

Minutes of the Municipal Planning Commission meeting held in Council Chambers of the Town Office, Killam, Alberta, on Thursday, September 8, 2016 commencing at 7:00pm.

PRESENT

Darcy Eskra
Brenda Grove
Diane Gordon
Bud James
Carol Kinzer
Rick Kryz
Greg McGovern, Development Officer
Charlotte St. Dennis, Solicitor
Kim Borgel, Recording Secretary

CALL TO ORDER

In the absence of the Committee Chairperson, Kim Borgel called the meeting to order at 6:55pm.

ELECTION OF CHAIRPERSON

Ms. Borgel explained that as per the MPC Bylaw, in the absence of the Chairperson, the Chairperson shall be elected from amongst those Municipal Planning Committee Members who are present.

Ms. Borgel called for nominations for Chairperson for the September 8, 2016 Municipal Planning Commission Committee Meeting.

C. Kinzer nominated D. Eskra. D. Eskra accepted the nomination.

Ms. Borgel called for nominations for Chairperson for the September 8, 2016 Municipal Planning Commission Committee Meeting a second time.

Ms. Borgel called for nominations for Chairperson for the September 8, 2016 Municipal Planning Commission Committee Meeting a third time.

MOVED by D. Gordon that nominations cease.

CARRIED

D. Eskra moved the meeting forward as Chairperson.

AGENDA

MOVED by B. James to accept the Agenda of the September 8, 2016 Municipal Planning Commission Meeting.

CARRIED

BUSINESS

Development Permit Application 2016-01, Lot 4, Block 26, Plan 162 1621

Development Officer, Greg McGovern introduced himself as the Development Officer for the Town of Killam.

Mr. McGovern reviewed his report and explained that the development uses for the application are all Discretionary Uses and so must be decided upon by the Municipal Planning Commission. A copy of Mr. McGovern's report and recommendation is attached and forms a part of these minutes.

Chairperson Eskra asked if the MPC had any questions for Mr. McGovern.

- What is the definition of screening – there is no definition in the Land Use Bylaw, however the Town Solicitor stated that screening should be considered anything that provides a buffer
- What is a split pole fence – Pictures were provided to the committee
- Consideration is needed to add the word “storage” to recommended condition #13
- Consideration is needed to the maintenance of the landscaping which is referred to in the recommended condition #11

DELEGATIONS:

Chairperson Eskra asked Mr. McRae to proceed with his presentation.

**Mr. Dan McRae,
Owner Bedevil
Enterprises**

Mr. McRae had no formal presentation. He asked the MPC if they had any questions for him.

- Are there 2 separate entrances? One for employees and one for customers – There are and currently there are 8 parking stalls on the east side of the building and 3 on the south side.
- There was confusion regarding the location of the road plan registered on the north side of the development area. This land was registered as a road plan when the 4 +/- acre subdivision was completed.

Chairperson Eskra asked if the MPC had any further questions for Mr. McRae. There were none.

Chairperson Eskra asked Mr. Smith to proceed with his presentation.

**Mr. Michael Smith,
Employee Bedevil
Enterprises, Resident
of Killam**

Mr. Smith presented the following to the Commission:

- Has been a truck driver for many years, an employee of Bedevil Enterprises for 2 years and a resident of Killam for 3 years;
- He spoke about the many positives Mr. McRae and Bedevil Enterprises has done for the community of Killam;
- 10 families are employed by the operation which is great considering the current economy;
- Sales for the business has increased since the wood processing began, which may result in more people being hired in the future;
- Non-profit organizations in the community can count on the McRaes and Bedevil Enterprises;
- He knows Mr. McRae would never give up on the community and we are lucky to have him;
- His wife has been sick with lung cancer and there is no way he would work for this company if in fact they were polluting the air and causing her to condition to get worse.

Chairperson Eskra asked if the MPC had any further questions for Mr. Smith. There were none.

**Mr. Tom Jackson,
Resident of
neighbouring
Flagstaff County**

Chairperson Eskra asked Mr. Jackson to proceed with his presentation.

Mr. Jackson presented the following to the Commission:

- Thank you for allowing him to be there and speak.

- Firstly, Mr. Jackson pointed out that in the decision of the Subdivision and Development Appeal Board for the storage of the poles, it was stated that the processing of power poles was an approved development in the Town of Killam. This information is not correct as the operation has not been approved by the Town of Killam and that Mr. Jackson feels this is an issue of integrity.
- Concerns were raised because the word “toxic” was not used by the development officer in his presentation, or report.
- Concerns on the PCPs in the poles and how they are truly toxic as per the [Stockholm Convention](#)
- Mr. Jackson compared the toxic power poles to W18 as they are both legal substances but are toxic. The toxins in power poles will make the community sick, just like the toxins in W18 could kill.
- It is unfair that farmers and towns who use registered pesticides must sign declarations even though they are registered and you do not have to do anything like this for the toxic poles.
- We need to do everything possible to stop this storage and processing of the poles. Just because our healthcare is free does not mean that we should misuse it and be ok with making people sick.
- The Fortis people were recently at the Jackson farm putting wraps on their power poles. They spoke with the Fortis people and the Fortis admitted that there are PCPs in the power poles
- The power pole developments are poisoning the people in this area
- They cover 4-5 acres and we have had 14 inches of rain since spring and that is a lot of contaminated water going into our water course
- The poles should be covered – because they are not leachate (being the rainwater containing the contaminants from the power poles) flows from the poles into our water and air.
- The mist from the watercourse is being sucked into Mr. Jackson’s grain bins by the bin fans
- Mr. Jackson pleaded with Mr. McRae to take the poles back to the farm where Mr. McRae’s resides
- He believes Mr. McRae is making thousands of dollars from Fortis for the poles and so he urges Mr. McRae to take them away from town so they don’t poison him and his family and the our town.

