

Minutes of a Public Hearing in regards to By-law No 1003/15, held in the Clearwater County Council Chambers on June 09, 2015.

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

Reeve:	Pat Alexander
Councillors:	Earl Graham
	John Vandermeer
	Theresa Laing
	Kyle Greenwood
	Jim Duncan
	Curt Maki
Chief Administrative Officer:	Ron Leaf
Director, Planning:	Rick Emmons
Director, Community & Protective Services:	Ted Hickey
Recording Secretary:	Tracy Haight
Administration:	Keith McCrae
	Marilyn Sanders
	Lisa Novachek
	Christine Heggart
Media:	Laura Button
	Helge Nome
Public:	
Marianne Cole	Nik Wetsch
Lyla Wetsch	Blake Crawford
Doug Bolin	Kelly Bolin
Penni Lougheed	Daryl Lougheed

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

Marilyn Sanders provided history and an overview on the application from Douglas Bolin, operating as Rainy Creek Powersports Ltd., to redistrict 9.21 acres within SE 06 39 04 W5M from Agriculture District "A" to the Direct Control District-1 "DC-1". This redistricting application is combined with Subdivision Application 21/3379 and is for the purpose of creating separate title to allow the development and relocation of an existing Polaris ATV/Snowmobile dealership.

Ms. Sanders outlined the property boundaries, surrounding land uses, and noted hamlet development in the northeast corner of the section.

Ms. Sanders noted that the proposed site access is from Condor Road pending approval from Clearwater County. Ms. Sanders stated that the applicants discussed construction requirements and setbacks from Highway 11 with Alberta Transportation.

Ms. Sanders outlined applicable sections of the Municipal Development Plan. Ms. Sanders noted that as the County's existing land use districts does not accommodate the applicants proposal, Administration proposes to redesignate the subject lands to the Direct Control District One (DC-1) that would allow the establishment of a site specific Direct Control District to accommodate a recreational motor sport vehicles sales, service and repair business, test area and related facilities. Ms. Sanders noted all development permits for this site will be approved by Council.

Ms. Sanders stated at the regular Council meeting held on April 28, 2015, Council reviewed and granted first reading to Bylaw 1003/15. As required by legislation, comments were invited from the adjacent landowners and referral agencies. Upon consideration of the representations made at the Public Hearing, Council may consider whether or not to grant second and third readings to the bylaw.

**The Chair invited the Development Officer to present comments received from referral agencies.**

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.

Clearwater County Public Works

Access to the proposed parcel does not meet Council policy for setback requirements from an intersection of 150m. The Council policy also stipulates the width of the approach to be no less than 8.0m wide as per commercial/industrial standards.

Site lines are good from both directions. A new single approach complete with new 500mm culvert and 12 yards of ¾ " crushed gravel is required. There will be a \$150.00 fee for a new Rural Addressing sign to be placed by Public Works staff.

Alberta Transportation

No objections in principal to the proposed redesignation however, if further commercial development is anticipated it is recommended that an Area Structure Plan be prepared. If no other commercial development is proposed at this location they would require:

- Rear service road dedication by caveat;
- Development setback requirements would apply to accommodate future highway improvements;
- Access to the site should be as noted to allow adequate separation and stacking distance from the Highway intersection.

Alberta Transportation's preliminary review of the proposal indicates that additional highway intersection improvements will not be required as a result of this development.

**The Chair invited questions of the Development Officer regarding the application from Council.**

Ms. Sanders responded to question from Council and noted that service road standards will be set at the time of construction and confirmed that required setbacks will registered on title if Alberta Transportation requires service road dedication.

Council requested clarification on the "Direct Control District One" designation.

Ms. Sanders reviewed Schedule "A" of Bylaw 1003/15 and confirmed that development regulations and procedure are at Council's discretion and subject to Council's approval and as such, any decisions would not be appealable.

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

Doug Bolin provided an overview of Rainy Creek Powersports Ltd. business and explained its current location is not suitable for the growth of the business, however due to franchise territory agreements, the business must remain within the vicinity of its current location. He noted that the proposed locations meets franchise requirements and supports hamlet growth.

Doug Bolin provided information on the development plans for the property; outlined setback requirements; noted hours of operation; and stated that minimum traffic flow is expected.

Mr. Bolin responded to questions from Council and explained the following:

- The business requires increased inventory storage due to increased retail sales for equipment, parts, and supplies.
- The business does not anticipate any noise issues related to the testing of equipment.

- The business will address water/wastewater requirements at the development permit stage.

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

Darryl Loughheed stated that the business owner is actively involved within the Condor community. He noted that the business supports the community through sponsorships and provides opportunity for growth and development in the area.

Marianne Cole stated that the development will enhance growth in the Hamlet of Condor and may increase opportunities for hamlet residents.

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

Ms. Sanders presented a letter from Michelle Solland that noted the development would provide economic benefits and stability to the Hamlet of Condor and add quality of life to residents.

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

Nic Wetsch noted concerns with the following: location of the proposed development; comments received from Alberta Transportation; increased traffic; increased noise from business operations and dogs on premises; increased crime; and water/wastewater issues, particularly related to the high water table.

Mr. Wetsch responded to questions from Council and indicated the location of his property.

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

Ms. Sanders presented a letter from Barb and Rod Crawford that noted concerns with the following: location of the proposed development; decreased quality of life; decreased property values; water/wastewater issues; contravention of Alberta Wetlands Policy; traffic safety; size of the development; future commercial development on the property; and the redesignation of this land for commercial use although there are existing commercial lots available.

Blake Crawford responded to questions from Council and indicated the location of his parent's property.

Mr. Crawford requested clarification on the "test track" and frequency of the tracks use and noise.

**The Chair invited the applicant to express any final comments on the application and respond to any relevant issues.**

Doug Bolin provided information on testing the snowmobiles and OHVs and explained the process used for test drives (sales) and testing of equipment (repairs). Mr. Bolin indicated they have a "track" in their current location in Eckville and that they have not received any complaints nor, to his knowledge, has the Town of Eckville regarding noise. He confirmed that the business has no intentions of operating a racetrack.

Mr. Bolin stated that with the addition of indoor storage and the capability for electronic monitoring, criminal activity is expected to decrease.

Mr. Bolin provided historical information regarding the accumulation of water and water drainage on the property and noted it is dependent on weather events throughout the year.

Reeve Alexander stated that Alberta Environment addresses all issues related to wetlands.

Mr. Bolin stated that the design and system for wastewater disposal is subject to approval through the development permit.

**The Chair closed the Public Hearing at 2:12 P.M.**

  
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REEVE

  
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CHIEF ADMINISTRATIVE OFFICER