



MINUTES
Council Meeting
9:30 AM - Thursday, November 4, 2021
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, November 4, 2021, at 9:30 AM, in the Council Chambers, with the following members present:

PRESENT:

Reeve Tory Campbell
Deputy Reeve Klaas VanderVeen
Councillor Morris Zeinstra
Councillor John Kuerbis
Councillor Mark Sayers
Councillor Lorne Hickey (via Teams)
Chief Administrative Officer, Ann Mitchell
Director of Community Services, Larry Randle
Director of Public Operations, Jeremy Wickson
Infrastructure Manager, Devon Thiele
Manager of Finance & Administration, Jennifer Place
Executive Assistant, Candice Robison
Supervisor of Planning & Development, Hilary Janzen
Senior Planner, Steve Harty

A.

CALL TO ORDER

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

Reeve Campbell gave thanks and congratulated CAO Ann Mitchell for being recognized with the Municipal World Women of Influence in Local Government Award.

B.

ADOPTION OF AGENDA

336-2021 Councillor MOVED that Lethbridge County Council approve the November 4, Kuerbis 2021 Council Meeting Agenda as presented.

CARRIED

C.

ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

337-2021 Deputy MOVED that the October 28, 2021 Regular County Council Meeting
Reeve Minutes be accepted as presented.
VanderVeen

CARRIED

C.2. Organizational Meeting Minutes

338-2021 Councillor MOVED that the October 28, 2021 Organizational Meeting Minutes be
Kuerbis accepted as presented.

CARRIED

D. DELEGATIONS

D.1. 9:30 a.m. - RCMP - Staff Sergeant Mike Numan

Coaldale RCMP Staff Sergeant Mike Numan was present to introduce himself and provide an update to Council.

339-2021 Councillor MOVED to direct administration to provide a letter of support to the
 Sayers RCMP.

CARRIED

E. SUBDIVISION APPLICATIONS

E.1. Subdivision Application #2021-0-152 – Murray

- Lot 10, Block 15, Plan 0110667 within NW¼ 30-10-21-W4M (Hamlet of Shaughnessy)

340-2021 Deputy MOVED that the Residential subdivision of Lot 10, Block 15, Plan
 Reeve 0110667 within NW1/4 30-10-21-W4M (Certificate of Title No. 201
 VanderVeen 016 042), to subdivide an existing title 0.56-acres (0.226 ha) in size,
 and create two equal-lots, approximately 0.28 acres (0.115 ha) or 73
 x 169 ft. each respectively in size, for hamlet residential use; BE
 APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. This agreement may outline the terms and obligations for the further extension and development of 2 St. to the east to provide proper access to the east lot and any municipal servicing provisions.
3. That the applicant provides a final plan of survey be prepared by an Alberta Land Surveyor to create the two lots as approved for final endorsement and registration.
4. That the applicant removes the moveable shed located to the south that physically encroaches into the municipal lane so that there will be no resulting physical encroachment over the south property line. Confirmation of the removal of the shed must be submitted to the satisfaction of the Subdivision Authority prior to final endorsement of the subdivision.
5. That any easement(s) as required by the utility agencies or the municipality shall be established.

CARRIED

E.2. Subdivision Application #2021-0-166 – Horvath

- Lot 2, Block 1, Plan 1410472 within E1/2 26-9-21-W4M

341-2021 Deputy MOVED that the Country Residential subdivision of Lot 2, Block 1,
 Reeve Plan 1410472 within E1/2 26-9-21-W4M (Certificate of Title No. 141
 VanderVeen 038 946), create a 47.54-acre (19.24 ha) parcel from a title of 215.57
 acres (87.24 ha) for country residential use; BE REFUSED for the
 following reasons:

REASONS:

1. The application does not comply with the Lethbridge County agricultural subdivision policies of Land Use Bylaw No. 1404 [Part 7, Subsection 3(4)] and the number of subdivided titles allowed out of a ¼- section. This policy states: "The approval authority may only approve one separately-titled subdivision on an unsubdivided quarter

section." If subdivided, the 47.54-acre parcel would be an additional separate subdivision in either ¼-section, the SE ¼-section based on past consolidations of land or the NE ¼-section on its own (as there are also additional separate subdivisions to the north out of the same NE ¼-section). Although some policy exceptions enable consideration for further subdivision, such as the resubdivision of small titles 20-acre or less in size or acreage yard titles to be subdivided from the greater size title of a cut-off parcel, those scenarios are not applicable to this application's circumstances.

2. The Subdivision Authority finds the parent title being subdivided encompasses approximately 119.23- acres in the NE¼-section and 96.34 acres in the SE¼-section of 26-9-21-W4M which was purposefully amalgamated together. A subdivision application was made in 2013 by a family member to remove a 3-acre residential yard area in the southeast corner (SE 26-9-21-W4M) from a previously subdivided ¼-section. To obtain the separate yard subdivision, the remnant land of 96.34-acres was required by the Lethbridge County Subdivision Authority to be consolidated with the north title (the land subject to the current application) as a condition of approval, due to the reason the ¼-section was previously subdivided and did not comply with the bylaw. An additional subdivision would contradict the rationale and condition to consolidate the land with the 2013 application approval.

3. The Subdivision Authority has determined approving the 47.54-acre proposed parcel would require an excessive size waiver, as its size both exceeds the County's bylaw maximum 10-acre size for a county residential use and does not meet the bylaw's 80-acre minimum parcel size for agricultural use. Additionally, the subject title's agricultural titled area was created as a specific condition to allow a previous subdivision to be approved that did not comply with the subdivision policies.

4. The application does not meet the required minimum distance separation (MDS) to a grandfathered 200 head dairy confined feeding operation (CFO) across the road to the east. For the dairy, an MDS of 269 m is required and 240 m exists based on an expansion factor. The NRCB has no record of the permit or a discontinuation on file, so the CFO is deemed to be grandfathered at current existing infrastructure until the livestock rights are forfeited in writing.

CARRIED

**E.3. Subdivision Application #2021-0-176 – Dyck
- NE1/4 20-08-19-W4M**

342-2021
Councillor
Sayers

MOVED that the Country Residential subdivision of NE1/4 20-8-19-W4M (Certificate of Title No. 891 060 638), to subdivide a 4.98-acre (2.02 ha) first parcel out farmstead subdivision from a ¼-section title of 154.39 acres (62.48 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That any easement(s) as required by utility companies or the municipality shall be established

CARRIED

F. PUBLIC HEARINGS

G. DEPARTMENT REPORTS

G.1. MUNICIPAL SERVICES

G.2. COMMUNITY SERVICES

G.2.1. Development Permit Application 2021-223 (Addition and renovation to the City of Lethbridge Waste Transfer Station shop/office building)

343-2021 Deputy Reeve VanderVeen MOVED that Development Permit application 2021-223 be approved as drafted. CARRIED

G.2.2. Bylaw 21-018 - Amendment to Land Use Bylaw from Direct Control to Direct Control - Plan 1711672 Block 2 Lot 1 in the SE 15-10-22-W4- First Reading

344-2021 Councillor Zeinstra MOVED that Bylaw 21-018 - Amendment to Land Use Bylaw from Direct Control to Direct Control - Plan 1711672, Block 2, Lot 1 in the SE 15-10-22-W4 be read a first time. CARRIED

G.2.3. Planning and Development Department - 3rd Quarter Report 2021

345-2021 Councillor Zeinstra MOVED that County Council receive the Planning and Development Department 3rd Quarter Report for Information. CARRIED

Reeve Campbell recessed the meeting at 10:48 a.m.

The meeting reconvened at 11:00 a.m.

G.3. CORPORATE SERVICES

G.3.1. Policy Review - Policy #122- Project Costing

346-2021 Councillor Sayers MOVED that Council rescind Policy #122 - Project Costing. CARRIED

G.3.2. Policy Review - Policy #170 - Purchasing Policy

347-2021 Councillor Kuerbis MOVED that Council approve the revisions made to Policy #170 - Purchasing Policy as presented. CARRIED

G.4. ADMINISTRATION

G.4.1. County Council Meeting Date Changes

348-2021 Deputy Reeve VanderVeen MOVED that County Council reschedule the December 2, 2021 Council Meeting to Monday, December 6, 2021 to accommodate attendance of the MUNIS 101 Course in Lethbridge and that County Council schedules one Council meeting each for the months of January, February and March 2022 on the following dates: Thursday, January 13, 2022; Thursday, February 3, 2022 and March 10, 2022 and further that these dates be advertised in the Sunny South News, County's website and social media pages.

CARRIED

H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

J. CLOSED SESSION

J.1. - Land Request (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

J.2. - Public Utility Lot (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

349-2021 Councillor MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the *Municipal Government Act*, at 11:18 a.m. for discussion on the following:

J.1. - Land Request (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

J.2. - Public Utility Lot (FOIP Section 25 - Disclosure Harmful to Economic and Other Interests of a Public Body)

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

350-2021 Councillor MOVED that Lethbridge County Council Meeting move out of the Zeinstra closed session at 11:46 a.m.

CARRIED

J.1. Land Request

351-2021 Councillor MOVED that County Council recommends signing the non-binding Kuerbis Letter of Intent.

CARRIED

J.2. Public Utility Lot

352-2021 Councillor MOVED to table this matter and direct administration to bring back Kuerbis further information to an upcoming meeting.

CARRIED

K. ADJOURN

353-2021 Councillor MOVED that Lethbridge County Council Meeting adjourn at 11:47 a.m.

CARRIED

Reeve



CAO