

MINUTES

SPECIAL COUNCIL MEETING

Mountain View County

Minutes of the Special Council Meeting held on Wednesday, June 30, 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 (joined the meeting at 9:07 a.m.)
Councillor L. Negropontes
Councillor L. Yakimchuk

IN ATTENDANCE:

D. Plamping, Chief Administrative Officer
T. Martens, Director, Legislative and Community Services
D. Hawryluk, Director, Planning and Development Services
N. Petherick, Manager, Planning Services
J. Ross, Planner
S. McCartney, Planning Intern
G. Evers, Executive Assistant

CALL TO ORDER:

Reeve Kemmere called the meeting to order at 9:00 a.m.

AGENDA

Moved by Councillor Negropontes
SC10-069 That Council adopt the agenda of the Special Council Meeting of June 30, 2010.
Carried.

BYLAWS

Bylaw #10/10
Land Use Bylaw

Nathan Petherick confirmed that Council would be continuing a review of comments regarding Bylaw No. 10/10 - Land Use Bylaw. He advised that a table was provided to Council at the June 23, 2010 Regular Council Meeting which is the document that Council would be continuing their review today.

Moved by Councillor Blain
SC10-070 That Bylaw No. 10/10 - Land Use Bylaw be amended as follows:
• 15.1 R-CR Country Residential District (amend table text as follows):
3. An additional dwelling unit in the form of a secondary suite (attached to principal dwelling) may be considered in accordance with Subsection 9.7, totalling a maximum dwelling unit density of two (2) units per parcel

Carried.

Moved by Councillor Negropontes

SC10-071 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 15.1 R-CR Country Residential District
4 - Other Development Regulations (add to all Districts b) and amend numbering of the balance of Section 4.)
b) As a condition of subdivision or development approval, the County may require guaranteed security to ensure the timely completion of the subdivision and/or development approval conditions as per Section 5.4.

Carried.

Moved by Councillor Negropontes

SC10-072 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR2 Country Residential (2) District
1. Purpose
The purpose of this district is to accommodate for clustered residential development of 0.10 – 0.40 ha (0.25 - 0.99 acres) in size with a variety of housing types, forms and other compatible uses. Parcel densities in this district may range from 6 parcels to 240 parcels per quarter section subject to compliance with the County’s density bonusing requirements. Development in this district shall provide community infrastructure, contribution to recreational facilities, and to municipal infrastructure through the use of conservation design, sustainable development and smart growth principles.
This district is restricted to County growth centres as identified in the Municipal Development Plan and must be supported by both an approved Area Structure Plan and Concept Plan.

Carried.

Moved by Councillor Day

SC10-073 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Add Definitions as follows:
CONSERVATION DESIGN means a density neutral design system that takes into account the natural landscape and ecology of a development site and facilitates development while maintaining the most valuable natural features and functions of the site. One objective of this design approach is protecting the essential physical, chemical, and biological characteristics of the environment against degradation.
SMART GROWTH means the process of using comprehensive planning to guide, design, develop, revitalize, and build communities that protects open space and farmland, keeps housing affordable and provides more transportation choices.
SUSTAINABLE DEVELOPMENT means a development path along which the maximization of human well-

being for today's generations does not lead to declines in future well-being.

Carried.

SC10-074 Moved by Councillor Day
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR2 Country Residential (2) District
Yard Setback from Existing Agricultural Districts
Where the yard abuts an agricultural district it shall be increased by 50% of the minimum yard requirements or as approved in a concept plan.

Carried.

SC10-075 Moved by Councillor Day
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR Country Residential District
3. Site Regulations
Parcel Area
Minimum 1.21 ha (3.0 ac)
Maximum 4.05 ha (10.0 ac)
For Permitted and Discretionary Uses, other than single detached dwelling units, the minimum and maximum parcel area requirements shall be determined by the Approving Authority in accordance with an approved concept plan

Carried.

SC10-076 Moved by Councillor Page
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR1 Country Residential District
3. Site Regulations
Parcel Area
Minimum 0.40 ha (1.0 ac)
Maximum 1.20 ha (2.99 ac)
Permitted and discretionary uses, other than single detached dwelling units, the minimum and maximum parcel area requirements shall be determined by the Approving Authority in accordance with an approved concept plan.

Carried.

SC10-077 Moved by Councillor Blain
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR2 Country Residential (2) District
3. Site Regulations
Parcel Area
Minimum 0.10 ha (0.25 ac)
Maximum 0.41 ha (.99 ac)
For Permitted and Discretionary Uses, other than single detached dwelling units, the minimum and maximum parcel area requirements shall be determined by the Approving Authority in accordance with an approved concept plan.

Carried.

Moved by Councillor Yakimchuk
SC10-078 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- R-CR2 Country Residential (2) District
Where the principal building is a multiple unit dwelling, no additional dwelling unit in the form of a secondary suite shall be considered.

Carried.

Moved by Councillor Day
SC10-079 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- P-PR Parks and Recreation District
5. Campground Regulations
a) The number of recreational vehicle or camping sites within a tourist campground shall be at the discretion of the Approving Authority in consideration of a concept plan as required in Section 10.12.
b) Parking pads within recreational vehicle or camping sites shall be accessible by means of a driveway at least 3.0 m (9.8 ft) wide where the driveway is for one-way traffic, or at least 6.0 m (19.7 ft) where the driveway is for two-way traffic, and so constructed that automobiles and trailers will not become mired.
c) Recreational vehicle sites shall have an open and graded parking surface sufficient to permit a separation distance of 4.5m (14.8 ft) between sides and 3.0m (9.8 ft) between ends of adjacent recreation vehicles.
d) The following development regulations shall apply to the development of tourist campgrounds in this district.

Amend Unit Area as follows:

Recreational Vehicle - Each individual recreational vehicle site shall be a minimum area of 176.5 m² (1900 ft²)

Park Model - Each individual recreational vehicle site shall be a minimum area of 235.0 m² (2,530 ft²)

Carried.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 10:24 a.m. and reconvened at 10:35 a.m.

Moved by Councillor Day
SC10-080 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3 P-PCR Parks and Recreation Comprehensive District
2. Uses
Recreational Vehicle - Park Model – Remove from Discretionary Use

Carried.

Moved by Councillor Yakimchuk
SC10-081 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3 P-PCR Parks and Recreation Comprehensive District

1. Purpose
The purpose of Parks and Recreation Comprehensive Recreational District is to provide an area that will facilitate an array of recreational condominium developments. A concept plan for the development of the entire tract of land shall be required subject to the type and intensity of development proposed.

Carried.

Moved by Councillor Ingeveld
SC10-082 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.2 P-PR Parks and Recreation District

2. Uses
Add Cabin as a Discretionary Use.

Carried.

Moved by Councillor Negropontes
SC10-083 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 16.1 C-LC Local Commercial District

1. Purpose
To accommodate for a diversity of retail, service and commercial activities that is beneficial to the local residential community and consistent with the character of the rural neighbourhoods.

Carried.

Moved by Councillor Yakimchuk
SC10-084 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 16 – Correct spelling in title
Commercial Districts

Carried.

Moved by Councillor Negropontes
SC10-085 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 17 INDUSTRIAL DISTRICTS

17.1. I-BP Business Park District

1. Purpose
To accommodate a broad range of commercial and industrial uses in business and industrial parks some of which may have outdoor storage or work activities. Any nuisance associated with such uses should generally not extend beyond the boundaries of the site.

Carried.

Moved by Councillor Negropontes
SC10-086 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 17.2. I-HI Heavy Industrial District

1. Purpose

The purpose of this district is to accommodate large scale and major industrial uses that may have large land requirements and/or some nuisance effects, which may extend beyond the boundaries of the site.

Carried.

Moved by Councillor Negropontes

SC10-087 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 18 PARKS AND RECREATIONAL DISTRICTS

18.1. P-PC Parks and Conservation District

1. Purpose

To preserve Environmentally Sensitive and Significant Areas and lands that have significant natural capability for conservation, passive recreation and education.

Carried.

Moved by Councillor Negropontes

SC10-088 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.2. P-PR Parks and Recreation District

1. Purpose

To accommodate a wide range of public/private parks and recreational activities, primarily aimed at passive and active outdoor recreation.

Carried.

Moved by Councillor Negropontes

SC10-089 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3. P-PCR Parks and Comprehensive Recreational District

1. Purpose

The purpose of the Parks and Comprehensive Recreational District is to accommodate an area that will facilitate an array of recreational condominium developments. A concept plan for the development of the entire tract of land shall be required subject to the type and intensity of development proposed.

Carried.

Moved by Councillor Blain

SC10-090 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- P-PR Parks and Recreation District

6. Safety

c) (vi) Noise pollution beyond the normal daily activities associated with the development .

Carried.

Moved by Councillor Yakimchuk

SC10-091 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.2 P-PR Parks and Recreation District

18.2.5 – Campground Regulations

Table headings be changed to read “Front Yard Site”, “Side Yard Site” and “Rear Yard Site”.

Carried.

- Moved by Councillor Day
- SC10-092 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 18.2 P-PR Parks and Recreation District
18.2.5 Campground Regulations
d) Each individual recreational vehicle pad shall be a minimum area of 176.5 m² (1900 ft²) and the recreational vehicle park model site shall be a minimum 235.0 m² (2530 sq ft).
a) That the density and number of recreational vehicle or camping sites within a tourist campground shall be at the discretion of the Approving Authority in consideration of the review and approval of a concept plan as required in Section 10.12.
Additions made to 5 (a) (b) (c) (d). That a recreational vehicle unit site design schematic be included in the P-PR district outlining conceptual layout and site dimension requirements for back in and pull through RV sites.

Carried.

- Moved by Councillor Ingeveld
- SC10-093 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 18.2 P-PR Parks and Recreation District
18.2.5 – Campground Regulations
Table headings be changed by removing the word “Site” to read “Front Yard”, “Side Yard” and “Rear Yard”.

Carried.

- Moved by Councillor Negroptes
- SC10-094 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 18.3 P-PCR Parks and Comprehensive Recreational District
4. Concept Plan
a) For all development proposals, a concept plan for the development of the entire tract of land shall be submitted and approved by the Approving Authority prior to submitting a development permit application for any site specific development. The number of bareland condominium units shall be at the discretion of the Approving Authority.

Carried.

- Moved by Councillor Yakimchuk
- SC10-095 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 18.3 P-PCR Parks and Comprehensive Recreational District
18.3.4 Concept Plan
f) Remove section 18.3.4 f) in its entirety

Carried.

- Moved by Councillor Yakimchuk
- SC10-096 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3 P-PCR Parks and Comprehensive Recreational District
6. Accessory Buildings
Remove 18.3.6 d) and 18.3.6 f) and renumber Section 18.3.6
Remove d) Where the garage doors face the exterior side yard, the building shall be 3.0 m (9.8 ft) from such side boundary.
Remove f) The finish and appearance of any accessory buildings shall complement the finish and appearance of the dwelling on the site in terms of architectural style, construction material, colour and type of exterior finish and natural parcel features.

Carried.

Moved by Councillor Ingeveld

SC10-097 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3 P-PCR Parks and Comprehensive Recreational District
18.3.8 Safety
8 b) change “develop” to “developed”

Carried.

Moved by Councillor Ingeveld

SC10-098 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 18.3 P-PCR Parks and Comprehensive Recreational District
18.3.7 Environmental Protection
a) The Approving Authority may refer to Alberta Environment, for its review and recommendation, any development proposal involving lands with possible significant recreation, wildlife habitat or scenic value. Refer to Section 5.2.2 of this Bylaw.

Carried.

Moved by Councillor Page

SC10-099 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 16. Commercial District
16.2 a) Discretionary Use
Recreation Services Add “Participant”

Carried.

Moved by Councillor Negroptes

SC10-100 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- 19.1 S-IEC Institutional, Educational and Cultural District
19.1.1 Purpose
To accommodate uses and facilities used by the public including but not limited to education, health, government, religious assemblies and other institutional facilities and services.

Carried.

Moved by Councillor Yakimchuk

- SC10-101 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 19.2 S-AP Airport District
19.2.3 Site Regulations
add b) Yard setback requirements may be increased to accommodate existing easements regarding aircraft wing tip encroachment from aprons or taxiways.

Carried.

Moved by Councillor Negropontes

- SC10-102 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- 19.2 S-AP Airport District
1. Purpose
To accommodate the continued and safe operation of an airport and to allow for the economic and financial viability for an airport.

Carried.

Moved by Councillor Yakimchuk

- SC10-103 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- Section 20 Direct Control
20.1 Correct the spelling in the title to read “Establishment of Direct Control Districts”

Carried.

Moved by Councillor Negropontes

- SC10-104 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- Section 20 - Direct Control
20.2.5 Correct the Spelling in the title to read – “Site Regulations”

Carried.

Moved by Councillor Ingeveld

- SC10-105 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:
- Section 21 - Land Use District Maps
21.1 The following illustration summarizes the Permitted and Discretionary Uses in all Land Use Districts:
Illustration 21.1-1: Permitted and Discretionary Uses by Land Use District
P – Permitted
P(e) – Permitted (exempt)
D – Discretionary
That the summary illustration be updated to reflect all requested district changes

The question Motion #SC10-105 was not called

Recess and Reconvene

Reeve Kemmere recessed the meeting at 11:28 a.m. and reconvened at 11:44 a.m.

The question on Motion #SC10-105 was called.

Carried.

Moved by Councillor Yakimchuk

SC10-106 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 21 Land Use District Maps
Add 21.3 Maps of Bylaw No. 10/10 are updated on an ongoing basis. The public is encouraged to review recent amendments and consult staff to confirm land use district(s) on a property. Consolidated bylaws will be made available on an ongoing basis.

Carried.

Moved by Councillor Day

SC10-107 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Technical Studies
Remove all references to concept plans used within the technical studies of this document and replace with wording as is mentioned within the Municipal Development Plan for consistency as follows:

“Concept Plans

The Act also allows for the development of concept plans to obtain greater detail of the proposed development and its future impact on adjacent lands, as well as to demonstrate how this individual application complies with any applicable ASP and the MDP. Mountain View County has determined that concept plan preparation shall be tied to the scope and intensity of proposed development and shall include a public consultation process. Concept plans may be adopted by resolution in conjunction with redesignation and subdivision applications and where appropriate shall be registered on affected titles via a development agreement or other legal instrument to guide, inform and structure the evaluation of future subdivision and development applications.

Concept Plan

Interchangeable with the term outline plan which refers to a plan, may be adopted by resolution that relates to a proposed development and its relationship to existing and/or future development of adjacent lands. For the purposes of this bylaw, concept plans shall be prepared at two scales – small and large development, as documented throughout this bylaw. All concept plans shall include the following information:

1. Existing Situation – A baseline description of the following matters and an evaluation of the potential impacts on the proposed development:

- a) existing land use, ownership and development;
- b) topography, geotechnical, hydrological, hazard and/or environmental conditions that characterize the area;
- c) existing servicing arrangements, utilities, and transportation routes;
- d) any other matters the Municipality requires to be investigated.

2) Local Development Matters – A description and evaluation of the following matters describing the proposed development within the plan area:

- a) the proposed uses of lands within the concept plan area;
- b) proposed parcel size and density for the concept plan area;
- c) the proposed internal road hierarchy and its impacts on the Provincial and Municipal road networks;
- d) Reserve dedication strategy and environmental protection measures;
- e) Proposed servicing arrangements;
- f) Any other matters the Municipality requires to be investigated.

Based on the scope and intensity of development proposed, concept plans may require the provision of supportive reports and/or studies completed by a qualified professional including but not limited to: servicing study, geotechnical assessment, traffic impact assessment, stormwater management plan, biophysical assessment and preliminary engineering plans and specifications. Concept plans shall be prepared in accordance with approved County policy.”

Carried.

Moved by Councillor Day

SC10-108 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Add Definition as follows

“Concept Plan

Interchangeable with the term outline plan which refers to a plan, may be adopted by resolution that relates to a proposed development and its relationship to existing and/or future development of adjacent lands as defined by the Municipal Development Plan.”

Carried.

Moved by Councillor Ingeveld

SC10-109 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 18.1.2 Parks and Recreational Districts Uses
Change wording to read:
“Recreational Services, Outdoor Participant”

Carried.

Reeve Kemmere confirmed with Council and staff that no other amendments to Bylaw No. 10/10 are requested.

Council discussed the following:

- A Land Use Bylaw is a requirement under the Municipal Government Act
- Two years have passed since the review of the Land Use Bylaw was commenced
- Review of the Land Use Bylaw should be undertaken on a regular basis

Council thanked staff, the Land Use Bylaw Review Steering Committee and the public for their input.

The question on Motion RC10-660 was called.

Carried.

Reeve Kemmere stated that the matter would be deferred to later in the Council Meeting in order to provide for Council to consider the written Bylaw No. 10/10 – Land Use Bylaw.

Recess and Reconvene

Reeve Kemmere recessed the meeting at 12:06 p.m. and reconvened at 1:25 p.m.

Council received printed copies of Bylaw No. 10/10 with all amendments.

SC10-110 Moved by Councillor Day
That Council give third reading to Bylaw No. 10/10 – Land Use Bylaw.

The question on motion #SC10-110 was not called.

SC10-111 Moved by Councillor Negropontes
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 15.2.1 R-CR1 Country Residential (1) District
1. Purpose
The purpose of this district is to accommodate clustering of residential development of 0.4 – 1.2 ha (1.0-2.99 acres) in size that encourages the preservation of ecologically significant areas, historical sites, and agricultural land.

Carried.

SC10-112 Moved by Councillor Negropontes
That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 15.3.1 R-CR2 Country Residential (2) District
1. Purpose
The purpose of this district is to accommodate clustered residential development of 0.10 – 0.40 ha (0.25 - 0.99 acres) in size with a variety of housing types, forms and other compatible uses. Parcel densities in this district may range from 6 parcels to 240 parcels per quarter section subject to compliance with the County's density bonusing requirements.

Development in this district shall provide community infrastructure, contribution to recreational facilities, and to municipal infrastructure through the use of conservation design, sustainable development and smart growth principles.

This district is restricted to County growth centres as identified in the Municipal Development Plan and must

be supported by both an approved Area Structure Plan and Concept Plan.

Carried.

Moved by Councillor Negropontes
SC10-113 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 15.1.1 R-CR Country Residential District
1. Purpose
The purpose of this district is to accommodate low density, country residential development and other compatible uses on larger unserviced residential parcels of 1.2 – 4.0 ha (3-10 acres) in size that meet Municipal and Provincial servicing standards.

Carried.

Moved by Councillor Blain
SC10-114 That Bylaw No. 10/10 – Land Use Bylaw be amended as follows:

- Section 18.3.8 P-PCR Parks and Comprehensive Recreational District
8. Safety
c) “(vi) noise pollution from above the normal daily activities associated with the development”

Carried.

Council received printed copies of the pages amended in Bylaw No. 10/10 by resolutions SC10-111 through SC10-114.

The question on Motion SC10-110 was called.

Carried.

Moved by Councillor Day
SC10-115 That the public copy of Bylaw No. 10/10 – Land Use Bylaw be colour coded consistently.

Carried.

Moved by Reeve Kemmere
SC10-116 That the Chief Administrative Officer be requested to create a policy regarding an annual review of the Land Use Bylaw.

Carried.

Moved by Councillor Day
SC10-117 That the Chief Administrative Officer be requested to create a web document with definition hyper-links and that definitions be italicized on consolidated documents.

Carried.

ADOPTED

ADJOURNMENT

SC10-118 Moved by Reeve Kemmere
That Special Council Meeting of June 30, 2010 be
adjourned at 3:18 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer