

AGENDA Council Meeting 9:00 AM - Thursday, December 1, 2022 Council Chambers

Page

A. CALL TO ORDER

- B. ADOPTION OF AGENDA
- C. ADOPTION OF MINUTES
- 3 6 1. <u>County Council Meeting Minutes</u> Council Meeting - 17 Nov 2022 - Minutes
 - D. DELEGATIONS
 - 1. <u>9:00 a.m. Regional Director of Emergency Management</u> <u>Presentation</u>
 - 2. 9:30 a.m. Green Prairie
 - E. PUBLIC HEARINGS 10:00 A.M.
- 7 311.Bylaw 22-015 Road Closure, Sale and Consolidation- Public
Hearing
Bylaw 22-015 Road Closure, Sale and Consolidation Public Hearing

F. DEPARTMENT REPORTS

F.1. COMMUNITY SERVICES

32 - 44F.1.1.Bylaw 22-019 - Re-designate a portion of Plan
0210172 Block 2 Lot 1 in the SE 6 10-20-W4 from
Rural Agriculture to Grouped Country Residential-
First Reading
Bylaw 22-019 - Plan 0210172 Block 2 Lot 1 in the SE 6-
10-20-W4 from Rural Agriculture to Grouped Country
Residential - First Reading.

45 - 48 F.1.2. Community Planning Association of Alberta (CPAA) -2023 Annual Conference and Sponsorship

				Community Planning Association of Alberta (CPAA) - 2023 Annual Conference and Sponsorship		
49 - 50			F.1.3.	Fire Service Response Fees Waiver Request Analysis Fire Service Response Fees Waiver Request Analysis		
		F.2.	INFRA	STRUCTURE		
51 - 57			F.2.1.	Bylaw 22-008 - Commercial and Industrial Municipal Tax Incentive Bylaw Bylaw 22-008 - Commercial and Industrial Municipal Tax Incentive Bylaw		
58 - 59			F.2.2.	Alberta Community Partnership Grant Application - Lethbridge County / Coaldale Regional Water Supply Study Alberta Community Partnership Grant Application -		
				Lethbridge County/Coaldale Regional Water Supply Study		
60 - 61			F.2.3.	Support - Highway 3 Corridor Regional Water Supply Study Alberta Community Partnership Grant Application Support		
				- Highway 3 Corridor Regional Water Supply Study		
		F.3.		NISTRATION		
62 - 63			F.3.1.	Lethbridge & District Exhibition - Ottawa Trade Mission Lethbridge & District Exhibition - Ottawa Trade Mission		
		F.4.	CORP	ORATE SERVICES		
		F.5.	PUBLI	C OPERATIONS		
	G.	CLOSED SESSION				
	1.	2023 Bank of Montreal/Calgary Stampede Farm Family Awards Program				
	Н.	SUBDIVISION APPLICATIONS				
	I.	NEW BUSINESS				
	J.	COUNTY COUNCIL AND COMMITTEE UPDATES				
	К.	ADJOURN				



MINUTES Council Meeting

9:00 AM - Thursday, November 17, 2022 Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, November 17, 2022, at 9:00 AM, in the Council Chambers, with the following members present:

PRESENT:Reeve Tory Campbell
Deputy Reeve John Kuerbis
Councillor Mark Sayers
Councillor Eric Van Essen
Councillor Klaas VanderVeen
Councillor Morris Zeinstra
Infrastructure Manager, Devon Thiele
Director of Community Services, Larry Randle
Director of Public Operations, Jeremy Wickson
Manager of Finance & Administration Jennifer Place
Executive Assistant Candice Robison

A. <u>CALL TO ORDER</u>

Reeve Tory Campbell called the meeting to order at 9:01 a.m.

Councillor Lorne Hickey was excused for the meeting.

B. ADOPTION OF AGENDA

The following item was deleted from the agenda: D.1 - Regional Director of Emergency Management Presentation

The following item was added to the agenda: J.1. - ASB Conference

313-2022 Councillor MOVED that the November 17, 2022 Lethbridge County Council VanderVeen Meeting Agenda be adopted as amended.

CARRIED

C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

314-2022 Councillor MOVED that the November 3, 2022 Lethbridge County Council Sayers Meeting Minutes be adopted as presented.

CARRIED

E. <u>DEPARTMENT REPORTS</u>

E.1. COMMUNITY SERVICES

E.1.1. July-September 2022 Community Peace Officer Report

David Entz presented to Council the July - September 2022 Community Peace Officer Report.

E.1.2. Animal Control Bylaw Review - Council Options

Page 1 of 4

315-2022 Councillor MOVED to amend the current animal control bylaw so that it allows for the keeping of animals in hamlets based on parcel size, but limit it to a maximum of five animal units and to bring the amended bylaw to the December 15 Council meeting for consideration of first reading.

E.1.3. Fire Services Response Fees Waiver Request

316-2022 Deputy MOVED to direct administration to bring back a report containing cost estimates around this issue to the next Council meeting. CARRIED

E.2. ADMINISTRATION

E.2.1. Foothills Little Bow Municipal Association Resolution

317-2022 Councillor MOVED to direct administration to bring forward a draft resolution to be considered at a future Council meeting with the intent of being put forth at the Foothills Little Bow Municipal Association meeting in January.

CARRIED

E.3. CORPORATE SERVICES

E.4. INFRASTRUCTURE

E.5. MUNICIPAL SERVICES

F. COUNTY COUNCIL AND COMMITTEE UPDATES

F.1. Lethbridge County Council Attendance Update - October 2022

Council reviewed the highlights from the Lethbridge County Council Attendance Update for October 2022.

Division 1 Councillor Lorne Hickey

October 3	Council Road Tour
October 6	Lethbridge County Council Meeting
October 13	Level of Service, Facilities & Tax Incentive Workshops
October 20	Organizational Meeting / Lethbridge County Council Meeting

Division 2 Reeve Tory Campbell

- October 3 Council Road Tour
- October 5 Proposed Development Meeting
- October 5 Meeting with Lethbridge City Mayor, Councillor Schmidt-Rempel
- October 5 Exhibition Park 125th Celebration and Tour
- October 6 Lethbridge County Council Meeting
- October 7 Mayors & Reeves
- October 12 Exhibition Park Board Meeting
- October 13 Level of Service, Facilities & Tax Incentive Workshops
- October 17 Council Orientation Human Resources
- October 17 Southern Regional Stormwater Drainage Committee Meeting & Tour
- October 18 Economic Development Lethbridge Board Meeting
- October 20 Exhibition Park Ownership Engagement Committee Meeting
- October 20 Organizational Meeting / Lethbridge County Council Meeting
- October 21 Reeve/CAO Meeting
- October 28 Reeve/CAO Meeting

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Division 3 Councillor Mark Sayers

- October 3 Council Road Tour
- October 6 Lethbridge County Council Meeting
- October 13 Level of Service, Facilities & Tax Incentive Workshops
- October 17 Council Orientation Human Resources
- October 20 Organizational Meeting / Lethbridge County Council Meeting

Division 4

Deputy Reeve John Kuerbis

- October 3 Council Road Tour
- October 6 Lethbridge County Council Meeting
- October 13 Level of Service, Facilities & Tax Incentive Workshops
- October 17 Council Orientation Human Resources
- October 20 Organizational Meeting / Lethbridge County Council Meeting

Division 5

Councillor Eric Van Essen

- October 3 Council Road Tour
- October 6 Lethbridge County Council Meeting
- October 13 Level of Service, Facilities & Tax Incentive Workshops
- October 17 Council Orientation Human Resources
- October 20 Organizational Meeting / Lethbridge County Council Meeting
- October 25 South Region ASB Conference

Division 6

Councillor Klaas VanderVeen

- October 3 Council Road Tour
- October 5 Proposed Development Meeting
- October 5 Meeting with Lethbridge City Mayor, Councillor Schmidt-Rempel
- October 6 Lethbridge County Council Meeting
- October 13 Level of Service, Facilities & Tax Incentive Workshops
- October 17 Council Orientation Human Resources
- October 20 Organizational Meeting / Lethbridge County Council Meeting
- October 25 South Region ASB Conference

Division 7

Councillor Morris Zeinstra

October 3 Council Road Tour

Lethbridge County Council Meeting
Level of Service, Facilities & Tax Incentive Workshops
Council Orientation – Human Resources
Organizational Meeting / Lethbridge County Council Meeting
South Region ASB Conference

J. <u>NEW BUSINESS</u>

J.1. ASB Conference

The 2023 ASB Conference in Grand Prairie was discussed.

G. <u>CLOSED SESSION</u>

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G.1. - 2023 Bank of Montreal/Calgary Stampede Farm Family Awards Program (FOIP Section 19 - Confidential Evaluations)

318-2022Deputy
Reeve
KuerbisMOVED that the Lethbridge County Council Meeting move into Closed
Session, pursuant to Section 197 of the Municipal Government Act,
the time being 10:08 a.m. for the discussion on the following:

G.1. - 2023 Bank of Montreal/Calgary Stampede Farm Family Awards Program (FOIP Section 19 - Confidential Evaluations)

Present during the Closed Session: Lethbridge County Council Senior Management Administrative Staff CARRIED

319-2022 Councillor MOVED that the Lethbridge County Council Meeting move out of the Zeinstra closed session at 10:23 a.m.

CARRIED

Reeve Campbell recessed the meeting at 10:24 a.m.

Reeve Campbell reconvened the meeting at 10:33 a.m.

D. <u>DELEGATIONS</u>

D.1. <u>10:30 a.m. - Celeste Ment - Guided Journey's Foundation</u>

Celeste Ment was present to provide information on the Guided Journey's Foundation which is dedicated to providing compassionate hospice and palliative care and to invite Council to their upcoming Frost and Flare Gala.

320-2022 Councillor MOVED that anyone who wishes to attend the Frost and Flare Gala Van Essen on November 26th, 2022 at the Norland Historic Estate be authorized to do so.

CARRIED

H. <u>SUBDIVISION APPLICATIONS</u>

I. <u>PUBLIC HEARINGS</u>

K. <u>ADJOURN</u>

321-2022 Councillor MOVED that the Lethbridge County Council Meeting adjourn at 10:56 Zeinstra a.m.

CARRIED

Reeve

CAO

Page 4 of 4

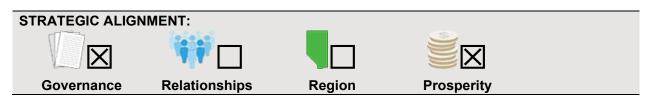
AGENDA ITEM REPORT



Title:	Bylaw 22-015 - Road Closure, Sale and Consolidation- Public Hearing
Meeting:	Council Meeting - 01 Dec 2022
Department:	Community Services
Report Author:	Hilary Janzen

APPROVAL(S):

Larry Randle, Director of Community Services, Ann Mitchell, Chief Administrative Officer, Approved - 04 Nov 2022 Approved - 04 Nov 2022



EXECUTIVE SUMMARY:

An application has been made to close a portion of the lane in Diamond City located north of Clark Avenue and to be consolidated with the adjacent lots to the south.

RECOMMENDATION:

That the proposed road closure be sent to the Minister of Transportation for Approval.

REASON(S) FOR RECOMMENDATION(S):

Prior to receiving second and third reading the Bylaw must be sent to the Minister of Transportation for Approval. Once the Bylaw receives Ministerial approval, second and third reading of the Bylaw can proceed.

PREVIOUS COUNCIL DIRECTION / POLICY:

- Policy 109A Road Allowance Closure and Sale approved by County Council on March 6, 2014 with revisions approved on November 5, 2020.
- Bylaw 22-015 received first reading on October 6, 2022.

BACKGROUND INFORMATION:

An application has been received for the closure, sale and consolidation of a portion of the lane on Plan 0811302. The road in question is undeveloped and upon review, County Administration has determined that the road is not required as part of the County's road network.

Alberta Transportation has been circulated the proposed road closure and has no objections with the County proceeding with the closure, sale and consolidation.

If approved, the portions of the lane-way will be consolidated to the adjacent properties to the south.

The notice of public hearing for Bylaw 22-015 was advertised in the November 8 and 15 editions of the Sunny South News and a notice was also sent to the adjacent property owners.

ALTERNATIVES / PROS / CONS:

County Council may decide not to send the proposed bylaw for Ministerial approval if there were concerns with the proposed road closure that come up during the public hearing.

Pros:

• None identified.

Cons:

- The County would forgo the sale revenue.
- The County would have to manage and maintain the road way.
- The County would have to require the removal of the obstructions from the Right-of-Way.

FINANCIAL IMPACT:

If the road closure is approved the proceeds of the sale will be \$4,560.00

LEVEL OF PUBLIC PARTICIPATION:						
	Consult	Involve	Collaborate	Empower		
ATTACHMENTS:						
Bylaw 22-015 SIGNED	FIRST READING					

Bylaw 22-015 SIGNED FIRST READING Road Closure Application - Van Maanan

Bylaw 22-015 - Van Maanan, Marvin - Road Closure Sketch AT Comments - September 1 2022

LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA

BYLAW 22-015

A BYLAW OF LETHBRIDGE COUNTY FOR THE PURPOSE OF CLOSING TO PUBLIC TRAVEL AND CREATING TITLE TO AND DISPOSING OF PORTIONS OF A PUBLIC HIGHWAY IN ACCORDANCE WITH SECTION 22 OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M26, REVISED STATUTES OF ALBERTA 2000, AS AMENDED.

WHEREAS, the lands hereafter described are no longer required for public travel, WHEREAS, application has been made to Council to have the roadway closed, and; WHEREAS, the Council of LETHBRIDGE COUNTY deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and;

.⊆ WHEREAS, notice of intention of Council to pass a bylaw has been given accordance with Section 606 of the Municipal Government Act, and;

any WHEREAS, Council was not petitioned for an opportunity to be heard by person claiming to be prejudicially affected by the bylaw; WHEREAS,

NOW THEREFORE BE IT RESOLVED that the Council of LETHBRIDGE COUNTY in the Province of Alberta does hereby close to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation.

TITLE

ົມ ALL THAT PORTION OF LANE ON PLAN 0811302 FORMING PART OF LOT BLOCK J, PLAN CONTAINING 0.005 HECTARES (0.01 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

TITLE 2 ALL THAT PORTION OF LANE ON PLAN 0811302 FORMING PART OF LOT 6, BLOCK J, PLAN CONTAINING 0.007 HECTARES (0.02 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

GIVEN first reading this

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Chief Administrative Officer

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Minister of Transportation

LETHBRIDGE

LETHBRIDGE COUNTY APPLICATION FOR ROAD CLOSURE

OFFICE USE					
Date of Application: August 15,2022	Assigned Bylaw	No. 22-015			
Date Deemed Complete: August 23,2022	Application & Processing Fee:	\$ 1500.00			
	Assessed Value:	\$			

APPLICANT INFORM	MATION		
Name of Applicant:	MARVIN VAN MAANON	-	
Mailing Address:	70 Box 10	Phone:	403-894.8004
	DAMOND GTT, AB		
Postal Code:	TOK OTO	Email:	marvin. van manen Egnail.com
Name of Owner: (if not the applicant)	SEE OWNER SCHED	UE.	9
Mailing Address:		Phone:	
Postal Code:		Email:	

ROAD CLOSURE INFORMATION

The applicant shall provide the following information:

- A map showing proposed road closure area and the applicant's property,
- Copy of the certificate of title(s) to which the road closure would be consolidated to,
- Legal Description of the proposed Road Closure (acceptable at the Land Titles Office)
- If there are other adjacent landowners provide written confirmation that they have been consulted with on the proposed road closure,
- Provide the reasons for the road closure request, and
- Application fee payment (See Schedule of Fees).

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DECLARATION OF APPLICANT/AGENT

LETHBRIDGE COUNTY -ROAD CLOSURE APPLICATION

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application.

The applicant is responsible for all road closure costs including the road closure application fee, all costs associated with the Transfer of Land (surveying costs, transfer documents, registration, etc.), land purchase costs (based on the assessed value).

APPLICANT DATE

FOIP STATEMENT: Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected here will be used to by Lethbridge County for the purposes of reviewing the Road Closure application. **This form is a public record that is available to anyone.** All information contained on this form (including personal information) is disclosed by Lethbridge County to anyone requesting a copy in according with Lethbridge County Policy No. 173 (Freedom of Information and Protection of Privacy (FOIP)). For further information about the collection and use of this information please contact the Lethbridge County FOIP Coordinator at <u>foip@lethcounty.ca</u> or call (403) 328-5525 or come into the office #100, 905-4th Avenue South, Lethbridge Alberta, T1J 4E4.

Note: Information provided or generated in this application may be considered at a public meeting.

P A G E | 2 OF 2

Lethbridge County Council CC: Hilary Janzen #100, 905- 4th Avenue South Lethbridge, Alberta T1J 4E4

RE: Application for Closure of Portion of Lane on Plan 0811302

Thank you for considering this application to close a portion of the lane on Plan 0811302. On behalf of the landowners, I am requesting the closure of the lane at the back of Lot 20 & 21 of Block J in Diamond City. The areas are identified on the attached sketch. The right of way currently remains unused as a public lane as it has never been developed and the north half of the required lane right of way has been incorporated into the lot to the north and no longer exists.

As Lethbridge County has no interest in developing this portion of lane in the future, the owners would like to request the closure of lane right of way and incorporate the land into their respective properties.

Should council have any further questions regarding this request, I would be happy to answer those questions and discuss the matter further.

Sincerely,

Marvin Van Maanen 403-894-8004

On behalf of:

Johan & Janice Van Maanen 163 Clark Ave PO Box 5 Diamond City, AB TOK 0TO 403-382-7844

And

Phillip & Andrea Entz 159 Clark Ave PO Box 116 Diamond City, AB TOK 0TO 403-593-4786

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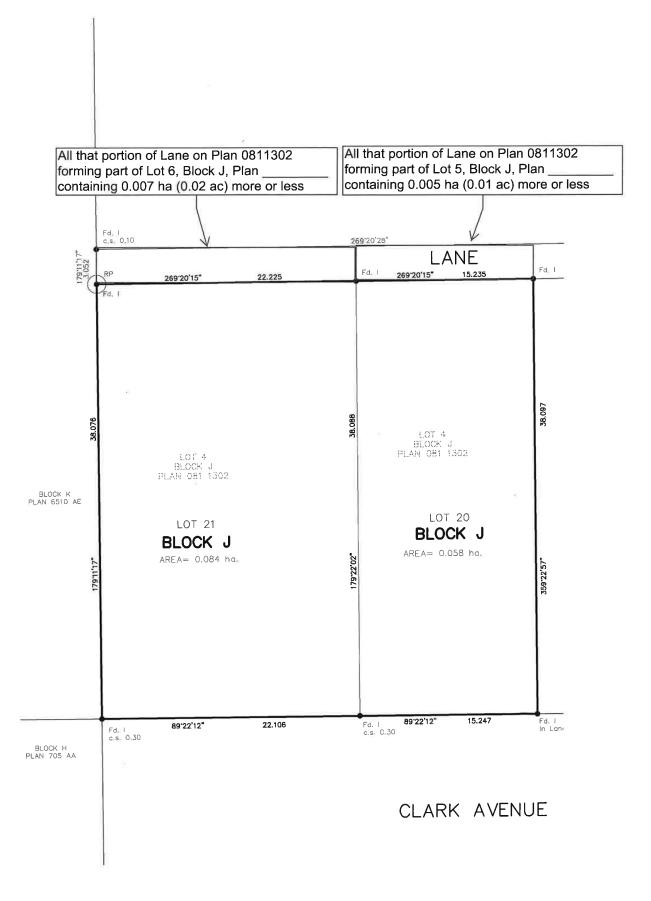
alta.registries.gov.ab.ca/SpinII/mapindex.aspx



Spin2 Map Index

MCKECHNEY AVE

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LAND TITLE CERTIFICATE

S LINC SHORT LEGAL 0036 602 837 1510709;J;20 TITLE NUMBER 171 069 929 LEGAL DESCRIPTION PLAN 1510709 BLOCK J LOT 20 EXCEPTING THEREOUT ALL MINES AND MINERALS ESTATE: FEE SIMPLE ATS REFERENCE: 4;21;10;6;NW MUNICIPALITY: LETHBRIDGE COUNTY REFERENCE NUMBER: 161 288 883 _____ REGISTERED OWNER(S) REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION 171 069 929 31/03/2017 TRANSFER OF LAND \$49,000 \$49,000 OWNERS JOHANNES VAN MAANEN AND JANICE M VAN MAANEN BOTH OF: BOX 5 DIAMOND CITY ALBERTA TOK OTO AS JOINT TENANTS (DATA UPDATED BY: CHANGE OF ADDRESS 181091985) _____ ENCUMBRANCES, LIENS & INTERESTS REGISTRATION NUMBER DATE (D/M/Y) PARTICULARS _____ _ _ _ _ _ 741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT

(CONTINUED)

	EN	CUMBRANCES, LIENS & INTERESTS	
REGISTRATION		PAGE 2 # 171 069 929	
) PARTICULARS	
901 114 423	07/05/1990	EASEMENT	
		OVER BLOCK 'H' ON PLAN 705 AA FOR BENEFIT OF	
		BLOCKS 'J' AND 'K' ON PLAN 6510 AE (PORTION AS	
		DESCRIBED)	
901 207 988	13/08/1990	EASEMENT	
		OVER BLOCK 'K' PLAN 6510 AE FOR BENEFIT OF BLOCK	
		'J' PLAN 6510 AE	
001 093 902	10/04/2000		
		OVER LOT 1 IN BLOCK 'J' ON PLAN 9611398 FOR	
		BENEFIT OF LOT 2 IN BLOCK 'J' ON PLAN 9611398	
071 481 843	26/09/2007		
		RE : RESTRICTIVE COVENANT PURSUANT TO MUNICIPAL	
		GOVERNMENT ACT CAVEATOR - COUNTY OF LETHBRIDGE.	
		905-4 AVE SOUTH	
		LETHBRIDGE	
		ALBERTA T1J0P4	
		AGENT - ROBYN SINGLETON	
81 102 087	18/03/2008	CAVEAT	
		RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL	
		GOVERNMENT ACT	
		CAVEATOR - COUNTY OF LETHBRIDGE.	
		100, 905-4 AVENUE SOUTH LETHBRIDGE	
		ALBERTA T1J4E4	
.51 076 553	19/03/2015		
		RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL	
		GOVERNMENT ACT	
		CAVEATOR - LETHBRIDGE COUNTY. #100, 905 - 4 AVENUE SOUTH	
		LETHBRIDGE	
		ALBERTA	
OTAL INSTRUM	ENTS: 007		

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PAGE 3 # 171 069 929

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF AUGUST, 2022 AT 07:45 A.M.

ORDER NUMBER: 45172689

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



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LAND TITLE CERTIFICATE

S SHORT LEGAL TITLE NUMBER LINC 0036 602 845 1510709;J;21 211 033 662 LEGAL DESCRIPTION PLAN 1510709 BLOCK J LOT 21 EXCEPTING THEREOUT ALL MINES AND MINERALS ESTATE: FEE SIMPLE ATS REFERENCE: 4;21;10;6;NW MUNICIPALITY: LETHBRIDGE COUNTY REFERENCE NUMBER: 211 024 254 _____ REGISTERED OWNER(S) REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION 211 033 662 08/02/2021 TRANSFER OF LAND \$283,000 \$283,000 OWNERS PHILIP ENTZ OF 159 CLARK AVENUE DIAMOND CITY ALBERTA TOK OTO _____ ENCUMBRANCES, LIENS & INTERESTS REGISTRATION NUMBER DATE (D/M/Y) PARTICULARS -----_____ 741 091 031 27/09/1974 IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE LETHBRIDGE NORTHERN IRRIGATION DISTRICT 901 114 423 07/05/1990 EASEMENT OVER BLOCK 'H' ON PLAN 705 AA FOR BENEFIT OF BLOCKS 'J' AND 'K' ON PLAN 6510 AE (PORTION AS DESCRIBED) 901 207 988 13/08/1990 EASEMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS 4, PAGE 2 REGISTRATION # 211 033 662 NUMBER DATE (D/M/Y) PARTICULARS _____ OVER BLOCK 'K' PLAN 6510 AE FOR BENEFIT OF BLOCK 'J' PLAN 6510 AE 001 093 902 10/04/2000 EASEMENT OVER LOT 1 IN BLOCK 'J' ON PLAN 9611398 FOR BENEFIT OF LOT 2 IN BLOCK 'J' ON PLAN 9611398 071 481 843 26/09/2007 CAVEAT RE : RESTRICTIVE COVENANT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - COUNTY OF LETHBRIDGE. 905-4 AVE SOUTH LETHBRIDGE ALBERTA T1J0P4 AGENT - ROBYN SINGLETON 081 102 087 18/03/2008 CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - COUNTY OF LETHBRIDGE. 100, 905-4 AVENUE SOUTH LETHBRIDGE ALBERTA T1J4E4 151 076 553 19/03/2015 CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - LETHBRIDGE COUNTY. #100, 905 - 4 AVENUE SOUTH LETHBRIDGE ALBERTA 211 033 663 08/02/2021 MORTGAGE MORTGAGEE - COMPUTERSHARE TRUST COMPANY OF CANADA. C/O PARADIGM QUEST INC 390 BAY ST, SUITE 1800 TORONTO ONTARIO M5H2Y2 ORIGINAL PRINCIPAL AMOUNT: \$279,604 TOTAL INSTRUMENTS: 008

PAGE 3 # 211 033 662

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 15 DAY OF AUGUST, 2022 AT 07:45 A.M.

ORDER NUMBER: 45172689

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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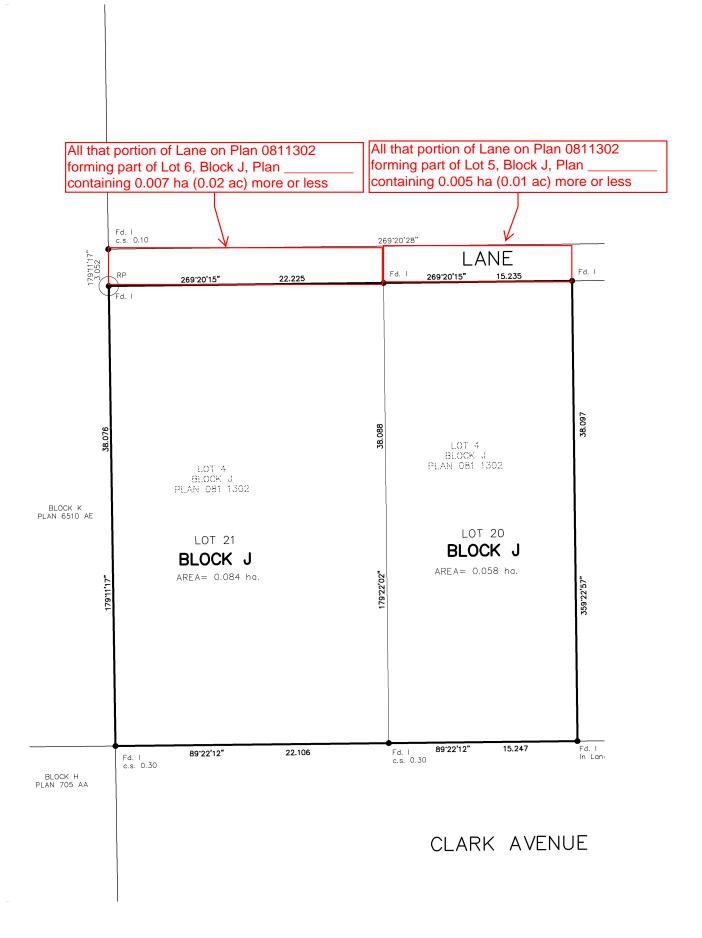
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	LETHBRIDGE #100, 905 - 4 LETHBRIDGE, T1J TELEPHONE: (4 FAX: (403) OFFICIAL	AVENUE SOUTH ALBERTA 4E4 03) 328-5525 328-5602		
VAN MAANEN, MARVIN			Receipt #	: R106989023 : 0334749 : 2022/08/15
Account #	Description	Opening Bal	Payment	Amount Due
1.3.423.30.0.00	ROAD CLOSURE		1,500.00	
MASTERCARD-PHON	E Maste	er Card		1,500.00

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Construction and Maintenance Division Southern Region 909 - 3 Avenue N. Administration Building Lethbridge, AB T1H 0H5 (403) 388-3105

File Number: RPATH0004981

September 1, 2022

Lethbridge County hjanzen@lethcounty.ca 100, 905 - 4 Avenue South Lethbridge Alberta

Subject: Municipal Referral - Road Closure Application

Description	General Location	
File Number: Bylaw 22-015		
Lethbridge County Bylaw 22- 015 - Road Closure - close a portion of Road Plan 0811302 in the NW 6-10-21- W4M		0026752162 70.23
	22.23	15.24
	L	
	60'8£ 0036602845	0036602837 82

This will acknowledge receipt of the above referenced road closure application, which is subject to the requirements of the *Municipal Government Act*.

Alberta Transportation has the following additional comments and/or requirements with respect to this proposal:

Reference to the caption noted proposed road closure.

Given the information provided, closure would not adversely affect physical or legal access to any properties in the vicinity and access is adequately afforded all properties by alternate routes. Strictly from Alberta Transportation's point of view, we have no objections/concerns with the road closure as proposed.

Therefore, once first reading has been passed the road closure bylaw package including third party referrals could be forwarded by email only to <u>transdevelopmentlethbridge@gov.ab.ca</u> and cc <u>leah.olsen@gov.ab.ca</u> for review by the Lethbridge District Office, Development Control. If additional processing time is required or deficiencies are identified, you will be advised by email.

Upon completion of the review by Lethbridge Development Control, you will be advised by email to send all original and supporting documents by mail or courier to Head Office in Edmonton for final processing and endorsement at: Alberta Transportation Technical Standards Branch 2nd Floor, Twin Atria Building 4999 – 98th Avenue NW Edmonton, Alberta T6B 2X3 Attn: Road Closure Lead

I trust this will allow you to proceed and finalize the proposed road closure bylaw. If however I could be of further assistance in the meantime please contact me. Thank you for the referral and opportunity to comment.

Additional information is available for road closure by bylaw, or by resolution.

Thank you for the opportunity to provide comment on the proposed road closure. If you have any questions or require additional information, please contact the undersigned.

Yours truly,

Leah Olsen leah.olsen@gov.ab.ca

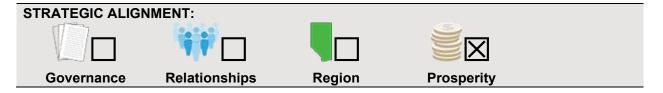
AGENDA ITEM REPORT



Title:	Bylaw 22-019 - Re-designate a portion of Plan 0210172 Block 2 Lot 1 in the SE 6 10-20-W4 from Rural Agriculture to Grouped Country Residential- First Reading
Meeting:	Council Meeting - 01 Dec 2022
Department:	Community Services
Report Author:	Hilary Janzen

APPROVAL(S):

Larry Randle, Director of Community Services, Ann Mitchell, Chief Administrative Officer, Approved - 10 Nov 2022 Approved - 11 Nov 2022



EXECUTIVE SUMMARY:

An application has been made to re-designate Plan 0210172 Block 2 Lot 1 in the SE 6 10-20-W4 from Rural Agriculture to Grouped Country Residential.

RECOMMENDATION:

That Bylaw 22-019 be read a first time.

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 22-019 will allow County Administration to set the date for the Public Hearing and send out the notices for the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

The Municipal Development Plan policy 4.13 states that landowners/developers may apply to Lethbridge County to initiate a re-designation process for parcels of land in support of development proposals that may not conform to the existing land use designation.

BACKGROUND INFORMATION:

An application has been made to re-designate a portion of Plan 1012154 Block 5 Lot 1 in the SE 6 10-20-W4 from Rural Agriculture to Grouped Country Residential. The intent of this application is to allow for the future subdivision and development of the parcel for Country Residential use. The applicant has provided a conceptual design scheme to support the proposed re-designation.

The application has been circulated to all County Departments and external agencies for review and their comments as well as any planning/strategic planning considerations will be presented at the public hearing. It is anticipated that the public hearing will be held in January, 2023.

ALTERNATIVES / PROS / CONS:

County Council may refuse first reading of the Bylaw. Refusing the bylaw would be contrary to legal advice which as been that first reading of the bylaw shall be given as the applicant and the public have the right to attend and speak at a public hearing which is set upon first reading of the bylaw. The public hearing process allows County Council the opportunity to hear all positions (in favour and opposed) on the bylaw and make an informed decision. If first reading of the bylaw is not given the applicant could appeal that decision to the Alberta Court of Appeal.

FINANCIAL IMPACT:

If the bylaw was approved, future development would be taxed at the County's tax rate.

LEVEL OF PUBLIC	PARTICIPATION:		
	Consult	Collaborate	Empower
ATTACHMENTS:			
Bylaw 22-019 Applicat	tion		
<u>Bylaw 22-019 Map</u>			
Bylaw 22-019 - Koot-	Amendment to LUB		



Pursuant to Bylaw No. 1404

	OFFICE USE	
Date of Application:	Assigned Bylaw	No. 22-019
Date Deemed Complete:	Application & Processing Fee:	\$ 1500.00
Redesignation 🎽 Text Amendment 🛛	Certificate of Title Submitted:	🗆 Yes 🛛 🥦 No

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 18 months after the date of refusal. (Refer to sections 53(1)

IMPORTANT NOTE: Although the Supervisor of Planning and Development is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

APPLICANT INFORMATION Name of Applicant: Mailing Address: HENDRIKUS + ANNA KOOT AO-BOX 335 LETHBRIDGE 403-328-3040 Phone: Phone (alternate): Fax: TIJ 347 Postal Code: Is the applicant the owner of the property? Yes No IF "NO" please complete box below Name of Owner: HTA KOOT Phone: Mailing Address: Applicant's interest in the property: Agent Contractor Tenant **Postal Code:** Other **PROPERTY INFORMATION** 205008 TOWNSHIR Rd. 100 **Municipal Address:** 1 Block <u>A</u> Plan 6<u>2/6112</u> Legal Description: Lot(s) OR Quarter 5ϵ Section 6 Township 10 Range 20

LETHBRIDGE COUNTY LAND USE BYLAW NO. 1404

P A G E | 1 OF 3

AMENDMENT INFORMATION

What is the proposed amendment?

Text Amendment

Z Land Use Redesignation

Residential Rural Agriculture

Grouped Residentia Country

IF TEXT AMENDMENT:

For text amendments, attach a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation					
(zoning):				
_					

Proposed Land Use Designation (zoning) (if applicable):

SITE DESCRIPTION:

TE DESCRIPTION: (23.09) Describe the lot/parcel dimensions X 239.68 // 7.26 acres and lot area/parcel acreage Indicate the information on a scaled PLOT or SITE PLAN: (0-4 acres at 1" = 20'; 5-9 acres at 1"= 100'; 10 acres or more at 786.35×403 1"=200')

Site or Plot Plan Attached

Conceptual Design Scheme or Area Structure Plan Attached

OTHER INFORMATION:

Section 52 of the Land Use Bylaw regulates the information required to accompany an application for redesignation. Please attach a descriptive narrative detailing:

- The existing and proposed future land use(s) (i.e. details of the proposed development);
- If and how the proposed redesignation is consistent with applicable statutory plans;
- The compatibility of the proposal with surrounding uses and zoning;
- The development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- Availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Access and egress from the parcel and any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land to another district;
- multiple parcels of land are involved;
- four or more lots could be created;
- several pieces of fragmented land are adjacent to the proposal;
- new internal public roads would be required;
- municipal services would need to be extended; or
- required by Council, or the Subdivision or Development Authority if applicable.

LETHBRIDGE COUNTY LAND USE BYLAW NO. 1404

P A G E | 2 OF 3

The applicant may also be required to provide other professional reports, such as a:

- geotechnical report; and/or
- soils analysis; and/or
- evaluation of surface drainage or a detailed storm water management plan;
- and any other information described in section 52(2) or as deemed necessary to make an informed evaluation of the suitability of the site in relation to the proposed use;.

if deemed necessary.

SITE PLAN

Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. Council may request additional information.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application. *I/We have read and understand the terms noted below and hereby certify that the registered owner of the land is aware of, and in agreement with this application.*

HENDRIKUS + ANNA KOUT

anna Hoet 7/ Theof

APPLICANT

REGISTERED OWNER (if not the same as applicant)

DATE: MOV. 1. 2022

IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. Information provided in this application may be considered at a public meeting. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact Lethbridge County.

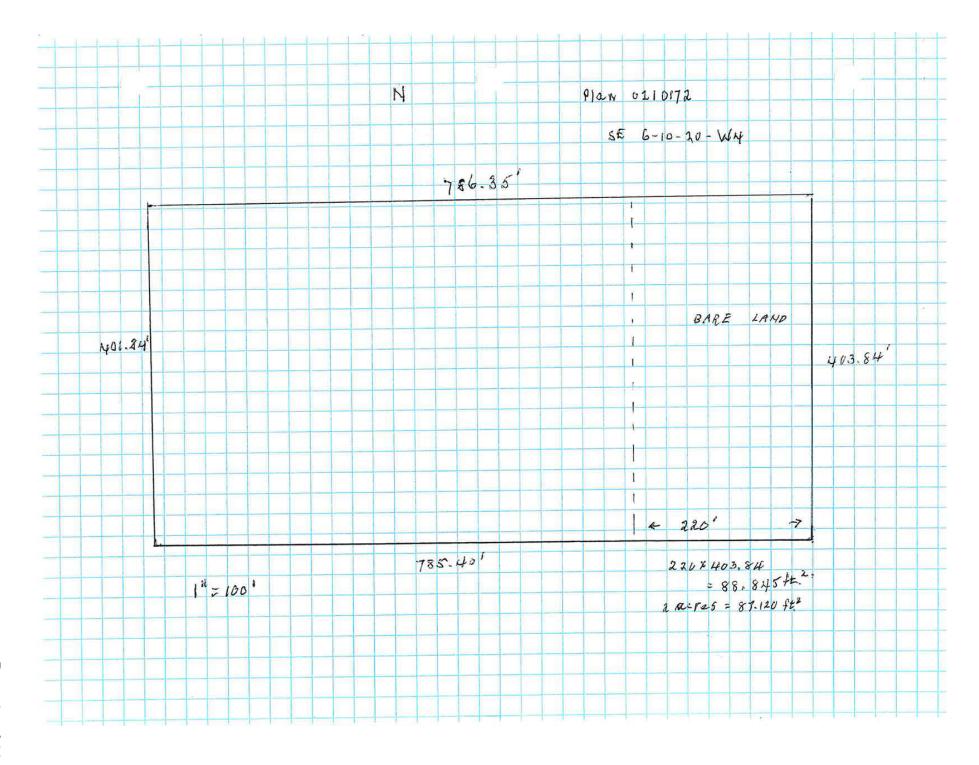
TERMS

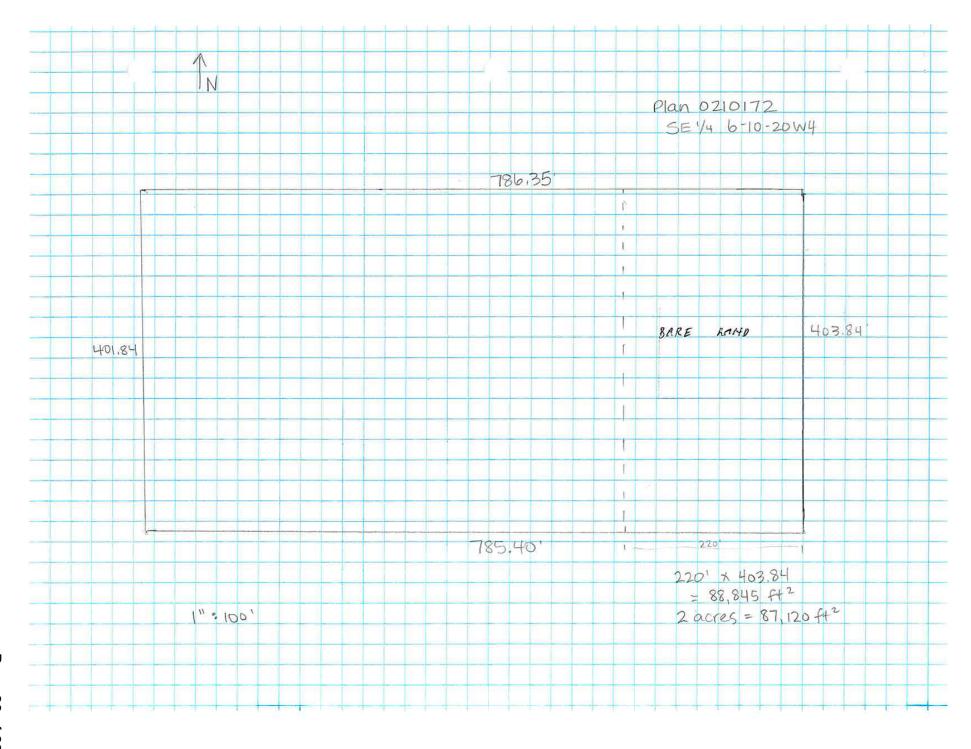
- 1. Subject to the provisions of the Land Use Bylaw No. 1404 of Lethbridge County, the term "development" includes any change in the use, or intensity of use, of buildings or land.
- Pursuant to the municipal development plan, an area structure plan or conceptual design scheme may be required by Council before a decision is made.
- 3. A refusal is not appealable and a subsequent application for redesignation (reclassification) involving the same or similar lot and/or for the same or similar use may not be made for at least 18 months after the date of a refusal.
- 4. An approved redesignation (reclassification) shall be finalized by amending the land use bylaw map in accordance with section 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.

Note: Information provided or generated in this application may be considered at a public meeting.

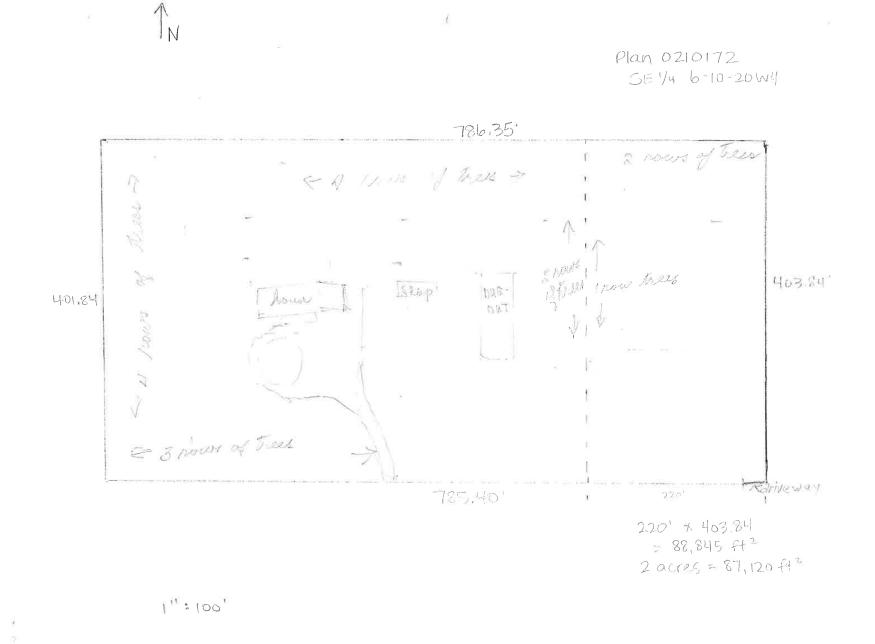
LETHBRIDGE COUNTY LAND USE BYLAW NO. 1404

P A G E **| 3 OF 3**





SE 6-10-20 W4 - Existing acreage - West portion house + yard, shop + dugout - east ~ 2 acres bare land - Proposed future - subdivide east portion off for residential development - Proposed use from I residential acreage to 2 separate acreages - remains residential - Proposed new acreage - existing gas line crosses south end of total parcel - existing driveway access - no drainage issues - Power, gas + water already available on east portion proposed for new acreage - 15 on school bus route + Coaldale fire dept services area - Reason for subdivision after rezoning to downsize acreage -Existing acrease more manageable + second acreage available to develop - Currently have to plant crop to control weeds / soil erosion.



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	LETHBRIDGE #100, 905 - 4 LETHBRIDGE, T1J TELEPHONE: (4 FAX: (403) O F F I C I A L	AVENUE SOUTH ALBERTA 4E4 403) 328-5525		
KOOT, HANK & ANNA				R106989023 0337903 2022/11/01
Account #	Description	Opening Bal	Payment	Amount Due
1.3.599.10.5.00	LAND USE BYLAW AMENDMENT		1,500.00	
	**	- Payment Total:	1,500.00	

159

Cheque

1,500.00

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Land Use Redesignation - Bylaw 22-019: Rural Agriculture (RA) to Grouped Country Residential (GCR) Parcels: Plan 0210172; Block 2; Lot 1 (7.25 Acres)

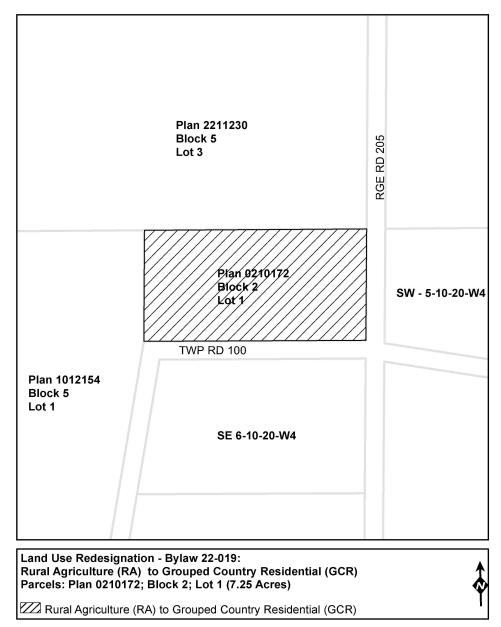
Rural Agriculture (RA) to Grouped Country Residential (GCR)

LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA

BYLAW NO. 22-019

Bylaw 22-019 of Lethbridge County being a bylaw for the purpose of amending Land Use Bylaw 1404, in accordance with Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.

WHEREAS the purpose of Bylaw 22-019 is to re-designate Plan 0210172 Block 2 Lot 1 from Rural Agriculture (RA) to Grouped Country Residential (GCR) as shown below;



AND WHEREAS the re-designation of the lands will allow for future residential subdivision and development of the parcel;

AND WHEREAS the applicant has submitted a Conceptual Design Scheme in support of the re-designation:

AND WHEREAS the municipality must prepare an amending bylaw and provide for its notification and consideration at a public hearing;

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NOW THEREFORE, under the authority of the Municipal Government Act, R.S.A. 2000, C-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following, with the bylaw only coming into effect upon three successful reading thereof;

GIVEN first reading this 1st day of December 2022.

	Reeve	
	Chief Administrative Officer	
GIVEN second reading this	day of	, 20
	Reeve	
	Chief Administrative Office	er
GIVEN third reading this	day of	_, 20
	Reeve	
	Chief Administrative Offi	

1 st Reading	December 1, 2022
2 nd Reading	
Public Hearing	
3 rd Reading	

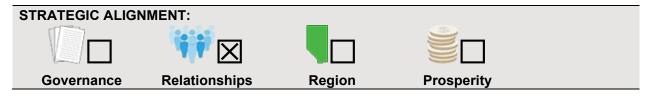
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Title:Community Planning Association of A and Sponsorship	Iberta (CPAA) - 2023 Annual Conference
Meeting: Council Meeting - 01 Dec 2022	
Department:Community ServicesReport Author:Hilary Janzen	

APPROVAL(S):

Larry Randle, Director of Community Services, Ann Mitchell, Chief Administrative Officer, Approved - 10 Nov 2022 Approved - 11 Nov 2022



EXECUTIVE SUMMARY:

The 2023 Community Planning Association of Alberta annual conference will be held in Nisku this year on May 1-3, 2023.

RECOMMENDATION:

- That any member of Council may attend the 2023 CPAA Annual Conference
- That County Council sponsors the 2023 Community Planning Association of Alberta Conference at the Gold Sponsorship Level; funds to be utilized from Council's Discretionary Reserve

REASON(S) FOR RECOMMENDATION(S):

- Attending the conference would give Council members an opportunity to discuss similar issues with fellow Councillors and to learn about upcoming issues on the horizon
- Sponsorship of the Conference will highlight the County and support the Community Planning Association.

PREVIOUS COUNCIL DIRECTION / POLICY:

County Council has historically attended this conference and sponsored the conference at a Gold Level.

BACKGROUND INFORMATION:

Attached is registration and sponsorship information for the Community Planning Association of Alberta at the Holiday Inn and Suites in Nisku. The theme for the conference is The Intersection of Planning and Politics: Preparing for the Unknown. The conference creates a space for planners, administrators and elected officials to explore how planning can help influence, shape and enhance

our communities and municipalities. The Registration cost is \$550 for the main conference and \$150 for the Education session per person.

The attached information outlines the various sponsorship levels available and for the past few years the County has generously sponsored the event at a Gold Sponsor Level. The Gold Level Sponsor cost for 2023 is \$1,750 and includes one free registration to the conference and education session.

ALTERNATIVES / PROS / CONS:

That Council not attend the 2023 Conference and not Sponsor the Conference Pros:

cost savings to the County for not attending the conference and not sponsoring the conference

Cons:

 missed opportunity to learn about upcoming and current issues within the realm of Planning and Development

FINANCIAL IMPACT:

- The registration fee per person is \$700 (conference and education session) for CPAA members
- The Gold Level Sponsor ship is \$1,750 and includes one free Conference Registration (\$700 value)

LEVEL OF PUBLIC	PARTICIPATION:			
Inform	Consult	Involve	Collaborate	Empower

ATTACHMENTS:

2023_CPAA_Conference Sponsor FORM-final 2023_CPAA_Conference Sponsorship Package-final

2023 CPAA CONFERENCE SPONSOR FORM



DIAMOND \$3,500 PREMIER DIAMOND \$9,500 3 YEARS (SAVE \$1000)

KEYNOTE SPEAKER AND THE PRINCIPAL SPONSOR

Three free conference registrations included and two free education session registrations, fill out separate Registration Form. Free premier exhibit space.

PLATINUM \$2,500

Choose one: Education Session Conference Banquet Silent Auction Welcome Reception Two free conference registrations and one education session registration included, fill out separate Registration Form. Free exhibit space.

GOLD \$1,750 Choose one: Banquet Beverages Banquet Entertainment Plenary Session Student Participation Refreshment Breaks One free conference registration and one free education session registration included, fill out separate Registration Form. SILVER \$1,250 Choose one:

AGM Concurrent Sessions (2) Education Session Lunch Breakfast(s) One free registration included, fill out separate Registration Form. BRONZE \$750 Choose one:

Concurrent Sessions (choose one of up to 12 sessions) Conference Program

In-Kind Contribution (less than \$750)

ORGANIZATION INFORMATION

Name				Position		
Organization				Contact Person		
Address				City + Province		Postal Code
Phone				Email		
PAYMENT METHOD:	E-transfer	Direct Deposit	Cheque	Invoice		
Total Amount Owing:		Payment Encl	losed:		Payment to Follow Invoice:	

GST is not applicable. Credit card payment is not available. However, payment may be made by e-transfer, direct deposit or by cheque, made payable to Community Planning Association of Alberta. Cancellation Policy: There will be no refunds.

PLEASE COMPLETE THE FORM AND RETURN WITH PAYMENT TO ADDRESS BELOW OR EMAIL: CPAA@CPAA.BIZ

Privacy Clause: Personal and commercial information is collected under the authority of the Personal Information Protection Act. The use of personal and commercial information is limited to administration of the conference registrations and management.

Disclaimer: A sponsorship is secured only on receipt of contribution. We reserve the right to amend rules and regulations governing sponsorship at any time. Refunds will not be issued. If there are multiple requests for a sponsorship item, priority will be given based on date of application received on a first come first served basis.



COMMUNITY PLANNING ASSOCIATION of ALBERTA

205 - 10940 166A STREET NW, EDMONTON, AB T5P 3V5 PHONE: (780) 432.6387 E-MAIL: CPAA@CPAA.BIZ WWW.CPAA.BIZ

2023 CPAA CONFERENCE SPONSOR PACKAGE



DIAMOND \$3,500

PREMIER DIAMOND Save! 3 years = \$9,500

There is only one sponsor in this category. The Diamond sponsor shall be recognized as the *Principal Sponsor* in all conference materials, including prominent locations, website / social media, and in all promotional materials (eg: banners, programs). A sponsor representative will be invited to speak as part of conference welcoming and closing remarks.

BENEFITS

Three (3) free registrations for Conference (Value: \$1650)* Two (2) free registrations for Education Session (Value: \$300)*

- One (1) free prominent exhibitor space (Value: \$300)*
- Primary sponsor logo placement and in all
- conference materials
- Sole sponsor for Keynote Speaker
- Primary recognition through prominent on-site signage

PLATINUM \$2,500

Sole Sponsor for one activity

Education Session Conference Banquet Silent Auction Welcome Reception

BENEFITS

Two (2) free registration for Conference (Value: \$1100)*

One (1) free registration for Education Session (Value: \$150)*

- One (1) free exhibitor space (Value: \$300)
- Logo placement and listing in conference program
- Recognition through prominent on-site signage

GOLD \$1,750

Sole Sponsor for one activity

Banquet Beverages Banquet Entertainment Plenary Session Student Participation Refreshment breaks

BENEFITS

- One (1) free registration for Conference (Value: \$550)*
- One (1) free registration for Education Session (Value: \$150)*
- Logo placement and listing in conference program
- Recognition through prominent on-site signage

SILVER \$1,250

Sole Sponsor for one activity. AGM Concurrent Session (Two) Education Session Lunch Breakfast, choose one

BENEFITS

- One (1) free registration for Conference (Value: \$550)*
- Logo placement and listing in conference program
- Recognition through prominent on-site signage

BRONZE \$750

Sole Sponsor for one activity.

Concurrent Session (up to 12 sessions) Conference Program

BENEFITS

- Logo placement and listing in conference program.
- Recognition on the on-site signage

In-Kind Contribution (less than \$750)

May include financial or in-kind contribution which supports the annual CPAA silent auction hosted at the conference banquet. The CPAA silent auction raises funds directly for student scholarships to pursue and advance education and a career in planning. Contributing sponsors supporting the silent auction and student scholarships are listed in the conference program.

*Conference Registration includes all conference meals. *Education Session Registration includes all education session meals. GST NOT APPLICABLE



COMMUNITY PLANNING ASSOCIATION of ALBERTA

205 - 10940 166A STREET NW, EDMONTON, AB T5P 3V5 PHONE: (780) 432.6387 E-MAIL: CPAA@CPAA.BIZ WWW.CPAA.BIZ

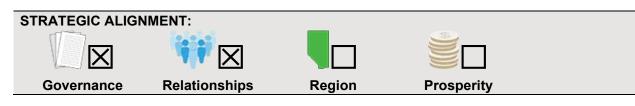


Title:	Fire Service Response Fees Waiver Request analysis
Meeting:	Council Meeting - 01 Dec 2022
Department:	Community Services
Report Author:	Byron Fraser

APPROVAL(S):

Devon Thiele, Infrastructure Manager,

Approved - 23 Nov 2022



EXECUTIVE SUMMARY:

At November 17th Council meeting, council requested a financial analysis of what a proper response as per County response plan would have looked like for the Jarokosky fire.

RECOMMENDATION:

That council reduce fire response invoice #123032 to \$13,822.50.

REASON(S) FOR RECOMMENDATION(S):

The Manager of Fire Services has calculated a reasonable cost based on the recommended response plan for the incident.

PREVIOUS COUNCIL DIRECTION / POLICY:

Council Considers each request for a reduction in fire response fees based on the unique circumstances of an incident. Schedule of Fees Bylaw No. 20-022 states that the cause and/or origin of an incident will determine whether the individual or the registered property owner will be invoiced fees for emergency response.

BACKGROUND INFORMATION:

The Manager of Fire Services was directed by council to perform an analysis of the incident as presented to council on November 17, 2022, regarding the waiver request for the Jarokosky fire.

ALTERNATIVES / PROS / CONS:

Option 1: Deny the request to reduce the already-reduced \$29,350 fire response invoice. **Pros:**

• The County will collect the full amount of the invoice from the property owner.

Cons:

• The appellant will have to pay \$19,350 above his insurance coverage.

Option 2: Reduce the \$29,350 invoice to an amount Council deems appropriate.

Pros:

• May satisfy or partially satisfy the request.

Cons:

• Any further reduction to the invoice will increase the amount of revenue forgone by the county.

FINANCIAL IMPACT:

The county would recover all paid-out cost but would forgo the collection of revenue that is used to offset the fire services operational budget.

LEVEL OF PUBLIC	PARTICIPATION:			
Inform	Consult	Involve	Collaborate	Empower

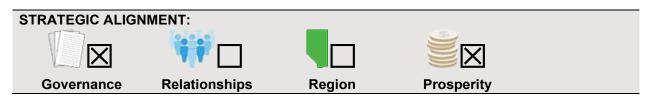


Title:	Bylaw 22-008 - Commercial and Industrial Municipal Tax Incentive Bylaw
Meeting:	Council Meeting - 01 Dec 2022
Department:	Infrastructure
Report Author:	Devon Thiele

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 04 Nov 2022



EXECUTIVE SUMMARY:

Based on the feedback received to date from the public and Council, administration has provided some options for Council to consider when debating the proposed bylaw.

Option 1: Min. \$200,000 investment with a 4 year rebate Year 1 - 100%, Year 2 - 75%, Year 3 - 50%, Year 4 - 25% Option 2: Min. \$200,000 investment with a 3 year rebate Year 1 - 75%, Year 2 - 50%, Year 3 - 25% Option 3: Min. \$1,000,000 investment with a 5 year, 100% flat rebate

Currently the proposed Bylaw states a minimum \$50,000 investment with a 4 year rebate.

RECOMMENDATION:

Council debates the merits of the proposed bylaw and direct administration on how to proceed.

REASON(S) FOR RECOMMENDATION(S):

To provide direction to administration.

PREVIOUS COUNCIL DIRECTION / POLICY:

Deputy Reeve VanderVeen MOVED that Bylaw 22-008 be read a first time - CARRIED

BACKGROUND INFORMATION:

At the April 21, 2022 Council meeting, the Commercial and Industrial Municipal Tax Incentive Bylaw was read a first time. After this, Administration engaged the public through a survey to obtain feedback on the proposed bylaw which was presented to Council during a regular meeting on July 7, 2022. Direction was given at this meeting to bring the bylaw back to an upcoming Council meeting

for a decision. In addition to this, a Council workshop was held on October 13th to discuss the bylaw and the public feedback received.

ALTERNATIVES / PROS / CONS:

Alt. 1: Read the existing bylaw a second and third time. Pro: None

Con: This may be viewed as not taking public engagement into consideration.

Alt. 2: Revise the bylaw based on public feedback and read it a second and third time.

Pro: This takes into consideration the feedback received by the public

Con: The County may not have servicing available to support new development

Alt. 3: Defeat the bylaw

Pro: This would give the County time to secure additional servicing capacity to accommodate increased development

Con: With no bylaw in place, incentives requested will be taken to Council for consideration on a case-by-case basis.

FINANCIAL	IMPACT:			
N/A				
LEVEL OF P	UBLIC PARTICIPA	TION:		
	_		_	_
	rm 🗌 Cons	ult Involve	Collaborate	Empower
X Info	rm 🗌 Cons	ult Involve	Collaborate	Empower
		sult L Involve	Collaborate	Empower

LETHBRIDGE COUNTY BYLAW No. 22-008

BEING A BYLAW OF LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF PROVIDING A MUNICPAL PROPERTY TAX EXEMPTION FOR NON-RESIDENTIAL DEVELOPMENT OR EXPANSIONS.

WHEREAS the *Municipal Government Act,* R.S.A. 2000 and amendments thereto, permits municipalities to offer multi-year tax exemptions, partial exemptions, or deferrals, in accordance with section 364.2 of the *Municipal Government Act,* for non-residential properties in order to attract investment, development and substantial redevelopment and expansion of existing non-residential development and machinery and equipment;

AND WHEREAS Lethbridge County seeks to provide an incentive to grow its property tax base and provide increased employment opportunities for County residents by attracting investment. The intent of this Bylaw is to provide a municipal tax incentive to attract large commercial and industrial investors and promote expansion by existing investors through providing an exemption to a portion of municipal property taxes attributable to the differential between the pre-construction assessment and the post-construction assessment for eligible property;

NOW THEREFORE, the Lethbridge County Council duly assembled hereby enacts as follows:

1. THE PURPOSE OF THIS BYLAW IS TO:

- (a) Encourage the development or revitalization of Non-residential properties and Machinery and Equipment in Lethbridge County for the general benefit of the municipality;
- (b) establish tax exemptions for Eligible Property in accordance with section 364.2 of the *Municipal Government Act* when there is a New Development or a Renovated Development that meets the criteria and requirements set out in this Bylaw;
- (c) provide a process for an application for a tax exemption under this Bylaw; and
- (d) provide a process for review by Council of the refusal or cancellation of a tax exemption under this Bylaw.

The Bylaw is cited as the "Commercial & Industrial Municipal Tax Incentive Bylaw"

2. **DEFINITIONS**

When used in this Bylaw:

- (a) "Act" means the *Municipal Government Act*, RSA 2000, M-26, as amended or repealed and replaced from time to time;
- (b) "Appeal Fee" means the fee established by this Bylaw to be paid at the time an appeal application is submitted pursuant to this Bylaw;
- (c) "Application Fee" means the fee established by this Bylaw to be paid at the time an application is submitted pursuant to this Bylaw;
- (d) "Arrear taxes" shall mean taxes remaining unpaid after December 31 of the year in which it is levied;
- (e) "Assessed Person" means an assessed person as defined under section 284(1) of the Act, or an authorized agent for the Assessed Person;
- (f) "Assessment" has the meaning given to it in the Act;
- (g) "Assessor" has the meaning given to it in the Act;
- (h) "Base Assessment Year" shall mean the assessment year immediately prior to the assessment year that has an increase in Improvement Assessment as a result of New Development or Renovated Development and in which the increase is used within the net calculation of Improvement Assessment of the subject property to qualify for an Exemption under this Bylaw. The Base Assessment Year shall not be prior to the 2021assessment year;
- (i) "Chief Administration Officer" (CAO) shall mean the Chief Administrative Officer of the County, or delegate;

- (j) "Complete Application" means an application submitted pursuant to this Bylaw that includes the Application Fee, the application form, any information and documents set out on the application form and any additional application requirements for the tax incentives under this Bylaw;
- (k) "County" shall mean the municipal corporation of Lethbridge County;
- (I) "Council" means all of the councilors of the County, including the chief elected official for the County;
- (m) "Current taxes" shall mean property taxes levied for the current tax year;
- (n) "Decision" means the decision to grant an Exemption, to reject an Exemption application, or to cancel an Exemption;
- (o) "Eligible Property" shall mean property within Assessment Class 2 Non-residential and Assessment Class 4
 Machinery and Equipment as defined in the Act that meet the criteria set out in section 3 of this Bylaw. This Bylaw shall specifically <u>exclude</u> Linear Property from Eligible Property;
- (p) "Exemption" means the portion of municipal property taxes for Eligible Property that has been determined to be exempt and subject to a refund, in accordance with this Bylaw, and which are computed separately under this Bylaw;
- (q) "Improvement(s)" has the meaning given to it in Part 9 of the Act;
- (r) "Improvement Assessment" means the change in an Assessment attributable solely to an Improvement or Improvements on a property;
- (s) "Linear Property" has the meaning given to it in the Act;
- (t) "Non-residential" means the type of property falling within the assessment class specified in section 297(1)(b) of the Act. This Bylaw shall specifically exclude the land assessment and Linear property as defined in the Act;
- (u) "Machinery and Equipment" (M&E) has the meaning given to it in the Act and associated regulation(s) i.e. (Matters Relating to Assessment and Taxation Regulation, as amended from time to time);
- (v) "New Development" shall mean new Improvements on an Eligible Property that increases the Improvement Assessment of that property;
- (w) "Renovated Development" shall mean renovations or physical additions to existing Improvements on an Eligible Property that increases the Improvement Assessment of that property;
- (x) "Tax Incentive Agreement" means a written agreement between the County and the Assessed Person setting out the terms and conditions applicable to Eligible Property for Exemption of municipal property tax and subject to refund and shall be the result of the calculation reference in section 6 of this Bylaw; and
- (y) "Working day" shall mean days the County's central Administration Building is open to serve the public.

3. CRITERIA FOR TAX INCENTIVE AGREEMENT

- 3.1. New Developments and Renovated Developments may be subject to an Exemption and Tax Incentive Agreement provided that:
 - (a) The property subject to the New Development or Renovated Development must not have any Arrear taxes or have amounts owing with regards to property tax, utilities, or other fees owing to the County and all Current taxes must be paid in full;
 - (b) the property subject to the New Development or Renovated Development must not have development compliance issues, be in violation of a development agreement, or be in violation of the *Safety Code Act* at any time during the taxation years for which the Exemption applies to the New Development or Renovated Development;
 - (c) all applicable provincial or federal approvals and permits are in place with respect to the property subject to the New Development or Renovated Development;

- (d) the registered property owner or the Assessed Person, excluding any authorized agent therefore, of the property subject to the New Development or Renovated Development is not involved in some form of litigation (including an Assessment Review Board Complaint) with the County; and
- (e) the current Improvement Assessment for the New Development or Renovated Development on the subject property must have increased by at least \$50,000 compared to the Base Assessment Year. The change in valuation for the Assessment of land is excluded from this calculation.
- 3.2. Linear Property is not eligible for an Exemption or Tax Incentive Agreement under this Bylaw.

4. APPLICATION FOR TAX INCENTIVE AGREEMENT

- 4.1. The Assessed Person of the property subject to the application must submit a Complete Application to the County, and the County has the discretion to reject applications that are incomplete, or ineligible.
- 4.2. As part of a Complete Application, the Assessed Person must agree to enter into a Tax Incentive Agreement with the County, on the form prescribed by the County, if their application is approved for an Exemption.
- 4.3. Assessed Persons must submit a non-refundable application fee of \$1,000 (Canadian dollars).
- 4.4. The deadline for submitting a Complete Application for an Exemption to be granted in the same tax year is June 30 of the given year. Any Complete Application received after June 30 of the given year will be considered for an Exemption for the following tax year.
- 4.5. Notwithstanding the Complete Application requirements, the County may require any additional information that, in the discretion of the County, is necessary to complete the application;
- 4.6. Assessed Persons whose application is returned as incomplete or ineligible may resubmit an application without payment of an additional Application Fee.
- 4.7. The County will advise an Assessed Person in writing if their application is accepted for consideration, refused, or rejected. Applications accepted for consideration will become the property of the County and may not be returned.

5. CONSIDERATION OF APPLICATIONS

- 5.1. The CAO shall receive and consider Complete Applications within the provisions of this Bylaw and may consult with, obtain information from, and verify information with other employees or agents of the County, other governments, government agencies, or persons.
- 5.2. The CAO may, at any time, require an Assessed Person to provide any documents the County deems necessary to verify any information contained in a Complete Application or to confirm ongoing compliance with the eligibility criteria of the Exemption.
- 5.3. The CAO will consider each Complete Application and shall either:
 - (a) grant the Exemption and enter into a Tax Incentive Agreement with the Assessed Person; or
 - (b) reject the application and advise the Assessed Person with written reasons as to why the application was rejected. The written reasons shall also provide the date by which an appeal to Council must be submitted.
- 5.4. The County shall enter into a Tax Incentive Agreement with the Assessed Person if an Exemption is granted under section 5.3(a) of this Bylaw.
- 5.5. The Exemption shall not be refunded until the Tax Incentive Agreement is fully executed.

6. CALCULATION OF THE EXEMPTION

- 6.1 Subject to section 6.2 of this Bylaw, the amount of the Exemption will be calculated as follows:
 - (a) The municipal taxes subject to Exemption shall be in accordance with the following:
 - Year 1 equals 100% Exemption
 - Year 2 equals 75% Exemption
 - Year 3 equals 50% Exemption

- Year 4 equals 25% Exemption
- (b) Should the County determine that the installation of municipal infrastructure is required to support the New or Renovated Development, a reduction of the exemption shall apply that equals the total costs associated with the installation of municipal infrastructure as determined by the County CAO. Should the cost associated with the installation of municipal infrastructure exceed the exemption amount, the exemption shall not apply and the Assessed Person shall be responsible to pay for the differential between what the exemption amount would be and the costs associated with the installation of municipal infrastructure.
- $(c) \;\; only the municipal portion of property taxes is eligible for exemption.$
- 6.2. No Exemption will be granted respecting any Provincial requisitions.

7. PAYMENT OF THE EXEMPTION

- 7.1. The Exemption as calculated in accordance with section 6 of this Bylaw shall be paid to the Assessed Person as a refund of a portion of the Current Taxes on the Eligible Property, subject to the Current Taxes for the taxation year first being paid in full.
- 7.2. Subject to the terms of the Tax Incentive Agreement:
 - (a) The amount of the Exemption shall be paid to the Assessed Person each year for a period of no more than four (4) taxation years provided that in each of those years the Current Taxes are paid in full;
 - (b) payment shall be made to the Assessed Person within thirty (30) Working days from the date Current Taxes are paid in full; and
 - (c) If the Current Taxes are not paid in full by December 31 of any year, then the Exemption shall not be paid to the Assessed Person for that year nor shall the Assessed Person be eligible to receive the Exemption for any subsequent years.

8. DURATION OF THE EXEMPTION PROGRAM

8.1. The Exemption program as authorized by this Bylaw will be available for Eligible Property commencing with the 2023 assessment year and shall operate in accordance with the terms of this Bylaw until such time as this Bylaw is amended or repealed.

9. TAX INCENTIVE AGREEMENT

- 9.1. A Tax Incentive Agreement will be required for all granted Exemptions. The Tax Incentive Agreement will include the following:
 - (a) the taxation years to which the Exemption applies, which will not include any taxation year earlier than the taxation year in which the Exemption is granted;
 - (b) conditions, the breach of which will result in cancellation of the Tax Incentive Agreement and the Exemption, and the taxation year or years to which the conditions apply;
 - (c) the date which the Exemption will begin;
 - (d) the amount of the Exemption, to be calculated and allocated in accordance with section 6 of this Bylaw; and
 - (e) any other information or conditions provided by the County.

10. CANCELLATION OF EXEMPTION

- 10.1. If at any time after an Exemption is granted, the County determines that:
 - (a) the Assessed Person, their application, or the property subject to the application did not meet or ceased to meet any of the criteria in which formed the basis of granting the Exemption; or

(b) there was a breach of any condition of the Tax Incentive Agreement;

the CAO may cancel the Exemption for the taxation year or years in which the criterion was not met or to which the condition applies.

- 10.2. The County may, at any time, require an Assessed Person to provide any documents the County deems necessary to verify compliance with the conditions of the Tax Incentive Agreement.
- 10.3. A written Decision to cancel an Exemption must be provided to the Applicant and must include reasons for the cancellation, identify the taxation year or years to which the cancellation applies, and provide the date by which an application for an appeal to Council must be made.

11. APPEAL TO COUNCIL

- 11.1. An Assessed Person may appeal to Council in the following situations:
 - (a) an application for Exemption is refused or rejected;
 - (b) an Exemption is cancelled for one or more taxation years;
 - (c) a Tax Incentive Agreement is cancelled; or
 - (d) the content of the Tax Incentive Agreement is inconsistent with this Bylaw or the Act.
- 11.2. A request for appeal must be submitted in writing to the CAO within 30 days of:
 - (a) written notice being sent to the Assessed Person that an application has been refused or rejected;
 - (b) written notice being sent to the Assessed Person that an Exemption is cancelled for one or more taxation years;
 - (c) a Tax Incentive Agreement being cancelled; or
 - (d) the execution of a Tax Incentive Agreement as the case may be.
- 11.3. An Assessed Person must submit a non-refundable appeal fee of \$500 (Canadian dollars).
- 11.4. Council will consider an appeal at:
 - (a) a regularly scheduled meeting of Council; or
 - (b) a special meeting of Council.
- 11.5. Remedies available to Council upon conclusion of an appeal are:
 - (a) Council may uphold or revoke a decision of the CAO with respect to the outcome of an application or cancellation of an Exemption or Tax Incentive Agreement; or
 - (b) Council can revise or direct the CAO to revise a Tax Incentive Agreement.
- 11.6. In accordance with section 460(7) of the Act, complaints about a Decision may not be made to the assessment review board.

12. SEVERABILITY

12.1. Should any provision of the Bylaw be declared to be invalid, then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

13. EFFECTIVE DATE

13.1. The adoption of this Bylaw to establish the Property Tax Incentive Exemption program for Eligible Nonresidential property and M&E is effective upon the date of the passing of the third and final reading of this Bylaw.

 READ A FIRST TIME
 this 21st day of April, 2022.

 READ A SECOND TIME
 this _______day of ______, 2022.

 READ A THIRD TIME
 this _______day of ______, 2022.

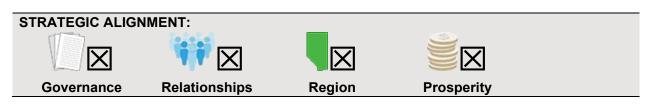


Alberta Community Partnership Grant Application - Lethbridge County / Coaldale Regional Water Supply Study
Council Meeting - 01 Dec 2022
Infrastructure
Devon Thiele

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 04 Nov 2022



EXECUTIVE SUMMARY:

This study will examine the potential solutions for Lethbridge County and Coaldale to accommodate growing development and water demands. As part of the Alberta Community Partnership - Intermunicipal Collaboration grant application requirements, a resolution from each participating municipality must be made by Council.

RECOMMENDATION:

Council approves the Alberta Community Partnership - Intermunicipal Collaboration grant application with the Town of Coaldale for the Lethbridge County / Coaldale Regional Water Supply Study.

REASON(S) FOR RECOMMENDATION(S):

To progress this project and take advantage of 100% funding.

PREVIOUS COUNCIL DIRECTION / POLICY:

Councillor Keurbis MOVED that County Council, through the Reeve, send a letter to the Town of Coaldale Mayor indicating the urgency of this matter.

BACKGROUND INFORMATION:

Lethbridge County and the Town of Coaldale have been working together to find a solution to water capacity issues that currently exist in and around the Coaldale area. The County and Coaldale have both retained an engineering firm to provide engineering analysis on our respective infrastructure. As the County's system in interconnected with Coaldale's, the Alberta Community Partnership grant funds will help examine the entire system holistically and provide a preliminary engineering design for both municipalities.

ALTERNATIVES / PROS / CONS:

N/A

FINANCIAL IMPACT:

None, this grant covers 100% of all expenses.

LEVEL OF PUBLIC	PARTICIPATION:		
Inform		Collaborate	Empower

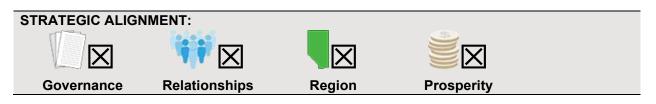


Title:	Alberta Community Partnership Grant Application Support - Highway 3 Corridor Regional Water Supply Study
Meeting:	Council Meeting - 01 Dec 2022
Department:	Infrastructure
Report Author:	Devon Thiele

APPROVAL(S):

Devon Thiele, Infrastructure Manager,

Approved - 24 Nov 2022



EXECUTIVE SUMMARY:

The M.D. of Taber, Town of Taber, Town of Coaldale, and Lethbridge County would partner on a study to analyze potential water servicing along the Highway 3 corridor between Coaldale and Taber. This study would include an assessment of water demands and infrastructure, evaluate water supply alternatives, establish potential solutions and phasing, and develop a preliminary design and cost estimate.

RECOMMENDATION:

County Council supports the Municipal District of Taber's (managing partner) submission of a 2022/23 Alberta Community Partnership grant application in support of the Highway 3 Corridor Regional Water Supply Study project.

REASON(S) FOR RECOMMENDATION(S):

To investigate the feasibility of a regional water system along the Highway 3 corridor between the Town of Coaldale and Town of Taber.

PREVIOUS COUNCIL DIRECTION / POLICY:

None

BACKGROUND INFORMATION:

Water servicing continues to be a challenge for the County and our municipal neighbours. The intent of this project is to study the feasibility of a regional water system that can support agrifood and other businesses along the Highway 3 corridor.

ALTERNATIVES / PROS / CONS:

None.

FINANCIAL IMPAC	:Т:					
None, this is 100% grant funded.						
LEVEL OF PUBLIC PARTICIPATION:						
	Consult	Involve	Collaborate	Empower		

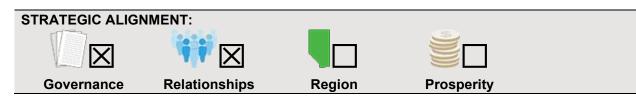


Title:	Lethbridge & District Exhibition - Ottawa Trade Mission		
Meeting:	Council Meeting - 01 Dec 2022		
Department:	Administration		
Report Author:	Ann Mitchell		

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 29 Nov 2022



EXECUTIVE SUMMARY:

Lethbridge & District Exhibition is planning a collaborative trade mission in Ottawa to continue to generate investment in Southern Alberta on February 14 & 15, 2023. The Reeve and CAO have been invited to attend.

RECOMMENDATION:

That Reeve Campbell and CAO Mitchell be authorized to attend the Lethbridge & District Exhibition Trade Mission in Ottawa on February 14 & 15, 2023.

REASON(S) FOR RECOMMENDATION(S):

To continue to work collaboratively with Lethbridge & District Exhibition.

PREVIOUS COUNCIL DIRECTION / POLICY:

Council has contributed \$2Million to the Lethbridge & District Exhibition Agri-food Hub & Trade Centre.

BACKGROUND INFORMATION:

Approximately 20 delegates have been invited to attend the trade mission in Ottawa.

As the Exhibition prepares to open the doors to the Agri-food Hub & Trade Centre in spring 2023, they will be targeting association professionals, meeting planners, large agricultural corporations and government officials - attracting national users, supporters and funders.

The 268,000 square foot Agri-food Hub & Trade Centre will serve as an economic driver of growth for Alberta's agriculture sector – and we are committed to showcasing southern Alberta, our agricultural advantage and world-class producers.

Prior to celebrating Canada's Agriculture Day at Parliament Hill with Farm Credit Canada on February 15, they will host an exclusive event on February 14 that will allow us to connect directly with our identified stakeholders.

Demonstrating the natural advantages of the Agri-food Hub & Trade Centre and surrounding region, support is critical in driving our visitor economy and securing commitments in tourism revenue to Lethbridge & southern Alberta.

ALTERNATIVES / PROS / CONS:

Alternative:

To not send representatives from Lethbridge County.

FINANCIAL IMPACT:

Lethbridge & District Exhibition through the support of Travel Alberta will be covering all costs for flights, transportation, accommodation and food.

LEVEL OF PUBLIC PARTICIPATION:						
		Involve	Collaborate	Empower		