

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **August 17, 2017**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: K. Walton; Chair
H. Epp; Member-At-Large
D. Hedley; Member-At-Large
P. Hambrook; Member-At-Large
M. Olson; Member-At-Large

J. Sayer; Councillor
K. Heck; Councillor

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

CALL TO ORDER: K. Walton called the meeting to order at 9:01 a.m.

AGENDA
MPC 17-061 Moved by M. Olson
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of August 17, 2017 as presented.

Carried.

ADOPTION OF MINUTES
MPC 17-062 Moved by H. Epp
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of August 03, 2017 as presented.

Carried.

OLD BUSINESS
PLDP20170086
NW 14-31-1-5
Plan 0313488 Blk - 1 L - 1
Planning and Development Services presented an overview of a existing development located at NW 14-31-1-5 Plan 0313488 Blk - 1 L - 1, 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:

- Request for a time extension for PLDP20170086 (Condition 17) from September 30, 2017 to May 2018.
- Zoning is A – Agricultural District and the parcel size is 4.2 acres.
- Property is located within Division 3 and the rural neighborhood of Rosebud
- Applicant / Landowner - CORREA, Robert
- The original application, accessory buildings with setback relaxations, was the result of a complaint of an unauthorized second dwelling on parcel.
- MPC heard the original application on April 06, 2017. The application for accessory building with setback relaxation s was approved with a condition that the mobile home be removed by September 30, 2017.
- August 04, 2017 applicant submitted a time extension request for Condition 17 with a letter of intent.
- There are no Development or Safety Code Permits for the second dwelling, the dwelling consists of 2 mobile homes that are joined together.

Municipal Planning Commission discussed the following:

- Members asked for clarification with concerns of the dwelling if the sale or removal doesn't happen within the timelines. Administration clarified the options.
- Administration stated that this decision is not appealable. The applicant may apply for a second dwelling on the parcel but it would not be supported as it is not in compliance with the regulations of the Land Use Bylaw. The decision can be appealed to the Subdivision and Development Appeal Board (SDAB).

Applicant discussed the following:

- Tim Herbert spoke as the occupant of the second dwelling. He stated that he did not know permits were required.
- Applicant spoke as to the attempts of moving or selling the dwelling.
- Applicant stated the dwelling has been in place for 1½ years and it will be removed by May 2018.

Moved by H. Epp

MPC 17-063 That Municipal Planning Commission (MPC) consider a time extension until May 2018 as requested by the applicant for Development Permit PLDP20170086, Condition #17 to remove the dwelling as outlined in the issued Development Permit with the assurance that the Dwelling only be stored on the site for that time and there will be no residential occupancy. No further time extensions will be considered.

Carried.

NEW BUSINESS
PLDP20170245
NE 2-33-5-5

Plan 1111633 Blk – 5 L - 5

Planning and Development Services presented an overview of a proposed development located at NE 2-33-5-5 Plan 1111633 Blk – 5 L - 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, Single Detached, Two (2) Accessory Buildings - Shed & Shop, Northerly Setback Relaxation to Shed and Temporary RV Living Accommodations.
- Zoning is R-CR Country Residential District and the parcel size is 3.34 acres.
- Property is located within Division 5 and the rural neighborhood of Eagle Hill / Westward Ho.
- Applicant / Landowner - HANSMA, Timothy & Darlyne
- Application would usually be taken to the ASDAA meeting but due to time constraints the file was presented to MPC.
- Applicant is asking for a relaxation to alleviate taking down any more trees than necessary.
- No environmental concerns with the subject property.

Municipal Planning Commission had no comments or concerns.

Applicant not present.

MPC 17-064

Moved by J. Sayer

That the Municipal Planning Commission (MPC) approve the proposed Dwelling with Attached Garage, Two (2) Accessory Buildings - Shed & Shop, Northerly Setback Relaxation to Shed and Temporary RV Living Accommodations in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NE 2-33-5-5 Plan 1111633 Block 5 Lot 5, submitted by HANSMA, Timothy & Darlyne, Development Permit No. PLDP20170245, subject to the following conditions:

CONDITIONS:

The works outlining 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.
10. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

Permits Associated with Building Construction:

11. 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.
12. 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:

13. 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.

14. Use of the proposed Accessory Buildings (shop and shed) for business/industrial/commercial or residential purposes is not permitted.
15. The owner/applicant shall adhere to all the requirements 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. A northerly setback relaxation is approved for the life of the building.

Carried.

PLDP20170282

SW 9-33-1-5

Plan 1113444 Block 1 Lot 1

Planning and Development Services presented an overview of a proposed development located at SW 9-33-1-5 Plan 1113444 Block 1 Lot 1, 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 Agricultural Processing - Two (2) Commercial Grain Storage Bins with Westerly Front Yard Setback Relaxations.
- Zoning is A(2) - Agricultural (2) District and the parcel size is 19.60 acres.
- Property is located within Division 7 and the rural neighborhood of Netook.
- Applicant - FLYNN BROS. PROJECTS INC. / Landowner - RICHARDSON INTERNATIONAL LIMITED
- Predominately Agriculture parcels in the area and abuts the railway on the easterly side.
- In 2015, an application was approved for Dry Fertilizer Blending System, the development altered the drainage and has since been addressed.
- A email of concern from an adjacent landowner was handed out at the meeting to each member.
- Property is within the Town of Olds Referral Area and Olds had no concerns.
- A widened approach has been approved by the County's Operational Services.
- A Roadside Development Permit from Alberta Transportation was submitted with the application.

Municipal Planning Commission had no concerns or comments.

Applicant was present.

Moved by D. Hedley
MPC 17-065 That the Municipal Planning Commission (MPC) approve the proposed Agricultural Processing - Two (2) Commercial Grain Storage Bins with Westerly Front Yard Setback Relaxations in accordance with Land Use Bylaw No. 15/15 and the submitted application, within SW 9-33-1-5 Plan 1113444 Block 1 Lot 1, submitted by FLYNN BROS. PROJECTS INC., Development Permit No. PLDP20170282, subject to the following conditions:

CONDITIONS:

The works outlining 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. N/A
10. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

Permits Associated with Building Construction:

11. 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.

12. 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:

13. Approval is granted for Two (2) Commercial Grain Storage Bins as per the development details included in the application.
14. The applicant/owner shall follow the recommendations of the grading plan as submitted by Clifton Associates dated April 17, 2017.
15. All setback relaxations are approved for the life of the structures.
16. Future development, structures, expansion, new or additional uses will require a new development permit.

Carried.

PLDP20170255
NW 1-32-4-5
Plan 9510922 Lot 1

Planning and Development Services presented an overview of an existing development located at NW 1-32-4-5 Plan 9510922 Lot 1, 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 (Manufactured Dwelling)
- Zoning is A - Agricultural District and the parcel size is 8.18 acres.
- Property is located within Division 4 and the rural neighborhood of Harmattan.
- Applicant - ERICKSON, Wayne & Lorna / Landowner - ERICKSON, Robert Wade
- The applicant mentioned to administration that they currently live in a Recreational Vehicle on the property, and that they are requesting the detached dwelling to provide year-round assistance and care for the family which reside in the primary dwelling on the subject property.
- Predominately agricultural parcels in the area.

- Land Use Bylaw does not allow for a Dwelling, Secondary Detached on this size of parcel. A secondary suite could be considered by administration.

Municipal Planning Commission discussed the following:

- Administration clarified that the discussion had not taken place about subdividing.
- Member asked the applicant about a secondary suite option.
- Administration clarified the 3 options of a secondary suite.
- Members had a discussion of the Land Use Bylaw rules concerning a secondary suite and second dwellings.

Applicant discussed the following:

- Lorna Erickson spoke as the applicant.
- Applicant stated that she and her husband live in the RV and support their son and family that reside in the dwelling.
- Applicant stated that a secondary suite could not be attached to the main dwelling due to the proximity of the house and trees. Putting in a garage for the suite to be attached to would not be feasible for them.

Moved by J. Sayer

MPC 17-066 That the Municipal Planning Commission (MPC) refuse the proposed Dwelling, Secondary Detached (Manufactured Dwelling) in accordance with Land Use Bylaw No. 15/15, within NW 1-32-4-5 Plan 9510922 Lot 1, submitted by ERICKSON, Wayne & Lorna, Development Permit No. PLDP20170255 for the following reasons:

The proposed application exceeds the maximum number of one (1) detached dwelling unit per parcel on parcels less than 28.33 ha (70.0 ac) as outlined in LUB 15/15 Section 9.8 Dwelling Density.

Carried.

CORRESPONDENCE

Information Items

Moved by J. Sayer

MPC 17-067 That the Municipal Planning Commission receive the following items as information:

1. ASDAA Agenda from August 08, 2017
2. Permitted Development Permits Approved

Carried.

Land Use Bylaw

MPC 17-068

Moved by D. Hedley

That the Municipal Planning Commission (MPC) receives as information and provide comments for Council's consideration prior to the Public Hearing to be held on September 13, 2017:

1. Council's RFD - Bylaw No. 16 17 Renewable Energy Land Use Bylaw Amendment

Adopted

2. Bylaw No. 16 17
3. Land Use Bylaw sections with Track Changes
4. Response from Alberta Utilities Commission (AUC)

Members will send comments to the Chair within one week to be submitted to the Secretary of MPC.

Carried.

RA17051 Application Review
MPC 17-069

Moved by P. Hambrook

That the Municipal Planning Commission (MPC) receive the review of the proposal to increase the poultry operation from 30,000 to 100,000 broilers by constructing a new poultry barn (140m x 23m) on the SW 24-31-27-4, submitted by Scott Wiens, for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).

1. RA17051 Location Map
2. RA17051 Application

Carried.

ADJOURNMENT

MPC 17-070

Moved by K. Heck

That the Municipal Planning Commission of August 17, 2017 be adjourned at 9:56 a.m.

Carried.

Adopted September 07, 2017


Chair

I hereby certify these minutes are correct.


Secretary, Municipal Planning Commission