

TOWN OF RIMBEY
TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON TUESDAY,
MAY 11, 2021 VIA ZOOM CONFERENCE.

LOGIN:

<https://us02web.zoom.us/j/82828283385?pwd=a1IFNXRRa0x4a2dIOEsvdWwweEFSUT09>

Meeting ID: 828 2828 3385 Passcode: 028671

1. Call to Order

Mayor Pankiw called the meeting to order at 5:00 pm with the following in attendance:

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel
Chief Administrative Officer – Lori Hillis, CPA, CA
Director of Finance – Wanda Stoddart
Director of Public Works – Rick Schmidt
Development Officer – Liz Armitage
Recording Secretary – Bonnie Rybak

Public:

14 members of the public

2. Adoption of Agenda

2.1 May 11, 2021 Agenda

Motion 124/21

Moved by Councillor Bill Coulthard to accept the Agenda for the May 11, 2021 Regular Council Meeting, as amended.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

3. Minutes

3.1. Minutes of Regular Council Meeting April 27, 2021

Motion 125/21

Moved by Councillor Lana Curle to accept the Minutes of the Regular Council Meeting of April 27, 2021, as presented.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

4. Public Hearings

4.1 Public Hearings – Bylaw 977/21 Amendment to the Land Use Bylaw 917/16

Mayor Pankiw opened the Public Hearing for 977/21 Amendment to the Land Use Bylaw 917/16 at 5:01 pm.

Mayor Pankiw advised the purpose of Bylaw 977/21 Amendment to Land Use Bylaw 917/16 is to redesignate Lot 1, Block 3, Plan 8328 ET (5014 – 51 Street) from Central Commercial (C1) to Residential (R2).

Mayor Pankiw requested confirmation of notice of the Bylaw from the Development Officer.

Development Officer Liz Armitage advised notice was placed in the April 6th and 13th, 2021 editions of the Rimbey Review.

Notice was given to adjacent property owners by regular mail on March 30, 2021 and notice was provided to affected agencies on March 30, 2021.

Notice of this public hearing was posted on the Town of Rimbey website under important notices with a copy of the complete package available for public review, and posted on both the front and back doors of the Town of Rimbey Administration Office and at the front counter.

Mayor Pankiw requested a report from the Development Officer regarding Bylaw 977/21 Amendment to Land Use Bylaw 917/16.

The Development Officer advised that on March 11, 2021 Bayan Abou Ghamin submitted a land use bylaw amendment application to redesignate Lot 1, Block 3, Plan 8328 ET (5014 – 51 Street) from Central Commercial (C1) to Residential (R2).

Council gave first reading to Bylaw 977/21 Amendment to Land Use Bylaw 917/16 on March 23, 2021.

The applicant indicates that the “property has been used as a residential dwelling for over 5 years. Recently I was notified of the commercial zoning of the property and need it changed to residential since there are tenants occupying the home.”

The Town has determined that there are no permits providing approval for the building to be used for primarily residential purposes.

The property is currently zoned C1, as per Land Use Bylaw 917/16. Land Use Bylaw 917/16 does not allow ground level residential in the C1 district as either a permitted or discretionary use.

As per Land Use Bylaw 917/16, the property is surrounded by lands designated C1 on the south, east and southwest. The properties to the north and northwest are designated R2.

The Municipal Development Plan indicates that the subject property is intended to be C1. As the MDP map is conceptual, changing one property on the transition between C1 to R2 is acceptable.

Should council approve the land use redesignation, effectively permitting residential in this location, the applicant will be responsible for applying for building permits to ensure the residential use has the appropriate building permits in place.

Mayor Pankiw inquired if there had been any written submissions.

Development Officer Liz Armitage advised no written submission were received.

Mayor Pankiw asked if there were any persons present who wished to speak regarding Bylaw 977/21 Amendment to Land Use Bylaw 917/16, indicating they would each have 20 minutes to present their case.

Bayan Abou Ghamin requested approval to change the property Central Commercial to Residential.

Mayor Pankiw asked a second time if there were any persons present who wished to speak regarding Bylaw 977/21 Amendment to Land Use Bylaw 917/16.

No members of the public wished to be heard.

Mayor Pankiw asked a third time if there were any persons present who wished to speak regarding Bylaw 977/21 Amendment to Land Use Bylaw 917/16.

No members of the public wished to be heard.

Mayor Pankiw asked if the Development Officer had any closing comments.

Mrs. Armitage advised she had no further comments.

Mayor Pankiw closed the Public Hearing for Bylaw 977/21 Amendment to Land Use Bylaw 917/16, at 5:05 pm.

Motion 126/21

Moved by Councillor Paul Payson to pass second reading of Bylaw 977/21 Amendment to Bylaw 917/16.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

Motion 127/21

Moved by Councillor Lana Curle to pass third and final reading of Bylaw 977/21 Amendment to Bylaw 917/16.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

4.2 Public Hearings – Bylaw 976/21 Amendment to the Land Use Bylaw 917/16

Mayor Pankiw opened the Public Hearing for Bylaw 976/21 Amendment to Land Use Bylaw 917/16 at 5:07 pm.

Mayor Pankiw advised the purpose of Bylaw 976/21 Amendment to Land Use Bylaw 917/16 is to redesignate Lot 20, Block 9, Plan 8120791 (4502 51 Street) from Highway Commercial (C2) to Residential (R1).

Mayor Pankiw requested confirmation of notice of the Bylaw from the Development Officer.

Development Officer Liz Armitage advised a notice was placed in the April 6th and 13th, 2021 editions of the Rimbey Review.

Notice was given to adjacent property owners by regular mail on March 30, 2021 and notice was provided to affected agencies on March 30, 2021.

Notice of this public hearing was posted on the Town of Rimbey website under important notices with a copy of the complete package available for public review, and posted on both the front and back doors of the Town of Rimbey Administration Office and at the front counter.

Mayor Pankiw requested a report from the Development Officer regarding Bylaw 976/21 Amendment to Land Use Bylaw 917/16.

The Development Officer advised that On March 9, 2021 Keith and Glenna Spelrem submitted a land use bylaw amendment application to redesignate Lot 20, Block 9, Plan 8120791 (4502 51 Street) from Highway Commercial (C2) to Residential (R1). To support their application, they included a package dated January 19, 2021 that was presented by delegation to Town Council on February 23, 2021.

Council gave first reading to Bylaw 976/21 Amendment to Land Use Bylaw 917/16 on March 23, 2021.

A review of the property file indicates that a redesignation request was applied for in April 2005. The Spelrem's were verbally told in June 2005 that the application was declined. A discretionary Development Permit was issued on January 9, 2007. (DP application 40/07) to construct a commercial building. A redesignation request was submitted and not approved by Council in 2013 (Bylaw 887/13). The Spelrem's received a commercial tax rebate as an incentive for building a commercial building. The total value of the rebate was \$3,028.90 paid over 3 years.

The property is currently zoned C2, as per Land Use Bylaw 917/16. Land Use Bylaw 917/16 does not allow ground level residential in the C2 district as either a permitted or discretionary use.

As per Land Use Bylaw 917/16, the properties to the north, facing onto 51 Street are designated C2. The properties to the south are designated R1. The properties to the west are designated R3. The properties to the east are designated Industrial.

The Municipal Development Plan, indicates that the subject property is intended to be C2. As the MDP map is conceptual, changing one property on the transition between C2 to R1 is acceptable.

As part of this redesignation application, 26 letters were received by the Town from neighbours. The letters were prepared by the Spelrem's and given to their neighbours to fill in and send directly to the Town office. All 26 letters support the redesignation application to change the property from C2 to Residential (R1). The main reasons for supporting the change to residential appear to be:

- Increased traffic and parking in the neighbouring residential community if the property becomes a traditional commercial use
- Increased noise if the property becomes a traditional commercial use
- A decline in neighbouring residential property values if the property becomes a traditional commercial use.

Should council approve the land use redesignation, effectively permitting residential in this location, the applicant will be responsible for applying for building permits to ensure the residential use has the appropriate building permits in place.

Council may wish to consider requesting the Spelrem's return the commercial tax rebate they received from the Town as an incentive for building a commercial building. The total value of the rebate was \$3,028.90 paid over 3 years.

Mayor Pankiw inquired if there had been any written submissions.

Development Officer Liz Armitage advised no written submission were received.

Mayor Pankiw asked if there were any persons present who wished to speak regarding Bylaw 976/21 Amendment to Land Use Bylaw 917/16, indicating they would each have 20 minutes to present their case.

No members of the public wished to be heard.

Mayor Pankiw asked a second time if there were any persons present who wished to speak regarding Bylaw 976/21 Amendment to Land Use Bylaw 917/16.

No members of the public wished to be heard.

Mayor Pankiw asked a third time if there were any persons present who wished to speak regarding Bylaw 976/21 Amendment to Land Use Bylaw 917/16.

Ashley Chapman commented that she would be in favor of Bylaw 976/21 to change from Highway Commercial to Residential as it would eliminate some traffic and provide more safety for the children in the neighborhood.

Marrily Boorman commented that she lives right across the street from Keith and Glenna and it would impact a lot of things for her home such as traffic, noise and resell value, if it was a commercial building rather than a home.

Mayor Pankiw asked if the Development Officer had any closing comments.

Mrs. Armitage advised she had no further comments.

Mayor Pankiw closed the Public Hearing for Bylaw 976/21 Amendment to Land Use Bylaw 917/16 at 5:14 pm.

Motion 128/21

Moved by Councillor Lana Curle to request the Spelrem’s repay the commercial tax rebate in the amount of \$3,028.90 they received from the Town as an incentive for building a commercial building.

In Favor

Opposed

Mayor Pankiw

Councillor Coulthard

Councillor Curle

Councillor Payson

Councillor Rondeel

DEFEATED

Motion 129/21

Moved by Councillor Gayle Rondeel to pass second reading of Bylaw 976/21 Amendment to Land Use Bylaw 917/16.

In Favor

Opposed

Councillor Coulthard

Mayor Pankiw

Councillor Payson

Councillor Rondeel

Councillor Curle

CARRIED

Motion 130/21

Moved by Councillor Bill Coulthard to pass third and final reading of Bylaw 976/21 Amendment to Land Use Bylaw 917/16.

In Favor

Opposed

Councillor Coulthard

Mayor Pankiw

Councillor Payson

Councillor Rondeel

Councillor Curle

CARRIED

5. Delegations

5.1 Delegations – None

6. Bylaws

6.1 Bylaws-None

7. <u>New and Unfinished Business</u>	<p><u>7.1 Street Improvements</u></p> <p><u>Motion 131/21</u></p> <p>Moved by Councillor Lana Curle to accept the recommendation from Tagish Engineering Ltd to award the tender of the 2021 Street Improvements as submitted, to Border Paving Ltd., for the tendered price of \$288,661.29, including 10% Contingency and 5% GST.</p> <p><u>In Favor</u> <u>Opposed</u></p> <p>Mayor Pankiw Councillor Coulthard Councillor Curle Councillor Payson Councillor Rondeel</p> <p style="text-align: right;">CARRIED</p>
	<p><u>7.2 Baytex Effluent Proposal / Addition</u></p> <p><u>Motion 132/21</u></p> <p>Moved by Councillor Paul Payson to accept the proposal from Baytex Energy Ltd. to access up to 150,000 cubic meters of effluent wastewater at a cost of \$1 per cubic meter during the period of June 1, 2021 to December 31, 2021 as presented and further to direct Administration to execute a formal agreement between the Town of Rimbey and Baytex Energy Ltd.</p> <p><u>In Favor</u> <u>Opposed</u></p> <p>Mayor Pankiw Councillor Coulthard Councillor Curle Councillor Payson Councillor Rondeel</p> <p style="text-align: right;">CARRIED</p>
8. Reports	<p><u>8.1 Department Reports</u></p> <p>8.1.1 Chief Administrative Officer Report 8.1.2 Director of Finance Report</p> <p><u>Motion 133/21</u></p> <p>Moved by Councillor Lana Curle to accept the department reports, as information.</p> <p><u>In Favor</u> <u>Opposed</u></p> <p>Mayor Pankiw Councillor Coulthard Councillor Curle Councillor Payson Councillor Rondeel</p> <p style="text-align: right;">CARRIED</p>

8.2 Boards/Committee Reports

8.2.1 Tagish Engineering Project Status Updates April 15, 2021

8.2.2 Beatty Heritage House Minutes March 23, 2021

8.2.3 Beatty Heritage House Annual Meeting September 2020

Motion 134/21

Moved by Councillor Bill Coulthard to accept the April 29, 2021 Tagish Project Status Update; and Beatty Heritage House Society Meeting Minutes March 23, 2021 and Beatty Heritage House Society Annual Meeting September 2020 reports, as information.

In Favor

Opposed

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

CARRIED

9. Correspondence

9.1 Correspondence None

9 Open Forum

10.1 Open Forum None

11. Closed Session

11.1 Closed Session - RFD 11.1 FOIP Section 17(1) Personal Privacy

Motion 135/21

Moved by Councillor Bill Coulthard to open the closed session at 5:30 pm to discuss:

11.1 FOIP Section 17(1) Personal Privacy –with Mayor Pankiw, Councillor Coulthard, Councillor Curle, Councillor Payson, Councillor Rondeel, Chief Administrative Officer Lori Hillis as Administrative Support, and Bonnie Rybak as Administrative Support.

In Favor

Opposed

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

CARRIED

Motion 136/21

Moved by Councillor Bill Coulthard to end the closed session at 5:31 pm

In Favor

Opposed

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

CARRIED

Motion 137/21

Moved by Councillor Bill Coulthard to appoint Sheila Swier to the Rimbey Municipal Library Board for a three year term, effective May 11, 2021.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

12. Adjournment

12.1 Adjournment

Motion 138/21

Moved by Councillor Lana Curle to adjourn the meeting.

In Favor

Mayor Pankiw
Councillor Coulthard
Councillor Curle
Councillor Payson
Councillor Rondeel

Opposed

CARRIED

Time of Adjournment: 5:32pm.



MAYOR RICK PANKIW



CHIEF ADMINISTRATIVE OFFICER LORI HILLIS