

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **July 15, 2021**, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB and Via Zoom Cloud

**PRESENT:**  
H. Overguard; Member-At-Large/Chair  
M. McNaughton; Member-At-Large  
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  
K. Neff; Development Officer  
L. Gaudette; Recording Secretary

**CALL TO ORDER:** H. Overguard called the meeting to order at 9:02 a.m.

**AGENDA**  
MPC 21-146 Moved by A Aalbers  
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of July 15, 2021 as presented.  
  
Carried

**ADOPTION OF MINUTES**  
MPC 21-147 Moved by G Harris  
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of June 17, 2021 as presented.  
  
Carried

Opposed to Minutes: P Johnson as not in attendance at this meeting

PLDP20210285  
SE 8-33-5-5  
Plan 9811259 Block 5  
Planning and Development Services presented an overview of a proposed development located at SE 8-33-5-5 9811259 Block 5, 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 Dwelling, Manufactured Home, Gazebo, Quonset and Setback Relaxation (Westerly and Southerly).
- Applicant - BRADLEY, Glen Michael & King, Joanne / Landowner - DAY, Michael & Lynda
- Development Agreement Instrument No. 981 120 813 registered on title s. 6 mentions that mobile homes are allowed but must be approved by MPC to ensure it meets the standards
- Dwelling is sufficient to meet the standards outlined in the Development Agreement
- Within the IDP Fringe area with the Town of Sundre. Town of Sundre was circulated for comment and no comments were received

Municipal Planning Commission discussed the following:

- A member question as to why the quonset is being located so close to the neighbouring property
- Glen Bradley described that a natural lowland gathers all the water in the area, goes through a culvert and is built into a 2-piece amphitheater and the property is quite wet. The best and most cost-effective location for the quonset is where it is proposed due to water in area
- Administration clarified setbacks and the process to request setback relaxation(s). Typical condition for accessory buildings is that no residential occupancy and no commercial activity occur as they are accessories to residential use
- A member pointed out that it looks like the building to the west is encroaching on this property and asked if there anything Administration do to address this. Administrative advised that a complaint has not been received

Applicant was present.

Moved by A Aalbers

MPC 21-148 That the Municipal Planning Commission (MPC) approve the proposed Dwelling, Manufactured Home, Gazebo, Quonset and Setback Relaxation (Westerly and Southerly) in accordance with Land Use Bylaw No. 16/18 and the submitted application, within SE 8-33-5-5 Plan 9811259 Block 5, submitted by BRADLEY, GLEN MICHAEL & KING, JOANNE, Development Permit No. PLDP20210285, 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. N/A
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. 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 posting it on the property as per the Rural Addressing Bylaw.
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. This permit is issued for a Dwelling, Manufactured with a manufacture date of 2020 as per the information submitted with the application.
14. All manufactured dwellings must have Canadian Standards Association (CSA) certification. If a particular manufactured dwelling has been damaged or structurally altered, the manufactured dwelling shall be certified as safe by an accredited structural engineer.

15. It shall be the responsibility of the owner to place the manufactured dwelling on a foundation or base in accordance with the requirements of the Alberta Safety Codes Act.
16. All manufactured dwellings shall be skirted from the ground to floor level with a durable finish that complements the existing exterior finish of the manufactured dwelling.
17. Buildings and structures accessory to the manufactured dwelling shall be pre-finished or painted so that the design and construction complements the manufactured dwelling.
18. Use of the proposed Accessory Building - Quonset for business, industrial, commercial purposes, or residential occupancy is not permitted.
19. The Accessory Building must be colour coordinated with the dwelling and will apply to any future outbuildings when applied for.
20. A southerly rear yard setback relaxation and westerly side yard setback relaxation are granted for the life of the building(s) as per the site sketch submitted by the applicant.
21. The applicant, landowner and/or operator shall adhere to all the requirements itemized within the Development Agreement registered on Title as Instrument 981 120 813.

Carried

PLDP20210288  
NE 6-30-5-5

Planning and Development Services presented an overview of a proposed development located at NE 6-30-5-5, 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 Setback Relaxation to Existing Structures (Northerly & Easterly).
- Applicant/Landowner - FAHEY, David Lee & Josephine Pina
- This application is the result of a complaint. In accordance with Section 7.5.6 the penalty may be waived if an application is submitted and Administration supports the waiving of the penalty fee.
- Located in Water Valley/Winchell Lake ASP
- Within Level 2 moderate ESA and within a growth centre but not within referral area of adjacent municipality
- Complaint regarding the accessory buildings in relation to the property line. Three of the four buildings have been there for over 20 years and the other accessory building was built 3 years ago
- Administration supports this application

Municipal Planning Commission discussed the following:

- A member questioned the complaint and Administration confirmed that a survey done to determine the exact

boundary found that fence was not on the property boundary and that as a result these 4 buildings are located within the setbacks. If MPC approves the application, there are 21 days any person affected can appeal the decision.

Applicant was present intermittently via Zoom Cloud.

Moved by G Harris

MPC 21-149 That the Municipal Planning Commission (MPC) approve the proposed Setback Relaxation to Existing Structures (Northerly & Easterly) in accordance with Land Use Bylaw No. 16/18 and the submitted application, within NE 6-30-5-5, submitted by FAHEY, David Lee & Josephine Pina, Development Permit No. PLDP20210288, 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. N/A
6. N/A
7. N/A.
8. N/A
9. N/A
10. N/A
11. N/A

**Permits Associated with Building Construction:**

12. N/A

**Additional Conditions:**

13. Easterly front yard and northerly side yard setback relaxations are granted for the life of the building(s) as per the site sketch submitted by the applicant on June 22, 2021.

14. Use of the existing Accessory Buildings for business, industrial, commercial purposes, or residential occupancy is not permitted.

Carried

PLDPA20210261

SW 26-31-4-5

Plan 0313328 Blk - 1 L - 2

Planning and Development Services presented an overview of a proposed development located at SW 26-31-4-5 Plan 0313328 Blk - 1 L - 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 Amendment to Existing Development Permit PLDP20210047.
- Applicant - INGEVELD, Gerald Maurice / Landowner - TOMCO ENTERPRISES LTD.
- Requesting an amendment to the hours of operation and month of operation for the previously approved Cowboy Trail Farmer's Market.
- Current hours of operation are 4pm to 7pm on Saturdays and Sundays for May through October
- The new requested hours would be from 12 pm to 10 pm year round with Entertainment provided as part of the Market operations
- AER written response for the original application is that the proposal does not meet the definition of a Public Facility that requires a 100m setback from a Level 1 sour gas and that the pipeline right-of-way and setbacks apply.
- No increase proposed to the amount of traffic originally proposed and approved, AT raised no concerns
- Conditions of the permit that were met: Building Permit obtained, the Emergency Response Plan was submitted; AT permit issued, and crossing the pipeline right of way and encroachment agreement were obtained
- Due to the amount of industrial traffic on RR 42 Operational Services recommends that access be restricted from Hwy 582. Operational Services had no concern regarding amendments requested
- Condition #28 requires the amended Development Permit to be incorporated in the Emergency Response Plan
- Administration supports this application to amend as requested

Municipal Planning Commission discussed the following:

- A member requested that the Applicant clarify the hours of operation under Condition 22, with concerns with 2 other Farmer's Markets in the area
- Questions and discussion on what type of entertainment is included

- Applicant advised that they have been working with the Bergen and Cremona Markets to work together and advertise for each other and not compete.
- Entertainment while the vendors are setting up and as people arrive; also benefitting customers
- Discussion on the proximity to the gas plant and Evacuation Plan for indoor and outdoor activity
- Administration clarified DP requirements vs Event Permit as it relates to the proposed entertainment in support of the Farmer's Market not a use separate or outside of the Farmer's Market operations and confirmed that the appropriate use for the Farmers Market is Business, Agri-tourism.

MPC 21-150 Moved by A Aalbers  
That MPC direct Administration to remove the end entertainment out of Condition 22

Carried

- A request was made to add the word "written" to Condition 25 to get consent from the Pipeline Company regarding the pipeline for the existing encroachment.
- Administration confirmed that the Applicant has provided the information for the Encroachment Agreement and pipeline crossing and met Condition #25 and the recommendation is not to amend the Condition.

Applicant was present.

MPC 21-151 Moved by A Aalbers  
That the Municipal Planning Commission (MPC) approve the proposed Amendment to Existing Development Permit PLDP20210047 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, Development Permit No. PLDPA20210261, 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 with 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 including vendor setup and take down shall be 12:00 p.m. to 10:00 p.m, Saturdays and Sundays year-round.
  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 this Amended Development Permit in their Emergency Response Plan (ERP) and submit confirmation to the County.

Carried

CORRESPONDENCE  
Information Items

Moved by C Keleman

Adopted

- MPC 21-152 That the Municipal Planning Commission receive the following items as information:
- 1) 6/22/2021 ASDAA Agenda
  - 2) 6/29/2021 ASDAA Agenda
  - 3) 7/06/2021 ASDAA Agenda
  - 4) Permitted Development Permits
  - 5) ASDAA SD Decisions - June

Carried

PLCFO20210006 – Part 2  
NE 21-32-27-4

Moved by M McNaughton

- MPC 21-153 That the Municipal Planning Commission (MPC) review and provide comments to the National Resource Conservation Board (NRCB) for the proposal to develop a new dairy barn with 250 milking cows (plus associated dries and replacements) by building a new dairy barn, solid manure storage pad, and a liquid manure storage facility within NE 21-32-27-4, submitted by VANDENBROEK, Adrianus T M & Antonia C M.

Carried

#### ADJOURNMENT

Moved by A Aalbers

- MPC 21-154 That the Municipal Planning Commission of July 15, 2021 be adjourned at 10:13 a.m.

Carried

Adopted August 05, 2021

  
Chair

I hereby certify these minutes are correct.

  
Secretary, Municipal Planning Commission