

# The Regular Meeting of Council was held on Monday, January 25<sup>th</sup>, 2021 at 6:30pm By Video Conference Call

- Present: Mayor Kandis Jameson, Deputy Mayor Bouchard, Councilors Anderson, Dohey, Duford, Groenewegen, and Willows
- Staff: SAO Glenn Smith, Director of Protective Services Ross Potter, Director of Public Works – Mike Auge, Director of Finance - Sam Mugford, Stephane Millette – Director of Recreation & Council Administrator – Stacey Barnes

## 1. CALL TO ORDER:

This Meeting was called to order at 6:30pm with Mayor Jameson presiding.

## 2. ADOPTION OF AGENDA #21-023 MOVED BY CLLR DUFORD SECONDED BY: CLLR WILLOWS

Add 7h) Excused Absence for Cllr Chambers

## 3. DECLARATION OF INTEREST

There were no declarations of interest for the Regular Meeting of Council, Monday, January 25<sup>th</sup>, 2021

#### 4. ANNOUNCMENTS, AWARDS & PRESENTATIONS

Cllr Willows – Would like to recognize some of our staff that are delivering vaccines across the South Slave. Nurses – Shannon Sanguez, Lori Snow, Lori Steinwand, Angela King, Julie Malenfont, Iris Blake, Karen Rowe, Audley Henry and staff – Emily Chambers, Jordan Bassett, Paula Gour, Michelle Schaub and Alex Molton.

For the week of January 18-22 the following vaccines have been given:

56 – Kakisa 113 - Fort Providence 241 – Fort Resolution 56 – Enterprise

107 – KFN

656 - Hay River

#### 5. ADOPTION OF MINUTES

a. Regular Meeting of Council – December 14<sup>th</sup>, 2020

## #21-024 MOVED BY: CLLR DUFORD SECONDED BY: DEPUTY MAYOR BOUCHARD



## 6. ADMINISTRATIVE ENQUIRIES

Director of Finance – Sam Mugford

- Working on year end
- Today was the deadline for any appeals of assessments
- Working with MACA on any feedback for PATA (Property Assessment and Taxation Act)

Director of Protective Services – Ross Potter

- January continues to be busy with calls, over 60 to date
- Approximately 82% of those have been after hours and weekends
- Working on inspections in day homes this week

Director of Recreation – Stephane Millette

- Operations are going well; we did have some issues with the ice plant, but they have been addressed.
- Outdoor rinks are in great shape
- Attendance for programs have been very good
- Aquatic swims seem to be well attended for youth, hit and miss with teen swims
- Fitness classes have been meeting registration requirements
- 2 RFP's closed this Friday as part of capital items and a RFP for security camera's to come
- Tourism Development Plan items from 2020 have been actioned and now updating for 2021

Director of Public Works – Mike Auge

- Snow removal this week
- Had a watermain break that was repaired
- Had a meeting with ENR last week regarding tire removal
- Working through zoning issues
- Development Appeal Board met last week
- Water License was approved, should have signed by the minister by January 31<sup>st</sup> Deputy Mayor Bouchard – How long is the Water License good for? Mike Auge – 10 Years

SAO – Glenn Smith

- Thanks to Mike for all the work getting the water license completed
- There was covid trace I the wastewater, it was monitored and now the traces are gone.
- Recruitment planning this week, Director of Protective Services ad going out and doing General Foreman interviews
- Should have a response back from the Development Appeal Board shortly
- Fraser Place work is moving along
- More bylaws will be coming for approval
- Debt capacity modeling, we need an agreement with MACA
- CanNor is putting out an expression of interest call, we are looking for support on existing projects
- Amendment to the CPI agreement has been executed for \$320,000



- 7. NEW BUSINESS
  - a. Fraser Place Rezone Report

#### **RECOMMENDATION:**

## #21-025 MOVED BY: CLLR DOHEY SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approve the Town of Hay River's application for Amendment to the Land Use Bylaw 1812 to Rezone Lot 1021, Plan 830 from I - Institutional to R1B - Single Family Residential (Class B),

Two small pieces of Lot 1021, Plan 830 one in the North and one in the South, South West corner from I - Institutional to P – Parks and Open Space.

Also, two small pieces on the East side of Lot 1021 Identified as Lot 2031, Plan 4393 from P – Parks and Open Spaces to R1B – Single Family Residential (Class B) subject to the following conditions.

- a) That all requirements of the Zoning and Building Bylaw are met.
- b) An amendment to the Zoning Bylaw is met.

BACKGROUND:		

The Town of Hay River has made an application requesting authorization to amend the Zoning and Building Bylaw 1812, to re-zone Town owned Lot 1021, Plan 830 and Lot 2131, Plan 4393 From I - Institutional and P - Parks and Open Space to R1B - Single Family Residential (Class B) and P - Parks and Open Space, to allow for possible 29 R1B - Single Family Residential Lots.

This area has been identified for future residential development by the Town of Hay River since at least 2005. The community's population has been stable at 3,500 over the last 30 years. When the Community Plan was updated in 2018, a future population of 5,000 to 6,000 was considered. To accommodate this growth, new residential lots were identified in three main locations: Evergreen, Aspen Heights, and Fraser Place.

The Town has invested planning and preliminary design work into Fraser Place. The rezoning is the next step in preparing the land for subdivision, detailed design, legal survey and sale.

Currently, the site is an undeveloped treed area. The lands to the north, west, and south of the Plan Area are single family homes. There are two lots on McBryan Drive, eleven lots on Stewart Drive and 5 lots on Morin Place that back directly on to the Plan Area. There is a 6m drainage right-of-way and walkway that connects into the Plan Area from Morin Place and a walkway that connects from Stewart Drive. Trails connect from pedestrian access points along Morin Place, Stewart Drive and McBryan Crescent to informal trails, the river and other destinations to the north and south.



**Residential Lots:** The proposed layout for the new residential development along Fraser Place is shown on Figure 4 in the attached Planner's Report. The development will result in 29 new single-family lots. These lots will be very similar in size and shape to the existing lots on adjacent streets. A typical lot on Fraser Place will be 17.75m x 36.5m (55ft x 120ft). At the closest point, the lots will be approximately 70m from the Hay River.

**Trails and Pedestrian Access:** The development has been designed with walkways running through the area and between lots to provide connections from nearby streets to the existing informal trails that run to the north and south along the river. These new trail connections will replace the access provided by the existing trail systems. These walkway connections are shown in Development Concept Plan.

**Proposed Playground:** As part of this development, a new playground may be developed in the greenspace between the lots on Fraser Place and the lots on Stewart Drive. The exact location and design of this playground would be finalized after discussions with residents who live in this area. A tentative location is shown on Figure 4. The Town of Hay River would seek grants or other funding opportunities to develop this playground.

All the minimum requirements of the Zoning and Building Bylaw will be met, and the mapping of the Zoning and Building Bylaw 1812 will be revised.

Next steps associated with Fraser Place rezoning and development will be:

- 1. Finance and Sales Plan presentation to Council Q1 2021
- 2. Public Hearing on rezoning and preliminary design Q2 2021
- 3. Detailed design Q2 2021
- 4. Tendering Q2 2021
- 5. Sales Q3 2021+
- 6. Construction Q3 2021+

## COUNCIL POLICY / STRATEGY OR GOAL:

N/A

## APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- 1) Schedule A, showing the proposed Zoning Amendment
- 2) Town of Hay River Community Plan 1911-18

## FINANCIAL IMPLICATIONS:

Development Costs Revenue from Sale of Lots

## ALTERNATIVES TO RECOMMENDATIONS:

N/A



## **ATTACHMENTS:**

- 1) Application from the Town of Hay River.
- 2) Schedule A, showing the proposed Zoning Amendment
- 3) Planner's Report by Zoë Morrison and Lesley Cabott, Stantec

Prepared by: Randy Froese Development Officer Date: January 21, 2021 Reviewed by: Mike Auge Director of Public Works Date: January 21, 2021

b. Recreation Committee Appointment Report

**RECOMMENDATION:** 

## #21-026 MOVED BY: CLLR DUFORD SECONDED BY: CLLR WILLOWS

## THAT THE COUNCIL OF THE TOWN OF HAY RIVER APPOINTS THE FOLLOWING INDIVIDUALS:

- Amy Burt
- Ray Levesque
- Christy Schwartz

## TO SERVE AS MEMBERS OF THE RECREATION COMMITTEE FOR THE REMAINDER OF THE CURRENT TERM ENDING ON DECEMBER 31<sup>ST,</sup> 2021.

	CARRIED
BACKGROUND:	

Pursuant to Council Procedures By-law No. 2285, Council may establish a special committee to investigate and consider any matter. In April 2019 Hay River Town Council established a Special Committee to be known as the "**Recreation Committee**" with the following terms of reference.

The purpose of the Recreation Committee is to assist the Town of Hay River in an advisory capacity by considering and making recommendations to Council on community recreation strategies, policies and opportunities.

The Recreation Committee shall consist of six (6) to nine (9) members appointed by Council and shall include the following:

- a. The Director of Recreation or Administration delegate.
- b. One (1) Member of Town Council.
- c. Four (4) to (7) representatives from the Public at Large.



In May 2019, Council appointed 7 members to the Recreation Committee with a term ending on December 31<sup>st</sup>, 2021. Three committee members resigned in 2019 and 2020 due to relocation or personal reasons.

Current committee members are Paula Gour, Nikki Ashton, Steve Campbell, Terry Rowe and Keith Dohey is designated as Liaison to the Recreation Committee.

Following a *Call for Candidates* in December 2020, the Committee is recommending that the Council of the Town of Hay River appoints Amy Burt, Ray Levesque and Christy Schwartz to serve as members of the Recreation Committee for the remainder of the current term ending on December 31<sup>st</sup>, 2021.

No other candidacies were received from the December 2020 Call for Candidates.

## COUNCIL POLICY / STRATEGY OR GOAL:

N/A

## APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- Council Procedures By-law 2285
- Recreation Rates and Fees Bylaw 2410
- Town of Hay River Recreation Policy
- Department of Recreation Business Plan

#### FINANCIAL IMPLICATIONS:

N/A

#### **ALTERNATIVES TO RECOMMENDATIONS:**

N/A

#### **ATTACHMENTS:**

N/A

**Prepared by:** Stephane Millette Director of Recreation and Community Services January 20, 2021 **Reviewed by:** Glenn Smith Senior Administrative Office January 20, 2021



## c. Appointment of Auditors Report

#### **RECOMMENDATION:**

## #21-027 MOVED BY: CLLR DUFORD SECONDED BY: WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER appoints the firm of Ashton Chartered Accountants to perform the audit of the Town of Hay River for the fiscal year ending December 31, 2020.

#### BACKGROUND:

CARRIED

Council is required by *Cities, Towns and Villages Act* Sec. 13(3)(d) to obtain an audited financial statement each year and submit the approved statement to the department of Municipal and Community Affairs within 120 days of the year end date which is December 31<sup>st</sup>. Ashton Chartered Accountants is a local firm who can provide this service to the Town. Administration is recommending that we ask them to prepare our audited financial statements for the year ended December 31, 2020.

## COUNCIL POLICY / STRATEGY OR GOAL:

N/A

## APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

13.(3)(d) of the Cities, Towns and Villages Act

#### FINANCIAL IMPLICATIONS:

There will be no change from 2020 budget.

## ALTERNATIVES TO RECOMMENDATIONS:

N/A

## ATTACHMENTS:

N/A

**Prepared by:** Sam Mugford, CPA, CA Director of Finance and Administration January 19, 2021 **Reviewed by:** Glenn Smith Senior Administrative Officer January 19, 2021



d. Additional information for second reading of rezone bylaw of 218 Miron Drive

## **RECOMMENDATION:**

#### #21-028 MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: WILLOWS

# THAT THE COUNCIL OF THE TOWN OF HAY RIVER Accept this report regarding the rezoning of Lot 1683, Plan 2830 (#218 Miron Drive).

## BACKGROUND:

CARRIED

First reading of the bylaws to rezone this lot occurred at a Town of Hay River Council Meeting on November 30<sup>th</sup>, 2020. Following this meeting a public hearing was scheduled for January and was advertised in the Hub newspaper and on Town social media.

Prior to the public meeting, the Town of Hay River received a letter of comment and concerns from Mr. Jack Rowe on behalf of Rowe's Realty. Mr. Rowe also appeared at the Public Hearing held on January 11<sup>th</sup>, 2021 to read his letter and repeat the concerns noted in the letter. Also in attendance at the public hearing was the land-owner Ms. Jane Groenewegen who spoke regarding her request for rezoning.

The concerns outlined in the letter and presented during the meeting by Mr. Rowe are concerns with the overall Zoning bylaw and do not contain any specific concerns with this proposed rezoning. The letter notes change that Mr. Rowe would like to see to the Zoning bylaw and proposes other ways to address the proposed use for this building but does not indicate any way that Mr. Rowe himself would be affected by the rezoning or give any reasons why the rezone should not proceed.

The letter indicates that using the property for Government Services would not be in line with the intent of R2 zoning and at the public hearing Mr. Rowe also commented that he did not believe that Government Services included office space. While Administration's interpretation of the Zoning bylaw is that Government Services does include office space, the discussion is not pertinent to the activity of rezoning to R2.

At the public meeting, Ms. Groenewegen provided a brief history of the property as well as the process that she has undertaken along with Administration to have the property zoned to R2.

As noted in the original report to Council that was presented on November 30<sup>th</sup>, 2020 during first reading of the bylaw, and in the work done by the Professional Community Planner, the rezoning of this lot is in line with the Town's Zoning and Building bylaw and therefore Administration recommends that the rezoning proceed with no amendments or additional conditions.

## COUNCIL POLICY / STRATEGY OR GOAL:

N/A

## APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

• Zoning & Building Bylaw No. 1812.



• Community Planners Report

## FINANCIAL IMPLICATIONS:

N/A

## ALTERNATIVES TO RECOMMENDATIONS:

N/A

## ATTACHMENTS:

Rowe's Realty Letter Comments and Concerns

**Prepared by:** Randy Froese Development Officer Date: January 20, 2021 **Reviewed by:** Mike Auge Director of Public Works Date: January 20, 2021

## e. Additional information for second reading of rezone bylaw of 6 Old Town Lots

#### **RECOMMENDATION:**

## #21-029 MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: WILLOWS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accept this report regarding the rezoning of the Old Town Lots described as Lots 26, 27, 28, 29 and 30, Block H, Plan 4668 and Lot 25, Block H, Plan 4688.

#### **BACKGROUND:**

First reading of the bylaws to rezone these lots occurred at a Town of Hay River Council Meeting on November 30<sup>th</sup>, 2020. Following this meeting a public hearing was scheduled for January and was advertised in the Hub newspaper and on Town social media.

The Town of Hay River received on December 28<sup>th</sup>, 2020, a letter from Ms. Tammy Caudron expressing concern related to the selling of residential Lots in this area (101<sup>st</sup> Street) for reasons of flooding and possible soil contamination.

On January 5, 2020 after discussing with Mike Auge, Director of Public Works, Randy Froese, Development Officer, sent a reply to Ms. Caudron with clarification and answers to her concerns and an invitation to attend the public hearing. The Town did not hear back from Ms. Caudron.

At the public hearing, Mr. Alex Pinto asked if environmental sampling would be completed on a portion of the properties where the "old school" was previously located. Administration responded to Mr. Pinto that an Environmental Assessment had already been completed on the site.



As the Town of Hay River does define construction standards for floodway fringe areas, and a Phase III Environmental Site Assessment was completed on the properties, it is recommended that the rezoning of the properties proceed with no amendments or additional conditions.

## COUNCIL POLICY / STRATEGY OR GOAL:

N/A

## APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Zoning & Building Bylaw No. 1812.

FSC Architects and Engineers Environmental Report

## FINANCIAL IMPLICATIONS:

N/A

## ALTERNATIVES TO RECOMMENDATIONS:

N/A

#### ATTACHMENTS:

Tammy Caudron's Letter

The Development Officers Reply

FSC Phase III Environmental Site Assessment Prepared for the town of Hay River, Cover sheet and address only included in this package.

#### Prepared by:

Randy Froese Development Officer Date: January 20, 2021 Reviewed by:

Mike Auge Director of Public Works Date: January 20, 2021

f. Update to Proposed Bylaw 2422

#### **RECOMMENDATION:**

#### #21-030 MOVED BY: CLLR DUFORD SECONDED BY: CLLR GROENEWEGEN

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Update to Proposed Bylaw No. 2422 – Snow Removal Bylaw Report to Council

CARRIED

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## BACKGROUND:

First and second reading of the repeal of bylaw No. 406 – Street Clearing Bylaw and replacement through Bylaw No. 2422 – Snow Removal Bylaw occurred at a Town of Hay River Council Meeting on January 11, 2021.

An oversight was recognized in the proposed bylaw by a resident where Section 10 does not include an allowance of the Town to authorize use of Town land for storage of snow. Allowances are on occasion permitted in public areas where there is minimal impact and risk to the Town ie. Snow dump.

The recommended update to Section 10 of the proposed bylaw is highlighted in the following:

No owners, occupiers or persons of responsibility shall place any snow or ice removed from their premises on the streets, sidewalks or any other public places **without explicit authorization by the SAO**. If the Town removes unauthorized deposits, the expense incurred shall be chargeable to the person responsible, which shall be in addition to any fine or penalty imposed.

## ALTERNATIVES TO RECOMMENDATIONS:

- N/A

## ATTACHMENTS:

N/A

**Prepared by:** Glenn Smith SAO January 20, 2021

g. Update to proposed Bylaw 2240

## **RECOMMENDATION:**

## #21-031 MOVED BY: CLLR ANDERSON SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Report to Council titled Update of the Proposed Amendment to Bylaw No. 2240 – Management and Excluded Personnel Employment

CARRIED

## BACKGROUND:

First and second reading of the Amendment to Bylaw No. 2240 – Management and Excluded Personnel Employment occurred at a Town of Hay River Council Meeting on January 11, 2021. Page 11 of 14



It is recommended that section "15.3 Performance Pay Increases" be replaced with the following wording:

Performance Pay Step increases will occur on the anniversary date at the discretion of the Employer, through the Senior Administrative Officer, and will be based on annual performance review whereby the Employee receives a satisfactory or better performance evaluation.

The changes are in alignment with current Town of Hay River employment contracts and have been vetted through legal opinion.

## ALTERNATIVES TO RECOMMENDATIONS:

- N/A

## ATTACHMENTS:

- N/A

## Prepared by:

Glenn Smith SAO January 20, 2021

h. Excused Absence

## **RECOMMENDATION:**

#021-032 MOVED BY: CLLR DOHEY SECONDED BY: CLLR GROENEWEGEN

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Clir Chambers from the Regular Meeting of Council, Monday, January 25th

CARRIED

## 8. BYLAWS

a) Bylaw 1812 "Z" – Zoning and Building Amendment – First Reading

## #21-033 MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: CLLR WILLOWS

CARRIED

- b) Bylaw 2252 Financial Administration Bylaw Third and Final Reading
  - #21-034 MOVED BY: CLLR DOHEY SECONDED BY: CLLR WILLOWS

CARRIED

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c) Bylaw 2422 – Snow Removal Bylaw Third and Final Reading				
#21-035	MOVED BY: CLLR DUFORD SECONDED BY: CLLR WILLOWS	CARRIED		
d) Bylaw 1812 "X" – Zoning and Building Amendment – Second Reading				
#21-036	MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: CLLR DOHEY	CARRIED		
e) Bylaw 1812 "Y" – Zoning and Building Amendment – Second Reading				
#21-037	MOVED BY: CLLR DOHEY SECONDED BY: DEPUTY MAYOR BOUCHARD	CARRIED		
f) Bylaw 2252 – Financial Administration Bylaw Third and Final Reading				
#21-038	MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: CLLR DUFORD	CARRIED		

## 9. IN CAMERA

"Do you solemnly swear and sincerely affirm that you are alone and cannot be overheard while in camera?" Yes by all of Council

#21-039 MOVED BY: DEPUTY MAYOR BOUCHARD SECONDED BY: CLLR WILLOWS

That the Council of the Town of Hay River move to In Camera at 7:18pm.

CARRIED

#21-040 MOVED BY: CLLR DUFORD SECONDED BY: CLLR ANDERSON

That the Council of the Town of Hay River move out of In Camera At 8:37PM.



**REGULAR MEETING MINUTES January 25<sup>th</sup>, 2021** 

## 10. ADJOURNMENT

#21-041

MOVED BY: CLLR WILLOWS

That the Regular Meeting of Council be adjourned at 8:38pm.

CARRIED

Certified Correct as Recorded on the 25<sup>th</sup> Day of January 2021

These minutes were accepted by motion #21-052.

mesa Mayor Senior Administrative Officer 1