

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **March 17, 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
M. Olson; Member-At-Large

P. McKean; Councillor
J. Sayer; 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

CALL TO ORDER: K. Walton called the meeting to order at 9:04 a.m.

AGENDA MPC 16-028 Moved by T. Boucher
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of March 17, 2016 as presented.

Carried

ADOPTION OF MINUTES MPC 16-029 Moved by L. Schafer
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of February 18, 2016 as presented.

Carried

PLDP20160028 SW 22-30-1-5 Planning and Development Services presented an overview of a proposed development located at SW 22-30-1-5, 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 proposed Business, Contractors (Equine Facilitated Health and Wellness) with Southerly Setback Relaxation.
- Zoning is Agricultural District (A) and the parcel size is 125.11 acres.
- Property is located within Division 1 and the rural neighborhood of Wessex
- Applicant / Landowner - RAINFORTH (KIRKE), Julie Ann
- The business would have equine health and wellness, one-on-one consultations including grooming, leading, walking through obstacles, and picking feet. The business would also be for personal growth and healing of individuals.
- Applicant stated that there could be groups of 10 customers per day and 30 customers per week. Hours of operation would be from 9 a.m. – 7 p.m. and year-round.
- A circulation was done and 1 letter of concern was received, County's Operations Department was consulted for the concerns of dust proofing.
- The business is considered a private use under the Alberta Building Code.
- Signage will be placed on the structure.
- Condition 22 ensures that there is no encroachment of the structures.

Municipal Planning Commission discussed the following:

- Administration clarified that the hours of operation were requested by the applicant and to ensure the business is non-intrusive to the neighbouring properties. Business is strictly by appointment only.

Applicant was not present.

Moved By T. Boucher

MPC 16-030 That the Municipal Planning Commission (MPC) approve the proposed Business, Contractors (Equine Facilitated Health and Wellness) with Southerly Setback Relaxation, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SW 22-30-1-5 submitted by RAINFORTH (KIRKE), Julie Ann, Development Permit File No. PLDP20160028, 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. 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. 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. Permit approval is conditional to information supplied on the application form for a Riding Arena, Public Development Permit. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
13. This permit will allow for up to ten (10) clients/customers per day. Events are not permitted with this Development Permit. Any additional classes beyond ten (10) clients/customers shall require either an Event Permit or a new Development Permit and additional building code requirements may need to be addressed.
14. The hours of operation for the equestrian business shall be year round, Monday to Saturday from 9:00 am to 7:00 pm. There shall be no business conducted on Sundays and statutory holidays.
15. 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.

16. Any public use, future expansion, additional structures, and/or intensification of the equestrian business will require the issuance of a new Development Permit.
17. 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 13.
18. The riding arena shall be permitted for private use only. Should the landowner wish to use the riding arena for public events a new Development Permit or Event Permit for a single event and Building Permit will be required. For public occupancy a Building Permit for a Public - Change of Use will be required to confirm the existing riding arena being used for the public occupancy meets the building code requirements for this use.
19. No camping will be permitted on the site at any time.
20. This permit includes approval for one (1) 4 ft by 8 ft aluminum sign advertising the business to be placed on the accessory building - shop. 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.
21. A southerly setback relaxation to the property line for the existing riding arena shall be permitted for the life of the building.
22. The applicant shall provide Mountain View County with an Alberta Land Surveyors survey confirming that the riding arena is located on the subject property not encroaching on an adjacent property. Should the survey determine that the riding arena is encroaching on the adjacent property an Encroachment Agreement shall be completed by the affected parties and registered to the affected land titles.
23. Issuance of this permit will revoke previously issued Development Permit DP 03-024 as the business is no longer operating on the subject property.
24. As there may be Historical Resources (Paleontological Sites) affecting the subject property, the applicant/landowner shall obtain historic resources approval via <https://www.opac.alberta.ca/Login.aspx>.

Carried

PLDP20160036
NE 27-29-5-5

Planning and Development Services presented an overview of a development located at NE 27-29-5-5, 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 Office with Security Suite (Temporary).
- Zoning is Business Park District (I-BP) and the parcel size is 39.48 acres.
- Property is located within Division 2 and the rural neighborhood of Water Valley / Winchell Lake.
- Applicant - HALVERSON, Randy / Landowner - MARX, Lennart H
- Structure has been placed on the property previous to the application being submitted. Applicant is voluntarily bringing the property into compliance.
- Environmentally Significant Area is moderate on the property.
- Dwellings are not listed within the Business Park District of the Land Use Bylaw so the applicant has changed the use of the structure to an office and security suite.
- There is a framing plant and welding shop on an adjacent property. Administration suggests that the office and security suite are permitted under a temporary permit due to the use facilitating a business on an adjacent property.

Municipal Planning Commission discussed the following:

- Members asked for clarification if the structure must be removed after 2 years. Administration confirmed that all structure will need to be removed unless new permits are issued. The applicant suggested that the two years will allow them to determine the future plans for the property.

Applicant's representative was in attendance.

Moved By L. Schafer

MPC 16-031 That the Municipal Planning Commission (MPC) approve the Office with Security Suite (Temporary), in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NE 27-29-5-5 submitted by HALVERSON, Randy, Development Permit File No. PLDP20160036, 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. 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. 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. As per Section 7.5.6 b. of Land Use Bylaw 15/15, an offence penalty fee be applied in the amount of \$2000 for proceeding without the necessary permits. The offence penalty for voluntary application is 50% of the Commercial/Industrial Development Penalty of \$4,000 for first offences; 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. The security suite shall not contain more than one (1) bedroom and shall not exceed 600 sq ft of the total floor area of the building.

14. There shall be no outside storage of goods, materials, or vehicles permitted on the subject property.
15. The applicant shall obtain a Building Permit for the change of use for the existing accessory building to an office and security suite.
16. This permit is issued for a temporary period of two (2) years, from the date of issuance. After two (2) years of the date of issuance the permit expires.
17. Camping is not permitted on the subject property.

Carried

PLDP20150495
SW 10-33-27-4

Planning and Development Services presented an overview of a proposed development located at SW 10-33-27-4, 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 proposed Dwelling - Multiple Units, Accessory Buildings - Kitchen and Laundry, Educational Services - School, Religious Assembly - Church, Agricultural Processing - Canning Kitchen, Agricultural Support Services/Industrial, Manufacturing and Processing - Shop Addition with attached utility building.
- Zoning is Direct Control District (split) and the parcel size is 158.97 acres.
- Property is located within Division 7 and the rural neighborhood of Reed Ranch.
- Applicant / Landowner - HUTTERIAN BRETHERN CHURCH OF VALLEYVIEW
- New structures proposed are: Dwelling, Multiple Units - 176 feet by 40 feet = 7,040 sq ft per multiple residential unit. Therefore total would be 56,320 sq ft; Church - 70 feet by 54 feet = 3,780 sq ft; Kitchen - 150 feet by 54 feet = 8,100 sq ft; Laundry / kindergarten - 30 feet by 54 feet = 1620 sq ft; Canning kitchen - 120 feet by 60 feet = 7200 sq ft; Shop Addition - 350 feet by 120 feet = 42,000 sq ft.
- The new structures are to facilitate a new Hutterian Colony and within the Direct Control District approved on June 28, 2006.
- There were 2 circulations done to the adjacent landowners (due to changes of the application) and no letters of concern were received.

Municipal Planning Commission discussed the following:

- Members asked for clarification of the poultry barns, this is an exempt use in the district. Administration explained the Direct Control District.

Applicants were present.

Moved By D. Hedley

MPC 16-032 That the Municipal Planning Commission (MPC) approve the proposed Dwelling - Multiple Units, Accessory Buildings - Kitchen and Laundry, Educational Services - School, Religious Assembly - Church, Agricultural Processing - Canning Kitchen, Agricultural Support Services/Industrial, Manufacturing and Processing - Shop Addition with attached utility building, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SW 10-33-27-4 submitted by HUTTERIAN BRETHERN CHURCH OF VALLEYVIEW, Development Permit File No. PLDP20150495, 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. 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. 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. N/A

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. Permit approval is conditional to information supplied on the application form and submitted site plan. Any additional structures or uses will require additional permits.
13. If the development authorized by a development permit is not completed within **thirty-six (36) 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.
14. The applicant shall meet the regulations of the Direct Control District (Section 17.3) contained with Mountain View County's Land Use Bylaw 15/15 when developing the SW 10-33-27-4.
15. A landscaped buffer shall be maintained along the west side of the Colony's development site, such buffer which may include landscaped berms, shelterbelts, or other natural features that, in the opinion of the Development Officer, will be suitable to provide shelter and screening of the site from view. Such buffer shall be established before or no later than the establishment of the Colony's first residential dwelling unit. (*Land Use Bylaw 15/15 Section 17.3- u*)
16. The structures shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for contacting Alberta-One-Call.
17. The addition to the existing accessory building – shop, shall be used for agricultural use only.
18. Previous Development Permits PLDP20130123 and DP 06-047 remain valid and continued compliance must be maintained.

Carried

CORRESPONDENCE

Information Items

MPC 16-033

Moved by P. McKean

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

- a) ASDAA Agenda from February 23, 2016
- b) ASDAA Agenda from March 08, 2016
- c) Permitted Development Permits Approved
- d) SDAB20150480 Notice of Decision
- e) MGB008-16 Notice of Decision

A discussion pursued regarding the SDAB20150480 Notice of Decision and the time limit for the storage to be removed.

Carried

ADJOURNMENT

MPC 16-034

Moved by T. Boucher

That the Municipal Planning Commission of March 17, 2016 be adjourned at 9:41 a.m.

Carried

Adopted April 07, 2016

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission