

MUNICIPAL PLANNING COMMISSION MEETING
June 27, 2019

A meeting of the Kneehill County Municipal Planning Commission was held on June 27, 2019, commencing at 9:00 a.m.

Present

| | |
|-----------------|--|
| Jerry Wittstock | Chairman/Municipal Planning Commission Member |
| Kenneth King | Vice-Chairman/Municipal Planning Commission Member |
| Debbie Penner | Municipal Planning Commission Member |
| Faye McGhee | Municipal Planning Commission Member |
| Glen Keiver | Municipal Planning Commission Member |
| Jim Hugo | 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 Morgan | Planning & Development Officer |
| Deanna Keiver | Planning & Development Officer |
| Lorna Yost | Recording Secretary |

Absent

Wade Christie Municipal Planning Commission Member

Applicants present at the onset of the meeting

Robert Clark – Secure Energy Services Inc.

Call to Order

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

Adoption of Agenda

Ken King moved to accept the agenda as amended with the addition of Discussion Item #2: GFL – Acme Site.

CARRIED

Approval of Minutes

Rick Vickery moved to approve the Municipal Planning Commission Minutes dated May 23, 2019.

CARRIED

3780-19 SECURE Energy Services Inc. (Applicant), Al Winther Farms (Land Owner) SW 13-34-24 W4M Industrial District-Division 5, Injection/Disposal Facility and Waste Management Facility

- To consider a discretionary use development permit application for the construction and operation of an Injection/Disposal (B90/80) Facility and a Waste Management Facility located on the SW 13-034-24-W4. A 15-Acre portion has been redesignated Industrial District for this purpose.
- Secure Energy Services Inc. intends to construct an injection/disposal and Waste Management Facility for the treatment, recycling and disposal of oilfield products generated by the petroleum industry.
- The proposed location will be approximately 2 miles west of the Hamlet of Huxley.

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- The proposed lands are zoned Industrial District. All other adjacent lands are zoned Agriculture.
- The proposed development is not adjacent to a municipal water line and will be required to be serviced by the developer.
- Access to the site will be from highway 587. Since the lands are adjacent to the highway, Alberta Transportation will require a Roadside Development Permit and will determine whether upgrades are required regarding turning lanes, or a traffic impact assessment is required. Secure has already applied and received their approval from Alberta Transportation.
- Setbacks from property lines would be satisfied (Section 97(3)).
- The proposed development will be licensed under the Alberta Energy Regulator (AER).
- The facility will offer the following services: Fluid Disposal, Waste Management, Fluid recycling and Custom Treating.
- All residual waste solids will be sent to a provincially approved off-site facility for further treatment and/or disposal. Recovered hydrocarbons will be treated and sold to market.
- All storage and processing areas are designed with containment and monitoring systems as per AER.
- Detailed groundwater monitoring reports will be conducted on an annual basis and submitted to the AER.
- AER also requires an environmental site assessment and securities posted for liability management and reclamation purposes.
- Odour safety controls due to the potential presence of H₂S will be engineered into the facility design to ensure no off-lease odours occur from the proposed facility.
-

| | Hours of Operation | Days per week |
|-------------------|--------------------|---------------|
| Year Round | 24-hours | 7 |

- The proposed facility will be situated within a 300m x 300m area of the SW-13-34-24-W4. AER requires a minimum 100m distance setbacks from permanent dwellings, unrestricted county development, and any urban center or public facility.
- Unloading stations, tank farm, facility buildings, custom treating infrastructure, on-site disposal well, and surface water run-off pond will make up the Facility footprint.
- Traffic expectation will be 6-10 heavy trucks per day, and light traffic for personnel. Designated truck routes will be used and road bans (if applicable) will be followed.
- Secure will provide dust control to the lease road as part of their regular maintenance.
- Secure will be bound by the AER Noise Control guideline.
- Secure has a corporate-level Emergency Management Plan to handle emergencies. A site specific plan will be created for this site prior to it going into production.
- This application was referred to internal and external agencies and adjacent property owners. To date we have received no letters regarding this application.

Barb Hazelton stated that Secure Energy Services Inc. is bound by Alberta Energy Regulators Directives.

Robert Clark explained that hydrocarbons are the trace residual by-products of the waste that are captured and shipped to market. He also clarified that there is both a corporate and site specific emergency plan that will be in place.

Faye McGhee moved approval of Development Permit 3780-19 for an Injection/Disposal Facility and Waste Management Facility SW 13-34-24 W4M as submitted with the following conditions:

Initials:

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1. *The development must conform to the site plan that was submitted with the application, signed and dated June 27, 2019, 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. A Traffic Impact Assessment is required to be submitted to Alberta Transportation as part of this process. The costs for all required improvements to this intersection are the responsibility of the applicant unless there is an agreement with the County, in writing, that states otherwise.*
3. *A copy of the Traffic Impact Assessment to be provided to Kneehill County once complete.*
4. *A copy of the site specific Emergency Management Plan shall be provided to Kneehill County once complete.*
5. *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.*
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 site shall be graded so storm water does not drain onto the adjoining property.*
8. *All future additions and developments will require Development Permits and relevant Safety Code Permits.*
9. *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.*
10. *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*
11. *Failure to comply with the conditions of this permit will render it null and void.*

CARRIED

Robert Clark left the meeting at 9:16 a.m.

3777-19 Allen, Margaret and Murry Toews(Owner), NE 5-31-25 W4M Agricultural District-Division 4, Garden Suite

- To consider a Garden Suite to be built along the north side of an Accessory Building (Machine Shed for Agricultural Equipment) on the subject parcel.
- 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 out.
- In discussion with Alberta Transportation, the applicants/ landowners must submit an application for the Roadside Development Permit- this would cover both the accessory

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structure and the garden suite. Alberta Transportation noted they had not received an application for the accessory structure and indicated they can both be dealt with together now.

- The proposed Garden Suite is to be attached to the now-existing accessory building which was subject of Development Permit 3672-17. The square footage of the garden suite is approximately 272ft².
- The 272ft² of the residential space does not meet the minimum requirements to qualify as a second residence (800ft²); as such, it is deemed to be an application for a Garden Suite that cannot be subdivided from the mobile home currently on the parcel (which serves as the primary residence). If the applicants or landowners do remove the existing mobile home, then the garden suite itself becomes a legal, non-conforming use.
- All safety code permits and approvals will need to be obtained and the property will not be allowed to have an Auxiliary Dwelling Unit.
- The applicants must ensure adequate water and wastewater services. These may be through a shared system or an individual system.
- A new municipal address sign will be required for the Garden Suite.
- Setbacks to all property lines are satisfied as per Section 86(4)(b)(c)(d).
- The parcel is accessed via Highway 806 and surrounding properties are zoned Agriculture.
- Access to this parcel comes from the adjoining 2.94-acre subdivision. There does not appear to be an easement in place nor does there appear to be a Service Road Agreement and Caveat registered on title. A new easement will therefore be required.
- The parcel is adjacent to the Linden waterline. The applicant has the option to share water services with the existing residence or alternatively have its own separate servicing.
- 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 1773:

Section 86 – Agriculture District

Section 57 – Housing, Garden Suite

- | | |
|--|-----|
| • New Build on Site | Yes |
| • Move on Structure | No |
| • Structure to be Moved On: Newly Built Off Site | N/A |
| • Structure to be Moved On: Existing | N/A |
| • 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 | Yes |
| • Riser on Property | Yes |
| • Water Modelling Application Required | No |

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- Water Modelling Application Submitted

N/A

Deanna Keiver clarified that the garden suite is on the outside of the shop and the mobile home is also on the remnant. Road easement should be registered on title in case the land was to sell.

Ken King moved approval of Development Permit Application 3777-19 for a Garden Suite on NE 5-31-25 W4M as submitted 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 June 27, 2019, 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. This Garden Suite must remain on the lot with the primary residence and will not be considered for a separate subdivision.*
- 4. The landowner and applicants must enter into an easement agreement with the adjoining 2.94-acre parcel (north east corner of the quarter) to ensure access. Kneehill County must be provided with a copy of this agreement and it must be registered on title.*
- 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 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.*
- 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 Garden Suite shall be to the satisfaction of the development authority. The Garden Suite must have a permanent foundation capable of supporting the maximum anticipated load of the structure during all seasons without settlement or other movement in accordance with Alberta Building Codes.*

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14. 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.
15. 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.
16. 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.
17. Failure to comply with the conditions of this permit will render it null and void

CARRIED

KNE190116 – Todd Piepke (Owner) – NE 22-29-24 W4M, - 2.8 +/- acres – Agricultural District – Division 2

- To consider the subdivision 2.8 ± acres from NE 22-29-24 W4M. The 2.8 ± acres would then be consolidated with the existing 2.11-acre subdivision (Plan No. 9510765, Lot 1) to include existing accessory buildings and a dugout into the current acreage creating a final parcel of approximately 5 acres. The subdivision straddles two quarter sections in order to ensure setbacks are satisfied for the open discharge septic system and all buildings contained predominantly within the north west quarter.
- This proposed subdivision is a boundary adjustment to incorporate the quonset and dugout into the existing yard site.
- The land use bylaw allows an applicant to subdivide the farmstead including all outbuildings and shelterbelts.
- The number of titles on this parcel remain the same with this subdivision and consolidation. As such, no reserves will be required for this boundary adjustment as it would remain the first parcel out.
- The surrounding lands are primarily agricultural and crop land.
- Both the existing subdivision and the portion of lands being subdivided and consolidated have a CLI 3 rating.
- The proposed subdivided lands do not fall within an ESA or an area structure plan.
- Access to this parcel is granted via Rge Rd 242 (gravel).
- Approaches will need to be inspected by Kneehill County.
- Road widening was taken for this portion in 1994, therefore, road widening will not be required for this subdivision and consolidation.
- A septic inspection will be required.
- This application was referred out to internal and external agencies as well as adjacent landowners.
 - No objections or responses have to date been received.

Relevant Sections of Land Use Bylaw 1773:

Section 86(1) [Density]

Section 86(2) [Subdivision Regulations]

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|---|-------------------------------------|
| • 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 | Yes |
| • Riser | Yes |
| • Soil Classification Level | CLI 3 |
| • Setback requirements from property lines satisfied | Yes |
| • 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 | Yes |
| • Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.) | Rge Rd 242 Gravel - Municipal |

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 asked why a septic inspection was required and Brandy Morgan explained that due to the subdivision touching the existing property it needs to comply with current standards.

Glen Keiver moved to approve Subdivision Application KNE190116 to subdivide and consolidate 2.8 ± acres on the NE-22-29-24-W4 with the existing 2.11-acre subdivision (Lot 1, Plan 95107654M subject to the following conditions:

1. *The subdivisions 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. The 2.8 ± acre subdivision is to be consolidated with Lot 1, Plan 9510765 at the time of subdivision registration.*
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. *Confirmation of compliance with the requirements of the Alberta Private Sewage Disposal Regulation and Safety Codes Act for the private sewage disposal system location upon the proposed lot by a letter from a certified Safety Codes Officer.*

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5. *Access is to be provided to the approved subdivided parcel and remnant parcel. Confirmation of compliance for all existing and proposed accesses from the County Road (Range Road 242) is required. Accesses must be located and constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto.*
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.*
11. *approval by the 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

KNE190117– Robert and Joan Larsen (Owners), SE 15-28-22 W4M Plan 0011351 Block 2, 75.04 +/- acres – Agricultural District – Division 1

- To consider the subdivision of a parcel fragmented by the Hesketh Road (Range Road 22-2A). The parcel is currently 75.04 ± acres and would be split into a 33.0 ± acre parcel and a 42.0 ± parcel.
- The remainder of this quarter section is fragmented by Highway 9. Westview Co-Op and Crop Production Services own the parcels of land south of Highway 9.
- The Grainger/ Hesketh waterline (Phase 2) follows the ROW of the new Hesketh road. The applicant will be required to take a riser if water modeling shows sufficient capacity.
 - The applicant may choose which parcel takes a riser if the water modeling allows it. There is no water well or septic system in place on the parcel otherwise.
- No redesignation is proposed on either parcel and it does not fall within an environmentally significant area or within an area structure plan.
- Surrounding lands are primarily agricultural and crop land (zoned Agriculture).
- This parcel is bound by Hwy 9 (south) and divided by Range Road 22-2A (primary access).
- Approach inspections for the proposed subdivision (both parcels) will be required.
- The proposed subdivision is split between CLI classifications 4 and 5.
- Municipal Reserves are not required for subdivisions greater than 40 acres.
- Policy 14 of the Agricultural section of the Municipal Development Plan states:
 - *Approval may be given to an application for subdivision for a parcel of land that is separated from the balance of the landholding by a road or railway, abandoned railway, or a permanent naturally occurring creek or body of water. Each new parcel created must contain a suitable building site and have direct physical or legal access (registered on title) to a public road satisfactory to the Development Authority.*

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- Section 654(2)(a)(i)(ii)(b) of the Municipal Government Act states that a subdivision can be approved even when it does not comply with the Land Use Bylaw if the proposed subdivision would not *unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*
- Section 86(1)(c) of the Land Use Bylaw requires bare parcels not to exceed 15 acres. Exempt from this is an existing farmstead, existing historical farmstead, or a fragmented parcel, such as in this case.
- 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(1)(c) – Maximum total area of all subdivided bare parcels from a quarter shall not exceed 15 acres unless considered a fragmented parcel

Section 84(3)(b) – Direct Legal and Physical Access

- | | |
|---|--------------------|
| • First Parcel Out | No |
| • Bare Parcel | Yes |
| • Fragmented Parcel | Yes |
| • Parcel Contains a Farmstead | No |
| • Septic Inspection Required | No |
| • Water Well | No |
| • Adjacent to Municipal Water Line | Yes |
| • Riser in Place | No |
| • Water Modelling Application Required | Yes |
| • The Proposed 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 |
| • Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.) | RR 22-2A Gravel |
| • Road Upgrade Required | No |
| • New Rural Address Sign Required | No |

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.

Ken King stated that the water riser should be located on the 42.0 +/- acre parcel since it is the subdivision parcel.

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Rick Vickery moved the approval of Subdivision Application KNE190117 to subdivide the 42.0 ± acre fragmented parcel from SE15-28-22 W4M 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. *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.*
3. *Access is to be provided to the approved subdivided parcel and remnant parcel. All existing and proposed accesses must be located and constructed in accordance with Kneehill County Approach Construction Guidelines.*
4. *As per Kneehill County Policy, the proposed subdivision is considered to be adjacent to a County waterline. The landowner/ applicant must apply and pay a fee for a water modeling study to determine the capacity and ability of the waterline to service the subdivision. If the results of the water modeling indicate that the subdivision can be serviced by the waterline, the landowner/ applicant shall be required to take a riser at the fee set out in the Master Rates Bylaw.*
5. *Concurrent registrations of utility easements, rights-of ways and/or crossing agreements, as required by service providers.*
6. *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.*
7. *Each developed parcel must be served by its own water source and private sewage treatment system.*
8. *All future site development will require the appropriate development and safety codes permits and approvals.*
9. *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.*
10. *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

Jerry Wittstock called for recess at 9:47 a.m. and called the meeting back to order at 9:55 a.m.

KNE190119 and KNE190120– David and Ruth Stewart (Owners), NE 18-29-23 W4M, 5.0 +/- acres x 2– Agricultural District – Division 2

- To create two bare five acre parcels from a 174.8 ± acre parcel. This would be the first parcel out of the quarter section, therefore Municipal Reserves are not required.
- MPC should note that two decisions will accompany this report- one for each of the five-acre subdivisions.
- Both parcels are bare parcel subdivisions and meet the maximum allowable acre size.
- Surrounding lands are primarily agricultural crop and pasture land (zoned Agriculture).

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|--|---------------|
| Adjacent Quarter Sections | |
| • Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.) | Unnamed Road; |
| • Road Upgrade Required | Yes |
| • Soil Classification | CLI 5 |

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.

Brandy Morgan explained that the owners developed approximately ½ mile of road in 2017 when the road building cost share policy was in place. The applicant's deposit is held in trust with the County and when they develop on the site they will get a portion back. However, they are responsible for developing the additional approximately 385 feet of road for access to the east subdivision. The road will then be maintained by the County.

Ken King moved the approval of Subdivision Application KNE190119 to subdivide 5.0 ± from NE 18-29-23 W4M with the following conditions:

- 1. This approval is for the west parcel. 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. Compliance with Kneehill County Land Use Bylaw setback requirements as demonstrated by an Alberta Land Surveyor either through a Real Property Report showing the location of all improvements or written confirmation from the surveyor.*
- 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. Concurrent registrations of utility easements, rights-of ways and/or crossing agreements, as required by service providers.*
- 6. 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.*
- 7. Each developed parcel must be served by its own water source and private sewage treatment system.*
- 8. All future site development will require the appropriate development and safety codes permits and approvals.*
- 9. 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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10. 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.
11. Pursuant to Section 655(1)(b)(i) of the Municipal Government Act and amendments thereto, the Owner/Developer is responsible for all costs associated with the required upgrades to the undeveloped County road allowance, specifically the forced Township Road 29-3A which will provide access to the proposed subdivision and remnant, as per County policy 5-13A.
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

Debbie Penner moved the approval of Subdivision Application KNE190120 to subdivide 5.0 ± from NE 18-29-23 W4M with the following conditions:

1. This approval is for the east parcel. 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. Compliance with Kneehill County Land Use Bylaw setback requirements as demonstrated by an Alberta Land Surveyor either through a Real Property Report showing the location of all improvements or written confirmation from the surveyor.
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. Concurrent registrations of utility easements, rights-of ways and/or crossing agreements, as required by service providers.
6. 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.
7. Each developed parcel must be served by its own water source and private sewage treatment system.
8. All future site development will require the appropriate development and safety codes permits and approvals.
9. 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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10. 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.
11. Pursuant to Section 655(1)(b)(i) of the Municipal Government Act and amendments thereto, the Owner/Developer is responsible for all costs associated with the required upgrades to the undeveloped County road allowance, specifically the forced Township Road 29-3A which will provide access to the proposed subdivision and remnant, as per County policy 5-13A.
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.
13. As per Sections 661, 666 and 667 of the Municipal Government Act, the applicant must provide 10% Municipal Reserve and/ or School Reserve to be taken as cash in lieu of dedication of land. Based on the CLI Level (5), the average per acre value amounts to \$1888.28 (10% of the final proposed subdivision; approximately \$944.14 for 0.5 acres). The final amount owing will be calculated upon receipt of the final survey plan using this value.

CARRIED

KNE190121 – Vantage Point Resources Inc. (Applicant), Lawrence and Cara Frere (Landowners) 6.8 +/- acres – Agricultural District – Division 6

- To consider a 6.8 ± acre subdivision from the SE 11-34-26 W4. The subdivided site would be separating an existing storage site for oil and gas operations.
- Currently two accessory buildings and a minimal amount of oil and gas equipment are located on site. This has been the storage site for the Wimborne Gas Plant and Vantage would like to continue to utilize this site.
- The remnant is mainly cropland with a small amount of treed area and a portion of land which was a Canadian Pacific Railway. The landowner owns the abandoned right of way.
- Municipal reserves will not be required as this is the first parcel out.
- The surrounding lands are zoned Agriculture and are predominantly cropland except for the site directly east of Range Road 26-1 which used to be the Wimborne Gas Plant.
- The proposed subdivision does not include any land considered environmentally sensitive or historically significant.
- The quarter section lies entirely within a soil classification rating of 3 (CLI 3).
- Access to this subdivision is granted via Range Road 26-1. Suitable access to the remnant will need to be approved by the Transportation Department as per policy.
- The parcel is not adjacent to a waterline, nor does it have a well on site. The applicants have indicated there is an inactive septic system on site.

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- This application was referred out to internal and external agencies as well as adjacent landowners.
 - No other objections or responses have to date been received

Relevant Sections of Land Use Bylaw 1773:

Section 86(2) [Subdivision Regulations]

Section 86(3) [Other Regulations – Access]

Section 86(4) [Siting Regulations]

- | | |
|---|-----------------|
| • First Parcel Out | Yes |
| • Bare Parcel | No |
| • Fragmented Parcel | No |
| • Parcel Contains a Farmstead | No |
| • Septic Inspection Required | No |
| • Water Well | No |
| • Adjacent to Municipal Water Line | No |
| • Riser | N/A |
| • Setback requirements from property lines satisfied (buildings) | Yes |
| • 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 | N/A |
| • Accessed Via (Road type-Gravel, Undeveloped, Paved, Highway, etc.) | Range Road 26-1 |

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.

Rick Vickery moved the approval of Subdivision Application KNE190121 to subdivide 6.8 +/- acres from SE 11-34-26 W4M 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. *Compliance with Kneehill County Land Use Bylaw setback requirements as demonstrated by an Alberta Land Surveyor.*
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.*

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4. *The applicant must apply for a Rural Address Sign at the fee set out in the master Rates Bylaw. The assigned rural address will be mounted at a location on the subject property to the satisfaction of Kneehill County.*
5. *Confirmation of compliance for all existing accesses from the County Road (Range Road 26-1) is required and they must be located and constructed in accordance with Kneehill County Approach Construction Guidelines Policy 13-15 and amendments thereto. Any shared approaches will require the approval of all parties.*
6. *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.*
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. *All future site development will require the appropriate development and safety codes permits and approvals.*
10. *Approval by the 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


DISCUSSION ITEMS


1. Notification from Natural Resources Conservation Board (NRCB) regarding an Application for a new compost dairy barn, calf barn and dry cow shed; new lagoon for manure storage, move existing dairy to new location and increase in herd size from 84 to 300 milk cows. Existing location is NW 29-34-22 W4M, new location NE 19-34-22 W4M. No concerns from Kneehill County Municipal Planning Commission.
2. Jerry Wittstock brought forth concerns on GFL, Acme Site, with more activity and trucks parking on the county road. Barb Hazelton will follow up on the vehicles on road concern as well as verify if aeration has been completed at the site.

Next Meeting Date

The next Municipal Planning Commission is on July 25

Jerry Wittstock adjourned the meeting at 10:25 a.m.


Chairperson


Recording Secretary – Lorna Yost