



November 20, 2023

Wheatland County is proposing amendments to the Land Use Bylaw and is informing you in accordance with the *Municipal Government Act*. Please see the information below.

File & Bylaw Number PL2023-005 & 2023-27

Proposal: To amend the Land Use Bylaw to add Agricultural Operations as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.

Reply By: Wednesday, December 20, 2023

If you wish to provide comments regarding this application, please submit them in writing via email, post, or fax. All submissions will become part of the public record and may be released to Council, the applicant, or third parties upon request.

Sincerely,

A handwritten signature in blue ink that reads "JRR".

Jessica Russell, Planner
Planning and Development
jessica.russell@wheatlandcounty.ca



Bylaw No. 2023-27

Proposed Amendments to the Land Use Bylaw

What is the County proposing?

The County is proposing to add 'Agricultural Operations' as an allowed use in the Hamlet Residential General (HRG) District. There are areas within the County that are undeveloped fields but are within the HRG District. These areas are required to be maintained by means of mowing and weed prevention, the cost of which is ultimately borne by the taxpayers of Wheatland County. Alternatively, the land could be leased to local agricultural producers, allowing them to use the lands for agricultural uses such as planting ground cover and haying. For the lands to be used for agricultural uses, Agricultural Operations must be a listed use in the HRG District.

The amendment adds Agricultural Operations in the HRG District to Section 4.2 *Development Permits Not Required* to ensure consistency with other Agricultural Operations. Similarly, Agricultural Operations within the Agricultural General and Rural Business Districts do not require Development Permits, which reduces barriers of operation for agricultural producers.

Lastly, the amendments update the *Development Regulations* in the HRG District to ensure that Agricultural Operations are compatible with residential uses. The update adds the following regulations for Agricultural Operations within the HRG District: the operations are on County-owned lands, are subject to a lease agreement with the County, and contain no farm animals or livestock.

Why is the County proposing these changes?

The amendments aim to allow local agricultural producers access to lands that would otherwise not be available. Additionally, these lands would no longer be required to be maintained by the County, allowing resources to be deployed more effectively.

Bylaw 2023-27
Proposed Amendments

Bylaw 2023-27 proposes to amend the Land Use Bylaw No. 2016-01 to make textual amendments to Parts 4.2 and 9.11. The amendments are highlighted in excerpts from the Land Use Bylaw as red for deleted portions and green for added portions.

4.2 Development Permits Not Required

- 4.2.1 The developments listed within this section are Exempt from requiring a Development Permit.
- 4.2.2 Notwithstanding the exemption of the below developments from requiring a Development Permit, all development shall comply with the provisions and regulations of this Bylaw and must be carried out in accordance with all other applicable Federal, Provincial and County legislation, regulations and bylaws.
- 4.2.3 This Bylaw does not apply to any development exempted by the Act or its regulations.

Exempted Developments

4.2.7 Agricultural Operation:

- ~~a) An Agricultural Operation as defined in the Act on a parcel designated Agricultural General (AG) District or Rural Business (RB) District.~~
- a) On a parcel designated Agricultural General (AG) District,
- b) On a parcel designated Rural Business (RB) District, or
- c) On a parcel designated Hamlet Residential General (HRG) District that is owned by the County.

9.11 Hamlet Residential General District (HRG)

Purpose and Intent

The purpose and intent of this district is to promote and accommodate low density residential development located in Hamlets.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Backyard Beehive
Agricultural Operation ^{1,2}	Backyard Hens
Day Home	Bed and Breakfast
Dwelling, Duplex	Dwelling, Modular
Dwelling, Secondary Suite	Dwelling, Moved On
Dwelling, Semi-Detached	Dwelling, Accessory
Dwelling, Single Detached	Home Sales Center

Greenhouse, Private	Home-Based Business, Type 2
Recreational Vehicle for Quarantine or Self-Isolation	Signs requiring a Development Permit [^]
Show Home	Tower
Solar Panel, Structure Mount ¹	
Solar Panel, Ground Mount ¹	
Signs not requiring a Development Permit ¹	
Stripping and Grading ¹	
WECS (micro) ¹	
WECS Category 1 ¹	

Notes: 1 - See Development Permits Not Required Section
[^] - See Signage Section for Signage that does not require a permit
2 - See Part 9.11.d, Other Development Regulations

Site Regulations

b) The following regulations and policies shall apply to every development in this district:

Minimum Parcel Size	A minimum of 1,800.0 m ² (19,375.0 ft ²) for unserviced lots.
	A minimum of 1,800.0 m ² (19,375.0 ft ²) for lots serviced by a piped water system, but not a piped sewage system.
	A minimum of 929.0 m ² (10,000.0 ft ²) for lots serviced by a piped sewage system, but not a piped water system.
	A minimum of 278.70 m ² (3000.0 ft ²) for fully serviced lots.
Maximum Parcel Size	As determined by the Development Authority.
Minimum Parcel Width	A minimum of 10.67 m (35.0 ft)* *must also meet minimum parcel size stated above
Minimum Parcel Length	A minimum of 22.86 m (75.0 ft)* *must also meet minimum parcel size stated above
Maximum Lot Coverage	No buildings, structures or impervious surfaces shall cover more than 40% of the lot area.
Setback Between Buildings / Structures	A minimum of 1.52 m (5.0 ft)
Front Yard Setback	A minimum of 6.10 m (20.0 ft)
	A minimum of 6.10m (20.0ft) from the property line for WECS micro and Category 1, and Solar Panel, Ground Mount.
Side Yard Setback	A minimum of 3.05 m (10.0 ft) from the right-of-way of a public road (corner lots).
	A minimum of 3.05 m (10.0 ft) from the right-of-way of an internal subdivision road.
	A minimum of 1.22 m (4.0 ft) from the property line.
Rear Yard Setback	Principal Building: A minimum of 6.10 m (20.0 ft)
	Accessory Building: A minimum of 1.22 m (4.0 ft)
Yards Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation
Other Setbacks	See the Special Setback Requirements section of this Bylaw for additional setback requirements that may apply.
Building Heights	Dwelling Unit / Tower: Maximum 12.19 m (40.0 ft)

	Accessory Buildings: Maximum 5.48 m (18.0 ft)
	WECS (micro), Category 1, and Solar Panel, Ground Mount: See height restrictions for 'Development Permits Not Required,' section.

Other Development Regulations

- c) Permitted and Discretionary Uses shall adhere to Part 7: General Regulations and Part 8: Specific Use Regulations.
- d) Agricultural Operation shall only be allowed in this district if the following conditions are met:
 - i) The lands are owned by Wheatland County;
 - ii) The Agricultural Operation is subject to a lease agreement to the satisfaction of the County's Agricultural Fieldman; and
 - iii) No farm animals or livestock are allowed, subject to Part 7.5.1 of this Bylaw.

BYLAW 2023-27

(PL2023-005)

BEING A BYLAW OF WHEATLAND COUNTY TO AMEND LAND USE BYLAW NO. 2016-01 TO MAKE TEXTUAL AMENDMENTS TO PARTS 4.2 AND 9.11.

WHEREAS the requirements for advertising this Bylaw, as per Section 606 of the *Municipal Government Act*, have been met prior to the Public Hearing date.

WHEREAS a Public Hearing was held on _____, 2023 at the Wheatland County office.

THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, as amended, the Council of Wheatland County enacts as follows:

1. Bylaw No. 2016-01, being the Land Use Bylaw is hereby amended to enact textual amendments to Parts 4.2 and 9.11 as shown on the attached Schedule 'A' forming part of this Bylaw.
2. This Bylaw comes into force when it receives third reading and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

MOVED First Reading of Bylaw 2023-27 on _____ this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to enact textual amendments to Parts 4.2 and 9.11 as shown on the attached Schedule 'A'.

Lost/Carried.

MOVED Second Reading of Bylaw 2023-27 on _____ and it was

Lost/Carried.

MOVED Third and Final Reading of Bylaw 2023-27 on _____ and it was

Lost/Carried.

Reeve, Amber Link

Chief Administrative Officer,
Brian Henderson

SCHEDULE 'A'

Bylaw: 2023-27

The Wheatland County Land Use Bylaw No. 2016-01 is hereby amended as follows:

1. That **PART 4.2. Development Permits Not Required**, is amended by replacing **SUBPART 4.2.7 Agricultural Operation** with the following:

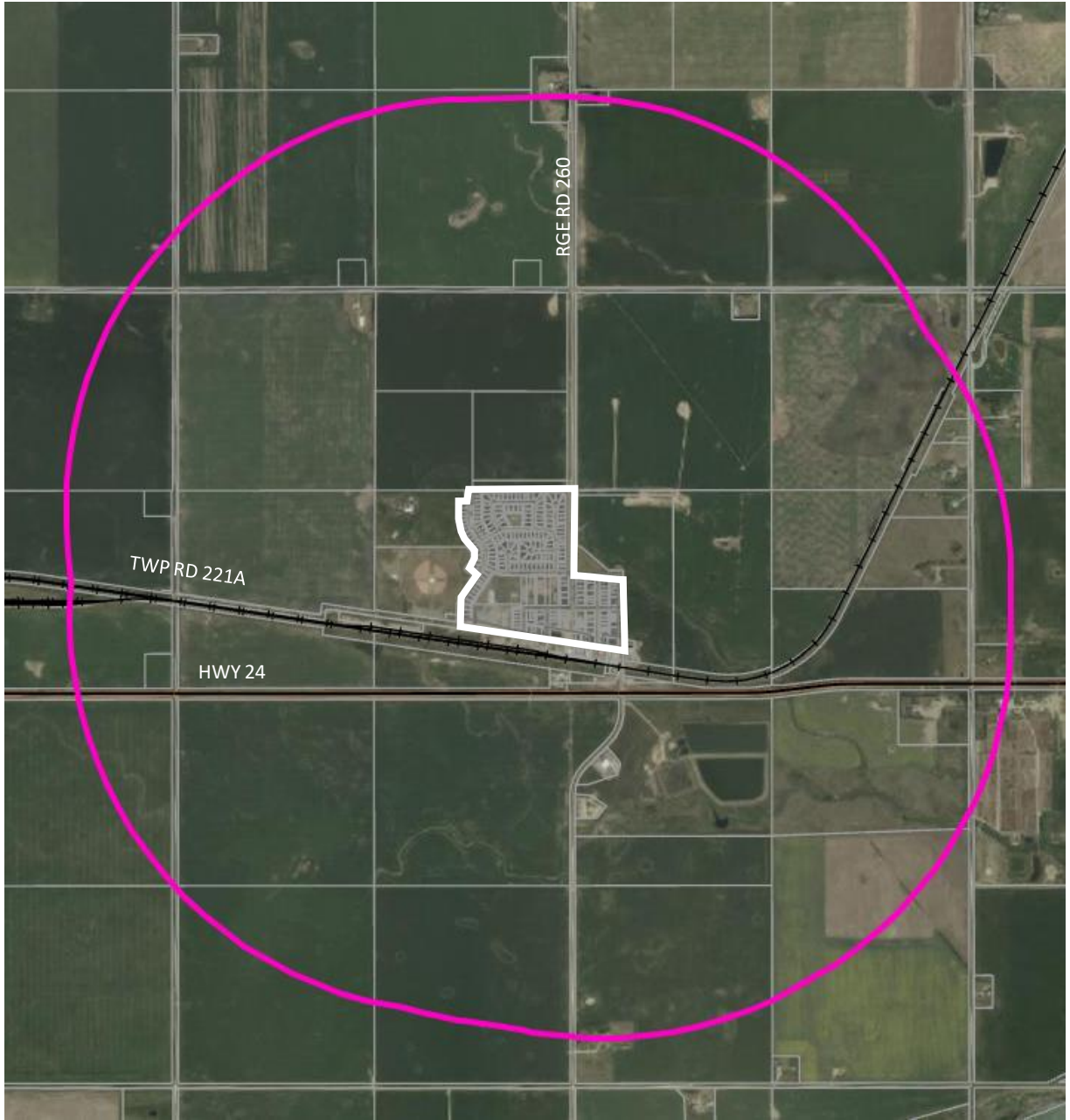
4.2.7 Agricultural Operation:

- 1) On a parcel designated Agricultural General (AG) District;
 - 2) On a parcel designated Rural Business (RB) District; or
 - 3) On a parcel designated Hamlet Residential General (HRG) District that is owned by the County.
2. That **PART 9.11 Hamlet Residential General District (HRG), SUBPART 9.11 Permitted and Discretionary Uses (a)** is amended by adding the following to the table:

Permitted
Agricultural Operation ^{1, 2}

2 – See Part 9.11.d, Other Development Regulations

3. That **PART 9.11 Hamlet Residential General District (HRG), SUBPART 9.11 Other Development Regulations** is amended by adding the following:
 - d) Agricultural Operation shall only be allowed in this district if the following conditions are met:
 - i) The lands are owned by Wheatland County;
 - ii) The Agricultural Operation is subject to a lease agreement to the satisfaction of the County's Agricultural Fieldman; and
 - iii) No farm animals or livestock are allowed, subject to Part 7.5.1 of this Bylaw.



Circulation Area, Hamlet of Carseland

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



Circulation Area, Hamlet of Chancellor

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



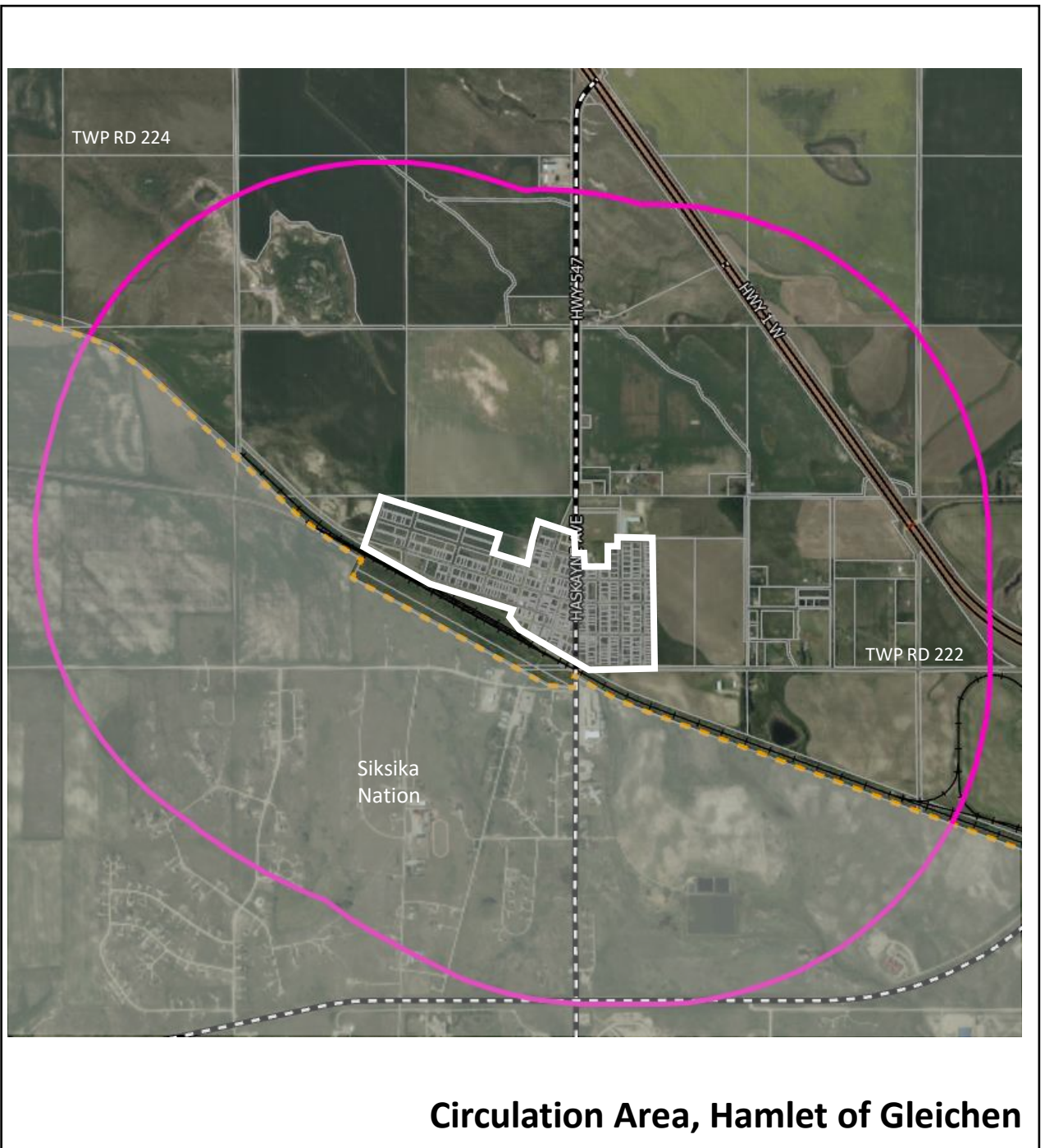
Circulation Area, Hamlet of Cheadle

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



Circulation Area, Hamlet of Cluny

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Circulation Area, Hamlet of Lyalta

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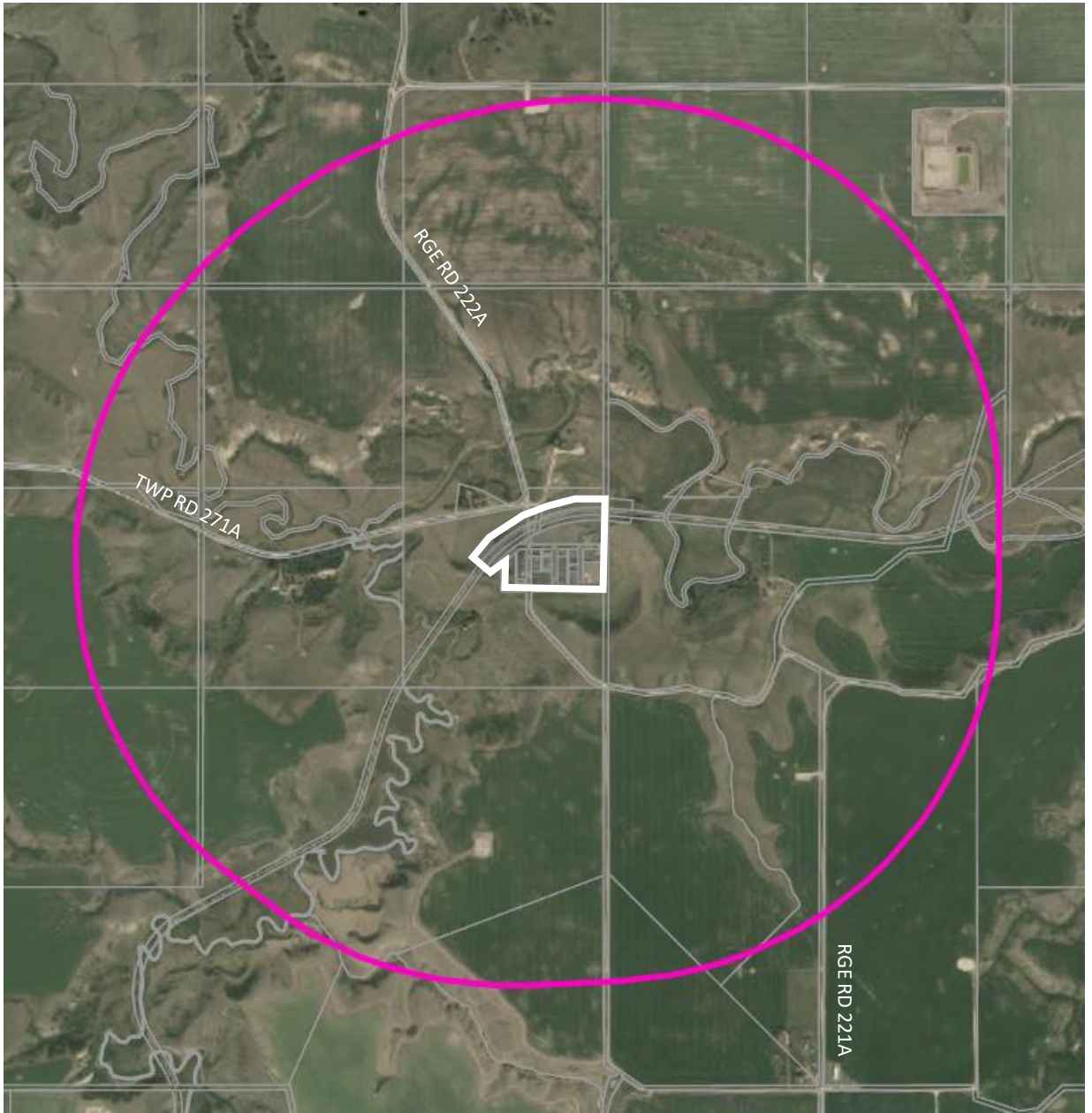
Circulation Area, Hamlet of Namaka

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



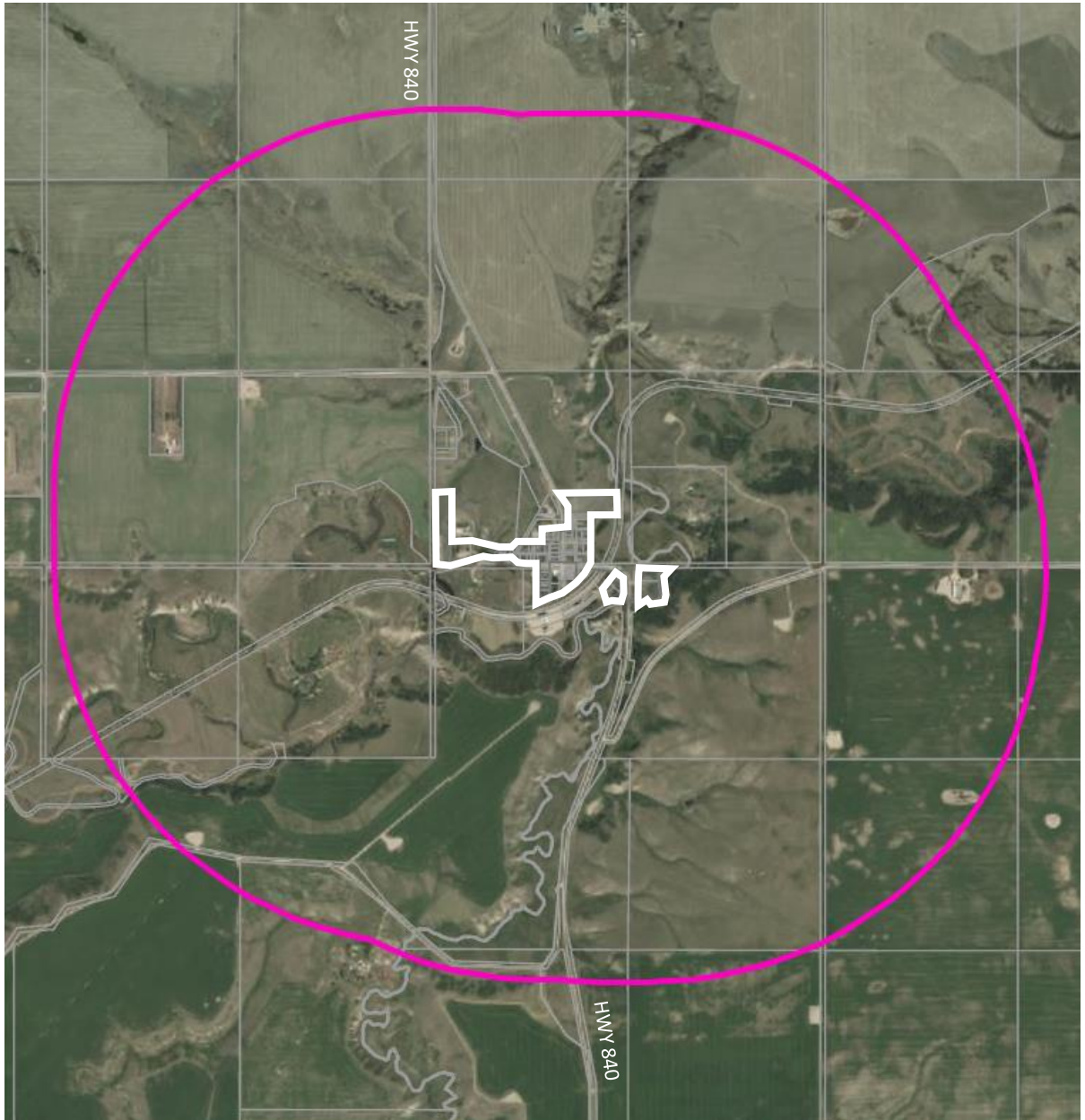
Circulation Area, Hamlet of Nightingale

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



Circulation Area, Hamlet of Redland

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.



Circulation Area, Hamlet of Rosebud

Proposal: To amend the Land Use Bylaw to add 'Agricultural Operations' as a permitted use in the Hamlet Residential (HRG) District, and to update Section 4.2 *Development Permits Not Required* to support this addition.