

**SUMMER VILLAGE OF ARGENTIA BEACH
REGULAR COUNCIL MEETING
MONDAY, MARCH 18, 2019 at 10:00 AM
Derrick Golf & Winter Club
3500 – 119 Street NW, Edmonton, AB**

MINUTES

Present:

COUNCIL: Mayor Don Oborowsky
Deputy Mayor Lisa Turchansky
Councillor Randy Stebner

ADMINISTRATION: Sylvia Roy, CAO

Mayor Oborowsky called the meeting to order at 10:00 a.m.

A. ADOPTION OF AGENDA AND ADDITIONS/ DELETIONS

Res. #19-023

Moved by Deputy Mayor Turchansky to adopt the agenda as presented.

CARRIED

B. APPROVAL OF MINUTES FROM PREVIOUS MEETING

1. Regular Council Meeting Minutes of January 21, 2019

Res. #19-024

Moved by Councillor Stebner to approve the Argentia Beach Regular Council Meeting Minutes of January 21, 2019, as presented.

CARRIED

C. PUBLIC HEARING – BYLAW #242, BYLAW TO AMEND LAND USE BYLAW #154

The Hearing Chairman, Mayor Oborowsky, called the Public Hearing for Bylaw #242, Bylaw to amend Land Use Bylaw #154, to order at 10:00 am.

The Chairman read out the ground rules of the hearing and the order of speaking.

The Chairman called upon Ms. Jane Dauphinee, Planner from Municipal Planning Services, to present a report on the proposed changes to the land use bylaw.

The Chairman called upon the Secretary/CAO, Ms. Sylvia Roy, to read any written materials submitted.

The Secretary/CAO read aloud four written submissions, received from the following Argentia Beach residents:

Shauna Conroy Rossall
Bob & Gwen MacKenzie
Rick Lough, Naomi Tichkowsky and Betty Ann Lough
Donald Odell

All four residents were opposed to the land use bylaw amendment.

The Chairman then asked those persons who signed up on the sign-in sheet to speak. The following four residents spoke:

Murray Olson
Naomi Tychkowsky
Emile Beaudry
Brad Bevans

All four residents were opposed to the land use bylaw amendment.

Councillor Stebner asked for clarification from the planner regarding the following matters identified during the hearing:

1. Is it necessary for the proposed new district to be a Direct Control District?

The planner responded: It is not necessary for the proposed district to be a Direct Control District and further, if the bylaw is to proceed to Council for consideration of 2nd and 3rd reading before Council gives 3rd reading of the new Summer Village Municipal Development Plan then the proposed district cannot be a Direct Control District.

Municipalities do not have the authority to establish direct control districts unless they have an approved Municipal Development Plan. Council may wish to consider amending the proposed bylaw to change the district from a Direct Control District to an R1 District. Alternately, Council may wish to table consideration of 2nd and 3rd reading of this bylaw until after the MDP has been approved.

2. Is there any advantage to the municipality for Council to be the approving authority for development permit applications in this area?

The planner responded: No, in fact we agree with the concerns raised by the presenters at the hearing regarding this matter. It may be more appropriate in this location to ensure that decisions on development permits are made by the Summer Village Development Authority rather than Council. This will ensure that for discretionary uses and permitted uses (where a variance is requested) that right to appeal is consistent with the Summer Village's existing residential district.

3. How does the existing restrictive covenant on the title impact the proposed Land Use Bylaw amendment?

The planner responded: Although the Summer Village's Subdivision Authority would not (in our opinion) be bound by the restrictive covenant, the Summer Village is one of the signatories in the agreement; therefore, it would be advisable to seek a legal opinion on the matter prior to Council giving consideration to 2nd and 3rd reading of the bylaw. We have concerns about proceeding with an amendment to the LUB that is inconsistent with what was agreed to in the restrictive covenant.

4. Should the amendment have been accompanied by an Area Structure Plan (ASP)?

The planner responded: When an amendment to a Land Use Bylaw is proposed that could result in a significant change in the intensity of use or a significant increase in density within the site, then it is standard practice is to require an ASP and supporting studies to accompany the ASP application including: a Phase I Environmental Assessment, a Biophysical Assessment, a Wetland Assessment, a Water Report and a Preliminary Servicing Study. However, the amendment proposed will not, in the planner's opinion, result in a significant increase in intensity of use within the subject site. It may in fact be interpreted as a type of "down zoning" because it will restrict the number and types of uses that will be allowed within the subject site. This amendment has been proposed to ensure that the site, which should have been re-districted when the annexation was finalized, is affected by the Summer Village of Argentia Beach Land Use Bylaw rather than the County for Wetaskiwin Land Use Bylaw.

An additional amendment to the proposed Bylaw that Council may wish to consider is to revise the bylaw to prohibit further subdivision. This would ensure that the bylaw is consistent with the density identified within the restrictive covenant and also that the amendment will not provide for an increase in parcel density within the subject site. If the landowner wants to subdivide the site in the future then it would be up to them at that time to apply to the Summer Village for a new Land Use Bylaw amendment, complete with supporting documentation that provides evidence to demonstrate that an increase in density is appropriate in this location.

The Chairman asked if anyone else wished to speak. No other persons wished to speak.

The Chairman asked if everyone in attendance felt that they have had the opportunity to be fairly heard, and if not, to raise their hand and they would be given the opportunity to be heard. No persons wished to speak.

The Chairman closed the public hearing at 11:20 am.

Res. #19-025

Moved by Councillor Stebner to schedule the matter for later Council deliberation.

CARRIED

Recess 1120

Reconvene 1128

BYLAWS & POLICIES

1. Bylaw #242, Bylaw to Amend Land Use Bylaw #154
FOIP S. 24(1)

Res. #19-026

Moved by Deputy Mayor Turchansky to go into Closed Session at 11:29 am.

CARRIED

Res. #19-027

Moved by Deputy Mayor Turchansky to come out of Closed Session at 11:44 am.

CARRIED

Res. #19-028

Moved by Councillor Stebner to table further readings of Bylaw #242, Bylaw to Amend Land Use Bylaw #154, and that Administration obtain legal advice.

CARRIED

D. DELEGATIONS AND VISITORS

1. Mr. Greg Florkewich – Trigger Technical Services Inc.
At 11:46 am Council welcomed Mr. Greg Florkewich of Trigger Technical Services who spoke with Council regarding a proposed video surveillance system for Argentia Beach. Council thanked Mr. Florkewich and he departed at 11:57 pm.

Recess 11:58 am

Reconvene 12:06 pm

E. REPORTS FROM STAFF/RESOLUTIONS

1. Follow Up Sheet

Res. #19-029

Moved by Deputy Mayor Turchansky to accept the follow up sheet as information.

CARRIED

F. COUNCIL COMMITTEE REPORTS/DISCUSSION ITEMS

1. Alliance of Pigeon Lake Municipalities

Res. #19-030

Moved by Deputy Mayor Turchansky that Administration request further information on the project for which the Grandview grant funding was received.

CARRIED

2. Capital Region Assessment Services Commission – 2019 Assessment Review Board
Appointments

Res. #19-031

Moved by Deputy Mayor Turchansky that the Summer Village of Argentia Beach appoint the following individuals for Assessment Review Board positions for 2019, upon recommendation of the Capital Region Assessment Services Commission:

Assessment Review Board Chairman – Raymond Ralph.

Certified Assessment Review Board Clerk – Richard Barham.

Certified Panelists – Judy Bennett,
Darlene Chartrand,
Tina Groszko,
Steward Hennig,
Richard Knowles,

Raymond Ralph.

CARRIED

3. Video Surveillance Cameras

Res. #19-032

Moved by Councillor Stebner that the Summer Village of Argentia Beach proceed with the purchase and installation of a video surveillance system for the Summer Village of Argentia Beach, as presented by Trigger Technical Services Inc.

CARRIED

4. Mulhurst Bay Solid Waste Transfer Station Agreement

Res. #19-033

Moved by Councillor Stebner that the Summer Village of Argentia Beach enter into the agreement with the County of Wetaskiwin for the use of the Mulhurst Bay Solid Waste Transfer Station, as presented.

CARRIED

5. Joint Services Committee

Res. #19-034

Moved by Deputy Mayor Turchansky to accept the Joint Services Committee report as information.

CARRIED

6. Subdivision & Development Appeal Board Appointments

Res. #19-035

Moved by Councillor Stebner that the following individuals be appointed to the Argentia Beach Subdivision & Development Appeal Board: Arnold Moerth, David Edgar, Brian Keeler, John Slater, Pete Langelle, Judy McCardia, Al Greenslade, Phil Pawlyk and Bob Mieske.

CARRIED

G. FINANCIALS

1. Cheque Listing

Res. #19-036

Moved by Deputy Mayor Turchansky that the cheque listing be received as information.

CARRIED

2. Pigeon Lake Watershed Association Funding Request

Res. #19-037

Moved by Deputy Mayor Turchansky that the Pigeon Lake Watershed Association funding request be considered during budget deliberations.

CARRIED

3. 2019 Joint Services Budget

Res. #19-038

Moved by Councillor Stebner to approve the 2019 Joint Services Budget as presented.

CARRIED

4. 2019 Draft Argentia Beach Budget

Res. #19-039

Moved by Councillor Stebner to accept the 2019 draft Argentia Beach Budget as information.

CARRIED

H. CORRESPONDENCE & INFORMATION ITEMS

1. Pigeon Lake Public Library Information sheet
2. MSI Funding Correspondence
3. Norris Beach – ACP Grant for Intermunicipal Development Plans
4. Grandview _ACP Grant for Pigeon Lake Watershed Management Plan
5. Pigeon Lake Watershed Association Leaders Session
6. Website Statistics

Res. #19-040

Moved by Deputy Mayor Turchansky that the above six items be received as information.

CARRIED

I. CLOSED SESSION


1. None.

J. ADJOURNMENT

Res. #19-041

Moved by Mayor Oborowsky to adjourn the meeting at 1:54 pm.

CARRIED



Donald Oborowsky, Mayor
Summer Village of Argentia Beach



Sylvia Roy, CAO
Summer Village of Argentia Beach