

October 1 2009 Hitching Post Councillor Newsletter

I was ready for a rerun of September, with the odd rainfall so it wouldn't be quite so dry, but I guess October is inevitable, and possibly winter as well. We had a long run for harvest, so I hope those of you who were haying, combining, silaging and doing whatever fall work your farms need have had a successful season.

The county council is in full swing again. As of October we begin work on next year's budget – a process which takes at least two months in autumn and then is reviewed for approval in spring when the provincial government grants, and requests for education taxes come through. We are hoping to hold the line on tax increases this year, given that it has been a difficult one for so many people. As well, some of our scheduled construction costs are a little lower, so they will create less pressure on the municipal bottom line.

In September, the Policies and Priorities Committee (a committee of council) recommended to council that we appoint members at large to compose the majority of the Municipal Planning Commission, along with a minority of councillors. Currently the commission is composed entirely of council members.

The Municipal Planning Commission is a regulatory body appointed by council to review applications for development and subdivision. MPC must make decisions on these applications based on the bylaws and policies approved by Council.

Unfortunately, at this time the Municipal Planning Commission looks just like council, so it is forgivable if anyone walking into the gallery to observe a meeting assumes that the commission is able to make the same discretionary decisions council can. It cannot. MPC must apply the bylaws and policies as it sees them. The only discretion available is in the interpretation of the bylaws and policies, most commonly the “shalls” and “shoulds”. Council makes the rules, MPC can only apply them.

Council must make decisions concerning redesignations of land (for example, from agricultural to residential) because a redesignation is actually a change in the bylaws. Once the land is redesignated, the decision to subdivide can be made by the Municipal Planning Commission because that is an application of existing rules.

Currently councillors are advising people who need help with applications for redesignation, subdivision or development that if they want to discuss their proposals with councillors, they must do it before they submit an application. Then we can discuss the process in general and advise them about their options. Once the application is in process, we must not discuss the specifics of the application because this opens us to possible bias and the decisions we make at the table could be overturned. Although that may seem trivial, it is an expensive error because the whole process will have to be repeated, without the biased councillor or Municipal Planning Commission member at the table. It is better to do the process correctly the first time.

If the councillor is *not* a member of the Municipal Planning Commission, he or she will still not be able to advise applicants on redesignation (if the application is in) except in a very general way, because redesignation is a council decision. However, that same councillor *will* be able to assist you with your application to develop or subdivide because that is an MPC decision. The term “develop” refers to anything that requires a permit, including (among others) in-home businesses, house construction or move-on, subdivisions (after redesignation), outbuildings on non-agricultural properties, and many

non-agricultural uses of property. You may also require a permit for numbers of animals or types of animals beyond the permitted levels if you are non-agricultural.

Because a councillor who is not a member of MPC will be able to help people with specific questions about applications, and because MPC will not look like council (and indeed will be made up of community members, at least in part) the Policies and Priorities committee has recommended that the Municipal Planning Commission be appointed from members at large as well as a minority of councillors. We hope this will be approved by council so that we can serve you better.

Council, with the help of the community at large, is also in the process of developing several new bylaws, including (but not limited to) the Land Use Bylaw and two new area structure plans. The Land Use Bylaw is a requirement of the Municipal Government Act (provincial) and is an update of the old Land Use Bylaw which is over 20 years old, with some amendments. The MacDougall Flats Area Structure Plan is the detailed plan for the area west of Sundre. The Water Valley/Winchell Lake Area Structure Plan covers the entire area in the southwest corner of the county bordered on the west by Highway 22 and including townships 29-4 and 5 as well as the farthest south sections of townships 30-4 and 5.

There will be an open house to review the draft Water Valley/Winchell Lake Area Structure Plan in Water Valley on October 15 from 4 pm to 7 pm. The draft plans are available online through the county website (www.mountainviewcounty.com) or they can be picked up in print from any Area Structure Plan Steering Committee member, including me. The list of names and contact information will be advertised in the county pages, or call Mountain View County (Planning) at 403-335-3311. There is quite a bit of reading in the draft, so I encourage you to pick up a copy ahead of time if you want to study it before the open house. There will also be a good overview available for viewing there, so please come in and give us your feedback. Remember, the draft is just that: a draft. We really need to have community help in making it fit your community.

I will be holding my fall Councillor Open House on November 2, 7 pm at the Cremona Hall. I will give a brief presentation, and visitors will be able to view the displays from each department within the county and ask questions of the staff who work in those departments, and of me. As we are now working on our next budget, this would be a good time to catch up with the finance department too.

If you wish to contact me, please call (403)337-2368 and leave a message with a phone number if I'm not in, or email LYakimchuk@shaw.ca, or write Lana Yakimchuk, Box 190, Cremona AB T0M 0R0. If you have a question about redesignation or subdivision, please ask before you submit your application. If you have any comments or suggestions, I would be glad to hear them. I truly appreciate hearing from all of you and try to respond to everyone as soon as possible.

Lana Yakimchuk, Division 2 Councillor