



AGENDA

County Council Meeting

9:00 AM - Thursday, September 3, 2020
Council Chambers

Page

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- | | |
|---------|--|
| | A. CALL TO ORDER - OPENING REMARKS |
| | B. CONFIRMATION OF AGENDA |
| | C. CONFIRMATION OF MINUTES |
| 3 - 7 | 1. <u>Lethbridge County Council Minutes - August 6, 2020</u>
<u>County Council - 06 Aug 2020 - Minutes - Pdf</u> |
| | D. NOTICES OF MOTION |
| | E. SUBDIVISION APPLICATIONS |
| 8 - 18 | 1. <u>Subdivision Application #2019-0-170 - Grisnich</u>
<u>Lot 3, Block 1, Plan 1412687 within NW 8-10-21-W4M</u>
<u>Subdivision Application #2019-0-170 - Grisnich - Lot 3, Block 1, Plan 1412687 within NW1/4 8-10-21-W4M - Pdf</u> |
| 19 - 28 | 2. <u>Subdivision Application #2020-0-080 – Isley</u>
<u>SE 33-11-23-W4M</u>
<u>Subdivision Application #2020-0-080 – Isley - SE 33-11-23-W4M - Pdf</u> |
| 29 - 38 | 3. <u>Subdivision Application #2020-0-085 – Beekman</u>
<u>SW 33-08-19-W4M</u>
<u>Subdivision Application #2020-0-085 – Beekman - SW 33-08-19-W4M - Pdf</u> |
| 39 - 49 | 4. <u>Subdivision Application #2020-0-086 – Withage</u>
<u>Portion of SE 28-09-20-W4M</u>
<u>Subdivision Application #2020-0-086 – Withage - Portion of SE1/4 28-09-20-W4M - Pdf</u> |
| | F. PUBLIC HEARINGS - 9:30 AM |
| 50 - 67 | 1. <u>Bylaw 20-015 - Amendment to the Lethbridge County/Town of Coaldale Intermunicipal Development Plan</u> |

[Bylaw 20-015 - Amendments to the Lethbridge County and Town of Coaldale Intermunicipal Development Plan - Public Hearing - Pdf](#)

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2. **Bylaw 20-016 - Amendment to the Land Use Bylaw - Lethbridge Urban Fringe to Grouped Country Residential for north portion of Plan 7770AU; Block Z within NW 26-8-20-W4M**
[Bylaw 20-016 - Amendment to the Land Use Bylaw - Lethbridge Urban Fringe to Grouped Country Residential - Public Hearing - Pdf](#)

G. BYLAWS

H. DELEGATIONS

I. REPORTS

J. MUNICIPAL SERVICES

K. COMMUNITY SERVICES

L. CORPORATE SERVICES

M. ADMINISTRATION

N. INVITATIONS

O. COUNTY COUNCIL UPDATES

P. CLOSED SESSION

Q. ADJOURN



MINUTES

Council Meeting

9:00 AM - Thursday, August 6, 2020
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, August 6, 2020, at 9:00 AM, in the Council Chambers, with the following members present:

PRESENT: Deputy Reeve Klaas VanderVeen
Councillor Robert Horvath
Councillor Tory Campbell
Councillor Ken Benson
Councillor Steve Campbell
Councillor Morris Zeinstra
Chief Administrative Officer Ann Mitchell
Director of Public Operations Jeremy Wickson
Manager of Finance & Administration Jennifer Place
Executive Assistant Tara Cryderman

ABSENT: Reeve Lorne Hickey

A. CALL TO ORDER - OPENING REMARKS

Deputy Reeve Klaas VanderVeen called the meeting to order, the time being 9:00 am.

B. CONFIRMATION OF AGENDA

B.1. August 6, 2020 Lethbridge County Council Meeting Agenda

202-2020 Councillor Benson MOVED that Lethbridge County Council approve the August 6, 2020 Lethbridge County Council Meeting Agenda, as presented. CARRIED

C. CONFIRMATION OF MINUTES

C.1. July 23, 2020 Lethbridge County Council Minutes

203-2020 Councillor S.Campbell MOVED that Lethbridge County Council approve the July 23, 2020 Lethbridge County Council Meeting Minutes, as presented. CARRIED

D. NOTICES OF MOTION

There were no notices of motions presented.

E. SUBDIVISION APPLICATIONS

E.1. Subdivision Application #2020-0-070 – Richards - Lot 1, Block 1, Plan 1812411 & NW1/4 32-9-19-W4M

204-2020 Councillor T.Campbell MOVED that Lethbridge County Council approve Subdivision Application No. 2020-0-070, subject to the conditions as outlined in the draft resolution. CARRIED

**E.2. Subdivision Application #2020-0-076 – Enns/Kaldal
- Lot 1, Block 1, Plan 9912610 & Block 1, Plan 9312048**

205-2020 Councillor T.Campbell MOVED that Lethbridge County Council approve Subdivision Application No. 2020-0-076, subject to the conditions as outlined in the draft resolution.

CARRIED

F. REPORTS

F.1. Planning and Development Department - 2nd Quarter Report 2020

206-2020 Councillor Zeinstra MOVED that Lethbridge County Council receive the Planning and Development Department - 2nd Quarter Report 2020, as information.

CARRIED

Deputy Reeve VanderVeen called a recess to the Lethbridge County Council Meeting, the time being 10:20 am.

Deputy Reeve VenderVeen reconvened the meeting, the time being 10:30 am.

F.2. Economic Development - 2nd Quarter Report 2020

207-2020 Councillor Zeinstra MOVED that Lethbridge County Council receive the Economic Development, 2nd Quarter Report 2020, as information.

CARRIED

G. APPOINTMENTS

**G.1. PUBLIC HEARING
Bylaw 20 - 014 Land Use Bylaw Amendment from Grouped Country Residential to Direct Control for Plan 9610161 Block 4 Lot 2 in the NW 34-10-21-W4**

208-2020 Councillor S.Campbell MOVED that Lethbridge County Council open the Public Hearing for Bylaw No. 20-014, the time being 9:30 am.

CARRIED

The purpose of Bylaw No. 20-014 is to amend the Land Use Bylaw by re-designating Plan 9610161 Block 4 Lot 2, within the NW 34-10-21 W4, from Grouped Country Residential to Direct Control.

Supervisor of Planning and Development Hilary Janzen presented Bylaw No. 20-014.

Bylaw No. 20-014 was given first reading on June 18, 2020.

The application was circulated to all Lethbridge County Departments, the Town of Picture Butte, and external agencies for review. No concerns were expressed with the proposed bylaw.

Deputy Reeve VanderVeen provided the public with the contact phone number in the event that a member of the public wished to provide comments on the proposed bylaw.

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| 209-2020 | Councillor
Zeinstra | MOVED that the Public Hearing for Bylaw 20-014 recess until 11:30 am. | CARRIED |
| 210-2020 | Councillor
T.Campbell | MOVED that the Public Hearing for Bylaw No. 20-014 reconvene, the time being 11:30 am. | CARRIED |
| | | Deputy Reeve VanderVeen asked if there were any members of the public wishing to provide comments on Bylaw No. 20-014, or if there were any comments submitted. There was no indication that anyone wished to present. No comments were submitted. | |
| 211-2020 | Councillor
S.Campbell | MOVED that the Public Hearing for Bylaw No. 20-014 adjourn, the time being 11:33 am. | CARRIED |
| 212-2020 | Councillor
Horvath | MOVED that Bylaw No. 20-014, being a bylaw to amend the Land Use Bylaw, be given second reading. | CARRIED |
| 213-2020 | Councillor
S.Campbell | MOVED that Bylaw No. 20-014, being a bylaw to amend the Land Use Bylaw, be given third and final reading. | CARRIED |

G.2. 10:00 am - Diana Rung, Alberta Conservation Association

Diana Rung, with Alberta Conservation Association, attended remotely to speak to trout stocking at McVinnie Reservoir and McQuillan Reservoir, and presented a PowerPoint presentation.

A partnership between Alberta Conservation Association and Lethbridge County was requested.

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| 214-2020 | Councillor
Benson | MOVED that Lethbridge County Council receive the presentation from Diana Rung, with Alberta Conservation Association, as information. | CARRIED |
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H. BYLAWS
(excluding public hearings)

H.1. Bylaw 20-007 - Road Closure, Sale and Consolidation of a portion of Sidney Road within subdivision plan 4000AQ- First Reading

- | | | | |
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| 215-2020 | Councillor
Horvath | MOVED that Bylaw No. 20-007, being a Road Closure, Sale and Consolidation Bylaw for a portion of Sidney Road within Subdivision Plan 4000AQ, be given first reading. | CARRIED |
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H.2. Bylaw 20-016 - Amendment to the Land Use Bylaw - Lethbridge Urban Fringe to Grouped Country Residential for north portion of Plan 7770AU Block Z in the NW 26-8-20-W4 - First Reading

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| 216-2020 | Councillor
Zeinstra | MOVED that Bylaw No. 20-016, being a bylaw to amend the Land Use Bylaw, be given first reading. | CARRIED |
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I. **MUNICIPAL SERVICES**

Nil

J. **COMMUNITY SERVICES**

Nil

K. **CORPORATE SERVICES**

Nil

L. **ADMINISTRATION**

L.1. **Rural Municipalities of Alberta (RMA)
Assessment Model Review Advocacy**

217-2020 Councillor Zeinstra MOVED that Lethbridge County Council forward a letter to the Honourable Premier of Alberta, the Minister of Municipal Affairs, and local MLAs, outlining the concerns of Lethbridge County, regarding the proposed Assessment Model Review.

CARRIED

M. **INVITATIONS**

Nil

N. **COUNTY COUNCIL UPDATES**

N.1. **Lethbridge County Council Attendance Update - July 2020**

218-2020 Councillor S.Campbell MOVED that Lethbridge County Council receive the report titled "Lethbridge County Council Attendance Update - July 2020", identifying the activities and events attended by Lethbridge County Council for the month of July 2020, as information.

CARRIED

Deputy Reeve VanderVeen called a recess to the Lethbridge County Council Meeting, the time being 11:22 am.

Deputy Reeve VenderVeen reconvened the meeting, the time being 11:30 am.

O. **CLOSED SESSION**

Nil

P. **ADJOURN**

P.1. **August 6, 2020 Lethbridge County Council Meeting Adjournment**

219-2020 Councillor S.Campbell MOVED that the Lethbridge County Council Meeting of August 6, 2020 adjourn, the time being 11:35 am.

CARRIED

Reeve

CAO

AGENDA ITEM REPORT



Title: Subdivision Application #2019-0-170 - Grisnich
- Lot 3, Block 1, Plan 1412687 within NW1/4 8-10-21-W4M

Meeting: County Council - 03 Sep 2020

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 20 Aug 2020
Larry Randle, Director of Community Services	Approved - 20 Aug 2020
Ann Mitchell, Chief Administrative Officer	Approved - 21 Aug 2020

STRATEGIC ALIGNMENT:

 Outstanding Quality of Life	 Effective Governance and Service Delivery	 Prosperous Agricultural Community	 Vibrant and Growing Economy	 Strong Working Relationships
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EXECUTIVE SUMMARY:

The application is to resubdivide (resplit) a title of 13.62 acres into two titles, being 6.00 and 7.62 acres respectively in size, for country residential use. The proposal meets the 'Grouped Country Residential - GCR' subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2019-0-170 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- This application was originally presented to Council acting as the Subdivision Authority on February 7, 2020, but no decision was rendered as the proposal did not comply with the policies of Land Use Bylaw No. 1404 and the MDP. Direction was given to the applicants to prepare a Conceptual Design Scheme plan and apply to rezone the land to the 'GCR' land use district.
- The applicants signed an application decision 'time extension' enabling the Subdivision Authority to make a decision beyond the MGA stipulated 60-days, with the agreement expiring Sept. 30, 2020.
- On July 23, 2020, County Council redesignated (rezoned) the land to the 'GCR' land use district (Bylaw No. 20-013).
- The proposal now meets the GCR subdivision criteria and standards of the Lethbridge County Land Use Bylaw No. 1404, and the lots meet and exceed the bylaw's minimum 2.0-acre size.
- The lot's layout and proposal conforms to the Conceptual Design Scheme plan that has been approved for the land at the redesignation stage.

- Site servicing is met: The existing dwelling has potable water provided by the North County Potable Water Co-op and an on-site private disposal treatment system that was installed in 2017. The vacant west lot is proposed to be treated in the same manner. Soils tests were previously done which verified suitability of individual on-site private septic treatment systems. Access is from the south, off of a developed County municipal road.

BACKGROUND INFORMATION:

Located ½-mile northeast of the Hamlet of Diamond City. The application is to create an additional title on a parcel of less than 20.0 acres of poor quality agricultural land, designated to grouped country residential use by Council (Bylaw No. 20-013).

The applicants have constructed a new dwelling on the eastern portion of their current title (which will become the 7.62 acre lot), while the west 6.0 acre portion is vacant. There is an existing separate subdivision situated to the west of the subject title. As outlined at the resignation stage and in the Conceptual Design Scheme plan, any specific site development matters that need to be addressed, such as drainage and road or ditch improvements, will be managed through the terms of the development agreement which is placed as a condition of subdivision approval.

It is noted this land was previously approved by Council for GCR use in 2011 with an ASP also adopted. The previous landowner did not complete the planning for that proposal, and the land was subsequently designated back to Rural Agriculture resulting in the parcel no longer being eligible for multi-lot GCR use. With the new Conceptual Design Scheme plan and rezoning to GCR in place, the land is again eligible to be subdivided for the intended purpose.

Overall, the proposal meets the GCR criteria of the County's Land Use Bylaw No. 1404. (see full ORRSC Planner's comments attached) The application was circulated to the required external agencies and no objections were submitted regarding the application. An adjacent landowner did express concern with drainage.

ALTERNATIVES / PROS / CONS:

If the Subdivision Authority is not satisfied the application fully complies with the GCR policies, conceptual design scheme plan, and subdivision criteria it may refuse to approve the application which would likely result in an appeal to the SDAB being filed by the applicants.

FINANCIAL IMPACT:

None direct, but the future tax situation will change with an increase in additional taxes paid. The County will also receive a Municipal Reserve payment on the 13.62 acres (the current value not yet determined by assessor, but it was previously calculated at \$16,000 per acre in 2013).

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision conforms to the Conceptual Design Scheme plan, meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A Lethbridge County 2019-0-170 APPROVAL](#)
[Subdivision Referral 2019-0-170 - County Version](#)

RESOLUTION

2019-0-170

Lethbridge County

Grouped Country Residential subdivision of Lot 3, Block 1, Plan 1412687 within NW1/4 8-10-21-W4M

THAT the Country Residential subdivision of Lot 3, Block 1, Plan 1412687 within NW1/4 8-10-21-W4M (Certificate of Title No. 191 182 566), to resubdivide (resplit) a title of 13.62 acres (5.51 ha) into two titles, being 6.00 and 7.62 acres (2.43 and 3.08 ha) respectively in size, for grouped country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 13.62 acres at the market value of \$_____per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve Purposes. As MR was previously required in 2014 with a deferred Reserve Caveat on title, this may be discharged upon confirmation of an MR payment.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. The agreement may address drainage, lot grading, road/ditch improvements and any other matter determined necessary to service the subdivision.
3. That the applicant provides an up-to-date Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements, including the dwelling and septic field, on the proposed parcel as approved. Additionally, the applicant is required to submit a final plan as prepared by an Alberta Land Surveyor that corresponds to the subdivision approval.
4. That any easement(s) as required by utility companies or the municipality shall be established.
5. That the applicant is responsible for meeting any requirements of Alberta Culture and Tourism, or to apply for Historical Resource clearance if required, prior to final endorsement of the subdivision.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The Subdivision Authority has determined the proposed subdivision is eligible for subdivision consideration as the land was redesignated to grouped country residential (GCR), as the title is 20-acres or less in size and is poor quality agricultural land.
4. A conceptual design scheme in support of the GCR designation was submitted to Lethbridge County Council. The Subdivision Authority is satisfied the proposal conforms to the design scheme and any concerns or development issues may be addressed through the requirements and the terms of a Development Agreement being entered into with the County, including drainage requirements.

INFORMATIVE:

2019-0-170
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- (a) Municipal reserve must be provided with this application and the previously deferred Reserve Caveat on title from 2014 may be discharged upon confirmation of an MR payment.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS COMMUNICATIONS INC. has no objection to the above circulation.
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta. FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services. Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.
- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (g) Lethbridge Northern Irrigation District (LNID) – Alan Harrold, General Manager:

“The above noted *Application for Subdivision* has been reviewed by the Lethbridge Northern Irrigation District (LNID) and is approved subject to the following conditions:

1. Currently the above mentioned parcel has entered into an *Annual Water Agreement* for 12.0 acres to irrigate this parcel from the Lateral DI Pipeline, however, given the proposed subdivision application the following water requirements apply prior to signing the consent to register the subdivision plan:
 - Since the convenience delivery from the Lateral DI Pipeline remains on the proposed 7.62 acre subdivision with dwellings, a landowner construction contribution is required for this parcel. The current rate is \$3,150.00 including GST.
 - In addition, a water agreement suitable to meet the needs of the proposed 7.62 acre subdivision is required for the use of irrigation water.
 - The proposed 6.0 acre bare land subdivision may continue to irrigate within the criteria of an Annual Agreement. However, if the current or future owner of the 6.0 acre subdivision would like to add a dwelling on this parcel, a landowner construction contribution of the then current rate plus GST along with a Water Agreement suitable to meet the needs of the proposed 6.0 acre subdivision will be required.
2. Any easements required by the subdivided parcels for access to water from the District's works must be in place for the supply of domestic water, if required.
3. All permanent structures such as buildings with footings, pilings or foundations, septic tanks/ fields, corrals, and silage pits, etc. must meet the minimum set-back distance of 15 meters (50 feet) from the outside boundary of all LNID pipeline right-of-ways and or interests within this parcel.
4. Any alteration to District works required as a result of this subdivision is subject to District approval and payment by the applicant of all applicable costs.

Thank you for the opportunity to comment. If you require more information or would like to set up an appointment to discuss the conditions above, please contact Janet Beck, Land Agent, at the Lethbridge Northern Irrigation District Office, 403-327-3302.”

(h) Adjacent Landowner – Dale Russell:

"I am Dale Russell at 214020 TwpRd101A. I have been told that my neighbors Mr. and Mrs. Grisnich have applied for a subdivision on their residence parcel of land. I have concerns primarily with unsolved drainage problems. I spoke with Hilary Janzen this AM and she has referred me to you.

The development of barrow pits along the lower portion of TwpRd101A has created problems along our road through the coulee particularly during spring runoff. The county initially did a neat job of cleaning a roadside drainage channel along the coulee road however it turned out to be inadequate as the extra spring runoff from the newly created barrow pits rushed down the steep coulee washing out the contoured ditch leaving deep gullies. The runoff water then deposited the eroded dirt in the intended drainage channel where the slope flattened out, causing the runoff to flood down the road for an extended period of time. This created issues of access to our home but also considerable effort on our part to repair the road. Some water did make it into its intended destination of the old LNID drainage channel however this water also deposited silt which has greatly reduced the capacity of that channel and is a continued threat to our road.

In addition to this the old LNID drainage channel goes through a culvert before draining into the river. This culvert has frozen for two of the last five years. The result is again damage to the road as the spring runoff tries to reach the river, we have only partially reclaimed this part of the road. This culvert has only frozen 3 time in the 35 years we have lived here. Once when the LNID mistakenly drained water through the culvert during the winter for which they took responsibility. The other 2 times was after the the road and barrow pits were developed further up on TwpRd101A. In these later two instances both the County and LNID told us to contact the other entity.

Our concern is that additional development on the upper portion of TwpRd101A will exacerbate our downstream drainage problem. Extended drainage areas with barrow pits, summer activities of yard watering and snow retention around buildings, roads, and etc. on already saturated soils will be problematic.

I would appreciate your attention to these concerns. I will be gone with limited telephone and internet access during February and most of March. Please contact me before then."

(i) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) #941 122 238. Therefore, ATCO Gas has no objection to the proposed subdivision.

MOVER

REEVE

DATE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: subdivision@orssc.com
Website: www.orssc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: January 6, 2020

Date of Receipt: November 25, 2019

Date of Completeness: December 16, 2019

TO: Landowner: Reyer Grisnich and Neeltje A Grisnich

Agent or Surveyor:

Referral Agencies: Lethbridge County, Morris Zeinstra, Holy Spirit RC School Division, Palliser School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - Lethbridge, Lethbridge Northern Irrigation District (LNID), AB Environment & Parks - K. Murphy, AB Agriculture, Historical Resources Administrator, AER, Lethbridge North County Potable Water Co-op (LNCPWC)

Adjacent Landowners: Notified Via Ad in Sunny South News

Planning Advisor: Steve Harty *S.H.*

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the Lethbridge County. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **January 27, 2020**. (Please quote our File No. **2019-0-170** in any correspondence with this office).

File No: 2019-0-170

Legal Description: Lot 3, Block 1, Plan 1412687 within NW1/4 8-10-21-W4M

Municipality: Lethbridge County

Land Designation: Rural Agriculture - RA
(Zoning)

Existing Use: Country Residential

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 191 182 566

Proposal: To resubdivide (resplit) a title of 13.62 acres (5.51 ha) into two titles, being 6.00 and 7.62 acres (2.43 and 3.08 ha) respectively in size, for country residential use.

Planner's Preliminary Comments:

The purpose of this application is to resubdivide (resplit) a title of 13.62 acres (5.51 ha) into two titles, being 6.00 and 7.62 acres (2.43 and 3.08 ha) respectively in size, for country residential use. The parcel is located ½-mile northeast of the Hamlet of Diamond City.

The proposal is to create an additional title in a parcel of less than 20.0 acres of poor quality agricultural land. The applicants have constructed a new dwelling on the eastern portion of the land which will become the 7.62 acre title, while the west 6.0 acre portion is bareland. The existing dwelling has potable water provided by the North County Potable Water Co-op and an on-site private disposal treatment system that was installed in 2017. The vacant west lot is proposed to be treated in the same manner. Soils tests were previously done which verified suitability of individual on-site private septic treatment systems. Access to the lots is from the south, off of a developed county road allowance.

