

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, April 28, 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  
J. Koch, Communications Coordinator  
D. McDonald, Planner  
T. Connatty, Planner  
G. Evers, Executive Assistant

CALL TO ORDER:

Reeve Kemmere called the meeting to order at 9:00 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:

(8.1) Notice of Motion – Councillor Yakimchuk

Moved by Councillor Blain

RC10-387

That Council adopt the agenda of the Regular Council Meeting of April 28, 2010 as amended.

Carried.

PUBLIC HEARINGS

Bylaw #LU 33/09

SE 20-30-2 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 33/09.

The application for redesignation of the SE 20-30-2 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 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 6.0 acres from Agricultural District “A” to Country Residential (1) District “CR1”
- Division 1
- Rural Community: Jackson

The Planning and Development Department recommended that Bylaw #LU 33/09 be given second reading.

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

Tim Beach, owner, stated that the original application was amended to accommodate access. Consultation was undertaken with the adjacent landowners and they received no objections.

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

Council questions resulted in the following information:

- The proposed redesignation is located on a gravel road
- The setbacks will accommodate a building site
- There are no wetlands or low lands on the site

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  
 RC10-388 That Council approve the concept plan (small development) affecting the lands within the SE 20-30-2 W5M. Carried.

Moved by Councillor Day  
 RC10-389 That Council give second reading to Bylaw No. LU 33/09 to redesignate lands in the SE 20-30-2 W5M. Carried.

Moved by Councillor Yakimchuk  
 RC10-390 That Council give third reading to Bylaw No. LU 33/09 to redesignate lands in the SE 20-30-2 W5M. Carried.

Bylaw #LU 57/09  
SW 28-32-4 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 57/09.

The application for redesignation of the SW 28-32-4 W5M, was introduced by the Planning and Development Department and the following information was introduced

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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 4.18 acres from Agricultural District “A” to Country Residential “CR”
- Division 6
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 57/09 be given second reading.

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

Peter Dichrow, owner, stated that that the bylaw did not accommodate an appropriate building envelope.

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

Council questions resulted in the following information:

- The bylaw permits an area larger than three acres
- The building envelope is limited because of a slope
- The applicant is aware of approximate costs of upgrading the road

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 requested that the application be considered as it was originally submitted.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Negropontes  
 RC10-391 That Council give second reading to Bylaw No. LU 57/09 to redesignate lands in the SW 28-32-4 W5M. Carried.

Moved by Councillor Blain  
 RC10-392 That Council give third reading to Bylaw No. LU 57/09 to redesignate lands in the SW 28-32-4 W5M. Carried.

Bylaw #LU 33/10  
NW 25-32-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 33/10.

The application for redesignation of the NW 25-32-3 W5M, was introduced by the Planning and Development

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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 20 acres from Agricultural District "A" to Agricultural Two District "A2"
- Division 6
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 33/10 be given second reading.

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

Ken Kinnear, owner, stated that he is in favour of the application as presented and he would be pleased to answer any questions.

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

Council questions resulted in the following information:

- The location of the access was confirmed by the applicant

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  
RC10-393 That Council give second reading to Bylaw No. LU 33/10 to redesignate lands in the NW 25-32-3 W5M.

Carried.

Moved by Councillor Ingeveld  
RC10-394 That Council give third reading to Bylaw No. LU 33/10 to redesignate lands in the NW 25-32-3 W5M.

Carried.

Bylaw #LU 34/10  
SW 25-32-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 34/10.

The application for redesignation of the SW 25-32-3 W5M, was introduced by the Planning and Development Department and the following information was introduced

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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 20 acres from Agricultural District "A" to Agricultural Two District "A2"
- Division 6
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 34/10 be given second reading.

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

Ken Kinnear, owner, was provided the opportunity for comment and declined.

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

Council questions resulted in the following information:

- The confined feeding operation to the west is identified as a seasonal operation

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 Yakimchuk

RC10-395 That Council give second reading to Bylaw No. LU 34/10 to redesignate lands in the SW 25-32-3 W5M.

Carried.

Moved by Councillor Negropontes

RC10-396 That Council give third reading to Bylaw No. LU 34/10 to redesignate lands in the SW 25-32-3 W5M.

Carried.

Bylaw #LU 35/10  
NE 15-31-1 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 35/10.

The application for redesignation of the NE 15-31-1 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

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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 Industrial District "I"
- Division 3
- Rural Community: Rosebud

The Planning and Development Department recommended that Bylaw #LU 35/10 be given second reading.

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

David Derksen, applicant, stated that he has no further comments.

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

Tom Moran, adjacent landowner, stated that he owns the dairy farm to the west. He is concerned that this approval would restrict any future changes to his operation.

Tony Overwater stated that the intended use is for an agricultural related industry

Council questions resulted in the following information:

- The NRCB has indicated that the MDS setbacks only apply to neighbouring residences and is not applicable for this particular application
- A road use agreement would be required to access the existing farm residence
- Alberta Transportation has requested a 30m right-of-way on the westerly boundary of the proposed redesignation to accommodate future access to the balance of the quarter

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

RC10-397 That Council give second reading to Bylaw No. LU 35/10 to redesignate lands in the NE 15-31-1 W5M.

Carried.

Moved by Councillor Page  
RC10-398 That Council give third reading to Bylaw No. LU 35/10 to redesignate lands in the NE 15-31-1 W5M.

Carried.

Moved by Councillor Yakimchuk  
RC10-399 That Council request that the Chief Administrative Officer provide Mr. Moran, adjacent landowner of NE 15-31-1 W5M, be provided a letter stating the position of the NRCB and that the NRCB comments be attached to the letter.

Carried.

Bylaw #LU 37/10  
NW 25-33-3 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 37/10.

The application for redesignation of the NW 25-33-3 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 70 acres from Agricultural District "A" to Agricultural Two District "A2"
- Division 6
- Rural Community: Hainstock

The Planning and Development Department recommended that Bylaw #LU 37/10 be given second reading.

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

Ken Taylor, applicant, stated that the adjacent panhandle was approved in 1991 for a previous owner. Mr. Grant now owns that as well. He intends to consolidate the 3.31 acres back into the balance of the quarter.

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

Council questions resulted in the following information:

- When the existing 3.31 acre agricultural subdivision is consolidated back into the balance of the quarter section it would be considered as previously un-subdivided

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 the consolidation will clean up the existing situation.

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  
RC10-400 That Council give second reading to Bylaw No. LU 37/10 to redesignate lands in the S NW 25-33-3 W5M. Carried.

Moved by Councillor Yakimchuk  
RC10-401 That Council give third reading to Bylaw No. LU 37/10 to redesignate lands in the NW 25-33-3 W5M. Carried.

BYLAWS

Bylaw #LU 23/10  
SW 30-31-3 W5M RC10-402 Moved by Councillor Page  
That Council give first reading to Bylaw No. LU 23/10 redesignating the lands within the SW 30-31-3 W5M. Carried.

Moved by Councillor Negropontes  
RC10-403 That Council set the Public Hearing for Bylaw No. LU 23/10 redesignating the lands within the SW 30-31-3 W5M to June 2, 2010 at or after 9:00 a.m. Carried.

Bylaw #LU 38/10  
SE 12-31-2 W5M RC10-404 Moved by Councillor Blain  
That Council give first reading to Bylaw No. LU 38/10 redesignating the lands within the SE 12-31-2 W5M. Carried.

Moved by Councillor Ingeveld  
RC10-405 That Council set the Public Hearing for Bylaw No. LU 38/10 redesignating the lands within the SE 12-31-2 W5M to May 19, 2010 at or after 9:00 a.m. Carried.

Bylaw #LU 47/10  
NE 12-33-2 W5M RC10-406 Moved by Councillor Negropontes  
That Council give first reading to Bylaw No. LU 47/10 redesignating the lands within the NE 12-33-2 W5M. Carried.

Moved by Councillor Yakimchuk  
RC10-407 That Council set the Public Hearing for Bylaw No. LU 47/10 redesignating the lands within the NE 12-33-2 W5M to May 19, 2010 at or after 9:00 a.m. Carried.

Notice of Motion

Councillor Yakimchuk provided a Notice of Motion to be brought forward to the next Policies and Priorities Committee meeting regarding sound management for gravel crushing.

ADJOURNMENT

RC10-408 Moved by Councillor Negropontes  
That Regular Council Meeting of April 28, 2010 be  
adjourned at 10:33 a.m.

ADOPTED

Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer