

FOOTHILLS COUNTY
PHASE I ENGAGEMENT– HIGH RIVER REGIONAL AIRPORT

TO: High River Regional Airport Board
DATE: June 2, 2022
SUBJECT: Phase I Engagement
FROM: Foothills County Planning Staff

Background:

Since Planning Staff last attended an Airport Board Meeting on February 3, 2022, Staff has submitted a Project Plan to Foothills County Council which has been approved and accepted. The Project Plan contemplates amendments to the Direct Control District 5 (DC5), proposes a new Airport Protection Overlay District, and intends to redesignate lands in proximity to the Airport.

Planning Framework:

The airport is within the jurisdiction of Foothills County and is subject to the County’s bylaws and policies. The two documents that most influence development at the airport are the High River Regional Airport Area Structure Plan (ASP) and the County’s Land Use Bylaw.

Appendix A to this report contains the Project Plan approved by Foothills County Council which provides a comprehensive overview of the intent and methodologies involved in the proposed amendments. **Appendix B** contains a document which describes step by step, the process to obtain a development permit for lands at the airport. It also outlines the information that would need to be provided by the applicant as part of a complete development permit application. **Appendix C** contains the current DC#5 land use district from the Land Use Bylaw.

Further information:

The High River Airport Land Use Project webpage can be found on the County’s website here: <https://www.foothillscountyab.ca/development/current-projects/high-river-airport-land-use-project>

The High River Regional Airport ASP can be found on Foothills County’s website here: [High River Regional Airport Area Structure Plan \(2018\) | Foothills County \(foothillscountyab.ca\)](https://www.foothillscountyab.ca/development/land-use/land-use-bylaw)

The County’s Land Use Bylaw 60/2014 can be found on the County website here: <https://www.foothillscountyab.ca/development/land-use/land-use-bylaw>

Appendix A: Project Plan

Appendix B: Development Permit Process

Appendix C: DC#5 Land Use District

Project Plan

Land Use Amendments for the High River Regional Airport & Surrounding Lands

1. Introduction

The High River Regional Airport is a registered Aerodrome located approximately 3 km south of the Town of High River on lands which are legally described as Plan 8011027 located on a portion of Section 19-18-28-W4M.

As the High River Regional Airport (the Airport) grows and develops, it is important to consider revisions to policy to realize opportunities available to the Airport, Foothills County, the Town of High River, and the public. With a new Airport Business Development Strategy completed in 2017 and a revised High River Regional Airport Area Structure Plan adopted in 2018, Foothills County Council is now asked to consider a project that would recommend amendments to Foothills County's Land Use Bylaw to enable further development of the airport as contemplated in the Area Structure Plan.

Currently the purpose and intent of Direct Control District #5 (DC5) is to provide for the protection of the Airport from encroachment of uses that may have an effect on the operational safety of the airport facility and to allow Direct Control by the Council over development on the DC5 designated lands. As parcels in close proximity to the Airport share the DC5 land use designation there is ongoing confusion and development constraints on these parcels as their designation does not align with the land uses of the parcels. The majority of these parcels align with Country Residential and Agricultural land uses however are limited by requirements under the DC5 District. Establishing consistency and compatibility in the land uses surrounding the Airport is necessary to create a comprehensive planning framework to guide future development of the High River Regional Airport and the surrounding area.

Proposing to redesignate the surrounding lands away from Direct Control District #5 without additional provisions, does create a risk that development that is not compatible with the airport could be approved under the Country Residential, Agricultural or other districts that may be contemplated. As such, it is suggested that the Airport be protected by introducing an Airport Protection Overlay District. This would allow for the protection of the High River Regional Airport from uses that may impact its continued safe operation by establishing an area with a radius of 4000 metres around the High River Regional Airport that introduces height limitations, and limits uses that unduly create dust, smoke, steam, glare, electronic interference, or attract birds. Rather than blanket the area with one land use district the Airport Protection Overlay District is a strategic method of mitigating only those uses that may impact the operation of the Airport directly.

2. Background

On August 26, 1976, Bylaw 405 was passed by Foothills County (the County) in order to create a joint airport commission between the County and the Town of High River (the Town) that would be responsible for the affairs of the High River Airport. The Town had created Bylaw 3152/76 to the same effect on August 25, 1976. These bylaws both name the commission as the Highwood Airport Commission (HAC). Subsequent

amendments have been made by the Town and the County in order to update the specific functioning of the bylaws, but the intent remains the same.

At the time of the creation of these bylaws the airport lands were owned by the Province of Alberta and leased out to the County and the Town. The Airport lands were surveyed on August 11, 1979, and then registered as Plan 801 1027. On November 5, 1998, the Title to the Airport Lands was officially transferred to the ownership of the County and the Town.

In 2015, in an effort to make the airport more self-sustaining, the High River Regional Airport Board (the Board) issued a Request for Proposals to hire a consultant to prepare an Airport Business Development Strategy (the Strategy) for the High River Regional Airport. Additional work included updating the High River Regional Airport Area Structure Plan (ASP) and completing a site drainage overview. Dillon Consulting was awarded the contract and began work in May 2016.

The scope of work required the consultant to:

- Review relevant existing policy for the airport;
- Examine financial projections;
- Identify land for development and lease;
- Identify potential revenue sources;
- Highlight required upgrades and associated costs; and
- Develop short, medium and long-term projections for the Airport.

The report, completed in 2017, provided high level business considerations and recommendations for the future of the Airport. The subsequent amendments approved to the ASP by bylaw 50/2018 provided a planning framework for future development of the airport lands to facilitate implementation of the Business Development Strategy.

3. Planning Framework

3.1 The Town of High River/MD of Foothills Intermunicipal Development Plan

The Town of High River/MD of Foothills Intermunicipal Development Plan provides a framework for both municipalities to guide decision-making in areas of mutual interest. The purpose of the Plan is to identify and articulate municipal interests relative to lands within the Plan area and to develop policy framework for future planning that respect the interests of both Municipalities. The proposed land use amendments for the High River Regional Airport and surrounding lands relate to the Intermunicipal Development Plan as both the Town and Foothills County agree that the Airport is an important component of the regional transportation system and a significant economic generator. Both municipalities cooperate to provide the support necessary to ensure that the Airport continues to grow and thrive.

3.2 Foothills County's Municipal Development Plan

Foothills County Municipal Development Plan (MDP) is a statutory plan that guides growth and development in the County. The MDP considers the High River Regional Airport an asset to the County and its public as it provides recreation, education opportunities, facilitates efficient movement of goods, people, and farm management operations. The land use amendments for the High River Regional Airport as proposed

consider the Municipal Development Plan’s goal of developing and maintaining a safe, sustainable, and efficient transportation system.

3.3 The High River Regional Airport Area Structure Plan

In proposing land use amendments for the High River Regional Airport and surrounding area it is important to consider and align with the High River Regional Airport Area Structure Plan (ASP). The purpose of the ASP is to direct and guide future growth and development at and around the Airport. While considering existing development and planning for future growth, the ASP provides direction to support the continued success of the Airport.

4. Project Objectives

- Create clear and understandable requirements for development in the vicinity of the airport.
- Protect the functionality and safety of airport operations.
- Re-zone DC5 lands outside of the airport lands to districts that are appropriate for their current use.
- Arrange airside, groundside and operational uses on airport lands.
- Refine the DC5 district to apply only to the Airport lands allowing for the inclusion of additional permitted and discretionary uses in the District that would not be appropriate outside of the airport.
- Examine the requirements for development permits on airport lands and look for ways to streamline the development process.
- Create public awareness of necessary restrictions on nearby lands related to safe operation of the airport.

5. Proposal

In order to enable the implementation of the High River Regional Airport Area Structure Plan, administration believe that amendments to Foothills County’s Land Use Bylaw are required. A project with three components that would be undertaken concurrently is being proposed. The three components are as follows:

1. Redesignation of DC5 lands outside of the airport to appropriate districts under the Land Use Bylaw;
2. Amendments to the DC5 district to facilitate implementation of the High River Regional Airport ASP; and
3. Creation of an Airport Protection overlay district.

5.1 Redesignation of DC 5 lands outside of the Airport

Currently the purpose and intent of Direct Control District #5 (DC5) is to provide for the protection of the Airport from encroachment of uses that may have an effect on the operational safety of the airport facility and to allow Direct Control by the Council over development on the following lands:

- In Township 18, Range 28, West 4 Meridian: Section 19, Plan 8011027

The Airport and surrounding lands within proximity to the Airport are designated as DC5 in an effort to protect the airport from development that might conflict with its safe

operation. The creation of a homogenous land use designation for the Airport and surrounding areas did not consider that lands beyond the Airport boundaries are not intended to accommodate similar uses to those on the Airport lands and therefore application of the rules of the DC5 land use district is not appropriate. DC5 designation on lands outside of the Airport boundaries creates confusion for landowners on parcels where the actual and intended use of the land aligns more with Country Residential or Agricultural land use districts. Also, the DC5 district has no permitted and very limited discretionary uses, and all uses in this district require a development permit.

It is Administration's recommendation that lands located beyond the Airport boundaries should not be designated DC5 in order to mitigate confusion and allow for the permitted and discretionary uses within the Country Residential, Agricultural or other districts as deemed appropriate.

5.2 Amendments to the DC5 District

Opportunities for refining the DC5 land use district present themselves when the district only applies to lands within the boundaries of the Airport. The High River Regional Airport Area Structure Plan speaks to a variety of uses which are divided into airside, groundside and operational uses. Refining the DC5 district to apply only to the Airport lands allows for the inclusion of additional permitted and discretionary uses in the District that would not be appropriate outside of the airport.

In addition, revising the district provides an opportunity to consider alternatives which are not currently available. For example, private hangars proposed for aviation uses could be listed as a permitted use not requiring a development permit and instead could only require a special type of permit with a streamlined application process. Applicants have expressed their interest in a simplified permit process where a shorter time frame could be achieved in issuing a permit. Further ideas in refining the DC5 land use district could see general aviation uses not requiring a Development Permit altogether and instead written acceptance and confirmation from the High River Regional Airport Board. Administration would seek Council's opinion on allowing any development to occur within the Airport where a Development Permit would not be required prior to making any recommendations.

