

# Municipal Planning Commission

## September 5, 2018

The Village of Stirling MPC meeting was held at the Stirling Community Centre on, September 5, 2018. In attendance were Mayor Trevor Lewington, Councillors Robert Edwards, Matthew Foss, Kevin Nelson and Larry Nilsson, Development Officer Mike Selk and Planner Bonnie Brunner.

CALLED TO ORDER Councillor Edwards called the meeting to order at 6:07 p.m.

2018-31 AGENDA Councillor Nilsson moved to adopt the agenda. Carried

2018-32 MINUTES Councillor Foss moved to adopt the minutes of the August 15, 2018 MPC Meeting. Carried

SUBDIVISION  
APPLICATION 2018-  
0-125 Planner Bonnie Brunner presented a report on subdivision Application 2018-0-125.

Applicant Submission: Jason Edwards spoke about the residential and commercial development his company has done in the Village. He indicated that he had no immediate plans for development on the new lot.

2018-33 Councillor Lewington moved to approve resolution 2018-0-125 as amended:

THAT the subdivision of Lot 18, Block 21, Plan 0610127 within NE1/4 29-6-19-W4M (Certificate of Title No. 091 125 019), to create two lots of 0.14± acres (0.06± ha) and 0.13± acres (0.05± ha) from a titled area of 0.27± acres (0.11± ha) for commercial use; BE APPROVED subject to the following:

**CONDITIONS:**

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Village of Stirling.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the Village of Stirling which shall be registered concurrently with the final plan against the title(s) being created.

### **REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority granted a variance to the minimum lot length requirement of the Commercial District upon consideration of the proposal's lot area and lot width which exceed the minimum requirements of the Land Use Bylaw.

### **INFORMATIVE:**

- (a) Since the proposed subdivision complies with Section 663(c) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The Subdivision Authority granted a variance to the minimum lot length requirement in accordance with Section 654(2) of the Municipal Government Act to accommodate the proposal.
- (d) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (e) ATCO Gas has no need for a Utility Right of Way on the subject property at this time, and therefore has no objection to the proposed subdivision.
- (f) Alberta Health Services – Kristen Dykstra, Public Health Inspector/Executive Officer:

“In response to your August 13, 2018, subdivision of land application, we have reviewed the information provided. We wish to provide the following comments:

- The applicant must comply with all pertinent regulations, by-laws, and standards.

If you require further clarification, please contact me at the Lethbridge Community Health Centre at 403-388-6690 Ext. 8.”



(g) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a parcel for commercial use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017(“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway network.

To that end, the lot to be created and remnant land will be well removed from Highway 846 with indirect access to the highway being gained solely by way of the internal street system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the commercial lot as proposed would have any appreciable impact on the highway.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines; however, given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance, a permit from Alberta Transportation will not be required, and development of the commercial lot could proceed under the direction, control, and management of the village subdivision and development land use authority. The applicant could contact the undersigned, at Lethbridge 403/381-5426, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or

occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design. Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted. Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application."

(h) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta. FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-94 73) to make application for electrical services. Please contact FortisAlberta land services at [landserv@fortisalberta.com](mailto:landserv@fortisalberta.com) or by calling (403) 514-4783 for any questions.

Carried

2018-34 ADJOURN

Councillor Nilsson moved to adjourn at 6:18 p.m.

Carried

  
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Chair  
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Development Officer