

MINUTES

MUNICIPAL PLANNING COMMISSION

Mountain View County

Minutes of the **Municipal Planning Commission** held on **October 6, 2011**, 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  
 K. Walton; Member-At-Large  
 L. Schafer; Member-At-Large

B. Orr; Councillor  
 P. McKean; Councillor

IN ATTENDANCE:

J. Rusling; Secretary, Municipal Planning Commission/Interim Director of Planning & Development Services  
 S. Madge; Manager of Development & Permitting Services  
 T. Connatty; Planner  
 J. Ross; Development Officer  
 R. Brown; Recording Secretary  
 L. Craven; Admin Support

CALL TO ORDER: L. Burrell called the meeting to order at 9:01 a.m.

AGENDA

MPC 11-151 Moved by G. Harris  
 That the Municipal Planning Commission adopt the agenda of the Municipal Planning Commission meeting of October 6, 2011 as presented

Carried

ADOPTION OF MINUTES

MPC 11-152 Moved by K. Branter  
 That the Municipal Planning Commission adopt the minutes of the Municipal Planning Commission meeting of September 15, 2011 as presented.

Carried

PLDP20110120  
 NE 27-33-7-5

Planning and Development Services presented an overview of a proposed development located at NE 27-33-7-5, 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:

- Proposal to develop Communication Tower

- Zoning is A – Agricultural District
- Parcel size is 160 acres.
- Landowner: Cyril Newsham / Applicant: CCI Wireless Inc.
- Located in Division 5 in the Community of Bearberry
- The proposed development was circulated to the adjacent landowners within a half mile of the proposed site on May 9, 2011
- On May 18, 2011, a letter was sent to the applicant requesting that they provide documentary evidence to the County indicating that co-location of the existing structures within a 5 mile radius is not viable and also how often the site would be accessed once construction is completed.
- An objection was received and the adjacent landowner listed concerns with the proposed tower.
- The property contains an agricultural yard site with a dwelling unit
- There are two pipelines and one well located on the property both of which do not pose a constraint to the proposed development
- The land contains a significant degree of sloping; however, there are no topographical concerns with the proposed building site.
- Portions of the property are contained within an environmentally significant area. The proposed development shall not impact this due to the proposed development being located on an area that is predominantly clear of mature vegetation
- This application was taken to the July 7, 2011 Municipal Planning Commission meeting and was deferred subject to the following required information:
  1. Maps of Mountain View County illustrating:
    - 1) The existing and proposed location of towers.
    - 2) Clarification to minimize the impact on agriculture land from the Towers location.
    - 3) Maps to show the overlap coverage for each tower (existing & proposed).
- Health Canada says that there are no health risks with the Communication Tower.

Municipal Planning Commission discussed the following:

- MPC had concerns with the wording on the fencing for Condition 17.
- Would like a weed control condition to be added for all Communication Towers (This has been added as Condition 18)
- Questioned why there were originally 3 towers that would communicate with each other and now there are only 2.

Applicant discussed the following:

- Shawn Russell spoke for CCI Wireless Inc.

- Bearberry relies on Sundre's communication towers and these do not rely on the Torrington Tower.
- Sundre tower should be looked at first.

Moved by P. McKean  
MPC 11-153 That item PLDP20110120 be deferred until after Agenda Item 7.2 (PLDP20110119) has been voted on.

Carried

PLDP20110119  
NW 11-33-4-5

Planning and Development Services presented an overview of a proposed development located at NW 11-33-4-5, 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:

- Proposal of a Communication Tower
- Zoning is Agriculture
- Parcel size is 147.78 acres.
- Landowner - David Lockrem / Applicant - CCI Wireless Inc.
- Property is located in Division 6 and in the neighborhood of Eagle Hill / Westward Ho.
- The communication tower will be a 90 meter guyed tower and the site area will be approximately 5 acres
- The proposed development was circulated to the adjacent landowners within a half mile of the proposed site on May 9, 2011
- On May 18, 2011, a letter was sent to the applicant requesting that they provide documentary evidence to the County indicating that co-location of the existing structures within a 5 mile radius is not viable and also how often the site would be accessed once construction is completed.
- The lands surrounding the subject property are predominantly zoned Agricultural with a small parcel to the north zoned Institutional, education and cultural.
- There are seven pipelines and one well located on the property, all of which do not pose a constraint to the proposed development
- There are environmentally significant areas located on the property; however the communication tower is not proposed to be located within the sensitive areas.
- This application was taken to the July 7, 2011 Municipal Planning Commission meeting and was deferred subject to the following required information:
  1. Maps of Mountain View County illustrating:
    - a) The existing and proposed location of towers.
    - b) Clarification to minimize the impact on agriculture land from the Towers location.
    - c) Maps to show the overlap coverage for each tower (existing & proposed).
    - d) The possibility of moving the tower location on the subject property

Municipal Planning Commission discussed the following:

- MPC has concerns with the property being the same as the one that was deferred at an earlier meeting.
- MPC wants CCI to understand that they need to look at other types of farm land, not just cultivated land. CCI should look at land that would have less impact on the agricultural land.
- MPC does want to ensure that CCI understand what our county is wanting from Communication Companies.
- Some members understand that Communication Towers are very important for High Speed Internet and the growth of the current growing farms and educational needs of children.
- Weed control needs to be put in the conditions of all Communication Towers.
- Wants to know if this tower is available to be a co-location tower? This tower is the main tower and others may co-locate from it.
- The landowner sent in a letter and an insert was read form this letter about the revenue that the tower will bring to him and his property.

Applicant discussed the following:

- Shawn Russell spoke on behalf of CCI Wireless Inc
- Further research on the tower was done and too many properties would lose adequate coverage for the internet if the tower was moved.
- CCI was willing to remove some trees and the landowner was not willing for this to happen. There is some land to the north but then it causes an overlap with another tower at Dickson Dam and some houses to the south lose out.
- Gary Wedder spoke on behalf of Western Land
- Stating that the farmer in the property 400 meters and other side of the road did not want the communication tower on his land because it is just south of his farm yard so this is not an option for the tower.

MPC 11-154 Moved By G. Harris  
That the Municipal Planning Commission approve the proposed Communication Tower in accordance with the Land Use Bylaw 10/10 and the submitted application, within NW 11-33-4-5, submitted by CCI Wireless Inc, Development Permit PLDP20110119, subject to the following conditions:

**Standard Conditions**

**The works outlined in this application are subject to the following standard conditions:**

1. The provisions of the Land Use Bylaw No. 10/10.
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.

**Standard Conditions if Applicable:**

4. N/A
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. 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.
7. N/A
8. N/A
9. 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 positing it on the property as per the Rural Addressing Bylaw.

**Permits Associated with Building Construction**

10. If the development authorized by a development permit is not commenced and diligently pursued within eighteen (18) 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.
11. 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. 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:**

12. Upon no longer utilizing this site, the site will be totally reclaimed meaning the removal of the entire tower, antennas, cable, equipment and concrete.

13. The applicant shall ensure all construction is in conformance with Transport Canada's regulations for the proposed development and that a copy of the Aeronautical Obstruction Clearance form issued by Transport Canada must be obtained and provided to Mountain View County.
14. All required permits and/or approvals from Federal Authorities must be obtained and copies provided to Mountain View County.
15. The applicant and/or landowner shall obtain a Road Use Agreement from Mountain View County's Operations Department 30 days prior to the proposed construction commencement date.
16. The tower will be engineered to accommodate future co-location with additional carriers, and to minimize any potential negative affects on the adjacent residence.
17. The applicant shall submit construction drawings to the County prior to construction of the tower, illustrating a suitable protective anticlimb barrier to be located around the perimeter of the Communication Tower. The drawings shall be to the satisfaction of the Development Officer.
18. The applicant shall ensure that the communication tower site are does not encroach on any designated pipeline right of way located on the NW 11-33-4-5.
19. That the applicant and/or landowners provide weed control within the proposed tower site location.

Carried

PLDP20110120  
NE 27-33-7-5

MPC 11-155

Moved By K. Branter

That the Municipal Planning Commission approve the proposed Communication Tower in accordance with the Land Use Bylaw 10/10 and the submitted application, within NE 27-33-7-5, submitted by CCI Wireless Inc., Development Permit PLDP20110120, subject to the following conditions:

**Standard Conditions**

**The works outlined in this application are subject to the following standard conditions:**

1. The provisions of the Land Use Bylaw No. 10/10.
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.

**Standard Conditions if Applicable:**

4. N/A
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. 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.
7. N/A
8. N/A
9. 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 positing it on the property as per the Rural Addressing Bylaw.

**Permits Associated with Building Construction**

10. If the development authorized by a development permit is not commenced and diligently pursued within eighteen (18) 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.
11. 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. 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:**

12. Upon no longer utilizing this site, the site will be totally reclaimed meaning the removal of the entire tower, antennas, cable, equipment and concrete.
13. The applicant shall ensure all construction is in conformance with Transport Canada's regulations for the proposed development and that a copy of the Aeronautical Obstruction Clearance form issued by Transport Canada must be obtained and provided to Mountain View County.

14. All required permits and/or approvals from Federal Authorities must be obtained and copies provided to Mountain View County.
15. The applicant and/or landowner shall obtain a Road Use Agreement from Mountain View County's Operations Department 30 days prior to the proposed construction commencement date.
16. The tower will be engineered to accommodate future co-location with additional carriers, and to minimize any potential negative affects on the adjacent residence.
17. The applicant shall submit construction drawings to the County prior to construction of the tower, illustrating a suitable protective anticlimb barrier to be located around the perimeter of the Communication Tower. The drawings shall be to the satisfaction of the Development Officer.
18. That the applicant and/or landowners provide weed control within the proposed tower site location.

Carried

PLDP20110252  
NW 3-33-6-5  
Plan 0411249 Blk-1 L - 1

Planning and Development Services presented an overview of a proposed development located at NW 3-33-6-5 Plan 0411249 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:

- Proposal to Dwelling Unit & Subsidiary Occupation – Level 3 with Accessory Building – Shop and Sign.
- Zoning is Agriculture
- Parcel size is 79.99 acres.
- Landowner - Patricia Saunders / Applicant - Anne & Lyle Eskesen
- Property is located in Division 5 and in the Community of McDougal Flats.
- Proposed Dwelling = 1800 sq ft and Proposed Shop = 1200 sq ft
- The property is considered vacant farmland at present.
- There is one natural gas pipeline located on the property, however it does not pose a constraint to the proposed development area
- SD 03-010 subdivision files for the subject property.
- Subsidiary occupation being applied for is called Bulldog Towing and Hotshot. The business is explained to be a towing service for the community, assorted contractors and also the R.C.M.P.

- The vehicles may be towed and stored within the compound on the property until such time as they are either picked up or sent for recycling to the city.
- Applicants are proposing a two (2) acre site area for the impound lot. Area will be securely fenced with metal sheeting to ensure vehicles are not visible to the public.
- Will be making a fast growing buffer around the property.
- The applicant has spoken to the adjacent landowners and has not had any negative feedback.
- Will be posting a sign that will not exceed 2ft x 2ft advertising the business.

Municipal Planning Commission discussed the following:

- MPC has concerns with the business eventually becoming a “pick your part” business from the vehicles that are towed into the compound.
- Applicant would require a new permit if the business ever became a used auto parts service.

Applicant discussed the following:

- Lyle Eskesen spoke
- Applicant said that all the vehicles that are brought in will either be returned to the owners or hauled to Calgary to be salvaged. No vehicles would be disassembled on the property.
- There will be a max of 20 vehicles in this lot as they are towed or impounded.

Moved By K. Branter

MPC 11-156 That the Municipal Planning Commission approve the proposed Dwelling Unit & Subsidiary Occupation – Level 3 with Accessory Building - Shop and Sign in accordance with the Land Use Bylaw 10/10 and the submitted application, within NW 3-33-6-5, Plan 0411249, Block 1, Lot 1, submitted by Eskesen, Anne & Lyle, Development Permit PLDP20110252, subject to the following conditions:

**Standard Conditions**

**The works outlined in this application are subject to the following standard conditions:**

1. The provisions of the Land Use Bylaw No. 10/10.
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.

**Standard Conditions if Applicable:**

4. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
6. 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.
7. N/A
8. N/A
9. 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 positing it on the property as per the Rural Addressing Bylaw.

**Permits Associated with Building Construction**

10. If the development authorized by a development permit is not commenced and diligently pursued within eighteen (18) 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.
11. 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. 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:**

12. Future expansion of the compound area will require a new permit.
13. The applicant shall place metal sheeting around the perimeter of the compound site area to create a secure compound. In addition the applicant shall also place a fast growing vegetative shelter belt along the western boundary of the compound in order to alleviate any aesthetic concerns with respect to the business compound.
14. Use of the proposed accessory building – shop for residential purposes is not permitted.

15. There shall be no stacking of vehicles permitted on the subject property.
16. All vehicles pertaining to the business shall be parked/or stored within the secure compound area as referenced within the application form.
17. The applicant shall contact the Alberta Motor Vehicle Industry Council (AMVIC) (1-877-979-8100) to apply for any license that may be required for the business.

Carried

PLDP20110250  
SE 14-33-28-4

Planning and Development Services presented an overview of a proposed development located at SE 14-33-28-4, 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:

- Proposal is to refuse Existing Third Dwelling Unit - Manufactured
- Zoning is Agriculture
- Parcel size is 158.97 acres.
- Landowner / Applicant - Bruce Dodd
- The property is located in Division 7 and in the community of Reed Ranch.
- There are existing structures that require a relaxation to be granted should the Municipal Planning Commission decide to permit the existing third dwelling
- Prior Applications - DP 96-092 - Livestock feedlot expansion.
- There has been a manufactured dwelling existing on the site location since 1977. The applicant explains that there have been various manufactured dwelling units placed on the site over the years however the manufactured home situated on site at present has a manufacture date of 1994 making the unit 17 years old at the time of this application. The applicant runs a confined feeding operation on the subject quarter section and the manufactured dwelling unit was being utilized as a dwelling for a farm employee.
- Section 5.2.7 of Land Use Bylaw 10/10 does provide MPC the ability to approve an application for a development permit even though the development does not comply with the Land Use Bylaw
- This is a complaint driven application. Therefore the application has to go before the MPC.

Municipal Planning Commission discussed the following:

- MPC wanted to know how long the mobile home has been on the property.

- Members questioned about the impact of not having a manager live on site.
- No negative aspect about using this agriculture land as a feed lot. Property is well taken care of and is surrounded by trees so that others are not impacted by the property or how many dwellings are on it.
- MPC does have the discretion and flexibility to approve an application that does not fit the Land Use Bylaw. The rules and standards of the Municipal Government Act does leave room for common sense and the ability to look at all circumstances individually.
- Because the business is a family business it looks like a long term CFO. If the property changes use then the dwelling should be removed because it pertains to the (CFO) business. (Condition #15)
- If the dwelling was for the life of the building, then we are going to have the structure stay on the property and become unsightly, that way the applicant doesn't have to go through this process again. Not something we want to promote.
- If the CFO is decommissioned and the land is sold then the third dwelling would have to be moved. That is the way that Condition #15 is written.

Applicant discussed the following:

- Bruce Dodd spoke
- The mobile home has been on the property for about 4 years but there have been previous ones and they have been on the property since 1977.
- The applicant spoke about the dwellings on the property and that they are used for the operation of the CFO. Applicant states that he has about 10 employees. There are 2 staff members that are living on the property full time and need to be on premises 24 hours a day for security reasons.
- The dwellings have been on the property for so many years he was not aware that he needed permits for all the dwellings on the property.
- Applicant had concerns with the Mobile Home being used only for as long as the CFO business in operational. He would like the dwelling to be allowed under any use of the farm.

MPC 11-157 Moved By G. Harris

That the Municipal Planning Commission approve the proposed Existing Third Dwelling Unit - Manufactured with southerly setback relaxations to all existing structures in accordance with Section 5.2.7 of the Land Use Bylaw 10/10 and the submitted application, within SE 14-33-28-4, submitted by Dodd, Bruce, Development Permit PLDP20110250, subject to the following conditions:

#### **Standard Conditions**

**The works outlined in this application are subject to the following standard conditions:**

1. The provisions of the Land Use Bylaw No. 10/10.
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.

**Standard Conditions if Applicable:**

4. Landowners shall be responsible for dust control on the County road adjacent to their property.
5. N/A
6. N/A
7. N/A
8. N/A
9. 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 positing it on the property as per the Rural Addressing Bylaw.

**Permits Associated with Building Construction**

10. If the development authorized by a development permit is not commenced and diligently pursued within eighteen (18) 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.
11. 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. 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:**

12. Southerly setback relaxations for all existing structures from the property line are approved for the life of the buildings.

13. The appearance, design and construction of any ancillary structures, such as patios, porches, additions and skirting, shall complement the design of the mobile home.
14. All mobile homes shall have Canadian Standard Association Certification.
15. The third residence is approved as staff housing for as long as the housing is being used on an approved CFO.

Carried

PLRD20100000276  
SW 12-33-2-5

Planning and Development Services presented an overview of a proposed setback relaxation to the existing structures located at SW 12-33-2-5, 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:

- Proposal to approve setback relaxation for existing structures.
- Zoning is Agriculture.
- Parcel size is 158.97 acres.
- Landowners / Applicant - Don & Pat Braun
- Property is located in Division 7 and in the neighborhood of Netook.
- As per Standard Condition #8 - A Real Property Report shall be prepared by a qualified Alberta Land Surveyor showing that the setbacks of main structures in relation to proposed and existing property lines are in compliance the County's current Land Use Bylaw
- This application was circulated for the subdivision on July 28, 2011
- Southerly Setback Relaxations are for the following structures:
  - Single Family Dwelling
    - Southerly relaxation of 12.17 meters
    - Southerly relaxation of 12.33 meters
  - Grainery
    - Southerly relaxation of 3.71 meters
    - Southerly relaxation of 1.04 meters
    - Southerly relaxation of 8.65 meters
  - Shed
    - Southerly relaxation of 7.67 meters
- Proposal received conditional subdivision approval November 9, 2010 and one of the conditions was the submission of a real property report to confirm setback distances for all existing structures.

Municipal Planning Commission discussed the following:

- MPC explained that the property has a lot of buildings that need the relaxation and some are on permanent foundations and would be hard to move and some are shelters for the cattle. This is to bring all the buildings into compliance for the conditions of the subdivision application and the RPR.

MPC 11-158 Moved By P. McKean  
That the Municipal Planning Commission approve the proposed setback relaxations for all existing structures located on the SW 12-33-2-5 as of October 6, 2011

Carried

SUBDIVISION  
TIME EXTENSION  
PLRD201000000003  
NW 9-29-4-5

Planning and Development Services presented an overview of a request for a time extension for conditionally approved subdivision PLRD201000000003 to November 2, 2012.

- Landowner - Colin & Julie Walker
- Applicant - Ken Taylor
- Existing parcel size 160 acre
- Property is located in Division 2 and in the neighborhood of Water Valley / Winchell Lake
- The request is for a one time extension to November 2, 2012 to satisfy outstanding conditions mentioned below.
- Planning & Development Services recommends approval of a time extension has the request timelines have been met and fees have been paid.
- Creating one (1) two point three (2.3) and three (3) two point zero (2.0) acre parcels within NW 9-29-4-5.
- Because this application is more complicated than a single lot, the applicants feel they need the extra time.

Municipal Planning Commission discussed the following:

- Discussed that the time extension request is approved if the applicant has reached 60% of their conditions. It is in the best interest of the applicant and this office to work with the applicant so that all the conditions have been finished. This applicant has not met the 60% but they have signed the road widening agreement, paid the municipal reserves, and paid the approval fee.
- The conditions left outstanding are the ones that need consultants and take more time to complete. Some of the consultants are for the ground water supply evaluation, private sewage system analysis, storm water management plan and road construction. Qualified professionals are required for these conditions and more time is needed for hiring of these consultants.
- The applicant/landowners do not understand at the time of application that there is as much work and conditions to

be done with a multi-lot subdivision. The applicants do have the option to just make the property into a single lot instead of completing the 5 lots. This is an option for the applicants so they don't feel like there are no other options.

- Planners of a file need to give the applicant the option of going to one lot from 5 lots.
- The Landowner called the office for the time extension so the option was not discussed but could be discussed in the near future. The time extension just gives the extra time to discuss the options with the landowner and applicant.
- The applicants have paid for and handed in their plan of survey so that may create more expenses if they decide to go to just one lot instead of 5. The applicants would have to have the property resurveyed.

MPC 11-159 Moved by K. Walton  
That the Municipal Planning Commission approve the proposed one year time extension for conditionally approved subdivision PLRD201000000003 to satisfy the following outstanding conditions of approval:

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.
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 meters in width commencing at 5.18 meters measured in perpendicular width from Range Road 44 and 5 metres in width commencing at 5.18 metres measured in perpendicular width from Township Road 292. The Plan will also dedicate 5 metres around the perimeter of the internal subdivision road.
9. The applicant shall submit the following report(s), plans and specifications prepared by a qualified professional. These reports shall be to the satisfaction of Mountain View County and the findings shall guide and be incorporated within the drafting and execution of the development agreement(s):
  - a. A Groundwater Supply Evaluation. This report shall confirm the availability and adequacy of a suitable water supply that complies with applicable provincial standards and regulations.

- b. Private Sewage System Suitability Analysis. This report shall include a soil texture classification tests on each of the proposed lots to determine an appropriate effluent treatment and disposal system.
  - c. Stormwater Management Plan. This plan shall address current and future drainage requirements in support of the proposed development while satisfying constraints imposed by topography, existing and proposed land uses, land ownership, and other local considerations. The plan shall be completed by a qualified professional engineer accredited by APEGGA, and shall identify and locate major drainage facilities, including major drainage channel improvements, open channel routes, retention/detention facilities, and land requirements for drainage purposes. The findings of this report should be incorporated within engineering plans and specifications detailing drainage improvements in support of the proposed development.
  - d. Road Construction Plans and Specifications.
10. The applicant shall enter into a development agreement(s) with Mountain View County in accordance with Section 655 of the Municipal Government Act. The development agreement(s) shall address such matters including but not limited to the following:
- a. the construction of municipal improvements;
  - b. the provision of necessary utilities, easements, and right of ways;
  - c. endeavor to assist provisions;
  - d. water and sewage treatment requirements;
  - e. landscaping and fencing requirements;
  - f. stormwater management;
  - g. security requirements;
  - h. inspection provisions.

As required, the development agreement(s) may be registered via caveat on the affected land provided the nature and intent of the agreement(s).

11. 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 areas surrounding the 2 Class 4 (Semi-Permanent) waterbodies on the quarter as identified on the conditionally approved tentative plan for the

purposes of environmental protection. Mountain View County shall draft the agreement and prepare supportive schedules,

This agreement shall be registered via caveat on the affected titles.

16. The applicant shall review necessary off site (primary and secondary) upgrades to the power distribution system with the power utility provider to service the subdivided lands. Where off-site upgrades are deemed necessary by the power utility provider, the applicant shall enter into an executed agreement to service the subdivided lands. Confirmation shall be provided to Mountain View County and will form part of the development agreement.

Carried

PLSD20110087  
NW 18-29-3-5

Planning and Development Services presented an overview of a proposed subdivision located at NW 18-29-3-5, 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) approximately three point zero (3.0) acre parcel
- Applicant - Jody Cameron & Landowners - Jody & Janice Cameron
- Purpose of subdivision is to create a separate title for a family member – personal circumstances. Dwelling is already on this location; therefore utilities are already on site.
- Property is located in Division 2 and in the neighborhood of Dogpound.
- Application was submitted April 13, 2011 and circulated April 20, 2011.
- The property has been identified as on a Environmental Significant Area to be located within a flood plain but having the mapping geo-referenced shows that the proposed property is not within a flood plain.
- The applicant would be asked to enter into a Restrictive Covenant to ensure that the Riparian Area surrounding the Dogpound Creek be kept in the natural and healthy state.
- No objections received from adjacent landowners or referral agencies. Letters supporting this application were received.
- Where the proposal is located the terrain is relatively flat with no topographical concerns.
- Other applications for this property are:
  - RD 93-055: To redesignate 6.19 acres from Agriculture to Country Residential Agricultural was

defeated on Second Reading on December 22, 1993.

- DP 82-139: Development permit for a dwelling unit
- PLDP20100000212: Development permit was to allow a second residence – Mobile home.
- Operational Services advice that the applicant upgrades the road to minor farm access standards to the west edge of the subdivided parcel. Upgrade the road from 4 meters to 7 meters to be adding density and to have this upgrade happen.
- Alta-Link does ask for an 8 meter Swing Out Easement to the northeast of the right-of-way. This is for equipment to be able to turn around without having obstructions in the way while the Alta-Link project is underway.

Municipal Planning Commission discussed the following:

- Some members have concerns with the road going from 4 meters to 7 meters. A previous applicant did not have his conditions met and now it is being asked of this applicant to do so.
- Wayne Brown spoke as the engineering technician for the County. He pointed out that the road is to the County standards but not a minor farm access standard or 7 meter top. It is a single lane access standard right now. When there are residences on the road then we recommend that the road be brought up to a minor farm access standard for safety reasons. There are many roads within the county that are narrowing and we have signage for the safety concerns.
- MPC's practice is to make this road widening agreement part of the conditions when needed.
- The road between the east side of the parcel and Range Road 35 is between standards at this time.
- A response from Operational Services was read with regard to Range Road 35 being upgraded in the future.
- The road is on the County's route for snowplowing.
- This parcel has a residence on it and there is a second residence on the balance of the quarter. After the subdivision is approved the quarter may apply for a second residence because the balance of the quarter will only have one residence.
- The applicant/landowner will not be required to do the extra fencing because the Dogpound Creek Riparian area is already fenced.
- It was clarified that the applicant is not required to do any more fencing on the creek or to do any improvements to the creek bed. We just want it understood that any present and future landowner will be responsible to do the upkeep and keep it in the present condition.
- The conditions are in place to be proactive for the future.

Applicant discussed the following:

- Jody Cameron spoke as the Applicant

- Has some frustration with the road issue.
- To widen the road the applicant feels he will have to haul meters and meters of black dirt somewhere to dispose of it and then find clay to replace all the black dirt.
- He feels that he has already entered into a agreement with the county and paid to get that road upgraded but doesn't think they did a good job.
- There are 5 kids in the area that wait for the bus at the corner of Range Road 35. The bus will come to the yard but the kids prefer to meet with the other kids and walk to the corner.
- In 2005, the flood waters took everything on the south end of the quarter except a shed and a house that is only good for storage now. That's why we moved up further on the quarter to be out of the flood plain. There is no permit for this house because the house is no longer on title.
- The low level crossing has been there for years and the fencing is on the south side of the Dogpound Creek and near impossible to do on the north side due to the steep bank.

Recess for a break @ 11:40

Meeting called back to order @ 11:52

Municipal Planning Commission continued to discuss the following:

- T. Connatty read parts of the Restrictive Covenant to the gallery. This was to help with the understanding of the wording for the applicant.
- Riparian health assessment is the guidelines that are used. The area seems to be in a pretty healthy state and all the County requires of the landowner is that it remains this way.

Applicant discussed the following:

- The property has been in the family since 1894 and as far as Mr. Cameron knows the crossing has been there since the bridge was taken out and was done so before he was born.

Moved by G. Harris

MPC 11-160 That the Municipal Planning Commission approve the proposed subdivision, to create one (1) approximately three point zero (3.0) acre parcel within NW 18-29-3-5, submitted by CAMERON, Jody, PLSD20110087, subject to the following conditions:

**Standard Conditions:**

1. The approval fee of \$400.00 shall be paid to Mountain View County within 30 days from the date of the notice of decision.
2. N/A.

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 / Plan of Survey).
5. Municipal Reserves
  - a. Agricultural Parcels, or Low Density Rural Residential Development (less than five (5) titles per quarter section):
    - i. No reserves required pursuant to Section 663(a) of the Municipal Government Act.

**Standard Conditions if Applicable:**

6. That the applicant shall enter into an agreement for the provision of road widening (westerly 5.18 meters, northerly 5.18 meters and easterly 5.18 meters) across the subject property to the satisfaction of Mountain View County.
7. N/A.
8. The applicant shall submit a Real Property Report prepared by a qualified Alberta Land Surveyor showing that the setbacks of main structures in relation to proposed and existing property lines are in compliance the County's current Land Use Bylaw. The Real Property Report shall include the location of the existing water well and private sewage treatment system (PSTS) in relation to existing and proposed property lines.
9. N/A.
10. N/A.
11. N/A.
12. N/A.
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 riparian area along the Dogpound Creek, as identified on the conditionally approved tentative plan for the purposes of protecting the ESA 2 area and the Class C waterbody located on the subject quarter. Mountain View County shall draft the agreement and prepare supportive schedules. This agreement shall be registered via caveat on the affected titles.
14. N/A.
15. N/A.
16. N/A.

Carried

MPC 11- 161 Moved by K. Branter  
That the Municipal Planning Commission defer Item 8.6 & 8.7 to a later meeting date.

CORRESPONDENCE

Information Items

MPC 11-162 Moved by G. Harris  
That the Municipal Planning Commission receive the following items as information:  
a) ASDAA Agenda from September 20, 2011  
b) ASDAA Agenda from September 27, 2011  
c) Permitted Development Permits Approved

Carried

ADJOURNMENT

MPC 11-163 Moved by G. Harris  
That the Municipal Planning Commission of October 6, 2011 be adjourned at 12:09 p.m.

Carried

Adopted October 20, 2011

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Chair

I hereby certify these minutes are correct.

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Secretary, Municipal Planning Commission