

**Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chambers at the Municipal Offices in Fort McMurray, AB, on Tuesday, November 10, 2009, commencing at 6:00 p.m.**

**Present:** M. Blake, Mayor  
M. Allen, Councillor  
S. Clarkson, Councillor  
L. Flett, Councillor  
S. Germain, Councillor  
P. Meagher, Councillor  
R. Rebus, Councillor (via teleconference)  
J. Vyboh, Councillor

**Absent:** D. Blair, Councillor  
M. Byron, Councillor  
G. Janvier, Councillor

**Administration:** K. Kloss, Acting Chief Administrative Officer  
S. Kanzig, Chief Legislative Officer  
D. Elliott, Deputy CAO  
B. Broomfield-Andrews, Recorder/Legislative Assistant  
A. Wojtkiewicz, Legislative Assistant  
N. MacDonald, Legislative Assistant

**Call to Order**

Mayor Blake called the meeting to order at 6:04 p.m.

**Opening Prayer**

The Mayor asked everyone to join her in Prayer.

**Agenda**

09-258 Moved by Councillor Meagher that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

**Arrival**

Councillor Germain arrived at the meeting at 6:06 p.m.

**Minutes**

**1. Council Meeting – October 27, 2009**

09-259 Moved by Councillor Allen that the Minutes of the Regular

Meeting held on October 27, 2009 be approved as presented.  
CARRIED UNANIMOUSLY

**2. Organizational Meeting – October 27, 2009**

09-260 Moved by Councillor Vyboh that the Minutes of the Organizational Meeting held on October 27, 2009 be approved as presented.

CARRIED UNANIMOUSLY

**Delegations**

**3. Mr. Brian Jackowich, Alberta Municipal Services Corporation, and Ms. Laurie Rennich, Nexen Energy Inc., re: Energy Aggregation Program**

Ms. Rennich presented a PowerPoint presentation to update Council on the energy aggregation program. The Regional Municipality of Wood Buffalo is a participant in the program, and has purchased 20% green power for the Municipality's entire electrical load since 2004 to 2008. The presentation illustrated the Municipality's use of green power usage and savings. Ms. Rennich advised that the Alberta Municipal Services Corporation, in partnership with Nexen Marketing, recognizes the Regional Municipality of Wood Buffalo as one of the leading Alberta municipalities for green power consumption. Ms. Rennich presented the Municipality with Renewable Energy Certificates for 2007 and 2008.

In closing, Ms. Rennich thanked Council for their participation in the Program and commitment to green power energy.

09-261 Moved by Councillor Allen that the presentation from Ms. Laurie Rennich and Mr. Brian Jackowich be accepted as information.

Ms. Rennich provided clarification and responded to questions from Council.

CARRIED UNANIMOUSLY

**Presentations**

**4. Ms. Tracy Unger, Communities In Bloom Committee Member, and Ms. Karen Puga, Coordinator, Parks, Recreation and Culture, re: 2009 Communities In Bloom Program**

Ms. Unger, Communities In Bloom Committee member, presented a PowerPoint presentation highlighting the Committee's past successes and accomplishments. This year, the Regional Municipality of Wood Buffalo participated in the 55,001 to 150,000 population category against the communities of Kamloops, BC; Lethbridge, AB; Kawartha Lakes, ON; Sarnia, ON; and Chatham-Kent, ON. Ms. Unger noted that the Regional Municipality is a 5 Bloom Community for the fifth year in a row.

This year, the Communities in Bloom Committee is in the process of exploring WinterLights Celebrations, which is the winter edition of Communities In Bloom.

In closing, Ms. Unger, on behalf of the Wood Buffalo Communities In Bloom Committee, presented Council with the 2009 National Score Card, the 2009 National 5 Bloom Achievement Award, and the Landscaped Areas Award.

09-262 Moved by Councillor Vyboh that the presentation from Ms. Tracy Unger and Ms. Karen Puga be accepted as information.

Ms. Unger and Ms. Puga responded to questions from Council.

CARRIED UNANIMOUSLY

### **Public Hearings**

09-263 Moved by Councillor Meagher that the meeting move into Public Hearing.

CARRIED UNANIMOUSLY

The Public Hearing commenced at 6:50 p.m.

- 5. Public Hearing re: Block A, Plan 7904AS – 7901 King Street**
  - Bylaw No. 09/034 – Lower Townsite Area Redevelopment Plan Amendment**
  - Bylaw No. 09/035 – Land Use Bylaw Amendment**

- A. Opening Statements**

**Chris Reddy, Manager, Current Planning**

Mr. Reddy introduced Tracey Tester, Planner III, who will be speaking to the matter, and also Ms. Natalie Profft Carlson, who is representing GMH Architects in the matter.

**Tracey Tester, Planner III, Current Planning**

Ms. Tester advised that the application is to amend the Lower Townsite Area Redevelopment Plan (LTSARP) and the Land Use Bylaw to permit the development of a four-storey, 95 unit condominium complex at 7901 King Street with underground parking, and ground floor commercial space intended for a health services facility, and a community service facility.

There is a long history associated with this project in that several attempts for redevelopment have been pursued, but were met with objections from adjacent property owners. The property has been vacant since 2003. The application is also to rezone the property from Public Services District to a Mixed/Commercial Transitional zone. A Traffic Impact Assessment study was conducted for this concept.

The Planning and Development Department advised that the proposed amendments are in keeping with the objectives of the LTSARP, and therefore supports the amendments to the LTSARP and the Land Use Bylaw.

### **Natalie Profft Carlson, GMH Architects**

Ms. Profft Carlson advised she is representing GMH Architects in this matter and is in support of the Land Use Bylaw amendment from Public Service District to a Mixed/Transitional/Commercial District with C2 zoning requirements.

The LTSARP was developed and approved to revitalize the downtown and to provide increased living and working space together. The site is able to support this concept by five major factors, which are: the site is vacant; the site is located directly on a mass transit route; the site is on a major roadway which provides direct access to the downtown area and also to a major highway; the site is directly adjacent to pedestrian and cycling trails; and the site will create a buffer between the major roadway and the lower density residential.

Ms. Profft Carlson explained that concerns expressed by the community have been considered with regard to addressing the design of the site, and provided a brief outline of how the concerns were addressed with regard to building size, the distance in views to the adjacent residences, and the increased traffic.

In closing, Ms. Profft Carlson noted that the design of the project has been influenced by building design guidelines and endorsed by Council, and overall, the project and site will complement and add to the LTSARP.

### **B. Written Presentations**

It was noted that the following correspondence had been received from:

- Paul Normandeau, Birchwood Excavating Ltd, dated November 2, 2009 – In Support;
- Vivian Nyen, resident, dated November 3, 2009 – In Support;
- Bearj R. Shimoon, Canadian Jewellers, dated November 3, 2009 – In Support;
- John Wilson, H. Wilson Industries Ltd, dated November 3, 2009 – In Support;
- Gillis Lambert, resident, dated November 3, 2009 – In Support;
- Al Adibi, Keyano College, dated November 3, 2009 – In Support;
- Samantha Koroluk and Michael Kalogirou, residents, dated November 4, 2009 – In Support;
- Jane Lee, resident, dated November 4, 2009 – In Support;
- Robert Vargo, Alberta Motor Products Ltd, dated November 4, 2009 – In Support;
- Laura Miller, resident, dated November 4, 2009 – In Support;
- Tony Dergousoff, resident, dated November 4, 2009 – In Support;
- Cliff Maron, resident, dated November 5, 2009 – In Support;
- Gary and Raechel Bourque, dated November 6, 2009 - Opposed;
- Wayne and Tammy VanMackelberg, dated November 4, 2009 - Opposed;
- Doug Collins, dated November 6, 2009 - Opposed; and

- Lorna Herasimenko, November 6, 2009 - Opposed.

### **C. Verbal Presentations**

#### **Mr. Hany Assal, Manager, Merit Hotel & Suites**

Mr. Assal indicated support for the proposed amendments and advised that the proposed development is a major enhancement to the area, and will be a major improvement for the Franklin Avenue/King Street area.

#### **Mr. Jim Szlachetka, resident**

Mr. Szlachetka indicated opposition to the proposed development, citing increased traffic, street parking, noise, and the safety of neighbourhood children concerns resulting from the proposed development. Mr. Szlachetka advised that the neighbourhood should remain a family orientated neighbourhood with no C2 land uses.

#### **Mr. Mark Okrasa, resident**

Mr. Okrasa indicated opposition to the proposed development in that the condensed development will negatively affect the area where he lives. Mr. Okrasa explained that, in his opinion, the developer has been unreasonable and not demonstrated itself to be a responsible neighbour as it currently owns property in the area that is unmanaged, is in disrepair, and not monitored for neighbourhood safety.

#### **Mr. Gary Bourque, resident**

Mr. Bourque indicated opposition to the proposed development and expressed his opinion that residents in the Moberly Crescent and surrounding area are opposed to the rezoning of the proposed lot to Public Service District. Mr. Bourque urged Council not to support the proposed amendments, and to support the LTSARP that was recently approved.

### **D. Other Verbal Presentations**

#### **Ms. Susan Lemcke, Resident**

Ms. Lemcke indicated opposition to the proposed development and shared her concerns regarding increased traffic in the King Street/Tolen Drive/Centennial Drive area, whether the proposed commercial development would be compatible with the rest of the community; increased population in the neighbourhood; the safety of residences; and property values.

#### **Ms. Lyndel Donald, Resident**

Ms. Lyndel indicated opposition to the proposed development on behalf of her son, and advised that her son would prefer to live in an area that will not have a transient population such as the proposed development would bring to the area.

**Mr. Jim Rogers, Resident**

Mr. Rogers advised that he is unsure if he is for or opposed to the proposed development, and offered his observations with regard to having traffic focused developments within the community adjacent to a major highway. Mr. Rogers also shared his concerns with regard to the potential increased traffic flow through the King Street/Centennial Drive intersection from the proposed development.

**E. Questions of Council**

The following was provided in response to questions from Council:

- If Heritage Park were to acquire the vacant land referred to in this matter, it would be the responsibility of the Society to approach the developer to buy the land, or to approach Council with a proposal to purchase the land on their behalf;
- The approved uses under the Public Services District include community recreation facilities; community service facilities; educational services facilities; religious assemblies; parks; parking lot structures;
- With regard to numbers of parking stalls, one calculation would be used to determine the number of stalls for the commercial space, while another calculation would be used to determine the number of stalls required for the condominium units;
- A Traffic Impact Assessment was conducted in 2005, based on existing and proposed improvements on the table at the time of the study, and included proximity to the Fire Hall, King Street improvements, as well as areas of congestion;
- Traffic flow on Hospital Street through Fitzgerald Avenue will be part of an overall traffic analysis being conducted by the Engineering Department;
- The locations of vehicle access to the site, and the main entrance to the proposed building;
- There will be 95 units in the building;
- There will be 95 underground parking stalls;
- Visitor and commercial parking stalls will be addressed at the development permit stage;
- Further information was provided on traffic patterns from Hospital Street onto Fitzgerald Avenue/Centennial Drive;
- Clarification on medium and low density units in a C2 zone;
- Under C2 zoning, the restrictions on the type of commercial businesses allowed; and
- the allowable setback from the water front.

**F. Closing Statement**

There was no closing statement.

09-264 Moved by Councillor Clarkson that the Public Hearing be closed.

CARRIED UNANIMOUSLY

The Public Hearing concluded at 8:05 p.m.

**Recess**

A recess occurred from 8:06 p.m. to 8:22 p.m.

**Bylaws**

- 6. Block A, Plan 7904AS – 7901 King Street**  
**- Bylaw No. 09/034 – Lower Townsite Area Redevelopment Plan Amendment**  
**- Bylaw No. 09/035 – Land Use Bylaw Amendment**

09-265 Moved by Councillor Allen that Bylaw No. 09/034, being an amendment to the Lower Townsite Area Redevelopment Plan, be read a second time.

A discussion ensued with regard to the appropriate use for the parcel of land in question. Concern was expressed with regard to the safety and quality of life for area residents in relation to the proposed development. Discussion also occurred with regard to traffic impacts in the area as it relates to the proposed commercial space, floor area ratios, and the differences between C2 and Public Services District zoning.

CARRIED

For: Allen, Blake, Clarkson,  
Germain, Rebus

Opposed: Flett, Meagher, Vyboh

09-266 Moved by Councillor Clarkson that Bylaw No. 09/034 be read a third and final time.

A short discussion occurred with regard to any possible changes that may occur to the scope of the project if it is approved.

CARRIED

For: Allen, Blake, Clarkson,  
Germain, Rebus

Opposed: Flett, Meagher, Vyboh

09-267 Moved by Councillor Allen that Bylaw No. 09/035, being an amendment to the Land Use Bylaw specific to Block A, Plan 7904AS, be read a second time.

CARRIED

For: Allen, Blake, Clarkson,  
Germain, Rebus

Opposed: Flett, Meagher, Vyboh

09-268 Moved by Councillor Clarkson that Bylaw No. 09/035 be read

a third and final time.

CARRIED

For: Allen, Blake, Clarkson,

Germain, Rebus

Opposed: Flett, Meagher, Vyboh

**7. Bylaw No. 08/031 – Partial Closure of Road Plan 5076LZ, Fort Chipewyan**

09-269 Moved by Councillor Vyboh Bylaw No. 08/031, being a bylaw to close a government road allowance, be read a second time.

CARRIED

For: Allen, Blake, Clarkson, Flett,

Germain, Meagher, Rebus

Opposed: Vyboh

09-270 Moved by Councillor Meagher that Bylaw No. 08/031 be read a third and final time.

CARRIED UNANIMOUSLY

**8. Bylaw No. 09/036 – Emergency Management Agency Bylaw**

09-271 Moved by Councillor Vyboh that Bylaw No. 09/036, being a Bylaw to establish a Municipal Emergency Management Agency, be read a first time.

CARRIED UNANIMOUSLY

09-272 Moved by Councillor Meagher that Bylaw No. 09/036 be read a second time.

CARRIED UNANIMOUSLY

09-273 Moved by Councillor Clarkson that Bylaw No. 09/036 be considered for third reading.

CARRIED UNANIMOUSLY

09-274 Moved by Councillor Allen that Bylaw No. 09/036 be read a third and final time.

CARRIED UNANIMOUSLY

09-275 Moved by Councillor Meagher that the appointment of any previous Director of Disaster Services for the Regional Municipality of Wood Buffalo be rescinded.

CARRIED UNANIMOUSLY

09-276 Moved by Councillor Meagher that the appointment of any



previous Deputy-Director of Disaster Services for the Regional Municipality of Wood Buffalo be rescinded.

CARRIED UNANIMOUSLY

## **Reports**

### **9. 2009 Tax Cancellation Request**

09-277 Moved by Councillor Vyboh that a municipal portion of the 2009 property taxes on the property legally described as Plan 802 2553 Block 84 Lot 13, be cancelled in the amount of \$560.52, due to the residence being destroyed by fire.

CARRIED UNANIMOUSLY

### **10. Tax Accounts Write-Off**

09-278 Moved by Councillor Meagher that the outstanding tax arrears identified in Attachment 1 – Recommended Tax Account Write-Offs, dated October 13, 2009, be written off.

CARRIED UNANIMOUSLY

## **New and Unfinished Business**

### **11. Notice of Motion re: Standards and Building Practices for Saline Creek and North Parsons Creek Development**

Councillor Germain served Notice of Motion at the October 27, 2009 regular Council meeting that the Province of Alberta, as developer of North Parsons Creek and Saline Creek, be requested to proceed with development of subdivisions using LEED standards and building practices, including residential sprinklers and low flow fixtures. He now provided background information on the matter.

09-279 Moved by Councillor Germain that the Province of Alberta, as developer of North Parsons Creek and Saline Creek, be requested to proceed with development of subdivisions using LEED standards and building practices, including residential sprinklers and low flow fixtures.

CARRIED

For: Allen, Blake, Clarkson, Flett,  
Germain, Rebus, Vyboh

Opposed: Meagher

## **Updates**

### **Mayor's Update**

Mayor Blake reported on the following:

- 2010 Budget Presentations
- MacDonald Island Park Opening
- United Way Shoot Out Judge Classic
- Family Violence Prevention Proclamation
- Monthly Lower Athabasca Regional Advisory Committee Meeting
- Olympic Torch Relay
- Keyano College Annual Gala

### **Reporting of Councillors on Boards and Committees**

Councillor Clarkson reported on the following:

- AUMA Annual Fall Conference
- Olympic Torch Relay

Councillor Allen reported on the following:

- Clearwater Heritage River Society Meeting

Councillor Vyboh reported on the following:

- AUMA Annual Fall Conference
- Olympic Torch Relay

Councillor Meagher reported on the following:

- Olympic Torch Relay
- Chamber of Commerce Luncheon
- Remembrance Day Ceremonies

Councillor Flett reported on the following:

- AUMA Annual Fall Conference
- Meeting with Ministers of Environment and Fish and Wildlife in Fort Chipewyan

### **Administrative Update**

Acting Chief Administrative Officer Kelly Kloss expressed his appreciation for the dedication of all employees who participated in the Olympic Torch Relay. As well, as part of the employee wellness initiative, a survey was recently conducted, which received good feedback. The results of the survey will be shared at an all staff event on November 18, 2009.

DCAO D'arcy Elliott reported that a progress report will be provided early in the new year with regard to the Core Services Review. Deputy CAO Elliott advised he is pleased to report that the work that was approved by Council reflects leading thinking in municipal management across the country. He extended his appreciation to those staff in the organization for their efforts in this endeavour.

DCAO Elliott thanked Council for their Remembrance Day comments, and reminded everyone that it only takes a moment of silence to acknowledge and respect the people who made such great

sacrifices for us.

**Adjournment**

09-280 Moved by Councillor Meagher that the meeting be adjourned.  
CARRIED UNANIMOUSLY

The meeting adjourned at 10:05 p.m.

---

Mayor

---

Chief Legislative Officer