

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS, IN DRAYTON VALLEY, ALBERTA ON TUESDAY, APRIL 26, 2011

IN ATTENDANCE: Bob Kitching, Councillor
Dawn Konelsky, Councillor
Shirley Mahan, Councillor
Robert Lind, Member at Large
Heather Anderson, Member at Large
Melissa Groening, Director of Planning and Development
Jocelyn Beattie, Recording Secretary
Ashlie Perras, Recording Secretary

ABSENT: None

PUBLIC ATTENDANCE: Tania Bouchard
Cordell Anderson & Charyl Anderson
Tyler Calvert
Jeff Warlow
D. Herold
Lisa Hallgren
Kari Moody & Peter Moody
Trevor Switzer
Joe Remail

CALL TO ORDER: Robert Kitching, Chairperson called the meeting to order at 9:02 am.

ADDITIONS TO AGENDA None

ADOPTION OF AGENDA 023-11 Moved by Robert Lind to approve the Agenda.

CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES 024-11 Moved by Dawn Konelsky to approve the amended minutes of the March 15, 2011 Municipal Commission Meeting Minutes.

CARRIED UNANIMOUSLY

BUSINESS ARISING: MPC Schedule for 2011 – November 22, 2011 will be removed and rescheduled for November 29, 2011

ADMINISTRATIVE - MATTERS Completion of the Attendance Claim Forms.

DEVELOPMENT PERMIT APPLICATIONS: **PROPOSAL:** Manufacturing Industry Business Permit
LEGAL DESC.: Lot 16a Block 1 Plan 022 7816 within NE 6-49-7 W5M
APPLICANT: Brazeau Industries Corp.
OWNER: Alberta Highway Services
FILE: 11D-011

025-11 Moved by Dawn Konelsky to approve the application subject to the following conditions:

1. Minimum Requirements
 - (a) Parcel Area:
 - (i) 0.4 ha (1 acre).
 - (b) Parcel Width:
 - (i) 30.5 m (100 ft.).

2. Maximum Limits
 - (a) Site Coverage:
 - (i) 30%.
 - (b) Height:
 - (i) 9.0 m (30 ft.) or three (3) storeys – the lesser thereof for the principal building;
 - (ii) Accessory buildings will be equal to or less than the height of the principal building;
 - (iii) Fencing/screening will be at the discretion of the Development Authority.
3. The shop cannot be permanently used by another business unless the appropriate permit has been first obtained from Brazeau County.
4. The applicant shall be responsible for the control of any weeds on the land in accordance with the applicable provincial regulations.
5. The landscaping requirements shall be at the discretion of the development authority. A landscaped buffer may be required along the side parcel boundary.
6. The developer shall not prevent, disrupt or redirect the flow of surface water on a lot without approval from the County and/or Alberta Environment. The developer shall contain additional surface drainage by a development within the lot. Run-off shall not be redirected to a County right-of-way or natural drainage course without approval from the County and/or Alberta Environment.
7. Any disposal of oils, fluids, or other hazardous substances shall be in accordance with applicable provincial regulations and requirements set out by Alberta Environment in the Environmental Protection and Enhancement Act.
8. The Applicant must apply to Alberta Transportation for a Roadside Development Permit for Highway 22.

CARRIED UNANIMOUSLY

PROPOSAL: Manufacturing Industry Business Permit
LEGAL DESC.: Lot 16a Block 1 Plan 022 7816 within
NE 6-49-7 W5M
APPLICANT: 1021715 Alberta Ltd.
OWNER: Alberta Highway Services
FILE: 11D-012

026-11 Moved by Shirley Mahan to approve the application subject to the following conditions:

1. Minimum Requirements
 - (a) Parcel Area:
 - (ii) 0.4 ha (1 acre).
 - (b) Parcel Width:
 - (iii) 30.5 m (100 ft.).
2. Maximum Limits
 - (c) Site Coverage:
 - (i) 30%.
 - (d) Height:
 - (i) 9.0 m (30 ft.) or three (3) storeys – the lesser thereof for the principal building;

- (ii) Accessory buildings will be equal to or less than the height of the principal building;
 - (iii) Fencing/screening will be at the discretion of the Development Authority.
3. The shop cannot be permanently used by another business unless the appropriate permit has been first obtained from Brazeau County.
 4. The applicant shall be responsible for the control of any weeds on the land in accordance with the applicable provincial regulations.
 5. The landscaping requirements shall be at the discretion of the development authority. A landscaped buffer may be required along the side parcel boundary.
 6. The developer shall not prevent, disrupt or redirect the flow of surface water on a lot without approval from the County and/or Alberta Environment. The developer shall contain additional surface drainage by a development within the lot. Run-off shall not be redirected to a County right-of-way or natural drainage course without approval from the County and/or Alberta Environment.
 7. Any disposal of oils, fluids, or other hazardous substances shall be in accordance with applicable provincial regulations and requirements set out by Alberta Environment in the Environmental Protection and Enhancement Act.
 8. The Applicant must apply to Alberta Transportation for a Roadside Development Permit for Highway 22.

CARRIED UNANIMOUSLY

PROPOSAL: Development of a Manufactured Home in a Hamlet Residential Single Detached District
LEGAL DESC.: Lot 5, Block 7, Plan 802 2429 within SE 4-50-7 W5M
APPLICANT: Kennedy Agrios LLP c/o Cordell Anderson
OWNER: Cordell Anderson
FILE: 11D-017

027-11 Moved by Dawn Konelsky to refuse the application.

CARRIED UNANIMOUSLY

SUBDIVISION APPLICATIONS:

PROPOSAL: To subdivide three (3) parcels
LEGAL DESC.: NW 34-48-4 W5M
APPLICANT: Jeff and Robin Wardlow
OWNER: Jeff and Robin Wardlow
FILE: 11S-005

028-11 Moved by Heather Anderson to approve the application according to the submitted Tentative Plan subject to the following conditions:

1. Pursuant to Section 657 of the *Municipal Government Act*, the applicant must submit to Brazeau County (in digital and paper format), a plan for registration acceptable to the District Registrar of the Land Titles Office.
2. The applicant must construct a new approach to the remainder to meet Brazeau County Specifications. The applicant must contact the Public Works Department (542 7711) to arrange for an inspection prior to commencing construction. Alternatively the

applicant may pay the County to upgrade the existing approach.

3. The applicant must enter into a Road Purchase Agreement with the County, for the purchase of a 5.18 meter strip of land for future road widening along the northern boundary of the remaining lands, which shall be registered by caveat concurrently with the subdivision registration. Brazeau County will prepare the caveat and agreement according to the 2011 Schedule of Fees in the amount of \$200.00.
4. The applicant must dedicate 5.18 meter road widening parallel to and extending along the western boundary of the Lot 3, and is to be registered by Road Plan or Plan of Survey.
5. The applicant must obtain a Roadside Development Permit from Alberta Transportation for the removal of the approach to proposed Lot 2. Then they must provide proof that it is removed to Alberta Transportations satisfaction.
6. The applicant must dedicate a 30 meter wide service road Right-of-Way parallel to the highway for the North and South sides of Highway 39 on the proposed lot and on the remainder by caveat. The applicant must submit three (3) executed copies of the Service Road Agreement and one (1) caveat to Alberta Transportation. To ensure that these documents meet the requirements of the Alberta Land Titles Office, it is recommended that these agreements be prepared by an Alberta Land Surveyor or a lawyer.
7. The Applicant must register a Utility Right of Way Plan and enter into a Utility Easement with Brazeau County in regard to future utilities that may need to be installed within the proposed lots and remainder. Such Utility Right of Way Plan and Utility Easement shall plan for gas and electrical power utilities and shall be registered on the titles of the proposed lots and remainder. The Applicant must obtain the anticipated locations and widths of the utilities from the applicable power and gas company. Please contact Fortis for power requirements. Brazeau County will prepare the easement according to the 2011 Schedule of Fees in the amount of \$200.00.
8. A Deferred Reserve Caveat for the balance of Municipal Reserve owing will be registered on the remainder concurrently with the subdivision registration. Brazeau County will prepare the caveat according to the 2011 Schedule of Fees in the amount of \$200.00.
9. The applicant must pay cash-in-lieu representing 10% of the area of the proposed subdivision. The final calculation of Municipal Reserve will be done upon receipt of the final plan.
10. The applicant is required to pay a final subdivision endorsement fee of \$100.00 per lot.
11. The applicant must pay all taxes owing to the Municipality, up to and including the year in which subdivision is to be registered, prior to the County signing the final subdivision approval documents pursuant to Section 654(1) of the *Municipal Government Act*.

CARRIED UNANIMOUSLY

PROPOSAL: To subdivide one (1) parcel
LEGAL DESC.: SE 25-50-7 W5M
APPLICANT: Tyler and Melanie Calvert
OWNER: Tyler and Melanie Calvert
FILE: 11S-006

029-11 Moved by Robert Lind to approve the application according to the submitted Tentative Plan subject to the following amended conditions:

1. Pursuant to Section 657 of the *Municipal Government Act*, the applicant must submit to Brazeau County (in digital and paper format), a plan for registration acceptable to the District Registrar of the Land Titles Office.
2. The applicant must remove the existing approach located on the proposed lot and relocate it south to a drier area, to meet Brazeau County Specifications. The applicant must contact the Public Works Department (542 7711) to arrange for an inspection prior to commencing construction. Alternatively the applicant may pay the County to upgrade the existing approach.
3. The applicant must provide a lot grading plan as per Section 8 of the Brazeau County Standards and Specifications. The lot grading plan must be prepared by a Certified Engineer or an Alberta Land Surveyor and approved by Brazeau County. The lot grading plan will be registered on title within a Restrictive Covenant so that future landowners are aware of the lot grading before constructing the home. Brazeau County will prepare the Restrictive Covenant as per the 2011 Schedule of Fees in the amount of \$200.00. If the lot grading plan warrants a storm water management plan, that will be required and approved by both Brazeau County and Alberta Environment.
4. The applicant must ensure that the location of the on-site sewage disposal system on the remainder complies with the requirements of the Alberta Private Sewage Disposal Regulations. The applicant must provide Brazeau County with a Certificate of Compliance from an accredited agency reflecting that the proposed parcel boundaries have been taken into consideration when compliance was considered. The arrangements and costs are the responsibility of the applicant.
5. The applicant must dedicate 5.18 meter road widening parallel to and extending along the southern boundary of the proposed lot, and is to be registered by Road Plan or Plan of Survey or in the event that a Descriptive Plan is registered, a caveat for the road widening shall be registered. Brazeau County will prepare the caveat and agreement according to the 2011 Schedule of Fees in the amount of \$200.00.
6. The applicant must enter into a Road Purchase Agreement with the County, for the purchase of a 5.18 meter strip of land for future road widening along the southern boundary of the remaining lands, which shall be registered by caveat concurrently with the subdivision registration. Brazeau County will prepare the caveat and agreement according to the 2011 Schedule of Fees in the amount of \$200.00.
7. Brazeau County will prepare an Environmental Reserve Easement for the center of the drainage channel to 20 m east from the top of bank to prevent deforestation of the natural drainage course to be registered on proposed Lot 1 within the SE 25-50-7-W5M. The easement area sketch must be drafted by the Alberta Land Surveyor showing the location of the environmental reserve. Brazeau County will prepare the caveat and easement according to the 2011 Schedule of Fees in the amount of \$200.00.
8. The applicant must provide a Geotechnical Report prepared by a certified Engineer to prove that the proposed lot is suitable for development. This report must also indicate what types of septic systems are suitable for the proposed lot. Findings of this report will form part of a Restrictive Covenant to be registered on the title of the lot. Brazeau County will prepare the caveat and Restrictive Covenant according to the 2011 Schedule of Fees in the amount of \$200.00.
9. The Applicant must register a Utility Right of Way Plan and enter into a Utility Easement with Brazeau County in regard to future

utilities that may need to be installed within the proposed lots and remainder. Such Utility Right of Way Plan and Utility Easement shall plan for gas and electrical power utilities and shall be registered on the titles of the proposed lots and remainder. The Applicant must obtain the anticipated locations and widths of the utilities from the applicable power and gas company. Please contact the Tomahawk REA for power requirements. Brazeau County will prepare the easement according to the 2011 Schedule of Fees in the amount of \$200.00.

10. A Deferred Reserve Caveat for the balance of Municipal Reserve owing will be registered on the remainder concurrently with the subdivision registration. Brazeau County will prepare the caveat according to the 2011 Schedule of Fees in the amount of \$200.00.
11. The applicant is required to pay a final subdivision endorsement fee of \$100.00 per lot according to the 2011 Schedule of Fees.
12. The applicant must pay all taxes owing to the Municipality, up to and including the year in which subdivision is to be registered, prior to the County signing the final subdivision approval documents pursuant to Section 654(1) of the *Municipal Government Act*.

CARRIED UNANIMOUSLY

PROPOSAL: That the subdivision is approved with the lot size variance
LEGAL DESC.: NW 10-49-7 W5M
APPLICANT: Snell & Oslund
OWNER: Span West Ventures
FILE: 11S-007

Dawn Konelsky stepped out for this application due to conflict of interest.

030-11 Moved by Shirley Mahan to approve the application according to the submitted Tentative Plan subject to the following conditions:

1. Pursuant to Section 657 of the *Municipal Government Act*, the applicant must submit to Brazeau County (in digital and paper format), a plan for registration acceptable to the District Registrar of the Land Titles Office.
2. The applicant must improve the approach from RR 73 to meet Brazeau County Specifications. The applicant must contact the Public Works Department (542 7711) to arrange for an inspection prior to commencing construction. Alternatively the applicant may pay the County to upgrade the existing approach.
3. The applicant must dedicate 5.18 meter right of way parallel to and extending along the eastern boundary of the existing Drayton Valley Sewer Trunk Line R/W Plan 822 2025, and is to be registered by Right of Way Plan. Brazeau County will prepare the caveat and agreement that accompanies the plan according to the 2011 Schedule of Fees in the amount of \$200.00. The Right of Way Plan must be prepared by the Alberta Land Surveyor.
4. The Applicant must register a Utility Right of Way Plan and enter into a Utility Easement with Brazeau County in regard to future utilities that may need to be installed within the proposed lots and remainder. Such Utility Right of Way Plan and Utility Easement shall plan for gas and electrical power utilities and shall be registered on the titles of the proposed lots and remainder. The Applicant must obtain the anticipated locations and widths of the utilities from the applicable power and gas company. Please contact the Drayton Valley REA for the power

requirements. Brazeau County will prepare the easement according to the 2011 Schedule of Fees in the amount of \$200.00.

5. The applicant must enter into a Development Agreement with Brazeau County, which will include, but not be limited to the following:
 - a. Construct the RR 72A through Lot C according to Brazeau County paved road Standards and Specifications to the south boundary of Lot C. The Applicant must contact Public Works prior to commencement of the work.
 - b. Construct an approach to the remainder from the newly built road to be constructed according to Brazeau County Standards and Specifications and is subject to final inspection by Brazeau County. The applicant must contact the Public Works Department (542-7711) to arrange an inspection.
 - c. Construction of a water and sewage distribution system to the satisfaction of the Town of Drayton Valley.

Brazeau County will prepare the caveat and agreement according to the 2011 Schedule of Fees in the amount of \$1000.00.
6. The applicant must pay the water and sewer hookup fees in the amounts of \$1840.00 for water and \$1056.00 for sewer in accordance with the 2011 Schedule of Fees.
7. In accordance with the Off Site Levy Bylaw 235-95, the applicant is required to pay a levy of \$742.28/lot to Brazeau County.
8. The applicant is required to pay a final subdivision endorsement fee of \$100.00 per lot.
9. The applicant must pay all taxes owing to the Municipality, up to and including the year in which subdivision is to be registered, prior to the County signing the final subdivision approval documents pursuant to Section 654(1) of the *Municipal Government Act*.

CARRIED – 3-1

OPPOSED - Robert Lind

PROPOSAL: Subdivide one (1) parcel
LEGAL DESC.: SW 14-48-8 W5M
APPLICANT: Tania and Brett Bouchard
OWNER: Debra Herold and Roger Sullivan
FILE: 11S-008

031-11 Moved by Shirley Mahan to approve the application according to the submitted Tentative Plan subject to the following conditions:

1. Pursuant to Section 657 of the *Municipal Government Act*, the applicant must submit to Brazeau County (in digital and paper format), a plan for registration acceptable to the District Registrar of the Land Titles Office.
2. The applicant must construct a new approach to the proposed lot to meet Brazeau County Specifications. The applicant must contact the Public Works Department (542 7711) to arrange for an inspection prior to commencing construction. Alternatively the applicant may pay the County to upgrade the existing approach.
3. The applicant must ensure that the location of the on-site sewage disposal system on the remainder complies with the requirements of the Alberta Private Sewage Disposal Regulations. The applicant must provide Brazeau County with a Certificate of Compliance from an accredited agency reflecting that the proposed parcel

boundaries have been taken into consideration when compliance was considered. The arrangements and costs are the responsibility of the applicant.

4. The Applicant must register a Utility Right of Way Plan and enter into a Utility Easement with Brazeau County in regard to future utilities that may need to be installed within the proposed lots and remainder. Such Utility Right of Way Plan and Utility Easement shall plan for gas and electrical power utilities and shall be registered on the titles of the proposed lots and remainder. The Applicant must obtain the anticipated locations and widths of the utilities from the applicable power and gas company. Please contact the Drayton Valley REA for power requirements. Brazeau County will prepare the easement according to the 2011 Schedule of Fees in the amount of \$200.00.
5. A Deferred Reserve Caveat for the balance of Municipal Reserve owing will be registered on the remainder concurrently with the subdivision registration. Brazeau County will prepare the caveat according to the 2011 Schedule of Fees in the amount of \$200.00.
6. The applicant must pay cash-in-lieu representing 10% of the area of the proposed subdivision. The final calculation of Municipal Reserve will be done upon receipt of the final plan.
7. The applicant is required to pay a final subdivision endorsement fee of \$100.00 per lot according to the 2011 Schedule of Fees.
8. The applicant must pay all taxes owing to the Municipality, up to and including the year in which subdivision is to be registered, prior to the County signing the final subdivision approval documents pursuant to Section 654(1) of the *Municipal Government Act*.

CARRIED UNANIMOUSLY

PROPOSAL: Lot Line Adjustment for a C of T
LEGAL DESC.: Part of NW 34-48-5 W5M
APPLICANT: Kari & Peter Moody
OWNER: Darren & Jody Schmideck
FILE: 11S-008

032-11 Moved by Dawn Koneslky to grant a variance to the C of T to become Lot 1 on the application according to the submitted Tentative Plan subject to the amended following conditions:

1. Pursuant to Section 657 of the *Municipal Government Act*, the applicant must submit to Brazeau County (in digital and paper format), a plan for registration acceptable to the District Registrar of the Land Titles Office.
2. The applicant must ensure that the location of the on-site sewage disposal system on the proposed lot complies with the requirements of the Alberta Private Sewage Disposal Regulations. The applicant must provide Brazeau County with a Certificate of Compliance from an accredited agency reflecting that the proposed parcel boundaries have been taken into consideration when compliance was considered. The arrangements and costs are the responsibility of the applicant.
3. If the Public Works survey determines that the previous road widening of the road has encroached onto the C of T then the applicant must dedicate 5.18 meters of road widening on the west boundary of the new lot and Brazeau County will offer to compensate. If the road construction has not encroached then 5.18 meters must be dedicated on the west boundary of the new lot for future road widening by Road Plan or on the Plan of Survey.
4. The applicant must enter into a Road Purchase Agreement with the County, for the purchase of a 5.18 meter strip of land for

future road widening along the northern boundary of the remaining lands, which shall be registered by caveat concurrently with the subdivision registration. Brazeau County will prepare the caveat and agreement according to the 2011 Schedule of Fees in the amount of \$200.00.

5. The Applicant must register a Utility Right of Way Plan and enter into a Utility Easement with Brazeau County in regard to future utilities that may need to be installed within the proposed lots and remainder. Such Utility Right of Way Plan and Utility Easement shall plan for gas and electrical power utilities and shall be registered on the titles of the proposed lots and remainder. The Applicant must obtain the anticipated locations and widths of the utilities from the applicable power and gas company. Please contact Fortis for power requirements. Brazeau County will prepare the easement according to the 2011 Schedule of Fees in the amount of \$200.00.
6. The applicant must submit to the County a slope stability study conducted by a qualified geotechnical engineering firm to determine the setback from the drainage course within the new lot. Recommendations made in the report as to how construction can occur with regards to proximity to the slope will be registered on title by a Restrictive Covenant. An Environmental Reserve Easement will also be registered on the Title to protect the area on both sides of the slope excluding the area deemed appropriate to build within the engineered report. Brazeau County will prepare the agreements according to the 2011 Schedule of Fees in the amount of \$200.00.
7. A new Deferred Reserve Caveat for the balance of Municipal Reserve owing will be registered on the remainder concurrently with the subdivision registration and the existing Deferred Reserve Caveat will be discharged from the title. Brazeau County will prepare the caveat and discharge according to the 2011 Schedule of Fees in the amount of \$200.00.
8. The applicant must pay cash-in-lieu representing 10% of the area of the proposed subdivision. The final calculation of Municipal Reserve will be done upon receipt of the final plan.
9. The applicant is required to pay a final subdivision endorsement fee of \$100.00 per lot according to the 2011 Schedule of Fees.
10. The applicant must pay all taxes owing to the Municipality, up to and including the year in which subdivision is to be registered, prior to the County signing the final subdivision approval documents pursuant to Section 654(1) of the *Municipal Government Act*.

ADJOURNMENT:

033-11 Moved by Robert Lind that the Municipal Planning Commission meeting of April 26, 2011 adjourn at 10:39 a.m.

CARRIED UNANIMOUSLY

Chair

Recording Secretary