

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **February 07, 2019**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: G. Ingeveld; Member-At-Large/Chair  
P. Hambrook; Member-At-Large  
M. McNaughton; Member-At-Large  
T. Sperle; Member-At-Large  
  
A. Aalbers; Councillor  
D. Milne; Councillor  
D. Fulton; Councillor

IN ATTENDANCE: M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission  
D. Gonzalez; 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 19-010 Moved by D. Fulton  
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of February 07, 2019 as presented.  
  
Carried.

ADOPTION OF MINUTES MPC 19-011 Moved by D. Milne  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of January 17, 2019 as presented.  
  
Carried.

PLDP20190004  
NW 3-33-1-5  
Planning and Development Services presented an overview of a proposed development located at NW 3-33-1-5, 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, Contractors - Carpentry Shop and Change of Use for Accessory Building (Commercial) with Setback Relaxations to Existing Buildings.
- Zoning is A-Agricultural Land Use District and the parcel size is 160.0 acres.
- Property is located within Division 7 and the rural neighborhood of Netook
- Applicant - PIMM, Scott / Landowner - 1546775 ALBERTA LTD.
- Existing carpentry business creates various wood products including sheds, cabinetry, bale shelters, and various small portable structures.
- There is a developed yard-site and the remainder of the subject property is Agriculture.
- No concerns with pipelines or topographic constraints.
- Property is within the Town of Olds Growth Centre and the Hwy 2 and 27 Area Structure Plan.
- The applicant requested one (1) additional employee since the finalization of the Agenda for a total of two (2) additional employees in addition to the permanent resident. Hours of Operation will be 8 a.m. to 6 p.m. year-round however there will be no client visits permitted.
- The business is existing and was the result of a complaint, the applicant worked with administration and as a result administration is recommending no penalties be applied.

Municipal Planning Commission discussed the following:

- A member asked for clarification on the definitions for a business operator. Administration clarified that the use applied for is a Business, Contactor and read the definition from the Land Use Bylaw that does not define a business operator. Administration also clarified that the person in connection with the business must occupy the dwelling.
- No further comments.

Applicant, Scott Pimm was present.

Moved by A. Aalbers

MPC 19-012 That the Municipal Planning Commission (MPC) approve the proposed Business, Contractors - Carpentry Shop and Change of Use for Accessory Building (Commercial) with Setback Relaxations to Existing Buildings in accordance with Land Use Bylaw No. 16/18 and the submitted application, within NW 3-33-1-5, submitted by PIMM, Scott, Development Permit No. PLDP20190004, 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. N/A
7. N/A
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 - Carpentry Shop to build small and/or portable projects (sheds, cabinets etc.). The applicant shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. Future expansion, work area or additional employees, will require a new permit.
15. Any outside storage related to the business shall be orderly, neat, and tidy and located within the area indicated on the application only.

Adopted

16. As per the submitted application, there shall be only two (2) additional employees that is not a permanent resident and hours shall be 8 a.m. to 6 p.m. year-round with no client visits permitted.
17. No sign has been approved with this permit. Any future signage shall be applied for through the Development Permit process.
18. The applicant shall obtain a Building Permit for the Change of Use for a carpentry shop within the existing shop.
19. Westerly setback relaxations for all existing buildings, as per the submitted site sketch, are approved for the life of the buildings.

Carried.

PLRDSD20180249

SE 35-32-2-5 and

Plan 0714301 Block 1 Lot 1

Planning and Development Services presented an overview of a proposed subdivision located at SE 35-32-2-5 and Plan 0714301 Block 1 Lot 1, 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) seven point zero three (7.03) acres within SE 35-32-2-5 and be consolidated with Plan 0714301 Block 1 Lot 1 to become one (1) parcel consisting of twelve point zero six (12.06) acres in SE 35-32-2-5.
- Proposed property is located within Division 7 and in the rural neighborhood of Westerdale.
- Applicant - TAYLOR, Ken / Landowner - Cullendale Farms Ltd. (c/o Garry Cullen)
- Administration did not support the expansion of the existing acreage as the proposal was contrary to the policies of the Municipal development Plan; however Council approved the redesignation to Residential Farmstead District (R-F) on December 12, 2018 by Bylaw No. LU 39/18.
- The application is to add an additional 7.03 (seven point zero three) acres to the existing parcel to encompass the structures that were constructed outside of the current parcel.
- No concerns with topography or pipelines.
- Application was circulated to surrounding pipelines and no comments were received.
- In 2006, the landowner proposed a larger parcel. The subdivision was approved in 2007 but smaller than what was requested. The landowner has constructed structures for farm use outside the existing parcel and in 2018

requested a Farmstead Separation to encompass the structures thus enlarging by 7.03 acres the existing parcel.

Municipal Planning Commission discussed the following:

- A member asked for clarification on the structures outside the parcel. Administration clarified the previous file history.
- The Municipal Reserves were explained by Administration for a member. The consolidation will result in only one (1) lot subdivided from the quarter section therefore no reserves are required pursuant to the Municipal Government Act.

Applicant was not present.

Moved by P. Hambrook

MPC 19-013

That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) seven point zero three (7.03) acres within SE 35-32-2-5 and be consolidated with Plan 0714301 Block 1 Lot 1 to become one (1) parcel consisting of twelve point zero six (12.06) acres in SE 35-32-2-5, submitted by TAYLOR, Ken on behalf of Cullendale Farms Ltd. (c/o Garry Cullen), File No. PLRDSD20180249, 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). To satisfy this condition the instrument (Descriptive Plan/Plan of Survey) shall demonstrate the consolidation of Plan 0714301 Block 1 Lot 1 with the approved outside area consisting of seven point zero three (7.03) acres within SE 35-32-2-5 to become one (1) parcel of twelve point zero six (12.06) acres in SE 35-32-2-5.
5. Municipal Reserves
  - (1) Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
    - a. No reserves are required pursuant to Section 663(a) of the Municipal Government Act when one lot is to be created from a quarter section of land.
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 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.

PLRDSD20180331  
NE 16-29-4-5

Planning and Development Services presented an overview of a proposed subdivision located at NE 16-29-4-5, 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) five point one one (5.11) acre parcel within NE 16-29-4-5.
- Proposed property is located within Division 2 and in the rural neighborhood of Water Valley/Winchell Lake.
- Applicant - TAYLOR, Ken / Landowner - KROL, Trina Margaret
- Redesignated to Residential Farmstead District (R-F) on January 9, 2019 by Bylaw No. LU 42/18.
- The proposal consists of two (2) dwellings, one (1) park model/cabin and two (2) sea cans.
- Access to the remainder of the quarter is through an oil and gas lease road.

- There is an unclassified creek in the valley but no concerns with sloping or the creek for the proposed subdivision.
- The oil company operating within the subject quarter was circulated and no comments were received. Alberta Transportation was circulated and had no objections.
- The County's Operations Department stated that overall Range Road 43 was acceptable for this application.
- Development Services Department circulation comments stated that the applicant is required to obtain approvals for the park mode/cabin and the two (2) sea cans.
- Adjacent landowners were circulated and their concerns were addressed during the Public Hearing on January 9, 2019.

Municipal Planning Commission discussed the following:

- A member asked for clarification on the Private Sewage for the parcel. Administration stated that the Condition #9 state that the applicant must obtain a report from a Safety Codes Officer to confirm compliance or may be required to upgrade the private sewage treatment system. The Safety Codes Act governs the Private Sewage.
- Administration clarified the number dwellings on the parcel and stated that the second dwelling could remain as part of the farmstead separation. If the second dwelling is destroyed or removed it will not be allowed to be replaced as per current regulations in the LUB.
- The park model/cabin shall be removed from the property or have a Change of Use permit to change the use other than a dwelling.

Applicant was not present.

Moved by D. Fulton

MPC 19-014 That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) five point one one (5.11) acre parcel within NE 16-29-4-5, submitted by TAYLOR, Ken, on behalf of KROL, Trina Margaret, File No. PLRDSD20180331, 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(a) of the Municipal Government Act when one lot is to be created from a quarter section of land.

6. The applicant shall enter into an agreement for the provision of road widening, the easterly 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 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. The applicant shall make suitable arrangements with Corporate Services department of Mountain View County to acquire, assign and post the rural address sign for non-agricultural lots in accordance with the Rural Addressing Bylaw. The applicant shall provide confirmation in this regard.

13. N/A.

14. N/A.

15. N/A.

16. N/A.

**Additional Conditions:**

17. The applicant will be required to obtain the necessary approvals from Mountain View County to change the use of an existing park model/cabin to a different use other than a dwelling unit. The applicant shall provide confirmation in this regard.



Adopted

- 18. The applicant will be required to obtain the necessary approvals from Mountain View County for (2) Sea Cans. The applicant shall provide confirmation in this regard.
- 19. Further to Conditions #17 and #18, if the existing park model/cabin and/or two (2) sea cans are to be removed from the subject lands, the Real Property Report in Condition #8 shall demonstrate that the park model/cabin and/or two (2) sea cans are no longer located within the proposed parcel. The applicant shall provide confirmation in this regard to the satisfaction of Mountain View County.

Carried.

CORRESPONDENCE

Information Items

MPC 19-015

Moved by D. Milne

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

- 1) ASDAA Agenda January 22, 2019
- 2) Permitted Development Permits Approved
- 3) SDAB 20180401 Glubrecht Notice of Decision
- 4) PLCF020180402 NRCB Part 1 RA10017B Amendment

Carried.

ADJOURNMENT

MPC 19-016

Moved by P. Hambrook

That the Municipal Planning Commission of February 07, 2019 be adjourned at 9:37 a.m.

Carried.

Adopted February 21, 2019



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission