

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **January 18, 2018**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

K. Walton; Member-At-Large/Chair
D. Hedley; Member-At-Large
P. Hambrook; Member-At-Large
J. Greenfield; Member-At-Large
D. Reedy; Member-At-Large

A. Aalbers; Councillor
P. Johnson; Councillor

IN ATTENDANCE:

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

CALL TO ORDER:

K. Walton called the meeting to order at 9:00 a.m.

AGENDA

MPC 18-008 Moved by J. Greenfield
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of January 18, 2018 as presented.
Carried.

ADOPTION OF MINUTES

MPC 18-009 Moved by P. Hambrook
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of January 04, 2018 as presented.
Carried.

PLSD20170030
NW 9-32-28-4

Planning and Development Services presented an overview of a proposed subdivision located at NW 9-32-28-4, 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 eleven point five-two (11.52) acres from SW 9-32-28-4 consisting of 160.0 acres and consolidating with the NW 9-32-28-4.
- Proposed property is located within Division 3 and in the rural neighborhood of Lonepine.
- Applicant – TAYLOR, Ken / Landowner - VAN DER SLUIJS, Herman A & Marijke
- This is a boundary adjustment to include the dwelling and a farm structure that is currently on the southerly quarter and is used in conjunction with the Confined Feeding Operation on the northerly quarter.
- Parcel is located within the Confined Feeding Operation Area section of the Municipal Development Plan that has a NRBC permit.
- Predominately surrounded by Agriculture Use.
- There is a waterbody located on the remainder but does not cause a concern for the application.
- The subdivision is relatively flat with sloping on the south end of the property.
- Legal and physical access has been achieved through some amendments of the parcel.

Municipal Planning Commission discussed the following:

- Administration clarified Condition 13 and the riparian area for a member.

Applicant was present.

Moved by J. Greenfield

MPC 18-010 That the Municipal Planning Commission (MPC) approve the proposed subdivision of approximately eleven point five-two (11.52) acres from SW 9-32-28-4 consisting of 160.0 acres and consolidating with the NW 9-32-28-4, submitted by TAYLOR, Ken, PLSD20170030, 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 affected by an instrument acceptable to the Land Titles Office (Descriptive Plan/Plan of Survey) The

instrument shall demonstrate the consolidation of the proposed parcel from SW 9-32-28-4 with NW 9-32-28-4.

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 westerly 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. Environmental protection for riparian and ecological enhancement:
 - a. Where livestock is present on the affected parcel(s), the applicant shall provide confirmation that an application has been submitted for Provincial and/or Municipal funding for Riparian Enhancement Projects. The application shall demonstrate protection of riparian areas affected by the proposed subdivision; or,
 - b. Where livestock is not present on the affected parcel(s), or at the discretion of Mountain View County, the applicant shall enter into an agreement with Mountain View County to have a Riparian Health Assessment conducted by Mountain View County to determine the riparian health of areas affected by the proposed subdivision. Furthermore, a review period of five (5) and ten (10) years will be granted by the

applicant allowing for subsequent assessments of the riparian area within the applicable review period to determine overall change in riparian health.

- 14. N/A
- 15. N/A
- 16. N/A

Carried.

PLDP20170409
NE 32-32-5-5
Plan 8010388 Lot 2

Planning and Development Services presented an overview of a proposed development located at NE 32-32-5-5 Plan 8010388 Lot 2, 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 the proposed Automotive, Equipment and Vehicle Services (Auto Body Shop) and One (1) Sign, On-Site Commercial with Setback Relaxations to Existing Buildings.
- Zoning is I-BP Business Park District and the parcel size is .87 acres.
- Property is located within Division 5, the rural neighborhood of McDougal Flats and within the West Sundre Industrial Park.
- Applicant - HOWARD, Kalon / Landowner - BOTHERAS, Delbert & Eileen
- There are no new buildings proposed with this Development Permit.
- Associated with the business will be autobody services, parts replacement, welding, sanding, blasting, painting, dent removal and glass replacement.
- KWH Autobody will have between 2-8 employees, 10 client visits per week, the hours of operation will be 8 am – 6 pm year-round. On the property will be a maximum of 20 vehicles associated with the business.
- Applicant's request for a sign size was addressed in the conditions.
- The existing landscaping shall be maintained to the satisfaction of the Approving Authority.
- Any requests by the Town for concerns have been addressed in the conditions.

Municipal Planning Commission discussed the following:

- Administration clarified that a Stormwater Management Plan was not required due to no new construction being applied for. Surface water drains toward 10th Street.
- Due to the age of the Park, a Stormwater Management Plan was not completed for the Industrial Park. Historically,

there aren't any drainage issues with the subject parcel. The proposed development does not include new construction.

- Condition 12 & 19 address concerns with changing the use and the Safety Code requirements.
- Administration explained the Deferred Service Agreement to the members.

Applicant discussed the following:

- Kalon Howard spoke as the applicant.
- Applicant stated that he will be doing only autobody work and not any oil changes.
- He stated that the building does have fire suppression.

Moved by A. Aalbers

MPC 18-011 That the Municipal Planning Commission (MPC) approve the proposed Automotive, Equipment and Vehicle Services (Auto Body Shop) and One (1) Sign, On-Site Commercial with Setback Relaxations to Existing Buildings in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NE 32-32-5-5 Plan 8010388 Lot 2, submitted by HOWARD, Kalon, Development Permit No. PLDP20170409, 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. 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. Permit approval is conditional to information supplied on the application form for an Automotive, Equipment and Vehicle Services (Auto Body Shop) and Sign, On-Site Commercial with Setback Relaxations to Existing Buildings. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Future expansion, additional uses, 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 scrap metal and chemicals on site.
16. The applicant shall obtain a license from Alberta Motor Vehicle Industry Council (AMVIC) as businesses that are involved in the buying, selling, leasing, repair and maintenance of automobiles, trucks or recreation vehicles in Alberta must be licensed by AMVIC.
17. Outside storage of equipment related to the business shall be contained on the subject property.
18. The setback relaxations for all existing buildings are granted for the life of the buildings.
19. That the applicant shall obtain a building permit so an inspection by a Safety Codes Officer can confirm the existing buildings being used for the business meet the building code requirements for this business.
20. One (1) Sign, On-Site Commercial is permitted to advertise the business and shall not exceed 129.9 square feet. It shall be located on the subject property outside the proposed future road widening (1.75 meter along the west side). Additional signage shall require additional County approvals.
21. 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.
22. The applicant and/or landowner shall adhere to the Business, Commercial and Industrial Design Guidelines.

23. The Landscaping Plan including existing trees and fencing submitted by the applicant shall be maintained. All existing landscaping shall be maintained to the satisfaction of the Approving Authority.
24. As identified within the Town of Sundre's Bunt Transportation Study, the landowner shall enter into a road widening agreement of 1.75 meters with respect to the eastern property boundary of the subject property. The landowner shall also enter into a Deferred Servicing Agreement with the Town of Sundre. The landowner shall provide confirmation to Mountain View County that the Agreements have been registered by way of Caveat. The landowner shall contact the Town of Sundre to arrange compliance with this condition.
25. The accessory building and office trailer shall not be used for residential occupancy.
26. Storage of hydrocarbons or hydrocarbon related material / equipment shall not be permitted.

Carried.

PLDP20170407
NW 16-33-3-5

Planning and Development Services presented an overview of a proposed development located at NW 16-33-3-5, 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 a proposed Kennel - Dog and Cat Boarding.
- Zoning is A Agricultural District and the parcel size is 157.21 acres.
- Property is located within Division 6 and the rural neighborhood of Eagle Hill / Westward Ho.
- Applicant – DODD, Lindsay / Landowner – DODD, Dale
- Applicant applied for 15 dogs and 5 cats as part of the kennel operation.
- Hours of operation will be 7:00 am and 6:00 pm, year-round.
- There are currently 2 dwellings and a seasonal cabin within the parcel. All buildings are existing and no new structures being applied for.
- Applicant is applying for 2 signs for the kennel to be placed within the property.
- 18 adjacent landowners were circulated and one letter of concern was received. The applicant and the adjacent landowner have spoken and feel they have addressed all concerns.
- The shop/barn can be utilized to kennel the animals if needed.

- Additional trees have been planted to help with buffering and screening.
- Applicant will be picking up and dropping off most of the animals as part of her services.
- Applicant will be breeding exotic cats that will not be associated with the kennel business.
- No employees are proposed.

Municipal Planning Commission discussed the following:

- Administration clarified the fencing provisions and the personal dogs.
- A member asked the applicant how they will deal with barking and noise.
- Administration explained that the SPCA does have a handbook that the applicant will be encouraged to follow.
- A secondary containment was discussed.

Applicant discussed the following:

- Lindsay and Dale Dodd spoke as the applicant and landowner.
- The applicant stated that shock collars will be used for troubled dogs and are willing to put them on all dogs if necessary.
- The applicant doesn't feel there will be any concerns with the animals chasing cattle.
- The applicant spoke as to the containment of the dogs and video surveillance would be an option if required.
- Social dogs or dogs from the same owner can be housed together all others will be isolated from the others.

Moved by A. Aalbers

MPC 18-012

That the Municipal Planning Commission (MPC) approve the proposed Kennel - Dog and Cat Boarding in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NW 16-33-3-5, submitted by DODD, Lindsay, Development Permit No. PLDP20170407, 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. N/A
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. N/A
12. N/A

Additional Conditions:

13. Permit approval is conditional to information supplied on the application form for a Kennel Development Permit to provide dog and cat boarding services. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. The applicant, landowner, and/or operator shall observe and implement the objectives and principles within the "Best Management Practices for Animal Shelter and Rescue in the Province of Alberta" published by the Alberta Veterinary Medical Association and the Government of Alberta.
15. Future expansion of the Kennel, including the kennel operations, work area, or additional animals will require issuance of a new Development Permit.
16. Approval is granted for a maximum of 15 dogs and 5 cats to be boarded as part of the kennel operation at any one time.
17. The hours of operation for the Kennel shall be year-round 7:00 am and 6:00 pm.
18. The applicant, landowner, and/or operator shall not allow the dogs to bark or howl excessively or otherwise disturb any persons. On-site supervision shall be maintained during active kennel operations. The dogs shall not be allowed outside without supervision and will be housed indoors during the night.
19. On site supervision shall be maintained during the active kennel operation. The dogs shall not be allowed outside without supervision and they will be housed indoors during the night.
20. The dogs and cats shall not be permitted to run free off the property.

21. The applicant, landowner, and/or operator shall comply with Mountain View County's "Animal Control Bylaw".
22. Waste management of the Kennel shall be in accordance with the submitted application.
23. All boarding services and associated facilities shall be kept in a manner satisfactory to the health authority and the Society for the Prevention of Cruelty of Animals (SPCA).
24. All exterior exercise areas (runs) shall be enclosed with a six (6) foot minimum height fence with a two (2) foot underground buried segment.
25. Two 3 ft x 3 ft signs shall be permitted advertising the kennel and shall be located on the NW 16-33-3-5. Any additional signage will require issuance of an additional Development Permit.
26. As per Development Permit PLDP20130274 for a Dwelling, Secondary Detached (Manufactured Dwelling), Condition #15 of the approved permit shall remain valid, which states: The seasonal cabin that exists on the property shall be considered a legally non-conforming building, and may continue to be used for seasonal use but the building may not be enlarged, added to, rebuilt or structurally altered.

Carried.

CORRESPONDENCE

Information Items

MPC 18-013

Moved by P. Hambrook

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

- a) ASDAA Agenda from January 08, 2018
- b) Permitted Development Permits Approved

Carried.

ADJOURNMENT

MPC 18-014

Moved by A. Aalbers

That the Municipal Planning Commission of January 18, 2018 be adjourned at 9:48 a.m.

Carried.

Adopted February 01, 2018



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission