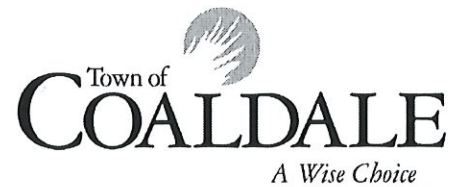


Wednesday, January 9, 2018

5:00p.m.

Town of Coaldale Council Chambers



Municipal Planning Commission Agenda

1.0 CALL TO ORDER

2.0 ADDITIONS TO THE AGENDA

3.0 ADOPTION OF THE MINUTES

December 12, 2018 meeting

4.0 BUSINESS FROM THE MINUTES

5.0 NEW BUSINESS

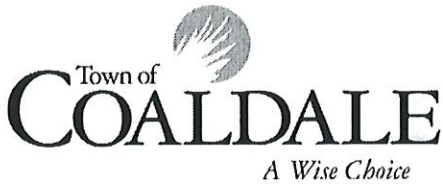
5.1 Development Application 2018-176
Shipping Container
1408 – 13 Street

5.2 Development Application 2018-177
Second Dwelling
PTN NE ¼ SEC 9-9-20 W4

6.0 INFORMATION ITEMS

7.0 IN-CAMERA DELIBERATIONS

8.0 ADJOURNMENT



MUNICIPAL PLANNING COMMISSION
WEDNESDAY, DECEMBER 12, 2018
5:00 PM – COUNCIL CHAMBERS

PRESENT: Council Members: R. Hohm (Chair), D. Lloyd
 Citizen Members: R. Pitsol, T. Stone
 Development Officer: C. L'Hirondelle
 Director of Planning: S. Croil
 ORRSC Planning Advisor: R. Dyck
 Recording Secretary: K. Bly
 Gallery:

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: No additions.

MOTION: D. Lloyd moved to approve the agenda.

4-0 CARRIED

3.0 ADOPTION OF MINUTES:

Municipal Planning Commission Minutes – November 14, 2018

MOTION: R. Pitsol moved to approve the November 14, 2018 minutes as amended.

4-0 CARRIED

4.0 BUSINESS ARISING FROM MINUTES: None

5.0 NEW BUSINESS:

**5.1 Subdivision Application 2018-0-176
 1504-19 Avenue**

BACKGROUND/DESCRIPTION OF APPLICATION:

R. Dyck, ORRSC Planning Advisor, provided an overview of Subdivision Application 2018-0-179. The purpose of the application is to subdivide (title separation) two 0.032 ha (0.08 acre) lots in order to create separate titles for either side of a semi-detached dwelling.

- The commission questioned if there was a real property report for this property. A concern was also raised that the covered porch could encroach on the setback.

- C. L'Hirondelle noted if there was an encroachment it would come back on the real property report.
- The commission raised a concern with separate titles and how it could lead to the aesthetics of the two dwellings being altered instead of remaining uniform.
- R. Dyck noted the use of the dwelling is not changing, the only change is the ownership on title.
- The commission questioned if the property was properly fenced.
- S. Croil said a suggestion for fencing can be included in the informative section of the permit.
- C. L'Hirondelle said under the land use bylaw there is no requirement for fencing, it only outlines the requirements if a fence is being built.

MOTION: R. Pitsol moved to approve Subdivision Application 2018-0-176 with conditions.

RESOLUTION

2018-0-179

Town of Coaldale

Residential subdivision of Lots 3 & 4, Block 2, Plan 6476AA within SW1/4 14-9-20-W4M

THAT the Residential subdivision of Lots 3 & 4, Block 2, Plan 6476AA within SW1/4 14-9-20-W4M (Certificate of Title No. 181 019 839), to subdivide (title separation) two 0.032 ha (0.08 acre) lots in order to create separate titles for either side of a semi-detached dwelling; 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 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. This should include a review of the existing Development Agreement pursuant to Section 650(3) of the Municipal Government Act.
3. That the applicant pays any applicable off-site levies and development fees as required by the Town of Coaldale.
4. That a party wall agreement be established in accordance with Section 71 of the Land Titles Act for the common shared wall between the units, which shall be registered concurrently on title with the subdivision.

REASONS:

1. The proposed subdivision is consistent with the South Saskatchewan Regional Plan and complies with both the Municipal Development Plan and Land Use Bylaw;
 - a. That a waiver of the minimum lot width and lot area requirements in the R-1A Land Use District was provided pursuant to Section 654(2) of the Municipal Government Act.

2. The Subdivision Authority is satisfied that the proposed subdivision is suitable for the purpose for which the subdivision is intended pursuant to Section 7 of the Subdivision and Development Regulation.

3-1 CARRIED

**5.2 Development Application 2018-169
Free Standing Sign
2209-20 Avenue**

BACKGROUND/DESCRIPTION OF APPLICATION:

C. L'Hirondelle outlined the development application to install a free-standing sign. Applicant is requesting to install a free-standing sign at the corner of 20 Avenue and 22 Street. The proposed height of the sign is 7.62m (25 feet) from finished grade. The proposed sign face is 2.13m (7 feet) long and 1.52m (5 feet) high.

Land Use Bylaw 677-P-04-13 states that a free-standing sign within the Commercial – C-1 district is a discretionary use so the application has been referred to MPC. No other waivers are needed for the sign.

Notice of the application was sent to adjacent properties and one concern has been brought forward.

- The commission questioned if the size of the sign is the same as others in the area.
- C. L'Hirondelle noted it is the same as Tim Horton's and Prairie Sky RV but McDonald's and Fas Gas are both taller.
- The commission questioned if there were any concerns from the neighbours.
- C. L'Hirondelle said there is one from a neighbour to the west of the property.
- The commission noted the concern came from the same neighbour who also opposed the original application to establish the business.
- The commission noted it is difficult to refuse the application when there is a similar sign next door on the RV business. Can't say no to one business, when it's been allowed for another business.

MOTION: R. Pitsol moved to approve Development Application 2018-169 with the condition that existing signs be removed and that if there is any illumination it be static.

4-0 CARRIED

**5.3 Development Application 2018-172
Home Occupation 2
3204-23 Street**

BACKGROUND/DESCRIPTION OF APPLICATION:

C. L'Hirondelle outlined the development application to establish a Home Occupation 2 for the purpose of jewelry sales. Clients are by appointment, hours of operation are 7 days a week, 8 a.m. to 8 p.m. and there are 6 parking stalls provided by the existing driveways and attached garage.

- The commission asked if there had been any letters from neighbours.
- C. L'Hirondelle said no letters were submitted.
- The commission questioned if there would be any signage.
- C. L'Hirondelle noted one of the conditions of a Home Occupation 2 is a requirement that a separate sign application would have to be submitted.

MOTION: D. Lloyd moved to approve Development Application 2018-172.

4-0 CARRIED

**5.4 Development Application 2018-173
Side Yard Waiver
2634 Aspen Drive**

BACKGROUND/DESCRIPTION OF APPLICATION:

C. L'Hirondelle outlined the development application for a side yard waiver for an existing covered deck. A previous development permit was issued for a single-detached dwelling with an attached covered deck that met all the setback requirements. The site plan for the original permit does not take into account the finishing materials the would be used on the corner posts. The applicant came into the office to get a compliance letter and it was noted that the north east corner of the attached deck is 1.22 meters from the property line whereas 1.52 meters is required. By definition a covered deck is part of the principal building and must follow the same setback rules.

Notice of the application was sent to adjacent properties and no written or verbal concerns have been brought forward to date.

- The commission noted it was the material used on the posts that put them over the allowed setback.
- The commission also raised an issue with applications where exterior materials exceed the approved application setbacks.
- C. L'Hirondelle noted if anything shown on the approved development permit is changed, those changes have to be reported as they were not approved in the original application.
- The commission noted whenever there are changes made under an approved development permit the applicant has to let the town know.

MOTION: R. Pitsol moved to approve Development Application 2018-173.

4-0 CARRIED

The public portion of the meeting closed at 5:12 p.m.

4-0 CARRIED

MOTION: T. Stone moved to adjourn meeting at 5:32 p.m.

4-0 CARRIED

A handwritten signature in black ink, appearing to read 'K Bly', is centered on the page.

CHAIR- R. HOHM

RECORDING SECRETARY- KATE BLY

Staff Report to the Municipal Planning Commission

DEVELOPMENT PERMIT #:	2018-176
APPLICANT:	Coaldale and District Emergency Services
TYPE OF DEVELOPMENT:	Shipping Container as Accessory Structure
CIVIC ADDRESS:	1408 – 13 Street
LEGAL DESCRIPTION:	Plan 961 0938, Block 20, Lot .
LAND USE ZONING:	Industry - I
USE:	Industrial building and yard
PARKING:	n/a
SETBACKS & HEIGHT:	n/a
SIGNS:	n/a
ARCHITECTURAL CONTROLS	n/a

BACKGROUND/DESCRIPTION OF APPLICATION:

The Town of Coaldale has received a development permit application for a shipping container to be located in the rear yard of the above-mentioned property. The shipping containers appearance is a per the attached pictures. Shipping Containers are a discretionary use within the Industry -I zoning district.

APPLICABLE SECTIONS OF THE LAND USE BYLAW:

- Schedule 4: Standards of Development, 33: Shipping Containers
- Schedule 2: Land Use Districts, Industry - I

Notice of the application was sent to adjacent properties and no written or verbal concerns have been brought forward to date. Notices were hand delivered and mailed to the neighboring property owners.

OPTIONS:

The board may consider APPROVAL of Development Application (#2018-) subject to the following recommended conditions:

1. Must obtain approval of a Building Permit from Superior Safety Codes Inc at (403) 320-0734 prior to commencement.
2. 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, Industry - I

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. 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.
5. Ensure lot drainage is maintained.
6. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.

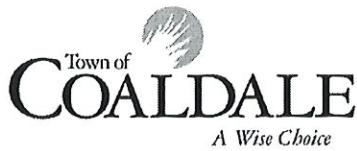
The board may consider REFUSAL of Development Application (#2018-176).

Respectfully Submitted:

Cindy L'Hirondelle
Manager of Development & Environmental Services

ATTACHED FILES:

- Site Plan
- Notice to Neighbouring Property Owners
- Pictures of shipping container



December 17, 2018

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2018-176

APPLICANT: COALDALE & DISTRICT EMERGENCY SERVICES

**ADDRESS: 1408 – 13 STREET, COALDALE, ALBERTA
PLAN 9610938, BLOCK 20, LOTS**

ZONING: INDUSTRY - I

Dear Sir/Madam,

We are in receipt of Development Application #2018-176 requesting to place a shipping container along the west property line of the above-mentioned property. Within the Industry -I zoning district in Land Use Bylaw 677-P-04-13, a shipping container is a discretionary use.

The Town of Coaldale Land-Use Bylaw states that any discretionary uses shall be considered by the Municipal Planning Commission (MPC). As such, a hearing must be held for consideration of this application.

The full agenda will be posted on our website by December 21, 2018 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>

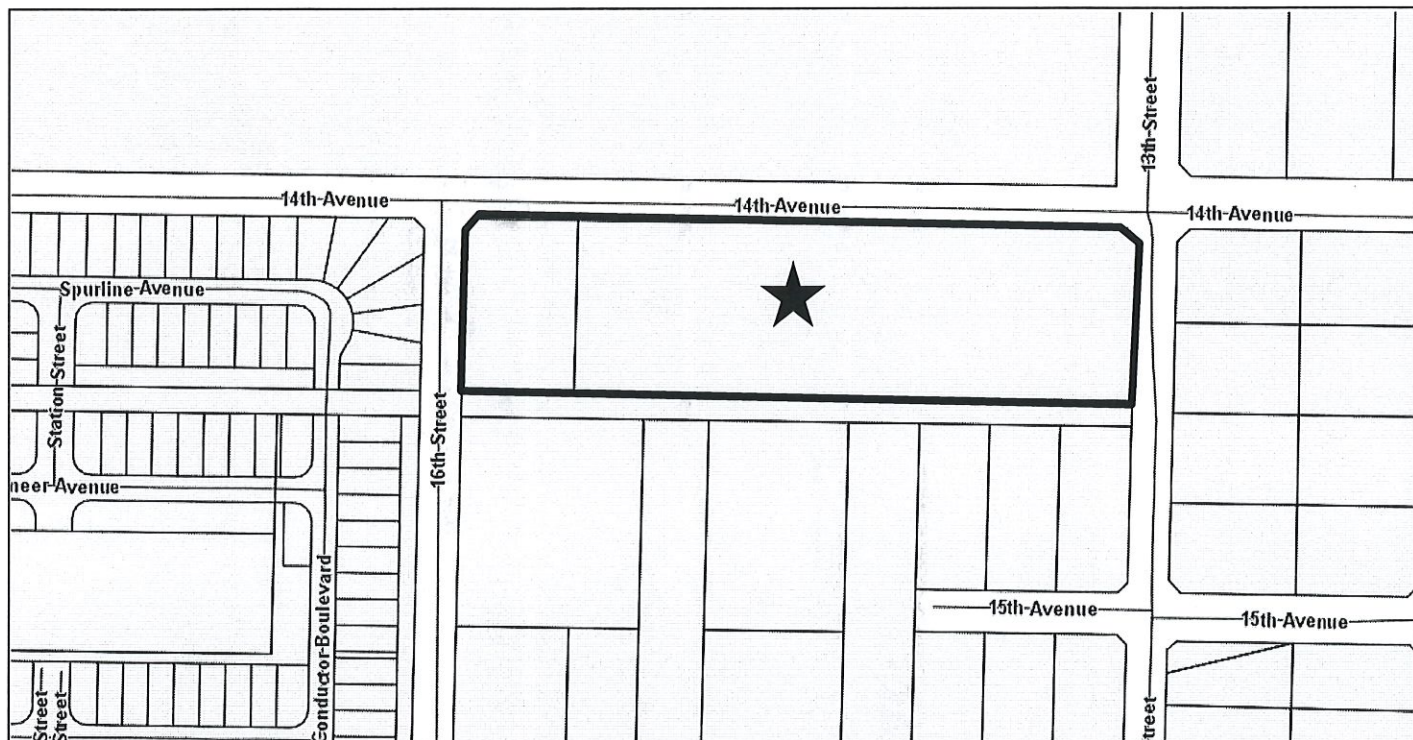
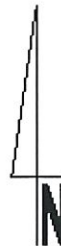
Pursuant to the provisions of Section 42 of the Bylaw 677-P-04-13 being the Land Use Bylaw of the Town of Coaldale, notice is hereby given that on **Wednesday, January 9, 2019, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit (#2018-176) requesting a waiver. The hearing will take place in the Town Council Chambers at 1920 – 17 Street Coaldale, Alberta.**

Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale by 1:00pm on Tuesday, January 8, 2019 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,

Cindy L'Hirondelle
Manager of Development & Environmental Services

cc. Applicant



Staff Report to the Municipal Development Authority Board

Development Application #	2018-177
Applicant	Peter Bos
Civic Address	PTN NE ¼ SEC 9-9-20 W4
Legal Description	
Zoning	Rural Urban Fringe - RUF
Description of Application	Second Single Detached Dwelling – Discretionary

BACKGROUND/DESCRIPTION OF APPLICATION:

We are in receipt of Development Application 2018-177 locate a second Single Detached Dwelling at the above referenced property. This land was annexed into the Town of Coaldale in 2018 and still follows that land use bylaw of the Lethbridge County until it has been rezoned to fit into the Town of Coaldale's land use bylaw.

As per Lethbridge County land use bylaw 1404, a second dwelling within the Rural Urban Fringe is discretionary. The land use bylaw also states that the second dwelling is placed in such a manner so that the two dwellings do not utilize an area (shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the Development Authority.

Notice of the application was sent to the neighbouring property owners and no written or verbal concerns have been brought forward.

RECOMMENDATION

The board considers APPROVAL of Development Application (2018-177) to establish a second 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 Lethbridge County Land Use Bylaw 1404, Part 2, Rural Urban Fringe - RUF
4. A person to whom a Development Permit has been issued shall notify the Designated Officer following the Stakeout of the site but prior to the commencement of construction.

5. A person to whom a Development Permit for a Single-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. The applicant/owner shall submit to the Town of Coaldale a soil bearing report.
7. Must obtain a competent Alberta Land Surveyor to establish the vertical grades and cuts prior to the excavation of the foundation. *(Should the building be constructed lower than design finish grade due to a failure to survey the vertical grades for the foundation as per the lot grading design it may be at risk for flooding.)*
8. 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.
9. The connection of weeping tile foundation drainage systems to the sanitary sewer services in this development is **STRICTLY PROHIBITED**.
10. Ensure water does not drain into neighbouring properties.
11. 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.
12. Excess dirt and mud that is tracked onto sidewalks and roads shall be cleaned up promptly as to not impact the neighborhood.

Respectfully Submitted:

Cindy L'Hirondelle
Manager of Development & Environmental Services

ATTACHED FILES:

- Site Plan
- Notice to Neighbouring Property Owners
- Excerpts from Lethbridge County bylaw

up LM (± 131 ft)

TP LM (± 230 ft)

Township Rd 92

Township Rd 92

Township Rd 92

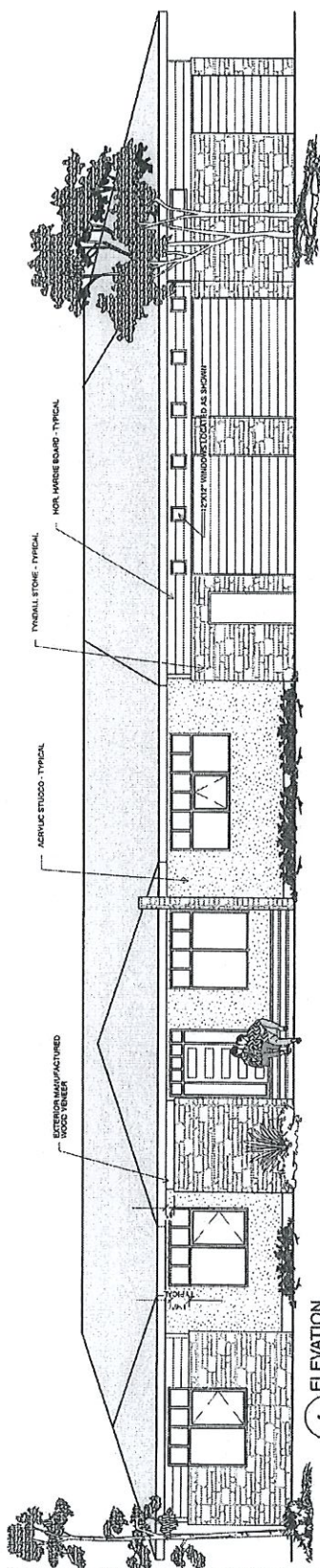
Township Rd 92

Township Rd 92

Google Growsnest Hwy

Growsnest Hwy

Bos Sod Farm



PERMANENT STONE - TYPICAL

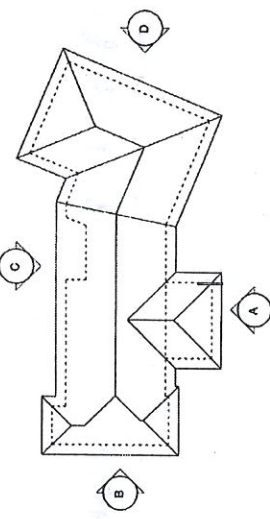
ADDITIONAL STUCCO - TYPICAL

EXTERIOR MANUFACTURED WOOD VENEER

12'x24" WINDOWS LOCATED AS SHOWN

A ELEVATION
SCALE: 3/16" = 1'-0"

