

CLEARWATER COUNTY COUNCIL AGENDA
March 27, 2018
9:00 am
Council Chambers
4340 – 47 Avenue, Rocky Mountain House, AB

9:05 am Delegation: Rocky Flipz Gymnastics & Preschool, Gennifer Mehlhaff

9:15 am Delegation: Community Historical Society of Caroline, Laura Kirbyson, President and Jim Pearson, Vice President

9:25 am Delegation: Compassionate Care Hospice Society, Jillian Lawton, President

11:30 am Public Hearing: Bylaw 1040/18 Land Use Amendment (LUA)

A. CALL TO ORDER

B. AGENDA ADOPTION

C. CONFIRMATION OF MINUTES

1. March 13, 2018 Regular Meeting Minutes

D. DELEGATIONS

1. 9:05 am Rocky Flipz Gymnastics & Preschool
2. 9:15 am Community Historical Society of Caroline
3. 9:25 am Compassionate Care Hospice Society

E. CORPORATE SERVICES

1. Bylaw 1043/18 Regional Assessment Review Board - Consideration of First, Second and Third Readings
2. Bylaw 1045/18 Leslieville Elks Lodge Tax Exemption – Consideration of First, Second and Third Readings

F. MUNICIPAL

1. 2018 Fire Season Prevention Report
2. Public Engagement Strategy

G. PLANNING

1. Bylaw 1041/18 Consideration of First Reading

11:30 am Public Hearing Bylaw 1040/18

2. Bylaw 1040/18 Amend Land Use Bylaw for Medical Marijuana Processing Facilities - Consideration of Second and Third Readings

H. INFORMATION

1. Interim CAO's Report
2. Public Works Report
3. Accounts Payable
4. Councillor's Verbal Report
5. Councillor Remuneration

I. ADJOURNMENT

TABLED ITEMS

<u>Date</u>	<u>Item, Reason and Status</u>
06/13/17	213/17 identification of a three-year budget line for funding charitable/non-profit organizations' operational costs pending review of Charitable Donations and Solicitations policy amendments.
11/28/17	464/17 Live Video Feed in Council Chambers pending more information and additional quotes on alternative live video feed systems
03/13/18	116/18 Crammond Community Hall Grant Request pending receipt of Crammond Community Hall's 2017 Financial Statement



DELEGATION

SUBJECT: Rocky Flipz Gymnastics and Preschool, Gennifer Mehlhaff		
PRESENTATION DATE: March 27th, 2018		
DEPARTMENT: Ag. and Community Services	WRITTEN BY: Matt Martinson	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: 1. Managing our growth	PRIORITY AREA: 1.2. Build a sense of community	STRATEGIES: 1.2.2. collaborate with the Town and village in the delivery or recreation, cultural, leisure and education services.
ATTACHMENT(S): 1) Letter re: Clearwater County Community Centre Proposal, as submitted by Gennifer Mehlhaff and Nicholas Frank.		

<p>STAFF RECOMMENDATION: That Council receives the Clearwater County Community Centre Proposal, as submitted by Gennifer Mehlhaff, Rocky Flipz Gymnastics and Preschool, for information as presented.</p>

BACKGROUND:

Gennifer Mehlhaff, Rocky Flipz Gymnastics and Preschool, is here to discuss with Council the potential development of a multi-use recreation facility. Their proposal is outlined in the letter attached.

Clearwater County Community Center

Creating Common Community Connections

Preamble

We at Flipz gymnastics and preschool -as a non-profit organization and as residents of clearwater county- have found a void within our community that needs to be filled. A void that is sending residents out of our community to fill. A void that effects whether new families and organizations choose our beautiful community to set up roots. This hole -in an otherwise beautiful community- is a recreation facility; Moreover, a well rounded full-service facility that meets the needs not currently being met within our municipality.

Vision

Our vision is to see multiple not for profit organizations come together and build a facility that meets the needs of each charity and the community as a whole. Examples of this include an indoor play ground, an aquatics center that would include a splash park, and low-grade entry pool, field houses, gymnastics studio, indoor walking track and fitness center, meeting space, central hub and events center.

We understand that this would be a significant undertaking; getting multiple organizations and stakeholders collaborating together under the same roof. However; the benefit justifies the work needed to get this project going.

It is our intent to engage the various non-profit stakeholders in our community with a organizational framework to facilitate the collaboration of this shared vision of a facility. This will create pride in ownership as well as give a central location of granting and donating options. Than request that the municipality of clearwater county join our venture as the managing partner to the facility. We see this as a great economic opportunity within our community and can sustain and create growth in an otherwise municipal population growth downturn.

Benefits

Economic development
Sustainment and growth
Community enhancement
Family and community support network
Charity and county collaboration
Unified social services development front

Action Items

Letters of support from the municipalities
Stakeholder letters of interest and support
 -needs assessment
Facilitation assistance to build the framework and business plan
Funding model
Design proposal

Summery

We see value added in community collaboration and amalgamation. This is a grass roots level of volunteer-based organizations coming together to achieve common goals; Moreover, if achieved we will have created a ground-breaking community hub that will fill the void in our municipality.

Gennifer Mehlhaff

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Nicholas Frank

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DELEGATION

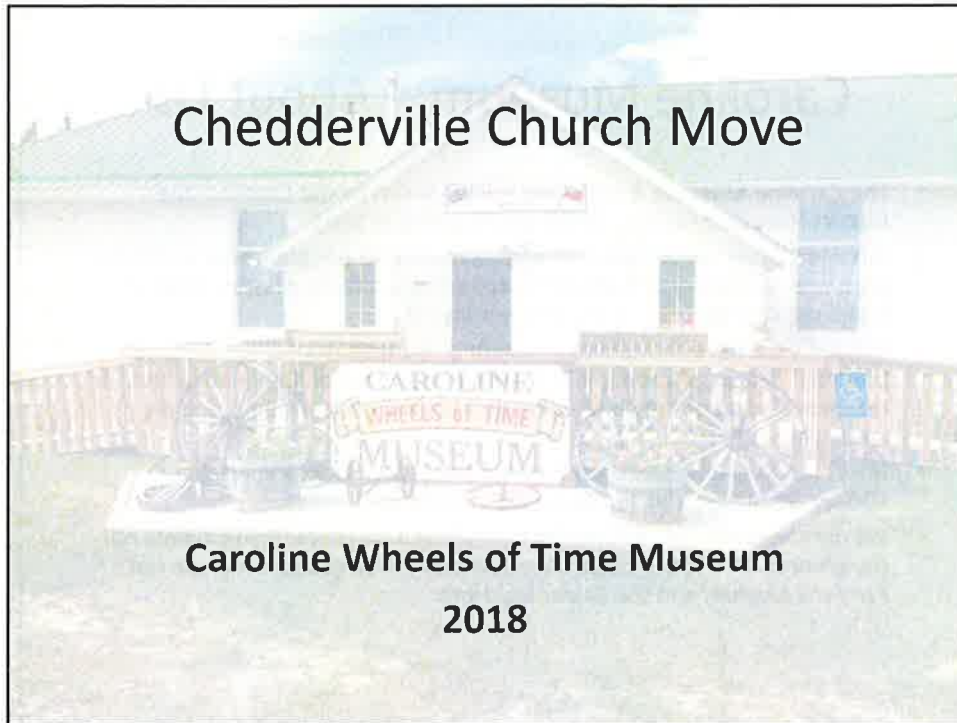
SUBJECT: Community Historical Society of Caroline, Laura Kirbyson, President and Jim Pearson, Vice President		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Ag. & Community Services	WRITTEN BY: Matt Martinson	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: 3. Community Well-Being	PRIORITY AREA: 3.1. Sustain the recreation, cultural and quality of life needs.	STRATEGIES: 3.1.6 Continue to rely on volunteers, profit and not-for-profit organizations for the provision of recreation, culture or leisure programs not organized or offered by the local Recreation Boards.
ATTACHMENT: 'Chedderville Church Move' PowerPoint		
STAFF RECOMMENDATION: That Council receives the Community Historical Society of Caroline Delegation's information as presented.		

BACKGROUND:

At its December 12, 2017 meeting, Council received a presentation from Administration regarding the Community Historical Society's request to acquire and move the Chedderville Church from its current location in the Dovercourt community to the Caroline Museum.

At the December 12th meeting council carried the following motion "That Council agrees in principle transferring ownership of the Chedderville All Hallows Church to the Community Historical Society of Caroline once the Society secures sufficient funds for the relocation and land reclamation costs."

Representatives from the Society are here today to update Council on progress and further discuss the project.



Chedderville All Hallows Church and Cemetery

The only original building left standing in the district of Chedderville.

Originally known as the Chedderville Anglican Mission after the All Hallows by the Tower in London which at the time was the oldest church in London. The Church has a stone from the London Church in its collection.

Very much a community project. Land donation, creation of baptismal font, pews, etc came from members.

In 2004-2005, the Anglican Diocese indicated it no longer wanted to keep the church and cemetery open due to insurance costs and a lack of regular services. Clearwater County took over the title and the Chedderville All Hallows Church and Cemetery Society to manage the use of the cemetery.



Information taken from Bonnie Miller's History of the Church, September 18, 2016

Caroline Museum – About Us

- The Caroline Museum & Historical Village is run by the Caroline and District Historical Society, which was founded in 1991.
- It is a volunteer organization of approximately 30 people whose goal is to preserve the history of Caroline by collecting artifacts, photos, historic buildings, oral histories and archival material.
- Currently we have six buildings including: Trunnell House; the Anderson brothers' 'trappers' cabin'; Village office and Fire Hall; Big Bend School; a teacherage; and our main building that houses our collection and an annual exhibit.
- Hours are May long weekend through the September long weekend, Fridays, Saturdays and Sundays, noon to 5 p.m.
- We demonstrate our community involvement by encouraging events on the grounds by other groups/organizations. Some of these include the Farmer's Market, and the Easter Egg Hunt.

Proposed Acquisition

- A committee has been created to lead this project. They've visited the site and are speaking to industry about the requirements for safely moving the church.
- Fundraising letters are being sent out and events being planned to raise money to cover the move and the building upgrades.
- The Ask. The anticipated cost for the move and maintenance is \$35,000.



We anticipate placing the Church at the East end of this strip, next to the Fire Hall.



DELEGATION

SUBJECT: Compassionate Care Hospice Society – Jillian Lawton, President		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Ag. and Community Services	WRITTEN BY: Matt Martinson	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: 3. Community Well Being	PRIORITY AREA: 3.4. Health	STRATEGIES: 3.4.4 Monitor health service delivery
ATTACHMENT(S): 1) January 29, 2018 and December 11, 2017 Correspondence; 2) May 9, 2017 Council Meeting Agenda Item		

STAFF RECOMMENDATION:

That Council receives the Compassionate Care Hospice Society Delegation's information as presented.

BACKGROUND:

Jillian Lawton, President, Compassionate Care Hospice Society, is here to provide Council with an update of the work they have done and to discuss funding.

At its May 9 2017 meeting (agenda item attached), Council received a presentation from the Society and carried the following motions:

- 1) *That Council receives the information from the Compassionate Care Hospice Society Delegation as presented.*
- 2) *That Council provides a letter of support to the Compassionate Care Hospice Society for the Community Needs Assessment required by Alberta Health Services.*

Compassionate Care Hospice Society (2016)

Box 283 Rocky Mountain House, AB T4T 1A2 403-895-4030

January 29, 2018

Reeve and Clearwater County Council
Rocky Mountain House

The Compassionate Care Hospice Society (2016) would like to put forward a request for a presentation in the March, 2018 agenda Council Meeting to:

- inform the new Council of the non-profit Society
- inform the new Council of the progress to date with Alberta Health Services and Good Samaritan Society
- inform the new Council with regards to the Hospice Society room
- discuss funding request from 2017
- discuss funding for 2018

Please contact Jillian Lawton, President at 403-598-2287
or email cc.hospicesociety2016@gmail.com with date and time.

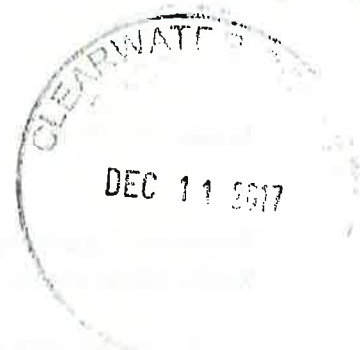
Thank you in advance.

Jillian Lawton
President
Compassionate Care Hospice Society (2016)
PO Box 283
Rocky Mountain House AB T4T 1A2

Compassionate Care Hospice Society (2016)

Box 283 Rocky Mountain House, AB T4T 1A2 403-895-4030

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D17/3/196



December 11, 2017

Clearwater County Community Program Funding Committee

Attention: Rick Emmons

Please consider our application for funding for the Compassionate Care Hospice Society (2016) for the 2018 operating year.

We estimate our operating budget to be \$ 85,000.00 per room per year. We currently have an application in place for a one bedroom suite and expect to have a demand for a second suite within the 2019 year.

The cost of a specialized bed can run approximately 20,000.00, other costs of caregivers expenses, rental expenses, programs such as bereavement support.

The suites are designed to provide "family space" in the time spent with the end of life care. Making comfort, privacy and dignity a priority. Our service is also provided "in-home" if the person wishes to remain in their own home.

If you have any questions that we can help with please contact the following:

President: Jillian Lawton 403-895-4030

Vice-President: Tom Stewart 403-845-0806

We look forward to hearing from you at your earliest convenience.

Sincerely yours,

Tom Stewart





AGENDA ITEM

PROJECT: Compassionate Care Hospice Society		
PRESENTATION DATE: May 9, 2017		
DEPARTMENT: Community Services / CPS Division	WRITTEN BY: Jerry Pratt	REVIEWED BY: Ted Hickey/Ron Leaf
BUDGET IMPLICATION: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy		
STRATEGIC PLAN THEME: 2: Well Governed and Leading Organization	PRIORITY AREA: 2.2, 2.5	STRATEGIES: 2.2.3, 2.5.4
ATTACHMENTS : Compassionate Care Hospice Society Objectives		
RECOMMENDATIONS: Council accepts the Society's objectives as information. Council approves providing a letter of support to Alberta Health Services on behalf of Compassionate Care Hospice Society		

BACKGROUND:

Compassionate Care Hospice Society is a non-profit society focused on providing compassionate, quality comfort care that enhances the lives of people with life-limiting illness and their families. Steve Taylor, Vice Chair, Compassionate Care Hospice Society – Rocky Mountain House, would like to:

- 1) Inform Council of its goals and objectives (see attached); and,
- 2) Request a letter of support from Council. (the letter is to accompany the Society's Needs Assessment Report required by Alberta Health Services).

Recommendation

Council accepts the Society's objectives as information.

Council approves providing a letter of support to Alberta Health Services on behalf of Compassionate Care Hospice Society

Compassionate Care Hospice Society (2016)

Objectives:

1. To promote the provision of a comprehensive hospice palliative care service, respond to the physical, emotional and spiritual needs of the individuals with terminal illness, their families and friends.

-Our society will have an initial contact number available to the public and community agencies. Calls will be fielded by volunteers, who will have information on how to access initial registration with our program and with other resources in our community.

- Care needs will be assessed and provided through a team of health care professionals (nursing, physician, pastoral care, social work) and volunteers. Needs will be addressed as each family requires and appropriate interventions/referrals initiated.

- Our society will increase community awareness of services available for end of life care through website, social media, newspaper, radio and community events.

2. To establish a hospice with associated educational and outreach programs serving Rocky Mountain House and surrounding area. Bereavement care will be extended to family and friends before, during and after the time of death according to policy.

-The Society will initially fund one hospice suite available to individuals and families that require end of life care. This room will be available at no charge. Our goal is to increase the number of hospice care suites, located within an established supportive living facility as community demand requires. Alberta Health Services estimates that 7.7 hospice beds are required per 100,000 population. This equates to 2 hospice beds with our community and surrounding area population at this time.

-The room will be available to whoever requires it, from any age group or walk of life. There will not be a charge for the hospice stay. Terminal illness can affect any individual at any time of life.

-Admission to hospice will be determined by health professional assessment and through criteria as per policy. Estimated life expectancy to be 3-4

months or less, and individual is dealing with life limiting illness. The nearest hospice facility is 100 km away, so establishing a facility locally will benefit families in the community.

-Trained volunteers will be available through the society to provide support in the home, hospital or hospice setting, wherever the individual resides during their end of life journey. Our society will have grief and bereavement counsellors available to support during and after a loved one's death. There will be follow up support as outlined in policy.

3. To promote the health and wellbeing of staff and volunteers through educations and attention to emotional care.

-Our society will provide and promote comprehensive initial training in hospice care to all volunteers. This training will properly equip the volunteers to provide quality hospice care. Palliative care professionals will provide these educational opportunities. Education opportunities will continue to maintain competence and increase knowledge base for society members.

4. To undertake information sharing initiatives in hospice area within the service area with a view to improving awareness and enhancing volunteer and donor involvements.

-Our society will be present at community events, for example: trade shows, "Marketplace on Main", booth at high traffic areas, to increase the society's visibility in the community and to increase awareness of resources available in our community for hospice care locally.

-Initial goal is to increase community awareness of end of life planning and care. Education regarding the nature of hospice care, and what is involved. This will require development of presentations, display boards, brochures for distribution.

5. To promote partnerships with existing health services, health foundations and other interested organizations while maintaining the Society's autonomy and integrity.

-The society will attend interagency meetings, collaborate with local government (town and county), MLA. We plan to partner with Alberta Health Services, Rocky Hospital, Palliative care committee, physician, churches, and

other stakeholders in our community. Initial step will be to conduct a community needs assessment to generate data and support for our projects.

6. To promote quality service by adopting standards of care, regularly reviewing service delivery and affiliating with provincial and national associations.

-Our society will maintain a resource library (journals, books, websites) available to families, volunteers and society members to access for support and to increase knowledge base in area of hospice care.

-Our society will be associated with the Alberta Hospice Palliative Care Association as well as the Canadian Hospice Palliative Care Association. Best practice standards will be followed as outlined by palliative associations and Alberta Health Services.

7. To solicit and to receive to receive funds, grants or contributions to achieve the aims of the Society.

-Our society will apply for grants and funding and accept donations from private and corporate sponsors to continue to provide quality hospice care in our community.



REQUEST FOR DECISION

SUBJECT: Bylaw 1043/18 Regional Assessment Review Board – Consideration of First, Second and Third Readings		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Corporate Services	WRITTEN BY: Murray Hagan	REVIEWED BY: Christine Heggart and Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite) MGA S455		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: Ensure timely compliance with statutory and regulatory obligations	STRATEGIES: N/A
ATTACHMENT(S): Bylaw No. 1043/18, Bylaw No. 919/10, List of Required Changes		

STAFF RECOMMENDATION:

That Council gives first, second and third readings to Bylaw 1043/18.

BACKGROUND:

Section 454 of the Municipal Government Act (MGA) requires Clearwater County to establish Assessment Review Boards to hear complaints regarding property assessments. Section 455 allows the municipality to jointly establish these review boards with another municipality in the interests of efficiency, consistency and cost effectiveness.

Bylaw 919/10 was passed by Clearwater County Council to jointly establish a Regional Assessment Review Board with the City of Red Deer to exercise the functions of a Local Assessment Review Board and a Composite Assessment Review Board.

Recent amendments to the MGA have created a need to revise the bylaw dealing with the Regional Assessment Review Board. A list of related MGA changes is attached and items requiring revisions within the bylaw have been highlighted. Administration considered it more practicable to replace the former bylaw in its entirety rather than make several changes throughout.

BYLAW NO. 1043/18

Being a bylaw of Clearwater County, Alberta to establish a Regional Assessment Review Board.

Purpose

The purpose of this bylaw is to enable municipalities to provide a mechanism for citizens to appeal their property assessment and tax notices.

Background

Section 455 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

The City of Red Deer and the Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by their respective taxpayers of a Partner Municipality;

THE COUNCIL OF CLEARWATER COUNTY ENACTS AS FOLLOWS:

Short Title

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

Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the *Municipal Government Act*.
- (2) In this bylaw the following terms shall have the meanings shown:
- (a) "Board" means the Regional Assessment Review Board;
 - (b) "CARB" means the Composite Assessment Review Board established in accordance with the *Municipal Government Act* that hears complaints on assessment notices for property other than the property described in section 2(2)(d) of this bylaw and section 460.1(1) of the *Municipal Government Act*;
 - (c) "Designated Officer" means the person appointed to carry out the duties and functions of the clerk of the assessment review boards in accordance with section 456 of the *Municipal Government Act*;
 - (d) "LARB" means the Local Assessment Review Board established in accordance with the *Municipal Government Act* who hears complaints about assessment notices for:
 - i. residential property with 3 or fewer dwelling units, or
 - ii. farm land, or
 about a tax notice other than a property tax notice, business tax notice or improvement tax notice;

- (e) “Member” means a member of the Regional Assessment Review Board;
- (f) “Minister” means the Minister determined by the Province to be responsible for the *Municipal Government Act*;
- (g) “Partner Municipality” means all those municipalities who enter into an agreement with the City to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw, as well as the City of Red Deer;
- (h) “Provincial Member” means a person appointed as a provincial member to a CARB by the Minister.

Partner Municipalities

- 3 CLEARWATER COUNTY and The City of Red Deer hereby jointly establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board and the functions of a Composite Assessment Review Board to have jurisdiction in their municipalities and those of the Partner Municipalities.

Regional Board Review Committee

- 4 (1) The Regional Board Review Committee will consist of 5 Administrators who volunteer from the Partner Municipalities.
- (2) The term for volunteer Regional Board Review Committee Members is one year.
- (3) The Regional Board Review Committee may establish their own procedures to carry out their function, but in doing so, they shall have due regard for procedural fairness.

Appointment of Board Members

- 5 (1) The Regional Board Review Committee shall appoint not more than 20 citizens-at-large to be Members of the Regional Assessment Review Board.
- (2) The total number of Members shall be determined by the Designated Officer.

Establishment of Boards

- 6 The following Central Alberta Regional Assessment Review Boards are established:
- (a) one or more LARB’s that consist of one (1) Member;
 - (b) one or more LARB’s that consist of three (3) Members;
 - (c) one or more CARB’s that consist of one (1) Provincial Member
 - (d) one or more CARB’s that consist of one (1) Provincial Member and two (2) Members.

Terms of Appointment

- 7 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where one-third is appointed for three year term; one-third is appointed for a two year term and the remaining one-third are appointed for a one year term.
- (2) If a vacancy on the Board occurs at any time the Regional Board Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.
- (5) The Regional Board Review Committee may remove a Member for cause or misconduct on the recommendation of the Designated Officer.
- (6) Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing.

Presiding Officer

- 8 The Members of every Board established under section 6(b) of this bylaw will select a Presiding Officer from among themselves who will:
- (a) preside over and be responsible for the conduct of hearings;
- (b) vote on matters submitted to the Board unless otherwise disqualified;
- (c) sign orders, decisions and documents issued by the Board.

Jurisdiction of the Board

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

Regional Advisory Group

- 10 (1) Board Members will elect from among themselves a Regional Advisory Group consisting of up to 4 members, and comprised of one Chair and up to 3 Vice Chairs.
- (2) The Regional Advisory Group will report to the Designated Officer on all matters affecting the Board and will:
- (a) assist the Designated Officer in developing policies governing hearings, conduct of Members, and other Board matters;
- (b) evaluate Member performance to identify areas where additional training may be required and prepare reports regarding performance and re-appointment of Members;
- (c) ensure other Members are provided mentoring;

- (d) act as a liaison between the Members, board administration and the Designated Officer;
- (3) The duties of the Chair of the Regional Advisory Group include:
- (a) chairing meetings of the Regional Assessment Review Board and the Regional Advisory Group;
 - (b) establishing agendas for the Regional Advisory Group and the Regional Assessment Review Board meetings in consultation with the Designated Officer;
 - (c) liaising with the Designated Officer, Councils, and Partner Municipalities on behalf of the Regional Assessment Review Board;
 - (d) appointing an Acting Chair from the Regional Advisory Group;
 - (e) signing correspondence on behalf of the Regional Advisory Group.
- (4) If the Chair ceases to be a Member or is unable or unwilling to fulfil the Chair's duties, the Clerk may appoint one of the Vice Chairs to serve as Acting Chair until the Chair resumes the Chair's duties or the Members elect a new Chair.

Designated Officer of the Board

- 11 (1) CLEARWATER COUNTY appoints the City of Red Deer Legislative Services Manager as the Designated Officer of the Board. The remuneration and duties of the Designated Officer are as set out in section 11(1) of the of the City of Red Deer's Regional Assessment Review Board Bylaw.
- (2) The Designated Officer is authorized to enter into agreements on behalf of the Board with other non-partner municipalities to provide Assessment Review Board Services.
 - (3) The Designated Officer shall assist the Board in fulfilling its mandate.
 - (4) The Designated Officer may appoint Acting Clerks to perform the Designated Officer duties and functions provided they have successfully completed the training as prescribed by the Minister.
 - (5) The Designated Officer shall consult with the Regional Advisory Group to set policies, procedures and directives governing hearing processes, Member conduct and other Board matters.
 - (6) The Designated Officer will consult with the Regional Advisory Group and Members on matters affecting the Boards.
 - (7) The Designated Officer will make arrangements for issuing refunds of filing fees in accordance with the MGA and related regulations.
 - (8) The Designated Officer will issue instructions to independent legal counsel for the Boards when required.

- (9) The Designated Officer may, at the request of a Presiding Officer of a Board sign orders, decisions and documents issued by the Board.
- (10) The Designated Officer may, at the request of the Chair of the Regional Advisory Group, sign documents issued by the Regional Advisory Group.
- (11) The Designated Officer may set fees payable for persons to obtain copies of the Board's decisions and documents.

Hearings

- 12 (1) Hearings will be held at such time and place as determined by the Designated Officer.
- (2) The proceedings of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act* and section 464.1 of the MGA.

Quorum and Voting at Hearings

- 13 (1) In accordance with section 458 of the MGA, quorum for the Boards shall be as follows:
 - (a) two Members, for LARB's established under section 6(1)(b) of this bylaw; and
 - (b) one Provincial Member and one other Member, for CARB's established under section 6(1)(d) of this bylaw.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (3) The majority vote of those Members present and voting constitutes the decision of the Board.

Conflict of Interest

- 14 (1) Where a Member is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the Member may absent himself or herself from the hearing, provided that prior to leaving the hearing, the Member:
 - (a) declares that he or she has a conflict of interest; and
 - (b) describes in general terms the nature of the conflict of interest.
- (2) The Designated Officer shall cause a record to be made in the Record of Hearing of the Members' absence and the reasons for it.
- (3) For the purposes of this provision, a Member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
 - (a) he or she has a personal interest in the matter which would conflict with his or her obligation as a Member to fairly consider the issue; or

- (b) substantial doubt as to the ethical integrity of the Member would be raised in the minds of a reasonable observer, if that Member were to participate in the consideration of that matter.

Pecuniary Interest

- 15 (1) The pecuniary interest provisions of the MGA apply to hearings and meetings of the Board, as though Members were councillors attending meetings of council.
- (2) A Member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a Member of the Board.

Commencement of Complaints

- 16 In accordance with section 460 of the MGA, a taxpayer may commence an assessment complaint by:
- (a) mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the *'Matters Relating to Assessment Complaints Regulation'*, Alberta Regulation 201/2017 and within the time limits specified in the MGA; and
 - (b) paying the applicable fee.

Rules of Order

- 17 The Board will conduct hearings in accordance with:
- (1) the express provisions of the MGA and related regulations;
 - (2) principles of natural justice and procedural fairness; and
 - (3) policies and procedures approved by the Board.

Notice of Decisions & Record of Hearing

- 18 (1) After the hearing of a complaint, the Designated Officer shall:
- (a) under direction of the Presiding Officer, assist with the preparation of the decision or order of the Board and the reasons for the decision in compliance with the MGA; and
 - (b) arrange for the order or decision of the Board to be signed; and distributed in accordance with the requirements under the MGA and the *'Matters Relating to Assessment Complaints Regulation'* Alberta Regulation 201/2017.
- (2) The Designated Officer will maintain a Record of Hearing in accordance with the MGA and the *'Matters Relating to Assessment Complaints Regulation'* Alberta Regulation 201/2017 .

Delegation of Authority

19 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:

- (a) to the Regional Board Review Committee, its authority under MGA s. 454.1(1)(a) & s. 454.2(1)(a) to appoint members of the Assessment Review Boards;
- (b) to the Designated Officer, its authority under MGA s.454.1(1)(c) & 454.2(1)(c) to prescribe the remuneration and expenses payable to each Member of the assessment review board; and
- (c) to the Designated Officer, its authority under MGA s. 454.1(2), s. 454.2(2) and s. 455(2) to appoint a Member as the Chair of the LARB and the CARB and prescribe the term of office and the remuneration and expenses, if any, payable to the Chair.

Reimbursement of Costs

20 CLEARWATER COUNTY shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board as set out in the agreement with the City of Red Deer.

Effective Date

- 21 (1) This Bylaw will come into force and effect on the final day of passing and signature thereof.
- (2) Bylaw 919/10 is hereby repealed.

READ A FIRST TIME this 27th day of March 2018.

READ A SECOND TIME this 27th day of March 2018.

PERMISSION FOR A THIRD READING GRANTED this 27th day of March 2018.

READ A THIRD AND FINAL TIME this 27th day of March 2018.

REEVE

INTERIM CHIEF ADMINISTRATIVE OFFICER

BYLAW NO. 919/10

Being a bylaw of Clearwater County, Alberta to establish a Regional Assessment Review Board.

Background

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

The City of Red Deer and the Regional Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Partner Municipality;

The City of Red Deer will pay for the costs associated with the establishment and operations of the Regional Assessment Review Board and each Regional Partner Municipality will pay both a member fee and a user fee to the City in respect of their portions of those costs.

COUNCIL OF CLEARWATER COUNTY ENACTS AS FOLLOWS:

Short Title

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

Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- (2) In this bylaw the following terms shall have the meanings shown:
- (a) "Board" means the Regional Assessment Review Board;
 - (b) "CARB" means the Composite Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
 - (c) "Citizen-at-large" means a person who does not represent a specific organization.
 - (d) "Designated Officer" means the person appointed to carry out the duties and functions of the clerk of the assessment review board as required under section 455 of the *Municipal Government Act*.
 - (e) "LARB" means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation.
 - (f) "Member" means a member of the Regional Assessment Review Board.

- (g) “MGA” means the Municipal Government Act of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.
- (h) “Regional Partner Municipality” means those municipalities who enter into an agreement with the City to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

Appointment of Board Members

- 3 (1) The Board shall consist of 20 members who shall be Citizens-at-large appointed by the Nomination Review Committee from lists of eligible persons submitted by Regional Partner Municipalities.
- (2) In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.
- (3) The Nomination Review Committee will consist of 5 representatives appointed jointly by the Regional Partner Municipalities.

Terms of Appointment

- 4 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where two-thirds are appointed for three year terms and the remaining one-third are appointed for a two year term.
- (2) If a vacancy on the Board occurs at any time the Nomination Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.
- (5) The Nomination Review Committee may remove a Member at any time on the recommendation of the Designated Officer.

Panels of the Board

- 5 (1) The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels to consist of:
 - (a) three persons selected by the Designated Officer when the Board is acting as a Composite Assessment Review Board or a Local Assessment Review Board; or
 - (b) a single member selected by the Designated Officer when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.
- (2) The Designated Officer may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:

- (a) the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and
- (b) the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board.
- (c) where possible, the Designated Officer shall include on a 3 person panel a member who is from the municipality under whose jurisdiction the complaint arises.

Chairperson

6

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

Jurisdiction of the Board

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

Designated Officer of the Board

- 8 (1) The Designated Officer of the Board shall be a person designated by the Chief Administrative Officer of the City of Red Deer (CAO), who shall determine the remuneration of the Designated Officer.
- (2) The Designated Officer shall:
 - (a) shall assist the Board in fulfilling its mandate.;
 - (b) prescribe the remuneration and expenses payable to each member of the Assessment Review Board; and

Meetings

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

Quorum and Voting

- 10 (1) The quorum for panels of the Board shall be as established by the MGA, namely:
 - (i) two members of a panel acting as a local assessment review board; and

- (ii) one citizen-at-large and the provincial member of a panel acting as a composite assessment review board.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (2) The majority vote of those Members present and voting constitutes the decision of the Board.
- (3) Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member of the panel.

Conflict of Interest

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

Pecuniary Interest

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

Commencement of Appeals

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

Rules of Order

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

Adjournments

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

Notice of Decisions & Record of Hearing

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

Delegation of Authority

- 17 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:
- (a) its authority to appoint members of the Assessment Review Board to the Nomination Review Committee;
 - (b) its authority under section 454(2)(c) to prescribe the remuneration and expenses payable to each member of the assessment review board to the Designated Officer.

Reimbursement of Costs

18 The City of Red Deer shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Partner Municipalities will be as set out in the agreements established.

Transitional

19 (1) The Board shall hear all complaints arising out of assessments from 2010 and subsequent years.

(2) The Board appointed under Bylaw 3343/2009 shall continue to hear matters arising out of assessments from 2009 and prior years.

READ A FIRST TIME this day of A.D., 2010.
READ A SECOND TIME this day of A.D., 2010.
READ A THIRD TIME this day of A.D., 2010.

REEVE

MUNICIPAL MANAGER

**ANALYSIS AND EXPLANATION OF MUNICIPAL GOVERNMENT ACT AMENDMENTS
TO THE CENTRAL ALBERTA REGIONAL ASSESSMENT REVIEW BOARD (RARB) AND ITS LEGISLATIVE FRAMEWORK**

The table below lists the sections of the MGA that have changed and the way in which Regional Board Administration has (or will be) responding to them. Please feel free to share this with your Council's when amending your bylaws.

MGA	CHANGE/IMPACT	ACTION
s. 310(3) - Sending Notices/Notice of Assessment Date	<p>An assessment notice must be sent 7 days prior to the notice of assessment date – this is different from prior years where the assessment date and mailing date were typically the same.</p> <p>Presumably this is to negate the need to allow for 7 days mailing time as per the Interpretation Act.</p>	<p>No change is required to the bylaw or the agreement. However, municipalities need to be clear when communicating with assessed persons that the Interpretation Act <u>may</u>¹ not apply.</p> <p>RARB Administration has incorporated this point into the information sessions for Assistant Clerks and the Board Member orientation.</p>
s. 305(1.1) & MRAC s. 14 - Correction of roll to assessment under complaint	<p>Assessors have the ability to make a correction to the assessment. New this year, if a correction is made to an assessment that is under complaint, the Assessor must issue a new Notice of Assessment. With this correction, the Complainant has a new right of complaint and the Assessor must file a statement with the Board setting out the reasons for correction; the correction made and the impact on the amount of the assessment.</p>	<p>No change is required to the bylaw or the agreement.</p> <p>RARB Administration will be looking for compliance with the section and issuing a Notice of Cancellation when a correction has been made to an assessment notice under complaint.</p>
s. 454 Assessment Review Boards to be established	<p>Establishing an assessment review board is now mandatory for all municipalities; regardless of whether or not a complaint is received.</p>	<p>No change is required to the bylaw or the agreement. The bylaw currently reads:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Establishment of Boards</p> <p>6 The following Central Alberta Regional Assessment Review Boards are established:</p> <ul style="list-style-type: none"> (a) one or more LARB's that consist of one (1) Member; (b) one or more LARB's that consist of three (3) Members; (c) one or more CARB's that consist of one (1) Provincial Member (d) one or more CARB's that consist of one (1) Provincial Member and two (2) Members. </div>

¹ Whether or not the Interpretation Act still applies when determining the mailing time sending Assessment Notices is likely to come forward as an argument at a hearing. So, while this is our understanding at the moment, it is possible that through cases, this could be applied differently.

MGA	CHANGE/IMPACT	ACTION
<p>s. 454.1(1)(a) (b)(c) Appointment of members to local assessment review board</p>	<p>Council must:</p> <ul style="list-style-type: none"> (a) appoint at least 3 persons to LARB; (b) prescribe their term of office; and (c) prescribe their remuneration and expenses payable if any. 	<p>No change required to the Bylaw. The current bylaw addresses this.</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Delegation of Authority 19 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:</p> <ul style="list-style-type: none"> (a) to the Regional Board Review Committee, its authority under MGA s. 454.1(1)(a) & s. 454.2(1)(a) to appoint members of the Assessment Review Boards; <p style="text-align: center;">9 Bylaw 3474/2011</p> <ul style="list-style-type: none"> (b) to the Designated Officer, its authority under MGA s.454.1(1)(c) & 454.2(1)(c) to prescribe the remuneration and expenses payable to each Member of the assessment review board; and </div> <div style="border: 1px solid black; padding: 5px;"> <p>Terms of Appointment 7</p> <ul style="list-style-type: none"> (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where one-third is appointed for three year term; one-third is appointed for a two year term and the remaining one-third are appointed for a one year term. (2) If a vacancy on the Board occurs at any time the Regional Board Review Committee may appoint a new person to fill the vacancy for the remainder of that term. (3) A Member may be re-appointed to the Board at the expiration of his/her term. (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect. (5) The Regional Board Review Committee may remove a Member at any time on the recommendation of the Designated Officer. (6) Upon being appointed, the Member must successfully complete the training as prescribed by the Minister prior to participating in a hearing. </div>
<p>s. 454.1(2) & s. 454.2(2) Appointment of members to local assessment review board & composite assessment review board</p>	<p>Council must designate a chair of the local assessment review board and the composite assessment review board and prescribe the term of office and the remuneration and expenses payable.</p> <p>Note: the person designated is NOT a Presiding Officer – the person designated under this section has responsibilities under s. 454.11 & 454.21 to convene individual panels to hear complaints.</p>	<p>NEW section 19(d) – proposes to have Council give its authority to do this to the Designated Officer for appointments of Chairs. The Designated Officer is the City of Red Deer Legislative Services Manager (s.11(1)). Only applies to City of Red Deer.</p> <p>A Regional Assessment Review Board policy will be drafted to outline the considerations and process that the Designated Officer will use in making this appointment. While it has not yet been confirmed, it is likely that the responsibilities under s. 454.11 will be assigned to the Chair of the Regional Advisory Group (see s. 10).</p>

MGA	CHANGE/IMPACT	ACTION
s. 454.11(1) & s. 545(21)(1) & s. 457 Panels of Boards & Replacement of Panel Members	These sections give the function of assigning Panel Members to hearings to the Chair (see above s. 454.1(2) & s. 454.2(2)).	s. 11(9) and s. 13(4) of the bylaw must be removed to comply with these sections of the MGA. A Regional Assessment Review Board policy will be drafted to outline the considerations and process the Chair will use in making the assignments.
s. 454.11(3)(a) & (b) and s. 454.21 – Panels of Boards	These sections prohibit the assignment of Councillors to Panels – specifically, no more than 1 Councillor may be assigned to a panel regardless of municipality they represent. Currently there is only one Board Member who is also a Council Member.	No change is required to the bylaw or the agreement. The bylaw and the agreement are intentionally silent on this point as it is important to our Municipal Partners to be able to have a member of Council sit as a Board Member. ²
s. 455 Joint establishment of assessment review boards	This is not new. Only the section number has changed.	The ‘Background’ of the bylaw requires an amendment to correct the section reference to s. 455.
s. 456 Clerk	Councils must appoint a Clerk having jurisdiction in their municipality, must jointly appoint the Clerk, and prescribe remuneration and duties. The Clerk must not be an assessor or a designated officer who has authority to grant or cancel tax exemptions on brownfields.	<ul style="list-style-type: none"> • The definition of ‘Designated Officer’ in s. 2(d) of the bylaw requires an amendment to correct the section reference to s. 456. • s. 11(1) of the bylaw requires amending to clarify the appointment of the City’s Legislative Service Manager to act as the Designated Officer / Clerk of the Board and comply with s. 456 of the MGA.
s. 460 Complaints	In conjunction with the MGA, the regulation governing assessment review boards – <i>Matters Relating to Assessment Complaints</i> – was also updated.	s. 16(a) of the bylaw requires an amendment to correct the reference to the new regulations.
s. 460(14) Complaints & s. 460(1)(2)	The ARB no longer has jurisdiction to deal with a complaint about designated industrial property or an amount prepared by the Minister as the equalized assessment for a municipality.	No change is required to the bylaw or the agreement. This will be addressed administratively in Assistant Clerk Info Sessions and in Board Orientation.

² If a Councillor is appointed as a Board Member, their appointment is NOT tied to their Council seat.

MGA	CHANGE/IMPACT	ACTION
Jurisdiction of Board	The composite assessment review board can hear complaints on business tax, improvement tax and a refusal to grant an exemption or deferral for a brownfield tax incentive.	
s. 460(5)(k) & (l) and 460(6) Complaints	Brownfield tax incentives: A complaint may now be about any extent to which a brownfield is exempt under a bylaw; whether the collection of tax on a brownfield is deferred; and about a designated officer's refusal to grant an exemption on brownfields.	No change required to the Bylaw or the Agreement – this will be addressed administratively in Assistant Clerk Info Sessions and in Board Orientation.
s. 460.1(1) & s. 460.1(2) Jurisdiction of assessment review boards	<p>New this year, a local assessment review board has jurisdiction to hear a complaint about a tax notice other than a property tax notice, business tax notice or improvement area tax notice for residential property or farmland.</p> <p>New this year, a composite assessment review board does not have jurisdiction to hear a complaint about linear property or an equalized assessment set by the Minister.</p>	The definition of 'CARB' and 'LARB' in the bylaw require amending to correct the section reference and jurisdiction changes.
s. 461 Address to which a complaint is sent	New this year, a complaint must be filed with the assessment review board (not the designated officer) at the address shown on the notice not later than the complaint deadline (previous version stated "not later than the date shown on that notice").	No change required to the Bylaw or the Agreement – this will be addressed administratively in Assistant Clerk Info Sessions and in Board Orientation.
s. 461(2) Address to which a complaint is sent	The MGA now requires "the applicable filing fee must be paid when a complaint is filed". This has been added even though s. 460(2) says that a complaint must be accompanied with the fee – presumably this will lend the requirement to pay a fee.	No change required to the Bylaw or the Agreement. Municipalities have the ability to establish their own filing fees. This will be addressed administratively in Assistant Clerk Info Sessions and in Board Orientation.
s. 462(1)(b) 462(2)(b) Notice of Hearing	The MGA has been amended to include the word "directly" when identifying who the clerk must notify of a hearing (...any assessed person other than the complainant who is directly affected by the complaint).	No change required to the Bylaw or the Agreement. The Regional Assessment Review Board has a procedure that identifies who the clerk sends a Notice of Hearing to. This procedure was verified by legal to ensure compliance with this wording.
s. 464.1 Hearings open to the public	New this year, the MGA requires that all hearings are public and outlines when and how documents may be made confidential.	s. 12(2) of the Bylaw requires amending to reference the MGA provisions.

MGA	CHANGE/IMPACT	ACTION
		Prior to the MGA amendments, the regional assessment review board addressed privacy concerns in policy. The policy will be reviewed and revisions made where necessary to avoid redundancies and defer to the MGA.
s. 465 Notice to produce or attend	The wording in this section has been amended to include the words “on application” when an application is made to compel the attendance of a person or document.	No changes needed to the Bylaw or the Agreement.
s. 608 Sending documents	This section has been amended significantly. In order for a document to be ‘sufficiently sent’ when sending by electronic means, the recipient must consent to it AND it is presumed to have been delivered 7 days after it was sent.	No changes are needed to the Bylaw or the Agreement. Board Administration will need to ensure compliance with this section. It is also likely that this section will be ‘tested’ in hearings in 2018.

The table below lists amendments that are incidental to the MGA changes or have been identified for change over the last 7 years of operations.

OTHER AMENDMENTS	
s. 2(c) Definition	Definition of 'Citizen Representative' removed because it is not used in the Bylaw.
s. 3 Partner Municipalities	Amendments to this section help to clarify the 'joint' relationship of the Partner Municipalities with the City of Red Deer and to each other.
s. 4 Regional Board Review Committee	Revisions to this section gives some guidance to board administration and those Partner Municipalities who choose to be involved in the appointment of board members
s. 5(2) Appointment of Board Members	The addition of this section gives guidance to the Regional Board Review Committee on the number of board members to be appointed. A Regional Assessment Review Board policy will be drafted to outline the considerations and process the Designated Officer will use in making this determination.
s. 7(5) Term of Appointment	This section required clarification to insure against improper removal of a board member.
s. 10(2)(e) Regional Advisory Group	This section has been removed. It is not cost effective to pay the Chair to complete a review of draft decisions. Functionally, this happens during the collaborative decision making process and subsequent drafting of decisions.
s. 11(4) Designated Officer of the Board	This section has been amended to allow for multiple subdelegations.
s. 14(1) Conflict of Interest	This section has been amended to reflect 'hearings' instead of 'meetings'.
s. 18 Notice of Hearing and Record of Decision	Amendments to this section will provide clarity for the preparation of the board decision and will reference the regulations which provide direction on issuing decisions.
s. 20 Reimbursement of Costs	This section has been amended to provide clarity.



REQUEST FOR DECISION

SUBJECT: Bylaw 1045/18 Leslieville Elks Lodge Tax Exemption – Consideration of First, Second and Third Readings		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Corporate Services	WRITTEN BY: Murray Hagan	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite) MGA S364(1)		
STRATEGIC PLAN THEME: Well Governed and Leading Organization	PRIORITY AREA: Ensure timely compliance with statutory and regulatory obligations.	STRATEGIES:
ATTACHMENT(S): Bylaw No. 1045/18 and Bylaw 983/14.		

STAFF RECOMMENDATION:

That Council gives first, second and third readings to Bylaw 1045/18.

BACKGROUND:

Bylaw 983/14 was passed by Clearwater County Council to exempt the municipal portion of taxes for the Leslieville Lodge No. 351 Benevolent & Protective Order of Elks of the Dominion of Canada for the 2014 taxation year.

Although no similar bylaws were subsequently passed by Council, the organization was refunded the municipal portion of taxes for the taxation years 2015 & 2016. They have paid all taxes for 2017 and have recently inquired to Administration as to when they can expect a reimbursement cheque.

The attached bylaw, if approved by Council, will provide Administration the authority required to issue a cheque for the 2017 taxation year.

Clearwater County**Bylaw No. 1045/18**

A bylaw of Clearwater County, in the province of Alberta , for the purpose of exempting the Leslieville Lodge No 351 Benevolent & Protective Order of Elks of the Dominion of Canada from municipal taxation levied against assessable property for the 2017 taxation year.

WHEREAS, pursuant to section 364(1) of the Municipal Government Act, Revised Statutes of Alberta 200, Chapter M-26 Council may pass a bylaw exempting from municipal taxation specified non-profit organizations.

WHEREAS Clearwater County Council has chosen to exempt, from municipal taxation, land and Buildings owned by Leslieville Elks Lodge No. 351 located at Plan 3132JY with a civic address of 214-2nd Avenue Leslieville Alberta.

NOW THEREFORE, the property listed above shall be exempt from municipal taxation.

That this bylaw shall take effect on the day of the third and final reading.

That Bylaw 983/14 is hereby repealed.

READ A FIRST TIME this 27th day of March 2018.

READ A SECOND TIME this 27th day of March 2018.

PERMISSION FOR A THIRD READING GRANTED this 27th day of March 2018.

READ A THIRD AND FINAL TIME this 27th day of March 2018.

Clearwater County

REEVE

INTERIM CHIEF ADMINISTRATIVE OFFICER

**Clearwater County
By-law No. 983/14**

A by-law of Clearwater County, in the province of Alberta , for the purpose of exempting the Leslieville Lodge No 351 Benevolent & Protective Order of Elks of the Dominion of Canada from municipal taxation levied against assessable property for the 2014 taxation year.

WHEREAS, pursuant to section 364(1) of the Municipal Government Act, Revised Statutes of Alberta 200, Chapter M-26 Council may pass a bylaw exempting from municipal taxation specified non-profit organizations

WHEREAS Clearwater County Council has chosen to exempt, from municipal taxation, land and Buildings owned by Leslieville Elks Lodge No. 351 located at Plan 3132JY with a civic address of 214-2nd Avenue Leslieville Alberta

NOW THEREFORE, the property listed above shall be exempt from municipal taxation

That this bylaw shall take effect on the day of the third and final reading.

Read a first time on this 28 day of January, 2014.

Read a second time on this 28 day of January, 2014.

Read a third time and passed on this 28 day of January, 2014.

Clearwater County

Reeve

Chief Administrative Officer



REPORT

SUBJECT: Fire Season Prevention Report		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Clearwater Regional Fire Rescue Services	WRITTEN BY: Steve Debienne, Regional Fire Chief	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME: Community Well-Being	PRIORITY AREA: 3.2 Create a safer community through building a sense of belonging and community pride.	STRATEGIES: 3.2.1 3.2.2

STAFF RECOMMENDATION:
That Council receives the Fire Season Prevention Report for information as presented.

BACKGROUND:

2017 Wildfire Season in review:

Clearwater Regional Fire Rescue Services crews responded to 80 wildland type incidents in 2017. Of these 80 incidents, 4 were monitored closely due to the potential hazard to our citizens.

- 1) Big Horn First Nation – July 20
- 2) Crescent Falls – September 2
- 3) Burnstick Lake – September 8
- 4) Burnstick Lake – October 17

Crews also spent 5 weeks on a Mutual Aid response into British Columbia, during this operational deployment 18 members from the Clearwater Regional Fire Rescue Services spent time assisting in BC. Crews took this as an opportunity to gain valuable experience, which in return will directly benefit our community. Some of this experience includes working in large scale Incident Command Systems, to utilization of equipment, and new techniques. As well we

opened this opportunity up to our mutual aid partners and had 2 members from Sylvan Lake partner with our crews.



Other than the 4 larger incidents in 2017, luck seemed to be on our side with timely weather events holding our fire incidents in check. Most of Alberta was in Fire Bans and Severe Fire conditions for much of the summer - with Waterton being greatly impacted by the Kenow fire.

Clearwater County's largest threat of a major incident that could potentially impact our entire community, is that of a Forest Fire. Over the years Clearwater County has continually worked to reduce this threat through the application of these Fire Smart Principles:

- 1) Education
- 2) Vegetation Management
- 3) Legislation and Planning
- 4) Development Considerations
- 5) Interagency Cooperation
- 6) Emergency Planning
- 7) Cross Training



For over 10 years Clearwater County has been applying these principles, and in 2017 two grants were obtained from Forest Reduction Improvement Association of Alberta (FRIAA); totaling \$269,100.00 for the following:

- 1) Goldeye – Species Conversation
- 2) Ferrier – Vegetation Management

In preparation for the 2018 Wildfire season which runs from March 1 to October 31st we would like to remind all citizens that live in the Forest Protection Area and are planning to do any burning that a burn permit is required, please contact Forestry (SRD) Burn Permits line at 403-845-8581. And for those citizens who live outside the Forest Protection Area please note that burn notifications are required, please contact our 24 hour Burn Notification line at 403-845-7711.

We would also like to encourage all Clearwater County citizens to refresh themselves with the Alberta Fire Bans system and understand the levels of restrictions that may be placed.

Clearwater Regional Fire Rescue Services currently emulates the local Agriculture & Forestry officials with the burning restrictions and fire bans that are implemented during the Wildfire Season.



We encourage all our citizens to participate in upcoming Fire Smart Community Events, information on these will be released closer to the dates of the events being held.

Tips Citizens can do to help protect their property this summer:

- 1) Clear leaves and other debris from gutter, eaves, porches and decks. This prevents embers from igniting your home
- 2) Remove dead vegetation from under your deck and within 10 feet of your home
- 3) Remove anything stored underneath decks or porches
- 4) Wildfire can spread tree tops. If you have trees on your property, prune so the lowest branches are 6 feet from the ground.
- 5) Keep your lawn hydrated and maintained.



REQUEST FOR DECISION

SUBJECT: Public Engagement Strategy		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Council	WRITTEN BY: Djurdjica Tusic/ Christine Heggart	REVIEWED BY: Rick Emmons, Interim CAO
BUDGET CONSIDERATIONS: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input type="checkbox"/> County Bylaw or Policy (cite)		
STRATEGIC PLAN THEME #2: Well Governed and Leading Organization	PRIORITY AREA: 2.3 Facilitate community engagement in planning and decision making.	STRATEGIES: 2.3.1 Inform and educate the community regarding Council's key priorities, projects and programs.
ATTACHMENT(S):		

STAFF RECOMMENDATION:

That Council directs administration on how to proceed with public engagement regarding the proposed Internet infrastructure project.

- What will the level of engagement be?
- Define the name of the public engagement strategy/plan?
- Identify who are the stakeholders?
- What is the timeframe of the public engagement?

BACKGROUND:

At the January 23, 2018 meeting, Council made recommendations based on the Agenda and Priorities (A&P) Committee meeting on January 15, 2018, with the following motion:

COUNCILLOR LAING: That Council directs Administration to Prepare a Terms of Reference for the Ad Hoc Internet Committee, as a committee of the whole of Council; That Council's policy framework direction is for the development of a municipally-owned Internet infrastructure that: enhances broadband Internet coverage in Clearwater County; is supported by community members; is an open-access system available for use by all Internet Service Providers (ISPs); protects County investments; provides for quality broadband connections meeting regulatory requirements; and provides for economic and community growth in the region; and outlines regulatory

requirements; That Council's Internet infrastructure project incorporates public engagement, including educational articles in local papers and online, as well as community-hall meetings; and, That Council directs Administration to prepare a Request for Proposal (RFP) for the development of an Internet infrastructure business plan and strategic action plan to support the advancement of broadband Internet development in the County.

048/18

CARRIED 7/0

At the February 27, 2018 meeting, Council approved a Broadband Policy which outlines the development of an Open-Access Network of broadband infrastructure, to provide Internet accessibility to the majority of County residents and businesses.

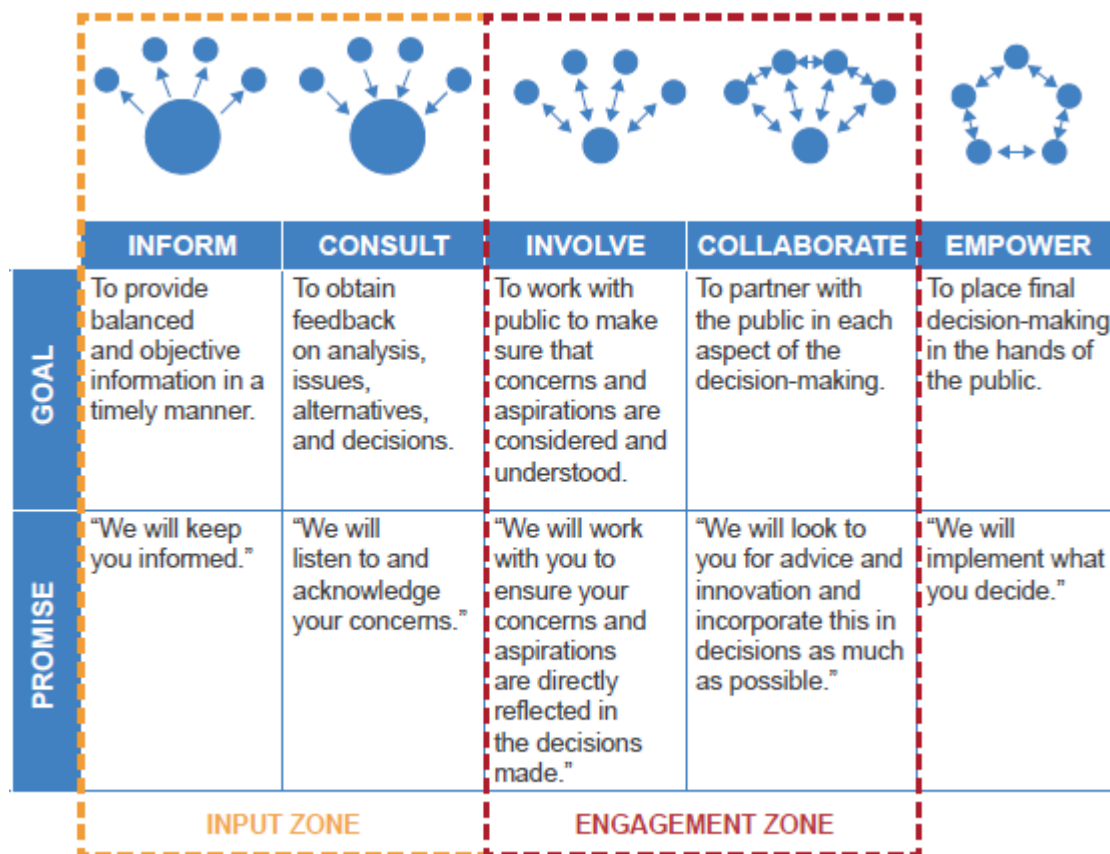
Based on the conversations and information during Council's workshop held on March 16, 2018, Administration has conducted research and started to draft a public engagement strategy outlining the types of public engagement, the tools to be used, and the process to be followed in conducting public engagement.

Definition: Public engagement is the process of informing and/or engaging with the public in the preparation of County initiated plans, studies or reports. This also includes informing and/or engaging with the public on developer/applicant initiated projects and applications. It could include:

- Informing the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.
- Engaging the public to obtain feedback on analysis, alternatives and/or decisions.

The tools/techniques used in public participation (as illustrated in image 1) are directly proportional to the level of public engagement chosen and vary with each project scope and impact to the community. The public engagement strategy will meet the requirements of the Public Participation Policy (Municipalities must establish a public participation policy by July 23, 2018 - new MGA requirement).

Image 1: Spectrum of Public Participation, produced by the International Association of Public Participation (IAP2)

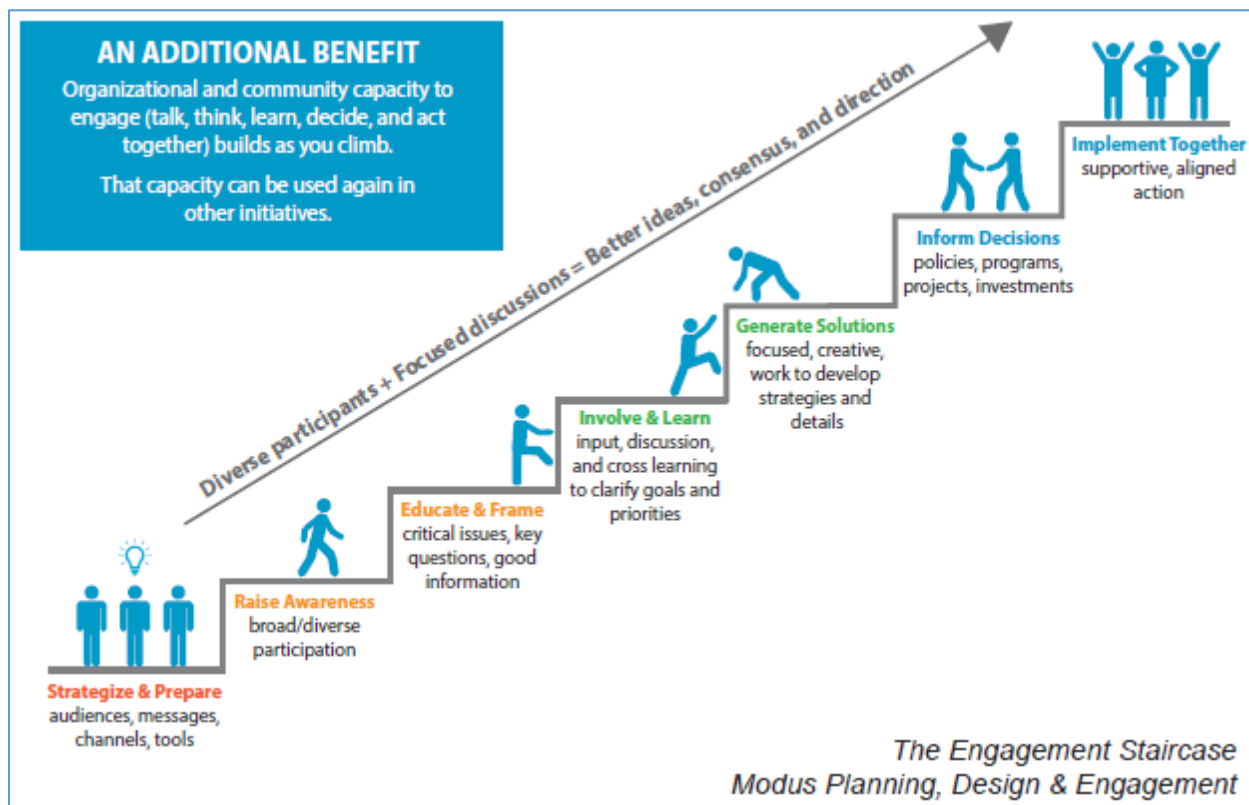


International Association of Public Participation

EXAMPLE TECHNIQUES	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
	<ul style="list-style-type: none"> • Fact sheets • Web sites • Open houses • Letters to stakeholders 	<ul style="list-style-type: none"> • Public comment • Focus Groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberative polling 	<ul style="list-style-type: none"> • Citizen advisory boards • Participatory decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Delegated decision

Image 2: The Engagement Staircase (*Toolkit, Town of Okotoks*)

The engagement staircase illustrates how to ensure successful completion of each step as a prerequisite for the next. Public participation often involves multiple phases which may require certain steps of the staircase to be repeated.



Administration recommends that Council follow the steps below (also see image 3) in the preparation and designing of a public engagement and communications strategy with the objective to develop a clear understanding of WHAT is to be engaged on (and why it needs engagement), WHO should be involved (and why them), and HOW and WHEN to engage.

STEP 1: CLARIFY THE ISSUE & PURPOSE OF PUBLIC ENGAGEMENT

- Clarify the issue or decision being made and purpose of engagement? What objectives does Council have for the public and what outcomes does Council hope to be achieved?

STEP 2: IDENTIFY KEY AUDIENCES

- Distinguish between different types of stakeholders and subsets of the public. Identify target audiences who could and should be involved, their key interests, participation targets, and any special considerations for engagement and outreach.

STEP 3: DETERMINE THE LEVEL OF PUBLIC PARTICIPATION

- Assess the type of project and potential impact to determine where project falls on the Spectrum of Public Participation (identifying resources and approvals required).

STEP 4: DESIGN & SCOPE THE PROCESS

- Identify project phases to move from broad ideas to specific solutions or ideas.
- Create strong objectives, define outputs and data, and craft powerful questions for each phase.
- Assess potential issues and/or risks and identify appropriate mitigation measures to address them throughout the initiative.

STEP 5: SELECT TOOLS & TACTICS

- Match participation tools to your specific initiative, phase, and target audience
- Identify timing, budget, and responsibilities.

STEP 6: DEVELOP STRONG MESSAGING & COMMUNICATIONS METHODS

- Create effective key messages to frame initiative and public participation process.
- Identify communication protocols
- Identify specific notification tools to raise awareness and invite participation
- Identify key milestones for communicating results/status of the project

STEP 7: BUILD IN EVALUATION

- Distinguish between process and outcome evaluation
- Identify appropriate evaluation criteria
- Develop quantitative and qualitative indicators to measure success

Image 3: Steps for designing public engagement strategy as outlined above (Toolkit, Town of Okotoks)

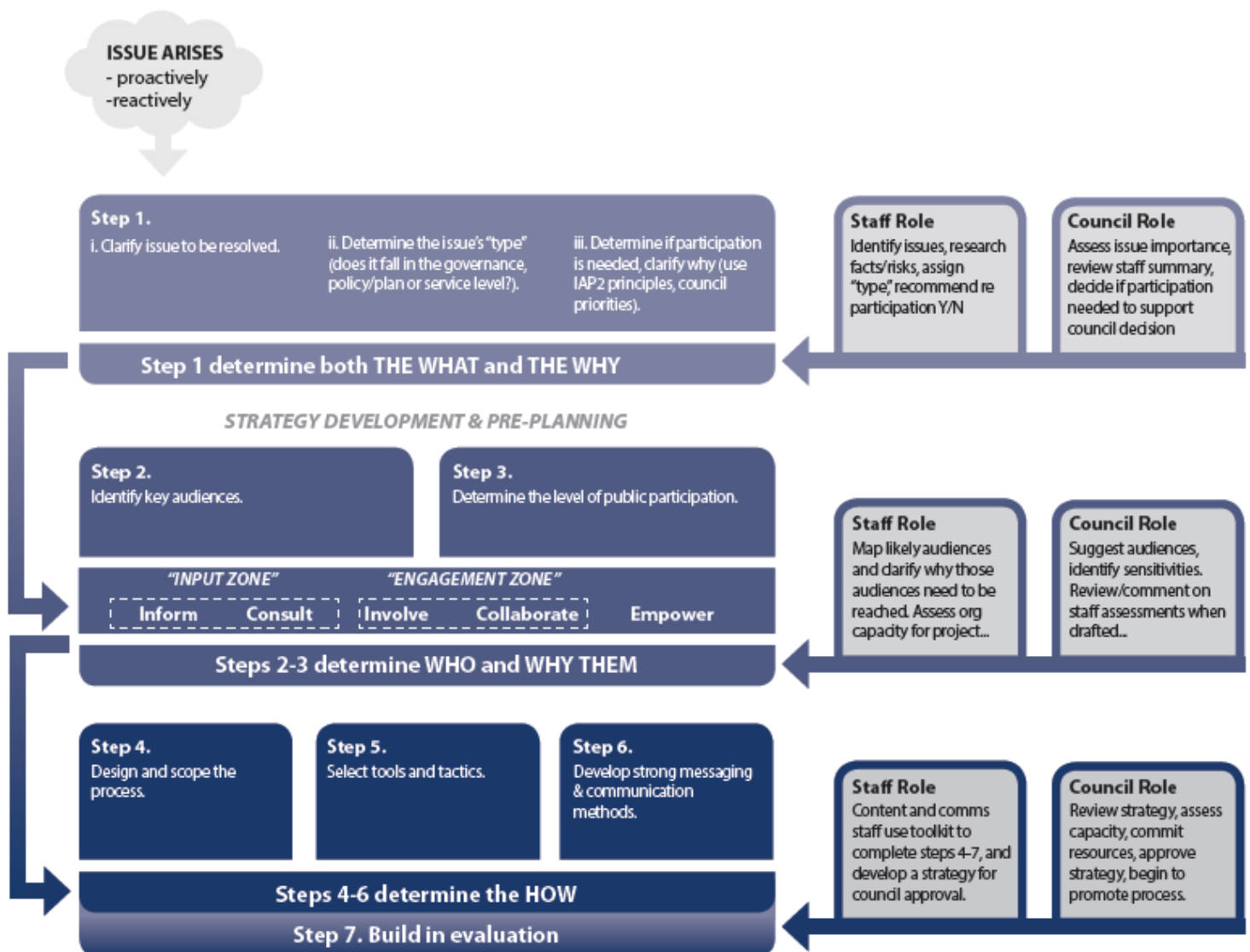


Image 4: Mapping Public Engagement

This table is a guide on how to plan an effective public engagement strategy/plan.

ELEMENTS	DEFINED INFORMATION CATEGORIES	DESCRIPTION
Identify	Public Engagement Name?	The formal name of the public engagement strategy or plan.
Outcomes	What is to be achieved?	An indication of the overall outcomes that this public engagement expects to achieve.
	Why a specific community engagement?	Indicate the broad intent and scope of this community engagement initiative.
Strategy	How is it to be achieved?	How will public engagement be approached via this specific initiative and with what resources?
	What will the level of the engagement be?	Indicate how the engagement initiative is focused on one of the following: Inform, Consult, Involve, Collaborate, Empower.
Authorities, Roles and Responsibilities	Who is the responsible? With whom are you engaged?	Indicate the key roles and responsibilities associated with this Council initiative. Define the communities of interest with whom you are involved with via this initiative (e.g.) Consumer Community – Citizens with particular shared interest, Service Community – Government, etc.
Assessment	What was achieved?	Identify what was successfully achieved (direct and indirect) as a result of this public engagement initiative.
	How was success measured?	Identify how progress will be measured in the short-term (<13 months) and also the long-term (>12 months).

Image 5: Stakeholder and Community Analysis Table (DRAFT)

This table identifies stakeholders who may be impacted by the decision and those who will influence the outcomes of the engagement process. The level of impact / influence will help to determine the level of stakeholder engagement and communication required.

Stakeholder	Interest / Impact / Influence	Expectations	IAP2 Level
Neighbouring Municipalities	High interest, impact and influence.	That they will remain informed of community feedback and the engagement process as it progresses.	Involve
Industry & Business owners	Medium interest / high impact / medium influence.	That they will be invited to participate in the decision to ensure their needs are considered during the project deployment.	Consult
General public (community)	Medium interest / low impact / low influence	A good experience, opinions expressed and ideas exchanged.	Inform

Image 6: Engagement Summary Table (DRAFT)

This table summarizes of the tools/techniques to be used in conducting public engagement.

Project Stage	Engagement Level & Objective	Stakeholders	Techniques	Who & Where	Estimated Timing
Planning	Involve	Neighbouring Municipalities	<ul style="list-style-type: none"> Letter of support Tri-Council meeting 		Spring 2018
Planning	Consult	Industry, Businesses, Community	<ul style="list-style-type: none"> Public open house 	Communications department	Spring 2018
Planning	Consult / Inform	Industry, Businesses, Community	<ul style="list-style-type: none"> Micro-website Social media Newsletter 	Communications department	Spring 2018
Feedback	Inform	All	<ul style="list-style-type: none"> Feedback report Website update 	Communications department	Summer 2018
Implementation	Inform	All	<ul style="list-style-type: none"> News Release Website Social Media 	Communications department	Summer 2018



REQUEST FOR DECISION

SUBJECT: 1st Reading of Bylaw 1041/18 for Application No. 02/18 to amend the Land Use Bylaw		
PRESENTATION DATE: March 27, 2018		
DEPARTMENT: Planning	WRITTEN BY: Dustin Bisson	REVIEWED BY: Rick Emmons & Keith McCrae
BUDGET CONSIDERATIONS: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input checked="" type="checkbox"/> County Bylaw or Policy (cite) Land Use Bylaw & MDP		
STRATEGIC PLAN THEME: Managing our Growth	PRIORITY AREA: Planning	STRATEGIES: Ensure appropriate land use planning
ATTACHMENT(S): Application to Amend Land Use Bylaw, Bylaw 1041/18 with Schedule "A", Light Industrial District "LI", Aerial Photo		

STAFF RECOMMENDATION:

That Council consider granting 1st reading of Bylaw 1041/18 and proceeding to a public hearing.

Background:

Guy Garand & Pam Greenwood currently hold title to Plan 152 0042, Block 1, Lot 1. Pt. SW 02-39-04-W5M, containing 6.99 acres. The property is located 3 miles east of the Hamlet of Condor. Guy Garand & Pam Greenwood have made application to redistrict all 6.99 acres of the parcel from Country Residence Agricultural District "CRA" to the Light Industrial District "LI".

The landowners are proposing to legalize the storage of business related products on the property. Development permit 116/16, approved the landowners to operate a tradesperson business on the property. The landowners stated at that time that they were operating 2 transport trucks. That permit however did not allow for the storage of outside materials related to the business. According to the letter that the landowners submitted as part of this application they are still operating 2 transport trucks and have 10 various trailers related to the transport business. They also have four pieces of heavy industrial equipment that they would like to store on the property as part of the business as well.

There are currently two residential shops located on the property. One of the shops was

approved as part of development permit 137/13 that was issued for the temporary operation of the business. The other shop which was approved by development permit 95/16 is being used for residential purposes. There is also an existing residence located on the property.

There is legal and physical access to this parcel via Range Road 4-2, adjacent to the east boundary of the parcel. The parcel is located approximately 0.5 miles north of Highway 11. Additional information can be found in the included agenda package.

Planning Direction:

The application is subject to the provisions of the Municipal Development Plan (2010) and Land Use Bylaw.

MDP Guiding Principle 3.2(3) Land Use Compatibility

The location, intensity, scale and design of new development should be compatible with the capacity of the site and adjacent lands.

MDP Policy 8.2.15

Clearwater County should direct appropriate development to locate in a business park.

MDP Policy 8.2.16

While Clearwater County prefers that industrial and commercial uses that are appropriate for business park locations be located in a business park, Clearwater County may approve a proposal for an isolated commercial or industrial use outside a planned business park provided the following criteria are met to the satisfaction of the County:

- (a) the proposal adequately demonstrates that an isolated location is required;
- (b) the site characteristics are suitable for the proposed land use;
- (c) the type, scale, size, and site design of the proposed land use are appropriate for the area and compatible with adjacent land uses;
- (d) the development can be serviced on-site in accordance with Provincial regulations;
- (e) the traffic generated by the proposed land use would not adversely impact the municipal road network; and
- (f) any other safety or environmental issues identified by the

MDP Policy 9.2.15

Clearwater County shall require all development to meet provincial standards and regulations respecting the provision of water and wastewater services.

MDP Policy 11.2.21

To consider a proposed redesignation, subdivision or development for a large multi-lot subdivision, major development or other form of land use change as

determined by the County, Clearwater County may require the applicant to prepare for consideration of approval by the County an area structure plan or outline plan.

MDP Policy 11.2.22

Clearwater County may require an area structure plan or outline plan to address any or all of the following:

- (a) site suitability;
- (b) design and density;
- (c) impacts on natural capital and the environment;
- (d) effects on land uses in the vicinity;
- (e) provision of roads and utilities;
- (f) traffic impacts;
- (g) provision of open space;
- (h) protective and emergency services;
- (i) access to and impacts on education and health services;
- (j) FireSmart provisions;
- (k) measures to mitigate effects; and
- (l) any other matters required by the County to be addressed.

MDP Policy 12.2.2 Redesignation, subdivision, and development

Clearwater County shall implement the policies of this Plan when making decisions on any proposed redesignation, subdivision, or development application and any proposed statutory plan, outline plan or concept plan.

MDP Policy 12.2.3

To provide information relevant to a proposed redesignation, subdivision or development of land, Clearwater County may require the applicant to have prepared and submitted by a qualified professional engineer any or all of the following:

- (a) a geotechnical study;
- (b) a traffic impact study;
- (c) a water supply study;
- (d) a utility servicing study;
- (e) a stormwater management plan;
- (f) an environmental assessment; and
- (g) any other study or plan required by the County.

MDP Policy 12.2.4

Clearwater County will consider, where applicable, the following when evaluating an application to redesignate, subdivide or develop land:

- (a) impact on adjoining and nearby land uses;
- (b) impact on natural capital, including agricultural land;
- (c) impact on the environment;
- (d) scale and density;
- (e) site suitability and capacity;

- (f) road requirements and traffic impacts, including access and egress considerations, including Subdivision and Development Regulations related to land in the vicinity of a highway;
- (g) utility requirements and impacts;
- (h) open space needs;
- (i) availability of protective and emergency services;
- (j) FireSmart provisions;
- (k) impacts on school and health care systems;
- (l) measures to mitigate effects;
- (m) County responsibilities that may result from the development or subdivision; and
- (n) any other matters the County considers relevant.

The Clearwater County Land Use Bylaw addresses the uses allowed in Section 13.4 (6) Light Industrial District “LI”. The purpose of the Light Industrial District “LI” is to accommodate and to regulate small to medium scale industrial operations.

Discretionary uses include:

- Ancillary buildings and uses
- Auto-wrecking and salvage yard
- Industrial/agricultural fabrication and machining operations
- Industrial/agricultural trucking and related facilities, including but not limited to storage, warehousing and maintenance and repair
- Security suite as part of the main building

The minimum lot area in this district is 1 hectare (2.5 = acres), unless otherwise approved by the Development Officer. *This applicant is proposing to redistrict all 6.99 acres of the property.*

Development, including any storage areas, would be required to meet the minimum yard setbacks, including a minimum of no development or storage within 40 metres (131 feet) from the west property boundary, and 7.5 metres (25 feet) from all other property boundaries.

The applicant(s) will be in attendance at the meeting to provide further details on the proposal and to answer any questions Council may have for them.

Recommendation:

That Council consider granting first reading to Bylaw 1041/18 and proceed to a public hearing.



CLEARWATER COUNTY

Application for Amendment to the Land Use Bylaw

Application No. 0215

We hereby make application to amend the Land Use Bylaw.

APPLICANT: Guy Garand & Pam Greenwood

ADDRESS & PHONE: [REDACTED]

REGISTERED OWNER: same

ADDRESS & PHONE: _____

AMENDMENT REQUESTED:

1. CHANGE OF LAND USE DISTRICT FROM: - **Country Residential Agriculture TO Light Industrial**
LEGAL DESCRIPTION OF PROPERTY: SW 1/4 Sec. 2 Twp. 39 Rge. 4 W5M
OR: LOT: 1 BLOCK 1 REGISTERED PLAN NO.: 1520042
OR: CERTIFICATE OF TITLE NO.: 152 003 138 (Site Plan is attached)
SIZE OF AREA TO BE REDESIGNATED: 6.99 acres (Hectares / Acres)

2. REVISION TO THE WORDING OF THE LAND USE BYLAW AS FOLLOWS:
2. **Change of land use from Country Residential Agriculture TO Light Industrial**
3. REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

3. **Change of land use from Country Residential Agriculture TO Light Industrial – This property is more suited to Light Industrial use and has been used for Trucking and related activities (similar use or “the like”) in the past-gravel hauling, oilfield, forestry, agriculture. It is centrally located to all these industries, as well as agriculture surrounding the property. Infrastructure is already situated on the property to accommodate these industries as well as areas for parking and storage. Surrounding land owners and residents have been supportive of a trucking business at this site with no concerns- dead end road with minimal activity or traffic and no residential sites directly across from the property. Screening/Trees have been planted to provide a pleasing visual for neighbors as well. In the Clearwater County MDP 3.3 Anticipated Outcomes points 8. Active and responsible energy and aggregate industries, 9. More rural business “clusters” (parks, centres), 10. More diversified rural business and employment-these points support this request. The Development Planner has advised the site plan, Surveyor’s Certificate and Certificate of Title are not required to be submitted. Discussions have occurred with CAO, Development Planner, Councillors, Municipal Affairs, all suggesting this is the more appropriate land use for this property.**

DATE: Feb. 26, 2018 APPLICANT’S SIGNATURE [Signature]

This personal information is being collected under the authority of the Municipal Government Act, Being Chapter M-26, R.S.A. 2000 and will be used to process the Land Use Bylaw amendment application. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act, Chapter F-25, RSA, 2006. If you have any questions about the collection of this personal information, please contact Clearwater County, P.O. Box 550, Rocky Mountain House AB T4T 1A4.

APPLICATION FEE OF 744.65 DATE PAID: Feb 23, 2018 RECEIPT NO. 134540

[Signature]

SIGNATURE OF DEVELOPMENT OFFICER IF APPLICATION COMPLETE

IMPORTANT NOTES ON REVERSE SIDE

Guy Garand and Pam Greenwood



February 26, 2018

Clearwater County
Box 550
Rocky Mountain House AB T4T1A4

Additional information for Land Use Amendment:

Currently the business is operating with 2 tractor trucks, 10 various trailers, 4 pieces of heavy equipment as well as storing of business related items outside. The business operation of hours typically is between 7 am and 7 pm and currently has 2 employees. Infrastructure includes a shop and a cold storage building sufficient to run the operation.

The business serves the forestry, oil and gas and transportation industries.

Neighbors have been supportive of the business as well as approval from Department of Transportation.

Guy Garand and Pam Greenwood

Handwritten signature in cursive script, appearing to read "Guy Garand Greenwood".

BYLAW NO. 1041/18

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Land Use Bylaw, being Bylaw No. 714/01.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, and;

WHEREAS, a Council is authorized to prepare, to adopt, and to amend a Land Use Bylaw to regulate and control the use and development of land and buildings within the Municipality;

WHEREAS, the general purpose of the Light Industrial District "LI" is to accommodate and to regulate small to medium scale industrial operations.

NOW, THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

That all 6.99 acres of Plan 152 0042, Block 1, Lot 1, PT. SW 02-39-04 W5M as outlined in red on the attached Schedule "A" be redesignated from the Country Residence Agriculture District "CRA" to the Light Industrial District "LI".

READ A FIRST TIME this _____ day of _____ A.D., 2018.

REEVE

MUNICIPAL MANAGER

PUBLIC HEARING held this _____ day of _____ A.D., 2018.

READ A SECOND TIME this _____ day of _____ A.D., 2018.

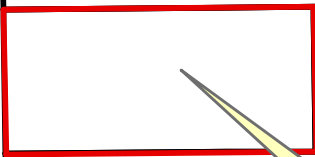
READ A THIRD AND FINAL TIME this ___ day of _____ A.D., 2018.

REEVE

MUNICIPAL MANAGER

G1

NW02 039-04-W5M



Redistrict 6.99 acres from "CRA" to "LI"

RR42

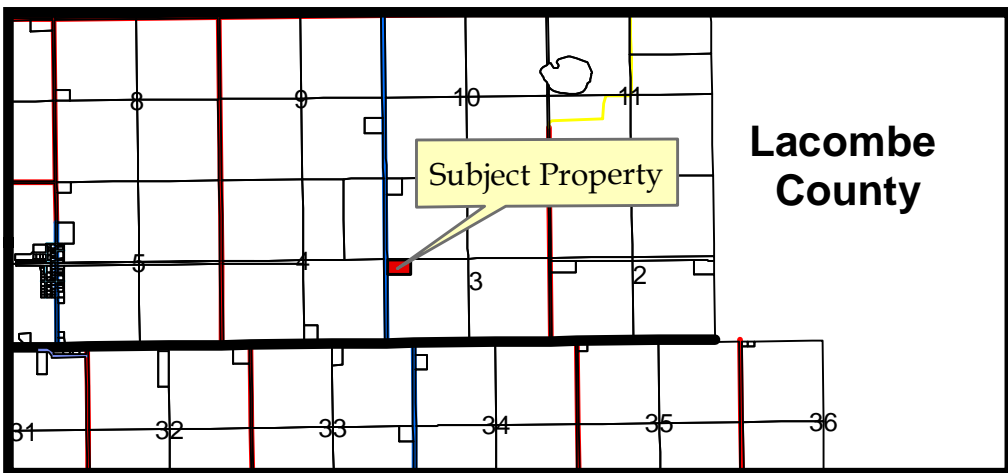
SW02 039-04-W5M

HWY11

NE34 038-04-W5M

RR42

NW35 038-04-W5M



Subject Property

Lacombe County

**Bylaw No. 1041/18
Schedule "A"**

1:5,000



**Application #02/18 to Amend the Land Use Bylaw
Redistrict all 6.99 Acres of Plan 152 0042, Block 1, Lot 1
(Pt. SW 02-39-04 W5M)**

**From Country Residence Agricultural "CRA" to Light Industrial "LI"
Guy Garand & Pam Greenwood**



13.4 (6) LIGHT INDUSTRIAL DISTRICT "LI"

THE GENERAL PURPOSE OF THIS DISTRICT IS TO ACCOMMODATE AND TO REGULATE SMALL TO MEDIUM SCALE INDUSTRIAL OPERATIONS.

A. PERMITTED USES

1. Farming

B. DISCRETIONARY USES

1. Ancillary buildings and uses
2. Auction mart
3. Auto-wrecking and salvage yard
4. Bulk fuel, oil, fertilizer, feed and chemical storage and sales
5. Consignment, rental, sales and storage of industrial/agricultural equipment, vessels, structures, vehicles, tanks and pipe
6. Farm implement dealership
7. Industrial/agricultural fabrication and machining operations
8. Industrial/agricultural trucking and related facilities, including but not limited to storage, warehousing and maintenance and repair
9. Kennels for boarding and breeding
10. Maintenance and repair of industrial/agricultural equipment
11. Recycling depot
12. Redi-mix concrete plant
13. Security suite as part of the main building
14. Temporary work camp
15. Veterinary clinic and animal shelter

C. MINIMUM LOT SIZE

1 hectare (2.5 acres) unless otherwise approved by the Development Officer.

D. MINIMUM TOTAL FLOOR AREA

Ancillary buildings - Suitable and appropriate for the intended use.
All other development - At the discretion of the Development Officer

E. MAXIMUM TOTAL FLOOR AREA

As determined by the Development Officer.

F. MINIMUM DEPTH OF FRONT YARD

15 metres (50 feet) on an internal road and otherwise as required pursuant to Section 10.3 and Figures 1 to 7 of the Supplementary Regulations.

Where there is a service road next to a primary highway, the minimum front yard depth shall be determined by the Development Officer.

- G. MINIMUM WIDTH OF SIDE YARD
3 metres (10 feet), except for a corner parcel, where the minimum side yard adjacent to a public road shall be determined as though it were a front yard, although Section 6.4 applies.
- H. MINIMUM DEPTH OF REAR YARD
7.5 metres (25 feet) unless otherwise approved by the Development Officer.
- I. MAXIMUM HEIGHT OF BUILDINGS
As determined by the Development Officer.
- J. DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS
New construction only, with the exterior completed using acceptable finishing materials approved by and to the satisfaction of the Development Officer.
- K. LANDSCAPING & SCREENING
In addition to any other provisions of this Bylaw, any approved use may be subject to screening of a visually pleasing nature as required by the Development Officer

SE10 039-04-W5M

SW11 039-04-W5M

SE11 039-04-W5M

G1

NE03 039-04-W5M

NW02 039-04-W5M

NE02 039-04-W5M

SE03 039-04-W5M

SW02 039-04-W5M

SE02 039-04-W5M

Subject Property

HWY 11

NE34 038-04-W5M

NW35 038-04-W5M

NE35 038-04-W5M

SE34 038-04-W5M

SW35 038-04-W5M

SE35 038-04-W5M

1:15,000



Application #02/18 to Amend the Land Use Bylaw
Redistrict all 6.99 Acres of Plan 152 0042, Block 1, Lot 1
(Pt. SW 02-39-04 W5M)

From Country Residence Agricultural "CRA" to Light Industrial "LI"
Guy Garand & Pam Greenwood
Adjacent Landowner Map



NW02 039-04-W5M

G1



Redistrict 6.99 acres
from "CRA" to "LI"

SW02 039-04-W5M

NE34 038-04-W5M

NW35 038-04-W5M

1:5,000



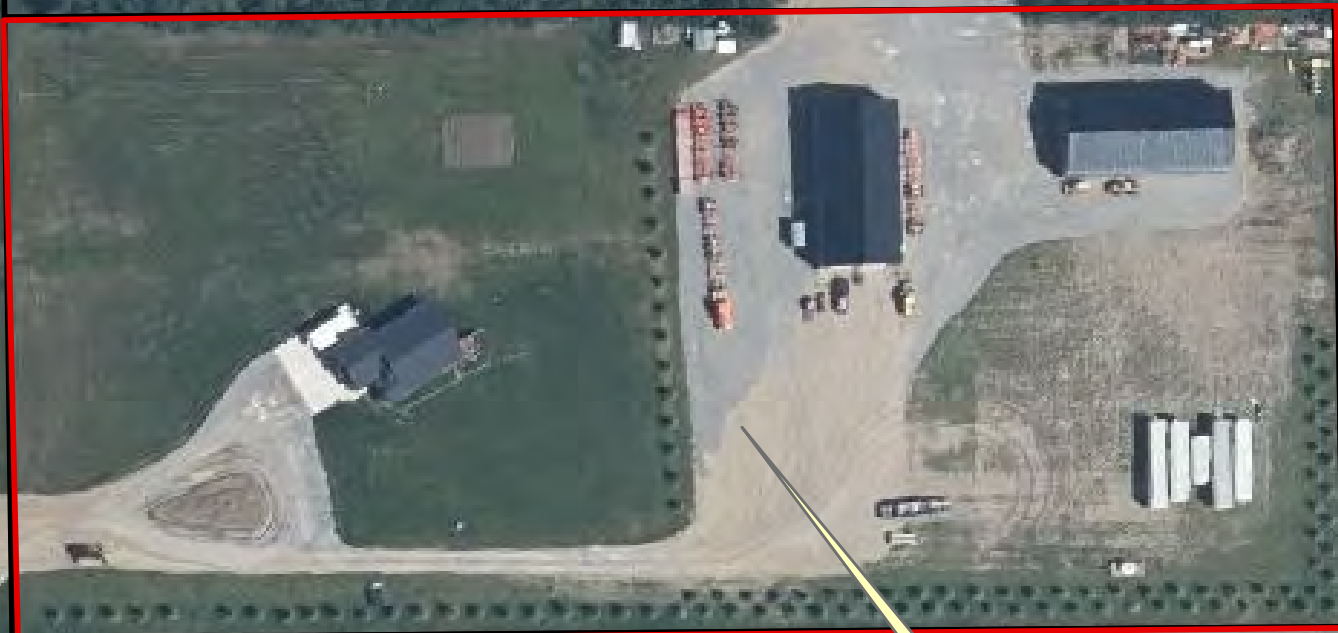
**Application #02/18 to Amend the Land Use Bylaw
Redistrict all 6.99 Acres of Plan 152 0042, Block 1, Lot 1
(Pt. SW 02-39-04 W5M)**

**From Country Residence Agricultural "CRA" to Light Industrial "LI"
Guy Garand & Pam Greenwood**



G1

NW02 039-04-W5M



Redistrict 6.99 acres
from "CRA" to "LI"

SW02 039-04-W5M

1:1,500



Application #02/18 to Amend the Land Use Bylaw
Redistrict all 6.99 Acres of Plan 152 0042, Block 1, Lot 1
(Pt. SW 02-39-04 W5M)

From Country Residence Agricultural "CRA" to Light Industrial "LI"
Guy Garand & Pam Greenwood





REQUEST FOR DECISION

SUBJECT: Bylaw 1040/18 Amendment to the Clearwater County Land Use Bylaw, Regarding Medical Marijuana Production Facilities		
PRESENTATION DATE: March 27 th , 2018		
DEPARTMENT: Planning	WRITTEN BY: Dustin Bisson	REVIEWED BY: Rick Emmons & Keith McCrae
BUDGET CONSIDERATIONS: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) <input checked="" type="checkbox"/> County Bylaw or Policy (cite) Clearwater County Bylaw No. 714/01 The Land Use Bylaw		
STRATEGIC PLAN THEME: Managing our Growth	PRIORITY AREA: Planning	STRATEGIES: Ensure appropriate land use planning
ATTACHMENT(S): Draft Bylaw 1040/18 with suggested amendments		

STAFF RECOMMENDATION:

Pending the results of the public hearing, it is recommended that Council grant 2nd and 3rd readings to Bylaw 1040/18.

BACKGROUND:

With the legalization of marijuana for medical purposes, the Clearwater County Planning Department has been researching land use regulations in regard to the production of medical marijuana. After looking into the Federal regulations for the production of medical marijuana, we looked at what other municipalities have done when it comes to their practices and dealings with the land use considerations of production.

Based on the research conducted, staff has concluded that the County has the ability to amend its land use bylaw to impose restrictions and development standards on medical marijuana production facilities as long as the purpose of the amendments are legitimate planning objectives. Therefore, the County can amend the Land Use Bylaw to include a use definition specific to medical marijuana production facilities and designate it as a discretionary use within selected land use districts throughout the County. This would allow the County to exercise a degree of control over the location of medical marijuana facilities within the municipality and to create development standards and requirements specific to medical marijuana production facilities.

With that research in mind, our department is bringing forward a bylaw that will amend the County's Land Use Bylaw to allow for the production of medical marijuana in Clearwater County.

This bylaw would amend some definitions in our Land Use Bylaw to state that Medical Marijuana production is not included under certain definitions. The bylaw would also add a definition for Medical Marijuana Production Facility to the Land Use Bylaw. The bylaw also adds a special land use provision for Medical Marijuana Production Facility under Section 7 of the Land Use Bylaw. The special land use provision sets out considerations and guidelines for Development Officers and the Municipal Planning Commission when it comes to future Medical Marijuana Production Facility applications. Finally the Bylaw would add Medical Marijuana Production Facility as a discretionary use in the County's three Industrial districts.

First Reading:

At the regular Council meeting held on February 13, 2018, Council reviewed and gave first reading to Bylaw 1040/18. As required by legislation, comments were invited from adjacent municipalities. Upon consideration of the representations made at the Public Hearing, Council may consider whether to grant second and third readings to the bylaw.

Bylaw 1040/18 Amendments to the Land Use Bylaw **(First Reading Version)**

That Land Use Bylaw No. 714/07 is hereby amended to:

1. Amend the following definitions from Section 1.7 to read:

“FARMING” means the use of land or buildings for the planting, raising, growing, production and sale of crops, livestock, poultry, trees and shrubs, wildlife, game, bees, honey, milk, and eggs; but does not include game farming or game ranching for viewing, tourism or recreational purposes, market gardening, ~~or a~~ **sod farming or medical marijuana production facilities.**

“FARM BUILDING” means the improvements used in connection with the raising or production of crops, livestock, poultry, nursery trees and shrubs, fish, wildlife, game, fur production or bee keeping and situated on land used in connection with such farming operations, but does not include a dwelling, **or any buildings associated with a medical marijuana production facility.**

“FARM SUBSIDIARY BUSINESS” means a business for an occupation, trade, profession or craft approved in accordance with this Bylaw to be carried out on the farm unit as a use secondary and subordinate to the

agricultural use and employing not more than two employees. **This shall not include a medical marijuana production facility.**

“GREENHOUSE” means a building specially designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale, **excluding medical marijuana production facilities.**

“HOME OCCUPATION” means a development consisting of the use of part of a dwelling unit or ancillary building by a resident of the dwelling unit for an occupation, trade, profession, business or craft as a use secondary and subordinate to the residential use of the parcel of land. **This shall not include a medical marijuana production facility.**

“MARKET GARDEN” means the growing of vegetables or fruit for commercial purposes, **but does not include a medical marijuana production facility.**

2. Add the following to Section 1.7 Definitions:

“MEDICAL MARIJUANA PRODUCTION FACILITY” means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of medical marijuana as permitted and licensed by the Federal Government of Canada.”

3. Add the following under Part Seven: Special Land Use Provisions

7.12 Medical Marijuana Production Facility

- (1) Clearwater County should direct medical marijuana production facilities to locate in a business park**
- (2) All medical marijuana production facilities, applying for a development permit, within a business park, must be located outside of a 50 m radius of a property boundary, that has any of the following attribute:

 - (a) an existing residence;**
 - (b) zoned recreational facility district;**
 - (c) an existing religious assembly use;**
 - (d) an existing school;**
 - (e) an existing child care facility;**
 - (f) an existing community hall;**
 - (g) public recreation****
- (3) All medical marijuana production facilities applying for a development permit on a standalone industrial parcel, must be located outside of a**

300 m radius from a property boundary, that has any of the following attribute:

- (a) an existing residence;
- (b) zoned recreational facility district;
- (c) an existing religious assembly use;
- (d) an existing school;
- (e) an existing child care facility;
- (f) an existing community hall;
- (g) public recreation

(4) Medical marijuana production facilities shall:

- (a) be contained in a fully enclosed stand-alone building;
- (b) be the only use permitted on a parcel, with the allowance for an ancillary building on the parcel;
- (c) must not have any outside storage of goods, materials, and supplies;
- (d) No use or operation shall cause or create conditions that may be objectionable or dangerous beyond the building that contains it.
- (e) Follow the Federal Government Directive on Physical Security Requirements for Controlled Substances.

(5) The Development Officer or Municipal Planning Commission shall not approve a development permit for a Medical Marijuana Production Facility unless, in its opinion, it is satisfied that the proposed use is suitable, harmonious, appropriate and compatible with the existing quality of life in the surrounding area.

(6) In evaluating the appropriateness of a development permit application for a Medical Marijuana Production Facility, the Development Officer or Municipal Planning Commission shall consider:

- (a) compatibility with adjacent and neighboring land uses;
- (b) impact on existing traffic volumes and patterns of flow;
- (c) appropriate vehicle parking and site access/egress requirements (the locations of access/egress points shall not route traffic through residential areas);
- (d) lighting and signage;
- (e) any other matters considered appropriate.

4. Add the following to Section 13.4(5) Industrial District (I), Discretionary Uses:

- **Medical Marijuana Production Facility**

5. Add the following to Section 13.4(6) Light Industrial District (LI), Discretionary Uses:

- **Medical Marijuana Production Facility**

6. Add the following to Section 13.4(23) Nordegg Industrial District (NI), Discretionary Uses:

- **Medical Marijuana Production Facility**

Suggested Amendments to Bylaw 1040/18 for Councils consideration prior to second & third readings:

Prior to first reading of bylaw 1040/18 it was asked by councilor Hoven why we were not dealing with both the medical production and recreational production of marijuana. Staff responded that we were waiting for more information on the production or recreational marijuana from the federal government. After seeking legal advice on the matter, it was determined that we could in fact address the production of recreational marijuana production as the federal government has not put forward any changes to the production of marijuana whether it is for medical purposes or for recreational purposes. Our Lawyer also suggested that we make a few technical amendments that do not change the intent of the proposed bylaw that Council granted first reading to on February 13th, 2018.

- The first proposed amendment to the bylaw is to replace the term “*Medical Marijuana Production Facility*” with the term “*Cannabis Production Facility*.”
- In our farm building definition, the comma from line five that is located behind the word “dwelling” shall be removed.
- The proposed amendments to our “*Home Occupation*” definition shall be removed.
- The definition for “*Intensive Agriculture*” shall be amended by excluding cannabis production from the definition
- Our proposed definition of “*Medical Marijuana Production Facility*” now “*Cannabis Production Facility*” shall be amended by adding the word “or” between the words “land,” and “building”. The words “or” and “structures” found immediately after the word “buildings” in line two have been removed.
- We have also added a definition for the word “*Cannabis*”. We have defined the term cannabis as: means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time. Cannabis does not include industrial hemp as defined under the Industrial Hemp Regulations (Canada) as amended from time to time.
- Under the special land use provision part 3 the word “a” in the second line has been amended to “an”;
 - The word “standalone” in the second line has been removed;
 - The words “not located within a business park” have been added after the word “parcel”.

- Under the special land use provision part 4(a) the word “stand – alone” in the second line has been removed;
 - The words “or buildings specifically referenced in the producer’s federal license for production” have been added after the word “building” in the first line
- Under the special land use provision part 5 the word “suitable” and “harmonious” in the second third line have been removed;
 - In the fourth line the words “existing quality of life in the surrounding area” have been removed and replaced with the words “adjacent and neighboring land uses”

Included in the body of this Council Item is the suggested amendments version of the proposed bylaw 1040/18. Please note that the red font indicates the changes to the land use bylaw as presented at the time of first reading. Anything with blue font indicates the suggested amendments to the bylaw for Councils consideration.

With this information in mind we request that Council consider granting second and third reading to bylaw 1040/18 as amended below.

Bylaw 1040/18 Amendments to the Land Use Bylaw
(Suggested amendments prior to second and third reading)

That Land Use Bylaw No. 714/07 is hereby amended to:

1. Amend the following definitions from Section 1.7 to read:

“FARMING” means the use of land or buildings for the planting, raising, growing, production and sale of crops, livestock, poultry, trees and shrubs, wildlife, game, bees, honey, milk, and eggs; but does not include game farming or game ranching for viewing, tourism or recreational purposes, market gardening, ~~or a sod farming~~ **ing or medical-marijuana cannabis production facilities.**

“FARM BUILDING” means the improvements used in connection with the raising or production of crops, livestock, poultry, nursery trees and shrubs, fish, wildlife, game, fur production or bee keeping and situated on land used in connection with such farming operations, but does not include a dwelling, **or any buildings associated with a medical-marijuana cannabis production facility.**

“FARM SUBSIDIARY BUSINESS” means a business for an occupation, trade, profession or craft approved in accordance with this Bylaw to be carried out on the farm unit as a use secondary and subordinate to the

agricultural use and employing not more than two employees. **This shall not include a medical-marijuana cannabis production facility.**

“GREENHOUSE” means a building specially designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale, **excluding medical-marijuana cannabis production facilities.**

~~“HOME OCCUPATION” means a development consisting of the use of part of a dwelling unit or ancillary building by a resident of the dwelling unit for an occupation, trade, profession, business or craft as a use secondary and subordinate to the residential use of the parcel of land. **This shall not include a medical-marijuana production facility.**~~

“INTENSIVE AGRICULTURE” means agricultural production generally characterized by high inputs of capital, labour and/or technologies, usually on smaller parcels of land, but does not include confined feeding operations **or cannabis production facilities.**

“MARKET GARDEN” means the growing of vegetables or fruit for commercial purposes, **but does not include a medical-marijuana cannabis production facility.**

2. Add the following to Section 1.7 Definitions:

“medical-marijuana CANNABIS PRODUCTION FACILITY” means the use of land, or buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of medical-marijuana cannabis as permitted and licensed by the Federal Government of Canada.”

“CANNABIS” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time. Cannabis does not include industrial hemp as defined under the Industrial Hemp Regulations (Canada) as amended from time to time.

3. Add the following under Part Seven: Special Land Use Provisions

7.12 Medical-Marijuana Cannabis Production Facility

- (1) Clearwater County should direct medical-marijuana cannabis production facilities to locate in a business park**
- (2) All medical-marijuana cannabis production facilities, applying for a development permit, within a business park, must be located outside of a 50 m radius of a property boundary, that has any of the following attribute:**

- (a) an existing residence;
 - (b) zoned recreational facility district;
 - (c) an existing religious assembly use;
 - (d) an existing school;
 - (e) an existing child care facility;
 - (f) an existing community hall;
 - (g) public recreation
- (3) All ~~medical-marijuana~~ **cannabis** production facilities applying for a development permit on an ~~stand-alone~~ industrial parcel ~~not located within a business park~~, must be located outside of a 300 m radius from a property boundary, that has any of the following attribute:
- (a) an existing residence;
 - (b) zoned recreational facility district;
 - (c) an existing religious assembly use;
 - (d) an existing school;
 - (e) an existing child care facility;
 - (f) an existing community hall;
 - (g) public recreation
- (4) ~~Medical-marijuana~~ **Cannabis** production facilities shall:
- (a) be contained in a fully enclosed ~~stand-alone~~ building or buildings specifically referenced in the producer's federal license for production;
 - (b) be the only use permitted on a parcel, with the allowance for an ancillary building on the parcel;
 - (c) must not have any outside storage of goods, materials, and supplies;
 - (d) no use or operation shall cause or create conditions that may be objectionable or dangerous beyond the building that contains it.
 - (e) follow the Federal Government Directive on Physical Security Requirements for Controlled Substances.
- (5) The Development Officer or Municipal Planning Commission shall not approve a development permit for a ~~medical-marijuana~~ **cannabis** production facility unless, in its opinion, it is satisfied that the proposed use is ~~suitable, harmonious,~~ appropriate and compatible with the ~~existing quality of life in the surrounding area~~ adjacent and neighboring land uses.
- (6) In evaluating the appropriateness of a development permit application for a ~~medical-marijuana~~ **cannabis** production facility, the Development Officer or Municipal Planning Commission shall consider:
- (a) compatibility with adjacent and neighboring land uses;

- (b) impact on existing traffic volumes and patterns of flow;
 - (c) appropriate vehicle parking and site access/egress requirements (the locations of access/egress points shall not route traffic through residential areas);
 - (d) lighting and signage;
 - (e) any other matters considered appropriate.
4. Add the following to Section 13.4(5) Industrial District (I), Discretionary Uses:
 - ~~Medical Marijuana~~ Cannabis Production Facility
 5. Add the following to Section 13.4(6) Light Industrial District (LI), Discretionary Uses:
 - ~~Medical Marijuana~~ Cannabis Production Facility
 6. Add the following to Section 13.4(23) Nordegg Industrial District (NI), Discretionary Uses:
 - ~~Medical Marijuana~~ Cannabis Production Facility

BYLAW NO. 1040/18

A Bylaw of Clearwater County, in the Province of Alberta, for the purpose of amending the Land Use Bylaw, being Bylaw No. 714/01.

PURSUANT to the Authority conferred upon it by the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1 and amendments thereto, and;

WHEREAS, a Council is authorized to prepare, to adopt, and to amend a Land Use Bylaw to regulate and control the use and development of cannabis production facilities within the Municipality;

NOW, THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts that the Land Use Bylaw be amended as follows:

1. Part One: General**1.7 Definitions**

Amend the following definitions to read:

“FARMING” means the use of land or buildings for the planting, raising, growing, production and sale of crops, livestock, poultry, trees and shrubs, wildlife, game, bees, honey, milk, and eggs; but does not include game farming or game ranching for viewing, tourism or recreational purposes, market gardening, sod farming or cannabis production facilities.

“FARM BUILDING” means the improvements used in connection with the raising or production of crops, livestock, poultry, nursery trees and shrubs, fish, wildlife, game, fur production or bee keeping and situated on land used in connection with such farming operations, but does not include a dwelling or any buildings associated with a cannabis production facility.

“FARM SUBSIDIARY BUSINESS” means a business for an occupation, trade, profession or craft approved in accordance with this Bylaw to be carried out on the farm unit as a use secondary and subordinate to the agricultural use and employing not more than two employees. This shall not include a cannabis production facility.

“GREENHOUSE” means a building specially designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale, excluding cannabis production facilities.

“INTENSIVE AGRICULTURE” means agricultural production generally characterized by high inputs of capital, labour and/or technologies, usually on smaller parcels of land, but does not include confined feeding operations or cannabis production facilities.

“MARKET GARDEN” means the growing of vegetables or fruit for commercial purposes, but does not include a cannabis production facility.

Add the following definitions:

“CANNABIS” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time. Cannabis does not include industrial hemp as defined under the Industrial Hemp Regulations (Canada) as amended from time to time.

“CANABIS PRODUCTION FACILITY“ means the use of land, or buildings for the cultivation, processing, testing, destruction, packaging and shipping of cannabis as permitted and licensed by the Federal Government of Canada.”

2. Part Seven: Special Land Use Provisions

Add the following under Part Seven: Special Land Use Provisions

7.12 Cannabis Production Facility

(1) Clearwater County should direct cannabis production facilities to locate in a business park

(2) All cannabis production facilities, applying for a development permit, within a business park, must be located outside of a 50 m radius of a property boundary, that has any of the following attribute:

- (a) an existing residence;
- (b) zoned recreational facility district;
- (c) an existing religious assembly use;
- (d) an existing school;
- (e) an existing child care facility;
- (f) an existing community hall;
- (g) public recreation

(3) All cannabis production facilities applying for a development permit on an industrial parcel not located within a business park, must be located outside of a 300 m radius from a property boundary, that has any of the following attribute:

- (a) an existing residence;
- (b) zoned recreational facility district;
- (c) an existing religious assembly use;
- (d) an existing school;
- (e) an existing child care facility;
- (f) an existing community hall;
- (g) public recreation

(4) Cannabis production facilities shall:

- (a) be contained in a fully enclosed building or buildings specifically referenced in the producer's federal license for production;
- (b) be the only use permitted on a parcel, with the allowance for an ancillary building on the parcel;
- (c) must not have any outside storage of goods, materials, and supplies;
- (d) No use or operation shall cause or create conditions that may be objectionable or dangerous beyond the building that contains it.
- (e) Follow the Federal Government Directive on Physical Security Requirements for Controlled Substances.

(5) The Development Officer or Municipal Planning Commission shall not approve a development permit for a Cannabis Production Facility unless, in its opinion, it is satisfied that the proposed use is appropriate and compatible with adjacent and neighboring land uses.

(6) In evaluating the appropriateness of a development permit application for a Cannabis Production Facility, the Development Officer or Municipal Planning Commission shall consider:

- (a) compatibility with adjacent and neighboring land uses;
- (b) impact on existing traffic volumes and patterns of flow;
- (c) appropriate vehicle parking and site access/egress requirements (the locations of access/egress points shall not route traffic through residential areas);
- (d) lighting and signage;
- (e) any other matters considered appropriate.

3. Part Thirteen: Land Use Districts

13.4 (5) Industrial District

Add the following under discretionary use:

- 31. Cannabis Production Facility

13.4 (6) Light Industrial District

Add the following under discretionary use:

- 16. Cannabis Production Facility

13.4 (23) Nordegg Industrial District

Add the following under discretionary use:

- 31. Cannabis Production Facility

READ A FIRST TIME this _____ day of _____ A.D., 2018.

REEVE

MUNICIPAL MANAGER

PUBLIC HEARING held this _____ day of _____ A.D., 2018.

READ A SECOND TIME this _____ day of _____ A.D., 2018.

READ A THIRD AND FINAL TIME this ___ day of _____ A.D., 2018.

REEVE

MUNICIPAL MANAGER

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of 2018

Name of Councilor / Board Member TIMOTHY HOVEN

Payment Periods

January **February** March April
 May June July August
 September October November December

Supervision Rate - \$1,003.00 Monthly
Reeve Supervision Rate - \$2,014.00 Monthly
Deputy Reeve Supervision Rate - \$1250.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$161.00	Next 4 Hours \$127.00	Next 4 Hours \$127.00	Regular Council Meeting \$288.00	Lunch \$16.00	Mileage @ \$0.55 / km
2/1	WCS	1					54.2
2/2	CAADMC	1	1				
2/5	Caroline Library	1					68.4
2/7	Dovercourt Meeting	1					107.4
2/8	Chamber of Commerce Meeting	1					91
2/13	COUNCIL				1		91
2/13	CCPAC	1					
2/15	SPIRT	1	1				69.6
2/16	ASB	1	1				91
2/19	Crime Meeting / RCMP @ James River	1					104
2/20	MPC	1	1				91
2/21	Parkland Library	1	1				139.4
2/27	COUNCIL				1		91

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Remuneration Calculation

11 -	Meetings @ \$161.00=	1771	- 998	Kms @ \$0.55=	548.90
5 -	Meetings @ \$127.00=	635		Lunch @ \$16.00=	
2 -	Meetings @ \$288.00=	576	Christmas AD	<27.67>	
	Supervision=	1003			
	TOTAL=	3985			TOTAL= \$421.23

Signature {Councilor / Board Member}



Remuneration

	A	B	C	D	E	F	G	H
1	Councillor / Board Member		Cammie Laird					
2	Date	Type of Meeting Attended	First 4 Hours \$161.00	Next 4 Hours \$127.00	Next 4 Hours \$127.00	Reg. Council Meeting \$288.00	Lunch \$16.00 - Dinner \$24.00	Mileage @ \$0.55 / km
3	Feb. 7	Mtg.: J Nixon RE: Bighorn @ Dovercourt Hall (19:00-21:00 Hrs)		1				
4	Feb. 8	Mtg.: CCTA @ Arbutus Hall (18:30-22:00 Hrs.)						
5	Feb. 12	Mtg.: Dr. Recr. @ CC Office (18:30-21:30 Hrs.)		1				26
6	Feb. 13	Mtg.: CC Reg. Council (09:00-12:45 Hrs.)					1	26
7	Feb. 13	Workshop: Council (RE: Broadband) (13:00-17:00 Hrs.)						
8	Feb. 13	Mtg.: Withrow Comm. Assoc. @ Church (18:30-22:00 Hrs.)						
9	Feb. 14	Travel to Edmonton (With RE+MH - CC Unit) (19:00-21:45 Hrs.)		1				
10	Feb. 15	Workshop Sess. RE: Emerg. Trds - Muni-Law (08:00-15:00 Hrs.)		1	1			
11	Feb. 15	Travel from Edmonton (With RE+MH - CC Unit) (15:00-18:30 Hrs.)				1		
12	Feb. 21	* Mtg.: RMH Sen Housing @ Westview Lodge (09:30-11:30 Hrs.)						28
13	Feb. 22	Mtg.: RMH Hosp. Committee (13:30-16:30 Hours) @ Christ. Cent.		1				28
14	Feb. 27	Mtg.: CC Reg. Council (09:00-12:30 Hrs.)					1	26
15	Feb. 28	Workshop: Council (RE: Ec. Dev.) @ Christ. Cent.(13:00-16:30 Hrs.)		1				28
16	Feb. 28	Mtg.: RMH Library Committee (18:30-20:30 Hrs)			1			28
17								
18								
19	Sub-Totals			6	2	1	2	0
20	Note:	*Mtg.: RMH Sen Housing @ Westview Lodge (Cost Shared)		1				
21	Remuneration Calculation							
22	Type of Event	Fee Structure		Quantit	Sub-Total			
23	Mtg.s	First 4 Hours @ \$ 161		6	966			
24	Mtg.s	Next 4 Hours @ \$127		2	254			
25	Mtg.s	Next 4 Hours @ \$127		1	127			
26	Mtg.s	Mtg.: RMH Sen Housing		1	81			
27	Reg. Council Mtg.s	\$288		2	576			
28	Lunch	\$16.00		1	16			
29	Mileage	\$0.55 / km		190	104.5			
30	Supervision	\$1003 / Month		1	1003			
31	Expenses	Meals						
32	Expenses	Lodging						
33	Total				3127.50			
34								
35								
36	Signature: Councillor / Board Member:		