

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **July 19, 2018**, 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  
D. Reedy; Member-At-Large  
  
D. Fulton; 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  
D. Gonzalez; Planner  
P. Grochmal; Development and Permitting Officer  
L. Craven; Recording Secretary
- CALL TO ORDER:** K. Walton called the meeting to order at 9:00 a.m.
- AGENDA**                      Moved by D. Fulton  
MPC 18-105                  That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of July 19, 2018 as presented.  
  
Carried.
- ADOPTION OF MINUTES**                      Moved by H. Overguard  
MPC 18-106                  That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of July 05, 2018 as presented.  
  
Carried.
- PLRDSD20170349  
SW 28-30-5-5                      Planning and Development Services presented an overview of a proposed subdivision located at SW 28-30-5-5, 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), seventy four point five nine (74.59), parcel from SW 28-30-5-5 consisting of 152.78 acres.
- Proposed property is located within Division 2 and in the rural neighborhood of Fallentimber.
- Applicant - LASHMAR, Stephen and Anna / Landowner - LASHMAR, Thomas Christopher and Evelyn R
- Redesignated to Agricultural (2) District (A(2)) by Council on May 23, 2018 with Bylaw No. LU 17/18.
- Subdivision has existing development consisting of a dwelling, accessory buildings and corrals.
- Access is from an undeveloped road allowance, RR 54, the County's Operations Department stated that the road does not require improvements due to the road is adequate for the use.
- Property is identified as an Environmentally Significant Area Level 2. Riparian protection along the Fallentimber Creek is required as per County's policies.
- Condition #17 speaks to the Restrictive Covenant on title that can be discharged and addressed by Condition #13.
- Condition #6 will be required if the County in the future develops the existing undeveloped road allowance of RR 54.

Municipal Planning Commission discussed the following:

- Administration clarified the Restrictive Covenant that will be removed.
- Riparian Area protection options were discussed.

Applicant was present.

Moved by D. Hedley

MPC 18-107 That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) seventy four point five nine (74.59) acre parcel within SW 28-30-5-5, submitted by LASHMAR, Stephen and Anna, File No. PLRDS20170349, 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, the westerly 5.18 metres 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

**Additional Conditions:**

17. Subject to Condition #13, the surveyor on behalf of the applicant shall submit the appropriate forms for the Discharge of Instrument No. 081 431 225.

Carried.

PLDP20180192  
NW 1-33-7-5

Planning and Development Services presented an overview of a proposed development located at NW 1-33-7-5, 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 Tourist Campground - 54 Campsites.
- Zoning is P-PR - Parks and Recreation District and the parcel size is 79.9 acres.
- Property is located within Division 5 and the rural neighborhood of Bearberry/Coalcamp
- Applicant - VERKERK, Michael Stephen & Kimberly Ann / Landowner - SCHOTT'S LAKE RV & GUEST RANCH INC.
- Revised Campground Rules and Regulations were provided with the RFD and the applicants will be enforcing the rules which include asking guests to leave and banning them if necessary.
- Application was circulated to adjacent landowners within half a mile of the subject property and two letters of concern were received.
- The applicants have indicated that they will be participating in the County's dust suppression program and a condition addressing dust control has been placed within the recommended conditions.
- The property was redesignated in 2000 and been used for recreational use for many years. The property has existing resort (motel/lodge), 2 mobile homes and 2 existing cabins. It was previously known as Diamond Buffalo Ranch but had not been fully operational for years.
- Tourist Campground is a Discretionary Use under the Parks and Recreational zoning.
- Approvals for PLDP20180068 was granted earlier this year which combined all the current and existing uses on the property.
- Applicants purchased the subject property and the adjacent property to the west in 2016. The applicants have done extensive renovations and clean up on the property to create a family friendly environment. Facility will be open year-round.

- The property is within an Environmentally Significant Area. Naturally cleared areas will be utilized for the campsites and there will be new trees planted as needed. Landscaping architects have been involved with the preservation of the natural features and topography. No trees around the natural area will be disturbed.
- Campsite will generally be located along the southern part of the property and the campsites will be seasonal from May 1 to October 31.
- Each site will accommodate one RV unit and a vehicle. Sites will be for dry camping for now. The applicants will have a RV sewage disposal system on site to accommodate campers. The lagoon, that the lodge and motel use, will not be used to service the campsites.
- Campsite Rules and Regulations, which have been strengthened, will be handed out to all guests and will be strictly adhered to. This helps address the concerns from the adjacent landowners.
- Applicants plan on residing on the adjacent parcel, near the park entrance.
- The applicants have been working on children programs to educate the guests of the area.
- The health authorities and fire departments have been notified and have no immediate concerns.
- The property meets the uses under the Land Use Bylaw District and supported by the Area Structure Plan Policy.

Municipal Planning Commission discussed the following:

- Administration clarified the access easement for the emergency egress from the adjacent land that is owned by the campground owners.
- Concerns raised with ATVs being staged for use outside the subject property. Administration clarified that the application was for the subject property only and no use or staging of ATVs are allowed.
- The driveway will be widened and upgraded in the future as part of their campground design but it is a private driveway to the campground.
- It was clarified that the number of units per site is one and that tents also could be placed on the sites.
- Administration clarified that the County has a complaint policy for residents concerned with compliance of a development permit.
- Operations Department was circulated and raised no issue. Operations will be consulted if the road use and maintenance becomes an issue; or if more development is proposed.
- Concerns raised with sewage collection and dumping at local facilities. Administration stated that the proposal is for a qualified sewage disposal company to dispose of waste as per a contract with applicants.
- It was discussed that other than the half mile adjacent landowner notification there is no community consultation

required, the property has been zoned appropriately for many years.

- Discussion regarding litter, trespassing and use of Provincial lands. The board can't control what individuals do close to a property with a Development Permit, individuals are responsible for their own behaviors. The board needs to be aware of the rights of tax payers around developments like these.

Applicant discussed the following:

- Mike and Kim Verkerk spoke as the applicants and landowners.
- Applicants clarified that the gate and modular (their home) will be located near the entrance of the property for security of the property. All guests will be checking in to the property before entering. There will be security camera surrounding the property.
- The applicants stated that there will be staff or themselves on site at all times to alleviate any issues.
- The restaurant will be closing at approximately 11 pm unless there is an event.
- The applicants stated that there will be future development and a landscape architect will be involved to preserve the safety for small children and swimming. Keeping children active is a main goal.
- Mr. Verkerk is looking forward to doing the work on the driveway to upgrade it for guests.
- The applicants spoke as to the permits for sewage containment for the campground and having a contractor in place for sewage removal.
- Applicants stated that there is an existing approach and driveway that can be utilized for the emergency egress to the north of the existing approach.
- There is existing barbwire fence in place for the surrounding grazing lands.
- Applicants have approached some members in the community and most seem to be appreciative of the facilities.
- Applicants listed the permits that they have in place, for the restaurant, to date: Alberta Health, Fire and AGLC.
- Applicant's goal is for guests to come for 1 to 2 weeks at a time.
- The camping area was chosen after the landscaping architect designed around the treed areas.

Moved by D. Fulton

MPC 18-108 That the Municipal Planning Commission (MPC) approve the proposed Tourist Campground - 54 Campsites in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NW 1-33-7-5, submitted by VERKERK, Michael Stephen & Kimberly Ann (SCHOTT'S LAKE RV & GUEST RANCH INC.), Development Permit No. PLDP20180192, 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. 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.

**Prior to Issuance Conditions:**

13. **PRIOR TO ISSUANCE OF THE DEVELOPMENT PERMIT**, the landowner shall enter into an Access Easement Agreement to provide alternative emergency access. The Agreement shall be registered against the affected titles and the County shall be party to the Agreement.

**Additional Conditions:**

14. Permit approval is conditional to information supplied on the application form for a Tourist Campground for 54 Unserviced Dry Seasonal Campsites. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
15. Future development, expansion, new or additional uses, will require a new Development Permit.
16. The applicant, landowner and/or operator shall ensure all Provincial and Federal approvals are obtained for the proposed campground prior to proceeding with the development, including but not limited to, the Recreation Area Regulation Alberta Regulation 198/2004 and the Alberta Private Septic Systems Standards of Practice.
17. When the applicant, landowner and/or operator provides sewage disposal on site, including outhouses/privies, then approvals through Alberta Environment may be required. Should Alberta Environment require Municipal approval, Safety Codes Permits shall be obtained from Mountain View County. The applicant, landowner and/or operator shall provide the County with copies of the Alberta Environment's approval. When the applicant, landowner and/or operator provides a communal system, then a Private Sewage System Suitability Analysis, prepared by a qualified professional will be required prior to construction of the septic disposal system. No use of the sites shall occur until construction of the sewage disposal is completed.
18. That the applicant, landowner and/or operator meet any standards and obtain any approvals required from Alberta Health Services and Alberta Gaming & Liquor Commission.
19. Parking shall be contained within a specified area as established on the site. No parking of vehicles shall be permitted on any County road allowances at any time.
20. The applicant, landowner and/or operator shall ensure that all occupants of the campground sites enter into a rental, lease and/or agreement with the operators to ensure campground regulations and rules are followed.
21. The applicant, landowner and/or operator shall ensure that use of firepits shall be in conformance with Mountain View County's Fire Bylaw No. 11/13.
22. The applicant, landowner and/or operator shall ensure all waste products, such as garbage, that is generated on the subject property is disposed of in bear-resistant garbage bins



Adopted

and disposed of in a timely manner at a certified Waste Management Facility.

23. There shall be an identification sign at the entrance of the campground along Range Road 71. This sign shall be on the subject property and must be legible and shall include the contact information, emergency contact information, the legal & rural address, hours of operation as well as a diagram of the lot layout of the campground.
24. There shall be no ATV, off-road vehicles, and/or dirt bike use within the campground facility by any occupants of the sites nor shall the campground facility be the staging area for ATV, off-road vehicles, and/or dirt bike uses.
25. There shall be no camping or public occupancy of the 54 campsites from November 1<sup>st</sup> to March 31<sup>st</sup>.
26. That the applicant, landowner and/or operator obtains, and adheres to, a Roadside Development Permit from Alberta Transportation.
27. Yearly dust suppression shall be required in front of the approach to the property on the gravel road. Consultation with the County's Operational Services department will occur prior to any dust suppression being done.
28. The applicant, landowner and/or operator shall continue with the agreement with the landowner(s) of SW 1-33-7-5 (Curtis Luzi) for access into the property or provide physical access onto the property with the appropriate approach permit.
29. The applicant, landowner and/or operator are encouraged to incorporate BearSmart principles into their proposal. Additional information may be obtained at [www.bearsmart.alberta.ca](http://www.bearsmart.alberta.ca)
30. All new development is encouraged to utilize fire retardant building materials and shall practice FireSmart principles outlined in the FireSmart Manual which can be obtained from [www.wildfire.alberta.ca/firesmart/default.aspx](http://www.wildfire.alberta.ca/firesmart/default.aspx)
31. That Development Permit PLDP20180068, issued on April 27, 2018, remains valid and continued compliance must be maintained.

Defeated

Recorded Vote:

Not in favour – P. Johnson, K. Walton & H. Overguard

In favour – D. Fulton, D. Hedley & D. Reedy

Reasons for refusal

1. Insufficient information was provided specific to:

Adopted

- Fencing to prevent trespassing on adjacent land, example of signs, how posted, drawing or sketch of how it will look
  - Actual development taking place – specifics about sites, site development, road width
  - Safety concerns regarding emergency access criteria and security – road network through adjacent property (emergency access), gates,
  - Unknown enforcement issues related to development
    - RCMP availability, how to enforce the site, security
2. Bearberry/Red Deer River Corridor ASP (Bylaw No. 02/15)  
– not meeting the following sections:
- a. 7.1.10
  - b. 7.10.5 (b) – density for rural and remote area and ESA

CORRESPONDENCE

Information Items

MPC 18-109

Moved by D. Reedy

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

- 1) ASDAA Agenda from July 10, 2018
- 2) Permitted Development Permits Approved

Carried.

ADJOURNMENT

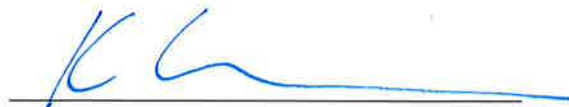
MPC 18-110

Moved by H. Overguard

That the Municipal Planning Commission of July 19, 2018 be adjourned at 10:50 a.m.

Carried.

Adopted August 02, 2018



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission