

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the Municipal Planning Commission held on  
March 18, 2021, Via Zoom Cloud

PRESENT: H. Overguard; Member-At-Large/Chair  
G. Schalin; Member-At-Large  
C. Keleman; Member-At-Large

A. Aalbers; Councillor  
G. Harris; Councillor  
P. Johnson; Councillor

IN ATTENDANCE: M. Bloem; Director, Planning & Development/Secretary, Municipal  
Planning Commission  
R. Pohl; Planning Technician  
K. Neff; Development Officer  
P. Grochmal; Development and Permitting Officer  
L. Craven; Recording Secretary

CALL TO ORDER: H. Overguard called the meeting to order at 9:00 a.m.

Meeting paused so G. Schalin could connect.

AGENDA MPC 21-007 Moved by G. Harris  
That the Municipal Planning Commission adopt the agenda of the  
Municipal Planning Commission meeting of March 18, 2021 as  
presented.  
Carried.

ADOPTION OF MINUTES MPC 21-008 Moved by G. Schalin  
That the Municipal Planning Commission adopt the minutes of the  
Municipal Planning Commission meeting of February 18, 2021 as  
presented.  
Carried.

PLRDSD20200173  
NW 25-30-29-4 Planning and Development Services presented an overview of a  
proposed subdivision located at NW 25-30-29-4, 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:

- Proposed subdivision to subdivide one (1) two point nine two ((+/-) 2.92) acre parcel from NW 25-30-29-4 consisting of one hundred sixty ((+/-) 160) acres.
- Applicant / Landowner - RAND, Nielsen O
- Redesignation was refused by Council on Feb 10, 2021 with Bylaw No. LU 03/21 therefore does not have the correct designation for the property.

Municipal Planning Commission had no comments.

Applicant was not present.

Moved by A. Aalbers

MPC 21-009 That the Municipal Planning Commission (MPC) refuse the proposed subdivision to subdivide one (1) two point nine two ((+/-) 2.92) acre parcel within NW 25-30-29-4, submitted by RAND, Nielsen Otto, file no. PLRDSD20200173.

Reasons:

1. The proposal does not comply with the Municipal Government Act, Section 654(1)(b) as it does not conform to the provisions of the Municipal Development Plan (MDP) Bylaw No. 09/12 and the Land Use Bylaw No. (LUB) 16/18;
2. The proposal does not meet the requirements for new residential parcels, according to the Municipal Development Plan (MDP):
  - i. The application for redesignation of the subject lands to Country Residential (1) District (R-CR1) was refused by Council through Bylaw No. LU 03/21 on February 10, 2021. The lands have therefore remained zoned Agricultural District (A). The proposal for a residential parcel does not have the correct land use designation for its intended use (Policies 3.3.8 and 4.3.1).
3. The proposal does not meet the requirements for Agricultural District (A) parcels, according to the Land Use Bylaw (LUB).
  - i. The proposal does not meet the purpose of the district to provide for agricultural uses on larger parcels. The proposal is not of the correct land use designation for its intended use.
  - ii. The proposal does not meet the minimum parcel size requirement for Agricultural District (A) parcels, its current designation (minimum 80 acres).

Carried.

PLDP20210047

SW 26-31-4-5

Plan 0313328 Block 1 Lot 2

Planning and Development Services presented an overview of a proposed development located at SW 26-31-4-5 Plan 0313328 Block 1 Lot 2, 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 Business, Agri-tourism (Seasonal Farmers Market) and One (1) Sign, On-Site Commercial.
- Applicant - INGEVELD, Gerald Maurice / Landowner - TOMCO ENTERPRISES LTD.
- Circulation was completed within a half mile of the subject land and no comments were received.
- Previously used for processing hay production.
- One on-site commercial and temp signs for market days
- Building Permit required for public occupancy.

Municipal Planning Commission discussed the following:

- Administration addressed concerns regarding the Emergency Response for the Oil and Gas Activity in the area and the Harmattan Gas Plant as well as the AER verbal response to the circulation.
- Parking.
- Hours of Operation.

Applicant discussed the following:

- Gerald Ingeveld spoke as the applicant.
- Applicant clarified 300 vehicles could be accommodated in the parking area and if they needed more parking, they would contact the County if and when required.
- Applicant stated that in having conversations with the gas plant, that the proposal is within the Emergency Notification Area.
- Applicant suggested that the 5 employees, assisting with set up and take down, be trained in the emergency response action.
- During an emergency, everyone has the ability to leave in the vehicle that they came in.
- Hours of Operation was understood by the applicant to be when public was admitted to the market and not reflect the set up and take down for vendors.

Meeting recessed at 9:54 a.m. to prepare additional condition and amend Condition 22  
Meeting resumed at 10:03 a.m.

Moved by C. Kelemen  
MPC 21-010 That the Municipal Planning Commission amend Condition 22, Hours of operation for onsite operations, excluding vendor set up and take down, shall be 4:00 p.m. to 7:00 p.m., Saturdays and Sundays, May 1st through to October 31st annually.  
Carried.

Moved by A. Aalbers  
MPC 21-011 That the Municipal Planning Commission include Condition 28, The applicant shall work with the Harmattan Gas Plant to incorporate the development approved with this Development Permit in their

Emergency Response Plan (ERP) and submit confirmation to the County.

Carried.

MPC 21-012 Moved by G. Harris  
That the Municipal Planning Commission (MPC) approve the proposed Business, Agri-tourism (Seasonal Farmers Market) and One (1) Sign, On-Site Commercial in accordance with Land Use Bylaw No. 16/18 and the submitted application, within SW 26-31-4-5 Plan 0313328 Block 1 Lot 2, submitted by INGEVELD, Gerald Maurice, Development Permit No. PLDP20210047, 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. Landowners shall be responsible for dust control on the County road adjacent to their property.
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. Permit approval is conditional to the information supplied on the application form for a Business, Agri-Tourism – Seasonal Farmer’s Market to expand the ability to provide the exchange of agricultural goods to the traveling public. The applicant, landowner and/or operator shall maintain a non-intrusive business and preserve the privacy and enjoyment of adjacent properties.
14. The applicant, landowner and/or operator shall obtain a Building Permit for the Change of Use for the Agricultural Building to a Commercial Retail Sales Store (15,000 sq. ft. area). to ensure buildings meet Safety Code requirements for Public Occupancy.
15. The remainder of the agricultural buildings shall not be used for public occupancy.
16. One (1) Sign, On-Site Commercial is permitted and shall not exceed 96 sq ft (16 x 6 ft). The sign shall be located on the subject property. The sign must be maintained in good repair and the applicant, landowner and/or operator will be responsible for removal if the sign is no longer required.
17. Future expansion of the business, including a change of use for the existing buildings, additional work area, buildings, or employees, will require a new permit.
18. Additional outside storage other than items identified within the application, associated with the Business, Agri-Tourism is not permitted.
19. That the applicant, landowner and/or operator meets any standards and obtain any approvals required from the Alberta Health Services and adhere to a farmers’ market food permit from Alberta Health Services obtained prior to opening market.
20. No events have been permitted within issuance of this permit. Events require the issuance of a Public Event Permit.
21. Employees shall not exceed five (5) employees for the Business, Agri-tourism.
22. Hours of operation for onsite operations, excluding vendor set up and take down, shall be 4:00 p.m. to 7:00 p.m., Saturdays and Sundays, May 1st through to October 31st annually.

23. That the applicant, landowner and/or operator obtains and adheres to a new Roadside Development Permit from Alberta Transportation.
24. That the applicant, landowner and/or operator obtains and adheres to a Sign Installation Permit from Alberta Transportation.
25. That the applicant, landowner and/or operator obtains consent from the pipeline company regarding pipeline R/W 6773 JK for the existing encroachment of a portion of the vendor building and associated parking areas proposed for the Business, Agri-Tourism.
26. No overnight camping has been approved with issuance of this permit.
27. The applicant, landowner and/or operator shall ensure all communications related to accessing the subject property, and all employees and customers visiting the site are directed to utilize Highway 582 and Range Road 42 south of the entrance to the farmers market.
28. The applicant shall work with the Harmattan Gas Plant to incorporate the development approved with the Development Permit in their Emergency Response Plan (ERP) and submit confirmation to the County.

Carried.

P. Johnson declared that she would be recusing herself from Item 8 3 (PLDP20210076) not as a result of a pecuniary interest but due to perception of conflict of interest.

PLDP20210076  
NW 32-33-4-5  
Plan 0010019 Block 3

Planning and Development Services presented an overview of the relevant facts for MPC to determine if the development permit application at NW 32-33-4-5 Plan 0010019 Block 3 is the same or similar use.

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

- Application is for expansion of their existing Recreation Resort to add 5 additional RV sites to the existing approved 20 sites.
- Administration clarified Section 5.5.3 of the Land Use Bylaw.
- SDAB refused application PLDP20190062 on October 20, 2020. After six (6) months, April 22, 2021 would be the date to reapply if the application is found to be the same use as PLDP20190062.
- The current application was submitted February 17, 2021.
- The Discretionary Use "Recreational Resort" is the use that characterize both the applications.

- The current application is for 5 additional RV lots compared to 30 additional RV lots of the previous application.
- The current application includes the AER response that the additional 5 RV lots requires a 500 m from the centre line of the two level 3 pipelines compared to the AER response for the previous proposal that required a 1,500 m setback.

Municipal Planning Commission had no discussion.

Applicant, David Bach, was present.

Moved by G. Harris

MPC 21-013 That the Municipal Planning Commission (MPC) determines that the application submitted by FOREST HEIGHTS GOLF & COUNTRY CLUB LTD. for Recreation Resort - additional 5 RV Sites, Development Permit No. PLDP20210076, is the same or similar use in accordance with Section 5.5.3 of Land Use Bylaw No. 16/18.

Carried.

P Johnson rejoined the meeting.

#### CORRESPONDENCE

##### Information Items

Moved by A. Aalbers

MPC 21-011 That the Municipal Planning Commission receive the following items as information:

- 1) 20200223 ASDAA Agenda
- 2) 20200309 ASDAA Agenda
- 3) Permitted Development Permits
- 4) MGB Board Order Taylor/Bennett
- 5) MGB Board Order Taylor/From

Carried.

#### NRCB - PLCF020210022 RFD Part 2

Municipal Planning Commission had no comments

Moved by G. Schalin

MPC 21-012 That the Municipal Planning Commission (MPC) review and provide no comments to the National Resource Conservation Board (NRCB) for the proposal to increase the permitted livestock on site by 35,000 chicken breeders and to construct two breeder barns; and to reduce the previously permitted chicken broilers from 220,000 to 130,000 within NW 5-31-28-4, submitted by KAMLAH FARMS LTD on behalf of KAMLAH FARMS LTD.

Carried.

Adopted

ADJOURNMENT

MPC 21-013

Moved by H. Overguard

That the Municipal Planning Commission of March 18, 2021 be adjourned at 10:37 a.m.

Carried.

Adopted April 01, 2021



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Chair

I hereby certify these minutes are correct.



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Secretary, Municipal Planning Commission