

AGENDA
MUNICIPAL PLANNING COMMISSION
COUNTY OF NORTHERN LIGHTS
TUESDAY, MAY 9th, 2023 AT 11:00 A.M.
COUNTY COUNCIL CHAMBERS, MANNING, ALBERTA
<https://us02web.zoom.us/j/83334420093>

01.0 CALL TO ORDER

02.0 ADOPTION OF THE AGENDA

03.0 ADOPTION OF THE MINUTES

A) Tuesday, April 25, 2023 Municipal Planning Commission Meeting Minutes

04.0 PLANNING AND DEVELOPMENT

A) Development Permits – Issued by the Development Officer

B) Development Permits – To Be Issued or Discussed by MPC

a. DP-23-07 – Accessory Building – Setback Variance Required

C) Miscellaneous

05.0 ADJOURNMENT

MINUTES
MUNICIPAL PLANNING COMMISSION
COUNTY OF NORTHERN LIGHTS
TUESDAY, APRIL 25th, 2023 AT 11:00 A.M.
COUNTY COUNCIL CHAMBERS, MANNING, ALBERTA
<https://us02web.zoom.us/j/83061044695>

PRESENT:

Gary These	Ward One	Weberville/Stewart
Kayln Schug	Ward Two	Warrensville/Lac Cardinal
Brenda Yasinski	Ward Three	Dixonville/Chinook Valley
Brent Reese	Ward Four	Deadwood/Sunny Valley
Gloria Dechant	Ward Five	North Star/Breaking Point
Terry Ungarian	Ward Six	Hotchkiss/Hawk Hills

REGRETS:

Linda Halabisky	Ward Seven	Keg River/Carcajou
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IN ATTENDANCE:

Theresa Van Oort – Chief Administrative Officer
Teresa Tupper – Executive Assistant/ Recorder
Charles Schwab – Director of Public Works
Josh Hunter – Director of Finance
Dan Archer – Mile Zero Banner Post Reporter
Anna Glover – ISL Engineering Planning & Development Technician (virtually)

01.0 CALL TO ORDER

Reeve/Chair Terry Ungarian called the Tuesday, April 25th, 2023 Municipal Planning Commission Meeting to order at 10:55 a.m.

02.0 ADOPTION OF THE AGENDA

019/25/04/23MPC **MOVED BY Councillor Reese to adopt the Tuesday, April 25, 2023 Municipal Planning Commission Meeting Agenda as presented.**
CARRIED

03.0 ADOPTION OF THE MINUTES

A) Tuesday, April 11, 2023 Municipal Planning Commission Meeting Minutes

020/25/04/23MPC MOVED BY Councillor Yasinski to adopt the Tuesday, April 11, 2023
Municipal Planning Commission Meeting Minutes as presented.
CARRIED

04.0 PLANNING AND DEVELOPMENT

A) Development Permits – Issued by the Development Officer

a. DP-23-08 – Manufactured Home

021/25/04/23MPC MOVED BY Councillor Dechant to acknowledge receipt of Development
Permit DP-23-08, issued by the Development Officer; and accept it for
information.
CARRIED

B) Development Permits – To Be Issued or Discussed by MPC

a. DP-23-05 – Garden Suite – Discretionary Use

022/25/04/23MPC MOVED BY Councillor Schug to approve Development Permit DP-23-05;
subject to the following seven (7) conditions:

1. This permit approval is issued on the condition that all other approvals required by other regulatory jurisdictions be obtained and maintained throughout the course of this development and its operation. A copy of the approved permits must be submitted to the County of Northern Lights.
2. The applicant/owner shall contact an accredited agency contracted by Municipal Affairs to obtain the following applicable permits and inspections, as required:
 - a. Provincial Plumbing or PSDS Permit,
 - b. Gas Inspection Permit,
 - c. Building Permit,
 - d. Electrical Permit, and
 - e. Safety Codes Permits;
3. That the development proceeds in accordance with the attached plans and site plan to reflect the proposed location within Lot 1 Block 1 Plan 102 5845 - (NE-5-84-23-W5M).
4. Additional development or construction is not allowed without an approved development permit from the County of Northern Lights.
5. Exterior finish to be wood, metal, or similar siding, brick or stucco to the satisfaction of the Development Authority. The finish and appearance should complement other structures and natural site features.
6. The applicant/owner may be required to enter into a development agreement with County if any upgrading of the existing access is required and shall consult County of Northern Lights Public Works when installing culverts for site access approaches to ensure the approaches are constructed in accordance with County standards.

7. Additional lot accesses shall not be allowed without an approved development permit from the County of Northern Lights pursuant to section I 31.4 of the Land Use Bylaw.
CARRIED

b. DP-22-11 – Temporary Storage – Discretionary Use

023/25/04/23MPC MOVED BY Councillor Reese to approve a north side yard setback variance from 30.5 m to 10.22 m, a south side yard setback adjacent to Range Road 920 variance from 41 m to 16.58 m, and a rear yard setback from 30.5 m to 10.02 m for Development Permit Application DP-22-11.
CARRIED

024/25/04/23MPC MOVED BY Councillor These to approve Development Permit Application DP-22-11; subject to the following eight (8) conditions:

1. This permit approval is issued on the condition that all other approvals required by other regulatory jurisdictions be obtained and maintained throughout the course of this development and its operation.
2. That the development proceeds in accordance with the attached plans and site plan to reflect the proposed location within SW-3-92-23-5.
3. Additional development or construction is not allowed without an approved development permit from the County of Northern Lights.
4. The applicant/owner shall screen from view the development site in accordance with Section I9 of the Land Use Bylaw.
5. This permit approval is valid until October 2023. Permit renewal shall be required if the pipe storage operation exceeds the planned completion date.
6. The applicant/owner shall be responsible for timely snow removal from the site and carry out snow removal in such a manner that culverts are not blocked.
7. The applicant/owner shall be responsible for dust control when moving pipe to and from the site.
8. The applicant/owner shall be responsible for all waste generated and shall ensure its stored or disposed of in a manner that will not result in any contamination to groundwater supplies.

CARRIED

C) Miscellaneous

05.0 ADJOURNMENT

Reeve/Chair Terry Ungarian adjourned the Tuesday, April 25, 2023 Municipal Planning Commission Meeting at 11:00 a.m.

Reeve/Chair
Terry Ungarian

Chief Administrative Officer
Theresa Van Oort

Date Signed



Memorandum

Integrated Expertise. Locally Delivered.



7909 – 51 Avenue NW, Edmonton, AB T6E 5L9 T: 780.438.9000 F: 780.438.3700

To: **Reeve and Council – County of Northern Lights**
 Attention: **Theresa Van Oort, Chief Administrative Officer**
 Cc: **David Schoor**
 Reference: **DP-23-07 Vowel Accessory Building**
 From: **Anna Glover & Natalie Tremblay**

Date: **May 9, 2023**

Project No.: **15856**

Application

The applicant proposes to construct a 42 ft x 72 ft accessory structure on Lot 12A Block 2 Plan 202 0535 (NW-19-91-23-W5M), that requires a variance of 5.2 m (17 ft) to the north side yard setback in the Country Residential (CR1) district. The applicant specified the application is for a cold storage shed that will be later converted into an insulated shop. The proposed location is to accommodate existing structures and a site with varying levels of grade. The applicant included a letter of support from the landowner to the north with no objections to the development.

Site and Surrounding Lands

The site is located approximately 8.2 km southwest of the Hamlet of Notikewin, 4.9 km southwest of the Manning Airport, 4.3 km west of Highway 35 and 3.7 km southwest of Manning town limits. The site is located 69 m west of the Notikewin River.

The accessory structure is on a 12.5 ha (30.89 ac) lot located within a quarter section that is of a majority of CR1 district zoning, except for the western adjacent 5 ac lot which is zoned Agriculture General (A) District. The vacant lots to the north directly adjacent to the lot, and that which would be most effected but the reduced setback, are vacant and currently used for cultivation.

Historic aerial imagery dating back to before 2012 indicates a low-lying wetland within the center of the lot directly adjacent to proposed accessory structure location, and 2021 aerial imagery appears to show that same low-lying area being filled. The proposal may have issues with the water table but this would be addressed at the time of foundation construction which will be required to comply with the Alberta Building Code.

The site is located within the Key Wildlife Biodiversity Zone and is within an Environmentally Sensitive Areas due to its proximity to the river, however the lot has been cleared of vegetation since at least 2012, as confirmed by historic aerial imagery, and is already in residential use which avoids displacing wildlife and complies with the province's recommended land use guidelines in key wildlife and biodiversity zones. The site is not within the Grimshaw Gravels Aquifer.

There is an active Low Pressure Gas line owned by North Peace Gas Co-Op which serves the site by way of a utility right-of-way that is registered on the title instrument # 812 220 483. There is a water line running



adjacent to the site and a Northern Lights Water Co-op Ltd utility right-of-way on title, instrument #132 418 444, and a Connection added on an easement on title, instrument # 212 019 989. There is also an Alberta Power easement on title, instrument # 812 262 654. There is an abandoned wellsite which was abandoned in 2002 located adjacent to NE 24, approximately 662 m to the northwest. Records show there was a leak from an incident in 2005.

There are no abandoned well sites within this quarter section. There are no records of spills or contamination within the quarter section, there are no high-pressure gas lines near the site and there are no records of H₂S content.

The site is within the Historical resource Value (HRV) Class 5 High Potential Lands, category Archeological, Paleontological. All lands within the NW19 are rated at HRV (Historic Resource Value): 5 (High Potential Lands) with 'A' (Archaeological) and 'P' (Paleontological) categories. Lands in this classification require a Historical Resources Act clearance from the Province. An application for the HRA clearance was made on behalf of the applicant at the applicant's cost at the time of Subdivision in 2019. The application was approved by the Province, and the applicant was advised that, in accordance with Section 31 of the Historical Resources Act, care should be taken during excavation and development for any artifacts which might be uncovered, and any artifacts reported to the Minister. A condition has been included that if any archaeological evidence is found during construction the appropriate steps are followed.

Site Access and the Transportation Network

The subject site is accessed via Range Road 235A adjacent to the south, classified as a Residential Road in the Level of Service (LoS) Policy. The applicant will be required to enter into a development agreement with the County if any upgrading of the existing access or other improvements is needed.

Compliance with Approved Plans and Land Use Compatibility

The subject development area does not fall within any IDP or ASP boundaries and is not part of any current Area Concept or Outline Plans.

The application was reviewed against the County's Municipal Development Plan (MDP) and Land Use Bylaw (LUB) and relevant Provincial legislation. The proposed development meets the intent of the 'CR1' Country Residential General district but requires a variance to reduce the rear yard setback (Section K1.2(d)) to the north from 15.2 m (50 ft) to 10 m (33 ft), a reduction of 34%.

Circulation and Comments

The application was circulated to adjacent landowners for review, consideration, and comment. No comments were received.

Recommendation



It is recommended that, subject to the rear yard setback variance from 15.2 m (50 ft) to 10 m (33 ft), this application be APPROVED subject to the following conditions:

1. The owner/developer must contact an accredited agency contracted by Municipal Affairs to obtain the following permits or approvals applicable:- Home Warranty Coverage- Provincial Plumbing Permit- Gas Inspection Permit- Building Permit- Electrical Permit. A copy of the approved permits must be submitted to the County of Northern Lights for their files.
2. That the development proceeds in accordance with the attached plans and site plan to reflect the proposed location within Lot 12A Block 2 Plan 202 0535 (NW-19-91-23-W5M)
3. The applicant/owner shall consult County of Northern Lights Public Works at the time of construction when installing culverts for site access approaches to ensure the approaches are constructed in accordance with County standards.
4. Additional development or construction is not allowed without an approved development permit from the County of Northern Lights.
5. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Authority. The finish and appearance should complement other structures and natural site features.
6. The applicant/owner may be required to enter into a development agreement with County if any upgrading of the existing access is required, and shall consult County of Northern Lights Public Works when installing culverts for site access approaches to ensure the approaches are constructed in accordance with County standards.
7. Additional lot accesses shall not be allowed without an approved development permit from the County of Northern Lights pursuant to section I 31.4 of the Land Use Bylaw.
8. If any evidence of archaeological, paleontological, historic structures, or Aboriginal Traditional Use sites are observed during construction, the applicant/owner must cease work and notify the Heritage Division of Alberta Culture and Status of Women immediately in accordance with Section 31 of the Historical Resources Act.



DEVELOPMENT PERMIT APPLICATION

FORM A

"An Agriculture Based Community"

FOR ADMINISTRATIVE USE	
APPLICATION NO.	DP-23-07
DATE RECEIVED	April 6, 2023
ROLL NO.	314591

County of Northern Lights, # 600, 7th Ave. NW Box 10, Manning, AB, T0H 2M0
W: www.countyofnorthernlights.com | E: info@countyofnorthernlights.com | T: (780) 836-3348 | F: (780) 836-3663

I / We hereby make application under the provisions of the Land Use Bylaw 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:

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

APPLICANT INFORMATION			COMPLETE IF DIFFERENT FROM APPLICANT		
NAME OF APPLICANT <u>Garett Vowel</u>			NAME OF REGISTERED OWNER		
ADDRESS <u>Box 179 Manning AB</u>			ADDRESS		
POSTAL CODE <u>T0H 2M0</u>			POSTAL CODE		
EMAIL ADDRESS* <u>Garettvowel1@yahoo.ca</u>			EMAIL ADDRESS*		
*By supplying the Town with an email address, you agree to receive correspondence by email.					
PHONE (CELL)	PHONE (RES)	PHONE (BUS)	PHONE (CELL)	PHONE (RES)	PHONE (BUS)
<u>7808360375</u>					

