

PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT
September 30, 2026
To be heard at: 1:30 PM

APPLICATION INFORMATION		FILE NO. 26R042
	LEGAL DESC.: E ½ LSD 2, SE 28-20-3 W5	
	LANDOWNERS: Bretton & Kristen Dudar	
	AGENT: David Joosse	
	AREA OF SUBJECT LANDS: 19.76 Acres	
	CURRENT LAND USE: Country Residential District	
PROPOSAL: Amendment to the Country Residential District (CR) land use rules to allow for the future subdivision of one +/- 5.0 acre CR lot.		
DIVISION NO: 3		COUNCILLOR: Laura Kendall
FILE MANAGER: Elliott Salmon		

EXECUTIVE SUMMARY

Location:

The subject parcel is located:

- On the north side of 370 Avenue West;
- Approximately 1 km east of 256 St W; and
- Approximately 7 km northwest of the Town of Diamond Valley.

Policy Evaluation:

Reviewed within the terms of the:

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

Referral Considerations:

Referred to the required internal departments and external agencies.

PURPOSE OF APPLICATION

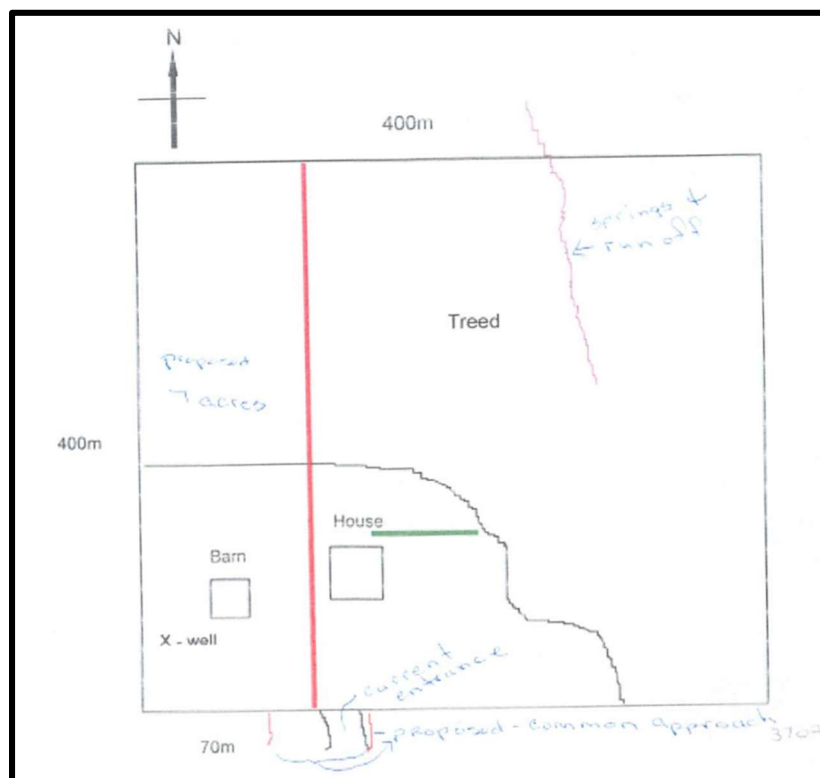
Bylaw XX/2026 – Council has received an application to further amend the Land Use Bylaw by authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.0 +/- acre Country Residential lot, leaving a 14.76 +/- acre Country Residential balance parcel on E ½ LSD 2, SE 28-20-03 W5M.



HISTORY

July 17, 2008 – Redesignation application 08R048 to redesignate a portion of SE 28-20-3 W5M; LSD 1 (the neighbouring parcel immediately east of the subject parcel) from Agricultural District to Country Residential District to permit the future subdivision of one +/- 7 acre parcel was **refused** for the following reasons:

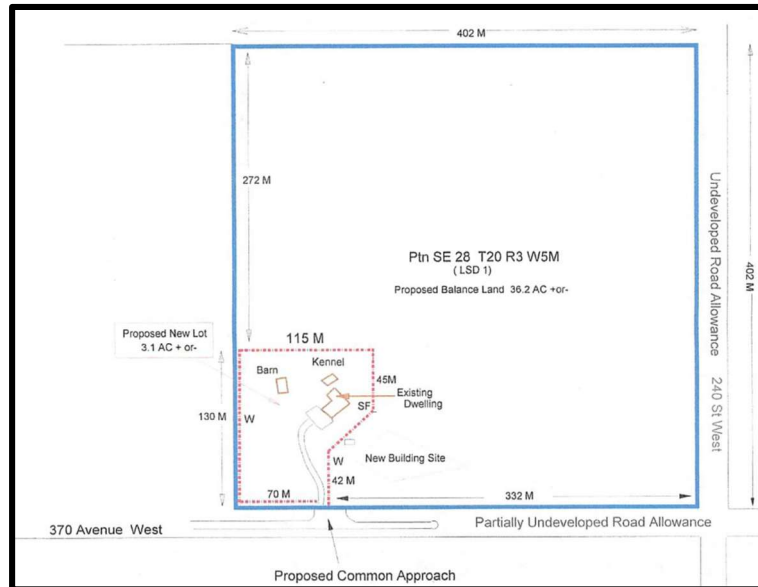
- *Unacceptable site plan;*
- *In Council's opinion, this is not an efficient use of the land.*
- *Given the direction from the Municipal Development Plan and Regional land use framework, it seems reasonable to defer approval of larger parcels of this size until these plans are in place.*



July 7, 2011 – Redesignation application 11R022 to redesignate a portion of SE 28-20-3 W5M; LSD 1 (the neighbouring parcel immediately east of the subject parcel) from Agricultural District to Country Residential to permit the future subdivision of one +/- 3.1 acre parcel was **refused** for the following reasons:

In their consideration of Policy 2 of the Agriculture section of the MDP 2010, Council did not find sufficient merit in the proposal to consider removing the subject lands from the Agricultural land use district;

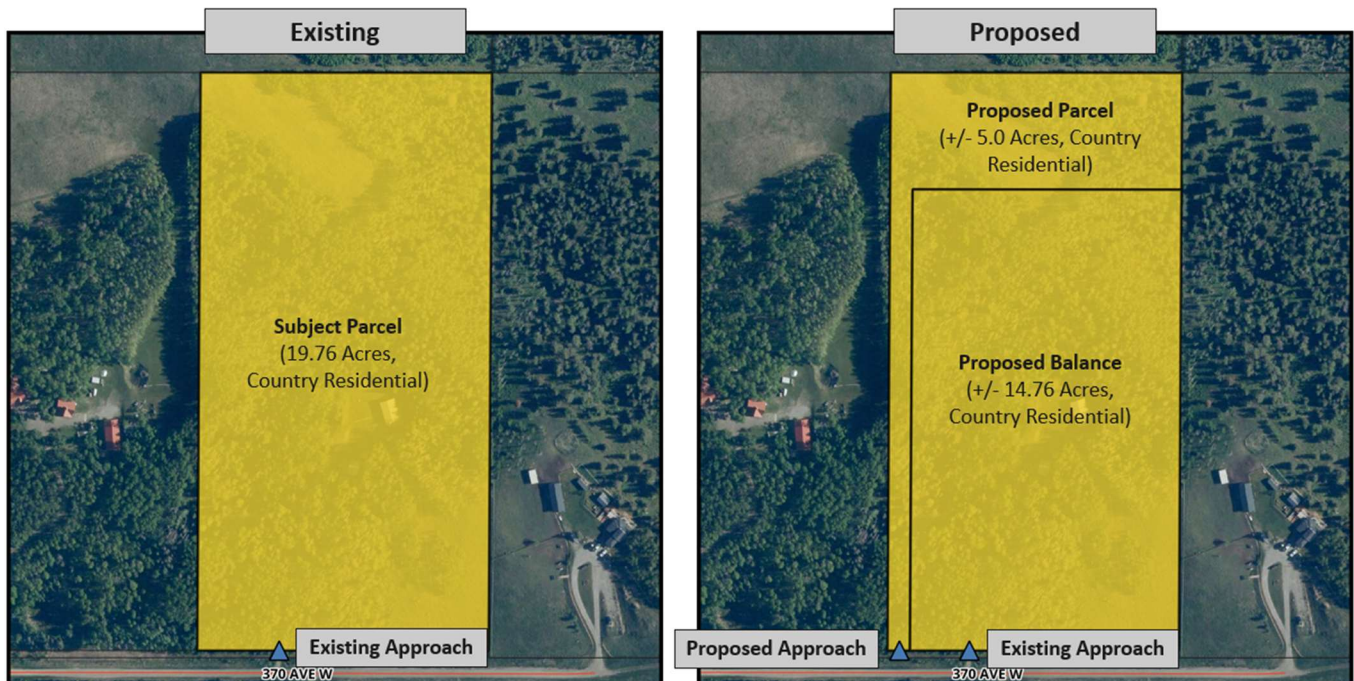
In their consideration of Policy 3 of the Residential section of the MDP 2010, Council noted that Sec. 3.1 through to Sec. 3.8 all suggest that this application is not in keeping with the Policies as set forth in the Plan.



SITE CONSIDERATIONS

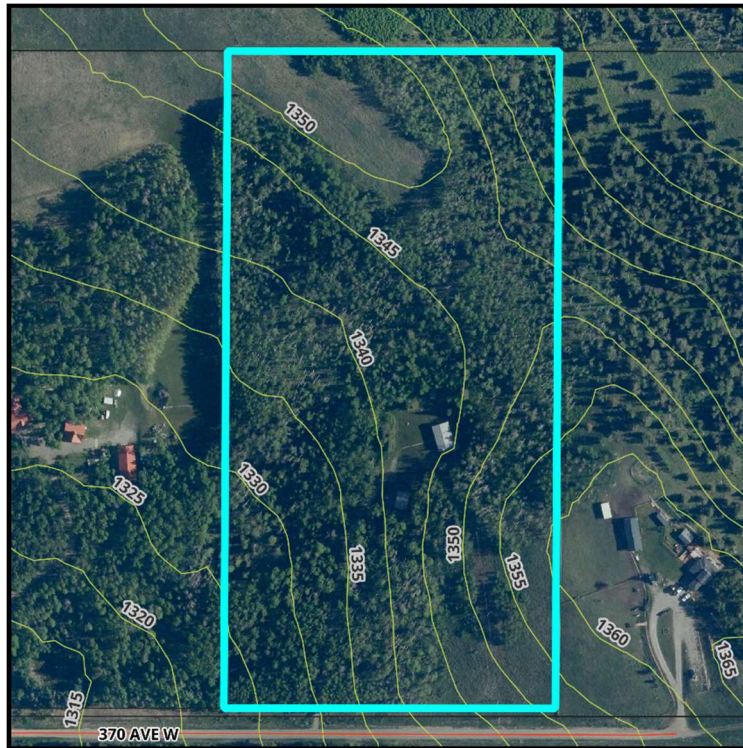
Access:

The subject parcel is currently accessed from an existing approach on 370 Avenue West. The proposed access to the proposed parcel is just west of the existing approach on 370 Avenue West, at the south end of the proposed panhandle.



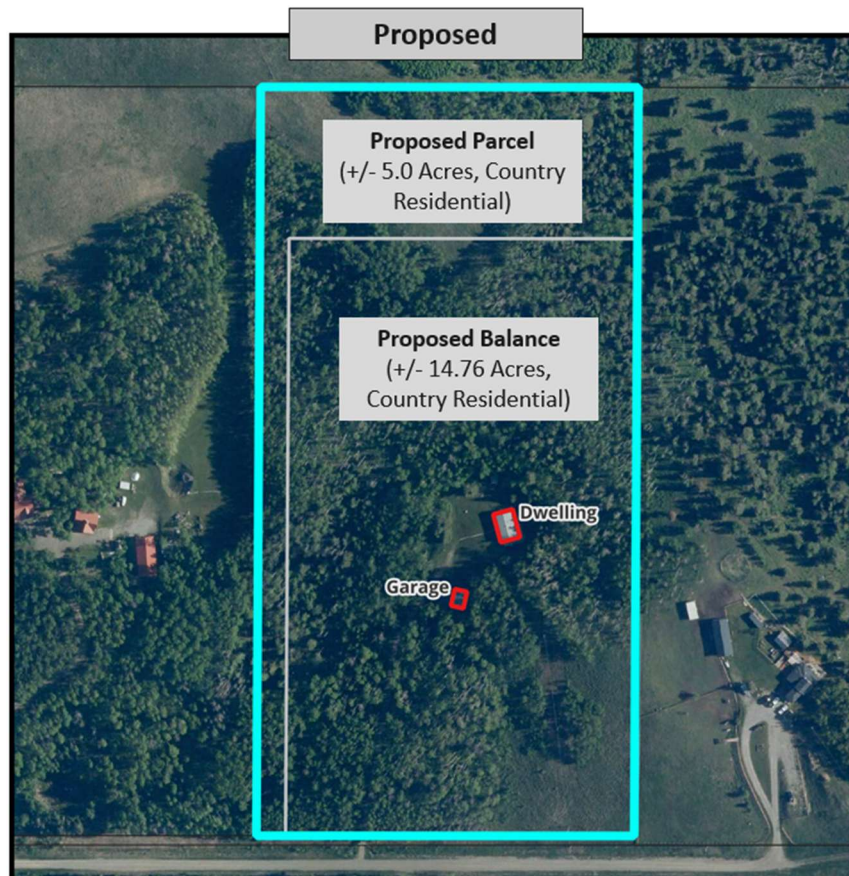
Physiography:

Situated in the western portion of the County, the physiography of the property is predominantly forested and located near the top of a ridge. Slopes on the property are generally from the east to the west.



Existing Development:

Existing development on the property is entirely within the proposed balance and includes a dwelling and a garage.



REFERRAL CIRCULATION

CIRCULATION REFERRALS	
REFEREE	COMMENTS
INTERNAL	
Public Works	• A standard approach is required, and is to be constructed to Foothills County's Rural Approach Standards. • An engineered driveway design to the satisfaction of Public Works will be required due to slopes of greater than 12% at the north side of the property, and drainage/erosion control that will be required due to the extensive removal of trees/vegetation required. • Public Works recommends that a Building Envelope plan is provided as a condition of subdivision. • Public Works recommends that Slope Stability Analysis is completed if the developable area identified in the Building Envelope plan includes slopes greater than 15%, as a condition of subdivision. A Soil and Erosion Protection Plan may be required if substantial removal of vegetation is proposed. • A PSTS review will be required at development.
PUBLIC	
Western Wheel	September 16 and September 23, 2026
Landowners	No submissions received prior to the submission of this staff report.

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 use and the efficient use of land.

Growth Management Strategy:

The subject parcel is located within the Northwest District of the Growth Management Strategy. The vision for the Northwest District identifies that lands could likely accommodate minimal to moderate growth in the form of both country residential and cluster residential development with careful consideration of the potential impacts on wildlife habitat and water shed 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/2026 – 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 5.0 +/- acre Country Residential lot, leaving a 14.76 +/- acre Country Residential balance parcel on E ½ LSD 2, SE 28-20-03 W5M.

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 an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.0 +/- acre Country Residential lot, leaving a 14.76 +/- acre Country Residential balance parcel for the following reasons:

Council is supportive of the application, as it is considered to be in alignment with the intent of the Residential section of the MDP2010, specifically with respect to directing additional Country Residential development to lands already zoned Country Residential.

Staff suggests Country Residential Sub-District “A” for the proposed parcels to ensure that the recommendations and restrictions as outlined within the building envelopes, slope stability analysis, and engineered driveway design 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 \$5,000.00 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. Engineered driveway design to be provided if slopes for the driveway to be constructed exceed 12% for the proposed +/- 5.0 acre parcel, to the satisfaction of the Public Works department;
3. Proof of adequate water supply to be provided for the proposed +/- 5.0 acre parcel in accordance with the Municipal Water Policy, to the satisfaction of the County;
4. Site plan to be provided which identifies building envelopes for the +/- 5.0 acre lot, which meets the requirements as outlined in Policy 9 of the Residential section of the MDP2010, to the satisfaction of the Public Works department, as a condition of subdivision;
5. Where slopes exceeding 15% are identified within the developable area of the proposed +/- 5.0 acre parcel on the Building Envelope Plan, the applicant shall, as a condition of subdivision approval, provide a Geotechnical Slope Stability Report satisfactory to the Public Works Department;
6. Final amendment fees to be submitted;
7. Submission of an executed subdivision application and the necessary fees.

OPTION #2 – REFUSE APPLICATION

Council may choose to refuse the 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 5.0 +/- acre Country Residential lot, leaving a 14.76 +/- acre Country Residential balance parcel 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 the cumulative effects of the development and the environmental impact and the suitability of the lands for further development.

APPENDICES

APPENDIX A – MAP SET

LOCATION MAP

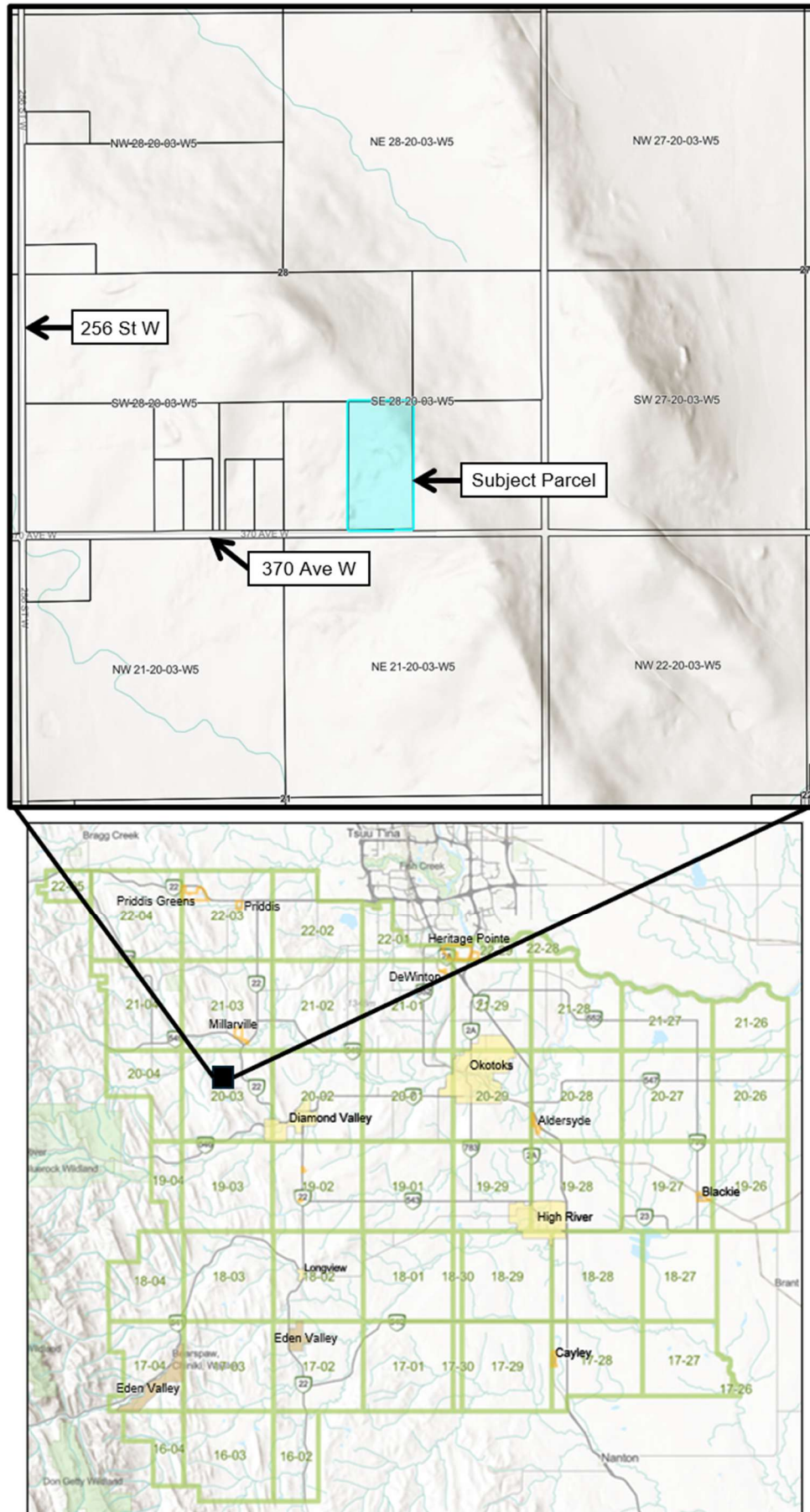
LAND USE – HALF MILE MAP

PARCEL SIZES – HALF MILE MAP

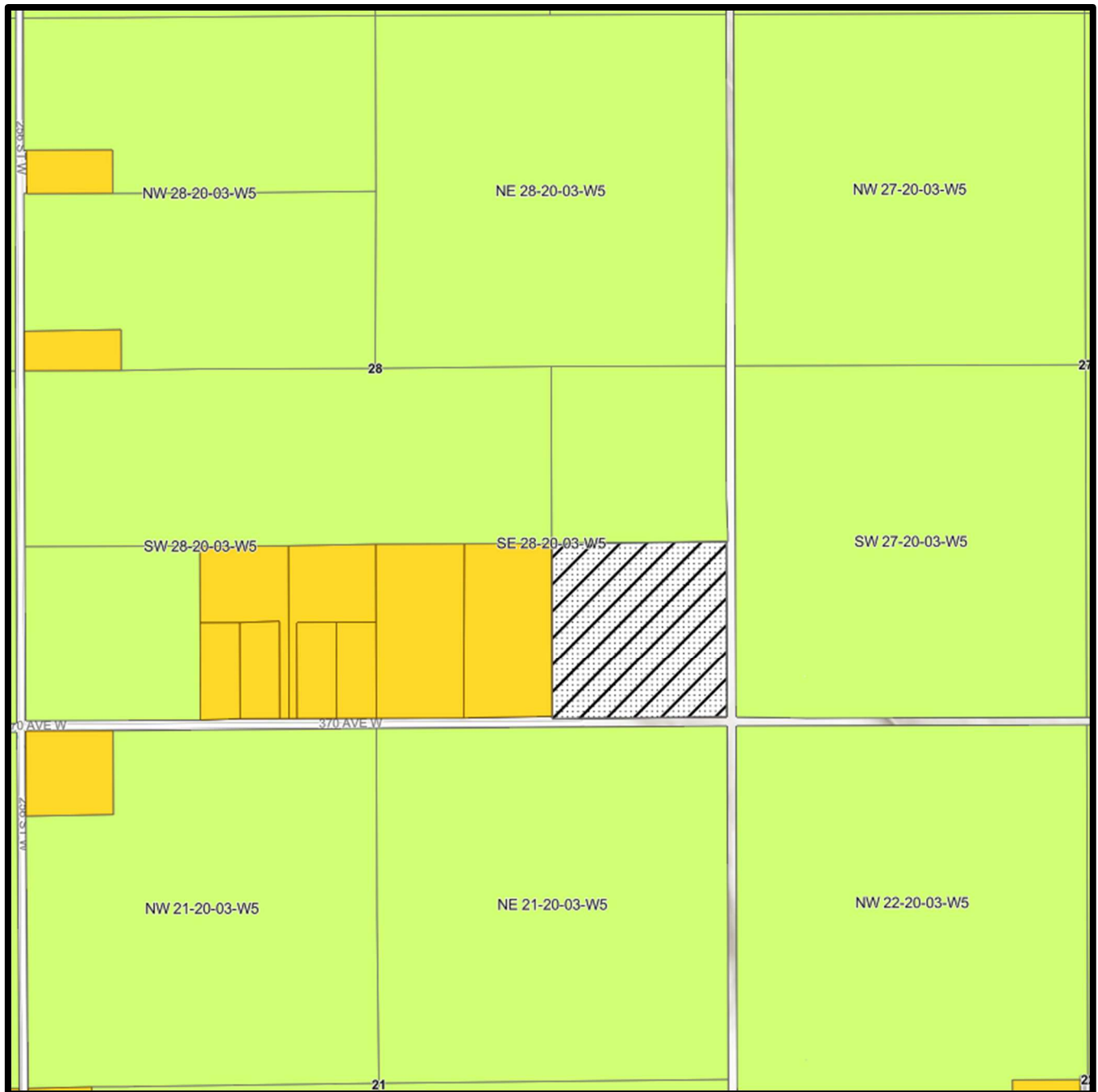
SITE PLAN

APPENDIX B – DRAFT BYLAW

APPENDIX A – LOCATION MAP



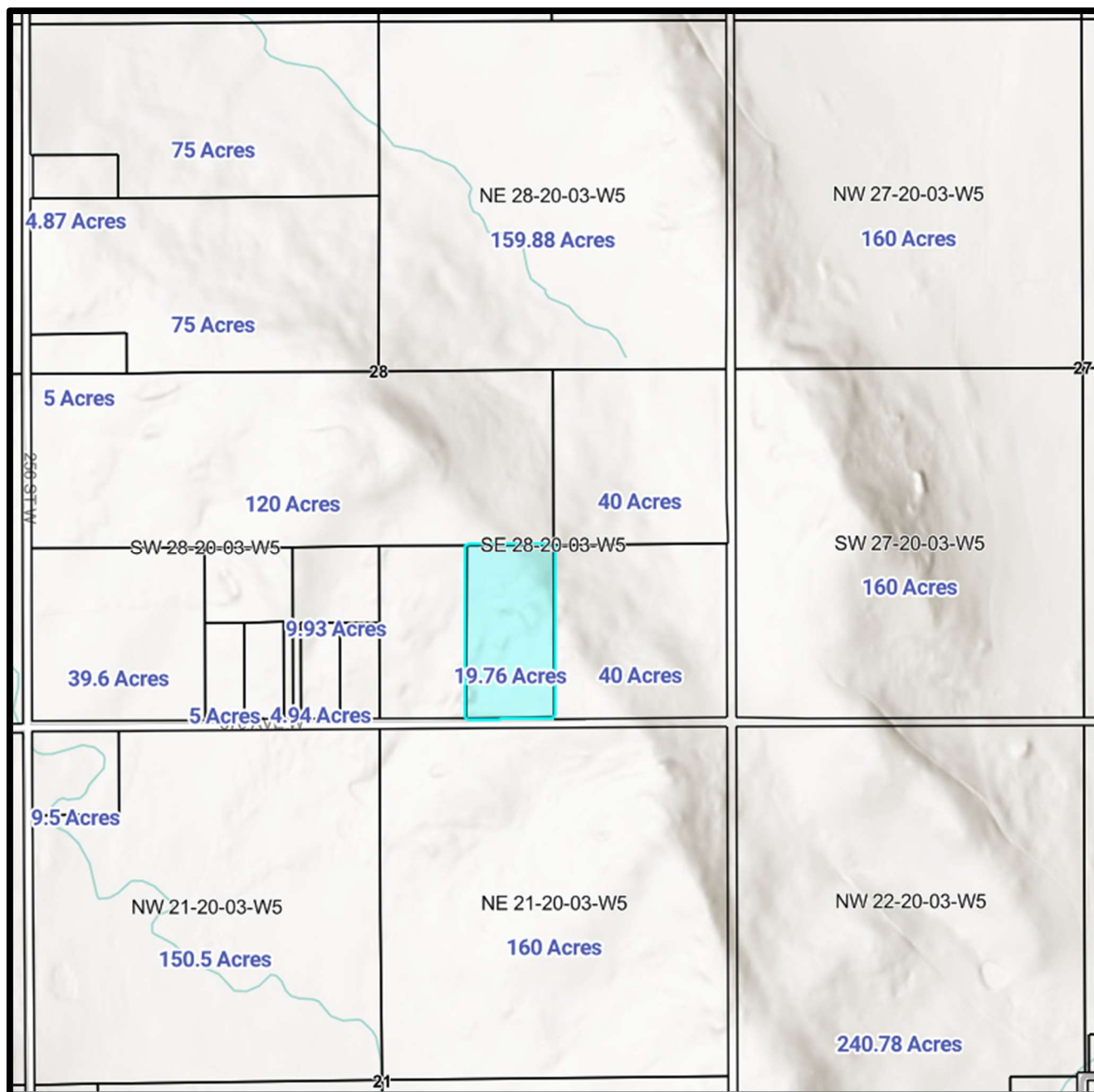
APPENDIX A – LAND USE – HALF MILE MAP



Legend

-  A- Agricultural
-  CR- Country Residential
-  In Transition

APPENDIX A – PARCEL SIZES – HALF MILE MAP



Survey Map Details:

- Top Section:** L.S.D. 6 SEC.28 20-3 W.5M. (Left), L.S.D. 7 SEC.28-20-3 W.5M. (Center), L.S.D. 8 SEC.28 20-3 W.5M. (Right).
- Left Section:** W.1/2 L.S.D. 2 SEC. 28 - 20 - 3 W.5M. (Center), L.S.D. 3 SEC.28 20-3 W.5M. (Bottom Left).
- Right Section:** E.1/2 L.S.D. 2 SEC. 28 - 20 - 3 W.5M. (Center), L.S.D. 1 SEC.28 20-3 W.5M. (Bottom Right).
- Proposed Lot:** Yellow-shaded area at the top, labeled "± 5 acres Proposed Lot".
- Existing Structures:**
 - 1330 sq existing home (with arrow pointing to a small rectangle).
 - 600 sq existing garage (with arrow pointing to a small rectangle).
- Driveway:** Gravel Driveway (with arrow pointing to a line).
- Utility Lines:**
 - 6.10 UTILITY C.W.R.C. UTILITY RIGHT-OF-WAY (with arrow pointing to a line).
 - 4.88 ROAD HOODING PLAN 1742 LK (with arrow pointing to a line).
- Boundaries and Distances:**
 - Top: 87°43'10" 200.90, 87°43'10" 200.90.
 - Left: 357°38'20" 208.50, 357°38'20" 208.50.
 - Right: 177°59'50" 388.39, 177°59'50" 388.39.
 - Bottom: 267°41'30" 200.81, 267°41'30" 200.81, 177°59'50" 24.99.
 - Internal: 2.33, 2.66.50, 234.49, 124.67, 101.24, 91.20, 1.91, 2.75, 1.27, 6.39, 6.30, 6.47, 6.14, 1.26, 0.14, 0.28, 0.99, 0.397, 121.12, 157.29, 121.12, 177°59'50" 24.99.
- Other Features:**
 - SEE DETAIL (with arrow pointing to a small rectangle).
 - SEE INSET (with arrow pointing to a small rectangle).
 - Anchor (with arrow pointing to a small rectangle).
 - Power Pole (with arrow pointing to a small rectangle).
 - Existing Approach & Gate (with arrow pointing to a line).
- Inset Map:** A circular inset map showing the location of the property within a larger area, labeled "INSET NOT TO SCALE".
- North Arrow:** A north arrow pointing towards the top right of the map.
- Scale:** A scale bar indicating 15.5m.

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 an amendment to the Country Residential District land use rules to allow for the future subdivision of one new 5.0 +/- acre Country Residential lot, leaving a 14.76 +/- acre Country Residential balance parcel on E ½ LSD 2, SE 28-20-03 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:

E ½ LSD 2, SE 28-20-03 W5M within which shall allow for the future subdivision of one new 5.0 +/- acre Country Residential lot, with a 14.76 +/- 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 .