

MINUTES

SPECIAL COUNCIL MEETING

Mountain View County

Minutes of the Special Council Meeting held on Saturday, June 19, 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
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 9:02 a.m.

Reeve Kemmere introduced Council and Staff.

AGENDA

Reeve Kemmere advised that the following would be added to the agenda:
(6.1) Bylaw #10/10 – Land Use Bylaw

Moved by Councillor Yakimchuk
SC10-003 That Council adopt the agenda of the Special Council Meeting of June 19, 2010.

Carried.

PUBLIC HEARINGS

Bylaw #10/10
Land Use Bylaw

Reeve Kemmere reconvened 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 advised that all correspondence received was included in the agenda package and additional correspondence was provided to Council on June 16, 2010.

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

Mr. Marcelo Figueira also 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

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

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

Kees Uittenbogerd stated the following:

- Council and Administration held many committee meetings and scheduled Public Hearings to accommodate input
- Whatever demands the taxpayers have are at a cost

Verna McFadden stated the following:

- She had prepared a statement and would provide it to staff for consideration.
- She provided a number of verbal comments prior to submitting her written statement.
- She thanked Council and the Planning and Development Department for being very accommodating in providing timely answering to her questions.

Council questions resulted in the following information:

- Any reference to livestock or domestic animals has been removed from the Land Use Bylaw and will be enforced under a proposed Animal Control Bylaw

Greg McFadden stated the following:

- He is a resident of the Bearberry area and feels that land designated as Agricultural should not be subdivided to less than 10 acres
- High density clusters should not be considered in the Bearberry area

- RV Parks should be kept closer to Sundre
- He invited Council and staff to take a tour of the Bearberry valley to view the unique area
- He commended Council for the democratic process and appreciates the opportunity to participate

Council questions resulted in the following information:

- Anything smaller than a ten acre parcel is high density

Marshall Cullen stated the following:

- Thanked Council for the opportunity to speak
- County needs to decide Mountain View County is agricultural or urban
- If rules were consistent and transparent then people could decide
- Council should delay the Land Use Bylaw until the fall election and then the ratepayers could decide
- If clustered developments were fully developed there would be 16 residences and one farmer

Kevin Cullen stated the following:

- He started out with a manufactured home that was over 15 years old
- He realizes that manufactured homes over 15 years old are a discretionary use
- RV storage has been relaxed and states that more outdoor storage should be allowed
- Subsidiary Occupation - Commercial vehicles are restricted to single axle units, however, most units are not single axle
- Agriculture areas should be allowed in growth centres
- The Consultant that was chosen to undertake the Land Use Bylaw was not right for this county
- If the document cannot be understood maybe the document is too complex

Council questions resulted in the following information:

- Manufactured homes over 15 years are a discretionary use and can be approved subject to specific conditions
- Outdoor RV storage could be screened using items such as trees
- Reference to the age of manufactured homes should be removed and each application should be reviewed
- Medium and high density should be in growth areas
- Acreages outside of growth areas the owner should be considerate of neighbours

Andre Cormeau stated the following:

- He immigrated from Belgium 25 years ago where everything is over regulated
- He is seeing more regulations all the time which include fencing and high density
- Why do we need such a large document

- Why are we rushing the Land Use Bylaw? Do we need an election to see what people have to say about it?

Council questions resulted in the following information:

- Corner fencing regulations are for reasons of safety
- The proposed document consists of 179 pages which is the same size as the previous Land Use Bylaw
- The Land Use Bylaw will assist in enforcement

Jan Cormeau stated the following:

- Mountain View County has been unresponsive in the past
- The new Administration Building was not wanted
- There needs to be new employees with new rules

Kevin Good requested to speak next as he has a wedding to attend. Council accommodated his request.

Kevin Good stated the following:

- The Land Use Bylaw contains excessive bureaucracy and control
- Council needs to listen to people who have lived with excess regulations
- We do not want over-regulation
- With all of the deliberations are we heading in the direction of a Country residential county when we are an agricultural county
- Council should look at how Linn County Oregon does their bylaws
- A lot of changes have taken place and things have been taken out but it still contains excessive control
- The people do not want clustered subdivisions because they are anti-agriculture
- Red Lodge Road has a lot of clustered subdivisions which take out good agricultural land
- Mountain View County needs a moratorium on clustered subdivisions until after the Municipal Development Plan Bylaw has been reviewed

Council questions resulted in the following information:

- Mountain View County is an urban minded density and there should be rural minded densities
- Only one acreage should be taken out of a quarter section

Recess and Reconvene

Reeve Kemmere recessed the meeting at 10:45 a.m. and reconvened at 10:59 a.m.

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

Andy Myram stated the following:

- Most of his concerns were addressed earlier in the meeting
- The Land Use Bylaw is a way to hire more bureaucrats

- A lot of services recommended by the bureaucrats are not wanted by taxpayers
- Does not like covering the cost of services that are not a benefit too him
- People are not here because they are either not interested or are too busy. They are not being listened to.
- Building Rural Better – if you keep going the way you are there will not be a rural
- Go back to the days of simple rules
- Density should be kept within the annexed areas around the town
- Do not put high-density subdivisions on prime farm land

Council questions resulted in the following information:

- It is legislated that we must have a Land Use Bylaw
- Council appreciates the input to make the Land Use Bylaw the best document it can be

Reeve Kemmere noted that Don Zavislake had requested to speak and was no longer in attendance.

Bob Nerrie stated the following:

- Development is needed but CR1 and CR2 need to be eliminated
- Flexibility needs to be permitted in the growth areas and should be up to 10 acre lots
- Quarter acre lots are not large enough to accommodate a house, shop, rv parking and a garden
- Growth areas need to be approved on an individual basis
- Are we capable of doing these bylaws in house?

Council questions resulted in the following information:

- Uses and sizes are under the Land Use Bylaw but location of uses are in the Municipal Development Plan Bylaw and Area Structure Plans
- Council cannot control uses in the annexed areas
- The Towns do not want large acreages within the annexed areas

Duncan Mylne stated the following:

- A quarter acre lot is less than the average residential town lot
- If you are asking for quarter acre lots you are asking for a town

Council questions resulted in the following information:

- Lot sizes are under the Municipal Development Plan Bylaw

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

ADOPTED

Reeve Kemmere explained the process that will follow. He stated that the once the Public Hearing is closed no new information or public input can be received. Second reading would then take place and amendments would be considered by Council. After amendments are approved and second reading to the bylaw is given Council would consider third reading. After third reading is approved and the Bylaw signed with would then be in place.

Council discussed possible dates for subsequent meetings to review the amendments.

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

Council did not have any questions.

Hearing no further comments Reeve Kemmere closed the Public Hearing for Bylaw No. 10/10 – Land Use Bylaw.

Council thanked the public for their input.

Council requested that staff provide all comments and recommend amendments to Council for review and that second reading not be considered at this time.

Reeve Kemmere stated that the matter would be deferred to the June 23, 2010 Regular Council Meeting in order to provide Council to consider the comments received regarding Bylaw No. 10/10 – Land Use Bylaw.

ADJOURNMENT

SC10-004 Moved by Councillor Ingeveld
That Special Council Meeting of June 19, 2010 be
adjourned at 11:25 a.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer