

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **March 01, 2018**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: K. Walton; Member-At-Large/Chair
P. Hambrook; Member-At-Large
H. Overguard; Member-At-Large
D. Reedy; Member-At-Large

A. Aalbers; Councillor
D. Milne; Councillor
D. Fulton; 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
C. Mabin; Development Officer
L. Craven; Recording Secretary

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

AGENDA MPC 18-028 Moved by P. Hambrook
That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of March 01, 2018 as presented.

Carried.

ADOPTION OF MINUTES MPC 18-029 Moved by D. Milne
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of February 15, 2018 as presented.

Carried.

PLRDSD20170289 SW 12-30-3-5
Planning and Development Services presented an overview of a proposed subdivision located at SW 12-30-3-5, 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) two point nine eight (2.98) acre parcel from the existing 158.97 acres.
- Proposed property is located within Division 1 and in the rural neighborhood of Jackson.
- Applicant - TAYLOR, Ken / Landowner - SCHWIZER, Daniel & Anna
- Redesignation refused by Council on January 10, 2018, Bylaw No. LU 52/17
- Access is gained from Highway 766 and surrounded by agricultural zoned lands.
- No environmentally significant areas or pipeline constraints.
- There are some seasonal marsh areas on the property.
- Canada Land Inventory rating is Class 2 and 3 soils.
- This is a proposal for an Agricultural subdivision because the redesignation to residential was refused.

Municipal Planning Commission had no comments.

Applicant was not present.

Moved by A. Aalbers

MPC 18-030 That the Municipal Planning Commission (MPC) refuse the proposed subdivision, to create one (1) two point nine eight (2.98) acre parcel within SW 12-30-3-5, submitted by TAYLOR, Ken, PLRDSD20170289 for the following reasons:

1. Compliance with the Municipal Government Act: Section 654 (1) (a), (b), (c)
 - a) The land that is subject of this subdivision is more suited for agricultural production as this is within the Agricultural Preservation Area according to the MDP and has a Canada Land Inventory Class 2 Soil rating.
 - b) The proposal does not comply with statutory plan as the parcel does not have appropriate land use zoning and is too small for the Agricultural District zoning.
 - c) The proposed parcel does not conform to the provisions of the statutory plan and Land Use Bylaw and therefore is not in compliance with this part of the MGA.
2. Compliance with the Subdivision and Development Regulations: Section 7(a-i)
 - a) The topography is relatively flat and poses no concerns.
 - b) The property contains productive soil, Class 2 CLI best suited for agricultural pursuits
 - c) Storm water collection and disposal is not a concern for this proposal
 - d) No risk for flooding was identified during the review of the application
 - e) The property has direct access to a developed road
 - f) An adjacent property has access to adequate water supply and no issues establishing a private septic system
 - g) The proposed parcel should have adequate area to locate a private septic system

- h) The proposed parcel is surrounded by agricultural lands, a residential parcel may create conflict with adjacent farming practices
 - i) The proposal did not achieve redesignation to an appropriate residential district and is not in compliance with statutory documents.
3. Compliance with Statutory Plans (MDP)
The MDP requires titles created for non-agricultural use be redesignated to an appropriate land use district. The redesignation was refused by Council; therefore, this subdivision proposal is not in compliance with the MDP.
4. Compliance with the Land Use Bylaw No. 15/15
The land within this proposal is zoned as Agricultural District with a minimum parcel size of 32.37 ha (80.0 ac) and this parcel does not comply with the minimum parcel requirement and does not meet the purpose of the District that is to accommodate and promote agricultural land uses on larger parcels while having regard to the rural, agricultural character of the area

Carried.

PLDP20180047
NW 32-30-4-5

Planning and Development Services presented an overview of a proposed development located at NW 32-30-4-5, 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 Change of Use from existing Cabin to Accessory Building – Personal Use; Change of Use for a portion of the existing Accessory Building to Commercial Use and Secondary Suite (1,400 sq. ft.) & Business, Contractors.
- Zoning is (A) Agricultural District and the parcel size is 148.51 acres.
- Property is located within Division 4 and the rural neighborhood of Elkton/Rugby
- Applicant / Landowner – AMMIRATI, Teodoro
- parcel includes an existing dwelling, cabin and shop with multiple accessory buildings.
- Easterly 40.78 acres of the subject parcel was recently redesignated and subdivided to Agricultural (2) District.
- The westerly parcel has an existing dwelling and cabin; the cabin must be decommissioned to comply with the current policies on dwelling density, only parcels 70 acres or more are permitted two dwellings.
- Consideration for a Business, Contractors on the easterly portion of the subject parcel. Business will provide indoor storage and shipment of clay targets within the existing shop with limited outdoor storage vehicles to ship clay targets (2 trucks & 4 trailers). The hours of operation will

be Monday to Friday from 9 a.m. – 5 p.m. however there will be no client visits.

- An adjacent landowner circulation was completed within a half mile of the parcel and administration received no comments or concerns.
- There are no wells, pipelines or topographic constrains on the parcel.
- Applicant will be living on site and no staff required.

Municipal Planning Commission had no concerns or comments.

Applicant - Ted Ammirati was present.

Moved by D. Reedy

MPC 18-031 That the Municipal Planning Commission (MPC) approve the proposed Change of Use from existing Cabin to Accessory Building – Personal Use; Change of Use for a portion of the existing Accessory Building to Commercial Use and Secondary Suite (1,400 sq. ft.) & Business, Contractors in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NW 32-30-4-5, submitted by AMMIRATI, Teodoro, Development Permit No. PLDP20180047, 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. 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 building identified as a cabin on the submitted site plan shall be decommissioned to an accessory building - work shop for personal use. Decommissioning will require the removal of the appliances and 220 wiring. The applicant shall provide administration with confirmation once decommissioning is completed within three (3) months from the date of issuance of the Development Permit. Residential occupancy is not permitted. Only one (1) dwelling is permitted.
14. Permit approval is conditional to information supplied on the application form for a Business, Contractors for the storage and distribution of clay targets and outdoor storage of equipment referenced in Condition #16. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
15. Future expansion, work area or additional employees, will require a new permit and may require relocation to a Business Park.
16. Outdoor storage associated with the Business, Contractors shall be limited to two (2) highway tractors and four (4) tractor trailers.
17. The accessory buildings - shop and wood shop, shall not be used for business, industrial, commercial purposes or residential occupancy.
18. The hours of operation shall be restricted to Monday to Friday from 9 a.m. to 5 p.m. Additional employees (other than the

Adopted

applicant), client visits and signage have not been approved with this permit.

19. The applicant shall obtain a Building Permit for the Change of Use for a portion of the existing Accessory Building to Commercial and Residential Use.
20. With the issuance of this permit PLDP20180047, previously issued Development Permit DP07-171 for Business, Contractors (Office & Equipment Storage for Construction Business) will be null and void.

Carried.

CORRESPONDENCE

Information Items

MPC 18-032

Moved by A. Aalbers

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

- 1) NRCB Part 1 - RA18006
- 2) NRCB Part 1 - RA18013
- 3) NRCB Part 1 - RA18015

Carried.

Discussion by Members

- Administration provided an overview of the proposed Land Use Bylaw changes that will be presented at the upcoming Open Houses.
- Members will discuss the changes and submit their comments to administration.
- The same information will also be available on the next MPC agenda.

Land Use Bylaw

MPC 18-033

Moved by D. Fulton

That the Municipal Planning Commission (MPC) receives as information the proposed 2018 Land Use Bylaw (LUB) Review items that will be shared with the public during Open Houses scheduled for April 10, 2018 and April 24, 2018.

- 1) LUB 15/15 with Track Changes
- 2) a. Other Amendments &
- 2) b. Procedure 6002-01 Development Standard Conditions

Carried.

NRCB Part 2

MPC 18-034

Moved by A. Aalbers

That the Municipal Planning Commission (MPC) receive the review of the proposal to change an existing bison CFO to a dairy replacement/dry cow/feedlot CFO and to increase their animal numbers to 1800 finishers/replacements and 720 cows on the SW 26-32-28-4 Plan 1510250 Block 1 Lot 3, submitted by Vanden Broek Farms, for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).

- 1) RA17053 Application Part 2

Adopted

2) Location, Ownership and Land Use Map.pdf

Carried.

ADJOURNMENT

MPC 18-035

Moved by P. Hambrook

That the Municipal Planning Commission of March 01, 2018 be adjourned at 9:41 a.m.

Carried.

Adopted March 15, 2018



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission