

MINUTES

Municipal Planning Commission Meeting
August 15, 2023
MD Council Chambers

MEMBERS PRESENT	Lana Spencer Carol Stockman Darren Fulmore Terry Kristoff Kenneth Caissie	Commission Member (Chair) Commission Member Commission Member Commission Member Commission Member
MEMBERS ABSENT	Norm Seatter	Commission Member
IN ATTENDANCE	Ann Holden Jillian Bishop Sandra Rendle James Weinrich	Development Authority, MDLSR Recording Secretary, MDLSR Community Services Coordinator, MDLSR Applicant
CALL TO ORDER	Lana Spencer called the meeting to order at 1:29 p.m.	
CALL FOR OBJECTIONS	No calls for objections.	
ADOPTION OF AGENDA	<u>MOTION: MPC 042-23</u> Moved by Darren Fulmore to adopt the August 15, 2023, Municipal Planning Commission Agenda as presented.	CARRIED
ADOPTION OF MINUTES	<u>MOTION: MPC 043-23</u> Moved by Terry Kristoff to adopt the July 18, 2023, Municipal Planning Commission Meeting Minutes as amended. - Add details of amended conditions to Motions MPC 037-23 and MPC 038-23	CARRIED
SUBDIVISION APPLICATIONS		
23-S-05	Applicant: Dawn, Jack, James, and Valerie Weinrich Owner: Same Subdivision File #: 23-S-05 Legal Land: NE-12-70-1-W5 Rural Address: 10040 Croswell Rd Parcel Zoning & Land Use Planning Existing Land Use: Residential and Agricultural land Proposed Land Use: No change Zoning: Agricultural District (A) Municipal Development Plan: Agriculture Area Area Structure Plan: N/A Intermunicipal Development Plan: N/A Other Plans: Big Bend Integrated Resource Plan, Smith Hondo Local Plan, White Area General Background <ul style="list-style-type: none">• The lot has a farmstead; however, the lot is not actively farmed.• The lot (excluding the farmstead) was logged recently.	

- The farmstead does not have natural gas services.
- Adjacent uses:
 - North: Full quarter section (160 acres) that was recently logged.
 - Northeast: Full quarter section (approximately 60.25 acres, on the meridian), treed, crown land
 - East and Southeast: Grazing lease
 - South: The other half of the quarter section of 94.7 acres has a homestead and is mostly treed. The land looks wet.
 - Southwest: Midnight Sky retreat centre (farmed field and camp facilities).
 - West: Cemetery and farmstead.
 - Northwest: Quarter section with farmstead. This land is mostly treed.
- Existing buildings: A dwelling, garage, and various outbuildings.
 - Development permits for this lot includes:
 - S-17(E)-17-90 Mobile Home (the garage was applied for in the same application)

Site Analysis

- The quarter section was divided by Croswell Road (3301LZ) in 1962.
- The quarter section was subdivided in 1985 through separation of title of the lands north of road plan 3301LZ and south of the road.
- The now abandoned well was proposed developed in the 3rd or 4th quarter of 2004. The well was proposed as a category B140, which meant it would be sweet and have a setback distance of 100 m to individual dwellings and public facilities.
- The pipeline from the well was not constructed (notification was received in 2008).
- The nearest well battery is more than 5 km away.
- Reclamation authorization has been issued for the site (LSD 16)
- Power was brought to the property in 1991.
- This subdivision would not create any new roads for the MD to maintain.
- The soil in this location (the polygon from soil viewer) includes 517.67 hectares of land that has a land suitability rating of 5 for farming purposes, which means very severe limitation to growth. The severe limitations to crops are listed as crops being adversely affected by lack of water due to inherent soil characteristics (M), landscapes with slopes steep enough to incur a risk of water erosion or to limit production (T), and excess water (not due to inundation) that inhibits optimal growth (W).
- The applicant describes the soil as mixed grey wooded soil.
- The CLI rating is 5.
- No geotechnical study was done for this subdivision application.
- According to Alberta Merged Wetland Inventory, the parcel has wet areas. Alberta Forestry and Parks suggested the wet area be acknowledged as Environmental Reserve or Environmental Reserve Easement.
- The parcel is far from a sewer lagoon (Smith) and 2.16 km from an old landfill.
- The land to be subdivided is not within 3.2 km of another municipality.

Discussion was held about the following:

- The difference between Environmental Reserve (ER) and an easement and what they entail. Specifically, both must remain in a natural state.
- The requirement to register an environmental easement as a caveat on the land title. A survey plan is not necessary as the boundary of the water body may move.
- The offsite levy of \$200 will apply to this subdivision.

MOTION: MPC 044-23

Moved by Carol Stockman to approve Subdivision Application # **23-S-05** with conditions as amended:

- Include easement agreement and offsite levy

CARRIED

James Weinrich left at 1:59pm

23-S-06

Applicant: Beverley and Philip Hunt
Owner: Same
Subdivision File #: 23-S-06
Legal Land: NW-22-65-2-W5
Rural Address: 653041 Rge Rd 23

Parcel Zoning & Land Use Planning

Existing Land Use: Residential and Agricultural
Proposed Land Use: Residential and Agricultural
Zoning: Agricultural District (A)
Municipal Development Plan: Agriculture Area
Area Structure Plan: N/A
Intermunicipal Development Plan: N/A
Other Plans: N/A

General Background

- The applicants, Phillip and Beverley Hunt, have applied to the Municipal District to subdivide NW-22-65-2-W5M. The proposed subdivision is +/- 10.00 ac.
- This quarter section has not been subdivided previously.
- Existing buildings include a manufactured home, detached garage, sea can, garden shed and a pump house.
- The home is serviced by a private water well, open discharge sewage system, and natural gas.
 - The following development permits were found in the legal file for NW-22-65-02-W5:
 - 04-D-041 Manufactured Home
 - 18-D-023 Manufactured Home with deck (360 sq. ft.)

Site Analysis

- The parcel is located at the end of Range Road 23.
- The topography of the land is mixed, and the yard site is flat surrounded by a treed area. There is some low land in the treed area.
- Our mapping system indicated the soil in the quarter section is rated as a **Class 4 & 6, in the CLI** with the proposed subdivision parcel consisting of **Class 4 soil** (*Soils in this class have severe limitations that restrict the range of crops or require special conservation practices*).
- There are no oil and gas wells on or near the land.
- Adjacent land uses are similar: to the north, east, and west, the land has a mixture of residential and agricultural lands; to the south, the quarter section has mixed vegetation and a small lake (Sara Lake).

Discussion was held about the following:

- The rezoning process as it relates to the subdivision process. This subdivision requires rezoning, but since rezoning has a time limit, the subdivision process usually happens first with farmstead separation.
- The purpose of subdivision of this property is to provide property to the applicants' children as part of their estate planning.

- There is no Environmental Reserve or easement recommendation for this subdivision
- The rationale for collecting offsite levies at this stage because there won't likely be further large-scale subdivision for this area
- Condition (c) should state 'Alberta Private Sewage Systems Standard of Practice 2021' instead of 'Alberta Private Sewage Systems Standard of Practice 2015'

MOTION: MPC 045-23

Moved by Kenneth Caissie to approve Subdivision Application # **23-S-06** with conditions as amended:

- Proposed parcel 1 has to be rezoned
- Condition (c) should state 'Alberta Private Sewage Systems Standard of Practice 2021' instead of 'Alberta Private Sewage Systems Standard of Practice 2015'

CARRIED

ROUNDTABLE

Municipal Planning Commission Bylaw Review and Sections in the Municipal Government Act

- There isn't clear direction from the Municipal Government Act (MGA) or 2021-17 Bylaw with respect to the process for the Chair of the Municipal Planning Commission to deal with conflict due to bias
- Similar processes are clearly explained for the Subdivision Development Appeal Board (SDAB)
- Currently, 2021-18 states that the committee member must identify themselves when there is a conflict of interest (pecuniary interest), but there aren't clear procedures for members of the public who wish to complain
- It also is not specified in 2021-18 that MPC members must live within the MD; if we needed to recruit members who live in Town of Slave Lake, that is permitted
- Because T. Kristoff is moving, the vacant position will need to be advertised in the newspaper as well as on the website
- The need for proactive development permit advertising on our website and at our various information kiosks to discourage development without a permit

ADJOURNMENT

MOTION: MPC 046-23

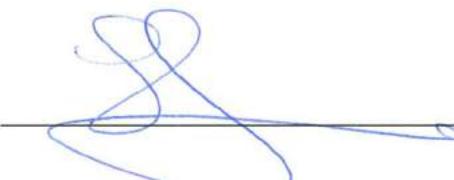
Moved by Darren Fulmore to adjourn the meeting at 2:48 p.m.

CARRIED

The Next Municipal Planning Commission meeting is **September 12, 2023 at 1:30 p.m.**



Development Authority



Chairperson