

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD MARCH 21, 2016 IN THE COUNTY ADMINISTRATIVE OFFICE, LETHBRIDGE, ALBERTA.

PRESENT:

Division No. 1	- L. Hickey, Reeve
Division No. 4	- K. Benson
Division No. 5	- S. Campbell
Division No. 6	- T. White
Division No. 7	- M. Zeinstra

ABSENT:

Division No. 2	- J. Willms
Division No. 3	- H. Doeve, Deputy Reeve

ADMINISTRATION PRESENT:

Acting Chief Administrative Officer	- T. Anderson
Director of Corporate Services	- D. Urkow
Director of Municipal Services	- R. Bacon
Recording Secretary	- D. Irwin

REEVE LORNE HICKEY IN THE CHAIR

CALL TO ORDER Reeve Hickey called the meeting to order at 10:04 a.m.

AMENDMENTS TO THE AGENDA

Tracy Anderson, Acting Chief Administrative Officer and members of Council made the following additions and deletions to the March 21, 2016 agenda.

- G3. Village of Nobleford, Town of Picture Butte, Town of Coalhurst and Town of Coaldale - Request for Council to Council Meeting Regarding Emergency Services
- I1. Lethbridge Therapeutic Riding Association Re: Alberta Culture Community Initiatives Program (CIP) Letter of Support
- J2. AAMDC Re: Alberta Transportation Launches Consultations on Provincial Transit Engagement – March 23, 2016 from 10:00 a.m. to 12:00 noon at the Lethbridge Lodge in the Poplar Room II

118/16 K. BENSON MOVED that Council approve the agenda as amended.
CARRIED

CONFIRMATION B1. Confirmation of Minutes

119/16 S. CAMPBELL MOVED that the March 3, 2016 Council Minutes be approved as presented.
CARRIED

MUNICIPAL SERVICES

F1. Fuel Trailer for Road Construction

120/16 M. ZEINSTRA MOVED that County Council approves the purchase of a Meridian fuel express trailer at a cost of \$17,100 with funds being utilized from the Equipment Replacement Reserve.
CARRIED

Reeve

Chief Administrative Officer

F2. Bylaw 1454 - Road Closure, Sale & Consolidation – Outlook Farms Ltd. – Undeveloped Road ROW, NW-19-10-22-4

121/16 S. CAMPBELL MOVED that County Council approves second reading of Bylaw 1454 - Road Closure, Sale & Consolidation – Outlook Farms Ltd. – Undeveloped Road ROW, NW-19-10-22-4 and hereby closes the following described road, subject to rights of access granted by other legislation, pertaining to;

“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 MINERAL.” CARRIED

122/16 M. ZEINSTRA MOVED that County Council approves third reading of Bylaw 1454 - Road Closure, Sale & Consolidation – Outlook Farms Ltd. – Undeveloped Road ROW, NW-19-10-22-4 and hereby closes the following described road, subject to rights of access granted by other legislation, pertaining to;

“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 MINERAL.” CARRIED

COMMUNITY SERVICES

G1. RCMP Enhanced Policing Agreement

123/16 T. WHITE MOVED that County Council directs Administration to notify the Alberta Solicitor General Office that Lethbridge County does not intend to renew the 2012 Enhanced Policing Agreement with the RCMP. CARRIED

G2. Section 26 Area Structure Plan – for Section 26-8-21-W4

124/16 S. CAMPBELL MOVED that County Council receive this report ‘Section 26 Area Structure Plan – for Section 26-8-21-W4’ for information and direct Administration to proceed with the draft plan and initiate public consultation. CARRIED

G3. Village of Nobleford, Town of Picture Butte, Town of Coalhurst and Town of Coaldale - Request for Council to Council Meeting Regarding Emergency Services

125/16 T. WHITE MOVED that County Council accepts the invitation from the Village of Nobleford, to meet with them and the Town of Coalhurst, Town of Coaldale and the Town of Picture on March 30, 2016 to discuss Emergency Services. Representatives from the County will include the Reeve, CAO, Emergency Services Coordinator and Deputy Reeve, and further that the County will extend an invitation to the Village of Barons. It is recognized that the Town of Coaldale has declined to attend the meeting. CARRIED

Reeve

Chief Administrative Officer

- 126/16 S. CAMPBELL MOVED that County Council rescind resolution #107/16 regarding a proposed Emergency Services meeting on March 30, 2016. CARRIED

Reeve Hickey recessed the meeting at 11:45 a.m.

The meeting reconvened at 11:50 a.m.

CORPORATE SERVICES

H2. 2016 Operating Budget

- 127/16 T. WHITE MOVED that County Council direct Administration to review the 2016 Operating Budget and bring it back to a future Council meeting. CARRIED
- 128/16 S. CAMPBELL MOVED the meeting recess for lunch at 12:12 p.m. CARRIED

The meeting reconvened at 1:39 p.m. with all members of Council present as previously stated.

APPOINTMENTS

E1a) SD Application 2016-0-022 - Pete & Marianne Brouwer - Plan 1610157, Block 18, Lot 2 within SW 1/4 6-10-21-W4 618 3 Street

Mr. Pete Brouwer addressed Council and provided the reasons for his subdivision application.

- 129/16 T. WHITE MOVED that the Residential subdivision of Plan 1610157, Block 18, Lot 2 within SW1/4 6-10-21-W4M (Certificate of Title No. 161 011 993), to subdivide a 66' x 196' (0.3 acre/ 0.13 ha) lot into two titles thereby creating a 66' x 76' lot and a 66' x 120' lot, both for hamlet residential use; BE APPROVED with a lot depth waiver, 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. The existing caveat registered on title regarding an agreement for the future sewer/water service connection and any additional installation fees required should be accordingly addressed.
3. The applicant is responsible for all development costs, and any applicable municipal hamlet infrastructure installation fees, associated with servicing the subdivision proposal shall be paid to Lethbridge County prior to finalization.
4. That a final subdivision plan must be prepared by an Alberta Land Surveyor in such a manner acceptable to the Subdivision Authority.

MOTION DEFEATED

- 130/16 S. CAMPBELL MOVED that the Residential subdivision of Plan 1610157, Block 18, Lot 2 within SW1/4 6-10-21-W4M (Certificate of Title No. 161 011 993), subdivide a 66' x 196' (0.3 acre/ 0.13 ha) lot into two titles thereby creating a 66' x 76' lot and a 66' x 120' lot, both for hamlet residential use; BE REFUSED for the following reasons:

REASONS:

Reeve

Chief Administrative Officer

1. The proposed lots meet the minimum width and overall area for a hamlet residential lot but do not meet the required lot depth as they are only at 66 feet whereas 100 feet is required (i.e. 50 x 100' with 5,000 sq. ft. overall is required). The Subdivision Authority is not prepared to grant a parcel size waiver as it is of the opinion that the resulting lot is too deficient in depth and does not lend itself well to future development of the lot in a rationale manner, or would likely create a situation where property line setback waivers will be needed at the development permit stage to accommodate future construction of a residence.

2. If a subdivision is approved both the resulting lots would front onto the east hamlet street (3 St.) which would by default result in lots with three sides, no defined rear yard, and only one frontage. This makes it difficult to develop the lots and apply the required Land Use Bylaw standards and setbacks.

3. The Development Agreement registered on title contains a clause that stipulates the owner acknowledges any parcel to be subdivided must comply with the provisions of the Land Use Bylaw and acceptance of the service stub-in fee does not in any way bind the County to approve any subdivision request.

CARRIED

E1b) SD Application 2016-0-025 - DHS Holdings Ltd. - NE 1/4 33-9-21-W4

131/16

M. ZEINSTRAS MOVED that the Residential subdivision of NE1/4 33-9-21-W4M (Certificate of Title No. 101 240 605+1), to create a 2.00 acre (0.81 ha) parcel from a previously unsubdivided quarter section title of 147.42 acres (59.66 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 applicants provide at their expense a legal easement agreement or access right-of-way registered on title as a means of ensuring legal access is provided to either the west municipal road or east public road (Highway 843).

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 as a first subdivision from a quarter-section, pursuant to Section 7 of the Subdivision and Development Regulation.

3. This subdivision is possible with the provision of a legal easement agreement to provide the required legal access in consideration of the Subdivision and Development Regulation.

4. There are no concerns with the proposed subdivision application with the understanding that the proposal complies with the applicable policies of the current Lethbridge County and City of Lethbridge Intermunicipal Development Plan. CARRIED

Reeve

Chief Administrative Officer

E1c) SD Application 2016-0-026 - Leonard Carl Romaniuk - NW 1/4 11-10-20-W4

132/16

M. ZEINSTRA MOVED that the Country Residential subdivision of NW1/4 11-10-20-W4M (Certificate of Title No. 147125), to create a 7.85 acre (3.18 ha) parcel from a previously unsubdivided quarter section title of 158.00 acres (63.95 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 easement(s) as required by FORTIS be provided to the satisfaction of the Subdivision Authority, to protect the actual needed area of the utility line or infrastructure over the parcel, and shall be established prior to finalization of the application unless otherwise waived or agreed to by 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 parcel is the first subdivision from the quarter section and the applied for parcel size is limited to the physical improvements present in the yard.

CARRIED

E1d) SD Application 2016-0-028 - Juno Dairy Farm Ltd. - NE 1/4 33-10-22-W4

133/16

T. WHITE MOVED that the Country Residential subdivision of NE1/4 33-10-22-W4M (Certificate of Title No. 101 194 081), to create a 2.14 acre (0.865 ha) parcel from a previously unsubdivided quarter section title of 160.98 acres (65.14 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 any conditions or requirements of Alberta Transportation shall be provided prior to final endorsement, including the applicant providing a 20 metre service road right-of-way perpendicular to the highway frontage of the parcel which may be by a caveat agreement.

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.

 Reeve

 Chief Administrative Officer

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 parcel is the first subdivision from the quarter section and is determined to be suitable for the intended purpose.

4. No objection or concerns have been received regarding the proposal and the application meets any applicable MDS to neighboring confined feeding operations. CARRIED

CORPORATE SERVICES

H1. 2016 Strategic Plan

134/16 S. CAMPBELL MOVED that Council approve the 2016 Strategic Plan as presented. CARRIED

ADMINISTRATION

I1. Lethbridge Therapeutic Riding Association Re: Alberta Culture Community Initiatives Program (CIP) Letter of Support

135/16 T. WHITE MOVED that County Council provides a letter of support for the Lethbridge Therapeutic Riding Association to be added to their application for grant funding from Alberta Cultures Community Initiatives Program. CARRIED

INVITATIONS

J1. The Canadian Chamber of Commerce in South China and Henan China Re 2nd Economic and Trade Fair for Henan International Sister Cities – April 7-9, 2016, ZhengZhou, Henan

136/16 K. BENSON MOVED that County Council accepts the report for information and sends regrets to the Canadian Chamber of Commerce in South China and Henan China regarding the 2nd Economic and Trade Fair for Henan International Sister Cities scheduled for April 7-9, 2016 in ZhengZhou, Henan and that Administration investigate possible dates in the future that would be better suited to meet with the County's Sister County of Anyang, China. CARRIED

J2. AAMDC Re: Alberta Transportation Launches Consultations on Provincial Transit Engagement – Wednesday, March 23, 2016 from 10:00 a.m. to 12:00 noon at the Lethbridge Lodge in the Poplar Room II

137/16 S. CAMPBELL MOVED that County Council receives item J2. AAMDC Re: Alberta Transportation Launches Consultations on Provincial Transit Engagement – Wednesday, March 23, 2016 from 10:00 a.m. to 12:00 noon at the Lethbridge Lodge in the Poplar Room II for information and further that each member of Council complete the online survey prior to the April 29, 2016 deadline. CARRIED

ADJOURNMENT

138/16 K. BENSON MOVED the meeting adjourn at 3:45 p.m. CARRIED

Reeve

Chief Administrative Officer