

MINUTES

REGULAR COUNCIL MEETING

Mountain View County

Minutes of the Regular Council Meeting held on Wednesday, September 24, 2014, in the Council Chamber, 1408 Twp Rd. 320, Didsbury, AB

PRESENT: Reeve B. Beattie
Councillor K. Heck
Councillor D. Milne
Councillor J. Sayer

ABSENT: Councillor A. Aalbers
Councillor A. Kemmere
Councillor P. McKean

IN ATTENDANCE: T. Martens, Chief Administrative Officer
G. Wiens, Director, Corporate Services
R. Baker, Director, Operational Services
J. Holmes, Director, Legislative, Community, & Agricultural Services
M. Bloem, Manager, Planning Services
D. Gonzalez, Planner
T. Connatty, Planner
C. Tinney, Planner
A. Wild, Communications Coordinator
G. Eyers, Executive Assistant

CALL TO ORDER: Reeve Beattie called the meeting to order at 9:01 a.m.
Reeve Beattie introduced Council and Staff.

AGENDA Reeve Beattie advised of the following amendments to the agenda:
7.1 Floodway Development Regulation (Information attached)
8.4 Alberta Community Resilience Program Funding (Information attached)
8.5 Tax Sale Properties (Information attached)
8.6 Waiver Application Fee

Moved by Councillor Sayer
RC14-525 That Council adopt the agenda of the Regular Council Meeting of September 24, 2014 as amended. Carried.

MINUTES Moved by Councillor Milne
RC14-526 That Council adopt the Minutes of the Regular Council Meeting of August 27, 2014. Carried.

Moved by Councillor Heck
RC14-527 That Council adopt the Minutes of the Council Budget Meeting of September 8, 2014.

Carried.

PUBLIC HEARINGS
Bylaw No. LU 36/14
NE 4-33-4 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 36/14.

The application for redesignation of the NE 4-33-4 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 24.6 acres from Agricultural District (A) to Agricultural (2) District (A2)
- Division 6
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 36/14 be defeated at second reading due to the flood risk liability of the proposed redesignation.

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

Janice Tye and Murray Hanna, owners, stated that the proposed redesignation meets all County policies and regulations. They provided information regarding the potential for flooding and stated that the proposed building site is not within the 100 year flood area as defined in the 2014 Golder report. Additional flood mitigation measures have been undertaken. The flood which occurred 10 years ago confirmed that the proposed building site was not affected. Ms. Tye provided size comparisons of the Red Deer River and the Little Red Deer River.

Reeve Beattie read a written submission from Jim and Robin Rackham.

Sean Sullivan, Matrix Solutions Inc., provided a presentation regarding the flood risk of the proposed subdivision.

Sean Sullivan discussed the following information:

- Project setting and topographic data
- Building envelope
- Migration and Erosion
- ESRD comments on application and LiDAR mapping

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

Elizabeth Leuschner, adjacent landowner, stated that she does not support the request for redesignation. In 2005 the property that she owns was drastically flooded and debris from Westward Ho Campground was deposited on her property. Previous Councillors had attended her property and the adjacent properties during the 2005 flood. The proposed redesignation area was under approximately four feet of water at that time. Other adjacent landowners were flooded out. The costs were extensive to clean up the properties as a result of damage and debris as a result of the 2005 flood.

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

Dan Polley stated that he resides in Calgary and is a potential purchaser of the property. He has done extensive research regarding the property and the flood risks. He advised that his wife is a civil engineer and they are confident that there is minimal flood risk to the property.

Council questions resulted in the following information:

- Matrix advised that the flood area for the proposed redesignation is minimal and a .3 to .35 acre area would not be affected in the event of 1 in 200 year flood
- The Approving Authority is liable
- Approximately one acre would be required for a septic field
- Matrix Solutions stated that flood frequency data is based on approximately 25 years of available data

Reeve Beattie 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 have concerns that the development is not safe.

The applicant was provided the opportunity for closing remarks and Ms. Tye stated that debris which was referred to came from the campground. She stated that everyone has individual risk levels and that this proposed redesignation meets the criteria for approval.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Milne

RC14-528 That Council give second reading to Bylaw No. LU 36/14 to redesignate lands in the NE 4-33-4 W5M.

Motion Defeated.

Bylaw No. LU 38/14
NE 28-33-4 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 38/14.

The application for redesignation of the NE 28-33-4 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 3.2 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 6
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 38/14 be defeated at second reading as the proposal exceeds the maximum allowable parcel density and it is located in an environmentally sensitive area.

The Planning and Development Department advised that no correspondence was received.

Jim Fisher, owner, stated that the proposed redesignation area is intended to provide a residential parcel for his daughter. The area is low but has never flooded.

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

Council did not have any questions.

Reeve Beattie 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 Beattie closed the Public Hearing.

Moved by Councillor Sayer

RC14-529 That Council give second reading to Bylaw No. LU 38/14 to redesignate lands in the NE 28-33-4 W5M.

Motion Defeated.

Bylaw No. LU 40/14
SW 18-30-1 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 40/14.

The application for redesignation of the SW 18-30-1 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 6.5 acres from Agricultural District (A) to Country Residential District (R-CR)
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 40/14 be given second reading.

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

Neil and Edna Good, owners, were provided the opportunity to comment and declined.

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

Council did not have any questions.

Reeve Beattie 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 Beattie closed the Public Hearing.

Moved by Councillor Heck
 RC14-530 That Council give second reading to Bylaw No. LU 40/14 to redesignate lands in the SW 18-30-1 W5M.
 Carried.

Moved by Councillor Heck
 RC14-531 That Council give third reading to Bylaw No. LU 40/14 to redesignate lands in the SW 18-30-1 W5M.
 Carried.

Bylaw No. LU 42/14
SE 23-33-5 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 42/14.

The application for redesignation of the SE 23-33-5 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 6.0 acres from Agricultural District (A) to Country Residential District (R-CR) District
- Division 5
- Rural Community: Eagle Hill/Westward Ho

The Planning and Development Department recommended that Bylaw #LU 42/14 be given second reading.

The Planning and Development Department advised that no correspondence was received.

Ken Taylor, applicant, stated that the proposed redesignation area contains excellent building sites and are adjacent to a chip seal road.

Council questions resulted in the following information:

- The area to the south of the proposed redesignation would provide access to the balance of the quarter

Reeve Beattie 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 Beattie closed the Public Hearing.

Moved by Councillor Heck

RC14-532 That Council give second reading to Bylaw No. LU 42/14 to redesignate lands in the SE 23-33-5 W5M.

The question on Motion RC14-532 was not called.

Reeve Beattie stated that the matter would be deferred until later in the meeting in order to provide the opportunity for Council to consider the written version of the revised Bylaw No. LU 42/14.

Recess and Reconvene

Reeve Beattie recessed the meeting at 10:35 a.m. and reconvened at 10:45 a.m.

Moved by Councillor Milne
RC14-533 That Bylaw No. LU 42/14 to redesignate lands in the SE 23-33-5 W5M be amended by relocating the proposed redesignation adjacent to the south property line.

Carried.

The question on Motion RC14-532 was called.

Carried.

Moved by Councillor Heck
RC14-534 That Council give third reading to Bylaw No. LU 42/14 to redesignate lands in the SE 23-33-5 W5M.

Carried.

Bylaw No. LU 43/14
NE 3-30-1 W5M
NW 2 30-1 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 43/14.

The application for redesignation of the NE 3-30-1 W5M, NW 2 30-1 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 209.4 acres from Agricultural District (A) to Institutional, Educational and Cultural (S-IEC)
- Division 1
- Rural Community: Wessex

The Planning and Development Department recommended that Bylaw #LU 43/14 be given second reading.

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

Carl McDonnell, representing the Town of Carstairs, was provided the opportunity for comment and declined.

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

Council did not have any questions.

Reeve Beattie 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 is for redesignation only.

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

Hearing no further comments Reeve Beattie closed the Public Hearing.

- Moved by Councillor Milne
RC14-535 That Council give second reading to Bylaw No. LU 43/14 to redesignate lands in the NE 3-30-1 W5M, NW 2 30-1 W5M.
Carried.
- Moved by Councillor Milne
RC14-536 That Council give third reading to Bylaw No. LU 43/14 to redesignate lands in the NE 3-30-1 W5M, NW 2 30-1 W5M.
Carried.
- Moved by Councillor Milne
RC14-537 That Council approve a 50 % reduction in the redesignation application fees for Bylaw No. LU 43/14 to redesignate lands in the NE 3-30-1 W5M, NW 2 30-1 W5M.
Carried.

Bylaw No. LU 44/14
NE 35-32-5 W5M

Reeve Beattie opened the public hearing regarding Bylaw #LU 44/14.

The application for redesignation of the NE 35-32-5 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 8.1 acres from Agricultural District (A) to Local Commercial District (C-LC)
- Division 6
- Rural Community: Eagle Hill / Westward Ho

The Planning and Development Department recommended that Bylaw #LU 44/14 be given second reading.

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

Ken Taylor, applicant, stated that there is an existing residence and quonset. There are trees on the south property line adjacent to an existing residence.

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

The Planning and Development Department stated that they had received a second letter from Mrs. Crouch, adjacent landowner, which noted the same concerns as the previous letter.

Council questions resulted in the following information:

- This is a proposed commercial property
- Rear setback permitted is 6 feet
- Road dedication would be considered at the time of subdivision or development permit
- The land has been cleared and is currently vacant with a gravel pad

ADOPTED

Reeve Beattie 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 owner of the adjacent Bed and Breakfast have indicated that they would request a future commercial redesignation.

The applicant was provided the opportunity for closing remarks and discussed adjacent land uses.

Hearing no further comments Reeve Beattie closed the Public Hearing.

Moved by Councillor Heck

RC14-538 That Council give second reading to Bylaw No. LU 44/14 to redesignate lands in the NE 35-32-5 W5M.

Motion Defeated.

NEW BUSINESS
MDP Annual
Monitoring Report

Moved by Councillor Milne

RC14-539 That Council adopt the Terms of Reference incorporating appropriate revisions; and that Council authorizes Policies & Priorities Committee to review and approve the TOR on a yearly basis.

Carried.

DHS Band Society
Funding Request

Moved by Councillor Milne

RC14-540 That Council approve funding in the amount of \$5000 to the Didsbury High School Band Society for the purchase of band uniforms that display the Mountain View County logo during their 2015 tour of Spain, and that the contribution be funded from the Tax Rate Stabilization Reserve.

Motion Defeated.

Olds Rotary
Harvest Ball

Moved by Reeve Beattie

RC14-541 That Council support the 2014 Rotary Harvest Ball Fundraiser by purchasing a corporate table at a cost of \$825.00.

Carried.

Alberta Community
Resilience Program

Moved by Councillor Sayer

RC14-542 That Council agrees to submit applications to the Alberta Government Minister of the Environment and Sustainable Resource Development for funding for the four projects as recommended.

Carried.

Tax Sale
Properties

Moved by Reeve Beattie

RC14-543 That Council set the reserve bid for tax roll 632262001 (NW 26-32-6-5) at \$500,000.

Carried.

Waive Application
 Fee RC14-544 Moved by Councillor Milne
 That Council waives Lawrence and Pamela Trenholm's
 Development Application and Administration fee of \$425
 for PLDP20140355.
 Carried.

Red Deer River Berm
 Council agreed that the Red Deer River Berm matter be
 added to the agenda as requested by the Policies and
 Priorities Committee September 23, 2014.
 Ron Baker, Director, Operational Services, requested that
 mapping, with a model of the berm in place, be
 undertaken.

RC14-545 Moved by Councillor Sayer
 That Council approve that Red Deer River Flood Mapping,
 with a model of the berm in place, be undertaken.
 Carried.

INFORMATION
 ITEMS RC14-546 Moved by Councillor Sayer
 That Council receive the following items as information:
 a. 20140904 AAMDC Contact Newsletter
 b. 20140910 AAMDC Contact Newsletter
 c. 20140916 - Council Directives
 Carried.

Recess and Reconvene
 Reeve Beattie recessed the meeting at 11:57 a.m. and
 reconvened at 12:31 p.m.

OLD BUSINESS
 Floodway Development
 Regulation
 Margaretha Bloem reviewed and discussed the Floodway
 Development Regulation discussion paper with Council.
 Council directed Administration to submit an amended
 Participant Workbook response on behalf of Mountain View
 County.

ADJOURNMENT
 Reeve Beattie adjourned the Regular Council Meeting of
 September 24, 2014 at 1:33 p.m.

 Chair

I hereby certify these minutes are correct.

 Chief Administrative Officer