

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **June 02, 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
H. Epp; Member-At-Large
D. Hedley; Member-At-Large
M. Olson; Member-At-Large

IN ATTENDANCE: M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission
S. Madge; Manager of Development & Permitting Services
J. Ross; Development Officer
P. Grochmal; Development & Permitting Officer
C. Mabin; Development Officer
L. Craven; Recording Secretary

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

AGENDA MPC 16-063 Moved by H. Epp
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of June 02, 2016 as presented.
Carried.

ADOPTION OF MINUTES MPC 16-064 Moved by D. Hedley
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of May 19, 2016 as presented.
Carried.

PLDP20160146
NE 2-33-5-5
Plan 1111633 Blk - 5 L - 6 Planning and Development Services presented an overview of a proposed development located at NE 2-33-5-5 Plan 1111633 Blk - 5 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 Dwelling, Single Detached, Accessory Building - Detached Garage, and RV for temporary living accommodation.
- Zoning is Country Residential District (R-CR) and the parcel size is 3.43 acres.
- Property is located within Division 5 and the rural neighborhood of Eagle Hill/Westward Ho
- Applicant / Landowner - KNOBBEN, John J and LARKIN, Lynne C
- The property is within a clustered subdivision.
- The application is the result of a bylaw enforcement complaint. The complaint stated that the applicants were using the property for recreational purposes with 4 recreational vehicles.
- Applicants removed 3 of the 4 recreational vehicles and have applied within the application to use 1 of the recreational vehicles for living accommodations while the dwelling is being constructed.

Municipal Planning Commission had no concerns or comments.

Applicants were present.

MPC 16-065 Moved by T. Boucher
That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Single Detached, Accessory Building - Detached Garage, and RV for temporary living accommodation, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NE 2-33-5-5 Plan 1111633 Block 5 Lot 6 submitted by KNOBBEN, John J and LARKIN, Lynne C, Development Permit File No. PLDP20160146, subject to the following conditions:

CONDITIONS:

The works outlined in this application are subject to the following Standard 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. That temporary Recreational Vehicle living accommodation will be permitted only during the active construction of proposed dwelling. Living accommodations in the RV will cease within twenty-four (24) months of the issuance of this permit or upon final inspection of the dwelling - whichever comes first. No further occupancy or camping will be permitted.
13. Use of the proposed Accessory Building - Detached Garage business/industrial/commercial or residential purposes is not permitted.
14. Two (2) recreational vehicles are permitted on this property; one (1) for temporary living accommodation as per condition #12, and one (1) for storage. Upon expiry of condition #12 the maximum number of recreational vehicles permitted to be stored on the subject land is two (2).
15. The owner/applicant shall adhere to all the conditions itemized within the Development Agreements registered on

Title as Instruments 111 120 629, 111 120 628, 111 120 627 and Restrictive Covenant 131 321 521.

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

Carried.

PLDP20160140
NW 7-30-5-5

Planning and Development Services presented an overview of a proposed development located at NW 7-30-5-5, 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 Event Permit (Maximum six (6) annually) - for Agricultural Processing (Fallentimber Meadery) & Eating Establishment - Outdoor.
- Zoning is Agricultural District (A) and the parcel size is 160 acres.
- Property is located within Division 2 and the rural neighborhood of Fallen Timber Community.
- Applicant - FALLENTIMBER MEADERY c/o Nathan Ryan / Landowner - RYAN, Kevin Mark & Patricia Bernadette
- The business consists of an agricultural processing business, deriving from Ryan's Honey.
- A previous Development Permit was issued for the business in 2009. Development Permit issued for events accessory to the business were issued in 2013 & 2014 for 2014/2015 events.
- The proposed application is to allow for six events per year.
- Circulation to adjacent landowners was sent on May 6, 2016. No comments or concerns were received to date.
- The property is within an Environmentally Significant Area due to the dense tree coverage.
- Previous permits were for events with a maximum of 250 people and limited unserviced camping.
- The new application is for a maximum of 450 person events, more camping and a specialized event called Rootstock to take place on the western boundary of the property.
- Non-serviced sites will be provided for camping of 40 tents and 15 RV's less than 24ft in length.
- Applicant is required to apply dust control to the County road during events.

Municipal Planning Commission discussed the following:

- Members asked for clarification on the trailer size limit and the Rootstock Event.
- Administration stated that the adjacent landowners were circulated the application and business plan, including all the events.

- Administration clarified that the agricultural parcels would not typically be allowed to host large events or recreational camping use, however; they are issued with limitations as an accessory use to the previously issued Development Permit in 2009.

Applicant discussed the following:

- Patricia Ryan spoke as the applicant.
- Applicant explained how the Rootstock Event came to their venue and the increase of participants.
- The applicant reassured the members that any provincial approvals will be applied for when required.
- Applicant stated that they have a maximum number and length of trailers and tents that their property and event can handle.

Moved by M. Olson

MPC 16-066 That the Municipal Planning Commission (MPC) approve the proposed Event Permit (Maximum six (6) annually) - for Agricultural Processing (Fallentimber Meadery) & Eating Establishment - Outdoor, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NW 7-30-5-5 submitted by FALLENTIMBER MEADERY c/o Nathan Ryan, Development Permit File No. PLDP20160140, 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. N/A

Permits Associated with Building Construction:

10. N/A

11. N/A

Additional Conditions:

12. Any future expansion of the business, site area or additional employees or events beyond six (6) annually, will require a new permit.

13. The applicant and/or landowner shall be limited to (6) six events annually. Additional events and/or changes to event details mentioned within the application will require a new permit.

14. Events shall not be permitted to exceed 450 persons per event.

15. The applicant shall provide to the County projected dates for all events to be held within a calendar year. This shall be submitted to the County prior to the first event taking place or prior to 30 days of the event date and an event description must be approved by the Development Officer.

16. That the applicant meet any standards and obtain any approvals required from Alberta Health Services.

17. That the applicant meet any standards and obtain any approvals required from the Alberta Gaming and Liquor Commission.

18. That the applicant conforms to all provincial and federal legislation requirements when conducting the meadery business.

19. The applicant shall ensure all provincial approvals are obtained prior to commencing each event on the NW 7-30-5-5

20. The applicant shall obtain separate approval for any additional marketing/directional signs to be located on private property. All signs must be maintained in good repair and the owner and/or landowner will be responsible for removal if the sign is no longer required. This does not include directional sandwich board signs for event days.

21. That the applicant obtains a Building Permit for the accessory structure erected for event purposes to ensure the structure is in conformance with the Alberta Building Code for public occupancy.

22. All new development is encouraged to utilize fire retardant building materials and shall practice FireSmart principles

outlined in the FireSmart Manual. (Refer to the enclosed FireSmart Manual provided by Alberta Sustainable Resource Development)

23. The applicant shall dispose of all waste products in a timely manner to a designated waste facility and shall implement principles mentioned within the Government of Alberta BearSmart Community Program.
24. The applicant shall ensure all public self-contained washrooms located on site receive routine maintenance.
25. Parking shall be contained within a specified area as mentioned within the applicant site plan. No parking of vehicles shall be permitted on any County road allowances at any time.
26. All events shall be located within the specified developed site area mentioned on the applicant's site plan to ensure minimal impact on the environmental sensitivity of the subject property.
27. The applicant shall contact and submit an event plan to the local fire department and RCMP a minimum of 14 days prior to hosting an event.
28. Camping shall be permitted during events only and be limited to tents and trailers under 24' in length. There shall be a maximum of 15 trailer sites and 40 tent sites permitted for a single night's stay during an event. Camping shall not occur at any other time. There shall be no septic waste disposed on the subject property and camping sites shall be not be serviced.
29. ATV use shall be restricted to the landowners use for pre and post organization of events and personal use. No additional recreational use of ATV's shall be permitted on the property.
30. The applicant will contact the Cremona and District Emergency Services to discuss fire safety issues on this site.
31. One (1) fire pit shall be permitted and located in a specified area and shall be approved by the Cremona and District Emergency Services. Fires will not be permitted during Mountain View County Fire bans.
32. The applicant should minimize the noise impacts associated with events from the hours of 11 pm through to 8 am.
33. The applicant shall be required to apply dust control on the adjacent Township Road 302 east of the subject property's approach on NW 7-30-5-5 prior to and during events. This shall be in consultation with Mountain View County.

34. Dust control during winter months is not required.
35. Additional uses, events and expansion of the business on site may require submission of a rezoning application for the subject lands and may require additional development approvals.
36. All events shall be located within the designated developed yard site (Meadery site) as mentioned within the applicant's site plan except for the 2016 Rootstock event only. The Rootstock event shall be permitted to be located on the west side of the subject property as mentioned within the applicant's site plan.
37. The existing Development Permits DP 06-158, DP 09-071, and PLDP20150249 shall remain in effect and PLDP20130093 and PLDP20140095 shall be considered null and void with issuance of this permit.

Carried.

PLDP20160158
NW 21-31-1-5

Planning and Development Services presented an overview of a existing development located at NW 21-31-1-5, 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 an existing Business, Contractors - Cowsmopolitan Country, Sign, On-site Commercial and Westerly Setback Relaxation to all existing structures.
- The property contains A - Agricultural and R-F - Residential Farmstead zoning. The proposed business is located on the R-F portion of the property and the parcel size is 155.07 acres.
- Property is located within Division 3 and the rural neighborhood of Rosebud.
- Applicant - TAYLOR, Ken / Landowner - WRIGHT, Donald & Carol
- Landowners had a previous Development Permit in 2003 that was for the business that has gone beyond the scope of the original permit. A recent subdivision application brought the matter to the attention of Administration.
- Table 10.4 of the Land Use Bylaw defines the scope of the Business, Contractors.
- On May 05, 2016 the Municipal Planning Commission conditionally approved the subdivision with the condition that the property obtains a Development Permit for the business.
- The business has 1 commercial van, 1 sign, 1 employee and the attached garage is used for the business.
- A Building Permit is required to ensure the garage is safe for public entry.

Municipal Planning Commission discussed the following:

- Administration stated that the hours of operation are the hours the applicant requested.
- It was mentioned that Didsbury was only a couple of miles away if someone was looking for a commercial lot to do business.

Applicant (K. Taylor) was present.

Moved by T. Boucher

MPC 16-067 That the Municipal Planning Commission (MPC) approve the proposed Business, Contractors - Cowsmopolitan Country, Sign, On-site Commercial and Westerly Setback Relaxation to all existing structures, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within NW 21-31-1-5 submitted by TAYLOR, Ken, Development Permit File No. PLDP20160158, 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. 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. The applicant and/or landowner shall apply for a Change of Use Building Permit to ensure the attached garage being used for public occupancy related to retail of dairy supplies is constructed in accordance with the Alberta Building Code.
13. Approval is granted for the businesses operating on the subject property as per the information submitted with the application.
14. Future expansion of the business, work area, signage or additional employees, will require a new permit.
15. One (1) On-Site Commercial sign is permitted and shall not exceed 5 ft 4 inch by 7 ft 8 inch. The sign shall be located on the subject property. The sign must be maintained in good repair and the applicant and/or landowner will be responsible for removal if the sign is no longer required. Additional signage will require additional County approvals.
16. That the applicant and/or landowner obtains a Sign Installation Permit for the proposed Sign from Alberta Transportation.
17. That the applicant and/or landowner obtain a Roadside Development Permit from Alberta
18. No outside storage relating to the business is not permitted on the subject property.
19. The hours of operation for the Business shall be Monday through to Friday 9:00 am until 5:00 pm year round.
20. Issuance of this permit will revoke LP 03-022. NOTE: With the issuance of this permit PLDP20160158, previously issued location permit LP 03-022 will be void.
21. A westerly setback relaxation to the property line for all existing structures located on the subject property at the time of this application.

Carried.

PLDP20160155

SE 10-29-5-5

Plan 0612351 Blk - 1 L - 9

Planning and Development Services presented an overview of a proposed development located at SE 10-29-5-5 Plan 0612351 Blk - 1 L - 9, 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 - Move In/Relocation, Accessory Buildings - Sea Can & Storage Shed and RV for Temporary Living Accommodation.
- Zoning is Country Residential District (R-CR) and the parcel size is 3.14 acres.
- Property is located within Division 2 and the rural neighborhood of Water Valley/Winchell Lake Community.
- Applicant / Landowner – BRANDSON, James
- The application was a result of a Bylaw Enforcement Complaint and being used for recreational activity with 2 recreational vehicles, tree clearing and storage of construction materials.
- Located within a multi-lot subdivision.
- Property is within a high Environmental Significant Area due to the amount of trees.
- Move in relocation dwelling is being proposed to be placed on site and applicant will live in the temporary RV until house is placed on site.

Municipal Planning Commission discussed the following:

- Administration clarified the dust control condition.

Applicant was not present.

Moved by L. Schafer

MPC 16-068

That the Municipal Planning Commission (MPC) approve the proposed Dwelling - Move In/Relocation, Accessory Buildings - Sea Can & Storage Shed and RV for Temporary Living Accommodation, in accordance with the Land Use Bylaw No. 15/15 and the submitted application, within SE 10-29-5-5 Plan 0612351 Block 1 Lot 9 submitted by BRANDSON, James, Development Permit File No. PLDP20160155, subject to the following conditions:

CONDITIONS:

The works outlined in this application are subject to the following Standard 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. 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.
13. Issuance of this permit is for the 1980 dwelling as shown in the illustrations submitted with the application and will be verified by the Safety Codes Officer as part of the inspection of the building once moved onto the property.
14. The applicant shall ensure that the accessory building – sea can is not located within the yard setbacks regulated within the Country Residential District of the Land Use Bylaw.

15. Use of the accessory buildings - storage shed and sea can for storage related to any business, industrial, or commercial purposes is not permitted. Only residential storage is permitted. Residential occupancy is not allowed.

16. That temporary Recreational Vehicle living accommodation will be permitted only during the active construction of proposed dwelling. Living accommodations in the RV will cease within twenty-four (24) months of the issuance of this permit or upon final inspection of the dwelling - whichever comes first. No further occupancy or camping will be permitted. The Recreational Vehicle shall only be permitted to be stored on the subject property.

17. The applicant shall conform to the Development Agreements # 031268725 and #061276306 registered on the subject property.

Carried.

CORRESPONDENCE

Information Items

MPC 16-069

Moved by H. Epp

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

- 1) ASDAA Agenda from May 24, 2016
- 2) Permitted Development Permits Approved
- 3) MGB Decision

Administration clarified the MGB Decision for members.

Carried.

NRCB Application

MPC 16-070

Moved by M. Olson

That the Municipal Planning Commission (MPC) receive the review of the proposal to expand the operation to a 250 milking cow dairy operation by constructing a 26.6m x 27.4m addition to the existing dairy barn, on the SE 13-32-28-4, submitted by FREEK, Sieka; Bart Boom (Boom Holsteins), for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).

- 1) Location, Land Use & Ownership Map
- 2) RA15059 Application Complete

Carried.

Adopted

ADJOURNMENT

MPC 16-071

Moved by T. Boucher

That the Municipal Planning Commission of June 02, 2016 be adjourned at 10:00 a.m.

Carried.

Adopted July 07, 2016

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission