

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, March 24, 2010, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

Reeve A. Kemmere
Councillor K. Blain
Councillor G. Day
Councillor G. Ingeveld
Councillor E. Page
Councillor L. Negropontes
Councillor L. Yakimchuk

IN ATTENDANCE:

D. Plamping, Chief Administrative Officer
D. Hawryluk, Director, Planning and Development Services
T. Martens, Director, Legislative and Community Services
S. McInnis, Director, Operational Services
G. Wiens, Director, Corporate Services
N. Petherick, Manager, Planning Development Services
T. Connatty, Planner
D. McDonald, Planner
C. Banack, Planner
S. Tremblay, Planner
J. Koch, Communications Coordinator
G. Evers, Executive Assistant

CALL TO ORDER:

Reeve Kemmere called the meeting to order at 9:03 a.m.

The meeting began with the recitation of the Lord's Prayer.

Reeve Kemmere introduced Council and Staff.

AGENDA

Reeve Kemmere advised that the following would be added to the agenda:

(8.4) Advertising for Sundre SE ASP

Moved by Councillor Ingeveld

RC10-246 That Council adopt the agenda of the Regular Council Meeting of March 24, 2010 as amended.

Carried.

PUBLIC HEARINGS

Bylaw #05/10

Amending Bylaw 55/95

Reeve Kemmere opened the public hearing regarding Bylaw #05/10.

The Planning and Development Department provided an overview of information as provided in the agenda package regarding Bylaw No. 05/10 amending Land Use Bylaw 55/95 which is intended to create Medium-High Density

Residential District. The Planning and Development Department provided specific information as follows:

- Advertising and public comment
- This is a housekeeping matter
- It is intended to bring forward numerous amendments to The Municipal Development Plan Bylaw in July 2010

The Planning and Development Department recommended that Bylaw #05/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Reeve Kemmere asked if there were any comments from the gallery.

Carol James, representing approximately thirty people, stated it was her opinion that this proposed bylaw would cause conflict. She reviewed an e-mail that she sent last week and letters of opposition regarding a specific application. She recommended that this bylaw amendment should not be approved as an interim measure.

John Bell, Rural Roots Association, stated that he was not in favour of an amendment to the Municipal Development Plan Bylaw as Council had recently placed a freeze on clustered development.

Reeve Kemmere advised Mr. Bell that the recent freeze on clustered development was very specific to areas outside of growth areas.

Mr. Bell stated that the Municipal Development Plan Bylaw should not be amended until a new Council is elected in October. He stated that Council should listen to the people as the people have not been allowed to voice their opinion on the Area Structure Plans.

Council questions resulted in the following information:

- Mr. Bell could not comment regarding the views of the President of Rural Roots Association on clustered development within growth areas
- Medium and High Density development is addressed in the Area Structure Plans
- Every redesignation application is typically given first reading and a Public Hearing is held to hear the public

Mr. Bob Neary stated that the sign at the front of the building should be changed to read "Building Rural Urban". The County and Towns do not agree on the areas for growth area and therefore the Intermunicipal Development areas are mute. High Density is not wanted by the people.

ADOPTED

The Director of Planning and Development stated that the growth areas identified in Intermunicipal Development Agreements are identified as fringe areas for the next 60 years and the County's Municipal Development Plan growth areas identified are for a 20 year period.

Council questions resulted in the following information:

- Density in growth areas was discussed in depth at public meetings in 2007

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The Municipal Development Plan Bylaw was adopted in 2007
- The Municipal Government Act states that the Municipal Planning Commission has the authority to vary approvals under any Development Plan Bylaw
- Minimum lot widths are addressed in the proposed bylaw
- Currently two (2) Area Structure Plans address lot sizes and future Area Structure Plans should be consistent with the others

The Planning and Development Department was provided the opportunity for closing remarks and stated that the Planning and Development Department is recommending adoption of this bylaw.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Ingeveld

RC10-247 That Council give second reading to Bylaw No. 05/10, an amending bylaw to Land Use Bylaw No. 55/95.

The question on Motion RC10-247 was not called.

Moved by Councillor Yakimchuk

RC10-248 That Council amend Bylaw No. 05/10, an amending bylaw to Land Use Bylaw No. 55/95 as follows:

- Amend the acronym to read (CR2)
- Amend Purpose - to include the word "development"
- Remove Section A - Deemed Approved- Remove 6. Keeping of Domestic Animals
- Removed Section B - Permitted Uses of Land/or Building- Remove 7. Keeping of Exotic Animals
- Amend Section D - Regulations - Minimum Parcel Width 18m (59 ft)
- Amend Section D - Regulations - Front Yard setback 40m on gravel and 30m on paved county road
- Removed Section E - Supplementary Regulations - 3. Domestic and Exotic Animals

The question on Motion RC10-248 was not called.

Moved by Councillor Negropontes
RC10-249 That Council amend Bylaw No. 05/10, an amending bylaw to Land Use Bylaw No. 55/95 as follows:

- Amend Section D – Regulations – Minimum Parcel Width 100 ft

Motion Defeated.

The question on Motion RC10-248 was called.

Carried.

The question on Motion RC10-247 was called.

Motion Defeated.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 10:36 a.m. and reconvened at 10:42 a.m.

Bylaw #LU 13/10
SW 32-31-27-4

Reeve Kemmere opened the public hearing regarding Bylaw #LU 13/10.

The application for redesignation of the SW 32-31-27-4 was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 6.76 acres from Agricultural District “A” to Country Residential One District “CR1”
- Division 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 13/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

David Derksen, applicant, requested that he comment after opposition to the application. Reeve Kemmere approved Mr. Derksen’s request.

Reeve Kemmere asked if there were any comments from the gallery.

John Kohut, adjacent landowner, stated that he is concerned regarding the conflict of lifestyles in the area and the environmental impacts.

Bill Feenstra, adjacent landowner, stated that this proposal will negatively affect adjacent agricultural uses. If he were to expand his operation he would be closer to the proposed acreages and agriculture needs to continue to grow to be viable. He is also concerned regarding dust control, water

rights, and the number of approved animal units in the area.

Art Coates, adjacent landowner, stated that he opposed to clusters in the area.

Sylvia Aebersold, adjacent landowner, is concerned regarding the impact of agricultural uses and water concerns.

Kevin Good stated that this is a classic example of how the clustering on collector roads impacts agricultural land and this is not good for agriculture in the County. He stated that the people who purchase the proposed lots will not be rural minded.

Council questions resulted in the following information:

- The only gravel pit currently operating in the area is to the north of the proposed development

David Derksen, applicant, stated that this area of the quarter section is not productive farmland and that this is the best location for a clustered subdivision.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

The applicant was provided the opportunity for closing remarks and stated that this application meets all current County policies.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Yakimchuk

RC10-250 That Council give second reading to Bylaw No. LU 13/10 redesignating the lands within the SW 32-31-27-4.

Motion Defeated.

Bylaw #LU 14/10
NE 36-31-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 14/10.

The application for redesignation of the NE 36-31-3 W5M was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 4.6 acres from Agricultural District "A" to Country Residential "CR"

- Division 4
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 14/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Robert McDonald, owner, stated that the only reason a concept plan was submitted is because it was a requirement. He has resided there for a number of years.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The applicant does not intend to further subdivide the area of the concept plan

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

The applicant was provided the opportunity for closing remarks and declined.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Day
 RC10-251 That Council approve the concept plan (small development) affecting the lands within NE 36-31-3-5. Carried.

Moved by Councillor Ingeveld
 RC10-252 That Council give second reading to Bylaw No. LU 14/10 redesignating the lands within the NE 36-31-3-5. Carried.

Moved by Councillor Yakimchuk
 RC10-253 That Council give third reading to Bylaw No. LU 14/10 redesignating the lands within the NE 36-31-3-5. Carried.

Bylaw #LU 16/10
NE 29-30-2-W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 16/10.

Ken Taylor, applicant, joined the meeting via conference call.

The application for redesignation of the NE 29-30-2-W5M, was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application

ADOPTED

for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 3.0 acres from Agricultural District “A” to Country Residential “CR”
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 16/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Ken Taylor, applicant, stated that he had no comments.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

Council did not have any questions.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

The applicant was provided the opportunity for closing remarks and declined.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Blain
RC10-254 That Council give second reading to Bylaw No. LU 16/10 to redesignate lands in the NE 29-30-2-W5M. Carried.

Moved by Councillor Negroptes
RC10-255 That Council give third reading to Bylaw No. LU 16/10 to redesignate lands in the NE 29-30-2-W5M. Carried.

Bylaw #LU 17/10
NW 19-33-2-W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 17/10.

The application for redesignation of the NW 19-33-2-W5M was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 10 acres from Agricultural District “A” to Country Residential “CR”
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 17/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

June Saunders, owner, declined the opportunity for comment.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

Council did not have any questions.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

The applicant was provided the opportunity for closing remarks and declined.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Negropontes
 RC10-256 That Council give second reading to Bylaw No. LU 17/10 to redesignate lands in the NW 19-33-2-W5M. Carried.

Moved by Councillor Blain
 RC10-257 That Council give third reading to Bylaw No. LU 17/10 to redesignate lands in the NW 19-33-2-W5M. Carried.

Bylaw #LU 19/10
Lot 1, Block 1,
Plan 0611405

Reeve Kemmere opened the public hearing regarding Bylaw #LU 19/10.

The application for redesignation of the Lot 1, Block 1, Plan 0611405 was introduced by the Planning and Development Department and the following information was introduced as provided in the agenda package such as the application for redesignation, location map, assessment map, site map, and aerial photos. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 7 acres from Agricultural District (A) to Industrial District (I)
- Division 7

- Rural Community: Netook

The Planning and Development Department recommended that Bylaw #LU 19/10 be given second reading.

The Planning and Development Department advised that all correspondence received was provided to Council.

Stantec Consulting Ltd., applicant, stated that this would bring the property into compliance and provide the opportunity for the future of the business.

Alan Sidorsky, landowner, thanked Council in advance for their consideration.

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

Council questions resulted in the following information:

- The Municipal Development Plan Bylaw allows for spot zoning to Industrial/Commercial redesignation and are assessed on their own merit
- The lands are within the existing Area Structure Plan
- A Stormwater Management Plan is not required for this development

Reeve Kemmere asked if there were any comments from the gallery. No one came forward.

The applicant was provided the opportunity for closing remarks and declined.

The Planning and Development Department was provided the opportunity for closing remarks and declined.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Ingeveld

RC10-258 That Council give second reading to Bylaw No. LU 19/10 to redesignate lands in the Lot 1, Block 1, Plan 0611405.

Carried.

Moved by Councillor Page

RC10-259 That Council give third reading to Bylaw No. LU 19/10 to redesignate lands in the Lot 1, Block 1, Plan 0611405.

Carried.

BYLAWS
Bylaw #02/10
South McDougal Flats
Area Structure Plan

Reeve Kemmere advised that Councillors Day, Blain, and Page did not attend the Public Hearing and cannot participate in the discussion or voting.

Councillors Day, Blain and Page left the room at 12:27 p.m. and joined the gallery.

Reeve Kemmere advised that it has be brought to the attention of the Chief Administrative Officer that 8.5.3.1 Policies – n) was not as intended.

Moved by Councillor Ingeveld
RC10-260 That Council give third reading to Bylaw No. 02/10 - South McDougal Flats Area Structure Plan.

The question on Motion RC10-260 was not called.

Moved by Councillor Ingeveld
RC10-261 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
8.5.3.1 Policies –
n) “A representative of the owners of the units in the Sundre Residential Airpark Condominium shall be a member of the MVC Airport Management Committee.”

Moved by Councillor Negropontes
RC10-262 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
6 – Key Directions – 6.1 Plan Areas Vision be amended to read “Rather than the development of a singular vision for SMF, a number of specific goals were developed for the various theme areas of the Plan (see below).”

Carried.

Moved by Councillor Yakimchuk
RC10-263 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
9.1.3 – Amend to read “6–80 lots, 81-240 lots with density bonusing”

Carried.

Moved by Councillor Negropontes
RC10-264 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
9.1.4 – Density Bonusing – add “Understanding density bonusing will only be permitted as shown in Figure 8.

Carried.

Moved by Councillor Yakimchuk
RC10-265 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
9.1.2 a)(ii) – Replace the word “minimum” with the word “maximum”

Carried.

Moved by Councillor Ingeveld
RC10-266 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
9.1.4 – Density Bonusing – add “or recreation area” to the end of the first sentence.

Carried.

Moved by Councillor Ingeveld
RC10-267 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
Remove - Table of Contents

Carried.

Moved by Councillor Negropontes
 RC10-268 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
 Figure 7 – Land Use Concept be amended to change the zoning in the NE 5-33-5 W5M from residential to Recreational and that the recreational zoning be extended to the northern boundary for the ASP.
 Carried.

Moved by Councillor Ingeveld
 RC10-269 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
 Figure 8 – Residential Densities be amended to remove the residential density from the NE 5-33-5 W5M.
 Carried.

Moved by Councillor Ingeveld
 RC10-270 That Council amend Bylaw No. 02/10 - South McDougal Flats Area Structure Plan as follows:
 Figure 9 – Development Phasing be amended to have all properties along the Bearberry Creek reflect Phase 2.
 Carried.

Reeve Kemmere stated that the matter would be deferred until later in the meeting in order to provide for Council to consider the written Bylaw No. 02/10.

Reeve Kemmere recessed the meeting 1:00 p.m. and reconvened at 1:32 p.m.

Bylaw #02/10
 South McDougal Flats
 Area Structure Plan

Reeve Kemmere stated that a copy of Bylaw No. 02/10 has been provided in order for Council to consider the written Bylaw No. 02/10.

The question on Motion RC10-260 was called.
 Carried.

Councillors Blain and Page returned to the table at 1:34 p.m.

Bylaw #LU 26/10
 NW 33-31-4 W5M RC10-271

Moved by Councillor Ingeveld
 That Council give first reading to Bylaw No. LU 26/10 redesignating the lands within the NW 33-31-4 W5M.
 Carried.

Moved by Councillor Negropontes
 RC10-272 That Council set the Public Hearing for Bylaw No. LU 26/10 redesignating the lands within the NW 33-31-4 W5M to April 21, 2010 at or after 9:00 a.m.
 Carried.

Bylaw #LU 27/10
 NW 36-29-2 W5M RC10-273

Moved by Councillor Yakimchuk
 That Council give first reading to Bylaw No. LU 27/10 redesignating the lands within the NW 36-29-2 W5M.
 Carried.

ADOPTED

- RC10-274 Moved by Councillor Page
That Council set the Public Hearing for Bylaw No. LU 27/10 redesignating the lands within the NW 36-29-2 W5M to May 5, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 29/10
SE 19-30-1 W5M
Plan 0012436
Block 1 Lot 1
- RC10-275 Moved by Councillor Yakimchuk
That Council give first reading to Bylaw No. LU 29/10 redesignating the lands within the SE 19-30-1 W5M Plan 0012436 Block 1 Lot 1.
Carried.
Councillor Day returned to the tabled at 1:36 p.m.
- RC10-276 Moved by Councillor Negropontes
That Council set the Public Hearing for Bylaw No. LU 29/10 redesignating the lands within the SE 19-30-1 W5M Plan 0012436 Block 1 Lot 1 to April 21, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 30/10
NE 1-30-5-W5M
- RC10-277 Moved by Councillor Day
That Council give first reading to Bylaw No. LU 30/10 redesignating the lands within the NE 1-30-5-W5M.
Carried.
- RC10-278 Moved by Councillor Blain
That Council set the Public Hearing for Bylaw No. LU 30/10 redesignating the lands within the NE 1-30-5-W5M to April 21, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 31/10
SE 12-30-5-W5M
- RC10-279 Moved by Councillor Negropontes
That Council give first reading to Bylaw No. LU 31/10 redesignating the lands within the SE 12-30-5-W5M.
Carried.
- RC10-280 Moved by Councillor Page
That Council set the Public Hearing for Bylaw No. LU 31/10 redesignating the lands within the SE 12-30-5-W5M to April 21, 2010 at or after 9:00 a.m.
Carried.
- Bylaw #LU 32/10
SE 6-33-27-W4M
- RC10-281 Moved by Councillor Ingeveld
That Council give first reading to Bylaw No. LU 32/10 redesignating the lands within the W SE 6-33-27-W4M.
Carried.
- RC10-282 Moved by Councillor Blain
That Council set the Public Hearing for Bylaw No. LU 32/10 redesignating the lands within the SE 6-33-27-W4M to April 21, 2010 at or after 9:00 a.m.
Carried.
- NEW BUSINESS
Big Prairie Bridge
- RC10-283 Moved by Councillor Yakimchuk
That Council authorize the Reeve to sign a letter dated March 8, 2010 from the Minister of Transportation accepting the Province of Alberta's proposal for 50/50 cost sharing for the replacement of the Bridge File 1009, the Big Prairie Bridge.
Carried.

Moved by Councillor Ingeveld
 RC10-284 That Council fund \$87,500.00 from the new deal grant funding or if not accepted under this grant program the tax rate stabilization fund for the design of Bridge File 1009, the Big Prairie Bridge.

Carried.

Moved by Councillor Page
 RC10-285 That Council receive That Council authorize the Chief Administrative Officer to proceed with the design, regulatory approvals, tendering and the all of the necessary preparation to construct in 2011 a single lane concrete bridge at the former location of Bridge File 1009, the Big Prairie Bridge.

Carried.

Moved by Councillor Negropontes
 RC10-286 That request that the Chief Administrative Officer seek additional funding from the Government of Canada for the replacement Bridge File 1009, the Big Prairie Bridge.

Carried.

Moved by Councillor Day
 RC10-287 That Council request that the Chief Administrative Officer provide information regarding a process to involve Crime Stoppers in the Big Prairie Bridge incident.

Carried.

OLD BUSINESS
 Alberta Electoral
 Boundaries

Moved by Councillor Ingeveld
 RC10-288 That Mountain View County support in principle our two MLAs in a regional approach regarding the proposed provincial electoral boundaries.

Carried.

Moved by Councillor Yakimchuk
 RC10-289 That Council receive the information regarding the proposed provincial electoral boundaries; and further, that the Chief Administrative Office prepare an individual submission to the Alberta Electoral Boundaries Commission.

Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 2:02 p.m. and reconvened at 6:19 p.m.

NEW BUSINESS
 Gravel Donation
 Skateboard Park

Moved by Councillor Ingeveld
 RC10-290 That Council approve a donation of gravel to the Town of Olds for proposed Skateboard Park; and further, that Council approve \$2,820.00 from the Tax Rate Stabilization Reserve to fund the cost of the donation.

Carried.

Deputy Reeve Page left the meeting at 6:07 p.m.

Councillor Negropontes took the position of Chair.

CONFIDENTIAL ITEMS
 IN CAMERA

Moved by Councillor Ingeveld
 RC10-291 That the Regular Council Meeting of March 24, 2010 go into closed meeting at 6:21 p.m.

Carried.

ADOPTED

- RC10-292 Moved by Councillor Blain
That the Regular Council Meeting of March 24, 2010
return to the open meeting at 6:23 p.m.
Carried.
- Fire Guardian
Appointments
- RC10-293 Moved by Councillor Day
That Council appoint the following as Fire Guardians for
Mountain View County for the period of April 1, 2010 to
March 31, 2011:
Juergen Sadlowski, Bergen Area
Lorne Patmore, Water Valley Area
Leanne Patmore, Water Valley Area
Harvey Reid, Cremona Area
Bob Towns, Eagle Hill Area
Ron Campbell, Mountain View County Staff
Jeff Holmes, Mountain View County Staff
Carried.
- ADJOURNMENT
- RC10-294 Moved by Councillor Day
That Regular Council Meeting of March 24, 2010 be
adjourned at 6:28 p.m.
Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer