

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **December 03, 2015**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: K. Walton; Member-At-Large/Chair
D. Hedley; Member-At-Large
H. Epp; Member-At-Large
M. Olson; Member-At-Large
P. Hambrook; Member-At-Large

P. McKean; Councillor
J. Sayer; 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
G. Chaudhary; Planner
P. Grochmal; Development Officer
K. Lashmar; Recording Secretary

CALL TO ORDER: K. Walton called the meeting to order at 9:02 a.m.

AGENDA MPC 15-193 Moved by D. Hedley
That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of December 03, 2015 as presented.

Carried

ADOPTION OF MINUTES MPC 15-194 Moved by J. Sayer
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of November 19, 2015 as presented.

Carried

BUSINESS ARISING MPC 15-195 Moved by P. McKean
That the Municipal Planning Commission ratify the November 30, 2015 appointment of K. Walton as Chair and D. Hedley as Vice Chair of the Municipal Planning Commission until the 2016 Organizational Meeting.

Carried

SUBDIVISION
TIME EXTENSION

PLRDSD20140163
SW 9-33-4-5

Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLRDSD20140163 to January 07, 2016.

- Applicant - TAYLOR, Ken / Landowner - JACKSON, Marvin & Barbara.
- Proposed property is located within Division 6 and in the rural neighborhood of Eagle Hill / Westward Ho.
- Proposed property received redesignation approval by Council on August 13, 2014, and conditional subdivision approval was granted by ASDAA on August 26, 2014.
- The landowners were not able to meet the deadline for completing the subdivision conditions as the access approach to the subject property was not initially constructed to County standards; therefore they were required to upgrade the constructed approach to meet County standards.
- The landowners had also not met the condition requiring a rural address sign be posted at the entrance to the property.
- All of the conditions have been met as of November 05, 2015.

Municipal Planning Commission had no comments or questions.

Applicant was not present.

Moved by P. McKean

MPC 15-196

That the Municipal Planning Commission (MPC) approve the proposed time extension for the conditionally approved subdivision to January 07, 2016 in order for Planning and Development to have adequate time to endorse the file.

Carried

PLDP20150285
NW 23-30-1-5

Planning and Development Services presented an overview of a proposed development located at NW 23-30-1-5, 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 Riding Arena, Public - Horse Boarding and Riding Lessons.
- Zoning is Agricultural District (A) and the parcel size is 80.26 acres.
- Property is located within Division 1 and the rural neighborhood of Wessex.
- Applicant – BOYER, Sarah / Landowner – ROY, Paul Louis.
- Application was submitted in response to a complaint received by the County, regarding concerns of horse boarding and horse lessons taking place on the property without appropriate permits; in response, the applicant submitted a development permit application.

- The application was circulated to 19 adjacent landowners in July 2015, with 1 letter of opposition and 1 letter of support received.
- The letter of opposition contained concerns of past conflict with the landowner and concerns of additional dust being created.
- The applicant stated in response to the opposition that they are willing to work with the County to ensure the application will be successful.
- The riding arena was constructed in 2008, and a development permit application for equine services was submitted; however after approval of the permit, the conditions were not met, resulting in the permit not being issued.
- In 2014, a development permit for a dog boarding kennel was submitted. The kennel will remain active and maintained by the landowner, while the arena will be used for equine purposes only and maintained by the applicant.
- Horse lessons will be limited to 3 students at a time, and the hours are 7 a.m. to 9 p.m., with the most traffic being created between 6 and 8 p.m.
- The County's Animal Control; Bylaw indicates no requirements for additional permits on agricultural lands, as livestock is not regulated on property greater than 10 acres.
- The applicant was required to apply for a Change of Use building permit, and an inspection was completed before the applicant applied for the development permit.
- Upon the completed safety inspection, it was determined that no more than 10 occupants may be in the arena at one time.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding the amount of horses that can be boarded on the subject property. Administration clarified that through the Land Use Bylaw, there are no restrictions regarding the amount of horses being boarded on 80 acres, however the applicant must adhere to the conditions within the development permit regarding number of clients per day.
- Clarification was asked regarding limiting the amount of infrastructure related to the equine activities on the property. Administration clarified that upon completion of a site visit, it appears approximately 60 acres of the subject property could be used for pasture.
- Clarification was asked regarding the extent of the dust control, administration clarified that Operational Services will have involvement in regards to dust control.
- Clarification was made that there may only be 6 clients allowed at one time in the arena to account for any extra occupants that may not be a client (applicant, landowner, parents etc.) to account for a maximum of 10 occupants.

- Clarification was directed to the applicant that the business has currently been operating without a permit, and that they may reapply for amendments after some time to extend the number of clients per day, if the existing conditions are complied.
- The Municipal Planning Commission inquired if placing a timed expiry date on a development permit would be more appropriate than just a review, as per Condition #14. Administration indicated that if there was an expiry date, the applicants would have to re-apply and go through the entire development permit process again.
- Administration stated that an option of an expiry date on the development permit was not discussed with the applicant, and that if the administrative review determines non-compliance, it can then be handled through bylaw enforcement.
- Administration provided clarification in regards to Condition #3, to provide further understanding of permit enforcement.

Applicant discussed the following:

- Sarah Boyer & Mark Boyer spoke.
- Applicant stated that they have concerns with the conditions related to dust control.
- There are two sections of Range Road 12 that already have dust control management.
- They stated that clients coming to the property mostly use Highway #2 and Range Road 12.
- A concern was stated regarding the number of clients allowed on the property at one time.

Moved By J. Sayer

MPC 15-197 That the Municipal Planning Commission approve the proposed Riding Arena, Public, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NW 23-30-1-5 submitted by BOYER, Sarah, Development Permit File No. PLDP20150285, 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, under the transition provision of 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

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 (\$2,000) 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.
13. Permit approval is conditional to information supplied on the application form for a Riding Arena, Public Development Permit to provide horse boarding and riding lessons. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. This permit will be reviewed in two (2) years by the Approving Authority and will be evaluated for compliance (as per Section 5.6.3. of the Land Use Bylaw) to ensure that the conditions of this permit, as well as PLDP20140173 are being adhered to.
15. That Development Permit PLDP20140173 for "Kennel - Dog Boarding - Red Ridge Pet Resort", approved on July 17, 2014 remains valid and continued compliance must be maintained.
16. This permit will allow for up to six (6) clients/customers per day. Any additional events beyond six (6) clients/customers shall require either an Event Permit or a new Development Permit and additional building code requirements may need to be addressed.
17. The hours of operation for the riding arena shall be year round from 7:00 am to 9:00 pm.
18. The applicant and/or landowner will practice environmental land management as outlined in the "Manure and Horse Management for Horse Owners" and "2008 Reference Guide

to Agricultural Operation Practices Act (AOPA)". Contact Agricultural Services at 403-335-3311 for more information.

- 19. Any future expansion and/or intensification of the riding arena will require the issuance of a new Development Permit.
- 20. The applicant shall, on an as-needed basis, consult with the County's Operational Services Department to determine additional dust suppression requirements along Range Road 12.
- 21. The applicant shall implement the requirements of the Change of Use Building Permit PRBP20151106 to allow public occupancy of the riding arena.
- 22. As per Change of Use Building Permit PRBP20151106, no more than ten (10) people are to be allowed in the arena at any one time as no commercial occupancy has been permitted with this permit.
- 23. No camping will be permitted on the site at any time.
- 24. This permit includes approval for one (1) 4 ft by 6 ft sign at the driveway entrance advertising the arena. No additional advertising signage has been granted with this application. The sign must be located on the subject property and not within the Road Allowance.
- 25. The sign must be maintained in good repair and the owner and/or landowner will be responsible for removal if the sign is no longer required.

Carried

CORRESPONDENCE

Information Items

MPC 15-198

Moved by P. McKean

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

- a) ASDAA Agenda from November 26, 2015
- b) Permitted Development Permits Approved

Carried

ADJOURNMENT

MPC 15-199

Moved by H. Epp

That the Municipal Planning Commission meeting of December 03, 2015 be adjourned at 9:38 a.m.

Carried

Adopted December 17, 2015

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission