

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **April 04, 2019**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

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

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
D. Gonzalez; Planner
C. Mabin; Development Officer
K. Neff; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: G. Ingeveld called the meeting to order at 9:00 a.m.

AGENDA MPC 19-037 Moved by P. Hambrook
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of April 04, 2019 as presented.

Carried.

ADOPTION OF MINUTES MPC 19-038 Moved by Heidi Overguard
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of March 21, 2019 as presented.

Carried.

PLRDSD20180224 SE 21-32-6-5
Planning and Development Services presented an overview of a proposed subdivision located at SE 21-32-6-5, 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) three point zero zero (3.00) acre parcel from SE 21-32-6-5 consisting of +/- 145.83 acres.
- Proposed property is located within Division 5 and in the rural neighborhood of Bergen.
- Applicant - PRICE, Brad and Brenda / Landowner - PRICE, Warren Bradley and Brenda May
- Redesignated to Country Residential District (R-CR) on March 13, 2019, by Bylaw No. LU 09/19.
- Parcel is undeveloped and unserviced and is heavily treed.
- No ESA's or water bodies on the proposed parcel; however, due to the remainder of the quarter being adjacent to the Red Deer River, which has been identified as a Level 1 ESA, the applicant will be required to either entering into a Riparian Health Assessment Agreement or to apply for funding for Riparian projects, as per Condition 13.
- The application was circulated to Adjacent Landowners; one (1) letter of support and one (1) letter of concern were received.
- The property is within the potential multi-lot residential area which may have the potential to contain three (3) titles and the forth being the remainder of the quarter.
- The proposal is within the Bergen Area Structure Plan and meets this policy.

Municipal Planning Commission discussed the following:

- Administration stated that in Condition 13 the applicant has two options to provide for environmental protection and then provided the members with the history of Condition 13.
- Administration demonstrated that the proposal is within the potential multi-lot residential area as per-Figure 3 - Growth Management Conceptual Strategy of the MDP which policies are applicable as per Section 7.4 of the Bergen ASP.

Applicant was not present.

Moved by D. Reedy

MPC 19-039 That the Municipal Planning Commission (MPC) approve the proposed subdivision to create one (1) three point zero zero (3.00) acre parcel within SE 21-32-6-5, submitted by PRICE, Warren Bradley and Brenda May, File No. PLRDSD20180224, 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):
 - b. Cash in lieu of municipal reserves are to be paid to Mountain View County prior to endorsement of the subdivision. Approximately 0.3 acres are owing and at a rate of \$2,606 per acre, therefore \$781.80 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. N/A.
9. N/A.
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. 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.

Carried.

PLDP20190055
SE 5-32-1-5

Planning and Development Services presented an overview of a proposed development located at SE 5-32-1-5, 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 Waste Management Facility, Minor (Agricultural Plastics Recycling Program) with Accessory Building - Sea Can & Two (2) On-Site Commercial Signs.
- Zoning is Split Zoning - S-IEC - Institutional, Educational and Cultural District, & S-AP Airport District and the parcel size is 46.32 acres.
- Property is located within Division 3 and the rural neighborhood of Rosebud
- Applicant / Landowner - Mountain View County
- The Sea Can will be used for the purposes of collecting agricultural plastics (twine) from Mountain View County residents for recycling. The Sea Can will be transported for unloading of the plastics at an existing recycling facility.
- Two (2) permanent Signs On-Site Commercial (one on each long side) of the Sea Can, including recognition of the donation by the provider of the Sea Can.

Municipal Planning Commission discussed the following:

- Administration stated that the product is twine and will be transported to an approved facility outside the county as needed.
- Hours of Operation will be the same as the County's Agricultural Shop as the Sea Can is within the locked fence area.
- The Use under the Land Use Bylaw is for a Waste Management Facility, Minor for recycling plastics.

Applicant discussed the following:

- Jane Fulton spoke as the applicant.
- Applicant stated that Netwrap has a fiber component along with plastic and the fiber cannot be recycled. Currently Netwrap is not recyclable.
- The twine will be accepted at a recycling facility, either in Calgary or Edmonton, where the twine will be pelletized and be made into a poly product.

Moved by D. Milne

MPC 19-040 That the Municipal Planning Commission (MPC) approve the proposed Waste Management Facility, Minor (Agricultural Plastics Recycling Program) with Accessory Building - Sea Can & Two (2) On-Site Commercial Signs in accordance with Land Use Bylaw No.

16/18 and the submitted application, within SE 5-32-1-5, submitted by MOUNTAIN VIEW COUNTY, Development Permit No. PLDP20190055, 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. 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 exterior finish of the Sea Can shall match or complement the exterior finish of the principal.
14. Use of the proposed Accessory Building – Sea Can shall be for waste management/collection purposes only.
15. The applicant and/or landowner shall dispose of any agricultural plastics collected and contained on site at an approved waste facility in a timely manner. The site shall be maintained in a neat and orderly manner and any clean up shall be the responsibility of the applicant or landowner.
16. Two (2) On-Site Commercial signs are permitted and both shall not exceed 10ft x 6ft with 1.5ft x 3ft for the donor recognition. The signs shall be located on the subject property. The signs must be maintained in good repair and the applicant and/or landowner will be responsible for removal if the signs are no longer required.
17. That the applicant and/or landowner shall obtain a Building Permit so an inspection by a Safety Codes Officer can confirm the Sea Can being used for waste management meets the Building Code requirements for this use.
18. That the applicant and/or landowner adheres to the Roadside Development and Sign Permit No. RSDPO24543 from Alberta Transportation.

Carried.

PLDP20190067
NE 21-33-7-5

Planning and Development Services presented an overview of an existing development located at NE 21-33-7-5, 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 Dwelling, Manufactured (1978) and Existing Accessory Buildings.
- Property contains split zoning with both Agricultural and Country Residential zoning and the parcel size is 158.97 acres.
- Property is located within Division 5 and the rural neighborhood of Bearberry/Coalcamp.
- Applicant – KLIS, Adrian / Landowner – 1319581 Alberta Ltd.
- There are three (3) developed yard sites on the quarter section.
- Proposal is not within an Environmentally Significant Area.
- In 2010, a Development Permit was issued for the dwelling, in 2013, a Development Permit was issued for a Dwelling, Secondary Detached with an attached Accessory Building (warehouse), Subsidiary Occupation Level 2, and a Change of Use to the Existing Manufactured Home (1978 mobile home) to Accessory Building.

- In 2016, the County received a complaint for the subject parcel and dwelling.
- This application is a result of a Conditional Approval of Subdivision Application PLRDSD20160051 to create an approximate four point six three (+/- 4.63) acres parcel with approved rezoning to Country Residential District (R-CR). The applicant has not met all the conditions in the allotted timeline and has been approved for a three month time extension to finalize conditions. There is a Prior to Issuance condition for this application that ensures that subdivision is completed and registered at Land Titles before the Development Permit is issued.

Municipal Planning Commission discussed the following:

- Administration clarified the reasons for the subdivision. Only two (2) dwellings are allowed on parcels 70 acres and greater.
- Administration stated Bylaw Enforcement would investigate the property under the Unsightly Bylaw if a complaint is made that a dwelling is unsightly as a result of the physical condition. The dwelling is considered to be in good repair as indicated on the photographs submitted with the application.
- Administration explained the Prior to Issuance on the Development Permit as well as the three (3) month time extension for the subdivision. Enforcement will be involved if the applicant doesn't comply.

Applicant was present.

Moved by D. Reedy

MPC 19-041 That the Municipal Planning Commission (MPC) approve the existing Dwelling, Manufactured (1978) and Existing Accessory Buildings in accordance with Land Use Bylaw No. 16/18 and the submitted application, within NE 21-33-7-5, submitted by 1319581 ALBERTA LTD, c/o Adrian Klis, Development Permit No. PLDP20190067, subject to the following conditions as amended:

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. This permit is issued for an existing Dwelling, Manufactured with a manufacture date of 1978 including existing accessory buildings as per the Real Property Report (date of survey January 19, 2018) and photos submitted with the application.
14. With the issuance of this permit, PLDP20190067, previously issued Development Permit PLDP20130082 shall be void and replaced with this permit.
15. All manufactured dwellings must have Canadian Standards Association (CSA) certification. If a particular manufactured dwelling has been damaged or structurally altered, the

Adopted

manufactured dwelling shall be certified as safe by an accredited structural engineer.

16. It shall be the responsibility of the owner to place the manufactured dwelling on a permanent foundation or base in accordance with the requirements of the Alberta Safety Codes Act.
17. All manufactured dwellings shall be skirted from the ground to floor level with a durable finish that complements the existing exterior finish of the manufactured dwelling.
18. The applicant shall obtain a Roadside Development Permit from Alberta Transportation.

PRIOR TO ISSUANCE:

19. Prior to Issuance of the Development Permit the applicant/landowner shall satisfy all conditions required for subdivision endorsement and plan registration as per file PLRDSD20160051.

Carried.

CORRESPONDENCE

Information Items

MPC 19-042

Moved by D. Milne

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

- 1) ASDAA Agenda from March 26, 2019
- 2) Permitted Development Permits Approved
- 3) SDAB Decision - Hallett

Carried.

ADJOURNMENT

MPC 19-043

Moved by P. Johnson

That the Municipal Planning Commission of April 04, 2019 be adjourned at 9:44 a.m.

Carried.


Chair

I hereby certify these minutes are correct.


Secretary, Municipal Planning Commission