

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF LETHBRIDGE HELD OCTOBER 17, 2013 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:**

County Manager	- D. Shigematsu
Acting Director of Corporate Services	- T. Anderson
Director of Municipal Services	- K. Viergutz
Recording Secretary	- D. Irwin

**REEVE LORNE HICKEY IN THE CHAIR**

**CALL TO ORDER** Reeve Hickey called the meeting to order at 10:31 a.m.

Note: K. Bly, Sunny South News present at 10:31 a.m.

**AMENDMENTS TO THE AGENDA**

Dennis Shigematsu, County Manager and members of Council made the following additions and deletions to the October 17, 2013 agenda.

- F3. Alberta Irrigation Project Association Conference November 25-27, 2013 (AIPA) Conference - M. Zeinstra
- G2. Enhanced Policing Position - RCMP Secondment – H. Doeve

482/13 J. WILLMS MOVED that Council approve the agenda as amended.  
CARRIED

Reeve Hickey acknowledged that this would be Mr. Dennis Shigematsu's last Council meeting after twenty-seven years of dedicated service to the County of Lethbridge, including the last seven as County Manager. Reeve Hickey and Council wished Dennis all the best on his retirement.

**CONFIRMATION B1. Confirmation of Minutes**

483/13 J. WILLMS MOVED that the October 3, 2013 Council Minutes be approved as amended.  
CARRIED

**Page 7 Currently Reads:**

Mr. Halma noted the following:

- That he is speaking on behalf of Tom & Irma White.
- The Whites still want to have the road closed for egress and digress.
- The Whites feel this is a fair compromise.
- Mr. Halma noted that he had met with Mr. Trevor Groves but Mr. Groves didn't want to change his position on the road closure.
- The decision is now up to Council concerning the road closure.

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Reeve

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County Manager

Reeve Hickey asked Council if they had any questions of Mr. Halma. Council had no questions of Mr. Halma.

Reeve Hickey asked if anyone wished to speak in opposition of Bylaw 1398.

Mr. Trevor Groves noted the following:

- He indicated that he had met with Mr. Halma.
- If Council allowed the road closure to be approved, the public use of the property would be restricted.
- Mr. Groves asked Council for the road to remain as it currently is.
- The road now provides access to all properties in the area.

Reeve Hickey asked if Council had any questions of Mr. Groves.

*Council noted that the Whites are willing to compromise 41 feet of the access and that would leave Mr. Groves the remaining 25 feet.*

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- *The Whites are willing to compromise 41 feet of the access and that would leave Mr. Groves the remaining 25 feet*

Reeve Hickey asked Council if they had any questions of Mr. Halma. Council had no questions of Mr. Halma.

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Reeve Hickey asked if Council had any questions of Mr. Groves.

## **REPORTS**

### **D1. Controller Quarterly Report**

484/13	T. WHITE	MOVED that County Council receive the Controller Quarterly Report for information.	CARRIED
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### **D2. Economic Development Officer Quarterly Report**

485/13	J. WILLMS	MOVED that County Council receive the Economic Development Officer Quarterly Report for information.	CARRIED
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Reeve

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County Manager

**MUNICIPAL SERVICES****F1. Water Needs Assessment Request for Proposals Recommendation**

- 486/13 H. DOEVE MOVED that County Council awards the Water Needs Assessment project to MPE Engineering Ltd. for an estimated fee of \$49,548.00 plus GST, and further, that the project be funded from the Future Utilities Project Reserve to a maximum of \$55,000.00. CARRIED

**F2. Agriculture Service Board Tour – October 9, 2013**

Councillor Morris Zeinstra and County Manager Dennis Shigematsu provided Council with an update on the ASB Tour that took place on October 9, 2013. They spoke very highly of its organizer Dwayne Rogness, the County's Rural Extension Specialist and recommended that future ASB Tours all members of Council and senior staff do their best to attend.

- 487/13 H. DOEVE MOVED that County Council forward congratulations to Dwayne Rogness, Rural Extension Specialist for organizing a thorough and interesting ASB Tour and further that County Council receive the ASB Tour – October 9, 2013 report for information. CARRIED

**F3. Alberta Irrigation Project Association Conference - November 25-27, 2013 - M. Zeinstra**

Councillor Morris Zeinstra provided Council with background information regarding the upcoming Conference from Alberta Irrigation Project Association (AIPA) scheduled for November 25-27, 2013.

- 488/13 M. ZEINSTRA MOVED that any member of Council wishing to attend the Alberta Irrigation Project Association Conference scheduled for November 25-27, 2013 be authorized to do so and further that the County of Lethbridge have a booth/table at the conference. CARRIED

**COMMUNITY & LEGISLATIVE SERVICES****G1. Lethbridge Landfill Development Application #2013-147**

- 489/13 K. BENSON MOVED that County Council authorize the Development Officer to process and approve Development Application #2013-147 (Lethbridge Landfill) as it is a permitted use within the Direct Control District. CARRIED

**G2. Enhanced Policing Position - RCMP Secondment – H. Doeve**

Deputy Reeve Doeve stated that our Enhanced Policing position has been seconded, first to High River and now to Vulcan. A discussion was held regarding the costs for services provided and back-up replacement of the position.

- 490/13 J. WILLMS MOVED to receive item G2. Enhanced Policing Position - RCMP Secondment – H. Doeve for information. CARRIED
- 491/13 K. BENSON MOVED the meeting recess for lunch at 12:05 p.m. CARRIED

The meeting reconvened at 1:17 p.m. with all members of Council present as previously stated.

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 Reeve

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 County Manager

**CORPORATE SERVICES****H1. Strategic Planning Dates 2014 – Date Change**

492/13 K. BENSON MOVED that County Council rescinds Motion #443/13 and further that County Council selects the dates of January 20-23, 2014 for their annual Strategic Planning retreat, location to be determined. CARRIED

**ADMINISTRATION I1. Jack Hayden, Hayden & Associates – Consulting & Government Relation Services Proposal**

493/13 T. WHITE MOVED that County Council retains the services of Hayden & Associates on a one year trial basis in the amount of \$42,000, to be funded from the Debt Reduction Reserve; effective November 1, 2013. CARRIED

**APPOINTMENTS E1. S.D. Application #2013-0-138 (Stewart/Heidt) - Lot 1, Plan 9111396 & Ptn. of NE¼ 33-7-20-W4M**

494/13 T. WHITE MOVED that the agriculture/light industrial subdivision of Lot 1, Plan 9111396 and NE1/4 33-7-20-W4M (Certificate of Title No. 991 172 840, 001 091 593+6), to subdivide a 132.92 acre (53.79 ha) agricultural title and create a 10.00 acre (4.05 ha) stand alone parcel, and also to subdivide 1.11 acres (0.45 ha) and consolidate it to adjacent Lot 1, Plan 9111396, both for light industrial 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 \$2,600.00 per acre with the actual acreage and amount to be paid to the County of Lethbridge be determined at the final stage, 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 the County of Lethbridge.
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 the County of Lethbridge which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant submits a copy of a plan from an Alberta Land Surveyor that certifies the exact location and dimensions of the 10.0 acre lot to be subdivided.
4. That the 1.11 acres of land to be consolidated to Lot 1, Plan 9111396 be done by plan by an Alberta Land Surveyor so that the resulting certificate of title cannot be further subdivided without approval of the Subdivision Authority.