It is observed that this land was previously approved by Council for grouped country residential use in the fall of 2011 with an ASP also adopted. The previous developers did not go through and complete the planning for that proposal, and the land was subsequently designated back to Rural Agriculture. The new owners have no intentions of resurrecting the previous GCR proposal, but desire to do the one subdivision of poor quality land. The 13.62 acres is deemed to not be a viable agricultural parcel on its own, and the owner's find it to be too large for an acreage holding. The parcel is long and linear in its configuration, approximately 700 metres in length. As there are other subdivisions out of this quarter-section, the Subdivision Authority will have to determine the suitability of the proposal on its own merits.

There are no confined feeding operations (CFO) or abandoned wells located in proximity of this proposal. The hamlet sewer lagoons are located approximately 1400 ft. south of this title; however the land lies outside the provincially required 300 metre (984 ft.) setback.

It is noted that the land is located adjacent to an area flagged by the province as having an HRV category 5 paleontological resource value. Although this proposal should not affect any identified resource located on other lands, the application will be referred to Alberta Culture and Tourism and the applicant will need to fulfill any of their requirements.

As a resplit subdivision, this proposal meets the criteria of the Lethbridge County Land Use Bylaw in regards to the subdivision of existing small titles. The Subdivision Authority is hereby requested to consider the following in its decision:

- Any outstanding property taxes shall be paid to Lethbridge County.
- The applicant or owner or both enter into a Development Agreement with Lethbridge County.
- That any easement(s) as required by utility companies or the municipality shall be established.
- That the applicant provides an up-to-date Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements, including the dwelling and septic field, on the proposed parcel as approved. Additionally, the applicant is required to submit a final plan as prepared by an Alberta Land Surveyor that corresponds to the subdivision approval.
- Consideration of referral agencies comments and any requirements.

- That the applicant is responsible for meeting any requirements of Alberta Culture and Tourism, or to apply for Historical Resource clearance if required, prior to final endorsement of the subdivision.
- Any additional future subdivision would require the benefit of a rezoning to the GCR land use district and an ASP approved by Council.

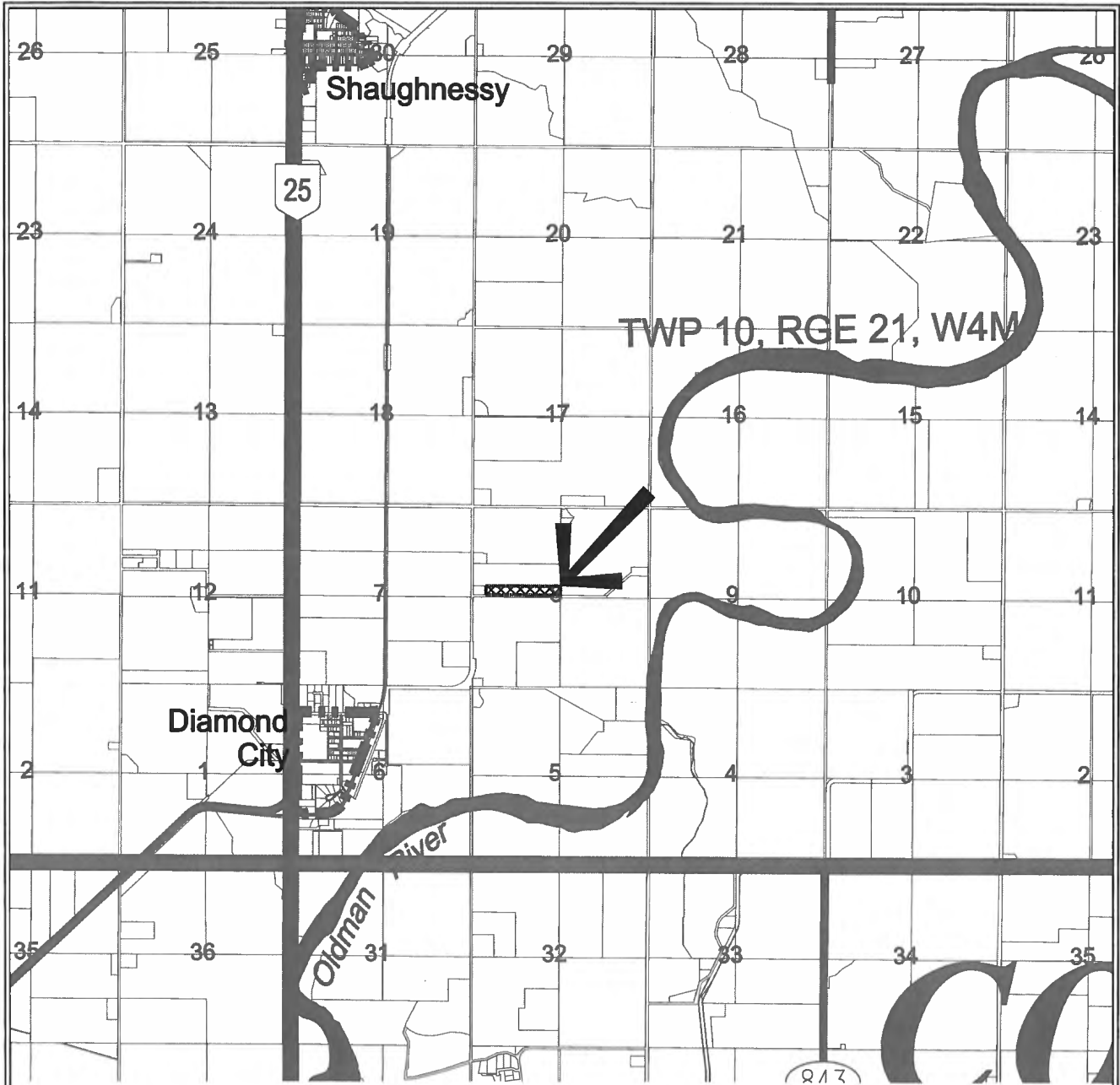
RESERVE:

The payment of the 10% Municipal Reserve on the 13.62 acres is applicable. MR was previously required in 2014 with a deferred Reserve Caveat on title, which needs to be reviewed and may be discharged upon confirmation of an MR payment.

No further comment pending a site inspection.

If you wish to make a presentation at the subdivision authority meeting, please notify the Lethbridge County Municipal Administrator as soon as possible.

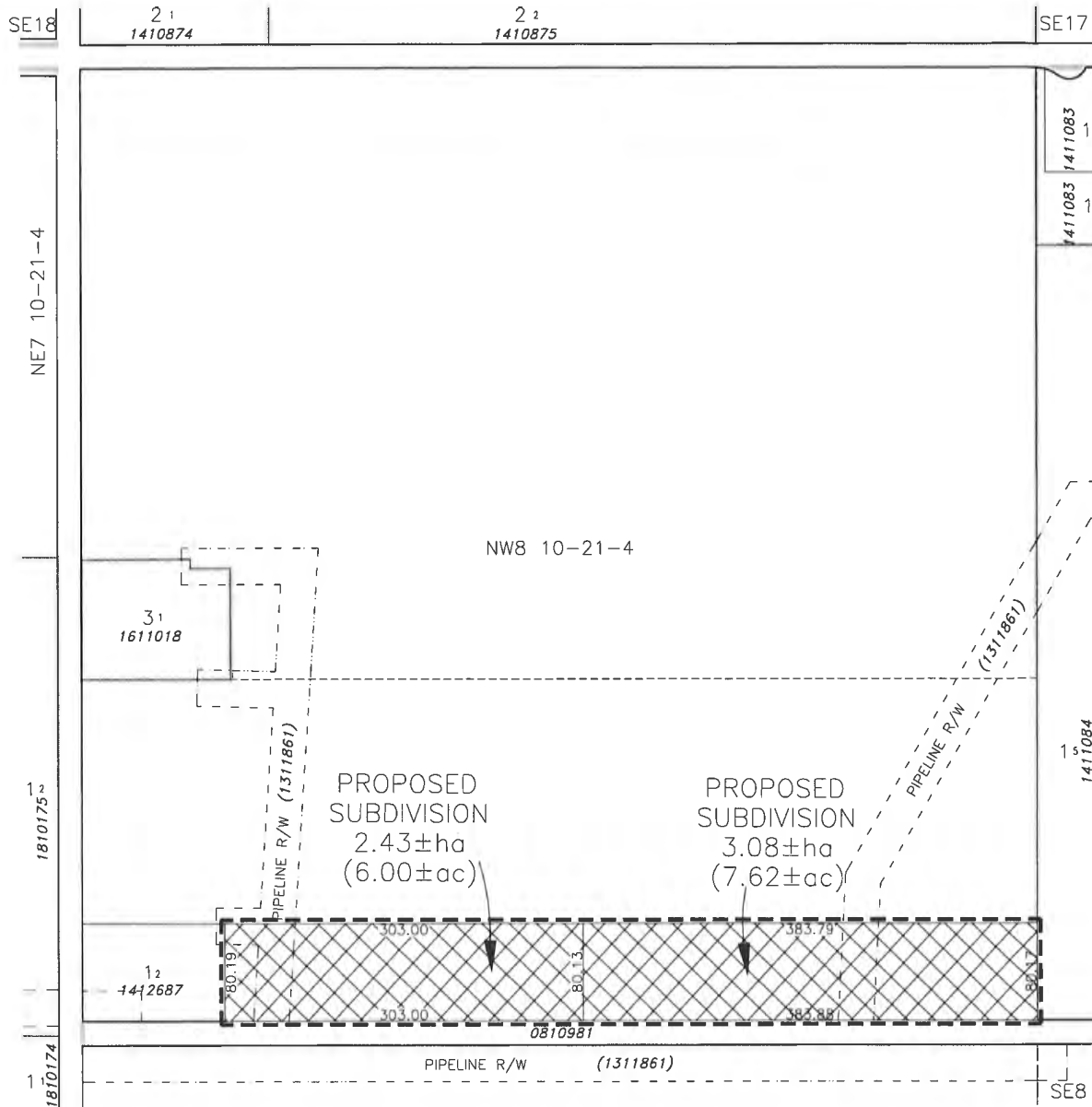
Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



SUBDIVISION LOCATION SKETCH
LOT 3; BLOCK 1; PLAN 1412687
WITHIN NW 1/4 SEC 8, TWP 10, RGE 21, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: DECEMBER 18, 2019
FILE No: 2019-0-170

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 FOR THE ALBERTA RIVER, LETHBRIDGE, AB T1V 1B1
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





SUBDIVISION SKETCH
LOT 3; BLOCK 1; PLAN 1412687
WITHIN NW 1/4 SEC 8, TWP 10, RGE 21, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: DECEMBER 18, 2019
FILE No: 2019-0-170





SUBDIVISION SKETCH
LOT 3; BLOCK 1; PLAN 1412687
WITHIN NW 1/4 SEC 8, TWP 10, RGE 21, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: DECEMBER 18, 2019
FILE No: 2019-0-170



AERIAL PHOTO DATE: 2017

AGENDA ITEM REPORT



Title: Subdivision Application #2020-0-080 – Isley
- SE 33-11-23-W4M
Meeting: County Council - 03 Sep 2020
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 20 Aug 2020
Larry Randle, Director of Community Services	Approved - 20 Aug 2020
Ann Mitchell, Chief Administrative Officer	Approved - 21 Aug 2020

STRATEGIC ALIGNMENT:

 Outstanding Quality of Life	 Effective Governance and Service Delivery	 Prosperous Agricultural Community	 Vibrant and Growing Economy	 Strong Working Relationships
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EXECUTIVE SUMMARY:

This application is to create an 8.00 acre farm yard parcel from a cut-off/fragmented 1/4-section title comprised of 97.51 acres for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2020-0-080 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal conforms to the bylaw criteria as a subdivision from a title classified as a fragmented, cut-off parcel due to the highway and CPR railway severing the parent 1/4-section. As the 1/4-section title severance was the result of the CPR and provincial government's actions and not the landowner, the landowner is eligible to subdivide.
- The proposal meets the bylaw criteria regarding a farmstead subdivision from the greater-half (area) of a cut-off/fragmented 1/4-section title of land.
- The proposed 8.00 acre parcel size conforms to the bylaw's minimum 2.0 acre to maximum 10.0 acre parcel size requirements, and the remnant land exceeds the minimum 70.00 acre agricultural parcel size.
- Site servicing is met: Water is provided by a private on-site water well and septic by an individual on-site private septic evaporation field system that will remain within the confines of the yard title once subdivided. Access is provided by the east municipal road allowance.

- There are no abandoned wells or confined feeding operations (CFOs) located in proximity to this proposal.

BACKGROUND INFORMATION:

Located adjacent to Highway 23, approximately 1½-miles west of Keho Lake and 3-miles south of the Village of Barons. The proposal is to subdivide an existing farm yard in the east portion to create a separate title for the residential yard.

The parent ¼-section is severed by both Highway 23 and the CPR rail-line, with no direct or physical access available to the west/south side due to the highway and rail, which resulted in the original cut-off parcel title. The yard contains a 2-storey dwelling, shop, wood barn and various minor farm outbuildings. The proposed yard is to include the land fenced off from the agricultural field and to also square-it off on the northwest corner. The land on the north side of the barn is not arable land and the owners feel it would be better to be grazed and kept with the homestead parcel.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a farmstead subdivision from the greater-half (area) of a cut-off/fragmented title of land. (see ORRSC Planner's full comments attached)

The application was circulated to the required external agencies, including Alberta Transportation, and no concerns were expressed regarding the application and no utility easements are requested (at time of agenda preparation).

ALTERNATIVES / PROS / CONS:

Alternatively, the Subdivision Authority could decide to not approve if it is not satisfied the subdivision criteria is met.

FINANCIAL IMPACT:

The tax situation will remain as is, but the County will benefit from a municipal reserve payment of approximately \$2,400.00 that is applicable.

REASON(S) FOR RECOMMENDATION(S):

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

ATTACHMENTS:

[5A Lethbridge County 2020-0-080 Approval Subdivision Referral 2020-0-080 - County Version](#)

RESOLUTION

2020-0-080

Lethbridge County

Country Residential subdivision of SE1/4 33-11-23-W4M

THAT the Country Residential subdivision of SE1/4 33-11-23-W4M (Certificate of Title No. 141 346 129), to create an 8.00 acre (3.24 ha) farm yard parcel from a cut-off/fragmented quarter-section title comprised of 97.51 acres (39.46 ha) for country residential use; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on the 8.00 acres at the market value of \$3,000 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant submits a final plan of survey as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided, as approved by the Subdivision Authority.
4. That any easement(s) as required by utility agencies shall be established prior to finalization of the application.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision is for an existing farm yard and is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. Alberta Transportation has no concerns and does not anticipate that the creation of the parcel would have any appreciable impact on the highway. It has granted a waiver of Sections 14 and 15(2) of the Regulation.
4. The proposal complies with the Land Use Bylaw as the proposed subdivision is a farmstead being subdivided from the greater-half of a cut-off (fragmented) parcel and conforms to the 10-acre maximum parcel size stipulations.

INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (c) TELUS Communications Inc. has no objections to the above noted circulation.

2020-0-080
Page 1 of 2

(d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta. FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services. Please contact FortisAlberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions.

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

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

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

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

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

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

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

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

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

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

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

(g) Canada Post has no comments.

MOVER

REEVE

DATE



3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: July 28, 2020

Date of Receipt:

June 12, 2020

Date of Completeness:

July 22, 2020

TO: Landowner: Gerald P Isley and Cody F. Isley

Agent: Jennifer Golden

Surveyor: Innovative Geomatic

Referral Agencies: Lethbridge County, Morris Zeinstra, Holy Spirit RC School Division, Palliser School Division, AltaLink, FortisAlberta, TELUS, Little Bow Gas Co-op Ltd., AB Health Services - South Zone, AB Environment & Parks - J. Wu, AB Transportation, AER, Canada Post, CPR, Certus Petroleum Ltd.

Adjacent Landowners: Notified Via Ad in Sunny South News

Planning Advisor: Steve Harty *SH*

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the Lethbridge County. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. **2020-0-080** in any correspondence with this office).

File No: 2020-0-080

Legal Description: SE1/4 33-11-23-W4M

Municipality: Lethbridge County

Land Designation: Rural Agriculture - RA
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 141 346 129

Proposal: To create an 8.00 acre (3.24 ha) farm yard parcel from a cut-off/fragmented quarter-section title comprised of 97.51 acres (39.46 ha) for country residential use.

Planner's Preliminary Comments:

The purpose of this application is to create an 8.00 acre (3.24 ha) farm yard parcel from a cut-off/fragmented quarter-section title comprised of 97.51 acres (39.46 ha) for country residential use. The parcel is located adjacent to Highway 23, approximately 1½-miles west of Keho Lake and 3-miles south of the Village of Barons.

The proposal is to subdivide an existing farm yard in the east portion to create a separate title for the residential yard. The yard contains a 2-storey dwelling, shop, wood barn, corrals and various minor farm outbuildings. The yard size as proposed to include the land fenced off from the agricultural field and to also square-it off on the northwest corner. The land on the north side of the barn is not arable land and the owners feel it would be better to be grazed and kept with the homestead parcel. The applicant's dwelling is serviced by a private on-site water well and an individual on-site private septic evaporation field system. The septic system is situated south of the dwelling and will remain within the confines of the yard title once subdivided. Access is provided by the east municipal road allowance.

There are no abandoned wells or confined feeding operations (CFO) located in proximity of this proposal where the required minimum distance separation would be infringed upon.

The parent quarter-section is severed by both Highway 23 and the CPR rail-line, with no direct or physical access available to the west/south side due to the highway and rail, which resulted in the original cut-off parcel title. As the quarter-section title severance was the result of the CPR and provincial government's actions and not the landowner, the landowner is eligible to subdivide.

The proposed 8.00 acre sized yard title complies with Lethbridge County's Land Use Bylaw parcel size requirements and the remnant land exceeds the minimum required agricultural parcel size. This proposal also conforms to the bylaw criteria regarding a subdivision from a cut-off/fragmented quarter-section title of land. The Subdivision Authority is hereby requested to take the following conditions into consideration for an approval:

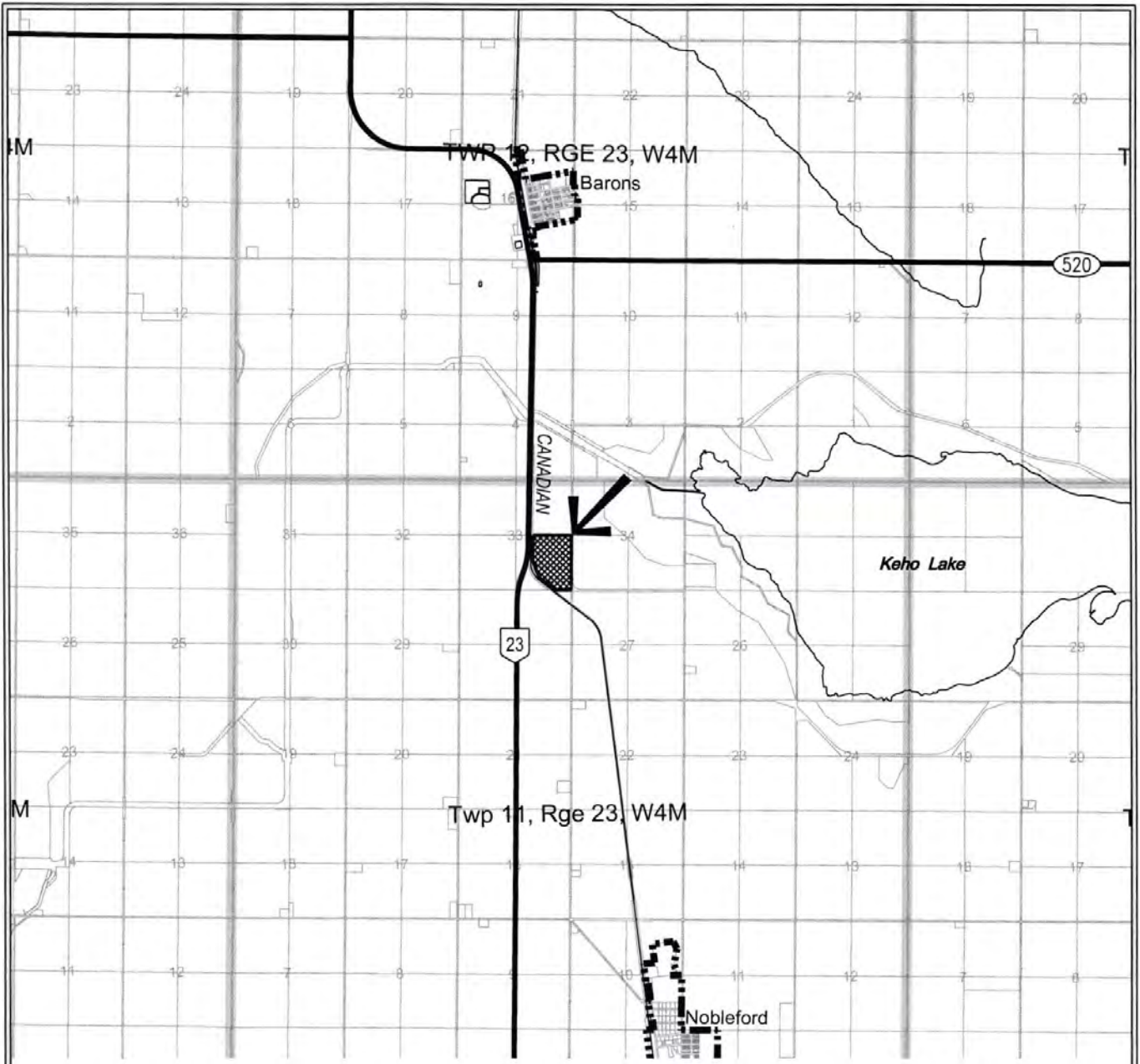
- Any outstanding property taxes shall be paid to Lethbridge County.
- The applicant or owner or both enter into a Development Agreement with Lethbridge County.
- That the applicant provides a final Plan of Survey as prepared by a certified Alberta Land Surveyor to illustrate the exact dimensions and parcel size of the proposed parcel as approved.
- That any conditions or requirements by Alberta Transportation be taken into consideration.
- That any easement(s) as required by utility companies or the municipality shall be established.
- Consideration of referral agencies comments and any requirements.

RESERVE: The payment of Municipal Reserve is applicable on the smaller 8.00 acre parcel pursuant to Section 663 of the MGA and shall be provided as cash-in-lieu.

No further comment pending a site inspection.

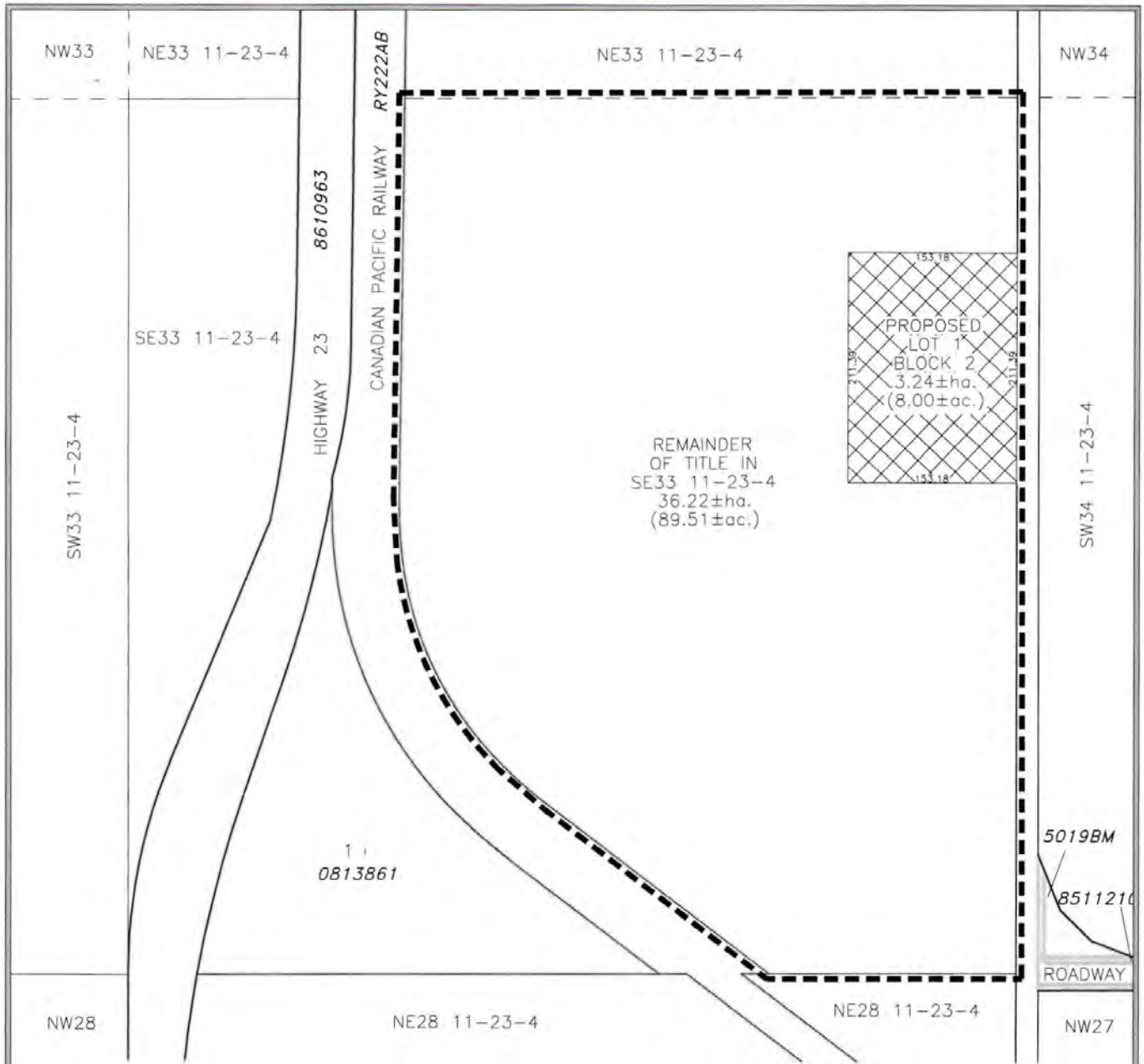
If you wish to make a presentation at the subdivision authority meeting, please notify the Lethbridge County Municipal Administrator as soon as possible.

Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



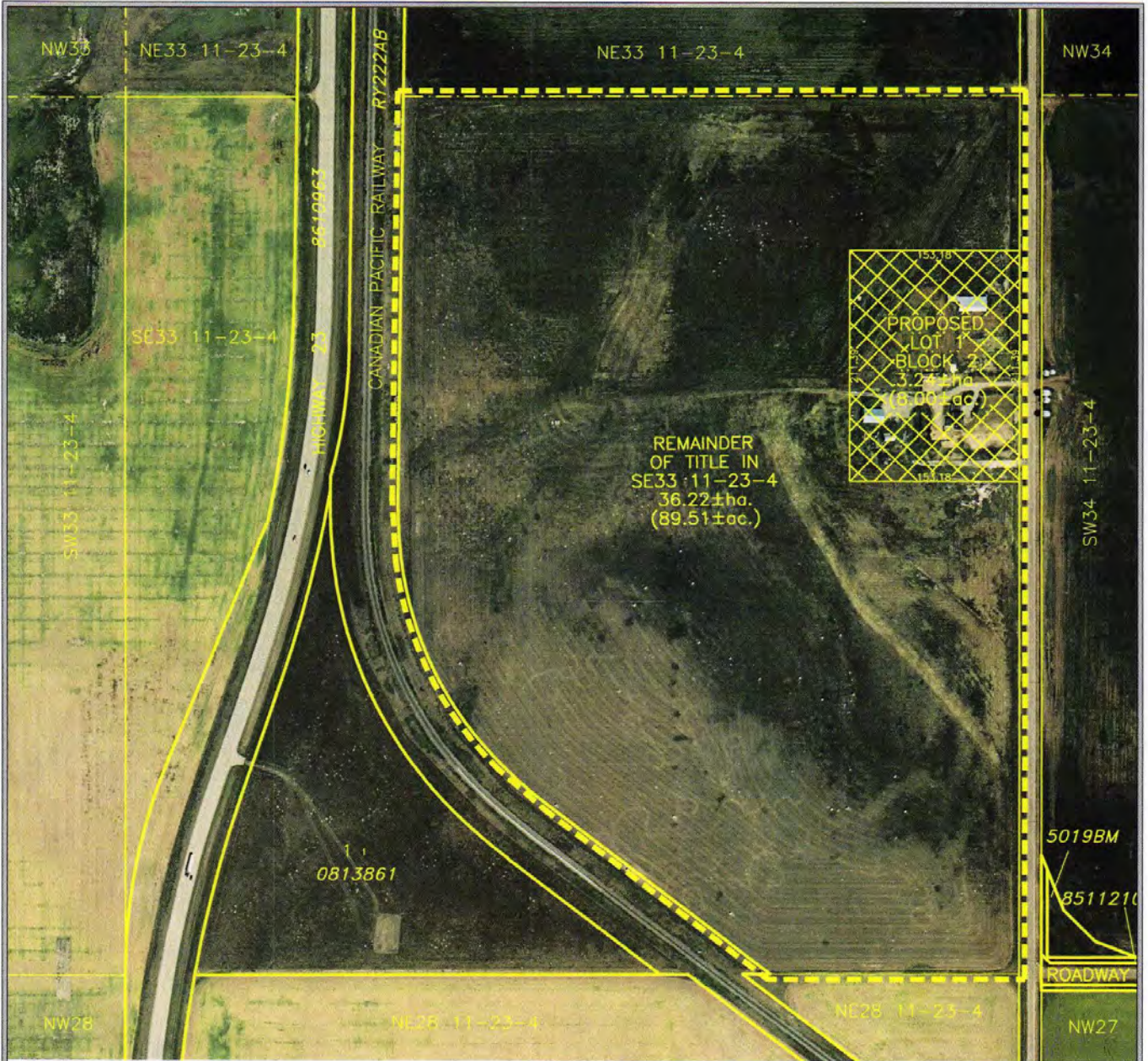
SUBDIVISION LOCATION SKETCH
SE 1/4 SEC 33, TWP 11, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-080





SUBDIVISION SKETCH
SE 1/4 SEC 33, TWP 11, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-080





SUBDIVISION SKETCH
 SE 1/4 SEC 33, TWP 11, RGE 23, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: JULY 27, 2020
 FILE No: 2020-0-080



AERIAL PHOTO DATE: 2015

ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

DESCRIPTION OF PROPERTY

LOT: 1 **BLOCK: 2** **Plan:** _____

Client: Gerald Ikey and Cody Ikey
 Client File No: N/A

Municipal Address: 115028 RGE. RD 233, Lethbridge County, Alberta
 Date of Survey: June 23, 2020
 Title No.: 141 346 129 Date of Title Search: July 8th, 2020
 Registered Document:
 1) Utility Right of Way Reg. No. 741 017 977
 2) Utility Right of Way Reg. No. 751 058 638
 3) Caveat Reg. No. 171 069 007, Rec. Lease Interest Under 20 Acres
 4) Caveat Reg. No. 181 148 371, Rec. Lease Interest Under 20 Acres
 Caveat - Centus Oil and Gas Inc.

ALBERTA LAND SURVEYOR'S CERTIFICATION

I do hereby certify that this Report was prepared under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within these standards, and as of the date of this report, I am in the opinion that:

- The Plan illustrates the boundaries of the Property, the improvements as shown thereon, and the location of registered easements and rights-of-way affecting the extent of the title to the property.
- The improvements are entirely within the boundaries of the property.
- No visible encroachments exist on the Property from any improvement situated on an adjacent property.
- No visible encroachments exist on registered easements or rights-of-way affecting the extent of the property.

Dated: July 8th, 2020

John C. Lohnes, A.L.S.

PURPOSE OF REPORT

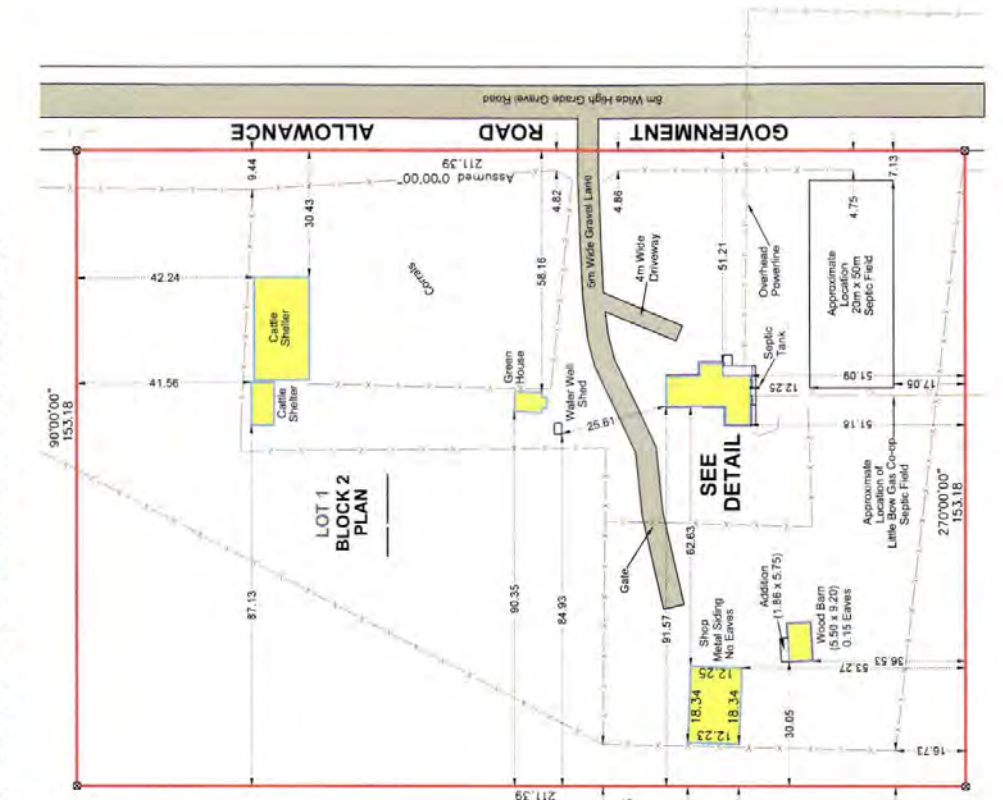
This Report has been prepared for the benefit of the Property owner, subsequent owners, and of their agents for the purpose of a real estate transaction. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the plan. Unless shown otherwise, property owner markers have not been placed during the survey for this Report. The plan should not be used to establish boundaries due to the risk of preparation of incorrect information. The accuracy of this Report is based on this Real Property Report. Users are encouraged to have the Real Property Report updated for future requirements.

NOTES

- The dimensions shown relate to distances from Property boundaries to foundation walls at time of survey
- Distances are in metres and decimals hereof
- This document is not valid unless it bears an original signature of survey.

DRAWN BY: KOP **I.G. FILE NUMBER: 20050006**

IGC
 INNOVATIVE GEOMATICS CORP.
 Bay 3, 240040 Friesen Place
 Calgary, Alberta T2C 1M2
 Phone: (587) 323-3207
 E-mail: info@innovativegeomaticscorp.com



LEGEND

ABBREVIATIONS AND SYMBOLS THAT MAY APPEAR ON THIS PLAN

- Stakeout (Iron Pin found)
- Iron Pin found
- Don't know
- Calculated Point (Left No Mark)
- Building Foundation
- Earth Facets
- Fences
- Property Lines
- Rights-of-Way
- Utility
- Window Well

A... Length of Arc
 A.C... Air Conditioner
 Cant... Cantilever
 Conc... Concrete
 D... Driveway
 D... Ditch
 Fd... Foundation
 Fl... Floor
 Mk... Mark
 MF... Main Floor
 M.A... Maintenance Access
 O.D... Outside Drainage
 P... Retaining
 Ret... Retaining
 RW... Right-of-Way
 S... Siding
 VW... Window Well

S.W. 1/4 Sec. 33
11-23 W.4M.

Scale 1:1000



AGENDA ITEM REPORT



Title: Subdivision Application #2020-0-085 – Beekman
- SW 33-08-19-W4M
Meeting: County Council - 03 Sep 2020
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 20 Aug 2020
Larry Randle, Director of Community Services	Approved - 20 Aug 2020
Ann Mitchell, Chief Administrative Officer	Approved - 21 Aug 2020

STRATEGIC ALIGNMENT:

 Outstanding Quality of Life	 Effective Governance and Service Delivery	 Prosperous Agricultural Community	 Vibrant and Growing Economy	 Strong Working Relationships
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EXECUTIVE SUMMARY:

The application is to subdivide a 4.99 acre first parcel out farmstead subdivision from a title of 153.25 acres for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2020-0-085 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration as a first parcel out farm yard subdivision as per the policies of Land Use Bylaw No. 1404.
- The proposal complies with the subdivision criteria of Land Use Bylaw No. 1404, and the proposed parcel size conforms to the bylaw's required minimum 2.0 acres and not to exceed 10 acres maximum in size.
- Site servicing criteria is met: Water is provided by a private dug-out irrigation fed system and sewage is treated by an individual on-site septic field system. Access is provided from the west municipal road allowance.
- There are no abandoned gas wells or confined feeding operation (CFO) located in proximity where the MDS would be compromised. A small CFO is situated to the southeast but the MDS is met, as a distance of 324 m is required and over 1,000 m exists.

BACKGROUND INFORMATION:

Located approximately 3½-miles southwest of the Town of Coaldale, ½-mile south of Highway 512. The proposal is to subdivide an existing older farmstead, located in the middle of the ¼-section adjacent to the west road allowance. A previous subdivision application was approved in 1985 for the yard but it was never finalized and registered at the Land Titles office.

The yard area contains a two-storey dwelling, pond, agricultural buildings and other improvements. The proposed yard configuration takes into account the irrigation pivot system on the agricultural portion of land. The property line also jogs around two dugouts on the north-end that will remain on the agricultural remnant land title.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a first parcel out farmstead subdivision. (see full ORRSC Planner's comments attached)

The application was circulated to the required external agencies and no concerns were expressed regarding the application and no utility easements are requested.

ALTERNATIVES / PROS / CONS:

The proposal complies with all the subdivision criteria, but the Subdivision Authority may make a determination on the suitability of the proposed parcel configuration.

FINANCIAL IMPACT:

None, and the tax situation will remain as is.

REASON(S) FOR RECOMMENDATION(S):

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

ATTACHMENTS:

[5A Lethbridge County 2020-0-085 Approval](#)
[Subdivision Referral 2020-0-085 - County Version](#)

RESOLUTION

2020-0-085

Lethbridge County **Country Residential** subdivision of SW1/4 33-8-19-W4M

THAT the Country Residential subdivision of SW1/4 33-8-19-W4M (Certificate of Title No. 091 108 420), to subdivide a 4.99 acre (2.02 ha) first parcel out farmstead subdivision from a title of 153.25 acres (62.02 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

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

REASONS:

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

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

- (e) TELUS Communications Inc. has no objections to the above noted circulation.
- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (g) Canada Post has no comments.

2020-0-085
Page 1 of 2

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

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

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

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

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

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

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

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

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

(i) Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 791 186 710.

Therefore, ATCO Gas has no objection to the proposed subdivision.

(j) SMRID – Linda Park, Land Administrator:

“Further to your July 28th, 2020 subdivision application, this is to advise that the District has a few comments in respect to the above-noted:

- The proposed subdivision will be classified as “dry”. Irrigation acres on the remainder of the parcel may need to be transferred or sold to reflect the removal of this parcel.
- If the subdivided parcel wishes to use non-potable water provided by the District for their trees, yard etc., the landowner must enter into a Household Purposes Agreement with the District.
- If the turnout is located on the irrigated piece, the landowner must enter into a Remote Delivery Agreement with the District and have an easement registered on title in order to guarantee supply of water to the subdivided parcel. All works and easements involved to provide water to the subdivided parcel will be at the landowner’s cost.
- A Service Fee of \$100.00 plus GST will apply.”

MOVER

REEVE

DATE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: July 28, 2020

Date of Receipt:

July 8, 2020

Date of Completeness:

July 23, 2020

TO: Landowner: Jan Beekman and Lummigje Beekman

Agent or Surveyor: Michael A. Thompson, A.L.S.

Referral Agencies: Lethbridge County, Morris Zeinstra, Holy Spirit RC School Division, Palliser School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, St Mary River Irrigation District (SMRID), AB Environment & Parks - J. Wu, AB Transportation, AER, Canada Post, AlphaBow Energy

Adjacent Landowners: Notified Via Ad in Sunny South News

Planning Advisor: Steve Hartly *S.H.*

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the Lethbridge County. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. **2020-0-085** in any correspondence with this office).

File No: 2020-0-085

Legal Description: SW1/4 33-8-19-W4M

Municipality: Lethbridge County

Land Designation: Rural Agriculture - RA
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1

Certificate of Title: 091 108 420

Proposal: To subdivide a 4.99 acre (2.02 ha) first parcel out farmstead subdivision from a title of 153.25 acres (62.02 ha) for country residential use.

Planner's Preliminary Comments:

The purpose of this application is to subdivide a 4.99 acre (2.02 ha) first parcel out farmstead subdivision from a title of 153.25 acres (62.02 ha) for country residential use. The parcel is located approximately 3½-miles southwest of the Town of Coaldale, ½-mile south of Highway 512.

The proposal is to accommodate the subdivision of an existing well established older farmstead, located in the middle of the quarter-section adjacent to the west road allowance. Previously, a subdivision application was applied for an approved in 1985 for the farmyard but it was never finalized and registered at the Land Titles office. The yard area contains a two-storey house, pond, barn, grain bins and a few tin-sided barns. The proposed yard area and shape accounts for the irrigation pivot system operating on the agricultural portion of land. The proposed yard title jogs around two dugouts at the north-end that are to remain situated on the agricultural remnant land title. Water is provided by a private dug-out irrigation fed system and sewage is treated by an individual on-site septic field system installed in 2018. The proposed southeast parcel boundary is set 1.52 metres south of the edge of the septic field to comply with provincial setback requirements. Access is provided from the west municipal road allowance.

There are no abandoned gas wells or confined feeding operations located in proximity to this proposal where the MDS will be infringed upon. There is a small beef operation over 1,000 m to the southeast (NE 28-8-19-W4) but the applicable MDS is met. It is also noted that there is a wellsite located in the very far southeast corner of the ¼-section which will not be affected by the subdivision.

As a first parcel out farmstead subdivision this application is eligible for subdivision consideration. The applied for parcel size and other aspects of the application conform to the County's subdivision policies. (It is observed that the parent title is 153.25 acres in size due to the SMRID holding title to the canal and settling pond area which does not count towards subdivision of the landowner.) The Subdivision Authority is hereby requested to take the following conditions into consideration for an approval:

- Any outstanding property taxes shall be paid to Lethbridge County.
- The applicant or owner or both enter into a Development Agreement with Lethbridge County.
- That any easement(s) as required by utility companies or the municipality shall be established.
- Consideration of referral agencies comments and any requirements.

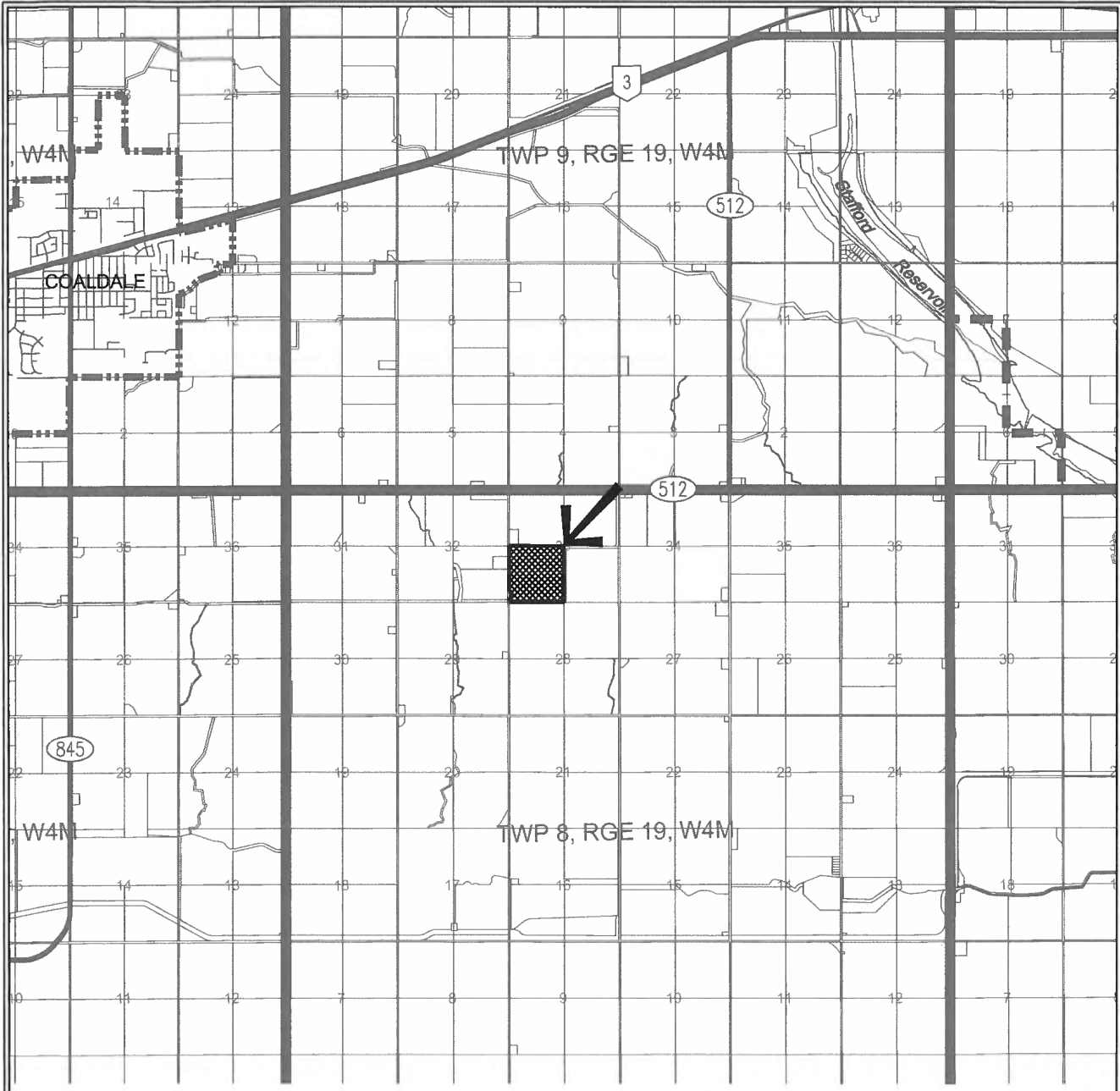
RESERVE:

The payment of Municipal Reserve is not applicable on the parcel pursuant to Section 663(a) of the MGA.

No further comment pending a site inspection.

If you wish to make a presentation at the subdivision authority meeting, please notify the Lethbridge County Municipal Administrator as soon as possible.

Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.

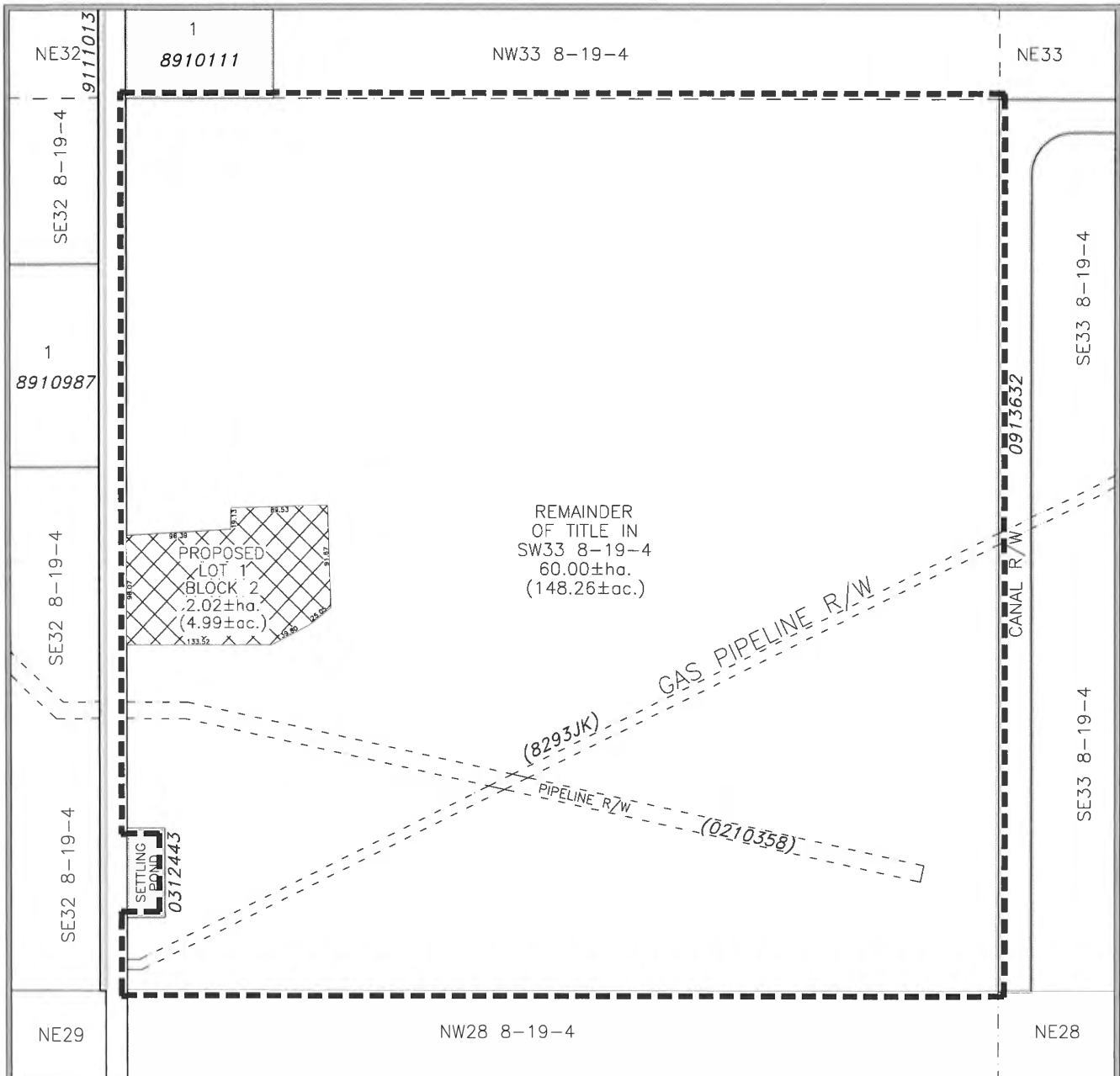


SUBDIVISION LOCATION SKETCH
SW 1/4 SEC 33, TWP 8, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-085

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 DOES NOT ASSUME LIABILITY, LETHBRIDGE, AB T1W 8S
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



July 27, 2020 N:\Subdivision\2020\2020-0-085.dwg



SUBDIVISION SKETCH
SW 1/4 SEC 33, TWP 8, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-085



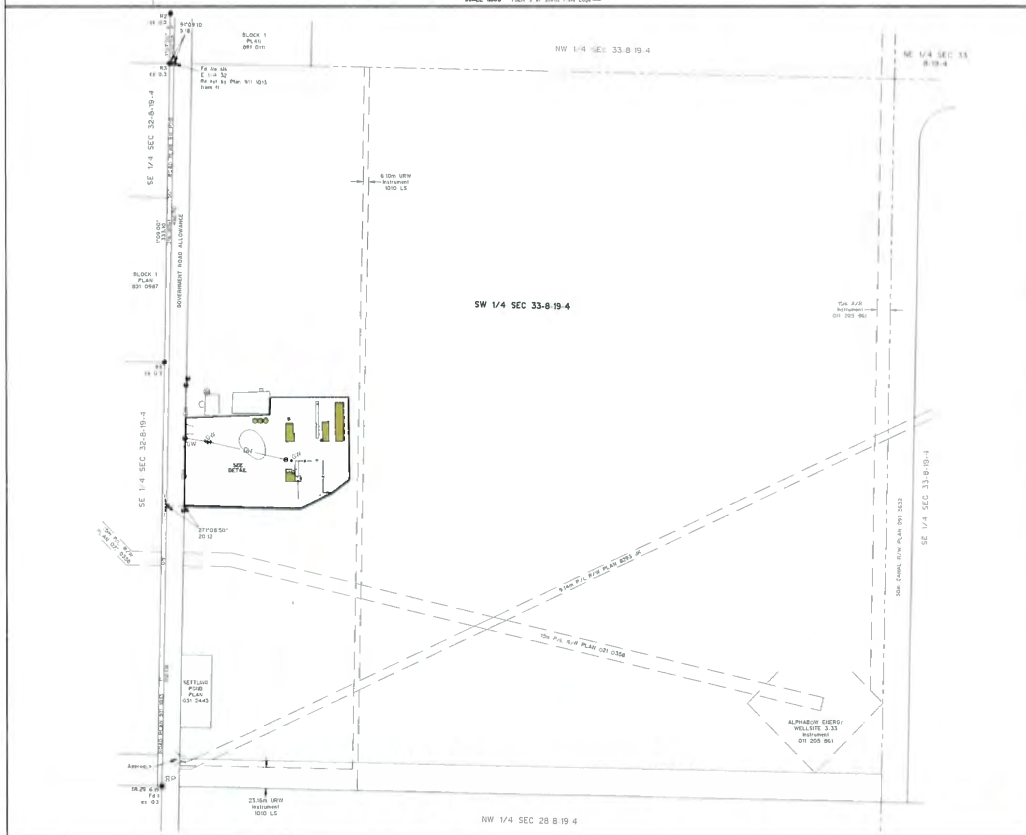
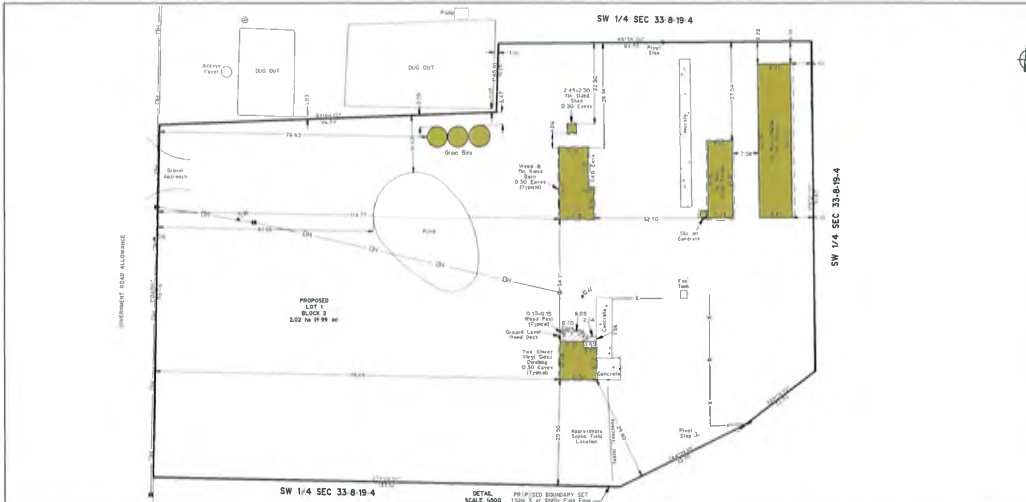


SUBDIVISION SKETCH
SW 1/4 SEC 33, TWP 8, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-085



July 27, 2020 N:\Subdivision\2020\2020-0-085.dwg

AERIAL PHOTO DATE: 2015



SUBDIVISION AUTHORITY
 OLDFARM RIVER REGIONAL DEVELOPMENT DISTRICT
 P-241
 SURVEYOR MICHAEL A. THOMPSON, ALS

FILE
 CLIENT: B&B FEEDERS INC.
 BOX 322
 COALSIDE, AB
 THE MS
DESCRIPTION OF PROPERTY:
 CVC ADDRESS:
 AYS DESCRIPTION: SW 1/4 SEC 33, TWP 8, RGE 19, W 4th MER
 C of T 041 034 426
 REGISTERED OWNERS: JON KERRISON
 LUCILLE KERRISON

ABBREVIATIONS:

A	Castor Area or Circa	Mp	Major Station Alternative
A	Abandon	MS	Survey Marker Post
A	Acc	M&M	Map
A	Adm	MS&W	North, East, South, West
A&B	Albert Survey Control Marker	MSD	South American Datum
A/B	Adjacent	PPP	Produce Point Problems
C of T	Certificate of Title	PPL	P. 4 WPL
Ch	Chains	PPL	Produce Point Problems
C-1	Canadian	PPL	Produce Point Problems
CSA	Canadian Survey Reference	PPL	Produce Point Problems
C	Catchment	PPL	Produce Point Problems
F&P	Farm Center Post	PPL	Produce Point Problems
F	Fence	PPL	Produce Point Problems
H	Hutches	PPL	Produce Point Problems
H	Hutches	PPL	Produce Point Problems
H	Hutches	PPL	Produce Point Problems
LS	Level Station	PPL	Produce Point Problems
M	Marker	PPL	Produce Point Problems
MR	Marker	PPL	Produce Point Problems
M	Marker	PPL	Produce Point Problems
M	Marker	PPL	Produce Point Problems

- LEGEND:**
- Survey Control Marker
 - Stakebury (not post found)
 - Stakebury (not post found, marked P254)
 - Power Pole
 - Gas Meter
 - Gas Meter
 - Gas Meter
- Dispersed Ponds
 1. Dispersed ponds are 6m or more in diameter and include forest, and are
 2. Dispersed ponds are 6m or more in diameter and include forest, and are
 3. Dispersed ponds are 6m or more in diameter and include forest, and are
 4. Dispersed ponds are 6m or more in diameter and include forest, and are

- NOTES:**
- The centerline of the road is a horizontal line from the SW corner of the original section.
 - The centerline of the road is a horizontal line from the SW corner of the original section.
 - The centerline of the road is a horizontal line from the SW corner of the original section.
 - The centerline of the road is a horizontal line from the SW corner of the original section.

THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN ON OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON-SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.

DATE	REVISION	DRAWN	CHECKED
2020-08-23	ORIGINAL SUBMISSION	D.H. M.T.	
	REVISION	CAD	CHK

B&B FEEDERS INC.

TENTATIVE PLAN
 SHOWING PROPOSED SUBDIVISION OF
 PART OF
 SW 1/4 SEC 33,
 TWP 8, RGE 19, W 4th MER

LETHBRIDGE COUNTY
ALBERTA
 SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY

SCALE 1:2000

HALMA THOMPSON
 200-410-5344 (office)
 403-241-7322 (cell)
 403-241-7322 (home)

JOB #16120
 DRAWING #16120T

AGENDA ITEM REPORT



Title: Subdivision Application #2020-0-086 – Withage
- Portion of SE1/4 28-09-20-W4M
Meeting: County Council - 03 Sep 2020
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 20 Aug 2020
Larry Randle, Director of Community Services	Approved - 20 Aug 2020
Ann Mitchell, Chief Administrative Officer	Approved - 21 Aug 2020

STRATEGIC ALIGNMENT:

 Outstanding Quality of Life	 Effective Governance and Service Delivery	 Prosperous Agricultural Community	 Vibrant and Growing Economy	 Strong Working Relationships
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EXECUTIVE SUMMARY:

The application is to subdivide out a 15.14-acre parcel from an 80-acre sized agricultural title for country residential use, and consolidate the remnant 64.36-acres of agricultural land to the adjacent east 80-acre title, thereby creating an enlarged agricultural title of 144.36 acres in size. The proposed 15.14-acre parcel does not meet all the subdivision criteria of the Land Use Bylaw as it exceeds the maximum 10.0 acre parcel size, therefore an approval would require the granting of a waiver.

RECOMMENDATION:

That S.D. Application #2020-0-086 be approved subject to the granting of a parcel size waiver and the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration as a reconfiguration of two adjacent titles - the applicant(s) starts with two titles, and with the subdivision and consolidation of land, will end-up with two titles, with no additional titles being created above what is presently in existence within the ¼-section as the remnant land will be consolidated by plan of survey to an adjacent title.
- The resulting 144.36 acre agricultural parcel complies with the minimum agricultural parcel size requirements of the bylaw.
- A parcel size waiver would be required to approve the portion of the application to create the proposed 15.14-acre yard parcel, as it does not comply with the bylaw's maximum 10.0 acre parcel size stipulation.
- The Subdivision Authority has the discretion to stipulate a reduction in parcel size or grant a waiver based on the merits of the proposal, including consideration for the type and quality of land

involved, the improvements present, and the amalgamation of the agricultural land into one title as a larger cohesive farming unit.

- There are no abandoned gas wells located in proximity. There is an 11,000 head beef finishing operation located to the east. The application meets the applicable minimum distance separation (MDS) as a distance of 703 m is required and an actual distance of 835 m exists as measured to the dwelling wall.

BACKGROUND INFORMATION:

Located approximately 1¼-miles north of the Town of Coaldale, and 1-mile west of Highway 845. The proposal is to enable a separate title to be created for the existing older farmstead yard, by consolidating the remnant agricultural land to the adjacent east title.

Currently the ¼-section is split into two 80-acre agricultural titles. With the subdivision of the south yard portion, the north remnant agricultural land will be consolidated to the east-half of the ¼-section. Both agricultural portions are irrigated and once consolidated together they may be farmed as one cohesive irrigated agricultural unit comprising 144.36 acres.

The proposed 15.14-acre farmyard parcel contains a dwelling, garage, various farm buildings and a grassed, treed yard area. The septic system is located to the west of the dwelling and trees, and must be included within the confines of the subdivided residential title. As the proposed yard exceeds the maximum 10-acre parcel size, the applicants are requesting the Subdivision Authority see merit in their proposal, as the 15.14-acre residential title is being delineated by separating the non-cultivated land from the irrigated farmland. The lands on both sides of the main yard area are fenced, grassed and defined by rows of trees. Additionally, a private access driveway runs east-west on the northern perimeter of the yard area (just to the north side of the trees) and the applicants are proposing to create the subdivision line on the north side of the access and use it as the property division line.

With consideration for the merits of the yard parcel size, the application otherwise conforms to the general bylaw subdivision criteria of the County's Land Use Bylaw No. 1404 regarding a realignment/reconfiguration of two titles. (see full ORRSC Planner's comments attached)

The application was circulated to the required external agencies and no concerns or objections were expressed regarding the application. ATCO Gas does require an easement.

ALTERNATIVES / PROS / CONS:

Alternatively, the Subdivision Authority could not grant the waiver and approve a maximum 10.0 acre parcel size, possibly be eliminating the east grassed area which is approximately 5.0 acres in size.

FINANCIAL IMPACT:

None, and the tax situation will remain as is.

REASON(S) FOR RECOMMENDATION(S):

The subdivision & consolidation creates a single larger agricultural title, and with a parcel size waiver granted for an existing yard area, the proposed subdivision meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A Lethbridge County 2020-0-086 Approval Subdivision Referral 2020-0-086 - County Version](#)

RESOLUTION

2020-0-086

Lethbridge County

Country Residential subdivision of ptn. of SE1/4 28-9-20-W4M

THAT the Country Residential subdivision of Legal Subdivisions 2 & 7 in the SE1/4 28-9-20-W4M (Certificate of Title No. 101 189 357, 121 265 717), to subdivide out a 15.14-acre (6.13 ha) yard parcel from a 80-acre (48.08 ha) sized agricultural title for country residential use, and then consolidate the remnant 64.36-acres (26.05 ha) of agricultural land to the adjacent east 80-acre (32.37 ha) title, thereby creating an enlarged agricultural title of 144.36 acres (58.42 ha) in size; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant provide a Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the parcel, as approved by the Subdivision Authority.
4. That the applicant submits a final survey plan as prepared by an Alberta Land Surveyor illustrating the west-half agricultural land (the 64.36-acres or size as calculated on approved final survey plan) is consolidated to the adjacent east 80-acre title, so that the resulting title may not be further subdivided without Subdivision Authority approval.
5. That the easement/utility right-of-way as required by ATCO Gas be established prior to finalization.
6. That any easement(s) as required by utility companies or the municipality shall be established.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with the Municipal Development Plan and the Land Use Bylaw with a waiver consideration.
2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The application conforms to the bylaw subdivision criteria regarding a realignment/reconfiguration of two titles. With the consolidation of the 64.36-acres to the adjacent agricultural title, the landowners start with two titles and, will end-up with two titles, with no additional titles being created above what is presently in existence within the ¼-section.
4. The Subdivision Authority has determined the parcel size waiver has merit as the 15.14-acre country residential title is being delineated by separating the non-cultivated land and the yard lands are fenced, grassed and defined by rows of trees, while also containing the dwelling's on-site septic system. Additionally, the remnant land is being consolidated to form a larger irrigated agricultural parcel.

INFORMATIVE:

- (a) Municipal Reserve is not applicable, as with the subdivision and consolidation of the agricultural land, the resulting title is considered to meet the criteria of Section 663(a) of the MGA.
- (b) The Subdivision Authority has granted a waiver of the maximum parcel size in accordance with section 654(2) of the MGA.
- (c) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.

2020-0-086
Page 1 of 2

- (d) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (e) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

- (f) TELUS Communications Inc. has no objections to the above noted circulation.
- (g) SMRID – Linda Park, Land Administrator:

“Further to your July 28th, 2020 subdivision application, this is to advise that the District has a few comments in respect to the above-noted:

- The proposed subdivision will be classified as “dry”. However, due to the size of the proposed subdivision, the landowner may keep a minimum of 5.0 irrigation rights on the parcel, but will be subject to a minimum charge (20 acres or less) of \$460.00 plus GST yearly.
- It appears that the turnout is located on the proposed subdivided piece; therefore, the landowner must enter into a Remote Delivery Agreement with the District and have an easement registered on title(s) in order to guarantee supply of water to the irrigated parcel. All works and easements involved to provide water to the irrigated parcel will be at the landowner’s cost.
- Once the remnant parcel containing 64.36 acres of agricultural land is consolidated with the adjacent east 80-acre title, the landowner should advise the District of any pivot changes and/or modifications.
- A Service Fee of \$100.00 plus GST will apply.

If you have any further questions or concerns, please contact me in the Lethbridge office at 403-328-4401.”

- (h) ATCO Gas has no existing Utility Right of Way on the subject property, or the existing Utility Right of Way is not sufficient for subdivision servicing. The landowner(s) is required to contact the ATCO Gas land agent listed below to execute a Utility Right of Way to the satisfaction of ATCO Gas. Once the Utility Right of Way has been registered at the Alberta Land Titles Office we will notify the municipality of the same.

Land Agent: Ellen Struthers Phone No.: (587) 581-6567

NEW RIGHT OF WAY IS REQUIRED FOR TITLE 121 265 717 (DONALD AND KATHERINE WITHAGE). PLEASE CONTACT LAND AGENT LISTED

- (i) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (j) Canada Post has no comments.

MOVER

REEVE

DATE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

3105 - 16th Avenue North
Lethbridge, Alberta T1H 5E8

Phone: (403) 329-1344
Toll-Free: 1-844-279-8760
E-mail: subdivision@orrsc.com
Website: www.orrsc.com

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: July 28, 2020

Date of Receipt:

July 8, 2020

Date of Completeness:

July 24, 2020

TO: Landowners: Donald Withage and Katherine Withage,
Alan Mark Oudshoorn and Elaine Mary Oudshoorn

Agent: Donald Withage

Referral Agencies: Lethbridge County, Morris Zeinstra, Holy Spirit RC School Division, Palliser School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - South Zone, St Mary River Irrigation District (SMRID), AB Environment & Parks - J. Wu, AER, County of Lethbridge Rural Water Association (COLRWA), Canada Post

Adjacent Landowners: Notified Via Ad in Sunny South News

Planning Advisor: Steve Harty *SH*

The Oldman River Regional Services Commission (ORRSC) is in receipt of the following subdivision application which is being processed on behalf of the Lethbridge County. This letter serves as the formal notice that the submitted application has been determined to be complete for the purpose of processing.

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **August 17, 2020**. (Please quote our File No. **2020-0-086** in any correspondence with this office).

File No: 2020-0-086

Legal Description: SE1/4 28-9-20-W4M

Municipality: Lethbridge County

Land Designation: Rural Agriculture – RA
(Zoning)

Existing Use: Agricultural

Proposed Use: Country Residential

of Lots Created: 1 (Subdivision & Consolidation)

Certificate of Title: 101 189 357, 121 265 717

Proposal: To subdivide out a 15.14-acre (6.13 ha) yard parcel from a 80-acre (48.08 ha) sized agricultural title for country residential use, and then consolidate the remnant 64.36-acres (26.05 ha) of agricultural land to the adjacent east 80-acre (32.37 ha) title, thereby creating an enlarged agricultural title of 144.36 acres (58.42 ha) in size.

Planner's Preliminary Comments:

The purpose of this application is to subdivide out a 15.14-acre (6.13 ha) yard parcel from a 80-acre (48.08 ha) sized agricultural title for country residential use, and then consolidate the remnant 64.36-acres (26.05 ha) of agricultural land to the adjacent east 80-acre (32.37 ha) title, thereby creating an enlarged agricultural title of 144.36 acres (58.42 ha) in size. The parcels are located approximately 1¼-miles north of the Town of Coaldale, and 1-mile west of Highway 845.

The subdivision is to enable a separate title to be created for the existing older farmstead yard, by consolidating the remnant agricultural land to the adjacent east title. Currently the ¼-section is split into two 80-acre agricultural titles. The proposed smaller parcel is for an existing farmyard which contains a dwelling, garage, shop building, Quonset, grain bins and grassed treed yard area. The residence is serviced by the Lethbridge Rural Water Co-op and a private on-site above grade/mound septic system installed in 2016. The septic system is located just to the west of the dwelling (west of the trees) and will remain within the confines of the residential title once subdivided. Physical access is currently provided to the south municipal road (Twp. Rd 9-4). The north remnant agricultural title will be consolidated to the east-half of the ¼-section which has legal access to the east municipal road (Rge Rd 20-3). Both agricultural portions are irrigated and once consolidated together to form an enlarged agricultural title of 144.36 acres, they may be farmed as one cohesive irrigated agricultural unit.

There are no abandoned gas wells located in proximity to this proposal. There is an 11,000 head beef finishing operation located to the east. The application meets the applicable minimum distance separation (MDS) as a distance of 703 m is required and an actual distance of 835 m exists as measured to the dwelling wall. Additionally, it is further noted that the yard area being subdivided was originally established circa 1940 and has existed prior to the MDS regulations coming into effect and also the CFO being established.

This application as proposed would require a parcel size waiver being approved by the Subdivision Authority as it exceeds the maximum 10-acre parcel size. The applicants are requesting the Subdivision Authority to see merit in their proposal, as the 15.14-acre country residential title is being delineated by separating the non-cultivated land. The lands to the west and east sides of the main yard area are fenced, grassed and defined by rows of trees, while the west grassed area also contains the on-site septic system. Additionally, a private access driveway runs east-west on the northern perimeter of the yard area (just to the north side of the trees) and the applicants are proposing to create the subdivision line on the north side of the access and use it as the property division line.

With consideration for the merits of the parcel size, the application otherwise conforms to the general bylaw subdivision criteria regarding a realignment/reconfiguration of two titles. With the consolidation of the 64.36-acres to the adjacent agricultural title, it would conform to the criteria whereas the landowners start with two titles, and with the subdivision and consolidation of land, will end-up with two titles, with no additional titles being created above what is presently in existence within the ¼-section. Additionally, the resulting parcel size meets and exceeds the minimum agricultural parcel size of 70-acres. The Subdivision Authority is requested to hereby consider the following in rendering a decision:

- Any outstanding property taxes shall be paid to Lethbridge County.
- The applicant or owner or both enter into a Development Agreement with Lethbridge County.
- That the applicant provide a Surveyors sketch to illustrate the exact dimensions and parcel size and the location of all improvements on the parcel, as approved by the Subdivision Authority.

- That the applicant submits a final survey plan as prepared by an Alberta Land Surveyor illustrating the west-half agricultural land (the 64.36-acres or size as calculated on approved final survey plan) is consolidated to the adjacent east 80-acre title, so that the resulting title may not be further subdivided without Subdivision Authority approval.
- That any easement(s) as required by utility companies or the municipality shall be established.
- Consideration of the parcel size waiver request and the merits of the 15.14-acre parcel size as proposed.
- Consideration of referral agencies comments and any requirements.

RESERVE:

Municipal Reserve is not applicable, as with the subdivision and consolidation of the agricultural land, the resulting title is considered to meet the criteria of Section 663(c) of the MGA.

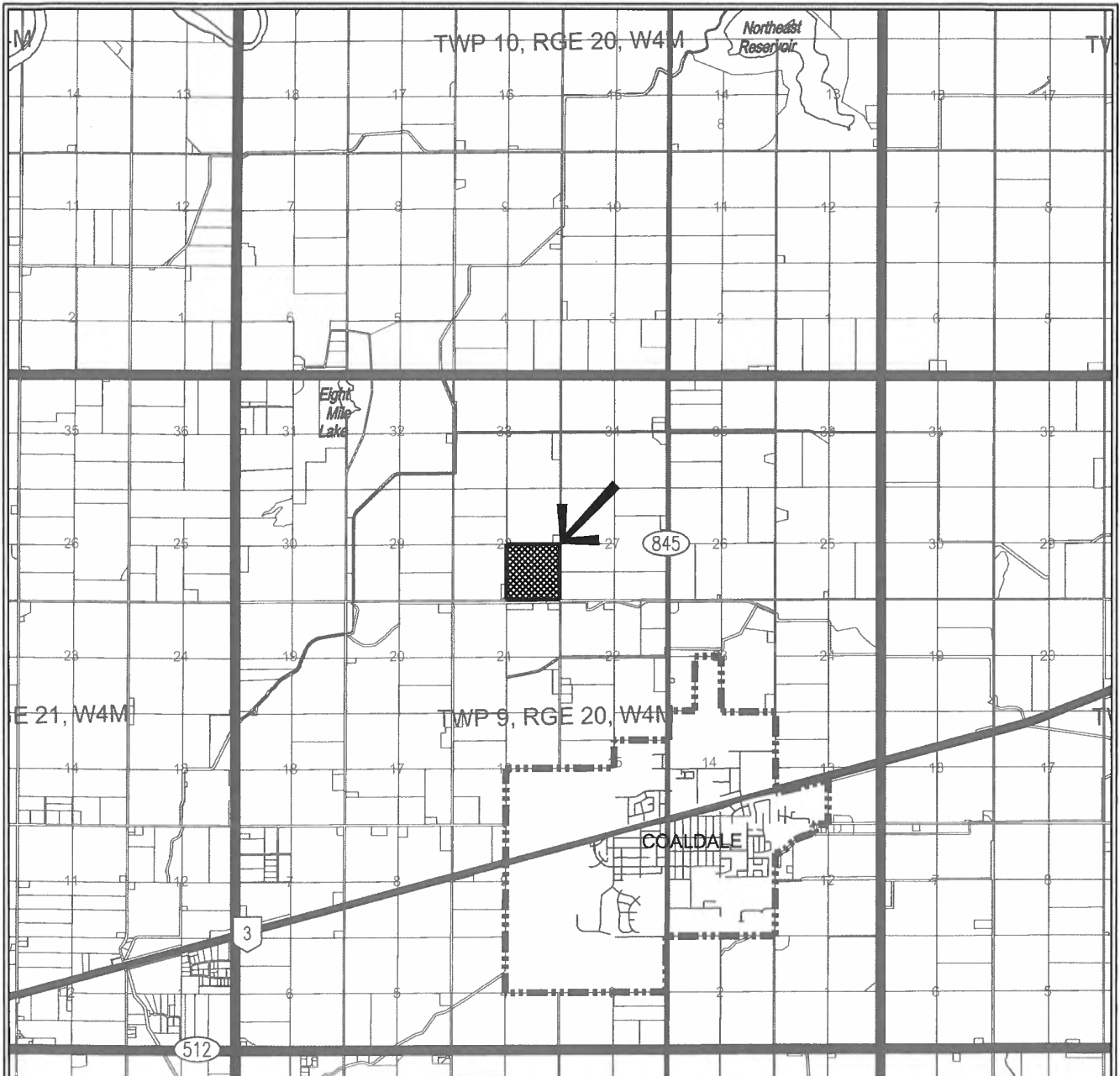
No further comment pending a site inspection.

PROCESSING NOTES:

It is noted the land is situated just outside the IDP boundary with Town of Coaldale so a referral to the town is not required.

If you wish to make a presentation at the subdivision authority meeting, please notify the Lethbridge County Municipal Administrator as soon as possible.

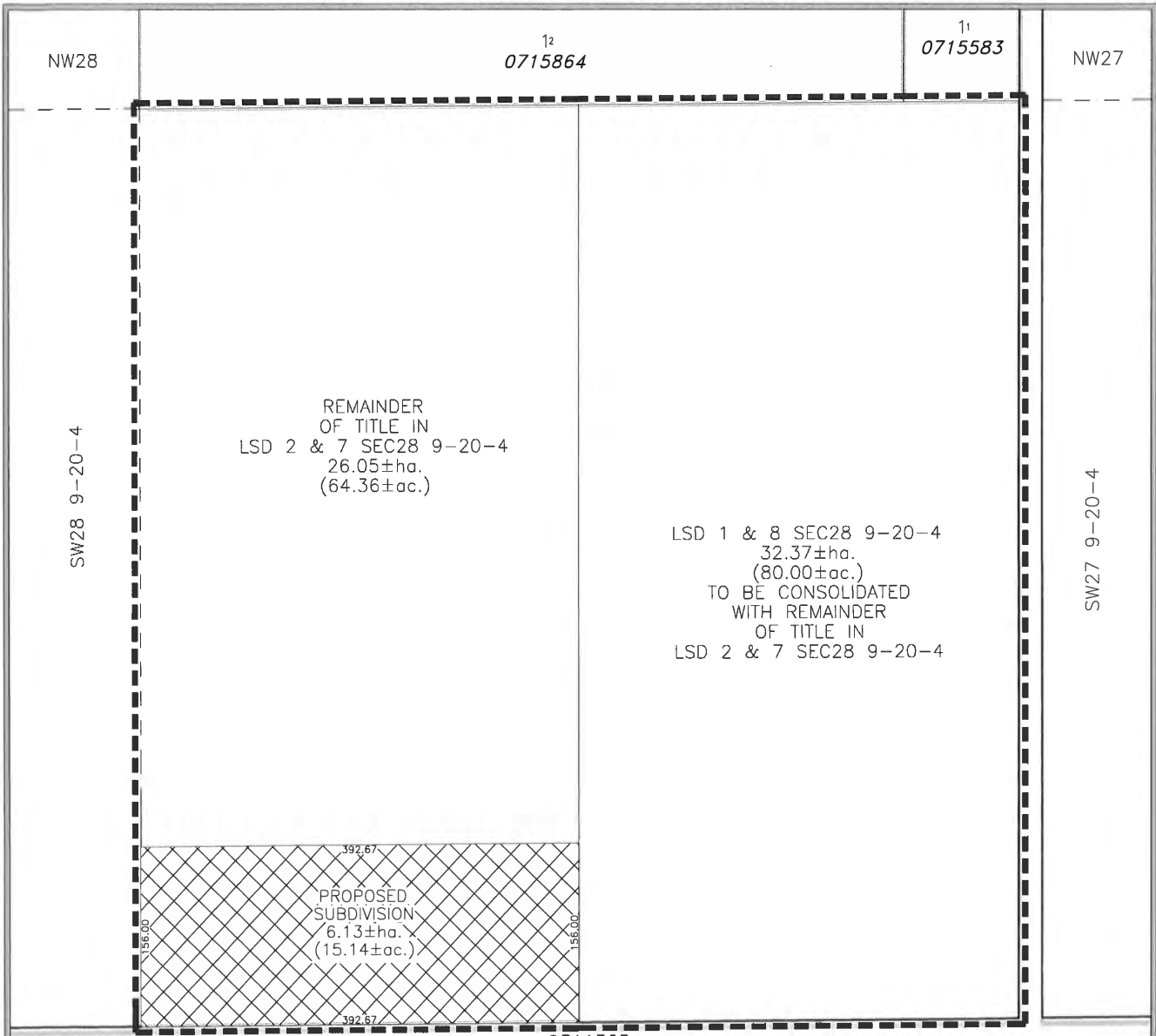
Submissions received become part of the subdivision file which is available to the applicant and will be considered by the subdivision authority at a public meeting.



SUBDIVISION LOCATION SKETCH
 LSD 1 & 8; LSD 2 & 7
 WITHIN SE 1/4 SEC 28, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: JULY 27, 2020
 FILE No: 2020-0-086

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 FROM THE LANDS AND SURVEY DEPARTMENT, LETHBRIDGE, AB T4N 0W5
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS





CANAL R/W 9011471		0311365	
NW21	9111038 1	NE21 9-20-4	9111038 2

SUBDIVISION SKETCH
LSD 1 & 8; LSD 2 & 7
WITHIN SE 1/4 SEC 28, TWP 9, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-086





SUBDIVISION SKETCH
LSD 1 & 8; LSD 2 & 7
WITHIN SE 1/4 SEC 28, TWP 9, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JULY 27, 2020
FILE No: 2020-0-086



AERIAL PHOTO DATE: 2015

AGENDA ITEM REPORT



Title: Bylaw 20-015 - Amendment to the Lethbridge County/Town of Coaldale Intermunicipal Development Plan - Public Hearing
Meeting: County Council - 03 Sep 2020
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 18 Aug 2020
Approved - 20 Aug 2020

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



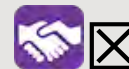
Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

Lethbridge County and Town of Coaldale Administration are proposing a number of amendments to the 2010 Lethbridge County/Town of Coaldale Intermunicipal Development Plan to address changes to the municipal boundaries and the Memorandum of Understanding that occurred when the Town of Coaldale Annexed lands in 2018, changes to required by South Saskatchewan Regional Plan and Modernized Municipal Government Act, and some general updates to the IDP.

RECOMMENDATION:

That County Council read Bylaw 20-015 a second time.
That County Council read Bylaw 20-015 a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Bylaw 1337 - the current Lethbridge County/Town of Coaldale Intermunicipal Development Plan was adopted on April 15, 2010.

Bylaw 20-015 was given first reading on July 23, 2020

BACKGROUND INFORMATION:

Lethbridge County and the Town of Coaldale Administration agreed that the 2010 Intermunicipal Development Plan required updates to better reflect the current provincial regulations, updated municipal boundaries, and general updates that will facilitate more efficient communication between the two municipalities. Specifically, the amendments address the following:

- Changes to the municipal boundaries due to the approved Annexation by the Town of Coaldale that came into effect on April 1, 2018.
- Addition of a future non-residential area within Lethbridge County along Highway 3 west of the Town Boundary, as per the Memorandum of Agreement between the Town of Coaldale and Lethbridge County.
- Ensure the Intermunicipal Development Plan complies with the South Saskatchewan Regional Plan, modernized Municipal Government Act, and updated Subdivision and Development Regulations.
- Update Lethbridge County's name (changed from County of Lethbridge to Lethbridge County on December 4, 2013).
- Update referral policies to provide consistency regarding intermunicipal referrals throughout the region.

The detailed amendments are included in the supporting documents to this report.

The proposed Bylaw 20-015 was advertised in the August 11 and 18 editions of the Sunny South News.

ALTERNATIVES / PROS / CONS:

County Council may refuse the proposed amendments if there are concerns with the policy direction within the document. As the IDP is required to be updated to adhere to provincial legislation and changes that arose out of the Town of Coaldale Annexation, County and Town administration along with the respective committee members would need to meet and discuss what additional changes are required. This may lead to a complete revision of the IDP which would also require more robust public consultation.

FINANCIAL IMPACT:

There are no financial implications to the proposed amendments. The proposed amendments provide an opportunity for some additional commercial/industrial development on the west side of the Town, but any proposal would require rezoning to an appropriate commercial or industrial district and further consultation with the Town of Coaldale.

REASON(S) FOR RECOMMENDATION(S):

The proposed amendments will bring the current Intermunicipal Development Plan into compliance with provincial regulations, reflect the changes and agreements that occurred with the 2018 Town of Coaldale Annexation, update the IDP to include the County's current name (Lethbridge County vs. County of Lethbridge) and streamline the referral process.

ATTACHMENTS:

[Signed First Reading of Bylaw 20-015](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

**BYLAW 20-015
BEING A BYLAW TO AMEND THE LETHBRIDGE COUNTY /
TOWN OF COALDALE INTERMUNICIPAL DEVELOPMENT PLAN
(AMENDING BYLAWS COUNTY OF LETHBRIDGE BYLAW 1337
AND TOWN OF COALDALE BYLAW 631-P-02-10)**

Bylaw No.20-015 of Lethbridge County is for the purpose of amending Bylaw No. 1337 being the current Intermunicipal Development Plan agreement between Lethbridge County and the Town of Coaldale (Bylaw No. 1337 and Bylaw No. 631-P-02-10), in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS the two municipalities have an existing Intermunicipal Development Plan as required by the province, to collaborate and address common planning issues where the possible effects of development transcend municipal boundaries.

AND WHEREAS the amendments are to bring the current Intermunicipal Development Plan into compliance with the *South Saskatchewan Regional Plan (SSRP)*, modernized *Municipal Government Act* and amended *Subdivision and Development Regulations*, and the amendments include addressing the strategies of the SSRP, amending the maps to reflect the annexation of lands, adding environmental policies, to enable some wording/text edits, which include changing all municipal references to reflect the current name of County of Lethbridge to Lethbridge County, and changes to the referral policies.

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

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

1. Council shall amend the Lethbridge County and Town of Coaldale Intermunicipal Development Plan (Bylaw No. 1337 and Bylaw No. 61-P-02-10) as agreed to with the Town of Coaldale.
2. That the plan amendments are adopted as indicated in the attached 'Schedule A'.
3. This amending bylaw shall come into effect upon third and final reading thereof.
4. That Bylaw No. 1337 is consolidated to incorporate the amendments in 'Schedule A'.

READ a first time this 23 day of July, 2020.



Reeve


Chief Administrative Officer

READ a **second** time this _____ day of _____, 2020.

Reeve

Chief Administrative Officer

READ a **third** time and finally PASSED this _____ day of _____, 2019.

Reeve

Chief Administrative Officer

SCHEDULE "A"

Lethbridge County and Town of Coaldale Intermunicipal Development Plan

Amendments to Bylaw No. 1337 (County of Lethbridge) And Bylaw 631-P-02-10 (Town of Coaldale)

The described amendments are to bring the Intermunicipal Development Plan (IDP) into compliance with the South Saskatchewan Regional Plan (SSRP), modernized *Municipal Government Act* and amended *Subdivision and Development Regulations*, and to enable some wording/text and map edits.

1. That the bylaw (IDP) be amended and reworded continually throughout by changing text as follows:

- All municipal references have been changed to reflect current name of Lethbridge County, from the County of Lethbridge to Lethbridge County.

2. That Part 1, Introduction and Background, be amended to include the following at the end of the preamble:

The Town of Coaldale and Lethbridge County amended the Intermunicipal Development Plan in January 2020 to address the following:

- The adoption of the Modernized Municipal Government Act.
- The adoption of the South Saskatchewan Regional Plan.
- The Town of Coaldale annexation completed on April 1, 2018 which resulted in the expansion of the Town's municipal boundary.

3. That Part 1, Intro and Background, "Legislative Requirements," be deleted and replaced with new language added to reflect the adoption of the SSRP and the new MGA requirements, as follows:

Recent updates to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA) now mandate the adoption of IMDPs between adjacent municipalities. Specifically, the MGA states:

631(1) Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary

(1.1) *Despite subsection (1), the Minister may, or by order, exempt one or more councils from the requirement to adopt the Intermunicipal development plan, and the order may contain any terms or conditions that the Minister considers necessary.*

(1.2) *Two or more councils of municipalities that are not otherwise requires to adopt an Intermunicipal Development Plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an Intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*

631(2) *An Intermunicipal development plan*

- a) must address
- i. the future land use within the area,
 - ii. the manner of and the proposals for future development in the area,
 - iii. the provision of transportation systems for the area, either generally or specifically,

- iv. the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,
- v. environmental matters within the area, either generally or specifically,
- vi. any other matter related to the physical, social or economic development of the area that the councils consider necessary,

and

- b) must include
 - i. a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
 - ii. a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
 - iii. provisions relating to the administration of the plan

(3) The council of a municipality that is required under this section to adopt an intermunicipal development plan must have an intermunicipal development plan that provides for all of the matters referred to in subsection (2) within 2 years from the date this subsection comes into force.

(4) Subject to the regulations, if municipalities that are required to create an intermunicipal development plan are not able to agree on a plan, sections 708.33 to 708.43 apply as if the intermunicipal development plan were an intermunicipal collaboration framework.

(5) In creating an intermunicipal development plan, the municipalities must negotiate in good faith.

In addition to the MGA, the South Saskatchewan Regional Plan (SSRP) came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region until 2024.

Pursuant to Section 13 of the Alberta Land Stewardship Act, regional plans are legislative instruments. The SSRP has four key parts including the Introduction, Strategic Plan, Implementation Plan and Regulatory Details Plan. Pursuant to section 15(1) of ALSA, the Regulatory Details of the SSRP are enforceable as law and bind the Crown, decision makers, local governments and all other persons while the remaining portions are statements of policy to inform and are not intended to have binding legal effect.

The Regional Plan is guided by the vision, outcomes and intended directions set by the Strategic Plan portion of the SSRP, while the Implementation Plan establishes the objectives and the strategies that will be implemented to achieve the regional vision. As part of the Implementation Plan, Section 8: Community Development includes guidance regarding Plan Cooperation and Integration between municipalities with the intention to foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments, boards and agencies. Section 8 contains the following broad objectives and strategies.

Planning Cooperation and Integration

Objectives

- *Cooperation and coordination are fostered among all land use planners and decision-makers involved in preparing and implementing land plans and strategies.*
- *Knowledge sharing among communities is encouraged to promote the use of planning tools and the principles of efficient use of land to address community development in the region.*

Strategies

- 8.1** *Work together to achieve the shared environmental, economic, and social outcomes in the South Saskatchewan Regional Plan and minimize negative environmental cumulative effects.*
- 8.2** *Address common planning issues, especially where valued natural features and historic resources are of interests to more than one stakeholder and where the possible effect of development transcends jurisdictional boundaries.*
- 8.3** *Coordinate and work with each other in their respective planning activities (such as in the development of plans and policies) and development approval process to address issues of mutual interest.*
- 8.4** *Work together to anticipate, plan and set aside adequate land with the physical infrastructure and services required to accommodate future population growth and accompanying community development needs.*
- 8.5** *Build awareness regarding the application of land-use planning tools that reduce the impact of residential, commercial and industrial developments on the land, including approaches and best practices for promoting the efficient use of private and public lands.*
- 8.6** *Pursue joint use agreements, regional services commissions and any other joint cooperative arrangements that contribute specifically to intermunicipal land use planning.*
- 8.7** *Consider the value of intermunicipal development planning to address land use on fringe areas, airport vicinity protection plan or other areas of mutual interest.*
- 8.8** *Coordinate land use planning activities with First Nations, irrigation districts, school boards, health authorities and other agencies on areas of mutual interest.*

The above strategies were considered by both municipalities when developing policy within this IDP and will be considered when rendering land use decisions pertaining to development within the Plan Area. Other strategies contained in the SSRP should be considered in the context of each municipality's Municipal Development Plan, Land Use Bylaw or through policies found within this Plan.

4. That Part 2, Analysis of the Study Area, "Agricultural Practices," replace the wording and text with the following:

Agricultural Practices

Map 4 indicates the Canada Land Inventory (CLI) soil classification and agricultural capability of the lands (see Definitions for soil classifications). Much of the plan area is of high quality, class 1 and 2, especially the land on the west portion of the Town, partially attributed to the availability of irrigation water.

The SSRP's vision for the agricultural sector is expressed as follows:

Agriculture

Objective

- *The region's agricultural industry is maintained and diversified.*

Strategies (abbreviated)

- 1.1** *Maintain an agricultural land base by reducing the fragmentation and conversion of agricultural land.*
- 1.2** *Support a diverse and innovative irrigated agriculture and agri-food sector.*
- 1.3** *Assist the agriculture and agri-food industry to maximize opportunities for value-added agricultural products.*
- 1.4** *Support a business climate and complementary production and marketing approaches that recognize the contribution of local production in addition to existing domestic and international market opportunities for Alberta's agriculture, agri-food and agri-product sectors.*

- 1.5 *Support and enhance the next generation of agricultural, food and rural entrepreneurs.*
- 1.6 *Encourage the use of voluntary market-based instruments for ecosystem services in order to recognize and reward the continued stewardship and conservation of private agricultural land and to potentially diversify the agricultural economy.*

5. That Part 2, Analysis of the Study Area, has the Fringe Area Subdivision and Fragmentation section added to include the following:

In 2018 the Town of Coaldale annexed lands from Lethbridge County including the Harrison Subdivision, Evergreen Estates, and the NE 3-9-20-W4.

6. That Part 3, Section 3.5 Urban Expansion and Annexation be removed and replaced with the following:

In 2018 the Town of Coaldale was successful in annexing land sufficient for 25 year of development. Any future growth plans of the Town beyond what was annexed in 2018 will be discussed with Lethbridge County in the future. The Town and the County agreed through a memorandum of understanding (MOU) signed in September 2016 that the western boundary of the Town will not be expanded any further and is essentially frozen.

- 7. That Part 3, Section 3.10, Addressing Policy Objectives of the Provincial Land Use Framework and Bill 36 be deleted.**
- 8. That Map 5 be deleted, renumber consecutive map, and updates references to Map 5, 6, and 7 throughout the Plan.**
- 9. That Map 7 be amended to include the NW 9-9-20-W4 as an area for non-residential development nodes for Lethbridge County (as per the MOU signed between the Town and County in September 2016).**
- 10. That Part 4, Section 4.4, Industrial and Other Non- Agricultural Land Uses be amended by adding subsection 4.4.15.**

4.4.15 Non-residential development within the NW 9-9-20-W4 be compatible with lands directly to east located within the Town of Coaldale. Planning of this area shall conform to the requirements of the Lethbridge County Municipal Development Plan and Land Use Bylaw.

- 11. That Part 4, Section 4.5, Urban Expansion and Annexation be amended by deleting subsection 4.5.2 and 4.5.3.**
- 12. That Part 4, Section 4.5., Urban Expansion and Annexation be amended by deleting subsection 4.5.11 and replacing with the following:**

4.5.11 The western boundary of the Town shall not be further expanded (through annexation) as per the Memorandum of Understanding signed between the County and Town in September 2016.

- 13. That Part 4, Section 4.6 Land Use and Development Standards be expanded (new policies 4.6.10 to 4.6.15 added) to include a number of historical resources and environmental policies as required under the MGA and SSRP. The policies to read as follows:**

4.6.10 For any development on lands that have been identified within a possible environmentally significant area (ESA) or where the municipality within which the development is proposed is of the opinion that the land may be within an ESA, the developer may be required to conduct an environmental impact assessment (EIA) and is responsible for contacting Alberta Environment and Parks.

4.6.11 For any development on lands that may contain a historic resource value (HRV), the developer may be required to conduct a historical resource impact assessment (HRIA) and is responsible for consulting the *Historical Resources Act* and contacting Alberta Culture and Tourism.

4.6.12 Developers preparing area structure plans (ASPs) are responsible for submitting the final approved ASP to Alberta Culture for review to obtain historical resource clearance and must file a copy of any clearance approval with the respective municipality.

4.6.13 Each municipality is responsible for referring development applications and other land use activities within their respective jurisdictions to the appropriate provincial department to determine when an EIA or HRIA may be required.

4.6.14 Both municipalities should consider the provincial Wetland Policy when making land use decisions with the goal of sustaining environment and economic benefits. The developer, not the municipality, is responsible for ensuring compliance with the provincial policy and any associated regulations.

4.6.15 Each municipality encourages applicants of subdivision and development proposals to consult with the respective municipality, irrigation district, and provincial departments, as applicable, regarding water supply, drainage, setbacks from sensitive lands, and other planning matters relevant to the natural environment in advance of submitting a proposal.

14. That Part 4, Section 4.8.4, be deleted and replaced with the following:

Both municipalities support the Malloy Drain Master Drainage Plan and agreements regarding the implementation of the plan.

15. That Part 4, Section 4.10., Addressing Policy Objectives of the Provincial Land Use Framework be deleted.

16. That Part 5, Section 5.2, Referrals, be deleted and replaced with the following:

5.2.1 Proposed land use bylaws, statutory and non-statutory plans (e.g. Municipal Development Plan, Area Structure Plans, Area Redevelopment Plans, Conceptual Design Schemes), and amendments to such documents, that affect lands in the Plan Area or land in the Town adjacent to the Town-County boundary shall be forwarded to the other municipality for comment prior to a decision being made on the application.

5.2.2 In consideration of policy 5.2.1, the receiving municipality may request that a proposed land use bylaw, statutory and non-statutory plan or amendment be referred to the Intermunicipal Development Plan Committee for discussion and comment prior to a decision being rendered.

5.2.3 Any changes to a proposed statutory plan, land use bylaw or amendment following the public hearing that may have an impact on the Plan or municipal expansion should be recirculated to the other municipality and if deemed necessary by either municipality, the Intermunicipal Committee for review prior to 2nd reading. Based on the significance of the changes, the municipality processing the proposal should consider convening a new public hearing.

5.2.4 Any changes to a non-statutory plan such as a Conceptual Design Scheme that may have an impact on the Plan or municipal expansion should be recirculated to the other municipality for review and comment prior to approval of the Plan. If deemed necessary by either municipality, it shall be forwarded to the Intermunicipal Committee for review and comment in accordance with the processes outlined in this Plan.

5.2.5 Subdivision applications and discretionary use development permit applications, including appeals of such applications, which affect lands in the Plan Area or land in the Town adjacent to the Town-County boundary, shall be forwarded to the other municipality for comment prior to a decision being made on the application.

5.2.6 The municipalities are encouraged to refer to each other for comment, major land use or planning matters that have the potential to impact the other

jurisdiction, even if it involves lands that may not be located within the established Plan boundary.

Response Times

5.2.7 Unless otherwise agreed to by both municipalities, the responding municipality shall, from the date of mailing, have the following timelines to review and provide comments on intermunicipal referrals:

- a) 15 days for development permit applications
- b) 19 days for subdivision applications
- c) 30 days for all other intermunicipal referrals

5.2.8 In the event that an intermunicipal referral is forwarded to the Intermunicipal Committee (by the CAO or designate) for review and comment, a Committee meeting should be scheduled as soon as possible and a written response shall be provided within 10 days of the Committee meeting date.

5.2.9 In the even that either municipality and / or the Committee does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in sections 5.2.7 and 5.2.8, it will be assumed that the responding municipality and/or Committee has no comment or objection to the referred planning document or application.

Consideration of Referral Responses

5.2.10 Comments from the receiving municipality and the Intermunicipal Committee regarding a statutory plan, non-statutory plan, land use bylaw or amendment that are provided prior to or at the public hearing or meeting shall be considered by the municipality in which the plan, land use bylaw or amendment is being proposed.

5.2.11 Comments from the receiving municipality regarding a subdivision application or discretionary use development permit application shall be considered by the municipality in which the application is being proposed, prior to a decision being made on the application.

17. That Part 7, Plan Validity and Amendment, be deleted and replaced for the intent and text to align with the adoption of the South Saskatchewan Regional Plan (SSRP) with the following:

7.1 Addressing Provincial Regional Planning Requirements

With the adoption of the South Saskatchewan Regional Plan (SSRP) the Town of Coaldale and Lethbridge County are under the mandate of this legislation and will need to comply with the adopted regional plan policies.

Policies

7.1.1 Both councils are supportive of the principle that an agreement negotiated locally between the two parties is more desirable than an agreement imposed by the province, and both municipalities will work together to cooperate on joint policy areas under the authority allowed by the province.

7.1.2 Both municipalities agree that they will work in a cooperative manner to address the terms and requirements imposed on them by the province through the SSRP, and any subsequent provincial regulations, and amend the Plan accordingly.

7.1.3 An updated Plan containing policies to address any provincial requirements will be reviewed by the Intermunicipal Committee, revised if needed, and then be prepared for municipal review.

7.1.4 If both councils are satisfied that the proposed amendments meet the requirements of the province, statutory public hearings can be conducted in accordance with *Municipal Government Act* notification and advertising requirements. The revised intermunicipal development plan may be adopted after the public hearings.

7.2 Addressing Municipal Amendments and Plan Validity

It is recognized that this Plan may require amendments from time to time to accommodate an unforeseen situation or keep the Plan up to date and relevant.

Policies

7.2.1 This Plan comes into effect on the date it is adopted by both the Town and the County.

7.2.2 Amendments to this Plan may be necessary from time to time to accommodate agreed to updates or changes and /or unforeseen situations not specifically addressed in the Plan; any amendments must be adopted by both councils using the procedures established in the *Municipal Government Act*. No amendments shall come into force until such time as both municipalities adopt the amending bylaw.

7.2.3 Requests for amendments to this Plan by parties other than the Town and the County (i.e. landowners or developers) shall be made to the municipality in which the request originated and be accompanied by the applicable fee to each municipality for processing amendments to a statutory plan.

7.2.4 If agreed to by both municipalities, a joint public hearing may be held in accordance with the Municipal Government Act for any amendments to this Plan.

7.2.5 The Intermunicipal Committee shall review the policies of the Plan annually and discuss land use planning matters, issues, and concerns on an ongoing basis. The Committee may make recommendations to be considered by the respective council for amendment to the Intermunicipal Development Plan to ensure the policies remain current and relevant and continue to meet the needs of both municipalities.

7.2.6 A formal review of the Plan should be undertaken every five years. The Intermunicipal Committee shall report to the respective council regarding confirmation of validity of the Plan policies and /or may provide recommendations for: amendment(s), request for additional studies, or other matters identified by the Committee.

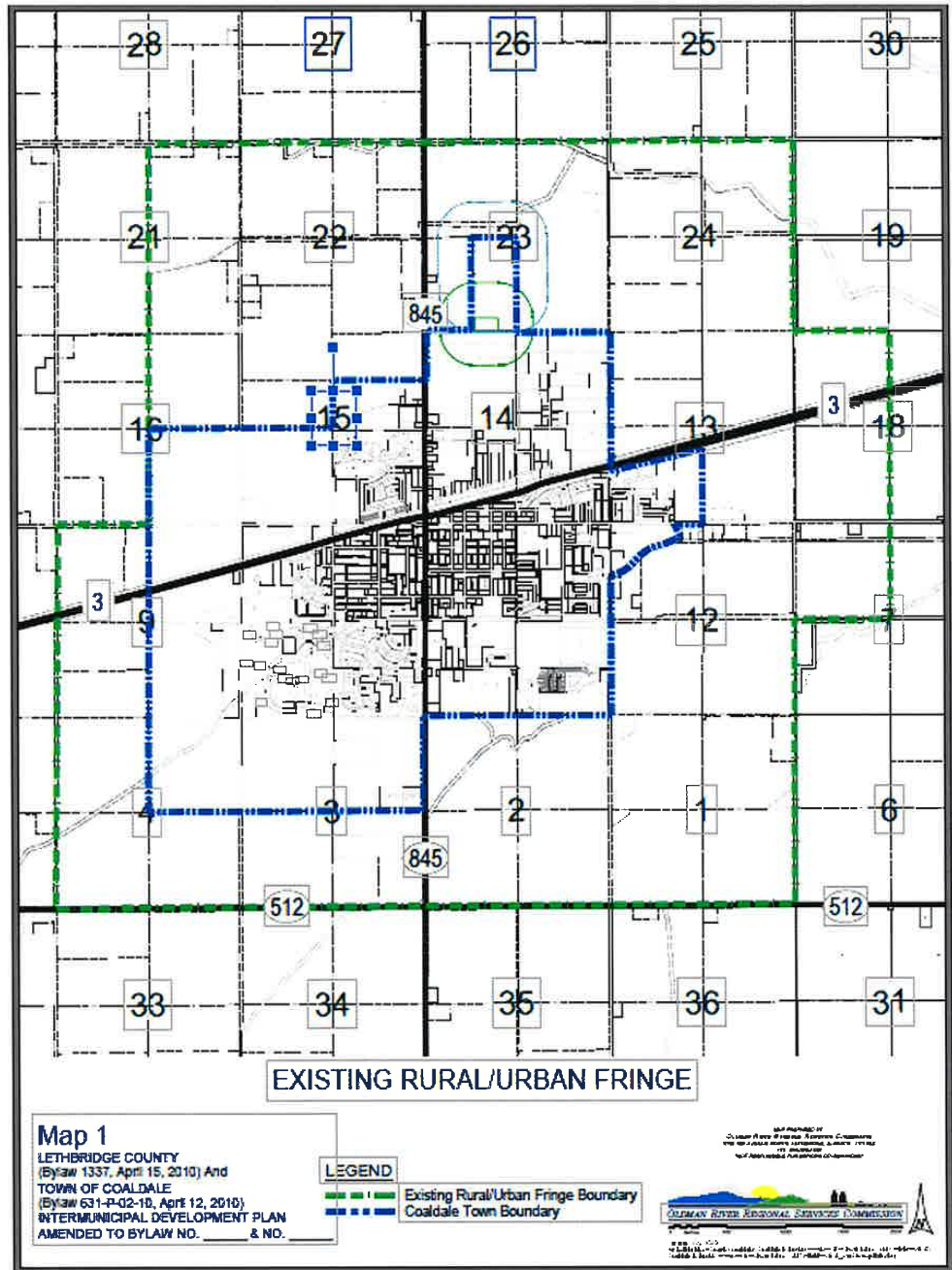
7.2.7 Either municipality may request that the Plan be repealed and replaced with a new IDP upon serving written notice to the other municipality. The dispute resolution process stipulated in Part 6 will be undertaken should the municipalities be unable to reach an agreement.

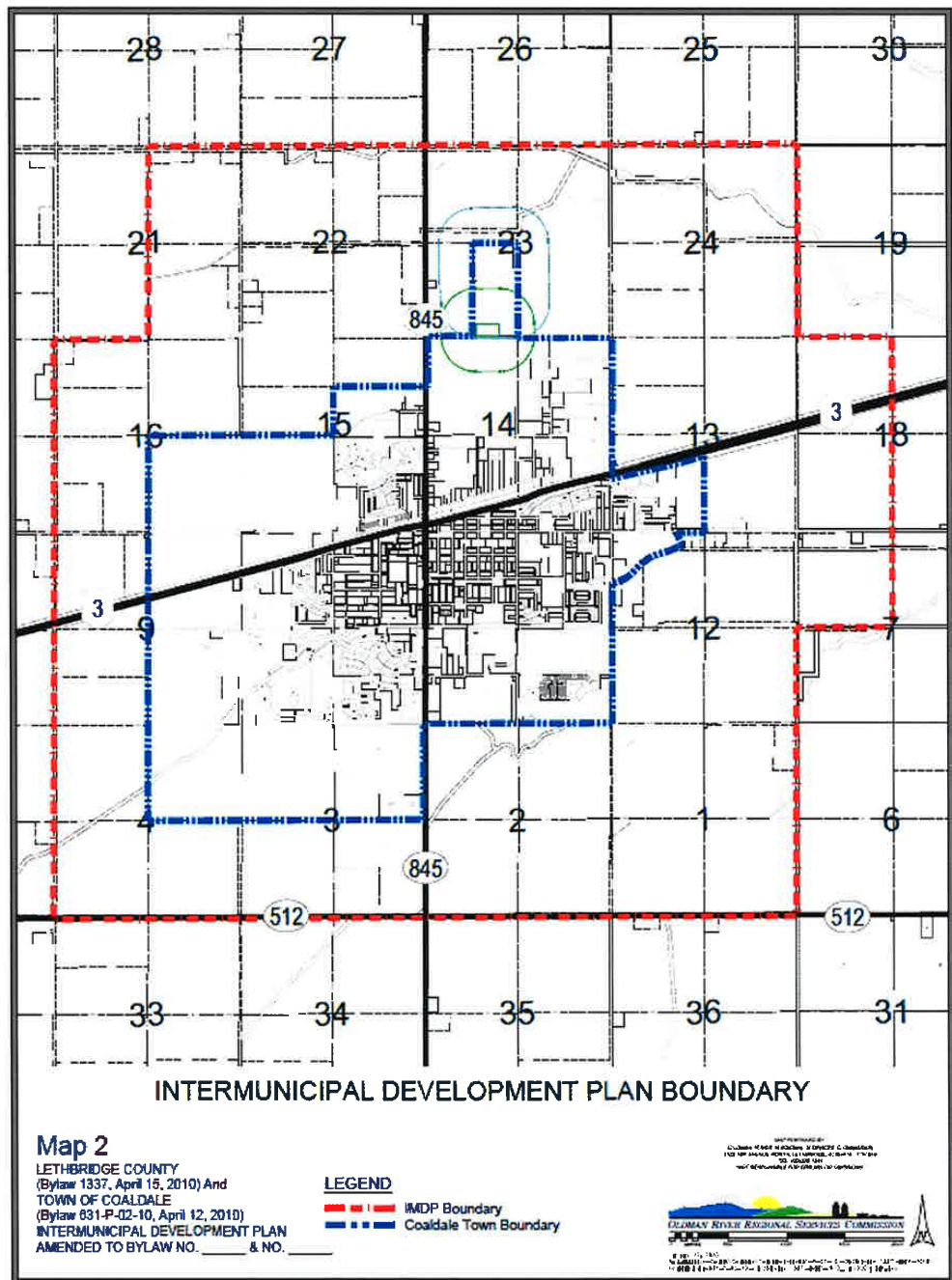
18. General plan amendments:

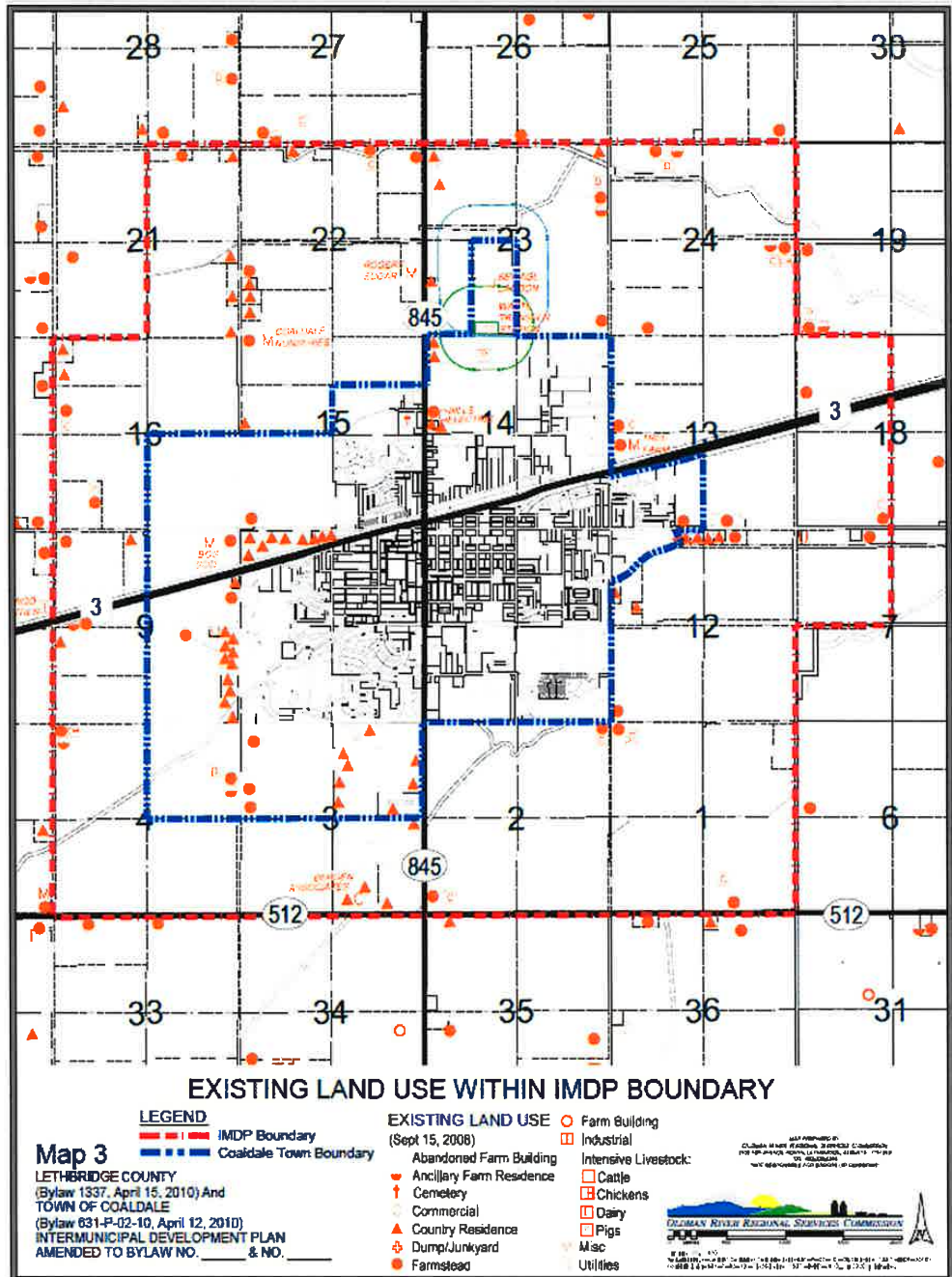
- **All of the maps** within the plan are to be updated and changed to reflect amended municipal boundaries and the current name of Lethbridge County, from the County of Lethbridge to Lethbridge County.
- **The Definitions** are to be amended by:
 1. Removing the reference to the Provincial Land Use Policies:
~~Provincial Land Use Policies means those policies adopted by the Minister of Municipal Affairs pursuant to section 622(1) of the Municipal Government Act.~~
 2. Adding a definition of the South Saskatchewan Regional Plan (SSRP):

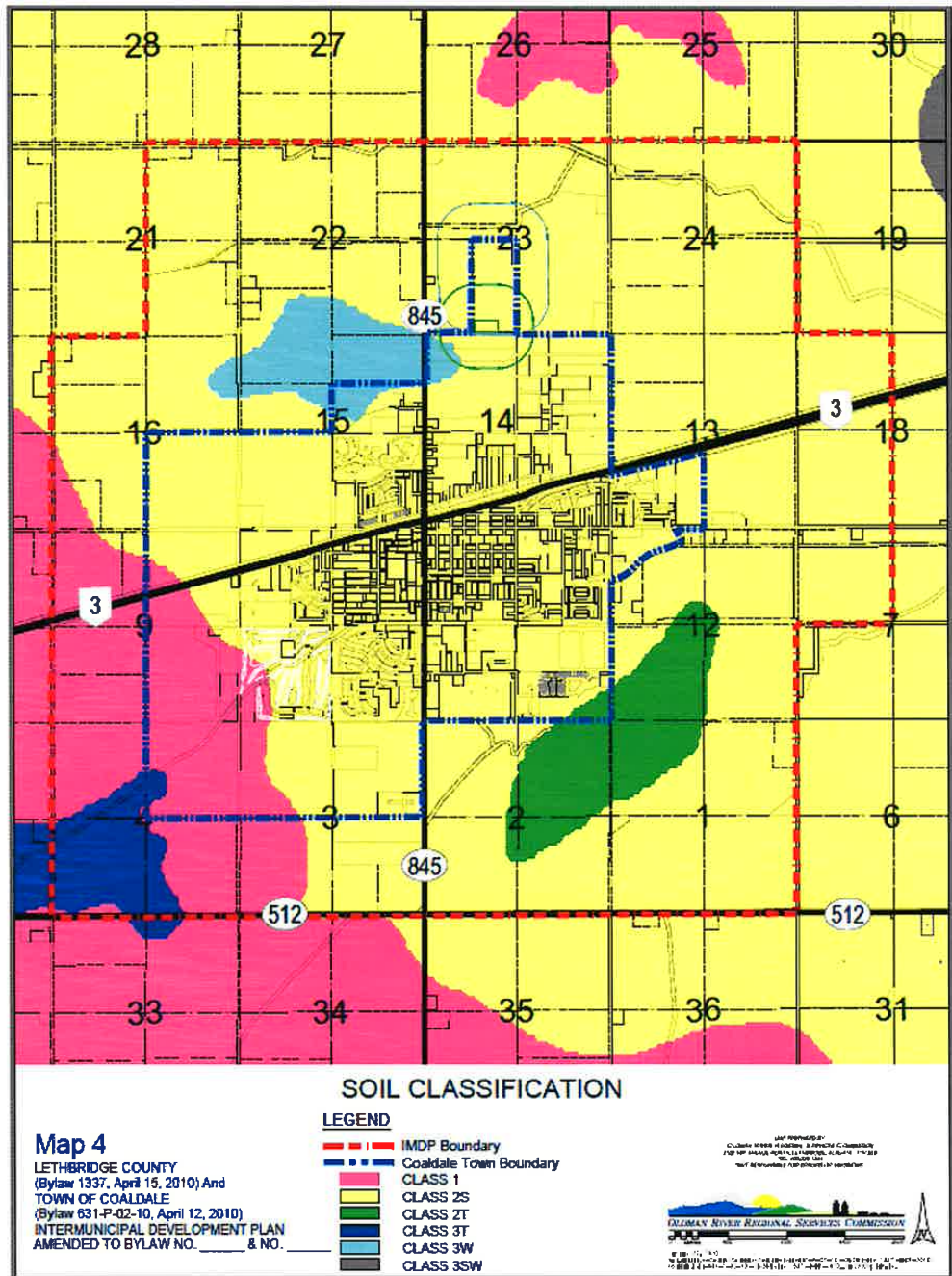
South Saskatchewan Regional Plan (SSRP) means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the Alberta Land Stewardship Act.

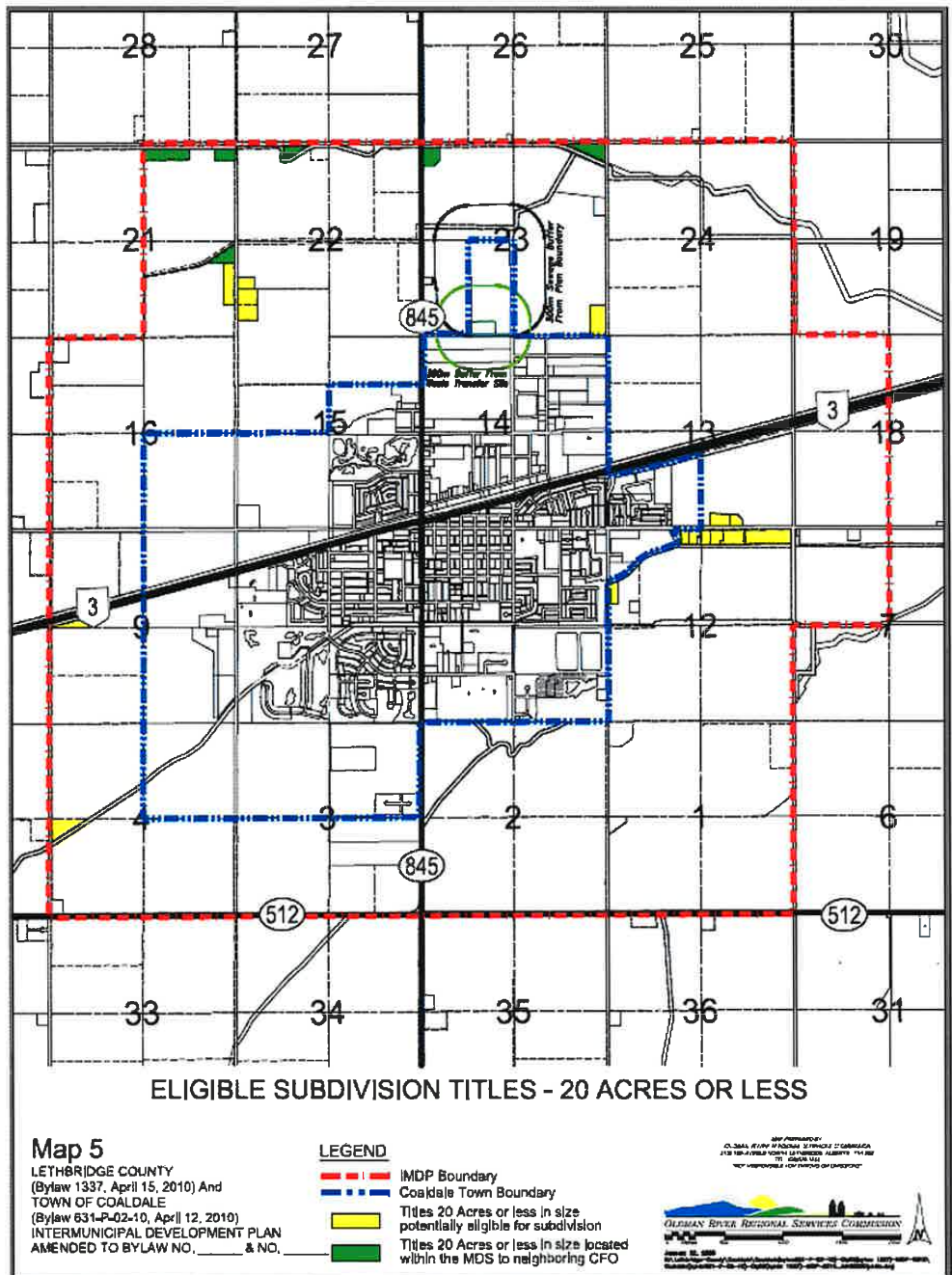
19. All map amendments as follows:

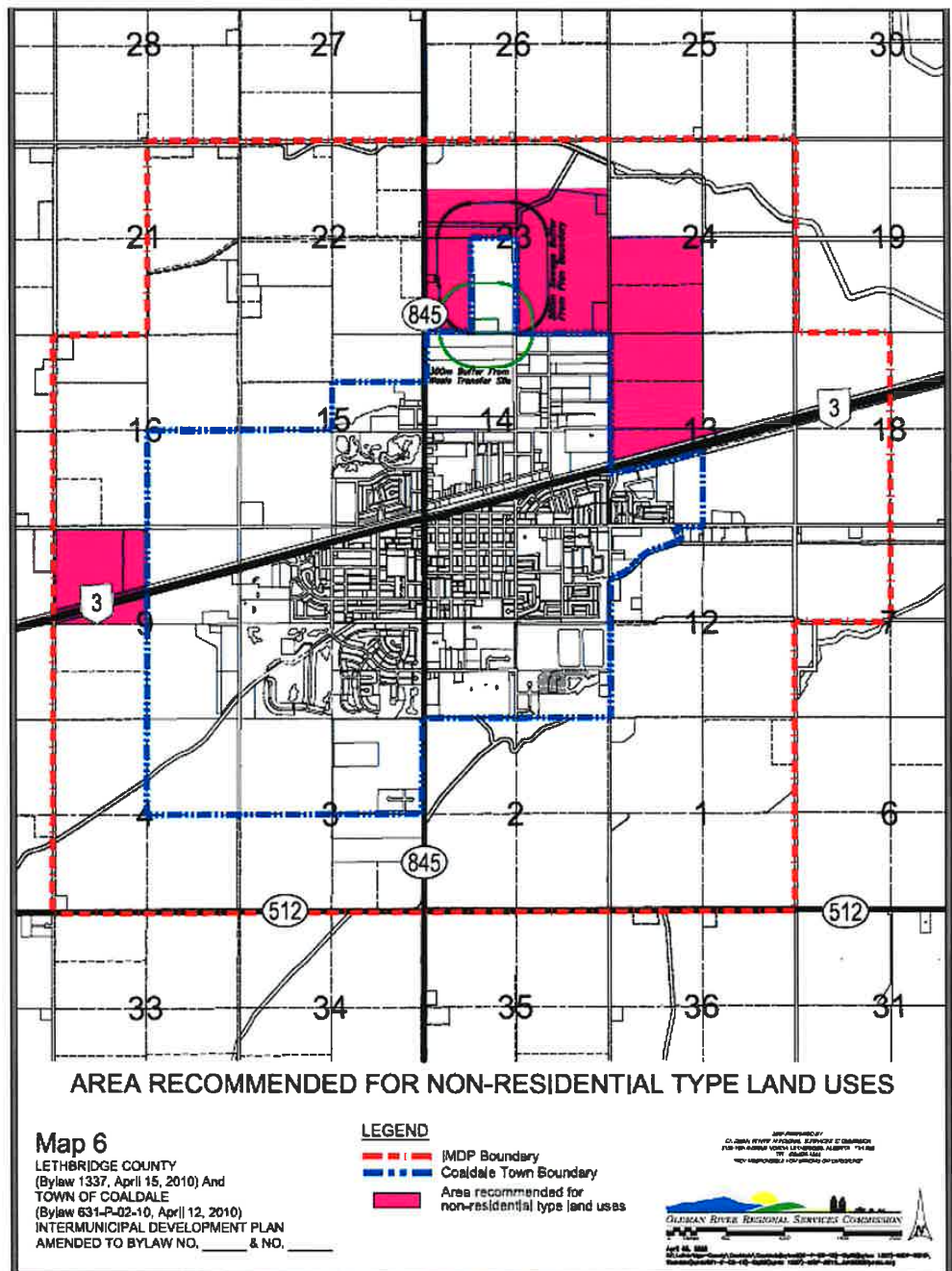












AGENDA ITEM REPORT



Title: Bylaw 20-016 - Amendment to the Land Use Bylaw - Lethbridge Urban Fringe to Grouped Country Residential for north portion of Plan 7770AU Block Z in the NW 26-8-20-W4 - Public Hearing

Meeting: County Council - 03 Sep 2020

Department: Community Services

Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 20 Aug 2020
Approved - 21 Aug 2020

STRATEGIC ALIGNMENT:

 <input type="checkbox"/>	 <input checked="" type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>
Outstanding Quality of Life	Effective Governance and Service Delivery	Prosperous Agricultural Community	Vibrant and Growing Economy	Strong Working Relationships

EXECUTIVE SUMMARY:

An application has been received to re-designate the north Lot of Plan 7770AU Block Z in the NW 26-8-20-W4 from Lethbridge Urban Fringe to Grouped Country Residential. The parcel is located within the Section 26 Area Structure Plan and has met the requirements for that Plan.

RECOMMENDATION:

That Bylaw 20-016 be read a second time.
That Bylaw 20-016 be read a third time.

PREVIOUS COUNCIL DIRECTION / POLICY:

Bylaw 1483 - Section 26 Area Structure Plan was adopted by County Council on January 18, 2017.
Bylaw 20-016- First Reading August 6, 2020

BACKGROUND INFORMATION:

An application has been received to re-designate the north Lot of Plan 7770AU Block Z in the NW 26-8-20-W4 from Lethbridge Urban Fringe to Grouped Country Residential. The parcel is located within the Section 26 Area Structure Plan and has met the requirements for that Plan.

The applicant has submitted a comprehensive package to County Administration to support their application, which includes a site suitability assessment, traffic impact assessment, and a storm water management plan. Included in the attachments is a summary of the supporting documents from the Engineer overseeing the rezoning application. The full reports are available as required.

The application has been circulated to all County Departments and external agencies for review. No concerns were expressed by any internal department, external agency or the City of Lethbridge, the individual comments are attached to this report. The Planning Department has the following comments:

- The area has been identified as an area for further subdivision and development through the approval of the Section 26 Area Structure Plan.
- The applicant has submitted the information required in the Section 26 Area Structure Plan. The information has been reviewed and approved by the Infrastructure Manager.
- The proposed rezoning meets the criteria of the Grouped Country Residential Land Use Strategy.
 - the lands contained with the proposed re-designation are fragmented by previous subdivisions and as such are not considered high-quality agricultural lands;
 - The parcel is located near an urban center (City of Lethbridge) and has an approved Area Structure Plan which is required for subdivisions consisting of 5 or more lots; and
 - it is not located in an area where there are any land use conflicts (i.e. confined feeding operation, floodplain, industrial area).
 - A detailed storm-water management plan and soils analysis were completed for the parcel and approved by the County's Infrastructure Manager.
 - There is an existing public road to the parcel and individual approaches are proposed for each subdivided parcel.
- It was noted that there is no access to potable water from the water co-op at this time, which is contrary to the recommendations of the Grouped Country Residential Land Use Strategy. It is anticipated that once water units become available that parcels would be able to connect. The Section 26 Area Structure Plan states that provision of water from the water co-op is preferred but it is at the discretion of the County if hauled water will be approved for any subdivisions in this area.
- If the proposed bylaw is approved by County Council, the applicant would have to ensure as a condition of the subdivision that the servicing of the lots as well as any drainage and/or road issues have been addressed to the satisfaction of the Director of Public Works and Infrastructure Manager through a Development Agreement.

The proposed rezoning was advertised in the August 11 and 18 editions of the Sunny South News.

ALTERNATIVES / PROS / CONS:

County Council may deny second reading of the bylaw, if there are concerns with the proposed Land Use Bylaw Amendment and subsequent subdivision. This would be contrary to the approval of the Section 26 Area Structure Plan which allows for the rezoning and subdivision of the parcels within Section 26-8-21-W4 for Country Residential Use.

FINANCIAL IMPACT:

If the Bylaw is ultimately approved, the applicant would be able to apply for subdivision of seven Country Residential Parcels that would be taxed at the County's Residential Tax Rate upon development of each of the parcels.

REASON(S) FOR RECOMMENDATION(S):

The proposed rezoning meets the requirements of the Municipal Development Plan, Grouped Country Residential Land Use Strategy, and the Section 26 Area Structure Plan.

ATTACHMENTS:

[Signed First Reading](#)
[20_016_LUF_GCR_Ortho](#)

[MPE Summary of Supporting Documents](#)

[AT Comments June 29 2020](#)

[ATCO Comments](#)

[ATCO Gas Comments](#)

[City of Lethbridge Comments](#)

[SMRID Comments June 29 2020](#)

[Fortis Comments](#)

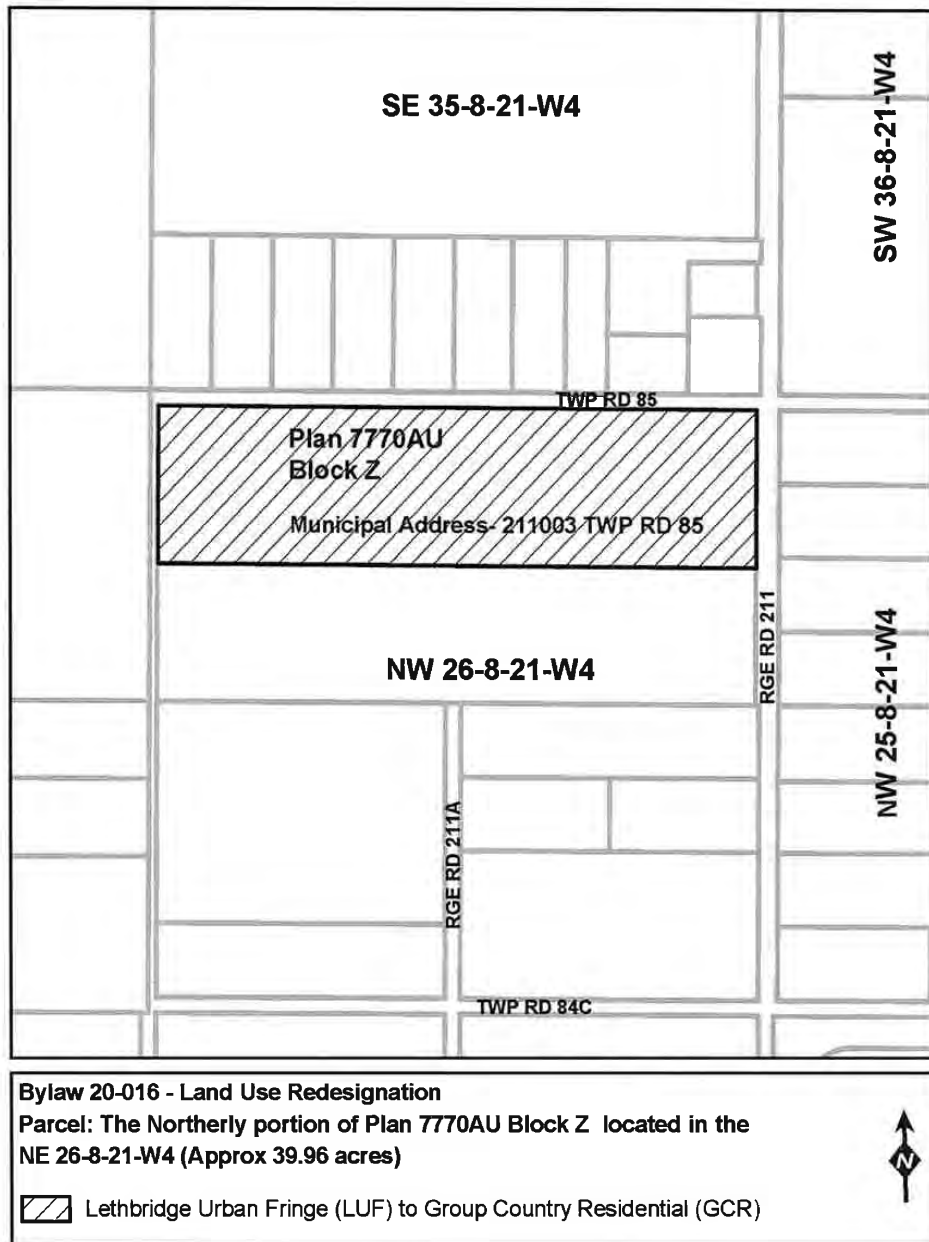
[Bylaw No 20-016 Howe-Section 26 rezone -ORRSC comments](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 20-016

Bylaw 20-016 of Lethbridge County being a Bylaw for the purpose of amending Land Use Bylaw 1404, in accordance with Sections 230, 606 and 692 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26.

WHEREAS the purpose of Bylaw 20-016 is to re-designate Plan 7770AU Block Z in the NE 26-8-21-W4 (directly south of Township Road 8-5) from Lethbridge Urban Fringe (LUF) to Grouped Country Residential (GCR) as shown on the sketch below:



AND WHEREAS the applicant is requesting a re-designation of the lands to allow for the subdivision of the parcel for country residential purposes as per Bylaw 1483 being the Section 26 Area Structure Plan;


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

NOW THEREFORE, under the authority of the *Municipal Government Act*, R.S.A. 2000, C-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following, with the bylaw only coming into effect upon three successful reading thereof;

GIVEN first reading this 6 day of August, 2020..



 Reeve



 Chief Administrative Officer

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

 Reeve

 Chief Administrative Officer

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

 Reeve

 Chief Administrative Officer

1 st Reading	August 6, 2020
2 nd Reading	
Public Hearing	
3 rd Reading	



Land Use Redesignation

Bylaw 20-016: Lethbridge Urban Fringe (LUF) to Group Country Residential (GCR)

Parcel: The Northerly portion of 7770AU;Z located on the NE 26-8-21-W4 (Approx 39.96 acres) in Lethbridge County, AB



Lethbridge Urban Fringe (LUF) to Group Country Residential (GCR)





MEMORANDUM

To: Hilary Janzen
Supervisor of Planning and Development

From: Blake Smith, C.E.T.

cc: Dave Howe

Re: Howe Development Descriptive Narrative

Date: June 17, 2020

File: 0930/003/M01.Descriptive Narrative

Pages: 2

Email: hjanzen@lethcounty.ca

Descriptive Narrative for Howe Development

Existing and Proposed Land Use

The existing land use is Lethbridge Fringe. The existing property is under one title with an existing home at the southeast, a large shop at the northeast and undeveloped agricultural land to the west. The other existing buildings on the lot will be removed.

The proposed land use is grouped country residential. The proposed development will consist of seven (7) new grouped country residential lots, lots for the existing home and shop, and a stormwater management facility (SWMF). The SWMF is designed to handle the major storm events for the proposed subdivision as well as for all existing stormwater from the Section 26 that passes through the property as described in the stormwater reports.

Statutory Plans

The proposed re-designation is consistent with the Section 26 Area Structure Plan (ASP).

Lots 1-7 are 4.0 acres in size. Due to the large amount of land required for the storm water management facility Lots 8 and 9 for the existing home and shop are smaller than 4.0 acres but larger than the absolute minimum of 2.0 acres stipulated in the ASP.

Compatibility with Surrounding Land Use

The proposal is consistent with the Section 26 ASP. There are existing grouped country residential lots located on the north side of the access road and on the east side of Howe Road.

Suitability for Development

The site is suitable for grouped country residential.

The land generally slopes from the west to the east. Grading will be required on Lots 3-7 and Lot 10PUL.

The ASP identified drainage issues as one of the reasons that the moratorium was placed on development in Section 26. The stormwater management facility (SWMF) will help to resolve existing stormwater issues in the area. There is a drainage course that flows through the property. The water from this drainage course will be captured and released through the SWMF. A ditch will be constructed on the south side of Lots 1-7 within an easement that will convey water from the west side of the development to the SWMF. The ditch will be constructed to allow for the flows of existing and future development. The existing ditch along Range Road 210A will be regraded within the road ROW to allow for proper drainage.

Availability of Facilities and Services

Sewage Disposal

Private on-site septic treatment will be required for each lot. Wood Environmental & Infrastructure Solutions prepared a Site Suitability Assessment which outlines the requirements for sewage disposal for each proposed lot.

Domestic Water

Domestic water will not be provided to the lots. Lethbridge County Rural Water Association was contacted by the developer during the preliminary design and it was noted that there is not capacity in the existing system to service the proposed lots. It is expected that potable water would be hauled to onsite water storage facilities (cisterns).

Shallow Utilities

Electricity, natural gas, and telecommunications will be provided in a utility ROW along the northern edge of Lots 1-7. Lots 8 and 9 are already serviced.

Fire Protection

Fire protection will not be increased as part of the development.

School

School services will not be increased as part of the development.

Access and Egress

Access and egress from the parcels will be via the existing gravel surfaced Range Road 210A to Howe Road. No additional roads are required to provide access to the lots.

A Traffic Impact Assessment (TIA) was completed and is included under a separate cover. The TIA recommends upgrades based on existing conditions. The development does not trigger additional upgrade recommendations.

The ASP calls for private access driveways to mirror those on adjacent lots and single joint or shared approaches. Shared approaches were proposed in a previously submitted drawing set but were changed to single approaches at the request of the County.

AT File Reference: RSDP031008
Our Reference: 2511-NE 26-8-21-W4M (4/512)
Your Reference: Bylaw No. 20-016

June 29, 2020

Hilary Janzen
Supervisor of Planning & Development
hjanzen@lethcounty.ca
Lethbridge County
#100, 905 – 4 Avenue South
Lethbridge, AB T1J 4E4

Dear Ms. Janzen:

**RE: PROPOSED LAND USE REDESIGNATION
NORTH BLOCK 2, PLAN 7770AU
PORTION OF NE 26-8-21-W4M
LETHBRIDGE COUNTY**

Reference to Bylaw Amendment 20-016 to facilitate redesignation of the caption noted lands from "Lethbridge Urban Fringe Grouped Country Residential – LUF" to "Grouped Country Residential – GCR" to accommodate a future multi lot subdivision.

Should the approval authority find sufficient merit to ratify the proposed rezoning, the subsequent subdivision would be contrary to Section 14 and subject to the requirements of Section 15(2) of the Subdivision and Development Regulation, being Alberta Regulation 43/2002, consolidated up to 188/2017 ("the regulation").

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

To that end, the parcels to be created will gain indirect access to the provincial highway network solely by way of the local road system. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the grouped country residential parcels as proposed would have any appreciable impact on the highway.

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

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

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

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

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

Thank you for the referral and opportunity to comment.

FOR INFORMATION PURPOSES

Notwithstanding the foregoing, dependent upon future and the existing subdivision and/or developments in the area, Lethbridge County may consider collecting off-site levies to upgrade the existing at-grade local intersections with Highway 512 in order to accommodate the additional traffic.

Yours truly,

Leah Olsen
Development/Planning Technologist
403-388-3105

LO/jb

cc: Oldman River Regional Services Commission – steveharty@orrscc.com

Hilary Janzen

From: McNabb, Jarvis <Jarvis.McNabb@atco.com>
Sent: Thursday, July 02, 2020 8:06 AM
To: Hilary Janzen
Subject: RE: Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

Hi Hilary.

ATCO has no objections to this proposal.

Thanks,

Jarvis McNabb P.L.(Eng.), R.E.T.
Engineering Technologist, South District Engineering
Natural Gas

P. 587 220 2583 **F.** 403 380 5428
A. 410 Stafford Dr N Lethbridge AB Canada T1K 5E8

From: Hilary Janzen <hjanzen@lethcounty.ca>
Sent: Wednesday, June 24, 2020 1:22 PM
To: Tyson Boylan <Tyson.Boylan@lethbridge.ca>; South Land Administration <SouthLandAdministration@atco.cul.ca>; South District Engineering <SouthDistrictEngineering1@atco.com>; Alberta Transportation (transdevelopmentlethbridge@gov.ab.ca) <transdevelopmentlethbridge@gov.ab.ca>; Alberta Health Services (SouthZone.EnvironmentalHealth@ahs.ca) <SouthZone.EnvironmentalHealth@ahs.ca>; Leah Olsen (leah.olsen@gov.ab.ca) <leah.olsen@gov.ab.ca>; Telus Referrals (All) (circulations@telus.com) <circulations@telus.com>; FortisAlberta Inc. - Referrals (landserv@fortisalberta.com) <landserv@fortisalberta.com>; SMRID (lpark@smrid.ab.ca) <lpark@smrid.ab.ca>
Subject: Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

****Caution – This email is from an external source. If you are concerned about this message, please forward it to spam@atco.com for analysis.****

Lethbridge County has received an application to amend the Land Use Bylaw and re-designate a parcel from Lethbridge Urban Fringe to Grouped Country Residential. Below is the link to the documents supporting this application.

To access the site open up an internet browser and type in <https://ftp.mpeeng.ca>

username: Howe Development
Password: 76Q6S6FC

Regards,

Hilary Janzen, RPP, MCIP
Supervisor of Planning and Development
Lethbridge County
905 4th Ave S
Lethbridge, AB T1J 4E4

403.328.5525 office

403.328.5602 fax
www.lethcounty.ca



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Hilary Janzen

From: Jelmer H Derksen <jelmer.derksen@atco.com>
Sent: Wednesday, June 24, 2020 1:52 PM
To: Hilary Janzen
Subject: RE: Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

Hi Hilary,

ATCO Gas has no objection with the proposed re-designation.

Thank you

From: Hilary Janzen <hjanzen@lethcounty.ca>
Sent: Wednesday, June 24, 2020 1:22 PM
To: Tyson Boylan <Tyson.Boylan@lethbridge.ca>; South Land Administration <SouthLandAdministration@atco.cul.ca>; South District Engineering <SouthDistrictEngineering1@atco.com>; Alberta Transportation (transdevelopmentlethbridge@gov.ab.ca) <transdevelopmentlethbridge@gov.ab.ca>; Alberta Health Services (SouthZone.EnvironmentalHealth@ahs.ca) <SouthZone.EnvironmentalHealth@ahs.ca>; Leah Olsen (leah.olsen@gov.ab.ca) <leah.olsen@gov.ab.ca>; Telus Referrals (All) (circulations@telus.com) <circulations@telus.com>; FortisAlberta Inc. - Referrals (landserv@fortisalberta.com) <landserv@fortisalberta.com>; SMRID (lpark@smrid.ab.ca) <lpark@smrid.ab.ca>
Subject: Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

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Regards,

Hilary Janzen, RPP, MCIP
Supervisor of Planning and Development
Lethbridge County
905 4th Ave S
Lethbridge, AB T1J 4E4

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Hilary Janzen

From: Tyson Boylan <Tyson.Boylan@lethbridge.ca>
Sent: Monday, July 13, 2020 3:03 PM
To: Hilary Janzen
Cc: Maureen Gaehring; Adam St. Amant; Ahmed Ali
Subject: RE: [External] Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

Hi Hilary,

The City of Lethbridge appreciates the opportunity to provide comments to Lethbridge County regarding the proposed Land Use Bylaw Amendment. The proposed bylaw and the accompanying TIA were circulated to City of Lethbridge Transportation staff. They would like to note that the physical spacing between Highway 4 and the Range Road 212 connection from Twp. Rd 84 on the future 58 Street S arterial will likely be an issue. There may be a need to close the Range Road 212 connection to the 24 Avenue S service road / Highway 4 when 58 Street S becomes an arterial roadway within the City.

Should you have any questions please feel free to call the undersigned at (403) 320-3928 or tyson.boylan@lethbridge.ca

Tyson Boylan, RPP, MCIP

Senior Community Planner
Planning & Development
Infrastructure Services
City of Lethbridge – 910 4th Avenue S Lethbridge, AB
Ph: (403) 320-3928
Fax: (403) 327-6571
Email: tyson.boylan@lethbridge.ca

From: Hilary Janzen [mailto:hjanzen@lethcounty.ca]
Sent: Wednesday, June 24, 2020 1:22 PM
To: Tyson Boylan; ATCO Gas - Referrals Lethbridge (southlandadmin@atcogas.com); ATCO Pipelines (SouthDistrictEngineering1@atco.com); Alberta Transportation (transdevelopmentlethbridge@gov.ab.ca); Alberta Health Services (SouthZone.EnvironmentalHealth@ahs.ca); Leah Olsen (leah.olsen@gov.ab.ca); Telus Referrals (All) (circulations@telus.com); FortisAlberta Inc. - Referrals (landserv@fortisalberta.com); SMRID (lpark@smrid.ab.ca)
Subject: [External] Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lethbridge County has received an application to amend the Land Use Bylaw and re-designate a parcel from Lethbridge Urban Fringe to Grouped Country Residential. Below is the link to the documents supporting this application.

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username: Howe Development
Password: 76Q6S6FC

Regards,

Hilary Janzen, RPP, MCIP
Supervisor of Planning and Development

Lethbridge County
905 4th Ave S
Lethbridge, AB T1J 4E4

403.328.5525 office
403.328.5602 fax
www.lethcounty.ca





403.328.4401 (Phone)
403.328.4460 (Fax)



525 40 Street South
Lethbridge, AB T1J 4M1

June 25, 2020

Lethbridge County - Lethbridge
905 4 Ave South
Lethbridge, AB
T1J 4E4

Dear Sir/Madam:

**Re: NE 26-08-21-W4
Plan 7770AU, Block Z
Lethbridge Country Land Use Bylaw Amendment**

Further to your correspondence of June 24th, 2020, this is to advise that we have no objection to the Land Use Bylaw Amendment.

However, if the future lots wish to use non potable water supplied by the District, they will be required to form a Water Co-Op with the residential lots that are located north of the future lots. This involves purchasing an allotment of water at \$1,200.00 an acre foot and entering into a metered Water Conveyance agreement with the District. They will be billed yearly at \$69.00 an acre foot or \$690.00 whichever is greater. All works, agreements, etc., required will be at the landowner's expense.

If you have any further questions, please contact myself or Jan Tamminga in the Lethbridge office at 403-328-4401.

Yours truly,

Linda Park
Land Administrator

cc: 644213 Alberta Ltd.
300 – 10 Street South
Lethbridge, AB
T1J 2M8

Hilary Janzen

From: Pounall, Diana <diana.pounall@fortisalberta.com> on behalf of Land Service <landserv@fortisalberta.com>
Sent: Monday, July 20, 2020 8:16 AM
To: Hilary Janzen
Subject: Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw
Attachments: External Circulation - Bylaw 20-016.docx; Plan 7770AU Block Z.pdf; Bylaw 20-016 - Land Use Bylaw Amendment Application.pdf

Good day,

FortisAlberta has no concerns, please contact 310-WIRE for any electrical services.

Warm Regards,

Diana Pounall | Land Coordinator

FortisAlberta Inc. | 15 Kingsview Rd. SE Airdrie, AB T4A 0A8 | Tel: 587-775-6264

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For more information please visit fortisalberta.com

From: Hilary Janzen <hjanzen@lethcounty.ca>
Sent: Wednesday, June 24, 2020 1:22 PM
To: Tyson Boylan <Tyson.Boylan@lethbridge.ca>; ATCO Gas - Referrals Lethbridge (southlandadmin@atcogas.com) <southlandadmin@atcogas.com>; ATCO Pipelines (SouthDistrictEngineering1@atco.com) <SouthDistrictEngineering1@atco.com>; Alberta Transportation (transdevelopmentlethbridge@gov.ab.ca) <transdevelopmentlethbridge@gov.ab.ca>; Alberta Health Services (SouthZone.EnvironmentalHealth@ahs.ca) <SouthZone.EnvironmentalHealth@ahs.ca>; Leah Olsen (leah.olsen@gov.ab.ca) <leah.olsen@gov.ab.ca>; Telus Referrals (All) (circulations@telus.com) <circulations@telus.com>; Land Service <landserv@fortisalberta.com>; SMRID (lpark@smrid.ab.ca) <lpark@smrid.ab.ca>
Subject: [EXTERNAL] DUE JULY 24 Lethbridge County - Bylaw 20-016 Amendment to Land Use Bylaw

EXTERNAL EMAIL: Use caution with links and attachments.

Lethbridge County has received an application to amend the Land Use Bylaw and re-designate a parcel from Lethbridge Urban Fringe to Grouped Country Residential. Below is the link to the documents supporting this application.

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username: Howe Development

Password: 76Q6S6FC

Regards,

Hilary Janzen, RPP, MCIP
Supervisor of Planning and Development
Lethbridge County
905 4th Ave S
Lethbridge, AB T1J 4E4

403.328.5525 office
403.328.5602 fax
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MEMO - Report

To: Reeve and Council

Date: 08/20/2020

From: Steve Harty – ORRSC Senior Planner

Re: Land Use Bylaw (Bylaw NO. 20-016) Amendment to GCR Application (Howe)

Legal Description: Block Z, Plan 7770AU in NE1/4 26-08-21-W4M (Section 26)

PROPOSAL / ISSUE:

Lethbridge County is in receipt of an application for a Land Use Bylaw amendment to redesignate a parcel of land in Section 26 from 'Lethbridge Urban Fringe – LUF' to 'Grouped Country Residential – GCR' to accommodate a 7 lot GCR proposal.

COMMENTS:

- The subject parcel is located within Section 26 which, after many years of consultation and planning, has an overarching Area Structure Plan (ASP) adopted (Bylaw No. 1483, Jan. 2017) to guide the subdivision and development process within this fragmented section of the County. The ASP outlines the conceptual layout, lot density, road networks and the additional detailed engineering requirements that landowners/developers would need to undertake in order to proceed with subdivision proposals. In respect of this, the applicants have provided the required Engineering Detailed Plan as stipulated in Section 3.4 and Schedule A of the ASP prepared by MPE Engineering Ltd.
- The three (3) primary planning matters that are to be addressed in an Engineering Detailed Plan to support a GCR rezoning are road network provisions, suitability of soils for on-site treatment, and a more detailed storm water management plan that aligns with the ASP's preliminary higher-level storm plan. In regards to these items, the following is noted:
 - No new road dedications are needed, as the parent parcel has access to the existing north municipal roadway. The report also provided a Traffic Impact Assessment (TIA) to confirm there are no major traffic impacts.
 - An acceptable engineered soils assessment has been provided to support the proposal, as the ASP requires landowners to perform a soils analysis on their own parcel(s) and to consider density and cumulative impacts in the ¼-section.
 - As Section 26 is located within the Eight-mile Lake drainage basin and due to historical problems associated with drainage and a possible high water table, the provision of a comprehensive engineered storm water management plan is the most crucial planning matter to be addressed. The applicants have taken this into account, and the MPE engineering report provides a more comprehensive storm water management plan considering neighboring parcels. The landowners are responsible for the necessary facilities pertaining to the subdivision, with the additional requirement of providing any components that are necessary for the functioning of the system which may be located outside or downstream of the subdivision area itself.

- As these landowners are the first within Section 26 to undertake a new multi-lot subdivision, the ASP includes provisions that at the subdivision stage, Endeavor to Assist Agreements may be considered by Lethbridge County to assist developers who install infrastructure as a front-end service that will be a benefit to adjacent landowners/developers in the future.
- Once the appropriate Engineering Detail Plan and land use designation are in place, the applicant/landowner may apply for subdivision of the parcel into the separate titles

RELEVANT LEGISLATION:

The proposal conforms to the County's MDP as a suitable area for GCR and an ASP has been adopted to enable such use. The subject parcel is also situated within the Intermunicipal Development Plan (IDP) area with the City of Lethbridge, specifically within IDP Policy Area 5. The IDP recognizes the fragmented and GCR subdivision nature of Section 26 and with the adoption of the Section 26 ASP, this proposal may go forward for rezoning consideration. The redesignation and subsequent subdivision does not conflict with or contravene any applicable IDP policies.

As outlined in the Municipal Government Act, the advertising and the holding of a public hearing where affected landowners may comment on the proposal is a mandatory step in the process of reclassification. Any concerns brought forward will need to be considered by Council on their own merit.

Overall, it appears the application conforms to the Section 26 ASP requirements and may be supported. Any site and development specific requirements can be addressed through the terms of the development agreement at the subdivision stage. As the first applicant for GCR to enable subdivision, and being located at the north-end of the section in a downstream drainage direction, the undertaking of this proposal with the storm pond facility may assist other landowners to also plan and subdivide accordingly. It is Council's prerogative if they will consider approval of this requested bylaw redesignation.