

Wednesday, April 8, 2020

5:00 p.m.

Town of Coaldale HUB (2107 13 Street)



Municipal Planning Commission Agenda

1.0 CALL TO ORDER

2.0 ADDITIONS TO THE AGENDA

3.0 ADOPTION OF THE MINUTES

March 11, 2020 meeting

4.0 BUSINESS FROM THE MINUTES

5.0 NEW BUSINESS

5.1 Development Application 2020-027
1209 – 33 Avenue
Side yard setback waiver

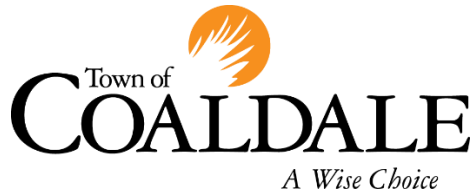
5.2 Development Application 2020-028
2122 – 16th Street
Front yard setback waiver

5.3 Subdivision Application 2020-0-031
NE 9-9-20 W4M

6.0 INFORMATION ITEMS

7.0 IN-CAMERA DELIBERATIONS

8.0 ADJOURNMENT



**MUNICIPAL PLANNING COMMISSION
WEDNESDAY, March 11, 2020
5:00 PM – COUNCIL CHAMBERS**

PRESENT:	Council Members:	R. Hohm (Chair), D. Lloyd
	Citizen Members:	R. Pitsol
	Development Officer:	C. L'Hirondelle
	Recording Secretary:	K. Boehmer
	Gallery:	S. Kamphuis

1.0 CALL MEETING TO ORDER:

R. Hohm called the meeting to order at 5:00 p.m.

2.0 ADDITIONS TO / ADOPTION OF AGENDA:

Motion: R. Pitsol moved to approve the addition and adoption of the agenda.

3-0 CARRIED

3.0 ADOPTION OF MINUTES:

Municipal Planning Commission Minutes – February 12, 2020

MOTION: R. Pitsol moved to approve the February 12, 2020 minutes.

3-0 CARRIED

4.0 BUSINESS ARISING FROM MINUTES: None

5.0 NEW BUSINESS:

**5.1 Development Application 2020-018
 1402 20 Avenue
 Free Standing Sign**

BACKGROUND/DESCRIPTION OF APPLICATION:

C. L'Hirondelle presented the Commission with Development Application 2020-018 to install a freestanding sign at 1402 20 Avenue. The proposed sign would be 8 feet long and 4 feet in height. Additionally, the proposed sign would be constructed with 3 posts in a "V" shape to allow viewing from 14 Street and 20 Avenue.

It was noted that notice of the application was sent to the neighbouring property owners and no written or verbal concerns were brought forward.

- The Commission inquired if there was going to be lights on the freestanding sign.
- C. L'Hirondelle confirmed the above and advised that it will be similar to the sign that is currently there, but it will have two sides.

MOTION: D. Lloyd moved to approve Development Application 2020-018 subject to the following conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
3. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any utility lines prior to commencement.
4. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations.
5. Applicant/owner shall comply with Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations. The freestanding sign shall not exceed 7.62m (25 feet) in height.
6. The free standing sign shall be used only for on-site advertising and shall contain NO third-party advertising.
7. The freestanding sign shall not employ any flashing, scrolling or animation within its content and shall be physically fixed, without any moving parts.

3-0 CARRIED

The public portion of the meeting was closed at 5:04 p.m.

MOTION: R. Pitsol moved to adjourn meeting at 5:07 p.m.

3-0 CARRIED

CHAIR- R. HOHM

RECORDING SECRETARY- KYLEY BOEHMER

Staff Report to the Municipal Development Authority Board

Development Application #	2020-027
Applicant	Chet Oberkirsch
Civic Address	1209 33 Avenue (Fieldstone Meadows)
Legal Description	Lot 8, Block 1, Plan 1611387
Zoning	Country Residential 2 (CR-2)
Description of Application	Two (2) side yard setback waivers

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2020-027 to construct a single detached dwelling on the subject property. Please note that a permit for this dwelling is already in place and was issued as a permitted use permit with no need for a decision from the MPC. The reason a new permit is being sought and the reason it has to be decided upon by the MPC is because the foundation was constructed slightly outside of the building footprint that was shown in the original permit, to the point that it now requires waivers on two side yard setbacks to remain compliant with the Town's Land Use Bylaw.

The Town of Coaldale LUB states that the designated officer may only make a decision on permitted use applications that include variances for one (1) measurable standard, to a maximum of 10% of the standard that is required to be met. It should be noted that when the initial application was made and approved, one (1) sideyard had been reduced to the 10% maximum.

In this particular instance, the foundation for the single detached dwelling has been constructed in such a manner that the foundation is 2.58 metres (8.46 feet) from one side yard, and 2.91 metres (9.55 feet) from the other side yard. Given that the required side yard setback for the CR-2 district is 3.05 metres (10 feet), this represents a 15% reduction in the side yard that is 2.58 metres (8.46 feet), and a 5% reduction in the side yard that is 2.91 metres (9.55 feet).

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been submitted as of the date of the preparation of this report.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Country Residential 2 (CR-2)

RECOMMENDATION

The board considers APPROVAL of Development Application (2020-027) to allow for the continued development of a single detached dwelling, subject to the following conditions:

1. Must meet all conditions of Development Permit 2019-169 other than side yard setbacks that were identified in that permit;
2. In recognition of the fact that siding and other exterior finishing materials will add to the amount the home projects into side yard setbacks, the maximum extent to which the single detached dwelling is permitted to project into side yard setbacks shall be no more than 20% (which translates into 0.61 metres or 2 feet) on the west side of the dwelling, and a maximum of 0.305 metres (1 foot) on the east side of the dwelling.

Informative to be added to the permit:

West property boundary

Current distance from the west side of the foundation to the west property line: 2.58 metres (8.46 feet)

Maximum distance from west side of foundation dwelling is permitted to be: 2.44 metres (8 feet)

East property boundary

Current distance from the west side of the foundation to the west property line: 2.91 metres (9.55 feet)

Maximum distance from west side of foundation dwelling is permitted to be: 2.75 metres (9 feet)

The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans must be submitted for reapproval.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHED FILES:

- Site Plan
- Notice to Neighbouring Property Owners
- Supplement regarding temporary meeting requirements as a result of covid-19
- CR-2 LUB excerpt

PLOT PLAN SHOWING AS-BUILT LOCATION OF FOUNDATION WITHIN LOT 8, BLOCK 1, PLAN 161 1387

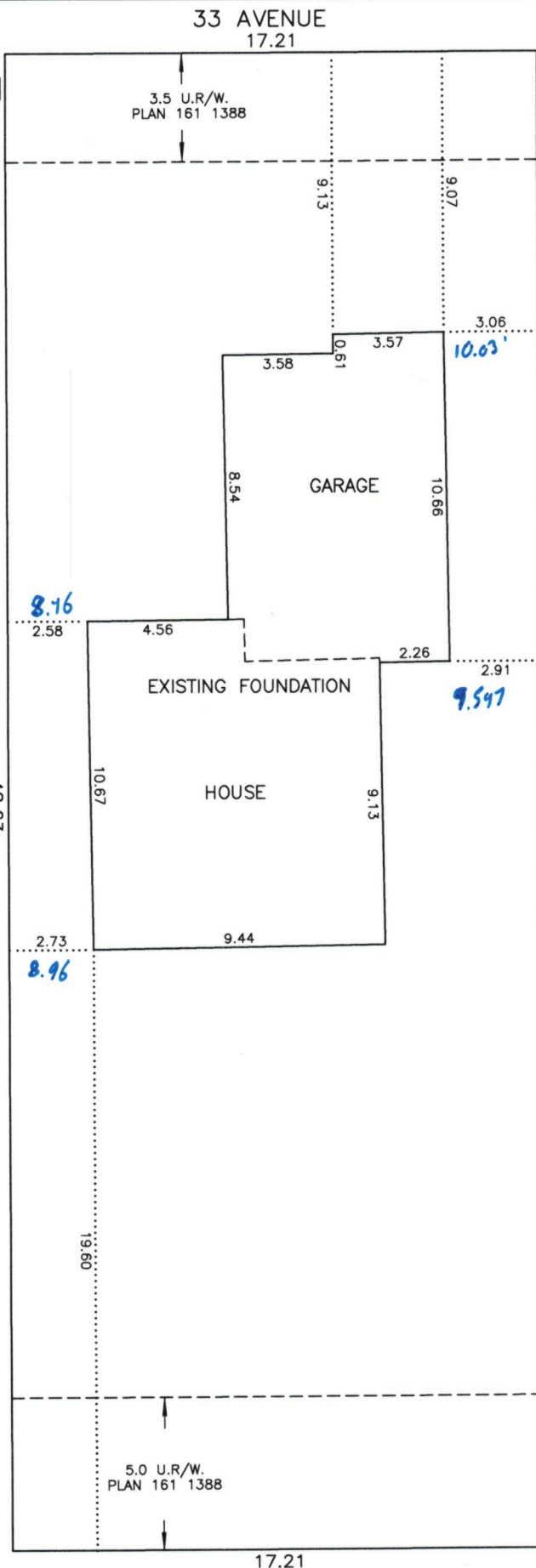
Chet Oberkirsch
1209 33 Avenue, Coaldale



LOT 9

48.63

48.63 LOT 7



Existing foundation was surveyed on March 23rd, 2020
Distances measured to foundation
Distance are in metres and decimals thereof

brown okamura & associates ltd.

2830 - 12 Avenue North, Lethbridge, Alberta T1H 5J9

Drawn: MJ	Checked: TCP	Scale: 1 : 200 (metric)
Date: MARCH 24, 2020	JOB	9353AS-BUILT



March 25, 2020

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2020-027

APPLICANT: CHET OBERKIRSCH

**ADDRESS: 1209 - 33 AVENUE, COALDALE, ALBERTA
PLAN 161 1387, BLOCK 1, LOT 8**

ZONING: COUNTRY RESIDENTIAL 2 (CR-2)

Dear Sir/Madam,

We are in receipt of Development Application 2020-027 regarding the construction of a single detached dwelling at the abovementioned address. Within the Country Residential 2 (CR-2) zoning, a single detached dwelling is a permitted use. A permitted use Development Permit for a single detached dwelling on this lot was approved on November 19, 2019 and construction has already begun. However, the foundation has been constructed in such a way that the side yard setback requirements for the zoning have been exceeded.

The side yard setback requirement for the CR-2 district is 3.05 metres (10 feet), and the foundation for the single detached dwelling that has been started on the lot that is the subject of this notice has been constructed at 2.58 metres (8.46 feet) at the closest point measured from the west property boundary, and at 2.91 metres (9.547 feet) at the closest point measured from the east property boundary.

The Town of Coaldale's Land Use Bylaw allows the Development Officer to approve one measurable standard to be exceeded to a maximum of 10% of the standard before the authority to approve such a request must be shifted from the Development Officer, to the Municipal Planning Commission (MPC). As such, the MPC must make the decision on the waiver that is now required to be requested for this single detached dwelling, and a hearing must be held for consideration of this application.

The full agenda will be posted on our website by April 2, 2020 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>. However, if you wish to view the details of this application prior to that date please contact the Town by email or phone at buildingcoaldale@coaldale.ca or 403 345-1304 and a copy of the application can be sent to you digitally.

Pursuant to the provisions of Section 42 of the Bylaw 677-P-04-13 being the Land Use Bylaw of the Town of Coaldale, notice is hereby given that on **Wednesday, April 8, 2020, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2020-027, requesting a waiver. The hearing will take place at the Town of Coaldale HUB building, located at 2107 13th Street, Coaldale, Alberta.**

Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 1:00pm on Friday, April 3, 2020 or verbally at the meeting. Comments for the application can be dropped off in

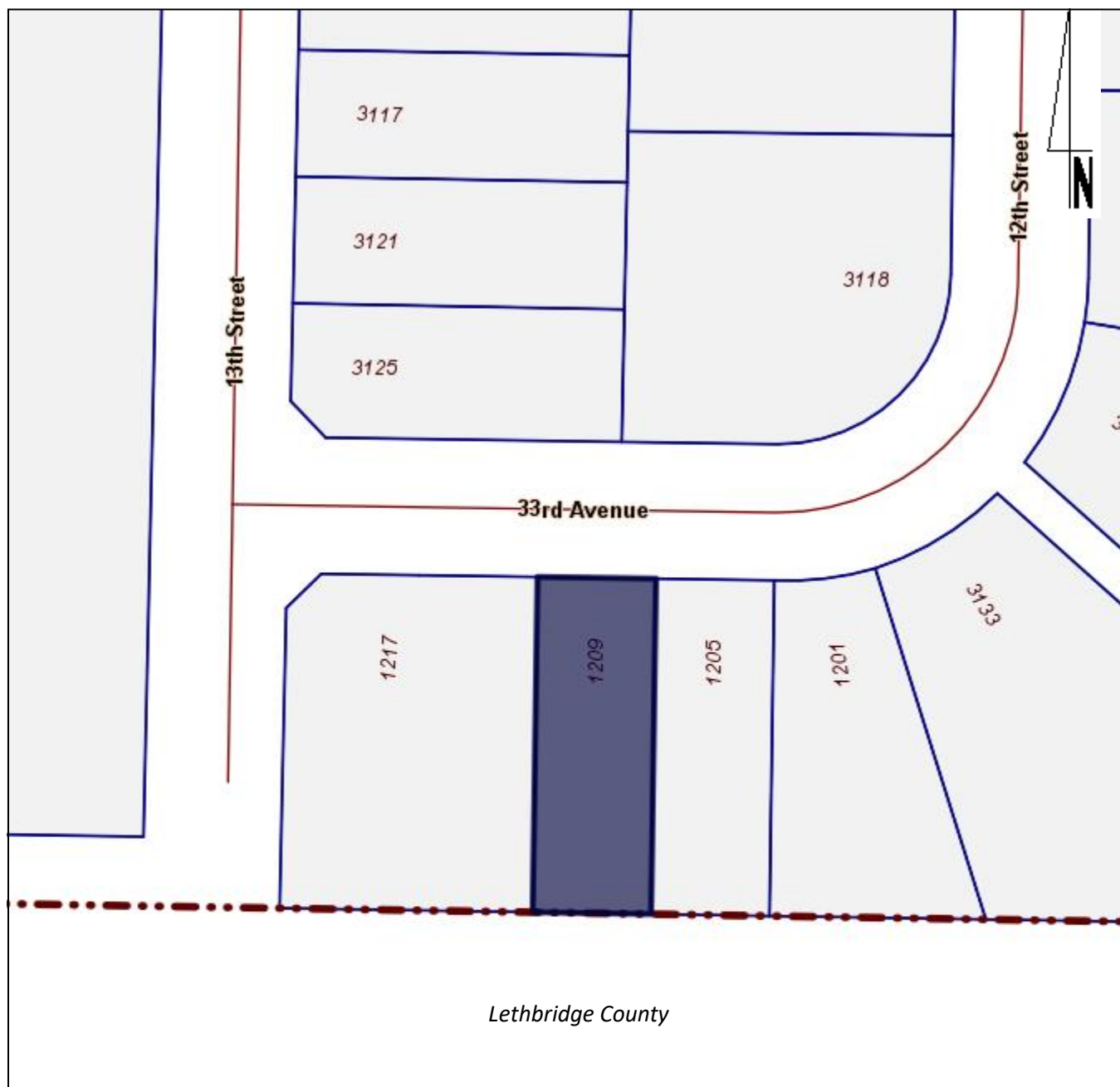
person at the Town Office, faxed to 403-345-1311 or emailed to buildingcoaldale@coaldale.ca. Please note that all submissions will be made public.

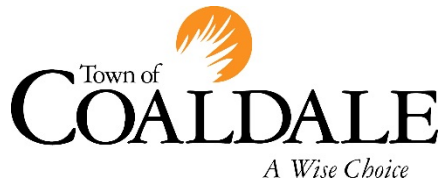
Sincerely,



Spencer Croil, RPP MCIP
Director of Planning and Community Development

cc. Applicant





MARCH 30, 2020

PLEASE READ RE: COVID-19 AND TOWN MEETING REQUIREMENTS

UPDATE REGARDING THE APRIL 8, 2020 MUNICIPAL PLANNING COMMISSION MEETING

- OUT OF AN ABUNDANCE OF CAUTION AND TO ENSURE THE TOWN IS MEETING PROVINCIAL REQUIREMENTS FOR SOCIAL DISTANCING AND THE MAXIMUM ALLOWABLE SIZE OF A GROUP, **ATTENDANCE AT THE APRIL 8 MUNICIPAL PLANNING COMMISSION MEETING IS NOW LIMITED TO THE FOLLOWING OPTIONS:**

1. *Teleconference*

If you are an applicant, or if you are a neighbouring property owner who wishes to speak for or against an application, you are encouraged to participate via teleconference. [Information on how to join the meeting will be sent by email or can be provided over the phone.](#)

2. *Written feedback*

If you are unable to attend the meeting via teleconference, you are encouraged to provide written feedback in the form of an email or a printed (or handwritten) letter that can be dropped off at the Town Office. If you wish to provide feedback via printed or handwritten letter, please drop your submission in the Town's mail drop box, located to the right of the front doors to the office (1920, 17 Street).

If you wish to participate in the meeting, or if you have any questions or concerns with the above please don't hesitate to contact the Town at 403.345.1304 or buildingcoaldale@coaldale.ca.

COUNTRY RESIDENTIAL TWO – CR-2



Purpose:

To establish a residential large lot district to ensure that any development will proceed in an orderly and economical manner.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Prefabricated
 - Single-Detached Site Built
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Child Care Facility
- Home Occupation 2
- Moved-In Building
- Public or Private Utility
- Sign Types¹: 2, 4, 5², 12

Notes: 1 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.
2 – See Schedule 13, subsection 8(5)(i) for restrictions on freestanding signs in residential districts.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Single detached manufactured dwelling
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single-detached dwellings	24.38	80	33.52	110	817.21 (0.081 ha)	8,800 (0.20 acre)
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- (a) The Designated Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.
- (b) Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage³ of 6 m (19.68 ft.).

3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Principal Use	7.62	25	7.62	25	3.05	10	6.10	20
Accessory Buildings	–	–	–	–	1.52	5	1.52	5
All other uses	As required by the Designated Officer or Municipal Planning Commission							

4. MAXIMUM SITE COVERAGE

(a) **Principal Building – 35%**

The principal building shall not occupy more than 35 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.

(b) **Accessory Buildings – 10%**

Any accessory buildings shall not occupy more than 10 percent of the surface area of a lot.

(c) Other development shall be at the discretion of the Development Authority.

5. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
Accessory Buildings	4.57 m (15 ft.)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*See definition for Building Height.

6. DRAINAGE

- (a) All dwellings and accessory structures must have eaves and downspouts, proper site grading and all surface drainage must be contained on-site and directed into approved municipal infrastructure.

7. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (a) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings	See (f) and (g) below.				3.05	10	4.57	15

Note: Measurements are from the respective property line to the nearest point of the building.

- (b) No accessory building or use shall be allowed on a lot without an approved principal building or use.

- (c) Accessory structures and uses not specifically included within a development permit require a separate development permit application.

- (d) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (e) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (f) Accessory buildings shall not be located in the front yard.
- (g) Accessory buildings shall not be located in a side yard between the property line and a principal building.
- (h) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other structure or dwelling.
- (i) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (j) A minimum separation distance of 1.22 m (4 ft.) shall be provided between a principal building and any accessory building or structure.

8. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
9. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
10. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
11. HOME OCCUPATIONS	– SCHEDULE 7
12. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
13. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
14. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
15. SIGN REGULATIONS	– SCHEDULE 13

Staff Report to the Municipal Development Authority Board

Development Application #	2020-029
Applicant	Arnold Brubacher (agent)/Renee Frenette (owner)
Civic Address	2211 16 th Street
Legal Description	Lot 17, Block 21, Plan 6476AA
Zoning	Residential (R-1A)
Description of Application	Front yard waiver beyond 10%

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2020-028 to construct an addition to an existing single detached dwelling that is located on the subject property. A single detached dwelling is a permitted use for the R-1A zoning. However, if an application for an addition to an existing single detached dwelling exceeds yard setback requirements by more than 10%, the decision regarding an application for such an addition lies with the Municipal Planning Commission (MPC).

The addition that has been applied for in this particular instance is an addition to a portion of the front of the existing single detached dwelling. The front yard setback requirement for the R-1A zoning, on a corner lot, is 3.81 metres (12 feet). The addition is proposed to project into the front yard setback to the property line, meaning that an approximately 5.48 metre (18 foot) wide portion of the dwelling, in the approximate middle of the east face (front of the dwelling) would project an additional 3 metres (10 feet) beyond where the east face of that portion of the dwelling is currently.

The Town of Coaldale's Land Use Bylaw allows the Development Officer to approve one measurable standard to be exceeded to a maximum of 10% of the standard before the authority to approve such a request must be shifted from the Development Officer, to the Municipal Planning Commission (MPC). As such, the MPC must make the decision on the waiver that is being requested for this proposed addition to the existing single detached dwelling, and a hearing must be held for consideration of this application

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Land Use Bylaw, Schedule 2, Residential R-1A
- Land Use Bylaw, Schedule 4, Section 34 – Infill Development

RECOMMENDATION

The board considers APPROVAL of Development Application 2020-028 to allow for the development of the addition to the existing single detached dwelling, subject to the following conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. Must contact Alberta 1st Call (1-800-242-3447) and Dig Shaw (1-866-344-7429) to locate any

- utility lines prior to commencement.
3. Setbacks to conform to site plan that was attached as part of the Development Permit application and to the current Land Use Bylaw 677-P-04-13, Schedule 2, Residential R-1A.
 4. Owner/applicant shall enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, storm water management, site grading plans, fencing, landscaping, off-site levy and development fees, garbage/refuse pick-up area, fencing, etc., and any other matter that the Town of Coaldale deems necessary prior to commencement. Agreement shall be registered on title.
 5. A person to whom a Development Permit for a Semi-Detached Dwelling has been issued shall provide the Designated Officer prior to construction a letter from a qualified Alberta Land Surveyor confirming that a qualified Alberta Land Surveyor conducted the Stakeout of the site for construction.
 6. Must obtain a competent Alberta Land Surveyor to establish the vertical grades and cuts prior to the excavation of the foundation or slab-on-grade, whichever is to be used.
 7. Refuse and or garbage during construction shall be in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal.
 8. A refundable security deposit in the amount of \$500.00 to be taken to ensure that the existing sidewalk is not destroyed or damaged in any way during construction.
 9. For safe work-site purposes, it is recommended that the civic address of the site be displayed so it is visible from the street at all times during construction in the event that emergency services personnel are called to attend the site.

The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans must be submitted for reapproval.

OR

The board considers REFUSAL of Development Application 2020-028 to allow for the development of the addition to the existing single detached dwelling, with reasons.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

ATTACHED FILES:

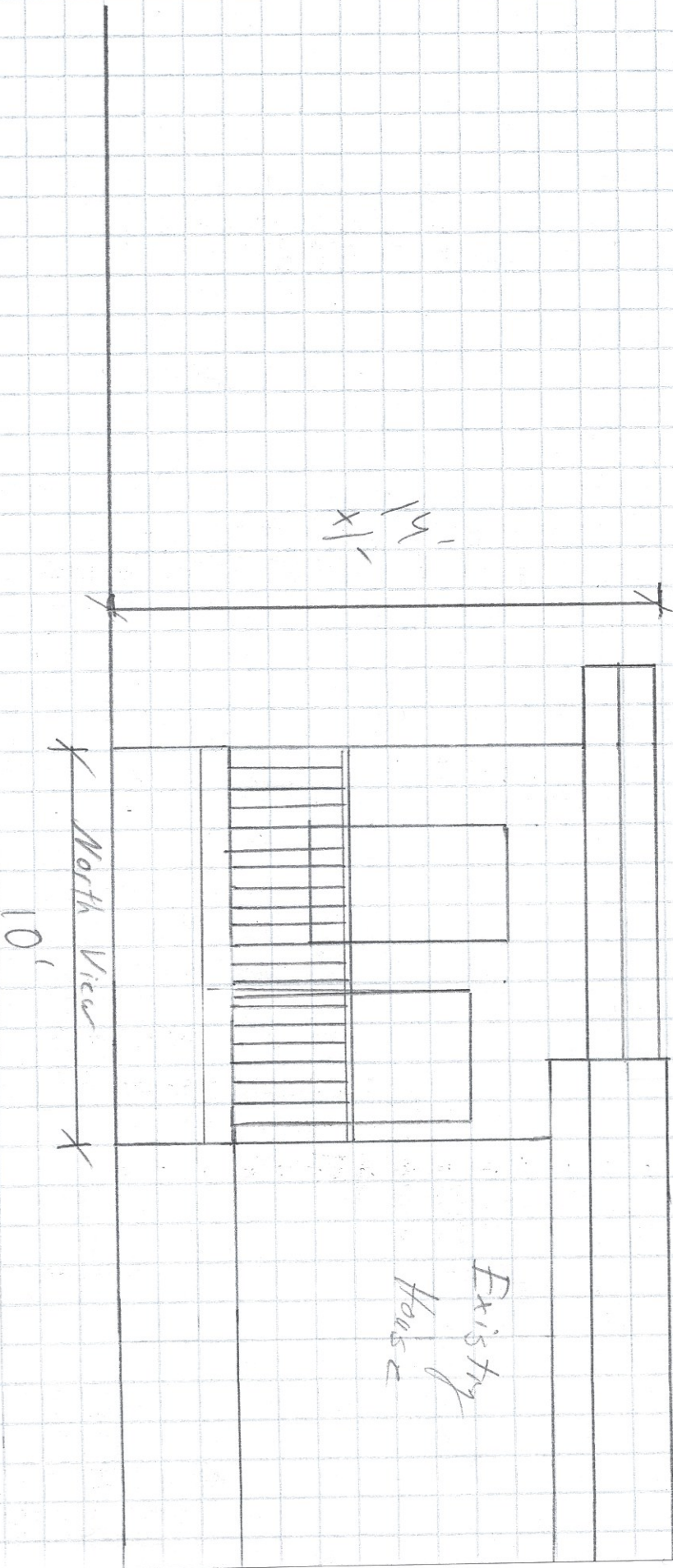
- Site Plan
- Notice to Neighbouring Property Owners
- Supplement regarding temporary meeting requirements as a result of covid-19
- R-1A LUB excerpt
- Section 34 LUB excerpt

2122 16th St.
Coal Dale

Additions:

- Foundation will be Grade Beam on Screw piles (Engineer Specs)
- 2x6 walls Insulated
- Exterior & roof to match existing house
- Insulated ceiling
- No exit to ground from balcony

Brubach Building Solutions
Aria Brubacher
587-220-1902
aria@brubuilds.com



2122 16th St.
Caldwell

Top View

10'

9'

East View

18'

Yellow area
is the proposed
addition area. Is this possible?



Re: Request for Approval - Residential Development Application for Renee Frenette

I would like to do an addition from my kitchen/dining room space going out to enlarge this area.

The space I currently have is like an apartment size kitchen in a small U shape, so it's cornered and no way of expanding, since it would encroach on the dining room, which is also small.

The extra space I am wanting is for ten feet out. It would reach to the property line, in line with where the fence sits now in the front. There are two large evergreen trees just past the property line just before the sidewalk. The trees would sit past the addition but can be removed.

I would want this space for the dining room area, so I can move the kitchen towards where the dining area now is. To have it only a few feet would not give enough space for a dining room area. There's no other way of expanding.

For me, I don't have the option to sell my house and find something that would offer this larger space, since I deal with a rare disease/disability, so I am house bound and stuck. My house is where I live every single day as I cannot venture out in the winter and only on good days. My house is my sanctuary, my whole world, so to have some more space would be so wonderful, since I have many years left here, I'm hopeful.

I am on the angel program list, which I am so grateful for. I cannot go outside to shovel my driveway or sidewalks. It's just dangerous for me to do so. I hope it's always available.

I realize this is a special request, but I'm hoping it gets approved. This addition space won't be a problem for neighbours or block any view or be in an area the town would need. It's on my property and there's still lots of lot left before the sidewalk. This is the only space I can expand my kitchen/dining room to. To have more room there would make things a lot better for getting around and enable me to have more heat from the sun that hits that part of the house in the morning. I need all the sun I can get, since I'm indoors all through the winter. I can never just go for a walk to get sun in the winter. I can't be in the cold at all. I always need to be kept warm. And traveling to a hot spot in the winter, I can't do unless I have someone with me to travel with, since I can collapse. I am pretty much isolated to my house, so this isolation time, I'm used to. It would be nice to have this addition approved to make my world a little bit more spacious.

Thank you for your thoughtful consideration,

Renée Frenette
2122 16th Street
Coaldale, T1M1E4
beautifulharpmusic@yahoo.ca



March 25, 2020

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2020-028

APPLICANT: RENEE FRENETTE

**ADDRESS: 2122 - 16 STREET, COALDALE, ALBERTA
PLAN 6476AA, BLOCK 21, LOT 17**

ZONING: RESIDENTIAL R-1A

Dear Sir/Madam,

We are in receipt of Development Application 2020-028 regarding the construction of an addition to an existing single detached dwelling located at 2122, 16 Street. A single detached dwelling is a permitted use for the R-1A zoning. However, if an application for an addition to an existing single detached dwelling exceeds yard setback requirements by more than 10%, the decision regarding an application for such an addition lies with the Municipal Planning Commission (MPC).

The addition that has been applied for in this particular instance is an addition to a portion of the front of the existing single detached dwelling. The front yard setback requirement for the R-1A zoning, on a corner lot, is 3.81 metres (12 feet). The addition is proposed to project into the front yard setback to the property line, meaning that an approximately 5.48 metre (18 foot) wide portion of the dwelling, in the approximate middle of the east face (front of the dwelling) would project an additional 3 metres (10 feet) beyond where the east face of that portion of the dwelling is currently.

The Town of Coaldale's Land Use Bylaw allows the Development Officer to approve one measurable standard to be exceeded to a maximum of 10% of the standard before the authority to approve such a request must be shifted from the Development Officer, to the Municipal Planning Commission (MPC). As such, the MPC must make the decision on the waiver that is being requested for this proposed addition to the existing single detached dwelling, and a hearing must be held for consideration of this application.

The full agenda will be posted on our website by April 2, 2020 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>. However, if you wish to view the details of this application prior to that date please contact the Town by email or phone at buildingcoaldale@coaldale.ca or 403 345-1304 and a copy of the application can be sent to you digitally.

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Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 1:00pm

on Friday, April 3, 2020 or verbally at the meeting. Comments for the application can be dropped off in person at the Town Office, faxed to 403-345-1311 or emailed to buildingcoaldale@coaldale.ca. Please note that all submissions will be made public.

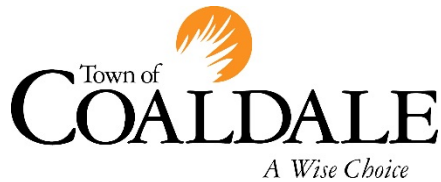
Sincerely,



Spencer Croil, RPP MCIP
Director of Planning and Community Development

cc. Applicant





MARCH 30, 2020

PLEASE READ RE: COVID-19 AND TOWN MEETING REQUIREMENTS

UPDATE REGARDING THE APRIL 8, 2020 MUNICIPAL PLANNING COMMISSION MEETING

- OUT OF AN ABUNDANCE OF CAUTION AND TO ENSURE THE TOWN IS MEETING PROVINCIAL REQUIREMENTS FOR SOCIAL DISTANCING AND THE MAXIMUM ALLOWABLE SIZE OF A GROUP, **ATTENDANCE AT THE APRIL 8 MUNICIPAL PLANNING COMMISSION MEETING IS NOW LIMITED TO THE FOLLOWING OPTIONS:**

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If you are an applicant, or if you are a neighbouring property owner who wishes to speak for or against an application, you are encouraged to participate via teleconference. [Information on how to join the meeting will be sent by email or can be provided over the phone.](#)

2. *Written feedback*

If you are unable to attend the meeting via teleconference, you are encouraged to provide written feedback in the form of an email or a printed (or handwritten) letter that can be dropped off at the Town Office. If you wish to provide feedback via printed or handwritten letter, please drop your submission in the Town's mail drop box, located to the right of the front doors to the office (1920, 17 Street).

If you wish to participate in the meeting, or if you have any questions or concerns with the above please don't hesitate to contact the Town at 403.345.1304 or buildingcoaldale@coaldale.ca.

RESIDENTIAL – R-1A



Purpose:

To provide for a high-quality residential environment with the development of primarily single-detached dwellings on standard-sized lots or semi-detached dwellings development and other compatible uses. Development is to occur on standard-sized lots as defined in this land use district.

1. (A) PERMITTED USES

- Dwellings:
 - Secondary Suite
 - Single-Detached - Site Built
 - Single-Detached - Prefabricated
 - Semi-Detached - Pre-Planned¹
- Accessory building, structure or use to an approved permitted use
- Day Home
- Detached Garage
- Garden Shed
- Home Occupation 1
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Dwellings:
 - Moved-In
 - Semi-Detached - Isolated²
- Accessory building, structure or use to an approved discretionary use
- Bed and Breakfast
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Public or Private Utility
- Sign Types³: 2, 4, 5⁴, 12

Notes:

1 – Semi-Detached Dwelling – Pre-Planned means a semi-detached dwelling or a proposed semi-detached dwelling that **would** be located on a site designated for that purpose in an adopted Statutory Plan.

2 – Semi-Detached Dwelling – Isolated means a semi-detached dwelling or proposed semi-detached dwelling that would be located on a site **not** designated for that purpose in an adopted Statutory Plan.

3 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.

4 – See Schedule 13, subsection 8(5)(i) for restrictions on freestanding signs in residential districts.

(C) PROHIBITED USES

- Shipping Container (permanent)
- Single-detached manufactured dwellings
- Sign Types 1, 3, 6, 7, 8, 9, 10, 11
- *Any use which is not listed as either a permitted or discretionary use, or is not ruled to be a similar use to a permitted or discretionary use in accordance with the Administration Section, subsection 35(a), is a prohibited use*

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	ft ²
Single Detached Dwelling	15.24	50	33.53	110	511.00	5,500
Semi-Detached Dwellings (for each side)	10.67	35	33.53	110	357.76	3,850
All other uses	As required by the Designated Officer or Municipal Planning Commission					

- (a) The Designated Officer may approve a development on an existing registered lot if the minimum dimensions or area are less than those specified above in Section 2.
- (b) Despite the above requirements, all lots located on curves or cul-de-sacs shall have a minimum frontage of 6 m (19.68 ft.).

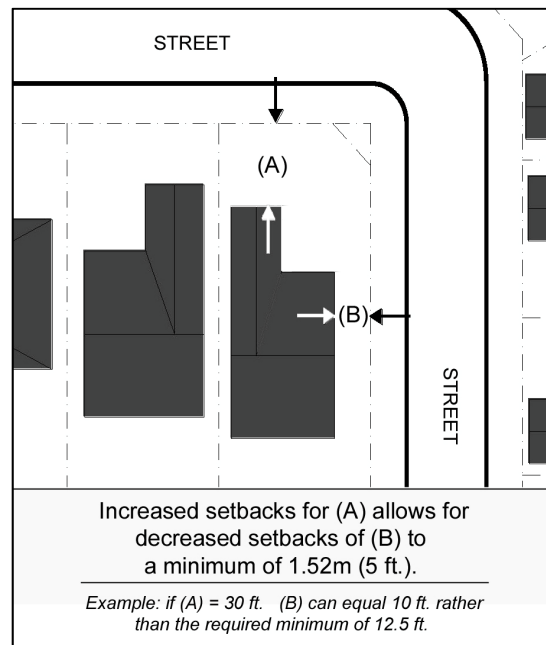
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling	7.62	25	3.81*	12.5*	1.52	5	7.62	25
Semi-Detached Dwellings (for each side)	7.62	25	3.81*	12.5*	1.52	5	7.62	25
All other uses	As required by the Designated Officer or Municipal Planning Commission							

Note: Measurements are from the respective property line to the nearest point of the building.

MINIMUM YARD SETBACKS FOR A CORNER LOT

*The required secondary front yard distance on a corner lot may be reduced by 0.15 m (0.5 ft.) for each 0.3 m (1 ft.) that the front yard setback is increased, providing the resulting secondary front yard setback is never less than 1.52 m (5 ft.). (see diagram)



4. MAXIMUM SITE COVERAGE

- (a) **Total allowable coverage:** 45% inclusive of all buildings
- (b) **Principal building:** 35 - 45% depending on accessory building(s)
The principal dwelling shall not occupy more than 45 percent of the surface area of a lot. Attached garages shall be considered as part of the principal building.
- (c) **Accessory buildings:** 0 - 10% depending on principal building
The combined total of all accessory buildings, including detached garages, shall be no more than 10 percent of the surface area of the lot, or less, depending on the total lot coverage of the principal building.
- (d) Other development shall be at the discretion of the Development Authority.

5. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Single-Detached Dwellings	74.32 m ² (800 ft ²)
Semi-Detached Dwellings (both units)	130.06 m ² (1,400 ft ²)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*Total floor area of all floors as measured by floors above grade or floors not more than 1.5 m (5 ft.) below grade.

6. MAXIMUM HEIGHT OF BUILDINGS

Use	Maximum Height*
Principal Dwelling	10 m (33 ft.)
Accessory Buildings	4.57 m (15 ft.)
All other uses	As required by the Designated Officer or Municipal Planning Commission

*See definition for Building Height.

7. DRAINAGE

- (a) All dwellings and accessory structures must have eaves and downspouts, proper site grading and all surface drainage must be contained on-site and directed into approved municipal infrastructure.

8. ACCESSORY BUILDINGS (INCLUDING GARDEN SHEDS AND DETACHED GARAGES)

- (a) Minimum setbacks for accessory buildings including garden sheds and detached garages are as follows:

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	m	ft.	m	ft.	m	ft.	m	ft.
Accessory Buildings – interior lots and laneless corner lots	See (f) and (g) below.				0.90	3	0.90	3
– laned corner lots	Same as principal		3.05	10	0.90	3	0.90	3

All other uses

As required by the Designated Officer or Municipal Planning Commission

Note: Measurements are from the respective property line to the nearest point of the building.

- (b) No accessory building or use shall be allowed on a lot without an approved principal building or use.
- (c) Accessory structures and uses not specifically included within a development permit require a separate development permit application.
- (d) Accessory buildings on interior lots or laneless corner lots shall not have overhanging eaves less than 0.61 m (2 ft.) from the side and rear lot line.
- (e) Accessory buildings on laned corner lots shall not have overhanging eaves less than 2.74 m (9 ft.) from the secondary front lot line and 0.61 m (2 ft.) from the rear and side lot lines.
- (f) Accessory buildings shall not be located in the front yard.
- (g) Accessory buildings shall not be located in a side yard between the property line and a principal building.
- (h) Accessory buildings shall have a minimum separation of 0.61 m (2 ft.) from the overhanging eaves of the accessory building and the eaves of any other structure or dwelling.
- (i) The exterior finish of all accessory buildings must be the same or complimentary to the principal building.
- (j) A minimum separation distance of 1.22 m (4 ft.) shall be provided between a principal building and any accessory building or structure.

9. MINIMUM LOT LINE SETBACKS FOR OVERHANGING EAVES

- (a) The overhanging eaves of a principal building shall not be less than 0.61 m (2 ft.) from the side lot line.

10. ARCHITECTURAL CONTROL APPROVAL

- (a) Development permits may require developer's Architectural Control review and approval PRIOR to a development permit being issued.

11. PREPLANNED OR COMPREHENSIVE DEVELOPMENTS

Applications for preplanned or comprehensive Developments or Subdivisions should be accompanied by:

- (a) **Development Concept** – A graphic rendering of the project together with a brief written summary of the concept and purpose of the development;
- (b) **Site Plans and Drawings** – Site plans, drawn to an appropriate scale, should be submitted in duplicate. Among other things, they should indicate: dimensions of all existing and proposed lots, existing and proposed roadways and public areas, parking stalls, the location of adjoining parcels and other details needed to describe the proposal;
- (c) **Topographic Details** – Topography of the site, including one metre or one-half metre contours should be provided either on the site plan or on a separate drawing;
- (d) **Contouring and Drainage** – Any proposed cutting and filling or other contouring of the site should be shown on a separate site plan. Proposed drainage of surface runoff should be detailed either on this plan or the main site plan;

- (e) **Roadways and Access** – All existing and proposed public roadways, such as streets, lanes and walkways should be shown and should include the proposed width of each as well as linkages to existing public roads;
- (f) **Development Specifications** – Specifications of the actual development should include such items as: minimum setbacks of all existing or proposed structures from lot boundaries, location, dimension and capacity of parking, driveway access points, approximate location of buildings on each lot, height of structures, etc.;
- (g) **Services and Utilities** – Information on all utilities that will be provided to the site including details pertaining to road construction, sidewalks, curb and gutter, water supply, storm sewer, sanitary sewage disposal and solid waste disposal;
- (h) **Staging of Development** – Proposed staging if the proposed Subdivision or Development will be completed in two (2) or more phases. This should be described together with the purpose of the proposed staging;
- (i) **Architectural Controls** – Any design standards such as type of roofing, building colours, sitting of buildings, fencing, etc. to be complied with;
- (j) **Other Information** – And any other information that may be required by the Development Authority to make a recommendation.

12. STANDARDS OF DEVELOPMENT	– SCHEDULE 4
13. MOVED-IN DWELLING AND MOVED-IN BUILDING REGULATIONS	– SCHEDULE 5
14. PREFABRICATED DWELLING REGULATIONS	– SCHEDULE 6
15. HOME OCCUPATIONS	– SCHEDULE 7
16. BED AND BREAKFAST STANDARDS	– SCHEDULE 8
17. LANDSCAPING AND AMENITY AREAS STANDARDS AND GUIDELINES	– SCHEDULE 9
18. OFF-STREET PARKING AND LOADING REQUIREMENTS	– SCHEDULE 11
19. SIGN REGULATIONS	– SCHEDULE 13

- (d) A development that proposes to convert a shipping container to a building or structure for a different use may be considered by the Development Authority subject to the following and the “Similar And Prohibited Uses” requirements in Administrative Section 35 of this Bylaw:
- i. The proposed use is similar to a permitted or discretionary use in the applicable land use district;
 - ii. The shipping container conversion will be able to meet all applicable Safety Code requirements;
 - iii. The Development Authority is satisfied that the design, character and appearance of the finished building or structure is compatible with other buildings in the vicinity and consistent with the purpose of the land use district in which the building is located;
 - iv. In addition to the application requirements under subsection (b)(i), the Development Authority shall normally require a stamped engineer’s drawing showing how the shipping container will be converted and a rendering illustrating the final appearance of the converted shipping container, as part of the application package.

34. INFILL DEVELOPMENT

- (a) The requirements of this section apply to all areas of Town that are considered established in accordance with the definition of infill development. Infill development is expected to be designed in a contextually sensitive manner with a design, scale and mass complementary to existing developments.
- (b) Applications for infill development shall provide, in addition to the normal application requirements set forth in this bylaw:
- i. Existing and proposed grades for the lot to be developed;
 - ii. Existing grades for each adjacent lot;
 - iii. A basic nuisance mitigation strategy that addresses the minimization of dust, noise and other nuisances during the development;
 - iv. Location(s) for the stockpiling of materials to be moved through stripping and grading;
 - v. The setbacks of existing developments on each adjacent lot (only necessary where a waiver is requested);
 - vi. Measures to be taken to ensure surface drainage of adjacent properties and/or public rights-of-way is not unduly affected during or after development;
 - vii. Any other information deemed necessary by the Development Authority.

35. CANNABIS PRODUCTION FACILITY

- (a) The owner or applicant must provide, as a condition of development permit, a copy of the current license for all activities associated with cannabis production as issued by Health Canada.
- (b) The owner or applicant must obtain, and maintain on a permanent basis, any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (c) The development must be carried out in a manner whereby all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (d) The development shall not operate in conjunction with another approved use.
- (e) The development shall not include an outdoor area for storage of goods, materials or supplies.

DRAFT RESOLUTION

Our File: 2020-0-031

April 1, 2020

Spencer Croil
Director of Planning & Development
Town of Coaldale
1920 - 17 Street
Coaldale AB T1M 1M1

Dear Mr. Croil:

RE: NE1/4 9-9-20-W4M / Town of Coaldale

With regard to the subdivision application noted above, please find attached a draft resolution for your Municipality's decision.

The Subdivision Authority should note that comments have not been received from the Holy Spirit RC School Division, Palliser School Division, AltaLink, AB Environment & Parks - J. Wu, AER and County of Lethbridge Rural Water Association (COLRWA).

After the Subdivision Approval Authority's consideration of the application, **please forward the signed resolution to the Oldman River Regional Services Commission at your earliest convenience in order for our staff to promptly notify the applicant of the decision.**

Please contact this office if you require any further information.



Madeleine Baldwin
Planner

MB/jm
Attachment

RESOLUTION

2020-0-031

Town of Coaldale

Residential & Agricultural subdivision of NE1/4 9-9-20-W4M

THAT the Residential & Agricultural subdivision of NE1/4 9-9-20-W4M (Certificate of Title No. 931 051 842), to subdivide a 10.40 acre (4.21 ha) parcel out from a title of 76.16 acres (30.82 ha), to delineate a home and shop site; BE APPROVED subject to the following:

RESERVE: The 10% reserve requirement, pursuant to Sections 669(2) and (3) of the Municipal Government Act, on the 10.40 acres be deferred by caveat to the remainder of the title for Municipal Reserve purposes, with the caveat registered to reflect the 10% total of the parent title subject to the subdivision.

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Town of Coaldale.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the Town of Coaldale which shall be registered concurrently with the final plan against the title(s) being created.
3. That any conditions of Alberta Transportation shall be established prior to finalization of the application.
4. That any easement(s) as required by utility companies or the municipality shall be established prior to finalization of the application.
5. That any conditions of the St. Mary River Irrigation District shall be met prior to finalization of the application.

REASONS:

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

INFORMATIVE:

- (a) That a legal description for the proposed parcel be approved by the Surveys Branch, Land Titles Office, Calgary.
- (b) The applicant/owner is advised that other municipal, provincial or federal government or agency approvals may be required as they relate to the subdivision and the applicant/owner is responsible for verifying and obtaining any other approval, permit, authorization, consent or license that may be required to subdivide, develop and/or service the affected land (this may include but is not limited to Alberta Environment and Parks, Alberta Transportation, and the Department of Fisheries and Oceans.)
- (c) Lethbridge County has no concerns with the proposed subdivision.
- (d) TELUS Communications Inc. has no objections to the above noted circulation.
- (e) ATCO has no objection to the proposed.
- (f) ATCO Transmission high pressure pipelines has no objections. Questions or concerns can be forwarded to hp.circulations@atco.com.

- (g) 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.

- (h) Alberta Health Services – Megan O’Neil, Executive Officer/Public Health Inspector I:

“Alberta Health Services (AHS) Environmental Public Health (EPH) department has no objection with the application, provided that proposals/construction/actions do not create or support a public health nuisance. The applicant must comply with all pertinent regulations, by-laws, and standards. AHS EPH has no objection with the application as there appear to be no health risks present. Please notify the EPH Department if evidence of contamination or additional issues of public health concern are identified at any phase of development.”

- (i) St. Mary River Irrigation District – Linda Park, Land Administrator:

“Further to your request of March 11th, 2020 in respect to the above-noted, the District has the following comments:

- The proposed subdivision will be classified as “dry”. If they plan to use water from the District for their yard, trees, etc. an appropriate water agreement will need to be signed with the District.
- Irrigation rights may need to be transferred and/or sold to reflect the change in area as you cannot have more irrigation rights than land.
- It appears the turnout is not located on the proposed subdivided lot; therefore, the landowner will need to enter into a Remote Delivery Agreement with the District and have an easement registered on title in order to guarantee the supply of water to the proposed subdivided lot. All works and easements involved to provide water to the subdivided lot will be the landowner’s responsibility.
- A Service Fee of \$100.00 plus GST will apply.

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

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

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

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

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

To that end, currently and as proposed, the parcels to be created will be physically separated by the CPR right-of-way from Highway 3 with indirect access to the highway being gained solely by way of the local road system. Given this, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the agricultural and residential parcel as proposed would have any appreciable impact on the highway.

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

Notwithstanding the foregoing, the applicant would be advised that any development within the right-of-way or within 300 metres beyond the limit of the highway or within 800 metres from the center point of the intersection of the highway and another highway would require the benefit of a permit from Alberta

Transportation. This requirement is outlined in the Highways Development and Protection Regulation, being Alberta Regulation 326/2009.

The subject property is within the noted control lines and, as such, any development would require the benefit of a permit from Alberta Transportation. To ensure that any future highway expansion plans are not unduly compromised, minimum setbacks would be identified and invoked as condition of approval such that an adequate buffer would be maintained alongside the highway and any other highway related issues could be appropriately addressed. The applicant could contact Alberta Transportation through the undersigned, at Lethbridge 403-382-4052, in this regard.

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

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

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

(k) Canadian Pacific Railway – Cyrus Njung, Real Estate Technician:

"Canadian Pacific Railway is not in favor of residential uses adjacent to our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

Should any proposed residential subdivision application adjacent to railway right of way receive approval. Canadian Pacific Railway requests that all recommended guidelines are considered as it relates to residential development adjacent to the CPR, which can be found at the following link - <http://www.proximityissues.ca>

We would appreciate being circulated with all future correspondence related to Residential or Commercial developments."

(l) Canada Post has no comment at this time.

MOVER

CHAIRMAN

DATE



OLDMAN RIVER REGIONAL SERVICES COMMISSION

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

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

NOTICE OF APPLICATION FOR SUBDIVISION OF LAND

DATE: March 11, 2020

Date of Receipt:

February 13, 2020

Date of Completeness:

February 21, 2020

TO: Landowner: Peter Bos and Gerarda Johanna Bos

Agent: Steven Bos

Surveyor: Zachary J. Prosper, A.L.S.

Referral Agencies: Town of Coaldale, Butch Pauls, Lethbridge County, Steve Harty - ORRSC, Holy Spirit RC School Division, Palliser School Division, AltaLink, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services - Lethbridge, St Mary River Irrigation District (SMRID), AB Environment & Parks - J. Wu, AB Transportation, AER, County of Lethbridge Rural Water Association (COLRWA), Canada Post, CPR

Adjacent Landowners: 826329 Alberta Ltd., Steven R & Corinne J Rasmussen, Helen & Perry Layton, Adam Kambeitz, John & Dorothy Hubert, 2133436 Alberta Ltd., Alex Radvanszky, Heidi Rose Radvanszky, Kenneth Leroy Klassen, Maria Dyck Klassen, Helen Elizabeth Henderson

Planning Advisor: Madeleine Baldwin MB

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

In accordance with the Subdivision and Development Regulation, if you wish to make comments respecting the proposed subdivision, please submit them via email or mail no later than **March 30, 2020**. (Please quote our File No. **2020-0-031** in any correspondence with this office).

File No: 2020-0-031

Legal Description: NE1/4 9-9-20-W4M

Municipality: Town of Coaldale

Land Designation: Urban Reserve - UR
(Zoning)

Existing Use: Residential & Agricultural

Proposed Use: Residential & Agricultural

of Lots Created: 1

Certificate of Title: 931 051 842

Proposal: To subdivide a 10.40 acre (4.21 ha) parcel out from a title of 76.16 acres (30.82 ha), to delineate a home and shop site.

Planner's Preliminary Comments:

The purpose of this application is to subdivide a 10.40 acre (4.21 ha) parcel out from a title of 76.16 acres (30.82 ha), to delineate a home and shop site. The parcel is located in a newly annexed area in Coaldale, along the west boundary of the Town, directly north of the Canadian Pacific Railway line and Highway 3.

The proposal is to accommodate the subdivision of an existing home and shop yard area that contains a dwelling, a shop and associated storage, a barn and sheds. The established yard is located in the east portion of the ¼-section adjacent to 30th Street (Range Road 203) and south of Township Road 92. All buildings meet the required setbacks to property lines, as identified in the urban reserve land use district. The proposed parcel is an irregular shape as the owner desires to subdivide the main yard and a dry unused land area that is situated outside the circular irrigation pivot system on the ¼-section's agricultural land. The owner would like to expand the yard area to the west of the existing shop and lay down gravel and a fence in this area.

The proposed parcel complies with the minimum lot size and width as outlined in the land use bylaw. However, if the lot lines were made straighter from north to south and east to west, rather than curving around the irrigation pivot, it would create a more rational lot in an urban context that would make future subdivision and development easier. The west yard area of the proposed lot may make future subdivision planning difficult. The applicant though would like to move forward with the subdivision lot layout as it is shown at this time.

There are several right-of-ways on the property related to the construction of the Town's water line. The Town of Coaldale is in the process of registering the corresponding right-of-way agreement for Right of Way Plan 181 0053, Area 'A'. Areas 'B', 'C' and D related to this plan number will be removed as they are no longer needed.

Water is provided to the subject parcels through the Lethbridge North County Water Co-op. Sewage treatment is dealt with by an on-site septic field system with a smaller field on the east side of the property and a larger field in the south area of the parcel. The location of the septic fields appear to meet the requirements of the Alberta Private Sewage Disposal Systems Standard of Practice. Access to the parcel is provided from 30th Street. There is an abandoned gas well located north of the subject area. It is on a separate title and located a sufficient distance from the proposed subdivision.

The Subdivision Authority is hereby requested to take the following circumstances and conditions into consideration for an approval:

- That consideration is given to amending the shape of the proposed lots to align lot lines north and south and facilitate the ease of future subdivision and development.
- Any outstanding property taxes shall be paid to the Town of Coaldale.
- The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any servicing requirements.
- That the applicant pays any applicable or outstanding off-site levies and development fees as required by the Town of Coaldale.

- That any easements as required by utility companies or the municipality shall be established.
- That the applicant submits a final subdivision plan as prepared by an Alberta Land Surveyor that certifies the exact location and dimensions of the parcel being subdivided as approved by the Subdivision Authority.
- That the applicant either pay cash in lieu of municipal reserve or that a deferred reserve caveat is registered on the parent title.
- That any comments or conditions as required by Alberta Transportation be taken into consideration.
- Consideration of adjacent landowners, Lethbridge County and referral agencies comments.

RESERVE:

The 10% Municipal reserve (MR) requirement is applicable as the quarter section was previously subdivided and therefore the first parcel from an unsubdivided quarter section exemption (Section 663(a) of the MGA) does not apply. The following options may be considered:

1. Defer the MR requirement to the remainder of the title area of NE1/4-9-9-20-W4M.
2. Provide cash-in-lieu of MR in an amount per acre to be determined by the Town of Coaldale.

The Town of Coaldale's statutory planning documents are available at:
<http://www.orrsc.com/members/towns-a-m/town-of-coaldale/>

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

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



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0011 995 090 4;20;9;9;NE 931 051 842

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH EAST QUARTER OF SECTION NINE (9)
IN TOWNSHIP NINE (9)
RANGE TWENTY (20)
WEST OF THE FOURTH MERIDIAN WHICH LIES TO THE
NORTH WEST OF THE RAILWAY ON PLAN RY21 CONTAINING,
31.37 HECTARES (77.42 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROAD WIDENING	8311737	0.144	0.356

ALSO EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES
ROAD	8910642	0.405	1.00

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 931 020 785

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
931 051 842	09/03/1993	TRANSFER OF LAND	\$275,000	NOMINAL

OWNERS

PETER BOS

AND

GERARDA JOHANNA BOS

BOTH OF:

P.O. BOX 661

COALDALE

ALBERTA T1M 1M6

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
931 051 842

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
1485KX .	21/06/1971	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER IRRIGATION DISTRICT
4201FH .		RESTRICTIVE COVENANT "SUBJECT TO THE RIGHTS AND RESERVATIONS RESERVED IN TRANSFER"
881 171 069	23/09/1988	CAVEAT RE : EASEMENT CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER IRRIGATION DISTRICT. P.O. BOX 278, LETHBRIDGE ALBERTA T1J3Y7
901 252 085	05/10/1990	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
931 051 843	09/03/1993	CAVEAT RE : LEASE CAVEATOR - BOS SOD FARMS LTD. C/O PETERSON & PURVIS 537-7 ST SOUTH, P.O. BOX 1165 LETHBRIDGE ALBERTA T1J4A4
181 205 512	25/09/2018	UTILITY RIGHT OF WAY GRANTEE - COUNTY OF LETHBRIDGE RURAL WATER ASSOCIATION LIMITED.

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 12 DAY OF
FEBRUARY, 2020 AT 09:10 A.M.

ORDER NUMBER: 38810618

CUSTOMER FILE NUMBER:



END OF CERTIFICATE



APPLICATION FOR SUBDIVISION RURAL MUNICIPALITY

FOR OFFICE USE ONLY	
Zoning (as classified under the Land Use Bylaw):	
Fee Submitted: <u>\$1040.00</u>	File No: <u>2020-0-031</u>
APPLICATION SUBMISSION	
Date of Receipt: <u>Feb 13, 2020</u>	Received By: <u>SM</u>
Date Deemed Complete: <u>Feb 21, 2020</u>	Accepted By: <u>MB</u>

1. CONTACT INFORMATION

Name of Registered Owner of Land to be Subdivided: Peter Bos & Gerarda Johanna Bos

Mailing Address: Box 661 City/Town: Coaldale

Postal Code: T1M 1M6 Telephone: _____ Cell: _____

Email: _____ Preferred Method of Correspondence: Email ☐ Mail ☐

Name of Agent (Person Authorized to act on behalf of Registered Owner): Steven Bos

Mailing Address: _____ City/Town: _____

Postal Code: _____ Telephone: _____ Cell: 403- 332-1523

Email: steven@bosscares.ca Preferred Method of Correspondence: Email ☒ Mail ☐

Name of Surveyor: Zachary J. Prosper, ALS brown okamura & associates ltd.

Mailing Address: 2830 - 12 Avenue North City/Town: Lethbridge

Postal Code: T1H 5J9 Telephone: 403-329-4688 ext. 132 Cell: _____

Email: zach@bokamura.com Preferred Method of Correspondence: Email ☒ Mail ☐

2. LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED

- All/part of the NE $\frac{1}{4}$ Section 9 Township 9 Range 20 West of 4 Meridian (e.g. SE $\frac{1}{4}$ 36-1-36-W4M)
- Being all/part of: Lot/Unit _____ Block _____ Plan _____
- Total area of existing parcel of land (to be subdivided) is: 30.821 hectares 76.16 acres
- Total number of lots to be created: 1 Size of Lot(s): 4.41 Hectares (10.40 Acres)
- Rural Address (if applicable): 91074 Ramge Rpad 203
- Certificate of Title No.(s): 931 051 842

3. LOCATION OF LAND TO BE SUBDIVIDED

- The land is located in the municipality of Town of Coaldale
- Is the land situated immediately adjacent to the municipal boundary? Yes ☒ No ☐
If "yes", the adjoining municipality is Lethbridge County
- Is the land situated within 1.6 kilometres (1 mile) of the right-of-way of a highway? Yes ☒ No ☐
If "yes" the highway is No. 3
- Does the proposed parcel contain or is it bounded by a river, stream, lake or other body of water, or by a canal or drainage ditch? Yes ☐ No ☒
If "yes", state its name _____
- Is the proposed parcel within 1.5 kilometres (0.93 miles) of a sour gas facility? Unknown ☒ Yes ☐ No ☐

4. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED

Describe:

- a. Existing use of the land _____
- b. Proposed use of the land _____

5. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed) Flat
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, sloughs, creeks, etc.)
Grass
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.) Unknown
- d. Is this a vacant parcel (void of any buildings or structures)? Yes ☐ No ☒
If "no", describe all buildings and any structures on the land. Indicate whether any are to be demolished or moved.
See Tentative Plan
- e. Is there a Confined Feeding Operation on the land or within 1.6 kilometres (1 mile) of the land being subdivided? Yes ☐ No ☒
- f. Are there any active oil or gas wells or pipelines on the land? Yes ☐ No ☒
- g. Are there any abandoned oil or gas wells or pipelines on the land? Yes ☐ No ☒

6. WATER SERVICES

- a. Describe existing source of potable water Water Coop
- b. Describe proposed source of potable water Water Coop

7. SEWER SERVICES

- a. Describe existing sewage disposal: Type Septic Tank & Field Year Installed Approximately 1980
- b. Describe proposed sewage disposal: Type same

8. REGISTERED OWNER OR PERSON ACTING ON THEIR BEHALF

I, Zachary J. Prosper, ALS (boa file: 20-14782) hereby certify that

☐ I am the registered owner ☒ I am authorized to act on behalf of the register owner

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval.

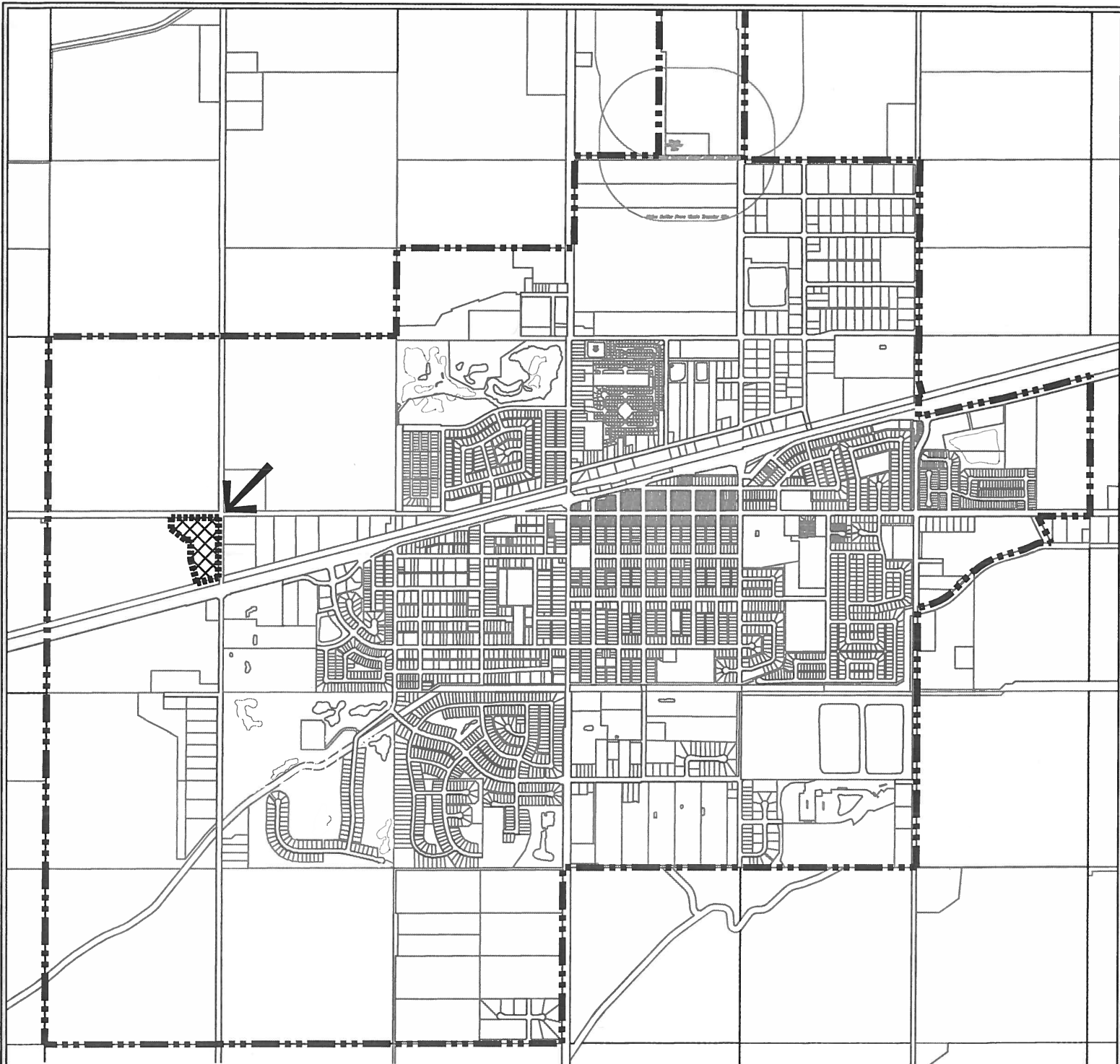
Signed:  Date: February 13, 2020

9. RIGHT OF ENTRY

I, _____ do ☐ / do not ☐ (please check one) authorize representatives of the Oldman River Regional Service Commission or the municipality to enter my land for the purpose of conducting a site inspection and evaluation in connection with my application for subdivision. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

Signature of Registered Owner(s)

Personal information collected on this form is collected in accordance with Section 653 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the information being collected, contact the Oldman River Regional Services Commission FOIP Coordinator at 403-329-1344.

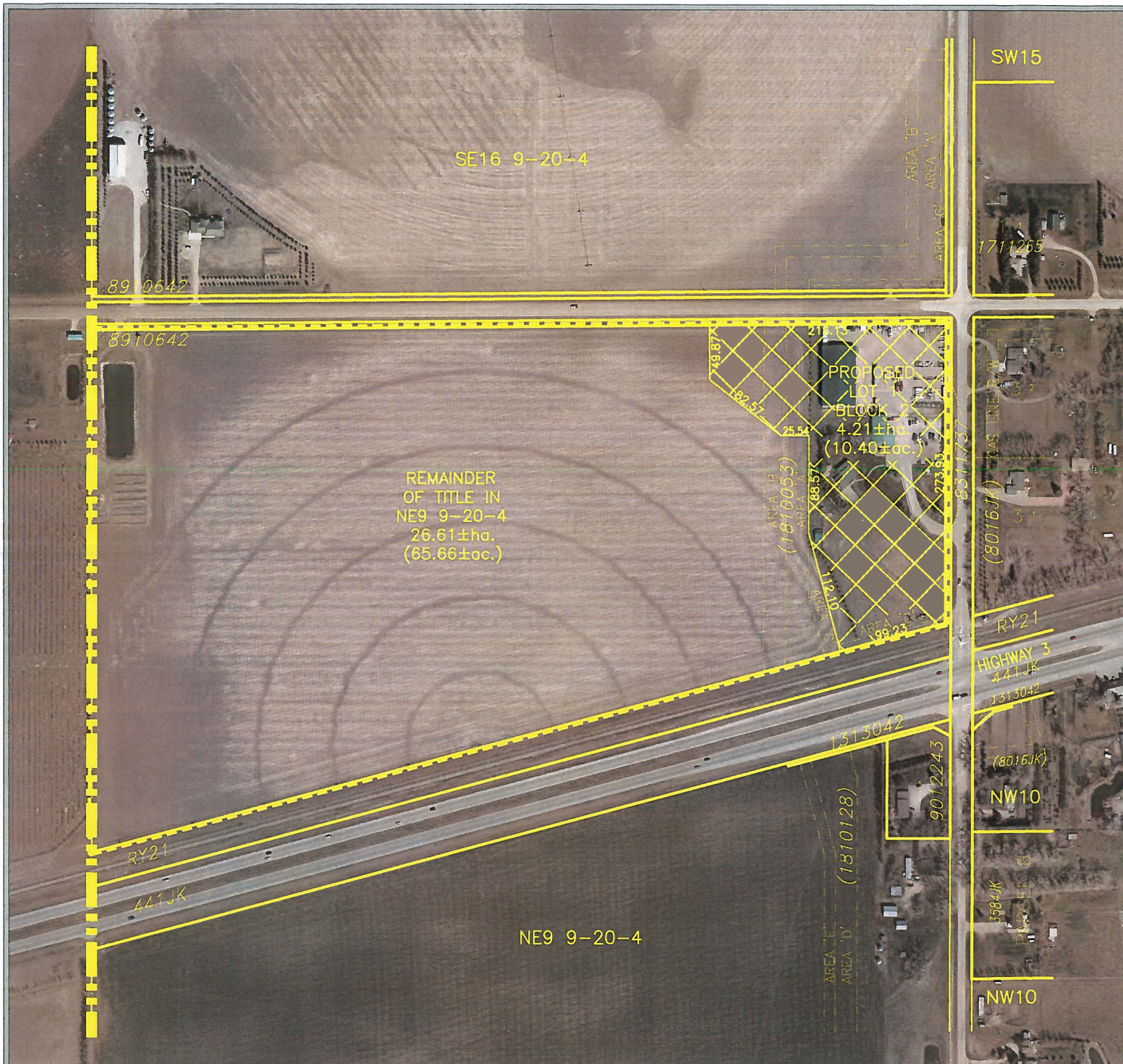


SUBDIVISION SKETCH
 NE 1/4 SEC 9, TWP 9, RGE 20, W 4 M
 MUNICIPALITY: TOWN OF COALDALE
 DATE: FEBRUARY 24, 2020
 FILE No: 2020-0-031

MAP PREPARED BY
 OLDMAN RIVER REGIONAL SERVICES COMMISSION
 3105 19th AVENUE NORTH, LETHBRIDGE, AB T1H 2B8
 "NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



February 24, 2020 N:\Subdivision\2020\2020-0-031.dwg



SUBDIVISION SKETCH

See tentative plan of subdivision by Brown Okamura & Associates Ltd. file no. 20-14782

NE 1/4 SEC 9, TWP 9, RGE 20, W 4 M

MUNICIPALITY: TOWN OF COALDALE

DATE: FEBRUARY 24, 2020

FILE No: 2020-0-031



