Wheatland County

PLANNING POLICY SECTION

TABLE OF CONTENTS

	Pages
SECTION 7.1 PLANNING PROTOCOL	2
SECTION 7.2 MUNICIPAL RESERVES	3
7.2.1 Allocation of Municipal Reserves & Cash-In-Lieu	5
SECTION 7.3 PRIVATE SEWAGE DISPOSAL SYSTEMS (PSDS)	7
SECTION 7.4 ENDEAVOR TO ASSIST	10
SECTION 7.5 DEFERRED SERVICES AGREEMENT	13
SECTION 7.6 ADJACENT LANDOWNER NOTIFICATIONS	14
SECTION 7.7 MAJOR PLANNING APPLICATIONS	16
SECTION 7.8 WATER AND/OR SEWER CONNECTION FEE & FEE PROCEDURE	21
SECTION 7.9 PROCEDURE FOR RECEIPT OF COMMENTS REGARDING PLANNING APPLICATONS	22
SECTION 7.10 PROCEDURE FOR WITHDRAWING PLANNING APPLICATONS	23
SECTION 7.11 PEER REVIEW FEE COST RECOVERY	24
SECTION 7.12 ENFORCEMENT OF THE LAND USE BYLAW	26
SECTION 7.13 MUNICIPAL PLANNING COMMISSION PROCESS	33
SECTION 7.14 CERTIFICATE OF COMPLIANCE	37
SECTION 7.15 GUIDELINES, FEES AND PROCEDURES FOR HAMLET ENTRANCE TOURISM SIGNS	40
SECTION 7.16 DORMANT APPLICATIONS/FILES	42
SECTION 7.17 WATER SERVICING	44

PLANNING POLICY SECTION 7.1 – POLICY PROTOCOL	7.1 PLANNING PROTOCOL Page 1/1
Effective Date: May 1/07 Full Policy Review – Dec. 3/12 C of W	Revised: Nov. 24/09 CM – Res. 09-709 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To clarify roles relating to the planning and development process.

POLICY

All planning matters should go to the appropriate staff member in the Planning Department; that being the Wheatland County Planner for area re-designations and subdivisions, and the Wheatland County Development Officer for development permits. After applicants meet with the appropriate Planning or Development staff members, these staff members may, at their discretion, discuss a planning matter with Council prior to an application being presented.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.2 – MUNICIPAL RESERVES	7.2 MUNICIPAL RESERVES Page 1/2
Effective Date: Feb. 19/08 Full Policy Review – Dec. 3/12 C of W	Revised: 08-94 Revised: Nov. 24/09 CM – Res. 09-709 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To clarify the Municipal Reserves requirement, and the process for claiming reserves as land or as cash-in-lieu of land.

POLICY

Under Section 666(1) of the *Municipal Government Act* (M.G.A.) Council may require the owner of a parcel of land that is subject to a subdivision proposal, to provide land for a municipal reserve or provide money in place of the municipal reserve.

The amount of land to be provided for municipal reserve will not exceed 10% of the approved subdivision titled parcel(s) area. The amount of cash-in-lieu of land will not exceed 10% of the appraised market value of the approved subdivision titled parcel(s), determined in accordance with Section 667 of the (MGA. The land required to be provided as environmental reserve and the land subject to an environmental reserve easement will not be included in the calculation of municipal reserve. Lands dedicated for the provision of roads or utilities, including storm-water management systems, shall be considered developable lands and will also be included in the calculation of Municipal Reserve dedication.

Process for calculation of cash-in-lieu of land for municipal reserve:

1. Where it is determined in accordance with this policy that money in place of land for municipal reserve is required the following process shall be adhered to:
    a. The amount of cash-in-lieu of land shall be calculated in accordance with Section 667(1) based on the final plan of survey as submitted by the applicant and an independent market value appraisal of the land. Where multiple parcels are involved in a subdivision application the money in place of land shall be calculated based on the total of the appraised market value for each subject parcel and the specific number of acres being subdivided. The calculations for each individual subject parcel shall be summed to determine the total amount of money in place that is required.
    b. The required cash-in-lieu payments shall be submitted prior to endorsement of subdivision.
    c. Should the final plan of survey be altered prior to registration at Land Titles, the revised survey plan shall be submitted to Wheatland County and a re-calculation of the Municipal Reserve shall occur.

2. Section 671(2) MGA states that Municipal Reserve, School Reserve or Municipal and School Reserve may be used by a municipality or School Board or by them jointly only for any or all of the following purposes:
    a. A public park;
    b. A public recreation area;
    c. School Board purposes;
    d. To separate areas of land that are used for different purposes.
3. Section 663 (MGA) stipulates that no public reserve is required when:
    a. One lot is to be created from a quarter section;
    b. Land is to be subdivided into lots of 16.00 hectares (39.54 acres) or more and is to be used only for agricultural purposes;
    c. The land to be subdivided is 0.80 hectares (1.98 acres) or less; or
    d. Reserves have already been provided for the title.
4. Section 669 (1) of the MGA states that if the subdivision authority defers the Municipal Reserve dedication or money in place of Municipal Reserve, School Reserve or Municipal and School Reserve, a Deferred Reserve Caveat must be placed on title to notify the landowner that at the time the parcel is further subdivided, municipal reserve will be required for both the new parcel and the parcel Municipal Reserve was deferred from.
5. Applications considering lands designated Industrial General (I-G) or Commercial Highway (C-H), shall require dedication of 10% cash-in-lieu of land.
6. Applications considering lands with all other land designations should require dedication of 10% cash-in-lieu of land. Alternate contribution of reserve dedication shall be at the discretion of Council.
7. Reserves shall be calculated per Section 667(1)(a) of the MGA. The cost of the appraisal shall be borne by the applicant.
8. This policy serves as a guideline and the form of Municipal Reserve will remain at the discretion of Council.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.2.1 – ALLOCATION OF MUNICIPAL RESERVES & CASH-IN-LIEU	7.2.1 ALLOCATION OF MUNICIPAL RESERVES & CASH-IN-LIEU Page 1/2
Effective Date: Nov. 24/09, CM – Res. 09-709 Full Policy Review – Dec. 3/12 C of W	Revised: Oct. 5/10 CM – Res. 10-598 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To clarify how Municipal Reserves, School Reserves, or Municipal and School Reserves, and Cash-in-Lieu of Reserves may be used by Wheatland County or a School Board.

POLICY

1. Section 671(2) M.G.A. states that Municipal Reserve, School Reserve or Municipal and School Reserve and Cash-in-Lieu of Reserves may be used by a municipality or School Board or by them jointly only for any or all of the following purposes:
    a. A public park;
    b. A public recreation area;
    c. School Board purposes;
    d. To separate areas of land that are used for different purposes.
2. Allocation of Municipal Reserve lands, School Reserve lands and Municipal and School Reserve lands will occur in accordance with the provisions set out in the MG.
3. Distribution of Municipal Reserve lands, School Reserve lands, Municipal and School Reserve lands and Cash-in-Lieu Reserves will be determined by Council through a formal request for decision application process.
4. Applicants must submit the following information in the application:
    a. Intended use of lands/Cash-In-Lieu.
    b. Engineered costs of implementing plans (costs may be required to undergo a third party review to ensure accuracy).
    c. Ownership details of project, both initially and long term.
    d. Timelines of construction.
5. Council has ultimate authority on decisions made regarding reserve distribution. Submission of an application in no way requires Council to approve the application.

6. Municipal Reserve shall be allocated in accordance with Wheatland County Resolution 10-598, and Wheatland County Planning policies (Section 7.2 Municipal Reserve and Section 7.2.1 Allocation of Municipal Reserves and Cash-In-Lieu).

    a. Municipal Reserve/Cash-In-Lieu funds be allocated as follows:

        - 75% - School Authority Purposes;
        - 25% - Parks

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.3 – PRIVATE SEWAGE DISPOSAL SYSTEMS (PSDS)	7.3 PRIVATE SEWAGE DISPOSAL SYSTEMS (PSDS) Page 1/3
Effective Date: 6-17-08, CM – Res. 08-322 Full Policy Review – Dec. 3/12 C of W	Revised: March 13/12 CM – Res. 12-246 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To provide for the effective management of wastewater to support sustainable rural development.

All Private Sewage Disposal System (PSDS) reports submitted to Wheatland County shall implement the Alberta Private Sewage Systems Standard of Practice 2015 as the Model Process for subdivision approval.

Philosophy:
This policy primarily pertains to subdivision applications to accommodate future country residential development and un-serviced hamlet residential subdivisions. However, the principles contained within this policy may be used as a reference to assist the subdivision authority in determining private sewage requirements for agricultural and industrial/commercial subdivision applications.

Objectives:

- Protect ground water
- Protect surface water
- Minimize risk to public health (disease)
- Prevent the risk of direct contact with wastewater effluent
- Provide current and future landowner(s) with tools to choose a reliable and safe method of managing and treating wastewater

POLICIES

1. Notwithstanding the philosophy of this policy, that all applications for country residential and un-serviced hamlet subdivisions shall require a site assessment to be submitted with a complete subdivision application to determine site suitability. If an Area Structure Plan is required to be submitted for a development proposal, a PSDS study or report is required as part of the submission to determine the appropriate type and locations for PSDS on the proposed parcel(s).

   Assessments may not be required for the following applications unless it is deemed there is a significant potential for adverse safety/health/environmental effects that warrant an appropriate assessment.

   a. The proposal is to separate an existing dwelling(s) with an existing PSDS from the parcel.

2. Holding tanks shall not be permitted, unless it is deemed through the appropriate assessment that they are the only option to providing appropriate private sewage treatment. However, if deemed holding tanks are the only feasible option, it will be a consideration and not a guarantee for subdivision approval.

   Intent: Sewage holding tanks are not a self-sustainable method of private sewage disposal for an individual owner due to the ongoing direct costs of removing the sewage on an individual basis and limited approved locations for sewage disposal.

   When considering the use of holding tanks, the need to provide for approved disposal in a sewage lagoon, or other safe location, and the increased traffic on road systems in the area must be part of the considerations.

3. In addition to Policy Statement 1, this policy will be applicable to:
   - New subdivision applications
   - Current tabled subdivision applications
   - For any application already conditionally approved with related conditions.

4. Communal systems are regulated by Alberta Environment and Parks. If communal systems are part of an application, the approving authority will deal with them on an individual basis. Issues such as joint responsibility will be handled through a development agreement.

5. Assessment standards

Who is required to perform the site assessment?	**1 to 4 new parcels:** A qualified professional with certification as a PSDS designer/ consultant/ installer with Alberta Municipal Affairs and preferably a member in good standing of the Alberta Onsite Wastewater Management Association. In accordance with the Standard of Practice 2015.	**5 lots and over, or if it is deemed an Area Structure Plan is required, or 1 to 4 new parcels:** A professional engineer or professional hydrologist accredited under APEGA. In accordance with the Standard of Practice 2015.
What information at minimum should be addressed to the satisfaction of the approving authority?		

• Site drawing of proposed subdivision parcel(s).
  ○ Location of springs, dugouts or wells accessing groundwater under direct influence (GWUDI) providing water for domestic purposes within 500 feet (150m) of proposed location.
  ○ Location of proposed system(s) and any existing system(s).
  ○ Location of test pit(s), bore hole(s) and/or core sample(s).		

○ Provide measurements to pertinent features that require separation distances. For example: property lines, wells or proposed wells within 200 ft (60m) of proposed system(s), surface water within 500 ft (150m) (describe type of surface water body), buildings or proposed building sites, right of ways or other encumbrances that affect system siting location and size of the PSDS reserve area(s) (if any). ○ Identify the number of parcels on the quarter section and adjoining quarters.
• Any limitations on site due to parcel size. • Identifies general suitability of parcel for PSDS installation. ○ Consider information from complete evaluation and classify the parcel as: ▪ Unsuitable except for holding tank, severe limitations, ▪ Moderate limitations, ▪ well suited. • Expected sewage volume used in assessment consideration. ○ Describe proposed land use/type of development expected. ○ Expected sewage volumes used in assessment considerations. ○ Type of proposed or existing system(s), land area required for PSDS system at the expected volumes used in assessment considerations. • Limiting soil or groundwater conditions. ○ Required to take soil samples from borehole or test pit to assess soil, determine soil water conditions, and submit samples for laboratory soil texture classification. ○ Identify soil characteristics that limit the selection of and/or the long-term suitability of an onsite sewage system. • Topographic limitations. ○ Determine surface slopes and surface drainage characteristics. • Recommended location for the proposed system based on soil/site assessment shown through a site plan and for each proposed parcel. ○ Location of proposed system(s) and any existing system(s), proposed building site. ○ Right of ways or other encumbrances that affect system siting location and size of the PSDS reserve area. • If subdivision is adjacent to an environmentally sensitive area/water body/or wetland and potential impacts. • Level of reliance placed on system in term of years. • Requirements to accommodate phased-in wastewater collection system (if applicable). • Level of cumulative impact on surface and groundwater in subdivision area. • Estimate of installation and operating costs.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.4 – ENDEAVOR TO ASSIST	7.4 ENDEAVOR TO ASSIST Page 1/3
Effective Date: 5-5-09 Res. 09-273 Full Policy Review – Dec. 3/12 C of W	Revised: Nov. 24/09 CM – Res. 09-709 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To assist developers with local road access construction cost recovery when the access road benefits other development.

The Endeavor to Assist Policy can be used in association with subdivision and development approvals for the construction and or installation of required infrastructure for a subdivision or development, where the Municipality has required a developer or development to provide infrastructure that benefits lands other than the land being subdivided or developed. The lands that benefit by means of physical access or connection to the infrastructure will be defined as the development region and will share a proportional cost of the infrastructure's capital cost on a per acre basis. The infrastructure will be viewed as a method to provide cost effective development and orderly growth.

DEFINITIONS

Agreement Holder refers to the signatory of the Development Agreement.

Capital Costs means capital costs as referred to in Section 648 of the *Municipal Government Act*.

Council refers to the Council for Wheatland County.

Development means development as defined in the *Municipal Government Act*.

Development Agreement in the context refers an agreement under Section 650 and 655 of the *Municipal Government Act*, Revised Statues of Alberta 2000, Chapter M-26.

Development Permit means a document that is issued under a land use bylaw and authorizes a development.

Development Region are the lands that are identified as benefiting from the infrastructure.

Infrastructure means such things as roads, water, wastewater, stormwater and similar Municipal type services as may be required.

Lands means the private titled lands in accordance with the Land Title Act, as amended.

Subdivision means subdivision as defined in the *Municipal Government Act.*

Subdivision Approval means the date the Council or the Subdivision Appeal Board renders a decision on a subdivision application.

POLICIES

1. The application of the Endeavor to Assist Policy will be discussed at the development permit stage, subdivision application stage or at concept scheme reviews, prior to recommendations to Council and entering into a development agreement.
2. The Endeavor to Assist Policy may be applied at the time of development permit approval or subdivision approval, pending Council's discretion.
3. Council's approval of the Endeavor to Assist Policy in relation to a subdivision application will form part of the letter of transmittal and will be an addendum to the development agreement.
4. Staff will work with the agreement holder to formulate the scope of the Endeavor to Assist Policy. The scope will identify the development region that will receive benefit from the proposed infrastructure. The scope will also identify the acre charges assessed to the development region, based on certified construction estimate provided by the agreement holder's engineering representative and approval by the Municipality.
5. At the discretion of the Municipality, the construction estimates may be subject to third party review to ensure sound engineering judgments are followed and that industry prices and standards are utilized.
6. The recipient(s) of the repayment will be assessed on a case by case basis.
7. An interest rate will be paid on the balance owing. The interest rate will be based on the Bank of Canada rate.
8. The Endeavor to Assist Policy will be a forward-looking document that will require yearly review and tracking to ensure consistency with Council direction.
9. The Endeavor to Assist Policy may apply to permanent development, secondary use businesses and temporary development permits that require a development permit under the current Wheatland County Land Use Bylaw.
10. The Endeavor to Assist Policy will be valid for a period of fifteen years from the date of approval and will be considered terminated after this period. The Municipality will not be responsible for any recovery that has not materialized due to lack of development.
11. This policy within the development agreement will be bound to the agreement holder and not to titled lands. Assignment of the development agreement will only be recognized upon consent of the Municipal Approving Authority.
12. Previously the Municipal Approving Authority approved subdivision applications or development permits will be reviewed by staff to determine if they qualify for the Endeavor to Assist Policy but must meet all the following criteria:
    a. The infrastructure will be under the jurisdiction of the Municipality, and
    b. Requests for review of this policy in relation to past subdivisions or developments must come from the agreement holder as defined by this policy, and

c. The subdivision or development has received a final acceptance certificate from the Municipality, and

d. Development agreements that are older than 5 years from the date of signing of the development agreement will not be considered under this policy, and

e. Valid construction costs receipts for the installation of the infrastructure, and

f. The other criteria listed within this policy, and

g. Applications for re-evaluation under the Infrastructure Cost Recovery Policy will be subject to hourly research fees.

Disputes on the policy and its implementation will be resolved by Council.

13. All subdivision or development must be within the boundaries of Wheatland County to qualify for implementation of the policy.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.5 – DEFERRED SERVICES AGREEMENT	7.5 DEFERRED SERVICES AGREEMENT Page 1/1
Effective Date: Nov/09 Res. 09-709 Full Policy Review – Dec. 3/12 C of W	Revised: Nov. 24/09 CM – Res. 09-709 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Mar. 10/15 CM – 15-03-52 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To require applicants to enter into a Deferred Services Agreement for connection to future water and wastewater servicing infrastructure.

POLICY

All subdivision approval or development permit decisions that would result in a total of six (6) or more lots per quarter section and are located outside of an urban area, the Applicant shall be required to enter into a Deferred Services Agreement.

This agreement is to be placed on title through caveat on all lands included in the application and is to be transferred to all subsequent owners of the lands.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.6 – ADJACENT LANDOWNER NOTIFICATIONS	7.6 ADJACENT LANDOWNER NOTIFICATIONS Page 1/2
Effective Date: Nov/09	Revised: Aug. 20/12 CM – Res. 12-678 Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Sept. 18/18 CM – 18-09-67 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To establish the requirements for notifying adjacent landowners on various planning application.

POLICY

In regard to all applications for:

- Area Structure Plans (ASPs)
- Area Concept Plans (ACPs)
- Redesignation
- Subdivision
- Discretionary Use Development Permits

(collectively referred to as “planning applications”).

1. For planning applications concerning lands located outside of a hamlet or named area, circulation notifications should be provided to all landowners located within 1.0 mile of the parcel boundaries of the subject lands. If the application is more significant in impact or is anticipated to be controversial, notification may provided to a larger radius at the discretion of Planning and Development staff.
2. For planning applications located in Hamlets or named areas, the circulation area shall be at the discretion of the Planning and Development staff. at a minimum, adjacent landowners shall be notified.
3. Planning applications within neighbouring municipalities concerning lands in proximity to the boundaries of Wheatland County should be provided to area landowners within Wheatland County.
    a. If the subject lands are located within an Intermunicipal Development Plan (IDP), the notification area shall be in accordance with the policies of the IDP;
    b. If the subject lands are not located within an IDP, the notification area shall be a minimum of 1.0 mile;
    c. If the subject lands are not located within an IDP and the application is more significant in impact or is anticipated to be controversial, the notifications may be provided to a larger radius at the discretion of Planning and Development staff.

d. The provision of contact information of adjacent landowners may be provided to a neighbouring municipality when requested by said municipality.

e. Planning & Development staff shall provide the contact information of affected County residents to the neighbouring municipality, in accordance with *Freedom of Information and Protection of Privacy Act* (FOIP) requirements.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.7 – MAJOR PLANNING APPLICATIONS	7.7 MAJOR PLANNING APPLICATIONS Page 1/5
Effective Date: 12-1-09 CM – 09-747 Full Policy Review – Dec. 3/12 C of W	Revised: Feb. 5/13 CM – Res. 13-02-56 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

This policy primarily pertains to planning applications that are considered major applications and is intended to provide for effective review and processing of major planning applications.

Objectives:

- To provide a consistent review process for all major planning applications.
- To process applications in a fair and transparent manner for staff, Council, and affected stakeholders.

POLICY

For the purpose of this policy, major planning applications are considered applications where an Area Structure Plan is required to be adopted to guide development.

Area Structure Plans (ASP)

Municipal Government Act (M.G.A.) 633(1) For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may by bylaw adopt an area structure plan.

(2) An area structure plan

(a) must describe

(i) the sequence of development proposed for the area,
(ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
(iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
(iv) the general location of major transportation routes and public utilities, and

(b) may contain any other matters the Council considers necessary.

Policies:

1. An ASP is required to be approved through the bylaw process prior to submission of a planning application where:
    - An Area Structure Plan may be required where the subdivision of land will result in greater than 3 lots per quarter section, or

- It is deemed appropriate by Council.

2. ASPs shall be adopted prior to any approval for subdivision or area redesignation.
3. The requirements of what constitutes a complete ASP shall be determined by staff.

Information required with an Area Structure Plan:

Staff may require the following background information to support an ASP:

- Hydrogeological study (as required by the Water Act)
- Water and sewer servicing plans (private or public systems)
- Stormwater Management Plans
- Traffic Impact Assessment (if the proposed development generates 100 vehicular movements per day (or as deemed necessary by Alberta Transportation or Wheatland County Transportation and Infrastructure Staff))
- Environmental Site Assessment
- Biophysical Impact Assessment
- Wetland Assessment
- Historical Resource Impact Assessment
- Shallow sub-surface Geotechnical Investigation
- Slope stability report

Dependent on the scale of development full studies may not be required. Submission of letters from qualified professionals in their field of study may suffice.

Area Redevelopment Plan (ARP)

Area Redevelopment Plans differ from Area Structure Plans in that they apply to an area of a municipality which has already been developed. In practice ARPs guide how an existing built up area or neigbourhood should develop in the future.

MGA 634(1) A council may

(a) designate an area of the municipality as a redevelopment area for the purpose of any or all the following:

(i) preserving or improving land and buildings in the area;
(ii) rehabilitating buildings in the area;
(iii) removing buildings from the area;
(iv) constructing or replacing buildings in the area;
(v) establishing, improving or relocating roads, public utilities or other services in the area;
(vi) facilitating any other development in the area,

(b) adopt, by bylaw, an area redevelopment plan,

(c) in accordance with this section and Division 6, provide for the imposition and collection of a levy to be known as a “redevelopment levy”, and

(d) authorize a designated officer, with or without conditions, to perform any function with respect to the imposition and collection of that redevelopment levy.

Plan Contents:

MGA 635 An Area Redevelopment Plan

(a) must describe:

(i) the objectives of the plan and how they are supposed to be achieved,
(ii) the proposed land uses for the redevelopment area,
(iii) if a redevelopment levy is to be imposed, the reasons for imposing it, and
(iv) any proposals for the acquisition of land for any municipal use, school facilities, parks and recreation facilities or any other purposes the Council considers necessary, and

(b) may contain any other proposals that the council considers necessary.

Policies:

1. An ARP is required to be approved through the bylaw process prior to submission of a planning application where:
   - It is deemed appropriate by Council
2. ARPs shall be adopted prior to any approval for subdivision or area redesignation.
3. The requirements of what constitutes a complete ARP shall be determined by staff.

Information required with an Area Development Plan:

Staff may require the following background information to support an ARP:

- Hydrogeological study (as required by the Water Act)
- Water and sewer servicing plans (private or public systems)
- Stormwater Management Plans
- Traffic Impact Assessment (if the proposed development generates 100 vehicular movements per day (or as deemed necessary by Alberta Transportation or Transportation and Infrastructure Staff)
- Environmental Site Assessment
- Biophysical Impact Assessment
- Wetland Assessment
- Historical Resource Impact Assessment
- Shallow sub surface Geotechnical Investigation
- Slope stability report

Dependent on the scale of development full studies may not be required. Letter submissions from qualified professionals in their field of study may suffice.

Area Concept Plan

An area concept plan (ACP) relates a proposed development to future and existing development of adjacent lands. Unlike an ASP or ARP, an ACP is not adopted by Bylaw.

Preliminary in nature the purpose of an ACP is to provide information to the public, agencies, staff and Council about the nature of the intended development.

Policies:

1. An ACP would apply to a major application within an existing ASP/ ARP boundary.
2. An ACP would be presented to Council and would be adopted by resolution.

An ACP would require supporting background information as deemed necessary by staff, Council or agencies which may include:

- Hydrogeological study (as required by the Water Act)
- Water and sewer servicing plans (private or public systems)
- Stormwater Management Plans
- Traffic Impact Assessment (if the proposed development generates 100 vehicular movements per day (or as deemed necessary by Alberta Transportation or Transportation and Infrastructure Staff)
- Environmental Site Assessment
- Biophysical Impact Assessment
- Wetland Assessment
- Historical Resource Impact Assessment
- Shallow sub-surface Geotechnical Investigation
- Slope stability report

Dependent on the scale of development full studies may not be required. Letter submissions from qualified professionals in their field of study may suffice.

At minimum a concept plan would provide details about:

- The sources of servicing for water and sewer
- The required infrastructure
- The proposed land use districts
- The number of lots, lot sizes and density
- Phasing
- Setback distances (through an indicative site plan)

Development Scheme

A Development Scheme is an informal plan which is presented to staff and/or Council to provide information of an applicant/developer's intentions for development of land prior to submission of an Area Structure Plan/ Area Redevelopment Plan, Area Concept Plan or redesignation application.

Policies:

1. The purpose of a Development Scheme is for staff and/or Council to give feedback to the applicant/developer prior to submission of an ASP/ ARP, ACP or redesignation application.
2. Development Schemes may be presented to the Approving Authority and accepted in principle by resolution.

3. Recommendations of the Approving Authority are in principle only and do not guarantee success of an ASP/ ARP, ACP or redesignation application.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.8 – WATER AND/OR SEWER CONNECTION FEE	7.8 WATER AND/OR SEWER CONNECTION FEE & FEE PROCEDURE Page 1/1
Effective Date: 2-5-13 CM – Res. 13-02-56 Full Policy Review – Dec. 3/13 C of W	Revised: July 7/20 CM – Res. CM-2020-07-39 Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

Upgrading and maintenance of all water and wastewater systems within County Hamlets.

POLICY

1. Within the hamlet boundaries there may be a vacant parcel/lot that does not have service mains available to the lot. If this is the case the following options may occur:
    - The owner (developer) will incur the costs to have the service mains brought over to the lot (if the County approves services in that location).
    - The County may incur the costs to have the service mains brought over to the lot (if the area was already scheduled for services according to the 10-year Water and Wastewater Capital Servicing Plan).
2. If the owner (developer) has a lot that does not have service mains and does not pay to have the service mains brought over to the lot, this will be considered an undevelopable parcel until service mains are available. **No development permit will be issued**.
3. No private sewage disposal systems are permitted within the boundaries of a hamlet or named area where public service mains are available.
4. No water wells are permitted within the boundaries of a hamlet or named area where public service mains are available.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.9 – PROCEDURE FOR RECEIPT OF COMMENTS REGARDING PLANNING APPLICATONS	7.9 PROCEDURE FOR RECEIPT OF COMMENTS REGARDING PLANNING APPLICATONS Page 1/1
Effective Date: 2-5-13 CM – Res. 13-02-56	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To allow all comments received regarding planning applications to be part of the public record in the interests of transparency, and to assist staff and Councillors in making decisions on applications.

POLICY

1. All written comments received (by mail, fax or e-mail) will become public documents from the date they are received. They may be read in public during meetings of Council or the Subdivision and Development Approving Authority. Such letters will be kept on file and can be inspected by any person with an interest in an application at any time during regular office hours.
2. Wheatland County rate payers may be advised that any comments will become public documents through the publicity of planning applications on the County's website, in the local newspaper (2 weeks prior to MPC and Council), circulation letters and on application forms.
3. Anonymous submissions will not be accepted.
4. All comments must be submitted in writing. Telephone submissions will not be accepted.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.10 – PROCEDURE FOR WITHDRAWING PLANNING APPLICATONS	7.10 PROCEDURE FOR WITHDRAWING PLANNING APPLICATONS Page 1/1
Effective Date: 2-5-13 CM – Res. 13-02-56	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To clarify the process when an applicant or agent wishes to withdraw a planning application.

POLICY

The applicant or agent may make a request to withdraw their planning application. Any requests to withdraw a planning application must be provided in writing (letter, fax or e-mail). Requests to withdraw an application by telephone will not be accepted.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.11 – PEER REVIEW FEE COST RECOVERY	7.11 PEER REVIEW FEE COST RECOVERY Page 1/2
Effective Date: 5-1-18 CM – Res. 18-05-07	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

The purpose of this policy is to provide a process for the County to recover a portion of the engineering costs incurred by the County for the peer review of technical studies required for Area Structure Plans (ASP), Area Redevelopment Plans (ARP), Area Concept Plans (ACP), land use redesignation applications, subdivision applications, and development permit applications ("Planning Applications") which have been created and submitted by applicants.

POLICY

1. Prior to a Planning Application being deemed complete by the Planning & Development Department, Development Authority and/or Subdivision Authority, the Applicant must provide the County with a copy of the Peer Review of Technical Studies form attached as Schedule "A" signed by the Landowner.
2. The Peer Review of Technical Studies form shall confirm that the Landowner is responsible to pay the County 50% of the total fees invoiced by the County's engineering consultant for the peer review of any technical studies that were required to be provided in support of the initial Planning Application by the Planning & Development Department, Development Authority and/or Subdivision Authority.
3. If the Applicant amends a Planning Application resulting in the requirement of additional Technical Studies, the Applicant is responsible to pay to the County 100% of the total fees invoiced by the County's engineering consultant for the peer review of the changes.
4. The signing of the Peer Review of Technical Studies form by the Landowner authorizes the County to bill the Landowner for the fees invoiced to the County, as per Policy 7.11.2 and 7.11.3, by the County's engineering consultant related to the following services:
    a. The review of any technical studies required to be submitted in support of a Planning Application in order for the application to be deemed complete by the Planning & Development Department, Development Authority and/or Subdivision Authority.
    b. The review of any technical studies provided in support of a Planning Application requested and submitted after the Planning Application has been deemed complete by the Planning & Development Department, Development Authority and/or Subdivision Authority.

c. If the Applicant amends a Planning Application resulting in the requirement of additional or revised Technical Studies, the Applicant shall pay to the County 100% of the total fees invoiced by the County's engineering consultant for the peer review resulting from the changes.

d. The attendance of the County's engineering consultant(s) at any meetings with the Applicant's engineers related to the Planning Application.

e. Phone calls, emails and any other form of correspondence between the County's engineering consultant(s) and the Landowner, Applicant or Applicant's engineer in relation to the Planning Application.

f. Any review of technical studies required as conditions of development permit and/or subdivision endorsement set by the Development Authority or Subdivision Authority.

g. Any other costs associated with engineering aspects of a submitted Planning Application that require work to be performed by the County's engineering consultants.

5. Invoices for peer review services conducted by the County's engineering consultant shall be billed by the County to the Landowner(s) of the land which is subject to the Planning Application within thirty (30) days of receipt of the engineer's invoice by the County.
6. The procedure for outstanding invoices is outlined in Accounts receivable policy 3.17.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.12 – ENFORCEMENT OF THE LAND USE BYLAW	7.12 ENFORCEMENT OF THE LAND USE BYLAW Page 1/7
Effective Date: 11-6-18 CM – Res. 18-11-28	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To clarify procedures for enforcement of infractions against the Land Use Bylaw, development permit, or subdivision approval.

POLICY

Objective:

To achieve compliance of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permits, and Subdivision Approvals in the most cost effective and timely manner possible.

A. Relevant Legislation

1) The County's enforcement process will be carried out in accordance with the provisions set out in the *Municipal Government Act* R.S.A. 2000 Chapter M-26 including Sections 542, 553, 554, 645 and 646; *Part 6: Enforcement and Appeals* of the Land Use Bylaw; and the *Provincial Offences Procedures Act*, R.S.A. 2000 Chapter P-34, together with all Regulations passed thereunder.

B. Relevant Staff

2. The County's Development and Peace Officers are responsible to receive and assess complaints in relation to Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permit, and Subdivision Approval.
3. The County's Peace Officers, as Designated Officers, will assist with investigation and enforcement at the request of the Development Officers and County Administrative Officer and/or senior administration staff or his/her designate.

C. Complaints

4. Complaints with respect to violations of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permits, and Subdivision Approvals must meet the following criteria:
    a) subject to subsection e), the complaints must be in writing: i.e. email, Wheatland County website or written letter,
    b) verbal complaints may be accepted if the complaint involves a public safety risk or imminent risk of personal injury or property,

c) complaints must identify the subject property,
d) the person making the complaint must identify him/herself,
e) the complaint must include sufficient detail to permit the Development Officer to assess the basis of the complaint.

D. Investigation

5. Following receipt of a valid complaint or where a violation of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permit, and Subdivision Approval otherwise comes to the attention of the County, a Development Officer shall undertake an investigation into the alleged or perceived violation which involves any or all of the following investigation steps, at the discretion of the Development Officer having regard to all the circumstances:
   a) Review of any relevant County files,
   b) Consultation with County staff who have knowledge of the matter,
   c) Discussion with the complainant,
   d) Discussion with the party who is the subject of the alleged or perceived violation, and/or
   e) Site visit (a site visit may or may not involve entering upon the subject property depending on the circumstances).

E. Investigation Documentation

6. All aspects of the investigation shall be documented including:
   a) Date of investigation step,
   b) Name of parties involved,
   c) Notes setting out details of discussions and observations, and
   d) Photographs of the property showing the violation where a site visit is performed.

F. Site Visit

7. Where a site visit involving entering upon the subject property is to be carried out, County staff shall follow the following process:
   a) At least two (2) County Employees for the purpose of enforcing the Land Use Bylaw shall attend the property (i.e. Development Officer and Peace Officer);
   b) Where there is a concern about safety, County staff shall only attend private property accompanied by RCMP;
   c) Section 542 of the *Municipal Government Act* shall be strictly adhered to:
      i. Except in circumstances involving an emergency or extraordinary circumstance, prior notice in writing (i.e. email or written letter) shall be given to the landowner and/or occupant not less than 24 hours prior to the site visit advising the landowner and/or occupant of:
         - The date and time of the inspection,
         - The purpose of the inspection,
         - The names and positions of County staff who will be attending the site visit;
      ii. Site visits will generally be carried out during business hours unless otherwise agreed to between the County and landowner and/or occupant; and

iii. Where a landowner and/or occupant refuses or resists entry onto the property or interferes with the inspection, County staff shall leave the property immediately and contact County legal counsel for the purpose of obtaining an Order from the Court of Queen's Bench to authorize access to the property pursuant to Section 543 of the *Municipal Government Act*.

8. Where there are multiple violations on a property (i.e. Land Use Bylaw, Building Code, etc.), wherever practicable, the County shall endeavor to schedule one comprehensive site inspection rather than multiple inspections.

G. Warning Letter

9. Where the Development Officer has determined from the investigation that there is a violation of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permit, or Subdivision Approval which, in his/her opinion having consideration to all relevant circumstances, warrants further enforcement action, he/she may issue a Warning Letter to the property owner and occupant of the property advising of the violation. A Warning Letter shall contain the following information:
   a) Property description,
   b) Details of the violation including the relevant Section(s) and/or condition(s) of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permit, and/or Subdivision Approval at issue,
   c) Direction with respect to how the County wants the property to be brought into compliance,
   d) A clear date by which the remedial action is to be completed,
   e) A warning with respect to further enforcement action that may be undertaken by the County including:
      i. issuance of a Stop Order pursuant to Section 645 of *the Municipal Government Act*, R.S.A. 2000 Chapter M-26 and Part 6 of the Land Use Bylaw;
      ii. remedial action pursuant to Section 646 of the *Municipal Government Act*;
      iii. legal action including, but not limited to, injunctive relief from the Alberta Court of Queen's Bench pursuant to Section 554 of the *Municipal Government Act*; and/or
      iv. issuing a Violation Ticket and seeking the imposition of fines and penalties (minimum fine is $250.00 and maximum fine is $10,000.00) and a Compliance Order as provided for in Section 566 and 567 of the *Municipal Government Act*. Penalties may also apply as per Section 6.7 of the Land Use Bylaw.
   f) A warning that in the event that the property owner and/or occupant do not comply with the terms of the Warning Letter and the County is thereby required to take any or all of the above noted enforcement steps, in accordance with Section 553 of the *Municipal Government Act*, the costs of doing so, including but not limited to solicitor and his own client costs, will be added to the tax roll of the Property. Such amounts will form a special lien against the Property, will be deemed to be property taxes and will be subject to the same collection provisions as property taxes.

H. Section 645 Stop Order

10. If the property (i.e. development, land use or use of a building) has not been brought into compliance within the time frame set out in the Warning Letter, a Development Officer may issue a Stop Order in accordance with Section 645 of the *Municipal Government Act*.

11. A Development Officer may issue a Stop Order without having first issued a Warning Letter where the violation involves a public safety risk or poses an imminent risk to personal safety or property or where, in the reasonable opinion of the Development Officer, circumstances warrant the Stop Order being issued immediately.

12. A Stop Order shall contain the following information:

    a) Property description,
    b) Date(s) of site inspection,
    c) Details of the violation including the relevant Section(s) and/or condition(s) of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permit, and/or Subdivision Approval at issue,
    d) Direction with respect to how the County wants the property to be brought into compliance including a direction to the owner, person in possession of the land or building or the person responsible for the contraventions, or all of them to:
        i. stop the development or use of the land or building in whole or in part as directed by the Stop Order,
        ii. demolish, remove, or replace the development, or
        iii. carry out any other actions required by the Stop Order so that the development or use of land or building complies with Part 17, the regulations under Part 17, the Land Use Bylaw, a development permit and/or subdivision approval, within the time frame set out in the Stop Order.
    e) A clear deadline for when the remedial action is to be completed,
    f) The right of appeal to the County's SDAB pursuant to Sections 685 and 686 of the *Municipal Government Act*;
    g) A warning with respect to further enforcement action that may be undertaken including:
        i. taking remedial action pursuant to Section 646 of *the Municipal Government Act*; and/or
        ii. legal action including, but not limited to, injunctive relief from the Alberta Court of Queen's Bench pursuant to Section 554 of the *Municipal Government Act*; and/or
        iii. issuing a Violation Ticket and seeking the imposition of fines and penalties (minimum fine is $250.00 and maximum fine is $10,000.00) and a Compliance Order as provided for in Section 566 and 567 of the *Municipal Government Act*. Penalties may also apply as per Section 6.7 of the Land Use Bylaw.
    h) A warning that in the event that the Stop Order is not complied with and the County is thereby required to take any or all of the above noted enforcement steps, in accordance with Section 553 of the *Municipal Government Act*, the costs of doing

so, including but not limited to solicitor and his own client costs, will be added to the tax roll of the Property. Such amounts will form a special lien against the Property, will be deemed to be property taxes and will be subject to the same collection provisions as property taxes; and

i) The date upon which the Stop Order was made.

13. Except in exceptional circumstances, the date for compliance shall not be prior to the expiry of the appeal period to the County's Subdivision and Development Appeal Board.

I. Service of Warning Letters and Stop Orders

14. Warning Letters and Stop Orders may be served any of the following methods:
    a) Personal service,
    b) Registered mail,
    c) Regular mail,
    d) Email (with a confirmed received receipt), or
    e) A combination of delivery methods, as the situation requires.

15. Registered owners of property shall be served at the address shown on the County's assessment roll for the property unless the registered owner has provided the County with an alternative address in writing.

J. Registration of Stop Orders on the Certificate of Title

16. The Development Officer may register the Stop Order on the Certificate of Title to the subject property in accordance with Section 646(2) of the *Municipal Government Act*.
17. The Development Officer must discharge the caveat when the Stop Order is complied with.

K. Right of Appeal to the Subdivision and Development Appeal Board

18. Any person who has been affected by a Stop Order pursuant to Section 645 of the *Municipal Government Act* may appeal the Stop Order to the County's Subdivision and Development Appeal Board (the "SDAB") within 21 days after the date on which the Stop Order was made in accordance with Sections 685 and 686 of the *Municipal Government Act*.
19. When an appeal has been filed, except in extraordinary circumstances involving a public safety risk or imminent risk of personal injury or property damage, the County shall not take further enforcement action until the SDAB has issued a decision in the appeal.

L. Enforcement of the Stop Order

20. Where a Stop Order isn't appealed successfully and is not complied with, the Development Officer may take further enforcement action.
21. Where the SDAB varies the Stop Order, the newly amended Stop Order shall be subject to further enforcement.

M. Section 646 of the *Municipal Government Act*

22. Pursuant to Section 646 of the *Municipal Government Act*, where a Stop Order is not complied with and is either not appealed or not appealed successfully, the County may, in accordance with Section 542 of the *Municipal Government Act*, enter upon the subject property and take any action necessary to carry out the Stop Order.

23. Staff shall consult with the County Administrative Officer and/or senior administration staff or his/her designate prior to taking or authorizing the taking of any enforcement steps pursuant to Section 646 of the *Municipal Government Act*.
24. Staff shall consult with the County's legal counsel prior to taking or authorizing the taking of any steps pursuant to Section 646 of the *Municipal Government Act*.
25. Typically, the County will only take enforcement steps pursuant to Section 646 of the *Municipal Government Act* where the remedial action is relatively minor in nature and will not involve the removal or destruction of buildings, structures or other property.
26. When the County takes enforcement steps pursuant to Section 646, County staff shall follow the following process:
    a) At least two (2) County Employees for the purpose of enforcing the Land Use Bylaw shall attend the property (i.e. Development Officer and/or Peace Officer(s));
    b) Where there is a concern about safety, County staff and contractors shall only attend private property accompanied by RCMP;
    c) Section 542 of the *Municipal Government Act* shall be strictly adhered to:
        i. Except in circumstances involving an emergency or extraordinary circumstance, prior notice in writing (i.e. email or written letter) shall be given to the landowner and/or occupant not less than 24 hours prior to the site visit advising the landowner and/or occupant of:
            - The date and time of the County attending at the property,
            - The remedial action to be undertaken,
            - The names and positions of County staff and contractors (if any) who will be attending the property;
        ii. Remedial action on private property shall only be carried out between 8:00 am and 4:30 pm during a Business Day unless otherwise agreed to between the County and landowner and/or occupant; and
        iii. Where a landowner and/or occupant refuses or resists entry onto the property or interferes with the remedial work, County staff and contractors shall leave the property immediately and contact County legal counsel for the purpose of obtaining an Order from the Court of Queen's Bench to authorize access to the property pursuant to Section 543 of the *Municipal Government Act*.

N. Section 554 Injunction Order

27. Where a Stop Order is not complied with, the County may authorize legal counsel to make application pursuant to Section 554 of the *Municipal Government Act* to the Court of Queen’s Bench for an Injunction Order or other order when:
    a) A structure is being constructed in contravention of an enactment that the municipality is authorized to enforce or a bylaw,
    b) A contravention of the *Municipal Government Act*, another enactment that the municipality is authorized to enforce or a bylaw is of a continuing nature, or
    c) Any person is carrying on a business or is doing an act, matter or thing without having paid money required to be paid by bylaw.

28. The County Administrative Office and/or senior administrative staff or his/her designate shall authorize retaining legal counsel for the purpose of a Section 554 Injunction Order application.

O. Violation Tickets pursuant to the Provincial Offences Procedures Act R.S.A 2000 Chapter P-34.

29. The County's primary goal is achieving compliance using Warning Letters and Stop Orders. However, after consultation with or at the request of the County Administrative Officer and/or senior administrative staff or his/her designate, a Peace Officer may issue a Violation Ticket in accordance with the Provincial Offences Procedures Act instead of or in addition to any other enforcement action taken by the County with respect to violations of Part 17 of the *Municipal Government Act*, the Land Use Bylaw, Development Permits, and/or Subdivision Approvals.

P. Enforcement Costs

30. Where a Stop Order is not complied with and the County takes additional enforcement or remedial action, the Development Officer shall issue the property owner and/or occupant who was issued the Stop Order an invoice for costs to remedy the contravention incurred by the County to bring the property into compliance.
31. Where the County's invoice remains unpaid after 30 days after issuance, the Development Officer shall add any unpaid enforcement costs properly owing to the tax roll of the subject property in accordance with Section 553 of the *Municipal Government Act*.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.13 – MUNICIPAL PLANNING COMMISSION PROCESS	7.13 MUNICIPAL PLANNING COMMISSION PROCESS Page 1/4
Effective Date: 11-6-18 CM – Res. 18-11-29	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To facilitate an effective and efficient Municipal Planning Commission decision making process.

POLICY

PART A: GENERAL

1. The Municipal Planning Commission (the "MPC") is established by County Bylaw 2018-11 (the "*Municipal Planning Commission Bylaw*") which establishes the MPC as:
    a) The County's Subdivision Authority for the purposes of the *Municipal Government Act* and the *Subdivision and Development Regulations*, and
    b) One of the County's Development Authorities for the purposes of the *Municipal Government Act* and the *Subdivision and Development Regulations* with respect to matters prescribed by the County's Land Use Bylaw to be determined by the MPC including:
        i. Discretionary Uses, and
        ii. Variances which exceed the discretion of the Development Officer (10%).
2. The MPC is bound by the Municipal Government Act, the Subdivision and Development Regulations (the "Regulations") and the Municipal Planning Commission Bylaw.
3. The County's Procedure Bylaw is binding upon the MPC. In the absence of any applicable provision in the Procedure Bylaw, the MPC may establish its own procedures.
4. The purpose of the MPC Policy (the "Policy") is to facilitate an effective and efficient MPC decision making process. The MPC may deviate from this policy when considering an application without notice to any party.
5. If this policy conflicts with the provision of any Provincial legislation or County bylaw, the Provincial legislation or County bylaw will prevail to the extent of the conflict.
6. This policy should not be construed as legal advice.

PART B: SCHEDULING AND CIRCULATION OF THE APPLICATION

7. A County Planner will be assigned as the "File Manager" for the application.

8. Once a Development Permit or Subdivision application has been deemed complete by the File Manager in accordance with the Municipal Government Act, Regulations and Land Use Bylaw, a date is set for the application to be considered by the MPC.
9. Prior to the MPC meeting date, the application will be circulated to the appropriate internal and external departments, authorities and parties for comments in accordance with the Municipal Government Act, Regulations and the Land Use Bylaw.
10. The circulation notice will identify a deadline for comments prior to the MPC meeting.
11. Any written comments received from the internal and external departments, authorities and parties prior to the MPC meeting date will form part of the MPC package for the application and will become part of the public record for the application.
12. All circulation comments must be made in writing; the County does not accept verbal circulation comments.

PART C: MPC PACKAGE: MATERIALS AND REPORTS

13. All applicable materials including the written circulation comments will be included in the MPC Package for the application.
14. The File Manager will prepare a Staff Report for the MPC which will include the following information:
    a) Description of the application,
    b) History of the subject property with a timeline,
    c) Summary of relevant policy or legislative requirements with reference to the *South Saskatchewan Regional Plan, Municipal Government Act,* the *Subdivision and Development Regulations*, Land Use Bylaw, statutory plans, Regional Growth Management Study and any other relevant County or Provincial legislation, bylaws, policies and guidelines,
    d) Summary of technical review and recommendations,
    e) Summary of circulation comments,
    f) Options for MPC, and
    g) Recommended conditions for the Approval option.
15. The Staff Report will be included in the MPC Package.
16. The MPC Package will be posted on the Wheatland County website 1 week prior to the scheduled MPC meeting to allow all interested parties adequate time to review the MPC Package.
17. MPC members should thoroughly review the MPC Package prior to the meeting in order to be prepared to deal with the applications scheduled for the MPC meeting.

PART D: THE MPC MEETING

18. Quorum for MPC is four (4) members.

19. Any concerns about a MPC member considering a particular application on the basis of pecuniary interest or conflict of interest must be raised at the beginning of the MPC meeting or as soon as possible thereafter.
20. If, for any reason, a MPC member cannot participate in a meeting, the MPC meeting may proceed without that member but only if enough MPC members are present to maintain quorum. If quorum is lost at any time, the MPC meeting will be adjourned and rescheduled.
21. The usual order of presentation in a MPC meeting when an application is being considered is:
    a) Call to Order
    b) Approval of MPC Agenda
    c) Approval of previous MPC Minutes
    d) Presentation of the application by the File Manager
    e) Questions of County staff and consultants by MPC members
    f) Deliberation by MPC
    g) Decision of MPC
22. MPC members may ask questions of the File Manager or other County staff members or consultants at any time during the MPC meeting.
23. The MPC does not conduct public hearings and will not hear submissions by or ask questions of the Applicant or any other affected party at the MPC meeting. The Applicant and other parties may submit written submissions to the MPC which the MPC will take into consideration. The Applicant and other parties have a right of appeal to the Subdivision Development Appeal Board or Municipal Government Board in accordance with the Municipal Government Act and a public hearing will be held at that time.
24. The MPC may request any person or persons attending the MPC meeting in an advisory non-voting capacity at the will of MPC to speak.
25. The MPC meetings are open to the public subject to Section 197(2.1) of the Municipal Government Act which provides that the MPC may deliberate and make its decisions in meetings closed to the public.
26. The MPC meetings are conducted in English. The commission does not provide interpreters.
27. No one is permitted to record, videotape, photograph or otherwise record the MPC meetings.

PART E: CONDUCT DURING THE MEETING

28. All persons in attendance at a MPC meeting are required to conduct themselves with courtesy and respect. Disruptive, disrespectful or threatening behavior will not be tolerated.

PART F: DECISION OF MPC

29. The MPC will issue its decision in writing. A decision to refuse an application will include the MPC's reasons for the refusal.
30. The MPC's decision will advise if an appeal lies to the Subdivision Development and Appeal Board or the Municipal Government Board.

PART G: DISTRIBUTION OF MPC DECISION

31. The MPC decision will be distributed to the Applicant and to other parties in accordance with the *Municipal Government Act*, the Subdivision and Development Regulations, and the Land Use Bylaw.

PART H: APPEAL FROM MPC DECISION

32. An MPC decision may be appealed to the Subdivision and Development Appeal Board or the Municipal Government Board in accordance with the *Municipal Government Act*.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.14 – CERTIFICATE OF COMPLIANCE	7.14 CERTIFICATE OF COMPLIANCE Page 1/3
Effective Date: 4-4-19 CM – Res. 19-04-77	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To establish a consistent policy and procedure to address how the County accepts and processes requests for Certificates of Compliance.

POLICY

What is a Certificate of Compliance?

1. A Certificate of Compliance is a letter issued by the County's Planning & Safety Codes Services Department indicating that a property either complies or does not comply with the regulations of the current County's Land Use Bylaw with respect to setbacks and confirming if valid Development Permits are in place with the use of the property or improvements shown on the Real Property Report.
2. A Certificate of Compliance does not:
   a) Identify, regulate, or enforce any *Alberta Building Code* or other *Safety Code Act* matter.

Certificate of Compliance Application Requirements

3. When requesting a Certificate of Compliance, the Applicant must submit:
   a) a minimum of two (2) original, current copies of a Real Property Report ("RPR"), prepared by a licensed Alberta Land Surveyor (confirmed by County staff) identifying all developments on the property (i.e. buildings, decks, sheds, parking, etc.) and dated within two (2) years of date of application submission;
   b) a completed Certificate of Compliance Application form; and
   c) all appropriate fees as outlined in the County's Master Schedule of Fees.
4. The RPR is a legal document. The County will not accept:
   a) photocopies of the RPR,
   b) scanned copes of the RPR, or
   c) RPR's older than two (2) years.

Certificate of Compliance Process

5. County staff endeavor to complete a request for a Certificate of Compliance within two (2) weeks of submission of an application.

6. When processing a request for a Certificate of Compliance, the Development Officer reviews the Real Property Report (RPR) submitted by the Applicant against the County's current Land Use Bylaw to determine:
    a) If improvements shown on the RPR comply with current Land Use Bylaw setback requirements;
    b) If valid Development Permits are in place with respect to the improvements shown on the RPR which includes: all structures, sheds, out buildings, farm structures, accessory buildings, dwellings, shipping containers, decks and any other structures indicated on the RPR or as identified on the County's aerial imagery, whether permanent or temporary.
    c) If the appropriate setbacks have been met;
        i. The setback compliance will be based solely on the measurements as indicated on the Real Property Report allowing no provision for rounding up or down of the measurements.
        ii. Measurements shall be taken from the foundation of a building/structure and shall not be taken from any doorway or other point on the building which is inset.
7. After the Development Officer completes the review of the RPR, the Development Officer prepares a letter addressed to the Applicant which includes the following information:
    a) Property legal description.
    b) Date of review.
    c) Date of RPR.
    d) The Land Use District of the property under the current County Land Use Bylaw.
    e) Confirm if valid Development Permits are in place with respect to the use of the property or any building on the property.
    f) A statement confirming if the improvements shown on the RPR:
        i. Comply with the setback requirements of the current County Land Use Bylaw, and
        ii. Have valid Development Permits issued.
    g) A statement indicating that the Certificate of Compliance does not:
        i. Identify, regulate or enforce any *Alberta Building Code* or other *Safety Code Act* matter.
8. Where any improvement is not in compliance with the County's current Land Use Bylaw, unless the improvement qualifies as a non-conforming use or non-conforming structure under the *Municipal Government Act*, any variance request must be submitted via the Development Permit process pursuant to the Land Use Bylaw.
9. A new RPR may not be guaranteed compliance even if the same property received compliance in the past.

10. The Development Officer shall rely on the RPR and is not required to undertake an independent site inspection. The County shall not be liable for any damages arising from the use of a Certificate of Compliance where the errors are the result of incorrect or incomplete information provided by the surveyor.

DOCUMENT OWNER

Community & Development Services

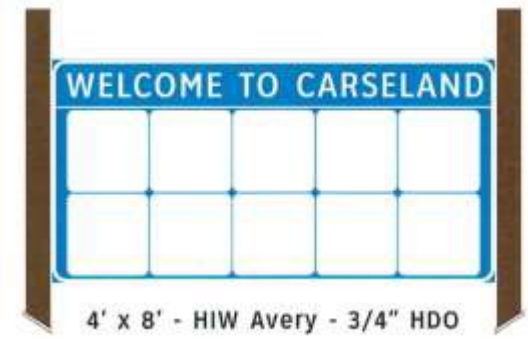
PLANNING POLICY SECTION 7.15 – GUIDELINES, FEES, AND PROCEDURES FOR HAMLET ENTRANCE TOURISM SIGNS	7.15 GUIDELINES, FEES AND PROCEDURES FOR HAMLET ENTRANCE TOURISM SIGNS Page 1/2
Effective Date: March 24/20 Res. CM-2020-03-71	Revised: Apr. 20/21 CM – Res. CM-2021-04-45

PURPOSE

To define the process and schedule of fees and services relating to standardized blue hamlet entrance signs for organization promotion to be called Hamlet Entrance Tourism Signs.

The blue board signs should be located near a hamlet's main entrance, be 4' x 8' in size, and be installed on two wooden posts. These signs are standardized to display "Welcome to [Hamlet]" across the top and have two rows to hold up to ten placard logo signs on a slide-shelf. There is the option to customize the signs to hold multiple rows or slide-shelves. The number of shelves required for each Hamlet should be determined at the time of installation.

The placards and sign space would be available to lease to a hamlet business with an option for annual renewal for a pre-determined fee. Each placard would be installed or removed only by a Wheatland County employee determined by Administration.



Example of Hamlet Entrance Tourism Sign for Carseland

POLICIES

1. **Conditions**
   a) Each sign must be permitted by Wheatland County and in the case of provincial highway easement conditions if applicable by Alberta Transportation.
   b) Each placard installed must be for a company, organization, or society registered and permitted to conduct business in Wheatland County and the Province of Alberta.
   c) All content in each business placard must be approved by Wheatland County to be displayed on Hamlet Entrance Tourism Signs.

d) Wheatland County will remove placards for inoperative businesses or organizations.
e) Wheatland County will also remove placards for unpaid annual fees after 90 days of non-payment after the renewal fee date. Wheatland County will store placards for a period of 90 days before disposing of them.

2. Guidelines

a) All information supplied by organizations for placard printing must identify the organization's name or logo at a minimum and be legible within the placard constraints at 45 centimetres in height and 45 centimetres in width.
b) All fees must be paid before placard printing and installation is completed.
c) Any fee changes by Wheatland County will only be subject to change at the time of the annual renewal date and organizations who had previously purchased a sign will be notified in a standard yearly renewal notice.
d) Fees will be kept consistent across Wheatland County for this sign type regardless of location.

3. Process

a) A Sign Request Application should be submitted to the Economic Development division at Wheatland County with logo and/or written content no later than March 31 of the year the install is requested. Payment must be received by April 30 (30 days after application submission). All fees need to be collected before sign production is done. Signs will be printed and installed around the end of May of that calendar year.
b) If organization logos are not deemed of sign printing quality, an additional fee of $95.00 per hour will be charged in the initial payment. Artwork quality will be approved by the Economic Development Officer by recommendation of the sign manufacturer. All imagery should be line art and not raster and provided in an Encapsulated Postscript (EPS) or Portable Document Format (PDF).
c) Fees will be detailed in the Master Fee Schedule. A reminder notice will be sent out via email 90 days prior to a new billing cycle. Billing cycles begin on June 1 of each calendar year and go till May 31 of the following year.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.16 – DORMANT APPLICATIONS/FILES	7.16 DORMANT APPLICATIONS/FILES Page 1/2
Effective Date: September 15, 2020 Res. CM-2020-09-45	Revised:

PURPOSE

The Planning & Development Dormant Application/Files Policy establishes a consistent process of handling planning and development applications that have been inactive for a minimum of one (1) year.

The reasons for closing inactive files include the following:

- Policies and standards change;
- New issues may be identified;
- Need for new public input and technical input; and
- Information and plans become outdated.

POLICY

1. Any planning or development application that is inactive for a minimum of one (1) year will be closed.
2. When a planning or development application is inactive for a minimum of six months, the file manager responsible for the file will send a letter to the Applicant asking the Applicant to advise in writing whether they wish to continue to proceed with the application.
    a. If the Applicant wishes to proceed, then they are to submit any outstanding or required information so that the application can be processed. If any of the required information is not submitted within six (6) months of the date of the letter, then a final letter will be sent notifying the Applicant that the file will be closed.
    b. If the Applicant advises that they do not wish to proceed, the file will be closed.
3. If the department receives a request in writing from the Applicant requesting an extension of any of the above time periods, the General Manager of Community and Development Services may extend any of the above periods of time in Policy Statement 2 for an additional period at their sole discretion.

4. The Dormant Application/File Policy shall be posted on the County's website and be appropriately included in all planning applications so that the Applicant acknowledges the policy when completing the application form.

DOCUMENT OWNER

Community & Development Services

PLANNING POLICY SECTION 7.17 – WATER SERVICING	7.17 WATER SERVICING Page 1/3
Effective Date: September 15, 2020 Res. CM-2020-09-46	Revised:

PURPOSE

To provide guidance on the minimum water servicing requirements for residential, commercial, industrial, and institutional development.

Philosophy:

The policy primarily pertains to the minimum water servicing requirements relative to various development applications. An adequate supply of potable water is necessary to sustain new development. As such, the County requires proof that an adequate supply of potable water is available for a proposed development.

A person who owns or occupies land that adjoins a natural water body (e.g. river, stream, lake, etc.) or where groundwater exists, is allowed to divert of up to 1,250 cubic meters of water annually for normal domestic household use without the need for a water license subject to the stipulations under the Water Act. For all other purposes including communal, commercial, industrial, and institutional uses, approvals from Alberta Environment & Parks are required to withdraw water from either groundwater or surface water sources.

Notwithstanding the philosophy of this policy, all applications for country residential and un-serviced hamlet subdivisions, as well as commercial, industrial, and institutional uses shall submit the required information as stated in the policy with a complete subdivision application, or where an Area Structure Plan (ASP) is required, to be submitted as part of the ASP.

The principles contained within this policy may be used as a reference to assist the subdivision authority in determining the water servicing requirements for agricultural subdivision applications.

POLICY

A. Subdivision

1. For applications where the total number of lots, including the proposed lot(s), does not exceed five (5) lots in a quarter section, and groundwater sources are used, the County requires the Applicant to submit a Groundwater Supply Evaluation (Level 1) Report to determine the production potentials of the aquifers underlying the subject parcel and surrounding areas.

2. For subdivision applications resulting in six (6) or more lots in a quarter section, the County requirements are as follows:

    a. The proposed development must connect to an existing County water system, if available.
    b. No individual water wells are allowed to service individual lots.
    c. The Applicant shall submit to the County the estimated water demand for the proposed development to determine if there is available capacity on the existing water system.
    d. If a piped water system from the County or a Water Co-op is not available, the proposed development shall be serviced with its own communal piped water system and satisfy the following requirements:
        i. Where the proposed water supply is from a groundwater aquifer, the Applicant shall provide the following to the satisfaction of Wheatland County and Alberta Environment & Parks:
            - Conduct water well drilling and Aquifer test (Level 2 Evaluation Report) following the guidelines from Alberta Environment & Parks.
            - Complete engineering drawings for the proposed water supply, treatment, storage, and distribution system stamped by a qualified professional who is a member in good standing with APEGA.
            - Approval of a well license and the communal water system from Alberta Environment & Parks.

            Where the proposed water supply is via surface water diversion, the Applicant shall provide the following to the satisfaction of Wheatland County and Alberta Environment & Parks:
            - Complete engineering drawings for the proposed water supply, treatment, storage, and distribution system stamped by a qualified professional who is a member in good standing with APEGA.
            - Approval of a water diversion license and communal water system from Alberta Environment & Parks.
        ii. The Developer shall commit to organize a community association who will eventually take ownership of the communal water system and hire a licensed water operator to operate and maintain the system.
3. For communal, commercial, industrial, and institutional development applications, the County requirements are as follows:

    a. The proposed development must connect to an existing County water system, if available.
    b. The Applicant shall submit to the County the estimated water demand for the proposed development to determine if there is available capacity on the existing water system.
    c. If a piped water system from the County or a Water Co-op is not available, the proposed development shall provide its own water system with the following options:

i. Where the proposed water supply is from a groundwater aquifer, the Applicant shall provide the following to the satisfaction of the County and Alberta Environment & Parks:

- A water well drilling and Aquifer Test (Level 2 Evaluation) Report following the guidelines from Alberta Environment & Parks.
- Complete engineering drawings for the proposed water supply, treatment, storage, and distribution system stamped by a qualified professional who is a member in good standing with APEGA.
- Approval of a well license and the communal water system from Alberta Environment & Parks.

Where the proposed water supply is via surface water diversion, the Applicant shall provide the following to the satisfaction of the County and Alberta Environment & Parks:

- Complete engineering drawings for the proposed water supply, treatment, storage, and distribution system stamped by a qualified professional who is a member in good standing with APEGA.
- Approval of water diversion license and communal water system from Alberta Environment & Parks.

4. Assessments may not be required for the following applications unless it is deemed there Is a significant potential for adverse safety/health/environmental effects that warrant an appropriate assessment:

    a. The proposal is to separate an existing dwelling(s) with an existing water supply from the parcel.

B. For Development Agreement

Development Agreement applications shall be subject to the requirements stated under Section A. 2.

DOCUMENT OWNER

Community & Development Services