

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **August 18, 2010**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: L. Burrell; Member-At-Large/Chair
G. Harris; Member-At-Large/Vice-Chair
K. Walton; Member-At-Large
K. Branter; Member-At-Large
A. Kemmere; Reeve
L. Negropontes; Councillor
E. Page; Councillor

IN ATTENDANCE: D. Hawryluk; Acting Chief Administrative Officer
/ Director of Planning & Development Services
S. Madge; Manager of Development & Permitting Services
T. Connatty; Planner
J. Ross; Development Officer
C. Keleman; Recording Secretary

CALL TO ORDER: L. Burrell called the meeting to order at 1:01 p.m.

AGENDA MPC 10-135 Moved by G. Harris
That the Municipal Planning Commission adopt the agenda of the
Municipal Planning Commission meeting of August 18, 2010 as
presented
Carried

ADOPTION OF MINUTES MPC 10-136 Moved by K. Branter
That the Municipal Planning Commission adopt the minutes of the
Municipal Planning Commission meeting of August 4, 2010 as
presented.
Carried

SD08-039
NW 17-29-5-5
Planning and Development Services presented an overview of a
proposed subdivision located at NW 17-29-5-5, and provided
information as introduced in the agenda package, such as the
location map and aerial photos.
Planning and Development Services provided specific information
to the application as follows:
• To create one 6.49 acre parcel
• Proposed parcel was rezoned to Country Residential.
• Located in the Water Valley / Winchell Lake area.
• Proposed parcel is a fragmented parcel on Twp. Rd. 292.
• A seasonal creeks runs through the proposed parcel.

- Applicant has addressed concerns of surrounding landowners regarding increased population and the potential contamination of ground water.
- A restrictive covenant to build only on the proposed building envelope will be placed on the title.
- A subdivision was applied for in the past and the application was refused based on the concerns of fragmentation of arable land. This decision was appealed and the Appeal Board denied the appeal because the proposed parcel was not viewed to be sufficient for viable agricultural pursuits.
- This quarter also has another parcel in the south east corner that has been fragmented by the road.

Municipal Planning Commission discussed the following:

- Clarification of building envelope.
- Proposed parcel can support a dwelling with appropriate flood proofing measures
- Future subdivision on the proposed parcel will not likely be supported.
- The type of dwelling allowed on the proposed parcel – as per the Land Use Bylaw.
- Setback from the road for a dwelling unit – building envelope was developed with respect to a setback from the middle of the road of 250 feet – as per former Land Use Bylaw.
- Confirmation that MPC members have received and reviewed letters submitted from adjacent landowners.

Applicant discussed the following:

- The applicant had no concerns or questions with the approval conditions.

Moved By G. Harris

MPC 10-137 That the Municipal Planning Commission approve the proposed subdivision, to create one (1) six point four nine (6.49) acre parcel within NW 17-29-5-5, submitted by Water Valley Ventures Inc., SD 08-039, subject to the following conditions:

Standard 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.
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 property taxes in arrears shall be made to Mountain View County.

4. Subdivision to be effected by an instrument acceptable to the Land Titles Office (Descriptive Plan or/Plan of Survey).
5. Municipal Reserves
 - (1) Agricultural Parcels, 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.

Standard Conditions if Applicable:

6. That the applicant enters into an agreement for the provision of road widening (northerly 5.18 meters) across the subject property to the satisfaction of Mountain View County.
7. N/A
8. N/A
9. N/A
10. N/A
11. The applicant shall enter into a development agreement(s) with Mountain View County in accordance with Section 655 of the Municipal Government Act. The development agreement(s) shall address such matters including but not limited to the following:
 - a. private sewage treatment system requirements
 - b. stormwater management requirements;
 - c. building envelope restrictions;

As required, the development agreement(s) may be registered via caveat on the affected land provided the nature and intent of the agreement(s).
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 and residual lots in accordance with the rural addressing bylaw. The applicant shall provide confirmation in this regard.
13. The applicant shall enter into a restrictive covenant in accordance with Section 651.1 of the Municipal Government Act. The restrictive covenant shall affect lands situated outside of the identified building envelope as identified on the conditionally approved tentative plan for the purposes of protection of the natural environment. Mountain View County shall draft the agreement and prepare supportive schedules. This agreement shall be registered via caveat on the affected titles.
14. N/A
15. N/A
16. N/A

Carried

SD08-038
NW 17-29-5-5

Planning and Development Services presented an overview of a proposed subdivision located at NW 17-29-5-5, and provided information as introduced in the agenda package, such as the location map and aerial photos.

Planning and Development Services provided specific information to the application as follows:

- Proposal to create one 15.83 acre parcel.
- Zoning is Agricultural.
- Located in the Water Valley / Winchell Lake area.
- Proposed parcel is fragmented by the county road from the balance of the quarter section
- A seasonal creek runs through the proposed parcel and does not qualify within the Environmental Protection Guidelines.
- Relatively flat area.
- Applicant has addressed concerns of surrounding landowners regarding increased population and the potential contamination of aquifer.
- A restrictive covenant to build only on the proposed building envelope will be placed on the title.
- There is another residence to the north of proposed parcel.
- Access is proposed to directly across from access to residence to the north.
- The proposed parcel was redesignated to Country Residential.

Municipal Planning Commission discussed the following:

- Clarification of building envelope
- Location of seasonal creek.
- Confirmation that MPC members have received and reviewed letters submitted from adjacent landowners.

Applicant discussed the following:

- The applicant had no concerns or questions with the approval conditions.

Moved By K. Branter
MPC 10-138 That the Municipal Planning Commission approve the proposed subdivision to create one (1) fifteen point eight three (15.83) acre parcel within NW 17-29-5-5, submitted by MARTIN, Brian and GIESINGER, Leroy, SD 08-038, subject to the following conditions:

Standard 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.
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 property taxes in arrears shall be made to Mountain View County.
4. Subdivision to be effected by an instrument acceptable to the Land Titles Office (Descriptive Plan or/Plan of Survey).
5. Municipal Reserves
 - (1) Agricultural Parcels, 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 within 30 days from the date of this notice of decision. Approximately 1.6 acres are owing and at a rate of \$3968.18 per acre, therefore \$6349.09 is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey;

Standard Conditions if Applicable:

6. That the applicant enters into an agreement for the provision of road widening (northerly 5.18 meters) across the subject property to the satisfaction of Mountain View County.
7. N/A
8. N/A
9. N/A
10. N/A
11. The applicant shall enter into a development agreement(s) with Mountain View County in accordance with Section 655 of the Municipal Government Act. The development agreement(s) shall address such matters including but not limited to the following:
 - a. private sewage treatment system requirements
 - b. stormwater management requirements;
 - c. building envelope restrictions;

As required, the development agreement(s) may be registered via caveat on the affected land provided the nature and intent of the agreement(s).

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 and residual lots in accordance with the rural addressing bylaw. The applicant shall provide confirmation in this regard.

- 13. The applicant shall enter into a restrictive covenant in accordance with Section 651.1 of the Municipal Government Act. The restrictive covenant shall affect lands outside of the identified building envelope as identified on the conditionally approved tentative plan for the purposes of protection of the natural environment. Mountain View County shall draft the agreement and prepare supportive schedules.

This agreement shall be registered via caveat on the affected titles.

- 14. N/A
- 15. N/A
- 16. N/A

Carried

PLDP20100000294
SE 21-31-2-5
Plan 9612093, Lot 1

Planning and Development Services presented an overview of a proposed development located at SE 21-31-2-5, Plan 9612093, Lot 1, and provided information as introduced in the agenda package, such as the location map and aerial photos.

Planning and Development Services provided specific information to the application as follows:

- Proposal to develop a secondary suite attached to the existing accessory building – detached garage.
- Parcel size is 8.48 acres.
- Zoning is Country Residential.
- The applicant is proposing that the suite would be 1000 sq ft therefore exceeding this requirement within the Land Use Bylaw. With this regard the Planning and Development Department is recommending refusal of this application.

Municipal Planning Commission discussed the following:

- Reasons why the secondary suite is not being attached to the existing dwelling unit.
- The proposed size of the proposed secondary suite.

Applicant discussed the following:

- Alana Gibson read a letter to the MPC to address their questions and concerns.
- The proposed secondary suite is for an aging relative.
- Feels it is not feasible to attach a secondary suite to the existing dwelling.
- Feels that 1,000 sq. ft is needed to accommodate walker and wheel chairs needs.

Moved By G. Harris

MPC 10-139 That the Municipal Planning Commission refuse the proposed Secondary Suite Attached to the Existing Accessory Building –

Detached Garage in accordance with the Land Use Bylaw, within SE 21-31-2-5, Plan 9612093, Lot 1, submitted by Gibson, Alana and Alastair, Development Permit PLDP20100000294 for the following reasons:

Land Use Bylaw 10/10

- Section 9.7 Secondary Suite
- Section 15.1 R – CR Country Residential District
- 2. a) Discretionary – “Secondary Suite”
- 3. a) Site Regulations – Dwelling Density

The base density for all parcels shall be one (1) dwelling unit per parcel. An additional dwelling unit in the form of a secondary suite (attached to the principal dwelling) may be considered in accordance with Subsection 9.7, totaling a maximum dwelling unit density of two (2) units per parcel.

Carried

NRCB NOTICE
NW 10-32-28-4

MPC 10-140

Moved by A. Kemmere

That the Municipal Planning Commission receive the review of the Existing Heifer Barn and Dry Cow Barn, on the NW 10-32-28-4, submitted by Martien & Tietsia HUYZER, for information and approve the submission of the comments to the National Resource Conservation Board (NRCB).

Carried

CORRESPONDENCE
Information Items

MPC 10-141

Moved by K. Branter

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

- a) ASDAA Agenda from August 3, 2010
- b) ASDAA Agenda from August 10, 2010
- c) Permitted Development Permits Approved

Carried

ADJOURNMENT

MPC 10-142

Moved by G. Harris

That the Municipal Planning Commission of August 18, 2010 be adjourned at 1:59 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Director of Planning and Development