

**CLEARWATER COUNTY  
COUNCIL AGENDA  
May 24, 2011**

**DELEGATIONS:**

**1:15** Public Hearing: Application 05/11 to Amend Land Use Bylaw

**A. CALL TO ORDER**

**B. AGENDA ADOPTION**

**C. CONFIRMATION OF MINUTES**

1. May 10, 2011 Regular Meeting Minutes
2. May 10, 2011 Public Hearing Minutes

**D. PUBLIC WORKS**

1. Public Works Manager's Report
2. Highway Intersection Lighting
3. Leslieville Lagoon
4. County Health & Safety Program

**E. CORPORATE SERVICES**

1. Accounts Payable Listing

**F. MUNICIPAL**

1. Municipal Manager's Report
2. Nordegg Stage I, Phase I Residential
3. County Photo / Video Contests
4. Common Ground Request
5. South East Recreation Grounds

**6. INCAMERA**

- a. Draft Service Rates
- b. Draft Service Contract

**G. PLANNING**

1. 1:15 Application 05/11 to Amend Land Use Bylaw

**H. COMMITTEE REPORTS**

**I. ADJOURNMENT**

## **TABLED ITEMS**

<b><u>Date</u></b>	<b><u>Item, Reason and Status</u></b>
08/10/10	Residential Subdivision Policy <ul style="list-style-type: none"><li>• To allow more discussion between Council and Public Works.</li></ul> <b>STATUS: In progress, Public Works</b>
01/25/11	Access Roads Policy Review <ul style="list-style-type: none"><li>• To allow further policy review.</li></ul> <b>STATUS: In progress, Public Works</b>
04/26/11	Deferral of Farmland Tax Deadline <ul style="list-style-type: none"><li>• Council to discuss at Strategic Planning meeting.</li></ul> <b>STATUS: In progress, Council</b>

# ***AGENDA ITEM***

**DATE:** May 17, 2011

**ITEM:** Highway Intersection Lighting

**PREPARED BY:** Frank McBride

**BACKGROUND:** In the past there have been a number of requests put forward to Clearwater County as to illumination of certain high traffic rural road intersections where they meet Provincial Highways.

Recently another request was received by Councilor Vandermeer in regards to the Prairie Creek – Hwy 22 intersection.

Clearwater County took this opportunity to discuss three other intersections with Alberta Transportation at the same time to inquire as to these four intersections scored in relation to Central Regions criteria.

Attached you will find a copy of the request made by Clearwater County staff and Alberta Transportation's response.

## **Summary:**

Based on Alberta Transportations scoring criteria the only intersection warranting illumination is the Hwy 11 and Arbutus /Oras Road, Alberta Transportation has requested funding for this location and has yet to be successful in relation to other provincial priorities.

Currently, Council has not indicated any desire to increase the number of lit intersections.

Staff recommends that Council either confirms that it is satisfied with the current number of lit intersections and is prepared to wait for AB Transportation funding or directs staff to investigate this issue further and provide options and financial implications relating to the lighting of additional intersections.

## **Recommendation:**

That Council provides direction with respect the need for additional lighting.

**The following information was provided to Alberta Transportation for their consideration:**

As per our conversation here is the list that was brought forward by our council of the intersections with illumination concerns:

- Hwy. 22 and Prairie Creek Rd.
- Hwy. 11 and Sunchild Rd.
- Hwy. 11 and Arbutus Rd.
- Hwy. 54 and Burnstick Lake Rd.

Other questions that came out of Council were;

First, the process for request or making application to the Province to have these considered, placed on a list and/or getting them done. This request was as much for the education of the process as anything.

Second, should Council decide that they would like to move ahead with the lighting an intersection, what are the criteria used to evaluate and determine the level of lighting required, the standard to be applied, and who sets it?

Other questions stemming from this are, since both the Province and the Municipality both have roads involved, where would the direction come from. Also the costs of installation as well as operational and maintenance costs, and who would be responsible for these and/or what portion thereof.

**Alberta Transportation's response is as follows:**

Frank,

What I did was run the illumination warrants according to the Transportation Association of Canada (TAC) Guide for Illumination of Isolated Rural Intersections (what we use for all of our intersection illumination evaluations) for each of these intersections. We use the guide to evaluate the geometry of an intersection, its operational factors (traffic volumes, pedestrian volumes and traffic speeds) and collision history of the intersection. My comments are below:

Hwy 22 and Prairie Creek Road – The geometry and operational factors for the intersection are not showing anything out of the ordinary for an intersection of a major rural road and a primary highway. There is good sight distance, no hills, and 90 degree

intersection. There has been only one reported night time collision in the last five years (the only collision at all here) and it was only property damage. Illumination is not warranted here at this time according to our guidelines.

Highway 11 and Sunchild Road – While the geometry of this intersection is less than standard with the horizontal curve immediately north of the intersection, the sight distances at the stop sign are adequate. I would guess that people coming down the Sunchild Road know that when they get to that curve there is an intersection coming. There has been only one night time collision here in the past five years. Illumination is not warranted here at this time according to our guidelines.

Highway 11 and Arbutus / Oras Road – This one I already did a warrant for a few months ago. We feel illumination is warranted here and we have requested funding for it. The funding is divvied up provincially for these projects based on their importance. It did not make this year's list for construction but we will likely request funding next year again.

Highway 54 and Burnstick Lake Road – There is good geometry here and the operating characteristics are similar to other intersections of its kind. There have been four night time collisions here in the past 5 years which is higher than the others on your list but still doesn't necessarily indicate a problem. The overall warrant "score" for the intersection is such that illumination is not warranted now but I would suggest if one did the warrant analysis again in a couple years when/if traffic volumes increase that it may warrant it.

I don't believe there is a formal process for requesting illumination other than what you have done. If you or any other agency or individual feels there is an intersection which could need illumination then they would inform the department and we will examine the intersection to determine if we feel the improvement would be a safety benefit or not. We welcome the suggestions as things change (developments, rural road improvements, etc.) which we do not necessarily know about and it creates a need. If we feel there is a need then it gets prioritized according to the warrant score and funding is issued depending on the priorities of the rest of the province.

For level of lighting there are many levels outlined in the TAC Guidelines from full, partial or delineation lighting depending on what one is wanting to accomplish. My suggestion here would be if Council wanted to go forward they should hire a Consultant who could do the evaluation and make a recommendation for cost and level.

I believe that if Council wanted to go forward the cost and coordination would lie with the County but AT would need to be involved in the design review.

For approximate cost, we did a couple through the highway Maintenance Contractor in 2010 and it cost \$100K for design and install of four poles, \$60K for two poles and \$40K for single poles to give you an idea. This can go up of course depending on individual site conditions.

I hope this answers your questions. Let us know if you have anything further.

Sincerely,  
Kurt Petrica  
Operations Engineer - Central Region  
Alberta Transportation

# ***AGENDA ITEM***

**DATE:** May 24, 2011

**ITEM:** Leslieville Lagoon

**PREPARED BY:** Rick Emmons

## **BACKGROUND:**

With the recent closure of the Rocky Mountain House Lagoon Facility to all external haulers, Administration has been actively seeking temporary solutions in an effort to minimize the negative impact to our citizenry; while concurrently pursuing the permanent resolution to the circumstances.

The most feasible temporary solution Administration has investigated into, was requesting Alberta Environment to permit external haulers into the Leslieville Lagoon Facility. Alberta Environment has been extremely amiable in this process and has granted Clearwater County permission to open the Leslieville site to external haulers.

Administration would not normally recommend the Leslieville site as an alternative; however, as this site was scheduled for dredging in 2011 anyway, it could be scheduled in the fall to ensure we don't enter into a winter condition carrying the effluents from the external haulers.

The timing of the dredging is important because this site does not offer treatment and would not normally be capable of accommodating external hauling. There would be some infrastructure needs to be addressed (i.e. – fencing, gates, etc.) and another summer position to monitor the usage, should Council wish to offer the Leslieville Lagoon as an option for external haulers. Administration would recommend a Monday to Friday (8:00am to 5:00pm) operation, so as to closely coincide with Clearwater County's office hours.

## **FINANCIAL IMPLICATION:**

The cost to upgrade the fence and provide reasonable security is estimated at \$4,500.00. The cost to place a staff member onsite and provide monitoring is estimated at \$25,000.00. An additional \$5,000 is estimated to upgrade the existing access to the lagoon. Total expense impacting the 2011 budget equates to \$34,500.00. Administration anticipates a cost recovery from the dumping fee revenue.

**Recommendation:**

Council receives the information provided by Administration and approves opening the Leslieville Lagoon to external haulers once proper fencing, gates, and manpower is in place.

Attachments - site photos, aerial photo



Looking at Leslieville Lagoon from main road.





Entering Leslieville Lagoon site.



Perimeter fence



Looking north

# Agenda Item

Date: May 24, 2011  
Item: Clearwater Health & Safety program  
Prepared by: Martin Bozek

## **Background:**

Clearwater County is a member of the Alberta Municipal Health & Safety Association, which acts as the Certifying Agency for the County's Health and Safety program and the program meeting the requirements of AB Occupational Health and Safety regulation and WCB's Partners in Injury Reduction.

I wish to discuss some of the legislative requirements for having a Health & Safety program and how the County's safety program satisfies the responsibilities assigned to Council, management and the individual workers.

Part of the County's Health & Safety program is Council's approval of an Annual Statement of Commitment for Management and Council. A copy of the Statement has been included in the presentation for your review. Council's annual approval of this Statement forms part of the safety audit that occurs each year.

At the end of the presentation I will address any question you may have.

## **Recommendation**

That Council endorses the Safety Directive as presented and authorizes the Reeve and CAO to sign.

### Clearwater County Annual Statement of Commitment for Management and Council

The personal safety and health of each employee of this County is of primary importance. The prevention of occupationally induced injuries and illness is of such consequence that it will be given priority over operating productivity where necessary. To the greatest degree possible, management & Council will provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.

We will maintain a safety and health program conforming to the best practices of organizations of this type. To be successful, such a program must start with proper attitudes toward injury and illness prevention on the part of management, supervisors, and employees. It also requires cooperation in all safety and health matters, not only between supervisors and employees, but also between each employee and their co-workers. Only through such a cooperative effort can a safety program for all be established and preserved in the best interest.

Our objective is a safety and health program that will reduce the number of injuries and illnesses to zero, surpassing the best experience of operations similar to ours. Our goal is zero accidents and injuries.

Our safety and health program will involve:

- Providing mechanical and physical safeguards to the maximum extent possible.
- Conducting a program of safety and health inspections to find and eliminate unsafe working conditions and practices, to control health hazards, and to comply fully with the safety and health standards for every job.
- Training all employees in good safety and health practices.
- Providing necessary personal protective equipment and instruction for its use and care.
- Developing and enforcing safety and health rules, and requiring all employees to cooperate with these rules as a condition of employment.
- Investigating every accident, promptly and thoroughly, to find out what caused it and to correct the problem so that it will not happen again.

We recognize that the responsibilities for safety and health are shared:

- The employer accepts the responsibility to provide a safe work environment and to provide adequate safety training to its workers.
- Employees are responsible for their own safety and that of their co-workers. It is their duty to halt and or remedy all unsafe work practices such that work can resume safely.

The safety information in this policy does not take precedence over O.H. & S. regulations. All employees should be familiar with the O.H. & S. regulations as they relate to each of their duties.

Clearwater County supports the Clearwater County Safety Committee, and the Clearwater County Safety Manual.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
County Manager

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Reeve



## BILL C-45

### **What is Bill C-45?**

Bill C-45 is federal legislation that amended the Canadian Criminal Code and became law on March 31, 2004. The Bill established new legal duties for workplace health and safety, and imposed serious penalties for violations that result in injuries or death. The Bill provided new rules for attributing criminal liability to organizations, including corporations, their representatives and those who direct the work of others.

### **Why was Bill C-45 (Section 217.1 in the Criminal Code) created?**

Bill C-45, also known as the "Westray Bill", was created as a result of the 1992 Westray coal mining disaster in Nova Scotia where 26 miners were killed after methane gas ignited causing an explosion. Despite serious safety concerns raised by employees, union officials and government inspectors at the time, the company instituted few changes. Eventually, the disaster occurred.

After the accident the police and provincial government failed to secure a conviction against the company or three of its managers. A Royal Commission of Inquiry was established to investigate the disaster. In 1998, the Royal Commission made 74 recommendations. The findings of this commission (in particular recommendation 73) were the movement that led to Bill C-45.

## What are the main provisions of Bill C-45 (Section 217.1 in the Criminal Code)?

- Bill C-45 (Section 217.1 in the Criminal Code):
- Created rules for establishing criminal liability to organizations for the acts of their representatives.
- Establishes a legal duty for all persons "directing the work of others" to take reasonable steps to ensure the safety of workers and the public.
- Sets out the factors that courts must consider when sentencing an organization.
- Provides optional conditions of probation that a court may impose on an organization.

## Who do these provisions of the Criminal Code affect?

- These provisions of the Criminal Code affect all organizations and individuals who direct the work of others, anywhere in Canada. These organizations include federal, provincial and municipal governments, corporations, private companies, charities and non-governmental organizations.

## **Legal Responsibilities**

- The employer must do everything reasonably practicable to protect the worker's health and safety which includes:
  - recognize hazards that exist
  - have policies and procedures in place
  - equipment and tools available
  - workers know how to do the work safely (safe work practices, job procedures, training)
  - supervision and monitoring in place
  - corrective actions taken
  - supportive culture in Place

## **How Council Meets Their Responsibilities**

- Meeting the responsibilities legally put forth to council is done by a number of facets which include:
  - establishing policy
  - providing direction and support
  - setting a positive example
  - communicating the importance of health and safety to staff and the public
  - providing resources to improve health and safety
  - demonstrating commitment

## ANNUAL STATEMENT OF COMMITMENT FOR MANAGEMENT AND COUNCIL

- The personal safety and health of each employee of this County is of primary importance. The prevention of occupationally induced injuries and illness is of such consequence that it will be given priority over operating productivity where necessary. To the greatest degree possible, management & Council will provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.
- We will maintain a safety and health program conforming to the best practices of organizations of this type. To be successful, such a program must start with proper attitudes toward injury and illness prevention on the part of management, supervisors, and employees. It also requires cooperation in all safety and health matters, not only between supervisors and employees, but also between each employee and their co-workers. Only through such a cooperative effort can a safety program for all be established and preserved in the best interest.
- Our objective is a safety and health program that will reduce the number of injuries and illnesses to zero, surpassing the best experience of operations similar to ours. Our goal is zero incidents and injuries.



**ANNUAL STATEMENT OF COMMITMENT FOR MANAGEMENT AND COUNCIL**  
**(continued)**

Our safety and health program will involve:

- Providing mechanical and physical safeguards to the maximum extent possible.
- Conducting a program of safety and health inspections to find and eliminate unsafe working conditions and practices, to control health hazards, and to comply fully with the safety and health standards for every job.
- Training all employees in good safety and health practices.
- Providing necessary personal protective equipment and instruction for its use and care.
- Developing and enforcing safety and health rules, and requiring all employees to cooperate with these rules as a condition of employment.
- Investigating every accident, promptly and thoroughly, to find out what caused it and to correct the problem so that it will not happen again.
- We recognize that the responsibilities for safety and health are shared:
  - The employer accepts the responsibility to provide a safe work environment and to provide adequate safety training to its workers.
  - Employees are responsible for their own safety and that of their co-workers. It is their duty to halt and or remedy all unsafe work practices such that work can resume safely.
  - The safety information in this policy does not take precedence over O.H. & S. regulations. All employees should be familiar with the O.H. & S. regulations as they relate to each of their duties.
- Clearwater County supports the Clearwater County Safety Committee, and the Clearwater County Safety Manual.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
 County Manager

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
 Reeve

**Questions ?**

**Recommendation**

That Council endorses the Safety Directive as presented and authorizes the Reeve and CAO to sign.

# Agenda Item

Date: May 24, 2011

Item: Nordegg Stage I, Phase I Residential

Prepared by: Joe Baker

## Background:

Clearwater County has recently tendered the contract for the construction of the first phase of residential development in the old Nordegg Townsite. This work will entail the grading of the area for 26 lots, construction of the first storm pond, and the servicing of water, wastewater, and storm water.

A tender opening was held on May 12, 2011 at 2:00 p.m. for the Stage I, Phase I Residential Contract. There were a total of 3 tenders received, with Foran Equipment Ltd. of Crossfield having the low valid tender. The following is a summary of the bid prices received:

<b>Foran Equipment Ltd.</b>	<b>\$3,139,204.79</b>
M. Pidherney's Trucking Ltd.	\$3,612,193.50
Richardson Bros. Ltd.	\$5,654,004.10

MPE Engineering has had some past experience with Foran Equipment Ltd. and has also contacted several references who have worked with this company. Foran Equipment Ltd. has indicated that they are confident that they can complete the work in the time frame provided.

	<u>Tender Pricing</u>	<u>Budgeted Amount</u>
Phase I Residential Construction	\$3,139,204.79	\$4,717,000.00
Third Party Costs	\$ 50,000.00	
Landscaping	\$ 300,000.00	
Shallow Utilities	\$ 650,000.00	
<u>Engineering</u>	<u>\$ 500,000.00</u>	
<b>Total</b>	<b>\$4,639,204.79</b>	<b>\$4,717,000.00</b>

## Recommendation:

That Council reviews this information and awards the Stage I, Phase I Residential Subdivision Construction contract to Foran Equipment Ltd.

# Agenda Item

Date: May 24, 2011  
Item: County Photo / Video Contests  
Prepared by: Tyler McKinnon

## Background:

Clearwater County held a photography contest in 2009; submissions were accepted from July to November and staff estimate that approximately 850 photos were received over the course of the contest. The entries were judged by a panel of three staff members and two Councillors, with cash prizes being awarded to the top three photos in each of eight different categories. In addition to this, a non-monetary grand prize was awarded by draw to one of the first place category winners.

The photo contest was conceived of as a means to get visitors and residents engaged and talking about their community. The contest challenges potential entrants to think about what areas within the County are aesthetically appealing and special to them, and allow them to share that with the world.

The contest also served as an affordable alternative to hiring professionals to take pictures throughout Clearwater County. Contest entrants signed an agreement that any photos submitted became the property of Clearwater County and could be used as we deem fit. We received many high quality photos through the contest, many of which have been used in promotional materials or on the County's website.

Given the success of the previous photo contest, Council included \$7,000 in their 2011 budget for another contest. Staff are proposing that Council also consider a video contest to run parallel with the photo contest. The video contest could conceivably have fewer categories than the photo contest, with a slightly higher monetary prize given the additional work required in producing a video. In a similar manner to the photo contest entries, the videos would become the property of Clearwater County and could be used for promotional purposes and to highlight, in our residents' and visitors' own words, what makes the County a special place to live, work and play.

Staff have developed eight potential photography categories and three potential video categories for Council's consideration:

## Photography

### **1. Groups / Special Events:**

With a wide variety of special events throughout the year and numerous clubs, groups and organizations to join, there is always something happening in Clearwater County. Capture that special feeling at anything from a Canada Day celebration, a local recreation club get together, to a service group giving back to their community.

### **2. Off the Beaten Path:**

Everyone has their own favourite hidden gem. Maybe it's a little known lake in the woods or a high mountain stream. Whatever it may be, share a photo your own special off the track spot. We're looking for photos that show the best that our County has to offer.

### **3. Farming:**

The agricultural lifestyle is an important part of life in Clearwater County. Send us your images that represent or evoke the unique spirit and character of farm life.

### **4. Forces of Nature:**

The weather in Clearwater County can range from a colour drenched sunset on a tranquil summer evening to the fury and raw power of a wind storm blowing across the land. Capture the beauty of the elements at work.

### **5. Industry**

Clearwater County is a place to work and play. Business in action is the lifeblood of our community- show us yours!

### **6. Adrenaline and Adventure:**

With so much to do in our area, there are activities to appeal to every sensibility. What gets your heart pumping when you are out and about in Clearwater County? We want you to send us your action shots that stir the blood and satisfy that craving for adventure.

### **7. Quiet Moments**

Early morning fly fishing, sitting around the campfire with friends, watching the sun rise over a quiet cup of coffee. How do you take time to relax and unwind?

**8. Fantastic Flora and Fauna:**

So many amazing plants and animals populate our land. Have you caught any of them on film?

Video**1. Living in Clearwater County:**

Why do you feel that Clearwater County is a great place to live? What brought you to the area and why have you chosen to stay? Share your stories about life in Clearwater County

**2. Working in Clearwater County:**

Lots of people have chosen Clearwater County as a place to work. What advantages does the County offer that helped encourage you to work in our area, or to locate your business here?

**3. Special Moments and Memories:**

Certain times and events will always be tied up with our memories of Clearwater County. Whether you were visiting, working or living here, tell us about that meaningful moment in Clearwater County that you'll never forget.

The proposed photography categories are intended to highlight a diverse number of activities, moods and areas within Clearwater County. The video categories highlight the idea that Clearwater County is an ideal location to live, work and play for all walks of life.

Contest rules, guidelines and legal documents were drafted for the last photo contest and can be largely reused for the new contests should Council wish to move ahead with these contests. Costs around the contests would largely be for prizes and advertising and would be covered under the \$7,000 allocated towards a photo contest in Council's 2011 budget. Should Council wish to approve the categories as presented, the contest itself will be open from July 11 to November 14.

**Recommendation**

That Council approve the photo and video contest categories as presented

# Agenda Item

Date: May 24, 2011  
Item: Common Ground Request  
Prepared by: Tyler McKinnon

## Background:

Councillor Duncan has advised that the Common Ground committee is currently planning to hold their upcoming Powwow event at the National Historic Park, and have received permission to do so from Park staff.

In order to accommodate this event, the committee and Park staff would like to expand the on-site camping and parking facilities to include an unused hayfield which is currently covered in a thick layer of tall, dead grass. A verbal request has been made of Clearwater County to provide a mower capable of making a first cut as they do not have anything sufficient. Ag. Services staff have noted that their rotary mower may be capable of doing the first cut so that additional mowing could be done by Parks Canada staff mid-July in preparation for the event. This would greatly reduce the fire hazard around the event.

Custom mowing is typically billed out at \$80/hour, however given the limited budget the Common Ground Committee has, it has been requested that the County provide the mowing service as an in-kind donation. Based on discussions with Ag. Services, it is estimated that it will take 3-4 hours to mow the area (including travel time to and from the site).

Council has previously provided support to assist the establishment and sustainability of similar community initiatives. For example, in the past Council has provided \$1,200 funding to Leslieville Antique Days for the provision of dust control services around their event.

## Recommendation

That Council directs staff to provide the requested support



# Agenda Item

Date: **May 24, 2011**  
Item: **South East Recreation Grounds**  
Prepared by: **Mike Haugen**

## **Background:**

Please find attached the updated concept drawing for the South East Recreation Grounds.

In partnership with the Caroline Athletic and Agricultural Society, an updated plan has been prepared for Council's approval. The updated drawing contains the same facilities that have been depicted in the past, but makes some alterations to their location and/or size to make better use of the site topography.

The drawing depicts the long-term plan for the site and only a portion of this work will be completed this year. The original concept was created based on an approximately \$730,000.00 application to the Recreation Infrastructure Canada (RIInC) Fund which was ultimately unsuccessful.

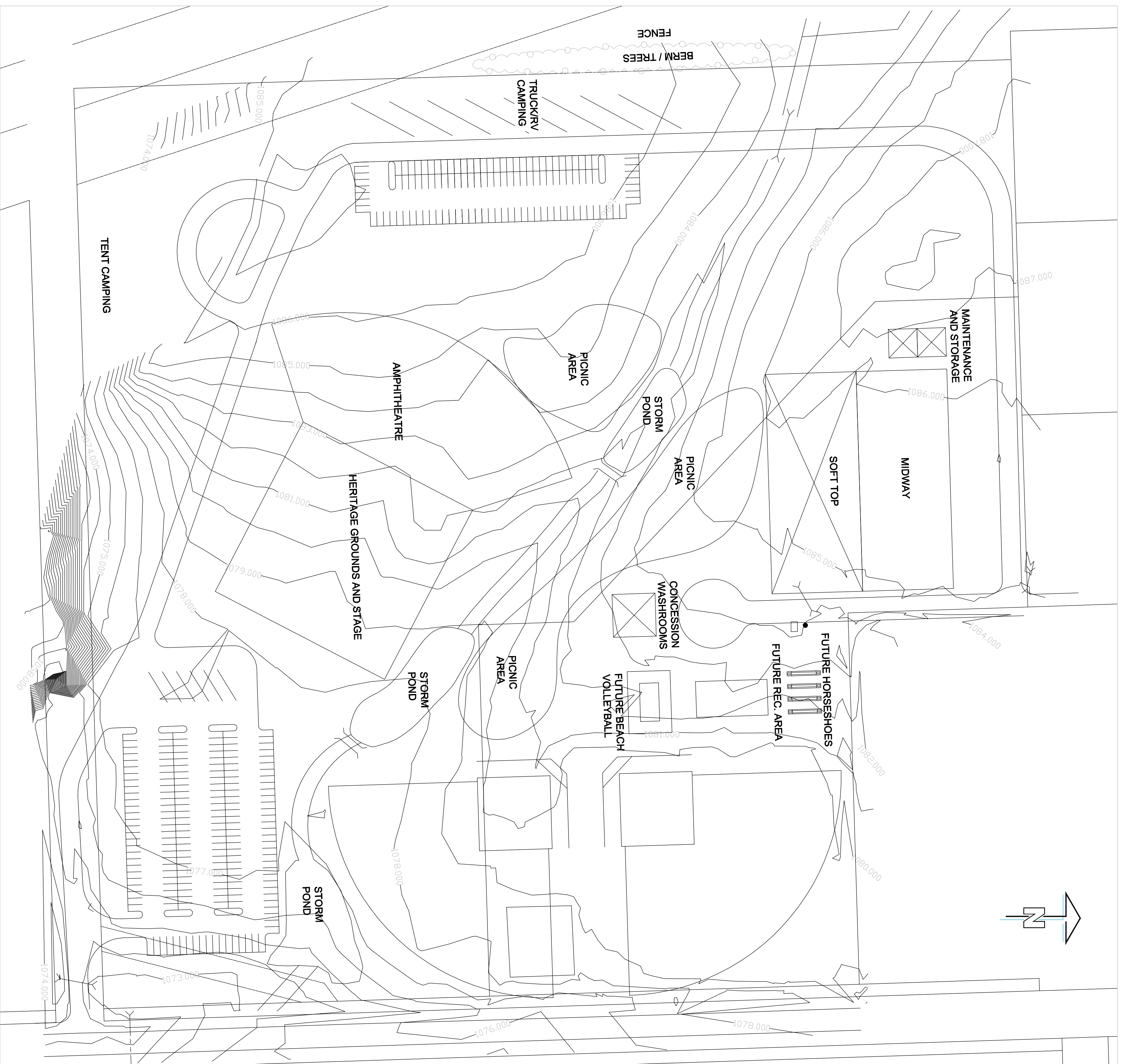
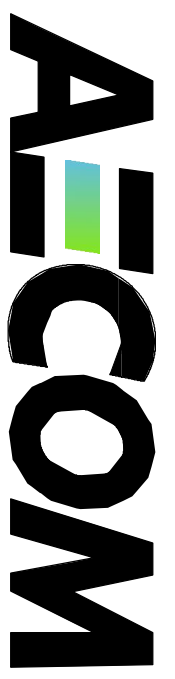
Approximately \$1 million will be expended on work done this summer. This accounts for engineering costs and work, including construction, associated with the ball diamonds, concession/washroom building and some of the parking spaces, as well as site servicing such as water, sewer and electrical.

As depicted in Council's approved 2011 budget, this work is being funded through the Major Community Facility Enhancement Program as well as Municipal Reserve funds that are collected from developers at the time of subdivision and legally must be used for public projects of this nature. Should Council approve of the site concept, tender documents will be prepared with work scheduled to start in mid-summer.

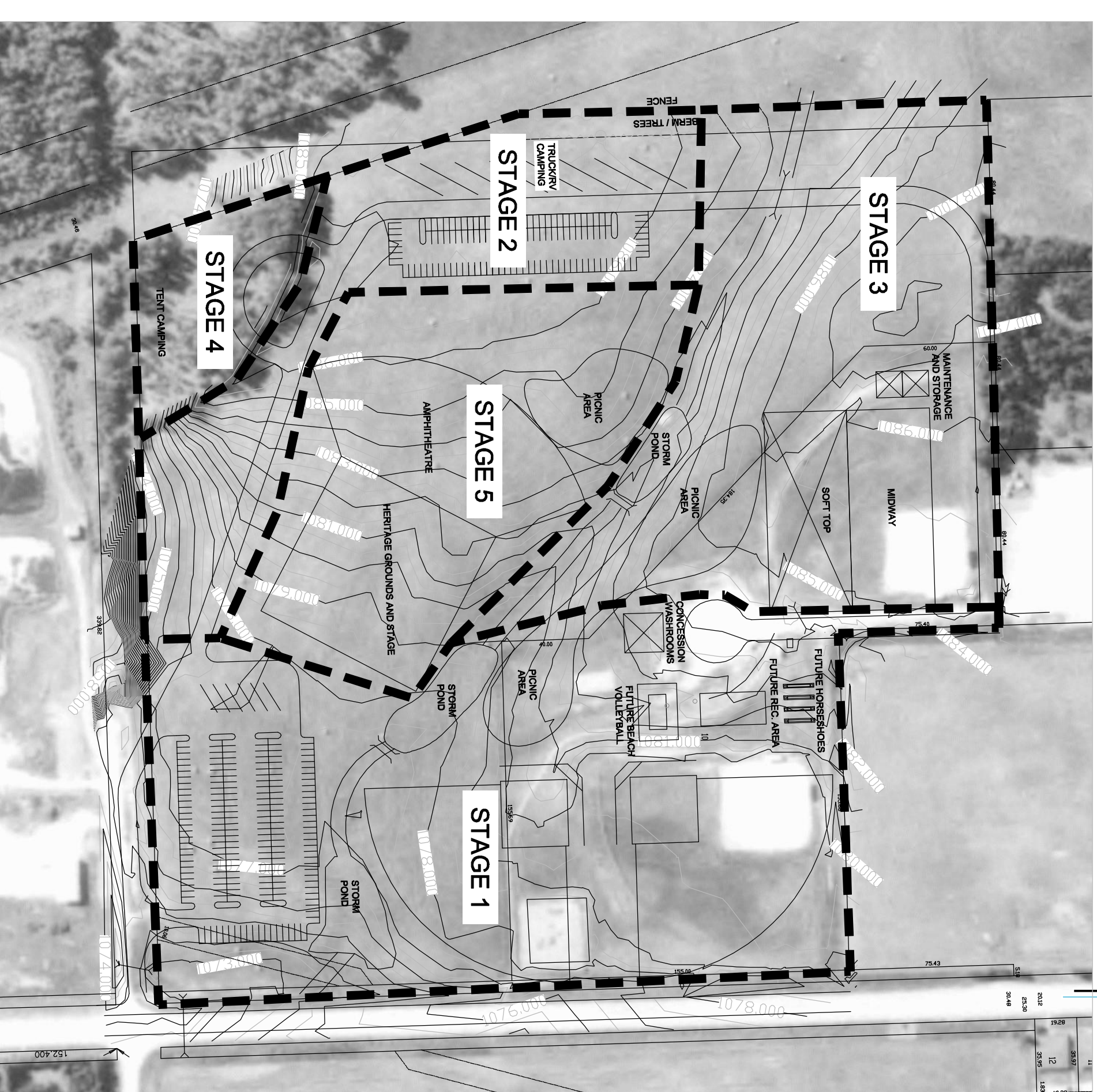
## **Recommendation**

That Council approve the South East Recreation Grounds Concept as depicted in the attached drawing.





SCALE 1:1000



AIR PHOTO NOT TO SCALE

Clearwater County  
 South East Recreation Grounds Concept  
 South East Recreation Grounds Concept Update  
**Site Layout Concept**

Figure - 100



# Agenda Item

**Date:** May 24, 2011

**Item:** **Public Hearing 1:15 PM**

**Application No. 05/11 to amend the Land Use Bylaw**

For the redesignation of 11 acres described as Plan 1992NY, Lot B,  
PT NE 14-39-07-W5

From Industrial District "I" to Agriculture District "A" for the purpose  
of subdivision and consolidation with the remainder of NE 14-39-07-  
W5 which is currently Agriculture Land.

Will and Dana MacDonald on behalf of Blair Hirsch

**Prepared by:** Kimberly Jakowski

## **Background:**

The subject land is located on the east border of the Town of Rocky Mountain House partially within the Long Term Town Boundary and the remainder in the Rural Policy Area as directed in the Rocky - Clearwater Intermunicipal Development Plan. Blair Hirsch holds title to Lot B, Plan 1992 NY containing 21.67 acres and is presently zoned Industrial District "I". The subject portion of land to be redesignated, approximately 11.0 acres, is located in the east half of the property adjacent to the remainder of NE 14-39-07-W5.

Blair Hirsch applied in October of 2004 to have his parcel, that being 21.67 acres, to be rezoned from the Agriculture District "A" to the Industrial District "I" in order to operate his plumbing and heating business at one location and to build a shop. A public hearing was held on January 25, 2005 and the application received second and third reading to approve the redesignation to the Industrial District "I". In 2007 Blair Hirsch received approval to build a shop to operate his business which was constructed on the west half of the existing parcel.

The application before Council today is for the redesignation of 11.0 acres of the 21.67 acre parcel, that being the east half of the existing parcel, from the Industrial District "I" to the Agriculture District "A" for the purpose of consolidation with the remainder of NE 14-39-07-W5 to allow for physical and legal access and an appropriate building site for a residence. Schedule "A" indicates the portion of land to be redesignated and consolidated as well as the new proposed parcel with the remainder of NE 14-39-07-W5 and the consolidation combined.

Currently the remainder of the quarter section obtains access to 42<sup>nd</sup> Street via adjacent land. Legal access is by the undeveloped road allowance on the east side of the quarter section. The proposed consolidated parcel would see the south half of the abandoned railway bed consolidated with the portion of Lot B to be subdivided and the remainder of the quarter section. The abandoned railway bed could then be the legal and physical access to the proposed building site on the consolidated parcel.

**Planning Direction:**

The Rocky – Clearwater Intermunicipal Development Plan adopted in 2007 applies to all lands within the Town boundary and the areas of the County shown on the IDP Future Land Uses map. The Plan guides development and provides a basis for inter-municipal discussion and collaboration where developments in one municipality have the potential to impact the other municipality.

The Rocky – Clearwater Intermunicipal Development Plan indicates in Section 5.1 Agricultural Uses that the common goals of the plan are to avoid the premature subdivision and conversion of agricultural land to non-agricultural use as well as minimize the impact of urban expansion on agricultural lands.

Policy 5.1.1 states agricultural use of land shall continue to be the predominant use within the Rural Policy Area on Map 1 over the long term and subdivision of agricultural lands for non-agricultural purposes should be discouraged.

Policy 5.1.2 states the expansion of the Town onto agricultural lands shall be recognized as ongoing and shall be carefully guided to minimize the premature loss of agricultural land.

The Future Land Uses map of the IDP depicts the general indication of land use for the subject lands to be industrial on the western portion and agricultural in the eastern portion of Lot B. This proposal appears to be consistent with the goals of the IDP regarding the premature conversion of land to non-agricultural uses and minimizing the urban expansion on agricultural lands. This proposal allows for a portion of land that was previously redesignated to Industrial District “I” to be redesignated back to the Agriculture District “A”.

The Municipal Development Plan (2010) Intermunicipal Planning, Local Planning and Liaison goals and policies adopted outline the relationship between Clearwater County and the surrounding municipalities. One of the goals is to promote cooperation through reciprocal referral mechanisms with adjoining municipalities on planning and development matters of common interest. Another goal is to participate in joint plans with neighbouring municipalities for

areas of common interest. In this case that being the Intermunicipal Development Plan between Clearwater County and the Town of Rocky Mountain House.

Municipal Development Plan (2010) Policy 11.2.1 states that Clearwater County shall work cooperatively with its adjacent municipalities to secure and implement arrangements regarding lands of mutual interest for the referral of:

- (a) proposed statutory plans, outline plans and amendments thereto;
- (b) proposed land redesignations;
- (c) subdivision applications; and
- (d) development applications for major developments.

Policy 11.2.5 shall require Clearwater County to manage growth and land use change in the fringe area around Rocky Mountain House in accordance with the Rocky - Clearwater Intermunicipal Development Plan.

**First Reading:**

At the regular Council meeting held on April 12, 2011, Council reviewed and gave first reading to Bylaw 938/11. As required by legislation, notice of today's Public Hearing was advertised in the local newspapers and comments were invited from the adjacent landowners and referral agencies.

Upon consideration of the representations made at the Public Hearing, Council will consider whether or not to grant second and third readings to Bylaw 938/11. If second and third readings are granted, an application for subdivision may then be submitted to the subdivision approving authority (Municipal Planning Commission).





# CLEARWATER COUNTY

## Application for Amendment to the Land Use Bylaw

Application No. 11/05

I / We hereby make application to amend the Land Use Bylaw.

APPLICANT: Will & Dana MacDonald

ADDRESS & PHONE: RR 1 Site 9 Box 23 Rocky Mountain House T4T 2A1  
403-846-1677 cell 403-845-3539 Home

REGISTERED OWNER: Blair Hirsch

ADDRESS & PHONE: 6709-61st Rocky Mountain House T4T 1K5 403-844-0942

### AMENDMENT REQUESTED:

- CHANGE OF LAND USE DISTRICT *FROM:* Industrial "I" *TO:* Agricultural "A"  
 LEGAL DESCRIPTION OF PROPERTY: NE 1/4 Sec. 14 Twp. 39 Rge. 7 W5M  
 OR: LOT: B BLOCK — REGISTERED PLAN NO.: 1992 NY  
 OR: CERTIFICATE OF TITLE NO.: \_\_\_\_\_ (Site Plan is attached)  
 SIZE OF AREA TO BE REDESIGNATED: \_\_\_\_\_ (Hectares / Acres)

### 2. REVISION TO THE WORDING OF THE LAND USE BYLAW AS FOLLOWS:

Change Industrial zoning to Agricultural

### 3. REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

Redistrict land to allow for consolidation with remaining quarter section already zoned Agricultural "A" in order to allow development as a residential parcel or farm parcel.

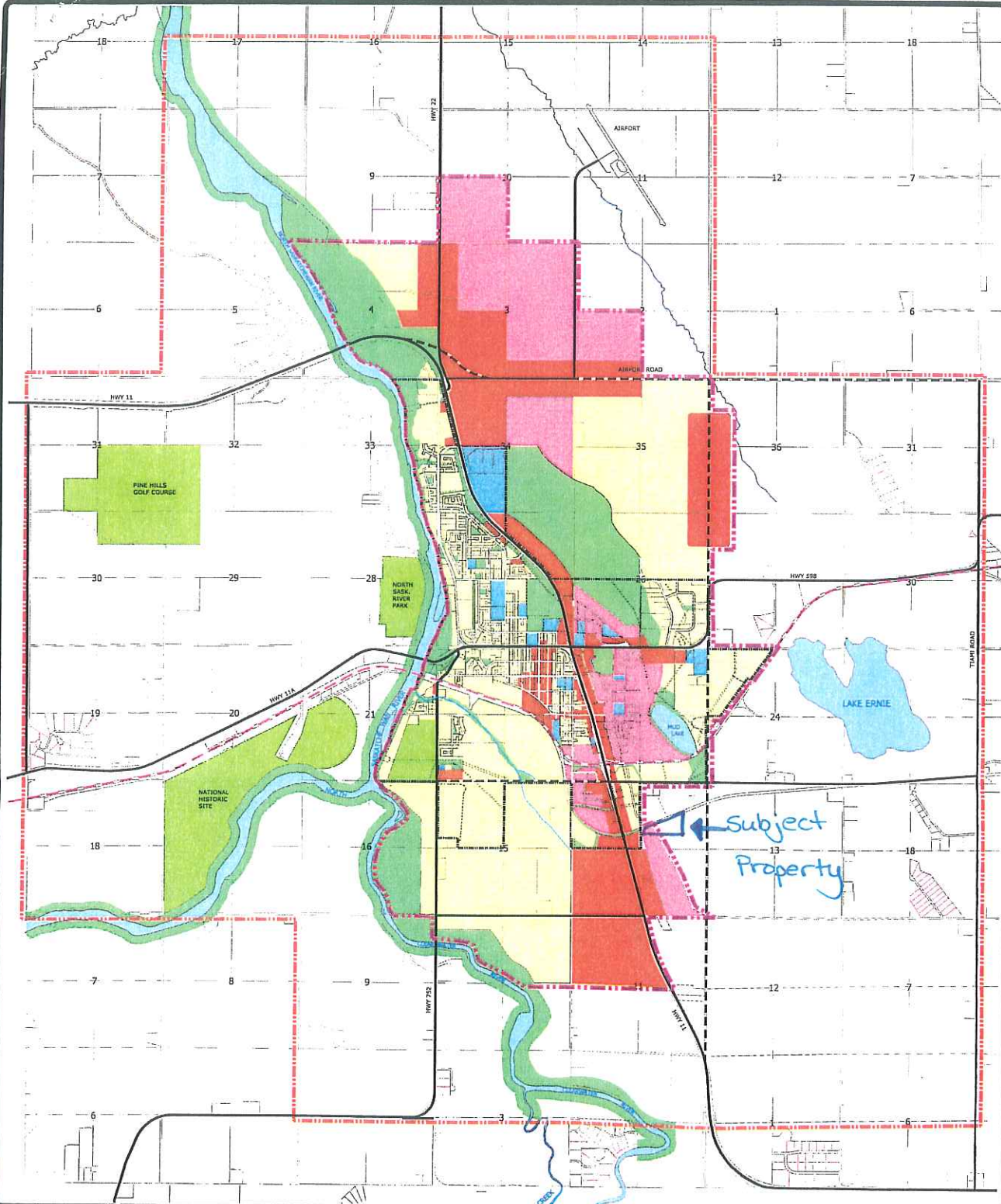
DATE: March 15, 2011 APPLICANT'S SIGNATURE Will MacDonald

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the Land Use Bylaw amendment application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F-25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.

APPLICATION FEE OF \$400.00 DATE PAID: March 15, 2011 RECEIPT NO. 70799

K. Palowski  
SIGNATURE OF DEVELOPMENT OFFICER  
IF APPLICATION COMPLETE

IMPORTANT NOTES ON REVERSE SIDE



**LEGEND**

- PLAN AREA BOUNDARY
- EXISTING TOWN BOUNDARY
- LONG TERM TOWN BOUNDARY
- HIGHWAY AND ARTERIAL ROAD
- HIGHWAY AND ARTERIAL ROAD (PROPOSED)
- RAILWAY LINE

**LAND USES AND POLICY AREAS**

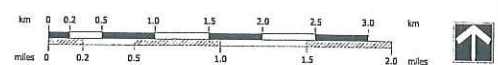
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC & INSTITUTIONAL SERVICES
- MAJOR OPEN SPACES & UNDEVELOPED AREAS
- RECREATIONAL
- RURAL POLICY AREA

**Notes:**

1. This map shows the generalized indications of land uses and major roads. It is not intended for scaling or detailed design.
2. The land use patterns and concepts must be interpreted with the text of this plan. More detailed and precise boundaries between land uses will be established through area structure plans, outline plans and land use bylaw designations.

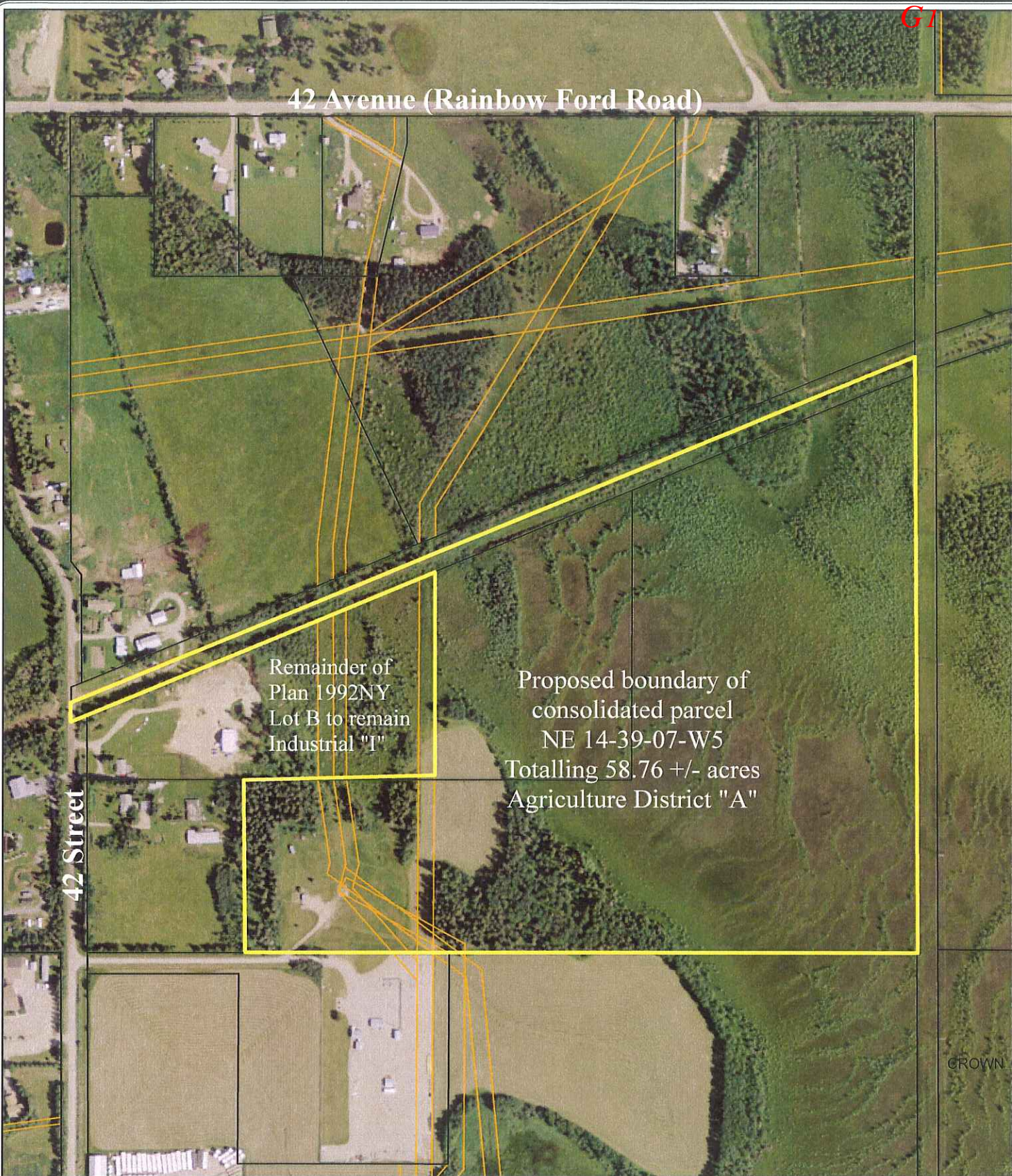
**MAP 1**  
**FUTURE LAND USES**

TOWN OF ROCKY MOUNTAIN HOUSE & CLEARWATER COUNTY  
**Intermunicipal Development Plan**





42 Avenue (Rainbow Ford Road)



Remainder of  
Plan 1992NY  
Lot B to remain  
Industrial "I"

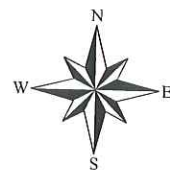
Proposed boundary of  
consolidated parcel  
NE 14-39-07-W5  
Totalling 58.76 +/- acres  
Agriculture District "A"

42 Street

CROWN



**Application #05/11 to Amend Land Use Bylaw  
 Redistrict 11.0 +/- acres of the total 21.67 acres  
 in Plan 1992NY, Lot B  
 From Industrial "I" to Agricultural "A"  
 Combined with Subdivision Application 21/3198  
 Will and Dana MacDonald**





**BYLAW NO. 938/11**

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Land Use Bylaw, being Bylaw No. 714/01.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, and;

WHEREAS, a Council is authorized to prepare, to adopt, and to amend a Land Use Bylaw to regulate and control the use and development of land and buildings within the Municipality;

WHEREAS, the general purpose of the Agriculture District "A" is to accommodate agricultural land uses and to conserve good agricultural land.

NOW, THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

That all that portion of Plan 1992 NY, Lot B in the NE 14-39-07-W5, as outlined in red on the attached Schedule "A" be redesignated from Industrial District "I" to Agriculture District "A".

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

PUBLIC HEARING held this \_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

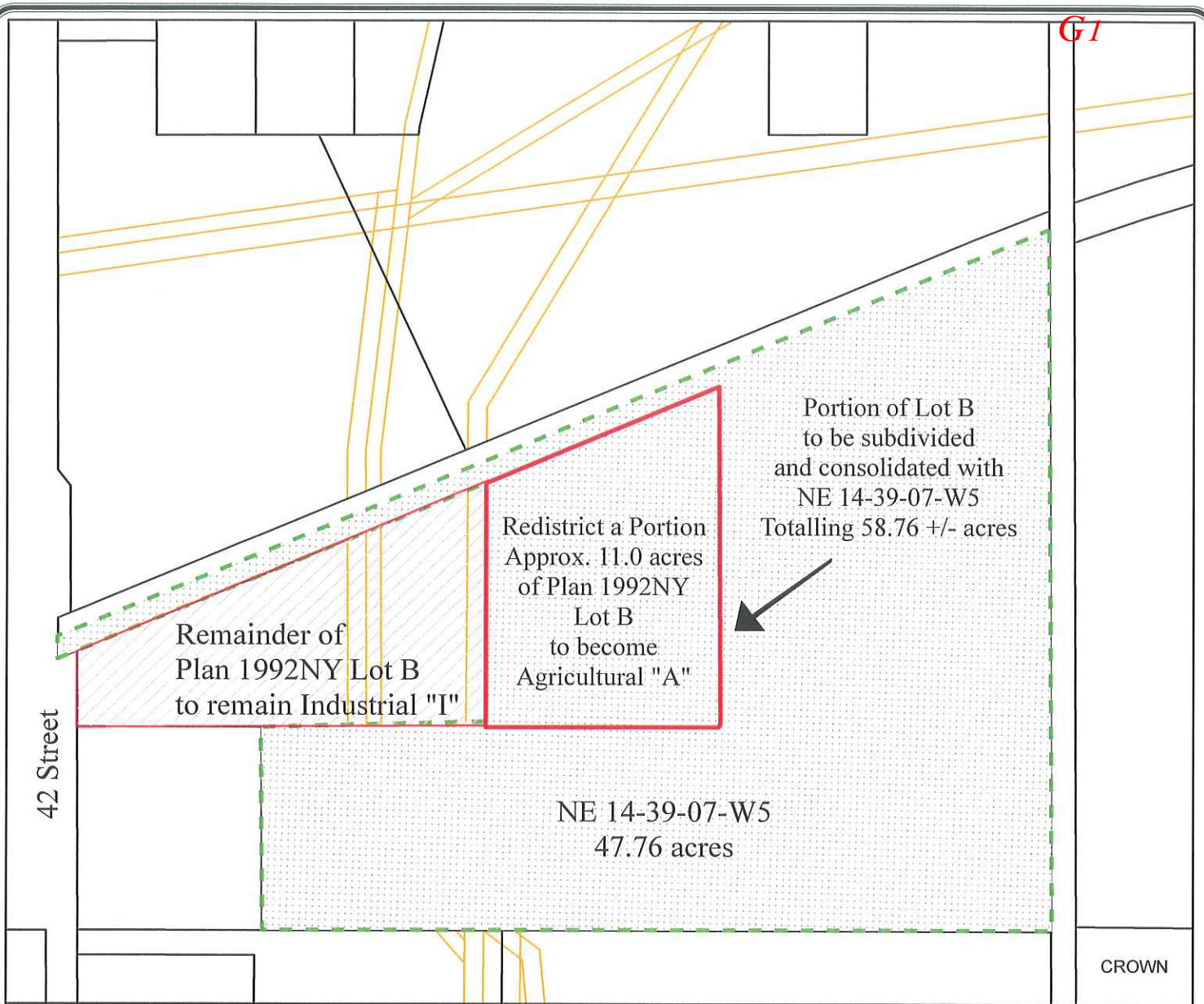
READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_ A.D., 2011.

READ A THIRD AND FINAL TIME this \_\_\_ day of \_\_\_\_\_ A.D., 2011.

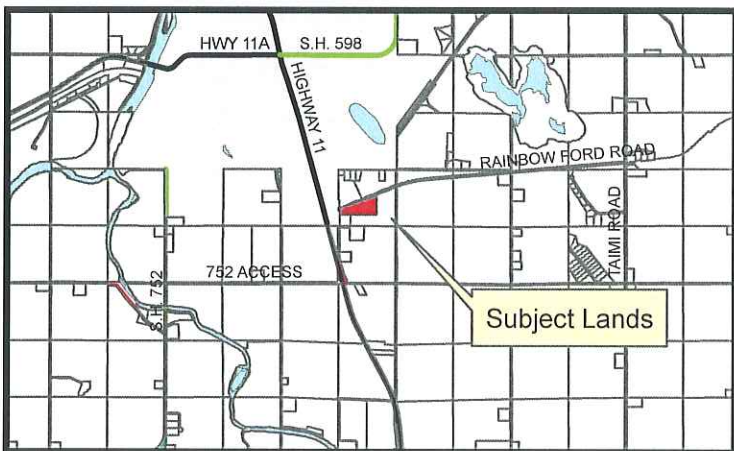
\_\_\_\_\_  
REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER





CROWN



**Bylaw No. 938/11  
Schedule "A"**



**Application #05/11 to Amend Land Use Bylaw  
 Redistrict 11.0 +/- acres of the total 21.67 acres  
 in Plan 1992NY, Lot B  
 From Industrial "I" to Agricultural "A"  
 Combined with Subdivision Application 21/3198  
 Will and Dana MacDonald**



# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ...2011.....

Name of Councilor / Board Member ..... Bob Bryant .....

Payment Periods

January	February	May	June
March	April	July	August
September	October	November	December

**Supervision Rate – \$550.00 Monthly**  
**Reeve Supervision Rate - \$850.00 Monthly**

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
April 7/11	General Meet. RDRWA <sup>Hanna</sup>	✓	✓				597 km
April 12/11	Regular Council				✓		4 km
April 13/11	Nordlegg Community Assn.						170 km
April 14/11	RDRWA Board Retreat <sup>Drumheller</sup>	✓	✓				500 km
April 15/11	RDRWA Board Retreat <sup>Drumheller</sup>	✓	✓				
April 18/11	RDRWA Stewardship Comm.	✓					172 km
April 20/11	Alexo Saunders Campground Meet	✓					4 km
April 20/11	Rocky Senior Housing						
April 21/11	MPC	✓	✓			✓	4 km
April 26/11	Regular Council				✓		4 km
April 29/11	Alta Lib Assn. Jasper	✓					664 km
April 30/11	Alta Lib Assn. Jasper	✓	✓				

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### Remuneration Calculation

1 Westview Mtg @ \$60.00	60.00				
8 Meetings @ \$140.00=	1120.00	2119		Kms @ \$0.52=	1101.88
5 Meetings @ \$112.00=	560.00	1		Lunch @ \$16.00=	16.00
2 Meetings @ \$254.00=	508.00				
Supervision=	550.00				
Sub Total=	/			Sub Total=	/
<b>TOTAL=</b>	<b>2798.00</b>			<b>TOTAL=</b>	<b>1117.88</b>

Signature {Councilor / Board Member} ..... B. Bryant .....

# Clearwater County

## Councilor and Board Member Remuneration Statement

For the Year of ....2011.....

Name of Councilor / Board Member ..... *Shick Wyman* .....

Payment Periods

January	February	May	June
March	<u>April</u>	July	August
September	October	November	December

Supervision Rate – \$550.00 Monthly

Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$140.00	Next 4 Hours \$112.00	Next 4 Hours \$112.00	Regular Council Meeting \$254.00	Lunch \$16.00	Mileage @ \$0.52 / km
6	FCSS	✓					54
<del>7</del>	Withdraw Community	✓					40-
8	Fire	✓					54
12	Council				✓		54
13	FCSS	✓					54
21	Community Futures	✓	✓				180-
26	Council				✓		53
29	ASB	✓					53

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### Remuneration Calculation

<u>6</u>	Meetings @ \$140.00=	<u>840.00</u>	<u>582</u>	Kms @ \$0.52=	<u>271.44</u>
<u>1</u>	Meetings @ \$112.00=	<u>112.00</u>	<u> </u>	Lunch @ \$16.00=	<u> </u>
<u>2</u>	Meetings @ \$254.00=	<u>508.00</u>	<u> </u>		
	Supervision=	<u>550.00</u>			
	Sub Total=	<u> </u>		Sub Total=	<u> </u>
	<b>TOTAL=</b>	<u>2010.00</u>		<b>TOTAL=</b>	<u>271.44</u>

Signature {Councilor / Board Member} ..... *Shick Wyman* .....