

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **November 18, 2010**, 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
W. Davies; Member-At-Large
L. Schafer; Member-At-Large
B. Orr; Council
P. Munro; Council
K. Good; Council

IN ATTENDANCE: D. Hawryluk; Director of Planning & Development Services
N. Petherick; Manager of Planning Services
S. Madge; Manager of Development & Permitting Services
R. Morrison; Manager of Infrastructure Projects
D. McDonald; Planner
C. Keleman; Recording Secretary

CALL TO ORDER: G. Harris called the meeting to order at 10:11 a.m.

AGENDA Moved by L. Schafer
MPC 10-190 That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of November 18, 2010 as amended with the addition of 11.2 MPC Procedures & Issues.
Carried

ADOPTION OF MINUTES Moved by K. Branter
MPC 10-191 That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of November 4, 2010 as presented.
Carried

L. Burrell joined the meeting at 10:19 am.

PLRD20100000086
NW 9-33-4-5
Planning and Development Services presented an overview of a proposed subdivision located at NW 9-33-4-5, 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:
• To create one (1) four point three (4.30) acre CR lot from existing 152.57 acres.
• Proposed parcel was redesignated to CR on October 6, 2010.

- There are two country residential parcels which have been previously subdivided out of the quarter section. One is in the north-east corner of the quarter and the other is in the western side adjacent to Range Road 4.4. Both parcels have dwelling units with various out-buildings on them. The remainder of the parcel is used for agricultural purposes.
- There are no CFOs or conflicting land uses within the vicinity.
- The Applicant was required to submit a concept plan.
- There is an existing access from Range Road 4.4 on to the proposed site.
- One letter of objection received from neighboring landowner on grounds that there is no well on the property and no proof that there is available water on the property. No more sewage should be allowed to filter into Eagle Creek. The property contains viable farm land under cultivation and should be kept as such. Objector's livestock operation immediately to the west will be affected by the new lots.
- It is not standard practice to require a ground water supply evaluation for a single lot.
- There is provincially recognized Environmentally Sensitive Area (Class 3 – moderate water body) containing part of Eagle Creek in the north-western portion of the quarter, flowing in a south-westerly direction. This area is far enough away from the proposed redesignation parcel which is in the south-west corner, that there would be no adverse impact on this wetland. There is also a seasonal creek in the central to eastern portion of the quarter. As per approved policy, environmental protection measures in the form of a restrictive covenant have been recommended.

Municipal Planning Commission discussed the following:

- At the time of redesignation, Council deemed the proposed parcel suitable to purpose.
- Review of Section 1.2 New Directions of the Municipal Development Plan. Staff clarified that these statements are broad statements and referred MPC to Section 3.3.3 Land Use Policies – Low Density Residential Subdivisions (c).
- The total acreage subdivided out of the quarter is approximately 12 acres.
- Clarification of the purpose of a concept plan. Staff stated that it is a mark for current and future landowners that this is where future subdivision should go. The concept plan is implemented on the 'rules of the day'.
- The letter of objection regarding water availability.
- Adding conditions to require sewage suitability and groundwater availability studies. Staff stated that this is not standard practice for single lots.
- The varying cost of technical studies.

- Clarification of Condition 13 - the restricted covenant for the ESA.

Applicant discussed the following:

- Dallas Rosevear clarified that the road closure was consolidated into the quarter.
- Clarification of Condition 4 regarding a descriptive plan of survey. What is Mountain View County's position on this? Staff replied that whatever is acceptable to Land Titles.

Moved by W. Davies

MPC 10-192 That the Municipal Planning Commission refuse the proposed subdivision, to create one (1) four point three (4.30) acre lot from existing 152.57 acres, within NW 9-33-4-5 submitted by Rosevear Land Services Ltd./Dallas Rosevear, File No. PLRD2010000086 for the following reason:

That the proposed subdivision violates the spirit of the Municipal Development Plan, Section 1.2 New Directions following points:

- concentrate and direct non-agriculture development to growth centres;
- be sensitive to rural and agricultural views and vistas when allowing development;
- encourage the conservation of agricultural land and the rural lifestyle;
- plan for higher densities to ensure that new development is making efficient use of land taken out of agricultural production.

Motion Defeated

Moved by K. Branter

MPC 10-193 That the Municipal Planning Commission approve the proposed subdivision, to create one (1) four point three (4.30) acre lot from existing 152.57 acres, within NW 9-33-4-5 submitted by Rosevear Land Services Ltd./Dallas Rosevear, File No. PLRD2010000086, subject to the following conditions:

Standard Conditions:

1. The approval fee of \$400 shall be paid to Mountain View County within 30 days from the date of this 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.
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) N/A; or

b) 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 (0.43) acres are owing and at a rate of (\$3,221.46) per acre, therefore (\$1,385.23) is owing to the County. This figure will be subject to confirmation upon receipt of the final plan of survey;

c) N/A.

d) N/A.

(2) Medium-High Density Residential (More than (5) titles per quarter section), Recreational, Commercial or Industrial Development:

a) N/A; or

b) N/A.

c) N/A.

Standard Conditions if Applicable:

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 metres in width commencing at 5 metres measured in perpendicular distance from Township Road 332 and 5 metres adjacent to Range Road 44.
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 the area as identified on the conditionally approved tentative plan for the purposes of protecting the Class C waterbody. Mountain View County shall draft the agreement and prepare supportive schedules. This agreement shall be registered via caveat on the affected titles.

Additional Conditions:

17. The applicant shall enter into the following restrictive covenant:
 - Identification of building envelope to protect the Concept Plan (small development).

The restrictive covenant shall be registered via caveat.

The question on Motion MPC 10-193 was not called.

MPC 10-194 Moved by G. Harris
That Motion #MPC 10-193 be amended to add a condition to require the applicant to conduct a Phase 1 Groundwater Supply evaluation.

Motion Defeated

Motion MPC 10-193 was called.

Carried

PLSD20090000169

Olds Didsbury Airport

SE 5-32-1-5 Plan 0712617 Block 1 Lot 1;

SE 5-32-1-5 Plan 0712617 Block 1 Lot 20-22;

SE 5-32-1-5 Plan 0712617 Block 1 Lots 27-35;

Planning and Development Services presented an overview of a proposed subdivision located at the Olds Didsbury Airport, 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 twenty four (24) parcels ranging in size between 536 m² (0.13 acres) and 1,490 m² (.37 acres) contained within SE 5-32-1-5 Plan 0712617 Block 1 Lot 1; SE 5-32-1-5 Plan 0712617 Block 1 Lot 27-35 as indicated in the Tentative Plan of Subdivision.
- Location of proposed subdivision is 4 miles south of Olds, on Bergen Road, next to the Mountain View County office.
- The subject lands are currently designated Airport District (S-AP) in the Mountain View County Land Use Bylaw 10/10. The lands are also affected by the Airport Protection Zone Overlay of the land use bylaw.
- Surrounding land use is typical airport hangar development as well agriculture use.
- Any Confined Feeding Operations in the general area are well beyond the required minimal distance setback and therefore, this development will have no impact on their operations.
- The proposed subdivision meets all required setbacks from pipelines and wells.
- Ground-side and air-side access points have been considered.
- Subdivision can accommodate aircraft access, parking and private servicing.
- Existing gravel road will be upgraded.
- Transport Canada was consulted and they had no concerns within application.

Municipal Planning Commission discussed the following:

- Concern for more access points for responding emergency units. Staff pointed out that there is an existing approach on County land, to the east of the proposed subdivision, that could be further developed for an emergency access.
- Concern for adequate space and appropriate location for storage of chemicals for de-icing aircraft.
- Perhaps these concerns are not the purview of MPC. Perhaps these concerns should just be forwarded on to the Airport Committee to consider in the management and operations of the airport.
- The need for a hazard assessment study.
- Existing services at airport. Some have private wells. Users are likely low water users.
- Communal servicing for water and sewer. Why not drill one well to service all lots? Communal services increase the costs to owners of lots (flyers).
- Lot sizes.

Applicant discussed the following:

- Ryan Morrison; Operational Services, Mountain View County clarified why communal services (water and sewer) were not intended for this development. They could not justify spending funds for infrastructure that may never be used. They original looked into accessing regional services when they become available, but timelines could not be confirmed.
- There is an interim servicing plan in place that would restrict on site private sewage treatment sewage systems to holding tanks only.
- A development permit was issued for the stripping & grading that has been done.
- Confirmed that lots are 'tentatively' sold – Not pre-sold.
- The layout of the lots was at the direction of the Airport Committee.

Moved By P. Munro

MPC 10-195 That the Municipal Planning Commission defer the application to subdivide twenty four (24) parcels ranging in size between 536 m² (0.13 acres) and 1,490 m² (.37 acres) contained within SE 5-32-1-5 Plan 0712617 Block 1 Lot 1; SE 5-32-1-5 Plan 0712617 Block 1 Lot 27-35, to the December 2, 2010 Municipal Planning Commission meeting, and that the Director of Operations for Mountain View County, and the Chairperson or representative for the Mountain View County Airport Committee be requested to attend.

Carried

MPC 10-196 Moved By W. Davies
That the Municipal Planning Commission present the following specific issues for the Mountain View County Operational Services department and the Airport Committee to address at the December 2, 2010 Municipal Planning Commission meeting:

1. Water Issues – Well or Cisterns
2. Emergency Management Response Plan & Access
3. Engineered De-icing area
4. Hazard Assessment
5. Lot sizes

Carried

MPC 10-197 Moved By P. Munro
That the members for the December 2, 2010 Municipal Planning Commission meeting shall be a majority of those in attendance at today's (November 18, 2010) meeting.

Carried

MPC 2010-2011
MEETING SCHEDULE

Planning and Development Services presented a draft calendar schedule of Municipal Planning Commission meetings for 2010/2011, as approved by Council on October 27, 2010, and reported that at the MPC Orientation on November 5, 2010, members of the MPC discussed the schedule and time of meetings for November 2010 to October 2011. MPC members discussed adjusting the start time from 10:00 am to 9:00 am, so that the day is not so split up. General consensus of the members was to hold the meetings from 9:00 am to 12:00 pm. It was pointed out that this timing also frees up the afternoon for various workshops. Discussion also included holding a MPC meeting on August 4, 2011 with only members at large sitting since Council is on a break that week.

MPC 10-198 Moved by G. Harris
That the Municipal Planning Commission approve the presented calendar schedule of Municipal Planning Commission meetings for 2010/2011 which entails:

First Thursday of each month:
Municipal Planning Commission Meeting – 9:00 am to 12:00 pm

Third Thursday of each month:
Municipal Planning Commission Meeting – 9:00 am to 12:00 pm;

And that, the 9:00 am start time commence on December 2, 2010;
And that, an August 4, 2010 Municipal Planning Commission meeting, with all members at large sitting, be included on the calendar.

Carried

CORRESPONDENCE

Information Items

MPC 10-199 Moved by G. Harris
 That the Municipal Planning Commission receive the following item as information:
 (a) Municipal Affairs Information Bulletin 06/10:
 Advisory Land Use Planning Notes on Abandoned Well Sites

Carried

MPC 10-200 Moved by K. Branter
 That the Municipal Planning Commission receive the following items as information:
 a) ASDAA Agenda from November 2, 2010
 b) ASDAA Agenda from November 9, 2010
 c) NRCB Amendment RA03049A

Carried

Recess at 12:20 pm
 Re-convened at 12:35 pm

MPC 10-201 Moved by G. Harris
 That the Municipal Planning Commission go in-camera.

Carried

MPC 10-202 Moved by G. Harris
 That the Municipal Planning Commission move out of camera.

Carried

MPC 10-203 Moved by K. Branter
 That the Municipal Planning Commission receive verbal report from the Director of Planning & Development regarding a legal opinion for matter regarding development appeal for SE34-33-2-5.

Carried

ADJOURNMENT

MPC 10-204 Moved by G. Harris
 That the Municipal Planning Commission of November 18, 2010 be adjourned at 1:15 p.m.

Carried.

*Adopted December 2, 2010.
 Signed copy available at Mountain View County.*

Chair

I hereby certify these minutes are correct.

Director of Planning and Development