

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **November 18, 2021**, in the Council Chambers, 1408 Twp Rd. 320, Didsbury, AB. and the opportunity to join Via Zoom Cloud

PRESENT: G. Ingeveld; Member-At-Large/Chair
D. Selanders; Member-At-Large
T. Mailer; Member-At-Large

D. Fulton; Councillor
A. Miller; Councillor
G. Harris; Councillor
G. Krebs; Councillor

IN ATTENDANCE: J. Ross; Manager of Development & Permitting Services / Acting Secretary, Municipal Planning Commission
T. Connatty; Planner
R. Pohl; Planning Technician
C. Mabin; Development Officer
L. Craven; Recording Secretary

CALL TO ORDER: J. Ross called the meeting to order at 9:02 a.m.

AGENDA MPC 21-197 Moved by D. Fulton
That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of November 18, 2021 as presented.
Carried.

APPOINTMENT OF CHAIR & VICE CHAIR MPC 21-199 Moved by A. Miller
That the Municipal Planning Commission ratify the November 09, 2021 appointment of Gerald Ingeveld as Chair and Heidi Overguard as Vice Chair of MPC until the 2022 Organizational Meeting.
Carried.

G. Ingeveld moved to the Chair Position

ADOPTION OF MINUTES MPC 21-198 Moved by G. Krebs
That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of October 21, 2021 as presented.
Carried.

PLRDSD20210270
NW 21-31-2-5

Planning and Development Services presented an overview of a proposed subdivision located at NW 21-31-2-5, 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) three-point zero zero ((+/-) 3.00) acre parcel within NW 21-31-2-5.
- Applicant - MCKEAN, Patricia / Landowner - 1380920 ALBERTA LTD
- Refused by Council on October 13, 2021 by Bylaw LU 42/21.
- Planning received one Letter of Objection.

Municipal Planning Commission had no comments.

Applicant, Patricia McKean, was present via zoom.

Moved by G. Krebs

MPC 21-200 That the Municipal Planning Commission (MPC) refuse the proposed subdivision to create one (1) three-point zero zero ((+/-) 3.00) acre parcel within NW 21-31-2-5, submitted by MCKEAN, Patricia J, file no. PLRDSD20210270 for the following reasons:

1. Non-Compliance with the 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 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 plan and Land Use Bylaw and therefore is not in compliance with this part of the MGA.
2. Non-Compliance with the Subdivision and Development Regulation: Section 7(i)
 - (i) The proposal did not achieve redesignation to an appropriate land use district and is not in compliance with the Municipal Development Plan or the Land Use Bylaw.
3. Non-Compliance with Statutory Plans (Municipal Development Plan (MDP) No. 20/20)
 - The MDP policy 3.3.5 (a) and policy 3.3.8 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.

4. Non-Compliance with the Land Use Bylaw (LUB) No. 16/18

- The land within the three-point zero zero ((+/-) 3.00) 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.
- The proposal does not have the correct land use designation for its intended residential use and does not meet the purpose of the existing Agricultural District (Section 11.1).

Carried.

PLRDSD20210281
SW 2-32-6-5

Planning and Development Services presented an overview of a proposed subdivision located at SW 2-32-6-5, 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) eighteen point four eight ((+/-)18.48) acre parcel, within SW 2-32-6-5.
- Applicant/ Landowner - HILLOCK, Judson William & Sandra E
- Refused by Council on October 13, 2021, by Bylaw No. LU 40/21

Municipal Planning Commission discussed the following:

- Administration clarified that Council is not required to give reasons for the refusal.
- The applicant was asked what the intended use for the property would be if he was successful.
- Administration clarified the reapplication interval for future applications on the subject property.

Applicant, Judson Hillock, was present.

- Applicant stated that the proposed use would be for a greenhouse. Applicant works with Canadian Greenthumb for the use of an off-grid hydroponic greenhouse for growing indigenous plants.

Moved by G. Krebs

MPC 21-201 That the Municipal Planning Commission (MPC) refuse the proposed subdivision to subdivide one (1) eighteen point four eight ((+/-)18.48) acre parcel, within SW 2-32-6-5, submitted by HILLOCK, Judson William & Sandra E., file no. PLRDSD20210281, 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. 20/20,

- the Bergen Area Structure Plan (ASP) Bylaw No. 03/15 and the Land Use Bylaw (LUB) No. 16/18.
2. The proposal does not meet the requirements of the MDP:
 - i. The application for redesignation of the subject lands to Agricultural (2) District (A(2)) was refused by Council through Bylaw No. LU 40/21 on October 13, 2021 and does not comply with the redesignation requirements of the MDP (Policies 3.3.5 (a) and 3.3.7).
 3. The proposal does not meet the requirements of the Bergen Area Structure Plan (ASP):
 - i. Council did not approve the redesignation of the subject lands and the proposal is not of the correct land use designation for its intended use. Although the Bergen ASP may consider first parcel out subdivisions, applications are subject to receiving the appropriate redesignation approval (Policy 7.3.6).
 4. The proposal does not meet the requirements for Agricultural District (A) parcels according to the LUB:
 - i. The application for redesignation of the subject lands to Agricultural (2) District (A(2)) was refused by Council through Bylaw No. LU 40/21 on October 13, 2021. The lands have therefore remained zoned Agricultural District (A). The proposal for a smaller agricultural parcel does not have the correct land use designation for its intended use (Section 11.1);
 - ii. The proposal does not meet the minimum parcel size requirement for Agricultural District (A) parcels, its current designation (minimum 80 acres) (Section 11.1).

Carried.

PLDP20210456
SE 2-29-5-5 & SE 2-29-5-5
Plan 1311124 Blk - 1 L - 2

Planning and Development Services presented an overview of a proposed development located at SE 2-29-5-5 & SE 2-29-5-5 Plan 1311124 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 Selective Logging (17.0ha).
- Applicant / Landowner - FARQUHARSON, Keren Lynn
- Harvest Plan includes 2 properties, owned by the same landowner.
- Located within an Environmentally Significant Area (ESA) Level 1
- Road Use Agreement has been signed and confirmation of securities was received to satisfy recommended Prior to Issuance Condition 15.

Municipal Planning Commission discussed the following:

- Harvest timeline can be amended if requested by the applicant.

Applicant, Keren Farquharson and Registered Forester Malte Weller were present via Zoom.

Moved by G. Harris

MPC 21-202 That the Municipal Planning Commission (MPC) approve the proposed Selective Logging (17.0ha) within an ESA Level 1 in accordance with Land Use Bylaw No. 21/21 and the submitted application, within SE 2-29-5-5 & SE 2-29-5-5 Plan 1311124 Block 1 Lot 2 submitted by FARQUHARSON, Keren Lynn, Development Permit No. PLDP20210456, 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. 21/21.
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. The applicant, landowner and/or operator shall adhere to the submitted Timber Harvest Plan dated September 01, 2021

prepared and approved by Registered Professional Forester, Malte Weller Alberta RPF 846.

14. The applicant, landowner and/or operator shall contact the County to obtain a Fire Permit for burning of any debris as a result of the Selective Logging operation.

PRIOR TO ISSUANCE:

15. **PRIOR TO ISSUANCE:** The applicant, landowner and/or operator, shall enter into a Log Haul Route Approval and Road Use Agreement with Mountain View County. The Operator and all parties hauling in or out of the Selective Logging area shall use the following Haul Route; when exiting from the north onto Township Road 290D or Township Road 290E east to Township Road 290, or from the south exiting to Township Road 290C east to Township Road 290, then north on Range Road 50 to Township Road 292; east on Township Road 292 to Highway 22. The County shall retain the Irrevocable Letter of Guarantee / Credit in the sum of Ten Thousand Dollars (\$10,000.00) as security until completion of the project.

Carried.

Subdivision Refusals

Municipal Planning Commission discussed the following:

- Administration provided an overview of the process after the refusal of a Redesignation by Council.

Moved by D. Fulton

MPC 21-203 That Municipal Planning Commission (MPC) support that the Administrative Subdivision and Development Approving Authority (ASDAA) consider subdivision refusals when redesignation was refused by Council and as a result, do not conform to statutory plan policies.

Carried.

CORRESPONDENCE

Information Items

Moved by A. Miller

MPC 21-204 That the Municipal Planning Commission receive the following items as information:

- 1) ASDAA Agenda from October 26, 2021
- 2) ASDAA Agenda from November 09, 2021
- 3) Permitted Development Permits Approved
- 4) ASDAA October SD Decisions

Carried.

Adopted

ADJOURNMENT

MPC 21-205

Moved by G. Krebs

That the Municipal Planning Commission of November 18, 2021 be adjourned at 9:56 a.m.


Carried.

Adopted December 16, 2021



Chair

I hereby certify these minutes are correct.



Secretary, Municipal Planning Commission