**REASONS:**

1. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended and designated by bylaw for, pursuant to Section 7 of the Subdivision and Development Regulation.
2. The Subdivision Approval Authority has determined the proposed subdivision meets the criteria and conforms to the Direct Control land use bylaw amendment (Bylaw No. 1397) and corresponding parcel area adopted for the land.
3. The proposed subdivision complies with both the Municipal Development Plan and Land Use Bylaw. CARRIED

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 Reeve

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 County Manager

**ADMINISTRATION****I2. AAMDC 2013 Fall Convention - Meetings with Ministries**

495/13 M. ZEINSTRA MOVED that Council directs Administration to contact the Ministers of Municipal Affairs, Agriculture, Transportation and AESRD to set up appointments during the Fall 2013 AAMD&C Convention. CARRIED

**I3. Council Meeting Dates – January 2014**

496/13 S. CAMPBELL MOVED that County Council reschedule the January 2, 2014 Council meeting to Thursday, January 9, 2014 at 10:00 a.m. and that the meeting date change be advertised in the Sunny South News. CARRIED

**APPOINTMENTS****E2. PUBLIC HEARING for Bylaw 1404 – Amendment to Land Use Bylaw 1211**

497/13 T. WHITE MOVED that the Public Hearing for Bylaw 1404 – Amendment to Land Use Bylaw 1211 open at 2:02 p.m. CARRIED

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

J. Look      S. Denecky

Reeve Hickey declared the public hearing is being held pursuant to the Municipal Government Act as amended for Bylaw 1211.

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

Ms. Janzen stated the following:

- The current Land Use Bylaw 1211 was approved in 2001. The review of the Land Use Bylaw 1211 began in 2010 with the Oldman River Regional Services Commission, County Administration and County Council.
- Four workshops were held with Council in 2010 to review the subdivision policies, the last of which was held in December 2010.
- Four workshops were then held in 2013 to review the remainder of the revised Bylaw.
- As a result of the extensive review, numerous changes have been made to the Land Use Bylaw. Some of the major changes include:
  - The Administration Section was expanded to provide:
    - ❖ Clearer information requirements for subdivisions, development and re-designation applications
    - ❖ Detailed information on the rules and procedures for development applications as well as enforcement of the Bylaw
  - Added four new land use districts (Business Light Industrial, Rural Heavy Industrial, Rural Recreational and a general Direct Control District)
  - Merged the Hamlet Single Detached district into the Hamlet Residential district
  - All the land use districts are more detailed and specific
  - The Alternative Energy Section has been expanded and clarified
  - Removed commercial and industrial uses from the Rural Agriculture District, uses remaining in the Rural Agriculture District are more associated with agriculture and agri-business
  - Expanded on the Signs Regulations and Standards of Development section

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Reeve

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County Manager

- Added specific use provisions for major developments that have an impact on adjacent land uses
- Included a protocol for telecommunications towers
- Added site suitability and rural servicing standards
- Expanded and clarified the subdivision policies
- Detailed definitions section
- A more detailed summary of the changes are included in the Executive Summary and the summary of the Draft Subdivision Policies.
- The proposed Land Use Bylaw provides more detail and clarity to Administration, County Council, and County citizens.
- Two public open houses were held on September 23 and 24, 2013. The Open Houses were advertised on September 17, 2013 in the Sunny South News and were also posted on social media and the County's website.
- One comment was submitted at the September 23 open house in opposition to the change in subdivision policies for the minimum size of irrigated agricultural parcels from 80 acres to 160 acres. No other comments or objections have been received from County residents.
- The proposed Land Use Bylaw was circulated to all adjacent municipalities for review and comment. Comments have been received from Vulcan County, the City of Lethbridge, and Village of Nobleford.
- The City of Lethbridge did request that the Lethbridge Urban Fringe Map showing the 1500m Lighting Restriction Area be adjusted to not reference lands within the City of Lethbridge.
- Village of Nobleford requested that the confined feeding operation exclusion area around Nobleford be included in the proposed Land Use Bylaw. Administration and ORRSC discussed the request and decided that CFO exclusion area was best left in the IMPD with Nobleford which is a statutory document and has more standing than the Land Use Bylaw.
- Vulcan County had no concerns with the proposed Land Use Bylaw.
- The proposed Land Use Bylaw was also circulated to Natural Resources Conservation Board, Alberta Transportation, and Alberta Environment and Sustainable Resource Department. No comments or objections were received.
- The Public Hearing for the proposed Bylaw was advertised in the October 1, 8, and 15 editions of the Sunny South News

Reeve Hickey asked if Council had any questions of Ms. Janzen. There were no questions of Ms. Janzen.

Mr. Steve Harty, Senior Planner, Oldman River Regional Services Commission noted the following:

- No concerns were received from the M.D. of Taber.
- The bylaw was prepared in accordance with the Municipal Government Act and it meets all legislative requirements.
- Comments received from the City regarding special lighting restrictions for Lethbridge Observatory/Popson Park were incorporated into the map radius in the bylaw.
- Attended Coalhurst Town Council meeting on October 8, 2013, and reviewed major changes to the Lethbridge Urban Fringe, Rural Agriculture, Industrial, and how changes would affect the Town. They indicated they were sending in a letter, but that letter has not been received.
- Reviewed the old and the new bylaw; old uses were general, whereas the new bylaw has more detail, i.e., car washes/seed processing/dog kennel/ - just more definition for uses, nothing new, just more detail.

When reviewing the uses and standards with the Town of Coalhurst, they had concerns with a parcel west of the CPR tracks zoned Rural General Industrial

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Reeve

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County Manager

(RGI) and the uses that will be considered under the RGI District. The Town of Coalhurst was pleased with the County's Development Permits enhanced referral process.

The Village of Nobleford stated that they would like the County to include the IMDP manure exclusion zone map in the Land Use Bylaw. In discussion with administration, it was felt that it should just remain in the IMDP, and not in the Land Use Bylaw, as the NRCB looks at statutory plans and the IMDP is a higher level document.

The amendment to the bylaw is the new County logo and name; all text refers to Lethbridge County and a clause will be added until the name change is approved and signed by the Minister of Municipal Affairs.

Mr. Harty continued that the new bylaw is more comprehensive.

In the past few weeks the Oldman River Regional Services Commission is attempting to track down old maps, from the mid to late 90's (produced by Transport Canada) concerning the noise protection area regarding the Lethbridge Airport. The old maps that they currently have are difficult to read. If a digital copy can be obtained, ORRSC will enhance to colour and make them clearer.

Council enquired if there is anything regarding the South Saskatchewan Regional Plan that requires change.

Ms. Janzen replied that she has not been able to read the plan in detail but the South Saskatchewan Regional Plan is a fairly high level document and does not directly apply to the Land Use Bylaw but may affect the Municipal Development Plan.

Mr. Harty stated he gave the plan a brief overview and will be reviewing in more detail. It is a high level document, and so far he has not seen anything that will affect the bylaw. ORRSC will be going through it as a group and putting out a document in the next few weeks, highlighting what will affect the municipalities; so far there appears to be no conflicts. After public process, if there is anything to report, ORRSC would make a statement at that time.

Reeve Hickey asked if anyone present wished to speak in opposition of Bylaw 1404. No one came forward.

Reeve Hickey asked if anyone present wished to speak in favor of Bylaw 1404. No one came forward.

Reeve Hickey asked three times if anyone present wished to speak regarding Bylaw 1404. No one came forward.

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

498/13	M. ZEINSTRA	MOVED that the Public Hearing for Bylaw 1404 – Amendment to Land Use Bylaw 1211 close at 2:23 p.m. <span style="float: right;">CARRIED</span>
499/13	K. BENSON	MOVED second reading of Bylaw 1404 – Amendment to Land Use Bylaw 1211 as amended. <span style="float: right;">CARRIED</span>

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Reeve

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County Manager

500/13 T. WHITE MOVED third reading of Bylaw 1404 – Amendment to Land Use Bylaw 1211. CARRIED

Reeve Hickey thanked the delegation for attending the meeting. The delegation retired at 2:30 p.m.

**ADJOURNMENT**

501/13 T. WHITE MOVED the meeting adjourn at 2:32 p.m. CARRIED

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Reeve

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County Manager