

MINUTES

SPECIAL COUNCIL MEETING

Mountain View County

Minutes of the Special Council Meeting held on Wednesday, June 16, 2010, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

Reeve A. Kemmere
Councillor K. Blain
Councillor G. Day (joined the meeting at 5:20 p.m)
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
S. Madge, Manager, Development and Permitting Services
N. Petherick, Manager, Planning Services
C. Keleman, Administrative Assistant
J. Ross, Planner
G. Evers, Executive Assistant

CALL TO ORDER:

Reeve Kemmere called the meeting to order at 5:17 p.m.

Reeve Kemmere introduced Council and Staff.

AGENDA

SC10-001 Moved by Councillor Negropontes
That Council adopt the agenda of the Special Council Meeting of June 16, 2010.

Carried.

PUBLIC HEARINGS

Bylaw #10/10
Land Use Bylaw

Reeve Kemmere opened the public hearing regarding Bylaw #10/10 – Land Use Bylaw.

The bylaw was introduced by the Planning and Development Department and specific information to the bylaw as follows:

- The Bylaw has not be reviewed in it’s entirety in fifteen years
- A Commercial/Industrial Advisory Committee and a Steering Committee were established
- The Steering Committee held 16 meetings
- 6 public meetings and/or roundtable sessions were held
- Telephone survey was conducted
- Comment sheets and questionnaires were made available to the public

The Planning and Development Department reviewed all correspondence received which was included in the

agenda package and additional correspondence which was provided to Council.

Mr. Armin Preiksaitis, Armin A. Preiksaitis and Associates Ltd., provided an overview of the review process of the Land Use Bylaw.

Mr. Marcelo Figueira, Armin A. Preiksaitis and Associates Ltd., provided information regarding the strategic direction and various final revisions of the proposed Land Use Bylaw which included:

- Horticulture and agricultural uses
- Revisions to definitions
- Provision for commercial industrial design guidelines
- User-friendly text
- Airport protection zone overlay
- Hazard Land and Top of Bank Policy

Mr. Preiksaitis advised that the proposed Land Use Bylaw has been reviewed by the County Solicitor.

The Planning and Development Department did not have any comments at this time.

Reeve Kemmere advised that comments from the gallery would be heard.

Ward MacKenzie stated the following:

- He feels that appeal boards should be an independent body and should not consist of Council members

James Thain questioned the origination of the draft land use bylaw and was advised that it was created by Council, Consultants, and public members of a Steering Committee.

Paddy Munro stated that in Section 15.3 R-CR2 – Country Residential (2) District the densities are too high. The Land Use Bylaw should not be passed but the Municipal Development Plan Bylaw (MDP) should be reviewed.

Council questions resulted in the following information:

- The MDP should be reviewed before the Land Use Bylaw
- Mr. Munro sold his land to a developer that was going to develop in 2 acre lots
- Each section of land should be considered on its own dependent on its location

Kerry Munro stated that the Land Use Bylaw is supporting 4 lot and large subdivisions.

Council questions resulted in the following information:

- The MDP should be reviewed after the election

- The Land Use Bylaw names the type of Districts which are permitted and the Municipal Development Plan sets out where they are allowed
- The farmers do not want the 4 lot clusters or large subdivisions

Jack Bell was advised that the existing Municipal Development Plan Bylaw allows for 4 lot clusters in the corner of a quarter section. Mr. Bell was advised that Assessors have the right to enter someone's land in accordance with the Municipal Government Act. He is concerned about fence guidelines and sight triangles at intersections. He is concerned regarding the right of Planners to recommend changes to their application.

Council questions resulted in the following information:

- The Land Use Bylaw regulates the number of homes per quarter section
- Guidelines are set by Council for staff to follow and make recommendations to Council

Ron Vogel had concerns regarding the following:

- the age restriction of manufactured homes and needs to be set on a per application basis
- right of entry should not be permitted
- clustering at intersections should not be permitted especially if it is good agricultural land
- high densities should not be permitted in growth areas
- the Land Use Bylaw should be shelved until after the MDP is reviewed

Vern McMann stated that his concerns were address by Mr. Vogel and that the Land Use Bylaw should be shelved until after the MDP is reviewed.

Ross Warner stated the following:

- 9.1.6.1.c) should be removed. He owns land adjacent to a confined feeding operation he is unable to development on his lands

Council questions resulted in the following information:

- Setbacks regarding CFOs are addressed at the time of subdivision
- The right to build adjacent to a CFO should be at the discretion of the owner because there are enough safeguards in place

William Davies read a prepared statement regarding downfalls of various planning processes as well as the importance of the land and water.

Rory Flynn stated the following:

- He has a small business and has a permit that needs to be renewed every 2 years

Council questions resulted in the following information:

- The wording on permits being revoked should be re-worded
- Businesses can be sold as the development permit goes with the land

Recess and Reconvene

Reeve Kemmere recessed the meeting at 7:13 p.m. and reconvened at p.m.

Royden Anderson stated the following:

- Council needs to get the trust of the people, fix the administration, and fix the Municipal Development Plan.

Alf Bicknell stated the following:

- The Airport Flight Path maps do not appear in the text on page 77
- Airport Guide Path is correct terminology – “Airport Outer Surface” is not correct terminology. Correct Terminology in text and on maps should be consistent with terminology with Transport Canada

Alec Macklin stated the following:

- An application would not be accepted if specific items were not met

Council questions resulted in the following information:

- Any person could apply for anything but if it does not meet policy staff cannot recommend approval

Marcus Schram stated the following:

- He participated in the roundtable sessions hoping that the process would become easier
- Too much bureaucracy will remove our freedom
- The Land Use Bylaw should be reduced in size
- There are too many regulations

Council questions resulted in the following information:

- The process for Mr. Schram to subdivide a multi-lot subdivision was lengthy and difficult and he is now considering not going forward. He was not told that he would be required to build a road

Craig Jessop stated that last year he built another residence on his property. A County Assessor visited and went into his barns which could cause cross contamination. He commented that the Land Use Bylaw should not be passed until a new Council is in place.

Council questions resulted in the following information:

- Assessors are permitted the right of entry under the Municipal Government Act

ADOPTED

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

Reeve Kemmere advised that the Public Hearing for Bylaw No. 10/10 – Land Use Bylaw would reconvene June 19, 2010 at or after 9:00 a.m.

ADJOURNMENT

SC10-002 Moved by Councillor Day
That Special Council Meeting of June 16, 2010 be
adjourned at 7:47 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer