



AGENDA

Council Meeting

9:30 AM - Thursday, May 6, 2021
Council Chambers

Page

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. ADOPTION OF MINUTES

4 - 8

1. **County Council Meeting Minutes**
[Council Meeting - 15 Apr 2021 - Minutes](#)

D. DELEGATIONS

9 - 18

1. **Link Pathway Project Update**
9:30 a.m. - Henry Doeve (Via Teams)
[Link Pathway Project Update](#)

E. SUBDIVISION APPLICATIONS

19 - 34

1. **Subdivision Application #2021-0-038 – Wong**
- Portion of the SW1/4 31-10-21-W4M
[Subdivision Application #2021-0-038 – Wong - Portion of the SW1/4 31-10-21-W4M](#)

35 - 46

2. **Subdivision Application #2020-0-149 – Final Endorsement Request to register parcel revision for SE¼ 20-12-24-W4M (Skiba)**
[Subdivision Application #2020-0-149 – Final Endorsement Request to register parcel revision - SE¼ 20-12-24-W4M \(Skiba\)](#)

F. PUBLIC HEARINGS

G. DEPARTMENT REPORTS

G.1. COMMUNITY SERVICES

47 - 49

- G.1.1. **Planning and Development Department - 1st Quarter Report 2021**

[Planning and Development Department 1st Quarter Report 2021](#)

- | | | |
|-----------|-------------|--|
| 50 - 64 | G.1.2. | <u>Bylaw 21-008 - Land Use Bylaw Amendment Rural Agriculture to Grouped Country Residential - Lot 1, Block 2, Plan 1810581 in the NW 5-8-20-W4 - First Reading</u>
<u>Bylaw 21-008 Land Use Bylaw Amendment - Rural Agriculture to Grouped Country Residential - First Reading</u> |
| 65 - 75 | G.1.3. | <u>Bylaw 21-009 - Land Use Bylaw Amendment Rural Agriculture to Rural General Industrial - NE/NW 33-7-20-W4 (5 northern acres) - First Reading</u>
<u>Bylaw 21-009 Land Use Bylaw Amendment - Rural Agriculture to Rural General Industrial - First Reading</u> |
| 76 - 83 | G.1.4. | <u>Bylaw 21-013 - Text Amendments to the Lethbridge County Land Use Bylaw - First Reading</u>
<u>Bylaw 21-013 - Text Amendments to the Land Use Bylaw - First Reading</u> |
| 84 - 91 | G.1.5. | <u>Bylaw 20-018 - Road Closure, Sale and Consolidation of a portion of First Avenue within the Hamlet of Turin- 2nd and 3rd Reading</u>
<u>Bylaw 20-018 - Road Closure, Sale and Consolidation - 2nd and 3rd Reading</u> |
| 92 - 97 | G.1.6. | <u>Policy 144 Area Structure Plans - Request to Rescind</u>
<u>Policy 144 Area Structure Plans - Request to Rescind</u> |
| 98 - 99 | G.1.7. | <u>Invitation for interested members of Council to attend virtual EDA Xperience 2021 - the EDA Annual Conference and the Alberta Economic Development Leaders' Summit (these two events have been merged)</u>
<u>EDA Xperience 2021</u> |
| 100 - 102 | G.1.8. | <u>Proclamation of 'International Economic Development Week' May 9th to 15th, 2021</u>
<u>Proclamation of 'International Economic Development Week' May 9th to 15th, 2021</u> |
| 103 - 109 | G.1.9. | <u>Bylaw No. 21-012 - Electronic Voting Machine Bylaw</u>
<u>Bylaw No. 21-012 - Electronic Voting Machine Bylaw</u> |
| | G.2. | MUNICIPAL SERVICES |
| 110 - 113 | G.2.1. | |

Agricultural Service Board Policy #614 Soil Erosion Amendment

[Agricultural Service Board Policy #614 Soil Erosion Amendment](#)

G.3. CORPORATE SERVICES

114 - 123 G.3.1. **Picture Butte & Area Growing Project**
[Picture Butte & Area Growing Project Request](#)

124 - 129 G.3.2. **Bylaw 21-014 - Tax Mill Rate**
[Bylaw 21-014- Tax Mill Rate](#)

G.4. ADMINISTRATION

130 - 133 G.4.1. **Proposed updates to Gifting Policy 156**
[Gifting Policy 156 Proposed Revisions](#)

134 - 137 G.4.2. **Policy Clean Up- Policy 147 Pager/Cell Phone Usage**
County Council Meetings, Policy 135 Smoking in
County Shops
[Policy Clean Up 147 and 135](#)

138 - 140 G.4.3. **Letter of Support for the RCMP**
[Letter of Support for the RCMP](#)

141 - 142 G.4.4. **Request for the County to Procure a Lobbyist Service**
[Request for the County to Procure a Lobbyist Service](#)

H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

J. CLOSED SESSION

1. **Land Purchase Discussion (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)**
2. **Lethbridge North County Potable Water Coop Discussion (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)**

K. ADJOURN



MINUTES

Council Meeting

9:30 AM - Thursday, April 15, 2021
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, April 15, 2021, at 9:30 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Lorne Hickey
Councillor Morris Zeinstra
Deputy Reeve Tory Campbell
Councillor Robert Horvath
Councillor Ken Benson
Councillor Steve Campbell
Councillor Klaas VanderVeen
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
Information Technology Manager, Doug Burke
Executive Assistant, Candice Robison

A. CALL TO ORDER

Reeve Lorne Hickey called the meeting to order at 9:32 a.m.

B. ADOPTION OF AGENDA

109-2021 Councillor VanderVeen MOVED that Lethbridge County Council approve the April 15, 2021 Council Meeting Agenda as presented.

CARRIED

C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

110-2021 Councillor S.Campbell MOVED that the April 1, 2021 Regular County Council Meeting Minutes be accepted as presented.

CARRIED

D. SUBDIVISION APPLICATIONS

E. PUBLIC HEARINGS

F. DEPARTMENT REPORTS

F.1. MUNICIPAL SERVICES

F.1.1. Public Works Policy Review and Recommendations

111-2021 Councillor Benson MOVED to rescind the following Policies - Policy 300 - Construction Projects within County Boundaries, Policy 303 - Road Allowance Obstructions, Policy 305 - Seismic Operations Permit, Policy 307 - Salt Management Plan, Policy 330 - Surface Material Lease, Policy 343 - Vegetation Management Roadside Weed Control and Policy 344 - Vegetation Management Roadside Mowing.

CARRIED

F.1.2. Bylaw #21-007 Shaughnessy Infrastructure Phase 3 Upgrades Local Improvement Project

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|----------|-----------------------|--|---------------------|
| 112-2021 | Councillor VanderVeen | MOVED that Local Improvement Bylaw 21-007 - Shaughnessy Infrastructure Upgrades be read a first time. | CARRIED |
| 113-2021 | Councillor Benson | MOVED that Local Improvement Bylaw 21-007 - Shaughnessy Infrastructure Upgrades be read a second time. | CARRIED |
| 114-2021 | Councillor Horvath | MOVED that Council consider reading Local Improvement Bylaw 21-007 - Shaughnessy Infrastructure Upgrades a third time. | UNANIMOUSLY CARRIED |
| 115-2021 | Councillor VanderVeen | MOVED that Local Improvement Bylaw 21-007 - Shaughnessy Infrastructure Upgrades be read a third time. | CARRIED |

F.2. COMMUNITY SERVICES

F.3. CORPORATE SERVICES

F.3.1. 2021 FCSS Funding Contribution

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| 116-2021 | Councillor Horvath | MOVED that the 2021 FCSS Funding Contribution update be accepted for information. | CARRIED |
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F.4. ADMINISTRATION

F.4.1. Policy 185 - Records Management (Rescind Policy 160)

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| 117-2021 | Councillor Zeinstra | MOVED that Policy 160 - Records Management be rescinded. | CARRIED |
| 118-2021 | Councillor Benson | MOVED that Policy 185 - Records Management be adopted. | CARRIED |

G. DELEGATIONS

G.1. 10:00 a.m. - Audit Committee Presents Financial Statement

Phil McFarland from KPMG was present to present the 2020 Audited Financial Statement to Council.

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| 119-2021 | Deputy Reeve
T.Campbell | MOVED that Council approve the Audited Financial Statements for the fiscal year ended December 31, 2020 as presented by KPMG LLP. | CARRIED |
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G.1. ADMINISTRATION

G.1.1. Bylaw 21-006 - Records Management Bylaw (Rescinds Bylaw 973)

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| 120-2021 | Councillor VanderVeen | MOVED that Bylaw No. 973 - Records Retention be rescinded. | CARRIED |
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| 121-2021 | Councillor
S.Campbell | MOVED that Bylaw 21-006 - Records Management Bylaw be read a first time. | CARRIED |
| 122-2021 | Councillor
Zeinstra | MOVED that Bylaw 21-006 - Records Management Bylaw be read a second time. | CARRIED |
| 123-2021 | Councillor
Benson | MOVED that Council consider reading Bylaw 21-006 - Records Management Bylaw a third time. | UNANIMOUSLY CARRIED |
| 124-2021 | Councillor
Zeinstra | MOVED that Bylaw 21-006 - Records Management Bylaw be read a third time. | CARRIED |

G.1.2. Request for Sponsorship - Alberta / NWT Command - Royal Canadian Legion - Annual Military Service Recognition Book

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| 125-2021 | Councillor
Zeinstra | MOVED that Lethbridge County purchase a 1/4 page full color advertisement in the 15th Annual Military Service Recognition Book, at a cost of \$570, with funds coming from the Councillor's Discretionary Reserve. | CARRIED |
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H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

I.1. Lethbridge County Council Attendance Update - March 2021

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| 126-2021 | Councillor
Zeinstra | MOVED that Lethbridge County Council receive the report titled "Lethbridge County Council Attendance Update - March 2021", identifying the activities and events attended by Lethbridge County Council for the month of March 2021 as information. | CARRIED |
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**Division 1
Reeve Lorne Hickey**

March 3	Meeting with CAO
March 5	Mayors and Reeves
March 8	Meeting with Al Kemmere – Alberta Counsel
March 8	Meeting with CAO
March 8	Meeting with Ruth Goodwin
March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 30	MDP - Council Workshop #2
March 31	Meeting with CAO
March 31	Exhibition Park Groundbreaking Ceremony

**Division 2
Councillor Tory Campbell**

March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 30	MDP - County Council Workshop #2

Division 3
Councillor Robert Horvath

March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 30	MDP - County Council Workshop #2

Division 4
Councillor Ken Benson

March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 30	MDP - County Council Workshop #2

Division 5
Councillor Steve Campbell

March 3	Exhibition Park Board Meeting
March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 23	Community Futures Board Meeting
March 30	MDP - County Council Workshop #2
March 31	Exhibition Park Groundbreaking Ceremony

Division 6
Councillor Klaas VanderVeen

March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 17	Economic Development Lethbridge AGM
March 26	SAEWA Board Meeting in Strathmore
March 30	MDP - County Council Workshop #2

Division 7
Councillor Morris Zeinstra

March 9	Water Workshop with Council
March 11	Lethbridge County Council Meeting
March 16	RMA 2021 Virtual Spring Convention
March 17	RMA 2021 Virtual Spring Convention
March 30	MDP - County Council Workshop #2

J. **CLOSED SESSION**

J.1 - Appointment of Returning Officer and Substitute Returning Officer for the 2021 Municipal Election (FOIP Section 19 - Confidential Evaluations)

J.2 - Coaldale Fire Discussion (FOIP Section 25(1) - Disclosure Harmful to Economic and Other Interests of a Public Body)

127-2021 Councillor MOVED that the Lethbridge County Council Meeting move into
VanderVeen Closed Session, pursuant to Section 197 of the *Municipal Government Act*, the time being 10:50 a.m. for discussion on the following:

J.1.Appointment of Returning Officer and Substitute Returning Officer for the 2021 Municipal Election (FOIP Section 19 - Confidential Evaluations)
J.2 Coaldale Fire Discussion (FOIP Section 25(1) - Disclosure Harmful to Economic and Other Interests of a Public Body)

Present during the Closed Session Item J.1:
Lethbridge County Council
CAO

Present during the Closed Session Item J.2:
Lethbridge County Council

CAO, Director of Community Services, Manager of Finance & Administration
CARRIED

128-2021 Councillor MOVED that Lethbridge County Council Meeting move out of the
VanderVeen closed session at 11:20 a.m.
CARRIED

J.2. **Coaldale Fire Discussion (FOIP Section 25(1) - Disclosure Harmful to Economic and Other Interests of a Public Body)**

129-2021 Deputy MOVED that Council approve the signing of the Fire Agreement as
Reeve presented for the Town of Coaldale.
T.Campbell
CARRIED

J.1. **Appointment of Returning Officer and Substitute Returning Officer for the 2021 Municipal Election (FOIP Section 19 - Confidential Evaluations)**

130-2021 Councillor MOVED that Larry Randle, Director of Community Services, be
S.Campbell appointed as the Returning Officer and that Candice Robison,
Executive Assistant to the CAO and Council, be appointed as the
Substitute Returning Officer for the October, 2021 Lethbridge County
municipal election.
CARRIED

K. **ADJOURN**

131-2021 Councillor MOVED that the Lethbridge County Council Meeting adjourn at 11:30
Zeinstra a.m.
CARRIED

Reeve

CAO

AGENDA ITEM REPORT



Title: Link Pathway Project Update
Meeting: Council Meeting - 06 May 2021
Department: Senior Staff
Report Author: Devon Thiele, Jeremy Wickson, Larry Randle

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Apr 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 Link Pathway project that is proposed to run through Lethbridge County from the Town of Coaldale to the City of Lethbridge is progressing. This report is intended to be a status report to Council.

RECOMMENDATION:

No recommendation from Administration.

PREVIOUS COUNCIL DIRECTION / POLICY:

At the September 17, 2020 Council meeting, the following resolution was adopted:

Whereas, Lethbridge County Council supports in principle, the creation of a regional pathway through the municipality that would link the Town of Coaldale and the City of Lethbridge, but in order to minimize risk to the County, several conditions must first be met by the Link Pathway Society before Council will give its final approval; therefore, be it

a) Resolved, that written agreements with all landowners, including the SMRID, granting permission for the pathway to run through their property, must be completed; and be it

b) Resolved, that written confirmation from the City of Lethbridge that they are committed to constructing the pathway that will connect with the city pathway network, must be provided; and be it

c) Resolved, that all roadway crossings be engineered and constructed to the satisfaction of the County before the pathway is open for public use; and be it

d) Resolved that written permission from CP Rail must be given for the pathway to cross the railway; and be it

e) Resolved that the County be thoroughly involved throughout the planning and development phase of the pathway; and be it

f) Resolved, that once these conditions have been fulfilled, Lethbridge County will approve construction of a pathway through the County from the Town of Coaldale to the City of Lethbridge.

CARRIED

BACKGROUND INFORMATION:

Senior staff from the County are members on the Link Pathway Working Group which also includes two founding members of the Link Pathway Committee (LPC) who are the champions of this project, representatives from MPE Engineering, the SMRID and Edwards Lands. In 2021 so far, meetings were held in January, March and April.

The LPC recently received a conditional \$1 million dollar donation and consequently, is eager to begin construction and to have a public sod-turning ceremony. The culvert for the proposed Highway 512 crossing is estimated to still be three to four months away from being designed and approved. While negotiations with the various land owners along the proposed route are still advancing, Administration has not yet received written verification that "a", "b", "c" and "d" from the September Council resolution have been completed. In fact, a portion of the final route of the pathway has not yet been established.

The Vista Meadows Home Owners' Association (VMHOA) was previously informally advised that the pathway could potentially be located on the north side of the canal that borders the the subdivision to the north. However, a recent engineering analysis that was forwarded to the Association explains that locating the trail on the north side will cost \$183,250 more than locating it on the south side, closer to the subdivision. A written response to this from the VMHOA is attached. A further response to the technical aspects of their submission from MPE is being prepared but was not available at the time of the writing of this report.

As planning for the project proceeds and construction inches closer, County Administration is of the opinion that the magnitude and complexity of this major project dictate that it would be extremely beneficial if the Committee were to hire and designate a project manager. The Committee is doing its best to facilitate the project but lacks a specific point person who has sole responsibility for ensuring timelines are being followed and all details are being managed appropriately.

The draft Memorandum of Understanding between the Link Pathway is still under development but is close to being finalized.

ALTERNATIVES / PROS / CONS:

The intention of this report is to provide Council with an update on the status of the pathway.

FINANCIAL IMPACT:

A source of funding and plan for capital replacement has not yet been established. Annual maintenance costs to the County will depend on the level of maintenance provided which has not yet been established.

REASON(S) FOR RECOMMENDATION(S):

No recommendation is provided. The intent of this report is to provide Council with a status update on the project.

ATTACHMENTS:

[VMHOA Letter RE Link Pathway](#)
[RR210A Comments](#)

Regarding the Link Pathway report from MPE Engineering Ltd, the Vista Meadows Community has a number of concerns.

First and foremost, and with respect, we would like to point out that the councils between the Link Pathway representatives and Vista Meadows Home Owners Association have been intermittent and short on formal commitment. What has been made clear to us by Link Pathway representatives is that the Link Pathway is committed to working together with Vista Meadows and all communities along the proposed pathway to find equitable solutions to the varied and often unique issues this project creates for the communities it affects. It is our hope that this 'working together' approach, which has been often times articulated as a cornerstone of the Link Pathway project governance, will continue.

Further to the above, and in the spirit of the above, it was never under debate by either side that addressing the unique problems the Link Pathway creates for our Vista Meadows community would cost additional money. It has always been a clear but underlying presumption that additional costs would be required to work with the Vista Meadows Community to address our (primarily) privacy and security related concerns. As such, it is extremely concerning for us to read that this report does not address any of our concerns and reduces all Vista Meadows pathway decisions into a financial decision whereby the cheapest option should prevail. This is certainly not at all what we have come to expect from a partner who has up until this point appeared to be working with our community in good faith to address our concerns.

As it pertains to the report, and based upon what the VMHOA has been told in previous meetings with Link Pathway representatives, the North vs South Alignment Cost Comparison contains unfair assumptions, concerning omissions and is complicated by inaccuracies.

First, the cost comparison unfairly assumes that the cost of both proposed bridges are a result of the Vista Meadows request for the path to follow the North alignment. While the cost of the 14 meter West bridge might be fairly attributed to the North alignment, the cost of the 20 meter East Bridge is the result of the preference of the Link Pathway committee. The Link pathway committee desires the East bridge in order to be closer to the scenic nature of the storm pond or for direct access for pathway users to utilize the storm pond.

However, the County storm pond services the Vista Meadows Community for fire suppression and irrigation. If Link Pathway users gain access to the infrastructure that our community relies upon for its health and well-being it introduces elements of unnecessary risk in the form of:

1. Vandalism of our pump house located near the pond
2. Water contamination for the VMHOA irrigation system
3. litter, garbage and other foreign objects blocking our irrigation intake
4. Insurance liability for the County and/or Vista Meadows
5. Vista Meadows residents privacy and safety concerns as access to the pond area provides an easy access gateway into our community via the service road that leads to the pump house and pond.

In light of these concerns, as has always been the VMHOA recommendation, and in the name of efficient use of community donations as this report highlights, the North alignment pathway should cross range road 205 on the North side of the canal, negating the need for the more expensive East bridge. By the

reports own estimate, this would save costs in the neighborhood of \$85,000 for the bridge plus an estimated half of the excavation costs (\$11,000).

In addition to these cost considerations, the Vista Meadows storm pond and associated pump house are vital pieces of infrastructure that our community relies upon. The VMHOA has great concern over turning this location into a tourist destination as this area was not meant to attract and maintain the heavy foot traffic that the Link pathway is expected to bring. Such traffic and the additional, likely excessive, use endangers our critical infrastructure and our community's safety.

It is also important to clarify that having pathway access to the County storm pond is not a requirement of the Link Pathway project as the stated goal of the project is to connect the Lethbridge and Coaldale communities in a safe way for pedestrians and cyclists to access either community by avoiding highway travel. With this in mind, the East bridge is certainly not a requirement of the North alignment nor is it a requirement of the Link Pathway project in general. Its inclusion in the report is ostensibly as a Link Pathway **preference** despite the VMHOA desire that it be eliminated to save costs and mitigate community risk. It is for these reasons the East bridge is being unfairly attributed as an extra cost required to construct the North alignment option.

Clear and formal reasoning for including the West bridge has also been lacking and the VMHOA would respectfully request disclosure of this logic as again, our preference would be to eliminate the West bridge and allow the North alignment to traverse the North side of the canal the entire length of the Vista Meadows community. If, as has been theorized, there is a fear of damage to the single existing property in Mustang Acres, then we would ask, has a proper analysis been undertaken to compare the cost of property repair for that residence with the cost construction of the proposed West bridge? Further, it is unclear what weight is being given to the concerns of the single directly affected Mustang Acres residence versus the concerns of the 8 directly affected adjacent Vista Meadows properties.

Second, there are a number of omissions within this report. Working with the Link Pathway representatives it was previously made clear to the VMHOA that should the Link pathway have to travel via the South alignment, that additional security enhancements would be integrated into the construction of the pathway. These enhancements would be undertaken to protect the privacy and security of the Vista Meadows community at large, but it was recognized would be especially critical for the Vista Meadows land owners directly adjacent to the South side of the canal. Among the concerns for adjacent property owners are ease of property access, vandalism, theft and the security of children and pets playing in our backyards with no barriers preventing unintentional animal interaction, and child abduction.

Many additional enhancements have been discussed that could be employed to help address these mutually recognized concerns. Primarily these discussions have seemed to land on an artificially lowered (by 2 or 3 feet) walkway the entire length of the canal, followed by a 3 or 4 foot berm, potentially even with a small fence on top along with additional planting of trees, bushes and other vegetation. These measures would help to discourage Link pathway users from invading the privacy of, or trespassing on, adjacent Vista Meadows properties.

Being that these concerns are, and always have been, the primary aggravating factors in the VMHOA requesting the pathway be routed via the North alignment, it is of great concern to us that this report lacks even basic acknowledgement of these concerns and the required mitigation steps, and have been

completely excluded from the financial analysis. In fact, the report clearly states the exact opposite on page 2 under the South alignment excavation section stating "Beyond the stripping of the topsoil, no additional excavation will be required as the pathway will follow the ground elevation ". As such, the VMHOA would kindly request clarification if the omission of these costs in this report is reflective of a change in the Link Pathway development strategy (ie the Link Pathway is no longer considering any measures to address Vista Meadows safety and privacy concerns), or if this is this an oversight. As the Link pathway representatives have not to this point indicated they intend to disregard our security and privacy concerns, it is our hope and assumption is that this is a simple, albeit glaring oversight. In this case, VMHOA would request that this report and the accompanying cost comparison be redone taking into consideration these issues and the necessary mitigation steps to address them as it will dramatically affect the cost of the South alignment proposal and thus the overall cost comparison as well. The VMHOA is willing to, and would welcome, working with the Link pathway representatives on these matters to ensure sufficient measures are employed to address Vista Meadows resident's concerns.

Thirdly, this report has a few inaccuracies. For example, the advantage/disadvantage chart included in the Cost Comparison section of the report twice states that the costs of the different alignments are being weighed against the preferences of 'some adjacent residents'. This is both inaccurate and misleading. Of the 8 Vista Meadows land owners directly adjacent to the canal, the vast majority (if not all) of them would prefer the Link pathway traverse the North alignment. The wording of this document suggests only a small amount, or less than half of the adjacent residents prefer the North alignment which would be a mischaracterization of the reality.

Figure 2 contained on page 2 contains another inaccuracy which is complicating our understanding of the report. The two pictures detailed in figure 2 have captions with incorrect directional descriptions. The left picture faces East, but the caption indicates it is facing West. Similarly, the right picture is looking West, but the caption indicates it is facing East. This error is confusing as it makes it difficult to tell for sure if the authors of this report have applied the correct dollar amounts to the two bridges identified only as the 'East bridge' and the 'West bridge'. Until this, and any related directional errors, are corrected it is difficult to ascertain if the costs are properly assigned to the correct bridge.

Additionally the VMHOA is concerned that the drainage for the adjacent properties on the South side of the canal might not have been fully explored. Under the South alignment section on page 2 this report attempts to address this issue by stating that drainage culverts will be required underneath the pathway to maintain the existing overland drainage into the canal. We would like to be clear that for several of the adjacent residents the existing overland drainage into the canal is insufficient to sustain utility of our properties. As a result, several properties rely upon systems of grates, weeping tile and buried piping conduit to properly drain their properties into the canal. In order to prevent these properties from flooding any construction on the South side of the canal would either need to re-grade significant portions of the common land to provide adequate overland drainage, take care to ensure existing subterranean drainage systems are not interfered with, or both. Attached to this message is a picture of one adjacent resident's property showcasing the significant flooding which occurs every year if the existing drainage systems are interfered with. As you may note, the yearly flooding of these properties is so severe that local waterfowl and wildlife are attracted to the conditions.



Many adjacent residents also have shallowly buried water irrigation systems that are likely to be damaged, if not destroyed, by construction of the Link pathway on the South alignment. Depending on the specific designs of each property, these systems provide irrigation to more than just the section of the land that would be dedicated to the Link pathway. As such, damage to these systems where the Link pathway is intended to be could result in significant costs to property owners in order to dig up, fix or redesign their existing irrigation systems.

There has been a lot of questions surrounding the maintenance of the proposed pathway. In addition to concerns of garbage and litter brought directly into the backyards of adjacent residents, more substantial costs for maintenance of the link pathway by way of grass cutting, watering and weed control are of concern. It has been considered historically fair to force maintenance of this common land upon the adjacent residents when control, design and use of the property was largely under their control. However, if a South alignment pathway is implemented control, design and use of the property is removed from the adjacent residents. If this occurs, is it still expected that adjacent residents maintain this property when they have no input as to what that area will look like and what level of maintenance will be required? As an example, will the grass be mowed regularly? Who will irrigate the pathway space? If dryland turf is planted instead of Kentucky Bluegrass generally employed by adjacent residents there are likely to be more weeds requiring additional maintenance. Whipper snipping may be required around the pathway, tress, rocks or other features. Will the different equipment used by respective adjacent residents be sufficient to maintain the pathway area? Who will maintain this area and pay for these costs? If maintenance will fall to non-residents, will the maintenance of the pathway meet the existing standards adjacent residents are accustomed to or will it only be cut twice yearly as the County indicated would be the case if they maintained the common land in Vista Meadows?

All of these issues are factors for a South alignment scenario and have potential cost related implications and yet none of them appear to be taken into consideration in this report which simply concludes that the cheapest financial solution should prevail. Equally important, it should be noted that under a North alignment scenario, all these issues are greatly mitigated, if not completely eliminated.

Finally, as the Link pathway project nears the start of its construction, it has become unclear to the VMHOA if the issue of the North versus South alignment is a County issue or a Link pathway issue. The County and Reeve Hickey previously expressed support to the VMHOA for the North alignment. However, the County appears to now be using a report commissioned by the Link pathway, which solely focuses on Link pathway finances (not County finances), to now support the South alignment without regard for the concerns of the tax paying residents of Vista Meadows.

Summary:

Please find attached a detailed response to your email sent last week and the MPE report included. Attached you will find a variety of concerns not yet addressed for Vista Meadows home owners and seemingly excluded from the MPE financial analysis.

The questions and concerns raised within the attached are summarized in order of appearance below. Virtually all of them have an unexplored cost implication or a major safety/privacy/risk concern for Vista Meadows residents.

- Unfairly associating the construction of the unnecessary East bridge to the North alignment scenario
- Safety and privacy concerns of the Vista Meadows community as a whole but exacerbated for adjacent residents
- Safety, vandalism and other risks inherent with Link pathway storm pond access
- Clarity on the justification for the West bridge – Why come back to the South side at all?
- Lack of any security enhancements and risk mitigation strategies to be incorporated into the design of the Link pathway on the South alignment to address Vista Meadows safety and privacy concerns.
- Report inaccuracies and misleading statements should be corrected
- The Link pathway intends to employ only overland drainage for adjacent properties which is inadequate
- Implications for adjacent property owners existing (buried) irrigation systems
- Many unanswered questions surrounding maintenance of the pathway. Who will provide the labour and costs to continually maintain the Link pathway in an appropriate manner?

April 24, 2021

Dear Lethbridge County Council:

As residents of Range Road 210A, we are STRONGLY OPPOSED to RR210A being considered as part of the western reach of the Link Pathway. We intentionally chose to live along a dead end road because we wanted to live in the quiet solitude of the country and do not want a public pathway running in front of our properties.

This is very upsetting to the residents here as we do not want the people, noise, litter, dog feces, and potential property crime that would come from having this pathway beside our properties. This could also potentially impact property values as most people who look to move to the county do so to be removed from the issues listed above.

We understand that similar concerns were raised for the pathway between Calgary and Chestermere and were told by Henry Doeve that the concerns raised before the pathway was built did not come to be. However, there would inevitably be an increase in noise, people, litter, and potential crime and we want our concerns to be considered and an alternative route found.

The residents of RR210A have made significant investments to live here because of the quiet location of a dead end road. We are unanimously opposed to the Link pathway being built along our residences. Please consider the views of those you are representing and find an alternative route for the western reach of the Link Pathway.

April 28, 2021

ATTENTION:

Ann Mitchell - CAO County of Lethbridge

Jeremy Wickson – Acting CAO County of Lethbridge

RE: LINK PATHWAY CONSTRUCTION ALONG RANGE ROAD 21-0A, SPECIFICALLY THE SANDMARY ESTATES RESIDENTIAL NEIGHBOURHOOD IN THE LETHBRIDGE COUNTY

As residents of Range Road 21-0A, we are strongly opposed to RR 21-0A being considered as part of the western reach of the Link Pathway. This road is not an appropriate or safe route to use for the Link Pathway. SandMary Estates is a Grouped Country Residential neighbourhood situation along a small, narrow, dead end road. Adding a public recreational pathway, picnic shelters or public parking would be detrimental to the safety of everyone. The purpose of bike and walking pathways is to get people off of the roads used by vehicles, however, local traffic on our road includes school buses, horse trailers, personal vehicles etc. Our narrow road cannot accommodate this increased traffic. We are concerned with insurance issues. While the County's insurance may cover incidents along the pathway, it will not protect landowners from increased property crime, vandalism or accidents involving loose dogs or children sneaking onto our properties to swim or skate on our dugouts. We do not want port-a-potties and garbage bins needed to accommodate a public recreational pathway in front of our properties. Nor do we want to clean up dog feces or garbage on our lawns. Further, the increased noise and traffic will

negatively affect our property values. We intentionally chose to live along a dead end road because we wanted to live in the quiet solitude of the country not along a public recreational road. Please consider the views of the those you are representing and have the Link Pathway Committee find an alternate route instead of through our small residential neighbourhood (RR21-0A).

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-038 – Wong
- Portion of the SW1/4 31-10-21-W4M

Meeting: Council Meeting - 06 May 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 - 21 Apr 2021
Approved - 21 Apr 2021
Approved - 22 Apr 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

This application is to create a 30.10-acre lot from a title of 79.55-acres for country residential use. The proposal does not meet the subdivision criteria of the Land Use Bylaw and would require waivers.

RECOMMENDATION:

That S.D. Application #2021-0-038 be approved subject to the conditions, including a reduction in parcel size, as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- Normally, a subdivision would not be permitted from a 79.55-acre title. However, in this instance a 7.8-acre subdivision may be considered if it conforms to an area of land zoned to Grouped County Residential (GCR) situated in the very northeast corner.
- The 7.8-acres was designated to GCR by Council in conjunction with the Deer Run Estates subdivision to allow for a single country residential lot. The GCR designation enables a subdivision to occur from the 79.55-acre title if it conforms to the pre-zoned 7.8-acre area.
- The proposed 30.10-acre title would result in the remnant west title being 49.45-acres in size, with neither resulting parcel meeting the bylaw minimum agricultural parcel size.
- If the 30.10-acre lot were to be considered as a fragmented/cut-off parcel due to Piyami Coulee, the parent 79.55-acre title is designated as Rural Agriculture (RA) and is within a previously subdivided ¼-section, meaning it is ineligible for further subdivision.
- The Subdivision Authority has the authority to grant the requested waivers if it sees merit in the application, or it may impose conditions to specify the approved size.

BACKGROUND INFORMATION:

Located less than ½-mile north of the Hamlet of Shaughnessy, immediately west of the Picture Butte Golf Course and east of Highway 25. This proposal is to create title to a parcel of fragmented land that lies primarily east of Piyami Coulee, south of the Deer Run Estates grouped country residential subdivision.

The subdivision would encompass undeveloped pastureland to the top and east of the coulee drain with the main Piyami Coulee remaining on the west remnant portion. The proposal is to enable a future residential yard and minor non-intensive agriculture for horse pasturing. A purchaser intends to construct a new residence, shop, out-building and corrals for the sheltering of approximately 12 horses which are used for both pleasure as well as working horses which are part of his nearby intensive livestock operation. The applicants propose potable water to be provided by the Lethbridge North Water Coop and sewage would be treated by a traditional on-site septic disposal field system.

The current 79.55-acre title has access from Highway 25. Any subdivision east of the coulee would need access to be provided from an existing 10.0 m wide lane located in the very southeast corner of the Deer Run Estates subdivision. This would result in legal and physical access being obtained by Antler Ridge Road (Deer Run Estates main access) out to Highway 25 to the west.

A large portion of land within the proposed 30.10-acre parcel lies within the 300 metre setback buffer to the Hamlet of Shaughnessy sewage lagoons to the immediate south. However, there is an almost 8.0-acre portion in the very northeast corner that is situated outside the 300 m buffer setback and where development may occur.

Overall, the proposal as applied for does not meet the criteria of the County's Land Use Bylaw No. 1404 and would require waivers. The ¼-section has been previously subdivided and the proposed 30.10-acre subdivision exceeds the maximum 10-acre country residential parcel size of the bylaw and also does not meet the minimum 70-acre agricultural parcel size criteria. The Subdivision Authority may approve the application but place a condition on the approval that reduces the approved size to correspond to the 7.8-acre GCR zoning. The applicant's are requesting Council approve the waivers.

The application was circulated to the required external agencies. Alberta Transportation has no objections. The provincial Historical Resources Administrator has requested the applicant apply for Historic Resources Clearance as the land is identified for a potential Historical Resource.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to grant the waivers and approve as applied for, or alternatively, refuse to approve the subdivision altogether.

Pros:

- the land is already fragmented, and the 30.10-acre parcel may support the continued agricultural use of the pastureland.

Cons:

- an approval to create the 30.10-acres creates two smaller agricultural titles, while an outright refusal would likely be appealed by the applicants as the GCR zoned area should enable at least the 7.8-acre lot to be created.

FINANCIAL IMPACT:

None direct, but a new parcel will result in additional residential taxes in the future. The County will also benefit from a municipal reserve payment on the final parcel size as approved, as either is an additional subdivision from the ¼-section.

REASON(S) FOR RECOMMENDATION(S):

With the reduction in parcel size to align with the GCR zoning, the subdivision meets the provincial Subdivision and Development Regulations, the bylaw land use zoning, and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-038 Lethbridge County APPROVAL](#)

[2021-0-038 Diagrams](#)

[Wong - Land Use Diagram](#)

[Wong Subdivision Intended Use](#)

RESOLUTION

2021-0-038

Lethbridge County

Agricultural subdivision of SW1/4 31-10-21-W4M

THAT the Agricultural subdivision of SW1/4 31-10-21-W4M (Certificate of Title No. 181 206 095), to create a 30.10-acre (12.18 ha) lot from a title of 79.55-acres for country 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 the approved 7.8 acres 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. This agreement may make reference to the provision of any services to be at the applicant's expense, including addressing the provision of access or roads constructed to County standards, storm water drainage, development setback lines stipulated, and any other matter the County deems necessary.
3. That the applicant is responsible for submitting a Historic Resources (HR) Application to Alberta Culture and Tourism via the Online Permitting and Clearance (OPaC) system as directed by the Historical Resources Administrator. The applicant must provide to the Subdivision Authority a copy in writing of the Historical Resources Act clearance prior to final endorsement.
4. That the approved subdivision parcel be reduced in size to not exceed 7.8 acres to correspond and align with the 7.8 acre GCR zoned area designated in the very northeast corner, by eliminating additional pasture land outside the GCR land use district. This shall be reflected on the final plan of subdivision as prepared by the Alberta Land Surveyor submitted for endorsement.
5. That the applicant submits a plan of survey as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided, as approved.

REASONS:

1. With the conditions imposed 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 reduction in parcel size and the conditions imposed, the 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 as applied for does not conform to the subdivision criteria of Lethbridge County's Land Use Bylaw and has reduced the approved parcel size to correspond to the 7.8 acre GCR zoning. The GCR designation allows for a subdivision to occur from the 79.55-acre title that conformed to this pre-zoned 7.8-acre area.
4. The Subdivision Authority has determined the proposed 30.10-acre subdivision exceeds the maximum 10-acre country residential parcel size of the bylaw and does not meet the minimum 80-acre (70-acres with exceptions on title) agricultural parcel size criteria. The remnant west title at 49.45-acres would also not meet the minimum agricultural parcel size. The Subdivision Authority has therefore placed

2021-0-038
Page 1 of 3

conditions on the tentative approval to address the non-compliance issues and enable the application to proceed in a reconfigured format to conform to the land use bylaw.

INFORMATIVE:

- (a) The payment of the applicable 10% Municipal Reserve on the 7.8 acres, as cash in lieu of land, is required with the actual amount to be determined at the final stage for Municipal Reserve purposes. MR is not applicable on the west remnant portion with respect to section 663(b) of the MGA.
- (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) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

- (f) 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) # 941 166 689. SEE NOTES BELOW
Therefore, ATCO Gas has no objection to the proposed subdivision.

ALTHOUGH WE HAVE EXISTING URW ACROSS LSD 3 & 4. THE FUTURE PARCEL WOULD MOST LIKEY BE SERVICED FROM THE SAME LANE AS INDICATED FOR ACCESS VIA DEER RUN ESTATES, AS IT IS THE CLOSEST GAS MAIN FOR SERVICING. THIS COULD REQUIRE FURTHER APPROVAL AS THE EXISTING URW FOR DEER RUN ESTATES DOES NOT INCLUDE THE LANE ACCESS AS SHOWN ON PLAN 121 0186.

- (g) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (h) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a parcel for 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 parcel to be created and remnant land will gain indirect access to the provincial highway system solely by way of the local road system. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the country residential parcel as proposed would have any appreciable impact on the highway.

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

2021-0-038
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 the said permit. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and stipulated as a 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."

- (i) Alberta Environment & Parks – Michelle Armstrong:

"As no public lands are adjacent or impacted no concerns with the proposed subdivision from Lands Division."

- (j) Historical Resources – Barry Newton, Land Use Planner:

"With regard to this application, the Planner's Preliminary Comments with regard to Historic Resources are correct – the applicant will need to obtain Historical Resources Act approval/clearance prior to finalization of the subdivision as follows:

The applicant must obtain *Historical Resources Act* approval prior to proceeding with any land surface disturbance associated with subdivision development by submitting a Historic Resources Application through Alberta Culture, Multiculturalism and Status of Women's Online Permitting and Clearance (OPaC) system – www.opac.alberta.ca.

The applicant should review the Land Use Procedures Bulletin: Subdivision Development *Historical Resources Act* Compliance (<https://open.alberta.ca/publications/subdivision-historical-resources-act-compliance>) prior to OPaC submission (attached)."

- (k) Canada Post has no concerns.

MOVER

REEVE

DATE

Subdivision *Historical Resources Act* Compliance

PURPOSE: To identify the circumstances under which proposed subdivisions require *Historical Resources Act* approval and to provide guidelines for the submission of applications to obtain approval.

SCOPE: Subdivision applicants, developers, municipalities, and other planning authorities in Alberta.

BACKGROUND: In accordance with Section 5(5) of the [Subdivision and Development Regulation](#), applications for subdivision of areas containing or likely to contain historic resources must be referred to Alberta Culture and Tourism. This applies equally to private and public lands.

PROCEDURES - ROUTINE:

Subdivision

The subdivision authority and/or the owner/developer must consult Alberta Culture and Tourism's *Listing of Historic Resources*¹ to determine if the lands that are subject to subdivision have been flagged as having a **Historic Resource Value (HRV)**.

1. **If the subject lands do not overlap areas identified in the *Listing of Historic Resources*, *Historical Resources Act* approval is not required, although the provisions of Section 31 of the *Historical Resources Act* still apply.²**

¹ Alberta Culture and Tourism's *Listing of Historic Resources* is a publically available list of lands that contain, or are likely to contain, significant historic resources. Updated twice yearly, the *Listing* is an information resource for residential, commercial, and industrial developers and can guide the regulatory approval process. The *Listing* and Instructions for Use are available at: <https://www.alberta.ca/listing-historic-resources.aspx>.

² It is important to note that, even if *Historical Resources Act* approval is not required prior to the initiation of land surface disturbance activities, or if *Historical Resources Act* approval has been granted, Section 31 of the *Act* requires that anyone who discovers a historic resource, such as an archaeological, palaeontological, historic structures or Aboriginal Traditional Use site, during the course of development activities must cease work and notify Alberta Culture and Tourism immediately for further direction on the most appropriate action. Details about who to contact can be found in [Standard Requirements under the *Historical Resources Act*. Reporting the Discovery of Historic Resources](#).

2. **If the subject lands wholly or partially overlap areas identified as having an HRV of 1, 2, 3, or 4 in the *Listing of Historic Resources*, *Historical Resources Act* approval is required.** A Historic Resources (HR) Application must be submitted to Alberta Culture and Tourism via the Online Permitting and Clearance ([OPaC](#)) system.³ Development activities, including any land disturbance, may not proceed until *Historical Resources Act* approval has been obtained in writing.⁴
3. **If the subject lands wholly or partially overlap areas identified as having an HRV of 5 (and no other value) in the *Listing of Historic Resources*, *Historical Resources Act* approval must be obtained through the submission of an HR Application, with the following exceptions:**
 - First parcel out
 - 80-acre split
 - Lot line/boundary adjustment
 - Parcel consolidation

Subdivisions for these four purposes do not require *Historical Resources Act* approval if situated in lands assigned an HRV of 5 only. Subdivision of HRV 5 lands for all other purposes do require *Historical Resources Act* approval, and development, including any land disturbance, may not proceed until this approval has been obtained in writing.

Lands that contain, or are likely to contain, significant historic resources may require the conduct of a [Historic Resources Impact Assessment](#) (HRIA) prior to development. If required, this direction will be communicated in Alberta Culture and Tourism's response to the HR application. An HRIA must be conducted by a qualified heritage consultant on behalf of the developer, at the developer's expense. Results of the HRIA must be reported to Alberta Culture and Tourism and subsequent *Historical Resources Act* approval must be granted before development proceeds.

Where a proposed subdivision includes lands that overlap areas with HRVs on the Listing, a Subdivision Authority may choose to submit the details for review in an HR Application prior to subdivision approval or condition *Historical Resource Act* approval as part of their subdivision approval. In these instances, no development activities are to commence until *Historical Resources Act* approval has been granted.

³ Information regarding Historic Resources Applications and the OPaC system can be found at: <https://www.alberta.ca/online-permitting-clearance.aspx>.

⁴ Where *Historical Resources Act* approval is required, the Historic Resources Application must include all lands in the subdivision area, not just those identified as having an HRV.

Area Structure and Redevelopment Plans

Alberta Culture and Tourism recommends that municipalities and/or developers submit for review through the OPaC system, all Area Structure Plans, Area Redevelopment Plans, and other long-term planning documents. The outcome of this review will provide the applicant with information about historic resource concerns in the planning areas and may offer guidance for developing strategies to address these concerns.

PROCEDURES – NON-ROUTINE:

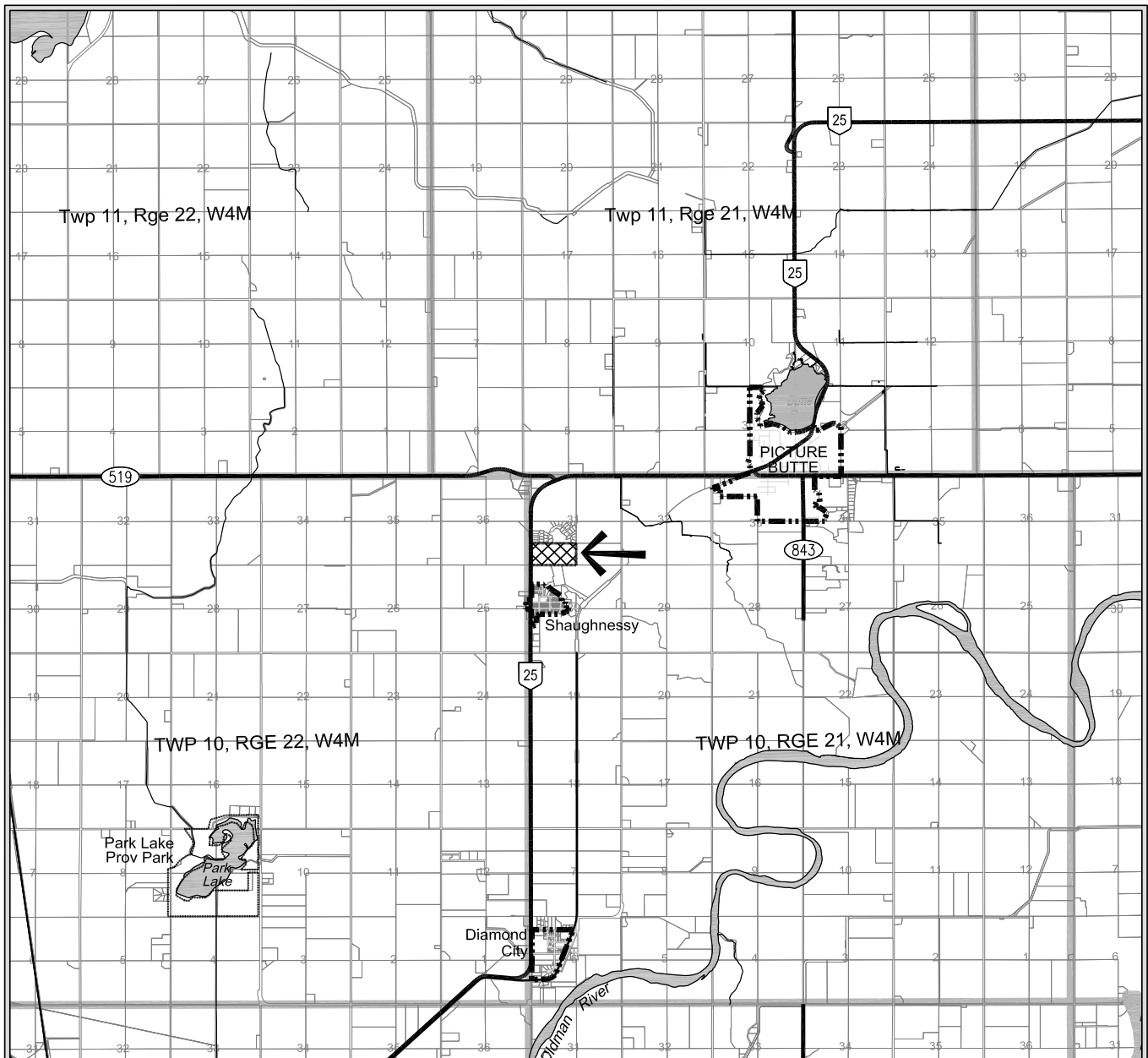
Notwithstanding the instruction provided above, if Alberta Culture and Tourism is made aware of historic resource concerns associated with lands not included in the *Listing of Historic Resources*, direction may be given to submit an HR application. This direction is made under Section 37(2) of the [Historical Resources Act](#) and can be applied to any type of project.

For further information please contact:

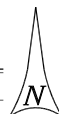
[Head, Regulatory Approvals & Information Management](#)
Historic Resources Management Branch
Alberta Culture and Tourism

Approved by: Darryl Bereziuk, Director, Archaeological Survey

Date: January 22, 2019



SUBDIVISION LOCATION SKETCH
PORTION OF SW 1/4 SEC 31, TWP 10, RGE 21, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: MARCH 8, 2021
FILE No: 2021-0-038



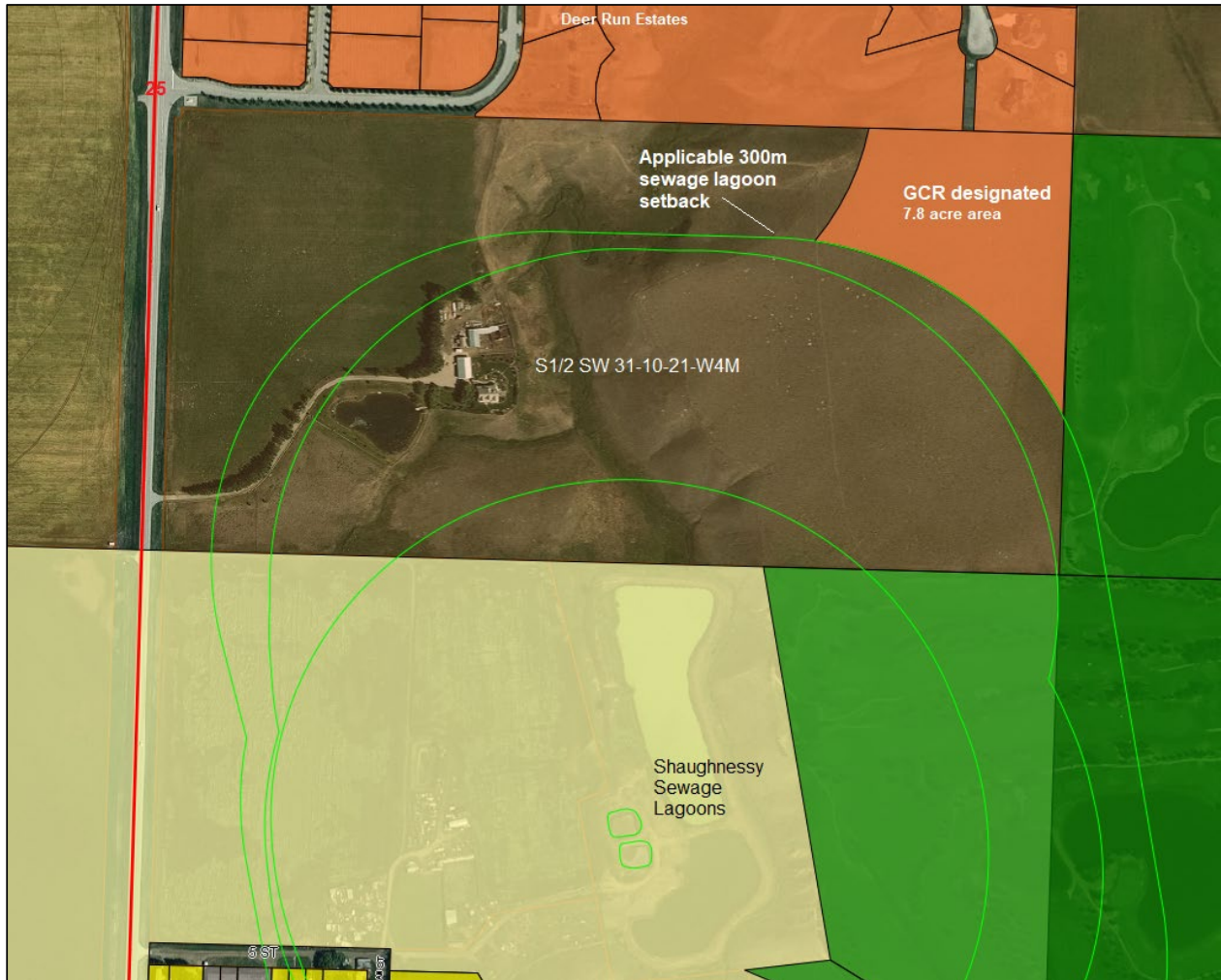


SUBDIVISION SKETCH
PORTION OF SW 1/4 SEC 31, TWP 10, RGE 21, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: MARCH 8, 2021
FILE No: 2021-0-038



Land Use Diagram

GCR land use designation, and
300m setback buffer to Hamlet of Shaughnessy Sewage lagoons





Wescott Consulting Group

(A Division of 1324325 Alberta Ltd.)
318 - 207 Sunset Drive
Cochrane, Alberta T4C0H7
(403) 862-9323

February 12th, 2021

Oldman Regional Services Commission
3105 – 16th Avenue North
Lethbridge, AB T1H5E8

Attention: Steve Harty

Dear Sir:

Re: Proposed Subdivision
Pt. S.W. 31-10-21-4 within Lethbridge County.

The purpose of this letter is to supplement the information provided in an Application for Subdivision which envisions the creation of a 30 acre parcel from within the South West portion of the S.W. 31-10-21-4 located within Lethbridge County. The existing Certificate of Title contains approximately 79.5 acres.

The land in question is presently owned by Mr. Perry Wong, and as the registered owner of lands, Mr. Wong is proposing to subdivide and sell that portion of the land which is subject to this Application for Subdivision to Mr. Justin Schooten for the purpose of constructing a new family residence, shop and outbuilding for the sheltering of approximately 12 horses which are used for both pleasure as well as working horses which are part of his extensive feed lot operation. The shop and ancillary building will reflect and compliment the architectural design of the family home.

It is proposed that Mr. Schooten would construct a 4-5000 square foot residence with triple attached garage, a shop which would be for personal use and the construction of a 1000-1500 square foot ancillary building that would be used for the sheltering of his horses, as well as for the storage of tack, feed and other things associated with the keeping of horses. The proposed dwelling unit and shop would be located in excess of 300 meters from the existing Shaughnessy lagoon site, in the area that is presently designated as Grouped Country Residential under the Lethbridge County Land Use Bylaw and Mr. Wong has indicated that he would support the encumbrance of the land to ensure that no buildings except those used for horse sheltering and training would be located within the 300 meter setback.

It is further intended that fencing of the 30 acre parcel would include cross fencing that would be completed to support the non-intensive agricultural pursuit. In addition, the construction of a corral in support of horse training is envisioned.

It is apparent that Mr. Schooten can clearly demonstrate the need for the 30 acre parcel. The creation of a parcel of this size would ensure that agricultural practices on the land would continue while introducing a non-intensive agricultural pursuit which would not conflict with the adjacent country residential uses or adjacent Golf Course activities.

Mr. Schooten has indicated the perimeter will be lined with a 3 pole pressure treated fence, as well as the strategic placement of numerous spruce trees and other vegetation enhancing the aesthetic of the property for golfers and nearby neighbors.

There will be a residential driveway gate installed at the end of the laneway at the property line as conceptually outlined in the picture below.



It is further proposed that the laneway and areas surrounding the home will be asphalt surfaced.

In addition, underground irrigation will be installed throughout the residential area and all of the 30 acre parcel will be maintained to a high standard. Mr. Schooten presently owns lawn tractors, large rotary mowers, UTV for fixing fences, tillers and fencing equipment necessary to construct and maintain fencing, the horse operation and the daily upkeep and maintenance of the residential component.

At the present time, Mr. Schooten houses 10-15 Quarter Horses at his business locations in and around Picture Butte, however, space is limited. The creation of the 30 acre parcel would allow the family to retain their 'pleasure' horses near his new home to facilitate recreational or personal use by the entire family. While the focus of the horse operation on the 30 acre parcel would be for pleasure horses and recreational use, there may be the occasion that the 30 acre parcel may be used to train horses for their feedlot operation or to provide a home for a horse which is retired from the cattle operation.

At the present time, the feedlot operation employs the use horses in their operation and as a company policy it allows employees to retain or board one horse at their facilities, however, because of space constraints cannot allow additional boarding in these facilities at this time. With the relocation of the family pleasure horses to the 30 acre parcel this will create additional capacity for existing as well as new staff to board their horses within the existing feedlot facilities.

Mr. Wong has had discussions with the Lethbridge North Irrigation District with respect to the extension of irrigation services to the 30 acre pasture in the past. Mr. Schooten would renew those discussions to provide irrigation water to those working lands which are not part of the residential component. The introduction of irrigation water to the residual of the parcel would support additional pasturing and grazing lands to sustain the horses.

As you can see from the above outline, the 30 acre parcel will be used for non-intensive agricultural uses while providing a substantial residential dwelling that will complement and enhance the residential homes that are already located within the community.

Should you have any questions relating to the above please do not hesitate to contact me.

Yours truly,

WESCOTT CONSULTING GROUP

Robert Wescott, AICP

AGENDA ITEM REPORT



Title: Subdivision Application #2020-0-149 – Final Endorsement Request to register parcel revision for SE¼ 20-12-24-W4M (Skiba)
Meeting: Council Meeting - 06 May 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 - 22 Apr 2021
Approved - 22 Apr 2021
Approved - 22 Apr 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 request to Council, acting as the Subdivision Approval Authority, to allow a slightly revised parcel configuration and size to be finalized and registered from what was originally approved. The amended subdivision plan still meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That the request to allow a revised parcel configuration and size to be finalized and registered at Land Titles for Subdivision Application #2020-0-149 be granted as requested, as per the terms as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The original application (File No. 2020-0-149) was approved by County Council in January 2021. The applicants have made a subsequent revision request for a change to the parcel layout boundary from the triangular shape to a rectangular shape to fit the existing yard and shelter belts.
- This revised parcel configuration would also result in the titled yard area being increased in size from the approved 6.92 acres to 7.97 acres in size. All other aspects of the original application and approval would remain the same.
- As the proposed change is over 1-acre in size, the final subdivision plan cannot be endorsed by the ORRSC without Council, acting as the Subdivision Approval Authority, agreeing to and authorizing such a registration.

BACKGROUND INFORMATION:

Located ½-mile south of Highway 520 and approximately 6½-miles west of the Village of Barons. The approved subdivision was to create a separate title to an existing long-established farm yard in the northeast corner of the ¼-section.

The subdivision and subject land is part of a family estate settlement and there has been a change in the desires of the family of what they want to occur. Additionally, it appears the ability to bring irrigation to the parcel may take longer than originally anticipated and the original layout was based on a future pivot consideration. This would be the first subdivision from the ¼-section. The residential yard contains a dwelling, out-buildings and tree/shrub shelter belts. Consenting to granting the revised parcel layout will enable the family to continue to conclude and finalize their estate planning. The owners acknowledge that if Council is agreeable to registering this amended final survey plan they will forfeit their previous parcel configuration layout as approved.

Overall, the proposed revision meets the criteria of the County's Land Use Bylaw No. 1404 for a first parcel-out farmstead subdivision. The new revised parcel configuration was recirculated to the required external agencies to ascertain if it would affect any utility infrastructure and no concerns were expressed. No utility easements are requested.

The draft Resolution is somewhat different than what Council typically sees for a subdivision approval, as in this case, the approval has already been granted and the action required is to consent to the registration of the final plan with a slightly amended parcel configuration and layout from the original approval.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not grant the consent to the register the revised final plan of subdivision.

Pros:

- the initial subdivision plan would stand as the approval and there is no appeal of this decision available. The applicants could decide to abandon or proceed with finalizing the January 13, 2021 approval

Cons:

- if the applicants desired the new revised parcel configuration for family estate settlement purposes they would need to reapply and go through the subdivision process again to see if they can obtain an approval and if denied, they would then have the opportunity to appeal a refusal

FINANCIAL IMPACT:

None specific to the County relating to the subdivision finalization and registration.

REASON(S) FOR RECOMMENDATION(S):

The proposed revised subdivision layout is rational and meets the provincial Subdivision and Development Regulations and the municipal subdivision policies for a first parcel-out subdivision as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A Lethbridge County 2020-0-149 ENDORSE Reconfiguration
County package - Change to Subdivision 2020-0-149](#)

RESOLUTION

2020-0-149 – Final Endorsement

Lethbridge County **Country Residential** subdivision of SE1/4 20-12-24-W4M

RE: The Country Residential subdivision of SE1/4 20-12-24-W4M (Certificate of Title No. 201 213 042), to create a 6.92 acre (2.80 ha) farm yard parcel title from a previously unsubdivided ¼-section of 160 acres (64.75 ha) for country residential use APPROVED with conditions on January 13, 2021.

Resolution:

The Subdivision Approval Authority for Lethbridge County authorizes that:

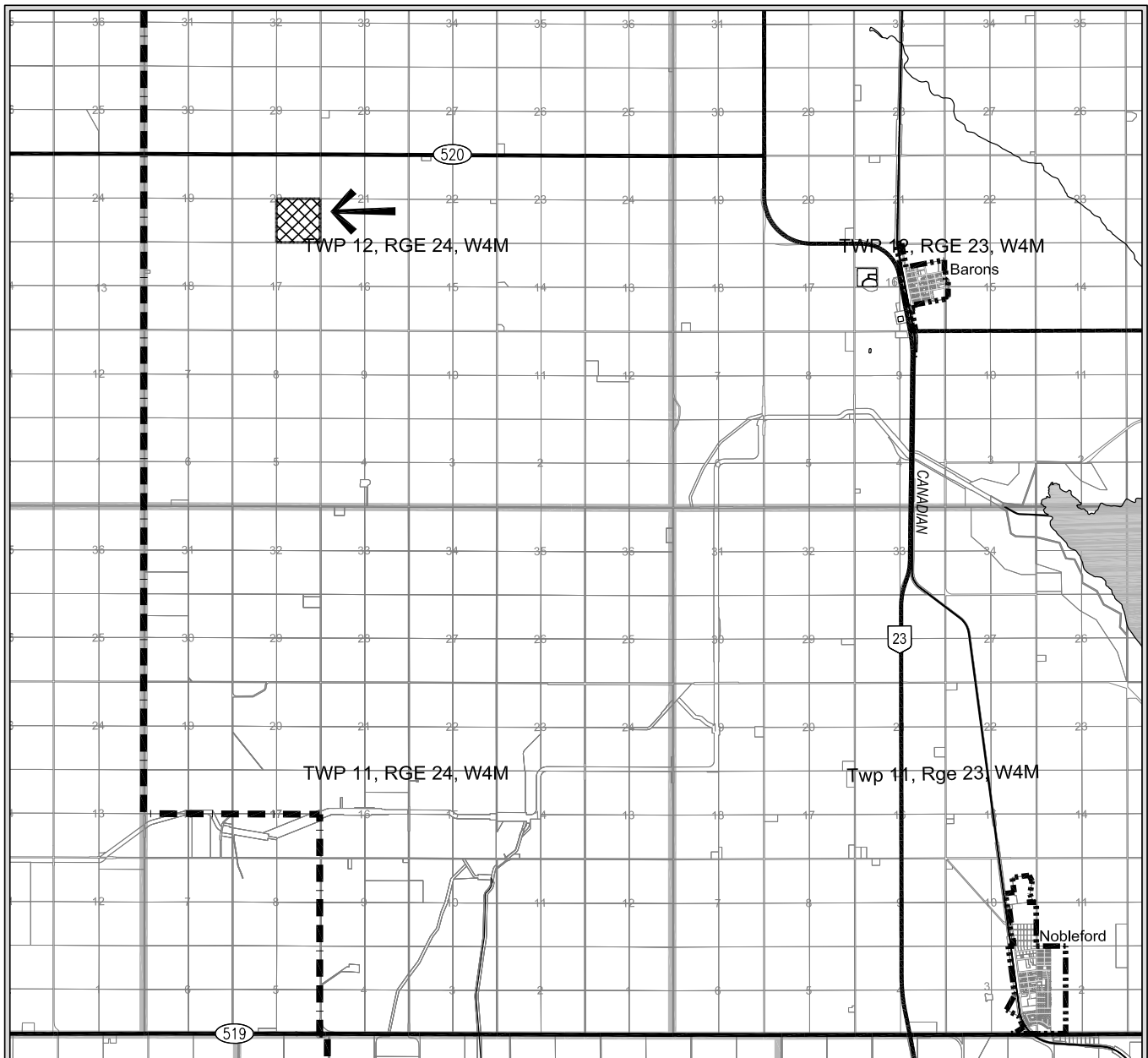
Subdivision file 2020-0-149 may be endorsed for Land Titles registration based on the revised plan of survey submitted by Brown Okamura & Associates Ltd. (BOA file 20-15022T) to enable the amended parcel size and rectangular configuration to account for the existing yard improvements, fence line and tree shelter belt present, provided the final parcel size does not exceed 7.97 acres (3.23 ha).

All other conditions of the original application and January 13, 2021 approval are applicable and must be met prior to final endorsement.

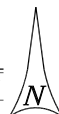
MOVER

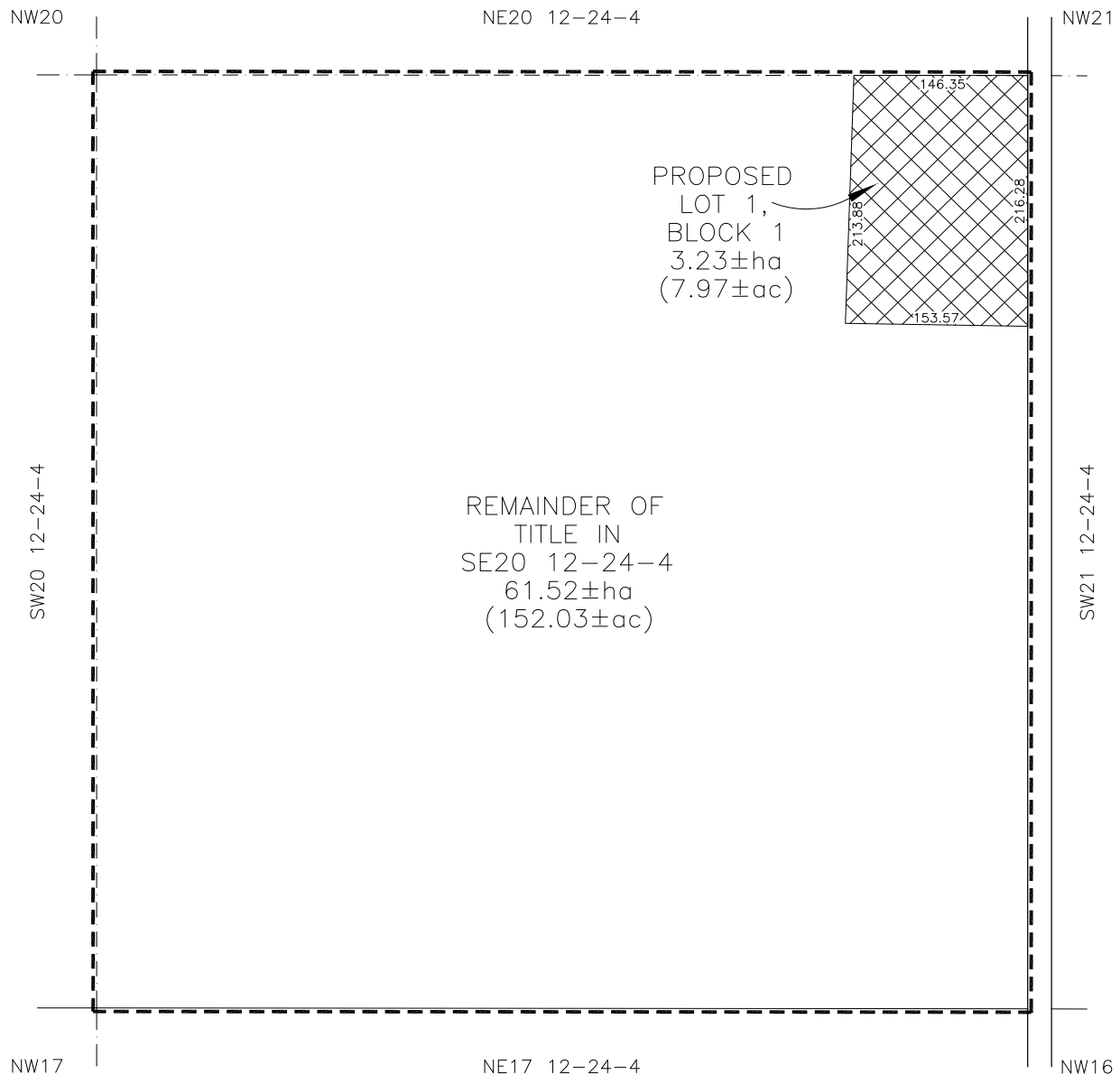
REEVE

DATE



SUBDIVISION LOCATION SKETCH
 SE 1/4 SEC 20, TWP 12, RGE 24, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: NOVEMBER 26, 2020
 FILE No: 2020-0-149





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-15022T

SE 1/4 SEC 20, TWP 12, RGE 24, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: NOVEMBER 26, 2020

REVISED: APRIL 15, 2021

FILE No: 2020-0-149





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-15022T

SE 1/4 SEC 20, TWP 12, RGE 24, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: NOVEMBER 26, 2020

REVISED: APRIL 15, 2021

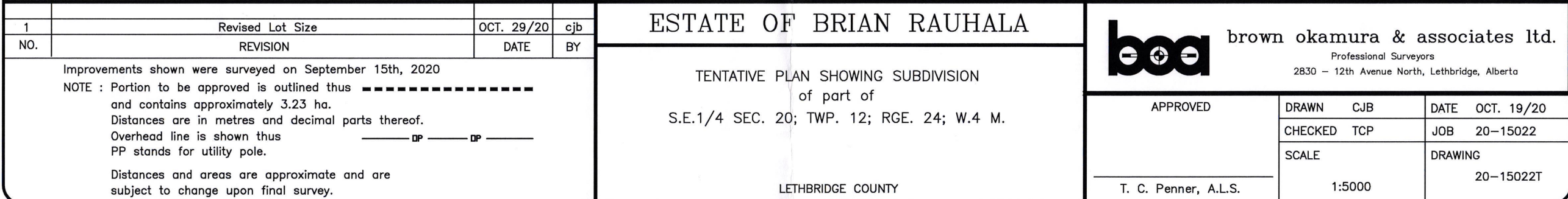
FILE No: 2020-0-149



April 15, 2021 N:\Subdivisions\2020-0-149.dwg



AERIAL PHOTO DATE: 2018



SUBDIVISION APPLICATION DECISION

Our File: 2020-0-149
Your File: 20-15022

NOTICE DATE: January 14, 2021

TO: Ledean Marie Skiba, Executor for Brian A Rauhala, Thomas C. Penner, A.L.S.,
Lethbridge County, Holy Spirit RC School Division, Palliser School Division, AltaLink,
FortisAlberta, TELUS, Little Bow Gas Co-op Ltd., AB Health Services - South Zone, AB
Environment & Parks - J. Wu, AB Transportation, Historical Resources Administrator,
AER, Canada Post

RE: SE1/4 20-12-24-W4M / Lethbridge County

DECISION: **APPROVED ON CONDITION**
(See attached resolution for conditions)

DECISION DATE: January 13, 2021

Your subdivision application has been *Approved on Condition* and a copy of the decision is attached.

We advise that it is the *applicant's responsibility* to ensure that all conditions of approval have been met. This process will require coordination between yourself, your surveyor, ORRSC and your municipality.

The subdivision may be finalized following the required 14-day appeal period as outlined below. If no appeals have been filed within the specified time period, you may proceed with the finalization. You have **one year from the approval date** to finalize your subdivision. *(If you are unable to finalize the subdivision within this time frame please contact the ORRSC in order to request a possible time extension. A minimum extension fee of \$330.00 will be required.)*

Right to Appeal

Pursuant to the Municipal Government Act, the applicant, government departments, and local authorities have a right to appeal the decision or any conditions of the subdivision **within 14 days of receipt of this notice** to the appropriate appeal board. The date of receipt of the decision is deemed to be 7 days from the date the decision is mailed.

You may also appeal any reserve requirement (land or money) established by the subdivision authority. The appeal may be commenced by providing a written statement of the grounds of appeal to:

Municipal Government Board, Alberta Municipal Affairs – Subdivision Appeals Case Manager
1229 – 91 Street SW, Edmonton, Alberta T6X 1E9

The appeal board must receive your notice of appeal within 21 days of the date of this letter informing you of the subdivision authority's decision. ***(Please contact the municipality to determine any applicable fees.)***

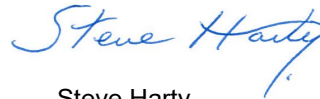
In order for your surveyor to register your subdivision at the Land Titles Office, they must receive an "Endorsement" document from our office. ORRSC will provide the Endorsement upon receipt of the following:

- **Finalization fee** – pay to ORRSC the finalization fee of \$205.00 for each new lot to be created by the subdivision.
- **Fulfilling the Conditions** – ensure that all the conditions of your approval have been met (*refer to attached Resolution*) and provide the Oldman River Regional Services Commission documented evidence to that effect.
- **Surveyor's package** which includes the Plan of Survey, signed consents, etc. (or your separation of title document as prepared by your lawyer or surveyor).

After endorsement, we will return the documents to your surveyor who will register them with the Land Titles Office.

Should you require any further clarification please contact ORRSC at (403) 329-1344 or visit our website at www.orrsc.com for more details regarding the finalization process.

Yours truly,



Steve Harty
Senior Planner

SH/jm
Attachment

RESOLUTION

2020-0-149

Lethbridge County

Country Residential subdivision of SE1/4 20-12-24-W4M

THAT the Country Residential subdivision of SE1/4 20-12-24-W4M (Certificate of Title No. 201 213 042), to create a 6.92 acre (2.80 ha) farm yard parcel title from a previously unsubdivided ¼-section of 160 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 a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. 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 as approved.
4. That any easement(s) as required by utility companies or the municipality shall be established.
5. That the applicant, at their expense, is responsible for meeting any requirements or conditions of the Director of Historical Resources Administrator, if required.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The proposed parcel is the first subdivision from the quarter section and is determined to be suitable for the intended purpose. The proposed 6.92 acre parcel size complies with Lethbridge County's Land Use Bylaw parcel size requirements.

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.)
- (d) Telus Communications has no objections.
- (e) Alberta Health Services has no objections.
- (f) Canada Post has no comment.

- (g) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

“Reference your file to create a country residential/farmstead parcel at the above noted location.

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

The proposal is to create a single parcel of land from an unsubdivided quarter section to accommodate an existing residence and related improvements. As such, this application is in accordance with Section 14(b) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 (“the regulation”).

As this application complies with said Section 14(b) and access to the proposed parcel and the remnant lands is to be by a means other than a highway, Section 15(3) of the regulation applies.

Notwithstanding the foregoing, the applicant would also 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 centre point of the intersection of the highway and another highway would require the benefit of a permit from our department. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is not within the noted control lines and given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local road system, in this instance a permit from Alberta Transportation will not be required and development of the country residential/farmstead parcel could proceed under the direction, control and management of the county. The applicant could contact the undersigned, at Lethbridge 403/382-4052, 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.”

- (h) FortisAlberta has no concerns, please contact 310-WIRE for electrical services.

NW20

NE20 12-24-4

NW21

SW20 12-24-4

SW21 12-24-4

NW17

NE17 12-24-4

NW16

PROPOSED
LOT 1,
BLOCK 1
2.80±ha
(6.92±ac)

REMAINDER OF
TITLE IN
SE20 12-24-4
61.95±ha
(153.08±ac)

SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-15022T

SE 1/4 SEC 20, TWP 12, RGE 24, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: NOVEMBER 26, 2020

FILE No: 2020-0-149



November 26, 2020

Page 12 of 12



APPROVED

- ☒ Approved
☐ Approved subject to revised parcel configuration

Approved Subdivision is subject to the conditions listed in the Approval Letter attached.

Steve Hardy
 Oldman River Regional Services Commission

AGENDA ITEM REPORT



Title: Planning and Development Department - 1st Quarter Report 2021
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 19 Apr 2021
Approved - 19 Apr 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

This is the 1st Quarter Report for the Planning and Development Department.

RECOMMENDATION:

That County Council receive this report for Information.

PREVIOUS COUNCIL DIRECTION / POLICY:

The Planning and Development Department takes direction from the bylaws approved by County Council including:

- Lethbridge County Land Use Bylaw 1404
- Lethbridge County Municipal Development Plan 1331

BACKGROUND INFORMATION:

Lethbridge County's Planning and Development Department takes direction from the Bylaws and guiding documents that have been approved by County Council including the Lethbridge County Municipal Development Plan, Intermunicipal Development Plans, Lethbridge County Land Use Bylaw, and Area Structure Plans. The Planning and Development Department manages the issuance of development permits, amendments and updates to the Land Use Bylaw, planning projects, Intermunicipal relations and referrals, Road Closures and Licenses, land sales and leases and enforcement of the Land Use Bylaw, other planning bylaw regulations.

In the 1st quarter of 2021 along with day to day duties, the following items were undertaken:

- Diamond City and Shaughnessy Hamlet Growth Studies were approved by County Council
- Commenced the Review and Update of the Lethbridge County Municipal Development Plan
- Completed the sale of residential parcel in Turin

Development Authority

From January 1 to March 31, 2021, 84 development permit applications were received. This is a significant increase from 2020 when only 39 development permit applications were submitted.

A total of 80 development permits were issued, 1 application was withdrawn, 1 was refused, and 12 applications were under review in the 1st quarter of 2021. This includes development permit applications made at the end of 2020. Of the permits that were issued, 26 were residential, 14 accessory buildings (ie. Personal shops, sheds, garages), 14 commercial/industrial, 17 agriculture (farm shops, hay sheds), 1 signage, 5 home occupation, and 3 institutional.

Building Permits

Between January 1 and March 31 2021 the following safety codes permit applications were submitted:

- 60 Building Permits
- 126 Electrical Permits
- 83 Gas
- 36 Plumbing
- 13 private septic disposal systems

Subdivision Applications

County Council acting as the Subdivision Authority approved 10 subdivisions from January 1 to March 31, 2020.

Subdivision and Development Appeal Board

There were no appeals of any subdivision approvals or development permits in the first quarter of 2020.

Road Closures

- Bylaw 20-007 - 2nd and 3rd reading approved

Re-designations

- Bylaw 21-002 - Hamlet Public Institutional to Hamlet Residential (Monarch Water Tower Site) - approved
- Bylaw 21-008 - Rural Agriculture to Grouped County Residential - under review
- Bylaw 21-009 - Rural Agriculture to Rural General Industrial - under review
- Bylaw 21-011 - Rural Urban Fringe to Grouped Country Residential - under review

Area Structure Plans

- Bylaw 21-010 - Ramias Area Structure Plan (north of Coalhurst) - under review

Intermunicipal Relations

- Bylaw 20-023 - Amendments to the Lethbridge County-Town of Coalhurst Intermunicipal Development were approved by both Councils on February 25, 2021.

ALTERNATIVES / PROS / CONS:

Not Applicable

FINANCIAL IMPACT:

From January 1 to March 31 the County has received \$31,108.11 in revenue from Park Enterprises for the issuance of Safety Codes Permits. In 2020 the County received \$26,763.07 from the issuance of Safety Codes Permits.

REASON(S) FOR RECOMMENDATION(S):

This report is strictly to inform County Council on the activities of the Planning and Development Department.

AGENDA ITEM REPORT



Title: Bylaw 21-008 - Land Use Bylaw Amendment Rural Agriculture to Grouped Country Residential - Lot 1, Block 2, Plan 1810581 in the NW 5-8-20-W4 - First Reading

Meeting: Council Meeting - 06 May 2021

Department: Community Services

Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 19 Apr 2021
Approved - 19 Apr 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 re-designate Lot 1, Block 2, Plan 1810581 in the NW 5-8-20-W4 (about 8 kilometres south of the City off Highway 4) from Rural Agriculture to Grouped Country Residential to allow for the subdivision of the title into 2 separate titles.

RECOMMENDATION:

That Bylaw 21-008 be read a first time.

PREVIOUS COUNCIL DIRECTION / POLICY:

The Lethbridge County Municipal Development Plan allows for the further subdivision of titles under 20 acres as long as the lands are re-designated to the Grouped Country Residential Land Use District.

BACKGROUND INFORMATION:

An application has been made to re-designate Lot 1, Block 2, Plan 1810581 in the NW 5-8-20-W4 from Rural Agriculture to Grouped Country Residential to allow for the subdivision of the title into 2 separate titles.

The application has been circulated to all County Departments and external agencies for review. It is anticipated that the public hearing will be held in June 2021.

ALTERNATIVES / PROS / CONS:

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

FINANCIAL IMPACT:

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

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 21-008 will allow County Administration to set the date for the Public Hearing and send out the notices for the proposed bylaw.

ATTACHMENTS:

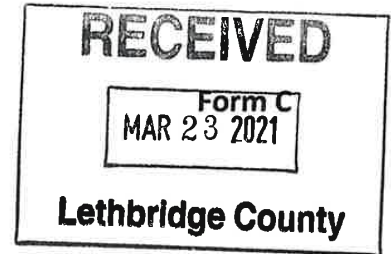
[Bylaw 21-008 - Application](#)

[Proposed Subdivision Map](#)

[Bylaw 21-008 - Joss, Floyd & Louise - Amendment to LUB](#)



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



Date of Application: <u>March 23, 2021</u>	Assigned Bylaw No. <u>21-008</u>
Date Deemed Complete: <u>March 24, 2021</u>	Application & Processing Fee: \$ <u>1500.00</u>
Redesignation <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/>	Certificate of Title Submitted: <input type="checkbox"/> Yes <input checked="" 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: Floyd & Louise Joss
Mailing Address: 80073 - Range Rd 205 Phone: 403-328-1730
Lethbridge County Phone (alternate): 602-859-2928
Email: drjoss@agt.net
Postal Code: T1K-8G9

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: 80073 - Range Rd 205 - Leth County
Legal Description: Lot(s) 1 Block 2 Plan 1810581
OR Quarter NW Section 5 Township 8 Range 20-W4

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):

Agricultural

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

Grouped Country Residential

SITE DESCRIPTION:

Describe the **lot/parcel dimensions** _____ and **lot area/parcel acreage** 10.63
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')

See attached Plot Plan

☒ 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: _____

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.

Information required by Section 52 of the Land Use Bylaw

1. Existing and Proposed future land use;
The existing 10.63 acres is our home acreage where our house is located along with 3 small out buildings. Our proposal is to place on separate title a rectangular piece of property (3 acres) which will be in the north west corner of the 10.63 acre parcel.
2. Most of the acreages along Range Rd 205 are designated "Country Residential". Changing our designation would make our parcel consistent with our neighbors.
3. It is my understanding that the Vander Heide/Popma property is zoned Country Residential. The Heninger property is Country Residential but the Kille property is Agricultural because it is 33 acres. The Manser property is still designated Agricultural but that property is immediately adjacent to mine and there have been no land use problems in the 18 years we have been neighbors.
4. The proposed 3 acre parcel is completely suitable for a separate acreage as I have owned it for 18 years and witnessed the effects of the flood of 2010 and of 2013. Water from this property drains south across my property and collects against the northwest bank of the SMRID main canal. During those flood years SMRID did have to pump water from my property into the canal. All 4 of the acreages next to me and including mine use a septic tank and field which all function very well. I expect that if a home is built on the 3 acre parcel it will also use a septic tank and field for sewage disposal. An acreage like the one proposed here will need both potable water for the dwelling and irrigation water for lawns, trees and gardens. The property will have to have a storage reservoir (usually referred to as a dugout). There will be an easement granted for a 4" water line that will cross my property and be capable of easily filling a dugout on the 3 acre piece. This SMRID water will be used for irrigation needs but could also be filtered and treated to provide potable water for a dwelling. Alternately, a cistern could be installed and filled with hauled water or at considerable expense the cistern could be supplied by Lethbridge County rural water line.

5. Electricity in our area is provided by a Fortis overhead line. A recently installed pole is within 30 feet of the south boundary of the proposed 3 acre piece. A Triple W natural gas line runs along the west edge of the proposed parcel. We are privileged to have our portion of Range Road 205 paved as it passes our property and this new property will have a direct approach to RR 205. The paved road is a real plus for those of us with motorcycles and classic cars. The school bus travels past our front door when there are school age kids present.

County council
County of Lethbridge
#100, 905 4th Avenue S
Lethbridge T1J 4E4
County Council;

This document is my application to rezone the 10.63 acres of our home acreage from Agricultural to Country Residential. I have notified our immediate neighbors of our intentions and have enclosed their affirmation of my contacting them. Attached are the signed documents from my neighbors as well as the plot plan of the subject parcel of land. A copy of the land title could be provided if needed. I understand that there is a fee associated with rezoning and I expect that you will provide the details of the appropriate fees.

Thank you for considering this request.

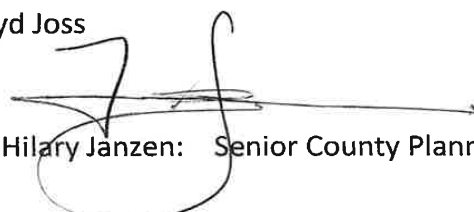
My contact information is as follows:

Floyd and Lou Joss
80073 Range Rd 205
Lethbridge County
T1K 8G9
Land line 403-328-1730
Cell phone 602-859-2928
Email drjoss@agt.net

Sincerely,

Floyd Joss

Cc: Hilary Janzen: Senior County Planner



County council

County of Lethbridge

#100, 905 4th Avenue S

Lethbridge T1J 4E4

Dear County Council;

Our neighbors, Floyd and Lou Joss, have advised us of their intention to change the zoning of their property from Agricultural to Country Residential. We understand that the property in question is the 10.7 acres where their home is located. We have considered this matter and wish to advise that we have no objection to this zoning change.

Name: Barb Popma

Signed:

Barb Popma Dated: March 12/21

Name: RICHARD WANDER HEIDE

Signed:

[Signature] Dated: March 12/21

County council

County of Lethbridge

#100, 905 4th Avenue S

Lethbridge T1J 4E4

Dear County Council;

Our neighbors, Floyd and Lou Joss, have advised us of their intention to change the zoning of their property from Agricultural to Country Residential. We understand that the property in question is the 10.7 acres where their home is located. We have considered this matter and wish to advise that we have no objection to this zoning change.

Name: Richard Kille

Signed:

[Signature] Dated: MARCH 11, 2021

Name: _____

Signed:

_____ Dated: _____

County council

County of Lethbridge

#100, 905 4th Avenue S

Lethbridge T1J 4E4

Dear County Council;

Our neighbors, Floyd and Lou Joss, have advised us of their intention to change the zoning of their property from Agricultural to Country Residential. We understand that the property in question is the 10.7 acres where their home is located. We have considered this matter and wish to advise that we have no objection to this zoning change.

Name: MARK HENNINGER

Signed: [Signature] Dated: March 16, 2021

Name: FLOYD JOSS

Signed: [Signature] Dated: March 16, 2021

County council

County of Lethbridge

#100, 905 4th Avenue S


Lethbridge T1J 4E4

Dear County Council;

Our neighbors, Floyd and Lou Joss, have advised us of their intention to change the zoning of their property from Agricultural to Country Residential. We understand that the property in question is the 10.7 acres where their home is located. We have considered this matter and wish to advise that we have no objection to this zoning change.

Name: CARREN MANSEK

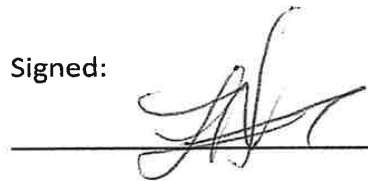
Signed:



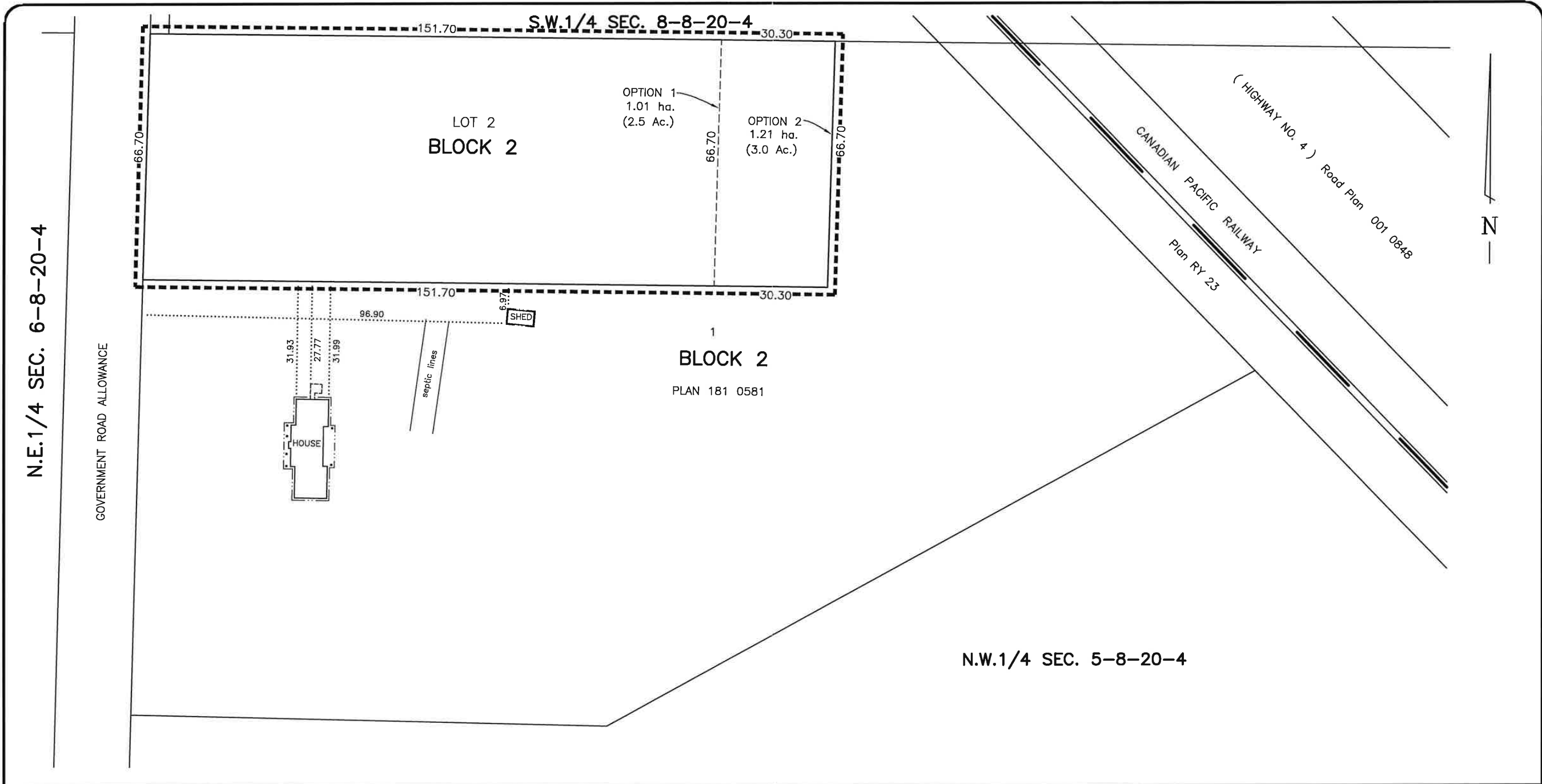
Dated: MARCH 17, 2021


Name: LAURA LEA MANSEK

Signed:



Dated: MARCH 17, 2021



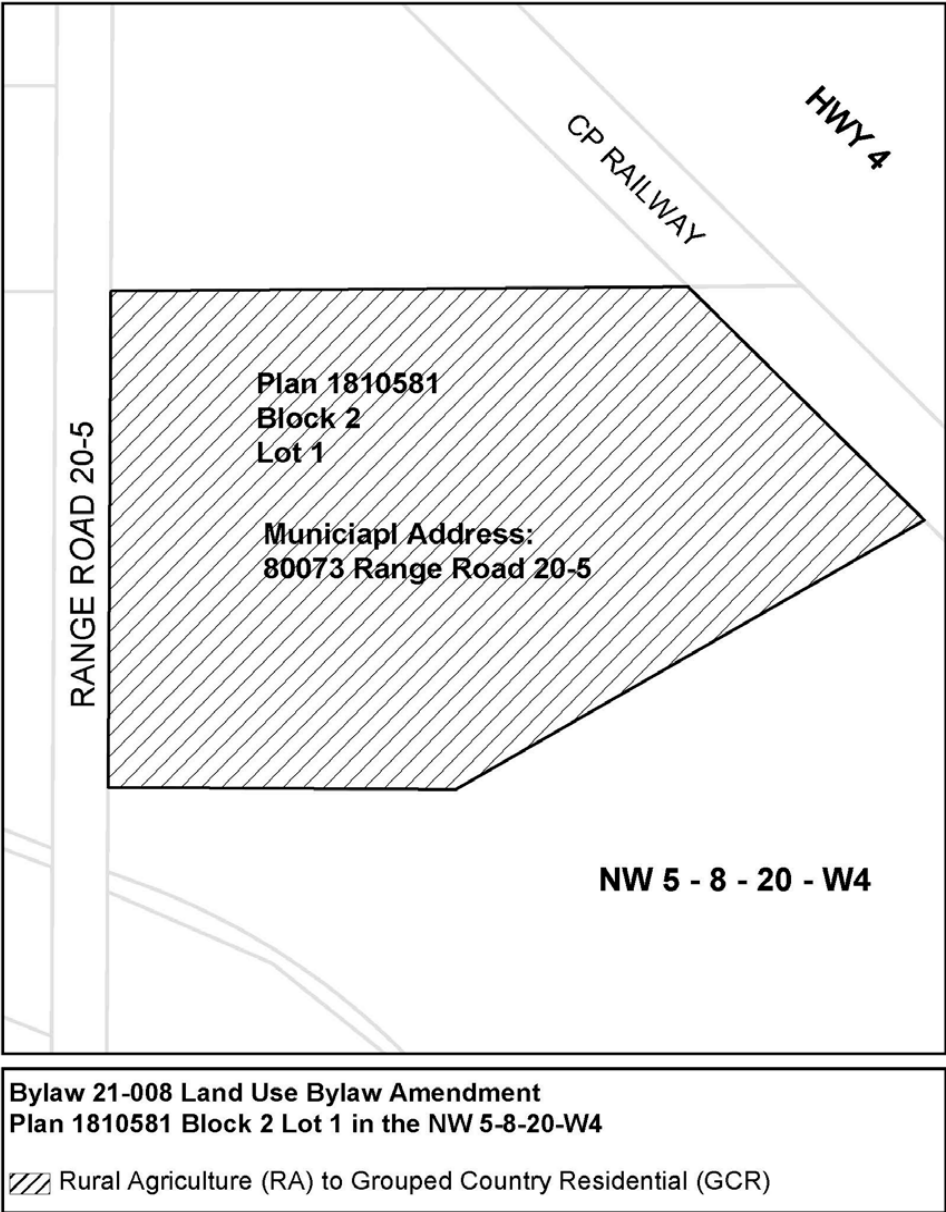
1	sheds removed as per client request	JAN 8/21	MJ	FLOYD JOSS		 brown okamura & associates ltd. Professional Surveyors 2830 – 12 Avenue North, Lethbridge, Alberta			
NO.	REVISION	DATE	BY	TENTATIVE PLAN SHOWING SUBDIVISION of part of LOT 1, BLOCK 2, PLAN 181 0581 within N.W.1/4 SEC. 5, TWP. 8, RGE. 20, W.4 M. Lethbridge County		APPROVED		DRAWN MJ	DATE NOV 25/20
NOTE : Portion to be approved is outlined thus ----- and contains approximately 1.21 ha. Distances are in metres and decimal parts thereof. *Improvmnts shown are copied from file 17–13965T Dated November 8th, 2017 Distances and areas are approximate and are subject to change upon final survey.						CHECKED TCP		JOB 20–15099	
						SCALE		DRAWING	
						1:1000		20–15099TA	
						T.C. Penner, A.L.S.			

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 21-008

Bylaw 21-008 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 21-008 is to re-designate Plan 1810581 Block 2 Lot 1 in the NW 5-8-20-W4 from Rural Agriculture (RA) to Grouped Country Residential (GCR) as shown below;



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

AND WHEREAS the 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;

GIVEN first reading this 6th day of May 2021.

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

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

Reeve

1 st Reading	May 6, 2021
2 nd Reading	
Public Hearing	
3 rd Reading	

Chief Administrative Officer

AGENDA ITEM REPORT



Title: Bylaw 21-009 - Land Use Bylaw Amendment Rural Agriculture to Rural General Industrial - NE/NW 33-7-20-W4 (5 northern acres) - First Reading
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 20 Apr 2021
Approved - 20 Apr 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 re-designate a 5 acres portion of the NE/NW 33-7-20-W4 from Rural Agriculture to Rural General Industrial to allow for future industrial development on the parcel.

RECOMMENDATION:

That Bylaw 21-009 be read a first time.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The Lethbridge County Municipal Development Plan allows for the further subdivision of agricultural titles for the purposes of industrial/commercial development.
- This proposed area is within an area considered for future industrial/commercial development as identified in the Industrial/Commercial Land Use Strategy

BACKGROUND INFORMATION:

An application has been made to re-designate a 5 acres portion of the NE/NW 33-7-20-W4 from Rural Agriculture to Rural General Industrial to allow for future industrial development on the parcel. The parcel is located on Range Road 20-4 south of Highway 508 and west of Highway 4 (as shown on the attached context map). The applicant is proposing to construct a Hemp straw processing facility.

The application has been circulated to all County Departments and external agencies for review and their comments as well as any planning/strategic planning considerations will be presented at the public hearing. It is anticipated that the public hearing will be held in June 2021.

ALTERNATIVES / PROS / CONS:

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

FINANCIAL IMPACT:

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

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 21-009 will allow County Administration to set the date for the Public Hearing and send out the notices for the proposed bylaw.

ATTACHMENTS:

[Redesignation Application - Bylaw 21-009](#)

[Descriptive Narrative - Land Redesignation for Neveridle Farms Ltd](#)

[Bylaw 21- 009 Context Map](#)

[Bylaw 21-009 - Neveridle Farms - Amendment to LUB](#)



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

Form C

OFFICE USE		
Date of Application: March 17, 2021	Assigned Bylaw	No. 21-009
Date Deemed Complete: March 29, 2021	Application & Processing Fee:	\$ 1500.00
Redesignation <input type="checkbox"/> Text Amendment <input type="checkbox"/>	Certificate of Title Submitted:	<input type="checkbox"/> Yes <input checked="" 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: Neveridle Farms Ltd
Mailing Address: P.O. Box 537

Postal Code: T1J-3Z4

Phone: 1-403-327-9229
Phone (alternate): 1-403-315-2441
Email: Rodlanier@platinum.ca

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: no municipal address

Legal Description: Lot(s) _____ Block _____ Plan _____
North 5 acre Portion of OR Quarter NW Section 33 Township 7 Range 20

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):

Rural Agricultural

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

Rural General Industrial

SITE DESCRIPTION:

Describe the **lot/parcel dimensions** _____ and **lot area/parcel acreage** **5 acres in the north portion of the parcel.** 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

NeverIdle Farms Ltd

REGISTERED OWNER
(if not the same as applicant)

DATE: _____

FOIP STATEMENT: Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected here will be used to by Lethbridge County for the purposes of reviewing 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.

Descriptive Narrative - Land Redesignation for Neveridle Farms Ltd.

Currently the plot of land at NW-33-7-20 is being used for Rural Agriculture. Neveridle has planted and harvested different crops throughout the years. Neveridle Farms wants to redesignate the land to Rural General Industrial so we can process hemp straw from ours and local hemp growers farms.

Neveridle Farms plan aligns with the county of Lethbridge's goals for the area to become a growing industrial center. As facilities such as Richie Bro's have started to expand.

The desired area is compatible with the surrounding area and zoning due to our future use of hemp processing and the close proximity to Highway 4 and other Rural General Industrial zones.

Gas and Electricity are easily accessible and can be connected quickly and Neveridle farms has already arranged future connections to these amenities. Sewage disposal will be through a septic tank and water will be sourced from the nearby canal or a sistrine tank.



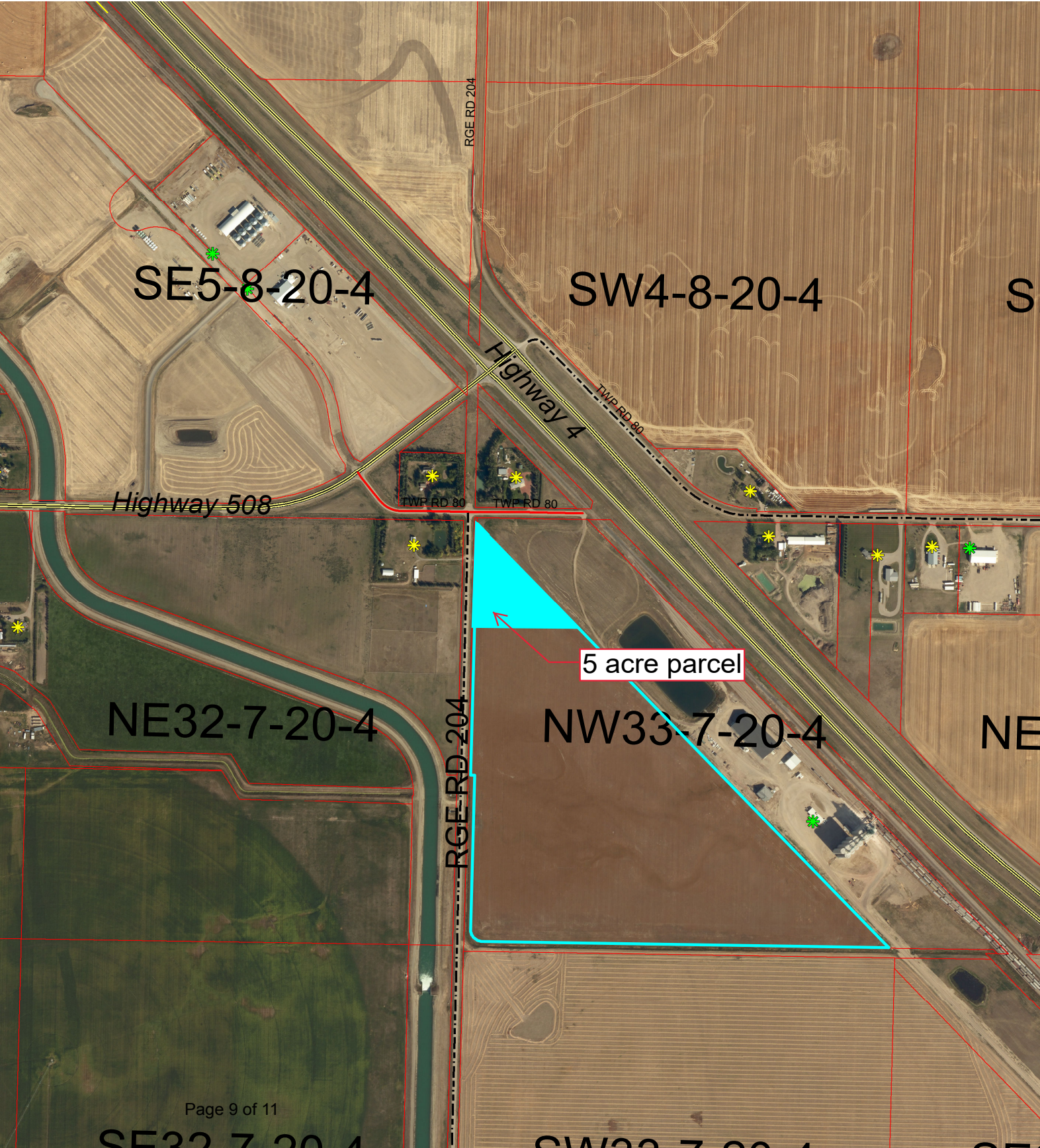
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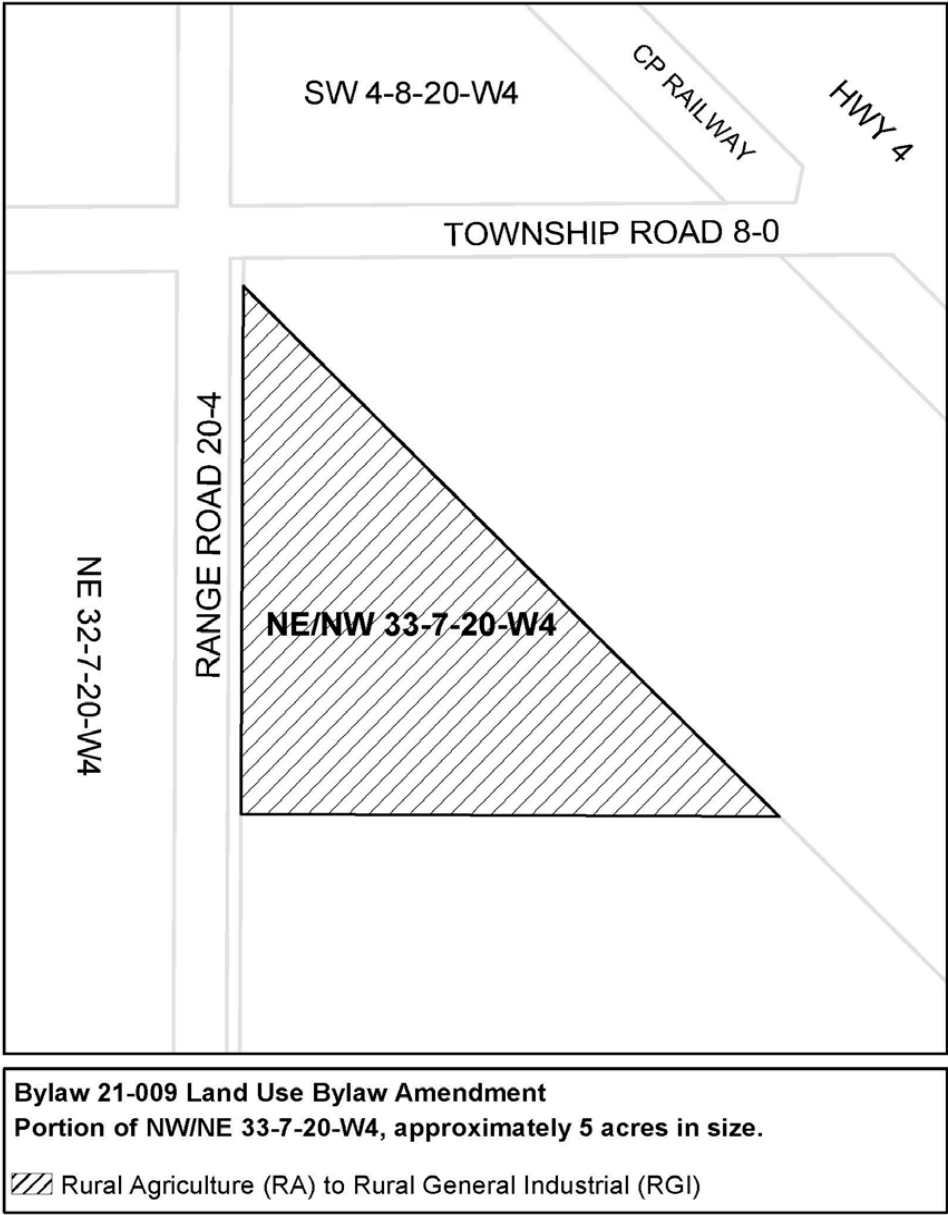


**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 21-009

Bylaw 21-009 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 21-009 is to re-designate the northern 5 acres of the NE/NW 33-7-20-W4 from Rural Agriculture (RA) to Rural General Industrial (RGI) as shown below;



AND WHEREAS the re-designation of the lands will allow for future Industrial development of the 5 acre portion of the parcel;

AND WHEREAS 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;

GIVEN first reading this 6th day of May 2021.

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

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

Reeve

1 st Reading	May 6, 2021
2 nd Reading	
Public Hearing	
3 rd Reading	

Chief Administrative Officer

AGENDA ITEM REPORT



Title: Bylaw 21-013 - Text Amendments to the Lethbridge County Land Use Bylaw - First Reading
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 21 Apr 2021
Approved - 21 Apr 2021

STRATEGIC ALIGNMENT:



Outstanding Quality
of Life



Effective Governance
and Service Delivery



Prosperous
Agricultural
Community



Vibrant and Growing
Economy



Strong Working
Relationships

EXECUTIVE SUMMARY:

Lethbridge County Administration has completed a brief internal review of the County's Land Use Bylaw and are proposing a number of changes. Some of the changes are based on evolving Federal and Provincial Regulations while others are to find efficiencies in the Bylaw and provide clarity on some regulations.

RECOMMENDATION:

That Bylaw 21-013 be read a first time.

PREVIOUS COUNCIL DIRECTION / POLICY:

The Lethbridge County Land Use Bylaw was adopted by County Council in October 2013

BACKGROUND INFORMATION:

Lethbridge County Administration has completed a brief internal review of the County's Land Use Bylaw and are proposing several changes. Some of the changes are based on evolving Federal and Provincial Regulations and others are to find efficiencies in the Bylaw and provide clarity on some regulations. The proposed amendments include:

- updating and clarifying land uses within the Rural Agriculture, Rural Urban Fringe, Lethbridge Urban Fringe, Grouped Country Residential, Rural General Industrial and Hamlet Residential Districts
- Addressing changes made to the Municipal Government Act, specifically to the subdivision and development appeal process and requirements for development permit notifications
- Clarify the types of documentation that may be required with a Development Permit Application

- Clarifying language around fences within residential areas
- Signage for Home Occupations
- Clarify language around development in flood areas
- Update the Land Use Bylaw to align with Federal regulations around different types of Cannabis Facilities
- Update the definitions section

The proposed amendments will be circulated to all County Departments and external agencies for review and their responses along with the planning considerations will be presented at the time of the public hearing. It is anticipated that the public hearing will be held in August 2021.

ALTERNATIVES / PROS / CONS:

County Council may refuse first reading of the Bylaw:

Pros:

- The Land Use Bylaw would remain as is until County Council would require a more in-depth review, which could be more comprehensive in nature

Cons:

- The Land Use Bylaw would continue to have regulations that may not be in line with other Federal and Provincial Regulation
- The Land Use Bylaw would become outdated

FINANCIAL IMPACT:

If the bylaw is approved, future development would be taxed at the County's residential tax rate. There are no additional costs to the County (i.e. maintenance of infrastructure) that will arise if that bylaw is approved.

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 21-013 will allow County Administration to send out the bylaw to external agencies and adjacent municipalities for review, after which a date for the Public Hearing would be set.

ATTACHMENTS:

[Bylaw 21-013 - Amendments to the Land Use Bylaw 1404](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 21-013

BEING a bylaw of Lethbridge County in the Province of Alberta, to amend Bylaw No. 1404, being the municipal Land Use Bylaw.

WHEREAS THE PURPOSE of proposed Bylaw No. 21-013 is to undertake a series of amendments as identified in the attached 'Schedule A' in order to add and clarify the Land Use Bylaw and align with Provincial and Federal Acts and Regulations;

WHEREAS these amendments include, but are not limited to, the following descriptions:

- The Administration Section is updated and amended to clarify provision and administrative regulations, including application processing;
- The land use districts and various uses are being amended, including shipping containers, riding arenas, and various cannabis related uses;
- To clarify and detail the development standards and specific land use standards for certain uses including fencing in residential areas and cannabis production facilities; and
- To amend the Land Use Bylaw definitions to reflect the updates.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following:

1. That the amendments as indicated in attached 'Schedule A' are adopted.
2. That Bylaw No. 1404, being the municipal Land Use Bylaw, is hereby amended.
3. This bylaw comes into effect upon third and final reading hereof.
4. That Bylaw No. 1404 is consolidated to incorporate the amendments in Schedule A.

GIVEN first reading this 6th day of May 2021.

Reeve

Chief Administrative Officer

GIVEN second reading this _____ day of _____, 2021.

Reeve

Chief Administrative Officer

GIVEN third reading this _____ day of _____, 2021.

Reeve

Chief Administrative Officer

Schedule 'A'

Bylaw No. 21-013 Amendments to Land Use Bylaw No. 1404

GENERAL AMENDMENTS:

- Replace all references to the Municipal Government Board to read "Land and Property Rights Tribunal (LPRT)" (coming into effect June 2, 2021)
- Remove all references to the "Processing of Manure" from any land use district and the definition.

PART 1 – ADMINISTRATION

13. (4) (d) replace existing section with the following:

- the temporary erection or placement of works, plants, machinery or structures needed solely for the undertaking or completion of construction of a development that has an approved permit, only while that construction is occurring, provided all standards of the bylaw are met

13. (4) (i) replace existing section with the following:

- With the exception of residential districts (HR, HMM, GCR), the construction of any fences in all other land use districts is exempt from a development permit provided the applicable setbacks to all roadways are met in accordance with the bylaw. In residential districts, the erection, construction, maintenance of a gate, fence, wall or other structural means of enclosure equal to or less that regulated height as noted in Part 3 (10) of this bylaw does not require a development permit.

13. (4) (g) (iii) Remove the reference to 304.8 metres setback

24 (d) (ii) – add stormwater management plan and drainage plans to the section

24 (d) add :

(iii) the development authority will require that any studies be professionally prepared

36 (3) (b) replace existing section with the following:

(b) notify persons likely to be affected by either:

- (i) posting a copy of the decision in a prominent place in the Lethbridge County Administration Building for at least 21 days, or
- (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
- (iii) publishing a notice of the decision on the County's website, or
- (iv) any combination of the above.

36 (4) (b) replace existing section with the following:

(b) notify persons likely to be affected by either:

- (i) mailing a copy of the decision to those persons, departments and agencies, or
- (ii) publishing a notice of the decision in a newspaper circulated within the municipality, or
- (iii) publishing a notice of the decision on the County's website, or
- (iv) post a notice of the application in a conspicuous place on the property, or
- (v) any combination of the above

45. Add to the end of the section:

- ...or to the Land and Property Rights Tribunal (LPRT) where the land may be subject to a matter of provincial interest in accordance with the Municipal Government Act unless otherwise provided in the Regulations.

PART 2 – LAND USE DISTRICTS

RA District

Add Discretionary Uses:

- Cannabis Cultivation (see Part 4)
- Cannabis Nursery (see Part 4)
- Riding Arena (personal use)

RUF District

Add to Permitted Uses:

- Single Detached Moved-in Residence

Add to Discretionary Uses:

- Riding Arena (personal use)
- Add to Seed Processing Facilities the word “Cleaning” to read “Seed Cleaning Processing Facilities”

Remove from Discretionary Uses:

- Single Detached Moved-in Residence

LUF District

Add to Discretionary Uses:

Shipping Containers (see part 4)

GCR District

Add to Discretionary Uses:

- Moved- in Dwelling

RGI District

Amend Permitted Uses:

- Replace ‘Retail Sales and Uses to an approved permitted use’ with ‘Retail Sales and Uses’

Add to Permitted Uses:

- Outdoor Storage for an approved permitted use

Add to Discretionary uses:

- Sandblasting
- Cannabis- Processing (see Part 4)

Remove from Discretionary Uses

- Cannabis Production Facility

HR District

Add after Section 8 (1)

- In no case shall any detached accessory structure exceed 167.2 m² (1,800 sq. ft.)

PART 3 – GENERAL LAND USE PROVISIONS

10. Replace the existing section with the following:

Fences in Residential Area:

(1) Hamlets

(a) No fence, wall, vegetation (i.e. shrubs, hedges, bushes, coniferous trees or any other plant that, in the opinion of the Development Authority, creates a visual obstruction and / or barrier) or any combination thereof, lying within 7.62 metres (25 feet) of the right-of-way of a public roadway (excluding lanes) shall extend more than 0.91 metres (3 feet) above the ground (except in the case of corner lots where one yard is considered as the side yard as indicated in Section 6 and in accordance with Section 7 of this Part) without a permit issued by the Development Authority

(b)Fences in rear and side yards shall not exceed 1.83 metres (6 feet) in height

(2) Grouped Country Residential Areas

(a) No fence, wall, vegetation (i.e. shrubs, hedges, bushes, coniferous trees or any other plant that, in the opinion of the Development Authority, creates a visual obstruction and / or barrier) or combination thereof, lying within 10 meters (33 feet) of the right-of-way of a public roadway shall extend more than 1.22 metre (4 feet) above the ground without a permit issued by the development authority.

(b) Fences in the rear and side yards shall not exceed 1.83 metres (6 feet) in height and can be installed to the property line.

(c) Wind screen fences shall meet all applicable setbacks to municipal roads and property lines.

35. (2) add subsections:

- (a) required on parcels that are less than 0.8 hectares (2 acres) in size
- (b) required where a development is on a coulee slope or near a river/lake

38. (4) add after regulation:

- This includes a crawl space under a dwelling

PART 4 – USE SPECIFIC LAND USE PROVISIONS

20. (5) Replace existing section with:

- No advertising shall be permitted on the property except for a window sign and up to one indirectly illuminated sign of 0.37 m² (4 sq. ft.) in Hamlets and 1.48m² (16 sq. ft.) in all other districts, to be placed against the building or fence. Larger signage may be permitted if, in the opinion of the Development Authority, the signage does not interfere with the residential or agricultural character of the area.

42. Replace the existing section with the following:

Cannabis Nursery, Cannabis Cultivation, and Cannabis Processing

The requirements of this section apply to cannabis nursery, cannabis cultivation, and cannabis processing facilities as defined by the Land Use Bylaw and are in addition to any federal regulations required by the Government of Canada.

- (1) The owner or applicant must provide, as a condition of development approval, a copy of the current license for all activities associated with a cannabis facility as issued by Health Canada.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent, or license that may be required to ensure compliance with applicable federal, provincial, or municipal legislation.
- (3) For indoor facilities, the development must be done in a manner where all processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (4) For outdoor cultivation facilities, the development must include security and fencing as per the Federal Regulations.
- (5) The development must include equipment designed and intended to remove odours and particulates from the air where it is discharged from the building as part of a ventilation system.
- (6) The cannabis facility shall not be located on a parcel of land that is adjacent to or within 300 metres (984.26 feet) of a:
 - a. Parcel with a School
 - b. Parcel with a Day Care / Care Facility
 - c. Parcel zoned residential (i.e. HR, HMH, GCR)
 - d. Parcel designated as a Municipal Reserve or Rural Recreation
 - e. From an adjacent residence
- (7) The separation distance to a residence or residential parcel if the appropriate waivers have been obtained by the applicant from the affected landowners.
- (8) The separation distance shall be measured from the closest point of the cannabis facility building or other structure (i.e. fence).

- (9) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes details regarding:
- a. The incineration of waste products and airborne emissions, including smell;
 - b. The quantity and characteristics of liquid and waste material discharged by the facility; and
 - c. The method and location of collection and disposal of liquid waste material.

PART 8 – DEFINITIONS

Add the following Definitions:

Riding Arena (personal non-commercial use) – means an establishment where horses are boarded and cared for, for the benefit of the homeowner only. This does not include instructions for riding, jumping, showing, or boarding horses for the general public.

Professionally Planned Report/Study Plan – means a study or report that has been professionally prepared on a computer and signed by a registered/licensed professional in the respective field. This may include but is not limited to drainage plans, grading plans, slope stability study, septic evaluation report, stormwater management plans. The requirement to be signed and stamped by a professional engineer for some plans may be waived by the Development Authority if it is deemed appropriate.

Cannabis Nursery – means the growing and harvesting of cannabis for the purposes of a nursery as licensed by Health Canada

Cannabis Cultivation- means the growing and harvesting of cannabis as licensed by Health Canada

Cannabis Processing – means a development (micro or standard size), as licensed by Health Canada, where cannabis is growth, harvested, processed, tested, destroyed and / or stored on site, but does not includes Cannabis Retail Stores

Parent Parcel - means the complete area contained within a certificate of title of the parcel of land that is proposed to be the subject of a development or subdivision proposal prior to the development or subdivision of that land occurring

Remove and Replace the following Definition:

Agricultural Land, Higher Quality - means land contained in an irrigable unit or having a CLI classification of 1-4, comprising 64.8 ha (160 acres) parcels of dryland or 32.4 ha (80 acres) parcels of irrigated land, or land having a CLI classification of 5-7 with permanent water rights. This does not include land considered as cut-off parcels or badly fragmented land as defined in this bylaw.

Remove the following Definition:

Cannabis Production Facility

AGENDA ITEM REPORT



Title: Bylaw 20-018 - Road Closure, Sale and Consolidation of a portion of First Avenue within the Hamlet of Turin- 2nd and 3rd Reading
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 19 Apr 2021
Approved - 19 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Lethbridge County Administration is proposing to close a portion of First Avenue in the Hamlet of Turin as part of the realignment of First Avenue. The portion of road that is proposed to be closed is not used as part of the right-of-way and has been generally used by the adjacent landowners.

RECOMMENDATION:

That Bylaw 20-018 be read a 2nd time.
That Bylaw 20-018 be read a 3rd time.

PREVIOUS COUNCIL DIRECTION / POLICY:

- Policy 109A - Road Allowance Closure & Sale was approved by County Council on March 6, 2014.
- Subdivision 2019-0-155 was approved by County Council November 21, 2019 which included the realignment of First Avenue in the Hamlet of Turin.
- Bylaw 20-018 was given first reading on October 1, 2020.

BACKGROUND INFORMATION:

County Administration has determined that the southern portion of First Avenue will not be required for future use and can be closed and consolidated with the properties directly to the south of the road closure area. The westerly portion which is the subject of this report, is for Road Plan 7610828 as shown on the attached sketch, as this portion is located within the Hamlet Boundary it is required to be closed by Bylaw.

If this road closure is approved, the adjacent landowners, being the Turin Community Association and Ms. Tara Mason and Dominic Hillareguy, will consolidate the road closure area into their adjacent parcels which are located south of the road proposed to be closed.

The Road Closure bylaw has received Ministerial approval and County Council can proceed with second and third reading of the Bylaw.

ALTERNATIVES / PROS / CONS:

County Council may choose to refuse 2nd reading of the bylaw .

Pros:

- The extra road right of way may be utilized by Lethbridge County in the future for road or drainage purposes.

Cons:

- County Administration will have to address the encroachment issues of the adjacent landowners.
- The County will have to maintain this section of undeveloped road right-of-way.
- The closure of portion of road to the east was approved by County Council and would leave this piece of roadway as a remnant piece.

FINANCIAL IMPACT:

The assessed value of the lands proposed to be closed is \$3000 per acre . If the road closure is approved the County would give the land to the Turin Community Association for \$1.00. The remainder would be sold to Ms. Mason and Mr. Hillareguy for \$960.00. There would also be a nominal increase to taxes.

REASON(S) FOR RECOMMENDATION(S):

- No comments or concerns have been submitted or expressed with regards to the closure of the south portion of First Avenue in the Hamlet of Turin.
- The adjacent landowners have agreed to consolidate the portion of road that is adjacent to their property.
- Alberta Transportation has approved the road closure.

ATTACHMENTS:

[Bylaw 20-018 Road Closure and Consolidation](#)

[Bylaw 20-018 - Signed By AT](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW 20-018

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

WHEREAS, the lands hereafter described are no longer required for public travel;

WHEREAS, application has been made to Council to have the roadway closed, and;

WHEREAS, the Council of Lethbridge County deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and;

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

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

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

1. ALL THAT PORTION OF FIRST AVENUE ON PLAN 7610828 FORMING PART OF LOT 1, BLOCK 4, PLAN _____, CONTAINING 0.130 HECTARES (0.32 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS
2. ALL THAT PORTION OF FIRST AVENUE ON PLAN 7610828 FORMING PART OF LOT 2, BLOCK 4, PLAN _____, CONTAINING 0.077 HECTARES (0.19 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

GIVEN first reading this _____ day of _____, 2020.

Reeve

Chief Administrative Officer

Approved this _____ day of _____, 20____.

Minister of Transportation

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

Reeve

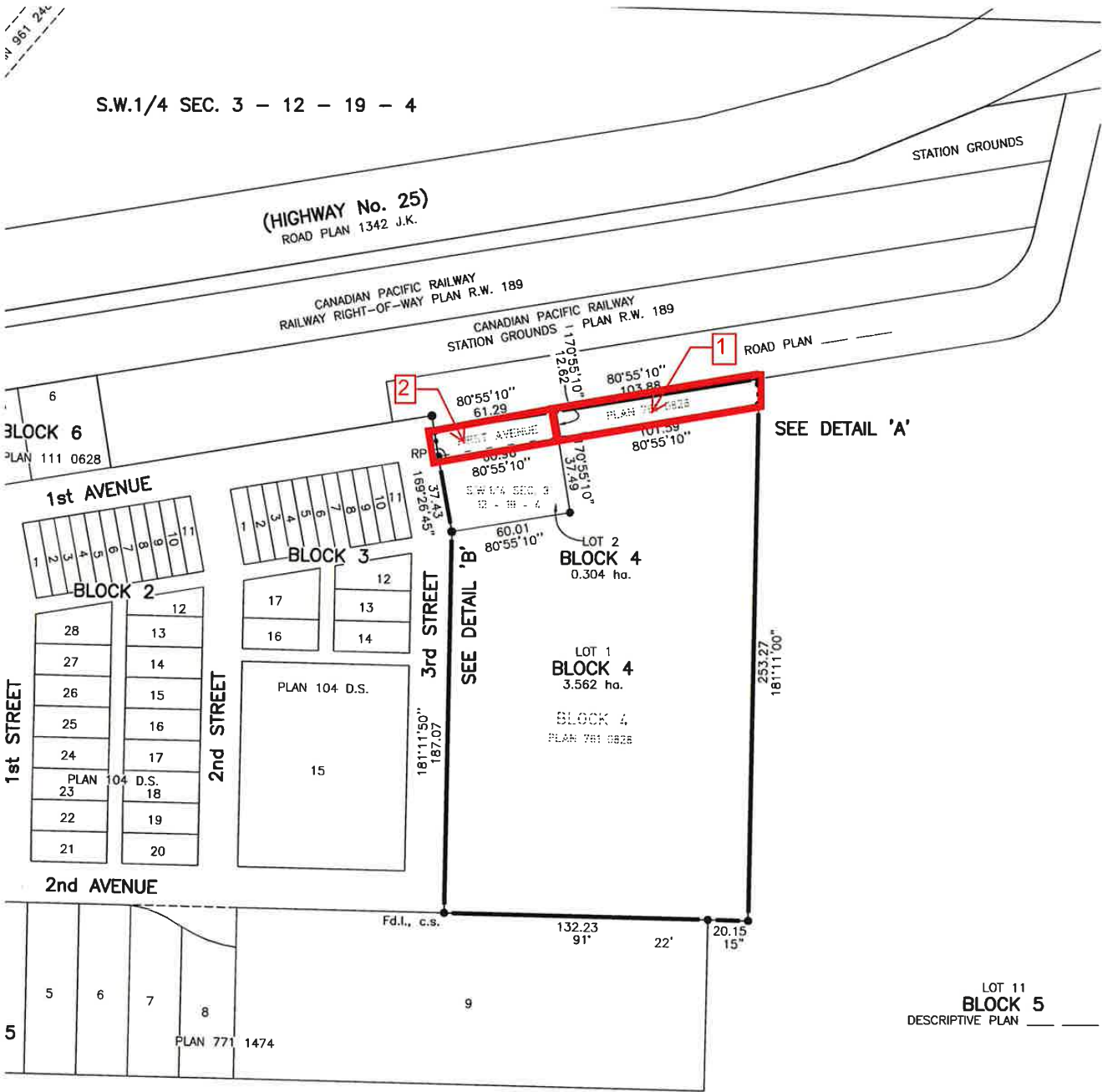
Chief Administrative Officer

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

Reeve

Chief Administrative Officer

First Reading	
Send to Minister of Transportation	
Public Hearing	
Second Reading	
Third Reading	



**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW 20-018

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

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

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

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

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2. ALL THAT PORTION OF FIRST AVENUE ON PLAN 7610828 FORMING PART OF LOT 2, BLOCK 4, PLAN _____, CONTAINING 0.077 HECTARES (0.19 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

GIVEN first reading this 1 day of October, 2020.



Reeve


Chief Administrative Officer

Approved this 23RD day of FEBRUARY, 2021.


Minister of Transportation

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

Reeve

Chief Administrative Officer

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

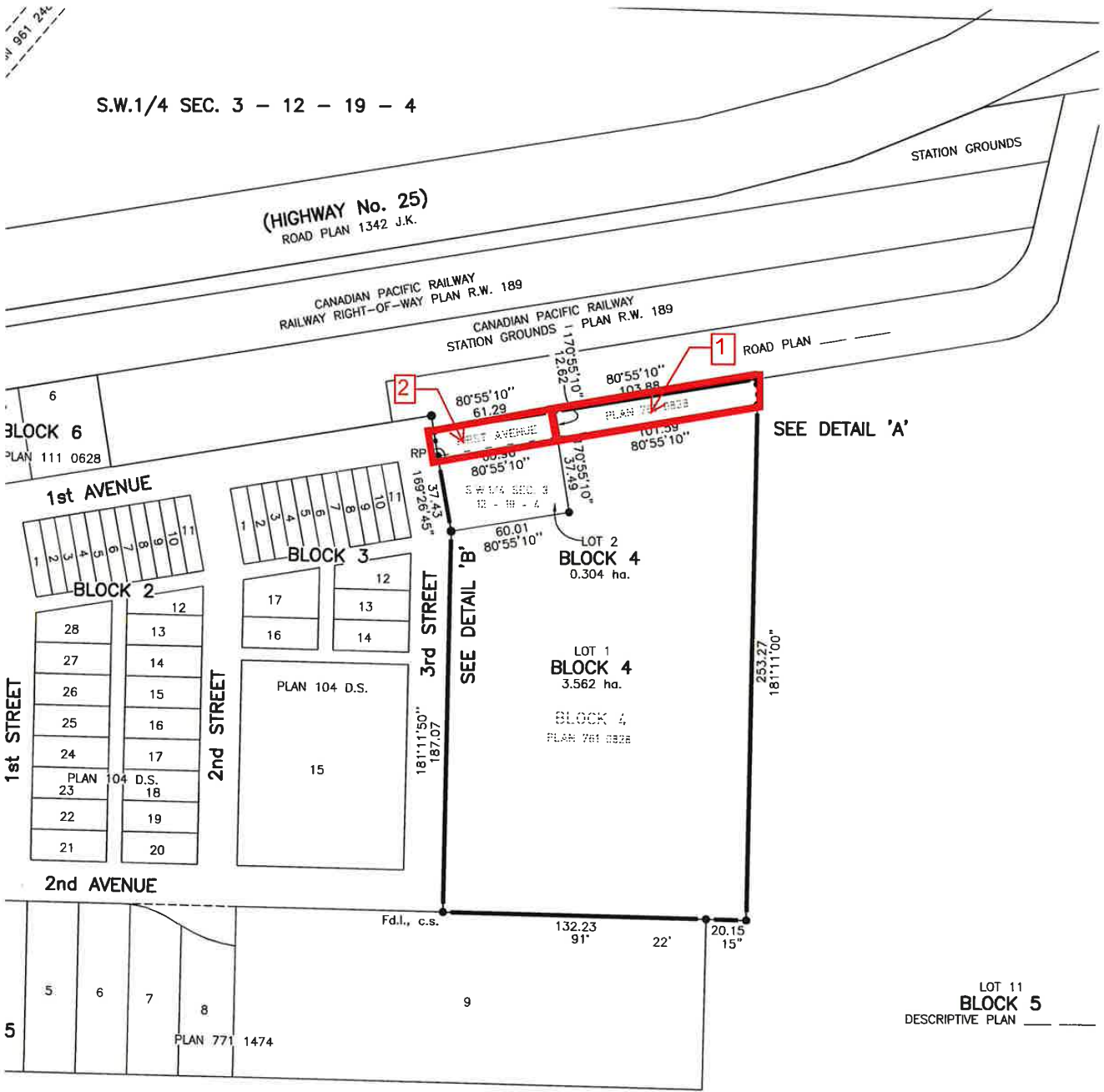
Reeve

Chief Administrative Officer

First Reading	<u>Oct. 1, 2020</u>
Send to Minister of Transportation	
Public Hearing	<u>Dec. 3, 2020</u>
Second Reading	
Third Reading	

961 24

S.W.1/4 SEC. 3 - 12 - 19 - 4



AGENDA ITEM REPORT



Title: Policy 144 Area Structure Plans - Request to Rescind
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 15 Apr 2021
Approved - 16 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Policy 144 - Area Structure Plans has been in effect since 2005. To date the policy has been used once and as written, the policy would not apply to any other land locations within the County.

RECOMMENDATION:

That Policy 144 - Area Structure Plans be rescinded.

PREVIOUS COUNCIL DIRECTION / POLICY:

Policy 144 - Area Structure Plans, was approved by County Council in 2005.

BACKGROUND INFORMATION:

Policy 144 was put in place to assist in the further development of fragmented areas within the County. The Policy requires that an area have at least 80 acres, a minimum of 10 separate landowners, and a high likelihood of success in the future development. To date the policy has been enacted once for the Section 26 Area Structure Plan, of which there has only been one subdivision approved, but no development has occurred.

In reviewing the County's land base there are no lands that would meet the requirements of this Policy. In more recent years County Council has included as a budgetary item the ability for the Planning and Development Department to assist in the creation of concept plans for commercial/industrial areas.

Therefore, this policy is no longer relevant and County administration has determined that it could be rescinded by County Council.

ALTERNATIVES / PROS / CONS:

County Council can decide to keep and update the policy.

Pros: Provides assistance to developers in the County

Cons: The County would bear the cost of assisting with an Area Structure Plan with no guarantee of recouping those costs.

FINANCIAL IMPACT:

If the Policy is rescinded there will be no financial impacts to the County.

REASON(S) FOR RECOMMENDATION(S):

The Policy is outdated and historically has only been used once. In reviewing the County's land base and opportunities for development, this policy would not apply to any area within the County.

ATTACHMENTS:

[Policy 144 - Area Structure Plans](#)



County of Lethbridge Policy Handbook

EFFECTIVE: October 5, 2006

SECTION: 100 NO. 144 Pge 1 of 4

APPROVED BY: County Council

SUBJECT: Area Structure Plans

REVISED DATE:

PURPOSE

This policy is intended to give council and staff direction as to when County of Lethbridge Council may consider facilitating or assisting in the preparation of an area structure plan, either financially or with professional planning assistance, which will affect lands that are under private control or ownership.

Generally, the County's Municipal Development Plan (MDP) contains criteria as to when area structure plans and development schemes are required prior to approval of a subdivision application or land use bylaw amendment (for multi-lot commercial, industrial, or grouped country residential land use). The developer or landowner is normally responsible for preparing and providing the plan at their expense. (Note: Section 4.1.3 of the MDP outlines what an area structure plan should address.)

Accordingly, it is recognized that there are certain areas within the County of Lethbridge that may benefit from an area structure plan, but which may be difficult to prepare due to preexisting or historical title and land issues, and the existence of multiple title owners whom may be affected.

Specifically, this policy section intends to:

- give direction as to what areas of the county may be eligible to benefit from an area structure plan being prepared with involvement/assistance from the municipality;
- provide guidelines as to when council may consider assisting in the development of an area structure plan.

1. CRITERIA - ELIGIBILITY

The following policies shall apply in determining what lands are eligible and when Council and the County of Lethbridge may assist ratepayers in the preparation of an area structure plan.

- 1.0 Undeveloped, unsubdivided quarter-sections under one title (160 acres) on dryland, or two titles of 80 acres in a quarter-section on irrigated land, shall not be eligible for consideration.
- 1.1 The lands in question must:



County of Lethbridge Policy Handbook

EFFECTIVE: October 5, 2006

SECTION: 100 NO. 144 Pge 2 of 4

APPROVED BY: County Council

SUBJECT: Area Structure Plans

REVISED DATE:

- (a) consist of a minimum of 80 acres (the aggregate of the titles), and
 - (b) be considered fragmented land by either existing use or multiple title ownership, which makes the land impractical to farm or cannot logically be used for agricultural purposes, or is difficult to develop for other uses in its present state.
- 1.2 There must be a minimum of ten (10) separate title owners affected, which makes it difficult for the individuals to reasonably prepare a comprehensive plan as a group.
- 1.3 The land being considered for support must have a reasonable likelihood of success, and shall not conflict with provincial regulations, statutory plans or the land use bylaw (i.e. not within the MDS of a confined feeding operation, within the stipulated setback distance of a landfill/sewage lagoon, floodplain, unsuitable soil quality, etc.)

In addition to policies 1.0 through 1.3 above being required, a number of the following criteria will also be used to help determine the eligibility of lands to qualify for assistance in the preparation of an area structure plan.

- 1.4 The lands being considered should contain pre-existing development, subdivision or registered plans.
- 1.5 The section or quarter-section of land for the proposal contains multiple titles or has historic registered plans present that were created prior to December 1974.
(Note: the reference to December 1974 is the date the 'Preliminary Regional Plan' by the Oldman River Regional Planning Commission was approved by the Minister. The policies of this plan no longer allowed 20 acre country residential/small holding subdivisions, as was permitted under both the previous provincial Subdivision and Transfer Regulations of the former Planning Act and a Development Control Bylaw of the County of Lethbridge.)
- 1.6 The lands in question may historically have had subdivision or development constraints, such as problems with legal access or no public roads, servicing issues or major drainage problems.



County of Lethbridge Policy Handbook

EFFECTIVE: October 5, 2006

SECTION: 100 NO. 144 Pge 3 of 4

APPROVED BY: County Council

SUBJECT: Area Structure Plans

REVISED DATE:

-
- 1.7 Sections or quarter-sections that are affected by historic Township or Settlement Plans that were registered against the land and still exist, and have at least ten (10) different title owners, may be eligible.
(Note: the reference to ten titles is based on the MDP amending bylaw No. 1250 section 4.1.3 whereby a higher level of detail and comprehensiveness is required).
- 1.8 The lands may be areas identified for special consideration, which may be on the basis that the parcels are cut-off by significant natural features, highways, registered irrigation plans or CPR lines, or are for public uses, parks, or in close proximity to environmentally significant areas. It may also be an area identified as potential grouped industrial/ commercial use that may have a significant local economic impact (provided there is more than one land owner affected).

2. PROCESS

If Council is satisfied that the required policies and criteria are met for eligibility, then the following guidelines and policies should be applied in deciding to proceed with the plan process.

- 2.0 A written survey of the affected land owners in the identified plan area should occur to ascertain if they are in favour of the plan preparation and/or interested in future subdivision or development, whereas 66% (or 2/3's majority) must agree to the plan preparation.
- 2.1 Once presented with the results of a landowner's interest survey, council may or may not decide to proceed with the assistance of an area structure plan, as the results of the survey will in no way obligate or bind council to proceed with preparing a plan.
- 2.2 If council does decide to assist in the preparation of a plan, a public information session or open house should be held in the area, to inform the affected land owners of the process and plan preparation, and to obtain information and design ideas from the owners themselves.
- 2.3 The landowners shall repay to the County of Lethbridge any costs that the county may incur in the preparation of an area structure plan. This may include costs related to planning, design and engineering, engineering tests and reports, land



County of Lethbridge Policy Handbook

EFFECTIVE: October 5, 2006

SECTION: 100 NO. 144 Pge 4 of 4

APPROVED BY: County Council

SUBJECT: Area Structure Plans

REVISED DATE:

surveying, infrastructure costs, and the development of the plan itself, among other items.

- (a) The total area structure plan costs owed to the County of Lethbridge by the landowners shall be paid to the county at the time of subdivision or development calculated on a per acreage basis.
- (b) The fees payable to the county will be addressed in the terms of the Development/Service Agreement, and may be recouped through the establishment of a Development Fees bylaw implemented by the county and as per the terms specified in the agreement.

2.4 Additional information may be requested by council at any time during the plan preparation or approval process.

AGENDA ITEM REPORT



Title: Invitation for interested members of council to attend virtual EDA Xperience 2021 - the EDA Annual Conference and the Alberta Economic Development Leaders' Summit (these two events have been merged)

Meeting: Council Meeting - 06 May 2021

Department: Community Services

Report Author: Martin Ebel

APPROVAL(S):

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

Approved - 20 Apr 2021
Approved - 20 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

The Economic Developers [of] Alberta are holding their 2021 Annual Conference and Leadership Summit as a combined virtual event on May 19-20 due to the Covid pandemic. As always, elected officials are welcome at this event and encouraged to attend and actively participate.

RECOMMENDATION:

That any Lethbridge County councilor who wishes to attend the virtual Xperience 2021 event on May 19-20th be authorized to do so.

PREVIOUS COUNCIL DIRECTION / POLICY:

In previous years Lethbridge County council has authorized any councilor who wishes to attend the EDA annual conference to do so.

BACKGROUND INFORMATION:

Lethbridge County has a solid history of supporting the EDA Annual Conference since 2013, both through in-person attendance by members of administration and council, and also through occasional bronze level sponsorship. The participation and presence of both council and staff at this conference is not only an excellent way to learn about the latest practices and opportunities in economic development, but also to network and "show the flag" for the municipality at a provincial-level event.

ALTERNATIVES / PROS / CONS:

Both the CAO and EDO for Lethbridge County are registered to attend this virtual event. Lethbridge County council can decide not to authorize any councilors to attend.

FINANCIAL IMPACT:

The registration cost for a non-member (membership is by individual, not municipality) is \$300/participant. An Xperience Box filled with Alberta products (designed to replace the in-person dinners and banquet) can be added for \$200, although quantities are limited. One can register for the event without ordering an Xperience Box.

REASON(S) FOR RECOMMENDATION(S):

Lethbridge County has a strong reputation of supporting the Economic Developers [of] Alberta, and it is beneficial to have council involvement in economic development events. Any councilor who wishes to attend and participate on behalf of Lethbridge County should have the support and encouragement of the whole of Lethbridge County council to do so.

AGENDA ITEM REPORT



Title: Proclamation of 'International Economic Development Week' May 9th to 15th, 2021
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Martin Ebel

APPROVAL(S):

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

Approved - 19 Apr 2021
Approved - 20 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

'International Economic Development Week' in 2021 is the week of May 9th to 15th. This year in Alberta the AUMA and RMA are joining Economic Developers Alberta (EDA) to help amplify the important work of economic development professionals and organizations by inviting Alberta municipalities to take part in the 2021 Community Challenge. Lethbridge County can participate by having council officially proclaim May 9th to 15th as 'International Economic Development Week' for the municipality.

RECOMMENDATION:

That Lethbridge County council proclaim May 9 - 15th as 'International Economic Development Week' in conjunction with the AUMA, RMA, EDA and other participating municipalities.

PREVIOUS COUNCIL DIRECTION / POLICY:

Lethbridge County Council has previously recognized and/or proclaimed International Economic Development Week, most recently in 2019.

BACKGROUND INFORMATION:

'International Economic Development Week' is observed annually in May, and is a chance for economic development professionals, organizations and municipalities to highlight the importance of economic development and growth for prosperity and sustainability of communities, provinces and countries. The week is typically recognized with official proclamations, news releases, social media postings, promotional advertisements/videos, etc.

ALTERNATIVES / PROS / CONS:

There are no alternatives except deciding not to proclaim 'International Economic Development Week'. There is no cost, obligation or risk to Lethbridge County in issuing such a proclamation, and as such no real reason not to do so.

FINANCIAL IMPACT:

There is no financial cost or liability to proclaiming 'International Economic Development Week'.

REASON(S) FOR RECOMMENDATION(S):

Proclaiming 'International Economic Development Week' provides Lethbridge County with an opportunity to promote itself, its economic sectors, growth and achievements in a positive, "official" way. It shows that Lethbridge County values economic development and economic growth as part of its key strategic priorities, and aligns us with proclamations from neighboring municipalities, the AUMA, RMA, EDA and the Province of Alberta.

ATTACHMENTS:

[Economic Development Week 2021 EDA Community Challenge - Draft Resolution](#)



Lethbridge County Resolution for Economic Development Week

Resolution

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, for almost 50 years, Economic Developers Alberta has been Alberta's leading economic development network, committed to advancing the economic development profession by providing resources, professional development and networking opportunities; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of Alberta's economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in Lethbridge County and the surrounding region; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor does hereby recognize May 9-15, 2021 as "Economic Development Week" in Lethbridge County, and remind individuals of the importance of this community celebration which supports the expansion of career opportunities and improving quality of life.

BE IT FURTHER RESOLVED that the Reeve is authorized and directed to transmit an appropriate copy of this resolution to Economic Developers Alberta in support of these provincial celebrations.

Reeve
Lethbridge County

AGENDA ITEM REPORT



Title: Electronic Voting Machine Bylaw No. 21-012
Meeting: Council Meeting - 06 May 2021
Department: Community Services
Report Author: Larry Randle

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 20 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

The Local Authorities Election Act authorizes automated voting systems to be used if approved by bylaw.

RECOMMENDATION:

"That Electronic Voting Machine Bylaw No. 21-012 be read a first time.

"That Electronic Voting Machine Bylaw No. 21-012 be read a second time.

"That consideration be given to reading Electronic Voting Machine Bylaw No. 21-012 a third time.

"That Electronic Voting Machine Bylaw No. 21-012 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Lethbridge County has historically relied on the manual counting of ballots for its municipal elections.

BACKGROUND INFORMATION:

Lethbridge County will have seven voting stations established for the October 18, 2021 municipal election. Up to four of these stations will also handle the School Trustee election for the Palliser Regional School Division. Furthermore, each of the seven voting stations will provide voting opportunities on behalf of the Provincial Government for a senate election and a referendum vote.

Municipal Affairs Alberta estimates there are 7725 eligible voters in Lethbridge County. Some electors may have the opportunity to vote for four different purposes at one voting station: municipal, school, senate, and referendum. County Administration believes that it will be more efficient and less confusing for voters, for election workers and for the post-election vote tabulation, if automated voting

machines are utilized. This would also create the possibility of needing only one or possibly two paper ballots, rather than four. Automated Voting Tabulators are proven and reliable technology and are being used by many municipalities in Alberta.

The Provincial Government has not yet decided whether it will allow all eligible voters to vote by mail (special ballot). If this is eventually authorized, it will reduce the number of voters personally attending voting stations on election day and may help increase the total number of ballots cast.

ALTERNATIVES / PROS / CONS:

1. Do not use automated voting tabulators for the 2021 municipal election.

Pros: Funds will not have to be expended for voting machine rental.

Cons: It may be challenging to some voters if they have to complete four separate ballots and then deposit them into four separate voting compartments.

2. Adopt Electronic Voting Machine Bylaw No. 21-012 so that automated voting tabulators can be used for the 2021 municipal election.

Pros:

- May help reduce the complexity of making choices on up to four separate votes.
- If a voter accidentally spoils a ballot, the tabulator notifies them and allows them to request another ballot from the Presiding Officer. This reduces or eliminates ballots that would otherwise not be counted.
- Allows for results to be accurately tabulated and announced within a short period of time after the polls close.
- Removes any possibility of human error in the counting process.

Cons: Will cost up to \$25,000.00.

FINANCIAL IMPACT:

The Provincial Government is providing a minimum of \$10,353.00 toward the cost of the election to account for the additional resources and effort required conduct the senate election and referendum on its behalf. This will significantly offset the cost of utilizing automated voting tabulators.

Lethbridge County has historically hired an external Returning Officer to conduct the election. Despite attempts to do so again this year, no expressions of interest were received so the County has appointed internal staff to manage the election. This saves the County approximately \$5,000.00.

The Palliser Regional School Division will pay half of the election costs for the School Division Wards where an election is required.

It is expected that even if automated voting tabulators are used in 2021, Lethbridge County's election budget of \$25,000.00 and additional revenues will cover all election costs.

REASON(S) FOR RECOMMENDATION(S):

To simplify the voting process for electors who may have as many as four separate voting matters to deal with.

Allows the County to utilize appropriate technology for the election process.

May enhance public confidence in the election process.

ATTACHMENTS:

[Bylaw 21-012 - Draft Electronic Voting Machine Bylaw](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA
BY-LAW NO. 21-012**

ELECTRONIC VOTING MACHINE BYLAW

A Bylaw to establish and define Electronic Voting Machine.

WHEREAS the Local Authorities Election Act, RSA 2000, Chapter L-21 (the Act) authorizes a Council to establish an Electronic Voting Machine Bylaw;

AND WHEREAS the Act authorizes a Council to provide for the taking of the votes of the electors by means of voting machines, vote recorders or Automated Voting System, and that such a bylaw will prescribe the form of the ballot, the directions for the marking of the ballot by the elector, and the directions for voting procedures to be used;

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

CITATION

1. This bylaw may be cited as the “Electronic Voting Machine Bylaw”.

PURPOSE

2. The purpose of this bylaw is:

To provide direction for the use of Electronic Voting Machines for a Municipal Election or By-election, School Board Election, Provincial Senate Election and Referendum Vote.

DEFINITIONS

3. Unless the context specifically indicates otherwise, the meanings used in this Bylaw shall be as follows:
 - a) **Automated Voting System** means an automated or electronic system designed to automatically count, record votes, process and store the election results.
 - b) **Ballot** means the part of the Ballot Card which is printed the office to be voted on, the names of the candidates, the bylaw name and number or the questions, if any, and containing the spaces in which the elector is to mark his or her vote.
 - c) **Ballot Box** means an electronic voting terminal of which is intended to record/collect ballots approved by the Returning Officer.
 - d) **Ballot Card** means a paper card in a form approved by the Returning Officer, listing the ballots to be voted on in the election.
 - e) **Constable** means Community Peace Officer or a person appointed as a Constable under the Local Authorities Election Act.
 - f) **Returning Officer** means the person appointed under the Local Authorities Election Act to conduct Lethbridge County’s election.
 - g) **Substitute Returning Officer** means a substitute returning officer appointed under the Local Authorities Election Act.
 - h) **Tally Register Tape** means the printed record generated by a Vote Tabulator showing the number of accepted ballots, the ballots read and results of the ballots read by the Vote Tabulator.
 - i) **Vote Tabulator** means the automated voting system unit designed for use at the Voting Station to receive ballots and automatically scan a specified area or areas on the ballot card and record the results.

- j) **Voting Compartment** means a table, desk or shelf arranged so that an elector is screened from observation and may mark the elector's ballot without interference or interruption.
- k) **Voting Station** means the place where an elector votes.

INTERPRETATION

- 4. In this bylaw,
 - a. Any reference to a named act is a reference to an Act of the Legislature of Alberta, as amended from time to time.
 - b. Where a bylaw references a Lethbridge County staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
 - c. Words importing the masculine gender include the feminine gender and words importing the feminine gender include the masculine gender.

AUTHORITY

- 5. This bylaw applies to all Lethbridge County elections.
- 6. The Returning Officer, appointed in accordance with the Act, is responsible for conducting County elections.
- 7. The Returning Officer may appoint many Substitutes, Constables and other persons as he or she decides are necessary to assist with any requirements of this bylaw or the Act.
- 8. The CAO is authorized to enter into agreements on behalf of the County to conduct elections on behalf of other elected authorities in Lethbridge County.
- 9. In the event that the election for the offices of Councillors are held in conjunction with an election for school board trustees or representatives, or any other election or vote, the provisions of this bylaw shall apply in a like manner to the other election.
- 10. The Returning Officer, when necessary, is authorized to make application to the Minister of Municipal Affairs and the Lieutenant Governor in Council for the requisite directions or regulations pursuant to the Act for the approval and implementation of the procedure prescribed by this bylaw or any other directions or regulations for conducting an election permitted by the Act.

AUTOMATED VOTING SYSTEM

- 11. The tabulation of election results may be done by means of an Automated Voting System, as directed by the Returning Officer.
- 12. When an Automated Voting System is used in the election, the Returning Officer shall:
 - a. Ensure that the Automated Voting System has been pre-tested, is accurate and in good working order; and
 - b. Take whatever reasonable safeguards may be necessary to secure the Automated Voting System against unauthorized access, entry, use, tampering or any other unauthorized use for tabulated results.
- 13. In the event of a malfunction or unavailability of the Automated Voting System or any of its components, the Returning Officer may make any directions that he or she deems necessary or desirable with respect to:
 - a. The voting procedures to be used;
 - b. The taking of votes;

- c. The counting of votes; and
- d. Where required, for a recount under s. 98 of the Act.

BALLOTS

- 14. Following nomination day, the Returning Officer shall cause the Ballot Cards for the election to be printed in alphabetical order of surnames.
- 15. The Ballots may be separate Ballots for all for the following or may be composite Ballots, unless elected by acclamation or inapplicable;
 - a. Candidates for the office of Councillor
 - b. Candidates for the office of School Board Trustee or Representative
 - c. Senate Election
 - d. Referendum Vote
 - e. Any other offices as may be specified or required by the Act or any other applicable legislation.
- 16. Ballots for candidates may be in the general form prescribed by the Returning Officer.

PRE-VOTE PROCEDURE

- 17. A copy of the "Instructions to Electors" shall be posted within each Voting Compartment, at a conspicuous location within the Voting Station, and these instructions shall remain posted until the close of the Voting Station.
- 18. Before the vote commences:
 - a. In the presence of the Substitute Returning Officer, staff, agents and electors, the substitutes or the election staff of the Returning Officer shall execute the required tests to ensure the voting stations are fully functional meeting the Act standards.

VOTING PROCEDURE

- 19. While in the Voting Compartment, the elector shall mark the Ballots only with the Marking Device provided in the compartment, by completing the oval pointing to his/her choice of candidate. Where there is more than one vacancy, the candidates of his/her choice. Where the Ballot includes questions, the elector shall mark his/her vote within the portion of the Ballot containing the affirmative or negative, whichever way he/she decides to vote.
- 20. After the elector has finished marking the Ballot Card and has completed voting he/she shall follow the voting procedure contained in this Bylaw and as posted in the Voting Station, and upon the casting of his/her Ballot, the elector shall immediately leave the Voting Station.
- 21. The voting procedure described in this Bylaw shall apply during an advance vote, insofar as is practicable and may be modified as necessary at the discretion of the Returning Officer.
- 22. In the event that the elector has made a mistake when marking the Ballot, the elector may request another Ballot Card upon returning the original Ballot Card the officer who issued the original Ballot Card, and the original Ballot Card shall be marked "spoiled" by the officer and not be counted or included in the tally of election results.
- 23. At the close of the Voting Station on Election Day, the Returning Officer shall:
 - a. Tabulate and print the results as required for the advance vote, election day and to the end of the election.

- b. Print as many copies of the results as required and then move to shutdown the procedures.
24. After the tabulation of results at the Voting Station, the Automated Voting System shall be stored as directed by the Returning Officer.
25. If, at the close of the poll, the Returning Officer is of the opinion that it is impracticable to count the vote with the Vote Tabulator, he/she may direct that all the votes cast in the election be counted manually following the provisions of the Act governing the counting of the votes.
26. If the Returning Officer makes a recount pursuant to the Act, the voted Ballots will be recounted by the same Automated Voting System.
27. Upon the completion of the tabulation of the election results, the Returning Officer shall retain the programs and the memory packs of the Automated Voting System in accordance with the provisions of the Act for the keeping of Ballots.

ENACTMENT/TRANSITION

28. This bylaw comes into force upon third and final reading.

READ a first time this day of , 2021.

Reeve

Chief Administrative Officer

READ a second time this day of , 2021.

Reeve

Chief Administrative Officer

READ a third time this day of , 2021.

Reeve

Chief Administrative Officer

AGENDA ITEM REPORT



Title: Agricultural Service Board Policy #614 Soil Erosion Amendment
Meeting: Council Meeting - 06 May 2021
Department: Municipal Services
Report Author: Jeremy Wickson

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 08 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Soil erosion has been a concern over the winter of 2020/21 and especially this spring there has been a great deal of erosion evident in the southern region. The ASB has legislative enforcement authority under the Soil Conservation Act and because of the potential financial implication, the County has had a policy in place to address this since 1994 for incurred remediation costs for control or cleaning related to soil erosion.

In addition through reviewing and updating ASB policies, there were several redundancies and duplication found between existing ASB and PW policies.

As presented at the April 8, 2021, ASB Meeting, the following information was forwarded to Council for policy review and approval related to soil erosion. The policy forwarded, Agricultural Service Board Policy #614 Soil Erosion and Policy #615 Charge Back for Blow Dirt Clean-up have similar related content and although the content is still valid it would create clarity if both these Policies were combined.

RECOMMENDATION:

That Council approves Policy #614 - Soil Erosion as amended.

That Council rescinds Policy #340 and #615 - Charge Back for Blow Dirt Cleanup.

PREVIOUS COUNCIL DIRECTION / POLICY:

ASB Policy #614 Soil Erosion was last revised in 2015 and ASB Policy #615 Charge Back for Blow Dirt Clean-up was last revised in 2006.

BACKGROUND INFORMATION:

It is the responsibility of the Agricultural Service Board to administer the Provincial Soil Conservation Act. In order to properly do so, it is beneficial to have up-to-date policies in place to aid staff when soil erosion becomes an issue. This newly combined policy encourages landholders to address soil erosion before it has an adverse effect on farmland and county roadways and drainage ditches.

ALTERNATIVES / PROS / CONS:

The alternative is to not combine the two policies.

By allowing the Agricultural Service Board to make these changes it will add clarity to our duties regarding Soil Erosion.

FINANCIAL IMPACT:

There will be no financial implications to the ASB budget.

If remediation under the Soil Conservation Act was required, the County would pay for the initial and then charge the landowner accordingly for cost recovery, with the intention this was cost neutral for the County.

REASON(S) FOR RECOMMENDATION(S):

To allow the Agriculture Services department to keep policies up to date and in conjunction with the provincial Soil Conservation Act.

ATTACHMENTS:

[Policy 614 Soil Conservation DRAFT](#)



Lethbridge County Policy

Handbook

EFFECTIVE: February 10, 1994 **SECTION:**
600 NO. 614
APPROVED BY: A.S.B. **SUBJECT:** Soil Conservation
REVISED DATE: May 6, 2021

PURPOSE AND INTENT

Lethbridge County's Agricultural Service Board recognizes that the protection of soil quality and integrity is vital to agricultural and environmental sustainability. The Agriculture Service Board is mandated by the Soil Conservation Act to prevent the loss or deterioration of soil from taking place. The purpose of this policy is to encourage landowners to address and prevent the effects of soil erosion and ensure compliance with the Soil Conservation Act and Regulations.

POLICY

The policy defines how Lethbridge County Agriculture Services addresses Soil Conservation Notices within the enforcement of the Soil Conservation Act. Soil Conservation Notices are issued for contravention of the Act and the guidelines will define the process of how landowners who have been issued a notice will be responsible for costs incurred for any remedial work that may be necessary.

GUIDELINES

Lethbridge County shall adhere to the following guidelines when combatting soil erosion that is not in compliance.

1. Soil Conservation notices will be issued at the discretion of the Supervisor of Agriculture Services or his designate under the provisions as outlined under the current provincial Soil Conservation Act and any amendments to the Act.
2. When a notice is issued and compliance is lacking, remedial work will be carried out either by Lethbridge County or a Contractor designated by the County. Remedial work may include work done in the field to mitigate the erosion or the cleaning of County owned roadways or drainage ditches where soil deposits have accumulated.
3. When cleaning of County owned roadways and drainage ditches are involved landowner will be forwarded notification of the impending work to be undertaken along with an estimate of the cost of the project. Costs for the work will be calculated at Alberta Roadbuilders and Heavy Construction Association current rates as passed annually in the Lethbridge County Schedule of fees.
4. When remedial work is complete the legally titled landowner responsible will be issued an invoice. If the



Lethbridge County Policy

Handbook

invoice is left unpaid after the due date the amount will be subject to all penalties and interest charges. All outstanding invoices exceeding 120 days will be placed on the tax roll and collected as though it was taxed.

5. Where a notice is issued and in the judgement of the Supervisor of Agriculture Services prosecution in a Court of Law appears to be the only alternative, the matter shall first be reviewed by the Agricultural Service Board Committee before legal action is initiated.

AGENDA ITEM REPORT



Title: Picture Butte & Area Growing Project
Meeting: Council Meeting - 06 May 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 21 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

A letter was received from the Picture Butte & Area Growing Project, with a request to have County Council consider waiving the land taxes on the 145 acres of farmland (SW-34-11-21-W4) that is used for their Community crop growing project. The 2020 municipal portion of the taxes levied on the farmland were \$1,097.00.

RECOMMENDATION:

That County Council donates \$500 per the Lethbridge County Donations Policy 161 to the Picture Butte & Area Growing Project with funding from the Donation Reserve.

PREVIOUS COUNCIL DIRECTION / POLICY:

This is the first request received from the Picture Butte & Area Growing Project. In the past Council has donated \$500 towards the Coaldale-Lethbridge Community Growing Project for several years.

BACKGROUND INFORMATION:

As per the letter received the Picture Butte & Area Growing Project is planning their 22nd annual fund raising crop. The crops, through the Canadian Foodgrains Bank help to address World Hunger and aid in disaster relief and helping farms in third world countries to learn and adopt farming techniques.

The Picture Butte Growing Project has raised over \$1 Million over the years with the support of Southern Alberta communities.

ALTERNATIVES / PROS / CONS:

To waive taxes:

PRO - this would eliminate a portion of the costs/taxes incurred by the Picture Butte & Area Growing Project

CON - sets a precedent for future tax waiver requests of this type or by individuals

To provide the tax equivalent as a donation rather than as a tax waiver:

PRO - meets the Picture Butte & Area Growing Project without waiving taxes

CON - is a higher amount than has been donated to the Coaldale-Lethbridge Community Growing Project in the past

FINANCIAL IMPACT:

If taxes were waived it would impact tax revenues by approximately \$1,097.00.

REASON(S) FOR RECOMMENDATION(S):

Administration has presented the recommendation to Council based on Policy #16 and past Council direction/decisions. This recommendation would not impact the County's tax revenues as Council budgets an annual amount for donation and contributions.

ATTACHMENTS:

[Picture Butte & Area Growing Project Request](#)
[161 Donations to Community Organizations](#)

Picture Butte & Area Growing Project

Box 725, Picture Butte, AB

T0K 1V0

pbfoodgrains@gmail.com



403-382-7231 (Leighton) 403-308-5862 (Tony) 403-308-3842 (Gerald)
403-892-4595 (Rex) 403-308-9997 (Ed) 403-308-4733 (Hess)

April 5 2021

Lethbridge County:

We are writing today on behalf of our Community Project which is planning our 22nd annual fund raiser crop. The Canadian Food Grain Bank has over 200 fund raising projects in Canada which help address World Hunger and aid in disaster relief and helping farms in the third world countries learn and adopt farming techniques to become more sustainable. Working in over 70 countries it has been recognized as an award winning charitable organization for its very low administration and fundraising costs.

Picture Butte Growing Project has raised well over \$1,000,000 over the years because of great support from the Southern Alberta communities. Receipts are always available for donations.

We would like to ask the County to consider waiving the land taxes on our 145 acres for our upcoming project planned on SW 34-11-21 W4 (Rob Boras). Thank you in advance of your decision.

Picture Butte Growing Project Board - Canadian Food Grains Bank.



Lethbridge County Policy Handbook

EFFECTIVE: August 1, 2013

SECTION: 100 NO. 161 Page 1 of 7

APPROVED BY: County Council

SUBJECT: Donations to Community
Organizations, Programs,
Events & Activities

REVISED DATE: November 24, 2014

Purpose

- To establish consistent guidelines for Council to donate financial resources or provide in-kind support to community programs, organizations, events & activities.
- To provide the authority to the Chief Administrative Officer (CAO) regarding requests for donations up to a value of \$200.
- To provide clear procedures for Administration and Council to provide and respond to requests for donations.

Policy Statement

Lethbridge County appreciates the positive contributions that community organizations make to the quality of life in the County, and recognizes that municipal government support may be required to help further the goals of community programs, organizations, events and activities.

Policy Guidelines and Procedures

1. Eligibility

- a. Consideration of providing support of community programs, organizations, events and activities through donations shall be limited to those that demonstrate any of the following:
 - (i) a need for financial support or specific in-kind from the County;
 - (ii) are held for the enjoyment and benefit of the general public;
 - (iii) are hosted on a yearly basis or recognize significant milestones events; and/or
 - (iv) take place within the County boundaries.
- b. The following are not eligible for support under this policy
 - (i) private functions;
 - (ii) capital facilities and equipment including requests for gravel donations;



Lethbridge County Policy Handbook

EFFECTIVE: August 1, 2013

SECTION: 100 NO. 161 Page 2 of 7

APPROVED BY: County Council

SUBJECT: Donations to Community
Organizations, Programs,
Events & Activities

REVISED DATE:

- (iii) youth and adult sports teams and associated programs/events, activities and school reunions; and
 - (iv) programs, organizations, events and activities that receive support from the County through other programs or policies.
 - (v) major County and inter-County events (eg. Lethbridge International Air Show).
- c. Requests for financial assistance for capital items should be made through the Land Trust Reserve Fund Grant Program. Applicants who receive funding through the Land Trust Reserve Fund Grant Program are not eligible to also receive support under this Policy in the same calendar year.

2. Donations

- a. Donations may be cash or in-kind contributions
- b. In-kind contributions are donations that do not involve a direct cash contribution but instead might include providing promotional items or County services or other materials or supplies.

3. Criteria

- a. In evaluating each application, decisions will be based on merit with consideration being given to the following:
 - (i) evidence for the need;
 - (ii) number of local residents served;
 - (iii) quality of management (established track record, proposal well thought out, etc.);
 - (iv) number of local volunteers;



Lethbridge County Policy Handbook

EFFECTIVE: August 1, 2013

SECTION: 100 NO. 161 Page 3 of 7

APPROVED BY: County Council

SUBJECT: Donations to Community
Organizations, Programs,
Events & Activities

REVISED DATE:

- (v) mitigation of barriers to services for people with mental and physical disabilities and minority groups;
- (vi) level of involvement with other community partners;
- (vii) agreement to acknowledge the County's contribution in all publicity related events or activities relating to the event.

4. Funding Allotment & Allocation

- a. The County shall support this policy through an annual budget allotment to establish the amount of cash or goods and services in-kind that the County is able to donate, based on the following:
 - (i) \$0.50 per capita based on the current year's official population of Lethbridge County. Applicants are able to request a maximum amount of \$500 or up to \$1,000 for in-kind donations. No gravel will be granted. The funds will be provided from the Donations Reserve. Any donations exceeding the policy limits will be allocated from Councillor's Discretionary Reserve funds.

5. Grant Applications

- a. Applications must be completed in full and contain the following:
 - (i) name, address and contact information for the organization;
 - (ii) the amount of financial support being requested;
 - (iii) a description of the program, event or activity and associated dates and timelines;
 - (iv) a budget identifying the proposed revenue and expenditure pertinent to the request;
 - (v) an explanation of how the County's support will be recognized during the program, event or activity.



Lethbridge County Policy Handbook

EFFECTIVE: August 1, 2013

SECTION: 100 NO. 161 Page 4 of 7

APPROVED BY: County Council

SUBJECT: Donations to Community
Organizations, Programs,
Events & Activities

REVISED DATE:

(vi) completed application forms must be submitted to the County. If the application is not properly filled-out, the grant application will not be considered.

(vii) must be received at least 30 days before the date of the need for support.

b. County Council shall be the deciding authority on all applications, except for donation requests of \$200 or less, which the CAO will have the authority to approve.

6. Accountability of Funds

a. Applicants will be notified in writing once a final decision on their application has been made.

b. Applicants who are provided with support pursuant to this policy shall be accountable for the expenditures of funds provided.

c. The entire amount of financial support provided must be used exclusively for the program, organization, event or activity identified in the application.

d. The community programs, activities and events must be conducted within six months of the date the donation is approved.

e. If the community programs, activities or events do not occur within the allotted time, a written letter of request for an extension must be submitted. If an extension is not received, or if an extension is not granted, the community organization or group shall return all the funds provided by the County.

f. The County's support must be recognized during the program, event or activity in the manner described in the application.



Lethbridge County Policy Handbook

EFFECTIVE: August 1, 2013

SECTION: 100 NO. 161 Page 5 of 7

APPROVED BY: County Council

SUBJECT: Donations to Community
Organizations, Programs,
Events & Activities

REVISED DATE:

- g. Organizations, programs, events and activities receiving support pursuant to this policy must be conducted in accordance with all applicable laws, statutes, and regulations.

7. Door Prizes

- a. If the request is for a door prize, silent auction item or other similar promotional item, a written request is required. Funds for door prizes, silent auctions items or promotional items of a value of a \$200 or less shall be decided upon by the CAO.



Lethbridge County Policy Handbook

--- DONATION REQUEST APPLICATION ---

Community Organization: _____

Name: _____

Address: _____

Phone Number/Cell Number: _____

Board of Directors (Names & Positions): _____

Amount of Funding Requested or Description of In-Kind Donation Requested:
\$ _____

Description of Request including Timelines:

Other sources of funding: _____

Total cost of program, event or activity: \$ _____

Total Budget:



Lethbridge County Policy Handbook

Description of how Lethbridge County's contribution may be recognized:

Other supporting information (Please attach separate sheet if necessary):

Name (please print)

Signature on behalf of Community Organization

Date

Phone Number: _____

Email: _____

Address: _____

***** Donations made by Lethbridge County are not to be regarded as a
commitment by the County to continue such donations in the future.**

AGENDA ITEM REPORT



Title: Bylaw 21-014 Tax Mill Rate
Meeting: Council Meeting - 06 May 2021
Department: Corporate Services
Report Author: Jennifer Place, Les Whitfield

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

The assessment roll has been prepared for the 2021 Tax Year. The 2021 municipal budget was presented and approved by Council on December 17, 2020. A Tax Rate Bylaw is required as it enables the Property Assessment and Tax Notices to be issued and annual taxes collected. The County's tax due date is July 31st.

RECOMMENDATION:

That Bylaw 21-014 2021 Tax Mill Rate be read a first, second and third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

The 2021 Budget was approved on December 17, 2020.

Pursuant to Section 353 of the Municipal Government Act (MGA) each Council must pass a property tax bylaw annually to impose a tax in respect of property in the municipality to raise revenue to be used toward payment of expenditures and transfers as set out within the budget of the municipality as well as for the requisitions imposed.

This report is for Council consideration and is closely based on the 2:1 ration between Residential and Non-Residential tax rates, as in previous years, per previous Council direction.

BACKGROUND INFORMATION:

The total property assessment on the attached spreadsheet for the 2021 tax year includes:

\$41,591,765 - increase in Residential Assessment from 2020 consisting of \$17649,940 growth (new development) and \$23,941,825 attributable to market value adjustments.

\$14,881,056 - overall decrease in Non-Residential/M and E Assessments. This decrease is attributed to a combination of depreciation, provincial regulation and net growth being what is new against existing assessment changes.

The assessment classes are defined under Section 297 of the MGA as follows:

Class 1 - Residential;

Class 2 - Non-Residential;

Class 3 - Farmland;

Class 4 - Machinery and Equipment (M and E)

The municipal tax rate for Non-Residential and M and E classes must be the same.

ALTERNATIVES / PROS / CONS:

The 2021 property tax supported portion of the Municipal expenditures is \$16,716,206; this is an increase of \$169,323 from 2020.

The 2021 Farmland tax rate is similar to the 2020 tax rate. This results in a nominal increase from 2020.

The 2021 Residential tax rate has decreased from 2020 due to the increase in assessment and results in an additional \$175,500 in collections from the Residential tax base.

The 2021 Non-Residential/M and E tax rate has also decreased slightly from 2020 due to assessment, resulting in \$150,660 difference in collection from the Non-Residential/M and E tax base.

Council has the option to change the tax rates from what has been proposed, but must ensure the appropriate amount of tax support as per the budget is collected and that it complies with legislation.

FINANCIAL IMPACT:

Tax rates are calculated by dividing the Revenues required by the total assessment from the applicable property Assessment Class.

Below is a list of the required 2021 collection amounts:

Lethbridge County General	\$15,256,625	0.22% increase
Lethbridge County Haul Route Network	\$ 519,383	0% increase/decrease
Lethbridge Regional Waste Levy	\$ 588,088	3.33% increase
Provincial Police Levy	\$ 352,110	50.11% increase
Green Acres Foundation	\$ 291,628	3.25% increase
Alberta Education Requisition	\$ 5,458,596	1.30% increase
Designated Industrial Property Requisition	\$ 18,540	1.40% decrease

2021 Proposed Total Tax Rates:

ASSESSMENT CLASS	2021 TAX RATE	2020 TAX RATE
Class 3 - Farmland	27.6953	27.5586
Class 1 - Residential	7.5579	7.4674
Class 2 - Non-Residential	13.1538	13.1362
Class 4 - Machinery and Equip.	9.4881	9.4482

REASON(S) FOR RECOMMENDATION(S):

The 2021 budget for expenditures and required tax support has been approved and the bylaw complies with legislative requirements.

ATTACHMENTS:

[Bylaw 21-014 - 2020 Tax Rate](#)
[2021 tax rate spreadsheet](#)
[municipal tax rate compare 21](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 21-014 – 2021 TAX MILL RATE

**A BYLAW OF LETHBRIDGE COUNTY TO AUTHORIZE THE 2021
TAX RATES OF ASSESSABLE PROPERTY WITHIN LETHBRIDGE COUNTY
PURSUANT TO THE MUNICIPAL GOVERNMENT ACT**

WHEREAS the Lethbridge County has prepared and adopted detailed estimates of the municipal revenue and expenditures as required, at the Council meeting held on December 17, 2020; and

WHEREAS the estimated municipal expenditures and transfers from all sources for the Lethbridge County for 2021 total \$28,043,565 and \$16,716,206 is to be raised by general municipal taxation; and

NOW THEREFORE BE IT RESOLVED that the Council of Lethbridge County authorized the Chief Administration Officer to levy upon the assessed value of all assessable property shown on the assessment roll.

- a) Tax rate for municipal purposes:
- | | |
|--|---------|
| - Class 3 Farmland (Sec. 297 MGA) | 25.0363 |
| - Class 1 Residential (Sec. 297 MGA) | 4.8989 |
| - Class 2 & 4 Non-Residential/M&E (Sec. 297 MGA) | 9.3435 |
- b) Tax rate for the Green Acres Foundation 0.1446
- c) Tax rate for Designated Industrial Property 0.0766

THAT the following rates for School Requisition purposes to be calculated to generate \$5,082,001.78 for the 2021 Alberta School Foundation Fund (ASFF) and \$376,594.68 for the 2021 Holy Spirit Roman Catholic School District:

- | | |
|---|--------|
| a) ASFF Residential and Farmland | 2.5144 |
| b) ASFF Non-Residential | 3.6657 |
| c) Holy Spirit Residential and Farmland | 2.5144 |
| d) Holy Spirit Non-Residential | 3.6657 |

This Bylaw shall hereby rescind previous Bylaw No. 20-011.

Be read a **FIRST** time this 6th day of May, 2021.

Reeve

Chief Administrative Officer

Be read a **SECOND** time this 6th day of May, 2021.

Reeve

Chief Administrative Officer

Be read a **THIRD** time this 6th day of May, 2021.

Reeve

Chief Administrative Officer

20-Apr

LETHBRIDGE COUNTY TAX RATES - 2021

	ACTUAL ASSESSMENT	2021 REQUIRED REVENUE	2021 TAX (MILL)RATE		2020 ASSESSMENT	2020 REVENUE	2020 TAX RATE
MUNICIPAL							
GENERAL MUNICIPAL PURPOSES							
Farmland	157,761,531.00	3,358,000.00	21.2853	0.18%	157,676,910.00	3,350,000.00	21.246
Residential	1,103,815,665.00	4,901,000.00	4.4401	-0.19%	1,062,223,900.00	4,725,500.00	4.4487
Non-Residential/M&E	787,604,504.00	6,997,625.00	8.8847	-0.30%	802,485,560.00	7,148,285.00	8.9111
	2,049,181,700.00	15,256,625.00				15,223,785.00	
Provincial Availability Adjustment	32,578,710.00						
Total	2,081,760,410	15,256,625		0.22%	2,022,485,560	15,223,785	
Provincial Police Services	2,049,181,700.00	352,110	0.1718	48.13%	2,022,485,560	234,570	0.116
Add Haul Route Network	157,761,531.00	519,383	3.2922	-0.05%	157,676,910	519,383	3.2940
Add LRWMSC	2,049,181,700.00	588,088	0.2870	1.99%	2,022,485,560	569,145	0.2814
Total Municipal		\$16,716,206.00				\$16,546,883.00	
Municipal Rates							
		Farmland Rate	25.0363	0.40%		Farmland Rate	24.9374
		Residential Rate	4.8989	1.09%		Residential Rate	4.8461
		Non-Res/M&E Rate	9.3435	0.42%		Non-Res/M&E Rate	9.304
REQUISITIONS							
Green Acres Foundation	2,016,602,990.00	291,628.26	0.1446	0.29%	1,958,244,890	282,461.21	0.1442
Designated Industrial Property	242,046,970.00	18,540.80	0.0766	0.79%	247,423,240	18,804.17	0.076
SCHOOLS							
ASFF RESIDENTIAL & FARMLAND	1,148,265,803.00	2,883,386.93	2.5144	1.51%	1,106,668,827	2,741,272.87	2.4770
ASFF NON-RESIDENTIAL	599,843,790.00	2,198,614.86	3.6657	-0.60%	593,047,688	2,187,143.33	3.688
NON-TAXABLE ELECTRIC LINEAR	15,941,270.00				9,776,490		
MACHINERY & EQUIPMENT	116,109,670.00				114,931,410		
PROVINCIAL GIPOT RES. & FARMLAND	4,896,390.00				4,764,510		
PROVINCIAL GIPOT NON RESIDENTIAL	60,261,030.00				59,476,160		
	1,945,317,953.00	\$ 5,082,001.79			1,888,665,085		
TOTAL ASFF EDUCATION REQUISITION	\$ 1,945,317,953.00	5,082,001.79			\$1,888,665,085.00	4,928,416.20	
HOLY SPIRIT RES. & FARMLAND	110,863,197.00	\$282,603.10	2.5144	1.51%	108,467,473	\$268,674.55	2.4770
HOLY SPIRIT NON-RESIDENTIAL	25,579,260.00	\$93,991.58	3.6657	-0.60%	25,353,002	\$93,501.06	3.688
MACHINERY & EQUIPMENT	136,442,457.00						
TOTAL HOLY SPIRIT REQUISITION	136,442,457.00	376,594.68			133,820,475.00	368,436.76	
2019 Over Levy		-				97,703.32	
TOTAL	2,081,760,410.00	\$ 5,458,596.46		1.30%	2,022,485,560	\$5,388,295.13	
TOTAL 2021 TAX LEVY							
		\$22,484,971.52				\$22,001,873.51	
		Farmland Rate	27.6953	0.50%		Farmland Rate	27.5586
		Residential Rate	7.5579	1.21%		Residential Rate	7.4674
		Non-Residential	13.1538	0.13%		Non-Residential	13.1362
		M & E Rate	9.4881	0.42%		M & E Rate	9.4482

**TAX RATE COMPARISON
MUNICIPAL ONLY**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020
FARMLAND	15.5929	16.5322	17.0070	17.6415	20.4163	20.4495	24.8131	24.8348	24.8625	24.9373	25.0363
RESIDENTIAL	4.4442	4.5510	4.5483	4.5786	4.5824	4.6156	4.6290	4.7279	4.6903	4.8461	4.8989
NON-RESIDENTIAL	8.8840	9.1015	9.5700	9.2238	9.2275	9.0654	9.0788	9.2213	9.1147	9.3040	9.3435
M & E	8.8840	9.1015	9.5700	9.2238	9.2275	9.0654	9.0788	9.2213	9.1147	9.3040	9.3435

AGENDA ITEM REPORT



Title: Proposed updates to Gifting Policy 156
Meeting: Council Meeting - 06 May 2021
Department: Human Resources
Report Author: Dana Johnson

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 14 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Gifting Policy 156 was adopted by Council March 2, 2011. The content remains important and I have proposed a few minor edits to update this Policy

RECOMMENDATION:

Accept the proposed revisions to Gifting Policy 156.

PREVIOUS COUNCIL DIRECTION / POLICY:

Policy was adopted in 2011.

BACKGROUND INFORMATION:

Code of Conduct for staff and Council covers some information on accepting gifts and favours. Council Code of Conduct item J and K. Administration Code of Conduct is section G.

ALTERNATIVES / PROS / CONS:

Open to further suggestions. The Policy could be removed, but I believe the Code of Conduct for Council and Administration is not specific enough and this is a valuable reference document.

FINANCIAL IMPACT:

There are no financial implications with the revisions to this Policy.

REASON(S) FOR RECOMMENDATION(S):

Fill

ATTACHMENTS:

[2021-04-12 156 Gifting Policy](#)



Lethbridge County Policy Handbook

EFFECTIVE: March 2, 2011

SECTION: 100 **NO.** 156 **Page** 1 of 2

APPROVED BY: County Council

SUBJECT: Gifting Policy

REVISED DATE:

Purpose:

To provide direction and guidance regarding the acceptance of gifts, favours, or services.

Objective:

In order to maintain the impartiality with which Lethbridge County councilors and/or staff must demonstrate in their dealings with others this gifting Policy has been developed.

Parameters:

Council members and/or county employees shall not accept gifts, favours, services or other benefits that are connected directly or indirectly with the performance of their public service duties from any individual, organization or corporation, other than:

1. The normal exchange of gifts between friends.
2. Hospitality resulting from doing business with an individual, organization or corporation. These gifts should be infrequent, related to business purposes, and of a type that is generally acceptable in the course of business practices. The gifts should be "token" in nature; as a rule they would be in the ~~\$5020 to \$100~~ range. For example, a lunch or tickets to a local show or local sporting event would be acceptable.
3. The normal presentation of gifts to persons participating as speakers, resource persons or volunteers for various functions or activities.
4. Prizes won at conferences and conventions; however, if the prize is valued greater than \$250, the ~~County Manager~~ Chief Administrative Officer (CAO) must be informed ~~as the manager will decide~~ to determine whether or not the prize may be accepted.
5. Courtesies extended to staff, as a group, such as in the case of a supplier providing office staff with a box of candy at Christmas.
6. Larger gifts may be acceptable, as long as there is approval from the ~~proper~~ CAO or direct Supervisor, ~~municipal executive~~ and where circumstances permit. For



Lethbridge County Policy Handbook

EFFECTIVE: March 2, 2011

SECTION: 100 NO. 156 Page 2 of 2

APPROVED BY: County Council

SUBJECT: Gifting Policy

REVISED DATE:

example a vendor might give a retirement gift that is more generous than might otherwise be allowed.

7. Vendors, residents, contractors, and others doing business with the County occasionally host appreciation events inviting a number of clients. Examples are hospitality suites, golf tournaments, appreciation dinners and receptions. Council and staff are permitted to attend these appreciation events; however, any event that may confer a benefit of greater than \$100 shall be reported to the ~~County Manager~~ CAO.

General:

~~If gifts such as Calgary Flames~~ Should larger items such as hockey tickets, football tickets, rounds of golf or other gifts of this nature be accepted, they must be extended to staff and council as a group. A draw shall be held to disperse these types of gifts.

Prizes may be solicited from suppliers for annual staff social events. A list of all prizes, the suppliers and the recipients shall be filed with the ~~County Manager~~ CAO.

Council members and/or staff shall not accept any gift or favour from a land developer.

~~The important thing to remember is that~~ If a gift or action is intended to influence your actions or decisions, it is not proper ~~to and should not be accepted~~. Further to that, staff and/or council members should not use their positions to obtain special advantages from dealings with a business or other concerns.

~~As a general rule of thumb, if after reviewing this policy you are in doubt on whether to accept something, then the correct action is not to accept.~~

AGENDA ITEM REPORT



Title: Policy Clean Up- Policy 147 Pager/Cell Phone Usage County Council Meetings, Policy 135 Smoking in County Shops
Meeting: Council Meeting - 06 May 2021
Department: Human Resources
Report Author: Dana Johnson

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 14 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Lethbridge County Administration has been reviewing and updating County Policies. This report presents 2 current policies.

Policy 147 Pager/Cell Phone Usage County Council Meetings, Effective November 2007. It is believed this would now be common sense and there is also a sign outside Council Chambers stating the same.

Policy 135- Smoking in County Shops- Created January 20, 2000, revised December 19, 2007. January 1, 2008 the Tobacco Reduction Act included a province wide smoking ban for all public places and workplaces and will also prohibit smoking within a specified distance from the windows, doorways and air intakes of public places to protect indoor air quality. This is the law.

RECOMMENDATION:

Rescind Policy 147 Pager/Cell Phone Usage County Council Meetings and Policy 135 Smoking in County Shops.

PREVIOUS COUNCIL DIRECTION / POLICY:

These Policies were published in 2007 before legislation and some of these behaviors were common place.

BACKGROUND INFORMATION:

Part of the Policy review and clean up process.

ALTERNATIVES / PROS / CONS:

Is an alternate Policy required? There is a County Issued Mobile Phone Directive that covers off phone use and states that all phones are required to be turned off while in Council Chambers Council Chambers.

FINANCIAL IMPACT:

There are no financial implications with the removal of these 2 policies.

REASON(S) FOR RECOMMENDATION(S):

Clean up of older policies that are no longer required

ATTACHMENTS:

[147CellPhoneUsage](#)

[135SmokinginCountyShops](#)



County of Lethbridge Policy Handbook

EFFECTIVE: November 1, 2007

SECTION: 100 NO. 147

APPROVED BY: County Council

POSITION DESCRIPTION:

REVISED DATE:

Pager/Cell Phone Usage County Council Meetings

Purpose

To establish guidelines for cell phone / pager usage during County Council meetings.

Policy

The County of Lethbridge recognizes that cell phones and pagers are modern day tools for communication and emergency purposes. The County of Lethbridge also recognizes that Council meetings should have a focus on conducting the affairs of the County with minimal disruptions.

Guidelines and Procedures

1. During Council meetings, to minimize disruptions from cell phones or pagers going off, the Reeve or CAO can request that all cell phones be put in silent mode.
2. Before entering Council chambers, presenters or delegations appearing before Council will be requested to put cell phones/pagers in silent mode.
3. If at all possible, Council and Administration should avoid leaving the meeting to respond to calls unless a recess has been called by the Reeve, to ensure that the business affairs of the County are conducted with the utmost focus and protocol.



County of Lethbridge Policy Handbook

EFFECTIVE: January 20, 2000

SECTION: 100 NO. 135

APPROVED BY: County Council

SUBJECT: Smoking in County
Buildings and Vehicles

REVISED DATE: December 19, 2007

PURPOSE

The purpose of this policy is to designate areas where smoking shall or shall not be permitted in County of Lethbridge buildings and vehicles.

1. Smoking shall not be permitted in any County of Lethbridge building.
2. Smoking shall not be permitted in any County of Lethbridge motor vehicle and /or motorized equipment.
3. Smoking shall not be permitted around door ways of buildings where customers and employees may enter a County of Lethbridge building.
4. Persons may smoke a minimum distance of 5 metres from door ways of buildings where customers and employees may enter a County of Lethbridge building, and dispose of the incendiary refuse in an approved fire proof container.

AGENDA ITEM REPORT



Title: Letter of Support for the RCMP
Meeting: Council Meeting - 06 May 2021
Department: Administration
Report Author: Ann Mitchell

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 22 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

Lethbridge County is seeking to send a letter in support of the Royal Canadian Mounted Police (RCMP) as the Government of Alberta is continuing with plans to replace the RCMP with an Alberta Provincial Police Service (APPS) by revising the *Police Act*.

RECOMMENDATION:

That Lethbridge County Council send a correspondence to the Minister of Justice and Solicitor General indicating support of the RCMP.

PREVIOUS COUNCIL DIRECTION / POLICY:

Lethbridge County is entered into a Memorandum of Agreement with the RCMP for policing services.

BACKGROUND INFORMATION:

The provincial government is continuing with plans to establish a provincial police force in Alberta to replace the RCMP despite 65% of respondents indicating non-support. Municipalities are already being down loaded with substantial policing costs from the province and a switch to an APPS will undoubtedly increase those costs. The RCMP provides an acceptable level of service to the County and the communities within in the County.

ALTERNATIVES / PROS / CONS:

Council can consider the following when deliberating this decision:

In support of the recommendation:

- Sending a letter in support of the RCMP aligns with other municipalities who are not in favor of the APPS.
- The RCMP currently provides adequate policing services in the County and the Province.

To deny the recommendation:

- Continue to monitor the province's plan to implement the APPS and provide a letter in support of the RCMP at a later date.

FINANCIAL IMPACT:

No financial implications to sending the letter in support of the RCMP. There could be increased financial implications in the future should the province go ahead with the replacement of the RCMP.

REASON(S) FOR RECOMMENDATION(S):

Lethbridge County has developed a collaborative relationship with the local RCMP detachment and is satisfied with the level of service currently received from the RCMP.

ATTACHMENTS:

[2021-04-22 - Letter to Minister Madu - Support of the RCMP](#)



April 22, 2021

Honourable Kaycee Madu
Minister of Justice and Solicitor General
424 Legislature Building
10800 – 97 Avenue
Edmonton, AB
T5K 2B6

Dear Minister Madu,

Re: Lethbridge County's Support for the RMCP

Lethbridge County Council wishes to advise they are also not in support of the Government of Alberta's initiative to replace the RCMP with an Alberta Provincial Police Service (APPS) as affirmed in Mayor Turner's letter from the Town of Morinville and Reeve Schulmeister's letter from the County of Paintearth No. 18.

Our Council agrees that by revising the *Police Act*, the outcomes as identified through the review can be achieved such as improving the public's trust in policing, ensuring an effective complaint process, and having more harmonious relationship between the police and all communities within Alberta.

Council has grave concerns with the province establishing an APPS despite 65% of respondents indicating non-support. The costs of transitioning to an APPS are unknown and the increased operating costs will undoubtedly be borne by the municipalities. The municipalities are currently bearing a substantial amount of policing costs and are not willing to accept unknown additional increases that will be inevitable from a transition to an APPS. This cannot be done within a reasonable time frame to offer the expertise and service currently provided to Albertans by the RCMP.

Lethbridge County has developed a collaborative relationship with our local RCMP detachment and is satisfied with the level of service and degree of responsiveness received as well as their involvement within the communities located in the County. Council encourages the Government of Alberta to halt the transition study and focus efforts to work with the RCMP to achieve better outcomes.

Yours truly,

Lorne Hickey
Reeve

c.c. Premier of Alberta
MLA, Grant Hunter
MLA, Joseph Schow
MLA, Nathen Neudorf
MLA, Shannon Phillips
Mr. Curtis Zablocki, Commanding Officer for Alberta RCMP
Lethbridge County Council
Rural Municipalities of Alberta

#100, 905- 4th Avenue South, Lethbridge, Alberta, T1J 4E4

Page 3 of 3
Tel: (403) 328-5525 E-Mail: mailbox@lethcounty.ca Fax: (403) 328-5602

AGENDA ITEM REPORT



Title: Request for the County to Procure a Lobbyist Service
Meeting: Council Meeting - 06 May 2021
Department: Administration
Report Author: Ann Mitchell

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 28 Apr 2021

STRATEGIC ALIGNMENT:



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EXECUTIVE SUMMARY:

In the past the County has procured the services of a lobbyist. In 2018 it was decided not to continue and rather to let staff and Council deal with these issues. We have been approached by Alberta Counsel to see if Lethbridge County would be willing to entertain a proposal for their services.

RECOMMENDATION:

With the current provincial political climate bringing a lobbyist into the mix would not benefit us as an organization;

Additionally we have in house staff resources that can accomplish the same tasks.

PREVIOUS COUNCIL DIRECTION / POLICY:

On October 11th, 2013 the following resolution was passed:

MOVED that the County Council direct Administration to explore what services the County would be receiving for the annual cost and whether if the County could explore possibilities of partnering with the M. D. of Taber for consulting & government relation services.

Further to this, in 2018 Council decided not to move forward with the lobbyist procurement.

Additionally, this line item has not been included in the 2019, 2020 or 2021 budget.

As lobbying services seems to be something that is used periodically in Alberta, it is my suggestion that we revisit this in strategic planning once the new Council is in place after the October 2021 elections.

BACKGROUND INFORMATION:

Under the Counties Procurement Bylaw this services could be sole sourced and a Request for Proposal or Expression of Interest would not be needed.

ALTERNATIVES / PROS / CONS:

Pros:

As staff is qualified to monitor legislation we have these services in house, additionally, staff has developed relationships with all of the provincial ministries.

Cons:

An outside third party may have more influence with the Provincial Government.

FINANCIAL IMPACT:

As we have not received a proposal the amount for this service is undetermined at this time. However, the past lobbyist service was a yearly cost of \$42,000.

REASON(S) FOR RECOMMENDATION(S):

The current provincial government is concerned with cutting costs, therefore, grants and funding is slowly being eliminated. It is not felt that a lobbyist could help with this situation.

Previously recommendations to provide a lobbyist service outlined the following reasons:

- Facilitation of meetings with government and Council delegations
- Tracking legislation and associated regulation to identify possible impacts to the County
- Major issues such as split agricultural mill rate revisions, provisions for sustainable bridge and resource road funding and the importance of continued MSI are examples of issues that will be advocated on our behalf

We certainly have this capacity in house and it is felt that we can more than manage these areas.