

PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT
November 12, 2025
To be heard at: 11:00AM

APPLICATION INFORMATION		File No. 25R 047
	LEGAL DESCRIPTION: PTN. NW 15-20-28 W4M; PLAN 7811033, BLOCK 13	
	LANDOWNERS: CRAIG WARREN & HALEY READ	
	AGENT: BADKE CONSULTING LTD. - JEFF BADKE	
	AREA OF SUBJECT LANDS: 19.99 ACRES	
	CURRENT LAND USE: COUNTRY RESIDENTIAL DISTRICT	
PROPOSED LAND USE: COUNTRY RESIDENTIAL DISTRICT		
NUMBER & SIZE OF PROPOSED NEW PARCELS: One new 8.82+/- acre Country Residential District parcel with an 11.17+/- acre Country Residential District balance parcel.		
PROPOSAL: Amendment to the Country Residential District Land Use Rules to allow for the future subdivision of one 8.82+/- acre Country Residential District parcel out of the subject 19.99 acre Country Residential District parcel, leaving an 11.17 +/- acre Country Residential District balance parcel. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.		
DIVISION NO: 1	REEVE: Rob Siewert	FILE MANAGER: Kari Furnell

EXECUTIVE SUMMARY:

Summary of Proposal:

To provide a 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- Country Residential District balance parcel. In addition, +/-1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

Location:

The subject parcel is located:

- On 128 ST E
- Approximately 1 km north of 402 Ave E
- Approximately 800 m west of 144 ST E
- Approximately 2 km south of Highway 547

Policy Evaluation:

Reviewed within the terms of the:

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

Referral Considerations:

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

PURPOSE OF APPLICATION:

Bylaw XX/2025 – Application 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 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- acre Country Residential District balance parcel from the subject parcel, being Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

SITE CONSIDERATIONS:

Access:

There are two existing accesses from 128 Street East. The approximate locations for these approaches are shown on the below image by the red arrows.



Proposed Parcel:

- The north approach and pathway internal to the subject parcel has historically been used as the primary access point for the easterly portion of the subject lands and is proposed to be used to provide access to the proposed parcel via a 12.5m wide panhandle. A 12.5m wide panhandle is proposed rather than the standard 15m due to the location for the existing water well (shown outlined in yellow on the above map) that services the dwelling that is proposed to remain on the +/-11.7 acre balance. The agent has indicated that the topography of the proposed panhandle is generally flat and with the proposed width of 12.5m, will allow for the construction of a residential driveway, while maintaining separation from the existing water well.
- In addition, a portion of the panhandle crosses through an existing drainage course that traverses through the subject parcel, as described in the below paragraph. The agent has indicated that in 2017 a crossing through this existing drainage course was established to provide more suitable access to the easterly portion of the subject parcel. The work done in 2017 included widening and strengthening the crossing, as well as the installation of two 600mm culvert pipes, to ensure drainage through this area is unimpeded.

Public Works has reviewed the proposal and would prefer that the panhandle meet the minimum required standard width of 15m; however, given the limitations due to the proximity of the existing water well, Public Works would accept the proposed 12.5m width. Further, Public Works recommends an engineer's review on the access for the proposed parcel due to the drainage course crossing. The review will need to speak to the existing culvert's ability to handle flow and determine if any upgrades are necessary. If approval for the crossing is required from Alberta Environment & Parks, it is the agent/landowner's responsibility to obtain it. Further, Public Works recommends that the panhandle be

protected for a future road dedication in the event that the subject parcel or adjacent parcel to the north is proposed for subdivision.

Balance Parcel:

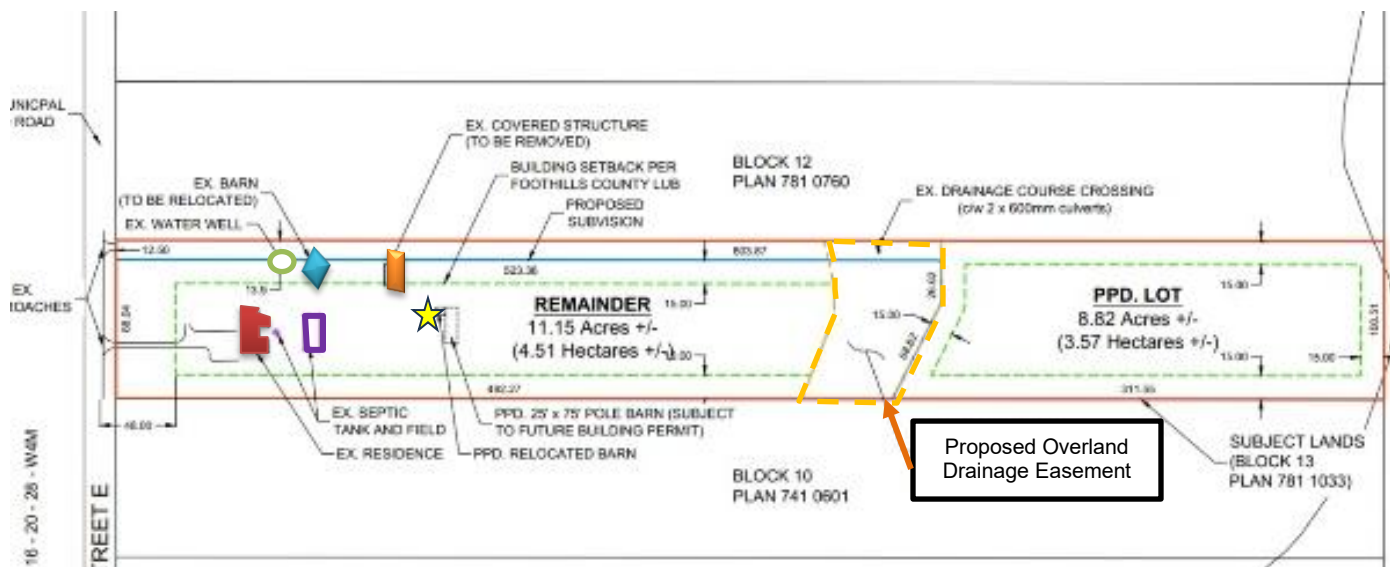
- Access to the balance parcel is proposed from the existing approach that is located approximately in the center of the west end of the property, directly south of the proposed parcel approach.

Physiography:

- A drainage course runs through the center-east portion of the subject parcel. The approximate area of this drainage course is shown on the above map with the dotted orange lines. This application proposes to protect this drainage course by way of an Overland Drainage Easement.
- No major elevation changes only subtle undulations east and west
- The very easterly portion of the subject parcel was seldomly used as a dirt bike track for recreational, personal use and is no longer in use.

Existing Development:

All existing development on the subject property would be located within the balance parcel and consists of a Dwelling (shown in red), a Barn (shown in blue) and a fabric covered accessory structure (shown in orange). The barn is proposed to be moved to meet setback requirements (proposed location shown by the yellow star) and the fabric covered accessory structure is proposed to be removed. The existing dwelling is serviced via on-site water well (shown with green circle) and septic system (shown outlined in purple). The application proposes a new water well and a new on-site Private Sewage Treatment System for the proposed parcel.



CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Rural Addressing	No Concerns
Public Works	Recommendations: • An engineer's review of the existing access for the proposed 8.82+/- acre parcel due to the drainage course crossing. The review will need to speak to the existing culvert's ability to handle flow and to determine if any upgrades are necessary. Alberta Environment and Parks will need to confirm if there is an approval in place for the crossing, and if not, it is the agents/landowner's responsibility to obtain it. These requirements are recommended to be addressed as a condition of subdivision. • Public Works would prefer that the proposed panhandle width be 15m wide; however, with the existing water well located within the area, 12.5 m would be acceptable. • Building Envelope to be identified for the proposed parcel as a condition of land use. An appropriate development setback will need to be illustrated to the ephemeral drainage course, based on a qualified engineer's professional opinion from the top of the slope/bank. • Septic Disposal Evaluation (PSTS) to be provided for the proposed parcel as a condition of subdivision. • Public Works agrees with the proposed Overland Drainage Easement and would recommend it be required as a condition of subdivision.
Alberta Environment and Protected Area	No response provided.
EXTERNAL	
Sunshine Gas Co-op	No concerns
PUBLIC	
Western Wheel	Advertised October 29, 2025 and November 5, 2025
Landowners (Half Mile)	No letters were received.

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. Further, the development must consider the suitability of the lands for residential uses and the efficient use of land.

Land Use Bylaw 60/2014:

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

Growth Management Strategy:

The subject Parcel is identified within the East District. The vision for the East District provides that very little growth is anticipated within this district, further, that agriculture will continue to be the dominant land use and careful consideration will be given to the impact on agriculture when applications for land use are considered.

SUMMARY:

Bylaw XX/2025 – Application to further 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 new 8.82 +/- acre Country Residential District lot, with a 11.17 +/- acre Country Residential balance parcel on Plan 7811033, Block 13; Ptn. NW 15-20-28 W4M. In addition, +/- 1.61 acres of the balance parcel is proposed to be protected by way of an Overland Drainage Easement.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – FIRST READING APPROVAL

Council may choose to grant 1st reading Bylaw ##/2025 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one 8.82+/- acre Country Residential District parcel, leaving an 11.17+/- acre balance parcel from Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13 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.

Staff suggests that the proposed 8.82 +/- acre parcel be designated as Country Residential Sub-district "A" to ensure that the recommendations and restrictions as outlined in the Building Envelope (condition of land use), Septic Disposal Evaluation (PSTS), and Engineered Driveway, (conditions of subdivision) 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. 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, Engineered Driveway and any other necessary municipal and on-site improvements as required by Council and the Public Works department;
2. Road Acquisition Agreement to be executed and registered by way of caveat, concurrently with the Plan of Survey, for a future road dedication over the full length of the 12.5m wide panhandle, to the satisfaction of the Public Works department, **as a condition of subdivision;**
3. Overland Drainage Easement Agreement to be executed and registered by right-of-way plan concurrently with the plan of survey, **as a condition of subdivision;**

4. Septic Disposal Evaluation (PSTS) to be provided for the proposed 8.82+/- acre parcel to the satisfaction of the Public Works department, **as a condition of subdivision**;
5. The covered structure is required to be removed from the property with proof submitted to the County, **as a condition of subdivision**;
6. The barn is to be relocated within the proposed balance parcel and is required to meet all setback requirements, with proof to be submitted to the County, **as a condition of subdivision**;
7. Proof of adequate water supply to be provided for the proposed 8.82+/- acre parcel in accordance with the Provincial Water Act to the satisfaction of the County;
8. Final amendment application fees to be submitted;
9. 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 8.82 +/- acre Country Residential District parcel, leaving an 11.17+/- acre Country Residential District balance parcel on Ptn. NW 15-20-28 W4M; Plan 7811033, Block 13 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 the policy with respect to cumulative effects of the development and the suitability of the lands for further development.

APPENDICES:

APPENDIX A: MAP SET:

LOCATION MAP

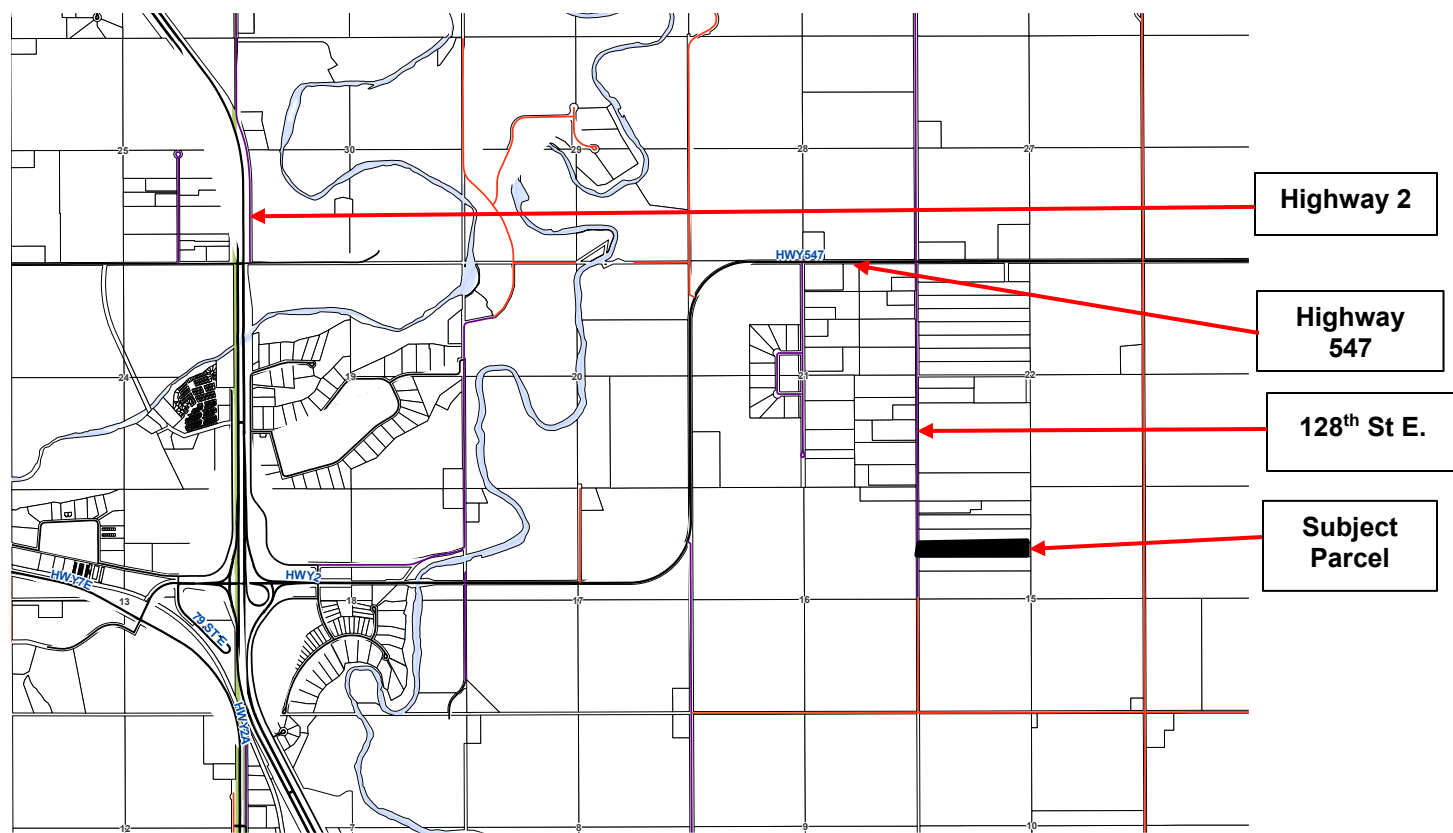
LAND USE - HALF MILE MAP

SITE PLAN

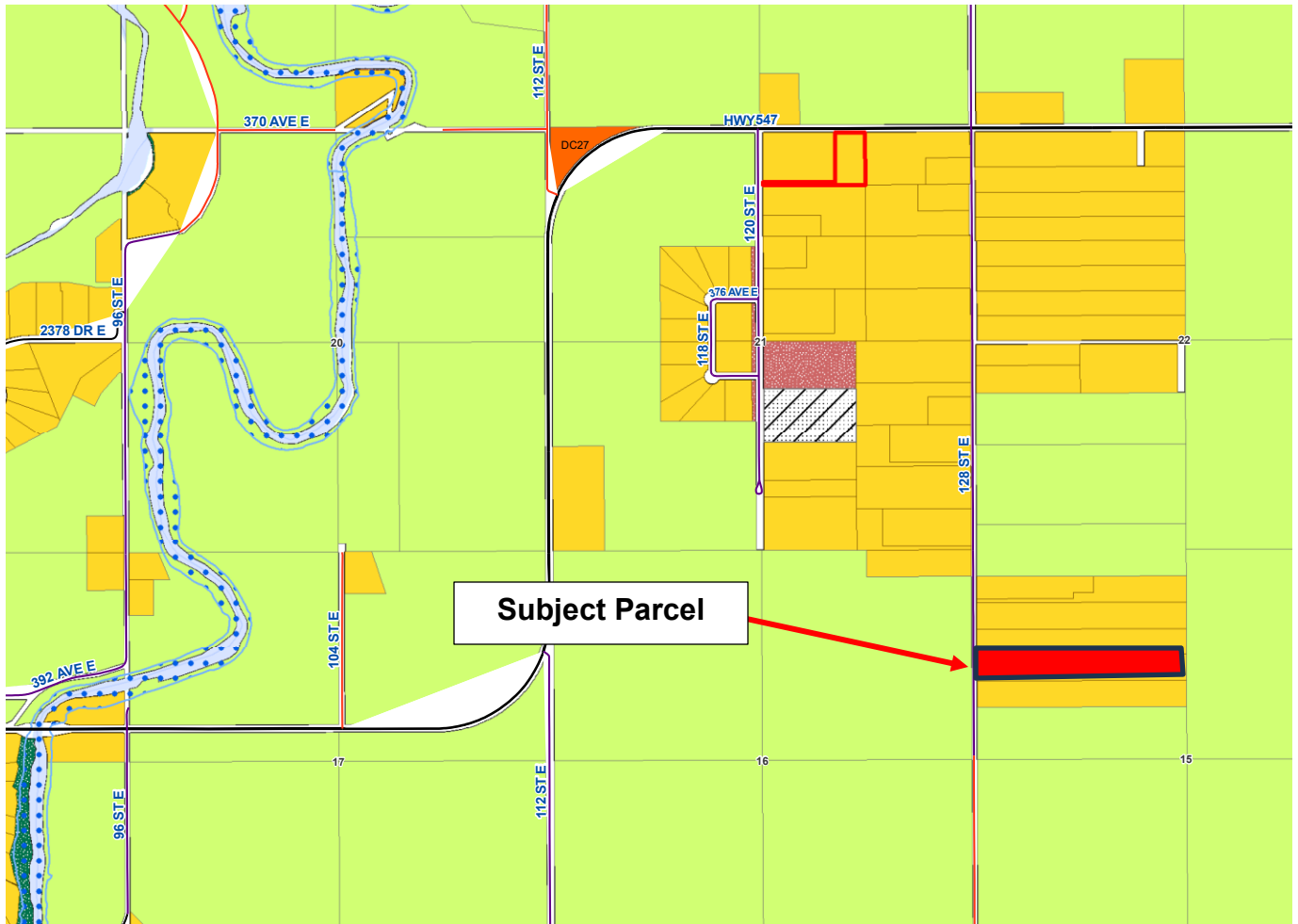
ORTHO PHOTO

APPENDIX B: PROPOSED BYLAW

APPENDIX A: LOCATION MAP



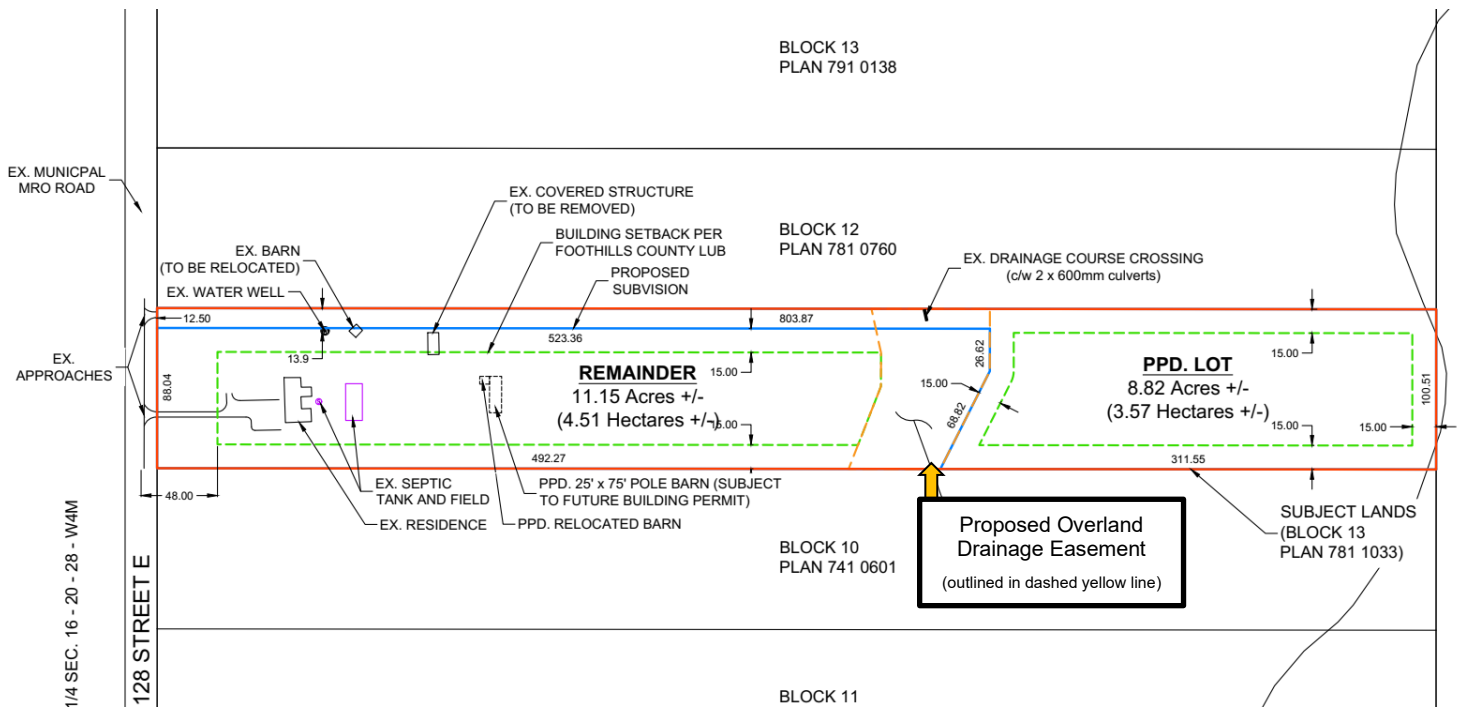
APPENDIX A: LAND USE



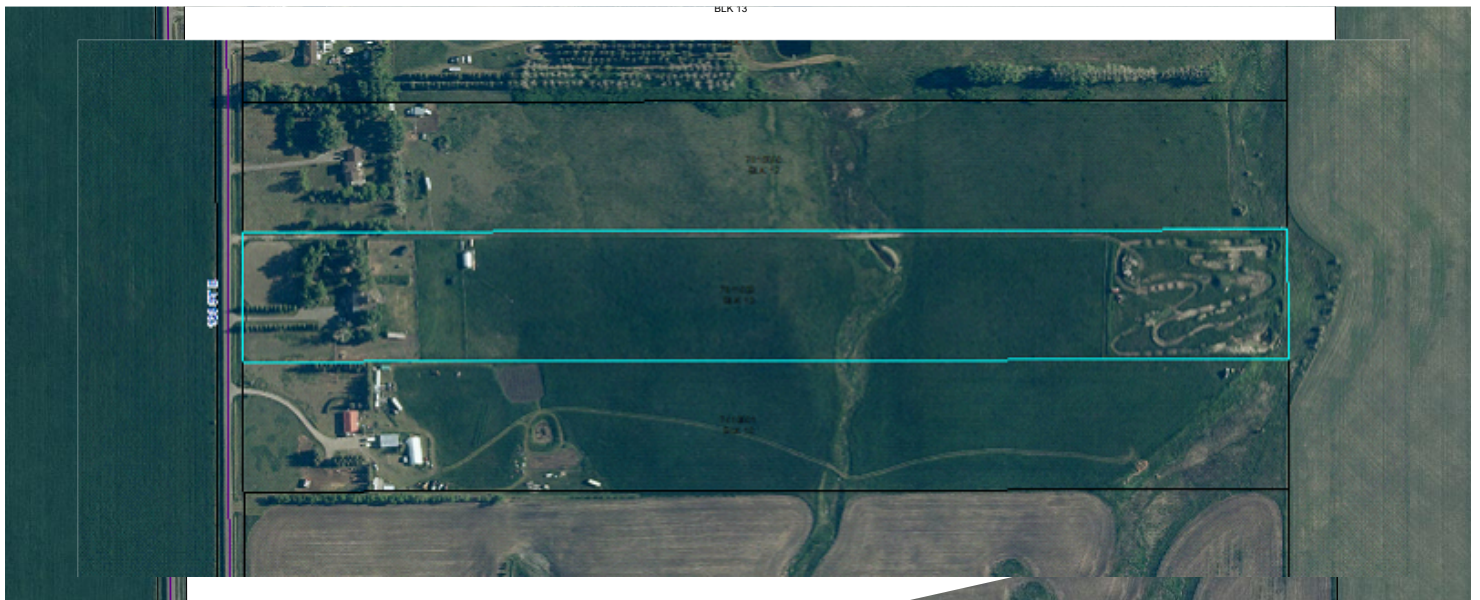
Legend

- A- Agricultural
- CR- Country Residential
- CRA- Country Residential Sub A
- Natural Resource Extraction
- In transition
- MR- Municipal Reserve

APPENDIX A: SITE PLAN



APPENDIX A: ORTHO PHOTO



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 an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 8.82 +/- acre Country Residential lot, with a 11.17 +/- acre Country Residential balance parcel on Plan 7811033, Block 13; Ptn. NW 15-20-28 W4M.

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 7811033, Block 13; Ptn. NW 15-20-28 W4M within which shall allow for the future subdivision of one new 8.82 +/- acre Country Residential lot, with a 11.17 +/- 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 .