



**Minutes of the Village of Cremona Public Hearing held on
Tuesday, June 21, 2016 – Commencing at 7:08 pm**

Present: Mayor, T. Hagen; **Deputy Mayor:** S. Temple
Councillors: M. Bigelow; R. Reid, J. Shi
Chief administrative Officer: L. Smith
Administrative Assistant S. Ryan
Planners with Urban Systems: Ori Abara, Erin Welk

AGENDA

The agenda was presented for Council's approval.

Res. 132-16 **MOTION:** Moved by Councillor Bigelow that Council accept the Agenda as presented.

Carried

Bylaw 468-16 was presented at the May 17, 2016 Regular Council Meeting for first reading for rezoning Highway Commercial (C2) and Industrial (I) along Railway Avenue to Direct Control (DC).

Notices of a Public Hearing were posted at the Village Office, on the Village Website, in the May 31 and June 7, 2016 Editions of the Carstairs Courier.

In accordance with section 230(4) of the Municipal Government Act, in a public hearing, council must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by the council.

Mayor Hagen opened up the floor for members of the public to speak.

Councillor Reid:

Asked for clarification from the Planners with Urban Systems on the advantages of DC over C2 and Industrial.

Ori Abara:

Stated the DC gives a council more control in certain areas. They can evaluate a development at the specific location and ensure the vision of the Municipal Development Plan is met. The area in question has a main street theme with retail commercial being the vision.

Erin Welk:

Added that DC gives Council authority over any other development authority for this area. It allows more direction in architectural standards and a pedestrian feel. The planners developed the bylaw lining up the types of uses that has the main street feel.

Councillor Reid:

Asked the planner by having two cells of commercial and the one cell of multi-use (Nature Trail), will it ensure that there is control to maintain the Nature Trail?

Erin Welk:

Yes. This bylaw sets out the multi-use for Nature Trail.

Councillor Reid:

Asked for clarification on the bylaw stating the building height of 33 feet. Where did this height come from?

Ori Abara:

The height came out of the Village of Cremona Land Use Bylaw in the schedule for C2 zoning.

Councillor Reid:

Inquired about the minimum parking limit, and wanted to know if Council had to accommodate parking or can they take it out?

Ori Abara:

Now is the time if Council wants to have this addressed in the bylaw.

Councillor Reid:

Asked what the planners would recommend.

Erin Welk:

This is usually up to the Council of the day, as it is DC, parking can be changed when the development is presented to Council. Council can write a reduced parking requirement or parking can be dealt with on a case by case basis. It was agreed that the planner would put in a clause with minimum and maximum parking requirements.

Councillor Reid:

Is this where DC is beneficial rather than C2, will it streamline development?

Erin Welk:

Yes, it would.

Deputy Mayor Temple:

Can parking be kept along the street (Railway Avenue) rather than as part of the land?

Erin Welk:

In terms of DC, it does not extend to Right of Way (ROW) where they parking are currently located.

Councillor Shi:

Has a concern that DC is so much up to Council that next year after the election the next Council could easily change it.

Mayor Hagen:

Councils can change any of the bylaws at any time, just as they are. All Council can worry about is today and now.

Michael Kerfoot 112 Edey Close:

Concerned over the inconsistency in what was presented in the information and what is now presented with regards to the commercial size of the lots.

Mr. Kerfoot purchased his land where his business is some time ago and asked if there could be a larger buffer for the Nature Trail. He has concerns with what is being presented and would like clarification on the depth of the C2 lots and come to a compromise.

Councillor Reid:

The reason for the commercial lots being 150 feet was because there was not enough room for parking. You would need 70 feet for vehicles to be able to turn around; the buffer zone is still there. The Nature Trail would be preserved by taking it out of Industrial zoning. Wider lots can accommodate commercial businesses, and he feels it is a compromise. If the lots are too small it would be not as attractive for businesses.

Michael Kerfoot:

Begged to differ with Councillor Reid's comments, he feels the 150 feet is ample and the extension of the area of the development cell tables off to the east and would not be able to accommodate any development or it would be at a major expense to remove trees, and build up the area.

Councillor Bigelow:

Asked Mr. Kerfoot if he wanted more green space in the DC rather than the commercial?

Michael Kerfoot:

Yes.

Mayor Hagen:

If someone purchased and bought at the east end of the area, it would be up to the developer to fill and do the work to make it usable, not the Village.

Michael Kerfoot:

No, it would still take away from the Nature Trail.

Councillor Shi:

The commercial lots should not be widened so the Nature Trail is not compromised.

Councillor Reid:

It would not be compromised; there should still be enough depth up to the Nature Trail.

Councillor Shi:

We have enough for commercial development; we don't need to go as far to the east.

Councillor Reid:

Cremona needs development and it is important to be able to accommodate this as well.

Deputy Mayor Temple:

With the zoning of DC, Council would have control whether to allow development on the east side.

Councillor Reid:

The multi-use area is farther east from Railway Avenue; we need to have control on what will go there. To say we can't develop today is not going in the right direction.

Elizabeth Bell – Cremona Mobile Home Park:

Wanted clarification on what part of the Nature Trail was being discussed. She was informed it was the land closer to the cemetery on the Northside.

Councillor Reid:

There is no property on the Northside of Hwy. 580, it is annexed lands.

Elizabeth Bell:

The area on the Southside of Hwy. 580 is not owned by the Village, is this where the DC is being zoned?

