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, August 8, 2019.

2. **APPROVAL OF AGENDA**

Resolution PD20190808.001

MOVED: by Councillor K. Adair

that the agenda be accepted as presented.

Carried Unanimously

3. **MINUTES APPROVAL**

Resolution PD20190808.002

MOVED: by Councillor D. Woitt

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

Carried Unanimously

4. **JULY 2019 DEVELOPMENT REPORT**

During the month of July, there were twenty-nine (29) development permits completed with an estimated value of $6,656,000.00. The following table depicts the activities for the month July 2019.

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Development Permits</td>
<td>-</td>
</tr>
<tr>
<td>Commercial/Industrial Development Permits</td>
<td>5/1</td>
</tr>
<tr>
<td>Recreational Development Permits</td>
<td>1</td>
</tr>
<tr>
<td>Residential Development Permits</td>
<td>22</td>
</tr>
</tbody>
</table>
Compliance Certificates 5
Request to Operate Business 2
Site Inspections 2
Subdivision Design Reviews/Inspections 2
Approach Inspections 4
Subdivision and Development Appeal Board Hearings 1

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

Resolution PD20190808.003
MOVED: by Councillor K. Adair
that Council approve the Development Report for July 2019 as presented.

Carried Unanimously

7. UNFINISHED SUBDIVISIONS

7.1 RW/18/21 - First Subdivision Extension - 1634715 Alberta Ltd. (Goodon Industries) - Lot 2, Block 1, Plan 1224895, NW 10-46-1-W5M, Roll #2943.01 - Report

At the March 14, 2013 Council for Planning and Economic Development meeting, Council approved an Area Structure Plan for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M. The proposed Area Structure Plan consisted of approximately eighty (80) acres located two (2) miles west of the Village at Pigeon Lake at the intersection of Highways 13 and 771. The plan proposed to develop nineteen (19) lots within the west side of the eighty (80) acres for light industrial land uses. As well, there may also be some commercial components.

(Ref. Resolution #PD20130314.1010)

At the May 9, 2013 Council for Planning and Economic Development meeting, Council approved the rezoning for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M. The rezoning was to amend the Land Use By-law by reclassifying part of NW 10-46-1-W5M Plan 1224895, Block 1, Lot 2, from Rural Commercial (RC) to Industrial (IN) as well leave 1.6 hectares (4.0 acres) as Rural Commercial (RC).

(Ref. Resolution #PD20130509.1012)

At the June 13, 2013 Council for Planning and Economic Development meeting, Council approved Subdivision RW/13/18 for 1634715 AB Ltd. to subdivide out Phase 1 consisting of three (3) Industrial lots, one (1) Commercial lot, and two (2) Municipal Reserve parcels.

(Ref. Resolution #PD20131613.1007)

On June 14, 2014, Administration received a request from West Central Planning Agency, on behalf of 1634715 Alberta Ltd. for a twelve (12) month extension, in order to complete the conditions of subdivision. This is the first subdivision extension for subdivision RW/13/18 for 1634715 Ltd. within NW 10-46-1-W5. At that time, none of the approved conditions are satisfied or met by the Applicants. At the July 17, 2014 Council for Planning and Economic Development meeting, Council approved a twelve (12) month extension to June 14, 2015 to complete subdivision conditions for RW/13/18.

(Ref. Resolution #PD20140717.1009)
The approval of RW/13/18 expired on June 14, 2015 and no further extensions had been undertaken. During the early part of 2018, the landowner wished to start the development again, including road works design both internally and with Alberta Transportation as a new subdivision application.

On June 15, 2018, West Central Planning Agency (WCPA) received an application for a multi-lot subdivision from 1634715 AB Ltd. The subject land is located within NW 10-46-1-W5M and the Applicant is prepared to subdivide Phase 1, which consists of twelve (12) lots, two (2) Municipal Reserve (MR) parcels along Highway 771, two (2) Public Utility Lots (PULs), and a portion of the internal roadway from Highway 771 into the proposed subdivision. The Applicant was considering the registration and sale of approximately four (4) of the twelve (12) lots within the next year. At the July 17, 2018 Council for Planning and Economic Development meeting, Council approved subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) to subdivide out Phase 1 consisting of twelve (12) lots, two (2) Municipal Reserve (MR) parcels, and two (2) Public Utility Lots (PULs) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M.

(Ref. Resolution #PD20180717.1026)

In early July 2019, the Applicant registered one (1) lot for a buyer, being for a highway maintenance company.

In addition, on July 3, 2019, the Applicant applied for a one (1) year extension on their subdivision RW/18/21 approval within NW 10-46-1-W5M as they require more time to complete the conditions of the subdivision to the satisfaction of the County. On the application, their reason for the extension is because the Applicants are waiting for the gas company to complete their required tasks before they can finish the roadway.

As the subdivision and development of the business park is being undertaken in a staged process, several conditions have been partially completed based on the subdivision approval dated July 18, 2018.

Council has the discretion to either approve or not approve a first extension to a subdivision approval.

Administration recommended that Council approve a twelve (12) month extension for subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries), located within NW 10-46-1-W5M until July 18, 2020, as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/18/21 approval.

Resolution PD20190808.004

MOVED: by Councillor L. Seely

that Council approve a twelve (12) month extension for subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries), located within NW 10-46-1-W5M until July 18, 2020, as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/18/21 approval.

Carried Unanimously

7.2 RW/17/17 - Second Subdivision Extension - Dennis Pohl - NE 35-45-1-W5M, Roll #2897.00 - Report

On August 10, 2017, Administration approved a first parcel out subdivision, under application RW/17/17 for Dennis, Melva and Curtis Pohl within NE 35-45-1-W5M subject to the following conditions:

1. Engage an Alberta Land Surveyor to prepare a descriptive plan or plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing dated May 23, 2017 for registration at Land Titles Office.

2. Service the site with three of the following improvements:
   a. Power pole and transformer
b. Water well

c. Shelterbelt (exists)

d. Approach onto County road (see condition #4 as it is a requirement)

e. House (to basement stage)

3. If necessary, upgrade the existing approach into the remainder of the quarter section to meet County of Wetaskiwin standards. County standards require a minimum 400mm (16 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 inspection. Please note that there will be a fee of $100 per approach for 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.

4. Construct a new approach into the proposed lot to meet County of Wetaskiwin standards. County standards require a minimum 400mm (16 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 inspection. Please note that there will be a fee of $100 per approach for 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. Property taxes must be at a zero ($0) balance on the quarter section.

6. Pay an endorsement fee of $200 to West Central Planning Agency when the plan is submitted for endorsement.


(Ref Resolution No. PD20180814.1006)

On July 31, 2019, the Applicants applied for another one (1) year extension on their subdivision RW/17/17 approval within NE 35-45-1-W5M as they require more time to complete the conditions of the subdivision to the satisfaction of the County. On the application, their reason for the extension is because the Applicants just need to finish the conditions on the subdivision approval.

At the time of writing this report, the Applicants did submit a survey plan from Integrated Geomatics while the rest of the other conditions are still outstanding based on the subdivision approval dated August 10, 2017.

Council has the discretion to approve or not approve an extension.

Administration recommended that Council approve a second twelve (12) month extension for subdivision RW/17/17 within NE 35-45-1-W5M for Dennis, Melva & Curtis Pohl until August 10, 2020 as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/17/17.

Resolution PD20190808.005

MOVED: by Councillor K. Adair

that Council approve a second twelve (12) month extension for subdivision RW/17/17 within NE 35-45-1-W5M for Dennis, Melva & Curtis Pohl until August 10, 2020 as per
Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/17/17.

Carried Unanimously

11. **NEW BUSINESS**

11.1 **Winfield & District Agricultural Society – Request for Street Closure – August 9, 2019 – Report**

Correspondence was received from Janet Magnuson, Winfield & District Agricultural Society, on July 31, 2019 requesting a street closure for a family friendly street dance during Ugetuk Days on August 9, 2019.

The Ag Society is holding a potluck BBQ supper followed by a family dance on the street in front of the Winfield Hall; more specifically at the T-intersection of 6th Street and 4th Avenue, from 5:00 p.m. to midnight. A map showing the requested area is attached.

In 2017, Council approved a similar request.

(Ref. Resolution #PW20170413.1008)

The road segments requested for temporary closure would be the intersection at 6th Street E and 4th Avenue, directly adjacent to the Winfield Agriplex. On 6th Street E, the road would be closed from the north end of the Agriplex to the south end of the Agriplex allowing traffic from the north and south to access parking. On 4th Avenue, the road would be closed from the intersection of 6th Street E westerly for approximately seventy-five (75) metres.

A temporary street closure can be completed by resolution and no Bylaw is required. The authority that provides for a temporary street/road closure is Section 13(1)(n) "General Powers of Municipality" under the Traffic Safety Act and Section 18(1) "Control of Roads" of the Municipal Government Act. The area to be temporarily closed would be used by the Society for the purposes of a family dance.

The County of Wetaskiwin will require proof from the event organizer that the County of Wetaskiwin will be named as additional insured under their insurance company and also the event must be in compliance with the Public Assembly By-law 86/11 that provides for the regulation and control of public assemblies within the County of Wetaskiwin. Under Section 3(a) states, “that Council upon receiving written application, may authorize the holding from time to time of public assemblies”. Section 3(b) states, “such applications must be submitted to Council no less than thirty days before the event”. Section 5(c) of By-law 86/11 states, “The Council, upon application, may waive the prohibition of Subsection 5(a) no person shall install or use a loudspeaker system or other device for the amplification of sound in any open public place”. Council may approve to waive this section.

Administration recommended that Council approve the request received from the Winfield & District Agricultural Society to temporarily close to public travel, 6th Street E, from the north end of the Agriplex to the south end of the Agriplex, allowing all traffic from the north and south to access parking and on 4th Avenue, from the intersection of 6th Street E westerly for approximately seventy-five (75) metres. The closure would be in effect on August 9, 2019 commencing at 5:00 p.m. and ending at 12:00 a.m. Also, in accordance with County of Wetaskiwin Public Assembly By-law 86/11, that Section 5(c) be waived and:

1. Under Section 5(c) of By-law 86/11 and Subsection 5(a), Council waive the prohibitive use of a loudspeaker system or other devices for the amplification of sound in an open public place;
2. The Winfield Ag Society provide proof that the County of Wetaskiwin is named as an additional insured under their insurance policy; and
3. Following the event, the Winfield Ag Society restore the road and area to its pre-event condition.

Resolution PD20190808.006
MOVED: by Councillor L. Seely
that Council approve the request received from the Winfield & District Agricultural Society to temporarily close to public travel, 6th Street E, from the north end of the Agriplex to the south end of the Agriplex, allowing all traffic from the north and south to access parking and on 4th Avenue, from the intersection of 6th Street E westerly for approximately seventy-five (75) metres. The closure would be in effect on August 9, 2019 commencing at 5:00 p.m. and ending at 12:00 a.m. Also, in accordance with County of Wetaskiwin Public Assembly By-law 86/11, that Section 5(c) be waived and:

1. Under Section 5(c) of By-law 86/11 and Subsection 5(a), Council waive the prohibitive use of a loudspeaker system or other devices for the amplification of sound in an open public place;

2. The Winfield Ag Society provide proof that the County of Wetaskiwin is named as an additional insured under their insurance policy; and

3. Following the event, the Winfield Ag Society restore the road and area to its pre-event condition.

Carried Unanimously


An email was recently received on July 25, 2019 from Karen Aberle at the Heritage Museum advising that the Wetaskiwin & District Heritage Museum has been selected for the 2019 Alberta Museums Association (AMA) Leadership Award for Sustainability - Building Organizational Vibrancy.

Ms. Aberle further advised that the award will be presented at the Opening Reception and Awards Ceremony of the AMA on September 19th at 7:00 p.m. at TELUS World of Science Edmonton, held in conjunction with their annual conference. The reception will include refreshments and hors d’oeuvres, along with special programming in the Zeidler Dome.

This honour belongs to the community of Wetaskiwin City, County, and Maskwacis and their enthusiasm to come together to engage in the history and culture of our district. On behalf of the Wetaskiwin & District Museum Society Board and the Heritage Museum staff and volunteers, Ms. Aberle invited Reeve and Council to be their guest at the awards ceremony to help celebrate the achievement by the community. Ms. Aberle further indicated that this is a tremendous honour for their ‘small’ community museum.

The award description is as follows:

"The SUSTAINABILITY AWARD reflects the recipient’s focus on the future and their engagement in a variety of partnerships that enhance the well-being and vitality of their communities to promote long-term success. They play an important role in creating a thriving future for the sector by proactively engaging in environmental and social issues, implementing operating models that recognize the need for both financial health and program impact, and supporting exhibitions, programming, and research that are relevant to their community’s needs.

Winners of this award since its inception in 2011 have been:

- Eleanor Luxton Historical Foundation based in Banff (2018);
- Medicine Hat Clay Industries National Historic District (2016);
- Multicultural Heritage Centre in Stoney Plain (2014);
- Reynolds-Alberta Museum (2013); and
- Heritage Park in Calgary (2011)."

Ms. Aberle is requesting an RSVP by Thursday, August 8, 2019.

Administration recommended that Council advise of who wishes to attend the Alberta Museums Association Awards Ceremony at the Telus World of Science on Friday,
Council discussed that Reeve T. Van De Kraats and Councillor D. Woiott will be attending, and Councillors K. Adair and B. Krahn are tentatively attending.

Resolution PD20190808.007
MOVED: by Councillor K. Adair
that Council advise of who wishes to attend the Alberta Museums Association Awards Ceremony at the Telus World of Science on Thursday, September 19, 2019 and that Administration provide RSVP to Ms. Karen Aberle by August 8, 2019.

Carried Unanimously

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

Reeve T. Van de Kraats declared the Public Hearing open at 9:30 a.m. and a delegation consisting of Linda Bartlett, Blake Bartlett, Albert Durges, Stephanie Billard, Matt Smith, Melissa Foley, Janice Schwonik, and Roheta Fairhrotter entered the meeting.

5.1 **Proposed Rezoning - Country Residential (CR) to Agricultural Hobby Farm (AHF) - Melissa Foley - Lot 3, Block 1, Plan 1221646, SE 13-46-23-W4M, Roll #750.04 - Report**

On May 28, 2019, Administration received an application from Melissa Foley to rezone approximately 4.05 acres (1.64 hectares) within Lot 3, Block 1, Plan 1221646, SE 13-46-23-W4M from Country Residential (CR) to Agricultural Hobby Farm (AHF). If rezoning is approved, the existing land uses would be more compatible with the proposed zoning.

On June 5, 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:

**Alberta Transportation**

- “Thank you for the above noted referral to rezone Lot 3, Block 1, Plan 122 1646 to Agricultural Hobby Farm. The department would offer no objections in principal to the rezoning as proposed. A Roadside Development Permit is required from this office for new or changes to existing developments as this parcel is located within Alberta Transportations development control zone. If upgrades are required to the approach as a result of the rezoning and/or additional developments on the parcel, upgrades would be the responsibility of the applicant/county and to Alberta Transportations specifications and standards.”

**Administration**

- “As was outlined to Mr. & Mrs. Foley in a meeting on May 22, 2019, based solely on farmland rating and the size of the proposal being under the minimum five (5) acres, Administration must follow what is set in the Land Use Bylaw as established by direction of Council and recommend refusal. However, due to the nature of this proposal, Council may choose to go outside of their established Bylaws, Policies, and procedures and choose to allow this rezoning to occur, which is what Mr. and Mrs. Foley were informed.

- What was outlined in the above comment is correct and that as Administration we are to follow the Bylaws and Policies put forth by Council and base our recommendations on those documents. He is also correct in stating that based on the size of the parcel being below the 5 acres outlined within the Land Use Bylaw as the minimum size for an Agricultural Hobby Farm as well as having a soil assessment rating above the 30% threshold outlined by the County’s MDP we are required to recommend refusal. However, there are a couple of relevant planning points that need to be taken into consideration by Council outside of Administration’s recommendation and these are:
On June 10, 2010, in the Council for Planning and Economic Development meeting Council granted a waiver of Area Structure Plan to the previous owner of Plan 7922894 Block C who wanted to subdivide the Foley's current lot out of it. Within the minutes of this meeting I found information speaking to the soil assessment of the entirety of the previous 20 acres of Plan 7922894 Block C which would include the area covered by the Foley's current lot. The paragraph stated the following:

'It should be noted, that the soil rating is 57% on the 20 acre parcel. The MDP discusses good farmland rating at 30% or more. If the land were undeveloped and comprising a larger area, Administration would not recommend approval based on the percentage soil rating.'

Building on this, the intent of the 30% soil assessment threshold is to help protect good agricultural land from development. However, seeing as the Foley's lot was subdivided out of the quarter section originally in 1979 as a part of Plan 7922894 Block C and then further subdivided out of the 20 acre parcel in 2012, the relevance of the 30% threshold does decrease. With the parcel already being subdivided out of the quarter they would not be taking good farmland out of further production, in fact it may be able to be argued that by rezoning from Country Residential to Agricultural Hobby Farm they are trying to re-establish the agricultural use of the lands in a manner compatible with the surrounding land uses.

Administration has reviewed the respective sections under the Land Use Bylaw that may afford a variance in certain cases. Although Section 3.7 of the Bylaw is not directly specifying variance to size and soil characteristics, it does provide a general statement related to “the use prescribed for the land” (highlighted below). If the Development Authority including Council and the Development Officer both interpret this provision to vary the size and the intent of the proposed districting to bring the lands into an Agricultural use, the Section below would provide support to a variance:

3.7 Use or Building Not Provided in the Bylaw

3.7.1 If a proposed use of land or of a building is not provided under a district of this Bylaw the Development Officer may determine that the proposed use or building is similar to a permitted or discretionary use prescribed for the district and may issue a development permit for the use or building but only as a discretionary use.

3.7.2 The Development Officer may decide on an application for a development even though the proposed development does not comply with the Bylaw or is a non-conforming building if, in the opinion of the Development Officer:

a) the proposed development will not:
   i. unduly interfere with the amenities of the neighbourhood; or
   ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

b) the proposed development conforms with the use prescribed for the land or building in this Bylaw.

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the July 25, 2019 and August 1, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on July 19, 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 recommends that Council adhere to the established provisions in the Land Use Bylaw and defeat Bylaw 2019/43 at First Reading as the proposal does not meet provisions for the Agricultural Hobby Farm (AHF) District as currently contained within the Land Use Bylaw of the County of Wetaskiwin. Specifically, the size of the lot
is under the 5 acre minimum stated, as well as the entire soil assessment rating for the property is 57% while the district requires 80% of the land be under 30% assessment rating.

Melissa Foley addressed Council with the following:

- Operates a non-profit rescue home for farm animals,
- Partners with various schools for educational sessions,
- The property 4 acres with their current Road Allowance lease of approximately an acre; and
- Believes that this non-profit business is a positive influence within the community.

Stephanie Billard supports the rezoning, as she works in animal rescue, and thinks that Ms. Foley is proving a public service, which provides great care to the animals, and at her own cost at most times.

Jarvis Grant, Development Officer said the use is compatible with adjacent land uses, however County Policies do not allow for the proposal.

Councillor B. Krahn stated that this is a good business in the community, and is favour of the rezoning being approved.

Council questioned the accessory building size, Administration stated that if rezoning is approved since Agricultural Hobby Farm is an Agricultural zoning the property would be exempt from the Accessory Building size.

Reeve T. Van de Kraats declared the Hearing closed at 9:47 a.m. and Council thanked the delegation for attending and they left the hearing.

Council discussed the following:

- The soil ratings should not matter as the applicant is bringing the property back into Agricultural Use; and
- They have no issues with the 4 acre parcel size.

Resolution PD20190808.008
MOVED: by Councillor K. Rooyakkers
By-law 2019/43 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 4.05 acres (1.64 hectares) within SE 13-46-23-W4M, Plan 1221646, Block 1, Lot 3 from Agricultural (AG) to Agricultural Hobby Farm (AHF) for Melissa Foley.

Carried Unanimously

Resolution PD20190808.009
MOVED: by Councillor K. Adair
that By-law 2019/43 be given Second Reading.

Carried Unanimously

Resolution PD20190808.010
MOVED: by Councillor D. Woitt
that By-law 2019/43 be presented for Third Reading.
Resolution PD20190808.011
MOVED: by Councillor J. Bishop

that By-law 2019/43 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

6. 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 Linda Bartlett, Blake Bartlett, Mel Carrol, Rick Pries, Harvey Nordstrom, and Gail Nordstrom entered the meeting.

6.1 Proposed Amendments to Land Use Bylaw 2017/48 - Report

On April 12, 2018, Council approved Bylaw 2017/48, also known as the Land Use Bylaw. Since approval, the Land Use Bylaw Committee has deemed it necessary to make several amendments. Some of these amendments are minor and can be made by Administration through simple text or word changes other amendments are more substantive and have undergone significant discussion and review by the Committee. Please note that Policy Numbers have been changed and that these changes are reflected in the proposed amendments and that both Metric and Imperial units are now included in the Bylaw.

A general amendment to the Bylaw has been advised by the Alberta Safety Codes Council regarding setback standards. As a result of fire occurrences involving multiple residences in recent years, the Alberta Safety Codes Council has directed that there be greater setbacks from property lines and buildings. Historically, the standard side-yard setback from property lines to structures was 1.5 metres or 5 feet. With the direction from the Safety Codes Council, this standard has now been increased to 2.44 metres or 8 feet. These amendments have been made within the appropriate districts listed within the Land Use Bylaw.

At the June 13, 2019 Council for Planning and Economic Development meeting, Council approved for Administration to commence the referral process and schedule a Public Hearing for amendments provided at the Council meeting, along with an additional few amendments.

(Ref Resolution No. PD20190613.1015)

A copy of the Land Use Bylaw, which includes the highlighted proposed amendments, is provided for review by Council, with the overview of the proposed amendments in red text and strikethrough.

Once Council had resolved to move forward with the proposed amendments, they were referred to adjacent municipalities and other Governing Agencies on June 14, 2019. Their proposed changes, along with other minor changes, are shown in blue in the provided document showing changes.

The Public Hearing was advertised in the July 25, 2019 and August 1, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was also placed on the County Website and Facebook Page on July 19, 2019. Also, on the County Website, was a copy of the proposed amendments along with a Public Comment sheet that could be emailed directly to the Planning and Economic Development Department.

Council has the discretion to approve the proposed amendments in their entirety, only certain amendments, or not approve any of the amendments.

Melinda Carrol discussed the following:

- Section 10.10.7 setbacks what prompted the setback to be 8 feet;
Council for Planning and Development Meeting, Thursday August 8, 2019

- Section 10.10.3 concerns with age/state of moved in Dwellings that can be approved; and
- Mentioned that Ponoka County honors Restrictive Covenants, and is there any way the County of Wetaskiwin would work with Developers and uphold Restrictive Covenants put on by the developer.

Gayle Nodstrom stated that other Municipalities have a 6 year restriction to build, and would support that type of building guidelines be put in place by the County.

Blake Bartlett stated that he had concerns with setbacks especially in the lake areas of the County.

Council then discussed the following:

- Stated that the 8 foot setback is a Provincial Standard now;
- Stated that the County does not have the legal right to enforce the Restrictive Covenant; and
- Discussion about an age limit on the mobile units/moved in dwellings can be

Mr. Grant went over setbacks, within districts and which circumstances would be grandfathered.

Council discussed rear yard access, Administration stated in Urban Residential District they must provide a larger side yard setback to provide rear yard access dependent on rear yard access.

Council stated the County will have to watch what kind of restrictions they may look into for mobile/moved in homes, as the applicants could be restoring the older homes to code.

Reeve T. Van de Kraats declared the Hearing closed at 10:50 and Council thanked the delegation for attending and they left the hearing.

Council stated their concern with inconsistency of wording from Administration with what Council/Committee directed. Administration found problems/technicalities and tried to fix but kept intent.

Council suggested the following amendment:

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3.10.3 d) i) mail a notice in writing to all registered owners of land as listed on title of land who are directly adjacent or in proximity to the property, or any other stakeholder in the opinion of the Development Officer, may be affected by the decision; and/or

Bylaw 2019/44 is a Bylaw in the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of amending the Land Use Bylaw 2017/48.

Resolution PD20190808.012
MOVED: by Councillor K. Rooyakkers
that By-law 2019/44 be given First Reading.

**Resolution PD20190808.013**
MOVED: by Councillor J. Bishop
that By-law 2019/44 be given Second Reading.

Carried Unanimously

**Resolution PD20190808.014**
MOVED: by Councillor B. Krahn
that By-law 2019/44 be presented for Third Reading.

Carried Unanimously

**Resolution PD20190808.015**
MOVED: by Councillor K. Adair
that By-law 2019/44 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. **ADJOURN**

**Resolution PD20190808.016**
MOVED: by Councillor L. Seely
that the Council for Planning & Economic Development meeting be adjourned at 11:00 a.m.

Carried Unanimously

_________________________
REEVE

_________________________
CHIEF ADMINISTRATIVE OFFICER

**MINUTES APPROVED:**

*Ref: Resolution #*