COUNTY OF LETHBRIDGE IN THE PROVINCE OF ALBERTA

BYLAW NO. 1241

A BY-LAW OF THE COUNTY OF LETHBRIDGE BEING A BY-LAW PURSUANT TO SECTION 633(1) OF THE MUNICIPAL GOVERNMENT ACT, CHAPTER M.26.1

WHEREAS John and Lydia Pater wish to develop additional Grouped Country Residential parcels on a portion of the Southwest quarter Section 1, Township 9, Range 21, West of the Fourth Meridian;

AND WHEREAS a portion of the above parcel has already been classified as Grouped Country Residential (G.C.R.) by the Country of Lethbridge;

AND WHEREAS County Council has tabled an application for subdivision pending the preparation of an Area Structure Plan by the applicant;

AND WHEREAS the developer has submitted the "Pater Area Structure Plan" which will provide a framework for subsequent subdivision and development of the subject lands;

NOW THEREFORE BE IT RESOLVED that the Council of the County of Lethbridge does hereby adopt the "Pater Area Structure Plan" attached as Appendix "A".

GIVEN first reading this 3rd day of April, 2003.

Reeve

Laune Amm
County Manager

GIVEN second reading this 5th day of June , 2003.

Reeve

Laune Amm
County Manager

GIVEN third reading this 5th day of June , 2003.

Alexa Alexa Reeve

Laune Amm
Reeve

Laune Amm

LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA

BYLAW NO. 20-008

A BYLAW OF LETHBRIDGE COUNTY BEING A BYLAW PURSUANT TO SECTION 633(1) OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M.26

WHEREAS Westcott Consulting Group on behalf of the subdivision developer wishes to amend the "Pater Area Structure Plan" Bylaw No.1241 pertaining to lands located within the SW 1-9-21-W4.

AND WHEREAS the County's Municipal Development Plan requires that developers prepare an Area Structure Plan that must include architectural controls;

AND WHEREAS the developer wishes to amend the architectural controls by removing Section 5.5 Animals, and replace with the following:

5.5 Animals – That animals be permitted as per the Lethbridge County Animal Control Bylaw (Bylaw 17-008).

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

- The "Pater Area Structure Plan" Bylaw No.1241, Architectural Controls, Section 5.5 Animals, are hereby amended and replaced with the text "That animals be permitted as per the Lethbridge County Animal Control Bylaw (Bylaw 17-008)" as per amending Bylaw No. 20-008.
- 2. Bylaw No.1241 being the "Pater Area Structure Plan" Bylaw No.1241, is hereby amended.
- 3. This Bylaw No. 20-008 comes into effect upon 3rd and final reading hereof.

GIVEN first reading this 5 th day of March, 2020. Reeve CAO
GIVEN second reading this day of May , 20 D. Reeve CAO
GIVEN third reading this day of

First Reading: March 5, 2020 Public Hearing May 21, 2020 Second Reading May 21, 2020 Third Reading May 21, 2020

JOHN & LIDIA PATER, AREA STRUCTURE

LOCATED IN THE COUNTY OF LETHBRIDGE NO. 26 PORTION OF THE SW ¼ - 1-9-21-W4M

RE: IN SUPPORT OF LAND USE BY-LAW AMENDMENT BYLAW # 1217 FROM: RURAL AGRICULTURAL "RA" TO: GROUPED COUNTRY RESIDENTIAL

MAY 21, 2003

PART OF: BYLAW # 1241

INTRODUCTION

1.1 PURPOSE

This document has been prepared and submitted in response to subdivision application #2001-0-109, which was tabled by County Council pending the preparation of an area structure plan. (Appendix 'A')
A subsequent appeal to the SDAB (Subdivision & Development Appeal Board) further confirmed that an area structure plan would be required.

As requested, this area structure plan covers the entire quarter section, east of the S.M.R.I.D. canal and north of S.R. #512, including 4 different landowners.

A 10.2-acre portion of the land to be subdivided has already been rezoned for Grouped Country Residential use. (Bylaw #1217, given 3rd reading on June 7,2001, Appendix 'B' & 'C')

1.2 DEVELOPMENT CONCEPT – OUTLINE PLAN

The concept used for the layout is based on discussions held with both the County of Lethbridge and the Oldman River Intermunicipal Service Agency staff. The lot scheme set up on this plan has placed proposed property boundaries so existing lots will be incorporated into the plan that includes the owners existing residence. Fence lines not on property lines at this time shall be moved to the new property lines once they have been created.

1.3 APPLICANTS INTEREST

John and Lidia Pater are the applicants & registered owners of the largest parcel included in this plan. Other individual property owners are:

- 1. Darrel & Lisa Lutz
- 2. Peter & Camilla Van Lier
- 3. John Laminski

All landowners have been notified and are aware this plan has been prepared and submitted.

2. SITE ANALYSIS

2.1 Site location

The property is located in the SW 1-9-21-w4, 2.5 miles east of the City of Lethbridge (See Appendix 'C')

2.2 Soils and Groundwater

See AMEC Earth and Environmental Std. Report dated August 13, 2001 for soils information and groundwater status.

2.3 Water and Hydrology

See AMEC Earth and Environmental Std. Report dated August 13, 2001 for soils information and groundwater status

2.4 Land Ownership

(See Appendix 'C')

2.5 On-site Land Use

This property is presently used as an acreage producing hay on the irrigated land west of the residence and out building. Pets and horses are housed on the area south of the residence.

2.6 Adjacent Land Use

The adjacent land uses are either country residential or small hobby farms.

2.7 Constraints and Opportunities

.1 Slope Stability

Addressed in AMEC Earth and Environmental Ltd. Report dated August 13, 2001. Slope stability is not an issue because of the relatively flat land.

.2 Land Suitability

The matter of suitability of the land base to sustain the proposed development is also a concern. Public health and environmental concerns relative to the capability of the soil environmental concerns relative to the capability of the soil to absorb sewage effluent also require diligence in determining that capability. Testing also provides an indication of the water table level, which has further developmental implications such as foundation requirements, basement materials and sump pumps and associated matters. Percolation tests have been conducted at four separate locations on the site and have yielded favourable results on all but one location. The report suggests testing other locations for a suitable sit on that lot. Details of results are outlined in AMEC Earth and Environmental Ltd. Report dated August 13, 2001. Home builders will be required to conduct individual percolation tests on each lot as a condition of obtaining a plumbing permit. (Alberta Private Sewage Systems-Standards of Practice, 1999)

.3 Opportunities

Ease of Development

The basic services are near or on the site, which will make it easier and more economical to service and develop the proposed lots.

.2 Value

The taxes generated through this type of development are an important income source for the County. The conversion of marginal agricultural land to country residential use will also help diversify the County economy.

.3 Storm Water and Drainage

.1 Individual Site Considerations

Increased development activity on the site will have a corresponding impact on surface runoff, roof areas, sidewalk, driveways and paved roadways will all speed up the rate at which storm water will leave an individual site and combine with runoff from adjacent sites. Owners will be encouraged to empty on-site storm water detention in their site development and landscaping design. No change in the quality of storm water is anticipated.

.2 Communal Drainage Considerations

Through the site grading plan and road construction, the developer will ensue that appropriate means to detain surface runoff are employed. AMEC Earth and Environment Ltd. Report dated August 31, 2001 for particulars.

.3 Subsequent to the June 2002 rainfall event, the S.M.R.I.D has installed a drain inlet to better manage surface water. (Appendix 'D') The constructed drain will be protected by an easement at the time of subdivision approval. Operation of the gate is the sole responsibility of the S.M.R.I.D. (see letter from S.M.R.I.D.)

.3 Energy Supply

.1 Electricity

Electrical power to and through the site is available through Utilicorp. It is proposed that an underground line in the utility right-of-way at the front of the property will be utilized.

Existing lots have power underground to the homes fed from an overhead power line. Provisions for this future service shall be allowed for during initial construction. See plan for utility right-of-way location. Power and Telus cables would be run in same trench. George Plaksey to make appropriate applications to Utilicorp and coordinate contractors during construction.

3. PROPOSED LAND USE AND DESIGN CONSIDERATIONS

3.1 Proposed Land Use

.1 Residential

The entire area could eventually consist of 14 Grouped Country Residential parcels ranging in size from 3.01 acres to 10.95 acres in size, however, significant amendments to the County's L.U.B. & M.D.P. would be required.

.2 Roadways and Utility Lots

To provide for the appropriate access to each lot and to ensure that public utilities can be installed properly, roadways and utility right-of-ways will be dedicated (see plan).

3.2 Population and Housing Densities

The area of the site amounts to approximately 95 acres.

If the average household were 4 persons then approximately 56 people would inhabit the completed subdivision. The density of the site would then be in the neighbourhood of 1.7 people per acre.

All lots are to be single-family residential dwelling. Setback of tall permanent structures shall be a minimum of 20 metres from front, and 6 metres from side and rear property boundaries.

3.3 Municipal Reserve

The developer will provide the 10 % municipal reserve requirement as "cash-in-lieu".

UMA Group

Contact: George Plaksey Phone: 403-329-4822

.2 Natural Gas

Supplier ATCO Gas

ATCO Gas will install main line so lots shall be pre-serviced with natural gas main. Each new lot landowner shall be responsible for their individual service line. ATCO Gas has agreed to allow construction of water line in their 6.1-meter utility right-of-way. See plan for location and offsets.

Contact: Rick Cicon Phone: 403-380-5421

.4 Communications

.1 Telephones

Telephone service may be provided through the Telus network. The cable would be sited within the utility right-of-way.

Supplier: Telus

Line will be installed at same time as electricity in same trench. Line will be run to pedestal at property line. Each new landowner will pay for service from pedestal to house.

Contact: Jose Wojfzel Phone: 403-382-2575

.2 Televisions

It is not intended to provide a cable service to the site.

4.3 Staging of Development

It is the applicants' intention to only apply for a 3-lot subdivision, on the area already rezoned for grouped country residential. Additional subdivision is not anticipated at this time, however should this change in the future, an application for rezoning would be submitted in accordance with this plan. (See subdivision plan prepared by Halma Surveys)

At this time, the rezoning & subdivision of lands other than the 10 acres currently designated would be contrary to the County Land Use Bylaw & Municipal Development Plan. Further subdivisions would likely not

occur on the balance of the parcel without significant amendments to the L.U.B. & M.D.P.

4. PROPOSED ROADWAYS AND SERVICING

4.1 Roadways

.1 Site Access

The proposed subdivision has a derive access from a road built along south edge of the property from the County and Secondary Road Number 512. The road was constructed in 1996-1997. The road right-of-way is 20 metres in width with a gravel road constructed. The County accepted the road in 1998 and is currently maintaining the road.

.2 Road Dimensions

In the future the existing 20 metre wide road would extend into the development area as indicated on the area structure map, at the developers expense.

.3 Constructing and Surfacing

The proposed roadways within the site would be constructed according to a rural residential cross section utilizing a minimal ditch on either side. Driveway approaches would be constructed over appropriately sized culvers. In addition, the road would be gravel surfaced.

.4 Off-Site Roadways and Traffic

The external roadway system is already in place adjacent to the site. It is proposed that this road have some type of dust suppression applied to it. This could be implemented as part of the Development agreement at time of subdivision.

.5 Drainage

Drainage swales will be constructed as part of the roadway cross-section throughout the future subdivision. This may entail culverts and approaches being also constructed for each lot. The design is intended to be compatible with the pre-development flow rate study and is shown in detail on the proposed subdivision plan.

The natural slope of the parcel in questions is from north to south and west to east. See plot plan for spot elevations. The north ditch shall carry waters to the road allowance ditch at the east side of the property. Grading shall be done on property so as to facilitate all waters on the property to move to southeasterly portion of the property where a +65 metre wide swale will carry waters through ditch to the irrigation canal. Water presently runs in this fashion but shall force all water to flow to the irrigation canal area in the SW corner of the property.

.6 Road Maintenance

Because the on-site roadway is County road initial construction and maintenance are the responsibility of the Developer. This will include snow plowing and repairs as required.

.7 Fire Protection

Two dugouts are constructed on site (4,000,000 Imperial gallons) for fire protection water storage. This dugout shall have a dry hydrant installed in the future at subdivision expansion. The drainage system of the site will run through this dugout. This will supply additional holding area for storm drain waters. This will also minimize the distance storm waters will travel to the pond thus reducing any possibility of erosion.

4.2 Servicing

.1 Water

Two options are available. Adjacent owners will provide water and has a turnout located on the adjacent north property and is a member of the Rural Water Association Co-op. If this option is not exercised, future owners will haul potable water to installed cisterns.

Rural Water Association Water Co-Op

Contact: Walter Vanderbrook

Phone: 403-320-1600

SMRID will supply water to all properties once the following terms have been met:

- i) Household Purposes Agreement for all lots. Water services will be supplied by an underground pipeline ran as shown on the plan for the existing turnout. The gas company has said water pipeline can run inside their easement, as long as P/L is placed 2 meters off property line leaving them 4.1 meters for their main line installation.
 - ii) No trees are to be placed within 5 meters of the water pipeline and no permanent surface installations are allowed that my hinder service of the pipelines.
 - iii) A 6.0-meter access easement is provided to allow access to the turnout situated in Lot 12. See outline plan for location.

SMRID

Contact: Derik Jaffray Phone: 403-328-4401

.2 Sewage Disposals

Each proposed lot exceeds the minimum ½ acre requirements for a private sewage disposal system. The normal septic tank and field system is proposed for the development. Alternatively, a pumpout tank could be provided if a suitable location in the P2 test area could not be found. AMEC Earth and Environment Ltd. Report dated August 13, 2001.

Supplier: C & V Excavating

Septic tank and field systems to be used for sewage disposal. C & V Excavation has installed several systems in the area and has confirmed soil conditions have been receptive to this installation.

C & V Excavating

Contact: Vic Giesbrech Phone: 403-327-3555

5. ARCHITECTURAL CONTROL AND DEVELOPMENT STANDARDS

5.1 Housing Form

.1 House Style

Mobile homes and relocated homes on new foundations would not be permitted in the subdivision. A caveat shall be placed on the title thus ensuring the construction of a new home.

.2 House Size

Houses within the subdivision will be required to be a minimum of 1200 square fee in area.

5.2 Housing Placement and Design

.1 House Design

Residents will be encouraged to work with a designer in the planning and design of their home to ensure that a consistent level of development is achieved.

.2 House Placements

Placement is optional as long as minimum setbacks of the County are observed.

.3 Accessory Buildings

Out buildings will be allowed but will also be subject to minimum setback requirements.

5.3 Fencing

Uniform fencing is encouraged.

5.4 Vehicle Storage

Residents would be encouraged to store recreational vehicles within an offsite storage compound or alternatively on their own sites in a manner which does not obstruct neighbouring views.

5.5 Animals

That animals be permitted as per the Lethbridge County Animal Control Bylaw (Bylaw 17-008).

Amended by Bylaw 20-008

Mr. Pater spoke to Council. If possible, he now would like to apply for subdivision approval in an area that encompasses less land than what was redesignated, as he wants the dugout to remain part of the farmland. He does not want it part of the subdivision for access and water reasons.

Note: Councillor J. Kolk present at 1:10 p.m.

J. KOLK

MOVED to table this application until Mr. Pater submits an area structure plan for the area east of the canal. CARRIED

Note: Mr. Pater retired from the meeting at 1:35 p.m.

Note: Director of Municipal Services, Duane Climenhaga present at 1:35 p.m.

H8 Concerns with Manure Stockpiling

The County has received two letters from ratepayers requesting the County to address the issue of stockpiling manure. Both letters involve the same feedlot operator. The ratepayers are requesting measures be taken to stop the practice of stockpiling manure.

Council discussed the various ways to address the problem of stockpiling. It was agreed that, before any steps could be taken, clarification from Alberta Agriculture was required as to whether stockpiling would be permitted after December 31, 2001.

452/01

451/01

J. KOLK

MOVED a letter be written to the feedlot operator in question requesting that he refrain from stockpiling, a copy of the letter be sent to the ratepayers who wrote the letters of complaint and the County of Lethbridge Livestock Producers and Alberta Cattle Feeders Association.

H9 Amendment to By-Law 1104

In the past, the Development Officer has generally limited the length of his absence from the office, to ensure that the development approval process proceeds without unnecessary delays. This practice has been followed because the County's Development Approval By-Law delegates the approval authority exclusively to the Development Officer.

To avoid unnecessary delays in the processing of development permit applications and approval of same, administration is requesting an amendment to the Development Approval By-Law No. 1104. If approved, the amendment will enable administration to issue approvals during periods when the Development Officer is away for an extended period.

453/01

J. KOLK

MOVED first reading of By-Law 1228 - By-law to amend By-law No. 1104 - The County's Development Authority By-law.

CARRIED

454/01

M. OSAKA

MOVED second reading of By-Law 1228 - By-Law to amend By-

Law No. 1104 - The County's Development Authority By-Law.

CARRIED

455/01

H. RUTZ

MOVED to go to third reading of By-Law 1228 - By-Law to amend By-Law No. 1104 - The County's Development Authority

By-Law. CARRIED

456/01

L. HICKEY

MOVED third reading of By-Law 1228 - By-Law to amend By-Law No. 1104 - The County's Development Authority By-Law.

ARRIED

Reeve

Laure Johns County Manager

12.

APPENDIX A





County of Lethbridge No. 26

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

June 8, 2001

Mr. John Pater R.R. 8-28-13 Lethbridge, Alberta

Dear Mr. Pater:

Re: By-Law #1217 - John Pater - Ptn. S.W. 1-9-21-W4

Please be advised that at the regular County Council meeting dated June 7, 2001, Council gave third reading to the above bylaw, effective rezoning a portion of the subject parcel for Grouped Country Residential use.

If you have any questions or concerns, please do not hesitate to contact this office.

Yours truly,

Nick Paladino

Supervisor of Planning & Development

lm

St. Mary River Irrigation District

1210 - 36th Street North, Lethbridge, Alberta P.O. Box 278 T1J 3Y7 Telephone (403) 328-4401 Fax (403) 328-4460 Email smrid@telusplanet.net

May 8, 2003

County of Lethbridge #100, 905-4 Avenue S. Lethbridge, Alberta T1J 4E4



Attention: Nick Paladino

Dear Sir:

Re: Proposed Subdivision

SW 1-9-21-4 (Pater)

The drain inlet that has recently been installed into the canal on the above mentioned property was designed to handle the natural drainage volumes from the area east of the canal in the SW 1-9-21-4. In our view, the proposed lots would not have an impact on volumes. The inlet is the responsibility of the district and as such will remain open at all times.

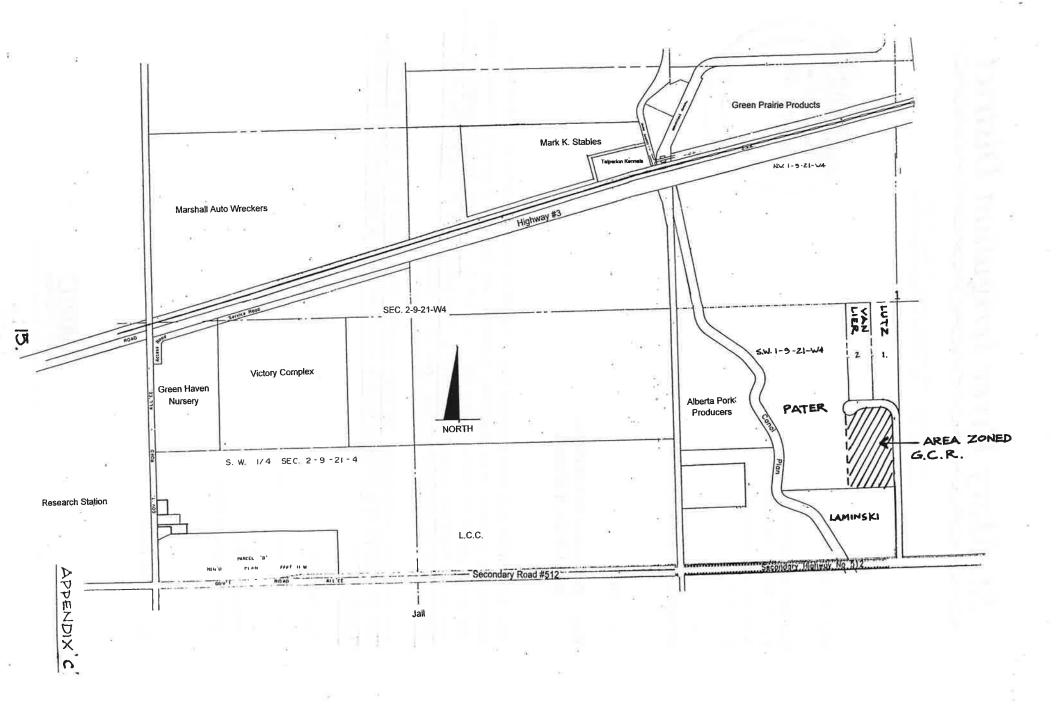
Furthermore, with respect to water quality, the SMRID is of the opinion that the placement of additional homes would not have a negative effect on water quality.

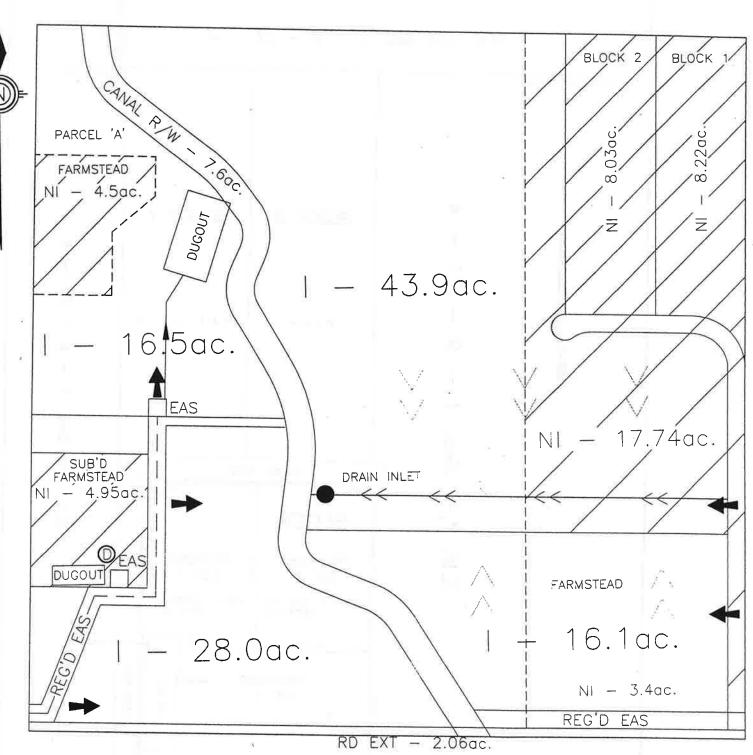
Yours truly

Derick Jaffray

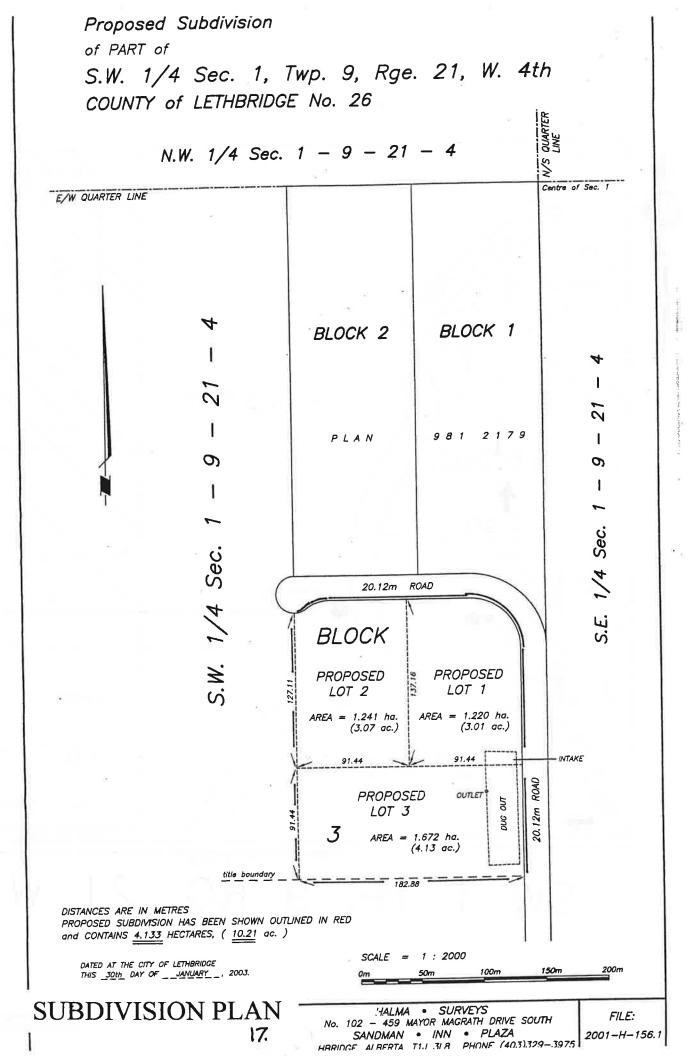
Land Administrator

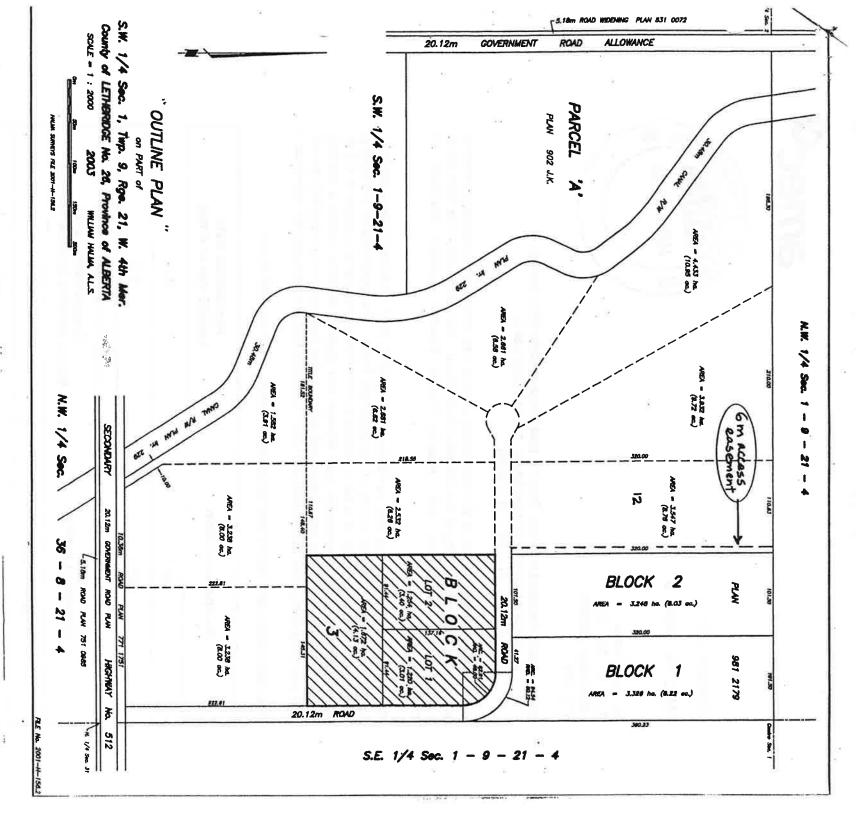
pc John Pater





SW 1 TP. 9 RG. 21 W.4







13 August 2001

AMEC File: BX05119

Mr. John Pater R. R. 8 – 28 - 13 Lethbridge, Alberta T1L 4P4



Re: Field Percolation Rate Testing and Groundwater Monitoring

Proposed Septic Field for Block 3, Lot 1 and Lot 2

SW 1/4 - Sec. 01 - 09 - 21 - W4M

As requested, AMEC Earth & Environmental Limited has conducted percolation testing and groundwater monitoring at the site described above. The percolation rate tests were conducted in accordance with "Alberta Private Sewage System Standard of Practice, 1999".

The percolation rate testing was conducted on August 7, 2001. The tests were situated at the field locations in the vicinity of the proposed fields. The groundwater monitoring consisted of the installation of a hand slotted 50 mm PVC standpipe to a depth of 4.5 m within each lot. The groundwater was allowed four days to stabilize before a reading was taken. The soil in the percolation and groundwater boreholes was classified as top soil overlying damp, medium plastic silty clay. Borehole logs are attached for reference.

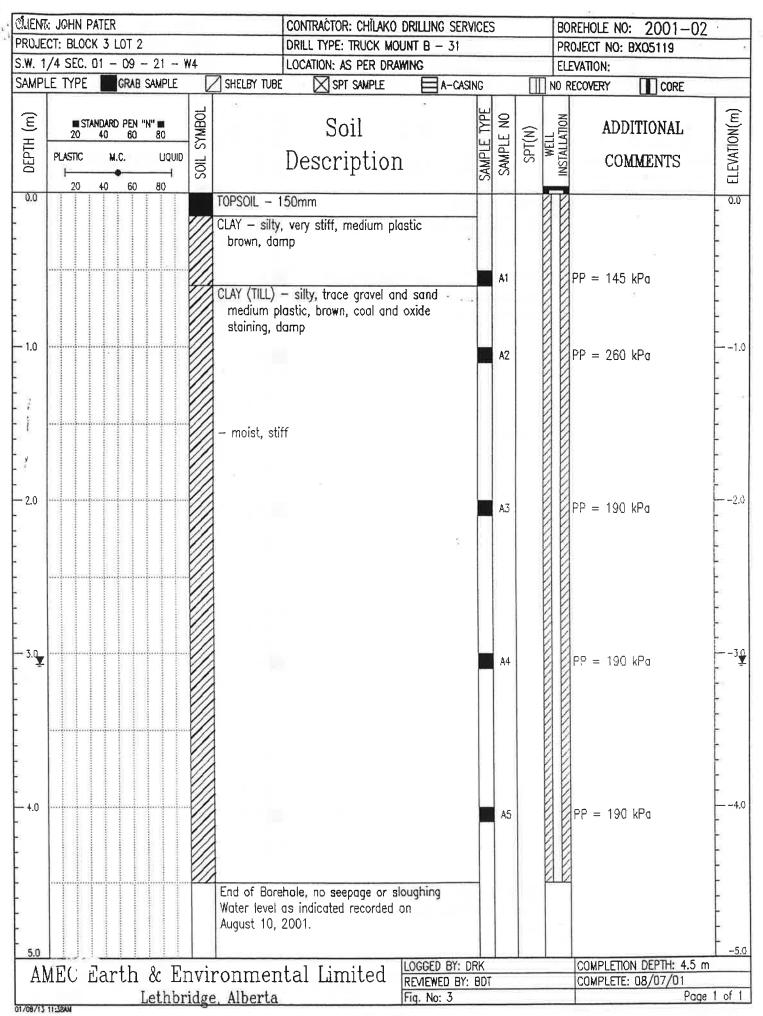
The percolation rate results and groundwater results are presented below:

Borehole Location	Percolation Rate (min/25 mm of drop)				
Lot 1	15.0				
Lot 2	15.0				

Borehole Location	Groundwater Level Below Existing Ground Surface 3.20 m				
MW1 – Lot 1					
MW2 – Lot 2	3.07 m				

AMEC Earth & Environmental Limited 1430 B 31 Street North Lethbridge, Alberta T1H 5J8 Tel +1-(403)-327-7474 Fax +1-(403)-327-7682

	: JOHN I				CONTRACTOR: CHIĽAKO DRILLING SER	RVICES	S		BOREHOLE NO: 2001-01
PROJECT: BLOCK 3 LOT 1					DRILL TYPE: TRUCK MOUNT B - 31				PROJECT NO: BXO5119
		01 - 09 -		√4 ———	LOCATION: AS PER DRAWING				ELEVATION:
AMPL	E TYPE	GRAB	SAMPLE		SHELBY TUBE SPT SAMPLE A-CAS	SING			NO RECOVERY CORE
DEPTH (m)	PLASTIC	TANDARD PEN ' 40 60 M.C.	80 LIQUID	SOIL SYMBOL	Soil Description	SAMPLE TYPE	SAMPLE NO	SPT(N)	ADDITIONAL COMMENTS COMMENTS
0.0	20	40 60	80	-	TOPSOIL - 150mm	+			TE i a
- 3.0 - 4.0					CLAY - silty, very stiff, medium plastic brown, damp CLAY (TILL) - silty, trace gravel and sand medium plastic, brown, coal and oxide staining, damp - moist, stiff		A1 A2 A3		PP = 360 kPa $PP = 360 kPa$ $PP = 335 kPa$
					End of Borehole, no seepage or sloughing Water level as indicated recorded on August 10, 2001.				
5.0					I AAAEN DV.	DDIV	1_		COMPLETION DEPTH: 4.5 m
A 1	MEC	Earth	& F1	nvir	conmental Limited LOGGED BY:	UKK DE	T		COMPLETE: 08/07/01
Δ			اللا يب	TT A TT	ATTITION TO THE STATE OF MENTANED R	1: DU	1		POUMFLETE, UU/U//UT



Mr. John Pater Field Percolation Rate Test Block 3, Lot 1 and Lot 2



The "Alberta Private Sewage System Standard of Practice, 1999" guidelines regarding soil percolation rates for sewage treatment by subsurface systems are:

- 1. Soil percolation rates of less than 5.0 min/25 mm of drop unfavourable
- 2. Soil percolation rates of 5.0 to 60.0 min/25 mm of drop favourable
- 3. Soil percolation rates of more than 60.0 min/25 mm of drop unfavourable

Based on observations during drilling and the results of the percolation and shallow groundwater testing the lots appear suitable for development as county residential.

We trust that this report meets with your current needs. Please contact this office at (403)-327-7474 should you have any questions.

Respectfully submitted,

AMEC Earth & Environmental Limited

Don Kovacs, C.E.T. Field Technologist

Reviewed by:

Bruce D. Thurber, P.Eng. Project Engineer

AMEC File: BX05119

