PUBLIC HEARINGS AND MEETINGS
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
LAND USE AMENDMENT
November 18, 2026
To be heard at: 10:00 AM

APPLICATION INFORMATION	**FILE NO. 26R047**
	LEGAL DESCRIPTION: Ptn. NE 01-21-04 W5M; Plan 0511925, Block 1, Lot 1
	LANDOWNERS: Douglas & Melissa Peters
	AGENT: Township Planning + Design Inc.
	AREA OF SUBJECT LANDS: 18.29 acres
	CURRENT LAND USE: Country Residential District (CR)
	PROPOSED LAND USE: Country Residential District (CR)
NUMBER & SIZE OF PROPOSED NEW PARCELS: 1 x +/- 6.56 acre parcel	
PROPOSAL: Amendment to the Country Residential District land use rules to allow for the future subdivision of one +/- 6.56 acre Country Residential District lot, leaving a +/- 11.35 acre Country Residential District balance.	
DIVISION NO: 3	**COUNCILLOR:** Laura Kendall
FILE MANAGER: Brittany Domenjoz	

EXECUTIVE SUMMARY:

Location:
The subject parcel is located directly south and adjacent to Highway 549, West of 288th Street W, North of 330th Avenue W and approximately 6 kilometres west of the Hamlet of Millarville.

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.

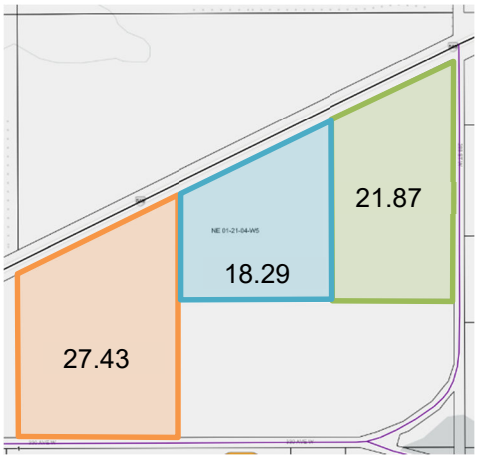
Referral Considerations:
This application was referred to all required internal and external agencies. The County's Public Works department requests Council's direction as to if a municipal standard road will be required within the 30 m x 50 m service road area or if a driveway will be acceptable. Further, Alberta Transportation and Economic Corridors has no concerns or objections to the proposal. The department is prepared to grant approval for the subdivision authority to vary the requirements of Section 19 of the regulation at the time of future subdivision, subject to dedication of the proposed 30 m x 50 m service road, by plan of survey, as indicated on the site plan. Complete circulation comments are provided within the referral circulation section of this report.

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 +/- 6.56 acre Country Residential District lot, leaving an +/- 11.35 acre Country Residential District balance on Plan 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M.

HISTORY:

Currently there are 5 parcels within the quarter section, ranging in size from 18.29 acres to 47.49 acres. The **subject parcel (18.29 acre)** was originally created in 2005 and two subsequent subdivision applications were approved in 2007 allowing the creation of one **21.87 acre lot** and one **27.43 acre lot**.

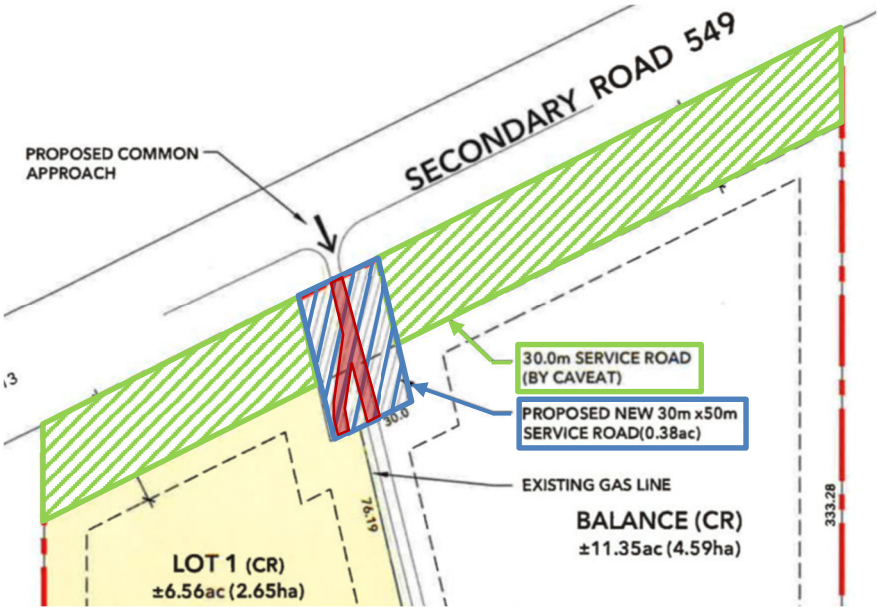


In 2008 a land use application was refused on the **subject parcel** that proposed the future subdivision of three additional lots, ranging in size from +/- 3 to +/- 5 acres. It was Councils opinion at this time that the further Country Residential development in this area was premature and that the application exceeded the existing densities in proximity to the proposal.

SITE CONSIDERATIONS:

Access:

The subject parcel gains direct access to Highway 549 via an existing approach. There is currently a Service Road Caveat (151186828) registered on title over a 30 metre strip of land along the entire northern boundary of the subject parcel, adjacent to Highway 549, shown here shaded in **green**.



The application proposes a new 30 m x 50 m service road to facilitate access to both parcels, this is to be dedicated by plan of survey, shown here shaded in **blue**.

Further, the application proposes widening the existing approach to construct a common approach for access to both parcels with a new driveway to the proposed lot while continuing to use the existing driveway for access to the balance.

Public Works is requesting Council's direction as to whether the proposed and existing driveways located within the 30 m x 50 m service road area would need to be upgraded to a Municipal Standard road or if the current driveway standard would be acceptable. The driveways as noted above are shown here shaded in **red**.

Note: Public Works has provided that the above comment is ultimately a Council decision, however the department has indicated that a driveway standard is preferred to alleviate the municipal maintenance obligations within this small area. Should Council determine that a Municipal Road standard be preferred, the applicants would be required to submit a revised site plan illustrating a cul-de-sac bulb to facilitate a turnaround location for County maintenance equipment.

Physiography and Area Characteristics:

The subject parcel has generally flat terrain with portions of heavy tree cover. The lands gently slope down towards the northeast corner of the property and a recurring stream that runs through the adjacent lands to the east.

Lands surrounding the subject parcel are predominately zoned as Agricultural District with a few Country Residential District parcels, ranging in size from 2 to 16.14 acres.

Existing Development:

Existing Development on the subject parcel includes a Residence, Shop, Greenhouse, Shed, Tack Shed, Hay Barn with Lean-to and two Horse Shelters. The site plan within Appendix A of this report and below lists the existing development as they would be situated on each lot.

The existing water well is located within the boundaries of the proposed lot. The application provides that the new lot will retain the existing water well and will be serviced by a new private septic system whereas the balance parcel will retain the existing private septic system and will be serviced by a new water well.

Balance +/- 11.35 acre parcel:

- Residence with attached garage
- Shop (+/- 960 sq.ft.)
- Greenhouse (+/- 290 sq.ft.)
- Shed (+/- 175 sq.ft.)
- 1 Horse Shelter (+/- 98 sq.ft.)
- new water well
- existing septic system

Proposed +/- 6.56 acre lot:

- Hay Barn with Lean-to (+/- 1,916 sq.ft.)
- Tack Shed (+/- 80 sq.ft.)
- 1 Horse Shelter (+/- 98 sq.ft.)
- existing water well
- new septic system

Note: As there is no principal dwelling currently located on the proposed parcel, Council may acknowledge the existing development (hay barn with lean-to, tack shed, and horse shelter) located on the proposed +/- 6.56 acre lot as non-conforming until such time the future dwelling is constructed on the parcel.

REFERRAL CIRCULATION:

CIRCULATION REFERRALS	
REFEREE	**COMMENTS**
INTERNAL	
Public Works	The following are recommended for the proposed +/- 6.56 acre parcel, **as a condition of Subdivision:** • Septic Disposal Evaluation (PSTS); Public Works provided the following additional comments: • Approach is located off Provincial Highway 549. To be upgraded and inspected to the satisfaction of ATEC. • Further, ATEC to provide requirements for service road dedication.

CIRCULATION REFERRALS	
	• Council direction is requested as to if a municipal standard road will be required within the 30m x 50m service road area or if a driveway will be acceptable. • Should a municipal standard road be preferred, the applicants would be required to submit a revised site plan illustrating a cul-de-sac bulb to facilitate a turnaround location for County maintenance equipment. **Note:** PW provided that it is ultimately a Council decision, however the department has indicated that a driveway standard is preferred to alleviate the municipal maintenance obligations within this small area. • The existing water well is shown within the proposed lot – it will require disconnection with a new well drilled on the balance.
EXTERNAL	
Alberta Transportation & Economic Corridors (ATEC)	ATEC has expressed no concerns or objections with the proposed land use amendment application. 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. This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway 549. ATEC offers the following additional comments: • The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant Section 20(1) of the Regulation, Transportation and Economic Corridors is prepared to grant approval for the subdivision authority to vary the requirements of Section 18 of the Regulation, at the time of future subdivision. • The requirements of Section 19 of the Regulation are not met. To ensure future access management requirements are met a service road is required. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors is prepared to grant approval for the subdivision authority to vary the requirements of Section 19 of the Regulation at time of future subdivision. Subject to, dedication of the proposed 30 x 50 meter service road, by plan of survey, as indicated on attached site plan.

CIRCULATION REFERRALS	
	• The existing Caveat registered on title (051 186 828) which speaks to the 30 m service road under service agreement can be retained. • If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation may be required and the comments in respect of Sections 18 and 19 of the Regulation contained in this decision are no longer valid.
ATCO Energy Systems	ATCO Gas Distributions has reviewed the plan and provided conditional approval of the work.
FORTIS Alberta	No Concerns
PUBLIC	
Western Wheel	November 4, 2026 and November 11, 2026
Landowners (half mile)	Notice of this hearing was mailed to landowners within one half mile of the subject parcel on October 28, 2026. No letters were received prior to the submission of this report.

POLICY EVALUATION:

Municipal Development Plan 2010 (MDP2010):
The application generally meets with 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 Section 13.1.6.2 of the Country Residential District within the County's Land Use Bylaw.

Growth Management Strategy:
Subject parcel is located within the Northwest District. The vision for the Northwest District anticipates minimal to moderate growth and development, particularly in areas where fragmentation and development has already occurred with careful consideration of the potential impacts on wildlife habitats and watershed areas.

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 +/- 6.56 acre Country Residential District lot, leaving a +/- 11.35 acre Country Residential District balance on Plan 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – 1st READING APPROVAL

Council may choose to grant 1st reading to Bylaw ##/2026 authorizing an amendment to the Country Residential District land use rules to allow for the future subdivision of one new +/- 6.56 acre Country Residential District lot, leaving a +/- 11.35 acre Country Residential District balance on Plan 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M 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 suggest that the proposed +/- 6.56 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) 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:

Should Council determine that the existing and proposed driveways located within the 30 m x 50 m service road need to be upgraded to a Municipal Standard road, staff is respectfully requesting that Council include the following conditions:

1. Revised site plan to be provided illustrating a cul-de-sac bulb to facilitate a turnaround location for County maintenance equipment, to the satisfaction of the Public Works Department and ATEC;
2. Following the acceptance of the revised site plan required under Condition 1, the applicants are to fully execute and comply with all requirements as outlined within the Municipal Development Agreement for the purpose of construction of all external and internal transportation infrastructure and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;

OR

Should Council determine that access as proposed is acceptable, including the required approach upgrades, staff is respectfully requesting that Council provide acknowledgement that the existing and proposed privately maintained driveways are acceptable within the 30 m x 50 m service road and include the following condition:

1. Applicants are to fully execute a Municipal Development Agreement indicating that service road is not developed to a Municipal standard road and therefore would be required to be upgraded by the benefiting parties in order for the County to maintain the service road. The Development agreement is to be registered on titles of parcels accessing off the service road concurrently with the plan of subdivision.

3. Proof of water in accordance with the Provincial Water Act for both the proposed lot and balance parcel, to the satisfaction of the County;
4. The dwelling is to be disconnected from the existing water well located within the proposed lot and connected to the new water well drilled within the proposed boundaries of the balance parcel, to the satisfaction of the Public Works Department, **as a condition of subdivision**;

5. Septic Disposal Evaluation (PSTS) to be provided for the proposed +/- 6.56 acre parcel, prepared by a professional, to the satisfaction of the Public Works Department, **as a condition of subdivision;**
6. Council acknowledges the existing development (hay barn with lean-to, tack shed, and horse shelter) located on the proposed +/- 6.56 acre lot as non-conforming until such time the future dwelling is constructed on the parcel;
7. Final amendment application fees to be submitted;
8. 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 new +/- 6.56 acre Country Residential District lot, leaving a +/- 11.35 acre Country Residential District balance on Plan 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M 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

MAP 1 - LOCATION MAP

MAP 2 - LAND USE MAP & PARCEL SIZES

MAP 3 - SITE PLAN

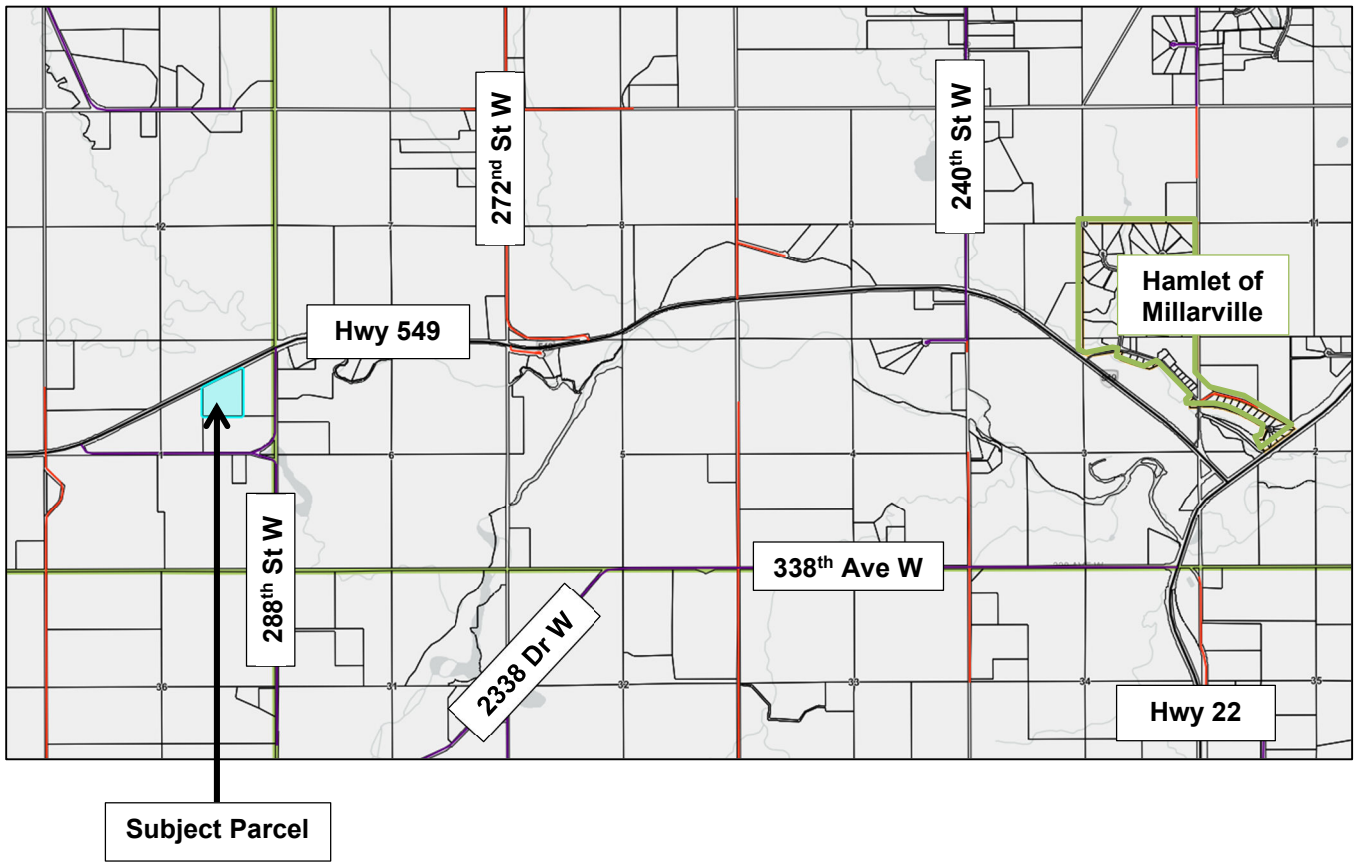
MAP 4 - ORTHO PHOTO

APPENDIX B:

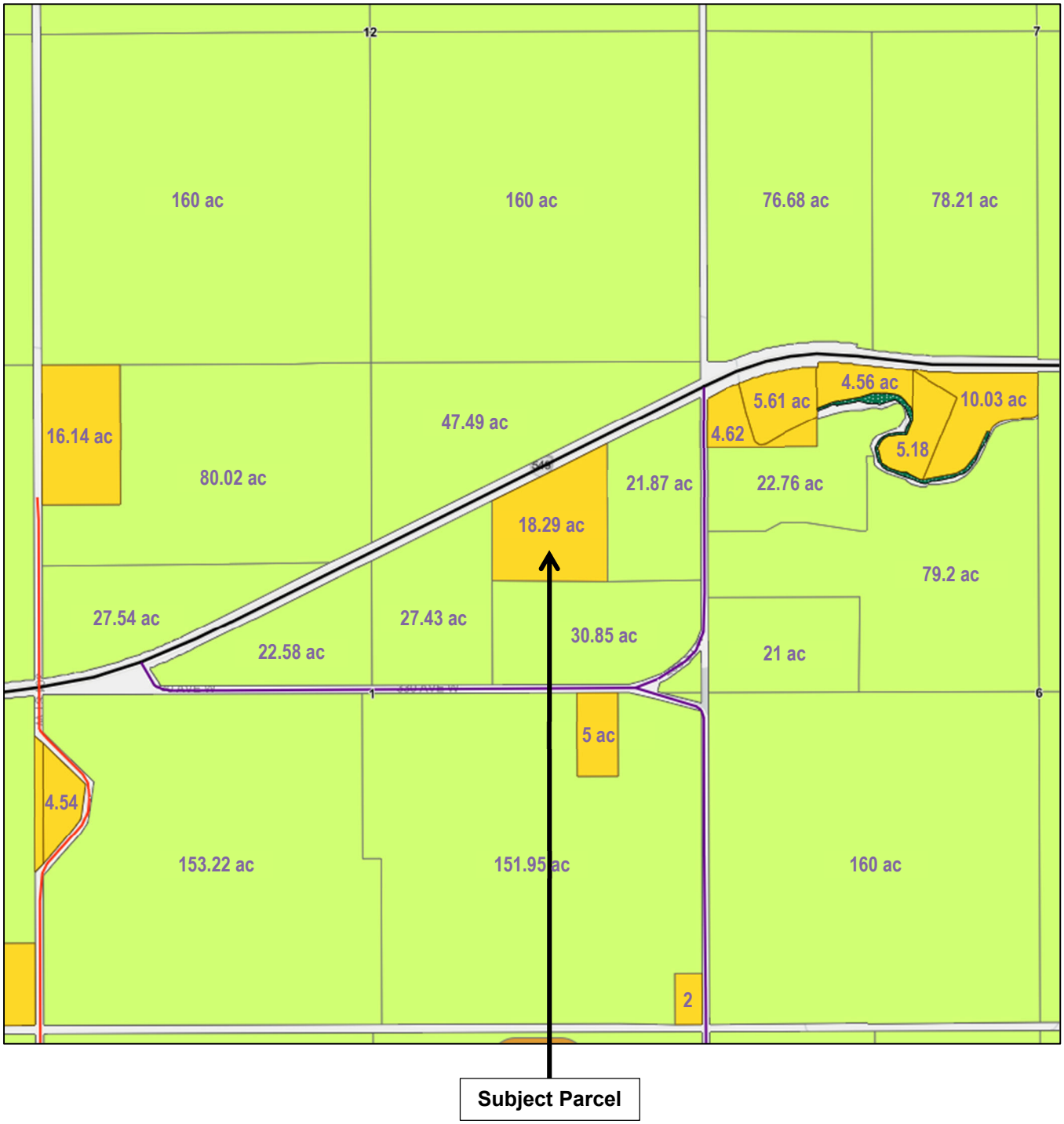
PROPOSED BYLAW

APPENDIX A: MAP SET

MAP 1 – LOCATION MAP



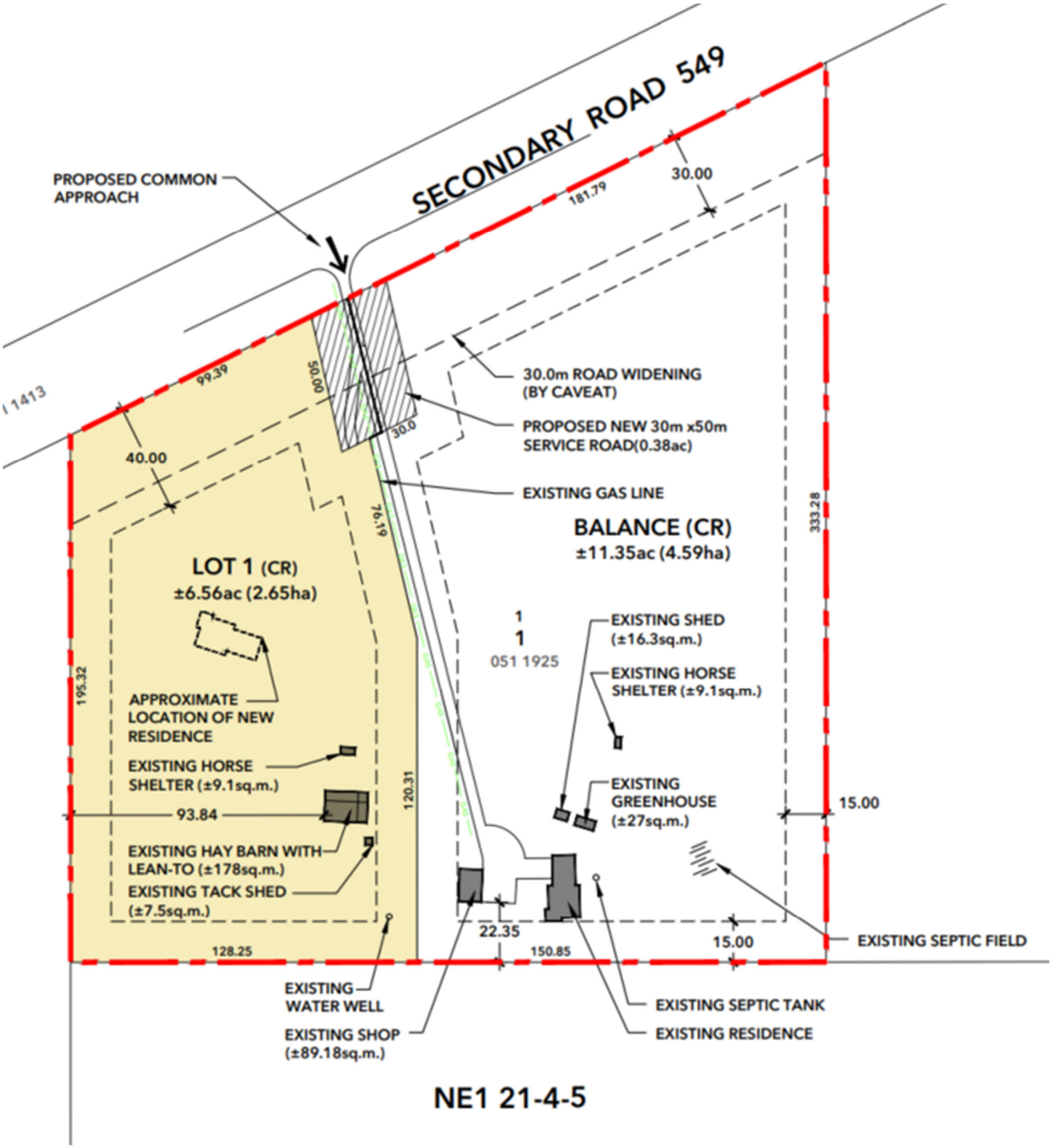
MAP 2 - LAND USE MAP & PARCEL SIZES



Legend

- County Roads
- Highways
- In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- ER- Environmental Reserve
- MR- Municipal Reserve
- REC- Recreation
- SD- Service District

MAP 3 - SITE PLAN



MAP 4 - ORTHO PHOTO



APPENDIX B:

PROPOSED BYLAW

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 6.56 +/- acre Country Residential Sub-district 'A' lot, leaving a 11.35 +/- acre Country Residential balance parcel on Plan 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M.

The +/- 6.56 acre parcel is designated as Country Residential Sub-district 'A' to ensure that the recommendations and restrictions as outlined in the Septic Disposal Evaluation (PSTS) 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.

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 0511925, Block 1, Lot 1; Ptn. NE 01-21-04 W5M within which shall allow for the future subdivision of one new 6.56 +/- acre Country Residential Sub-district 'A' lot, with a 11.35 +/- 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 .

DRAFT