Council Planning & Economic Development Meeting

MINUTES

Thursday, June 13, 2019, 9:00 AM
Council Chambers
County Administration Building

Present
Reeve Terry Van de Kraats
Councillor Josh Bishop
Councillor Bill Krahn
Councillor Ken Adair
Councillor Lyle Seely

Absent
Councillor Dale Woitt
Councillor Kathy Rooyakkers

Staff Present
Jeff Chipley, Assistant Chief Administrative Officer
David Blades, Director of Planning and Development
Amber Tripp, Recording Secretary
Naomi Finseth, Municipal Intern
Ben Cowan, Municipal Intern

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 Thursday, June 13, 2019.

2. **APPROVAL OF AGENDA**

Resolution PD20190613.001
MOVED: by Councillor J. Bishop
that the agenda be accepted as presented.

Carried Unanimously

3. **MINUTES APPROVAL- May 17, 2019 Meeting**

Resolution PD20190613.002
MOVED: by Councillor J. Bishop
to approve the minutes of the Council for Planning and Economic Development Meeting held Friday, May 17, 2019 as presented.

Carried Unanimously

4. **MAY 2019 DEVELOPMENT REPORT**

During the month of May, there were thirty-five (35) development permits completed with an estimated value of $1,957,900.00. The following table depicts the activities for the month of May.

<table>
<thead>
<tr>
<th>Type of Permit</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Development Permits</td>
<td>1</td>
</tr>
<tr>
<td>Commercial Development Permits</td>
<td>4</td>
</tr>
<tr>
<td>Recreational Development Permits</td>
<td>1</td>
</tr>
<tr>
<td>Residential Development Permits</td>
<td>29</td>
</tr>
<tr>
<td>Compliance Certificates</td>
<td>6</td>
</tr>
</tbody>
</table>
Administration recommended that Council approve the Development Report for May 2019 as presented.

Resolution PD20190613.003
MOVED: by Councillor L. Seely
that Council approve the Development Report for May 2019 as presented.

Carried Unanimously

7. NEW SUBDIVISION APPLICATIONS

7.1.1 RW/19/07 – Kathreen Bussard (Agent: Katelyn Slevinsky) – SE 19-44-22-W4M, Roll #75.00 - Report

On April 23, 2019, West Central Planning Agency (WCPA) received an application for a subdivision from Kathreen Bussard (Agent: Katelyn Slevinsky) within SE 19-44-22-W4M to subdivide out an existing yard site of approximately seven (7.0) acres (2.85 hectares), as shown on the West Central Planning Agency subdivision drawing dated May 30, 2019, which was attached for review by Council.

On May 9, 2019, a site inspection identified that the proposed lot has an existing approach and it is accessing onto Secondary Highway #822. The site is vacant and there is plenty of area for a suitable building site. There is a windmill of approximately 150m or 500 ft from the highway boundary and below this windmill is a water well. The proposed lot is cleared and in production. The proposed lot will need required improvements as a condition if approved. The proposed lot has only a windmill and a water well and, therefore, a real property report is recommended for this application since there are no existing buildings on the proposed lot.

The remainder currently gains access from an adjacent quarter section to the south and there is no existing highway approach onto the highway. The proposed lot is adjacent to a provincial highway therefore Alberta Transportation was referred to and had the following requirements based on the revised letter June 5, 2019:

1. The Applicant is to provide a 30m wider service road right-of-way across the highway frontage of the parcel to be created. The service road would be acceptable to the department by caveat agreement.

2. In order to satisfy the requirement of physical access to the proposed parcel and remnant land, the department would require one of the following options:

a) The existing highway approach to the proposed parcel does not meet Alberta Transportation's specifications and standards for a residential and/or agricultural approach. This approach should be removed and relocated to the south boundary of the proposed parcel to serve as joint access to the proposed parcel and remnant land.

b) The existing approach to the proposed parcel must be upgraded to meet the departments specifications and standards and the approach on the south boundary of the remnant land between the SW 20 & NE 18-44-22-W4 be upgraded to serve as a joint approach.

Furthermore, the remainder is clearly in production and the quarter section is identified as CLI Rating 2 (listed as eighty-two percent [82%] within County
percentage rating files), which is one of the best agricultural land classifications in the County. Therefore, it should be protected as much as possible from being part of a proposed subdivision.

No reserves are due as this is the first subdivision out of the quarter section.

After review, Administration and WCPA deemed that the proposed subdivision application does not comply with the following:

**Municipal Development Plan**

"Objective 1.1 Prevent fragmentation of farmland in the County

1.1.5 - The parcel size and the configuration of a new subdivision on an unsubdivided quarter section should be such that the least amount of land is taken out from agricultural production. The recommended parcel size is 2.0 ha (5 ac.).

Objective 1.2 - Protect agricultural land to remain in production

1.2.1 Productive agricultural land includes

a) land in production with a farmland assessment value of 30 % or more;

b) grey-wooded soil producing hay, forage or other crops;

c) land currently used for grazing."

**Land Use Bylaw 2017/48**

"Section 11.4.4 Subdivision Standards - Existing Yard site

c) parcel size is to be determined by the minimum number of acres required to include residential improvements but not including any other land or buildings;

d) provided it does not include any land which is cleared or in production, a proposed lot served by an existing open discharge sewer system may be created large enough to allow open discharge to be used after subdivision.

Section 11.4.5 Subdivision Standards - New or Abandoned Yard site

c) the maximum parcel size is 2.02 hectares (5 acres);"

**Procedure for Administrative Approval of Simple Subdivisions Policy #61.1.3**

"Simple subdivisions“ include, but are not limited to those applications which request:

c) First parcel out of a quarter section to a maximum size of 5 acres with the discretion to allow an additional 2 acres (total of 7) for the reason of including or due to the existence of a driveway access, water well, shelter belt, proximity of a nearby property boundary or buildings necessary for and associated with a dwelling;"

The main issue with this application is that the Applicant applied for +/- seven (7) acres, which is not consistent with the Municipal Development Plan, Land Use Bylaw, and relevant County of Wetaskiwin Policy, particularly Procedure for Administrative Approval of Simple Subdivisions #61.1.3. However, during the application process, the Applicant has requested that Council consider the 10.9 acres, listed as Alternative #3, for approval and is of the opinion that they do not want anything smaller than seven (7) acres. The additional two (2) acres is not for the reason of including the existing of a “driveway, water well, shelter belt, proximity of a nearby property boundary or buildings necessary for and associated with a dwelling."

Administration and WCPA cannot support the fully seven (7) acre options and recommend the approval be lowered to five (5) acres to exclude the cleared and in production agricultural land. Regarding all the above, this is the reason why this application has been brought forward to Council for consideration. WCPA contacted the Applicant to try and reduce the proposed lot to five (5) acres, but the Applicant is adamant of the seven (7) acres for their application and was not willing to change the proposed size.

As noted, this application involves bare farmland with only the water well and wind charger.
Additionally, Administration notes six (6) previous decisions on subdivision applications that have been similar in nature, which are as follows:

**Subdivision File RW/11/16**

The above application was to create a 10.5 acre yard site. In order to comply with the Rural Residential District under Section 2.4 of the Land Use Bylaw, the proposal was reduced to five (5.0) acres. The Applicant had applied with a larger size in order to accommodate the septic discharge setback. The Applicant appealed the revised plan to the Subdivision and Development Appeal Board. The Board favoured the decision by the County to have the proposed lot set at five (5.0) acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/13/14**

The above application was to create a twenty (20) acre home site. The proposal was to follow the existing fence line. County approved the proposal at a reduced size (5.0 acres) in order to comply with the Rural Residential District under Section 2.4 of the Land Use Bylaw. The Applicant appealed the decision to the Subdivision and Development Appeal Board. The Board favoured the decision by the County to have the proposed lot set at five (5.0) acres, based on Section 2.4 of the Land Use Bylaw and Objective 1.1.5 of the Municipal Development Plan.

**Subdivision File RW/15/10**

The above application was to create a 12.7 acre lot. The proposal was to include a strip of farmland to the east of the proposed lot. WCPA recommended that the application is refused as 12.7 acres exceeded the size for rural residential parcels. The County refused the application for the 12.7 acres parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. WCPA brought forth three options for the Subdivision and Development Appeal Board to review at the appeal hearing. One was a five (5) acre parcel to be approved, the second was a seven (7) acre parcel to be approved, and the third was to refuse the proposed 12.7 acres and uphold the decision of Council. The Board amended the decision of the County from a refusal to an approval of a proposed lot set at five (5.0) acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/15/30**

The above application was to create a 13.4 acre lot. The proposal was to include an area of treed land and some corrals to the south of the house. WCPA recommended that the application is approved at 9.2 acres for the yard. Council reduced and approved the application for a 7.3 acre parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at 7.3 acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/16/20**

The above application was to create a ten (10.0) acre lot. The proposal was to include an area of treed land and some corrals to the south and east of the house. WCPA recommended that the application is approved at seven (7.0) acres for the yard site. Council reduced and approved the application for a 7.0 acres parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at seven (7.0) acres or an eighty (80) acre subdivision out of SW 1-46-5-W5M and deny the appeal as submitted by the Applicant. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/18/03**

The above application was to create a 22.1 acre lot. The Applicant wanted to apply for +/- 22.1 acres because they are wanting to have some land for horses, along with having the pasture for the horses and to keep as much of the shelter belt as possible to stay with the yard site rather than the remainder. Administration suggests that one
option for the keeping of horses, would be for the owner to consider leasing a portion of land from the future remainder. WCPA recommended that the application is approved at five (5.0) acres for the yard site. Council reduced and approved the application for a five (5.0) acre parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at five (5.0) acres subdivision out of NE 29-46-25-W4M and deny the appeal as submitted by the Applicant. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

In closing, the proposal does not comply with the provisions contained within the Municipal Development Plan, Procedure for Administrative Approval of Simple Subdivisions Policy #61.1.3, and the Land Use Bylaw 2017/48 of the County of Wetaskiwin. Also, WCPA and Administration outlined previous six (6) decisions by Council that reduced large subdivision applications down for the most part to approximately five (5) or seven (7) acres. Also, the Subdivision and Development Appeal Board in all the six (6) decisions, agreed with County Council and upheld the decisions from County Council as the proposed lots should be approximately from five (5) to seven (7) acres.

Options for Consideration by Council Include:

1. That Council follow established Policy and approve Subdivision Application RW/19/07 for Kathreen Bussard within SE 19-44-22-W4M, to create a lot of approximately five (5) acres;

2. That Council go outside of Policy and approve Subdivision Application RW/19/07 for Kathreen Bussard within SE 19-44-22-W4M, to create a lot of approximately seven (7) acres;

3. That Council go outside of Policy and approve Subdivision Application RW/19/07 as presented by Kathreen Bussard within SE 19-44-22-W4M, to create a lot of approximately 10.9 acres; or

4. That Council deny Subdivision Application RW/19/07.

Administration recommended that Council follow the established Policy, previous decisions, and approve Subdivision Application RW/19/07 for Kathreen Bussard within SE 19-44-22-W4M, to create a lot of approximately five (5) acres subject to the following conditions:

1. The applicant is to engage an Alberta Land Surveyor to prepare a descriptive plan or a plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing with a proposed size to an approximate size of 2.0 hectares (5 acres) for registration at Land Titles Office.

2. The Applicant is to provide a 30m wide service road right-of-way across the highway frontage of the parcel to be created. The service road would be acceptable to the department by caveat agreement.

3. In order to satisfy the requirement of physical access to the proposed parcel and remnant land, the department would require one of the following options:

   a) The existing highway approach to the proposed parcel does not meet Alberta Transportation’s specifications and standards for a residential and/or agricultural approach. This approach should be removed and relocated to the south boundary of the proposed parcel to serve as joint access to the proposed parcel and remnant land.

   b) The existing approach to the proposed parcel must be upgraded to meet the departments specifications and standards and the approach on the south boundary of the remnant land between the SW 20 & NE 18-44-22-W4 be upgraded to serve as a joint approach.

4. Service the site with three of the following improvements:

   a. Power pole and transformer

   b. Water well (exists)

   c. Shelterbelt
Council discussed the following:

- If the windmill is for electricity or for pumping water;
- What type of septic system the Applicant would like to put in; and
- Discussed the approach on to the property.

Katelyn Slevinsky commented they have applied for the seven (7) acres for their growing family and to keep the land in the family. She also stated that they would like to have a field system installed if that could be approved.

Jason Tran went over the approach options for the subdivision and where the existing approach is located.

Resolution PD20190613.005
MOVED by Councillor L. Seely
that Council approve Subdivision Application RW/19/07 for Kathleen Bussard within SE 19-44-22-W4M, to create a lot of approximately five (5) acres subject to the following conditions:

1. The applicant is to engage an Alberta Land Surveyor to prepare a descriptive plan or a plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing with a proposed size to an approximate size of 2.0 hectares (5 acres) for registration at Land Titles Office.

2. The Applicant is to provide a 30m wider service road right-of-way across the highway frontage of the parcel to be created. The service road would be acceptable to the department by caveat agreement.

3. In order to satisfy the requirement of physical access to the proposed parcel and remnant land, the department would require one of the following options:

a) The existing highway approach to the proposed parcel does not meet Alberta Transportations specifications and standards for a residential and/or agricultural approach. This approach should be removed and relocated to the south boundary of the proposed parcel to serve as joint access to the proposed parcel and remnant land.

b) The existing approach to the proposed parcel must be upgraded to meet the departments specifications and standards and the approach on the south boundary of
the remnant land between the SW 20 & NE 18-44-22-W4 be upgraded to serve as a joint approach.

4. Service the site with three of the following improvements:
   a. Power pole and transformer
   b. Water well (exists)
   c. Shelterbelt
   d. Approach to the road in a location and standards acceptable to the County’s office (exists)
   e. House (to basement stage)

For the purpose of 4. c., “Shelterbelt” under the Land Use Bylaw “means a line of trees or combination of trees and large shrubs planted, (minimum one inch caliper), or existing to protect an area, field or yard-site from strong winds. For the purposes of subdivision approval for a yard-site, a shelterbelt must include a minimum of three sides.”

5. Property taxes must be at a zero ($0) balance.

6. Pay an endorsement fee of $200 to West Central Planning Agency prior to the registration of the subdivision.

Carried Unanimously

7.2 RW/19/08 – Darwin and Sheila Mantai – NE 16-45-27-W4M, Roll #2213.00 - Report

On April 23, 2019, West Central Planning Agency (WCPA) received an application for a subdivision from Darwin and Sheila Mantai within NE 16-45-27-W4M to subdivide out an existing yard site of approximately thirteen (13.11) acres (5.31 hectares), as shown on the West Central Planning Agency subdivision drawing dated April 16, 2019, which is attached for review by Council. The Applicant wishes to subdivide to accommodate the pump out sewer system and to run a small purebred flock as per their letter attached with their application for Council to review.

On May 9, 2019, a site inspection identified that the proposed lot has an existing approach and it is accessing onto Range Road 273. The site has residential building, three (3) cattle sheds several other sheds, barn, and a garage/shop. There is an existing shelter belt on the proposed lot. One (1) of the existing cattle sheds appears to be within the County road allowance. A condition for a real property report is recommended to identify this issue if it is approved. If the cattle shed is within the road allowance, then it should be relocated as a condition if it is approved.

The pump out location is noted by the Applicant and it is southeast of the buildings as per the application attachment. The location of the pump out is approximately ninety (90) metres away from the house as measured on the County Webmap system. The existing sewage system will have to be inspected and upgraded if necessary, as per the final report from the Safety Codes Officer.

The remainder is vacant and it is cleared for production. The remainder will access from an existing field approach just north of the proposed lot and the existing High-Pressure Gas pipeline.

Furthermore, road widening is not required for the Range Road 273.

No reserves are due as this is the first subdivision out of the quarter section.

After review, Administration and WCPA deemed that the proposed subdivision application does not comply with the following:

Municipal Development Plan

"Objective 1.1 Prevent fragmentation of farmland in the County"
1.1.5 - The parcel size and the configuration of a new subdivision on an unsubdivided quarter section should be such that the least amount of land is taken out from agricultural production. The recommended parcel size is 2.0 ha (5 ac.).

Objective 1.2 - Protect agricultural land to remain in production

1.2.1 Productive agricultural land includes
a) land in production with a farmland assessment value of 30 % or more;
b) grey-wooded soil producing hay, forage or other crops;
c) land currently used for grazing."

Land Use Bylaw 2017/48
"Section 11.4.4 Subdivision Standards - Existing Yard site

c) parcel size is to be determined by the minimum number of acres required to include residential improvements but not including any other land or buildings;

d) provided it does not include any land which is cleared or in production, a proposed lot served by an existing open discharge sewer system may be created large enough to allow open discharge to be used after subdivision.

Section 11.4.5 Subdivision Standards - New or Abandoned Yard site

c) the maximum parcel size is 2.02 hectares (5 acres);"

Procedure for Administrative Approval of Simple Subdivisions Policy #61.1.3
"Simple subdivisions” include, but are not limited to those applications which request:

c) First parcel out of a quarter section to a maximum size of 5 acres with the discretion to allow an additional 2 acres (total of 7) for the reason of including or due to the existence of a driveway access, water well, shelter belt, proximity of a nearby property boundary or buildings necessary for and associated with a dwelling;“

Additionally, Administration notes six (6) previous decisions on subdivision applications that have been similar in nature, which are as follows:

Subdivision File RW/11/16
The above application was to create a 10.5 acre yard site. In order to comply with the Rural Residential District under Section 2.4 of the Land Use Bylaw, the proposal was reduced to five (5.0) acres. The Applicant had applied with a larger size in order to accommodate the septic discharge setback. The Applicant appealed the revised plan to the Subdivision and Development Appeal Board. The Board favoured the decision by the County to have the proposed lot set at five (5.0) acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

Subdivision File RW/13/14
The above application was to create a twenty (20) acre home site. The proposal was to follow the existing fence line. County approved the proposal at a reduced size (5.0 acres) in order to comply with the Rural Residential District under Section 2.4 of the Land Use Bylaw. The Applicant appealed the decision to the Subdivision and Development Appeal Board. The Board favoured the decision by the County to have the proposed lot set at five (5.0) acres, based on Section 2.4 of the Land Use Bylaw and Objective 1.1.5 of the Municipal Development Plan.

Subdivision File RW/15/10
The above application was to create a 12.7 acre lot. The proposal was to include a strip of farm land to the east of the proposed lot. WCPA recommended that the application is refused as 12.7 acres exceeded the size for rural residential parcels. The County refused the application for the 12.7 acres parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. WCPA brought forth three options for the Subdivision and Development Appeal Board to review at the appeal hearing. One was a five (5) acre parcel to be approved, the second was a seven (7) acre parcel to be approved, and the third was to refuse the proposed 12.7 acres and
uphold the decision of Council. The Board amended the decision of the County from a refusal to an approval of a proposed lot set at five (5.0) acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/15/30**

The above application was to create a 13.4 acre lot. The proposal was to include an area of treed land and some corrals to the south of the house. WCPA recommended that the application is approved at 9.2 acres for the yard. Council reduced and approved the application for a 7.3 acre parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at 7.3 acres. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/16/20**

The above application was to create a ten (10.0) acre lot. The proposal was to include an area of treed land and some corrals to the south and east of the house. WCPA recommended that the application is approved at seven (7.0) acres for the yard site. Council reduced and approved the application for a 7.0 acres parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at seven (7.0) acres or an eighty (80) acre subdivision out of SW 1-46-5-W5M and deny the appeal as submitted by the Applicant. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

**Subdivision File RW/18/03**

The above application was to create a 22.1 acre lot. The Applicant wanted to apply for +/- 22.1 acres because they are wanting to have some land for horses, along with having the pasture for the horses and to keep as much of the shelter belt as possible to stay with the yard site rather than the remainder. Administration suggests that one option for the keeping of horses, would be for the owner to consider leasing a portion of land from the future remainder. WCPA recommended that the application is approved at five (5.0) acres for the yard site. Council reduced and approved the application for a five (5.0) acre parcel. The Applicant appealed the refusal to the Subdivision and Development Appeal Board. The Board upheld the decision made by Council of an approval to have the proposed lot set at five (5.0) acres subdivision out of NE 29-46-25-W4M and deny the appeal as submitted by the Applicant. The decision was based on the regulations found within the Rural Residential District of the Land Use Bylaw, specifically Section 2.4.

The main issue with this application is that the Applicant applied for +/- thirteen (13.11) acres, which is not consistent with the Municipal Development Plan, Land Use Bylaw, and relevant County of Wetaskiwin Policy, particularly Procedure for Administrative Approval of Simple Subdivisions #61.1.3.

Administration and WCPA cannot support the application at approximately thirteen 13.11 acre (5.31 ha) option and recommend the approval be lowered to eight point five (8.5) acres to exclude the cleared agricultural land or split it as two eighty acres lots. Regarding all the above, this is the reason why this application has been brought forward to Council for consideration. An 8.5 acre area can easily accommodate all existing buildings of value.

The discussion of Agricultural Hobby Farm (AHF) districting was discussed with the Applicant, but County Administration and WCPA agreed that this would not fit the requirements outlined in that Agricultural Hobby Farm District. It is a CLI Rating 2 and is considered a very good Agricultural land. The Applicant did not want to try rezoning since there is no appeal mechanism and it be a waste of the rezoning application fee. Therefore, the Applicant would like to try it as a first parcel out subdivision application.

In closing, as noted, the proposal does not comply, as it is simply too large for a Rural Residential (RR) parcel with the provisions contained within the Municipal Development Plan, Procedure for Administrative Approval of Simple Subdivisions
Policy #61.1.3, and the Land Use Bylaw 2017/48 of the County of Wetaskiwin. Also, WCPA and Administration outlined previous six (6) decisions by Council that reduced large subdivision applications down for the most part to approximately five (5) or seven (7) acres. Also, the Subdivision and Development Appeal Board in all the six (6) decisions, agreed with County Council and upheld the decisions from County Council as the proposed lots should be approximately from five (5) to seven (7) acres.

The only other possible option for this subdivision is to do an 80/80 split and leaving a north panhandle to provide legal and physical access to the western eighty. While the eastern eighty will contain the farm site. This option was outlined to the Applicant and the discussion of a smaller proposed lot, but the Applicant is insistent on applying for the 13.11 acres farm site.

Options for Consideration by Council Include:

1. That Council go outside of Policy and approve Subdivision Application RW/19/08 by Darwin and Sheila Mantai within NE 16-45-27-W4M, to create a lot of approximately 13.11 acres (5.31 ha);

2. That Council follow established Policy and approve Subdivision Application RW/19/08 by Darwin and Sheila Mantai within NE 16-45-27-W4M, to create an eighty (80) acre split; or

3. That Council go outside of Policy and approve Subdivision Application RW/19/08 by Darwin and Sheila Mantai within NE 16-45-27-W4M, to create a lot of approximately 8.5 acres (3.44 ha).

Should a subdivision be approved, the following conditions are recommended:

a. The applicant is to engage an Alberta Land Surveyor to prepare a plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing with a proposed size to an approximate size of _______ acres (______ ha) for registration at Land Titles Office.

b. The applicant is to engage an Alberta Land Surveyor to prepare a Real Property Report (RPR) and submit it to the County and WCPA for review prior to the registration of the subdivision.

c. If the RPR confirmed the cattle shed is encroaching onto the County road allowance, then the Applicant will need to relocate it off the existing road allowance.

d. If necessary, upgrade the existing approaches into the proposed lot and the remainder to meet County of Wetaskiwin standards. County standards require a minimum 508mm (20 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County’s Planning and Economic Development Department to arrange for an inspection. Please note that there will be a fee of $100 per approach for a site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of $100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.

e. Have the sewage disposal system on the proposed lot inspected by Superior Safety Codes Inc. and submit a copy of this report to the County and West Central Planning Agency. If the system does not meet current standards, the developer must upgrade it and provide a report certifying that this has been done and meets Provincial Safety Codes.

f. Property taxes must be at a zero ($0) balance.

g. Pay an endorsement fee of $200 to West Central Planning Agency prior to the registration of the subdivision.

Administration recommended that Council follow established Policy and as such, deny Subdivision Application RW/19/08.
Council discussed the following:

- That the 8.5 acre option would lose the shelter belt, there is also a waterway that goes into the shelter belt;
- Different options of subdivision such as a nine to ten acre parcel to keep the shelter belt;
- The spring run off for the property;
- Whether moving the property line affect their sewer setbacks;
- Whether this application would qualify for Agricultural Hobby Farm zoning;
- The soil rating of the property; and
- Whether a portion of a cattle shed located with a the range road.

Mr. Tran stated that Superior Safety Codes would have to be contacted about the sewer setbacks.

Administration discussed the following:

- That the septic field setbacks should not be taken into consideration when thinking of the larger parcels;
- That this application did not qualify for Agricultural Hobby Farm zoning; and
- That the soil rating is type 2.

Council and Administration discussed possible soil rating changes to the Agricultural Hobby Farm district.

**Resolution PD20190613.006**

MOVED: by Councillor K. Adair

to defer discussion regarding Subdivision file RW/19/08 for Darwin and Sheila Mantai within NE 16-45-27-W4M to a later time in the meeting due to time constraints.

Carried Unanimously

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

A Councillor must abstain from voting on a bylaw or resolution as the *Municipal Government Act*, Part 5, Division 6, 184 states:

"Subject to subsection (3), a Councillor has a pecuniary interest in a matter if

(a) the matter could monetarily affect the Councillor or an employer of the Councillor, or

The *Municipal Government Act*, Part 5, Division 6, 172 states:

"When a Councillor has a pecuniary interest in a matter before the council, a council committee or any other body to which the Councillor is appointed as a representative of the council, the Councillor must, if present,"
(a) disclose the general nature of the pecuniary interest prior to any discussion of the matter.”

Councillor L. Seely declared a pecuniary interest as he is the Developer for this rezoning application.

Resolution PD20190613.007
MOVED: by Councillor J. Bishop
that Councillor L. Seely be excused from the meeting at 9:32 a.m.

Carried Unanimously

Councillor L. Seely left the meeting at 9:32 a.m.

Reeve T. Van de Kraats declared the Public Hearing open at 9:32 a.m.

5.1 Rezoning - Urban Fringe (UF) to Urban Residential (UR) - 824440 Alberta Ltd. - SW 4-46-7-W5M, Roll #4789.00 - Report

At the May 10, 2016 Council for Planning and Economic Development meeting, Council provided three readings to Bylaw 2016/23 to authorize the adoption of an Area Structure Plan known as "Fieldstone Acres” within SW 4-46-7-W5M for Mr. Lyle Seely, in accordance with Section 633 of the Municipal Government Act (MGA).

(Ref. Resolution #PD20160510.1014)

The proposed area is located just north of the Hamlet of Alder Flats and will consist of sixty-one (61) Urban Residential (UR) lots. As defined in the approved Area Structure Plan, the proposed development is planned to be undertaken as three (3) separate phases with twelve (12) lots planned for Phase One, nineteen (19) lots for Phase Two, and thirty (30) lots for Phase Three. The Fieldstone Acres Area Structure Plan complies with the County's Municipal Development Plan Bylaw and will be included within the Hamlet of Alder Flat.

On April 22, 2019, Administration received a Rezoning Application from Mr. Lyle Seely of 824440 Alberta Ltd. to redistrict approximately one hundred (100) acres from Urban Fringe (UF) to Urban Residential (UR).

On April 22, 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. No objections have been received regarding the proposed rezoning.

At the time of report submission, no objections have been received regarding the proposed rezoning. However, the following comments have been received regarding the proposed rezoning, which are as follows:

Alberta Transportation

• “With reference to the above, I would advise that we have no objections to the proposal to rezone the remainder of SW 04-46-07-W5 to Urban Residential District. If the County of Wetaskiwin considers rezoning approval, please be advised of our comments:

  o The County of Wetaskiwin is responsible for addressing impacts on provincial highway systems resulting from land use decisions and development approvals.”

Regarding the above, Administration notes that this is a general comment from Alberta Transportation, which is expected at the redistricting stage as conditions cannot be applied to a redistricting approval. However, it can be expected that conditions or further comments will be provided by Alberta Transportation at the Subdivision Application stage. Those conditions may potentially include "addressing impacts on provincial highway systems”.

Upon review of the Rezoning Application, Administration notes that the proposal complies with the Land Use Bylaw 2017/48 of the County of Wetaskiwin and the approved Area Structure Plan for the Proposal.
Once comments were received from referrals/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the May 30, 2019 and June 6, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowners and adjacent landowners on May 27, 2019.

Administration recommends that Council provide three readings of Bylaw 2019/33 to rezone approximately 97.48 acres (39.45 hectares) SW 4-46-7-W5M from Urban Fringe (UF) to Urban Residential (UR) for 824440 Alberta Ltd.

Reeve T. Van de Kraats declared the Hearing closed at 9:37.

By-law 2019/33 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 97.48 acres (39.45 hectares) within SW 4-46-7-W5M from Urban Fringe District (UF) to Urban Residential (UR) for 824440 Alberta Ltd.

Resolution PD20190613.008
MOVED: by Councillor J. Bishop
that By-law 2019/33 be given First Reading.

Carried Unanimously

Resolution PD20190613.009
MOVED: by Councillor B. Krahn
that By-law 2019/33 be given Second Reading.

Carried Unanimously

Resolution PD20190613.010
MOVED: by Councillor K. Adair
that By-law 2019/33 be presented for Third Reading.

Carried Unanimously

Resolution PD20190613.011
MOVED: by Councillor K. Adair
that By-law 2019/33 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

Councillor L. Seely re-entered the meeting at 9:37 a.m.

7. **NEW SUBDIVISION APPLICATIONS**

7.2 **RW/19/08 – Darwin and Sheila Mantai – NE 16-45-27-W4M, Roll #2213.00 - Report**

7.2.1 **RW/19/08 Discussion Resumed**

Discussion resumed regarding subdivision RW/19/08 of NE 16-45-27-W4M for Darwin and Sheila Mantai which was deferred earlier in the meeting due to time constraints.

Resolution PD20190613.011
MOVED: by Councillor L. Seely
that Council approve Subdivision Application RW/19/08 for Darwin and Sheila Mantai of NE 16-45-27-W4M. 7 acre parcel subject the following conditions:

1. The applicant is to engage an Alberta Land Surveyor to prepare a plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing with a proposed size to an approximate size of 7 acres (2.83 ha) for registration at Land Titles Office.
2. The applicant is to engage an Alberta Land Surveyor to prepare a Real Property Report (RPR) and submit it to the County and WCPA for review prior to the registration of the subdivision.

3. If the RPR confirms the cattle shed is encroaching onto the County road allowance, then the Applicant will need to relocate it off the existing road allowance.

4. If necessary, upgrade the existing approaches into the proposed lot and the remainder to meet County of Wetaskiwin standards. County standards require a minimum 508mm (20 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County’s Planning and Economic Development Department to arrange for an inspection. Please note that there will be a fee of $100 per approach for a site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of $100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.

5. Have the sewage disposal system on the proposed lot inspected by Superior Safety Codes Inc. and submit a copy of this report to the County and West Central Planning Agency. If the system does not meet current standards, the developer must upgrade it and provide a report certifying that this has been done and meets Provincial Safety Codes.

6. Property taxes must be at a zero ($0) balance.

7. Pay an endorsement fee of $200 to West Central Planning Agency prior to the registration of the subdivision.

9. **UNFINISHED BUSINESS**

9.1 **Spot Rezoning - Third Reading - 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**

At the May 17, 2019 Council for Planning and Development meeting, Council considered a Rezoning Application for Barry and Eileen Dahlseide to rezone approximately four (4) 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.

During the meeting, Bylaw 2019/30 received First and Second Reading as presented and also received an amendment to the buffer zone on the western portion of the property to approximately sixty (60) metres that was carried.  

(Ref. Resolutions #PD20190517.015, #PD20190517.016, & #PD20190517.017)

However, unanimous consent was not granted by Council to take Bylaw 2019/30 to Third Reading, therefore, leading to the Bylaw being presented for Third Reading at a subsequent meeting.  

(Ref. Resolution #PD20190517.018)

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), Alberta Environment, Alberta Transportation, Ermineskin Cree Nation, Louis Bull Tribe, Montana First Nation, Samson Cree Nation, and Administration.
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 color 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 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 eas 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 re-zoning 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.

At the May 17, 2019 Council for Planning and Development meeting, Council considered a Rezoning Application for Barry and Eileen Dahlseide to rezone approximately four (4) 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.

During the meeting, Bylaw 2019/30 received First and Second Reading as presented and also received an amendment to the buffer zone on the western portion of the property to approximately sixty (60) metres that was carried.

(Ref. Resolutions #PD20190517.015, #PD20190517.016, & #PD20190517.017)

However, unanimous consent was not granted by Council to take Bylaw 2019/30 to Third Reading, therefore, leading to the Bylaw being presented for Third Reading at a subsequent meeting.

(Ref. Resolution #PD20190517.018)

On June 2, 2019, Administration received correspondence from Barry and Eileen Dahlseide requesting to withdrawal their rezoning application due to the amendment to setbacks not allowing them in their opinion “to economically proceed with...[their] proposed development plans. The correspondence has been provided for review by Council.

With Mr. & Mrs. Dahlseide wishing to withdraw their application, Bylaw 2019/30 should be defeated at Third Reading in order to fully close the matter in a more expedient fashion rather than allowing the play to lapse through the two (2) year stale date timeframe established under the Municipal Government Act.

Administration recommends that Council defeat Bylaw 2019/30 at Third Reading.

Resolution PD20190613.012
MOVED: by Councillor B. Krahn

that By-law 2019/30 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.

Defeated

9.2 Lakeshore Drive Addressing Issues - Report

At the March 14, 2019 Council for Planning and Economic Development Meeting, Council approved the following resolution:

Resolution PD20190314.004

that Administration investigate the duplication of multiple roads named Lakeshore Drive within the County, to prevent confusion for emergency services units.

Upon review of the above resolution, Administration researched details regarding Lakeshore Drive within the County of Wetaskiwin and found the following:

- Buck Lake Townsite – Wayfinding Signs Installed;
- Greystones – Lakeshore Drive indicated on Subdivision Sign at Entrance, no blue way finders, some personal signs have Lakeshore Drive on them; and
- Oakes Bay – Drive Lakeshore (Lakeshore Drive) is indicated on the Subdivision Sign at Entrance, no blue way finders.

In respect of the resolution and the above information, in accordance with the Rural Addressing Bylaw of the County of Wetaskiwin, roads within hamlets may be given a name, however, all other County roads within subdivisions are named based on the Rural Address Names (numbering system).

However, it is not unusual that local areas have used certain similar names over the years, however, our Rural Addressing Bylaw and resulting processes over the recent years has helped to address some of these issues. Administration notes that Alberta
Land Titles may receive the aforementioned road names off the subdivision plans registered, but that those names are not always County approved.

Furthermore, when Administration searched the Greystones subdivision on Google Maps, the Road itself was not labeled as Lakeshore Drive. Regardless, Administration notes that the County has no control over other sources such as Google Maps and how they determine their information in relation to mapping, addressing, and location services.

Moving forward to resolve the issue, the Public Works Department will continue to update subdivision signs to reflect the current addressing standards that have been approved in the Rural Addressing Bylaw as time, resources, and budgetary parameters allow so that future confusion resulting from incorrect addresses being provided to emergency services are mitigated. Additional general clarification related to the Rural Addressing Bylaw will also be distributed through the semi-annual County Newsletter, County Website, and County Facebook Page.

Administration recommended that correspondence be sent to property owners along 465022 Range Road 61, 465024 Range Road 61, and 465044 Range Road 60 advising of their correct address in accordance with the Rural Addressing Bylaw and further reiterating that that only roads within Hamlets have names such as Lakeshore Drive.

Council and Administration discussed how the changes will be, and what will happen by advising property owners of their correct address.

Resolution PD20190613.013
MOVED: by Councillor K. Adair

that correspondence be sent to property owners along 465022 Range Road 61, 465024 Range Road 61, and 465044 Range Road 60 advising of their correct address in accordance with the Rural Addressing Bylaw and further reiterating that only roads within Hamlets have names such as Lakeshore Drive.

Carried Unanimously

10. NEW BUSINESS

10.1 Proposed Amendment to Certificate of Compliance and Real Property Report Policy #61.1.16 - Report

At the November 12, 2015 Council for Planning and Development meeting, Council approved Certificate of Compliance and Real Property Report Policy #6616, currently number as Policy #61.1.16.

Currently, the application form which forms part of the Policy as an appendix, a requirement of the application is the following:

- Two (2) copies of a Real Property Report, one of which must be an original

Note: We do not accept faxed, emailed, spliced or altered Real Property Reports.

Over the past few months, Administration has received requests for digital copies of Real Property Reports to be accepted. Additionally, Administration is aware of at least one (1) Surveying Company that has gone paperless and only provides their Real Property Reports digitally now.

Regarding the above, Administration foresees more Surveying Companies going paperless. With this, Administration believes it would be prudent to amend the Policy to allow an endorsed Digital Real Property Report subject to it being sent to the Planning and Development Department directly from the Surveying Company.

A copy of Certificate of Compliance and Real Property Report Policy #61.1.16 with the proposed amendment to the application form in red text and strike through was provided for review by Council.

Administration recommended that Council approve the amendments to Certificate of Compliance and Real Property Report Policy #61.1.16 as presented.

Resolution PD20190613.014
MOVED: by Councillor L. Seely
10.2 Proposed Amendments to Land Use Bylaw 2017/48 - Report

On April 12, 2018, Council approved Bylaw 2017/48. Since approval of the new Land Use Bylaw, there have been several amendments deemed necessary to make to the Bylaw. Some are very minor that can be administrative text or word changes such as the following example, Guest House and Guest Cabin, while more significant material amendments as “Land Uses” have been discussed and reviewed by the Land Use Bylaw Committee.

A copy of the Land Use Bylaw, which includes the highlighted proposed amendments, was provided for review by Council, with the overview of the proposed amendments in red text and strikethrough are as follows:

- All specifically referenced Policy Numbers have been updated
- Page 12- Addition of Driveway definition
- Page 13 – Adding RTM to Dwelling, Modular definition
- Page 17 – Intensive Livestock Operation or use - updated definition
- Page 18-
  - Addition of Landscaping Improvements definition
  - Addition of Lot Grading definition
- Page 19-
  - Removal of Medical Cannabis Production Facility (no longer needed due to later overall amendments)
  - Addition of Mobile Vendor Definition
- Page 23 –
  - Addition of Reclamation definition
  - Removal of in an institutional district from Recreational, Extensive Definition.
- Page 25- Addition of Rural Event Facility definition
- Page 34 -1.10.1 Changed the Date to April 12, 2018
- Page 36- Changes to Section 3.2 to include Landscaping
- Page 42- 3.8.1- addition of 9.10.2 and 9.10.7
- Page 43 – 3.10.3 i) addition of are directly adjacent or in proximity to the property
- Page 46- Removal of Section 3.12 (i)
- Page 59 – Addition of subsection (j) Kennel buildings, at the discretion of the Development Officer, shall be built in accordance with any applicable requirements as outlined within the Canadian Veterinary Medical Association’s Code of Practice for Canadian Kennel Operations.
- Page 62 – 9.8.2: Notwithstanding Section 9.8.1, the Development Officer may issue a development permit to:
  
  A) permit the construction or location of a secondary dwelling on a parcel with a minimum area of 32.3 hectares (80 acres) where the dwelling is a permitted or discretionary use for the district;

  a. permit the construction or location of a second dwelling on a parcel that is a minimum of 70 acres in size only if:

  i. An 80/80 acre split has occurred and the titled area of the quarter was less than 160 acres; and/or
ii. An 80/80 acre split has occurred and due to physical features of the land one parcel was created larger/smaller than the other (this includes the “soft 80” concept); and/or

iii. An 80/80 acre split has occurred and either highway or road widening or a service road dedication was required

b. permit the placement of a second dwelling, being solely a mobile dwelling, on an agricultural parcel less than 32.3 hectares (80 acres) 28.32 hectares (70 acres) for the purpose of accommodating a person hired by the operator of an intensive agricultural operation, an intensive livestock operation or confined feeding operation, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;

c. permit the placement of a second or third dwelling, being solely a mobile dwelling, on an agricultural parcel with a minimum area of 32.3 hectares (80 acres) 28.32 hectares (70 acres) for the purpose of accommodating one or two persons (one per dwelling) hired by the operator of an intensive agricultural operation, intensive livestock operation or confined livestock operation, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;

d. permit the placement of a third or fourth dwelling, being solely mobile dwelling, on an agricultural parcel with a minimum area of 32.3 hectares (80 acres) 28.32 hectares (70 acres) for the purpose of accommodating persons hired by the operator of a confined feeding operation, with an NRBC registration/approval, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;

e. Page 64- 9.10.1 d) service road, or service road dedication (see Figure 2).

f. Page 65-

i. 9.10.2 Side Yard definition updated. 5.0 meters (16 feet) This setback shall not be varied less than 2.44 metres (8 ft.) unless approved Alberta Safety Code fire ratings are met to allow wall or respective building materials to reduce distance

ii. Addition of 9.10.7 Landscaping Improvement, Lot Grading and Driveway Setbacks

iii. Addition of 9.10.8 Resource Extraction Setbacks

g. Page 66- Addition of 9.10.9 Fence Setbacks

h. Page 74- Addition of Section 9.19 – Mobile Vendors

i. Page 76-77(Agricultural District)

i. 10.1.2 f) Dwelling, Moved-In new

ii. 10.1.3 b) Dwellings, Moved-in Used

iii. 10.1.3 y) Apiary

j. Page 80- Severed Agricultural District addition of 10.2.4 r) Apiary

k. Page 84 – Rural Residential District addition of 10.4.3 l) Apiary

l. Page 85- Country Residential District addition of 10.5.3 a) Dwelling, Moved-in-Used

m. Page 92 -Lakeshore Residential District 10.7.6 – b) No development can be located within 1.5 meters (5 feet) 2.44 metres (8 feet) of any other property line

n. Page 94- Lakeshore Mixed Use District 10.8.6 – b) No development can be located within 1.5 meters (5 feet) 2.44 metres (8 feet) of any other property line

o. Page 96-97 Recreational Resort Holdings District:
The Land Use Bylaw Committee had originally preferred to undertake all amendments through one (1) Public Hearing for all proposed Land Use Bylaw changes. However, with the side yard setback amendment needing to be dealt with sooner as it relates to the Safety Codes Act, the Committee was of the consensus that minor amendments could be brought forward to an earlier Public Hearing.
In order to do so, Administration needs direction from Council to schedule a Public Hearing for the advertisement of the proposed amendments to the public and referral to relevant parties prior to formal consideration and approval from Council.

The proposed items include both minor and time sensitive amendments. Council may provide support to all amendments proposed or only some of the amendments above.

Administration recommended, in accordance with direction received by the Land Use Bylaw Committee, that Council direct Administration to commence the referral process and schedule a Public Hearing for the proposed amendments to Land Use Bylaw 2017/48 as presented.

Council discussed the following:

- The Agricultural Hobby Farm soil rating should be bumped up to 40%; and
- That accessory building size of 1506 square feet is too low for accessory buildings, and suggested that Administration may increase the size up to 50% with the approval of the Development Officer:
  - That needs to be based on a per lot size;
  - Council needs to put a number on it; and
  - That it needs to work on a percentage for site coverage.

Administration commented that they are working on formulas for the accessory building size as advised by the Land Use Bylaw Committee.

**Resolution PD20190613.015**

MOVED: by Councillor J. Bishop

that Council direct Administration to commence the referral process and schedule a Public Hearing for the proposed amendments to Land Use Bylaw 2017/48 with the following additions:

- Page 43 Development Permits and Notices:
  - 3.10.3 i) mail a notice in writing to all registered owners, or any other stakeholder of land who are directly adjacent or in proximity to the property, in the opinion of the Development Officer, may be affected by the decision; and/or

- Page 47 Accessory Buildings:
  - Except where allowed in Agricultural, Commercial, Industrial and Institutional Districts, the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) and shall not exceed a 4.8 meters (16 ft.) wall height unless approved by the Development Officer.
    a) Within Rural Residential and Country Residential lots over one (1) acre in size the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) except at the discretion of the Development Officer who may allow an additional 50 % of square footage of the 140.0 square meters (1506 square feet).

- Page 84 Agricultural Hobby Farm (AHF)
  - 10.3.2 b) An area of at least eighty percent (80 %) of the land showing no greater than thirty percent (30 %) forty percent (40%) soil rating

Carried Unanimously

The meeting recessed at 10:21 a.m.
The meeting reconvene at 10:24 a.m.

**12. CLOSED TO THE PUBLIC**

Council will be discussing the West Central Planning Agency, therefore the meeting should be closed to the public, pursuant to Section 197 of the Municipal Government.
Resolution PD20190613.016
MOVED: by Councillor J. Bishop
that the meeting be closed to the public, at 10:24 a.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 21 to discuss the West Central Planning Agency.
Carried Unanimously

Resolution PD20190613.017
MOVED: by Councillor L. Seely
that the meeting be opened to the public at 10:54 a.m.
Carried Unanimously

13. ADJOURN
Resolution PD20190613.018
MOVED: by Councillor J. Bishop
that the Council for Planning & Economic Development meeting be adjourned at 10:55 a.m.
Carried Unanimously

_________________________
REEVE
_________________________
CHIEF ADMINISTRATIVE OFFICER

MINUTES APPROVED:

Ref: Resolution #