



## MACKENZIE COUNTY REQUEST FOR DECISION

<b>Meeting:</b>	<b>Regular Council Meeting</b>
<b>Meeting Date:</b>	<b>November 12, 2014</b>
<b>Presented By:</b>	<b>Byron Peters, Director of Planning &amp; Development</b>
<b>Title:</b>	<b>Municipal Planning Commission Meeting Minutes</b>

### **BACKGROUND / PROPOSAL:**

The adopted minutes of the October 23, 2014 Municipal Planning Commission meeting are attached.

### **OPTIONS & BENEFITS:**

N/A

### **COSTS & SOURCE OF FUNDING:**

N/A

### **SUSTAINABILITY PLAN:**

N/A

### **COMMUNICATION:**

N/A

**Author:** Byron Peters **Reviewed by:** \_\_\_\_\_ **CAO** \_\_\_\_\_

**RECOMMENDED ACTION:**

That the Municipal Planning Commission meeting minutes of October 23, 2014 be received for information.

Author: \_\_\_\_\_ Reviewed by: \_\_\_\_\_ CAO \_\_\_\_\_

**Mackenzie County  
Municipal Planning Commission Meeting**

**Mackenzie County Office  
Fort Vermilion, AB**

**Thursday, October 23, 2014 @ 10:00 a.m.**

<b><u>PRESENT:</u></b>	Jack Eccles	Chair, MPC Member via Teleconference
	Wally Schroeder	Vice Chair, MPC Member
	Elmer Derksen	Councilor, MPC Member
	Beth Kappelar	MPC Member
<b><u>REGRETS:</u></b>	Jacque Bateman	Councilor, MPC Member
<b><u>ADMINISTRATION:</u></b>	Byron Peters	Director of Planning & Development
	Liane Lambert	Planner
	Caitlin Smith	Development Officer
	Margaret Fehr	Administrative Assistant, Recording Secretary

**MOTION      1.    CALL TO ORDER**

Wally Schroeder called the meeting to order at 10:03 a.m.

**2.    ADOPTION OF AGENDA**

**MPC-14-10-208    MOVED** by Elmer Derksen

That the agenda be adopted as presented.

**CARRIED**

**3.    MINUTES**

**a)    Adoption of Minutes**

**MPC-14-10-209    MOVED** by Beth Kappelar

That the minutes of the October 9, 2014 Municipal Planning Commission meeting be adopted as presented.

**CARRIED**

**b)    Business Arising from Previous Minutes**

There was no business arising from previous minutes.

**4. DEVELOPMENT**

- a) **Development Permit Application 280-DP-14  
Knelsen Sand & Gravel Ltd.;  
Natural Resource Extraction Industry (Gravel Pit)  
in Agriculture “A” (Fort Vermilion)  
Fort Vermilion Settlement, Range 02,Lots 5-6,  
Plan 962 1809, Block 01, Lot 01, Plan 812 0388,, Lot B**

**MPC-14-10-210**      **MOVED** by Beth Kappelar

That Development Permit 280-DP-14 on Fort Vermilion Settlement; Range 02; Lots 5-6, Plan 962 1809; Block 01; Lot 01, Plan 812 0388;;Lot B in the name of Knelsen Sand & Gravel Ltd. be APPROVED with the following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. **This development permit is temporary and will expire on October 29, 2024, should you require a time extension contact the Planning and Development department at 780-928-3983.**
2. **PRIOR to the use of a County road allowance, the developer must enter into a Road Allowance Use agreement with Mackenzie County. To enter into an agreement contact the Operations Department at the Fort Vermilion office at 780-927-3718.**
3. **All transporting/hauling will be done on the designated Mackenzie County truck route. Failure to comply will render this permit null and void.**
4. **The developer must adhere to the regulations of the Mackenzie County Noise Abatement Bylaw 590-06. Failure to comply will render this permit null and void.**
5. Developer shall obtain all applicable Provincial approvals prior to commencing development. Copies of all approvals shall be submitted to Mackenzie County.
6. The developer shall be responsible for the maintenance of their hauling and access roads which include dust control.
7. Setbacks shall be as shown in Appendix B; Drawing 4 – Pit Development Plan including a 5 meter (16.4 feet) minimum setback from the East road allowance.

8. The site, when depleted, must be reclaimed to Alberta Environmental Protection standards.
9. PRIOR to installation of a new access or changing location of existing access, complete a Request for Access form by contacting the Operations North Department for Mackenzie County at 927-3718. Access to be constructed to Mackenzie County standards and at the developer's expense.
10. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.

**CARRIED**

- b) Development Permit Application 284-DP-14  
Hardy Construction Inc.;  
Dwelling-Show Home in Hamlet Residential 1B  
"HR1B" (La Crete)  
Part of NW 09-106-15-W5M**

**MPC-14-10-211**      **MOVED** by Elmer Derksen

That Development Permit 284-DP-14 on Part of SW 09-106-15-W5M in the name of Hardy Construction Inc. be APPROVED with the following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. **This permit for a Dwelling – Show Home expires October 23, 2016. The landowner has two (2) years from the date of issuance to convert the Dwelling – Show Home to Dwelling – Single Family. Failure to do so will initiate actions as stated in the Land Use Bylaw 791-10.**
2. **The front of the building shall be:**
  - a) **7.6 meters (25 feet) from the front (West) property line;**

**Minimum building setbacks for the side and rear yards are:**

  - b) **1.52 meters (5 feet) rear (East) yard;**
  - c) **1.52 meters (5 feet) (North & South) side yards, from the property lines.**
3. The house shall face 110<sup>th</sup> Street with the garage located on the South side of the lot.
4. The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.

5. Where the lowest opening of the house is 25 feet from the front property line it is required to be at a minimum 4% grade above the curb level. Where the lowest opening of the house is 50 feet from the front property line it is required to be at a minimum 2% grade above the curb level.
6. Building to be connected to the Municipal water and sewer system and the cost of connection fees will be borne by the owner.
7. The Municipality has assigned the following address to the noted property (**10501-110<sup>th</sup> Street**). You are required to display the address (**10501**) to be clearly legible from the street and be on a contrasting background. The minimum size of the characters shall be four inches in height.
8. Provide adequate off street parking as follows: The minimum parking shall be 300 square feet per vehicle owned plus an additional 500 square feet for off street parking. *“One parking space, including the driveway area, shall occupy 300 square feet.”*
9. **Prior to the commencement of any clearing, excavation or other work in respect of the construction of the DWELLING – SHOW HOME, the Permit Holder shall:**
  - a. contact an Alberta Land Surveyor to survey the Proposed Lots in accordance with the Plan of Subdivision;
  - b. provide access to the DWELLING – SHOW HOME such that the total unobstructed distance from a fire hydrant/firepond/other to the principal entrance of each DWELLING – SHOW HOME is not more than ninety (90) metres or such distance as approved by Fire Rescue Operations. An access road(s) shall be constructed to County standards suitable for fire truck use; and
  - c. have erected on the site a sign bearing the words: *“This Show Home has been approved for the sole purpose of marketing homes in this area. Be advised that this Show Home cannot be sold or occupied as a residential dwellings until such time that it has been approved for occupancy by Mackenzie County. For more information call “Insert Developer Name and Phone Number”.*
10. The siting and development of the Dwelling – Show Home shall be in compliance with the regulations of the Land Use Zone intended to be applied to the site to accommodate future residential development; provided that the development officer

may attach additional conditions to minimize adverse impacts on adjacent development, including the construction of roadways or temporary turnarounds, in accordance with Mackenzie County's Design Standards.

11. The colours and materials employed for the exterior finishes, whether permanent or temporary, shall be compatible with those commonly found in Residential Zones.
12. Any exterior lighting shall be designed and located such that no light is directed at adjoining properties and such that the effectiveness of any traffic control devices is not impaired.
13. **The Dwelling – Show Home may not be used for occasional or permanent residential accommodation purposes until the Plan is registered with Alberta Land Titles.**
14. The owner of the site on which the Dwelling – Show Home is located shall, within two (2) weeks or otherwise determined by the development authority following the placement of basement or foundation walls, provide to the development officer a Real Property Report confirming the location of the same on the site.
15. Upon the issuance of a development permit for a Dwelling – Show Home, the County may register a caveat against the title to the subject lands advising prospective purchasers that the said lands have not been approved for residential occupancy.
16. **All DEVELOPMENT shall provide:**
  - a. Lighting between DWELLING UNITS;
  - b. Orientation of buildings and general site appearance;
  - c. Safe pedestrian access to and from the public sidewalk fronting the building; and
  - d. Parking areas adjacent to streets must be paved.
17. A DEVELOPMENT PERMIT converting a DWELLING – SHOW HOME to a DWELLING – SINGLE FAMILY may not be issued unless and until Construction Completion Certificate has been issued, respecting all municipal services to the site in accordance with a Development Agreement made with the County.
18. No construction or development is allowed on a right-of-way. It is the responsibility of the developer/owner/occupant to investigate the utility rights-of-way, if any, that exist on the property prior to commencement of any construction and to ensure that no construction or development is completed on any utility right-of-way.

19. The total site area (lot) shall have a positive surface drainage without adversely affecting the neighbouring properties.
20. The Developer shall at all times comply with all applicable Federal, Provincial and Municipal legislation and regulations and County Bylaws and resolutions relating to the development of the lands.

**CARRIED**

- c) Development Permit Application 288-DP-14  
James Campbell (Husky Energy);  
Temporary/Portable Unit (Office Building)  
In Forestry "F" (Rainbow Lake)  
10-10-109-08-W6M**

**MPC-14-10-212**      **MOVED** by Beth Kappelar

That Development Permit 288-DP-14 on 10-10-109-08-W6M in the name of James Campbell (Husky Energy) be APPROVED with the following conditions:

Failure to comply with one or more of the attached conditions shall render this permit Null and Void

1. Minimum building setbacks: 41.15 meters (135 feet) from any road allowances and 15.24 meters (50 feet) from any other property lines.
2. **Permit expires October 23, 2015, should the Temporary Unit need to remain on location, please contact Mackenzie County Planning and Development Department at (780) 928-3983 for a time extension.**
3. **The Temporary Unit shall meet all Alberta Safety Code requirements for Commercial/Industrial Buildings and any other requirements specified by Superior Safety Codes. Failure to do so shall render this permit Null and Void.**
4. Subject to conditions of an approved MLL, MSL or TFA from Alberta Sustainable Resources Development.
5. The architecture, construction materials and appearance of the Temporary Unit shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Authority.
6. The Temporary Unit shall not be used as a Dwelling Unit.



7. No construction or development is allowed on or in a right-of-way. It is the responsibility of the developer/owner/occupant to investigate the utility rights-of-way, if any, that exist on the property prior to commencement of any construction and to ensure that no construction or development is completed on any utility right-of-way.
8. All sewage disposal systems to be in conformance with the Alberta Private Sewage Systems Standard of Practice 2009.
9. The total site area shall have a positive surface drainage without adversely affecting the neighbouring properties.
10. The Developer shall at all times comply with all applicable Federal, Provincial and Municipal legislation and regulations and County Bylaws and resolutions relating to the development of the lands.

**CARRIED**

**5. SUBDIVISION**

- a) Subdivision Application 33-SUB-14  
Part of Plan 962 1175, Block 1, Lot 5  
SE 16-109-14-W5M (Rocky Lane)  
Fort Vermilion School Division**

**MPC-14-10-213      **MOVED** by Elmer Derksen**

That Subdivision application 33-SUB-14 in the name of Fort Vermilion School Division on Plan 962 1175, Block 1, Lot 5 be APPROVED as amended with the following additions:

1. This approval is for a Single lot Condominium subdivision, 4.08 acre (1.65 hectare) parcels in size.
2. Applicant/developer shall enter into and abide by a Development Agreement with the Mackenzie County which shall contain, but is not limited to:
  - a) Prior to any development on the proposed subdivision, the developer shall obtain a development permit from the Municipality.
  - b) Provision of access to the subdivision and the balance of the lands in accordance with Mackenzie County standards at the developer's expense.

- c) **The Condominium Development shall have its own independent water supply.**
- d) Provision of a storm water management plan. Contact Planning and Development staff at 780-928-3983 to discuss the requirements for your subdivision.
- e) Provision of municipal reserve in the form of money in lieu of land. Specific amount is based on 10% of the subject land and on the current market value. The current market value for this property is \$125.00 per acre. Municipal reserve is charged at 10%, which is \$ per subdivided acre. **4.08 acres times \$125.00 equals \$700.00.**
- f) **The Developer has the option to provide a market value appraisal of the existing parcel of land as of a specified date occurring within the 35-day period following the date on which the application for subdivision approval is made in accordance to the *Municipal Government Act Section 667 (1) (a)*.**
- g) All sewage disposals shall conform to the Alberta Private Sewage Systems Standard of Practice 2009.
- h) Any outstanding property taxes are to be paid on the land proposed to be subdivided prior to registration.
- i) Provision of utility right-of-way as required by ATCO Electric, TELUS and Northern Lights Gas and others.
- j) ATCO requires a 15 meter Powerline Right of Way. .
- k) Provision of and negotiations for utility rights-of-way and/or easements as required by utility companies. The Developer shall be responsible for any line relocation or correction costs that occur as a result of this development. Responses from utilities companies are shown in Schedule "C" hereto attached.

**CARRIED**

**6. MISCELLANEOUS ITEMS**

- a) **Bylaw 97x-14  
Land Use Bylaw Amendment to Rezone Part of NW 9-106-15-W5M from Hamlet Residential 1A "HR1A" to Hamlet Residential 1B "HR1B" (La Crete)**

**MPC-14-10-214      MOVED by Elmer Derksen**

That the Municipal Planning Commission recommendation to Council for Approval of Bylaw 97x-14, being a Land Use Bylaw amendment to rezone Plan 142 0595, Block 34, Lots 1-18 from Hamlet Residential 1A 'HR1A' to Hamlet Residential 1B 'HR1B'.

**CARRIED**

b) **Action List**

**MPC-14-10-215**      **MOVED** by Jack Eccles

That the action list be received for information.

**CARRIED**

7. **NEXT MEETING DATES**

Municipal Planning Commission meeting dates are scheduled as follows:

❖ November 7, 2014 at 10:00 a.m. in La Crete

8. **ADJOURNMENT**

**MPC-14-10-216**      **MOVED** by Jack Eccles

That the Municipal Planning Commission Meeting be adjourned at 10:20 a.m.

**CARRIED**

These minutes were adopted this 7<sup>th</sup> day of November, 2014.

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Wally Schroeder, Vice Chair