

**R.M. OF LUMSDEN NO. 189
MINUTES OF THE OFFICIAL COMMUNITY PLAN AND ZONING
BYLAW PUBLIC HEARING
HELD ON SEPTEMBER 27, 2012**

The Rural Municipality of Lumsden Council convened the Public Hearing for the Official Community Plan and Zoning Bylaw in the Centennial Hall, on the evening of Thursday, September 27, 2012 at 7:00 p.m. with Reeve Jim Hipkin presiding.

Present: Reeve: Jim Hipkin
Councillors: Al Szeles, Jim Atcheson, Bill Marquardt
Tom Harrison, Dale Srochenski

Chief Administrative
Officer: Byron Tumbach
Asst. Administrators: Darcie Cooper, Krystal Strong
Municipal Planner: Jim Walters, Crosby Hanna & Associates

Absent: Councillor: Kent Farago

Attendees: See attached attendance sheet.

The public hearing was held for Bylaw No. 6-2012 being the proposed Official Community Plan and Bylaw No. 7-2012 being the proposed Zoning Bylaw.

There were 6 written submissions presented.

Reeve Hipkin called the public hearing to order and indicated that anyone wishing to provide a verbal or written submission to begin presentation.

Brenda Theaker presented her attached written submission verbally. Her concern was regarding the proposed rezoning of her property legally described as Parcel B, Plan 65R35864 in the SE 4-20-21-W2 from Agriculture to Country Residential.

Jim Walters responded by indicating that during the review process the zoning districts were reorganized in a significant way and the site sizes were changed. For properties like Brenda Theakers, the proposed rezoning to Country Residential was to fit and conform to the bylaw with the new Zoning Districts. He indicated that there was no intention to restrict what they were currently doing or increase their taxation. He indicated that confirmation was received from SAMA that the change in zoning district would not increase their assessment, because of the way the Zoning bylaw is worded with the provision of some agricultural uses in all the Country Residential Districts.

Barry Mitschke representing the Lumsden Valley Community Association provided a verbal presentation on his attached written submission.

Allan Atcheson provided a verbal submission and made the following comments:

- Lives in Division 4
- Rural Residential – He talked about the 1 parcel out of the quarter section subdivision and noticed that there has been very few of these subdivisions in Division 1 and 4. Commented that the farmers have more or less regulated or had direct impact on the amount of Residential development. They didn't need the cash or didn't want to have that many neighbors, or there hasn't been the pressure for rural development in their area. He questions why council would want to consider the 2nd parcel out of a quarter. He has no concerns with the 1st parcel, there are obvious parcels that should be taken out, maybe there is a family member that wants to live close by and help with the farming operation or whatever else.
- Proposed Commercial Corridor on No. 6 highway – concerned with competing with the RM of Sherwood who has been in Commercial development for many years and they have all kinds of room for commercial development. He's also concerned with the increased traffic on No. 6 highway that a commercial corridor would create. He feels that the traffic on No. 6 highway is unsafe as it is.

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David Ip provided a verbal submission on his written submission. His property is proposed to be rezoned from Agriculture to Country Residential District and he's concerned about further subdivision of parcels around him with respect to minimum site sizes.

Gilbert Wagner provided a verbal submission and made the following comments:

- Lives in the Qu'Appelle Valley
- Asked if the planner had input from the residents regarding the plan. Jim Walters indicated that yes there was public input both from the Planning Advisory Committee and the Open Houses that were held.
- Concerned with the Commercial Corridor identified along No. 6 highway and the affect it would have on Assessment and taxation. Corridors should be given deep consideration
- Not a firm believer of Country Residential. The 21 acre parcels that now exist and the excessive vegetation on these parcels, is a real fire hazard throughout the Valley. He feels that 21 acres is far too large and the development should come from cities, towns and villages
- There is one line that he opposes and opposed it when he was with the Flying Creek Planning Commission "These developments can take place, such developments do not directly support Agriculture." He asked to be shown one Acre that cannot support some form of Agriculture. Agriculture has a value. When there were drought years, all the cattle were in the Qu'Appelle Valley.

Jim Walters spoke about the Corridors to clarify between Zoning Districts and the preferred transportation corridors map. The Corridors map follows Highway 6 and No. 11 and indicates that if Commercial development were to occur in the municipality those are the two best locations for it to occur because it would be the least impact, transportation wise, to the municipality because of the quality of roadways. That is one consideration that council would have, if a commercial development were to come forward. There are the Zoning Maps that indicate the land zoning, which is mostly zoned agriculture. The land would remain agriculture, unless there was a rezoning as a result of an application coming forward and this would involve public consultation and a public hearing.

Harold Lorenzen provided a verbal submission and made the following comments:

- He owns property, bought a quarter section 35 years ago, built a house on the quarter, then had to move to the City for personal reasons. He subdivided about 7 acres from the quarter to a new family in the community that now pays taxes; the children attend school, etc. He kept the rest of the quarter.
- Land is on a good access road, not high class Ag land, lots of water for residential development, not great for Agriculture.
- He has been in consultation with the municipality about the changes to the OCP and Zoning Bylaws to allow more development to occur in the Agriculture District. He attended the public open houses that were held and feels the bylaws have moved along in a consistent manner over the last couple of years. He indicated that with new bylaws, you'll never get something perfect for everyone. He indicated that the proposed bylaw do allow for some development in agriculture areas where it does make some sense, brings in more revenue for the RM, allows new families to move into the RM looking for the quality of life. The opportunities for other families to come here are good.
- He agrees that residential development and agriculture are self-regulating and he feels that it will continue to be self-regulating. One of the main reasons is the high cost to servicing rural property for residential development.
- Wanted to provide positive feedback, try to balance competing interests and feel the documents are well thought out. If nothing changes, nothing moves forward.

Garth Hecker made a verbal submission and made the following comments:

- Question to council that is not directly related to the plan, regarding a development that occurred about 1 mile from where he lives and he wanted to know what the new development was going to produce and has been under construction for about 1 year now. He had two questions; what is the development and what are the regulations regarding notifying people that live in the community of a new proposal.
- Jim Walters indicated that it was a canola processing plant and the required notification is property within 75 meters or adjacent landowners to the development. He indicated

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that if there was a zoning change then there would be a public hearing held and adjacent landowners would be notified as well.

- Garth felt that notification of these types of development should extend to an area of one mile from proposed development.

There was discussion over this particular development that ensued. The development was a discretionary use in the Agriculture Zone.

Unknown Person asked what types of activities would be allowed in Residential Districts? Jim Walters indicated that home based business type developments would be allowed but heavy construction and industrial development are not allowed. If there are existing activities when the bylaw is changed those existing uses can still occur after the bylaws are changed.

Unknown Person questioned whether a cement plant would be an allowed use in the Agriculture District. Jim Walters indicated that he felt it would not, it would be considered industrial.

Allan Atcheson wanted some clarification regarding the Country Residential classes. He was under the impression that high density development would not occur in Division 1 or 4. Jim Walters indicated that there are 4 Country residential districts that are of varying densities. High density could be applied under strict policies, however there are no restrictions that it can't go in any particular place. It could happen anywhere.

Unknown person asked about residential rezoning. Jim Walters indicated the process for rezoning and the requirement for an applicant to complete the Country Residential Workbook for council's consideration. Rezoning is at council's discretion.

Stu Fettes made the following verbal comments:

- Wanted to see some areas set aside for Country Residential
- Wants some areas set aside where peoples children can come back to live and enjoy the rural setting
- He indicated that he looked at those maps and it seemed pretty tight, not enough room for residential development. He talked about setting some quarter sections aside for residential development
- The municipality's plan started out that way but he indicated that somewhere along the way something changed.
- Many deterrents in the municipality's plan opposing residential development that make it difficult for him to develop residential acreages

Jim Walters indicated that the new plan does allow more residential type development in the rural area, more so than in the old plan. There is more flexibility in terms of sites sizes and locations. He indicated that there is still a process, there is still a lot of work to put in to residential development applications, you don't just walk in and walk out with a residential development. It's a more modern bylaw and does provide opportunity for residential development.

Dave Core made the following verbal comments:

- Has a couple of questions, him and his wife own two quarters of land and have had it for a couple of years and hopes to make it his home someday. Has the official community plan changed dramatically since the open house that was held? Jim Walters answered No.
- He indicated that he was impressed with what he saw at the open house. He has travelled across rural Canada from coast to coast and this province is changing. You think you can stop the progress, but this province is going to change. With the municipality's proximity to Regina, people are going to come and there will be pressures and it's a fortunate situation to be in. He gives credit to council in being proactive and progressive in realizing that that's what's going to happen. He understands the need to preserve the Valley and feel that the people that want to be here will want to do that too.
- The agriculture will still be preserved and there needs to be a balance and there's going to be pressure. This province is the next Alberta and we better be prepared for it. Council is getting prepared for it. He gave council credit for the initiative they've taken in understanding the future and looking to the future.

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Barry Sudom with Lumsden Beach Camp provided the following verbal comments:

- He hasn't had the chance to review and the study the plan, due to just receiving the notice about a month ago.
- Uniqueness of Lumsden Beach Camp, with a lot of Ag land and along the lake and he wants to ensure the uniqueness of the Camp is secure. The camp may look at expanding at some point.
- Concerned about the adjacent watershed and their use of it re: observing nature, etc.
- Old rail bed not sure of the status, concerns about the ATV usage of the old rail bed. Its an old rail bed and lakefront and not sure how it fits into the plan
- We don't really fit in to any of the common molds so he wanted to express some concerns

Wayne Wurtz provided the following comments:

- Wanted to know the timeline for adoption of the bylaw
- Commented that he read no new development was to occur until adoption of the new plan.

Jim Walters indicated that council will decide whether or not to adopt the bylaw at a subsequent meeting and then the bylaws are sent to Ministry of Government Relations. There will be business as usual but no Zoning Bylaw amendments will be considered until the new OCP and Zoning Bylaw are approved by Government Relations.

Scott Riddell provided the following comments:

- Had questions regarding purchasing an old yard site in Division 4, site sizes and subdivision fees

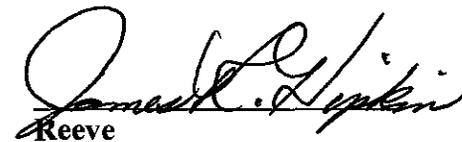
Jim Walters indicated that he could talk to him about it after the hearing regarding his options.

Reeve, Jim Hipkin provided closing comments, thanked everyone for coming and thanked the Planning Advisory Committee for the work that they have done and the guidance they provided council regarding the OCP and Zoning Bylaw.

Adjournment:

The hearing was adjourned at 8:19 p.m."

CARRIED



Reeve



Chief Administrative Officer