

MINUTES

**MUNICIPAL PLANNING COMMISSION**

Mountain View County

Minutes of the **Municipal Planning Commission** held on **March 15, 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  
J. Greenfield; 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  
D. Gonzalez; Planner  
C. Mabin; Development Officer  
P. Grochmal; Development & Permitting Officer  
L. Craven; Recording Secretary

**CALL TO ORDER:**

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

**AGENDA**

MPC 18-036 Moved by P. Hambrook  
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of March 15, 2018 as presented.  
Carried.

**ADOPTION OF MINUTES**

MPC 18-037 Moved by H. Overguard  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of March 01, 2018 as presented.  
Carried.

PLSD20180030  
SE 25-32-3-5  
and NE 25-32-3-5

Planning and Development Services presented an overview of a proposed subdivision located at SE 25-32-3-5 and NE 25-32-3-5, 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 subdivide in half both quarters and further to consolidate the west lands area and the east lands areas.
- Proposed property is located within Division 6 and in the rural neighborhood of Westerdale.
- Applicant / Landowner - INGRAM, Gordon Keith
- The reconfiguration will not negatively impact the surrounding land and/or uses.
- Redesignation will not be required due to the consolidation remaining as +/- 160 acres. Therefore; the zoning will not change.
- There are some marshlands in the area but do not cause concern.
- Township 324 will be the primary access for the western consolidated area.
- Range Road 30 will be the primary access for the eastern consolidation area.
- The parcels are within the agricultural preservation area.
- No letters of concern or objection were received from the adjacent landowner's circulation.

Municipal Planning Commission discussed the following:

- Administration clarified that with a Plan of Survey, a determination of the wellsite would be clearly on one side or the other and not on the property line. The oil and gas company was contacted and no comments were received.
- Administration's position is that even though the quarters will not comply with the definition of "unsubdivided quarters" because it will not be "the original survey and legal description as per the Alberta Land Titles Office" the consolidation areas will continue to retain the area of an unsubdivided quarter which is +/- 160 acres and therefore meet the intent of the definition. Therefore, Administration interprets the proposal as meeting the definition of an "unsubdivided quarter" that may have the potential to accommodate potential future subdivision in accordance with the statutory plan policies of the day.

Applicant was present.

Moved by A. Aalbers

MPC 18-038 That the Municipal Planning Commission (MPC) approve the proposed subdivision, to subdivide in half the NE 25-32-3-5 and to subdivide in half the SE 25-32-3-5; further, to consolidate the west half in NE 25-32-3-5 with the west half in SE 25-32-3-5; and to consolidate the east half in NE 25-32-3-5 with the east half in SE 25-32-3-5. This application has been submitted by INGRAM, Gordon Keith, File No. PLSD20180030, subject to the following conditions:

**Standard Conditions:**

1. The endorsement 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). To satisfy this condition the instrument (Descriptive Plan /Plan of Survey) shall demonstrate the consolidation of the west half in NE 25-32-3-5 with the west half in SE 25-32-3-5; and the consolidation of the east half in NE 25-32-3-5 with the east half in SE 25-32-3-5
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. That the applicant shall enter into an agreement for the provision of road widening, the easterly 5.18 metres in NE & SE 25-32-3-5, across the subject properties; and the southerly 5.18 metres in SE 25-32-3-5, 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 of 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 in this regard 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.

Carried.

PLDP20160036  
NE 27-29-5-5

Planning and Development Services presented an overview of a proposed development located at NE 27-29-5-5 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 twelve (12) month time extension, until April 08, 2019.
- Zoning is I-BP Business Park District and the parcel size is 39.48 acres.
- Property is located within Division 2 and the rural neighborhood of Water Valley/ Winchell Lake.
- Applicant - HALVERSON, Randy Landowner - MARX, Lennart H
- There is an Environmentally Significant Area (ESA) on the subject land but the proposal is not within the ESA.
- Original application was approved as a temporary permit until the landowner had tied the security suite to a business and came back with an application for the business.
- Time extension application is for one (1) one (1) year time extension only.

Municipal Planning Commission discussed the following:

- Administration clarified how the use could be changed from a dwelling to office and security suite to comply with uses in the I-BP District.
- Administration clarified that the temporary nature of the permit is intended to allow the application to consider the appropriate business for the subject property.
- Administration clarified the options for the applicant within the one year if approvals were granted for the time extension.
- Members raised concerns that there is no business for this property to tie the security suite and office to.

Applicant was not present.

Moved by D. Milne

MPC 18-039 That the Municipal Planning Commission grant the applicant a twelve (12) month time extension, until April 08, 2019, to Development Permit PLDP20160036 for a proposed Office with

Adopted

Security Suite (Temporary) within NE 27-29-5-5, to allow time to develop long term plans for the subject property and that no further time extensions be considered.

Defeated.

PLDP20180048  
NW 24-31-5-5

Planning and Development Services presented an overview of a proposed development located at NW 24-31-5-5, 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 Business, Agri-Tourism (Painted Warriors) & Two (2) Sign, Onsite Commercial and Business, Contractors (Elk Ridge Archery Club).
- Zoning is A - Agricultural District and the parcel size is 82.00 acres.
- Property is located within Division 4 and the rural neighborhood of Fallentimber.
- Applicant / Landowner - KLETTL, Tracey Ann Marie and MEARNNS, Tim
- The developed yard site contains a dwelling, shop and private riding area with the remainder of the parcel considered undeveloped forested area.
- There will be 2 businesses operation on the parcel, Painted Warriors and Elk Ridge Archery Club.
- Painted Warriors will provide educational tours that will operate year-round from 10 a.m. to 4 p.m. with a maximum of 25 people. Larger groups will use buses for transportation.
- Elk Ridge Archery Club is an existing archery club, meets onsite once a week. Meetings are held on Thursday evening between the hours of 6 p.m. to 10 p.m. with a maximum of 15 people in attendance. In the winter months the club meets in the existing riding arena.
- A circulation was completed to adjacent landowners within one half mile of the subject property. No comments or concerns were received.
- There is no new construction proposed with this application.
- There are two (2) 2x3 ft signs requested to identify the businesses.
- A Building Permit is required for the riding arena change of use from private riding arena to a public riding arena to accommodate the use of the Elk Ridge Archery Club.

Municipal Planning Commission discussed the following:

- Safety concerns with the two businesses running at the same time.

- Administration clarified the building permit requirement for the riding arena and that Condition #18 reflects the use allowed in the riding arena.
- Administration clarified that the limited hours and days of use as stated on the application reflected in the conditions.

Applicant discussed the following:

- Tracy Klettl spoke as the applicant and stated that the two businesses will not be taking place at the same time.
- Her own horses will still be housed in the barn away from activities and the riding arena continues to be used for personal horse riding.
- Applicant stated that there are no events planned at this time.

Moved by J. Greenfield

MPC 18-040 That the Municipal Planning Commission (MPC) approve the proposed Business, Agri-Tourism (Painted Warriors) & Two (2) Signs, Onsite Commercial and Business, Contractors (Elk Ridge Archery Club) & Change of Use from Private Riding Arena to Public Riding Arena in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NW 24-31-5-5, submitted by KLETTL, Tracey Ann Marie and MEARNNS, Tim, Development Permit No. PLDP20180048, 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. 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. Permit approval is conditional to information supplied on the application form for a Business, Agri-Tourism (Painted Warriors) to provide educational programs & Business, Contractors (Elk Ridge Archery Club). The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. The proposed Business, Agri-Tourism (Painted Warriors) shall not have more than two (2) groups visits per month with a maximum group size of 25 people. The hours of operation shall be 10 a.m. to 4 p.m. year-round.
15. The proposed Business, Contractors (Elk Ridge Archery Club) shall not have more than one (1) group visit per week with a maximum group size of 15 people. These meetings shall be held between the hours of 6 p.m. - 10 p.m. on Thursday evenings only.
16. Future expansion, work area or additional employees of Business, Agri-Tourism (Painted Warriors) and/or Business, Contractors (Elk Ridge Archery Club) shall require a new permit.
17. Two (2) On-Site Commercial Signs are permitted advertising the businesses permitted with this application and shall not exceed 2 ft. x 3 ft. The signs shall be located on the subject property. The signs must be maintained in good repair and the applicant and/or landowner will be responsible for removal if the signs are no longer required.
18. Use of the existing Riding Arena shall be limited to one (1) weekly meeting for the Business, Contractors (Elk Ridge

Archery Club). There shall be no other business / industrial / commercial or residential use permitted within the Riding Arena.

19. Use of the existing Accessory Building (Shop) is for personal use, no business/industrial/commercial or residential use is permitted.
20. With the issuance of this permit PLDP20180048, the permit previously issued for a Kennel Facility (DP99-108) is null and void.
21. No events have been permitted with issuance of this Development Permit.
22. The applicant shall obtain a Building Permit for the Change of Use from Private Riding Arena to Public Riding Arena.
23. Dust suppression shall be required in front of all residences on the gravel roads accessing the site to the closest hard surface road. Consultation with the County's Operational Services department will occur prior to any dust proofing being done.

Carried.

#### CORRESPONDENCE

##### Information Items

MPC 18-041

Moved by P. Hambrook

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

- a) ASDAA Agenda from March 06, 2018
- b) Permitted Development Permits Approved

Carried.

##### Land Use Bylaw

MPC 18-042

Moved by P. Hambrook

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.



Adopted

ADJOURNMENT

MPC 18-043

Moved by D. Fulton

That the Municipal Planning Commission of March 15, 2018 be adjourned at 10:10 a.m.

Carried.

Adopted April 5, 2018



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission