

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **November 02, 2017**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

K. Walton; Member-At-Large/Chair  
D. Hedley; Member-At-Large  
H. Overguard; Member-At-Large  
G. Schwartzenberger; Member-At-Large

D. Milne; Councillor

IN ATTENDANCE:

M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission  
M. Pawlow; Manager of Planning Services  
J Ross; Succession Manager of Development & Permitting Services  
T. Connatty; Planner  
C. Mabin; Development Officer  
L. Craven; Recording Secretary

CALL TO ORDER:

M. Bloem called the meeting to order at 9:12 a.m.

M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission declared the meeting open and stated that the first order of business is the appointment of Chair & Vice-Chair of the Municipal Planning Commission (MPC) for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018.

M. Bloem called for nominations for Chair of the Municipal Planning Commission for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018.

G. Schwartzenberger nominated K. Walton for Chair of the Municipal Planning Commission for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018. There were no further nominations.

M. Bloem called for nominations a second and third time.

M. Bloem stated that nominations cease.

M. Bloem declared K. Walton is Chair of the Municipal Planning Commission effective immediately; and further, that the

appointment be for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018.

K. Walton assumed the position of Chair.

K. Walton called for nominations for Vice-Chair of the Municipal Planning Commission for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018.

D. Milne nominated D. Hedley for Vice-Chair of the Municipal Planning Commission for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018. There were no further nominations.

K. Walton called for nominations a second and third time.

K. Walton stated that nominations cease.

K. Walton declared D. Hedley is Vice-Chair of the Municipal Planning Commission effective immediately; and further, that the appointment be for 2017/2018 MPC meetings until the Organization Meeting on October 24, 2018.

AGENDA

MPC 17-093

Moved by D. Hedley

That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of November 02, 2017 as presented.

Carried.

ADOPTION OF MINUTES

MPC 17-094

Moved by G. Schwartzenberger

That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of October 19, 2017 as presented.

Carried.

PLRDSD20170259  
NE 11-33-28-4

Planning and Development Services presented an overview of a proposed subdivision located at NE 11-33-28-4, 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 one (1) eight point zero eight (8.08) acre parcel within NE 11-33-28-4 from 158.96 existing acres.
- Proposed property is located within Division 7 and in the rural neighborhood of Reed Ranch.
- Applicant - LUELLAU, Ben / Landowner - BLUEDON FARMS INC.

- This is the first parcel to be removed from an unsubdivided quarter section. The proposed parcel contains a single detached dwelling unit and residential accessory structures.
- Within the concentrated Confined Feeding Operation (CCFO) area, if the applicant can confirm the cancellation of a CFO in the area then first parcel out/farmstead separation is considered; two (2) CFO's in the area have been confirmed as canceled.
- Inspection of road accessing the parcel is acceptable to County Operations Department.
- Surrounded entirely by Agricultural zoned properties.
- There are no concerns with wells, pipelines or topography.
- Farmstead definition in the MDP was read for clarification.
- Initially the property did not comply with the farmstead definition until the landowner clarified for Council a water well servicing the feedlot across the road is within this parcel.
- No objections were received from the referral circulation. However, Alberta Health Services stated that the water shall not be contained completely within the parcel.

Municipal Planning Commission had no concerns or comments.

Applicant was present.

Moved by G. Schwartzberger

MPC 17-095 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to create one (1) eight point zero eight (8.08) acre parcel within NE 11-33-28-4, submitted by LUELLAU, Ben, PLRDSD20170259, 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):

- a. No reserves required pursuant to Section 663(a) of the Municipal Government Act;
6. The applicant shall enter into an agreement for the provision of road widening northerly 5.18 meters across the subject property 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 PSTS is situated closer than 90 meters to an existing or proposed property line the applicant shall submit a report completed by a Plumbing and Gas Safety Codes Officer confirming that the PSTS complies with the setback distances 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 to the satisfaction of Mountain View County.
10. N/A
11. N/A
12. N/A
13. N/A
14. N/A
15. N/A
16. N/A
17. The applicant is to permanently disconnect the water service to the SE 14-33-28-4. Confirmation provided to Mountain View County.

Carried.

PLRDSD20170226  
SW 20-30-1-5

Planning and Development Services presented an overview of a proposed subdivision located at SW 20-30-1-5, 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 one (1) twenty-four point five one (24.51) acre parcel within SW 20-30-1-5 consisting of 111.08 acres.
- Proposed property is located within Division1 and in the rural neighborhood of Wessex.

- Applicant – POFFENROTH, Wayne / Landowner – LIESEMER, Gary Dean
- Adjacent to the Town on Carstairs and in the Intermunicipal Development Plan (IDP) area.
- Parcel is completely fragmented by the railway.
- Considered to be consolidated with the parcel to the east and being farmed as a consolidated piece.
- Alberta Transportation was circulated. No objections.
- Located within the Wessex Area Structure Plan and deemed for high density residential development.
- If the consolidation was not to happen then a Restrictive Covenant (RC) should be considered, as discussed by Council during the Public Hearing.
- Land Titles had no objections to the consolidation of land with two jurisdictions.

Municipal Planning Commission discussed the following:

- Administration clarified the Restrictive Covenant.
- Members asked the applicant about the farming and the consolidation.

Applicant discussed the following:

- Wayne Poffenroth spoke as the applicant.
- Clarified the property line and the farming practices for this parcel.

Moved by D. Milne

MPC 17-096 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to create one (1) twenty-four point five one (24.51) acre parcel within SW 20-30-1-5, submitted by POFFENROTH, Wayne, PLRDSD20170226, 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). The instrument will demonstrate the consolidation of the proposed parcel with the SE 20-30-1-5 or NW 20-30-1-5.
5. Municipal Reserves

(1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):

a. No reserves required pursuant to Section 663(a) of the Municipal Government Act;

- 6. N/A
- 7. N/A
- 8. N/A
- 9. N/A
- 10. N/A
- 11. N/A
- 12. N/A
- 13. N/A
- 14. N/A
- 15. N/A
- 16. N/A

Carried.

PLDP20170368  
SE 8-34-5-5

Planning and Development Services presented an overview of a proposed development located at SE 8-34-5-5, 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 a Dwelling, Single Detached and Temporary Dwelling, Secondary Detached.
- Zoning is A - Agricultural District and the parcel size is 149.70 acres.
- Property is located within Division 5 and the rural neighborhood of James River.
- Applicant - JONES, Bailee / Landowner - JONES, Kenneth M & Marilyn & JONES, Peter Elliott
- Administration received an application for Redesignation and Subdivision to separate the eastern portion (PLRDSD20170301). Eastern portion is 18.32 acres.
- A site visit was conducted on the eastern portion. A temporary structure was observed and a complaint file was opened. The landowner was contacted and came in voluntarily and so no fines will be implemented.
- Altalink was circulated and no comments were received.

Municipal Planning Commission discussed the following:

- Administration clarified the timelines and the removal of the temporary structure if not completed.

Applicant was present.

MPC 17-097 Moved by H. Overguard  
That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Single Detached and Temporary Dwelling, Secondary Detached in accordance with Land Use Bylaw No. 15/15 and the submitted application, within SE 8-34-5-5, submitted by JONES, Bailee, Development Permit No. PLDP20170368, 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. 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 the applicant shall obtain a Building Permit for the Temporary Dwelling, Secondary Detached so an inspection by a Safety Codes Officer can confirm the existing building being used for residential occupancy meets the building code requirements for residential use.
14. The Temporary Dwelling, Secondary Detached shall be removed from the property and the site reclaimed within 24 months or upon occupancy in the new dwelling, whichever comes first. Please notify the Planning Department to confirm compliance with this condition. No renewal of this condition shall be considered.
15. That the applicant obtains and adheres to a Roadside Development Permit from Alberta Transportation.
16. The Temporary Dwelling, Secondary Detached must have Canadian Standards Association (CSA) certification. If the Temporary Dwelling, Secondary Detached has been damaged or structurally altered it shall be certified as safe by an accredited structural engineer and shall be submitted to the Mountain View County Office.

Carried.

PLDP20170369  
SE 15-33-4-5

Planning and Development Services presented an overview of a proposed development located at SE 15-33-4-5, 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 Change of Use from Existing Cabin to Dwelling, Single Detached with Size Variance and Setback Relaxation for Existing Structures.
- Zoning is A - Agricultural District and the parcel size is 0.62 acres.
- Property is located within Division 6 and the rural neighborhood of Eagle Hill/Westward Ho.



- Applicant / Landowner - STEDEL, Bradley Albert & Lois Arlene
- Dwelling is within the Environmentally Significant Area - Level 1.
- There is sloping to the west and limits development.
- Surrounded by county roads and road allowances.
- Within the Land Use Bylaw No. 55/95, Cabin as a listed Use within an Agricultural Land Use District. In 1996, the landowner received a Development Permit for Cabin with Setback Relaxation for all yards, DP037-96. Due to the subject parcel being surrounded by County Roads, all development on this parcel would require a setback relaxation.
- The dwelling requires a size variance due to the minimum size requirement of 800 sq ft.
- This would be the primary dwelling on the property, due to the size of the parcel, a second dwelling would not be considered.

Municipal Planning Commission discussed the following:

- Administration clarified that the application will be conditioned to meet the safety codes.
- Concerns were addressed that the road allowance be accessible and clarification on the option of closing the road allowance.

Applicant was present

- Brad Stedel spoke as the applicant and clarified the lock on the gate at the road allowance entrance.

Moved by G. Schwartzenberger

MPC 17-098 That the Municipal Planning Commission (MPC) approve the proposed Change of Use from Existing Cabin to Dwelling, Single Detached with Size Variance and Setback Relaxation for Existing Structures in accordance with Land Use Bylaw No. 15/15 and the submitted application, within SE 15-33-4-5, submitted by STEDEL, Bradley Albert & Lois Arlene, Development Permit No. PLDP20170369, 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. 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. The dwelling, single detached as per the information submitted with this application is considered the primary dwelling on the subject property. There is no provision for a secondary detached dwelling due to the subject property's parcel size.
14. A size variance for the Dwelling, Single Detached to 280 sq. ft. is approved for the life of the building. Any additions or changes will require new Development and Safety Code Permits.

15. A setback relaxation for all existing structures shall be approved as per the site sketch for the life of the structures.
16. No structure shall not be located with Municipal Road Right-of-Way.
17. With the issuance of this Development Permit PLDP20170369, previously issued Development Permit DP96-037 will be void.
18. As the subject land is located within an ESA 1 (very high significance) designation, measures shall be taken to preserve the integrity of the land, the trees, and any wildlife.

Carried.

PLDP20170232  
SE 6-32-6-5  
Plan 9410701 Blk - 8

Planning and Development Services presented an overview of a proposed development located at SE 6-32-6-5 Plan 9410701 Blk - 8, 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 Dwelling, Single Detached and Accessory Building - Shop with Southerly and Easterly Setback Relaxations; Existing Accessory Buildings with Setback Relaxations & Recreational Vehicle for Temporary Living Accommodation.
- Zoning is R-CR Country Residential District and the parcel size is 9.93 acres.
- Property is located within Division 5 and the rural neighborhood of Bearberry/Coalcamp.
- Applicant - HAWRYLUK, Dennis & SAUKAROOKOFF, Linda / Landowner - SAUKAROOKOFF, Sidney & Barbara Joan
- Setbacks will be for the existing structures and new construction.
- This application was on a complaint bases but the applicant came in voluntarily and so no fines have been recommended.
- The property is within a Level 1 – Environmentally Significant Area due to the proximately of the river and the high tree coverage.
- The applicant was required to submit a flood risk assessment as part of the application.
- The entrance to the property is an internal road and has limited use.

Municipal Planning Commission discussed the following:

- Clarification to the members concerning the adjacent landowner circulation and the relaxations.

Applicants were present.

Moved by D. Hedley  
MPC 17-099 That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Single Detached and Accessory Building - Shop with Southerly and Easterly Setback Relaxations; Existing Accessory Buildings with Setback Relaxations & Recreational Vehicle for Temporary Living Accommodation in accordance with Land Use Bylaw No. 15/15 and the submitted application, within SE 6-32-6-5 Plan 9410701 Block 8, submitted by HAWRYLUK, Dennis & SAUKAROOKOFF, Linda, Development Permit No. PLDP20170232, 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. A southerly and easterly setback relaxation for the proposed accessory building - shop and all existing accessory buildings located on the subject property at the time of this application are approved for the life of the buildings.
14. That the applicant complies with the Flood Risk Assessment Report by Matrix Solutions Inc. report #25773-531 submitted by the applicant for the proposed dwelling unit and accessory building.
15. The use of the proposed and existing accessory buildings for business, industrial, recreational and residential purposes is not permitted. The accessory building shall be used for personal use only.
16. No recreational use of the subject property and or accessory buildings, including camping shall be permitted on the subject property at any time.
17. That temporary Recreational Vehicle living accommodation will be permitted only during the active construction of the 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 on the subject property at any time.

Carried.

**CORRESPONDENCE**

Information Items

MPC 17-100

Moved by D. Milne

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

- a) ASDAA Agenda from October 24, 2017
- b) Permitted Development Permits Approved

Carried.

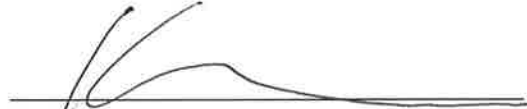
ADJOURNMENT

MPC 17-101

Moved by D. Hedley  
That the Municipal Planning Commission of November 02, 2017  
be adjourned at 10:03 a.m.

Carried.

Adopted December 07, 2017



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission