


**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT
February 12, 2025
To be heard at: 10:00 AM**

APPLICATION INFORMATION		FILE NO. 24R047
	LEGAL DESCRIPTION: Ptn. SE 17-21-02 W5M; Plan 9312042, Block 1	
	LANDOWNERS: Craig & Leslie Couillard	
	AREA OF SUBJECT LANDS: 9.95 Acres	
	CURRENT LAND USE: Country Residential District (CR)	
	PROPOSED LAND USE: Country Residential District (CR)	
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 2.50 +/- acre CR parcel		
PROPOSAL: Amendment to the Country Residential District land use rules to allow for the future subdivision of one +/- 2.50 acre CR parcel, leaving a +/- 7.45 acre CR balance.		
DIVISION NO: 3	COUNCILLOR: Barb Castell	
FILE MANAGER: Melanie Michaud		

EXECUTIVE SUMMARY:

Location:

The subject parcel is located directly west and adjacent to 160th Street East, approximately 0.7 km north of 306th Avenue West and approximately 0.9 km northeast of Highway 549.

Policy Evaluation:

The application was reviewed within the terms of the:

- Municipal Development Plan 2010 (MDP2010);
- Growth Management Strategy; and
- Land Use Bylaw 60/2014;

Referral Considerations:

- The application was referred to the required Provincial and Municipal bodies, as well as Utilities.

PURPOSE OF APPLICATION:

Bylaw XX/2025 – An application has been made to amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 2.50 +/- acre Country Residential District lot with an approximate +/- 7.45 Country Residential District balance.

HISTORY:

1993 The subject quarter section was subdivided to create one new 10 acre parcel. The County's requirement of 17 feet of land along the entire east side of the 10 acres was provided.

SITE CONSIDERATIONS:

Access:

The subject parcel is currently accessed from an existing approach on 160th Street W. This approach is located at the northeast corner of the parcel.

A second approach is proposed to be constructed on 160th Street W approximately 85 m south of the current approach.

Physiography:

The topography of the subject lands is rolling with areas of sloping from east to west. There is some tree cover in the southeast portion of the land that is proposed to be subdivided, as well as around the residence. The lands in approximately the center of the property are relatively flat and have been developed for residential use.

Existing Development / Site Improvements:

At this time, the existing development on the subject parcel as per the submitted site plan, includes a residence with an attached garage and suite, a barn and three horse shelters, as well as an outdoor riding arena. In addition, there is an existing water well located northeast of the residence and an existing septic field, located northwest of the residence.

All of the existing development, except for one of the horse shelters, is proposed to remain on the balance parcel. There is one shelter that does not meet the setback requirement to the south boundary of the parcel. The landowners are to submit a development permit application to bring this shelter into compliance with the Land Use Bylaw.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<u>Access:</u> Public Works has worked with the landowner to create a plan for the proposed approach. There is a suitable location for an approach +/-85m south of the existing approach. This is located within a natural high area that would avoid excessive fill to be brought in for the approach to meet grade requirements. Sight distance to the south exceeds the required 180m. Sight distance to the north from the proposed location is 105m.

CIRCULATION REFERRALS	
	<p>There is a “Hidden Driveway” sign to the north alerting traffic heading south. Hidden Driveway signs are used for approaches where the required 180m sight distance cannot be met on 80km/hr roads due to topography.</p> <p><u>Other Comments Provided:</u></p> <p>A Septic Disposal Evaluation as well as a Building Envelope Report are recommended as conditions of subdivision.</p>
EXTERNAL	
<p>Alberta Transportation And Economic Corridors (ATEC)</p>	<p>ATEC noted the following:</p> <ul style="list-style-type: none"> • 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. • 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. • The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the Subdivision Authority to vary the requirements of Section 18 of the Regulation. • The requirements of Section 19 are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the Subdivision Authority to vary the requirements of Section 19 of the Regulation.
PUBLIC	
<p>Western Wheel</p>	<p>January 29, 2025 and February 5, 2025</p>
<p>Landowners (Half Mile)</p>	<p>No letters were submitted prior to the submission of this staff report.</p>

POLICY EVALUATION:

Municipal Development Plan 2010 (MDP2010):

The application generally meets the intent of Policies 3 and 9 of the Residential section of the MDP2010, which provides that residential parcels should consider their compatibility with the surrounding area and their impact on the agricultural industry. Further, the development must consider the suitability of the lands for residential uses and the efficient use of land as well as the cumulative effects of development.

Growth Management Strategy:

The subject parcel is located within the Northwest District. The vision for this District is supportive of minimal to moderate growth and development with careful consideration of the potential impacts on wildlife habitat and watershed areas.

Land Use Bylaw 60/2014:

The application meets the density requirements and lot size restrictions as set out in Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

SUMMARY:

Bylaw XX/2025 – Application for an amendment to the Land Use Bylaw to allow for the future subdivision of one +/- 2.5 acre Country Residential District parcel, leaving a +/- 7.45 acre Country Residential District balance.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

Council may choose to grant 1st reading to the application for an amendment to the Country Residential District land use rules to allow for the future subdivision of one +/- 2.5 acre Country Residential District parcel, leaving a +/- 7.45 acre Country Residential District balance from Ptn. SE 17-21-02 W5M; Plan 9312042, Block 1, for the following reasons:

In their consideration of the criteria noted within the Residential section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use. Further, the application falls within the density provisions and lot size restrictions of the Country Residential District within the County's Land Use Bylaw.

Recommended Conditions for Option #1:

1. 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;
2. The landowners are to submit a development permit application to bring the existing horse shelter into compliance with the Land Use Bylaw, as a condition of subdivision.
3. Proof of adequate water supply to be provided in accordance with the Municipal Water Policy to the satisfaction of the County;
4. Final amendment 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 an amendment to the Country Residential District land use rules to allow for the future subdivision of one +/- 2.5 acre Country Residential District parcel, leaving a +/- 7.45 acre Country Residential District balance from Ptn. SE 17-21-02 W5M; Plan 9312042, Block 1, for the following reasons:

In consideration of the criteria noted within the Residential section of the MDP2010, Council is of the opinion that the application does not adequately address the intent of this section with respect to the cumulative effects of development and suitability of the lands for further development.

APPENDICES:

APPENDIX A: MAP SET

LOCATION MAP

LAND USE MAP

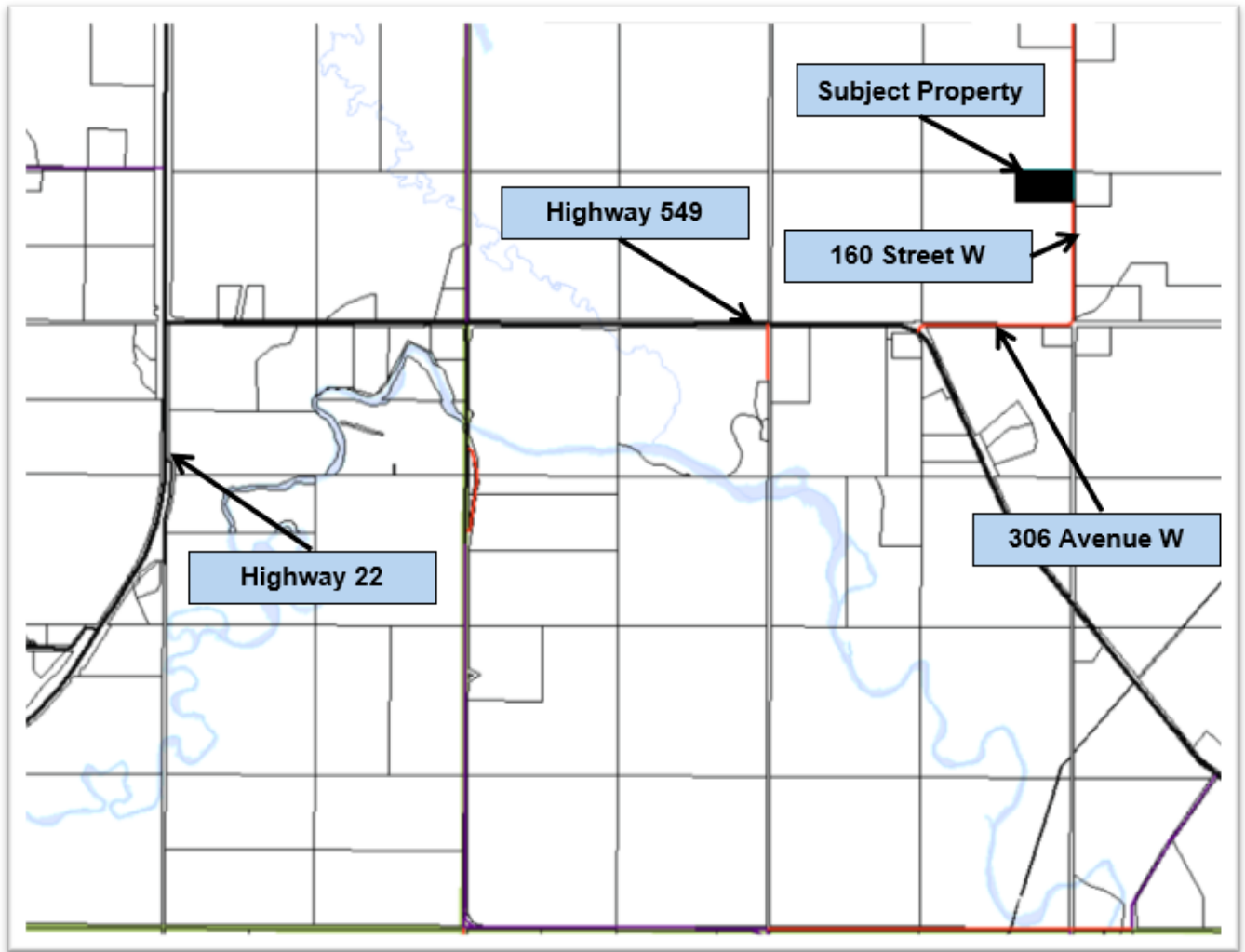
HALF MILE – PARCEL SIZES

SITE PLAN

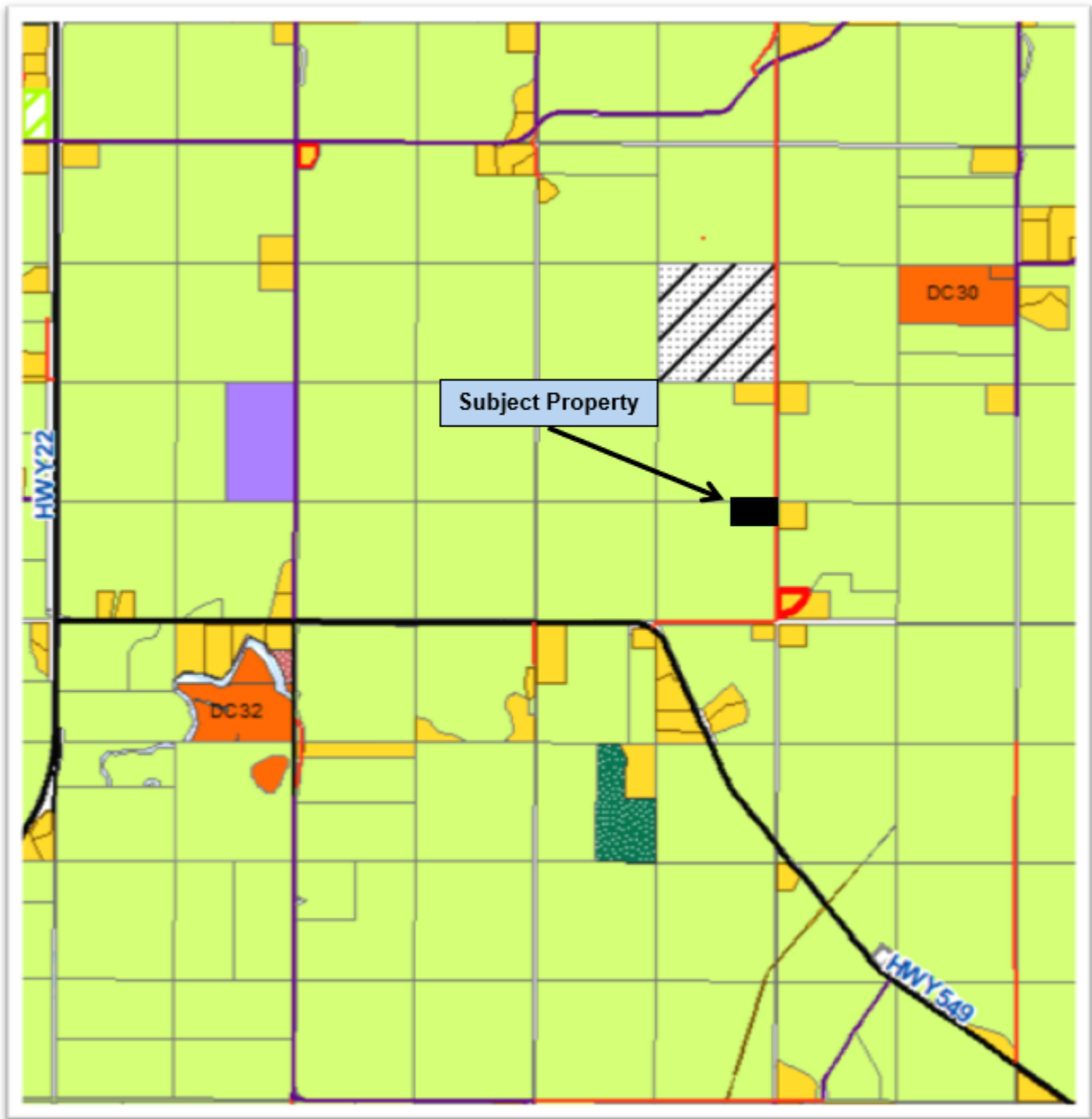
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW

APPENDIX A: LOCATION MAP



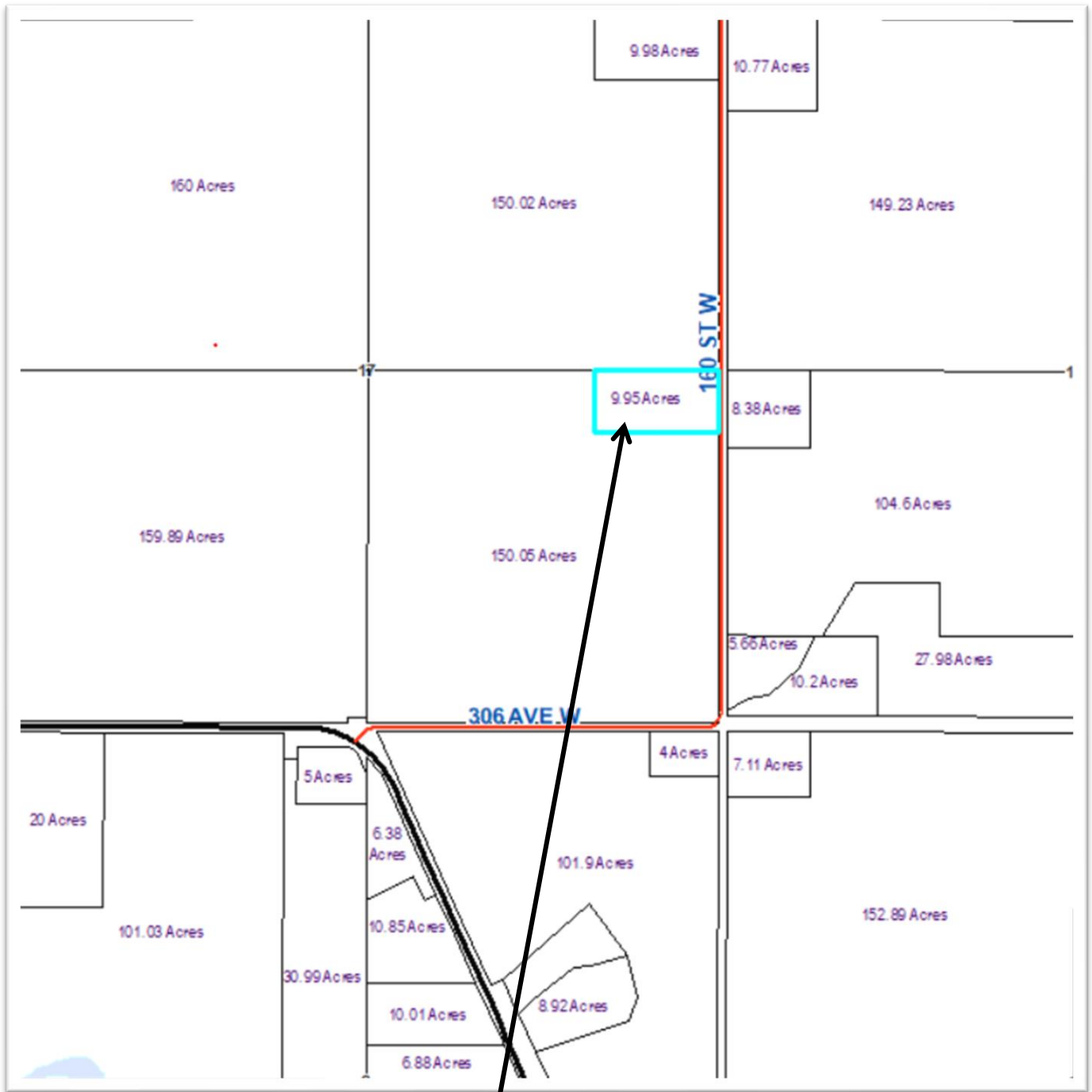
APPENDIX A: LAND USE MAP



Legend

- | | | |
|--------------------------------|----------------------------------|---------------------------|
| Multiple Land Uses | HR- Hamlet Residential | ER- Environmental Reserve |
| A- Agricultural | CMC- Community Commercial | MR- Municipal Reserve |
| AA- Agricultural Sub A | INR- Natural Resource Extraction | |
| AB- Agriculture Business | DC- Direct Control | |
| CR- Country Residential | EP- Environmental Protection | |
| CRA- Country Residential Sub A | PUL- Public Utility | |

