

MUNICIPAL PLANNING COMMISSION MEETING
July 23, 2020

A meeting of the Kneehill County Municipal Planning Commission was held on July 23, 2020, commencing at 9:00 a.m.

Present

Jerry Wittstock	Chairman/Municipal Planning Commission Member
Kenneth King	Vice-Chair/Municipal Planning Commission Member (Audio/Video Conf.)
Faye McGhee	Municipal Planning Commission Member
Wade Christie	Municipal Planning Commission Member
Debbie Penner	Municipal Planning Commission Member
Jim Hugo	Municipal Planning Commission Member
Glen Keiver	Municipal Planning Commission Member
Rick Vickery	Member at Large
Dennis Tainsh	Member at Large
Mike Haugen	Chief Administrative Officer
Laurie Watt	Director of Municipal Services
Barb Hazelton	Manager of Planning & Development
Brandy Hay-Morgan	Planning & Development Officer (Audio/Video Conf.)
Deanna Keiver	Planning & Development Officer
Lorna Yost	Recording Secretary

Applicants and others present at the onset of the meeting

Larry Johnstone, Shad Bendiak, Tyler Reid, Les Bell, Shirley Adam, Gary Rempel

Call to Order

Chairman Wittstock called the meeting to order at 9:00 a.m.

Adoption of Agenda

Wade Christie moved to accept the agenda as presented.

CARRIED

Approval of Minutes

Faye McGhee moved to approve the Municipal Planning Commission Minutes dated June 25, 2020.

CARRIED

3852-20-V Larry & Peggy Johnstone Ptn. NE 30-31-24 W4M – Variance – Agriculture District – Division 3

- The applicants are requesting a 40% variance for an addition to the side of their home to be 15ft from the side yard property line. They are requesting the relaxation in order to build a 20'x14' (280sq. ft.) addition onto the side of the existing home to allow for a master suite with an on suite to allow them to utilize the existing servicing and structure for one of the owners who has health issues.
- The parcel is a small subdivision of 2.0 acres from a portion of NE 30-31-24 W4.
- The property is currently developed and includes an existing house and accessory buildings.
- The surrounding properties are zoned Agriculture.
- The quarter is accessed via Range Road 245 on the east (gravel)
- Setbacks from property lines are satisfied (Section 86(4)(b)(c)(d)).
- The existing home and yard site do not fall within an Environmentally Sensitive Area (ESA) but does fall in a Significant Historical Area.
- The applicants will continue to utilize the existing approach to the yard site.

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- The MDP and LUB do not provide direction in the amount of variance, with the exception that anything over 10% is referred to the Municipal Planning Commission.
- This application was referred to internal and external agencies and adjacent property owners:
 - One response asked for screening on the north property line. At the time of inspection, it was noted that there is adequate screening to the north property line.
 - To date, no objections from adjacent landowners or other agencies have been received.

Relevant Sections of Land Use Bylaw 1773

Section 86(4) [Siting Regulations]

• New Build on Site	Yes
• Move on Structure	No
• Structure to be Moved On: Newly Built Off Site	No
• Structure to be Moved On: Existing	No
• Creative Architecture	No
• Permanent Foundation Required	Yes
• Services to be provided in Structure (Water, Power, Gas, Electricity, Septic etc...)	Yes
• Residential Use	Yes
• Accessory Use	No
• Rural Address Sign in Place (Blue Sign)	Yes
• New/ Additional Rural Address Sign Required	No
• Road Upgrade Required	No
• Setbacks from Property Lines Satisfied	No
• Relaxation Required	Yes
• Application to Alberta Transportation for Roadside Development Permit Required	N/A
• Riser on Property	Yes
• Water Modelling Application Required	N/A
• Water Modelling Application Submitted	N/A

Chairman Wittstock asked if the applicant had anything to add, Larry Johnstone commented that the addition is for health reasons.

Rick Vickery moved to approve Development Permit Application 3852-20-V for an addition to the existing home with a 40% variance on a portion of NE 30-31-24 W4 on 2.0 +/- acres with the following conditions:

1. *The development must conform to the site plan that was submitted with the application, signed and dated July 23, 2020, as attached to this approval.*
2. *The proposed addition must be located no closer than 15' from the north side yard property line.*
3. *All relevant Safety Codes Permits pertaining to Building, Private Sewage Disposal System, Gas, Electrical, and Plumbing must be applied for prior to any work being performed on site.*

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4. *The location of the proposed development must meet the minimum distance requirements from the existing sewage system(s) as set out in the Alberta Private Sewage Disposal System Regulation and Safety Codes Act.*
5. *The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements and ensuring all development is outside active utility rights-of-ways.*
6. *The design, siting, external finish and architectural appearance of the addition to the existing home shall be to the satisfaction of the development authority and must have a permanent foundation capable of supporting the maximum anticipated load of the home during all seasons without settlement or other movement.*
7. *All future site development will require the appropriate development and safety codes permits and approvals.*
8. *Approval by the approving authority does not exclude the need and/ or requirements of the applicants to obtain any and all other permits as may be necessary under this or any other legislation, bylaws or regulations.*
9. *This permit is valid for a period of 1 year from the date of issue or the date of an approved decision of the Subdivision and Development Appeal Board. If at the expiry of this period, the development or construction has not been commenced or carried out with reasonable diligence in accordance with the application submitted, this permit shall be invalid.*
10. *Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

Larry Johnstone left the meeting and Fay Rempel entered the meeting at 9:09 a.m.

KNE200142 – Bellagri Investments (Landowner), Les & Cathy Bell (Applicants) – SW 31-30-21 W4M – 19.0 +/- acres – Agricultural District - Division 1

- To consider a 19.0 ± acre subdivision of an yard site within the SW 31-30-21 W4M, zoned Agricultural District (A).
- This would be the first parcel out of the quarter section; therefore, Municipal Reserves will not be required.
- There are currently two residences on the parcel.
 - The landowner intends to remove the second home that is located north of the home that is to stay.
 - If the second home was to stay, with respect to the current Land Use Bylaw, the second home would need to be permitted as a garden suite.
- The existing private sewage system is an open discharge system, which lies to the east of the residence.
- Surrounding lands are primarily agricultural and cropland (zoned Agriculture).
- The quarter section has a CLI rating of 1+7. The homes fall within the portion that is CLI 7.
- The parcel does fall within an environmentally significant area and a historically significant area (paleontological). The Environmentally Sensitive Area is the Tolman Badlands, ESA Level 1.
- This parcel is bound by Range Road 220 (west). Road widening will be required for this subdivision on Range Road 220.
- No redesignation is proposed on either parcel (proposed subdivision or remnant).

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- The existing approach from Rge Rd 220 will be widened to provide access to the new parcel and the remnant to the north. There is also an approach on the south portion of the remnant that provides access to an oil lease site and a bin yard.
 - An application has already been submitted for the approach and has been approved by Kneehill County's Transportation Department.
- Approach inspections will be necessary for the proposed subdivision.
- All required services must be located on the parcel they service. There can be no shared services between parcels. (i.e. electricity, gas, water, private sewage)
- This application was referred out to internal and external agencies as well as adjacent landowners.
 - No further concerns or objections have been raised for this proposed subdivision.

Relevant Sections of Land Use Bylaw 1773:

Section 86(2)(b) Subdivision Approval Maximum/Minimum Lot Areas
 Section 86(3)(a) Separate Services for Each Parcel
 Section 86(3)(b) Direct Legal and Physical Access
 Section 86(4) Siting Regulations

• First Parcel Out	Yes
• Bare Parcel	No
• Fragmented Parcel	No
• Parcel Contains a Farmstead	Yes
• Septic Inspection Required	Yes
• Water Well	Yes
• Adjacent to Municipal Water Line	No
• Riser in Place	No
• Water Modelling Application Required	N/A
• The Proposed Parcel Contains a Suitable Building Site	Yes
• Soil Classification Level	CLI 1+7
• Legal and Year Round Physical Access Sufficient to Meet Proposed Use	Yes
• Adjacent/ Near Quarter Section Boundaries Without Jeopardizing Agricultural Operations on Quarter Section	No
• In Close Proximity to Existing Residential Parcels/ Farmsteads on Adjacent Quarter Sections	No
• Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.)	Rge Rd 220 Gravel
• Road Upgrade Required	No
• New Rural Address Sign Required	n/a

The Planning Department deemed that the subdivision, as proposed, complies with the Municipal Government Act and the Land Use Bylaw; that it is suitable for the intended purposes; that it will not negatively impact adjacent land uses. Consideration has been given to topography, soil characteristics, access, the use of adjacent lands and the availability and adequacy of water supply, sewage disposal, solid waste disposal and storm water management.

Debbie Penner questioned the time frame for the second home to be removed and Barb Hazelton replied that they have one year to remove it.

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Debbie Penner moved approval of KNE200142, to subdivide the existing yard site from 160 acres on the SW 31-30-21 W4M, with the following conditions:

1. *The subdivision must be registered in accordance with the approved tentative plan submitted for a 19.0 +/- acre parcel signed and dated July 23, 2020 and by a way suitable to Alberta Land Titles in accordance with the Land Titles Act.*
2. *Compliance with Kneehill County Land Use Bylaw setback requirements as demonstrated by an Alberta Land Surveyor. Setback requirements to a Provincial Highway fall under the jurisdiction of Alberta Transportation.*
3. *All outstanding taxes on the land involved (current and arrears if any) are to be paid in full to the municipality before the subdivision may be endorsed.*
4. *Access is to be provided to the approved subdivided parcel and remnant parcel. Confirmation of compliance is required for all existing and proposed accesses which must be located and constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto.*
5. *Confirmation of compliance with the requirements of the Alberta Private Sewage Disposal Regulation and Safety Codes Act for the private sewage disposal system location(s) upon the proposed lot, and adjacent to, by a letter from a certified Safety Codes Officer.*
6. *Confirmation that the second home has been removed from the parcel and/or the appropriate permits have been approved as required by the Land Use Bylaw currently in force.*
7. *Concurrent registrations of utility easements, rights-of ways and/or crossing agreements, as required by service providers.*
8. *All services (water, sewer, power etc.) are to be provided by the landowner at their expense and they must conform to the utility provider conditions.*
9. *Each developed parcel must be served by its own water source and private sewage treatment system. This applies to all other utilities including, but not limited, to electricity and gas.*
10. *All future site development will require the appropriate development and safety codes permits and approvals.*
11. *Approval by approving authority does not exclude the need and/or requirements of the applicants to obtain any and all permits as may be necessary under this or any other legislation, bylaws or regulations.*
12. *The Owner/Developer shall enter into an agreement with regard to road right-of-way widening when required as follows:*
 - a. *Agree to sell a minimum of a 5m (16.5ft) strip of land for road widening to the County at such time as the County deems it necessary to widen the road adjacent to the quarter section, with the price of land to be in accordance with existing County policy at that time, and the survey for the road widening to be undertaken by the County at cost.*
 - b. *The County will file a caveat against the land to protect its interest in the land.*

CARRIED

Les Bell left the meeting at 9:19 a.m.

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3738-18 Kneehill Solar GP In. SW 13-32-24 W4M – Second Extension Request – Agriculture District – Division 5

- To consider a second 1-year extension for the discretionary use development permit application for a 25-MW Solar Electricity Generation Facility on the SW 13-032-24-W4 that was granted at the August 23, 2018 Municipal Planning Commission meeting. The first extension was granted in July 2019 for an August 23, 2020 extension date.
- The applicants are now requesting a second extension for August 23, 2021.

Relevant Sections of Land Use Bylaw 1718: Section 47; 65; 84(tt);

- The proposed location will be approximately 2 miles north of the Town of Three Hills. The Project area is approximately 160-acres which is currently cultivated crop land.
- This Project is expected to be operational for approximately 30-years. The site will be leased during this time period.
- Construction is expected to take between 6 - 9 months.
- Initially ATCO Power Canada Ltd. (ATCO) and Samsung C & T Corporation (Samsung), through a Joint Venture entity named Kneehill Solar LP proposed to develop, construct and operate a 25-MW solar energy facility. This overall energy capacity is enough to power 6,000 homes. While the company name remains the same, ATCO is no longer part of this project. The current landowner(s) have agreed to this extension request by Kneehill Solar LP.
- As per condition 20 of the municipal approval, the permit is valid for a period of 1-year from the date of issue. The above mentioned project participated in the Alberta Infrastructure RFP process, however, it was not successful, resulting in delays with the commencement of construction.
- The applicants applied to the AUC for an extension to allow them to have the facility completed by December 31, 2021. The AUC authorized that the construction of the power plant shall be completed by January 31, 2022.
- During this same period the applicant requested a 1-year extension from Kneehill County on this approval. This extension was granted and requires them to begin construction by August 23, 2020.
- Currently, the proponents are in discussions with several parties for potential Power Purchase Agreements (PPA) and once a PPA is signed the intention is to move forward with the execution phase with construction commencing after materials and contractors are procured.
- The applicants have requested another extension from the County for an additional year.
- Several factors need to be highlighted in the consideration of this extension request.
- The project has been approved by both the Alberta Energy Commission (AUC) and Kneehill County. The project itself is not under consideration. The extension is for the construction timeline only.
- Section 619(1) of the *Municipal Government Act* (MGA) notes that a permit issued by the AUC prevails over a development decision issued by a development authority.
- Section 619(2) of the MGA says that when an application is received by a municipality for a development permit where an approval has been granted by the AUC, the municipality must approve the application to the extent that it complies

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with the license, permit, or approval.

- Section 619(5) If a municipality does not approve an application under subsection (2) the applicant may appeal to the Subdivision and Development Appeal Board.
- Section 620 "A condition of permit, approval or other authorization granted by a Provincial agency prevails over any condition of a development permit that conflicts with it." There can be a case made that our original extension is not consistent with the AUC extension.
- It needs to be noted that the County has no authority to deny the project and we cannot impose conditions that are inconsistent with the AUC approval. Denying the extension will not stop the project. It would require the applicant either appeal or reapply.
- This extension request was referred to internal and external agencies and adjacent landowners since it has been almost two-years since the initial approval. There is the potential that some landowners may have changed and would not have been included in the original notification process. We received six letters of concern, which have been included in your package.
 - Letters will be read into the record

Barb Hazelton added that she had a conversation with legal counsel the prior day and they stated that these requests are treated differently than our usual developments.

Rick Vickery asked for clarification on it being redundant if MPC denies the request and Barb Hazelton replied that we cannot stop the project, the project itself is not ours to approve or not approve, it is out of our jurisdiction and is based on Alberta Utilities Commission (AUC) approval.

Barb Hazelton had discussions with a team lead from AUC and shared their process and requirements for extensions.

Jim Hugo questioned if our decision is arbitrary and Barb Hazelton stated that approval is still needed by Kneehill County. Jerry Wittstock stated that we are subservient to the Province in this case.

Jim Hugo asked what happens if it goes to a Tracking System and Barb Hazelton stated that they would have to reapply in that case and Kneehill County can provide comment.

Wade Christie and Glen Keiver commented about the market and finding a purchaser for the power. Barb Hazelton stated that the applicants are present and may be able to respond to those matters.

Barb Hazelton read letters of concern that Kneehill County received from notifications that were sent out.

Jerry Wittstock invited Shad Bendiak, representative from Kneehill Solar GP Inc., to speak and stated that any questions for Shad need to be specific to the extension.

Shad Bendiak stated that ATCO is no longer involved in the project and that their interests were sold to Samsung. He went over tree screening, reduced work hours, weed control, noise concerns and reclamation.

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Jim Hugo asked why ratepayers have not been approached regarding the extension. Shad Bendiak stated that an update from AUC regarding the extension was in the local paper and notification letters were sent out.

Glen Keiver questioned if they will be back in a year if things do not change and Shad Bendiak said that they could construct the project and put the energy into the market but they want a contract.

Faye McGhee moved to approve a nine (9) month extension to Development Permit Application 3738-18 on SW 13-32-24 W4 with work to commence prior to May 31, 2021, with the previously approved conditions as follows:

- 1. The development must conform to the site plan that was submitted with the application, signed and dated August 23, 2018, as attached to this approval.*
- 2. All relevant Safety Codes Permits pertaining to Building, Private Sewage Disposal System, Gas, Electrical, and Plumbing must be applied for prior to any work being performed on site.*
- 3. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements and ensuring all development is outside active utility rights-of-ways.*
- 4. The developer is responsible for submitting a Storm Water Management Plan that must be approved by Kneehill County prior to implementation to ensure storm water does not drain onto the adjoining property.*
- 5. Access is to be provided to the approved development by an approach constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto. Confirmation is required.*
- 6. The developer must obtain the approval of Kneehill County for the weed free grass seed mix to be used in vegetating the project site.*
- 7. Screening shall be provided on the north and northwest sides of the northwest block of panels. Additional screening may be required at the discretion of the Planning and Development Authority.*
- 8. The County will not be responsible for dust control, as per County policy. If it becomes an issue, the responsibility to pay for dust control would fall to the titled landowner.*
- 9. Weeds and vegetation must be managed through regular vegetation management as proposed in Section 4.3 of the applicants Construction and Operation Mitigation Plan.*
- 10. An Emergency Response Plan must be submitted to Kneehill County for approval.*
- 11. Erosion and sediment control must be carried out as proposed in Section 4.5 of the applicants Construction and Operation Mitigation Plan.*
- 12. The hours of operation for the Project will be limited to the hours of 7:00 a.m. to 10:00 p.m. throughout the construction and operation phases.*
- 13. Security and task specific lighting will be appropriately shielded or directed to avoid impacts to adjacent landowners.*
- 14. Once the solar Project is no longer viable, the site must be decommissioned. All infrastructure is to be removed and the property must be reclaimed back into usable agricultural land.*

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15. *The Developer must ensure that no encroaching on Ember's wellsite, access road or pipelines occur without the required agreements put in place.*
16. *The applicant is required to enter a Road Use Agreement with Kneehill County during the construction of the Project.*
17. *The Developer must enter into a development agreement with Kneehill County pursuant to Section 655 of the Municipal Government Act and amendments thereto in form and substance satisfactory to the County of its sole discretion to ensure all development of the lands conform to the principles upon which this and other pertinent bylaws are based and shall require some method of protection or security to ensure decommissioning and restoration of the site will occur once the site is no longer viable or operational.*
18. *All future additions and developments will require Development Permits and relevant Safety Code Permits.*
19. *Approval by the approving authority does not exclude the need and/or requirements of the applicants to obtain any and all other permits as may be necessary under this or any other legislation, bylaws or regulations.*
20. *This permit is valid for a period of 1 year from the date of issue or the date of an approved decision of the Subdivision and Development Appeal Board. If at the expiry of this period, the development or construction has not been commenced or carried out with reasonable diligence in accordance with the application submitted, this permit shall be invalid.*
21. *Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

Chairman Wittstock called a recess at 10:21 a.m.

Shad Bendiak, Tyler Reid, Shirley Adam, Gary Rempel and Fay Rempel left the meeting

Chairman Wittstock called the meeting back to order at 10:32 a.m.

3848-20-D Eleanor & Ingo Walesky Ptn. NE 20-31-25 W4; Plan 191 0203, Block 1, Lot 1 – Garden Suite – Agriculture District – Division 4

- To consider a Garden Suite on Plan 191 0203, Block 1, Lot 1 within NE 20-31-25 W4.
- A Garden Suite is allowed on any sized parcel within the Agriculture District and no more than one will be permitted on a lot. The applicants are aware that this structure will not be allowed to be subdivided in the future.
- The Garden Suite must be located within the yard site of the established primary residence.
- The applicant has purchased a new 2020 mobile home for her son. A mobile home was previously sited at this location, however was removed a number of years ago.
- The mobile home will be located within the existing yard site.
- The applicants intend to tie into the existing well, however are going to install a new field system.
- A new municipal address sign will be required for the Garden Suite.
- All safety code permits and approvals will need to be obtained.
- Setbacks to all property lines are satisfied as per Section 86(4)(b)(c)(d).
- The parcel is accessed via Highway 806 and a Roadside Development Application has been applied for.

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- Surrounding properties are zoned Agriculture.
- The parcel is adjacent to Linden North WSA. There is a riser in place for this parcel, however it is currently inactive.
- This application is not within an Environmentally or Historical Significant Area.
- This application was referred to internal and external agencies and adjacent property owners:
 - Alberta Health Services recommends the locations of existing private sewage systems and wells be located to ensure they meet current regulations.
 - AB Transportation requires a Roadside Development Permit (approved).
 - TC Energy expressed no concerns as the development is located outside of the 220m Pipeline Assessment Area.
 - To date, no objections from adjacent landowners or any other agencies have been received.

Relevant Sections of Land Use Bylaw 1773:

Section 86 – Agriculture District

Section 57 – Housing, Garden Suite

• New Build on Site	No
• Move on Structure	Yes
• Structure to be Moved On: Newly Built Off Site	Yes
• Structure to be Moved On: Existing	Yes
• Creative Architecture	No
• Permanent Foundation Required	Yes
• Services to be Provided in Structure (Water, Power, Gas, Electricity, Septic etc...)	Yes
• Residential Use	Yes
• Accessory Use	No
• New/ Additional Rural Address Sign Required	Yes
• Road Upgrade Required	No
• Setbacks from Property Lines Satisfied (Structural)	Yes
• Relaxation Required	No
• Application to Alberta Transportation for Roadside Development Permit Required	Approved
• Riser on Property	Yes
• Water Modelling Application Required	No
• Water Modelling Application Submitted	No

Jim Hugo questioned if there is a maximum size for a Garden Suite and Deanna Keiver replied that is no maximum size in the current Land Use Bylaw.

Rick Vickery moved to approve Development Permit Application 3848-20-D for a Garden Suite on Ptn. NE 20-31-25 W4M Plan 191 0203; Block 1, Lot 1 with the following conditions:

1. *This permit is being issued pursuant to Section 57 of Land Use Bylaw 1773. The development must conform to the site plan that was submitted with the application, signed and dated July 23, 2020, as attached to this approval.*
2. *The applicant must apply and attain an approval from Alberta Transportation for a Roadside Development Permit for the proposed development.*
3. *The developer/ applicant must apply for a Rural Address Sign at the fee set out in*

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the master Rates Bylaw prior to or at the time of application for a Building Permit. The assigned rural address will be mounted at a location on the subject property to the satisfaction of Kneehill County.

- 4. This Garden Suite must remain on the lot with the primary residence and will not be considered for a separate subdivision.*
- 5. No further Garden Suites are allowed on this parcel.*
- 6. An auxiliary dwelling cannot be located on this parcel.*
- 7. All relevant Safety Codes Permits pertaining to Building, Private Sewage Disposal System, Gas, Electrical, and Plumbing must be applied for prior to any work being performed on site.*
- 8. The applicants must ensure adequate water and wastewater services either through a shared or individual system.*
- 9. The garden suite shall be a standalone unit and shall not be attached to the primary residence. The floor area of the garden suite will be less than the primary residence on this parcel.*
- 10. The applicant shall provide the Kneehill County Planning Department with the Manufacturer, Model, Year, CSA Number and an image of the Housing, Manufactured – Type 2 (Mobile Home).*
- 11. The location of the proposed development must meet the minimum distance requirements from the existing sewage system(s) as set out in the Alberta Private Sewage Disposal System Regulation and Safety Codes Act.*
- 12. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements and ensuring all development is outside active utility rights-of-ways.*
- 13. The design, siting, external finish and architectural appearance of the Housing, Manufactured – Type 2 (Mobile Home) shall be to the satisfaction of the development authority and must be CSA approved. The home must have a permanent foundation capable of supporting the maximum anticipated load of the home during all seasons without settlement or other movement in accordance with Alberta Building Codes.*
- 14. The undercarriage of the Housing, Manufactured – Type 2 (Mobile Home) unit shall be completely screened from view by skirting within 60 days of placement of the unit.*
- 15. All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory prefabricated or of a quality equivalent thereto, so that design and construction will complement the Housing, Manufactured – Type 2 (Mobile Home) unit. All Housing, Manufactured – Type 2 (Mobile Home) units shall be provided with steps and landings to all entrances within 30 days of their placement.*
- 16. All future additions and developments (including, but not limited to, enclosed decks and porches) will require the appropriate development and safety codes permits and approvals.*
- 17. Approval by the approving authority does not exclude the need and/ or requirements of the applicants to obtain any and all other permits as may be necessary under this or any other legislation, bylaws or regulations.*

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- 18. *This permit is valid for a period of 1 year from the date of issue or the date of an approved decision of the Subdivision and Development Appeal Board. If at the expiry of this period, the development or construction has not been commenced or carried out with reasonable diligence, this permit shall be invalid.*
- 19. *Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

3849-20-D Darren & Lana Toews NE 14-30-25 W4M –Second Dwelling – Agriculture District – Division 2

- To consider a Second Dwelling on the NE 14-30-25 W4M for a residence for their son who plans on helping on the family farm.
- Second dwellings are a discretionary use on parcels equal to or greater than 20 acres, and thus require approval from the Municipal Planning Commission (MPC).
- The location of the second dwelling will be at the southwest corner of the quarter section. The first residence is located in the northeast corner. The bylaw does not stipulate where the second residence is located, however using agricultural land with a CLI classification 4 or greater is encouraged.
- A subdivision is located in the middle of the quarter with an established yardsite.
- The landowners have a chance to purchase a 34 year old stick built home within close proximity (just over a mile as shown in presentation).
- As per the site plan, a new yard site will be created. Services, and an inspected approach will be conditions of approval. Setbacks from property lines are required as per the site plan; Section 86(4)(b)(c)(d).
- A gas well is located in the adjacent quarter, directly west of the proposal. A condition has been placed whereby the setback requirements of the Alberta Energy Regulator must be adhered to.
- A rural address sign will be required for the new residence.
- The parcel is accessed via Township Road 30-2A (gravel).
- The proposed application is adjacent to the Sunnyslope (Phase 4-2011) waterline. Council has approved the option that will increase the water volume to the water service area. As of the date of this report, this project has not been completed, however the applicant will be required to apply for water modelling should he choose to purchase a riser.
- This parcel of land is not within an Environmentally Significant Area or considered a Significant Historical Site.
- The surrounding properties are zoned Agricultural.
- This application was referred to internal and external agencies and adjacent property owners:
 - Alberta Health Services recommends the locations of existing private sewage systems and wells be located to ensure they meet current regulations.
 - To date, no objections from adjacent landowners or any other agencies have been received.

Relevant Sections of Land Use Bylaw 1773:

Section 86 – Agriculture District

- New Build on Site
- Move on Structure
- Structure to be Moved On: Newly Built Off Site

No
Yes
No

Initials: *DT*

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• Structure to be Moved On: Existing	Yes
• Creative Architecture	No
• Permanent Foundation Required	Yes
• Services to be Provided in Structure (Water, Power, Gas, Electricity, Septic etc...)	Yes
• Residential Use	Yes
• Accessory Use	No
• New/ Additional Rural Address Sign Required	Yes
• Road Upgrade Required	No
• Setbacks from Property Lines Satisfied (Structural)	Yes
• Relaxation Required	No
• Application to Alberta Transportation for Roadside Development Permit Required	N/A
• Riser on Property	No
• Water Modelling Application Required	No
• Water Modelling Application Submitted	No

Ken King asked if a water riser is optional or required. Deanna stated that currently it is optional due to the application being for a Second Dwelling on the property.

Ken King moved to approve Development Permit Application 3849-20-D for a Second Residence on NE 14-30-25 W4M with the following conditions:

1. *This permit is being issued pursuant to Section 86 of Land Use Bylaw 1773. The development must conform to the site plan that was submitted with the application, signed and dated July 23, 2020, as attached to this approval.*
2. *As per the Subdivision and Development Regulations 43/2002, the proposed development shall not be located within 100 meters or less from an oil or gas well head.*
3. *Access is to be provided to the approved development. Confirmation of compliance is required for all existing and proposed accesses which must be located and constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto.*
4. *All relevant Safety Codes Permits pertaining to Building, Private Sewage Disposal System, Gas, Electrical, and Plumbing must be applied for prior to any work being performed on site.*
5. *The location of the proposed development must meet the minimum distance requirements from the existing sewage system(s) as set out in the Alberta Private Sewage Disposal System Regulation and Safety Codes Act.*
6. *The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements and ensuring all development is outside active utility rights-of-ways.*
7. *The design, siting, external finish and architectural appearance of the home and attached garage shall be to the satisfaction of the development authority. The home must have a permanent foundation capable of supporting the maximum anticipated load of the home during all seasons without settlement or other movement in accordance with Alberta Building Codes.*

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8. *All future additions and developments (including, but not limited to, decks and porches) will require Development Permits and relevant Safety Code Permits.*
9. *The developer/ applicant must apply for a rural address at the fee set out in the master Rates Bylaw prior to or at the time of application for a Building Permit. The assigned rural address will be mounted at a location on the subject property to the satisfaction of Kneehill County.*
10. *Approval by the approving authority does not exclude the need and/ or requirements of the applicants to obtain any and all other permits as may be necessary under this or any other legislation, bylaws or regulations.*
11. *This permit is valid for a period of 1 year from the date of issue or the date of an approved decision of the Subdivision and Development Appeal Board. If at the expiry of this period, the development or construction has not been commenced or carried out with reasonable diligence, this permit shall be invalid.*
12. *Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

3853-20-H Dennis & Josee Kirk NW 5-32-25 W4M – Home Occupation Major, Sale of Alpaca Products – Agriculture District – Division 4

- To consider a Home Occupation Major application for the sale of their alpaca products from a small prefabricated building on the NW 5-32-25 W4.
- The products are created from their home raised alpacas.
- The applicants have purchased a prefabricated building which will house their products. A development permit has been approved for the accessory building. The applicant has been working with Superior Safety Codes to ensure the necessary requirements can be met to allow customer access to the building. Applicable Safety Code Permits will be required, including a Building Permit. No other structures will be associated with this permit.
- The applicants will be the only employees. There are no plans to hire any off-site employees at this time.
 - As per Land Use Bylaw 1773, Section 56(4), no more than three off site employees shall be permitted to be engaged in a home occupation major. The applicant is aware that exceeding three off-site employees may subsequently trigger a redesignation.
- They will only be open to the public a few days per week.
 - Thursday 10-3, Friday 3-8, Saturday 10-5
 - The applicants feel they will most likely be closed over the winter months, or open by appointment only.
- The property is zoned Agriculture and the surrounding land is predominantly farmland. The parcel is accessed by Range Road 25-5 and just over ½ mile north of Highway 583.
- There are no vehicles associated with the business, other than the applicants own.
- The applicant is allowed two signs of 16ft² (and smaller) without a development permit on their parcel. Signs larger than 16ft² or more than two signs 16ft² and smaller would require a permit. Any signs being placed on adjacent landowners' land would require their written approval and the aforementioned conditions would be applicable. Any signs along a highway would require the approval of Alberta Transportation in addition to any relevant County permits.

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suitable for the use.

6. *Any business signs larger than 1.5m² (16ft²) and more than two business signs at 1.5m² (16ft²) and smaller will require an additional Development Permit as per Land Use Bylaw 1773. Should the applicant wish to place signs on other landowners' lands, written authorization must be obtained and all permits (when required) must be applied for. Any signs being placed adjacent to a highway must also obtain approval from Alberta Transportation.*
7. *All relevant Safety Codes Permits pertaining to Building, Private Sewage Disposal System, Gas, Electrical, and Plumbing must be applied for prior to any work being performed on site.*
8. *The developer is responsible for making suitable arrangements with the utility companies for provision of services and/ or necessary easements and ensuring all development is outside active utility rights-of-ways.*
9. *All future additions and developments will require Development Permits and relevant Safety Code Permits.*
10. *Approval by the approving authority does not exclude the need and/ or requirements of the applicants to obtain any and all other permits as may be necessary under this or any other legislation, bylaws or regulations.*
11. *This permit shall be revocable at any time by the Development Authority if, in its opinion, the use is or has become detrimental to the amenities of the neighborhood.*
12. *The applicant/ owner must conform to the application and information submitted with it. Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

DISCUSSION ITEMS

A discussion on GFL having a Road Use Agreement took place, Barb Hazelton will check with the Transportation Department.

Next Meeting Date

The next Municipal Planning Commission is on August 27, 2020

Chairman Wittstock adjourned the meeting at 11:03 a.m.



Chairperson



Recording Secretary