Karel Beckman – Railway Avenue:

The Land Use Bylaw definition for “outdoor storage and display”, what is this? Mr. Beckman would not like to see this as “not permitted” use, this could mean many things such as outdoor menus for a restaurant or a business’s displaying their goods. Mr. Beckman would like to see that part taken out of the bylaw and it should be up to Council and businesses to have displays.

Erin Welk:

The Land Use Bylaw is never perfect and can get cumbersome. This is not defined in the Land Use Bylaw definition section, but is referred in the other districts of the Land Use Bylaw. The intent of the “outdoor storage and display” was more about not permitting types of businesses such as an open lumber yard, or more visually unappealing businesses that you would not want along your main street.

Councillor Reid:

Could the planners remove or change that definition? Councillor Reid also asked those in attendance if they would want an open storage yard along the main street.

Erin Welk:

Asked for confirmation from Council if they wanted any outdoor storage permitted.

Deputy Mayor Temple:

In previous conversations it was so outdoor storage was noted as not permitted so there was no trailer storage or something like the Village’s recycling centre.

Erin Welk:

Asked for direction on what would be allowable to be visible and what is appropriate.

Councillor Reid:

Pointed out they would not want something along the lines of an auto wrecker.

Mayor Hagen:

Having a chain link fence to hide or block some storage yards does not make sense.

Deputy Mayor Temple:

Does Council want to allow a storage yard.

Councillor Shi:

The storage yard at the Home Hardware in Cochrane is not unsightly and it has lot out outdoor storage, we cannot just say it is not allowed.

Deputy Mayor Temple:

It would be up to Council to decide and that is why we would like it to be DC.

Erin Welk:

It could be for display that would be interesting for those walking or driving by.

Michael Kerfoot:

Wants to understand why the lots have been defined in the way it is shown. Is Council saying you can purchase part of the Nature Trail and say it is for parking?

Councillor Reid:

Parking is not part of the Nature Trail it is for the commercial areas.

Michael Kerfoot:

What did Council use to measure to show where the multi-use cells are versus the commercial cells.

Councillor Reid:

The lots are too small, and there is little for parking in the front. Currently there are no dimensions; it is just showing what is commercial and what is park.

Michael Kerfoot:

Without a scale, it is difficult to understand where the buffer and the 150 foot line would be.

Councillor Bigelow:

Is concerned about parking and would like to see a big buffer between the commercial/parking and the Nature Trail.

Councillor Reid:

The bylaw should certainly define the buffer. Councillor Reid went on to say that Council needs to be flexible to protect the Nature Trail but to have such a large buffer is not reasonable. There is enough of a buffer between the trails, which was the actual old railway line. We need to be able to accommodate development. Right now it is zoned Industrial and there is no control or say.

Councillor Shi:

It could take 30 to 50 years to develop these lands, so why have so much area commercial when it is not realistic?

Councillor Bigelow:

With it being DC, Council will look at each application and there will be flexibility to see what would be needed for each development.

Linda Newsome – Mountain View County and business owner on Centre Street:

As a member of the Chamber of Commerce there is currently no space for development of businesses such as a restaurant or other retail. The Nature Trail can still be used; a lot of people don't even know it is there. As a business person, she likes the idea and wanted to know how many lots could go in the area.

Mayor Hagen:

For an example, the current building that is known as the hardware store is 3 lots.

Councillor Reid:

With DC zoning, Council makes the subdivision. Development comes in and asks for land, the Village of Cremona can subdivide to accommodate the purchaser for whatever size they would need.

Mayor Hagen:

Right now we have 5 lots.

Linda Newsome:

Is there a theme for the area? She would like it not to have a chain link fence.

Deputy Mayor Temple:

The Bylaw will maintain the nature theme and give Council control over buildings going in.

Mayor Hagen:

Right now as the zoning is, the Nature Trail is not protected.

Elizabeth Bell:

Is the zoning not conservation? Is it not currently protected?

Mayor Hagen:

It is not zoned conservation, it is zoned Industrial.

Erin Welk:

Wetlands are treated differently and are governed and protected by the province. The proposed bylaw has strong policy on protecting wetlands. The Nature Trail currently is under Industrial zoning and is not protected under the Land Use Bylaw.

Mayor Hagen:

Most of the access to the wetlands is on the lands owned by the adjacent land owner south of the proposed area, not along the trail. Cremona only goes to where the old railway line was.

Elizabeth Bell:

There are a lot of wetlands and they are very important. She hopes that more work will be done for the walking trail; it is used all the time by people and not just people in Cremona.

Deputy Mayor Temple:

Council is trying to protect the Nature Trail and this bylaw will help with preserving it.

Michael Kerfoot:

Wanted to know about the planning process, a previous Council defined and used Urban Reserve (UR). Why have DC and not UR? Why is this approach not being considered?

Erin Welk:

UR is a designation for land that is not yet developed. She went on to explain the difference between Municipal Reserve (MR) and its use for park or green space. In a development, the municipality can take 10% of the development for MR in accordance with the Municipal Government Act.

In this case due to the ownership and the boundaries, we can't take MR until subdivision takes place. This is a big picture way to be proactive to this problem.

Michael Kerfoot:

Reiterated he wants to ensure the nature trail is protected.

Mayor Hagen called for further comments, no further comments were made.

ADJOURNMENT

Mayor Hagen adjourned the Public Hearing at 8:04 p.m.

Mayor, Mayor Hagen

CAO, Luana Smith

INTLS: _____