



Agenda

Council Meeting | Thursday, August 1, 2024 | 9:00 AM | Council Chambers

Page

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. ADOPTION OF MINUTES

3 - 8

1. **County Council Meeting Minutes**
[Council Meeting - 18 Jul 2024 - Minutes](#)

D. DELEGATIONS

1. **9:00 a.m. - Bursary Award Winners**
 - **Danika Hodge**
 - **Rayann Campmans**
 - **Vanessa Moorhead**

E. SUBDIVISION APPLICATIONS

9 - 16

1. **Subdivision Application #2024-0-090 – Westbridge Farms – NE1/4 04-10-22-W4M**
[Subdivision Application #2024-0-090 – Westbridge Farms – NE1/4 04-10-22-W4M](#)

17 - 24

2. **Subdivision Application #2024-0-093 – Schooten - NW1/4 21-10-23-W4M**
[Subdivision Application #2024-0-093 – Schooten - NW1/4 21-10-23-W4M](#)

25 - 32

3. **Subdivision Application #2024-0-096 – R2K Farms - NW1/4 34-09-19-W4M**
[Subdivision Application #2024-0-096 – R2K Farms - NW1/4 34-09-19-W4M](#)

F. PUBLIC HEARINGS - 10:00 A.M.

33 - 59

1. **Bylaw 24-012 - Re-designate a Plan 1410983 Block 1 Lot 2 from Direct Control (Bylaw 1397) to Direct Control - Public Hearing**
[Bylaw 24-012 - Re-designate a Plan 1410983 Block 1 Lot 2 from Direct](#)

G. DEPARTMENT REPORTS

G.1. DEVELOPMENT & INFRASTRUCTURE

- 60 - 69 G.1.1. **Bylaw 24-014 - Re-designate a portion of the NW 34-10-21-W4 from Urban Fringe to Business Light Industrial - First Reading**
[Bylaw 24-014 - Re-designate a portion of the NW 34-10-21-W4 from Urban Fringe to Business Light Industrial - First Reading](#)
- 70 - 88 G.1.2. **Bylaw 23-022 Land Use Bylaw Amendment (Urban Fringe to Grouped Country Residential and Direct Control) - 2nd Reading**
[Bylaw 23-022 Land Use Bylaw Amendment Urban Fringe to Grouped Country Residential and Direct Control - Second Reading](#)
- 89 - 90 G.1.3. **Bulk Water Fill Access Control and Monitor System Upgrade**
[Report - Pdf](#)

G.2. ADMINISTRATION

G.3. CORPORATE SERVICES

G.4. OPERATIONS

H. NEW BUSINESS

I. CLOSED SESSION

1. **Southern Regional Stormwater Drainage Committee (FOIP Section 21 - Disclosure harmful to intergovernmental relations)**
2. **CAO Report - C. Beck (FOIP Section 21 - Disclosure harmful to intergovernmental relations)**

J. ADJOURN



Minutes

Council Meeting | Thursday, July 18, 2024 | 9:00 AM | Council Chambers

The Council Meeting of Lethbridge County was called to order on Thursday, July 18, 2024, at 9:00 AM, in the Council Chambers, with the following members present:

PRESENT: Reeve Tory Campbell
Deputy Reeve John Kuerbis
Councillor Lorne Hickey
Councillor Mark Sayers
Councillor Klaas VanderVeen
Chief Administrative Officer Cole Beck
Director, Development & Infrastructure Devon Thiele
Executive Assistant Candice Robison
Manager, Planning & Development Hilary Janzen

A. CALL TO ORDER

Reeve Tory Campbell called the meeting to order at 9:00 a.m.

Reeve Campbell read the following land acknowledgement:

In the true spirit of reconciliation, we acknowledge all those who call this land home now and for thousands of years in the past. May we respect each other and find understanding together and recognize the benefits that this land provides to all of us.

Reeve Campbell thank Deputy Reeve Kuerbis for chairing the July 4 Council Meeting.

Reeve Campbell thanked staff for their efforts with the 60th Anniversary celebration in Shaughnessy.

B. ADOPTION OF AGENDA

The following items were moved to Closed Session:

- Delegation - 11:30 a.m. - Southern Regional Stormwater Drainage Committee
- Intermunicipal Collaboration - City of Lethbridge

538-2024	Deputy Reeve Kuerbis	MOVED that the July 18, 2024 Lethbridge County Council Meeting Agenda be adopted as amended.	CARRIED
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C. ADOPTION OF MINUTES

C.1. County Council Meeting Minutes

539-2024	Councillor VanderVeen	MOVED that the July 4, 2024 Lethbridge County Council Minutes be adopted as presented.	CARRIED
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F. DEPARTMENT REPORTS

F.1. DEVELOPMENT & INFRASTRUCTURE

F.1.1. Rescind Road Closure Resolutions - Plan 375BM

540-2024	Deputy Reeve Kuerbis	MOVED that County Council Rescind Resolutions: <ul style="list-style-type: none">• 256/17 (NE 30-9-21-W4) and 257/17 (NE 30-9-21-W4 & SE 31-9-21-W4)	CARRIED
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G . **CORRESPONDENCE**

G .1. **Eldorado RV**

Council reviewed correspondence from Eldorado RV regarding the intersection at their location.

G .1. **MPE Link Pathway Grand Opening**

Council reviewed correspondence from the Link Pathway Committee regarding the MPE Link Pathway grand opening taking place on August 8, 2024.

H. **COUNTY COUNCIL AND COMMITTEE UPDATES**

H.1. **2024 Bursary Awards**

541-2024 Deputy Reeve Kuerbis MOVED that County Council awards the 2024 Bursary in the amount of \$1,500 each to be presented at the County Council meeting on August 1st, 2024 to the following recipients:

1) Rayann Campmans
2) Danika Hodge
3) Vanessa Moorhead

CARRIED

H.1. **Lethbridge County Council Attendance Update - June 2024**

Council reviewed the highlights from the Lethbridge County Council Attendance Update for June 2024.

Division 1

Councillor Lorne Hickey

June 5 FCSS Meeting
June 12 Lethbridge County/City of Lethbridge IDP Meeting
June 19 Green Acres Finance Meeting
June 20 Lethbridge County Council Meeting
June 24 Meeting with CAO
June 26 Green Acres Board Meeting

Division 2

Reeve Tory Campbell

June 6-9 FCM Conference in Calgary
June 12 Lethbridge County/City of Lethbridge IDP Meeting
June 14 Meeting with Alberta Minister of Immigration & SouthGrow
June 17 Lethbridge County/SMRID Meeting
June 18 Farmland Tax Assessment Presentation – County of Warner
June 19 EDL Board Meeting
June 20 Lethbridge County Council Meeting
June 20 Cross Border Interviews Podcast Appearance
June 21 Mayors and Reeves
June 27 MD of Taber 60th Anniversary Celebration in Enchant

Division 3

Councillor Mark Sayers

June 20 Lethbridge County Council Meeting
June 20 SouthGrow AGM

Division 4

Deputy Reeve John Kuerbis

June 4 Weekly Meeting with Community Futures Executive Director

June 6	Community Futures Auditor Meeting
June 11	Weekly Meeting with Community Futures Executive Director
June 12	Lethbridge County/City of Lethbridge IDP Meeting
June 25	Weekly Meeting with Community Futures Executive Director
June 26	Meeting with Prairies Can Representative
June 27	Community Futures AGM

Division 6

Councillor Klaas VanderVeen

June 17	Lethbridge County/SMRID Meeting
June 20	Lethbridge County Council Meeting
June 28	SAEWA Meeting

Division 7

Councillor Morris Zeinstra

June 5	Link Pathway Meeting
June 17	Lethbridge County/SMRID Meeting
June 20	Lethbridge County Council Meeting
June 20	SouthGrow AGM

J. CLOSED SESSION

J.1. - CAO Report - C. Beck (FOIP Sections 16, 17, 23 and 24)

J.2. - Intermunicipal Collaboration - City of Lethbridge

542-2024	Councillor Hickey	<p>MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the Municipal Government Act, the time being 9:32 a.m. for the discussion on the following:</p> <p>J.1. - CAO Report - C. Beck (FOIP Sections 16, 17, 23 and 24)</p> <p>J.2. - Intermunicipal Collaboration - City of Lethbridge (FOIP Section 21 - Disclosure harmful to intergovernmental relations)</p>
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Present during the Closed Session:
Lethbridge County Council
Chief Administrative Officer
Senior Management
Administrative Staff
CARRIED

543-2024	Councillor Hickey	<p>MOVED that the Lethbridge County Council Meeting move out of the closed session at 9:56 a.m.</p> <p>CARRIED</p>
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Reeve Campbell recessed the meeting at 9:56 a.m.
Reeve Campbell reconvened the meeting at 10:03 a.m.

D. PUBLIC HEARINGS - 10:00 a.m.

D.1.	<u>Bylaw 23-021 - Country Side Area Structure Plan and Bylaw 23-022 Land Use Bylaw Amendment (Urban Fringe to Grouped Country Residential and Direct Control) - Public Hearing</u>
	Reeve Campbell called a recess to the Council Meeting, for the Public Hearing for Bylaw 23-021 & Bylaw 23-022 at 10:04 a.m.

544-2024	Councillor VanderVeen	<p>MOVED that the Public Hearing for Bylaw 23-021 & Bylaw 23-022 commence at 10:05 a.m.</p> <p>CARRIED</p>
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The Manager, Planning and Development reviewed Bylaw 23-021 & Bylaw 23-022.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 23-021 & Bylaw 23-022.

Ed Martin, Martin Geomatics on behalf of the applicant Blair Frache spoke in favor of Bylaw 23-021 & Bylaw 23-022.

Travis This spoke in opposition of Bylaw 23-021 & Bylaw 23-022.

Peter VanLier spoke in opposition of Bylaw 23-021 & Bylaw 23-022.

John Lemisko spoke in opposition of Bylaw 23-021 & Bylaw 23-022.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 23-021 & Bylaw 23-022.

No comments were made.

545-2024	Councillor Hickey	MOVED that the Public Hearing for Bylaw 23-021 & Bylaw 23-022 adjourn at 10:54 a.m.	CARRIED
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Reeve Campbell reconvened the meeting at 10:55 a.m.

546-2024	Deputy Reeve Kuerbis	MOVED that Bylaw 23-021 (Country Side ASP) be read a second time.	CARRIED
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547-2024	Deputy Reeve Kuerbis	MOVED that Bylaw 23-021 (Country Side ASP) be read a third time.	CARRIED
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548-2024	Deputy Reeve Kuerbis	MOVED that second reading of Bylaw 23-022 (Land Use Bylaw Amendment - UF to GCR and DC) be tabled.	CARRIED
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D.2. Bylaw 24-010 - Re-designate a portion of SE 3-9-20-W4 (3.3 acre area) from Urban Fringe to Direct Control- Public Hearing
Reeve Campbell called a recess to the Council Meeting, for the Public Hearing for Bylaw 24-010 at 11:19 a.m.

549-2024	Councillor Sayers	MOVED that the Public Hearing for Bylaw 24-010 commence at 11:19 a.m.	CARRIED
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The Manager, Planning and Development reviewed Bylaw 24-010.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 24-010.

Douglas Bergan, applicant spoke in favor of Bylaw 24-010.

Reeve Campbell asked if anyone wished to speak in favour or opposition of Bylaw 24-010.

No comments were made.

550-2024	Deputy Reeve Kuerbis	MOVED that the Public Hearing for Bylaw 24-010 adjourn at 11:27 a.m	CARRIED
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Reeve Campbell reconvened the meeting at 11:27 a.m.

- 551-2024

Councillor Sayers

MOVED that Bylaw 24-010 be read a second time.

CARRIED
- 552-2024

Councillor VanderVeen

MOVED that Bylaw 24-010 be read a third time.

CARRIED

Reeve Campbell recessed the meeting at 11:29 a.m.
Reeve Campbell reconvened the meeting at 11:35 a.m.

D. **CLOSED SESSION**
J.3. - Delegation - 11:30 a.m. - Southern Regional Stormwater Drainage Committee (FOIP Section 21 - Disclosure harmful to intergovernmental relations)

- 553-2024

Councillor VanderVeen

MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the Municipal Government Act, the time being 11:35 a.m. for the discussion on the following:

J.3. - Delegation - 11:30 a.m. - Southern Regional Stormwater Drainage Committee (FOIP Section 21 - Disclosure harmful to intergovernmental relations)

Present during the Closed Session:
Lethbridge County Council
Chief Administrative Officer
Senior Management
Administrative Staff

CARRIED
- 554-2024

Councillor Sayers

MOVED that the Lethbridge County Council Meeting move out of the closed session at 12:31 p.m.

CARRIED

Reeve Campbell reconvened the meeting at 12:31 p.m.

Reeve Campbell recessed the meeting at 12:32 p.m.

Reeve Campbell reconvened the meeting at 1:43 p.m.

E. **CLOSED SESSION**
J.1. - CAO Report - C. Beck (FOIP Section 21 - Disclosure harmful to intergovernmental relations)

- 555-2024

Councillor VanderVeen

MOVED that the Lethbridge County Council Meeting move into Closed Session, pursuant to Section 197 of the Municipal Government Act, the time being 1:44 p.m. for the discussion on the following:

J.1. - CAO Report - C. Beck (FOIP Section 21 - Disclosure harmful to intergovernmental relations)

Present during the Closed Session:
Lethbridge County Council
Chief Administrative Officer
Senior Management

Administrative Staff
CARRIED

556-2024 Councillor MOVED that the Lethbridge County Council Meeting move out of the closed
 Hickey session at 2:51 p.m.

CARRIED

K. ADJOURN

557-2024 Councillor MOVED that the Lethbridge County Council Meeting adjourn at 2:51 p.m.
 Sayers CARRIED

Reeve

CAO

AGENDA ITEM REPORT



Title: Subdivision Application #2024-0-090 – Westbridge Farms
– NE1/4 04-10-22-W4M
Meeting: Council Meeting - 01 Aug 2024
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Manager, Planning & Development
Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 18 Jul 2024
Approved - 23 Jul 2024
Approved - 23 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

This application is to subdivide a vacant 3.00-acre first subdivision from a title of 158.83 acres for country residential use. The proposal does meet the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2024-0-090 be approved subject to the conditions as outlined in the draft resolution.

REASON(S) FOR RECOMMENDATION(S):

It is the first subdivision from the ¼-section and meets the provincial Subdivision and Development Regulations and the municipal bareland (vacant) subdivision policies as stated in the Land Use Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The proposal is eligible for subdivision consideration as a bareland (vacant) first subdivision as per the policies of Land Use Bylaw No. 24-007.
- The application complies with the subdivision criteria of Land Use Bylaw No. 24-007, and the proposed 3.0 acre parcel size conforms to the bylaw's minimum 2.0 acre to maximum 3.0 acre vacant parcel size.
- After a forty-year absence, the County reintroduced subdivision criteria in the 2013 Land Use Bylaw (Bylaw No. 1404) to allow bareland (vacant) parcel subdivisions in order to support landowners to obtain financing for land or residences, as mortgages are registered against a title of land. These policies remain in current LUB NO. 24-007.

BACKGROUND INFORMATION:

Located immediately south of Park Lake provincial park, 3-miles due west of the Hamlet of Diamond City. The application is to subdivide a dry corner in the very northeast of the ¼-section in order to establish a future residential yard.

The southwest side of the proposed parcel is angled to account for the irrigation pivot on the agricultural land. An existing approach is in the northeast corner that connects to the east municipal road allowance. The applicants are proposing to register a 10 m wide access right-of-way along the parcel frontage adjacent to the road to enable shared access into the acreage lot and the remnant agricultural land. Water is proposed to be provided to a cistern by the rural water coop which is at the property and sewage will be managed by a private on-site septic field. A professionally soil analysis has been submitted to verify the suitability of the land for an onsite septic system. There are no abandoned gas wells or confined feeding operations located in proximity. The provincial data does not identify any potential historical resources present.

Overall, the proposal conforms to the LUB No. 24-007 subdivision policies as the first subdivision for a vacant (bareland) parcel not to exceed 3.0-acres in size. The application was circulated to required external agencies and no objections were received and no easements were requested (at time of agenda report).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve if it is not satisfied the subdivision is suitable.
Pros:

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

Cons:

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

FINANCIAL IMPACT:

None, but the County will benefit from future taxes for a dwelling and country residential yard.

LEVEL OF PUBLIC PARTICIPATION:

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

ATTACHMENTS:

[5A Lethbridge County 2024-0-090 Approval Diagrams 2024-0-090](#)

RESOLUTION

2024-0-090

Lethbridge County

Country Residential subdivision of NE1/4 4-10-22-W4M

THAT the Country Residential subdivision of NE1/4 4-10-22-W4M (Certificate of Title No. 231 170 292 +7), to subdivide a vacant 3.00-acre (1.21 ha) first subdivision from a title of 158.83 acres (63.89 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 submits a plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided.
4. That the applicant provides, at their expense, an access right-of-way plan and legal easement(s) agreement to be registered across the lot frontage to provide legal and physical access to the remnant agricultural title, to be registered concurrently with the final endorsement of the subdivision.
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 9 of the Matters Related to Subdivision and Development Regulation.
3. The proposed parcel is the first subdivision from the quarter section and complies with the vacant parcel size and subdivision criteria of the Land Use Bylaw No. 24-007.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Protected Areas, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (d) Thank you for including TELUS in your circulation.
At this time, TELUS has no concerns with the proposed activities.
- (e) Alberta Health Services has no comments.

2024-0-090
Page 1 of 2

- (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) In reference to the above request, please be advised of ATCO Gas' response and notify the landowner of the following:
- ATCO Gas has no objection
 - ATCO Gas' existing and future lines are protected by an existing Utility Right of Way

ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:

- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilitysafety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact Crossings@atcogas.com to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email southlandadmin@atco.com

- (h) LNID - Janet Beck, Administration & Land 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 **\$682.50** (includes GST).
3. A water agreement suitable to meet the needs of the proposed 3.0-acre subdivision will be required if the proposed new subdivision requires the use of irrigation water. In addition, when the LNID converts the 61C irrigation water delivery from a canal to a pipeline in the fall of 2024, a landowner construction contribution will be required at this time, plus the cost of a water delivery turnout, if one is required.
4. An **Easement** for the subdivided parcel for access to water from the District's works must be in place for the supply of domestic/yard usage water, if applicable.
5. Due to the subdivision location with the parcel, acres assessed as "irrigation acres" will have to be re-arranged to suitable areas within the parcel. However, any acres assessed as "irrigation acres" which cannot be re-arranged to suitable areas within the original parcel, must be removed from the Assessment Rolls
6. 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.

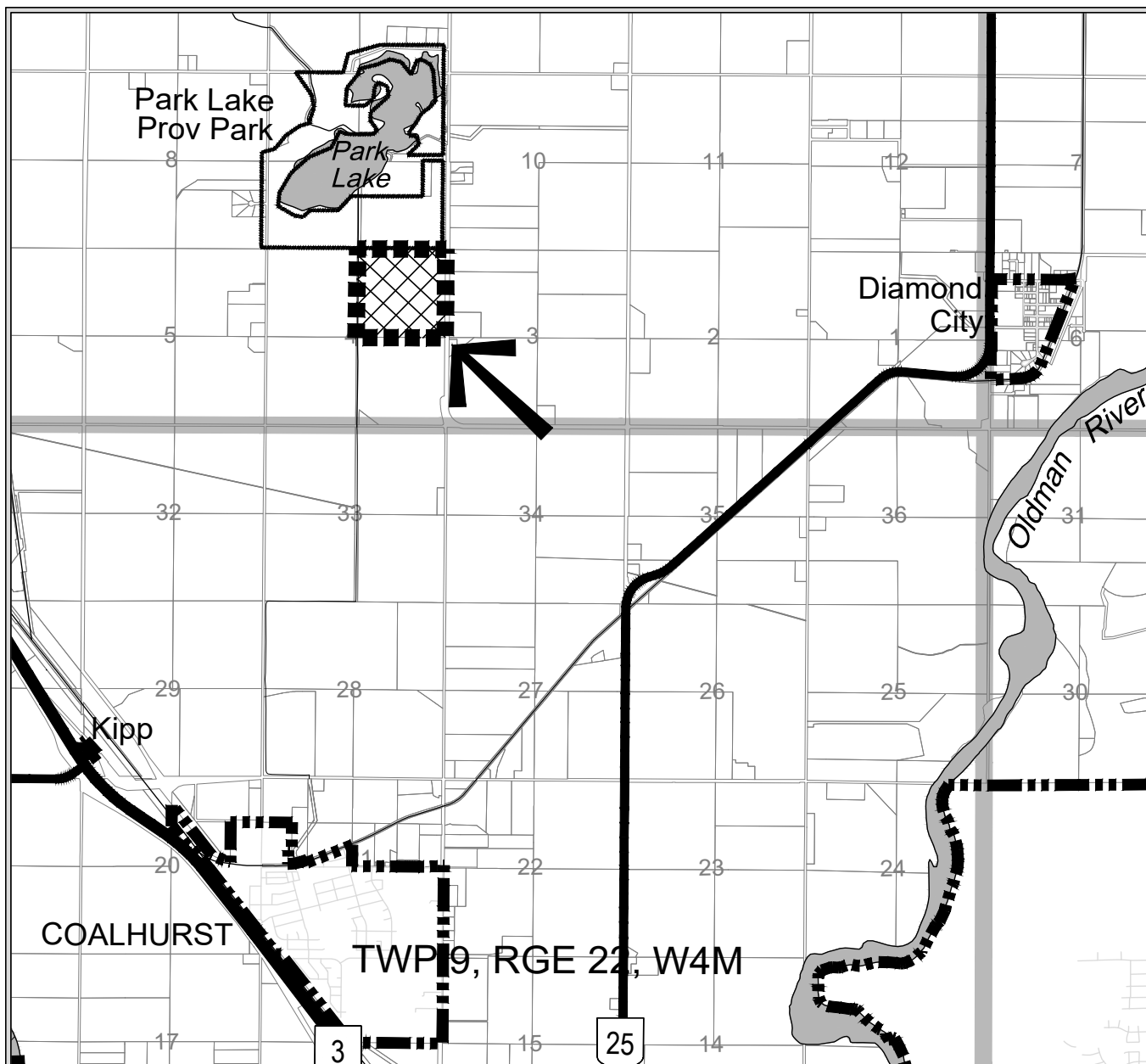
Thank you for the opportunity to comment. If you require more information or would like to set up an appointment to discuss the conditions above, please contact Janet Beck, Administration & Land Manager, at the Lethbridge Northern Irrigation District Office, 403-327-3302.

MOVER

REEVE

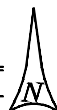
DATE

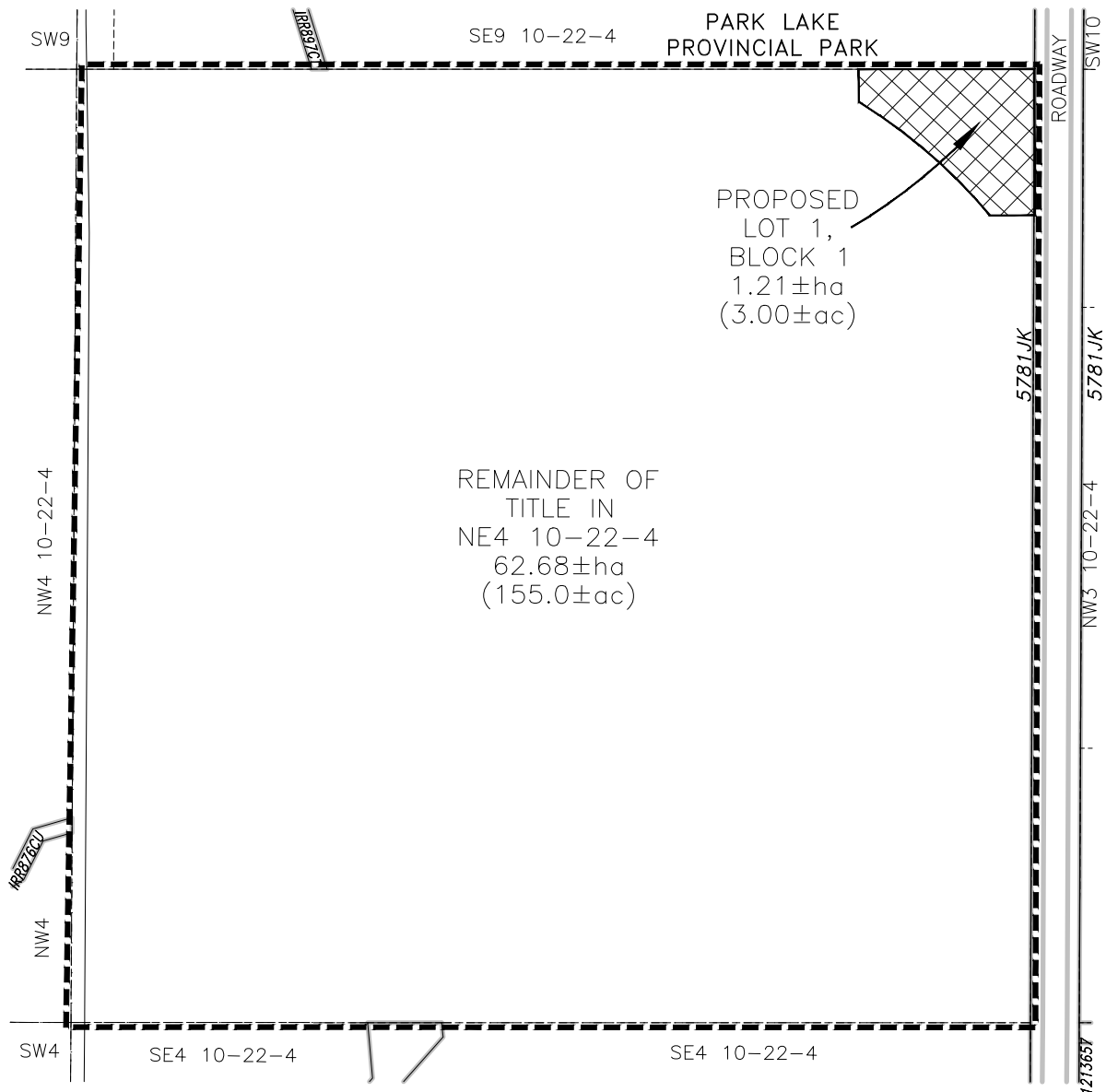
2024-0-090
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SUBDIVISION LOCATION SKETCH

NE 1/4 SEC 4, TWP 10, RGE 22, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JUNE 17, 2024
FILE NO: 2024-0-090





SUBDIVISION SKETCH

SEE TENTATIVE PLAN OF SUBDIVISION BY BROWN OKAMURA & ASSOCIATES LTD. FILE NO. 24-16372

NE 1/4 SEC 4, TWP 10, RGE 22, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

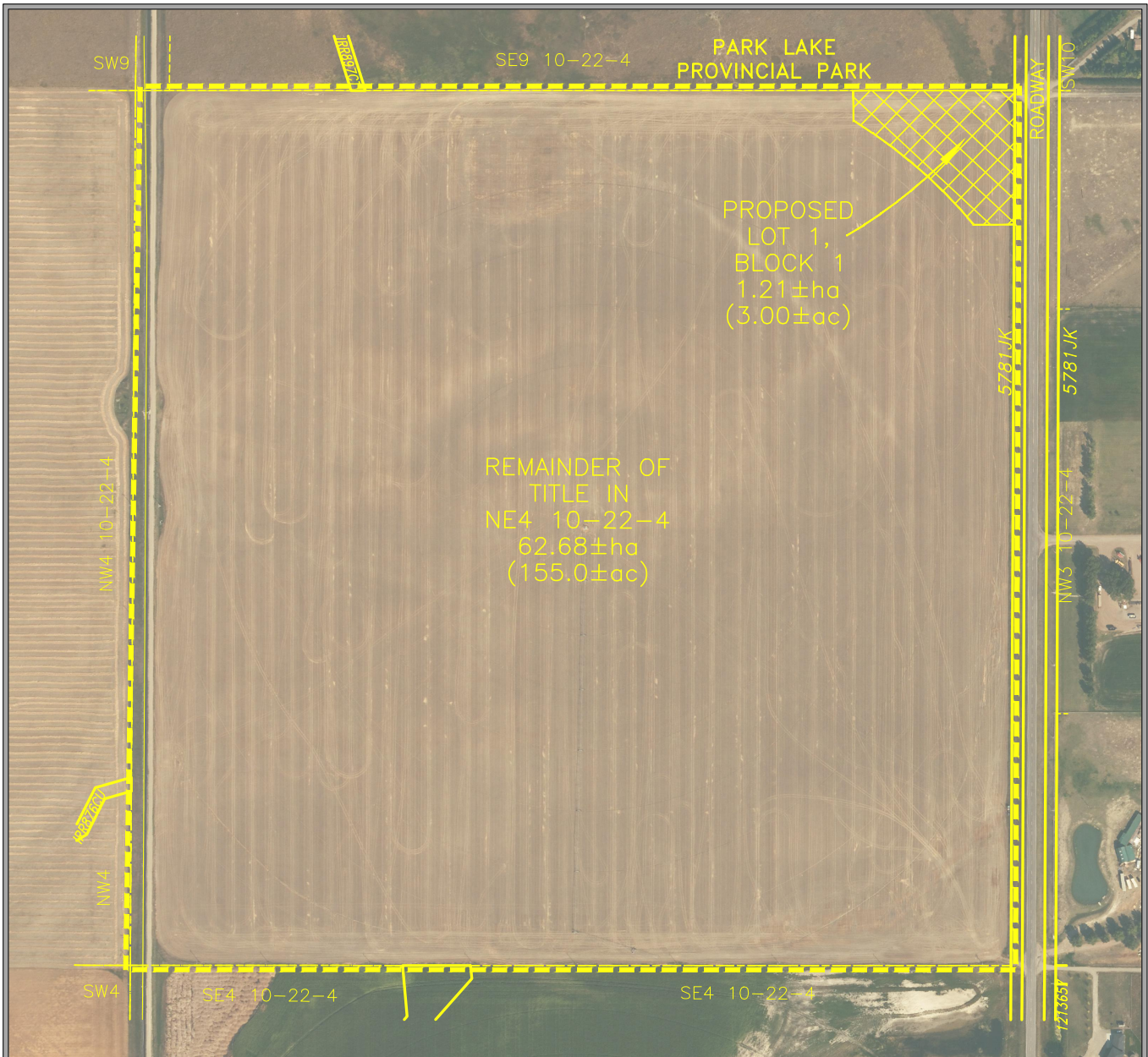
DATE: JUNE 17, 2024

FILE No: 2024-0-090



June 17, 2024 N:\Subdivision\2024\2024-0-090.dwg





SUBDIVISION SKETCH

SEE TENTATIVE PLAN OF SUBDIVISION BY BROWN OKAMURA & ASSOCIATES LTD. FILE NO. 24-16372

NE 1/4 SEC 4, TWP 10, RGE 22, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 17, 2024

FILE No: 2024-0-090



June 17, 2024 N:\Subdivision\2024\2024-0-090.dwg



AERIAL PHOTO DATE: 2024

AGENDA ITEM REPORT



Title: Subdivision Application #2024-0-093 – Schooten
- NW1/4 21-10-23-W4M
Meeting: Council Meeting - 01 Aug 2024
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Manager, Planning & Development
Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 18 Jul 2024
Approved - 23 Jul 2024
Approved - 23 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

The application is to subdivide a 10.00-acre first subdivision from a title of 156.27 acres for country residential use. The proposal does meet the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2024-0-093 be approved subject to the conditions as outlined in the draft resolution.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision is the first subdivision from the 1/4-section and meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The isolated single-parcel subdivision policies are within Land Use Bylaw No. 24-007 that allow one subdivision per 1/4-section, which the proposed first parcel-out subdivision complies with.
- The proposal also conforms to the criteria as a fragmented subdivision due to the LNID canal/drainage ditch physically severing the yard area from the parent 1/4-section.
- Land Use Bylaw No. 24-007 criteria stipulate a minimum 2.0-acre to maximum 10.0-acre parcel size.
- All private servicing requirements are in place, including water from the LNCPWC to a private cistern system, septic field, public road access, and private utilities.

BACKGROUND INFORMATION:

Located 2-miles south of the Town of Nobleford and one mile east of Highway 23. The proposal is to subdivide a recently established acreage area on the very northeast corner of the ¼-section.

The purpose is to separate the acreage from the remainder of the agricultural land along a LNID irrigation drainage ditch. The inside boundary of the LNID ditch is proposed to delineate the property boundary so the ditch will remain on the agricultural title. A dwelling is established on the proposed parcel along with some accessory buildings. Water is provided by the LNCPWC to private cistern and sewage is managed by a new (2021) individual on-site septic field situated to the south of the dwelling. Access is provided from the north municipal road allowance with an approach in place. There are no abandoned gas wells or confined feeding operations located in proximity.

Overall, the 10.00-acre parcel size proposal is the first parcel out subdivision from the ¼-section and meets the criteria of Land Use Bylaw No. 24-007. The resulting residual agricultural parcel size meets and exceeds the minimum required. The application was circulated to the required external agencies and no easements or concerns were expressed regarding the application.

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve the subdivision if it determines it is not suitable and the title would remain as is.

Pros:

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

Cons:

- the decision would likely be appealed as the County's criteria have been met.

FINANCIAL IMPACT:

None, and the existing tax situation will remain as is.

LEVEL OF PUBLIC PARTICIPATION:

☒ **Inform** ☐ **Consult** ☐ **Involve** ☐ **Collaborate** ☐ **Empower**

ATTACHMENTS:

[5A Lethbridge County 2024-0-093 Approval Diagrams 2024-0-093](#)

RESOLUTION

2024-0-093

Lethbridge County

Country Residential subdivision of NW1/4 21-10-23-W4M

THAT the Country Residential subdivision of NW1/4 21-10-23-W4M (Certificate of Title No. 021 121 711 +4), to subdivide a 10.00-acre (4.05 ha) first subdivision from a title of 156.27 acres (63.19 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 final plan of survey shall delineate the parcel boundary being situated on the north and east side of the irrigation drainage ditch so that ditch entirely remains located on the remnant agricultural title.
4. That the applicant provides a final Plan of Surveyor to illustrate the exact dimensions and parcel size of the proposed parcel as approved at 10.00-acres in size.
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 9 of the Matters Related to Subdivision and Development Regulation.
3. The proposed parcel size complies with the subdivision criteria of not exceeding 10.00-acres in size in consideration of an acreage parcel, and also being defined as fragmented land due to the irrigation drainage ditch.
4. The Subdivision Authority has determined the proposed parcel is the first subdivision from the quarter section and meets the isolated country residential subdivision criteria of the Land Use Bylaw No. 24-007.

INFORMATIVE:

- (a) Since the proposed subdivision complies with Section 663(a) of the Municipal Government Act, Reserve is not required.
- (b) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (c) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Protected Areas, Alberta Transportation, and the Department of Fisheries and Oceans.)

2024-0-093
Page 1 of 3

- (d) Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.

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

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

- (e) In reference to the above request, please be advised of ATCO Gas' response and notify the landowner of the following:

- ATCO Gas has no objection
 - ATCO Gas' existing and future lines are protected by an existing Utility Right of Way

ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:

- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilitysafety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact Crossings@atcogas.com to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email southlandadmin@atco.com

- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns related to ATCO high pressure pipelines can be forwarded to hp.circulations@atco.com.
- (g) Alberta Transportation – Leah Olsen, Development/Planning Technologist:

"This will acknowledge receipt of your circulation regarding the above noted proposal. The subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 23

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 are met, therefore no variance is required. While no variance is required, the department expects the municipality will mitigate the impacts from this proposal to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 648(2)(c.2) of the Municipal Government Act.

The requirements of Section 19 are met, therefore no variance is required.

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 7(6)(d) of the regulation, Transportation and Economic Corridors agrees to waive the referral distance for this particular subdivision application. As far as Transportation and Economic Corridors 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

Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:

1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act

Please contact Transportation and Economic Corridors through the RPATH Portal if you have any questions, or require additional information.

(h) Lethbridge Northern Irrigation District (LNID) – Janet Beck, Administration and Land Manager:

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

Payment in full of any outstanding irrigation rates that may be assessed on the original parcel at the time of finalization of the subdivision.

Payment of the District's subdivision administration fee. The current fee is \$682.50 (includes GST).

There is a convenience delivery for irrigation from the Lateral B9 Pipeline for the proposed 10.0-acre subdivision. Since the delivery is on the Lateral B9 Pipeline, a landowner construction contribution of \$3,150 including GST is required for this parcel at the same time of signing a water agreement, the current water agreement fee is \$514.50 (includes GST).

The LNID proposed canal/drain setback requirement, is that all permanent structures such as buildings with footings, pilings or foundations, septic tanks/fields, corrals, and silage pits, etc. must meet the minimum set-back distance of 30 metres (100 ft.) from the outside boundary of the LNID Canal/drain Right-of-Way and or interests in this parcel.

The proposed setback distance from any LNID Pipeline Right-of-Way is that all permanent structures such as buildings with footings, pilings or foundations, septic tanks/fields/mounds, corrals, and silage pits, etc., be constructed a minimum distance of 15 meters (50 feet) from the outside boundary of all LNID pipeline right-of-ways and/or interests within this parcel.

All infrastructure or alterations to District works, easements or crossings required for the proposed subdivision for access to water from District works is at the sole cost of the applicant.

