

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the Municipal Planning Commission held on September 20, 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

D. Fulton; Councillor
P. Johnson; Councillor
D. Milne; Councillor

IN ATTENDANCE: M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission
M. Pawlow; Manager of Planning Services
R. Pohl; Planner
C. Mabin; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: K. Walton called the meeting to order at 9:02 a.m.

AGENDA MPC 18-137 Moved by P. Hambrook
That the Municipal Planning Commission adopt the agenda as amended of the Municipal Planning Commission meeting of September 20, 2018 as presented.
Amended to include items 9.1.4 and 9.2

Carried.

ADOPTION OF MINUTES MPC 18-138 Moved by H. Overguard
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of September 06, 2018 as presented.

Carried.

PLSD20180264 NW 5-32-5-5 Planning and Development Services presented an overview of a proposed subdivision located at NW 5-32-5-5, 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) thirty-nine point six zero (+/- 39.60) acre parcel from NW 5-32-5-5 consisting of seventy-eight point nine five (+/- 78.95) acres.
- Proposed property is located within Division 4 and in the rural neighborhood of Bergen.
- Applicant / Landowner - BOUCHET-BERT, Steve & Alain
- Parcel is proposed for growing genetically perfected blue spruce trees. The applicants have stated that this parcel is suitable for this type of agricultural pursuit as there are no white spruce nearby that could cross pollinate.
- No objections or concerns were expressed from adjacent landowners or agencies that were circulated.
- Each of the existing Agricultural parcels have an existing dwelling site.
- Application submitted April 2, 2014 for the subdivision and redesignation of the 80/80 split. Approved subdivision in June of 2014 by ASDAA. The plan of survey proved the southern portion contained 78.95 acres. In 2016, Development Permits were issued for Dwelling, Manufactured on each parcel. In February 2018, an application was submitted and refused for a 5 acre parcel surrounding the dwelling on the southern portion.
- The policies of the Bergen Area Structure Plan (ASP) and the Municipal Development Plan (MDP) were considered as part of the Administrative evaluation.
- As Condition #2 requires the approach must be established for the proposed parcel; and the existing approach to remainder may require an upgraded.

Municipal Planning Commission discussed the following:

- Administration stated that the parcel did not require redesignation as the proposed parcel and the remainder have A(2) zoning.
- Administration clarified that the Bergen Area Structure Plan does allow for the creation of a third lot if the area is in the potential multi lot area as defined in the MDP.
- Administration clarified the Bergen ASP and MDP were considered for the application, Section 7.3.5 of the ASP was discussed.
- Administration stated that the size of both parcels will be slightly smaller than the minimum 40 acres. The variance (0.4 acres for the proposal and 0.65 acres for the remainder) is small and still meets the intent of the policies. Administration recommends that Municipal Reserve (MR) is not required as a condition of subdivision recognizing that the proposal is only slightly smaller than the minimum 16 ha (39.35 acres) and that the remainder although slightly smaller than the 16 ha is in agricultural use.

Applicant discussed the following:

- Alain Bouchet-Bert spoke as the applicant/landowner.

- Applicant spoke as to the soil content and the desire to retire on this property.
- Applicant stated that he has seedlings that he will plant on the new parcel as part of his 20 year plan to develop the perfect blue spruce but the land has to be weed free first and will take time.
- Applicant stated that he had no intent to develop a yard-site at this time.
- The applicant stated that he would like to sell the previously subdivided parcel to fund this project.

Moved by D. Fulton

MPC 18-139 That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) thirty-nine point six zero (+/- 39.60) acre parcel from an existing seventy-eight point nine five (+/- 78.95) acre parcel, within NW 5-32-5-5, submitted by BOUCHET-BERT, Steve & Alain, PLSD20180264, 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 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(b) of the Municipal Government Act when the land that is to be subdivided into lots of 16.0 hectares (39.5 acres) or more and is to be used only for agricultural purposes;
6. N/A.
7. N/A.
8. The applicant shall submit a Real Property Report prepared by a qualified Alberta Land Surveyor showing the setbacks of all structures in relation to the 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 the 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.

P. Johnson asked for a recorded vote.

In favour: D. Milne, D. Fulton, D. Reedy, P. Hambrook, K. Walton

Opposed: P. Johnson, H. Overguard

Carried.

PLDP20180312

SW 20-33-1-5

Plan 1810572 Blk 1 L 1

Planning and Development Services presented an overview of a proposed development located at SW 20-33-1-5 Plan 1810572 Block 1 Lot 1, 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 Accessory Building - Shop with Business, Contractors for Personal Fitness Training.
- Zoning is R-CR Country Residential and the parcel size is 5.12 acres.
- Property is located within Division 7 and the rural neighborhood of Netook.
- Applicant / Landowner - WEBB, Shane Darcey & Desiree Chelsea
- This is a stand-alone Country Residential parcel and located on a chip sealed road.
- A circulation was sent to adjacent landowners within a half mile on August 23, 2018. No letters of concern or comments were received.
- The parcel contains a dwelling. The proposed accessory building (2500 sq ft) will have the gym located within and a portion will be personal use.

- Fitness training to a maximum of 6 clients a day and up to 30 clients a week. Hours of Operation - 5 a.m. to 8 p.m. with one (1) employee besides the applicant.

Municipal Planning Commission discussed the following:

- Administration stated that if the existing sewage system requires an upgrade as a result of the proposal; the upgrade will fall under the jurisdiction of the safety codes and that appropriate safety code permits will be required.

Applicant was present.

Moved by D. Reedy

MPC 18-140 That the Municipal Planning Commission (MPC) approve the proposed Accessory Building - Shop with Business, Contractors for Personal Fitness Training in accordance with Land Use Bylaw No. 16/18 and the submitted application, within SW 20-33-1-5 Plan 1810572 Block 1 Lot 1, submitted by WEBB, Shane Darcey & Desiree Chelsea, Development Permit No. PLDP20180312, 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. Permit approval is conditional to information supplied on the application form for a Business, Contractors (Fitness Training Center) to provide personal fitness training. The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Future expansion of the business, additional work area or additional employees, will require a new permit.
15. The proposed business shall not have more than six (6) customer visits per day and a maximum of thirty (30) per week with the business hours from 5 a.m. to 8 p.m. year-round. There shall be no more than two (2) employees.
16. No sign has been approved with issuance of this permit.
17. No outdoor storage has been approved with issuance of this permit.

Carried.

PLDP2010327
SE 15-33-4-5

Planning and Development Services presented an overview of a proposed development located at SE 15-33-4-5, 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 Setback Relaxations for the Existing Dwelling (Front and Side Yards).
- Zoning is A – Agricultural District and the parcel size is .62 acres.
- Property is located within Division 6 and the rural neighborhood of Eagle Hill/Westward Ho.

- Applicant / Landowner - STEDEL, Bradley Albert & Lois Arlene
- On November 2, 2017, the applicant was approved for a Change of Use for the Cabin to Dwelling with a size variance and setback relaxation for existing buildings.
- The applicant updated a Real Property Report and as a result of the location of the dwelling requires a further setback relaxation. The dwelling couldn't be moved further onto the property due to tree coverage and topography.
- The existing roads and the road right-of-way adjoining the property together with the size of the parcel limit the ability of buildings to meet setbacks as outlined in the District.
- Surrounding the property is Range Road 42 (gravel to the west), Township Road 332 (paved to the south) and the undeveloped road allowance (to the east).

Municipal Planning Commission discussed the following:

- The landowner was asked about the placement of the dwelling.
- Administration clarified that the application was for a setback relaxation only. The dwelling was approved with a previous development permit.
- Administration clarified Condition 15, the ESA designation as Level 1 (very high significance) and how the setback relaxation will assist in minimizing the impact on the ESA.

Applicant discussed the following:

- Brad Stedel spoke as the applicant.
- Applicant stated that the dwelling was moved to ensure it was within the property boundary; however due to the topography and not to remove additional trees, the location was closer to the property boundary than previously applied for.
- Applicant would consider buying the road allowance.

Moved by D. Milne

MPC 18-141 That the Municipal Planning Commission (MPC) approve the proposed Setback Relaxations for the Existing Dwelling (Front and Side Yards) in accordance with Land Use Bylaw No. 16/18 and the submitted application, within SE 15-33-4-5, submitted by STEDEL, Bradley Albert & Lois Arlene, Development Permit No. PLDP20180327, 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. Landowners shall be responsible for dust control on the County road adjacent to their property.
6. 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.
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. 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. 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 dwelling, single detached is considered the primary dwelling on the subject property as per the information submitted with this application. There is no provision for a

secondary detached dwelling due to the subject property's parcel size.

14. The existing dwelling shall be granted setback relaxations to all property lines as per the Real Property Report submitted with the application, prepared by Axiom Geomatics Ltd. on June 27, 2018.
15. As the subject land is located within an ESA 1 (very high significance) designation, measures shall be taken to preserve the integrity of the land, the trees, and any wildlife.

P. Johnson asked for a recorded vote.

In favour: D. Milne, H. Overguard, D. Reedy, P. Hambrook, K. Walton

Opposed: P. Johnson, D. Fulton

Carried.

Chair asked that the MPC move to Item 9 2 while Administration reviews information for Item 9 1

Moved by D. Milne

MPC 18-142 That the Municipal Planning Commission (MPC) receive for information the Natural Resource Conservation Board's (NRCB's) approval for "the new permitted capacity of 1,800 beef finishers and 720 cows at an existing dairy facility replacement/dry cow/feedlot confined feeding", within SW 26-32-28-4 Plan 1510250 Block 1 Lot 3

Carried.

Moved by P. Johnson

MPC 18-143 That the Municipal Planning Commission noted that under the Finding of Fact section of the Notice of Decision for SDAB20180192 (Item 9.1): # 13 states that "The Proposed Development is outside the Bentz Lake Natural Area but is adjacent to the Natural Area" is an incorrect statement in accordance with the Bearberry/Red Deer River Corridor Area Structure Plan.

Carried.

CORRESPONDENCE

Information Items

Moved by D. Reedy

MPC 18-142 That the Municipal Planning Commission receive the following items as information:

- 1) ASDAA Agenda from September 11, 2018
- 2) Permitted Development Permits Approved
- 3) SDAB 20180192 Verkerk Notice of Decision
- 4) SDAB053-01 Pace Notice of Decision

Carried.

Adopted

ADJOURNMENT

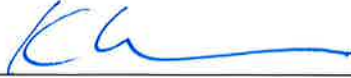
MPC 18-144

Moved by P. Hambrook

That the Municipal Planning Commission of September 20, 2018
be adjourned at 10:07 a.m.

Carried.

Adopted October 18, 2018



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission