

MUNICIPALITY OF CROWSNEST PASS

TUESDAY, JANUARY 6, 2009

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in the Council Chambers on Tuesday, January 6, 2009.

PRESENT: **MAYOR:** Dr. J. Irwin

COUNCILLORS: D. Cole, I. MacLeod, L. Mitchell, J. Salus, G. Taje, D. Ward

Also present:

Chief Administrative Officer:	Gordon O. Lundy
Director of Finance and Systems:	Marion Vanoni
Recording Secretary:	Carolee Ison

CALL TO ORDER

Mayor J. Irwin called the meeting to order at 7:03 pm.

PUBLIC HEARINGS

Land Use Amendment/Gold Creek Area Structure Plan – Part S.W. ¼ Section 8, Township 8, Range 3, W5M

As required, a Public Hearing was held regarding the proposed rezoning of part of the S.W. ¼ Section 8, Township 8, Range 3, W5M from NON URBAN AREA (NUA-1) to GROUPED COUNTRY RESIDENTIAL (CGR-1).

In conjunction with this, a Public Hearing was also held regarding the Area Structure Plan for the same area.

Mr. Ross MacDonald, resident of the Crowsnest Pass, was in attendance to speak in opposition to the proposed Land Use Amendment and Area Structure Plan. His comments included:

- Felt the Area Structure Plan was good, but located in the wrong place
- The proposal is located within 600 yards of a wild sheep winter range
- There is a major corridor used by elk in the area
- A municipal road would end above Gold Creek, and it may be necessary to build a bridge over Gold Creek
- The proposal is at the far north edge of the municipality, and concerns were expressed on how Sustainable Resource Development would handle a fire in the area, with the 500 KV power line situated in the area

**PUBLIC HEARINGS - Land Use Amendment/Gold Creek Area Structure Plan – Part S.W. ¼
Section 8, Township 8, Range 3, W5M - Continued**

- Felt vandalism may increase in the Lille Heritage Town Site with the construction of a municipal road
- There are access issues and the existing roads, remaining from oil companies, are not necessarily registered legal road allowances
- Another existing roadway is in poor condition
- The municipality will have to provide a safe road, on a steep piece of south facing land, and there may be icing problems in the winter
- Felt the cost of maintaining the road in the winter could be more than the income from the taxes for the proposal
- Council should make decisions on this proposal, rather than referring it to the Development Board
- The legality of the access road was questioned
- Building near the one half million volt power line was questioned
- Suggested Council table the proposal until input can be obtained from the appropriate regulatory agencies

Mayor Irwin noted that Mr. MacDonald spoke to both the Gold Creek Land Use Amendment and the Gold Creek Area Structure Plan, and ruled that remaining speakers may also address both Public Hearings.

Mr. Dale Paton, professional biologist and resident of the Crowsnest Pass, was in attendance to speak in opposition to the proposed development. His comments included:

- Noted development is important to the community
- Believes development can be done while conserving the environment
- Works for industrial development companies in the area to give input on environmental issues and how to identify environmental issues
- In attendance to provide information on wildlife, and hopes this information will be incorporated in the decision making process
- Feels the environmental component has been overlooked
- The location of the proposal is adjacent to Gold Creek and Green Creek, and used by wildlife for movement
- Bighorn sheep move in the area and are historical in their movement patterns
- Elk migrate through the area
- Unique area for migration routes
- Wolves, cougars, and bears move through the area
- Buffalo berries are present, which bears forage on
- Felt movement of bears would continue if the area was developed, which creates bear problems, often resulting in the bears being destroyed

**PUBLIC HEARINGS - Land Use Amendment/Gold Creek Area Structure Plan – Part S.W. ¼
Section 8, Township 8, Range 3, W5M - Continued**

Councillor Cole requested that written comments received from the Subdivision and Development Authority and Brian Allen, Forest Officer, be read aloud.

Mayor Irwin read the letters aloud, which included the following comments:

Written comments from the Subdivision and Development Authority advised at their meeting on December 17, 2008, the application by Livingstone Ventures Ltd. requesting a land use bylaw amendment from Non-Urban to Country Residential on their 95 acre parcel north of Frank, was discussed at length, resulting in the following motion:

- “MOTION by George Hoff recommending to Council the rejection of the rezoning based on the following concerns:
 - a. Poor conditions for roads, fire protection, sewer and water services;
 - b. Potential cost to the Municipality for winter and summer road maintenance;
 - c. Location of the development further increasing the geographic fragmentation of the community;
 - d. Municipal Development Plan, Clause 6.17, indicates that more focus should be placed on higher density development as opposed to low density.”
- CARRIED

Written comments from Mr. Brian Allen, Forest Officer II, Alberta Sustainable Resource Development suggested that consideration should be given to the access proposed to the subject area and noted the following issues:

- “The proposed access on the sketch provided by AECOM looks to be on AltaLink's road (LOC 961634), therefore, unless a road use agreement is in place or a legal transfer of title occurs this access option is not secure.
- If attempts to gain access through AltaLink's road fail, the next option outlined within the attached sketch is the "old traditional access" road. This road is a truck trail at best with existing terrain, wet areas and pipeline crossings that require special construction mitigation. This access proposal along the "old trail" would be interpreted as "new" and would require Government review and approval. In addition, this proposed access route parallels AltaLink's road to provide vehicle access to the same area which is contrary to the Government Policy managing crown land. It is highly unlikely that such a road proposal would be approved by the Alberta Government.
- It is the intent of this letter to encourage further thought into the development of a plan to secure future access to the before mentioned residential development.”

**PUBLIC HEARINGS - Land Use Amendment/Gold Creek Area Structure Plan – Part S.W. ¼
Section 8, Township 8, Range 3, W5M - Continued**

Mr. Cory Armfelt, AECOM, representing Livingstone Ventures Ltd., was in attendance to speak in favor of the proposed Land Use Amendment and Area Structure Plan. His comments included:

- The development will consist of 25 country residential lots, a minimum of 1.2 hectares in size
- There are two options for an access road to the area
 - Utilize the existing roadway owned by Tailisman, and rebuild the road to municipal standards
 - Construct a new road to municipal standards on the existing government right-of-way
- Percolation rates onsite limit adoption of standard sewage treatment systems in some areas, but it is felt other technologies can provide alternative sewage treatment options
- Utility companies have been contacted to confirm natural gas, power, and telephone services are available to the area
- Storm water management has been reviewed
- Hydrogeology has been investigated
- WildSmart, FireSmart, and BearSmart policies have been incorporated in the plan
- One option designates the AltaLink easement as a municipal reserve

Mr. Mike Hoffman, was in attendance to speak in favor of the proposed Land Use Amendment and Area Structure Plan, and to read letters received in favor of the development which included:

- Mary Ancelet, immediate neighbor, citing improved roads and winter access, and preventing vandalism
- Margaret Reid, land owner, citing road improvement and population increase beneficial to the community
- Arlyn Greig, Fort McMurray, researching properties for retirement
- Rick Kawa, Lethbridge, affordability of Crowsnest Pass would allow him to consider investing in the area for recreational purposes
- Dave Tompsen, recreation user of the Crowsnest Pass, interested in Livingstone Ventures Ltd. property
- Conrad and Stacey Dion, Fort McMurray, excited with the possibility of this development
- Tim Shields, Lethbridge, has been looking for a property for recreational use in the area

Mr. Jess Dunford, AECOM, Senior Wildlife Biologist, was in attendance to speak in favor of the proposed Land Use Amendment and Area Structure Plan. His comments included:

- Advised the base case should be evaluated, noting it is a site development of less than a quarter section of pastureland
- Cattle can degrade habitat
- The proposal is a low density, rural residential development, proposed to incorporate into the existing environment
- The wildlife habitat will be changed with housing, people, and pets
- Mitigation will include actions such as implementing the BearSmart Program and a green space reserve to allow for wildlife movement

Mayor Irwin declared the Public Hearings concluded.

ADOPTION OF AGENDA

ADDITIONS:

MINUTES:

- ▶ Minutes of December 17, 2008 Special Council Meeting
- ▶ Minutes of December 16, 2008 – Correction to Motion M#3769-08

OTHER BUSINESS:

3. Spray Lakes Road Use Agreement

IN CAMERA:

2. Legal
3. Personnel

M#3787-09: Councillor Ward moved that the agenda be adopted as amended.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

M#3788-09: Councillor Mitchell moved that the minutes of the Regular Council meeting of Tuesday, December 16th, 2008 be adopted as written.

CARRIED UNANIMOUSLY

M#3789-09: Councillor Ward moved that the minutes of the Special Council meeting of Tuesday, December 17th, 2008 be adopted as written.

CARRIED UNANIMOUSLY

DELEGATIONS

No delegations were scheduled.

ADMINISTRATIVE AND AGENCY REPORTS

Director of Finance and Systems

Mrs. Marion Vanoni, Director of Finance and Systems, provided a written report and reviewed same with Council. Said reports contained information on the following:

- ▶ Interim Operating Budget 2009

At the next regular Council Meeting, information will be provided on the 2009 insurance valuations on equipment, property, and vehicles for Council's review.

Interim Operating Budget 2009

M#3790-09: Councillor Taje moved that Council adopt the Year 2008 Operating Budget as an Interim Operating Budget 2009 until the Budget 2009 is adopted.

CARRIED UNANIMOUSLY

ACCEPT ADMINISTRATIVE AND AGENCY REPORTS

M#3791-09: Councillor Taje moved to accept the Administrative and Agency Reports as presented.

CARRIED

BUSINESS ARISING FROM THE MINUTES

No business arising from the minutes.

CORRESPONDENCE

Crow Snow Riders – Request for Special Permit

Francis Boone, Vice President of the Crow Snow Riders, submitted a letter requesting a special weekend permit for the weekend of January 10, 2009 for a special event ride. This permit would allow the riding of snowmobiles from hotels or homes mainly on the south side of Highway 3 to the closest staging area, being York Creek or the Ski Hill. As well a number of riders live in Frank or stay at the Goat Mountain Get-Away who would like to cross Highway 3 and ride the side of the road to Sartoris Road Staging Area or the Ski Hill Staging Area.

Because they are anticipating over 60 snowmobiles in the community, the benefit of the special permit is to eliminate congested parking at the ski hill staging area.

CORRESPONDENCE - Crow Snow Riders – Request for Special Permit - Continued

Crow Snow Riders – Request for Special Permit

M#3792-09: Councillor Taje moved to approve a special weekend permit to the Crow Snow Riders, for the January 10, 2009 weekend, to accommodate their special Ride Event and allow the riding of snowmobiles from hotels or homes on the south and north side of Highway 3 to the closest staging area, being York Creek, the Ski Hill or Sartoris Road.

CARRIED UNANIMOUSLY

Lion's Club

Mr. Peter Amundsen, Acting Secretary for the Lion's Club, submitted a letter requesting consideration by Council to take over the tennis courts so that they are able to put handicap accessible play equipment where the existing basketball courts are and to move the basketball court onto part of the tennis courts, and with the Municipality's help to resurface the tennis courts, keep them maintained as part of the Blairmore Lion's Park.

M#3793-09: Councillor Taje moved to refer the request from the Lion's Club for consideration by Council to take over the tennis courts so that they are able to put handicap accessible play equipment where the existing basketball courts are and to move the basketball court onto part of the tennis courts, and with the Municipality's help to resurface the tennis courts, keep them maintained as part of the Blairmore Lion's Park to the Community Development Committee. Council requested the Lion's Club and the Director of Community Services present the proposal to the Community Development Committee, for recommendation to Council.

CARRIED UNANIMOUSLY

Alberta Sport, Recreation Parks and Wildlife Foundation

Mr. Lloyd Bentz, General Manager, Alberta Sport, Recreation Parks and Wildlife Foundation, submitted correspondence announcing support to the Bow Crow Forest Trails in the amount of \$8,000 and to the Pass Powderkeg Ski Hill in the amount of \$12,000 for the 2008 Municipal Recreation/Tourism Area annual operating grant.

M#3794-09: Councillor Ward moved to receive the letters from Alberta Sport, Recreation Parks and Wildlife Foundation announcing support to the Bow Crow Forest Trails in the amount of \$8,000 and to the Pass Powderkeg Ski Hill in the amount of \$12,000 for the 2008 Municipal Recreation/Tourism Area annual operating grant as information, and send a Thank You letter.

CARRIED

CORRESPONDENCE - Continued

Crowsnest Pass Senior Housing

Mr. Jerry Rejman, Chairperson, Crowsnest Pass Senior Housing, submitted a request that Pat Lundy be appointed to the board as a community representative.

M#3795-09: Councillor Mitchell moved that Pat Lundy be appointed as a community representative to the Crowsnest Pass Senior Housing.

CARRIED UNANIMOUSLY

Alberta Municipal Affairs – Emergency Management Training Funding

Correspondence was received from the Honourable Ray Danyluk, Minister, Alberta Municipal Affairs announcing they will again be funding emergency management training under the Municipal Sponsorship program for 2008/09.

Deadline for applications is February 12, 2009.

M#3796-09: Councillor Cole moved that Council submit an application for funding to Alberta Municipal Affairs for emergency management training under the Municipal Sponsorship program for 2008/2009 to conduct a proposed ERCB Tabletop Exercise to be held in 2009.

CARRIED

Alberta Tourism, Parks and Recreation – Bid to Host 2012 Alberta Winter Games

An invitation was received from the Honourable Cindy Ady, Minister of Tourism, Parks and Recreation, to submit a bid for the right to host the 2012 Alberta Winter Games.

Council's consensus was not to submit a bid for the right to host the 2012 Alberta Winter Games.

Southern Alberta Recreation Association

Ms. Carol Thibert, SARA Games Chair, submitted an invitation to bid on the 2010 or 2011 Southern Alberta Summer Games. She also noted that the 40th Anniversary of the games will be held in the Crowsnest Pass.

Council's consensus was not to submit a bid to host the 2010 or 2011 Southern Alberta Summer Games.

CORRESPONDENCE - Continued

Oldman Watershed Council

Correspondence from the Oldman Watershed Council provided information on the work they have completed, their Annual Report and their 2008/2009 work plan.

They also requested a donation of \$0.30 per resident to support the Watershed Council. Based on this, the Municipality's cost would be \$1,724.70.

Discussion included:

- Suggested the topic of increased representation on the Oldman Watershed Council be added to the agenda for the next Council Retreat, as decisions made have an impact on the Crowsnest Pass
- Council's consensus was not to provide funding

COMMITTEE REPORTS

Crowsnest Centre Committee – Minutes

The minutes from the December 17th, 2008 meeting of the Crowsnest Centre Committee were provided for Council's review. The minutes were received as information and will be maintained on file.

Council scheduled the next meeting of the Crowsnest Centre Committee for January 14, 2009 at 7:30 pm in Council Chambers.

BYLAWS

Bylaw No. 757, 2008 – ATCO Gas Franchise

M#3797-09: Councillor Cole moved Second Reading of Bylaw No. 757, 2008.

CARRIED UNANIMOUSLY

M#3798-09: Councillor Ward moved Third and Final Reading of Bylaw No. 757, 2008.

CARRIED

BYLAWS - Continued

Bylaw No. 772, 2008 – Land Use Amendment - Pt. S.W. ¼ Section 8, Township 8, Range 3, W5M

M#3799-09: Councillor Mitchell moved to table Bylaw No. 772, 2008.

CARRIED

Bylaw No. 773, 2008 – Gold Creek Area Structure Plan

M#3800-09: Councillor Mitchell moved to table Bylaw No. 773, 2008.

CARRIED

NOTICE OF MOTIONS

No Notice of Motions was made.

OTHER BUSINESS

Joint Committee of Council, Chamber of Commerce and Community Futures

M#3801-09: Councillor Cole moved to appoint Mayor J. Irwin, Councillors D. Cole, L. Mitchell, J. Salus, and D. Ward to the Joint Committee of Council, Chamber of Commerce and Community Futures.

CARRIED UNANIMOUSLY

Council Committee Structure

It was the consensus of Council to review the Council Committee Structure at the next Council Retreat.

Spray Lakes Road Use Agreement

M#3802-09: Councillor MacLeod moved to endorse the Road Use Agreement between the Municipality of Crowsnest Pass and Spray Lakes Sawmill.

CARRIED

COUNCIL MEMBER REPORTS

Council members provided the following reports:

Councillor Ward – No Report
Councillor MacLeod – Sparwood Memorial Service for Eight Snowmobilers
Councillor Salus - Sparwood Memorial Service
- Subdivision and Development Authority Committee Meeting
- Museum Board
Councillor Cole - No Report
Councillor Mitchell - Sparwood Memorial Service
Councillor Taje - Meeting in Sparwood Re: Sparwood Memorial Service
Mayor Irwin - Sparwood Memorial Service

PUBLIC INPUT

No questions were presented.

IN CAMERA

M#3803-09: Councillor Mitchell moved that Council go In Camera at 8:36 pm. to discuss legal and personnel matters.

CARRIED

RECESS/RECONVENE

Mayor J. Irwin recessed the meeting at 8:36 pm and reconvened at 8:46 pm.

OUT OF CAMERA

M#3804-09: Councillor MacLeod moved that Council come Out of Camera at 9:10 pm.

CARRIED

ADJOURN

M#3805-09: Councillor Mitchell moved to adjourn at 9:11 pm.

CARRIED

ORIGINAL SIGNED

JOHN IRWIN
MAYOR

GORDON O. LUNDY
CHIEF ADMINISTRATIVE OFFICER