



# PLANNING REPORT

Municipal Planning Commission  
December 10, 2019

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**FILE No:** SD2019-001

**PROPOSAL:** Subdivide one +/- 1.28-acre parcel from a +/- 160-acre parcel.

**LOCATION:** Adjacent to Township Road 262 and approximately 10 km (6.6 miles) southeast of the Hamlet of Rosebud.

**LEGAL DESCRIPTION:** SE-16-26-21-W4M

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**TITLE AREA:** +/- 160.0 acres

**EXISTING LAND USE:** Community Service (CS) District

**NUMBER OF PROPOSED PARCELS:** 1

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## Background:

The purpose of this application is to subdivide a +/- 1.28-acre parcel from a +/- 160-acre parcel located with SE-16-26-21-W4M. The +/-1.28-acre parcel was redesignated from Agricultural General to Community Service by Council on December 18, 2018 (LU-2018-09) to accommodate a future cemetery. The remaining lands within the quarter section are zoned as a Direct Control (DC-15) District.

The subdivision application was presented to the Municipal Planning Commission (MPC) at the May 14<sup>th</sup> MPC meeting (see Attachment B – original subdivision report). Alberta Health Services (AHS) raised concerns about the high-water table depth with the future use of a cemetery and requested a technical report to confirm that there is no high groundwater table (seasonal or otherwise) within 1 meter of the proposed grave depth. The information had not been received at the time of the MPC meeting; therefore, MPC made the motion to defer a decision on the subdivision application until the groundwater report was completed. The applicant submitted the following reports in response to AHS's request:

- 1) Installation and Monitoring of Temporary Groundwater Monitoring Standpipe, within the SE 16-2-26-21-W4M, prepared by JASA Engineering Inc., May 29, 2019.
- 2) As-Built Site Plan – of areas around existing slough at Midwest Colony within the SE 16-2-26-21-W4M, from JASA Engineering Inc., June 17, 2019.
- 3) Midwest Colony – Proposed Cemetery Site – Ground Water Monitoring within the SE 16-2-26-21-W4M, JASA Engineering Inc., June 11, 2019.

AHS reviewed the reports and was satisfied that a 1-meter distance from the propose grave depth to the high groundwater table level can be achieved.

## **POLICY ANALYSIS:**

The parcel holds the appropriate land use for the intended use and the development proposal meets the policies and objectives of the Regional Growth Management Strategy Plan, and the County's Municipal Development Plan.

### **Land Use Bylaw:**

The subject lands are zoned Community Service (CS) District. The purpose and intent of the 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.'*

A cemetery is a discretionary use in the CS District, which will require MPC approval when a development permit application is submitted. the proposed cemetery site plan meets the setback requirements as outlined in the district from the Municipal road right of way and meets the minimum parcel size requirements of 1.0 acre.

Although the Wheatland LUB supports cemeteries under the Community Services district, Provincial regulations are still required for the cemetery to operate. The province requires confirmation of approval from the subdivision authority before Service Alberta can finalize their analysis and review of the cemetery application.

## **TECHNICAL REVIEW:**

### **Servicing:**

No servicing is required for this application.

### **Environmental Review:**

No concerns from Albert Environment and Parks were submitted for this application.

AHS raised concerns about the possibility of groundwater being contaminated by the cemetery and recommended that an assessment be undertaken by a qualified expert to confirm that the highwater table does not conflict with the proposed grave depth. A Ground Water Level report submitted by JASA engineering confirmed that a 1-meter distance between the highwater table and the proposed grave depth can be achieved.

Based on the findings of the Ground Water Level report, AHS recommends in order to maintain the recommended 30 meter setback from the 100 year high water perimeter of the identified water body, that the man made land bridge located at the East end of the slough be either completely removed or at a minimum, reduced to the level of the currently installed culvert height.

## **CIRCULATION COMMENTS**

### **Circulation to Adjacent Landowners:**

The proposal was circulated to all landowners within 1.0 miles of the subject lands. No letters were received in either 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	<p>Alberta Health Services (AHS) would like to make the following comments for your consideration:</p> <ol style="list-style-type: none"> <li>1. The assessments provided to calculate high groundwater table levels within the proposed cemetery site, has shown that a 1-meter distance, from the proposed grave depths, can be achieved.</li> <li>2. AHS recommends, in order to maintain the recommended 30 meter setback from the 100 year high water perimeter of the identified water body, that the man made land bridge located at the East end of the slough be either completely removed or at a minimum, reduced to the level of the currently installed culvert height.</li> <li>3. If there is any evidence of contamination, or other issues of public health concern identified at any phase of development or during operations, AHS wishes to be immediately notified.</li> </ol>
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	Only concern I would have is in the event of a Funeral service, people parking on the road allowance blocking traffic. Is there something to be said for onsite parking only.

Development Services	A development permit application will be required prior to the parcel functioning as a cemetery.
Protective Services	No concerns.
Transportation & Infrastructure Services	As part of the conditions of approval of this application, the registration of a plan of survey dedicating the area of road plan required needs to be included please. The applicant has already agreed to this, as they had constructed a road, however, without prior approval, and it veered out of the existing road allowance.

### RECOMMENDATION:

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

**Option #1:** Subdivision Application SD2019-001 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 SD2019-001 be **refused**.

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

1. Meets the goals and objectives of the RGMS for community development and quality of life for County residents;
2. Generally meet the requirements and intents of Section 3.9 of the MDP for Institutional uses;
3. Meets the rules and regulations of the Community Service District, and the intents and purposes of the district;
4. Does not further fragment or remove productive agricultural land from production;
5. Proposed within an area that is currently developed, and appropriate for the function of a cemetery for the Colony.

Respectfully submitted,




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Graham Allison, Planner I  
Wheatland County

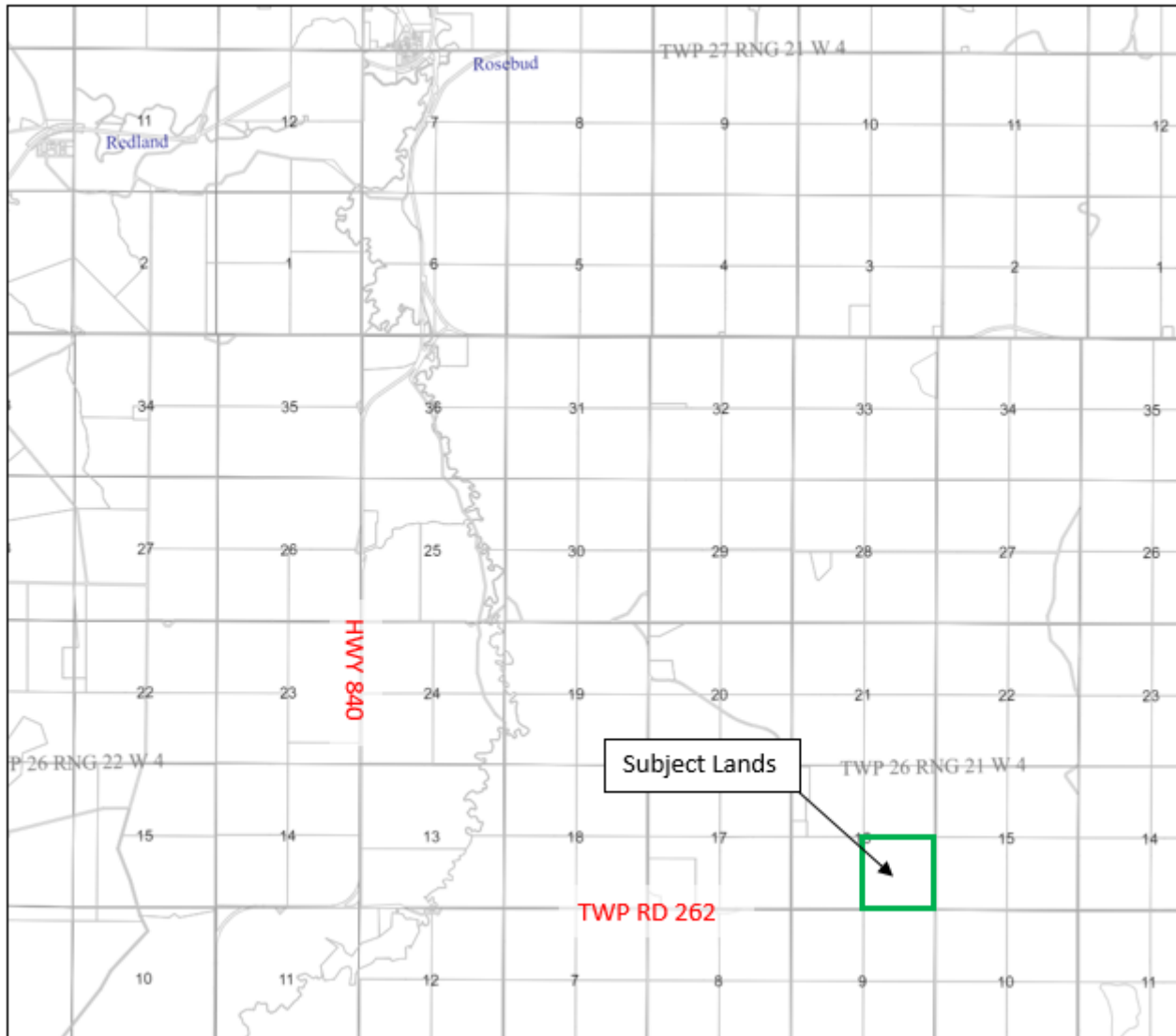
## Appendix A

### 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 the plan of survey dedicating the area of a road plan road prepared for the realignment of the undeveloped road allowance, as per Schedule 'A', is to be registered concurrently with the Final Plan of Survey.
- 3) 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.
- 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) Prior to the establishment of the cemetery, landowners shall obtain a Provincial Approval of Cemetery from Service Alberta
- 6) The Owner is 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.

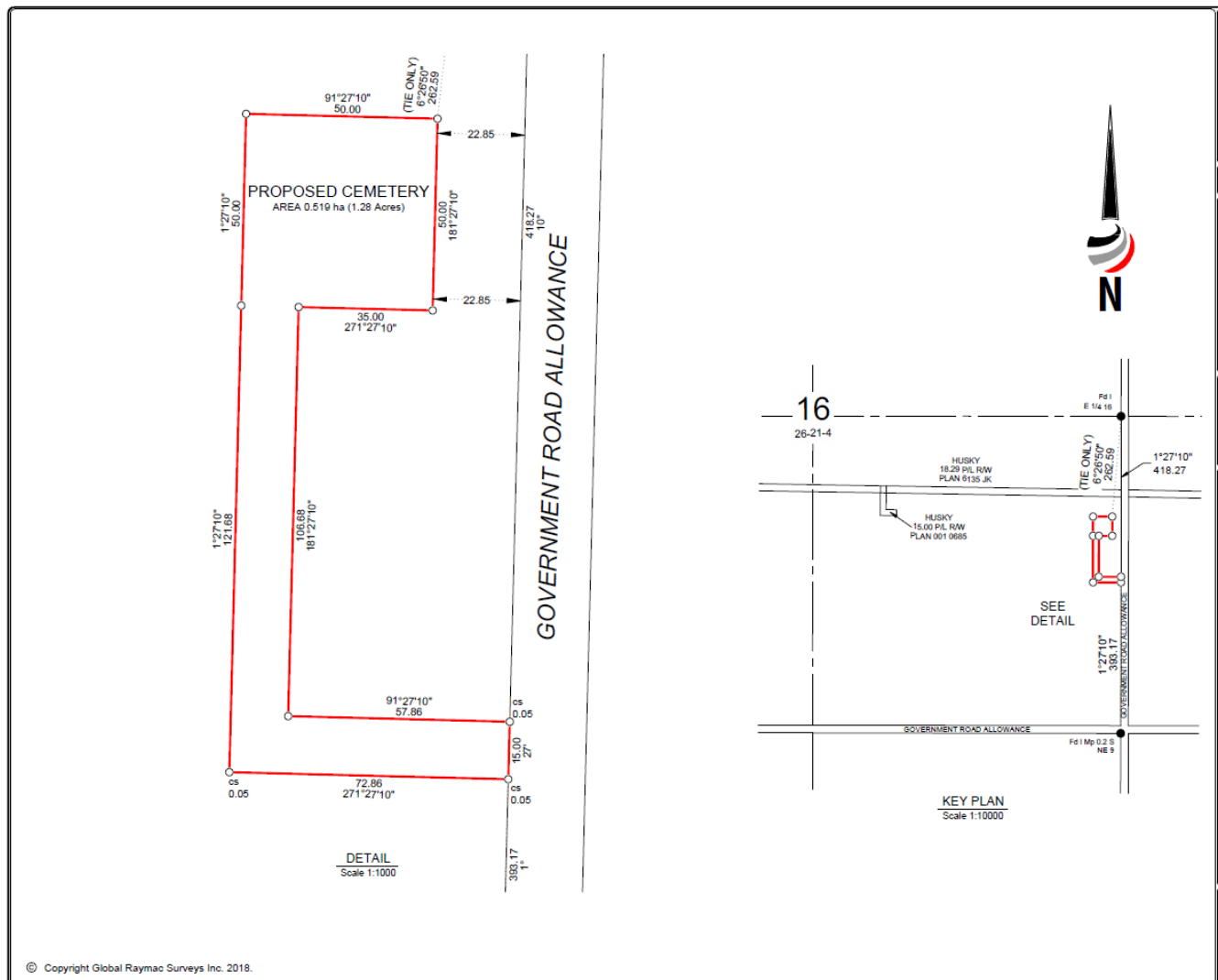


## LOCATION PLAN



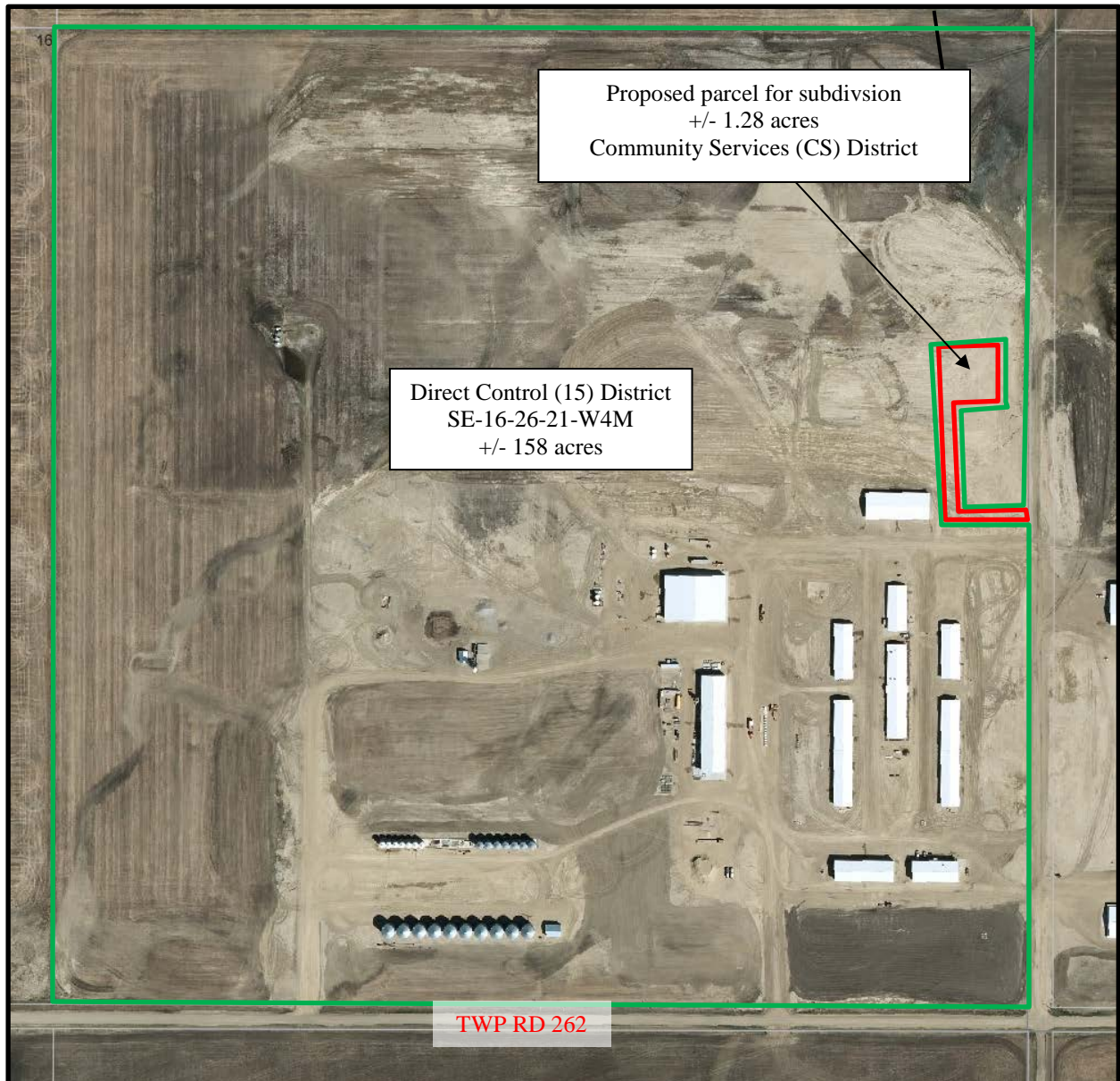


## AREA PLAN





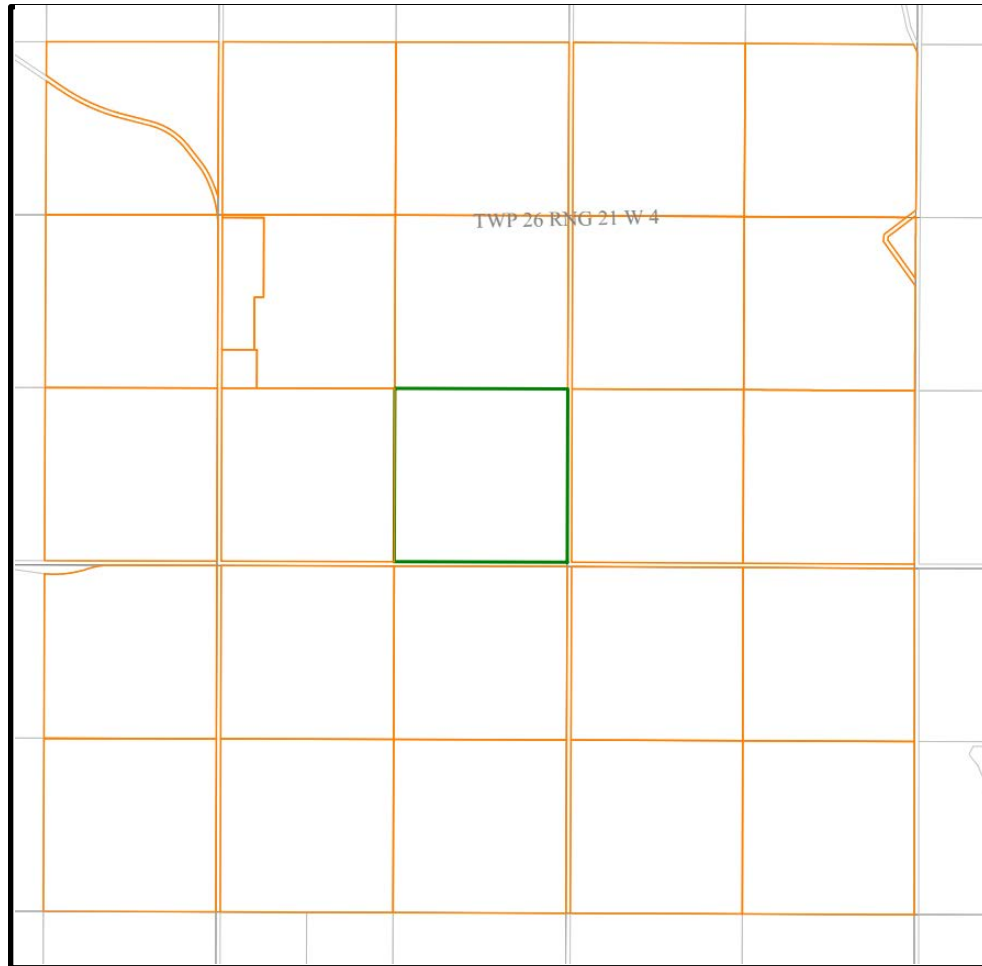
## SITE PLAN









## LANDOWNER CIRCULATION MAP



-  Letters in Support
-  Letters in Objection



**SCHEDULE 'A'**  
*(not to scale)*

