

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **February 04, 2016**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

K. Walton; Chair
L. Schafer; Member-At-Large
H. Epp; Member-At-Large
D. Hedley; Member-At-Large
P. Hambrook; Member-At-Large

P. McKean; Councillor
A. Aalbers; Councillor

IN ATTENDANCE:

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

Additional Members Present for Aggregate Extraction Discussion:

M. Olson; Member-At-Large
J. Sayer; Councillor

CALL TO ORDER:

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

AGENDA

MPC 16-016 Moved by L. Schafer
That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of February 04, 2016 as presented with the addition of Item 9 3 NRCB file RA 15006 (verbal update).

Carried

ADOPTION OF MINUTES

MPC 16-017 Moved by L. Schafer
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of January 21, 2016 as presented.

Carried

PLDP20150200
SE 6-33-5-5

Planning and Development Services presented an overview of a existing development located at SE 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:

- The recommendation is for an amended use from Industrial Storage & Warehousing to Business, Contractor – Existing (Electrical Contractor).
- Zoning is Agricultural District (rezoned from Airport District) and the parcel size is 155.92 acres.
- Property is located within Division 5 and the rural neighborhood of McDougal Flats
- Applicant / Landowner – DZIADEK, Mark & Kelly
- Through an Administrative error the property had been zoned Airport District and the use approved when the property was zoned Airport District was Industrial Storage and Warehousing for the existing business.
- The initial application was approved on June 04, 2015 by MPC with a motion to bring back for further approval of the Business, Contractor (Electrical Contractor) when the property was rezoned to its original zoning of Agricultural District.
- The Conditions approved on the June 4, 2015 MPC meeting will be in effect.

Municipal Planning Commission discussed the following:

- Administration clarified the error in the districts zoning and was recently corrected by redesignating the land back to Agricultural District and the requirement for the application to come back to MPC to align the use with the provisions of the district.

Applicant was not present.

Moved by A. Aalbers

MPC 16-018 That the Municipal Planning Commission (MPC) approve the amended use from Industrial Storage & Warehousing to Business, Contractor – Existing (Electrical Contractor), in accordance with the Land Use Bylaw 15/15 within SE 6-33-5-5 submitted by DZIADEK, Mark Stephen & Kelly Elizabeth, Development Permit File No. PLDP20150200.

Carried

PLDP20160010
NE 34-33-3-5

Planning and Development Services presented an overview of a proposed development located at NE 34-33-3-5, 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 Dwelling, Secondary Detached.
- Zoning is Agricultural District and the parcel size is 139.68 acres.
- Property is located within Division 6 and the rural neighborhood of Hainstock.

- Applicant – ASHBURY DESIGN INC. / Landowner – DUONG, Du Ton & ZIETSOFF, Sacha Lee
- This would be potentially the third dwelling on the quarter section. Second dwelling on the subject property.
- The subject property is divided by the Little Red Deer River and the east side of the property is a highly sensitive area.
- The applicant is applying for a second dwelling on the west side of the river, away from the sensitive area.
- A subdivision on the property could be considered under the fragmented parcel policy in the MDP, therefore; the west side of the property would be eligible for a dwelling if the parcel was subdivided in the future.

Municipal Planning Commission discussed the following:

- Administration clarified for the members; the second dwelling criteria, subdivision possibilities, fragmented policies in the Municipal Development Plan (MDP), and the gravel pit reclamation and process.
- Flood area studies may be required to build on the east side of the property.
- Administration stated that Condition 13 (gravel use) would be for personal use only and not for resale.
- Reclamation certificate through Alberta Environment would be required to reclaim the pit. This pit is not registered with Alberta Environment.

Applicant discussed the following:

- Morris Monk (Ashbury Design) spoke as the applicant.
- The applicant stated that the gravel pit area is a very low spot and would not be suitable for the dwelling yard site.
- The applicant clarified that the large executive home would not fit in the 3 acre area on the east side of the property without taking down the out buildings.
- Applicant also spoke concerning the criteria.

Moved by A. Aalbers

MPC 16-019 That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Secondary Detached, in accordance with the Land Use Bylaw No. 15/15 Section 5.2.7 and the submitted application, within NE 34-33-3-5 submitted by ASHBURY DESIGN INC., Development Permit File No. PLDP20160010, for the following reasons and subject to the following conditions:

- The applicant's proposed site location is not located within an environmentally sensitive or hazard lands identified on the subject property, and would be a suitable building location.

CONDITIONS:

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

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. N/A
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 structure shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for contacting Alberta-One-Call.

Adopted

13. The gravel pit site will require appropriate approvals to activate or reclaim.

14. That the applicant obtain a Roadside Development Permit from Alberta Transportation.

Carried

CORRESPONDENCE

Information Items

MPC 16-020 Moved by A. Aalbers
That the Municipal Planning Commission receive the following items as information:

- 1) ASDAA Agenda from January 26, 2016
- 2) Aggregate Extraction Package

Administration presented an overview of the Aggregate Extraction process including:

- Comprehensive Site Development Plan (CSDP) steps and when the steps are required.
- Gravel Pit Application Process.
- Stating the Conditions that can be put on the Development Permits and how they are regulated.
- Phasing of the different areas to be extracted.
- Explained that reclamation is a provincial approval process.
- Additional Conditions may be added to ensure the pit is compliant.
- When and how Stop Orders are used.
- The process can be above and beyond what the Code of Practice requires.
- Signing of the Road Use Agreement and bond collection.
- Prior to Issuance of conditions and monitoring the conditions.
- Crushing hours with the majority of adjacent landowner's approvals.

Carried

MPC 16-021 Moved by A. Aalbers
That the Municipal Planning Commission receive the following

3) NRCB RA15006 Update

Verbal update of the Road Use Agreement for this application.

- Request for a Board Review submitted to NRCB as a result of no Road Use Agreement with the applicant, on January 25, 2016 by Mountain View County.
- NRCB panel to review submissions on February 04, 2016.
- Applicant signed Road Use Agreement on February 03, 2016.
- Request for Board Review withdrawn February 03, 2016.

Carried

Adopted

ADJOURNMENT

MPC 16-022

Moved by L. Schafer

That the Municipal Planning Commission of February 04, 2016 be adjourned at 10:33 a.m.

Carried

Adopted February 18, 2016

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission