



# MINUTES

May 13, 2024 at 7:00 p.m.  
Council Chambers at the Tom Hornecker  
Recreation Centre, 2122 – 18 Street

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## REGULAR MEETING OF MUNICIPAL PLANNING COMMISSION

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**MEMBERS PRESENT:** Shauna Strong (Chair), Roger Miller (Vice Chair),  
Ken Sorenson, Julia Anderson, John Dozeman\*

**MEMBERS ABSENT:** Kevin Todd (alternate), Victor Czop

**OTHERS PRESENT:** Georgina Sharpe Development Officer, Secretary  
Neil Smith Chief Administrative Officer  
Gavin Scott Senior Planner, Oldman River Regional  
Services Commission

\*by electronic means

**1. CALL TO ORDER & ADOPTION OF THE AGENDA**

The Chair called the MPC meeting to order at 7:00 p.m.

**1.1 INTRODUCTION OF MEETING ATTENDEES**

Gavin Scott introduced himself to the members present.

**1.2 NOMINATION OF CHAIRPERSON & VICE CHAIRPERSON:**

Not required

**1.3 ADOPTION OF AGENDA:**

**RESOLUTION #1 - 24/05/13 MPC – ANDERSON**

Moved that the agenda be adopted as presented. CARRIED

**2. MINUTES OF THE LAST MEETING:**

**2.1 RESOLUTION #2 - 24/05/13 – MPC – MILLER**

The Members having all read the minutes and there being no errors, omissions, or corrections, the Minutes of the Municipal Planning Commission held **April 8, 2024** were accepted as distributed.

CARRIED

**3. DELEGATIONS BY APPOINTMENT:**

None

**4. DEVELOPMENT APPLICATIONS:**

None

**5. SIGN APPLICATIONS:**

None

**6. SUBDIVISION APPLICATIONS:**

6.1 **2021-0-056** NE1/4 16-16-28-W4 / Lancaster Landing Phase I (D2S Farms Ltd.)

Gavin Scott, Oldman River Regional Services Commission, presented the application and recommendation to MPC members.

**RESOLUTION #3 – 24/05/13 – MPC – MILLER**

Move to approve the proposed resolution for Subdivision Application 2021-0-056 as presented and attached per Schedule "A" to these minutes.

CARRIED

6.2 **2024-0-045** Lot 2, Block 4, Plan 081 2804 (Goldenage Senior Homes Inc.)

Member Anderson excused herself and sat in the gallery as an adjacent landowner to the proposed subdivision at 7:24 p.m.

Gavin Scott, Oldman River Regional Services Commission, presented the application and recommendation to MPC members.

**RESOLUTION #4 – 24/05/13 – MPC – MILLER**

Move to approve the proposed resolution for Subdivision Application 2024-0-045 as presented and attached per Schedule "B" to these minutes.

CARRIED

Member Anderson returned to her MPC seat at 7:32 p.m.

**7. PERMITS ISSUED:**

**RESOLUTION #5 - 24/05/13 – MPC – DOZEMAN**

Moved to accept the Development Permit issuance report for the period of **April 4, 2024 to May 6, 2024** as follows:

DP #	Date Issued	Civic Address of Development	Lot	Blk	Plan	LUD	Description
D10-24	9-Apr-24	2009 31 Avenue	8	87	0715728	R1	Solar Collector - roof mount
D11-24	9-Apr-24	402 Slade Drive	9	63	7911150	R1	Deck Rebuild (Front Yard)
D12-24	9-Apr-24	2124 29 Avenue	1	78	0012718	R1	Front yard fence over 3 ft
D13-24	8-Apr-24	2311 22 Street	6,7	9	2325P	R1	HOC1 - lawn care services
D14-24	16-Apr-24	2514 26 Street	7	61	7911150	R1	Accessory building shed
D15-25	16-Apr-24	2019 30 Avenue	10	84	0715724	R1	Single Detached Dwelling

CARRIED

**8. OTHER BUSINESS:**

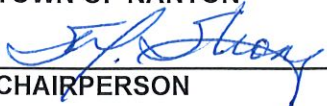
8.1 Next meeting date is **June 10, 2024 at 7 p.m.** unless otherwise re-scheduled or cancelled.

**9. ADJOURNMENT:**

**RESOLUTION #6- 24/05/13 – MPC – ANDERSON**

ADJOURNED the meeting of the Municipal Planning Commission at 7:34 pm.

TOWN OF NANTON

  
\_\_\_\_\_  
CHAIRPERSON

  
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SECRETARY

These minutes approved this 9<sup>th</sup> day of September, 2024.

:gs

  
Initials:

## RESOLUTION

2021-0-056

**Town of Nanton**

**Residential & Public Use** subdivision of NE1/4 16-16-28-W4M

THAT the Residential & Public Use subdivision of NE1/4 16-16-28-W4M (Certificate of Title No. 071 542 092), to create a 3.24 acre (1.31 ha) lot and a 2.77 acre (1.12 ha) lot, for residential use and two Municipal Reserve lots being 1.73 acres and 0.03 acres respectively for public use, from a title of 123.39 acres (49.93 ha); BE REFUSED for the following reasons:

### REASONS:

1. Council repealed, under Bylaw 1376/23, the Lancaster Landing Area Structure Plan (ASP) Bylaw 1235/11 and amended Land Use Bylaw 1246/13 to redesignate the subject lands from Public Institutional and Multiple Residential to Agricultural Transitional under Bylaw 1375/23 on October 2, 2023 to ensure planning policies and land use remain current and appropriate for the Town of Nanton's present infrastructure capacity.
2. With the repeal of the Lancaster Landing ASP in October 2023, necessary amendments were made to the Municipal Development Plan Bylaw 1306/18 in January 2024, under Bylaw 1380/23, to reflect the repeal of the Lancaster ASP and reinstate the requirement for an ASP on the subject lands. Therefore, the proposed subdivision does not meet Municipal Development Plan Policy Lu10: Area Structure Plans which states in part:  

"The portion of NE16 16-28 W4M as shown in Figure 9: Area A requires an area structure plan to be completed to the satisfaction of the Town of Nanton."
3. On April 16, 2024, Council adopted Land Use Bylaw No. 1389/24. As a result, the present land use designation as Future Urban Development District (S-FUD) does not support the proposed subdivision. The maximum lot size for non-agricultural uses within the S-FUD district is 0.2ha and the smallest parcel proposed in subdivision 2021-0-056 is 0.70±ha.

### INFORMATIVE:

- (a) The Subdivision Authority did not consider it necessary to analyze the matters listed in Section 9 of the Matters Related to Subdivision and development Regulation for the reasons cited.
- (b) Telus Communications Inc has no objection.
- (c) 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 (310-9473) 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.
- (d) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).
- (e) Alberta Health Services has no concerns.
- (f) Canada Post has no comment.

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

"Reference your file to create four (4) residential and public use parcels 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 system.

To that end, the parcels to be created and remnant land will be well removed from Highway 2 with indirect access to the highway being gained solely by way of the local street system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the residential and public use parcels 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 Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

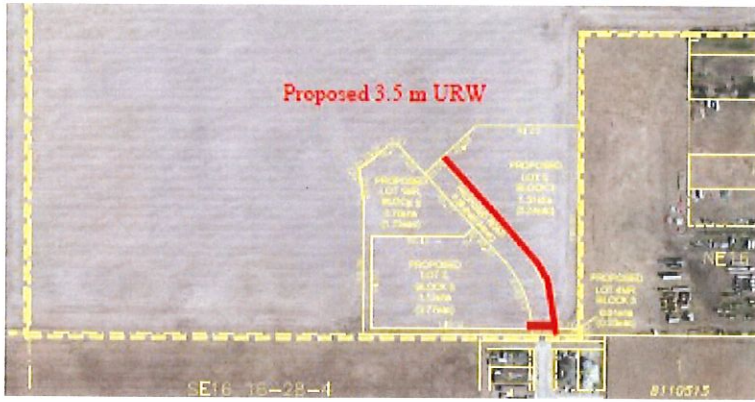
The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance a permit from Alberta Transportation will not be required and development of the residential parcel could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, 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) ATCO Gas requires a Utility Right of Way as shown on the hi-lighted on the attached plan. The utility right of way should be 3.5 meters in width. All easements are to be registered as a general utility right of way granted to the Municipality and are to be registered concurrently with the legal plan of subdivision. No structures or portion thereof may be erected within the right of way without prior written consent for the Company.



  
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MOVER  
May 13, 2024  
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DATE

  
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CHAIRMAN

## RESOLUTION

2024-0-045

**Town of Nanton**

**Residential** subdivision of Lot 2, Block 4, Plan 0812804 within SE1/4 16-16-28-W4M

THAT the Residential subdivision of Lot 2, Block 4, Plan 0812804 within SE1/4 16-16-28-W4M (Certificate of Title No. 081 202 918 +1), to create two lots from a title of 1.54 acres (0.622 ha) for residential 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 Town of Nanton.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with the Town of Nanton which shall be registered concurrently with the final plan against the title(s) being created.
3. That proof of separate municipal services to each lot be provided to the Subdivision Authority prior to endorsement for registration.
4. That a final plan be provided as prepared by a certified Alberta Land Surveyor that corresponds to the subdivision title configuration as approved by the Subdivision Authority.

### REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both 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 9 of the Matters Related to Subdivision and Development Regulation.
3. Alberta Transportation has authorized the Subdivision Authority to vary the requirements of Section 18 and 19 of the *Matters Related to Subdivision and Development Regulation* to accommodate the proposal.

### 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 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 Protected Areas, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) On April 16, 2024 Land Use Bylaw No. 1246/13 was repealed and Land Use Bylaw No. 1389/24 came into effect. The adoption of Land Use Bylaw No. 1389/24 created a non-conforming parcel as the subject lands have been designated as Residential, General District (R-GEN) which has a maximum parcel size of 0.2 ha. The subject parcel is 0.66±ha (1.64±ac). Upon subdivision the remainder lot will remain a non-conforming parcel size.

- (e) Telus Communications Inc has no objection.
- (f) EQUUS has no concerns.
- (g) In reference to the above request, please be advised of ATCO Gas' response and notify the landowner of the following:
  - ATCO Gas has no objection
  - ATCO Gas has no need for a Utility Right of Way currentlyATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:
  - If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilityafety.ca/>
  - For any ground disturbance within 30m of an existing gas line please contact [Crossings@atcogas.com](mailto:Crossings@atcogas.com) to obtain permission (submit locate slip as back up)
  - ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
  - If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email [southlandadmin@atco.com](mailto:southlandadmin@atco.com).

- (h) ATCO Transmission high pressure pipelines has no objections. Questions or concerns related to ATCO high pressure pipelines can be forwarded to [hp.circulations@atco.com](mailto:hp.circulations@atco.com).
- (i) Alberta Health Services has no objection.
- (j) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

"This will acknowledge receipt of your circulation regarding the above noted proposal. The subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 2, 533

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.


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 7(6)(d) of the regulation, Transportation and Economic Corridors agrees to waive the referral distance for this particular subdivision application. As far as Transportation and Economic Corridors 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

Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:

1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act"

(k) Historical Resources – Barry Newton, Land Use Planner:

"We have reviewed the captioned subdivision application and determined that in this instance formal *Historical Resources Act* approval is not necessary, and submission of a Historic Resources application is not required."

  
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MOVER  
May 13, 2024  
DATE

  
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CHAIRMAN