

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF LETHBRIDGE COUNTY HELD SEPTEMBER 1, 2016 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 (present at 10:09 a.m.)

ADMINISTRATION PRESENT:

Chief Administrative Officer	- R. Robinson
Director of Corporate Services	- D. Urkow
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 10:00 a.m.

Note: S. Ashbee, Sunny South News present at 10:00 a.m.

AMENDMENTS TO THE AGENDA

Rick Robinson, Chief Administrative Officer and members of Council made the following additions and deletions to the September 1, 2016 agenda.

- G1. Town of Coaldale – Memorandum of Understanding for Annexation and Related Matters
- I1. Muscular Dystrophy Awareness Month – Proclamation
- J2. Consul General of China Wang Jinping & Mrs. Wang Lina Re: 67th Anniversary of Founding of the People's Republic of China Invitation – September 29, 2016, Calgary Chinese Culture Centre
- K1. Personnel Matter (In-Camera)

409/16 H. DOEVE MOVED that Council approve the agenda as amended.
CARRIED

CONFIRMATION B1. Confirmation of Minutes

410/16 J. WILLMS MOVED that the August 18, 2016 Council Minutes be approved as presented.
CARRIED

411/16 J. WILLMS MOVED that County Council bring item G1. Town of Coaldale – Memorandum of Understanding for Annexation and Related Matters back to the table.
CARRIED

Reeve

Chief Administrative Officer

COMMUNITY SERVICES**G1. Town of Coaldale – Memorandum of Understanding for Annexation and Related Matters**

412/16 H. DOEVE MOVED that Lethbridge County signs the Memorandum of Understanding with the Town of Coaldale regarding annexation and other matters, as presented to Council on September 1, 2016. CARRIED

CORPORATE SERVICES**H1. 2016 Strategic Plan Progress Update**

413/16 T. WHITE MOVED that County Council receives the Strategic Plan Progress Update for information. CARRIED

H2. Bylaw 1475 - Stewart Siding - Borrowing Bylaw - 2nd and 3rd Readings

414/16 T. WHITE MOVED 2nd reading of Bylaw 1475 – Stewart Siding Borrowing Bylaw. CARRIED

Note: M. Zeinstra present at 10:09 a.m.

415/16 J. WILLMS MOVED 3rd reading of Bylaw 1475 – Stewart Siding Borrowing Bylaw. CARRIED

IN-CAMERA**K1. Personnel Matter**

Note: L. Megella departed at 10:15 a.m.

Note: S. Ashbee, Sunny South News departed at 10:15 a.m.

416/16 T. WHITE MOVED that County Council go In-Camera at 10:15 a.m. CARRIED

417/16 J. WILLMS MOVED that County Council come out of In-Camera at 10:37 a.m. CARRIED

Note: L. Megella present at 10:37 a.m.

Note: S. Ashbee, Sunny South News present at 10:37 a.m.

418/16 H. DOEVE MOVED that County Council accept Administration's recommendation regarding Human Resources. CARRIED

APPOINTMENTS **E1. Wayne Murray Re: Removal of Road Ban Twp. Rd. 9-4**

Rick Robinson, CAO reported to Council that on August 11, 2016 he met with, Mr. Wayne Murray who requested a meeting with County Council to present his issues with respect to the current 75% road ban on Twp. Rd. 9-4.

Reeve Hickey welcomed Mr. Wayne Murray to the meeting at 10:42 a.m.

At this time, a video of the Kipp Road was shown.

Mr. Murray and Council held a discussion regarding his request to remove the road ban on Twp. Rd. 9-4.

419/16 H. DOEVE MOVED that County Council directs the Municipal Services Committee to review the removal of the road ban on Twp. Rd 9-4 and to bring back a recommendation to the September 15, 2016 Council meeting. CARRIED

Reeve

Chief Administrative Officer

Reeve Hickey thanked Mr. Murray for attending the meeting. Mr. Murray retired at 11:04 a.m.

E2. Bylaw 1471 – Public Hearing - Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural Recreational (RR) for Ptn. of NW 31-8-20-W4 (Plan 0910096 Block 1 Lot 1) 305 RV Park (Androkovich)

420/16

S. CAMPBELL MOVED that the Public Hearing for Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural Recreational (RR) for Ptn. of NW 31-8-20-W4 (Plan 0910096 Block 1 Lot 1) 305 RV Park (Androkovich) open at 11:05 a.m. CARRIED

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

A. Androkovich

P. Androkovich

J. Androkovich

Reeve Hickey declared that the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1471.

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

Ms. Janzen stated the following:

- An application has been made by Allan and Patricia Androkovich to amend Land Use Bylaw 1404. The purpose of the amendment is to rezone a 2.85 acre portion of their 6.1 acre lot located at NW 31-8-20-W4, from Rural Agriculture (RA) to Rural Recreational (RR).
- The proposed re-designation is located a half mile south of Highway 512 on Range Road 21-0 (Broxburn Road). It is the intent of the landowner to re-designate the subject lands to allow for a campground (40 sites total). Under the current Land Use Bylaw 1404, campgrounds are not allowed, as either a permitted or discretionary use in the RA zone. The RR Zone is the only district that allows campgrounds as a discretionary use.
- The application was sent to the other County Departments and external agencies for review and comment. Comments received from ATCO Gas indicated that they would have no concerns with the application as long as there are no fire pits, tents, or permanent structures on top of the two gas mains that go through the property. Fortis Alberta, Alberta Health Services and Alberta Transportation all indicated they have no objections to the proposal.
- The Oldman River Regional Services Commission expressed a number of concerns with the proposed re-designation. These include; no other nearby leisure or recreational amenities, proximity to a busy County haul road, space limitations, etc. No other external agency expressed any concerns or objections with the proposed re-designation.
- County Administration does not support the proposed use of the property as a campground. Within rural municipalities campgrounds are typically located in close proximity to some type of recreational feature or amenity such as golf course, water bodies, or a natural feature. There are no recreational amenities in proximity to the proposed campground. The campground's suitability for the location is questionable. Administration is of the opinion that this is not the most appropriate area to establish a campground and seeks to direct campgrounds and RV Parks to more suitable locations in the County.
- A notice of the proposed re-designation was advertised in the August 9 and 16 editions of the Sunny South News and sent to the adjacent landowners.
- In addition to the attached comments submitted by the applicant, one additional comment from an adjacent landowner indicating objection to the proposed re-designation, was received. However, the landowner had

Reeve

Chief Administrative Officer

mistaken the location and withdrawn his objection. Another landowner, to the west of the location had concerns with the proposed campground but is unable to attend due to harvest. At this time, Administration is asking for refusal of second reading of Bylaw 1471.

Reeve Hickey asked if Council had any questions of Ms. Janzen. Council indicated that a campground similar to the Elbas RV Park was approved on the Howe Road. Council noted that they failed to see the correlation of why one campground was approved and this application for the rezoning is being asked for a refusal. Ms. Janzen noted that the other campground was approved under the old Land Use Bylaw, it was a much larger area, a lot more space for amenities, there was different size parcels and there was 40 acres allotted for the campground. With this particular rezoning application, the campground will only use 2.85 acres. Council noted that the campground on the Howe Road was approved as a discretionary use and was not re-zoned. Ms. Janzen indicated that was correct.

Council asked to see a drawing of what the area would look like for the campground. Ms. Janzen noted that on Page 48 of the agenda package is a drawing that shows the layout of the proposed campground.

Council enquired if the parcel was subdivided out of the entire quarter. Ms. Janzen noted that for this particular application there are 6.1 acres with the applicants wanting to rezone 2.85 acres for the campground.

Reeve Hickey asked if there were any further questions of Council. Council enquired that the campground area would be 2.85 acres. Ms. Janzen indicated yes, but only the rezone area at this time.

Reeve Hickey asked if there were any further questions of Council. There were no further questions.

Larry Randle, Director of Community Services noted that as per the comments made by Steve Harty, Oldman River Regional Services Commission the applicant is seeking rezoning for 40 stalls on 2.85 acres which is quite tight for a campground area. The Picture Butte Golf Club currently has 30 stalls on 6.0 acres.

Reeve Hickey asked if anyone wished to speak in favor of Bylaw 1471. Mr. Allan Androkovich approached Council and noted the following:

- We would like to thank you for your time and your consideration of our proposal and also the opportunity for us to address any questions or concerns that you may have.
- We have been residents of Lethbridge County for many years. I have lived in the same area all my life.
- In accordance to Lethbridge County bylaws, we are wishing to bring the existing land use into compliance for our proposed RV Park.
- RV'ing is becoming more and more popular and camping sites are getting harder and harder to find without reserving months in advance. There are many different types of camping styles, from the "May long weekenders" to the "watersport enthusiasts", to those that just like to relax by their RV without the hassles of reservations and also the sometimes chore of getting the RV to its destination for a weekend this time, maybe one night the next, and so on.
- A few years ago we rented a seasonal site and have thoroughly enjoyed that way of camping since. The property proposed for the RV Park has very limited uses and we feel this would be an ideal area.
- The proposed RV Park will be a seasonal park where individuals rent a site to park their RV for the season. The lot holder then has the freedom to come and go as they please without having to move their RV, giving them more

Reeve

Chief Administrative Officer

time to not only relax but to also take in the different venues and attractions that the County and surrounding area has to offer.

- The property is completely fenced providing added security, privacy and safety.
- There will be no random overnight camping allowed.
- The proposed RV Park will be pet free, with no pets allowed inside or out. It will also be a smoke free (including vaping) outdoor environment. Smoking allowed only to the confines of their own RV.
- There will be no open fires, fire pits, fireworks, firecrackers, etc. allowed. BBQ's and cook stoves only.
- All RV's must be in good, clean and livable conditions. No junk allowed. Also there will no tents allowed.
- The park will have no electrical services available. There will be strict limitations to the type of generators allowed and also their run times. We strongly encourage solar power.
- Potable water will be available from existing cistern on site. We have shares with the County of Lethbridge Rural Water Association and we can also have water delivered by truck and tank.
- Non-potable water will be available through irrigation lines.
- We will have an onsite underground wastewater holding tank which will be pumped out and hauled away as needed.
- Solid waste will be disposed of into Progressive Waste Solutions bins.
- Portable toilets will be placed at various locations.
- The RV Park will be strictly monitored as we continue to live right there. We also plan on having a park host present at all times. Usually seasonal lot holders do not create problems or cause any concerns. However, we will not allow our safety or peacefulness, nor those of the lot holders, to be compromised in any way. Any situations arising will be dealt with immediately by the proper authorities.
- It has been previously noted that "recreational uses are compatible with residential and agricultural uses as seen with other recreation areas within Lethbridge County". We feel that with all that the County and area has to offer, the location of this RV Park, and the increasing popularity of the RV lifestyle, that this seasonal RV Park is directly in line with balanced growth and diversification for this area.

Mr. Androkovich further noted that at this time he would like to address some of the concerns and comments that were received from Steve Harty, Oldman River Regional Services Commission and that were also echoed by Lethbridge County Administration:

- Mr. Harty refers to two campgrounds in his report. The Picture Butte campground by the golf course and also the Keho Lake campground. We will use these as references as well and we will include the Elbas Farms campground, which is located directly west of us.
- Our proposing RV Park is located in a rural agricultural area. The area that we are proposed for our park is not prime agricultural land. We are, at this time, completely surrounded by active farming operations. The right to farm has and will always take precedent.
- All the above mentioned campgrounds are also in active farming areas.
- The "right to farm" clause will be in the "Rules and Regulations" of the Park and the RV owner can then decide if it is acceptable for them or not. It is not like a residential subdivision whereas once the public has built a house in a residential subdivision then provisions may try to be forced upon the landowners to please their wishes. We know this from first hand experience.
- None of the adjacent landowners nor any of the people who are renting and farming the said lands have voiced any concerns against our proposal that we know of.

Reeve

Chief Administrative Officer

- Our nearest residential neighbor, who is just north-west of the proposed area has not voiced any concerns either that we know of.
- There are no other residential properties adjacent to the proposed Park.
- The next nearest neighbors, who are all half mile plus away to the south and north, including Broxburn Vegetable and Café, have also voiced no concerns that we know of. We are sure that Broxburn would be more than pleased with the possibility of increased customers.
- Alberta Transportation, who owns land a half mile to the east of the proposed area have stated they have no concerns.
- Because of the distance between and also the fence surrounding the proposed area, the Mustang Acres subdivision, which is $\frac{3}{4}$ mile away and Vista Meadows, which is 1 mile away on another range road, and any of the other residential subdivisions to the east or west will not be affected in any way whatsoever. We might also note that the Canamex Corridor, when building, will also be another buffer to the east.
- The proposed park is located adjacent to the Broxburn Road, which can be busy at times. We have Lethbridge County apply dust control on a yearly basis to control any dust problems. Paving of Broxburn south would be nice but do not believe that this will happen any time in the near future. However, Lethbridge County could consider lowering the speed limit from 80 km. to 50 or 60 km. past the proposed RV Park. As mentioned before, the property is completely enclosed with a wood fence and there have also been many trees and bushes planted that will act as shelter and an added buffer.
- In comparison, the Picture Butte campground is also located on a very busy road, with the golf course directly across. The high volume of traffic and the chances of stray golf balls from the driving range could also be concerns there. The only buffer they have is a young row of trees between them and the road. But just like ours, the trees will grow bigger over the years. Also noted at Picture Butte, that the fence bordering the east side utilizes hog wire as a buffer.
- Comments were made regarding the size of the park, and also the size of the stalls. The proposed park will not be large in area, only 2.85 acres. The stalls at minimum 30 x 60 are more than adequate to handle any size of RV with green spaces in front, side and in the rear of the stalls. It was mentioned that Picture Butte has 30 stalls at 6.1 acres. The main parking area is no bigger than our proposed site. They have a vast amount of green space to the west and to the north of the park. The actual size of their stalls are the same as ours at 30 x 60.
- It was also mentioned that Keho Lake utilized 13-14 acres of land which includes a large parking area for the club house and also a large storage area and future development area. Except for the very southerly end of the occupied campground, any of the stalls are considerably smaller in size than ours, with many RV's packed into some very small areas.
- Elbas Farms campground has 16 stalls situated on what looks like maybe a half acre in size.
- One interesting fact visiting these or any RV Park is that you rarely see an unhappy camper.
- We researched many sites and areas in planning and designing RV stalls. We had access to numerous trees and bushes and decided to plant them in a manner that would best utilize the size and shape of the area and also the fact that these were going to be seasonal sites with no random overnight parking allowed. Trees and bushes also separate each lot. The design of the roadway and green space allows ample room to maneuver the RV into its stall. We did not realize that Lethbridge County had its own bylaw on angled parking until after all the plantings.

Reeve

Chief Administrative Officer

- We did notice, however, that Elbas Farms campground stalls are all back in at 90 degree angles facing each other and that most of Keho Lake campground, with the exception of the most southerly end of the park, where many of the stalls are in very tight quarters, and mainly at 90 degrees also.
- Also most of the stalls at the other campground had little to no vegetation, trees, etc. separating them from each other.
- In regards to architectural controls, we will be very strict on our rulings.
- The Executive Officer/Public Health Inspector was out and conducted a site visit of the proposed area. There were no concerns whatsoever on the location, layout, design, location and distances of the services including potable water, wastewater holding tank, solid waste bins and locations of portable outhouses. We apologize they were not made more clear on our drawings.
- The proposed RV Park is smaller in size but will have the necessary services. The design of the park, which is completely enclosed and with many hundreds of trees and bushes planted, has available walking not only on roadway but also a walkway around the whole perimeter of the park.
- The proposed park does not offer its lot holders a golf course, a lake, amusement park or anything else of that nature. We do, however, have a well-designed area for the RV owner to park and enjoy at their leisure on a seasonal basis and close to any activity they may want to take in. We may also note that we offer all of this without the aromas that are found at Picture Butt and also Keho Lake.
- The proposed park is very easily accessed from SH 512, Highway 3, Highway 4 and Brown Road connecting to Highway 5. It is a 5 minute drive to either Lethbridge or Coaldale.
- Keho Lake has a lot of gravel road you need to travel on to get there.
- Golf is a popular sport, but not everyone golfs. The good thing is that there are many golf courses within a short distance of the park for those that do. Land-o-Lakes, EverGreen and Henderson are all within 5-7 minutes away. Par 3, Indian Hills, Raymond, Magrath and many others are a short drive. An avid golfer will always have their clubs in the trunk of the car anyway.
- If horseback riding is your cup of tea, there is the Lethbridge Therapeutic Riding arena and also Black Gold arena just over a half mile way. Another mile further is a couple of more riding arenas and many more available within a 5-10 minute drive from the park.
- Stafford Lake, Ridge Reservoir, Jensen Reservoir and many rivers and streams are close by and easily accessible from our park.
- Henderson Park, Whoop-Up Days, area rodeos, Taber Corn Fest, etc. are all close by and easily reached from the park.
- Many people, after a week at work, just want to go to their RV and relax. They do not need to golf, fish, boat, rodeo, etc. Most seasonal lot holders are just happy and very appreciative that have a place they can park their RV and come and go as they please. These are the type of campers that are going to be attracted to our park.
- We have to strongly disagree with Mr. Harty's comments and Lethbridge County Administration's comments about our proposed RV Park being undesirable, feasible or unsuccessful in this predominately agricultural area.
- The park is located in a prime area being extremely close to a variety of amenities to suit most individuals instead of just catering to one select group.
- We are sure that Elbas Farms campground is not suffering because it does not have a golf course in their backyard.
- Broxburn Business Park, Vista Meadows Subdivision, Cottonwood Subdivision, Mustang Acres, Blair Frache's Business Park, Taylor Business Park, etc. were all built on prime agricultural land, with some being very questionable at the beginning. We are firm believers of the saying, "if you build it they will come". We have had much interest shown already in these early stages and we are not hesitant or at all concerned with this project not being successful.

Reeve

Chief Administrative Officer

- To quote Ms. Janzen from the June 7th Sunny South News, "Recreational uses are compatible with residential and agricultural uses as seen with other recreational areas within the County." We hope that you can see the value in what we are offering the public in our proposal for a seasonable RV Park and trust that your decision will reflect the same.
- Thank you again for your time and consideration.

Reeve Hickey asked if Council had any further questions. Council asked about power on the site. Mr. Androkovich indicated there is no power on the site. Council asked about sewer services. Mr. Androkovich noted that underground sewer tanks will be provided. Council further asked about washroom facilities. Mr. Androkovich noted that portable washroom facilities will be provided. Mr. Androkovich noted that this will be a seasonal RV site and prefers to not have power, etc. provided to the sites. Council noted that the lot sizes will be 30 x 60 with poplar trees which are 60 feet high. Mr. Androkovich noted that the lots will be smaller with larger trees, the trees will also be trimmed.

Reeve Hickey asked if there were any further questions from Council. Council asked that if children were on the site, was there activities for them to do. Mr. Androkovich noted that they have been thinking about installing a playground for the children. But because of the liability, they decided not to proceed at this time. If there is a great need in the future, the playground and power facilities will be looked at again.

Council noted that if children came to visit with their parents, there is no place for activities. Mr. Androkovich said that the areas for free play but no swing sets, etc. Mrs. Androkovich noted that there are green sites where soccer, ball, etc. can be played.

Council noted that the proposed RV Park is pet free and smoke free. How are you going to control these rules. Mr. Androkovich noted that as they reside in the same area they will be able to enforce the rules. If individuals see the rules posted and don't like the rules, they will most likely go someplace else. His family has camped a lot and has seen a lot of things. A lot of people may be offended but a lot will like it.

Council asked what the width of the road was. Mr. Androkovich noted that the road is 12 feet with a lot of green space on either side to pass other vehicles. There is 10 feet on either side for turning, passing, etc., and the lots are perpendicular to the road. The trailers will be able to get into a lot. Mrs. Androkovich noted that the trailers will be pulled in the lot in the spring and left there until October 15th. The trailers will be parked for the season.

Council asked how the trailers will get in and out of the lots. Mr. Androkovich noted that there is one lot at the far end of the site that will be tricky getting into. Mrs. Androkovich noted that the site looks a lot different on paper than on the actual site. Mr. Androkovich noted that it is not a big area or campsite; other campsites are just as small.

Reeve Hickey noted that we are here today for the re-designation of the area. Ms. Janzen indicated that is correct and that the applicant would have to comply with all the rules and regulations of the Land Use Bylaw.

Council asked about drainage. Mr. Androkovich noted that like any other agricultural land that the water will drain toward the ditch which is located on the green space. In the past this has happened and the area was pumped out and the area was dry within a day.

Reeve Hickey asked three times if anyone else wished to speak in favor of the Bylaw. No one came forward.

Reeve

Chief Administrative Officer

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1471. No one came forward.

Reeve Hickey asked if Council had any further questions. Council noted that this area is in the middle of the Malloy Drain. Rick Bacon, Director of Municipal Services noted that Administration would have to look at the drainage at the development permit stage and all the requirements would have to be met at that time.

421/16 K. BENSON MOVED that the Public Hearing for Bylaw 1471 Amendment to the Land Use Bylaw from Rural Agriculture (RA) to Rural Recreational (RR) for Ptn. of NW 31-8-20-W4 (Plan 0910096 Block 1 Lot 1) 305 RV Park (Androkovich) close at 11:50 a.m.
CARRIED

422/16 T. WHITE MOVED second reading of Bylaw 1471.
MOTION DEFEATED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 11:50 a.m.

ADMINISTRATION

I1. Muscular Dystrophy Awareness Month - Proclamation

423/16 S. CAMPBELL MOVED that County Council authorize the Reeve to sign the Proclamation to declare that "September 2016 is Muscular Dystrophy Awareness" in Lethbridge County. Proclamation to be forwarded to Muscular Dystrophy Association. CARRIED

INVITATIONS

J1. Lethbridge Therapeutic Riding Association Re: Grand Opening of Arena & 40th Anniversary Celebration - September 24, 2016

424/16 M. ZEINSTRA MOVED that County Council authorize Reeve Hickey or his designate to attend and also encourage other members Council to attend the Lethbridge Therapeutic Riding Association Grand Opening of Arena and 40th Anniversary and 33rd Joanne Perlich Annual Ride for Dreams celebrations scheduled for September 24, 2016 at 6:30 p.m. CARRIED

J2. Consul General Wang Jinping & Mrs. Wang Lina Re: 67th Anniversary of Founding of the People's Republic of China Invitation – September 29, 2016, Calgary Chinese Culture Centre

425/16 K. BENSON MOVED that County Council authorize Reeve Hickey to attend the 67th Anniversary of Founding of the People's Republic of China Invitation scheduled for September 29, 2016 at the Calgary Chinese Culture Centre. CARRIED

426/16 M. ZEINSTRA MOVED the meeting recess for lunch at 11:54 a.m.
CARRIED

The meeting reconvened at 1:28 p.m. will all members of Council present as previously mentioned.

APPOINTMENTS

E3. Bylaw 1473 – Public Hearing - 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4 – 324700 AB Ltd. (Blair Frache)

Reeve

Chief Administrative Officer

427/16 S. CAMPBELL MOVED that the Public Hearing - 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4 – 324700 AB Ltd. (Blair Frache) open at 1:29 p.m. CARRIED

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

B. Frache E. Martin

Reeve Hickey declared that the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw #1473.

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

- An application has been made by 324700 AB LTD (Blair Frache) to amend Land Use Bylaw 1404. The purpose of the amendment is to rezone a 70 acre portion of SE 7-9-20-W4 from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI).
- The parcel is currently split-zoned with approximately 52 acres being RA and the remaining 18 being CLC.
- The land is located on the north side of the Highway 3 Corridor, 3.5 kilometers west of the Town of Coaldale. It is the intent of the landowner to re-designate the subject lands to allow for further industrial development on the present RA portion of the land and to also allow a broader range of uses on the lands which are already mostly developed and zoned CLC.
- The applicant has provided a Conceptual Design Scheme which provides further detail on the proposed internal road network, fire protection, utilities, stormwater, landscaping, architectural controls and lot sizing. The application currently includes the westernmost 160 metre (19 acre) strip of the Canamex Highway Corridor and potential Highway 3 realignment area as being re-designated to RGI along with the remainder of the parcel.
- The application was sent to other County Departments and external agencies for review. Comments have been received from AT, Atco Gas and Fortis and are included in the attached agenda package. Atco Gas and Fortis have no concerns. The comments from AT with regards to the Canamex are that the Canamex is a long range plan and "...should not be a deterrent in the County's deliberations for creation of the proposed parcel." AT has also verbally indicated that any future development or subdivision of the property will result in the requirement for a Traffic Impact Analysis at the County road and Highway 3 intersection to be undertaken.
- An email received by the County from AT on August 10, 2016 clarifies that one of the primary reasons they are not concerned with the proposed redesignation is due to the fact that the developer is not proposing to develop the Canamex portion of land. Therefore, Administration believes it does not need to be rezoned to RGI. The applicant has stated if it is redesignated to RGI, he could potentially use it for storage or some other use permitted in that zone which could be easily removed, should the Canamex ever be constructed.
- Nonetheless, Administration is of the opinion that if the westernmost 160 metre portion of the parcel is rezoned from RA to RGI, it will suggest that there are some distinct development rights with RGI zoning that in the future (especially if land ownership should change) may be more difficult to prohibit than if that portion of the land were to simply remain under its present RA zoning. Leaving it out of the rezoning makes it much clearer for everyone that the land area is protected for future Canamex development.

Reeve

Chief Administrative Officer

- Administration is generally supportive of the application and has the following additional comments:
 - A detailed stormwater plan will be required upon any further subdivision or development on the parcel.
 - The landscaping and architectural controls will be required upon any future subdivision or development of the parcel with careful consideration of the aesthetics from Highway 3.
- Administration recommends that Bylaw 1473 be amended so that the area of re-designation to RGI is reduced by removing the westernmost 160 metre strip and leaving it within the RA District. This will remove any implied perception that development may one day be permitted on the lands slated for eventual Canamex Corridor development. Section 3.3 of the Lethbridge County 2016 Strategic Plan states “Ensure appropriate control of the Canamex area.”
- A notice of the proposed re-designation was advertised in the August 9 and 16 editions of the Sunny South News and sent to the adjacent landowners. One inquiry was made but no comments from adjacent landowners or the public were received regarding this application.
- Received a telephone call about how the land would look adjacent to highway 3.

Reeve Hickey asked Council if there were any questions of Ms. Janzen.

Council noted they are a little disappointed with the latest development because the development is not as esthetically pleasing as the Andres Trailer business. It seems that around the second development phase there seems to be a lot of debris all around the area. Mr. Frache noted that he received a telephone call from a fellow in Brooks indicating that he thought the development of the area looked good. Another fellow from Bow Island also has the same type of development and indicated that the development looks good. Presently, there is \$7 million in investments in that area.

Council asked Ms. Janzen if an allotment was made for a service road. Ms. Janzen noted that an allotment was not made because of the railway. The development would have an internal road development network that would service the area.

Council asked Ms. Janzen at what point does Alberta Transportation require a Traffic Impact Assessment (TIA) report? Ms. Janzen noted that prior to any work taking place at the subdivision and development stage. This will also depend on the number of lots, etc. Council further asked if traffic lights would be needed like the Broxburn Business Park. Ms. Janzen noted that the TIA would provide recommendations on whether or not any improvements would be required to the intersection including whether or not traffic lights would be required.

Council asked about the traffic on the intersection of Highway 3 and if there was any controls for this. Mr. Bacon reported no.

Council asked how much right-of-way is required for the Canamex Highway. Ms. Janzen noted from the information that Lethbridge County has received it will be 160 metres. The Concept Plan has also identified 160 metres, therefore, Administration is basing the information on the 160 metres. Functional Design plans for the Canamex have not been received yet so the exact amount of right-of-way has not been determined. The intersection for the Canamex over Highway 3 has been illustrated to be on the south side of the highway. Ms. Janzen further noted that Alberta Transportation didn't comment on the 160 metres.

Reeve Hickey asked if anyone present wished to speak in favour of Bylaw 1473.

Reeve

Chief Administrative Officer

Mr. Ed Martin addressed Council and noted the following:

- One of the main issues is the rezoning of the Canamex Highway. When reading the letter from Alberta Transportation, it indicates that presently there is no issues with the Canamex and the rezoning should proceed. Mr. Frache will have to work with Alberta Transportation in the future when the Canamex Highway is being built. The applicant would like to rezone the entire area until such time as the Canamex is being built.
- Traffic Impact Assessment report will not be required as long as the land is zoned CLC and once the applicant steps out of that rezoning a TIA will be required.
- Esthetics of the development – Mr. Frache will be doing a lot of landscaping around the pond and landscaping will be required around the buildings from the lease holders.

Reeve Hickey asked if there were any questions from Council. Council noted that they were unsure of what level a TIA will be required at. Mr. Martin noted that 3 acres north of the development will be rezoned CLC and will not require a TIA. However, once Mr. Frache goes further north with the development into another zoning, a TIA will be required.

Council asked about access to the development on RR 20-5. Mr. Frache received comments two years ago from the former Director of Municipal Services who noted that the County would consider paving the road. Council questioned the number of lots in the development. Mr. Martin noted there could possibly be three lots but the development will depend on where the market is at that time. The main intent of the sketch is to show where the road will go.

Reeve Hickey asked if Council had any further questions. Council noted that it is indicated that the sewer system will consist of pump-out tanks, however, with the other development you have a communal sewer system. Mr. Frache noted that yes, all the existing buildings to the west are using that type of system. Mr. Frache noted that both of the sewer system proposals have been accepted by the Health Unit. If, and when we subdivide, the communal waste system would be used and the County would take over the system.

Reeve Hickey asked Council if there were any further questions. There were no further questions from Council.

Reeve Hickey asked three times if anyone else present wished to speak in favor of Bylaw 1473. No one came forward.

Reeve Hickey asked three times if anyone present wished to speak in opposition of Bylaw 1473. No one came forward.

Reeve Hickey asked if there were any last questions from Council. Council noted that the last development that was built had a communal waste system. Mr. Frache indicated that yes that was Phase 2 of the development. Council further noted that there is no risk when the County takes of the waste system. Mr. Frache indicated no and County will not have to put any funding towards the development.

Reeve Hickey asked if Council had any questions. Council asked if in the future will the County take over the road system. Mr. Frache noted that the County will take over the road system if there was a subdivision. Mr. Bacon noted that the County will have control over the access. Council further asked if the road will be constructed to County standards. Mr. Bacon replied yes.

Reeve

Chief Administrative Officer

Council asked if the road entering the development is a private road. Mr. Bacon replied that is a private road that would have to be extended to the east and each of the lots in the development needs to be connected to a County road.

Ms. Janzen noted that with the condominium plan, the warehouse buildings do meet the specs and also both the stormwater pond and system have already met the County specs. Mr. Frache noted that the road is wide enough to accommodate an asphalt surface and all the compaction, etc. are correct for the County.

County asked if the east and west road were built to County specs. Mr. Frache noted that the road is built to a standard of what a County rural road would be. The road would probably require more gravel and asphalt. Council asked if there is an engineered design for the road. Mr. Frache replied yes.

Council referred to road drawing on Page 71 of the agenda package and asked if the County would require more testing prior to the County taking over the road.

Ms. Janzen noted that the current zoning for the area is CLC which is noted in the "orange" showing the existing development and the area in yellow is classified as the agricultural district. There is only one area zoned CLC along the Highway 3 corridor, the district has not been widely used and has not proved to be a very good land use district. Administration recommends that the CLC zoning be changed to an industrial district zoning as it will provide a better and more appropriate range of uses.

Council asked how do we know there will not be 50 buildings built on the site; do we have controls for the buildings? Ms. Janzen noted that a Concept Plan has been prepared for the site. There is a development approval process whereby certain requirements must be met. The current development was commenced under the old Land Use Bylaw. There are better tools in place under the existing Land Use Bylaw as we move forward on what can occur on a parcel. Council noted that once the rezoning is approved there is no protection. Ms. Janzen noted that the Concept Plan has been provided and it is like a mini Area Structure Plan. Council can ask for an Area Structure Plan but that would be at Council's discretion. Council noted that they would like to see an Area Structure Plan completed.

Council asked if the entire area, old and new is being rezoned to Rural Grouped Industrial. Ms. Janzen replied yes. The only recommendation for today is that the remaining 160 acres not be rezoned.

Reeve Hickey asked if there were any further questions. Mr. Frache noted that Alberta Transportation is satisfied with the entire area being rezoned, why is Administration asking for that 160 acres to not be rezoned? Why is that area being excluded. Alberta Transportation is not opposed to the proposed development but would be if I was building a Walmart or Costco. The tax base to the County would be quite significant.

Rick Robinson, CAO noted that in discussion with the tax department that unless the property was developed it wouldn't provide any tax base for the County. Mr. Frache noted that under the agriculture zoning he would not be able to construct a parking lot.

Reeve Hickey asked if there were any further questions. Council asked if they wanted an Area Structure Plan how do we go about that. Ms. Janzen noted that once the public hearing was closed Council could pass a motion to have the organization provide an Area Structure Plan. Mr. Martin noted that the Concept Plan that has been provided would not be any different than an Area Structure Plan. Ms. Janzen noted that the Area Structure Plan is a statutory document and

Reeve

Chief Administrative Officer

would be approved by bylaw which becomes a law for the land. The Concept Plan is not a statutory plan.

Council noted that the biggest issue is the storm water. Why would the County want to hold 1:100 on individual lots, which would all drain to the Malloy Drain somehow. We need to be certain where the storm water will be collected.

Mr. Martin noted that the applicant is not planning to develop 5 or 6 lots. If 3 lots are development, we would have 3 ponds running into one large pond but also depend on the slope of the land. It would be in the best interest to have the least amount of ponds as possible.

Reeve Hickey asked if there were any last questions.

Council asked if you couldn't develop on the land reserved for the Canamex Highway, why would you. Mr. Frache noted that he will be working with Alberta Transportation to see what kinds of uses can be developed for that land. If the land is not rezoned, there is no possibility of doing anything.

Council asked what the need was for a parking lot. Mr. Frache noted that the parking lot could be used for anhydrous storage.

Ms. Janzen noted that when reviewing the application, it was felt that the best way to protect the corridor was to retain the area as Rural Agricultural District. A development permit cannot be denied if the uses are permitted under a specific land use district and there is a wide range of uses that are permitted in the Rural General Industrial District.

Reeve Hickey asked if there were any last questions. There were no further questions.

428/16 M. ZEINSTRA MOVED that the Public Hearing for Bylaw 1473 - 324700 AB LTD. (Blair Frache) Amendment to the Land Use Bylaw from Rural Agriculture (RA) and Coaldale Lethbridge Corridor (CLC) to Rural General Industrial (RGI) for a portion of SE 7-9-20-W4 – 324700 AB Ltd. (Blair Frache) close at 2:17 p.m. CARRIED

429/16 H. DOEVE MOVED that 324700 AB LTD. (Blair Frache) prepare an Area Structure Plan prior to second and third reading of Bylaw 1473. CARRIED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 2:23 p.m.

Note: H. Doeve retired at 2:25 p.m.

MUNICIPAL SERVICES

F1. LNID Request for Revisions to Policy 353 – Pipeline and Canal Crossings

430/16 T. WHITE MOVED that County Council approves Policy 353 – Pipeline and Canal Crossings as amended. CARRIED

ADJOURNMENT

431/16 M. ZEINSTRA MOVED the meeting adjourn at 2:59 p.m. CARRIED

Reeve

Chief Administrative Officer