

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD NOVEMBER 6, 2014 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 3	- H. Doeve, Deputy Reeve
Division No. 2	- J. Willms
Division No. 4	- K. Benson
Division No. 5	- S. Campbell
Division No. 6	- T. White

ABSENT:

Division No. 7	- M. Zeinstra
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ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- T. Anderson
Director of Municipal Services	- K. Viergutz
Director of Community Services	- L. Randle
Recording Secretary	- L. Megella

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 9:52 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the November 6, 2014 agenda.

- Town of Raymond Letter Re: Traffic Concerns at Highway 845 and Highway 4 – L. Hickey

527/14	K. BENSON	MOVED that Council approve the agenda as amended.	CARRIED
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IN-CAMERA

J1. Personnel Update

528/14	J. WILLMS	MOVED that County Council go In-Camera at 9:54 a.m.	CARRIED
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529/14	K. BENSON	MOVED that County Council come out of In-Camera at 10:23 a.m.	CARRIED
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530/14	S. CAMPBELL	MOVED that the Labor Relations Committee begin the Collective Agreement process employing the general direction provided by County Council.	CARRIED
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Note: S. Ashbee, Sunny South News present at 10:24 a.m.

Reeve

Chief Administrative Officer

CONFIRMATION B1. Confirmation of Minutes

- 531/14 T. WHITE MOVED that the October 16, 2014 Organizational Meeting Minutes be approved as presented. CARRIED
- 532/14 S. CAMPBELL MOVED that the October 16, 2014 Council Minutes be approved as presented. CARRIED

MUNICIPAL SERVICES**F1. Town of Raymond Letter Re: Traffic Concerns at Highway 845 and Highway 4**

- 533/14 T. WHITE MOVED that correspondence be forwarded to the Town of Raymond, under the Reeve's signature, indicating that their letter regarding traffic concerns will be forwarded to Alberta Transportation as Lethbridge County has no authority over the traffic concerns on Highway 845 and Highway 4. Copies of the letters also be forwarded to CP Rail. CARRIED

COMMUNITY SERVICES**G1. Bylaw 1433 - Dwight Perry - Amendment to Land Use Bylaw - Rezoning Lot 1, Block 1, PI 8711461 & Lot 1, Block 1, Plan 1014859 - Grouped Country Residential - 1st Reading**

- 534/14 H. DOEVE MOVED first reading of Bylaw 1433. CARRIED

G2. Proposed Occupational Health and Safety Program Review

- 535/14 J. WILLMS MOVED that the Occupational Health and Safety Program Review be completed in the spring of 2015 with Compass Health & Safety to conduct a safety perception survey of Lethbridge County staff with approximately \$3,500 cost to be covered through the Municipal Sustainability Initiative and further that staff report back to Council with the results and recommendations for moving forward to ensure compliance with the Occupational Health and Safety Act. CARRIED

G3. Community Peace Officer Mutual Aid Agreement with Town of Raymond (Ridge Regional Public Safety Services)

- 536/14 H. DOEVE MOVED that County Council approves the Community Peace Officer Mutual Aid Agreement with the Town of Raymond (Ridge Regional Public Safety Services) as presented. CARRIED

G4. Fire Inspection and Development Plans Review Agreement with City of Lethbridge

- 537/14 T. WHITE MOVED that County Council approves the Fire Inspection and Development Plans Review Agreement with the City of Lethbridge as presented. CARRIED

CORPORATE SERVICES**H1. 2015 Orthographic Image Acquisition - Southern Alberta Partnership**

- 538/14 J. WILLMS MOVED that County Council provides a letter of authorization naming the M.D. of Willow Creek as the managing partner of the 2015 Southern Alberta Partnership. CARRIED

 Reeve

 Chief Administrative Officer

H2. Distinguished Budget Presentation Award

539/14 J. WILLMS MOVED that County Council receives the Distinguished Budget Presentation Award report for information. CARRIED

ADMINISTRATION**I1. Lethbridge Family Services Angel Tree for Kids Campaign Kick-Off Campaign – November 14, 2014, 9:00 – 9:45 a.m. – Nicholas Sheran School**

540/14 J. WILLMS MOVED that any member of Council wishing to attend the Lethbridge Family Services Angel Tree for Kids Campaign Kick-Off event scheduled for November 14, 2014 at 9:00 a.m. at Nicholas Sheran School be authorized to do so. CARRIED

I2. Consul-General of Japan Mr. Ryosaku Tamura and Mrs. Yoko Tamura Re: His Majesty The Emperor's Birthday Celebration – November 28, 2014 – Official Residence of the Consul-General of Japan, Calgary

541/14 S. CAMPBELL MOVED that County Council authorize the Reeve and Deputy Reeve and their guests to attend the birthday celebration for His Majesty, the Emperor of Japan scheduled for Friday, November 28, 2014 in Calgary at the Official Residence of the Consul-General of Japan. CARRIED

I3. Town of Coaldale Re: Remembrance Day Services – November 11, 2014, Town of Coaldale Cenotaph

542/14 T. WHITE MOVED that the Director of Municipal Services be authorized to attend the Town of Coaldale Remembrance Day Services scheduled for Tuesday, November 11, 2014 at 10:45 a.m. at the Town of Coaldale Cenotaph and further that the Director lay a wreath on behalf of Lethbridge County. CARRIED

I4. Mayor's Prayer Breakfast – December 6, 2014, Lethbridge Lodge

543/14 S. CAMPBELL MOVED that County Council authorizes the Deputy Reeve to attend the Mayor's Prayer Breakfast scheduled for December 6, 2014 at 9:00 a.m. at the Lethbridge Lodge. CARRIED

I5. Regional Drainage Committee Re: Southern Regional Stormwater Master Plan Open House – Various Dates and Locations

544/14 K. BENSON MOVED that County Council authorizes the Deputy Reeve Henry Doeve, Councillor Steve Campbell and Kevin Viergutz, Director of Municipal Services to attend the Southern Regional Stormwater Master Plan Open House scheduled for November 24, 2014 at the Gem of the West Museum in Coaldale. CARRIED

545/14 K. BENSON MOVED the meeting recess for lunch at 11:49 a.m. CARRIED

The meeting reconvened at 2:00 p.m. with all members of Council present as previously stated.

APPOINTMENT**E1. Zoltan Gergely Re: Security Deposit for Municipal Reserve**

Item deleted from the agenda.

Reeve

Chief Administrative Officer

E2. PUBLIC HEARING Bylaw #1429 - Porcupine Corral Cleaners - Amendment to Land Use Bylaw - Rezoning of Lot 3, Block 1, Plan 9611624 Ptn. of S.W. 35-10-21-W4 Rural General Industrial (RGI)

546/14

K. BENSON MOVED that the Public Hearing for By-Law #1429 - Porcupine Corral Cleaners - Amendment to Land Use Bylaw - Rezoning of Lot 3, Block 1, Plan 9611624, Ptn. S.W. 35-10-21-W4 Rural General Industrial (RGI) open at 2:00 p.m. CARRIED

Reeve Hickey welcomed the delegation to the meeting. The delegation consisted of:

B. Wescott
V. Miller

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for By-Law #1429 Land Use Bylaw Amendment.

Reeve Hickey invited Ms. Hilary Janzen, Development Officer/Senior Planner to give an overview of the application.

Ms. Janzen stated the following:

- An application has been made by Westcott Consulting on behalf of Porcupine Corral Cleaning (1992) Ltd. to amend Land Use Bylaw 1404.
- The purpose of the amendment is to rezone a 4.47 ha area from Rural Agriculture (RA) to Rural General Industrial (RGI).
- The rezoning application applies to Lot 3, Block 1, Plan 9611624 (1.06 ha) and a portion of SW 35-10-21-W4 (3.41 ha). The applicant has also applied for subdivision to add the 3.41 ha from the quarter to Lot 3 to match the rezoning area.
- The proposed rezoning is a half mile southeast of the Town of Picture Butte.
- The site is the current location of Porcupine Corral Cleaning.
- It is the intent of the landowners to secure the zoning for the property and ensure that the business can stay in the current location and have the opportunity to expand in the future under the appropriate zoning.
- The proposal meets the MDP requirements (Section 6.4) for re-designation as the use does not appear to impact any adjacent landowners, it is in close proximity to Highway 519, and it is an agriculturally related use that supports the agricultural community.
- Any future expansion of the business would require a development permit which would address the impacts of that development on the surrounding area and land users (i.e. drainage, stormwater management, road use, and servicing).
- The application was sent to other County Departments and no concerns were raised with the proposal. A notice was sent to the Town of Picture Butte and they had no concerns regarding the proposed amendment.
- The proposed bylaw was advertised in the October 14 and 21 editions of the Sunny South News and was also sent to the adjacent property owners.
- There were no comments or concerns reported with regards to the proposed amendment.

Reeve Hickey asked if Council had any questions of Ms. Janzen.

Council enquired about the rezoning and thought that it was not necessary. Ms. Janzen noted that the site is the current location of the Porcupine Corral Cleaning. It is the intent of the landowners to secure the zoning for the property and ensure that the business can stay in the current location and have the opportunity to expand in the future under the appropriate zoning. A notice of the

Reeve

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rezoning application has been referred to the Town of Picture Butte as the proposal is located within the Intermunicipal Development Plan Study area.

Reeve Hickey asked if there was anyone that wished to speak in favor of Bylaw 1429. No one came forward.

Reeve Hickey asked three times if anyone present wished to speak in opposition to Bylaw 1429. No one came forward.

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| 547/14 | T. WHITE | MOVED that the Public Hearing for By-Law #1429 Porcupine Corral Cleaners - Amendment to Land Use Bylaw - Rezoning of Lot 3, Block 1, Plan 9611624, Ptn. S.W. 35-10-21-W4 Rural General Industrial (RGI) close at 2:05 p.m. CARRIED |
| 548/14 | K. BENSON | MOVED second reading of By-Law 1429. CARRIED |
| 549/14 | T. WHITE | MOVED third reading of By-Law 1429. CARRIED |

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 2:06 p.m.

E3. S.D. Application 2014-0-139 - Porcupine Corral Cleaners - Lot 3, Block 1, Plan 9611624 SW 35-10-21-W4 Rural General Industrial

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| 550/14 | T. WHITE | <p>MOVED the rural industrial / agricultural subdivision of Lot 3, Block 1, Plan 9611624 and SW1/4 35-10-21-W4M (Certificate of Title No. 141 027 684, 961 235 564), to reconfigure and enlarge an existing 2.62 acre (1.06 ha) title by subdividing and consolidating 7.43 acres (3.01 ha) of land from the adjacent agricultural parcel, thereby creating a 10.05 acre (4.07 ha) title for rural industrial use; <u>BE APPROVED subject to the following:</u></p> <p>RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 7.43 acres at the market value of \$6,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.</p> <p>CONDITIONS:</p> <ol style="list-style-type: none"> 1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County. 2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. 3. That the portions of land exchanged between the two parcels and the resulting titles be registered by plan by an Alberta Land Surveyor so that the resulting title cannot be further subdivided without approval of the Subdivision Authority. The final plan shall conform to the area/boundary approved to be rezoned to RGI. 4. That any and all easement(s) and/or utility rights-of-way as required by any utility agency shall be established prior to finalization of the subdivision. <p>REASONS:</p> <ol style="list-style-type: none"> 1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation. |
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Reeve

Chief Administrative Officer

2. The Subdivision Authority has determined that with the consolidation of land and redesignation to the Rural General Industrial (RGI) Land Use District, the applicant starts with two titles and ends with titles with readjusted boundaries, which conforms to the County's subdivision and the RGI District policies.

3. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw.

INFORMATIVE:

(a) Since the existing subdivision title complies with Section 663(d) of the Municipal Government Act, Reserve is not required on the 2.62 acre portion.

(b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.

CARRIED

E4. Steve Harty, ORRSC Re: Town of Coalhurst Intermunicipal Development Plan & Bylaw 1434 - Town of Coalhurst Intermunicipal Development Plan - First Reading

551/14 H. DOEVE MOVED first reading of Bylaw 1434. CARRIED

E5. S.D. Application #2014-0-140 – Overeem – N.E. 34-10-23-W4M, Lot 1, Block 1, Plan 0411743

552/14 T. WHITE MOVED that the Country Residential subdivision of Lot 1, Block 1, Plan 0411743 within NE1/4 34-10-23-W4M (Certificate of Title No. 091 245 921), to split a title of 66.5 acres (26.91 ha) into two titles, being 25.00 acres (10.10 ha) and 41.50 acres (16.79 ha) respectively in size for country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 25.00 acres at the market value of \$3,800.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage for Municipal Reserve purposes.

AND FURTHER that the 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 41.50 acre residual parcel be deferred by caveat for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.

3. That a professional soils analysis be provided to ensure suitability for a private on-site septic treatment system, with the analyses to include a depth to ground water report.

4. That an engineered report be provided to verify that there is a suitable building site consisting of at least 2.0 acres of developable land located above the localized flood elevation level of the 25.00 acre parcel, as deemed acceptable to Lethbridge County in accordance with Land Use Bylaw No. 1404 standards.

Reeve

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REASONS:

1. The Subdivision Authority is satisfied that with the conditions imposed to provide engineering and soils information, the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
2. No objections have been received during the referral process and Alberta Transportation has no concerns and does not anticipate that the creation of the parcel would have any appreciable impact on the highway.
3. The proposed subdivision complies with the Lethbridge County and Village of Nobleford Intermunicipal Development Plan Bylaw No. 1388 and 623, which identifies this area for potential County residential use provided suitability is determined.

CARRIED

ADJOURNMENT

553/14

K. BENSON

MOVED the meeting adjourn at 3:15 p.m.

CARRIED

 Reeve

 Chief Administrative Officer