



## **Municipality of Crowsnest Pass**

### **Council Meeting Minutes**

**Tuesday, February 7, 2023**

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A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, February 7, 2023.

#### **Council Present:**

Mayor Blair Painter, Councillors: Vicki Kubik, Dave Filipuzzi, Doreen Glavin, Glen Girhiny, Lisa Sygutek, and Dean Ward

#### **Administration Present:**

Patrick Thomas, Chief Administrative Officer  
Kristin Ivey, Deputy Chief Administrative Officer  
Brian McCulloch, Director of Finance  
Johan Van der Bank, Manager of Development and Trades  
Bonnie Kawasaki, Recording Secretary

#### **CALL TO ORDER**

Mayor Painter called the meeting to order at 7:00 pm.

#### **ADOPTION OF AGENDA**

**01-2023-02-07:** Councillor Ward moved to adopt the agenda as presented.

Carried

#### **CONSENT AGENDA**

**02-2023-02-07:** Councillor Filipuzzi moved that Council approve the following Consent Agenda items as presented without debate:

**3.a**

**Minutes of the Family and Community Support Services Advisory Committee of October 24, 2022**

THAT Council accept the Minutes of the Family and Community Support Services Advisory Committee of October 24, 2022 as information.

**3.b**

**Honourable Jeremy Nixon, Minister of Seniors, Community and Social Services - Letter of Response Regarding CPSH Funding of January 13, 2023**

THAT Council accept the Honourable Jeremy Nixon, Minister of Seniors, Community and Social Services - Letter of Response Regarding CPSH Funding of January 13, 2023 as information.

**3.c**

**Doug Dalton of JoJo Adventure Rentals - Business License Category Letter of Concern January 12, 2023**

THAT Council accept the Doug Dalton of JoJo Adventure Rentals - Business License Category Letter of Concern January 12, 2023 as information.

**3.d**

**Foothills Little Bow Association Meeting Minutes of January 13, 2023**

THAT Council accept the Foothills Little Bow Association Meeting Minutes of January 13, 2023 as information.

Carried

**ADOPTION OF MINUTES**

**03-2023-02-07:** Councillor Girhiny moved to adopt the Minutes of the Council Meeting of January 24, 2023 as presented.

Carried

**PUBLIC HEARINGS**

**Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1 - Public Hearing**

Mayor Painter declared the Public Hearing opened at 7:02 pm for Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter invited members of the public to speak in favor of or in opposition Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1.

Mayor Painter noted that there were no members of the public in attendance who wished to speak, and therefore declared the public hearing closed at 7:03 pm.

**Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2 - Public Hearing**

Mayor Painter declared the Public Hearing opened at 7:04 pm for Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter invited members of the public to speak in favor of or in opposition to Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2.

Mayor Painter noted that there were no members of the public in attendance who wished to speak, and therefore declared the public hearing closed at 7:05 pm.

**DELEGATIONS**

None

**REQUESTS FOR DECISION**

**Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1 - Second and Third Reading**

**04-2023-02-07:** Councillor Girhiny moved second reading of Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1.

Carried

**05-2023-02-07:** Councillor Filipuzzi moved third and final reading of Bylaw 1106, 2021 - Land Use Bylaw Amendment - Redesignate Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) from Recreation and Open Space RO-1 to Residential R-1.

Carried

**Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2 – Second and Third Reading**

**06-2023-02-07:** Councillor Filipuzzi moved second reading of Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2.

Carried

**07-2023-02-07:** Councillor Glavin moved third and final reading of Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2.

Carried



**Bylaw 1120, 2022 - Amendment to Bylaw 946, 2016 - the Safety Codes Permit Bylaw - FireSmart Principles - Second and Third Reading**

**08-2023-02-07:** Councillor Ward moved second reading of Bylaw 1120, 2022 - Amendment to Bylaw 946, 2016 - the Safety Codes Permit Bylaw - FireSmart Principles.

Carried

**09-2023-02-07:** Councillor Filipuzzi moved third and final reading of Bylaw 1120, 2022 - Amendment to Bylaw 946, 2016 - the Safety Codes Permit Bylaw - FireSmart Principles.

Carried

**Bylaw 1121, 2022 - FireSmart Bylaw - Second and Third Reading**

**10-2023-02-07:** Councillor Ward moved second reading of Bylaw 1121, 2022 - FireSmart Bylaw.

Carried

**11-2023-02-07:** Councillor Filipuzzi moved third and final reading of Bylaw 1121, 2022 - FireSmart Bylaw.

Carried

**Bylaw 1139, 2022 - Road Closure Bylaw - All that portion of road on Plan 6808CU lying south of the easterly production of the northern boundary of Block 7, Plan 6808CU and lying north of the easterly production of the southern boundary of Block 7, Plan 6808CU, containing 0.16 hectares (0.39 acres) more or less - First Reading**

**12-2023-02-07:** Councillor Kubik moved first reading of Bylaw 1139, 2022 - Road Closure Bylaw - All that portion of road on Plan 6808CU lying south of the easterly production of the northern boundary of Block 7, Plan 6808CU and lying north of the easterly production of the southern boundary of Block 7, Plan 6808CU, containing 0.16 hectares (0.39 acres) more or less.

Carried

**Subdivision Endorsement Extension Request 2016-0-070 (Greenwood Heights) and Request to Vary the Security Deposit Requirements**

**13-2023-02-07:** Councillor Ward moved that Council approves the subdivision extension request for Subdivision 2016-0-070 (Greenwood Heights) for a period of 24 months.

Carried

**14-2023-02-07:** Councillor Sygutek moved that Council seeks legal advice on waiving security deposits for developers and to have this brought back to Council for further discussion.

Carried

### **Encroachment Agreement Annual Fees**

**15-2023-02-07:** Councillor Sygutek moved that Administration bring back the Encroachment Agreement policy for further discussion at a future council meeting.

Carried

### **Rural Municipalities of Alberta (RMA) Spring Convention Attendees**

**16-2023-02-07:** Councillor Ward moved that Council appoint Mayor Painter, Patrick Thomas, Chief Administrative Officer and Councillors Sygutek and Kubik to attend the RMA Spring Convention on March 20-22, 2023.

Carried

### **COUNCIL MEMBER REPORTS**

Council reports since the January 24, 2023 meeting of Council:

- None

### **PUBLIC INPUT PERIOD**

- Ken Allred
  - Thanked Council for arranging to have the public hearing map projected for the audience.
  - Encroachments
    - Does not agree with charging annual fees for encroachments as most are historical and are beyond the control of current property owners.
    - Believes there is no excuse for new encroachment agreements as building outside of property boundaries should not be tolerated.
    - Indicated that the loss of the Crowsnest Regulation allowing for replot schemes due to historical encroachments should not have happened and that it should be reinstated.
- Trevor Hay
  - Believes that his request should not be precedent setting and further indicated that it is difficult to draft a policy that covers every instance.
  - Concerns were raised regarding the potential for flooding to the adjacent property.
    - As a result, he had three different engineers, two of which were storm water management specialists, determine if flooding was going to be a problem and if so he would not proceed. All three indicated this was not the case, and the resulting grade should improve runoff onto the adjacent property between 50 – 85 per cent.



**COUNCILLOR INQUIRIES AND NOTICE OF MOTION**

None

**IN CAMERA**

**17-2023-02-07:** Councillor Sygutek moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short recess at 8:43pm:

- a) Personal Privacy - Board Member Recommendation - FOIP Act Section 17
- b) Economic Interests of the Public Body - Nuisance Grounds Reports - FOIP Act Section 25

Carried

**Reconvene**

Mayor Painter convened the In Camera meeting at 8:57 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

**18-2023-02-07:** Councillor Sygutek moved that Council come out of In Camera at 10:10 pm.

Carried

**19-2023-02-07:** Councillor Sygutek moved that Council accept the recommendation from the Parks and Recreation Advisory Committee and appoint Kevin Bergeron to the remainder of a three year term concluding on December 31, 2025.

Carried

**20-2023-02-07:** Councillor Glavin moved that the nuisance grounds reports be finalized and posted publicly.

Carried

**21-2023-02-07:** Councillor Ward moved that appropriate amendments be drafted to the Land Use Bylaw and Safety Codes Bylaw as per the recommendations in the Nuisance Grounds report.

Carried

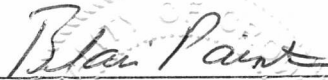

**22-2023-02-07:** Councillor Kubik moved that Administration explores proposals for conducting environmental site assessments for the two nuisance ground sites.

Carried

**ADJOURNMENT**

**23-2023-02-07:** Councillor Girhiny moved to adjourn the meeting at 10:12 pm.

Carried

  
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Blair Painter  
Mayor  
\_\_\_\_\_  
Patrick Thomas  
Chief Administrative Officer