



MUNICIPAL PLANNING COMMISSION
MINUTES OF MEETING HELD MONDAY, NOVEMBER 1, 2021
@ 5:00 P.M.
COUNCIL CHAMBERS

PRESENT: S. Torresan-Chykerda, C. Mandau, S. Gramlich, F. Giroux, and K. Hughes

ABSENT: T. Kelham

OTHERS: Samantha Dyck, Acting Director of Planning & Development

S. Torresan-Chykerda called the meeting to order at 5:00 p.m.

1. Adoption of the Agenda

MOVED BY S. Gramlich to accept the agenda as presented.

CARRIED

2. Minutes of Previous Meetings

MOVED S. Torresan-Chykerda to accept the minutes of September 20, 2021 meeting as amended.

CARRIED

3. Business Arising from the Minutes

4. Development Permit Applications

- a) **DP 40.04.21**
Big Fish Bay RV Resort
Discretionary Use
Excavation – Borrow Pit

MOVED BY S. Torresan-Chykerda that the Municipal Planning Commission approves Development Permit #40.04.21 for Excavation -Borrow Pit in the RR1 – Recreation Facility and Resort District on SW-1-73-6-W5 located at 1000 Caribou Trail NW for a period of five (5) years, subject to the following conditions.

1. If in the progress of work on this development the landowner/applicant desires to change in any way from the terms and conditions of this development permit, he/she shall notify the Town in writing and submit amended drawings, and if necessary, shall apply for a new development permit.
2. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact, which arises from the information supplied by or on behalf of the landowner/applicant.
3. The area of the Borrow Pit must conform to the submitted and approved Site Plans i.e. Schedule A and must also be in accordance with Section 26 of the Land Use Bylaw #22-2007; unless otherwise varied by the issuance of a development permit.
4. The area of the Borrow Pit must be fenced for the entirety of the area of the Borrow Pit until either the Marina is approved, or the area is backfilled and reclaimed.
5. **The applicant is required to subdivide to create the ER Lot delineating Top of Bank (Schedule B) and the PUL Lot for the Forebay Pond. Application for these two (2) lots is to be submitted no later than December 31, 2021.**
6. If the development authorized by this development permit is not commenced and completed within eighteen

(18) months from the date of issuance of this development permit, the permit is deemed to be VOID unless an extension has been granted by the Development Authority or the Municipal Planning Commission. It is the landowner/applicant's responsibility to advise the Town if the development will not be completed within the 18-month time frame and request an extension.

7. The Development is to comply with all Municipal, Provincial and Federal Codes and Regulations. The landowner/applicant is to obtain all necessary permits (building, fire, electrical, plumbing gas, and other disciplines) required under the authority of the Alberta Safety Codes Act from an accredited agency prior to proceeding with any construction. **The issuance of this development permit does not exempt the landowner/applicant from any additional requirements or approvals in any of the disciplines.**

PERMIT COMPLIANCE

8. The Landowner and applicant shall comply with the Town's Development Standards and Procedures, the Town's Policies and Procedures, the Town's municipal bylaws, the Alberta Safety Codes Act, all applicable federal and provincial legislation and any conditions of caveat, covenant, easement, or other instrument registered on title to the lands.

PUBLIC LANDS

9. The landowner/applicant is responsible for ensuring that all improvements on the lot, such as building, driveway, etc., do not interfere with fire hydrants, storm drains, light standards, or utility easements, etc., and landowner/applicant will be held responsible for damage he or his contractors may cause.
10. Prior to construction proceeding, any existing damage to sidewalks, roads or public utility services is to be reported to the Town or the landowner/applicant will be held responsible for damage.
11. Any existing public landscaped areas that are damaged during construction are to be repaired to their original condition by the landowner/applicant.

GENERAL CONDITIONS

12. The landowner/applicant and any other contractors working on this development are to be properly licensed by the Town and/or the Province.
13. The landowner/applicant shall ensure that the construction site remains in a tidy and orderly condition and that construction debris and materials are contained within the boundaries of the parcel and not permitted to scatter to neighbouring parcels.
14. In the event that fill material is required, the landowner/applicant is responsible to ensure that suitable fill material is used, that suitable procedures are implemented, and special foundation requirements are considered where lots require more than 1 meter of fill to the specified grades. Special testing and/or advice from a professional Geotechnical Engineer may be requested where any structural components are to be founded on fill materials.
15. **The applicant is required to do weed control at least four times between May 1st and September 30th each year. This entails the mowing of all accessible areas and spraying those areas that are inaccessible to a mower.**
16. **The applicant is required to pump out the Borrow Pit when the depth of the water reaches 150mm.**

ADDITIONAL NOTES: (not conditions of the Development Permit)

- If you require a time extension in order to complete your development, please contact the Planning Department at 780-849-8004.
- If at the end of the five years, the applicant wishes to extend this use, they must apply to the Municipal Planning Commission for an extension to be done in one (1) year increments.
- Please remember to CALL BEFORE YOU DIG by contacting Alberta 1st Call at 1-800-242-3447 or CLICK BEFORE YOU DIG at <http://albertaonecall.com>.

CARRIED

b) DP 98.10.21
Shayne Samoil (True Balance Chiropractic)
Discretionary Use
Medical and Health Offices – Outpatient

MOVED BY S. Gramlich that the Municipal Planning Commission approves Development Permit #98.10.21 for the Occupancy of Space for a Medical and Health Offices - Outpatient (True Balance Chiropractic) in the I –Institutional District on Lot 3, Block 3, Plan 912 3751 located at 405 – 6 Avenue SW subject to the following conditions.

1. If in the progress of work on this development the landowner/applicant desires to change in any way from the terms and conditions of this development permit, he/she shall notify the Town in writing and submit amended drawings, and if necessary, shall apply for a new development permit.
2. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact, which arises from the information supplied by or on behalf of the landowner/applicant.
3. If the development authorized by this development permit is not commenced and completed within eighteen (18) months from the date of issuance of this development permit, the permit is deemed to be VOID unless an extension has been granted by the Development Authority or the Municipal Planning Commission. It is the landowner/applicant's responsibility to advise the Town if the development will not be completed within the 18-month time frame and request an extension.
4. The Development is to comply with all Municipal, Provincial and Federal Codes and Regulations. The landowner/applicant is to obtain all necessary permits (building, fire, electrical, plumbing gas, and other disciplines) required under the authority of the Alberta Safety Codes Act from an accredited agency prior to proceeding with any construction. **A copy of the Building Permit shall be submitted to the Town.** **The issuance of this development permit does not exempt the landowner/applicant from any additional requirements or approvals in any of the disciplines.**

PERMIT COMPLIANCE

5. The Landowner and applicant shall comply with the Town's Development Standards and Procedures, the Town's Policies and Procedures, the Town's municipal bylaws, the Alberta Safety Codes Act, all applicable federal and provincial legislation and any conditions of caveat, covenant, easement, or other instrument registered on title to the lands.

PUBLIC LANDS

6. The landowner/applicant is responsible for ensuring that all improvements on the lot, such as building, driveway, etc., do not interfere with fire hydrants, storm drains, light standards, or utility easements, etc., and

landowner/applicant will be held responsible for damage he or his contractors may cause.

7. Prior to construction proceeding, any existing damage to sidewalks, roads or public utility services is to be reported to the Town or the landowner/applicant will be held responsible for damage.
8. Any existing public landscaped areas that are damaged during construction are to be repaired to their original condition by the landowner/applicant.

SIGNS

9. All signs shall be developed in accordance with Part 9 of the Land Use Bylaw #22-2007.
10. Signs or advertising structures shall not be erected on or affixed to a fence, pole, tree, or any object in a public street or private or public place in any district.
11. Signs shall not be erected so as to obstruct free and clear vision or vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal, or device.
12. All Signs must contain "Point-of-Sale" Advertising only and must not contain "Third Party" Advertising.

"POINT OF SALE ADVERTISING" means advertising that relates to the name of the occupier of the firm, the nature of the business conducted and/or the goods produced, and/or the main products and services sold or obtainable at the premises on which the advertising is displayed. This definition includes Community Signs.

"THIRD PARTY ADVERTISING SIGN" means a sign that contains copy directing attention to a business, commodity, service, or entertainment that is conducted, sold, or offered elsewhere than on the site where the sign is located.

GENERAL CONDITIONS

13. The landowner/applicant and any other contractors working on this development are to be properly licensed by the Town and/or the Province.
14. The landowner/applicant shall ensure that the construction site remains in a tidy and orderly condition and that construction debris and materials are contained within the boundaries of the parcel and not permitted to scatter to neighbouring parcels.

ADDITIONAL NOTES: (not conditions of the Development Permit)

- If you require a time extension in order to complete your development, please contact the Planning Department at 780-849-8004.
- **Any additional signs must be approved under a separate development permit. However, signs displayed within buildings, on door plates, door boards or kick plates, and sandwich board signs do not require a development permit but must comply with the regulations of the current and prevailing Land Use Bylaw.**

Should the applicant/landowner move the business to another location, a new Development Permit Application must be submitted and approved prior to occupancy and opening of the business at the new location.

CARRIED

**c) DP 101.10.21
Alberta Health Services
Discretionary Use
Medical and Health Offices – Outpatient**

MOVED BY C. Mandau that the Municipal Planning Commission approves Development Permit #62.07.19 for the Occupying Space for Medical and Health Offices – Outpatient, Emergency Services Facility, Protective Services, and Offices Permitted with On-site Uses located on Lot 3, Block 3, Plan 688 NY at 901 – 4 Street NW in the I – Institutional District subject to the following conditions.

1. If in the progress of work on this development the landowner/applicant desires to change in any way from the terms and conditions of this development permit, he/she shall notify the Town in writing and submit amended drawings, and if necessary, shall apply for a new development permit.
2. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact, which arises from the information supplied by or on behalf of the landowner/applicant.
3. If the development authorized by this development permit is not commenced and completed within eighteen (18) months from the date of issuance of this development permit, the permit is deemed to be VOID unless an extension has been granted by the Development Authority or the Municipal Planning Commission. It is the landowner/applicant's responsibility to advise the Town if the development will not be completed within the 18-month time frame and request an extension.
4. The Development is to comply with all Municipal, Provincial and Federal Codes and Regulations. The landowner/applicant is to obtain all necessary permits (building, fire, electrical, plumbing gas, and other disciplines) required under the authority of the Alberta Safety Codes Act from an accredited agency prior to proceeding with any construction. **A copy of the Building Permit shall be submitted to the Town. The issuance of this development permit does not exempt the landowner/applicant from any additional requirements or approvals in any of the disciplines.**

PERMIT COMPLIANCE

5. The Landowner and applicant shall comply with the Town's Development Standards and Procedures, the Town's Policies and Procedures, the Town's municipal bylaws, the Alberta Safety Codes Act, all applicable federal and provincial legislation and any conditions of caveat, covenant, easement, or other instrument registered on title to the lands.

CIVIC ADDRESS

6. The Civic Addresses for the *Medical and Health Offices – Outpatient, Emergency Services Facility, Protective Services, and Offices Permitted with On-site Uses* shall be as follows:
901 – 4 Street NW

PUBLIC LANDS

7. The landowner/applicant is responsible for ensuring that all improvements on the lot, such as building, driveway, etc., do not interfere with fire hydrants, storm drains, light standards, or utility easements, etc., and landowner/applicant will be held responsible for damage he or his contractors may cause.
8. Prior to construction proceeding, any existing damage to sidewalks, roads or public utility services is to be reported to the Town or the landowner/applicant will be held responsible for damage.

9. Any existing public landscaped areas that are damaged during construction are to be repaired to their original condition by the landowner/applicant.

GENERAL CONDITIONS

10. The landowner/applicant and any other contractors working on this development are to be properly licensed by the Town and/or the Province.
11. The landowner/applicant shall ensure that the construction site remains in a tidy and orderly condition and that construction debris and materials are contained within the boundaries of the parcel and not permitted to scatter to neighbouring parcels.

ADDITIONAL NOTES: (not conditions of the Development Permit)

- If you require a time extension in order to complete your development, please contact the Planning Department at 780-849-8004.
- **Any signs must be approved under a separate development permit. However, signs displayed within buildings, on door plates, door boards or kick plates, and sandwich board signs do not require a development permit but must comply with the regulations of the current and prevailing Land Use Bylaw.**
- Should the applicant/landowner move the business to another location, a new Development Permit Application must be submitted and approved prior to occupancy and opening of the business at the new location.
- Any new tenants of this building are required to apply for an Occupying Space Development Permit prior to occupying the space. Any existing tenants who wish to add a service or increase the intensity of an existing use or service are required to apply for a Change in Use Development Permit prior to adding the service or use. Contacting the Planning Department early can avoid costly complications and delays.

CARRIED

5. Land Use Bylaw/Statutory Plan Amendments

- a) **Bylaw #17-2021
Municipal Development Plan
Amendment – Redesignation
Industrial to Regional Commercial**

MOVED BY F. Giroux that the Municipal Planning Commission supports Bylaw #17-2021.

CARRIED

- b) **Bylaw #18-2021
Southwest Area Structure Plan
Amendment – Redesignation
Industrial to Commercial**

MOVED BY F. Giroux that the Municipal Planning Commission supports Bylaw #18-2021.

CARRIED

- c) **Bylaw #19-2021**
Land Use Bylaw #22-2007
Amendment – Redistricting
M1 to C2

MOVED BY S. Gramlich that the Municipal Planning Commission supports Bylaw #19-2021.

CARRIED

- d) **Bylaw #20-2021**
Land Use Bylaw #22-2007
Amendment – Regulatory
Add Medical and Health Offices – Outpatient to C3 District

MOVED BY F. Giroux that the Municipal Planning Commission supports Bylaw #20-2021.


CARRIED

- 6. **Proposed Subdivisions**
- 7. **Other Business**
- 8. **MPC Development Concerns**
- 9. **Meeting Review**

- Next regularly scheduled meeting is December 6, 2021.
- 2022 Meeting dates will be brought to that meeting

Adjournment: Meeting adjourned at 5:30 pm

Recorder: Samantha Dyck
Minutes Prepared by: Samantha Dyck



Chairperson



Date