

JANUARY 31st UPDATE:

HIGHLIGHTS:

- **RCR application (Bragg Creek) denied on Third Reading**
- **Notification areas vastly improved**
- **Camden Lane (Division 9 – North Cochrane) sent back for a new hearing**
- **In Camera – this council will not go in council on issues that it feels should be heard by the public**

Resorts of the Canadian Rockies (RCR) development:

Last November, Council provided RCR developments with second reading for their conceptual scheme and the redesignation of their Wintergreen development in Bragg Creek. In a nutshell, the application proposed putting 300 residences and some commercial space in the area that used to be the Wintergreen ski hill.

RCR claimed that County Administration was not willing to work with them. Administration claimed that RCR were deficient on water, stormwater management, road upgrade costs and the need for a secondary access. The developer stated he was willing to work on the issues but needed some assurances that Council was serious about their application.

The public was split. Those in favour stated that the area needs the additional growth and stimulus to the community. Those in opposition claimed it did not fit in with the Bragg Creek Area Structure Plan process and had too many deficiencies. After weighing both sides, Council gave the developers second reading and told the developer to work with Administration to address the concerns before coming back for third reading.

On January 23rd, the application was brought back to Council. After a lengthy discussion with legal counsel, area Councillor Mark Kamachi, made a recommendation to side with Administration and refuse the conceptual scheme. His motion was supported 7-2. Opposition came from Deputy Reeve Jerry Gautreau and Councillor Al Schule who believed the application should have been re-opened or provided a new hearing.

Kamachi then went on to refuse RCR's application for redesignation which was supported unanimously. I supported Councillor Kamachi as I do not believe that a development with such significant deficiencies should be allowed. A key part of my platform was that development must be sustainable and must not pass the cost, financial or other, on to the existing community. We gave the developer the opportunity to address the issues – he chose not to.

Notification areas

During the hiatus between third and second reading for the RCR application, there were a number of complaints about an insufficient area of notification. Many residents felt that they

were omitted from the notification area but were dramatically impacted by the application.

On January 1st, the County introduced changes to address this and has created [new policy](#) around circulation areas for varying development types. What does this mean to those of us in Bearspaw? According to the new rules, for an area that falls under an Area Structure Plan, as Bearspaw does, "Administration will advise all Assessed Owners within a ½ mile (± 805 m) of the Subject Lands of a Planning Application." I am hopeful that this improved policy will alleviate this problem in the future.

Camden Lane:

On January 9th, Council gave second reading to an application on Camden Lane, north of Cochrane (Division 9). The application was to create three parcels from a 15-acre piece of land. Third reading was denied as area Councillor Crystal Kissel and I refused to provide it. My rationale behind not giving third reading (or any reading, for that matter) was that there were issues around the proposed road that were not sufficiently answered; as well, every adjacent neighbour opposed the application.

Some time between January 9th and the 23rd, when the application was to come back to Council for reconsideration of third reading, it was discovered that some residents' letters had not been included in the agenda package.

On January 23rd, Councillor Kissel made a motion to allow for a new hearing based on the incomplete information received by Council. Her motion was supported 8-1 with sole opposition coming from Councillor Kim McKylor.

Because of the error, the applicant's fees to reapply will be waived. The application notice will be recirculated and advertised to ensure that a fair hearing can be provided at a later date.

In Camera

During the above-mentioned hearings, the County brought in outside legal counsel as the County lawyer was unavailable. On each occasion, it was asked if Council would like to go "in camera" to hear this legal advice. Both times the offer was declined with Reeve Boehlke going so far as to state these were "public hearings".

One of my concerns with the previous council was the amount of time spent in camera. Going in camera removes the public's ability to understand how or why a council comes to a decision on a matter. As well, it doesn't allow for the public to see how individual councillors vote. I must say, this is a real breath of fresh air, and I am really enjoying the willingness of this council to be so transparent and open.