



# WHEATLAND COUNTY

## Municipal Planning Commission Meeting Agenda

June 9, 2020, 9:00 a.m.

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### 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 - May 12, 2020 3
2. **DEVELOPMENT PERMIT APPLICATIONS**
  - 2.1 **DP2020-041** 6

Legal: Plan 901 2480, Block 1 within NW-13-27-19-W4M  
Proposal: Addition to Dwelling, Variance  
Parcel Size: 40.0 acres
  - 2.2 **DP2020-046** 14

Legal: Plan 201 0348, Block 1, Lot 1 within NW-6-22-25-W4M  
Proposal: Essential Public Service (Fire Station)  
Parcel Size: 1.44 ha (3.55 acres)
3. **SUBDIVISION APPLICATIONS**
  - 3.1 **SD2020-006** 22

Legal: SW-15-25-23-W4M and NW-15-25-23-W4M  
Proposal: To subdivide two parcels (2) parcels from the southern half of SW-15-25-23-W4M. The remaining lands on the northern part of SW-15-25-23-W4M to be consolidated with NW-15-25-23-W4M to create one (1) new parcel measuring 89.59 Hectares (221.39 Acres).
  - 3.2 **SD2020-007** 31

Legal: NW-7-23-22-W4M  
Proposal: To subdivide one (1) 2.42 hectare (5.97 acre) parcel from NW-7-23-22-W4M
  - 3.3 **SD2020-008** 39

Legal: NW-7-27-21-W4 - Plan 6742BQ; Block 3 - Rosebud  
Proposal: To subdivide 0.17 acres from the parent parcel to consolidate with the adjacent 1.77 acre Parks & Recreation parcel to correct the encroachment of a Gazebo on Telus property.
4. **OTHER PLANNING MATTERS**
5. **CLOSED SESSION (IN CAMERA)**

## 6. ADJOURNMENT



## WHEATLAND COUNTY

### Municipal Planning Commission Meeting Minutes

May 12, 2020, 9:00 a.m.

Members Present: Chair T. Ikert  
Vice Chair D. Biggar  
A. Link  
B. Armstrong  
J. Wilson  
G. Koester  
S. Klassen

Administration: B. Henderson, Chief Administrative Officer  
M. Boscariol, GM of Community and Development Services  
M. Williams, Planner II  
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.

The Chair, T. Ikert, called the meeting to order - time 9:00 a.m.

The Chair, T. Ikert informed that the May 12, 2020 Municipal Planning Commission meeting will be conducted via conference call in accordance with the Municipal Government Act, Section 199. Chair Ikert reviewed the process for the meeting and took roll call.

[Note: Access to the meeting was posted on the County website.]

[Note: Several Wheatland County staff and members of the public joined and left at various times during the meeting.]

##### 1.2 Adoption of Agenda

###### **RESOLUTION MPC-2020-05-01**

Moved by KOESTER

THAT the Municipal Planning Commission approve the agenda as presented.

• Carried

##### 1.3 Adoption of Minutes

###### **RESOLUTION MPC-2020-05-02**

Moved by ARMSTRONG

THAT the Municipal Planning Commission approved the April 14, 2020 minutes, as presented.

• Carried

#### 2. DEVELOPMENT PERMIT APPLICATIONS

No 'Development Permits' were discussed

### **3. SUBDIVISION APPLICATIONS**

#### **3.1 SD2020-005**

Legal: NE-23-23-20-W4

Proposal: To subdivide a +/- 79.98 acre parcel from a quarter section. No additional development is proposed, and the parcel is remaining Agricultural General District.

M. Williams, Planner II, presented the application highlighting the following: recommendation – to approve SD2020-005 subject to the conditions noted.

#### **RESOLUTION MPC-2020-05-03**

Moved by WILSON

THAT the Municipal Planning Commission approve subdivision application SD2020-005, to subdivide one +/- 79.98 acre parcel from the titled area, subject to 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 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 Owner is 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 Owner is 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

### **4. OTHER PLANNING MATTERS**

No 'Other Planning Matters' were discussed

### **5. CLOSED SESSION (IN CAMERA)**

No 'Closed Session (In Camera)' items were discussed

### **6. ADJOURNMENT**

#### **RESOLUTION MPC-2020-05-04**

Moved by KLASSEN

THAT the Municipal Planning Commission meeting adjourn at 9:07 a.m.

• Carried



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Chair

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General Manager of Community and Development Services

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Recording Secretary

Unapproved

# Wheatland County

## Request for Decision

### Municipal Planning Commission

June 9, 2020

Report prepared by: Suzanne Hayes



## DP 2020-041

**File Number:** DP 2020-041  
**Proposal:** Addition to Dwelling, Variance  
**Location:** 6.4 km (4 miles) Northeast of Dalum, Adjacent to Hwy 569  
**Legal Description:** Plan 901 2480, Block 1, NW-13-27-19-4  
**Title Area:** 40.0 Acres  
**Existing Land Use:** Agricultural General  
**Proposed Parcels:** n/a

**Division:** 7

### Report

The applicants are requesting to construct a 264 ft<sup>2</sup> entry way as an addition to an existing single family dwelling constructed in 1940. The addition is proposed to be located 18.9 m (62.0 ft) from an undeveloped road allowance adjacent to Hwy 569 and the required setback is 22.86 m (75.0 ft) from the right of way of a public road. The 80 year old dwelling is a non-conforming building and the proposed addition will not be the closest point of the dwelling to the undeveloped road allowance.

The adjacent undeveloped road allowance will not be developed in the future due to the topography of the area and its proximity to Highway 569. Alberta Transportation has issued a Roadside Development permit for the proposed addition and the applicants are now seeking Wheatland County approval.

A variance request and a request to alter a non-conforming building may be approved if the Development Authority determines that it does not interfere with the amenities of the neighborhood or materially interfere with or affect the use, enjoyment or value of neighboring parcels of land.

### Recommendation from Administration

THAT Municipal Planning Commission approve DP 2020-041 for an addition and a variance subject to the following conditions:

1. This Development Permit is issued solely for the purpose of an Addition to an Existing Non-Conforming Dwelling with a Variance – Defined as an Addition with a Variance.
2. The variance has been granted allowing the addition to be constructed 18.9 m (62.0 ft) from the undeveloped road allowance adjacent to Highway 569.
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.

### Policy Analysis

**CALGARY METROPOLITAN REGIONAL BOARD (CMRB):** The application falls outside of the plan area.

**MUNICIPAL DEVELOPMENT PLAN (MDP):** The MDP does not address details regarding variances or non-conforming uses.

**LAND USE BYLAW:**

### **4.3 Variances**

- 4.3.1 Upon receipt of an application for any development for which a variance exceeds 10 % of any numerical rules and regulations of this Bylaw, the Development Officer shall refer the application to the Municipal Planning Commission for a decision.
- 4.3.2 The Development Authority may approve a Development Permit even though the proposed development does not comply with this Bylaw or is a non-conforming building if, in the opinion of the Development Authority:
- a) The proposed development would not:
- i. Unduly interfere with the amenities of the neighborhood; or
  - ii. Materially interfere with or affect the use, enjoyment, or value of neighboring parcels of land; and
  - iii. The proposed development conforms with a similar use prescribed for that land or building in this Bylaw.

**Considerations:**

- The dwelling has existed on the property since 1940 and portions of the building are closer to the undeveloped road allowance than the proposed addition will be.
- The proposal meets the criteria listed in LUB section 4.3 regarding variances and non-conforming buildings.
- The undeveloped road allowance will likely not be developed due to the hilly topography and close proximity to Hwy 569.

### **Technical Review**

The existing dwelling is accessed via an existing approach off Highway 569.

### **Circulation Comments**

AGENCY CIRCULATION	
Alberta Transportation	A Roadside Development Permit has been issued.
INTERNAL CIRCULATION	
Internal File Review	No Concerns.
NEIGHBOUR CIRCULATION	
To adjacent neighbors within 1 mile	No Comments Received at the time of this report.

**Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

**Follow-up Action / Communications**

Notify Applicant of the decision.

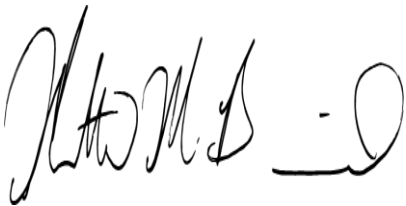
## Report Approval Details

Document Title:	DP 2020-041.docx
Attachments:	- Appendices for Report DP 2020-041.docx
Final Approval Date:	May 29, 2020

This report and all of its attachments were approved and signed as outlined below:

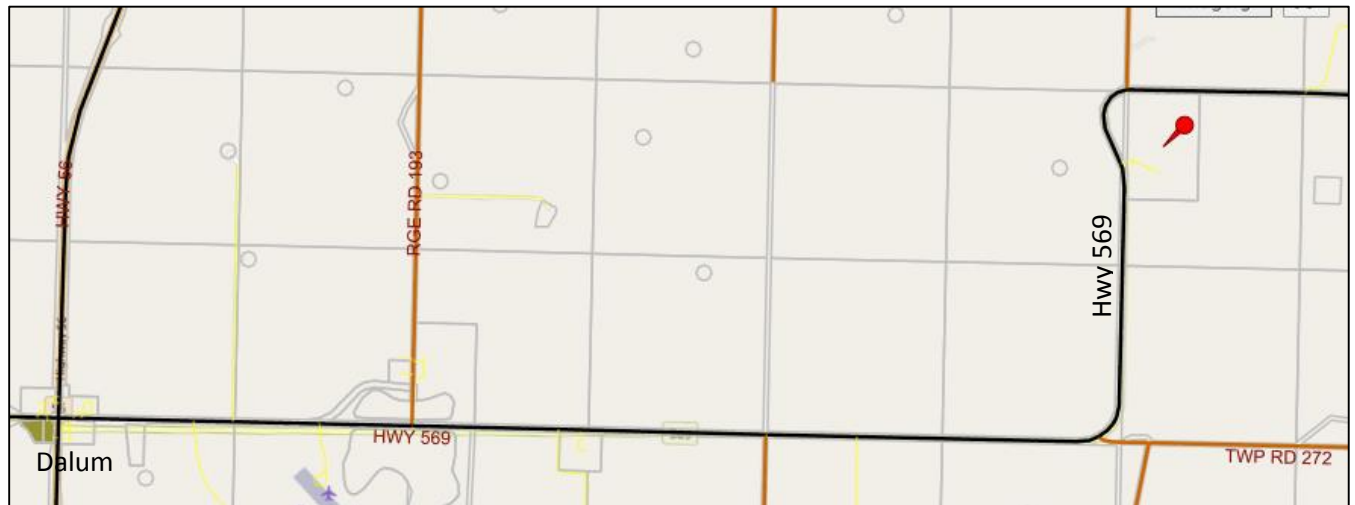
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Sherry Baers

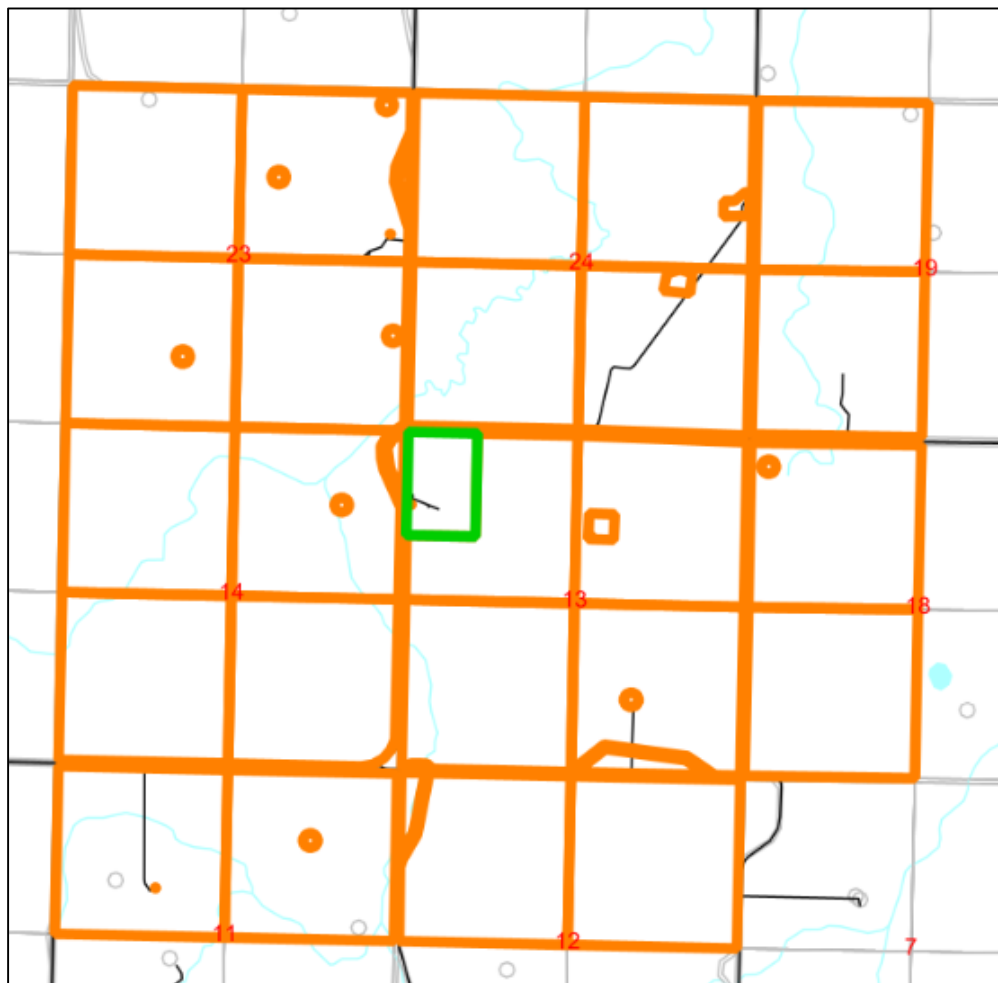
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Matthew Boscarol

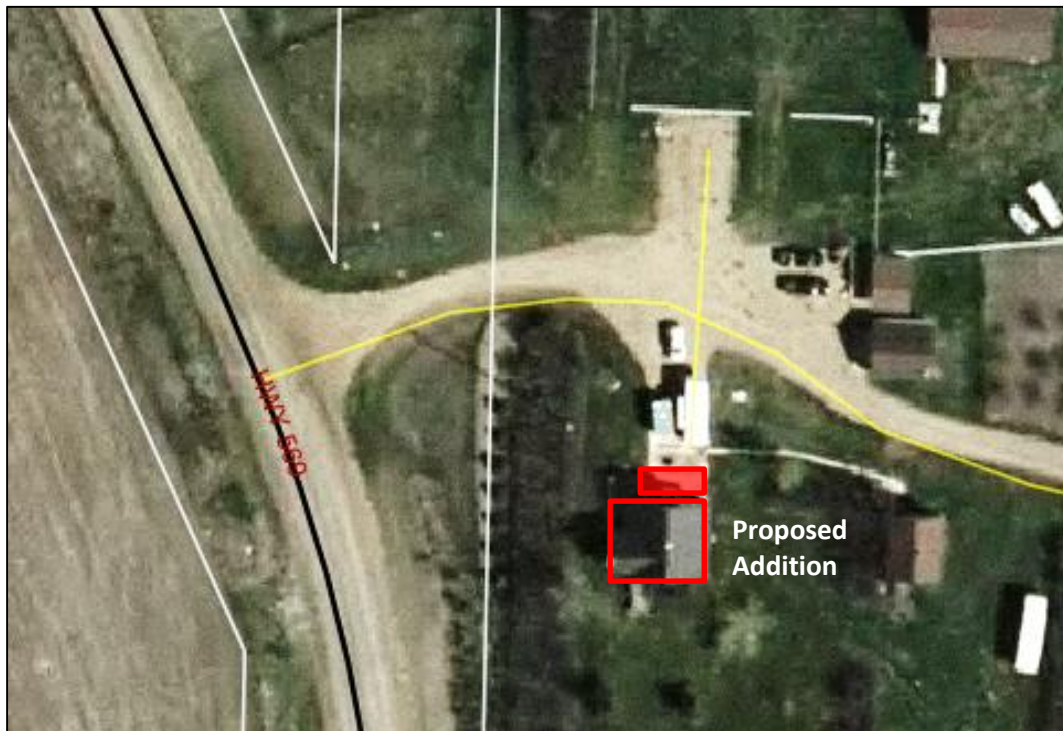
## Appendix A: Location Plan



## Appendix B: Circulation Area

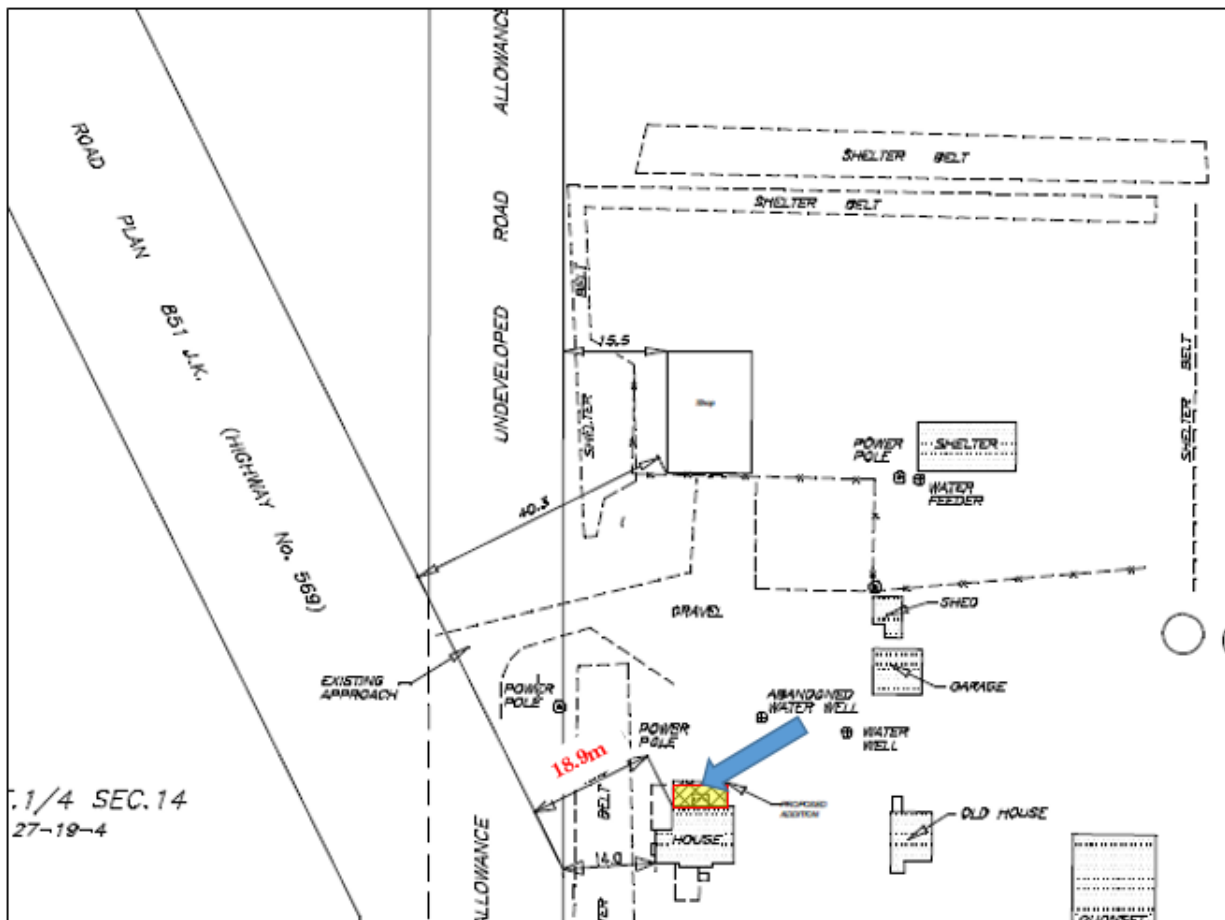


## Appendix C: Aerial Photos





## Appendix D: Site Plan



## Appendix E: Photos

Dwelling, Photo taken heading North on Hwy 569





**Dwelling, Photo taken heading South on Hwy 569**



**Existing Dwelling**



# Wheatland County

## Request for Decision

### Municipal Planning Commission

June 9, 2020

Report prepared by: Suzanne Hayes



## DP 2020-046

<b>File Number:</b>	DP 2020-046	<b>Division:</b>	3
<b>Proposal:</b>	Essential Public Service (Fire Station)		
<b>Location:</b>	South of Carseland on the Parcel Adjacent to the Municipal Sewage Lagoon		
<b>Legal Description:</b>	Plan 201 0348, Block 1, Lot 1, NW-6-22-25-4		
<b>Title Area:</b>	1.44 ha (3.55 ac)		
<b>Existing Land Use:</b>	Community Service (bare lot)		
<b>Proposed Parcels:</b>	n/a		

### Report

The County recently subdivided a portion of land from the parcel where the Carseland Sewage Lagoon is located for the purpose of constructing a new Fire Station. The new 8000 ft<sup>2</sup> building will house fire rescue and emergency medical response apparatus and equipment, PPE and firefighter gear. The building will also contain a meeting room that can be used/booked by public groups on an as needed basis. The facility will utilize municipal water and sewer services.

Intermittent noise may be expected from the site during training exercises estimated to be held approximately once per month. Additionally, noise may occur from the sirens when responding to calls.

No hazardous materials to be stored onsite, no outdoor storage will be necessary and there will be no deliveries to the site.

There will be a maximum of 14 on-call firefighters responding to the site for emergency calls and to conduct training exercises. The facility will be operational 24/7, 365 days/year on an on-call basis as required. A dedicated parking area is provided onsite for firefighters, staff and members of the public.

### Recommendation from Administration

THAT Municipal Planning Commission approve DP 2020-046 for a Fire Station subject to the following conditions:

1. This Development Permit is issued solely for the purpose of a Fire Station – Defined as Essential Public Service.
2. No variances have been granted.
3. Development shall proceed according to Community Service 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. Applicant/Landowner to ensure approach to the development is developed to County standards prior to construction occurring. Please contact Wheatland county Transportation & Infrastructure assistant for details at 403-934-3321.
8. Design and construction of landscaping features including, at minimum, the work and landscaping described in the 'landscaping plan' approved for DP 2020-046 to the satisfaction of the County.
9. Design and construction of site grading improvements including at minimum, the work and site grading described in the 'grading plan' approved for DP 2020-046 to the satisfaction of the County.
10. Design and construction of site lighting features including, at minimum, the work and lighting described in the 'lighting plan' approved for DP 2020-046 to the satisfaction of the County.

## **Policy Analysis**

**CALGARY METROPOLITAN REGIONAL BOARD (CMRB):** The application falls outside of the plan area.

**INTERMUNICIPAL DEVELOPMENT PLAN (IDP):** The application is within the IDP area shared with Vulcan County.

**MUNICIPAL DEVELOPMENT PLAN (MDP):** 3.15.2 - The County shall use best efforts to ensure that social and fire services are adequately provided to all residents.

**LAND USE BYLAW:** Essential Public Service is a Discretionary Use in the Community Service District.

## **9.10 Community Service District (CS)**



### **Purpose and Intent**

The purpose and intent of this district is to provide for cultural, educational and institutional land uses within the County. Uses may include, but are not limited to those of education, government, cultural activities, agricultural societies, religious assemblies and other institutional facilities and services.

### **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	Cemetery
Signs not requiring a Development Permit <sup>1</sup>	Child Care Facility
Solar Panel, Ground Mount <sup>1</sup>	Community Building and Facility
Solar Panel, Structure Mount <sup>1</sup>	Community Recreational Facility
Stripping and Grading <sup>1</sup>	Cultural Facilities
Utility Building	Essential Public Service ←
WECS (micro) <sup>1</sup>	Parks & Playgrounds
WECS (Category 1) <sup>1</sup>	Private Amenity Space
	Recreational, Minor
	School, Public
	School, Post-Secondary
	School, Private
	Signs requiring a Development Permit <sup>1</sup>
	Worship Facility

## **Technical Review**

The fire station access will be constructed approximately 300 m south of Hwy #24 on Range Road 260. The property will utilize municipal water and waste water services.

## **Circulation Comments**

AGENCY CIRCULATION	
Alberta Transportation Vulcan County	A Roadside Development Permit has been issued. No comments received at the time of this report.
INTERNAL CIRCULATION	
Internal File Review	No Concerns.
NEIGHBOUR CIRCULATION	
To adjacent neighbors within 1 mile	No Comments Received at the time of this report.

## **Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

## **Follow-up Action / Communications**

Inform Applicant of the Decision.

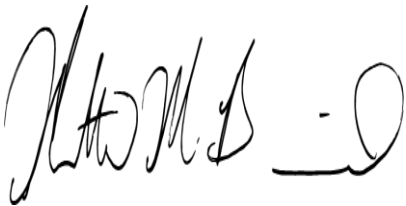
## Report Approval Details

Document Title:	DP 2020-046.docx
Attachments:	- Appendices for Report DP 2020-046.docx
Final Approval Date:	May 29, 2020

This report and all of its attachments were approved and signed as outlined below:

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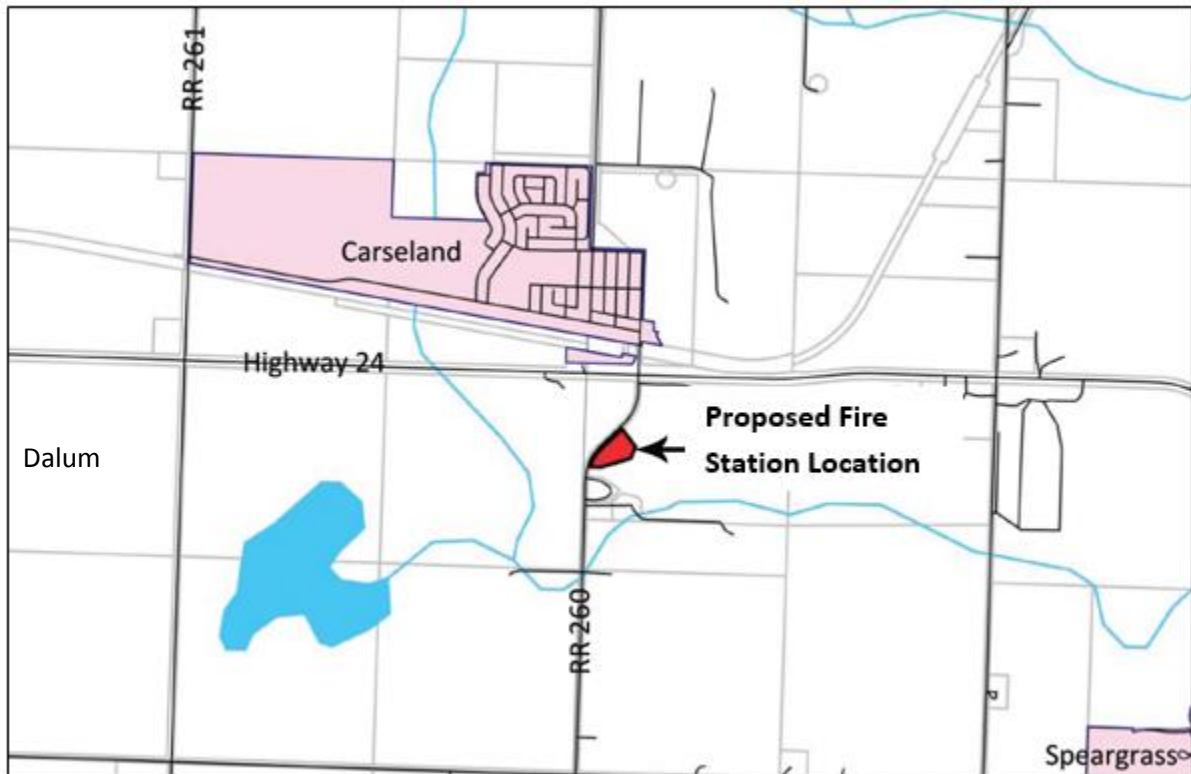
Sherry Baers

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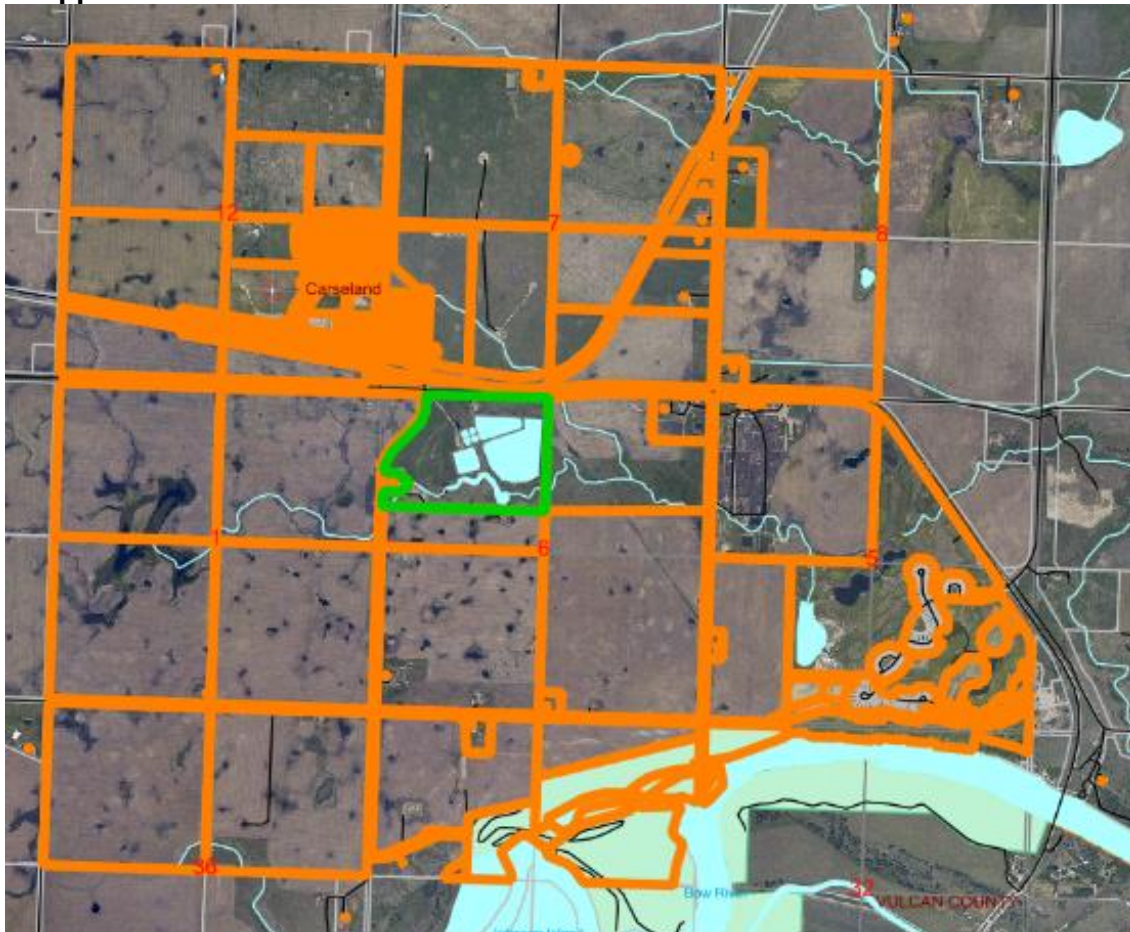
Matthew Boscarol



## Appendix A: Location Plan



## Appendix B: Circulation Area

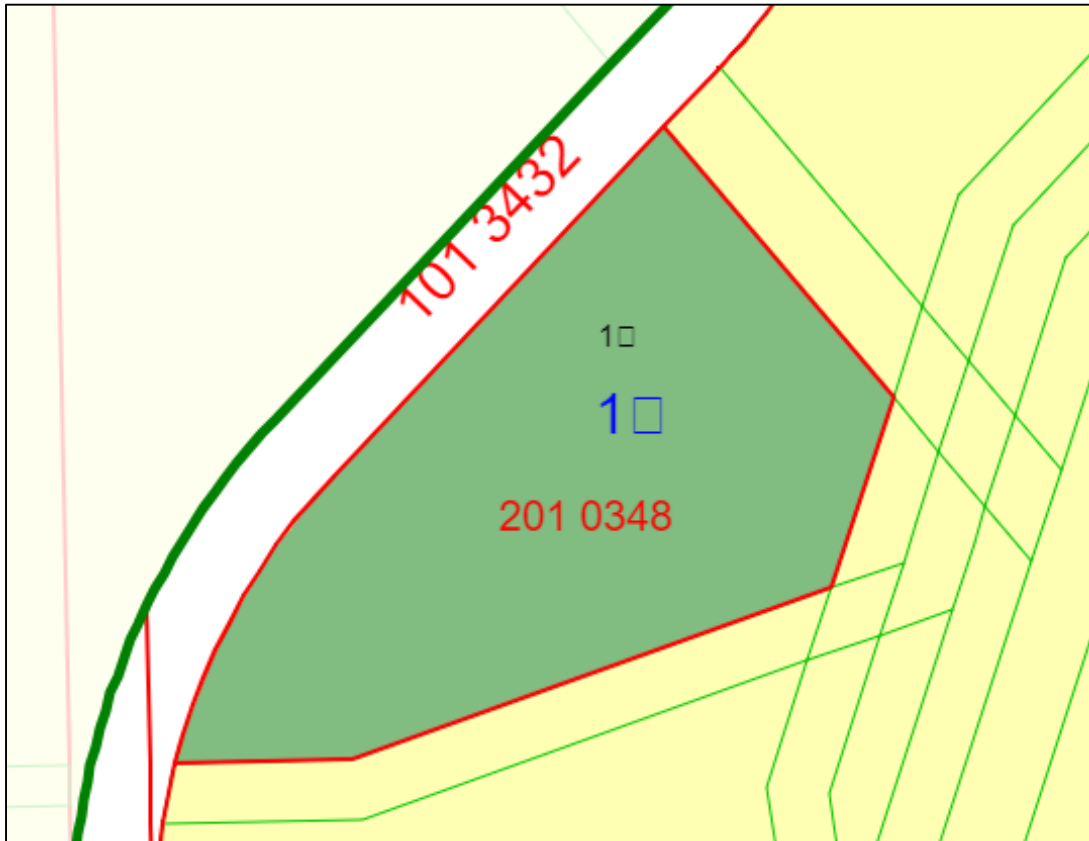


Appendix C: Aerial Photos (Subdivision not depicted on GIS mapping yet)

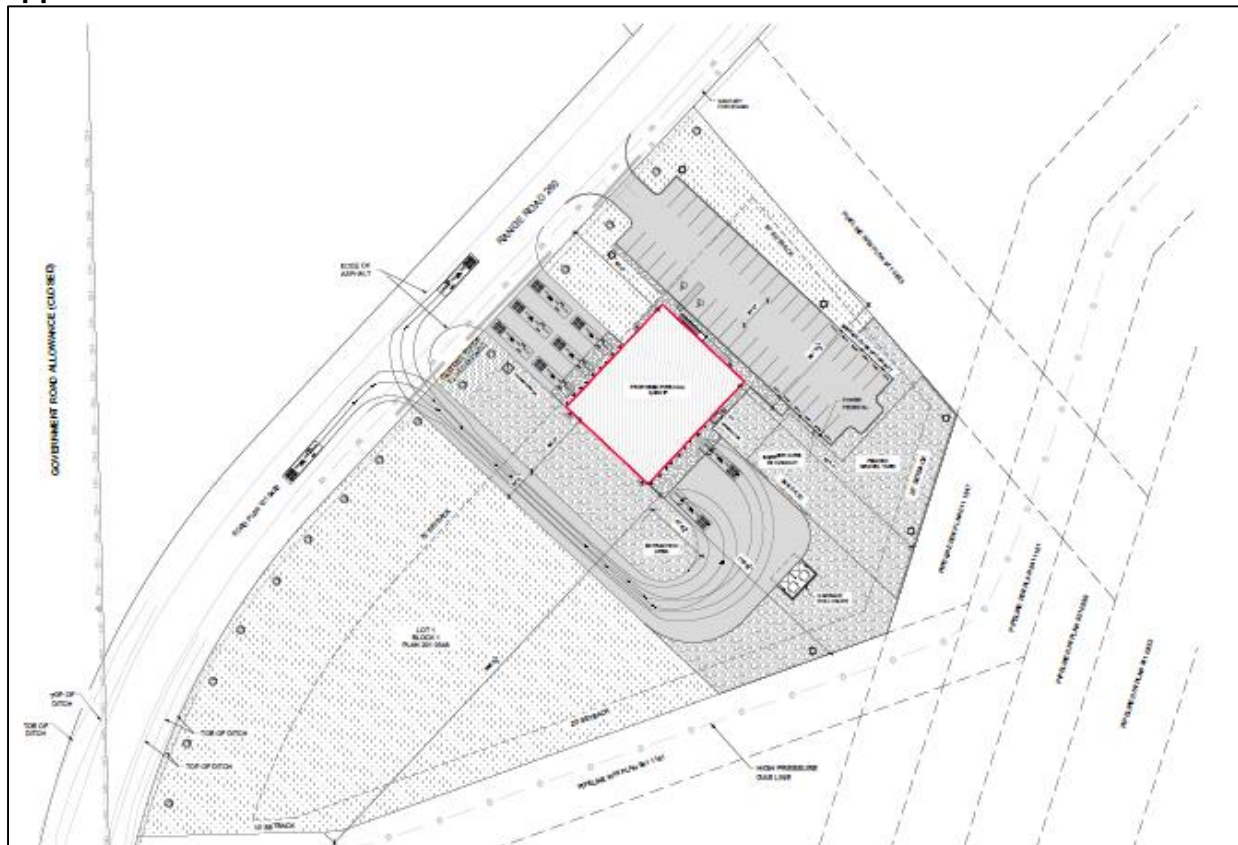




## Appendix D: Land Titles Mapping (subdivision is registered)



## Appendix E: Site Plan





## Appendix F: Photos

### Illustration of New Fire Hall



# Wheatland County

## Request for Decision

23.81Municipal Planning Commission

June 9, 2020

Report prepared by: Graham Allison



### SD2020-006

**File Number:** SD2020-007

**Divisions:** 2, 6

**Proposal:** To subdivide the southern half of SW-15-25-23-W4M to create two parcels (2) consisting of 9.73 ha (23.81 ac), a 28.30 ha (68.93 ac), and a remainder consisting of 25.88 ha (63.96 ac) to be consolidated with 25.88 ha (63.96 ac) in the northern part of NW-15-25-23-W4M to facilitate the creation of three new parcels.

**Location:** Adjacent to Range Road 233 approximately 6.5 miles (10.5 km) west of Standard

**Legal Description:** SW-15-25-23-W4M and NW-15-25-23-W4M

**Title Area:** 320 acres

**Existing Land Use:** Agricultural General (AG) District

**Proposed Parcels:** 3 new

### Report

This is a proposal to create three (3) new parcels within two (2) undivided quarter sections legally described as SW-15-25-23-W4M and NW-15-25-23-W4M. Proposed parcel 1 is approximately 9.73 hectares (23.81 acres) in size and contains a dwelling, garage barn, cattle shelter, grain bins, and a pond. The dwelling is serviced by a well and a private sewage disposal system. Proposed parcel 2 is approximately 28.30 Hectares (68.93 acres) in size and is undeveloped. The third proposed parcel contains the remaining 25.88 ha (63.96 ac) of cultivated land in the northern portion of SW-15-25-23-W4M, which is to be consolidated with NW-15-25-23-W4M to create one (1) 89.59 hectare (221.39 acre) parcel of agricultural land. All three of the proposed parcels can be accessed via existing approaches. There are no plans for development on any of the proposed parcels.

### Recommendation from Administration

THAT the Municipal Planning Commission approve subdivision application SD2020-006 subject to 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) 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.
- 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 \$4,365 as stated in the appraisal prepared by I. Weleschuk (2020/03/27) on the first parcel totaling +/-23.81 acres. The amount of cash-in-lieu of Municipal reserve owing to Wheatland County will be approximately \$10,393. The exact amount will be determined based on the final plan of survey.

- 4) 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.
- 5) 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.

## **Policy Analysis**

### **South Saskatchewan Regional Plan (SSRP)**

Section 5 of the South Saskatchewan Regional Plan (SSRP) advocates for the efficient use of land by discouraging the conversion and fragmentation of agricultural parcels. This section also aims to reduce the rate at which land is converted from an undeveloped state into permanent, built environment. The proposed subdivision is in alignment with this policy as it is consolidating the cultivated land between the two quarter sections into one parcel, while the parcels to be subdivided from the southern portion of contain a residence and undeveloped pasture land with no proposed development.

### **Regional Growth Management Strategy (RGMS)**

The RGMS provides long term guidance for development in the County with a goal of protecting productive agricultural land by concentrating development in built out areas. Section 4.2 encourages the preservation of agriculturally zoned land. All cultivated land and pastureland is being maintained in this subdivision with no plans for new development.

### **Municipal Development Plan (MDP)**

The proposal aligns with the MDP. It supports the Agricultural section's objectives and policies through maintaining the agricultural land use.

### **Land Use Bylaw (LUB)**

All of the proposed parcels are currently zoned Agricultural General (AG) District and is in general alignment with the goals and regulations of this district.

## **Technical Review**

### **Access:**

All the proposed parcels have existing access. The first parcel in the southwest portion of SW-15-25-23-W4M has an approach off Range Road 233. The second parcel can be accessed off Township Road 252. The third parcel has an approach off Range Road 233 on the northern portion of NW-15-25-23-W4M.

### **Water Servicing:**

The existing dwelling in the first parcel is serviced by a private water well. The second parcel and third parcel contain no water servicing.

### **Sanitary Servicing:**

The first parcel is serviced by a private septic disposal system. The second and third parcels are undeveloped and are not serviced.

### **Municipal Reserve:**

As per the *Municipal Government Act*, Municipal Reserve is not required on the second and third parcels. As Section 663 states that a subdivision authority may not require the owner of a parcel of land subject to a proposed subdivision to provide reserve land or cash lieu if the subdivision is 16.0 hectares or more. Both parcels are larger than 16.0 hectares.

Municipal Reserve is required for the first parcel. 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 \$4,365/acre for the 23.81 acre parcel. The amount of cash-in-lieu of Municipal reserve owing to Wheatland County will be approximately \$10,393. The exact amount will be determined based on the final plan of survey.

### **Circulation Comments**

The proposal was circulated to all landowners within 1.0 mile of the subject lands. No letters were received in support or objection to the application at the time this report was prepared.

EXTERNAL AGENCIES	COMMENTS
AB Community Development	No comments received.
AB Culture	No comments received.
AB Energy Regulator	No comments received.
AB Environment & Parks	<p>In reviewing this site, it appears to show evidence of a watercourse in southern section, that may be crown claimable under section 3 of the Public Lands Act. A determination can only be made by an Alberta land surveyor, with the possible assistance of the waterbodies unit in Provincial Approvals Section, Edmonton. These watercourse should be carefully considered in connection with the Provincial wetland policy, prior to the county making approval for this application.</p> <p><b>The Waterbodies Unit was circulated with the following response:</b></p> <p>Please note that a review of historical aerial imageries of the area does not support the existence of any permanent and naturally occurring body of water or a watercourse with a discernible and continuous bed within the existing gully in the SW ¼ Section 15-25-23-4. As such, no Crown owned bed and shore is affected by the proposed subdivision.</p>
AB Health Services	No comments received.
AB Transportation	No comments received.
ATCO Electric	No comments received.
ATCO Gas	No objections.
ATCO Pipelines	No objections.
AB Utilities Commission	No comments received.
Canada Post	No comments received.
Encana Corporation	No comments received.
Fortis Alberta	No comments received.
Golden Hills School Division	No comments received.
Redeemer Catholic School Division	No comments received.

Telus	No comments received.
Western Irrigation District	No objections.
<b>INTERNAL DEPARTMENTS</b>	
Agricultural Services	No concerns.
Emergency Services	No concerns.
Development Services	No concerns.
Protective Services	No concerns.
Transportation & Infrastructure Services	<p>No concerns</p> <p>The approaches are currently paved on RR 233 and appear to be of a high standard off of Twp. Rd 252. (Luis can you confirm?)</p> <p>The standard road widening acquisition and easement agreements should apply.</p>

### **Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

### **Follow-up Action / Communications**

Staff will notify the applicant that the subdivision has been approved.

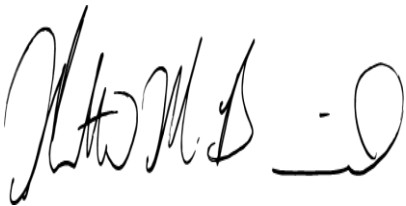
## Report Approval Details

Document Title:	SD2020-006.docx
Attachments:	- SD2020-006 Maps.docx
Final Approval Date:	Jun 3, 2020

This report and all of its attachments were approved and signed as outlined below:

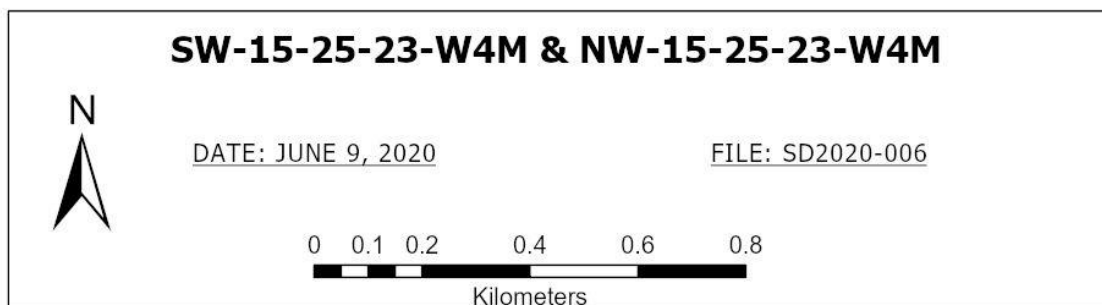
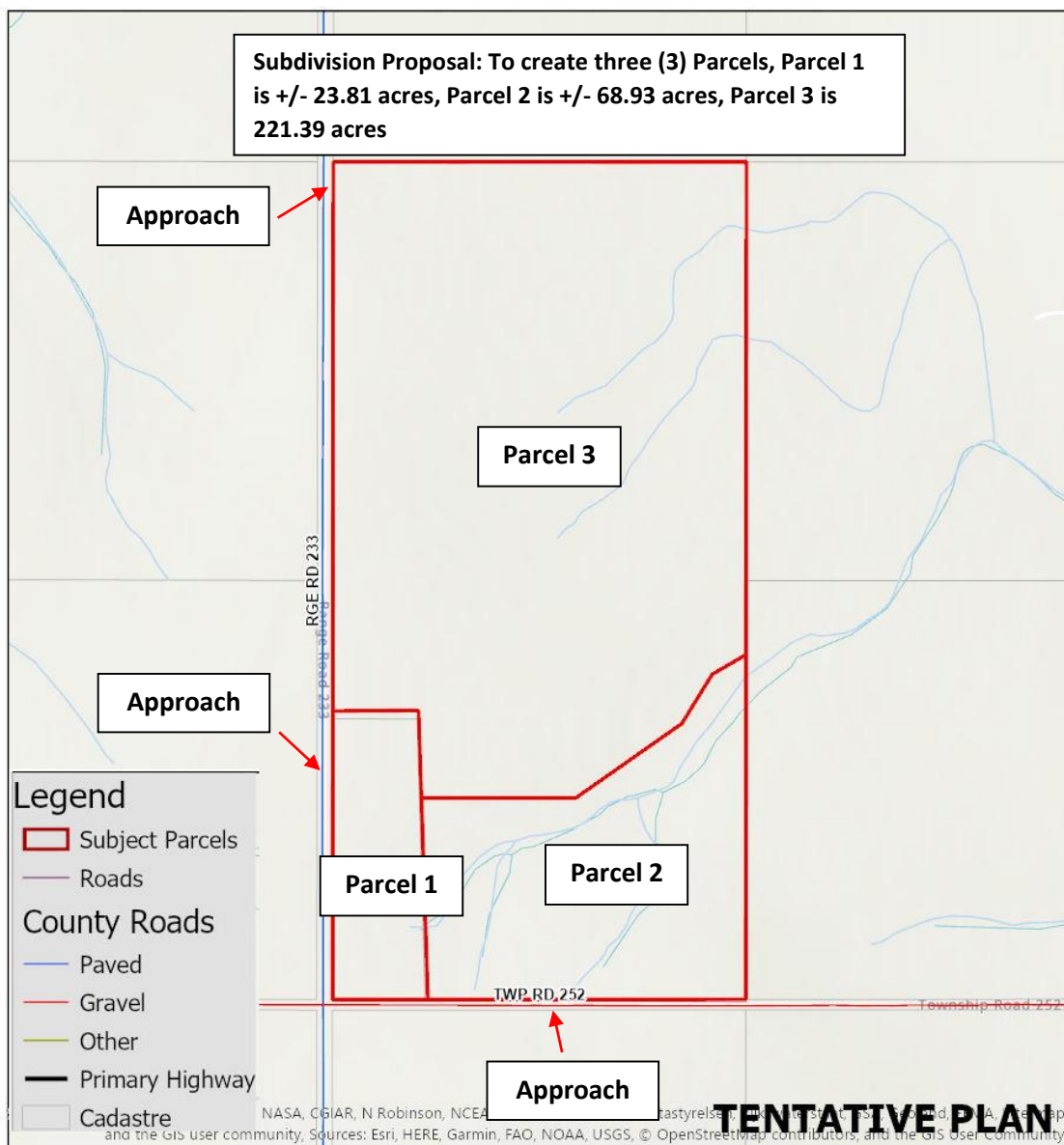
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Sherry Baers

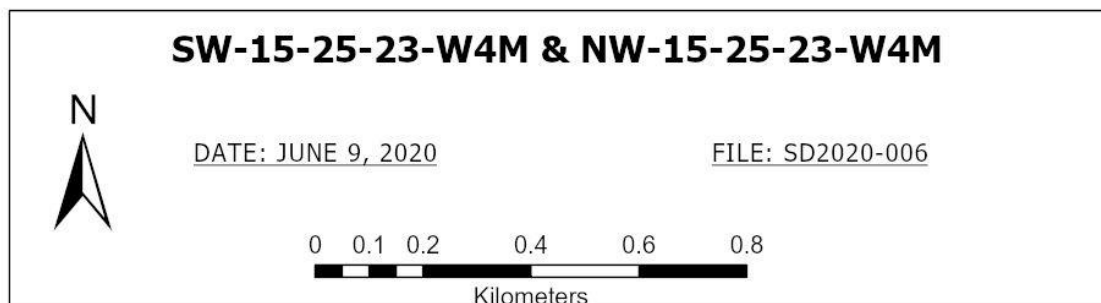
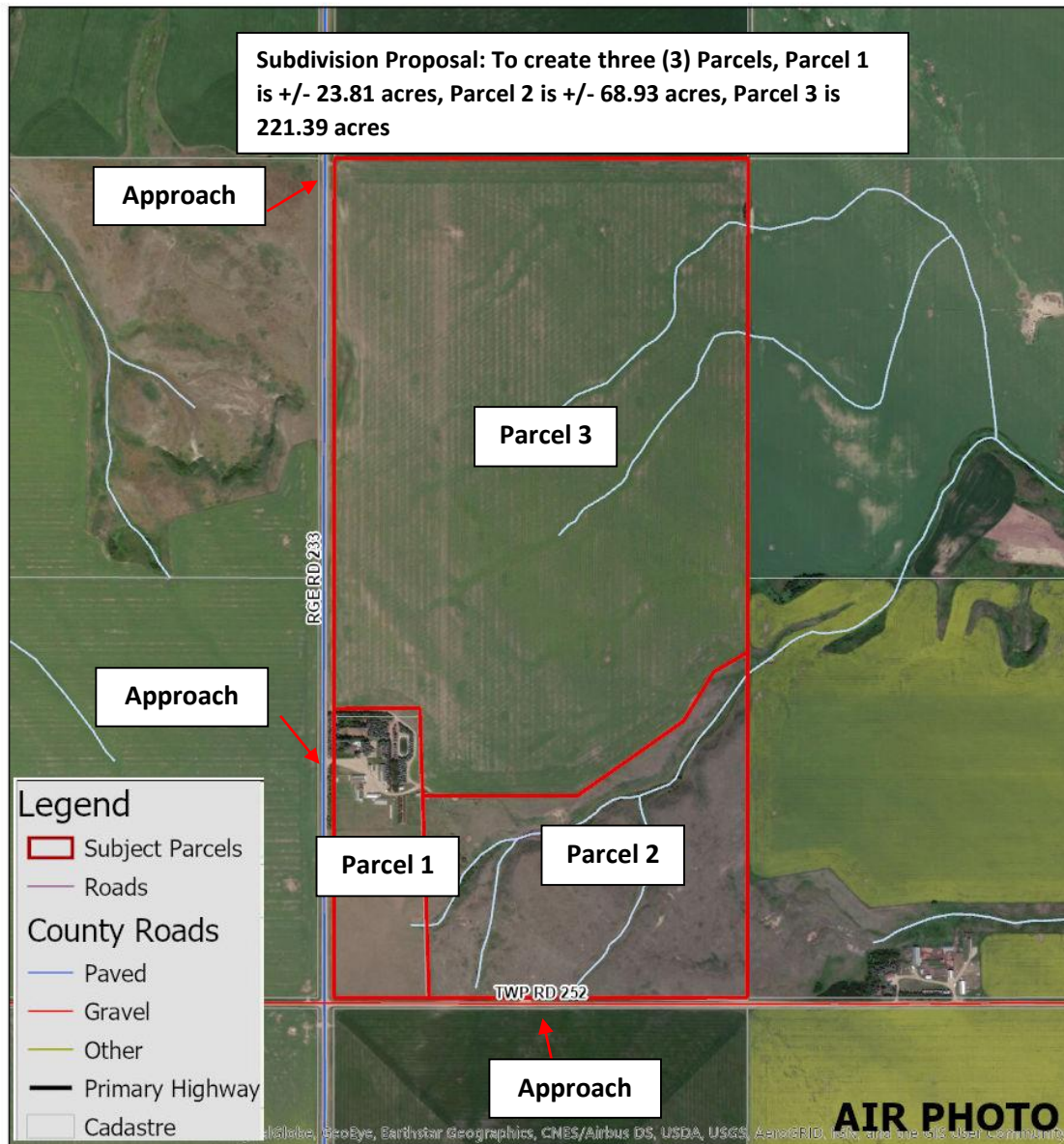
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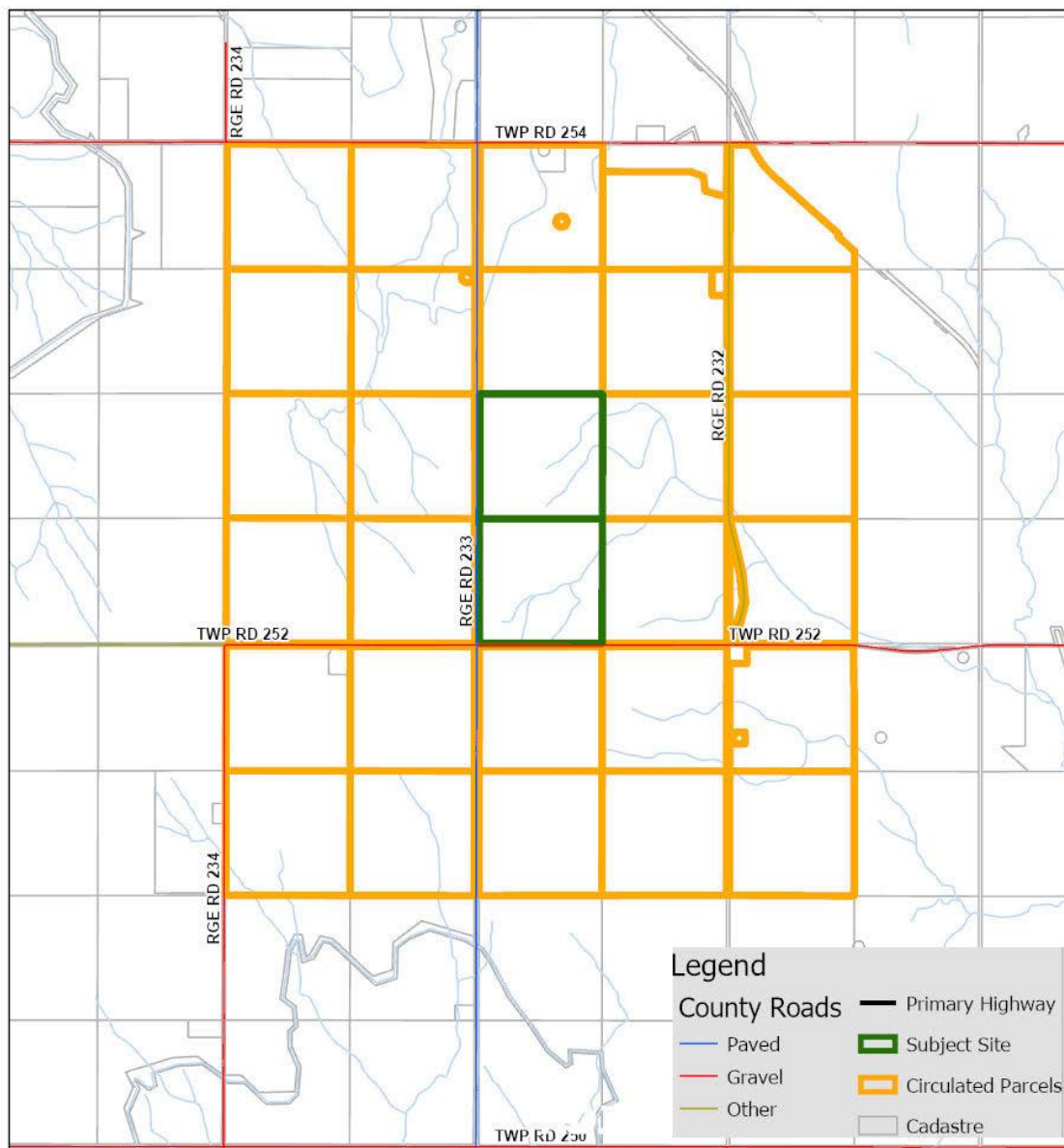
Matthew Boscarol









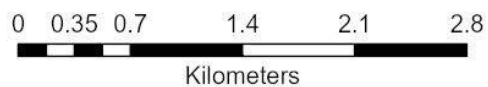


## SW-15-25-23-W4M & NW-15-25-23-W4M



DATE: JUNE 9, 2020

FILE: SD2020-006



# Wheatland County

## Request for Decision

### Municipal Planning Commission

June 9, 2020

Report prepared by: Graham Allison



## SD2020-007

<b>File Number:</b>	SD2020-007	<b>Division:</b>	1
<b>Proposal:</b>	To subdivide one (1) 2.42 hectare (5.97 acre) parcel from NW-7-23-22-W4M		
<b>Location:</b>	At the intersection of Range Road 230 and Township Road 232 approximately 5.3 miles (8.49 km) north of Gleichen.		
<b>Legal Description:</b>	NW-7-23-22-W4M		
<b>Title Area:</b>	160 acres		
<b>Existing Land Use:</b>	Agricultural General (AG) District		
<b>Proposed Parcels:</b>	1 new parcel		

### Report

This application is to subdivide the first parcel out of a quarter section located within NW-7-23-22-W4M. The proposed parcel has an area of 2.42 hectares (5.97) acres and contains a dwelling serviced by a well and private septic disposal system. It also contains shop, barn, and grain bins. The dwelling and remainder parcels are both zoned Agricultural General (AG) District with no proposed redesignation. The proposed and remainder parcels both have existing approaches. There are no plans for development at this time.

### Recommendation from Administration

THAT the Municipal Planning Commission approve subdivision application SD2020-007 subject to the following conditions:

- 1) Subdivision to be affected 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) 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.
- 3) 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.
- 4) 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.

### Policy Analysis

#### **South Saskatchewan Regional Plan (SSRP)**

A major objective of the South Saskatchewan Regional Plan (SSRP) is to ensure that region's agricultural industry is maintained and diversified. The implementation strategies related to this objective aim to "Maintain an agricultural land base by reducing the fragmentation and conversion of agricultural land" by discouraging

development on productive land and development that fragments contiguous agricultural parcels. The SSRP also recognizes that smaller parcels contribute to the diversification of the overall agricultural economy. This proposed 5.97 acre subdivision will not contribute to the fragmentation or conversion of agricultural land and is therefore in alignment with the goals and regulations of the SSRP.

**Regional Growth Management Strategy (RGMS)**

The RGMS provides long term guidance for development in the County. As per Section 4.2 under the Agriculture policies and goals, the proposed subdivision is a first parcel out subdivision intended to be used for farming with a proposed dwelling.

**Municipal Development Plan (MDP)**

Under Section 3.1 Agriculture, the proposal aligns with policy 3.1.1.2 and 3.1.1.3 by neither contributing to the reduction nor fragmentation of agricultural lands. The proposed subdivision will remain in agricultural use with a proposed dwelling.

**Land Use Bylaw (LUB)**

As per Section 9.1, The proposed subdivision will remain Agricultural General (AG), therefore there is no conflict with adjacent parcels. The subdivided parcel does not contribute to the loss or fragmentation of agricultural land, which aligns with the purpose and intent of the Agricultural General (AG) district of the land use bylaw. The parcel will remain farmland with a proposed dwelling.

**Technical Review**

**Approaches:**

The proposed parcel and the remainder parcel can both be accessed via existing approaches off Range Road 230.

**Water Servicing:**

The existing dwelling located on site is serviced by an existing private well within the boundaries of the proposed subdivision. The remainder parcel contains no water servicing.

**Sanitary Servicing:**

The existing dwelling is serviced by an existing private septic disposal system that is contained within the proposed parcel. There is no sanitary servicing within the remainder parcel.

**Municipal Reserve:**

As per the *Municipal Government Act*, Municipal Reserve is not required on the subject parcel. As Section 663 states that a subdivision authority may not require the owner of a parcel of land subject to a proposed subdivision to provide reserve land or cash lieu if the subdivision is the first lot subdivided from a quarter section. The proposed subdivision is a first parcel out subdivision and will not be required to pay municipal reserve.

**Circulation Comments**

The proposal was circulated to all landowners within 1.0 mile of the subject lands. No letters were received in support or objection to the application at the time this report was prepared.

EXTERNAL AGENCIES	COMMENTS
AB Community Development	No comments received.

AB Culture	No comments received.
AB Energy Regulator	No comments received.
AB Environment & Parks	No comments received.
AB Health Services	No comments received.
AB Transportation	No objections
ATCO Electric	No comments received.
ATCO Gas	No objections.
ATCO Pipelines	No objections.
AB Utilities Commission	No comments received.
Canada Post	No comments received.
Encana Corporation	No comments received.
Fortis Alberta	No comments received.
Golden Hills School Division	No comments received.
Redeemer Catholic School Division	No comments received.
Telus	No comments received.
Western Irrigation District	No objections.
<b>INTERNAL DEPARTMENTS</b>	
Agricultural Services	No concerns.
Emergency Services	No concerns.
Development Services	No concerns.
Protective Services	No concerns.
Transportation & Infrastructure Services	The proposed parcel access is from a dedicated service road within the Highway 1 right of way and maintenance is the responsibility of Wheatland County. The road is constructed to a suitable access road standard. There appears to be an approach constructed to the remainder of the parcel off of this service road. There should also be conditions placed on the subdivision of road widening easement and acquisition.

### **Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

### **Follow-up Action / Communications**

Staff will notify the applicant that the subdivision has been approved.

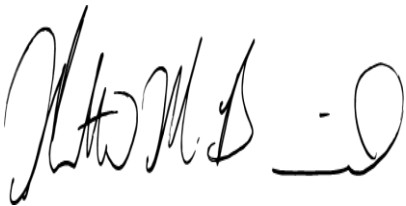
## Report Approval Details

Document Title:	SD2020-007.docx
Attachments:	- Maps SD2020-007.docx
Final Approval Date:	Jun 1, 2020

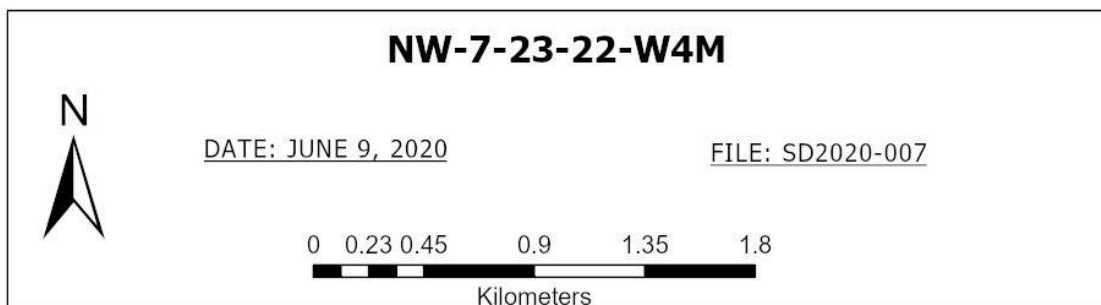
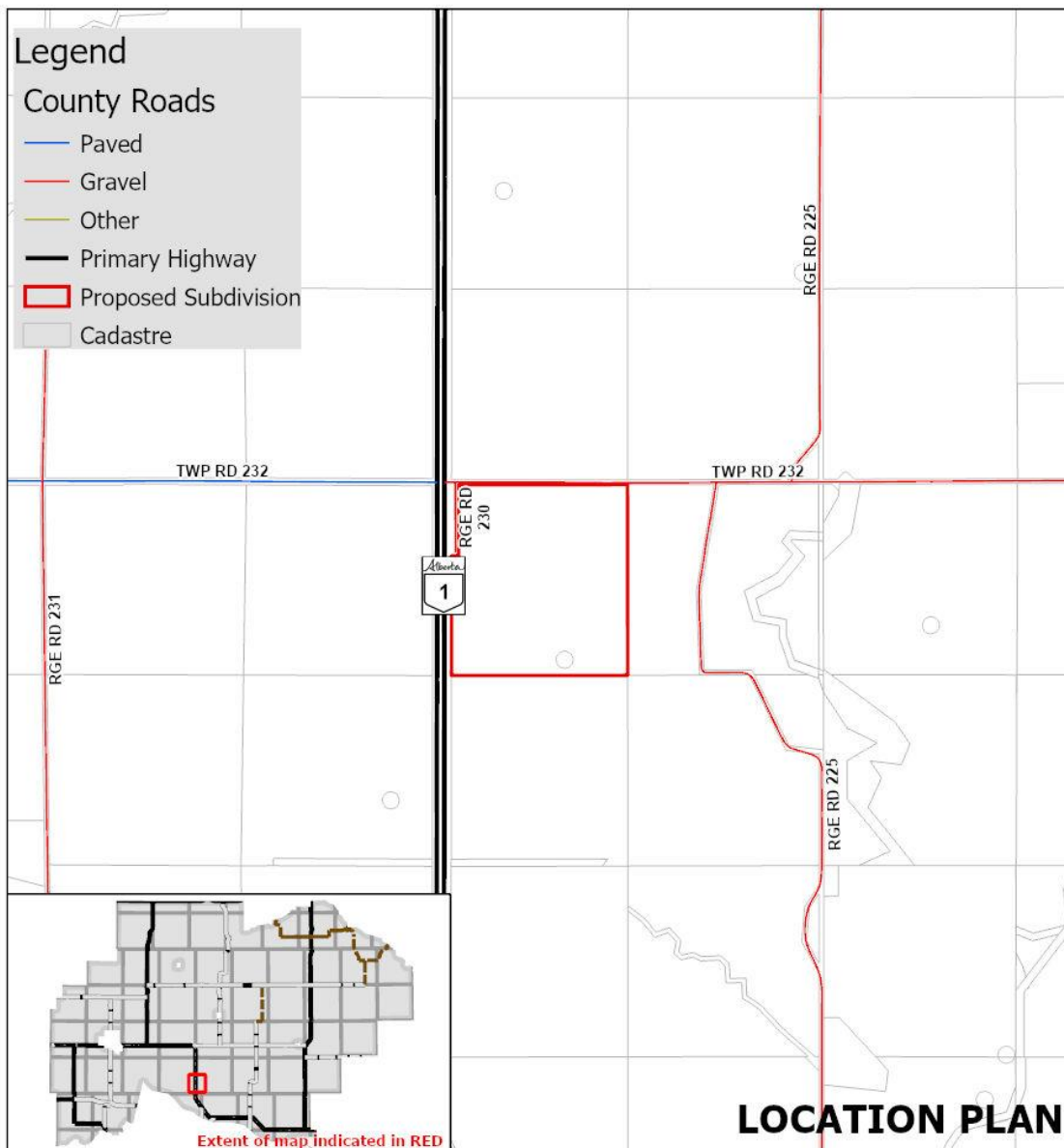
This report and all of its attachments were approved and signed as outlined below:

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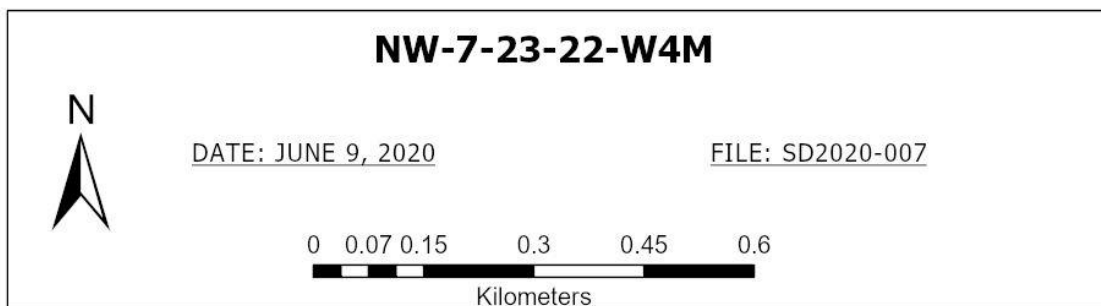
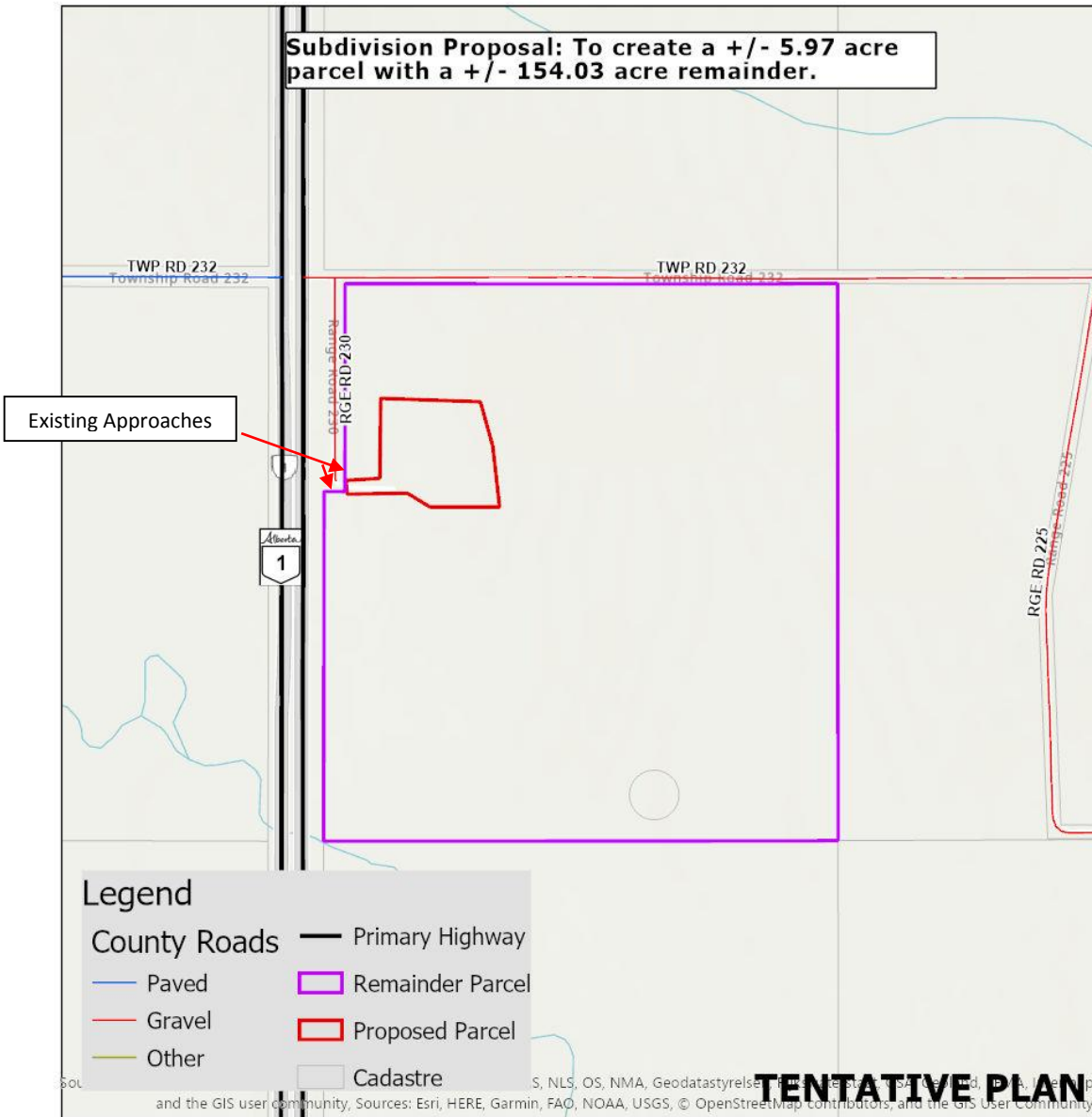
Sherry Baers

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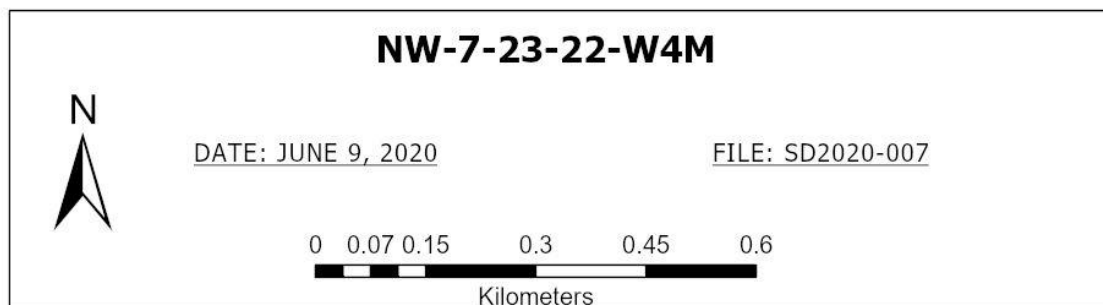
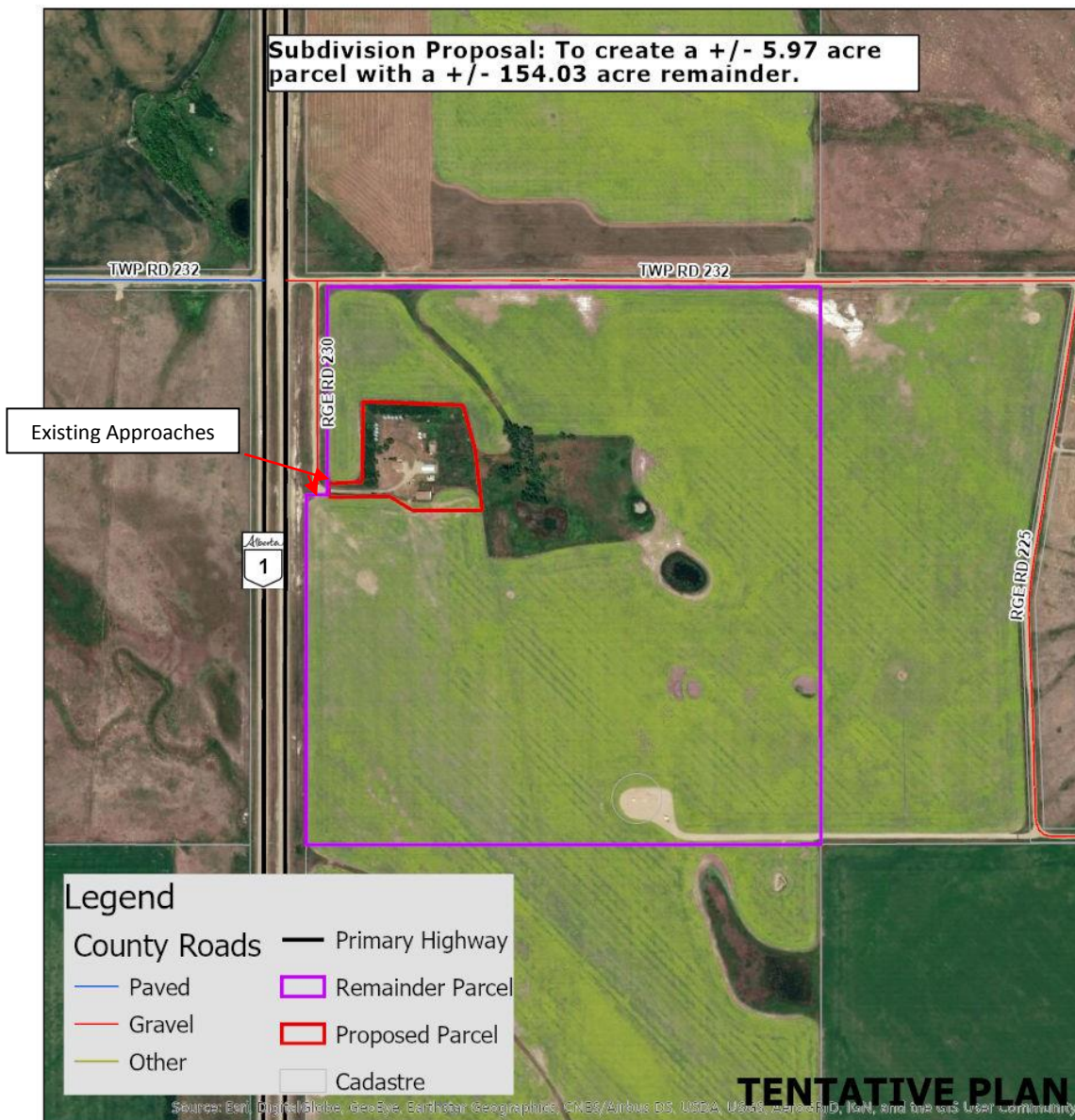
Matthew Boscarol

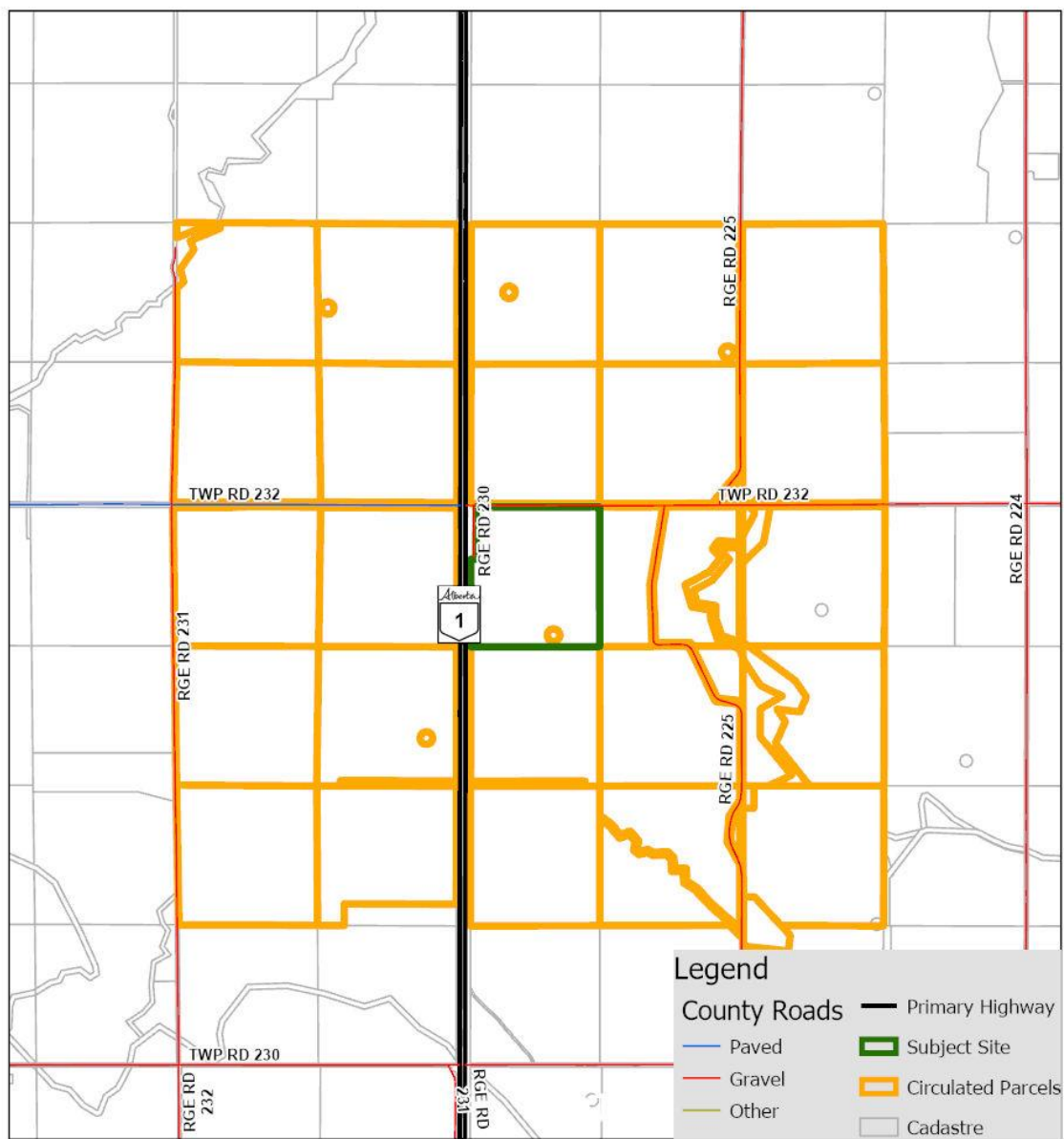












**NW-7-23-22-W4M**



DATE: JUNE 9, 2020

FILE: SD2020-007

0 0.3 0.6 1.2 1.8 2.4  
Kilometers

# Wheatland County

## Request for Decision

### Municipal Planning Commission

June 9, 2020

Report prepared by: Megan Williams



## SD2020-008 Rosebud Gazebo Consolidation

<b>File Number:</b>	SD2020-008	<b>Division:</b> 6
<b>Proposal:</b>	To subdivide 0.17 acres from the parent parcel to consolidate with the adjacent 1.77 Parks & Recreation parcel to correct the encroachment of a Gazebo on Telus property.	
<b>Location:</b>	Rosebud	
<b>Legal Description:</b>	NW-7-27-21-W4; Block 3, Plan 6742BQ	
<b>Title Area:</b>	0.23 acres	
<b>Existing Land Use:</b>	Parks & Recreation	
<b>Proposed Parcels:</b>	No new parcels	

### Report

A gazebo was constructed by the residents of Rosebud on a County owned parcel, adjacent to a parcel owned by Telus. Once completed, the structure was found to be encroaching onto Telus's parcel. In order to resolve the encroachment issue, County Council approved the budget necessary to purchase the required land. Negotiations to purchase the land concluded in late 2019. To subdivide and consolidate the portion of purchased land into the County parcel, Administration put forth a redesignation application which obtained third reading on March 3<sup>rd</sup>, 2020.

Through the redesignation application, it was found that the existing Telus building would not meet the setbacks of the proposed parcel. To avoid another lengthy negotiation process, staff will be putting forward a development permit application requesting a variance for the Telus building.

### Recommendation from Administration

That the Municipal Planning Commission approve subdivision application SD2020-008 to subdivide 0.17 acres from the titled area and consolidate it with the adjacent 1.77 acre parcel, subject to the following conditions:

1. Subdivision 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 a development permit application requesting a variance for the Telus building on the remainder parcel be submitted.

### Policy Analysis

The proposed subdivision aligns with the relevant policies within the South Saskatchewan Regional Plan, the Regional Growth Management Strategy, the Municipal Development Plan, and the Rosebud Area Structure

Plan. The proposal is expanding the park and recreation areas for the Hamlet of Rosebud, allowing residents and visitors to continue enjoying the gazebo.

The existing Telus building, as identified before, will no longer meet the setbacks in the Public Utility land use district. To remedy this, Administration is recommending a development permit application requesting the variance be one of the conditions of subdivision.

### **Technical Review**

As there is no new development proposed on either parcel, water and sanitary servicing are not required. The County parcel is currently accessed from Martin Ave, and the Telus parcel is currently accessed from Comstock Street. There is no new access proposed.

As the proposal is to subdivide 0.17 acres from the Telus parcel, Municipal Reserves are not required as per *M.G.A. s663 (c)*.

### **Circulation Comments**

There were no comments from adjacent landowners. The only comment of note came from internal circulation regarding the Telus building's inability to meet the minimum setbacks to the proposed property lines.

EXTERNAL AGENCIES	COMMENTS
AB Community Development	No concerns.
AB Culture and Tourism	No concerns.
AB Energy Regulator	No concerns.
AB Environment and Parks	No concerns.
AB Health Services	No concerns.
AB Transportation	<p>This will acknowledge receipt of your circulation regarding the above noted proposal, which must meet the requirements of Sections 14 and 15 of the Subdivision and Development Regulation, due to the proximity of Highway 840. The department is currently protecting Highway 840 to a Minor Two-Lane standard at this location.</p> <p>The above noted subdivision proposal does not meet Section 14 of the Regulation. The department anticipates minimal impact on the highway from this proposal. Additionally, there is no direct access to the highway as well as sufficient local road access to the subdivision, satisfying Section 15 of the regulation. Therefore, Pursuant to Section 16 of the Regulation, the department grants approval for the subdivision authority to grant a variance of Section 14 of the regulation.</p> <p>Pursuant to Section 678(2) of the Municipal Government Act, Alberta Transportation requires that any appeal of this subdivision be referred to the Municipal Government Board.</p>
ATCO Gas	No objection.
ATCO Pipelines	No objections.

Canadian Pacific Rail	No concerns.
FORTIS	No easement required.
TELUS	No objections.
<b>INTERNAL DEPARTMENTS</b>	
Agricultural/Environmental Services	No concerns.
Economic Development	No concerns.
Community Services	No comment.
Emergency Services	No concerns.
Development Services	No concerns just a reminder to ensure that the Telus shack is able to meet the 25' setback to the new property lines (not abutting the road) It appears it already doesn't meet the one to the south property line but has likely been there for a long time so it is considered legal non-conforming.
Protective Services	No concerns.
Transportation & Infrastructure Services	No concerns.

### **Response Options**

Option 1: THAT MPC accepts/approves the recommendation as proposed.

Option 2: THAT MPC does not accept/approve the recommendation as proposed.

Option 3: THAT MPC accepts/approves an alternate recommendation of MPC's choosing.

### **Follow-up Action / Communications**

Staff will notify Telus and the applicant the subdivision was approved, and the applicant will submit a development permit requesting a variance for the existing Telus building.

## Report Approval Details

Document Title:	SD2020-008 Rosebud Gazebo.docx
Attachments:	- Map Package.pdf - Plan of Survey Ace Surveys file 18137.pdf
Final Approval Date:	May 29, 2020

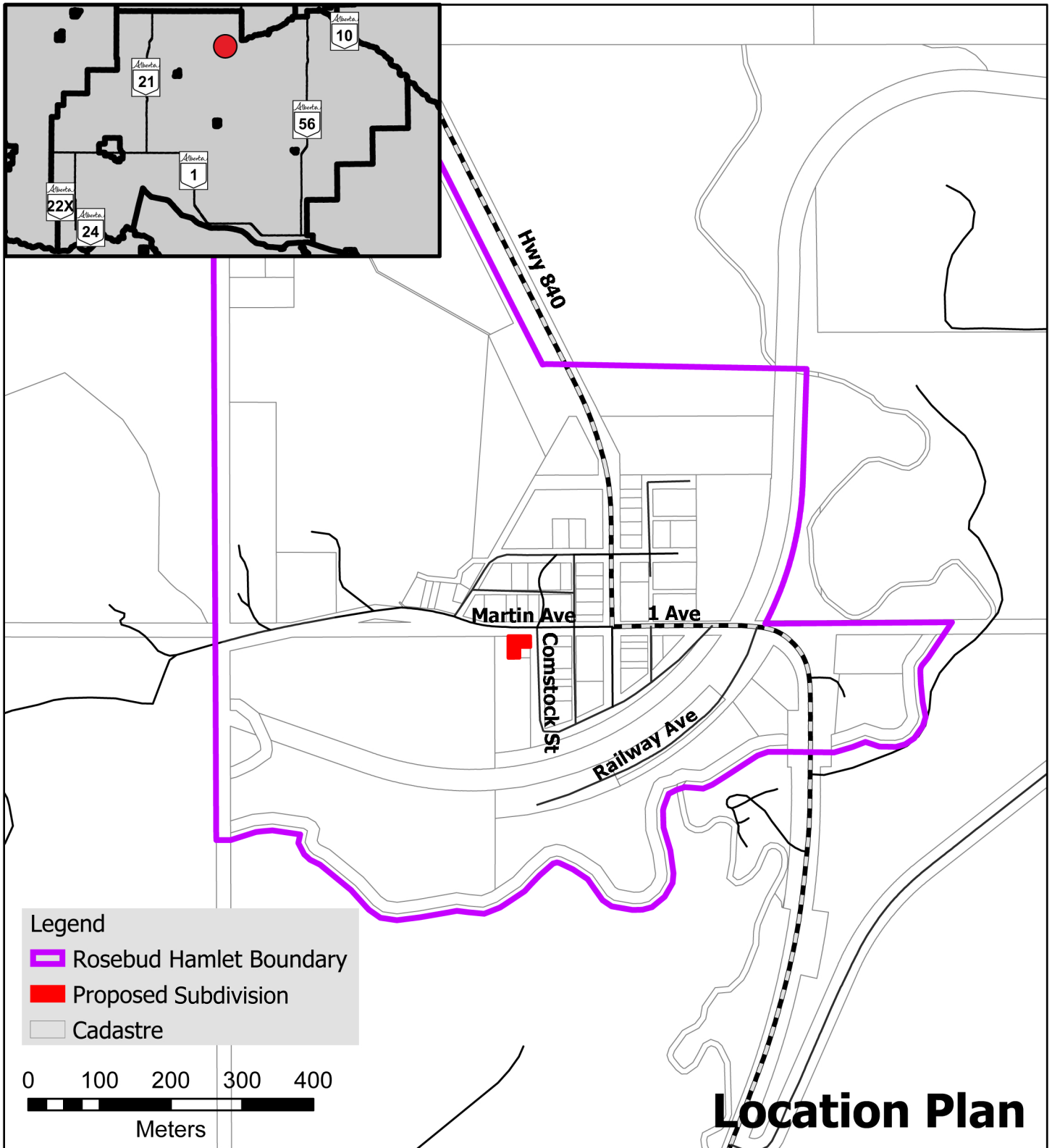
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Sherry Baers

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Matthew Boscarol

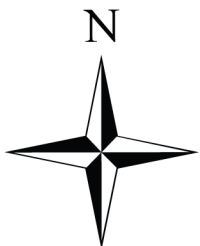


## Block 3, Plan 6742BQ

Date: June 9, 2020

File: SD2020-008





## Block 3, Plan 6742BQ

Date: June 9, 2020

File: SD2020-008



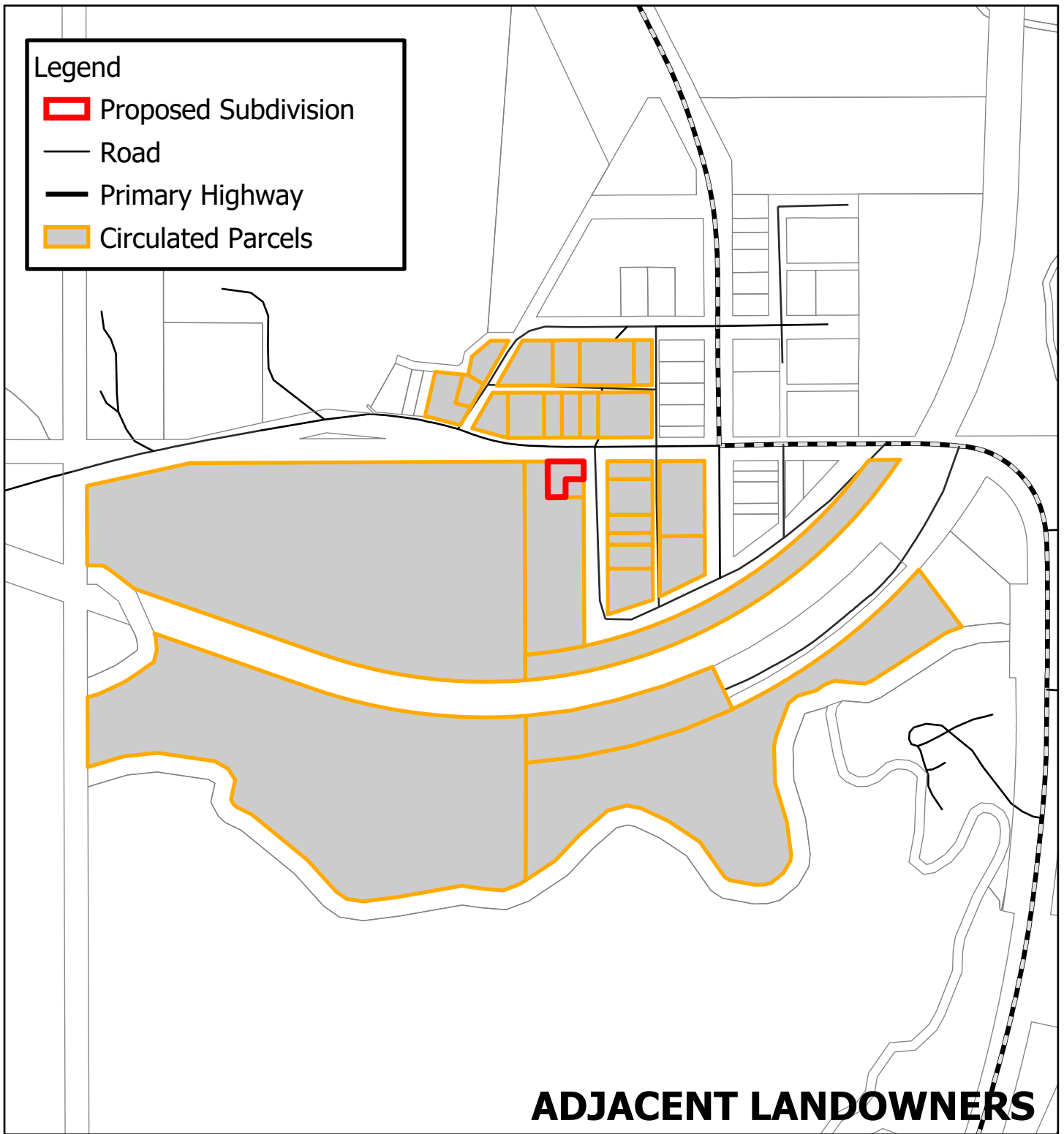
**Legend**

 Proposed Subdivision

 Road

 Primary Highway

 Circulated Parcels



**ADJACENT LANDOWNERS**

**BLOCK 3, PLAN 6742BQ**



DATE: MAY 28, 2020

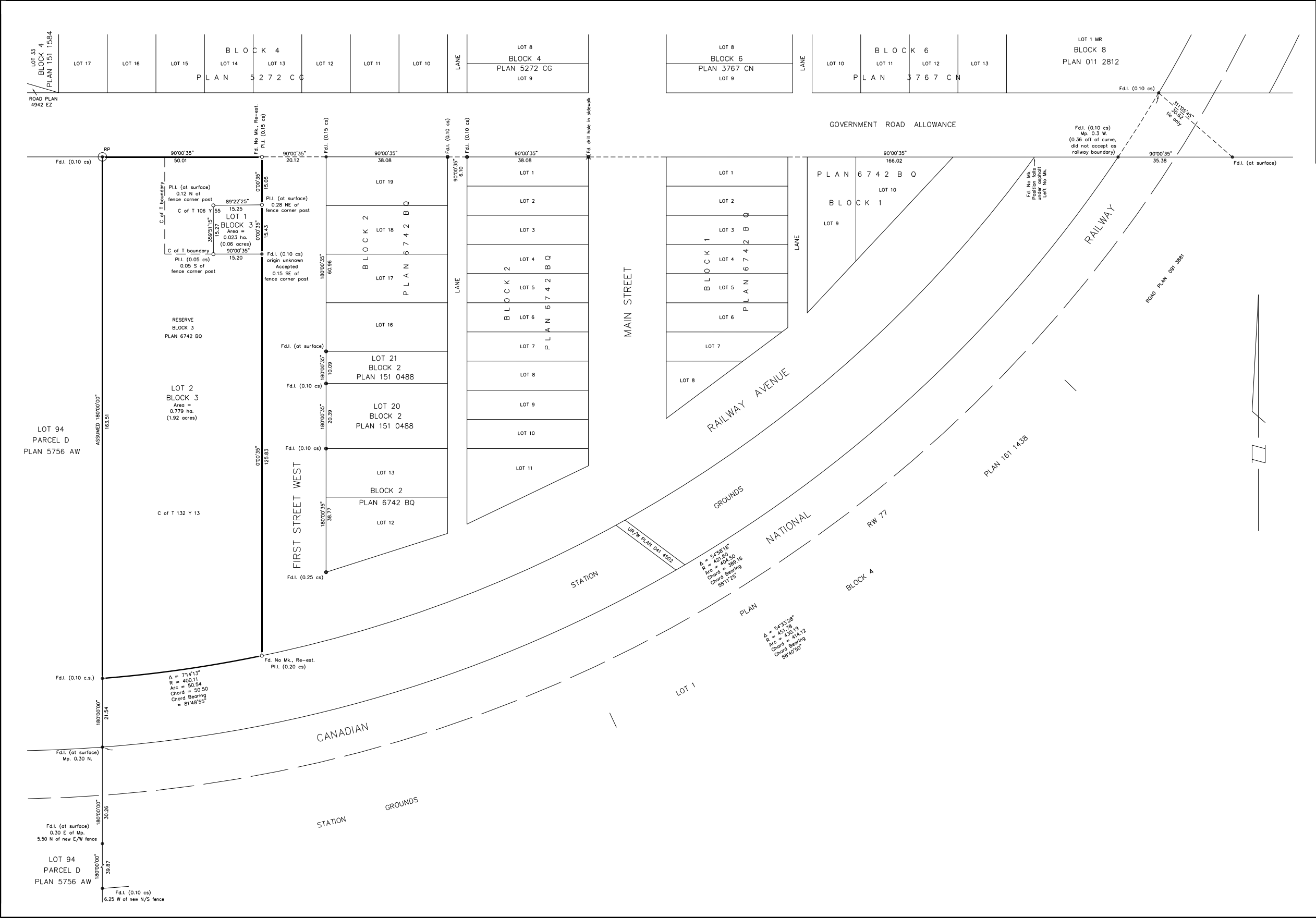
FILE: SD2020-008

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Kilometers

Page 45



REGISTRAR, South Alberta Land Registration District

PLAN No. \_\_\_\_\_

ENTERED AND REGISTERED

ON \_\_\_\_\_

INSTRUMENT No.: \_\_\_\_\_

A.D. REGISTRAR

WHEATLAND COUNTY

Plan Of Survey

Showing Subdivision

Affecting All Of

Reserve Block 3 Plan 6742 BQ

(C of T 106 Y 55 & C of T 132 Y 13)

Within

NW 1/4 Sec.7 Twp.27 Rge.21 W4M.

By: Andrew Cammaert, ALS

2018/2019

Scale: 1:500

0 10 20 30 40 50 METRES

**LEGEND**

BEARINGS ARE SHOWN TO THE NEAREST 05" OF ARC.

AREA AFFECTED BY THIS PLAN OUTLINED THUS \_\_\_\_\_

AND CONSISTS OF 2 LOTS CONTAINING 0.802 HECTARES (1.98 ACRES).

STATUTORY IRON POSTS SHOWN THUS: \* FOUND, o PLANTED (MARKED P262)

DISTANCES ARE IN METRES AND DECIMALS THEREOF.

MEASUREMENTS ARE FROM I. TO I. UNLESS SHOWN OTHERWISE.

FOUND DRILL HOLE SHOWN THUS: X

THE GEO-REFERENCED POINT IS FOUND I. AT NW CORNER BLOCK 3 PLAN 6742 BQ AND IS SHOWN THUS: (C) RP

Δ WHEN USED WITH CURVES INDICATES THE CENTRAL ANGLE OF THE CURVE

I. .... IRON POST  
Fd. .... FOUND  
Pl. .... PLACED  
Sec. .... SECTION  
Twp. .... TOWNSHIP  
Rge. .... RANGE  
M. .... MERIDIAN  
Mp. .... MARKER POST  
MR. .... MUNICIPAL RESERVE  
Mk. .... MARK  
RP. .... GEO-REFERENCE POINT  
UR/W. .... UTILITY RIGHT OF WAY  
ALS. .... ALBERTA LAND SURVEYOR  
Re-est. .... RE-ESTABLISHED  
N. .... NORTH  
S. .... SOUTH  
E. .... EAST  
W. .... WEST  
C of T. .... CERTIFICATE OF TITLE  
ha. .... HECTARE  
cs. .... COUNTER SUNK  
R. .... RADIUS

BEARINGS ARE ASSUMED FROM PLAN 6742 BQ  
BASED ON NORTH AMERICAN DATUM, 1983, UNIVERSAL TRANSVERSE MERCATOR PROJECTION  
REFERENCE MERIDIAN IS 111° WEST LONGITUDE  
UNIVERSAL TRANSVERSE MERCATOR COORDINATES FOR GEO-REFERENCE POINT: N 5684951.504, E 363830.998  
COMBINED SCALE FACTOR: 0.999711

**SURVEYOR**

NAME: ANDREW CAMMAERT, ALS

SURVEYED BETWEEN THE DATES OF NOVEMBER 22, 2018 AND JANUARY 3, 2019

IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT

**SCHEDULE OF AREAS**

AREA REQUIRED FOR LOT 1 WITHIN:

C of T 106 Y 55 = 0.023 HECTARES (0.06 ACRES)

TOTAL = 0.023 HECTARES (0.06 ACRES)

AREA REQUIRED FOR LOT 2 WITHIN:

C of T 106 Y 55 = 0.070 HECTARES (0.17 ACRES)

C of T 132 Y 13 = 0.709 HECTARES (1.75 ACRES)

TOTAL = 0.779 HECTARES (1.92 ACRES)

**REGISTERED OWNER(S):**

NAME: TELUS COMMUNICATIONS INC.

NAME: THE COUNTY OF WHEATLAND NO.16

**SUBDIVISION AUTHORITY:**

WHEATLAND COUNTY

FILE NO:

Alberta Land Surveyors' Association

PERMIT NUMBER

P262

Ace Surveys Ltd.

Ace Surveys Ltd.

119 Strathmore Lakes Common

Strathmore, Alberta, T1P 1Y7

Phone/Fax: 403-934-2330

email: acesurveys2011@gmail.com

File No. 18137