

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON TUESDAY, MARCH 12, 2019 IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

1. Call to Order

Mayor Pankiw called the meeting to order at 5:01 pm, with the following in attendance:

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel
Chief Administrative Officer – Lori Hillis, CPA, CA
Chief Financial Officer – Wanda Stoddart
Director of Public Works – Rick Schmidt
Planning and Development Officer – Liz Armitage
Recording Secretary – Kathy Blakely

Absent:

Public:
Melanie Crehan – Serenity Pet Shelter
1 member of the public

2. Adoption of Agenda

2.1 March 12, 2019 Agenda

11.2 FOIP Section 25 (1)(c)(iii) Disclosure harmful to economic and other interests of a public body – Southwest Storm Water Pond (Addition)

Motion 062/19

Moved by Councillor Payson to accept the Agenda for the March 12, 2019 Regular Council Meeting, as amended.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

3. Minutes

3.1. Minutes of Regular Council February 26, 2019

Motion 063/19

Moved by Councillor Curle to accept the Minutes of the Regular Council Meeting of February 26, 2019, as presented.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

4. Public Hearings

4.1 Bylaw 952/19 Amendment to Land Use Bylaw 917/16

Mayor Pankiw opened the Public Hearing for Bylaw 952/19 Amendment to Land Use Bylaw 917/16 at 5:03 pm.

Mayor Pankiw advised the purpose of Bylaw 952/19 Amendment to the Land Use Bylaw 917/16 is to provide the Development Authority with additional variance authority in circumstances where accessory buildings over 13.4m2 built prior to January 1, 2019 are not built to the rear yard and side yard setback requirements and in circumstances where the number of signs, location of signs and size of signs may be varied to accommodate the

placement of new signs at the sole discretion of the Development Authority.

Mayor Pankiw asked for Confirmation of Notice from Development Officer Liz Armitage.

Mrs. Armitage advised notice was placed in the February 19th and February 26th editions of the Rimbey Review; notice of this public hearing was posted on the Town of Rimbey web site under important notices with a copy of the complete package available for public review and pickup. It was also posted on the front and back doors of the Town of Rimbey Administration Office and at the front counter.

Mayor Pankiw requested a report from Development Officer Liz Armitage.

Mrs. Armitage advised Council that on July 25, 2018, the Subdivision and Development Appeal Board (SDAB) heard a hearing for a setback variance request on an accessory building over 13.4 m² which was beyond the Development Authority's 20% variance permitted LUB 4.5(6). The Subdivision and Development Appeal board ultimately approved the existing structure with side yard setbacks of 41%.

At the same time, Council also removed the LUB requirement for side yard and rear yard setbacks for accessory buildings under 13.4 m².

Administration has received another application for a certificate of compliance on a structure which is very similar to the one heard by the SDAB in July 2018.

Administration recommends Council amend the land use bylaw to provide the Development Authority with additional variance authority in circumstances such as this. The reasons for the recommendations is the SDAB process is time consuming and costly for the applicant and administration. It is unlikely that administration or the SDAB will require an applicant to move an accessory structure which has been in place for a number of years due to the cost and effort required to move a structure.

As such, administration recommends adding the following clause to Section 8.1 of the Land Use Bylaw:

(12) An accessory building, over 13.4m², built prior to January 1, 2019, may have the minimum side setback and minimum rear setback requirements varied at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section 4.5(6). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the structure was built prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.

In addition, Administration recommends adding a similar clause to Section 11.7 regarding signage which are being updated/replaced by businesses:

(13) The number of signs, location of signs and size of signs may be varied to accommodate the placement of new signs at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section 4.5(6). In accordance with Section 4.5, a variance application shall be required.

Council gave first reading to Bylaw 952/19 Amend Land Use Bylaw 917/16 on February 12, 2019.

Mayor Pankiw inquired if any written submissions regarding this bylaw had been received.

Mrs. Armitage noted Administration had received one written response from Alberta Transportation. An additional conversation was held with Ms. Sandy Choi to clarify that these clauses do not remove or overwrite the circulation requirements and process to Alberta Transportation. No additional written submissions were received from agencies or members of the public.

Mayor Pankiw inquired if there were any persons wishing to be heard regarding Bylaw 952/19 Amendment to Land Use Bylaw.

Mayor Pankiw asked a second time if any persons wished to be heard.

Mayor Pankiw asked a third time if any persons wished to be heard.

Mayor Pankiw inquired if the Development Authority had any closing comments.

Mrs. Armitage advised she had no further comments.

Mayor Pankiw closed the Public Hearing for Bylaw 952/19 Amendment to Land Use Bylaw 917/16 at 5:07 pm.

5. Delegations

5.1 Serenity Pet Shelter – Melanie Crehan

Mayor Pankiw welcomed Melanie Crehan of the Serenity Pet Shelter to the Council Meeting.

Administration had invited Ms. Crehan to attend Council to talk about cats.

Ms. Crehan indicated to Council a cat bylaw is a favorable way to control over population of cats. She noted if there is legislation, you have a chance to make pet owners more accountable for the responsibility of their pet. With no bylaw, there is no responsible ownership for the animal. A bylaw could control registration and the issues of spaying or neutering, care of the cat and expectations of the owners.

Mayor Pankiw thanked Melanie Crehan for her presentation to Council.

Melanie Crehan departed the Council Meeting at 5:32 pm.

Motion 064/19

Moved by Councillor Coulthard to accept the presentation from Melanie Crehan of the Serenity Pet Shelter, as information.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

6. Bylaws

6.1 Bylaw 952/19 Amendment to Land Use Bylaw 917/16

Motion 065/19

Moved by Councillor Rondeel to second reading to Bylaw 952/19 Amendment to Land Use Bylaw 917/16.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

Motion 066/19

Moved by Councillor Curle to third and final reading to Bylaw 952/19 Amendment to Land Use Bylaw 917/16.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

7. New and Unfinished Business
8. Reports

New and Unfinished Business - None8.1 Department Reports

8.1.1 Chief Financial Officer Report – Accounts Payable Listing

Motion 067/19

Moved by Councillor Payson to accept the Chief Financial Officer Report – Accounts Payable Listing, as information.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

8.2 Boards/Committee Reports

8.2.1 Tagish Engineering Project Status Update to February 28, 2019

8.2.2 Rimoka Housing Foundation Board Meeting Minutes of January 16, 2019

Motion 068/19

Moved by Councillor Coulthard to accept the Tagish Engineering Project Status Update to February 28, 2019 and the Rimoka Housing Foundation Board Meeting Minutes of January 16, 2019, as information.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

9. Correspondence

Correspondence

9.1 Newspaper clipping from Alvin Goetz

Motion 069/19

Moved by Councillor Curle to accept the correspondence from Mr. Alvin Goetz, as information.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

10. Open Forum

10.1 Open Forum

Mayor Pankiw recessed the Council Meeting at 5:36 pm.

One member of the public departed the Council Meeting at 5:36 pm.

Mayor Pankiw reconvened the Council Meeting at 5: 39 pm.

11. In Camera

11.1 FOIP Section 25 (1)(c)(iii) Disclosure harmful to economic and other interests of a public body – Encroachment into Utility Right of Way

11.2 FOIP Section 25 (1)(c)(iii) Disclosure harmful to economic and other interests of a public body – Southwest Storm Water Pond (Addition

Motion 070/19

Moved by Councillor Curle the Council meeting go in camera at 5:39 pm, pursuant to discuss:

11.1 FOIP Section 25 (1)(c)(iii) Disclosure harmful to economic and other interests of a public body Encroachment into Utility Right of Way with Mayor Pankiw, Councillor Coulthard, Councillor Curle, Councillor Payson, Councillor Rondeel, Planning and Development Officer Liz Armitage as Planning and Development Support, Director of Public Works Rick Schmidt as Public Works Support, Chief Administrative Officer Lori Hillis as Administrative Support.

11.2 FOIP Section 25 (1)(c)(iii) Disclosure harmful to economic and other interests of a public body – Southwest Storm Water Pond (Addition) with Mayor Pankiw, Councillor Coulthard, Councillor Curle, Councillor Payson, Councillor Rondeel, Planning and Development Officer Liz Armitage as Planning and Development Support, Director of Public Works Rick Schmidt as Public Works Support, Chief Administrative Officer Lori Hillis as Administrative Support.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

Motion 071/19

Moved by Councillor Coulthard the Council meeting reverts back to an open meeting at 6:36 pm.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

Motion 072/19

Moved by Councillor Curle to send a letter to L.I. Ranches.

In Favor
Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

12. Adjournment

Adjournment

Motion 073/19

Moved by Councillor Coulthard to adjourn the meeting.

In Favor

- Mayor Pankiw
- Councillor Coulthard
- Councillor Curle
- Councillor Payson
- Councillor Rondeel

Opposed

CARRIED

Time of Adjournment: 6:37 pm.



MAYOR RICK PANKIW



CHIEF ADMINISTRATIVE OFFICER LORI HILLIS