1.0 CALL TO ORDER AND RELATED BUSINESS
   1.1 Call to Order - (note: meetings may be recorded and posted on Wheatland County website or via social media)
   1.2 Adoption of Agenda
   1.3 Adoption of Minutes
       a. July 9, 2019 Municipal Planning Commission Meeting

2.0 DEVELOPMENT PERMIT APPLICATIONS
   2.1 File: DP2019-078
       Legal: SW-5-25-17-4
       Proposal: Dwelling, Temporary (During Construction)

   2.2 File: DP2019-082
       Legal: NE-20-22-26-4
       Proposal: Dwelling, Accessory

   2.3 File: DP2019-098
       Legal: Plan 4557 JK, Block A within NE-27-25-24
       Proposal: Dwelling, Accessory

3.0 SUBDIVISION APPLICATIONS
   3.1 File: SD2019-010
       Legal: NE-10-25-26-W4M
       Proposal: Subdivide one +/- 10 acre parcel from the titled area

   3.2 File: SD2019-011
       Legal: NW-4-25-22-W4M
       Proposal: Subdivide one +/- 27.9 acre parcel from the titled area

4.0 OTHER PLANNING MATTERS

5.0 ADJOURNMENT
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
OF JULY 9, 2019

Minutes of the Municipal Planning Commission of Wheatland County held at the County Office, on Tuesday, July 9, 2019; scheduled to commence at 9:00 A.M. with the following present:

MPC Members: J. Wilson
S. Klassen
T. Ikert
D. Biggar
B. Armstrong
G. Koester

MPC Member Absent: A. Link

Interim CAO: B. Henderson
Recording Secretary: D. Bodie

Call to Order
The Chair, S. Klassen called the meeting to order – time 9:03 A.M. The following were present when the meeting was called to order:

- Wheatland County Staff
  - O. Cohen – Planner I
  - S. Hayes – Development Officer
  - M. Boscariol – General Manager of Community & Development Services

- Several Members of the public (Note: members of the public entered and left the meeting at various times).

Resolution 19-07-01
Approval of Agenda
KOESTER MOVED approval of the Municipal Planning Commission meeting agenda as presented.

CARRIED

Resolution 19-07-02
Approval of Minutes
ARMSTRONG MOVED approval, of the June 11, 2019 Municipal Planning Commission Meeting minutes as presented.

CARRIED

DP2019-013
Development Permit Application – DP2019-013
Legal: Plan 071 6218; Block 2; Lot3 within NE 18-23-24-W4M
Title Area: 41.11 ha (101.59 acres)
Proposal: Equestrian Center

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-013, Equestrian Center, subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Resolution 19-07-03
DP2019-013
ARMSTRONG MOVED TO APPROVE DP2019-013, Equestrian Center subject to the following conditions:
1. This Development Permit is issued solely for the purpose of a commercial riding arena for equine related recreational activities and horse boarding – Defined as an Equestrian Center.
2. No variances have been granted.
3. Development shall proceed according to Agriculture General (AG) District requirements and the applicant must comply with all

Initials
Chairperson: _____ CAO: _____
applicable provisions of the Wheatland County Land Use Bylaw.

4. Applicant to ensure approach to development is developed to County standards prior to Construction occurring. Please contact Wheatland County Transportation & Infrastructure Assistant for details.

5. No permanent development shall occur on or over any utility right of way or easement.

6. No parking shall occur on County roads.

7. No vehicles shall impede access for EMS response or access to the fire hydrant location. ‘No Parking’ signage to be installed in the fire lane location.

8. Business to remain consistent with submitted application, Letter of Intent and all approved plans (including fire pond construction) which form the application and have been deemed to be appropriate.

9. Any change in the use or intensity required the approval of the Development Authority.

10. No waste (including biohazard waste, animal carcass, or solid or liquid waste) from the facility to be disposed of at County Waste Transfer sites.

11. Dust control measures shall be installed yearly in the form of calcium chloride (or approved equivalent) adjacent to the five existing residences on Range Road 245 located between the access point to this development and Township Road 232. This dust control shall be installed at a minimum length of 400 ft (122m) adjacent to each residence access point on Range Road 245.

Notes:
- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.

CARRIED

DP2019-074 Development Permit Application – DP2019-074
Legal: Plan 5345N; Block F; Lot 8-11 - Gleichen
Title Area: 13,171 ft²
Proposal: Home Based Business Type 2 (Healing Touch Practice)

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-074, Home Based Business Type 2 subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Resolution 19-07-04
DP2019-074
WILSON MOVED TO APPROVE DP2019-074, Home Based Business Type 2 subject to the following conditions:
1. This Development Permit is issued solely for the purpose of a healing touch practice – Defined as a Home Based Business Type 2.
2. No variances have been granted.
3. Development shall proceed according to Hamlet Residential General (HRG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. No parking to occur on County roads.
6. Any expansion or intensification of the business beyond the criteria of a Home Based Business Type 2 may require re-application to an alternate use or relocation of the business to an area more appropriate for the use.
7. Business to remain consistent with the submitted application and Letter of Intent.
8. Permit to be issued for a 2 year term expiring on July 9th, 2021.

Notes:
- All construction shall conform to Alberta Safety Code Regulations.
- Development shall meet all provincial and/or federal legislation.
- CARRIED

Note: S. Hayes left the meeting – time 9:14 a.m.
M. Williams entered the meeting – time 9:15 a.m.

DP2019-068 Development Permit Application – DP2019-068
Legal: SW 12-24-24-W4M
Title Area: +/- 46.8 acres (endorsed 10.6 acre parcel subdivision)
Proposal: Change of use from Dwelling, Single Detached to Dwelling, Employee

O. Cohen, Planner I, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-068, Dwelling, Employee subject to conditions noted in Appendix A of the Development Permit Report. (Note: a copy of the Request for Decision and Development Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Resolution 19-07-05

SD2019-012 Subdivision Application – SD2019-012
Legal: SE 7-23-25-W4M and Plan 001 2255; Block 1
Title Area: +/- 157.01 acres and 2.99 acres
Proposal: Boundary adjustment of +/- 0.5 acres.

O. Cohen, Planner I, presented the application (Request for Decision and Planning Report) highlighting the following: recommendation - Option #1 to approve subdivision application SD2019-012, for a boundary adjustment subject to the conditions noted in Appendix A of the Planning Report. (Note: a copy of the Request for Decision and Planning Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Resolution 19-07-06

BIGGAR MOVED TO APPROVE SD2019-012, for a boundary adjustment with the following conditions:
1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
2. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
3. Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works

CARRIED
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
OF JULY 9, 2019

Department, at the Owners expense.
4. Landowner is to apply for a redesignation application to convert the lands removed from Plan 001 2255 Block 1 to Agricultural General District, and the lands added to Plan 001 2255 Block 1 to Country Residential to align with the new proposed property lines.

CARRIED

Note: O. Cohen left the meeting – time 9:22 a.m.

SD2019-008 Subdivision Application – SD2019-008
Legal: SW 4-22-20-W4M
Title Area: +/- 156 acres
Proposal: Subdivide one +/- 9.49 acre parcel from the titled area.

M. Williams, Planner II, presented the application (Request for Decision and Planning Report) highlighting the following: recommendation - Option #1 to approve subdivision application SD2019-008, to subdivide one +/- 9.49 acre parcel from the titled area subject to the conditions noted in Appendix A of the Planning Report. (Note: a copy of the Request for Decision and Planning Report was included in the agenda information package; copy of the documents to be filed with the meeting minutes).

Discussion relating to condition #6 and Alberta Transportation’s request. Questions relating to the timing of the land survey, compensation to landowner by Alberta Transportation and additional applications required through the province. Staff will contact Alberta Transportation and relay information back to committee.

Resolution 19-07-07

BIGGAR MOVED TO APPROVE SD2019-008, to subdivide one +/- 9.49 acre parcel from the titled area with the following conditions:

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
2. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.
3. Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works Department, at the Owners expense.
4. The Owner is to register a Deferred Reserve Caveat (DRC) against the remnant parcel to ensure MR Cash-in-Lieu can be taken for future subdivision applications.
5. The Owner is to enter into a Deferred Service Agreement for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.
6. A surveyed 30-meter service road dedication shall be provided along the highway frontage of the proposed 9.49 acre parcel. The service road need not be constructed at this time.
7. The second dwelling currently located on the property must be removed or a permit obtained which will allow it to remain on the property.

CARRIED

SD2019-009 Subdivision Application – SD2019-009
Legal: NE 29-23-21-W4M
Title Area: +/- 145.66 acres and 9.12 acres
Proposal: Subdivide one +/-25.1 acres parcel from the titled area.

M. Williams, Planner II, presented the application (Request for Decision and Planning Report) highlighting the following: recommendation - Option #1 to approve subdivision application SD2019-009, to subdivide one +/-25.1
Resolution 19-07-08
SD2019-009

WILSON MOVED TO APPROVE SD2019-009, to subdivide one +/-25.1 acres parcel from the titled area with the following conditions:

1. Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

2. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.

3. That the 10% municipal reserve requirement, pursuant to Section 666 of the Municipal Government Act be provided by payment of cash-in-lieu in accordance with the per acre value of $3,800 as stated in the appraisal prepared by I. Weleschuk (May 2, 2019) on the entire parcel totaling +/-25.1 acres. The amount of cash-in-lieu of Municipal reserve owing to Wheatland County will be approximately $9,538. The exact amount will be determined based on the final plan of survey.

4. Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works Department, at the Owners expense.

5. The Owner is to register a Deferred Reserve Caveat (DRC) against the remnant parcel to ensure MR Cash-in-Lieu can be taken for future subdivision applications.

6. The Owners are to enter into a Deferred Services Agreement for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

7. The Owners are to enter into an Agreement of Easement for Construction and Maintenance of Any Public Works with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

8. The Owners are to enter into a Road Acquisition Agreement, which shall be registered by caveat concurrently with the final plan against the title(s) being created.

   • CARRIED

Resolution 19-07-09

Adjournment

IKERT MOVED the meeting adjourn – time 9:37 A.M.

   • CARRIED

___________________________
Chairperson – S. Klassen

___________________________
Interim CAO – B. Henderson

___________________________
Recording Secretary – D. Bodie
Request for Decision

August 13, 2019

Resolution No. __________

Date Prepared July 19, 2019

Subject
Decision-making topic title

DP 2019-078 The purpose of this application is for a Temporary Dwelling to be used during construction of a new 5 unit dwelling.

Location: SW-5-25-17-4

Recommendation
Clear resolution answering – what/who/how/when

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-078, a Dwelling, Temporary subject to conditions noted in Appendix A of the Development Permit Report.

GM Comments
Any additional comments regarding the reason for the recommendation

RECOMMENDATION

Report/Document: Attached [X] Available [ ] None [ ]

Key Issue(s) / Concepts Defined
Define the topic, reference background material and state question to be answered

The applicants received a permit for a new 5 unit dwelling in June of 2019. The Colony would like to place a temporary dwelling on the property for use by a single family until the 5 unit dwelling has been constructed.

Relevant Policy / Practices / Legislation
Cite existing policies, practices and/or legislation

MUNICIPAL DEVELOPMENT PLAN (MDP):
Section 3.6.1 Residential Development Objectives

LAND USE BYLAW (LUB) 2016-01:
The proposal has a land use designation of Agricultural General District (HRG).
9.1 Agricultural General District
Dwelling, Temporary is a discretionary use in the Agricultural General District.

8.12 Dwelling, Temporary

<table>
<thead>
<tr>
<th>Strategic Relevance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference to goals or priorities of current work program</td>
</tr>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Response Options and Desired Outcome(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main result, along with highlighted requisites and benefits</td>
</tr>
</tbody>
</table>

Option #1: That Municipal Planning Commission approve DP 2019-078, for a Dwelling, Temporary subject to conditions noted in Appendix A of the Development Permit Report and that:

- with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Temporary complies with the County’s Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-078, a Dwelling, Temporary subject to conditions noted in Appendix A of the Development Permit Report based on the following;

- The proposed Dwelling, Temporary aligns with 3.61 of the MDP.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Temporary section of the LUB.
- The proposed Dwelling, Temporary fits with the context of the area, which is primarily residential and agricultural in nature

<table>
<thead>
<tr>
<th>IMPLICATIONS OF RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
</tr>
<tr>
<td>Consequences to community, overall organization and/or other agencies</td>
</tr>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizational</td>
</tr>
<tr>
<td>Policy change or staff workload requirements</td>
</tr>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Financial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current and/or future budget impact</td>
</tr>
<tr>
<td>N/A</td>
</tr>
<tr>
<td>Environmental, Staff and Public Safety</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Consequences for the environment, consideration of effects on the safety of staff and the public</td>
</tr>
<tr>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Follow-up Action / Communications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timelines, decision-making milestones and key products</td>
</tr>
<tr>
<td>Advise applicant of decision</td>
</tr>
</tbody>
</table>

Submitted by: Suzanne Hayes  
Development Officer  
Reviewed by: Matthew Boscariol, MES, MCIP, RPP  
General Manager of Community & Development Services
Development Permit Report
Municipal Planning Commission
August 13, 2019

Development Permit Number: DP 2019-078

PROPOSAL: Dwelling, Temporary (During Construction)

LEGAL DESCRIPTION: SW-5-25-17-4

LOCATION: 30.0 km (19 miles) North East of Hussar

PARCEL SIZE: 63.94 ha (158 acres)

ZONING: Agricultural General (AG)

DETAILS OF PROPOSAL:

The applicants received a permit for a new 5 unit dwelling in June of 2019. The Colony would like to place a temporary dwelling on the property for use by a single family until the 5 unit dwelling has been constructed.

The proposed structure is a 2019 manufactured dwelling which meets all the requirements of the Dwelling, Temporary section of the Land Use Bylaw.

The temporary dwelling will share water and septic services which are already onsite.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application falls outside of the CMRB plan area, no review by the board is required.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposed Dwelling, Temporary aligns with Section 3.6.1 of the MDP as it ensures that Wheatland residents have access to a range of affordable housing types, and a diversity of housing choices, to accommodate all stages of life.
INTERMUNICIPAL DEVELOPMENT PLANS (IDP'S)

The proposal falls within the IDP area with the County of Newell. The County of Newell was circulated and had no concerns.

LAND USE BYLAW (LUB):

9.1 Agricultural General District (AG)

Purpose and Intent

The purpose and intent of this district is to promote and accommodate agricultural land uses that support the goals and objectives of the Municipal Development Plan and preserve the agrarian character of the County.

Permitted and Discretionary Uses

a) The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw:

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Discretionary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building / Structure</td>
<td>Abattoir</td>
</tr>
<tr>
<td>Agricultural Operation¹</td>
<td>Agricultural Processing - Major</td>
</tr>
<tr>
<td>Agricultural Processing - Minor</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Dwelling, Clustered Farm</td>
<td>Composting Facility</td>
</tr>
<tr>
<td>Dwelling, Manufactured</td>
<td>Day Home</td>
</tr>
<tr>
<td>Dwelling, Modular</td>
<td>Dwelling, Accessory</td>
</tr>
<tr>
<td>Dwelling, Moved On</td>
<td>Dwelling, Temporary</td>
</tr>
<tr>
<td>Dwelling, Secondary Suite</td>
<td>Equestrian Centre</td>
</tr>
<tr>
<td>Dwelling, Single Detached</td>
<td>Farm Gate Sales</td>
</tr>
<tr>
<td>Farm Building</td>
<td>Greenhouse, Public</td>
</tr>
<tr>
<td>Greenhouse, Private</td>
<td>Home-Based Business, Type 2</td>
</tr>
<tr>
<td>Shipping Container</td>
<td>Home-Based Business, Type 3</td>
</tr>
<tr>
<td>Signs not requiring a Development Permit²</td>
<td>Kennel</td>
</tr>
<tr>
<td>Solar Panel, Ground Mount¹</td>
<td>Nursery</td>
</tr>
<tr>
<td>Solar Panel, Structure Mount¹</td>
<td>Shooting Range, Minor</td>
</tr>
<tr>
<td>Stripping and Grading¹</td>
<td>Signs requiring a Development Permit²</td>
</tr>
<tr>
<td>WECS (micro)¹</td>
<td>Stockpile</td>
</tr>
<tr>
<td>WECS (Category 1)¹</td>
<td>Tower</td>
</tr>
</tbody>
</table>

Definition

Dwelling, Temporary - A dwelling that is used for temporary living accommodations while the primary dwelling is being constructed on a parcel.
8.12 Dwelling, Temporary

8.12.1 A Development Permit shall only be issued for a Dwelling, Temporary in a Land Use District in which a Dwelling, Temporary is a prescribed use, providing that:

a) A building permit has been issued for the primary dwelling on the same parcel;

b) The term of the Development Permit for the Dwelling, Temporary does not exceed 24 months;

c) The Development Permit for the Dwelling, Temporary contains a condition that requires the Dwelling, Temporary to be removed from the parcel within 30 days of the first residential occupancy of the primary dwelling.

8.12.2 A Dwelling, Temporary shall only be issued for a manufactured home dwelling as defined as a Dwelling, Manufactured in the Definitions section of the Bylaw.

8.12.3 A Dwelling, Temporary shall meet all of the rules and regulations of the Dwelling, Manufactured section of the Bylaw.

8.12.4 Dwelling, Temporary Development Permits shall only be issued for the purpose of providing temporary accommodation while a primary dwelling is being constructed on a parcel.

CIRCULATION COMMENTS:

<table>
<thead>
<tr>
<th>AGENCY CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Newell</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INTERNAL CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal File Review</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NEIGHBOUR CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To adjacent neighbors</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

OPTIONS:

Staff propose the following 3 possible options for Municipal Planning Commission to consider:

Option #1: That Municipal Planning Commission approve DP 2019-078, for a Dwelling, Temporary subject to conditions noted in Appendix A of the Development Permit Report and that:

- with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Temporary complies with the County’s Land Use Bylaw rules and regulations.
Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-078, a Dwelling, Temporary subject to conditions noted in Appendix A of the Development Permit Report based on the following;

- The proposed Dwelling, Temporary aligns with 3.61 of the MDP.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Temporary section of the LUB.
- The proposed Dwelling, Temporary fits with the context of the area, which is primarily residential and agricultural in nature.

Appendix A:

1. This Development Permit is issued solely for the purpose of A Dwelling Manufactured to be Used as a Temporary Residence During Construction – Defined as a Dwelling, Temporary.

2. No Variances have been granted.

3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.

4. No permanent development shall occur on or over any utility right of way or easement.

5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.

6. Permit to be issued for a 2 year term expiring on August 13, 2021.

NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO ALBERTA SAFETY CODE REGULATIONS.
- DEVELOPMENT SHALL MEET ALL PROVINCIAL AND FEDERAL LEGISLATION.

Suzanne Hayes, Development Officer
Appendix B: Location Plan
Appendix C: Aerial Photos

- Hussar
- County of Newell

**Proposed Temporary Dwelling**

- 75' from Road Allowance
- 50' between buildings
Appendix E: CMRB Plan Area

Appendix F: Newell Intermunicipal Development Plan Area
Appendix G: Circulation Area

Appendix H: Photos of Proposed Temporary Dwelling
Subject
Decision-making topic title

DP 2019-082 The purpose of this application is for a Residential Suite located within an existing equestrian facility to be issued a permit as a Dwelling, Accessory.

Location: NE-20-22-26-4

Recommendation
Clear resolution answering – what/who/how/when

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-082, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report.

GM Comments
Any additional comments regarding the reason for the recommendation

RECOMMENDATION
Report/Document: Attached X Available None

Key Issue(s) / Concepts Defined
Define the topic, reference background material and state question to be answered

In 2018 the applicant was issued a permit for a residence which was constructed in an existing Equestrian Facility as the only dwelling located on the 39.2 acre parcel. On July 2, 2019 the applicant applied for a permit to construct a new single family dwelling on the same parcel.

The land use bylaw only allows for a second residence on a parcel of land less than 80 acres if a permit has been issued for one of the dwellings to become a Dwelling, Accessory.
Relevant Policy / Practices / Legislation
Cite existing policies, practices and/or legislation

MUNICIPAL DEVELOPMENT PLAN (MDP):
Section 3.6.1 Residential Development Objectives

LAND USE BYLAW (LUB) 2016-01:
The proposal has a land use designation of Agricultural General District (HRG).
9.1 Agricultural General District

Dwelling, Accessory is a discretionary use in the Agricultural General District.
8.7 Dwelling, Accessory

Strategic Relevance
Reference to goals or priorities of current work program
N/A

Response Options and Desired Outcome(s)
Main result, along with highlighted requisites and benefits

Option #1: That Municipal Planning Commission approve DP 2019-082, for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report and that:
- with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Accessory complies with the County’s Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-082, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following;
- The proposed Dwelling, Accessory aligns with 3.61 of the MDP.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Accessory section of the LUB.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential and agricultural in nature.

IMPLICATIONS OF RECOMMENDATION
General
Consequences to community, overall organization and/or other agencies

N/A
<table>
<thead>
<tr>
<th><strong>Organizational</strong></th>
<th>Policy change or staff workload requirements</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Financial</strong></td>
<td>Current and/or future budget impact</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Environmental, Staff and Public Safety</strong></td>
<td>Consequences for the environment, consideration of effects on the safety of staff and the public</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Follow-up Action / Communications</strong></td>
<td>Timelines, decision-making milestones and key products</td>
<td>Advise applicant of decision</td>
</tr>
</tbody>
</table>

Submitted by: [Signature]
Suzanne Hayes
Development Officer

Reviewed by: [Signature]
Matthew Boscariol, MES, MCIP, RPP
General Manager of Community & Development Services
Development Permit Number: DP 2019-082

PROPOSAL: Dwelling, Accessory

LEGAL DESCRIPTION: NE-20-22-26-4

LOCATION: 11.27 km (7 miles) North West of Carseland

PARCEL SIZE: 15.86 ha (39.2 acres)

ZONING: Agricultural General (AG)

DETAILS OF PROPOSAL:

In 2018 the applicant was issued a permit for a residence which was constructed in an existing equestrian facility as the only dwelling located on the 39.2 acre parcel. On July 2, 2019 the applicant applied for a permit to construct a new single family dwelling on the same parcel.

The land use bylaw only allows for a second residence on a parcel of land less than 80 acres if a permit has been issued for one of the dwellings to become a Dwelling, Accessory. Therefore, one of the conditions on the permit for the new single family dwelling is that the applicant may not commence construction until a permit has been issued for a Dwelling, Accessory for the existing suite which is located in the equestrian facility.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application falls outside of the CMRB plan area, no review by the board is required.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposed Dwelling, Accessory aligns with Section 3.6.1 of the MDP as it ensures that Wheatland residents have access to a range of affordable housing types, and a diversity of housing choices, to accommodate all stages of life.
AREA STRUCTURE PLANS:

The application falls outside of any area structure plan area.

LAND USE BYLAW (LUB):

9.1 Agricultural General District (AG)

Purpose and Intent

The purpose and intent of this district is to promote and accommodate agricultural land uses that support the goals and objectives of the Municipal Development Plan and preserve the agrarian character of the County.

Permitted and Discretionary Uses

a) The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw:

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Discretionary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building / Structure</td>
<td>Abattoir</td>
</tr>
<tr>
<td>Agricultural Operation(^1)</td>
<td>Agricultural Processing – Major</td>
</tr>
<tr>
<td>Agricultural Processing – Minor</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Dwelling, Clustered Farm</td>
<td>Composting Facility</td>
</tr>
<tr>
<td>Dwelling, Manufactured</td>
<td>Day Home</td>
</tr>
<tr>
<td>Dwelling, Modular</td>
<td>Dwelling, Accessory</td>
</tr>
<tr>
<td>Dwelling, Moved On</td>
<td>Dwelling, Temporary</td>
</tr>
<tr>
<td>Dwelling, Secondary Suite</td>
<td>Equestrian Centre</td>
</tr>
<tr>
<td>Dwelling, Single Detached</td>
<td>Farm Gate Sales</td>
</tr>
<tr>
<td>Farm Building</td>
<td>Greenhouse, Public</td>
</tr>
<tr>
<td>Greenhouse, Private</td>
<td>Home-Based Business, Type 2</td>
</tr>
<tr>
<td>Shipping Container</td>
<td>Home-Based Business, Type 3</td>
</tr>
<tr>
<td>Signs not requiring a Development Permit(^1)</td>
<td>Kennel</td>
</tr>
<tr>
<td>Solar Panel, Ground Mount(^1)</td>
<td>Nursery</td>
</tr>
<tr>
<td>Solar Panel, Structure Mount(^1)</td>
<td>Shooting Range, Minor</td>
</tr>
<tr>
<td>Stripping and Grading(^1)</td>
<td>Signs requiring a Development Permit</td>
</tr>
<tr>
<td>WECS (micro)(^1)</td>
<td>Stockpile</td>
</tr>
<tr>
<td>WECS (Category 1)(^1)</td>
<td>Tower</td>
</tr>
</tbody>
</table>

Definitions:

**Dwelling, Accessory** – means a detached dwelling unit that is located on the same parcel as a Dwelling, Primary and is considered accessory and subordinate to that primary dwelling. Only one Dwelling, Accessory is permitted per lot.

**Dwelling, Primary** – (for the purpose of Section 8.6.1 Dwelling, Accessory) A Dwelling, Primary must be one of the following types: Dwelling, Single Detached, Dwelling, Moved-On, or Dwelling Modular.
8.7 Dwelling, Accessory

8.7.1 General Regulations:

a) Existing Dwellings:
   When an existing dwelling is not one of the allowable housing types identified in the Dwelling Primary definition (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) OR an existing dwelling is one of the allowable housing types but is smaller than a new dwelling:
   i. The applicant may apply for a permit to construct or place on the property a Dwelling Primary (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) and
   ii. As stipulated as a condition of approval for the new Dwelling Primary, construction shall not commence until a Development Permit has been obtained for the existing dwelling to be issued a permit as a Dwelling, Accessory.
   iii. If for any reason the Dwelling Primary is not constructed, the permit for the Dwelling Accessory will be cancelled as per Section 6.2.1.

b) A Dwelling Accessory:
   i. Shall meet applicable Safety Codes and will require a Building Permit
   ii. Shall not be located on a property that already has a secondary suite
   iii. Shall have adequate water and sewer either through a shared or individual system
   iv. Shall be located within a building other than the primary dwelling or as a detached standalone unit. For example: A Dwelling Accessory may be built on top of an accessory building or garage
   v. May require its own municipal address
   vi. Shall require one additional parking space for the residents
   vii. Shall follow the height and setback regulations in the applicable land use district, except where otherwise noted in this Bylaw.

8.7.2 Size:

a) Outside of a hamlet the gross floor area of a Dwelling, Accessory will be no more than 80% of the Gross Floor Area of the primary dwelling. As defined in the definitions section.
b) Inside a hamlet the Dwelling, Accessory shall be smaller than the primary dwelling and shall not exceed 74.32 m² (800.0 ft²) in Gross Floor Area. As defined in the definitions section.

c) A Dwelling, Accessory will count as part of the total lot coverage for the land use district, such as Hamlet Residential or Country Residential.

8.7.3 Location:

a) The Dwelling, Accessory shall be a minimum of 3.05 m (10.0 ft) from the primary residence.

8.7.4 Design:

a) A Dwelling, Accessory will contain at least two rooms and will include a kitchen, washroom and sleeping area.

b) Wherever possible, the windows and doors on a Dwelling, Accessory should be located away from yards of adjacent properties to protect privacy.

8.7.5 Additional Considerations:

a) In considering a Development Permit application for a Dwelling, Accessory, the Development Authority has the discretion to consider such factors as:

b) The effect of a Dwelling, Accessory on the character of a neighborhood and the cumulative effect of an additional dwelling within a specific location.

c) The similarity of the Dwelling, Accessory to the principal dwelling or adjacent properties in architectural design, character, and appearance. For example: exterior wall materials, window types, door and window trims, roofing materials, and roof pitch.

d) The location of the Dwelling, Accessory with preference for its close proximity to the principal dwelling so as to appear as a related building.

e) The use of a shared approach.

f) The availability of outdoor yard space that is useful for the residents of the Dwelling, Accessory.

g) The provision of landscaping or screening to provide privacy between the Dwelling, Accessory and adjacent properties and dwellings.

h) Other such considerations as the Development Authority may deem to be relevant.

8.7.6 Existing Temporary Dwellings or Existing Dwelling, Manufactured to be utilized as a Dwelling, Accessory (as per 8.6.1 a):

a) At the discretion of the Development Authority, an existing Temporary Dwelling or an existing Dwelling Manufactured (as per 8.6.1 a) may be issued a permit as a Dwelling, Accessory even though it does not meet all of the provisions of this bylaw but will be evaluated in consideration of the following:

i. The existing dwelling was onsite prior to the date of the adoption of the current Land Use Bylaw.

ii. There have been no complaints from adjacent residents regarding the existing dwelling

iii. The existing dwelling has been well maintained and repaired as required

iv. The Development Authority may require a Safety Codes Inspection of an existing dwelling if deemed necessary.
CIRCULATION COMMENTS:

<table>
<thead>
<tr>
<th>AGENCY CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Performed</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INTERNAL CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal File Review</td>
<td>Deputy Fire Chief – As per the building code, they will require that they install smoke alarms and CO detectors in the suite. The smoke alarms need to be hard wired and interconnected with the alarms for the rest of the building as well. The kitchen appears to have a stove so there should be proper ventilation on the range hood. There needs to be double sheets of drywall between the living space and the furnace room. A fire extinguisher outside the furnace room is also recommended.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NEIGHBOUR CIRCULATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To adjacent neighbors</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

OPTIONS:

Staff propose the following 3 possible options for Municipal Planning Commission to consider:

Option #1: That Municipal Planning Commission approve DP 2019-082, for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report and that:

- with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Accessory complies with the County’s Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-082, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed Dwelling, Accessory aligns with 3.61 of the MDP.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Accessory section of the LUB.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential and agricultural in nature.
Appendix A:

1. This Development Permit is issued solely for an Existing Residence Located Within a Commercial Equestrian Facility to be a Second Residence - Defined as a Dwelling, Accessory.

2. No Variances have been granted.

3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.

4. No permanent development shall occur on or over any utility right of way or easement.

5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.

NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO ALBERTA SAFETY CODE REGULATIONS.
- DEVELOPMENT SHALL MEET ALL PROVINCIAL AND FEDERAL LEGISLATION.

Suzanne Hayes, Development Officer
Appendix B: Location Plan

Appendix C: Aerial Photos
New Dwelling Primary Location

Proposed Dwelling Accessory
Appendix E: CMRB Plan Area

Appendix F: Area Structure Plans
Appendix G: Circulation Area

Appendix H: Site Photos
**Request for Decision**

**August 13, 2019**

**Resolution No. __________**

Date Prepared  **July 19, 2019**

<table>
<thead>
<tr>
<th><strong>Subject</strong></th>
<th>Decision-making topic title</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DP 2019-098</strong> The purpose of this application is for a Residential Suite located within an existing equestrian facility to be issued a permit as a Dwelling, Accessory.</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Plan 4557 JK, Block A, NE-27-25-24-4</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Recommendation</strong></th>
<th>Clear resolution answering – what/who/how/when</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RECOMMENDATION:</strong> That Municipal Planning Commission choose Option #1: To approve DP 2019-098, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>GM Comments</strong></th>
<th>Any additional comments regarding the reason for the recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>RECOMMENDATION</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Report/Document:</strong></td>
<td>Attached [X] Available [ ] None [ ]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Key Issue(s) / Concepts Defined</strong></th>
<th>Define the topic, reference background material and state question to be answered</th>
</tr>
</thead>
<tbody>
<tr>
<td>In 2018 the applicant was issued a permit for a residence which was constructed in an existing Equestrian Facility as the only dwelling located on the 39.2 acre parcel. On July 2, 2019 the applicant applied for a permit to construct a new single family dwelling on the same parcel.</td>
<td></td>
</tr>
<tr>
<td>The land use bylaw only allows for a second residence on a parcel of land less than 80 acres if a permit has been issued for one of the dwellings to become a Dwelling, Accessory</td>
<td></td>
</tr>
</tbody>
</table>
Relevant Policy / Practices / Legislation
Cite existing policies, practices and/or legislation

MUNICIPAL DEVELOPMENT PLAN (MDP):
Section 3.6.1 Residential Development Objectives

LAND USE BYLAW (LUB) 2016-01:
The proposal has a land use designation of Agricultural General District (HRG).
9.1 Agricultural General District

Dwelling, Accessory is a discretionary use in the Agricultural General District.
8.7 Dwelling, Accessory

Strategic Relevance
Reference to goals or priorities of current work program
N/A

Response Options and Desired Outcome(s)
Main result, along with highlighted requisites and benefits

Option #1: That Municipal Planning Commission approve DP 2019-098, for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report and that:
  • with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Accessory complies with the County’s Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-098, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following;

  • The proposed Dwelling, Accessory aligns with 3.61 of the MDP.
  • The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Accessory section of the LUB.
  • The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential and agricultural in nature.

IMPLICATIONS OF RECOMMENDATION
General
Consequences to community, overall organization and/or other agencies
N/A
<table>
<thead>
<tr>
<th><strong>Organizational</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy change or staff workload requirements</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Financial</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Current and/or future budget impact</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Environmental, Staff and Public Safety</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Consequences for the environment, consideration of effects on the safety of staff and the public</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Follow-up Action / Communications</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Timelines, decision-making milestones and key products</td>
<td>Advise applicant of decision</td>
</tr>
</tbody>
</table>

Submitted by: Suzanne Hayes  
Development Officer  

Reviewed by: Matthew Boscariol, MES, MCIP, RPP  
General Manager of Community & Development Service
Development Permit Number: DP 2019-098

PROPOSAL: Dwelling, Accessory

LEGAL DESCRIPTION: Plan 4557 JK, Block A, NE-27-25-24-4

LOCATION: 5.26 km (3.27 miles) North East of Nightingale

PARCEL SIZE: 10.62 ha (26.23 acres)

ZONING: Agricultural General (AG)

DETAILS OF PROPOSAL:

The 26.23 acre Agricultural General (AG) parcel currently has a 1900 ft² Modular Dwelling on the property. The applicants are proposing to place a 1216 ft² Manufactured Dwelling as a second residence on the same parcel.

The Dwelling, Accessory will share a water well with the primary residence, however a separate septic system will be constructed for the new dwelling.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application falls outside of the CMRB plan area, no review by the board is required.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposed Dwelling, Accessory aligns with Section 3.6.1 of the MDP as it ensures that Wheatland residents have access to a range of affordable housing types, and a diversity of housing choices, to accommodate all stages of life.

AREA STRUCTURE PLANS:

The application falls outside of any area structure plan area.
LAND USE BYLAW (LUB):

9.1 Agricultural General District (AG)

Purpose and Intent
The purpose and intent of this district is to promote and accommodate agricultural land uses that support the goals and objectives of the Municipal Development Plan and preserve the agrarian character of the County.

Permitted and Discretionary Uses

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Discretionary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building / Structure</td>
<td>Abattoir</td>
</tr>
<tr>
<td>Agricultural Operation¹</td>
<td>Agricultural Processing – Major</td>
</tr>
<tr>
<td>Agricultural Processing – Minor</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Dwelling, Clustered Farm</td>
<td>Composting Facility</td>
</tr>
<tr>
<td>Dwelling, Manufactured</td>
<td>Day Home</td>
</tr>
<tr>
<td>Dwelling, Modular</td>
<td>Dwelling, Accessory</td>
</tr>
<tr>
<td>Dwelling, Moved On</td>
<td>Dwelling, Temporary</td>
</tr>
<tr>
<td>Dwelling, Secondary Suite</td>
<td>Equestrian Centre</td>
</tr>
<tr>
<td>Dwelling, Single Detached</td>
<td>Farm Gate Sales</td>
</tr>
<tr>
<td>Farm Building</td>
<td>Greenhouse, Public</td>
</tr>
<tr>
<td>Greenhouse, Private</td>
<td>Home-Based Business, Type 2</td>
</tr>
<tr>
<td>Shipping Container</td>
<td>Home-Based Business, Type 3</td>
</tr>
<tr>
<td>Signs not requiring a Development Permit¹</td>
<td>Kennel</td>
</tr>
<tr>
<td>Solar Panel, Ground Mount¹</td>
<td>Nursery</td>
</tr>
<tr>
<td>Solar Panel, Structure Mount¹</td>
<td>Shooting Range, Minor</td>
</tr>
<tr>
<td>Stripping and Grading¹</td>
<td>Signs requiring a Development Permit¹</td>
</tr>
<tr>
<td>WECS (micro)¹</td>
<td>Stockpile</td>
</tr>
<tr>
<td>WECS (Category 1)¹</td>
<td>Tower</td>
</tr>
</tbody>
</table>

Definitions:

Dwelling, Accessory – means a detached dwelling unit that is located on the same parcel as a Dwelling, Primary and is considered accessory and subordinate to that primary dwelling. Only one Dwelling, Accessory is permitted per lot.

Dwelling, Primary – (for the purpose of Section 8.6.1 Dwelling, Accessory) A Dwelling, Primary must be one of the following types: Dwelling, Single Detached, Dwelling, Moved-On, or Dwelling Modular.
8.7 Dwelling, Accessory

8.7.1 General Regulations:

a) Existing Dwellings:
   When an existing dwelling is not one of the allowable housing types identified in the Dwelling, Primary definition (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) OR an existing dwelling is one of the allowable housing types but is smaller than a new dwelling:
   
   i. The applicant may apply for a permit to construct or place on the property a Dwelling, Primary (Dwelling, Single Detached, Dwelling Moved-On or Dwelling, Modular) and
   ii. As stipulated as a condition of approval for the new Dwelling, Primary, construction shall not commence until a Development Permit has been obtained for the existing dwelling to be issued a permit as a Dwelling, Accessory.
   iii. If for any reason the Dwelling, Primary is not constructed, the permit for the Dwelling, Accessory will be cancelled as per Section 6.2.1.

b) A Dwelling Accessory:
   
   i. Shall meet applicable Safety Codes and will require a Building Permit
   ii. Shall not be located on a property that already has a secondary suite
   iii. Shall have adequate water and sewer either through a shared or individual system
   iv. Shall be located within a building other than the primary dwelling or as a detached standalone unit. For example: A Dwelling, Accessory may be built on top of an accessory building or garage
   v. May require its own municipal address
   vi. Shall require one additional parking space for the residents
   vii. Shall follow the height and setback regulations in the applicable land use district, except where otherwise noted in this Bylaw.

8.7.2 Size:

a) Outside of a hamlet the gross floor area of a Dwelling, Accessory will be no more than 80% of the Gross Floor Area of the primary dwelling. As defined in the definitions section.
b) Inside a hamlet the Dwelling, Accessory shall be smaller than the primary dwelling and shall not exceed 74.32 m² (800.0 ft²) in Gross Floor Area. As defined in the definitions section.

c) A Dwelling, Accessory will count as part of the total lot coverage for the land use district, such as Hamlet Residential or Country Residential.

8.7.3 Location:

a) The Dwelling, Accessory shall be a minimum of 3.05 m (10.0 ft) from the primary residence.

8.7.4 Design:

a) A Dwelling, Accessory will contain at least two rooms and will include a kitchen, washroom and sleeping area.

b) Wherever possible, the windows and doors on a Dwelling, Accessory should be located away from yards of adjacent properties to protect privacy.

8.7.5 Additional Considerations:

a) In considering a Development Permit application for a Dwelling, Accessory, the Development Authority has the discretion to consider such factors as:

b) The effect of a Dwelling, Accessory on the character of a neighborhood and the cumulative effect of an additional dwelling within a specific location.

c) The similarity of the Dwelling, Accessory to the principal dwelling or adjacent properties in architectural design, character, and appearance. For example: exterior wall materials, window types, door and window trims, roofing materials, and roof pitch.

d) The location of the Dwelling, Accessory with preference for its close proximity to the principal dwelling so as to appear as a related building.

e) The use of a shared approach.

f) The availability of outdoor yard space that is useful for the residents of the Dwelling, Accessory.

g) The provision of landscaping or screening to provide privacy between the Dwelling, Accessory and adjacent properties and dwellings.

h) Other such considerations as the Development Authority may deem to be relevant.

8.7.6 Existing Temporary Dwellings or Existing Dwelling, Manufactured to be utilized as a Dwelling, Accessory (as per 8.6.1 a):

a) At the discretion of the Development Authority, an existing Temporary Dwelling or an existing Dwelling Manufactured (as per 8.6.1 a) may be issued a permit as a Dwelling, Accessory even though it does not meet all of the provisions of this bylaw but will be evaluated in consideration of the following:

i. The existing dwelling was onsite prior to the date of the adoption of the current Land Use Bylaw.

ii. There have been no complaints from adjacent residents regarding the existing dwelling.

iii. The existing dwelling has been well maintained and repaired as required.

iv. The Development Authority may require a Safety Codes Inspection of an existing dwelling if deemed necessary.
CIRCULATION COMMENTS:

<table>
<thead>
<tr>
<th>AGENCY CIRCULATION</th>
<th>Alberta Transportation</th>
<th>A permit from Alberta Transportation has been obtained.</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTERNAL CIRCULATION</td>
<td>Internal File Review</td>
<td>Concerns regarding septic system. (to be addressed when a Private Sewage Permit is obtained).</td>
</tr>
<tr>
<td>NEIGHBOUR CIRCULATION</td>
<td>To adjacent neighbors</td>
<td>No Concerns</td>
</tr>
</tbody>
</table>

OPTIONS:

Staff propose the following 3 possible options for Municipal Planning Commission to consider:

Option #1: That Municipal Planning Commission approve DP 2019-098, for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report and that:

- with the stated conditions of approval, the Development Authority has determined that the proposed Dwelling, Accessory complies with the County’s Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission’s choosing.

RECOMMENDATION: That Municipal Planning Commission choose Option #1: To approve DP 2019-098, a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed Dwelling, Accessory aligns with 3.61 of the MDP.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District, and all provisions of the Dwelling, Accessory section of the LUB.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential and agricultural in nature.
Appendix A:

1. This Development Permit is issued solely for a Second Residence (1216 ft² Manufactured Dwelling) - Defined as a Dwelling, Accessory.

2. No Variances have been granted.

3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.

4. No permanent development shall occur on or over any utility right of way or easement.

5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County transportation & infrastructure assistant for details 403-934-3321.

NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO ALBERTA SAFETY CODE REGULATIONS.
- DEVELOPMENT SHALL MEET ALL PROVINCIAL AND FEDERAL LEGISLATION.

Suzanne Hayes, Development Officer
Appendix B: Location Plan

Appendix C: Aerial Photos
Appendix D: Site Plan
Appendix E: CMRB Plan Area

Appendix F: Area Structure Plans
Appendix G: Circulation Area

Appendix H: Photos

Primary Dwelling
Proposed Dwelling, Accessory
**Request for Decision**

**August 13, 2019**

| Date Prepared | July 23, 2019 |

<table>
<thead>
<tr>
<th>Subject</th>
<th>Decision-making topic title</th>
</tr>
</thead>
<tbody>
<tr>
<td>SD2019-010</td>
<td>The purpose of this application is to subdivide one +/- 10 acre parcel from the titled land, NE-10-25-26-W4M. The subject property is accessed by a service road off of Range Road 262, and is approximately 2.6 kilometers east of Lyalta.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Clear resolution answering – what/who/how/when</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECOMMENDATION: Staff recommends that the Municipal Planning Commission choose Option #1 to approve Subdivision application SD2019-010 with the conditions noted in Appendix A of the Planning Report.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GM Comments</th>
<th>Any additional comments regarding the reason for the recommendation</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>RECOMMENDATION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Report/Document:</td>
<td>Attached [X] Available [ ] None [ ]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Issue(s) / Concepts Defined</th>
<th>Define the topic, reference background material and state question to be answered</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of the application is to subdivide +/- 10 acres from the parent parcel. The proposed subdivision contains a residence, quonset, grain bin, barn outbuildings, the existing septic and water well, as well as space for the new septic treatment mound.</td>
<td></td>
</tr>
</tbody>
</table>

The proposed subdivision generally aligns with the SSRP, RGMS and MDP. Though the proposal is subdividing agricultural land, the +/- 10 acre parcel will remain agriculturally zoned, this avoids any conflict between the land uses. The SSRP also acknowledges smaller parcels contribute to the diversification of the overall agricultural economy.

The proposed parcel is remaining Agricultural General, the existing development complies with this section of the Land Use Bylaw, any future development will be required to comply as well. |
There are existing approaches which will need to be reviewed by the County’s transportation department to ensure they meet County specifications. There is no piped servicing, the development is serviced by an onsite water well and private septic system. The applicant will be building a new septic system and as so were required to submit a PSDS report to determine the most appropriate septic system for this development. It is recommended that one of the conditions of subdivision be to comply with the submitted PSDS report.

As per the MGA, Municipal Reserve can be taken on the proposed parcel. An appraisal was completed that determined the fair market value to be $6,100 per acre. The final amount will be determined on the final plan of survey.

Adjacent landowners within a mile of the subject parcel were circulated, at the time of writing this report, no letters were received. External agencies and internal departments were circulated, no concerns were raised and the County transportation department requested back sloping, road acquisition, and approach conditions be included.

**Relevant Policy / Practices / Legislation**

Cite existing policies, practices and/or legislation

MGA, RSA 2000, c M-26 s.663, 664, & 666
SSRP Strategic Plan and Implementation Plan for Agriculture
RGMS Section 4.3
MDP 3.1 Agriculture
Land Use Bylaw 2016-01

**Strategic Relevance**

Reference to goals or priorities of current work program

N/A

**Response Options and Desired Outcome(s)**

Main result, along with highlighted requisites and benefits

The following are two (2) possible options for MPC’s consideration:

**Option #1**: Subdivision Application 2019-010 be **approved** with the conditions noted in Appendix A based on the following:

- That with the stated conditions of approval, the Subdivision Authority has determined that the proposed subdivision complies with the County’s Land Use Bylaw rules and regulations and the Municipal Development Plan policies.
- The Subdivision Authority is satisfied that the proposed subdivision, with the stated conditions, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation of the MGA.

**Option #2**: Subdivision Application SD2019-010 be **refused**.

Staff recommends **Option #1 – Approval** for the following reasons:

The Subdivision Application:

- The proposed subdivision aligns with the policies and objectives of the MDP, RGMS, and SSRP.
- The proposed subdivision aligns with the rules and regulations of the LUB.
# IMPLICATIONS OF RECOMMENDATION

## General
Consequences to community, overall organization and/or other agencies
N/A

## Organizational
Policy change or staff workload requirements
N/A

## Financial
Current and/or future budget impact
N/A

## Environmental, Staff and Public Safety
Consequences for the environment, consideration of effects on the safety of staff and the public
N/A

## Follow-up Action / Communications
Timelines, decision-making milestones and key products
If approved, Staff will follow up with the applicant with the approved conditions and assist with the endorsement process where we can.

---

Submitted by: [Signature]
Megan Williams, BCD
Planner II

Reviewed by: [Signature]
Matthew Boscariol, MES, MCIP, RPP
General Manager of Community & Development Services
# PLANNING REPORT
Municipal Planning Commission
August 13th, 2019

**FILE No:** SD2019-010  
**DIVISION #:** 5

**PROPOSAL:** Subdivide one +/- 10 acre parcel from the titled area.

**LOCATION:** The subject property is accessed off of Range Road 262, and is approximately 2.6 kilometers east of Lyalta

**LEGAL DESCRIPTION:** NE-10-25-26-W4M

**TITLE AREA:** +/- 143.6 Acres

**EXISTING LAND USE:** Agricultural General (AG) District

**NUMBER OF PROPOSED PARCELS:** 1

---

**Background:**
The intent of the application is to subdivide +/- 10 acres from quarter section NE-10-25-26-W4M. The proposed subdivision contains a residence, quonset, grain bin, barn outbuildings, the existing septic and water well, as well as space for the new septic treatment mound.

**MUNICIPAL POLICY REVIEW**

**Calgary Metropolitan Regional Board Plan Area:**
The proposed subdivision is outside the CMRB plan area, therefore did not require circulation to the Board.

**South Saskatchewan Regional Plan:**
The proposed subdivision generally aligns with the objectives and strategies of the SSRP. Though the SSPR discourages agricultural fragmentation, it acknowledges that smaller parcels contribute to the diversification of the overall agricultural economy. As the parcel is remaining Agricultural General District, this section of the SSRP is further enforced.

**Regional Growth Management Strategy**
The proposed subdivision generally aligns with the objectives and policies of the RGMS. Though it is subdividing agricultural land, both parcels are remaining Agricultural General District. This will avoid conflict based on land use.

**Municipal Development Plan:**
The proposed subdivision generally aligns with the objectives and policies of the MDP. The MDP encourages minimizing the fragmentation of agricultural land. Though this proposed subdivision
is fragmenting agricultural land, the proposed parcel is already developed, and the land use is going to continue to be agricultural with the barn outbuildings, grain bin(s), and quonset buildings.

The MDP also speaks to water resources and protecting surface and ground water. This quarter section contains two WID canals, one is registered under a separate parcel and the second is not. The proposed subdivision does not impact either canal. The applicant also obtained a PSDS report for the new septic system they are installing to replace the current one. It is recommended that one of the subdivision conditions reflect the applicant use the septic system recommended through the PSDS report in order to eliminate the risk of groundwater contamination.

**Land Use Bylaw:**
The proposed subdivision is remaining Agricultural General (AG) District. All future development will be required to align with the rules and regulations of the AG District of the Land Use Bylaw. The following are the permitted and discretionary uses of the AG District.

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Discretionary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building / Structure</td>
<td>Abattoir</td>
</tr>
<tr>
<td>Agricultural Operation¹</td>
<td>Agricultural Processing – Major</td>
</tr>
<tr>
<td>Agricultural Processing – Minor</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Dwelling, Clustered Farm</td>
<td>Composting Facility</td>
</tr>
<tr>
<td>Dwelling, Manufactured</td>
<td>Day Home</td>
</tr>
<tr>
<td>Dwelling, Modular</td>
<td>Dwelling, Garden Suite</td>
</tr>
<tr>
<td>Dwelling, Moved On</td>
<td>Dwelling, Temporary</td>
</tr>
<tr>
<td>Dwelling, Secondary Suite</td>
<td>Equestrian Centre</td>
</tr>
<tr>
<td>Dwelling, Single Detached</td>
<td>Farm Gate Sales</td>
</tr>
<tr>
<td>Farm Building</td>
<td>Greenhouse, Public</td>
</tr>
<tr>
<td>Greenhouse, Private</td>
<td>Home-Based Business, Type 2</td>
</tr>
<tr>
<td>Shipping Container</td>
<td>Home-Based Business, Type 3</td>
</tr>
<tr>
<td>Signs not requiring a Development Permit¹</td>
<td>Kennel</td>
</tr>
<tr>
<td>Solar Panel, Ground Mount</td>
<td>Nursery</td>
</tr>
<tr>
<td>Solar Panel, Structure Mount¹</td>
<td>Shooting Range, Minor</td>
</tr>
<tr>
<td>Stripping and Grading²</td>
<td>Signs requiring a Development Permit²</td>
</tr>
<tr>
<td>WECS (micro)</td>
<td>Solar Farm</td>
</tr>
<tr>
<td>Stockpile</td>
<td>Tower</td>
</tr>
<tr>
<td>Stockpile</td>
<td>WECS (Category 1)</td>
</tr>
<tr>
<td>Tower</td>
<td>WECS (Category 2)</td>
</tr>
</tbody>
</table>

**TECHNICAL REVIEW**

**Access:**
Both the proposed and remainder parcels have existing approaches. If approved, the approaches will need to be reviewed by Wheatland County’s transportation department to ensure they are...
built to County specifications. Ensuring the approaches meet County specifications would be a condition of subdivision endorsement.

**Water & Sanitary Servicing:**
There is no piped servicing, the development is serviced by a private water well and a private septic field and tank; both of which are within the proposed boundary lines. With the current septic system coming to the end of its life, the applicant has obtained a PSTS report to determine what an appropriate septic system would be to replace it. The report concludes that the subject parcel is suitable for an onsite wastewater treatment system utilizing a secondary effluent treatment. It is recommended to include a condition of subdivision to comply with the recommendations of the report.

**Municipal Reserve:**
As per the Municipal Government Act, Municipal Reserve is required for the proposed subdivision. Wheatland County’s policy is to take cash-in-lieu as a condition of subdivision. Staff engaged an assessor to appraise the market value of the property, it was determined to be $6,100 an acre as of May 18, 2019. Based on the proposed subdivision of +/- 10 acres, the total required for MR cash-in-lieu would be $61,000. The final amount will be determined based on the final plan of survey submitted to the County.

**CIRCULATION COMMENTS**
**Circulation to Adjacent Landowners:**
The proposed subdivision was circulated to all landowners within 1.0 mile of the subject lands. No comments were received.

<table>
<thead>
<tr>
<th>EXTERNAL AGENCIES</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB Community Development</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Culture</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Energy Regulator</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Health Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>ATCO Gas</td>
<td>No objection, outside of franchise area</td>
</tr>
<tr>
<td>ATCO Pipelines</td>
<td>No objection</td>
</tr>
<tr>
<td>Ducks Unlimited</td>
<td>No concerns</td>
</tr>
<tr>
<td>Ember Resources</td>
<td>No concerns</td>
</tr>
<tr>
<td>Rosebud Gas Co-Op</td>
<td>No concerns</td>
</tr>
<tr>
<td>Telus</td>
<td>No objections</td>
</tr>
<tr>
<td>Western Irrigation District</td>
<td>No objections</td>
</tr>
<tr>
<td><strong>INTERNAL DEPARTMENTS</strong></td>
<td></td>
</tr>
</tbody>
</table>
Agricultural/Environmental Services | No comments
---|---
Emergency Services | No concerns
Development Services | No concerns
Protective Services | No concerns
Transportation & Infrastructure Services | No concerns, Back sloping, road acquisition and approach conditions added

RECOMMENDATION:

The following are two (2) possible options for MPC's consideration:

**Option #1:** Subdivision Application SD2019-010 be **approved** with the conditions noted in Appendix A based on the following:

- That with the stated conditions of approval, the Subdivision Authority has determined that the proposed subdivision complies with the County's Land Use Bylaw rules and regulations and the Municipal Development Plan policies.

- The Subdivision Authority is satisfied that the proposed subdivision, with the stated conditions, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation of the MGA.

**Option #2:** Subdivision Application SD2019-010 be **refused**.

Staff recommends **Option #1 - Approval** for the following reasons:

- The proposed subdivision generally aligns with the policies and objectives of the MDP, RGMS, and SSRP.
- The proposed subdivision aligns with the rules and regulations of the LUB.

Respectfully submitted,

Megan Williams, BCD
Planner II
Appendix A

Proposed Conditions for Approval:

1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

2) That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.

3) That the 10% municipal reserve requirement, pursuant to Section 666 of the Municipal Government Act be provided by payment of cash-in-lieu in accordance with the per acre value as stated in the appraisal report provided by Weleschuk Associates Ltd. dated May 18, 2019. The amount of cash-in-lieu of Municipal Reserve owing to Wheatland County will be determined based on the final plan of survey.

4) Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works Department, at the Owners expense.

5) The Owners are to enter into a Deferred Services Agreement for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

6) The Owners are to enter into an Agreement of Easement for Construction and Maintenance of Any Public Works with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

7) The Owners are to enter into a Road Acquisition Agreement, which shall be registered by caveat concurrently with the final plan against the title(s) being created.

8) The Owner is to comply with the Level I Model Process Document, provided by D&S Enterprises Wastewater Design and dated April 19, 2019.
AERIAL IMAGERY
Parcel proposed for subdivision and consolidation is highlighted in yellow and totals +/- 10 acres.
SD2019-011 The purpose of this application is to subdivide one +/- 27.9 acre parcel from the titled land, NW-4-25-22-W4M.

The subject property is accessed off of Township Road 251, and is approximately 1.7 kilometers west of the Village of Standard.

RECOMMENDATION: Staff recommends that the Municipal Planning Commission choose Option #1 to approve Subdivision application SD2019-011 with the conditions noted in Appendix A of the Planning Report.

Key Issue(s) / Concepts Defined
The intent of the application is to subdivide +/- 27.9 acres from the quarter section SW-9-25-22-W4M. When the applicant initially came forward, it was found the road wasn’t registered and if they wanted to subdivide the homestead and farm buildings out, access would need to be provided. The road registration was completed by the County in April of 2019, after which the applicant came in with their application for the +/- 27.9 acre subdivision. The road plan removed land from both the NW-4-25-22-W4M and SW-9-25-22-W4M quarters in order to be registered.

The proposed subdivision generally aligns with the South Saskatchewan Regional Plan, Regional Growth Management Strategy, and the Municipal Development Plan. Though the proposal is subdividing agricultural land, the proposed parcel will remain agriculturally zoned and some agricultural uses will continue. The SSRP acknowledges smaller agricultural parcels contribute to the diversification of agricultural economy. With both the proposed and remainder parcel being zoned...
agriculture, it will avoid conflict between the land uses. The proposed subdivision boundaries follow the established yard lines of the existing farmstead, and it is the first parcel out of the quarter section.

Currently the parcel aligns with the Agricultural General district of the land use bylaw, any future development will have to align with this section as well.

The approaches are existing, and will need to be reviewed by the County's transportation department to ensure they were built to County specifications. The existing development is currently serviced by an onsite water well and a private septic tile and holding tank.

Municipal reserve isn't required as per the MGA.

Landowners with one mile of the subject lands were circulated, no comments were received at the time of writing this report. External agencies and internal departments were also circulated. Fortis Alberta requested an easement be secured and as of July 4th, staff received confirmation that the required right of way agreements were obtained. The County Transportation department requested back sloping and road acquisition conditions.

### Relevant Policy / Practices / Legislation
Cite existing policies, practices and/or legislation
MGA, RSA 2000, c M-26 s.663 & 664
SSRP Strategic Plan and Implementation Plan for Agriculture
RGMS Section 4.3
MDP 3.1 Agriculture
Land Use Bylaw 2016-01

### Strategic Relevance
Reference to goals or priorities of current work program
N/A

### Response Options and Desired Outcome(s)
Main result, along with highlighted requisites and benefits
The following are two (2) possible options for MPC’s consideration:

**Option #1:** Subdivision Application 2019-011 be approved with the conditions noted in Appendix A based on the following:

- That with the stated conditions of approval, the Subdivision Authority has determined that the proposed subdivision complies with the County’s Land Use Bylaw rules and regulations and the Municipal Development Plan policies.
- The Subdivision Authority is satisfied that the proposed subdivision, with the stated conditions, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation of the MGA.

**Option #2:** Subdivision Application SD2019-011 be refused.

Staff recommends **Option #1 – Approval** for the following reasons:
The Subdivision Application:
- The proposed subdivision aligns with the policies and objectives of the MDP, RGMS, and SSRP.
- The proposed subdivision aligns with the rules and regulations of the LUB.
### IMPLICATIONS OF RECOMMENDATION

<table>
<thead>
<tr>
<th>Category</th>
<th>Consequences</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General</strong></td>
<td>Consequences to community, overall organization and/or other agencies</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Organizational</strong></td>
<td>Policy change or staff workload requirements</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Financial</strong></td>
<td>Current and/or future budget impact</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Environmental, Staff and Public Safety</strong></td>
<td>Consequences for the environment, consideration of effects on the safety of staff and the public</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Follow-up Action / Communications

Timelines, decision-making milestones and key products

If approved, Staff will follow up with the applicant with the approved conditions and assist with the endorsement process where we can.

---

Submitted by: _______________________
Megan Williams, BCD
Planner II

Reviewed by: _______________________
Matthew Boscariol, MES, MCIP, RPP
General Manager of Community & Development Services
PLANNING REPORT
Municipal Planning Commission
August 13th, 2019

FILE No: SD2019-011  DIVISION #: 1

PROPOSAL: Subdivide one +/- 27.9 acre parcel from the titled area.

LOCATION: The subject property is accessed off of Township Road 251, and is approximately 1.7 kilometers west of the Village of Standard

LEGAL DESCRIPTION: NW-4-25-22-W4M

TITLE AREA: +/- 159.18 Acres

EXISTING LAND USE: Agricultural General (AG) District

NUMBER OF PROPOSED PARCELS: 1

Background:
The intent of the application is to subdivide +/- 27.9 acres from the quarter section SW-9-25-22-W4M. When the applicant initially came forward, it was found the road wasn’t registered and if they wanted to subdivide the homestead and farm buildings out, access would need to be provided. The road registration was completed by the County in April of 2019, after which the applicant came in with their application for the +/- 27.9 acre subdivision. The road plan removed land from both the NW-4-25-22-W4M and SW-9-25-22-W4M quarters in order to be registered.

MUNICIPAL POLICY REVIEW
Calgary Metropolitan Regional Board Plan Area:
The proposed subdivision is outside the CMRB plan area, therefore did not require circulation to the Board.

South Saskatchewan Regional Plan:
The proposed subdivision generally aligns with the objectives and strategies of the SSRP. Though the SSRP discourages agricultural fragmentation, it acknowledges that smaller parcels contribute to the diversification of the overall agricultural economy. Where the proposed parcel is remaining Agricultural General District, and the applicant intends to continue to use the property for agricultural purposes, this section of the SSRP is satisfied.

Regional Growth Management Strategy
The proposed subdivision generally aligns with the objectives and policies of the RGMS. Though it is subdividing agricultural land, both parcels are remaining Agricultural General District and the proposed parcel boundaries follow the existing yard lines. This satisfies Goal 1 and 3 of the RGMS to limit the fragmentation of productive agricultural land and to avoid conflict between land uses.
This is also the first parcel out of this quarter section, and it contains the farmstead. Goal 4 of the RGMS states more favourable consideration shall be given to subdivision of first parcel out of an existing farmstead.

**Municipal Development Plan:**
The proposed subdivision generally aligns with the objectives and policies of the MDP. The MDP encourages minimizing the fragmentation of agricultural land. Though this proposed subdivision is fragmenting agricultural land, the proposed parcel is already developed, and agricultural uses will continue on the proposed parcel. This will minimize potential conflicts between the two parcels.

**Land Use Bylaw:**
The proposed subdivision is remaining Agricultural General (AG) District. All future development will be required to align with the rules and regulations of the AG District of the Land Use Bylaw. The following are the permitted and discretionary uses of the AG District.

<table>
<thead>
<tr>
<th>Permitted</th>
<th>Discretionary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Building / Structure</td>
<td>Abattoir</td>
</tr>
<tr>
<td>Agricultural Operation¹</td>
<td>Agricultural Processing – Major</td>
</tr>
<tr>
<td>Agricultural Processing – Minor</td>
<td>Bed and Breakfast</td>
</tr>
<tr>
<td>Dwelling, Clustered Farm</td>
<td>Composting Facility</td>
</tr>
<tr>
<td>Dwelling, Manufactured</td>
<td>Day Home</td>
</tr>
<tr>
<td>Dwelling, Modular</td>
<td>Dwelling, Garden Suite</td>
</tr>
<tr>
<td>Dwelling, Moved On</td>
<td>Dwelling, Temporary</td>
</tr>
<tr>
<td>Dwelling, Secondary Suite</td>
<td>Equestrian Centre</td>
</tr>
<tr>
<td>Dwelling, Single Detached</td>
<td>Farm Gate Sales</td>
</tr>
<tr>
<td>Farm Building</td>
<td>Greenhouse, Public</td>
</tr>
<tr>
<td>Greenhouse, Private</td>
<td>Home-Based Business, Type 2</td>
</tr>
<tr>
<td>Shipping Container</td>
<td>Home-Based Business, Type 3</td>
</tr>
<tr>
<td>Signs not requiring a Development Permit¹</td>
<td>Kennel</td>
</tr>
<tr>
<td>Solar Panel, Ground Mount</td>
<td>Nursery</td>
</tr>
<tr>
<td>Solar Panel, Structure Mount¹</td>
<td>Shooting Range, Minor</td>
</tr>
<tr>
<td>Stripping and Grading²</td>
<td>Signs requiring a Development Permit</td>
</tr>
<tr>
<td>WECS (micro)</td>
<td>Solar Farm</td>
</tr>
<tr>
<td></td>
<td>Stockpile</td>
</tr>
<tr>
<td></td>
<td>Tower</td>
</tr>
<tr>
<td></td>
<td>WECS (Category 1)</td>
</tr>
<tr>
<td></td>
<td>WECS (Category 2)</td>
</tr>
</tbody>
</table>

**TECHNICAL REVIEW**

**Access:**
Both the proposed and remainder parcels have existing approaches. If approved, the approaches will need to be reviewed by Wheatland County’s transportation department to ensure they are
built to County specifications. Ensuring the approaches meet County specifications would be a condition of subdivision endorsement.

**Water & Sanitary Servicing:**
There is no piped servicing, the development is serviced by a private water well and a private septic tile and holding tank.

**Municipal Reserve:**
As per the Municipal Government Act, Municipal Reserve is not required for the proposed subdivision as this is the first subdivision on this quarter section.

**CIRCULATION COMMENTS**
**Circulation to Adjacent Landowners:**
The proposed subdivision was circulated to all landowners within 1.0 mile of the subject lands. No comments were received.

<table>
<thead>
<tr>
<th>EXTERNAL AGENCIES</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB Community Development</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Culture</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Energy Regulator</td>
<td>No concerns</td>
</tr>
<tr>
<td>AB Health Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>ATCO Gas</td>
<td>No concerns</td>
</tr>
<tr>
<td>ATCO Pipelines</td>
<td>No objection</td>
</tr>
<tr>
<td>Canada Post</td>
<td>No comment</td>
</tr>
<tr>
<td>Fortis Alberta</td>
<td><strong>Comment dated June 7, 2019</strong></td>
</tr>
</tbody>
</table>

**Easements are required** for this development. FortisAlberta will contact the developer to initiate the process of securing an easement for the proposed subdivision. FortisAlberta is requesting that the Wheatland County defer its subdivision approval until such time as this easement process is complete and the developer has entered into an appropriate easement agreement with FortisAlberta and the easement has been properly registered with Land Titles (Alberta). FortisAlberta will notify Wheatland County once these steps have been completed and confirm to you that FortisAlberta no longer has any concerns with Wheatland County’s approval of this subdivision.

**Comment dated July 4, 2019**
Please be advised that FortisAlberta has secured the right of way agreements required to provide electrical service to the subject lands.
Accordingly, we ask that you release any conditions previously requested by FortisAlberta in connection to the proposed subdivision described above.

<table>
<thead>
<tr>
<th>Client/Department</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynx Energy</td>
<td>No concerns</td>
</tr>
<tr>
<td>Redeemer Catholic School Division</td>
<td>No concerns</td>
</tr>
<tr>
<td>Regional School Division #75 – Golden Hills</td>
<td>No concerns</td>
</tr>
<tr>
<td>Rosebud Gas Co-Op</td>
<td>No objection</td>
</tr>
<tr>
<td>Telus</td>
<td>No objection</td>
</tr>
<tr>
<td>Western Irrigation District</td>
<td>Outside of our District</td>
</tr>
<tr>
<td><strong>INTERNAL DEPARTMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Agricultural/Environmental Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>Emergency Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>Development Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>Protective Services</td>
<td>No concerns</td>
</tr>
<tr>
<td>Transportation &amp; Infrastructure Services</td>
<td>No concerns, back sloping and road acquisition conditions added.</td>
</tr>
</tbody>
</table>

**RECOMMENDATION:**

The following are two (2) possible options for MPC’s consideration:

**Option #1:** Subdivision Application SD2019-011 be **approved** with the conditions noted in Appendix A based on the following:

- That with the stated conditions of approval, the Subdivision Authority has determined that the proposed subdivision complies with the County’s Land Use Bylaw rules and regulations and the Municipal Development Plan policies.

- The Subdivision Authority is satisfied that the proposed subdivision, with the stated conditions, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation of the MGA.

**Option #2:** Subdivision Application SD2019-011 be **refused**.

Staff recommends **Option #1 - Approval** for the following reasons:
• The proposed subdivision generally aligns with the policies and objectives of the MDP, RGMS, and SSRP.
• The proposed subdivision aligns with the rules and regulations of the LUB.

Respectfully submitted,

Megan Williams, BCD
Planner II
Appendix A

Proposed Conditions for Approval:

1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

2) That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding taxes up to and including the year in which the subdivision is to be registered shall be paid to the municipality.

3) Approaches to the proposed parcel(s) and remainder built and located to County Standards and approved by the Public Works Department, at the Owners expense.

4) The Owners are to enter into a Deferred Services Agreement for water and wastewater with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

5) The Owners are to enter into an Agreement of Easement for Construction and Maintenance of Any Public Works with Wheatland County which shall be registered by caveat concurrently with the final plan against the title(s) being created.

6) The Owners are to enter into a Road Acquisition Agreement, which shall be registered by caveat concurrently with the final plan against the title(s) being created.
Parcel proposed for subdivision is highlighted in yellow and totals +/- 27.9 acres.
LANDOWNER CIRCULATION MAP