1. CALL TO ORDER

The Council for Planning and Economic Development meeting for the County of Wetaskiwin No. 10 was called to order by Reeve T. Van de Kraats in the Council Chambers of the County of Wetaskiwin Administration Office, commencing at 9:00 a.m. on Thursday, October 10, 2019.

2. APPROVAL OF AGENDA

Resolution PD20191010.001
MOVED: by Councillor K. Adair

that the agenda be accepted as amended to remove:

6.1 Delegation - Strategic Steps Inc. - Update Regarding City and County of Wetaskiwin Intermunicipal Collaboration Framework (ICF) Process - Report

Carried Unanimously

3. MINUTES APPROVAL - September 17, 2019

Resolution PD20191010.002
MOVED: by Councillor K. Rooyakkers

to approve the minutes of the Council for Planning and Economic Development Meeting held Tuesday, September 10, 2019 as presented.

Carried Unanimously

4. SEPTEMBER 2019 DEVELOPMENT REPORT
During the month of September, there were thirty (30) development permits completed with an estimated value of $3,095,000.00. The following table depicts the activities for the month of September.

<table>
<thead>
<tr>
<th>Development Permits</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Development Permits</td>
<td>0</td>
</tr>
<tr>
<td>Commercial Development Permits</td>
<td>2</td>
</tr>
<tr>
<td>Recreational Development Permits</td>
<td>0</td>
</tr>
<tr>
<td>Residential Development Permits</td>
<td>28</td>
</tr>
<tr>
<td>Compliance Certificates</td>
<td>5</td>
</tr>
<tr>
<td>Request to Operate Business</td>
<td>0</td>
</tr>
<tr>
<td>Site Inspections</td>
<td>3</td>
</tr>
<tr>
<td>Subdivision Design Reviews/Inspections</td>
<td>3</td>
</tr>
<tr>
<td>Approach Inspections</td>
<td>2</td>
</tr>
<tr>
<td>Subdivision and Development Appeal Board Hearings</td>
<td>0</td>
</tr>
</tbody>
</table>

Administration recommended that Council approve the Development Report for September 2019 as presented.

Council discussed the following:
- The paving requirements within industrial parks;
- The approach requirements and County responsibilities for Range Road 241; and
- The Pavement and Road Contribution Policy 66.1.15 and Engineering Design & Construction Standards for Business and Industrial Parks.

Resolution PD20191010.003
MOVED: by Councillor D. Woitt
that Council approve the Development Report for September 2019 as presented.

Carried Unanimously

9. **UNFINISHED SUBDIVISIONS**

9.1 **RW/18/18 - First Subdivision Extension - Donald & Shirley Laczo - SE 11-46-5-W5M, Roll #4110.00 - Report**

On August 9, 2018, Administration approved a first parcel out subdivision, under application RW/18/18 for Donald and Shirley Laczo within SE 11-46-5-W5M subject to the following conditions:

1. Engage an Alberta Land Surveyor to prepare a descriptive plan or plan of subdivision as shown on the attached West Central Planning Agency (WCPA) subdivision drawing with a revised date June 1, 2018, for registration at Land Titles Office.

2. Upgrade the Range Road 51 to county standards from south of Highway 13 to the location of the proposed lot to accommodate a turnaround and a new approach onto the proposed lot, and enter into a development agreement with the County that will specify the standards for these improvements. Contact David Blades at the County office regarding this agreement.

3. Construct a new approach along Range Road 51 (for the proposed lot) to meet County of Wetaskiwin standards. A copy of the County of Wetaskiwin standards is attached. County standards require a minimum 400mm (16 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County’s
Planning and Economic Development Department to arrange for inspection. Please note that there will be a fee of $100 per approach for site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of $100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.

4. If necessary, upgrade one of the existing approaches into the remainder of the quarter section, along Range Road 51 to meet County of Wetaskiwin standards. A copy of the County of Wetaskiwin standards is attached. County standards require a minimum 400mm (16 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County’s Planning and Economic Development Department to arrange for inspection. Please note that there will be a fee of $100 per approach for site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of $100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.

5. Obtain the leaseholder’s written approval if you intend to use the existing oilfield road for access into the remainder, and provide a copy of that approval prior to endorsement.

6. Service the site with three (3) of the following improvements:
   A. Power pole and transformer
   B. Working water well
   C. Shelterbelt
   D. Approach to the road in a location and standards acceptable to the County’s office
   E. House (to basement stage).

7. Property taxes must be at a zero ($0) balance on the quarter section.

8. The applicant is to pay $200 endorsement fee to West Central Planning Agency when the plan is submitted for endorsement.

On August 16, 2019, the Applicants applied for another one (1) year extension on their subdivision RW/18/18 approval within SE 11-46-5-W5M as they require more time to complete the conditions of the subdivision to the satisfaction of the County.

At the time of writing this report, the Applicants did submit a survey plan from LN Land Development Technologies, paid the endorsement fee, and installed a power pole, transformer, and the shelterbelt provision within Condition #6, while the rest of the other conditions were still outstanding based on the subdivision approval dated August 15, 2018.

The outstanding items involved completing the approach, which includes ensuring any drainage issues are addressed. Completing the approach had been difficult due to the wet weather and this has been the key to satisfying the condition for registration. Also, the Applicant still was in the process of satisfying Condition #5, which states: “Obtaining the leaseholder’s written approval if you intend to use the existing oilfield road for access into the remainder and provide a copy of that approval prior to endorsement.”

Administration recommended that Council approve a twelve (12) month extension for subdivision RW/18/18 within SE 11-46-5-W5M for Donald and Shirley Laczo until August 15, 2020 as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10 to complete all the subdivision conditions for RW/18/18.

Council and Administration reviewed the outstanding subdivision conditions including the requirement for written approval from existing leaseholder for access.

Council asked Administration to confirm that there would not be a charge for the extension fee. Administration confirmed that an extension fee would not be charged.
Resolution PD20191010.004
MOVED: by Councillor L. Seely

that Council approve a twelve (12) month extension for subdivision RW/18/18 within SE 11-46-5-W5M for Donald and Shirley Laczo until August 15, 2020 as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10 to complete all the subdivision conditions for RW/18/18.

Carried Unanimously

5. **9:30 A.M. PUBLIC HEARING**

Reeve T. Van de Kraats declared the Public Hearing open at 9:31 a.m. and there were no delegates in attendance.

5.1 **Proposed Rezoning - Agricultural (AG) to Recreational (R) - Travis Peirens - NE 28-45-3-W5M, Roll #3360.00 - Report**

At the July 11, 2019 Council for Planning and Economic Development meeting, Council provided three readings to By-law 2019/36 to authorize the adoption of an Area Structure Plan within NE 28-45-3-W5M for Travis and Leigh Peirens, in accordance with Section 633 of the Municipal Government Act.

(Ref. Resolution #PD20190711.010)

The Peirens property is located on the west side of Highway 20, six (6) kilometres south of the Hamlet of Winfield.

On July 11, 2019, Administration received an application from Travis Peirens to redistrict approximately 151 acres (61.1 hectares) from Agricultural (AG) to Recreational (R) in accordance with the approved Area Structure Plan.

On August 22, 2019, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource Development (ASRD), Alberta Environment, Alberta Transportation, and Administration.

At the time of report submission, Administration received responses regarding the proposed rezoning, which are as follows:

**Alberta Transportation**

- "Upgrades to the direct highway approach to the proposed RV Park may be required to accommodate the type of vehicles accessing the site. The applicant should contact the department to arrange for an inspection. Upgrades to the approach would be the responsibility of the applicant."

- A Roadside Development Permit will be required from this office for the proposed RV Park. The department is prepared to approve the first stage of the development (25 sites). If further development is to occur beyond what is being proposed in phase 1, an updated application will be required and the department may require a Traffic Impact Assessment."

No further comments or concerns were received from either Administration or external referral agencies, which is typical for a proposal that is consistent with an approved Area Structure Plan.

Additionally, the proposal complies with Land Use Bylaw 2017/48.

Once comments were received from referrals/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the September 26, 2019 and October 3, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowners and adjacent landowners on September 20, 2019.

Copies of the proposed rezoning application, relevant maps, assessment summary, and the Recreational (R) District provisions as contained within the Land Use Bylaw have been provided for review by Council.
Administration recommended that Council provide three readings of By-law 2019/48 to rezone approximately 151 acres (61.1 hectares) within NE 28-45-3-W5M from Agricultural (AG) to Recreational (R) for Travis Peirens.

Council discussed the rezoning of the full quarter section.

Administration Confirmed that the Applicant wishes to make provisions for expansions to the campground.

Reeve T. Van de Kraats declared the Hearing closed at 9:35 a.m.

By-law 2019/48 is a By-law in the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of amending the Land Use By-law by reclassifying approximately 151 acres (61.1 hectares) within NE 28-45-3-W5M from Agricultural (AG) to Recreational (R) for Travis Peirens.

Resolution PD20191010.005
MOVED: by Councillor J. Bishop
that By-law 2019/48 be given First Reading.

Carried Unanimously

Resolution PD20191010.006
MOVED: by Councillor B. Krahn
that By-law 2019/48 be given Second Reading.

Carried Unanimously

Resolution PD20191010.007
MOVED: by Councillor K. Adair
that By-law 2019/048 be presented for Third Reading.

Carried Unanimously

Resolution PD20191010.008
MOVED: by Councillor J. Bishop
that By-law 2019/48 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign and affix thereto the corporate seal of the County of Wetaskiwin No. 10.

Carried Unanimously

10. NEW SUBDIVISION APPLICATIONS


On August 28, 2019, West Central Planning Agency received an application to create a bare land condominium of five (5) units by converting an existing building into a four (4) unit building and having an additional bare land unit for Brian and Connie Resta.

The property is in the Village of Pigeon Lake and it is on the west end of Village Business Park Road. A site inspection was conducted on September 6, 2019 and the approach was identified. The approach onto the property is off Village Business Park Road. There is an existing commercial building with four (4) bays that is proposed to be turned into a four (4) unit commercial condominium. Power and gas services are provided by Fortis and AltaGas respectively with four (4) meters for each, remaining consistent with the proposal.

Additionally, the proposed bare land unit is vacant and currently being used for storage of random items as shown in photos provided for review by Council by an adjacent landowner who has a concern about a lack of fencing between a commercial property and his residential property as the commercial property has materials that may pose a potential safety risk for children playing. Administration notes that there are no fences on the north and south side and a lack of fences on the west side.
Correspondence outlining the concerns of the citizen have been provided for review by Council and Condition #4 of the proposed approval would assist in alleviating these concerns.

Furthermore, Hagen Surveys explained that the condo will be registered in two (2) parts:

1. The building will be registered as a condominium plan pursuant to Section 10(1)(b)(ii) of the *Condominium Property Act*.
2. The bare land condominium listed as Unit #5 and the common property will be registered as a subdivision under a condominium plan.

This application is brought forward for Council consideration as it does not qualify as a simple subdivision application in accordance with County of Wetaskiwin Policy.

Administration recommended that Council approve the proposed condominium application RW/19/15 for Brian and Connie Resta on Lot 4, Block 2, Plan 0420561 within SE 14-46-1-W5M to create four (4) condominium units of the existing building and one (1) bare land unit subject to the following conditions:

1. The applicant is to engage an Alberta Land Surveyor to prepare a Condominium Plan; the Condominium Plan submitted by Hagen Surveys is to be acceptable for registration at Land Titles Office.
   a. The applicant is to prepare a condominium bylaw and it is to be registered on titles of the new units after the registration of the condominium plan.
2. The applicant is to engage an Alberta Land Surveyor to prepare a Real Property Report of the property and submit it to the County and WCPA for review.
3. If necessary, upgrade the existing approach into the property to meet County standards. County standards require a minimum 500mm (20 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County’s Planning and Economic Development Department to arrange for an inspection. Please note that there will be a fee of $100 per approach for a site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections (s) required, an additional fee of $100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.
4. The applicant is to install a commercial fence around the property; the type of fencing will be up to the satisfaction of the County.
5. The applicant is to register a caveat against the new units to be created for the off-site sewer levy of $2,034 per unit made payable to the County if sewer treatment is required as per Off-site levy Bylaw 2008/42.
6. Property taxes must be at a zero ($0) balance.

Council questioned if the bare lot would be part of the commercial condominium.

Administration confirmed that the bare lot could be used for several purposes, including individual sale/lease, or communal storage and that the commercial condominiums are provided with joint access to the street.

Council discussed the necessity of proposed subdivision Condition #3 referring to the requirement of approach inspections.

**Resolution PD20191010.009**

MOVED: by Councillor L. Seely

that Council approve the proposed condominium application RW/19/15 for Brian and Connie Resta on Lot 4, Block 2, Plan 0420561 within SE 14-46-1-W5M to create four (4) condominium units of the existing building and one (1) bare land unit subject to the following conditions:
1. The applicant is to engage an Alberta Land Surveyor to prepare a Condominium Plan; the Condominium Plan submitted by Hagen Surveys is acceptable for registration at Land Titles Office.
   a. The applicant is to prepare a condominium bylaw and it is to be registered on titles of the new units after the registration of the condominium plan.

2. The applicant is to engage an Alberta Land Surveyor to prepare a Real Property Report of the property and submit it to the County and WCPA for review.

3. The applicant is to install a commercial fence around the property; the type of fencing will be up to the satisfaction of the County.

4. The applicant is to register a caveat against the new units to be created for the off-site sewer levy of $2,034 per unit made payable to the County if sewer treatment is required as per Off-site levy Bylaw 2008/42.

5. Property taxes must be at a zero ($0) balance.

   Carried Unanimously

12. UNFINISHED BUSINESS

12.1 Bayview Estates Subdivision - Request to Designate Environmental Reserve (ER) as a Public Park - Report

In July of 2018, Administration received a complaint in regard to the unauthorized grooming and placement of structures on the Environmental Reserve (ER) that is adjacent to the Bayview Subdivision, which is located on the northwestern shores of Buck Lake.

Therefore, on August 21, 2018, Administration followed through with the strategic direction of Council as contained within Action 2.1.1.1 of the 2018 Strategic Plan by sending informational notices to all property owners in the Bayview Subdivision.

After the issuance of the Notice, at the November 8, 2018 Council for Planning and Economic Development Meeting, Council heard a Delegation presentation made by Mr. Charles Andrews regarding the Bayview Subdivision Environmental Reserve. Council resolved to “accept Mr. Andrew's presentation as information and table discussion in order to enable Council to conduct a site inspection to get a better understanding of what Council is discussing and for Administration to provide additional information in regards to shore high water mark, water body, water table, access and environmental reserve jurisdiction and clarification and to provide to Council at an upcoming meeting.”

(Ref. Resolution #PD20181108.1022)

At the December 6, 2018 Council for Planning and Economic Development meeting, Council was updated regarding shore high water mark, water body, water table, access, and Environmental Reserve jurisdiction and clarification as information.

(Ref. Resolution #PD20181206.1009)

During the June 12, 2019 West End Road Tour, Council attended the Environmental Reserve lands located at Lot R30, Block 2, Plan 7822965. There was a total of three (3) bridges with one (1) of the bridges spanning with one (1) side on Environmental Reserve and the other side being located on private property.

At the July 11, 2019 Council for Planning and Economic Development meeting, Council reviewed the particulars regarding the matter and provided the following direction:

“that Administration move forward with enforcement action along the Environmental Reserve as outlined in the August 21, 2018 Notice, including the removal of existing bridges as it is believed that this may set a precedent for other subdivisions within the County, there is public access to the lake through the Environmental Reserve, and that residents should come together as a community to approach the County should structural improvements be contemplated.”

(Ref. Resolution #PD20190711.022)
As a result of this direction by Council, Administration sent an Informational Notice to the residents of the Bayview Estates Subdivision on July 24, 2019. The Informational Notice has been provided for review by Council. Furthermore, enforcement action was also undertaken by the County during the months of July and August where items and structures were removed from the Environmental Reserve and a violation ticket was issued.

After the Informational Notice and enforcement action occurred, the County of Wetaskiwin received numerous correspondence from citizens within the Bayview Estates Subdivision with similar concerns and requests to be considered by Council.

First, the County received correspondence from Mr. & Mrs. Allan & Diana Wongstedt requesting that the Environmental Reserve be designated as a public beach for the families and friends of five landowners in the Bayview Estates Subdivision, along with the general public. Mr. & Mrs. Wongstedt state that the area has been previously used in this fashion for the past thirty (30) years with no issues. Furthermore, Mr. & Mrs. Wongstedt are concerned that leaving the Environmental Reserve in its nature state would lead to a potential fire hazard from overgrown brush and debris. A copy of their full correspondence has been provided for review by Council.

Secondly, the County received correspondence from Mr. & Mrs. John & Katherine Chrunik dated August 14, 2019 proposing that a part of the Environmental Reserve be grandfathered as a community area in its cleared and manicured state as it has been for thirty-two (32) years. Mr. & Mrs. Chrunik also stated concerns related to the storage of boats docks on the Environmental Reserve not being allowed. A copy of their full correspondence has been provided for review by Council. Administration notes that regardless of whether the Environmental Reserve is designated as a public park, the storage of docks and other infrastructure would not be permitted on the Environmental Reserve as it is public property in the name of the County of Wetaskiwin.

Additionally, the County received Ms. Susan Boyle on behalf of Ms. Margaret E. Miller further requesting that the Environmental Reserve be designated as a public park in its cleared and manicured state as it has for over thirty-five (35) years by allowing the residents to keep the land in this state as they have. A copy of this correspondence has been provided for review by Council.

Furthermore, the County received correspondence from Mr. & Mrs. Rudy & Beverly Terletski with the same requests as the previous correspondences mentioned from other citizens. Mr. & Mrs. Terletski also had concerns related to noxious weeds, fire hazards, and shoreline disruption if the Environmental Reserve was left in its natural state. A copy of the full correspondence has been provided for review by Council.

As an additional follow-up correspondence, Mr. & Mrs. Terletski also advised the County that the County provided authorization in verbal fashion over thirty-five (35) years ago for the clearing of the Environmental Reserve, which included burning of debris and additional clearing undertaken by the County. However, Mr. & Mrs. Terletski could not provide any physical documentation or recall who the individual(s) from the County who gave this approval was. Administration undertook research in an attempt to determine if there was tangible evidence to substantiate the statement made by Mr. & Mrs. Terletski, but were unable to find any physical documentation to confirm. However, Administration did find documentation from Council minutes that an approval was granted by Council on November 19, 1999 for the development of a recreation day use area within the Environmental Reserve restricted to a space of fifteen (15) metres by twenty (20) metres, with the County taking no responsibility in the maintaining of such area, which was further ratified with a resolution of Council on November 9, 2000.

Regarding this direction of Council nearly twenty (20) years ago, Administration notes that the direction may not be fully permissible with the current provisions contained within the *Municipal Government Act* (MGA) and only covered a 300 square metre area of the Environmental Reserve, whereas the issues surrounding the Environmental Reserve currently are throughout the entirety of the Environmental Reserve.

Further correspondence was received from Ms. Joyce Hendrickson, who provided similar concerns and requests, as well as stating that not maintaining the
Environmental Reserve would cause health concerns. This correspondence has also been provided for review by Council.

Lastly, correspondence was received from Mr. Daniel Mantey regarding concerns as to the process for enforcement of the Environmental Reserve as directed by Council as his family experienced over the first couple of months in the County of Wetaskiwin. The full correspondence has been provided for review by Council and Administration has already been in contact with Mr. Mantey regarding his concerns related to enforcement, which have been dealt with appropriately.

After receiving the aforementioned correspondence from the citizens mentioned, Administration conducted research with respect to potentially designating Environmental Reserves as a public park by focusing on what neighbouring municipalities do with respect to Environmental Reserves and information contained within academic papers on the subject to determine what an acceptable definition and/or standard for what a “public park” would look like on an Environmental Reserve.

With respect to the academic papers, notes that there are many different papers about Environmental Reserves within Alberta, but that they mainly discuss the establishment of the Environmental Reserves, how effective municipalities were being at taking them, and in what areas were they being taken from. Administration has provided a copy of a discussion paper titled “Environmental Reserve in Alberta”, written by Kelly Learned in August of 2017, for review by Council and note the following statement made in the paper with respect to the use of Environmental Reserves for a public park on Page 7 of the paper as follows:

“**There are three other sections in the MGA that affect Environmental Reserves. Section 671(1) of the MGA allows Environmental Reserve to be used as a public park or, if not used as a park, it must be left in its natural state. Public park in this case does not involve intensive recreational uses that require substantial improvements, rather public park refers to allowing public access to the environmental reserve for passive recreational use.** (Frederick A. Laux, 2013)”

As contained within the paper, the standard of the intensity of a public park is established by the fact that it would be located on an Environmental Reserve and as such should keep in line with the intent of an Environmental Reserve and be as low impact as possible.

Regarding what neighbouring municipalities do in respect to Environmental Reserves and their potential use as public parks, Administration contacted Leduc, Camrose, Lacombe, and Parkland Counties. Administration notes that Leduc County and Parkland County placed the development of Environmental Reserves under their respective Parks and Recreation Departments, whereas Lacombe County and Camrose County administered their Environmental Reserves through their respective Planning and Development Departments.

Furthermore, Administration notes that Leduc County suggested that the area the Environmental Reserve was in should be considered in determining the intensity of development for the public park as the impact of the park on the area would be different in a lakeshore setting to that of a Environmental Reserve that was established near a severe bank break. Leduc County further advised that once a plan is drafted for some kind of a public park, that an environmental impact assessment should be completed to provide quantitative analysis on the compatibility of the public park with the intent of the Environmental Reserve to preserve natural features and to prevent pollution as listed within Section 664(1.1) of the MGA. Additionally, Leduc County advised that for the most part, their Environmental Reserves are left in their natural state with the occasional ten (10) foot wide trail being cleared by the County if there is enough need for a trail in an area. They did have one (1) example of a beach area on Pigeon Lake that was developed prior to it becoming an Environmental Reserve, but outside of low impact trail development, Leduc County does not create public park areas on Environmental Reserve lands.

Parkland County indicated that they do not have any public parks on Environmental Reserve lands but that many of their public park areas are surrounded by either Environmental Reserves, Crown Land, or other styles of protected lands.
Camrose County indicated that they do not have any type of public park on Environmental Reserve lands, but do have community grass trails for access either to the lake or parallel to the lakeshore depending on the area.

Lacombe County seems to be the most lenient in developments of things being placed on Environmental Reserves for access as they do allow for staircases to be created on the reserve but must be built to code and/or certified by a professional engineer. They also allow for trails in designated areas, even some for motorized vehicles. The Use and Management of County Reserve Lands Policy for Lacombe County was provided for review by Council.

Regarding the requests made by numerous citizens, Administration required further direction in relation to the ongoing issue of the Environmental Reserve in the Bayview Estates Subdivision and the County of Wetaskiwin overall.

Options for Consideration by Council Included:

1. That Council adhere to their previous direction by both resolution and through the Strategic Plan and deny the request to have the Environmental Reserve in the Bayview Estates Subdivision designated as a public park;

2. That Council reverse their previous direction and approve the use of all or a portion of the Environmental Reserve in the Bayview Estates Subdivision as a public park and direct Administration to facilitate the process as necessary and bring forward changes to the Strategic Plan of the County of Wetaskiwin for subsequent Council approval; or

3. That Council establish a Committee of both Council and the general public to review the options regarding parks at Buck Lake on both Environmental and Municipal Reserves.

Based on the previous direction of Council, Administration recommended that Council adhere to their previous direction by both resolution and through the Strategic Plan and deny the request to have the Environmental Reserve in the Bayview Estates Subdivision designated as a public park.

Council discussed the following:

- There is currently no public parking available on site;
- The Municipal Government Act does not make provisions for developed parks within Environmental Reserves;
- The allocation of a park will set precedence for all County Environmental Reserves; and
- That Council is dedicated to protecting sensitive environmental areas within the County.

Administration confirmed that Bayview subdivision will be notified of the decision of Council.

Resolution PD20191010.010
MOVED: by Councillor J. Bishop

that Council adhere to their previous direction by both resolution and through the Strategic Plan and deny the request to have the Environmental Reserve in the Bayview Estates Subdivision designated as a public park for the following reasons:

- There is currently no public parking available on site;
- The Municipal Government Act does not make provisions for developed parks within Environmental Reserves;
- The allocation of a park will set precedence for all County Environmental Reserves; and
- That Council is dedicated to protecting sensitive environmental areas within the County.
12.2 Bayview Estates Subdivision – Proposal from Community Group – Report

In July of 2018, Administration received a complaint in regard to the unauthorized grooming and placement of structures on the Environmental Reserve (ER) that is adjacent to the Bayview Subdivision, which is located on the northwestern shores of Buck Lake.

Therefore, on August 21, 2018, Administration followed through with the strategic direction of Council as contained within Action 2.1.1.1 of the 2018 Strategic Plan by sending informational notices to all property owners in the Bayview Subdivision.

After the issuance of the Notice, at the November 8, 2018 Council for Planning and Economic Development Meeting, Council heard a Delegation presentation made by Mr. Charles Andrews regarding the Bayview Subdivision Environmental Reserve. Council resolved to "accept Mr. Andrew's presentation as information and table discussion in order to enable Council to conduct a site inspection to get a better understanding of what Council is discussing and for Administration to provide additional information in regards to shore high water mark, water body, water table, access and environmental reserve jurisdiction and clarification and to provide to Council at an upcoming meeting."

(Ref. Resolution #PD20181108.1022)

At the December 6, 2018 Council for Planning and Economic Development meeting, Council was updated regarding shore high water mark, water body, water table, access, and Environmental Reserve jurisdiction and clarification as information.

(Ref. Resolution #PD20181206.1009)

During the June 12, 2019 West End Road Tour, Council attended the Environmental Reserve lands located at Lot R30, Block 2, Plan 7822965. There was a total of three (3) bridges with one (1) of the bridges spanning with one (1) side on Environmental Reserve and the other side being located on private property.

At the July 11, 2019 Council for Planning and Economic Development meeting, Council reviewed the particulars regarding the matter and provided the following direction: "that Administration move forward with enforcement action along the Environmental Reserve as outlined in the August 21, 2018 Notice, including the removal of existing bridges as it is believed that this may set a precedent for other subdivisions within the County, there is public access to the lake through the Environmental Reserve, and that residents should come together as a community to approach the County should structural improvements be contemplated."

(Ref. Resolution #PD20190711.022)

As a result of this direction by Council, Administration sent an Informational Notice to the residents of the Bayview Estates Subdivision on July 24, 2019. The Informational Notice has been provided for review by Council. Furthermore, enforcement action was also undertaken by the County during the months of July and August where items and structures were removed from the Environmental Reserve and a violation ticket was issued.

After the Informational Notice and enforcement action occurred, Administration received an inquiry from Ms. Maureen Lomas representing a group of residents to an unknown extent that would like to provide a proposal that allows residents access to Buck Lake via the Environmental Reserve, while respecting the Bylaws of the County.

Within her correspondence, which has been provided for review by Council, Ms. Lomas states that the proposal that is slated to be developed and provided to Council at a later date for their consideration will include suggestions such as the development of a new bridge(s) engineered and approved by the County, undertaking engineering assessments on existing bridges to reduce cost of developing new bridges, and ensuring that residents do not store any equipment on County Land. However, Ms. Lomas is requesting that the County undertake the effort to determine construction estimates and engineering costs so that the community group can
determine potential funding options such as fundraising, acquiring infrastructure grants through government and private and public entities, or a potential multi-year tax levy if possible.

As the previous direction of Council does not contemplate Administration undertaking any sort of research or initial cost estimation of engineered bridge structures, which would come at a cost of both resource and potentially financially to determine an engineered design and cost estimate, Administration requested direction on how to advise Ms. Lomas on behalf of the community group on how to proceed with their proposal creation.

Options for Consideration by Council Included:

1. That Council advise Ms. Maureen Lomas to submit a proposal to Council on behalf of the community group for consideration by Council and that the County of Wetaskiwin will not undertake any engineering, design, or cost estimation of infrastructure as this is a responsibility of the community group requesting approval of the infrastructure;

2. That Council advise Ms. Maureen Lomas to submit a proposal to Council on behalf of the community group for consideration by Council and provide the County of Wetaskiwin within the proposal an expectation from the community group as to a maximum amount of costs being requested to be incurred by the County; or

3. That Council advise Ms. Maureen Lomas to submit a proposal to Council on behalf of the community group for consideration by Council after Administration is provided an opportunity to determine cost estimates and engineering design of potential bridge structures for the Environmental Reserve in the Bayview Subdivision, with the expenditures related to such research and engineering design being covered by the County of Wetaskiwin through the use of funds from reserve funding.

Administration recommended that Council advise Ms. Maureen Lomas to submit a proposal to Council on behalf of the community group for consideration by Council and that the County of Wetaskiwin will not undertake any engineering, design, or cost estimation of infrastructure as this is a responsibility of the community group requesting approval of the infrastructure.

Council discussed the following:

- That Resolution # PD20191010.010 ensures minimal disturbance of the Environmental Reserve;
- The use of bridges within Environmental Reserves; and
- The availability of engineered walking trail bridges for purchase by the general public. Such costs shall not be at the expense of the County.

Resolution PD20191010.011
MOVED: by Councillor L. Seely

that Council advise Ms. Maureen Lomas to submit a proposal to Council on behalf of the community group for consideration by Council and that the County of Wetaskiwin will not undertake any engineering, design, or cost estimation of infrastructure as this is a responsibility of the community group requesting approval of the infrastructure.

Carried Unanimously

13. **NEW BUSINESS**

13.1 Proposed Direct Control Development Permit - D19/189 - Westview RV Park - NE 9-46-24-W4M, Roll #1116.01 - Report

At the August 13, 2002 Council for Planning and Economic Development meeting, Council provided three (3) readings of Bylaw 2002/46 to rezone approximately thirty (30) acres (12 hectares) from Agricultural (AG) to Direct Control (DC) for the western half of NE-9-46-24-W4M.

Under Direct Control (DC) zoning, Council regulates and controls the use or development of land or buildings in the district as they see fit. Council may issue a
development permit or may delegate the responsibility to the Development Officer to exercise pursuant to the directions of Council. A Direct Control (DC) district is intended to limit the potential of any other type of use being introduced in the future on the property without the direct approval of Council.

The property is located immediately west of the County Administration Building and Shop, south along Highway 13 and is surrounded by properties districted as Agricultural/Intermunicipal Development Plan (A/ID) and Direct Control (DC). The redistricting to Direct Control (DC) was the initial requirement through which the previous Applicant intended to bring the RV Park into compliance with the Land Use Bylaw in 2002.

On August 8, 2019, Administration received a Development Permit application from Malcolm Crick on behalf of Westview RV Park for a Garage (30’ X 40’) with an overall height of fourteen (14) feet to be used to store lawn mowers, quads, and vehicles.

On August 19, 2019, the application was referred to the City of Wetaskiwin with the City stating that they had no concerns about the development of a garage.

On August 29, 2019, Alberta Transportation issued Permit Number RSDP026799 for the new garage.

Prior to this application, the following Development Permits for Westview RV Park, formally known as Prairie Breeze Inn RV & Camping, have been approved:

D02/175  
A Development Permit application for “14 Room Country Inn with Living Quarters, RV Park/Campground, Antique Stores”.

D03/136  
A Development Permit application for a “Sign”.

Administration notes that development permits approved by Council within a Direct Control (DC) district cannot be appealed. This is in part due to the prior Direct Control (DC) districting process, including the Public Hearing that is a part of the process, outlining the direct control of Council with respect to developments within that districted lot.

Council may at their discretion decide to approve the application with the conditions as shown, as amended, or refuse the application.

Administration recommended that Council approve Direct Control (DC) Development Permit D19/189 for a Garage (30 x 40′) within NE 9-46-24-W4M for Malcolm Crick on behalf of Westview RV Park, subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these set-backs as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, or reserve lot. No drainage shall impact adjacent lots.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained.

6. As specified in an approval to be obtained from Alberta Transportation.

7. The side yard setback shall be fifty (50) metres as indicated on the site plan provided by the developer.
8. The front yard setback shall be three hundred (300) metres as indicated on the site plan provided by the developer.

9. The proposed Garage shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities.

10. The site shall be kept in a neat and orderly fashion.

11. Storage within the garage is primarily for storage for Westview RV Park and its tenants and shall not be utilized by any other party.

12. No further development, expansion, change in use is allowed unless approved in writing by County of Wetaskiwin.

Resolution PD20191010.012
MOVED: by Councillor L. Seely that Council approve Direct Control (DC) Development Permit D19/189 for a Garage (30’ x 40’) within NE 9-46-24-W4M for Malcolm Crick on behalf of Westview RV Park, subject to the following conditions:

1. Proposed Development not to encroach on Registered Rights of Ways or Utility Service Lines. In addition to this, the applicant is advised that it is their responsibility to contact Alberta-One-Call at 1-800-242-3447 to locate buried facilities if there is a plan to excavate or disturb the ground in Alberta prior to the excavation or ground disturbance and meet these setbacks as required.

2. Location and use of proposed development shall be as specified by documents submitted by applicant.

3. The applicant shall be responsible to contact Superior Safety Codes Inc. (1-888-358-5545) for their requirements under the Safety Codes Act. The County requests that copies of the approved permits issued by Superior Safety Codes Inc. or Municipal Affairs also be provided for County file records prior to the commencement of any development.

4. All drainage must drain towards a County ditch, public utility lot, or reserve lot. No drainage shall impact adjacent lots.

5. No natural drainage courses shall be changed, entering or leaving in or out of County ditches; natural flows are to be maintained.

6. As specified in an approval to be obtained from Alberta Transportation.

7. The side yard setback shall be fifty (50) metres as indicated on the site plan provided by the developer.

8. The front yard setback shall be three hundred (300) metres as indicated on the site plan provided by the developer.

9. The proposed Garage shall not be used as a residence nor contain any sleeping, kitchen, cooking, or plumbing facilities.

10. The site shall be kept in a neat and orderly fashion.

11. Storage within the garage is primarily for storage for Westview RV Park and its tenants and shall not be utilized by any other party.

12. No further development, expansion, change in use is allowed unless approved in writing by County of Wetaskiwin.

Carried Unanimously


During an inspection by the Assessment Department in 2018, in was noted that on the NE 22-47-24-W4M, a second story addition had been constructed to the dwelling located on the property without obtaining the required Development Permit. Upon discovery of the development, the Assessment Department notified the Planning and Economic Development Department, which in turn requested the services of the
Protective Services Department, who assists in the enforcement of the Land Use Bylaw.

On December 4, 2018, Administration sent a Notice to the property owners as listed on title, Mr. James Borthwick & Mrs. Annette Borthwick. Within the Notice, the property owners were requested to submit a completed Development Permit Application by January 4, 2019 for the second story addition constructed to the dwelling on the property or a Warning Letter would be issued, leading to the requisite fee becoming $500.00 in accordance with the Fees and Charges Bylaw.

Throughout January of 2019, Administration worked closely with Mr. Borthwick in regard to the submission of a Development Permit Application for the second story addition, which was due on January 4, 2019. Mr. Borthwick submitted the Development Permit Application without payment on January 22, 2019, which was more than two (2) weeks later than requested in the Notice. Furthermore, Administration showed additional leniency by allowing Mr. Borthwick to provide payment at the regular rate of one hundred dollars ($100.00), as a Warning Letter had not been sent although Mr. Borthwick did not meet the deadline established in the Notice, to which Mr. Borthwick did provide payment on January 31, 2019, almost a month overdue.

During review of the Development Permit Application submitted by Mr. Borthwick, Administration noted that full information was not provided by Mr. Borthwick in regard to the Application, meaning that the Application was currently deemed incomplete in accordance with the Municipal Government Act (MGA). To remedy the incompleteness of the Development Permit Application, Administration contacted Mr. Borthwick by email on January 31, 2019, by voicemail on February 13, 2019, and finally, by mail on February 20, 2019 advising of the incompleteness of the Application and to have it remedied by March 12, 2019. No action was taken by Mr. Borthwick to get the application completed.

Due to the inaction by Mr. Borthwick, both a refusal of the Development Permit Application in accordance with the MGA and Land Use Bylaw 2017/48 and a Warning Letter were issued in March and April of 2019. Mr. Borthwick did have the option of appealing the refusal of the Application, but not appeal was received. Additionally, the Warning Letter, which increased the Development Permit Application Fee to $500.00, requested that Mr. Borthwick provide a new Development Permit Application or a Stop Order would be issued, leading to the requisite fee becoming $1,000.00 in accordance with the Fees and Charges Bylaw.

On May 8, 2019 after no response to the Warning Letter had been received, Administration sent a Stop Order by registered mail in accordance with the Municipal Government Act and County protocol to Mr. Borthwick. Mr. Borthwick was requested to submit a completed Development Permit Application by June 15, 2019 for the second story addition constructed to the dwelling on the property, with the requisite fee being $1,000.00 in accordance with the Fees and Charges Bylaw.

On June 3, 2019, the Stop Order sent by registered mail was returned to the County of Wetaskiwin as unclaimed.

Therefore, on June 4, 2019, Administration attended the property and provided a second Stop Order directly to Mr. Borthwick in accordance with the Municipal Government Act. In this new Stop Order that was provided, Mr. Borthwick was requested to submit a completed Development Permit Application by July 4, 2019 for the second story addition constructed to the dwelling on the property, with the requisite fee being $1,000.00 in accordance with the Fees and Charges Bylaw.

On July 14, 2019, Administration attended the property, advised Mr. Borthwick once again about the requirements listed in the Stop Order to submit a completed Development Permit Application for the second story addition constructed to the dwelling on the property, with the requisite fee being $1,000.00 in accordance with the Fees and Charges Bylaw, and encouraged him to do so in order to avoid further enforcement action.

Later in July, Mr. Borthwick attended the County Office and discussed the matter with Administration, where Mr. Borthwick was further advised to submit a completed Development Permit Application for the second story addition constructed to the dwelling on the property, with the requisite fee being $1,000.00 in accordance with
the Fees and Charges Bylaw, and encouraged him to do so in order to avoid further enforcement action.

On September 3, 2019, Administration attended the property to contact Mr. Borthwick to hopefully resolve the matter as it had been nine (9) months since initial contact was made with Mr. Borthwick. Mr. Borthwick was not present on the property at the time Administration attended the property and therefore, a Final Warning was posted on the property advising Mr. Borthwick to submit a completed Development Permit Application by September 13, 2019 for the second story addition constructed to the dwelling on the property, with the requisite fee being $1,000.00 in accordance with the Fees and Charges Bylaw. This deadline was later extended to September 23, 2019 and Mr. Borthwick was advised through voicemail on both September 17 and 18, 2019 and in writing as posted on the property on September 18, 2019.

On September 24, 2019, Mr. Borthwick attended the County Office and requested that he be allowed to pay for the Development Permit Application at the regular rate of one hundred dollars ($100.00) instead of the now applicable $1000.00 due to the issuance of a Stop Order. Administration advised Mr. Borthwick of the summary of events regarding the matter and advised that in accordance with the Fees and Charges Bylaw, Administration does not have the ability to reduce said fee. At this time, Mr. Borthwick admitted that over the past nine (9) months, he was not diligent at checking his mail, but that a reduction was warranted. Administration advised Mr. Borthwick that should he wish to have a reduction to the requisite Development Permit Application Fee, correspondence would need to be sent to Council as they are the only body that can grant such a request.

On October 1, 2019, correspondence was received from Mr. Jim Borthwick requesting a reduction of Development Permit Application Fees from $1,000.00 to $100.00 as his “actions certainly do not warrant a fine of this magnitude.” A copy of the correspondence sent by Mr. Borthwick was provided for review by Council. Mr. Borthwick also requested that should his request be denied, that he would require options to pay such as monthly payments.

Regarding the request made by Mr. Borthwick, Administration notes the following, that were explicitly mentioned in the numerous correspondence sent, posted, and delivered personally to Mr. Borthwick in accordance with the Municipal Government Act and County protocol over the over nine (9) months where no action was undertaken by Mr. Borthwick:

- Fees and Charges Bylaw “As per the Fees and Charges Bylaw...upon/with the issuance of a Stop Order that fee has been increased by ten (10) times to $1000.00.”

Furthermore, in terms of the request for monthly payments, under County protocol, a Development Permit Application is not deemed received until full payment is received by the County and therefore, a payment plan is not available regarding this matter.

Simply put, Administration is of the position that Mr. Borthwick was given more than sufficient time and notice to complete a Development Permit application at the original fee of one-hundred dollars ($100) as Administration acted in accordance with the Municipal Government Act and County protocol regarding the matter involving the property owned by Mr. Borthwick.

Administration further notes that two (2) previous requests in 2019 from Mr. Kelly Peach and Mr. Russell Lomas regarding similar requests were subsequently denied by Council.

(Ref. Resolutions #PD20190517.019 & #PD20190711.028)

Council has the authority to either approve or deny the request by Mr. Jim Borthwick for a reduction of Development Permit Application Fees from $1,000.00 to $100.00 or to an amount in between in which Council sees fit.

Administration recommended that Council deny the request by Mr. Jim Borthwick for a reduction of Development Permit Application Fees from $1,000.00 to $100.00 as Administration acted in accordance with the Municipal Government Act and County protocol with Mr. Borthwick being provided with more than sufficient time and notice...
to complete a Development Permit Application at the original fee of one-hundred dollars ($100).

Resolution PD20191010.013
MOVED: by Councillor K. Adair

that Council deny the request by Mr. Jim Borthwick for a reduction of Development Permit Application Fees from $1,000.00 to $100.00 as Administration acted in accordance with the Municipal Government Act and County protocol with Mr. Borthwick being provided with more than sufficient time and notice to complete a Development Permit Application at the original fee of one-hundred dollars ($100).

Carried Unanimously

13.3 Recess/Reconvene

The meeting recessed at 10:11 a.m.

D. Blades and J. Grant exited the meeting.

The meeting reconvened at 10:25 a.m.

7. **10:30 A.M. DELEGATION**

A delegation consisting of Doug Lagore, Dave Dmytryshyn and Rod Hawken entered the meeting at 10:25 a.m.

7.1 **Transitional Solutions Inc. - Service Capacity Review - Report**

At the meeting of June 6, 2019, Council approved to contract Transitional Solutions Inc. (TSI) for the Service Capacity Review.

The review was now completed and representatives from TSI will be in attendance to review the completed document with Council.

Administration recommended that Council review the Service Capacity Review with Transitional Solutions Inc.

TSI presented the draft report to Council and explained the processes used for completion.

Resolution PD20191010.014
MOVED: by Councillor K. Rooyakkers

that Council accept the Service Capacity Review as presented by Transitional Solutions Inc.

Carried Unanimously

J. Chipley, N. Finseth, B. Cowan, and E. Ballhorn exited the meeting at 11:10 a.m.

7.2 **(Closed to the Public) Transitional Solutions Inc. – Service Capacity Review – Report**

Council will be discussing the Service Capacity Review as presented by Transitional Solutions Inc., therefore the meeting should be closed to the public, pursuant to Section 197 of the Municipal Government Act, 2000, Chapter M-26 and amendments thereto, and the Freedom of Information and Protection of Privacy Act, Part 1, Division 2 Exceptions to Disclosure, Section 19, Confidential Evaluations.

Resolution PD20191010.015
MOVED: by Councillor K. Rooyakkers

that the meeting be closed to the public, at 11:12 a.m. pursuant to Section 197 of the Municipal Government Act, 2000, Chapter M-26 and amendments thereto, and the Freedom of Information and Protection of Privacy Act, Part 1, Division 2 Exceptions to Disclosure, Section 19, Confidential Evaluations, to discuss the Service Capacity Review as presented by Transitional Solutions Inc.

Carried Unanimously
Resolution PD20191010.016
MOVED: by Councillor J. Bishop
that the meeting be opened to the public at 12:15 p.m.

Carried Unanimously

15. ADJOURN
Resolution PD20191010.017
MOVED: by Councillor L. Seely
that the Council for Planning & Economic Development meeting be adjourned at 12:16 p.m.

Carried Unanimously

_________________________
REEVE

_________________________
CHIEF ADMINISTRATIVE OFFICER

MINUTES APPROVED:

Ref: Resolution #

__________________________
__________________________