

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **August 18, 2016**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: K. Walton; Chair  
L. Schafer; Member-At-Large  
T. Boucher; Member-At-Large  
D. Hedley; Member-At-Large

A. Aalbers; 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  
T. Connatty; Planner  
D. Gonzalez; Planner  
J. Ross; Development Officer  
L. Craven; Recording Secretary

CALL TO ORDER: K. Walton called the meeting to order at 9:00 a.m.

AGENDA MPC 16-078 Moved by J. Sayer  
That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of August 18, 2016 with amendment of correction of file number PLDP20140044.  
Carried.

ADOPTION OF MINUTES MPC 16-079 Moved by T. Boucher  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of July 07, 2016 as presented.  
Carried.

PLRDSD20160086 SW 13-32-6-5  
Planning and Development Services presented an overview of a proposed subdivision located at SW 13-32-6-5, 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 two (2) three point zero zero (3.00) acre parcel from the existing 158.97 acres.
- Proposed property is located within Division 5 and in the rural neighborhood of Bergen.
- Applicant - INGEVELD, Gerald / Landowner - CUNNINGHAM, Jeffrey Allan and Haylee
- Proposal redesignated to Country Residential District on July 13, 2016 Bylaw LU 29/16.
- Parcel is within the Bergen Area Structure Plan and the policy states that no more than 3 titles per quarter and size between 2-3 acres.
- Subject of Council's motion for Administration to provide information dates on land purchasing, as required in the MDP.
- Policy 4.3.3.a of the Municipal Development Plan states that the landowner should hold title to the property for 5 years but not mandatory and landowner must provide justification.
- The applicant provided justification in the regard.
- The majority of the structures have been demolished without permits.
- A demolition permit is required as per Condition 18 for the structures being removed.
- Applicant will be required to provide confirmation that the septic system was decommissioned to provincial standards.
- Each lot will have their own individual approaches.
- The barn and cattleshed will remain on Lot 1.
- Condition 6 states that road widening will be required due to Range Road 61 not being 30 metres wide.

Municipal Planning Commission discussed the following:

- Administration clarified the road widening condition for the members.

Applicants were present.

Moved by T. Boucher

MPC 16-080 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to create two (2) parcels, each consisting of approximately three point zero zero (3.00) acres within SW 13-32-6-5, submitted by INGEVELD, Gerald, PLRDSD20160086, subject to the following conditions:

**Standard Conditions:**

1. The approval fee of \$800.00 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).
  5. Municipal Reserves:
    - (1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
      - b. Cash in lieu of municipal reserves are to be paid to Mountain View County prior to endorsement of the subdivision. Approximately 0.3 acres are owing and at a rate of \$3,019.46 per acre, therefore \$905.83 is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey.
  6. That the applicant shall enter into an agreement for the provision of road widening the westerly 5.18 metres across the subject property to the satisfaction of Mountain View County.
  7. N/A.
  8. The applicant shall submit a Real Property Report prepared by a qualified Alberta Land Surveyor showing that the setbacks 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 metres 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 setback distances as outlines 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. The applicant shall make suitable arrangements with Corporate Services department of Mountain View County to acquire, assign and post rural address signs for non-

agricultural 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. N/A.

**Additional Conditions:**

17. If decommissioning the existing septic system has been completed in order to satisfy the requirements of Condition #9, the applicant shall submit to the satisfaction of Mountain View County an Inspection Report from a Plumbing and Gas Safety Codes Officer, confirming that the decommissioning of the existing septic system was completed in accordance with the standards and regulations of the most current Alberta Private Sewage Systems Standard.

18. The applicant is required to apply for a Building Permit for the demolition of an uninhabitable dwelling and other buildings. The applicant shall provide confirmation in this regard to the satisfaction of Mountain View County.

Carried.

SUBDIVISION  
TIME EXTENSION  
PLSD20140043  
NW 35-30-2-5 &  
Plan 1012306 Blk - 1 L - 1

Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLSD20140043 to July 21, 2017.

- Proposed property is located within Division 3 and in the rural neighborhood of Westcott.
- Applicant/Landowner – LEMAY, Paul & Marni
- Application was originally refused by MPC on May 15, 2014. The application was appealed to the MGB and appeal was upheld on Oct 16, 2014.
- Appellant requested another MGB hearing for clarification of conditions. This hearing decision was brought forward on July 21, 2015. This allowed until July 21, 2016 to meet conditions.
- Sewage report and stormwater management have been completed.

Municipal Planning Commission discussed the following:

- Members had concerns with the number of conditions outstanding and the time required to meet those

conditions. Administration clarified that the applicants requested only one (1) year.

Applicants were present.

Moved by L. Schafer

MPC 16-081 That the Municipal Planning Commission (MPC) approve the proposed one (1) year time extension for conditionally approved subdivision, to create one (1) two point five (2.5) acre parcel and one (1) two point zero (2.0) acre parcel within NW 35-30-2-5 and Plan 1012306 Block 1 Lot 1 consisting of one hundred forty four point one six (144.16) acres and three point zero six (3.06) acres respectively submitted by LEMAY, Paul & Marni, PLSD20140043. The proposed time extension of one (1) year would allow the applicants until July 21, 2017 to complete the conditions of approval.  
Conditions still outstanding are Conditions 2, 3, 4, 5, 6, 7, 8 and 9.  
Carried.

PLDP20140044  
NW 35-30-2-5

Planning and Development Services presented an overview of a time extended development located at NW 35-30-2-5, 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 a proposed one (1) year time extension for the conditionally approved Development Permit PLDP2014044 for a Dwelling, Single Detached with Attached Garage.
- Zoning is Agricultural and the parcel size is 144.16 acres.
- Property is located within Division 3 and the rural neighborhood of Westcott
- Applicant/ Landowner – LEMAY, Paul & Marni
- The application is for a permitted use. A previous one year time extension was approved by the Development Officer, however; a second time extension request should be considered by the MPC in conjunction with the time extension request for the subdivision.
- The Development Permit is dependent on the subdivision being completed.

Municipal Planning Commission had no questions or concerns.

Applicants were present.

Moved By J. Sayer

MPC 16-082 That the Municipal Planning Commission (MPC) approve the proposed one (1) year time extension for the conditionally approved Development Permit PLDP2014044 for a Dwelling, Single Detached with Attached Garage in accordance with the Land Use Bylaw 15/15 within NW 35-30-2-5. The time extension shall

be granted for one (1) year from the date of approval subject to the previously approved Development Permit Conditions as listed below:

**Standard Conditions**

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

1. The provisions of the Land Use Bylaw No. 11/11.
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 positing 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 commenced and diligently pursued within eighteen (18) 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. 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 structure shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for doing an Alberta-One-Call.

Carried.

**CORRESPONDENCE**

Information Items

MPC 16-083

Moved by A. Aalbers

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

- a) ASDAA Agenda from July 12, 2016
- b) ASDAA Agenda from July 25, 2016
- c) ASDAA Agenda from August 08, 2016
- d) Permitted Development Permits Approved
- e) MGB Decision – MGB 045/16

Carried.

NRCB Decision

MPC 16-084

Moved by D. Hedley

That the Municipal Planning Commission receive the NRCB Decision as information:

- 1) RA15059 Decision Package for Boom Holsteins

Carried.

**ADJOURNMENT**

MPC 16-085

Moved by T. Boucher

That the Municipal Planning Commission of August 18, 2016 be adjourned at 9:30 a.m.

Carried.

Adopted September 01, 2016

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Chair

I hereby certify these minutes are correct.

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Secretary, Municipal Planning Commission