

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **February 16, 2017**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

K. Walton; Chair  
 D. Hedley; Member-At-Large  
 P. Hambrook; Member-At-Large  
 M. Olson; Member-At-Large  
 H. Overguard; Member-At-Large

J. Sayer; Councillor  
 B. Beattie; Reeve

IN ATTENDANCE:

M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission  
 M. Pawlow; Manager of Planning Services  
 S. Madge; Manager of Development & Permitting Services  
 D. Gonzalez; Planner  
 J. Ross; Development Officer  
 L. Craven; Recording Secretary

CALL TO ORDER: K. Walton called the meeting to order at 9:01 a.m.

AGENDA

MPC 17-007 Moved by J. Sayer  
 That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of February 16, 2017 as presented.

Carried.

ADOPTION OF MINUTES

MPC 17-008 Moved by D. Hedley  
 That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of February Q2, 2017 as presented.

Carried.

PLRDSD20160194  
 NW 31-30-1-5 and  
 Plan 9512960 Blk - 2

Planning and Development Services presented an overview of a proposed subdivision located at NW 31-30-1-5 and Plan 9512960 Blk - 2, and provided information as introduced in the agenda package, such as the location map, aerial photos and site photos.

Planning and Development Services provided specific information to the application as follows:

- To create one (1) forty point zero four (+/- 40.04) acre parcel within NW 31-30-1-5 and the consolidation of Plan 9512960, Block 2 within the NE 31-30-1-5 with the remainder of NW 31-30-1-5.
- Proposed property is located within Division 3 and in the rural neighborhood of Wessex.
- Applicant - DERKSEN, David / Landowner - QUANTZ, James and Jeannie
- Surrounding land uses in the area are Agriculture and Country Residential.
- The property is within the Agricultural Preservation Area.
- Proposal does exceed the land use policy for parcel density however Council did approve the redesignation of the property as the intent is for agricultural purposes and no more parcels will be created.
- There are currently 12 parcels on the NW quarter. The proposal is a boundary adjustment that involves 2 titles.
- There was flooding in the past but should not impact the new parcel.
- There is a Development Permit on the subject property for Business, Contractors - Quality Dirt Works.
- The proposal will require an approach that meets County standards from Twp Rd 310.

Municipal Planning Commission discussed the following:

- Administration clarified the boundary adjustment is a subdivision.
- Administration stated that the subdivision will not increase the potential dwelling density for the quarter compared to the existing potential dwelling density. MPC needs to be satisfied that the increase in dwelling density does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties.

Applicant and land owner were present.

- Dave Derksen spoke as the applicant and James Quantz spoke as the landowner.
- The applicant stated that the boundary adjustment is for his landowner's daughter to continue with the farming operation and to get funding from the bank with a title in her name.
- Mr. Quantz explained the flooding issues in the past.

Moved by J. Sayer

MPC 17-009 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to create one (1) forty point zero four (+/- 40.04) acre parcel within NW 31-30-1-5 and the consolidation of Plan 9512960, Block 2 within the NE 31-30-1-5 with the remainder of NW 31-30-1-5, submitted by DERKSEN, David, on

behalf of QUANTZ, James and Jeannie, File No. PLRDSD20160194, subject to the following conditions:

Standard Conditions:

1. The endorsement fee of \$600.00 shall be paid to Mountain View County within 30 days from the date of the notice of decision.
2. The applicant shall construct/upgrade approaches from the municipal road to the proposed and residual lots. All new and existing approaches shall be constructed/upgraded in accordance with the construction specifications of Mountain View County.
3. Payment of property taxes in arrears shall be made to Mountain View County.
4. Subdivision to be effected by an instrument acceptable to the Land Titles Office (Descriptive Plan /Plan of Survey). To meet this condition the Descriptive Plan / Plan of Survey shall demonstrate the consolidation of Plan 9512960, Block 2 in the NE 31-30-1 W5M with the remainder of NW 31-30-1 W5M.
5. Municipal Reserves:
  - (1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
    - a. No reserves required pursuant to Section 663(b) of the Municipal Government Act.
6. N/A.
7. N/A.
8. The applicant shall submit a Real Property Report prepared by a qualified Alberta Land Surveyor showing that the setback of all structures in relation to proposed and existing property lines are in compliance the County's current Land Use Bylaw. The Real Property Report shall include the location of the existing water well and private sewage treatment system (PSTS) in relation to existing and proposed property lines.
9. If any portion of the PSTS is situated closer than 90 meters to an existing or proposed property line the applicant shall submit a report completed by a Plumbing and Gas Safety Codes Officer confirming that the PSTS complies with the setbacks distances as outlined in the current Alberta Private Sewage Systems Standard of Practice. Where not in compliance, the applicant shall undertake improvements to the PSTS to comply with the current Alberta Private Sewage Systems Standard of Practice and provide confirmation in this regard to the satisfaction of Mountain View County.

10. N/A.

11. N/A.

12. N/A.

13. Environmental protection for riparian and ecological enhancement:

a. Where livestock is present on the affected parcel(s), the applicant shall provide confirmation that an application has been submitted for Provincial and/or Municipal funding for Riparian Enhancement Projects. The applicant shall demonstrate protection of riparian areas affected by the proposed subdivision; or

b. Where livestock is not present on the affected parcel(s), or at the discretion of Mountain View County, the applicant shall enter into an agreement with Mountain View County to have a Riparian Health Assessment conducted by Mountain View County to determine the riparian health of areas affected by the proposed subdivision. Furthermore, a review period of five (5) and ten (10) years will be granted by the applicant allowing for subsequent assessment of the riparian area within the applicable review period to determine overall change in riparian health.

14. N/A.

15. N/A.

16. N/A.

Carried.

PLDP20170029

SE 23-31-27-4

Plan 1410501 Blk - 1 L - 1

Planning and Development Services presented an overview of a proposed development located at SE 23-31-27-4 Plan 1410501 Blk - 1 L - 1, and provided information as introduced in the agenda package, including the location map, aerial photos and site photos.

Planning and Development Services provided specific information to the application as follows:

- Application is for a proposed Change of Use for Existing Agricultural Accessory Building to Dwelling Unit/Personal Shop/Garage Use and Change of Use for Two (2) Existing Agricultural Accessory Structures to Personal Shop Use.
- Zoning is R-CR Country Residential District and the parcel size is 6.03 acres.
- Property is located within Division 3 and the rural neighborhood of Lonepine.

- Applicant/Landowner - PAULSEN, Eric and Sarah
- The structures were used for a CFO Poultry Operation that no longer exists.
- Setbacks for the structures were approved during the subdivision process.
- One of the structures will be utilized as a 3000 sq ft dwelling and a garage. There are also 2 other structures that the applicant would use as personal shops.
- As per Condition 15, Alberta Health Services shall be contacted for any required approvals for the change of use due to the structure being previously used for a confined feeding operation.
- There is a Development Agreement registered on the subject property to demolish two accessory structures as per the previous subdivision condition.
- Approval of Condition 14 will require a Building Permit to be obtained and the Development Agreement discharged.

Municipal Planning Commission discussed the following:

- Members had concerns with the structures being derelict and Administration stated that the building permit is to be completed within 2 years.
- The health services codes are required to be met if the property is rented.
- The members asked for clarification on the proposed future business, Administration clarified that the current application does not mention the proposed business of the sawmill.

Applicant/landowners were present, Sarah & Eric Paulsen.

- Applicants stated that they have 4 children and would like to use the buildings for more room and upgrade them for personal use.
- The landowner clarified that the two southern structures would be an asset and utilized for the sawmill in the future with his father in law.
- The applicant stated that the poultry buildings have cleared the poultry operation equipment has been removed.
- The applicant has done some investigating into the foundation.

Recess 9:53 to construct Condition 17  
Reconvened 9:57

Moved by D. Hedley

MPC 17-110 That the Municipal Planning Commission (MPC) approve the proposed Change of Use for Existing Agricultural Accessory Building to Dwelling Unit/Personal Shop/Garage Use and Change of Use for Two (2) Existing Agricultural Accessory Structures to Personal Shop Use in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SE 23-31-27-4, Plan 1410501, Block

1, Lot 1, submitted by PAULSEN, Eric and Sarah, Development Permit PLDP20170029, subject to the following conditions:

**Standard Conditions**

The works outlined in this application are subject to the following standard conditions:

1. The provisions of the Land Use Bylaw No. 15/15.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.
3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.

**Standard Conditions if Applicable:**

4. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

**Permits Associated with Building Construction**

11. If the development authorized by a development permit is not completed within twenty-four (24) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.
12. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regards to building, electrical, gas, plumbing and private sewage disposal. Prior to construction required permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

**Additional Conditions:**

- 13. The applicant shall obtain a Building Permit for the change of use for the existing accessory building, as indicated on the site plan, to dwelling unit and accessory use for personal storage and garage.
- 14. The applicant shall obtain a Building Permit for the change of use for the two existing accessory building - poultry barns to accessory buildings for personal shop use.
- 15. That the applicant contact the Environmental Health Officer with Alberta Health Services to ensure any health standards, codes and or approvals are met for the change of use of the existing structures.
- 16. That the applicant obtain a Roadside Development Permit from Alberta Transportation.
- 17. The Development Agreement registered against the title will be removed once a Building Permit for the change of use in Condition #14 is issued.

Carried.

**CORRESPONDENCE**

Information Items

MPC 17-011

Moved by B. Beattie

That the Municipal Planning Commission receive the following items as information:

- a) ASDAA Agenda from February 07, 2017
- b) Permitted Development Permits Approved
- c) SDAB 20160125 Notice of Decision

Carried.

**ADJOURNMENT**

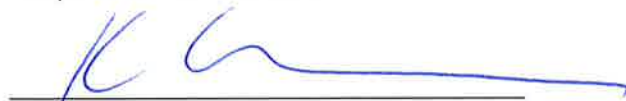
MPC 17-012

Moved by D. Hedley

That the Municipal Planning Commission of February 16, 2017 be adjourned at 10:04 a.m.

Carried.

Adopted March 16, 2017



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission