

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **September 07, 2017**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: K. Walton; Chair  
H. Epp; Member-At-Large  
M. Olson; Member-At-Large  
H. Overguard; 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  
C. Mabin; Development Officer  
K. Lashmar; Recording Secretary

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

AGENDA MPC 17-071 Moved by H. Epp  
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of September 07, 2017 as presented.  
  
Carried.

ADOPTION OF MINUTES MPC 17-072 Moved by J. Sayer  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of August 17, 2017 as presented.  
  
Carried.

OLD BUSINESS  
PLDP20140044  
NW 35-30-2-5  
  
Planning and Development Services presented an overview of a proposed development located at NW 35-30-2-5, 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 a **one (1) year time extension** for the conditionally approved Development Permit PLDP2014044 for a Dwelling, Single Detached with Attached Garage.
- Zoning is Agricultural District and the parcel size is 144.16 acres.
- Property is located within Division 3 and the rural neighborhood of Westcott.
- Applicant / Landowner – LEMAY, Paul & Marni
- No topographical concerns with the proposed development.
- No oil & gas facilities concerns.
- Original application was submitted on February 19, 2014.
- Time extension #1 approved August 19, 2015.
- Time extension #2 approved August 18, 2016.
- Applicant stated that reasons for requiring a third time extension are to accommodate development previously approved.
- Administration requested that the applicant provide a proposed approach to the proposed development site.
- An approach permit is required to create legal and physical access to the subject property.
- No additional development has been approved with this time extension;

Municipal Planning Commission discussed the following:

- Clarification was asked regarding number of time extensions that are allowed. Administration clarified that the Municipal Government Act (MGA) has provision for time extensions, as well in the Land Use Bylaw (LUB) time extensions can be considered.
- Administration clarified that Section 5.7.5 of the LUB specifically deals with Subdivision time extensions, while Section 5.6.5 reads “unless otherwise specified by the development permit and the conditions of the development approval, if development authorized by a development permit is not complete within the 24 months from the effective date of the permit, such permit approval shall cease, and the permit itself deemed void expired, or without effect, unless an extension to this period has previously been granted.”
- Clarification was asked regarding the number of Development Permit conditions that have been met to this date. Administration clarified that with development permits, the conditions that have not been met do not affect the time extension request. Subdivision time extension requests are supported by a review of the amount of conditions being met.
- Administration clarified that the applicants are finalizing the conditionally approved subdivision for two lots approved by the MGB on the parent parcel.

- Clarification was asked regarding outstanding conditions for subdivision, administration clarified that the Development Agreement has not been entered into. This does not affect the time extension.
- Clarification was asked regarding time frames for construction of the dwelling. Administration clarified that a building permit application is required to be submitted within the 18 month Condition and would be subject to the time frame of the Building Permit.

Applicant was not present.

Moved by M. Olson

MPC 17-073

That the Municipal Planning Commission approve the proposed one (1) year time extension for the conditionally approved Development Permit PLDP2014044 for a Dwelling, Single Detached with Attached Garage in accordance with the Land Use Bylaw 15/15 within NW 35-30-2-5. The time extension shall be granted for one (1) year from the date of approval subject to the previously approved Development Permit Conditions as listed below:

**Standard Conditions**

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

1. The provisions of the Land Use Bylaw No. 11/11.
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 positing 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 commenced and diligently pursued within eighteen (18) 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. 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 doing an Alberta-One-Call.

Carried.

NEW BUSINESS  
PLDP20170297  
SE 23-33-1-5  
Plan 9711638 L - 1

Planning and Development Services presented an overview of a proposed development located at SE 23-33-1-5 Plan 9711638 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:

- Application is for Business, Contractors (Alberta Boys Custom- Vehicle Detailing & Paintless Dent Repair) in Existing Shop.
- Zoning is Agricultural District and the parcel size is 7.64 acres.
- Property is located within Division 7 and the rural neighborhood of Netook
- Applicant – REMPEL, Lewis & REMPEL, Bradford / Landowner – REMPEL, Lewis & Carol
- Natural gas utility line, no concerns with wells & pipeline facilities on the parcel.
- The subject parcel is not located within an ESA area and there are no other environmental concerns.

- There are no topographical constraints.
- There are currently two businesses, (approved under one development permit in 2015) located on the subject property; Rempel's Painting and Going Places Courier Trucking. Both are portable businesses and are considered Contractor's businesses within the LUB.
- The southerly portion of the exiting shop is currently being used for these businesses.
- The proposed business will operate out the northerly portion of the shop.
- There will be no outside storage associated with any of the businesses with the exception of commercial vehicles parked on the property.
- The proposed business is a vehicle detailing & paintless dent repair, the vehicles will be washed off-site at a car wash.
- The existing businesses are predominately mobile business; therefore administration can consider the proposed addition Business – Contractor's to be creating minimal impact on the adjacent properties.
- The applicant has limited client visits and regular hours of operation.
- There are currently two existing signs on the property, the applicant has requested for one additional sign to be located at the entrance of the shop.
- Due to the proximity of Highway 2, the applicant also requires Alberta Transportation approvals.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding Condition #17, administration clarified that the information related to the number of customer visits per day was provided directly by the applicant within the development permit application package.

Applicant was present.

MPC 17-075 Moved by P. McKean  
That the Municipal Planning Commission approve the proposed Business, Contractors (Alberta Boys Custom- Vehicle Detailing & Paintless Dent Repair) in Existing Shop in accordance with Land Use Bylaw No. 15/15 and the submitted application, within SE 23-33-1-5 Plan 9711638 Lot 1, submitted by REMPEL, Lewis & REMPEL, Bradford, Development Permit No. PLDP20170297, 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. 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
10. N/A

**Permits Associated with Building Construction:**

11. N/A
12. N/A

**Additional Conditions:**

13. Permit approval is conditional to information supplied on the Development Permit Application for a Business, Contractors (Alberta Boys Custom- Vehicle Detailing & Paintless Dent Repair) in Existing Shop. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Future uses, expansion, work area or additional employees, will require a new permit and may require rezoning or relocation to a Business Park.
15. That the applicant shall obtain a building permit so an inspection by a Safety Codes Officer can confirm the existing building being used for the business meets the building code requirements for this business.
16. Outside storage is not permitted on the subject property.
17. The proposed business shall not have more than two (2) customer visits per day.
18. The hours of operation shall be from 9:00 am to 5:00 pm Monday to Friday only. There shall be no business conducted on weekends and statutory holidays

19. That the applicant shall obtain a Roadside Development Permit from Alberta Transportation.
20. That the applicant obtains Sign Installation Permit from Alberta Transportation. One (1) On-Site Commercial sign is permitted and shall not exceed 4ft x 5ft. The sign shall be located on the shop building. 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.
21. That Development Permit PLDP20150420 for “Business, Contractors - Rempel's Painting & Courier Trucks”, approved on November 06, 2015 remains valid and continued compliance must be maintained.
22. No vehicles shall be washed on site.

Carried.

PLDP20170299  
NW 1-32-4-5  
Plan 9510922 L - 1

Planning and Development Services presented an overview of a proposed development located at NW 1-32-4-5 P9510922 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:

- Application is for Dwelling, Secondary Suite – Attached to Accessory Building (Steel Quonset).
- Zoning is Agricultural District and the parcel size is 8.18 acres.
- Property is located within Division 4 and the rural neighborhood of Harmattan.
- Applicant – ERICKSON, Robert Wade / Landowner – ERICKSON, Wayne & Lorna
- No Oil & Gas facilities on the subject property and none of concern on the adjacent property.
- No ESA's on the subject property and no other environmental concerns.
- No topographical constraints.
- The existing steel accessory building is 2399 square feet and is currently being used for personal storage.
- The application states that they currently live in a Recreational Vehicle on the property, and that they are requesting the secondary suite to provide year-round assistance and care for the family which reside in the primary dwelling on the subject property.
- The applicant had previously applied for a Dwelling, Secondary Detached however section 9.8.2 in the LUB states “the maximum number of dwelling units on a parcel less than 70 acres shall be one (1)”. This application for a second dwelling was refused on August 17, 2017.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding the future use or alteration of the attached secondary suite to use it as a detached dwelling. Administration clarified that there are no provisions in the Land Use Bylaw for a secondary dwelling on a parcel less than 70 acres.
- Administration provided clarification the 3 different types of secondary suites that can be applied for within the LUB, attached to the primary dwelling, attached to an accessory building or within an accessory building.
- Administration clarified that the attached suite must meet safety codes requirements, and Condition #12 reinforces this requirement.

Applicant was present.

Moved by H. Overguard

MPC 17-076 That the Municipal Planning Commission approve the proposed Dwelling, Secondary Suite - Attached to Accessory Building (Steel Quonset) in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NW 1-32-4-5 Plan 9510922 Lot 1, submitted by ERICKSON, Wayne & Lorna, Development Permit No. PLDP20170299, 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. 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.
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. All servicing arrangements for the secondary suite shall comply with Provincial Standards in respect to the provision of water and sewer servicing arrangements.
14. It shall be the responsibility of the applicant and/or landowner to place the dwelling on a base in accordance with the requirements of the Alberta Safety Codes Act.
15. This permit is issued for a Dwelling, Manufactured with a manufacture date of 2016 as per the information and photos submitted with the application.
16. That Temporary Recreational Vehicle living accommodation will be permitted only during the active set up of the proposed secondary suite. Living accommodations in the RV will cease within twenty-four (24) months of the issuance of this permit or upon the final inspection of the dwelling – whichever comes first. No further occupancy or camping.

Carried.

CORRESPONDENCE

Information Items

MPC 17-077

Moved by P. McKean

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

- a) ASDAA Agenda from August 22, 2017
- b) ASDAA Agenda from August 29, 2017
- c) Permitted Development Permits Approved

Carried.

ADJOURNMENT

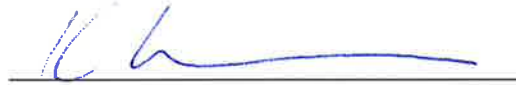
MPC 17-078

Moved by J. Sayer

That the Municipal Planning Commission of September 07, 2017 be adjourned at 9:39 a.m.

Carried.

Adopted September 21, 2017



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission