
 - ii. all property lines located at least 90 metres from the existing open discharge septic system;
 - iii. a total of seven (7) accessory buildings (not including the Dwelling) which are proposed to remain on site and identification of total square footage of these buildings;
4. The applicant is advised that the Site Specific Amendment to the Country Residential Land Use District rules allows for consideration through issuance of a Development Permit to allow for additional buildings, accessory to the residence, to a maximum cumulative size as identified within the required site plan under condition 3, and as acknowledged by Council. Prior to any buildings being deemed compliant, it is the landowner's responsibility to obtain approval through issuance of an appropriate Development Permit;
5. The applicant is to provide a qualified professional assessment of the existing open discharge septic system for review and acceptance by Foothills County, to confirm its adherence with code requirements;
6. Final redesignation fees to be submitted; and
7. Submission of an executed subdivision application and the necessary fees.

Resolution 966**Moved by:** Deputy Reeve Oel

That Bylaw 69/2025 be given first reading.

THE BYLAW WAS PASSED FOR ONE READING