GRADE LEVEL - SAME AS AROUND HOUSE
- FINISH GRADE MAX 24" BELOW MAIN FLOOR LEVEL

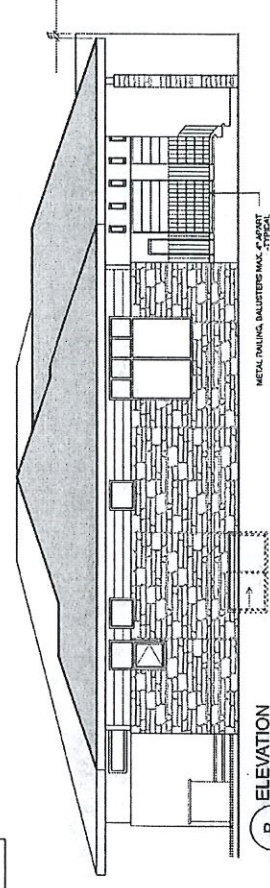


C

B

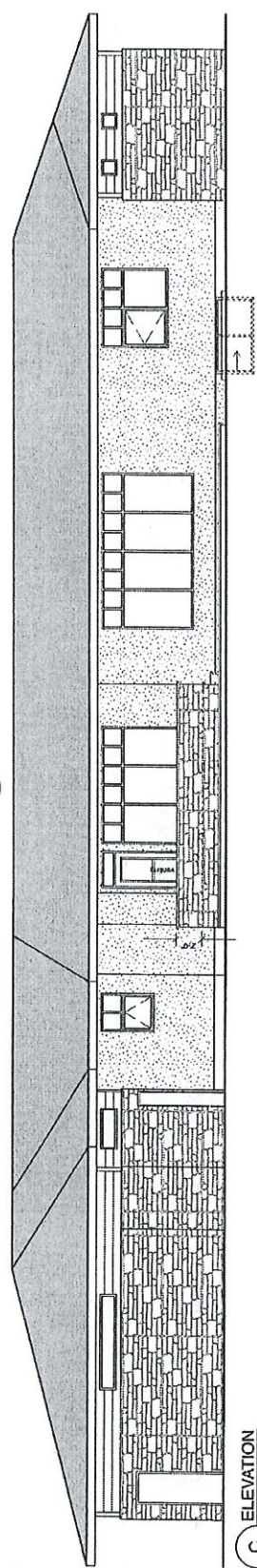
D

A

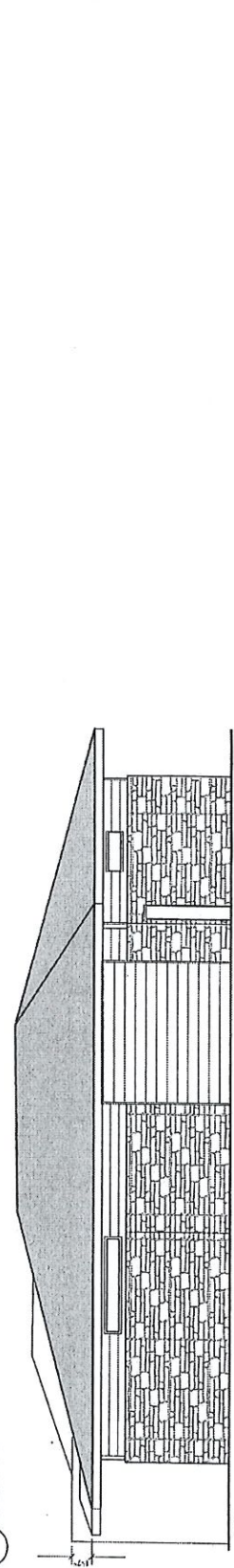


B ELEVATION
SCALE: 3/16" = 1'-0"

METAL RAILING, BALUSTERS MAX. 4" DIA. TYPICAL



C ELEVATION
SCALE: 3/16" = 1'-0"



D ELEVATION
SCALE: 3/16" = 1'-0"



December 18, 2018

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2018-177

APPLICANT: PETER BOS

ADDRESS: PTN NE ¼ SEC 9-9-20 W4 COALDALE, ALBERTA

ZONING: RURAL URBAN FRINGE - RUF

Dear Sir/Madam,

We are in receipt of Development Application #2018-177, to locate a second Single Detached Dwelling in the northwest corner of the above-mentioned address. A second dwelling within the Rural Urban Fringe – RUF zoning is a discretionary use so it shall be considered by the Municipal Planning Commission (MPC).

The full agenda will be posted on our website by December 21, 2018 at the following link, <http://www.coaldale.ca/mpc-meeting-agendas/>

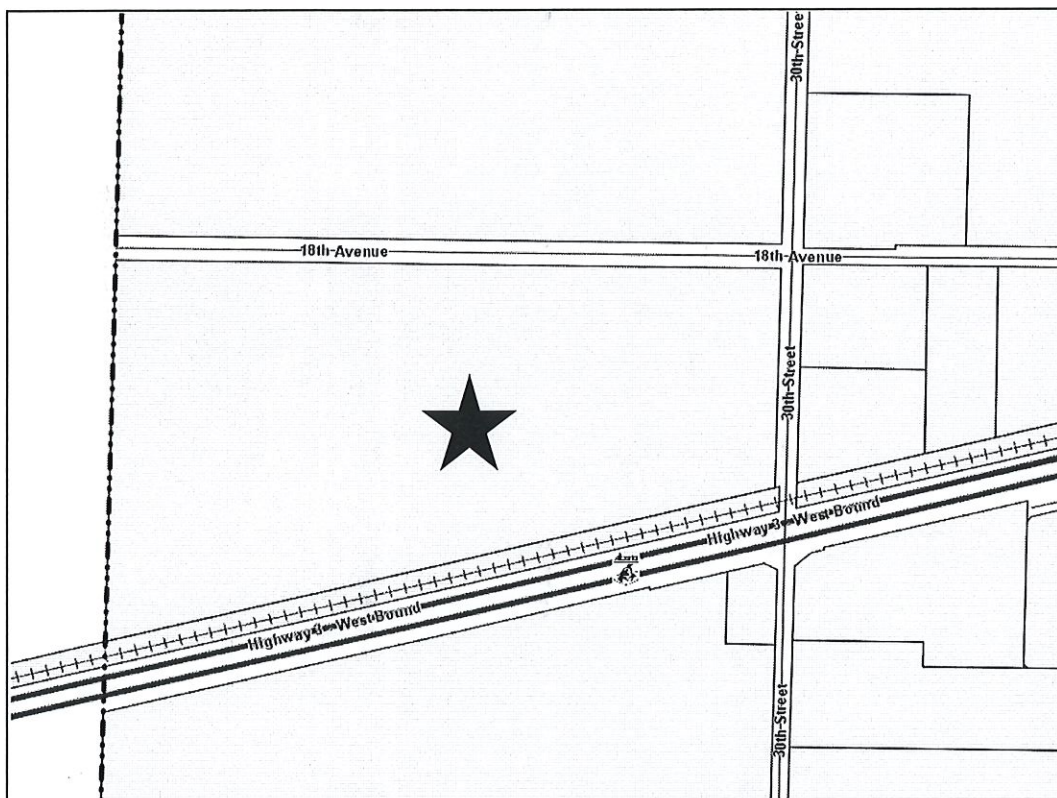
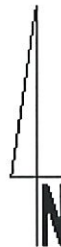
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Any comments you wish to make concerning the application can be made in writing to the Town of Coaldale by 1:00pm on Tuesday, January 8, 2019 or verbally at the meeting. Comments for the application can be dropped off in person at the Town Office, faxed to 403-345-1311 or emailed to buildingcoaldale@coaldale.ca. Please note that all submissions will be made public.

Sincerely,

Cindy L'Hirondelle
Manager of Development & Environmental Services

cc. Applicant



RURAL URBAN FRINGE – RUF**1. PURPOSE**

To protect agricultural land for agricultural use while ensuring that the fringe areas of the urban municipalities are protected for future development by ensuring non-agricultural uses will not conflict with an urban environment and economic base.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES**(1) Permitted Uses**

Accessory Buildings, Structures and Uses to an Approved Permitted Use
Agricultural Buildings and Structures (see Part 1, Section 13 - No permit required)
Day Homes (see Part 1, Section 13 - No permit required and Part 4, Section 13)
Dwellings:
 Single-detached Site-built
 Single-detached Manufactured Home 1 (see Part 4, Section 22)
 Single-detached Manufactured Home 2 (see Part 4, Section 22)
 Single-detached Ready-to-move (see Part 4, Section 22)
Extensive Agriculture and Grazing (see Part 1, Section 13 - No permit required)
Home Occupations 1 (see Part 4, Section 20)
Secondary Suites (contained within a single-detached dwelling) (see Part 4)
Secondary Suites (detached garage) (see Part 4)
Signs Type 1 (in accordance with Part 5)
Solar Collectors, Individual (see Part 6, Section 2)

(2) Discretionary Uses

Accessory Buildings, Structures and Uses to an Approved Discretionary Use
Agricultural Services
Alternative or Renewable Energy Facilities, Individual (see Part 6)
Bed and Breakfasts (see Part 4, Section 9)
Cemeteries
Day Care (see Part 4, Section 14)
Dwellings:
 Moved-in (see Part 4, Section 22)
 Semi-detached (or duplex)
 Second or Additional Residences*
Garden Centre
Home Occupations 2 and 3 (see Part 4, Section 20)
Horticulture
Isolated Country Residential (for subdivision purposes)
Market Gardening and Nurseries
Moved-in Buildings (see Part 4, Section 25)
Personal Workshop and Storage (non-commercial) (see Part 4)
Public/Institutional Uses
Recreation, Minor
Public and Private Utilities:
 General Utility Structures
 Sewage Disposal Plants and Lagoons
 Water Treatment Plants and Reservoirs

Public Parks
Recreational Vehicle Storage (see Part 4, Section 28)
Signs Type 2 Fascia (in accordance with Part 5)
Shipping Containers (see Part 4, Section 32)
Small Wind Energy Conversion Systems (see Part 6, Section 3)
Stockpiles
Telecommunication Facilities (see Part 4, Section 36)
Veterinary Clinics, Small Animal
Wind Energy Conversion Systems (see Part 6)

(3) Prohibited Uses

Confined Feeding Operations
Grouped Country Residential – *Non-designated***
Grouped Industrial – *Non-designated***
Processing of Manure
Rural Commercial – *Non-designated***

♦ 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 33, is a Prohibited Use.

* May be allowed with compliance to Part 1, Section 18 of this bylaw.

** "Non-designated" means a cluster or grouping of such uses that has not been designated as such in the land use bylaw.

3. MINIMUM LOT SIZE

- (1) The minimum required parcel or lot size shall be:
 - (a) existing parcels;
 - (b) 0.8 ha (2 acres) of developable land or greater as reasonably required to support the proposed use.
- (2) Parcels or lots less than 0.8 ha (2 acres) in size may be considered in the following circumstances:
 - (a) the lots are to be connected to municipal services; or
 - (b) the lots are included in a municipal approved area structure plan or design scheme and the lot area is based on an alternative or communal waste water treatment system acceptable to the municipality. In such situations, the minimum lot area should not be less than 0.2 ha (20,000 sq. ft.) unless special circumstances warrant a smaller size.

4. MINIMUM YARD SETBACK REQUIREMENTS

- (1) No structure (excluding fencing) or dugout banks shall be within 6.1 metres (20 ft.) of a property line. For setbacks adjacent to or fronting roadways, the following Section 5 stipulations shall apply.

(2) Special Setback Requirements

All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a provincial highway may have special requirements for setback, access and service roadways imposed as a condition of approval by the Development Authority in accordance with the requirements of Alberta Transportation and the *Highways Development Protection Regulation*.

5. MINIMUM SETBACKS FROM ROADWAYS

- (1) No part of a building, structure or development shall be located within:
 - (a) 38.1 metres (125 ft.) of the centre line of any public roadway which is not designated as a provincial highway under the *Highways Development Protection Regulation*;
 - (b) 70.0 metres (230 ft.) of the centre line or 40.0 metres (131 ft.) from the right-of-way boundary, whichever is greater, of roads designated as provincial highways under the *Highways Development Protection Regulation*;
 - (c) for any development adjacent to provincial roadways classified as a four-lane divided highway or freeways/expressways, the required setback distances and accesses will be reviewed on a highway-by-highway/development-by-development basis and shall be as prescribed by Alberta Transportation;
 - (d) any greater distance that may be required by the Development Authority in order to facilitate future road widening, service road dedication, to reduce potential snow drifting, or vision restrictions.
- (2) Where any parcel or part of a parcel has frontage on a provincial highway, special standards for setbacks, access, and service roadways may be required by Alberta Transportation under the *Highways Development Protection Regulation*.
- (3) Landscaping and dugout setbacks shall be at the discretion of the Development Authority having consideration for future road widening and possible adverse effects on the safety of the roadway.

6. MINIMUM SETBACKS FOR USES INVOLVING LIVESTOCK OR ANIMALS

- (1) All corrals, feeders, shelters or other structures for the feeding of animals less than the numbers outlined in the *Agricultural Operations and Practices Amendment Act 2001 and Regulations* shall not be located closer to a neighbouring residence than 30.5 metres (100 ft.).
- (2) All corrals, feeders, shelters or other structures for the feeding of animals less than the numbers outlined in the *Agricultural Operations and Practices Amendment Act 2001 and Regulations* shall not be located within 30.5 metres (100 ft.) of the boundary or right-of-way an irrigation district canal, creek, stream, river, lake shore or water body.

