


**PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
REDESIGNATION
June 10, 2026
To be heard at: 1:30 PM**

APPLICATION INFORMATION		FILE NO. 26R026
	LEGAL DESC.: Ptn. SW 27-20-2 W5M	
	LANDOWNERS: Matthew & Kari Loscher	
	AGENT: Jeff Badke – Badke Consulting Ltd.	
	AREA OF SUBJECT LANDS: 104.7 Acres	
	CURRENT LAND USE: Natural Resource Extraction (INR) District	
	PROPOSED LAND USE: Agricultural (A) District and Flood Hazard Protection (FHP) Overlay	
PROPOSAL: Redesignation of the subject 104.7 acre Natural Resource Extraction (INR) District parcel to Agricultural District and Flood Hazard Protection (FHP) Overlay.		
DIVISION NO: 2		COUNCILLOR: Benita Estes
FILE MANAGER: Elliott Salmon		

EXECUTIVE SUMMARY

Location:

The subject parcel is located in Council Division 2:

- Along the east bank of the Sheep River;
- Approximately 800 m west of 128 St W;
- Approximately 1.6 km north of Highway 7; and
- Approximately 2.5 km northeast of Diamond Valley.

Policy Evaluation:

This application was reviewed within the terms of the Municipal Development Plan 2010 (MDP2010) and Land Use Bylaw 60/2014.

Referral Considerations:

Referred to the required internal departments and external agencies.

PURPOSE OF APPLICATION

Bylaw XX/2026 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay.

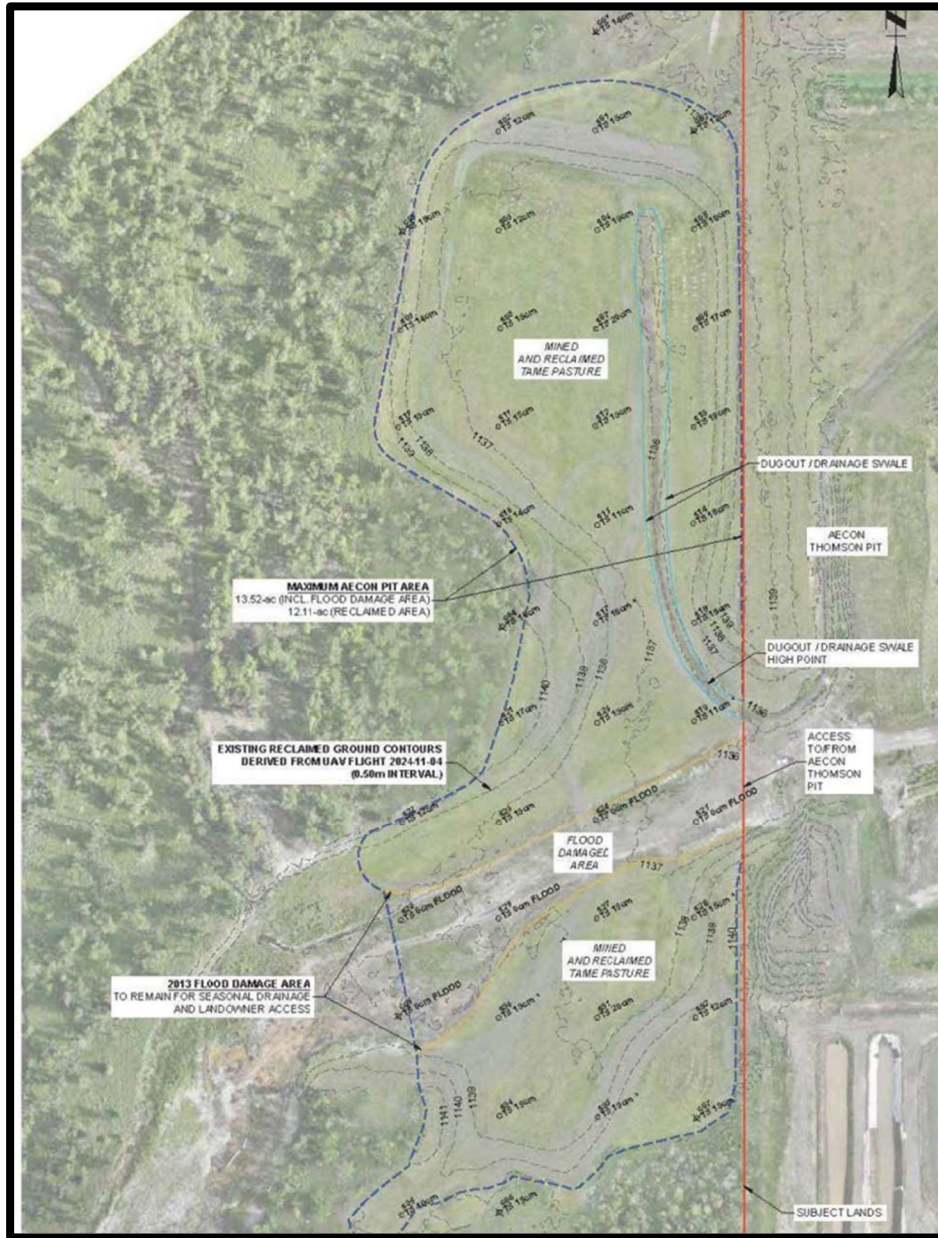
HISTORY

January 10, 2010 – Council gave third and final reading to Bylaw 84/2009 to authorize the redesignation of a 9.5-acre portion of the subject parcel from Agricultural District to Industrial Natural Resources District to allow for gravel extraction.

June 9, 2011 – Alberta Environment and Protected Areas issued a registration on the subject property for the construction, operation or reclamation of a pit on the subject parcel.

January 13, 2025 – Development Permit 24D230 issued for Renewal of Natural Resource Extraction & Processing on SE 27-20-02 W5M (the parcel immediately east of the subject parcel). The projected lifetime of the gravel pit is unknown, though Development Permit 24D230 expires on December 4, 2026.

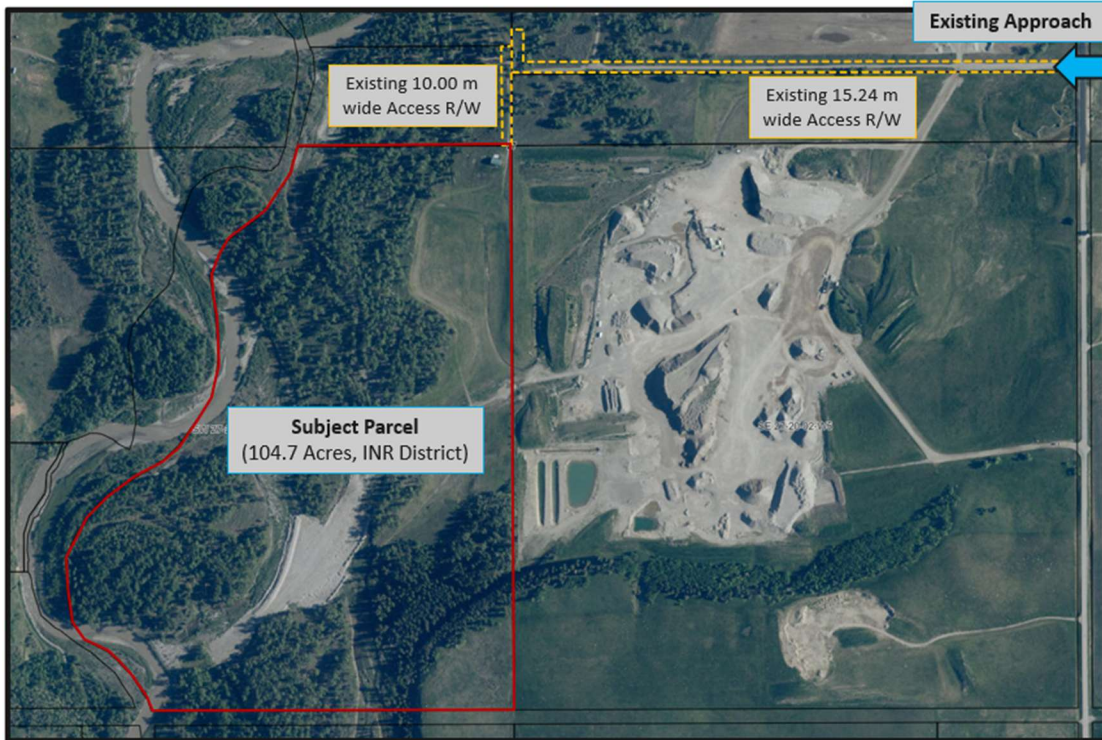
November 21, 2025 – Alberta Environment and Protected Areas issued a reclamation certificate for the gravel operation that was on the subject parcel.



SITE CONSIDERATIONS

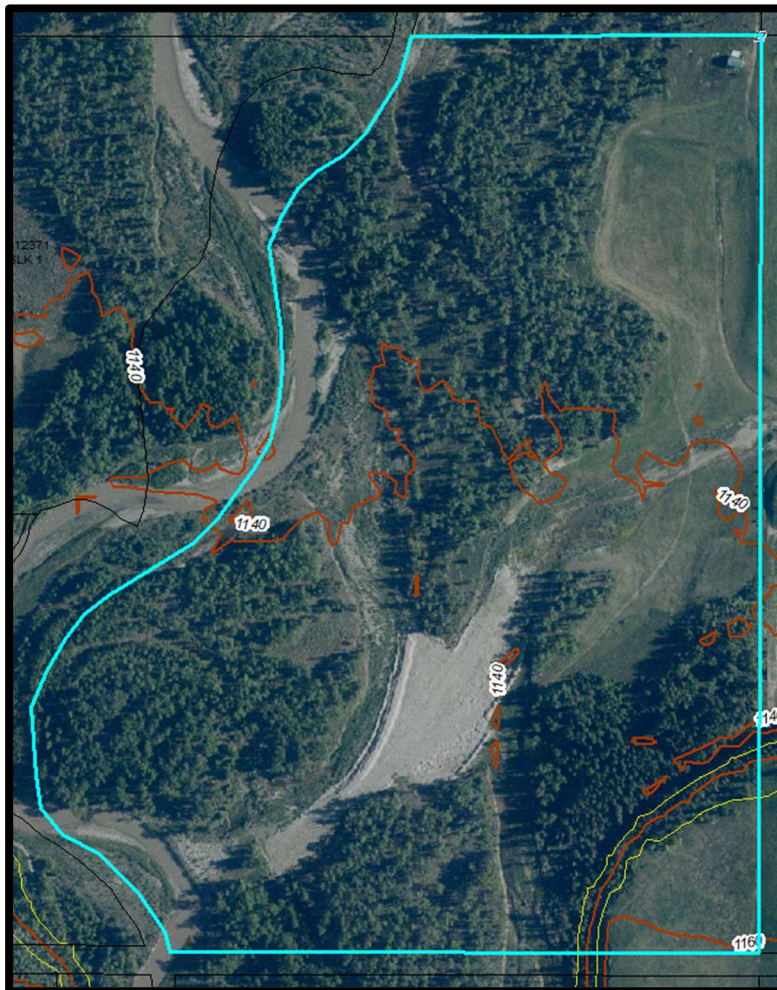
Access:

Access to the property is currently through two access easements through NE 27-20-2 W5M and NW 27-20-2 W5M. The agent/applicant has identified that this provides legal physical access to the property, though staff does not believe that the access easement through NE 27-20-2 W5M provides legal access to the subject parcel as the subject parcel is not identified as a grantor on the easement and right-of-way agreement.



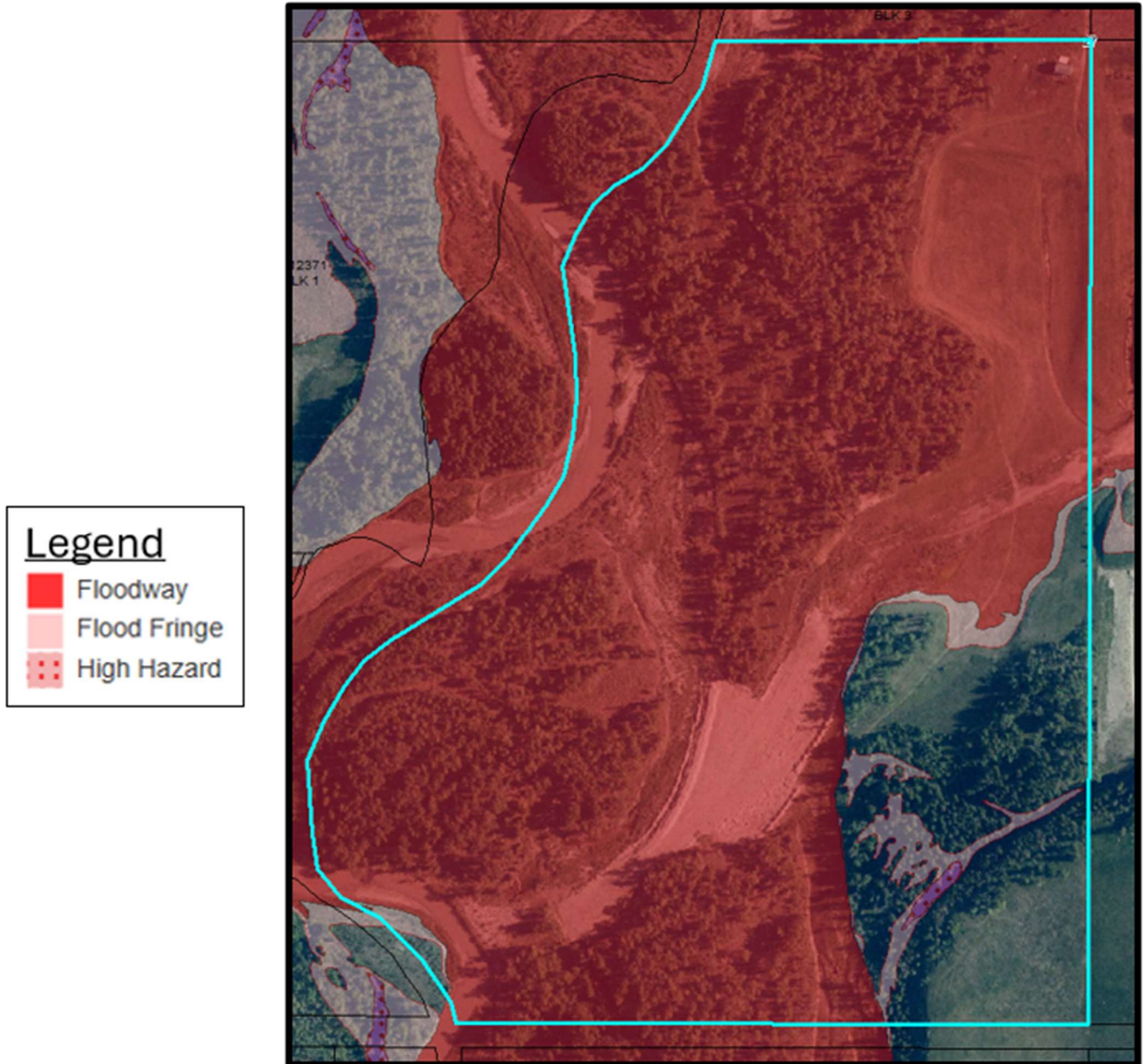
Physiography and Building Envelope:

The physiography of the subject parcel contains rolling hills with forests and meadows, featuring the riparian area along the east bank of the Sheep River that forms the west boundary of the subject parcel.



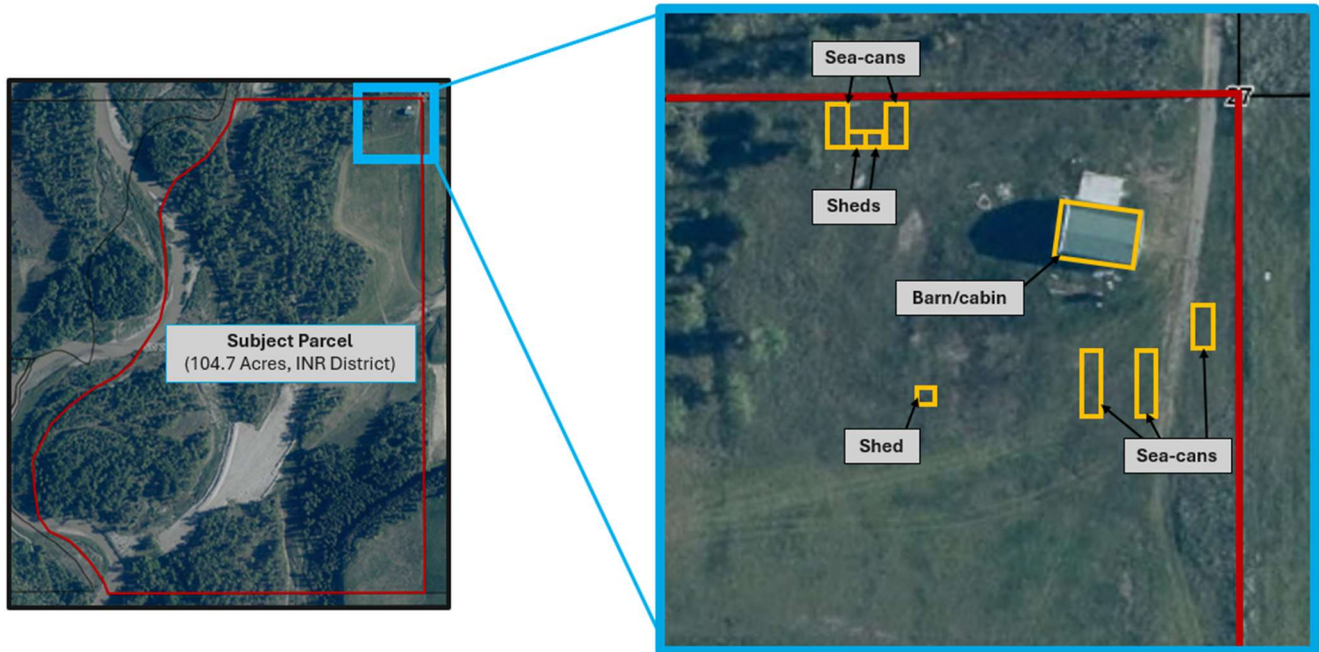
As shown in the image below, a majority of the subject parcel is within the Flood Hazard Protection Overlay. The southeast corner of the subject parcel has a high area with an escarpment, which is bordered on the south side by an undeveloped road allowance.

Considering setbacks required to the INR parcel immediately east of the subject parcel and the current Provincial Flood Hazard Mapping, the subject parcel does not appear to contain a building envelope for a dwelling.

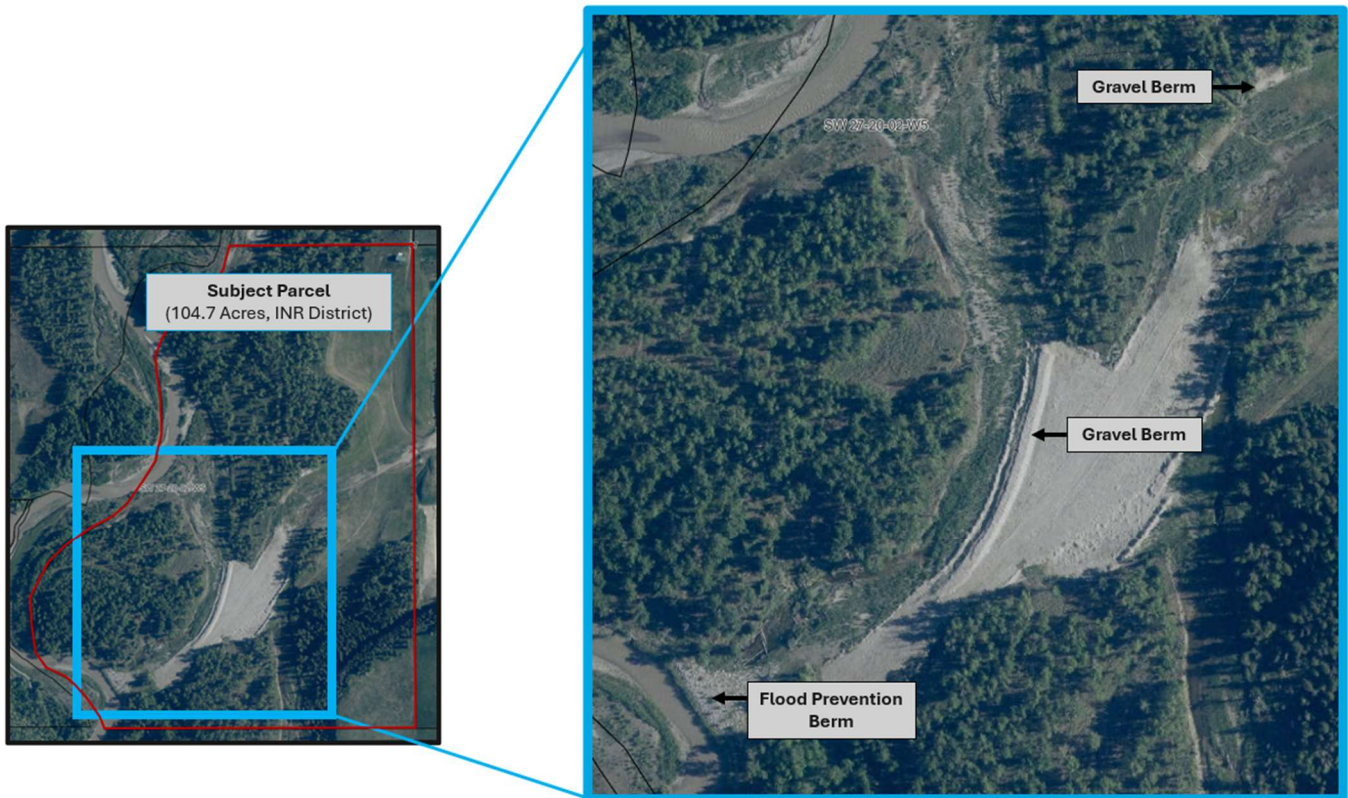


Existing Development:

The existing development on the subject parcel includes a barn/cabin, five (5) sea-cans, and three (3) sheds; some of the sea-cans and sheds do not meet the required 15m setback requirement from the side boundary lines. This development is all in the northeast corner of the subject parcel.



The parcel also contains three berms that were constructed around the time of the 2013 flood. The Flood Prevention Berm was constructed by the County with Provincial approval; however, the origin of the other two gravel berms is unknown and they are not supported by a Development Permit or other supporting documentation from the Province.



REFERRAL CIRCULATION

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	<ul style="list-style-type: none">• Access is currently via easement across 2 adjacent parcels. The entirety of this access is located within the floodway, including 128 Street W. There is an undeveloped road allowance (hypothetical 370 Ave W) to the south of the subject property, which Public Works recommends be constructed to allow access outside the floodway. It would require construction to current municipal standards, unless permitted to be of substandard construction by Council.• There is uncertainty regarding the origin and purpose of the berm located within the southwest portion of the subject property. It is also unknown what effect it would have in a flood situation, or if it was included in the provincial flood hazard mapping. As a result, Public Works recommends that a flood assessment be undertaken by a qualified professional to determine the berm's effect, as well as any recommendations regarding the building site.• As the immediately adjacent AECON pit is currently in operation, the 100m minimum setback applies. However, the only area of the property outside of the floodway is within the setback.
PUBLIC	
Western Wheel	May 27 and June 3, 2026.
Landowners	No submissions received prior to the submission of this staff report.

POLICY EVALUATION

Municipal Development Plan (MDP2010):

Policy 2 of the Agricultural section of the MDP2010 supports maintaining the integrity of the agricultural land base.

Land Use Bylaw 60/2014:

The application meets the lot size restriction as set out in Section 12.1.6.2 of the Agricultural District. A majority of the subject parcel is within the Flood Hazard Protection (FHP) Overlay District, thereby requiring a Development Permit for all uses and activities in the FHP Overlay areas. Further, new development in the floodway will not be permitted if other land outside of the floodway is available on the parcel.

The Land Use Bylaw requires that dwellings be set back a minimum of 100 m from natural resource extraction operations. Further, the Land Use Bylaw allows for the placement of two dwellings on parcels 80 acres and larger.

A Development Permit is required for the placement of more than one sea-can on parcels 21 acres or more in size, and all structures must meet the setback requirement of 15 meters to the property lines. New

structures must be accessory to a primary use (e.g. a dwelling, agricultural operation, etc.), and as noted above must be placed outside of the floodway if the land allows.

SUMMARY

Bylaw XX/2026 – Council has received an application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay.

OPTIONS FOR COUNCIL CONSIDERATION

OPTION 1 – FIRST READING APPROVAL

Council may choose to grant 1st reading to the application to further amend the Land Use Bylaw by authorizing the redesignation of the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay for the following reasons:

In consideration of the criteria noted in the Agriculture section of the MDP2010 and the Flood Hazard Protection (FHP) Overlay in Land Use Bylaw 60/2014, Council is of the opinion that the lands are suitable for the intended use and would not be detrimental to the nature of the area.

Recommended Conditions for Option #1:

- 1. Staff is seeking guidance from Council for the potential requirement for a Building Envelope Plan.**
2. Options for Council’s consideration regarding the accessory buildings and sea-cans on the property:
 - a. If the structures are proposed to be used for general agricultural purposes for an agricultural operation, the landowners are to submit a complete development permit application to bring all non-compliant structures into compliance with the Land Use Bylaw.
 - b. If the structures are proposed to be used for personal use, all non-compliant structures are to be removed from the property in their entirety.
3. Landowner is required to obtain all necessary approvals for the berms through Alberta Environment and Protected Areas (AEPA), or waiver of such, and proof of such must be provided to the County to assess if any further approvals through the County are required.
4. Final redesignation fees to be submitted.

OPTION 2 – REFUSE APPLICATION

Should Council be unable to support the application for Land Use Redesignation from Natural Resource Extraction District to Agricultural District and Flood Hazard Protection (FHP) Overlay on Ptn. SW 27-20-2 W5M, the application may be refused for the following reasons:

In their consideration of the criteria within the MDP2010 and LUB 60/2014; Council is of the opinion that the proposed redesignation of the subject property is premature in advance of the cessation of the gravel extraction operation on the adjacent property, and as such the subject property is unable to support the Agricultural Land Use District due to a lack of appropriate building area.

APPENDICES

APPENDIX A – MAP SET

LOCATION MAP

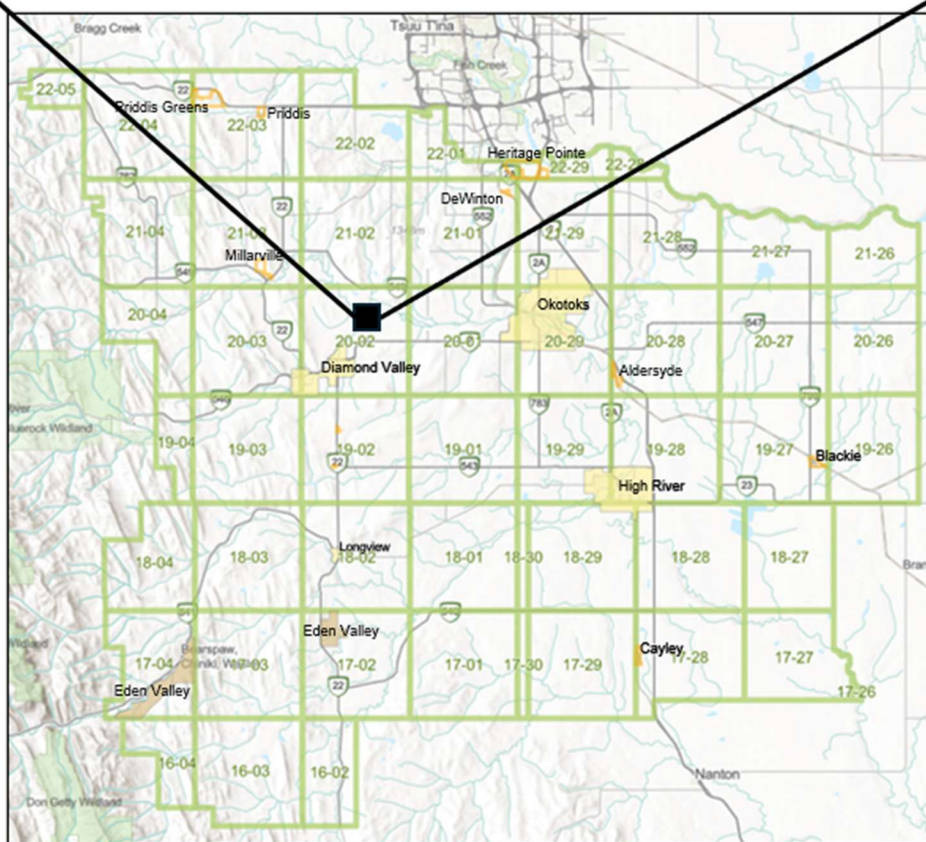
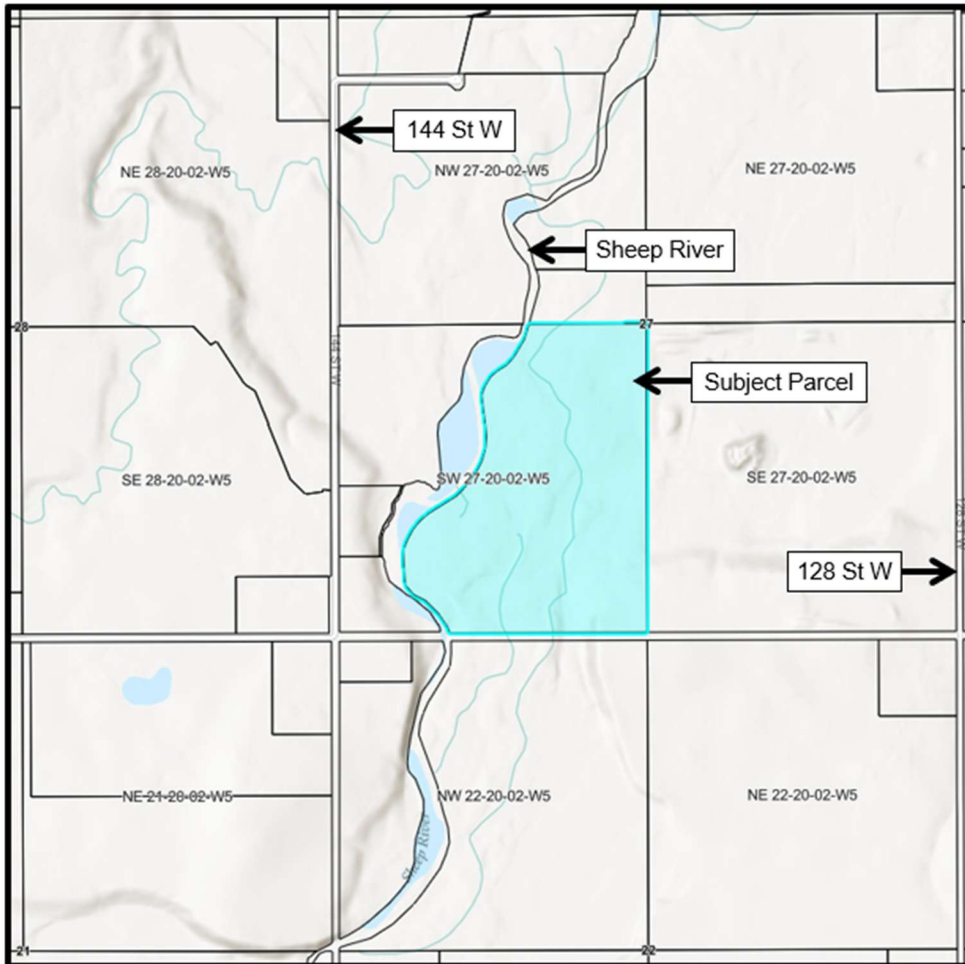
LAND USE – HALF MILE MAP

PARCEL SIZES – HALF MILE MAP

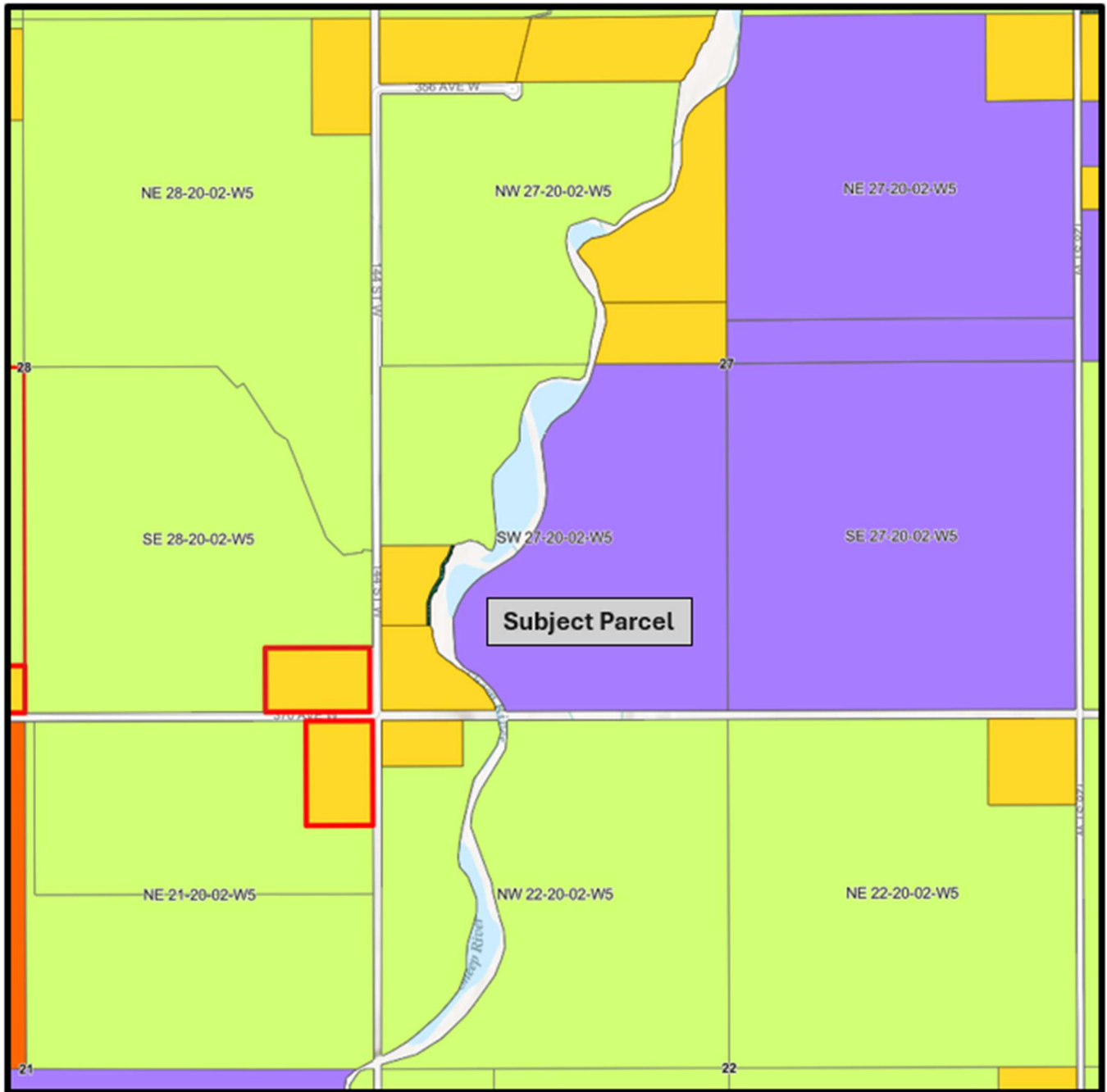
SITE PLANS









APPENDIX B – DRAFT BYLAW

APPENDIX A – LOCATION MAP

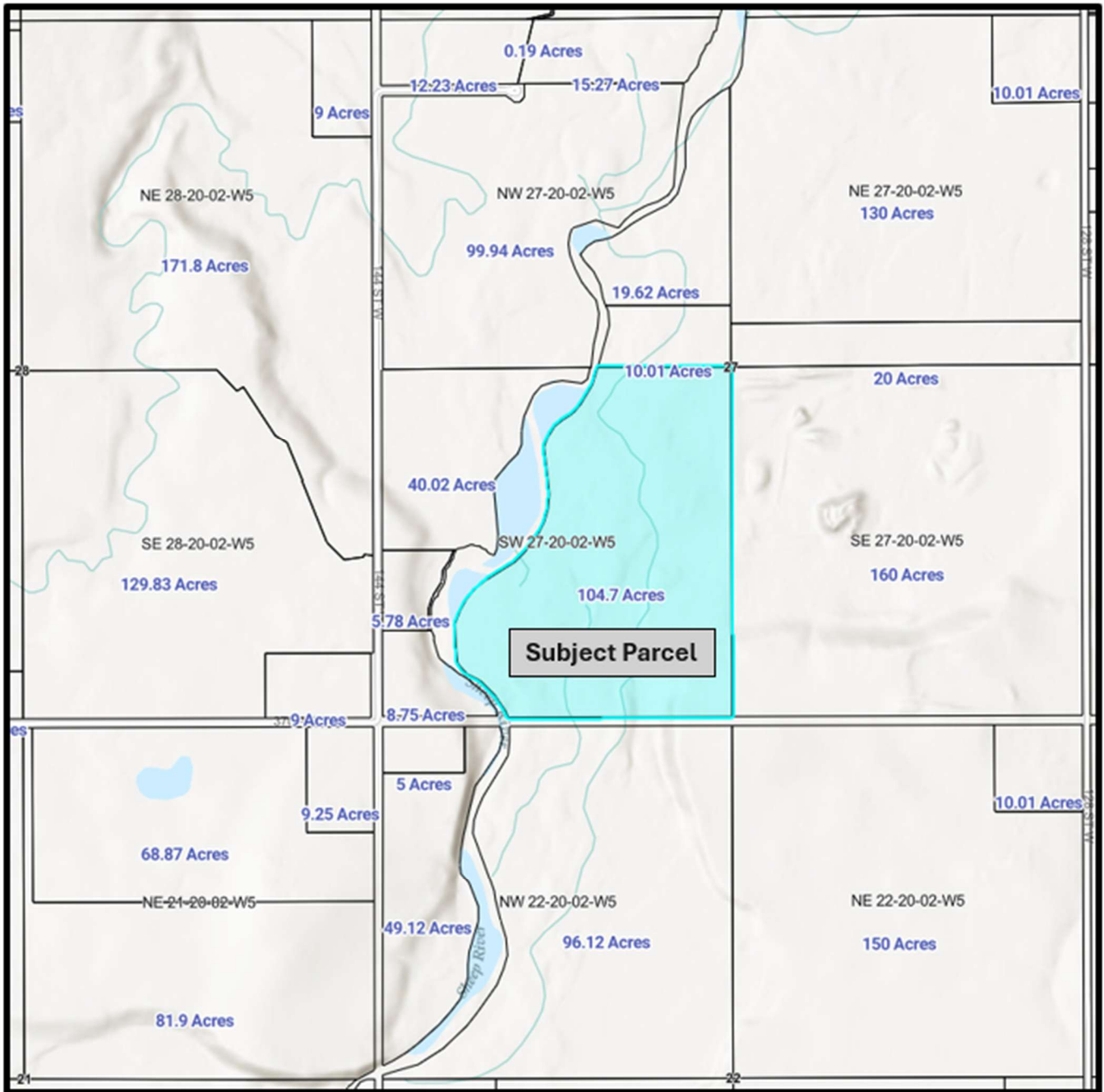


APPENDIX A – LAND USE – HALF MILE MAP

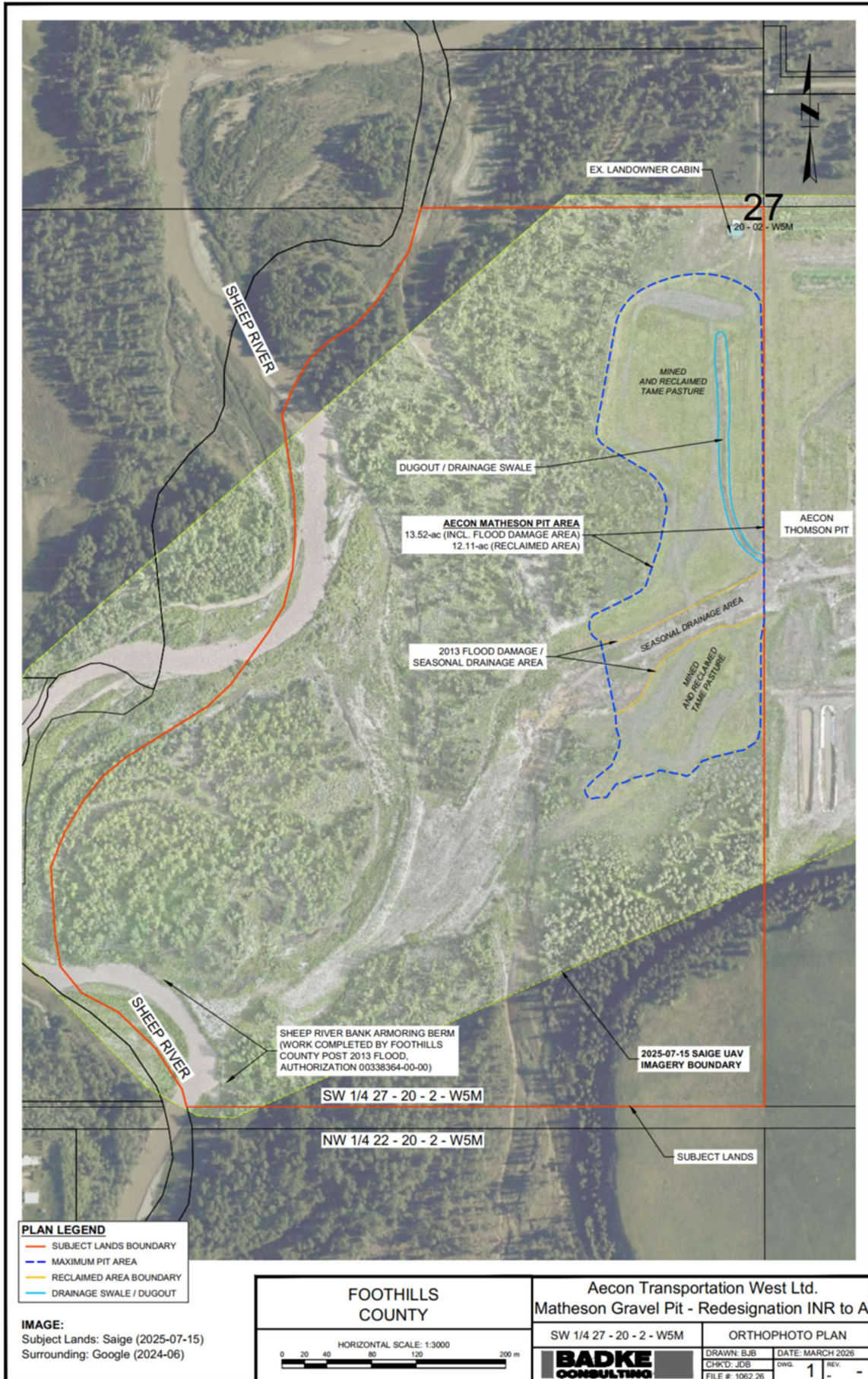


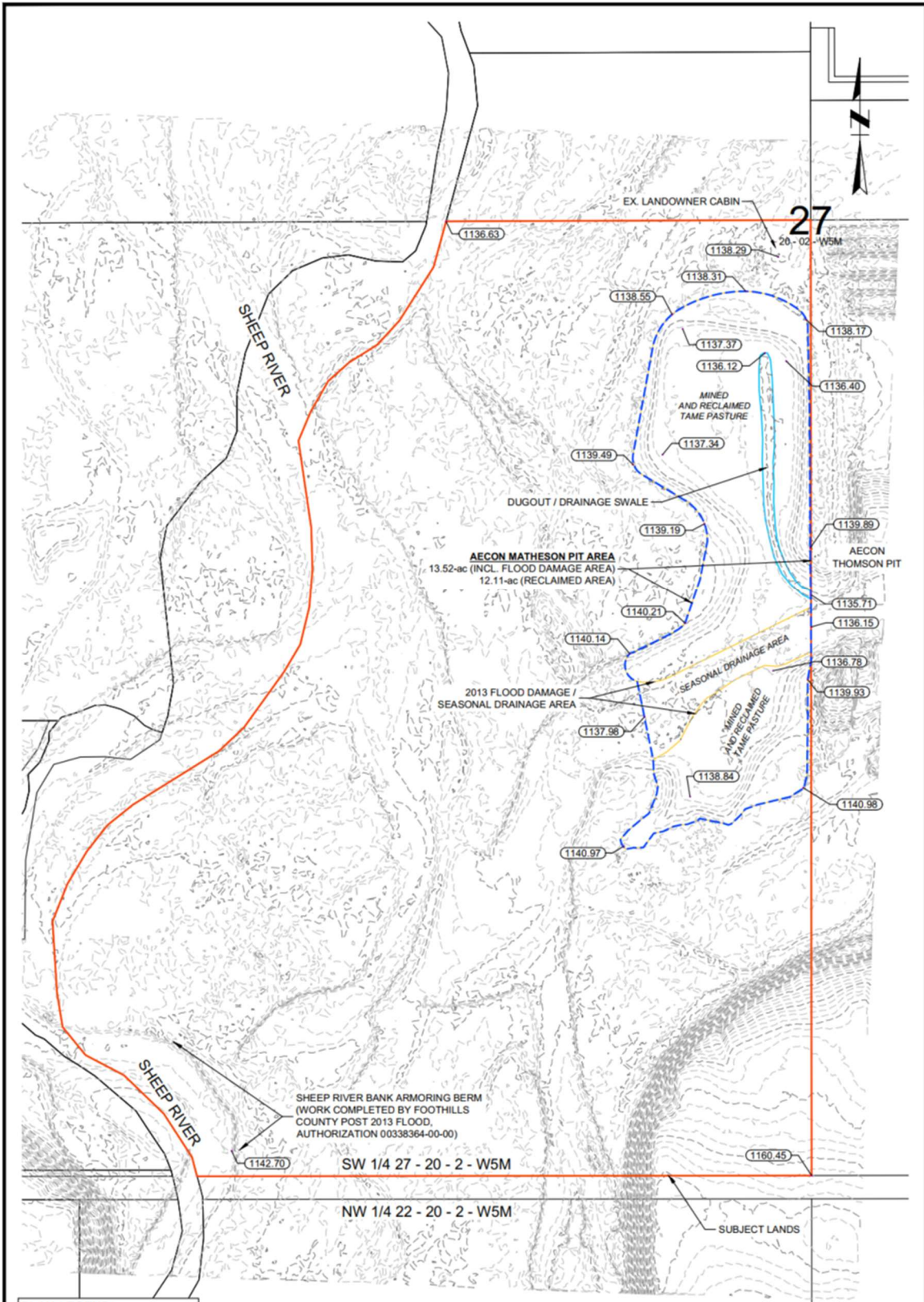
Land Use Districts		
	A- Agricultural	 CR- Country Residential
	AA- Agricultural Sub A	 CRA- Country Residential Sub A
		 DC - Direct Control
		 ER- Environmental Reserve
		 INR- Natural Resource Extraction
		 MR- Municipal Reserve

APPENDIX A – PARCEL SIZES – HALF MILE MAP



APPENDIX A – SITE PLANS





PLAN LEGEND

- SUBJECT LANDS BOUNDARY
- MAXIMUM PIT AREA
- RECLAIMED AREA BOUNDARY
- DRAINAGE SWALE / DUGOUT

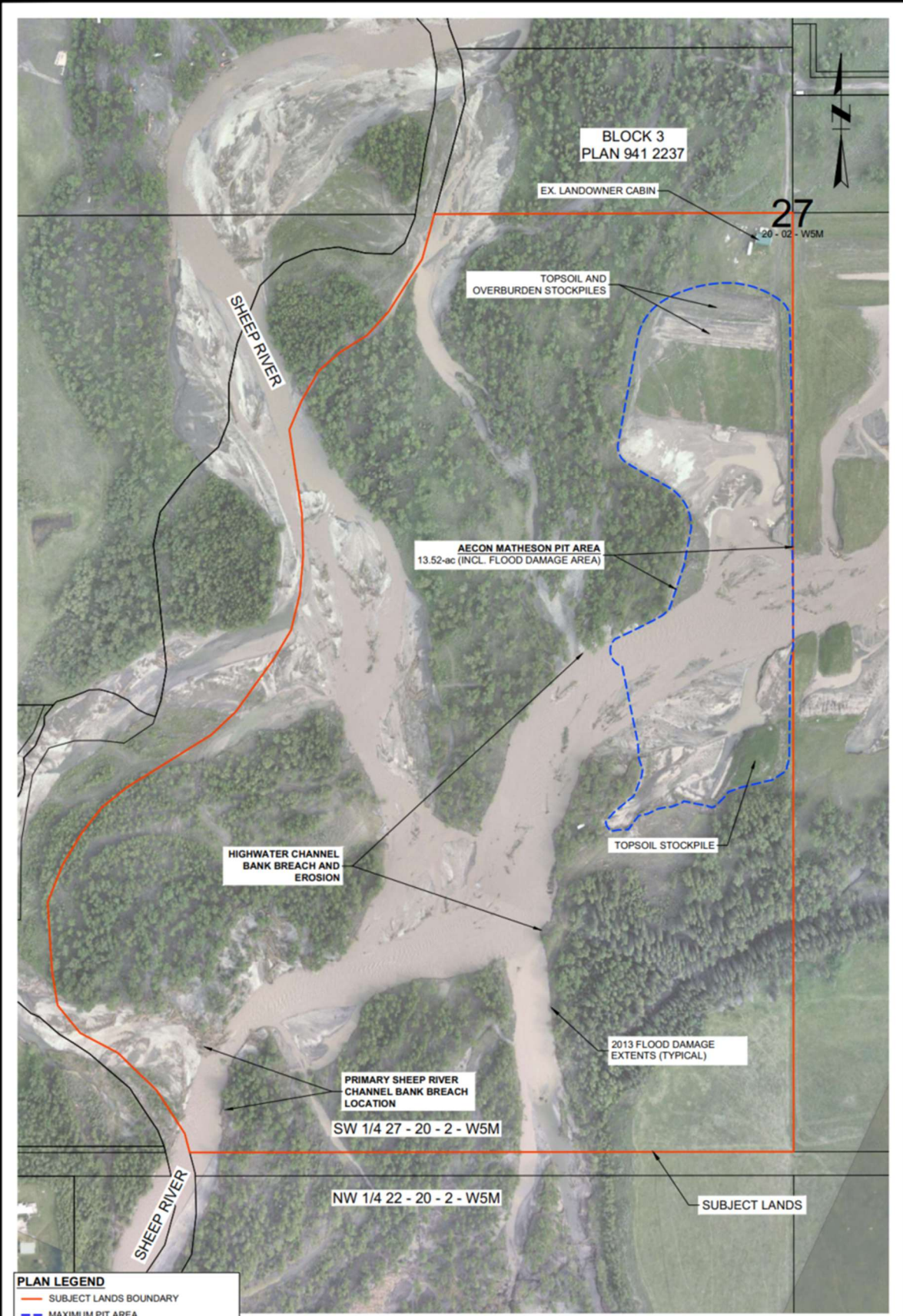
IMAGE:
 Subject Lands: Saige (2025-07-15)
 Surrounding: Google (2024-06)

FOOTHILLS COUNTY

HORIZONTAL SCALE: 1:3000

Aecon Transportation West Ltd.
Matheson Gravel Pit - Redesignation INR to A

SW 1/4 27 - 20 - 2 - W5M	EXISTING CONTOURS
BADKE CONSULTING	DRAWN: BJB DATE: MARCH 2026 CHKD: JOB DWG: 2 - - FILE #: 1062 26



PLAN LEGEND

- SUBJECT LANDS BOUNDARY
- - - MAXIMUM PIT AREA
- 2013 FLOOD DIRECTION
- - - 2013 FLOOD EXTENTS (SUBJECT LANDS)

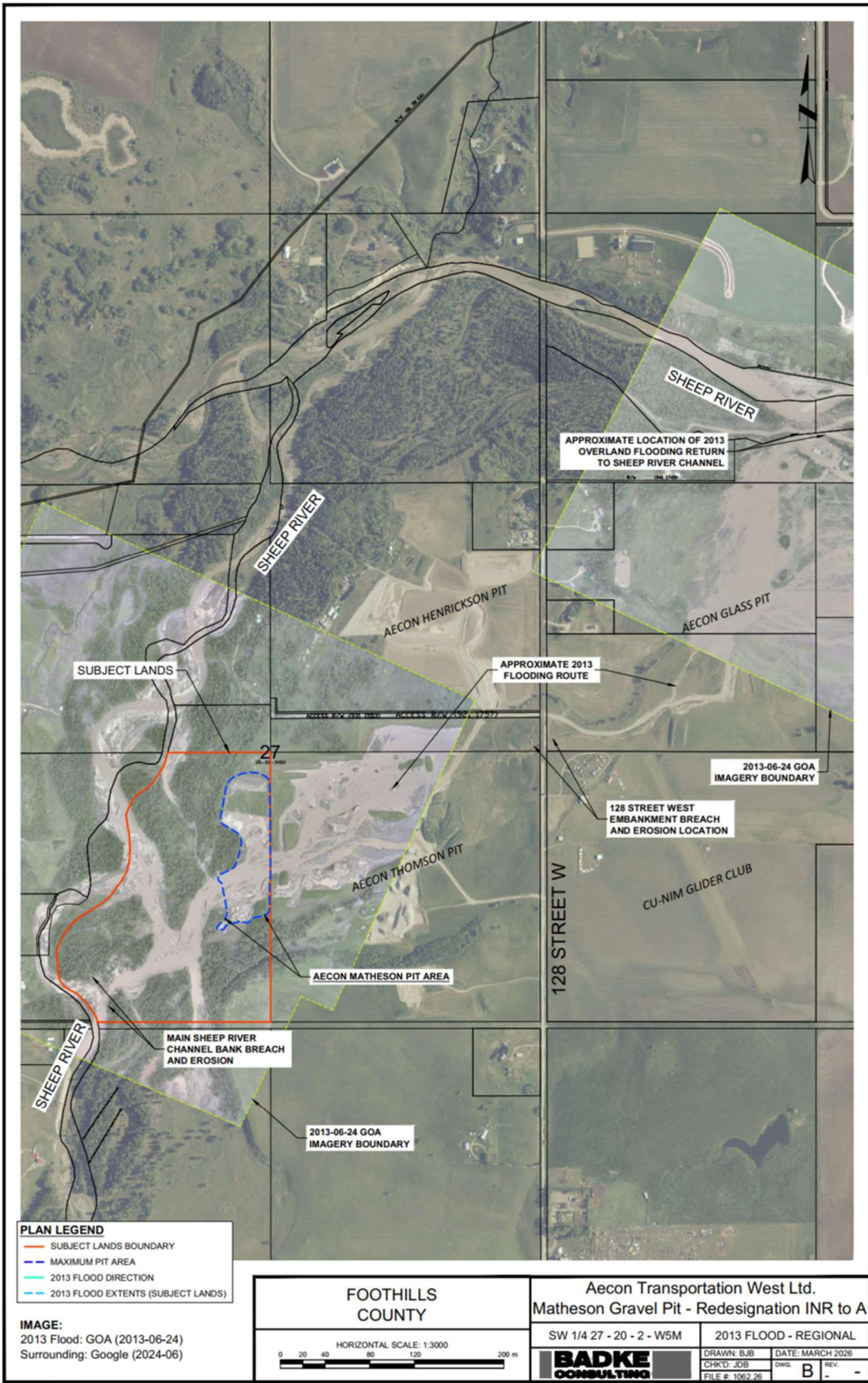
IMAGE:
 2013 Flood: GOA (2013-06-24)
 Surrounding: Google (2024-06)

FOOTHILLS COUNTY

HORIZONTAL SCALE: 1:3000

Aecon Transportation West Ltd.
Matheson Gravel Pit - Redesignation INR to A

SW 1/4 27 - 20 - 2 - W5M	2013 FLOOD - PIT AREA
BADKE CONSULTING	DRAWN: BJB DATE: MARCH 2026 CHKD: JDB DWG: A REV: - FILE #: 1062.26



PLAN LEGEND

- SUBJECT LANDS BOUNDARY
- MAXIMUM PIT AREA
- 2013 FLOOD DIRECTION
- 2013 FLOOD EXTENTS (SUBJECT LANDS)

IMAGE:
 2013 Flood: GOA (2013-06-24)
 Surrounding: Google (2024-06)

FOOTHILLS COUNTY

HORIZONTAL SCALE: 1:3000

0 20 40 60 80 120 200 m

Aecon Transportation West Ltd.
 Matheson Gravel Pit - Redesignation INR to A

SW 1/4 27 - 20 - 2 - W5M	2013 FLOOD - REGIONAL						
BADKE CONSULTING	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: small;">DRAWN: BJB</td> <td style="font-size: small;">DATE: MARCH 2026</td> </tr> <tr> <td style="font-size: small;">CHKD: JOB</td> <td style="font-size: small;">DWD: B</td> </tr> <tr> <td style="font-size: small;">FILE #: 1062 26</td> <td style="font-size: small;">REV: -</td> </tr> </table>	DRAWN: BJB	DATE: MARCH 2026	CHKD: JOB	DWD: B	FILE #: 1062 26	REV: -
DRAWN: BJB	DATE: MARCH 2026						
CHKD: JOB	DWD: B						
FILE #: 1062 26	REV: -						

BYLAW XX/2026

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 the subject 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay.

NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No.2002 is amended by *redesignating 104.7 acres on Ptn. SW 27-20-02 W5M from Natural Resource Extraction (INR) District to Agricultural (A) District and Flood Hazard Protection (FHP) Overlay.*
2. This Bylaw shall have effect on the date of its third reading and upon signing.

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 .