

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on
May 06, 2021, Via Zoom Cloud

- PRESENT:**
- G. Ingeveld; Member-At-Large/Chair
H. Overguard; Member-At-Large
G. Schalin; Member-At-Large
M. Aubrey; Member-At-Large
- G. Harris; Councillor
P. Johnson; Councillor
- IN ATTENDANCE:**
- M. Bloem; Director, Planning & Development/Secretary, Municipal Planning Commission
J. Ross; Manager of Development & Permitting Services
T. Connatty; Planner
R. Pohl; Planning Technician
L. Craven; Recording Secretary
- CALL TO ORDER:**
- G. Ingeveld called the meeting to order at 9:05 a.m.
- AGENDA**
- MPC 21-025 Moved by G. Schalin
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of May 06, 2021 as presented.
- Carried.
- ADOPTION OF MINUTES**
- MPC 21-026 Moved by M. Aubrey
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of April 15, 2021 as presented.
- Carried.
- OLD BUSINESS**
PLCFO20200332
- Municipal Planning Commission had no comments.
- MPC 21-027 Moved by M. Aubrey
That the Municipal Planning Commission (MPC) receive for information the Natural Resource Conservation Board's (NRCB's) additional information provided relating to the approval of the application to amend RA13033A for the removal of the EMS straw cover condition at an existing multi-species confined feeding

operation, with no increase in livestock numbers, within NE 7-29-27-4.

Carried.

PLRDSD20200368
SE 25-32-6-5
P1211065 Blk - 1 L - 1

Planning and Development Services presented an overview of a proposed subdivision located at SE 25-32-6-5 P1211065 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:

- To create one (1) three point zero ((+/-) 3.0) acre parcel within SE 25-32-6-5 Plan 1211065 Block 1 Lot 1.
- Applicant / Landowner – GORDON, Chad A
- Redesignation refused by Council on March 24, 2021, by Bylaw No. LU 06/21
- Within the Existing Growth Centre and South McDougal Flats Area Structure Plan.

Municipal Planning Commission discussed the following:

- Administration clarified the zoning and the 165 m radius setback between aggregate extraction and dwellings.

Applicant was not present.

Moved by G. Harris

MPC 21-128 That the Municipal Planning Commission (MPC) refuse the proposed subdivision to create one (1) three point zero ((+/-) 3.0) acre parcel within SE 25-32-6-5 Plan 1211065 Block 1 Lot 1, submitted by GORDON, Chad A, file no. PLRDSD20200368.

Reasons:

1. Municipal Government Act (MGA): Section 654 (1) (b), (c)
 - (b) The proposed parcel did not achieve redesignation to an appropriate land use district and; therefore, is not in compliance with the MDP or ASP policies and the proposed parcel does not comply with the LUB regulation for minimum parcel size for an Agricultural District parcel.
 - (c) The proposed parcel does not conform to the provisions of the statutory plans and Land Use Bylaw and therefore is not in compliance with this part of the MGA.
2. Subdivision and Development Regulations: Section 7(h) (i)
 - h) The proposal would have a negative impact on the surrounding uses within the quarter to the north, the location of a future gravel extraction.
 - i) The proposal did not achieve redesignation to an appropriate land use district and is not in compliance with statutory plans and the Land Use Bylaw.

3. Non-Compliance with Statutory Plans Municipal Development Plan (MDP) No. 09/12, South McDougall Flats Area Structure Plan Bylaw No. 02/10 (ASP)
 - The MDP requires an application to be subject to redesignation and/or subdivision, this application did not achieve redesignation and is not in compliance with this statutory document.
 - The ASP requires that an application shall conform with MDP policies and this application did not achieve redesignation to an appropriate district and is not in compliance with this statutory document.
4. Non-Compliance with the Land Use Bylaw (LUB) No. 16/18
 - The land within the three-point zero ((+/-) 3.0) acre parcel is zoned Agricultural District. In the Agricultural District within the LUB the minimum parcel size is 32.37 ha (80.0 ac) and this parcel does not comply with the minimum parcel requirement.

Carried.

PLRDSD20200374
SE 24-33-1-5

Planning and Development Services presented an overview of a proposed subdivision located at SE 24-33-1-5, 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 subdivide one (1) three point zero one ((+/-) 3.01) acre parcel within SE 24-33-1-5.
- Applicant - TAYLOR, Ken / Landowner - DODD, Beatrice L
- Redesignation refused by Council on April 14, 2021, by Bylaw No. LU 12/21

Municipal Planning Commission discussed the following:

- Administration clarified that the applicant wanted to proceed with the application as presented after Administration recommended changes during the application review. The six (6) months waiting period for resubmitting of a refused redesignation application was clarified.

Applicant and landowner were present via Zoom Cloud.

Moved by G Harris

MPC 21-129

That the Municipal Planning Commission (MPC) refuse the proposed subdivision to subdivide one (1) three point zero one ((+/-) 3.01) acre parcel within SE 24-33-1-5, submitted by TAYLOR, Ken, on behalf of DODD, Beatrice L., file no. PLRDSD20200374, for the following 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 (LUB) No. 16/18;

2. The proposal does not meet the requirements for new residential parcels, according to the MDP:
 - i. The application for redesignation of the subject lands to Country Residential District (R-CR) was refused by Council through Bylaw No. LU 12/21 on April 14, 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 (Policy 3.3.8).
 - ii. The proposal is currently bareland and contains a dugout, which takes up approximately one third (1/3) of the proposal area. Non-agricultural uses shall be directed to areas that minimize impacts on agricultural operations. The dugout should remain with the balance of the quarter for future farm use and the proposal could be more compact (Policies 3.3.9 and 3.3.13).
3. The proposal does not meet the requirements for Agricultural District (A) parcels, according to the 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).
 - iii. The purpose and definition of a dugout in the LUB is to hold water for farm use. Dugouts are not compatible with residential use, especially when a bare parcel is proposed for subdivision.
 - iv. An "ornamental pond" can be considered for landscaping purposes within a residential parcel but the ornamental pond may only have a maximum depth of 1.0 metres (3.28 feet). The depth of the water within the dugout may be up to 4.6 metres (15 feet) deep and cannot be considered an ornamental pond. As the waterbody within the proposal boundaries would be considered a dugout, which is used for farm purposes, the proposal cannot be supported.

Carried.

H. Overguard & M. Bloem left the meeting as the Land Use Bylaw item was presented.

PLOTH20210005 – Land Use Bylaw Review Report

Municipal Planning Commission discussed the following:

- Concerns with park models being modified and become permanent dwellings, a complaint would be required to enforce.
- Administration clarified how ponds/dugouts may be looked at in the Land Use Bylaw revisions.
- Administration discussed the rewording for Biophysical Assessment.

Adopted

- Discussion concerning Aerodromes, use of the land and that the hanger buildings are provincial/federal jurisdiction.
- Bunkhouse construction (type of dwelling) is not identified. Administration considers the use and duration of use when determining appropriate dwelling type being proposed.
- Discussion related to Country Residential parcels, that the agricultural buildings will not require a Building Permit but do require a Development Permit as an accessory building.
- Comments by the members as landowners can be submitted individually to Administration to present to Council by May 19th or be brought back to the May 20th MPC meeting.

MPC 21-130 Moved by G. Schalin
That the Municipal Planning Commission receives for information an update on the Land Use Bylaw review for 2021.
Carried.

CORRESPONDENCE

Information Items

MPC 21-131 Moved by M. Aubrey
That the Municipal Planning Commission receive the following items as information:
1) 20210420 ASDAA Agenda
2) 20210427 ASDAA Agenda
3) Permitted Development Permits
4) MGB Decision – Blyth
Carried.

ADJOURNMENT

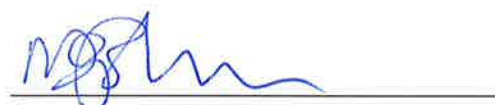
MPC 21-132 Moved by G. Harris
That the Municipal Planning Commission of May 06, 2021 be adjourned at 10:42 a.m.
Carried.

Adopted June 03, 2021



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission