

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS, IN DRAYTON VALLEY, ALBERTA ON TUESDAY, August 30, 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
- ABSENT:** None
- PUBLIC ATTENDANCE:** Audrey Erickson
Brent Erickson
Kevin Knopp – Brenntag Canada Inc.
Larry Tower – Brenntag Canada Inc.
Wendy Filewich
Michael Bye
Trevor Filewich
Arlene Grenier
Denniece Johnson
Doug Miles
Anne Romanchuk & Daughter
- CALL TO ORDER:** Bob Kitching, Chairperson called the meeting to order at 9:02 am.
- ADDITIONS TO AGENDA** Change order of Agenda. Melissa Groening has asked that the subdivision file 11S-011 be presented first.
- ADOPTION OF AGENDA** 071-11 Moved by Dawn Konelsky to approve the Agenda, as amended.

CARRIED UNANIMOUSLY

- ADOPTION OF THE MINUTES** 072-11 Moved by Heather Anderson to approve the minutes of the August 9, 2011 Municipal Commission Meeting Minutes.

CARRIED UNANIMOUSLY

- BUSINESS ARISING:** None
- ADMINISTRATIVE - MATTERS** Completion of the Attendance Claim Forms.
- DEVELOPMENT APPLICATIONS:**
- PROPOSAL:** RV Park / Campground
LEGAL DESC.: Plan 782 2989, Block 8, Lot 1 within NW 31-47-09 W5M
APPLICANT: Foothills Lodging Ltd – Michael & Deanna Bye
OWNER: McLean Bros. 1975 Ltd.
FILE: 11D-092
- 073-11 Moved by Shirley Mahan to approve the application:

DEFEATED

For: Robert Lind, Shirley Mahan

Opposed: Robert Kitching, Dawn Konelsky, and Heather Anderson



REASONS:

There was considerable objection from the community and concerns regarding traffic congestion issues.

PROPOSAL: Eating & Drinking Establishment
LEGAL DESC.: Plan 3504 KS, Lot 13 within NW 31-47-09 W5M
APPLICANT: AUD SPOT – Audrey Erickson
OWNER: Brent & Brian Erickson
FILE: 11D-117

074-11 Moved by Heather Anderson to approve the application as amended:

1. The hours of operation are to be Monday to Friday 6:00 a.m. to 6:00 p.m.
2. Facility must comply with the Public Health Act, Food Regulation. Construction of the facility must comply with the Alberta Health Services Construction Guidelines for Food Establishment. Facility must be operated and maintained so that no nuisance conditions exist.
3. Food Establishment Permit must be obtained prior to the commencement of operation and final approval must be obtained and inspection conducted by the Health Inspector.
4. All water sources intended for human consumption are to be equipped, tested, maintained and disinfected so that the water will remain potable.
5. In accordance to the Nuisance and General Sanitation Regulation of the Public Health Act. No person shall have a water well located within:
 - (a) 10 meters of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system.
 - (b) 15 meters of a weeping tile filed, an evaporative treatment mound or an outdoor pit privy.
 - (c) 30 meters of leaching cesspool,
 - (d) 50 meters of sewage effluent on the ground surface
 - (e) 100 meters of a sewage lagoon, or
 - (f) 450 meters of any area where water is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96)
6. The display or placement of exterior signage on the premises larger than 1.5 m² (16 ft²) in sign area shall require a Development Permit.
7. The applicant must use the existing paved approach from 50th Avenue and not the approach from the back alley. The back alley approach must be blocked from traffic with a barricade or gate.



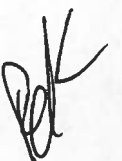
8. All outdoor storage will be screened from adjacent land uses with a solid screened fence (chain link fence with privacy slats, solid wood, metal etc.), or landscaping constructed to the satisfaction of the Development Authority.
9. The applicant shall be responsible for the control of any weeds on the lands in accordance with the applicable provincial regulations.
10. The grassing and landscaping to the curb, sidewalk, or roadway shall be the responsibility of the owner/applicant.
11. No on-street parking is allowed.
12. The applicant must comply with all applicable provincial regulations and obtain any necessary permits.
13. The applicant is required to obtain a liquor license from Alberta Gaming & Liquor Commission in order to legally run a licensed facility. If a liquor license is acquired, a copy must be submitted to Brazeau County office.
14. The applicant must enter into a Road Use Agreement with Brazeau County for use of municipal roads. This agreement will include, but shall not be limited to, regular road maintenance requirements and the provision of effective dust control along the haul route. Effective dust control will be deemed to be the proper application of dust control product satisfactory to Brazeau County, to be applied as required by Brazeau County, at the sole cost of the applicant. The development cannot commence until a Road Use Agreement has been entered into with Public Works.
15. The Applicant must apply to Alberta Transportation for a Roadside Development Permit for Highway 753 & 620.

CARRIED UNANIMOUSLY

PROPOSAL: Bulk Oil & Chemical Storage Business
LEGAL DESC.: Plan 832 1079, Block 2, Lot 6B within
SE 18-49-07 W5M
APPLICANT: Brenntag Canada inc.
OWNER: Kerri & John Sack
FILE: 11D-120

075-11 Moved by Heather Anderson to approve the application according to the following amended conditions:

1. Use: Bulk Oil & Chemical Storage business in a pre-existing building.
2. Setback Requirements:
 - (a) Front Yard:
15.0 m (50 ft.) where abutting an internal road;
 - (b) Rear Yard:
15.0 m (50 ft.) where abutting an internal road;



(c) Side Yard:
6.0 m (20 ft.);

****NOTE: All setbacks are from the owner's property line, NOT from any roadway, curb, or sidewalk. The owner/applicant or contractor must ensure to locate the property lines before setting the building, footmap, or walls on the property and must meet the setbacks as per the approved site plan.****

3. The applicant must apply for a development permit from Brazeau County before constructing any additional buildings.
4. The applicant shall apply to Alberta Municipal Affairs for the pertinent building, electrical, gas and plumbing permits to ensure compliance with the Alberta Building, Electrical, Plumbing and Gas standards and regulations.
5. The shop cannot be permanently used by another business unless the appropriate permit has been first obtained from Brazeau County.
6. The applicant shall be responsible for all surface water drained in accordance with the approved storm water management system for the subject lands. If the lot grading to handle storm water is altered in any way from the existing layout, lot grading plan is required to be submitted by the applicant to Brazeau County for approval.
7. No on-site parking is permitted. One parking space per employee in attendance is required.
8. Submit evidence of permit approval from the Petroleum Tank Management Association of Alberta.
9. Submit evidence of Regional Fire Marshall approval of the design and location of the chemical storage.
10. The applicant shall be responsible for the control of any weeds on the land in accordance with the applicable provincial regulations.
11. The grassing and landscaping to the curb, sidewalk, or roadway shall be the responsibility of the owner/applicant.
12. 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*.
13. 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.
14. Any outside storage of materials, commodities or finished products shall be carried out in an orderly and aesthetically pleasing manner (fencing or berming may be required at the discretion of the Development Officer).

15. The exterior of any permitted structure shall be finished to a reasonable standard that is consistent and compatible with neighbouring developments and shall not be unsightly or untidy.


CARRIED UNANIMOUSLY

**SUBDIVISION
APPLICATIONS:**

PROPOSAL: To subdivide one 109.6 acre agricultural parcel
LEGAL DESC.: NE 11-48-06-W5M
APPLICANT: Wendy Filewich
OWNER: Same
FILE: 11S-011

076-11 Moved by Dawn Konelsky 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 will be responsible to remove the two approaches from Hwy 20 and relocate the approach that is located on the adjacent south quarter to straddle the quarter line. The applicant must apply to Alberta Transportation for a Roadside Development Permit for the removal and relocation. Once the construction is completed, the applicant must provide proof that it is removed and constructed to Alberta Transportation's satisfaction.
3. The applicant must provide the respective easement to be registered on each title of the remainder of and the property to the south along with an attached schedule drafted by the Alberta Land Surveyor showing the location of the mutual access. Brazeau County will prepare the easement and/or Caveat for the applicant for the cost of \$200.00 as per the Schedule of Fees but the schedule showing the location of the mutual approach must be provided by the Alberta Land Surveyor. The caveat for the approach will be registered to Brazeau County. It is recommended that the two landowners enter into an access agreement for the use of the driveway itself but not a condition of subdivision.
4. The applicant must dedicate a 30 meter wide service road Right-of-Way parallel to the highway to the East side of Highway 20 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.
5. The applicant must ensure that the location of the on-site sewage disposal system on the remainder and proposed Lot 1 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.



6. The applicant must dedicate 5.0 meter road widening parallel to and extending along the portion of the northern boundary of the lot where road widening has not been dedicated. The road widening will line up with existing road dedication on the lot and is to be registered by Road Plan or Plan of Survey. (See attached Schedule "A")
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 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*.

CARRIED UNANIMOUSLY

ADJOURNMENT:

077-11 Moved by Robert Lind that the Municipal Planning Commission meeting of August 30, 2011 adjourn at 10:30 a.m.

CARRIED UNANIMOUSLY

Chair

Recording Secretary