

ADOPTED

Minutes of a
MUNICIPAL PLANNING COMMISSION REGULAR MEETING
MUNICIPAL DISTRICT OF GREENVIEW NO. 16
Greenview Administration Building and Zoom
Valleyview, Alberta, on Tuesday, December 15, 2020

#1
CALL TO ORDER

Chair Duane Didow called the meeting to order at 9:04 a.m.

PRESENT

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

ATTENDING

Manager, Planning and Development	Sally Ann Rosson (Zoom)
Development Officer	Celine Chuppa
Development Officer	Price Leurebourg
Development Officer	Leona Dixon
Development Technician	Alysse Barks
Recording Secretary	Jenny Cornelsen

GUESTS

Tryel Hill (Zoom) – S20-015
Wael Shadid, A.L.S. (Zoom) and Werner Ambros (Zoom) – S20-018
Perry Dean (Zoom) – S20-020

ABSENT

Member Bill Smith

#2
AGENDA

MOTION: 20.12.068. Moved by: VICE-CHAIR TOM BURTON

That the December 15, 2020, agenda be adopted with the following additions:

- S20-018 / KERN PAULIE, KLASSEN DAREL, AMBROS WERNER AND SHARON / NW-21-71-26-W5 PLAN 1221631, BLOCK 1, LOT 1 / BOUNDARY ADJUSTMENT / CROOKED CREEK AREA – Mr. Werner Ambros was added as an additional delegation.

CARRIED

#3
MINUTES

3.1 MINUTES OF REGULAR MEETING

MOTION: 20.12.069. Moved by: MEMBER ROXIE RUTT

That the minutes of the regular Municipal Planning Commission meeting held on October 14, 2020, be adopted as presented.

CARRIED

3.2 BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes of October 14, 2020.

Member Urness vacated the meeting at 9:09 a.m.

#4 DELEGATIONS

4.1 S20-015 / HILL TYREL & KRISTY LEE / SW-22-73-01-W6 / FIRST PARCEL OUT / DEBOLT AREA

Development Officer Leona Dixon presented an overview of a proposed subdivision application for an 8.0756-hectare (19.95-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Development Officer Leona Dixon presented additional information as follows:

- The subject site was located approximately 15.0 kilometres north of the Hamlet of DeBolt and included a single-family dwelling unit, shop and one storage shed.
- The parcel would encompass a treed portion of the quarter, which would retain the balance in agricultural production.
- The open discharge system appeared to have met setback distances in accordance with provincial regulations; however, an onsite inspection by the surveyor had not been conducted. As a result, a condition requiring a certificate of compliance was included.
- Access existed to the proposed subdivision and balance of the quarter midway along the west boundary.
- Road widening of 5.03 metres was required along Range Road 13.
- 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.

Member Urness re-entered the meeting at 9:11 a.m.

Mr. Hill was in attendance via Zoom to represent the application.

Municipal Planning Commission discussed the following:

- It was noted that the driveway extended across the boundary of the quarter to the south. Mr. Hill advised that the property had been surveyed and the adjacent landowners were aware of the encroachment and had expressed no concern.
- Mr. Hill confirmed that no other buildings or structures crossed the property line.

Chair Duane Didow advised Mr. Hill that Municipal Planning Commission would render a decision later in the meeting.

Member Dale Smith vacated the meeting at 9:14 a.m.

4.2 S20-018 / KERN PAULIE, KLASSEN DAREL, AMBROS WERNER & SHARON / NW-21-71-26-W5, PLAN 1221631, BLOCK 1, LOT 1 / BOUNDARY ADJUSTMENT / CROOKED CREEK AREA

Development Officer Leona Dixon presented an overview of a proposed subdivision application for a -4.038 hectare (9.98-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Member Dale Smith re-entered the meeting at 9:15 a.m.

Development Officer Leona Dixon presented additional information as follows:

- The subject site was located approximately 4.0 kilometres west of the Hamlet of Ridgevalley and included a single-family dwelling unit and shop.
- The boundaries of the original proposed subdivision included the second approach and driveway to the shop, which had encompassed a 7.0-hectare parcel. However, the decisions of Municipal Planning Commission and subsequently Subdivision and Development Appeal Board required that the first parcel subdivision be reduced to a maximum of 4.046 hectares in accordance with the Land Use Bylaw in effect at that time. To respond to that condition and allow registration of the subdivision, the landowner had chosen to use the boundaries of the existing lot to create the parcel.
- While the current landowners did not have issue with the parcel size, they proposed to exchange land to the east for the portion that would be added by including the approach and access road to the existing shop. This would allow the farmable acres currently in production to be included in the title for the agricultural parcel owned by Klassen and Kern.
- The proposed subdivision included the only access to the balance in addition to an approach to the residence; therefore, the applicant would be required to apply for an approach to the balance and pay the necessary application and installation fees.
- Range Road 264 had a 40.0-metre right-of-way; therefore, road widening was not required.
- 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.

Mr. Will Shadid, A.L.S. (Global Raymac) and Mr. Werner Ambros were in attendance via Zoom to represent the application.

Municipal Planning Commission discussed the following:

- Due to Administration's recommendation to remove one of the approaches to the proposed lot in accordance with Greenview Municipal Development Guidelines and Servicing Standards, Members questioned what authority Municipal Planning Commission had to override the imposed guidelines.
 - It was noted that the applicant desired to use the additional approach for farm equipment as the approach to the residence was not suitable for such use.
 - Development Officer Leurebourg stated that Municipal Planning Commission had authority to approve a variance to the Land Use Bylaw.
 - Members suggested removing Condition 5 to remove the approach.
 - Members questioned whether the approach from the undeveloped road allowance could be utilized. Officer Dixon stated that an approach onto an undeveloped road allowance did not provide physical and legal access to the quarter. Mr. Ambros added that this approach had currently been utilized.
- Mr. Ambros stated that he had recently purchased the parcel and stated that the existing approach to the south boundary had remained with the balance. An agreement had been made with the landowner to exchange land, which would include the approach to the south. He further stated that the shop would be utilized by family who owned nearby lands for farming purposes.
- Mr. Shadid affirmed his understanding of the municipal servicing standards. He raised concerns, however, that this was an existing subdivision with adjustments to include the existing approach. He added that no new approaches were being constructed. Members responded that the proposed adjustments would include two approaches to the residence and eliminate any approach to the balance.

Chair Duane Didow advised Mr. Shadid and Mr. Ambros that Municipal Planning Commission would render a decision later in the meeting.

4.3 S20-020 / SUNSETTER FARMS INC. / SW-02-71-20-W5 / PHYSICAL SEVERANCE / SUNSET HOUSE AREA

Development Officer Leona Dixon presented an overview of a proposed subdivision application for a 14.95-hectare (36.94-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Development Officer Leona Dixon presented additional information as follows:

- The subject site was approximately four kilometres west of Highway 747 and included a single-family dwelling, shop, barn, two sheds and a dugout.
- The existing open discharge septic system complied with setback distances, in accordance with provincial regulations.
- Approaches existed to the field and to the residence, with additional access to the balance from Range Road 202.
- Road widening of 5.03 metres was required on Township Road 710.
- 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.

Mr. Dean Perry was in attendance via Zoom to represent the application. He stated that the initial intent had been to propose a 20.0-acre parcel. However, upon discussion with Administration, he submitted the proposed parcel to avoid creating a small area that would be difficult to farm.

No comments or questions were noted from Municipal Planning Commission.

Chair Duane Didow advised Mr. Dean that Municipal Planning Commission would render a decision later in the meeting.

#5
SUBDIVISIONS

5.1 S20-015 / HILL TYREL & KRISTY LEE / SW-22-73-01-W6 / FIRST PARCEL OUT / DEBOLT AREA

Development Officer Leona Dixon had previously presented an overview of a proposed subdivision application for an 8.0756-hectare (19.95-acre) ± lot. The property was zoned Agricultural One (A-1) District.

No comments or questions were noted from Municipal Planning Commission.

SW-22-73-01-W6

MOTION: 20.12.070. Moved by: VICE-CHAIR TOM BURTON

That Municipal Planning Commission (MPC) APPROVE subdivision application S20-015 for the creation of an 8.0756-hectare ± lot within the parcel legally described as SW-22-73-01-W6, subject to the conditions listed below:

Reasons:

1. The proposed subdivision complies with the Municipal Development Plan and Land Use Bylaw No. 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. 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. The applicant shall ensure the on-site sewage disposal systems on the proposed lot complies with distance requirements of the Alberta Private Sewage Standards of Practice. The applicant shall provide Greenview with a Certificate of Compliance from an accredited agency reflecting that the proposed parcel boundaries have been taken into consideration when compliance was considered. The arrangements and costs are the responsibility of the applicant.
5. Road widening of 5.03 metres shall be dedicated by the applicant along the parcel frontage on Range Road 13. 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

5.2 S20-018 / KERN PAULIE, KLASSEN DAREL, AMBROS WERNER & SHARON / NW-21-71-26-W5, PLAN 1221631, BLOCK 1, LOT 1 / BOUNDARY ADJUSTMENT / CROOKED CREEK AREA

Development Officer Leona Dixon had previously presented an overview of a proposed subdivision application for a 4.038-hectare (9.98-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Municipal Planning Commission discussed the following:

- Due to the unclarity created by the approaches, Members asked Mr. Ambros if there were time factors involved in a decision on the subdivision. As Mr. Ambros confirmed that there were none, Members agreed to table the motion.

NW-21-71-26-W5,
PLAN 1221631,
BLOCK 1, LOT 1

MOTION: 20.12.071. Moved by: MEMBER DALE SMITH

That Municipal Planning Commission (MPC) APPROVE subdivision application S20-018 for the creation of a 4.038-hectare ± lot within the parcel legally described as NW-21-71-26-W5, Plan 1221631, Block 1, Lot 1, subject to the conditions listed below:

MOTION: 20.12.072. Moved by: MEMBER DALE SMITH
That Municipal Planning Commission (MPC) table motion 20.12.071 until a future meeting.

CARRIED

5.3 S20-019 / TARANORTH INC. / SE-13-70-20-W5 / FIRST PARCEL OUT / SUNSET HOUSE AREA

Development Officer Price Leurebourg presented an overview of a proposed subdivision application for a 4.16-hectare (10.27-acre) ± lot. The property was zoned Agricultural One (A-1) District.

Development Officer Price Leurebourg presented additional information as follows:

- The subject site was located approximately 22.0 kilometres east of the Town of Valleyview.
- Access existed to the proposed subdivision from Highway 747 and to the balance from an approach on the undeveloped road allowance. The approach to the balance was required to be extended to provide legal access.

Municipal Planning Commission discussed the following:

- Members suggested that a subdivision cannot be approved with an approach off a provincial highway.

Member Roxie Rutt vacated the meeting at 9:46 a.m.

- Members discussed construction and potential location of an approach to the subdivision, noting that Alberta Transportation would not provide an approach to the balance. Development Officer Leurebourg stated that the applicants presently accessed the balance through the subdivision approach. However, as an approach to the balance would be required, plausible options included requirement by the applicant to construct a road or to caveat the existing approach to satisfy requirements of legal access.

Member Dale Smith vacated the meeting at 9:52 a.m.

- Development Officer Leurebourg recommended tabling the application due to conflict between Greenview's approach policy and Alberta Transportation's provincial regulations.

Member Dale Smith re-entered the meeting at 9:53 a.m.

- It was noted that Greenview's approach policy could be reviewed to include possible variances, which would mitigate incidences in the future.

SE-13-70-20-W5

MOTION: 20.12.073. Moved by: MEMBER WINSTON DELORME
That Municipal Planning Commission (MPC) APPROVE subdivision application S20-019 for the creation of a 4.16-hectare ± lot within the parcel legally described as SE-13-70-20-W5, subject to the conditions listed below:

MOTION: 20.12.074. Moved by: MEMBER WINSTON DELORME
That Municipal Planning Commission (MPC) table motion 20.17.073 until a future meeting (actually, it should state reasons).

CARRIED

5.3 S20-020 / SUNSETTER FARMS INC. / SW-02-71-20-W5 / PHYSICAL SEVERANCE / SUNSET HOUSE AREA

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

No comments or questions were noted from Municipal Planning Commission.

SW-02-71-20-W5

MOTION: 20.12.075. Moved by: MEMBER SHAWN ACTON
That Municipal Planning Commission (MPC) APPROVE subdivision application S20-020 for the creation of a physically severed parcel containing approximately 14.95-hectares ± within the parcel legally described as SW-02-71-20-W5, subject to the conditions listed below:

Reasons:

1. The proposed subdivision complies with the Municipal Development Plan and Land Use Bylaw.
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 descriptive plan, suitable for registration with Alberta Land Titles.
2. The applicant shall pay a final subdivision endorsement fee, according to Greenview's Schedule of Fees Bylaw 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. Road widening of 5.03 metres shall be dedicated by the applicant along the parcel frontage adjacent to Township Road 710. The applicant shall not have the parcel boundaries of the proposed subdivision located until after the road widening has been accounted for.

CARRIED

#6
DEVELOPMENT PERMITS

There were no development permit applications presented for decision.

#7
NEXT MEETING

Wednesday, January 13, 2021

#8
ADJOURNMENT

MOTION: 20.12.076. Moved by: MEMBER DALE GERVAIS
That this meeting be adjourned at 9:56 a.m.

CARRIED



CHAIR



MANAGER, PLANNING AND DEVELOPMENT