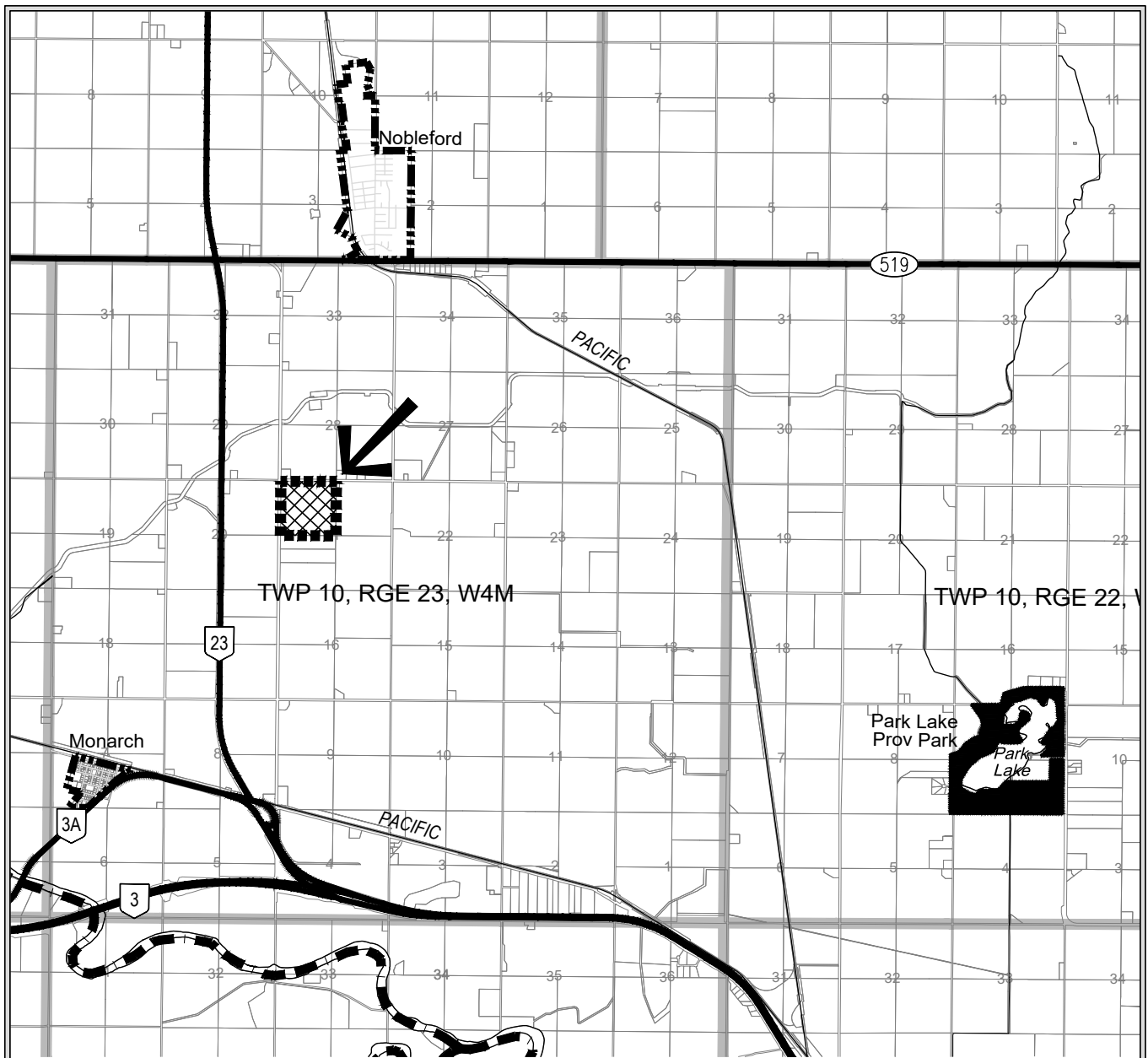
Any alteration to District works required as a result of this subdivision is subject to District approval and payment by the applicant of all applicable costs

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, Administration & Land Manager, at the Lethbridge Northern Irrigation District Office, 403-327-3302."

MOVER

REEVE

DATE



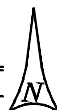
SUBDIVISION LOCATION SKETCH

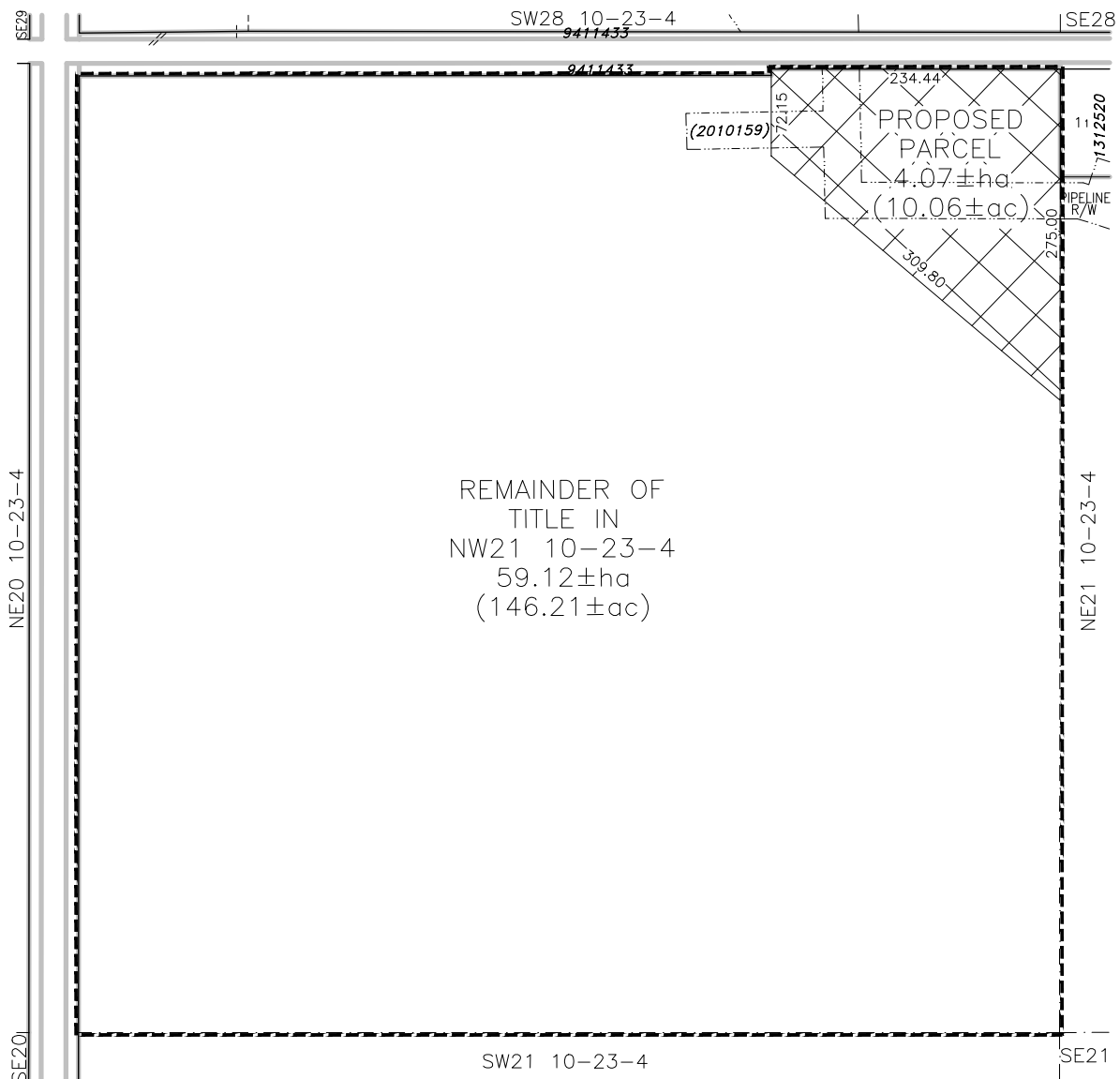
PORTION OF NW 1/4 SEC 21, TWP 10, RGE 23, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 24, 2024

FILE No: 2024-0-093





SUBDIVISION SKETCH

PORTION OF NW 1/4 SEC 21, TWP 10, RGE 23, W 4 M

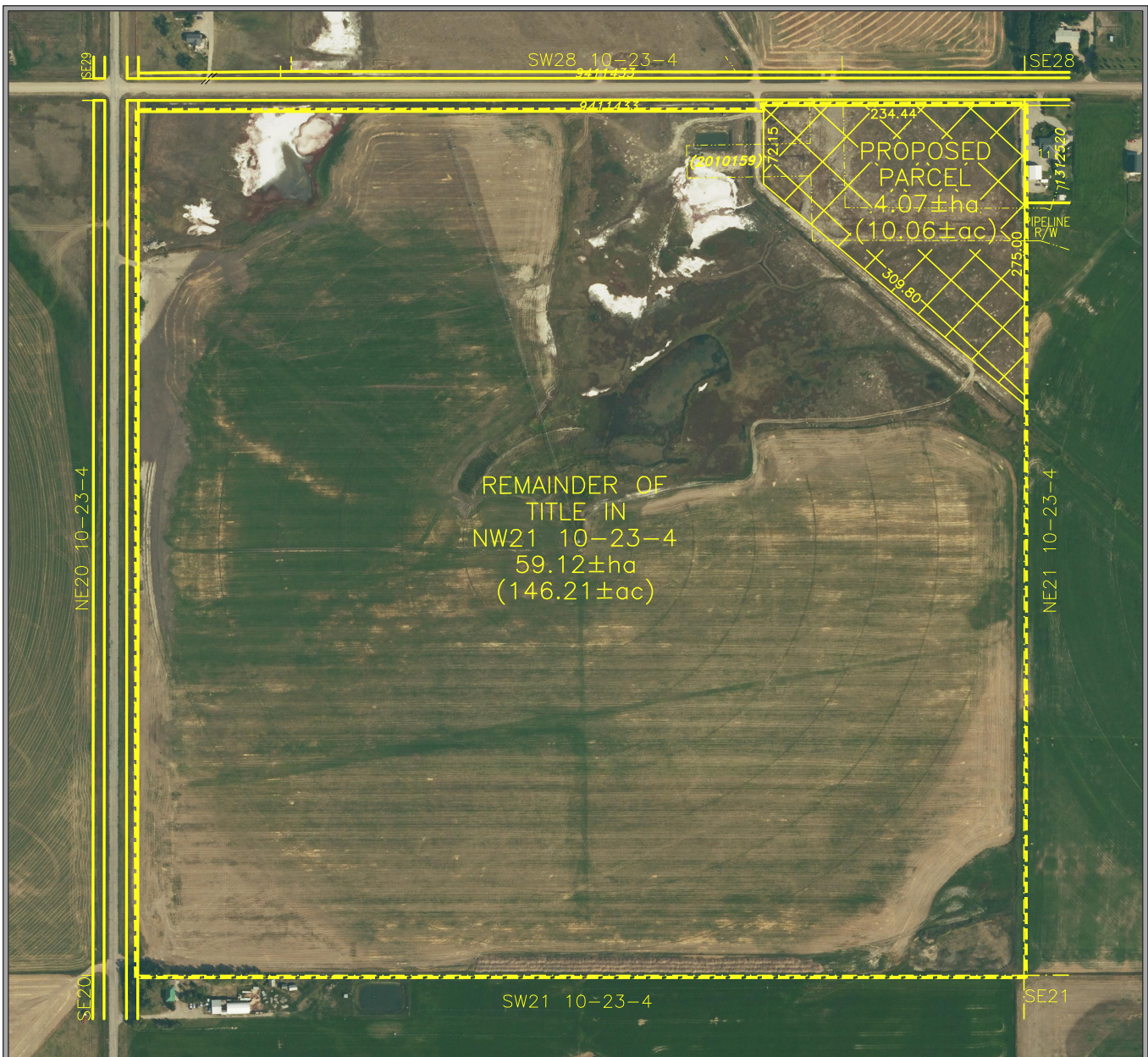
MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 24, 2024

FILE No: 2024-0-093



June 24, 2024 N:\Subdivision\2024\2024-0-093.dwg



SUBDIVISION SKETCH

PORTION OF NW 1/4 SEC 21, TWP 10, RGE 23, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 24, 2024

FILE No: 2024-0-093



AERIAL PHOTO DATE: 2018

AGENDA ITEM REPORT



Title: Subdivision Application #2024-0-096 – R2K Farms
- NW1/4 34-09-19-W4M
Meeting: Council Meeting - 01 Aug 2024
Department: ORRSC
Report Author: Steve Harty

APPROVAL(S):

Hilary Janzen, Manager, Planning & Development
Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 18 Jul 2024
Approved - 23 Jul 2024
Approved - 23 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

The application is to subdivide a 3.16-acre first parcel out subdivision from a ¼-section title of 159.58-acres for country residential use. The proposal meets the subdivision criteria of the Land Use Bylaw.

RECOMMENDATION:

That S.D. Application #2024-0-096 be approved subject to the conditions as outlined in the draft resolution.

REASON(S) FOR RECOMMENDATION(S):

The proposed subdivision is the first subdivision from the ¼-section and meets the provincial Subdivision and Development Regulations and the municipal subdivision policies as stated in the Land Use Bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

- LUB No. 24-007 contains isolated single-parcel subdivision policies that allow one subdivision per ¼-section on agricultural zoned land, which the proposed first parcel-out subdivision complies with.
- LUB No. 24-007 criteria stipulate a minimum 2.0-acre to maximum 10.0-acre parcel size to capture existing improvements (thus the proposed 3.16-acres complies).
- There are no confined feeding operations (CFOs) located in proximity where the minimum distance separation (MDS) would be compromised. The closest CFO is a beef operation to the west that requires an MDS of 303 m and over 588 m exists.

BACKGROUND INFORMATION:

Located approximately 2-miles northwest of the Hamlet of Chin, 2-miles north of Highway 3. The application is to subdivide a portion of a long-established farmyard.

The proposed subdivision is located on the north perimeter adjacent to the municipal road allowance and contains a dwelling and tree shelterbelt. A Quonset, shop building and several farm buildings are located on the east side of the proposed yard subdivision area and will remain on the remnant agricultural portion title. The parcel boundary will jog around the southeast corner to exclude the agricultural buildings. Sewage is treated by an individual on-site septic system situated south of the dwelling, while water is provided by the COLRWA co-op to a private cistern system. There are no abandoned gas wells located in proximity and no identified environmental or historical features present that require consideration.

Overall, the 3.16-acre parcel is the first parcel out subdivision from the 1/4-section and meets the criteria of Land Use Bylaw No. 24-007. The proposed size conforms to the land use bylaw's minimum 2.0-acre and maximum 10.0-acre parcel size criteria. The application was circulated to the required external agencies and no concerns were expressed regarding the subdivision. No easements were requested (at time of agenda report).

ALTERNATIVES / PROS / CONS:

The Subdivision Authority could decide to not approve the subdivision if it determines it is not suitable and the title would remain as is.

Pros:

- there are no advantages to denying the subdivision as it meets the first parcel out subdivision criteria of the County.

Cons:

- the decision would likely be appealed as the County's criteria have been met.

FINANCIAL IMPACT:

None, and the existing tax situation will remain as is.

LEVEL OF PUBLIC PARTICIPATION:



Inform



Consult



Involve



Collaborate



Empower

ATTACHMENTS:

[5A Lethbridge County 2024-0-096 Approval](#)

[Diagrams 2024-0-096](#)

RESOLUTION

2024-0-096

Lethbridge County

Country Residential subdivision of NW1/4 34-9-19-W4M

THAT the Country Residential subdivision of NW1/4 34-9-19-W4M (Certificate of Title No. 24 067 465), to subdivide a 3.16-acre (1.28 ha) first parcel out subdivision from a ¼-section title of 159.58-acres (64.58 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 submits a final plan of survey as prepared by an Alberta Land Surveyor that corresponds to the approved parcel being subdivided.
4. That any easement(s) as required by utility companies, or the municipality shall be established as deemed necessary.

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 9 of the Matters Related to Subdivision and Development Regulation.
3. The proposed subdivision is the first parcel from the quarter section and the 3.16-acre size conforms to the land use bylaw's minimum 2.0-acre and maximum 10.0-acre parcel size criteria.
4. The Subdivision Authority is satisfied all site servicing is met and the dwelling's on-site private septic system will remain within the confines of the parcel boundary once subdivided.

INFORMATIVE:

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

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

2024-0-096
Page 1 of 2

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

(e) In reference to the above request, please be advised of ATCO Gas' response and notify the landowner of the following:

- ATCO Gas has no objection
 - ATCO Gas' existing and future lines are protected by an existing Utility Right of Way

ATCO Gas would also like to make the MD/County and Landowner/Developer aware of the following:

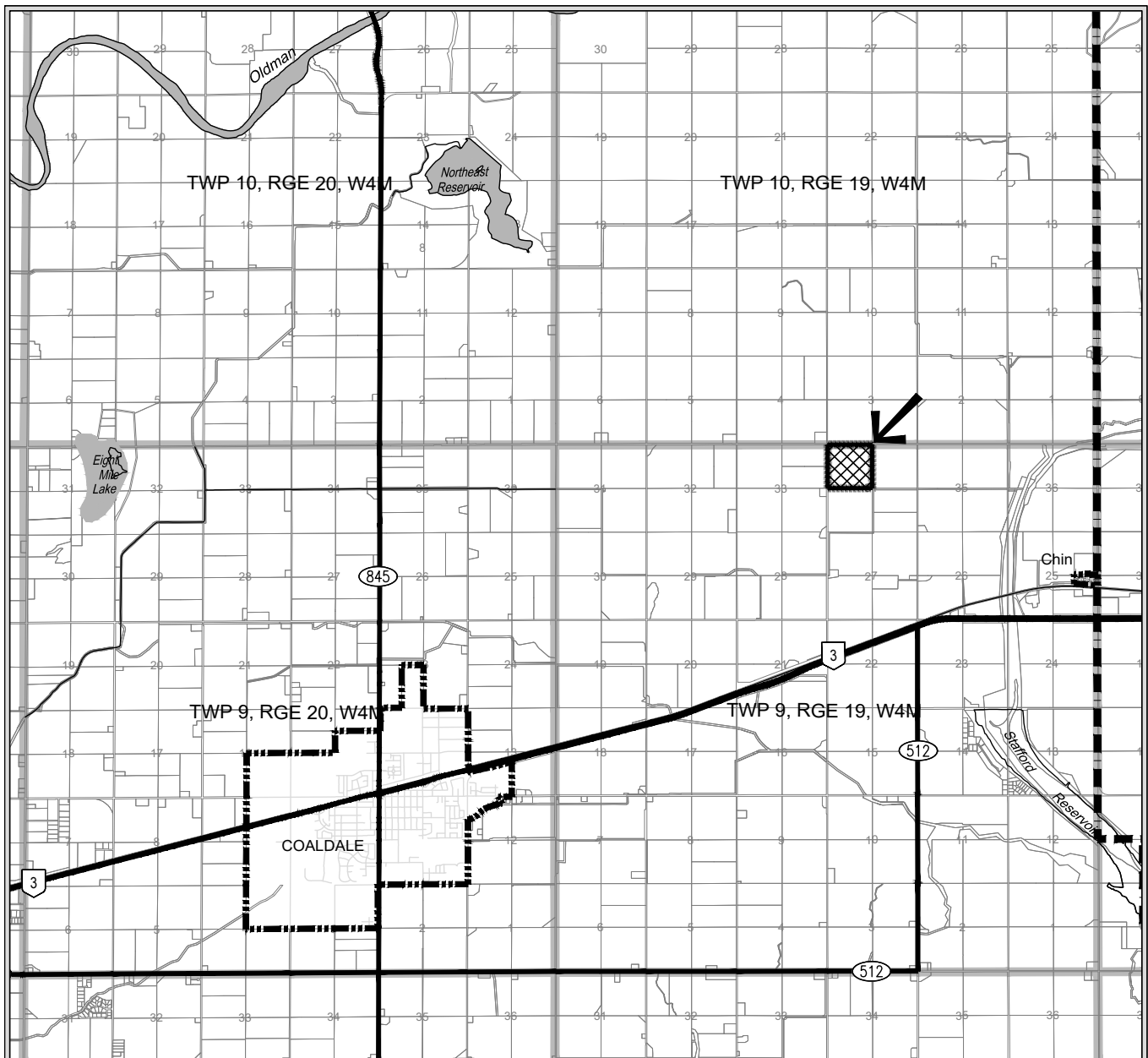
- If conducting any ground disturbance on the subject property, the landowner/developer must ensure the location of all utilities by contacting Utility Safety Partners at 1-800-242-3447 or <https://utilitysafety.ca/>
- For any ground disturbance within 30m of an existing gas line please contact Crossings@atcogas.com to obtain permission (submit locate slip as back up)
- ATCO Gas requires a minimum of 6 months' notice to design and construct a new gas line, or alter an existing gas line. New Service installations, pipeline alterations, and Main extensions will be performed at the landowner/developers expense.
- If the landowner requires a single gas service please visit <https://gas.atco.com/en-ca/products-services-rates/new-services-changes/new-natural-gas-line.html>

Any further questions please email southlandadmin@atco.com

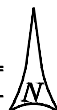
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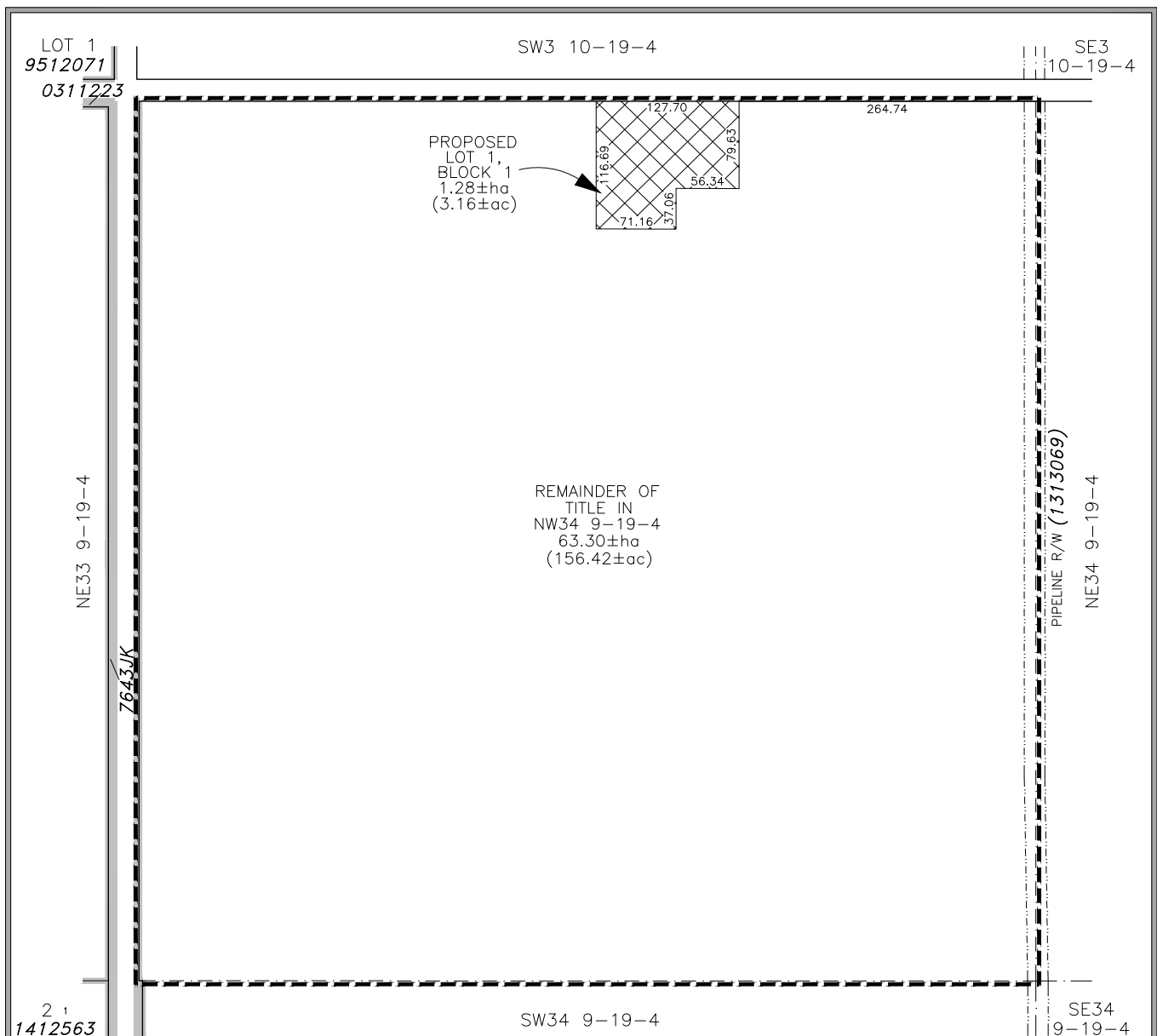
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DATE



SUBDIVISION LOCATION SKETCH
NW 1/4 SEC 34, TWP 9, RGE 19, W 4 M
MUNICIPALITY: LETHBRIDGE COUNTY
DATE: JUNE 27, 2024
FILE No: 2024-0-096





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 24-16409T

NW 1/4 SEC 34, TWP 9, RGE 19, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 27, 2024

FILE No: 2024-0-096



June 27, 2024 N:\Subdivision\2024\2024-0-096.dwg





SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 24-16409T

NW 1/4 SEC 34, TWP 9, RGE 19, W 4 M

MUNICIPALITY: LETHBRIDGE COUNTY

DATE: JUNE 27, 2024

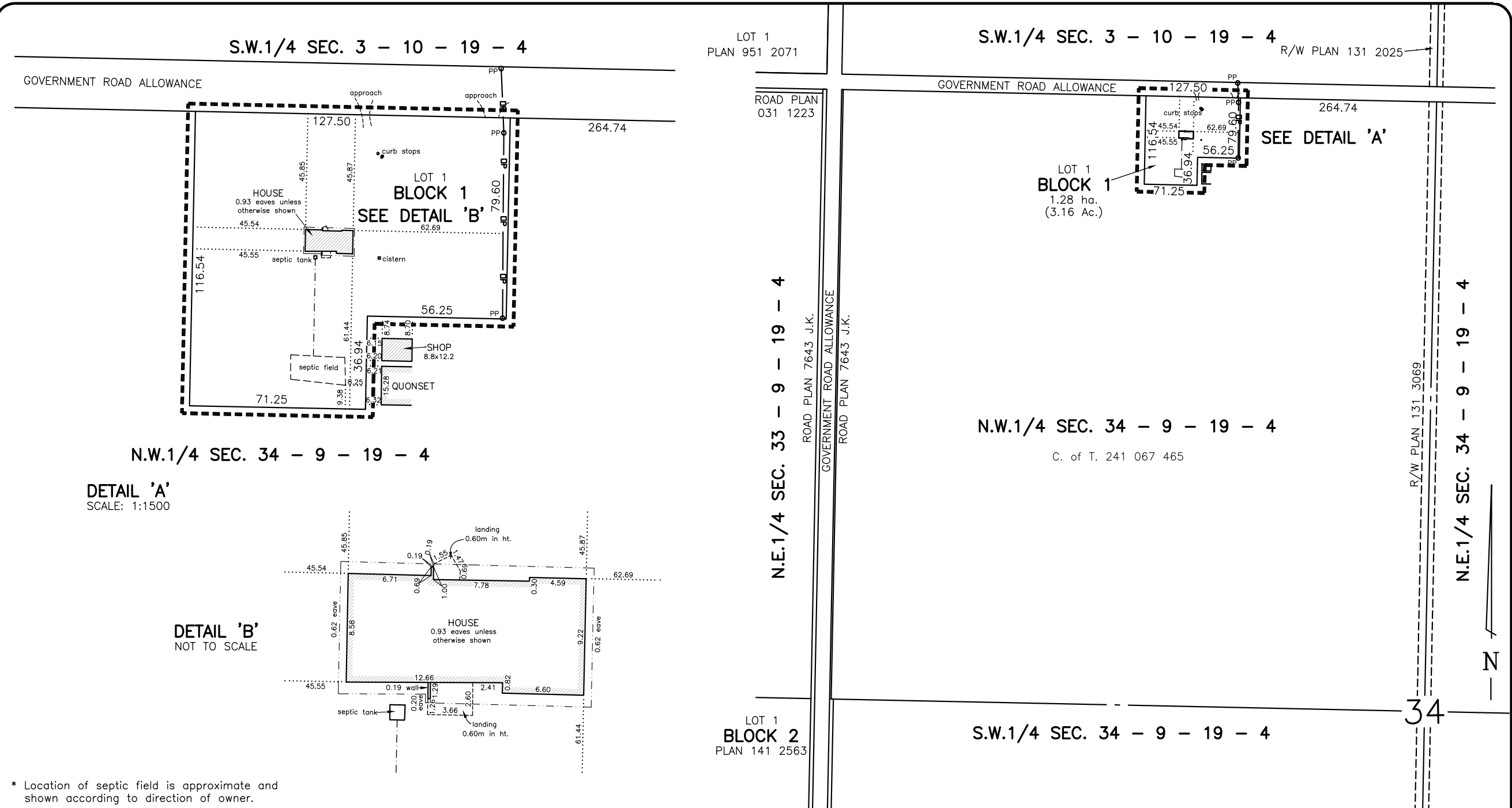
FILE No: 2024-0-096



June 27, 2024 N:\Subdivision\2024\2024-0-096.dwg



AERIAL PHOTO DATE: 2018



				R2K FARMS LTD.		<div><div>boa</div><div>brown okamura & associates ltd.</div><div>Professional Surveyors</div><div>2830 – 12th Avenue North, Lethbridge, Alberta</div></div>			
NO.	REVISION	DATE	BY	TENTATIVE PLAN SHOWING SUBDIVISION of part of N.W.1/4 SEC. 34; TWP. 9; RGE. 19; W.4 M.		APPROVED		DRAWN CJB	DATE JUNE 24/24
<div>Improvements shown were surveyed on June 6th, 2024</div> <div>NOTE : Portion to be approved is outlined thus -----</div> <div>and contains approximately 1.28 ha.</div> <div>Distances are in metres and decimal parts thereof.</div> <div>Overhead line is shown thus -----OP-----OP-----</div> <div>PP stands for utility pole.</div> <div>Fence lines are shown thus -----X-----X-----</div> <div>Distances and areas are approximate and are subject to change upon final survey.</div>						CHECKED DJA		JOB 24–16409	
				SCALE		DRAWING			
				LETHBRIDGE COUNTY		D. J. Amantea, A.L.S.		1:5000	24–16409T

NO.	REVISION	DATE	BY
Improvements shown were surveyed on June 6th, 2024			
NOTE : Portion to be approved is outlined thus -----			
and contains approximately 1.28 ha.			
Distances are in metres and decimal parts thereof.			
Overhead line is shown thus -----OP-----OP-----			
PP stands for utility pole.			
Fence lines are shown thus -----X-----X-----			
Distances and areas are approximate and are			
subject to change upon final survey.			

AGENDA ITEM REPORT



Title: Bylaw 24-012 - Re-designate a Plan 1410983 Block 1 Lot 2 from Direct Control (Bylaw 1397) to Direct Control - Public Hearing
Meeting: Council Meeting - 01 Aug 2024
Department: Development & Infrastructure
Report Author: Hilary Janzen

APPROVAL(S):

Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 16 Jul 2024
Approved - 17 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

An application has been made to re-designate Plan 1410983 Block 1 Lot 2 from Direct Control (Bylaw 1397) to Direct Control (Bylaw 24-012) to accommodate new uses on the parcel.

RECOMMENDATION:

That Bylaw 24-012 be read a second time.
That Bylaw 24-012 be read a third time.

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 24-012 will allow County Administration to set the date for the Public Hearing and send out the notices for the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The Municipal Development Plan policy 4.13 states that landowners/developers may apply to Lethbridge County to initiate a re-designation process for parcels of land in support of development proposals that may not conform to the existing land use designation.
- Bylaw 24-012 was given first reading on July 4, 2024

BACKGROUND INFORMATION:

An application has been made to re-designate Plan 1410983 Block 1 Lot 2 from Direct Control (Bylaw 1397) to Direct Control. The intent of the rezoning is to allow for additional uses on the property to include Machinery and Equipment Sales, Rental and Service and Single Detached Dwellings. The proposed Direct Control would also allow the future subdivision on the parcel into 2 5-acre parcels.

he application has been circulated to all County Departments and external agencies for review. The following comments were received:

- Alberta Transportation and Economic Corridors - No concerns
- Triple W Gas Co-op - no concerns
- Telus - no concerns
- Fortis - no concerns

Lethbridge County Administration has reviewed the proposed bylaws and has the following comments:

- The Industrial-Commercial Land Use Strategy (Policy 5.3.1) and Municipal Development Plan (Policy 10.21) provides criteria for the approval of an isolated commercial/industrial use include proximity to a highway, compatibility with adjacent land uses, and proximity/access to utilities/services. The proposed rezoning application is compliance with the the siting criteria.
- The nature of the business and the limited uses as described in the Direct Control ensure that there will be no negative impacts to adjacent properties.
- The provision for subdivision of the 10 acre parcel into 2 5-acre parcels is in compliance with the County's size requirements for parcels as they will be over the 2-acre minimum. The subdivision would not materially affect the area in terms of additional traffic or nuisance to the adjacent properties.
- The addition of residential uses in the Direct Control will complement the adjacent residential development along Range Road 8-0 while still allowing limited commercial/light industrial uses.

The notice of the public hearing was advertised in the July 9 and 16 editions of the Sunny South News and on the County's website and social media accounts.

ALTERNATIVES / PROS / CONS:

Option 1 - County Council may refuse the rezoning application

Option 2- County Council may amend the Direct Control by amending the proposed uses and opportunities for subdivision

FINANCIAL IMPACT:

If the bylaw was approved, future development would be taxed at the County's commercial/residential tax rate.

LEVEL OF PUBLIC PARTICIPATION:

☐ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

ATTACHMENTS:

[Bylaw 24-012 Application](#)

[Bylaw 1397](#)

[Bylaw 24-012 - Signed First Reading](#)



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

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT

Pursuant to Land Use Bylaw No. 24-007

OFFICE USE		
Date of Application: <u>May 14 / 2024</u>	Assigned Bylaw	No. <u>Bylaw 24-012</u>
Date Deemed Complete: <u>May 22 / 2024</u>	Application & Processing Fee:	\$ <u>2000.00</u>
<input checked="" type="checkbox"/> Redesignation <input type="checkbox"/> Text Amendment	Certificate of Title Submitted:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 18 months after the date of refusal. [Refer to Part 1, Sections 54 to 56 of bylaw.]

IMPORTANT NOTE: Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

APPLICANT INFORMATION

Name of Applicant:

Mailing Address:

Phone:

Phone (alternate):

Fax:

Postal Code:

Is the applicant the owner of the property?

☒ Yes

☐ No

IF "NO" please complete box below

Name of Owner:

Phone:

Mailing Address:

Applicant's interest in the property:

- ☐ Agent
☐ Contractor
☐ Tenant
☐ Other

Postal Code:

PROPERTY INFORMATION

Municipal Address:

Legal Description:

Lot(s)

Block

Plan

OR Quarter

Section

Township

Range



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

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT

Pursuant to Land Use Bylaw No. 24-007

AMENDMENT INFORMATION

What is the proposed amendment?

☐ Text Amendment

☒ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments, attach a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation (zoning):

Direct Control

Proposed Land Use Designation (zoning) (if applicable):

Direct Control

SITE DESCRIPTION:

Describe the **lot/parcel dimensions** _____ and **lot area/parcel acreage** 10 acres
Indicate the information on a scaled PLOT or SITE PLAN: (0-4 acres at 1" = 20'; 5-9 acres at 1" = 100'; 10 acres or more at 1" = 200')

☐ Site or Plot Plan Attached

☐ Conceptual Design Scheme or Area Structure Plan Attached

OTHER INFORMATION:

Section 55 of the *Land Use Bylaw* regulates the information required to accompany an application for redesignation. Please **attach a descriptive narrative** detailing:

- The existing and proposed future land use(s) (i.e. details of the proposed development);
- If and how the proposed redesignation is consistent with applicable statutory plans;
- The compatibility of the proposal with surrounding uses and zoning;
- The development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- Availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Access and egress from the parcel and any potential impacts on public roads.

☒ In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land to another district;
- multiple parcels of land are involved;
- four or more lots could be created;
- several pieces of fragmented land are adjacent to the proposal;
- new internal public roads would be required;
- municipal services would need to be extended; or
- required by Council, or the Subdivision or Development Authority if applicable.



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

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT

Pursuant to Land Use Bylaw No. 24-007

✕ The applicant may also be required to provide other professional reports, such as a:

- geotechnical report; and/or
- soils analysis; and/or
- evaluation of surface drainage or a detailed storm water management plan;
- and any other information described in Part 1, section 55(2) or as deemed necessary to make an informed evaluation of the suitability of the site in relation to the proposed use;

if deemed necessary.

SITE PLAN

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. Council may request additional information.

DECLARATION OF APPLICANT/AGENT

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. 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. *I/We have read and understand the terms noted below and hereby certify that the registered owner of the land is aware of, and in agreement with this application.*

Dale Mehlen
APPLICANT

Golden Sky Ventures Ltd
REGISTERED OWNER (if not the same as applicant)

May 14/24
DATE

IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. Information provided in this application may be considered at a public meeting. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact Lethbridge County.

TERMS

1. Subject to the provisions of the Land Use Bylaw No. 24-007 of Lethbridge County, the term "development" includes any change in the use, or intensity of use, of buildings or land.
2. Pursuant to the Municipal Development Plan, an area structure plan or conceptual design scheme may be required by Council before a decision is made.
3. A refusal is not appealable and a subsequent application for redesignation (reclassification) involving the same or similar lot and/or for the same or similar use may not be made for at least 18 months after the date of a refusal.
4. An approved redesignation (reclassification) shall be finalized by amending the land use bylaw map in accordance with section 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.

Note: Information provided or generated in this application may be considered at a public meeting.

To whom this may concern,

The proposed new development will be surrounding farm equipment sales and service. There would be storage of equipment, servicing and sales conducted at the location. The proposed redesignation is very similar to the existing zoning. They were running a trucking dispatch and depot in the location so large equipment will be normal for that area. The existing building has an office so I could conduct business out of it. I would think that I would have a lot less heavy truck traffic than was previously there. The existing site has a shop, yard and approaches that enter the grid road in front of the location so all of that was already approved. All the services are already there and installed. The yard was already landscaped and graded for drainage so there would have to be no new development for us to move in. My son is a part of the business so we would like to plan for the possibility of him building a residence on this location someday.

Respectfully,

Dale Mehlen

Schedule 'A'

DIRECT CONTROL BYLAW NO. 24-XXX

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development, or subdivision on a site-specific basis the following lands:

Plan 1410983 Block 1 Lot 2 consisting of the 10 acres.

For the specific purposes of allowing a Machinery and Equipment Sales and Service business while limiting other types of land uses on the parcel.

2. PERMITTED USES

Accessory Buildings/Structures

Dwellings

Single-detached Site Built

Single-detached Manufactured Home 1

Single-detached Manufactured Home 2

Single-detached Ready to Move

Single-detached Moved-In

Machinery and Equipment Sales, Rental, and Service

Offices, Public and Private

Outdoor Storage

Signs

DISCRETIONARY USES

Truck Transportation Dispatch/Depots

Warehousing and Storage

Outdoor Truck Trailer Parking

Office Administration Building

3. DEFINITIONS

All other words or terms have the same meaning as what is specified in the Land Use Bylaw.

4. MINIMUM LOT SIZE

The minimum parcel size shall be 5 acres.

5. MINIMUM YARD SETBACK REQUIREMENTS

Side Yard 6.1 metres (20 feet)

Rear Yard 6.1 metres (20 feet)

Outdoor parking areas and fencing may be permitted to project into the required side and rear yard setbacks, with fencing allowed at the property line.

6. MINIMUM SETBACK FROM ROADWAY

No part of a building, structure or development shall be located within 38.1 metres (125 feet) of the centre line of the public roadway.

7. MAXIMUM SITE COVERAGE

The maximum site coverage for all principal and accessory buildings combined is 45 percent.

8. ACCESSORY BUILDINGS AND STRUCTURES

- An accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- An accessory building or structure shall be setback a minimum 3.0 metres (10 feet) from the principle building and from all other structures on the same lot.
- An accessory building or structure shall only be constructed after or in conjunction with an approved principle use or building on the parcel.

9. GENERAL STANDARDS OF DEVELOPMENT

At the discretion of Council or the Development Officer acting as the Development Authority having regard for the Land Use Bylaw.

10. SIGN REGULATIONS

As per the Lethbridge County Land Use Bylaw.

11. OTHER STANDARDS

- All storm water shall be retained on-site to predevelopment levels. At the subdivision or development permit stage a storm water management plan certified by a professional engineer shall be submitted.
- All finished lot grading shall be constructed and maintained to the satisfaction of the County of Lethbridge and shall be in accordance with the Engineering Guidelines and Minimum Servicing Standards.
- Approaches and driveway access shall be in accordance with the County of Lethbridge Engineering Guidelines and Minimum Servicing Standards or as otherwise stipulated by Council.
- Any additional standards as required by County Council or the Development Officer.

12. OTHER REQUIREMENTS

- Site, Layout, and Grading Plan – that shows the property dimensions, building locations, truck trailer parking area, outdoor storage areas, employee parking areas, and utility easements and servicing areas, including the septic field location and any dugouts or storm ponds.
- Refuse or garbage shall be kept in a suitably sized container or enclosure, effectively screened, and the refuse containers shall be located in a rear yard only.
- Servicing – the developer shall be responsible for ensuring all required servicing is provided to the development, including potable water and private septic. If an on-site private septic treatment system is used to handle sewage disposal, then the system and field must be installed by a certified installer licensed with the provincial department of Municipal Affairs.
- Development Agreement – as a condition of a subdivision or development permit approval the applicant may be required to enter into a Development Agreement with Lethbridge County, in accordance with the Land Use Bylaw.

13. SUBDIVISION

- Notwithstanding the provisions of this bylaw, a subdivision may be considered provided it is limited to a single split of the parcel into two 5-acre parcels.
- County Council, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

14. DELEGATION OF AUTHORITY

- County Council shall be the Development Authority to decide on development permit applications for discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- The Development Planner, in accordance with the Land Use Bylaw and pursuant to Section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon development permit applications for permitted uses provided they conform to the standards of this bylaw.

15. APPROVAL PROCEDURE

- Where the Development Planner as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- Before consideration of a permit application for development requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the application for discretionary uses or application for waivers of development standards.
 - Here any persons that claims to be affected by the decision on the application.
- Council may then approve the development application with or without conditions or refuse the application with reasons.
- Where Council has decided on a development permit application, the Development Planner acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County office.

- When applicable, Council should seek comments from other agencies such as the planning advisor, Alberta Health Service, Alberta Transportation and Economic Corridors, or any applicable provincial government department.

16. APPEAL PROCEDURE

- Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- Pursuant to Section 685(4)(b) of the Municipal Government Act, if the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.



Lethbridge County
100, 905 4 Avenue South
Lethbridge AB T1J 4E4

RECEIPT OF PAYMENT

Page 1

GOLDEN SKY VENTURES LTD.
C/O 322 PRAIRIE GARDENS WAY S.
LETHBRIDGE, AB T1K 5V8
CANADA

Receipt Number: 16344
Tax Number: R106989023
Date: May 10, 2024
Initials: AS

Type	Account / Ref. #	Customer ID	Description	Quantity	Amount Paid	Balance Remaining
General	REZO		REZONING APPLICATION	1	\$2,000.00	N/A

Cheque Number: 000628

Subtotal: \$2,000.00

Taxes: \$0.00

Total Receipt: \$2,000.00

Cheque: \$2,000.00

Total Amount Received: \$2,000.00

Rounding: \$0.00

Amount Returned: \$0.00

**COUNTY OF LETHBRIDGE
IN THE PROVINCE OF ALBERTA**

BY-LAW NO. 1397

By-Law No. 1397 of the County of Lethbridge being a By-Law for the purpose of amending Land Use By-Law No. 1211 and amendments thereto, in accordance with Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.

WHERE AS a portion of the NE¼ 33-7-20-W4 is located in the County of Lethbridge and contains approximately 10 acres and Council, by way of this Bylaw, agrees to redesignate the land identified on the map in Schedule "A" attached hereto and described as:

The northwesterly 10 acres of a portion of the NE ¼ 33-7-20-W4 from Rural Agriculture (RA) to Direct Control (DC) district;

AND WHEREAS THE PURPOSE of proposed Bylaw 1397 is to establish the uses and regulations for a Direct Control district pertaining to the aforementioned land and are as described in Schedule "B" attached hereto;

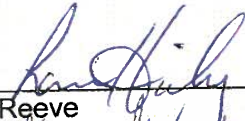
AND WHEREAS policies in the Municipal Development Plan Bylaw No 1331 refer to the Direct Control Designation being used by Council to regulate land use;


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

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

1. The uses and regulations for the Direct Control District shall be as described in Schedule "B" attached hereto and be applied to the lands described above and identified on the map in Schedule "A".
2. Bylaw No 1211 – The Land Use Bylaw of the County of Lethbridge is hereby amended.
3. The Bylaw shall come into effect upon third and final reading hereof.

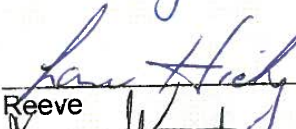
GIVEN first reading this 6th day of June, 2013.

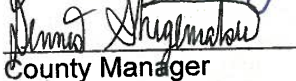


Reeve


County Manager


GIVEN second reading this 15th day of August, 2013.

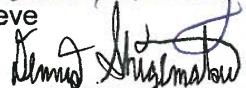


Reeve


County Manager

GIVEN third reading this 15th day of August, 2013.


Reeve


County Manager

SCHEDULE 'A'

SW 4-8-20-W4

SE 4-8-20-W4

NE 33-7-20-W4



Bylaw #1397
Area proposed for reclassification
from Rural Agriculture (RA) to
Direct Control (DC)

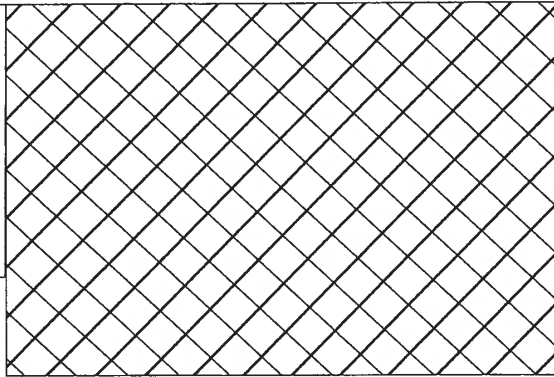


0 50 100 200 300 400 500 600 Feet

SCHEDULE 'A'

SW 4-8-20-W4

SE 4-8-20-W4

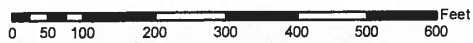


NE 33-7-20-W4

Bylaw # 1397



Area proposed for reclassification
from Rural Agriculture (RA) to
Direct Control (DC)



DIRECT CONTROL

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development, or subdivision on a site specific basis the following lands:

Portion of the NE ¼ 33-7-20-W4 consisting of the 10 acres in the north east part of the quarter section directly east of Lot 1, Plan 9111396.

For the specific purposes of allowing a Transportation and Warehouse Facility while limiting other types of commercial or industrial land uses on the parcel.

2. PERMITTED USES

Accessory Buildings/Structures

Outdoor Storage in side and rear of property that is screened

Signs

DISCRETIONARY USES

Truck Transportation Dispatch/Depots

Warehousing and Storage

Outdoor Truck Trailer Parking

Office Administration Building

3. DEFINITIONS

Accessory buildings / structures means a building or structure that is incidental or subordinate to and customarily found in connection with a primary structure or use, located on the same lot as the principal building or use, but does not include a building or structure used for human habitation.

Outdoor Storage means the open storage of goods, merchandise, materials or equipment outside a building.

Outdoor Truck Trailer Parking means an outside area designated or reserved on a parcel or lot for the explicit purpose of parking and storing commercial vehicles associated with an approved commercial or industrial type land use on the same or associated parcel of land.

Office Administration Building means a building or office space on-site for the coordination of all business activities on the premises and acts to serve the professional, managerial or administrative needs of the primary or principle business on the parcel.

Sign(s) means any device (including but not limited to letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and visible to the public right-of-way or other properties.

Truck Transportation Dispatch/Depots means a facility for the purpose of storing and dispatching trucks and tractor-trailers for transporting goods.

Warehousing and Storage means the use of a building or portion thereof for the storage and distribution of materials, products, goods and merchandise but does not include a retail component.

All other words or terms have the same meaning as what is specified in the Land Use Bylaw.

4. MINIMUM LOT SIZE

The minimum lot size shall be 10 acres.

5. MINIMUM YARD SETBACK REQUIREMENTS

Side Yard 9.1 metres (30 feet)

Rear Yard 15.24 metres (50 feet)

Outdoor parking areas and fencing may be permitted to project into the required side and rear yard setbacks, with fencing allowed at the property line.

6. MINIMUM SETBACK FROM ROADWAY

No part of a building, structure or development shall be located within 38.1 metres (125 feet) of the centre line of the public roadway.

7. MAXIMUM SITE COVERAGE

The maximum site coverage for all principal and accessory buildings combined is 45 percent.

8. ACCESSORY BUILDINGS AND STRUCTURES

- a. An accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- b. An accessory building or structure shall be setback a minimum 3.0 metres (10 feet) from the principle building and from all other structures on the same lot.
- c. An accessory building or structure shall only be constructed after or in conjunction with an approved principle use or building on the parcel.

9. GENERAL STANDARDS OF DEVELOPMENT

At the discretion of Council or the Development Officer acting as the Development Authority having regard for Section 6 of the Land Use Bylaw.

10. SIGN REGULATIONS

- a. As per Schedule 10 of the Land Use Bylaw.

11. OTHER STANDARDS

- a. All storm water shall be retained on-site to predevelopment levels. At the subdivision or development permit stage a storm water management plan certified by a professional engineer shall be submitted.
- b. All finished lot grading shall be constructed and maintained to the satisfaction of the County of Lethbridge and shall be in accordance with the Engineering Guidelines and Minimum Servicing Standards.
- c. Approaches and driveway access shall be in accordance with the County of Lethbridge Engineering Guidelines and Minimum Servicing Standards or as otherwise stipulated by Council.
- d. Any additional standards as required by Council or the Development Officer.

12. OTHER REQUIREMENTS

- a. **Site, Layout, and Grading Plan** – that shows the property dimensions, building locations, truck trailer parking area, outdoor storage areas, employee parking areas, and utility easements and servicing areas, including the septic field location and any dugouts or storm ponds.
- b. **Landscaping Plan** – that shows front yard landscaping and fencing (height and type) on the property.
- c. Refuse or garbage shall be kept in a suitably sized container or enclosure, effectively screened, and the refuse containers shall be located in a rear yard only.
- d. **Servicing** – the developer shall be responsible for ensuring all required servicing is provided to the development, including potable water and private septic. If an on-site private septic treatment system is used to handle sewage disposal, then the system and field must be installed by a certified installer licensed with the provincial department of Municipal Affairs.
 - i. Parking and storage areas are prohibited from being located over any of the septic system including the disposal field area.
- e. **Development Agreement** – as a condition of a subdivision or development permit approval the applicant may be required to enter into a Development Agreement with the County of Lethbridge, in accordance with Sections 37 and 38 of the land use bylaw.

13. SUBDIVISION

- a. Notwithstanding the provisions of this bylaw, a subdivision may be considered provided it is limited to the creation of one 10 acre lot, which conforms to the area of land designated to the Direct Control district, from a portion of the NE ¼ 33-7-20-W4 located in the north east part of the quarter section directly east of Lot 1, Plan 9111396.
- b. No additional subdivision of lands contained within this bylaw shall be permitted.
- c. Council, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

14. DELEGATION OF AUTHORITY

- a. Council shall be the Development Authority to decide on development permit applications for discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- b. The Development Officer, in accordance with section 9 of the Land Use Bylaw and pursuant to Section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon development permit applications for permitted uses provided they conform to the standards of this bylaw.

15. APPROVAL PROCEDURE

- a. Where the Development Officer as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- b. Before consideration of a permit application for development requiring waivers on the subject property, Council shall:
 - i. Cause a notice to be issued by the designated officer to any person likely to be affected.
 - ii. Ensure that the notice contains the date and time that Council will hear the application for discretionary uses or application for waivers of development standards.
 - iii. Here any persons that claims to be affected by the decision on the application.
- c. Council may then approve the development application with or without conditions or refuse the application with reasons.
- d. Where Council has made a decision on a development permit application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County office.
- e. When applicable, Council should seek comments from other agencies such as the planning advisor, regional health authority, Alberta Transportation or any applicable provincial government department.

16. APPEAL PROCEDURE

- a. Pursuant to Section 641(4)(a) of the Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.

- b. If the Development Officer has been delegated the authority to decide upon development permit applications as the Development Authority, then the appeal to the Subdivision and Development Appeal Board is limited to whether the Development Officer followed the directions of Council.

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 24-012


Bylaw 24-012 of Lethbridge County being a bylaw for the purpose of amending Land Use Bylaw 24-007, in accordance with Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.

WHEREAS the purpose of Bylaw 24-012 is to re-designate Plan 1410983 Block 1 Lot 2, as shown on the sketch below, from Direct Control (D.C. – Bylaw 1397) to Direct Control (D.C.);



Bylaw 24-012: Direct Control (DC) to Direct Control (DC)

**Parcels: Plan 1410983; Block 1; Lot 2 (NE 33-7-20-W4) Approx 10 Acres
Located in Lethbridge County, AB**

 24-012 Direct Control (DC) to Direct Control (DC)



**LETHBRIDGE
COUNTY**

AND WHEREAS the purpose of proposed Bylaw 24-012 is to establish the uses and regulations for a Direct Control district pertaining to the aforementioned land and are as described in Schedule "A" attached hereto;

AND WHEREAS policies in the Municipal Development Plan Bylaw No 22-001 refer to the Direct Control Designation being used by Council to regulate land use;


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

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

NOW THEREFORE, under the authority of the Municipal Government Act, R.S.A. 2000, C-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following:

- 1. The uses and regulations for the Direct Control District shall be as described in Schedule "A" attached hereto and be applied to the lands described above and identified on the above map.
- 2. Bylaw No 24-007 – The Land Use Bylaw of Lethbridge County is hereby amended.
- 3. That Bylaw No 1397, the former Direct Control Bylaw, is hereby repealed.
- 4. The Bylaw shall come into effect upon third and final reading hereof.

GIVEN first reading this 4th day of July 2024.



Reeve



Chief Administrative Officer

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

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

1 st Reading	July 4, 2024
2 nd Reading	
Public Hearing	
3 rd Reading	

Schedule 'A'
DIRECT CONTROL BYLAW NO. 24-012

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development, or subdivision on a site-specific basis the following lands:

Plan 1410983 Block 1 Lot 2 consisting of 10 acres (see map).

For the specific purposes of allowing a Machinery and Equipment Sales and Service business while limiting other types of land uses on the parcel.

2. PERMITTED USES

Accessory Buildings/Structures

Dwellings

Single-detached Site Built

Single-detached Manufactured Home 1

Single-detached Manufactured Home 2

Single-detached Ready to Move

Single-detached Moved-In

Machinery and Equipment Sales, Rental, and Service

Offices, Public and Private

Outdoor Storage

Signs

DISCRETIONARY USES

Truck Transportation Dispatch/Depots

Warehousing and Storage

Outdoor Truck Trailer Parking

Office Administration Building

3. DEFINITIONS

All other words or terms have the same meaning as what is specified in the Land Use Bylaw.

4. MINIMUM LOT SIZE

The minimum parcel size shall be 5 acres.

5. MINIMUM YARD SETBACK REQUIREMENTS

Side Yard 6.1 metres (20 feet)

Rear Yard 6.1 metres (20 feet)

Outdoor parking areas and fencing may be permitted to project into the required side and rear yard setbacks, with fencing allowed at the property line.

6. MINIMUM SETBACK FROM ROADWAY

No part of a building, structure or development shall be located within 38.1 metres (125 feet) of the centre line of the public roadway.

7. MAXIMUM SITE COVERAGE

The maximum site coverage for all principal and accessory buildings combined is 45 percent.

8. ACCESSORY BUILDINGS AND STRUCTURES

- An accessory buildings or structures shall not be located in the required setback from a public road or an easement.
- An accessory building or structure shall be setback a minimum 3.0 metres (10 feet) from the principle building and from all other structures on the same lot.
- An accessory building or structure shall only be constructed after or in conjunction with an approved principle use or building on the parcel.

9. GENERAL STANDARDS OF DEVELOPMENT

At the discretion of Council or the Development Officer acting as the Development Authority having regard for the Lethbridge County Land Use Bylaw.

10. SIGN REGULATIONS

As per the Lethbridge County Land Use Bylaw.

11. OTHER STANDARDS

- All storm water shall be retained on-site to predevelopment levels. At the subdivision or development permit stage a storm water management plan certified by a professional engineer shall be submitted.
- All finished lot grading shall be constructed and maintained to the satisfaction of the County of Lethbridge and shall be in accordance with the Engineering Guidelines and Minimum Servicing Standards.
- Approaches and driveway access shall be in accordance with the Lethbridge County Engineering Guidelines and Minimum Servicing Standards or as otherwise stipulated by Council.
- Any additional standards as required by County Council or the Development Officer.

12. OTHER REQUIREMENTS

- Site, Layout, and Grading Plan – that shows the property dimensions, building locations, truck trailer parking area, outdoor storage areas, employee parking areas, and utility easements and servicing areas, including the septic field location and any dugouts or storm ponds.
- Refuse or garbage shall be kept in a suitably sized container or enclosure, effectively screened, and the refuse containers shall be located in a rear yard only.
- Servicing
 - – the developer shall be responsible for ensuring all required servicing is provided to the development, including potable water and private septic. If an on-site private septic treatment system is used to handle sewage disposal, then the system and field must be installed by a certified installer licensed with the provincial department of Municipal Affairs.
 - At the time of subdivision the applicant is required to provide an updated soils analysis for private septic on the vacant (east portion) of the lots
- Development Agreement – as a condition of a subdivision or development permit approval the applicant may be required to enter into a Development Agreement with Lethbridge County, in accordance with the Land Use Bylaw.

13. SUBDIVISION

- Notwithstanding the provisions of this bylaw, a subdivision may be considered provided it is limited to a single split of the parcel into two 5-acre parcels.
- County Council, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications.

14. DELEGATION OF AUTHORITY

- County Council shall be the Development Authority to decide on development permit applications for discretionary uses or application for waivers of development standards. Council may also decide on development permit applications for permitted uses.
- The Development Officer, in accordance with the Land Use Bylaw and pursuant to Section 641 (3) of the Municipal Government Act may, with the direction of Council, act as the Development Authority and receive and decide upon

development permit applications for permitted uses provided they conform to the standards of this bylaw.

15. APPROVAL PROCEDURE

- Where the Development Officer as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- Before consideration of a development permit application for discretionary uses and development requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the application for discretionary uses or application for waivers of development standards.
 - Here any persons that claims to be affected by the decision on the application.
- Council may then approve the development application with or without conditions or refuse the application with reasons.
- Where Council has decided on a development permit application, the Development Planner acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County office.
- When applicable, Council should seek comments from other agencies such as the planning advisor, Alberta Health Service, Alberta Transportation and Economic Corridors, or any applicable provincial government department.

16. APPEAL PROCEDURE

- Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- Pursuant to Section 685(4)(b) of the Municipal Government Act, the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.

Map – Plan 1410983 Block 1 Lot 2



AGENDA ITEM REPORT



Title: Bylaw 24-014 - Re-designate a portion of the NW 34-10-21-W4 from Urban Fringe to Business Light Industrial - First Reading
Meeting: Council Meeting - 01 Aug 2024
Department: Development & Infrastructure
Report Author: Hilary Janzen

APPROVAL(S):

Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 16 Jul 2024
Approved - 17 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

An application has been made to re-designate a portion of NW 34-10-21-W4 from Urban Fringe to Business Light Industrial.

RECOMMENDATION:

That Bylaw 24-014 be read a first time.

REASON(S) FOR RECOMMENDATION(S):

First reading of Bylaw 24-014 will allow County Administration to set the date for the Public Hearing and send out the notices for the proposed bylaw.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The Municipal Development Plan policy 4.13 states that landowners/developers may apply to Lethbridge County to initiate a re-designation process for parcels of land in support of development proposals that may not conform to the existing land use designation.
- The Lethbridge County and Town of Picture Butte Intermunicipal Development Plan shows that this area can be re-designated to allow for business and highway commercial uses (Policy 6.6.4)

BACKGROUND INFORMATION:

An application has been made to re-designate a portion of NW 34-10-21-W4 (5.7 acres) from Urban Fringe to Business Light Industrial. The intent of the rezoning is to allow for business light industrial uses on the property. Currently, only those businesses that have a valid development permit or is a use under the Urban Fringe District are allowed to operate on the property.

The application has been circulated to all County Departments, the Town of Picture Butte, and external agencies for review and their comments as well as any planning/strategic planning considerations will be presented at the public hearing. It is anticipated that the public hearing will be held in September 2024.

ALTERNATIVES / PROS / CONS:

County Council may refuse first reading of the Bylaw. Refusing the bylaw would be contrary to legal advice which has been that first reading of the bylaw shall be given as the applicant and the public have the right to attend and speak at a public hearing which is set upon first reading of the bylaw. The public hearing process allows County Council the opportunity to hear all positions (in favour and opposed) on the bylaw and make an informed decision. If first reading of the bylaw is not given the applicant could appeal that decision to the Alberta Court of Appeal.

FINANCIAL IMPACT:

If the bylaw was approved, future development would be taxed at the County's commercial/residential tax rate.

LEVEL OF PUBLIC PARTICIPATION:

☐

Inform

☒

Consult

☐

Involve

☐

Collaborate

☐

Empower

ATTACHMENTS:

[Bylaw 24-014 - Application Form](#)

[Rezoning Application Purpose - Email](#)

[24_014 Map](#)

[Bylaw 24-014 - R Heinen - Amendment to LUB](#)

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT
Pursuant to Land Use Bylaw No. 24-007



Date of Application: <u>July 3, 2024</u>	Assigned Bylaw No. <u>24-04</u>
Date Deemed Complete: <u>July 9, 2024</u>	Application & Processing Fee: \$ <u>1500.00 (July 2/2024)</u>
<input checked="" type="checkbox"/> Redesignation <input type="checkbox"/> Text Amendment	Certificate of Title Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 18 months after the date of refusal. [Refer to Part 1, Sections 54 to 56 of bylaw.]

IMPORTANT NOTE: Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

APPLICANT INFORMATION

Name of Applicant: ROELOF HEINEN
Mailing Address: Box 396
PICTURE BUTTE
ALBERTA
Postal Code: T0K 1V0
Phone: 403-732-4846
Phone (alternate): _____
Email: _____

Is the applicant the owner of the property? ☒ Yes ☐ No
IF "NO" please complete box below

Name of Owner: _____	Phone: _____
Mailing Address: _____	Applicant's interest in the property:
_____	<input type="checkbox"/> Agent
_____	<input type="checkbox"/> Contractor
_____	<input type="checkbox"/> Tenant
Postal Code: _____	<input type="checkbox"/> Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____
OR Quarter NW Section 34 Township 10 Range 21
NW 34-10-21 W 4

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT

Pursuant to Land Use Bylaw No. 24-007

AMENDMENT INFORMATION

What is the proposed amendment?

☐ Text Amendment

☒ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments, attach a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation (zoning):

URBAN FRINGE (UF)

Proposed Land Use Designation (zoning) (if applicable):

BUSINESS LIGHT INDUSTRIAL (BLI)

SITE DESCRIPTION:

Describe the lot/parcel dimensions _____ and lot area/parcel acreage 28.1 HECTARES

Indicate the information on a scaled PLOT or SITE PLAN: (0-4 acres at 1" = 20'; 5-9 acres at 1" = 100'; 10 acres or more at 1" = 200')

☐ Site or Plot Plan Attached

☐ Conceptual Design Scheme or Area Structure Plan Attached

OTHER INFORMATION:

Section 55 of the *Land Use Bylaw* regulates the information required to accompany an application for redesignation. Please attach a descriptive narrative detailing:

- The existing and proposed future land use(s) (i.e. details of the proposed development);
- If and how the proposed redesignation is consistent with applicable statutory plans;
- The compatibility of the proposal with surrounding uses and zoning;
- The development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- Availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Access and egress from the parcel and any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land to another district;
- multiple parcels of land are involved;
- four or more lots could be created;
- several pieces of fragmented land are adjacent to the proposal;
- new internal public roads would be required;
- municipal services would need to be extended; or
- required by Council, or the Subdivision or Development Authority if applicable.

FORM C: APPLICATION FOR A LAND USE BYLAW AMENDMENT

Pursuant to Land Use Bylaw No. 24-007

The applicant may also be required to provide other professional reports, such as a:

- geotechnical report; and/or
- soils analysis; and/or
- evaluation of surface drainage or a detailed storm water management plan;
- and any other information described in Part 1, section 55(2) or as deemed necessary to make an informed evaluation of the suitability of the site in relation to the proposed use;

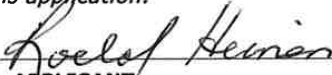
if deemed necessary.

SITE PLAN

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. Council may request additional information.


DECLARATION OF APPLICANT/AGENT

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. 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. *I/We have read and understand the terms noted below and hereby certify that the registered owner of the land is aware of, and in agreement with this application.*



APPLICANT

REGISTERED OWNER (if not the same as applicant)



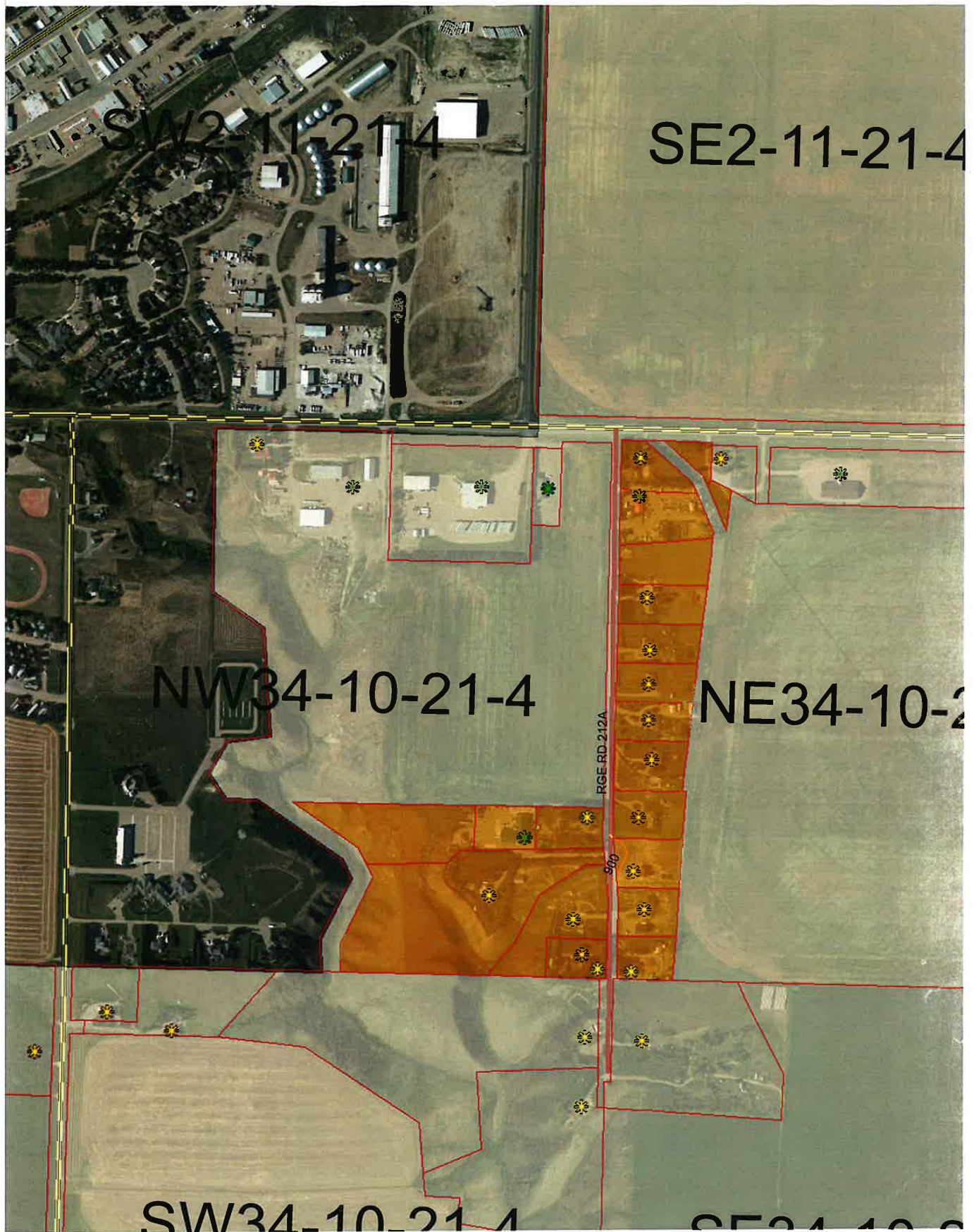
DATE

IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. Information provided in this application may be considered at a public meeting. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact Lethbridge County.

TERMS

1. Subject to the provisions of the Land Use Bylaw No. 24-007 of Lethbridge County, the term "development" includes any change in the use, or intensity of use, of buildings or land.
2. Pursuant to the Municipal Development Plan, an area structure plan or conceptual design scheme may be required by Council before a decision is made.
3. A refusal is not appealable and a subsequent application for redesignation (reclassification) involving the same or similar lot and/or for the same or similar use may not be made for at least 18 months after the date of a refusal.
4. An approved redesignation (reclassification) shall be finalized by amending the land use bylaw map in accordance with section 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.

Note: Information provided or generated in this application may be considered at a public meeting.



From: [Fern Heinen](#)
To: [Hilary Janzen](#)
Subject: Re: Rezoning Application
Date: Tuesday, July 09, 2024 9:27:57 AM
Attachments: [image001.png](#)
[Hilary Janzen re rezoning July 2024.docx](#)

Thank you Hilary.

In response to your email, Roelof has tried to answer your questions with the document attached.

We would like the rezoning to business light industrial to be for all three properties. I hope his purpose for rezoning is sufficient. Basically the reason is to be able to accommodate additional rentals that fall under the business light industrial category. No additional building will occur, only maintenance of buildings that have been in existence for rental purposes for over 40 years for two of the buildings.


Thank you for your help in this matter. We can only hope there is no issue with the town.
Fern and Roelof

On Mon, Jul 8, 2024 at 8:19 AM Hilary Janzen <hjanzen@lethcounty.ca> wrote:



Bylaw 24-014: Urban Fringe (UF) to Business Light Industrial (BLI)

**Parcels: 212059 HWY 519 (NW 34-10-21-W4) Approx 5.7 Acres
Located in Lethbridge County, AB**

 24_014 Urban Fringe (UF) to Business Light Industrial (BLI)



**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 24-014**

Bylaw 24-014 of Lethbridge County being a bylaw for the purpose of amending Land Use Bylaw 24-007, in accordance with Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.

WHEREAS the purpose of Bylaw 24-014 is to re-designate a portion of NW 34-10-21-W4 from Urban Fringe (UF) to Business Light Industrial as shown below;



AND WHEREAS the re-designation of the lands will allow for future business light industrial uses on the property;

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

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

GIVEN first reading this 1st day of August 2024.

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

1 st Reading	August 1, 2024
2 nd Reading	
Public Hearing	
3 rd Reading	

AGENDA ITEM REPORT



Title: Bylaw 23-022 Land Use Bylaw Amendment (Urban Fringe to Grouped Country Residential and Direct Control) - 2nd Reading
Meeting: Council Meeting - 01 Aug 2024
Department: Development & Infrastructure
Report Author: Hilary Janzen

APPROVAL(S):

Devon Thiele, Director, Development & Infrastructure
Cole Beck, Chief Administrative Officer

Approved - 23 Jul 2024
Approved - 23 Jul 2024

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

On July 18, 2024, County Council tabled second reading of Bylaw 23-022 and directed County Administration to amend the Direct Control District to provide County Council the authority to decide on discretionary use and waiver applications.

RECOMMENDATION:

- That Bylaw 23-022 (Land Use Bylaw Amendment - UF to GCR and DC) be read a second time as amended.
- That Bylaw 23-022 (Land Use Bylaw Amendment - UF to GCR and DC) be read a third time.

REASON(S) FOR RECOMMENDATION(S):

The proposed Area Structure Plan and Rezoning provide for sound development within Lethbridge County.

PREVIOUS COUNCIL DIRECTION / POLICY:

- The Lethbridge County Municipal Development Plan requires that where there will be more than 4 adjacent titles that the applicant submit an Area Structure Plan for County Council consideration and that the parcels be re-designated.
- The Grouped Country Residential Land Use Strategy encourages subdivision in areas close to urban areas and where the lands are fragmented and considered poor quality agricultural lands.
- The Industrial Commercial Land Use Strategy identifies the subject lands for future Mixed Use Residential and/or Light Industrial.
- First Reading of Bylaw 23-022 was given on June 20, 2024
- Public Hearing for Bylaw 23-022 was held on July 18, 2024

- County Council Tabled Second Reading of Bylaw 23-022 directing County Administration to amend the Direct Control District to have County Council as the Development Authority for Discretionary Uses and Waivers.

BACKGROUND INFORMATION:

An application was received for the Country Side Area Structure Plan (Bylaw 23-021) and to re-designate a 40 acre area in the SE 1-9-21-W4 from Urban Fringe to Grouped Country Residential and Direct Control (Bylaw 23-022). The County Side Area Structure Plan was approved by County Council on July 18, 2024.

After consideration of the comments received County Council tabled second reading of Bylaw 23-022 (Urban Fringe to Direct Control) and directed County Administration to amend the Direct Control District to have County Council as the Development Authority for discretionary uses and waivers of development standards.

The changes have been made to the Direct Control District as attached to this report.

ALTERNATIVES / PROS / CONS:

OPTION 1

County Council may refuse second reading of Bylaw 23-022

Pros- this may address concerns of any of the adjacent landowners.

Cons - this would be contrary to the approval of the Country Side Area Structure Plan

OPTION 2

County Council may amend the Direct Control District

Pros - this may address concerns of any of the adjacent landowners

Cons - none identified

FINANCIAL IMPACT:

If the bylaws were approved, future development would be taxed at the County's residential and commercial/industrial tax rate. There would be additional costs to the County (i.e. maintenance of infrastructure) that would arise if the bylaws are approved.

LEVEL OF PUBLIC PARTICIPATION:

☐ Inform
 ☐ Consult
 ☒ Involve
 ☐ Collaborate
 ☐ Empower

ATTACHMENTS:

[Bylaw 23-022 - Signed First Reading](#)

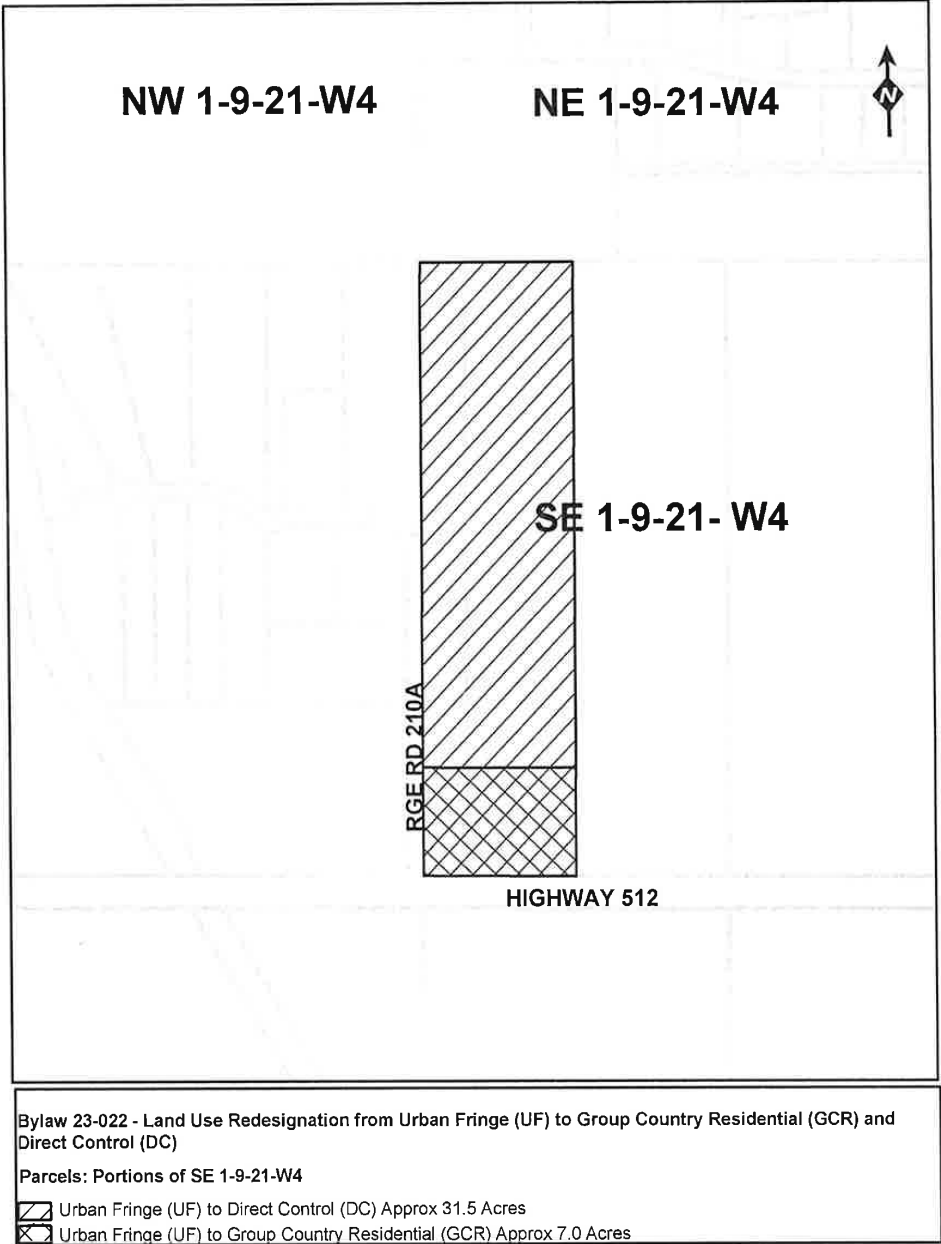
[Bylaw 23-022 - UF to DC- Amendment to LUB - SCHEDULE A- AS AMENDED](#)

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 23-022

Bylaw 23-022 of Lethbridge County being a bylaw for the purpose of amending Land Use Bylaw 24-007, in accordance with Sections 230, 606 and 692 of the Municipal Government Act, R.S.A. 2000, Chapter M-26.

WHEREAS the purpose of Bylaw 23-022 is to re-designate that portion of SE 1-9-21-W4, as shown on the sketch below, from Urban Fringe (UF) to Direct Control (D.C.) and Grouped Country Residential (GCR);



AND WHEREAS the purpose of proposed Bylaw 23-022

is to establish the uses and regulations for a Direct Control district pertaining to the aforementioned land and are as described in Schedule “A” attached hereto;

AND WHEREAS policies in the Municipal Development Plan Bylaw No 22-001 refer to the Direct Control Designation being used by Council to regulate land use;

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

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

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

NOW THEREFORE, under the authority of the Municipal Government Act, R.S.A. 2000, C-26, as amended, the Council of Lethbridge County in the Province of Alberta duly assembled does hereby enact the following:

- 1. The uses and regulations for the Direct Control District shall be as described in Schedule "A" attached hereto and be applied to the lands described above and identified on the above map.
- 2. Bylaw No 24-007 – The Land Use Bylaw of Lethbridge County is hereby amended.
- 3. The Bylaw shall come into effect upon third and final reading hereof.

GIVEN first reading this 20th day of June 2024.



Reeve



Chief Administrative Officer

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

Reeve

Chief Administrative Officer

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

Reeve

Chief Administrative Officer

1 st Reading	June 20, 2024
2 nd Reading	
Public Hearing	
3 rd Reading	

SCHEDULE A

DIRECT CONTROL

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development or subdivision, on a site-specific basis, the lands described on Figure 1.

To provide a clustered residential development with high quality large lots. The larger residential lots shall allow for larger accessory buildings and provide opportunities for more intense home occupations. No stand-alone businesses or use areas shall be permitted without a residence on the property. Careful site planning and more intense landscaping will be required to help buffer the on-site industrial/ commercial development and the proposed industrial/ commercial development to the east from the existing Grouped Country Residential development.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structure and Uses to an Approved Permitted Use.

Day Homes

Dwellings:

- Single detached Site-built
- Single detached Manufactured Homes 1 (see Part 5 of Land Use Bylaw No. 24-007)
- Single detached Ready-to-move (see Part 5)

Secondary Suites (contained within a single detached dwelling (see Part 5 Land Use Bylaw No. 24-007)

Home Occupations 1, 2, and 3 (see Part 5 Land Use Bylaw No. 24-007)

Signs Type 1 (in accordance with Part 6 of Land Use Bylaw No. 24-007)

Solar Collectors, individual, for dwellings and accessory buildings (See Part 7 of Land Use Bylaw No. 24-007)

Bed and Breakfast (see Part 5 of Land Use Bylaw No. 24-007)

Day Care (see Part 5 of Land Use Bylaw No. 24-007)

Business Support Services

Offices, Public and Private

Professional Services

Technology Centres/ Hubs

Automotive Detail (see Part 5 of Land Use Bylaw No. 24-007)

Contractor Trade Shops

(2) Discretionary Uses

Agricultural Services

Signs Type 2 (in accordance with Part 6) of the Land Use Bylaw No. 24-007

Small Wind Energy Conversion Systems (see Part 7) of the Land Use Bylaw No. 24-007

Agricultural Markets

Alternative or Renewable Energy Facilities (see Part 7) of the Land Use Bylaw No. 24-007

Automotive Repair and Service Shops (see Part 5) of the Land Use Bylaw No. 24-007

Building and Trade Contractor Services

Farm Service Product Sales

Industrial Processing and Manufacturing

Machinery and Equipment Sales, Rental and Service
Retail Uses Ancillary to Industrial or Warehousing Use
Veterinary Clinics, Small Animal
Warehousing and Indoor Storage
Wind Energy Conversion Systems (see Part 7) of the Land Use Bylaw No. 24-007
Secondary Suites (detached garage) (see Part 5) of the Land Use Bylaw No. 24-007

(3) Prohibited Uses

Any use which is not listed as either a Permitted or Discretionary Use or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 34, of the Land Use Bylaw is a prohibited use.

3. DEFINITIONS

All words and terms have the same meaning as what is specified in the Lethbridge County Land Use Bylaw.

4. SITE SUITABILITY

- The Subdivision Authority or Development Authority shall take into consideration, all applicable sections of Part 4 and 5 of the Land Use Bylaw No. 24-007, when making a decision on an application for subdivision or development in this land use district.
- The Subdivision Authority or Development Authority may place any or all of the following conditions, in addition to a development agreement, on subdivision or development permit approval to ensure any concerns over the suitability of the land and development are satisfied:
 - the provision of a professional geotechnical investigation/test and report to ensure the site is suitable in terms of topography, stability, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
 - require the developer to provided suitable access, so the site will be legally and physically accessible to a developed municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;
 - stipulate the alteration of proposed lot configurations, building sizes or locations to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
 - any reasonable measures to ensure any other requirements of this Land Use Bylaw are complied with;
 - any measures to adequately ensure applicable provincial legislation such as the *Safety Codes Act* is complied with or not compromised.
 - The Development Authority will provide direction as to which sections of the Bylaw are relevant and applicable to each particular lot.

5. LOT SIZE

- Lot sizes shall be as shown conceptually on FIGURE 1 and shall not be less than 6.0 acres.
- The residential portion of each lot shall be the front 75 meters of each lot or as shown in Figure 1

- The balance of each lot shall be used and referred to as the light industrial portion of each lot.

6. ACCESS

- All access shall be located as shown on FIGURE 1.
- The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach (es) necessary to serve the lot or development area in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards.
- To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards. If the development is within 304.8 metres (¼ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- A shared local service road or the construction of shared accesses/approaches may be required to be provided by the developer of multi-lot subdivisions in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards

7. SUBDIVISION

After the initial subdivision of a parcel, no further subdivision of any lot shall be allowed. Council, acting in the capacity of the Subdivision Authority, shall make decisions on any future subdivision applications with respect to this bylaw.

8. SERVICING REQUIREMENTS

- Every development shall be required to install a sewage disposal system and potable water system in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards or other system as approved by the municipality.
- The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.
- Industrial or business uses that require or use a large volume of water may be denied a development permit if a secured source of water, relative to what is required for the development, is not verified, or cannot be guaranteed to the satisfaction of Lethbridge County. This may include, but is not limited to, car/ truck wash facilities, food or other various processing industries, and biofuel plants associated with ethanol production.

9. SITE GRADING AND DRAINAGE

- Development on both the residential and industrial portions of each lot must follow the grading and drainage requirements as set out in the Country Side Area Structure Plan and Figure 1 contained in this Direct Control District.
- No building or structure shall be located on any part of the lot that is identified as being used to store water or used to provide drainage.

- An engineered grading and drainage plan must be submitted for approval, by the Development Authority in conjunction with the building permit application. This plan must also be approved as required in the Architectural Controls.
- All finished lot grading shall be constructed and maintained to the satisfaction of Lethbridge County and shall be in accordance with the County's Engineering Guidelines and Minimum Servicing Standards.
- The applicant is responsible for ensuring adherence to the final grades.
- The applicant must supply evidence by an engineer, that the requirement of the approved grading plan have been met. This evidence must also be submitted for approval in accordance with the Architectural Controls.

10. MINIMUM YARD SETBACK REQUIREMENTS

- Side and rear setbacks yards
 - Side Yards setbacks for all uses shall be a minimum of 6.1 meters (20 ft) of a property line not fronting on or adjacent to a municipal roadway or as shown in FIGURE 1.
- Front Yards
 - Front yards setbacks shall be a minimum of 12 meters (39.4 ft) from the front property line adjacent or as shown in FIGURE 1.
- Special Setback Requirements
 - Setbacks for residential buildings and accessory buildings shall be in accordance with FIGURE 1 or as specified by the Development Authority.

11. BUILDING SIZE & SITING REQUIREMENTS

- Unless Specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be:
 - As determined by the Development Authority – no building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage;
 - Established in an adopted area structure plan design scheme.
 - In accordance with the Land Use Bylaw No. 24-007.
- No building, structure or driveway shall be located within the area required for drainage swales, drainage storage, sanitary sewer, septic fields, or any easements.
- Where a structure is attached to the principal building by a roof, an open or closed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- The total combined area of all structures within each lot boundary shall be no greater than 10% of the lot gross area of that lot.
- The maximum total area of a residential dwelling and its accessory buildings in the residential portion of the lot shall be 12,000 sq ft. The maximum size of an accessory building in the residential portion of a lot shall be 3,000 sq ft. The maximum height of buildings in this portion of a lot is 25.0 ft.

- The maximum total area of all the buildings in the light industrial portion of a lot shall be 12,000 sq ft. More than one accessory building is permitted in the light industrial portion of the lot, provided the maximum total area doesn't exceed 12,000 sq. ft. The maximum height for accessory buildings in the light industrial portion of a lot is 35 ft.
- Secondary suites in a detached garage will not be allowed unless firstly, there is an approved principal building.

12. ACCESSORY BUILDING

- An accessory building or structure on both the residential and industrial portion of the lot shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- An accessory building shall not be located in the required setback from a public road or on an easement.
- An accessory building in the residential portion of the lot, shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building.
- The requirements of Land Use Bylaw No. 1404 shall be followed unless specified elsewhere in this Bylaw

13. GENERAL STANDARDS OF DEVELOPMENT

- At the discretion of Council or the Development Officer acting as the Development Authority having regards for the Land Use Bylaw.
- Standards detailed in Parts 4 and 5 of Bylaw No. 24-007 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme or Architectural Controls.

14. LANDSCAPING

- Landscaping is required, for the purpose of providing screening between the residential area of each lot and the remainder of the lot. This landscaping is also intended to provide a buffer for the adjacent grouped country residential development and any future light industrial use east of this development. Landscaping plans must be approved by the Architectural Control Consultant prior to any construction.
- The area between the road and the rear side of a residence and residential accessory building shall be irrigated and landscaped with lawn, trees and shrubs.
- All trees, shrubs, and lawn must be irrigated. Notwithstanding this, all landscaping must be completed within two years of the date a development permit is issued.
- All plant materials shall be planted in accordance with good horticultural practices.

- When trees are planted in a group, they shall be planted at the minimum spacing recommended between each particular species of trees.
- The minimum calliper for deciduous trees shall be 50mm. Coniferous trees shall be a minimum 2.0 meters in height.

15. ARCHITECTURAL CONTROLS

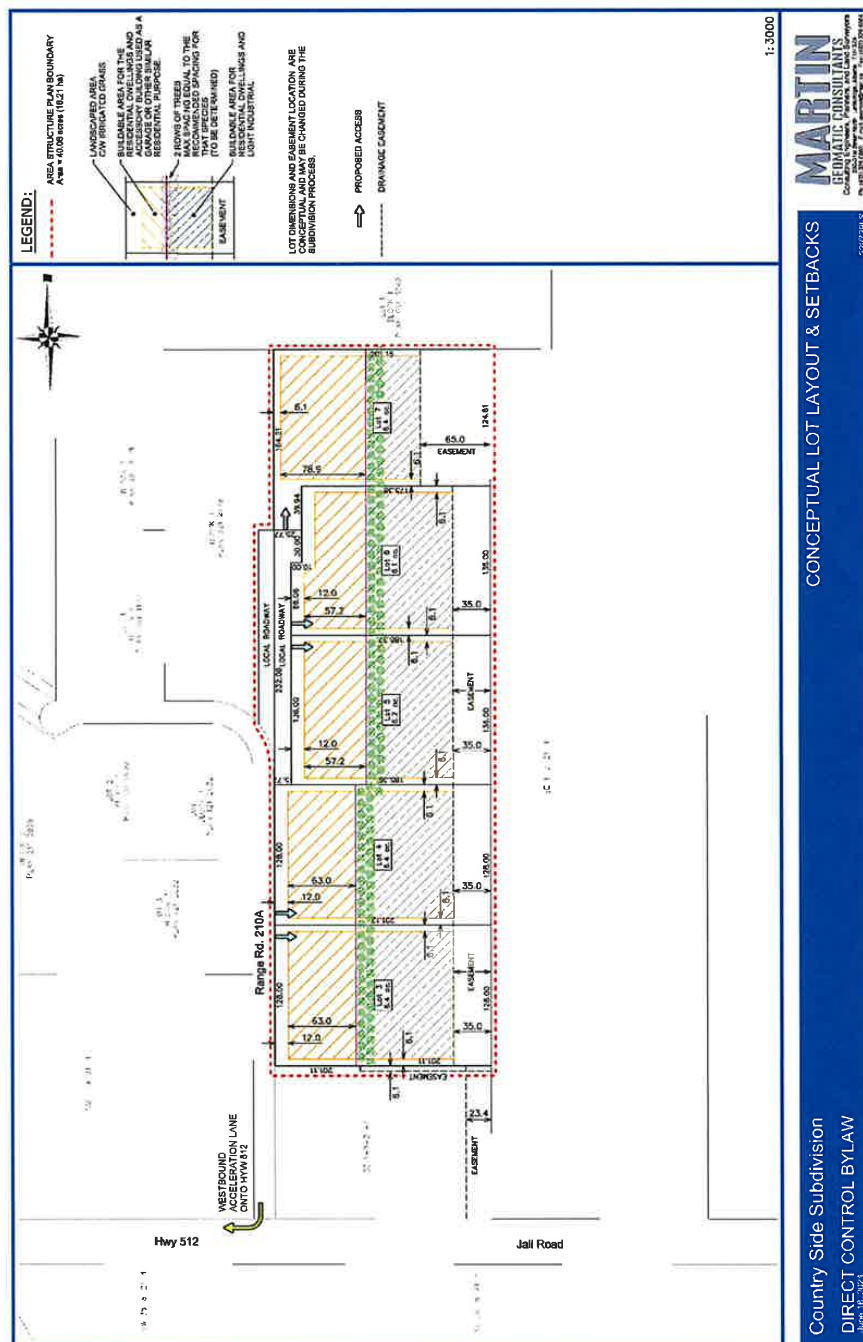
All development must comply with any approved architectural controls. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application and upon final grading approval. Copies of these approvals must be submitted to the Development Authority.

16. ADMINISTRATIVE PROCEDURES

- Delegation of Authority
 - Council shall be the Development Authority to decide on Development Permit Applications and for application waivers of development standards. Council may also decide on Development Permit Applications for permitted and discretionary uses.
 - The Development Officer, in accordance with Section 9 of the Land Use Bylaw No. 1404, and pursuant to Section 641 (3) of the Municipal Government Act, may, with the direction of Council, act as the Development Authority and receive and decide upon Development Permit Application for permitted and discretionary uses, provided they confirm to the standards of the Bylaw.
- Approval Procedure
 - Where the Development Officer, as the Development Authority has been delegated, the Authority to decide upon Development Permit Applications, for permitted and discretionary uses and has done so, then immediately upon issuance of the Development Permit, the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the Application has been made and the Use approved.
 - Before consideration of a Permit Application for Developing requiring waivers on the subjected property, Council shall;
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the application for waivers of development standards.
 - Hear any persons that claims to be affected by the decision on the Application.
 - Council may then approve the Development Permit Application with or without conditions or refuse the Application with reasons.
 - Where Council made the decision on a Development Permit Application, the Development Officer acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County Office.
 - When applicable, Council should seek comments from other agencies such as the Regional Health Authority, Alberta Transportation, or any applicable Provincial Government department.

- Appeal Procedure
 - Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
 - Pursuant to Section 685(4)(a) of the Municipal Government Act, if the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.

Figure 1



SCHEDULE A – AS AMENDED

DIRECT CONTROL

1. PURPOSE

To provide a means whereby Council may regulate and control the use, development or subdivision, on a site-specific basis, the lands described on Figure 1.

To provide a clustered residential development with high quality large lots. The larger residential lots shall allow for larger accessory buildings and provide opportunities for more intense home occupations. No stand-alone businesses or use areas shall be permitted without a residence on the property. Careful site planning and more intense landscaping will be required to help buffer the on-site industrial/ commercial development and the proposed industrial/ commercial development to the east from the existing Grouped Country Residential development.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

Accessory Buildings, Structure and Uses to an Approved Permitted Use.

Day Homes

Dwellings:

- Single detached Site-built
- Single detached Manufactured Homes 1 (see Part 5 of Land Use Bylaw No. 24-007)
- Single detached Ready-to-move (see Part 5)

Secondary Suites (contained within a single detached dwelling (see Part 5 Land Use Bylaw No. 24-007)

Home Occupations 1, 2, and 3 (see Part 5 Land Use Bylaw No. 24-007)

Signs Type 1 (in accordance with Part 6 of Land Use Bylaw No. 24-007)

Solar Collectors, individual, for dwellings and accessory buildings (See Part 7 of Land Use Bylaw No. 24-007)

Bed and Breakfast (see Part 5 of Land Use Bylaw No. 24-007)

Day Care (see Part 5 of Land Use Bylaw No. 24-007)

Business Support Services

Offices, Public and Private

Professional Services

Technology Centres/ Hubs

Automotive Detail (see Part 5 of Land Use Bylaw No. 24-007)

Contractor Trade Shops

(2) Discretionary Uses

Agricultural Services

Signs Type 2 (in accordance with Part 6) of the Land Use Bylaw No. 24-007

Small Wind Energy Conversion Systems (see Part 7) of the Land Use Bylaw No. 24-007

Agricultural Markets

Alternative or Renewable Energy Facilities (see Part 7) of the Land Use Bylaw No.24-007

Automotive Repair and Service Shops (see Part 5) of the Land Use Bylaw No. 24-007

Building and Trade Contractor Services

Farm Service Product Sales

Industrial Processing and Manufacturing

Machinery and Equipment Sales, Rental and Service
 Retail Uses Ancillary to Industrial or Warehousing Use
 Veterinary Clinics, Small Animal
 Warehousing and Indoor Storage
 Wind Energy Conversion Systems (see Part 7) of the Land Use Bylaw No. 24-007
 Secondary Suites (detached garage) (see Part 5) of the Land Use Bylaw No. 24-007

(3) Prohibited Uses

Any use which is not listed as either a Permitted or Discretionary Use or is not ruled to be similar to a Permitted or Discretionary Use in accordance with Part 1, Section 34, of the Land Use Bylaw is a prohibited use.

3. DEFINITIONS

All words and terms have the same meaning as what is specified in the Lethbridge County Land Use Bylaw.

4. SITE SUITABILITY

- The Subdivision Authority or Development Authority shall take into consideration, all applicable sections of Part 4 and 5 of the Land Use Bylaw No. 24-007, when making a decision on an application for subdivision or development in this land use district.
- The Subdivision Authority or Development Authority may place any or all of the following conditions, in addition to a development agreement, on subdivision or development permit approval to ensure any concerns over the suitability of the land and development are satisfied:
 - the provision of a professional geotechnical investigation/test and report to ensure the site is suitable in terms of topography, stability, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
 - require the developer to provided suitable access, so the site will be legally and physically accessible to a developed municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;
 - stipulate the alteration of proposed lot configurations, building sizes or locations to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
 - any reasonable measures to ensure any other requirements of this Land Use Bylaw are complied with;
 - any measures to adequately ensure applicable provincial legislation such as the *Safety Codes Act* is complied with or not compromised.
 - The Development Authority will provide direction as to which sections of the Bylaw are relevant and applicable to each particular lot.

5. LOT SIZE

- Lot sizes shall be as shown conceptually on FIGURE 1 and shall not be less than 6.0 acres.
- The residential portion of each lot shall be the front 75 meters of each lot or as shown in Figure 1

- The balance of each lot shall be used and referred to as the light industrial portion of each lot.

6. ACCESS

- All access shall be located as shown on FIGURE 1.
- The municipality may, at the time of subdivision or development, require the developer to enter into an agreement for the construction of any approach (es) necessary to serve the lot or development area in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards.
- To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards. If the development is within 304.8 metres (¼ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- A shared local service road or the construction of shared accesses/approaches may be required to be provided by the developer of multi-lot subdivisions in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards

7. SUBDIVISION

After the initial subdivision of a parcel, no further subdivision of any lot shall be allowed. Council, acting in the capacity of the Subdivision Authority, shall make decisions on any future subdivision applications with respect to this bylaw.

8. SERVICING REQUIREMENTS

- Every development shall be required to install a sewage disposal system and potable water system in accordance with Lethbridge County Engineering Guidelines and Minimum Servicing Standards or other system as approved by the municipality.
- The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if the parcel on which it is proposed is not large enough or does not have suitable soil characteristics to support a sewage disposal system to the standard required.
- The Development Authority may refuse a development, and the Subdivision Authority may refuse to approve a subdivision, if it cannot be demonstrated to the satisfaction of the approval authority that the parcel has access to a secure potable water source or system.
- Industrial or business uses that require or use a large volume of water may be denied a development permit if a secured source of water, relative to what is required for the development, is not verified, or cannot be guaranteed to the satisfaction of Lethbridge County. This may include, but is not limited to, car/ truck wash facilities, food or other various processing industries, and biofuel plants associated with ethanol production.

9. SITE GRADING AND DRAINAGE

- Development on both the residential and industrial portions of each lot must follow the grading and drainage requirements as set out in the Country Side Area Structure Plan and Figure 1 contained in this Direct Control District.
- No building or structure shall be located on any part of the lot that is identified as being used to store water or used to provide drainage.

- An engineered grading and drainage plan must be submitted for approval, by the Development Authority in conjunction with the building permit application. This plan must also be approved as required in the Architectural Controls.
- All finished lot grading shall be constructed and maintained to the satisfaction of Lethbridge County and shall be in accordance with the County's Engineering Guidelines and Minimum Servicing Standards.
- The applicant is responsible for ensuring adherence to the final grades.
- The applicant must supply evidence by an engineer, that the requirement of the approved grading plan have been met. This evidence must also be submitted for approval in accordance with the Architectural Controls.

10. MINIMUM YARD SETBACK REQUIREMENTS

- Side and rear setbacks yards
 - Side Yards setbacks for all uses shall be a minimum of 6.1 meters (20 ft) of a property line not fronting on or adjacent to a municipal roadway or as shown in FIGURE 1.
- Front Yards
 - Front yards setbacks shall be a minimum of 12 meters (39.4 ft) from the front property line adjacent or as shown in FIGURE 1.
- Special Setback Requirements
 - Setbacks for residential buildings and accessory buildings shall be in accordance with FIGURE 1 or as specified by the Development Authority.

11. BUILDING SIZE & SITING REQUIREMENTS

- Unless Specified elsewhere in this bylaw, the maximum percentage of the site that may be covered by buildings and structures shall be:
 - As determined by the Development Authority – no building, structure or driveway shall be located within the area or setbacks required or identified to treat private septic sewage;
 - Established in an adopted area structure plan design scheme.
 - In accordance with the Land Use Bylaw No. 24-007.
- No building, structure or driveway shall be located within the area required for drainage swales, drainage storage, sanitary sewer, septic fields, or any easements.
- Where a structure is attached to the principal building by a roof, an open or closed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- The total combined area of all structures within each lot boundary shall be no greater than 10% of the lot gross area of that lot.
- The maximum total area of a residential dwelling and its accessory buildings in the residential portion of the lot shall be 12,000 sq ft. The maximum size of an accessory building in the residential portion of a lot shall be 3,000 sq ft. The maximum height of buildings in this portion of a lot is 25.0 ft.

- The maximum total area of all the buildings in the light industrial portion of a lot shall be 12,000 sq ft. More than one accessory building is permitted in the light industrial portion of the lot, provided the maximum total area doesn't exceed 12,000 sq. ft. The maximum height for accessory buildings in the light industrial portion of a lot is 35 ft.
- Secondary suites in a detached garage will not be allowed unless firstly, there is an approved principal building.

12. ACCESSORY BUILDING

- An accessory building or structure on both the residential and industrial portion of the lot shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- An accessory building shall not be located in the required setback from a public road or on an easement.
- An accessory building in the residential portion of the lot, shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.
- As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building.
- The requirements of Land Use Bylaw No. 1404 shall be followed unless specified elsewhere in this Bylaw

13. GENERAL STANDARDS OF DEVELOPMENT

- At the discretion of Council or the Development Officer acting as the Development Authority having regards for the Land Use Bylaw.
- Standards detailed in Parts 4 and 5 of Bylaw No. 24-007 apply to all uses unless more detailed and restrictive standards are established under an adopted area structure plan or design scheme or Architectural Controls.

14. LANDSCAPING

- Landscaping is required, for the purpose of providing screening between the residential area of each lot and the remainder of the lot. This landscaping is also intended to provide a buffer for the adjacent grouped country residential development and any future light industrial use east of this development. Landscaping plans must be approved by the Architectural Control Consultant prior to any construction.
- The area between the road and the rear side of a residence and residential accessory building shall be irrigated and landscaped with lawn, trees and shrubs.
- All trees, shrubs, and lawn must be irrigated. Notwithstanding this, all landscaping must be completed within two years of the date a development permit is issued.
- All plant materials shall be planted in accordance with good horticultural practices.

- When trees are planted in a group, they shall be planted at the minimum spacing recommended between each particular species of trees.
- The minimum calliper for deciduous trees shall be 50mm. Coniferous trees shall be a minimum 2.0 meters in height.

15. ARCHITECTURAL CONTROLS

All development must comply with any approved architectural controls. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application and upon final grading approval. Copies of these approvals must be submitted to the Development Authority.

16. ADMINISTRATIVE PROCEDURES

1. APPROVAL PROCEDURE

- Where the Development Planner as the Development Authority has been delegated the authority to decide upon development permit applications for permitted uses and has done so, then immediately upon issuance of the development permit the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the application has been made and the use approved.
- Before consideration of a permit application for development requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the application for discretionary uses or application for waivers of development standards.
 - Here any persons that claims to be affected by the decision on the application.
- Council may then approve the development application with or without conditions or refuse the application with reasons.
- Where Council has decided on a development permit application, the Development Planner acting on behalf of Council, shall cause a notice of the decision to be issued to the applicant and post a copy of the decision in the lobby of the County office.
- When applicable, Council should seek comments from other agencies such as the planning advisor, Alberta Health Service, Alberta Transportation and Economic Corridors, or any applicable provincial government department.

- Delegation of Authority

- Council shall be the Development Authority to decide on Development Permit Applications for discretionary uses and for application waivers of development standards. Council may also decide on Development Permit Applications for permitted uses.
- The Development Officer, in accordance with the Lethbridge County Land Use Bylaw No. 24-007, and pursuant to Section 641 (3) of the Municipal Government Act, may, with the direction of Council, act as the Development Authority and receive and decide upon Development Permit Application for permitted uses, provided they confirm to the standards of the Bylaw.

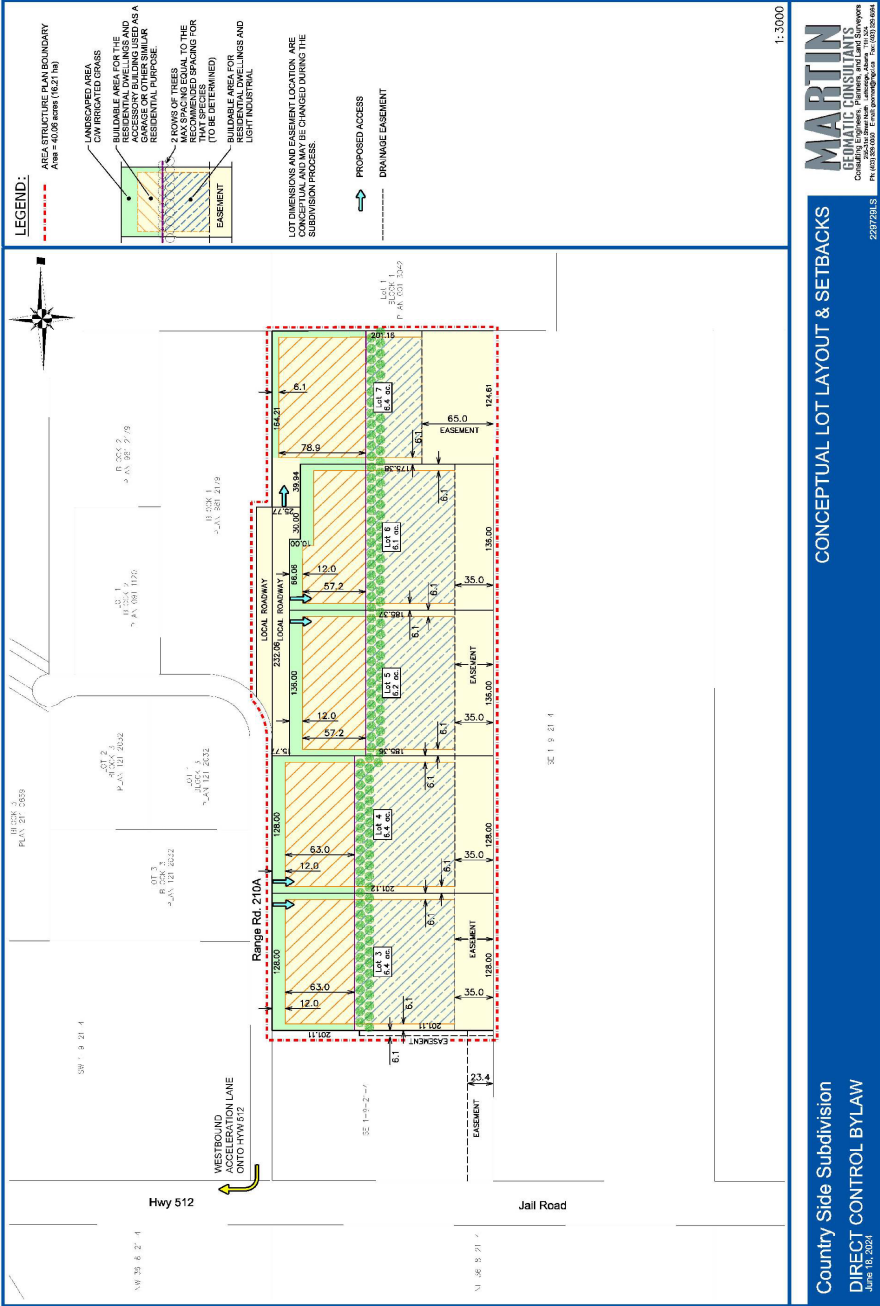
- Approval Procedure

- Where the Development Officer, as the Development Authority has been delegated, the Authority to decide upon Development Permit Applications for permitted uses and has done so, then immediately upon issuance of the Development Permit, the Development Officer shall cause a notice to be published in a newspaper circulating in the area stating the location of the property for which the Application has been made and the Use approved.
- Before consideration of a Development Permit Application for discretionary uses or development requiring waivers on the subject property, Council shall:
 - Cause a notice to be issued by the designated officer to any person likely to be affected.
 - Ensure that the notice contains the date and time that Council will hear the application for waivers of development standards.
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- Appeal Procedure

- Pursuant to Section 685(4)(a) of the Municipal Government Act, if a decision with respect to a Development Permit Application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.
- Pursuant to Section 685(4)(a) of the Municipal Government Act, if the Development Officer has been delegated, the Authority to decide upon Development Permit Applications as the Development Authority, then the appeal to the Subdivision Appeal Board is limited to whether the Development Officer followed the directions of Council.

Figure 1



AGENDA ITEM REPORT



Title: Bulk Water Fill Access Control and Monitor System Upgrade
Meeting: Council Meeting - 01 Aug 2024
Department: Development & Infrastructure
Report Author: Devon Thiele

APPROVAL(S):

Cole Beck, Chief Administrative Officer

None

STRATEGIC ALIGNMENT:



Governance



Relationships



Region



Prosperity

EXECUTIVE SUMMARY:

The County's existing bulk water fill stations are outfitted with a "Computrol" water management system which is used to manage and invoice customers for the purchase of bulk water. This system includes PC hardware and software at each fill station site, and modems to transmit consumption data to the Lethbridge office for invoicing.

Due to the systems age of 20+ years, issues have arose with utility invoicing, reporting, and functionality of the fill stations. The existing system requires significant staff resources for utility billing and troubleshooting the system.

A new access control and monitoring system is required to ensure reliable access to our fill stations and to ensure accurate and efficient billing. This new system will also have the ability to accept credit card payments directly at the fill station, and also has the option to pre-purchase water using key fobs. Administration is in the process of determining which payment options will provide the best service to our residents, while also ensuring adequate controls are in place to ensure responsible usage of the fill stations.

RECOMMENDATION:

That County Council approve the Bulk Water Fill Access and Monitor Control upgrade project, with a budget of \$200,000 funded from the Utility Reserve.

REASON(S) FOR RECOMMENDATION(S):

To ensure uninterrupted service delivery and realize efficiencies in managing the system and invoicing customers.

PREVIOUS COUNCIL DIRECTION / POLICY:

None

BACKGROUND INFORMATION:

The existing system is quite old and requires constant troubleshooting to maintain functionality. This system is over 20 years old and runs on a Windows 95 operating system, which is very outdated with no software support available. Multiple occurrences of software and hardware failures arising has required extensive time resources from the Utility, Admin, and IT departments to maintain functionality. Obtaining replacement parts is almost impossible due to the systems age with temporary "band-aid" fixes occurring regularly. Field staff are spending on average about 3-4 days per month troubleshooting the system.

The billing process is also very inefficient, with our Admin staff spending on average 6 days per month manually entering data and billing customers. In July, a total of 14 days were required from one staff member to reconcile billing due to major issues with the system. Customers were also getting frustrated as some fill stations (Monarch, Turin, Iron Springs) were inoperable for weeks at a time, and irregularities with customer billing was causing confusion.

ALTERNATIVES / PROS / CONS:

Maintain the current system

Pro: Funds would not have to be expended from the utility reserve, however operational expenses will still be incurred to maintain the existing system.

Con: Anticipated failure of the system would disrupt service significantly

FINANCIAL IMPACT:

\$200,000 from the utility reserve.

LEVEL OF PUBLIC PARTICIPATION:**Inform****Consult****Involve****Collaborate****Empower**