



WHEATLAND COUNTY

Municipal Planning Commission Meeting Agenda

February 11, 2020, 9:00 a.m.

Pages

1. CALL TO ORDER AND RELATED BUSINESS

1.1 Call To Order

Note: meetings are recorded and may be posted on the official Wheatland County website and/or via social media.

1.2 Adoption of Agenda

1.3 Adoption of Minutes

1. Unapproved Minutes - January 20, 2020

2

2. DEVELOPMENT PERMIT APPLICATIONS

2.1 DP2020-001

6

Legal: Plan 754N, Block B, Lot 1-5 - Cheadle

Proposal: Dwelling, Accessory

Parcel Size: 1,536.79 m² 16,542.5 ft², (0.38 acres)

3. ADJOURNMENT



WHEATLAND COUNTY

Municipal Planning Commission Meeting Minutes

January 20, 2020, 9:00 a.m.

Members Present: Chair T. Ikert
 Vice Chair D. Biggar
 A. Link
 J. Wilson

Members Absent: B. Armstrong
 G. Koester
 S. Klassen

Administration: M. Boscariol, GM of Community and Development Services
 S. Hayes, Development Officer
 M. Soltys, Communications Specialist
 D. Bodie, Recording Secretary

1. CALL TO ORDER AND RELATED BUSINESS

1.1 Call To Order

Note: meetings are recorded and may be posted on the official Wheatland County website and/or via social media.

Note: Several members of the public entered and left the meeting at various times.

The Chair, T. Ikert, called the meeting to order – time 9:01 A.M.

1.2 Adoption of Agenda

RESOLUTION MPC-2020-01-01

Moved by WILSON

THAT the Municipal Planning Commission approve the meeting agenda, as presented.

Carried

1.3 Adoption of Minutes

1.3.1 Unapproved Minutes - December 10, 2019

RESOLUTION MPC-2020-01-02

Moved by BIGGAR

THAT the Municipal Planning Commission Meeting approve the December 9, 2019 minutes as presented.

Carried

2. DEVELOPMENT PERMIT APPLICATIONS

2.1 DP2019-160

Legal: Plan 161 1511, Block 5, Lot 7 within the NE 10-24-26-W4M

Proposal: Industrial, Medium (Hydro-Vac Transfer Pad)

Title Area: 1.36 ha (3.36 acre)

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-160, Industrial, Medium (Hydro-Vac Transfer Pad), 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).

Committee was in agreement to hear from the applicant. The applicant, Neil Allan, spoke to the letter of opposition and is confident that the letter was based on a misunderstanding of the proposed project. Applicant will have further discussion with the author of the letter.

Clarification on the proposed operation as it relates to trucking materials and material will be non-hazardous in nature.

RESOLUTION MPC-2020-01-03

Moved by WILSON

THAT Municipal Planning Commission approve DP2019-160, Industrial – Medium (Hydro-Vac Transfer Pad), subject to the following conditions:

1. This development permit is issued solely for the purpose of a Hydro-Vac Transfer Pad – Defined as Industrial, Medium.
2. No Variances have been granted.
3. Development shall proceed according to Industrial General (IG) 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. Development to remain consistent with submitted application and all approved plans and procedures which form the application and have been deemed to be appropriate.
6. Any future modifications or development on or to the lands will require the appropriate development permits in accordance with the Wheatland County Land Use Bylaw.
7. Design and construction of landscaping features including, at minimum, the work and landscaping described in the 'Landscaping Plan' approved for DP 2019-009 to the satisfaction of the County and in accordance with the following:
 - a. A guaranteed security must be provided to ensure that landscaping is provided and maintained for one (1) year. The security shall be in the form of an irrevocable letter of credit or cash having the value equivalent to 125% of the established landscape costs.
 - b. The projected costs of the landscaping shall be calculated by the owner/applicant and shall be based on information provided in the approved landscape plan. If in the reasonable opinion of the development authority, these projected costs are inadequate,
 - c. The Development Authority may establish a higher landscaping cost for the purposes of determining the value of the landscaping security.

- d. Where the owner does not complete the required landscaping, or if the owner fails to maintain the landscaping, in the health/condition to the satisfaction of the development authority for the specified periods of time, the County shall reserve the right to complete the work to the satisfaction of the development authority.
- e. Where the cash or proceeds from the letter of credit are insufficient for the County to complete the required work, should it decide to do so, then the owner shall pay such deficiency to the County immediately upon being invoiced.
- f. Upon receipt of a written request from the owner/applicant, an inspection of the finished landscaping may be scheduled by the Development Officer. Landscaping inspections shall comply with the following:
 - i. Inspections shall be conducted only during the normal growing season, approximately April 15th through October 15th;
 - ii. The Development Officer shall perform the landscaping inspection within thirty (30) days of receipt of the inspection request subject to i above; and
 - iii. Upon approval of the landscaping by the Development Officer, the security shall be fully released.
8. Prior to construction occurring, offsite levies are to be paid as per the West Highway 1 Area Structure Plan *Offsite Levies Bylaw 2007-109* in accordance with the payment plan agreed to for DP 2019-009.
9. 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/or federal legislation.

Carried

2.2 DP2019-173

Legal: NE 22-25-25-W4M

Proposal: Dwelling, Accessory with Variance (to maximum size)

Title Area: 12.78 acres

S. Hayes, Development Officer, presented the application (Request for Decision) highlighting the following: recommendation – Option #1 to approve DP2019-173, Dwelling, Accessory with Variance (to maximum size), 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). Discussion relating to the exterior of the building, timeline of completion and any impact to traffic. Staff clarified that the current beekeeping business will not be altered and is classified as an agriculture business so no permit is required.

RESOLUTION MPC-2020-01-04

Moved by LINK

THAT Municipal Planning Commission approve DP2019-173, Dwelling, Accessory with Variance (to maximum size), subject to the following conditions:

1. This Development Permit is issued solely for a second residence (trailer structure with an addition) on the property - Defined as a Dwelling, Accessory.
2. A variance has been granted to the 80% size ratio allowing the Dwelling, Accessory (1950 ft²) to be larger than the Dwelling, Primary (1350 ft²).
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. Used dwelling deposit of \$5000 to be submitted and refunded upon:
 - a. Foundation finished with appropriate material.
 - b. Exterior stairs to be installed (if required).
 - c. Exterior finish (i.e.: siding) to the satisfaction of the Development Officer.
 - d. All roofing, windows and paint completed to the satisfaction of the Development Officer.
 - e. Any other requirements as deemed necessary by the Development Officer.
7. A qualified structural engineer to provide a structural design for the Dwelling, Accessory (trailer structure with an addition) to the reasonable satisfaction of Wheatland County and/or its agents.

Notes:

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

Carried

3. **ADJOURNMENT**

RESOLUTION MPC-2020-01-05

Moved by WILSON

THAT the Municipal Planning Commission meeting be adjourned - time 9:22 A.M.

Carried

Chair

Chief Administrative Officer

Recording Secretary



WHEATLAND COUNTY

Where There's Room to Grow

Request for Decision

February 11, 2020

Resolution No. _____

Date Prepared January 29, 2020

Subject

Decision-making topic title

DP 2020-001 The applicant is proposing to construct a 576 ft² Dwelling, Accessory to be located on the upper floor of an existing accessory building.

Location: Plan 754N, Block B, Lot 1-5, Within the Hamlet of Cheadle

Recommendation

Clear resolution answering – what/who/how/when

RECOMMENDATION: That Municipal Planning Commission choose Option #1 to approve DP 2020-001 for 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

☒

Available

☐

None

☐

Key Issue(s) / Concepts Defined

Define the topic, reference background material and state question to be answered

The applicant is proposing to construct a 576 ft² Dwelling, Accessory to be located on the upper floor of an existing accessory building (permit issued in 2012). The proposal meets all of the requirements of the Land Use Bylaw, no variances have been requested.

Relevant Policy / Practices / Legislation

Cite existing policies, practices and/or legislation

CMRB:

No review required by the Board.

MUNICIPAL DEVELOPMENT PLAN (MDP):

Section 3.6.1 Residential Development Objectives

CHEADLE AREA STRUCTURE PLAN:

Section 3 Residential Development

LAND USE BYLAW (LUB) 2016-01:

9.12 Hamlet Residential General District – Discretionary Use

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

OPTIONS:

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

Option #1: THAT Council approve DP 2020-001:

Resolution 1: THAT Municipal Planning Commission approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A.

Option #2: THAT Municipal Planning Commission refuse DP 2020-001 with reasons given.

Option #3: THAT Municipal Planning Commission provide an alternative recommendation.

RECOMMENDATION:

That Municipal Planning Commission choose Option #1 to approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed application aligns with 3.61 of the MDP.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential.
- With the stated conditions of approval, the Development Authority has determined that the proposal complies with intent of the County's Land Use Bylaw rules and regulations.
- The applicant will be required to obtain the required safety code permits.

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

Advise applicant of the decision.

Submitted
by:



Suzanne Hayes
Development Officer

Reviewed
by:



Sherry Baers
Manager of Planning & Safety
Codes Services



Matthew Boscariol, MES, MCIP, RPP
General Manager of Community &
Development Services



WHEATLAND COUNTY

Where There's Room to Grow



DEVELOPMENT PERMIT REPORT

Municipal Planning Commission
February 11, 2020

Development Permit Number: DP 2020-001

PROPOSAL: Dwelling, Accessory

LEGAL DESCRIPTION: Plan 754N, Block B, Lot 1-5

LOCATION: Within the Hamlet of Cheadle

PARCEL SIZE: 1,536.79 m² 16,542.5 ft², (0.38 acres)

ZONING: Hamlet Residential General (HRG)

DETAILS OF PROPOSAL:

The applicant is proposing to construct a 576 ft² Dwelling, Accessory to be located on the upper floor of an existing accessory building (permit issued in 2012).

The proposal meets all the requirements of the Land Use Bylaw, no variances have been requested.

Land Use Bylaw:

8.7.2 b) Inside a hamlet the Dwelling, Accessory shall be smaller than the primary dwelling and shall not exceed 74.32m² (800.0 ft²) in Gross Floor Area. As defined in the definitions section.

The proposed dwelling will share water and septic services with the primary residence. The yard is surrounded by mature trees which assist with screening from neighboring properties.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application is located within the Calgary Metropolitan Regional Board Plan Area, but is not amending a statutory plan, therefore no review is required by the Board.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposed Dwelling, Employee aligns with the MDP as it ensures that:

3.6.1

- 2) Wheatland residents have access to a range of affordable housing types, and a diversity of housing choices, to accommodate all stages of life;

- 3) It helps to ensure Wheatland's residential communities offer a variety of parcel, building and housing types for residential development.
- 9) Helps to increase the viability of the County's hamlets.

AREA STRUCTURE PLANS:

The application falls within the Hamlet of Cheadle Area Structure Plan. Section 3; Residential Development states that Social trends and needs of an older generation, young professionals and multi-generation families will need to be met with a diversified local residential real estate market such as secondary suites, semi-detached dwellings, retirement home apartments, or detached garages with rental units on the top floor.

LAND USE BYLAW (LUB):

9.12 Hamlet Residential General District (HRG)



Purpose and Intent

The purpose and intent of this district is to promote and accommodate low density residential development located in Hamlets.

Permitted and Discretionary Uses

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

Permitted	Discretionary
Accessory Building / Structure	Bed and Breakfast
Day Home	Dwelling, Modular
Dwelling, Duplex	Dwelling, Moved On
Dwelling, Secondary Suite	Dwelling, Accessory
Dwelling, Semi-Detached	Home Sales Center
Dwelling, Single Detached	Home-Based Business, Type 2
Greenhouse, Private	Signs requiring a Development Permit [^]
Show Home	Tower
Solar Panel, Structure Mount ¹	
Solar Panel, Ground Mount ¹	
Signs not requiring a Development Permit ¹	
Stripping and Grading ¹	
WECS (micro) ¹	
WECS Category 1 ¹	

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 8.7 Dwelling, Accessory) A Dwelling, Primary must be one of the following types: Dwelling, Single Detached, Dwelling, Moved-On, or Dwelling Modular.

Gross Floor Area - means the total area of all floors of a building, excluding the area of basement floors and enclosed decks.

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.*

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- 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:

AGENCY CIRCULATION	
Not Performed	
INTERNAL CIRCULATION	
Internal File Review	Park Enterprises –The applicant can proceed without altering the private sewage design as the occupancy is not currently changing and the only addition being another toilet. Should the property be sold, the family moving in may not be the same number of occupants and the system would need to be re-evaluated at that point if he chooses not to do it at this stage.
NEIGHBOUR CIRCULATION	
To adjacent neighbors	No Comments Received at the time of this report.

OPTIONS:

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

Option #1: THAT Council approve DP 2020-001:

Resolution 1: THAT Municipal Planning Commission approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A.

Option #2: THAT Municipal Planning Commission refuse DP 2020-001 with reasons given.

Option #3: THAT Municipal Planning Commission provide an alternative recommendation.

RECOMMENDATION:

That Municipal Planning Commission choose Option #1 to approve DP 2020-001 for a Dwelling, Accessory subject to conditions noted in Appendix A of the Development Permit Report based on the following:

- The proposed application aligns with 3.61 of the MDP.
- The proposed Dwelling, Accessory fits with the context of the area, which is primarily residential.
- With the stated conditions of approval, the Development Authority has determined that the proposal complies with intent of the County's Land Use Bylaw rules and regulations.
- The applicant will be required to obtain the required safety code permits.

Appendix A:

1. This Development Permit is issued solely for the purpose of residential suite to be located within an accessory building (wood shop) - Defined as a Dwelling, Accessory.
2. No variance has 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.

NOTES:

- All construction shall conform to Alberta Safety Code regulations.
- Development shall meet all provincial and federal legislation.



Suzanne Hayes, Development Officer

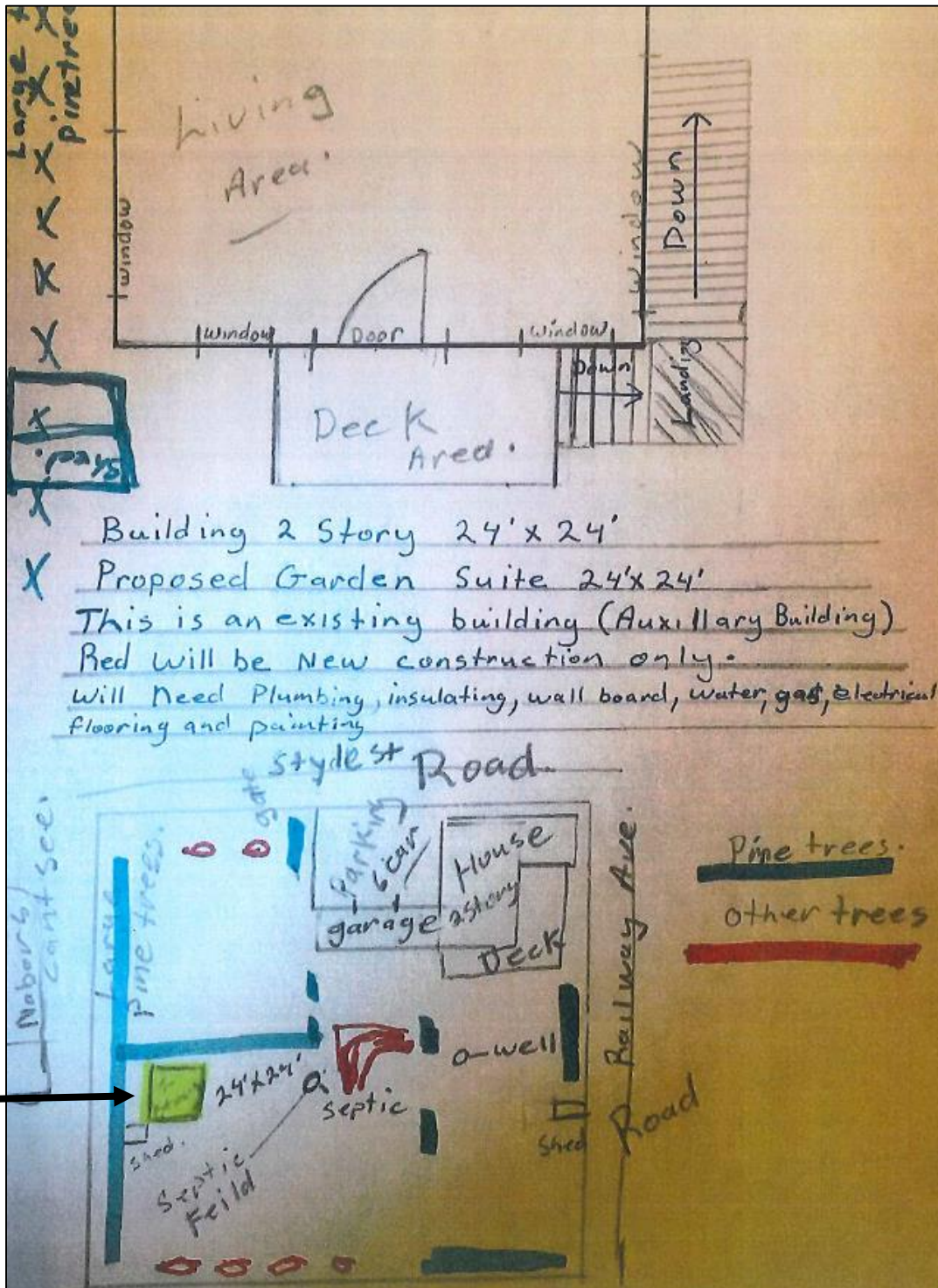
Appendix B: Location Plan



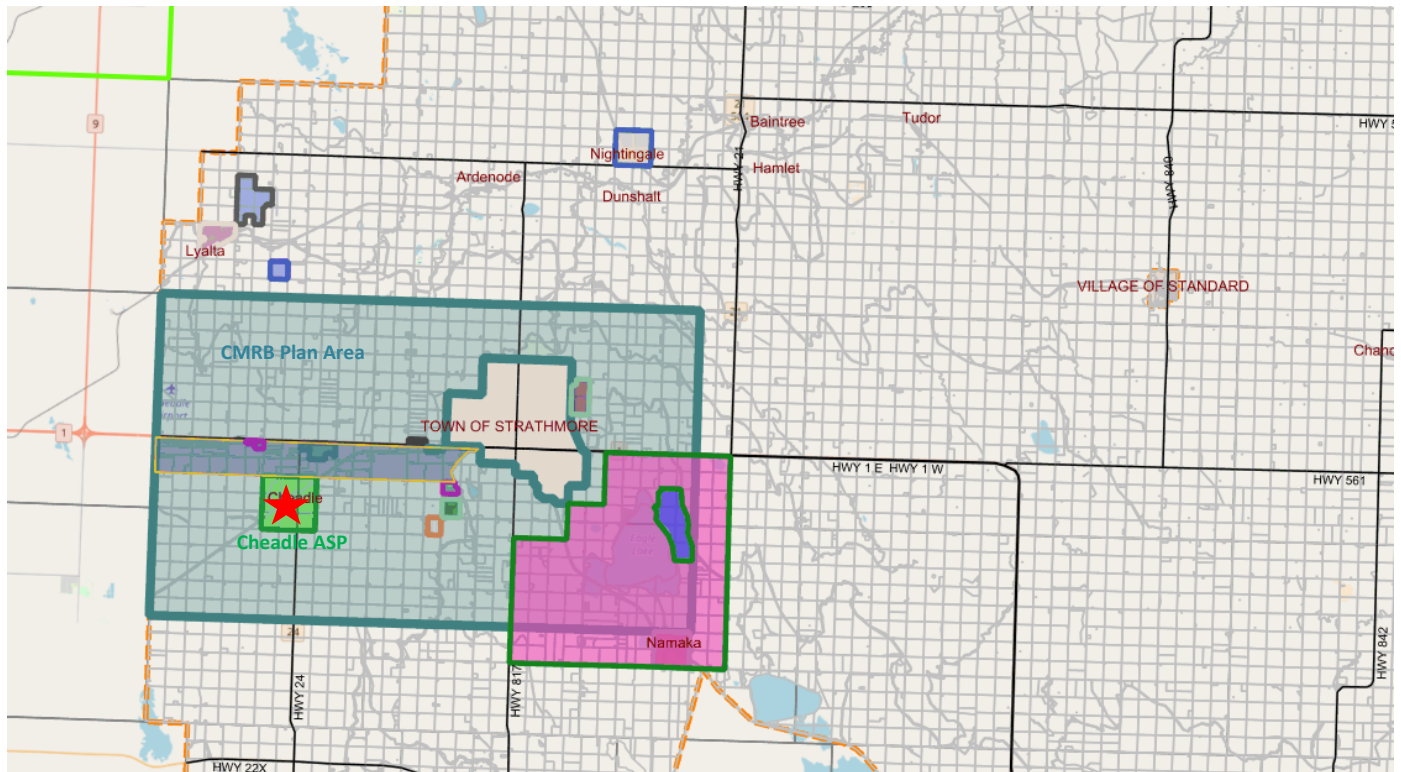
Appendix C: Aerial Photo



Appendix D: Site Plan



Appendix E: CMRB and Area Structure Plans (location indicated by red star)



Appendix F: Circulation Area



Appendix G: Photos





Primary Dwelling



Parking Area

21/06/2016