

SMOKY LAKE COUNTY

Minutes of the **Municipal Planning Commission** meeting held on **Wednesday, July 30, 2014** in the County Council Chambers.

The meeting was Called to Order at 3:50 p.m. by the Chairman Dareld Cholak in the presence of the following persons:

ATTENDANCE

Councillor Cary Smigerowsky	Division 4
Councillor Ron Bobocel	Division 2
Councillor Dareld Cholak	Division 1
Cory Ollikka	Development Officer
Aline Brousseau	Planning and Development Manager / Recording Secretary

2.0 ADOPTION OF AGENDA

MPC14.015: Smigerowsky

That the Agenda for the Municipal Planning Commission for July 30, 2014 be approved as amended with the following addition:

5.1 Subdivision Authority

3.0 MINUTES

3.1 Nil.

4.0 REQUEST FOR DECISION

4.1 Development Permit(s) to be Considered:

4.1.1 DP 024-14; Pepper's Highway Service Inc.

MPC14.016: Bobocel

That the Municipal Planning Commission approve Development Permit No. 024-14: Lot 2, Block 1, Plan 1423191 for the development of a liquor store, service station, and card lock (Convenience Retail Store, Bulk Fuel Storage and Sales, and Liquor Sales/Distribution Service), subject to the following conditions:

1. The proposed development shall be located as per the attached site plan dated June 16, 2014.
Minimum Front Yard Setback (adjacent to Highway 28): 134 ft.
Minimum Side Yard Setback: 25 ft.
Minimum Rear Yard Setback: 25 ft.
Note: It should be noted that Alberta Transportation may require greater setbacks for development. See Condition No. 6.
2. All applicants, private or general contractors shall, during construction, renovation or demolition of a building, keep the land in a reasonable condition so as not to constitute a nuisance and shall secure all manner of debris so as to prevent it from blowing onto any other private or public property. At the conclusion of construction all building materials and debris shall be cleared from the site. As well, the applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
3. Lot grade elevations must ensure that site grades shall be established to not allow one site to drain onto an adjacent site.
4. Natural Gas Services are provided by Smoky Lake County. All costs associated with connecting to this service are the responsibility of the developer.

5. The developer shall obtain any and all approvals, permits, and authorizations from any and all agencies, departments, and authorities that may be required.
6. The developer shall comply with the conditions as stated in Alberta Transportation's Roadside Development Permit No. 14-D9-153 issued on July 14, 2014.
7. Municipal water and sewer services are not available in this location. It will be the responsibility of the developer to ensure that water well and private sewage disposal systems associated with the development conform to current provincial requirements. All infrastructure improvement costs associated with the development will be borne by the proponent of the development.
8. The proposed development shall commence within 12 months from the date of its issuance and carried out with reasonable diligence within five (5) years.
9. The developer shall keep the area subject to the development permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
10. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
11. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.
12. In the commercial land use district, 90% of all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority. Off-street parking lots shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.8 sq. m (2000 sq. Ft.) of parking lot area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired. All required landscaping and planting must be carried out to the satisfaction of the Development Authority and within 1 year (weather permitting) of occupancy or commencement of operation of the proposed development. Landscaping shall be provided in accordance with the site plan (A3) dated June 16, 2014.
13. The developer shall comply with Section 6.13: Parking and Loading Regulations of Land Use Bylaw 1250-12: parking spaces shall be provided in the amount of 1 per 30 sq. m (323 sq. ft.) of gross leasable floor area (10,625 sq ft) = a minimum of 32 parking spaces.
 - a) shall be designed to the satisfaction of the Development Authority with regard to the dimensions, and layout of parking stalls and maneuvering aisles; and
 - b) shall have street access and curb cuts (where required) located to the satisfaction of the Development Authority; and
 - c) shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.
14. The existing service station and pumps must be removed from property within one (1) year of occupancy of the new building.
15. In the event that Highway Avenue needs to be developed in the future, the developer shall remove at his/her own cost any and all improvements to Highway Avenue (boulevard and trees etc.).
16. Service stations shall be located in such manner that:
 - a) No entrance or exit thereto for motor vehicles shall be within 60.9 m (200 ft.) of an entrance to or exit from a public or quasi-public use.

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- b) No part of a service station or gas station building or of any pump or other accessory building shall be within 6.0 m (20.0 ft.) of a side or rear property line.
 - c) Service stations shall have a front yard of not less than 12.2 m (40 ft.), and no gasoline pump shall be located closer than 6.1 m (20 ft.) to the front property line.
 - d) Storage tanks shall be set back from adjacent buildings in accordance with applicable Provincial requirements.
17. The maximum site coverage shall be 25%.
18. All parts of the site to which vehicles may have access shall have the surface completed to the satisfaction of the Development Authority.
19. Any outdoor lighting provided for security, display or attraction purposes for shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of any highway traffic.
20. Use and Maintenance of Service Station Site and Building.
The owner, tenant, operator or person in charge of a service station shall at all times:
- a) Be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on any authorized service station for storage) or of any business or activity which is; obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour smoke or vibration.
 - b) Be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or when repaired or serviced thereat, and without restricting the generality of the foregoing shall see:
 - i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service stations, and
 - ii) that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.
 - ii) Maintain on the boundaries of the site, where required by the Development Authority, an appropriate fence not less than 1.5 m (5 ft.) in height.
21. All applicable petroleum tanks shall be registered with the Petroleum Tank Management Association of Alberta, and comply with the requirements of Part 4 of the Alberta Fire Code Regulation, as amended.
22. The developer shall be required to enter into a Development Agreement with Smoky Lake County prior to the commencement of construction.
23. Enclosed garbage bins shall be located on the property during the construction and operation of the proposed development. The garbage bin shall be secured at all times and emptied on a regular basis to the satisfaction of the Development Authority. The design and screening shall be to the satisfaction of the Development Authority and located to the side or rear of the principal building on site.
24. Vehicular entrances and exits, as well as on-site pedestrian and vehicular routes, should be designed in a manner that provides a safe and clearly defined circulation pattern. Signs shall be installed to promote same.
25. Any sign shall be installed in accordance with Section 6.16: Sign Regulations of Land Use Bylaw 1250-12 and subject to the approval of Alberta Transportation.

CARRIED

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4.2 Heritage Resource Intervention Permit(s) to be Considered:

Nil.

5.0 ISSUES FOR INFORMATION

5.1 A general discussion ensued regarding the subdivision process and the appointment of the Subdivision Authority.

6.0 CORRESPONDANCE

6.1 Nil.

7.0 DELEGATION

7.1 Nil.

8.0 ADJOURNMENT

MPC14.017: Cholak

To adjourn the Municipal Planning Commission Meeting of July 30, 2014 at 11:32 a.m.

CARRIED


Dareld Cholak, Chairperson

SEAL

Cory Ollikka, Development Officer