5.3 Airport Protection Overlay District

With proposing the lands in proximity to the Airport be redesignated from DC5 it is still critical to protect the Airport from any sensitive uses on lands in close proximity which may harm or impact the Airport. Adopting an Airport Protection Overlay District in the Foothills County Land Use Bylaw will limit uses in the surrounding area that may impact the Airport's continued safe operation. The intent of the Overlay District will be to limit uses that may unduly create dust, smoke, steam, glare, electronic interference, and attract birds, and outline height requirements for structures within the outer surface area. (a circular area with a radius of 4000m from the geometric centre of each runway).

Within the 4000m radius beyond the airport proposed uses or development which obscures visibility will require development approval by applying for a Development Permit. The intent of the Overlay district is not to limit general agricultural uses within proximity to the Airport and will therefore not require development approval. Additionally, the Airport Protection Overlay District will outline height restrictions based on defined Obstacle Limitation Surfaces (Outer Surface, Take-off/Approach Surface and Transitional Surface).

6. Project Methodology and Work Plan

The following sections outline the activities that will be undertaken through the project. The work plan can be divided into 3 general phases which would be undertaken in sequence: the Investigation Phase, the Recommendation & Development Phase and the Approvals and Implementation Phase. It is worth noting that the activities listed within each phase are not necessarily sequential, and some will overlap.

6.1 Investigation Phase

The Investigation Phase of the project will involve an analysis of existing plans and studies, refinement of the project objectives, exploration of best practices and analysis of current site conditions.

6.1.1 Review & Analysis of Existing Plans & Studies

The first phase of the project requires Administration's due diligence in reviewing and understanding the existing plans and studies that are relevant to the proposed project. This effort is important in analyzing the existing plans and studies to better understand whether they need to be reevaluated or if existing plans and studies align with the proposed amendments. It is important to consider the relationship of the proposed amendments on all existing plans and acknowledging this in the first phase will provide a foundation for improvements or revisions going forward.

6.1.2 Refine Project Objectives

The next phase of the project will involve Foothills County Administration reviewing the project objectives in order to establish a clear understanding of what the expectations and goals are of this project. This phase has been strategically chosen to be early in the project in an effort to prioritize the outcomes and objectives of the project to provide direction going forward.

6.1.3 Explore Best Practices

This project will benefit from reviewing examples of similar Airport improvement projects in proximity to Foothills County. For this reason, a phase including research and understanding of best practices of similar projects will prove beneficial for the success of the amendments proposed for the High River Regional Airport.

1. Airdrie Airport – Airport Vicinity Protection Area
 - *“ensure compatibility of land use and aviation operations on lands surrounding the Airdrie airport, allowing for continued use of the Airdrie airport for aviation and related/complementary uses.”*
 - *Identifies:*
 - *Administrative Requirements*
 - *General Requirements*
 - *Land Use Restrictions*
 - *Height Restrictions*
2. Olds Didsbury Airport Area Structure Plan – Mountain View County

- *“The Airport Operational Reserve protects the land for the future development or expansion of the facilities. These lands must be identified to ensure that other development does not encroach and restrict future development and may be used as extensive agriculture in the interim.”*
- **Guiding Principles:**
 - Safety
 - Financial Viability
 - Public Service
 - Community Benefit
 - Sound Management

6.1.4 Site Analysis of DC Lands

The process of amending lands currently occupied by landowners within the County requires a phase dedicated specifically to the analysis of the existing conditions and characteristics of these lands. Specifically, this phase seeks to review and analyze:

- Existing Approvals on the lands
- Lands located within the Flood Hazard Protection Overlay (FHPO) District
- Including landowners in a discussion (via public engagement) of how they are using the lands
- Aerial imagery analysis
- Topography analysis
- Reviewing what limitations may occur related to rezoning lands from Direct Control District #5

6.2 Recommendation & Development Phase

During the Recommendation and Development Phase of the project, Administration will create the draft DC5 and Airport Protection Overlay districts, create a redesignation concept, and then refine the districts and the concept based on feedback received from stakeholders and Council.

6.2.1 Create Draft Districts

Once a series of phases involving research and analysis have been completed, in addition to the first public engagement session, this next phase would involve administration creating draft districts based on the findings of the research and engagement. The districts involved in this phase are:

- Airport Protection Overlay District
- DC5 amendments

6.2.2 Create a Redesignation Concept

In addition to the above draft districts, Administration will take the findings from the research and public engagement session in order to create a redesignation concept for the DC5 designated lands in proximity to the Airport.

6.2.3 Refine Districts & Redesignation Concept

Once the previous phases have been completed the proposed changes and concept will be shared in another public engagement session to highlight the work completed since the previous public engagement session. Further comments and recommendations from stakeholders and Council will be taken to refine the districts and redesignation concept.

6.2.4 Create Implementation Plan

Should the contemplated Land Use Bylaw amendments be approved there will be activities that will need to be undertaken to implement the amended DC5 District and the new Overlay District. Administration will create an implementation plan that outlines how these activities will be undertaken.

6.3 Approvals & Implementation Phase

During the Approvals and Implementation Phase of the project administration will undertake a Public Hearing and ask Council to consider Land Use Bylaw amendments. Should Council approve the amendments implementation of the changes will proceed.

6.3.1 Undertake Approval Process

The final phase involves administration proceeding to undertake the approval process. All work to this point will provide a comprehensive package to assist Foothills County Council in making an informed decision. A public hearing will be required as part of the approvals process and then Council will be asked to grant three readings to a bylaw (or bylaws) approving the recommended amendments to the Land Use Bylaw.

6.3.2 Implement Land Use Bylaw Amendments

Subsequent to three readings being granted to the amendments to the Land Use Bylaw staff will initiate the Implementation Plan undertaking the necessary activities to ensure that the changes can be implemented. This will involve items such as updates to the County's GIS maps and creating a process for accessing LiDAR data to assess elevations of proposed structures, updating development information sheets and ensuring staff are aware of any new processes or procedures.

7. Engagement Strategy

Public participation in the decisions of local government is important to ensure that the desires, needs, and expectations of all stakeholders who will be impacted by those decisions are considered. The proposed project for the High River Regional Airport is likely to have an impact on a minimal number of citizens and stakeholders. Foothills County's Public Participation Policy outlines that the amendment of policies and bylaws shall involve a public engagement process. This project proposes to have a three-phased approach to stakeholder and public engagement.

Three levels of stakeholders have been identified: The High River Regional Board, DC5 landowners and individual airport sub-lease holders, and Overlay District landowners. The Board is the initial stakeholder that will be presented to in order to inform them of the proposed project plan, and address questions and concerns. Engaging with the Board first will allow for Administration to review and incorporate the Board's considerations into further discussion with other stakeholders. Shortly

thereafter, DC5 Landowners will be directly engaged at the beginning of the project as they will be impacted substantially by the proposed project, it will be important to understand how their lands are currently used prior to developing the redesignation concept. Likewise, the airport sub-lease holders will be directly engaged (individually or as a group) to understand how lands on the airport are being used. Overlay District landowners will be engaged subsequent to the development of draft districts and the redesignation concept.

The engagement process with the High River Regional Board, DC5 landowners, individual sub-lease holders, and the Overlay District landowners will be completed over three phases.

7.1 Phase I Engagement – High River Regional Airport Board

Prior to engaging with the public, Administration will make a presentation to the High River Regional Airport Board, during a scheduled Board meeting, in order to inform the Board of the current progress and expectations going forward. With the Board being one of the main stakeholders, it is important to collaborate and be informative so that the Board can align and express its expectations with the proposed land use amendments. The presentation will be made shortly before beginning the public engagement process and will provide Administration with insight regarding the Boards considerations to the project.

7.2 Phase II Engagement – DC5 District Landowners and Airport Sub-Lease Holders

It is anticipated that DC5 District Landowners and airport sub-lease holders will be engaged early in the planning process in order to foster confidence in the process, assist with relationship building, and facilitate incorporation of stakeholder feedback into the project from the early stages.

Stakeholder Letter

The first task in the engagement process will be to make stakeholders aware that a plan is being undertaken and inviting them to participate in the plan development process. This will be done by sending a letter to each identified stakeholder by direct mail. It is anticipated that the letters will address the following:

- Announcing that the county will be undertaking amendments to the Land Use Bylaw that will impact the airport and surrounding lands
- Inviting stakeholders to participate in the initial stage of the planning process by visiting the project, responding to a short survey, or setting up a meeting or telephone interview, with municipal staff
- Identifying the affected parcels on a map
- Identifying and providing contact information for the project manager

Stakeholder Interviews:

Phase one of public engagement will present stakeholders an option to choose between reviewing written materials and completing a survey, attending an in person, telephone or virtual interview, or participating in a virtual group engagement opportunity. There will be a short survey available, to be completed digitally or in hard copy. And a loose script will be developed for direct engagements to ensure that important questions are asked, and responses recorded but it is anticipated that the

majority of stakeholders will have questions and concerns so the interviewers will likely spend significant time on answering questions and addressing concerns.

7.3 Report to Council - What We Heard Summary:

Municipal staff will prepare a summary of the results of the Phase 1 and Phase 2 engagements and provide it to Council.

7.4 Phase III Engagement – Airport Board, DC5 District Landowners, Airport Sub-Lease Holders, Overlay District Landowners, & Public

After Council has reviewed and provided comments on the initial phases of engagement with the Airport Board, DC5 Landowners, and Airport sub-lease holders, Administration will prepare two draft land use districts and a redesignation concept for the DC5 lands.

A second round of public engagement will ensue which will include a wider audience, specifically:

- The Airport Board,
- DC5 Landowners
- Airport sub-lease holders,
- Overlay District Landowners
- General Public

All of these groups will be invited to review outcomes of the first round of public engagement, the draft DC5 and Overlay districts and the redesignation concept for the DC5 lands.

Open House:

As this third phase of the public engagement will be available to a larger audience, Administration would like to invite stakeholders to an in person open house, at the County Office, where updates and revisions will be able to be acknowledged and presented to all stakeholders and the public. This phase of engagement aims to provide specific information to the public and to stakeholders who have been engaged previously so that they may respond to the proposed districts and redesignation concept. This type of event would also, provide Administration the opportunity to hear and consider further opinions and perspectives prior to submission of a request to Council to schedule a Public Hearing.

Stakeholder Letters & Advertising:

A letter will be sent out to all DC5 Landowners, airport sub-lease holders and all Overlay District Landowners inviting them to the scheduled open house. Additionally, a public announcement regarding the scheduled open house will be placed on County's website. Social media may also be used to notify stakeholders and the public.

7.5 Report to Council - What We Heard Summary:

Municipal staff will prepare a summary of the results of the Open House and provide it to Council. Administration will seek Council's direction on whether an additional public engagement session shall occur or if Council is satisfied to proceed to a Public Hearing.

7.6 Phase IV Engagement– Public Hearing & Approval Process

Public Hearing:

With proposing revisions to the Land Use Bylaw, a public hearing will be required prior to approval. Subsequent to the hearing, Council may provide direction to Administration regarding amendments to the draft districts or the redesignation concept prior to further readings.

As part of the Public Hearing process, a formal circulation will be undertaken as required under the MGA. Stakeholders will receive notification by direct mail. Council or administration may also choose to direct mail a notification of the hearing to landowners within an expanded circulation area (beyond the radius of the overlay district). Additional advertising may include posting on the front page and project page of the County's website and social media.

8. Schedule

An approximate schedule for the activities contemplated for the project plan may be found in Appendix A. The goal is to implement the Land Use Bylaw amendments in mid-2023.

APPENDIX A - PROJECT PLAN SCHEDULE:

Activity	2022												2023											
	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec				
Investigation Phase	Explore Best Practices																							
	Site Analysis of DC Lands																							
	Review & Analysis of Existing Plans & Studies																							
	Refine Project Objectives																							
Recommendation & Development Phase	Create Draft Districts																							
	Create a Redesignation Concept																							
	Refine Districts & Redesignation Concept																							
	Create Implementation Plan																							
Engagement Phase	Phase I Engagement - High River Regional Airport Board																							
	Phase II Engagement - DC5 District Landowners & Airport Sub-lease Holders																							
	Report to Council - What We Heard Summary																							
	Phase III Engagement - Public Open House																							
Approval & Implement Phase	Report to Council - What We Heard Summary																							
	Phase IV Engagement - Public Hearing & Approval Process																							
	Undertake Approval Process																							
	Implement Land Use Bylaw Amendments																							

High River Regional Airport Development Process

STEP #1: Sublease

Apply to Airport Board for a **sublease** for the lot where the development is to be located

STEP #2: Pre-application meeting with County (optional)

Potential applicants are encouraged to have a pre-application meeting with County Planning Department prior to submission of a formal application in order to:

- a. Give the applicant an opportunity to communicate what is being applied for;
- b. Review application requirements with the Development Authority; and
- c. Evaluate how the application may or may not comply with the Bylaw and other applicable statutory plans and county regulations. This process allows early identification of potential issues with prospective applications. It is beneficial to undertake this process before any major investments are made or the proponent is strongly committed to the details of the proposal.

STEP #3: Submit Development Permit Application to County

Applicant submits complete **Development Permit Application** with supporting documentation and payment for applicable fees. A complete application should include the following:

- a. Completed application form signed by the sub-lease holder
- b. Copy of completed signed sub-lease application form (as submitted to the Board)
- c. The appropriate fee as outlined in the County's Fee Bylaw
- d. Completed Abandoned Well Sites Form
- e. A site plan with North at the top of the page showing:
 - i. The lot (or lots) involved in the proposal
 - ii. The legal land description, address and/or assigned lot number as applicable,
 - iii. Dimensions of the lot,
 - iv. Existing or proposed setbacks, easements or right of ways,
 - v. The location of all existing and proposed buildings, wells, septic tanks, disposal fields, culverts and crossings that may be used in conjunction with proposed development,
 - vi. The height, dimensions and relationship to lot lines of all existing and proposed buildings, and
 - vii. Any proposed on-site parking or loading areas with dimensions.
- f. Statements to fully describe the intensity of the development proposed including the following, as applicable:
 - i. Full description of any proposed use or business, including what it is, how it operates and the number of people to be employed (please clearly indicate all that is to be stored in the building, including how many aircraft)
 - ii. Product or service proposed
 - iii. For products estimated amount that will be produced and method of distribution
 - iv. Engineering feasibility studies if required
 - v. Types and frequency of vehicle trips to and from the site

- vi. Proposed days and hours of operation (if a business)
- vii. Outdoor storage areas required for materials or finished product and provisions for screening
- viii. The number of events and/or clinics proposed to be held annually, if any, including a detailed description of any such proposed events and/or clinics
- ix. Proposed maximum occupancy load of proposed building(s)
- g. Description of provisions for utilities and servicing including the following, if applicable:
 - i. Water -proposed source, treatment, delivery method, storage and how much water will be required for development daily, weekly or monthly
 - ii. Wastewater - proposed collection system and treatment and discharge / disposal methods
 - iii. Natural Gas
 - iv. Electricity
 - v. Storm water management / drainage
 - vi. Approaches or site access
 - vii. Curbs, gutters and ditches
 - viii. Solid waste management, including garbage and refuse storage areas, as well as the fencing and screening proposed for same and methods of disposal.
- h. Description of any grading, land contouring or landscaping to be done and confirmation that it is in compliance with the airport's stormwater management plan
- i. Provisions for parking and loading
- j. Descriptions of any noxious, toxic, radioactive, flammable, or explosive materials that may be located on site
- k. Methods of controlling noise, dust, odors or drainage from the Lot, both during and after completion of construction
- l. Description of any proposed signage and /or business identification including illustrations and dimensions.

STEP #4: File Manager Assigned

A File Manager is assigned by the planning applications coordinator

STEP #5: Application deemed complete or incomplete (within 20 days of receipt of the application)

- a. If complete, proceed to Step #6
- b. If incomplete notice is sent to applicant requesting additional information, with a deadline.
 - i. If information is received by deadline, proceed to #6,
 - ii. If information not received by the deadline and a time extension has not been requested and approved, the application may be deemed to be refused.

STEP #6: 30-day agency referral

Notice of development is sent to internal departments and external agencies including the Town of High River, Transport Canada, Utility providers, etc.

STEP #7: Determination if public meeting is required (See Note #1)

- a. If public meeting is not required proceed to Step #8

- b. If public meeting is required, notification of landowners within a ½ mile, in 2 consecutive issues of the Western Wheel newspaper and on the municipal website is undertaken. Once both the advertising period and the agency referral are complete, may proceed to Step #8.

STEP #8: Council Decision

Permit application is presented to Council in a public meeting or as a miscellaneous agenda item. If a public meeting is required, the applicant or authorized agent must be present and is given an opportunity to address Council regarding the proposal. Presentations are limited to 5 minutes; however, additional time may be requested and may be granted at the discretion of the chair.

Council then will make a decision. Once minutes are ratified at the next Council meeting, the Development Permit Decision is issued to the applicant, this part of the process takes approximately 2 weeks. There is no appeal available on a Council decision of either approval or refusal. If approved proceed to Step #9.

STEP #9: Fulfill Conditions of Approval

Approvals may have pre-release conditions and conditions that the applicant will need to meet. A standard pre-release condition on all Airport development permits requires the applicant to provide the file manager with a copy of the **signed sublease** for the parcel where the development is to take place. There may be additional pre-release conditions. Other typical standard conditions may include:

- a. Obtaining building and safety codes permits
- b. Obtaining a fire inspection
- c. Submitting a fire safety plan
- d. Installing fire protection equipment
- e. Emergency address signage to be installed
- f. Lighting must be in compliance with Dark Sky Bylaw 27/2009
- g. Parking and loading areas to be provided in accordance with the Land Use Bylaw
- h. Any other condition to ensure that the development is constructed and maintained in accordance with the approved plans.

Notes:

1. If a public meeting is required, it will generally be determined earlier in the process so that the advertising requirements can be undertaken at the same time as the agency referral, reducing the overall time required (i.e., Steps #6 and #7 would occur simultaneously).
2. Pre-release conditions must be completed before the development permit may be issued. All pre-release conditions must be met within 5 months of the decision being released unless otherwise stated in the Development Permit Decision.
3. In addition to the conditions of approval, there will be advisory requirements provided intended to remind applicants of their obligation to abide by certain provisions in Foothills County's Land Use Bylaw 60/2014 and other municipal, provincial and federal legislation.
4. Development must commence within 12 months of the issuance of the Development Permit and must be completed within 24 months unless a time extension is granted.
5. In order to obtain a building permit the applicant will be required to provide copies of the signed sublease and the development permit to the Safety Codes Officer.

18.5 DIRECT CONTROL DISTRICT #5 (DC5)

18.5.1 PURPOSE AND INTENT

The purpose and intent of this district is to provide for the protection of the Airport from encroachment of uses that may have an effect on the operational safety of the airport facility and to allow Direct Control by the Council over development on the following lands:

In Township 18, Range 28, West 4 Meridian:
Section 19, Plan 8011027, Airport

18.5.2 PERMITTED USES

Nil

18.5.3 DISCRETIONARY USES

In this list:

- a. **“C”** followed by a number, where it appears in one of the NEF area columns opposite a particular land use, means that the land use is conditionally allowed and is subject to the applicable special requirements as specified in Section 18.5.4;
- b. **“NA”** where it appears in one of the NEF area columns in Table 1 opposite a particular land use, means that the land use is prohibited in the NEF area;
- c. **“NEF 25-Area”** means the NEF area that lies between the 25 NEF Contour and the ultimate Airport District.
- d. **“NEF 25-30 Area”** means the NEF area that lies between the 25 NEF Contour and the 30 NEF Contour;
- e. **“NEF 30-35 Area”** and **“NEF 35-40 Area”** have like meaning to Section 18.5.3 (d).
- f. **“residential replacement or infill unit”** means any new residential development that will replace a residential development that was demolished or destroyed, or is to be built on a lot in a subdivision plan registered under the Land Titles Act before the coming into force of this Bylaw;
- g. **“P”** where it appears in one of the NEF area columns means that the use may be conditionally allowed without any special requirements.

Foothills County Land Use Bylaw |

USES	NOISE	EXPOSURE	FORECAST		AREAS
			NEF 25 Area	NEF 25-30 AREA	
Agricultural General	P	P	P	P	P
Feed Lots	P	NA	NA	NA	NA
Poultry & Hog Farms	P	C3	C3	C3	C3
Home Based Business Minor	P	P	P	P	P
Dwellings single family	P	C1	C1	C5	C5
Accessory Uses	P	P	P	P	P
Athletic Fields	P	P	P	C4	C4
Intensive Vegetation Operation	P	P	P	P	P
Excavations / Stockpiling of Soil	P				
Dwelling, manufactured homes	P				
Airport	P	P	P	P	P
Aircraft Hangers	P	P	P	C2	C2
Flying Club	P	P	P	P	P
Aircraft Sales & Repairs	P	P	P	C2	C2
Aircraft Schools	P	P	P	C2	C2
Public Works	P	P	P	P	P

18.5.4 SPECIAL REQUIREMENTS

- 18.5.4.1 Construction shall conform to Central Mortgage and Housing Corporation standards for sound insulation for buildings situated in any NEF area other than the NEF 25 area.
- 18.5.4.2 Private and general office area, reception areas and conference room areas construction shall conform to Central Mortgage and Housing Corporation standards for sound insulation for the appropriate NEF area.
- 18.5.4.3 The development shall be covered completely.
- 18.5.4.4 The development shall not include structures for seating of spectators.
- 18.5.4.5 Replacement of buildings.

18.5.5 REQUIREMENTS

- 18.5.5.1 Standards of development shall be at the discretion of the Council.

18.5.6 MINIMUM REQUIREMENTS

18.5.6.1 Special setbacks:

- a. Within 450 metres of the working area of an operating sanitary landfill, modified sanitary landfill, hazardous waste management facility or dry waste site,
- b. Within 300 metres of the disposal area of an operating or non-operating sanitary landfill, modified sanitary landfill or dry waste site,
- c. Within 450 metres of the disposal area of a non-operating hazardous waste management facility, or
- d. Within 300 metres of the working area of an operating waste processing site, waste storage site, waste sorting station or waste transfer station.

18.5.6.2 Area of Lot:

- a. Area shown on Certificate of Title; or
- b. Area allowed for by Municipal Bylaw.

18.5.6.3 Minimum Yard Setback Requirements:

- a. Front Yard Setback:
 - i. 5m (16.4 ft.) from Internal Subdivision Road – Property Line
 - ii. 48m (157.48 ft.) from the centreline of the Municipal Road
 - iii. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
- b. Side Yard Setback:
 - i. 30m (98.43 ft.) from property line
- c. Rear Yard Setback
 - i. 30m (98.43 ft.) from property line

18.5.7 MAXIMUM LIMITS

18.5.7.1 Number of Lots:

- a. One (1)

18.5.7.2 Building Height:

- a. 9m (29.52 ft.) or such lesser height as may be determined having regard to flight and navigational aid equipment.

18.5.8 OTHER

- 18.5.8.1 Accessory Buildings related to intensive livestock, swine, and poultry operations and specialty uses shall be located in accordance with Alberta Health Regulations.
- 18.5.8.2 The use must not obstruct visibility by the emission of dust, smoke, water vapour, blowing garbage, or glare.
- 18.5.8.3 Garbage and waste must be stored in weatherproof and animal/bird proof containers properly screened (and be in a location easily accessible to containerized garbage pickup).
- 18.5.8.4 The use must not be a fire, explosive, or a radioactive hazard.
- 18.5.8.5 The use must not produce electro-magnetic radiation likely to interfere with radio communications.
- 18.5.8.6 In determining whether a proposed land use meets the above conditions, the Development Officer may consult the Canada Department of Transport, Alberta Infrastructure, and other competent authorities, and shall be guided by their opinions.

18.5.9 DEFINITIONS:

In this regulation,

- a. **“Airport”** means the High River Airport
- b. **“Airport reference point elevation”** means the lowest threshold elevation point of the runway as shown on the map, Section 18.5.11;
- c. **“Airport runway”** means the area of land within the airport that is used or intended to be used for the take-off and landing of aircraft;
- d. **“Basic strip”** means a basic strip as described in Section 18.5.12.1;
- e. **“Land use bylaw”** means the Land Use Bylaw for the Municipal District of Foothills No. 31; as amended from time to time;
- f. **“County”** means the Foothills County;
- g. **“Noise exposure forecast area”** of **“NEF Area”** means an area of land within the Protections Area that:
 - i. Is enclosed by the 40 NEF Contour,
 - ii. Lies between 2 NEF Contours, or
 - iii. Lies between the 25 NEF Contour and the ultimate Protection Area, as shown on the map in Section 18.5.9;
- h. **“NEF Contour”** means a numbered contour as shown on the map in Section 18.5.10 ;
- i. **“Outer surface”** means the outer surface as described in Section 18.5.12.4;
- j. **“Transitional surface”** means a transitional surface as described in Section 18.5.12.3;

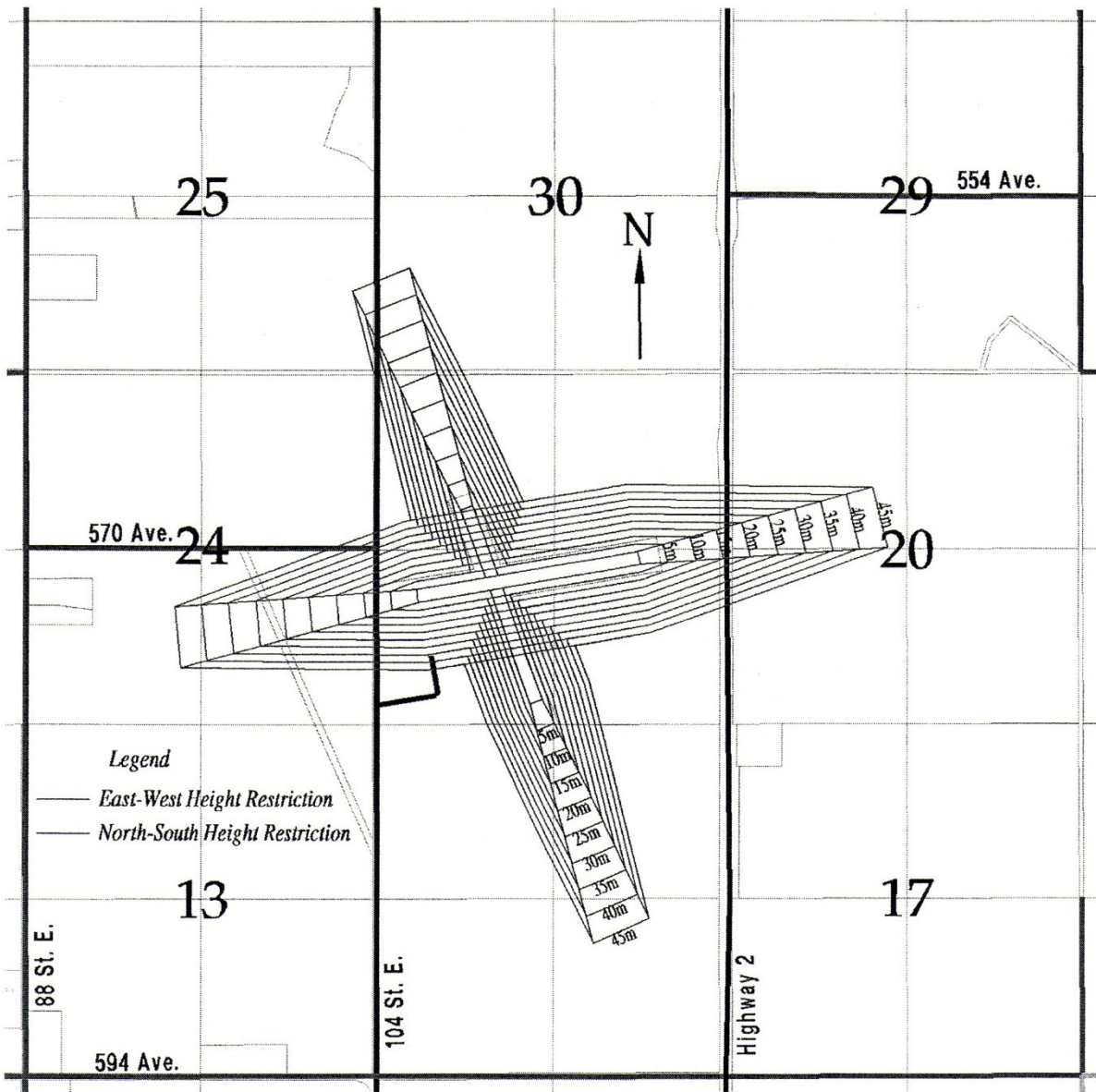
18.5.10 GENERAL

- 18.5.10.1 This District applies only to a development or proposed development within the ultimate area shown on the map in Section 18.5.11.
- 18.5.10.2 All development within the Area requires a development permit.
- 18.5.10.3 This District shall be administered by Council.
- 18.5.10.4 The Council are not precluded from attaching any other conditions in accordance with the Land Use Bylaw to a development permit.
- 18.5.10.5 A development permit for an application within the District may only be issued if the proposed development conforms to the District and the Land Use Bylaw.

18.5.11 HEIGHT LIMITATIONS

- 18.5.11.1 A development permit shall not be issued for a development in the area if the highest point of the development will exceed in elevation at the location of that point any of the following surfaces that project immediately above the surface of the land at that location.
 - a. The take-off / approach surfaces of the runway of the airport;
 - b. The transitional surfaces of the runway of the airport;
 - c. The outer surface.
- 18.5.11.2 The airport reference point elevation is deemed to be 1043.8m above sea level.

18.5.12 AIRPORT AREA MAP



18.5.13 HEIGHT LIMITATIONS – HIGH RIVER AIRPORT DIRECT CONTROL DISTRICT

Basic Strip

18.5.13.1 The basic strip associated with both airport runways is an area 60 metres in width and 1021 metres in length, for each runway the location of which is shown on the map in Section 18.5.11

Take-Off / Approach Surfaces

18.5.13.2 There are take-off / approach surfaces associated with each end of the basic strip and in each case the surface is imaginary and consists of an inclined plane that:

- a. Commences at and abuts the end of the basic strip;
- b. Rises at a slope ratio of 1:40 measured from the end of the basic strip;
- c. Diverges outward on each side as it rises, at a slope ratio of 1:10 measured from the respective projected lateral limits of the basic strip; and
- d. Ends at its intersection with the outer surface.

Transitional Surfaces

18.5.13.3 There is a transitional surface associated with each lateral limit of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that:

- a. Commences at and abuts the lateral limit of the basic strip;
- b. Rises at a slope ratio of 1:7 measured from the lateral limit of the basic strip, and
- c. Ends at its intersection with the outer surface of a take-off / approach surface.

Outer Surfaces

18.5.13.4 The outer surface of the area is an imaginary surface consisting of a common plane established at a constant elevation of 45 metres above the airport reference point elevation and extending to the outer limits of the area.

General

18.5.13.5 The area location of the take-off / approach surfaces and transitional surfaces are represented on the map shown in Section 18.5.11, but if any discrepancy exists between the description of the take-off / approach surfaces of transitional surfaces in this Schedule and their location on the map in Section 18.5.11, the description in the Section prevails.