

ADOPTED

Minutes of a
REGULAR MUNICIPAL PLANNING COMMISSION MEETING
MUNICIPAL DISTRICT OF GREENVIEW NO. 16
M.D. Administration Building
Valleyview, Alberta, on Tuesday, July 14, 2020

#1 CALL TO ORDER Chair Roxie Rutt called the meeting to order at 9:00 a.m.

PRESENT

| | |
|------------|-----------------|
| Chair | Roxie Rutt |
| Vice-Chair | Tom Burton |
| Member | Shawn Acton |
| Member | Winston Delorme |
| Member | Duane Didow |
| Member | Dale Gervais |
| Member | Tyler Olsen |
| Member | Dale Smith |
| Member | Les Urness |

ATTENDING

| | |
|---|------------------|
| Manager, Planning and Development | Sally Ann Rosson |
| Development Officer, Wards 1 and 8 | Celine Chuppa |
| Development Officer, Wards 2, 3 and 4, Division 9 | Price Leurebourg |
| Development Officer, Wards 5, 6 and 7 | Leona Dixon |
| Development Technician | Alysse Barks |
| Recording Secretary | Jenny Cornelsen |

GUESTS Brandon Nieuwenhuis (D20-328)

ABSENT Member Bill Smith

#2 AGENDA MOTION: 20.07.041. Moved by: VICE-CHAIR TOM BURTON
That the July 14, 2020, agenda be adopted as presented.
CARRIED

#3.1 REGULAR MUNICIPAL PLANNING COMMISSION MEETING MINUTES MOTION: 20.07.042. Moved by: MEMBER DALE SMITH
That the minutes of the regular Municipal Planning Commission meeting held on June 9, 2020, be adopted as presented.
CARRIED

#3.2 BUSINESS ARISING FROM MINUTES

3.2 BUSINESS ARISING FROM MINUTES

- D20-221 / PROCESS ENERGY SOLUTIONS / 1197667 ALBERTA LTD. / OILFIELD SERVICE: TEMPORARY TANK FARM TO ACCOMMODATE A MAXIMUM OF 16,000 BARRELS OF OIL / SW-03-67-22-W5 / LITTLE SMOKY AREA – Manager Rosson informed members that the approval of development permit application D20-221 at the May 12, 2020, Municipal Planning Commission

meeting had been appealed to the Subdivision and Development Appeal Board (SDAB). An SDAB public hearing had been held June 25, 2020. The decision of approval had been upheld, with the addition of several conditions. The additional conditions had addressed road use, lighting, time limit of development permit, hours in which the site would not be accessed and setback distances.

#4
DELEGATIONS

4.0 DELEGATIONS

#4.1
DELEGATION

4.1 D20-328 / NIEUWENHUIS BRANDON AND CHARLOTTE / MAJOR HOME OCCUPATION – HEAVY DUTY MECHANIC SHOP AND SIGNS / NE-19-71-22-W5 / VALLEYVIEW AREA

Member Gervais vacated the meeting at 9:07 a.m.

Development Officer Leona Dixon presented an overview of a development permit application for a home occupation, major, within NE-19-71-22-W5. The property was zoned Agricultural One (A-1) District.

Member Gervais re-entered the meeting at 9:08 a.m.

Development Officer Leona Dixon presented additional information as follows:

- The applicant had been operating a mobile heavy-duty mechanical business and had proposed to operate out of an existing shop on the 60.66-hectare (149.89-acre) property.
- A 1.0-acre storage area for recycled metal and installation of a sign at the corner of Township Road 714 and Range Road 225, with a smaller sign at the driveway, had been included with the proposal.
- The applicant had requested to locate the sign 20.0 metres from the property lines at the intersection, which would require a variance of 20.0 metres.
- The shop and storage site would not be visible from the road as it would be well screened by trees.
- Six adjacent landowners within an 804.0-metre radius had been notified or contacted. One landowner had felt that the width of Township Road 714, as well as the intersection at Range Road 225, would not be adequate for tractor-trailer units. The remaining adjacent landowners had no concern with the proposed development.

Mr. Nieuwenhuis spoke as the Applicant. The Applicant stated that he had operated a mobile mechanic business, which required repairing equipment at a customer’s residence or site. As he had desired to operate the business from his parcel, he had submitted a business license application to Greenview. In doing so, he had become

aware that a development permit application would be required in order to obtain a subsequent business license for the operation.

Municipal Planning Commission discussed the following:

- Members asked about the type of repairs Mr. Nieuwenhuis would offer. He responded that the tractor units would be primarily diesel; however, he had background in repairing trucks and trailers, electrical and other automotive repairs.
- Members clarified that the current land use bylaw permitted a 4.0-foot by 8.0-foot sign rather than a 4.0-metre by 8.0-metre measurement as proposed in the motion.

Chair Roxie Rutt advised Mr. Nieuwenhuis that Municipal Planning Commission would render a decision later in the meeting.

#5
SUBDIVISIONS

5.0 SUBDIVISION APPLICATIONS

5.1 S20-007 / WOHLGEMUTH RONALD & VALERIE C/O BEARISTO & ASSOCIATES / NE-04-72-26-W5 / PHYSICAL SEVERANCE / DEBOLT AREA

Development Officer Leona Dixon presented an overview of a proposed subdivision application for a 12.28-hectare (30.34-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Development Officer Leona Dixon presented additional information as follows:

- The applicant had proposed to subdivide a physically severed vacant parcel north of Township Road 720A.
- The existing access to the proposed subdivision would require upgrading. Satisfactory access had existed to the balance of the quarter.
- Notifications had been circulated to adjacent landowners within an 804.0-metre radius; however, no comments or concerns were received.
- Comments or concerns received from internal and external departments had been addressed or included in the conditions.

Municipal Planning Commission discussed the following:

- It was commented that the DeBolt/Puskwaskau area should be corrected to Ward 6 rather than Ward 7.
- Members questioned the necessity of the condition for road widening. It was thought that setbacks from the existing creek and creek beds would have mitigated the need for future road widening. Development Officer Dixon explained that Infrastructure and Planning had requested road widening by dedication on three sides of the parcel (Township Road 720A,

Range Road 263A and Road Plan 4267LZ), and as such, had included it as a condition.

NE-04-72-26-W5

MOTION: 20.07.043. Moved by: VICE-CHAIR TOM BURTON

That Municipal Planning Commission (MPC) **APPROVE** subdivision application S20-007 for the creation of a 12.28-hectare ± lot within the parcel legally described as NE-04-72-26-W5, subject to the conditions listed below:

Reasons:

1. The proposed subdivision complies with the Municipal Development Plan and Land Use Bylaw 18-800.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulations.

Conditions:

1. The applicant shall submit to Greenview, a plan of survey suitable for registration with Alberta Land Titles office. The size of the subdivided parcels shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee, according to Greenview’s Schedule of Fees in effect at the time of endorsement.
3. The applicant shall pay all taxes owing to Greenview, up to the year in which subdivision is to be registered, prior to Greenview signing the final subdivision approval documents.
4. Access to the proposed lot to be constructed and/or upgraded by Greenview. An approach application must be submitted along with a non-refundable application fee of \$175. Construction fees of \$2,000 per gravel approach / \$2,500 per approach relocation or upgrade must be paid to Greenview prior to endorsement of the Subdivision Authority Approval. Greenview reserves the right to determine the date of construction and/or upgrade of the approach(es).
5. Road widening of 5.03 metres shall be dedicated by the applicant along the parcel frontage adjacent to Township Road 720A, Range Road 263A and Road Plan 4267LZ, including a 10.0-metre by 10.0-metre corner cut at the intersections. The road plan for widening shall be surveyed and registered by Greenview. The applicant shall not have the parcel boundaries of the proposed subdivision located until after the road widening has been accounted for.

CARRIED

6.1 D20-323 / POZNIAK JOHN / VARIANCE; GARAGE / NE-24-72-21-W5 / NEW FISH CREEK AREA

Development Officer Leona Dixon presented an overview of a development permit application for a setback variance to replace an existing garage within NE-24-72-21-W5. The property was zoned Agricultural One (A-1) District.

Development Officer Leona Dixon presented additional information as follows:

- The applicant had proposed to remove an existing garage and replace it with a 7.31-metre by 9.75-metre garage, which would include a water storage area for the residence. The proposed development would be located on the same footprint as the existing garage to allow use of the gravel base, provide access to fill water and tie into existing water lines to the residence.
- The Land Use Bylaw required a setback of 40.0 metres. As the proposed garage would be located 34.0 metres from the undeveloped road allowance, a variance of 6.0 metres would be necessary.
- The landowner had also owned the adjacent quarter to the east and had submitted a road closure application to close the undeveloped road allowance to accommodate existing development spanning both parcels. In accordance with provincial regulation, the application for road closure had not yet been processed. As a result, a variance had been required for the proposed development.

Municipal Planning Commission discussed the following:

- Members confirmed that the proposed development had been a garage rather than a farm building, which would not have necessarily required a development permit. Development Officer Dixon explained that the garage had been intended as an accessory building for the house and would not be utilized as a farm building.

NE-24-72-21-W5

MOTION: 20.07.044. Moved by: MEMBER DALE SMITH

That Municipal Planning Commission (MPC) **APPROVE** development permit application D20-323 for a 6.0-metre variance of the setback from the east property line for the development of a garage, on the parcel legally described as NE-24-72-21-W5, subject to the conditions listed below:

1. This permit indicates that only the development to which it relates is authorized pursuant to the provisions of the Land Use Bylaw. Compliance with the provisions of Land Use Bylaw 18-800/799 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
2. All Development must conform to the conditions of this development permit and the approved plans and any revisions as required pursuant to this

Approval. Any subsequent changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.

3. Prior to construction or commencement of any development, is the responsibility of the applicant to ensure they obtain Building, Gas, Plumbing and Electrical Permits, if required, from an accredited agency for Alberta Safety Codes Authority. Please be aware that these permits are required in accordance with the Safety Codes Act of Alberta.
4. This development permit is valid upon the decision being advertised in a local paper and no appeal against said decision being successful.
5. The use of the accessory building for business, industrial and residential purposes is not permitted. The accessory building shall be used for personal use only.
6. The developer is granted a setback variance of 6.0 metres to allow the garage to be 34.0 metres from the east property line.

CARRIED

6.2 D20-327 / LKS CONSTRUCTION / 2227180 ALBERTA LTD / SIGN FOR GAS BAR, CONVENIENCE STORE, RESTAURANT / PLAN 8223273, BLOCK 34, LOT 07 / GRANDE CACHE AREA

Development Officer Price Leurebourg presented an overview of a development permit application for a variance to locate a sign for a gas bar, convenience store and restaurant within Plan 8223273, Block 34, Lot 07. The property was zoned Highway Corridor Commercial (C-2) District.

Development Officer Price Leurebourg presented additional information as follows:

- Development permit D20-079 for the overall development of a gas bar, convenience store and restaurant had been approved as a permitted use and was issued on June 19, 2020.
- As part of the development, the applicants had also proposed to install a freestanding sign. Until such time that Greenview's Land Use Bylaw and Grande Cache Land Use Bylaw would be consolidated, the latter would be in effect. Grande Cache Land Use Bylaw had limited the height of freestanding signs to 7.0 metres. The proposed sign would measure 9.0 metres in height, 2.286 metres in width and 0.5 metres in depth. It had been determined that no variance in area had been required. However, in accordance with Grande Cache Land Use Bylaw, a variance of 2.0 metres in height (29%) had been required.
- A developer's agreement was presently being created together with Infrastructure and Planning.

Municipal Planning Commission discussed the following:

- It was noted that the measurements of the proposed sign for the gas bar and restaurant would have been determined by franchise standards.
- Concerns were raised that the proposed sign would be impacted by strong winds due to its height and potential direction. Development Officer Leurebourg stated that the sign would face Shand Avenue, for which Members agreed was acceptable to mitigate the concern.

Member Urness vacated the meeting at 9:26 a.m.

- Members asked about measurements of other signs in the area or previous signs at the proposed location; however, data had not been available.
- There was concern raised regarding placement of the sign to the west of the site on Shand Avenue. It was felt that the location would impact recreational vehicles and suggested that the applicants may potentially request to have the sign relocated to face Highway 40. Development Officer Leurebourg explained that the site had been quite small for the proposed development, which had resulted in downsizing the initial proposal.

Member Urness re-entered the meeting at 9:31 a.m.

- Members asked whether a 7.0-metre sign would have been adequate for the space and questioned if a larger sign would raise concerns for other businesses who had met the 9.0-metre sign requirements of the Grande Cache Land Use Bylaw. Development Officer Leurebourg explained that the decision was at the discretion of Municipal Planning Commission. Manager Rosson reminded Members that adequate reasons would be required to refuse the development permit application. It was noted that the applicants had been willing to increase their cost to construct the sign by increasing the size of the sign.

PLAN 8223273,
BLOCK 34, LOT 07

MOTION: 20.07.045. Moved by: MEMBER DALE SMITH

That Municipal Planning Commission (MPC) **APPROVE** development permit application D20-327 for a 2.0-metre variance of the height requirements, for a sign measuring 9.0 metres in height, on the parcel legally described as Plan 8223273, Block 34, Lot 07, subject to the conditions listed below, as amended :

1. All Development must conform to the conditions of this development permit and the approved plans and any revisions as required pursuant to this Approval. Any subsequent changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
2. Prior to construction or commencement of any development it is the responsibility of the applicant to ensure they obtain all necessary permits

required by Alberta Safety Codes Authority, including but not limited to Building, Gas, Plumbing and Electrical Permits, in accordance with the Safety Codes Act of Alberta.

3. This permit indicates that only the development to which it relates is authorized pursuant to the provisions of the Grande Cache Land Use Bylaw 799. Compliance with the provisions of Bylaw 799 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
4. This permit indicates that only the development to which it relates is authorized pursuant to the provisions of the Land Use Bylaw. Compliance with the provisions of Land Use Bylaw No. 799 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
5. No changes to the sign or location of the same, than what has been outlined in the development permit application unless prior approval has been obtained from Greenview.
6. The sign must be removed when no longer required for the intended purpose.
7. The sign shall be maintained in proper state of repair.

CARRIED

6.3 D20-328 / NIEUWENHUIS BRANDON AND CHARLOTTE / MAJOR HOME OCCUPATION – HEAVY DUTY MECHANIC SHOP AND SIGNS / NE-19-71-22-W5 / VALLEYVIEW AREA

Development Officer Leona Dixon had previously presented an overview of a development permit application for a home occupation, major, within NE-19-71-22-W5. The property was zoned Agricultural One (A-1) District.

Municipal Planning Commission discussed the following:

- Members discussed the sign dimensions as outlined in the motion as well as some of the conditions of approval.
 - The motion required amendment to correct the dimension of the sign from 4.0 metres by 8.0 metres to 1.22 metres by 2.44 metres.
 - It was suggested that Condition 6 indicate the name of the operation rather than the nature of the operation.
 - Members asked whether Condition 7 had referred to the maximum number of persons or units per day. Development Officer Dixon explained that the condition could be reworded to avoid any confusion. She added that the applicant had anticipated three customers per day; however, administration had retained the standard condition for a major home occupation. which had provided a maximum of eight customers per day.

- Members preferred to amend the motion to indicate mechanical business rather than heavy duty mechanical business.
- Development Officer Dixon added that the motion also be amended to indicate a 30.0-metre setback variance to allow the sign to be located 10.0 metres from the property line.

Member Dale Smith vacated the meeting at 9:44 a.m.

- The applicant asked if a survey of the property would be required for the sign. Members agreed that a survey would not be necessary.

NE-19-71-22-W5

MOTION: 20.07.046. Moved by: MEMBER DALE SMITH

That Municipal Planning Commission (MPC) **APPROVE** development permit application D20-328 for the development of a 1.22-metre by 2.44-metre sign with a 20.0-metre setback variance, and a 1.0-metre by 1.0-metre sign with a 30.0-metre setback variance, both from their respective property lines; and operation of a Home Occupation, Major: BJN Mechanical Services, being a mechanical business, on the parcel legally described as NE-19-71-22-W5, subject to the conditions listed below, as amended:

1. This permit indicates that only the development to which it relates is authorized pursuant to the provisions of the Land Use Bylaw. Compliance with the provisions of Land Use Bylaw 18-800/799 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
2. All Development must conform to the conditions of this development permit and the approved plans. Any subsequent changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
3. Prior to construction or commencement of any development it is the responsibility of the applicant to ensure they obtain all necessary permits required by Alberta Safety Codes Authority, including but not limited to Building, Gas, Plumbing and Electrical Permits, in accordance with the Safety Codes Act of Alberta.
4. This development permit is valid upon the decision being advertised in a local paper and no appeal against said decision being successful.
5. Any future expansion of the business, site area, or additional employees will require the applicant to apply for a new development permit and will require approval.
6. Issuance of this development permit is for the mechanical repair business: BJN Mechanical Ltd., as described in the submitted application, with a maximum of one employee.

7. The major home occupation shall be limited to eight (8) customers per day.
8. The major home occupation must not produce extensive noise between the hours of 10 p.m. and 7 a.m.
9. The major home occupation shall not occupy more than one (1.0) acre for outside storage. Any outdoor storage associated with the home occupation shall be adequately screened from neighbouring parcels and highways.
10. The major home occupation shall solely be operated within the principal dwelling unit and within one accessory building.
11. The applicant must obtain approval from Alberta Licensing prior to commencement of the proposed business.
12. No changes to the sign or location of the same, than what has been outlined in the development permit application unless prior approval has been obtained from Greenview.
13. The sign shall be maintained in proper state of repair and must be removed when no longer required for the intended purpose.
14. No additional signage related to the business is permitted unless prior approval is received from Greenview.
15. The developer is granted a setback variance of 20 metres to allow the sign at the intersection of Township Road 714 and Range Road 225 to be 20 metres from the property lines and the driveway sign to be 10 metres from the property line.

CARRIED

Mr. Nieuwenhuis vacated the meeting at 9:45 a.m.
Member Dale Smith re-entered the meeting at 9:45 a.m.

6.4 D20-337 / HUGGARD-MCINNIS DEVIN / DUGOUT / NW-32-70-19-W5 / SUNSET HOUSE AREA

Development Officer Leona Dixon presented an overview of a development permit application for a variance to locate a dugout within NW-32-70-19-W5. The property was zoned Agricultural One (A-1) District.

Development Officer Leona Dixon presented additional information as follows:

- The proposed development consisted of construction of a dugout on the applicant's 66.35-hectare quarter, adjacent to Range Road 195, which had come to a dead end approximately 1.5 kilometres south of the property.
- The proposed location had been chosen because there was sufficient drainage to fill the dugout and it would not utilize better agricultural land.
- The Land Use Bylaw required a setback of 40.0 metres from a municipal road. As the 18-metre by 18-metre dugout would be located 30 metres away from Range Road 195, a 25% variance of the 40-metre setback had been proposed.

No comments or questions were noted from Municipal Planning Commission.

NW-32-70-19-W5

MOTION: 20.07.047. Moved by: MEMBER SHAWN ACTON

That Municipal Planning Commission (MPC) **APPROVE** development permit application D20-337 for a setback variance of 10 metres from the west property line for the development of an 18.0-metre by 18.0-metre dugout, on the parcel legally described as NW-32-70-19-W5 subject to the conditions listed below:

1. This permit indicates that only the development to which it relates is authorized pursuant to the provisions of the Land Use Bylaw. Compliance with the provisions of Land Use Bylaw 18-800 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
2. All Development must conform to the conditions of this development permit and the approved plans and any revisions as required pursuant to this Approval. Any subsequent changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.
3. This development permit is valid upon the decision being advertised in a local paper and no appeal against said decision being successful.
4. The applicant must obtain Water Act authorization from Alberta Environment and Parks prior to construction or commencement of any development.
5. The developer is granted a setback variance of 10.0 metres to allow the dugout to be 30.0 metres from the west property line.

CARRIED

#7
DATE OF NEXT MEETING

7.0 DATE OF NEXT MEETING

Tuesday, September 15, 2020

#8
ADJOURNMENT

8.0 ADJOURNMENT

MOTION: 20.07.048. Moved by: MEMBER WINSTON DELORME
That this meeting adjourn at 9:48 a.m.

CARRIED



CHAIR



MANAGER, PLANNING AND DEVELOPMENT