1. **CALL TO ORDER**

The Council for Planning and Economic Development meeting for the County of Wetaskiwin No. 10 was called to order by Reeve T. Van de Kraats in the Council Chambers, of the County of Wetaskiwin Administration Office, commencing at 9:00 a.m. on Friday, May 17, 2019.

2. **APPROVAL OF AGENDA**

Resolution PD20190517.001

MOVED: by Councillor K. Adair

- to approve the following addition to the agenda pursuant to Procedural Bylaw 2018/04, Section 8:
  
  13. New Business
  
  Von Arx - Schedule a Hearing re Weed Enforcement

and that the agenda be approved as amended.

Carried

3. **MINUTES APPROVAL - April 11, 2019 Meeting**

Resolution PD20190517.002

MOVED: by Reeve T. Van de Kraats

- to approve the minutes of the Council for Planning and Economic Development Meeting held Thursday, April 11, 2019 as presented or amended.

Carried Unanimously

4. **APRIL 2019 DEVELOPMENT REPORT**

During the month of April there were twenty-five (25) development permits completed with an estimated value of $528,380.00. The following table depicts the activities for the month of April:
Agricultural Development Permits  1  
Commercial Development Permits  5  
Recreational Development Permits  1  
Residential Development Permits  18  
Compliance Certificates  8  
Request to Operate Business  0  
Site Inspections  1  
Subdivision Design Reviews/Inspections  10  
Approach Inspections  ~7  
Subdivision and Development Appeal Board Hearings  1  

Administration recommended that Council approve the Development Report for April 2019 as presented.

After clarifying the Compliance Certificate numbers within the body of the report, Administration recommended that Council approve the Development Report for April 2019 as presented.

Resolution PD20190517.003
MOVED: by Councillor J. Bishop
that Council approve the Development Report for April 2019 as presented.
Carried Unanimously

13. NEW BUSINESS
13.1 Direct Control (DC) Development Permit Application D19/052 - Horizon Motorsports Ltd. - NW 20-46-24-W4M, Roll #1154.00 - Temporary Tents - Report

At the October 10, 2014 Council for Planning and Economic Development meeting, Council provided three (3) readings of Bylaw 2014/40 to rezone approximately eleven (11) acres (4.5 hectares) from Agricultural (AG) to Direct Control (DC) within NW 20-46-24-W4M for Horizon Motorsports Ltd.

(Ref. Resolution #PD20141009.1007)

Under Direct Control (DC) zoning, Council regulates and controls the use or development of land or buildings in the district as they see fit. Council may issue a development permit or may delegate the responsibility to the Development Officer to exercise pursuant to the directions of Council. A Direct Control (DC) district is intended to limit the potential of any other type of use being introduced in the future on the property without the direct approval of Council.

The property is located south on Township Road 464 and 0.36 miles east of Range Road 245 and is surrounded by properties districted Agricultural (AG), Rural
Residential (RR), and Country Residential (CR). The Country Residential (CR) Subdivision named Peace Hills Heights is about 0.37 miles away. The redistricting to Direct Control (DC) was the initial requirement through which the Applicant intended to bring the existing Racetrack business into compliance with the Land Use Bylaw.

On April 4, 2019, Administration received a Development Permit application from Horizon Motorsports Ltd. for **Two Temporary Tents (40’ x 40’ and 20’ x 20’)** for **July 26 & 27, 2019 Races**. This approval is intended for temporary use of the structures solely for the dates outlined and therefore, the permit would expire on July 30, 2019. The same structures or similar ones may be reapplied for in subsequent years by Horizon Motorsports Ltd.

Prior to this application, Council approved the following Direct Control (DC) Development Permits for Horizon Motorsports Ltd.:

**D15/008:**

A Development Permit application for "(40’ x 8’ x 3 Storeys High) Stacked Sea-Can Containers (6 Sea-Cans total) and Stair Structure."
(Ref. Resolution #PD20150305.1010)

**D15/053:**

A Development Permit application for “Temporary 30’ x 40’ Tent and 100’ x 15’ Raised Scaffold Platform with Tent”. This approval was intended for temporary use of the structures for special events this summer and were removed at the end of the summer and the same structure or similar one could be reapplied for in subsequent years.
(Ref. Resolution #PD2015050507.1007)

**D15/054:**

A Development Permit application for “Two (2) 100’ Grandstands with Sound Barriers” within NW 20-46-24-W4M for Horizon Motorsports Ltd.
(Ref. Resolution #PD2015050507.1008)

**D15/068:**

A Development Permit application for a “24’ x 8’, One Storey Shipping Container” within NW 20-46-24-W4M for Horizon Motorsports Ltd. The shipping container will be used for storage and sales of club and Horizon Motorsports Ltd. merchandise.
(Ref. Resolution #PD2015050507.1009)

**D16/055:**

A Development Permit application for “two Temporary Tents (30’ x 60’ & 20’ x 20’)” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20160414.1007)
D16/099:

A Development Permit application for “30’ x 40’ x 15’ Tall Fabric Tent” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20160609.1015)

D17/083:

A Development Permit application for “Temporary 30’ x 30’ Tent and Temporary 40’ x 60’ Tent” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20170511.1005)

D18/120

A Development Permit application for “2 (40’ x 40’) Tents for the July 27 & 28, 2018 Races”.
(Ref. Resolution #PD201807017.1009)

Administration notes that development permits approved by Council within a Direct Control (DC) district cannot be appealed. This is in part due to the prior Direct Control (DC) districting process, including the public hearing that is a part of the process, outlining the direct control of Council with respect to developments within that districted lot.

Administration recommended approving Direct Control Development Permit D19/052 for Horizon Motorsports Ltd. subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these set-backs as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The Applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, or reserve lot. No drainage shall impact adjacent lots.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained.
6. The proposed tents shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities. Any electrical or plumbing installations specific to certain uses may be considered, subject to first having the approval from the County and Alberta Municipal Affairs Safety Codes and Superior Safety Codes Inc.

7. If there are concerns or complaints regarding the operation of the development at this site, the County reserves the right to amend and/or add conditions to the approval.

8. The Development Permit will be rendered void if any of the conditions are not complied with.

9. The site shall be maintained in a neat and orderly manner to the satisfaction of the Development Officer.

10. No further development, expansion, change in use is allowed unless approved in writing by County of Wetaskiwin.

11. No advertising or signs on the structures without prior consent of the County of Wetaskiwin's Development Authority.

12. The development shall operate in compliance with all departments of the Province of Alberta having jurisdiction for their operations and shall have all permits and approvals in place prior to the commencement of any operations including operations of the structures.

13. The setback distances shall be as specified/shown on the submitted site plan. These setback distances shall be maintained.

14. Development Permit D19/052 expires on July 30, 2019 and the Temporary 40' x 40' and 20' x 20' Tents must be removed from the site.

15. Tents may be erected no sooner than July 24, 2019. This date was stated as the estimated commencement date on the Development Permit Application.

Council may at their discretion decide to approve the application with the conditions as shown, as amended, or refuse the application. It should be noted that if this Development Permit application is approved, this will be the ninth Direct Control (DC) Development Permit on site, four (4) of which have been for Temporary Tents.

Council questioned if the applicants have to pay for each permit application. Administration stated yes the applicants have to pay $200 per permit application, as it is a Commercial Permit application, however, do combine as many related uses under one permit to assist the fee costs where possible.

**Resolution PD20190517.004**
MOVED: by Councillor D. Woitt
that Council approve Direct Control Development Permit D19/052 for Horizon Motorsports Ltd. within NW 20-46-24-W4M (Roll Number 1154.00) subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these set-backs as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The Applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, or reserve lot. No drainage shall impact adjacent lots.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained.

6. The proposed tents shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities. Any electrical or plumbing installations specific to certain uses may be considered, subject to first having the approval from the County and Alberta Municipal Affairs Safety Codes and Superior Safety Codes Inc.

7. If there are concerns or complaints regarding the operation of the development at this site, the County reserves the right to amend and/or add conditions to the approval.

8. The Development Permit will be rendered void if any of the conditions are not complied with.

9. The site shall be maintained in a neat and orderly manner to the satisfaction of the Development Officer.

10. No further development, expansion, change in use is allowed unless approved in writing by County of Wetaskiwin.

11. No advertising or signs on the structures without prior consent of the County of Wetaskiwin's Development Authority.

12. The development shall operate in compliance with all departments of the Province of Alberta having jurisdiction for their operations and shall have all permits and approvals in place prior to the commencement of any operations including operations of the structures.
13. The setback distances shall be as specified/shown on the submitted site plan. These setback distances shall be maintained.

14. Development Permit D19/052 expires on July 30, 2019 and the Temporary 40’ x 40’ and 20’ x 20’ Tents must be removed from the site.

15. Tents may be erected no sooner than July 24, 2019. This date was stated as the estimated commencement date on the Development Permit Application.

Carried Unanimously

13.2 Direct Control (DC) Development Permit Application D19/053 - Horizon Motorsports Ltd. - NW 20-46-24-W4M, Roll #1154.00 - New Building & Signs - Report

At the October 10, 2014 Council for Planning and Economic Development meeting, Council provided three (3) readings of Bylaw 2014/40 to rezone approximately eleven (11) acres (4.5 hectares) from Agricultural (AG) to Direct Control (DC) within NW 20-46-24-W4M for Horizon Motorsports Ltd.

(Ref. Resolution #PD20141009.1007)

Under Direct Control (DC) zoning, Council regulates and controls the use or development of land or buildings in the district as they see fit. Council may issue a development permit or may delegate the responsibility to the Development Officer to exercise pursuant to the directions of Council. A Direct Control (DC) district is intended to limit the potential of any other type of use being introduced in the future on the property without the direct approval of Council.

The property is located south on Township Road 464 and 0.36 miles east of Range Road 245 and is surrounded by properties districted Agricultural (AG), Rural Residential (RR), and Country Residential (CR). The Country Residential (CR) Subdivision named Peace Hills Heights is about 0.37 miles away. The redistricting to Direct Control (DC) was the initial requirement through which the Applicant intended to bring the existing Racetrack business into compliance with the Land Use Bylaw.

On April 4, 2019, Administration received a Development Permit application from Horizon Motorsports Ltd. for a 20’ x 30’ x 20’ Registration Building and 6 – 12’ x 12’ x 14’ Signs.

Prior to this application, Council approved the following Direct Control (DC) Development Permits for Horizon Motorsports Ltd.:

D15/008:

A Development Permit application for "(40’ x 8’ x 3 Storeys High) Stacked Sea-Can Containers (6 Sea-Cans total) and Stair Structure.”

(Ref. Resolution #PD20150305.1010)
D15/053:

A Development Permit application for “Temporary 30’ x 40’ Tent and 100’ x 15’ Raised Scaffold Platform with Tent”. This approval was intended for temporary use of the structures for special events this summer and were removed at the end of the summer and the same structure or similar one could be reapplied for in subsequent years.
(Ref. Resolution #PD2015050507.1007)

D15/054:

A Development Permit application for “Two (2) 100’ Grandstands with Sound Barriers” within NW 20-46-24-W4M for Horizon Motorsports Ltd.
(Ref. Resolution #PD20150507.1008)

D15/068:

A Development Permit application for a “24’ x 8’, One Storey Shipping Container” within NW 20-46-24-W4M for Horizon Motorsports Ltd. The shipping container will be used for storage and sales of club and Horizon Motorsports Ltd. merchandise.
(Ref. Resolution #PD20150507.1009)

D16/055:

A Development Permit application for “two Temporary Tents (30’ x 60’ & 20’ x 20’)” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20160414.1007)

D16/099:

A Development Permit application for “30’ x 40’ x 15’ Tall Fabric Tent” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20160609.1015)

D17/083:

A Development Permit application for “Temporary 30’ x 30’ Tent and Temporary 40’ x 60’ Tent” for Horizon Motorsports Ltd.
(Ref. Resolution #PD20170511.1005)

D18/120

A Development Permit application for “2 (40’ x 40’) Tents for the July 27 & 28, 2018 Races”.
(Ref. Resolution #PD201807017.1009)
Council also at this meeting, will take under consideration Development Permit application D19/052 for two (2) Temporary Tents (40’ x 40’ and 20’ x 20’) for the July 26 & 27, 2019 Races.

Administration notes that development permits approved by Council within a Direct Control (DC) district cannot be appealed. This is in part due to the prior Direct Control (DC) districting process, including the public hearing that is a part of the process, outlining the direct control of Council with respect to developments within that districted lot.

Administration recommended approving Direct Control Development Permit D19/053 for Horizon Motorsports Ltd., subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the Applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these set-backs as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The Applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, reserve lot or be contained within your lot. No drainage shall impact adjacent lots. In this regard, current drainage that occurs along east boundary must be contained on site and not be drained to the lands east or south of the applicants lot.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained. This condition shall not supersede condition #4.

6. The proposed Registration Building (20’ x 30’ x 20’) and 6 - 12’ x 12’ x 14’ Signs shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities.

7. The site shall be kept in a neat and orderly fashion.

8. Should complaints arise from a measured increase of sound due to the location of the signs, the Applicant must then ensure remedial measures are provided to the satisfaction of the County. A measured increase will be determined by using comparable readings between West and South directions of the site.
Council may at their discretion decide to approve the application with the conditions as shown, as amended, or refuse the application. It should be noted that if this development permit application is approved, this will be the tenth Direct Control (DC) Development Permit on site.

**Resolution PD20190517.005**

MOVED: by Councillor K. Adair

that Council approve Direct Control Development Permit D19/053 for Horizon Motorsports Ltd., within NW 20-46-24-W4M (Roll Number 1154.00) subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the Applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these set-backs as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The Applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, reserve lot or be contained within your lot. No drainage shall impact adjacent lots. In this regard, current drainage that occurs along east boundary must be contained on site and not be drained to the lands east or south of the applicants lot.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained. This condition shall not supersede condition #4.

6. The proposed Registration Building (20' x 30' x 20') and 6 - 12' x 12' x 14' Signs shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities.

7. The site shall be kept in a neat and orderly fashion.

8. Should complaints arise from a measured increase of sound due to the location of the signs, the Applicant must then ensure remedial measures are provided to the satisfaction of the County. A measured increase will be determined by using comparable readings between West and South directions of the site.

Carried Unanimously
5. **9:30 A.M. PUBLIC HEARING**

Reeve T. Van de Kraats declared the Public Hearing open at 9:33 a.m. and a delegation consisting of Jim and Judy Gibson entered the meeting.

5.1 **Spot Rezoning - Agricultural (AG) & Rural Residential (RR) to Agricultural Hobby Farm (AHF) - Bob Haines & James & Judy Gibson - SE 18-47-25-W4M, Roll #1639.00 & #1639.01 - Report**

On March 12, 2019, Administration received a combined application from Bob Haines and Jim & Judy Gibson to rezone approximately seventeen (17.0) and three (3.0) acres (6.88 and 1.21 hectares) within SE 18-47-25-W4M from Agricultural (AG) and Rural Residential (RR) to Agricultural Hobby Farm (AHF). If rezoning is approved, the Applicants intend to complete a lot line adjustment to expand the existing rural residential acreage to a larger hobby farm. The property is located north of Township Road 472 along Range Road 255.

On March 13, 2019, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource Development (ASRD), Alberta Environment, Alberta Transportation, and Administration.

At the time of report submission, Administration received responses regarding the proposed rezoning, which are as follows:

**Administration**
- "Appears to be close to meeting LUB requirements for Hobby Farm.
- No issues with the rezoning as long as it conforms to our land use bylaw.
- No concerns."

A review of the assessment and soil records for the proposed area indicates the parcel conforms with Section 10.3.2(b) of the Land Use Bylaw. This proposed rezoning also complies with the intent of the Municipal Development Plan and the remained of Land Use Bylaw 2017/48.

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the May 2, 2019 and May 9, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on April 25, 2019.

Copies of the proposed rezoning application, relevant maps, land report outlining soil ratings of the property, and the Agricultural Hobby Farm (AHF) District provisions as contained within the Land Use Bylaw have been provided for review by Council.

Administration recommended that Council provide three readings of Bylaw 2019/28 to rezone approximately seventeen (17.0) and three (3.0) acres (8.12 and 1.21 hectares) within SE 18-47-25-W4M from Agricultural (AG) and Rural Residential (RR) to Agricultural Hobby Farm (AHF) for Bob Haines and Jim & Judy Gibson.

Council questioned the shape of the proposed lot and potential locations for a Agricultural Hobby Farm lot with the quarter section.
Administration discussed the new Agricultural Hobby Farm district, the reason for the proposed lot and Mr. Gibson, stated that he wanted to keep the trees for protection for his existing yard site.

Reeve T. Van de Kraats declared the Hearing closed at 9:42 and Council thanked the delegation for attending and they left the hearing.

By-law 2019/28 is a By-law in the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of amending the Land Use By-law by reclassifying approximately seventeen (17.0) and three (3.0) acres (8.12 and 1.21 hectares) within SE 18-47-25-W4M from Agricultural (AG) and Rural Residential (RR) to Agricultural Hobby Farm (AHF) for Bob Haines and Jim & Judy Gibson.

**Resolution PD20190517.006**
MOVED: by Councillor K. Rooyakkers
that By-law 2019/28 be given First Reading.

Carried Unanimously

**Resolution PD20190517.007**
MOVED: by Councillor J. Bishop
that By-law 2019/28 be given Second Reading.

Carried Unanimously

**Resolution PD20190517.008**
MOVED: by Councillor K. Adair
that By-law 2019/28 be presented for Third Reading.

Carried Unanimously

**Resolution PD20190517.009**
MOVED: by Councillor D. Woitt
that By-law 2019/28 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign and affix thereto the corporate seal of the County of Wetaskiwin No. 10.

Carried Unanimously

13. **NEW BUSINESS**

13.3 **Request to Waive Area Structure Plan (ASP) — Elaine Goldade — Lot 1, Block 1, Plan 0824350, SW 4-46-7-W5M, Roll #4789.75 — Report**

At the February 15, 2019 Council for Planning and Economic Development meeting, Council was presented Requirements for an Area Structure Plan Policy 61.1.6. During the meeting, Council approved the following amendments proposed Policy 61.1.6 in accordance with the following resolution:

Ref. Resolution #PD20190215.010

MOVED: by Councillor J. Bishop

that Council approve the amendments to Requirements for Area Structure Plan (ASP) Policy #61.1.6 as presented with the additional amendments removing:
The statement: "This Policy may be waived by resolution of Council when, in the opinion of Council, no purpose would be served by preparing an Area Structure Plan."

Section 7.3 Council’s Option to Waive: The requirement for an ASP may be waived by resolution of Council when, in the opinion of Council, no purpose would be served by preparing an Area Structure Plan.

On April 29, 2019, Administration received email correspondence from Ms. Elaine Goldade requesting that Council waive Policy 61.1.6 and allow her to move forward with a waiver of the Area Structure Plan requirement for the property located described as Lot 1, Block 1, Plan 0824350, SW 4-46-7-W5M within the Hamlet of Alder Flats. The email correspondence, as well as a cover letter outlining the wish of Ms. Goldade to waive the requirement of an Area Structure Plan have been included for review by Council.

With Council removing the option for a Waiver of Area Structure Plan from Policy 61.1.6, leading to Administration having to follow Policy and advise individuals that Policy does not allow for Administration to bring forward requests to waive the requirement for an Area Structure Plan, but rather for individuals to request in writing to Council their willingness to waive Policy 61.1.6 prior to Administration not following through with what they are entrusted to follow through with and adhere to in accordance with the direction of Council, Administration would like to receive additional clear direction from Council as to how to proceed with this request and possible future requests.

Additionally, the fee relating to the processing of a potential Waiver of Area Structure Plan Application of $150.00 is still contained with the Fees and Charges Bylaw 2018/36 of the County of Wetaskiwin. Administration requires additional clarification as to whether this fee should be removed from the Fees and Charges Bylaw and not be charged should Council wish to entertain a Waiver of Area Structure Plan request after resolving to go outside of Policy or remain in the Bylaw and be charged should Council resolve to go outside of Policy and entertain a Waiver of Area Structure Plan request. Administration notes that under the previous iteration of the Policy as it related to the Fees and Charges Bylaw, the $150.00 flat fee for a Waiver of Area Structure Plan Application would be applied as a credit to the fee related to an Area Structure Plan Application should Council have chosen to not grant a Waiver of Area Structure Plan for a particular application, making the required fee $350.00 instead of the regular $500.00. Furthermore, Administration is of the opinion that Should Council continue to allow people to request to go outside of Policy the fee should remain within the Bylaw, as Administration there is a significant amount of administrative time that goes into these requests before they are presented to Council such as internal and external referrals, file reviews, and other additional reviews related to the request.

Also, Administration notes that depending on the proposal, not all Area Structure Plans need significant studies and reports to justify the proposal for subdivision. In cases where proposals result in one (1) or two (2) lots, generally proof of water supply, adjacent landowner consultation, access to the properties in question, and intended land use will help to satisfy the requirements related to an Area Structure Plan Application.

Options for Consideration by Council Include:

1. That Council direct Administration to advise individuals that to request a Waiver of Area Structure Plan, individuals must first request that Council go outside of Requirements for an Area Structure Plan Policy 61.1.6 and should Council resolve
to go outside of Policy, that individuals be required to pay the requisite $150.00 fee as contained within the Fees and Charges Bylaw 2018/36 for the Waiver of Area Structure Plan Application to be processed.

2. That Council direct Administration to advise individuals that to request a Waiver of Area Structure Plan, individuals must first request that Council go outside of Requirements for an Area Structure Plan Policy 61.1.6 and should Council resolve to go outside of Policy, that the Waiver of Area Structure Plan Application be processed with no applicable fee and further direct Administration to bring forward the Fees and Charges Bylaw for removal of the fee related to Waiver of Area Structure Plan Applications.

3. That Council direct Administration to bring forward the Fees and Charges Bylaw for removal of the fee related to Waiver of Area Structure Plan Applications and advise individuals that Council will not entertain any requests to go outside of Requirements for an Area Structure Plan Policy 61.1.6, meaning that all individuals would be required to complete an Area Structure Plan Application, albeit in varying detail dependent on the nature of the Application.

Administration recommended that Council direct Administration to bring forward the Fees and Charges Bylaw for removal of the fee related to Waiver of Area Structure Plan Applications and advise individuals that Council will not entertain any requests to go outside of Requirements for an Area Structure Plan Policy 61.1.6, meaning that all individuals would be required to complete an Area Structure Plan Application, albeit in varying detail dependent on the nature of the Application.

Council discussed the following:

- That the applicants should have the right to go out of Policy;
- Council thought that taking out the Waiver Section it would lessen the applications;
- Questioned what type of documentation does Administration require for Waiver requests;
- Mentioned that they do not see it necessary for a one lot proposal to have the Water proofing done;
- Questioned if there could be a simplified Area Structure Plan process.
- The information required for a Waiver versus a small Area Structure Plan being essentially the same.

Administration advised Council that when waivers are approved by Council, it removes the Public Hearing process so adjacent landowners cannot voice any of their concerns.

**Resolution PD20190517.010**

MOVED: by Councillor J. Bishop

That Administration bring forward the Fees and Charges Bylaw #2018/36 for removal of the fee related to Waiver of Area Structure Plan Applications and advise individuals that Council will not entertain any requests to go outside of Requirements for an Area Structure Plan Policy 61.1.6, meaning that all individuals would be required to complete an Area Structure Plan Application, albeit in varying detail dependent on the nature of the Application.

**Recorded**

Reeve T. Van de Kraats

**In Favour:**

**Opposed:**

X
6. **10:00 A.M. PUBLIC HEARING**

Reeve T. Van de Kraats declared the Public Hearing open at 10:12 a.m. and a delegation consisting of Shawn Tylke entered the meeting.

6.1 **Spot Rezoning - Agricultural (AG) to Agricultural Hobby Farm (AHF) - Shawn & Brenda Tylke - SE 20-45-27-W4M, Roll #2231.00 - Report**

On December 6, 2018, Administration received an application from Shawn and Brenda Tylke to rezone approximately 15.38 acres (6.22 hectares) within SE 20-45-27-W4M from Agricultural (AG) to Agricultural Hobby Farm (AHF). If rezoning is approved, the Applicant intends to subdivide the Hobby Farm parcel and reconfigure the adjoining Rural Residential (RR) parcel to a rectangle shape. Both the Rural Residential (RR) parcel and the balance of the quarter are owned by the Applicant. The property is located south of Highway 13 approximately eight (8) kilometres along Range Road 274.

On March 7, 2019, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource Development (ASRD), Alberta Environment, Alberta Transportation, and Administration.

At the time of report submission, Administration received responses regarding the proposed rezoning, which are as follows:

**Administration**

- “The soil assessment requirements check out and the Hobby Farm District states that: ‘Subject to the respective requirements of this Bylaw, there will be no more than two parcels districted to Agricultural Hobby Farm per quarter section.’ So that would be in compliance as well. The only question is whether or not this proposal complies with the MDP. The MDP states that:

‘1.1.3 There should be no more than one subdivided lot plus a remainder on a previously unsubdivided quarter section in agricultural land unless rezoning or an area structure plan is approved.’

In considering this, should Council approve the 'rezoning', this section of the MDP would then be satisfied.

The MDP further states:
1.1.4 In addition to Section 1.1.3, another subdivision is allowed subject to redistricting when:

- a) creating a parcel to separate one additional existing residential farmsite, as defined in the current land use bylaw, and in accordance with Policy 6607 Second Yard Subdivisions, as amended; which requires improvements to be more than ten years old;

In the MDP section it references Policy 6607, however, does not specifically indicate Country Residential (or other districts). It is at the policy stage that former Policy 6607, now Policy 61.1.7 indicates a specific district (Country Residential) and states:

'Prior to subdivision the landowner must apply for Country Residential zoning but will be exempt from Requirements for Area Structure Plans Policy #61.1.6.’

It is Administration’s opinion that it can be interpreted that the concept of Policy 6607 can be applied so long as an application for an appropriate residential or similar minded districting is applied for and approved by Council.

We know the County has utilized other zoning in lieu of Country Residential in the past for second yard sites, however, it may be appropriate, in the future, that this Policy be reviewed by indicating other appropriate districts as well as Country Residential. Having said this, Administration would suggest that this should not block the application at this time.

Both residences comply with the 10 year time period which is applied when proposed properties are considered under the Second Yard Site Policy.”

A review of the assessment and soil records for the proposed area indicates the parcel conforms with Section 10.3.2(b) of the Land Use Bylaw. Specifically, the percentage soil rating is at 9% covering 80% of the land proposed for the lot.

Additionally, the assessment records for the existing Rural Residential parcel places residential use back to 1940 and the proposed Hobby Farm parcel to April of 2009. This proposed rezoning also complies with the intent of the Municipal Development Plan and Land Use Bylaw 2017/48.

The proposed lot design also includes a revision to an existing Rural Residential (RR) parcel also owned by the Applicant. This revision will result in a transfer or trade of land similar in size to the original existing Rural Residential (RR) lot. Also, the access to the existing lot will remain as is. This revision was also referenced in the advertisement for the Public Hearing as follows:

"If the rezoning is approved, the applicant intends to rescind the existing yard site to create two (2) new parcels out of the quarter section. The 2.17 (5.36 acre) parcel will remain zoned as Rural Residential.”

As discussed earlier, Administration notes the following Sections from the Municipal Development Plan (MDP):
"1.1.3 There should be no more than one subdivided lot plus a remainder on a previously unsubdivided quarter section in agricultural land unless rezoning or an area structure plan is approved."; and

"1.1.4 In addition to Section1.1.31 another subdivision is allowed subject to redistricting when:

a. creating a parcel to separate one additional existing residential farmsite, as defined in the current land use bylaw, and in accordance with Policy 6607 Second Yard Subdivisions, as amended; which requires improvements to be more than ten years old;"

In the Municipal Development Plan it references Policy 6607, which is now Policy 61.1.7. Policy 61.1.7 states:

"Prior to subdivision the landowner must apply for Country Residential zoning but will be exempt from Requirements for Area Structure Plans Policy # 61.1.6."

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the May 2, 2019 and May 9, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on April 25, 2019.

Copies of the proposed rezoning application, relevant maps, land report outlining soil ratings of the property, and the Agricultural Hobby Farm (AHF) District provisions as contained within the Land Use Bylaw have been provided for review by Council.

Administration recommended that Council provide three readings of Bylaw 2019/29 to rezone approximately 15.38 acres (6.22 hectares) within SE 20-45-27-W4M from Agricultural (AG) to Agricultural Hobby Farm (AHF) for Shawn and Brenda Tylke.

Council discussed the following:

- Questioned access to the remainder;
- How many parcels will be in the quarter section;
- How owns the acreage out of the quarter section.

Mr. Tylke advised Council and Administration of all the existing approaches onto the quarter section, and that he owns the whole quarter section including the acreage.

Administration stated that there will be three (3) parcels out of the quarter section, when the subdivision is complete.

Administration stated that within the Advertisement and Notifications to adjacent land owners it was stated what the intent of the proposal is.

Mr. Tylke also advised Council with the following information:

- Would like to keep the trees for wind control
• No longer farming, but would like to keep the homestead they have built over the last 10 years

Reeve T. Van de Kraats declared the Hearing closed at 10:26 a.m. and Council thanked the delegation for attending and they left the hearing.

Erin Ballhorn, Recording Secretary left the meeting at 10:26 a.m.

By-law 2019/29 is a By-law in the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of amending the Land Use By-law by reclassifying approximately 15.38 acres (6.22 hectares) within SE 20-45-27-W4M from Agricultural (AG) to Agricultural Hobby Farm (AHF) for Shawn and Brenda Tylke.

Resolution PD20190517.011
MOVED: by Councillor K. Adair
that By-law 2019/29 be given First Reading.  
Carried Unanimously

Resolution PD20190517.012
MOVED: by Councillor D. Woitt
that By-law 2019/29 be given Second Reading.  
Carried Unanimously

Resolution PD20190517.013
MOVED: by Councillor K. Rooyakkers
that By-law 2019/29 be presented for Third Reading.  
Carried Unanimously

Resolution PD20190517.014
MOVED: by Councillor B. Krahn
that By-law 2019/29 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign and affix thereto the corporate seal of the County of Wetaskiwin No. 10.  
Carried Unanimously

7. **10:30 A.M. PUBLIC HEARING**

Reeve T. Van de Kraats declared the Public Hearing open at 10:30 a.m. and a delegation consisting of Barry Dahlseide, Gloria Fisher, Brandon Stewart, Bill Romanuk, Kieth Fisher, David Stewart, and Romaine Wibel entered the meeting.

7.1 **Spot Rezoning - Rural Residential (RR) to Urban Commercial (UC) - Barry & Eileen Dahlseide - Lot 11, Block 1, Plan 8220220, NE 9-46-28-W4M, Roll #2699.21 - Report**

On February 19, 2019, Administration received an application from Barry and Eileen Dahlseide to rezone approximately four (4.00) acres (1.62 hectares) within Lot 11, Block 1, Plan 8220880, NE 9-46-28-W4M from Rural Residential (RR) to Urban Commercial (UC). If rezoning is approved, the Applicant intends to operate a Recreational Vehicle (RV) Storage Business to have sixty-five (65) cold storage parking stalls. The property is located within the Hamlet of Westerose.

On February 27, 2019, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource Development (ASRD),

At the time of report submission, Administration received responses regarding the proposed rezoning, which are as follows:

**Administration**

- "As long as the drainage pattern isn’t affected by the development of this lot. No issues from Agricultural Services.

- First, is it good planning to have a storage facility right in the middle of a hamlet with numerous residences nearby, including one on the same property with this spot rezoning proposal?

Secondly, I would not be in favour of waiving the road contribution fee as a storage facility of this many lots would most definitely increase traffic in the hamlet year-round dependent on when people were accessing and returning their property. I do agree that the summer may be busier for this, which could lead to a potential of charging the RV rate of $1,000 per stall instead of the $2,000 per. I still think the applicant would not be supportive of that either.

- I have attached a zoning map showing adjacent land uses. The blues and the purple are Rural Residential (Dark Blue), Country Residential (light blue) and Urban Residential (purple) while the off green/yellow colour represents Urban Commercial. As you can see the property in question is currently dark blue and is directly adjacent to some existing urban commercial lots while also directly across the road from urban residential lots. The unfortunate part about this is that the main access and thus the increase in traffic and dust (from any type of use allowed under Urban Commercial will be in front of these residential lots along with any outdoor storage. We need to keep in mind that the rezoning is what we are to look at which could lead to receiving an application for any of the uses listed within the UC district and not just the specific proposed use at this time.

When we look at the purpose of the Urban Commercial district it is to allow for the subdivision and/or development of commercial uses in hamlets which can now or may, in the future, be tied into full municipal services. I think the fact that they are applying for Urban Commercial is appropriate and that the Municipal Development Plan supports the concentration of certain types of commercial development within Hamlets.

My recommendation would be to reduce the size of the rezoned area so that it would be as seen within the rezoning alternative option picture attached. This would provide a physical separation between the western and southern residential uses (which through a development permit condition would mandate further visual mitigation through an approved landscape plan) and then they would be required to provide access to the develop from the eastern side of the property and not generate more traffic in front of existing residential land uses. By accessing from the east the commercially generated traffic would be kept away from the residential areas and would access through the existing commercial area. I know this would be a big expense to the developer but I do not see a good compatibility of uses by having the main access in front of the residential areas and right up to those western and southern property lines.

- In meeting with Barry Dahlseide, the question came up as to whether the Road Contribution would be applicable. In assessing the question of the fee and reviewing previous approvals, we have not required storage sites to have a fee. The one example we have is the RV Storage at the corner of HWY 13 and Range Road 262 (Radke quarter). The other issue on this is the length of the road to
HWY 13. Instead, we have required the fee for actual campgrounds based on more activity. I have mentioned this to Mr. Dahlseide.

The question then is about these types of storage developments and whether there should be a fee per unit? There is a good argument that can be made that this is essentially in a higher density/hamlet scenario and that some form of contribution could be made (possible condition of annual calcium).

The current Pavement and Per Lot Road Contribution Fee Policy will need additional strengthening by adding more references to ‘development’ as the current policy focusses more on multi-parcel subdivision activity. In our current round of revisions to this policy we will add more references to ‘development’ so we have this option to require the fee if we see a need in certain circumstances.

It is an interesting (good) idea of having access into the site via the east. This would satisfy any concerns from the west acreages. Unfortunately, there would be the challenge of getting AT’s approval and the high water table in this undeveloped road right of way. I am fairly certain AT will assert their position that any additional traffic should come through the approved highway access and range road. The cost of doing so would pretty much stop the proposal. Having the right type of Development Permit conditions (as mentioned ie; screening) would be important if districting is approved. I expect the Hearing will help decide this if neighbours have concerns?

Louis Bull Tribe

- “I am writing in response to the referral for the rezoning application from residential to urban commercial. Please note that the Louis Bull Tribe has no concerns regarding the rezoning however we are expressly concerned about the amount of land currently being cleared within Wetaskiwin County. While we recognize that clearing may not fall within the authority of the County, we ask that our concerns be acknowledged for the record. Our concerns are directly related to impacts to our Constitutionally protected Aboriginal and Treaty Rights as clearing of trees results in loss of valuable wildlife habitat, wildlife which is important for the practice of our rights. Thank you for your consideration. Melanie Daniels B.Sc Consultation Coordinator Louis Bull Tribe.”

Administration has discussed these points and further wishes to address the potential concerns by reducing the impact on neighbouring properties by having one access from the north. This form of access will minimize the length of Range Road 10 being travelled, resulting in less traffic on the length of the Range Road and to the neighbours west of the site. The Applicant recognizes this and will use the main north access and will also establish buffers on the boundaries of the site. Creating more of a buffer zone along the south and east areas abutting the storage stalls would reduce the number of until parking stalls to approximately fifty-eight (58) stalls from the original sixty-five (65) proposed. In respect to the concept of building the access through the undeveloped road right of way, this would be a significant expense that the Applicant may not be able to proceed forward with.

In summary, the application fits within the parameters of the Urban Commercial (UC) zoning contained within the Land Use Bylaw, as well as Bylaws, Policies, and relevant planning documents regarding this application. However, Administration is of the opinion that the Public Hearing process is essential to determine other relevant concerns of the public in relation of the rezoning for their consideration.

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the May 2, 2019 and May 9,
2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on April 25, 2019.

On May 3, 2019, correspondence was received from Mr. Melvin Bilsky, expressing concern as to the appropriateness of the rezoning application for the area it is being applied for. A copy of the correspondence from Mr. Bilsky is provided for review by Council.

Copies of the proposed rezoning application, relevant maps, and the Rural Residential (RR) and Urban Commercial (UC) District provisions as contained within the Land Use Bylaw have been provided for review by Council.

Administration recommended that Council provide three readings of Bylaw 2019/30 to rezone approximately four (4.00) acres (1.62 hectares) within Lot 11, Block 1, Plan 8220880, NE 9-46-28-W4M from Rural Residential (RR) to Urban Commercial (UC) for Barry and Eileen Dahlseide.

Administration clarified to Council that there is no intent for subdivision at this point, it is just a spot zoning.

Barry Dahlseide addressed Council with his proposed layout, including the existing barn yard and open area for parking of RVs for the winter.

Council questioned if he would be removing any trees, Mr. Dahlseide said they would be keeping the trees. Council questioned the drainage, Mr. Dahlseide showed Council the drainage on the property on a map provided.

Dave Stewart, adjacent landowner stated that a portion of the area is usually soft and increased drainage may cause issues within Westerose along HWY 13.

Mr. Dahlseide stated that the proposal is on high ground.

Council mentioned that they have to look at this proposal as a commercial use, and to look at what is allowed to be done if this is rezoned.

Council also stated that the applicant would also have to apply for a Development permit, then other conditions will be applied to the proposed development. Water level issues could be addressed at that time.

Keith Fisher, an adjacent landowner stated that he is concerned with the mixing commercial use with residential use.

Kevin Amerialt stated that he is concerned about possible future use if the proposed RV Storage is not used.

Bill Romaniuk, an adjacent landowner stated that he would prefer access to come from HWY 13 vs. Range Road 10 due to increased traffic and dust.
Brandon Stewart, an adjacent landowner stated his concerns about increased traffic on Range Road 10 directly across from his residence.

Mr. D. Stewart stated that Alberta Transportation would not allow more development, and had concerns where future access might come from. He had talked with Alberta Transportation and they would not allow another turning lane.

Mr. Amerialt has concerns about unknown future use of the property in relation to residential use.

Mr. Blades, stated that with adjacent landowner concerns Administration would recommend that Council approve a buffer zone on the west side of the property.

Reeve T. Van de Kraats declared the Hearing closed at 11:07 a.m. and Council thanked the delegation for attending and they left the hearing.

By-law 2019/30 is a By-law in the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of amending the Land Use By-law by reclassifying approximately four (4.00) acres (1.62 hectares) with a 20 metre buffer on the West side of the property, within Lot 11, Block 1, Plan 8220880, NE 9-46-28-W4M from Rural Residential (RR) to Urban Commercial (UC) for Barry and Eileen Dahlseide.

Resolution PD20190517.015
MOVED: by Councillor B. Krahn
that By-law 2019/30 be given First Reading.

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Carried (4 to 3)

Resolution PD20190517.016
MOVED: by Councillor L. Seely
that By-law 2019/30 be given Second Reading.

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Resolution PD20190517.017
MOVED: by Councillor J. Bishop
to amend the buffer zone on the west side of the property to approximately 60 metres.

Recorded

In Favour:  
Opposed:

Reeve T. Van de Kraats X
Councillor J. Bishop X
Councillor B. Krahn X
Councillor D. Woitt X
Councillor K. Adair X
Councillor K. Rooyakkers X
Councillor L. Seely X

Results  6  1  
Carried (6 to 1)

Amendment:

Resolution PD20190517.018
MOVED: by Councillor L. Seely
that By-law 2019/30 be presented for Third Reading.

Recorded

In Favour:  
Opposed:

Reeve T. Van de Kraats X
Councillor J. Bishop X
Councillor B. Krahn X
Councillor D. Woitt
Councillor K. Adair X
Councillor K. Rooyakkers X
Councillor L. Seely X

Results  6  1  
Carried (6 to 1)
Unanimous consent is required for a by-law to be presented for Third Reading on the same day as it was provided 1st and 2nd readings.

13. **NEW BUSINESS**

13.4 **Request for Partial Refund of Development Permit Fees - Kelly Peach - NW 10-46-6-W5M -Roll # 4465.11 - Report**

During an inspection by the Assessment Department in 2017, it was noted that on the NW 10-46-6-W5M, Lot PT 8, Block 1, Plan 3622HW an older existing barn structure (26’ x 50’) was in the process of being converted into a residence and that a moved-on detached garage (12.5’ x 22.5’) had been placed on the property without obtaining the required development permits. Upon discovery of the developments, the Assessment Department notified the Planning and Development Department.

On January 29, 2018, J. Grant, Development Officer, sent the registered landowner, Kelly Peach, an email as a follow-up to a phone conversation that occurred on January 23, 2019 where Mr. Peach was fully advised of the requirement of obtaining development permits for the converted barn structure and moved-on detached garage. The correspondence has been provided for the reference of Council.

On March 6, 2018, Mr. Grant called Mr. Peach once again, following-up regarding the matter as Administration had not yet received the Development Permit application. During this conversation, Mr. Peach did indicate that he had received the email, but had not completed and submitted the application yet. Mr. Peach was verbally requested to complete and submit the application at the next available chance that he had to complete the application.

On February 15, 2019, after Mr. Peach did not submit the Development Permit application, nor contacted Administration since March 6, 2018, which is over a year since the initial contact was made with Mr. Peach, Administration issued a Warning Letter to Mr. Peach in respect of the aforementioned developments not having the required development permits, nor applying for said permits. The Warning Letter has been provided for the reference of Council and requested that Mr. Peach submit the Development Permit application by March 2, 2019, giving him an additional fifteen (15) days to submit the application than the original year that was provided.

On March 7, 2019, which was twenty (20) days from the issuing of the Warning Letter and nearly fourteen (14) months since Administration made initial contact with Mr. Peach in respect of the matter, Administration issued a Stop Order as a result of not having received a Development Permit application after exhausting all informal and formal options within the previous fourteen (14) months with no action taken by Mr. Peach. The Stop Order has been provided for the reference of Council, which requested Mr. Peach either remove the developments or submit a Development Permit application by April 15, 2019.

On March 18 & 19, 2019, Mr. Peach attempted to contact J. Chipley, Assistant Chief Administrative Officer regarding the matter. As Mr. Chipley was away from the office on other pertinent County business, Mr. Grant responded on behalf of the County on March 21, 2019, which began a thread of emails and telephone conversations between Mr. Grant and Mr. Peach, where Mr. Peach requested Administration to reduce the fees of the Development Permit application prior to him submitting an application well over the now almost fifteen (15) months since initial contact was made, and emails between Mr. Peach and Mr. Chipley, where Mr. Chipley outlined the historical timeline of the matter as described and reiterated the position of Administration. The correspondence between Administration and Mr. Peach has been provided for the reference of Council.
On April 8, 2019, Administration received the requested Development Permit application, along with the Offsite Levy fee. Additionally, Administration received a letter addressed to County Council requesting that Council reduce the development permit fees that had been increased to $1,000 as a result of the issued Stop Order back to the original fee of one-hundred dollars ($100). The letter of request submitted by Mr. Peach has been provided for the reference of Council.

Regarding the request made by Mr. Peach, Administration notes the following, that were explicitly mentioned in the numerous correspondence sent to Mr. Peach over the fifteen months where no action was undertaken by Mr. Peach:

- Fees and Charges Bylaw 2018/36 "As per the fees and Charges Bylaw 2018/36 upon/with the issuance of a Stop Order that fee has been increase by ten (10) times to $1000.00."
- As per Section 5.2 of Land Use Bylaw 2017/48:

5.2.3 Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable upon summary conviction to pay the specified penalty for that offence as set out below. Any person who commits a second or subsequent offence under this Bylaw within one calendar year of committing a first offence under this Bylaw is liable on summary conviction to an increased fine as follows:

a) First offence - $500

b) Second offence - $1,000

c) Third and subsequent offence(s) - $5,000

Simply put, Administration is of the position that Mr. Peach was given more than sufficient time to have his application submitted to the County of Wetaskiwin.

Council has the authority to either approve or deny Mr. Peach's request for refunding the $900 requested.

Administration recommended that Council deny the request by Mr. Kelly Peach for a $900 refund of Development Permit fees as Administration has given Mr. Peach more than sufficient time to have his application submitted to the County of Wetaskiwin.
Resolution PD20190517.019
MOVED: by Councillor L. Seely

that Council deny the request by Mr. Kelly Peach for a $900 refund of Development Permit fees as Administration has given Mr. Peach more than sufficient time to have his application submitted to the County of Wetaskiwin.

Carried Unanimously

13.5 Request for Refund of Rezoning & Subdivision Fees - Doug & Debbie Hanson - NE 13-47-24-W4M, Roll #1264.01 - Report

At the November 8, 2018 Council for Planning and Economic Development, Council resolved to deny subdivision RW/18/29 for Douglas and Debbie Hanson within Lot 1, Plan 9722447 within NE 13-47-24-W4M to create a Country Residential (CR) lot of approximately 4.1 acres (1.6 hectares) as it does not comply with Section 14 of the Subdivision and Development Regulation and the application did not receive the necessary variance in accordance with Section 14 from Alberta Transportation and that Administration provide a letter of support on behalf of Council for the applicant to the Municipal Government Board (MGB).

(Ref. Resolution #PD20181108.1006)

A hearing was held on January 21, 2019 and results were received on March 20, 2019 for Decision: MGB 007/19, Hanson v County of Wetaskiwin No. 10 (Subdivision Authority). As Council was advised at the April 11, 2019 Council for Planning and Economic Development, the Municipal Government Board denied the appeal and Council accepted the decision received from the Municipal Government Board (MGB) regarding the appeal as information.

(Ref. Resolution #PD20190411.004)

On May 8, 2019, Administration received correspondence from Mr. & Mrs. Hanson requesting a refund for their rezoning ($500.00) and subdivision ($1,050.00) application fees in the total amount of $1,550.00, which has been provided for review by Council. The correspondence is addressed to Council as Administration does not have the ability to refund fees after an application has been processed as it would not be in accordance with the Fees and Charges Bylaw 2018/36 of the County of Wetaskiwin.

Administration notes that both the rezoning and subdivision process does take significant resources to be expended by County Staff for these matters to be processed and a decision to be made by Council. Should Council choose to refund all, or a portion of the fees paid by Mr. & Mrs. Hanson, it could lead to additional individuals asking Council to refund fees for various planning processes that require a fee should their application not be successful. Furthermore, Council does have the ability to refund the subdivision fees that were paid by Mr. & Mrs. Hanson, but these fees were collected by West Central Planning Agency (WCPA) and not the County as it is WCPA who processes these files.

Options for Consideration by Council Include:

1. That Council direct Administration to refund the complete application fees expended by Doug & Debbie Hanson for their rezoning and subdivision applications totaling $1,550.00.
2. That Council direct Administration to refund a partial amount of the application fees expended by Doug & Debbie Hanson for their rezoning and subdivision applications at an amount considered appropriate by Council.

3. That Council deny the request made by Doug & Debbie Hanson to refund the application fees expended for rezoning and subdivision as both applications were processed in accordance with proper procedure by the County of Wetaskiwin.

Administration recommended that Council deny the request made by Doug & Debbie Hanson to refund the application fees expended for rezoning and subdivision as both applications were processed in accordance with proper procedure by the County of Wetaskiwin.

Council questioned the breakdown of the application costs.

Administration stated that Advertisement costs are around $500, while the Rezoning application is $500.

Resolution PD20190517.020
MOVED: by Councillor L. Seely

that Council deny the request made by Doug & Debbie Hanson to refund the application fees expended for rezoning and subdivision as both applications were processed in accordance with proper procedure by the County of Wetaskiwin.

Carried Unanimously

11. **DELEGATION - Eric Hofbauer, Director of Finance**

A delegation consisting of Eric Hoffbauer, Director of Finance entered the meeting at 11:33 a.m.

11.1 **BL201913 Annual Tax Mill Rate By-law (cont.) Report**

On May 14, 2019 Council reviewed the proposed 2019 Millrate Bylaws based on the approved 2019 operating and capital budget approved on May 6, 2019.

At that time, Council resolved to table the bylaws until further investigation of the relationship between the Emergency Services Millrate and the Residential/Non Residential Millrate ratio could be reviewed.

Administration prepared 4 options for Council to review and presented them at the meeting.

A discussion ensued on the mill rate bylaw as presented.

**The meeting recessed at 11:52 a.m.**

**The meeting reconvened at 1:30 p.m.**

Discussion continued on the mill rate bylaw as presented.

Resolution PD20190517.021
MOVED: by Councillor K. Rooyakkers

That Council review Non-Residential assessment class at the 2019 Strategic & Business Planning Meeting.

Carried Unanimously
Resolution PD20190517.22  
MOVED: by Councillor L. Seely  
that Council approve the addition of $775,000 to the 2019 budget as transfer to general operating reserve.  

Carried Unanimously  

By-law 2019/13 a bylaw in the County of Wetaskiwin in the Province of Alberta to authorize the rates of taxation to be levied against assessable property within the County of Wetaskiwin No. 10 for the 2019 taxation year  

Resolution PD20190517.023  
MOVED: by Councillor K. Adair  
that By-law 2019/13 be presented for First Reading.  

Carried Unanimously  

Resolution PD20190517.024  
MOVED: by Councillor D. Woitt  
that By-law 2019/13 be given Second Reading.  

Carried Unanimously  

Resolution PD20190517.025  
MOVED: by Reeve T. Van de Kraats  
that By-law 2019/13 be presented for Third Reading.  

Carried Unanimously  

Resolution PD20190517.026  
MOVED: by Councillor L. Seely  
that By-law 2019/13 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign same and affix thereto the corporate seal of the County of Wetaskiwin No. 10.  

Carried Unanimously  

14. CLOSED TO THE PUBLIC  
Council will be discussing Intermunicipal Collaboration Framework (ICF) Town of Millet, therefore the meeting should be closed to the public, pursuant to Section 197 of the Municipal Government Act, 2000, Chapter M-26 and amendments thereto, and the Freedom of Information and Protection of Privacy Act, Part 1, Division 2 Exceptions to Disclosure, Section 27 Privileged Information  

Resolution 20190517.029  
MOVED: by Councillor K. Adair  
that the meeting be closed to the public, at 1:45 p.m, pursuant to Section 197 of the Municipal Government Act, 2000, Chapter M-26 and amendments thereto, and the Freedom of Information and Protection of Privacy Act, Part 1, Division 2 Exceptions to Disclosure, Section 27 Privileged information to discuss Intermunicipal Collaboration Framework (ICF) Town of Millet.  

Carried  

Resolution PD20190517.030  
MOVED: by Councillor J. Bishop  
that the meeting be opened to the public at 2:15 p.m.
Amendment:

Resolution PD20190517.031
MOVED: by Councillor J. Bishop
that Council table discussion on Millet ICF cost sharing to September.
Carried Unanimously

16. ADJOURN

Resolution PD20190517.032
MOVED: by Councillor B. Krahn
that the Council for Planning & Economic Development meeting be adjourned at 2:15 p.m.
Carried Unanimously

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REEVE

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CHIEF ADMINISTRATIVE OFFICER