

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, September 28, 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, Director, Legislative and Community Services  
J. Rusling, Interim Director, Planning and Development Services  
G. Wiens, Director, Corporate Services  
D. Gonzalez, Planner  
C. Tinney, Planner  
A. Wild, Communications Coordinator  
G. Evers, Executive 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 61/11, 62/11, and 63/11 – additional information
- 8.1 Communication Devices
- 10.1 Big Prairie Bridge – Verbal Report

Moved by Councillor Beattie

RC11-706 That Council adopt the agenda of the Regular Council Meeting of September 28, 2011 as amended.

Carried.

PUBLIC HEARINGS  
Bylaw #LU 59/11  
SW 15-33-28 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 59/11.

The application for redesignation of the SW 15-33-28 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

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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 4.4 acres from Agricultural District (A) to Country Residential District (R-CR), and 4.0 from Country Residential District (R-CR) to Agricultural District (A) within the SW 15-33-28 W4M
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 59/11 be given second reading.

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

Ken Taylor, applicant, stated that the previously subdivided 4 acre area would return to Agricultural District (A) and be consolidated with the quarter section to the north. The landowner intends to provide the proposed redesignation for his daughter.

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

Council questions resulted in the following information:

- The 4 acre area would be Agricultural District (A) and the entire orphaned parcel would be consolidated with the quarter section to the north
- The waterbody would be identified as a protected area
- There are existing cabins adjacent to the waterbody
- There is an existing Development Permit for the gravel pit but it has not been reclaimed
- Confirmation has not been received as to whether the water dam was approved by Alberta Environment

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 comments and declined.

The applicant was provided the opportunity for closing remarks and stated that the owner intends to consolidate the previous subdivision with the quarter section to the north.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean

RC11-707 That Council give second reading to Bylaw No. LU 59/11 to redesignate lands in the SW 15-33-28 W4M.

Motion Defeated.

Bylaw #LU 61/11  
Bylaw #LU 62/11  
Bylaw #LU 63/11

The Planning and Development Department provided an overview of Bylaw #LU 61/11, Bylaw #LU 62/11, Bylaw #LU 63/11 and stated that a previous application was considered by Council and was not approved. It is now being brought forward as 3 individual bylaws.

The Planning and Development Department advised that objection letters are included in the revised agenda. There are also letters of support on file which were not provided to Council.

Bylaw #LU 61/11  
SE 2-29-5 W5M

The application for redesignation of the 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 1.5 acres from Agricultural District (A) to Parks and Recreational District (P-PR)
- Division 2
- Rural Community: Water Valley/Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 61/11 be given second reading.

The Planning and Development Department stated that a proposed Restrictive Covenant is included in the agenda package. It has been reviewed by Legal Counsel and has been provided to the landowner.

Keren Farquharson, owner, was provided the opportunity to speak and declined.

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

Council questions resulted in the following information:

- A setback relaxation would be required for the existing cabin
- The applicant stated that a Geotech study has been completed
- The applicant stated that a septic installer has been consulted and an at grade, mound system, or tank system would be satisfactory
- Parks and Recreation District would only permit seasonal use
- The landowner stated that she is in agreement to signing a Restrictive Covenant

The applicant showed photos and discussed her concerns of the Restrictive Covenant which included the footprint

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and year round use. The size of the existing cabin does not meet the definition of the Land Use Bylaw.

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 Restrictive Covenant recognizes what is topographically there. The size of the cabin does not meet the definition of cabin in the Land Use Bylaw but this would be addressed in a Restrictive Covenant. Seasonal use would be restricted by the size and would limit year round use. A septic system would need to be applied for.

The applicant was provided the opportunity for closing remarks and stated that the 16 foot cabin width is not a problem. If the cabin were to be replaced an increase in length by 10 feet would not have any affect on the lands.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean  
RC11-708 That Council give second reading to Bylaw No. LU 61/11 to redesignate lands in the SE 2-29-5 W5M. Carried.

Moved by Councillor McKean  
RC11-709 That Council give third reading to Bylaw No. LU 61/11 to redesignate lands in the SE 2-29-5 W5M. Carried.

Moved by Councillor Kemmere  
RC11-710 That Council recommend that the Approving Authority consider the Restrictive Covenant as submitted to be the guiding document regarding lands redesignated within Bylaw No. LU 61/11. Carried.

Recess and Reconvene Reeve Munro recessed the meeting at 10:30 a.m. and reconvened at 10:39 a.m.

Bylaw #LU 62/11  
SE 2-29-5 W5M

The application for redesignation of the 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 11.4 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 2
- Rural Community: Water Valley/Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 62/11 be given second reading.

Keren Farquharson, owner, was provided the opportunity to speak and declined.

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

Council questions resulted in the following information:

- Protection of the environmentally sensitive area would be considered at the time of subdivision
- A septic system would require approval

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 the protection of the sensitive areas is paramount.

The applicant was provided the opportunity for closing remarks and stated that the shape of the environmentally sensitive area is due to existing fencing. The applicant identified a number of building sites. There are 8 letters of support on file.

The Planning and Development Department confirmed that objection letters are included in the revised agenda. There are also 8 letters of support on file which were not provided to Council.

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean  
RC11-711 That Council give second reading to Bylaw No. LU 62/11 to redesignate lands in the SE 2-29-5 W5M. Carried.

Moved by Councillor Good  
RC11-712 That Council give third reading to Bylaw No. LU 62/11 to redesignate lands in the SE 2-29-5 W5M. Carried.

Moved by Councillor Kemmere  
RC11-713 That Council recommend that the Approving Authority consider a condition for a septic system within the capability of protecting the Winchell Lake drainage basin as part of future Subdivision and Development Permit approvals regarding lands redesignated within Bylaw No. LU 62/11. Carried.

Moved by Reeve Munro

RC11-714 That Council request that staff review the size of Environmentally Sensitive Areas regarding lands redesignated within Bylaw No. LU 62/11.

Carried.

Bylaw #LU 63/11  
SE 2-29-5 W5M

The application for redesignation of the 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 41.6 acres from Agricultural District (A) to Agricultural (2) District (A2)
- Division 2
- Rural Community: Water Valley/Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 63/11 be given second reading.

The Planning and Development Department advised that objection letters are included in the revised agenda. There are also letters of support on file which were not provided to Council.

Keren Farquharson, owner, was provided the opportunity to speak and declined.

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

Council questions resulted in the following information:

- The applicant stated that building sites have been identified
- The applicant stated that there is an existing dugout but the water supply has been cut off. The watering of cattle is very difficult.
- The applicant has no intent to sell any one of these parcels at this time

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 would not support future subdivision.

The applicant was provided the opportunity for closing remarks and stated that the letters of objection are mainly regarding environmentally sensitive areas. The proposed redesignation would make things more restrictive for the environmentally sensitive areas and septic systems.

ADOPTED

Hearing no further comments Reeve Munro closed the Public Hearing.

Moved by Councillor McKean  
RC11-715 That Council give second reading to Bylaw No. LU 63/11 to redesignate lands in the SE 2-29-5 W5M.

Carried.

Moved by Councillor Kemmere  
RC11-716 That Council give third reading to Bylaw No. LU 63/11 to redesignate lands in the SE 2-29-5 W5M.

Carried.

Bylaw #LU 64/11  
SE 13-33-28 W4M

Reeve Munro opened the public hearing regarding Bylaw #LU 64/11.

The application for redesignation of the SE 13-33-28 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 6.89 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 7
- Rural Community: Reed Ranch

The Planning and Development Department recommended that Bylaw #LU 64/11 be given second reading.

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

Neil Unger, owner, stated that he is a third generation farmer. The proposed redesignation is for a family member.

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

Council did not have any questions.

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 Beattie  
RC11-717 That Council give second reading to Bylaw No. LU 64/11 to redesignate lands in the SE 13-33-28 W4M.

Carried.

Moved by Councillor Kemmere  
RC11-718 That Council give third reading to Bylaw No. LU 64/11 to redesignate lands in the SE 13-33-28 W4M.

Carried.

Bylaw #LU 65/11  
NW 25-29-5 W5M

Reeve Munro opened the public hearing regarding Bylaw #LU 65/11.

The application for redesignation of the NW 25-29-5 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 20 acres from Agriculture District (A) to Agriculture District Two (A2)
- Division 2
- Rural Community: Water Valley / Winchell Lake

The Planning and Development Department recommended that Bylaw #LU 65/11 be given second reading.

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

Shane Krebs, applicant, stated that the original 3 acre proposal had many restrictions. The application was then revised to a 20 acre parcel which will allow more animals.

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

Council questions resulted in the following information:

- Protected areas would be identified at the time of subdivision
- The farmland is fenced
- The land to the north of the proposal is grassland
- The applicant does not wish a larger parcel

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.

ADOPTED

Hearing no further comments Reeve Munro closed the Public Hearing.

RC11-719 Moved by Councillor McKean  
That Council give second reading to Bylaw No. LU 65/11 to redesignate lands in the NW 25-29-5 W5M.

Carried.

RC11-720 Moved by Councillor Kemmere  
That Council give third reading to Bylaw No. LU 65/11 to redesignate lands in the NW 25-29-5 W5M.

Carried.

#### NEW BUSINESS

##### Communication Devices

The Chief Administrative Officer provided a verbal report regarding communication devices and recommended changes including a three character password protection; amending the characters required; and a three hour time-out period.

Council discussed various available communication devices.

RC11-721 Moved by Councillor Beattie  
That Council approve the recommended cell phone changes to three character password protection; amending the characters required; and a three hour time-out period; and that staff continue to seek new and innovative ways to make cell phone use easier.

Carried.

##### Add Agenda Item

RC11-722 Moved by Councillor Kemmere  
That the following be added to the agenda:  
11.1 Land Matter

Carried.

##### IN CAMERA

RC11-723 Moved by Councillor McKean  
That the Regular Council Meeting of September 28, 2011 go into closed meeting at 12:20 p.m.

Carried.

RC11-724 Moved by Councillor Beattie  
That the Regular Council Meeting of September 28, 2011 return to the open meeting at 12:33 p.m.

Carried.

##### ADJOURNMENT

RC11-725 Moved by Councillor Good  
That Regular Council Meeting of September 28, 2011 be adjourned at 12:33 p.m.

Carried.

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Chair

I hereby certify these minutes are correct.

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Chief Administrative Officer