

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **October 15, 2015**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: G. Harris; Member-At-Large
L. Schafer; Member-At-Large
K. Good; Member-At-Large
D. Hedley; Member-At-Large

A. Aalbers; Councillor
J. Sayer; Councillor
K. Heck; Councillor

IN ATTENDANCE: M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission
M. Pawlow; Manager of Planning Services
S. Madge; Manager of Development & Permitting Services
T. Connatty; Planner
P. Grochmal; Development Officer
J. Ross; Development Officer
M. Dascollas; Development Officer
K. Lashmar; Recording Secretary

CALL TO ORDER: G. Harris called the meeting to order at 9:03 a.m.

AGENDA MPC 15-168 Moved by L. Schafer
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of October 15, 2015 as presented.
Carried

ADOPTION OF MINUTES MPC 15-169 Moved by J. Sayer
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of October 01, 2015 as presented.
Carried

SUBDIVISION
TIME EXTENSION
RDSD20140020
SW 22-32-5-5
Plan 8911474 Blk - 1
Planning and Development Services presented an overview of a request for a time extension for a conditionally approved subdivision October 15, 2015 to October 16, 2016.

Planning and Development Services presented an overview of a proposed time extension for conditionally approved subdivision located at SW 22-32-5-5 Plan 8911474 Blk - 1 , 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 request for a time extension for a conditionally approved subdivision of two (2) parcels, each two point nine (2.9) acre (5.8 acres in total) in size with the remaining parcel three point five (3.5) acres in size.
- Proposed property is located within Division 6 and in the rural neighborhood of Eagle Hill/Westward Ho.
- Applicant/Landowner - RITCHIE, Reid / Landowner - RITCHIE, Eric & Adam.
- Conditional approval of the Subdivision was granted on October 15, 2014.
- Property is located in a rural area that allows for multi-lot rural residential subdivisions.
- Application layout consists of one (1) existing parcel, with an additional two (2) parcels to create three (3) small Country Residential parcels with an internal subdivision road, intended to provide access to the balance of the quarter section as directed by Alberta Transportation.
- Minimal pipeline activity on the parcel, with some natural gas pipelines for servicing private residences in then area.
- Development located on the west portion of the parcel with no development to the east.
- The applicant is aware that only one (1) time extension request may be made (Policy 6011 and Procedure 6011-01).

Municipal Planning Commission did not have any comments.

Applicant was not present.

Moved by K. Good

MPC 15-170 That the Municipal Planning Commission (MPC) approve the proposed one (1) year time extension until October 16, 2016 for conditionally approved subdivision two (2) parcels, each two point nine (2.9) acres (5.8 acres in total) in size with the remaining parcel three point five (3.5) acres in size from SW 22-32-5-5, Plan 8911474 Blk 1 submitted by RITCHIE, Reid, PLRDSD20140020, subject to the following outstanding conditions:

1. The approval fee of \$800.00 shall be paid to Mountain View County within 30 days from the date of this notice of decision. **(Completed)**
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 as attached.

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 or/Plan of Survey). **(Completed)**
5. Municipal Reserves
 - (1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
 - a. N/A
 - b. Cash in lieu of municipal reserves are to be paid to Mountain View County within 30 days from the date of this notice of decision. Approximately (1.2) acres are owing and at a rate of (\$16,096.93) per acre, therefore (\$19,316.32) is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey;
6. N/A
7. A qualified surveyor shall prepare a Utility Right of Way (UROW) instrument acceptable to the Land Titles Office (Descriptive/Plan of Survey). The applicant shall enter into a General Utility Easement Agreement with Mountain View County. The UROW instrument shall dedicate the southerly and northerly 5 metres width along the internal subdivision road. **(Completed)**
8. A Real Property Report shall be prepared by a qualified Alberta Land Surveyor showing that the setbacks of main structures in relation to proposed and existing property lines are in compliance the County's current Land Use Bylaw. **(Completed)**
9. If any portion of the PSTS is situated closer than 90 metres to an existing or proposed property line the applicant shall submit either of the following:
 - a. A copy of the PSTS permit application, and inspection reports as completed by a Safety Codes Officer when the PSTS was installed or,
 - b. An inspection report from a Safety Codes Officer confirming that the PSTS complies with the regulations 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 Alberta Private Sewage Systems Standard of Practice and provide

confirmation in this regard to the satisfaction of Mountain View County.

10. The applicant shall submit the following report(s), plans and specifications prepared by a qualified professional. These reports shall be to the satisfaction of Mountain View County and the findings shall guide and be incorporated within the drafting and execution of the development agreement(s):
 - a. A groundwater supply evaluation. This report (Q20 test) shall confirm the availability and adequacy of a suitable water supply that complies with applicable provincial standards and regulations.
 - b. A Storm-Water Management Plan.
11. The applicant shall enter into a development agreement(s) with Mountain View County in accordance with Section 655 of the Municipal Government Act. The development agreement(s) shall address such matters including but not limited to the following:
 - a. the construction of municipal improvements (internal road);
 - b. N/A;
 - c. N/A;
 - d. landscaping and fencing requirements;
 - e. storm-water management;
 - f. security requirements;
 - g. inspection provisions.

As required, the development agreement(s) may be registered via caveat on the affected land.

12. The applicant shall make suitable arrangements with Corporate Services department of Mountain View County to acquire, assign and post rural addresses for the proposed and residual lots in accordance with the rural addressing bylaw. The applicant shall provide confirmation in this regard.
13. N/A
14. N/A
15. N/A
16. The applicant shall review necessary off-site (primary and secondary) upgrades to the power distribution system with the power utility provider to service the subdivided lands. The applicant shall be responsible for obtaining a quote, and a signed agreement with the power provider along with a receipt of payment to extend power services to the property boundary(s) of the newly created lots.

Additional Condition

17. The applicant shall, at their sole cost, dedicate by Plan of Survey, the internal road and construct a forced road of approximately 317 metres, to the eastern end of the proposed parcel to provide appropriate access to the balance of the quarter. The road is to be constructed to the paved Residential Subdivision Road Standards, and shall also provide a 15 metre radius cul-de-sac at the end to facilitate an appropriate turnaround. As well as the removal of the existing approach off of Highway 760.

Carried

PLDP20150404
SW 21-32-1-5

Planning and Development Services presented an overview of a proposed development located at SW 21-32-1-5, 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 Communication Tower to Replace Existing Tower.
- Zoning is Agricultural District (A) and the parcel size is 4.94 acres.
- Property is located within Division 7 and the rural neighborhood of Netook.
- Applicant - ALTALINK c/o Mark Mortimer / Landowner - ALTALINK MANAGEMENT LTD
- In addition to a circulation done by the applicant on their own accord, Mountain View County circulated fifteen (15) packages within a half mile of the subject land with no responses received.
- Applicant received an approval from the Alberta Utilities Commission for construction on August 24, 2015.
- Parcel currently contains a 112m tower that will be removed and replaced with a 130m tower, and the existing control building will remain on site.
- Existing wire anchor sites will be consolidated into the subject land, and will no longer be located on the adjacent landowner's property.
- Applicant indicated that a taller tower will provide additional capacity and increased signal range within their telecommunications network.

Municipal Planning Commission discussed the following:

- Stated that the application is just for a higher tower and is straight forward.

Applicant was not present.

Moved By L. Schafer

MPC 15-171 That the Municipal Planning Commission (MPC) approve the proposed Communication Tower to Replace Existing Tower, in

accordance with the Land Use Bylaw No. 01/14 and the submitted application, within SW 21-32-1-5 submitted by ALTALINK c/o Mark Mortimer, Development Permit File No. PLDP20150404, subject to the following conditions:

CONDITIONS:

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

Standard Conditions:

1. The provisions of the Land Use Bylaw No. 01/14.
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. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
5. N/A
6. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
7. N/A
8. N/A
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.

Permits Associated with Building Construction:

10. 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.
11. 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 systems. 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:

12. The applicant shall ensure all construction is in conformance with Transport Canada's regulations for the proposed development and that a copy of the Aeronautical Obstruction Clearance form issued by Transport Canada must be obtained and provided to Mountain View County.
13. All required permits and/or approvals from Federal Authorities must be obtained and copies provided to Mountain View County.
14. The applicant shall submit construction drawings to the County prior to construction of the tower, illustrating a suitable protective anti-climb barrier to be located around the perimeter of the Communication Tower. The drawings shall be to the satisfaction of the Development Officer.
15. Upon no longer utilizing this site, the site will be totally reclaimed meaning the removal of the entire tower, antennas, cable, equipment and concrete.
16. All setbacks must comply with Provincial regulations with regards to the pipelines within and near the property.
17. The structure shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for contacting Alberta-One-Call.
18. The applicant shall provide Mountain View County with a Roadside Development Permit approval from Alberta Transportation.

Carried

PLDP20150414
NW 6-33-5-5

Planning and Development Services presented an overview of a proposed development located at NW 6-33-5-5, 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 Recreational Resort (Sundre River Resort) - Phase 2 (94 Units), Accessory Building - Shop and Storage Area.
- Zoning is Parks & Recreation District (P-PR) and the parcel size is 160 acres.
- Property is located within Division 5 and the rural neighborhood of McDougal Flats.

- Applicant - SUNDRE RIVER RESORT INC / Landowner - WESCOTT CONSULTING GROUP
- Access road will be created to the south of the property to provide emergency access to the additional lots.
- Mountain View County circulated a referral of ½ mile, with no comments received.
- There is a degree of Hazard Lands located on the property created by the Bearberry Creek.
- Applicants and landowner have been in extensive contact with Alberta Environment in regards to the close proximity of the river.
- Natural gas lines located on site, but none interfere with development.
- Phase 1 previously approved in 2014.
- Phase 1 permit will stay in effect and will remain valid.

Municipal Planning Commission discussed the following:

- Clarification regarding the feedlot being a registered Confined Feeding Operation, however it is not registered.
- Clarification asked regarding “Public Use”, in regards to the McDougal Flats Community Association.
- In the McDougal Flats Area Structure Plan, a community association is mentioned, the intent is to assure the community association and landowner collaborates when using facilities.
- Clarification asked regarding Emergency Evacuation Plan.
- Clarification was asked regarding signage, specifically appropriate exits, access’s as well as egress.

Applicant discussed the following:

- Bob Wescott spoke.
- Spoke in regards to the concerns with the Emergency Evacuation Plan, and how the plan was revised and submitted to the County for approval.
- The plan also included provision for future phasing (Phase 2), and the initial requirements are being completed. (Providing an additional access point)
- Provided clarification regarding signage, mentioning that the Emergency Evacuation Plan provided for signage, the vast majority of which is for Phase 2.

Moved By J. Sayer

MPC 15-172 That the Municipal Planning Commission (MPC) approve the proposed Recreational Resort (Sundre River Resort) - Phase 2 (94 Units), Accessory Building - Shop and Storage Area, in accordance with the Land Use Bylaw No. 01/14 and the submitted application, within NW 6-33-5-5 submitted by WESCOTT CONSULTING GROUP, Development Permit File No. PLDP20150414, subject to the following conditions:

CONDITIONS:

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

Standard Conditions:

1. The provisions of the Land Use Bylaw No. 01/14.
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. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
7. N/A
8. N/A
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.

Permits Associated with Building Construction:

10. 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.
11. 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 systems. 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:

12. The applicant is permitted to construct a maximum of 94 permanent recreational sites in phase (2) two only, an accessory building – shop and storage area as indicated within the concept plan attached to this application. Any future expansion, work area or site development will require a new permit.
13. There shall be no ATV and/or dirt bike use within the campground facility by any lessee of the sites. The applicant and/or landowner shall be permitted to use an ATV for general maintenance (personal use) purposes only.
14. The applicant and/or landowner shall ensure any and all provincial and federal approvals are obtained for the proposed recreational resort prior to proceeding with the development.
15. The applicant and/or landowner shall submit documentation to the County confirming Provincial Approval of the location and design of the water well and waste water disposal systems to be located on the property.
16. The applicant and/or landowner shall ensure that all lessee's of a campground site enter into a lease agreement with the landowners to ensure campground regulations are followed.
17. The applicant and/or landowner shall submit water samples to Alberta Health on a semiannual (twice a year) basis to ensure drinking water is suitable for human consumption.
18. The applicant and/or landowner shall obtain a private sewage disposal permit approval through Alberta Environment. Should Alberta Environment require Municipal approval, permits shall be obtained from Mountain View County. The applicant and/or landowner shall provide the County with copies of the Alberta Environment approvals.
19. That any and all approvals be obtained for fresh and waste water. In the interim, an agreement shall be obtained with a third party in regards to hauling of fresh water and dumping of sewage (waste water).
20. The applicant and/or landowner shall obtain any provincial and federal approvals that may be required with regards to any stormwater outfall draining into the creek.
21. Water Act approvals for the installation of any new roads and/or culverts through a watercourse shall be obtained.
22. Should any of the storm ponds be utilized as a potential fire supply, the applicant and/or landowner shall obtain any approvals required from Alberta Environment.

23. The applicant and/or landowner shall ensure that all technical studies submitted with this application are adhered to throughout the development of the recreational resort.
24. As per the South McDougall Flats Area Structure Plan, the applicant and/or landowner shall make a provision for recreational facilities to be made available to book for public use.
25. There shall be no development in the floodway and there shall be no permanent construction in the floodway.
26. A sign with a diagram of the lot layout shall be erected at the gate of the resort. This sign shall meet the regulations of the Commercial and Industrial Design Guidelines. This sign shall also contain contact information, emergency contact information, the legal and rural address.
27. No development shall occur without the approval of Mountain View County and Sustainable Resource within the bed and shore of the Bearberry Creek.
28. The subject lands have been designated as Environmentally Significant. The applicant and/or landowner shall ensure that any and all users of the subject lands maintain the integrity of the Environmentally Significant lands.
29. That the applicant and/or landowner adheres to Land Use Bylaw 01/14, particularly Section 9 (General Regulations), Section 10.13 (Tourist Campground Regulations), Section 15.2 (Parks and Recreation District Regulations) or subsequent versions.
30. That the emergency exit for evacuation on the south end of the property be constructed to specifications able to accommodate pedestrian and vehicular traffic in the event of an emergency.
31. Use of the proposed accessory building - shop for industrial/commercial or residential purposes is not permitted. The accessory building - shop is permitted for storage purposes only.
32. All storage shall be contained within the designated storage area shown on the Phase 2 site plan submitted with the application and shall be fenced providing screening from adjacent properties. No additional outside storage pertaining to the business shall be permitted on the subject property.
33. All development including access roads shall be contained within the subject property. No development shall be allowed to encroach on adjacent properties at any time.

34. The accessory building – shop for storage shall be situated a minimum of 15 meters from the east and south property lines within the fenced storage compound as shown in the site plan submitted with the application.

35. Development Permit PLDP20120293 remains in effect with issuance of this Development permit.

Carried

PLDP20150420
SE 23-33-1-5
Plan 9711638 L - 1

Planning and Development Services presented an overview of an existing development located at SE 23-33-1-5 Plan 9711638 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 Business, Contractors – Rempel's Painting and Going Places Courier Trucks and 2 Signs.
- Zoning is Agricultural District (A) and the parcel size is 7.64 acres.
- Property is located within Division 7 and the rural neighborhood of Netook.
- Applicant - REMPEL'S PAINTING & DRYWALL / Landowner - REMPEL, Lewis Ray & Carol Marlene.
- Application was submitted to bring the existing business on the property into compliance with the Land Use Bylaw as a result of a complaint for non-compliant signs located on the property.
- Confined Feeding Operation (CFO) located west of the property.
- There is no development allowed to be located within the CFO buffer area, and applicant is well outside the buffer area.
- The businesses are utilizing an existing accessory building on site (1100 square feet), for storage as well as maintenance for courier trucks.
- The businesses are mobile and therefore have a minimal impact on the surrounding area.
- Natural gas is located on site with no pipeline constraints.
- Signage is located on the northeast corner of the property, with courier truck signage located on the berm.
- Residence is located on site and property is very tidy.
- Existing businesses are considered Business – Contractors on agricultural property.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding the use of the cube van, while administration clarified that the truck is being used only as a spare vehicle, when required.

- Administration clarified that where the cube van is positioned on the berm, the intent is for advertising purposes.
- Clarification was asked regarding the frequency of the use of the van.
- Clarification asked regarding the berm, and if it was a requirement of a development permit, administration clarified that it is not.
- Clarification was asked regarding the hours of operation; however administration clarified that they are stated within the application and that the development permit will apply to any information submitted on the application.
- Clarification was asked regarding Condition #12 and the penalty fee, however administration clarified that the penalty fee is 50% as the applicant applied voluntarily.
- Amendment was made to Condition #12.
- Clarification asked regarding third party signage, administration clarified that the property is located adjacent to Highway #2; therefore approval must first be given through Alberta Transportation followed by the County.
- Administration clarified that this application is dealing with on site commercial signage.
- Discussion on stand-alone signage versus signage on a vehicle.

Applicant discussed the following:

- Lewis Rempel spoke.
- Clarified the use of the cube van for the business, and that it may be used up to two (2) times per year.

Moved By A. Aalbers

MPC 15-173 That the Municipal Planning Commission (MPC) approve the existing Business, Contractors – Rempel’s Painting and Going Places Courier Trucks and 2 Signs, in accordance with the Land Use Bylaw No. 01/14 and the submitted application, within SE 23-33-1-5 Plan 9711638 Lot 1 submitted by REMPEL'S PAINTING & DRYWALL, Development Permit File No. PLDP20150420, subject to the following conditions:

CONDITIONS:

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

Standard Conditions:

1. The provisions of the Land Use Bylaw No. 01/14.
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. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.

Permits Associated with Building Construction:

10. N/A
11. N/A

Additional Conditions:

12. As development proceeded without the necessary Development Permit, a 1st Offence Penalty Fee for Commercial Development of \$1,000 (50% shall be applied due to voluntary compliance). This fee will be invoiced. Failure to pay the Penalty Fee within 30 days of the invoice date may result in the County taking steps to caveat the Fee to the titled property.
13. Future expansion, work area or additional employees, will require a new permit and may require rezoning or relocation to a Business Park.
14. That the applicant obtain a Roadside Development Permit from Alberta Transportation
15. The applicant shall comply with all environmental standards and permit requirements of the authority having jurisdiction for the containment and disposal of scrap metal, chemicals and paint products on site.
16. The applicant shall apply for a Building Permit to ensure the accessory structure being used for painting is constructed and ventilated in accordance with the Alberta Building Code.
17. Two existing signs advertising the businesses have been approved to remain in the north east corner of the property.

This approval does not include the cube van/truck advertising the Courier business located on the berm running north/south on the subject property.

18. That the applicant obtains Sign Installation Permits for the two existing Signs (located in the NE corner) from Alberta Transportation.
19. Approval is granted for the businesses operating on the subject property as per the information submitted with the application.
20. Unscreened outside storage is not permitted on the subject property.
21. The proposed business shall not have more than five (5) commercial vehicles on the subject property pertaining to the business at any one time.
22. Use of the existing accessory structures for residential purposes is not permitted.
23. A northerly setback relaxation for the existing structures located on the subject property to the property line shall be approved for the life of the buildings.

Carried

Moved By J. Sayer

MPC 15-174 That the Municipal Planning Commission (MPC) refuse the existing Courier Truck Sign in accordance with Land Use Bylaw No. 01/14, within SE 23-33-1-5 Plan 9711638 Lot 1 submitted by Rempel's Painting & Drywall, Development Permit File No. PLDP20150420 for the following reasons:

Section 7.2.4 b) Roadside signs displayed on licensed or un-licensed vehicles, machinery, or other objects.

Carried

PLDP20150427
NE 33-29-1-5
Plan 1877EZ
Block CUT-OFF

Planning and Development Services presented an overview of a proposed development located at NE 33-29-1-5 Plan 1877EZ Block CUT-OFF, 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 Addition to Dwelling Unit (entrance/porch) with Easterly Setback Relaxation.
- Zoning is Agricultural District (A) and the parcel size is 3.55 acres.

- Property is located within Division 1 and the rural neighborhood of Wessex.
- Applicant /Landowner - MILLER, Mitchell A & Lori D
- Required setback adjacent to a road allowance is 40m, however the applicant cannot meet the required setback.
- Archeological resource site located on the parcel, the developed yard site has no impact on the resource.
- The setback that the applicant is requesting is 1m from the property line.
- Discrepancy regarding parking in the road allowance, as pertained in Condition #17, as this is addressed in the General Traffic Bylaw.
- Applicant is in the process of an attempt of a road closure for the existing road adjacent to the property.

Municipal Planning Commission discussed the following:

- Concerns regarding road closure, addressed by administration.
- Removal of Condition #17.

Applicant was present.

Moved By L. Schafer

MPC 15-175 That the Municipal Planning Commission (MPC) approve the proposed Addition to Dwelling Unit (entrance/porch) with Easterly Setback Relaxation, in accordance with the Land Use Bylaw No. 01/14 and the submitted application, within NE 33-29-1-5 Plan 1877 EZ Block CUT-OFF submitted by MILLER, Mitchell A & Lori D, Development Permit File No. PLDP20150427, subject to the following conditions:

CONDITIONS:

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

Standard Conditions:

1. The provisions of the Land Use Bylaw No. 01/14.
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. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
7. N/A
8. N/A
9. A rural address is required to be posted on the property. The landowner shall contact Mountain View County to obtain a rural address and the requirements for posting it on the property as per the Rural Addressing Bylaw.

Permits Associated with Building Construction:

10. 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.
11. 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 systems. 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:

12. The appearance, design, and construction of the addition shall complement the design of the existing dwelling and shall be incorporated within the existing dwelling unit.
13. An easterly setback relaxation for the addition to the dwelling unit to the property line is approved for the life of the building.
14. The structure shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for contacting Alberta-One-Call.
15. The applicant will comply with all conditions of Roadside Development Permit # NE 33-29-01-W5 (DEV) issued by Alberta Transportation.
16. As development proceeded without the necessary Development Permit, a 1st Offence Penalty Fee for Residential Development of \$1,000 shall be applied. This fee will be invoiced. Failure to pay the Penalty Fee within 30 days of the invoice date may result in the County taking steps to caveat the Fee to the titled property.

Carried

Land Use Bylaw Amendments

Planning and Development Services presented an overview of proposed Land Use Bylaw (LUB) Amendments.

Municipal Planning Commission discussed the following:

- Administration explained that they presented the proposed amendments to the Policy & Priorities Committee on October 7, 2015.
- Definitions within the LUB need to be specific and clear in order to avoid confusion.
- Many of the proposed amendments will clarify uses within the LUB such as public vs. private riding arenas and business uses as well as the clarification of signs (identification, advertising, third party commercial).
- There will be new districts introduced which will provide options for fragmented farmstead and residential separations that exceed the maximum 5.0 acres under the Country Residential district.
- There will be a review of some of the permitted and discretionary uses under each district.

Moved By J. Sayer

MPC 15-176 That the Municipal Planning Commission receive the proposed Land Use Bylaw amendments for information.

Carried

CORRESPONDENCE

Information Items

MPC 15-177

Moved by K. Heck

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

- a) ASDAA Agenda from October 06, 2015
- b) Permitted Development Permits Approved

Carried

ADJOURNMENT

MPC 15-178

Moved by L. Schafer

That the Municipal Planning Commission of October 15, 2015 be adjourned at 10:36 a.m.

Carried

Adopted November 05, 2015

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission