



AGENDA

Council Meeting

9:30 AM - Thursday, April 1, 2021
Council Chambers

Page

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. ADOPTION OF MINUTES

4 - 15

1. **County Council Meeting Minutes**
[Council Meeting - 11 Mar 2021 - Minutes](#)

D. SUBDIVISION APPLICATIONS

16 - 23

1. **Subdivision Application #2021-0-013 – Lethbridge County - Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M (Hamlet of Monarch)**
[Subdivision Application #2021-0-013 – Lethbridge County - Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M \(Hamlet of Monarch\)](#)

24 - 34

2. **Subdivision Application #2021-0-020 – Sheets/Magill - within the W1/2 4-9-20-W4M**
[Subdivision Application #2021-0-020 – Sheets/Magill - within the W1/2 4-9-20-W4M](#)

35 - 43

3. **Subdivision Application #2021-0-029 – Dronkelaar - SW1/4 8-12-20-W4M**
[Subdivision Application #2021-0-029 – Dronkelaar - SW1/4 8-12-20-W4M](#)

44 - 54

4. **Subdivision Application #2021-0-031 – Nieboer - portion of the SE¼- 4-11-23-W4M**
[Subdivision Application #2021-0-031 – Nieboer - portion of the SE¼- 4-11-23-W4M](#)

55 - 62

5. **Subdivision Application #2021-0-037 – Sinke Farms / Sosick - Lot 1, Plan 9011050 & SE1/4 11-11-22-W4M**
[Subdivision Application #2021-0-037 – Sinke Farms / Sosick - Lot 1,](#)

E. PUBLIC HEARINGS

F. DELEGATIONS

11:30 a.m. - See Item J1

G. DEPARTMENT REPORTS

1. Asset Management Update and AM Plan Delivery

G.1. MUNICIPAL SERVICES

63 - 65 G.1.1. **Nobleford Water Conveyance Agreement - Extension Support**
[Nobleford Water Conveyance Agreement - Extension Support](#)

66 - 69 G.1.2. **ASB Resource Management Grant Update**
[ASB Resource Management Grant Update](#)

G.2. COMMUNITY SERVICES

70 - 82 G.2.1. **Development Permit Application 2021-056 (City of Lethbridge Landfill Composting Facility)**
[Development Permit Application 2021-056 \(City of Lethbridge Landfill Composting Facility\)](#)

83 - 94 G.2.2. **Development Permit Application 2021-063 (Powersports Business)**
[Development Permit Application 2021-063 \(Powersports Business\)](#)

95 - 107 G.2.3. **Development Permit Application 2021-064 (Signage)**
[Development Permit Application 2021-064 \(Signage\)](#)

G.3. CORPORATE SERVICES

108 - 117 G.3.1. **2021 Business Tax Bylaw No. 21-004**
[2021 Business Tax Bylaw No. 21-004](#)

118 - 121 G.3.2. **2021 Business Tax Rate Bylaw No. 21-005**
[2021 Business Tax Rate Bylaw No. 21-005](#)

G.4. ADMINISTRATION

H. NEW BUSINESS

I. COUNTY COUNCIL AND COMMITTEE UPDATES

J. CLOSED SESSION

1. **11:30 a.m. - Request for Surface Lease - Update (FOIP Section 16 - Disclosure Harmful to Business Interests of a Third Party & Section 25 (1) - Disclosure Harmful to Economic and Other Interests of a Public Body)**
2. **Discussion on Regional Fire Agreement (FOIP Section 25 (1) - Disclosure Harmful to Economic and Other Interests of a Public Body)**

K. ADJOURN



MINUTES

Council Meeting

9:30 AM - Thursday, March 11, 2021
Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, March 11, 2021, at 9:30 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Lorne Hickey
Councillor Morris Zeinstra
Councillor Tory Campbell
Councillor Robert Horvath
Deputy Reeve Ken Benson
Councillor Steve Campbell
Councillor Klaas VanderVeen
Chief Administrative Officer, Ann Mitchell
Director of Community Services, Larry Randle
Director of Public Operations, Jeremy Wickson
Infrastructure Manager, Devon Thiele
Manager of Finance & Administration, Jennifer Place
Executive Assistant, Candice Robison
Supervisor of Planning & Development, Hilary Janzen

A. CALL TO ORDER

Reeve Lorne Hickey called the meeting to order at 9:31 a.m.

B. ADOPTION OF AGENDA

440-2021	Deputy Reeve Benson	MOVED that Lethbridge County Council approve the March 11, 2021 Council Meeting Agenda as presented.	CARRIED
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C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

441-2021 Councillor S.Campbell MOVED that the February 11, 2021 Regular County Council Meeting Minutes be accepted as presented. CARRIED

C.2. Joint Public Hearing Minutes

442-2021 Councillor VanderVeen MOVED that the February 25, 2021 Joint Public Hearing Minutes be accepted as presented. CARRIED

D. DELEGATIONS

D.1. 9:45 a.m. - Ridge Utilities

443-2021 Councillor Horvath MOVED that the Ridge Utilities presentation be received for information. CARRIED

E. SUBDIVISION APPLICATIONS

E.1. Subdivision Application #2021-0-013 – Lethbridge County - Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M (Hamlet of Monarch)

444-2021 Councillor T.Campbell MOVED that Subdivision Application 2021-0-013 be tabled for further information including the possible implementation and maintenance of an alley and subdividing four lots rather than five. CARRIED

E.2. Subdivision Application #2021-0-009 – Deboer - Lot 1, Block 1, Plan 1710894 within NE1/4 12-10-24-W4M

445-2021 Councillor VanderVeen MOVED that the Country Residential subdivision of Lot 1, Block 1, Plan 1710894 within NE1/4 12-10-24-W4M (Certificate of Title No. 171 080 043), to resplit an 8.97 acre (3.63 ha) parcel into two titles, being 5.95 and 3.02 acres

(2.41 & 1.22 ha) each respectively in size, for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant submits a subdivision Final Plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided as approved.

CARRIED

**E.3. Subdivision Application #2021-0-017 – Neher/Hohlebein
- Lots 6 & 7, Block 1, Plan 1712355, Lot 8, Block 1, Plan 1712357, Lot
1, Block 1, Plan 0812864 within the N1/2 5-10-21-W4M**

446-2021 Councillor S.Campbell MOVED that the Agricultural and Country Residential subdivision Lots 6 & 7, Block 1, Plan 1712355, Lot 8, Block 1, Plan 1712357, Lot 1, Block 1, Plan 0812864 within the N1/2 5-10-21-W4M (Certificate of Title No. 171 271 526, 171 271 526 +1, 171 271 534, 101 023 818) be reconfigured to reconfigure the layout (property boundaries) and title acreage amounts of four adjacent parcels through subdivision and consolidation by adjusting titles 36.82, 8.95, 20.06 & 58.51 acres (14.9, 3.58, 8.1 & 23.68 ha) in size, and creating new titles 37.16, 12.60, 30.62 & 4.4 acres (15.04, 5.10, 12.39 & 17.83 ha) respectively in size, for agricultural and county residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant submits a surveyed Final Plan as prepared by an Alberta Land Surveyor. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of four adjacent parcels, are to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles can

- be further subdivided without approval of the Subdivision Authority.
4. That the existing access easements for all the property owners remain as registered on title(s) to enable land owners to continue use the private road access.
 5. That any easement(s) as required by utility companies or municipality shall be established

CARF

**E.4. Subdivision Application #2021-0-014 – Postman
- NW1/4 25-10-24-W4M**

447-2021 Councillor Zeinstra MOVED that the Country Residential subdivision of NW1/4 25-10-24-W4M (Certificate of Title No. 201 039 589 +1), to subdivide a 3.00 acre (1.21 ha) bareland (vacant) first subdivision from a ¼-section title of 160 acres (64.75 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant has a professional soils analysis completed for the new 3.00 acre parcel to demonstrate suitability of a private on-site septic treatment system on the land, with results to be as determined satisfactory to the Subdivision Authority.
4. That the applicant submits a final plan of survey as prepared by an Alberta Land Surveyor that corresponds to the approved parcel being subdivided.
5. That the easement(s) as required by ATCO shall be established prior to finalization of the application.
6. That any easement(s) as required by utility companies or the municipality shall be established.

CARRIED

Reeve Lorne Hickey recessed the meeting at 10:51 a.m.

The meeting reconvened at 10:58 a.m.

F. **PUBLIC HEARINGS**

G. **DEPARTMENT REPORTS**

G.1. **MUNICIPAL SERVICES**

G.1.1. **2021 Capital Equipment - Pneumatic Tire Packer Budget Request**

448-2021 Councillor VanderVeen MOVED that Council approves a budget increase for the pneumatic tire packer, and it can be in place for the 2021 spring base stabilization program.

CARRIED

G.2. **COMMUNITY SERVICES**

G.2.1. **Bylaw 20-007 - Road Closure, Sale and Consolidation of a portion of Sidney Road within subdivision plan 4000AQ (Lucy-Howe Subdivision) - 2nd and 3rd Reading**

449-2021 Councillor Zeinstra MOVED that Bylaw 20-007 - Road Closure, Sale and Consolidation of a portion of Sidney Road within Subdivision Plan 4000AQ (Lucy-Howe Subdivision) be read a second time.

CARRIED

450-2021 Councillor Horvath MOVED that Bylaw 20-007 - Road Closure, Sale and Consolidation of a portion of Sidney Road within Subdivision Plan 4000AQ (Lucy-Howe Subdivision) be read a third time.

CARRIED

G.2.2. **Policy 217 - Community Peace Officer Policy: Communication System Policy**

451-2021 Deputy Reeve Benson MOVED that revised Policy #217 - Lethbridge County Peace Officer - Communication System Policy be adopted as presented.

CARRIED

G.2.3. Community Planning Association of Alberta (CPAA) - Annual Conference (Virtual) and Sponsorship

- 452-2021 Councillor VanderVeen MOVED that any member of Council may attend the 2021 CPAA (Virtual) Annual Conference and that County Council sponsors the 2020 Community Planning Association of Alberta Conference in Red Deer scheduled for May 3-5, 2021 at the \$1,000 Gold Sponsorship Level; funds to be utilized from Council's Discretionary Reserve.
- CARRIED

G.2.4. Parking Bylaw Survey Results - Bylaw 20-017

- 453-2021 Councillor VanderVeen MOVED that Bylaw 20-017 - Parking Bylaw be read a second time.
- DEFEATED
- 454-2021 Councillor VanderVeen MOVED that the County consider looking into commercial truck parking lots in the hamlets in the future.
- CARRIED

Reeve Hickey recessed the meeting at 12:00 p.m.

The meeting reconvened at 12:40 p.m. with all members of Council present as previously stated.

G.2.5. Lethbridge County Economic Development Quarterly Report: December 2020 - March 2021

- 455-2021 Councillor VanderVeen MOVED that the December, 2020 - March, 2021 Economic Development quarterly report be received for information.
- CARRIED

G.3. CORPORATE SERVICES

G.3.1. Picture Butte Rural Crime Request

456-2021 Councillor VanderVeen MOVED that County Council agrees to provide the Picture Butte Rural Crime Watch Association \$1,000 a year for a period of five years beginning in 2021, to be funded from the Council Donation Reserve.

CARRIED

G.3.2. Municipal Operating Support Transfer (MOST) Program

457-2021 Councillor Zeinstra MOVED that County Council supports the application for the Municipal Operating Support Transfer funding.

CARRIED

G.3.3. 2020 Year End Surplus Report

458-2021 Councillor S.Campbell MOVED that the reallocation of funds from Unrestricted Surplus to Restricted Surplus (Reserves) be transferred to or from as per the chart:

SURPLUS TRANSFER TO RESERVE			Amount
Tax	Support	Surplus	
Transfer TO:			
Emergency	Services		\$62,853
Contingency Reserve			
	Administrative Reserve		\$62,854
SURPLUS	TRANSFER		\$125,707
TOTAL			

CARRIED

G.3.4.

Reserve Presentation

Jennifer Place, Manager of Finance & Administration provided a presentation to Council on reserves.

G.4. ADMINISTRATION

G.4.1. Policy 164 - Twinning Relationships

459-2021 Councillor Zeinstra MOVED that Policy 164 - Twinning Relationships remain as an active Lethbridge County Policy and that administration further investigate the possibility of twinning relationships in the future.

CARRIED

H. **NEW BUSINESS**

I. **COUNTY COUNCIL AND COMMITTEE UPDATES**

I.1. **Lethbridge County Council Attendance Update - February 2021**

460-2021 Councillor S.Campbell MOVED that Lethbridge County Council receive the report titled "Lethbridge County Council Attendance Update - February 2021", identifying the activities and events attended by Lethbridge County Council for the month of February 2021 as information.

CARRIED

**Division 1
Reeve Lorne Hickey**

February 4	Telephone Town Hall with Premier Kenney, Minister Allard & Dr Hinshaw
February 5	Mayors and Reeves
February 11	Lethbridge County Council Meeting
February 11	Meeting with Lethbridge North County Potable Water Coop Board
February 12	Meeting with CAO
February 17	Meeting with CAO
February 17	RMA/AUMA President's Summit on the Establishment of a Provincial Police Service
February 24	Virtual Meeting with MLA Schow
February 25	Joint Public Hearing - County/Coalhurst Amendment to IDP
February 26	Meeting with CAO
February 26 Session	Alberta Council Budget Information
February 26	Virtual Provincial Police Force Discussion with Minister Hunter & MLA Neudorf
February 26	Telephone Town Hall with Premier Jason Kenney & Minister Ric McIver

**Division 2
Councillor Tory Campbell**

February 11	Lethbridge County Council Meeting
February 11	Meeting with Lethbridge North County Potable Water Coop Board
February 24	Virtual Meeting with MLA Schow
February 25	Joint Public Hearing - County/Coalhurst Amendment to IDP
February 26	Virtual Provincial Police Force Discussion with Minister Hunter & MLA Neudorf

**Division 3
Councillor Robert Horvath**

February 11	Lethbridge County Council Meeting
February 11	Meeting with Lethbridge North County Potable Water Coop Board
February 25	Joint Public Hearing - County/Coalhurst Amendment to IDP
February 25 Session	Virtual SouthGrow Strategic Planning

**Division 4
Councillor Ken Benson**

February 11	Lethbridge County Council Meeting
February 11	Meeting with Lethbridge North County Potable Water Coop Board

**Division 5
Councillor Steve Campbell**

February 10	Exhibition Park Board Meeting
February 11	Lethbridge County Council Meeting
February 11	Meeting with Lethbridge North County Potable Water Coop Board
February 23	Community Futures Board Meeting
February 25	Joint Public Hearing - County/Coalhurst Amendment to IDP

Division 6

Councillor Klaas VanderVeen

February 11 Lethbridge County Council Meeting
February 11 Meeting with Lethbridge North County
Potable Water Coop Board
February 17 Economic Development Lethbridge
February 25 Joint Public Hearing - County/Coalhurst
Amendment to IDP
February 26 SAEWA Board Meeting

**Division 7
Councillor Morris Zeinstra**

February 11 Lethbridge County Council Meeting
February 11 Meeting with Lethbridge North County
Potable Water Coop Board
February 25 Joint Public Hearing - County/Coalhurst
Amendment to IDP

J. CLOSED SESSION

J.1. Hamlet of Turin - Lots for Sale (FOIP Section 25(1))

J.2. Offer to Purchase for Plan 104DS Block 3 Lots 3-5 - Hamlet of Turin (FOIP Section 25(1))

J.3. Request for Surface Lease - 17-10-24-W4 LSD 16 - Tamarack Valley Energy Ltd. (FOIP Section 16 & 25(1))

461-2021 Councillor Zeinstra MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the *Municipal Government Act*, the time being 2:14 p.m. for discussion on the following:

J.1. Hamlet of Turin - Lots for Sale (*Freedom of Information and Protection of Privacy Act, Section 25(1) - Disclosure Harmful to Economic and Other Interests of a Public Body*)

J.2. Offer to Purchase for Plan 104DS Block 3 Lots 3-5 - Hamlet of Turin (*Freedom of Information and Protection of Privacy Act, Section 25(1) – Disclosure Harmful to Economic and Other Interests of a Public Body*)

J.3. Request for Surface Lease - 17-10-24-W4 LSD 16 - Tamarack Valley Energy Ltd. (*Freedom of Information and Protection of Privacy Act, Sections 16 and 25(1) – Disclosure*)

*Harmful to Business Interests of a Third Party & Disclosure
Harmful to Economic and Other Interests of a Public Body)*

Present during the Closed Session:
Lethbridge County Council
Senior Management
Administration Staff
CARRIED

462-2021 Councillor Zeinstra MOVED that the Lethbridge County Council Meeting move out of the closed session at 2:50 p.m.
CARRIED

J.1. Hamlet of Turin - Lots for Sale (FOIP Section 25(1))

463-2021 Councillor T.Campbell MOVED that County Council approve the sale of the 4 western serviced Hamlet Industrial lots in accordance with the closed report presented to Council on March 11, 2021.
CARRIED

J.2. Offer to Purchase - Plan 104DS Block 3 Lots 3-5 (FOIP Section 25(1))

464-2021 Councillor Zeinstra MOVED that County Council approve the offer and direct administration to complete the sale of the parcel.
CARRIED

J.3. Request for Surface Lease - Tamarack Valley Energy Ltd (FOIP Section 16 & 25(1))

The Request for Surface Lease - Tamarack Valley Energy Ltd. will be brought back to a future meeting.

K. ADJOURN

465-2021 Councillor Zeinstra MOVED that the Lethbridge County Council Meeting adjourn at 2:52 p.m.
CARRIED

Reeve

CAO

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-013 – Lethbridge County
- Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M (Hamlet of Monarch)

Meeting: Council Meeting - 01 Apr 2021

Department: ORRSC

Report Author: Hilary Janzen

APPROVAL(S):

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

Approved - 18 Mar 2021
Approved - 22 Mar 2021

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 an existing title 0.9-acres in size, and create 5 equal-lots, approximately 0.18 acres or 51 x 150 ft. each respectively in size, for hamlet residential use. The proposal meets the hamlet subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-013 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The title is owned by Lethbridge County and Council has authorized the former Hamlet of Monarch water tower site to be subdivided and sold for hamlet residential purposes.
- On February 11, 2021, Council redesignated the parcel from 'Hamlet Public/Institutional (HP/I)' to the appropriate 'Hamlet Residential (HR)' land use district (Bylaw 21-002) in order to accommodate the subdivision and residential land use.
- This subdivision is possible with the provision of municipal water and sewage in the hamlet.

BACKGROUND INFORMATION:

The present parcel title is owned by Lethbridge County and is the site of the former hamlet water tower. As the tower infrastructure is no longer needed, the County has decommissioned and removed the water tower structure from the land (part of 2020 budget) which now enables the residential lot subdivision.

As the subject parcel is 255 feet wide by 150 feet in depth, this will enable a maximum of five good sized residential lots to be created that exceed the bylaw's required 50 x 100 ft. minimum lot size stipulations as each lot will be approximately 51 x 150 ft. each in size (7,652 sq. ft). This is 2,652 sq.ft. larger than the the minimum required size for a hamlet parcel (which is 5,000 sq.ft.)

The lots rear yards will back onto the community park area to the east which contains the community hall and playground. All the lots will have direct legal and road access to Edward's Street to the west. The County will install municipal water and sewer stub-ins so the lots have access to the hamlet infrastructure system.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a hamlet residential subdivision and the Hamlet Residential - HR land use district standards. As the title is owned by Lethbridge County the subdivision may be approved with basic municipal conditions.

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

ALTERNATIVES / PROS / CONS:

OPTION 1:

The Subdivision Authority could decide to not approve and the parcel would remain as is.

- Pros: The County could retain the lots for a future purpose
- Cons: This would negate the County's work, process and costs already experienced in facilitating the subdivision to move forward and enable Monarch to accommodate new residential growth opportunities.

OPTION 2:

The Subdivision Authority could decide to increase the size of the parcels and have 4 equal sized parcels versus 5 parcels.

- Pros: The lots would be wider which may be more desirable to a buyer.
- Cons: A larger lot would be assessed higher and may not sell as quickly and would decrease the overall future tax revenue for the County

OPTION 3:

The Subdivision Authority could decide to approve 5 lots but include a back alley in the development.

- Pros: This could prevent the trespassing of landowners onto the Community Association's Property.
- Cons: The County would have to construct and maintain a back alley.

FINANCIAL IMPACT:

- The County is responsible for the costs of subdivision, surveying and providing service stub-ins to the lots (the cost to install services is approximately \$10,000 per lot) but will recoup costs with the sale of the individual land titles.
- The sale value is estimated to be between \$50,000 and \$60,000 for a 7,653 square foot lot and \$57,000-\$70,000 for a 9,567 square foot parcel.
- The future tax situation will change with an increase in additional residential taxes paid to the County.
- The construction on the alley would cost approximately \$14,500 if completed by an external contractor.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision meets the provincial Subdivision and Development Regulations, the Hamlet Residential - HR land use district standards, and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

[5A 2021-0-013 Lethbridge County APPROVAL](#)
[2021-0-013 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-013

Lethbridge County

Residential subdivision of Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M (Hamlet of Monarch)

THAT the Residential subdivision of Lot 11, Block 18, Plan 9611179 within SW1/4 7-10-23-W4M (Certificate of Title No. 961 130 719), to subdivide an existing title 0.9-acres (0.36 ha) in size, and create 5 equal-lots, approximately 0.18 acres (0.07 ha) or 51 x 150 ft. each respectively in size, for hamlet residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That the applicant submits a subdivision Final Plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided as approved.
2. That any easement(s) as required by the municipality shall be established.

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 all the proposed lots meet and exceed the land use bylaw stipulated 50 x 100' minimum lot size requirements and conform to the Hamlet Residential (HR) land use district standards.
4. This subdivision is possible with the provision of municipal water and sewage infrastructure in the Hamlet of Monarch and each of the lots will be serviced by the County hamlet water and sewer services.

INFORMATIVE:

- (a) Municipal Reserve is not required since it complies with Section 663(c) of the MGA.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) TELUS Communications Inc. has no objections.
- (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 Gas has no need for a Utility Right of Way on the subject property at this time, and therefore has no objection to the proposed subdivision.

2021-0-013
Page 1 of 2

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

“Reference your file to create five (5) parcels for 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 network.

To that end, the parcels to be created will be well removed from Highway 3A with indirect access to the highway being gained 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 five (5) 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 grants a waiver of said Sections 14 and 15(2).

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

The subject property is within the noted control lines 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 five (5) residential parcels could proceed under the direction, control and management of the county. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

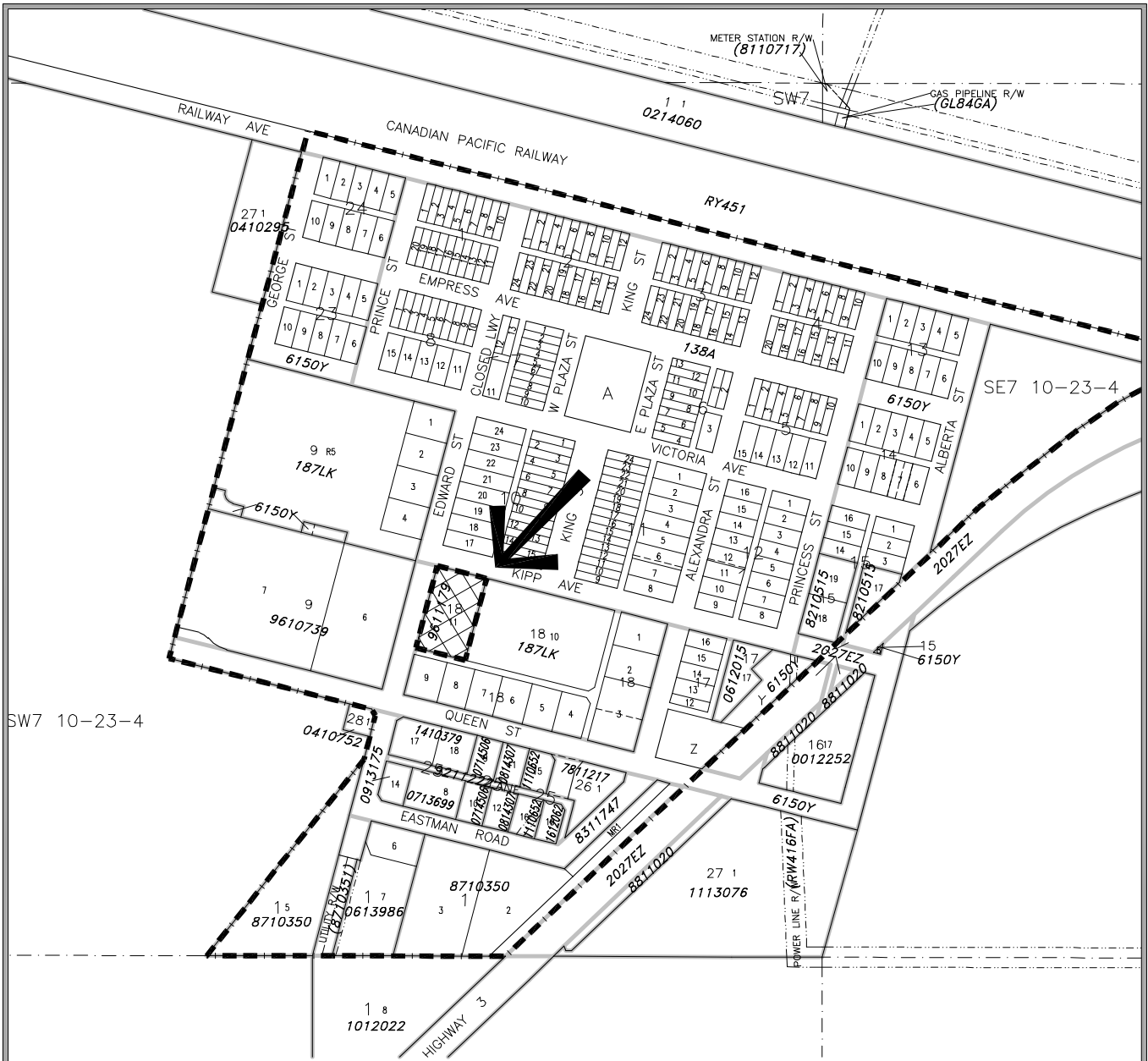
Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far 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.”

- (k) Canada Post has no comments.

MOVER

REEVE

DATE



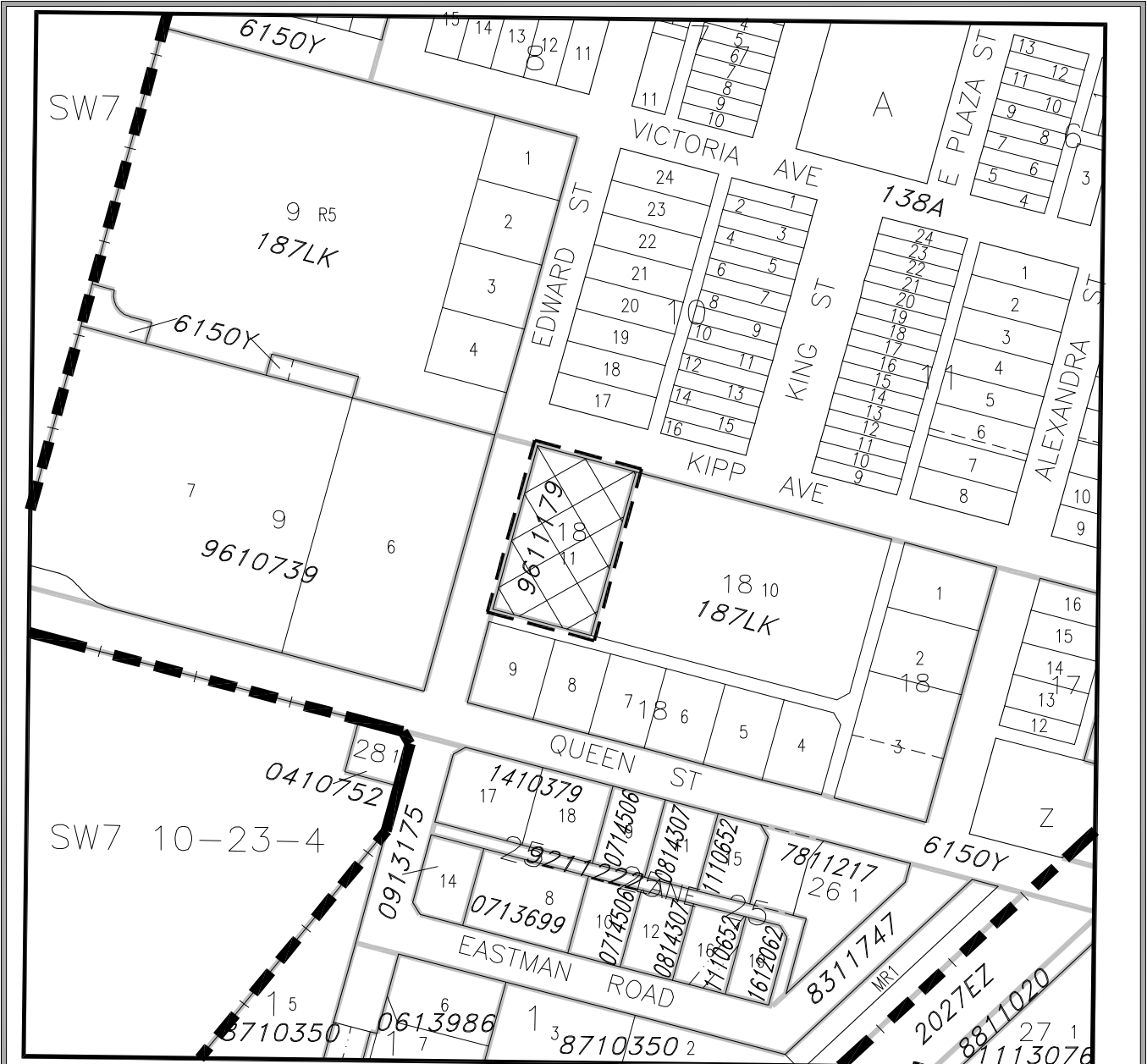
SUBDIVISION LOCATION SKETCH
LOT 11, BLOCK 18, PLAN 9611179 WITHIN
SW 1/4 SEC 7, TWP 10, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
(HAMLET OF MONARCH)
DATE: JANUARY 19, 2021
FILE: 2021-0-013

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 2145 190 AVENUE NORTH, LETHBRIDGE, AB T1H 3E2
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS

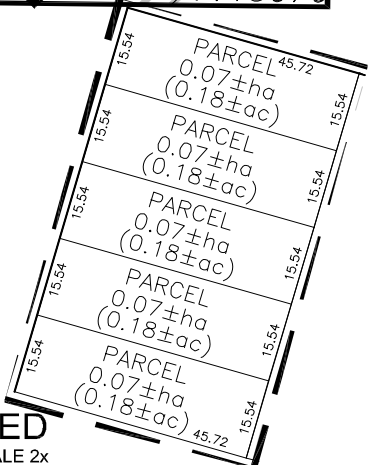


OLDMAN RIVER REGIONAL SERVICES COMMISSION

January 19, 2021 N:\Page 6 of 18 2021-0-013.dwg



SUBDIVISION SKETCH
 LOT 11, BLOCK 18, PLAN 9611179 WITHIN
 SW 1/4 SEC 7, TWP 10, RGE 23, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 (HAMLET OF MONARCH)
 DATE: JANUARY 19, 2021
 FILE: 2021-0-013



PROPOSED
 DETAIL SCALE 2x



SUBDIVISION SKETCH
LOT 11, BLOCK 18, PLAN 9611179 WITHIN
SW 1/4 SEC 7, TWP 10, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
(HAMLET OF MONARCH)
DATE: JANUARY 19, 2021
FILE: 2021-0-013



OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

January 19, 2021 N:\Subdivision\2021\013.dwg



PROPOSED
 DETAIL SCALE 2x **AERIAL PHOTO DATE: 2018**

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-020 – Sheets/Magill
- within the W1/2 4-9-20-W4M

Meeting: Council Meeting - 01 Apr 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 18 Mar 2021
Larry Randle, Director of Community Services,	Approved - 18 Mar 2021
Ann Mitchell, Chief Administrative Officer,	Approved - 18 Mar 2021

STRATEGIC ALIGNMENT:

 <input checked="" type="checkbox"/>	 <input 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:

The application is to reconfigure the layout (property boundaries) of two adjacent parcels and enlarge a 14.13 acre cut-off title, by subdividing 6.10 acres from the adjacent south ¼-section and consolidating it to the existing parcel, thereby creating a 20.23 acre rural industrial title and a 134.75 acre sized agricultural title. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-020 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision in accordance with the County's criteria as a reconfiguration/ realignment of titles, with no additional titles being created above what presently exist. Separate standalone titles are not being created but the land being subdivided and consolidated is between existing titles.
- The land is subject to the Lethbridge County and the Town of Coaldale IDP which allows for a reconfiguration of titles and the Town of Coaldale has no objections to the proposal.
- The remnant 134.75 acre sized agricultural title exceeds the bylaw minimum agricultural parcel size requirements.
- The subdivision and consolidation process will provide the business parcel both direct physical and legal access to the west municipal road allowance, where previously only an easement agreement provided legal access.

BACKGROUND INFORMATION:

Located within 1/2-mile north of Highway 512 and immediately west of the Town of Coaldale boundary. The proposal is to accommodate a land swap and property line adjustment between adjacent titles to enlarge an existing cut-off parcel.

The application has two main purposes: First, the owner of the 14.13 acre parcel desires to enlarge their parcel which is developed for small rural business. The lot was created by the SMRID as a cut-off title (very southeast corner of the NW 4-9-20-W4M) and contains a number of improvements including a 31,000 sq. ft. building, a shop building, number of sheds, a weigh scale building, and a dugout. Due to the triangular shape of the parcel and it being cut-off by the adjacent SMRID canal, the owner finds it tight and difficult for trucks and trailers to circulate and park. The additional 6.10 acres of land being added from the SW 4-9-20-W4M will provide more area for the business operations and vehicle access/circulation. The land being subdivided and consolidated from the adjacent corner of the 1/4-section is a bare dry corner and not under irrigation. The two land owners have a tentative agreement to enable the transfer if the application is approved.

Second, as the 14.13 acre parcel was originally created by the SMRID and not as a subdivision approved by the municipality, the parcel does not have physical access to a public road. Currently, the owner uses part of the canal ditch road and an easement that is registered over the SW 4-9-20-W4M to provide legal access to the west municipal road allowance (Rg Rd 20-4). As part of this subdivision/consolidation process, an approximately 12 m wide strip of land running parallel to the irrigation canal R/W will be amalgamated to the industrial business parcel title. This will provide the parcel both direct physical and legal access to the west municipal roadway.

Overall, the proposal meets the criteria of the County’s Land Use Bylaw No. 1404 for a reconfiguration/realignment of titles subdivision. The application was circulated to the required external agencies with no concerns expressed and the Town of Coaldale has no objections. ATCO Gas stated they require an easement.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is determined the proposed realignment is not suitable and the titles would remain as is.

Pros:

- there is no advantages to denying the subdivision as it meets the subdivision criteria of the County

Cons:

- the business parcel would continue to not have direct physical road access and a refusal would likely be appealed by the applicants

FINANCIAL IMPACT:

The County will benefit from a municipal reserve payment of approximately \$6,100.00 that is applicable. Additionally, the future tax situation may improve with opportunity for development and business expansion on a larger site.

REASON(S) FOR RECOMMENDATION(S):

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

ATTACHMENTS:

[5A 2021-0-020 Lethbridge County APPROVAL](#)
[2021-0-020 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-020

Lethbridge County **Agricultural** subdivision of W1/2 4-9-20-W4M

THAT the Agricultural subdivision of W1/2 4-9-20-W4M (Certificate of Title No. 171 088 306 +1, 141 050 481), to enable a property boundary reconfiguration of two adjacent parcels and enlarge a 14.13 acre (5.72 ha) cut-off title, by subdividing 6.10 acres (2.47 ha) from the adjacent south ¼-section and consolidating it to the existing parcel, thereby creating a 20.23 acre (8.19 ha) rural industrial title and a 134.75 acre (54.53 ha) sized agricultural title; 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 6.10 acres at the market value of \$10,000.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property lines) of the adjacent parcels in creating the enlarged 20.23 acre rural industrial title be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That any easement(s) as required by ATCO Gas shall be established prior to finalization.

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, with the condition of consolidation, is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The land is subject to the Lethbridge County and the Town of Coaldale IDP which allows for a realignment/reconfiguration of titles and the Town of Coaldale has no objections to the proposal.
4. This application as proposed conforms to the bylaw subdivision criteria regarding the realignment/reconfiguration of titles. The remnant 134.75 acre sized agricultural title exceeds the bylaw minimum agricultural parcel size requirements.
5. The subdivision and consolidation process will provide the parcel both direct physical and legal access to the west municipal road allowance, where previously only an easement agreement provided legal access.

INFORMATIVE:

- (a) Municipal Reserve is applicable on the 6.10 acres portion being subdivided from the SW 4-9-20-W4M pursuant to Section 663 of the MGA, and shall be provided as cash-in-lieu payment. (Note: the existing 14.13 acre title is not subject to the MR provision as it is not being subdivided and it preexists as the first subdivision from the NW 4-9-20-W4M.)

2021-0-020
Page 1 of 3

- (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) The Town of Coaldale has no concerns regarding 2021-0-020.
- (e) Telus Communications Inc. has no concerns to the mentioned circulation.
- (f) 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.

- (g) 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

Requires updated right of way for Magill Title only.

- (h) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (i) SMRID – Linda Park, Land Administrator:

“Further to your February 22, 2021 correspondence, the proposed subdivided area will be classified as “dry”. The titles and portions of land to be subdivided must be consolidated as outlined in your application.

The landowner of the irrigated portion of land will need to sell and/or transfer permanent irrigation rights to reflect the change in area.

A Service Fee of \$100.00 plus GST will apply.”

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

“Reference your file to create a boundary adjusted parcel for agricultural 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 network.

To that end, this is merely a boundary adjustment of which currently and as proposed the proposed parcel to be created and remnant land will gain indirect access to the provincial highway system solely by way of the local road system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the boundary adjusted agricultural parcel as proposed would have any appreciable impact on the highway.

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

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

The subject property is within the noted control lines and as such any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-388-3105, in this regard.

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

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

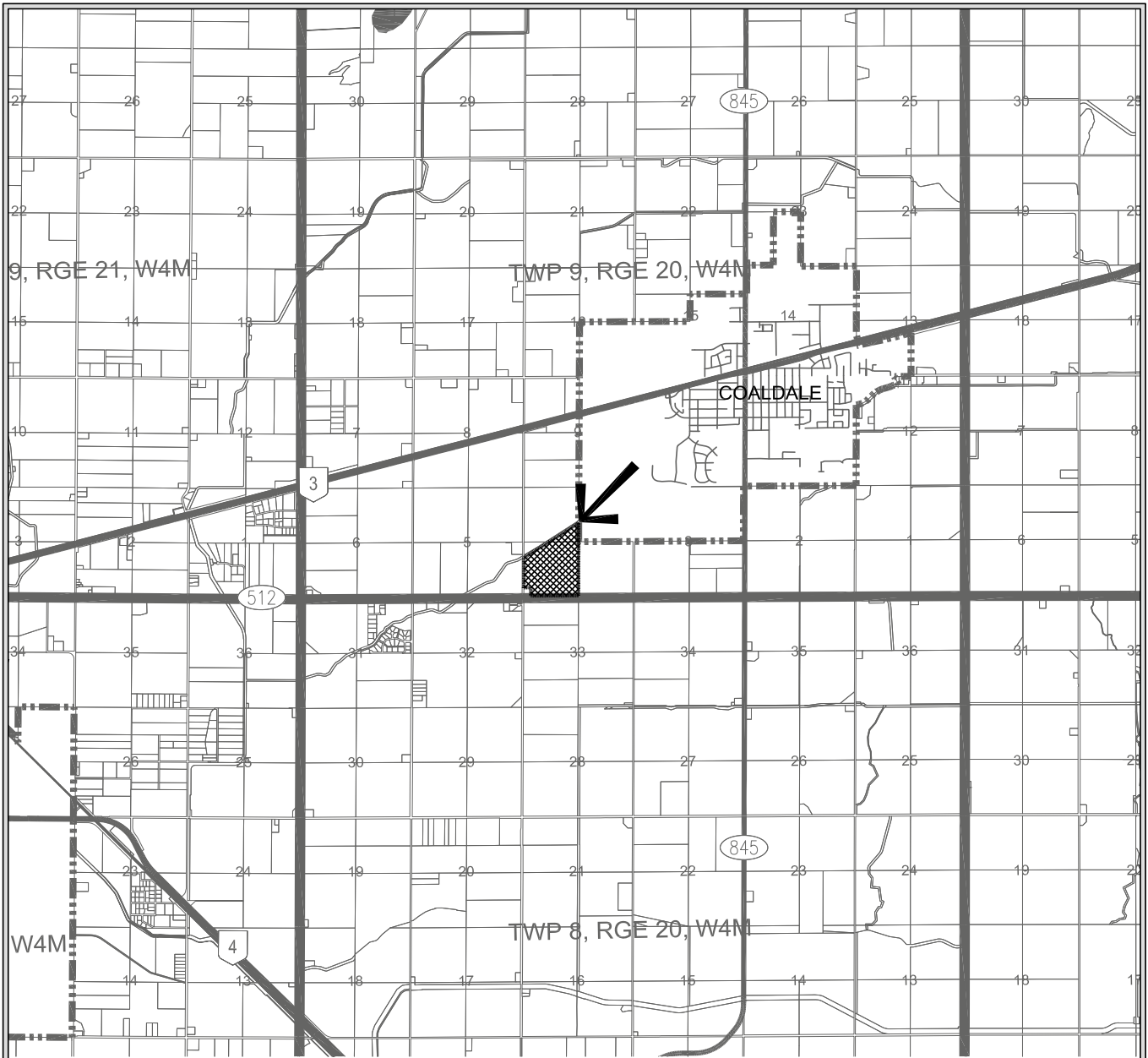
Further, should the approval authority receive any appeals in regard to this application and as per Section 678(2.1) of the Municipal Government Act and Section 5(5)(d) of the regulation, Alberta Transportation agrees to waive the referral distance for this particular subdivision application. As far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

(k) Canada Post has no concerns.

MOVER

REEVE

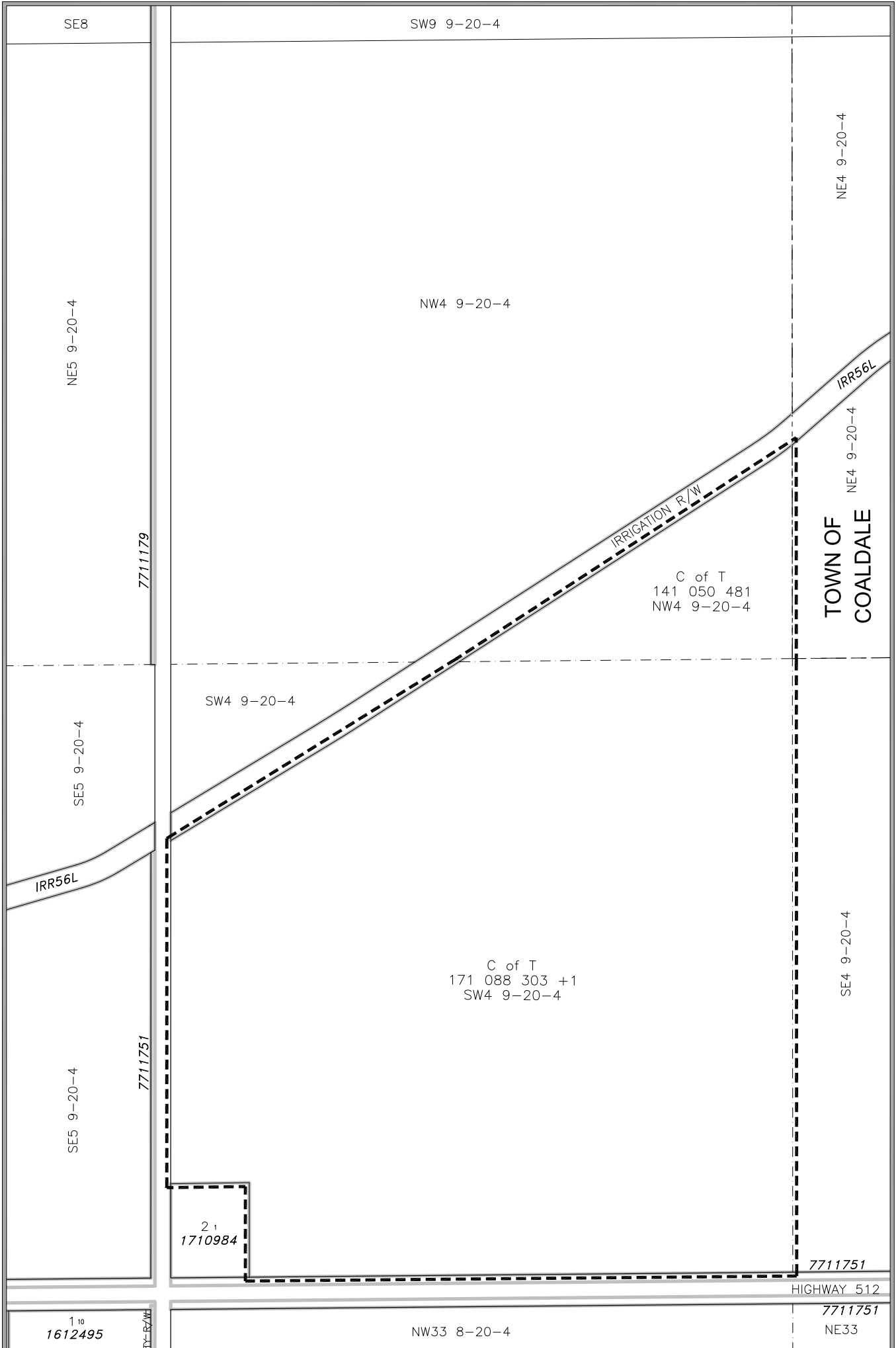
DATE



SUBDIVISION LOCATION SKETCH
WITHIN W 1/2 SEC 4, TWP 9, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: FEBRUARY 8, 2021
FILE No: 2021-0-020

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3102 18th AVENUE NORTH, LETHBRIDGE, AB T1V 1S6
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"





TOWN OF
COALDALE

SUBDIVISION SKETCH - EXISTING
 WITHIN W 1/2 SEC 4, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: FEBRUARY 8, 2021
 FILE No: 2021-0-020



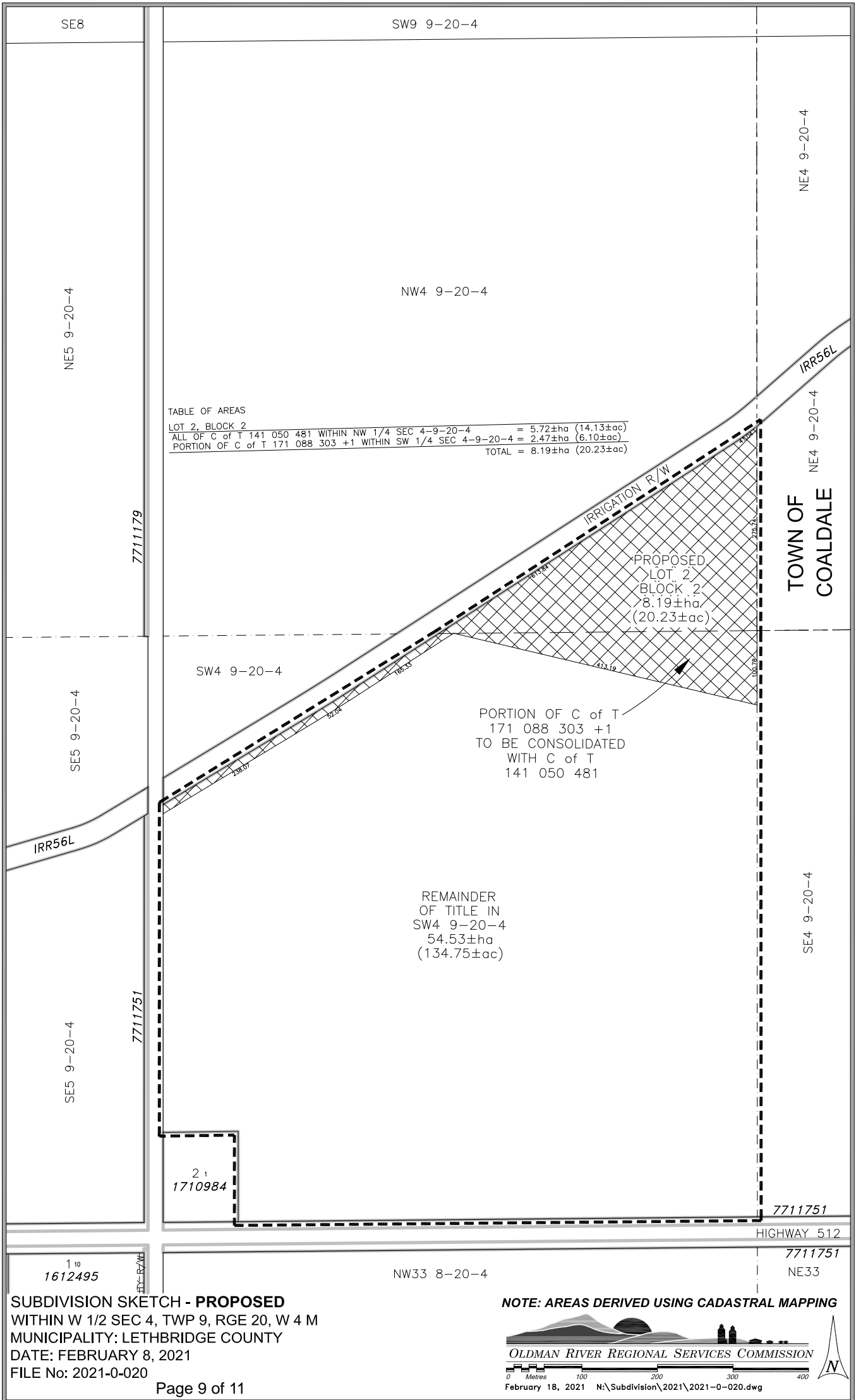


TABLE OF AREAS

LOT 2, BLOCK 2	= 5.72±ha (14.13±ac)
ALL OF C of T 141 050 481 WITHIN NW 1/4 SEC 4-9-20-4	= 2.47±ha (6.10±ac)
PORTION OF C of T 171 088 303 +1 WITHIN SW 1/4 SEC 4-9-20-4	= 2.47±ha (6.10±ac)
TOTAL	= 8.19±ha (20.23±ac)

PORTION OF C of T
171 088 303 +1
TO BE CONSOLIDATED
WITH C of T
141 050 481

REMAINDER
OF TITLE IN
SW4 9-20-4
54.53±ha
(134.75±ac)

SUBDIVISION SKETCH - PROPOSED
WITHIN W 1/2 SEC 4, TWP 9, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: FEBRUARY 8, 2021
FILE No: 2021-0-020

NOTE: AREAS DERIVED USING CADASTRAL MAPPING



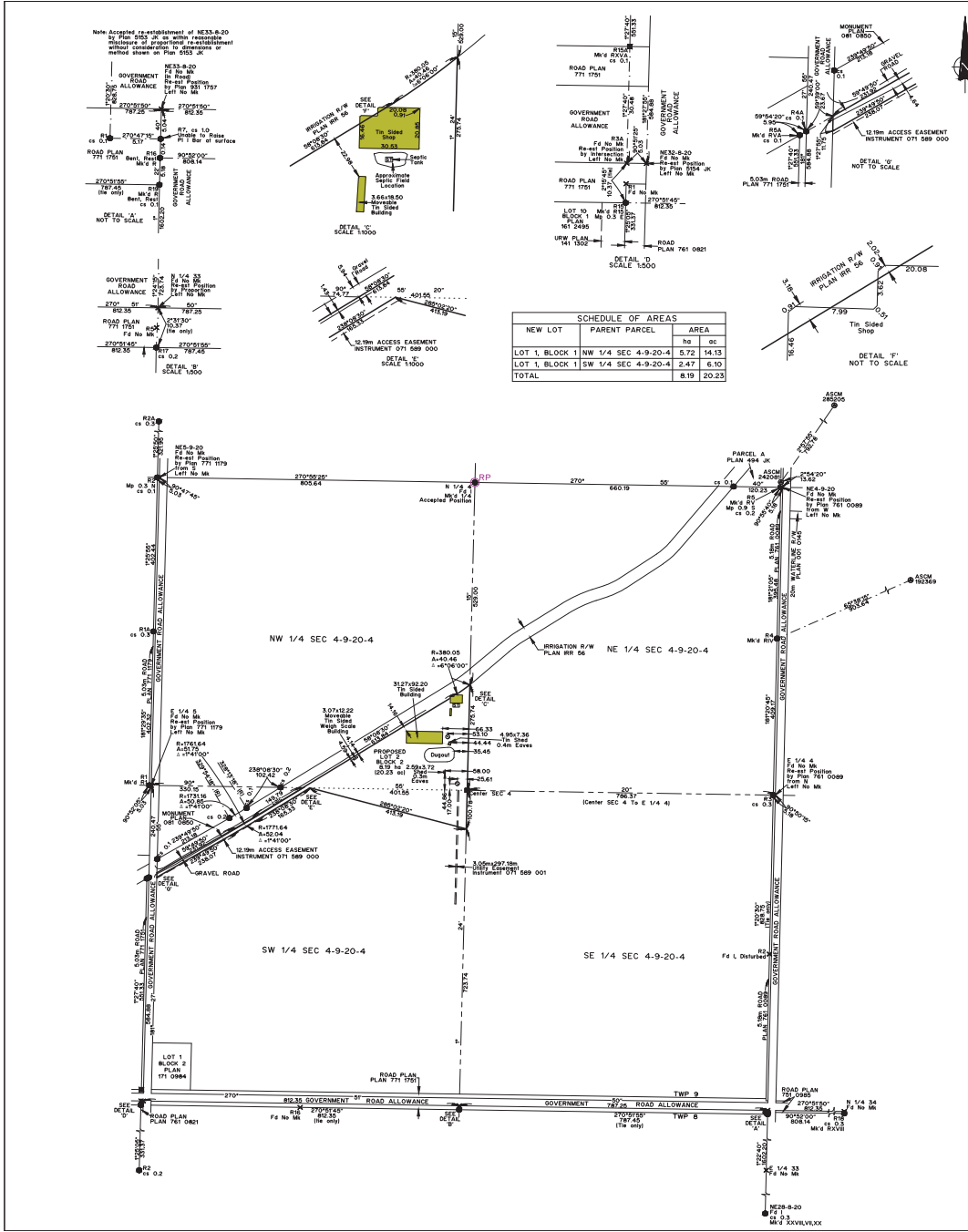


SUBDIVISION SKETCH - PROPOSED
 WITHIN W 1/2 SEC 4, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: FEBRUARY 8, 2021
 FILE No: 2021-0-020

NOTE: AREAS DERIVED USING CADASTRAL MAPPING

AERIAL PHOTO DATE: 2018





SUBDIVISION AUTHORITY
OLDMAN RIVER REGIONAL SERVICES COMMISSION

SURVEYOR: MICHAEL A. THOMPSON, ALS

FILE:
ALAN SHEETS
BOX 1021
COALDALE, AB
TWP 9

CLIENT:
ALAN SHEETS
BOX 1021
COALDALE, AB
TWP 9

DESCRIPTION OF PROPERTY:
CIVIC ADDRESS:
ATS DESCRIPTION: W 1/2 SEC 4, TWP 9, RGE 20, W 4th MER
C of T 141 050 481 171 088 303 -1
REGISTERED OWNERS: IVOR IAN MARILL JANICE SHEETS

ABBREVIATIONS:

∠	Central Angle of Curve	Mo	2 metre standard Alberta Survey Marker Post
∅	Diameter	MR	Metre Reserve
A	Arc	N.E.S.W.	North, East, South, West
ac	Acres	NAD	North American Datum
ASM	Alberta Survey Control Marker	PPF	4 Pin
A/R	Access Road	RF	4 Road Pins
C of T	Certificate of Title	PI	Pin
cm	Check Measured	P/C	Pin
cs	Cornerstone	PL	Public Utility Lot
CSRS	Canadian Spatial Reference System	R	Radius
F/P	Fence Corner Post	RI	Right of Way
Fd	Fund	R/W	Right of Way
ha	Hectares	Re-st	Re-establish
km	Kilometre	R/R	Restored
LED	Leasehold	R/R	Restored
m	Metre	SEC	Section
M	Mile	TWP	Township
MER	Meridian	UTM	Universal Transverse Mercator
Mk	Mark	UTM	Universal Transverse Mercator

LEGEND:

- Alberta Survey Control Marker
- Stipulatory iron post found
- Stipulatory iron post placed, marked P2D4
- Sile
- Georeferenced Point

Distances are ground and are in metres and decimals thereof, and are between survey monuments unless otherwise shown.
Bearings are given UTM NAD83, derived from GNSS observations, and are related to the meridian through 11° West Longitude.
Lands dealt with by this plan are bounded thus _____ and contain 8.19 ha.

NOTES:

- The georeferenced point is a found stipulatory iron post, UTM NAD83 (ORIGINAL) Coordinate: 500005.69 x, 3005255.5 E
- The georeferenced coordinate was calculated using the published coordinate value for ASCA 24008.
- A combined factor of 0.999642 was used to scale ground distances to the projected plane.
- Field survey was completed between the dates of December 17, 2020 and January 12, 2021.

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. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY DIMENSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.

ISSUE	DATE	ORIGINAL SUBMISSION	D.L.	M.T.

ALAN SHEETS

TENTATIVE PLAN
SHOWING PROPOSED SUBDIVISION OF
PART OF
W 1/2 SEC 4,
TWP 9, RGE 20, W 4th MER

LETHBRIDGE COUNTY
ALBERTA

SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY

SCALE 1:5000

HALMA THOMPSON LAND SURVEYS LTD.
200-40 Stirling Drive S
Lethbridge AB, T1J 2L2
Phone (403) 281-1200
Fax (403) 281-1246

JOB H42920
DRAWING H42920T

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-029 – Dronkelaar
- SW1/4 8-12-20-W4M
Meeting: Council Meeting - 01 Apr 2021
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 18 Mar 2021
Larry Randle, Director of Community Services,	Approved - 18 Mar 2021
Ann Mitchell, Chief Administrative Officer,	Approved - 22 Mar 2021

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 16.70 acre first parcel out farmstead subdivision from a title of 160 acres for country residential use. The proposal is eligible for subdivision but would require a parcel size waiver as it exceeds the maximum size of the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-029 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 as a first subdivision from the ¼-section as per the policies of Land Use Bylaw No. 1404.
- A parcel size waiver would be required to approve the proposed 16.70-acre yard parcel, as it does not comply with the bylaw’s maximum 10.0 acre parcel size.
- The Subdivision Authority has the discretion to reduce the 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 drainage ditch fragmenting the land.
- Part 7, Section 5(5) of the LUB No. 1404 enables that in instances where a proposed subdivision may result in a remnant land area that would be 100m or less in width between the new property line being created and the adjacent ¼-section line, the proposal may be approved on the basis the subdivision is squared-off to the ¼-section line so there is no intermediary strip of land.

BACKGROUND INFORMATION:

Located approximately 3-miles north of the Hamlet of Iron Springs. The proposal is to subdivide an existing farmstead, located in the west and southwest portion of the ¼-section, outside the adjacent area of the irrigation pivot system on the agricultural land.

The main yard area and contains a dwelling, large shop, other various farm structures and an extensive tree shelterbelt. The proposal also includes land in the southwest corner which is mainly pastureland. This area is not farmed or under the irrigation pivot as it is physically cut-off from the remainder of the ¼-section by a historical, well-defined natural drainage ditch. There is also a dugout in the SE corner included in the proposal as it is the source of water for the yard. The dugout further fragments the uncultivated land in the southwest corner from the remainder of the ¼-section. The applicants are requesting a parcel size waiver, as the title is being delineated by separating non-cultivated land outside the irrigation pivot as it is fragmented and separated by the dugout and drainage ditch. The 16.7-acre parcel will not negatively affect the agricultural land or remove any from production. The subdivision criteria does allow that where a proposed subdivision may result in a remnant land area that would be 100m or less in width to the adjacent ¼-section line, the proposal may be approved on the basis the subdivision is squared-off to the ¼-section line so there is no intermediary strip of land. If only 10-acres was approved for the yard, this would result in there being less than 100m to the south ¼-section line.

Overall, as a first parcel-out subdivision from the ¼-section this application is eligible for subdivision. With consideration for the merits of the yard parcel size based on the fragmentation, improvements and drainage ditch present, the application otherwise conforms to the bylaw subdivision criteria of the County’s Land Use Bylaw No. 1404.

The application was circulated to the required external agencies and no concerns or objections were expressed regarding the application (at time of agenda report).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority can determine the merits of the parcel size and if not deemed rationale, a condition may be imposed to reduce the final size so as not to exceed 10.0 acres.

Pros:

- the County’s subdivision criteria would be strictly adhered to and the remnant agricultural title would be 6.7 acres larger

Cons:

- the southwest corner would be physically cut-off from remainder of the ¼-section and not farmed. Such a decision would likely be appealed by the applicants

FINANCIAL IMPACT:

None, and the tax situation will remain as is.

REASON(S) FOR RECOMMENDATION(S):

With a parcel size waiver granted based on the merits of the land situation, the proposed subdivision meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

ATTACHMENTS:

- [5A 2021-0-029 Lethbridge County APPROVAL](#)
- [2021-0-029 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-029

Lethbridge County **Country Residential** subdivision of SW1/4 8-12-20-W4M

THAT the Country Residential subdivision of SW1/4 8-12-20-W4M (Certificate of Title No. 981 110 724 +1), to subdivide a 16.70 acre (6.76 ha) first parcel out farmstead subdivision from a title of 160 acres (64.75 ha) for country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant provides a final subdivision Plan from an Alberta Land Surveyor that corresponds to the parcel layout and size as approved by the Subdivision Authority.
4. 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 both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed first parcel out 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 the Subdivision Authority has approved the parcel size based on the physical features and the improvements present on the land. The proposed title is being delineated by separating non-cultivated land outside the irrigation pivot system from the agricultural land, as it is fragmented and separated by the dugout and drainage ditch.
4. The Subdivision Authority has determined the application conforms to the subdivision criteria Part 7, Section 5(5), whereas in instances where a proposed subdivision may result in a remaining or remnant land area that would be 100m or less in width between the new property line being created and the adjacent ¼-section line, the proposal may be approved on the basis the subdivision is squared-off to the ¼-section line so there is no intermediary strip of land.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) The Subdivision Approval Authority has granted a waiver of the maximum 10.0 acre yard parcel size based on the land and improvements present 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.
- (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.)

2021-0-029
Page 1 of 2

- (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 objection.
- (g) 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) #761 140 167.

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

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

- (i) Lethbridge Northern Irrigation District – 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. Payment in full of any outstanding irrigation rates that may be assessed on the original parcel at the time of finalization of the subdivision.
2. Payment of the District's subdivision administration fee. The current fee is \$630.00 (includes GST).
3. Approximately **12.8** acres assessed as "irrigation acres" cannot be re-arranged to suitable areas within the parcel and must be either transferred to another 50 acre minimum irrigation parcel or removed from the Assessment Roll.
4. Since water is currently provided by the LNID to a domestic turnout in the NW corner of SW 08-12-20-4 out of the Lateral 08 Pipeline, a water agreement suitable to meet the needs of the proposed new 16.70 acre subdivision is required prior to the LNID's signing of the subdivision plan. For reference, please note that the Landowner contribution for this delivery was paid at the time of the construction and installation of the Lateral 08 pipeline.
5. A Utility Right-of-Way Agreement supporting the domestic delivery off the Lateral 08 Pipeline in the NW corner of the SW 08-12-20-4 must be signed and registered on the land title.
6. An Easement for the subdivided parcel for access to water from the District's works must be in place for the supply of domestic water.
7. 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.

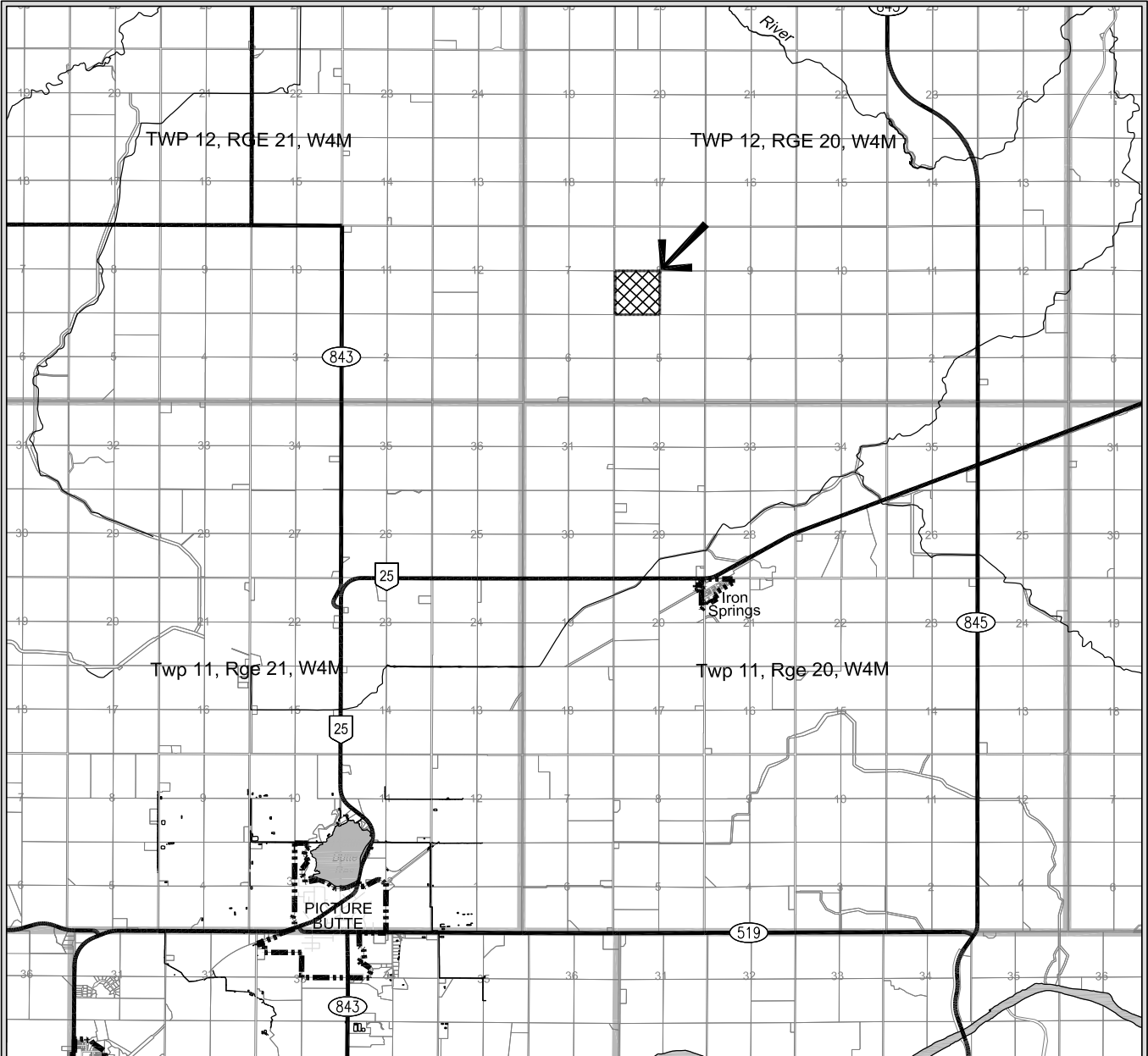
Thank you for the opportunity to comment. If you require more information or would like to set up an appointment to discuss the conditions above, please contact Janet Beck, Land Agent, at the Lethbridge Northern Irrigation District Office, 403-327-3302.”

- (j) Canada Post has no comment.

MOVER

REEVE

DATE

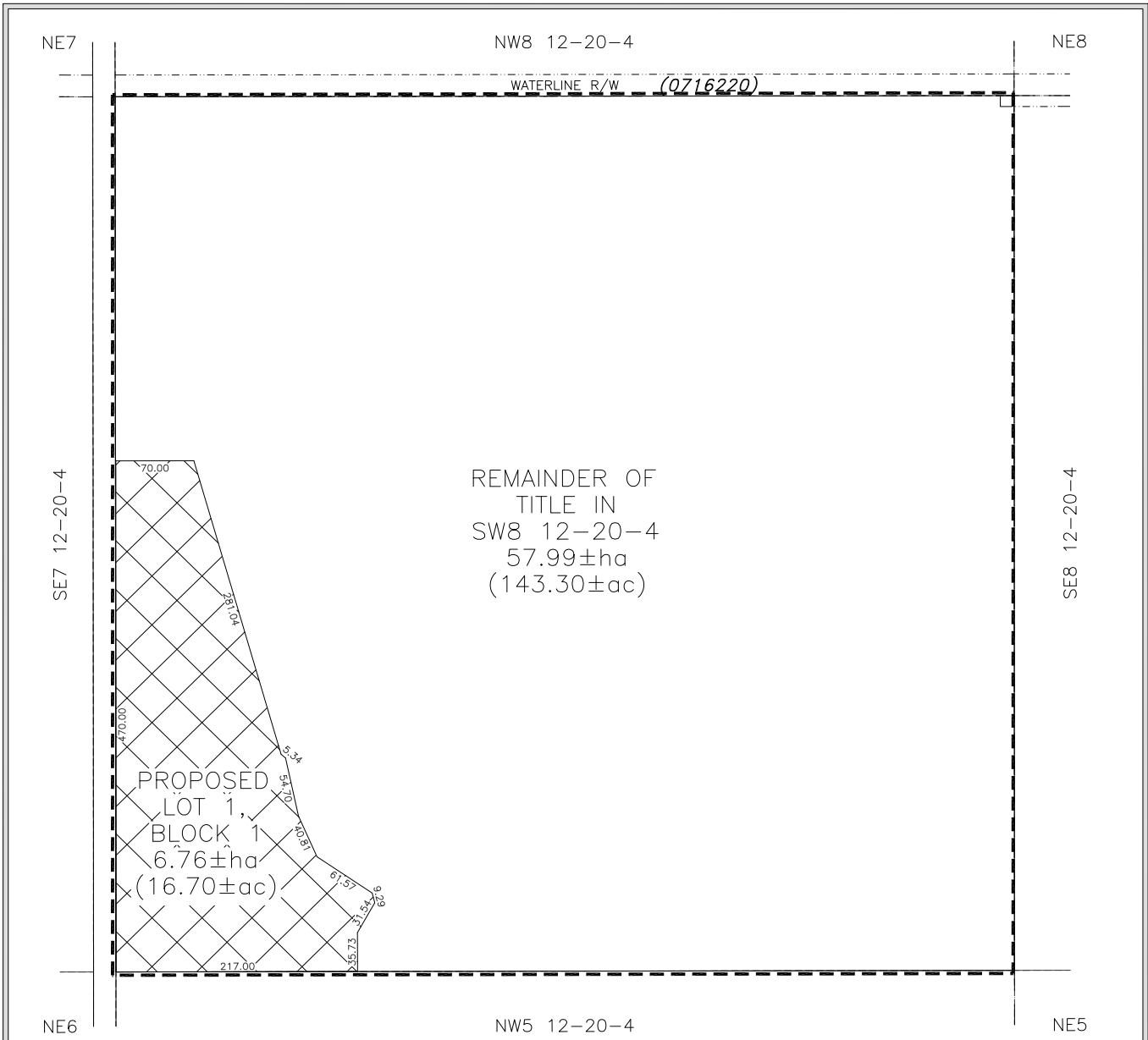


SUBDIVISION LOCATION SKETCH
SW 1/4 SEC 8, TWP 12, RGE 20, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: FEBRUARY 19, 2021
FILE No: 2021-0-029

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 16th AVENUE NORTH, LETHBRIDGE, AB T1H 1S6
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



OLDMAN RIVER REGIONAL SERVICES COMMISSION
 February 22, 2021 N:\Projects\2021-0-029.dwg



SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H03815T

SW 1/4 SEC 8, TWP 12, RGE 20, W 4 M

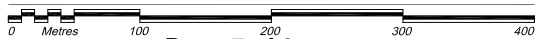
MUNICIPALITY: LETHBRIDGE COUNTY

DATE: FEBRUARY 19, 2021

FILE No: 2021-0-029



OLDMAN RIVER REGIONAL SERVICES COMMISSION



February 22, 2021 N:\Design\2021-0-029.dwg





SUBDIVISION SKETCH

See tentative plan of subdivision by Halma Thompson Land Surveys Ltd. file no. H03815T

SW 1/4 SEC 8, TWP 12, RGE 20, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: FEBRUARY 19, 2021

FILE No: 2021-0-029

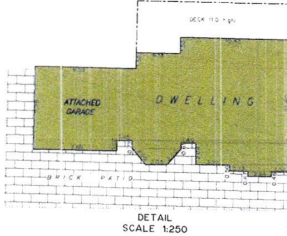


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 February 22, 2021 N:\Projects\2021-0-029.dwg



AERIAL PHOTO DATE: 2018

PRELIMINARY



SUBDIVISION AUTHORITY Oldman River Regional Services Commission																																																																															
FILE: SURVEYOR: MICHAEL A. THOMPSON, ALS		CLIENT: ARTHUR DRONKELAAR BOX 118 IRON SPRINGS, AB T0K 1S0																																																																													
DESCRIPTION OF PROPERTY: CIVIC ADDRESS: ATS DESCRIPTION: SW 1/4 SEC 8, TWP 12, RGE 20, W 4th MER C of T 981 110 724 -1 REGISTERED OWNERS: ARTHUR DRONKELAAR JOYCE ELIZABETH DRONKELAR		ABBREVIATIONS: <table border="0"> <tr> <td>Δ</td><td>Central Angle of Curve</td> <td>Mk</td><td>Mark</td> </tr> <tr> <td>φ</td><td>Diameter</td> <td>Mp</td><td>2 metre standard Alberta Survey Marker Post</td> </tr> <tr> <td>A</td><td>Arc</td> <td>MR</td><td>Municipal Reserve</td> </tr> <tr> <td>ac</td><td>Acres</td> <td>N.E.S.W</td><td>North, East, South, West</td> </tr> <tr> <td>ASCM</td><td>Alberta Survey Control Marker</td> <td>NAD</td><td>North American Datum</td> </tr> <tr> <td>A/R</td><td>Access Road</td> <td>Pit</td><td>4 Pits</td> </tr> <tr> <td>C of T</td><td>Certificate of Title</td> <td>Pis</td><td>4 Road Pits</td> </tr> <tr> <td>chm</td><td>Check Measured</td> <td>Pi</td><td>Pieces</td> </tr> <tr> <td>cs</td><td>Countermark</td> <td>P/L</td><td>Property Line</td> </tr> <tr> <td>CSRS</td><td>Canadian Spatial Reference System</td> <td>PUL</td><td>Public Utility Lot Radius</td> </tr> <tr> <td>FCP</td><td>Fence Corner Post</td> <td>R</td><td>Right of Way</td> </tr> <tr> <td>F</td><td>Found</td> <td>Re-st</td><td>Re-established</td> </tr> <tr> <td>ha</td><td>Hectares</td> <td>Rest</td><td>Restored</td> </tr> <tr> <td>h</td><td>Statutory Iron Post</td> <td>ROE</td><td>Range</td> </tr> <tr> <td>km</td><td>Kilometre</td> <td>SEC</td><td>Section</td> </tr> <tr> <td>LSD</td><td>Legal Subdivision</td> <td>TWP</td><td>Township</td> </tr> <tr> <td>m</td><td>Metre</td> <td>URW</td><td>Utility Right-of-Way</td> </tr> <tr> <td>M</td><td>Mount</td> <td>UTM</td><td>Universal Transverse Mercator</td> </tr> <tr> <td>MER</td><td>Meridian</td> <td></td><td></td> </tr> </table>		Δ	Central Angle of Curve	Mk	Mark	φ	Diameter	Mp	2 metre standard Alberta Survey Marker Post	A	Arc	MR	Municipal Reserve	ac	Acres	N.E.S.W	North, East, South, West	ASCM	Alberta Survey Control Marker	NAD	North American Datum	A/R	Access Road	Pit	4 Pits	C of T	Certificate of Title	Pis	4 Road Pits	chm	Check Measured	Pi	Pieces	cs	Countermark	P/L	Property Line	CSRS	Canadian Spatial Reference System	PUL	Public Utility Lot Radius	FCP	Fence Corner Post	R	Right of Way	F	Found	Re-st	Re-established	ha	Hectares	Rest	Restored	h	Statutory Iron Post	ROE	Range	km	Kilometre	SEC	Section	LSD	Legal Subdivision	TWP	Township	m	Metre	URW	Utility Right-of-Way	M	Mount	UTM	Universal Transverse Mercator	MER	Meridian		
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NOTES: 1. Field survey was completed on the date of October 4, 2010. 2. Fence lines along property lines are within 0.2m of the property line unless noted otherwise.		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. NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR ON SITE INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.																																																																													
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HALMA THOMPSON LAND SURVEYORS LTD.		1, 3320 18th Avenue N Lethbridge AB, T1M 5J3 Phone (403) 381-1320 Fax (403) 381-1366		JOB H03815 DRAWING H03815T																																																																											

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-031 – Nieboer
- portion of the SE¼- 4-11-23-W4M

Meeting: Council Meeting - 01 Apr 2021

Department: ORRSC

Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 18 Mar 2021
Larry Randle, Director of Community Services,	Approved - 18 Mar 2021
Ann Mitchell, Chief Administrative Officer,	Approved - 22 Mar 2021

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 create a 7.70 acre farm yard parcel from an agricultural title comprised of 113.10 acres for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-031 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration as the original farmstead within the ¼-section of the 'Rural Agriculture' district in accordance with the County's criteria.
- The land is subject to the Lethbridge County and the Town of Nobleford Intermunicipal Development Plan (IDP) and is situated in Planning Area 1A of the land use concept plan that permits further subdivision.
- The proposed 7.70 acre size yard title and the remnant 105.4 acre agricultural title both comply with Lethbridge County's Land Use Bylaw parcel size requirements.
- 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.

BACKGROUND INFORMATION:

Located ¾-miles west of the Town of Nobleford boundary, 450 metres east of the intersection of Highways 23 and 519. The proposal is for the subdivision of an existing farm yard in the very south-east corner to create a separate title for the residential yard.

The yard contains a dwelling, shop, Quonset, and various minor farm outbuildings. Rural site servicing is met as water is provided by the Lethbridge North Potable Water Co-op and septic is treated by an individual on-site private septic field system, while access is directly from Highway 519 to the south. Alberta Transportation has requested a 20 m service road across the parcel frontage by registered caveat, as the lot will at some point obtain access from a future dedicated service road once the area develops out further. This will align with the adjacent commercial lot to the west which also has this 20 m service road caveat dedication when it was approved in 2011. There is an undeveloped municipal road allowance on the east side of the parcel to provide access to the remnant agricultural land on the north side. In respect of the IDP, this proposal may be considered without the need for an Area Structure Plan (ASP) at this time as it is for an existing farmstead; however, an ASP will be required for any further subdivision.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 regarding a farmstead subdivision from an agricultural title of land. It also conforms to the IDP for Planning Area 1A of the land use concept plan.

The application was circulated to the required external agencies with no concerns expressed (at time of agenda report). Alberta Transportation requested a 20 m service road by caveat. The Town of Nobleford had not responded by the time of agenda preparation. The land is adjacent to a potential Historical Resources category 5, so the applicant is responsible for meeting any conditions of the Historical Resources Administrator prior to finalization if required.

ALTERNATIVES / PROS / CONS:

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

Pros:

- there is no advantages to denying the subdivision as it meets the IDP policies and the subdivision criteria of the County

Cons:

- a refusal would likely be appealed by the applicants to the MGB as the County's subdivision criteria have been met

FINANCIAL IMPACT:

None direct, but the County will benefit from a municipal reserve payment of approximately \$4,620.00 that is applicable as it is an additional subdivision from the ¼-section.

REASON(S) FOR RECOMMENDATION(S):

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

ATTACHMENTS:

[5A 2021-0-031 Lethbridge County APPROVAL](#)
[2021-0-031 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-031

Lethbridge County **Country Residential** subdivision of SE1/4 4-11-23-W4M

THAT the Country Residential subdivision of SE1/4 4-11-23-W4M (Certificate of Title No. 111 177 552 +1), to create a 7.70 acre (3.12 ha) farm yard parcel from an agricultural title comprised of 113.10 acres (45.77 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 7.70 acres at the market value of \$6,000.00 per acre with the actual acreage and amount to be paid to Lethbridge County be determined at the final stage, for Municipal Reserve purposes.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created. The agreement may include the terms for the future provision of the service road if and when required.
3. That any conditions as required by Alberta Transportation shall be provided prior to finalization, including the provision of a 20 metre wide service road right-of-way perpendicular to and across the highway frontage of the parcel to be created, which may be acceptable by a caveat agreement.
4. That the applicant provide a Plan of Survey Surveyors by an Alberta Land Surveyor to illustrate the exact dimensions and size of the parcel as approved.
5. That any easement(s) as required by utility agencies shall be established prior to finalization of the application.
6. That the applicant is responsible for meeting any conditions of the Historical Resources Administrator prior to finalization, including obtaining historical resource clearance if required.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw.
2. The Subdivision Authority is satisfied that the proposed subdivision for an existing established farmstead is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.
3. The original farmstead within the 'Rural Agriculture - RA' district may be considered for subdivision as a previous 2011 subdivision from the same ¼-section was redesignated to the 'Rural Commercial – RC' land use district thereby removing it from the 'RA' district.
4. This proposal is located within the Intermunicipal Development Plan (IDP) boundary with the Town of Nobleford. This land is situated in Planning Area 1A of the land use concept plan of the IDP that permits further subdivision.

INFORMATIVE:

- (a) The payment of Municipal Reserve is applicable on the 7.70 acres being subdivided as it is the second subdivision from the ¼-section, and shall be provided as cash-in-lieu.

2021-0-031
Page 1 of 5

- (b) As this proposal is for an existing established farmstead it may be considered without the need for an Area Structure Plan (ASP) at this time, but an ASP will be required for any other further subdivision and development.
- (c) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (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) Telus Communications Inc has no objection.
- (f) Alberta Health Services – Gail Williamson, Public Health Inspector:

“In response to your referral, we have reviewed the information provided. We wish to provide the following comments:

The application is to create a 7.70 acre farm yard parcel for country residential use. There are no abandoned wells or CFS’s in proximity. Private septic field and service from potable water co-op already exist within the proposed parcel which is located within the IDT boundary for the Town of Nobleford.

We do not foresee a Public Health Nuisance being created as a result of the above noted subdivision provided that the applicant complies with all pertinent regulations, by-laws and standards.

If you require further clarification please contact me at the Community Health Center in Lethbridge at 403-715-1431.”

- (g) 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”).

Notwithstanding the foregoing, as proposed the parcel to be created and remnant land will have no alternative but direct access to Highway 519. Given this and the fact that by definition Highway 519 is a controlled highway the proposal does not satisfy the requirement of road access as stipulated in Section 9 of the regulation.

Moreover and pursuant to said Section 9, resultant of the fact that the parcel to be created does have direct physical access to Highway 519 this application is subject to the requirements of Section 15(2) of 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 and as the existing direct access is considered to be temporary in nature and as no additional direct access to the highway will be allowed as result of this application, provided that an access management strategy/alternative that would be in accordance with Alberta Transportation’s current access management guidelines and/or as required by the regulation were to be provided and could be implemented in the future the proposal could be accommodated.

The requirements of said Section 15(2) to be outlined in the following text would adequately address any transportation related concerns/objectives by allowing Alberta Transportation the flexibility to limit and strategically locate (option to move laterally along the highway) access in the future. The service road will as well serve notice to current and/or future landowners that Alberta Transportation has an interest in the property and dependent upon future subdivision or development proposals they could be apprised of Alberta Transportation’s current “Access Management Guidelines”.

Therefore, in this instance and as per the requirements of Section 15(2), a condition of subdivision approval would be subject to the applicant providing a 20 metre wide service road right-of-way perpendicular to and across the highway frontage of the proposed parcel to be created. The proposed service road is shown and highlighted on the attached subdivision sketch.

The service road would be acceptable to Alberta Transportation by caveat agreement subject to the approval authority and the Land Titles Office.

To help speed the process for the creation of Service Road Agreement, Alberta Transportation requires the following information be forwarded electronically to: TransDS-YEGCaveats@gov.ab.ca

- a copy of the survey plan (as a PDF)
- the Subdivision Authority Approval Letter
- a Service Road Agreement

For more information on the process and to access the templates, visit:

<https://www.alberta.ca/service-road-agreement-and-caveat.aspx>

Once these documents are received and verified to be correct, an e-mail will be sent to advise that the Service Road Agreement can be executed and forwarded to:

Road Closure Coordinator
Environment Regulation Section
Alberta Transportation
2nd Floor, Twin Atria Building
4999 – 98 Avenue
Edmonton AB T6B 2X3 Phone: 780-638-3505

The documents will be signed, sealed and returned to the Alberta Land Surveyor or lawyer for execution on behalf of the Crown at the Land Titles Office. To ensure these documents meet the requirements of the Land Titles Office it is recommended they be prepared by an Alberta Land Surveyor or lawyer.

Notwithstanding the foregoing, the applicant is further advised that no additional direct access to the highway will be allowed as a result of this application and that the existing direct accesses could remain on a temporary basis only.

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

The subject property is within the noted control lines and, as such, any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-388-3105, in this regard.

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

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

(See Attachment)

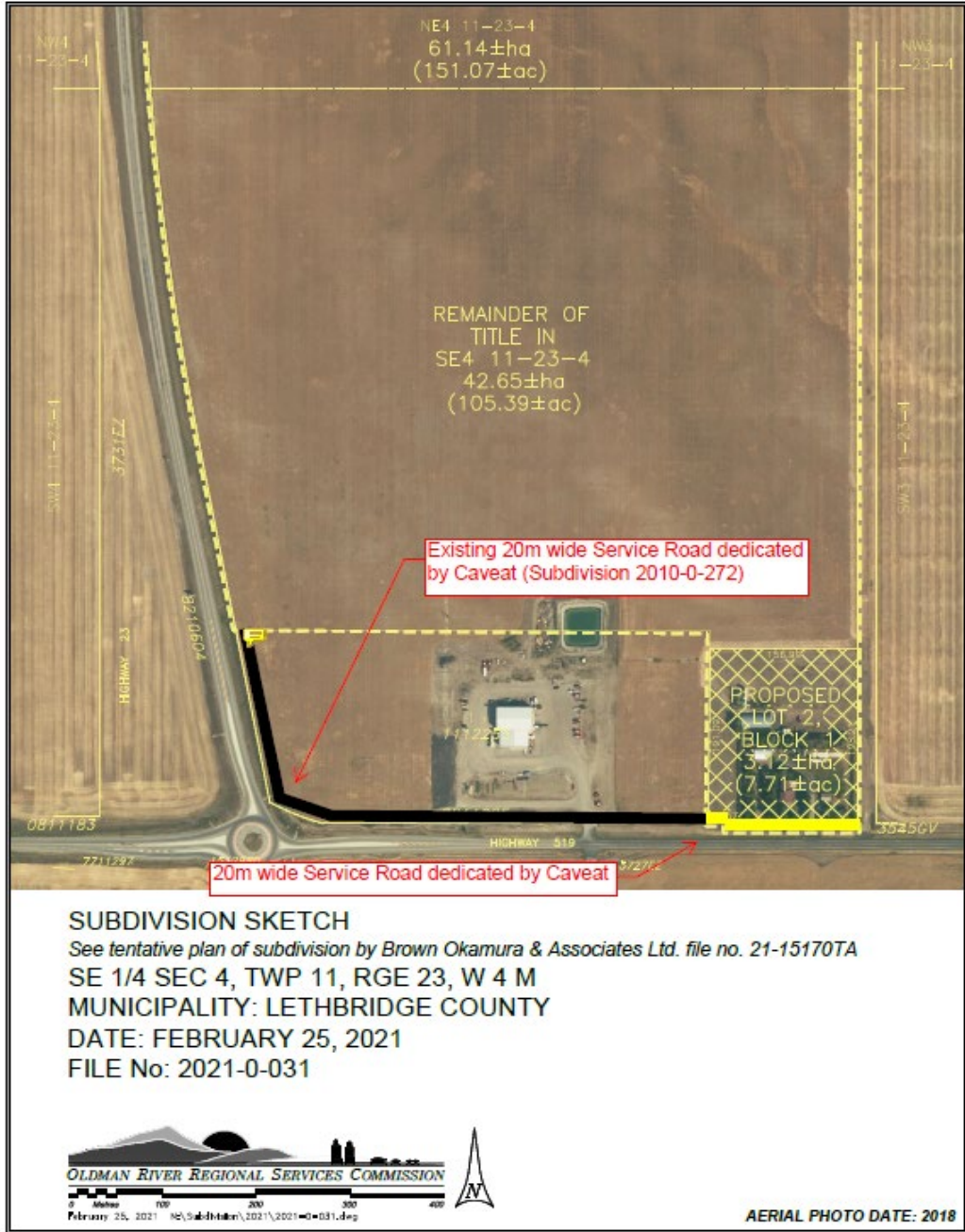
(h) Canada Post has no comment.

MOVER

REEVE

DATE

Alberta Transportation Attachment



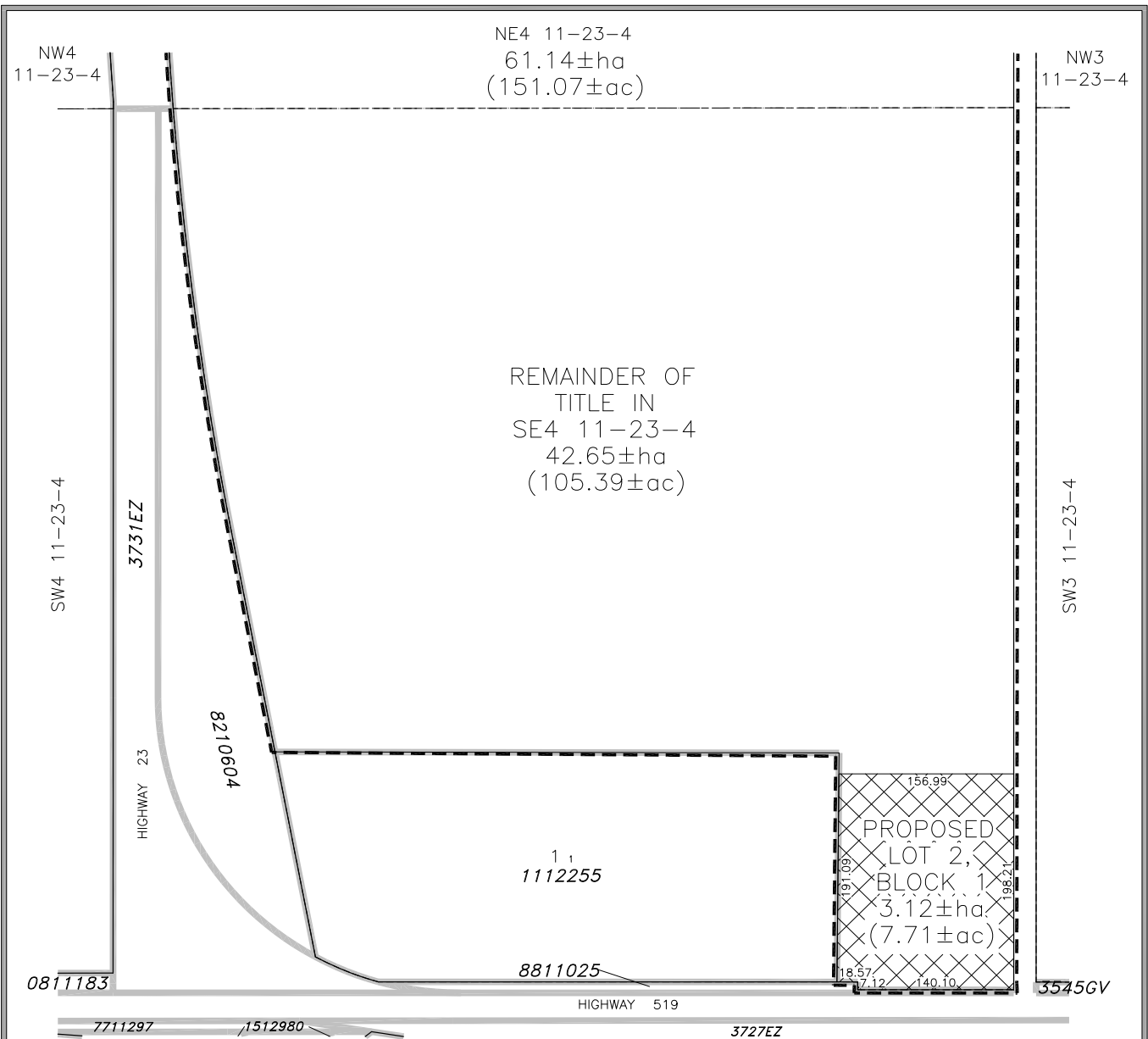


SUBDIVISION LOCATION SKETCH
SE 1/4 SEC 4, TWP 11, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: FEBRUARY 25, 2021
FILE No: 2021-0-031

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3102 16th AVENUE NORTH, LETHBRIDGE, AB T1H 3E6
 NOT RESPONSIBLE FOR ERRORS OR OMISSIONS



February 25, 2021 Page 10 of 21 2021-0-031.dwg



SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15170TA

SE 1/4 SEC 4, TWP 11, RGE 23, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY

DATE: FEBRUARY 25, 2021

FILE No: 2021-0-031



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February 25, 2021 N:\Page 0 of 11 2021-0-031.dwg

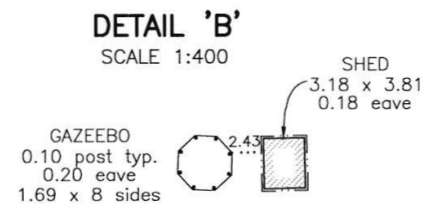
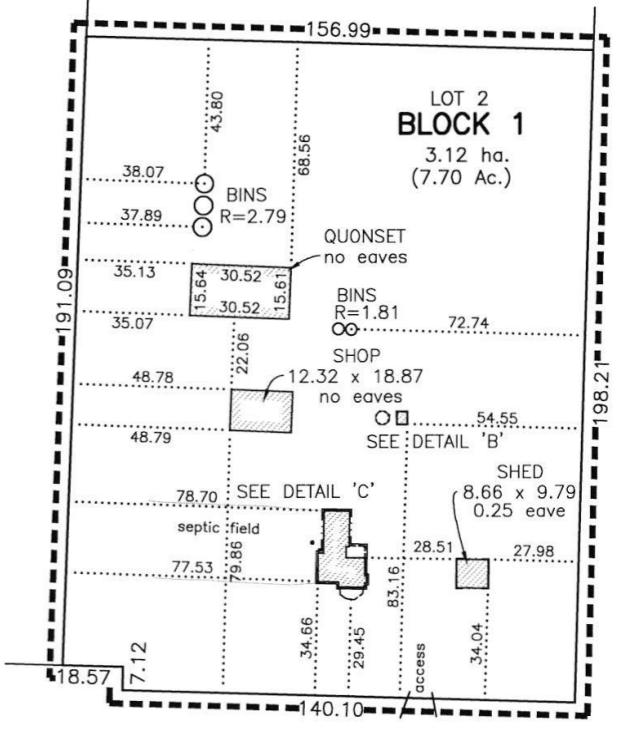
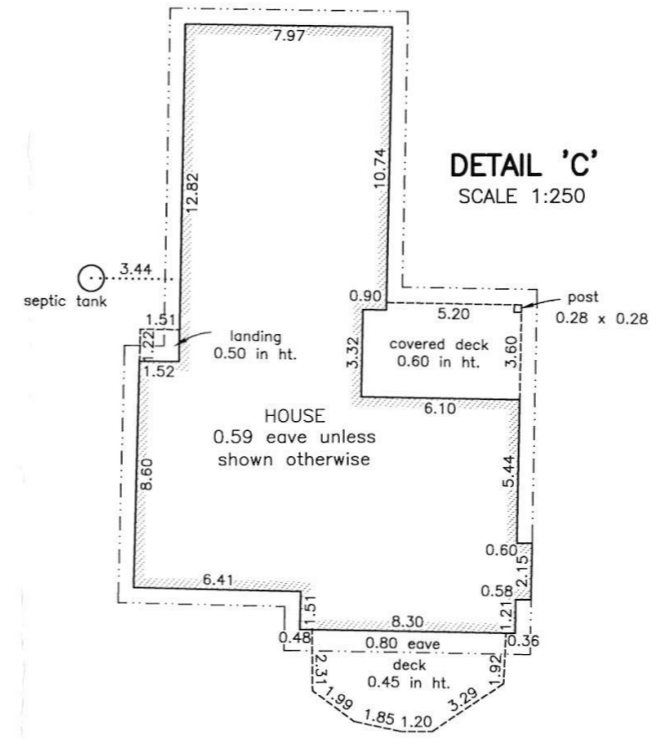
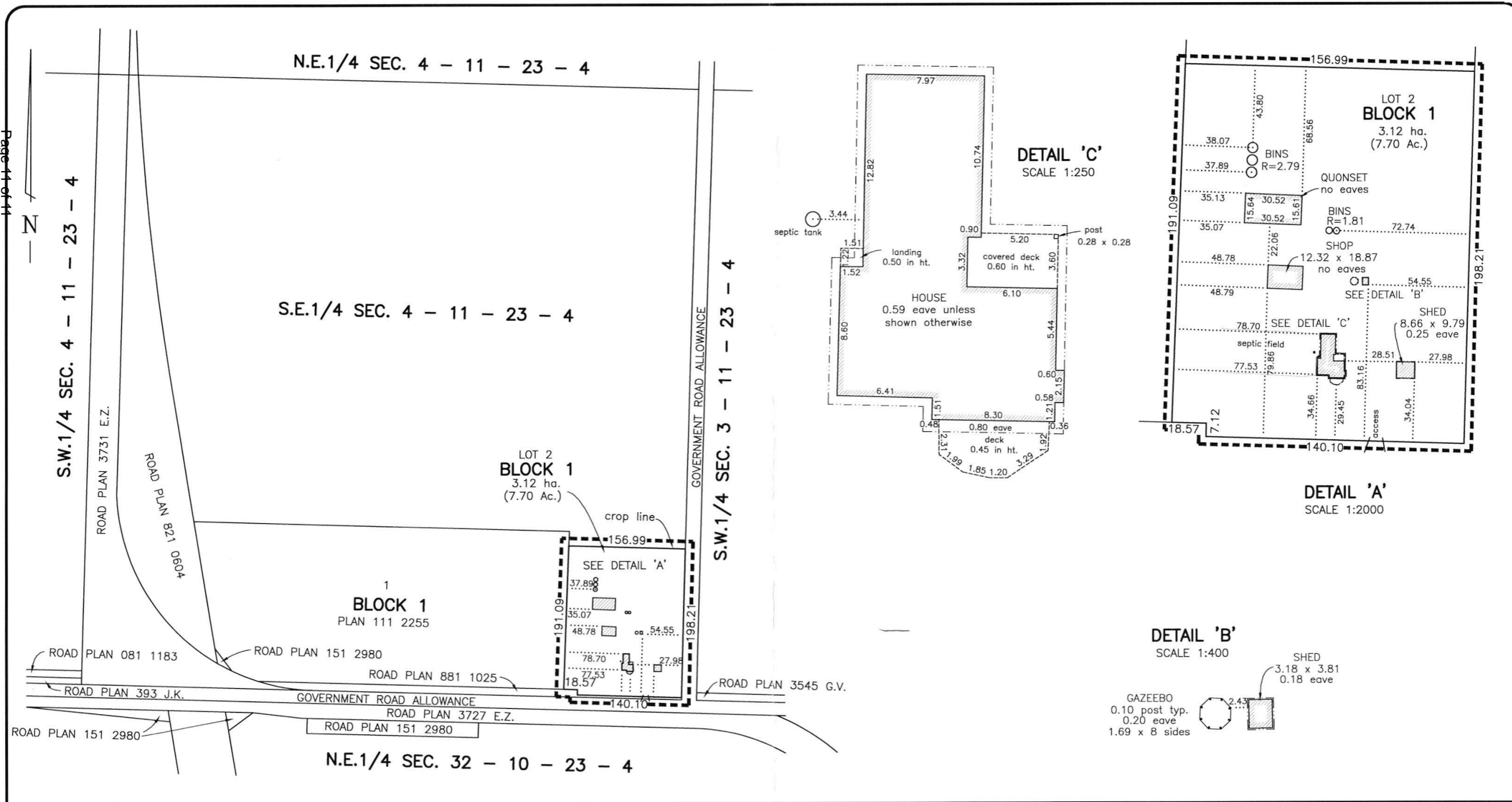




SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15170TA
 SE 1/4 SEC 4, TWP 11, RGE 23, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: FEBRUARY 25, 2021
 FILE No: 2021-0-031





NO.	REVISION	DATE	BY

NOTE : Portion to be approved is outlined thus ----- and contains approximately 3.12 ha. Improvements shown were surveyed on January 29, 2021. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

NIEBOER FARM SUPPLIES

TENTATIVE PLAN SHOWING SUBDIVISION
of part of
S.E.1/4 SEC. 4, TWP. 11, RGE. 23, W.4 M.

Lethbridge County

boa brown okamura & associates ltd.
Professional Surveyors
2830 - 12 Avenue North, Lethbridge, Alberta

APPROVED	DRAWN MJ	DATE FEB 5/21
	CHECKED ZJP	JOB 21-12170
	SCALE 1:5000	DRAWING 21-15170TA

Z.J. Prosper, A.L.S.

AGENDA ITEM REPORT



Title: Subdivision Application #2021-0-037 – Sinke Farms / Sosick
- Lot 1, Plan 9011050 & SE1/4 11-11-22-W4M
Meeting: Council Meeting - 01 Apr 2021
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development	Approved - 18 Mar 2021
Larry Randle, Director of Community Services,	Approved - 18 Mar 2021
Ann Mitchell, Chief Administrative Officer,	Approved - 22 Mar 2021

STRATEGIC ALIGNMENT:

 <input checked="" type="checkbox"/>	 <input 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:

The application is to reconfigure the layout (property boundary) and title size of an existing farmyard parcel through subdivision and consolidation, by realigning a rectangular 10.03 acre title boundary with the adjacent agricultural title and reducing it to 9.16 acres in size, for county residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2021-0-037 be approved subject to the conditions as outlined in the draft resolution.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration in accordance with the County's criteria as a reconfiguration/ realignment of titles, with no additional titles being created above what presently exist.
- The proposal will reduce the existing yard parcel size by 0.87 acres and both resulting parcel sizes comply with the land use bylaw subdivision criteria.
- The Subdivision Authority has the discretion to decide on the merits of the proposal and the suitability of the reconfigured parcel layout in making a decision on the application.
- The reconfiguration of titles may be approved based on the merits of the proposal and the rationale that the application is to enable the property boundaries to account for the irrigation pivot on the agricultural land and maximize the area of productive land that may be irrigated by the system.

BACKGROUND INFORMATION:

Located 4½-miles west of the Town of Picture Butte, just over 1-mile north of Highway 519. The proposal is to accommodate a land swap and property line adjustment between the county residential title and the adjacent agricultural title.

The purpose is to realign the boundary to account for the irrigation pivot on the agricultural title and enable more land to be included under the irrigation pivot. There will be 1.94 acres of land from the SE¼ 11-11-22-W4M going to the acreage title and 2.8 acres of land from the existing acreage title being amalgamated to the remnant ¼-section title. The original yard was subdivided in 1990 and the parcel layout was based on the existing farm yard and improvements present at that time with no consideration for any irrigation pivot systems.

The yard contains a dwelling, garage, Quonset, some sheds, and a shelter. A dugout in the very west corner is to remain with the yard portion. Some agricultural out-buildings and shrubs are located outside the readjusted residential parcel boundary and will be situated on the adjusted agricultural title. Although the surveyors sketch indicates these buildings and structures are to be removed, all the structures meet the bylaw setback requirements and there are no encroachments present. Thus, it will be between the owners whether the structures are in fact removed and it does not need to be placed as a condition of subdivision approval. The existing dwelling has a private septic field system and this will not be affected with the reconfigured subdivision layout.

Overall, the proposal meets the criteria of the County's Land Use Bylaw No. 1404 for a reconfiguration/realignment of titles subdivision. The application was circulated to the required external agencies and no concerns or easements requests were submitted (at time of agenda report).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied with the reconfiguration of the proposed parcels and the titles would remain as is.

Pros:

- there is no advantages to denying the subdivision as it meets the subdivision criteria of the County and enables additional land to be irrigated

Cons:

- a decision to refuse would likely be appealed by the applicants

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 2021-0-037 Lethbridge County APPROVAL](#)
- [2021-0-037 Lethbridge County Diagrams](#)

RESOLUTION

2021-0-037

Lethbridge County

Agricultural & Country Residential subdivision of Lot 1, Plan 9011050 & SE1/4 11-11-22-W4M

THAT the Agricultural & Country Residential subdivision of Lot 1, Plan 9011050 & SE1/4 11-11-22-W4M (Certificate of Title No. 021 186 106, 901 144 877), to reconfigure the layout (property boundary) and size of an existing parcel through subdivision and consolidation, by realigning a rectangular 10.03 acre (4.06 ha) title with the adjacent agricultural title and reducing it to 9.16 acres (3.709 ha) in size, for county residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to Lethbridge County.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with Lethbridge County which shall be registered concurrently with the final plan against the title(s) being created.
3. That the applicant submits a surveyed plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcels being subdivided. The titles and portions of land to be subdivided and consolidated to reconfigure the boundaries (property line) of the four adjacent parcels, are to be done by a plan prepared by a certified Alberta Land Surveyor in a manner such that the resulting titles cannot be further subdivided without approval of the Subdivision Authority.
4. That the applicant provide a Plan of Survey Surveyors by an Alberta Land Surveyor to illustrate the exact dimensions and size of the parcel as approved.
5. 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 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 proposal is eligible for consideration in accordance with the County's subdivision criteria as a reconfiguration of titles, with no additional titles being created above what presently exist. Separate standalone titles are not being created, but the land being subdivided and consolidated is between existing titles.
4. The Subdivision Authority sees merit in the application as it is to enable the property boundary to account for the irrigation pivot on the agricultural land and maximize the area of productive land that may be irrigated by the system.

INFORMATIVE:

- (a) Since the proposed subdivision is a reconfiguration and 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.

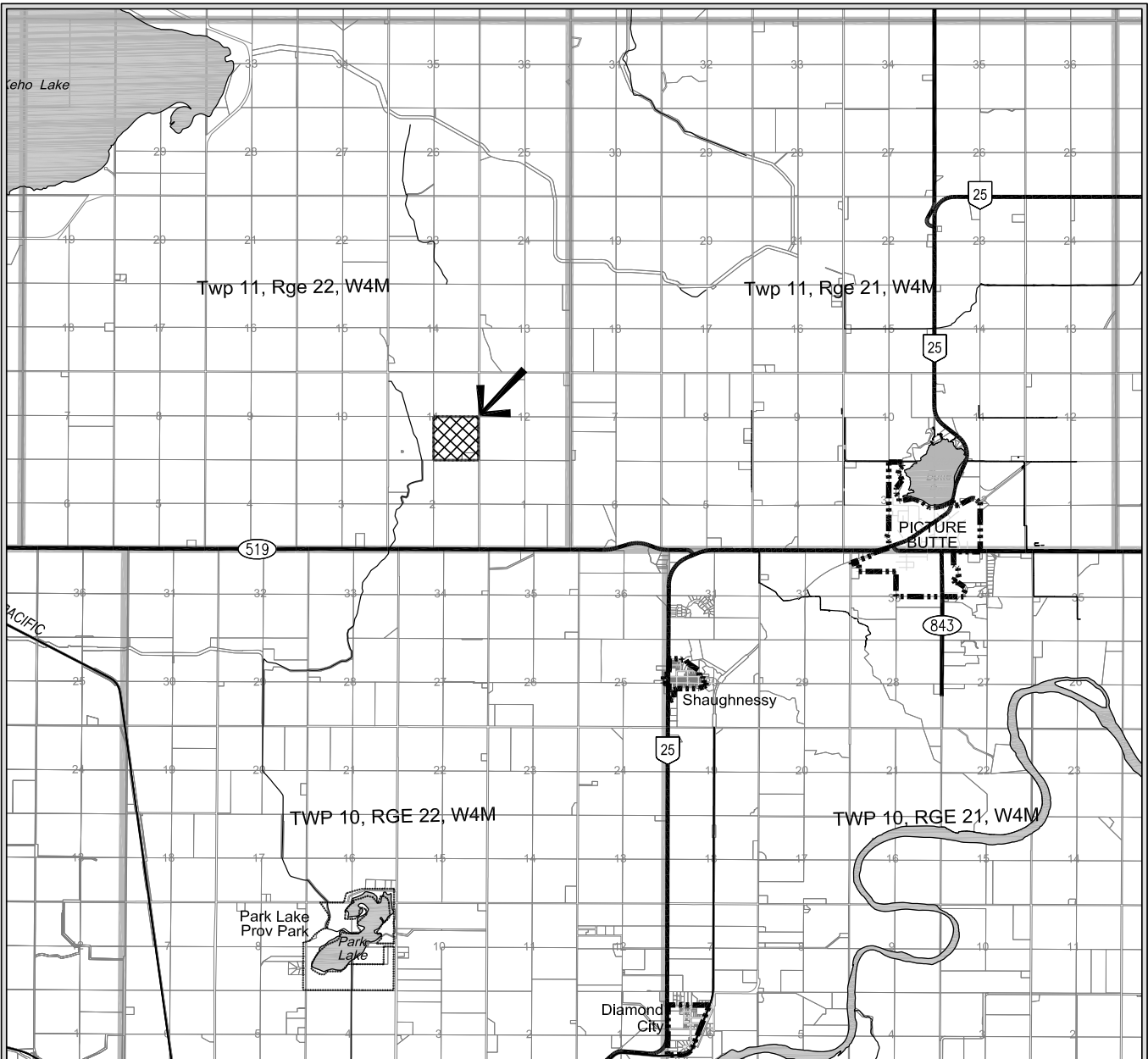
2021-0-037
Page 1 of 2

- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Telus Communications Inc has no objection.
- (e) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.
- (f) Lethbridge Northern Irrigation District – 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. Payment in full of any outstanding irrigation rates that may be assessed on the original parcel at the time of finalization of the subdivision.
 2. Payment of the District’s subdivision administration fee. The current fee is \$630.00 (includes GST).
 3. Prior to finalization of the subdivision an Agreement to re-arrange the current 150.0 irrigation acres to suitable areas to accommodate the pivot within the SE 11-11-22-4 will need to be entered into with the LNID at the time of finalization of the subdivision.
 4. Currently there is a *Domestic Water Agreement* for irrigation water with the LNID on the 10.03 acre subdivision (Lot I, Plan 9011050). This Agreement will need to be resigned to reference the new registered legal survey plan for the proposed 9 .16 acre subdivision. This is required prior to the LNID’s signing of the consent per subdivision plan.
 5. 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.”
- (g) Canada Post has no comment.

 MOVER

 REEVE

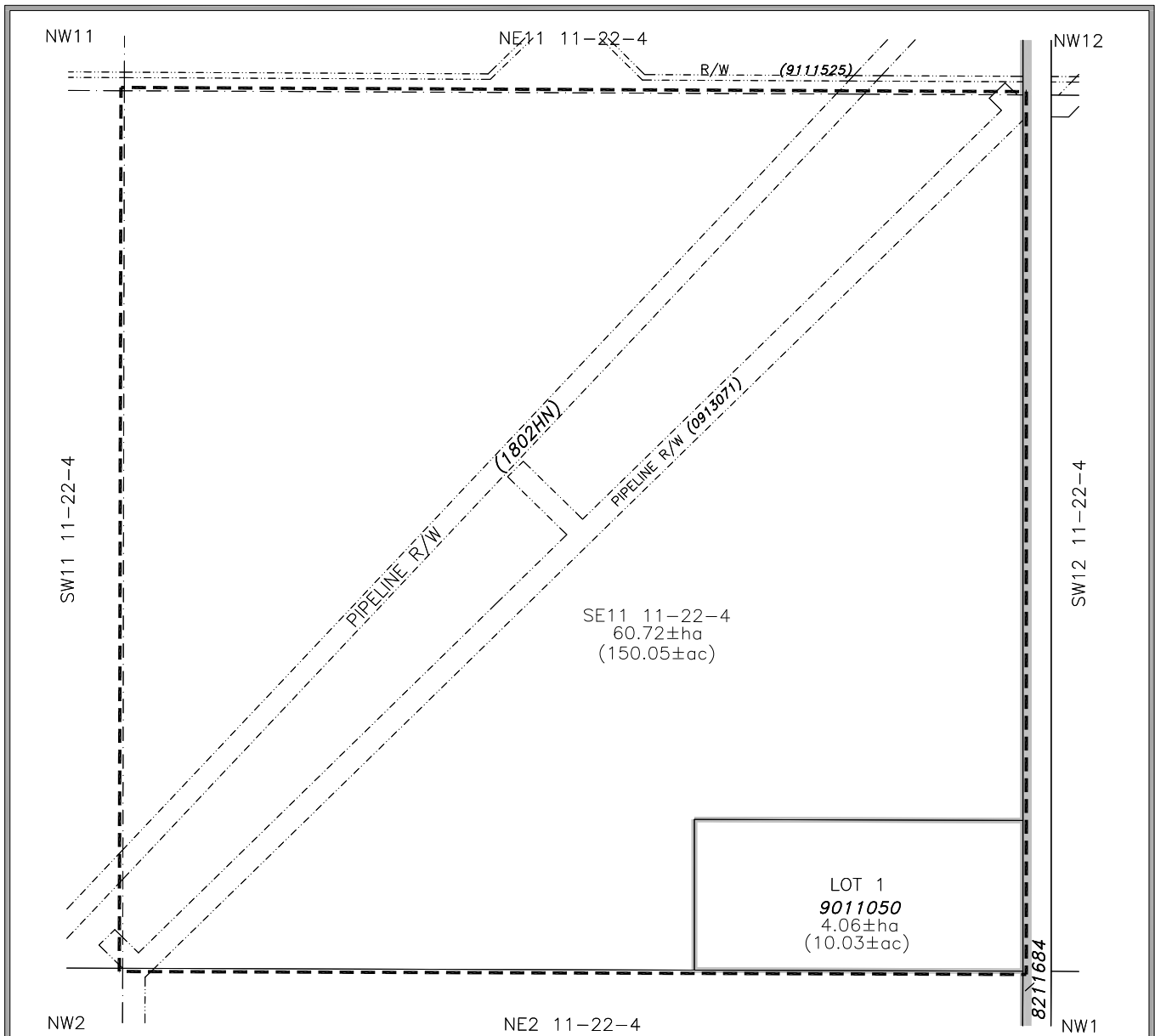
 DATE



SUBDIVISION LOCATION SKETCH
LOT 1, PLAN 9011050 &
SE 1/4 SEC 11, TWP 11, RGE 22, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: FEBRUARY 23, 2021
FILE No: 2021-0-037

MAP PREPARED BY:
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3102 15th AVENUE NORTH, LETHBRIDGE, AB T1M 1S5
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"





SUBDIVISION SKETCH - EXISTING
 LOT 1, PLAN 9011050 &
 SE 1/4 SEC 11, TWP 11, RGE 22, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: FEBRUARY 23, 2021
 FILE No: 2021-0-037



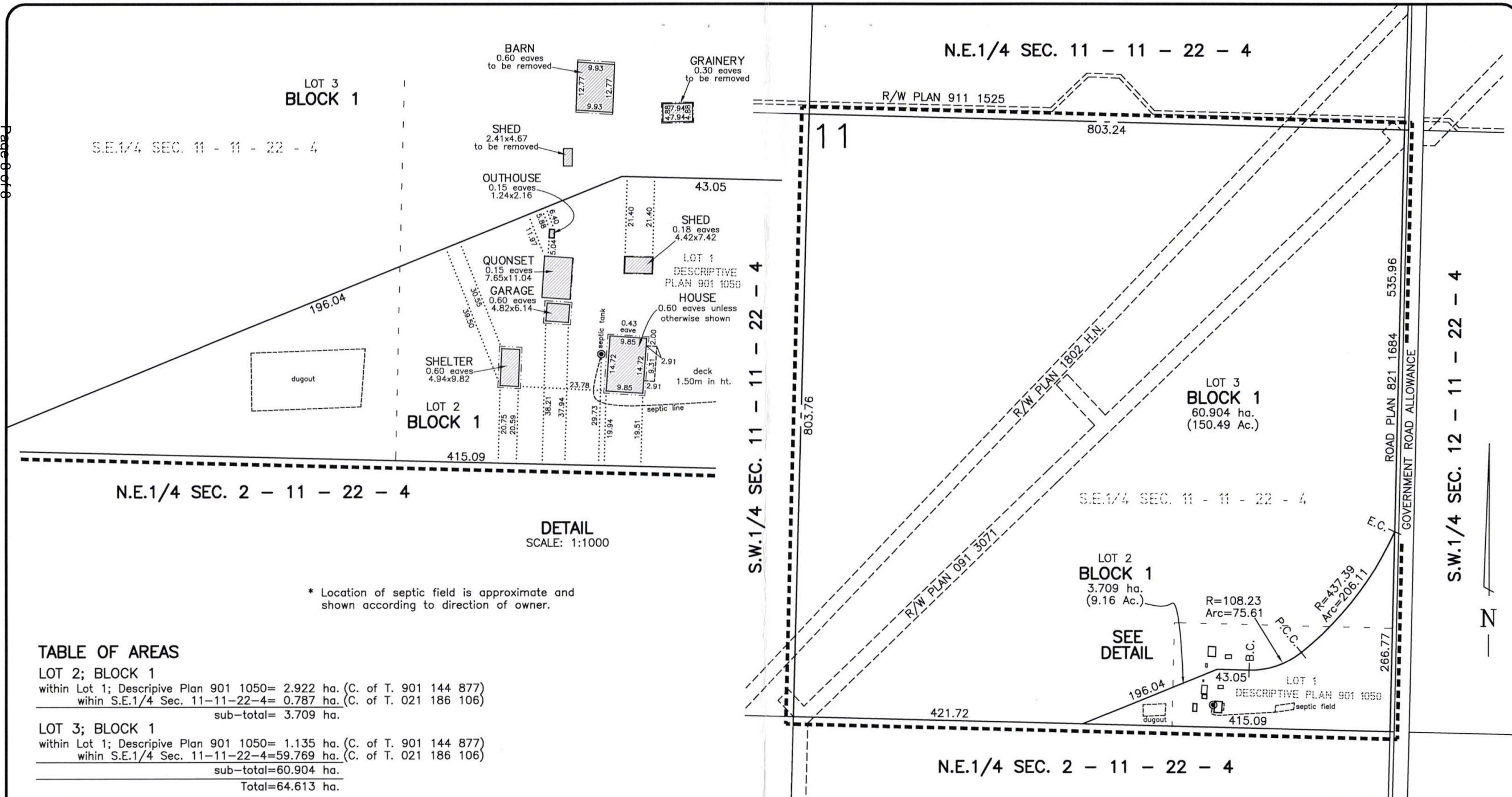


SUBDIVISION SKETCH - PROPOSED

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 21-15161T

**LOT 1, PLAN 9011050 &
 SE 1/4 SEC 11, TWP 11, RGE 22, W 4 M
 MUNICIPALITY: LETHBRIDGE COUNTY
 DATE: FEBRUARY 23, 2021
 FILE No: 2021-0-037**





DETAIL
SCALE: 1:1000

* Location of septic field is approximate and shown according to direction of owner.

TABLE OF AREAS

LOT 2; BLOCK 1	
within Lot 1; Descriptive Plan 901 1050=	2.922 ha. (C. of T. 901 144 877)
within S.E.1/4 Sec. 11-11-22-4=	0.787 ha. (C. of T. 021 186 106)
sub-total= 3.709 ha.	
LOT 3; BLOCK 1	
within Lot 1; Descriptive Plan 901 1050=	1.135 ha. (C. of T. 901 144 877)
within S.E.1/4 Sec. 11-11-22-4=	59.769 ha. (C. of T. 021 186 106)
sub-total=60.904 ha.	
Total=64.613 ha.	

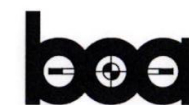
NO.	REVISION	DATE	BY
1	Revised lot boundary	Feb.12/21	cjb

Improvements shown were surveyed on January 21st, 2021
 NOTE : Portion to be approved is outlined thus **-----**
 and contains approximately 64.613 ha.
 Distances are in metres and decimal parts thereof.

Distances and areas are approximate and are subject to change upon final survey.

SINKE FARMS LTD.

TENTATIVE PLAN SHOWING SUBDIVISION
 of all of
 LOT 1; DESCRIPTIVE PLAN 901 1050(S.E.1/4 SEC. 11)
 and part of
 S.E.1/4 SEC. 11
 all within
 TWP. 11; RGE. 22; W.4 M.
 LETHBRIDGE COUNTY



brown okamura & associates ltd.
 Professional Surveyors
 2830 - 12th Avenue North, Lethbridge, Alberta

APPROVED	DRAWN CJB	DATE FEB. 10/21
	CHECKED ZJP	JOB 21-15161
Z. J. Prosper A.L.S.	SCALE 1:5000	DRAWING 21-15161T

AGENDA ITEM REPORT



Title: Nobleford Water Conveyance Agreement - Extension Support
Meeting: Council Meeting - 01 Apr 2021
Department: Municipal Services
Report Author: Ann Mitchell

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 18 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

The Town of Nobleford supplies potable water to rural users who are members of the Lethbridge North County Potable Water Coop (LNCPWC) through an agreement between Nobleford and Lethbridge County. Nobleford has a diversion license from the Lethbridge North Irrigation District for raw water which is treated at their water plant facility.

The defined agreement for water usage expires in 2027 and the Town of Nobleford administration has asked to have the agreement extended.

Lethbridge County holds a licence to divert water for this area, on behalf of LNCPWC, which expires in June 2035.

RECOMMENDATION:

That council send correspondence to the Town of Nobleford to express their interest, support and commitment, to further extending the rural water agreement past 2027.

PREVIOUS COUNCIL DIRECTION / POLICY:

Existing agreement goes back to 2010 for Nobleford to supply water to rural water users.

BACKGROUND INFORMATION:

Nobleford has a long standing supply agreement with the County for water, the agreement was started in 2010 and has a volume designation expiry in 2027.

The amount of water available through the existing agreement is 82,966 cubic meters per year. Current usage in 2020 was 30,128 cubic meters, with the average of the last 5 years being approximately 26,000 cubic meters. As the amount used is well below the agreement maximum.

Nobleford in their 2021 Utility rates charges County residents \$1.55 per cubic meter for water usage through a rural pipeline. Water rates are typically based on cost recovery and Nobleford invoices County residents and LNCPWC members accordingly for water usage.

ALTERNATIVES / PROS / CONS:

The agreement is left "as is" to expire in 2027:

PRO - Maintains current agreement with no changes.

CON - Rural water supply is required for County residents. With a municipal election in 2021, Nobleford could look to further restrict rural water supply outside of existing agreements.

FINANCIAL IMPACT:

Regional prosperity is connected to access to the potable water supply. Water supply is innately connected to regional growth and has social and economic benefits.

Lethbridge County Utility department provides services for water monitoring and testing through an MOU with the LNCPWC, which services the Nobleford and Barons rural area.

REASON(S) FOR RECOMMENDATION(S):

Nobleford has asked for a continued commitment for rural water to further plan their own capital utility works to meet the demand requirements that exist from current customers.

Rural water supply is maintained long-term and extended in the Nobleford area, with supply from the town for rural users. As potable water has been a priority for regional vitality, growth and expansion, this shows council's commitment to its ratepayers and regional partners.

Current usage in 2020 was 30,128 cubic meters, with the average of the last 5 years being approximately 26,000 cubic meters. As the amount used is well below the agreement maximum of 82,966 cubic meters it would be viewed as having room for growth is accounted for within the current term period to 2027.

ATTACHMENTS:

[Nobleford - Utility-rates-2021](#)

Town of Nobleford, #577

A BYLAW OF THE TOWN OF NOBLEFORD, IN THE PROVINCE OF ALBERTA, TO ESTABLISH AND PROVIDE FOR THE LEVYING AND COLLECTING OF CHARGES AND RATES FOR WATER, SEWER AND GARBAGE SERVICE AND TO REGULATE THESE SERVICES WITHIN THE TOWN OF NOBLEFORD.

WHEREAS the Municipal Government Act, being Chapter M26.1, 1994, of the Revised Statutes of Alberta and amendments thereto, authorizes a Municipal Council to pass bylaws pertaining to public utilities. MGA 2020

NOW THEREFORE, the Council of Town of Nobleford, in the Province of Alberta, duly assembled enacts as follows: THAT it is the intention of Council that each separate provision of the Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provisions of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable. SCHEDULE "A"

SCHEDULE "A" Bylaw #577, Utility charges and rates for Water, Sewer, and Garbage. Actual or estimated bi-monthly.

<u>Residential</u>	<u>2012-2016</u>	<u>2017</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Basic Water Rate, per unit	\$24.00 <u>bimonthly</u>	\$24.00	\$24.00	\$24.00	\$24.00
January 1 –December 31 water rate, metered	.60 per m3	.60	.75	.75	.75
Over 100 m3 (22,000 gallons) water rate, metered	1.17 per m3	1.40	1.55	1.55	1.55
Sewage rate	16.00 bimonthly	20.00	20.00	20.00	20.00
Garbage rate	26.00 bimonthly	30.00	40.00	50.00	52.00
Alberta Police requisition			0	8.00	Tax

<u>Commercial, Industrial, Institutional, Bulk,</u>					
Basic Water rate, per service line	\$24.00 <u>bimonthly</u>	\$24.00	\$24.00	\$24.00	\$24.00
January 1 thru December 31 water rate, metered	1.17 per m3	1.40	1.55	1.55	1.55
Bulk water rate = Double Barons/County rate, metered	2.34 per m3	2.80	3.10	3.10	3.10
Sewage rate	16.00 bimonthly	20.00	20.00	20.00	20.00
Garbage rate	26.00 bimonthly	30.00	40.00	50.00	50.00
Commercial Cardboard pickup surcharge	bimonthly.		40.00	50.00	50.00
Alberta Police requisition			0	8.00	tax

Water Conveyance rates outside of the corporate limits of Nobleford. Water is metered.

Excluding Municipalities, a prepaid conveyance agreement with the property owner with a \$600 deposit is required.

Barons and County water line rate is cost plus 5%. metered \$1.17 per m3 \$1.40 \$1.55 \$1.55 \$1.55

Bulk water, Service = Double Barons/County rate 2.34 per m3, 2.80 3.10 3.10 3.10

Service line minimum of \$100 bimonthly

Bulk water via hydrant 4.00 per m3 4.00 5.00 5.00 5.00

All properties require a functioning water meter at owners cost, with exterior reader located within 2 meter of front of building closest to street and clear of any obstruction. Properties without operating meters are subject to water billing penalties of **\$200.00** bimonthly and disconnection. A \$50.00 reconnection fee shall apply.

Basic water, sewer, and garbage utility charges apply to all properties vacant or occupied after 2 years of ownership.

Included is the annual Lethbridge regional waste management services commission t fees, calculated on a per capita basis.

Cost recovery by utility rates, not property taxation.

Outstanding accounts may be transferred to property title holder taxation account.

Nobleford has a water conveyance agreement with Barons and Lethbridge County until December 31, 2027

1 m3 = 219.9612 gallons. 1 cent per gallon = \$2.19 m3.

This amendment to Schedule "A" of bylaw 577 shall come into force and effect upon the final passing thereof.

Moved by Councillor de Leeuw ,read a FIRST time this 19 day of January 2021 Carried

Moved by Councillor Jensen, read a SECOND time this 19 day of January 2021 Carried

Moved by Councillor McDowell, presented for Third reading this 19 day of January , 2021 Carried Unanimously

Moved by Councillor Man, read a THIRD time and FINALLY PASSED this 19 day of January 2021 Carried

Mayor, Don Holinaty

CAO, Kirk Hofman

AGENDA ITEM REPORT



Title: ASB Resource Management Grant Update
Meeting: Council Meeting - 01 Apr 2021
Department: Municipal Services - Agriculture Services
Report Author: Jeremy Wickson

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 23 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

The Resource Management grant was not funded in 2020 and its future was uncertain. The recent provincial budget allotted funding for this program and in March 2021, Lethbridge County was informed that the provincial grant for Resource Management was renewed for the remainder of the ASB Legislative grant period. An amended agreement was received that outlined the ASB Legislative and Resource Grants at \$123,000 and \$91,000 respectively.

The requirements for the grant will be met with a collaborative approach of field and administration staff covering all requirements to remain eligible for grant funding.

RECOMMENDATION:

That the Resource Management grant program be accepted for information and extended for 2021, to be re-evaluated in the fall for budget years 2022-24.

PREVIOUS COUNCIL DIRECTION / POLICY:

The Resource Management program has been in place since 1992 with Lethbridge County, council has supported the program through additional funding to supplement the grant program.

BACKGROUND INFORMATION:

Lethbridge County has an extensive history of supporting environmentally sustainable agricultural practices and a program has been in place to support these initiatives since 1992. The program has evolved over time depending on the trends of sustainable agriculture. Early programs focused on soil conservation and research and have moved into Rural Extension in general. The current funding stream has been re-named Resource Management from Environmental Stream and Lethbridge County will receive a grant for the period running from 2020-2024.

The process to receive funding involves a grant application process where the Agriculture Services Department identifies areas of focus to support local producers. Our current grant identifies initiatives in the following areas:

1. Environmental Farm Plan.
2. Canadian Agricultural Partnership
3. Nutrient Management
4. Riparian Health
5. Agricultural Operations Practices Act

Each of these goals requires promotion and extension of information through various methods including newsletter, sustainable agriculture tour, conferences and general agriculture extension and advocacy.

To meet the requirements of the Resource Management Grant, the Agricultural Service Department plans to use a collaborative approach which will include more members of our staff being involved and working with other municipalities and outside agencies to achieve our goals.

ALTERNATIVES / PROS / CONS:

Resource Management program is not extended

PROS - Additional supplement funding for the program can be eliminated

CONS - Lethbridge County has seen regional success with the program for years, Resource Management program would no longer be supported by the County

Resource Management program is reduced

PROS - Additional supplement funding for the program can be reduced

CONS - The grant has stipulated requirements, if not met the grant will be reduced

FINANCIAL IMPACT:

The Resource Management grant is an additional \$91,000. In addition, the funding was post-dated back to 2020 which will cover all of the ASB department deficit for that budget year.

Within the 2021 budget, the amount for the Resource Management Program was funded for \$165,411, an additional supplement to the program of \$74,411 is tax support.

The 2022 budget and beyond could be adjusted to reduce the amount of tax support required for the program.

REASON(S) FOR RECOMMENDATION(S):

The Resource Management program provides local support through research and development for numerous different sustainable agriculture initiatives.

ATTACHMENTS:

[ASB Grant - Legislative with Amendment for Resource Management](#)

**Amending Grant Agreement
ASB-056998 - County of Lethbridge**

**Agriculture and Forestry
Agricultural Service Boards Program**

This Amending Agreement is made effective as of the 10th day of March, 2021
BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA,
as represented by the Minister of Agriculture and Forestry
(the “Minister”)

AND:

County of Lethbridge
(the “Applicant”)

WHEREAS the Minister and the Applicant (the “Parties”) have entered into a grant agreement dated November 1, 2020 (the “Grant Agreement”) under the Agricultural Service Boards Program, pursuant to which the Minister has agreed to make a contribution of up to \$619,535.21 to the Applicant.

AND WHEREAS the Parties wish to amend the Grant Agreement to extend the term of the grant.

NOW THEREFORE the Parties agree as follows:

1. Clause 2.1 of the Grant Agreement is deleted in its entirety and replaced by the following:

- 2.1 Payment of Grant** – Subject to the terms and conditions of this Agreement, the Minister will pay to the Applicant up to a maximum of \$619,535.21 in support of Legislative Activities and up to a maximum of \$455,000 in support of Resource Management Activities, (collectively the “Grant”), as follows:
- (a) \$123,907.21 in Legislative Activities funding, upon execution the Agreement;
 - (b) \$91,000 in Resource Management Activities funding upon execution of this Amending Agreement;
 - (c) \$123,907 in Legislative Activities funding, and \$91,000 in Resource Management Activities funding, following receipt of Annual Report 1, to the satisfaction of the Minister;
 - (d) \$123,907 in Legislative Activities funding, and \$91,000 in Resource Management Activities funding, following receipt of Annual Report 2, to the satisfaction of the Minister;
 - (e) \$123,907 in Legislative Activities funding, and \$91,000 in Resource Management Activities funding, following receipt of Annual Report 3, to the satisfaction of the Minister;

- (f) \$123,907 in Legislative Activities funding, and \$91,000 in Resource Management Activities funding, following receipt of Annual Report 1, to the satisfaction of the Minister;

2. Clause 2.2 of the Grant Agreement is deleted in its entirety and replaced by the following:

2.2 Amount of Grant – The total amount of the Grant shall not exceed \$1,074,535.21. If the Grant exceeds the Applicant’s Eligible Expenses, as determined by the Minister, then the Grant shall be reduced upon review by, and at the absolute discretion of, the Minister. At the end of the Term, if the Applicant’s Eligible Expenses, as determined by the Minister, are less than the amount of the Grant Proceeds, then the Applicant shall immediately refund the difference to the Minister.

The Applicant acknowledges receipt of the first grant payment under clause 2.1(a) totaling \$123,907.21.

The Minister acknowledges receipt of 2020 Report.

In all other respects, the Grant Agreement shall remain unchanged and in full force and effect.

This Amending Agreement may be executed in counterparts and accepted by facsimile.

The Parties have therefore executed this Amending Agreement, each by its duly authorized representative, on the respective dates shown below.

HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA, as represented by the Minister of Agriculture and Forestry

Date: _____ Per: _____

Date: _____ Per: _____
Applicant Signature

Print Name and Title

AGENDA ITEM REPORT



Title: Development Permit Application 2021-056 (City of Lethbridge Landfill Composting Facility)
Meeting: Council Meeting - 01 Apr 2021
Department: Community Services
Report Author: Sarah Mitchell

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development Approved - 12 Mar 2021
Larry Randle, Director of Community Services, Approved - 15 Mar 2021
Ann Mitchell, Chief Administrative Officer, Approved - 18 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

The City of Lethbridge has submitted a Development Permit application to upgrade their existing compost facility.

RECOMMENDATION:

That Development Permit application 2021-056 be approved as drafted.

PREVIOUS COUNCIL DIRECTION / POLICY:

The land on which the proposed composting facility is to be located is zoned Direct Control under Bylaw 1389. Ancillary buildings or uses to the waste and recycling centre are listed as Permitted Uses. The proposed development meets all the setback requirements as laid out in Bylaw 1389. County Council is the designated Development Authority of Development Permit applications pertaining to Bylaw 1389.

BACKGROUND INFORMATION:

On February 24, 2021 Lethbridge County received a Development Permit application from the City of Lethbridge which proposes to upgrade their existing compost facility at the City's landfill facility. The proposed building will measure approximately 14,520 sq. ft. in size and cost approximately \$5,530,000. It will consist of a receiving building, a row of composting bunkers, a roller compacted concrete pad for vehicle traffic, and a clay lined product storage pad for finished compost. The existing compost facility has a stormwater pond that will be suitable for the upgraded site. The receiving building will house the unloading bay for organic waste, and a depackager and mixer will

process the organics to be composted in the composting bunker system. Once processed, the compost will be screened and stored in the product storage area.

The application was circulated to other County departments, Alberta Transportation, the St. Mary's River Irrigation District, and the Fire Prevention Bureau. The plans and documentation received with this application are thorough and complete. No concerns were received by those circulated. A site visit was conducted by the Planning Department on March 9, 2021.

ALTERNATIVES / PROS / CONS:

County Council may choose to deny the permit.

- Pros - The existing compost facility on site would remain as is and not be as extensive.
- Cons - The facility will not be able to divert as much compostable material from the landfill as possible, thus shortening the lifespan of the landfill.

FINANCIAL IMPACT:

There would be no financial implications for Lethbridge County with this development.

REASON(S) FOR RECOMMENDATION(S):

This composting facility is part of the City of Lethbridge's initiative to encourage sustainable practices in the area. By keeping this material out of the landfill its lifespan will be prolonged. This proposed composting facility will be beneficial for not only the City of Lethbridge but also for the surrounding County that contributes waste material to this facility.

ATTACHMENTS:

[Development Permit 2021-056](#)
[2021-056 Plans Council](#)
[2021-056 DC Council](#)



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

**LETHBRIDGE COUNTY
DEVELOPMENT PERMIT**
Pursuant to Land Use Bylaw No. 1404

Development Permit No: 2021-056

Applicant: W.R. (Bill) MacMillan (The City of Lethbridge), 910 - 4th Ave. S., Lethbridge, AB, T1J 0P6

In respect of works consisting of: Upgrade existing compost facility – Receiving building (1349 m²), row of composting bunkers, a roller compacted concrete pad, and clay lined project storage pad

On land located at: SW 4-10-21-W4M (213044 Township Road 10-0) and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2021-056 and is **subject to the conditions contained herein:**

- The upgraded compost facility is to be located as per the submitted site plan.
- The applicant shall submit a large building safety plan to the Fire Prevention Bureau (403-320-3811), see attached.
- The applicant shall ensure there is adequate water supply according to the National Building Code. Please contact the Fire Prevention Bureau (403-320-3811) for more information.
- All debris from the old compost facility shall be removed and taken to an approved disposal site.
- All demolition is to comply with the provisions of the Safety Codes Act. The applicant is responsible for *obtaining all necessary Safety Codes approvals and utility service disconnections before demolition* of the existing compost facility. Call Park Enterprises at (403) 329-3747.
- The applicant shall obtain all necessary approvals and authorizations, if required, from Alberta Environment and Parks (403) 381-5332.
- Any further expansion of the facility would require additional approval.
- Approval of all Building Permits (includes Plumbing, Electrical, Gas permits, and Private Sewage Disposal Systems) must be obtained **prior** to commencement. Building Permits are obtained through **Park Enterprises**, #10, 491 W.T. Hill Blvd. South, Lethbridge. Phone - (403) 329-3747.
- Any planned work in the County right-of-way (driveway, approaches, etc.) requires separate approval from the County Director of Public Operations (call 403-328-5525).

This permit becomes effective the **1st day of April, 2021** as approved by Council (Resolution **XXX-2021**). This permit is not subject to an appeal period under section 685 (4) (a) of the Municipal Government Act.

SIGNED: _____



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

LETHBRIDGE COUNTY DEVELOPMENT PERMIT

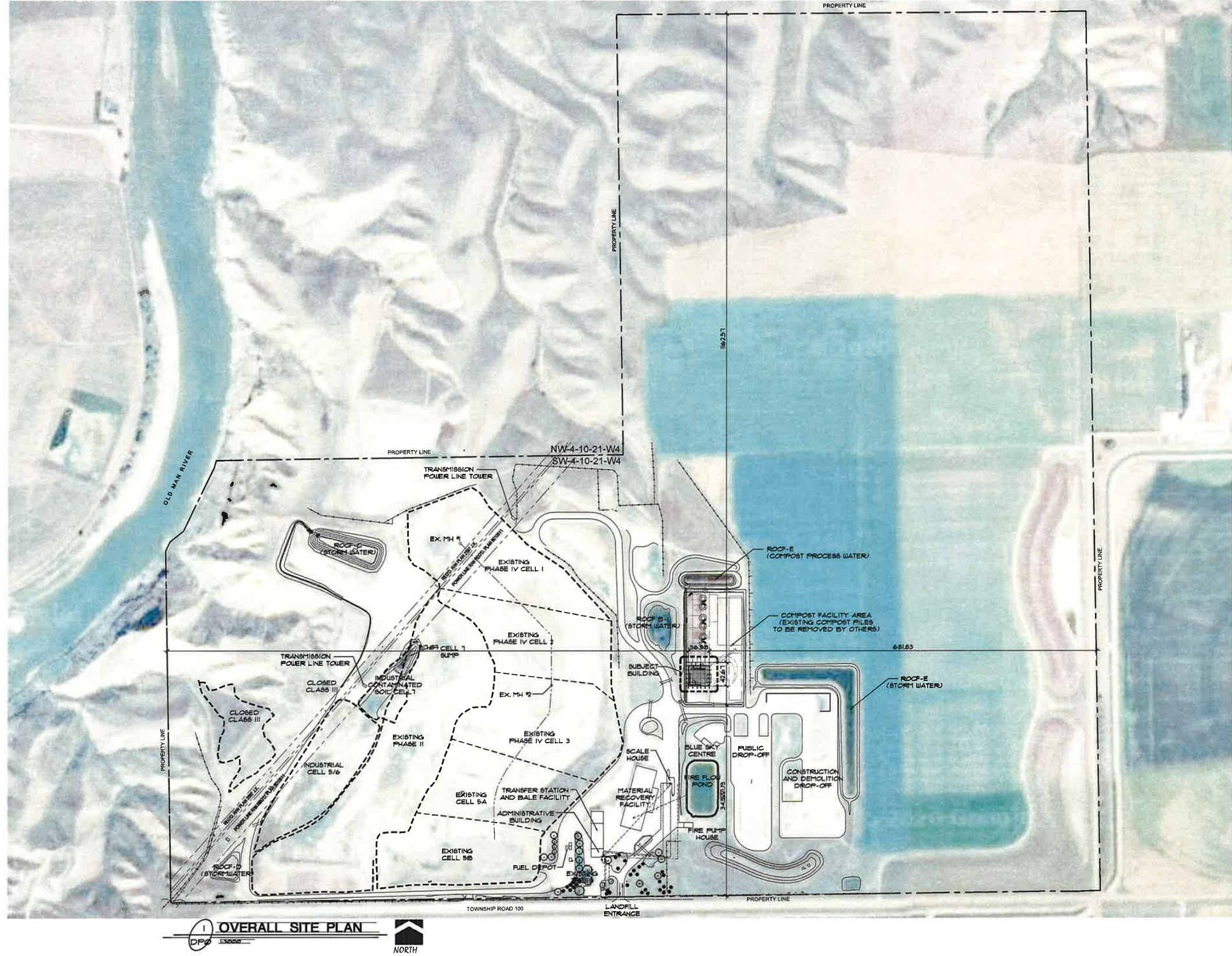
Pursuant to Land Use Bylaw No. 1404

Development Officer

IMPORTANT:

The development outlined above is subject to the following conditions:

- (a) No development authorized by the issuing of a permit shall commence until at least 21 days after the date of decision of the permit in accordance with section 686 of the Municipal Government Act, or if an appeal is made until the appeal is decided upon. Any development commencing prior to the appeal period expiration or an appeal decision being made is entirely at the risk of the applicant, developer, or landowner.
- (b) The approval of this Development Permit does not remove the need to obtain any Building Permits (including Plumbing, Gas, Electrical, and Private Sewage) or approval required by any federal, provincial, or municipal legislation, and/or regulations.
- (c) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (d) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless otherwise authorized in the conditions of a development permit.
- (e) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.



OVERALL SITE PLAN

201464

DP0

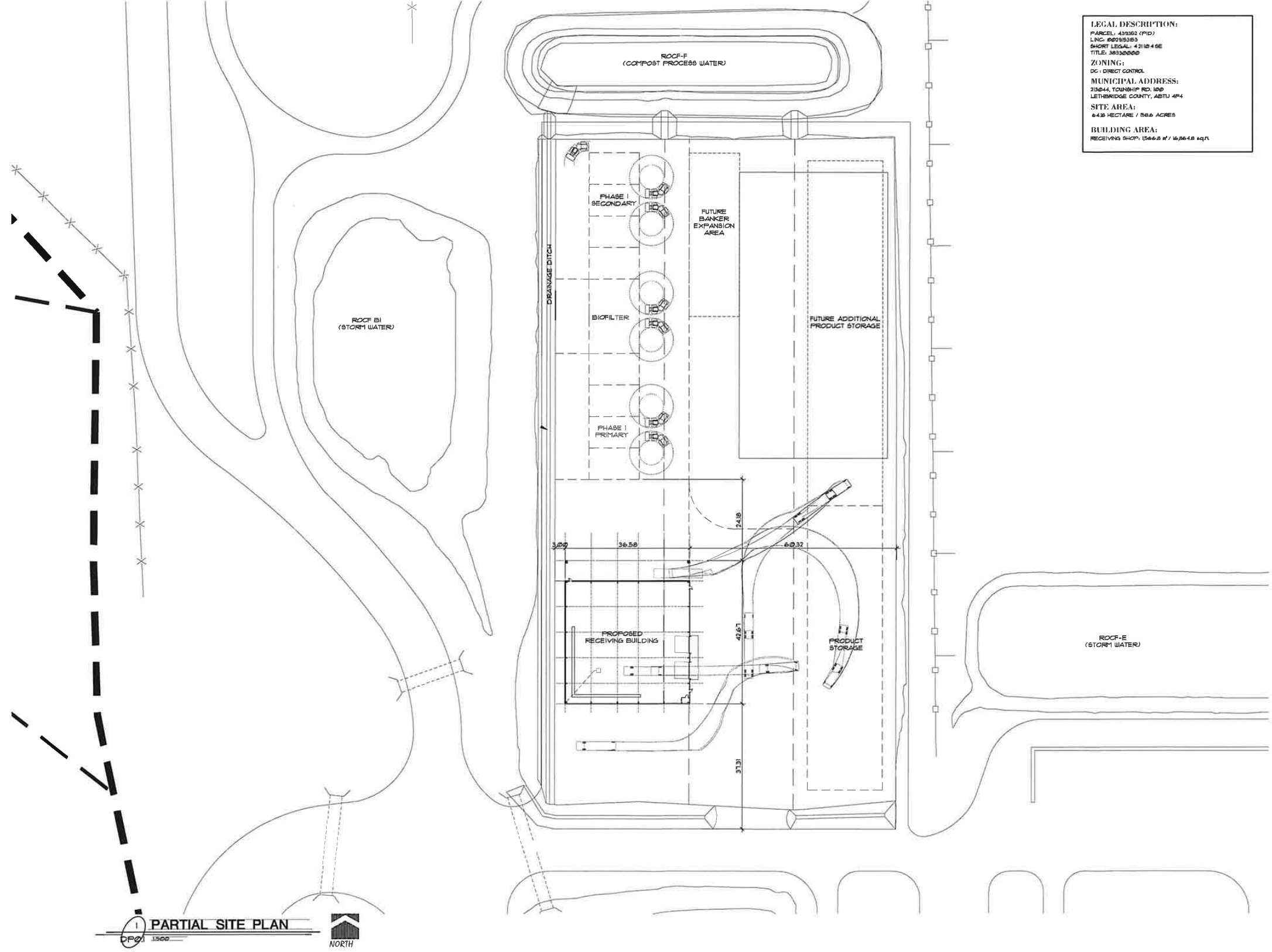
DRAWN BY: 00.00.00
 DWG DATE: 00.00.00
 SUBM DATE: 00.00.00
 SCALE: AS NOTED
 FILE:

KUMLIN SULLIVAN
 ARCHITECTURE STUDIO LTD.
 310, 5819 2 STREET S.W., CALGARY, ALBERTA, T2H 0H3
 PHONE: (403) 283-8361 FAX: (403) 257-7877

LETHBRIDGE COMPOST RECEIVING BUILDING

DP REVISIONS

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SURVEY DATA AND INFORMATION.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ASSESSMENTS AND REPORTS.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CONTRACTS AND AGREEMENTS.
 6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS.
 7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES AND SERVICES.
 8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION AND LOGISTICS.
 9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY COMMUNITY AND PUBLIC RELATIONS.
 10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LEGAL AND REGULATORY COMPLIANCE.

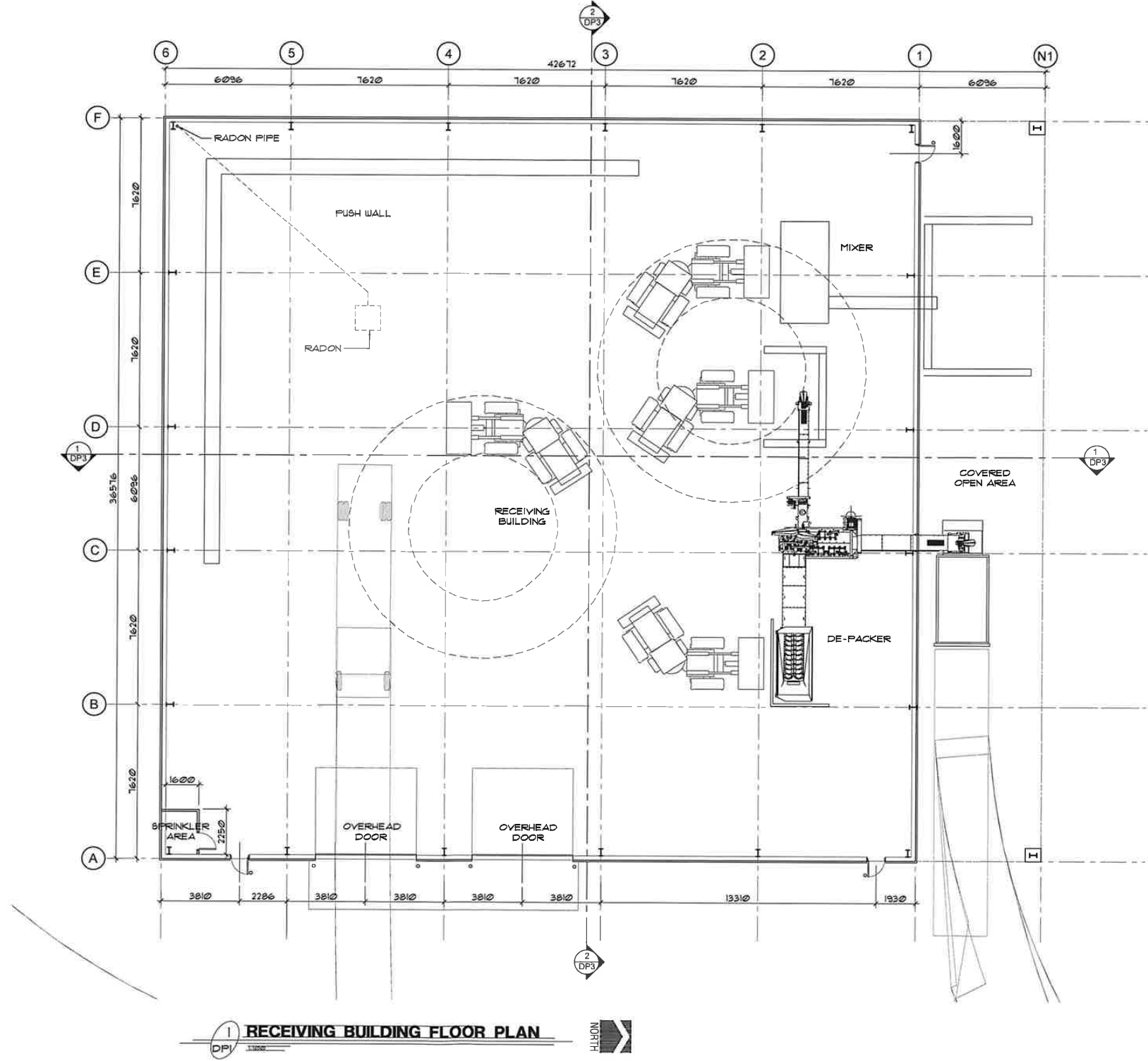


LEGAL DESCRIPTION:
 PARCEL: 439852 (PID)
 LINC: 00030383
 SHIRT LEGAL: 4 21 10 4 9E
 TITLE: 30320000
ZONING:
 DC - DIRECT CONTROL
MUNICIPAL ADDRESS:
 21644, TOWNHIP RD. 100
 LETHBRIDGE COUNTY, ABT4 4P4
SITE AREA:
 64.88 HECTARE / 50.6 ACRES
BUILDING AREA:
 RECEIVING SHOP: 1566.8 m² / 16,864.8 sqft

1 PARTIAL SITE PLAN
 DP01 1:500
 NORTH

PARTIAL SITE PLAN

201464	DRAWN BY: 00.00.00 DWG. DATE: 00.00.00 SUBM. DATE: 00.00.00 SCALE: AS NOTED FILE:	KUMLIN SULLIVAN ARCHITECTURE STUDIO LTD. 310, 5819 2 STREET S.W., CALGARY, ALBERTA, T2H 0H3 PHONE: (403) 283-8361 FAX: (403) 252-7877	DP REVISIONS LETHBRIDGE COMPOST RECEIVING BUILDING	LEGAL DESCRIPTION: PARCEL: 439852 (PID) LINC: 00030383 SHIRT LEGAL: 4 21 10 4 9E TITLE: 30320000 ZONING: DC - DIRECT CONTROL MUNICIPAL ADDRESS: 21644, TOWNHIP RD. 100 LETHBRIDGE COUNTY, ABT4 4P4 SITE AREA: 64.88 HECTARE / 50.6 ACRES BUILDING AREA: RECEIVING SHOP: 1566.8 m ² / 16,864.8 sqft
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1 RECEIVING BUILDING FLOOR PLAN

201464

AF -
 DRAWN BY:
 DWG DATE:
 SUBM DATE:
 SCALE:
 FILE: LETHBRIDGE DP DRAWINGS

DP1

KUMLIN | SULLIVAN
 ARCHITECTURE STUDIO LTD.
 310, 5819 2nd STREET SW, CALGARY, ALBERTA, T2H 0H3
 PHONE: (403) 283-8361 FAX: (403) 252-7877

**LETHBRIDGE COMPOST
 RECYCLING BUILDING
 DEVELOPMENT PERMIT SET**

DP REVISIONS

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Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

OFFICE USE		
Application No: <u>2621-056</u>	Roll No: <u>38340000</u>	Use: <input checked="" type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited
Application Fee: \$ <u>500.00</u>	Date Paid: <u>Feb 24/21</u>	Land Use District: <input type="checkbox"/> Rural Agriculture <input type="checkbox"/> Hamlet Residential <input type="checkbox"/> Rural Urban Fringe <input type="checkbox"/> Hamlet Manufactured Home <input type="checkbox"/> Lethbridge Urban Fringe <input type="checkbox"/> Hamlet Commercial <input type="checkbox"/> Grouped Country Residential <input type="checkbox"/> Hamlet Industrial <input type="checkbox"/> Coaldale Lethbridge Corridor <input type="checkbox"/> Hamlet Public/Institutional <input type="checkbox"/> Rural General Industrial <input type="checkbox"/> Hamlet Direct Control <input type="checkbox"/> Business Light Industrial <input type="checkbox"/> Hamlet Transitional/Agricultural <input type="checkbox"/> Rural Heavy Industrial <input checked="" type="checkbox"/> Direct Control <input type="checkbox"/> Rural Commercial <input type="checkbox"/> Rural Recreational
Application Received /Complete: <u>Feb 24/21</u>		
Notification or Advertised Date:	Effective Date:	
Municipal Address Application Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Required		
ERCB Abandoned well information provided: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Site Plans or drawings Submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Site Visit Conducted: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Date: <u>Mar 9/21</u>

1. APPLICANT & LAND INFORMATION

Applicant's Name: W. R. (Bill) MacMillan
 Phone/Cell Phone: (403) 393-7836 Email: bill.macmillan@lethbridge.ca
 Mailing Address: 910 4th Avenue S. Lethbridge AB T1J 0P6
Registered Owner's Name: City of Lethbridge
 Phone/Cell Phone: (403) 359-6541 Email: bill.macmillan@lethbridge.ca
 Mailing Address: 910 4th Avenue S. Lethbridge AB T1J 0P6

Applicant's interest in the proposed development if not the registered owner:
 Agent Contractor Tenant Other: Employee - Waste & Recycling Engineer
 Quarter: SW Section: 4 Township: 10 Range: 21 W4M
 Lot(s) _____ Block: _____ Plan: _____
 Municipal/Street address: _____

* Subject to Municipal Address Bylaw 1315, if there is currently not a municipal address on the parcel a municipal address application must be submitted.

Area of Parcel: 155.8 Acres _____ Hectares Land Use District: _____

2. DEVELOPMENT INFORMATION

(1) Existing Development

Please list the existing buildings, structures and use(s) on the land. (Please indicate if any are to be removed or relocated.)

Transfer Station, Material Recovery facility, Blue Sky Centre Scale House, Admin building,
Public Waste drop-off



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(2) Proposed Development

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

The City of Lethbridge is planning to upgrade the existing compost facility for receiving organic waste at the Waste and Recycling Centre. The facility will consist of a receiving building, a row of composting bunders, a roller compacted concrete pad for vehicle traffic, and a clay lined product storage pad for finished compost. The existing compost facility has a stormwater pond that will be suitable for the upgraded site. The receiving building will house the unloading bay for organic waste, and a depackager and mixer will process the organics to be composted in the composting bunker system. Once processed, the compost will be screened and stored in the product storage area.

For **residential** development please check the applicable box below:

- Single-detached dwelling (site built) Manufactured Home 1 Manufactured Home 2
- Single-detached dwelling (Ready-to-move) Semi-detached dwelling
- Moved-in dwelling (previously occupied) Accessory Building/Structure (e.g.: deck/garage/shop)
- Other Dwelling Type: _____ Addition: _____

Does dwelling application include an attached garage? Yes No

For **non-residential** development please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

- Home Occupation (Form A1) Commercial/Industrial (Form A2) Sign(s) (Form A3) Demolition (with other proposed development) (Form A4)

Building Details

<i>Size/Dimensions</i>	Principal Building or Addition	Accessory Building or Addition	Office Use
Building or Addition Size	1349 <input checked="" type="checkbox"/> m ² <input type="checkbox"/> sq. ft	N/A <input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	12.93 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	N/A <input type="checkbox"/> m <input type="checkbox"/> ft	
Attached Garage Size	N/A <input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	N/A	
<i>Proposed Setbacks from Property Lines</i>	Principal Building	Accessory Building	
Front	377.19 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	N/A <input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	1162.57 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	N/A <input type="checkbox"/> m <input type="checkbox"/> ft	
Side	681.83 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	N/A <input type="checkbox"/> m <input type="checkbox"/> ft	
Side	917.0 <input checked="" type="checkbox"/> m <input type="checkbox"/> ft	N/A <input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot <input checked="" type="checkbox"/> Corner Lot		
<i>Development Details: Access & Cost</i>			
Approach or driveway required to the development?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (specify)		EXISTING
Estimated cost of development:	\$5,530,000		



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(3) Exterior Finish, Fencing & Landscaping

(a) Not applicable to this development

(b) Applicable - Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): Pre-finished metal

Proposed fencing and height: N/A

Proposed landscaping: N/A

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in or manufactured home):

(4) Services

Indicate the existing or proposed sewer system and potable water supply: There is no sewer, there is a dugout for water, and there will be electricity

Sewer System: Private Septic, Municipal, Communal, Cistern, Water well, Dugout, Municipal/Co-op
Water Supply: Cistern, Water well, Dugout, Municipal/Co-op, Other

Other Services: Indicate as follows: A= available R = required

Natural gas () Electricity (A)

(5) Details of Vehicle Parking and Access (for commercial/industrial proposals, see supplementary form)

Describe the number, size of all existing and proposed parking spaces, and driveways on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.)

(6) Waivers

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? No Yes

If yes, please specify:

(7) Other - for parcels outside of Hamlet districts (Please indicate to the best of your knowledge)

(a) Are any of the following within a 1-mile (1.6 km) of the proposed development?

- Provincial Highway, Confined Feeding Operation, Sour gas well or pipeline, Sewage treatment plant, Waste transfer station or landfill

(b) Is the proposed development to be situated within 500 metres (1,640 ft.) of an established anhydrous ammonia bulk storage facility? Yes No Don't Know

(c) Is the development located in proximity of a coulee bank/break/slope? Yes No

If "yes", please provide details on the building sites' setback distance from the front edge of the valley or coulee break (escarpment rim). approximately 850m away from nearest coulee

Estimated Commencement Date: May 1, 2021 Estimated Completion Date: September 30, 2021



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

3. DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents. I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.

*Further I/We hereby give my/our consent to allow authorized persons the **right to enter** upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.*

Date: Feb 19, 2021 Applicant's Signature: 

Registered Owner's Signature: _____
(Required, if different from applicant) For The City of Lethbridge

2. The Development Authority may deem a development permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
5. Any development started before the issuance of a development permit and expiration of the appeal period is at the applicant's own risk.
6. **If a decision is not made within 40 days** from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, **the applicant may deem the application to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
7. A development permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

*FOIP STATEMENT: Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected here will be used to by Lethbridge County for the purposes of reviewing an applicant's Development Permit application. **This form is a public record that is available to anyone.** All information contained on this form (including personal information) is disclosed by Lethbridge County to anyone requesting a copy in according with Lethbridge County Policy No. 173 (Freedom of Information and Protection of Privacy (FOIP)). For further information about the collection and use of this information please contact Lethbridge County at foip@lethcounty.ca or call (403) 328-5525.*



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION

Supplement to Development Permit Application
 Pursuant to Land Use Bylaw No. 1404

OFFICE USE	
Permit Application No: (to match Form A) <u>2021-056</u>	Roll No: <u>28340000</u>
Landscaping plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Storm water management plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required
Landscaping security taken: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Lot Grading plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required

This supplementary form A2 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a commercial or industrial development.

1. APPLICANT INFORMATION

(1) Applicant's Name: W. R. (Bill) MacMillan Phone: (403) 393-7836

Mailing Address: 910 4th Avenue S. Lethbridge AB T1J 0P6

(2) Proposed Use

This application is to: (Check all that apply)

- Construct a new building or structure *(if greater than 500 ft² see abandoned well information section)*
 The building or structure is for:
 - Commercial Use (e.g. retail, sales, service office, food establishment, etc.)
 - Industrial Use (e.g. manufacturing, processing, warehousing, storage, etc.)
- Alter/renovate the existing building *(if greater than 500 ft² see abandoned well information section)*
- Addition to an existing building *(if greater than 500 ft² see abandoned well information section)*
- Construct an accessory building *(if greater than 500 ft² see abandoned well information section)*
- Mixed-use (comprehensive) development in a building or on a parcel of land
- Change in or intensification of use

(3) Describe the proposed use, any changes from existing use, and any work to be done.

Receiving and Handling Organic Waste

(4) Outdoor Storage - is outdoor storage or a display area required or proposed? No Yes
 (If yes, indicate locations of same on a scaled PLOT PLAN.)



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION

Supplement to Development Permit Application
Pursuant to Land Use Bylaw No. 1404

(5) Parking and Loading Information

(a) **Details of Vehicle Parking and Access** - Describe the **number** _____ and **size** (dimensions) _____ of all existing and proposed off-street parking spaces, and **driveways/approaches** _____ N/A _____ on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.)

(b) **Loading Areas** - Is a dedicated loading space/area proposed? No Yes

If yes, please specify: _____

(Indicate locations of same and building loading doors on a scaled PLOT PLAN.)

(c) **Drive-through Uses** - For a commercial use, does the proposed development include a drive-through component which requires a dedicated vehicle-stacking lane? No Yes

If yes, please specify: _____

(Indicate locations of same on a scaled PLOT PLAN.)

(6) Servicing Details

Please indicate if the proposed development will require water and sewer for the following (check all that may apply):

- Washroom/kitchen type facilities for staff
- Washroom/ food service facilities for the public
- Car/truck wash
- Processing/manufacturing process
- Food processing
- Other: Sprinkler System (Bldg)
- No water or sewer services proposed for development (i.e. use entails dry storage, warehousing, etc.)

2. DECLARATION of APPLICANT/OWNER

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a commercial/industrial development. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

Date: Feb 19, 2021 Applicant's Signature: _____

Registered Owner's Signature: _____
(if different from applicant)

NOTE:

This Form A2 is supplementary and is in conjunction with a completed Form A: Development Permit Application. Refer to Bylaw No. 1404, Parts 3 and 4 5 for specific regulations and standards of development.

AGENDA ITEM REPORT



Title: Development Permit Application 2021-063 (Powersports business)
Meeting: Council Meeting - 01 Apr 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development Approved - 17 Mar 2021
Larry Randle, Director of Community Services, Approved - 17 Mar 2021
Ann Mitchell, Chief Administrative Officer, Approved - 18 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

Iron River Powersports submitted a Development Permit application to move their business to Iron Springs.

RECOMMENDATION:

That Development Permit application 2021-063 be approved as drafted.

PREVIOUS COUNCIL DIRECTION / POLICY:

The land on which the proposed business is to be located is zoned Hamlet Direct Control under the Land Use Bylaw 1404. Commercial and Industrial uses considered suitable by Council are listed as Permitted Uses. County Council is the designated Development Authority of Hamlet Direct Controls Development Permit applications (LUB 1404).

BACKGROUND INFORMATION:

On March 4, 2021 Lethbridge County received a Development Permit application from Iron River Powersports (Jason Vande Hoef) to move his business to an existing shop in Iron Springs. The business will provide parts and repair services to the powersports industry which includes ATVs, dirt bikes, side by sides, personal watercraft, snowmobiles, etc. The proposed business will as do much of the repair work as possible in the existing shop. The equipment being worked on will be contained within the shop (if possible) or in a secure fenced area on the property. The applicant intends on residing on the property in the existing residence to the south.

The application was circulated to other County departments and to most of the residents in Iron Springs. No concerns were received by those circulated. A site visit was conducted by County staff on March 9, 2021.

ALTERNATIVES / PROS / CONS:

County Council may choose to deny the permit.

- Pros - The existing lot and shop will remain as is.
- Cons - Iron Springs will miss this opportunity to have another business.

FINANCIAL IMPACT:

There would be no financial implications for Lethbridge County with this development.

REASON(S) FOR RECOMMENDATION(S):

Permitting this business to move into the hamlet of Iron Springs shows that the County is willing to work with and help support small businesses in the area. If it is successful it may help to draw additional economic growth and opportunities to the area.

ATTACHMENTS:

[2021-063 HDC Council
Development Permit 2021-063](#)



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION
 Pursuant to Land Use Bylaw No. 1404

OFFICE USE		
Application No: <u>2021-063</u>	Roll No: <u>24/00000</u>	Use: <input checked="" type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited
Application Fee: \$ <u>200.00</u>	Date Paid: <u>March 15/21</u>	Land Use District: <input type="checkbox"/> Rural Agriculture <input type="checkbox"/> Hamlet Residential <input type="checkbox"/> Rural Urban Fringe <input type="checkbox"/> Hamlet Manufactured Home <input type="checkbox"/> Lethbridge Urban Fringe <input type="checkbox"/> Hamlet Commercial <input type="checkbox"/> Grouped Country Residential <input type="checkbox"/> Hamlet Industrial <input checked="" type="checkbox"/> Coaldale Lethbridge Corridor <input type="checkbox"/> Hamlet Public/Institutional <input type="checkbox"/> Rural General Industrial <input checked="" type="checkbox"/> Hamlet Direct Control <input type="checkbox"/> Business Light Industrial <input type="checkbox"/> Hamlet Transitional/Agricultural <input type="checkbox"/> Rural Heavy Industrial <input type="checkbox"/> Direct Control <input type="checkbox"/> Rural Commercial <input type="checkbox"/> Rural Recreational
Application Received /Complete: <u>March 3, 2021</u>	Notification or Advertised Date:	Effective Date:
Municipal Address Application Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Required	ERCB Abandoned well information provided: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site Plans or drawings Submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		Site Visit Conducted: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Date: <u>March 9/21</u>

1. APPLICANT & LAND INFORMATION

Applicant's Name: JASON VANNE HOEF / IRON RIVER POWERSPORTS
 Phone/Cell Phone: 403-317-4202 Email: ironriverpowersports@gmail.com
 Mailing Address: Box 496 Picture Butte AB T0K 1W0
Registered Owner's Name: JASON VANNE HOEF
 Phone/Cell Phone: 403-317-4202 Email: ironriverpowersports@gmail.com
 Mailing Address: Box 496 Picture Butte AB T0K 1W0

Applicant's interest in the proposed development if not the registered owner:

Agent Contractor Tenant Other: _____

Quarter: _____ Section: _____ Township: _____ Range: _____ W4M

Lot(s) MOST SOUTHERLY 16 FEET OF LOT 2, ALL OF LOTS 3, 4. Block: 7 Plan: G481 D1

Municipal/Street address: 112 center st IRON SPRINGS.

* Subject to Municipal Address Bylaw 1315, if there is currently not a municipal address on the parcel a municipal address application must be submitted.

Area of Parcel: _____ Acres _____ Hectares Land Use District: _____

2. DEVELOPMENT INFORMATION

(1) Existing Development

Please list the existing buildings, structures and use(s) on the land. (Please indicate if any are to be removed or relocated.)

HOUSE - RESIDENTIAL - ALL STAYING.
SHOP



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(2) Proposed Development

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

OPERATE MY BUSINESS, IRON RIVER POWERBOATS, IN THE SHOP & RESIDE WITH MY FAMILY IN THE EXISTING HOUSE. I REPAIR ~~OF~~ AUVs, DIRT BIKES, SIDE BY SIDES, PERSONAL WATERCRAFT, SNOWMOBILES....

For **residential** development please check the applicable box below:

- Single-detached dwelling (site built) Manufactured Home 1 Manufactured Home 2
- Single-detached dwelling (Ready-to-move) Semi-detached dwelling
- Moved-in dwelling (previously occupied) Accessory Building/Structure (e.g.: deck/garage/shop)
- Other Dwelling Type: _____ Addition: _____

Does dwelling application include an attached garage? Yes No

For **non-residential** development please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

- Home Occupation (Form A1)
- Commercial/Industrial (Form A2)
- Sign(s) (Form A3)
- Demolition (with other proposed development) (Form A4)

Building Details

Size/Dimensions	Principal Building or Addition	Accessory Building or Addition	Office Use
Building or Addition Size	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Attached Garage Size	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	N/A	
Proposed Setbacks from Property Lines	Principal Building	Accessory Building	
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot	
Development Details: Access & Cost			
Approach or driveway required to the development?	<input type="checkbox"/> No <input type="checkbox"/> Yes (specify)		
Estimated cost of development:			



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(3) Exterior Finish, Fencing & Landscaping

(a) Not applicable to this development

(b) Applicable - Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): _____

Proposed fencing and height: CHAIN LINK / WOOD BOARD (6-8 ft)

Proposed landscaping: _____

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in or manufactured home): _____

(4) Services

Indicate the existing or proposed sewer system and potable water supply:

Sewer System:

Water Supply:

Private Septic Municipal Communal Cistern Water well Dugout Municipal/Co-op
(specify): _____ Other (specify): _____

Other Services: Indicate as follows: **A**= available **R** = required

Natural gas () Electricity ()

(5) Details of Vehicle Parking and Access (for commercial/industrial proposals, see supplementary form)

Describe the **number** 20 and **size** 575 of all existing and proposed **parking spaces** _____, and **driveways** _____ on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.)

(6) Waivers

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? No Yes

If yes, please specify: _____

(7) Other - for parcels outside of Hamlet districts (Please indicate to the best of your knowledge)

(a) Are any of the following within a 1-mile (1.6 km) of the proposed development?

Provincial Highway Confined Feeding Operation Sour gas well or pipeline
 Sewage treatment plant Waste transfer station or landfill

(b) Is the proposed development to be situated within 500 metres (1,640 ft.) of an established anhydrous ammonia bulk storage facility? Yes _____ No _____ Don't Know _____

(c) Is the development located in proximity of a coulee bank/break/slope? Yes _____ No _____

If "yes", please provide details on the building sites' setback distance from the front edge of the valley or coulee break (escarpment rim).

Estimated **Commencement** Date: _____ Estimated **Completion** Date: _____



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

3. DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents. I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.

*Further I/We hereby give my/our consent to allow authorized persons the **right to enter** upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.*

Date: MARCH 2

Applicant's Signature: _____

Registered Owner's Signature: _____
 (Required, if different from applicant)

2. The Development Authority may deem a development permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
5. Any development started before the issuance of a development permit and expiration of the appeal period is at the applicant's own risk.
6. **If a decision is not made within 40 days** from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, **the applicant may deem the application to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
7. A development permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

FOIP STATEMENT: Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected here will be used to by Lethbridge County for the purposes of reviewing the Road Closure application. This form is a public record that is available to anyone. All information contained on this form (including personal information) is disclosed by Lethbridge County to anyone requesting a copy in accordance with Lethbridge County Policy No. 173 (Freedom of Information and Protection of Privacy (FOIP)). For further information about the collection and use of this information please contact the Lethbridge County FOIP Coordinator at foip@lethcounty.ca or call (403) 328-5525 or come into the office #100, 905-4th Avenue South, Lethbridge Alberta, T1J 4E4.



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION
 Supplement to Development Permit Application
 Pursuant to Land Use Bylaw No. 1404

OFFICE USE	
Permit Application No: (to match Form A) <u>2021-063</u>	Roll No: <u>24100000</u>
Landscaping plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Storm water management plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required
Landscaping security taken: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required	Lot Grading plan submitted: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Required

This supplementary form A2 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a commercial or industrial development.

1. APPLICANT INFORMATION

(1) Applicant's Name: JASON VANDE HOEF Phone: 403-317-4202
 Mailing Address: Box 496 Picture Butte, AB T0K 1V0

(2) Proposed Use

This application is to: (Check all that apply)

- Construct a new building or structure (if greater than 500 ft² see abandoned well information section)
 The building or structure is for:
 - Commercial Use (e.g. retail, sales, service office, food establishment, etc.)
 - Industrial Use (e.g. manufacturing, processing, warehousing, storage, etc.)
- Alter/renovate the existing building (if greater than 500 ft² see abandoned well information section)
- Addition to an existing building (if greater than 500 ft² see abandoned well information section)
- Construct an accessory building (if greater than 500 ft² see abandoned well information section)
- Mixed-use (comprehensive) development in a building or on a parcel of land
- Change in or intensification of use

(3) Describe the proposed use, any changes from existing use, and any work to be done.

OPERATE MY BUSINESS OUT OF THE EXISTING SAO ON THE PROPERTY.

(4) Outdoor Storage - is outdoor storage or a display area required or proposed? No Yes
 (If yes, indicate locations of same on a scaled PLOT PLAN.)



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A2: COMMERCIAL/INDUSTRIAL APPLICATION

Supplement to Development Permit Application
Pursuant to Land Use Bylaw No. 1404

(5) Parking and Loading Information

(a) Details of Vehicle Parking and Access - Describe the **number** N/A and **size** (dimensions) of all existing and proposed off-street parking spaces, and **driveways/approaches** N/A on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.)

(b) Loading Areas - Is a dedicated loading space/area proposed? No Yes

If yes, please specify: LOADING RAMP FOR UNITS ON SITE.

(Indicate locations of same and building loading doors on a scaled PLOT PLAN.)

(c) Drive-through Uses - For a commercial use, does the proposed development include a drive-through component which requires a dedicated vehicle-stacking lane? No Yes

If yes, please specify: _____

(Indicate locations of same on a scaled PLOT PLAN.)

(6) Servicing Details

Please indicate if the proposed development will require water and sewer for the following (check all that may apply):

- Washroom/kitchen type facilities for staff
- Washroom/ food service facilities for the public
- Car/truck wash
- Processing/manufacturing process
- Food processing
- Other: _____

No water or sewer services proposed for development (i.e. use entails dry storage, warehousing, etc.)

2. DECLARATION of APPLICANT/OWNER

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a commercial/industrial development. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

Date: MARCH 2

Applicant's Signature: _____

Registered Owner's Signature: _____
(if different from applicant)

NOTE:

This Form A2 is supplementary and is in conjunction with a completed Form A: Development Permit Application. Refer to Bylaw No. 1404, Parts 3 and 4 5 for specific regulations and standards of development.

I PROVIDE PARTS + REPAIR SERVICES TO

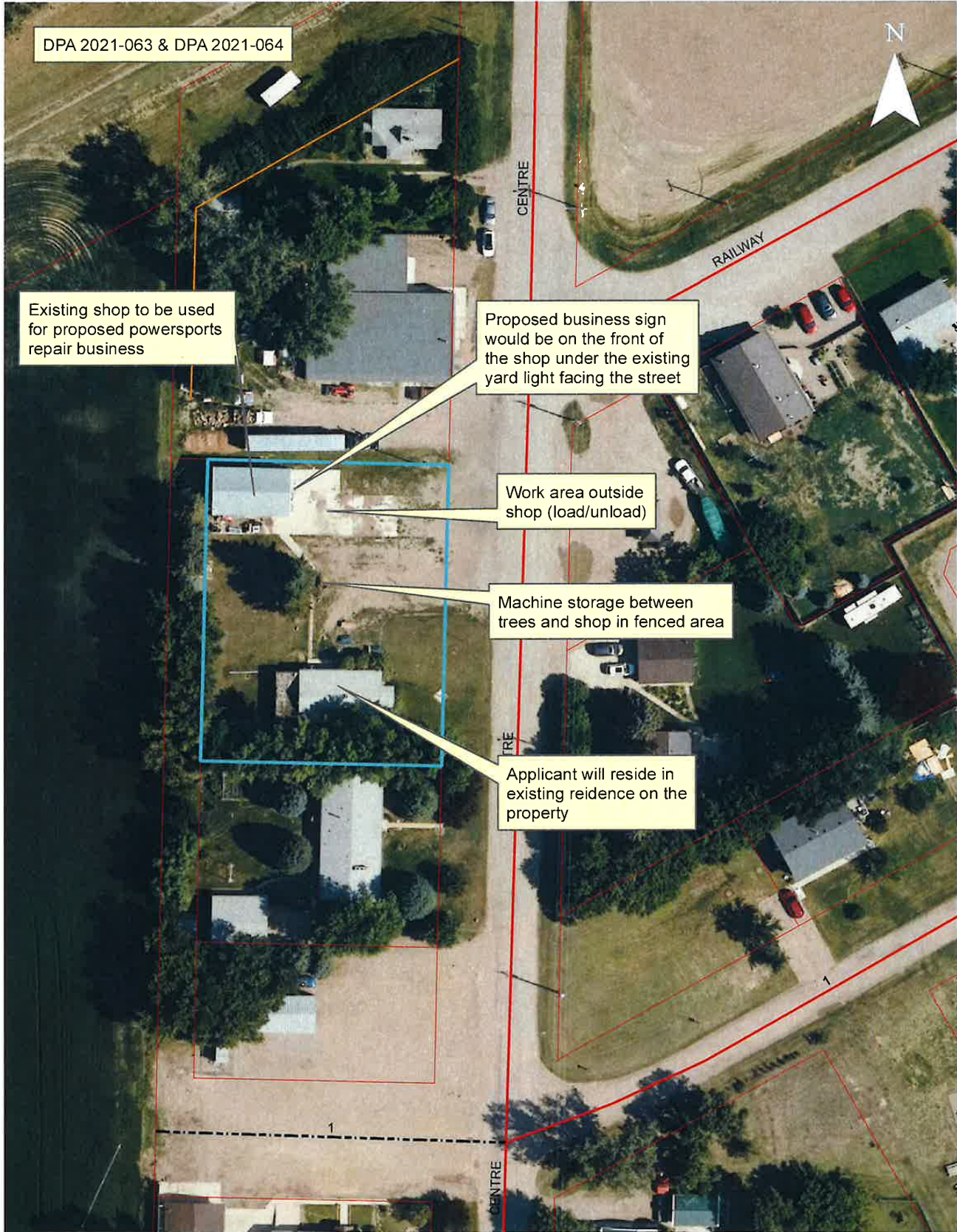
THE POWERSPORTS INDUSTRY - ATV / DIRT BIKE / SIDE BY SIDE / PWC /
SNOWMOBILE.

MANY OF MY CUSTOMERS ARE FARMERS WITHIN SOUTHERN AB
WHO USE THEIR MACHINES FOR WORK.

ANY MACHINES THAT CANNOT FIT INSIDE THE SHOP WILL BE
STORED IN A FENCED + LOCKED AREA I PLAN TO BUILD IN THE
NEAR FUTURE. SECURITY CAMERAS ARE BEING LOOKED INTO
BUT NO EXTRA EXTERIOR LIGHTING.

MY FAMILY + I ARE PLANNING TO LIVE IN THE HOUSE THAT IS
ON THE PROPERTY ELSEWHERE.

ALL PARTS (AS MANY AS POSSIBLE) WILL BE STORED INSIDE THE
SHOP + AS MUCH WORK AS POSSIBLE COMPLETED IN THE SHOP.





Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

LETHBRIDGE COUNTY DEVELOPMENT PERMIT

Pursuant to Land Use Bylaw No. 1404

Development Permit No: 2021-063

Applicant: Jason Vande Hoef (Iron River Powersports), Box 496, Picture Butte, AB, T0K 1V0

In respect of works consisting of: Powersports business in existing shop, fenced outdoor storage area

On land located at: Plan 6481DI Block 1 Ptn Lot 2 and Lots 3-4 (112 Centre Street, Iron Springs) and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2021-063 and is **subject to the conditions contained herein:**

- The business is to be located in an existing building as per the submitted site plan.
- The applicant is responsible for compliance with the Alberta Motor Vehicle Industry Council (AMVIC) licensing requirements.
- The applicant is responsible for compliance with Alberta Environment and Parks regulations and guidelines for containing, storing and disposing of automotive fluids.
- The applicant shall ensure the fenced outdoor storage area is setup and maintained in an organized manner.
- Approval of all Building Permits (includes Plumbing, Electrical, Gas permits, and Private Sewage Disposal Systems) must be obtained *prior* to commencement. Building Permits are obtained through **Park Enterprises**, #10, 491 W.T. Hill Blvd. South, Lethbridge. Phone - (403) 329-3747.
- Any planned work in the County right-of-way (driveway, approaches, etc.) requires separate approval from the County Director of Public Operations (call 403-328-5525).

This permit becomes effective the **1st day of April, 2021** as approved by Council (Resolution **XXX-2021**). This permit is not subject to an appeal period under section 685 (4) (a) of the Municipal Government Act.

SIGNED: _____

Development Officer



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

LETHBRIDGE COUNTY DEVELOPMENT PERMIT

Pursuant to Land Use Bylaw No. 1404

IMPORTANT:

The development outlined above is subject to the following conditions:

- (a) No development authorized by the issuing of a permit shall commence until at least 21 days after the date of decision of the permit in accordance with section 686 of the Municipal Government Act, or if an appeal is made until the appeal is decided upon. Any development commencing prior to the appeal period expiration or an appeal decision being made is entirely at the risk of the applicant, developer, or landowner.
- (b) The approval of this Development Permit does not remove the need to obtain any Building Permits (including Plumbing, Gas, Electrical, and Private Sewage) or approval required by any federal, provincial, or municipal legislation, and/or regulations.
- (c) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (d) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless otherwise authorized in the conditions of a development permit.
- (e) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.

AGENDA ITEM REPORT



Title: Development Permit Application 2021-064 (Signage)
Meeting: Council Meeting - 01 Apr 2021
Department: Community Services
Report Author: Hilary Janzen

APPROVAL(S):

Hilary Janzen, Supervisor of Planning & Development Approved - 17 Mar 2021
Larry Randle, Director of Community Services, Approved - 17 Mar 2021
Ann Mitchell, Chief Administrative Officer, Approved - 18 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

Iron River Powersports submitted a Development Permit application for signage for their proposed business in Iron Springs.

RECOMMENDATION:

That Development Permit application 2021-064 be approved as drafted.

PREVIOUS COUNCIL DIRECTION / POLICY:

The land on which the proposed signage is to be located is zoned Hamlet Direct Control under the Land Use Bylaw 1404. Commercial and Industrial uses considered suitable by Council are listed as Permitted Uses. County Council is the designated Development Authority of Hamlet Direct Controls Development Permit applications (LUB 1404).

BACKGROUND INFORMATION:

On March 4, 2021 Lethbridge County received a Development Permit application from Iron River Powersports (Jason Vande Hoef) to have signage for the proposed business on the property. The proposed signage would measure no more than 8 ft. by 4 ft. in size and be located on the existing shop under an existing yard light. At some point in the future the applicant may paint the business name/logo on the overhead door of the shop.

The application was circulated to other County departments and to most of the residents in Iron Springs. No concerns were received by those circulated. A site visit was conducted by County staff on March 9, 2021.

ALTERNATIVES / PROS / CONS:

County Council may choose to deny the permit.

- Pros - If there was no signage for the business there may be less of an impact on the residential character of the area.
- Cons - The business would not be appropriately identified in the hamlet.

FINANCIAL IMPACT:

There would be no financial implications for Lethbridge County with this development.

REASON(S) FOR RECOMMENDATION(S):

Permitting this business to move into the hamlet of Iron Springs shows that the County is willing to work with and help support small businesses in the area. If it is successful it may help to draw additional economic growth and opportunities to the area. Signage is an important component for most businesses to be successful.

ATTACHMENTS:

[2021-064 HDC Council Development Permit 2021-064](#)



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

OFFICE USE		
Application No: <u>2021-064</u>	Roll No: <u>24100000</u>	Use: <input checked="" type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited
Application Fee: \$ <u>150.00</u>	Date Paid: <u>Mar 15/21</u>	Land Use District: <input type="checkbox"/> Rural Agriculture <input type="checkbox"/> Hamlet Residential <input type="checkbox"/> Rural Urban Fringe <input type="checkbox"/> Hamlet Manufactured Home <input type="checkbox"/> Lethbridge Urban Fringe <input type="checkbox"/> Hamlet Commercial <input type="checkbox"/> Grouped Country Residential <input type="checkbox"/> Hamlet Industrial <input type="checkbox"/> Coaldale Lethbridge Corridor <input type="checkbox"/> Hamlet Public/Institutional <input type="checkbox"/> Rural General Industrial <input checked="" type="checkbox"/> Hamlet Direct Control <input type="checkbox"/> Business Light Industrial <input type="checkbox"/> Hamlet Transitional/Agricultural <input type="checkbox"/> Rural Heavy Industrial <input type="checkbox"/> Direct Control <input type="checkbox"/> Rural Commercial <input type="checkbox"/> Rural Recreational
Application Received/Complete: <u>March 3, 2021</u>	Effective Date:	
Notification or Advertised Date:	Municipal Address Application Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Required	Site Visit Conducted: <input type="checkbox"/> No <input type="checkbox"/> Yes Date:
ERCB Abandoned well information provided: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site Plans or drawings Submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

1. APPLICANT & LAND INFORMATION

Applicant's Name: JASON VANNE HOEF / IRON RIVER POWERSPORTS
 Phone/Cell Phone: 403-317-4202 Email: ironriverpowersports@gmail.com
 Mailing Address: Box 496 Picture Butte AB T0K 1W0
Registered Owner's Name: JASON VANNE HOEF
 Phone/Cell Phone: 403-317-4202 Email: ironriverpowersports@gmail.com
 Mailing Address: Box 496 Picture Butte AB T0K 1W0

Applicant's interest in the proposed development if not the registered owner:
 Agent Contractor Tenant Other: _____

Quarter: _____ Section: _____ Township: _____ Range: _____ W4M
 Lot(s) ^{MOST SOUTHERLY 16 FEET OF LOT 2, ALL OF LOTS 3, 4.} Block: 2 Plan: G481 DI
 Municipal/Street address: 112 center st IRON SPRINGS.

* Subject to Municipal Address Bylaw 1315, if there is currently not a municipal address on the parcel a municipal address application must be submitted.
 Area of Parcel: _____ Acres _____ Hectares Land Use District: _____

2. DEVELOPMENT INFORMATION

(1) Existing Development
 Please list the existing buildings, structures and use(s) on the land. (Please indicate if any are to be removed or relocated.)
HOUSE - RESIDENTIAL - ALL STAYING.
SHOP



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FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(2) Proposed Development

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

OPERATE MY BUSINESS, IRON RIVER POWERSPORTS, IN THE SHOP I RESIDE WITH MY FAMILY IN THE EXISTING HOUSE. I REPAIR ~~OF~~ AIR'S, DIRTY BIKES, SIDE BY SIDES, PERSONAL WATERCRAFT, SNOWMOBILES...
SIGNAGE FOR PROPOSED BUSINESS.

For residential development please check the applicable box below:

- Single-detached dwelling (site built) Manufactured Home 1 Manufactured Home 2
- Single-detached dwelling (Ready-to-move) Semi-detached dwelling
- Moved-in dwelling (previously occupied) Accessory Building/Structure (e.g.: deck/garage/shop)
- Other Dwelling Type: _____ Addition: _____

Does dwelling application include an attached garage? Yes No

For non-residential development please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

- Home Occupation (Form A1)
- Commercial/Industrial (Form A2)
- Sign(s) (Form A3)
- Demolition (with other proposed development) (Form A4)

Building Details

Size/Dimensions	Principal Building or Addition	Accessory Building or Addition	Office Use
Building or Addition Size	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Attached Garage Size	<input type="checkbox"/> m ² <input type="checkbox"/> sq. ft	N/A	
<i>Proposed Setbacks from Property Lines</i>	Principal Building	Accessory Building	
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot	
<i>Development Details: Access & Cost</i>			
Approach or driveway required to the development? <input type="checkbox"/> No <input type="checkbox"/> Yes (specify)			
Estimated cost of development:			



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FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1404

(3) Exterior Finish, Fencing & Landscaping

(a) Not applicable to this development

(b) Applicable - Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): _____

Proposed fencing and height: CHAIN LINK / WOOD BOARD (6-8 FT)

Proposed landscaping: _____

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in or manufactured home): _____

(4) Services

Indicate the existing or proposed sewer system and potable water supply:

Sewer System:

Water Supply:

Private Septic Municipal Communal Cistern Water well Dugout Municipal/Co-op

(specify): _____

Other (specify): _____

Other Services: Indicate as follows: **A**= available **R** = required

Natural gas () Electricity ()

(5) Details of Vehicle Parking and Access (for commercial/industrial proposals, see supplementary form)

Describe the **number** 10 and **size** 575 of all existing and proposed **parking spaces** _____, and **driveways** _____ on site (or N/A if not applicable).

(Indicate locations of same on a scaled PLOT PLAN.)

(6) Waivers

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? No Yes

If yes, please specify: _____

(7) Other - for parcels outside of Hamlet districts (Please indicate to the best of your knowledge)

(a) Are any of the following within a 1-mile (1.6 km) of the proposed development?

Provincial Highway Confined Feeding Operation Sour gas well or pipeline
 Sewage treatment plant Waste transfer station or landfill

(b) Is the proposed development to be situated within 500 metres (1,640 ft.) of an established anhydrous ammonia bulk storage facility? Yes _____ No _____ Don't Know _____

(c) Is the development located in proximity of a coulee bank/break/slope? Yes _____ No _____

If "yes", please provide details on the building sites' setback distance from the front edge of the valley or coulee break (escarpment rim).

Estimated **Commencement** Date: _____ Estimated **Completion** Date: _____



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FORM A: DEVELOPMENT PERMIT APPLICATION
 Pursuant to Land Use Bylaw No. 1404

3. DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents. I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.

Further I/We hereby give my/our consent to allow authorized persons the right to enter upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.

Date: MARCH 2 Applicant's Signature: 
 Registered Owner's Signature: _____
 (Required, if different from applicant)

2. The Development Authority may deem a development permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
5. Any development started before the issuance of a development permit and expiration of the appeal period is at the applicant's own risk.
6. **If a decision is not made within 40 days** from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, **the applicant may deem the application to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
7. A development permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

FOIP STATEMENT: Personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act. The information collected here will be used to by Lethbridge County for the purposes of reviewing the Road Closure application. This form is a public record that is available to anyone. All information contained on this form (including personal information) is disclosed by Lethbridge County to anyone requesting a copy in according with Lethbridge County Policy No. 173 (Freedom of Information and Protection of Privacy (FOIP)). For further information about the collection and use of this information please contact the Lethbridge County FOIP Coordinator at foip@lethcounty.ca or call (403) 328-5525 or come into the office #100, 905-4th Avenue South, Lethbridge Alberta, T1J 4E4.



Lethbridge County
 #100, 905 - 4th Ave S
 Lethbridge, AB T1J 4E4
 403-328-5525

FORM A3: SIGN APPLICATION
 Supplement to Development Permit Application
 Pursuant to Land Use Bylaw No. 1404

OFFICE USE	
Permit Application No: (to match Form A)	Roll No:
2021-064	24100000

This supplementary form A3 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a sign.

1. APPLICANT INFORMATION

(1) Applicant's Name: JASON VANDE HOFF Phone: 403-317-4202
 Mailing Address: Box 496 Piquee Butte, AB T0K 1W0

(2) Type of sign proposed: Permanent Temporary Changes to an existing sign
 If temporary:
 Date sign will be displayed: _____ Date sign will be removed: _____

(3) Sign type: Freestanding Canopy/projecting Wall mounted Fascia Portable
 Roof mounted Shingle Other (specify): _____
 Sign dimensions: 8' Length 4' Width Square footage of proposed sign: UNSURE
 Bottom of Sign Height from Ground: *at the most.
 Top of Sign Height from Ground: _____
 Sign materials: + will paint sign/logo on garage door
 Please attach a site plan identifying the location(s) of the proposed sign(s): Attached Site Plan

(4) Will the sign be illuminated or animated or contain changeable copy? No Yes
 If yes, describe the type of illumination or animation: _____

(5) Are there any existing signs on the lot? No Yes
 If yes, describe the type, size and height of each existing sign and identify their location(s) on a site plan:

(6) Will the sign be used to advertise off-premises business, products or services? No Yes



Lethbridge County
#100, 905 -4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM A3: SIGN APPLICATION
Supplement to Development Permit Application
Pursuant to Land Use Bylaw No. 1404

(7) As part of a completed sign permit application, the applicant shall provide:

- (a) **a legible drawing, graphic or illustration (to scale with dimensions) of the proposed sign** which also includes the copy and/or display (text and graphics) that will be on the signage; and
- (b) **a site plan (drawn to scale) indicating the location of the sign** (and all other signs on the premises), on the subject parcel of land.

2. DECLARATION of APPLICANT/OWNER

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a sign. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).

Date: MARCH 2/21

Applicant's Signature: _____

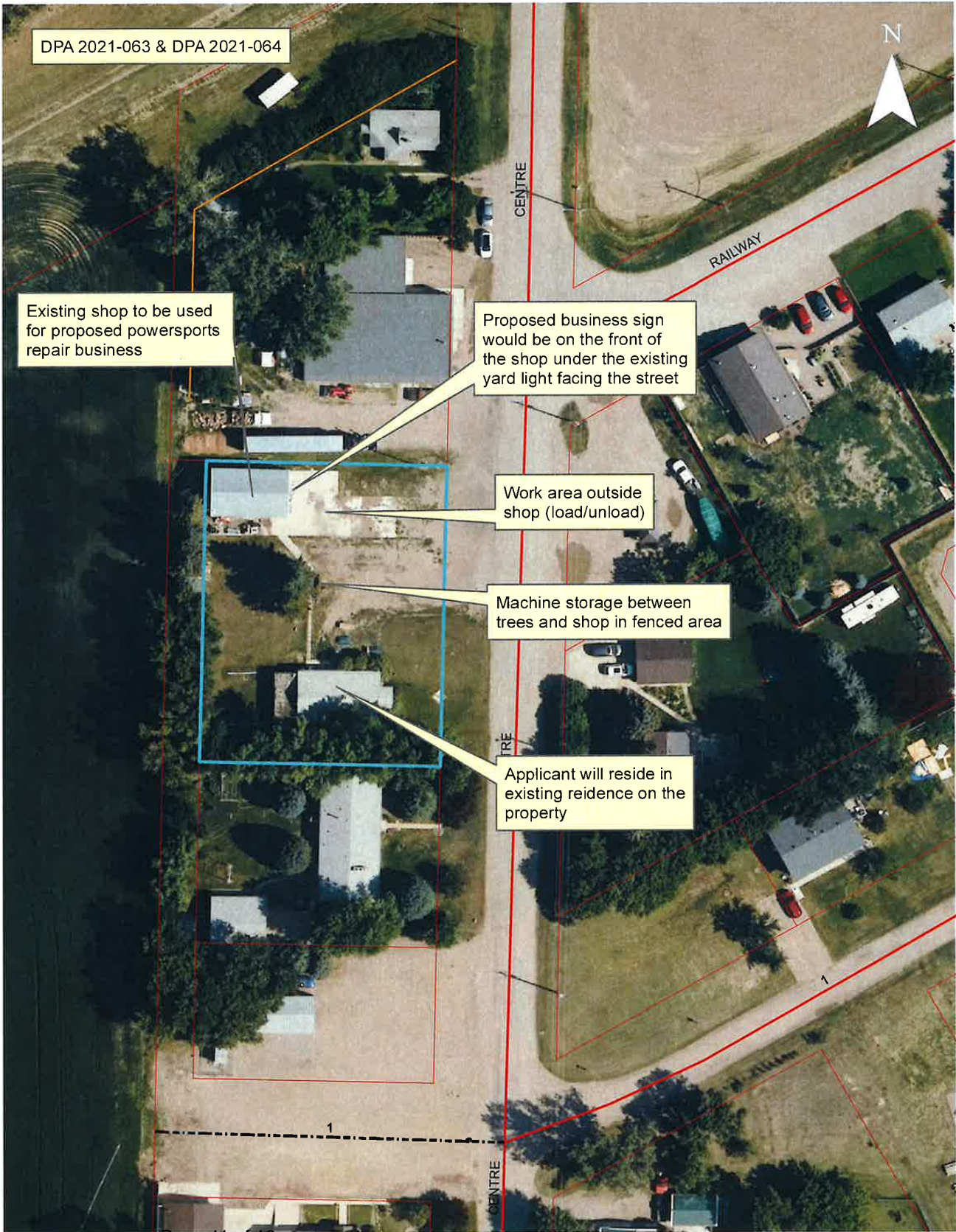
Registered Owner's Signature: _____
(if different from applicant)

NOTE:

This Form A3 is supplementary and is in conjunction with a completed Form A: Development Permit Application. Refer to Bylaw No. 1404 Part 5 for specific Sign Regulations and standards of development.







DPA 2021-063 & DPA 2021-064

Existing shop to be used for proposed powersports repair business

Proposed business sign would be on the front of the shop under the existing yard light facing the street

Work area outside shop (load/unload)

Machine storage between trees and shop in fenced area

Applicant will reside in existing residence on the property



Lethbridge County
#100, 905 - 4th Ave S
Lethbridge, AB T1J 4E4
403-328-5525

FORM B

**LETHBRIDGE COUNTY
DEVELOPMENT PERMIT**
Pursuant to Land Use Bylaw No. 1404

Development Permit No: 2021-064

Applicant: Jason Vande Hoef (Iron River Powersports), Box 496, Picture Butte, AB, T0K 1V0

In respect of works consisting of: Fascia signage (8 ft. by 4 ft.)

On land located at: Plan 6481DI Block 1 Ptn Lot 2 and Lots 3-4 (112 Centre Street, Iron Springs) and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2021-064 and is **subject to the conditions contained herein:**

- The fascia sign (Type 2) shall be located as per the submitted site plan.
- The fascia sign shall be constructed and displayed as per the submitted application and accompanying drawing.
- The applicant may paint the business name/logo on the overhead door of the shop.
- Approval of all Building Permits (includes Plumbing, Electrical, Gas permits, and Private Sewage Disposal Systems) must be obtained *prior* to commencement. Building Permits are obtained through **Park Enterprises**, #10, 491 W.T. Hill Blvd. South, Lethbridge. Phone - (403) 329-3747.
- Any planned work in the County right-of-way (driveway, approaches, etc.) requires separate approval from the County Director of Public Operations (call 403-328-5525).

This permit becomes effective the **1st day of April, 2021** as approved by Council (Resolution **XXX-2021**). This permit is not subject to an appeal period under section 685 (4) (a) of the Municipal Government Act.

SIGNED: _____
Development Officer



LETHBRIDGE COUNTY DEVELOPMENT PERMIT

Pursuant to Land Use Bylaw No. 1404

IMPORTANT:

The development outlined above is subject to the following conditions:

- (a) No development authorized by the issuing of a permit shall commence until at least 21 days after the date of decision of the permit in accordance with section 686 of the Municipal Government Act, or if an appeal is made until the appeal is decided upon. Any development commencing prior to the appeal period expiration or an appeal decision being made is entirely at the risk of the applicant, developer, or landowner.
- (b) The approval of this Development Permit does not remove the need to obtain any Building Permits (including Plumbing, Gas, Electrical, and Private Sewage) or approval required by any federal, provincial, or municipal legislation, and/or regulations.
- (c) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (d) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit unless otherwise authorized in the conditions of a development permit.
- (e) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.

AGENDA ITEM REPORT



Title: 2021 Business Tax Bylaw No. 21-004
Meeting: Council Meeting - 01 Apr 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 09 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

As per the *Municipal Government Act (MGA)*, a Business Tax Bylaw must be passed annually following approval of the municipal budget and prior to passing a Business Tax Rate Bylaw. The attached bylaw has been prepared for 2021 with no changes in content from 2020 and is being submitted to Council for all three readings.

RECOMMENDATION:

That Bylaw No. 21-004 being the 2021 Business Tax Bylaw, receive first, second and third reading.

PREVIOUS COUNCIL DIRECTION / POLICY:

The County's first Business Tax Bylaw (No. 1500) was passed in 2017 and has been passed on an annual basis since. Business Tax revenues are projected in the budget at \$1.5 million; Council approved the 2021 Capital and Operating Budgets on December 17, 2020.

BACKGROUND INFORMATION:

The *Municipal Government Act (MGA)* gives municipalities the option to levy a business tax.

A Business Tax Bylaw must be passed annually prior to May 1st prior to passing a Business Tax Rate Bylaw. The following MGA sections apply:

- Section 247 – adopt the annual operating and capital budgets prior to adopting the annual business tax bylaw - *2021 Capital and Operating Budgets were approved on December 17, 2021;*
- Section 371 – pass a business tax bylaw prior to May 1st – *on April 1st agenda;*
- Section 377(1) - *Each Council that has passed a Business Tax Bylaw must pass a Business Tax Rate bylaw annually - on April 1st agenda*

The 2021 Capital Budget includes business tax as a municipal revenue source and established the revenue requirement from business tax. The Business Tax Bylaw provides the authority for business taxes to be collected from businesses operating within Lethbridge County. The Business Tax Bylaw has been implemented to generate municipal revenues for Lethbridge County to assist with the maintenance and improvements of its Market Access Network.

The proposed 2021 Business Tax Bylaw (No. 21-004) mirrors the 2020 Business Tax Bylaw (No. 20-005) except for the dates which have been updated for 2021.

ALTERNATIVES / PROS / CONS:

Council can choose not to approve the attached bylaw; amendments to the 2021 Budget will be required as projects will need to be cancelled or other funding sources will need to be allocated, due to lack of funding. Additional revenues would also need to be established to fund the Market Access Network debenture payments

FINANCIAL IMPACT:

Business tax revenues are a source of funding for current and future capital fiscal plans and are specifically allocated to the maintenance and improvement of the Market Access Network. Funds have been approved in the 2021 Capital and Operating Budgets for the Market Access Network in the amount of \$2.15 million. The 2021 business tax budgeted revenue has been allocated at \$1.5 million.

REASON(S) FOR RECOMMENDATION(S):

Council has approved the 2021 Budget which includes provisions and projections for business tax revenues and project expenses.

ATTACHMENTS:

[Bylaw 21-004 2021 Business Tax Bylaw](#)

BYLAW NO. 21-004 20-005

OF LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA

2021 2020 BUSINESS TAX BYLAW

BEING A BYLAW PROVIDING FOR THE ASSESSMENT AND TAXATION OF
BUSINESSES OPERATED WITHIN LETHBRIDGE COUNTY.

WHEREAS the *Municipal Government Act* (R.S.A. 2000, c. M-26) provides that the council of a municipality may pass a business tax bylaw;

AND WHEREAS the *Municipal Government Act* further provides that a business tax bylaw can specify classes of businesses that are exempt from taxation;

NOW, THEREFORE THE COUNCIL OF LETHBRIDGE COUNTY IN THE PROVINCE OF ALBERTA ENACTS AS FOLLOWS:

Short Title

1. This Bylaw shall be known and may be cited as the “2021-2020 Business Tax Bylaw”.

Purposes

2. The purposes of the Bylaw are as follows:
 - a) to authorize the assessment and taxation of businesses operating in Lethbridge County; and
 - b) to provide for the exemption from taxation of certain classes of businesses operating in Lethbridge County.

Interpretation

3. In this Bylaw, unless the context otherwise requires:
 - a) “Animal Units” means the number obtained by multiplying the number of animals permitted to be stored on a premises by the number of animals equivalent to one animal unit for that species of animal, as set out in Schedule “B” attached hereto;
 - b) “Business” includes those businesses in Lethbridge County as defined in Section 1(1)(a) of the *Municipal Government Act*;
 - c) “Business Tax” means the amount of business tax as set in this Bylaw, which shall be arrived at in accordance with Section 378 of the *Municipal Government Act*;
 - d) “Business Tax Assessment” means the assessment arrived at pursuant to this Bylaw, which has been entered on the business tax assessment role;
 - e) “Business Tax Assessment Roll” means the assessment roll for all businesses as defined in this Bylaw which are not exempt hereunder, as determined on an annual basis by the municipal assessor;
 - f) “Business Tax Rate Bylaw” means that Bylaw which shall be passed in every year by the municipality, setting out the business tax rate for businesses as defined in this Bylaw;
 - g) “Business Tax Year” means the period commencing January 1st and ending on December 31st in the same year;

- h) "Condominium Grain Storage Operation" means a grain storage facility consisting of condominium units located on the premises for the purposes of storing grain;
- i) "Confined Feeding Operation" means a confined feeding operation as defined by the current Lethbridge County Land Use Bylaw;
- j) "Floor Space" means the floor space of all the floors in a building and the area outside the building that is occupied for the purposes of that business;
- k) "Municipal Assessor" means the person appointed to the designated officer position of municipal assessor pursuant to section 284.2 of the Municipal Government Act and Bylaw 1439.
- l) "Municipality" means Lethbridge County, a municipal corporation of the Province of Alberta and, where the context so requires, means the area contained within the municipal boundaries of Lethbridge County;
- m) "Person" means and includes one or more persons, a partnership, or cooperative, or joint venture, or a body corporate, or one or more bodies corporate, or an association of such persons or bodies corporate, who are carrying on a business on premises in the municipality;
- n) "Premises" means the parcel of land, or contiguous parcels of land, buildings, barns, corrals, yards, shelters, pens or any space, indoors or outdoors, occupied or used by a person for the conduct of business. Notwithstanding the above, in the event a person is conducting the same business on two contiguous parcels under two different development permits, such parcels shall not be considered to be the same premises;
- o) "Property Tax Assessment" means an assessment done by the municipal assessor under Part 9 of the Municipal Government Act; and
- p) "Ranch Operation" means a business where cows, bison, llamas, horses, sheep, alpacas, ostriches, or similar animals are kept primarily for breeding purposes, and where the offspring from such animals are sold or kept for breeding.

Persons Subject to a Business Tax

- 4.1 Any person who operates a business which is not exempt, as set out in Schedule "A" attached hereto, on premises located within the municipality, shall be required to pay the municipality a business tax in an amount arrived at by multiplying the business tax rate by the business tax assessment for such premises, which appears on the business tax assessment roll for that year.
- 4.2 Notwithstanding Section 4.1, no business tax shall be assessed on any business carried on, or operated by the municipality or at a location operated by an official or employee of the municipality acting on behalf of the municipality in his or her capacity as such official or employee.
- 4.3 When a person carries on two or more businesses, at the same premises, the business tax assessments of each business shall be combined to determine the total business tax assessment for such person.
- 4.4 Notwithstanding that an exempt business is being operated on part of the premises, a person shall be required to pay business taxes for the non-exempt business or businesses.

- 4.5 No tax will be imposed in respect of a business that is exempt under Section 351, 375 or 376 of the *Municipal Government Act*.

Business Tax Assessment Roll

5. The municipal assessor shall prepare a business tax assessment roll annually for all businesses in the municipality which are not exempt under Schedule "A". The business tax assessment roll shall be separate and distinct from the property tax assessment roll.

Assessment and Taxation of Confined Feeding Operations and Ranch Operations

- 6.1 The storage capacity for each confined feeding operation shall be determined by using the animal storage capacity as set out in either the Development Permit or as approved by the National Resources Conservation Board (NRCB) for such premises. In the event there is no existing Development Permit, registration from the NRCB or an approval from the NRCB for such premises, then the municipal assessor shall determine the animal storage capacity in accordance with generally accepted Alberta Agriculture Source Materials and Practices.
- 6.2 The number of animal units for each confined feeding operation shall be determined by multiplying the relevant ratio as set out in Schedule "B" by the animal storage capacity as set out in either the Development Permit or the NRCB approval or as determined by the municipal assessor in accordance with generally accepted Alberta Agriculture Source Materials and Practices.
- 6.3 The animal units for each ranch operation shall be determined by multiplying the relevant ratio as set out in Schedule "B" by the number of breeding animals on the premises in the previous taxation year.
- 6.4 The business tax assessment for each confined feeding operation and ranch operation shall be arrived at by multiplying the number of animal units of storage capacity for the premises by the dollar value per animal unit of storage capacity as set out in the Business Tax Rate Bylaw.
- 6.5 In the event that there are two or more confined feeding operations, having different species of animals on the same premises, the total of the animal units for each confined feeding operation shall be used to determine the assessment for each premise.
- 6.6 For the purpose of the business tax assessment under this Bylaw, the dollar value per animal unit shall be set out in the Business Tax Rate bylaw.
- 6.7 The number of animals approved in a Development Permit or by the NRCB shall be deemed to be the storage capacity of the business on the premises.

Assessment and Taxation of Condominium Grain Storage Operations

7. The business tax assessment for condominium grain storage operations shall be arrived at by multiplying the tonnage capacity of the bin by the dollar rate per unit as set out in the Business Tax Rate Bylaw.

Assessment and Taxation of Dog Kennels and Mushroom Barns

8. The business tax assessment for dog kennels and mushroom barns shall be arrived at by multiplying the floor space by the dollar rate per unit of floor space as set out in the Business Tax Rate Bylaw.

Assessment and Taxation of Aqua Culture Operations

9. The business tax assessment for aqua culture operations shall be arrived at by multiplying the size of the pond by the dollar rate per acre of pond size as set out in the Business Tax Rate Bylaw.

Assessment and Taxation of Apiaries

10. The business tax assessment for apiaries shall be arrived at by multiplying the number of hives by the dollar rate per hive as set out in the Business Tax Rate Bylaw.

General Assessment Procedures

- 11.1 Every person who carries on a business subject to the business tax shall submit to and assist in any inspection required by the municipal assessor with respect to the business taxed or to be taxed and shall furnish to the municipal assessor all information required.
- 11.2 The business tax assessment roll shall contain the name of every person occupying, renting, or subleasing premises for the purpose of carrying on a business as defined herein and not exempted herein, and the municipal assessor shall assess such person by entering on the said roll, the assessment for the premises so occupied, rented or subleased, and the place where the business is carried on.
- 11.3 When the municipal assessor is satisfied that any person who has paid the business tax in any year, has given up, sold, or disposed of such business permanently, then the municipal assessor shall reimburse to such person the business taxes for the balance of the year on a monthly pro-rated basis.
- 11.4 Where the landowner or tenant liable to assessment in respect of any premises owned or leased by him leases or sub-lets the whole or a portion thereof, the municipal assessor in his discretion may assess either the tenant or the sub-tenant in respect of the premises or the portion of the premises leased or sub-let.
- 11.5 The occupant of any premises liable to taxation under this Bylaw shall be liable for the business tax aforesaid though he may also be the owner of the premises and as such owner be liable to taxation on the lands, buildings and improvements.
- 11.6 The municipality shall mail or cause to be delivered to each person taxable under this Bylaw, a written or printed notice showing the assessed amount pursuant to the business tax assessment roll, as well as the business tax levied against such business.
- 11.7 The business tax shall be due and payable by the deadline stated in the Lethbridge County Penalty Rate Bylaw. Balances that remain outstanding beyond the deadline shall be imposed a penalty in accordance with the Penalty Rate Bylaw. All penalties provided for by this, or the Lethbridge County Penalty Rate Bylaw, shall be added to and form part of the unpaid taxes.
- 11.8 The business tax shall be levied once during the calendar year beginning with January 1st and ending with December 31st.
- 11.9 The business tax issued under this Bylaw shall not be transferred except to a person who purchases the business or the shares in a corporation operated as a business in respect of which the business tax was issued.

Appeals

- 12.1 The person assessed for the purposes of the business tax has the right to appeal the assessment in accordance with the Municipal Government Act.
- 12.2 Any business tax owing that remains outstanding after the due process for appealing the assessment and the deadline for payment has passed shall be collected through the process outlined in accordance with Part 10 Division 9 of the Municipal Government Act (recovery of taxes not related to land).

Offences

- 13.1 A person who contravenes this Bylaw is guilty of an offence.
- 13.2 A person who is guilty of an offence is liable to a fine in an amount not less than that established in this Section, and not exceeding \$10,000, and to imprisonment for not more than 6 months for non-payment of a fine.

Coming Into Force

- 14. This Bylaw shall come into force and effect on the date it is passed.

GIVEN first reading this 1st day of April, 2021.

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

SCHEDULE "A"
Lethbridge County
Business Tax Bylaw 21-004 20-005
Businesses Exempt from Additional Tax through the Business Tax

All businesses whose primary business is the following:

- a) All recreational businesses, including golf courses, and riding stables.
- b) Grain and seed storage facilities, brokerages, and elevators, except for condominium grain storage operations.
- c) Grain and oil seed producers.
- d) Hay and forage grass producers.
- e) Vegetable growers.
- f) Potato, sugar beet, and root crop growers.
- g) Market gardens.
- h) Seed growers.
- i) Ranch operations having fewer than 100 animal units.
- j) Hay processing facilities.
- k) Manufacturing businesses.
- l) Research facilities.
- m) Personal service businesses.
- n) Professional and business services.
- o) Trucking and transportation businesses.
- p) Food processing businesses.
- q) Sand and gravel operations and landfill operations.
- r) Feed mills.
- s) Machine dealerships.
- t) Auto wreckers.
- u) Wholesale warehouses.
- v) Retail businesses.
- w) Summer pasture livestock operations.
- x) Auction markets.
- y) Confined feeding operations having fewer animals than the number of animals as per Schedule A-1.
- z) Dog kennels having fewer than 10,000 square feet of floor space.
- aa) Greenhouses.
- bb) Aquaculture operations having fewer than 10 acres of storage ponds.
- cc) Mushroom barns having fewer than 30,000 square feet of floor space.
- dd) Apiaries having fewer than the 500 hives.

SCHEDULE "A-1"
Lethbridge County
Business Tax Bylaw 21-004 20-005– Exemption Thresholds

Category of Livestock	Type of Livestock	Number of Animals
Beef	Cows/Finishers (900+ lbs)	150
	Feeders (450 – 900 lbs)	200
	Feeder Calves (< 550 lbs)	360
Dairy (*count lactating cows only)	Lactating cows* (Lactating cows only – associated Dries, Heifers, and Calves are not counted)	50
Swine (*count sows only)	Farrow to finish*	30
	Farrow to wean*	50
	Farrow only*	60
	Feeders/Boars	500
	Roasters	500
	Weaners	500
Poultry	Chicken – Breeders	1,000
	Chicken – Layer (includes associated pullets)	5,000
	Chicken – Pullets/Broilers	2,000
	Turkeys – Toms/Breeders	1,000
	Turkey – Hens (light)	1,000
	Turkey – Broiler	1,000
	Ducks	1,000
	Geese	1,000
Horses	PMU	100
	Feeders > 750 lbs	100
	Foals < 750 lbs	350
	Mules	100
	Donkeys	150
Sheep	Ewes/rams	300
	Ewes with Lambs	200
	Lambs	1,000
	Feeders	500
Goats	Meat/Milk	200
	Nannies/Billies	400
	Feeders	500
Bison	Bison	150
Cervid	Elk	150
	Deer	200
Wild Boar	Feeders	100
	Sow (farrowing)	50

- When Dairy Replacement Heifers are housed away from the dairy treat as Beef – Feeders
- When Dairy calves are housed away from the dairy treat as Beef – Feeder Calves

SCHEDULE "B"
Lethbridge County
Business Tax Bylaw 21-004 20-005- Animal Equivalent Units for
Confined Feeding Operations and Ranch Operations

Species of Animal	Type of Operation	No. of Animals Equivalent to 1 Animal Unit
Swine *(count sows only to calculate animal units)	Farrow to finish*	0.56
	Farrow to wean*	1.5
	Farrow only*	1.9
	Feeder/Boars	5
	Growers/Roasters	8.5
	Weaners	18.2
Beef	Cows/Finishers (900+ lbs)	1.1
	Feeders (450 – 900 lbs)	2
	Feeder Calves (<550 lbs)	3.6
Poultry	Chicken - Breeders	100
	Chicken – Layer-Liquid (includes associated pullets)	125
	Chickens – Layers (Belt Cage)	150
	Chickens – Layers (Deep Pit)	150
	Chicken – Pullet/Broilers	500
	Turkeys – Toms/Breeders	50
	Turkey – Hens (light)	75
	Turkey - Broilers	100
	Ducks	100
Horses	PMU	1
	Feeders >750 lbs	1
	Foals < 750 lbs	3.3
	Mules	1
	Donkeys	1.5
Sheep	Ewes/rams	5
	Ewes with Lambs	4
	Lambs	21
	Feeders	10
Goats	Meat/Milk (per Ewe)	6
	Nannies/Billies	10
	Feeders	13
Bison	Bison	1
Cervid	Elk	1.7
	Deer	5
Wild Boar	Feeders	6
	Sow (farrowing)	1.25
Dairy *(count lactating cows only to calculate animal units)	Free Stall – Lactating Cows with all associated dries, heifers, and calves	0.5
	Free Stall – Lactating with Dry Cows only*	.6
	Free Stall – Lactating cows only	.7
	Tie Stall – Lactating cows only	.7
	Loose Housing – Lactating cows only	.7
	Dry Cow	1
	Replacement – Bred Heifers (breeding to calving)	1.15
	Replacements – Growing Heifers (350 lbs to breeding)	1.9
Calves (<350 lbs)	5	

AGENDA ITEM REPORT



Title: 2021 Business Tax Rate Bylaw No. 21-005
Meeting: Council Meeting - 01 Apr 2021
Department: Corporate Services
Report Author: Jennifer Place

APPROVAL(S):

Ann Mitchell, Chief Administrative Officer,

Approved - 09 Mar 2021

STRATEGIC ALIGNMENT:



Outstanding Quality of Life



Effective Governance and Service Delivery



Prosperous Agricultural Community



Vibrant and Growing Economy



Strong Working Relationships

EXECUTIVE SUMMARY:

As per the *Municipal Government Act (MGA)*, a Business Tax Rate Bylaw must be passed annually following approval of the budget and a Business Tax Rate Bylaw. The attached bylaw has been prepared for 2021 with no changes in content from 2020 and is being submitted to Council for all three readings.

RECOMMENDATION:

That Bylaw No. 21-005, being the 2021 Business Tax Rate Bylaw, receive first, second and third reading.

PREVIOUS COUNCIL DIRECTION / POLICY:

The County's first Business Tax Bylaw (No. 1500) was passed in 2017 and has been passed on an annual basis since. Council passed the 2020 Business Tax Bylaw (20-006) on April 2, 2020. The 2021 Business Tax revenues are projected to be \$1.5 million as per the 2021 budget approved on December 17, 2020.

BACKGROUND INFORMATION:

The *Municipal Government Act (MGA)* gives municipalities the option to levy a business tax.

The following MGA sections apply:

- Section 247 – adopt the annual operating and capital budgets prior to adopting the annual business tax bylaw - *2021 Capital Budget approved on December 17, 2020; 2021 Operating Budget approved on December 17, 2020;*
- 1. Section 371 – pass a business tax bylaw prior to May 1st– *to be passed at the April 1, 2021 Council Meeting;*
- 2. Section 377(1) - *Each Council that has passed a Business Tax Bylaw must pass a Business Tax Rate bylaw annually.*

3. *Section 377(2) - The Business Tax Rate Bylaw must set the business tax rate - on April 1st agenda*

The 2021 Capital Budget includes business tax as a municipal revenue source and established the revenue requirement from business tax. The Business Tax Bylaw provides the authority for business taxes to be collected from businesses operating within Lethbridge County. The Business Tax Rate Bylaw establishes the rate at which the business tax will be levied.

The proposed 2021 Business Tax Rate Bylaw (No. 21-005) mirrors the 2020 Business Tax Rate Bylaw (No. 20-006) with the exception of the dates which have been updated for 2021.

If the 2021 Business Tax Rate Bylaw is approved, the 2021 Business Tax notices will be prepared and mailed in May 2021.

ALTERNATIVES / PROS / CONS:

Council can choose not to approve the attached bylaw; amendments to the 2021 Budget will be needed as projects will need to be cancelled due to lack of funding. Additional revenues will need to be established to fund the Market Access Network debenture payments.

FINANCIAL IMPACT:

Business tax revenues are a source of funding for current and future capital fiscal plans and are specifically allocated to the maintenance and improvement of the Market Access Network. Funds have been approved in the 2021 Capital and Operating Budgets for the Market Access Network in the amount of \$2.15 million. The 2021 business tax budgeted revenue has been allocated at \$1.5 million.

REASON(S) FOR RECOMMENDATION(S):

Council has approved the 2021 Budget which includes provisions and projections for the business tax and falls inline with the passing of the 2021 Business Tax Bylaw establishing the authority to collect a business tax.

ATTACHMENTS:

[Bylaw 21-005 2021 Business Tax Rate Bylaw](#)

BYLAW NO. ~~21-005 19-01320-006~~

OF LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA

~~2021 2019 2020~~ BUSINESS TAX RATE BYLAW

BEING A BYLAW OF LETHBRIDGE COUNTY
FOR A ~~2021 2019 2020~~ BUSINESS TAX RATE.

THE COUNCIL OF LETHBRIDGE COUNTY ENACTS AS FOLLOWS:

Short Title

1. This Bylaw may be cited as the "~~2021 2019 2020~~ Business Tax Rate Bylaw".

Purpose

2. The purpose of the Bylaw is to provide a business tax rate for each class of business for ~~2021 2019 2020~~.

Business Tax Rate

3. The business tax rate for ~~2021 2019 2020~~ shall be as follows:

Class of Business	Dollar Rate per Unit of Storage Capacity or Floor Space
Confined feeding operations on each premises	\$2.50 per animal unit
Condominium grain storage operations	\$0.15 per ton
Ranch operations	\$2.50 per animal unit
Dog kennels	\$0.10 per square feet of floor space
Aqua Culture Operations	\$100.00 per acre of ponds
Mushroom Barns	\$0.10 per square feet of floor space
Apiaries	\$0.10 per hive

Coming Into Force

4. This Bylaw shall come into force and effect on the date it is passed.

GIVEN first reading this ~~4th-1st~~ day of April, 20~~19~~21.

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