


PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
February 12, 2025
To be heard at: 1:30 pm

| APPLICATION INFORMATION | | File No. 24R 051 |
|--|---|------------------------------------|
|  | LEGAL DESCRIPTION: Ptn. NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 | |
| | LANDOWNER(S): GROZONE GREENHOUSE LTD. | |
| | AGENT: HARRY & LINDA LIVELY AND DALJIT BHASHIN | |
| | AREA OF SUBJECT LANDS: 80.01 ACRES | |
| | CURRENT LAND USE: AGRICULTURAL DISTRICT | |
| | PROPOSED LAND USE: COUNTRY RESIDENTIAL DISTRICT | |
| NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x 5.04 +/- ACRES | | |
| PROPOSAL: Application for the redesignation of a portion of NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 5.04 +/- acre Country Residential District parcel, leaving 74.97 +/- acre Agricultural District balance. | | |
| DIVISION NO: 1 | COUNCILLOR: Rob Siewert | FILE MANAGER: Stacey Kotlar |

EXECUTIVE SUMMARY:

Location:

The subject parcel is located:

- Directly east of 144 St E
- 300 m south of 466 Ave E
- 3.2 km east of Highway 2
- 3.8 km northeast of the Town of High River

Policy Evaluation:

Reviewed within the terms of the:

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

Referral Considerations:

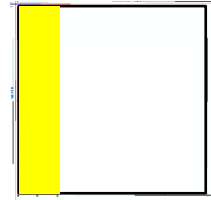
The application submission was referred to required internal departments and external agencies.

PURPOSE OF APPLICATION:

Application for the redesignation of a portion of NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 5.04 +/- acre Country Residential District parcel, leaving 74.97 +/- acre Agricultural District balance.

HISTORY:

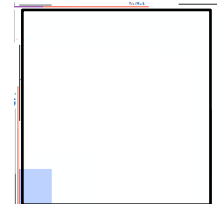
1971 – A subdivision application was approved along the eastern property line of the quarter section, NW 23-19-28 W4M, allowing the creation of one 35 acre parcel, as the first parcel out (shown in yellow).



1975 – Development Permit approval for commercial Greenhouses on the 35 acre parcel and approval for wholesale outlet (no retail sales).

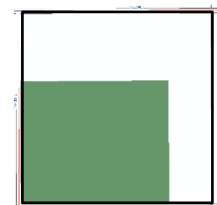
1976-1985 – Series of Development Permit approvals to add additional Greenhouses to the operation.

1978 – A subdivision application was refused proposing to divide the 35 acre Agricultural District parcel into two 16 acre Country Residential parcels.



1994 – Development Permit approval for additional 144,000 sq. ft greenhouse and 14,400 loading area.

1996 – Redesignation and Boundary Adjustment was approved to consolidate all but 5.04 acres back into the quarter section, resulting in a 5.04 acre Country Residential parcel (shown in blue) and a 154.96 acre Agricultural balance parcel. At this time Alberta Environment renewed the Commercial Well and it exists without expiry.



2007 – Redesignation and Boundary Adjustment was approved to consolidate 74.96 acres of land into 5.04 acre Country Residential parcel, resulting in one 80.01 acre Agricultural Parcel (the subject parcel shown in green) and a 79.99 acre Agricultural balance parcel.

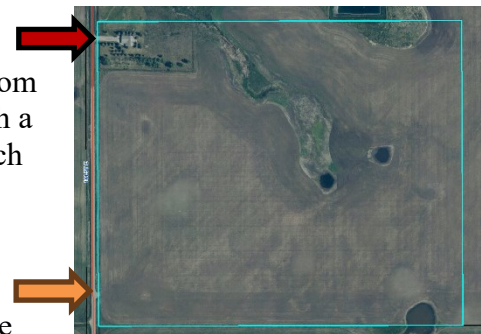
SITE CONSIDERATIONS:

Surrounding Area:

The adjacent quarter sections do not contain any subdivision, all are undivided quarter section.

Access:

The subject parcel currently has 2 existing approaches. The application is proposing retaining the existing northern approach from 144 St E to the existing dwelling for the balance parcel (shown with a red arrow). The application proposes retaining the existing approach from 144 St E at the southern end of the parcel for the proposed Country Residential parcel (shown with an orange arrow).



Physiography:

The subject parcel is primarily flat grasslands with a minor drainage course from the north property line to the center of the parcel. There are several natural ponds/dug out on the parcel.

Existing Development:

The balance parcel contains all of the existing development, which includes a Dwelling with Attached Garage.

MUNICIPAL RESERVE:

To date, no municipal reserves have been provided. As per the County's Municipal Reserve Policy, as a condition of Subdivision, Council may require that reserves be provided by way of cash-in-lieu of land for the proposed 5.04 +/- acre Country Residential District parcel.

| CIRCULATION REFERRALS | |
|------------------------------|--|
| REFEREE | COMMENTS |
| INTERNAL | |
| Public Works | <p>The following are recommended for the proposed 5.04 +/- acre parcel, as a condition of land use redesignation:</p> <ul style="list-style-type: none"> • Septic Disposal Evaluation (PSTS) <p>Public Works provided the following additional comment:</p> <ul style="list-style-type: none"> • Road widening of 5m along 144 St E by Caveat; • Approaches exist for both proposed and balance; • No topographical features that would reduce the building envelopes more than what's required by the Land Use Bylaw. • No concerns with grades and drainage given the large amount of surrounding absorbent landscape. |
| EXTERNAL | |
| ATCO Pipelines | No objection |
| ATCO Gas | No objection |
| Fortis | No concerns |
| Telus | No concerns |
| PUBLIC | |
| Western Wheel | January 29 th , 2025 and February 5 th , 2025. |
| Landowners (half mile) | <p>Notification sent out to area landowners on January 22, 2025.</p> <p>No submissions received prior to submission of this staff report.</p> |

POLICY EVALUATION:

Municipal Development Plan (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. The development must also consider the suitability of the lands for residential uses and the efficient use of land.

Further, the application does not generally meet the intent of Policy 2 of the Agricultural section of the MDP2010, which supports maintaining the integrity of the agricultural land base and discouraging the fragmentation of agricultural lands within the County.

Land Use Bylaw 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.

Growth Management Strategy:

The subject parcel is located within the East District. Outside the Blackie ASP plan area, little growth is anticipated for this district and Agriculture will continue to be the dominant land use.

SUMMARY

Bylaw XX/2025 - Application for the redesignation of a portion of NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 from Agricultural District to Country Residential District in order to allow the future subdivision of one 5.04 +/- acre Country Residential District parcel, leaving 74.97 +/- acre Agricultural District balance.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – FIRST READING APPROVAL

Council may choose to grant 1st reading to the application for redesignation of a portion of NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 from Agricultural District to Country Residential District to allow for the future subdivision of one (1) 5.04 +/- acre Country Residential District parcel, leaving a 74.97 +/- acre Agricultural District balance for the following reasons:

In their consideration of the criteria noted within the Agricultural section of the MDP2010, Council is of the opinion that the lands are suitable for the intended use and that fragmentation of the subject lands would not be detrimental to the overall nature of the area. Further, the application falls within the density provisions and lot size restrictions of the Agricultural District within the County's Land Use Bylaw.

Staff suggests that the proposed 5.04 +/- acre parcel be designated as Country Residential Sub-district 'A' to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS), (conditions of land use) are complied with, to the satisfaction of the Public Works Department. A completion certificate by a Professional Engineer verifying that all aspects of the noted reports have been met, may be required. Council may also wish to require a \$5000 deposit as a pre-release condition to ensure compliance with all conditions of the development permit.

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. Submission of a Septic Disposal Evaluation for the proposed 5.04 +/- acre parcel, to the satisfaction of the Public Works department;
3. Proof of adequate water supply to be provided for the proposed 5.04 +/- acre parcel in accordance with the Provincial Water Act, 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 REFUSE APPLICATION

Council may choose to refuse the application for the redesignation of a portion of NW 23-19-28 W4M; Plan 1014692, Block 1, Lot 1 from Agricultural District to Country Residential District to allow the future subdivision of one (1) x 5.04 +/- acre Country Residential District parcel, leaving a 74.97 +/- acre Agricultural District balance for the following reasons:

In consideration of the criteria noted within the Agricultural section of the MDP2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural District.

APPENDICES

APPENDIX A: MAP SET:

LOCATION MAP

LAND USE - HALF MILE MAP

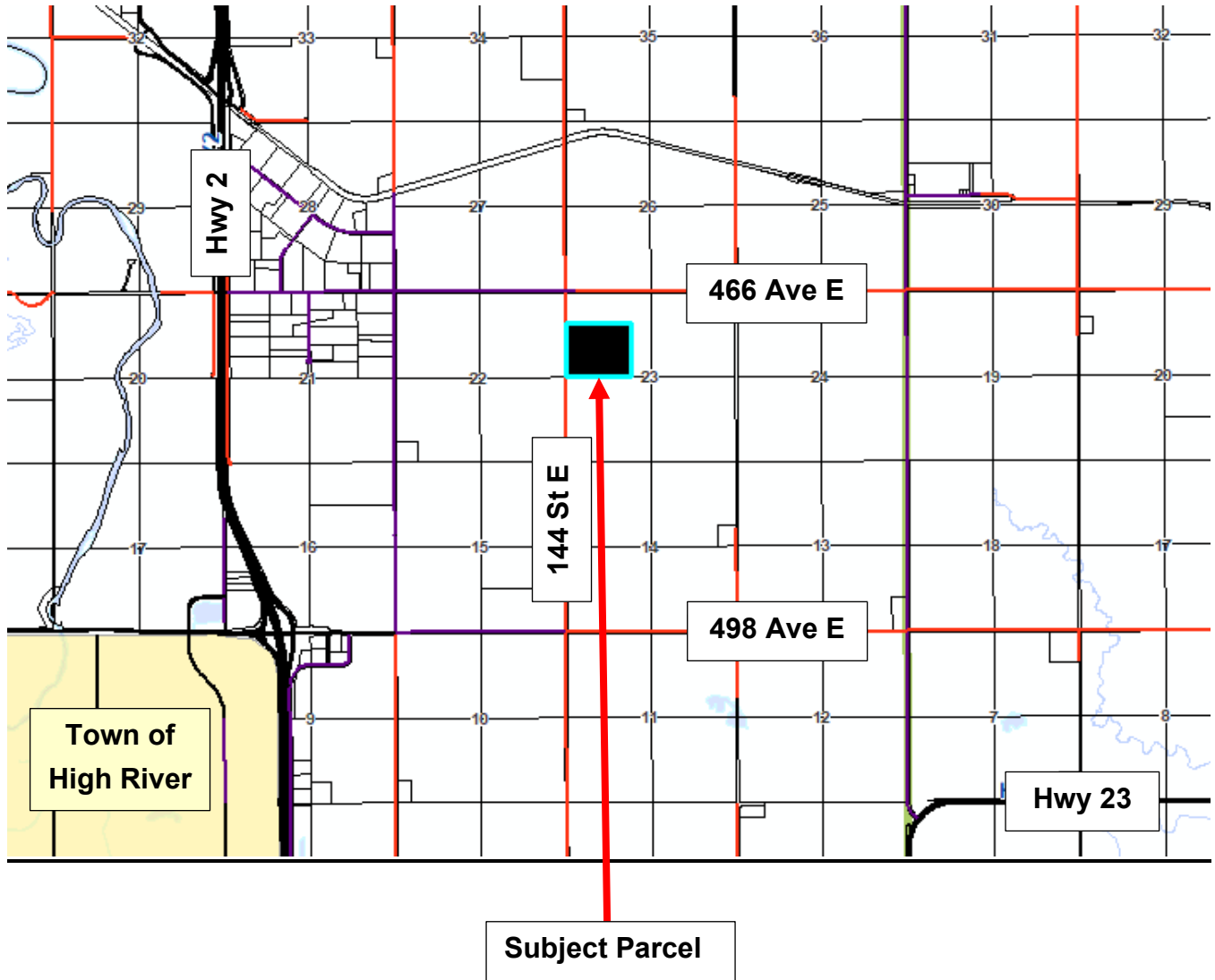
PARCEL SIZES - HALF MILE MAP

SITE PLAN

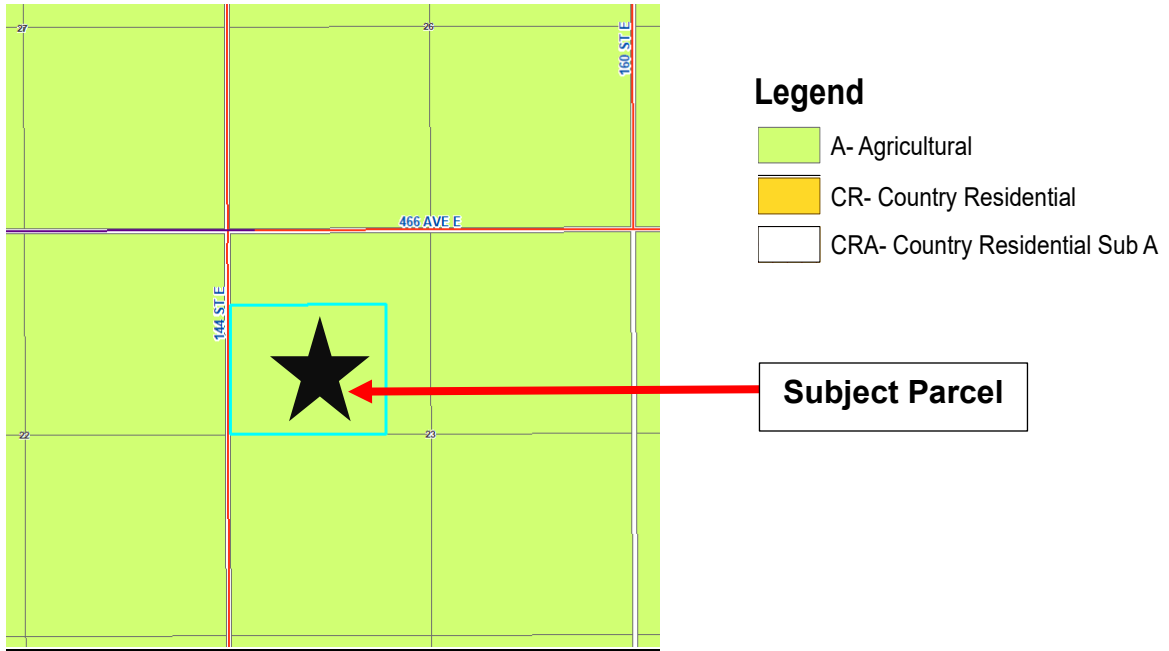
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW :

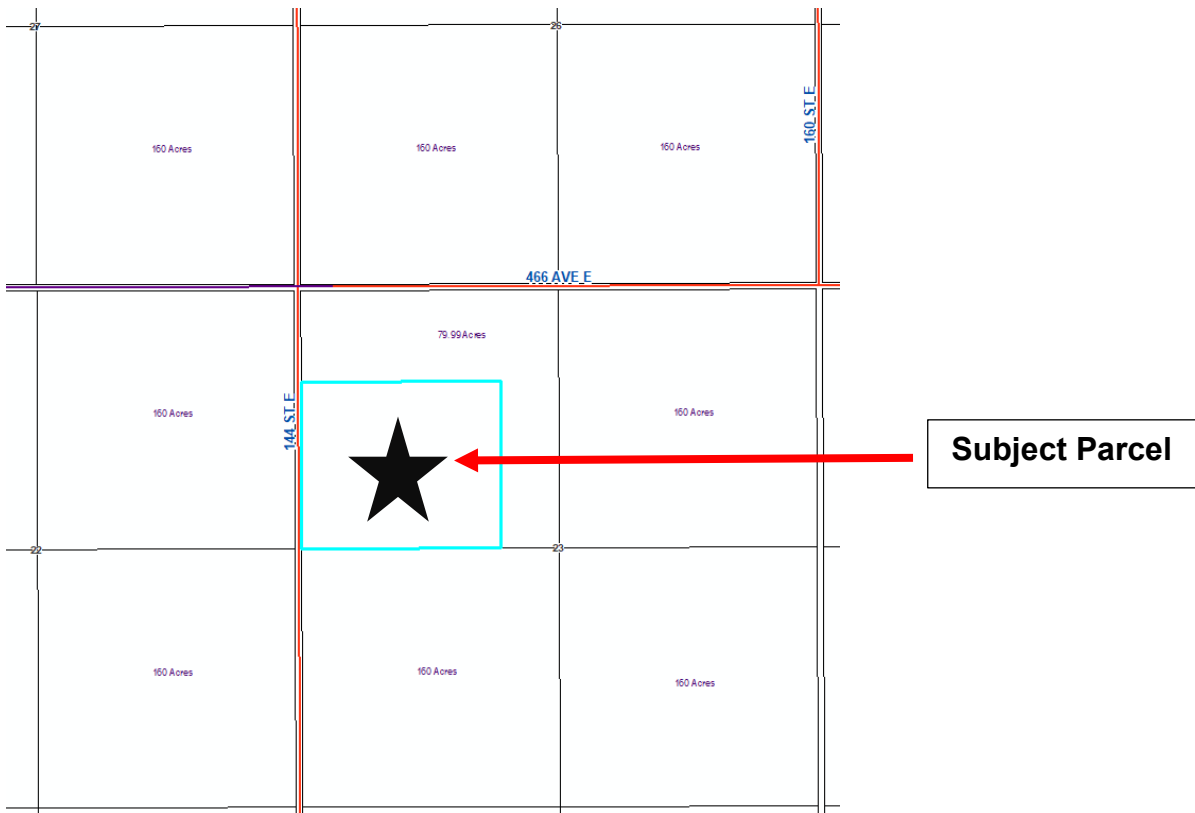
APPENDIX A: LOCATION MAP



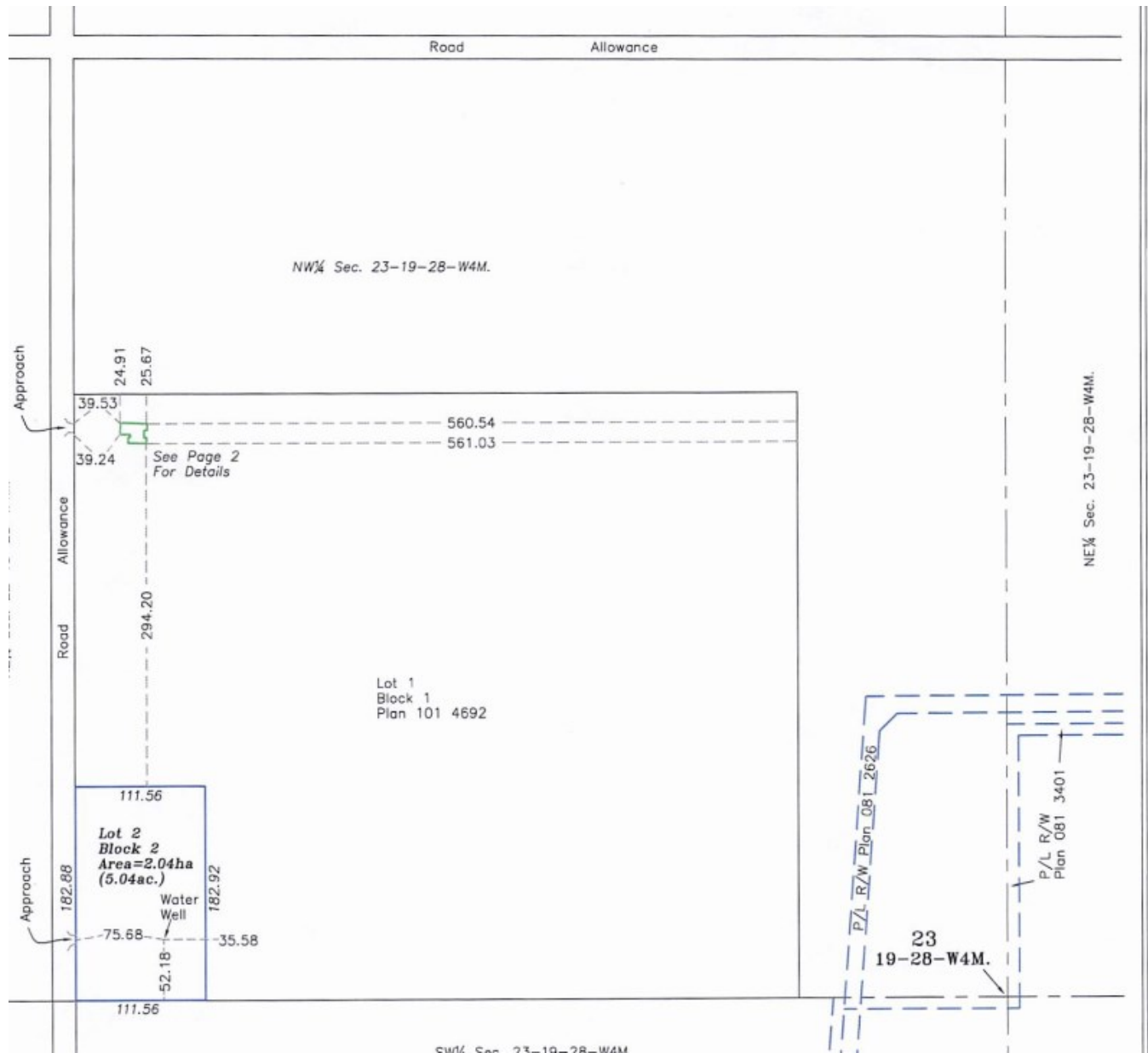
APPENDIX A: LAND USE



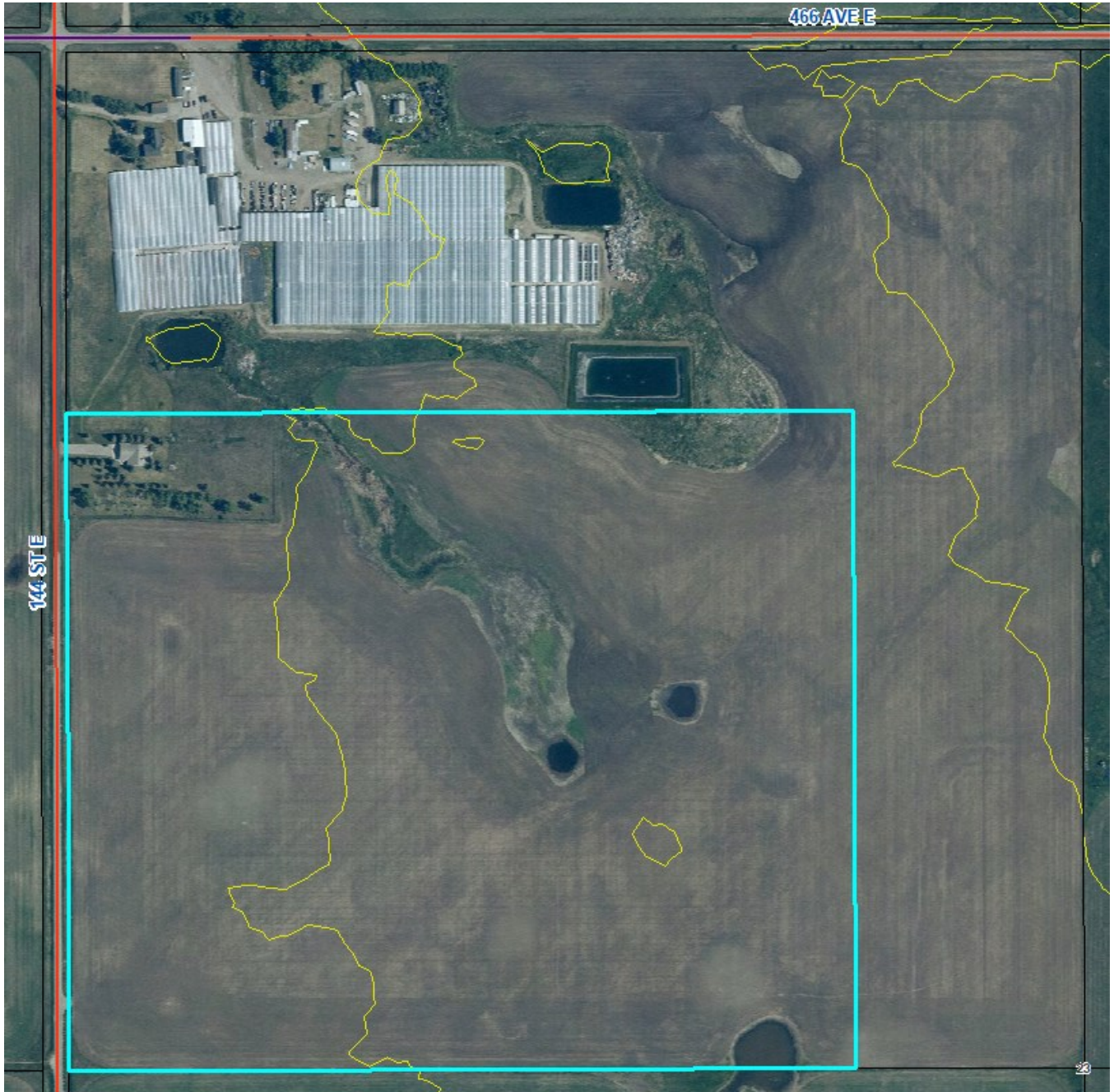
APPENDIX A: LOT SIZES (IN ACRES)



APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



BYLAW XX/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, 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 5.04 +/- acre portion on Ptn. NW 23-19-28 W4M from Agricultural District to Country Residential District, in order to allow for the future subdivision of one new 5.04 +/- acre Country Residential parcel with an approximate 74.97 +/- acre Agricultural District balance parcel.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 1928 is amended by *redesignating one 5.04 +/- acre parcel on Ptn. NW 23-19-28 W4M as Country Residential District.*
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 .