

MUNICIPAL PLANNING COMMISSION MEETING
July 26, 2018

A meeting of the Kneehill County Municipal Planning Commission was held on July 26, 2018, commencing at 9:00 a.m.

Present

Jim Hugo	Chairman/Municipal Planning Commission Member
Jerry Wittstock	Vice-Chairman/Municipal Planning Commission Member
Wade Christie	Municipal Planning Commission Member
Debbie Penner	Municipal Planning Commission Member
Faye McGhee	Municipal Planning Commission Member
Kenneth King	Municipal Planning Commission Member
Glen Keiver	Municipal Planning Commission Member
Rick Vickery	Member at Large
Al Hoggan	Chief Administrative Officer
Laurie Watt	Director of Municipal Services
Barb Hazelton	Manager of Planning & Development
Dharmesh Vyas	Planning & Development Officer
Brandy Morgan	Planning & Development Officer
Deanna Keiver	Recording Secretary

Applicants Present at the Onset of the Meeting

Dwayne Ibsen

Call to Order

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

Adoption of Agenda

Ken King moved to accept the agenda as presented.

CARRIED

Approval of Minutes

Wade Christie moved to approve the Municipal Planning Commission minutes dated June 28, 2018.

CARRIED

NEW BUSINESS

KNE180112 Dwayne Ibsen & Arliss Chute-Ibsen – SE 12-30-24 W4 – 5.0 +/- acre subdivision - Agriculture

- KNE180102 was approved March 22, 2018 for a 5-acre parcel on this quarter.
- KNE180112 would therefore replace KNE180102 on this quarter. The tentative plan for KNE180112 is different to the earlier subdivision proposal.
- It is therefore still considered the first parcel out of the quarter; no municipal reserves are required and it meets the maximum subdivision area for a bare parcel (5 acres; Section 84(2)(b)(ii)).
- Surrounding lands are primarily agricultural and crop land (zoned Agriculture).
- The parcel is not located within an environmentally significant area or an area structure plan.
 - There appears to be an intermittent stream passing through the subject quarter. No portion of this passes through the proposed subdivision.

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- Section 84(3)(a) states that water wells and private sewage treatment and disposal systems that meet current code shall be located on the parcel they service; as such, a survey will be required showing the water well is contained within the proposed property.
- The parcel is not adjacent to a waterline; the closest line is a half mile north and south of the subject quarter. The parcel is located in the Gamble Water Service Area (Phase 1).
- The parcel is accessed and bound by Highway 21 (east). There is an undeveloped road allowance that continues along the eastern boundary of the subject quarter while Highway 21 curves around onto the adjoining quarter (east).
 - Alberta Transportation has stated that a Service Road Agreement and Caveat will be required.
- The proposed subdivision divides the easterly portion of the quarter into a north and south. The applicants must ensure access to the remnant and proposed subdivision.
 - At the time of development, the applicant will be required to ensure setback distances are met from the coulee.
 - To ensure farm equipment can pass behind the proposed subdivision and the coulee, the applicants must ensure that there is a minimum of 120ft from the brink of the coulee to the proposed subdivision to allow the largest piece of farm equipment to pass behind it.
- This application was referred out to internal and external agencies as well as adjacent landowners.
 - Ember Resources stated that the landowner must maintain unrestricted access to Ember Resources' lease at all times unless consent is obtained from the lessor.
 - Alberta Transportation noted that an access to the proposed subdivision will split the remainder of the quarter into two parcels that require access from Highway 21. They require a 30m wide service road right-of-way and caveat across the highway frontage at no cost to them (Alberta Transportation).
 - No further concerns or objections have been raised for this proposed subdivision.

Relevant Sections of Land Use Bylaw 1718

Section 84(1)(a)(c) [Density- Maximum Lot; Maximum Area of Bare Parcel Subdivisions]

Section 84(2)(b)(ii) [Maximum Lot Area – 5 acres]

Section 84(3) [Other Regulations – Water Wells/ Private Sewage/ Access]

• First Parcel Out	Yes
• Bare Parcel	Yes
• Fragmented Parcel	No
• Parcel Contains a Farmstead	No
• Septic Inspection Required	No
• Water Well	Yes
• Adjacent to Municipal Water Line	No
• Riser	No
• Water Modelling Application Required	No
• The parcel contains a suitable building site	Yes
• Legal and Year Round Physical Access Sufficient to Meet Proposed Use	Yes
• Adjacent/ Near Quarter Section Boundaries Without Jeopardizing Agricultural Operations on Quarter Section	Yes
• In Close Proximity to Existing Residential Parcels/ Farmsteads on Adjacent Quarter Sections	No

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| • Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.) | Highway 21/
Undeveloped |
| • Road Upgrade Required | No |
| • New Rural Address Sign Required | No |

Administration deemed the subdivision, as proposed, complied with the Municipal Government Act; that it was suitable for the intended purposes; that it would not negatively impact adjacent land uses. Consideration was also 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.

Ken King moved to approve Subdivision Application KNE180112 for a 5.0 +/- acre subdivision from within SE 12-30-24 W4 with the following conditions:

- 1. The subdivision must be registered in accordance with the tentative plan submitted and by a way suitable to Alberta Land Titles in accordance with the Land Titles Act.*
- 2. The final survey must ensure a minimum of 120ft from the brink of the coulee and the rear property line of the proposed subdivision in order to ensure the cropped area is not fragmented.*
- 3. 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. The location of water wells and sewage disposal systems are to be located and be shown to conform to provincial setback requirements.*
- 4. 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.*
- 5. Access is to be provided to the approved subdivided parcel and remnant parcel as per the requirements stated by Alberta Transportation. The Kneehill County Planning Department must be provided with a copy of this agreement.*
- 6. Concurrent registrations of utility easements, rights-of ways and/or crossing agreements, as required by service providers.*
- 7. 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.*
- 8. Each developed parcel must be served by its own water source and private sewage treatment system.*
- 9. All future site development will require the appropriate development and safety codes permits and approvals.*
- 10. 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.*

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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.

CARRIED

Dwayne Ibsen left the meeting at 9:10 a.m.

3720-18 Terry Olsen & Cheryl Faulkner – NE 34-32-26 W4 (Torrington) Plan 6820GY, Block 7, Lot 6 – 10' x 20' x 9' Portable Storage Container – Hamlet Residential

- Section 62(3) of Land Use Bylaw 1718 indicates that residential parcels can have one portable storage container, no larger than 6.1m (20ft) in length and 3.0m (10ft) in width provided it meets setbacks minimums.
- Setbacks to all property lines are satisfied as per the site plan submitted.
- The property is currently developed and includes an existing house.
- This application was referred to internal and external agencies and adjacent property owners:
 - To date, no objections from adjacent landowners and other agencies have been received.

Relevant Sections of Land Use Bylaw 1718

Section 87(3)(b)(i)(iii)(v)(vi)[Siting Regulations- Accessory Buildings and Structures]

Section 33 [Accessory Buildings & Structures]

Section 62 [Portable Storage Containers]

• New Build on Site	No
• Move on Structure	Yes
• Existing Structure	Yes
• Creative Architecture	No
• Permanent Foundation Required	No
• Services to be Provided in Structure (Water, Power, Gas, Electricity, Septic etc...)	No
• Residential Use	No
• Accessory Use	Yes
• Rural Address Sign in Place (Blue Sign)	N/A
• New/ Additional Rural Address Sign Required	N/A
• 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	N/A
• Water Modelling Application Required	N/A
• Water Modelling Application Submitted	N/A
• Water Modelling Application Submitted	N/A

Rick Vickery moved to approve Development Application 3720-18 for a portable storage container on Plan 6820GY, Block 7, Lot 6 (Torrington) subject to the following conditions:

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1. *The development must conform to the site plan that was submitted with the application, signed and dated July 26, 2018 as attached to this approval.*
2. *The shipping/ portable storage container must be a minimum of 25 feet from the front yard property line and 3ft from the side and rear yard property line as per Section 87(3)(b)(i)(iii)(v) of Land Use Bylaw 1718.*
3. *The Portable Storage Container will be no taller than 15ft as per Section 87(3)(b)(vi) of Land Use Bylaw 1718.*
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. *All future site development will require the appropriate development and safety codes permits and approvals.*
8. *The design, siting, external finish and architectural appearance of the Accessory Building (Portable Storage Container) shall be to the satisfaction of the development authority.*
9. *Pursuant to Land Use Bylaw 1718, Section 33 (4): the Accessory Building (portable storage container) shall not be used as a dwelling or contain bedrooms or sleeping facilities.*
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

3724-18 – Kenneth & Audrey Hope – SE 18-30-26 W4 – Second Residence with Attached Garage – Agriculture

- The proposed residence is to be placed east of the existing yard site. Setbacks from property lines are satisfied as per the site plan (Section 84(4)(b)(c)(d).
- A rural address sign will be required for the new residence.

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- The parcel is accessed via Township Road 302. The quarter is bound by Township Road 302 (south) and Range Road 265 (east). The approaches will require inspection and a new approach is required for the new residence.
- The parcel is adjacent to the Selkirk (Phase 3) waterline. A riser is already in place for the existing residence on the quarter. The applicant has the option of connecting to the same riser or alternatively, obtaining a second riser for the new residence depending on the results of a water modelling study.
- There is an attached garage associated with this development. The attached garage would not have any sleeping facilities.
- The surrounding properties are zoned Agricultural.
- This application was referred to internal and external agencies and adjacent property owners:
 - To date, no objections from adjacent landowners or any other agencies have been received.

Relevant Sections of Land Use Bylaw 1718
 Section 84 – Agriculture District

• New Build on Site	Yes
• Move on Structure	Yes
• Structure to be Moved On: Newly Built Off Site	Yes
• 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	Yes (Garage)
• New/ Additional Rural Address Sign Required	Yes
• Road Upgrade Required (TWP 302 – Gravel)	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	Yes
• Water Modelling Application Required	No
• Water Modelling Application Submitted	N/A

Jerry Wittstock moved approval of Development Application 3724-18 for a second residence with an attached garage on SE 18-30-26 W4 subject to the following conditions:

1. *The development must conform to the site plan that was submitted with the application, signed and dated July 26, 2018, as attached to this approval.*
2. *The developer/ applicant must apply for a Rural Address Sign 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.*
3. *The applicant/ developer must submit an approach application for their new approach. Confirmation of compliance for the proposed access is required and it*

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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 Second Residence and Attached Garage shall be to the satisfaction of the development authority. The home and attached garage must have a permanent foundation capable of supporting the maximum anticipated load of the home during all seasons without settlement or other movement.*
8. *Kneehill 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. *All future additions and developments (including, but not limited to, decks and porches) 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 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

Discussion Item

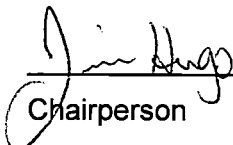
Town of Trochu – Adjacent Municipality Notification


No Comments

Future Meeting Date

The next scheduled Municipal Planning Commission meeting is August 23, 2018 at 9:00 a.m.

Jim Hugo adjourned the meeting at 9:22 a.m.


Chairperson


Recording Secretary – Deanna Keiver