MINUTES
BIRCH HILLS COUNTY
REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 17, 2013

The Regular Meeting for Birch Hills County Council was called to order by Reeve Marvin Doran, at 9:00 a.m., on Tuesday, December 17, 2013, in the Council Chambers of the Birch Hills County Administration Building.

PRESENT	MARVIN DORAN	REEVE
	GERALD MANZULENKO	COUNCILLOR
	PAUL REUM	COUNCILLOR
	JACK MACAULEY	COUNCILLOR
	CHERYL BOGDANEK	COUNCILLOR
	TERRY CARBONE	COUNCILLOR
ABSENT	WARREN SMITH	DEPUTY-REEVE
STAFF	HAROLD NORTHCOTT	C.A.O
	DENISE JOUDREY	RECORDING SECRETARY
	SHELLEY BRAUN	DIRECTOR OF FINANCE
DELEGATION	SOUTH PEACE REGIONAL ARCHIVES	MARRY NUTTING LESLIE GORDON
MEDIA	DANNY ZAHARA	REPORTER, THE
SIGNAL		

AGENDA

RC13-396 Moved by Councillor Manzulenko

That Council adopt the Agenda as presented with the following amendments.

4. PUBLIC HEARING not PUBLIC MEETING

6. COUNCILLOR REPORTS
(A) Eaglesham Seed Cleaning Plant
(B) Birch Hills County Library Board Meeting

8. NEW BUSINESS
(B) 2014 Special Operating & Capital Budget moved to in-camera. Replace with Interim Budget approval.

12. IN-CAMERA
(A) Land Issue remove Senior Centre
(B) 2014 Special Operating & Capital Budget

CARRIED.

MINUTES

RC13-397 Moved by Councillor Reum

That Council accept the Regular Council Meeting Minutes from December 3, 2013 and that they be adopted as amended.

CARRIED.

UNFINISHED BUSINESS

2014 COUNCIL PRIORITIES

RC13-398 Moved by Councillor Bogdanek

That Council accept the 2014 Council Priorities as presented.

CARRIED.

Shelley Braun, Director of Finance entered the meeting at 9:30 a.m.

REPORT ON CREDIT CARDS

Shelley Braun, Director of Finance explained to Council the information she collected on Credit Cards.

RC13-399 Moved by Councillor Manzulenko

That Council request staff to research more information on Birch Hills County obtaining a Credit Card that collects points that Council and Staff could use for travel for Birch Hills County Business.

CARRIED.

Shelley Braun, Director of Finance exited the meeting at 9:41 a.m.

PUBLIC HEARING WATINO BY-LAW

The Public Hearing for the Watino By-Law 2013-07 was called to order by Reeve Marvin Doran, at 9:41 a.m., on Tuesday, December 17, 2013, in the Council Chambers of the Birch Hills County Administration Building.

There was no public concern brought forward.

Reeve Doran adjourned Public Hearing for the Watino By-Law 2013-07 at 9:42 a.m.

COMMITTEE REPORTS

EAGLESHAM SEED CLEANING PLANT

Councillor Carbon reported on an Eaglesham Seed Cleaning Plant AGM Meeting he attended on December 11, 2013.

A metal pile of debris belonging to Birch Hills County is in the Eaglesham Seed Cleaning Plant yard The Eaglesham Seed Cleaning Plant is requesting it be removed.

Councillor Carbone would like to see the Eaglesham Seed Cleaning Plant work together with Birch Hills County to have their fire extinguishers inspected.

BIRCH HILLS COUNTY LIBRARY BOARD

Councillor Carbone reported on a Birch Hills County Library Board Meeting he attended on December 9, 2013.

The Birch Hills County Library Board is relying on operating in 2014 from funds received from a Birch Hills County Honorarium Grant of $1 600.00 and a FCSS Grant of $1,080.00. If there are changes to this for 2014 they would like to know as soon as possible.

RC13-400 Moved by Councillor Manzulenko

That Council accept all the reports presented as information.

CARRIED.

NEW BUSINESS

MACKENZIE MUNICIPAL SERVICES AGENCY

RC13-401 Moved by Councillor Bogdanek

That Council request that the CAO, attend a Seminar on Geotechnical and Environmental Assessments hosted by Mackenzie Municipal Services Agency and Nichols Environmental (Canada) Ltd. And Brownlee LLP on Tuesday, February 4, 2014 in Peace River.

CARRIED.

BIRCH HILLS COUNTY 2014 INTERM OPERATING BUDGET

RC13-402 Moved by Councillor Reum

That Council adopt the 2014 Interim Operating Budget.

CARRIED.

LETTER TO MLA WAYNE DRYSDALE

RC13-403 Moved by Councillor Manzulenko

That Council direct staff to write a letter of Congratulations to Wayne Drysdale on his appointment and invite him and Hector Goudreau to a meeting to discuss Birch Hills County needs.

CARRIED.

BY-LAWS

WATINO
BY-LAW
2013-07

RC13-404 Moved by Councillor Manzulenko

That Council give second reading to Watino By-Law No. 2013-07.

CARRIED.

RC13-405 Moved by Councillor Carbone

That Council give third and final reading to Watino No. By-Law 2013-07.

CARRIED.

CANCELLATION
OF PLAN OF
SUBDIVISION
BY-LAW 2013-08

RC13-406 Moved by Councillor Carbone

That Council give second reading to Cancellation Of Plan of Subdivision By-Law No. 2013-08.

CARRIED.

RC13-407 Moved by Councillor Bogdanek

That Council give third and final reading to Cancellation Of Plan of Subdivision By-Law No. 2013-08.

CARRIED.

Marry Nutting and Leslie Gordon from the South Peace Regional Archives entered the meeting at 10:15 a.m.

DELEGATION

SOUTH PEACE REGIONAL ARCHIVES

Marry Nutting and Leslie Gordon from the South Peace Regional Archives gave an informative presentation on what the South Peace Regional Archives do and can do for Birch Hills County.

SPRA is funded by four Municipalities. The funding formula is based on population, equalized assessment and the amount of records you have stored at the archives. If Birch Hills County were to become a partner, the cost would be between $3,500.00 - $6,000.00 per annum depending on the amount of records you archive.

Marry Nutting and Leslie Gordon from the South Peace Regional Archives exited the meeting at 10:48 a.m.

FOR INFORMATION

(A) AB Cabinet & Associate Ministers
(B) Bill 28
(C) 2014 AB Pond Hockey Championship

RC13-408 **Moved by Councillor Manzulenko**

That Council accept the information items listed as information.

CARRIED.

CORRESPONDENCE **(A) FCSS**

RC13-409 **Moved by Councillor Manzulenko**

That Council accept the Correspondence as Information.

CARRIED.

IN-CAMERA

RC13-410 Moved by Councillor Bogdanek

That Council move in-camera at 11:00 p.m.

CARRIED.

RECESS Council recessed for lunch from 11:55 a.m. - 12:40 p.m.

RC13-411 Moved by Reeve Doran

That Council reconvene the Regular Council Meeting at 4:43 p.m.

CARRIED.

ADJOURNMENT

RC13-412 Moved by Reeve Doran that there being no further business the meeting be adjourned at 4:46 p.m.

CARRIED.

REEVE
MARVIN DORAN

CAO
HAROLD NORTHCOTT

BIRCH HILLS COUNTY
BY-LAW 2013-07
Hamlet of Watino

BY-LAW # 2013-07

BIRCH HILLS COUNTY HAMLET OF WATINO

BYLAW NO. 2013-07

BEING A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA

TO AMEND THE BIRCH HILLS COUNTY LAND USE BYLAW NO. 02-08

WHEREAS, the Council of Birch Hills County has adopted Birch Hills County Land Use Bylaw No. 02-08 to regulate land use and development in Birch Hills County, and

WHEREAS The Council of Birch Hills County, in the Province of Alberta, has deemed it desirable to amend the Birch Hills County Land Use Bylaw to add a new district, Hamlet Watino (HW) District, provisions and definitions for all uses as well as mitigating the effects of a flood hazard on development in the flood fringe;

NOW THEREFORE Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Council of Birch Hills County, duly assembled, hereby enacts as follows:

1. **Add a new Land Use District to the Land Use Bylaw as follows:**

11.6 HAMLET WATINO (HW) DISTRICT

11.6.1 Purpose

The purpose of this District is to provide for a variety of compatible land uses in the hamlet of Watino.

(a) Permitted Uses
- **-accessory building or use**
- **-duplex dwelling**
- **-home occupation (minor)**
- **-park or playground**
- **-public utility**
- **-semi-detached dwelling**
- **-single detached dwelling**

(b) Discretionary Uses
- **-apartment building**
- **-bed and breakfast establishment**
- **-building supply sales**
- **-bus depot**
- **-cabin**
- **-car and truck washing facility**
- **-child care facility**

-drinking establishment
-modular dwelling
-office
-personal service establishment
-place of worship
-public use
-recreational vehicle park
-restaurant
-retail outlet
-row dwelling
-senior citizen home
-service station
-sign
-veterinary clinic
-warehousing
-other similar and compatible uses as approved by the Development Authority/Municipal Planning Commission

In addition to the General Regulations in Section 9, the following standards shall apply to every development in this district.

11.6.2 Site Provisions

(a) Minimum Lot Area

Use	Width	Depth	Area
Residential (both sewer and water) Including holding tank & cistern	23 m (75 ft.)		697 m^2 (7,500 ft^2)
Residential Minimum		30.5 m (100 ft.)	
Residential Minimum Building Area			74.3 m^2 (800 ft^2)
Commercial	At the discretion of the development officer		464 m^2 (5,000 ft^2) for service stations and motor vehicle dealerships. 140m^2 (1,500 ft^2) for all other uses.

All other uses as required by the Development Authority

(b) Minimum Yard Dimensions

Use	Yard	Setback
Residential	Front Yard (Minimum)	7.6 m (25 ft.)
	Rear Yard (Minimum)	7.6 m (25 ft.)
	Side Yard (Interior Minimum)	3.1 m (10ft.)
	Side Yard (Exterior Minimum)	4.6 m (15 ft.)
Commercial	Retail stores built adjacent to existing similar uses may be built without front or side yard setbacks where there is lane access	Where there is no lane access, one side yard minimum 4.6 m (15 ft.) shall be provided.
	Side Yard (Minimum Interior)	1.5 m (5 ft.), if firewall is provided, no side yard is required.
	Side Yard (Exterior Minimum)	At the discretion of the Development Authority
	Rear Yard (Minimum)	4.6 m (15 ft.)
	Building Height (Maximum)	9.1 m (30 ft.)

All other uses as required by the Development Authority

11.6.3 Other Requirements

(a) The new Section 9.9.5 of this bylaw under No. 14. is not applicable to this District. Recreational vehicles may be parked in the interior side or rear yard. Recreational vehicles may be parked in an exterior side yard if set back 1.5 m (5 ft.) from the property line.

(b) The Development Authority may decide on such other requirements as are necessary, having due regard to the nature of the proposed development and the purpose of this district.

2. Delete from Section 2 "SINGLE FAMILY DWELLING" and replace with "SINGLE DETACHED DWELLING"

3. Delete from Section 2 "BED AND BREAKFAST" and replace with "BED AND BREAKFAST ESTABLISHMENT"

4. Add the following to Section 2 Definitions:

(a) "BUILDING SUPPLY SALES" means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvement.

(b) "BUS DEPOT" means a building and associated facilities used by bus operators for the loading and unloading of persons and goods and may be used to store buses and related equipment.

(c) "CABIN" means a small, roughly built house or cottage, used on a seasonal basis. It has a floor area no less than 74.3 m^2 (800 ft^2), and has a direct connection to a source of potable water, electricity and sewage disposal.

(d) "CAR AND TRUCK WASHING FACILITY" means the provision of facilities, including a central water supply for washing vehicles.

(e) "CHILD CARE FACILITY" means a facility licensed by the Province to provide daytime personal care, supervision and education, but does not include overnight accommodation. Typical uses include day care centres, play schools, schools, nursery schools, and other similar uses.

(f) "INSTITUTIONAL" means a government related land use such as a school, town hall, hospital, police station, correctional centre or community hall.

(g) "MODULAR BUILDING" means finished section(s) of a complete building built in a factory for transport to the site for installation. For the purpose of this By-law, modular construction includes single or multiple dwellings, including single, semi-detached, row dwellings, townhomes, duplexes, and apartments, but not a mobile home. Modular construction can also include commercial, industrial and institutional buildings.

(h) "MODULAR DWELLING" means finished section(s) of a complete dwelling built in a factory for transport to the site for installation. For the purpose of this Bylaw, modular construction includes single or multiple dwellings, which include singe-detached, semi-detached, duplexes, row-housing and apartments; but not a mobile home."

(i) "OFFICE" means a facility providing for the administration of business or government, or the provision of professional services.

(j) "PARK OR PLAYGROUND" means an area of land used for recreation purposes, usually including facilities such as picnic benches, slides, swings and other playground type equipment and built in accordance with the Alberta Safety Codes Act.

(k) "PERMANENT FOUNDATION" means a structure constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, with a foundational system or arrangement composed of, but not limited to, footing, raft, or pile and may include walls, light standards, fences, and signs, and renders the structure fixed and immovable but, does not include grain bins.

(l) "PLACE OF WORSHIP" means a development including any meeting halls used for spiritual worship and related religious activities. It may include a minister's residence, manse, parsonage or rectory; provided it is accessory to the principal use. It also means church or religious assembly.

(m) "RESTAURANT" means the use of a building as a public eating place and may include a licensed dining lounge and other associated facilities.

(n) "RETAIL OULET" means the use of a building or a portion of a building for the sale or display of merchandise to the public and includes the storage of merchandise on the premises in quantities sufficient only to supply the establishment, but does not include a grocery store or a retail food store.

(o) "ROW DWELLING" means one of three or more dwelling units constructed in a row and divided vertically, and each of which has a separate front and rear entrance.

(p) "SENIOR CITIZEN HOME" means an assisted and independent style residential development in the form of self-contained units, a lodge or nursing home that provides housing for senior citizens.

(q) "VETERINARY CLINIC" means the use of a building for the medical care and treatment of animals.

(r) "WAREHOUSE" means a building for the indoor storage of equipment, goods, motor vehicles, recreation vehicles, materials or products.

5. Delete Section 4.2 (e) and renumber Section 4.2 (f) to (e), (g) to (f) and (h) to (g).

6. Add Section 5.2.1 (i) and renumber Section 5.2.1 (i) to (l)

   (i) All Development must be provided with sanitary facilities pursuant to the Plumbing and Drainage Regulations and the Provincial Board of Health Regulations.

7. Add Section 5.2.1 (j) and (k)

   (j) A temporary building or structure is only permitted on a site during the construction phase of permanent buildings or structures.

   (k) A temporary building or structure requires a development permit to a maximum time period of two years. The temporary building or structure is to be removed from a property within one month after an occupancy permit has been granted on the site.

8. Delete Section 6.2.5 and replace it with the following
   6.2.5 All development is to be commenced within one year of receiving a development permit and completed within two years of receiving a development permit.

9. Add Section 9.1.5

   9.1.5 An accessory building or use shall be no closer to any lot line than 1.2 m (4 ft.) with the exception of Section 9.1.4 of Land Use Bylaw No. 02-08, as amended from time to time.

10. Delete Section 9.2.2 (a) semi-detached dwellings; and renumber Section 9.2.2 (b) to (a), (c) to (b), (d) to (c) and (e) to (d).

11. Add to Section 9.3.3

    Development within the Flood Fringe area must comply with provincial rules and regulations. All development permits must have prior approval of the Province of Alberta.

12. Add Section 9.8 MODULAR BUILDINGS and renumber Section 9.8 to 9.9; 9.9 to 9.10; 9.10 to 9.11; 9.11 to 9.12; and 9.12 to 9.13.

    9.8 MODULAR BUILDINGS

9.8.1 All modular buildings, accessory structures, additions and porches shall be of sound construction and appearance and oriented on a lot to the satisfaction of the Development Authority.

9.8.2 All modular buildings are to be manufactured after 2010.

9.8.3. A modular building is to be attached to a permanent foundation.

9.8.4. All modular buildings are to be serviced by a water supply, sewage system and utilities to the satisfaction of the Development Authority.

13. Add Section 9.9.4 and renumber 9.9.4 to 9.9.6; 9.9.5 to 9.9.7

9.9.4 Where a garage is located within an exterior side yard on a residential lot, it shall not to be located closer than 6.1 m (20 ft.) from the property line.

14. Add Section 9.9.5

9.9.5 Recreational Vehicles may be parked in the front yard in any Residential District provided the Recreational Vehicle is set back a minimum of 4.6 m (15 ft.) from the front property line.

15. Renumber Section 11.6 to 11.7; 11.7 to 11.8; 11.8 to 11.9; 11.9 to 11.10.

16. This Bylaw shall be passed and become effective when it receives third reading and final passage, and is signed by the Reeve and the Chief Administrative Officer.

READ a first time this 3 day of December, 2013.

READ a second time this 17 day of December, 2013.

READ a third and final time this 17 day of December, 2013.

SIGNED this 17 day of December, 2013.

Reeve
Marvin Doran
Birch Hills County

Chief Administrative Office
Harold Northcott
Birch Hills County

BIRCH HILLS COUNTY
BY-LAW 2013-08
CANCELLATION OF PLAN OF SUBDIVISION

BY-LAW # 2013-08

BIRCH HILLS COUNTY
CANCELLATION OF PLAN OF SUBDIVISION

BYLAW NO. 2013-08

A BYLAW OF BIRCH HILLS COUNTY IN THE PROVINCE OF ALBERTA TO CANCEL SUBDIVISION PLAN 0926378;1;1

WHEREAS Section 658 of the Municipal Government Act, 1994, Chapter M-26.1 as amended states;

658(1) On the application of one or more owners of a parcel of land in a plan of subdivision, a council may by bylaw order the plan cancelled, in whole or in part.

(2) A council may pass a bylaw under subsection (1) only with the consent of

(a) the owners of the parcel of land in the plan of subdivision,

(b) every person shown on the certificate of title of the land in the plan of subdivision as having an estate or interest in it, and

(c) the Crown in right of Alberta, if the plan of subdivision shows a highway or road or other right of way vested in the Crown for which no certificate of title has been issued.

(3) A plan cancellation may not be effected only or primarily for the purpose of disposing of reserves.

(3.1) If all of a plan is cancelled, deferred reserve caveats and environmental reserve easements are also cancelled.

(4) If all reserve land has been cancelled from a plan of subdivision, the resulting parcel of land, if it is subsequently subdivided, may be subject to the provisions of this Part respecting reserves.

(5) If a plan is cancelled in part, a deferred reserve caveat may be placed against the consolidated certificate of title reflecting any reserve land that was cancelled and that will be owing if the parcel is subsequently subdivided.

AND WHEREAS Section 658 of the Municipal Government Act, 1994, Chapter M-26.1 with amendments, states, a council may by bylaw order the plan cancelled, in whole or in part;

NOW THEREFORE the Council for Birch Hills County in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Subdivision plan 0926378;1;1 be cancelled.

2. That this Bylaw shall become effective upon final passing.

READ A FIRST TIME THIS 3TH DAY OF DECEMBER , 2013.

READ A SECOND TIME THIS 17TH DAY OF DECEMBER, 2013.

READ A THIRD TIME AND PASSED THIS 17TH DAY OF DECEMBER, 2013.

Reeve
Marvin Doran

Chief Administrative Officer
Harold Northcott