

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **January 17, 2019**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: G. Ingeveld; Member-At-Large/Chair
H. Overguard; Member-At-Large
D. Reedy; Member-At-Large
M. McNaughton; Member-At-Large

D. Milne; Councillor
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
T. Connatty; Planner
C. Mabin; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: G. Ingeveld called the meeting to order at 9:02 a.m.

AGENDA
MPC 19-001 Moved by D. Milne
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of January 17, 2019 as presented.
Carried.

ADOPTION OF MINUTES
MPC 19-002 Moved by H. Overguard
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of December 06, 2018 as presented.
Carried.

SUBDIVISION
TIME EXTENSION
PLSD20170030
NW 9-32-28-4
Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLSD20170030 to January 18, 2020

- Applicant - TAYLOR, Ken / Landowner - VAN DER SLUIJS, Herman A & Marijke.
- Within Division 3 and Rural Neighbourhood - Lonepine.

- The application was for a boundary adjustment so there are no encroachments.
- Four (4) Conditions left outstanding: 2, 3, 9 and 13 a&b

Municipal Planning Commission discussed the following:

- Administration clarified the acronym PSTS.

Moved by D. Milne

MPC 19-003 That the Municipal Planning Commission (MPC) approve the proposed time extension request of one (1) year to January 18, 2020 for conditionally approved 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 File # PLSD20170030. Four (4) Conditions remain outstanding: 2, 3, 9 & 13 a&b

Carried.

PLRDSD20160325
NE 29-30-1-5

Planning and Development Services presented an overview of a proposed subdivision located at NE 29-30-1-5, 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) thirteen point eight two (13.82) acre parcel within NE 29-30-1-5.
- Proposed property is located within Division 3 and in the rural neighborhood of Wessex.
- Applicant - DERKSEN, David / Landowner - KELLSEY, Garry & Mary Betsy
- Redesignate by Council December 12, 2018 with Bylaw No. LU 44/18.
- Circulated from September 27, 2018 to October 27, 2018. No comments or concerns from adjacent landowners.
- Ag preservation area, but fragmentation is a consideration to further subdivide.
- North of the parcel is an Environmentally Significant Area due to the creek and historical resources. These are not a concern for the newly created parcel.
- The coulee has a steep slope and therefore the parcel is fragmented. The remainder will be consolidated with the quarter to the north.
- The parcel has legal and physical access but the remainder would not and is therefore required to be consolidated with the north quarter section to ensure access.
- Alberta Transportation has commented and Condition 2 and 17 will address the concerns.

Municipal Planning Commission discussed the following:

- Administration clarified the consolidation of the parcel to deal with physical and legal access to the remainder.

Applicant - Dave Derksen/ Landowner - Gary Kellsey were present

Moved by D. Milne

MPC 19-004 That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) thirteen point eight two (13.82) acre parcel within NE 29-30-1-5, submitted by DERKSEN, David, file no. PLRDSD20160325, 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. Access to the subject parcel onto the service road shall be to Mountain View County Standards.
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 show the consolidation of the remainder of the title with SW 32-30-1-5.
5. Municipal Reserves
 - (1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
 - a. N/A
 - b. Cash in lieu of municipal reserves are to be paid to Mountain View County within 30 days from the date of this notice of decision. Approximately (1.4) acres are owing and at a rate of \$5795.73 per acre, therefore \$8114.02 is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey.
6. N/A
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
17. The applicant shall provide a 30 meter wide service road right of way perpendicular to and across the highway frontage of the parcel to be created. Construction of the proposed service road across the highway frontage is not required at this time and the right of way will be registered on title via caveat. Confirmation shall be provided to Mountain View County.

Carried.

PLDP20180487
NW 3-30-2-5

Planning and Development Services presented an overview of a proposed development located at NW 3-30-2-5, 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 (Back to Basics) & Change of Use for Accessory Building (Commercial Use) with Setback Relaxations to Existing Structures.
- Zoning is A - Agricultural and the parcel size is 158.97 acres.
- Property is located within Division 1 and the rural neighborhood of Jackson
- Applicant - AARSBY, Kyle / Landowner - AARSBY, Terry Lester & Donna Lynn
- The yard site is developed with two (2) dwellings.
- The business was circulated to all adjacent landowners within a half mile. There were no letters of concern, although one (1) letter of support was received.
- There are historical resources on the quarter section but not within the business area so there are no concerns.
- The nature of the business is an "honest box" whereby orders are completed online, through a private group, and the shed acts as a pickup point. The shed will house the necessary appliances for food preservation. The food items that would be available will be produced both on and off site and include vegetables, fruit, meat, and potentially herbs, spices, coffee, canned goods, pre-packaged meals and other related items.
- Hours of Operation will be 9 a.m. – 9 p.m., seven days a week and year-round. Pick up of products will be mostly on Thursdays with up to 30 clients a week. There will be two (2) employees to assist with the business.

Municipal Planning Commission discussed the following:

- Administration clarified the Business, Agri-tourism definition.
- A member stated concerns with the growth of the business, on the application. Administration clarified that the applicant did expand the business projections to ensure the business could expand in the future from where it would start.

Applicant, Kyle Aarsby was present.

Moved by D. Reedy

MPC 19-005 That the Municipal Planning Commission (MPC) approve the proposed Business, Agri-tourism (Back to Basics) & Change of Use for Accessory Building (Commercial Use) with Setback Relaxations to Existing Structures in accordance with Land Use Bylaw No. 16/18 and the submitted application, within NW 3-30-2-5,

submitted by AARSBY, Kyle, Development Permit No. PLDP20180487, 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. 16/18.
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.
4. If the development authorized by a Development Permit is not complete 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.

Standard Conditions if Applicable:

5. N/A
6. N/A
7. 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.
8. N/A
9. N/A
10. N/A
11. 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:

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 applicant shall obtain a Building Permit for the Change of Use of the modular structure to an Accessory Building (Commercial Use).
14. The Accessory Building (Commercial Use) shall not be used for residential occupancy.
15. Permit approval is conditional to information supplied on the application form for a Business, Agri-Tourism (Back to Basics) Development Permit to provide the exchange of agricultural goods only. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
16. Future expansion, work area or additional employees, will require a new permit.
17. Outside storage associated with the Business, Agri-Tourism is not permitted.
18. The hours of operation for pick-up and delivery shall be Monday through Sunday from 9 a.m. to 9 p.m. year-round with two (2) additional employees.
19. That the applicant meets any standards and obtain any approvals required from the Alberta Health Services.
20. No sign has been approved with this permit. Any future signage shall be applied for through the Development Permit process.
21. No camping on site has been permitted with issuance of this permit.
22. No events have been permitted within issuance of this permit. Events require the issuance of a Public Event Permit through the County.

Carried.

PLDP20180485

S 23-29-1-5

Plan 0612508 Block 1 Lot 4

Planning and Development Services presented an overview of a proposed development located at S 23-29-1-5 Plan 0612508 Block 1 Lot 4, 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 Industrial Storage and Warehousing & One (1) Sign, On-Site Commercial.
- Zoning is Business Park District (I-BP) and the parcel size is 2.12 acres.

- Property is located within Division 1 and the rural neighborhood of Wessex.
- Applicant - INCLUSIVE ENERGY LTD. / Landowner - 2050941 ALBERTA LTD.
- Approvals from the Industrial Business Park Developer have been obtained.
- The parcel is within the Highway Economic Growth Node and South Carstairs Area Structure Plan.
- Landowner obtained a Development Permit in September 2018 (PLDP20180228) for Industrial Storage and Warehousing, Recreational Vehicle Storage Outdoor. Application did not include storage of Industrial Oil and Gas Equipment therefore Condition #23 revokes the previous Development Permit.
- Some of the items being stored are: Storage tanks, separator vessels, rig mats, line heaters and office trailers
- The tanks being stored will be new and reconditioned, being cleaned before being stored.
- The lot is secured with chain-link fencing.
- Hours of Operation are associated with a business park and will be 24 hours a day/7 days a week.
- As per the Architectural Control Guidelines five percent of the property will be landscaped.

Municipal Planning Commission had no comments or concerns

Applicant was not present.

Moved by D. Fulton

MPC 19-006 That the Municipal Planning Commission (MPC) approve the proposed Industrial Storage and Warehousing & One (1) Sign, On-Site Commercial in accordance with Land Use Bylaw No. 16/18 and the submitted application, within S 23-29-1-5 Plan 0612508 Block 1 Lot 4, submitted by INCLUSIVE ENERGY LTD., Development Permit No. PLDP20180485, 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. 16/18.
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.

4. If the development authorized by a Development Permit is not complete 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.

Standard Conditions if Applicable:

5. N/A
6. N/A
7. N/A
8. N/A
9. N/A
10. 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.
11. 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:

12. N/A

Additional Conditions:

13. That the landowner and/or applicant complies with the "South Carstairs Area Structure Plan" and the "Business, Commercial and Industrial Design Guidelines".
14. Permit approval is conditional to information supplied on the application form and site sketch for Industrial Storage & Warehousing - Storage of Oilfield Equipment and One (1) Sign, On-Site Commercial. All future development, structures, expansion, signs, new or additional uses will require a new Development Permit.
15. The applicant and/or landowner shall adhere to the recommendations of the Stormwater Master Drainage Plan, as per the Development Agreement caveat on Title (Instrument 061 294 971). There shall be no alteration to any natural drainage courses without a positive alternative means of drainage satisfactory to the County.
16. The applicant and/or landowner shall adhere to all the requirements itemized within the Restrictive Covenant registered on Title as Instrument 061 294 969, Development Agreement registered on Title as Instrument 061 294 971, and Restrictive Covenant - Rainbow Highway Industrial Park Architectural Control Guidelines registered on title as Instrument 061 294 973.
17. The applicant and/or landowner shall organize the storage on the lot as per the site sketch so that it is orderly; neat and orderly appearance shall be to the satisfaction of Mountain

View County and will be reviewed periodically. Storage of goods not related to this application will not be permitted.

- 18. The landscaping plan submitted with the application shall be completed within two (2) years of issuance of the Development Permit. Landscaping should include a mix of trees, shrubs and grasses as identified in the applicant's landscaping plan and shall be maintained to the satisfaction of the County.
- 19. Prior to any landscaping being performed, the applicant must contact the relevant utility holders to determine all right-of-way setbacks and landscaping requirements and/or restrictions for use within the area identified as utility right-of-ways on the Registered Plans.
- 20. Oilfield equipment stored onsite shall be restricted to items included in application: empty storage tanks (400bbl, 750bbl, 1,000 bbl), separator vessels, rig matting, line heaters and office trailers. Occupancy of any kind is not permitted in any office trailers on the lot.
- 21. The applicant and/or landowner shall obtain a Roadside Development Permit from Alberta Transportation.
- 22. The applicant and/or landowner shall obtain a Sign Installation Permit from Alberta Transportation.
- 23. With the issuance of this Development Permit (PLDP20180485) previously issued Development Permit (PLDP20180228) shall be void.
- 24. As the proposed development is located within an Industrial Business Park, the hours of operation associated with this application are 24 hours per day, 7 days a week.
- 25. One (1) Sign, On-Site Commercial is permitted and shall not exceed 5ft x 21ft. The sign shall be located on the subject property. 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.

Carried.

CORRESPONDENCE

Information Items

MPC 19-007

Moved by D. Reedy

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

- 1) ASDAA Agenda from December 18, 2018

Carried.

Information Items

MPC 19-008

Moved by D. Milne

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

- 2) ASDAA Agenda from January 08, 2019

Carried

Adopted

ADJOURNMENT

MPC 19-009

Moved by D. Fulton

That the Municipal Planning Commission of January 17, 2019 be adjourned at 9:42 a.m.

Carried.

Adopted February 07, 2019



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission