

Minutes of a Public Hearing in regards to Land Use Amendment Bylaw No 964/12 and Area Structure Plan Bylaw 975/13 – Metaldog Industrial Park, held in the Clearwater County Council Chambers on June 25, 2013.

The Public Hearing was called to order at 1:15 P.M. with the following being Present:

Reeve:	Pat Alexander
Councillors:	Earl Graham
	Bob Bryant
	Case Korver
	Jim Duncan
	John Vandermeer
Chief Administrative Officer:	Ron Leaf
Director, Public Works	Marshall Morton
Manager, Infrastructure	Erik Hansen
Director, Corp Services	Murray Hagan
Director, Comm & Prot Sv	Mike Haugen
Recording Secretary:	Tracy Haight
Manager, Planning:	Keith McCrae
Senior Planner:	Marilyn Sanders
	Christine Heggart
	Darell Philip
Media:	Sarah Maetche
	Jenny Oatway
	Helge Nome

Jenny Wong, Jacina Parson, Doreen Curran, Marjoie Bauer, Henry Askes, Dan Spongberg, Frances Spongberg, Kim Girard, Greg Girard, Curt Domonkos, Patricia Rear, Don Witten, Kelly Spongberg, Andrea Garnier.

Reeve Alexander outlined the hearing agenda and process to be used for the Public Hearing.

Keith McCrae provided background information and an overview on Application No. 04/11 to amend the Land Use Bylaw and the Metaldog Industrial Park Area Structure Plan for the redesignation of 86.88 acres from the Agriculture District “A” to the Light Industrial District “LI” on land described as NW 02-40-07-W5M. The subject land is located approximately 1.5 miles north of the Town of Rocky Mountain House on the east side of the Airport Road. Kelly Spongberg holds title to the remainder of NW 02-40-07-W5 containing 152.06 acres and presently zoned Agriculture District “A”.

Mr. McCrae presented a history of the application and noted the application is subject to the provisions of the Rocky-Clearwater Intermunicipal Development Plan, Municipal Development Plan (2010) and Land Use Bylaw.

Mr. McCrae stated at the regular Council meeting held on July 24, 2012, Council reviewed and gave first reading to Bylaw 964/12 for redesignation of the subject lands. On the regular meeting held on May 14, 2013, Council reviewed and gave first reading to Bylaw 975/13 for the Metaldog Industrial Park Area Structure Plan. Notice of today’s Public Hearing was advertised in the local newspapers for two weeks and comments were invited from the adjacent landowners and referral agencies.

Keith McCrae introduced Jenny Wong of Matrix Planning. Mr. McCrae noted Ms. Wong will represent the applicant and has prepared the Metaldog Industrial Park Area Structure Plan, dated June 20, 2013 for Council’s consideration.

**The Chair invited questions from Council.**

No questions were asked by Council

**The Chair asked for comments received from referral agencies.**

FortisAlberta

FortisAlberta noted the Developer must arrange installation of electrical services for this subdivision with FortisAlberta.

Rocky Gas Co-op

The Rocky Gas Co-op noted the developer should be aware that the existing gas lines in this area will have to be moved to accommodate this development. This cost will be at the developer's expense, and to supply a sufficient amount of gas to this area there will have to be some upgrades done which will also be at the cost of the developer.

Alberta Transportation

Alberta Transportation offers no objection to the proposed Land Use Amendment or Area Structure Plan. Condition of approval for a subdivision will be the departments' acceptance of a Traffic Impact Assessment and arrangement of any intersection improvements identified.

Public Works – Clearwater County

Generally Public Works has no objection to the described development. Access to the development has been proposed via two entrances off Range Road 7-2. Range Road 7-2 is a seasonally weight restricted roadway. Public Works requires that this roadway be constructed to a ban free standard from Township Road 40-0 north to the northern most entrance into the proposed subdivision. All accesses and internal subdivision roads must be constructed as per the Clearwater County Industrial & Commercial Subdivision Standards Policy to the satisfaction of the Public Works Department. A storm water management plan must also be provided to the municipality for approval. Any additional upgrades required by Alberta Transportation to County owned infrastructure, due to this development, will be at the developer's expense. All development is subject to but not limited to the criteria established in the Clearwater County Road Standards Policy and the Approach Construction Guidelines Policy. A meeting with the Public Works Director or his designate is recommended to discuss in detail the requirements of the relevant policies and the construction standards for infrastructure upgrades.

Municipal Planning Commission

The Municipal Planning Commission recommends that Council favorably consider granting second and third readings to the subject Land Use Bylaw Amendment.

**The Chair invited the applicant to speak re comments from the agencies.**

Jenny Wong noted comments will be addressed during the ASP presentation.

Jenny Wong introduced Jacinta Parsons, Williams Engineering.

Ms. Wong provided background information on the process and procedures taken in preparation of the Metaldog Industrial Park Area Structure Plan. Ms. Wong stated public participation included landowner mail outs and a public meeting. Various stakeholder groups were also contacted.

Ms. Wong noted the location of the property in relation to municipal boundary lines and that plans and policies of the Rocky-Clearwater Intermunicipal Development Plan, Clearwater County Municipal Development Plan and the Clearwater County Land Use Bylaw were consulted.

Ms. Wong stated a site overview was conducted and noted Conoco Phillips has not identified a clear timeline for the well abandonment.

Ms. Wong noted as a result of the developer's plans to upgrade the sewage system, the lagoon currently onsite will no longer be needed and reclamation of this lagoon will be in accordance with Alberta Environment regulations.

Ms. Wong noted results of assessments, reports, feasibility studies, and a future land use concept were included in the Area Structure Plan.

Questions and discussion followed regarding proposed location for Alberta Transportation Type 2 intersection, berm on the municipal reserve, determination of sewage systems, and storm ponds.

**The Chair asked for any written submissions in favour of the application.**

No written submissions in favour were received.

**The Chair invited anyone in opposition of the application to speak.**

Don Witten noted concerns with the plan affecting their quality of life by excessive traffic, noise, and blocking the scenic view. Mr. Witten noted concerns with the Municipal Development Plan and the rezoning of farm property. He questioned the need for industrial land at the expense of rural residents and the long term effects of the Intermunicipal Development Plan (IDP). Mr. Witten stated he was not aware a review of the IDP has been completed since 2007. Mr. Witten noted concerns with potential environmental damage to surrounding wetlands and watersheds and to neighbouring residents. Mr. Witten noted existing and proposed tree berms may not provide enough protection and the possibility of adjacent landowners paying for road upgrades.

Kim Girard stated their property is located directly across the proposed industrial park and noted concerns with noise and excessive traffic on Range Road 7-2 as a danger to her children. Ms. Girard noted concerns with the potential hazard of a toxic chemical spill from tanks containing methanol and glycol that would be stored at the proposed industrial park. Ms. Girard presented Council with Material Safety Data Sheets for both chemicals. Ms. Girard noted concerns with the timeline for development in the proposed industrial park.

Patricia Rear asked if traffic will be monitored to determine if a turning lane would be required and why adjacent property owners would be charged for any upgrades to the road.

Reeve Alexander stated those questions would be addressed later in the hearing.

**The Chair invited the applicant to speak.**

Kelly Spongberg noted the location of the existing operation of the tank storage facilities and stated that it is necessary to move the facilities away from town to provide better environmental protection and to divert truck hauls around the town rather than thru town. Mr. Spongberg noted as per Alberta Transportation, upgrades to Highway 22 and 11 are not required at this point.

**The Chair invited anyone in favour of the application to speak.**

No members of the public spoke in favour of the application.

**The Chair asked for any written submissions in opposition of the application.**

Mr. McCrae stated a written submission was received from Don Witten which was presented to Council and referred to in Mr. Witten's presentation.

Reeve Alexander requested an explanation on the process for rezoning land to light industrial. Keith McCrae explained the process and noted there is a list of permitted use and discretionary use for the rezoned parcels. Mr. McCrae stated businesses purchasing a lot would require a development permit, an agreement and the public would have an opportunity to address the proposed development.

Councillor Bob Bryant requested an explanation on “endeavor to assist” term. Mr. McCrae explained if a future developer were to benefit from infrastructure that the first developer was required to put in place at their cost, the first developer may recover a portion of costs from the future developer.

Councillor Bryant inquired on the IDP review that was considered in 2012. Mr. McCrae stated as per Section 8.6.9 of the IDP, both municipalities determined a review was not needed at that time.

Ms. Wong responded to concerns and noted the overall intent of the development is for industrial use and the developer will do everything required to meet and exceed any conditions and mitigate all concerns. Ms. Wong stated the development timeline will be conducted in phases as per demand with the tank storage facility being a priority.

Councillor Jim Duncan inquired on roadways and access. Ms. Parsons responded improvements to the intersection are projected and a traffic impact assessment will be conducted on Range Road 7-2. Marshall Morton stated Township Road 40-0 is the main thoroughfare and traffic volume on Range Road 7-2 is not significant, therefore, at this time the intent is for signage not signal lights.

Adjournment at 2:40 P.M.

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REEVE

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CHIEF ADMINISTRATIVE OFFICER