

**MINUTES OF A REGULAR MEETING OF THE COUNCIL OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO HELD IN THE COUNCIL CHAMBERS AT THE MUNICIPAL OFFICES IN FORT McMURRAY, ON TUESDAY, JUNE 08, 2004, COMMENCING AT 6:00 P.M.**

PRESENT:	DEPUTY MAYOR	M. CADDEN
	COUNCILLORS	M. BLAKE J. CARBERY J. CHADI S. GERMAIN P. MEAGHER C. SLADE J. VYBOH T. WEBER
	REGIONAL MANAGER	D. PUTZ
	CHIEF LEGISLATIVE OFFICER	K. GREIG
	LEGISLATIVE COORDINATOR	A. ROGERS
ABSENT:	MAYOR	D. FAULKNER (Leave of Absence)
	COUNCILLOR	J. RIGNEY

**CALL TO ORDER**

The Deputy Mayor called the meeting to order at 6:01p.m.

**1. PRAYER**

The Deputy Mayor asked everybody to join him in the Prayer.

**APOLOGIES**

The Deputy Mayor extended apologies on behalf of Councillor Rigney, who was unable to attend this evening's meeting.

**2. ADOPTION OF AGENDA**

The Deputy Mayor asked if there were any additions or deletions to the Agenda.

MOVED by Councillor Meagher that the Agenda be adopted as

presented.

CARRIED UNANIMOUSLY

### **3. PRESENTATIONS**

None Scheduled.

### **4. MINUTES OF PREVIOUS MEETINGS**

#### **A. REGULAR MEETING – MAY 25, 2004**

The Minutes of the Regular Council Meeting held on May 25, 2004 were submitted for consideration.

MOVED by Councillor Carbery that the Minutes of the Regular Council Meeting held on May 25, 2004 be approved as presented.

CARRIED UNANIMOUSLY

#### **4-B. BUSINESS ARISING OUT OF MINUTES**

There was no business arising out of the Minutes.

### **5. PUBLIC HEARINGS**

MOVED by Councillor Weber that the Regular Meeting move into the Public Hearing at 6:03 p.m.

CARRIED UNANIMOUSLY

### **RECONVENE**

The regular meeting reconvened at 7:13 p.m.

### **6. UPDATES**

#### **6-A. REPORTING OF COUNCILLORS ON VARIOUS BOARDS/COMMITTEES (COUNCILLORS CHADI, VYBOH, WEBER, BLAKE & CARBERY)**

Councillor Chadi reported on the following:

- Audit/Budget Standing Committee
- Upcoming Treaty Days Celebrations

Councillor Vyboh reported on the following:

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- Syncrude Annual General Meeting
- Canadian Cancer Society Relay for Life

Councillor Weber reported on the following:

- Mikisew Commercial Trust Presentation and Open House
- Community Identification Committee
- Fort McMurray Social Dance Club Event
- Attendance at 2004 FCM Conference

Councillor Blake reported on the following:

- Community Services Standing Committee
- Wood Buffalo Housing & Development Corporation
- Participation on Selection Committee for 2004 Senior of the Year
- Ronald MacDonald Charity Golf Tournament
- Tim Horton's Camp Day

Councillor Carbery reported on the following:

- Native Christian Fellowship Church Donations to offset Local Improvement levies
- Planning & Development Standing Committee

## **6-B. DEPUTY MAYOR'S UPDATE**

Deputy Mayor Cadden reported on the following:

- Attendance at 2004 FCM Conference
- Seniors' Week Opening
- Tim Horton's Camp Day

## **7. REPORTS**

### **7-A. AGENDA BILL # 04-080 – REALLOCATION OF STREET IMPROVEMENT & RURAL TRANSPORTATION GRANTS**

04/147

Reference was made to Agenda Bill # 04-080, dated June 3, 2004, and prepared by Alain Simard, Engineering & Public Works, regarding the Reallocation of Street Improvement and Rural Transportation Grants.

MOVED by Councillor Meagher:

1. THAT the remaining Street Improvement and Rural Transportation Grant funding be re-allocated to the following projects:
  - 2003 Anzac Paving Project - \$35,866.02 (Rural Transportation Grant)

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- 2004 Fort McKay Paving Project - \$16,210.56 (Streets Improvement Grant)
  - 2004 Conklin Paving Project - \$15,952.44 (Streets Improvement Grant)
  - Saprae Creek Guide Rail Upgrading - \$50,970.87 (Rural Transportation Grant)
2. THAT the remaining Grant funds of \$42,991.11 be carried over to projects scheduled to take place in 2005.
  3. THAT the Municipal contribution of \$8,657.05 be funded from the 2004 Roads and Transportation Operating Budget.

CARRIED UNANIMOUSLY

**7-B. AGENDA BILL # 04-081 - ROADWAY REHABILITATION PROGRAM - ACCELERATED SCHEDULING**  
04/148

Reference was made to Agenda Bill # 04-081, being Report No. ER04-12, dated May 19, 2004, and prepared by Wes Holodniuk, Engineering & Public Works, regarding the Roadway Rehabilitation Program – Accelerated Scheduling.

MOVED by Councillor Slade:

1. THAT funds in the amount of \$800,000 be dedicated in 2004 from the Emerging Issues Reserve for the accelerated roadway program.
2. THAT Administration proceed with tendering the projects in order of priority.

Mr. Holodniuk confirmed that the portion of Signal Road which was discussed in a Notice of Motion in 2003 is scheduled to be upgraded this summer. He indicated that 100 metres on either side of the proposed area will be assessed to determine if it needs to be upgraded before commencing any work. The remaining portion of Signal Road still meets the ride quality index of six; therefore, it will not be upgraded at this time.

Mr. Holodniuk also indicated that staff will be attending a rubber asphalt demonstration and information session in Edmonton. At present, the Municipality is planning to target one project with rubber asphalt, and, if economical for this area, will move ahead with its use.

CARRIED UNANIMOUSLY

**7-C. AGENDA BILL # 04-082 - SIGNAGE AT MUNICIPAL FACILITIES**

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04/149

Reference was made to Agenda Bill # 04-082, being Report No. EPW04-11, dated May 25, 2004, and prepared by Wes Holodniuk, Engineering & Public Works, regarding Signage at Municipal Facilities.

MOVED by Councillor Vyboh:

1. THAT signage be changed for the Jubilee Centre to the Municipal logo and word mark "The Regional Municipality of Wood Buffalo" and "Jubilee Centre" at an estimated cost of \$8,000.00, to be funded from the Engineering & Public Works Operating Budget.
2. THAT Administration complete the branding standards and develop building signage standards.
3. THAT Administration budget for the replacement of signage on buildings according to the branding standards.

Concern was expressed relative to the possible loss of the identification of individual communities through the use of the Municipality's corporate identity, and it was subsequently agreed that the issue of identifying municipal facilities while still maintaining a specific community's identity would be addressed in conjunction with the branding standards, as this was not reflected in the examples provided.

CARRIED UNANIMOUSLY

**7-D. AGENDA BILL # 04-083 - APPLICATION FOR SUBDIVISION – PART OF LOT 5,  
BLOCK 16, PLAN 032 5214 – PARCEL "C" TIMBERLEA**

04/150

Reference was made to Agenda Bill # 04-083, being Report No. PD-023-2004, dated May 28, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Application for Subdivision – Part of Lot 5, Block 16, Plan 032 5214 – Parcel "C" Timberlea.

MOVED by Councillor Blake that the Plan of Subdivision be approved subject to the conditions listed in Attachment # 3 for the following reasons:

1. The use of the land for the proposed subdivision is consistent with the Municipal Development Plan, Timberlea Area Structure Plan and the Land Use Bylaw;
2. The subdivision will be serviced with municipal water and sewer services;
3. Storm water management within the subdivision area will be accommodated by the construction of a storm water management facility; and
4. The land is suitable for the intended residential and

institutional uses.

CARRIED UNANIMOUSLY

**7-E. AGENDA BILL # 04-084 - DEVELOPMENT PERMIT APPLICATION 2003-0779 –  
MULTI FAMILY RESIDENTIAL C/O REAL MARTIN DRIVE & THICKWOOD  
BOULEVARD – LOT 74, PLAN 002 0445**  
04/151

Reference was made to Agenda Bill # 04-084, being Report No. PD-037-2004, dated May 26, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Development Permit Application 2003-0779 – Multi Family Residential c/o Real Martin Drive & Thickwood Boulevard – Lot 74, Plan 002 0445.

The Deputy Mayor noted that Council has received and reviewed the following information

- Copy of presentation made to Planning & Development Standing Committee on June 2, 2004 by the Mill Creek Group
- Letter of support dated May 19, 2004, from Mr. Wendell MacEachern, TRAK Enterprises
- Copy of presentation and petition submitted to Planning & Development Standing Committee on June 2, 2004.
- Letter dated June 4, 2004 from Mr. Anthony Pasini, Infrastructure Systems Ltd. re: Response to Fire Egress Question.

MOVED by Councillor Meagher that a development permit for application # 2003-0779 be approved, subject to the conditions outlined in Attachment 5.

Mr. Dauk came forward and advised that the proposed development is a multi-family complex consisting of two apartment buildings containing 20 and 19 units, with mostly underground parking. The subject property is located at the intersection of Thickwood Boulevard and Real Martin Drive. The Martin Ridge Estates Area Structure Plan was adopted in 1998 and designated the site as multi-family residential. Because of its unique character, the property was left zoned as Direct Control because of its odd shape and its proximity to one of the channels of Conn Creek. The applicant held an open house on May 4, 2004 and surrounding landowners were invited to attend and provide feedback on the proposed development. A considerable amount of information was received and is reflected in the summary report. A number of the issues were raised concerning density, height, inadequate sight lines, inadequate parking facilities, questionable water and sewer capacity, traffic, landscaping, noise, and the impact on the creek area. In reviewing these issues, Administration noted that the Area Structure Plan had originally designated the area for multi-family residential development. The R3 land use district was used as a comparison tool in terms of density. All setbacks either met or exceed the specification of R3 zoning in the Land Use Bylaw. R3 zoning typically allows for a building height of 12.2 metres under the pitch of the roof; however, one of the proposed structures has a height of 12.4 metres, with no pitch of roof. Both landscaping and parking exceed bylaw requirements. Mr. Dauk also noted that an issue

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had been raised with respect to Safety Codes; however, the matter was reviewed by the developer's engineer, Alberta Permit Pro and Fire Department officials and it was determined that the access/egress situation can be resolved to ensure that it meets code requirements.

Concern was raised relative to building height and the potential impact this development could have on adjoining properties, and Mr. Dauk advised that Administration had reviewed this matter and found that similar properties have increased in value at the same rate as other properties. He further noted that a comment was made at the open house with respect to building height, but there was no discussion with respect to negotiating a change in the height of the structure. Concern was also expressed with respect to many residents indicating that they were not aware of the property's zoning or potential for development at the time they purchased their homes. Mr. Dauk advised that the entire area had been bought by one group, and a portion of it was then sold to a developer, who in turn built the homes that presently exist on the site. The zoning of the land has not changed since the Area Structure Plan was developed in 1998.

Concern was raised relative to the Code issues referenced by Mr. Dauk, and the following was put forward:

MOVED by Councillor Weber that Attachment 5 – Proposed Conditions be amended to include the following under Advisory Notes: “Emergency egress and turning angle of departure should be optimized to the maximum extent possible to facilitate egress from the site for emergency vehicles.”

CARRIED UNANIMOUSLY

Mr. Dauk clarified that the 30 metre setback from the Creek was established in the Land Use Bylaw; however, the Martin Ridge Estates Area Structure Plan which designated the site as multi-family residential was adopted before the Land Use Bylaw. As a result, the minimum 30-metre setback would be applied to new areas. He also noted that the property is zoned as Direct Control in the Land Use Bylaw; therefore, the 30-metre setback provision would be at Council's discretion. Mr. Dauk also clarified that with respect to traffic, access to and from Thickwood Boulevard was examined by the developer's engineer and the Municipality's Engineering Department and found to be suitable. With respect to the potential loss of privacy for established residences, it was noted that the subject property was designated for multi-family development before any homes were constructed in the area.

Concern was expressed relative to the fact that the Wood Buffalo area was promoted as a more rural type of community within an urban centre, and that those who purchased or built homes in the area would not have expected apartment buildings to show up a few years later. Mr. Dauk advised that the first phase of Wood Buffalo Estates promoted a rural lifestyle with its one-acre lots; however, the Area Structure Plan for the remainder of the subdivision was changed with smaller lots and multi-family areas.

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Mr. Dauk explained that a number of factors can be used in determining setbacks. In this instance, the R3 District was the most applicable in terms of determining setbacks; however, the setback from the existing homes is substantially increased because of the Creek.

The developer's representative, Mr. Adams, advised that a number of compromises have already been made with this development, including increased landscaping to create a buffer, trees on the municipal boulevard to shield the subdivision from the street, decreased height of one of the buildings, and maximizing the amount of open space. Mr. Adams advised that an open house was held and attended by 21 of the 98 invitees. From that, 9 comment forms were received and a further 6 comments were submitted by fax or e-mail. In assessing those comments, it was noted that there were as many supporting as opposing the development, although only the negative comments were reported.

Mr. Adams further explained that Qualico had an option to purchase the subject property, so they were well aware of the zoning attached to the land. He indicated that the Real Estate Board is likely investigating this matter for misrepresentation. The Deputy Mayor concluded this matter by noting that misleading statements were made by some developers and/or realtors and the Municipality will be following up on this issue with the Real Estate Board.

CARRIED

For: Blake, Cadden, Carbery, Chadi  
Germain, Weber

Opposed: Meagher, Slade, Vyboh

## RECESS

A recess occurred at 8:28 p.m. and the meeting then reconvened at 8:44 p.m.

## CHANGE IN AGENDA FORMAT

In order to accommodate those in attendance, it was agreed to proceed with Items 8-D. and 8-E. and then revert back to the regular Agenda.

### **8-D. BYLAW NO. 04/026 - LOWER TOWNSITE AREA REDEVELOPMENT PLAN AMENDMENT – BLOCK A, PLAN 7904AS AND CLOSED ROAD ALLOWANCE (7901 KING STREET) (AGENDA BILL # 04-077)**

04/152

Reference was made to Agenda Bill # 04-077, being Report No. PD-026-2004, dated May 11, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Lower Townsite Area Redevelopment Plan Amendment – Block A, Plan 7904AS and Closed Road Allowance.



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Bylaw No. 04/026, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 01/044 BEING THE LOWER TOWNSITE AREA REDEVELOPMENT PLAN, was presented to receive second and third readings.

MOVED by Councillor Chadi that Bylaw No. 04/026 be given second reading.

A lengthy discussion ensued, during which the following points were made:

- The subject property is currently zoned “Institutional”; therefore, a number of developments, such as a detention centre, could be placed there without a requirement for rezoning.
- Developing the area as a park would not necessarily make it more safe.
- At the present time, the newly constructed King Street Overpass has greatly increased traffic in the area, and further development would add to the congestion.
- The proposed development doesn’t complement the adjacent residential neighbourhood.
- The River Break-Up Task Force has recommended the installation of incremental dyking along the River and the proposed development would create obstacles to this.
- Considerable time and money were expended in the creation of the Lower Townsite Area Redevelopment Plan, and the proposed development doesn’t fit in with the vision of that Plan.
- Housing and accommodating residents is extremely important, but not if it takes place at the expense of the existing residents.
- The proposed development would have a negative impact on the visual lines that residents have had for many years.
- The proposed development would greatly improve the appearance of this piece of property from what it previously was.

The developer, Mr. Don Farris, explained that he had looked at other types of developments for the subject property. He noted that he had considered a hotel, but that would likely encourage transients, so he opted for extended stay suites, which would be more permanent than a hotel and could be turned into condominiums. Mr. Farris indicated that he had also looked into developing single family housing, but the cost of the land, developing a road, and the number of units wouldn’t make it economical. In order to make this site feasible for development, it would have to be multi-family or something other than residential.

Several Council Members indicated their reluctance to contradict the decision and direction taken in 2001 with the implementation of the Lower Townsite Area Redevelopment Plan, which established a clear vision for the future development of the Lower Townsite.

Voting then took place on second reading of the proposed Bylaw.

DEFEATED UNANIMOUSLY

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**8-E. BYLAW NO. 04/027 - LAND USE BYLAW AMENDMENT – BLOCK A, PLAN 7904AS  
AND CLOSED ROAD ALLOWANCE (AGENDA BILL # 04-078)**

04/153

Reference was made to Agenda Bill # 04-078, being Report No. PD-027-2004, dated May 12, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Block A, Plan 7904AS and Closed Road Allowance.

Bylaw No. 04/027, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059, BEING THE LAND USE BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Meagher that Bylaw No. 04/027 be given second reading.

DEFEATED UNANIMOUSLY

**7-F. AGENDA BILL # 04-085 - CHIP CHILD DEVELOPMENT SOCIETY LEASE**

04/154

Reference was made to Agenda Bill # 04-085, being Report No. PD-043-2004, dated June 1, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Chip Child Development Society Lease.

MOVED by Councillor Chadi that a portion of Lot A, Plan 992 1844 be leased to the Chip Child Development Society for a twenty-five (25) year term at the nominal rate of \$1.00.

CARRIED UNANIMOUSLY

**7-G. AGENDA BILL # 04-086 - ALBERTA CENTENNIAL LEGACIES GRANT PROGRAM –  
PHASE 3**

04/155

Reference was made to Agenda Bill # 04-086, dated June 2, 2004, and prepared by Stephen Clarke, Community Services, regarding the Alberta Centennial Legacies Grant Program – Phase 3.

MOVED by Councillor Meagher that an application to the Centennial Legacies Grant Phase 3 Program for the Timberlea Athletic Park be supported.

CARRIED UNANIMOUSLY

**7-H. AGENDA BILL # 04-087 - JANVIER COMMUNITY CENTRE**  
04/156

Reference was made to Agenda Bill # 04-087, dated May 31, 2004, and prepared by Stephen Clarke, Community Services, regarding the Janvier Community Centre.

MOVED by Councillor Blake:

1. THAT tender number QU1471 – Janvier Municipal Office and Fire Hall be awarded to Genevieve Contractors Ltd. in the amount of \$1,783,082.00, plus GST.
2. THAT Council support Community Services request to fund the Janvier Community Centre project shortfall of \$300,878.25 from the 2004 Operating Budget.

CARRIED UNANIMOUSLY

**7-I. AGENDA BILL # 04-088 - TENDER AWARD # QU1513 – FIRE HALL # 3 ADDITION/  
RENOVATION PROJECT**  
04/157

Reference was made to Agenda Bill # 04-088, dated June 2, 2004, and prepared by Jeff Carlisle, regarding Tender Award # QU1513 – Fire Hall # 3 Addition/Renovation Project.

MOVED by Councillor Weber:

1. THAT tender number QU1513 Fire Hall # 3 Thickwood Station be awarded to Piche Bros. Contracting Inc. in the amount of \$1,153,995.00, plus GST.
2. THAT an additional \$612,737.74 be funded from the 2004 Operating Budget; however, in the event that the Corporation Operating Budget is unable to cover the total additional cost, that up to \$179,168.00 be funded from the Emerging Issues Reserve.

Mr. Carlisle advised that Council had previously approved an intervention time of 8 minutes for emergency medical services and 10 minutes for all other emergencies in the Urban Service Area. The Thickwood Fire Station Renovations are required to meet the established service delivery standard by accommodating the appropriate equipment.

CARRIED UNANIMOUSLY

**8. BYLAWS**

**8-A. BYLAW NO. 04/023 - LAND USE BYLAW AMENDMENT – R1S-SINGLE DETACHED  
SMALL LOT RESIDENTIAL DISTRICT (AGENDA BILL # 04-074)  
04/158**

Reference was made to Agenda Bill # 04-074, being Report No. PD030-2004, dated May 13, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment R1S – Single Detached Small Lot Residential District.

Bylaw No. 04/023, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059 BEING THE LAND USE BYLAW FOR THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Weber that Bylaw No. 04/023 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Blake that Bylaw No. 04/023 be given third and final reading.

CARRIED UNANIMOUSLY

**8-B. BYLAW NO. 04/024 - PRAIRIE CREEK AREA STRUCTURE PLAN AMENDMENT –  
LOT 1, BLOCK 1, PLAN 002 4365 (200 ARABIAN DRIVE) (AGENDA BILL # 04-075)  
04/159**

Reference was made to Agenda Bill # 04-075, being Report No. PD-031-2004, dated May 20, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Prairie Creek Area Structure Plan Amendment – Lot 1, Block 1, Plan 002 4365.

Bylaw No. 04/024, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 98/065, BEING THE PRAIRIE CREEK AREA STRUCTURE PLAN, was presented to receive second and third readings.

MOVED by Councillor Slade that Bylaw No. 04/024 be given second reading.

CARRIED UNANIMOUSLY

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MOVED by Councillor Chadi that Bylaw No. 04/024 be given third and final reading.

CARRIED UNANIMOUSLY

**8-C. BYLAW NO. 04/025 - LAND USE BYLAW AMENDMENT – LOT 1, BLOCK 1, PLAN 002 4365 (200 ARABIAN DRIVE) (AGENDA BILL # 04-076)**  
04/160

Reference was made to Agenda Bill # 04-076, being Report No. PD-032-2004, dated May 20, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Lot 1, Block 1, Plan 002 4365.

Bylaw No. 04/025, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059 BEING THE LAND USE BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive second and third readings.

MOVED by Councillor Weber that Bylaw No. 04/025 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Germain that Bylaw No. 04/025 be given third and final reading.

CARRIED UNANIMOUSLY

**8-F. BYLAW NO. 04/022 - MACDONALD ISLAND PARK CORPORATION – OPERATING LINE OF CREDIT GUARANTEE (AGENDA BILL # 04-062)**  
04/161

Reference was made to Agenda Bill # 04-062, dated May 4, 2004, and prepared by Stephen Clarke, Community Services, regarding the MacDonalld Island Park Corporation – Operating Line of Credit Guarantee.

Bylaw No. 04/022, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AUTHORIZE THE MUNICIPALITY TO GUARANTEE THE OPERATING LINE OF CREDIT ARRANGED BY MACDONALD ISLAND PARK CORPORATION, A NON-PROFIT ORGANIZATION PROVIDING FACILITIES AND SERVICES TO RESIDENTS OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, WHICH GUARANTEE WILL BE SPECIFICALLY LIMITED, was presented second and third readings.

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MOVED by Councillor Meagher that Bylaw No. 04/022 be given second reading.

CARRIED UNANIMOUSLY

MOVED by Councillor Blake that Bylaw No. 04/022 be given third and final reading.

CARRIED UNANIMOUSLY

**8-G. BYLAW NO. 04/029 - LAND USE BYLAW AMENDMENT – LOT 2, PLAN 942 0970 (SURMONT CREEK) (AGENDA BILL # 04-089)**  
04/162

Reference was made to Agenda Bill # 04-089, being Report No. PD-042-2004, dated May 27, 2004, and prepared by Russell Dauk, Planning & Development, regarding the Land Use Bylaw Amendment – Lot 2, Plan 942 0970 (Surmont Creek).

Bylaw No. 04/029, BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND BYLAW NO. 99/059, BEING THE LAND USE BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, was presented to receive first reading.

MOVED by Councillor Germain that Bylaw No. 04/029 be given first reading and a Public Hearing scheduled to take place on June 22, 2004.

CARRIED UNANIMOUSLY

**9. NOTICE OF MOTION**

**A. NOTICE OF MOTION RE: ESTABLISHMENT OF WILLIAM MCMURRAY DAYS**  
04/163

Councillor Vyboh served Notice that the following Motion will be brought forward for consideration at the June 22, 2004 Council Meeting:

THAT the Regional Municipality of Wood Buffalo Council decree, that starting in 2005 and henceforth, that March 4 to March 7 be declared William McMurray Days in celebration of our namesake.

**10. NEW AND UNFINISHED BUSINESS**

There was no New and Unfinished Business.

**11. ADJOURNMENT**

MOVED by Councillor Meagher that the meeting adjourn at 9:36  
p.m.

CARRIED UNANIMOUSLY

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF LEGISLATIVE OFFICER

**MINUTES OF A PUBLIC HEARING OF THE COUNCIL OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO HELD IN THE COUNCIL CHAMBERS AT THE MUNICIPAL OFFICES IN FORT McMURRAY, ON TUESDAY, JUNE 08, 2004.**

PRESENT:	DEPUTY MAYOR	M. CADDEN
	COUNCILLORS	M. BLAKE J. CARBERY J. CHADI S. GERMAIN P. MEAGHER C. SLADE J. VYBOH T. WEBER
	REGIONAL MANAGER	D. PUTZ
	CHIEF LEGISLATIVE OFFICER	K. GREIG
	LEGISLATIVE COORDINATOR	A. ROGERS
ABSENT:	MAYOR	D. FAULKNER (Leave of Absence)
	COUNCILLOR	J. RIGNEY

**1. CALL TO ORDER**

The Mayor called the Public Hearing to order at 6:03 p.m.

- A. PUBLIC HEARING RE: BYLAW NO. 04/023 - LAND USE BYLAW AMENDMENT – R1S-SINGLE DETACHED SMALL LOT RESIDENTIAL DISTRICT (AGENDA BILL # 04-074)**  
04/164

**2-A. OPENING STATEMENT**

**MR. RUSSELL DAUK, MANAGER, PLANNING & DEVELOPMENT, REGIONAL MUNICIPALITY OF WOOD BUFFALO**

Mr. Dauk advised that the proposed amendment is brought forward by the Planning & Development Department. Over the past number of years, the Department has been dealing with setbacks in the R1S District, which specifies a minimum 4.5 metre front yard setback from the front property line to the house. The R1S District allows for two kinds of development, one with rear lane access and the other with front garages and parking. When the garage is located in the front of the house, the driveway should be a minimum of 6.0 metres to ensure that the resident's vehicle is not on municipal property.



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The Planning & Development Department has been applying the 6.0 metre setback since 1999, but the issue now needs to be clarified and the amendment will make the setback requirements clear and specific.

**3-A. WRITTEN PRESENTATIONS**

There were no written presentations.

**4-A. ORAL PRESENTATIONS**

No requests were received.

**5-A. OTHER PRESENTATIONS, TIME PERMITTING, WITH APPROVAL OF COUNCIL**

There were no other requests received.

**6-A. CLOSING STATEMENT**

The proponent did not wish to make a closing statement.

**B. PUBLIC HEARING RE: BYLAW NO. 04/024 - PRAIRIE CREEK AREA  
STRUCTURE PLAN AMENDMENT – LOT 1, BLOCK 1, PLAN 002 4365 (200  
ARABIAN DRIVE) (AGENDA BILL # 04-075); AND BYLAW NO. 04/025 - LAND  
USE BYLAW AMENDMENT – LOT 1, BLOCK 1, PLAN 002 4365 (200  
ARABIAN DRIVE) (AGENDA BILL # 04-076)**

04/165

**2-B. OPENING STATEMENT**

**MR. PAUL HARTIGAN**

Mr. Hartigan came forward and advised that the proposed use is compatible with the neighbourhood and fits in well with surrounding areas. He concluded by asking for Council's support of the proposed rezoning.

**3-B. WRITTEN PRESENTATIONS**

There were no written presentations.

**4-B. ORAL PRESENTATIONS**

No requests were received.

**5-B. OTHER PRESENTATIONS, TIME PERMITTING, WITH APPROVAL OF COUNCIL**

There were no other requests received.

## **6-B. CLOSING STATEMENT**

The proponent did not wish to make a closing statement.

- C. PUBLIC HEARING RE: BYLAW NO. 04/026 - LOWER TOWNSITE AREA REDEVELOPMENT PLAN AMENDMENT – BLOCK A, PLAN 7904AS AND CLOSED ROAD ALLOWANCE (7901 KING STREET) (AGENDA BILL # 04-077); AND BYLAW NO. 04/027 - LAND USE BYLAW AMENDMENT – BLOCK A, PLAN 7904AS AND CLOSED ROAD ALLOWANCE (AGENDA BILL # 04-078)**

04/166

## **2-C. OPENING STATEMENT**

### **MR. BOB CAMPBELL**

Mr. Campbell advised that he is acting as an agent for the applicant in this matter. The application before Council relates to a property located across from Heritage Park, and was formerly occupied by an ATCO power plant. The ATCO development was in active operation until the late 1980's, and the structures remained on the site until demolished by the developer last year. The proposal before Council is actually the fourth proposal brought forward by the applicant over the past several months, and is significantly different from previous proposals. The proposed development consists of a 3-storey, 53-unit apartment-type complex which is intended to operate as an extended stay residence.

Mr. Campbell noted that his client appreciates that the present Land Use Bylaw does not accommodate this particular type of development, and is requesting modification of the Bylaw to allow the development to proceed. The Area Redevelopment Plan recognizes this site as an area that would be suitable for tourism or commercial development. In that sense, the applicant feels that the proposed development would accommodate the uses contemplated in the Plan. The development itself offers significant versatility to the community, as its immediate use would accommodate more temporary uses, but on a long-term basis, once the rapid development subsides, it would become a permanent condominium or apartment structure serving both the hospital and college districts.

The proposed development will also be very aesthetically pleasing, as this area of the community is especially important in creating a first impression. The spacing of the development also maximizes the privacy of the surrounding neighbourhood, with a separation from property line to property line of 37 metres.

Mr. Campbell noted that his client had heard concerns with regard to traffic flow in past proposals and

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retained the services of an engineering firm to undertake a study to determine whether or not existing roadways would be able to handle the traffic generated. Using a conservative population estimate of 67,000, the study concluded that existing arteries would be able to handle the increased traffic flow. The proposed development will actually result in less intense traffic, as it has downsized since the study was undertaken.

Mr. Campbell concluded by noting that his client appreciates that there are residents who have concerns about the development of this site, and comes to Council in the spirit of cooperation and compromise. The proposed development has been significantly downsized from previous proposals as a result of listening to residents and consulting with Administration to find something that would be suited to the property while still being economically viable.

### **3-C. WRITTEN PRESENTATIONS**

The Chief Legislative Officer advised that the following written presentations have been received:

- Correspondence dated May 31, 2004 from Tom & Sandy Layes (opposing)
- Correspondence dated June 01, 2004 from Tammy VanMackelberg (opposing)
- Correspondence dated June 03, 2004 from Jim, Dena & Sami Szlachetka (opposing)

### **4-C. ORAL PRESENTATIONS**

#### **MR. JOHN KRAWCHENKO**

Mr. Krawchenko advised that he has resided on Moberly Crescent for a number of years, and, in that time, has seen little control or concern for the surrounding environment. He made reference to the contaminated soil that was removed from the site after ATCO sold the property, noting that the way the company looked after that particular piece of property is disgusting.

Mr. Krawchenko advised that it is not his intent to fight City Hall, but rather to seek answers, justice, and to make sure that things are done properly in the future. One of the first sights that visitors will see when coming down the hill is the Athabasca and Clearwater River Valley. He then questioned whether or not a Hotel located in the midst of it will enhance the view. Mr. Krawchenko suggested that something tasteful made from marble or granite could be used to enhance our heritage, instead of detracting from it with a commercial development.

Mr. Krawchenko questioned why residents have to keep going through the process time after time, and also questioned the motive behind this change. He noted that the residents of this community will be here long after the oil and urged Council to think very wisely with respect to the downtown area and the proposed enhancements.

**MS. SANDY LAYES**

Ms. Layes advised that she still has the same concerns as when a hotel and cafe were proposed for the same site. The only real difference is that this proposal does not have the cafe, and the name has been changed from hotel to lodge. Garbage, transients, parking problems, and drugs are just a few of the problems that a commercial development on this site will bring.

Ms. Layes advised that she has lived in the community for approximately 36 years and both her children and grandchildren have been raised here. She indicated her belief that the developer has no feelings for the community, and is only interested in financial gain. Ms. Layes suggested that the property be donated to Heritage Park, noting that the developer would gain a tremendous amount of respect and possibly other financial benefits if he were to choose this approach.

Ms. Layes questioned the potential impact on property values, and whether or not the development would have sufficient parking stalls. Ms. Layes also expressed concern with respect to increased traffic on Centennial Drive and King Street and the safety of children in the area. Ms. Layes concluded by noting that Council's concern should be for the neighbourhood, not the developer.

**MR. JIM SZLACHETKA**

Mr. Szlachetka raised concern about the traffic study conducted by the applicant, as the study was conducted before the King Street Overpass was built. He noted that traffic has increased significantly in the area and questioned whether the existing arteries can accommodate another increase. Mr. Szlachetka also raised concern with respect to the distance between existing homes and the proposed apartment hotel. Greenbelt properties are priced higher and sell faster, so it stands to reason that putting a development of this nature in place would negatively impact property values.

Mr. Szlachetka further noted that the development is intended to house temporary residents; however most of the work is taking place north of town and he questioned why the developer was not looking in that direction. The developer knew the zoning and possible uses of the subject property when he purchased it, so residents should not have to pay the price of a commercial development now.

**MR. DOUG COLLINS**

Mr. Collins advised that many issues have been raised relative to the proposed development, including increased traffic in an area where the streets are already stressed. The development, if approved, will see potentially 106 vehicles stuffed in behind his back yard, all of which will add to the existing traffic problems. The development would also increase noise in a residential area that's already subject to noise from the Highway. Mr. Collins made note of other issues, including, increased vandalism and crime due to an influx of transient workers, drug and alcohol issues increased garbage, decreased property values, and quality of life. He advised that he bought his home on Moberly Crescent because his family loves the area and enjoys the privacy, friends and neighbours that came with it. Mr. Collins then urged Council to maintain the existing residential neighbourhood by not supporting the Bylaw.

**MR. GARY BOURQUE**

Mr. Bourque noted that the number of people who attended the information session at Heritage Park, as well as the developer's information session earlier in the year, are a clear indication that those affected by the development do not want it. He noted an increase in activity isn't all good, as money sometimes brings undesirable elements into a neighbourhood. Mr. Bourque noted that the people who attended the information sessions are long-term residents who don't see an apartment hotel fitting into their nice, quiet, well-built residential neighbourhood.

Mr. Bourque made reference to the Lower Townsite Area Redevelopment Plan and indicated that he found the document to be very well thought out. He noted that the Area Redevelopment Plan is filled with reasons and thoughts as to why this type of development is not appropriate, and noted 19 specific points within the document which support this position. Mr. Bourque concluded by asking that Council consider the effort and thought that were put into the Plan by following the Bylaw that was enacted in July, 2001.

**5-A. OTHER PRESENTATIONS, TIME PERMITTING, WITH APPROVAL OF COUNCIL**

**SIERRA AND CHEVY COLLINS**

Sierra and Chevy Collins came forward and advised that a hotel in the area would increase vandalism and prevent them from playing in the area. They noted that there would be too much traffic to go biking or walk to and from school. Kids in the Moberly Crescent area would rather see skateboard park, skating rink or swimming pool built there instead. They also noted that a hotel might look nice, but it would have a big parking lot and could attract a lot of lowlifes. They both noted that they wouldn't feel safe walking to and from school or playing in the area if a hotel were to be built.

**6-C. CLOSING STATEMENT**

**MR. BOB CAMPBELL**

Mr. Campbell noted that change is never easy and indicated that, in dealing with an application of this nature, Council must keep an objective criteria and look at the benefit to the community as a whole. He noted that the developer has prepared a full and complete response to each of the concerns raised by residents. The proposed development meets the parking criteria established by the Land Use Bylaw, and the traffic study provided clearly supports the developer's contention that existing arteries can handle the traffic increase that would result. He noted that allegations of noise, vandalism, criminal activity, animals and garbage are not supported. Mr. Campbell then pointed out a similar type of development in the Lower Townsite, noting that it is emerged in the midst of an established residential neighbourhood, but there have been no similar complaints about noise, criminal activity, excessive garbage or scrounging animals. Mr. Campbell noted that the proposed development is aesthetically pleasing and would create a positive first impression for visitors, while serving the community's need on both a short and long term basis with respect to the lack of accommodation in the community.

**7. ADJOURNMENT**

MOVED by Councillor Vyboh that the Public Hearing adjourn at  
7:13 p.m.

CARRIED UNANIMOUSLY

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MAYOR

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CHIEF LEGISLATIVE OFFICER