

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, February 23, 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 R. Orr

ABSENT: Councillor D. Milne

IN ATTENDANCE: T. Martens, Chief Administrative Officer
J. Holmes, Interim Director, Legislative and Community Services
N. Petherick, Manager, Planning and Development Services
S. McInnis, Director, Operational Services
G. Wiens, Director, Corporate Services
T. Connatty, Planners
C. Banack, Planner
S. McCartney, Municipal Intern
G. Evers, Executive Administrative Assistant

CALL TO ORDER: Reeve Munro called the meeting to order at 9:00 a.m.

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

Reeve Munro introduced Council and Staff.

AGENDA Reeve Munro advised of the following amendments to the agenda:

- 4.2 Bylaw No. LU 05/11 - SE 2-29-5 W5M (Additional Information)
- 7.1 Big Prairie Bridge Options
- 7.2 Municipal Development Plan Bylaw Review

Moved by Councillor Kemmere

RC11-154 That Council adopt the agenda of the Regular Council Meeting of February 23, 2011 as amended.

Carried.

Reeve Munro left the meeting at 9:04 a.m. and returned at 9:05 a.m.

PUBLIC HEARINGS
Bylaw #LU 08/11
NW 36-33-28 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 08/11.

ADOPTED

The application for redesignation of the NW 36-33-28 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 sixteen point three (16.3) acres from Agriculture District (A) to Agriculture (2) District (A2)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 08/11 be given second reading.

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

David Derksen, applicant, stated that he did not have any further comments.

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

Council did not have any questions.

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

RC11-155 That Council give second reading to Bylaw No. LU 08/11 to redesignate lands in the NW 36-33-28 W4M.

Carried.

Moved by Councillor McKean

RC11-156 That Council give third reading to Bylaw No. LU 08/11 to redesignate lands in the NW 36-33-28 W4M.

Carried.

Bylaw #LU 136/10
NE 36-31-3 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 136/10.

The application for redesignation of the NE 36-31-3 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 5.40 acres from Agricultural District (A) to Country Residential (1) District (R-CR1)
- Division 4
- Rural Community: Westerdale

The Planning and Development Department recommended that Bylaw #LU 136/10 be given second reading.

The Planning and Development Department advised that one letter of objection was received and the correspondence was provided to Council.

Jerilyn Wolstenholme, applicant's representative, stated that she did not have any additional information to provide at this time.

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

Les Krause and Maureen McMullen, adjacent landowners, stated that their concerns were noted as provided in their correspondence. Additional concerns are as follows:

- A poor design for access
- Safety concerns for traffic
- Water supply concerns
- Financial implications

Robert McDonald, previous owner, stated that it was for financial reasons that he sold the property.

Jerilyn Wolstenholme, applicant's representative, stated that there is a signed access agreement between Mr. McDonald and Mr. Krause. The relocation of the access was to meet safety concerns. The design was proposed by the Planning and Development Department to meet requirements.

Les Krause stated that the access agreement indicates that the access must be relocated.

Council questions resulted in the following information:

- Access to the balance of the quarter section is through the cul-de-sac
- There is potential for an additional dwelling on the balance of the quarter section
- The previous subdivision was approved in 2010 with a concept plan
- The Concept Plan was registered on title

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

ADOPTED

The applicant was provided the opportunity for closing remarks and stated that there is a secondary access to the balance of the quarter section.

The Planning and Development Department was provided the opportunity for closing remarks and stated that when the first redesignation was taken out a concept plan was required. The concept plan was registered on title.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-157 That Council give second reading to Bylaw No. LU 136/10 to redesignate lands in the NE 36-31-3 W5M.

Motion Defeated.

Recess and Reconvene

Reeve Munro recessed the meeting at 9:53 a.m. and reconvened at 10:00 a.m.

Bylaw #LU 05/11

Portions of SE 2-29-5 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 05/11.

The application to redesignate portions of SE 2-29-5 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 portions of SE 2-29-5 W5M from:
 - Agricultural District (A) to Agricultural (2) District (A2) forty one point six (41.6) acres;
 - Agricultural District (A) to Country Residential District (R-CR) eleven point four (11.4) acres;
 - Agricultural District (A) to Country Residential (1) District (R-CR1) one point five (1.5)
- Division 2
- Rural Community: Water Valley/Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 05/11 be given second reading.

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

Keren Farquharson, applicant, provided information as follows:

- History of ownership
- Existing subdivisions on the quarter
- Fencing of environmentally sensitive areas
- Consultation with adjacent landowners
- Development plans

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

Keltie Masters stated that she is concerned about environmentally sensitive lands. There would be serious environmental impacts if these lands are developed. Access and traffic would also be a concern. Alternate access could come from the north.

Council questions resulted in the following information:

- After excavations there would be approximately a 3:1 backslope
- Setback relaxations would be required for a residence
- The entire area is an environmentally sensitive area
- The applicant wishes to subdivide and sell the 1.5 acres where the cabin exists
- There are grazing limitations because of the trees and steep slopes

Reeve Munro 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 she wishes to make the lands productive. These lands are clearly fragmented by topography and roads. The equipment was brought in to commence work on the access. There is currently no gravel being extracted from the property.

The Planning and Development Department was provided the opportunity for closing remarks and stated that the application meets all relevant provisions of the Municipal Development Plan regarding fragmentation. The application complies with the relevant provisions of the Water Valley Winchell Lake Area Structure Plan. The proposed redesignation areas are deemed suitable to accommodate the intended use.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-158 That Council give second reading to Bylaw No. LU 05/11 to redesignate portions of SE 2-29-5 W5M.

Motion Defeated.

Moved by Councillor McKean

RC11-159 That Council waive the six (6) month requirement of Section 6.4 of the Municipal Development Plan Bylaw for lands within portions of SE 2-29-5 W5M.

Carried.

Bylaw #LU 07/11
SE 28-33-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 07/11.

ADOPTED

The application for redesignation of the SE 28-33-1 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 two point one (2.1) acres within SE 28-33-1 W5M from County Airport District (S-AP) to Business Park District (I-BP)
- Division 7
- Rural Community: Netook

The Planning and Development Department recommended that Bylaw #LU 07/11 be defeated at second reading as the application does not comply with the Strategic Directions Plan, Municipal Development Plan, or the Land Use Bylaw.

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

Pamela Fagan, owner, stated that the application was brought forward for financial reasons. The proposed storage area has good access and would provide a needed service to owners of the large RV units.

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

Council questions resulted in the following information:

- Redesignation is required to operate an RV storage facility
- The lands are currently zoned County Airport District (S-AP)
- The proposed storage area will be stripped down and gravelled

Moved by Councillor Kemmere

RC11-160 That Council defer Bylaw #LU 07/11 pending the Municipal Planning Commission considering a Development Permit for the operation of an RV Storage as indicated in Bylaw LU 07/11 in the current zoning classification.

Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 12:01 p.m. and reconvened at 12:08 p.m.

Bylaw #LU 09/11
NW 6-30-1 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 09/11.

The application for redesignation of the NW 6-30-1 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 twenty-five point five (25.5) acres from Agricultural District (A) to Agricultural (2) District (A2)
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 09/11 be given second reading.

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

Craig and Georgina Swanby, owners, stated that they intend to build a house and have a few animals.

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

Council questions resulted in the following information:

- All adjacent landowners have been notified

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 an amended is necessary to amend the size.

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

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor Beattie

RC11-161 That Council give second reading to Bylaw No. LU 09/11 to redesignate lands in the NW 6-30-1 W5M.

The question on Motion RC11-161 was not called.

Moved by Councillor Kemmere

RC11-162 That Bylaw No. LU 09/11 be amended to read “twenty-five point five (25.5) acres” from “twenty-five point four (25.4) acres”.

Carried.

The question on Motion RC11-161 was called.

Carried.

Moved by Councillor McKean

RC11-163 That Council give third reading to Bylaw No. LU 09/11 to redesignate lands in the NW 6-30-1 W5M.

Carried.

Recess and Reconvene

Reeve Munro recessed the meeting at 12:25 p.m. and reconvened at 1:01 p.m.

Bylaw #LU 11/11
SW 12-30-3 W5M

Ken Taylor joined the meeting via conference call.

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

The application for redesignation of the SW 12-30-3 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 seventy-seven point five (77.5) acres from Agricultural District to Agricultural (2) District
- Division 1
- Rural Community: Jackson

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

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

Ken Taylor, applicant, stated that the owner had the option, to do four parcels on the County Collector Network, but he chose not to do so. The owner wishes to put a new building on the north 80 acres which would meet setback requirements. The owner intends to sell the south 80 acres.

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

Council did not have any questions.

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 Good

RC11-164 That Council give second reading to Bylaw No. LU 11/11 to redesignate lands in the SW 12-30-3 W5M.

Motion Defeated.

The conference call with Ken Taylor was terminated.

OLD BUSINESS

Big Prairie
Bridge Options

RC11-165 Moved by Councillor McKean
That Council directs administration to continue with the plan of constructing the Big Prairie Bridge to a single lane standard to a maximum width of 6.0 meters.

Carried.

MDP Review

RC11-166 Moved by Councillor Good
That Council approve an additional \$100,000 in the 2011 Budget for the Municipal Development Plan Bylaw Review; and further, that the funds come from the Tax Rate Stabilization Reserve.

The question on Motion RC11-166 was not called.

RC11-167 Moved by Councillor
That the matter of Municipal Development Plan Bylaw Review be deferred to the March 2, 2011 Regular Council Meeting pending receipt of a business plan from the Planning Consultant.

Carried.

CONFIDENTIAL ITEMS
IN CAMERA

RC11-168 Moved by Councillor McKean
That the Regular Council Meeting of February 23, 2011 go into closed meeting at 1:32 p.m.

Carried.

RC11-169 Moved by Councillor McKean
That the Regular Council Meeting of February 23, 2011 return to the open meeting at 2:15 p.m.

Carried.

Bagnell Park

RC11-170 Moved by Councillor McKean
That the Chief Administrative Officer be authorized to negotiate the purchase of the remainder of the NE 30-29-5 W5M.

Carried.

ADJOURNMENT

RC11-171 Moved by Councillor Kemmere
That Regular Council Meeting of February 23, 2011 be adjourned at 2:16 p.m.

Carried.

Chair

I hereby certify these minutes are correct.

Chief Administrative Officer