

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **September 1, 2011**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: L. Burrell; Member-At-Large/Chair
G. Harris; Member-At-Large
K. Branter; Member-At-Large
L. Schafer; Member-At-Large

P. Munro; Reeve
B. Orr; Councillor
P. McKean; Councillor

IN ATTENDANCE: J. Rusling; Secretary, Municipal Planning Commission/Interim Director of Planning & Development Services
S. Madge; Manager of Development & Permitting Services
J. Ross; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: L. Burrell called the meeting to order at 9:01 a.m.

AGENDA MPC 11-134 Moved by G Harris
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of September 1, 2011 with the additional item 9.2

Carried

ADOPTION OF MINUTES MPC 11- 135 Moved by G. Harris
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of August 18, 2011 as presented.

Carried

PLDP20110141
NE 32-32-5-5 Plan 0510877, Block 4, Lot 3
Planning and Development Services presented an overview of a proposed development located at NE 32-32-5-5, 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:
• Proposal to develop Office (addition) and Industrial Storage & Warehousing (Shop) with front yard setback relaxation Office Addition = 3600 sq ft & Shop = 6700 sq ft

- Zoning is Industrial Business Park District (I-BP District)
- Development is located in Division 5 and in the neighborhood of Mcdougall Flats.
- Parcel size is 10.7 acres.
- Property Owner, Millard Trucking / Applicant, Kim Walton.
- Property falls within the Towns IDP Referral Area, road is considered to be of “collector” status and may require future upgrading as determined by the Bunt and Associates Town of Sundre East Transportation Master Plan Study.
- Town of Sundre is requesting that the landowner enter into a road widening agreement of 1.75 meters and also the landowner enter into a deferred servicing agreement for the east side of the property.
- Located within South MacDougal Flats ASP
- A full stormwater management is being recommended within the conditions of approval
- The shop requires a northerly front yard setback relaxation to 32 meters and the office addition requires a relaxation to 31.9 meters.
- No pipeline restraints on the property
- No topographical restraints
- Landscaping is required by Aug 4, 2012
- There is no Stormwater Management Plan in place for this property. Rain barrels have been suggested by the applicant’s consultant and confirmation of the placement of the rain barrels has been submitted to the County.
- Setback relaxations requested from the north property line to 31.9 feet. The setback will be in line with the other existing buildings.

Municipal Planning Commission discussed the following:

- Clarification on Road Widening Agreement, the road would be purchased for the future expansion. The agreement is in place so that at the time of expansion there is an agreement in place. The price for the land is paid out at the going rates of the day.
- If the Land Title does not have a caveat then the property owner will have to go through the process of making a deal. Once the caveat is in place it stays with the land title throughout all owners.
- Condition 14 will have the name of the Manager of Sundre Development & Planning taken out.
- Water and sewer services will be billed per linear foot. The applicant is aware of this but concerned with the fees.
- When the water and sewer is brought in to the area then everyone needs to be hooked up.

Applicant discussed the following:

- Kim Walton spoke

- The industrial section of town is all going to be affected by the caveats for services. The land owner and applicant are aware of the fees.
- Town of Sundre has offered the Millard Trucking to pay in advance for the upgrades so that in the future they will not be paying the higher price as fees go up.

MPC 11-136 Moved By G Harris
That the Municipal Planning Commission approve the proposed Office (addition) and Industrial Storage & Warehousing (Shop) with front yard setback relaxation in accordance with the Land Use Bylaw 10/10 and the submitted application, within NE 32-32-5-5, Plan 0510877, Block 4, Lot 3, submitted by Kim Walton, Development Permit PLDP20110141, subject to the following conditions:

Standard Conditions

The works outlined in this application are subject to the following standard conditions:

1. The provisions of the Land Use Bylaw No. 10/10.
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. 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 positing it on the property as per the Rural Addressing Bylaw.

Permits Associated with Building Construction

10. If the development authorized by a development permit is not commenced and diligently pursued within eighteen (18) 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.

11. 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. 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:

12. PRIOR TO ISSUANCE OF THE DEVELOPMENT PERMIT, The applicant and/or landowner shall prepare a stormwater management plan for the site to ensure the containment of any pollutants (oil and gas products) on the site as per provincial and federal environmental regulations. The study shall be submitted to the County within 60 days of the date of approval.
13. A northerly front yard setback relaxation of 32 meters for the accessory building – shop and 31.9 meters for the office to the property line is approved for the life of the buildings.
14. As identified within the Town of Sundre's Bunt Transportation Study, the landowner shall enter into a road widening agreement of 1.75 meters with respect to the eastern property boundary of the subject property. The landowner shall also enter into a deferred servicing agreement with the Town of Sundre. The landowner shall provide confirmation to Mountain View County that the agreements has been registered by way of caveat. The applicant and/or landowner shall contact the Manager of Planning and Development at the Town of Sundre to arrange compliance with this condition.
15. Any change in use or intensity of this development will require a new development permit.
16. That the applicant and/or landowner comply with Alberta Transportation Roadside Development Permit #3189-9167.
17. The landscaping plan submitted with this application shall be completed by August 4, 2012 and shall be maintained for an additional full year growing season following installation of the vegetative planting.

18. The landowner is required to register and obtain an AMVIC license for the repair of company vehicles in the proposed shop (Industrial Storage & Warehousing).

19. No truck washing is permitted on site.

20. The landowner shall dispose of any and all scrap metal and chemicals collected and contained on site in a timely manner to prevent possible soil contamination.

Carried

PLDP20110228

SW 27-33-2-5 Plan 0915119 Blk 1 L 1

Planning and Development Services presented an overview of a proposed development located at SW 27-33-2-5, 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:

- Proposal to Construct an Accessory Building with Northerly Rear Yard & Easterly Side Yard Setback Relaxations
- Zoning is CR1 Country Residential (1) District
- Parcel size is 2.0 acres.
- Building size - 2520 square feet (42' x 60')
- Applicant/Owner Johnson, Phil and Rhonda
- Property is located in Division 7 and in the neighborhood of Hainstock.
- Property was subdivided in 2008 and registered in 2009.
- There is a stormwater management plan for this property & conditions of the permit will include recommendations from the report.
- Setbacks are greater now with the current Land Use Bylaw 10/10 compared to the former Land Use Bylaw.
- Due to the layout of the lot and where the residence is located the most feasible location for the proposed shop is in the NE corner of the property
- There is a walkway that is on 2 sides of the property.

Municipal Planning Commission discussed the following:

- Condition 6 just ensures that the new building will be put where the building will sit.
- Condition 12 ensures that the drainage can't be altered in any way.
- Concerns with the adjacent landowner not being aware of the proposed development. The landowners are encouraged to go speak with adjacent landowners.
- Asked the applicant if he had any concerns with the conditions.

Applicant discussed the following:

- Phil Johnson spoke.

- Mr. Johnson had no concerns with the conditions.
- Mr. Johnson spoke to the landowner of the subject property and the landowner seems to have no problem with the proposed development.

MPC 11-137 Moved By K. Branter
That the Municipal Planning Commission approve the proposed Accessory Building with Northerly Rear Yard & Easterly Side Yard Setback Relaxations in accordance with the Land Use Bylaw 10/10 and the submitted application, within SW 27-33-2-5 Plan 0915119 Blk 1 L 1, submitted by Johnson, Phil and Rhonda, Development Permit PLDP 2011 0228, subject to the following conditions:

Standard Conditions

The works outlined in this application are subject to the following standard conditions:

1. The provisions of the Land Use Bylaw No. 10/10
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. N/A

Permits Associated with Building Construction

10. If the development authorized by a development permit is not commenced within 6 months from the date of its issue and the development completed within 18 months from the date of its issue, the permit shall be deemed to be null and void, unless an extension has been granted by the Development Officer.

11. 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 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:

12. Each owner and / or purchaser of a lot shall not alter the natural drainage course without providing a positive alternative means of drainage acceptable to the County (Dev Agr 5)

13. Each owner and / or purchaser shall not alter the fencing constructed (Dev Agr 6)

14. The applicant / landowner shall comply with all the recommendations and requirements of the studies as set out in item 11.I. of the Development Agreement.

15. Relaxations are granted for the life of the building. In the event that the structure is damaged or destroyed to the extent of more than 75% of the value of the building above the foundation, or if the building is to be enlarged, added to, rebuilt or structurally altered, then steps must be taken to bring the building into compliance with the Land Use By-law.

16. Use of the proposed shop for any business, industrial / commercial purposes or residential occupancy is not permitted.

Carried

CORRESPONDENCE

Information Items

MPC 11-138

Moved by P McKean

9.1 That the Municipal Planning Commission receives the following items as information:

- a) ASDAA Agenda from August 15, 2011
- b) ASDAA Agenda from August 23, 2010
- c) Permitted Development Permits Approved (None)

Carried

9.2 Update to CCI Wireless Inc.

MPC discussed the following:

- Since August 15, 2011 CCI Wireless has not been back to give a new list of possible new locations for the towers.
- Even if CCI were to get the information back to the Development Officer soon, there is not enough time to do a mailout circulation and have all the information

Adopted

back before the September 15, 2011 meeting as discussed previously.

ADJOURNMENT

MPC 11-139

Moved by G. Harris

That the Municipal Planning Commission of September 1, 2011 be adjourned at 10:01 a.m.

Carried

Adopted September 15, 2011

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission