

MUNICIPAL PLANNING COMMISSION MINUTES

G.R. DAVIS ADMINISTRATION BUILDING

MONDAY SEPTEMBER 18, 2023

In attendance: Chairperson David Arnoldussen, Members Joe Rigaux and Marco Van Huigenbos, Planning and Development Officer Keli Sandford, ORRSC Planner Steve Harty and CAO Anthony Burdett.

Regrets: Member Brent Feyter, ORRSC Planner Gavin Scott, Member Brian Reach, Director of Operations Adrian Pedro

Public in Attendance: ORRSC Interns Tristan Scholten and Madison DePater, Adjacent landowner Keith Olsen, Applicants Theo Van Ee and Kelly Toews and Frank McTighe-Gazette

The meeting was called to order by Chairperson David Arnoldussen at 12:14 p.m.

1.0 ADDITIONS AND ADOPTION OF AGENDA

M. 043-23 Moved by Member Marco Van Huigenbos that the September 18, 2023 Meeting Agenda be approved as presented.

CARRIED

2.0 APPROVAL OF MINUTES

a) MPC Minutes August 21, 2023

M. 044-23 Moved by Member Joe Rigaux to approve the MPC minutes from August 21, 2023 as presented.

CARRIED

3.0 DEVELOPMENT APPLICATIONS

a) 079-23 VLO Holdings- As-built variances to allow for a change of use and compliance

Keith Olsen and The Van Ee spoke to MPC regarding the drainage issues on site and the alley.

b) 085-23- Link Builders- Moved in 2 unit dwelling (Duplex)

No Comments

5.0 IN CAMERA DELIBERATIONS

ORSSC Planner Steve Harty made a request for the interns to attend the in camera session, MPC approved the request.

M. 045-23 Moved by Member Marco Van Huigenbos to go in camera at 12:28 p.m.

CARRIED

Keith Olsen, Theo Van Ee, Kelly Toews and Frank McTighe left the meeting at 12:28 p.m.

M. 046-23 Moved by Member Joe Rigaux to come out of in camera at 12:32 p.m.

CARRIED

Theo Van Ee, Kelly Toews and Frank McTighe re-entered the meeting at 12:32 p.m.

3.0 DEVELOPMENT APPLICATIONS CONTINUED

M. 047-23 Moved by Member Marco Van Huigenbos that Development Application 079-23 to request an as-built front yard setback variance of 3.0 m. (9.8 ft.) an as-built rear yard setback variance of 3.3 m. (10.82 ft.) an as-built secondary front yard setback variance of 3.0 m. (9.8 ft.) with an allowable 0.13 m. (0.42 ft.) encroachment onto municipal property and a maximum height variance of 4.6 m. (15 ft.) on the existing building to bring the property further into compliance with the Land Use Bylaw; to allow for a change of use from "vacant" to indoor storage and assembly of precast parts and office space, be APPROVED subject to the following conditions;

1. DEVELOPMENT SHALL CONFORM TO THE PLANS IN THE DEVELOPMENT APPLICATION SUBMITTED TO THE TOWN OF FORT MACLEOD;
2. DEVELOPMENT SHALL CONFORM TO SCHEDULE 2, INDUSTRIAL GENERAL- IG; SCHEDULE 3, STANDARDS OF DEVELOPMENT OF LAND USE BYLAW NO. 1882;
3. APPLICANT/CONTRACTOR MUST ACQUIRE A BUILDING PERMIT FROM PARK ENTERPRISES. (Park Enterprises may require more detailed drawings / plans);
4. APPLICANT/CONTRACTOR TO ACQUIRE ELECTRICAL, GAS & PLUMBING PERMITS FROM PARK ENTERPRISES LTD. AS REQUIRED.
5. THE LOTS(28, 29 and 30, Block 365, Plan 92B) SHALL BE CONSOLIDATED (contact your surveyor and supply a copy of the new title to the town);
6. A VARIANCE 3.0 M. (9.8 FT.) ON THE FRONT YARD SETBACK (AS BUILT) IS HEREBY GRANTED TO ALLOW FOR A FRONT YARD SETBACK OF APPROXIMATELY 3.58 M. (11.75 FT.) TO COMPLY WITH THE LAND USE BYLAW.
7. A VARIANCE OF A 3.3 M. (10.82 FT.) REAR YARD SETBACK (AS BUILT) IS HEREBY GRANTED TO ALLOW FOR A REAR YARD SETBACK OF 4.20 M. (13.78 FT.); TO COMPLY WITH THE LAND USE BYLAW.
8. A VARIANCE 3.0 M. (9.8 FT.) ON THE SECONDARY FRONT YARD SETBACK (AS BUILT) IS HEREBY GRANTED TO ALLOW FOR A MINOR SECONDARY FRONT YARD ENCROACHMENT OF 0.13 M.(0.42 FT.) ONTO MUNICIPAL PROPERTY;
9. A VARIANCE OF 4.6 M. (15 FT.) FOR HEIGHT IS GRANTED TO ALLOW FOR A HEIGHT OF 15.24 M. (50 FT.);
10. REFUSE AND GARBAGE STORAGE AREAS SHALL BE EFFECTIVELY SCREENED UNTIL SUCH TIME AS COLLECTION AND DISPOSAL ARE POSSIBLE.
11. DOWNSPOUTS, EXTENSIONS AND GROUND ELEVATIONS MUST BE IN PLACE SO THAT POSITIVE DRAINAGE IS AWAY FROM THE BUILDING AND FLOWS TOWARD THE STREET. WATER MUST NOT CROSS INTO ADJACENT PROPERTIES. THE TOWN OF FORT MACLEOD RESERVES THE RIGHT TO REQUEST A DRAINAGE PLAN PROFESSIONALLY PREPARED BY A SURVEYOR OR ENGINEER SHOULD DRAINAGE PROBLEMS OCCUR.

CARRIED

M. 048-23 Moved by Member Joe Rigaux that Development Application 085-23 to move-in a 1960 sq. ft. used two unit dwelling (duplex) on to a new foundation with developed basement, be APPROVED subject to the following conditions;

1. MOVED IN DWELLING MUST CONFORM TO THE APPLICATION AND PLANS SUBMITTED AND TO THE REQUIREMENTS OF SCHEDULE 2, LAND USE DISTRICT – RESIDENTIAL –R, SCHEDULE 3 STANDARDS OF DEVELOPMENT, OF LAND USE BYLAW NO. 1882; PARTICULARLY SECTION 15- MOVED IN BUILDINGS 15.2 (9);
2. IF TRANSPORTING HOME ON A PROVINCIAL HIGHWAY, AN ALBERTA TRANSPORTATION AND UTILITIES ROAD PERMIT MUST BE OBTAINED FROM THE LETHBRIDGE DISTRICT OFFICE (403-381-5480); AND A COPY MUST BE PROVIDED TO THE TOWN OF FORT MACLEOD DEVELOPMENT OFFICER AT LEAST 72 HOURS PRIOR TO MOVING THE DWELLING;
3. IF LOCAL ROAD CLOSURES ARE REQUIRED FOR THE MOVE-ON PLEASE CONTACT THE TOWN OFFICE AT LEAST 48 HOURS PRIOR;

4. DRIVEWAY AND APPROACH STANDARDS/REQUIREMENTS SHALL BE REVIEWED WITH THE DIRECTOR OF OPERATIONS; please contact Adrian Pedro, Director of Operations for additional information.
5. APPLICANT/CONTRACTOR MUST ACQUIRE, BUILDING, ELECTRICAL, GAS & PLUMBING PERMITS FROM PARK ENTERPRISES LTD. (more detailed drawings and information may be needed); PERMITS MUST BE OBTAINED FOR THE FOUNDATION, MOVE-ON AND ALL OTHER COMPONENTS INCLUDING UPGRADES TO MEET SAFETY CODE REQUIREMENTS OF THE DEVELOPMENT;
6. YARD AREAS SHALL BE SEEDED OR SODDED AND COMPLETED WITHIN 12 MONTHS OF OCCUPANCY.
7. REFUSE AND GARBAGE STORAGE AREAS SHALL BE EFFECTIVELY SCREENED UNTIL SUCH TIME AS COLLECTION AND DISPOSAL ARE POSSIBLE.
8. APPLICANT/CONTRACTOR TO ENSURE NO DAMAGE OCCURS TO EXISTING FENCES, NEARBY STRUCTURES, SIDEWALKS WALKWAYS OR ROADS AS A RESULT OF CONSTRUCTION OR PLACEMENT. SHOULD THIS HAPPEN, APPLICANT WILL BE RESPONSIBLE TO REPAIR DAMAGES TO ORIGINAL CONDITION OR TO TOWN STANDARDS, WHICHEVER REPRESENTS THE BETTER DEVELOPMENT.
9. APPLICANT/CONTRACTOR SHALL ENSURE THAT CONSTRUCTION MATERIALS ARE CONTAINED ON THE SITE AND DO NOT CREATE A NUISANCE TO ADJACENT PROPERTIES.
DOWNSPOUTS, EXTENSIONS AND GROUND ELEVATIONS MUST BE IN PLACE SO THAT POSITIVE DRAINAGE IS AWAY FROM THE BUILDING AND FLOWS TOWARD THE STREET. WATER MUST NOT CROSS INTO ADJACENT PROPERTIES. THE TOWN OF FORT MACLEOD RESERVES THE RIGHT TO REQUEST A DRAINAGE PLAN PROFESSIONALLY PREPARED BY A SURVEYOR OR ENGINEER SHOULD DRAINAGE PROBLEMS OCCUR.

CARRIED

4.0 SUBDIVISION APPLICATIONS

a) 2023-0-114 TOFM/Felices Campground

Planner, Steve Harty presented the details on the subdivision.

M. 049-23 Moved by Member Marco Van Huigenbos that the Public and Institutional: PI and River Valley Lands: RVL subdivision of Parcel 1 & 2, Plan 1784EK; Block 14, Plan 8790GR; Lot 1ER & Lot 2, Block 7, Plan 841 0634; Block 8, Plan 8790GR; Part of NE1/4 11-9-26-W4M; Part of Road, Plan 1582HB; Road Plan 288EZ & Road Plan 3707L all within NE1/4 11-9-26-W4M (Certificate of Title No. 133W143, 841 096 834, 149P189, 211 105 306, 961 308 796 +4, 211 105 306 +1, 981 387 605 +2, 851 053 582), to create three consolidated lots (of varying acreages) and one reconfigured Environmental Reserve Lot, from seven titles and portions of Lyndon Road for public and recreational use; BE APPROVED subject to the following:

RESERVE:

- THE 10% RESERVE REQUIREMENT, PURSUANT TO SECTIONS 669(2) AND (3) OF THE MUNICIPAL GOVERNMENT ACT, ON THE 5.307 ACRES OF PROPOSED LOT 1 BLOCK 9 BE DEFERRED BY CAVEAT FOR MUNICIPAL RESERVE PURPOSES.
- THE 10% RESERVE REQUIREMENT, PURSUANT TO SECTIONS 669(2) AND (3) OF THE MUNICIPAL GOVERNMENT ACT, ON THE 5.384 ACRES OF PROPOSED LOT 1 BLOCK 14 BE DEFERRED BY CAVEAT FOR MUNICIPAL RESERVE PURPOSES.

CONDITIONS:

1. THAT, PURSUANT TO SECTION 654(1)(D) OF THE MUNICIPAL GOVERNMENT ACT, ALL OUTSTANDING PROPERTY TAXES SHALL BE PAID TO THE TOWN OF FORT MACLEOD.

2. THAT, PURSUANT TO SECTION 655(1)(B) OF THE MUNICIPAL GOVERNMENT ACT, THE APPLICANT OR OWNER OR BOTH ENTER INTO AND COMPLY WITH A DEVELOPMENT AGREEMENT WITH THE TOWN OF FORT MACLEOD WHICH SHALL BE REGISTERED CONCURRENTLY WITH THE FINAL PLAN AGAINST THE TITLE(S) BEING CREATED.
3. THAT THE TITLES AND PORTIONS OF ROAD AS SHOWN ON BROWN, OKAMURA AND ASSOCIATES TENTATIVE PLAN 21-15543TC BE CONSOLIDATED IN A MANNER SUCH THAT THE RESULTING CERTIFICATE OF TITLE COULD NOT BE SUBDIVIDED WITHOUT THE APPROVAL OF THE SUBDIVISION AUTHORITY.
4. THAT, A ROAD CLOSURE BYLAW BE PREPARED, WITH THE BYLAW BEING APPROVED AND ADOPTED BY THE TOWN OF FORT MACLEOD AND SUBSEQUENTLY CONSENTED TO BY THE MINISTER OF INFRASTRUCTURE, PRIOR TO FINAL REGISTRATION OF THE SUBDIVISION.
5. THAT A BYLAW, IN ACCORDANCE WITH MGA S.676, BE PREPARED FOR THE RECONFIGURATION OF ENVIRONMENTAL RESERVE LOT 1ER BLOCK 7 PLAN 8410634, WITH THE BYLAW BEING APPROVED AND ADOPTED BY THE TOWN OF FORT MACLEOD, PRIOR TO FINAL REGISTRATION OF THE SUBDIVISION.

REASONS:

1. THE PROPOSED SUBDIVISION IS CONSISTENT WITH THE SOUTH SASKATCHEWAN REGIONAL PLAN AND COMPLIES WITH BOTH 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 9 OF THE MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION.
3. ALBERTA TRANSPORTATION HAS AUTHORIZED THE SUBDIVISION AUTHORITY TO VARY THE REQUIREMENTS OF SECTION 18 AND 19 OF THE MATTERS RELATING TO SUBDIVISION AND DEVELOPMENT REGULATION TO ACCOMMODATE THE PROPOSAL.

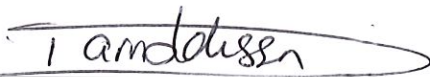
CARRIED

REPORTS, GENERAL REQUESTS, AND INFORMATION ITEMS

- a) Bill Kells – Resignation- Presented for information.
- b) MPC letters- New Term

7.0 ADJOURNMENT

Meeting was adjourned at 1:05 p.m.



David Arnoldussen, Chairperson



Keli Sandford, Development Officer
Recording Secretary