

**MACKENZIE COUNTY
REGULAR COUNCIL MEETING**

**Tuesday, March 11, 2014
10:00 a.m.**

**Fort Vermilion Council Chambers
Fort Vermilion, Alberta**

PRESENT:

Bill Neufeld	Reeve
Walter Sarapuk	Deputy Reeve (arrived at 10:08 a.m.)
Jacque Bateman	Councillor
Peter F. Braun	Councillor
Elmer Derksen	Councillor
John W. Driedger	Councillor
Eric Jorgensen	Councillor
Josh Knelsen	Councillor
Ricky Paul	Councillor
Lisa Wardley	Councillor

REGRETS:

ADMINISTRATION:

Joulia Whittleton	Chief Administrative Officer
Ron Pelensky	Director of Community Services & Operations
Byron Peters	Director of Planning & Development
Carol Gabriel	Manager of Legislative & Support Services
Grant Smith	Agricultural Fieldman

ALSO PRESENT: Members of the media and the public.

Minutes of the Regular Council meeting for Mackenzie County held on March 11, 2014 in the Fort Vermilion Council Chambers.

CALL TO ORDER: 1. a) Call to Order

Reeve Neufeld called the meeting to order at 10:02 a.m.

AGENDA: 2. a) Adoption of Agenda

MOTION 14-03-132 MOVED by Councillor Driedger

That the agenda be approved with the following additions:

- 13. d) Call for Expression of Interest to be a Candidate for Participation in Regional Plan Review Panels
- 13. e) Community Planning Association of Alberta –

- Annual Planning Conference
- 13. f) Rural Economic Development Action Plan
Community Stakeholder Roundtable
 - 13. g) County Flags
 - 13. h) Meetings with Ministers at AAMDC Spring
Convention

CARRIED

**ADOPTION OF
PREVIOUS MINUTES:**

- 3. a) Minutes of the February 26, 2014 Regular Council
Meeting**

MOTION 14-03-133

MOVED by Councillor Wardley

That the minutes of the February 26, 2014 Regular Council meeting be adopted as presented.

CARRIED

GENERAL REPORTS:

- 5. a) CAO Report**

Deputy Reeve Sarapuk joined the meeting at 10:08 a.m.

MOTION 14-03-134

MOVED by Councillor Derksen

That the CAO report for February 2014 be accepted for information.

CARRIED

TENDERS:

- 6. a) None**

**COMMUNITY
SERVICES:**

- 8. a) None**

**ENVIRONMENTAL
SERVICES:**

- 9 .a) None**

OPERATIONS:

- 10. a) Road Use Permitting**

MOTION 14-03-135

MOVED by Councillor Wardley

That the road use agreement and the TRAVIS implementation options be referred to the Public Works Committee.

CARRIED

**PLANNING &
DEVELOPMENT:**

11. a) Bylaw 939-14 Land Use Bylaw Amendment to Rezone Part of Plan FVS, Range 2, RL 8 from Hamlet Residential 1 “HR1” to Hamlet Residential 2 “HR2” and Recreational District 2 “REC2” (Fort Vermilion)

MOTION 14-03-136

MOVED by Councillor Wardley

That first reading be given to Bylaw 939-14 being a Land Use Bylaw Amendment to rezone FORT VERMILION SETTLEMENT, Range 2, Riverlot 8, from Hamlet Residential 1 “HR1” to Hamlet Residential 2 “HR2” and Recreational 2 “REC2” for the purpose of developing a multi-family complex and an intensive recreational area, subject to public hearing input.

CARRIED

11. b) Bylaw 940-14 being a Closure of Plan 102 6365, Block 38, Lot 63PUL for the Purpose of Sale and Consolidation (La Crete)

MOTION 14-03-137

MOVED by Councillor Driedger

That first reading be given to Bylaw 940-14 being the closure and sale of Plan 102 6365, Block 38, Lot 63PUL, to be consolidated with Plan 102 6365, Block 38, Lot 1 inclusive to lot 6 for condominium development, subject to public hearing input.

CARRIED

11. c) Bylaw 942-14 Land Use Bylaw Amendment to Add Self- Storage as a Discretionary Use

MOTION 14-03-138

MOVED by Councillor Derksen

That first reading be given to Bylaw 942-14 being a Land Use Bylaw Amendment to add Self-Storage 1 and Self-Storage 2 to Section 3.3 Definitions, and add Self-Storage 1 as a discretionary use in Sections: 8.5, 8.6, 8.7, 8.10, 8.17, 8.18, 8.34, and add Self-Storage 2 as a discretionary use in Sections: 8.1, 8.7, 8.10, 8.11, 8.30, 8.31, 8.33, 8.34, subject to public hearing input.

CARRIED

11. d) Bylaw 944-14 Amendment to the Inter-municipal Development Plan with the Town of High Level

MOTION 14-03-139

MOVED by Councillor Braun

That first reading be given to Bylaw 944-14, being an amendment to the Inter-municipal Development Plan with the Town of High Level.

CARRIED

11. e) Policy DEV005 Municipal Reserve Policy

MOTION 14-03-140

MOVED by Deputy Reeve Sarapuk

That Policy DEV005 Municipal Reserve Policy be adopted as amended.

CARRIED

Reeve Neufeld recessed the meeting at 11:04 a.m. and reconvened the meeting at 11:16 a.m.

11. f) Utility Rights-of-Way (ROWS) in Hamlet Residential Districts

MOTION 14-03-141

MOVED by Councillor Wardley

That administration continue to work with bylaw enforcement to enforce proper usage of current utility right-of-ways and that the Public Works Committee draft a maintenance policy and review fine structure for the existing utility lane ways and back alleys.

CARRIED

MOTION 14-03-142

MOVED by Councillor Braun

That the Planning and Development Department research the setbacks for tree planting within hamlets and bring back a recommendation to Council by July 2014.

CARRIED

CORPORATE SERVICES:

12. a) None

ADMINISTRATION: 13. a) Bylaw 943-14 Establishment of an Agricultural Appeal Board

MOTION 14-03-143 **MOVED** by Councillor Wardley

That first reading be given to Bylaw 943-14 being the Establishment of an Agricultural Appeal Board as presented.

CARRIED

MOTION 14-03-144 **MOVED** by Deputy Reeve Sarapuk

That second reading be given to Bylaw 943-14 being the Establishment of an Agricultural Appeal Board.

CARRIED

MOTION 14-03-145 **MOVED** by Councillor Bateman
Requires Unanimous

That council proceed to third reading of Bylaw 943-14 being the Establishment of an Agricultural Appeal Board at this meeting.

CARRIED UNANIMOUSLY

MOTION 14-03-146 **MOVED** by Councillor Braun

That third reading be given to Bylaw 943-14 being the Establishment of an Agricultural Appeal Board.

CARRIED

MOTION 14-03-147 **MOVED** by Councillor Jorgensen

That the following Councillors be appointed to the Agricultural Appeal Board:

Councillor Derksen
Councillor Knelsen
Councillor Paul

CARRIED

MOTION 14-03-148 **MOVED** by Councillor Paul

That administration brings forward the Fee Schedule Bylaw

incorporating the following fees into the bylaw:

Relevant Act	Appeal Fee
Weed Control Act	\$500.00
Soil Conservation Act	\$50.00
Agricultural Pests Act	\$100.00

CARRIED

MOITON 14-03-149

MOVED by Councillor Braun

That Carol Gabriel be appointed as the Secretary to the Agricultural Appeal Board.

CARRIED

**13. b) Letter of Support – First Nations Municipal
Community Infrastructure Partnership Program**

MOTION 14-03-150

MOVED by Councillor Wardley

That a letter of support be sent to the Federation of Canadian Municipalities for the continuation of funding to the Community Infrastructure Partnership Program.

CARRIED

13. c) 2014 Ratepayer Meetings

MOTION 14-03-151

MOVED by Councillor Jorgensen

That the 2014 annual ratepayer meetings be held as follows:

- June 11, 2014 – Fort Vermilion
- June 12, 2014 – Rocky Lane
- June 16, 2014 – Zama
- June 17, 2014 – Tompkins Landing
- June 20, 2014 – La Crete

CARRIED

**13. d) Call for Expression of Interest to be a Candidate for
Participation in Regional Plan Review Panels
(ADDITION)**

MOTION 14-03-152
Requires Unanimous

MOVED by Councillor Braun

That a letter of support be sent for Councillor Wardley and Greg Newman to participate as candidates on the regional plan review panels.

CARRIED UNANIMOUSLY

13. e) Community Planning Association of Alberta – Annual Planning Conference (ADDITION)

MOTION 14-03-153

Requires Unanimous

MOVED by Councillor Derksen

That the Community Planning Association of Alberta – Annual Planning Conference be received for information.

CARRIED UNANIMOUSLY

13. f) Rural Economic Development Action Plan Community Stakeholder Roundtable (ADDITION)

MOTION 14-03-154

Requires Unanimous

MOVED by Councillor Derksen

That the Rural Economic Development Action Plan Community Stakeholder Roundtable be received for information.

DEFEATED

MOTION 14-03-155

Requires Unanimous

MOVED by Councillor Knelsen

That Councillor Jorgensen be authorized to attend the Rural Economic Development Action Plan Community Stakeholder Roundtable in Athabasca on March 24, 2014.

DEFEATED

Reeve Neufeld recessed the meeting at 12:14 p.m. and reconvened the meeting at 1:00 p.m.

PUBLIC HEARINGS:

7. a) Bylaw 931-14 Land Use Bylaw Amendment to Rezone Plan 102 6365, Block 38, Lot 1 inclusive to Lot 6 (10910, 10906, 10902, & 10806-97th Ave, 10802 & 9704-108th Street) from Hamlet Residential District 1B “HR1B” to Hamlet Residential District 2 “HR2” (La Crete)

Reeve Neufeld called the public hearing for Bylaw 931-14 to order at 1:00 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 931-14 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on February 11, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. There were no questions.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 931-14. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 931-14. Mike Doerksen, an adjacent landowner, presented a submission in opposition to the proposed Land Use Bylaw amendment. A copy of his letter is attached. He also commented that he asked his neighbor and indicated that he was against the Bylaw as well.

Council asked Mr. Doerksen when he built his house. Mr. Doerksen responded that his house was one and a half years old, the other homes are older, his home was the last one built on that block.

Council asked Mr. Doerksen if he has spoken to the developer. Mr. Doerksen responded that he had not and was not aware of who the developer was.

Reeve Neufeld closed the public hearing for Bylaw 931-14 at 1:07 p.m.

MOTION 14-03-156

MOVED by Councillor Wardley

That second reading be given to Bylaw 931-14 being a Land Use Bylaw Amendment to rezone Plan 102 6365, Block 38, Lots 1 inclusive to lot 6 (10910, 10906, 10902, & 10806-97th Ave, 10802 & 9704-108th Street) from Hamlet Residential

District 1B “HR1B” to Hamlet Residential District 2 “HR2” to accommodate Condominium Development.

CARRIED

MOTION 14-03-157

MOVED by Deputy Reeve Sarapuk

That third reading be given to Bylaw 931-14 being a Land Use Bylaw Amendment to rezone Plan 102 6365, Block 38, Lots 1 inclusive to lot 6 (10910, 10906, 10902, & 10806-97th Ave, 10802 & 9704-108th Street) from Hamlet Residential District 1B “HR1B” to Hamlet Residential District 2 “HR2” to accommodate Condominium Development.

CARRIED

PUBLIC HEARINGS:

7. b) Bylaw 932-14 Land Use Bylaw Technical Change to add “Building Demolition or Removal”

Reeve Neufeld called the public hearing for Bylaw 932-14 to order at 1:22 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 932-14 was properly advertised. Byron Peters, Director of Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority’s submission and indicated that first reading was given on February 11, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. Council asked if this amendment only applies to within hamlet boundaries. Mr. Peters confirmed that it only applies to hamlet zonings. Council also asked about the Agriculture zoning in the hamlet. Mr. Peters responded that this zoning is now called Urban Fringe and it does apply to that zoning. Council asked why this was being implemented. Mr. Peters responded that it was for accurate assessment, clean up concerns, proper building removal, etc.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 932-14. No submissions were

received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 932-14. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 932-14 at 1:27 p.m.

MOTION 14-03-158

MOVED by Councillor Wardley

That second reading be given to Bylaw 932-14, being a Land Use Bylaw amendment to add "Building Demolition or Removal" to Section 3.3, Section 5.2; All Hamlet Districts Permitted Uses; Sections 8.5 A., 8.6 A., 8.7 A. 1 & 2, 8.8 A., 8.9 A., 8.10 A., 8.11 A., 8.12 A., 8.13 A., 8.14 A., 8.15 A., 8.16 A., 8.17 A., 8.18 A., 8.19 A., 8.20 A., 8.21 A., 8.22 A., 8.23 A., 8.24 A., 8.25 A., 8.26 A., 8.32 A., 8.33 A., 8.34 A., 8.35 A., 8.36 A., and to Section 7 General Regulation of the Land Use Bylaw.

CARRIED

MOTION 14-03-159

MOVED by Councillor Braun

That third reading be given to Bylaw 932-14, being a Land Use Bylaw amendment to add "Building Demolition or Removal" to Section 3.3, Section 5.2; All Hamlet Districts Permitted Uses; Sections 8.5 A., 8.6 A., 8.7 A. 1 & 2, 8.8 A., 8.9 A., 8.10 A., 8.11 A., 8.12 A., 8.13 A., 8.14 A., 8.15 A., 8.16 A., 8.17 A., 8.18 A., 8.19 A., 8.20 A., 8.21 A., 8.22 A., 8.23 A., 8.24 A., 8.25 A., 8.26 A., 8.32 A., 8.33 A., 8.34 A., 8.35 A., 8.36 A., and to Section 7 General Regulation of the Land Use Bylaw.

CARRIED

PUBLIC HEARINGS:

7. c) Bylaw 933-14 Land Use Bylaw Amendment to Rezone Part of NE 31-109-18-W5M from Agriculture "A" to Rural General Industrial 2 "RI2" (High Level Rural East)

Reeve Neufeld called the public hearing for Bylaw 933-14 to order at 1:28 p.m.

Reeve Neufeld asked if the public hearing for proposed Bylaw 933-14 was properly advertised. Byron Peters, Director of

Planning & Development, answered that the bylaw was advertised in accordance with the Municipal Government Act.

Reeve Neufeld asked the Development Authority to outline the proposed Land Use Bylaw Amendment. Byron Peters, Director of Planning & Development, presented the Development Authority's submission and indicated that first reading was given on February 11, 2014.

Reeve Neufeld asked if Council has any questions of the proposed Land Use Bylaw Amendment. A question was asked regarding the Traffic Impact Assessment (TIA) required by Alberta Transportation. The letter indicates that the TIA is required as part of the development process, however the development is already there.

Reeve Neufeld asked if any submissions were received in regards to proposed Bylaw 933-14. No submissions were received.

Reeve Neufeld asked if there was anyone present who would like to speak in regards to the proposed Bylaw 933-14. No one was present to speak to the proposed bylaw.

Reeve Neufeld closed the public hearing for Bylaw 933-14 at 1:31 p.m.

MOTION 14-03-160

MOVED by Councillor Knelsen

That second reading be given to Bylaw 933-14 being a Land Use Bylaw Amendment to rezone Part of NE 31-109-18-W5M from Agricultural "A" to Rural General Industrial 2 "RC2" for the purpose of subdividing an existing Commercial/Industrial yardsite.

CARRIED

MOTION 14-03-161

MOVED by Deputy Reeve Sarapuk

That third reading be given to Bylaw 933-14 being a Land Use Bylaw Amendment to rezone Part of NE 31-109-18-W5M from Agricultural "A" to Rural General Industrial 2 "RC2" for the purpose of subdividing an existing Commercial/Industrial yardsite.

CARRIED

DELEGATIONS:

4. a) Sharon Wurtz, Health Promotion Facilitator, Alberta Health Services.

Presentation by Sharon Wurtz, Public Health Promotion Facilitator and Leslie Prenoslo, Healthy Children and Youth Team regarding a proposal by the Community Recreation Coalition for a Recreation Coordinator position for La Crete and area.

MOTION 14-03-162

MOVED by Councillor Braun

That the Recreation Coordinator for La Crete and Area be deferred to our final 2014 budget meeting for consideration.

CARRIED

Reeve Neufeld recessed the meeting at 1:54 p.m. and reconvened the meeting at 2:03 p.m.

DELEGATIONS:

4. b) Wendy Schneider, Green Hectares

MOTION 14-03-163

MOVED by Councillor Bateman

That the presentation by Wendy Schneider, Executive Director of Green Hectares regarding the Community Connector program be received for information.

CARRIED

DELEGATIONS:

4. c) Tom Hoffman, Tolko

MOTION 14-03-164

MOVED by Councillor Bateman

That the presentation by Tom Hoffman, Manager, External & Stakeholder Relations, regarding Tolko's Detailed Forest Management Plan be received for information.

CARRIED

Reeve Neufeld recessed the meeting at 2:56 p.m. and reconvened the meeting at 3:11 p.m.

13. g) County Flags (ADDITION)

MOTION 14-03-165

Requires Unanimous

MOVED by Councillor Knelsen

That administration be instructed to research policies by other municipalities on the lowering of the municipal flag.

CARRIED UNANIMOUSLY

**13. h) Minister Meetings at AAMDC Spring Convention
(ADDITION)**

MOTION 14-03-166

Requires Unanimous

MOVED by Councillor Jorgensen

That Councillor Derksen and Councillor Knelsen be authorized to attend the meeting with the Minister of Transportation on March 18, 2014 in Edmonton.

CARRIED UNANIMOUSLY

**INFORMATION/
CORRESPONDENCE:**

14. a) Information/Correspondence

MOTION 14-02-114

MOVED by Councillor Wardley

That a letter be sent to the Mackenzie Housing Management Board requesting that, should the decision be made in favor of the Mackenzie Housing Management Board, all legal and associated costs from the Municipal Government Board requisition dispute between Town of High Level and Mackenzie Housing Management Board not be added to Mackenzie County's requisition.

CARRIED

MOTION 14-03-167

MOVED by Deputy Reeve Sarapuk

That the information/correspondence items be accepted for information purposes.

CARRIED

IN-CAMERA SESSION:

MOTION 14-03-168

MOVED by Councillor Bateman

That Council move in-camera to discuss issues under the Freedom of Information and Protection of Privacy Regulations

- 18 (1) at 3:48 p.m.
15. a) Legal
15. b) Labour
15. c) Land

CARRIED

MOTION 14-03-169 **MOVED** by Councillor Jorgensen

That Council move out of camera at 3:56 p.m.

CARRIED

NOTICES OF MOTION: **16. a) None**

NEXT MEETING **17. a)** Regular Council Meeting
DATES: Wednesday, March 26, 2014
 10:00 a.m.
 Fort Vermilion Council Chambers

ADJOURNMENT: **18. a) Adjournment**

MOTION 14-03-170 **MOVED** by Councillor Driedger

That the council meeting be adjourned at 3:56 p.m.

CARRIED

These minutes were approved by Council on March 26, 2014.

(original signed)

Bill Neufeld
Reeve

(original signed)

Joulia Whittleton
Chief Administrative Officer

March 9, 2014

Mackenzie County
Box 640
Fort Vermilion, AB
T0H 1N0

Dear Councillors:

Firstly, I would like to thank you for sending us a letter notifying us of the proposed change and inviting us to share our views on the subject.

When my wife and I received the package notifying us of the intention to change the zoning of the lots behind our home, our first reaction was against the proposed rezoning. There are a number of reasons why we are concerned.

1. Potential reduction in the value of our house. I did talk with Joe Froese with Pomeroy Valuations and he said that depending on the type of development, condos may decrease the value of our house.
2. Change in the neighbourhood dynamics. Condos attract different types of people than family homes. Most of the home owners in the area are families. Across the street is a park with a playground that is busy with children all summer long. We feel it would be best and safest to have family homes surrounding the park.
3. Reduced privacy and visibility. We imagined the condo development across the street from us in our back yard and all we saw was a high, solid wall that left us no view and stripping us of privacy.
4. Zoning transitions. If the proposed rezoning takes place, there will be three different types of housing allowed in the block. Already there is one mobile home and six houses in the block. Zoning across the street requires houses to have an attached garage due to proximity to the park, thus being a fourth type of zoning. To me, this is neither well thought out nor congruent to the park atmosphere.

A question that we have is why have condos here? It seems that the current condo development along 100 Ave would be able to accommodate more condos and would make sense.

In the end we understand that the decision is yours to make. One thing we would ask of you is this, if the rezoning goes forward please explain to us how changing the zoning benefits the current landowners.

Thank you,



Mike & Sherry Doerksen