

AGENDA
CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION MEETING
March 8, 2016

The regular meeting of the Municipal Planning Commission for the Clear Hills County will be held on Tuesday, March 8, 2016, in the Council Chambers, Worsley, Alberta, at 9:00 a.m.

- A) CALL TO ORDER**
- B) AGENDA**
 - A. REGULAR MEETING March 8, 2016..... 1*
- C) ADOPTION OF THE PREVIOUS MINUTES**
 - A. REGULAR MEETING OF February 23, 2016 2*
- D) BUSINESS ARISING OUT OF THE MINUTES**
- E) DELEGATION**
- F) BY-LAW**
- G) OLD BUSINESS**
- H) NEW BUSINESS**
 - A. DEVELOPMENT PERMIT APPLICATION – Myles Bean 4*
- I) CORRESPONDENCE AND INFORMATION**
- J) CONFIDENTIAL ITEMS**
- K) ADJOURNMENT**

Initials show support - Reviewed by: Development Officer:	Manager:
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**MINUTES OF CLEAR HILLS COUNTY
MUNICIPAL PLANNING COMMISSION
COUNTY COUNCIL CHAMBERS
FEBRUARY 23, 2016**

PRESENT	Miron Croy Jake Klassen Charlie Johnson Lee Svederus	Chairperson Deputy Chairperson Member Member
ABSENT	Peter Frixel	Member
ATTENDING	Allan Rowe Dallas Logan Audrey Bjorklund Bonnie Morgan	Chief Administrative Officer (CAO) Development Officer Community Development Officer (CDM) Executive Assistant (EA)
CALL TO ORDER	Chair Croy called the meeting to order at 9:00a.m.	
<u>ACCEPTANCE OF AGENDA</u>		
M01-16	RESOLUTION by Member Svederus to adopt the agenda governing the February 23, 2016, Municipal Planning Commission Meeting, as presented. CARRIED.	
<u>APPROVAL OF MINUTES</u> Previous Regular Meeting Minutes		
M02-16	RESOLUTION by Deputy Chair Klassen to adopt the minutes of the November 24, 2015 Municipal Planning Commission Meeting, as presented. CARRIED.	
<u>NEW BUSINESS</u> Development Permit Application W51-15	Development Permit Application W51-15 was received from Johan Braun to develop a Scrap Metal Business at part of NW 17-85-5 W6M.	
M03-16	RESOLUTION by Member Johnson that the Municipal Planning Commission approves Development Permit Application W51-15 from Johan Braun to develop a Scrap Metal Business, located at part of NW 17-85-5 W6M, subject to the following conditions:	
	<ol style="list-style-type: none"> 1. Developer to have a Noise Impact Assessment prepared by a professional engineer (with experience in conducting noise impact assessments) with noise impacts and mitigation measures from the potential scrap metal business on adjacent and nearby homesteads, as well as the impacts on grazing animals on subject lands. 2. Noise levels for worker on the industrial site to be adhered to in accordance with the Canadian Centre for Occupational Health and Safety Standards. 	

3. Erection of noise site buffers, which can include a combination of vegetation, solid fencing, hours of operation and/or any other mitigation measures that are identified in the noise impact assessment. Noise and site buffers must be a minimum height of 2.5m (8feet), unless the noise impact assessment identifies a greater height.
 - ~~4. Any business conducted on-site shall be from Monday to Saturday between the hours of 8:00 am and 6:00 pm.~~
 5. Developer must comply with storage of contaminants as required by Alberta Environment and Alberta Public Health (items such as batteries, tires, fluids from vehicles, etc.).
 6. Developer and landowner will enter into an agreement with the County to address issues including the reclamation and cleanup of the site when the proposed use ceases.
 7. The site shall be kept free of noxious and/or prohibited noxious weeds.
 8. Minimum setbacks from the property line, unless the noise impact indicates greater minimums, will be no less than:
 - a) Front yard, 7.6m (25 feet)
 - b) Side yard, 15.2m (50 feet)
 - c) Rear yard, 7.6m (25 feet)
 9. All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Codes Council.
 10. All approaches onto the municipal road network built by the developer must be constructed in compliance with the County's road construction standards.
 11. Developer is responsible for all dust abatement costs and application as determined necessary by the Clear Hills County Public Works Manager or designate.
 12. All sewage disposal systems must comply with the Alberta Private Sewage Treatment and Disposal Regulations.
 13. No signs advertising the business shall be permitted without prior County approval.
 14. All required Provincial/Federal Regulations to be adhered to.
- CARRIED.**

Development Permit
Application W02-16

Development Permit Application W02-16 was received from the Hutterian Brethern Church of Cleardale to develop four (4) Modular Homes with additions, located at SW 17-85-9 W6M.

M04-16

RESOLUTION by Deputy Chair Klassen That the Municipal Planning Commission approves Development Permit Application W02-16 from the Hutterian Brethern Church of Cleardale to develop four (4) Modular Homes with additions located at SW 17-85-9 W6M, subject to the following conditions:

1. Minimum setbacks from the property lines:
 - a) Front yard, 40.8 m (134 feet)
 - b) Side yard, 15.2m (25 feet)

- c) Rear yard, 15.2m (25 feet)**
- 2. Minimum distance between modular homes, 4.6m (15 feet). Any addition or attachment shall be regarded as part of the modular home for purposes of spacing.**
 - 3. All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Codes Council.**
 - 4. All sewage disposal systems must comply with the Alberta Private Sewage Treatment and Disposal Regulations.**
 - 5. All required Provincial/Federal Regulations to be adhered to.**
 - 6. Approved Development permit from Alberta Transportation must be received by the developer prior to construction start.**
- CARRIED.**

ADJOURNMENT

Chair Croy adjourned the Municipal Planning Commission Meeting on February 23, 2016 at 9:05 a.m.

DATE

CHAIRPERSON

DATE

CHIEF ADMINISTRATIVE OFFICER

Clear Hills County

Request For Decision (RFD)

Meeting:	Municipal Planning Commission Meeting
Meeting Date:	March 8, 2016
Originated By:	Dallas Logan, Development Officer
Title:	DEVELOPMENT PERMIT APPLICATION – Myles Bean
File:	61-02-02

DESCRIPTION:

Development Permit Application W03-16 was received from Myles Bean to develop a Residence, located at NE 25-85-6 W6M.

BACKGROUND:

- Zoning: Agriculture (AG1)
- Minimum front yard setback for this zoning is 40.8m (134 feet). The developer is requesting a front yard setback variance to 30.5m (100 feet).
- A new road was constructed to this location.

ATTACHMENTS:

1. Development Permit Application
2. Letter from developer
3. Map showing location of new road and property location.
3. Section 52

OPTIONS:

- A. Deny the application for the following reasons....
- B. Approve the application with the conditions recommended
- C. Approve the application with different conditions.

RECOMMENDED ACTION:

That the Municipal Planning Commission approves Development Permit Application W03-16 from Myles Bean to develop a Residence, located at NE 25-85-6 W6M, subject to the following conditions:

1. Minimum setbacks from the property lines:
 - a) Front yard, 30.5m (100 feet)
 - b) Side yard, 15.2m (50 feet)
 - c) Rear yard, 15.2m (50 feet)
2. All structures moved in and/or constructed on site shall conform to all building code standards as set by Human Resources and Alberta Safety Codes Council.
3. All required Provincial/Federal Regulations to be adhered to.
4. All sewage disposal systems must comply with the Alberta Private Sewage Treatment and Disposal Regulations.

Initials show support - Reviewed by: Development Officer:  Manager: 

DEVELOPMENT PERMIT APPLICATION

CLEAR HILLS COUNTY

FOR ADMINISTRATIVE USE

APPLICATION NO. W03-16
DATE RECEIVED

I/We hereby make application under the provisions of the Land Use Order for a Development Permit in accordance with the plans and supporting information submitted herewith and form part of this application.

I/We understand that this application will not be accepted without the following:

- (a) application fee;
- (b) site plan sketch that includes all relevant detail to the proposed development (e.g.: proposed and existing structure, property lines, creeks/ravines, parking and vehicle access, building plans, etc.)

APPLICANT INFORMATION			COMPLETE IF DIFFERENT FROM APPLICANT		
NAME OF APPLICANT Mykes Bean			NAME OF REGISTERED LAND OWNER		
ADDRESS P.O. Box 176 Hines Creek			ADDRESS		
POSTAL CODE	TELEPHONE (Res.)	(Bus.)	POSTAL CODE	TELEPHONE (Res.)	(Bus.)
T0H 2A0	780-685-3531	780-834-6148			

LAND INFORMATION						
Legal description of proposed development site:						
QTR./L.S. NE	SEC. 25	TWP. 85	RG. 6	M. W 6	OR	REGISTERED PLAN NO. BLOCK LOT
Size of the proposed development site:						
LENGTH 550 ft	WIDTH 250 ft	Number of:		ACRES 3 to 5	OR HECTARES	
Describe the existing use of the land: Was solid brush. Cut & piled & roots picked.						

DEVELOPMENT INFORMATION			
Describe the proposed use of the land: A building site for house and eventually shop, barn ect.			
Check (✓) any proposed use(s) not identified above:			
<input type="checkbox"/> Sign(s)	<input checked="" type="checkbox"/> Culvert(s) / Road access point(s)	<input type="checkbox"/> Public use(s) / Utilities	
<input type="checkbox"/> Dwelling unit(s)	<input checked="" type="checkbox"/> Accessory structure(s) / use(s)	Other (specify) _____	
<input type="checkbox"/> Home Occupation(s)	<input type="checkbox"/> Commercial or industrial structure(s) / use(s)	_____	
Indicate the proposed setback from the property line:			
FRONT YARD 100 ft 30 m	REAR YARD w ft w m	SIDE YARD (1) 55 ft m	SIDE YARD (2) w ft w m
The land is adjacent to: <input type="checkbox"/> A Primary Highway <input type="checkbox"/> A Secondary Highway <input checked="" type="checkbox"/> A County Road			
Estimate the Project:			
A. COMMENCEMENT DATE May 2016	B. COMPLETION DATE Aug 2017	C. CONSTRUCTION COSTS \$ 100,000	
Attached is: (a) Site Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A; (b) Floor Plan: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

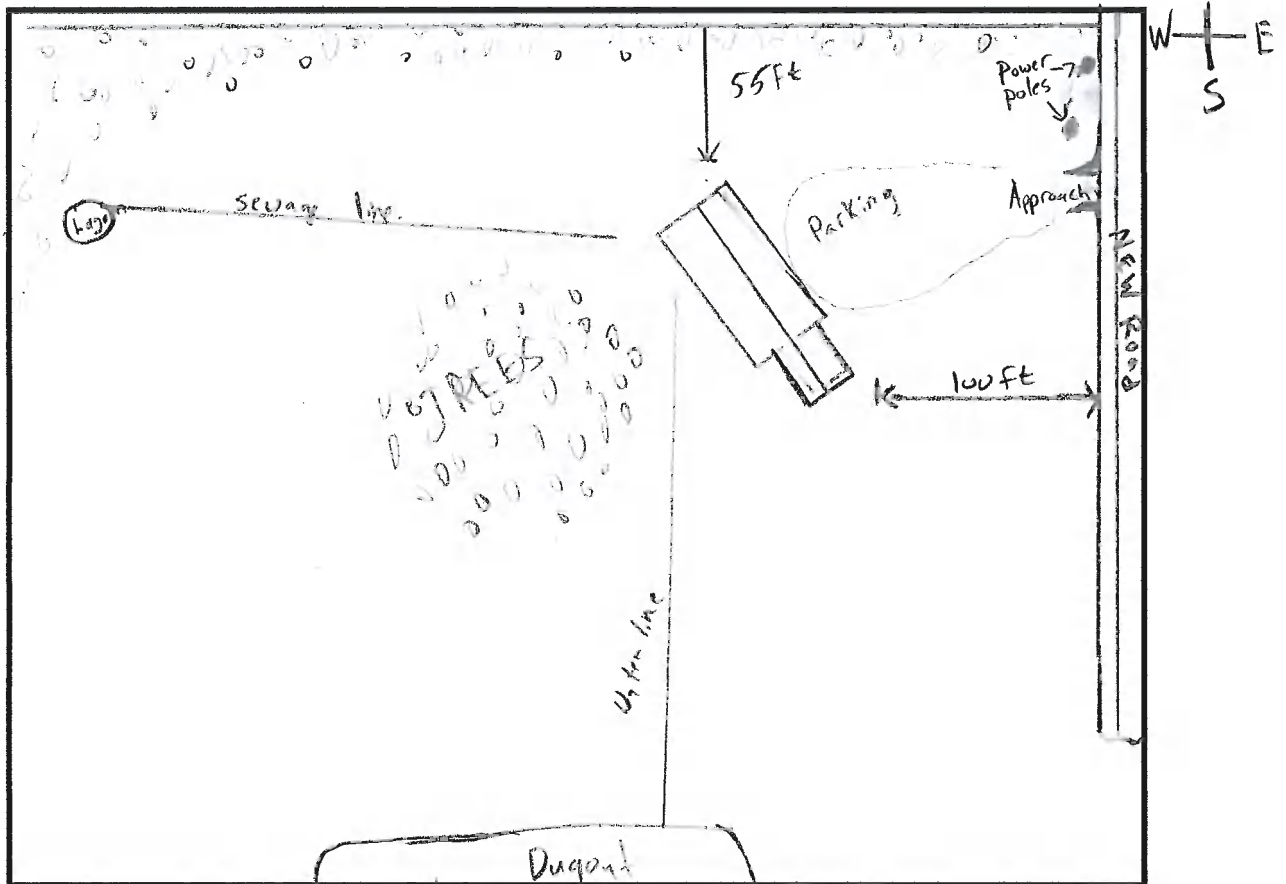
DEVELOPMENT INFORMATION	
I/WE HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT.	
Feb 21/2016 DATE	 SIGNATURE OF APPLICANT
Feb 21/2016 DATE	 SIGNATURE OF REGISTERED LAND OWNER

FOR ADMINISTRATIVE USE ONLY	
LAND USE CLASSIFICATION: _____	
FEE ENCLOSED: <input type="checkbox"/> Yes <input type="checkbox"/> No	AMOUNT: \$ _____ RECEIPT No. _____

APPLICATION FOR DEVELOPMENT PERMIT

For industrial or commercial development please attach engineered drawings of proposed development.

For residential and non-industrial development please sketch plan of proposal:



LEGAL DESCRIPTION: NE 25-85-6-W6

Please indicate the following if they apply to your proposed development:

1. Location of water source & distance from property line and sewer system
2. Location of sewer system & distance from water source and property line
3. Access location(s)
4. Location of existing or proposed buildings:
5. Setbacks from the road allowance
6. Location of roads in the area
7. Location Shelterbelts
8. Location of Treed Areas/ Sloughs/ Bush/ other vegetation
9. Location of River/ Lakes/ other watercourses

ADDITIONAL INFORMATION REQUIRED:

Please indicate below the type of sewage supply to be used by your development proposal.

	TYPE OF WATER SUPPLY
✓	DUGOUT
	WELL
	CISTERN & HAULING
	COUNTY SERVICE
	OTHER (Please specify)

	TYPE OF SEWAGE DISPOSAL
	OPEN DISCHARGE/SEPTIC TANK
	SUB-SURFACE DISPOSAL/SEPTIC TANK
	ABOVE GROUND/SEPTIC TANK
✓	SEWAGE LAGOON
	OUTDOOR PRIVY
	COUNTY SERVICE
	OTHER (Please Specify)

Please indicate if the above is: (a) EXISTING Dugout

(b) PROPOSED Sewage Lagoon

FOR ADDITIONAL INFORMATION CONTACT THE FAIRVIEW HEALTH COMPLEX - PEACE COUNTRY HEALTH REGION AT (780) 835-4951 AND ASK FOR JEREMY SPENCER OR ALBERTA LABOUR - PLUMBING INSPECTION BRANCH.

Myles Bean

P.O. Box 176 Hines Creek A B T0H 2A0
Phone: 7806853331

▶ **Dallas Logan, Development Officer**

P.O. Box 240 Worsley, A.B
Phone: 7806853925

Dear Municipal Planning Commission,

I Myles Bean am planning to start construction on my property with your grant of my development permit, and building permit. I have one degree of variance on my project that may interfere with the municipal bylaw. The location of my house was planned to be on top of a hill which is a perfect spot for water drainage and runoff, between the road and a very large bluff of old spruce trees. After construction of the right of way, the location interferes with the 134ft bylaw. I am wondering if I could get a variance on that rule. My plot plan was set in accordance with the lay of the land, and before the road was built, not even thinking it would be to close. When I first picked the spot it was solid bush with no road and looked like there would be plenty of space. After measuring I can fit the house with 100ft to 110ft of space from building to property line, in front yard. The through road, I do not think will ever be a prospect since the land is all muskeg and low ground. There is no farmable land or needed access to land beyond where the road stops, there is already access from the south. I understand there is always possibility but am aware of consequences. Since the road is a dead end in to my yard I would really appreciate your tolerance and lenience. I would recommend a look in person to verify my opinion. Thank you for your time.

Sincerely,

Myles Bean
Clear Hills,
County Resident
2/20/2016

within 131 feet (40 m) of the farm entrance; or

- iii above the main entrance and mounted on posts that form part of the gate system. No permit is required to install this type of sign.

(8) Directional Signs

- (a) private temporary signs will be permitted within the highway right-of-way to indicate the location and identity of forestry, mining, oilfield exploration and other similar operations.
- (b) two signs will be permitted for each individual project with a maximum sign size being 4.3 square feet (0.4 square metres). The wording, colouring and design of each sign is unrestricted but the general requirements for private signs as outlined in subsection (6) will apply.
- (c) the maximum height of any sign above ground level is 120 centimeters (48 inches). The signs can be placed on the unpaved shoulder of the road and should be located at the break of the shoulder.
- (d) agricultural businesses accessed from the primary highway system that provides goods or services to the agricultural industry will be permitted to install private directional signs on the highway system at the access road junction. The signs are to be located on privately owned land adjacent to the right-of-way.
- (e) the signs can be up to 32 square feet (3 square metres) in size and are to include the name of the businesses and the distance and direction to the business.
- (f) the installation of one two-sided sign is permitted in place of two single sided signs if so desired.
- (g) all signs must be professionally produced and the general requirements for privately owned signs as outlined in subsection (6) will apply. The use of a red or yellow background for the signs is not permitted.

SECTION 52 SUBDIVISION AND DEVELOPMENT STANDARDS

- (1) In making a decision, the Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - i. unduly interfere with the amenities of the neighbourhood, or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - (b) the proposed development conforms with the use prescribed for that land or building according to the Land Use Bylaw.
- (2) Notwithstanding the district requirements in all districts for lot width, lot depth and lot size, the Development Authority may recommend a variance to the district requirements for subdivision approval.
- (3) Where the Development Authority has deemed it necessary to allow for a variance, written reasons for their recommendation will be sent to the Subdivision Approving Authority.
- (4) Upon recommendation from the Development Authority, the Subdivision Approving Authority may approve a subdivision application which requires a variance.
- (5) No variance shall be applied to required roadway setbacks for either development permit or subdivision applications.

SECTION 53 INTENSIVE LIVESTOCK AND CONFINED FEEDING OPERATIONS

- (1) The minimum distance separation requirements for development as established pursuant to the current Code of Practice for the Safe and Economic Handling of Animal Manures shall be applied to subdivision applications and development permit applications for uses of intensive and confined feeding operations and for uses within close proximity of intensive and confined feeding operations.
- (2) Minimum livestock numbers have been set by industry based on significant potential nuisance and environmental impact and/or