LAND INFORMATION	
Address of proposed development site: <u>913060 Range Road 235A</u>	
Legal description of proposed development site: Registered Plan: <u>2020535</u> Block: <u>2</u> Lot (parcel): <u>12A</u>	
QTR/LS: <u>NW</u> Section: <u>19</u> Township: <u>91</u> Range: <u>23</u> Meridian: <u>5</u>	
Size of the Parcel to be developed <u>42' x 72'</u> Number of Acres <u>12.5</u> or Number of Hectares	
Description of the existing use of the land: <u>Residence</u>	
Proposed Development: <u>Build a cold storage shed to be later converted to insulated shop.</u>	
Circle any proposed uses(s): ☐ SIGN(S) ☐ CULVERT(S)/ ROAD ACCESS POINT(S) ☐ PUBLIC USE(S)/ UTILITIES ☐ DWELLING UNITS(S) ☒ ACCESSORY STRUCTURE(S)/ USES(S) ☐ OTHER (SPECIFY) ☐ HOME OCCUPATION(S) ☐ COMMERCIAL OR INDUSTRIAL STRUCTURE(S)/ USES(S)	
Estimated:	Date of Commencement: <u>05/23</u> Date of Completion: <u>12/23</u> Value of Construction: <u>\$200,000</u>

PROPOSAL INFORMATION	
DEVELOPMENT IS: ☐ NEW ☐ EXISTING ☒ ALTERATION TO EXISTING	
LAND IS ADJACENT TO: ☐ PRIMARY HIGHWAY ☒ LOCAL ROAD ☐ INTERNAL SUBDIVISION ROAD ☐ OTHER	
LOT AREA: _____ LOT WIDTH: _____ LOT LENGTH: _____ PERCENTAGE OF LOT OCCUPIED: _____%	
PRINCIPAL BUILDING SETBACK: FRONT: _____ REAR: _____ SIDES: <u>1</u> HEIGHT _____	
ACCESSORY BUILDING SETBACK: FRONT: <u>140 m</u> REAR: <u>10 m</u> SIDES: <u>120 m, 200 m</u> HEIGHT <u>16 feet</u>	

ADDITIONAL INFORMATION INCLUDED☒ SITE PLAN ☐ FLOOR PLAN ☒ LAND TITLE ☐ ABANDONED OIL WELL DECLARATION SIGNED☐ ALBERTA NEW HOME WARRANTY / OR PROOF OF EXEMPTION ☐ DISTANCE TO ROAD / HIGHWAY _____**ADDITIONAL INFORMATION AS REQUIRED:**☐ ELEVATIONS ☐ SOIL TESTS ☐ HOURS OF OPERATION _____☐ NUMBER OF DWELLING UNITS _____ ☐ NUMBER OF EMPLOYEES _____☐ PROPOSED BUSINESS ACTIVITIES _____☐ LANDOWNER LETTER OF AUTHORIZATION ☒ ADJACENT LANDOWNER LETTERS OF SUPPORT**MANUFACTURED HOME (MOBILE HOME)**

SERIAL NUMBER: _____ YEAR BUILT: _____ SIZE: WIDTH _____ LENGTH _____

DECLARATION

I/WE HEREBY AUTHORIZE REPRESENTATIVES OF THE COUNTY TO ENTER MY/OUR LAND FOR THE PURPOSE OF CONDUCTING A SITE INSPECTION IN CONNECTION WITH THIS APPLICATION

I/WE HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT

NOTE:Signature of Registered
Landowner required if different
from ApplicantApril 6/23
Date_____
SIGNATURE OF APPLICANT_____
Date_____
SIGNATURE OF REGISTERED LANDOWNER / LEASEHOLDER**FOR ADMINISTRATIVE USE**

LAND USE DISTRICT: _____

FEE ENCLOSED: YES ☐ NO ☐ AMOUNT: \$ _____ RECEIPT NO.: _____

DEFINED USE: _____

PERMITTED/DISCRETIONARY: _____

VARIANCE: _____

April, 6, 2023

As the landowner applying for the proposed development, I would like to request a reduced setback from the building to the north property line because there isn't enough room to position it on my lot that makes sense for me as my land layout is multi levelled and very narrow. There is already a house on the lot that has a reduced setback, and the adjacent parcel is vacant land. I have attached a letter from the adjacent property owner who has no objections to my proposal.

Thank you for your time & consideration.

A handwritten signature in black ink, appearing to be 'Garett Vowel', with a stylized, cursive-like script.

Garett Vowel

April 4, 2023

To Whom It May Concern,

As the property owner adjacent to the proposed development, I have no objections to the request for a variance to move the setbacks of the proposed building from 41 m to 10 m of the property line.

A handwritten signature in cursive script, appearing to read 'Melvin', followed by a horizontal line.

Melvin Grimm

Abandoned Well Map



Legend

- ◇ Abandoned Wells (Large Scale)
- Abandoned_Well_Revised (Large Scale)
- Abandoned_Well_Loc_Pointer
- Cadastral Right of Way Line
- Cadastral Block and Lot Line
- ATS v4_1 Alberta Provincial Boundaries

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Tuesday, April 11, 2023 10:51:22 -06:00

0.5

0.23

0.5 Kilometers

Map Scale: 1: 9,028



