

**MUNICIPAL PLANNING COMMISSION MEETING
WEDNESDAY, JANUARY 18, 2012 – 12:30 PM
TOWN OF REDCLIFF COUNCIL CHAMBERS**

MINUTES

PRESENT: Members:

Manager of Legislative and
Land Services

Planning Consultant:
Confidential Secretary
Municipal Manager

PRESENT:

J. Beach, B. Duncan, B. Lowery,
B. Vine, D. Schaffer,
Shanon Simon

K. Snyder
C. Cranston
D. Wolanski

1. CALL TO ORDER

B. Duncan called the meeting to order at 12:37 p.m.

2. ELECTION OF CHAIRMAN & VICE CHAIRMAN

J. Beach nominated B. Duncan to be Chairman of the Municipal Planning Commission for 2012.
B. Duncan accepted.

B. Vine nominated J. Beach to be Vice Chairman of the Municipal Planning Commission for 2012.
J. Beach accepted.

3. ADOPTION OF AGENDA

B. Vine moved that the agenda be adopted as presented. - Carried.

4. PREVIOUS MINUTES

B. Lowery moved the minutes of the December 21, 2011 meeting be adopted as presented. - Carried

5. LIST OF DEVELOPMENT PERMITS ADVERTISED

The Commission reviewed the development permit advertised in the Cypress Courier/40 Mile Commentator on December 27, 2011 and were advised that no appeals had been received.

6. DEVELOPMENT PERMITS FOR MPC CONSIDERATION

**A) Development Permit Application 12-DP-001
Steven Brost
Lot 8, Block 7, Plan 0012006 (114 Redcliff Way SW)
House to be moved off of property**

D. Wolanski, Municipal Manager reviewed Development Permit Application 12-DP-001, to move a house off of Lot 8, Block 7, Plan 0012006 [114 Redcliff Way SW]. He advised that the property owner has an excavation company and a plan in place. The earliest date that Mr. Brost could move the house would be February 8th to allow for the appeal period. He is expecting that within a week the site would be completely excavated and footings and foundation removed and backfilled. Failing that a temporary fence would be installed the day the house is moved.

D. Wolanski suggested any conditions for approval would have to ensure that the plan was adhered to, the site remediated and a cash deposit taken to protect Town

infrastructure. D. Wolanski suggested a cash deposit be taken in the amount of \$2,500.00.

The Municipal Manager advised that the construction deposit for a new single family dwelling is \$500.00 to cover damage to sidewalks and infrastructure. To ensure completion and remediation of Lot 8, Block 7, Plan 0012006 an extra \$2,000.00 would not cover all the expenses. However, the Municipal Manager advised that he had discussions with staff members and the Bylaw Officer and confirmed that the Town would have the ability under section 546 of the Municipal Government Act to issue an order for unsightly conditions, and they would have to go and clean it up at their expense; or if we did the cleanup put the costs on their taxes. He did not feel that it would be fair to the applicant to ask for a \$30,000.00 cash deposit to ensure the conditions were met because it is most likely that the conditions will be met. The amount of the cash deposit is to cover any damage to infrastructure and if we had to do the immediate measures, like getting our staff or others to come in and put in fencing, if that was not met right away. The small amount of the cash deposit is to cover the immediate concerns for the site and infrastructure; larger costs can be dealt with in a Municipal Order if they do not do remove the footings, foundation, and backfill and create an unsafe condition as part of the municipal act.

B. Duncan asked how long the Town would hold the cash deposit as he had concerns that any damage may not show up until after spring conditions arrive. D. Schaffer noted that any damages to infrastructure such as sidewalks and curb would likely be evident right away. The Municipal Manager advised that he has spoken with Mr. Brost and that they still have to do the actual application for moving the house and Development Application 12-DP-001 deals with the site only. The moving of the building involves the RCMP, and Bylaw Enforcement coordination. B. McMillan has been speaking with the moving company and was advised that they plank everything to protect the sidewalk. J. Beach expressed concern that adjacent buildings could be damaged during the move and asked who would be responsible and could there be a claim against the Town. D. Wolanski advised that the property owner and moving company would likely have liability insurance to cover such incidents. If anyone made a claim to the Town the claim would be handled the same any insurance claim which would be to send it through the property owner or moving contractor insurance first.

Brief discussion ensued regarding the future sale and development of the lot and it was noted that the lot still has a restrictive covenant for architectural controls which will apply to any future development of the property.

The Planning Consultant suggested that the Commission consider a specific time frame for completion of the remediation as sometimes things do not go according to the plan and he felt that there should be some time lines established to ensure that the lot is remediated in a timely manner.

B. Vine moved that Development Permit Application 12-DP-001 for Steve Brost to move a house off of Lot 8, Block 7, Plan 0012006 [114 Redcliff Way S.W.], be approved subject to the following conditions:

1. Remediation of the site shall adhere to the plan submitted on January 10, 2012.
2. Backfill of the lot after the removal of the foundation shall be with clean fill and the lot should be left in a level condition. The lot shall not be left in an unsafe or unsightly condition.
3. Remediation of the site shall be completed no later than June 1st, 2012.

4. A cash deposit be submitted to the Town of Redcliff in the amount of \$2,500.00 to be returned to the applicant upon successful completion of the move and no damage to Town infrastructure at the site and remediation of the site, both to the satisfaction of the Development Authority. - Carried.

7. FOR INFORMATION

A) Land Use Bylaw Amendment

i) Memo from Municipal Manager

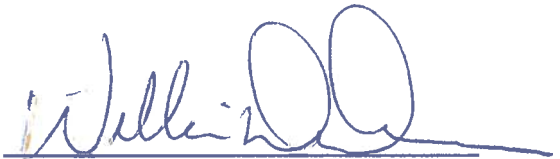
D. Schaffer moved the memo from the Municipal Manager dated January 9, 2012 regarding Lane Use Bylaw Amendment be received for information. – Carried.

ii) Bylaw No. 1708/2012 being a bylaw to amend Bylaw No. 1698/2011 being the Land Use Bylaw

J. Beach moved Bylaw No. 1709/2012 being a bylaw to amend Bylaw No. 1698/2011 being the Land Use Bylaw be received for information. – Carried.

8. ADJOURNMENT

J. Beach moved adjournment of the meeting at 12:55 p.m. – Carried.



Chairman



Secretary