



AGENDA

Council Meeting

9:30 AM - Monday, December 6, 2021
Council Chambers

Page

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. ADOPTION OF MINUTES

4 - 7

1. **County Council Meeting Minutes**
[Council Meeting - 18 Nov 2021 - Minutes](#)

D. SUBDIVISION APPLICATIONS

8 - 16

1. **Subdivision Application #2021-0-186 – Vande Bruinhorst Farms - SE1/4 30-9-19-W4M**
[Subdivision Application #2021-0-186 – Vande Bruinhorst Farms - SE1/4 30-9-19-W4M](#)

17 - 26

2. **Subdivision Application #2021-0-175 – Beattie - Block A, Plan 9210553 & SE1/4 7-9-20-W4M**
[Subdivision Application #2021-0-175 – Beattie - Block A, Plan 9210553 & SE1/4 7-9-20-W4M](#)

E. PUBLIC HEARINGS - 10:00AM

27 - 42

1. **Bylaw 21-018 - Amendment to Land Use Bylaw from Direct Control to Direct Control - Crystal Springs Cheese - Public Hearing**
[Bylaw 21-018 - Amendment to Land Use Bylaw from Direct Control to Direct Control - Plan 1711672 Block 2 Lot 1 in the SE 15-10-22-W4- Public Hearing](#)

F. DEPARTMENT REPORTS

F.1. MUNICIPAL SERVICES

F.2. COMMUNITY SERVICES

43 - 54

- F.2.1. **Development Permit Application 2021-234 (City of Lethbridge Landfill Composting Facility)**

[Development Permit Application 2021-234 \(City of Lethbridge Landfill Composting Facility\)](#)

- 55 - 58 F.2.2. **Proposed Amendment to Land Disposition Policy No. 172**
[Proposed Amendment to Land Disposition Policy No. 172](#)

F.3. CORPORATE SERVICES

- 59 - 83 F.3.1. **ORRSC - Assessment Review Board Services - Agreement & Bylaw Update**
[ORRSC Assessment Review Board Services - Agreement & Bylaw Update](#)

- 84 - 87 F.3.2. **Tax Penalty Waiver Request**
[Tax Penalty Waiver Request](#)

- 88 - 106 F.3.3. **Bylaw 21-020 Schedule of Fees**
[Bylaw 21-020 Schedule of Fees](#)

F.4. ADMINISTRATION

- 107 - 111 F.4.1. **2022 Strategic Planning Retreat**
[2022 Strategic Planning Retreat](#)

- 112 - 113 F.4.2. **FCSS Committee Re-Appointment**
[FCSS Committee Re-Appointment](#)

G. NEW BUSINESS

H. COUNTY COUNCIL AND COMMITTEE UPDATES

I. DELEGATIONS

- 114 - 125 1. **11:00 AM - Highway 3 Twinning Development Association**
[H3TDA Presentation to Community 2021](#)

J. CLOSED SESSION

1. **Public Utility Lot (FOIP Section 25 - Disclosure harmful to economic & other interests of a public body)**
2. **2022 Bank of Montreal/Calgary Stampede Farm Family Awards Program (FOIP Section 19 - Confidential Evaluations)**
3. **County/City Collaboration (FOIP Section 21 - Disclosure harmful to intergovernmental relations)**

K. ADJOURN



MINUTES

Council Meeting

9:30 AM - Thursday, November 18, 2021
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, November 18, 2021, at 9:30 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Tory Campbell
Deputy Reeve Klaas VanderVeen
Councillor Lorne Hickey
Councillor Morris Zeinstra
Councillor John Kuerbis
Councillor Mark Sayers
Chief Administrative Officer, Ann Mitchell
Director of Community Services, Larry Randle
Director of Public Operations, Jeremy Wickson
Infrastructure Manager, Devon Thiele
Manager of Finance & Administration, Jennifer Place
Executive Assistant, Candice Robison

A. CALL TO ORDER

Reeve Tory Campbell called the meeting to order at 9:30 a.m.

Reeve Campbell acknowledged and provided condolences for all those being affected by the floods in British Columbia.

B. ADOPTION OF AGENDA

354-2021 Councillor Sayers MOVED that Lethbridge County Council approve the November 18, 2021 Council Meeting Agenda as presented.

CARRIED

C. ADOPTION OF MINUTES

C.1 County Council Meeting Minutes

355-2021 Councillor Kuerbis MOVED that the November 4, 2021 Regular County Council Meeting Minutes be accepted as presented.

CARRIED

D. SUBDIVISION APPLICATIONS

E. PUBLIC HEARINGS

F. DEPARTMENT REPORTS

F.1 CORPORATE SERVICES

F.1.1 Council Remuneration Update

356-2021 Deputy Reeve VanderVeen MOVED that County Council return to the budgeted remuneration as per Policy #183, effective the November 2021 month end payroll run for Council.

CARRIED

F.1.2 2021 Tax Auction Reserve Bids and Conditions of Sale

357-2021 Councillor Kuerbis MOVED that County Council approve the 2021 Tax Auction Properties Schedule 'A' reserve bids and conditions as amended.
CARRIED

F.2 MUNICIPAL SERVICES

F.2.1 Policy 356 - Local Improvement Tax

358-2021 Councillor Kuerbis MOVED that County Council approves Policy 356 - Local Improvement Tax.
CARRIED

F.2.2 Rescind Policies Amalgamated into Public Works LOS Policy

359-2021 Deputy Reeve VanderVeen MOVED to rescind the following policies:
• Policy 341 Gravel Road Maintenance
• Policy 345 County Roads - Servicing Levels
CARRIED

F.2.3 2021-22 Level of Service - Public Works Winter Maintenance Level of Service

360-2021 Councillor Kuerbis MOVED that the existing Policy 342 Snow Plowing be rescinded prior to the adoption of the new Public Works Winter Maintenance LOS.
CARRIED

361-2021 Councillor Sayers MOVED that Council adopt a new Level of Service (LOS) Policy for Public Works Winter Maintenance.
CARRIED

F.3 COMMUNITY SERVICES

F.3.1 Emergency Management Support Agreement Renewal

362-2021 Deputy Reeve VanderVeen MOVED that the Agreement for Emergency Management Support between the County and the Town of Coaldale be renewed for a one-year period commencing February 1, 2022 at an annual cost of \$40,000.00.
CARRIED

F.3.2 August - October 2021 Fire Services Coordinator Activity Summary

363-2021 Councillor Zeinstra MOVED that County Council accept the August-October 2021 Fire Services Coordinator Activity Summary for information.
CARRIED

Reeve Campbell recessed the meeting at 10:55 a.m.

The meeting reconvened at 11:03 a.m.

G. DELEGATIONS

G.1 11:00 a.m. - CLOSED SESSION - AltaLink (FOIP Section 16 - Disclosure Harmful to Business Interests of a Third Party)

H. CLOSED SESSION

G.1 - Delegation - AltaLink (FOIP Section - Disclosure Harmful to Business Interests of a Third Party)

H.1 - 2022 Bank of Montreal/Calgary Stampede Farm Family Awards Program (FOIP Section 19 - Confidential Evaluations)

H.2 - Land Disposition (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

364-2021 Councillor MOVED that the Lethbridge County Council Meeting move into Closed
Zeinstra Session, pursuant to Section 197 of the *Municipal Government Act*, at
11:04 a.m. for discussion on the following:

G.1 - Delegation - AltaLink (FOIP Section 16 - Disclosure Harmful to
Business Interests of a Third Party)

H.1. - 2022 Bank of Montreal/Calgary Stampede Farm Family Awards
Program (FOIP Section 19 - Confidential Evaluations)

H.2. - Land Disposition (FOIP Section 25 - Disclosure Harmful to
Economic and Other Interests of a Public Body)

Present during the Closed Session:

Lethbridge County Council

CAO

Senior Staff

Administrative Staff

CARRIED

365-2021 Councillor MOVED that Lethbridge County Council Meeting move out of the
Zeinstra closed session at 11:53 a.m.

CARRIED

F.4 ADMINISTRATION

F.4.1 Letter of Support Request - Lethbridge Airport CBSA Agents

366-2021 Councillor MOVED that administration draft a letter of support for the return of
Kuerbis CBSA Agents to the Lethbridge Airport to facilitate out of country air
traffic to clear customs in Lethbridge.

CARRIED

I. NEW BUSINESS

J. COUNTY COUNCIL AND COMMITTEE UPDATES

J.1 Lethbridge County Council Attendance Update - October 2021

367-2021 Councillor MOVED that Lethbridge County Council receive the report titled
Zeinstra "Lethbridge County Council Attendance Update - October 2021",
identifying the activities and events attended by Lethbridge County
Council for the month of October 2021 as information.

CARRIED

K. **ADJOURN**

368-2021	Councillor Sayers	MOVED that Lethbridge County Council Meeting adjourn at 12:06 p.m.	CARRIED
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Reeve

CAO

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-186 – Vande Bruinhorst Farms
- SE1/4 30-9-19-W4M
Meeting: Council Meeting - 06 Dec 2021
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 18 Nov 2021
Approved - 18 Nov 2021
Approved - 21 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The application is to subdivide a vacant 4.94-acre first parcel out subdivision from a title of 160.00-acres for country residential use. The proposal does not meet the subdivision criteria of the Land Use Bylaw as it would require a parcel size waiver.

RECOMMENDATION:

That S.D. Application #2021-0-186 be approved subject to the conditions as outlined in the draft resolution, including a parcel size reduction to 3.0-acres in size.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The isolated single-parcel subdivision policies are within Land Use Bylaw No. 1404 that allow one subdivision per ¼-section, which the proposed subdivision complies with.
- The proposal is categorized as a vacant (bareland) subdivision, as the area being subdivided does not contain a habitable dwelling or other major improvements.
- The bylaw criteria stipulate a minimum 2.0-acre to maximum 3.0-acre vacant parcel size which this proposed 4.94-acre subdivision does not comply with.
- Council, as the Subdivision Authority, may refuse to grant a waiver of the maximum 3-acre vacant parcel size if it is of the opinion the vacant parcel may properly be planned to accommodate future uses on site in accordance with the bylaw standards, and there are no unique circumstances present to warrant a size waiver request.

BACKGROUND INFORMATION:

Located approximately 2-miles northeast of the Town of Coaldale, 1½-miles north of Highway 3. The application is to subdivide a vacant parcel as the first subdivision of the landowner.

The proposal is to subdivide a dry-corner of the ¼-section situated outside the irrigated agricultural land. This is a site of a former older acreage which used to contain a mobile home that has been moved-off. The proposed parcel is a triangular shape with the property line being angled on the east to account for the irrigation pivot on the remnant agricultural land. The proposed titled yard area does not contain any of the irrigated agricultural land, but the 4.94-acre size exceeds the maximum 3-acre vacant (bareland) size of the bylaw. The parcel can be serviced as private utilities are in place to the property. Water is proposed to be provided by the rural water co-op or alternatively a hauled private cistern system will be needed. Sewage treatment will be treated by an individual on-site septic field system as was previously done. Access is provided from an approach to the south municipal road allowance. There are no abandoned gas wells in proximity to this proposal and no confined feeding operations (CFOs) in the area.

Overall, the proposal is the first subdivision from the ¼-section but does not meet the size criteria of the County's Land Use Bylaw No. 1404 for a bareland (vacant) parcel subdivision. The final approved parcel may be reduced in size to comprise no more than 3-acres of land in accordance with the subdivision criteria, which can be imposed as a condition of approval. There are no hardships or unique physical features present that appear to support a waiver.

The application was circulated to the required external agencies and no concerns or objections were expressed regarding the application. No easements have been requested (at time of agenda report).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to grant the waiver and approve the subdivision as applied for at 4.94-acres in size.

Pros:

- there are none direct to the County, but it would support the applicant's preferable land title parcel size

Cons:

- a waiver to create a vacant parcel may create public impression that the County would approve similar type applications that may come forward

FINANCIAL IMPACT:

None direct, but the future tax situation will change with an increase in additional country residential taxes paid on a new yard and future improvements.

REASON(S) FOR RECOMMENDATION(S):

With a reduction in parcel size, the proposed subdivision meets the provincial Subdivision and Development Regulations and the municipal bareland (vacant) parcel subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-186 Lethbridge County APPROVAL](#)
[2021-0-186 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-186

Lethbridge County

Country Residential subdivision of SE1/4 30-9-19-W4M

THAT the Country Residential subdivision of SE1/4 30-9-19-W4M (Certificate of Title No. 101 337 711 +1), to subdivide a vacant 4.94-acre (2.00 ha) first parcel out subdivision from a title of 160.00-acres (64.75 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the final approved parcel be reduced in size to comprise no more than 3-acres of land in accordance with the land use bylaw and subdivision criteria, which is to be reflected on the final Plan of Survey.
4. That the applicant provides a Plan of Survey as prepared by an Alberta Land Surveyor to illustrate the exact dimensions and parcel size of the proposed subdivision as approved.
5. That any easement(s) as required by utility companies or the municipality shall be established.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and with a reduction in parcel size complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the vacant first parcel out subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority has determined the proposal is eligible for subdivision categorized as a vacant (bareland) first parcel out subdivision, as the area being subdivided does not contain a habitable dwelling or other major improvements.
4. The Subdivision Authority is not prepared to grant a waiver of the bylaw maximum 3-acre vacant parcel size to approve the proposed 4.94-acre parcel, as it is of the opinion the vacant parcel may properly be planned to accommodate future uses on site in accordance with the bylaw standards and there are no unique circumstances present to warrant a waiver.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)

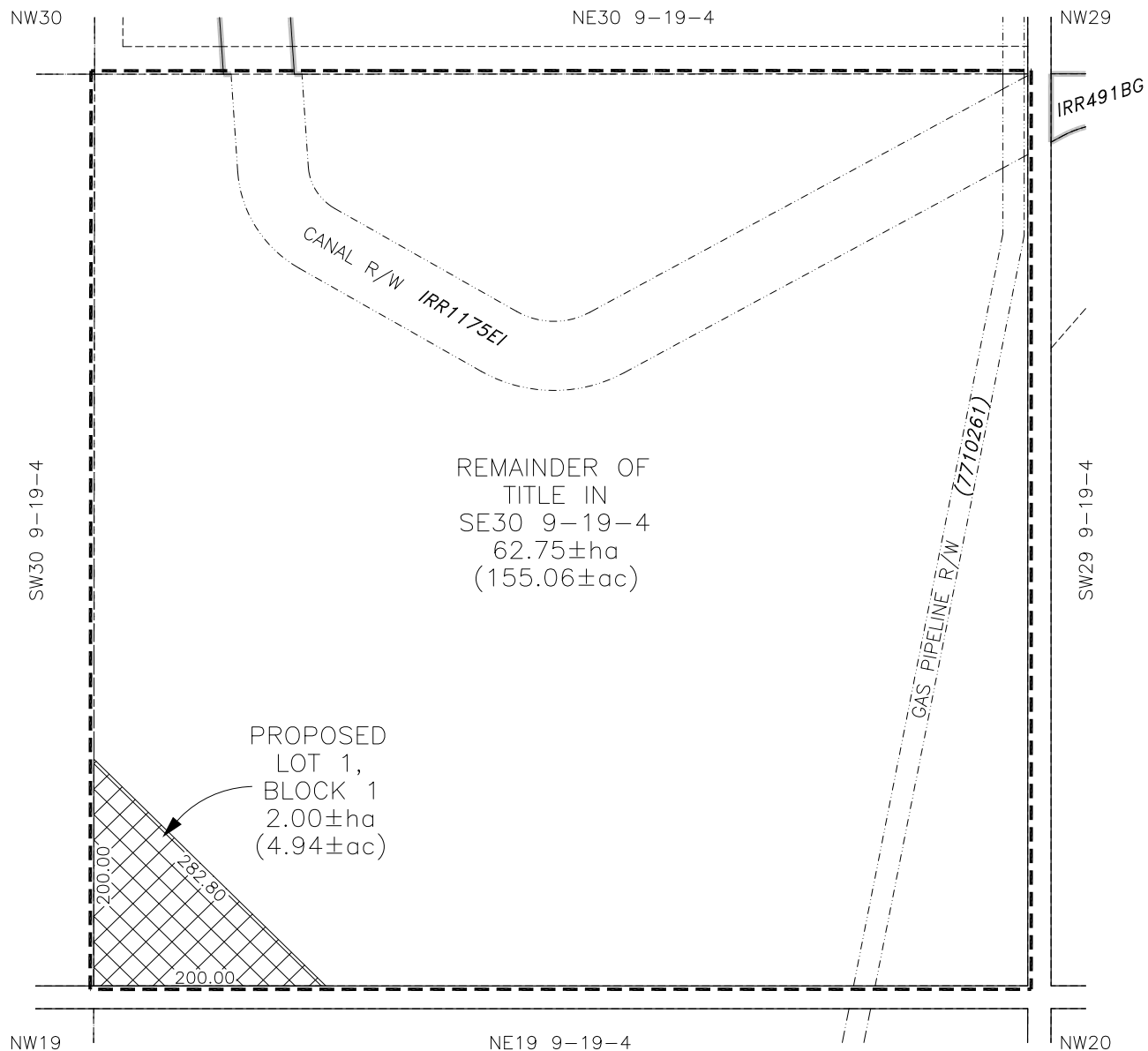
2021-0-186
Page 1 of 2

- (d) Telus Communications Inc has no objection.
- (e) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 821 023 350.
Therefore, ATCO Gas has no objection to the proposed subdivision.
No further right of way required.
- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (g) SMRID – Linda Park, Land Administrator:
“Further to your November 3rd, 2021 subdivision application, this is to advise that the District has a few comments in respect to the above-noted:
- The proposed subdivision will be classified as “dry”.
 - If the subdivided parcel wishes to use non-potable water provided by the District for their trees, yard etc., the landowner must enter into a Household Purposes Agreement with the District.
 - If the turnout is located on the irrigated piece, the landowner must enter into a Remote Delivery Agreement with the District and have an easement registered on title in order to guarantee supply of water to the subdivided parcel. All works and easements involved to provide water to the subdivided parcel will be at the landowner’s cost.
 - A Service Fee of \$100.00 plus GST will apply.”
- (h) Canada Post has no comment.

MOVER

REEVE

DATE



SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H45521

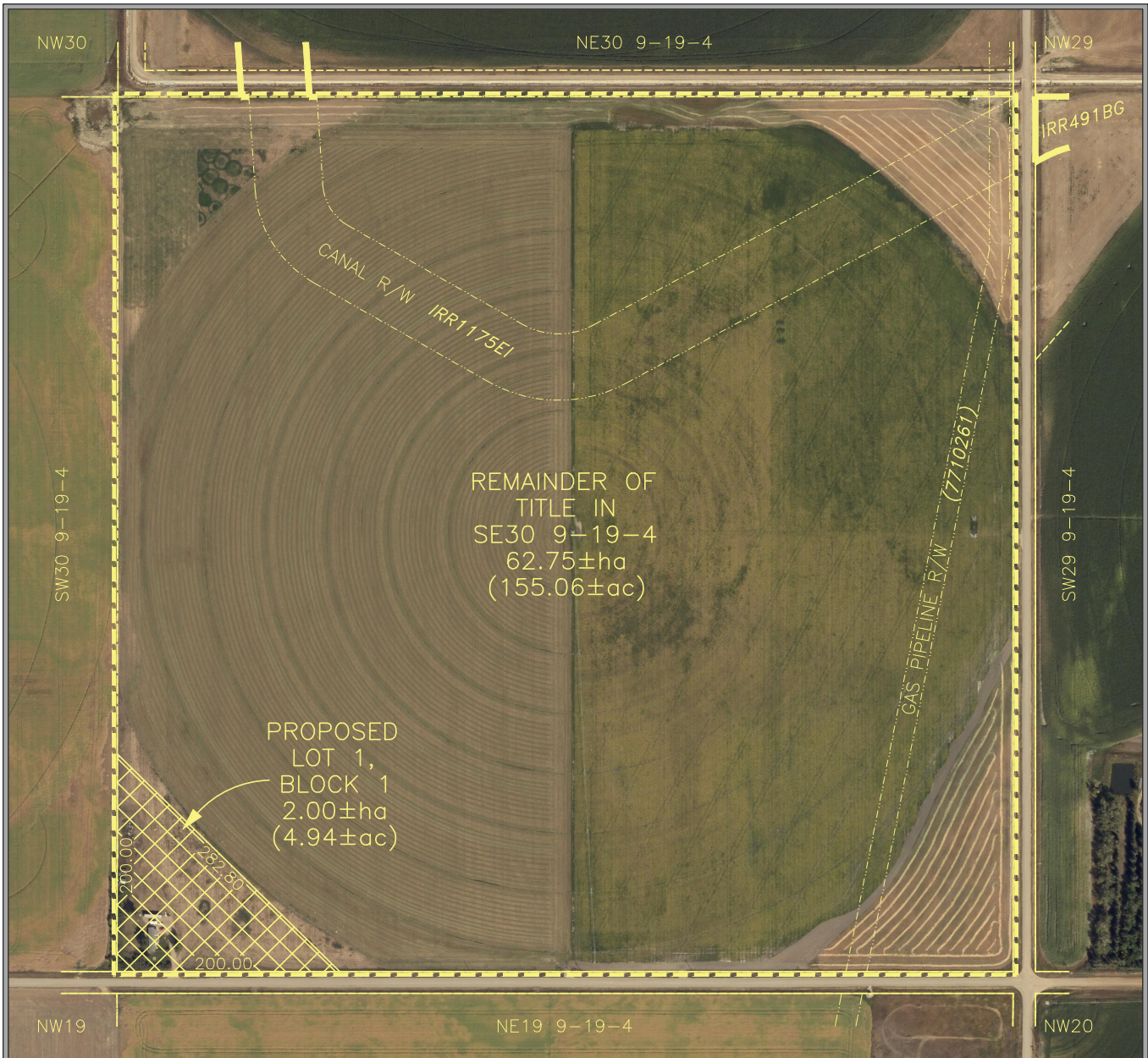
SE 1/4 SEC 30, TWP 9, RGE 19, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: OCTOBER 28, 2021

FILE No: 2021-0-186





SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H45521

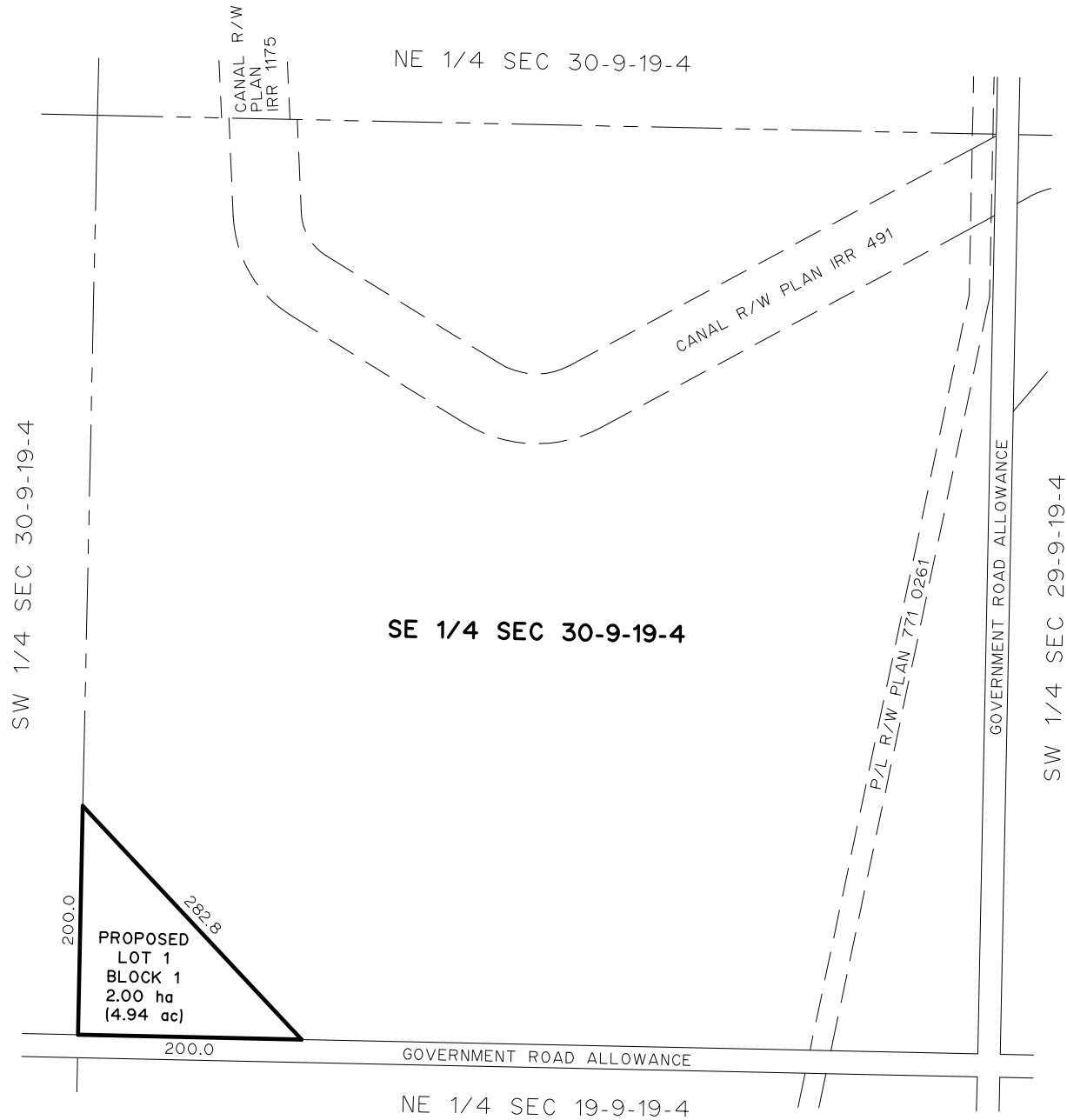
SE 1/4 SEC 30, TWP 9, RGE 19, W 4 M

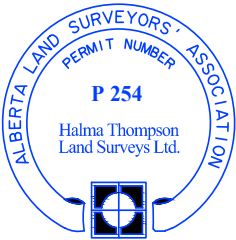


MUNICIPALITY: LETHBRIDGE COUNTY

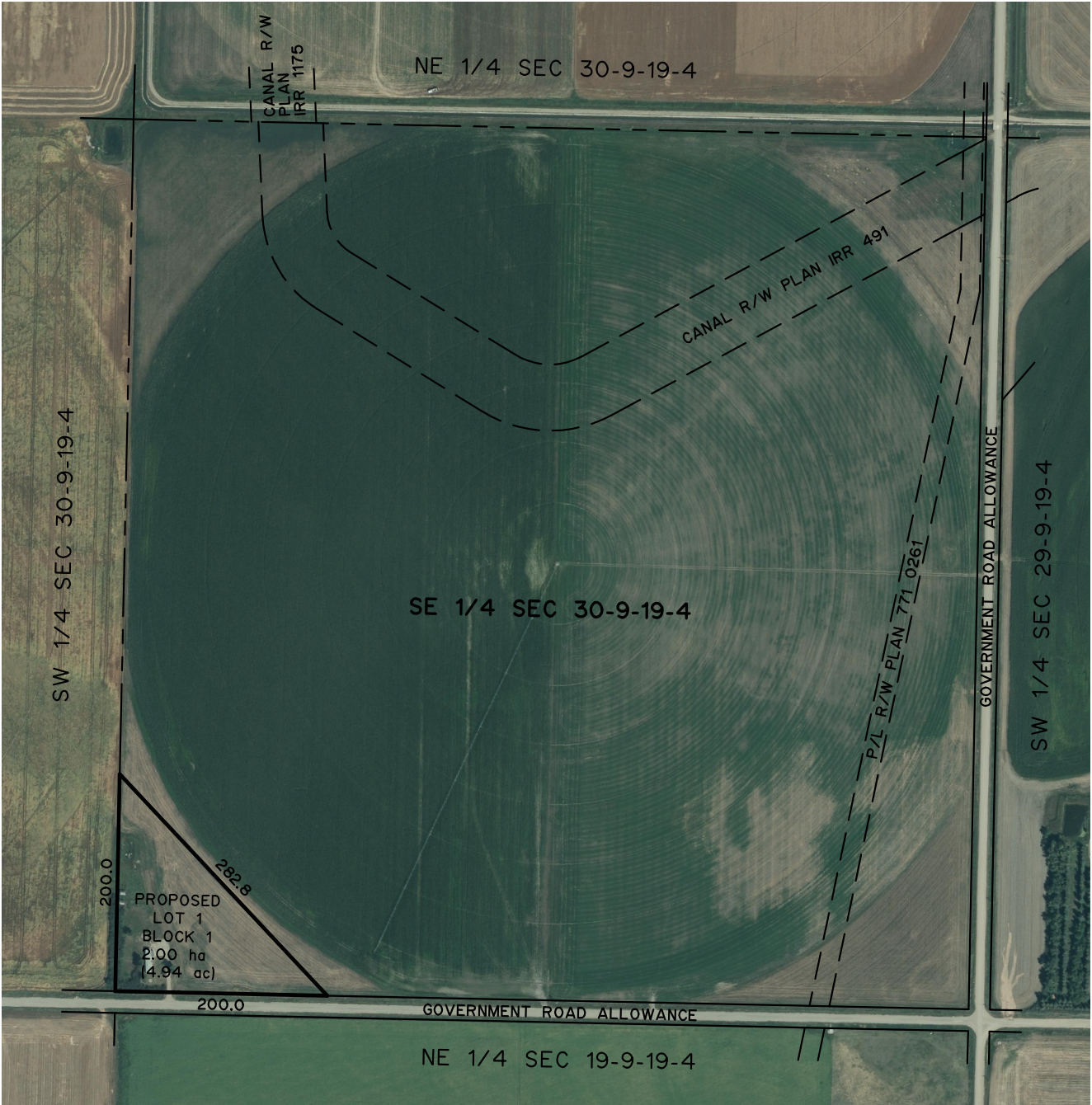
DATE: OCTOBER 28, 2021

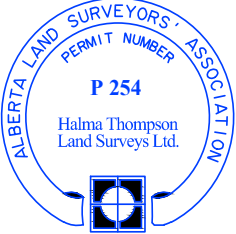


FILE No: 2021-0-186





SUBDIVISION AUTHORITY OLDMAN RIVER REGIONAL SUBDIVISION COMMISSION				
FILE: _____		SURVEYOR: MICHAEL A. THOMPSON, ALS		
CLIENT: GERARD VANDE BRUINHORST BOX 939 COALDALE, AB T1M 1M8				
DESCRIPTION OF PROPERTY: SE 1/4 SEC 30 TWP 9, RGE 19, W 4th MER LETHBRIDGE COUNTY, AB REGISTERED OWNER: G & H VANDE BRUINHORST FARMS LTD.				
<div>THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN ON OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.</div>				
O	2021-10-19	ORIGINAL SUBMISSION	D.H.	M.T.
ISSUE	DATE	REVISION	CAD	CHK
G & H VANDE BRUINHORST FARMS LTD.				
TENTATIVE PLAN SHOWING PROPOSED SUBDIVISION OF PART OF SE 1/4 SEC 30, TWP 9, RGE 19, W 4th MER				
LETHBRIDGE COUNTY ALBERTA SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY				
SCALE 1:5000 0 50 125 250 				
 HALMA THOMPSON LAND SURVEYS LTD.		200-410 Stafford Drive S Lethbridge AB, T1J 2L2 Phone (403) 381-1320 Fax (403) 381-1366		JOB H45521 DRAWING H45521T



SUBDIVISION AUTHORITY OLDMAN RIVER REGIONAL SUBDIVISION COMMISSION				
FILE: _____		SURVEYOR: MICHAEL A. THOMPSON, ALS		
CLIENT: GERARD VANDE BRUINHORST BOX 939 COALDALE, AB T1M 1M8				
DESCRIPTION OF PROPERTY: SE 1/4 SEC 30 TWP 9, RGE 19, W 4th MER LETHBRIDGE COUNTY, AB REGISTERED OWNER: G & H VANDE BRUINHORST FARMS LTD.				
<div>THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN ON OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.</div>				
O	2021-10-19	ORIGINAL SUBMISSION	D.H.	M.T.
ISSUE	DATE	REVISION	CAD	CHK
G & H VANDE BRUINHORST FARMS LTD.				
TENTATIVE PLAN SHOWING PROPOSED SUBDIVISION OF PART OF SE 1/4 SEC 30, TWP 9, RGE 19, W 4th MER				
LETHBRIDGE COUNTY ALBERTA SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY				
SCALE 1:5000 0 50 125 250 				
		200-410 Stafford Drive S Lethbridge AB, T1J 2L2 Phone (403) 381-1320 Fax (403) 381-1366		JOB H45521 DRAWING H45521T

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-175 – Beattie
- Block A, Plan 9210553 & SE1/4 7-9-20-W4M
Meeting: Council Meeting - 06 Dec 2021
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 17 Nov 2021
Approved - 18 Nov 2021
Approved - 21 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The purpose of this application is to enable a property boundary reconfiguration of two adjacent parcels and enlarge a 3.46-acre acreage, by subdividing 3.38-acres from the adjacent agricultural title and consolidating it to the existing parcel, thereby creating a 6.84-acre title for county residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-175 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The County's reconfiguration/realignment of adjacent titles subdivision policies are within Land Use Bylaw No. 1404, which the proposal is eligible for approval in consideration of (i.e., a property line adjustment).
- The 6.84-acre proposal conforms to the subdivision criteria, as no additional titles are being created above what presently exist. The parcel also complies with the bylaw maximum 10-acre size requirements and does not include any cultivated or irrigated agricultural land.
- Rationale for the reconfiguration is considered on the merits of the proposal, and that it is to help bring the property into compliance and address encroachment issues.
- The land is located outside (in-between) the Intermunicipal Development Plan (IDP) boundaries of both the City of Lethbridge and the Town of Coaldale plans with Lethbridge County.

BACKGROUND INFORMATION:

Located ¼-mile south of Highway 3, approximately 1½-miles west of the Town of Coaldale and 1-mile east of Broxburn Business Park. The purpose of the application is to realign the north and west boundary of an existing yard originally subdivided in 1992.

The two titles being adjusted are owned by family members who have made an agreement to realign the boundaries. The original subdivision created a title for an existing farmstead in the very southeast corner. The 1992 application excluded two other additional farm residences and some of the original farm outbuildings. This application is to capture some of the structures previously left-out and to help bring the property into compliance. The existing yard contains a Quonset style greenhouse (constructed after the 1992 subdivision) that encroaches over the property line and other buildings that do not meet property line setbacks. The proposed new north property line for the yard is shown on the survey going through an old red barn; however, this barn will be demolished and removed so there will be no resulting encroachment. Potable water is provided by the rural water co-op and each yard has its own individual on-site septic field system which will not be impacted by the boundary adjustment.

There are no abandoned gas wells or confined feeding operations (CFO) located in proximity where the minimum distance separation (MDS) would be compromised.

Overall, the proposal meets the subdivision criteria of the County's Land Use Bylaw No. 1404 for a reconfiguration/realignment of titles. The application was circulated to the required external agencies and no concerns were submitted. ATCO Gas has requested an easement. Alberta Transportation has no objections. (It is noted the western portion of the remnant land will be impacted by the future Canamex freeway and proposed Highway 3 interchange in this area; however, the existing yard is not physically impacted, and Alberta Transportation has granted an approval.)

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied with the proposed parcel reconfiguration and the two titles would remain as is.

Pros:

- there are no advantages to denying the subdivision as it meets the subdivision criteria of the County and enables the property to become compliant with the bylaw

Cons:

- the County will not receive the MR payment and a decision to refuse could be appealed by the applicants

FINANCIAL IMPACT:

None direct, but the County will benefit from a municipal reserve payment (value to be determined) on the adjusted 3.34-acres of land being subdivided and consolidated.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations, and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-175 Lethbridge County APPROVAL](#)
[2021-0-175 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-175

Lethbridge County

Agricultural & Country Residential subdivision of Block A, Plan
9210553 & SE1/4 7-9-20-W4M

THAT the Agricultural & Country Residential subdivision of Block A, Plan 9210553 & SE1/4 7-9-20-W4M (Certificate of Title No. 111 321 808, 131 297 201, 131 297 201 +1), to enable a property boundary reconfiguration of two adjacent parcels and enlarge a 3.46-acre (1.4 ha) acreage, by subdividing 3.38-acres (1.37 ha) from the adjacent agricultural title and consolidating it to the existing parcel, thereby creating a 6.84-acre (2.77 ha) title for county residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on an adjusted 3.34-acre portion of land at the market value of \$_____ per acre with the actual acreage and amount to be paid to Lethbridge County 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 Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the two titles and 3.38-acre portion of land to be subdivided and consolidated to reconfigure the boundaries (property lines) of the adjacent parcels in creating the enlarged 6.84-acre country residential title be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That the applicant physically removes the red, old wood barn located to the north so that there will be no resulting physical building encroachments over the newly adjusted property line. Confirmation of the removal of the barn building must be submitted to the satisfaction of the Subdivision Authority prior to final endorsement of the subdivision.
5. That the applicant submits a final plan of survey as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided.
6. That the easement(s) as required by ATCO shall be established prior to finalization of the application.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that with the conditions imposed the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority has determined the 6.84-acre proposal conforms to the bylaw subdivision criteria regarding the realignment/reconfiguration of titles, complies with the maximum parcel size requirements, and does not include any cultivated or irrigated agricultural land.
4. The Subdivision Authority is satisfied there are no objections to the proposal and Alberta Transportation has no concerns related to the future CANAMEX Freeway in the area.

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Page 1 of 3

INFORMATIVE:

- (a) Subject to Section 663 of the Municipal Government Act, Reserve is required and is to be provided as cash-in-lieu in the amount owing as an adjustment based on the new 6.84-acre land area less the MR that was paid on 3.5-acres with the 1992 subdivision.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.
- (e) ATCO Gas has no existing Utility Right of Way on the subject property, or the existing Utility Right of Way is not sufficient for subdivision servicing.

The landowner(s) is required to contact the ATCO Gas land agent listed below to execute a Utility Right of Way to the satisfaction of ATCO Gas.

Once the Utility Right of Way has been registered at the Alberta Land Titles Office we will notify the municipality of the same.

Land Agent: Ellen Struthers

Phone No.: (587) 581-6567

EXISTING URW DOES NOT PROPERLY COVER EXISTING MAINS & SERVICE, NEW URW REQUIRED.

- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (g) SMRID – Linda Park, Land Administrator:
“Further to your October 26th, 2021 application in respect to the above-noted, this is to advise that we have no objection to the proposed subdivision. For your information, the existing subdivided parcel (Block A, Plan 9210553) already has a Household Purposes Agreement with the District.”
- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a boundary adjusted/consolidation parcel for agricultural and country residential use at the above noted location.

The proposal is contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

Alberta Transportation’s primary objective is to allow subdivision and development of properties in a manner that will not compromise the integrity and associated safe operational use or the future expansion of the provincial highway system.

To that end, currently and as proposed, the parcels to be created will gain indirect access to the highway solely by way of the local road system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the boundary adjusted/consolidation parcel for agricultural and country residential use as proposed would have any appreciable impact on the provincial highway network.

Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

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Page 2 of 3

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-388-3105, in this regard.

Alberta Transportation accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof. Noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the subdivision/development design.

Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far as Alberta Transportation is concerned, an appeal of this subdivision application may be heard by the local Subdivision and Development Appeal Board provided that no other provincial agency is involved in the application.

FOR INFORMATION PURPOSES

Highway 3 forms an integral part of the National Highway System (NHS) and the North/South Trade Corridor (NSTC) of which the ultimate service classification is freeway. Given this Alberta Transportation's long-range freeway access management plans include a realignment of Highway 3 in the vicinity of the City of Lethbridge. A preliminary design and right-of-way requirements for the realignment have been identified in the endorsed Stantec Consulting Ltd. "Highways 3 & 4 – Lethbridge and Area NHS & NSTC – Functional Planning Study" Report #R – 970, dated February 2006. A copy of the document is available for review upon your request. At that time access to the highway may become somewhat less convenient/more circuitous.

Notwithstanding the foregoing, at this juncture, implementation of the plan is considered to long-range.

To ensure that the future realignment plans are not unduly compromised, any development on the parcel to be created and remnant lands will require the benefit of a permit from Alberta Transportation. This requirement is outlined in the Highways Development and Protection Act and the corresponding Highways Development and Protection Regulation, being Alberta Regulation 326/2009. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard."

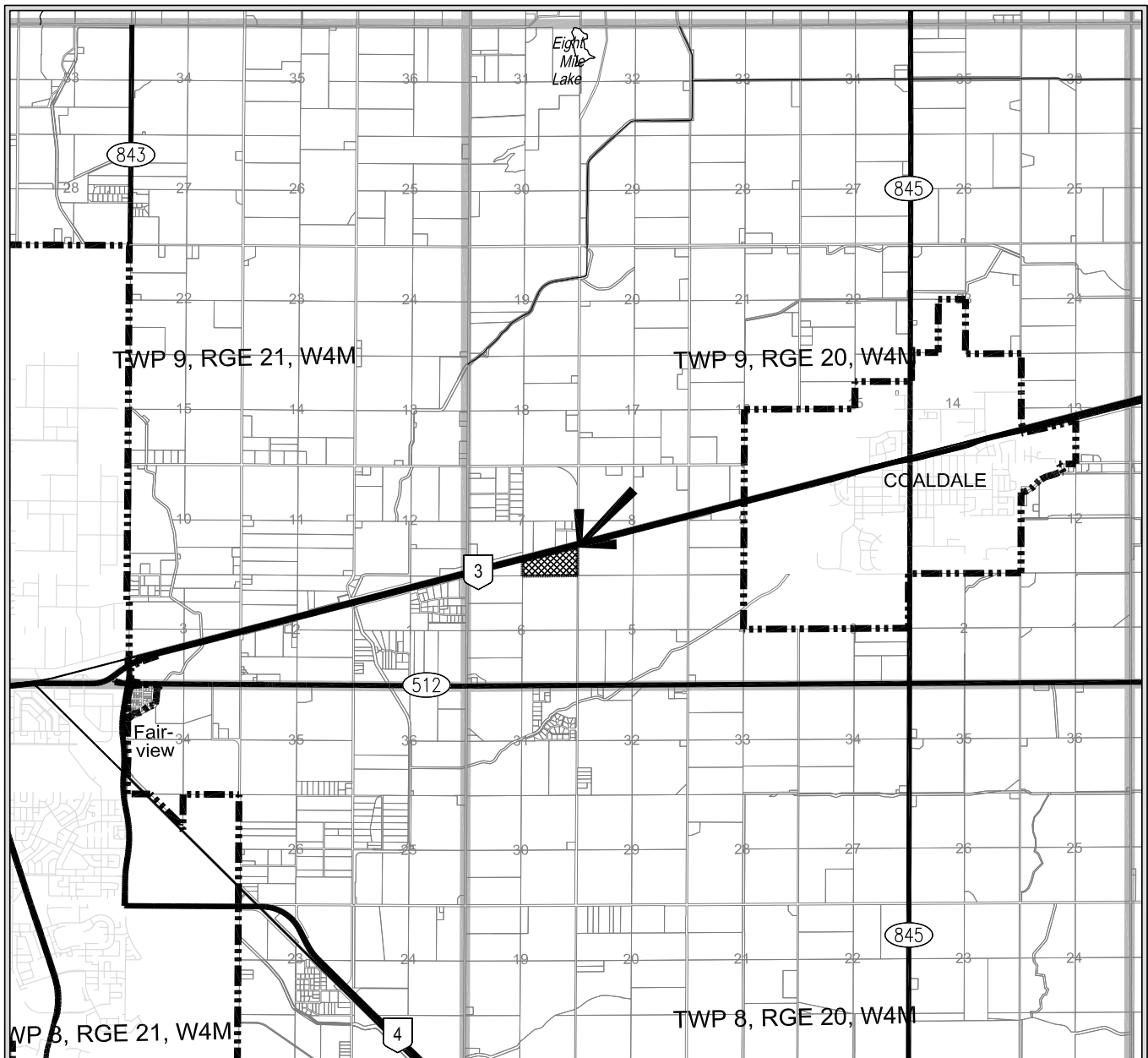
- (i) Canada Post has no comment.

MOVER

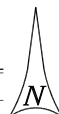
REEVE

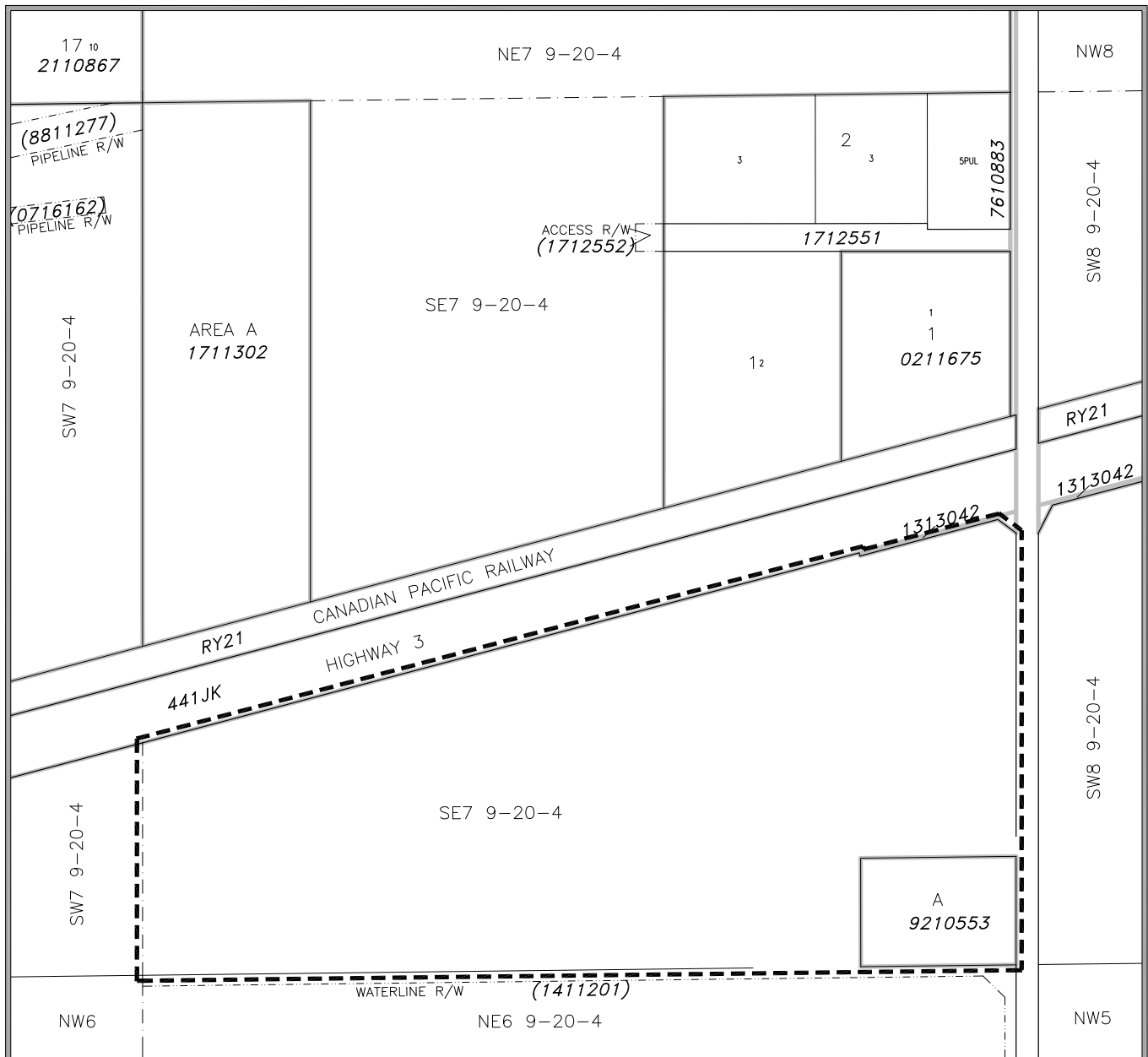
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2021-0-175
Page 3 of 3



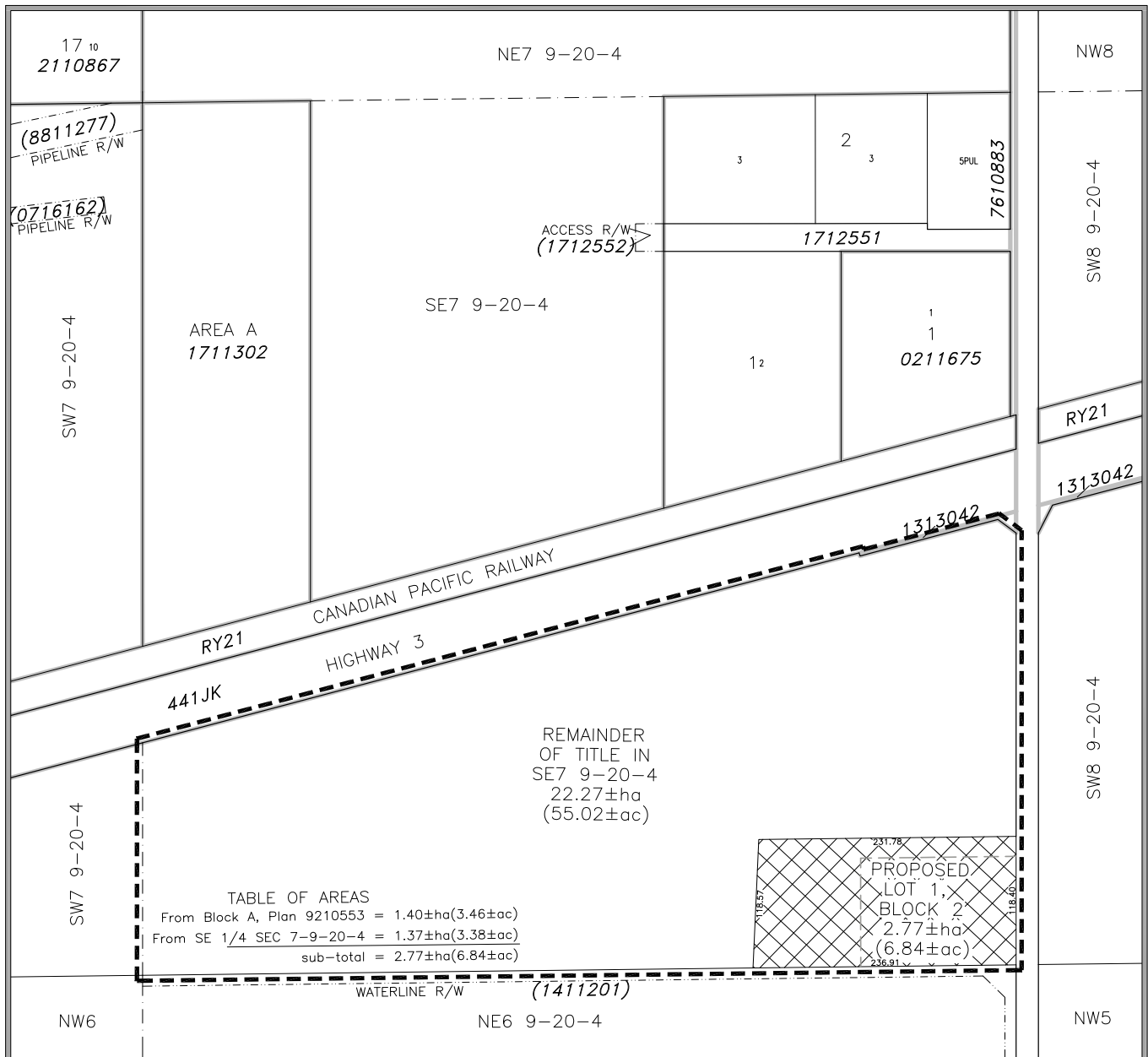
SUBDIVISION LOCATION SKETCH
PLAN 9210553; BLOCK 'A' &
PORTION OF SE 1/4 SEC 7, TWP 9, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: OCTOBER 18, 2021
FILE No: 2021-0-175





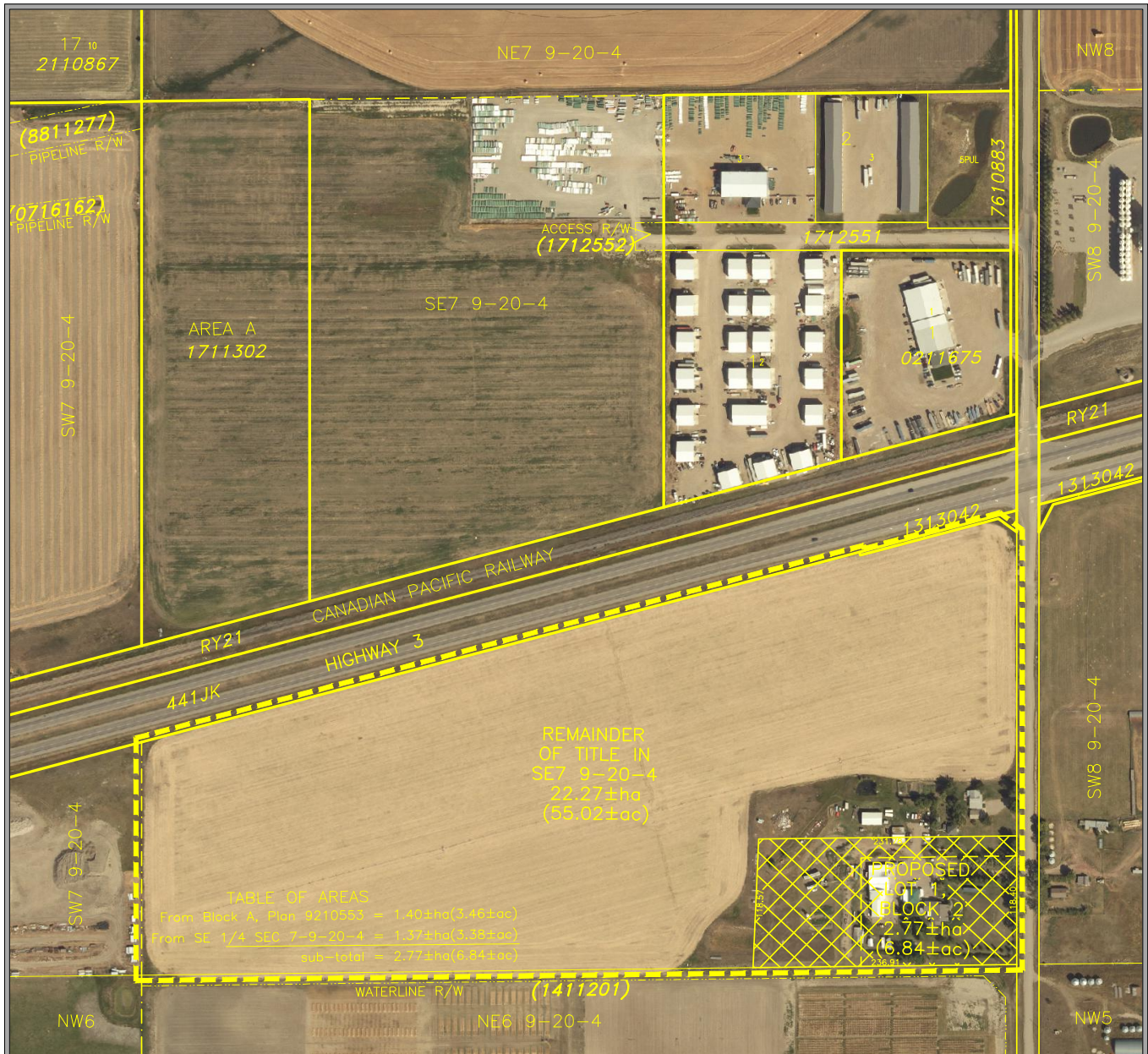
SUBDIVISION SKETCH - EXISTING
 PLAN 9210553; BLOCK 'A' &
 PORTION OF SE 1/4 SEC 7, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: OCTOBER 18, 2021
 FILE No: 2021-0-175





SUBDIVISION SKETCH - PROPOSED
 PLAN 9210553; BLOCK 'A' &
 PORTION OF SE 1/4 SEC 7, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: OCTOBER 18, 2021
 FILE No: 2021-0-175





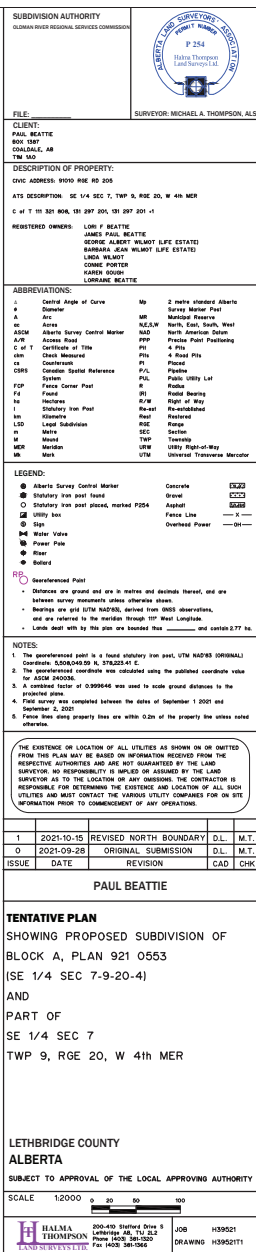
SUBDIVISION SKETCH - PROPOSED
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 PORTION OF SE 1/4 SEC 7, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: OCTOBER 18, 2021
 FILE No: 2021-0-175



October 18, 2021 N:\Page 0 of 10 2021-0-175.dwg



AERIAL PHOTO DATE: 2018



AGENDA ITEM REPORT



Title: Bylaw 21-018 - Amendment to Land Use Bylaw from Direct Control to Direct Control - Plan 1711672 Block 2 Lot 1 in the SE 15-10-22-W4- Public Hearing
Meeting: Council Meeting - 06 Dec 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 17 Nov 2021
Approved - 18 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

An application has been made to amend Bylaw 18-031 being a Direct Control District for Plan 1711672 Block 2 Lot 1.

RECOMMENDATION:

That Bylaw 21-018 be read a second time.
That Bylaw 21-018 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

- Bylaw 18-031 - Direct Control District for Crystal Springs Cheese was approved by County Council on February 14, 2019.
- Bylaw 21-018 received first reading on November 4, 2021

BACKGROUND INFORMATION:

An application has been made to amend the existing Direct Control District (Bylaw 18-031) to allow for a liquor store. The applicant has provided a letter stating why they are requesting this amendment. Alberta Gaming, Liquor and Cannabis (AGLC) oversees the sale of liquor for both on-site consumption and off-sales. The AGLC requires that the applicant obtain a permit from the municipality prior to obtaining a liquor license for the sale of liquor that will be consumed off-site (i.e. liquor store).

In reviewing the Direct Control Bylaw (Bylaw 18-031) it was determined that a liquor store was not a use that was either permitted or discretionary and that the applicant would have to apply to amend the Direct Control in order to obtain a development permit for a liquor store.

No concerns or objections were received from any provincial agency or internal County Department. The proposed amendment aligns with the County's Municipal Development Plan Section 6.4 in that it does not require any additional infrastructure or services (i.e. water/sewer/utilities), would not impact any adjacent landowners, and it is supporting a growing business.

If the application were approved by County Council the applicant would be required to submit a development permit application to the Development Authority.

The proposed bylaw was advertised in the November 16 and 23 edition of the Sunny South News and mailed out to the adjacent landowners.

ALTERNATIVES / PROS / CONS:

County Council may refuse 2nd reading of the bylaw:

Pros: The uses of the property would stay as is.

Cons: The applicant would not be able to diversify the retail offerings on site.

FINANCIAL IMPACT:

If the bylaw was approved any future development would be taxed at the County's commercial tax rate. There are no additional costs to the County (i.e. maintenance of infrastructure) that would arise if the proposed bylaw were approved.

REASON(S) FOR RECOMMENDATION(S):

- The proposed amendment will allow for the applicant to diversify their retail store and grow a business within Lethbridge County.
- The addition of a liquor store will not impact the adjacent landowners.

ATTACHMENTS:

[Bylaw Application](#)

[Direct Control Amendment request](#)

[Bylaw 21-018 - Signed First Reading](#)



LETHBRIDGE COUNTY
APPLICATION FOR A
LAND USE BYLAW AMENDMENT
Pursuant to Bylaw No. 1404

Form C

OFFICE USE		
Date of Application:	Assigned Bylaw	No.
Date Deemed Complete:	Application & Processing Fee:	\$
Redesignation <input type="checkbox"/> Text Amendment <input type="checkbox"/>	Certificate of Title Submitted:	<input type="checkbox"/> Yes <input type="checkbox"/> 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 Development Officer 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: Crystal Springs Cheese
Mailing Address: Box 377
Coaldale, AB
Postal Code: T0L 0V0
Phone: 403-381-8488
Phone (alternate): 403-894-5226
Email: jacob@crystalspringscheese.com
Is the applicant the owner of the property? ☒ Yes ☐ No

IF "NO" please complete box below

Name of Owner: _____	Phone: _____
Mailing Address: _____	Applicant's interest in the property: <input type="checkbox"/> Agent <input type="checkbox"/> Contractor <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____

Postal Code: _____	

PROPERTY INFORMATION

Municipal Address: 102004 Range Road 222
Legal Description: Lot(s) _____ Block _____ Plan 17/1672
OR Quarter SE Section 15 Township 10 Range 22

AMENDMENT INFORMATION

What is the proposed amendment?

☐ Text Amendment

☒ Land Use Redesignation

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):

Direct Control

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

Direct Control

Amended.

(Amended)

SITE DESCRIPTION:

Describe the **lot/parcel dimensions** _____ 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 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.

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.*

APPLICANT

REGISTERED OWNER
(if not the same as applicant)

DATE: Sept. 22, 2021

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 this 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 accordance 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 foip@lethcounty.ca or call (403) 328-5525 or come into the office #100, 905-4th Avenue South, Lethbridge Alberta, T1J 4E4.

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.
2. 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
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 18-031

Bylaw 18-031 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 18-031 is to re-designate Plan 1711672, Block 2, Lot 1 in the SE 15-10-22-W4, containing approximately 3.0 acres, from Rural Agriculture (R.A.) to Direct Control (D.C.);



AND WHEREAS the proposed Bylaw 18-031 is to establish the uses and regulations for a Direct Control district pertaining to the aforementioned land and are as described in Schedule "A" attached hereto;

AND WHEREAS policies in the Municipal Development Plan Bylaw No 1331 refer to the Direct Control Designation being used by Council to regulate land use;


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

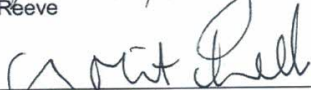
NOW THEREFORE, under the authority of the Municipal Government Act, R.S.A. 2000, C-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following:

1. The uses and regulations for the Direct Control District shall be as described in Schedule "A" attached hereto and be applied to the lands described above and identified on the above map.


2. Bylaw No 1404 – The Land Use Bylaw of Lethbridge County is hereby amended.
3. The Bylaw shall come into effect upon third and final reading hereof.

GIVEN first reading this 17th day of December 2018.


Reeve



Chief Administrative Officer

GIVEN second reading this 14th day of February, 2019


Reeve


Chief Administrative Officer

GIVEN third reading this 14th day of February, 2019.


Reeve


Chief Administrative Officer

1 st Reading	December 17, 2018
Public Hearing	Feb 14/2019
2 nd Reading	Feb 14/2019
3 rd Reading	Feb 14/2019

SCHEDULE "A"

DIRECT CONTROL

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development, or subdivision on a site-specific basis the following lands:

- Plan 1711672, Block 2, Lot 1, within SE 15-10-22-W4

To permit an agricultural/commercial mixed-use development on the parcel, and for the specific purpose of allowing renovations within the existing building, that will allow for a retail outlet and café for 1163458 Alberta Ltd. (Crystal Springs Cheese) located on Plan 1711672, Block 2, Lot 1 within SE 15-10-22-W4, with the primary processing and retail related to dairy/cheese processing and accessory uses.

2. PERMITTED USES

Accessory Buildings/Structures to the listed Permitted Uses
Office Administration to an Approved Use
Food Processing Facility
Retail Store (Less than 5,000 sq.ft.)
Restaurant/Café (Maximum of 30 patron/customers)
Signs Type 1 and 2

3. DEFINITIONS

- All words and terms have the same meaning as what is specified in the Land Use Bylaw.

4. MINIMUM LOT SIZE

- The minimum lot size shall be 1.22 hectares (3.00 acres).

5. MINIMUM YARD SETBACK REQUIREMENTS

- Side and Rear Yard Setbacks – 6.1 metres (20 feet)
- Setback to centerline of County Roads – 38.1 metres (125 feet)

6. ACCESSORY BUILDINGS AND STRUCTURES

- Any new or additional accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- An accessory building or structure shall be setback a minimum 4.0 meters (13'-1.5") from the principal buildings and from all other structures on the same lot.
- An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

7. GENERAL STANDARDS OF DEVELOPMENT

- At the discretion of Council or the Development Officer acting as the Development Authority having regard for the Land Use Bylaw.

8. SIGN REGULATIONS

- As per the Lethbridge County Land Use Bylaw.

9. OTHER STANDARDS

- All storm water shall be retained on site to predevelopment levels. At the subdivision or Development Permit stage, a Storm Water Management Plan by a certified professional engineer shall be submitted.
- All finished lot grading shall be constructed and maintained to the satisfaction of Lethbridge County and shall be in accordance with the County's Engineering Guidelines and Minimum Servicing Standards.

X:\Executive Files\115Bylaws\2018 Bylaws\ Bylaw 18-031 - Crystal Springs Cheese - Amendment to Land Use Bylaw.doc

- Parking for the parcel will be as per the Lethbridge County Land Use Bylaw, in consideration of retail and food/restaurant establishment standards and the combined uses on site.
- Hours of operation shall be as stipulated by Council or the Development Officer.
- The Restaurant/Café is limited to 30 patrons/customers
- Any additional standards as required by Council or the Development Officer.
- The developer is responsible for obtaining an *Alberta Health Services, Environmental Public Health Department* Food Premises approval, and a food Handling Permit.

10. OTHER REQUIREMENTS

- Site, Layout, and Grading Plan – that shows the property dimensions, building locations, parking areas, and utility easements and servicing areas, including the septic field location, and dugouts/storm ponds.
- Refuse or solid waste shall be kept in a suitability sized container or enclosure.
- Servicing – the developer shall be responsible for ensuring all required servicing is provided to the development, including potable water and private septic.
 - Parking and storage areas are prohibited from being located over any of the septic system, including the disposal field area.
- Development Agreement – As a condition of a subdivision or Development Permit approval, the applicant may be required to enter into a Development Agreement with the County of Lethbridge, in accordance with Sections 37 and 38 of the Land Use Bylaw.

11. SUBDIVISION

- As the parent titles is 1.22 hectares (3.00 acres), no further subdivision shall be allowed.
- Council, acting in the capacity of the Subdivision Authority, shall make decisions on any future subdivision applications with respect to this bylaw.

12. DELEGATION OF AUTHORITY

- Council shall be the Development Authority to decide on Development Permit Applications for waivers of development standards. Council may also decide on Development Permit Applications for permitted uses.
- The Development Officer, in accordance with Section 9 of the Land Use Bylaw, and pursuant to Section 641 (3) of the Municipal Government Act, may, with the direction of Council, act as the Development Authority and receive and decide upon Development Permit Applications for permitted uses, provided they confirm to the standards of the Bylaw.

13. APPROVAL PROCEDURE

- Where the Development Officer, as the Development Authority has been delegated, the Authority to decide upon Development Permit Applications, for permitted uses and has done so, then immediately upon issuance of the Development Permit, the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the Application has been made and the Use approved.

- Before consideration of a Permit Application for Developing requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the Application for waivers of development standards.
 - Hear any persons that claims to be affected by the decision on the Application.
- Council may then approve the Development Application with or without conditions or refuse the Application with reasons.
- Where Council has made the decision on a Development Permit Application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County Office.
- When applicable, Council should seek comments from other agencies such as the Planning Advisor, Regional Health Authority, Alberta Transportation, or any applicable Provincial Government department.

14. APPEAL PROCEDURE

- Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- Pursuant to Section 685(4)(b) of the Municipal Government Act, if the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.

Lethbridge County

Redesignation Process to Direct Control

1. Pre-application consultation by application with impacted/affected adjacent landowners
2. Apply for redesignation (providing all information as noted in the application)
 - a. Direct Control district to be attached to application
 - b. Include concept plan, servicing for site (i.e. water and sewer), any traffic considerations (i.e. traffic impact assessment), drainage/stormwater management plan (if required)
 - c. Application fee of \$2,000.
3. Application is reviewed and circulated to internal departments and external agencies
4. Any concerns or requested amendments to the Direct Control are sent to applicant
5. If changes are proposed to the Direct Control the application is reviewed again and sent out for circulation
6. Final application is brought forward to County Council for 1st reading of the Bylaw
7. Public Notices are sent out and the Bylaw is advertised
8. Public hearing for the bylaw is set (typically 4-6 weeks after 1st reading)
9. Council may consider second and third reading of the bylaw after the public hearing or it may be tabled to a future meeting.
10. If the bylaw is approved by County Council a development permit could be applied for. Depending on who the designated authority is (i.e. Council or Administration) will determine the timeframe for the decision (typically with conditions).
11. If the bylaw is not approved the development could not proceed.

Request for Land Use Redesignation – Crystal Springs Cheese

To whom it may concern:

We would like to request an amendment to Direct Control #18-031 for Crystal Springs Cheese. On our parcel, we are currently operating a cheese manufacturing facility and a retail outlet, which also contains a café. The retail store has been well received by the local community, as well as by a large number of people from outside of our county. Our mandate is to sell as many local products as possible, and provide our customers with an affordable country experience.

Earlier this year, we started working on applying for a liquor license. Our idea is to bring in beer and wine from local breweries and wineries (a number of these are already buying cheese from us for their establishments) and showcase/sell it at our café. Besides offering a glass of wine to go with a board of cheese, we were also hoping to be a retail outlet for the craft beers and wine that are produced in Southern Alberta. When we started out with the application process, we did not realize that we would be limited to only being able to serve alcohol with meals purchased. We now realize this, and therefore our request is that the honourable members of Lethbridge County would consider going through the steps to amend our Direct Control to allow for retail alcohol sales. If this is something that could be considered, we would gladly come to the public hearing to make our case for this project.

Thank you so much for your consideration!

Regards

Jacco Beyer

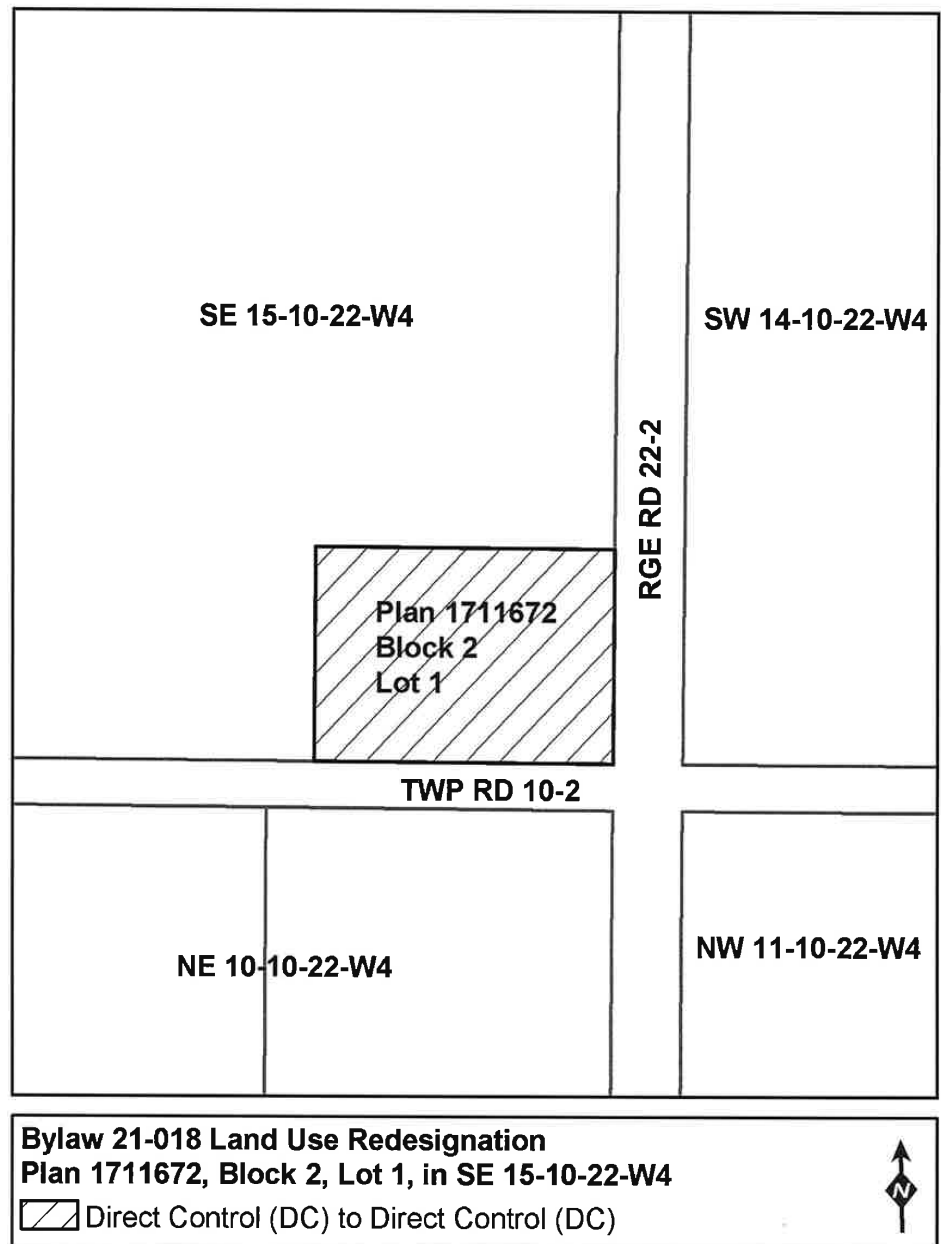
Crystal Springs Cheese

**LETHBRIDGE COUNTY
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WHEREAS the purpose of Bylaw 21-018 is to re-designate Plan 1711672 Block 2 Lot 1, from Direct Control (D.C.) to Direct Control (D.C.);



AND WHEREAS the purpose of proposed Bylaw 21-018 is to establish the uses and regulations for a Direct Control district pertaining to the aforementioned land and are as described in Schedule "A" attached hereto;

AND WHEREAS policies in the Municipal Development Plan Bylaw No 1331 refer to the Direct Control Designation being used by Council to regulate land use;

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

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;

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:

- 1. The uses and regulations for the Direct Control District shall be as described in Schedule "A" attached hereto and be applied to the lands described above and identified on the above map.
- 2. Bylaw No 1404 – The Land Use Bylaw of Lethbridge County is hereby amended.
- 3. Bylaw 18-031, the former Direct Control Bylaw, is hereby repealed.
- 4. The Bylaw shall come into effect upon third and final reading hereof.

GIVEN first reading this 4th day of November 2021.



Reeve



Chief Administrative Officer

GIVEN second reading this _____ day of _____, 20__.

Reeve

Chief Administrative Officer

GIVEN third reading this _____ day of _____, 20__.

Reeve

Chief Administrative Officer

1 st Reading	November 4, 2021
2 nd Reading	
Public Hearing	
3 rd Reading	

SCHEDULE A

DIRECT CONTROL

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development, or subdivision on a site-specific basis the following lands:

- Plan 1711672, Block 2, Lot 1, within SE 15-10-22-W4

To permit an agricultural/commercial mixed-use development on the parcel, and for the specific purpose of allowing renovations within the existing building, that will allow for a retail outlet and café for 1163458 Alberta Ltd. (Crystal Springs Cheese) located on Plan 1711672, Block 2, Lot 1 within SE 15-10-22-W4, with the primary processing and retail related to dairy/cheese processing and accessory uses.

2. PERMITTED USES

Accessory Buildings/Structures to the listed Permitted Uses
Food Processing Facility
Liquor Store
Office Administration to an Approved Use
Retail Store (Less than 5,000 sq.ft.)
Restaurant/Café (Maximum of 30 patron/customers)
Signs Type 1 and 2

3. DEFINITIONS

- All words and terms have the same meaning as what is specified in the Land Use Bylaw.

4. MINIMUM LOT SIZE

- The minimum lot size shall be 1.22 hectares (3.00 acres).

5. MINIMUM YARD SETBACK REQUIREMENTS

- Side and Rear Yard Setbacks – 6.1 metres (20 feet)
- Setback to centerline of County Roads – 38.1 metres (125 feet)

6. ACCESSORY BUILDINGS AND STRUCTURES

- Any new or additional accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- An accessory building or structure shall be setback a minimum 4.0 meters (13'-1.5") from the principal buildings and from all other structures on the same lot.
- An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

7. GENERAL STANDARDS OF DEVELOPMENT

- At the discretion of Council or the Development Officer acting as the Development Authority having regard for the Land Use Bylaw.

8. SIGN REGULATIONS

- As per the Lethbridge County Land Use Bylaw.

9. OTHER STANDARDS

- All storm water shall be retained on site to predevelopment levels. At the subdivision or Development Permit stage, a Storm Water Management Plan by a certified professional engineer shall be submitted.
- All finished lot grading shall be constructed and maintained to the satisfaction of Lethbridge County and shall be in accordance with the County's Engineering Guidelines and Minimum Servicing Standards.
- Parking for the parcel will be as per the Lethbridge County Land Use Bylaw, in consideration of retail and food/restaurant establishment standards and the combined uses on site.
- Hours of operation shall be as stipulated by Council or the Development Officer.
- The Restaurant/Café is limited to 30 patrons/customers
- Any additional standards as required by Council or the Development Officer.
- The developer is responsible for obtaining an *Alberta Health Services, Environmental Public Health Department* Food Premises approval, and a food Handling Permit.

10. OTHER REQUIREMENTS

- Site, Layout, and Grading Plan – that shows the property dimensions, building locations, parking areas, and utility easements and servicing areas, including the septic field location, and dugouts/storm ponds.
- Refuse or solid waste shall be kept in a suitability sized container or enclosure.
- Servicing – the developer shall be responsible for ensuring all required servicing is provided to the development, including potable water and private septic.
 - Parking and storage areas are prohibited from being located over any of the septic system, including the disposal field area.
- Development Agreement – As a condition of a subdivision or Development Permit approval, the applicant may be required to enter into a Development Agreement with the County of Lethbridge, in accordance with Sections 37 and 38 of the Land Use Bylaw.

11. SUBDIVISION

- As the parent title is 1.22 hectares (3.00 acres), no further subdivision shall be allowed.
- Council, acting in the capacity of the Subdivision Authority, shall make decisions on any future subdivision applications with respect to this bylaw.

12. DELEGATION OF AUTHORITY

- Council shall be the Development Authority to decide on Development Permit Applications for ~~discretionary uses~~ or application for waivers of development standards. Council may also decide on Development Permit Applications for permitted uses.
- The Development Officer, in accordance with Section 9 of the Land Use Bylaw, and pursuant to Section 641 (3) of the Municipal Government Act, may, with the direction of Council, act as the Development Authority and receive and decide upon Development Permit Applications for permitted uses, provided they confirm to the standards of the Bylaw.

13. APPROVAL PROCEDURE

- Where the Development Officer, as the Development Authority has been delegated, the Authority to decide upon Development Permit Applications, for permitted uses and has done so, then immediately upon issuance of the Development Permit, the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the Application has been made and the Use approved.
- Before consideration of a Permit Application for Developing requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the Application for waivers of development standards.
 - Hear any persons that claims to be affected by the decision on the Application.
- Council may then approve the Development Application with or without conditions or refuse the Application with reasons.
- Where Council has made the decision on a Development Permit Application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County Office.
- When applicable, Council should seek comments from other agencies such as the Planning Advisor, Regional Health Authority, Alberta Transportation, or any applicable Provincial Government department.

14. APPEAL PROCEDURE

- Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- Pursuant to Section 685(4)(b) of the Municipal Government Act, if the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.

AGENDA ITEM REPORT



Title: Development Permit Application 2021-234 (City of Lethbridge Landfill Composting Facility)
Meeting: Council Meeting - 06 Dec 2021
Department: Community Services
Report Author: Sarah Mitchell

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development
Larry Randle, Director of Community Services,
Ann Mitchell, Chief Administrative Officer,

Approved - 15 Nov 2021
Approved - 15 Nov 2021
Approved - 17 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The City of Lethbridge has submitted a new Development Permit application to upgrade their existing compost facility.

RECOMMENDATION:

That Development Permit application 2021-234 be approved as drafted.

PREVIOUS COUNCIL DIRECTION / POLICY:

The land on which the proposed composting facility is to be located is zoned Direct Control under Bylaw 1389. Ancillary buildings or uses to the waste and recycling centre are listed as Permitted Uses. The proposed development meets all the setback requirements as laid out in Bylaw 1389. County Council is the designated Development Authority of Development Permit applications pertaining to Bylaw 1389.

BACKGROUND INFORMATION:

Earlier this year County Council approved Development Permit 2021-056 for a new compost facility at the City of Lethbridge landfill. Since then the City's plans have changed and the proposed facility will be larger than previously approved which means they have to re-apply for a new Development Permit. The new proposed building, which will be located in the same location as the previously approved building, will measure 2118m² in size and cost approximately \$8,300,000. The new building is approximately 60% larger than the previously approved building which was to measure 1349m² and cost \$5,530,000.

This new building will include a receiving and processing building, with washroom/lunchroom/mechanical room addition and an electrical/storage room addition. There will be primary and secondary composting bunkers, a roller compacted concrete pad for vehicle traffic and a clay lined area for finished product. The receiving building will house unloading bays for organic waste and de-packager, shredder and mixer for initial processing of organic waste to be composted in the bunker system. Once processed the material will be screened and stored in the product storage area until it is used on site for landscape material or sold to commercial or public users.

The application was circulated to other County departments, Alberta Transportation, the St. Mary's River Irrigation District, and the Fire Prevention Bureau. The plans and documentation received with this application are thorough and complete. No concerns were received by those circulated. A site visit was conducted by the Planning Department during the previous Development Permit application for this facility on March 9, 2021.

ALTERNATIVES / PROS / CONS:

County Council may choose to deny the permit.

- Pros - The City would have to use the previously approved compost facility and not be as extensive in size.
- Cons - The facility will not be able to divert as much compostable material from the landfill as possible, thus shortening the lifespan of the landfill.

FINANCIAL IMPACT:

There would be no financial implications for Lethbridge County with this development.

REASON(S) FOR RECOMMENDATION(S):

This composting facility is part of the City of Lethbridge's initiative to encourage sustainable practices in the area. By keeping this material out of the landfill its lifespan will be prolonged. This proposed composting facility will be beneficial for not only the City of Lethbridge but also for the surrounding County that contributes waste material to this facility.

ATTACHMENTS:

[2021-234 - Documents for Council Meeting](#)
[Development Permit 2021-234](#)



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

OFFICE USE																						
Application No: 2021-234	Roll No: 38340000	Use: <input checked="" type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited																				
Application Fee: \$ 750.00	Date Paid: Nov 3/21	Land Use District: <table border="0"><tr><td><input type="checkbox"/> Rural Agriculture</td><td><input type="checkbox"/> Hamlet Residential</td></tr><tr><td><input type="checkbox"/> Rural Urban Fringe</td><td><input type="checkbox"/> Hamlet Manufactured Home</td></tr><tr><td><input type="checkbox"/> Lethbridge Urban Fringe</td><td><input type="checkbox"/> Hamlet Commercial</td></tr><tr><td><input type="checkbox"/> Grouped Country Residential</td><td><input type="checkbox"/> Hamlet Industrial</td></tr><tr><td><input type="checkbox"/> Coaldale Lethbridge Corridor</td><td><input type="checkbox"/> Hamlet Public/Institutional</td></tr><tr><td><input type="checkbox"/> Rural General Industrial</td><td><input type="checkbox"/> Hamlet Direct Control</td></tr><tr><td><input type="checkbox"/> Business Light Industrial</td><td><input type="checkbox"/> Hamlet Transitional/Agricultural</td></tr><tr><td><input type="checkbox"/> Rural Heavy Industrial</td><td><input checked="" type="checkbox"/> Direct Control</td></tr><tr><td><input type="checkbox"/> Rural Commercial</td><td></td></tr><tr><td><input type="checkbox"/> Rural Recreational</td><td></td></tr></table>	<input type="checkbox"/> Rural Agriculture	<input type="checkbox"/> Hamlet Residential	<input type="checkbox"/> Rural Urban Fringe	<input type="checkbox"/> Hamlet Manufactured Home	<input type="checkbox"/> Lethbridge Urban Fringe	<input type="checkbox"/> Hamlet Commercial	<input type="checkbox"/> Grouped Country Residential	<input type="checkbox"/> Hamlet Industrial	<input type="checkbox"/> Coaldale Lethbridge Corridor	<input type="checkbox"/> Hamlet Public/Institutional	<input type="checkbox"/> Rural General Industrial	<input type="checkbox"/> Hamlet Direct Control	<input type="checkbox"/> Business Light Industrial	<input type="checkbox"/> Hamlet Transitional/Agricultural	<input type="checkbox"/> Rural Heavy Industrial	<input checked="" type="checkbox"/> Direct Control	<input type="checkbox"/> Rural Commercial		<input type="checkbox"/> Rural Recreational	
<input type="checkbox"/> Rural Agriculture	<input type="checkbox"/> Hamlet Residential																					
<input type="checkbox"/> Rural Urban Fringe	<input type="checkbox"/> Hamlet Manufactured Home																					
<input type="checkbox"/> Lethbridge Urban Fringe	<input type="checkbox"/> Hamlet Commercial																					
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<input type="checkbox"/> Business Light Industrial	<input type="checkbox"/> Hamlet Transitional/Agricultural																					
<input type="checkbox"/> Rural Heavy Industrial	<input checked="" type="checkbox"/> Direct Control																					
<input type="checkbox"/> Rural Commercial																						
<input type="checkbox"/> Rural Recreational																						
Application Received /Complete: Oct 27, 2021	Effective Date:																					
Notification or Advertised Date:																						
Municipal Address Application Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Required																						
ERCB Abandoned well information provided: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																						
Site Plans or drawings Submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Visit Conducted: <input type="checkbox"/> No <input type="checkbox"/> Yes Date:																					

1. APPLICANT & LAND INFORMATION

Applicant's Name: Joel Sanchez
Phone/Cell Phone: 403.320.3037 / 403.360.8767 **Email:** Joel.sanchez@lethbridge.ca
Mailing Address: 910 - 4th Avenue South, Lethbridge, AB T1J 0P6
Registered Owner's Name: The City of Lethbridge
Phone/Cell Phone: 403.320.3037 / 403.360.8767 **Email:** Joel.sanchez@lethbridge.ca
Mailing Address: 910 - 4th Avenue South, Lethbridge, AB T1J 0P6

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☒ Other: Employee - General Manager, Waste & Recycling Utility

Quarter: SW Section: 4 Township: 10 Range: 21 W4M

Lot(s) _____ Block: _____ Plan: _____

Municipal/Street address: 213044 Township Road 10-0

* Subject to Municipal Address Bylaw 1315, if there is currently not a municipal address on the parcel a municipal address application must be submitted.

Area of Parcel: 155.8 Acres _____ Hectares Land Use District: Direct Control

2. DEVELOPMENT INFORMATION

(1) Existing Development

Please list the existing buildings, structures and use(s) on the land. (Please indicate if any are to be removed or relocated.)

Administration Building, Waste Transfer Station, Materials Recovery Facility, Blue Sky Building, Scale House, Public Drop Off Area.
These facilities will remain in place.

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(2) Proposed Development

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

The City of Lethbridge is planning to upgrade the existing compost facility for receiving organic waste at the Waste and Recycling Centre. This facility will include a receiving and processing building, with washroom/lunchroom/mechanical room addition and an electrical/storage room addition, primary and secondary composting bunkers, a roller compacted concrete pad for vehicle traffic and a clay lined area for finished product storage. The existing compost facility has a stormwater pond that will remain suitable for the upgraded facility. The receiving building will house unloading bays for organic waste and a de-packager, shredder and mixer for initial processing of the organic waste to be composted in the bunker system. Once processed the material will be screened and stored in the product storage area until it is used on site for landscape material or sold to commercial or public users.

For **residential** development please check the applicable box below:

- ☐ Single-detached dwelling (site built) ☐ Manufactured Home 1 ☐ Manufactured Home 2
☐ Single-detached dwelling (Ready-to-move) ☐ Semi-detached dwelling
☐ Moved-in dwelling (previously occupied) ☐ Accessory Building/Structure (e.g.: deck/garage/shop)
☐ Other Dwelling Type: _____ ☐ Addition: _____

Does dwelling application include an attached garage? ☐ Yes ☐ No

For **non-residential** development please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

- ☐ Home Occupation (Form A1) ☒ Commercial/Industrial (Form A2) ☐ Sign(s) (Form A3) ☐ Demolition (with other proposed development) (Form A4)

Building Details

Size/Dimensions	Principal Building or Addition	Accessory Building or Addition	Office Use
Building or Addition Size	2,118 <input checked="" type="checkbox"/> m ² <input type="checkbox"/> sq. ft	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	12.927 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Attached Garage Size	N/A <input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	N/A	
Proposed Setbacks from Property Lines	Principal Building	Accessory Building	
Front	375 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	1150 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	680 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	915 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input checked="" type="checkbox"/> Corner Lot	
Development Details: Access & Cost			
Approach or driveway required to the development? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (specify) Existing access			
Estimated cost of development: \$8,300,000			



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(3) Exterior Finish, Fencing & Landscaping

(a) ☐ Not applicable to this development

(b) ☒ Applicable - Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): Pre-finished Insulated Metal Panels

Proposed fencing and height: N/A

Proposed landscaping: Loam and seed

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in or manufactured home): N/A

(4) Services

Indicate the existing or proposed sewer system and potable water supply:

Sewer System:

☒ Private Septic ☐ Municipal ☐ Communal

(specify): Holding tank

Water Supply:

☒ Cistern ☐ Water well ☒ Dugout ☒ Municipal/Co-op

☐ Other (specify): Cistern - Filled from municipal/Co-op system

Dugout (fire pond) - for fire protection

Dugout (stormpond) - raw water supply for processing water

Other Services: Indicate as follows: **A**= available **R** = required

Natural gas (A) Electricity (A)

(5) Details of Vehicle Parking and Access (for commercial/industrial proposals, see supplementary form)

Describe the **number** N/A and **size** _____ of all existing and proposed **parking spaces** _____, and **driveways** N/A on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.) The additional large parking lot will provide additional parking for large trucks and maintenance equipment as needed.

(6) Waivers

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? ☒ No ☐ Yes

If yes, please specify: _____

(7) Other - for parcels outside of Hamlet districts (Please indicate to the best of your knowledge)

(a) Are any of the following within a 1-mile (1.6 km) of the proposed development?

☐ Provincial Highway

☒ Confined Feeding Operation

☐ Sour gas well or pipeline

☐ Sewage treatment plant

☒ Waste transfer station or landfill

(b) Is the proposed development to be situated within 500 metres (1,640 ft.) of an established anhydrous ammonia bulk storage facility? Yes _____ No X Don't Know _____

(c) Is the development located in proximity of a coulee bank/break/slope? Yes X No _____

If "yes", please provide details on the building sites' setback distance from the front edge of the valley or coulee break (escarpment rim). Approximately 850 m to edge of coulee slope

Estimated **Commencement** Date: November 2021

Estimated **Completion** Date: December 2022



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

3. DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents. I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.

*Further I/We hereby give my/our consent to allow authorized persons the **right to enter** upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.*

Date: October 21, 2021

Applicant's Signature: _____

Registered Owner's Signature: _____

(Required, if different from applicant)

For the City of Lethbridge

2. The Development Authority may deem a development permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
3. 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.
4. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
5. Any development started before the issuance of a development permit and expiration of the appeal period is at the applicant's own risk.
6. **If a decision is not made within 40 days** from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, **the applicant may deem the application to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
7. A development permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

*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 foip@lethcountycanada.ca or call (403) 328-5525 or come into the office #100, 905-4th Avenue South, Lethbridge Alberta, T1J 4E4.*



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION

Supplement to Development Permit Application
Pursuant to Land Use Bylaw No. 1404

OFFICE USE	
Permit Application No: (to match Form A) <u>2021-234</u>	Roll No: <u>38340000</u>
Landscaping plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Storm water management plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required
Landscaping security taken: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Lot Grading plan submitted: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Required

This supplementary form A2 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a commercial or industrial development.

1. APPLICANT INFORMATION

(1) Applicant's Name: Joel Sanchez Phone: 403-320-3037
Mailing Address: 910 - 4th Avenue S, Lethbridge, AB, T1J 0P6

(2) Proposed Use

This application is to: (Check all that apply)

- ☒ Construct a new building or structure *(if greater than 500 ft² see abandoned well information section)*
- The building or structure is for:
- ☐ Commercial Use (e.g. retail, sales, service office, food establishment, etc.)
- ☒ Industrial Use (e.g. manufacturing, processing, warehousing, storage, etc.)
- ☐ Alter/renovate the existing building *(if greater than 500 ft² see abandoned well information section)*
- ☐ Addition to an existing building *(if greater than 500 ft² see abandoned well information section)*
- ☐ Construct an accessory building *(if greater than 500 ft² see abandoned well information section)*
- ☐ Mixed-use (comprehensive) development in a building or on a parcel of land
- ☐ Change in or intensification of use

(3) Describe the proposed use, any changes from existing use, and any work to be done.

Site is being developed for a organics processing facility (compost) which includes new building for delivery of organic materials and preliminary processing (de-packaging, grinding and mixing). The remainder of the site will be parking, primary and secondary bunkers for processing of compost material and storage of finished compost material.

- (4) Outdoor Storage - is outdoor storage or a display area required or proposed? ☐ No ☒ Yes
(If yes, indicate locations of same on a scaled PLOT PLAN.) Finished product will be stored in northeast corner of the site as shown on the drawings



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION

Supplement to Development Permit Application
Pursuant to Land Use Bylaw No. 1404

(5) Parking and Loading Information

(a) **Details of Vehicle Parking and Access** - Describe the **number** _____ and **size** (dimensions) _____ of all existing and proposed off-street parking spaces, and **driveways/approaches** _____ on site (or N/A if not applicable). Other "open" parking available as required for larger vehicles
(Indicate locations of same on a scaled PLOT PLAN.)

(b) **Loading Areas** - Is a dedicated loading space/area proposed? ☐ No ☒ Yes
If yes, please specify: Truck delivery to building, storage area has room for access
(Indicate locations of same and building loading doors on a scaled PLOT PLAN.)

(c) **Drive-through Uses** - For a commercial use, does the proposed development include a drive-through component which requires a dedicated vehicle-stacking lane? ☒ No ☐ Yes
If yes, please specify: _____
(Indicate locations of same on a scaled PLOT PLAN.)

(6) Servicing Details

Please indicate if the proposed development will require water and sewer for the following (check all that may apply):

☒ Washroom/kitchen type facilities for staff ☐ Washroom/ food service facilities for the public ☐ Car/truck wash
☒ Processing/manufacturing process ☐ Food processing ☐ Other: _____

☐ No water or sewer services proposed for development (i.e. use entails dry storage, warehousing, etc.)

Sewer - required for staff lunchroom/washroom only.

Potable water required for staff lunchroom/washroom. Raw water required for fire protection and process water (irrigation for compost process and wash down)

2. DECLARATION of APPLICANT/OWNER

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 for a commercial/industrial development. 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.

IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

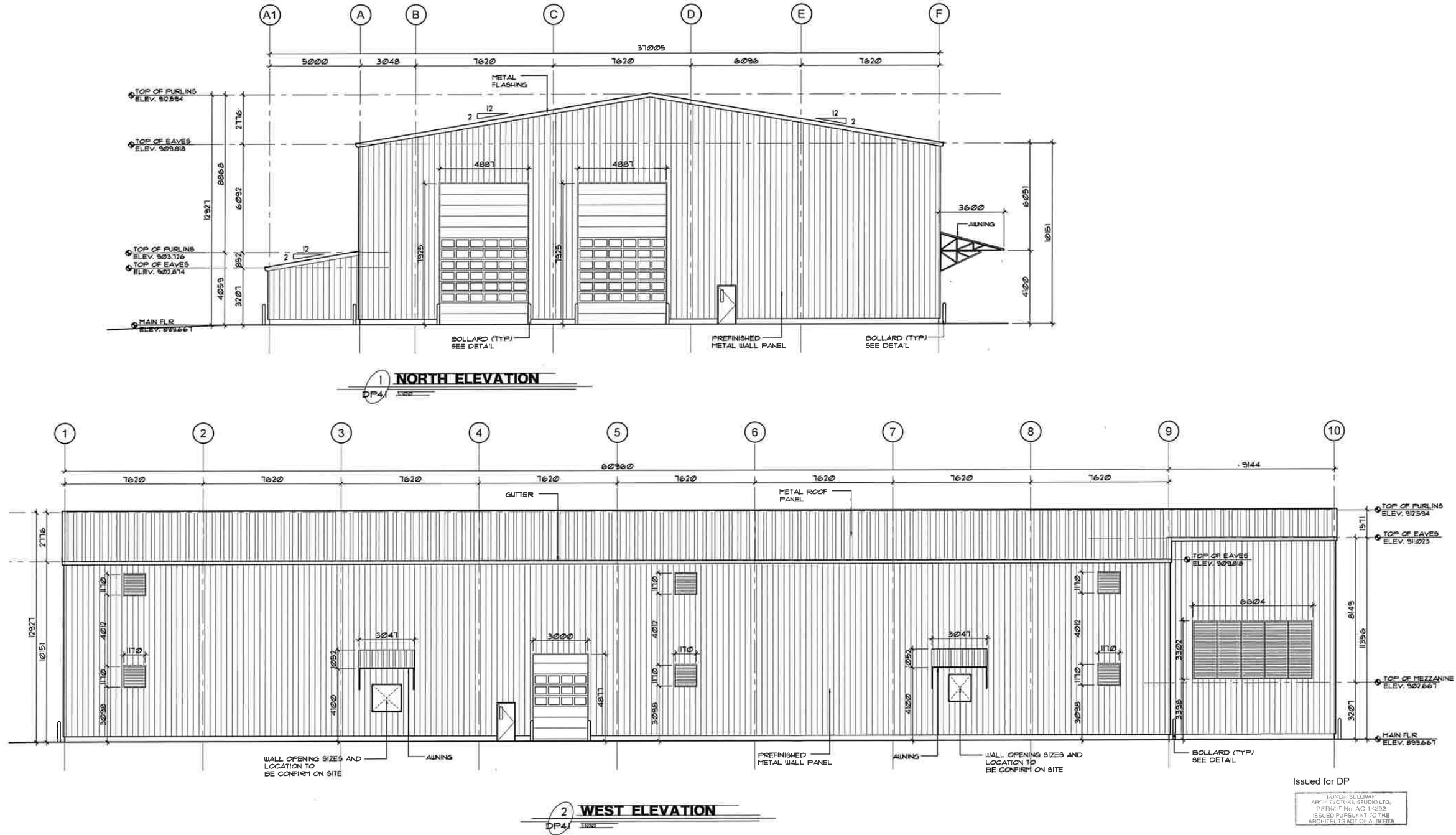
Date: October 21, 2021

Applicant's Signature: _____

Registered Owner's Signature: _____
(if different from applicant) For the City of Lethbridge

NOTE:

This Form A2 is supplementary and is in conjunction with a completed Form A: Development Permit Application. Refer to Bylaw No. 1404, Parts 3 and 4 5 for specific regulations and standards of development.



Issued for DP
KUMLIN SULLIVAN
ARCHITECTURE STUDIO LTD.
PERMIT No. AC 14282
ISSUED PURSUANT TO THE
ARCHITECTS ACT OF ALBERTA



201461

DP4.1

DRAWN BY:
DWG DATE:
SUBM DATE:
SCALE:
FILE: LETHBRIDGE DP DRAWING

AF

AS NOTED

KUMLIN SULLIVAN

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310, 5819 2nd STREET SW, CALGARY, ALBERTA, T2H 0H3

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LETHBRIDGE COMPOST
RECYCLING BUILDING

DEVELOPMENT PERMIT SET

DP REVISIONS



DP1

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**LETHBRIDGE COMPOST
RECYCLING BUILDING
DEVELOPMENT PERMIT SET**



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

LETHBRIDGE COUNTY DEVELOPMENT PERMIT

Pursuant to Land Use Bylaw No. 1404

Development Permit No: 2021-234

Applicant: Joel Sanchez (City of Lethbridge), 910 - 4th Ave. S., Lethbridge, AB, T1J 0P6

In respect of works consisting of: New compost facility building (2118m²)

On land located at: SW 4-10-21-W4M (213044 Township Road 10-0) and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2021-234 and is **subject to the conditions contained herein:**

- The new compost facility building is to be located as per the submitted site plan.
- The applicant shall submit a large building safety plan to the Fire Prevention Bureau (403-320-3811).
- The applicant shall ensure there is adequate water supply according to the National Building Code.
- The applicant shall obtain all necessary approvals and authorizations, if required, from Alberta Environment and Parks (403) 381-5332.
- Any further expansion of the facility would require additional approval.
- Approval of all Building Permits (includes Plumbing, Electrical, Gas permits, and Private Sewage Disposal Systems) must be obtained ***prior*** to commencement. Building Permits are obtained through **Park Enterprises**, #10, 491 W.T. Hill Blvd. South, Lethbridge. Phone - (403) 329-3747.
- Any planned work in the County right-of-way (driveway, approaches, etc.) requires separate approval from the County Director of Public Operations (call 403-328-5525).

This permit becomes effective the **6th day of December, 2021** as approved by Council (Resolution XXX-2021). This permit is not subject to an appeal period under section 685 (4) (a) of the Municipal Government Act.

SIGNED: _____

Development Officer



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

LETHBRIDGE COUNTY DEVELOPMENT PERMIT

Pursuant to Land Use Bylaw No. 1404

IMPORTANT:

The development outlined above is subject to the following conditions:

- (a) No development authorized by the issuing of a permit shall commence until at least 21 days after the date of decision of the permit in accordance with section 686 of the Municipal Government Act, or if an appeal is made until the appeal is decided upon. Any development commencing prior to the appeal period expiration or an appeal decision being made is entirely at the risk of the applicant, developer, or landowner.
- (b) The approval of this Development Permit does not remove the need to obtain any Building Permits (including Plumbing, Gas, Electrical, and Private Sewage) or approval required by any federal, provincial, or municipal legislation, and/or regulations.
- (c) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (d) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless otherwise authorized in the conditions of a development permit.
- (e) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.

AGENDA ITEM REPORT



Title: Proposed Amendment to Land Disposition Policy No. 172
Meeting: Council Meeting - 06 Dec 2021
Department: Community Services
Report Author: Larry Randle

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 18 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

A proposed amendment to Land Disposition Policy No. 172 will more clearly outline land disposition procedures when unusual circumstances exist.

RECOMMENDATION:

That revised Land Disposition Policy No. 172 be adopted as presented.

PREVIOUS COUNCIL DIRECTION / POLICY:

Land Disposition Policy No. 172 was adopted by Council on January 24, 2018. This policy replaced Land Management Policy No. 140 from 2013.

BACKGROUND INFORMATION:

The current Land Disposition Policy is written in a manner which assumes all surplus parcels of land the County may consider disposing of are stand-alone, developable parcels. It does not include any specific provisions for the disposition of smaller, irregularly-shaped, difficult to access or otherwise undevelopable parcels of County-owned land. In such cases, it is logical to dispose of these types of land parcels only to adjacent land owners who plan to consolidate such parcels into their adjacent land parcel.

Proposed additional wording in revised Policy No. 172 overtly gives Council clear guidelines for disposing of occasional irregular and unusual parcels of land.

ALTERNATIVES / PROS / CONS:

Option 1: Adopt revised Land Disposition Policy No. 172

Pros: Gives Council more flexibility and a clear and consistent process to follow when considering disposing of unusual parcels of land.

Cons: No negative consequences have been identified.

Option 2: Defeat the proposed amendments to Land Disposition Policy No. 172.

Pros: Leaves Council with the flexibility of addressing land disposal matters as it sees fit, in accordance with the existing policy and the Municipal Government Act.

Cons: May create a perception of bias in some cases regarding certain land disposition transactions if a consistent policy is not openly included in the policy and followed by Council.

FINANCIAL IMPACT:

No direct financial implications have been identified. Council still has the authority to dispose of surplus land.

REASON(S) FOR RECOMMENDATION(S):

Establishes a clear and consistent process to follow through policy when considering disposing of unusual parcels of land.

ATTACHMENTS:

[172 Land Disposition Policy amendment](#)



Lethbridge County Policy Handbook

EFFECTIVE: January 24, 2018

SECTION: 100 NO. 172 Page 1 of 2

APPROVED BY: County Council

SUBJECT: Land Disposition

REVISED DATE: December 6, 2021

POLICY STATEMENT

Lethbridge County owns multiple parcels of land within its boundaries, many of which provide no benefit to the County and in some cases, may even be a liability. Increasing property values and development pressures dictate that Lethbridge County should have a responsive strategy in place so that when County-owned land that is no longer needed, is not anticipated to be needed and has the potential to generate revenue, may be disposed of in a fair and timely manner. The Department of Community Services through the Planning and Development Department working collaboratively with all other departments, will take primary responsibility for land disposition management and inventory.

The Municipal Government Act (MGA) shall guide any land disposition matter not addressed in this policy and in the event of conflict with this policy, take precedence.

POLICY GOALS

The purpose of this policy is to establish a framework for the consistent, effective and timely disposition of surplus County-owned land.

PROCESS FOR CONSIDERATION OF LAND DISPOSAL

The following steps shall be taken when considering the permanent or temporary (via land lease) disposition of County-owned land:

- Step 1: County-owned land that may be surplus is identified and brought to the attention of the Community Services Department.
- Step 2: The Chief Administrative Officer and all department Directors are informed of land that has been identified as no longer being needed. If there is consensus that a parcel or parcels serve no value to the County, a Council resolution approving the sale or lease of specifically identified parcels must be acquired. If Council does not approve, the lands shall remain in the County's name for an indefinite period of time.



Lethbridge County Policy Handbook

EFFECTIVE: January 24, 2018

SECTION: 100 NO. 172 Page 2 of 2

APPROVED BY: County Council

SUBJECT: Land Disposition

REVISED DATE:

-
- Step 3: Once Council has approved the disposal of a parcel, the land shall be publicly advertised for sale or lease, as the case may be. The price of land shall be market value, as determined through market evaluation, current assessment or through independent appraisal. Council reserves the right to transfer an interest in land for less than market value in accordance with the MGA.
- Step 4: Offers to purchase or lease County-owned land must be approved by Council, prior to transfer of ownership or execution of lease agreements, unless otherwise delegated by Council.

Exceptions

Council direction will ultimately determine the process to be followed. In determining the course of action that will be taken for the disposition of a given piece of property, Council's decision may be influenced by various factors such as: the effect which the sale, lease, or alternate use of the subject property by a third party may have on adjacent land, the proposed future use of the property by an interested party, the potential benefit that the County may realize by negotiating a trade of land for other property that may have strategic value or interest for the county, etc.

At the conclusion of the review process, Council may determine that there are extenuating circumstances that justify waiving the open process established through this policy. In those circumstances, Council may direct Administration to take specific actions regarding the property in question. This may include retaining the right to negotiate a lease or sale agreement with a party that Council has determined may be impacted in a significant way by the lease or sale of the subject property to a third party. A tenant's previous stewardship of land may also be taken into consideration. All exceptions to the open public process outlined above shall be carried out in accordance with the relevant sections of the Municipal Government Act.

LAND SALE COSTS

Costs associated with legal, subdivision, survey, title registration, sale transfer costs, etc. will be at the cost of the purchaser, where applicable. Any up front County costs associated with a sale will be funded through the purchase proceeds.

AGENDA ITEM REPORT



Title: ORRSC - Assessment Review Board Services - Agreement & Bylaw Update
Meeting: Council Meeting - 06 Dec 2021
Department: Administration
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 29 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Due to changes in the Municipal Government Act (MGA) with regards to local Assessment Review Boards, both the Agreement and Bylaw for regional assessment review board services require amendment.

RECOMMENDATION:

MOVED that County Council repeal Bylaw 1374 - Regional Assessment Review Board Bylaw.

MOVED that County Council enter into the amended Agreement for Regional Assessment Review Services.

MOVED that Bylaw 21-019 - Regional Assessment Review Board Bylaw Amendment 2021 be read a first time.

MOVED that Bylaw 21-019 - Regional Assessment Review Board Bylaw Amendment 2021 be read a second time.

MOVED that Council consider reading Bylaw 21-019 - Regional Assessment Review Board Bylaw Amendment 2021 a third time.

MOVED that Bylaw 21-019 - Regional Assessment Review Board Bylaw Amendment 2021 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Council approved Lethbridge County entering into an agreement with ORRSC to receive Assessment Review Board Services on July 14, 2011.

BACKGROUND INFORMATION:

In 2011 Lethbridge County joined the ORRSC Regional Assessment Review Board. Third reading for Bylaw 1374 was given on June 16, 2011 and the Agreement was executed on July 14, 2011.

ORRSC has requested that a new agreement and bylaw which is Schedule B to the agreement be approved and passed by Council.

The only change to the agreement itself is the amendment to the definition of "Clerk".

Amendments to the Bylaw include the required changes in the MGA and changes referencing the amendment to the definition of Clerk. The draft agreement and bylaw with amendments are attached. The current Bylaw 1374 will need to be repealed.

ALTERNATIVES / PROS / CONS:

Alternatives:

Not enter into a new agreement and bylaw with ORRSC for Regional Assessment Review Board Services.

FINANCIAL IMPACT:

No financial implication in amending the agreement and passing a new bylaw.

REASON(S) FOR RECOMMENDATION(S):

To stay current with the amendments to the Municipal Government Act regarding local Assessment Review Boards.

ATTACHMENTS:

[Bylaw No. 1374](#)

[Draft Agreement for Regional Assessment Review Services](#)

**COUNTY OF LETHBRIDGE
IN THE PROVINCE OF ALBERTA**

BY-LAW NO. 1374

**A By-Law of the County of Lethbridge in the Province
of Alberta to establish a Regional Assessment Review Board**

WHEREAS, Section 456 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

Oldman River Regional Services Commission and Municipalities within the region jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality;

Oldman River Regional Services Commission will pay for the costs associated with the establishment and operations of the Regional Assessment Review Board and each Member Municipality will pay the Commission their portions of those costs.

NOW THEREFORE, the Council of the "Municipality", duly assembled, enacts as follows:

I. Title

The title of this Bylaw shall be the "Regional Assessment Review Board Bylaw".

II. Definitions

- 1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- 2) In this bylaw the following terms shall have the meanings shown:
 - a) "Alternate" means a person who is available to perform the duties of a member in the event the member is unable to fulfil Board duties;
 - b) "Board" means the Regional Assessment Review Board;
 - c) "CARB" means the Composite Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
 - d) "Citizen-at-large" means a person who does not represent a specific organization and is a resident of the Member Municipality.
 - e) "Designated Officer" means the person appointed to carry out the duties and functions of the clerk of the assessment review board as required under section 455 of the *Municipal Government Act*;
 - f) "LARB" means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
 - g) "Member" means a member of the Regional Assessment Review Board;
 - h) "MGA" means the *Municipal Government Act of Alberta, RSA 2000, Ch. M-26*, as amended and Regulations passed under that Act;

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- i) "Regional Member Municipality" means those municipalities who enter into an agreement with the Commission to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

III. Appointment of Board Members

- 1) Each Member Municipality may appoint one individual to the Board and may appoint an individual as an alternate to the Board
- 2) The Board shall consist of a minimum of twenty members who may be a Citizen-at-large who is a resident of the Member Municipality or a Council member.
- 3) In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

IV. Terms of Appointment

- 1) Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.
- 2) If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.
- 3) A Member may be re-appointed to the Board at the expiration of his/her term.
- 4) A Member may resign from the Board at any time on written notice to the Designated Officer and to the Member Municipality to that effect.
- 5) The Member Municipality may remove their designated Member at any time.

V. Panels of the Board

- 1) The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:
 - three persons selected by the Designated Officer when the Board is acting as a Composite Assessment Review Board or a Local Assessment Review Board; or
 - a single member selected by the Designated Officer when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.
- 2) The Designated Officer may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
 - the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
 - the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
 - where possible, the Designated Officer shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

VI. Chairperson

The Chairperson of a panel:

- will preside over and be responsible for the conduct of meetings;
- may limit a submission if it is determined to be repetitious or in any manner inappropriate; and

- will vote on matters submitted to the panel unless otherwise disqualified.

VII. Jurisdiction of the Board

The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

VIII. Designated Officer(s) of the Board

- 1) The Designated Officer(s) of the Board shall be a person designated by the Oldman River Regional Services Commission's Director.
- 2) The Designated Officer shall:
 - shall assist the Board in fulfilling its mandate; and
 - prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

IX. Meetings

- 1) Meetings will be held at such time and place as determined by the Board.
- 2) The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act.

X. Quorum and Voting

- 1) The quorum for panels of the Board shall be as established by the MGA, namely:
 - two members of a panel acting as a local assessment review board; and
 - one member and the provincial member of a panel acting as a composite assessment review board.
- 2) All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- 3) The majority vote of those Members present and voting constitutes the decision of the Board.
- 4) Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member of the panel.

XI. Conflict of Interest

- 1) Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
 - declares that he or she has a conflict of interest; and
 - describes in general terms the nature of the conflict of interest.
- 2) The Designated Officer shall cause a record to be made in the Minutes of the members' absence and the reasons for it.

- 3) For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
- he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
 - substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

XII. Pecuniary Interest

- 1) The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- 2) A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

XIII. Commencement of Appeals

- 1) A taxpayer may commence an assessment complaint by:
 - mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the 'Matters Relating to Assessment Complaints' regulation and within the time specified in the MGA; and
 - paying the applicable fee.

XIV. Rules of Order

- 1) The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

XV. Adjournments

- 1) The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:
 - allowing the Board to obtain a legal opinion or other professional guidance; or
 - to allow a viewing by the Board of the site in respect of which the appeal is being made.
- 2) Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

XVI. Notice of Decisions & Record of Hearing

- 1) After the hearing of a complaint, the Designated Officer shall:
 - under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
 - arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.
- 2) The Designated Officer will maintain a record of the hearing.

XVII. Delegation of Authority

- 1) In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the Designated Officer who will follow the Oldman River Regional Services Commission policy.

XVIII. Reimbursement of Costs

- 1) The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.

GIVEN first reading this 16th day of June, 2011.



Reeve


County Manager

GIVEN second reading this 16th day of June, 2011.



Reeve


County Manager

GIVEN third reading this 16th day of June, 2011.



Reeve


County Manager

AGREEMENT FOR REGIONAL ASSESSMENT REVIEW SERVICES

Between

Oldman River Regional Services Commission

("Coordinator")

- and -

("Member Municipality")

Dated this _____ day of _____, _____

BACKGROUND

- A. Oldman River Regional Services Commission is the Coordinator for property assessment complaints for the residents of the Member Municipalities identified in Schedule "A";
- B. The Member Municipalities wish to partner together to create one Regional Assessment Review Board.
- C. The Member Municipality is willing to join the Oldman River Regional Services Commission Region's Regional Assessment Review Services membership.

The Parties agree as follows:

1. AGREEMENT

- 1.1 The following schedules form part of this agreement:
 - Schedule "A" – List of Member Municipalities
 - Schedule "B" – Bylaw
 - Schedule "C" – Responsibilities
 - Schedule "D" – Fees

2. DEFINITIONS

- 2.1 In this Agreement, unless the context provides otherwise, the following words or phrases shall have the following meanings:
 - a. **"Assessor"** is the person appointed by the Member Municipality to assess residents' property.
 - b. **"Assistant Clerk"** is a staff person employed by a Member Municipality to provide service to the Complainant;
 - c. **"CARB"** is Composite Assessment Review Board as defined by the Matters Relating to Assessment Complaints Regulation;

- d. **“Clerk”** is the ~~Chief Administrative Officer~~ **Director** of Oldman River Regional Services Commission appointed by the Regional Member Municipality to act as the ~~Clerk Designated Officer~~ to the Regional Assessment Review Board;
- e. **“Complainant”** is an assessed person or taxpayer;
- f. **“Coordinator”** is Oldman River Regional Services Commission;
- g. **“LARB”** is Local Assessment Review Board as defined by the *Municipal Government Act*;
- h. **“Member Municipality”** is a municipality listed in Schedule “A”;
- i. **“Regional Assessment Review Board”** means the Board appointed to hear appeals on tax and assessment notices established in accordance with section 454 of the *Municipal Government Act*.

3. MEMBER MUNICIPALITY RESPONSIBILITIES

- 3.1 The Member Municipality shall be entitled to participate in the Regional Assessment Review Board once it passes a Bylaw in the form attached as Schedule “B”.
- 3.2 The Member Municipality may select and appoint one Citizen-at-large to be a Board Member and one Council member to be available to sit on a panel for the Regional Assessment Review Board.
 - a. If a vacancy on the Board occurs at any time, the Member Municipality who appointed the individual may appoint a new individual to fill the vacancy for the remainder of that term.
 - b. Any costs incurred to advertise and select a Board Member are the responsibility of the Member Municipality.
- 3.3 Each Member Municipality will pay an equal portion of costs to train Board members, procure insurance and provide any other general costs to establish and maintain the Regional Assessment Review Board. This will include legal services if they are required for general purposes to facilitate the administration of the Board (i.e., procedural questions).
- 3.4 The Member Municipality requiring a Hearing will pay all costs related to the Hearing, i.e., Board Member & Clerk honorarium, mileage. If there are multiple Hearings held involving more than one Member Municipality, each municipality will pay their portion of costs based on number of Hearings. If legal services are required for issues that relate only to a specific complaint, the cost of the service will be payable by the Member Municipality which has jurisdiction over the appeal.
- 3.5 The Coordinator will be responsible to pay all costs related to the Regional Assessment Review Board and invoice each Member Municipality as per clauses 3.3/3.4. The Coordinator will charge administration or staff fees for the services provided to operate the Board as prescribed in Schedule “D” - Fees.
- 3.6 Oldman River Regional Services Commission will invoice Member Municipalities based on actual costs to operate the Board. All invoices are payable within 30 days upon receipt of invoice.

4. COORDINATOR RESPONSIBILITIES

- 4.1 The Coordinator will coordinate services for the Member Municipality as identified in Schedule "C" and may assign any responsibilities to the Clerk as deemed necessary.
- 4.2 The Coordinator will, at the request of the Member Municipality, assist during negotiations between the Assessor and the Complainant.
- 4.3 The Coordinator is responsible for ensuring the Regional Assessment Review Board members receive training in accordance with the MGA and regulations.
- 4.4 The Coordinator is responsible to assign a panel of Committee Members (in consultation with the affected Municipality) to the CARB, LARB or one member Board for administrative items as described in the MGA.
- 4.5 The Coordinator will follow Oldman River Regional Services Commission's current remuneration policy for Board Members and Oldman River Regional Services Commission assessment appeal fee schedule "D".
- 4.6 The Coordinator will keep a record of the complaint in accordance with the MGA and regulations.
- 4.7 The Coordinator will retain paper records such as background information, correspondence, appeal notices and withdrawn appeals for ten (10) years upon receipt of such paper records. However, agendas and minutes are permanent records.
- 4.8 The Coordinator will maintain liability insurance for the Board, obtain legal services when required and ensure the affected Member Municipality is informed.

5. ASSISTANT CLERK RESPONSIBILITIES

- 5.1 The Assistant Clerk will, when required, administer withdrawn appeals in accordance with the Member Municipality's practice.
- 5.2 The Assistant Clerk will, upon receiving an appeal, review the documents for validity and compliance with the MGA and regulations.
- 5.3 The Assistant Clerk will forward a copy of all the appeal documents to the Regional Clerk, and advise regarding hearing location preferences.
- 5.4 Any other responsibilities as identified in Schedule "C".

6. TERM

- 6.1 The term of this Agreement shall be deemed as indefinite, provided, however, this Contract may be terminated as follows:
 - (a) By mutual consent, in which case, this Agreement will be terminated effective the date of the mutual consent and the Commission will be entitled to payment of fees, on a pro rata basis, to the effective date of termination.

- (b) For cause, by delivery of a written notice of termination specifying the cause in which case the termination shall be immediate; "cause" being defined as any persistent or material breach by either party in its performance or observance of the terms of this Agreement.
- (c) Without cause or mutual consent, by delivery of a THREE (3) month notice of termination by either party, in which case the Commission will be entitled to payment of fees and expenses, on a pro rata basis, to the effective date of the termination.

7. PRIVACY

- 7.1 The Coordinator is subject to the *Freedom of Information and Protection of Privacy Act* (FOIP) and will protect the confidential information provided from unauthorized access or disclosure.
- 7.2 The Member Municipalities shall ensure that any information of a confidential nature which it provides to the Coordinator is clearly marked as such.

8. INFORMATION SHARING

- 8.1 Member Municipalities will make every reasonable effort to ensure information will be or is intended to be used to make a decision in an assessment review is both complete and accurate.
- 8.2 In order to process reviews for a property tax or assessment notice, the Coordinator is authorized to collect the following types of personal information:
 - a. Roll Number
 - b. Legal Address
 - c. Civic Address
 - d. Registered Owner Name(s)
 - e. Registered Owner(s) mailing address and phone number
 - f. Assessed Value and Assessment Class of the property under review
 - g. Name, address and phone number of Registered Agent for the Owner
- 8.3 Personal information will be collected from the Member Municipality or ratepayer as per the FOIP Act.

9. DISPUTE RESOLUTION

- 9.1 All claims, disputes, and other matters arising out of this Agreement or relating to a breach thereof may, upon agreement of both parties, be referred to either:
 - a. Mediation – voluntary, no risk, non-binding process bringing the parties to a resolution. The mediator will be appointed upon the agreement of both parties; or
 - b. Arbitration – upon the agreement of both parties, be referred to a single arbitrator under the Arbitration Act, and if so referred, the decision of the arbitrator shall be final, conclusive and binding upon the parties. If the parties are not able to agree on an arbitrator, the Alberta Court of Queen's Bench shall select one. All costs associated with the appointment of the arbitrator shall be shared equally unless the arbitrator determines otherwise in accordance with the Arbitration Act of Alberta.

10. INDEMNIFICATION

- 10.1 The Member Municipality agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Oldman River Regional Services Commission, its Board, Executive, Chief Administrative Officer and Employees against all damages, liabilities or costs arising out of the property assessment or disputes related to the property assessment.
- 10.2 The Member Municipality is solely responsible for the property assessments and compliance with the outcome of the disputed property assessments.
- 10.3 In the furnishing of any services by the Coordinator, the Coordinator shall not assume any responsibility, obligations or duties in respect to the services.

11. INSURANCE

- 11.1 The Coordinator through the Jubilee Insurance Program will arrange for comprehensive general liability insurance and directors and officers liability insurance to cover the Board and the members.

12. NOTICES

- 12.1 Any notices or other correspondence required to be given to any party to this agreement shall be deemed to be adequately given if delivered to the Member Municipality address as provided in Schedule "A".

13. FORCE MAJEURE

- 13.1 Each party reserves the right, at its option, either to suspend or cancel this Agreement, in whole or in part, at any time, without incurring any costs or damages whatsoever, where such suspension or cancellation is caused by force majeure, including, but not limited to, acts of God, the public enemy of the government, strikes or other labour disputes, fires, floods, freight embargoes, unusually severe weather or other contingencies beyond the control of either party.

14. SINGULAR AND MASCULINE

- 14.1 Words importing the singular number shall include the plural number and vice versa and words importing one gender only in this Agreement shall include all genders and words importing parties or persons in this Agreement shall include individuals, partnerships, corporations, and other entities, legal or otherwise.

15. GOVERNING LAW

- 15.1 This Agreement shall be deemed to have been made in accordance with the laws of the Province of Alberta except the International Sale of Goods Act, which is specifically excluded. The Courts of Alberta shall have sole and exclusive jurisdiction over any dispute or lawsuit between the parties.

16. INTERPRETATION

- 16.1 The headings in the Agreement are for ease of reference only and shall not affect the meaning or the interpretation of this Agreement.

17. SUCCESSORS

17.1 This Agreement shall inure to the benefit of and be binding upon the Parties and, except as herein before provided, the successors and assigns thereof.

18. ENTIRE AGREEMENT

18.1 This Agreement is the whole agreement between the parties and may not be modified, changed, amended or waived except by signed written agreement of the parties.

19. COUNTERPART

19.1 This Agreement may be executed in any number of counterparts by the parties. All counterparts so executed shall have the same effect as if all parties actually had joined in executing one and the same document.

The parties to this Agreement have affixed their corporate seals signed by the hands of their proper officers. In the absence of a corporate seal, the "Affidavit Verifying Corporate Signing Authority" and the "Affidavit of Execution" attached shall be completed in full.

OLDMAN RIVER REGIONAL SERVICES COMMISSION

PER: _____

PER: _____

"MUNICIPALITY"

PER: _____

PER: _____

**Schedule “A”
Member Municipalities**

As of June 1, 2021:

Arrowwood – Village
Barnwell – Village
Barons – Village
Cardston – County
Cardston – Town
Carmangay – Village
Champion – Village
Claresholm – Town
Coaldale – Town
Coalhurst – Town
Coutts – Village
Crowsnest Pass – Municipality
Fort Macleod – Town
Glenwood – Village
Hill Spring – Village
Lethbridge – County
Lomond – Village
Magrath – Town
Milk River – Town
Milo – Village
Nanton – Town
Nobleford – Village
Picture Butte – Town
Pincher Creek – Municipal District
Pincher Creek – Town
Raymond – Town
Stavely – Town
Stirling – Village
Taber – Municipal District
Vauxhall – Town
Vulcan – County
Vulcan – Town
Warner – County
Willow Creek – Municipal District

Schedule "B"

"MUNICIPALITY" BYLAW NUMBER _____

A bylaw of the "Municipality" in the Province of Alberta to establish a Regional Assessment Review Board.

WHEREAS, section 454 of the *Municipal Government Act*, states that council must by bylaw establish a local assessment review board and a composite assessment review board; and

WHEREAS, section 454.1(1) of the *Municipal Government Act*, states that council must appoint at least 3 persons as members of the local assessment review board; and

WHEREAS, section 454.2(1) of the *Municipal Government Act*, states that council must appoint at least 2 persons as members of the composite assessment review board; and

WHEREAS, section 455(1) of the *Municipal Government Act*, states that two or more councils may agree to jointly establish the local assessment review board or the composite review board, or both, to have jurisdiction in their municipalities; and

WHEREAS, Oldman River Regional Services Commission (Commission) and Municipalities within the region, jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by an assessed person or taxpayer of a Regional Member Municipality; and

WHEREAS, Oldman River Regional Services Commission will pay for the costs associated with the establishment and operations of the **required Assessment Review Board(s)** and **will invoice the Municipality their portion of the costs.**

NOW THEREFORE, the Council of the "Municipality", duly assembled, enacts as follows:

1. Title

1.1 The title of this Bylaw shall be the "Regional Assessment Review Board Bylaw Amendment 2021".

2. Definitions

2.1 Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.

2.2 In this bylaw the following terms shall have the meanings shown:

- a. **Alternate** means a person who is available to perform the duties of a member in the event the member is unable to fulfil Board duties.
- b. **Board** means the Regional Assessment Review Board.
- c. **CARB** means the Composite Assessment Review Board established in accordance with the *Matters Relating to Assessment Complaints* regulation.
- d. **Clerk** means the person appointed to carry out the duties and functions ~~of the clerk~~ of the assessment review board as required under **section 456** of the *Municipal Government Act*.

- e. **Citizen-at-large** means a person who does not represent a specific organization and is **appointed by Council**.
- f. **LARB** means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation.
- g. **Member** means a member of the Regional Assessment Review Board.
- h. **MGA** means the *Municipal Government Act* of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.
- i. **Regional Member Municipality** means those municipalities who enter into an agreement with the Commission to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

3. Appointment of Board Members

- 3.1 Each Member Municipality may appoint one individual to the Board and may appoint an individual as an alternate to the Board.
- 3.2 **The Board shall consist of a minimum of twenty members, some of whom may be a Citizen-at-large or a Council member.**
- 3.3 In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.

4. Terms of Appointment

- 4.1 Unless otherwise stated, all Members are appointed for three-year terms, except in the initial year where up to three are appointed for three-year terms and up to four are appointed for two-year terms.
- 4.2 If a vacancy on the Board occurs the Member Municipality who made the appointment may appoint a new person to fill the vacancy for the remainder of the term.
- 4.3 A Member may be re-appointed to the Board at the expiration of his/her term, **provided recertification training has occurred prior to the expiration of term.**
- 4.4 A Member may resign from the Board at any time on written notice to the ~~Designated Officer~~ **Clerk** and to the Member Municipality to that effect.
- 4.5 The Member Municipality may remove their designated Member at any time.

5. Panels of the Board

- 5.1 The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels are to consist of:
 - a. three persons selected by the **Clerk** when the Board is acting as a ~~Composite Assessment Review Board~~ or a Local Assessment Review Board;
 - b. **two persons selected by the Clerk when the Board is acting as a Composite Assessment Review Board; or**
 - c. a single member selected by the **Clerk** when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.

- 5.2 The ~~Designated Officer~~ Clerk may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
- the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
 - the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board;
 - where possible, the ~~Designated Officer~~ Clerk shall include on a three-person panel a member who is from the municipality under whose jurisdiction the complaint arises.

6. Chairperson

- 6.1 The Chairperson of a panel:
- will preside over and be responsible for the conduct of meetings;
 - may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
 - will vote on matters submitted to the panel unless otherwise disqualified.

7. Jurisdiction of the Board

- 7.1 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Member Municipality.

8. Clerk(s) ~~Designated Officer(s)~~ of the Board

- 8.1 The Clerk(s) ~~Designated Officer(s)~~ of the Board shall be a person designated by the Oldman River Regional Services Commission's Chief Administrative Officer ~~Director~~.
- 8.2 The Clerk ~~Designated Officer~~ shall:
- ~~shall~~ assist the Board in fulfilling its mandate; and
 - prescribe the remuneration and expenses payable to each member of the Assessment Review Board.

9. Meetings

- 9.1 Meetings will be held at such time and place as determined by the Board.
- 9.2 The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act.

10. Quorum and Voting

- 10.1 The quorum for panels of the Board shall be as established by the MGA, namely:
- a. two members of a panel acting as a local assessment review board; and
 - b. one member and the provincial member of a panel acting as a composite assessment review board.
- 10.2 All members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- 10.3 The majority vote of those Members present and voting constitutes the decision of the Board.
- 10.4 Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the ~~Clerk Designated Officer~~ shall appoint a replacement member of the panel.

11. Conflict of Interest

- 11.1 Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from Board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
- a. declares that he or she has a conflict of interest; and
 - b. describes in general terms the nature of the conflict of interest.
- 11.2 The ~~Clerk Designated Officer~~ shall cause a record to be made in the Minutes of the members' absence and the reasons for it.
- 11.3 For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
- a. he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
 - b. substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

12. Pecuniary Interest

- 12.1 The pecuniary interest provisions of the MGA apply to all members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- 12.2 A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

13. Commencement of Appeals

- 13.1 An assessed person or a taxpayer may commence an assessment complaint by:
- a. mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the '*Matters Relating to Assessment Complaints*' regulation and within the time specified in the MGA; and
 - b. paying the applicable fee.

14. Rules of Order

- 14.1 The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

15. Adjournments

- 15.1 The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:
- a. allowing the Board to obtain a legal opinion or other professional guidance; or
 - b. to allow a viewing by the Board of the site in respect of which the appeal is being made.
- 15.2 Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by e-mail) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

16. Notice of Decisions & Record of Hearing

- 16.1 After the hearing of a complaint, the ~~Clerk~~ **Designated Officer** shall:
- a. under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
 - b. arrange for the order or decision of the Board to be signed and distributed in accordance with the requirements under the MGA.
- 16.2 The ~~Clerk~~ **Designated Officer** will maintain a record of the hearing.

17. Delegation of Authority

- 17.1 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- a. its authority under the MGA to prescribe an appeal fee schedule and the remuneration and expenses payable to each member of the Regional Assessment Review Board and to the ~~Clerk~~ **Designated Officer** who will follow the Oldman River Regional Services Commission policy.

18. Reimbursement of Costs

- 18.1 The Oldman River Regional Services Commission shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Member Municipalities will be as set out in the agreements established.

Read a First Time this ____ day of _____, 2021.

Read a Second Time this ____ day of _____, 2021.

Read a Third and Final Time this ____ day of _____, 2021.

Mayor / Reeve

Municipal Clerk

Schedule “C” Responsibilities

AC = Assistant Clerk from Member Municipality

A = Assessor from Member Municipality

C = Clerk for Regional Board (ORRSC or as designated by **Chief Administrative Officer**)

	Receipt of Appeal
AC	<ul style="list-style-type: none"> • Collect fee
AC	<ul style="list-style-type: none"> • Review appeal for validity/compliance with legislation
AC	<ul style="list-style-type: none"> • Open file and send to Assessor & Clerk

	Initial Stages
A/AC	<ul style="list-style-type: none"> • Preliminary discussions and disclosure of information occurs between Complainant and Assessor
A/AC	<ul style="list-style-type: none"> • Assessor advises Assistant Clerk if matter is resolved or proceeding to appeal
AC	<ul style="list-style-type: none"> • If resolved, Assistant Clerk advises Clerk and administers withdraw in accordance with local practice (refund fee MGA Sec, 481(2))
AC	<ul style="list-style-type: none"> • If proceeding, Assistant Clerk advises Clerk and forwards copy of all appeal documents
AC	<ul style="list-style-type: none"> • Assistant Clerk advises Regional Clerk of hearing location preference

	Confirmation of Receipt of Appeal
C	<ul style="list-style-type: none"> • Review appeal for appeal type/validity/compliance with legislation
C	<ul style="list-style-type: none"> • Determine if issue exists for merit hearing

	Assignment of Resources
C	<ul style="list-style-type: none"> • Open file/identify all parties involved
C	<ul style="list-style-type: none"> • Assign administrative support and Board members
C	<ul style="list-style-type: none"> • Establish hearing date, schedule facility, Board members

	Send Notice of Hearing to Complainant
C	<ul style="list-style-type: none"> • Copies to Assistant Clerk, Assessor and Minister (if CARB)
C	<ul style="list-style-type: none"> • Copies if necessary to property owner, agent, lessee, etc...

	Disclosure
AC/A	• Complainant provides first disclosure to Assistant Clerk and Assessor
AC	• Assistant Clerk date stamps submission and forwards a copy to Clerk
A	• Assessor submits response to Assistant Clerk and Complainant
AC	• Assistant Clerk date stamps Assessor's submission and forwards a copy to Clerk
AC	• Complainant provides rebuttal to Assistant Clerk and Assessor
AC	• Assistant Clerk date stamps submission and forwards a copy to Clerk

	Agenda
C	• Clerk verifies all disclosures
C	• Clerk verifies attendance of all parties
C	• Clerk produces agenda packages and provides copies at the hearing for members and public
C	• Clerk liaises with Board and provides all material necessary – including legislation
C	• Clerk prepares templates for minutes and decisions of Board

	Appeal Hearing
C	• Clerk attends hearing and produces minutes that identify all issues presented to Board
C	• Clerk attends deliberations and produces a decision from the Board that identifies all issues, arguments, reasons for the decision (including both conforming and dissenting reasons)

	Send Notice to Complainant
C	• Copies to Assistant Clerk, Assessor and Minister (if CARB)
C	• Copies if necessary to property owner, agent, lessee, etc...

	Reporting
C	• Clerk provides Assistant Clerk with a reporting package of the appeal which includes:
C	– Invoice for services in accordance with agreement
C	– Copy of hearing minutes
C	– Statistics (where necessary)
C	– Feedback form to establish best practices and service standards for quality control
C	– Clerk compiles and retains a record of the hearing in accordance with legislation and regulations

Schedule “D” Fees

Regional Assessment Board Fee

Annual Fee = \$500, payable to Oldman River Regional Services Commission.

Remuneration

Board Members and Clerk shall receive honorariums for adjudicating at formally scheduled Hearings or taking appropriate training. Honorariums shall be awarded on the following basis:

MERIT Half day – Four (4) hour block \$100.00

MERIT Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

LARB Half day – Four (4) hour block \$100.00

LARB Full day – Four plus (4+) hour block, excluding lunch hour \$200.00

CARB Half day – Four (4) hour block \$200.00

CARB Full day – Four plus (4+) hour block, excluding lunch hour \$400.00

Board Members and the ~~Clerk Designated Officer~~ shall receive compensation for travel based on the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation for performing adjudication duties or taking appropriate training.

Board Members and the ~~Clerk Designated Officer~~ shall receive reimbursement for meals incurred while performing adjudication duties or taking appropriate training. A reasonable meal allowance will be offered and will most often be authorized and organized by the ~~Clerk Designated Officer~~.

Guidance to limitations can be derived from the most current published Alberta Government Public Service Subsistence, Travel and Moving Expenses regulation.

Board Members and the ~~Clerk Designated Officer~~ shall receive reimbursement for any lodging accommodations required while performing adjudication duties or taking appropriate training.

Provincial Members shall receive reimbursement for all expenses incurred and at the rates prescribed by the Province.

Category of Complaint Fee

Filing fees are determined and collected by Member Municipalities through either a Fees Bylaw or Fee Policy.

In response to recent provincial legislation, the affected Municipality will refund assessment complaint fees when the board or (on appeal) the Court of Queen's Bench decides in favour of the complainant. The fee will also be refunded if a complaint is withdrawn because agreement was reached with an assessor to correct the matter under complaint.

Requesting an appeal fee is at the discretion of municipality. Schedule 2 of *Matters Relating to Assessment Complaint Regulation, 2018*, Complaint Fee indicates: ~~The following fees are suggested, but are NOT mandatory:~~

	Complaint Fee
Residential 3 or fewer dwellings and farmland	Up to \$ 50
Residential 4 or more dwellings	Up to \$650
Non-residential	Up to \$650
Business tax	Up to \$ 50
Tax notices (other than business tax)	Up to \$ 30
Linear property — power generation	Flat fee \$650 per facility
Linear property — other	Flat fee \$ 50 per DIPAUID *
Designated industrial property — major plant or facility	Flat fee \$650 per major plant or facility
Designated industrial property – other	Flat fee \$50 per DIPAUID *
Equalized assessment	Flat fee \$650

* Designated Industrial Property Assessment Unit Identification

AGENDA ITEM REPORT



Title: Tax Penalty Waiver Request
Meeting: Council Meeting - 06 Dec 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 01 Dec 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

A tax penalty waiver request has been received in the amount of \$459.46.

RECOMMENDATION:

That County Council not waive tax penalties in the amount of \$459.46 as requested for tax roll#32120100.

PREVIOUS COUNCIL DIRECTION / POLICY:

Historically County Council has not waived tax penalties, however, the Municipal Government Act states the following with regards to cancellation, reduction, refund or deferral of taxes;

Section 347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;
- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

BACKGROUND INFORMATION:

A memo from the Tax and Utility Clerk and email waiver request from Jamie Weisgerber of Double R Value Insulation LTD. has been received requesting a waiver of tax penalty in the amount of \$459.46 as attached. As indicated in the email, Mr. Weisgerber has stated that he did not receive a copy of their 2021 Tax Notice or subsequent late statements due to an address change made on their end this past year, to which the County was not notified of.

Although the Economic Officer did reach out to various businesses within the County this past year, including Double R Value, for the Business Directory and an updated address was provided, the information was not shared between departments, this has since been rectified.

The County issues notices of mailing of the annual Property Assessment and Tax Notices which are advertised in the Sunny South News, on social media, in the County Connection and utility bill inserts indicating the mailing and tax due dates.

The County also follows the legislation within the Municipal Government Act Section 337 which states: *"A tax notice is deemed to have been received 7 days after it is sent". Since the County did not receive a return to sender for this particular tax notice, it was assumed to be received*".

ALTERNATIVES / PROS / CONS:

1) Waive tax penalty in the amount of \$459.46 as per the request

Pro - Would satisfy the penalty waiver request

Con - There is a tax penalty bylaw in place, and waiving the penalty could set a precedent for similar future requests

FINANCIAL IMPACT:

Loss of tax penalty in the amount of \$459.46.

REASON(S) FOR RECOMMENDATION(S):

Administration has made the recommendation to not waive the tax penalty as they were levied per the Tax Penalty Bylaw #1273 and additionally a waiver of penalty could set some precedent for future requests of a similar nature.

ATTACHMENTS:

[Penalty Waiver Request Roll #32120100](#)

Memo

To: Jennifer Place, Manager of Finance & Administration

From: Kennedy Walter, Tax Roll/Utilities Clerk

Date: November 18, 2021

Re: Roll # 32120100

Jenn,

We have received a penalty waiver request for both 5% penalties occurred on July 31st and September 30th, 2021. The penalties were \$229.73 each, totaling \$459.46.

Mr. Weisgerber, from Double R Value Insulation LTD. contacted us on November 16th stating he didn't recall paying his taxes for 2021. We looked, and we had an old mailing address for him, he stated he did not receive his 2021 Property Assessment & Tax Notice, nor the two statements following the tax notices. He also, asked why we did not try to contact him or phone him about the outstanding, I informed him that the mail we were sending had not come back as "moved or returned" so we assumed he was receiving the information as stated in the MGA, as well we did not have a number on file or email for him at the time. I also reminded him that we publish the mail out in the Sunny South Newspaper.

As per my conversation, with Martin from our Economic Development department, I contacted him for the updated mailing address and asked if in the future I can be included on any change of addresses.

We have now updated the mailing address, and the citizen has paid their 2021 Tax Levy but would like to request a penalty waiver.

Please find the attached email from Mr. Weisgerber for your reference.

Thanks,

Kennedy

Kennedy Walter

From: Mathew Patenaude
Sent: November 18, 2021 7:41 AM
To: Kennedy Walter
Subject: FW: 2021 property tax Double R Value

FYI

From: Jamie Weisgerber <jamie@choosefoam.com>
Sent: November 17, 2021 12:04 PM
To: mailbox <mailbox@lethcounty.ca>
Subject: 2021 property tax Double R Value

Roll# 32120100

We have late penalties on our due for our bill only because we have not received the actual bill. Once the bill hit the late period I would have thought that someone would try and reach out using a different method then the first attempt. We have had a mailing address change this year and someone did reach out to me for an update on this issue. Apparently it was from a different department which I had no idea about. When we have an overdue bill sent to the wrong address we can't expect our customer to pay interest if we dont follow up with someone personally to figure out what went wrong.

I took it upon myself to call the other day to see when property taxes are issued to find out they are overdue. After explaining everything they said they would email me a forum to fill out for address change which I still have not received. I've been dealing with Kennedy and she said to contact this email to submit a request to waive penalties. I would also like the forum to change the mailing address.

Please note I have paid the original amount today online

AGENDA ITEM REPORT



Title: Bylaw 21-020 Schedule of Fees
Meeting: Council Meeting - 06 Dec 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 03 Dec 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Each year the Schedule of Fees Bylaw is reviewed and rates are adjusted as required. All recommended changes are highlighted in detail on the attached proposed Bylaw #21-020, which will amend Bylaw #20-022.

RECOMMENDATION:

MOVED that Bylaw 21-020 - Schedule of Fees, to be effective as of January 1, 2022 be read a first time.

MOVED that Bylaw 21-020 - Schedule of Fees, to be effective as of January 1, 2022 be read a second time.

MOVED that Council consider reading Bylaw 21-020 - Schedule of Fees a third time.

MOVED that Bylaw 21-020 - Schedule of Fees, to be effective as of January 1, 2022 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Bylaw 20-022 - Schedule of Fees was last passed on December 3, 2020.

BACKGROUND INFORMATION:

Upon a review of the current Schedule of Fees, Mangers and Supervisors determined that some updates to the fees bylaw in an effort to ensure the rates are in line with inflation or other municipalities. The fire fees portion of the bylaw has been significantly revised for Council's review. The changes to the fire fees align with the new fire services agreements with our urban partners.

ALTERNATIVES / PROS / CONS:

To not accept the amend changes

PRO - Fees remain as is for the upcoming year

CON - Fees won't be in line with inflation or align with neighboring municipalities

FINANCIAL IMPACT:

Revenue increase estimates have been included within the proposed 2022 operating budget based upon the proposed fee changes.

REASON(S) FOR RECOMMENDATION(S):

The Schedule of Fee changes proposed will bring the County in line with inflation and align neighboring municipality fees as well as will offset fire related agreement cost increases.

ATTACHMENTS:

[Current Bylaw 20-022 Schedule of Fees Bylaw](#)

[Proposed Schedule of Fees Bylaw - 21-020](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW 20-022

**BEING A BYLAW INTRODUCED FOR THE PURPOSE
OF ESTABLISHING A SCHEDULE OF FEES**

WHEREAS Lethbridge County deems it expedient to set and review, as necessary, from time to time various fees of the County, and

WHEREAS in accordance with the Municipal Government Act, Chapter M-26 RSA 2000 and amendments thereto, the County for a municipality may set fees for goods and services provided;

NOW THEREFORE the Council of Lethbridge County, in the Province of Alberta, duly assembled enacts and adopts the Schedule of Fees, attached to and forming Schedule "A" of this Bylaw and;

THAT this Bylaw shall come into force and effect January 1, 2021 and;

THIS Bylaw shall hereby rescind previous By-Law 19-030.

GIVEN first reading this 3rd day of December, 2020.



Reeve



Chief Administrative Officer

GIVEN second reading this 3rd day of December, 2020.



Reeve



Chief Administrative Officer

GIVEN third reading this 3rd day of December, 2020.



Reeve



Chief Administrative Officer

SCHEDULE “A”

Notation: GST charges where applicable.

A. PLANNING AND DEVELOPMENT

1. Schedule of Fees for Specified Services

Land Use Bylaw Amendments:

- a) Conventional LUB Amendments \$1,500.00
- b) Direct Control LUB Amendments \$2,000.00

New Area Structure Plan or Area Re-development Plan \$2,500.00

Amendment to Area Structure Plan or Area Re-development Plan \$1,500.00

Municipal Development Plan or Intermunicipal Development Plan Amendments \$2,500.00

2. Agricultural Buildings

- a) Requiring a permit – permitted use \$200.00
- b) Requiring a permit – discretionary use \$300.00

3. Development for Residential Use

- a. Home Occupations \$150.00
- b. Single Detached Dwelling \$200.00
- c. Duplex/Semi-detached Dwelling \$300.00
- d. Multi-unit apartments & townhouses \$300.00
- e. Addition to dwellings \$200.00
- f. Accessory buildings/structures in residential districts \$150.00
- g. Decks \$100.00
- h. Discretionary Uses** \$300.00

plus 50.00 per unit

4. Development for Commercial & Industrial Uses

- a. Change of use or additional use:
 - Permitted \$200.00
 - Discretionary \$300.00
- b. New buildings with an area:**
 - i) less than 500 square metres \$300.00
 - ii) 500 to 2,000 square metres \$500.00
 - iii) 2,001 to 5,000 square metres \$750.00
 - iv) over 5,000 square metres \$1,500.00

**Applications requiring notification (i.e. discretionary), add additional: \$100.00

5. Public Institutional Uses

Fees will be determined in accordance with the appropriate use.

6. Signs as required:

- a) Permit – permitted use \$150.00
- b) Permit – discretionary use \$300.00

7. Resource Extraction Permits

- a) Less than 12 acres \$500.00
- b) 12 acres or more \$1,000.00

8. Wind Energy Conversion Systems – Commercial \$100.00 per tower

9. Solar Collectors – Commercial
- a) Less than 12 acres

\$500.00
- b) 12 acres or more

\$1,000.00
10. Demolition – where permit required
- \$50.00
11. Unauthorized Development
- When an application is made after development has commenced or occurred, the above fees shall be doubled.
12. Waivers
- Applications requesting waivers to a standard of the Land Use By-Law shall include additional fee of:
- \$200.00
13. Application Fee for Closure, Sale or Lease of Road Allowance through By-Law process
- \$1,200.00
14. Application Fee for Closure, Sale or Lease of Road Allowance through Council Resolution process
- \$750.00
15. Sale of Road Allowance (Price to be determined at time of request)
- Request to Council to sell previously closed road allowance if new By-Law is not required
- \$500.00
- Processing fee (preparation of transfer documents)
- \$1,500.00
16. Application for Road Allowance License of Occupation
- \$150.00
17. Road Allowance License of Occupation (5 year period)
- Pasture - \$10.00 /acre/year
- Cultivated - \$20.00/acre/year
18. Transfer of Road Allowance License of Occupation
- (From one lessee to another)
- \$150.00
19. Leasing of Farm Land – Application Fee
- \$100.00
- Minimal annual lease per acre - \$15.00 or value submitted or accepted through the tender process.
20. Development Agreement Application Deposit (as required)
- \$1,000.00
- a) Deposit will go towards the Development Agreement Fees including:
- i) Development Agreement Fees

ii) Inspection Fees

iii) Plans Examination Fees
21. Development Agreement Fee**
- a) \$50.00 per \$10,000 of the estimated cost of the local improvements to a maximum of \$1,000.00.
- **Fee is required up front at the time of signing the Development Agreement.
22. Development Agreement Site Inspection Fees (as required):
- a) \$700.00 for two inspections**
- b) Each additional inspection will be \$350.00 (invoiced to the developer)
- **Fee is required up front at the time of signing the Development Agreement.

23. Development Agreement Plans Examination** (as required)
Fees are based on the engineers estimated cost of the local improvements.
a) First \$500,000 - \$1.00 / \$1,000
b) Over \$500,000 - \$0.50 / \$1,000
c) Maximum fee of \$1,000
- **If an external review by an engineer is required by the County, the developer will pay the actual costs + 10%.
24. Other Planning & Development Department Services
a) Compliance Letters \$100.00
b) Compliance Letter - same day service (if available) \$150.00
c) Zoning Confirmation Letter \$50.00
d) Caveat Discharge (per release) \$60.00
25. Subdivision & Development Appeal Fee \$500.00
26. Copy of Land Use By-Law \$100.00
27. Engineering Standards & Guidelines Manual (plus GST) \$100.00
28. Copy of Joint Intermunicipal Plan(s) \$50.00
29. Copy of Municipal Development Plan \$50.00
30. 43rd Street Future Intersection Improvements
- Intersection Upgrade Est. (2019) \$930.600 divided over 163.45 acres
- Annual Inflation Percentage added at 2.00%

Year	Per Acre Value	Annual Inflation
2019	\$5,693.48	0
2020	\$5,807.35	113.87
2021	\$5,923.50	116.15
2022	\$6,041.97	118.47
2023	\$6,162.81	120.84
2024	\$6,286.06	123.26
2025	\$6,411.78	125.72
2026	\$6,540.02	128.24
2027	\$6,670.82	130.80
2028	\$6,804.24	133.42
2029	\$6,940.32	136.08
2030	\$7,079.13	138.81
2031	\$7,220.71	141.58
2032	\$7,365.12	144.41
2033	\$7,512.43	147.30
2034	\$7,662.67	150.25
2035	\$7,815.93	153.25
2036	\$7,972.25	156.32
2037	\$8,131.69	159.44
2038	\$8,294.33	162.63

B. ADMINISTRATION – FINANCE

1. County map/booklets are subject to Canada Post rates
2. Tax Roll Certificate (per parcel) \$45.00
3. Assessment Review Board Complaints
 - Residential & Farmland \$50.00
 - Non-Residential \$350.00
 - Business Tax \$50.00
4. Tax & Assessment Information
 - a. \$75.00/hour of Staff time
 - b. Computer generated forms (i.e. hard copies) – \$1.00 per page plus programming fees if required
 - c. Tax Notification Fee \$50.00
5. Photocopies
 - a. Photocopies of minutes (per page) \$1.00
 - b. Non-County use (per copy) \$1.00
 - c. Government agencies (per copy) \$0.25
 - d. Reduction/Enlargement (per copy) \$0.25
 - e. Printed copy of Annual Report (color) \$50.00
 - f. Printed copy of Annual Report (black & white) \$25.00
6. NSF Cheque Charge \$35.00
7. Boardroom/Council Chambers Rentals
 - One half day \$120.00
 - One full day \$200.00

(Charges include coffee, pop, juice & water)
8. General Accounts Receivable

All accounts are due 30 days from invoice date. Any invoices due after 30 days will be charged 2% interest per month. Past due reminders will be sent out after 30 days. Accounts outstanding for more than 90 days will be subject to the legal processes available through legislation. The account holder will be responsible for all fees associated with the collection of the account.
9. Schedule of Fees – Search Request and Other Services Not Otherwise Covered
 - a. All requests for information other than as specified above shall be accompanied by a search request letter as well as a non-refundable search processing fee of \$50.00 per hour. Minimum \$50.00 charge per request.
 - b. In the event the information requested requires an archival search, there will be an additional non-refundable processing fee of \$50.00.
 - c. Formal FOIP request \$25.00 plus applicable charges as per FOIP Act/Regulations.

C. EMERGENCY SERVICES

1. Fees for an Emergency Service Department(s) Responding to any Emergency Call Other than a Motor Vehicle Collision or any Incident on a Provincial Highway Right-of-Way
 - a) Fees for an emergency service department(s) responding to any Emergency Call will be \$325.00 per ½ hour.

- b) Billing time will commence with the initial call for a response and cease when the emergency service department(s) has returned to service.
 - c) Cause and/or origin of the incident will determine either the individual or the registered property which will be invoiced fees for the emergency response.
- 2. Fees for an Emergency Service Department(s) Responding to any Motor Vehicle Collision or any Incident on a Provincial Highway Right-of-Way
 - a) Fees will match those outlined in the current Alberta Transportation Policy for Emergency Call – Emergency Response on Highways.
 - b) Costs for additional equipment and/or personnel, may be included in addition to the cost of the Emergency Service Department(s) response.
 - c) Billing time will commence with the initial call for a response and cease when the emergency service department(s) has returned to service.
 - d) Fees will be divided equally and invoiced accordingly to each registered property owner(s) involved in the incident.
- 3. Fees for an Emergency Service Department(s) Responding to a False Alarm
 - a) First response related to a malfunctioning or maliciously activated fire safety installation or other safety device where no emergency exists during a calendar year – no charge.
 - b) Second response related to a malfunctioning or maliciously activated fire safety installation or other safety device where no emergency exists during a calendar year - \$325.00.
 - c) Third response related to a malfunctioning or maliciously activated fire safety installation or other safety device where no emergency exists during a calendar year - \$650.00.
- 4. Fees for Requested Fire Inspection and Investigation Services
 - a) Provision of fire inspection and investigation services by a Lethbridge County accredited Fire Safety Codes Officer will be \$66.00 per ½ hour.
 - b) Time incurred for travel and administration will be charged at the same rate.
- 5. Fees for Emergency Responses to a Call for Municipal Mutual Aid
 - a) Fees for emergency responses to calls for municipal mutual aid will be invoiced as per the current “*Agreement on Area Resource Sharing*”.
 - b) Fees will reflect the dollar amounts listed herein.
- 6. Extra Ordinary Events

The County retains the right to review all emergency events and where extra ordinary circumstances exist may adjust invoicing procedures other than the dollar amounts listed herein.

D. PUBLIC WORKS

1. Sign Requests – At cost plus installation costs.
2. Permits - Valid up one (1) year of issuance. A non-refundable Administration Fee of \$100.00 will be withheld for each cancelled approach, crossing, and right-of-access/waiver requests.
3. Approaches – New approach approvals
 - Permitting and inspections – includes widening of existing \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
4. Water or Sewer Line Crossings on Road Allowance
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
5. Pipeline Crossings of Road Allowance
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
6. Buried Electrical and Utility Line Installation & Rural Crossing Regulations
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
7. Seismic Operations Permit
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
8. Right of Access/Waiver Requests (no GST)
 - a. Existing Approaches \$75
 - b. Road Allowances \$75
 - c. Proximity Requests \$75
 - d. Utilicorp Facilities & Poles \$75
9. Equipment Rentals, Materials & Outside Invoicing – Custom Work
 - a) Intermunicipal Government Agencies, Water Co-ops and Lethbridge Regional Waste Management Services Commission – Equipment, materials and wages at cost plus 10%.
 - b) For all other custom work completed, materials and wages at cost plus 10% and equipment will be charged according to the Alberta Roadbuilders & Heavy Construction Association current rates.
10. Overweight & Overdimension Vehicle Permit Fees

Alberta Transportation's Transportation Vehicle Routing and Information System - Multi-Jurisdiction (TRAVIS-MJ) – Fixed Municipal Fee - \$20.00/per permit.
11. Road Haul Use Agreement (Non-refundable fee)
 - Pre and Post Inspection and Administration \$400.00
12. Dust Control (Non-refundable fee)
 - Dust Control product per lineal meter \$5/meter

(minimum length of 100 meters up to a maximum of 200 meters)

Overage of 200 meters \$10/meter

E. AGRICULTURAL SERVICE BOARD

- 1. All equipment at Alberta Roadbuilders & Heavy Construction Association current rates.
- 2. Grass seed at cost plus 10%
- 3. Chemicals at cost plus 10%
- 4. Fertilizers at cost plus 10%
- 5. Backpack sprayers at cost plus 10%
- 6. Skunk traps at cost plus 10%
- 7. Brillion drills - \$150.00 minimum or \$5.00 per acre
- 8. Straw Shredder & Straw Incorporator - \$100.00 per day and \$200.00 damage deposit.

F. GEOPHYSICAL REQUESTS

- 1. Pre & Post Inspection Fee (per inspection) \$200.00

G. GIS SCHEDULED FEES

Item	Client Price
Custom Work/Map Making (per hour, minimum 1 hour.)	\$65.00
8.5" x 11" & 11" x 17" - Hard copy maps	\$5.00
Wall Maps	\$25.00
Map Booklets	\$30.00

H. MISCELLANEOUS

The County reserves the right to implement charges required to cover the costs of services or materials supplied that are not specifically noted herein.

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BY-LAW 21-020

**BEING A BY-LAW INTRODUCED FOR THE PURPOSE
OF ESTABLISHING A SCHEDULE OF FEES**

WHEREAS Lethbridge County deems it expedient to set and review, as necessary, from time to time various fees of the County, and

WHEREAS in accordance with the Municipal Government Act, Chapter M-26 RSA 2000 and amendments thereto, the County for a municipality may set fees for goods and services provided;

NOW THEREFORE the Council of Lethbridge County, in the Province of Alberta, duly assembled enacts and adopts the Schedule of Fees, attached to and forming Schedule "A" of this By-Law and;

THAT this By-Law shall come into force and effect January 1, 2022 and;

THIS By-Law shall hereby rescind previous By-Law 20-022.

GIVEN first reading this ____ day of December, 2021.

Reeve

Chief Administrative Officer

GIVEN second reading this ____ day of December, 2021.

Reeve

Chief Administrative Officer

GIVEN third reading this ____ day of December, 2021.

Reeve

Chief Administrative Officer

SCHEDULE “A”

Notation: GST charges where applicable.

A. PLANNING AND DEVELOPMENT

1. Schedule of Fees for Specified Services

<u>Land Use Bylaw Amendments:</u>	
a) Conventional LUB Amendments	\$1,500.00
b) Direct Control LUB Amendments	\$2,000.00
New Area Structure Plan or Area Re-development Plan	\$2,500.00
Amendment to Area Structure Plan or Area Re-development Plan	\$1,500.00
Municipal Development Plan or Intermunicipal Development Plan Amendments	\$2,500.00
2. Agricultural Buildings

a) Requiring a permit – permitted use	\$200.00
b) Requiring a permit – discretionary use	\$300.00
3. Development for Residential Use

a. Home Occupations	\$150.00
b. Single Detached Dwelling	\$200.00
c. Duplex/Semi-detached Dwelling	\$300.00
d. Multi-unit apartments & townhouses	\$300.00
	plus 50.00 per unit
e. Addition to dwellings	\$200.00
f. Accessory buildings/structures in residential districts	\$150.00
g. Decks	\$100.00
h. Discretionary Uses**	\$300.00
4. Development for Commercial & Industrial Uses

a. Change of use or additional use:	
- Permitted	\$200.00
- Discretionary	\$300.00
b. New buildings with an area:**	
i) less than 500 square metres	\$300.00
ii) 500 to 2,000 square metres	\$500.00
iii) 2,001 to 5,000 square metres	\$750.00
iv) over 5,000 square metres	\$1,500.00

**Applications requiring notification (i.e. discretionary), add additional: \$100.00
5. Public Institutional Uses

Fees will be determined in accordance with the appropriate use.
6. Signs as required:

a) Permit – permitted use	\$150.00
b) Permit – discretionary use	\$300.00
7. Resource Extraction Permits

a) Less than 12 acres	\$500.00
b) 12 acres or more	\$1,000.00
8. Wind Energy Conversion Systems – Commercial

	\$100.00 per tower
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9. Solar Collectors – Commercial

a) Less than 12 acres	\$500.00
b) 12 acres or more	\$1,000.00
10. Demolition – where permit required

	\$50.00
--	---------

11. Unauthorized Development

When an application is made after development has commenced or occurred, the above fees shall be doubled.
12. Waivers

Applications requesting waivers to a standard of the Land Use By-Law shall include additional fee of: \$200.00
13. Application Fee for Closure, Sale or Lease of Road Allowance through By-Law process \$ \$1,500.00
14. Application Fee for Closure, Sale or Lease of Road Allowance through Council Resolution process \$ \$1,000.00
15. Sale of Road Allowance (Price to be determined at time of request)
 - Request to Council to sell previously closed road allowance if new By-Law is not required \$500.00
 - Processing fee (preparation of transfer documents) \$1,500.00
16. Application for Road Allowance License of Occupation \$150.00
17. Road Allowance License of Occupation (5 year period)
 - Pasture - \$15.00 /acre/year
 - Cultivated - \$30.00/acre/year
18. Transfer of Road Allowance License of Occupation (From one lessee to another) \$150.00
19. Leasing of Farm Land – Application Fee \$100.00
 - Minimal annual lease per acre - \$15.00 or value submitted or accepted through the tender process.
20. Development Agreement Application Deposit (as required) \$1,000.00
 - a) Deposit will go towards the Development Agreement Fees including:
 - i) Development Agreement Fees
 - ii) Inspection Fees
 - iii) Plans Examination Fees
21. Development Agreement Fee**
 - a) \$50.00 per \$10,000 of the estimated cost of the local improvements to a maximum of \$1,000.00.

**Fee is required up front at the time of signing the Development Agreement.
22. Development Agreement Site Inspection Fees (as required):
 - a) \$700.00 for two inspections**
 - b) Each additional inspection will be \$350.00 (invoiced to the developer)

**Fee is required up front at the time of signing the Development Agreement.
23. Development Agreement Plans Examination** (as required)
Fees are based on the engineers estimated cost of the local improvements.
 - a) First \$500,000 - \$1.00 / \$1,000
 - b) Over \$500,000 - \$0.50 / \$1,000
 - c) Maximum fee of \$1,000

**If an external review by an engineer is required by the County, the developer will pay the actual costs + 10%.

24. Development Agreement Security Deposit:
- The developer must provide to the County, 100% of an engineer's stamped and certified estimated cost for the supply and installation local improvements included in the agreement (this does not include installation of shallow utilities) due upon signing of the development agreement.
 - The security deposit must be in the form of a letter of credit or cash.
 - At the discretion of the County, up to 90% of the security deposit can be released upon issuance of the Construction Completion Certificate for a particular local improvement.
 - Remaining security is returned upon issuance of the Final Acceptance Certificate as long as there are no deficiencies.

25. Other Planning & Development Department Services
- | | | |
|----|---|----------|
| a) | Compliance Letters | \$100.00 |
| b) | Compliance Letter - same day service (if available) | \$150.00 |
| c) | Zoning Confirmation Letter | \$50.00 |
| d) | Caveat Discharge (per release) | \$60.00 |
26. Subdivision & Development Appeal Fee \$500.00
27. Copy of Land Use By-Law \$100.00
28. Engineering Standards & Guidelines Manual (plus GST) \$100.00
29. Copy of Joint Intermunicipal Plan(s) \$50.00
30. Copy of Municipal Development Plan \$50.00

31. 43rd Street Future Intersection Improvements
- Intersection Upgrade Est. (2019) \$930.600 divided over 163.45 acres
 - Annual Inflation Percentage added at 2.00%

Year	Per Acre Value	Annual Inflation
2019	\$5,693.48	0
2020	\$5,807.35	113.87
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2025	\$6,411.78	125.72
2026	\$6,540.02	128.24
2027	\$6,670.82	130.80
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2030	\$7,079.13	138.81
2031	\$7,220.71	141.58
2032	\$7,365.12	144.41
2033	\$7,512.43	147.30
2034	\$7,662.67	150.25
2035	\$7,815.93	153.25
2036	\$7,972.25	156.32
2037	\$8,131.69	159.44
2038	\$8,294.33	162.63

B. ADMINISTRATION – FINANCE

- | | | |
|----|--|----------|
| 1. | County map/booklets are subject to Canada Post rates | |
| 2. | Tax Roll Certificate (per parcel) | \$45.00 |
| 3. | <u>Assessment Review Board Complaints</u> | |
| | - Residential & Farmland | \$50.00 |
| | - Non-Residential | \$350.00 |
| | - Business Tax | \$50.00 |
| 4. | <u>Tax & Assessment Information</u> | |
| a. | \$75.00/hour of Staff time | |

- | | | |
|----|---|-----------------|
| b. | Computer generated forms (i.e. hard copies) – plus programming fees if required | \$1.00 per page |
| c. | Tax Notification Fee | \$50.00 |
| d. | Reprinting Property Assessment & Tax Notices | \$5.00 |
5. Photocopies
- | | | |
|----|---|---------|
| a. | Photocopies of minutes (per page) | \$1.00 |
| b. | Non-County use (per copy) | \$1.00 |
| c. | Government agencies (per copy) | \$0.25 |
| d. | Reduction/Enlargement (per copy) | \$0.25 |
| e. | Printed copy of Annual Report (color) | \$50.00 |
| f. | Printed copy of Annual Report (black & white) | \$25.00 |
6. NSF Cheque Charge \$35.00
7. Boardroom/Council Chambers Rentals
- | | |
|----------------|----------|
| - One half day | \$120.00 |
| - One full day | \$200.00 |
- (Charges include coffee, pop, juice & water)
8. General Accounts Receivable
- All accounts are due 30 days from invoice date. Any invoices due after 30 days will be charged 2% interest per month. Past due reminders will be sent out after 30 days. Accounts outstanding for more than 90 days will be subject to the legal processes available through legislation. The account holder will be responsible for all fees associated with the collection of the account.
9. Schedule of Fees – Search Request and Other Services Not Otherwise Covered
- | | |
|----|---|
| a. | All requests for information other than as specified above shall be accompanied by a search request letter as well as a non-refundable search processing fee of \$50.00 per hour. Minimum \$50.00 charge per request. |
| b. | In the event the information requested requires an archival search, there will be an additional non-refundable processing fee of \$50.00. |
| c. | Formal FOIP request \$25.00 plus applicable charges as per FOIP Act/Regulations. |

C. FIRE SERVICES

1. Fees for a Fire Services Department(s) Responding to any Emergency Calls
- | | |
|----|--|
| a. | Fees for calls responded to on numbered highways start at time of initial call for response and cease when the Fire Service department(s) has returned to service. |
| b. | Fees for calls responded to on railways start at time of initial call for response and cease when the Fire Service department(s) has returned to service. |
| c. | Fees for calls responded to on any county property start at time of initial call for response and cease when the Fire Service department(s) has returned to service. |
| d. | Fees for calls to industrial properties start from time of initial call for response and cease when the Fire Service department(s) has returned to service |
| e. | Fees for calls to commercial properties start from time of initial call for response and cease when the Fire Service department(s) has returned to service |

- f. Fees for calls to residential/farm properties start from 60minutes after initial call for response (unless burning during fire ban/restriction) and cease when the Fire Service department(s) has returned to service.
2. Cause and/or origin of the incident will determine whether the individual or the registered property will be invoiced fees for the fire service response. Fees may be divided equally if warranted.

Fees apply for the following responses:

- a. Vehicle fires or accidents
- b. Traffic control on roads
- c. Grass or wildland fires
- d. Structure fires
- e. Cancelled calls
- f. Standby for dangerous good incidents and controlled burns
- g. Any other response by fire services is subject to a fee at the discretion of the county.

3. Fee Schedule per hour:

Engine Unit	\$ as per Alberta Transportation Rates
Quint (elevated master stream)	\$ as per Alberta Transportation Rates
Tender (water hauler)	\$ as per Alberta Transportation Rates
Rescue Vehicle	\$ as per Alberta Transportation Rates
Wildland/ Bush Truck	\$ as per Alberta Transportation Rates
Command/ Utility	\$ as per Alberta Transportation Rates

Special response as per Individual Fire Department Rates

(eg. Rope rescue, HAZMAT, water rescue, Livestock rescue/containment, etc.)

Apparatus Standby (up to 4 firefighters inc.) \$as per Alberta Transportation Rates

Firefighter Standby \$50

Commercial water delivery to incident as per invoice cost

County Recourses (water delivery/heavy equipment/etc. \$115 (Alberta construction rates)

Fire equipment listed above shall be billed at a minimum of one hour per piece of apparatus and in 15 minute increments after the first hour

4. Other Fees:

Burn Permits	\$0
Fire Works Permits	
Low Level - per event	\$0
High Hazard (including pyrotechnics) – per event (requires fire safety inspection)	\$66 per half hour
Fire safety inspections	
Initial inspection	\$0
Follow up inspection	\$0
Re-inspection with fire code violations	\$66 per half hour
<i>Time incurred for travel and administration will be charged at same rate</i>	
Fire investigations per investigator	\$66 per half hour

All fires where property is damaged or destroyed must be investigated as per the Fire Quality Management Plan

Time incurred for travel and administration will be charged at the same rate

5. Fees for Requested Fire Inspection and Investigation Services including but not limited to:

- a. Provision of fire inspection and investigation services by a Lethbridge County accredited Fire Safety Codes Officer will be \$66.00 per ½ hour.
- b. Time incurred for travel and administration will be charged at the same rate.

6. Fees for Fire Service Department(s) Responding to a False Alarm: (per calendar year)
 - a. First response related to a malfunctioning, accidentally triggered or maliciously activated fire safety installation or other safety device where no emergency exists– no charge.
 - b. Second response related to a malfunctioning, accidentally triggered or maliciously activated fire safety installation or other safety device where no emergency exists - \$360
 - c. Third and subsequent responses related to a malfunctioning, accidentally triggered or maliciously activated fire safety installation or other safety device where no emergency exists - Alberta transportation rates per responding unit. Billing starts from the time first unit is enroute.

7. Fees for smoke investigations or fire report responses:
 - a. Fees for smoke or fire response where a fire is permitted and meets burn permit conditions – No charge
 - b. Fees for smoke or fire response where a fire is permitted but does not meet burn permit conditions - Alberta transportation rates per responding unit, per hour. Fire may be extinguished and fines may also be applicable.
 - c. Fees for smoke or fire response for non-permitted fire - Alberta transportation rates per responding unit, per hour. Fire will be extinguished, and fines will be applicable.

8. Fees for Fire Responses to a Call for Municipal Mutual Aid:
 - a. Fees for fire responses to calls for municipal mutual aid will be invoiced as per the current “Agreement on Area Resource Sharing”.

9. Extra ordinary Events:

The County retains the right to review all emergency/fire events and where extraordinary circumstances exist, may adjust invoicing amounts other than the dollar amounts listed herein.

This may include: outside resources brought in on request of Fire Services to mitigate fire spread, large department response, purposefully burning during fire ban/restriction, etc.

Extraordinary event determination at discretion of the County.

D. PUBLIC WORKS

1. Sign Requests – At cost plus installation costs.

2. Permits - Valid up one (1) year of issuance. A non-refundable Administration Fee of \$100.00 will be withheld for each cancelled approach, crossing, and right-of-access/waiver requests.

3. Approaches – New approach approvals

- Permitting and inspections – includes widening of existing	\$400
- A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.	

4. Water or Sewer Line Crossings on Road Allowance

- Permitting and inspections	\$400
- A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.	

5. Pipeline Crossings of Road Allowance
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
6. Buried Electrical and Utility Line Installation & Rural Crossing Regulations
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
7. Seismic Operations Permit
 - Permitting and inspections \$400
 - A refundable charge of \$100.00 will be reimbursed to the applicant once inspection is conducted and approved.
8. Right of Access/Waiver Requests (no GST)
 - a. Existing Approaches \$75
 - b. Road Allowances \$75
 - c. Proximity Requests \$75
 - d. Utilicorp Facilities & Poles \$75
9. Equipment Rentals, Materials & Outside Invoicing – Custom Work
 - a) Intermunicipal Government Agencies, Water Co-ops and Lethbridge Regional Waste Management Services Commission – Equipment, materials and wages at cost plus 10%.
 - b) For all other custom work completed, materials and wages at cost plus 10% and equipment will be charged according to the Alberta Roadbuilders & Heavy Construction Association current rates.
10. Overweight & Overdimension Vehicle Permit Fees

Alberta Transportation's Transportation Vehicle Routing and Information System - Multi-Jurisdiction (TRAVIS-MJ) – Fixed Municipal Fee - \$20.00/per permit.
11. Road Haul Use Agreement (Non-refundable fee)
 - Pre and Post Inspection and Administration \$400.00
12. Dust Control (Non-refundable fee)
 - Dust Control product per lineal meter \$5/meter
(minimum length of 100 meters up to a maximum of 200 meters)
 - Overage of 200 meters \$10/meter

E. AGRICULTURAL SERVICE BOARD

1. All equipment at Alberta Roadbuilders & Heavy Construction Association current rates.
2. Grass seed at cost plus 10%
3. Chemicals at cost plus 10%
4. Fertilizers at cost plus 10%
5. Backpack sprayers at cost plus 10%
6. Skunk traps at cost plus 10%
7. Brillion drills - \$150.00 minimum or \$5.00 per acre
8. Straw Shredder & Straw Incorporator - \$100.00 per day and \$200.00 damage deposit.

F. GEOPHYSICAL REQUESTS

1.
- Pre & Post Inspection Fee (per inspection)
- \$200.00

G. GIS SCHEDULED FEES

Item	Client Price
Custom Work/Map Making (per hour, minimum 1 hour.)	\$65.00
8.5" x 11" & 11" x 17" - Hard copy maps	\$5.00
Wall Maps	\$25.00
Map Booklets	\$30.00

H. MISCELLANEOUS

The County reserves the right to implement charges required to cover the costs of services or materials supplied that are not specifically noted herein.

AGENDA ITEM REPORT



Title: 2022 Strategic Planning Retreat
Meeting: Council Meeting - 06 Dec 2021
Department: Administration
Report Author: Ann Mitchell

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Nov 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Strategic Planning is an important process for County Council as it delivers a long-term vision for the County and provides goals to achieve that vision. Administration is looking for confirmation from Council as to the dates and location for the 2022 Strategic Planning Retreat to be held.

RECOMMENDATION:

MOVED that the 2022 Strategic Planning Retreat be held on January 30-February 1 at the Canmore Grand Rockies Resort.

PREVIOUS COUNCIL DIRECTION / POLICY:

County Council has participated with Administration in the Strategic Planning process for many years.

BACKGROUND INFORMATION:

The Strategic Plan provides focus, alignment with longer term plans, ensures Council and Administration are on the same page, sets the direction for departmental business plans and budgets and is a key component of the accountability relationship between the CAO and Council.

Previous Strategic Planning Retreats have been held in Waterton, Canmore and Lethbridge.

For the 2022 retreat Administration explored two local options, Fernie and Canmore.

Possible Dates for the 2022 Strategic Planning Retreat are:

January 30 - February 1

February 6 - February 8

Pricing for all locations is attached.

ALTERNATIVES / PROS / CONS:**Alternatives:**

Council could choose a different location or different dates for the strategic planning retreat.

Pros:

Allows for focused and productive discussions with less interruptions. Improves communications and creates positive team interactions.

Cons:

Costs can be higher going away. Travel could be impacted by weather due to the time of year.

FINANCIAL IMPACT:

Budget amount for the Strategic Planning Retreat is \$25,000 which includes the facilitator and expenses. Facilitator costs are estimated at \$10,000.

REASON(S) FOR RECOMMENDATION(S):

Strategic planning retreats are an effective team-building tool to develop and implement a useful set of aligned priorities and goals. The Canmore Grand Rockies Resort has all amenities required to facilitate the strategic planning retreat.

ATTACHMENTS:

[Strategic Planning Retreat Options](#)

[Grande-Rockies-Resort-Map-print-2019](#)

Away

Fernie Stanford Resort

Rooms - \$125/night Total for Rooms: \$3,500 + GST = \$3,675

Meeting Room Rental - \$175/day Total: \$350 + GST = \$367.50

Continental breakfast is included in the room rate.

No catering available for lunch or supper. There is an East Indian restaurant in the hotel lobby which is the only food on location.

Canmore Grand Rockies Resort

Suites - \$184/night Total for Suites: \$5,152 + 12% tax (5% GST, 3% Marketing Fee, 4% Tourism Levy) = \$5,770.24

Standard Rooms - \$124/night Total for Standard Rooms: \$3,472 + 12% tax (5% GST, 3% Marketing Fee, 4% Tourism Levy) = \$3,888.64
Annex Building

Meeting Room Rental - \$425/day Total: \$850 + GST = \$892.50
Annex Building

Catering:

Coffee Break - \$17.25/person Total: \$241.50 + GST & 20% Gratuity = \$304.30/day
Breakfast Buffets - \$17.95-\$24.50/person (20 person minimum) Total: \$359-\$490 + GST & 20% Gratuity = \$452.34-\$617.40/day
Lunch Buffets - \$24.95/person (20 person minimum) Total: \$499 + GST & 20% Gratuity = \$628.74/day
Lunch Plated - \$28.95/person Total: \$405.30 + GST & 20% Gratuity = \$510.68/day

Local

Sandman Singature Lethbridge Lodge

Meeting Room Rental - \$250/day Total: \$500 + GST = \$525

Catering:

Coffee Break - \$7/person Total: \$98 + GST & 15% Gratuity = \$123.48/day
Breakfast - \$15-\$17.50/person Total: \$210-\$245 + GST & 15% Gratuity = \$264.60-\$295.84/day
Breakfast Buffet - \$18.50-\$19.50/person (20 person minimum) Total: \$370-\$390 + GST & 15% Gratuity = \$466.20-\$491.40/day
Lunch Buffets - \$18-\$19/person Total: \$252-\$266 + GST & 15% Gratuity = \$317.52-\$335.16/day
Themed Lunches - \$23/person (20 person minimum) Total: \$460 + GST & 15% Gratuity = \$579.60/day

Coast Lethbridge

Meeting Room Rental - \$300/day

Total: \$600 + GST = \$630

Catering:

Coffee Break - \$10/person

Total: \$140 + GST & 16% Gratuity = \$176.40/day

Breakfast Buffets - \$14-18/person

Total: \$196-\$252 + GST & 16% Gratuity = \$238.73-\$306.94/day

Lunch Buffet - \$24.50/person

Total: \$343 + GST & 16% Gratuity = \$417.77/day



AGENDA ITEM REPORT



Title: FCSS Committee Re-Appointment
Meeting: Council Meeting - 06 Dec 2021
Department: Administration
Report Author: Ann Mitchell

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 01 Dec 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

The FCSS Committee representative will need to be reappointed.

RECOMMENDATION:

MOVED that Councillor Lorne Hickey be appointed as the Lethbridge County representative for the FCSS Committee.

PREVIOUS COUNCIL DIRECTION / POLICY:

At the October 28, 2021 Organizational Meeting Council appointed Councillor Mark Sayers as the representative for FCSS.

BACKGROUND INFORMATION:

Councillor Sayers was appointed to the FCSS Committee but due to a scheduling conflict with the Lethbridge Exhibition Board meetings, Councillor Sayers is no longer able to attend FCSS committee meetings. Councillor Sayers spoke to Councillor Hickey about being the new FCSS representative.

ALTERNATIVES / PROS / CONS:

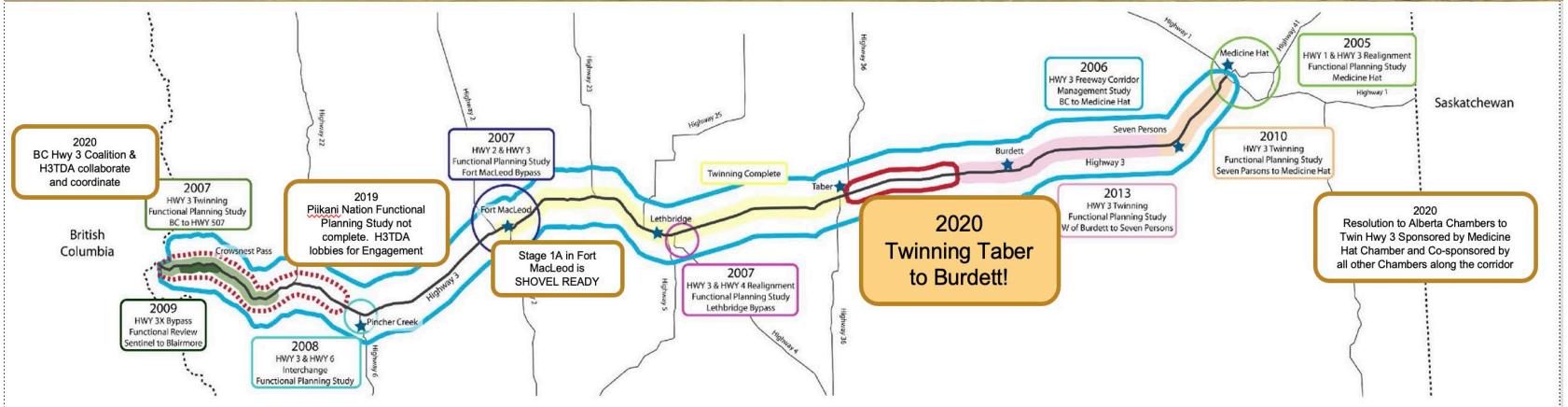
Alternative:
Appoint a different Councillor to FCSS.

FINANCIAL IMPACT:

No financial implications at this time.

REASON(S) FOR RECOMMENDATION(S):

Councillor Hickey indicated he was interested in being the representative for FCSS.



Highway 3 Twinning Development Association

Who is H3TDA and What is H3TDA doing?

By Victoria Chester, Director of Advancement



The History



Our Association was formed in the 70's to promote Highway 3 safety and tourism, including design of the current Crow signage



Grew to incorporate a large number of communities across southern Alberta, advocating for a Twinned Highway from BC to SK, resulting in twinning between Fort MacLeod and Taber



Our Board currently includes every Municipality between Medicine Hat & Crowsnest Pass, with exception of Coalhurst and Barnwell



What are the STAGES to twin?

STEP ONE: DONE!

Studies of the entire corridor, **with exception of Piikani Nation**, were completed with the financial support of the Province. Currently there are 12 *Sections* identified.

STEP TWO:

Some locations require Environmental Impact planning (Wildlife Crossings, Water protection, Traditional lands, Gravesite sensitivity, etc).

STEP THREE:

Engineering Design (the firm road construction location and details for RFP).

STEP FOUR:

Utility and Right-of-Way (purchase land for the new location and coordinate utility changes)

STEP FIVE:

Construction start (Land clearing & Asphalt)!
Most likely completed in sections.

Highway 3 Twinning Feasibility: A Cost-Benefit Analysis



Report Prepared for the Highway 3 Twinning Development Association

by

Kien C. Tran, Ph.D.
Professor
Department of Economics
University of Lethbridge

STEP ONE IS DONE!



GOVERNMENT PERSPECTIVE



COMMUNITIES NOT READY:

The studies showed some communities do not agree on the location of new roadways.

Government does not want to force communities and would prefer consensus before final Design investment.



COST:

The **TOTAL** cost to twin the remaining 190+- kms is significant, **estimated at 1.2 Billion.**

Economy of Alberta impacts funds available for Capital Projects.



STAGES & SECTIONS:

Providing for funding in Stages AND Sections is more cost effective for Albertans.

Many road projects and upgrades are needed throughout Alberta.



WHO IS RESPONSIBLE?!

Communities:

Get Route Consensus!

Businesses:

Become a H3TDA Member!

H3TDA:

Coordinate with/Lobby Government!



Part 1: Strategic Ladder

Regional Vision

The Vision of the Region is a broad statement that encompasses what sort of economic membership would like to see realized. It informs H3TDA mission and gives us a direction towards. SouthGrow cannot achieve the vision alone, but we can play our part to realize it.

H3TDA's Vision is a twinned Highway 3 is a safe, community and regional economy, the provincial and national transportation network.

The Association's Mission

This is to realize the vision of the region.

To collaborate with the community and industry to achieve the vision.

Core Values

These are the core values of the Association.

4. Develop Collaborative relationships with Indigenous Communities along Highway 3 to fast-tracking of twinning where community safety is a high priority.

A. Engage Blood Tribe & Piikani Nation in Highway 3 twinning efforts

SMARTER GOAL	Find common needs and goals. Encourage membership and attendance.
OUTCOME	First Nations feel respected and engaged as an important partner, and advocate for the twinning of highway 3 within the region.
MEASURE	Written support of twinning highway 3 within respective nations. Increased attendance at Board meetings.
TARGET	Membership.

Pillar 3: Develop a multimedia communication program to promote twinning, community and economic development initiatives

1. Determine communication program elements required to effectively inform residents, landowners and elected officials about the initiatives and successes of H3TDA

A. Create a new Brand (re-brand)

SMARTER GOAL	By Q3 2020 H3TDA has launched a new visually exciting logo, messaging solutions and easy to understand marketing materials. H3TDA has an effective brand that is recognizable and understood by Southern Alberta residents.		
OUTCOME	H3TDA has an effective brand that is recognizable and understood by Southern Alberta residents.		
MEASURE	New Logo & transition of marketing materials. Recognition of Brand ("oh I saw/heard about that").		
TARGET	2019 invite student designs, 2020 select logo, prepare implementation complete program.		
WORKPLAN	2019 Q3: Connect with college to engage students in fall Q4: Lethbridge college design students work on logo & branding	2020 Q1: Select best student campaign Q2: Prepare new logo/branding materials Q3: Implement new branding	2021

B. Create a communications strategy to guide long-term efforts

How do we get here? H3TDA PERSPECTIVE

Momentum in the Association was slowing, so the Board initiated a 2018 Strategic Plan.

With financial commitment from Municipalities and Industry Stakeholders, along with Economic Development partnerships, the 2018 Plan moved the Association to a central location with a Director of Advancement to drive Plan targets through Collaboration, Lobbying and Promotional exposure.

Now we're GOING BIG, just completing our 2022-2024 Strategic Plan and looking forward to initiating a 2022 Economic Impact Study. We are successful in our advocacy and outreach!



Operationalize the NEW 2022-2024 Strategic Plan into a detailed Work Plan



Communicate H3TDA Vision to Citizens



Secure the Commitment of Industry Stakeholders



Deliver a Consistent, Concentrated and Unified Effort & Vision



The Plan – Increase Awareness/Engage!

Industry, Stakeholder Associations, Community, and support Municipal Member priorities



Continue to collaborate with Associations (Rotary Clubs, Economic & Tourism Groups, School Districts, Chambers of Commerce, AMTA, Sugar Beet & Potato Growers, etc) and engage Industry Stakeholders

Continue to increase our membership, so we SPEAK LOUDER to Government and diversify the financial burden

When restrictions ease, develop Community Events to connect H3TDA with citizens, answer questions and support Advocacy.



What's Next?

2021-2022 Goals

- Complete New Strategic Plan and Work Plan – underway now
- Complete Community & Stakeholder Engagement Events in 2022 (tabled in 2020 & 2021 due to pandemic) and grow Stakeholder Membership (First ever Virtual Town Hall with citizen attendance held Oct 13th!!)
- Regional Awareness through Quarterly Media Release updates and Advertising Exposure (Media Coverage, Facebook & Billboards)
- Coordinate with MP's to identify and lobby for Federal financial support
- Collaborate with BC Hwy 3 Coalition on joint Provincial & Federal advocacy, along with joint Economic Impact Study
- Engage Government of Alberta to plan next-steps for the twinning of Hwy 3.

2021 TWINNING PRIORITIES of H3TDA

**Lobby the GOA to fund/approve any one (or more)
of the Priorities, in stages or as a whole.**

- 1) Medicine Hat to Seven Persons, including Airport runway realignment (26kms)
- 2) Pincher Station to Bellevue (36kms)
- 3) Piikani Nation Functional Planning Study ** **CONSULTATION REQUESTED**
- 4) Fort MacLeod Stage 1A (Shovel Ready) ****COMMUNICATION UNDERWAY**

Deliver a Concentrated and Unified Message



How do we get there?

H3TDA Advocates to Government:

COST:



- The ***TOTAL*** cost to twin the remaining 190+- kms is significant (4-8 Million per km). As such a continuous stream of funding is needed to complete twinning over the next 15 to 25 years. If we do not plan now, the bottleneck and safety issues will only increase.
- Availability of Contractors in the current economic climate could reduce cost.
- Agricultural Land needing acquisition continues to increase in value (cost to twin in the future will continue to increase exponentially)
- Capital Project funding is provided for in every GOA budget, regardless of the economy. Pressure GOA to plan to include a stipend for twinning in each budget cycle.



RECOVERY:

- Job Stimulus through Infrastructure Projects provide short-term employment activity and long-term growth through supply capacity.
- Potential Resource Development in the mountain fringe, several new Solar Farms, and large Commercial or Industrial developments are planned along the Hwy 3 corridor.



STAGES & SECTIONS:

- H3TDA is working with GOA to identify which Stage/Section or Priority is next, based on available funding and ease/speed of construction completion.



GOVERNMENT MESSAGE TO H3TDA:

- Continue to advocate support from Stakeholders to complete Hwy 3 twinning.





**Align Advocacy with Government
Strategic Economic Priorities**

**Support Economic
Development along
Corridor**

**Increase safety for all
travelers**



Oct. 2019 to Oct. 2021 Successes!

- Lobbied Government for Twinning Hwy 3 as “Accelerated Design/Build” project **resulting in the twinning of Hwy 3 from Taber to Burdett**, funding of Piikani Nation Functional Planning Study + initiation of engagement, and communication negotiation with Fort Macleod on the completion of Stage 1A!
- Meetings with Provincial Government: Ministers of Transportation, Treasury, Agriculture, Economic Development
- Chamber Presentations made along the Corridor with Regional Policy sponsored by ALL Southern AB Chambers
- Alberta Motor Transportation added Hwy 3 twinning to Top 5 Priorities
- Collaboration with Associations (Alberta Sugar Beet Growers, Potato Growers of Alberta & etc.)
- Connected with Trucking Industry Stakeholders, such as Perlich Bros., Chinook Carriers, Gateway Carriers, etc.
- Collaboration with BC Hwy 3 Coalition on shared initiatives and joint New Economic Impact Study.
- Engaged with Industry Stakeholder Businesses impacted by Hwy 3 twinning, such as Rogers Sugar, McNally Contractors, Lamb Weston, Rowland Farms, Goodyear Canada, Triple M Housing, Jayco Builders & Jade Homes RTM, etc.
- Regular Meetings with local Government: Southern Alberta Department of Transportation, MLA’s and MP’s
- Connecting with Community to sign Petition to Twin Hwy 3: www.twin3.ca (currently 3502 signatures, aiming for 10k)
- Operations Organization: Bylaw revision, Branding (new website/logo), Policy & Procedures Manual, Registered Lobbyist through Alberta Lobbyist Registry, Association Bank Account and PO Box, etc.
- Promoted improved East/West travel experience and safety for tourists, commuters and local travelers.
- Advocated for Highway 3 as a Commodity and Provincial-National Economic Corridor for a diversified economy.
- Worked to establish *H3TDA as the collaborative and regional leader of the Hwy 3 twinning initiative.*
- New Billboard located just West of Brockett.



What Can You Do?

Become a Business Member!

SUPPORT:

- A dedicated part-time advocate for Highway 3 Twinning,
- The expansion of stakeholder collaboration, and
- Improvement to Association operations.

Work with your Community!

H3TDA has Board/Municipal representation from every community.

YOUR representative is willing to work with your community to define a Resolution for the location and access points for future Highway 3.

Advocate!

Encourage Business owners impacted by Hwy 3 twinning to:

Join H3TDA

Inform Community

Support twinning to your MLA

Follow H3TDA on Facebook!

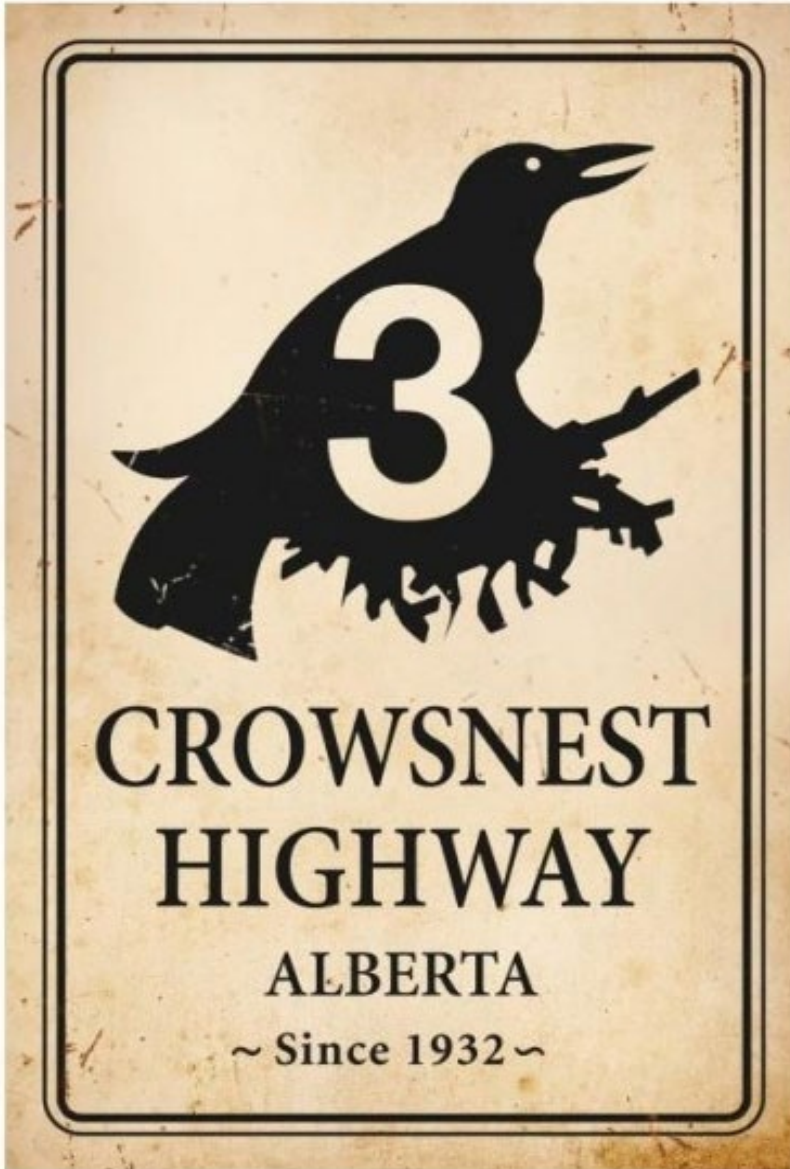
Sign the Petition at www.twin3.ca

The REGION needs Hwy 3 Twinned.

H3TDA needs support from Municipalities, Industry & Citizens.

#twin3





Contact

Highway 3 Twinning Development Association

Victoria Chester

Director of Advancement

403-929-3593



admin@twin3.ca



www.twin3.ca

visit our website to SIGN THE PETITION!

FOLLOW US! www.facebook.com/twin3.ca/