

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, April 27, 2011, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT:

Reeve P. Munro  
Councillor B. Beattie  
Councillor K. Good  
Councillor A. Kemmere  
Councillor P. McKean  
Councillor D. Milne  
Councillor R. Orr

IN ATTENDANCE:

T. Martens, Chief Administrative Officer  
D. Hawryluk, Director, Planning and Development Services  
G. Wiens, Director, Corporate Services  
J. Holmes, Director, Legislative, Community & Agriculture Services  
T. Connatty, Planner  
C. Banack, Planner  
S. McCartney, Planner  
A. Wild, Communications Coordinator  
V. Lodermeier, Administrative Assistant

CALL TO ORDER:

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

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

Reeve Munro introduced Council and Staff.

AGENDA

Moved by Councillor Beattie  
RC11-331 That Council adopt the agenda of the Regular Council Meeting of April 27, 2011.

Carried.

PUBLIC HEARINGS  
Bylaw #LU 23/11  
SE 4-29-3-W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 23/11.

The application for redesignation of the SE 4-29-3-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 one point four (1.4) acres from Agricultural District (A) to Agricultural (2) District (A2)
- Division 2
- Rural Community: Dogpound

The Planning and Development Department recommended that Bylaw #LU 23/11 be given second reading.

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

The applicant was provided the opportunity for comment and declined.

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

Council questions resulted in the following information:

- 19.1 acres is being approved. It needs to be 20 acres to meet the provisions of the Municipal Planning Plan.
- The Land Use Bylaw, Section 2.4.1e
- The Municipal Development Plan allows for topographical variances.

Keren Farquharson, landowner, summarized the reason for the previous redesignated area as follows:

- The original plan was to follow the shelterbelt
- The jog in the boundary was due to a horse shelter and stock waterer.
- There was miscommunication and misunderstandings on the previous application, but the original intent was to maintain a straight line boundary.
- The letter of intent defines the request of the previous proposal
- New proposal of 19.1 acres makes more sense than current

Council questions resulted in the following information:

- Need to redesignate to be consistent with adjoining property

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

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

- ASDAA was not comfortable with approving application due to the redesignation change.
- Redesignation was based on legal advice and is the chosen route

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Good  
RC11-332 That Council give second reading to Bylaw No. LU 23/11 to redesignate lands in the SE 4-29-3-W5M.

Carried.

Moved by Councillor McKean  
RC11-333 That Council give third reading to Bylaw No. LU 23/11 to redesignate lands in the SE 4-29-3-W5M.

Carried.

Bylaw #LU 24/11  
SW 25-33-7-W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 24/11.

The application for redesignation of the SW 25-33-7-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 twenty four point six (24.6) acres from Agricultural District (A) to Agricultural (2) District (A2)
- Division 5
- Rural Community: Bearberry/Coalcamp Community

The Planning and Development Department recommended that Bylaw #LU 24/11 be given second reading.

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

J. Holmes, representative for Mountain View County stated he had no comments at this time.

Reeve Munro asked if there were any comments from the gallery in opposition to application:

Glen Kershaw is concerned that the County is getting into the real estate business and that they should leave the land as is.

Council questions resulted in the following information:

- The rationale for redesignation proposal was provided by direction from Council on May 5 2010 to apply for subdivision for this property. There is a residence on site.
- County does receive monthly revenue from property.
- Cost to drill well would be approximately \$15,000.
- Proposed property line chosen to follow fence line.

Ryan Morrison provided a verbal report on the three quarter sections the County purchased for gravel extraction purposes. The parcels will ensure that the County has a future supply of sand and gravel.

ADOPTED

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

The Planning and Development Department was provided the opportunity for closing remarks and stated that the application meets the current policies and that the boundaries need to follow existing fence line.

The applicant was provided the opportunity for closing remarks.

- Application proposal taken to Council for ten acre farmstead separation or the 20 acre agricultural parcel. Ten acre farmstead did not meet the best needs for area. Council recommended pursuit of a 20 acre subdivision.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere

RC11-334 That Council give second reading to Bylaw No. LU 24/11 to redesignate lands in the SW 25-33-7-W5M.

Defeated.

Bylaw #LU 25/11  
SW 36-30-4-W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 25/11.

The application for redesignation of the SW 36-30-4-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 seventy five point six (75.6) acres to Agricultural (2) District (A2)
- Division 4
- Rural Community: Elkton/Rugby

The Planning and Development Department recommended that Bylaw #LU 25/11 be given second reading.

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

Reeve Munro asked if there were any comments from the gallery in favor of application.

Morry Gortjen, adjacent landowner, stated that he supports the application.

An amended Bylaw LU 25/11 was provided to Council indicating a reduction in the parcel size to 75.6 acres.

ADOPTED

Wayne Dunphy, landowner came forward and questioned the change in acre amount from 78 acres to 75 acres.

Ms. Banack responded that the intent was to move the boundary to accommodate a joint access.

Mr. Dunphy was in support of the amendment to 75 acres.

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

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

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Kemmere  
RC11-335 That Council give second reading to Bylaw No. LU 25/11 to redesignate lands in the SW 36-30-4-W5M.  
Carried.

Moved by Councillor Kemmere  
RC11-336 That Council amend Bylaw No. LU 25/11 to redesignate lands in the SW 36-30-4-W5M to read 75.6 acres as identified in the amended Schedule A.  
Carried

Moved by Councillor McKean  
RC11-337 That Council give third reading to Bylaw No. LU 25/11 to redesignate lands in the SW 36-30-4-W5M.  
Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 10:16 a.m. and reconvened at 10:30 a.m.

Bylaw #LU 26/11  
NE 6-30-5-W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 26/11.

The application for redesignation of the NE 6-30-5-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 fifty point zero (50.0) to Agricultural (2) District (A2)
- Division 2
- Rural Community: Water Valley Winchell Lake

ADOPTED

The Planning and Development Department recommended that Bylaw #LU 26/11 be refused as it does not meet current County policies and bylaws.

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

Linda Baur, applicant, stated that she loves Country living and her family is very active in the community. It is intended that her son will eventually own the property and it will remain as pasture land. The neighbours are in support.

Herman Baur stated there are elk, cattle, buffalo and horses on land. The area is 5000 feet above sea level and the growing season is approximately 90 days long. The proposed redesignation area will remain an agriculture use.

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

Valerie Hoogenboom stated that Council should preserve agricultural land and that the soil may not be the greatest, but it is great for grazing. There are currently horses on the land. She cannot support the application as proposed.

John Pawson was concerned with more acreages in the area as they cause problems.

Council questions resulted in the following information:

- One residence is permitted per quarter section.
- There is an existing mobile home that was used for ranch hand, but it is no longer used.

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

The Planning and Development Department was provided the opportunity for closing remarks and stated that they could not support the application as it does not meet the policies within the Municipal Development Plan.

The applicant was provided the opportunity for closing remarks and stated that they have no intention of moving,

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-338 That Council give second reading to Bylaw No. LU 26/11 to redesignate lands in the NE 6-30-5-W5M.

Reeve Munro requested that the vote be recorded.

Opposed: All Councillors

Defeated.

Bylaw #LU 27/11  
NW 8-32-2-W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 27/11.

The application for redesignation of the NW 8-32-2-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 three point zero (3.0) acres to Country Residential District (CR)
- Division 4
- Rural Community: Westerdale Community

The Planning and Development Department recommended that Bylaw #LU 27/11 be given second reading.

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

Dave Derksen, applicant, addressed a concern regarding water bodies stating they are only wet areas. It is not the best land due to the quality of soil but it does grow canola. There is a better building site to north and the drainage will be fixed.

Reeve Munro asked if there were any comments from the gallery in favor or opposition.

Glen Kershaw had concerns on setback requirements for the house, water runs through property and good land being taken out of production. Not supportive of application in general.

Ross Nelson spoke on first parcel and fencing and advised that he is not supportive of the application.

Council questions resulted in the following information:

- Low area is it suitable for house and septic field.

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

The Planning and Development Department was provided the opportunity for closing remarks and stated that the application meets the policies in the Municipal Development Plan and that there is a suitable building site.

The applicant was provided the opportunity for closing remarks and stated that the surrounding areas should be considered.

ADOPTED

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean  
RC11-339 That Council give second reading to Bylaw No. LU 27/11 to redesignate lands in the NW 8-32-2-W5M.

The question to Motion # RC11-339 was not called.

Moved by Reeve Munro  
RC11-340 That Council defer second reading of Bylaw No. LU 27/11 redesignating the lands within NW 8-32-2-W5M for sixty days and that the applicant provide proof that the proposed parcel is suitable for a septic field.

Reeve Munro requested that the vote be recorded.

In Favor: Councillors Kemmere McKean, Orr and Reeve Munro

Opposed: Councillors Good, Beattie and Milne

Carried.

BYLAWS

Bylaw #LU 30/11  
NE 13-33-4-W5M

Moved by Councillor Kemmere  
RC11-341 That Council give first reading to Bylaw No. LU 30/11 redesignating the lands within the NE 13-33-4-W5M.

Carried.

Moved by Councillor McKean  
RC11-342 That Council set the Public Hearing for Bylaw No. LU 30/11 redesignating the lands within the NE 13-33-4-W5M to May 18, 2011 at or after 9:00 a.m.

Carried.

Bylaw #LU 31/11  
SE 23-32-2-W5M

Moved by Councillor McKean  
RC11-343 That Council give first reading to Bylaw No. LU 31/11 redesignating the lands within the SE 23-32-2-W5M.

Carried.

Moved by Councillor Beattie  
RC11-344 That Council set the Public Hearing for Bylaw No. LU 31/11 redesignating the lands within the SE 23-32-2-W5M to May 18, 2011 at or after 9:00 a.m.

Carried.

Bylaw #LU 33/11  
SW 4-31-2-W5M

Moved by Councillor Milne  
RC11-345 That Council give first reading to Bylaw No. LU 33/11 redesignating the lands within the SW 4-31-2-W5M.

Carried.

Moved by Councillor Good  
RC11-346 That Council set the Public Hearing for Bylaw No. LU 33/11 redesignating the lands within the SW 4-31-2-W5M to May 25, 2011 at or after 9:00 a.m.

Carried.

ADJOURNMENT

RC11-347 Moved by Councillor Beattie  
That Regular Council Meeting of April 27, 2011 be  
adjourned at 11:49 a.m.

ADOPTED

Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer