



MUNICIPAL DISTRICT OF GREENVIEW No. 16

MUNICIPAL PLANNING COMMISSION REGULAR MEETING AGENDA

Wednesday, November 15, 2023

9:00 AM

Administration Building and Zoom
Valleyview AB

#1 CALL TO ORDER			
#2 ADOPTION OF AGENDA			
#3 MINUTES	3.1	ADOPTION OF MUNICIPAL PLANNING COMMISSION REGULAR MEETING MINUTES HELD JULY 12, 2023	3
	3.2	ADOPTION OF MUNICIPAL PLANNING COMMISSION REGULAR MEETING MINUTES HELD SEPTEMBER 13, 2023	11
	3.3	BUSINESS ARISING FROM MINUTES	
#4 SUBDIVISION	4.1	S23-013 / TOEWS / BOUNDARY ADJUSTMENT / NW 14-71-26-W5M / RIDGEVALLEY AREA	21
#5 DEVELOPMENT PERMITS	5.1	D23-167 / LEWIS / ACCESSORY BUILDING IN FRONT YARD / SE 5-67-23-W5M / LITTLE SMOKY AREA	41
#6 NEXT MEETING		DECEMBER 13, 2023	
#7 ADJOURNMENT			

Minutes of a
MUNICIPAL PLANNING COMMISSION REGULAR MEETING
MUNICIPAL DISTRICT OF GREENVIEW NO. 16
 Greenview Administration Building [and Zoom]
 Valleyview, Alberta, on Wednesday, July 12, 2023

#1	Chair Dale Smith called the meeting to order at 9:01 a.m.	
CALL TO ORDER		
PRESENT	Chair	Dale Smith
	Vice-Chair	Sally Rosson
	Member	Christine Schlieff
	Member	Jennifer Scott
	Member	Bill Smith (Zoom)
	Member	Tom Burton
	Member	Duane Didow (Zoom)
	Member	Tyler Olsen (Zoom)
	Member	Ryan Ratzlaff
ATTENDING	CAO	Stacey Wabick (9:05)
	Director, Planning & Economic Development	Martino Verhaeghe
	Manager, Planning and Development	Samantha Dyck
	Municipal Planner	Jan Sotocinal
	Development Officer	Nicole Friesen
	Development Officer	Alysse Barks
	Recording Secretary	Nancy Harris
ABSENT	Member	Dave Berry
	Member	Winston Delorme
	Director, Infrastructure & Engineering	Roger Autio
GUESTS		
#2	MOTION: 23.07.29 Moved by: Member Tom Burton	
AGENDA	That the July 12, 2023, agenda be adopted as presented.	
		CARRIED
#3	3.1 MINUTES OF REGULAR MEETING	
MINUTES	MOTION: 23.07.30 Moved by: Vice Chair Sally Rosson	
	That the minutes of the Municipal Planning Commission regular meeting held on June 14, 2023, be adopted as amended:	
	- Typographic errors to be corrected.	
		CARRIED

**#4
SUBDIVISIONS**

**4.1 S23-003 / WOLFE / FIRST PARCEL OUT / NW 22-67-22-W5M / LITTLE
SMOKY AREA**

Municipal Planner Jan Sotocinal presented an overview of the first subdivision within NW 22-67-22-W5M. The property was zoned Agricultural One (A-1) District.

NW 22-67-22-W5M

MOTION: 23.07.31 Moved by: Vice Chair Sally Rosson

That the Municipal Planning Commission APPROVE subdivision application S23-003 for the creation of 8.06 hectares (19.91 acres) ± within the parcel legally described as NW 22-67-22-W5M, subject to the following:

Conditions:

1. The applicant shall submit to the MD of Greenview No. 16, a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee, in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.
3. The applicant shall pay all taxes owing to the MD of Greenview No. 16, up to the year in which the subdivision is to be registered, prior to signing the final subdivision endorsement documents.
4. The applicant shall apply and pay all applicable fees in accordance with the Schedule of Fees Bylaw 22-930 for the construction of a gravel approach to the remainder of NW-22-67-22-W5M. The MD of Greenview No. 16 reserves the right to determine the date of construction of the approach.
5. In accordance with Policy 6003, road widening of 5.03 metres and corner cuts of 15.0 metres Township Road 674 and Range Road 223 and Township Road 673A and Range Road 223 shall be dedicated. Road widening of 5.03 metres along the remnant lands of Township Road 674, Township Road 673A, and Range Road 223 shall be sold to the MD of Greenview No. 16 in accordance with the Schedule of Fees Bylaw 22-930. An agreement dedicating the road widening shall be registered as a caveat at no expense to the MD of Greenview No. 16. (Subject to Roads)

Notes:

1. You are located in the vicinity of an agricultural operation.
2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.
3. The landowner shall not construct any development within 30 m of each side of the Pipeline Right-Of-Way.

CARRIED

**#5
DEVELOPMENT
PERMITS**

**5.1 D23-080 / LIGHTFOOT / FRONT YARD VARIANCE TO ACCESSORY BUILDING,
DETACHED GARAGE / NE 32-70-22-W5M / VALLEYVIEW AREA**

Development Officer Alysse Barks presented an overview of a development permit application for a Front Yard Variance to Accessory Building, Detached Garage on NE 32-70-22-W5M. The property was zoned Agricultural One (A-1) District.

NE 32-70-22-W5M

MOTION: 23.07.32 Moved by: Vice Chair Sally Rosson

That the Municipal Planning Commission APPROVE Development Permit application D23-080 for an Accessory Building with variance to section 5.22 e) of Land Use Bylaw 18-800 allowing the building to be located within the front yard, on NE 32-70-22-W5M, subject to the following:

Conditions:

1. 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.
2. The exterior of the building shall be completed within twenty-four (24) months from the issuance of the development permit. If the development authorized by a Development Permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired, and without effect unless an extension to this period has been previously granted.
3. Stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring the extent of the disturbed area and the duration of exposure is minimal.

Standards:

1. 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.
2. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.

Notes:

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. 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. Development(s) shall not adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Forestry, Parks, and Tourism.
5. Deleterious materials must not be allowed to enter any watercourse.
6. You are located in the vicinity of an agricultural operation.

CARRIED

Member Christine Schlieff declared a conflict of interest and excused herself at 9:49 a.m.

5.2 D23-094 / SCHLIEF / DISCRETIONARY USE - DWELLING UNIT, MANUFACTURED WITH ADDITION, AND CAR PORT / SW 09-70-07-W6M / GROVEDALE AREA

Development Officer Alysse Barks presented an overview of a development permit application for Discretionary Use - Dwelling Unit, Manufactured with Addition, and Car Port on Plan 1523806 Block 1 Lot 4 within SW 09-70-07-W6M. The property was zoned Country Residential One (CR-1) District.

SW 09-70-07-W6M

MOTION: 23.07.33 Moved by: Member Tom Burton

That the Municipal Planning Commission APPROVE Development Permit application D23-094 for a Dwelling Unit, Manufactured with an Addition and Carport on Plan 1523806 Block 1 Lot 4 subject to the following:

Conditions:

1. The manufactured home shall be placed on an engineer-approved foundation, basement, or other method of securing the home which satisfies the requirements of the Alberta Safety Codes.
2. Skirting must be installed within one hundred and twenty (120) days from the date which the manufactured home is placed on the foundation.
3. The towing hitch and wheels must be removed within thirty (30) days from the date that the manufactured home is placed on the foundation.
4. The exterior of the manufactured home shall be finished within one (1) year of placement. All finish materials shall either be factory fabricated or of

equivalent quality so that the design and construction complement the dwelling.

Standards:

1. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.

Notes:

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. 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. All development(s) must be designed to ensure the stormwater runoff to adjacent lands or watercourses does not exceed pre-development flows.
5. Development(s) shall not adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Forestry, Parks, and Tourism.
6. Deleterious materials must not be allowed to enter any watercourse.
7. You are located in the vicinity of an agricultural operation.

CARRIED

Member Christine Schlieff returned at 9:57 a.m.

Director, Planning & Economic Development Martino Verhaeghe declared a conflict of interest and excused himself at 9:57 a.m.

5.3 D23-110 / DINAH KING / PERMITTED USE WITH SIDE YARD SETBACK VARIANCE / WITHIN NW 26-70-22-W5M / VALLEYVIEW AREA

Development Officer Nicole Friesen presented an overview of a development permit application for A Variance to the Side Yard within NW 26-70-22-W5M. The property was zoned Agricultural One (A-1) District.

NW 26-70-22-W5M

MOTION: 23.07.34 Moved by: Vice Chair Sally Rosson

That the Municipal Planning Commission APPROVE development permit application D23-110 for a Dwelling Unit, Manufactured with a variance to the north side yard setback to 11.3m, subject to the following conditions:

Conditions:

1. 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. Copies of such permits are to be provided to the Municipal District of Greenview No. 16.

Standards:

1. Skirting must be installed within ninety (90) days from the date which the manufactured home is placed on the foundation.
2. The exterior of the manufactured home shall be finished within one (1) year of placement. All finish materials shall either be factory fabricated or of equivalent quality so that the design and construction complement the dwelling.
3. The manufactured home shall be placed on an engineer-approved foundation, basement, or other method of securing the home which satisfies the requirements of the Alberta Safety Codes.
4. The towing hitch and wheels must be removed within thirty (30) days from the date that the manufactured home is placed on the foundation.
5. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.

Notes:

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. Development(s) shall not adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Environment and Protected Areas (AEP).
4. You are located in the vicinity of an agricultural operation.

CARRIED

Director, Planning & Economic Development Martino Verhaeghe returned at 10:04 a.m.

**#6
NEXT MEETING**

Wednesday, September 13, 2023

**#7
ADJOURNMENT**

MOTION: 23.07.35 Moved by: Member Ryan Ratzlaff
That the meeting be adjourned at 10:05 a.m.

CARRIED

CHAIR
DALE SMITH

DIRECTOR, PLANNING & ECONOMIC DEVELOPMENT
MARTINO VERHAEGHE

Minutes of a
MUNICIPAL PLANNING COMMISSION REGULAR MEETING
MUNICIPAL DISTRICT OF GREENVIEW NO. 16
 Greenview Administration Building [and Zoom]
 Valleyview, Alberta, on Wednesday, September 13, 2023

**#1
 CALL TO ORDER**

Chair Dale Smith called the meeting to order at 9:01 a.m.

PRESENT

Chair	Dale Smith
Vice-Chair	Sally Rosson
Member	Christine Schlieff
Member	Jennifer Scott
Member	Bill Smith (Zoom)
Member	Tom Burton
Member	Duane Didow (Zoom)
Member	Ryan Ratzlaff
Member	Dave Berry
Member	Winston Delorme (Zoom)

ATTENDING

CAO	Stacey Wabick
Acting Director, Planning & Economic Development	Stacey Sevilla
Director, Infrastructure & Engineering	Roger Autio
Manager, Planning and Development	Samantha Dyck
Municipal Planner	Jan Sotocinal
Development Officer	Nicole Friesen
Development Officer	Alysse Barks
Recording Secretary	Nancy Harris

ABSENT

Member	Tyler Olsen
Director, Planning & Economic Development	Martino Verhaeghe

GUESTS

**#2
 AGENDA**

MOTION: 23.09.36 Moved by: Member Tom Burton
 That the September 13, 2023, agenda be adopted as presented.

CARRIED

**#3
 MINUTES**

3.1 MINUTES OF REGULAR MEETING

MOTION: 23.09.37 Moved by: Vice Chair Sally Rosson
 That the minutes of the Municipal Planning Commission regular meeting held on July 12, 2023, be adopted as presented.

DEFERRED

MOTION: 23.09.38 Moved by: Member Ryan Ratzlaff

That Municipal Planning Commission Members defer motion 23.09.37 Adoption of Minutes until the October 11, 2023 MPC Meeting.

CARRIED

**#4
SUBDIVISIONS**

4.1 S23-006 / WALSH / SECOND PARCEL OUT / SE 11-70-26-W5M / CROOKED CREEK AREA

Municipal Planner Jan Sotocinal presented an overview of the second subdivision within SE 11-70-26-W5M. The property was zoned Country Residential One (CR-1) District.

SE 11-70-26-W5M

MOTION: 23.09.39 Moved by: Vice Chair Sally Rosson

That the Municipal Planning Commission APPROVE subdivision application S23-006 for the severance of 1.94 hectares (4.80 acres) ± within the parcel legally described as SE 11-70-26-W5M, subject to the following:

Conditions:

1. The applicant shall submit to the MD of Greenview No. 16, a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee, in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.
3. The applicant shall pay all taxes owing to the MD of Greenview No. 16, up to the year in which the subdivision is to be registered, prior to signing the final subdivision endorsement documents.
4. The applicant shall provide the MD of Greenview No. 16 with a report, from an agency accredited by the Safety Codes Council, showing:
 - a) the on-site sewage disposal system for the proposed lot complies with the requirements of the Alberta Private Sewage Standards of Practice; or
 - b) a variance to the requirements has been approved; or
 - c) the relocation or replacement of the on-site sewage disposal system meeting the requirements of the Alberta Private Sewage Standards of Practice.

All associated costs shall be the responsibility of the applicant.

5. In accordance with Policy 6003, the applicant shall enter into an agreement to dedicate lands for road widening of 5.03 metres along the proposed subdivision frontage, along Range Road 261, and to sell lands for road widening of 5.03 meters on the remainder of SW 11-70-26-W5M in accordance with the Schedule of Fees Bylaw 22-930. The agreement for the dedication of road widening shall be registered as a caveat at no expense to the M.D. of Greenview No. 16.

Notes:

1. You are located in the vicinity of an agricultural operation.
2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.

CARRIED

4.2 S23-007 / DAY / BOUNDARY ADJUSTMENT / SW 33-70-24-W5M / CROOKED CREEK AREA

Development Officer Alysse Barks presented an overview of a subdivision application for a Boundary Adjustment within SW 33-70-24-W5M. The property was zoned Country Residential Three (CR-3) District.

SW 33-70-24-W5M

MOTION: 23.09.40 Moved by: Member Tom Burton
That the Municipal Planning Commission APPROVE subdivision application S23-007 to increase the size of Plan 0926546, Block 1, Lot 1 from 0.38 hectares (0.94 acres) to 0.44 hectares (1.08 acres), subject to the following:

Conditions:

1. The applicant shall submit to the MD of Greenview No. 16 a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.
3. The applicant shall pay all taxes owing to the MD of Greenview No. 16 up to the year the subdivision is to be registered before signing the final subdivision endorsement documents.
4. The applicant shall apply and pay all applicable fees in accordance with the Schedule of Fees Bylaw 22-930 for the construction of a gravel approach to the remainder of Plan 0926545, Block 1, Lot 2. The MD of Greenview No. 16 reserves the right to determine the approach's construction date.

Notes:

1. You are located in the vicinity of an agricultural operation.
2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.

CARRIED

4.3 S23-008 / AIRTH / FIRST PARCEL OUT / NW 36-71-1-W6M / DEBOLT AREA

Development Officer Nicole Friesen presented an overview of a subdivision application for first parcel out within NW 36-71-1-W6M. The property was zoned Agricultural One (A-1) District.

NW 36-71-1-W6M

MOTION: 23.09.41 Moved by: Member Tom Burton

That the Municipal Planning Commission APPROVE subdivision application S23-008 for the creation of an 8.1 hectare (20.0 acre) within the parcel legally described as NW 36-71-1-W6M, subject to the following:

Conditions:

1. The applicant shall submit to the MD of Greenview No. 16 a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.
3. The applicant shall pay all taxes owing to the MD of Greenview No. 16 up to the year the subdivision is to be registered before signing the final subdivision endorsement documents.
4. The applicant shall apply for and pay all applicable fees in accordance with the Schedule of Fees Bylaw 22-930 for the construction of a gravel approach to the remainder of NW 36-71-1-W6M. The MD of Greenview No. 16 reserves the right to determine the construction date of the approach.
5. In accordance with Policy 6003, road widening of 5.03 metres along the proposed subdivision frontage of Township Road 720 shall be dedicated and road widening of 5.03 metres along the remnant lands of NW 36-71-1-W6M along Township Road 720 and Range Road 11 and a corner cut of 15 metres by 15 metres at the intersection of along Township Road 720 and Range Road 11 shall be sold to the MD of Greenview No. 16 in accordance with Schedule of Fees Bylaw 22-930. The road widening and corner cut shall be registered as road within the Plan of Survey for the subdivision at no expense to the MD of Greenview No. 16.

Notes:

1. You are located in the vicinity of an agricultural operation.
2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.

CARRIED

4.4 S23-009 / GERVAIS / FIRST PARCEL OUT / SE 24-69-23-W5M / VALLEYVIEW AREA

Development Officer Nicole Friesen presented an overview of a subdivision application for A First parcel out within NW 26-70-22-W5M. The property was zoned Agricultural One (A-1) District.

SE 24-69-23-W5M

MOTION: 23.09.42 Moved by: Vice Chair Sally Rosson

That the Municipal Planning Commission APPROVE subdivision application S23-009 for the creation of a 6.39-hectare (15.8-acre) subdivision within the parcel legally described as SE 24-69-23-W5M, subject to the following:

Conditions:

1. The applicant shall submit to the MD of Greenview No. 16 a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.
2. The applicant shall pay a final subdivision endorsement fee in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.
3. The applicant shall pay all taxes owing to the MD of Greenview No. 16 up to the year the subdivision is to be registered before signing the final subdivision endorsement documents.
4. The applicant shall apply for and pay all applicable fees in accordance with the Schedule of Fees Bylaw 22-930 for the construction of a gravel approach to the remainder of SE 24-69-23-W5M. The MD of Greenview No. 16 reserves the right to determine the construction date of the approach.
5. The applicant shall provide the MD of Greenview No. 16 with a report, from an agency accredited by the Alberta Safety Codes Council, showing:
 - a. the on-site sewage disposal system for the proposed lot complies with the requirements of the Alberta Private Sewage Standards of Practice; or
 - b. a variance to the requirements has been approved; or
 - c. the relocation or replacement of the on-site sewage disposal system meeting the requirements of the Alberta Private Sewage Standards of Practice.

All associated costs shall be the responsibility of the applicant.

6. In accordance with Policy 6003, road widening of 5.03 metres along the proposed subdivision frontage of Range Road 230 shall be dedicated and road widening of 5.03 metres along the remnant lands of SE 24-69-23-W5M along Range Road 230 shall be sold to the MD of Greenview No. 16 in accordance with Schedule of Fees Bylaw 22-930. The road widening shall be registered as road within the Plan of Survey for the subdivision at no expense to the MD of Greenview No. 16.

Notes:

1. You are located in the vicinity of an agricultural operation.
2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.

CARRIED

#5
DEVELOPMENT
PERMITS

5.1 D23-124 / PARRAGH / SUITE, DETACHED - DWELLING UNIT, MANUFACTURED VARIANCE / SW 6-70-06-W6M / GROVEDALE AREA

Manager, Planning and Development Samantha Dyck presented an overview of a development permit application for Suite, Detached - Dwelling Unit, Manufactured Variance SW 6-70-06-W6M. The property was zoned Country Residential One (CR-1) District.

SW 6-70-06-W6M

MOTION: 23.09.43 Moved by: Member Christine Schlieff
That the Municipal Planning Commission APPROVE development permit application D23-124 – Suite, Detached – Manufactured Home, subject to the following:

Conditions:

1. The applicant is granted a variance of 103.83 m² (1117.62 ft²) or 198% to the allowable floor area permitted for a detached suite. The total floor area permitted under this notice for the Suite, Detached is 156.21 m² (1681.42 ft²).
2. 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.
3. 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.
4. 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. Copies of the same are to be provided to the Municipal District of Greenview No. 16.
5. Any exterior lighting shall be positioned in such a manner that it does not cause a nuisance for surrounding landowners and/or interfere with the safe movement of traffic on nearby roads.
6. The detached suite must be serviced from the utilities that service the principal single detached dwelling unit and shall not be serviced independently.
7. The detached suite must meet Alberta Building Code requirements.
8. The manufactured home shall be placed on an engineer-approved permanent foundation, basement, or other method of securing the home which satisfies the requirements of the Alberta Safety Codes.

9. Skirting must be installed within ninety (90) days from the date which the manufactured home is placed on the foundation.
10. The towing hitch and wheels must be removed within thirty (30) days from the date that the manufactured home is placed on the foundation.
11. The exterior of the manufactured home shall be finished within one (1) year of placement. All finish materials shall either be factory fabricated or of equivalent quality so that the design and construction complement the dwelling.

Standards:

1. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.

Notes:

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. This development permit is valid upon the decision being advertised in accordance with Greenview's Advertising Bylaw and no appeal against said decision being successful.
4. 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.
5. Development(s) shall not adversely affect groundwater resources or disturb natural drainage patterns or watercourses unless such measures are necessary to serve a proposed development and receive approval from Alberta Environment and Protected Area (AEP).

CARRIED

**5.2 D23- 147/ MAY / PERMITTED USE WITH SIDE YARD SETBACK VARIANCES /
PLAN 3978KS; 1; 6 / SANDY BAY AREA**

Development Officer Nicole Friesen presented an overview of a development permit application for Permitted Use with Side Yard Setback Variances within SE 8-71-23-W5M. The property was zoned Country Residential Three (CR-3) District.

SE 8-71-23-W5M

MOTION: 23.09.44 Moved by: Chair Dale Smith

That the Municipal Planning Commission APPROVE development permit application D23-147 for a Dwelling Unit, Modular and four (4) Accessory Buildings – Boathouse, Woodshed, Garden Shed, & Privy subject to the following:

Conditions:

1. That a setback variance is granted to the west side yard setback from 1.5 m (4.9 ft) to 0.9 m (3.0 ft) for the placement of the Accessory Building (Boathouse).
2. That a setback variance is granted to the east side yard setback from 1.5 m (4.9 ft) to 0.9 m (3.0 ft) for the placement of the Accessory Building (Woodshed).
3. That a setback variance is granted to the east side yard setback from 1.5 m (4.9 ft) to 0.9 m (3.0 ft) for the placement of the Accessory Building (Garden Shed).
4. That a setback variance is granted to the east side yard setback from 1.5 m (4.9 ft) to 0.9 m (3.0 ft) for the placement of the Accessory Building (Privy).
5. The Dwelling Unit, Modular shall be placed on a permanent foundation which meets the requirements of the National Building Code 2019, Alberta Edition.
6. Skirting must be installed on the Dwelling Unit, Modular within ninety (90) days from the date which the home is placed on the foundation.
7. The Dwelling Unit, Modular shall be located or constructed prior to or simultaneously with the construction or placement of any Accessory Building.
8. Each Accessory Building shall be located no closer than 1.5 m (4.9 ft) from the Dwelling Unit, Modular or another Accessory Building.

Standards:

1. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.

Notes:

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. 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. Copies of such permits are to be provided to the Municipal District of Greenview No. 16.

CARRIED

**#6
NEXT MEETING**

Wednesday, October 11, 2023

**#7
ADJOURNMENT**

MOTION: 23.09.45 Moved by: Member Jennifer Scott
That the meeting be adjourned at 10:13 a.m.

CARRIED

CHAIR
DALE SMITH

ACTING DIRECTOR, PLANNING & ECONOMIC
DEVELOPMENT
STACEY SEVILLA



REQUEST FOR DECISION

SUBJECT: S23-013 Boundary Adjustment for Expansion of the Hamlet of Ridgevalley Sewage Lagoon

SUBMISSION TO: MUNICIPAL PLANNING COMMISSION REVIEWED AND APPROVED FOR SUBMISSION

MEETING DATE: November 15, 2023 **DIRECTOR:** MAV **PRESENTER:** JS

REPORT TYPE: Subdivision Application **MANAGER:** SD **WRITER:** JS

FILE NO.: S23-013 **LAND USE DISTRICT:** Agricultural One (A-1)

LEGAL LOCATION: Part of NW 14-71-26-W5M; Plan 8220798, Lot B

AREA: Ward 7, Crooked Creek and Sturgeon Heights

APPLICANT/SURVEYOR: Beairsto and Associates Ltd.

LANDOWNER: Willard Toews

BACKGROUND/PROPOSAL:

Administration has received a subdivision application for a boundary adjustment for the lands legally described as Plan 8220798, Lot B, which is found within the quarter section of NW-14-71-26-W5M. This boundary adjustment is for an existing sewage lagoon which services the Hamlet of Ridgevalley. The current size of the parcel, containing the sewage lagoon is 3.80 hectares (9.39 acres). The subdivision proposal is to add 4.05 hectares (10 acres) of land adjacent to the parcel legally described as Plan 8220798, Lot B. The resulting boundary adjustment is proposed to expand this parcel to 7.85 hectares (19.39 acres).

The remainder of the quarter section is mostly cultivated land to the northeast and west portions of the quarter section, while the eastern half of the quarter section is predominantly treed area. There is a dugout in the southwest corner of the quarter section. Within the quarter section, there is also a sewer line right-of-way which serves to connect the developments within the hamlet to the sewage lagoon.

On the northwest corner of the quarter section, there exists a farmstead which has not yet been separated from the remainder of the quarter section. This farmstead uses the sewage lagoon for their sewage disposal system.

PROPERTY DETAILS:

Proposed Servicing: Sewage lagoon

Soil Type: Gleyed Gray Luvisol

Topography: Flat

Wetland Inventory: 64

LSRS Spring Grains: 3(8) – 5W(2); Moderate limitation to Very Severe limitation due to soils in excess water (due to inundation) limits the production.

RELEVANT LEGISLATION AND POLICY CONSIDERATIONS:

***Environmental Protection and Enhancement Act (EPEA)
Activities Designation Regulations***

As per section 3(2) (w) of the Activities Designation Regulations within the EPEA, “wastewater lagoon” is defined as a:

“wastewater treatment plant that consists of one or more designed and constructed surface improvements surface impoundments for biological and physical treatment of wastewater, but does not include such a plant where it uses mechanical aeration.”

This means that under this regulation, this activity is listed in Schedule 2, Division 2 will need to be registered with the Alberta Environment and Protected Areas prior to the expansion of the sewage lagoon, ensuring that the sewage lagoon meets the provincial standard and guidelines.

***Wastewater Systems Guidelines for Design, Operating and Monitoring (2013):
Standards and Guidelines for Municipal Waterworks, Wastewater and Storm Drainage Systems (Part 3)***

Any proposed future developments specified under Table 3.6 Setback Distances from Wastewater Lagoons of Standards and Guidelines for Municipal Waterworks, Wastewater and Storm Drainage Systems are required to adhere to the setback regulations, as follows:

Minimum setback distance (m) from the “working area” of the wastewater lagoon to:	
The property line of the land where the lagoon is located	30
The designated right-of-way of a rural road or railway	30
The designated right-of-way of a primary or secondary highway	100
A “building site” for school, hospital, food establishment or residential use	300

“Working area” means, those areas of a parcel of land that are currently being used or will be used for the processing of wastewater.
“Building site” means a portion of land on which a building exists or can or may be constructed.

This means that developments that may be proposed in the future will be constrained by the setbacks set forth above, due to the expansion of this sewage lagoon.

Municipal Development Plan (MDP)

Section 3.4.2 Subdivision of Better Agricultural Lands

*Greenview may support the subdivision of better agricultural land where the proposed subdivision is for:
(g) A public use or public utility;*

The abovementioned policy of the MDP provides specific instances where a subdivision can be allowed on better agricultural lands. A subdivision relating to a public use or public utility is one of those instances where Greenview may support. Since this subdivision application is in relation to an expansion of an existing sewage lagoon, which is a public use or utility, the municipality may support this subdivision application in accordance with this section.

Section 5.3.3 Land Uses

Greenview shall encourage commercial, industrial and institutional uses that intend to serve rural area to locate in or in close proximity to hamlets where possible.

Section 9.4.3 Communal Sewage Systems

Greenview may allow developments to be serviced with central (communal) sewage collection, provided that such systems are constructed and maintained by the developer in accordance with provincial standards.

Section 5.3.3 provides the policy stating for supporting institutional uses, which includes sewage lagoons, to be sited within the vicinity of a hamlet, while section 9.4.3 supports the development of a communal sewage collection system. Though the sewage lagoon is already an existing and operational development, Greenview supports the existence and location of this sewage lagoon, and by extension, Greenview may support its expansion as well.

Land Use Bylaw 18-800 (LUB)

9.0 Definitions

Utilities, Major means development which is necessary for the local distribution of a public utility but has larger land requirements and may have impacts on adjacent land uses and includes sanitary landfill sites, waste transfer stations, sewage treatment plants, ***sewage lagoons***, sludge disposal beds, waste recycling plants, maintenance and equipment storage yards, surface reservoirs, water and sewage storage tanks and water treatment plants.

Sewage lagoon is considered to be under the definition of Utilities, Major, and is a Discretionary Use under the Agricultural One (A-1) district. As this expansion will be considered to be a development, a development permit will need to be applied and approved by the Municipal Planning Commission (MPC) prior to the construction/expansion work of the sewage lagoon.

8.1 Agricultural One (A-1) District

The current zoning for both the lands legally described as Plan 8220798, Lot B, and the balance of the quarter section is Agricultural One (A-1) District. Within the A-1 District, the minimum parcel size is 3 acres while the maximum parcel size is 20 acres. Since the sewage lagoon is only going to be expanded to 19.39 acres, the parcel size is within the permitted range for this zoning district. As such, the proposed parcel size can be approved.

Comments Received

Prior to the MPC meeting, Administration has referred the subdivision application to the relevant referral agencies and departments, and adjacent landowners for their review. To this date, Administration has received six comments. Administration has received comments from AER, ATCO Electric, East Smoky Gas Co-op, Telus, and Greenview's Environmental Services, Operations, where they expressed no concerns about the proposed subdivision.

Administration has also received a comment from an adjacent landowner. He is not against the expansion of the sewage lagoon, however, he expressed that "consideration be given to the M.D. easement being cleared of brush and an appropriate drain constructed to accommodate the increased flow of the lagoon overflow." He has stated that during times of wet springs, the lagoon water backs up onto his hay land.

RECOMMENDED ACTION:

MOTION: That the Municipal Planning Commission **APPROVE** the subdivision application **S23-013** for the boundary adjustment of Plan **8220798**, Lot B from **3.80 Hectares (9.39 acres)** to **7.85 Hectares (19.39 acres)** subdivision within the parcel legally described as **NW-14-71-26-W5M**, subject to the following conditions:

- 1. The applicant shall submit to the MD of Greenview No. 16 a Plan of Survey suitable for registration with Alberta Land Titles. The size and location of the subdivided parcel shall be as per the approved tentative plan.**
- 2. The applicant shall pay a final subdivision endorsement fee in accordance with the MD of Greenview No. 16's Schedule of Fees Bylaw 22-930.**
- 3. The applicant shall pay all taxes owing to the MD of Greenview No. 16 up to the year the subdivision is to be registered before signing the final subdivision endorsement documents.**

Advisory Notes:

- 1. You are located in the vicinity of an agricultural operation.**
- 2. No development, construction, or site work is allowed without an approved Development Permit from Greenview.**

ALTERNATIVES:

Alternative #1: The Municipal Planning Commission may refuse the application, a reason for refusal must be stated. Administration does not recommend this option as the proposal complies requirements of the Land Use Bylaw and Municipal Development Plan.

Alternative #2: The Municipal Planning Commission may table the application to the next regular meeting or until additional information is received. Administration does not recommend this option as the applicant has provided all information required to provide a decision.

FINANCIAL IMPLICATION:

All costs associated with the application will be borne by the applicant.

STAFFING IMPLICATION:

There are no staffing implications to the recommended motion.

PUBLIC ENGAGEMENT LEVEL:

Greenview has adopted the IAP2 Framework for public consultation.

The Municipal Government Act requires that application for subdivision be circulated to adjacent landowners and referral agencies for a minimum of fourteen (14) days. Greenview's Subdivision Process Policy 6007 requires adjacent landowners and encumbrances listed on title be provided twenty-one (21) days to respond.

FOLLOW UP ACTIONS:

No follow-up action is required by the Municipal Planning Commission.

ATTACHMENTS:

- Subdivision Application
- Land Use Bylaw 18-800 – Section 8.1 Agricultural One (A-1) District
- Tentative Plan
- 300 meter Buffer from the Existing sewage lagoon - Map
- 300 meter Buffer from the Expanded sewage lagoon - Map
- AGRASID Map
- Wetland Inventory Map
- Topography Map
- Location Map
- Owner Map



SUBDIVISION APPLICATION - FORM A

Municipal District of Greenview

4806 – 36 Avenue, Box 1079, Valleyview AB T0H 3N0
T 780.524.7600 F 780.524.4307 Toll Free 1.866.524.7608
www.mdgreenview.ab.ca

FOR ADMINISTRATIVE USE

APPLICATION NO.	
FORM A AS COMPLETED	
FEES SUBMITTED	RECEIPT NO.
ROLL NO.	

THIS FORM MUST BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED LANDOWNER(S) OR BY AN AUTHORIZED AGENT ACTING ON HIS/HER (THEIR) BEHALF.

1. Name of registered owner(s) of land to be subdivided:

Address: _____
 (Name(s) in Block Capitals) Phone Number: _____ Work: _____
 Rural Address Email: _____

2. AGENT ACTING ON BEHALF OF THE REGISTERED OWNER:

Address _____
 (Name(s) in Block Capitals) Phone Number _____
 Email: _____

3. LEGAL DESCRIPTION AND AREA OF LAND TO BE SUBDIVIDED

All/part of the _____ ¼ Sec. _____ Twp. _____ Range: _____ West of _____ Meridian
 Being all / parts of Reg. Plan No. _____ Block _____ Lot _____ C. of T. No. _____
 Area of the above parcel of land to be subdivided _____ HA _____ AC

4. LOCATION OF LAND TO BE SUBDIVIDED

a. Is the land situated immediately adjacent to the municipal boundary? Yes No
 If "yes", the adjoining municipality is _____
 b. Is the land situated within 1.6 km (1600 m) of the right-of-way of a Highway? Yes No
 If "yes", the Highway is No. _____
 c. Does the proposed parcel contain or is it bounded by a river, stream, lake, other body of water, drainage ditch or canal?
 Yes No If "yes" state its name _____
 d. Is the proposed parcel located within 1.5 km of a sour gas facility? Yes No
 e. You must provide the [Abandon Wellbore Search](#) information to identify all well locations or confirming the absence of any abandoned wells as per ERCB Directive 079 (see attached info). Date Search Complete: _____

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED Describe:

a. Existing use of land _____ b. Proposed use of land _____
 c. The designated use of land as classified under Municipal District No. 16's Land Use Bylaw is _____

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) _____
 b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.) _____
 c. Describe the kind of soil on the land (sandy, loam, clay, etc.) _____

7. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED

Describe any buildings, historical or otherwise, and any structures on the land and whether they are to be demolished or moved

8. PLEASE COMPLETE WATER & SEWER SERVICE INFORMATION – FORM B

9. REGISTERED OWNER(S) OR AGENT ACTING ON BEHALF OF REGISTERED OWNER(S):

I / WE _____ hereby certify that
 (full name is block capitals)
 I am / are the registered owner(s), or I am the agent authorized to act on behalf of the registered owner, and that the information given on this form is full and complete and is, to the best of my / our knowledge, a true statement of the facts relating to his/her application for subdivision.
 SIGNED: _____ Date: _____

The personal information collected on this form is being collected under the authority of Sections 33 and 39(1)(a)(b) of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s). Your name, contact telephone number and address may be used to carry out current and/or future construction, operating programs, services or activities of the Municipality. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Freedom of Information and Protection of Privacy Coordinator at 780.524.7600.



WATER & SEWER INFORMATION – FORM B

Municipal District of Greenview

4806 – 36 Avenue, Box 1079, Valleyview AB T0H 3N0

T: 780.524.7600; F: 780.524.4307; Toll-Free 1.866.524.7608

www.mdgreenview.ab.ca

Please note below the type of water supply and sewage disposal that is either **Existing** or **Proposed** for the lots indicated on the sketch accompanying your application. *(The location of these facilities must be accurately indicated on the sketch.)*

Please indicate if water and sewer services are existing or proposed by entering the initial as follows:

E – for Existing or **P – for Proposed** in the appropriate box.

TYPE OF WATER SUPPLY	1 st Parcel	2 nd Parcel	Balance of Quarter
Dugout			
Well			
Cistern & Hauling			
Municipal Service			
Other <i>(Please specify)</i>			

TYPE OF SEWAGE DISPOSAL	1 st Parcel	2 nd Parcel	Balance of Quarter
Open Discharge/Pump-out			
Septic Tank/Holding Tank			
Tile Field/Evaporation Mound			
Sewage Lagoon			
Municipal Service			
Other <i>(Please specify)</i>			

8.0 LAND USE DISTRICTS

8.1 Agricultural One (A-1) District

8.1.1 Purpose

- a) The purpose of this District is to protect and preserve better agricultural lands. The uses allowed in this District are those which may be compatible with extensive agricultural operations, and which minimize the loss of agricultural lands to non-agricultural uses.

8.1.2 Uses

- a) Table 8-1 identifies the permitted and discretionary uses within the A-1 District.

Table 8-1: A-1 Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
1. Accessory Building	1.a Abattoir
2. Agricultural Processing	2.a Airstrip
3. Agriculture, Horticulture	3.a Compressor
4. Animal Breeding Establishment	4.a Coverall Building
5. Apiary	5.a Craft Brewery and Distillery
6. Bed and Breakfast	6.a Home Occupation, Major
7. Boarding and Lodging	7.a Natural Resource Extraction
8. Borrow Pit	8.a Oil and Gas Facility
9. Cabin	9.a Recreation, Outdoor Motorized Vehicle
10. Cannabis Production Facility	10.a Recreation, Outdoor Passive
11. Dugout	11.a Recreational Vehicle Storage
12. Dwelling Unit, Accessory	12.a Solar Collector, Major
13. Dwelling Unit, Manufactured	13.a Utilities, Major
14. Dwelling Unit, Modular	14.a Wind Energy Conversion System, Major
15. Dwelling Unit, Single Detached	15.a Work Camp, Project Oriented
16. Greenhouse	
17. Home Occupation, Minor	
18. Housing Collective, Communal	
19. Kennel, Commercial	
20. Kennel, Hobby	
21. Sign	
22. Solar Collector, Minor	
23. Storage, Outdoor	
24. Suite, Attached	
25. Suite, Detached	
26. Wind Energy Conversion System, Minor	

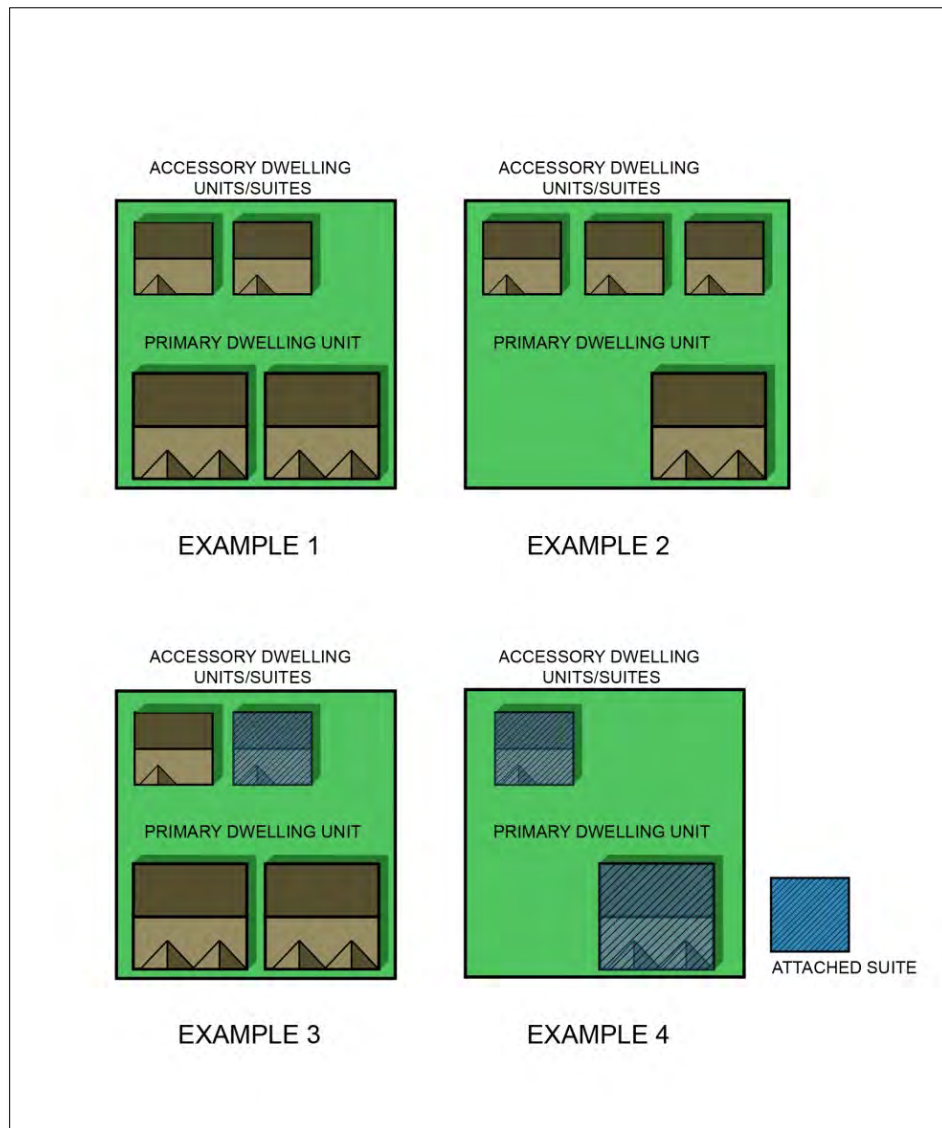
8.1.3 Regulations

- a) On a parcel located in an A-1 District, no building or structure shall be constructed, located or altered, and no subdivision approved which contravenes the regulations set out in Table 8-2.

Table 8-2: A-1 District Regulations

Matter to Be Regulated	Regulation
.1 Maximum density	A maximum of 4 dwelling units per parcel, which may include: <ul style="list-style-type: none"> a maximum of 2 primary dwelling units a maximum of 3 accessory dwelling units and/or suites
.2 Minimum parcel size	1.2 ha (3 ac)
.3 Minimum parcel width	100 m (328.1 ft.)
.4 Minimum setback of principal building from: <ul style="list-style-type: none"> Front parcel and exterior side parcel lines Interior side parcel line Rear parcel line 	Provincial highway: 40.0 m (131.2 ft.) Internal subdivision road: 7.5 m (24.6 ft.) Service road: 7.5 m (24.6 ft.) All other roads: 40.0 m (131.2 ft.) Undeveloped road allowance: 40.0 m (131.2 ft.) 15.0 m (49.2 ft.) 15.0 m (49.2 ft.)
.5 Minimum setback of accessory building from: <ul style="list-style-type: none"> Front parcel and exterior side parcel lines Interior side parcel line Rear parcel line 	Provincial highway: 40.0 m (131.2 ft.) Internal subdivision road: 7.5 m (24.6 ft.) Service road: 7.5 m (24.6 ft.) All other roads: 40.0 m (131.2 ft.) 15.0 m (49.2 ft.) 15.0 m (49.2 ft.)
.6 Maximum building and structure height <ul style="list-style-type: none"> Principal building and structures Accessory building 	10.0 m (32.8 ft.) 10.0 m (32.8 ft.)
.7 Maximum parcel coverage (all buildings)	30 %

Figure 8-1: Examples of A-1 Dwelling Unit Configurations





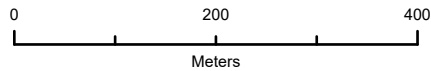
Subdivision Application- MAIN 300m Buffer

Long Legal: NW-14-71-26-5

- Proposed Subdivision
- Existing Lagoon

40cm Imagery, 2016

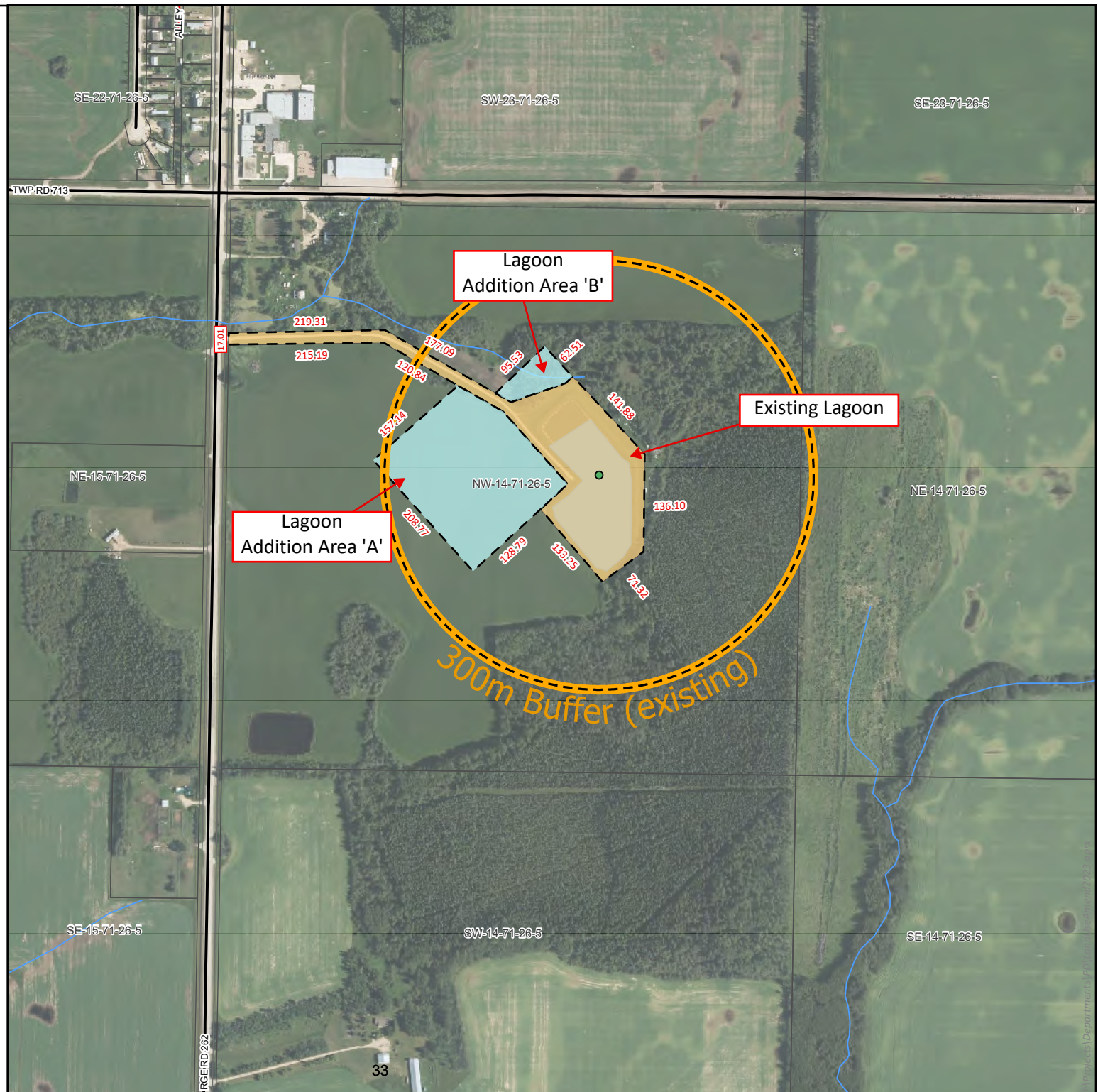
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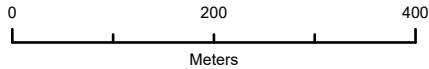
Subdivision Application- MAIN 300m Buffer

Long Legal: NW-14-71-26-5

-  Proposed Subdivision
-  Existing Lagoon

40cm Imagery, 2016

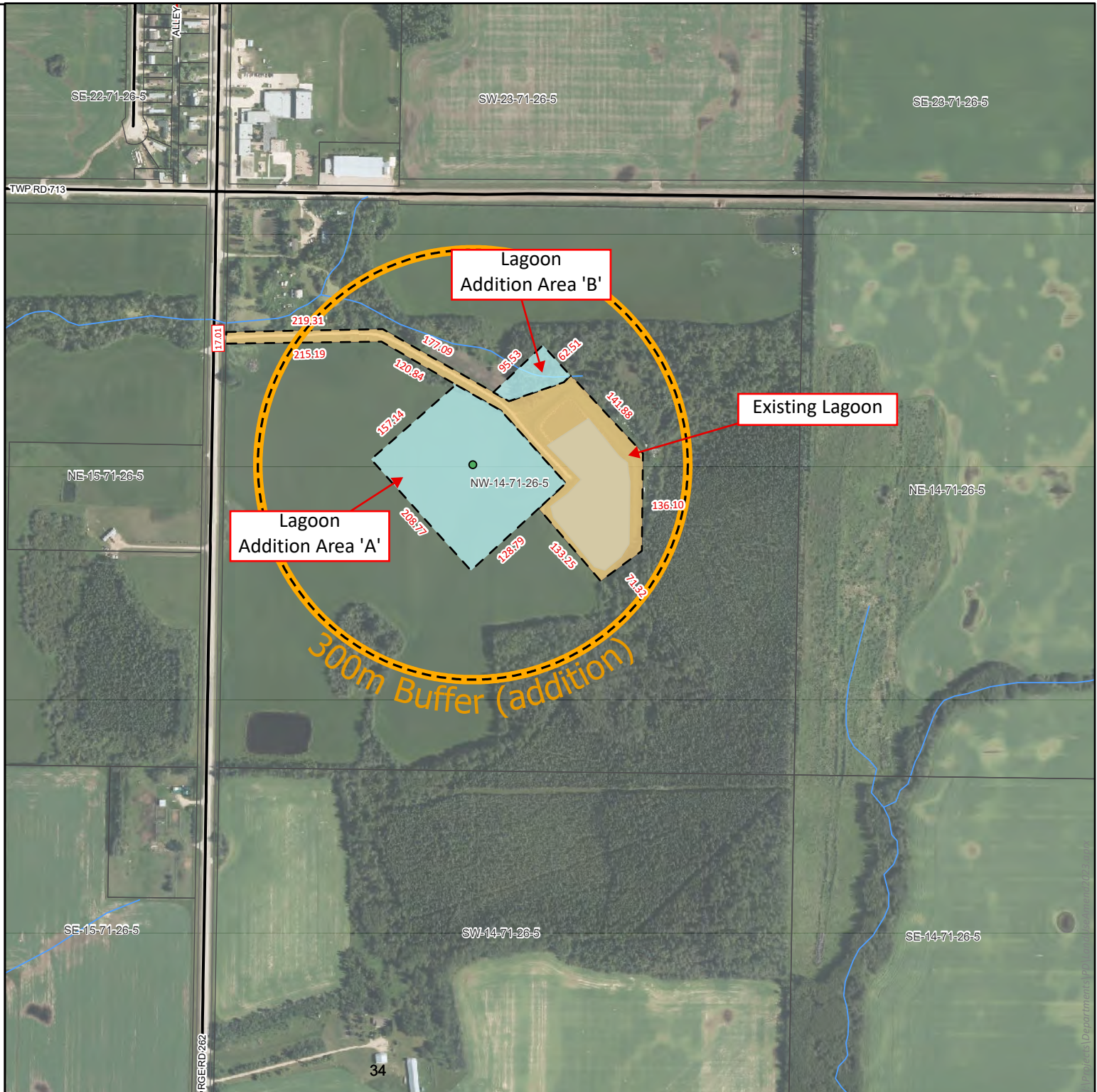
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Subdivision Application- AGRASID

Long Legal: NW-14-71-26-5

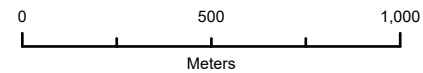
-  Proposed Subdivision
 -  Existing Lagoon
- Legend**

AGRASID

-  hummocky - low relief
-  level organic
-  undulating - low relief
-  undulating - high relief
-  v-shaped valley

**** Spring Grain LSRS Values Displayed****

Scale: 1:20,000

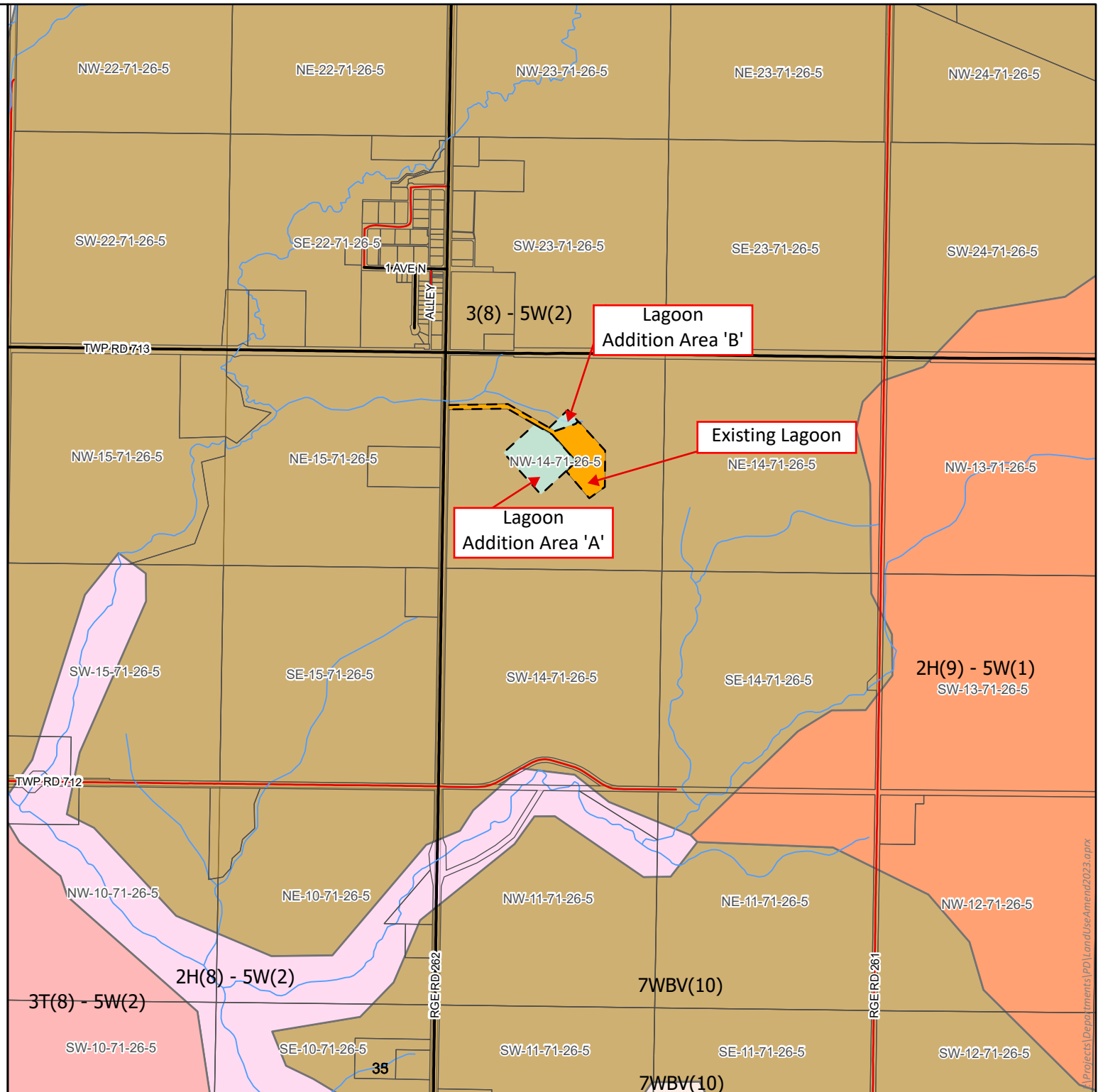


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Subdivision Application WETLAND

Long Legal: NW-14-71-26-5

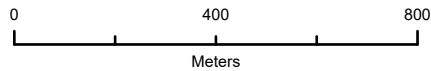
- Proposed Subdivision
- Existing Lagoon

Legend

Wetland Inventory

- Swamp
- Open Water
- Marsh
- Fen
- Bog

Scale: 1:15,000

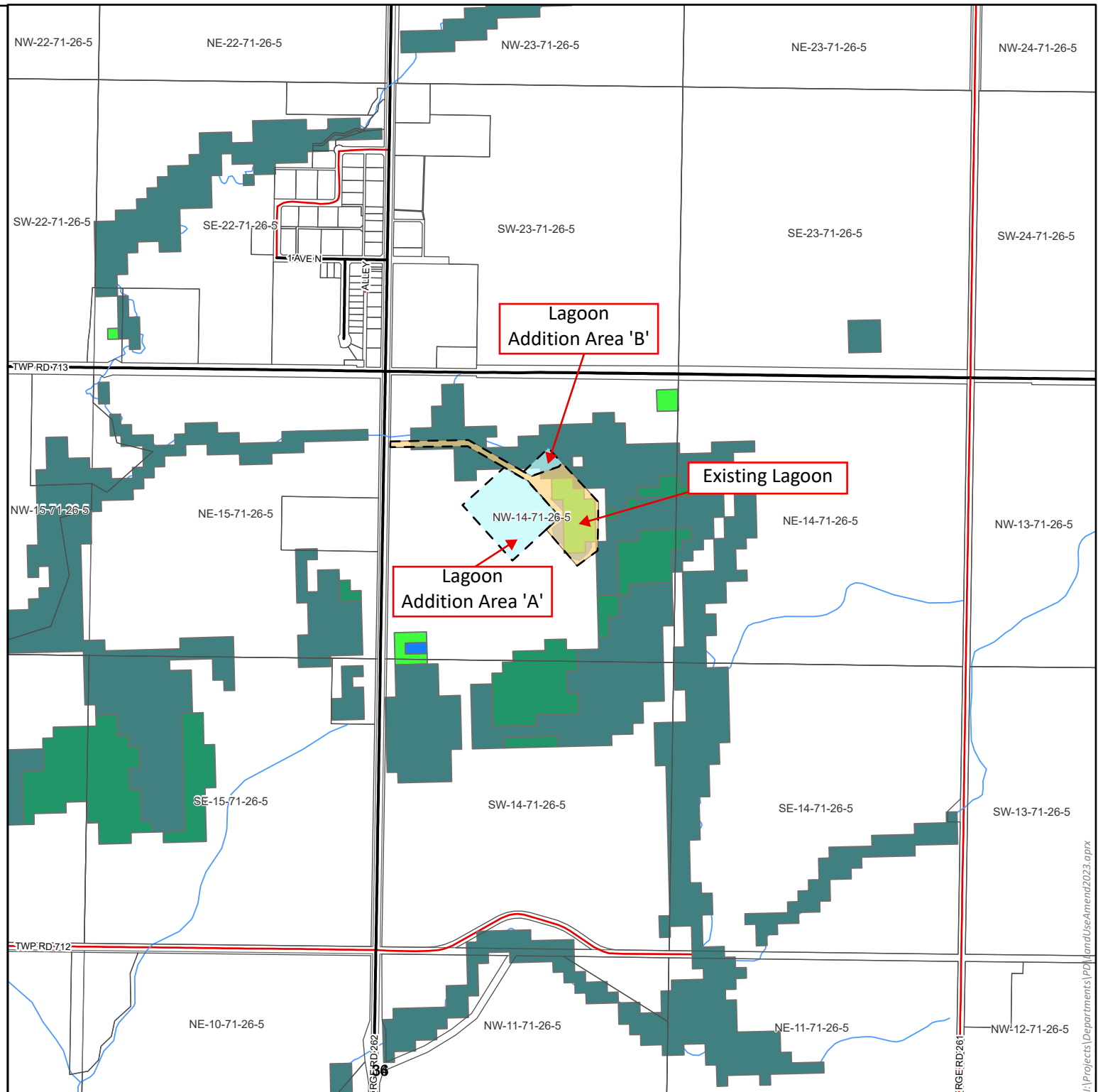


Produced: November 2023 Projection: UTM Zone 11N NAD 83

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Subdivision Application- Topography

Long Legal: NW-14-71-26-5

-  Proposed Subdivision
-  Existing Lagoon

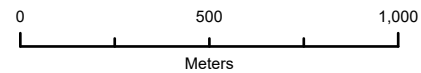
Legend

Contour Line(m)

 Minor

40cm Imagery, 2022

Scale: 1:20,000



Produced: November 2023 Projection: UTM Zone 11N
NAD 83

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Map Book 2023 Municipal District of Greenview No.16

LEGEND

MAP POINTS

- Airport
- Building
- Cemetery
- Community Hall
- Drainage
- Fire Hall
- Gravel Pit
- Lagoon
- Lift Station
- Recreation Area
- Stockpile
- Transfer Station & Landfill
- Walking Trail
- Water Fill Station
- Water Treatment Plant

LAND CLASSIFICATIONS

- Titled Land
- Crown Land
- Grazing Leases
- Municipal Property
- GC Co-ops
- Cree-Nation Reserves
- Hamlet/Localities
- Town
- Provincial Park
- Multi Family Parcel
- Section Grid
- Township Grid
- MD Boundary
- Electoral Districts

TRANSPORTATION

- Gravel Highways
- Paved Highways
- Railway
- Fair-Weather Road

HYDRO FEATURES

- Lake/River
- Stream/Creek

HAMLETS, LOCALITIES & SUBDIVISIONS	
LABEL	NAME
A	LITTLE SMOKY
B	STURGEON LAKE
C	CAHAIS
D	SANDY BAY
E	THE NARROWS
F	COSY COVE
G	RIDGEVALLEY
H	DEBOLT
I	LANDRY HEIGHTS
J	GROVEDALE
K	ASPEN GROOVE
L	NOSE CREEK
M	GRANDE CACHE
N	WANYANDIE CO-OP EAST
O	WANYANDIE CO-OP WEST
P	JOACHIM ENTERPRISE
Q	VICTOR LAKE CO-OP
R	GRANDE CACHE LAKE ENTERPRISE (KAMISAK)
S	SUSA CREEK CO-OP
T	MAUSKEG SEEPLE CO-OP



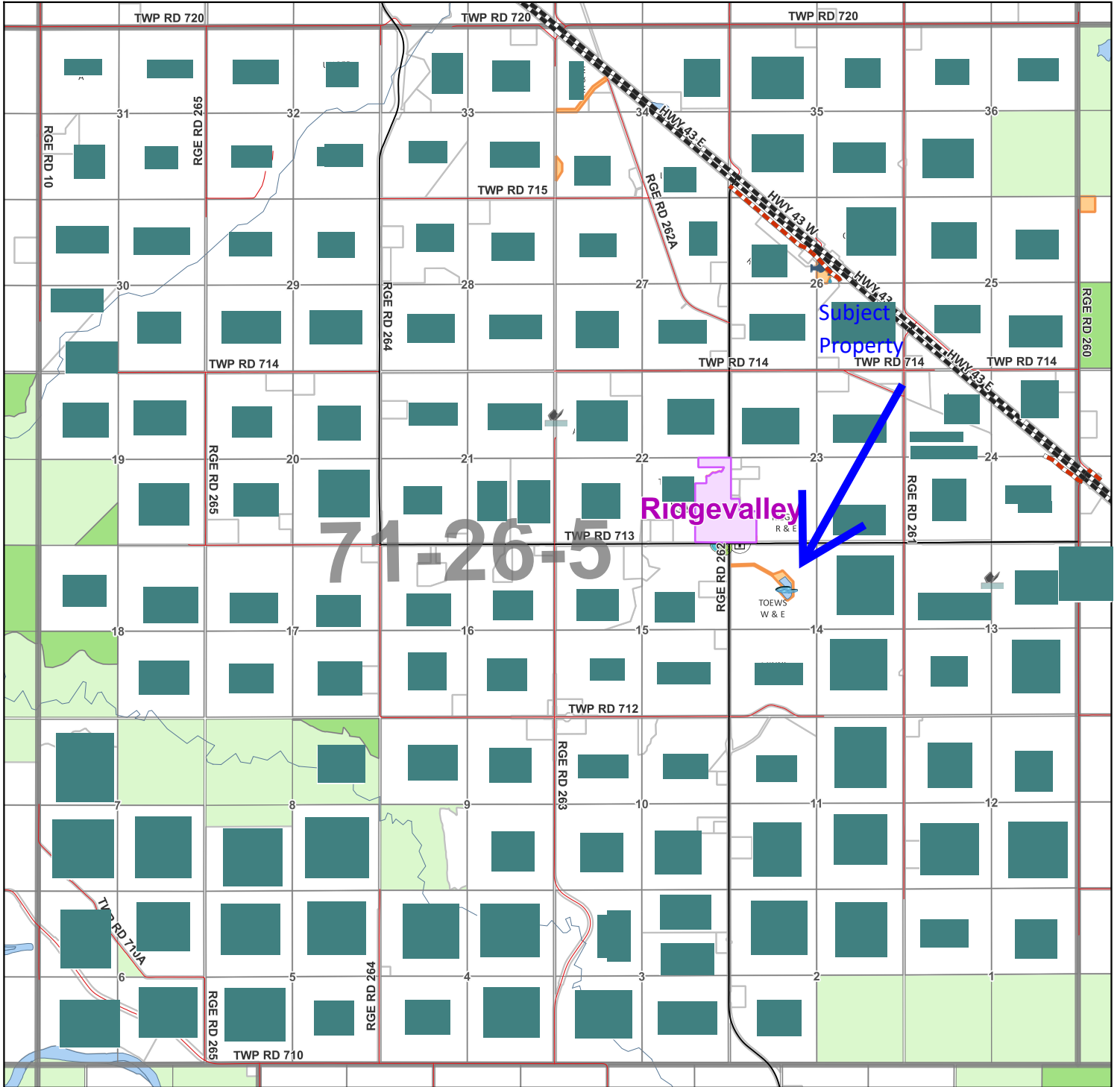
KILOMETERS
SCALE 1:1,050,000
PRODUCED: October 02, 2023
PROJECTION: UTM Zone 11N NAD 83

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MUNICIPAL DISTRICT OF GREENVIEW NO. 16

Township : 71
Range : 26
Meridian : 5



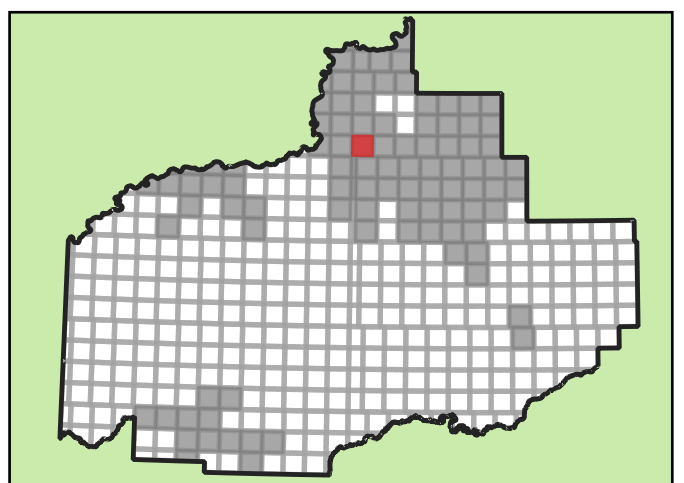
Kilometers
Scale 1:52,000

PROJECTION: UTM Zone 11N NAD 83



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Compiled from the Rural Cadastral Digital Base September 10, 2023
Land Ownership Compiled from municipal tax data, September 10, 2023.
Building/Site/Feature information compiled from municipal assessment data, September 2023.





REQUEST FOR DECISION

SUBJECT: **D23-167 Permitted Use in A-1; Accessory Building in Front Yard**
SUBMISSION TO: MUNICIPAL PLANNING COMMISSION REVIEWED AND APPROVED FOR SUBMISSION
MEETING DATE: November 15, 2023 DIRECTOR: MAV PRESENTER: NF
REPORT TYPE: Development Permit MANAGER: SD WRITER: NF

FILE NO.: D23-167 LAND USE DISTRICT: Agricultural One (A-1)
LEGAL LOCATION: SE 5-67-23-W5M
AREA: Little Smoky, Ward 2
APPLICANT: Samuel & Malinda Lewis
LANDOWNER: Samuel & Malinda Lewis

BACKGROUND/PROPOSAL:

Administration has received a development permit application for the construction of a new accessory building on SE 5-67-23-W5M. The subject property is unsubdivided and located approximately 19 km northwest of the hamlet of Little Smoky, 14 km west of Highway 43, adjacent to Township Road 670. Accessory buildings are permitted within all districts however, the application is being referred to the Municipal Planning Commission due to a clarity issue regarding the location of accessory buildings permitted by Land Use Bylaw (LUB) 18-800 Section 5.22.1.e).

On August 10, 2020, development permit application D20-372 to redevelop the yard site on SE 5-67-23-W5M with a new modular home and shop was approved with the shop being located within the front yard. The application expired prior to the construction of the shop being started, and the landowners have reapplied to construct the shop in the same location as previously approved without a variance to Section 5.22.1.e). The proposed placement of the shop at 73.15 m (240 ft) from the front property line will meet the minimum setback requirement of 40.0 m (131.2 ft) within the Agricultural One (A-1) district but the location is not supported by section 5.22.1.e) as it is located within the front yard as defined by LUB 18-800. The modular home is located approximately 130 m (427 ft) from the front property line, the quarter section is mostly treed behind the home and includes a circle driveway between the road and the home. Administration does not have concerns with the proposed location as it is screened from the adjacent roadway by a tree line and would not interfere with road widening if completed in the future.

Administration is recommending approval of D23-167 with a variance to Section 5.22.1.e) allowing the Accessory Building to be located within the front yard. Administration is also requesting an amendment to Land Use Bylaw 18-800 clarifying the intention of the section for future applications. The Municipal Planning Commission may recommend changes to the Land Use Bylaw at any time to address issues or accommodate common requests. The requested amendment would allow administration to apply policy consistently and advise ratepayers appropriately in accordance to Council and the Municipal Planning Commission's objectives.

PROPERTY DETAILS:

Proposed Servicing:	Private, well and lagoon
Soil Type:	Sandy clay loam
Topography:	Rolling
Wetland Inventory:	None
LSRS Spring Grains:	7WV(10); Unsuitable due to drainage and soil reaction

RELEVANT LEGISLATION AND POLICY CONSIDERATIONS:

Land Use Bylaw 18-800

3.8 *Variances*

3.8.3 *The Municipal Planning Commission may approve a variance of the regulations and standards stated in the Bylaw provided the intent of the Bylaw are met.*

The proposed accessory building is permitted within the district and will be contained within the parcel; therefore, the intent of the bylaw is met.

5.22 *Accessory Buildings, Structures and Uses*

5.22.1 *Accessory buildings and structures are permitted in all Districts provided they comply with the following regulations:*

e) *An accessory building should not be located within the front yard;*

Section 5.22.1.e) is unclear as “should” is typically used as a suggestion and not a requirement; the word “should” is typically avoided in written regulations and instead the words “shall” or “must” are used to indicate mandatory requirements. Administration is requesting a Land Use Bylaw amendment be made to clarify Council’s intention for the section regarding the placement of accessory buildings in front yards. The section currently applies to all land use districts regardless of parcel size or locations of existing developments; the MPC may recommend the section be amended to apply only to parcels within hamlets, or to residential parcels of 1.21 hectares (3 acres) or smaller, or that the section be removed.

9.0 *Definitions*

Yard, Front *means part of a parcel lying between the front parcel line and the front of the principal building and extended across the full width of the parcel, as shown in Figure 9-11.*

Figure 9-11: Illustration of Yards



The definition of Yard, Front applies to all parcels regardless of size or land use district, however, it is common on agricultural and larger residential parcels for accessory buildings to be located closer to the road than the home or principal structure.

RECOMMENDED ACTIONS:

MOTION: That the Municipal Planning Commission APPROVE development permit application D23-167 for an Accessory Building, subject to the following conditions:

1. That a variance is granted to Land Use Bylaw 18-800 Section 5.22.1.e) allowing the Accessory Building to be located within the Yard, Front as defined by Bylaw 18-800.
2. The Accessory Building shall be located no closer than 1.5 m (4.9 ft) from the Dwelling or another Accessory Building.

Standards:

1. The applicant is responsible for weed control. Contact Greenview's Agricultural Fieldman at 780.524.7602 for further information.
2. 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.

Advisory Notes:

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. 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. Copies of such permits are to be provided to the Municipal District of Greenview No. 16.
4. You are located in the vicinity of an agricultural operation.

Additional Recommended Motion:

MOTION: That the Municipal Planning Commission recommend to Council to amend the Land Use Bylaw 18-800 Section 5.22.1.e) to state "On residential parcels that are 1.21 hectares (3 acres) or smaller, no accessory building shall be located in the front yard."

ALTERNATIVES:

Alternative #1: The Municipal Planning Commission may refuse the application, a reason for refusal must be stated. Administration does not recommend this option as the proposal complies with the requirements of Land Use Bylaw 18-800 as a permitted use. Additionally, Section 5.22.1.e) being a "should" statement is unlikely to hold up in the event of an appeal, therefore it should not be used as grounds for refusal.

Alternative #2: The Municipal Planning Commission may recommend to Council to remove Section 5.22.1.e). If removed, accessory buildings will have to comply with setback requirements only in all districts, regardless of the locations of other buildings.

MOTION: That the Municipal Planning Commission recommend to Council to amend the Land Use Bylaw 18-800, removing section 5.22.1.e) “An accessory building should not be located in the front yard.”

FINANCIAL IMPLICATION:

All costs associated with the application will be borne by the applicant.

STAFFING IMPLICATION:

If a motion to amend the Land Use Bylaw 18-800 is made, administration will prepare an amendment bylaw for Council consideration. Staff time required to prepare such an amendment will occur within regular operating hours and is expected to be minimal.

PUBLIC ENGAGEMENT LEVEL:

Greenview has adopted the IAP2 Framework for public consultation.

The Municipal Government Act allows applications for discretionary use development permits to be appealed by affected parties up to 21 days following the issuance of the decision.

FOLLOW UP ACTIONS:

No follow-up action is required by the Municipal Planning Commission. Following approval, the applicant may proceed with the development as stated in the application and meet the conditions listed on the approval.

If a motion to recommend amending Land Use Bylaw 18-800 is made, Administration will prepare an amendment bylaw for presentation to Council at a regularly scheduled meeting.

ATTACHMENTS:

- Development Permit Application
- Site Plan
- AGRASID Map
- Wetland Inventory Map
- Topography Map
- Owner Location Map



APPLICATION FOR DEVELOPMENT PERMIT

Municipal District of Greenview No. 16

4806 – 36 Avenue, Box 1079, Valleyview AB T0H 3N0
T 780.524.7600 F 780.524.4307 Toll Free 1.866.524.7608
www.mdgreenview.ab.ca

MUNICIPAL DISTRICT OF GREENVIEW No. 16

RECEIVED

OCT 12 2023

VALLEYVIEW

I / We understand that this application will only be processed if submitted in complete form and accompanied by the applicable fee. A completed application includes the forms completely filled out, signatures, plot plan, fees and any other information the development authority deems necessary to make an informed decision.

Applicant Information

Name of Applicant(s): Malinda + Sam Lewis

Development Services to contact you via email)

(Complete if different from applicant)

Registered Landowner(s) or Leaseholder(s) Sam and Malinda Lewis

Primary Phone: _____

City: _____ Postal Code: _____

Email: _____

Other Phone: _____

(By providing email address you authorize Planning and Development Services to contact you via email)

Land Information

Legal description of proposed development site: LSD/QTR. SE SEC. 5 TWP. 67 RGE. 23 M. W5

Registered plan: Block _____ Lot _____ MLL/MSL/LEASE NO.: _____

Property size: Hectares: _____ Acres: 160 Description of the existing use of the land: Residential

The land is adjacent to: Highway _____ District Road TWPRD 670 LOC# _____

How is the site to be accessed? Existing approach Proposed approach (please fill out and submit an approach application)

Do you have a rural address? Yes Address: _____ No

FOR ADMINISTRATIVE USE

PERMITTED USE

VARIANCE

DISCRETIONARY USE

PROHIBITED USE

ROLL NO.: 222196

APPLICATION NO.: D23-167

FEES: 100.00

DATE PAID: October 12, 2023

RECEIPT NO.: 389003 and 388934

DEEMED COMPLETE: October 30, 2023

LAND USE DISTRICT: A-1 - AGRICULTURAL ONE

PROPOSED USE: ACCESSORY BUILDING

COMMENTS:

re applying as old permit expired please see D20-372



APPLICATION FOR DEVELOPMENT PERMIT

Municipal District of Greenview No. 16

4806 – 36 Avenue, Box 1079, Valleyview AB T0H 3N0

T 780.524.7600 F 780.524.4307 Toll Free 1.866.524.7608

www.mdgreenview.ab.ca

Development Information

Describe your proposed development: (if additional space is required please attach sheet)

Build Post frame Garage

Size of the proposed development:

Length ^{21.95} metres
72 feet

Width ^{12.80} metres
42 feet

Building height ^{6.10} metres
20 feet

Accessory building:
(if applicable)

Total Floor area
4176 ^{387.96} Sq. metres
 Sq. feet

Height
20 ^{6.10} Metres
 Feet Attached
 Detached

Secondary suite information:
(if applicable)

Existing suite New suite

Attached
 Detached

Total floor area of
primary residence: Sq. metres
 Sq. feet

Indicate the proposed setback from the property line:

Front yard ^{73.15} metres
240 feet

Rear yard metres
705 feet

Side yard (1) metres
218.4 feet

Side Yard (2) metres
580 feet

Does this development require a variance?

Yes, explain _____ No (If yes, please submit a Variance Request Form)

Construction Start Date: Dec 2023? End Date: May 2023? Completed Project Cost: \$ 200,000

Has the development commenced? Yes No

Manufactured Home

Manufacturer: Prairie Post frame

Model: _____

Year: 2023

Sewage System

Type of sewage system: —

Abandoned Well Information

ALL development permit applications require a printout of a map from **Alberta Energy Regulator** (AER, previously known as ERCB). This can be obtained via website, phone, email, fax or mail.

Is there an abandoned well or pipeline on the property? Yes No (printout must still be provided)
Licensee name: _____

If you require any assistance or do not have access to the internet please contact AER at 1.855.297.8311

The location of all abandoned oil and gas well sites as well as the setback distances in relation to existing or proposed building sites must be shown on all applications. Please note: The Development Authority cannot approve a development application if the lot(s) do(es) not comply with the setback directed by the ERCB Directive 079. Abandoned well site information must be provided by the applicant and can be obtained by contacting Alberta Energy Regulator.

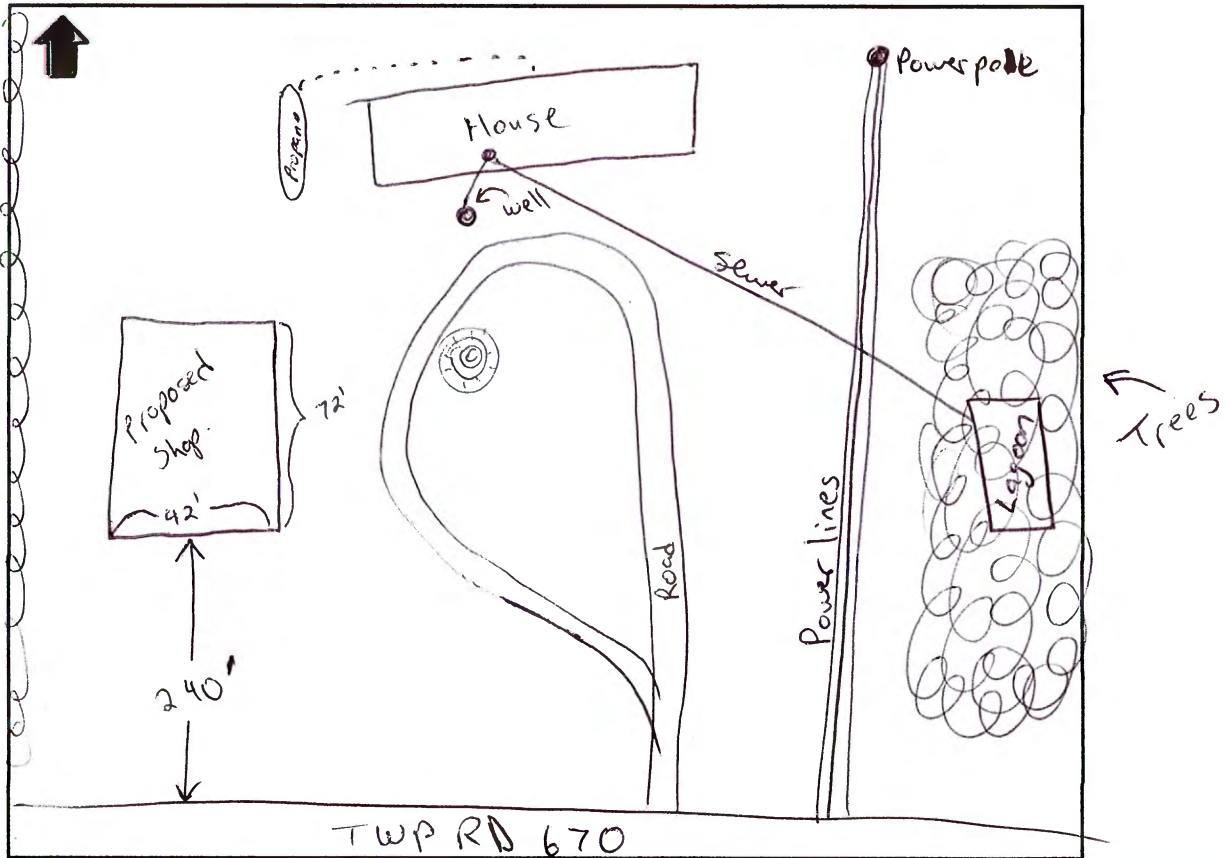
APPLICATION FOR DEVELOPMENT PERMIT

Plot Plan

Please ensure the following are present on the plot plan for the proposed development: (see example on page 4)

<ul style="list-style-type: none"> ○ Dimensions ○ Existing and proposed private roads or driveways ○ Natural features (trees, water runs, creeks, etc.) ○ Utility poles ○ Off-street parking and loading areas 	<ul style="list-style-type: none"> ○ Setback distances to existing buildings or structures (identify structures) ○ Access to development ○ Slopes greater than 15% and distance to proposed development ○ Abandoned well sites ○ Septic tank/pump-out 	<ul style="list-style-type: none"> ○ Front, rear and side yard setbacks ○ Setback distances to public roads ○ Well or other water sources ○ Rights-of-ways or easements ○ Other relevant information (signage, outdoor storage, etc.) ○ Floor plan
---	--	--

Legal Location: _____ ¼ of Sec _____ Twp. _____ Rge. _____ W _____
 or Registered Plan _____, Block _____, Lot _____



Declaration

I/we hereby declare that the information submitted is, to the best of my/our knowledge, factual and correct.

I/we understand that by signing this declaration, I/we also give consent for an authorized person of MUNICIPAL DISTRICT OF GREENVIEW NO. 16 to enter upon the land that is subject to a development permit application for the purposes of conducting a site inspection in order to evaluate the proposed development.

NOTE: If the applicant is not the registered landowner, the signature of the landowner(s) is required. All landowners MUST sign the application.

Signatures: Oct 10/2023 Oct 10/2023
 Date Applicant Date Registered Landowner(s)/Leas Holders

The personal information collected on this form is being collected under the authority of Sections 33 and 39(1)(a)(b) of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s). Your name, contact telephone number and address may be used to carry out current and/or future construction, operating programs, services or activities of the Municipality. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Freedom of Information and Protection of Privacy Coordinator at 780.524.7600.



Development Application - AGRASID

Long Legal: SE-5-67-23-5

Subject Property



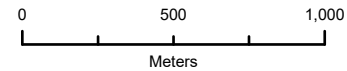
Legend

AGRASID

- hummocky - low relief
- inclined to steep - medium relief
- inclined with BR - low relief
- level organic
- rolling - medium relief
- undulating - high relief

** Spring Grain LSRS Values Displayed**

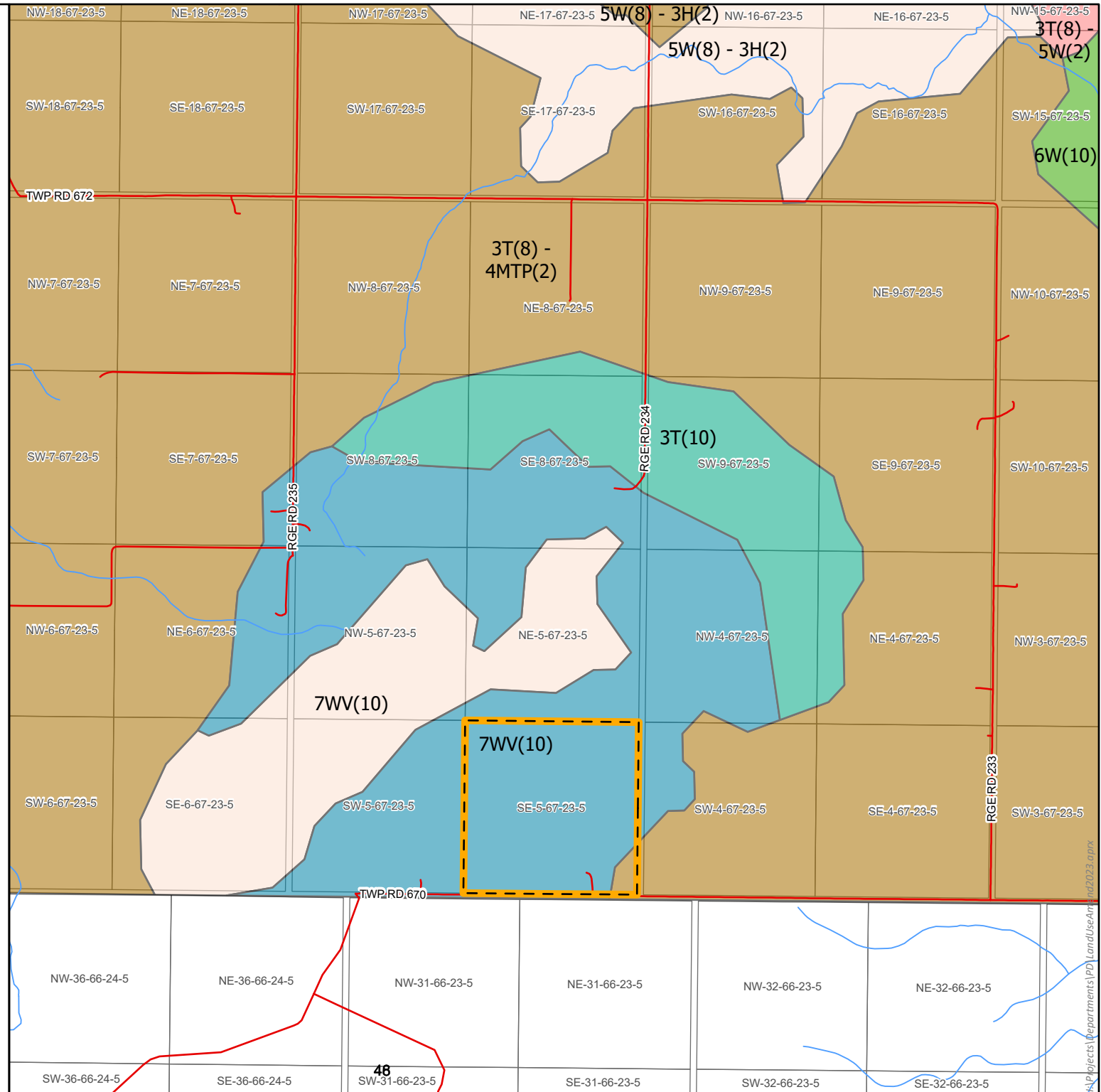
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Development Application - Wetlands

Long Legal: SE-5-67-23-5

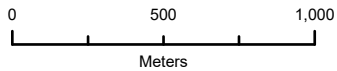
 Subject Property

Legend

Wetland Inventory

-  Swamp
-  Open Water
-  Marsh
-  Fen
-  Bog

Scale: 1:25,000

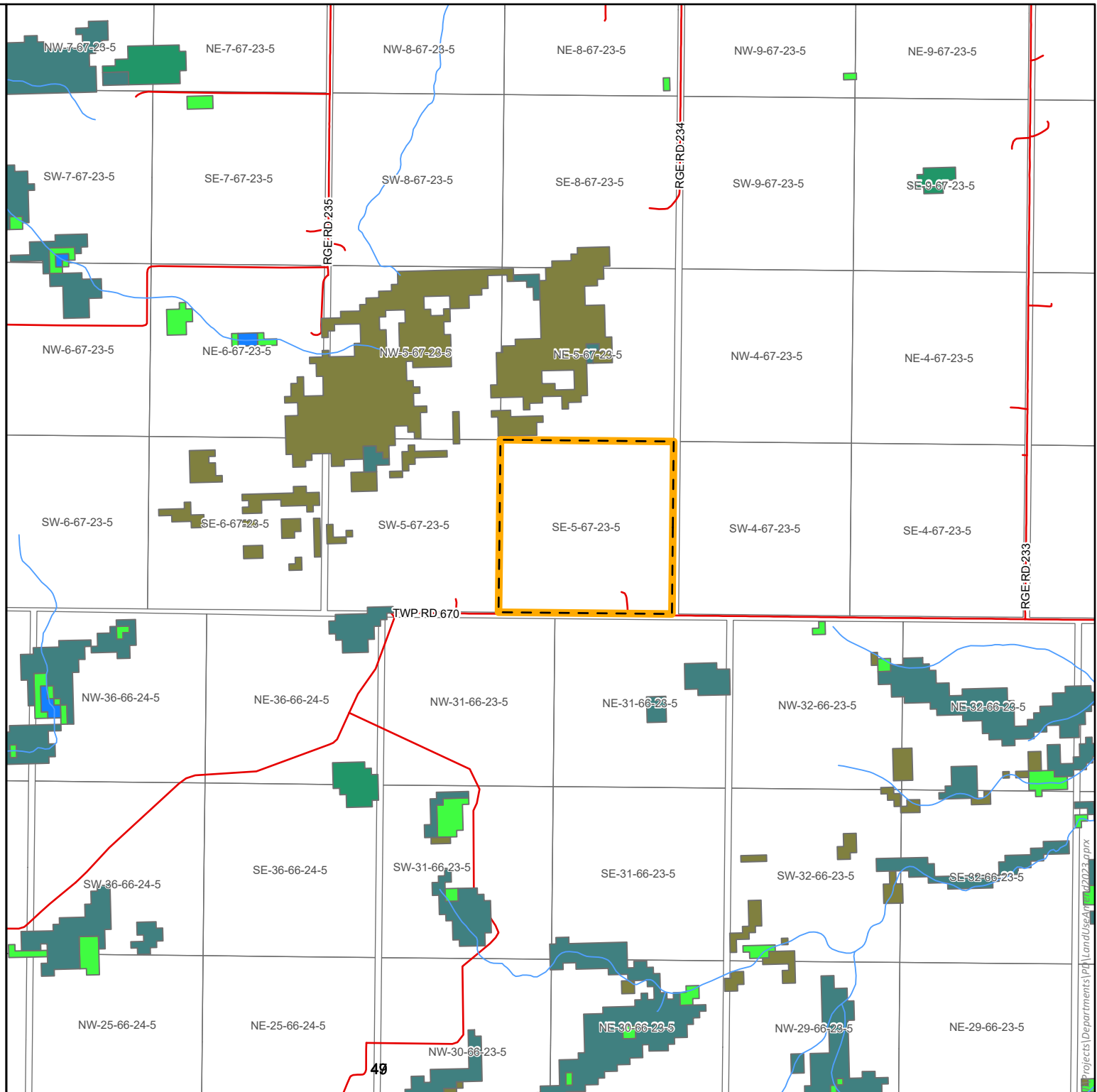


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Projects\Departments\Pl\LandUse\16\2023\pprx



Development Application- Topography

Long Legal: SE-05-67-23-5

 Subject Property

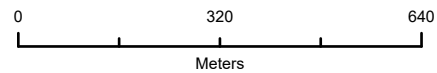
Legend

Contour Line(m)

— Minor

40cm Imagery, 2022

Scale: 1:12,000

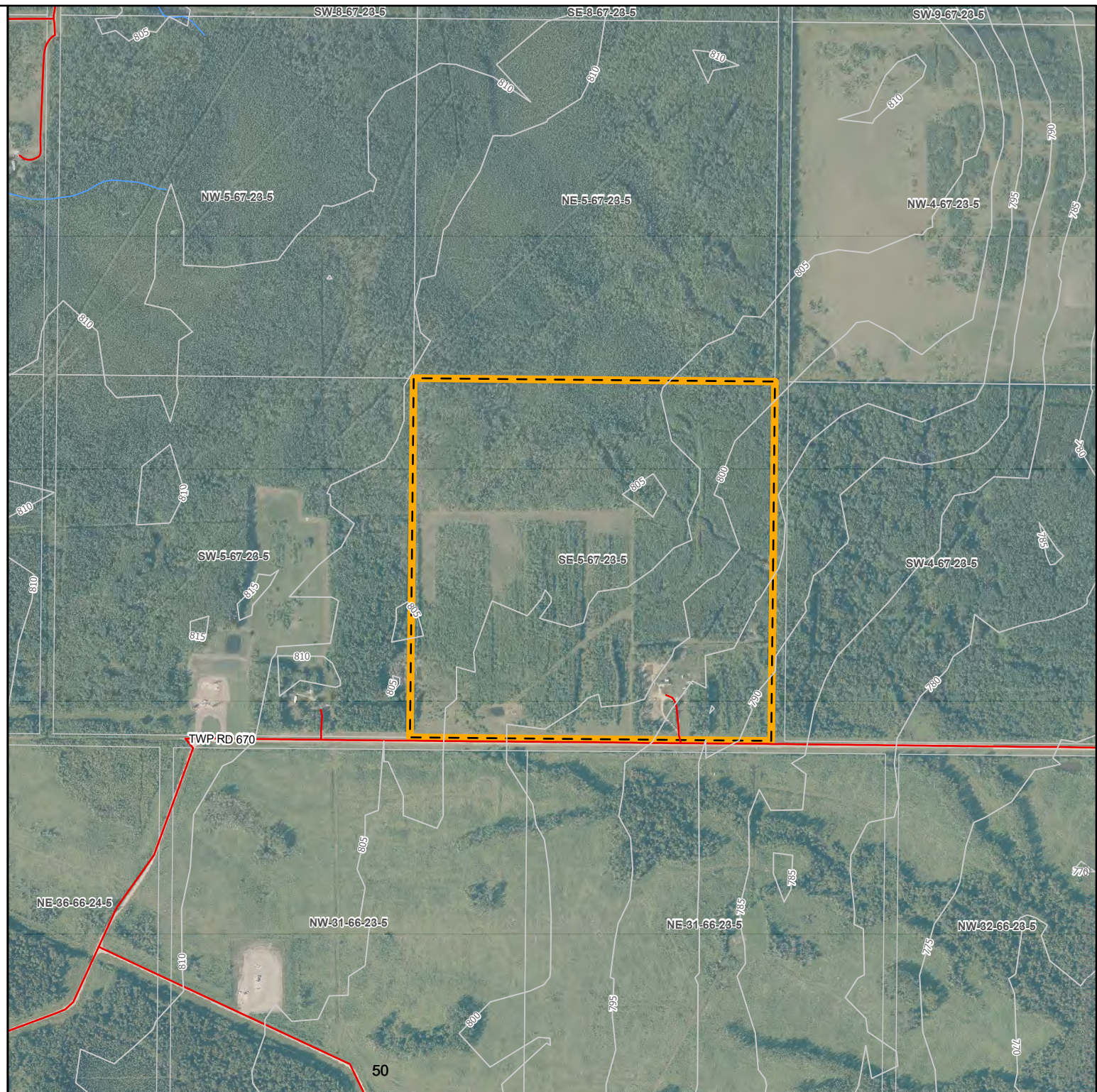


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NAD 83

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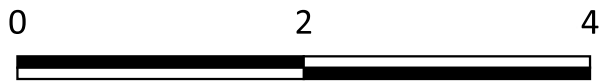
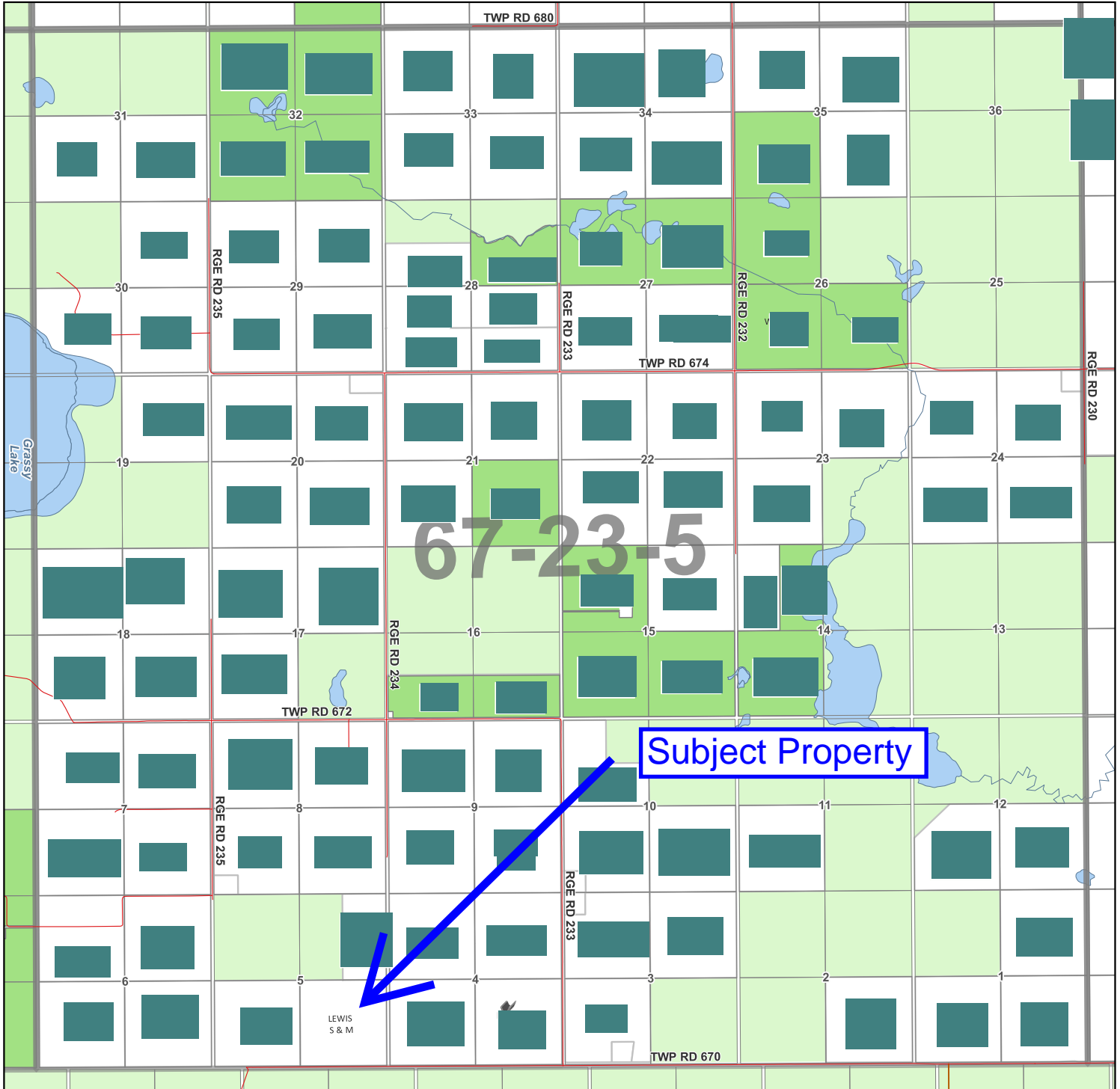
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MUNICIPAL DISTRICT OF GREENVIEW NO. 16

Township : 67
Range : 23
Meridian : 5



Kilometers
Scale 1:52,000

PROJECTION: UTM Zone 11N NAD 83



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