Chairperson Eskra thanked Mr. Jackson for his presentation and asked if the MPC had any further questions for Mr. Jackson. There were none.

- Mrs. Lucy Jackson asked if she could briefly speak. She asked if there was anything being done about the illegal signs on the old fence line along the Highway right of way. The Development Officer advised that there is no development permit for the signs.
- Mr. Tom Jackson added that the deciduous trees will lose their leaves and therefore would not be a good screening product all year around. He suggested that spruce trees be used so they actually provide the screening permanently.
- He also added that the fence height should be considered if it’s being used for screening purposes.
- And he has concerns with the stacking of shipping containers because if they

are stacked too high it becomes a safety hazard.

Chairperson Eskra thanked Mr. Jackson again for his presentation and asked if the MPC had any further questions for Mr. Jackson. There were none.

Chairperson Eskra informed those present that the committee would be going In Camera for deliberations after a 5 minute recess at 8:10 p.m.

**IN CAMERA
8:15 P.M.**

The meeting started up again at 8:15 p.m.

MOVED by R. Kryz that the meeting go In Camera for deliberations at 8:15 p.m.

**RECONVENE
9:03 P.M.**

CARRIED

MOVED by B. James that the meeting reconvene at 9:03 p.m.

CARRIED

MOVED by B. James that the MPC approve Development Permit 2016-01 thereby approving the discretionary development for Contracting Services – Major; Industry/Manufacturing – Small Scale (Outdoor Wood Processing Area) Similar Use; and with a variance to allow for storage in the front yard and variances to reduce the minimum front yard, side yard and rear yard setbacks to 0.5 meters, 1.3 meters and 1.0 meters, respectively located at 6301-51 Avenue subject to the following conditions:

1. Approval is granted based on the information provided by the applicant/landowner for the approved development only and no other development.
2. No further development, expansion or change in use is permitted unless approved by the Town of Killam.
3. The attached site plan, prepared by the Development Officer and dated September 16, 2016 (the Site Plan) shall form part of the Notice of Decision and Development Permit No. 2016-01.
4. The approved development shall be located on the property as shown on the attached Site Plan.
5. Outdoor storage shall be allowed in the front yard in the locations shown on the Site Plan.
6. The site shall be maintained in a neat and orderly manner including the containment of all construction materials and refuse to the satisfaction of the Development Authority.
7. The approved development shall not adversely impact adjacent properties in terms of generating excessive noise, dust, or any other negative impacts associated with the approved development.
8. The development shall not cause any adverse drainage impact on adjacent properties or flooding of nearby ditches in excess of their capabilities.
9. The applicant/landowner shall construct a split rail fence along the west and south boundaries of the development area shown on the Site Plan. Fence shall be completed by June 1st, 2017.
10. No development shall be located within the minimum yard setbacks. Specifically, no development shall be located within 0.5 meters of the front yard boundary; 1.3 meters of either side yard boundary; and 1.0 meters of the

- rear yard boundary.
- 11. The applicant/landowner shall landscape the Development Area to screen from view the front yard storage areas. Landscape features shall include a mix of shrubs and coniferous trees. Shrubs will be a minimum of 0.3 meters wide at the time of planting; and coniferous plants will be a minimum of 1.0 meters tall at the time of planting. The applicant/landowner shall plant trees and shrubs in the locations identified in the approved site plan. Landscaping works shall be completed by September 1st, 2017. Any shrubs or plantings that fail to survive until August 31, 2018 shall be replaced by the applicant/landowner.
- 12. Storage materials shall not be stacked to a height exceeding 6 meter above ground.
- 13. The applicant/landowner shall acknowledge and follow all provincial and federal regulations relating to the processing, storage and handling of post-use treated wood and the storage and handling (capture and disposal) of waste material and by-products. Any work necessary to ensure that the development and ongoing operation of the uses on the site abide by these regulations shall be completed by March 1, 2017.
- 14. The hours of operation of the approved development shall be limited to 7:00am and 10:00pm between Monday and Saturday, and from 12:00pm to 10:00pm on Sundays and Statutory Holidays.
- 15. The applicant/landowner shall remove any material/development currently located within the 51A Avenue road right-of-way. Any material that needs to be relocated shall be relocated on or before November 15, 2016.

General Advisement:

It is recommended that the applicant subdivide a portion of the remnant quarter section (NE, SE, 18-44-13-4) and consolidate it with Lot 4 to create a new lot represented by the Development Area shown on the Location Plan (see Attachment B, attached hereto and forms a part of these minutes). CARRIED UNANIMOUSLY

ADJOURNMENT

The meeting was adjourned at 9:10pm.

Chairperson

Chief Administrative Officer

Date

Date