

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **May 05, 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
 P. Hambrook; Member-At-Large
 M. Olson; 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
 G. Chardary; Planner
 J. Ross; Development Officer
 L. Craven; Recording Secretary

CALL TO ORDER: K. Walton called the meeting to order at 9:03 a.m.

AGENDA

MPC 16-048 Moved by J. Sayer
 That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of May 05, 2016 as presented.

Carried.

ADOPTION OF MINUTES

MPC 16-049 Moved by T. Boucher
 That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of April 21, 2016 as presented.

Carried.

PLRDSD20150394
 NW 21-31-1-5

Planning and Development Services presented an overview of a proposed subdivision located at NW 21-31-1-5, 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 8.41 acre parcel from the existing 155.07 acres.

- Applicant – TAYLOR, Ken / Landowner – WRIGHT, Donald & Carol
- Property is within the community of Rosebud and the Didsbury Growth Centre and also within the potential multi-lot development area.
- Property was redesignated by Council to Residential Farmstead District on Jan 27, 2016.
- This is the second parcel out and requires municipal reserve.
- Alberta Transportation requires a 30 metre wide service road right-of-way along the Highway 2A frontage and will be a caveated agreement. Also Alberta Transportation does require that the north access to the property be consolidated with the south access being the only access to Highway 2A.
- For parcels less than 80 acres and have 2 dwellings the parcel will be reviewed under Section 3.3.12 of the Municipal Development Plan that states that a farmstead separation with 2 dwellings can be considered. Because there are 2 dwellings on the property, the motion has 3 options: demolish the second dwelling; a change of use permit would be required to change the structure to a different use; or consider it non-conforming.
- There is an existing business on the property, the existing Development Permit - LP 03-022 is for dairy supplies. The existing business has gone beyond the scope of the previous Location Permit. A new Development Permit is required for the existing business and sign.

Municipal Planning Commission discussed the following:

- Administration stated what Alberta Transportation is requiring to give approvals.
- Administration clarified what the Development Permit requirements would be for the existing business.
- A member asked for clarification on the Municipal Reserves that are required.

Applicant and landowners were present.

Moved By A. Aalbers

MPC 16-050 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to create one (1) eight point four one (8.41) acre parcel within NW 21-31-1-5, submitted by TAYLOR, Ken on behalf of WRIGHT, Donald and Carol, PLRDSD20150394, subject to the following conditions:

Standard Conditions

1. The approval fee of \$400.00 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 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 /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 within 30 days from the date of this notice of decision. Approximately 0.841 acres are owing at a rate of \$3,122.18 per acre, therefore \$2,625.75 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 along the northerly 5.18 meters (17 feet) across the subject property (balance of the quarter) 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 to 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 Private Sewage Treatment System (PSTS) is situated closer than 90 meters 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 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 the 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. N/A

Additional Conditions

17. As per the requirements of Section 15 of the Subdivision and Development Regulation, Alberta Transportation requires a 30 metre wide service road right-of-way across the highway frontage of the parcel to be created from the south highway access, that is to be kept, to the south boundary of the proposed parcel. The service road would be acceptable to the department by caveat agreement. To meet this condition the applicant/landowner shall provide a signed copy of the caveat to Mountain View County.
18. There are two direct highway accesses to the proposed subdivision. Alberta Transportation requires consolidation to one access. A roadside development application, along with a Traffic Accommodation Strategy will be required by Alberta Transportation prior to access consolidation. To meet this condition the applicant/landowner shall provide to Mountain View County written confirmation from Alberta Transportation that their requirements have been met.
19. The applicant/landowner shall apply for and obtain a Development Permit for the existing/additional businesses operating on the subject property to ensure compliance with the County's Land Use Bylaw. Any signs pertaining to the businesses shall be included within the Development Permit Application.
20. The applicant/landowner shall obtain a Roadside Development Permit from Alberta Transportation for the existing businesses operating on the subject property. To meet this condition the applicant/landowner shall provide a copy of the approved permit to Mountain View County.
21. The applicant/landowner shall obtain a Sign Installation Permit for the existing sign from Alberta Transportation. To

meet this condition the applicant/landowner shall provide a copy of the approved permit to Mountain View County.

22. The Municipal Planning Commission may choose one of the following options in regards to the additional dwelling that was built in 1940:

- c. The Municipal Planning Commission consider the additional dwelling non-conforming and the following cautionary note shall be added to the notice of decision:

CAUTIONARY NOTE: *There are two dwellings on the proposed lot - one built in 1940 and one built in 1979. The second dwelling constructed in 1940 and located on the newly created lot shall be considered "non-conforming". In accordance with Section 643 of the Municipal Government Act the building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered, unless otherwise provided for in the Land Use Bylaw.*

The question on Motion MPC 16-050 for PLRDSD20150394 was not called.

MPC 16-051 Moved By T. Boucher
That Condition 5 be amended so that the Municipal Reserves be deferred by caveat to the remainder of the quarter section.
Defeated.

The question on Motion MPC 16-050 for PLRDSD20150394 was called.
Carried.

PLDP20160032
SE 29-31-3-5

Planning and Development Services presented an overview of a proposed development located at SE 29-31-3-5, 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 – Mobile Home (1969) with Size Relaxation.
- Zoning is Agricultural District (A) and the parcel size is 161 acres.
- Property is located within Division 4 and the rural neighborhood of Harmattan.
- Applicant – TAYLOR, Ken / Landowner – BURKE, Sherry Lyn, WIGLEY, Gordon Andrew & WIGLEY, William L
- The dwelling will be relocated from another quarter north of the subject parcel.

- The dwelling will be relocated within the existing yard-site and all setbacks are met but a size variance has been requested.
- Within the Section 9.10 of the Land Use Bylaw, all 4 criteria have been met.

Municipal Planning Commission discussed the following:

- Administration clarified the requirements for the building permit.
- Members had some concerns with the age of the structure. Administration explained the Land Use Bylaw's criteria on a manufactured dwelling of this age.

Applicant and landowner were present.

Moved By T. Boucher

MPC 16-051 That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Secondary Detached - Mobile Home (1969) with Size Relaxation, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SE 29-31-3-5 submitted by TAYLOR, Ken, Development Permit File No. PLDP20160032, 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. 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. A size relaxation shall be granted for the dwelling, secondary detached (manufacture date of 1969) to 768 sq ft for the life of the structure.
13. The structure shall not be constructed over an easement or utility right of way; the applicant/owner is responsible for contacting Alberta-One-Call.
14. The applicant shall ensure the proposed dwelling; secondary detached is not placed on any pipeline right of way, and is setback 100 meters from the existing well facility located on the subject property as per Alberta Energy Regulators required setbacks.

Carried.

PLDP20160085
SW 34-32-1-5

Planning and Development Services presented an overview of a existing development located at SW 34-32-1-5, 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 Business, Contractors - Greenwood Outdoor Furniture Ltd., Sign, On-Site Commercial and Setback Relaxation (Westerly) to Existing Structures.
- Zoning is Agricultural District (A) and the parcel size is 160 acres.

- Property is located within Division 7 and the rural neighborhood of Netook.
- Applicant – GREENWOOD FURNITURE / Landowner - HEDGES, Darrell Randolph & Margaret S
- A redesignation application for potential subdivision is on hold until the Development Permit is obtained.
- Business consists of custom kitchen cabinet making, furniture repair and refinishing and operates out of the existing structures.
- Building permits will be required on all structures related to the business to ensure the safety of the employees and customers.
- Hours of operation are 8 a.m. – 5 p.m. year round, 2 commercial vans, a maximum of 5 employees including family members, and a sign at the entrance to the property.
- An adjacent landowner circulation was done and the County did not receive any letters of concern.

Municipal Planning Commission discussed the following:

- Administration clarified the hours of operation and screening due to the business being a low impact contractors business and the existing structures locations.
- A change of use building permit is required for the structures.
- Members were concerned with the costs to the applicant to ensure the structures were safe.

Applicant was present, discussed the following:

- Jack Hamilton spoke as the applicant.
- Mr. Hamilton stated he will ensure the structures are safe for the public and the employees. He understands what the safety codes implications could be.
- Applicant wants to get the property in compliance.

Moved By L. Schafer

MPC 16-052 That the Municipal Planning Commission (MPC) approve the existing Business, Contractors - Greenwood Outdoor Furniture Ltd., Sign, On-Site Commercial and Setback Relaxation (Westerly) to Existing Structures , in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SW 34-32-1-5 submitted by GREENWOOD FURNITURE, Development Permit File No. PLDP20160085, 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. As development proceeded without the necessary Development Permit, a 1st Offence Penalty Fee shall be applied. Because the application was voluntarily submitted, a 1st Offence Penalty Fee for Commercial Development of \$4,000 shall be reduced by 50% in accordance with Section 7.5.6 b of the Land Use Bylaw 15/15. This fee of \$2,000.00 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 applicant shall apply for a Building Permit to ensure the accessory structure being used for furniture refinishing and repair is constructed and ventilated in accordance with the Alberta Building Code.
14. Future expansion, work area or additional employees, will require a new permit.
15. The applicant shall comply with all environmental standards and permit requirements of the authority having jurisdiction for

the containment and disposal of chemicals and paint products on site.

16. A 36" by 30" sign shall be permitted to remain at the entrance of the subject property along Range Road 13. The applicant shall ensure that the sign is located on the subject property not within a County Road Allowance.
17. Approval is granted for the businesses operating on the subject property as per the information submitted with the application.
18. Unscreened outside storage relating to the business is not permitted on the subject property.
19. Use of the existing accessory structures for residential purposes is not permitted.
20. A westerly setback relaxation shall be granted for all existing structures to the property line for the life of the buildings.
21. The hours of Operation for the Business shall be 8:00 am until 5:00 pm year round.
22. The proposed business shall not have more than two (2) commercial vehicles on the subject property pertaining to the business at any one time.

Carried.

PLDP20160118
E 23-29-1-5
Plan 0612508 Blk - 1 L - 6

Planning and Development Services presented an overview of a proposed development located at E 23-29-1-5 Plan 0612508 Blk - L - 6, 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 Industrial, Manufacturing/Processing General - Distribution of Building Products and Manufacturing of Concrete Products - Friendly Earth Building Products.
- Zoning is Business Park District (I-BP) and the parcel size is 2.12 acres.
- Property is located within Division 1 and the rural neighborhood of Wessex.
- Applicant - MARRIOTT, Cameron & Sharon / Landowner - STRICKER, David & Nettie
- The business consists of distribution of building supplies, manufacturing of concrete fences, decks and docks.

- This location will be distribution, construction and storage of fence, deck and dock supplies.
- There will be structures moved in, one for shop, storage, office and three pole sheds for a mini batch plant. There will also be a drive up loading dock that will be within the setbacks of the property.
- Mini batch plant will be to manufacture fence products.
- There will also be a bailer and grinder on the property for cleaning up the commercial plastic and then recycled.
- The landscaping will cover 10.3 % of the lot in the form of grass and coloured rock. The property will also be fenced.
- Planting vegetation is a concern for the applicant due to the lack of topsoil.

Municipal Planning Commission had no comments.

Applicant was present.

Moved By T. Boucher

MPC 16-053

That the Municipal Planning Commission (MPC) approve the proposed Industrial, Manufacturing/Processing General - Distribution of Building Products and Manufacturing of Concrete Products - Friendly Earth Building Products, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within E 23-29-1-5 Plan 0612508 Block 1 Lot 6 submitted by MARRIOTT, Cameron & Sharon, Development Permit File No. PLDP20160118, 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. PRIOR TO ISSUANCE, an Erosion & Sedimentation Control Plan shall be submitted prior to construction and approved by the County, detailing erosion control measures on site during construction and until the landscaping is established. This must be provided within twenty-four (24) months from the effective date of the permit, otherwise a new Development Permit may be required.
13. Permit approval is conditional to information supplied on the application form and site sketch for Industrial, Manufacturing/Processing General - Distribution of Building Products and Manufacturing of Concrete Products - Friendly Earth Building Products.
14. That the applicant and/or landowner shall comply with the "Schlumberger Industrial Park Area Structure Plan" and "Architectural Control Guidelines" for the Industrial Park.
15. The applicant and/or landowner shall adhere to all the conditions itemized within the Development Agreement registered on title as Instrument 061 294 973.
16. The applicant and/or landowner shall adhere to the recommendations of the Stormwater Master Drainage Plan, as per the Development Agreement caveat on title (Instrument

061 294 971). There shall be no alteration to any natural drainage courses without a positive alternative means of drainage satisfactory to the County.

17. The applicant shall organize the storage on the lot so that it is orderly; neat and orderly appearance shall be to the satisfaction of Mountain View County and will be reviewed periodically. Storage of goods not related to this application will not be permitted.
18. All chemicals, oil, and other hazardous materials shall be stored in an approved container system and disposed off-site, in a timely manner, by authorized personnel specializing in proper disposal methods.
19. The applicant shall ensure all approvals/permits, if required, have been obtained for the batch plant.
20. A southerly side yard setback relaxation shall be granted for the loading dock however all property lines must be maintained.
21. Storage located within yard setbacks shall be movable and not considered permanent.
22. All future development, structures, expansion, new or additional uses will require a new Development Permit.
23. There are Landscaping requirements for Business Park lots and compliance will be required (as per the Architectural Control Guidelines registered on Title, Land Use Bylaw No. 15/15, and the Commercial and Industrial Design Guidelines). The landscaping should include a mix of trees, shrubs and grasses and shall provide the maintenance requirements for the watering and care of the landscaped areas according to good horticultural standards. Landscaping shall be commenced by September 30, 2016 and noticeably completed by September 30, 2017.
24. Prior to any landscaping being performed, the applicant must contact the relevant utility holders to determine all right-of-way setbacks and landscaping requirements and/or restrictions for use within the area identified as utility right-of-ways on the registered plans.
25. One handicap parking stall shall be included in the number of parking stalls.
26. That the applicant and/or landowner prepare an Emergency Preparedness and Response Plan and provide the Carstairs and Crossfield Fire Department with yearly updates.
27. A fascia sign, advertising the on-site business approved by this application, shall be permitted on the easterly side of the

Adopted

proposed building as per Mountain View County's Commercial and Industrial Guidelines. Additional signage shall require additional County approvals.

28. One additional On-Site Commercial sign shall be permitted along the westerly side of the subject lot, advertising the on-site business approved by this application. Mountain View County's Commercial and Industrial Guidelines must be followed. 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.

29. That the applicant obtains a Roadside Development Permit from Alberta Transportation.

30. That the applicant obtains a Sign Installation Permit for the proposed Sign from Alberta Transportation.

Carried.

CORRESPONDENCE

Information Items

MPC 16-054

Moved by A. Aalbers

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

a) ASDAA Agenda from April 26, 2016

b) Permitted Development Permits Approved

Carried.

ADJOURNMENT

MPC 16-055

Moved by T. Boucher

That the Municipal Planning Commission meeting of May 05, 2016 be adjourned at 10:07 a.m.

Carried.

Adopted May 19, 2016

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission