

Minutes of a Public Hearing in regards to By-law No 946/11, held in the Clearwater County Council Chambers on October 11, 2011.

The Public Hearing was called to order at 1:14 P.M. with the following being Present:

Reeve:	Pat Alexander
Councillors:	Bob Bryant
	Case Korver
	Dick Wymenga
	Jim Duncan
	John Vandermeer
Municipal Manager:	Ron Leaf
Recording Secretary:	Christine Heggart
Development Officer:	Marilyn Sanders
Mountaineer:	Jessica Jones
	Vic Maxwell
	Mike Haugen
	Steven Hart
	Gordon Hart
	Malcolm Cochrane
	Jerry Visser
	Bruce Anderson
	Philip Paquette
	Karen Paquette
	Dennis Nielsen
	Joyce Nielsen
	Alanna Arns
	Ken Scott
	Penny Butler
	Doug Butler
	Larry Rhude
	Joan Murray
	Gordon Van Bosch
	Dennis Ross
	Ethel Williams
	Lori Mosinsky
	Ian Murray
	Rob Hart
	Jamie Hart
	Myrna Gazdag
	Frank Gazdag
	Ray Marler
	Carmen Marler
	Dan Hart
	Phyllis McNutt
	Ken Qually
	Mary Parker
	Stan Olmstead
	Marianne Cole
	Marion Schafer
	Rod McDermand
	June McDermand
	Helge Nome
	Jennifer Newton
	Tammy Davis
	Judie Davis
	Wes Davis
	Aly Visser
	Chris Carr-Bourne
	Robert Bourne
	Tom Smid
	Max Anderson
	Dori Weston

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

Marilyn Sanders summarized the application regarding the subject land located approximately 5 miles southeast of the Town of Rocky Mountain House. The property is in title to Dennis & Joyce Nielsen with Hart's having a purchase agreement. The 152.07 acres is presently zoned Agriculture District "A". The subject area proposed to be rezoned is not being subdivided from the balance. The area is located in the southeast corner of the quarter section and has a 49.5 Farmland Assessment Rating.

The application is to rezone a 29.97 acre light industrial parcel adjacent Township Road 38-5A. Range Road 6-5 lies adjacent to the west boundary of the quarter section and Hwy 11 lies adjacent the north boundary. The proposed parcel would be surrounded by the remaining agricultural land in title, some of which is cultivated and the remaining land will continue to be pastured. The applicants describe the intent of the application is to consolidate operations from 4 small unsatisfactory locations in Rocky Mountain House and Clearwater County. They plan to construct a manufacturing shop and office building to headquarter their business from this parcel. This site would accommodate the engineering, manufacturing and testing of all of their equipment for western Canada.

Ms. Sanders reviewed sections of the Municipal Development Plan (MDP) applicable to the proposed development.

The Chair invited questions from Council.

There were no questions from Council.

The Chair invited applicant to speak.

Vic Maxwell spoke on behalf of applicant Steven and Gordon Hart detailing the rationale for the application and site selection, noting Hart is a fast growing company wishing to locate in Clearwater County.

Mr. Maxwell described the proposed location noting the farmland is not good with muskeg areas and standing water and that a planned relocation of fencing will increase farmable area.

Mr. Maxwell noted that the need for industry in the County, that Hart's do not want highway frontage, that they employ 25 people and he reviewed the approach locations and proximity to adjacent properties and line of vision.

Steven Hart responded to questions regarding truck traffic noting that 5-10 trucks per week are estimated and that a staff traffic survey revealed that seven vehicles will access from the east, ten accessing from north, five from the west.

Gordon Hart discussed the water and wastewater system, which is patented portable wastewater treatment plant and is tested regularly and regulated by government and monitored.

Councillor Korver recommended a change in location of access.

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

Gordon Van Bosch – provided a character reference and read his submitted letter in favour of the application.

Stan Olmstead – provided a favourable support of the oil and gas industry and noted their significant contributions to the community.

Lori Mozinsky – as an employee of Hart, Ms. Mozinsky favourably supported the application noting Hart is a company that is considerate of businesses and people in the community.

Dennis Nielsen – the owner of the subject property, noted that only 30% of the parcel is farmable land and there is significant traffic on the road already.

Malcolm Cochrane – noted that the County has already allowed industry into district and that the parcel is marginal and that it is a good site for the project proposed.

Joan Murray – supported the Hart's application, provided a character reference, noted the proposed location is an excellent site and that traffic increases due to growing community.

The Chair asked for written comments from the public in favour of the application.

Clayton and Belinda Cole – supported the application noting that Hart is building the community.

Mitch and Shirley Sullivan – owners of adjacent quarter to the east, supported the application noting opposition only to the access location.

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

Jerry Viser – opposed to redesignation and presented 38 signatures from neighbours in opposition. Mr. Viser noted concern with geotechnical and traffic impacts, quality of life, storm water management, access and egress, dark sky policy, light pollution, noise impacts, discrepancies in application from MDP.

Larry Rude – opposed to the application and concerned with environmental assessment, wastewater, soil, water, noxious weeds and industrial equipment.

Jen Newton – opposed to the application and concerned with devaluation of the adjacent properties, traffic, dust, litter, noise and safety issues.

Penny Butler – opposed to the application and is neighbour in line vision of the proposed industrial site. Ms. Butler noted concern with bus routes and times, road standard, loss of natural beauty and asked area be left untouched by oilfield activity.

Tammy Davis – opposed to the creation of light industrial business in residential community. Ms. Davis noted concern with times of travel, roads, truck route plan, safety, access, construction and conflicts with fitness and exercise on country roads.

Phil and Karen Paquette – opposed to the application and cited MDP references. They noted concern with impact on adjacent property, no plan for future growth, farmland rating, environmental impact, water, air, noise, light pollution. The Paquettes noted the reasonable availability of optional locations

and concern with this site becoming an industrial park and opposed the access location noting should be off Highway 11.

Ray Marler – opposed to the application as it changes the area and noted industrial development should be pushed towards industrial subdivisions.

Frank Gazdag – opposed to location of light industrial and concerned with access, road, dust control, and the already one subdivision off quarter already.

Marianne Cole – noted concern about precedent, industrial development in a residential area, conservation of agricultural land, water, size guidelines per quarter, future motives and subdivision intent, farmland assessment rating, school buses, development footprint, not light industrial and noted economic progress is valued, but cannot occur randomly.

Chris Carr -Bourne – concerned with traffic and loss of agricultural land and noted should use area North of Pidherney's industrial subdivision.

Rod McDermand – supportive of industry but concerned with spot planning and the future populations and need for food, noting industry belongs in industrial parks.

Helge Nome – expressed concern with the significance of the development and the need to accommodate industrial development in County.

The Chair asked for written comments from the public in opposition of the application.

No written submissions in opposition.

The Chair asked for comments received from referral agencies.

Clearwater County Public Works

The applicants are required to install a new approach to the proposed industrial site and remove the two existing approaches on Twp Road 38-5.

Alberta Transportation

Prior to the redesignation of 29.97 acres on the above lands for the purpose of establishing an oilfield business, Alberta Transportation is recommending that a Traffic Impact Assessment be completed to determine if upgrades will be required at the highway intersections(s) and the local roads(s). Any intersectional upgrades required to accommodate the proposed development will be the responsibility of the County.

Rocky Gas Co-op

The Rocky Gas Co-op has two lines crossing this proposed parcel out of the quarter section. The diagram shows the 2" going across the parcel however the 3" is also running north & south on the easterly border of the parcel. If this application is approved and there is a request to have either one of these lines moved or lowered it will be at the owner's expense. Because they are both main lines the associated cost to move or lower the lines could be costly. These lines must be located & marked

prior to any development taking place if the subdivision is approved.

Devon Canada Corporation

Devon Canada Corporation owns and operates a pipeline within the proposed development area. Existing rights-of-way will have to be maintained and no permanent structures will be allowed on the rights-of-way. Shallow utilities cannot be located within the existing pipeline rights-of-way. Crossing for roads, driveways and utility services may be allowed subject to entering into acceptable crossing and/or proximity agreements with Devon.

Municipal Planning Commission

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

The Chair invited Applicant to respond to concerns.

Steven Hart commented that they are a light industrial business and in terms of intrusiveness they are willing to provide dust control to accesses to adjacent properties, will be planting mature trees to limit visibility, all lights will be pointed inwards, and that the major business conducted at this site will be research and development, which is not a 24/7 business.

Mr. Hart noted they do not want to become a developer, the site will not become an industrial park, their service trucks are all ¾ ton, 1 ton and 3 ton truck, no heavy duty equipment is anticipated and water and sewer will meet all regulations.

Keith McCrae responded to question from Council on optional sites proposed in the public hearing, noting that the 25 acres north of the Pidherney's subdivision is zoned agricultural in the outline plan due to contamination issues.

Mr. Maxwell further noted the amount of light industrial in the area.

Public Hearing closed at 3:33 P.M.

MUNICIPAL MANAGER

REEVE