

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **April 05, 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
 G. Schwartzenberger; Member-At-Large

A. Aalbers; Councillor
 D. Milne; 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
 K. Neff; Development Officer
 P. Grochmal; Development & Permitting Officer
 K. Lashmar; Recording Secretary

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

AGENDA

MPC 18-044 Moved by D. Milne
 That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of April 05, 2018 as presented.

Carried.

ADOPTION OF MINUTES

MPC 18-045 Moved by P. Hambrook
 That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of March 15, 2018 as presented.

Carried.

PLRDSD20170376
 NW 23-30-2-5

Planning and Development Services presented an overview of a proposed subdivision located at NW 23-30-2-5, 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) nine point three seven (9.37) acre parcel and one (1) four point zero eight (4.08) acre parcel facilitated by a boundary adjustment within NW 23-30-2-5.
- Proposed property is located within Division 2 and in the rural neighborhood of Jackson.
- Applicant - HARTZLER, Leonard Duane / Landowner - WEST ZION MENNONITE CHURCH, SHAREK, David John & Kella Diane and FULTON, Dwayne & Shannon
- The Town of Carstairs is approximately 3.5 miles east and half a mile south of this location.
- On March 14, 2018 Redesignation was approved by Council.
- The surrounding uses are predominantly agricultural with one (1) Country Residential parcel directly north and another one to the northwest.
- The boundary adjustment is correcting in the southeast corner, the boundary around the cemetery and on the opposite side, it is incorporating a gas line that is servicing the church.
- The eastern boundary adjustment excludes some of the existing agricultural lands.
- There are no waterbodies within the subject quarter section.
- No ESAs are identified within the property.
- The number of parcels on the quarter section will not change, one of the parcels is for the church for public use and is not counted towards parcel density when counting the parcels on the quarter section.
- The outcome of the subdivision will be two titles that are supported by current MDP policy.
- Two natural gas pipelines bisect the balance of the quarter and one natural gas pipeline services the farmstead lot.
- No topographical constraints identified, the quarter slopes gently towards the northeast.
- On August 13, 1971 a subdivision was approved for the residential site and did not require zoning.
- In 1963 a boundary adjustment was approved for the church property.
- There is no risk for flooding within the property.
- No objections were received during the referral process.
- No negative impacts should occur on surrounding agricultural practices as a result of this proposal.
- The resident of the farmstead parcel did express concern regarding mature trees and the potential impact should a tree fall and cause damage, and who would be liable. The concern was discussed during a public hearing and deemed to be a private matter. The trees are within the farmstead property line, therefore making the owner responsible.

Municipal Planning Commission did not have any questions or concerns.

Applicant was not present.

Moved by A. Aalbers

MPC 18-046 That the Municipal Planning Commission approve the proposed subdivision, to create one (1) nine point three seven (9.37) acre parcel and one (1) four point zero eight (4.08) acre parcel facilitated by a boundary adjustment within NW 23-30-2-5, submitted by Leonard Hartzler, PLRDSD20170376, 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)
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(c) of the Municipal Government Act;
6. The applicant shall enter into an agreement for the provision of road widening northerly and 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 with 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. N/A
14. N/A
15. N/A
16. N/A

Carried.

PLDP20180067

NE 32-32-5-5

Plan 0110257 Blk - 2 L - 4

Planning and Development Services presented an overview of a proposed development located at NE 32-32-5-5 Plan 0110257 Blk - 2 L - 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 & Industrial Manufacturing / Processing, General & Northerly Setback Relaxation.
- Zoning is Industrial Business Park District and the parcel size is 2.13 acres.
- Property is located within Division 5 and the rural neighborhood of McDougal Flats.
- Applicant - TRIPLE POINT CHEMICAL INC. c/o Steven Lyle / Landowner - SMITH, Sandra Joyce
- Subject property is located approximately 1/3 of a km south of Highway #27 and 1/3 of a km west Range Road 54.
- Located in the west Sundre industrial Park.
- Surrounding lands are also zoned Industrial Business Park District.
- The property is not located within an ESA and there are no other environmental concerns.
- The metal clad building to the north of the parcel does not meet the current setbacks but was built to comply with the County's LUB 95/55 and will be brought into compliance with the issuance of this permit.

- The applicant has stated that the majority of the storage will be inside the econo-shelter during the winter months and there will be some outdoor storage in the warmer months on the northern half of the parcel.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding the large setback requirements for industrial areas as it creates a large amount of applications requiring setback relaxations.
- Administration clarified that historically there have been larger setbacks for parcels adjacent to gravel roads, however, presently the roads have been paved, and the setbacks have remained the same.
- Administration also clarified conflicting land uses as another reason for larger setback requirements i.e. residential parcels adjacent to agricultural parcels.
- Clarification was asked regarding the hours of operation.
- Administration clarified that the hours of operation are part of the application and have been requested as 8 a.m. to 5 p.m. however, to ensure that development that is occurring within an industrial park is allowed to operate 24 hours, a condition has been recommended within the report.
- Clarification was asked regarding the site sketch, related to non-toxic storage of chemicals.
- Clarification as to where water is being located for usage.
- Administration also clarified that setbacks allow sufficient space for landscaping. Administration clarified Conditions #20 & #21 related to storage of hydrocarbons and related materials, and that these chemicals are not permitted, and any chemicals being used will be disposed of off-site.

Applicant discussed the following:

- Steven Lyle spoke as the applicant.
- Clarified that the non-toxic storage is all water-based solutions and diluted with water and stored.
- Applicant clarified that there is sufficient water available on this property via a licensed water well.

Moved by D. Milne

MPC 18-047 That the Municipal Planning Commission approve the proposed Industrial Storage and Warehousing & Industrial Manufacturing / Processing, General & Northerly Setback Relaxation in accordance with Land Use Bylaw No. 15/15 and the submitted application, within NE 32-32-5-5 Plan 0110257 Block 2 Lot 4, submitted by TRIPLE POINT CHEMICAL INC. c/o Steven Lyle, Development Permit No. PLDP20180067, subject to the following conditions:

CONDITIONS:

The works outlined 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. 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 an Industrial Storage/Warehousing & Industrial Manufacturing/Processing, General Development Permit to create and store water-based drilling fluid products for oil and gas companies.
14. Future expansion and/or intensification of the business, additional employees, or additional uses will require the issuance of a new Development Permit.

15. One (1) On-Site Commercial sign is permitted and shall not exceed 4ft x 3ft. The sign shall be located on the subject property. The sign must be maintained in good repair and the applicant will be responsible for removal if the sign is no longer required.
16. The applicant and/or landowner shall adhere to the Business, Commercial and Industrial Design Guidelines.
17. 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.
18. The owner/applicant shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 011 022 930, specifically the recommendations of the Stormwater Master Drainage Plan. There shall be no alteration to any natural drainage courses without a positive alternative means of drainage satisfactory to the County.
19. A northerly side yard setback relaxation of 2.9 m (9.5 ft) is granted for the life of the building.
20. Storage of hydrocarbons or hydrocarbon related material/equipment shall not be permitted.
21. All chemicals and other hazardous materials shall be stored in an approved container system and disposed off-site, in a timely manner, by authorized personnel specializing in proper disposal methods.
22. The hours of operation shall be 24 hours per day 7 days a week.

Carried.

PLDP20180068
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 Recreational Resort - 10 rooms; Eating Establishment, Indoor and Outdoor (patio); and Cabins (4) (consolidation of existing permits); and Accessory Building - sea cans (2).
- 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.
- Property is located on the east side of Range Road 71 approximately a half mile north of Highway 584.

- This property has been primarily used for recreational purposes since the 1980's, there is an existing recreational resort (motel) lodge, 2 cabins and 2 mobile homes on the property, however the property has not been fully operational for a number of years.
- Property originally operated as Diamond Buffalo Ranch, with a name change by the new owners to Schott's Lake RV and Guest Ranch.
- Application was circulated to all adjacent landowners within half a mile, including 8 landowners, with one letter of concern received.
- All the subject land is designated as a moderate ESA, due to the tree cover and the combination of the lake and associated shoreline.
- Schott's Lake is in the northwest corner of the subject property and the land is general rolling topography.
- The letter of concern that was received identified concerns that the access was utilizing a portion of the land to the south, both the applicant and south landowners have been in touch and have had discussions and the concern will be addressed via access easement agreement or a new access location.
- In 1980 this property received its first development permit for the establishment of a pheasant shooting grounds and lodge.
- The lodge was constructed as a private club for shooting and fishing and in 1981 an overnight accommodation unit for 8 rooms was approved.
- Ten rooms were constructed with two units being used for conference purposes.
- In 1988 and 1989 two permits were issued for mobile homes for office and staff residential use as well as renovations to the lodge.
- In 2002 a permit was issued for the addition of 4 cabins, approximately 384 square feet each, however only 2 were constructed and both are suitable for continued use today.
- The landowners purchased this property and the adjacent property to the immediate west in 2016 and wish to resurrect the lodge and facilities, extensive renovations and clean up have been completed on the accommodation units and the lodge to restore the existing facilities and to create a more welcoming family friendly environment for guests.
- It is the intent that the facility will be open year-round, and the lodge will be open full time as a restaurant and conference facility.
- The applicant has indicated that the two existing mobile homes will be removed in the future, but desire to still utilize the two existing cabins until after renovations and clean up have been completed.
- The applicants are requesting consideration for 2 sea cans for storage purposes and under the LUB, shipping

containers or "sea cans" are uses that can be considered as accessory building in Parks and Recreation District.

Municipal Planning Commission discussed the following:

- Clarification was asked regarding the number of cabins allowed from previous permits. Admin clarified that all existing permits have been considered with the issuance of this application, and that the 2 cabins that were not built in the past can still be constructed.
- Clarification on the access to the property. Administration clarified that the parcel is accessed via a panhandle on the Schott's Lake property (Verkerk's).
- Clarification on the hours of operation. Administration clarified that given the nature of the business and the zoning being appropriate, they will be allowed to operate 24 hours a day, 7 days a week. Condition #25 has been added to reflect this.
- Administration clarified that the eating facility selling liquor will be licensed and therefore be required to operate under the hours granted by a liquor license.
- Clarification asked regarding the 5 RV lots. Administration clarified that they are not included in this proposal, there are 5 lots developed with no permits issued, and there has not been permission asked with this proposal for the use of the RV lots.
- Administration clarified that what is being proposed to date is contained within previous approvals and any expansion or additions will require a new Development Permit as per Condition #15.

Applicant was not present.

Moved by A. Aalbers

MPC 18-048 That the Municipal Planning Commission approve the proposed Recreational Resort - 10 rooms; Eating Establishment, Indoor and Outdoor (patio); and Cabins (4) (consolidation of existing permits); and Accessory Building - sea cans (2) 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. PLDP20180068, 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. 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.

Additional Conditions:

13. Permit approval is conditional to information supplied on the application form for a Recreational Resort - 10 rooms; Eating Establishment, Indoor and Outdoor (patio); and Cabins (4) (consolidation of existing permits); and Accessory Building - sea cans (2) Development Permit. 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 establish physical access onto the NW 1-33-7-5 or enter into an access easement agreement with the landowner(s) of the SW 1-33-7-5 (Curtis Luzi) for access into the property. Mountain View County requires confirmation, within 6 months of issuance of this permit, that either an agreement has been entered into with the southerly property owner for access or that physical access be located on the subject property.
15. Future development, expansion, new or additional uses, will require a new development permit.
16. A maximum of two (2) sea can units shall be considered an Accessory Building on this property. The sea cans must meet district regulations (setbacks) and shall not be stacked one upon the other. The exterior finish shall match or complement the exterior finish of the principal building and the containers shall be screened from view through the provision of appropriate landscaping and/or screening.
17. The applicant shall obtain a Building Permit for the change of use for the two existing Mobile Homes to an Accessory Building for storage purposes only. If the mobile homes are being demolished, the applicant, landowner and/or operator shall obtain a Demolition Permit for demolition of the units prior to commencing demolition.
18. That the applicant, landowner and/or operator meet any standards and obtain any approvals required from Alberta Health Services and Alberta Gaming and 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 use of firepits shall be in conformance with Mountain View County's Fire Bylaw No. 11/13.
21. That the applicant obtains a Roadside Development Permit from Alberta Transportation.
22. 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
23. All new development is encouraged to utilize fire retardant building materials and shall practice FireSmart principles

Adopted

outlined in the FireSmart Manual which can be obtained from www.wildfire.alberta.ca/firesmart/default.aspx

24. With issuance of this permit, all previously issued Development Permits shall be considered null and void.
25. The hours of operation shall be 24 hours per day 7 days a week.

Carried.

CORRESPONDENCE

Information Items

- MPC 18-049 Moved by P. Hambrook
That the Municipal Planning Commission receive the following items as information:
- a) ASDAA Agenda from March 20, 2018
 - b) ASDAA Agenda from March 27, 2018
 - c) Permitted Development Permits Approved
 - d) MGB Decision
- Carried.
- MPC 18-050 Moved by P. Hambrook
That the Municipal Planning Commission (MPC) receive the review of the proposal to develop a 15,000 chicken breeder and 7,500 pullet operation by constructing two new barns on the SE 26-32-28-4, submitted by Henri Van De Wassenberg; for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).
- a) NRCB RA18013
 - b) Location, Land Use & Ownership Map
- Carried.
- MPC 18-051 Moved by P. Hambrook
That the Municipal Planning Commission (MPC) receive the review of the proposal to construct a dry cow barn with attached sawdust storage on the W 3-32-28-4 Plan 9910144 Block 1, submitted by BUFFALOROCK FARM LTD./Berend Ridder, for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).
- a) NRCB RA18015
 - b) Location, Land Use & Ownership Map
- Carried.
- MPC 18-052 Moved by D. Milne
That the Municipal Planning Commission (MPC) accept as information the recent bylaw amendments to reflect the mandatory Municipal Government Act (MGA) amendments.
- a) 20180314 Signed Bylaw No. 04 18 MDP Amendment
 - b) 20180314 Signed Bylaw No. 05-18 LUB amending 15-15
 - c) Bylaw 20-07 Establishing the SDAB Consolidated February 28 2018
- Carried.

Adopted

ADJOURNMENT

MPC 18-053

Moved by D. Hedley


That the Municipal Planning Commission of April 05, 2018 be adjourned at 9:48 a.m.

Carried.

Adopted April 19, 2018


Chair

I hereby certify these minutes are correct.


Secretary, Municipal Planning Commission