



Council

Syncrude Athletic Park (SAP) Clubhouse
101 Cartier Road, Fort McMurray, AB T9H 2L3

Tuesday, January 14, 2020
4:00 PM

Agenda

1. **Call to Order (at 2:30 p.m.)**

2. **In-Camera Session**

2.1. Advice from Officials and Privileged Information – Legal Matters
(in camera pursuant to sections 24(1) and 27(1) of the Freedom of Information and Protection of Privacy Act).

2.2. Advice from Officials
(in camera pursuant to section 24(1) of the Freedom of Information and Protection of Privacy Act).

3. **Adoption of Agenda (at 4:00 p.m.)**

4. **Consent Agenda**

4.1. Council Meeting - December 10, 2019

4.2. Bylaw No. 20/001 - Land Use Bylaw Text Amendment Small Holdings District - Draper and Highway 69/ Clearwater River Valley Area Structure Plan Amendment

1. THAT Bylaw No. 20/001, being a Land Use Bylaw Text Amendment to insert Religious Assembly as a Discretionary Use – Planning Commission specific to Small Holdings District to Lot 6, Plan 992 0950 (128 Garden Lane), and an Area Structure Plan Amendment for the Highway 69/Clearwater River Valley Area Structure Plan to amend Policy 5.2.6 Small Holdings to include Religious Assembly be read a first time; and

2. THAT the required public hearing be held on February 11, 2020.

5. **Unfinished Business**

5.1. Public Hearing for Bylaw No. 19/028 - Land Use Bylaw Text Amendment - Add Cluster Housing as a Discretionary Use to the HR - Hamlet Residential District

5.2. Bylaw No. 19/028 - Land Use Bylaw Text Amendment - Add Cluster Housing as a Discretionary Use to the HR - Hamlet Residential District

1. THAT Bylaw No. 19/028, being a text amendment to add Cluster Housing as a Discretionary Use to the HR- Hamlet Residential District of the Land Use Bylaw No. 99/059, be read a second time.
2. THAT Bylaw No. 19/028 be read a third and final time.

5.3. Bylaw No. 19/029 - Conversion Therapy Bylaw

1. THAT Bylaw No. 19/029, being a Conversion Therapy Bylaw, be read a second time.
2. THAT Bylaw No. 19/029 be read a third and final time.

6. New Business

6.1. Council Committee Appointments

THAT the following appointments be made effective immediately:

Subdivision and Development Appeal Board

- Rene Wells and Alethea Austin to December 31, 2021.

Combative Sports Commission

- Craig Hillier, Combative Sports knowledge, to December 31, 2021; and
- Andy Campbell, Law Enforcement knowledge, to December 31, 2020.

Adjournment

Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chamber at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, December 10, 2019, commencing at 4:00 PM.

Present:

Don Scott, Mayor
 Mike Allen, Councillor
 Krista Balsom, Councillor
 Bruce Inglis, Councillor (via teleconference)
 Sheila Lalonde, Councillor
 Keith McGrath, Councillor
 Phil Meagher, Councillor
 Jeff Peddle, Councillor
 Jane Stroud, Councillor
 Claris Voyageur, Councillor (via teleconference)

Absent:

Verna Murphy, Councillor

Administration:

Annette Antoniak, Chief Administrative Officer
 Jade Brown, Chief Legislative Officer
 Jamie Doyle, Deputy Chief Administrative Officer
 Deanne Bergey, Director, Community Services
 Chris Davis, Acting Director, Legal Services
 Wayne Franklin, Director, Public Works
 Matthew Hough, Director, Engineering
 Lynda McLean, Director, Communications, Stakeholder, Indigenous and Rural Relations
 Brad McMurdo, Director, Planning and Development
 Linda Ollivier, Director, Financial Services
 Darlene Soucy, Legislative Officer

1. Call to Order (in 7th Floor Boardroom at 1:00 p.m.)

Mayor D. Scott called the meeting to order at 1:03 p.m.

2. In-Camera Session

MOTION:

That Council close agenda items 2.1 and 2.2 to the public pursuant to sections 24(1) and 27(1) of the *Freedom of Information and Protection of Privacy Act*.

RESULT: CARRIED [UNANIMOUS]
MOVER: Jeff Peddle, Councillor
SECONDER: Krista Balsom, Councillor
FOR: Scott, Allen, Balsom, Inglis, Lalonde, McGrath, Meagher, Peddle, Stroud, Voyageur
ABSENT: Murphy

2.1 Privileged Information – Legal Matters

Pecuniary Interest

Councillor M. Allen declared a pecuniary interest in the next item and exited the meeting at 1:04 p.m.

Legal Matter 1

(in camera pursuant to section 27(1) of the *Freedom of Information and Protection of Privacy Act*)

Name	Reason for Attending
Annette Antoniak	Chief Administrative Officer
Jamie Doyle	Deputy Chief Administrative Officer
Jade Brown	Legislative Advice/Clerk
Lynda McLean	Director, Communications, Stakeholder, Indigenous and Rural Relations
Don Lidstone	External Legal Counsel

Return

Councillor M. Allen returned to the meeting at 1:47 p.m.

Legal Matter 2

(in camera pursuant to section 27(1) of the *Freedom of Information and Protection of Privacy Act*)

Name	Reason for Attending
Annette Antoniak	Chief Administrative Officer
Jamie Doyle	Deputy Chief Administrative Officer
Jade Brown	Legislative Advice/Clerk
Lynda McLean	Director, Communications, Stakeholder, Indigenous and Rural Relations
Chris Davis	Acting Director, Legal Services
Linda Ollivier	Director, Financial Services

Disconnects and Reconnects

Councillors B. Inglis and C. Voyageur disconnected from the meeting at 1:53 p.m. and reconnected to the meeting at 1:56 p.m.

2.2 Advice from Officials

Information Update 1

(in camera pursuant to section 24(1) of the *Freedom of Information and Protection of Privacy Act*)

Name	Reason for Attending
Annette Antoniak	Chief Administrative Officer
Jamie Doyle	Deputy Chief Administrative Officer
Jade Brown	Legislative Advice/Clerk
Lynda McLean	Director, Communications, Stakeholder, Indigenous and Rural Relations
Matthew Hough	Director, Engineering

Information Update 2

(in camera pursuant to section 24(1) of the *Freedom of Information and Protection of Privacy Act*)

Name	Reason for Attending
Annette Antoniak	Chief Administrative Officer
Jade Brown	Legislative Advice/Clerk
Michelle Phaneuf	External Presenter (via videoconference)
Dr. Nancy Love	External Presenter (via videoconference)

Recess

A recess occurred from 3:32 p.m. and 4:03 p.m. at which time the meeting was reconvened in public in the Council Chamber, and Councillor S. Lalonde was not in attendance. Councillors B. Inglis and C. Voyageur were unable to reconnect to the meeting

Return

Councillor S. Lalonde returned to the meeting at 4:04 p.m.

MOTION:

THAT the meeting reconvene in public.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Mike Allen, Councillor
SECONDER:	Jeff Peddle, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

3. Adoption of Agenda (in Council Chamber at 4:00 p.m.)**MOTION:**

THAT the Agenda be adopted as presented.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Phil Meagher, Councillor
SECONDER:	Sheila Lalonde, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

4. Consent Agenda**MOTION:**

THAT the recommendations contained in items 4.1, 4.2, 4.3, 4.4 and 4.5 be approved.

4.1. Council Meeting Minutes - November 26, 2019

THAT the Minutes of the November 26, 2019 Council Meeting be approved as presented.

4.2. Special Council Meeting Minutes - November 27, 2019

THAT the Minutes of the November 27, 2019 Special Council Meeting be approved as presented.

4.3. Special Council Meeting Minutes - November 28, 2019

THAT the Minutes of the November 28, 2019 Special Council Meeting be approved as presented.

4.4. Special Council Meeting Minutes - November 29, 2019

THAT the Minutes of the November 29, 2019 Special Council Meeting be approved as presented.

4.5. Bylaw No. 19/029 - Conversion Therapy Bylaw

THAT Bylaw No. 19/029, being a Conversion Therapy Bylaw, be read a first time.

RESULT: CARRIED [UNANIMOUS]
MOVER: Mike Allen, Councillor
SECONDER: Phil Meagher, Councillor
FOR: Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT: Inglis, Murphy, Voyageur

5. Recognition

5.1. Proclamation - Human Rights Day

Mayor D. Scott recognized December 10, 2019 as Human Rights Day and acknowledged individuals in the gallery associated with this initiative.

Recess

A recess occurred from 4:09 p.m. to 4:12 p.m. to take photographs with the proclamation recipients.

6. Unfinished Business

6.1. Approval of Proposed Expropriation of a Portion of NW 1/4 2-89-9W4M (Secondary Egress Road Expropriation)

Brad McMurdo, Director, Planning and Development, and Michael Ircandia, Manager, Land Administration, provided an overview of the proposed expropriation to facilitate the construction of a secondary egress road from Saline Creek Plateau, and requested additional time to continue working with the landowner.

Point of Order

Councillor P. Meagher called a Point of Order on Councillor J. Stroud for beginning debate without a motion on the floor. Mayor D. Scott upheld the Point of Order.

MOTION:

THAT the Approval of Proposed Expropriation of a Portion of NW 1/4 2-89-9W4M (Secondary Egress Road Expropriation) be deferred to the end of first quarter, 2020.

RESULT: CARRIED [UNANIMOUS]
MOVER: Jane Stroud, Councillor
SECONDER: Mike Allen, Councillor
FOR: Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT: Inglis, Murphy, Voyageur

7. **New Business**

7.1. **Livability Task Force Update**

Jamie Doyle, Deputy Chief Administrative Officer, Brad McMurdo, Director, Planning and Development, and Karim Zariffa, Executive Director, Oil Sands Community Alliance, presented an update on the Livability Task Force, which was created to develop strategies to increase population, promote affordability, increase livability and support brand development for the region.

Exit and Return

Councillor K. Balsom exited the meeting at 5:09 p.m. and returned at 5:12 p.m.

Keith Boyd, resident, spoke to issues regarding the rotational workforce but did not indicate support or opposition to the Livability Task Force update.

Rod Kelly, resident, spoke about the impact the economic downturn has had on employment in the region but did not indicate support or opposition to the Livability Task Force update.

MOTION:

THAT Administration continue to work with the Oil Sands Community Alliance (OSCA) and the Wood Buffalo Economic Development Corporation (WBEDC). Work with OSCA would be to further the RMWB's understanding and reporting of how the rotational workforce is utilized in the region. Work with the WBEDC could be to further all efforts to increase the regional population and livability of the region; and

THAT Administration report back to Council and the regional stakeholders on a semi-annual basis.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Mike Allen, Councillor
SECONDER:	Jeff Peddle, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.2. **Perpetual Energy Inc. request for Intervenor Status with the Court of Queen's Bench**

Linda Ollivier, Director, Financial Services, and Chris Davis, Acting Director, Legal Services, provided an overview of the request for intervenor status with the Court of Queen's Bench in relation to Perpetual Energy Inc.

MOTION:

THAT Administration file a request to the Court of Queen's Bench to intervene in the Judicial Review of Linear Property and Machinery Guidelines in relation to Perpetual Energy Inc., Court File No. 1901-08115.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Jeff Peddle, Councillor
SECONDER:	Phil Meagher, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.3. Request for Deferment/Cancellation of Taxes and Penalties

Linda Ollivier, Director, Financial Services, and Chris Davis, Acting Director, Legal Services, provided a summary of the request for tax deferment and cancellation of tax arrears and penalties.

MOTION:

THAT collection of the taxes owing and associated penalties for late payment on the tax accounts identified in Attachment 1 in the amount of \$1,002,903.40, be deferred for a period of 13 months from December 1, 2019; and

THAT taxes or tax arrears and associated penalties in the amount of \$2,194,752.02 be cancelled without further resolution of Council, at the end of the 13-month deferment period, if municipal taxes for those properties for 2018, 2019 and 2020 are paid in full.

Exits and Returns

Councillor M. Allen exited the meeting at 5:25 p.m. and returned at 5:27 p.m.

Councillor J. Peddle exited the meeting at 5:27 p.m. and returned at 5:29 p.m.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Phil Meagher, Councillor
SECONDER:	Krista Balsom, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.4. Reserve Bids and Sale Conditions for Tax Sale Properties

Linda Ollivier, Director, Financial Services, and Chris Davis, Acting Director, Legal Services, provided an overview of the reserve bids and sale conditions for tax sale properties.

MOTION:

THAT the reserve bids and sale conditions be established as listed in Attachment 1, dated December 10, 2019.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Jane Stroud, Councillor
SECONDER:	Phil Meagher, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.5. Request for Tax Write Off (Litigation Settlement)

Linda Ollivier, Director, Financial Services, and Chris Davis, Acting Director, Legal Services, provided an overview of the request for tax write off related to a litigation settlement.

MOTION:

THAT Council agree to conditionally reduce tax arrears by \$129,425 from the referenced tax roll numbers on the attached Schedule A. Such reduction is equitable pursuant to section 347 of the Municipal Government Act in the circumstances as it permits a final settlement of a lawsuit with the Taxpayer. The reduction is subject to the final settlement terms being satisfactory to the Chief Administrative Officer (CAO).

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Phil Meagher, Councillor
SECONDER:	Jeff Peddle, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.6. 2020 - 2021 Internal Audit Plan

Linda Ollivier, Director, Financial Services, and Andrea Sorrel, Internal Auditor, provided an overview of the proposed 2020 - 2021 Internal Audit Plan.

Exits and Returns

Councillor S. Lalonde exited the meeting at 5:40 p.m. and returned at 5:41 p.m.
Councillor J. Stroud exited the meeting at 5:40 p.m. and returned at 5:42 p.m.

MOTION:

THAT the 2020 to 2021 Internal Audit Plan be approved.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Keith McGrath, Councillor
SECONDER:	Jeff Peddle, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.7. Community Identification Committee Recommendations - Parks and Dry Ponds in Parsons Creek

Brad McMurdo, Director, Planning and Development, and Christopher Booth, Manager, Community Development Planning, presented recommendations from the Community Identification Committee for the naming of parks and dry ponds in Parsons Creek neighbourhood.

MOTION:

THAT the Parks and Dry Ponds in Parsons Creek as shown in attachments 1 to 5 be named Niska Park, Sisip Connection, Amisk Plaza, Maskwa Greens, and Mahkesis Park.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Jeff Peddle, Councillor
SECONDER:	Phil Meagher, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

Recess

A recess occurred from 5:51 p.m. to 5:56 p.m., after which time Councillors M. Allen and K. McGrath were not in attendance.

7.8. Floatplane Festival

Lynda McLean, Director, Communications, Stakeholder, Indigenous and Rural Relations, provided a summary of the proposed floatplane festival.

Returns

Councillor M. Allen returned to the meeting at 5:57 p.m.
Councillor K. McGrath returned to the meeting at 5:58 p.m.

Vacating of Chair

Mayor D. Scott vacated the Chair at 5:58 p.m., at which time Deputy Mayor J. Peddle assumed the Chair.

MOTION:

THAT the Floatplane Festival report be accepted as information; and

THAT Administration continue working with community partners to explore the feasibility of a floatplane festival and report back to Council in the first quarter of 2020 with further information on such an event, including, but not limited to, budgetary costs and timelines for an event.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Don Scott, Mayor
SECONDER:	Phil Meagher, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

Resuming of Chair

Mayor D. Scott resumed the Chair at 6:00 p.m.

7.9. Indigenous Summit

Lynda McLean, Director, Communications, Stakeholder, Indigenous and Rural Relations, provided a summary of alternatives for hosting an Indigenous Summit.

MOTION:

THAT Communications, Stakeholder, Indigenous and Rural Relations consult with First Nations and Métis leaders in our region on the concept of supporting an Indigenous Summit hosted within the Regional Municipality of Wood Buffalo.

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Krista Balsom, Councillor
SECONDER:	Mike Allen, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

7.10. Committee Appointments

Sonia Soutter, Senior Legislative Officer, provided an overview on the recruitment and appointment process for Council Appointed Boards and Committees.

MOTION:

THAT the following Committee Appointments be approved effective January 1, 2020.

Advisory Committee on Aging

- Ingrid Blasius - Wood Buffalo Seniors Resource Committee; Henry Hunter - Wood Buffalo Housing, and Luana Bussieres to December 31, 2021

Assessment Review Board

- Donald Gorman and Alex McKenzie to December 31, 2021

Combative Sports Commission

- Rene Wells to December 31, 2020; Beau Bjarnason, Moe Kdouh and Sharon Grantham to December 31, 2021

Communities in Bloom

- Darcy Enns, Destiny Jefferies and Helen Meyer to December 31, 2021

Community Identification Committee

- Andrew Crompton, Cathy Drier - Fort McMurray Historical Society and Gerald Bussieres to December 31, 2021

Community Standards Appeal Committee

- Kulwinder Arora to December 31, 2021

Fort McMurray Airport Authority

- Joanne Day to December 31, 2023

Regional Municipality of Wood Buffalo Library Board

- Amanda MacPherson, Serena Quinn and Shazia Yasin Mughal to December 31, 2022

Public Art Committee

- Nabil Malik, Sharon Heading and Waverly Muessle to December 31, 2021

Regional Advisory Committee on Inclusion, Diversity and Equality

- Chantelle Tatum to December 31, 2020; and Mitchel Bowers and Tammy Jackson to December 31, 2021

Regional Recreation Corporation

- Christopher Pirie, Justin Ellis and Nicholas Germain to December 31, 2021

Subdivision and Development Appeal Board

- Katrina Carruthers and Nayef Mahgoub to December 31, 2021

Wood Buffalo Development Advisory Committee

- Mark Burris and Jin Li to December 31, 2020; and David Secord to December 31, 2021

Wood Buffalo Housing and Development Corporation

- Adekunle Dada to December 31, 2020; Amanda MacPherson and Roy Amalu to December 31, 2022

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Sheila Lalonde, Councillor
SECONDER:	Jane Stroud, Councillor
FOR:	Scott, Allen, Balsom, Lalonde, McGrath, Meagher, Peddle, Stroud
ABSENT:	Inglis, Murphy, Voyageur

Adjournment

The meeting adjourned at 6:09 p.m.

Mayor

Chief Legislative Officer



COUNCIL REPORT

Meeting Date: January 14, 2020

**Subject: Bylaw No. 20/001 - Land Use Bylaw Text Amendment
Small Holdings District - Draper and Highway 69/ Clearwater River
Valley Area Structure Plan Amendment**

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 20/001, being a Land Use Bylaw Text Amendment to insert Religious Assembly as a Discretionary Use – Planning Commission specific to Small Holdings District to Lot 6, Plan 992 0950 (128 Garden Lane), and an Area Structure Plan Amendment for the Highway 69/Clearwater River Valley Area Structure Plan to amend Policy 5.2.6 Small Holdings to include Religious Assembly be read a first time; and
2. THAT the required public hearing be held on February 11, 2020.

Summary:

An application has been received by the Planning and Development Department for a text amendment to the Small Holdings District of the Land Use Bylaw and an amendment to the Highway 69/Clearwater River Valley Area Structure Plan.

The text amendment to Section 120.3 of the Land Use Bylaw adds Religious Assembly as a site-specific Discretionary Use to 128 Garden Lane (Lot 6, Plan 992 0950) in the Small Holdings District. In addition, an amendment to the Highway 69/Clearwater River Valley is necessary to add Religious Assembly in Policy 5.2.6 as a discretionary use in Small Holdings.

The authority to amend the Land Use Bylaw and the Area Structure Plan is vested with Council under the *Municipal Government Act*. The Planning and Development Department supports the proposed amendments.

Background:

Corcoda Incorporated applied for the proposed amendments on behalf of the Tabernacle of Praise Church. The church is attracted to 128 Garden Lane for its natural setting and amenities. Their vision for the property includes renovating the existing

building to create space for worship and activities, office space, and the addition of a second floor multipurpose room. They will utilize the existing playground and parking lot, while adding community gardens and incorporating the former Sawridge Hotel lobby canopy and pergola. To achieve this vision, an amendment to the Land Use Bylaw is necessary, and recommended to be site-specific, so as not to enable Religious Assembly as a use on other Small Holdings parcels.

To ensure consistency between the Land Use Bylaw and the Highway 69/Clearwater River Valley Area Structure Plan (ASP), an amendment to the ASP is also recommended. The Land Use Bylaw and ASP contemplate Small Holdings as an area suitable for agricultural pursuits and large acreage development in areas susceptible to flooding. As there is no mention of institutional uses in the Area Structure Plan, an amendment to add Religious Assembly is necessary.

The open house for the proposed text amendment was hosted by the applicant at the Royal Canadian Legion on September 10, 2019 from 3:00-8:00 pm. The open house was advertised in the Fort McMurray Today both in print and online, as well as on signage in the community and on-site. Personal invitations were also hand delivered to households in Draper. Sixteen Draper residents attended the open house and provided comments in support of the proposal. In addition, support was received from three Draper residents who were unable to attend the meeting. No objections were received.

Rationale for Recommendation:

The intent of the Small Holdings designation in Policy 5.2.6 of the Area Structure Plan is to avoid the fragmentation of large parcels and provide for large lots on lands that are susceptible to flooding. As the Religious Assembly use is a typology that requires large parcels, it would therefore maintain and be consistent with the purpose of the Small Holdings District. The institutional nature of the proposed use means that people will not be residing in an area susceptible to flooding.

The proposed development considers the rural and natural character of the community due to the presence of existing naturalized areas on-site, and proposed community gardens. It also enhances the available gathering and recreational opportunities in the community by re-using the play structures present on-site. This is in alignment with policies in the Municipal Development Plan, including R.1.2 - Protect and Enhance Areas of Stability, C.3 - Protected Character of Residential Communities, and 4.1.2 - Foster Opportunities for Social Interaction.

Upgrades are currently underway to re-grade and pave Draper Road to municipal engineering standards, while Garden Lane is scheduled to be upgraded in 2021. When complete, these improvements will address community concerns related to dust, safety and maintenance. A traffic impact assessment will be required at the development permit stage to determine whether any further upgrades are necessary.

The proposed amendments are supported by the community and ensure consistency

between the Land Use Bylaw and the Area Structure Plan. Planning and Development supports the proposed amendments to the Land Use Bylaw's Small Holdings District and to the Highway 69/ Clearwater River Valley Area Structure Plan and recommends that Bylaw No. 20/001 be given first reading to allow for scheduling of a public hearing.

Strategic Priorities:

Responsible Government
Rural and Indigenous Communities and Partnerships

Attachments:

1. Bylaw No. 20/001 - Land Use Bylaw Text Amendment and Highway 69/Clearwater River Valley Area Structure Plan Amendment

BYLAW NO. 20/001

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND HIGHWAY 69/CLEARWATER RIVER VALLEY AREA STRUCTURE PLAN AND LAND USE BYLAW NO. 99/059

WHEREAS Section 633 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw amending an Area Structure Plan.

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, duly assembled hereby enacts as follows:

1. Land Use Bylaw No. 99/059 is amended by:
 - (a) Adding to 120.4 SH Small Holdings District

Discretionary Uses – Planning Commission
 - (k) Religious Assembly to Lot 6, Plan 992 0950.
2. Bylaw No. 99/058, being the Highway 69/ Clearwater River Valley Area Structure Plan is amended by:
 - (a) Adding to Policy 5.2.6 Small Holdings Golf Courses, bed and breakfast establishments, **Religious Assembly**, resort and other private recreational developments could be considered as discretionary uses.

as depicted on Schedule A.
3. This Bylaw comes into force the date it is passed.

READ a first time this _____ day of _____, 2020.

READ a second time this _____ day of _____, 2020.

READ a third and final time this _____ day of _____, 2020.

SIGNED and PASSED this _____ day of _____, 2020.

Mayor

Chief Legislative Officer

BYLAW 20/001

SCHEDULE "A"



SUBJECT AREA

**AMENDMENT TO ADD "RELIGIOUS ASSEMBLY" TO SH - SMALL HOLDINGS
(SITE SPECIFIC)**

Public Hearing re: Bylaw No. 19/028 – Land Use Bylaw Text Amendment – Add Cluster Housing as a Discretionary Use to the HR – Hamlet Residential District

- A. Introduction from Administration
 - Brad McMurdo, Director, Planning and Development
- B. Written Presentations
 - None received
- C. Verbal Presentations
 - None received
- D. Other Verbal Presentations (Time Permitting and with Consent of Council)
- E. Questions of Council
- F. Closing Statement from Administration
 - Brad McMurdo, Director, Planning and Development



COUNCIL REPORT

Meeting Date: January 14, 2020

Subject: Bylaw No. 19/028 - Land Use Bylaw Text Amendment - Add Cluster Housing as a Discretionary Use to the HR - Hamlet Residential District

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 19/028, being a text amendment to add Cluster Housing as a Discretionary Use to the HR- Hamlet Residential District of the Land Use Bylaw No. 99/059, be read a second time.
2. THAT Bylaw No. 19/028 be read a third and final time.

Summary:

The proposed bylaw (Attachment 1) is a text amendment to the Land Use Bylaw No. 99/059 to add Cluster Housing as a Discretionary Use (Development Officer) to the Hamlet Residential District.

Administration has received interest from applicants wishing to construct Cluster Housing in Fort Chipewyan. However, this type of housing is not contemplated in the Hamlet Residential District, which is the primary residential district in not only Fort Chipewyan, but also Fort McKay, Anzac, Janvier, and Conklin. Administration supports amending the Land Use Bylaw to enable Cluster Housing to be considered in these communities.

Background:

Much of the current housing stock in Fort Chipewyan is made up of single detached dwellings and manufactured homes. The Fort Chipewyan Area Structure Plan (ASP), adopted in May 2018, established a vision for development in the hamlet, which promotes a range of housing choices and densities to meet the community's housing needs. Principle 2 of the ASP identifies affordable housing as being a high priority for the community.

The Medium Density Residential area of the ASP provides for a range of housing densities, including multi-unit residential development such as Cluster Housing. Higher

density housing helps to support more affordable housing options for residents, and also makes better use of existing land in Fort Chipewyan, where new lots can be expensive to develop.

In the Land Use Bylaw, higher density residential uses, including Apartment Building, Fourplex, Townhouse and Triplex, are allowed in the Hamlet Residential District, however Cluster Housing is not an available use. In addition to being more affordable, Cluster Housing provides more opportunities for gathering and communal spaces on the property and is more culturally appropriate for some communities where many generations may share a property.

The ASPs for Fort McKay, Anzac, Janvier, and Conklin also support Cluster Housing by encouraging a range of housing types and denser forms of housing. The Hamlet Residential District is out of alignment with these respective ASPs, and therefore not fully reflective of current community needs.

Budget/Financial Implications:

There are no anticipated budget implications related to the passing of this bylaw. However, should Cluster Housing be added as a Discretionary Use in the Hamlet Residential District, there could potentially be an increase in tax revenue from this type of development in the future.

Rationale for Recommendation:

There is a need for more housing in the rural area that is not only affordable but provides living space for residents of all ages and in different stages of life. By adding Cluster Housing as a Discretionary Use (Development Officer) in the Hamlet Residential District, the proposed amendment can help to support the development of more diverse housing options that meet community needs.

Public engagements conducted as part of ASP processes in Fort Chipewyan, Fort McKay, Anzac, Janvier, and Conklin found a need for diverse ranges of housing. The proposed amendment would ensure that all communities benefit equally from the inclusion of Cluster Housing. Administration supports this amendment as it would ensure that the Land Use Bylaw is consistent with the ASPs for these hamlets.

Strategic Priorities:

Rural and Indigenous Communities and Partnerships

Attachments:

1. Bylaw No. 19/028 Land Use Bylaw Text Amendment - Add Cluster Housing to Hamlet Residential District

BYLAW NO. 19/028**A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND LAND USE BYLAW NO. 99/059**

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, hereby enacts as follows:

1. Land Use Bylaw No. 99/059 is hereby amended by adding to Section 103.3 — HR - Hamlet Residential — Discretionary Uses - Development Officer

Cluster Housing

2. This bylaw shall come into effect when it is passed.

READ a first time this 26th day of November, 2019.

READ a second time this _____ day of _____, 2020.

READ a third and final time this _____ day of _____, 2020.

SIGNED and PASSED this _____ day of _____, 2020.

Mayor

Chief Legislative Officer



COUNCIL REPORT

Meeting Date: January 14, 2020

Subject: Bylaw No. 19/029 - Conversion Therapy Bylaw

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 19/029, being a Conversion Therapy Bylaw, be read a second time.
2. THAT Bylaw No. 19/029 be read a third and final time.

Summary:

Conversion therapy is not a recognized health service in Alberta and cannot be provided by any regulated health professional in Alberta. Psychologists and psychiatric nurses are regulated under Alberta's Health Professions Act ("HPA"). Therapists are expected to be regulated under the HPA in the winter of 2019/2020. The various associated colleges and health professions manage their members directly to sanction them if an unrecognized health service is being provided of which they become aware. The practice of conversion therapy is opposed by the Canadian Psychological Association.

Background:

Conversion therapy has many definitions. Administration recommends the definition used by the Government of Canada in a Bill being advanced pursuant to the exclusive federal jurisdiction over criminal law. The proposed Bill will criminalize the delivery of conversion therapy on minors and the receipt of financial or other material benefit from the practice. It is defined as meaning:

"...any practice, treatment, counselling, or service that seek or are designed to change an individual's sexual orientation or gender identity, or to eliminate or reduce sexual attraction or sexual behaviour between persons of the same sex. For greater certainty, this definition does not include a surgical sex change or any related service by a medical professional."

Administration sought and was provided with an external legal opinion regarding legal issues that would arise if the Regional Municipality of Wood Buffalo (Municipality)

enacted a bylaw banning conversion therapy within the Municipality. Some key points made in the opinion were:

- remain within the legal jurisdiction of the Municipality to make bylaws for the safety, health and welfare of people;
- avoid entering the realm of criminal law which is solely within federal jurisdiction; and
- persons delivering conversion therapy might advance challenges based upon rights enshrined in section 2 of the Canadian Charter of Rights and Freedoms, namely the right of freedom of expression as it relates to advertising and the freedom of conscience and religion.

On October 22, 2019, Council considered a motion as follows:

“THAT Administration prepare a bylaw to prohibit the licensing, practice and promotion of conversion therapy in the Regional Municipality of Wood Buffalo, looking at all mechanisms for the enforcement, including a \$10,000 fine, and to return to Council before the end of the year.”

The motion was passed.

In support of the motion, Council heard from and had before it, the 2019 report of Dr. Kristopher Wells, Associate Professor and Canada Research Chair for the Public Understanding of Sexual and Gender Minority Youth, McEwen University entitled Conversion Therapy in Canada: The Roles and Responsibilities of Municipalities about scientific consensus confirming conversion therapy is ineffective, that a majority of Canadians oppose conversion therapy and the harms caused by conversion therapy were described.

Council also heard from a presenter who is a member of a local Pride organization about his experience and concerns with conversion therapy.

Conversion therapy is opposed by the Canadian Psychological Association (CPA 2015 Policy Statement on Conversion Therapy is attached), the World Health Organization, Amnesty International and others.

Some Canadian governments at all three levels have taken or are taking steps to regulate or prohibit the practice of conversion therapy. The legislation being advanced is pursuant to federal criminal law powers, health law powers of provincial governments and municipal government powers to enact bylaws protecting health, safety and welfare and the licensing of businesses. Some examples are:

Federal:

- Canada - Bill S-260 to criminalize practice of conversion therapy - introduced in the Senate on April 9, 2019;

Provincial:

- Manitoba - the first province to ban conversion therapy in 2015 and the province does not endorse it in the province's healthcare system and expects its regional health authorities and health profession regulatory colleges to ensure that conversion therapy is not practiced in Manitoba's healthcare system;
- Ontario - introduced a Bill in 2015 to amend its *Health Insurance Act* and *Regulated Health Professions Act* to end the funding of conversion therapy under the province's health insurance plan;
- Nova Scotia - introduced legislation in September 2018, entitled *Sexual Orientation and Gender Identity Protection Act*, to make it illegal for health professionals to provide conversion therapy for those under the age of 19, and makes conversion therapy an uninsurable practice; and
- British Columbia - in May 2019 gave first reading to a Bill called the *Sexual Orientation and Gender Identity Act* to prohibit the provision of conversion therapy to minors and by persons in a position of trust or authority, to prohibit the payment of costs provided as a hospital service or professional service, and the expenditure of public funds for conversion therapy.

Municipal

- Vancouver, BC - the first Canadian city to ban businesses from offering conversion therapy services by amending an existing bylaw called the *Business Prohibition Bylaw*;
- Strathcona County, AB - in September 2019, this local government adopted a Conversion Therapy Prohibition Bylaw creating offenses for the performance of conversion therapy on a person under the age of 18 years and for any person performing conversion therapy on any other person without that other person's consent;
- Spruce Grove, AB - a resolution was passed directing administration to report to Council by mid-October 2019 on the potential to ban the practice of conversion therapy in Spruce Grove and potential changes under a Land Use Bylaw, Business License Bylaw and enforcement and find options;
- St. Albert, AB - passed a resolution in June 2018 directing administration to prepare a bylaw by December 31, 2019 to amend the Land Use Bylaw and Business Licensing Bylaw, create fines and make conversion therapy an unlawful business activity; and
- Edmonton, AB - a motion was passed directing administration to prepare a bylaw that prohibits the licensing, practice and promotion of conversion therapy, to include a \$10,000 fine, and other mechanisms under the zoning bylaw and business license bylaw.

Rationale for Recommendation:

Based on the information provided in this Report and research in other jurisdictions, Administration recommends Council approve the attached Bylaw prohibiting the practice and advertisement and licensing of conversion therapy in the Regional Municipality of Wood Buffalo.

Strategic Priorities:

Responsible Government

Attachments:

- 1. CPA 2015 Policy Statement on Conversion Therapy**
 - 2. Proposed Bylaw No. 19-029 - Conversion Therapy Bylaw**
- Dr. K. Wells Letter re Conversion Therapy Bylaw Letter**

CANADIAN
PSYCHOLOGICAL
ASSOCIATION



SOCIÉTÉ
CANADIENNE
DE PSYCHOLOGIE

CPA Policy Statement on Conversion/Reparative Therapy for Sexual Orientation

The Canadian Psychological Association opposes any therapy with the goal of repairing or converting an individual's sexual orientation, regardless of age. Conversion therapy, or reparative therapy, refers to any formal therapeutic attempt to change the sexual orientation of bisexual, gay and lesbian individuals to heterosexual (e.g., Nicolosi, 1991; Socarides & Kaufman, 1994). It can include prayer or religious rites, modification of behaviours, and individual or group counselling (Bright, 2004; Nicolosi, 1991).

Scientific research does not support the efficacy of conversion or reparative therapy (Haldeman, 1994; Spitzer, 2012; see Anton, 2010). Conversion or reparative therapy can result in negative outcomes such as distress, anxiety, depression, negative self-image, a feeling of personal failure, difficulty sustaining relationships, and sexual dysfunction (e.g., Haldeman, 2001; Shidlo & Schroeder, 2002; Beckstead & Morrow, 2004; Glassgold et al., 2009). There is no evidence that the negative effects of conversion or reparative therapy counterbalance any distress caused by the social stigma and prejudice these individuals may experience.

The Canadian Psychological Association also recognizes that individuals differ in the fluidity of their sexual attractions across the lifespan (Rust, 1993; Spitzer, 2003; Diamond, 2007), but does not view such naturally occurring fluidity as supporting arguments in favour of conversion or reparative therapies. As well, individuals may experience distress about their non-heterosexual attractions or orientation, due to negative internalized beliefs or external factors such as family, religious, or societal values or discrimination (e.g., Bartlett, Smith, & King, 2009; Beckstead, 2012; Beckstead & Morrow, 2004). As such, seeking therapy from an LGB-affirmative or person-focused therapist is a positive step towards maintaining one's mental health (see Anton, 2010; Beckstead 2012).

References:

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BYLAW NO. 19/029

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO REGULATE AND CONTROL THE PROVISION OF CONVERSION THERAPY WITHIN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO

WHEREAS pursuant to section 3 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, it is a purpose of a municipality to develop and maintain safe and viable communities;

AND WHEREAS pursuant to section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and to create offenses and impose fines and penalties;

AND WHEREAS pursuant to section 8 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended, a council may in a bylaw, regulate or prohibit;

AND WHEREAS Council for the Regional Municipality of Wood Buffalo has been advised that the practice known as "conversion therapy", when performed on minors and unwilling recipients, has a damaging effect on the health and welfare of the recipient and therefore is a danger to the safety and mental well-being of such persons;

AND WHEREAS Council for the Regional Municipality of Wood Buffalo deems it desirable and necessary in order to protect and preserve the safety and welfare of its citizens, to prohibit the practice and advertisement of conversion therapy on minors and non-consenting individuals within the geographic limits of the Regional Municipality of Wood Buffalo;

NOW THEREFORE, the Council for the Regional Municipality of Wood Buffalo, duly assembled, hereby enacts as follows:

1. SHORT TITLE

- 1.1. This Bylaw may be cited as the "Conversion Therapy Bylaw".

2. DEFINITIONS

- 2.1. "Business" means any business as defined in section 1(1) of the *Municipal Government Act*, or successor legislation;
- 2.2. "Carry on" means carry on, operate, perform, deliver, deal in or use for gain, whether as principal or agent, and includes all aspects of promoting, marketing, advertising, selling, delivering, supporting and servicing the goods or services of the practice of Conversion Therapy.

- 2.3. "Conversion Therapy" means any practice, treatment, counselling, or service that seek or are designed to change an individual's sexual orientation or gender identity, or to eliminate or reduce sexual attraction or sexual behaviour between persons of the same sex. For greater certainty, this definition does not include a surgical sex change or any related service by a Medical Professional;
- 2.4. "License" means a license as defined or required by the License Bylaw;
- 2.5. "License Bylaw" means Bylaw No. 01/031 of the Regional Municipality of Wood Buffalo;
- 2.6. "Medical Professional" means a regulated member, as defined in the *Health Professions Act*, R.S.A. 2000 c. H-7, who has completed a course of study and is certified to practice by one or more of the following bodies:
- 2.6.1 College of Physicians and Surgeons of Alberta; or
- 2.6.2 College of Alberta Psychologists;
- 2.7. "Minor" means an individual who is under 18 years of age;
- 2.8. "Municipal Government Act" means the *Alberta Municipal Government Act*, RSA 2000, c. M-26, as amended;
- 2.9. "Municipality" means the Regional Municipality of Wood Buffalo, a municipal corporation in the Province of Alberta and, where the context so requires, means the area contained within the corporate boundaries of the Regional Municipality of Wood Buffalo;
- 2.10. "Peace Officer" includes a member of the Royal Canadian Mounted Police, a Community Peace Officer appointed by the Municipality and a Bylaw Enforcement Officer appointed to enforce the Municipality's bylaws;
- 2.11. "Person" means an individual and includes a corporation and the heirs, executors, administrators or other legal representatives of a person; and,
- 2.12. "Substitute Decision-Maker" means a person who is authorized by law or otherwise to make decisions, including medical and treatment decisions on another person's behalf, and includes a guardian under the *Adult Guardianship and Trusteeship Act*, R.S.A. 2000, c. A-4.32;

3. PROHIBITION ON CONVERSION THERAPY

- 3.1. No Person shall provide, perform, or impose Conversion Therapy on a Person who is a Minor.

- 3.2. No Person shall provide, perform, or impose Conversion Therapy on any other Person without that other Person's written consent which written consent must be kept as a permanent record.
- 3.3. No Substitute Decision-Maker shall consent to the provision, performance, or imposition of Conversion Therapy on a Minor or on any other person, without that Person's informed and express written consent.

4. PROHIBITION ON THE ADVERTISEMENT OF CONVERSION THERAPY

- 4.1. No Person shall advertise, in writing or otherwise, to provide or perform Conversion Therapy or advertise, in writing or otherwise, an offer to provide or perform Conversion Therapy where such advertisement could be seen, viewed, heard, or read by a Minor.

5. LICENSING

- 5.1. If the Chief License Inspector appointed pursuant to the License Bylaw believes, upon reasonable and probable grounds, that a person applying for a License or in possession of a License will carry on or carries on Conversion Therapy contrary to this Bylaw, the Chief License Inspector shall:
 - (a) refuse to grant the License to an applicant; or
 - (b) revoke or suspend the License,
 in accordance with the License Bylaw.
- 5.2. The refusal to grant a License or a revocation or suspension of a License by the Chief License Inspector pursuant to section 5.1 may be appealed pursuant to the License Bylaw.

6. PENALTIES

- 6.1. A Person who contravenes any provision of this Bylaw is guilty of an offence.
- 6.2. A Person who is guilty of an offence is liable to a fine in an amount not less \$1,000.00 and not exceeding \$10,000.00, and to imprisonment for not more than 6 months for non-payment of a fine.
- 6.3. If an offence is of a continuing nature, each day or part thereof that a Person fails to comply with the requirements of this Bylaw or breaches the requirements of this Bylaw, constitutes a new offence.
- 6.4. Any penalty imposed pursuant to this Bylaw will be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation
- 6.5. Any Person who interferes with or obstructs a Peace Officer in the execution of the Peace Officer's duties or provides false information to a Peace Officer under this Bylaw is guilty of an offence.

7. VIOLATION TICKET

- 7.1. A Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended, to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 7.2. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - 7.2.1 specify the fine amount established by this Bylaw for the offence; or
 - 7.2.2 require a Person to appear in court without the alternative of making a voluntary payment.

8. VOLUNTARY PAYMENT

- 8.1. Person who commits an offence may:
 - 8.1.1 if a Violation Ticket is issued in respect of the offence; and
 - 8.1.2 if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

9. SEVERABILITY

- 9.1. Should any provision of this Bylaw be declared invalid by a court of competent jurisdiction, then the invalid provision shall be severed, and the remainder of the Bylaw shall remain in effect.

10. CONFLICT WITH OTHER BYLAWS

- 10.1. Nothing in this Bylaw shall exempt any Person from complying with the requirements of any bylaw in force or from obtaining any license, permission, permit, authority or approval required under any bylaw or provincial or federal statute or regulation.

11. COMING INTO FORCE

11.1. This Bylaw shall come into force on the day it is finally passed.

READ a first time this 10th day of December, 2019.

READ a second time this _____ day of _____, 2020.

READ a third and final time this _____ day of _____, 2020.

SIGNED and PASSED this _____ day of _____, 2020.

Mayor

Chief Legislative Officer

January 13, 2020

Dear Mayor and Council Members of the Regional Municipality of Wood Buffalo,

Unfortunately, I am not able to attend your council meeting on January 14, 2020 and provide comments on the second reading of proposed Bylaw No. 19/029 (Conversion Therapy). I have carefully reviewed the Bylaw and would like to highlight the need for a number of recommended changes as part of your council deliberations.

1. The current bylaw which is focused on minors is not in keeping with the motion Council made on October 22, 2019, which states:

“THAT Administration prepare a bylaw to prohibit the licensing, practice, and promotion of conversion therapy in the Regional Municipality of Wood Buffalo, looking at all mechanisms for enforcement, including a \$10,000 fine, and to return to Council at the end of the year.”

Given this motion, which has no age restriction, it is concerning that the proposed bylaw under discussion only impacts minors. This is not in keeping with key recommendations, nor the bylaws recently passed in St. Albert and Edmonton, which are the current recommended best practice.

If passed, your bylaw would not be comprehensive and very limited in scope and impact. For example, conversion therapy often targets vulnerable young adults (ages 18 to 25) who would continue to be targets and victims if your bylaw were to pass as written. It is important to remember that no minor or adult can consent to a practice that is known to be harmful and fraudulent.

2. It is recommended that “Business” be clearly defined broadly to include more than commercial enterprises. For clarity, it would be important to include a definition of “business” explicitly in your bylaw (rather than simply referencing the Municipal Government Act definition).
3. The definition of Conversion Therapy used in section 2.3 is outdated in scope and language, and should be replaced with the more comprehensive definition used in St. Albert’s bylaw, which reads as:

“Conversion therapy” means offering or providing counselling or behaviour modification techniques, administration or prescription of medication, or any other purported treatment, service, or other thing for the purpose of changing, repressing, or discouraging an individual’s sexual orientation, gender identity, or gender expression, or gender preference, or for the purpose of eliminating or reducing sexual attraction or sexual behaviour between individuals of the same sex, but does not include:

- i. services that provide acceptance, support, or understanding of an individual or that facilitate an individual’s coping, social support, or identity exploration or development; or
- ii. gender-affirming surgery or any support or other service related to gender-affirming surgery.

The addition of parts i. and ii. are important to include as they clarify what services can still be provided, which are important components of gender-affirmative care and appropriate counselling services.

- 4. Item 2.6 appears to be unnecessary as “medical professionals’ fall under provincial jurisdiction, not municipal. This inclusion creates unnecessary confusion.

- 5. Item 3.1 should remove “minor” and be changed to read as:

“No Person, business, or organization shall provide, perform, advertise, or impose Conversion Therapy on any person.”

- 6. Items 3.2 and 3.3 should be removed as no person can “consent” to a dangerous and fraudulent practice, nor can a substitute decision maker be provided.

These items are inconsistent with the bylaws passed in Edmonton and St. Albert, which contain no such provisions.

- 7. Item 4.1 - remove “where such advertisement could be seen, viewed, heard, or read by a Minor.” Again, this bylaw must apply to all individuals regardless of age. New wording suggested in 3.1 covers any advertisement.



8. Item 6.2. To be consistent with Edmonton and St. Albert Bylaws the fine is automatically \$10,000. Remove: "in an amount of not less \$1,000 and not exceeding" and leave as \$10,000.

With these proposed amendments, your bylaw will be very comprehensive, follow recommended best practices, and will be in keeping with the bylaws passed in St. Albert and Edmonton, which are considered amongst the most comprehensive conversion therapy legislation in Canada.

It is imperative for your bylaw to be effective that it have no age restrictions, contain maximum fines and penalties, and include all groups and organizations under the definition of business.

These changes will ensure your bylaw is in keeping with Council's original intent (and notice of motion) and will also ensure your municipality is seen as a leader in protecting and supporting its most vulnerable citizens.

If needed, I am available to speak with any Council Members or administration about these suggested changes.

I applaud your leadership and wish you much success in your important deliberations.

Sincerely,

Dr. Kristopher Wells | Associate Professor

Canada Research Chair (Tier II)

Public Understanding of Sexual and Gender Minority Youth

Department of Child & Youth Care | Faculty of Health & Community Studies

MacEwan University



COUNCIL REPORT

Meeting Date: January 14, 2020

Subject: Council Committee Appointments

APPROVALS:

Annette Antoniak

Director

Chief Administrative Officer

Recommended Motion:

THAT the following appointments be made effective immediately:

Subdivision and Development Appeal Board

- ☐ Rene Wells and Alethea Austin to December 31, 2021.

Combative Sports Commission

- ☐ Craig Hillier, Combative Sports knowledge, to December 31, 2021; and
- Andy Campbell, Law Enforcement knowledge, to December 31, 2020.

Summary and Background:

In keeping with the established bylaws, the appointment of individuals to Council committees must be approved by Council. Following the annual recruitment, Council met in closed to review applications received for positions available. The recommended appointees were contacted and confirmed their continued interest in serving on the committees.

Rationale for Recommendations:

The appointment of members is necessary to ensure the continued viability of the two Council committees.

Strategic Priorities:

Responsible Government