7. DEVELOPMENT AND SETBACKS NEAR CANALS

All other development shall not be located within 30.5 metres (100 ft.) of the boundary of a right-of-way of an irrigation canal that serves any downstream users. In order to determine the status of a canal, the comments of the relevant irrigation district should be considered.

8. MAXIMUM SITE COVERAGE

- (1) 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.
- (2) At the discretion of the Development Authority, the maximum size (i.e. square footage or building footprint) of an accessory building or structure to be located on a parcel may be stipulated as a condition of approval on a development permit.

9. ACCESS

- (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*.
- (2) 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 (¾ mile) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.
- (3) Access points adjacent to blind corners, hills, ridges, railway crossings and any other obstructions shall be positioned so as to provide a reasonably unobstructed view in either direction of 100 metres (328 ft.) on a local road.
- (4) The requirement of a service road or subdivision street to provide access may be imposed as a condition of approval for any new development other than those deemed approved. Construction and survey costs for a service road shall be the responsibility of the applicant.
- (5) If access is required onto a roadway under the jurisdiction of an adjacent municipality, the affected municipality shall be notified to obtain consent. In the case where an Intermunicipal Development Plan is adopted by the two municipalities, any applicable road network/access policies stipulated in that joint agreement shall apply.

10. ACCESSORY BUILDINGS AND STRUCTURES

- (1) An accessory building or structure shall only be constructed in conjunction with an approved principal building or use and not be used as a permanent dwelling.
- (2) An accessory building or structure shall not be located in the required setback from a public road or on an easement.
- (3) An accessory building or structure shall be setback a minimum 3.0 metres (10 ft.) from the principal dwelling and from all other structures on the same lot.
- (4) 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.
- (5) 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 or structure.

11. FENCES AND SHELTERBELTS

In rural areas along local roads, the construction or erection of a fence, hedge or shelterbelt shall comply with the following:

- (a) no fence, hedge or shelterbelt shall be erected which would unduly restrict the vision of approaching traffic;
- (b) fencing surrounding public utility lots shall be as per *Lethbridge County Engineering Guidelines and Minimum Servicing Standards* or as stipulated in a Development Agreement;
- (c) all fences must be sited to be able to meet the required corner site triangle setbacks as stipulated in Part 3, Section 11.

- (d) a chain link, split rail or barb wire type fence may be located adjacent to the property line or within the required setbacks to a public road, but, solid material fences and snow fences must meet the stipulated setbacks to the public road;
- (e) no hedge or shelterbelt shall be erected closer than the distances as stipulated in Part 3, Section 11, Fences, Trees and Shelter Belts in Rural Areas, Diagram 3.5, of the right-of-way of a public road.

12. OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- (1) No person shall allow a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain within 30.5 metres (100 ft.) of a local road or provincial highway in the district unless it is suitably housed or screened to the satisfaction of the Development Authority.
- (2) Not more than six (6) recreational vehicles shall be stored or parked on a parcel unless otherwise approved by the Development Authority.
- (3) A recreational vehicle parked on a lot in any district shall not be used for permanent living or sleeping accommodation.

13. SERVICING REQUIREMENTS

- (1) 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.
- (2) 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.
- (3) 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.

14. LOCATIONAL CRITERIA FOR ISOLATED COUNTRY RESIDENTIAL DEVELOPMENT

- (1) Isolated country residential development shall be discouraged if located within:
 - (a) the minimum distance separation as calculated from an existing or approved confined feeding operation;
 - (b) the required (reciprocal) setback distance of noxious industries or resource extraction uses to residential or higher density urban uses; or
 - (c) the required or recommended safe setback distance to hazardous, ecologically sensitive, or other geographical sensitive features (coulees, steep slopes, escarpment, floodplains or flood prone areas, drainage courses, water bodies) in accordance with the bylaw standards, or accepted engineering reports at the discretion of the Development Authority; or
 - (d) any other activity potentially detrimental to a residential environment;unless the Development Authority or Subdivision and Development Appeal Board is satisfied that adequate measures will be undertaken to mitigate any nuisance or hazard, or the Development Authority determines that there is no other reasonable alternative or available area on the parcel of land in which to suitably locate the dwelling.



- (2) In all instances, a development permit application for a residential dwelling shall not be approved if it is located within 500 metres (1,640 ft.) of an established Anhydrous Ammonia bulk storage facility.

15. HAZARDOUS OR NOXIOUS INDUSTRY

Development of hazardous or noxious uses shall be discouraged in this land use district.

16. DEVELOPMENT APPLICATION REFERRALS

- (1) Development applications for discretionary uses within this land use district shall be referred to (where relevant) the Development Authority of the Town of Coaldale, Town of Picture Butte, Town of Coalhurst, Village of Barons, or the Village of Nobleford for comment, prior to making a decision on a permit application.
- (2) Pursuant to the Lethbridge County Municipal Development Plan, the Development Authority may take into account the direct or indirect effects of development applications within this land use district on the immediate and surrounding areas, as well as the possible effect on future development of the Town of Coaldale, Town of Picture Butte, Town of Coalhurst, Village of Barons and Village of Nobleford as applicable.
- (3) In areas of the Town of Coalhurst rural urban fringe, applications may be referred to the City of Lethbridge in accordance with any applicable Intermunicipal Development Plan policies.
- (4) Land use policies, development restrictions or standards stipulated in any adopted Intermunicipal Development Plan with a neighbouring municipality, which are applicable to the rural urban fringe area, shall take precedence over any policy or standard in this bylaw.

18. STANDARDS OF DEVELOPMENT (See Part 3 – General Land Use Provisions)

- (1) Part 3 contains land use and development standards that may be required and stipulated as a condition of a subdivision or development approval.
- (2) All development must comply with any additional standards that may be contained in an adopted area structure plan or design scheme.

19. LANDSCAPING AND SCREENING (See Part 3 – General Land Use Provisions)

20. OFF-STREET PARKING REQUIREMENTS (See Part 3 – General Land Use Provisions)

21. USE SPECIFIC STANDARDS OF DEVELOPMENT (See Part 4 – Use Specific Provisions)

22. READY-TO-MOVE / MANUFACTURED HOME DEVELOPMENT STANDARDS (See Part 4 – Use Specific Provisions)

23. MOVED-IN DWELLINGS AND BUILDINGS (See Part 4 – Use Specific Provisions)

24. HOME OCCUPATIONS (See Part 4 – Use Specific Provisions)

25. SIGN REGULATIONS (See Part 5)

26. ALTERNATIVE / RENEWABLE ENERGY DEVELOPMENTS (See Part 6)



27. SUBDIVISION CRITERIA (See Part 7)

28. FORMS (See Appendix A)

17. NON-CONFORMING USE VARIANCES

The Development Authority is authorized to exercise minor variance powers with respect to non-conforming uses pursuant to section 643(5)(c) of the *Municipal Government Act*.

18. NUMBER OF DWELLINGS ON A LOT

- (1) No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority subject to Sections 18(2) through (7).
- (2) If the parcel has an area of at least 32.4 ha (80 acres) and the application otherwise conforms to the standards and requirements of this bylaw, the Development Authority:
 - (a) shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a parcel;
 - (b) may issue a development permit to a person that would permit the construction or location of additional dwellings (i.e. more than 2), if the requirements of section 18(3)(a) to (d) are met.
- (3) On parcels less than 32.4 ha (80 acres), the Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
 - (a) is to be occupied by a person who is engaged in agriculture, as defined in this bylaw; or, a second dwelling or residence will be located in a district that allows for such use and the proposal can be supported by the land with consideration for meeting the following criteria:
 - (i) the land is suitable to accommodate the required septic treatment system on-site;
 - (ii) access to a public roadway can be provided to the satisfaction of the municipality;
 - (iii) the second dwelling is placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the Development Authority;
 - (iv) the parcel contains a minimum of 1.62 ha (4.0 acres) of developable land;
 - (v) the parcel, site or land can meet all other requirements and standards of the bylaw, including that the location of the additional dwelling will not be located in a flood prone area, will not be located within any applicable minimum distance separation (MDS) required to a neighbouring confined feeding operation, amongst other applicable standards; and
 - (vi) the dwelling meets the standards of development criteria as stipulated in Part 4;
 - (b) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units such as but not limited to a duplex, semi-detached dwelling, and multi-unit dwelling;
 - (c) is a manufactured home forming part of a park for manufactured home units; or
 - (d) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a Land Titles Office under the *Condominium Property Act*.
- (4) The Development Authority may, in a development permit, exempt any person or land from the operation of section 18(1) if:
 - (a) the dwelling is temporary in nature in accordance with section (5); and
 - (b) the permit has an expiry time (to a maximum period of 3 years); and

- (c) the second dwelling meets the minimum distance separation calculation for confined feeding operations; and
 - (d) the dwelling be located in such a way as not to encourage further subdivision.
- (5) The Development Authority may issue a development permit for a garden suite in accordance with section 18(4) provided that:
- (a) it is used to temporarily accommodate persons that are dependent (i.e. relying on someone for aid, care, support, etc.) on or associated with the residents in the principal dwelling; or
 - (b) where circumstance warrants, a garden suite may be used to temporarily house persons providing care to the resident(s) of the principal building; and
 - (c) the dwelling meets the standards of development criteria as stipulated in Part 4.
 - (d) The Development Authority may issue the temporary permit in consideration of a condition that prescribes or specifies the circumstances when the approved temporary permit would cease which would take precedence over the limitations as outlined in Section 34 for Temporary Uses.
- (6) Development Authority may limit the number of additional dwelling units approved on any one parcel of land.
- (7) In making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5), the Development Authority shall take into consideration compliance to all other standards and requirements of the bylaw.
- (8) The Development Authority shall also consider the following in making a decision on whether to approve a development permit for a second or additional dwelling unit in Sections 18(2) through (5):
- (a) the second dwelling shall be placed in such a manner so that the two dwellings do not utilize an area (i.e. shared yard) greater than 4.0 ha (10 acres). The configuration of the 4.0 ha (10 acre) area must strive to be compact in nature and must be acceptable to the Development Authority;
 - (b) either the second dwelling unit or the main residence shall be occupied by the owner of the property and is considered the owner's primary residence;
 - (c) the second dwelling unit shall be subject to the same minimum required setbacks for front, side and rear yards as the principal dwelling on the parcel;
 - (d) joint access may be required as a condition of approval;
 - (e) the applicant shall have a professional soil test/analysis done at their expense to ensure that the soil characteristics are capable of supporting multiple septic fields. The analysis must include identifying and confirming the depth to water table to meet provincial requirements. Analyses of the test must be performed and approved by an engineer or approved agency under Alberta Labour, with a copy of the report submitted with the development permit application.
 - (i) For temporary dwellings approved in accordance with section 18(4) and (5), the second dwelling must tie-in to the existing on-site septic treatment system. Such proposals shall require an examination and report on the current system, prepared by a qualified engineer or approved agency under Alberta Labour, to be undertaken to verify the capacity of the existing septic infrastructure or determine if it needs to be enlarged or upgraded and to what standard.