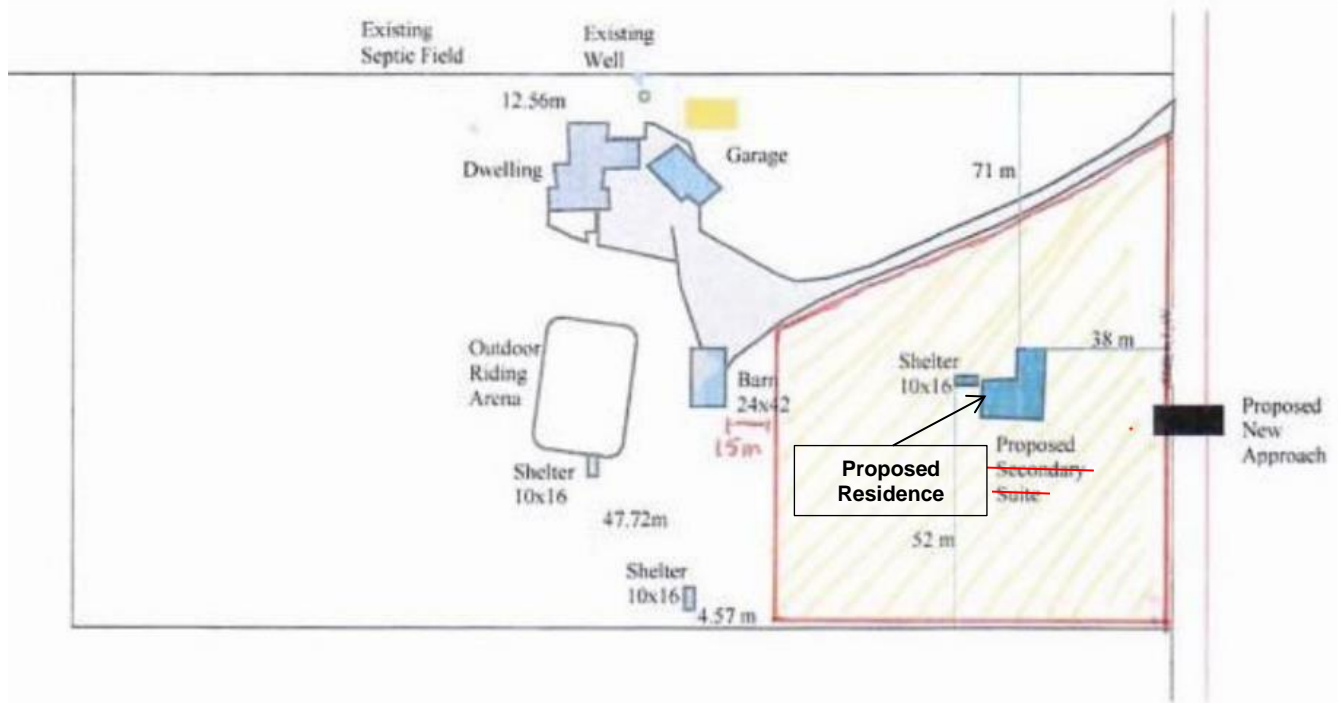
APPENDIX A: HALF MILE – PARCEL SIZES



Subject Property

APPENDIX A: SITE PLAN

Site Plan



- Red indicates proposed property boundaries
- North boundary is existing driveway
- South boundary is existing property line
- East boundary is existing property line
- West boundary is 15 meters from barn
- Shaded area in orange is proposed 2.5+ acres

APPENDIX A: ORTHO PHOTO



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 an amendment to the Country Residential Land Use District land use rules to allow for the future subdivision of one new 2.50 +/- acre Country Residential lots, with a 7.45 +/- acre Country Residential balance on Plan 9312042, Block 1; Ptn. SE 17-21-02 W5M.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Under **SECTION 13.0.0 COUNTRY RESIDENTIAL DISTRICT**, the following shall be added under Part 8 Bylaw Amendments:

Plan 9312042, Block 1; SE 17-21-02 W5M within which shall allow for the future subdivision of one new 2.50 +/- acre Country Residential lots, with a 7.45 +/- acre Country Residential 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__ .