

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, June 23, 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
J. Koch, Communications Coordinator
T. Connatty, Planner
C. Banack, Planner
S. Tremblay, 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 of the following amendments to the agenda:

- (4.2) Bylaw No. LU 54/10 - (amended information)
- (6.1) Bylaw No. 10/10 - Land Use Bylaw (information attached)
- (8.1) Policy No. 6018 (amended information)
- (8.3) July 6, 2010 Special Council Meeting
- (8.4) Range Road 300 and 310

Moved by Councillor Blain

RC10-645

That Council adopt the agenda of the Regular Council Meeting of June 23, 2010 as amended.

Carried.

PUBLIC HEARINGS

Bylaw No. LU 53/10
SE 4-31-27 W4M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 53/10.

The application for redesignation of the SE 4-31-27 W5M, was introduced by the Planning and Development Department and the following information was introduced

ADOPTED

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 24 acres from Agricultural District “A” to Agricultural Two District “A2”
- Division 3
- Rural Community: Lonepine

The Planning and Development Department recommended that Bylaw #LU 53/10 be given second reading.

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

David Derksen, applicant, stated that the creek would remain within redesignated area. The owner has purchased the entire AAA Feedlot operation.

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

Ross Warner, adjacent landowner, agreed that things are improving in the area and is in favour of the redesignation.

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 Page

RC10-646 That Council give second reading to Bylaw No. LU 53/10 redesignating the lands within the SE 4-31-27 W4M.

Carried.

Moved by Councillor Ingeveld

RC10-647 That Council give third reading to Bylaw No. LU 53/10 redesignating the lands within the SE 4-31-27 W4M.

Carried.

Bylaw No. LU 54/10
SW 25-29-28 W4M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 54/10 and read the amended Bylaw which was amended to 23 acres in size.

The application for redesignation of the SW 25-29-28 W4M, was introduced by the Planning and Development

ADOPTED

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 23 acres from Agricultural District "A" to Agricultural Two District "A2"
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 54/10 be given second reading as amended.

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

John Fleischer, applicant, 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 water well would be addressed at the time of subdivision and would require testing

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 thanked Council for the opportunity to present the application.

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
RC10-648 That Council give second reading to Bylaw No. LU 54/10 redesignating the lands within the SW 25-29-28 W4M.
Carried.

Moved by Councillor Page
RC10-649 That Council give third reading to Bylaw No. LU 54/10 redesignating the lands within the SW 25-29-28 W4M.
Carried.

Moved by Councillor Yakimchuk
RC10-650 That Council request that results of a water test for the well at SW 25-29-28 W4M be forwarded to the Planning and Development Department.
Carried.

Bylaw No. LU 55/10
SE 4-31-2 W5M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 55/10.

The application for redesignation of the SE 4-31-2 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 acres from Agricultural District "A" to Country Residential One District "CR1"
- Division 4
- Rural Community: Westcott

The Planning and Development Department recommended that Bylaw #LU 55/10 be given second reading.

The Planning and Development Department reviewed all correspondence received and stated that it was provided to Council.

David Derksen, applicant, stated that he did not have any additional information.

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

Mary Taylor, adjacent landowner, provided an overview of concerns which were submitted in the February 22, 2010 letter.

Council questions resulted in the following information:

- Proposed future sour gas lines were indicated on the map
- All gas wells have emergency plans
- Setbacks are legislated by the ERCB
- The size of emergency zones would differ for sour gas wells
- The area was chosen because access would not likely be granted on the Westcott Road because it is a CCN.
- The current application meets all County bylaws and policies
- If the proposed redesignation is located adjacent to the owners subdivision access would be an issue
- The view from the property to the east would not be hindered because it is higher and the view from the residence to the north would not be hindered

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

ADOPTED

The applicant was provided the opportunity for closing remarks and provided a drawing regarding views.

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

Moved by Councillor Blain
RC10-651 That Council defer the Public Hearing of Bylaw No. LU 55/10 redesignating the lands within SE 4-31-2 W5M and that a different location for the redesignation be considered.

Motion Defeated.

Hearing no further comments Reeve Kemmere closed the Public Hearing.

Moved by Councillor Negropontes
RC10-652 That Council give second reading to Bylaw No. LU 55/10 redesignating the lands within the SE 4-31-2 W5M.

Motion Defeated.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 10:32 a.m. and reconvened at 10:40 a.m.

Bylaw No. LU 57/10
NW 25-29-28 W4M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 57/10.

The application for redesignation of the NW 25-29-28 W4M, 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 District "CR"
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 57/10 be given second reading.

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

John Fleischer, representing the owner, stated that they have followed the guidelines and have considered the adjacent landowners and the redesignation is suitable for the area. He thanked staff for their guidance. This redesignation is to accommodate estate planning.

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

ADOPTED

Murray Marsh was advised that if the concept plan was approved they would be required to follow the proposed building envelopes. He provided an example of his concerns regarding fencing requirements. He requested that Council deny the application for redesignation.

Council questions resulted in the following information:

- Timing for the installation of fencing would be a condition that would be considered at the time of subdivision
- The applicant is aware that a future owner could subdivide the area if the concept plan is approved

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 is to accommodate estate planning and family members own it in the future.

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

RC10-653 That Council approve the concept plan (small development) affecting the lands within the NW 25-29-28 W4M.

Carried.

Moved by Councillor Day

RC10-654 That Council give second reading to Bylaw No. LU 57/10 redesignating the lands within the NW 25-29-28 W4M.

Carried.

Moved by Councillor Negropontes

RC10-655 That Council give third reading to Bylaw No. LU 57/10 redesignating the lands within the NW 25-29-28 W4M.

Carried.

Moved by Councillor Day

RC10-656 That Council request that the Chief Administrative Officer bring forward the matter of subdivision conditions for perimeter fencing for consideration to a future Policies and Priorities Committee Meeting.

Carried.

Bylaw No. LU 58/10
SE 25-29-28 W4M

Reeve Kemmere opened the public hearing regarding Bylaw #LU 58/10.

The application for redesignation of the SE 25-29-28 W4M, was introduced by the applicant. The Planning and Development Department provided specific information to the application as follows:

- To redesignate 9 acres from Agricultural District "A" to Country Residential District "CR"
- Division 1
- Rural Community: Midway

The Planning and Development Department recommended that Bylaw #LU 58/10 be given second reading.

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

John Fleischer, representing the owner, stated that they have followed the guidelines and have considered the layout of the land and runoff and adjacent landowners. The redesignation is suitable for the area. He thanked staff for their support and guidance. This redesignation is to accommodate estate planning.

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

Murray Marsh was advised that applications for 6 to 80 parcels per quarter section outside of growth areas are not being accepted.

Council questions resulted in the following information:

- The concept plan could be amended to satisfy Alberta Transportation requirements

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 land was previously offered for sale and it was recommended by their solicitor that redesignation take place to accommodate estate planning.

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
RC10-657 That Council approve the concept plan (small development) affecting the lands within the SE 25-29-28 W4M. Carried.

Moved by Councillor Ingeveld
RC10-658 That Council give second reading to Bylaw No. LU 58/10 redesignating the lands within the SE 25-29-28 W4M. Carried.

Moved by Councillor Negroptes
RC10-659 That Council give third reading to Bylaw No. LU 58/10 redesignating the lands within the SE 25-29-28 W4M. Carried.

BYLAWS

Bylaw No. 10/10
Land Use Bylaw

Moved by Councillor Day
RC10-660 That Council give second reading to Bylaw No. 10/10 – Land Use Bylaw.

The question on Motion RC10-660 was not called.

Moved by Councillor Blain
RC10-661 That Council defer Bylaw No. 10/10 – Land Use Bylaw to a Special Council Meeting June 28, 2010.

Carried.

Moved by Councillor Yakimchuk
RC10-662 That Council hold a Special Council Meeting for June 28, 2010 at 9:00 am in Council Chambers of Mountain View County, 1408 Twp Rd 320, Didsbury, Alberta to deal with Bylaw No. 10/10 – Land Use Bylaw.

Carried.

Moved by Councillor Negropontes
RC10-663 That Council hold a Special Council Meeting for June 30, 2010 at 9:00 am in Council Chambers of Mountain View County, 1408 Twp Rd 320, Didsbury, Alberta to deal with Bylaw No. 10/10 – Land Use Bylaw.

Carried.

Bylaw No. LU 50/10
NE 13-32-6 W5M

Councillor Ingeveld declared a pecuniary interest as he is an adjacent landowner at 11:27 a.m. and left the room.

Moved by Councillor Negropontes
RC10-664 That Council give first reading to Bylaw No. LU 50/10 redesignating the lands within the NE 13-32-6 W5M.

Carried.

Moved by Councillor Yakimchuk
RC10-665 That Council set the Public Hearing for Bylaw No. LU 50/10 redesignating the lands within the NE 13-32-6 W5M to August 25, 2010 at or after 9:00 a.m.

Carried.

Councillor Ingeveld returned to the room and re-joined the table at 11:29 a.m.

Bylaw No. LU 67/10
NW 24-30-5 W5M

Moved by Councillor Day
RC10-666 That Council give first reading to Bylaw No. LU 67/10 redesignating the lands within the NW 24-30-5 W5M.

Carried.

Moved by Councillor Negropontes
RC10-667 That Council set the Public Hearing for Bylaw No. LU 67/10 redesignating the lands within the NW 24-30-5 W5M to August 4, 2010 at or after 9:00 a.m.

Carried.

Bylaw No. LU 73/10
NE 16-30-28 W4M

Moved by Councillor Page
RC10-668 That Council give first reading to Bylaw No. LU 73/10 redesignating the lands within the NE 16-30-28 W4M.

Carried.

- RC10-669 Moved by Councillor Ingeveld
That Council set the Public Hearing for Bylaw No. LU 73/10 redesignating the lands within the NE 16-30-28 W4M to August 18, 2010 at or after 9:00 a.m.
Carried.
- Bylaw No. LU 77/10
NE 21-32-3 W5M RC10-670 Moved by Councillor Negropontes
That Council give first reading to Bylaw No. LU 77/10 redesignating the lands within the NE 21-32-3 W5M.
Carried.
- RC10-671 Moved by Councillor Yakimchuk
That Council set the Public Hearing for Bylaw No. LU 77/10 redesignating the lands within the NE 21-32-3 W5M to August 25, 2010 at or after 9:00 a.m.
Carried.
- NEW BUSINESS
Policy No. 6018
Design Guidelines RC10-672 Moved by Councillor Negropontes
That Council approve Policy No. 6018 - Commercial and Industrial Design Guidelines and receive Procedure 6018-01 - Commercial and Industrial Design Guidelines as information.
Carried.
- Time Extensions RC10-673 Moved by Councillor Blain
That Council approve a time extension for conditionally approved subdivision SD 08-034/SE 19-30-1-5 (Reid) to September 4, 2010
Carried.
- RC10-674 Moved by Councillor Yakimchuk
That Council approve a time extension for conditionally approved subdivision SD 08-053/ SW 20-30-2-5 (Ryan) to September 4, 2010.
Carried.
- RC10-675 Moved by Councillor Day
That Council approve a time extension for conditionally approved subdivision SD08-030/ SW 21-31-28-4 (Kendze) to September 4, 2010 subject to the payment of the time extension application fee.
Carried.
- RC10-676 Moved by Councillor Blain
That Council approve a time extension for conditionally approved subdivision SD 08-151/NE 36-31-4-5 (Visser) to July 1, 2010 subject to the payment of the time extension application fee.
Carried.
- RC10-677 Moved by Councillor Page
That Council approve a time extension for conditionally approved subdivision SD 08-072/SW 25-30-3-5 (Derksen/Hunt) to September 4, 2010.
Carried.
- RC10-678 Moved by Councillor Day
That Council approve a time extension for conditionally approved subdivision SD 07-069/NW 33-29-1-5 (Taylor/Quantz) to September 4, 2010.
Carried.

ADOPTED

- Moved by Councillor Blain
- RC10-679 That Council waive the time extension fees for SD 08-053/SW 2030-2-5 (Ryan), SD 08-034/SE 19-30-1-5 (Reid), SD 08-072/SW 25-30-3-5 (Derksen/Hunt), SD 07-069/NW 33-29-1-5 (Taylor/Quantz), and SD 08-151/NE 36-31-4-5 (Visser).
- Carried.
- Recess and Reconvene Reeve Kemmere recessed the meeting at 12:11 p.m. and reconvened at 1:00 p.m.
- July 6 , 2010 Special Council Meeting RC10-680 Moved by Councillor Negropontes That Council not continue with the scheduled Special Council Meeting on Tuesday July 6, 2010 at 10:00 a.m. because the Rural Roots Association is not available on that date.
- Carried.
- MNP Independent Review Doug Plamping stated that he has just received confirmation that Meyers Norris Penny will hold a Public meeting regarding the independent Review at Olds College July 14, 2010 at 6:00 p.m.
- ADJOURNMENT RC10-681 Moved by Councillor Day That Regular Council Meeting of June 23, 2010 be adjourned at 1:45 p.m.
- Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer