

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD SEPTEMBER 3, 2015 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
Division No. 7	- M. Zeinstra

**ADMINISTRATION PRESENT:**

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- T. Anderson
Director of Municipal Services	- R. Bacon
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 10:13 a.m.

Note: S. Ashbee, Sunny South News present at 10:13 a.m.

**AMENDMENTS TO THE AGENDA**

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the September 3, 2015 agenda.

- G2. County of Anyang Twinning Relationship and Delegation to Lethbridge County
- G3. Coalhurst Fire and Rescue Services Agreement
- J1. Lethbridge Chamber of Commerce Re: Meet the MLAs Lunch - Sept. 11/2015 - Sandman Hotel
- J2. Iron Springs Parade – September 12, 2015

356/15 J. WILLMS MOVED that Council approve the agenda as amended.  
CARRIED

**CONFIRMATION** **B1. Confirmation of Minutes**

357/15 K. BENSON MOVED that the August 20, 2015 Council Minutes be approved as presented.  
CARRIED

**REPORTS** **D1. Quarterly Financial Report – May to June 2015**

358/15 T. WHITE MOVED that Council approve the Quarterly Financial Report – May to June 2015 as presented.  
CARRIED

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Reeve

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Chief Administrative Officer

**APPOINTMENTS E1. Readymade Community Association Re: Funding Request for Waterline**

Reeve Hickey welcomed Lorraine Lavoie, Chairperson and Tracey Nadeau, Director of the Readymade Community Association to the meeting at 10:37 a.m. Council introduced themselves to the delegation.

Ms. Lavoie and Ms. Nadeau provided Council with background information of the community hall and area, along with the reasons for the waterline funding request.

Reeve Hickey thanked Ms. Lavoie and Ms. Nadeau for attending the meeting. The delegation retired at 11:10 a.m.

- 359/15 T. WHITE MOVED that Council direct Administration to meet with Colin Beazer, Manager, County of Lethbridge Rural Water Users Association to obtain more information on the Readymade Community Association waterline request and further that the information be brought back to a future Council meeting.  
CARRIED

Note: S. Ashbee, Sunny South News retired at 11:11 a.m.

**E2. SD Application 2015-0-115 - Mark Wobick c/o Village of Barons - W 1/2 15-12-23-W4**

- 360/15 K. BENSON MOVED that the drainage right-of-way subdivision of W1/2 15-12-23-W4M (Certificate of Title No. 071 055 678, 071 055 678+1), to subdivide a 3.42 acre (1.38 ha) parcel from two titles in the W½ of 15-12-23-W4, for a public utility use for drainage; **BE APPROVED subject to the following:**  
**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 the land and titles being created be subdivided by a certified Alberta Land Surveyor in a manner acceptable to the Land Titles office.
- REASONS:**
1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
  2. The Subdivision Authority is satisfied that the proposed utility subdivision for drainage is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
  3. No objections or concerns have been received and Alberta Transportation has granted an approval to the proposal.
- CARRIED

**E2. SD Application 2015-0-116 - Maas & Michelle Van Velthuisen - NE 1/4 34-9-21-W4**

- 361/15 T. WHITE MOVED that the country residential subdivision of NE1/4 34-9-21-W4M (Certificate of Title No. 021 133 582), to subdivide a

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Reeve

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Chief Administrative Officer

2.69 acre (1.09 ha) parcel from an unsubdivided quarter section title of 158.46 acres (64.12 ha), for country residential use; BE APPROVED subject to the following:

**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 the applicant provide a surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the proposed parcel as approved.

**REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is for an existing farmstead and is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority has granted a waiver of the MDS with respect to Policy 2(3), Part 7 of LUB No. 1404, on the basis both uses existed prior to 1998 and the first establishment of the MDS in the County's bylaw.
4. No objection or concerns have been received regarding the proposal and with the MDS waiver granted, the subdivision conforms to all other criteria of the Land Use Bylaw.

**MOTION DEFEATED**

**E2. SD Application 2015-0-116 - Maas & Michelle Van Velthuisen - NE 1/4 34-9-21-W4**

362/15

K. BENSON

MOVED that the country residential subdivision of NE1/4 34-9-21-W4M (Certificate of Title No. 021 133 582), to subdivide a 2.69 acre (1.09 ha) parcel from an unsubdivided quarter section title of 158.46 acres (64.12 ha), for country residential use; BE REFUSED for the following reasons:

**REASONS:**

1. The Subdivision Authority is not satisfied that the proposed country residential subdivision is suitable for the purpose as the applicant operates a small beef confined feeding operation (CFO) in the pens immediately north of the yard, with a capacity for 700 head beef feeders. A minimum distance separation (MDS) of 268 metres is required and an actual distance of 50 metres exists to the dwelling which the Subdivision Authority has determined is not sufficient.
2. The Subdivision Authority is not prepared to grant a waiver of the MDS with respect to Policy 2(3), Part 7 of LUB No. 1404, as both the feedlot portion and the residence are owned by the same individual. The inability to meet the MDS was not the result of an adjacent land use infringing upon the required separation distance in which this landowner had no control over. If a title was created to the residential yard portion, either that subdivision, or the residual agricultural land containing the CFO beef pens, could be sold to a different individual and subsequently result in nuisance problems.

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Reeve

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Chief Administrative Officer

3. In addition to the concerns with the insufficient MDS, the Subdivision Authority is of the opinion that the north pen area is a logical part of the farmyard as the access to the pens is gained through the existing farmyard driveway. If subdivided, the agricultural portion of land containing the pens would be isolated from the existing access located at the very south end serving the agricultural parcel. The Subdivision Authority is of the opinion that this access configuration further contributes to the parcel being unsuitable as proposed. CARRIED

**E2. SD Application 2015-0-118 - Enerclean Canada Ltd. - Lot 2, Block 1, Plan 0812940 within SW 1/4 1-9-21-W4**

363/15

T. WHITE

MOVED that the country residential subdivision of Lot 2, Block 1, Plan 0812940 within SW1/4 1-9-21-W4M (Certificate of Title No. 151 089 684), to split an existing cut-off title of 23.31 acres (9.43 ha) into two titles, being 10.00 acres (4.05 ha) and 13.31 acres (5.38 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 10.00 acres at the market value of \$18,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

AND FURTHER that a Deferred Reserve caveat be registered on the 13.31 acre remainder title to reflect the 10% reserve requirement, with the actual acreage and amount to be determined at the final stage.

**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. The agreement may include addressing the provisions of the access/approaches, and servicing.

3. That the applicant has a professional soils test, that includes a groundwater analysis and determination of the depth to the water table, done at their expense by an accredited agency or engineer to ensure that the soil characteristics are capable of supporting a septic field and to verify that there is not a high water table present. Analyses of the test must be performed and approved by an approved agency under Alberta Labour, with a copy of the report submitted and deemed acceptable to the Subdivision Authority.

**REASONS:**

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.

2. 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.

3. The proposed subdivision meets the criteria of Lethbridge County's Land Use Bylaw in regards to the subdivision of poor quality land that contains less than 20.0 acres of farmable land.

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Reeve

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Chief Administrative Officer

4. With the conditions imposed on the subdivision approval, the Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose, and the conditions will address any site specific matters.

5. The City of Lethbridge did not object to the proposal, which is located within the IDP boundary with the City, and this proposal is not inconsistent with any IDP policies for this area.

CARRIED

364/15 M. ZEINSTRA MOVED the meeting recess for lunch at 11:50 a.m. CARRIED

The meeting reconvened at 1:33 p.m. with all members of Council present as previously stated.

### MUNICIPAL SERVICES

#### F1. Bylaw #1421 - Road Closure, Sale & Consolidation - Ron & Cindy Kasner – Undeveloped Road Right-Of-Way (ROW), NW-7-9-20-W4 – 2nd & 3rd Reading

365/15 S. CAMPBELL MOVED that County Council approves second reading of Bylaw #1421 - Road Closure, Sale & Consolidation - Ron & Cindy Kasner – Undeveloped Road ROW, NW-7-9-20-W4, and hereby closes the following described road, subject to rights of access granted by other legislation, pertaining to:

“THAT PORTION OF INGRAM ROAD ON SAID PLAN LYING BETWEEN BLOCK 5 AND BLOCK 11 CONTAINING 0.376 HECTARES (0.93 ACRES) MORE OR LESS. EXCEPTING THEREOUT ALL MINES AND MINERALS.” CARRIED

366/15 K. BENSON MOVED that County Council approves third reading of Bylaw #1421 - Road Closure, Sale & Consolidation - Ron & Cindy Kasner – Undeveloped Road ROW, NW-7-9-20-W4 and hereby closes the following described road, subject to rights of access granted by other legislation, pertaining to:

“THAT PORTION OF INGRAM ROAD ON SAID PLAN LYING BETWEEN BLOCK 5 AND BLOCK 11 CONTAINING 0.376 HECTARES (0.93 ACRES) MORE OR LESS. EXCEPTING THEREOUT ALL MINES AND MINERALS.” CARRIED

#### F2. Bylaw 1454 - Road Closure, Sale & Consolidation – Outlook Farms Ltd. – Undeveloped Road Right-Of-Way (ROW), NW-19-10-22-4

367/15 T. WHITE MOVED that County Council approves first reading of Bylaw 1454 - Road Closure, Sale & Consolidation – Outlook Farms Ltd. – Undeveloped Road ROW, NW-19-10-22-4, THAT PORTION OF GOVERNMENT ROAD ALLOWANCE LYING BETWEEN NE-24-10-23-4 AND NW-19-10-22-4 AND LYING NORTH OF THE NORTHWESTERLY PRODUCTION OF THE NORTHEAST BOUNDARY OF R\W PLAN RY222 ACROSS SAID ROAD ALLOWANCE. CONTAINING 0.326 HECTARES (0.81 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS” and directs Administration to proceed with a Public Hearing. CARRIED

#### F3. Bylaw 1453 – Highway Protection – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

368/15 T. WHITE MOVED second reading of Bylaw 1453 – Highway Protection. CARRIED

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Reeve

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Chief Administrative Officer

**COMMUNITY SERVICES**

369/15 S. CAMPBELL MOVED that County Council bring item G3. Coalhurst Fire and Rescue Services Agreement back to the table. (CC Res. #324/15) CARRIED

**G3. Coalhurst Fire and Rescue Services Agreement**

370/15 H. DOEVE MOVED that County Council approves the 2015-2019 Town of Coalhurst and Lethbridge County Fire and Rescue Services Agreement as presented. CARRIED

**MUNICIPAL SERVICES****F4. Broxburn Signals**

371/15 M. ZEINSTRA MOVED that Council approve the Broxburn Traffic Signals Project as tendered with a total budget of \$491,191.88 by a funding model of \$233,333.33 (47.50%) borne by the development owners, \$116,666.67 (23.75%) Federal Gas Tax Fund) and the remaining \$141,191.88 (28.75%) from Municipal Sustainability Initiative. CARRIED

**COMMUNITY SERVICES**

Note: H. Doeve departed at 3:02 p.m.

372/15 S. CAMPBELL MOVED that County Council brings item G1. Development Application #2015-110 and #2015-118 for Signage and Change of Use at Lot 8, Block 1, Plan 7410087 (4314-1st Avenue, Fairview) – DIRECT CONTROL - New Way Group Ltd. back to the table. (CC Res. #344/15). CARRIED

Note: H. Doeve present at 3:03 p.m.

**G1. Development Application #2015-110 and #2015-118 for Signage and Change of Use at Lot 8, Block 1, Plan 7410087 (4314-1st Avenue, Fairview) – DIRECT CONTROL - New Way Group Ltd.**

373/15 M. ZEINSTRA MOVED that County Council approves Development Permit #2015-110 as presented. CARRIED

374/15 M. ZEINSTRA MOVED that County Council approves Development Permit #2015-118 as presented. CARRIED

Note: K. Benson retired at 3:07 p.m.

**G2. County of Anyang Twinning Relationship and Delegation to Lethbridge County**

375/15 H. DOEVE MOVED that County Council approves the proposed Twinning Proposal and Twinning Agreement with the County of Anyang, China. CARRIED

**CORPORATE SERVICES****H1. 2016-2018 Budget Schedule Date Amendments**

376/15 T. WHITE MOVED that County Council approves the amended 2016-2018 Budget Calendar as presented. CARRIED

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Reeve

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Chief Administrative Officer

**ADMINISTRATION****I1. 2015 Lethbridge County Christmas Party**

377/15 H. DOEVE MOVED that County Council approves the \$5,000 contribution to the 2015 Christmas Party, to be funded from the Council Discretionary Reserve. CARRIED

**INVITATIONS****J1. Lethbridge Chamber of Commerce Re: Meet the MLAs Lunch - September 11, 2015 - Sandman Hotel**

378/15 T. WHITE MOVED that County Council authorizes Reeve Hickey and a member of the Senior Management team to attend the Lethbridge Chamber of Commerce "Meet the MLAs Luncheon" scheduled for September 11, 2015 at the Sandman Hotel from 12:00 p.m. to 1:30 p.m. CARRIED

**J2. Iron Springs Parade – September 12, 2015**

379/15 J. WILLMS MOVED that the Reeve and Councillor of the area be authorized to attend the 4<sup>th</sup> Annual Iron Springs Parade scheduled for September 12, 2015 at 6:00 p.m. CARRIED

**ADJOURNMENT**

380/15 M. ZEINSTRA MOVED the meeting adjourn at 3:47 p.m. CARRIED

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Reeve

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Chief Administrative Officer