

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **September 15, 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
K. Walton; Member-At-Large
B. Nerrie; Member-At-Large
L. Schafer; Member-At-Large

B. Orr; Councillor

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

CALL TO ORDER: L. Burrell called the meeting to order at 9:04 a.m.

AGENDA MPC 11-140 Moved by G. Harris
That the Municipal Planning Commission adopt the revised agenda of the Municipal Planning Commission meeting of September 15, 2011 as presented

Carried

ADOPTION OF MINUTES MPC 11- 141 Moved by K. Branter
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of September 1, 2011 as presented.

Carried

PLDP20110241
SE 10-30-2-5 Plan 6619 JK Blk -A
Planning and Development Services presented an overview of a proposed development located at SE 10-30-2-5 Plan 6619 JK Blk -A, 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:

- Proposed Development is for a Dwelling (Second) and Accessory Building (Garage), these are existing structures.
- Zoning is Agricultural A
- The property is located in Division 1 and in the neighborhood of Jackson
- Parcel size is 5.2 acres.
- Landowners / Applicants - Cross, Richard & Esther
- Easterly Setback relaxations for the second dwelling and the garage were provided on previous development permits in 1998 & 2000
- Westerly Setback relaxation for the primary dwelling were provided in 1998
- An Easterly setback for the treehouse and a Southerly setback for the shop has not been provided on any file documentation
- Four adjacent landowners submitted correspondence regarding this application. Three were originally in support of the second residence remaining but one has been revised to non support if the property was going to be a rental property. The fourth is not in support of a second dwelling if it will be used as a rental.
- Existing on the property currently are 2 dwelling units, 2 garages, 2 sheds, 2 shops, greenhouse, tree house, 1 zipline (identified as a deck on the RPR). All structures are identified on a Real Property Report dated January 2011
- If the second residence was to remain that there would need to have approval on a new development permit. The permits were issued in 1998 and 2000. There were issued under the Land Use Bylaw 55-95.
- Applicant was advised that staff would be recommending refusal.
- 1 shop, treehouse and zip line are in need of setback relaxations
- Under current Land Use Bylaw 10/10 the only way to have a secondary dwelling on a parcel this size is if the dwelling is a secondary suite.

Municipal Planning Commission discussed the following:

- Applicant was asked if he understood the conditions of his original permits, the applicant said he understood the original conditions.
- In the past conditions were linked to the person and now it runs with the land.
- MPC does have 3 options: refusal, approve as per 5.2.7 with setback relaxations or defer.
- Clarification of the difference between a stick built home and a secondary suite.
- Compassionate clause does not exist but was considered in previous conditions of permits.
- Discussion on Land Use Bylaw 5.2.7 about the discretion of the Municipal Planning Commission.

- If this application is refused the applicant has the option of going through the appeal process.
- If this property is sold, there is no guarantee that the secondary dwelling would not be used for a rental property. That was the main objection of the adjacent landowners.
- With the current MDP, a subdivision would not be supported. With the new MDP at the end of the year, maybe there would be a consideration.

Applicant discussed the following:

- Richard Cross spoke
- Applicant said he did understand the conditions of the previous DP
- When the property was purchased 14 years ago this was to be our retirement home and then circumstances that aroused that we need to move to the city. The needs of the family to be closer to Calgary for university and sports. This was not something that was planned 14 years ago.
- The gas line, paved driveway, garage, cement pad for garage, water lines, phone lines, house and pylons would all have to be removed.
- No basement was allowed but the second dwelling does have a heated crawlspace
- The applicant spoke in regard to a potential buyer with aging parents. This arrangement would be the same as the current situation.

Moved By K. Branter

MPC 11-142 That the Municipal Planning Commission refuse the proposed Dwelling (Second) and Accessory Building (Garage) in accordance with Land Use Bylaw 10/10, within SE 10-30-2-5 Plan 6619 JK Block A submitted by CROSS, RICHARD & ESTHER, Development Permit File No. PLDP20110241 for the following reasons:

The existing Second Detached Dwelling and Accessory Building Garage on this 2.09 ha (5.20 acre) parcel does not comply with Land Use Bylaw 10/10:

- Section 14, 3, a) – Dwelling Density: The base density for all parcels shall be one (1) dwelling unit per parcel. Additional dwelling unit(s) in the form of a secondary suite or secondary detached dwelling unit may be considered in accordance with Section 9.6, 9.7 and 9.8
- Section 9.6, Secondary Detached Dwelling:
 - 1) The Approving Authority may issue a development permit for the addition of one (1) secondary detached dwelling on a parcel greater than 4.05 ha (10.0 ac), or its equivalent, had land not been taken for road widening.

- 2) A secondary detached dwelling unit on a parcel of land greater than 4.05 ha (10.0 ac) and less than 32.0 ha (80.0 ac) shall be restricted to a manufactured dwelling only. On parcels greater than 32.0 ha (80.0 ac) all forms of secondary detached dwellings shall be considered.

This parcel of land containing 2.09 ha (5.20 acre), does not meet the required land base for a secondary detached dwelling.

Carried

PLDP20110204
NE & NW 34-33-4-5

Planning and Development Services presented an overview of a proposed development located at NE & NW 34-33-4-5, 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:

- Proposal for Boarding and Breeding Services – Wild West Kennel and Change of Use for two (2) Mobile Homes to Personal Workshop and Personal Storage Use and Removal of the one (1) Mobile Home and Sign
- Zoning is Agriculture
- Property is located in Division 6 and in the neighborhood on Eagle Hill/ Westward Ho
- Parcel size is 158.97 acres.
- Landowners - Christoffersen, Wendy & Neil / Applicant - Christoffersen, Wendy
- Cost not provided due to this is an existing business and the mobile homes exist on the quarter sections
- This is a complaint driven application.
- The boarding and breeding kennel will contain a maximum of forty (40) dogs which will be located within the dwelling unit.
- 2 of the mobile homes on the property are being requested to be used for personal storage and personal workshop and the third will be removed within 3 months of the Development Permit.
- Dogs are kenneled two to a kennel within the residence and let out into the outdoor runs when the landowners are home. The runs are 5' high and are fully fenced to ensure that the dogs do not run free
- The kennel is a year round operation and is registered with the Canadian Kennel Club Association and should not generate high amounts of additional traffic as clients are dealt with on an individual basis.
- Applicant requested to place a sign at the end of the driveway advertising the kennel and will not exceed 4' X 4'.
- 3 objections were received and one of the objectors is outside the ½ mile referral area.
- Veterinary responded that the animals are in good health and this is not in his opinion a "Puppy Mill".

Municipal Planning Commission discussed the following:

- Condition 13 needs to be changed.
- Maximum of 35 dogs pertaining to the breeding facility and 5 dogs to be boarded at any one time.
-

Applicant discussed the following:

- Wendy Christoffersen spoke
- 25 dogs is what is usually there but I put in for 40 dogs, that way we can board the dogs that we sell and so when the families are on holidays we will take them.
- SPCA does visit and have not had any problems with our facility. 2 years ago was the last visit. The SPCA comes unannounced and do not leave any documentation.
- Local veterinary did write a letter of support and all my dogs are in good health.
- Canadian Kennel Registration Bylaw states that we have to be in good standing and all dogs are registered. All dogs that leave our facility have a contract to have the dog spay or neutered within 7 months and I do get documentation for this.
- Breeding stock is well socialized and raised with people that I pick. Many neighbors do not know that I have dogs because they are not allowed to bark excessively.
- Neighborly dispute brought on this complaint.
- Dogs are put to bed at 8 pm and not allowed out earlier than 7 am. The dogs are not allowed to be left alone for more than 4 hours at a time.

Moved By G. Harris

MPC 11-143 That the Municipal Planning Commission approve the proposed Boarding and Breeding Services (Wild West Kennel) and Change of Use for two (2) Mobile Homes to Personal Workshop and Personal Storage Use and Removal of the one (1) Mobile Home and Sign in accordance with the Land Use Bylaw 10/10 and the submitted application, within NE and NW 34-33-4-5, submitted by Wendy Christoffersen, Development Permit PLDP20110204, 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. Future expansion of the breeding and boarding service - dog kennel, work area or additional animals, will require a new permit.
13. Approval is granted for a maximum of 35 dogs pertaining to the breeding facility and an additional five (5) dogs boarded outside at any one time.
14. The hours of operation for the office shall be year round 10 am and 5 pm by appointment only.

15. The applicant and/or operator will not allow the dogs to bark or howl excessively or otherwise disturb any persons. Additional sound proofing of the kennel building may be required: should noise issues arise.
16. On site supervision shall be maintained during the active kennel operation. The dogs shall not be allowed outside without supervision and they will be housed indoors during the night.
17. The dogs and cats shall not be permitted to run free off the property.
18. The applicant and/or operator shall comply with Mountain View County's "Animal Control Bylaw".
19. Waste management of the boarding services shall be in accordance with Provincial requirements regarding waste disposal.
20. All boarding services and associated facilities shall be kept in a manner satisfactory to the health authority and the Society for the Prevention of Cruelty of Animals (SPCA).
21. All exterior exercise areas (runs) shall be enclosed with a five (5) foot minimum height fence.
22. A change of use shall be granted for the mobile home located on the NE 34-33-4-5 to a personal workshop use.
23. A change of use shall be granted for the mobile home located on the NW 34-33-4-5 to personal storage use.
24. The second mobile home located on the NW 34-33-4-5 shall be removed from the quarter section and the site reclaimed within three (3) months of the date of the Development Permit.
25. All mobile homes associated with this application shall not be used for residential, business, industrial or commercial purposes as a change of use has been granted.
26. A 4 ft x 4 ft sign shall be permitted for the kennel service and shall be located on the NE 34-33-4-5. Any additional signage will require issuance of an additional Development Permit.

Carried

PLDP20110235
SE 22-30-28-4

Planning and Development Services presented an overview of a proposed development located at SE 22-30-28-4, 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 an Accessory Building – Shop for Subsidiary Occupation – Level 2 Cabinet Manufacturing
- Zoning is Agriculture
- Property is located in Division 1 and in the community of Midway
- Parcel size is 31.79 acres.
- Landowners, Duri, James & Hussell, Rae Lynn / Applicant, Duri, James
- Proposed building size 3200 sq ft. and the applicant would like to use the whole area for the business, Land Use Bylaw states that not more than 50% or 1000 sq ft shall be the total amount of area allowed.
- Business will not contain signage, outside storage, have clients visit the property or contain additional employees other than the resident's family. 2 commercial vehicles are allowed under the Land Use Bylaw. Business will be operated year round, seven (7) days a week from 8 am to 5 pm
- 4 pipelines on the property but pose no constraints.
- No concern with the proposed business as there will be minimal impact into the community.

Municipal Planning Commission discussed the following:

- With the purchase of this property in the future, the business will have to be activated within 6 months or Condition 12 makes the application void.
- A new development permit will have to be applied for if the property is sold and a change of use is needed. This can be added as a Condition of Sale.
- Should outside storage be allowed with this business due to its nature?

Applicant discussed the following:

- James Duri spoke.
- The materials that we deal with can't be exposed to the elements so all storage of lumber will be inside the building. I will not need any outside storage.

MPC 11-144 Moved By L. Schafer
That the Municipal Planning Commission approve the proposed Accessory Building – Shop for Subsidiary Occupation – Level 2 Cabinet Manufacturing in accordance with the Land Use Bylaw 10/10 and the submitted application, within SE 22-30-28-4, submitted by Duri, James, Development Permit PLDP20110235, 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. 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. A size relaxation for the occupied area within the accessory building for the subsidiary occupation – level 2 Cabinet Manufacturing to 3200 sq ft shall be granted for the life of the business. A change of use will require issuance of an additional Development Permit.

13. Outside storage pertaining to the business shall not be permitted.

Carried

PLDP20110239

SE 13-33-5-5 Plan 8811395 Blk - 1

Planning and Development Services presented an overview of a proposed development located at SE 13-33-5-5 Plan 8811395 Blk - 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:

- Proposal Secondary Suite above Existing Accessory Building – Garage and Northerly Setback Relaxation to Existing Accessory Building - Barn
- Zoning is Agriculture
- Parcel size is 2.99 acres.
- Landowner - Vandebeld, Micheal & Carma & Vandebeld, Patricia / Applicant - Vandebeld, Carma
- Property is located in Division 5 and the neighborhood of Eagle Hill/Westward Ho
- Suite size = 757 sq ft.
- Secondary suite within their existing accessory building – garage providing that the structure is considered structurally viable by a Safety Codes Officer. If the structure is not viable, a new structure will be placed in the same location
- Section 9.7 of the Land Use Bylaw mentions that the secondary suite can be a maximum of 40% of the principal building to a maximum of 111.5 m² (1200 sq ft). The main dwelling on the property is 1863 sq ft, therefore 40% would be 757 sq ft of livable space permitted for a suite on the property.
- Property requires a northerly setback relaxation to an existing accessory building placed on the property in 2008. The accessory building is located 0.54 meters (1.77 feet) from the property line. This distance exceeds the 80% setback relaxation discretion allocated for the Administrative Subdivision and Development Approving Authority.
- The pipeline company was contacted and the pipeline did not get built. The pipeline right of way was noticed on a RPR but is not registered by caveat on their land title.

- There is heavy buffering that is behind the barn on the north end of the property. This barn needs the setback relaxation.

Municipal Planning Commission discussed the following:

- Applicant is aware that the structure has to be viable to the Alberta Safety Codes. The housing will be above the existing garage.
- That the pipeline is not on title and will not be a problem.
- The building inspector does not do site visits until the building permit application has been approved.

Applicant discussed the following:

- Carma Vandebeld said her father Joseph O'Reilly will be speaking on her behalf.
- Joseph O'Reilly spoke
- The existing building will not work for the secondary suite and so a new building will need to be developed to support the secondary suite.
- Originally the use of the building was for ostriches and may not be stable any more because there are cables hanging down and we also are worried about disease from the animals.

Moved By B. Nerrie

MPC 11-145

That the Municipal Planning Commission approve the proposed Secondary Suite above Accessory Building – Garage and Northerly Setback Relaxation to Existing Accessory Building - Barn in accordance with the Land Use Bylaw 10/10 and the submitted application, within SE 13-33-5-5, Plan 8811395, Block 1, submitted by Vandebeld, Micheal and Carma, Development Permit PLDP20110239, 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. 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. The secondary suite for the SE 13-33-5-5, Plan 8811395, Block 1 shall not exceed 757 sq ft.
13. A northerly setback relaxation of 0.54 meters (1.77 feet) for the accessory building - barn from the property line is approved for the life of the building.

Carried

K Branter declared a conflict of interest item PLDP20110224 and was excused from meeting @ 10:42 am.

Planning and Development Services presented an overview of a proposed development located at SW 5-33-5-5 Plan 0313125 Blk - 1 L - 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:

- Proposal to develop Automotive, Equipment & Vehicle Services and Industrial Storage & Warehousing (lumber yard retail sales)
- Zoning is I-BP Industrial Business Park
- Parcel size is 2.89 acres.
- Landowner - Floorcovering Preparation Services Ltd. / Applicant - Coleman Forest Products Ltd.
- Property is located in Division 5 and in the neighborhood of McDougal Flats and is also related to the McDougal Flats Area Structure Plan.
- Existing building, no expansion being proposed, change of use only.
- Town of Sundre referral area, circulated August 18, 2011
- Conditionally sold with the conditions of the purchase agreement is to have the development permit approval in place
- Repair and maintenance of vehicles related to his business "Coleman Forest Products Inc." and will not be open for commercial/public use.
- The applicant was able to submit a proposed landscape plan on September 8, 2011. Staff has some concerns with this proposed landscape plan as the bulk of the landscaping proposed is along the frontage adjacent the highway. Lack of proposed landscaping to buffer the site lines of the lumber yard to the adjacent land uses.
- Road Side Development Permit and sign permit from Alberta Transportation will be required.
- More landscaping to the north and west of the boundary is being encouraged.

Municipal Planning Commission discussed the following:

- There was no circulation done before the application has come to MPC. It will be advertised in the local newspaper for 2 weeks.
- There is buffering to the south but is not owned by the applicant.
- The commercial building has been in place for approximately 30 years and the recreational area came in the early 1990's.
- Landscaping may not grow in this area. This is an industrial area and fencing is a great idea for security but the buffering for the highway should be left up to Alberta Transportation.
- Condition 19 - The provision of the site landscaping is a permanent obligation of the development permit and shall be consistent with the approved landscaping plan.

- Condition 16 - Prior to issuance the applicant and/or owner shall submit a revised landscaping plan that shows screening for storage materials and landscaping and approval by Alberta Transportation

Applicant discussed the following:

- Darcy Coleman spoke.
- Landscaping was not considered until it was mentioned by the Development Officer. We thought the property was good enough for what we need it for.
- We have not purchased the property yet so we haven't hired a landscaper yet.

Moved By G. Harris

MPC 11-146 That the Municipal Planning Commission approve the proposed Automotive, Equipment & Vehicle Services and Industrial Storage & Warehousing (lumber yard retail sales) in accordance with the Land Use Bylaw and the submitted application, within SW 5-33-5-5; Plan 0313125 Block 1 Lot 1 submitted by Coleman Forest Products Ltd. Development Permit PLDP20110224, 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. N/A.
5. N/A.
6. N/A.
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. The applicant and/or landowner shall ensure the two (2) signs, wall sign and free standing sign as shown on the site plan conform with the policy and procedures as outlined in the Commercial and Industrial Design Guidelines (section 7. Signs attached)
13. The applicant and/or landowner shall obtain a Roadside Development Permit & Sign Permit from Alberta Transportation.
14. The Automotive, Equipment & Vehicle Services portion of this Development Permit is for the maintenance and repair of vehicles related to Coleman Forest Products Inc. only. Should these services be made available to the public a new development permit application and approval shall be required.
15. The applicant and/or landowner shall store all lumber and retail related items within the fenced yard as shown on the site plan or within the building.
16. Prior to issuance the applicant and/or owner shall submit a revised landscaping plan that show methods of screening for storage materials and landscaping approval of Alberta Transportation.
17. The applicant and/or owner shall complete all the landscaping as indicated in the approved landscape plan by the end of the growing season of year 2014.
18. All plant material shall meet the horticultural standard of the most current edition of the Guide Specifications for Nursery Stock by the Canadian Nursery Trade Association and give consideration to Commercial and Industrial Design Guidelines adopted by Council.
19. The provision of the site landscaping is a permanent obligation of the development permit and shall be consistent with the approved landscaping plan.
20. Hours of operation shall be 7:30 am to 9:00 pm.

Adopted

- 21. All used oil and hazardous material will be recycled off site or stored in approved containers.
- 22. Any intensification, change of use or additions to the approved development shall require a new development permit application and approval.
- 23. Upon issuance of this permit, the applicant will apply for a license from the Alberta Motor Vehicle Industry Council (AMVIC) (1-877-979-8100).

Carried

K. Branter returned to the MPC Council desk @ 11:15 am

SUBDIVISION
 TIME EXTENSION
 PLRD20090000194
 SE 36-30-28-4

Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLRD20090000194 to October 21, 2011.

- Landowner / Applicant - Epp, Herman & Irene.
- One parcel and is waiting to have endorsed.
- Planning & Development Services recommends approval of a time extension as the requested timelines have been met and fees have been paid.

Municipal Planning Commission discussed the following:

- Clarification that this is the first extension.

Moved by K. Branter

MPC 11-147 That the Municipal Planning Commission (MPC) approve the proposed time extension of one hundred twenty days to October 21, 2011.

Carried

SUBDIVISION
 TIME EXTENSION
 PLRD20090000197
 NE 35-30-2-5

Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLRD20090000197 to July 6, 2012.

- Landowner - Wilson, Daryl & Donna & Harder, Daniel & Connie / Applicant - Wilson, Daryl & Donna
- Real Property Report shows that the septic system needs to be amended and need for a time extension is asked for.
- Planning & Development Services recommends approval of a time extension has the request timelines have been met and fees have been paid.
- This is the first request for a time extension.

Moved by G. Harris

MPC 11-148 That Municipal Planning Commission (MPC) approve the proposed time extension until July 6, 2012 for the conditionally approved

subdivision of one (1) four point zero (4.0) acre parcel within NE 35-30-2-5 Lot 2, Plan 9412072, submitted by WILSON, Daryl & Donna, PLRD2009-197, subject to the following outstanding conditions:

1. The approval fee of \$400.00 shall be paid to Mountain View County within 30 days from the date of this notice of decision. **RESOLVED**
2. That all culverts, crossings, accesses and other works authorized by Section 655(1)(b) of the Municipal Government Act, 1995, be provided to both the proposed and residual lots by and at the sole expense of the landowner, to the satisfaction of Mountain View County.
3. Payment of all property taxes or satisfactory arrangements to be made for payment to Mountain View County.
4. Subdivision to be effected by an instrument acceptable to the Land Titles Office (Plan of Survey). **SUBMITTED**
5. (1) Low Density Rural Residential Development (Less than five (5) titles per quarter section):
 - a. Cash in lieu of municipal reserves are to be paid to Mountain View County based on consideration of the County's assessment data. Approximately 0.40 acres are owing and at a rate of \$3,484.97 per acre, therefore \$1,393.99 is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey;
6. That the applicant enters into an agreement for the provision of road widening easterly 5.18 meters along Range Road 21 across the subject property to the satisfaction of Mountain View County. The agreement is enclosed for your signature(s).
7. A qualified surveyor shall prepare a Utility Right of Way Plan (UROW) and that the applicant enters into a General Utility easement Agreement with Mountain View County. The UROW Plan will dedicate 5 meters in width commencing adjacent to the northern boundary of Road Plan 741 0794 along the entire frontage of Lot 2, Plan 9412072 with Twp Rd. 310. The UROW Plan will also dedicate 5 meters in width commencing 5.18 meters measured in perpendicular distance along the entire frontage of Lot 2, Plan 9412072 with Range Road 21.
8. A Real Property Report shall be prepared showing that the setbacks of the proposed property lines in relation to main structures are in compliance with the requirements in the County's Land Use Bylaw No. 55/95. **SUBMITTED**

9. The surveyor to include on the Real Property Report, confirmation that the existing water well and the private sewage disposal system that services the existing development is completely contained and shown to be within the proposed property boundaries. If any portion of the existing **sewage system is situated closer than 90 meters** of an existing or proposed property line confirmation shall be provided from a licensed Safety Codes Officer that the sewage system complies with the regulations as outlined in the current Alberta Private Sewage Systems Standard of Practice. Where not in compliance, the applicant shall undertake improvements to the sewage system 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. **SUBMITTED**

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 rural addresses for the proposed lots and provide confirmation in this regard.

13. n/a

14. n/a

ADDITIONAL CONDITIONS:

15. The concept plan (small development) provided in support of the redesignation will be registered on title via a restrictive covenant. Future redesignation and subdivision applications, the location and construction of all permanent buildings will have regard for this plan. The Restrictive covenant shall state that the concept plan shall inform future redesignation and subdivision applications and may be amended by the approving authority.

16. The applicant shall enter into a road acquisition agreement (30 metres in width), as shown on the concept plan (small development) provided in support of the redesignation, to accommodate future road dedication requirements. This agreement shall be registered via caveat.

Reasons:

1. The requested time extension is in compliance with Policy/Procedure 6011 Time Extensions for Meeting Subdivision Approved Conditions Section 2.2 as the fee was received.

2. Section 657 of the Municipal Government Act allows for the consideration of time extensions for the submission of

Adopted

subdivision registration documents and other information in support of conditions of the subdivision authority. Council has delegated certain authority to ASDAA and MPC in dealing with certain matters regarding subdivision approval and administration.

Carried

CORRESPONDENCE

Information Items

MPC 11-149

Moved by B. Nerrie

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

- a) ASDAA Agenda from September 6, 2011
- b) Permitted Development Permits Approved
- c) Notice of Decision NRCB RA 11023 / NE 19-32-27-4
- d) CCI Wireless email received at 8:40 am, September 15, 2011.

Carried

ADJOURNMENT

MPC 11-150

Moved by G. Harris

That the Municipal Planning Commission of September 15, 2011 be adjourned at 11:23 a.m.

Carried

Adopted October 6, 2011

Chair

I hereby certify these minutes are correct.

Secretary, Municipal Planning Commission