



AGENDA

Municipal Planning Commission Meeting

5:00 PM - Wednesday, June 9, 2021

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MINUTES

Municipal Planning Commission Meeting

5:00 PM - Wednesday, May 12, 2021
HUB (Virtual)

The Municipal Planning Commission of the Town of Coaldale was called to order on Wednesday, May 12, 2021, at 5:00 PM, in the HUB (Virtual), with the following members present:

PRESENT:

R. Hohm, Councillor (Chair)
J. Abrey, Councillor
D. Lloyd, Councillor

EXCUSED:

J. Van Hierden, Committee Member
J. Peters, Committee Member

STAFF PRESENT:

S. Croil, Director of Planning & Development
M. Messier, Planning Intern
K. Stone, Recording Secretary

GALLERY:

B. Frache; A. Parker; W. Warnock; J. Warnock; D. Stimson;
S. Pauls

1.0 CALL TO ORDER

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

2.0 ACCEPTANCE OF THE AGENDA

2.1 21-2021

MOTION: D. Lloyd moved to APPROVE the Agenda.

Carried 3-0

3.0 ADOPTION OF PREVIOUS MINUTES

3.1 MPC Meeting Minutes - April 14, 2021

22-2021

MOTION: J. Abrey moved to APPROVE the April 14, 2021 minutes.

Carried 3-0

4.0 BUSINESS ARISING FROM THE MINUTES

None

5.0 NEW BUSINESS

5.1 SUB 2021-005 - SE10-9-20-4

S. Croil presented SUB 2021-005, an application to subdivide the last phase for the Cottonwood Estates neighbourhood, the lands upon which make up a portion of the S.E. 10-9-20 W4M.

The application is for 41 residential (R-1A) lots and the creation of 3 additional Municipal Reserve (MR) parcels for the neighbourhood.

The application is generally consistent with the Cottonwood Estates Area Structure Plan (ASP) Bylaw No. 547-P-06-05 adopted by Town Council in 2005. The ASP contains a detailed framework for the subdivision and development of the community. Inclusive of the dedication of municipal reserve, which has been fulfilled in previous subdivision applications for the Cottonwood Estates neighbourhood.

The current zoning of the subject parcel is a mixture of Residential (R-1A) and Urban Reserve (UR). However, the UR zoning is only on areas identified as future road and as such, the correct zoning (R1A) is in place on all lands that are slated to become lots.

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the applicant has fulfilled the dedication of Municipal Reserve requirements. The size of the original, unsubdivided parcel was 60.94 ha (150.6 ac), and the total MR dedicated is 7.23 ha (17.87 ac), representing an over-dedication of 1.13 ha (2.81 ac). It was noted that as per the tentative plan, an area in the SE corner of the lands legally described as Lot 51MR, Block 11, Plan 1911196 equaling 0.015

ha (0.037 ac) is shown as being incorporated back into what is shown as Lot 40 on the tentative plan. This is as a result of Council Motion 401-2020, whereby Town of Coaldale Council approved a request from the developer to allow for the reincorporation of the part of the MR as described above, into Lot 40. It was also noted that all necessary processes will be completed to dispose of the MR designation on the 0.015 ha (0.037 ac) portion that is currently designated MR.

The Municipal Planning commission may consider approval of the subdivision application subject to the following suggested conditions.

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That the applicant pays the applicable off-site levies and development fees as required by the Town of Coaldale.
4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
5. That any conditions of Alberta Transportation shall be met prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

The application has been circulated to adjacent properties and the appropriate referral agencies. Commentary received includes:

1. Alberta Transportation has granted a waiver to Sec. 14 and 15(2) of their regulations and advises the applicant that any development within the right-of-way of Highway 845 or within 300 metres beyond the limit of the highway or within 800 metres from the centrepont of the intersection of the highway and another highway would require the benefit of a permit from Alberta Transportation. However, Alberta Transportation also noted that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in which case a permit from Alberta Transportation would not be required and development of the 41 residential lots can proceed under the direction, control and management of the Town.

2. Alberta Environment and Parks has indicated that as long as the existing stormwater infrastructure meets the requirements specified in the Malloy Master Drainage Plan, AEP has no concerns with the subdivision related to the Water Act.
3. Canada Post had no comments on the proposed subdivision.
4. FortisAlberta has responded indicating that they do not require an easement.
5. SMRID has responded that they have no objections to the proposed subdivision as the area in question is classified as 'dry'.
6. TELUS has responded indicating that they have no objections to the proposed subdivision.

D. & J. Brown purchased a house in Phase 2 and they expressed their concerns regarding an adjustment to the original plan that changed the privacy in their backyard. They expected a Green Space behind their lot which is no longer there, and a lot will be directly behind them. The realtor who assisted in this purchase also expressed her concerns, stating that the Green Strip was a big factor when purchasing this lot.

The developer and D. & J. Brown are scheduling a meeting to speak with one another to see if there's some common ground they can reach.

- The Commission asked if any changes made by D. & J. Brown and the developer will need to come back to MPC if the application is approved.
- S. Croil advised that any changes made as a result of their discussion would not need to come back to MPC. It would be a matter of communicating with the surveyor to make an adjustment before being sent off to Land Titles for registration.
- B. Frache advised that overall, the feedback he has received has been positive. He indicated he hopes to come to a compromise with the lot owner wherein he will be satisfied.

23-2021

MOTION: D. Lloyd moved to APPROVE SUB 2021-005 subject to conditions:

1. *That, pursuant to Section 654(1) 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 the applicant pays the applicable off-site levies and development fees as required by the Town of Coaldale.*
4. *That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.*
5. *That any conditions of Alberta Transportation shall be met prior to finalization.*
6. *Consideration of adjacent landowner and referral agency comments.*

Carried 3-0

5.2 SUB 2021-006 - 1606 20th Ave.

S. Croil presented subdivision application SUB 2021-006 to subdivide 1606 20 Ave, which is currently 0.132 ha (0.33) acres in size. The application proposes to subdivide the subject lands into four (4) lots of 0.032 ha (0.08 acres) in size.

The purpose of the application is to subdivide one 0.132 ha (0.33 acre) lot into four (4) commercial lots of equal size (0.032 ha or 0.08 ac each) for the purposes of a commercial development. The subject property is at the corner of 16th Street and 20th Avenue and has the civic address of 1606, 20th Avenue.

The subdivision proposal is intended to allow for the future development of 4 commercial lots, which are planned to be sold and developed by future potential businesses. The subject area currently contains one single-story residential building. This building has been deemed inhabitable and has been vacant for a number of years.

The width of each lot is proposed at 7.62 m (25 ft) in width (measuring east/west) and 42.6 m (139.8 ft) in depth (measuring east/west), which means each lot meets or exceeds the minimum

lot dimensions of the Town's Commercial C-1 land use district, specifically within the Downtown Overlay area.

Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

The application has been circulated to surrounding properties and the appropriate referral agencies. The commentary that has been provided includes:

1. Alberta Transportation has responded that, due to the parcels that are proposed to be created being removed from the highway network, with indirect access to the highway being granted by way of the local street system, it is not anticipated that there will be any appreciable impact on the highway system. Therefore, Alberta Transportation has indicated that they are willing to grant a waiver of Sec. 14 and 15(2) of their regulations.
2. ATCO Gas has indicated that they have no existing utility r-o-w registered on the subject property and as such, they will require a r-o-w to their satisfaction, as a part of the subdivision process.
3. Canada Post No comment.
4. FortisAlberta indicated that no easement is required.
5. SMRID indicated that they have no objection to the proposed subdivision because it is classified as a 'dry' parcel.
6. TELUS indicated they have no objection to the proposed subdivision.
7. Surrounding property owners Notice of the application was mailed to all surrounding property owners and no responses have been received.

24-2021

MOTION: D. Lloyd moved to APPROVE SUB 2021-006 subject to conditions:

- 1. That, pursuant to Section 654(1) 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 the applicant enter into a utility r-o-w agreement with ATCO Gas and that the agreement be registered on title at the same time the subdivision is registered.*
- 4. That any conditions of Alberta Transportation be met.*

Carried 3-0

5.3 DP 2021-047 - 1507 21 Avenue

M. Messier presented DP 2021-047, an application to review a waiver request for maximum lot coverage to allow for a detached garage at the subject property located at 1507 21 Avenue.

The property is zoned Residential R-1A, within this zoning district the maximum lot coverage for accessory structures is 10% of the total lot area, inclusive of all accessory buildings. The applicant is proposing an addition of a garage, increasing the total accessory structure lot coverage to 13%, equivalent to a 3% waiver. As such, the application requires the review of the Municipal Planning Commission (MPC).

The applicant is proposing a garage be built in the southeast section of the parcel. Currently, there is a temporary garage acting as the home's primary storage area.

The dimensions of the proposed garage are as follows:

- 9.1 metres (30 ft) length x 9.1 metres (30 ft) width
- 4.5 metres (15 ft) in height

Staff requests that the commission considers approval of Development Application 2021-047 to allow for a waiver of

maximum lot coverage subject to the following conditions. These conditions are in addition to standard development permit conditions associated with the development of a detached garage.

1. Setbacks shall conform to site plan, which was attached as part of the Development Permit application and to Land Use Bylaw No. 677-P-04-13, Schedule 2, Residential R-1A.
2. Ensure lot drainage is maintained and that lot grade is maintained.
3. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
4. There shall be no construction of additional accessory structures until the existing structures have been removed.

Notice of the application was sent to neighbouring property owners and one letter of support was received.

25-2021

MOTION: J. Abrey moved to APPROVE DP 2021-047 subject to 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 – Residential – R-1A.*
4. *A minimum separation distance of 4' shall be provided between a principal building and any accessory building.*
5. *No waiver of minimum required setback distances will be granted for any portion of the structure.*
6. *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.*
7. *Ensure lot drainage is maintained during and after construction of the garage.*
8. *The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.*

9. *The exterior finish must be the same or complimentary to the principal building.*

Carried 3-0

5.4 DP 2021-050 - 2005 30A Avenue

M. Messier presented DP 2021-050, an application to review a request for a waiver of minimum rear yard setback requirements to allow for a covered deck and a waiver of minimum landscaping requirements at 2005 30A Avenue.

The parcel is zoned as Residential R-1A where minimum rear yard setback requirements for single detached dwellings is 7.62 metres (25 ft). Within the Land Use Bylaw, covered decks are considered part of the principal dwelling and must meet the stipulated setbacks for the single-detached dwelling.

The applicant is proposing a new rear yard setback of 4.2 metres (13 ft and 2 inches), which equals a 45% waiver or 3.4 metres (11').

Additionally, within the Residential R-1A zoning district in the Land Use Bylaw, a minimum of 25% of the front yard area of the principal dwelling is required to contain landscaping. The applicant is proposing a new minimum of front yard landscaping of 15.8%, equivalent to a 9.2% waiver of landscaping requirements.

Staff requests that the commission considers approval of Development Application 2021-050 to allow for a waiver of minimum rear yard setback requirements and a waiver of minimum landscaping requirements subject to the following conditions.

These conditions are in addition to standard development conditions associated with the development of a single-detached dwelling.

1. Setbacks to conform to the 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, with the exception of the rear yard setback which shall be reduced to 4.2 metres (13 ft and 9 inches).

2. The deck is not to be further enlarged, covered or enclosed unless necessary permits have been applied for and approved.
3. Ensure lot drainage is maintained.

- D. Stimson advised that the concrete on the north side of the house is to access the detached garage in the backyard. Further, he advised that in order to squeeze a vehicle between the landscaped area and the side yard, he still wouldn't meet the 25% landscaping requirement.

With respect to the Covered Deck, he indicated it would help finish the aesthetics of the house. He inquired if the neighbouring property getting approved for a similar application would be taken into consideration.

- The Commission confirmed that they do take previously approved applications into consideration when making their decision.
- D. Stimson advised that he had letters of support from the developer and neighbouring property owner, which were previously provided to the Commission.

26-2021

MOTION: D. Lloyd moved to APPROVE DP 2021-050 - Covered Deck with conditions.

1. Must obtain **approval** of a Building Permit from Superior Safety Codes Inc. (403) 320-0734.
2. Setbacks shall conform to site plan, which was attached as part of the Development Permit application, and to Land Use Bylaw No. 677-P-04-13, Schedule 2, Residential R-1A, with the exception of the rear yard setback which shall be reduced to 4 metres (13.ft and 2 inches).
3. The deck is **NOT** to be further enlarged, covered or enclosed unless necessary permits have been applied for and approved.
4. Ensure lot drainage is maintained during and after construction.
5. 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.
6. The development, when completed, shall meet or exceed provincial building requirements.

Carried 3-0

27-2021

*MOTION: D. Lloyd moved to TABLE DP 2021-050 - **Landscaping Waiver** to allow the applicant time to provide a landscaping plan for the front yard to the satisfaction of the Commission.*

Carried 3-0

5.5 DP 2021-052 - 2105 8 Street

M. Messier presented DP 2021-052, an application to review a request for a waiver of accessory building height requirements to allow for a detached garage at 2105 8 Street.

The parcel is zoned Urban Reserve - UR, where it states within the Land Use Bylaw 677-P-04-13, the maximum height for any accessory building shall be 4.6 metres (15 ft).

The applicant is proposing a detached garage located on the southeast section of the parcel with a proposed new height of 7 metres (23 ft), which equals a 53% waiver or 2.4 metres (8 ft). For this reason, the application requires the review of the Municipal Planning Commission.

Staff requests that the commission considers approval of Development Application 2021-052 to allow for a waiver of accessory building height requirements for the construction of a detached garage subject to the following conditions. These are in addition to the standards conditions associated with the development of detached garage permits.

1. Setbacks to conform to the 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, Urban Reserve UR.
2. Ensure lot drainage is maintained.
3. The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.
4. The accessory structure is not to be further enlarged without the application and approval of the necessary permits.

Notice of the application was sent to neighbouring property owners, and one letter expressing concern about proposed equipment that will be stored was received. This concern was resolved by staff.

- W. Warnock clarified that with respect to some concern regarding an existing shed on the property, it was only placed there temporarily and it will be moved. He added that the positioning of the detached garage on the site plan was incorrect. The proposed garage would be further south.
- The Commission asked where the garage would fit in line with north tree line.
- W. Warnock advised that it will be south east of the tree line. The main entrance of the garage would be facing west, and the doors would be facing north.

28-2021

MOTION: J. Abrey moved to APPROVE DP 2021-052 subject to 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, Urban Reserve - UR.*
4. *A minimum separation distance of 4' shall be provided between a principal building and any accessory building.*
5. *No waiver of minimum required setback distances will be granted for any portion of the structure.*
6. *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.*
7. *Ensure lot drainage is maintained during and after construction.*

8. *The building, when completed, shall meet or exceed provincial building requirements and comply with all provincial and municipal health and fire regulations.*
9. *The exterior finish must be the same or complimentary to the principal building.*

Carried 3-0

5.6 DP 2021-062 - 2516 21 Avenue

M. Messier presented DP 2021-062, an application to review the placement of two existing freestanding signs, and the addition of a third freestanding sign at 2516 21 Avenue.

The subject property is located within the Highway Commercial C-2 zoning, wherein the Land Use Bylaw, a freestanding sign is a discretionary use.

The Tim Horton's located at the subject property is in the process of adding a second drive-through lane. The expansion of the drive-through lane was approved as Development Permit 2021-048 and was approved at the staff level, as the application met all requirements of the Land Use Bylaw including minimum parking requirements.

Application 2021-062 is a sign permit application, for three (3) signs, two of which are menu/order boards, and one of which is a menu board only. The application approved last year only contained a request for two (2) signs, whereas the application received this year, is for three (3) signs inclusive of one new sign.

The proposed menu sign will be 0.6 metres (2 ft) long and 1.8 metres (6 ft) high, while the second and third signs will be 1.8 metres (6 ft) long and 1.8 metres (6 ft) high. All of the signs are proposed to be located near the north boundary of the lot, adjacent to Highway 3. Sign faces are proposed to be positioned towards the drive-through lanes. The signs will consist of electronic changeable content, animation and internal illumination.

The LUB states no more than one freestanding sign is permitted per property/business, however, given the context and the historic allowance of more than one sign as a fundamental part of the

drivethrough part of the business, consideration should be given to continuing to allow the number of freestanding signs on the lot as proposed

Staff requests that the Commission considers approval of Development Application 2021-062 to allow for a waiver of the maximum allowance of freestanding signs permitted per property/business subject to the following conditions. These are in addition to the standard conditions associated with freestanding sign permits.

1. 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, Highway Commercial C-2.
2. Applicant/owner shall comply with Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations. Freestanding signs shall not exceed 1.8 metres (6 ft) in height.
3. The freestanding signage to be placed and installed on the property must be removed prior to the installation of any new freestanding signage.

- S. Pauls advised that double drive-through lanes are proven to be effective to help with traffic control.
- The Commission asked if there is any chance of a flash being picked up on the highway as a distraction.
- S. Pauls advised that the drive-through signs are menu signs wherein they're digital, but not advertising with moving, flashing text.
- S. Croil added that a condition of the permit is that the applicant must receive a roadside permit with Alberta Transportation to address any concerns regarding the signs.
- The Commission inquired which direction the signs would face.
- S. Pauls confirmed that each sign would face the north lane.

29-2021

MOTION: J. Abrey moved to APPROVE DP 2021-062 subject to 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, Highway Commercial C-2.*
4. *Applicant/owner shall comply with Land Use Bylaw 677-P-04-13, Schedule 13, Sign Regulations. The freestanding sign shall not exceed 1.8 m (6 feet) in height.*
5. *The freestanding signage intended to be replaced on the property **must** be removed prior to new freestanding signage installation.*
6. *The freestanding sign shall be used only for on-site advertising and shall contain NO third-party advertising.*
7. *The applicant/owner must meet all the requirements for signage outlined by Alberta Transportation.*
8. *The development must be completed in its entirety, in accordance with approved plans and conditions. Any revisions to the approved plans (including non-completion of the development) must be submitted for approval to the Development Authority.*

Carried 3-0

6.0 INFORMATION ITEMS

7.0 CLOSED MEETING

8.0 ADJOURNMENT

The public portion of the meeting was closed at 5:45 P.M.

8.1 **30-2021**

MOTION: D. Lloyd moved to adjourn the meeting at 6:15 P.M.

Carried 3-0

CHAIR – R. HOHM

RECORDING SECRETARY – K. STONE

AGENDA ITEM REPORT



Title: SUB 2021-007 - 93039 HWY 845 - S. Croil
Report Type: Request for Decision
Report Author: Spencer Croil
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

OBJECTIVE:

The following report is intended to present the details of the subdivision application referenced as SUB 2021-007 to adjust the boundaries of the three lots on the lands legally described as:

- Lot 5, Block 1, Plan 1811388
- Lot 4, Block 1, Plan 1811388
- Lot 2, Block 1, Plan 1512220

There will be no new lots created and the current use of the three parcels is **not** proposed to change.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the MPC.

ANALYSIS:

The purpose of the application is to adjust the boundaries of the three (3) lots in question by removing 1.394 ha (3.44 ac) from Lot 4, Block 1, Plan 1811388 and enlarging Lot 5, Block 1, Plan 1811388 by 0.178 ha (0.44 ac) and Lot 2, Block 1, Plan 1512220 by 1.214 ha (3.0 ac).

The subdivision proposal is intended to allow for the future expansion of the business currently located on Lot 2, Block 1, Plan 1512220, and allow for a slight expansion to Lot 5, Block 1, Plan 1811388. The subject properties currently contain a light industrial business (electrical contractor), which is located on Lot 2, Block 1, Plan 1512220, a dwelling and related outbuildings, which is situated on Lot 5, Block 1, Plan 1811388, and vacant land that is slated for future industrial development, which is Lot 4, Block 1, Plan 1811388.

It is worth noting that the properties that are the subject of this subdivision application are identified as being within an area having a Historic Resource Value of 3H, and as such, *Historic Resources Act* approval shall be required to be obtained if the subdivision is approved.

The ultimate intent of development within the quarter section within which the subject properties are located is to accommodate future industrial development. However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section, of which one is situated on Lot 5, Block 1, Plan 1811388.

KEY CONSIDERATIONS:

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. The *Historic Resources Act* approval be obtained prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve

In accordance with Sec. 663(c) of the Municipal Government Act (parcel is under 0.8 ha in size), Municipal Reserve is not required for Lot 5, Block 1, Plan 1811388. In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedicated on Lot 2, Block 1, Plan 1512220 and Lot 4, Block 1, Plan 1811388 by way of land, cash-in-lieu of land, or by deferred reserve caveat.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

Advertisement(s)

Other

The application was circulated to neighbouring properties and the appropriate referral agencies. The commentary received included:

Alberta Transportation

The subject parcels are within an urban area and access to the highway will remain to be consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, Alberta Transportation does not anticipate that boundary-adjusted parcels for light industrial and urban reserve as proposed would have any appreciable impact on the highway.

Lethbridge County

No concerns.

SMRID

No objections given the lands are classified as "dry".

FortisAlberta

Fortis has indicated they require no easements associated with the subdivision.

DECISION OPTIONS:

The Municipal Planning Commission may wish to consider:

1. Approval of the subdivision application.
2. Deferral of the subdivision application for additional information.
3. Refusal of the subdivision application, with reasons.

RECOMMENDATION:

THAT SUB 2021-007 be approved by resolution, with conditions.

RATIONALE:

The subdivision generally aligns with the progression of the area as it relates to future industrial development.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth



ATTACHMENTS:

[SUB 2021-007 - Notice of Application](#)

[SUB 2021-007 - Resolution](#)



TOWN OF COALDALE NOTICE OF APPLICATION FOR SUBDIVISION

DATE: May 18, 2021

Date of Receipt:

April 26, 2021

Date of Completeness:

April 26, 2021

TO: Landowners: Bernhard Rempel Fehr & Helena Fehr (5;1;1811388)
1886039 Alberta Ltd. (4;1;1811388)
Z.A. Holdings Ltd. (2;1;1512220)

File Manager: Spencer Croil

Referral Agencies: Palliser School District, Holy Spirit School District, TELUS, FortisAlberta, AltaLink Management, ATCO, ATCO Pipelines, AB Health Services Lethbridge, St. Mary Irrigation District, AB Transportation, AB Environment & Parks, Historical Resources Administrator, Alberta Energy Regulator, Canada Post, Alberta Transportation, Alberta Culture and Tourism

Adjacent Landowners: GATHERCOLE MILK TRANSPORT LTD., 392019 ALBERTA LTD., 1908445 ALBERTA LTD., SPITFIRE INVESTMENTS LTD., THE COUNTY OF LETHBRIDGE NO. 26, STATION GROUNDS INC., SPITFIRE INVESTMENTS LTD., ALICIA & HAYDN DOWN, BRYAN & ANN HARRIS, ALLEN & SANDRA BLAKELY, ALLYSON & ALLAN LAU, BRAD BEERLING, WENDY BOFF, DAVE & CAREY BOUWKAMP, MARIA GIESBRECHT, LEONARD GOOSEN, ROY & JEANETTE ZUROWSKI, KEN & MAVIS SOUTHGATE, SHEREE OBBAGY, MARGARETHA PETERS, JIM MCKEE, GEOFFREY PRIES, MARLENE DISHER, STATION GROUNDS INC., WILMA FUJITA, 1886039 ALBERTA LTD., Z.A. HOLDINGS LTD., BERNHARD R. FEHR

The Town of Coaldale is in receipt of the following subdivision application. 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 June 9, 2021 ([Please quote our File No. SUB 2021-007 in any correspondence that you submit to our office](#)).

File No: SUB 2021-007

Legal Description LOT 5, BLK 1, PLN 1811388; LOT 4, BLK 1, PLN 1811388; LOT 2, BLK 1, PLN 1512220

Civic Address: N/A

Land Designation LIGHT INDUSTRIAL (I-2), and URBAN RESERVE (UR)

Existing Use: LOT 5, BLK 1, PLN 1811388 – light industrial (contractor services), LOT 4, BLK 1, PLN 1811388 – vacant, LOT 2, BLK 1, PLN 1512220 – residential

Proposed Use: Same as current

Lots Created: 0 new lots (boundary adjustments only)

Certificate of Title: 201 175 808 (5;1;1811388), 181 149 619 (4;1;1811388), 151 195 663 (2;1;1512220)

Proposal: To adjust the boundaries of the three lots in question by removing 1.394 ha (3.44 ac) from Lot 4, Block 1, Plan 1811388 and enlarging Lot 5, Block 1, Plan 1811388 by 0.178 ha (0.44 ac) and Lot 2, Block 1, Plan 1512220 by 1.214 ha (3.0 ac).

Planner's Preliminary Comments:

The purpose of the application is to adjust the boundaries of the three lots in question by removing 1.394 ha (3.44 ac) from Lot 4, Block 1, Plan 1811388 and enlarging Lot 5, Block 1, Plan 1811388 by 0.178 ha (0.44 ac) and Lot 2, Block 1, Plan 1512220 by 1.214 ha (3.0 ac). .

The subdivision proposal is intended to allow for the future expansion of the business currently located on Lot 2, Block 1, Plan 1512220, and to allow for a slight expansion to Lot 5, Block 1, Plan 1811388. The subject properties currently contain a light industrial business (electrical contractor), which is located on Lot 2, Block 1, Plan 1512220, a dwelling and related outbuildings, which is situated on Lot 5, Block 1, Plan 1811388, and vacant land that is slated for future industrial development, which is Lot 4, Block 1, Plan 1811388.

It is worth noting that the properties that are the subject of this subdivision application are identified as being within an area having a Historic Resource Value of 3H, and as such, *Historic Resources Act* approval shall be required to be obtained if the subdivision is approved.

The ultimate intent of development within the quarter section within which the subject properties are located is to accommodate future industrial development. However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section, of which one is situated on Lot 5, Block 1, Plan 1811388.

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. That *Historic Resources Act* approval be obtained prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve:

In accordance with Sec. 663(c) of the Municipal Government Act (parcel is under 0.8 ha in size), Municipal Reserve is not required for Lot 5, Block 1, Plan 1811388. In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication on Lot 2, Block 1, Plan 1512220 and Lot 4, Block 1, Plan 1811388 by way of land, cash-in-lieu of land, or by deferred reserve caveat.

Relevant information:

The Town of Coaldale's statutory planning documents and other related planning and development resources are available at <https://www.coaldale.ca/PlanningandDevelopment/directory-planning-and-development-policies-and-resources>.

Please see the following page for details regarding the date, time and place of the meeting at which this subdivision will be considered, and the ways in which agencies or adjacent landowners are able to provide feedback, should they wish to do so.

THIS APPLICATION WILL BE CONSIDERED AT THE MAY MUNICIPAL PLANNING COMMISSION MEETING, TO BE HELD VIRTUALLY AT 5 PM, WEDNESDAY, JUNE 9th, 2021.

If you are an adjacent landowner and wish to provide feedback regarding the application:

1. In-person at the Municipal Planning Commission meeting

Please contact the File Manager (Spencer Croil) prior to June 9th, 2021 in order that information on how to join the virtual meeting can be provided to you well in advance of the meeting. You may reach Spencer at (403) 345 1304 or planner@coaldale.ca.

2. In writing (anonymous submissions will not be accepted)

Please forward your written comments to the File Manager no later than June 2nd, 2021, in order that written submissions may be included in the agenda for the Municipal Planning Commission. Please note that written submissions will still be accepted up to June 9th, however it is always appreciated if written comments can be forwarded in time to include them in the agenda package that is released the Thursday before the meeting.

You may submit your written comments by email or hard copy. If you wish to submit your written comments by email, please send them to planner@coaldale.ca.

Alternatively, if you would rather provide written comments by hard copy, please drop your written comments off at the front desk of the Town Office during regular business hours, OR by placing your written comments in the mail slot located to the right of the front doors of the Town Office. The Town Office is located at 1920, 17th Street, Coaldale.

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.

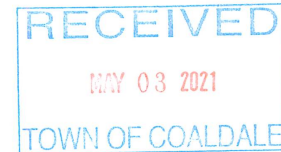
#200-410 Stafford Drive S
Lethbridge, AB T1J 2L2
Phone: 403-381-1320
Fax: 403-381-1366



April 26, 2021

File #: H12321

Town of Coaldale
1920 17 St
Coaldale, AB T1M 1M1



Re: Subdivision Application Package
Lot 5, Block 1, Plan 1811388
Property Owner: 1886039 Alberta Ltd. et al

On behalf of the property owners, please find a subdivision application package for the captioned property enclosed. The required fee of \$1,370.00 is enclosed. Please forward all resulting correspondence to our office.

Yours truly,

A handwritten signature in blue ink, appearing to be 'MT', followed by a long horizontal flourish.

Michael Thompson, ALS, CLS, P.Eng.
General Manager



TOWN OF COALDALE
APPLICATION FOR SUBDIVISION

Date Application Submitted:

5/4/21

FOR OFFICE USE ONLY	
Subdivision Application No.	<u>SUB 2021-007</u>
Date Application Deemed Complete:	<u>5/4/21</u>
Subdivision Application Fee:	<u>\$ 710</u>
Zoning (as classified under the Land Use Bylaw)	<u>UR</u>

APPLICANT INFORMATION

Name of Registered Owner of Land to be Subdivided (please print):

Z.A. Holdings Ltd., 1886039 Alberta Ltd., Bernhard & Helena B

Mailing Address:

606 W T Hill

Phone:

403-332-0953

Blvd S

Phone (alternate):

City/Town:

Lethbridge

Email:

Postal Code:

T1J 4Z9

☒ Check this box if you would like to receive documents through email.

AGENT INFORMATION (person authorized to act on behalf of registered owner)

Name of Agent:

Halma Thompson Land Surveys Ltd.

Mailing Address:

200 410 Staffor

Phone:

403-381-1320

Dr S

Phone (alternate):

City/Town:

Lethbridge

Email:

info@htlandsurveys.ca

Postal Code:

T1J 2L2

☒ Check this box if you would like to receive documents through email.

SURVEYOR INFORMATION

Name of Surveyor:

Michael Thompson, ALS

Mailing Address:

200 410 Staffor

Phone:

403-381-1320

Dr S

Phone (alternate):

City/Town:

Lethbridge

Email:

mthompson@htlandsurve

Postal Code:

T1J 2L2

☒ Check this box if you would like to receive documents through email.

SUBDIVISION INFORMATION

1. All/part of the NW ¼ Section 14 Township 9 Range 20 West of 4 Meridian
2. Being all/part of: Lot/unit 5 Block 1 Plan 1811388
3. Total area of existing parcel of land (prior to subdivision) is: 2.408 hectares 5.94 acres
4. Total number of lots to be created: 2 Size of Lot(s): See Plan
5. Municipal/Civic Address (if applicable) _____
6. Certificate of Title No.(s): 151 195 663, 181 149 619, 201 175 808
7. Is the land situation immediately adjacent to the municipal boundary? ☐ Yes ☒ No
8. Is the land situated within 1.6 kilometers (1 mile) of the right-of-way of a highway? ☐ Yes ☒ No
If yes, the adjoining highway is 845, 3
9. Does the proposed parcel contain or is it bounded by a stream, river, lake or other body of water, or by a canal or drainage ditch? ☐ Yes ☒ No
If yes, state its name: _____
10. What is the existing use of the land? Urban reserve
11. What is the proposed use of the land? Urban reserve
12. Describe the nature of the topography of the land (flat, rolling, steep, mixed): Flat
13. Describe the kind of soil on the land (sandy, loam, clay, etc.): Clay
14. Is this a vacant parcel? ☐ Yes ☒ No
If no, describe all the buildings and any structures on the land: Lot being subdivided is vacant
Will and of the buildings and/or structures be demolished or moved (if yes, indicate which ones): _____
All buildings shown of west lots to remain
15. Are there any active oil or gas wells or pipelines on the land? ☐ Yes ☒ No
16. Are there any abandoned oil or gas wells or pipelines on the land? ☐ Yes ☒ No
17. What is the existing source of water (if other, please describe)? ☒ Municipal ☐ Other _____
18. What is the existing sewage disposal (if other, please describe)? ☒ Municipal ☐ Other _____
19. What is the proposed sewage disposal (if other, please describe)? ☒ Municipal ☐ Other _____

**TOWN OF COALDALE
SUBDIVISION APPLICATION**

DECLARATION OF APPLICANT/AGENT

☐ Registered Owner ☒ Authorized agent acting on behalf of the registered owner

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Subdivision. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application. This right is granted pursuant to Section 653(2) of the Municipal Government Act.



APPLICANT



Registered Owner (if not the same as applicant)

The following items shall be attached to all Subdivision Applications. This is not an exhaustive list and the file manager may request additional information that is required to assess the application.

- ☐ Site plan prepared by an Alberta Land Surveyor (ALS), which includes the following details:
- ☐ Scale and north arrow
 - ☐ Legal description and municipal address of subject property
 - ☐ The accurate location, dimensions, areas and boundaries of the land that is subject to the application, each new lot to be created, any reserve land, existing rights-of-way of each public utility, and other rights of way, easements, railways, canals, or any other feature on or adjacent to the land proposed for subdivision
 - ☐ The location, use and dimensions of any building and structures on the land that is the subject of the application dimensioned to the proposed property line and specifying those buildings or structures that are proposed to be demolished or moved.
 - ☐ The location of any existing water source (well, cistern, curb stop, etc.) and private sewage treatment systems (holding tank, septic tank/field, open discharge/treatment mound, etc.) on the property dimensioned to existing and proposed property lines.
 - ☐ Adjacent municipal roads, provincial highways and any public pathway or trails adjacent to the site, dimensioned from the property lines.
 - ☐ Existing and proposed access to each new lot and residual land.
 - ☐ The approximate location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land.
 - ☐ The location of any natural and man-made features such as fences, sloughs, dugouts and/or other bodies of water, and wooded areas and/or shelter belts.
- ☐ If applicant is not the registered owner, a written statement (or this application) signed by the registered owner consenting to this application.
- ☐ Application fee payable to the Town of Coaldale.

TERMS:

1. Although the file manager is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.

2. A survey sketch prepared by an Alberta Land Surveyor (ALS), in sufficient detail to enable adequate consideration of the application, must be submitted with this application. It is desirable that the plans and drawings should be on a scale appropriate to the development.
3. If a decision is not made within 60 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.

ADDITIONAL INFORMATION:

In addition to the above requirements, the file manager may also require information such as but not limited to:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Additional plans (such as an Area Structure Plan, Outline Plan, or Conceptual Scheme) and information may be required and requested due to the nature and magnitude of a proposed subdivision.
3. Existing and proposed site grades, contours and any special topographical features or site conditions (e.g. escarpments, break-of-slope, and unstable areas).
4. A map showing the 1:100 year flood area(s)
5. Land use and land surface characteristics within 0.8 kilometers (½ mile) of the land that is the subject of the application

Please note: the review and determination of completeness of a subdivision application may be delayed if the form and/or additional information provided is incomplete.

FOIP Notification: Your name, home phone number, home address and postal code are collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. This information will be used in the administration of Town of Coaldale programs. If you have any questions about this collection, contact the FOIP Coordinator, Town of Coaldale, 1920-17th Street, T1M 1M1 or 403-345-1300.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0037 990 694 1811388;1;5 201 175 808

LEGAL DESCRIPTION
PLAN 1811388
BLOCK 1
LOT 5
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NW

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 181 149 619 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
201 175 808	30/09/2020	TRANSFER OF LAND	\$529,000	CASH & MTGE

OWNERS

BERNHARD REMPEL FEHR

AND

HELENA REMPEL

BOTH OF:

BOX 391

COALDALE

ALBERTA T1M 1M4

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
8742FL	.	RESTRICTIVE COVENANT
1485KX	21/06/1971	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

201 175 808

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

IRRIGATION DISTRICT

881 167 701 20/09/1988 UTILITY RIGHT OF WAY
GRANTEE - ALBERTA GOVERNMENT TELEPHONES.
AS TO PORTION OR PLAN:8810683

881 179 360 05/10/1988 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER
IRRIGATION DISTRICT.
P.O. BOX 278, LETHBRIDGE
ALBERTA T1J3Y7

881 179 361 05/10/1988 CAVEAT
RE : EASEMENT
CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER
IRRIGATION DISTRICT.
P.O. BOX 278, LETHBRIDGE
ALBERTA T1J3Y7

001 053 112 28/02/2000 UTILITY RIGHT OF WAY
GRANTEE - THE COUNTY OF LETHBRIDGE NO. 26.

181 129 893 20/06/2018 UTILITY RIGHT OF WAY
GRANTEE - ATCO GAS AND PIPELINES LTD.

201 175 809 30/09/2020 MORTGAGE
MORTGAGEE - HAVENTREE BANK.
PO BOX 1160, STN TD
TORONTO
ONTARIO M5K1P2
ORIGINAL PRINCIPAL AMOUNT: \$396,750

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 26 DAY OF MARCH,
2021 AT 11:09 A.M.

ORDER NUMBER: 41308468

CUSTOMER FILE NUMBER: H12321



END OF CERTIFICATE

(CONTINUED)

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0037 990 686 1811388;1;4 181 149 619

LEGAL DESCRIPTION
PLAN 1811388
BLOCK 1
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 7.15 HECTARES (17.67 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NW

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 171 229 808

REGISTERED OWNER(S)
REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

181 149 619 13/07/2018 SUBDIVISION PLAN

OWNERS

1886039 ALBERTA LTD.
OF 606 W T HILL BLVD SOUTH
LETHBRIDGE
ALBERTA T1J 4Z5

ENCUMBRANCES, LIENS & INTERESTS
REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

8742FL . RESTRICTIVE COVENANT
1485KX . 21/06/1971 IRRIGATION ORDER/NOTICE
THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER
IRRIGATION DISTRICT
881 167 701 20/09/1988 UTILITY RIGHT OF WAY
GRANTEE - ALBERTA GOVERNMENT TELEPHONES.
AS TO PORTION OR PLAN:8810683

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

181 149 619

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
881 179 360	05/10/1988	CAVEAT RE : PIPELINE RIGHT OF WAY CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER IRRIGATION DISTRICT. P.O. BOX 278, LETHBRIDGE ALBERTA T1J3Y7
881 179 361	05/10/1988	CAVEAT RE : EASEMENT CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER IRRIGATION DISTRICT. P.O. BOX 278, LETHBRIDGE ALBERTA T1J3Y7
911 094 488	08/05/1991	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "DISCHARGED EXCEPT PLAN 9112212 BY 911261293, 19 11 1991"
001 053 112	28/02/2000	UTILITY RIGHT OF WAY GRANTEE - THE COUNTY OF LETHBRIDGE NO. 26.
171 271 660	01/12/2017	CAVEAT RE : BENEFICIAL OWNER CAVEATOR - KIRK A. BELER PROFESSIONAL CORPORATION. SUITE 103, 515-7 STREET SOUTH LETHBRIDGE ALBERTA T1J2G8 AGENT - KIRK A BELER (DATA UPDATED BY: CHANGE OF ADDRESS 181164358)
181 129 893	20/06/2018	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD.
181 149 620	13/07/2018	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE TOWN OF COALDALE. C/O OLDMAN RIVER REGIONAL SERVICES COMMISSION 3105 - 16TH AVENUE NOTRH LETHBRIDGE ALBERTA T1H5E8

TOTAL INSTRUMENTS: 010

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 25 DAY OF MARCH,
2021 AT 03:09 P.M.

ORDER NUMBER: 41302700

CUSTOMER FILE NUMBER: H12321



END OF CERTIFICATE

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INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0036 771 970 1512220;1;2 151 195 663

LEGAL DESCRIPTION
PLAN 1512220
BLOCK 1
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.633 HECTARES (1.56 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NW

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 921 213 447
 151 195 605

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
151 195 663	05/08/2015	SUBDIVISION PLAN		

OWNERS

Z. A. HOLDINGS LTD.
OF PO BOX 946
COALDALE
ALBERTA T1M 1M8

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
8742FL	.	RESTRICTIVE COVENANT
1485KX	21/06/1971	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER IRRIGATION DISTRICT
871 078 921	14/05/1987	CAVEAT RE : RIGHT OF WAY AGREEMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

151 195 663

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

CAVEATOR - ALBERTA GOVERNMENT TELEPHONES.
C/O KEN WALKER, REAL ESTATE SPECIALIST
ALBERTA GOVERNMENT TELEPHONES, BOX 2411
EDMONTON
ALBERTA
AGENT - KEN WALKER

881 179 360 05/10/1988 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER
IRRIGATION DISTRICT.
P.O. BOX 278, LETHBRIDGE
ALBERTA T1J3Y7
" AFFECTS PART OF THIS TITLE "

881 179 361 05/10/1988 CAVEAT
RE : EASEMENT
CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER
IRRIGATION DISTRICT.
P.O. BOX 278, LETHBRIDGE
ALBERTA T1J3Y7
" AFFECTS PART OF THIS TITLE "

001 053 112 28/02/2000 UTILITY RIGHT OF WAY
GRANTEE - THE COUNTY OF LETHBRIDGE NO. 26.
" AFFECTS PART OF THIS TITLE "

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 5 DAY OF MARCH,
2021 AT 01:30 P.M.

ORDER NUMBER: 41161157

CUSTOMER FILE NUMBER: H07721



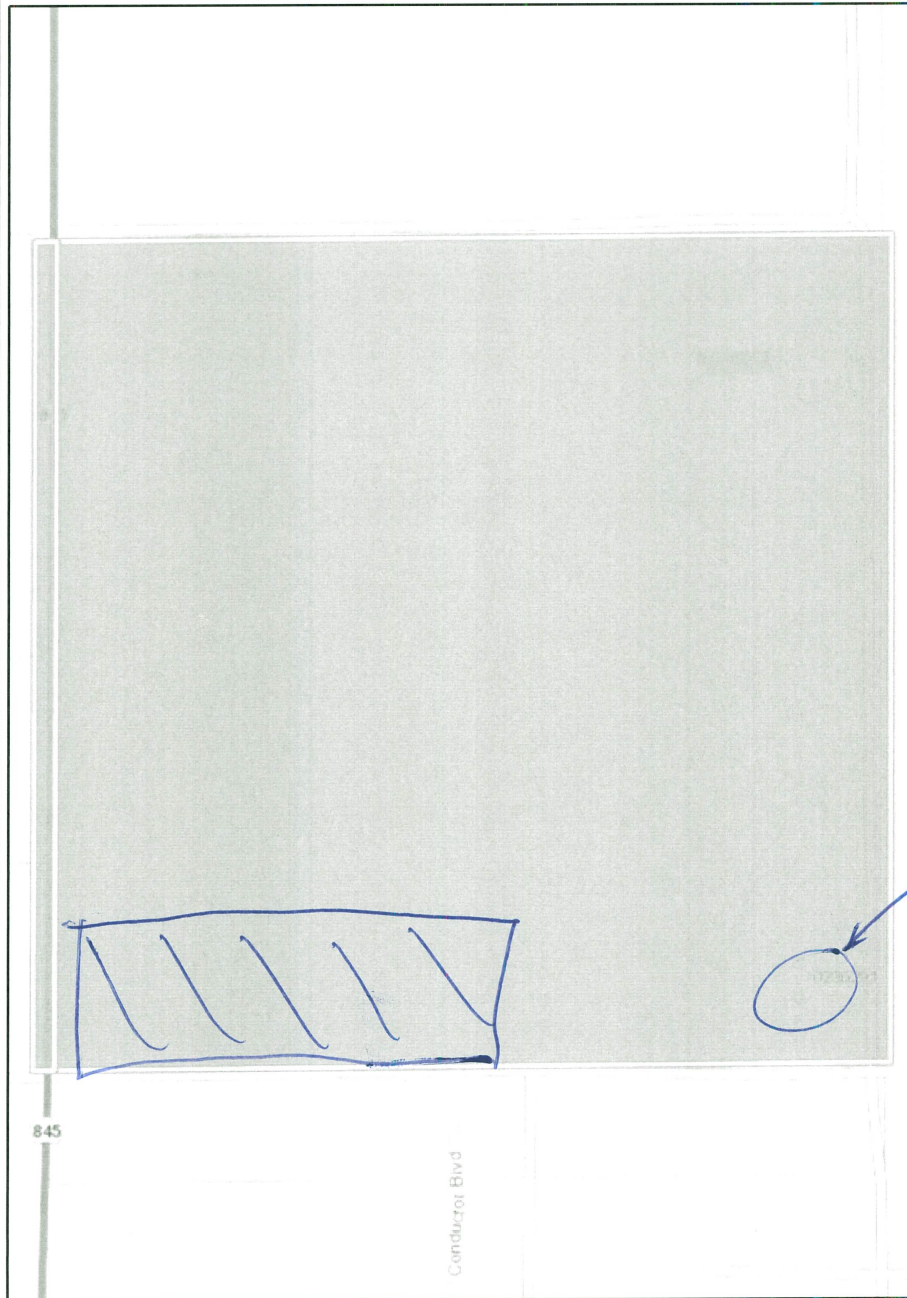
END OF CERTIFICATE

(CONTINUED)

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Map Results



Legend

- ◇ Abandoned Wells (Large Scale)
- Revised Well Location (Large Sca
- Revised Location Pointer
- ATS v4_1 Alberta Provincial Boun
- Citations

one well on
Remainder

[Signature]

© Government of Alberta

While every effort is made to ensure data from this site is accurate and current, the Government of Alberta is not liable for any loss or damage arising from the possession, publication, or use of, that data. This information is provided "as is" without warranty.

Monday, April 26, 2021 15:07:13 -06:00

0.5

0.23

0.5 Kilometers

Map Scale: 1: 9,028



Alberta Government
GeoDiscover Alberta



Town of Coaldale

1920 - 17th Street
Coaldale, Alberta
T1M 1M1

Ph: 403-345-1300 Fx: 403-345-1311

OFFICIAL RECEIPT

HALMA THOMPSON LAND SURVEYS LTD
200-410 STAFFORD Dr S
LETHBRIDGE AB T1J 2L2

GST Reg. #: R108125717
Receipt #: 0566125
Receipt Date: 2021/05/04
Page: 1
Received by: KS

Tax Codes: E=Exempt; T=Taxable; I=Included

Reference #	Description	Reference	Tax Code	GST	Payment
	Subdivision App-92039 HWY 845		E	.00	710.00
	Sub. Lot Fee 92039 HWY 845		E	.00	660.00

Tender Type & Description	Reference	Amount	GST:	
CQ HALMA THOMPSON LAND SURVEYS LT 1440		1,370.00		.00
Total Amount Paid:				1,370.00
Tender Received:				1,370.00
Change Given:				

THANK YOU FOR YOUR PAYMENT

"The Gem of the West"

ALBERTA LAND SURVEYORS ASSOCIATION
 PERMIT NUMBER
 P 254
 Halima Thompson
 Land Surveys Ltd.

1886039 ALBERTA LTD.
LETHBRIDGE, AB
T1J 4Z9

DESCRIPTION OF PROPERTY:

CIVIC ADDRESS:

ATS DESCRIPTION: NW 1/4 SEC 14, TWP 9, RGE 20, W 4th MER
C of T 151 195 663, 181 149 619, 201 175 808

REGISTERED OWNERS: Z.A. HOLDINGS LTD.

1886039 ALBERTA LTD.
BERNHARD REMPEL FEHR
HELENA REMPEL

ABBREVIATIONS:

ER	1	Central Angle of Curve	Mk	Mean
ER	2	Diameter	Mk	2 meter standard Abasco
ER	3	Curve	Mk	Curve
ER	4	Universal Meter-Club	MR	North American
ER	5	Acres	NE-SW	North East South West
ER	6	Acres	MAO	North American Domain
ASCM	7	Abasco Survey Control Marker	PPP	Precise Point Positioning
ASCM	8	Abasco Survey Control Marker	4	Pits
C	9	Certification of Title	P	4 Road Pits
C	10	Certification of Title	P	4 Road Pits
dem	11	Contour Metered	P	Pit
dem	12	Contour Metered	P	Pit
CRS	13	Condition Spatial Reference	P/L	Pedicle
CRS	14	Condition Spatial Reference	P/L	Pedicle
FCP	15	Face Curve Post	P/L	Pedicle
FCP	16	Face Curve Post	P/L	Pedicle
FCP	17	Face Curve Post	P/L	Pedicle
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FCP	99	Face Curve Post	P/L	Pedicle
FCP	100	Face Curve Post	P/L	Pedicle

LEGEND:

- | | | |
|--|------------|---|
| ② Alberta Survey Control Marker | Concrete |  |
| ③ Statutory iron post found | Grovel |  |
| ○ Statutory iron post piece, marked P254 | Asphalt |  |
| ☐ Utility box | Fence Line |  |
| ☐ Fire Hydrant | — | X |
| ☐ Manhole | | |
| ⑤ Sign | | |
| ☐ Water Valve | | |
| ☐ Power Pole | | |
| ☐ Guy Wire | | |

Georeferenced Point

- Distances are ground and are in metres and decimals thereof, and are between survey monuments unless otherwise shown.
- Bearings are grid (T.M. NAD'83), derived from GNSS observations, and are referred to the meridian through 114° West Longitude.

NOTES:

1. Field survey was completed between the dates of April 26, 2015 and August 31, 2018.
2. Utility right-of-ways not shown.

THE EXISTENCE OR LOCATION OF ALL UTILITIES AS SHOWN ON OR OMITTED FROM THIS PLAN MAY BE BASED ON INFORMATION RECEIVED FROM THE RESPECTIVE AUTHORITIES AND ARE NOT GUARANTEED BY THE LAND SURVEYOR, NO RESPONSIBILITY IS IMPLIED OR ASSUMED BY THE LAND SURVEYOR AS TO THE LOCATION OR ANY OMISSIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXISTENCE AND LOCATION OF ALL SUCH UTILITIES AND MUST CONTACT THE VARIOUS UTILITY COMPANIES FOR SUCH INFORMATION PRIOR TO COMMENCEMENT OF ANY OPERATIONS.

0	2021-04-07	ORIGINAL SUBMISSION	D.L.	M.T.
SOURCE	DATE	REVISION	CAD	CHK

1886039 ALBERTA LTD

TENTATIVE PLAN

SHOWING PROPOSED SUBDIVISION
OF

LOT 2, BLOCK 1, PLAN 151 2220,

-01 5, BLOCK 1, PLAN 181 1388

AND PART OF

01 4, BLOCK 1, PLAN 181 1388
NW 1/4 SEC 14-9-20-4)

TOWN OF COALDALE

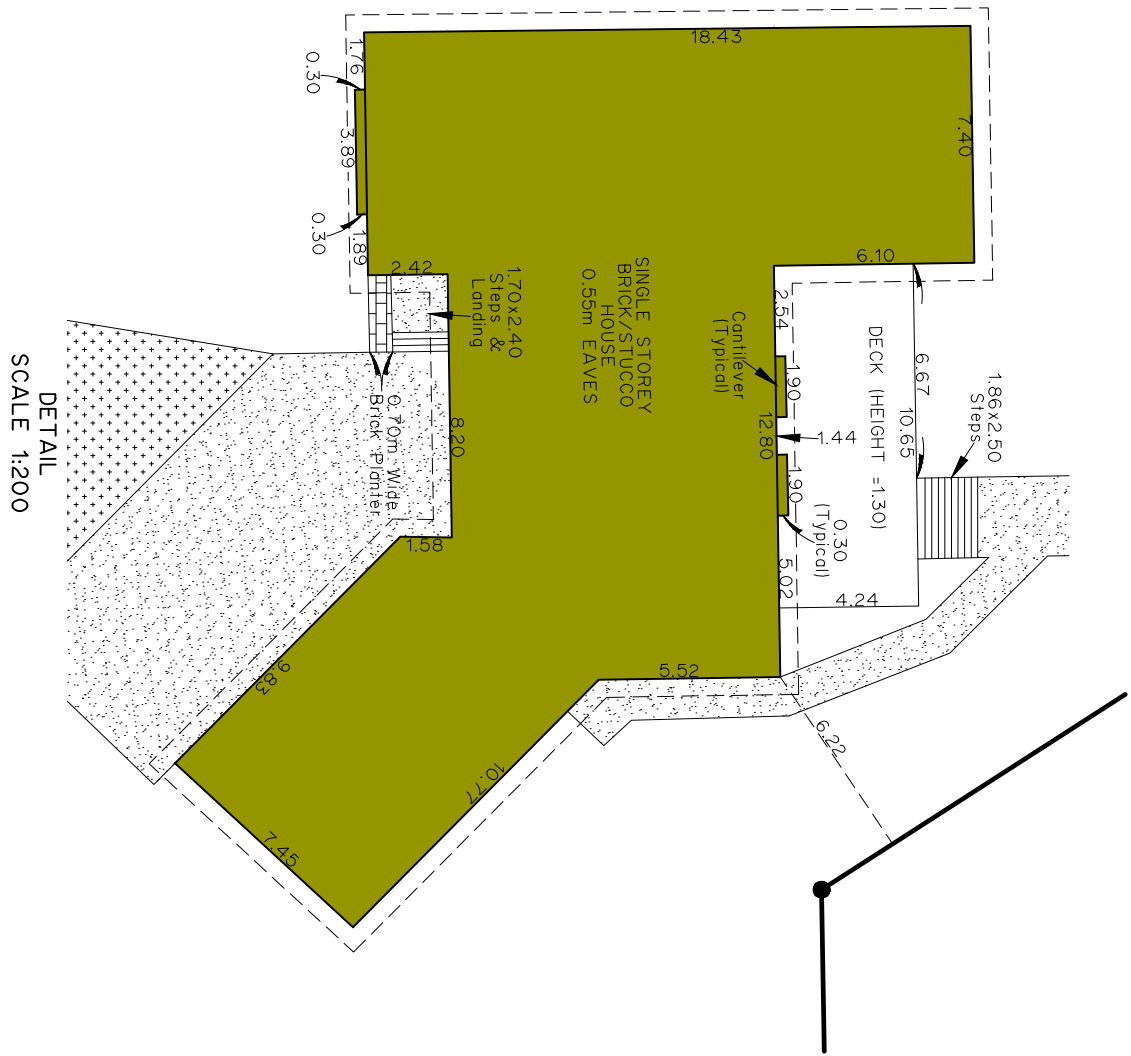
ALBERTA

SUBJECT TO APPROVAL OF THE LOCAL APPROVING AUTHORITY

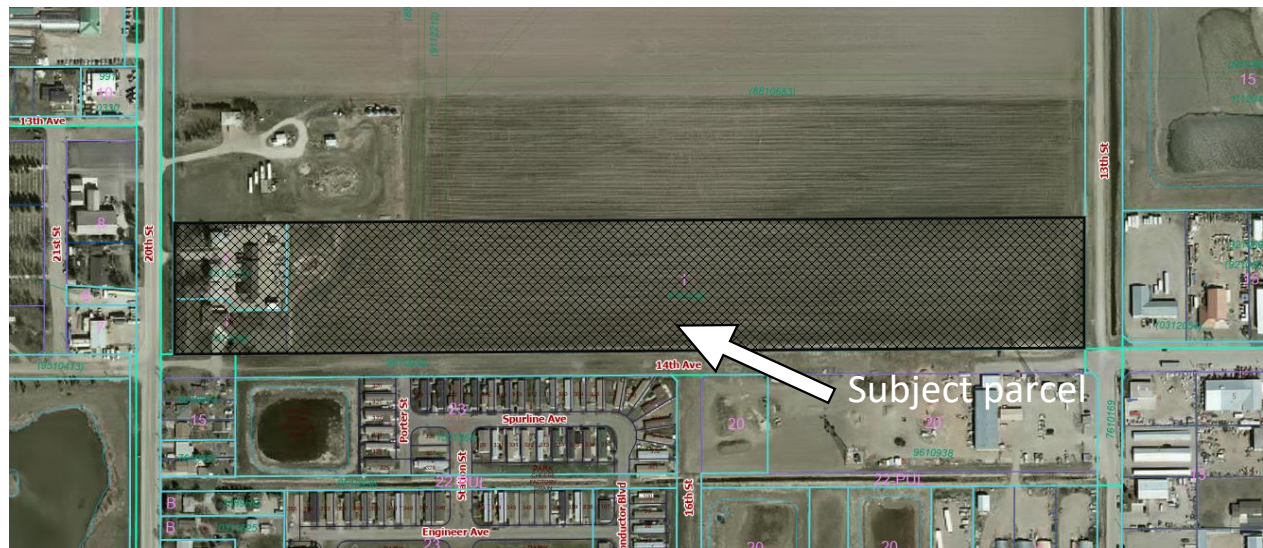
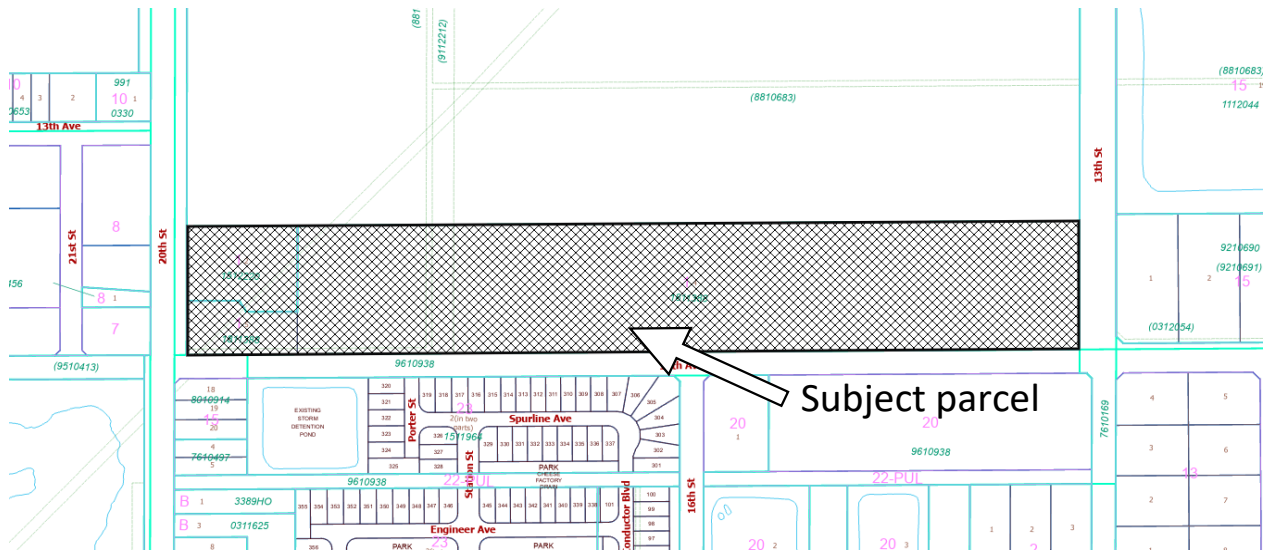
SCALE 1:500 0 5 10 25

HALMA THOMPSON
200-410 Stafford Drive S
Leihbridge AB, T1J 2L2
Phone (403) 381-1330
Fax (403) 381-1366

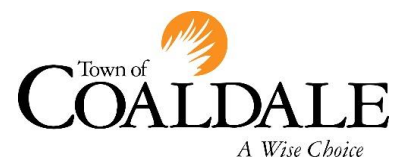
JOB H12321
DRAWING H12321T



NEW PARCEL	PARENT PARCEL	AREA REQUIRED	
		AREA (sq)	AREA (ac)
LOT 6, BLOCK 1	LOT 2, BLOCK 1, PLAN 151 2220	0.633	1.56
LOT 6, BLOCK 1	LOT 4, BLOCK 1, PLAN 181 1388	1.214	3.00
LOT 7, BLOCK 1	LOT 5, BLOCK 1, PLAN 181 1388	0.361	0.94
LOT 7, BLOCK 1	LOT 4, BLOCK 1, PLAN 181 1388	0.180	0.44
TOTAL		2.408	5.94



SUBDIVISION LOCATION SKETCH
 LOT 2, BLOCK 1, PLAN 1512220
 LOT 4, BLOCK 1, PLAN 1811388
 LOT 5, BLOCK 1, PLAN 1811388
 WITHIN NW 14-9-20 W4M
 FILE: SUB 2021-007
 DATE OF SKETCH: May 18, 2021



RESOLUTION

2021-007

Town of Coaldale

Industrial subdivision of: LOT 5, BLK 1, PLN 1811388; LOT 4, BLK 1, PLN 1811388; LOT 2, BLK 1, PLN 1512220

THAT the subdivision of a portion of the **LOT 5, BLK 1, PLN 1811388 & LOT 2, BLK 1, PLN 1811388 & LOT 2, BLK 1, PLN 1811388** (Certificate of Title No. 207 175 808 & 181 149 619 & 151 195 663), to adjust the boundaries of the three lots in question by removing 1.394 ha (3.44 ac) from Lot 4, Block 1 Plan 1811388 and enlarging Lot 5, Block 1, Plan 1811388 by 0.178 ha (0.44 ac) and Lot 2, Block 1, Plan 1512220 by 1.214 ha (3.0 ac). : BE APPROVED subject to the following conditions:

CONDITIONS:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. That *Historic Resources Act* approval be obtained prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

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.

MUNICIPAL RESERVE:

In accordance with Sec. 663(c) of the Municipal Government Act (parcel is under 0.8 ha in size), Municipal Reserve is not required for Lot 5, Block 1, Plan 1811388. In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication on Lot 2, Block 1, Plan 1512220 and Lot 4, Block 1, Plan 1811388 by way of land, cash-in-lieu of land, or by deferred reserve caveat.

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) Alberta Transportation – Leah Olsen – Development/Planning Technologist

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 system.

To that end, this is an urban area and access to the highway will remain to be consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the boundary adjusted parcel for light industrial and urban reserve as proposed would have any appreciable impact on the highway.

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

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

The subject property is within the noted control lines however given that development setbacks will be maintained by default and in this instance a permit from Alberta Transportation will not be required and development of the boundary adjusted parcel for light industrial and urban reserve use could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

d) Lethbridge County – Hilary Janzen

Thank you for the opportunity to review the above-mentioned subdivision applications. Lethbridge County has no concerns with regards to either proposal.

e) St. Mary River Irrigation District – Linda Park

Further to your May 18th, 2021, 2021 subdivision application in respect to the above-noted, this is to advise that we have no objection to the proposed subdivision, as this land is classified as "dry".

Original to be signed by:

MOVER

CHAIRMAN

DATE

AGENDA ITEM REPORT



Title: SUB 2021-008 - 92073 HWY 845 - S. Croil
Report Type: Request for Decision
Report Author: Spencer Croil
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

OBJECTIVE:

This report is intended to present subdivision application SUB-2021-008 to the Municipal Planning Commission for deliberation and a decision. The subject lands for this file are described as Lot OT, Block 2, Plan 4979HT.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the MPC.

ANALYSIS:

The purpose of the application is to create one (1) new lot by subdividing (1) 1.21 ha (3 ac) lot out of the existing 8.17 ha (20.19 ac) parcel.

The proposal is intended to allow for the separation of the residential part of the property from the industrial and vacant parts of the property. The ultimate intent of development within the quarter section where the subject property is located is to accommodate future industrial development.

However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section that were in place prior to the annexation that brought the quarter section into Town boundaries.

These residential uses and the separation of existing residential developments from land that is either vacant or already being used for industrial purposes is accounted for in the annexation order and the Town's Land Use Bylaw.

KEY CONSIDERATIONS:

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations.

1. Any outstanding property taxes shall be paid to the Town of Coaldale.

2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve

In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication by way of land, cash-in-lieu of land, or by deferred reserve caveat.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

Advertisement(s)

Other

The application has been circulated to surrounding properties and the appropriate referral agencies.

The commentary that was provided included:

Alberta Transportation

The parcels of land are within an urban area and access will remain consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, Alberta Transportation does not anticipate that the creation of the residential and industrial parcels as proposed will have any appreciable impact on the highway.

Lethbridge County

No objections.

FortisAlberta

Fortis has indicated they do not require an easement associated with the subdivision.

DECISION OPTIONS:

The Municipal Planning Commission may wish to:

1. Approve the subdivision with conditions.
2. Defer a decision and request additional information from the applicant.
3. Refuse the subdivision with reasons.

RECOMMENDATION:

THAT SUB 2021-008 be approved by resolution, with conditions.

RATIONALE:

The subdivision generally aligns with the progression of the area and future industrial development.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[SUB 2021-008 - Notice of Application](#)

[SUB 2021-008 - Resolution](#)



TOWN OF COALDALE
NOTICE OF APPLICATION FOR SUBDIVISION

DATE: May 18, 2021

Date of Receipt:

May 11, 2021

Date of Completeness:

May 11, 2021

TO: Landowners: Dennis Gerrit and Julie Bridget Overweg

File Manager: Spencer Croil

Referral Agencies: Palliser School District, Holy Spirit School District, TELUS, FortisAlberta, AltaLink Management, ATCO, ATCO Pipelines, AB Health Services Lethbridge, St. Mary Irrigation District, AB Transportation, AB Environment & Parks, Historical Resources Administrator, Alberta Energy Regulator, Canada Post, Alberta Transportation, County of Lethbridge Rural Water Association

Adjacent Landowners: WILMA FUJITA, DENNIS GERRIT OVERWEG, TIMOTHY & DIANNE SHAUM, 1971818 ALBERTA LTD, DRV PROPERTIES INC., DOMENIC CONSTRUCTION LTD.

The Town of Coaldale is in receipt of the following subdivision application. 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 June 9, 2021 (Please quote our File No. SUB 2021-008 in any correspondence that you submit to our office).

File No: SUB 2021-008

Legal Description LOT OT, BLOCK 2, PLAN 4979HT

Civic Address: 92073, HW 845

Land Designation URBAN RESERVE (UR)

Existing Use: Residential and Industrial

Proposed Use: Same as current

Lots Created: 1 new lot

Certificate of Title: 141 168 507

Proposal: To create one (1) new lot by subdividing one (1) 1.21 ha (3 acre) lot out of the existing 8.17 ha (20.19 acre) parcel.

Planner's Preliminary Comments:

The purpose of the application is to create one (1) new lot by subdividing one (1) 1.21 ha (3 acre) lot out of the existing 8.17 ha (20.19 acre) parcel.

The subdivision proposal is intended to allow for the separation of the residential part of the property from the industrial and vacant parts of the property. The ultimate intent of development within the quarter section where the subject property is located is to accommodate future industrial development. However, it is also recognized that there are a number of residential properties along the west edge of the subject quarter section that were in place prior to the annexation that brought the subject quarter section into Town boundaries. These residential

uses and the separation of existing residential developments from land that is either vacant or already being used for industrial purposes is accounted for in the annexation order and the Town's Land Use Bylaw.

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve:

In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication by way of land, cash-in-lieu of land, or by deferred reserve caveat.

Relevant information:

The Town of Coaldale's statutory planning documents and other related planning and development resources are available at <https://www.coaldale.ca/PlanningandDevelopment/directory-planning-and-development-policies-and-resources>.

THIS APPLICATION WILL BE CONSIDERED AT THE MAY MUNICIPAL PLANNING COMMISSION MEETING, TO BE HELD VIRTUALLY AT 5 PM, WEDNESDAY, JUNE 9th, 2021.

If you are an adjacent landowner and wish to provide feedback regarding the application:

1. In-person at the Municipal Planning Commission meeting

Please contact the File Manager (Spencer Croil) prior to June 9th, 2021 in order that information on how to join the virtual meeting can be provided to you well in advance of the meeting. You may reach Spencer at (403) 345 1304 or planner@coaldale.ca.

2. In writing (anonymous submissions will not be accepted)

Please forward your written comments to the File Manager no later than June 2nd, 2021, in order that written submissions may be included in the agenda for the Municipal Planning Commission. Please note that written submissions will still be accepted up to June 9th, however it is always appreciated if written comments can be forwarded in time to include them in the agenda package that is released the Thursday before the meeting.

You may submit your written comments by email or hard copy. If you wish to submit your written comments by email, please send them to planner@coaldale.ca.

Alternatively, if you would rather provide written comments by hard copy, please drop your written comments off at the front desk of the Town Office during regular business hours, OR by placing your written comments in the mail slot located to the right of the front doors of the Town Office. The Town Office is located at 1920, 17th Street, Coaldale.

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.



TOWN OF COALDALE APPLICATION FOR SUBDIVISION

Date Application Submitted:

5/11/21

FOR OFFICE USE ONLY	
Subdivision Application No.	<u>SUB 2021-008</u>
Date Application Deemed Complete:	<u>5/11/21</u>
Subdivision Application Fee:	<u>\$710</u>
Zoning (as classified under the Land Use Bylaw)	<u>UR</u>

APPLICANT INFORMATION

Name of Registered Owner of Land to be Subdivided (please print):

Dennis Gerrit and Julie Bridget Overweg

Mailing Address:

Box 1341

Phone:

403-635-6980

Phone (alternate):

City/Town:

Coaldale

Email:

dennis@dennisdirtworx.ca

Postal Code:

T1M 1N2

☒ Check this box if you would like to receive documents through email.

AGENT INFORMATION (person authorized to act on behalf of registered owner)

Name of Agent:

Mailing Address:

Phone:

Phone (alternate):

City/Town:

Email:

Postal Code:

☒ Check this box if you would like to receive documents through email.

SURVEYOR INFORMATION

Name of Surveyor:

Zachary J. Prosper, ALS, Brown Okamura & Associates Ltd.

Mailing Address:

2830

Phone:

403-329-4688 Ext. 132

12 Avenue N.

Phone (alternate):

403-715-8676

City/Town:

Lethbridge

Email:

zach@bokamura.com

Postal Code:

T1H 5J9

☒ Check this box if you would like to receive documents through email.

SUBDIVISION INFORMATION

1. All/part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
2. Being all/part of: Lot/unit _____ Block 2 Plan 4979HT
3. Total area of existing parcel of land (prior to subdivision) is: 8.17 hectares 20.19 acres
4. Total number of lots to be created: 1 Size of Lot(s): 1.21 hectares (3 acres)
5. Municipal/Civic Address (if applicable) 92073 HWY 845
6. Certificate of Title No.(s): 141 168 507
7. Is the land situation immediately adjacent to the municipal boundary? ☒ Yes ☐ No
8. Is the land situated within 1.6 kilometers (1 mile) of the right-of-way of a highway? ☒ Yes ☐ No
If yes, the adjoining highway is 845
9. Does the proposed parcel contain or is it bounded by a stream, river, lake or other body of water, or by a canal or drainage ditch? ☒ Yes ☐ No
If yes, state its name: _____
10. What is the existing use of the land? Acreage, and separate yard with shop
11. What is the proposed use of the land? subdivide acreage area from remainder of parcel
12. Describe the nature of the topography of the land (flat, rolling, steep, mixed): flat
13. Describe the kind of soil on the land (sandy, loam, clay, etc.): unknown
14. Is this a vacant parcel? ☒ Yes ☐ No
If no, describe all the buildings and any structures on the land: See tentative plan
Will and of the buildings and/or structures be demolished or moved (if yes, indicate which ones): _____
15. Are there any active oil or gas wells or pipelines on the land? ☒ Yes ☐ No
16. Are there any abandoned oil or gas wells or pipelines on the land? ☒ Yes ☐ No
17. What is the existing source of water (if other, please describe)? ☐ Municipal ☒ Other water co-op
18. What is the existing sewage disposal (if other, please describe)? ☐ Municipal ☒ Other septic field
19. What is the proposed sewage disposal (if other, please describe)? ☐ Municipal ☒ Other same

**TOWN OF COALDALE
SUBDIVISION APPLICATION**

DECLARATION OF APPLICANT/AGENT

☐ Registered Owner ☒ Authorized agent acting on behalf of the registered owner

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Subdivision. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

APPLICANT



Zachary J. Prosper, ALS

Registered Owner (if not the same as applicant)

The following items shall be attached to all Subdivision Applications. This is not an exhaustive list and the file manager may request additional information that is required to assess the application.

☐ Site plan prepared by an Alberta Land Surveyor (ALS), which includes the following details:

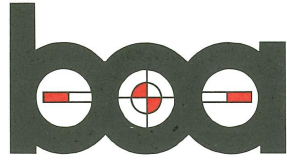
- ☐ Scale and north arrow
- ☐ Legal description and municipal address of subject property
- ☐ The accurate location, dimensions, areas and boundaries of the land that is subject to the application, each new lot to be created, any reserve land, existing rights-of-way of each public utility, and other rights of way, easements, railways, canals, or any other feature on or adjacent to the land proposed for subdivision
- ☐ The location, use and dimensions of any building and structures on the land that is the subject of the application dimensioned to the proposed property line and specifying those buildings or structures that are proposed to be demolished or moved.
- ☐ The location of any existing water source (well, cistern, curb stop, etc.) and private sewage treatment systems (holding tank, septic tank/field, open discharge/treatment mound, etc.) on the property dimensioned to existing and proposed property lines.
- ☐ Adjacent municipal roads, provincial highways and any public pathway or trails adjacent to the site, dimensioned from the property lines.
- ☐ Existing and proposed access to each new lot and residual land.
- ☐ The approximate location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land.
- ☐ The location of any natural and man-made features such as fences, sloughs, dugouts and/or other bodies of water, and wooded areas and/or shelter belts.

☐ If applicant is not the registered owner, a written statement (or this application) signed by the registered owner consenting to this application.

☐ Application fee payable to the Town of Coaldale.

TERMS:

1. Although the file manager is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.



brown okamura & associates ltd.

2830 – 12 AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5J9

TELEPHONE: 403-329-4688
FAX: 403-320-9144

Town of Coaldale
1920 - 17 Street
COALDALE AB T1M 1M1

Date: May 7, 2021

Our File: 21-15248

Attention: Spencer Croil

Letter of Transmittal for Technical Data

Enclosed herewith are the following:

Print of tentative plan.

Application form.

Our cheque in the amount of \$1,040.00 covering application fees. #037184

Copy of Affected Titles.

Print from AER Abandoned Well Map Viewer confirming no abandoned wells.

Copy via email: dennis@dennisdirtworx.ca
Tentative Plan attached

Yours very truly,

BROWN, OKAMURA & ASSOCIATES LTD.

Zachary J. Prosper, ALS



Town of Coaldale

1920 - 17th Street
Coaldale, Alberta
T1M 1M1

Ph: 403-345-1300 Fx: 403-345-1311

OFFICIAL RECEIPT

BROWN OKAMURA & ASSOCIATES LTD.
2830-12 Ave N
LETHBRIDGE AB T1H 5J9

GST Reg. #: R108125717
Receipt #: 0566897
Receipt Date: 2021/05/12
Page: 1
Receipted by: KS

Tax Codes: E=Exempt; T=Taxable; I=Included

Reference #	Description	Reference	Tax Code	GST	Payment
	Sub App Fe-92073 HWY 845		E	.00	710.00
	Sub Lot Fee-92073 HWY 845		E	.00	330.00

Tender Type & Description	Reference	Amount	GST:	
CQ BROWN OKAMURA & ASSOCIATES LTD	037184	1,040.00		.00
Total Amount Paid:				1,040.00
Tender Received:				1,040.00
Change Given:				

THANK YOU FOR YOUR PAYMENT

"The Gem of the West"



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 850 899 4979HT;2;OT 141 168 507

LEGAL DESCRIPTION

PLAN 4979HT
THAT PORTION OF BLOCK 2
WHICH LIES WEST OF DRAINAGE DITCH ON PLAN 5684JK
CONTAINING 8.16 HECTARES (20.17 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 4;20;9;14;NW
ESTATE: FEE SIMPLE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 081 141 866

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 168 507	07/07/2014	TRANSFER OF LAND	\$440,000	CASH & MORTGAGE

OWNERS

DENNIS GERRIT OVERWEG

AND

JULIE BRIDGET OVERWEG

BOTH OF:

BOX 1341

COALDALE

ALBERTA T1M 1N1

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS

8742FL		RESTRICTIVE COVENANT
--------	--	----------------------

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

141 168 507

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

791 216 943	28/12/1979	CAVEAT CAVEATOR - THE COUNTY OF LETHBRIDGE NO. 26.
881 171 067	23/09/1988	CAVEAT RE : PIPELINE RIGHT OF WAY CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER IRRIGATION DISTRICT. P.O. BOX 278, LETHBRIDGE ALBERTA T1J3Y7
881 171 068	23/09/1988	CAVEAT RE : SEE CAVEAT CAVEATOR - THE BOARD OF DIRECTORS OF ST. MARY RIVER IRRIGATION DISTRICT. P.O. BOX 278, LETHBRIDGE ALBERTA T1J3Y7
911 094 619	08/05/1991	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
911 261 318	19/11/1991	DISCHARGE OF UTILITY RIGHT OF WAY 911094619 PARTIAL EXCEPT PLAN/PORTION: 9112212
001 053 110	28/02/2000	UTILITY RIGHT OF WAY GRANTEE - THE COUNTY OF LETHBRIDGE NO. 26.
071 116 966	09/03/2007	UTILITY RIGHT OF WAY GRANTEE - COUNTY OF LETHBRIDGE RURAL WATER ASSOCIATION LIMITED.
171 013 019	16/01/2017	MORTGAGE MORTGAGEE - ALBERTA TREASURY BRANCHES. 1821-20 AVE PO BOX 1269 COALDALE ALBERTA T1M1N1 ORIGINAL PRINCIPAL AMOUNT: \$675,000

TOTAL INSTRUMENTS: 009

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 21 DAY OF APRIL,
2021 AT 03:39 P.M.

ORDER NUMBER: 41488390

CUSTOMER FILE NUMBER:

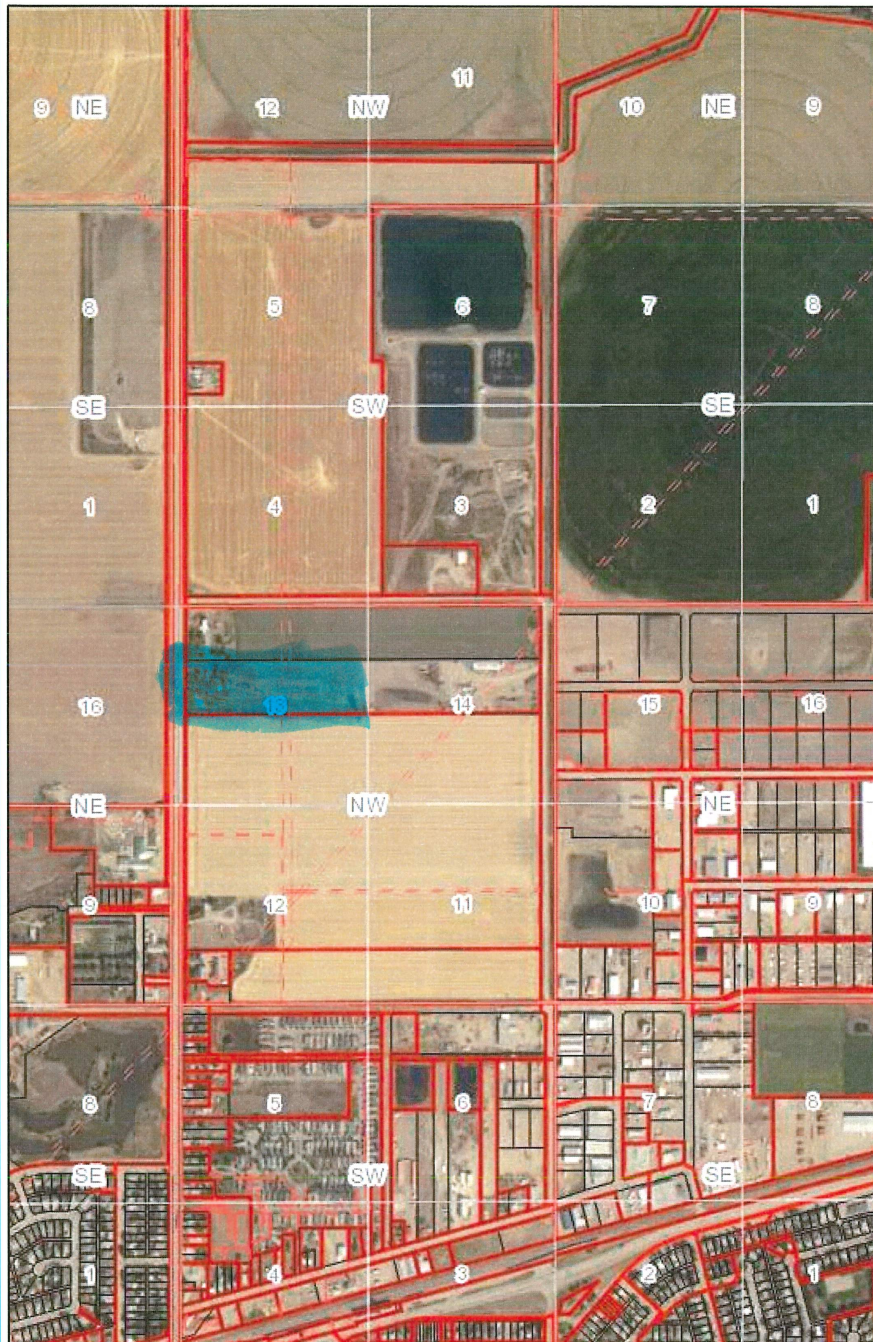


END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Abandoned Well Map



Legend

- ATS Section with Road Allowance Above Hydro
- ATS Quarter Section with Road AI Label Below Hydro
- ATS Legal SubDivision with Road Allowance Label Below Hydro
- ATS Township Index Outline 8
- ATS Section with Road Allowance
- ATS Quarter Section with Road AI Outline
- ATS Legal Subdivision with Road Allowance Outline
- Cadastral Right of Way Line
- Cadastral Block and Lot Line
- Cadastral Survey Plan Line

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Friday, May 07, 2021 8:54:05 -06:00

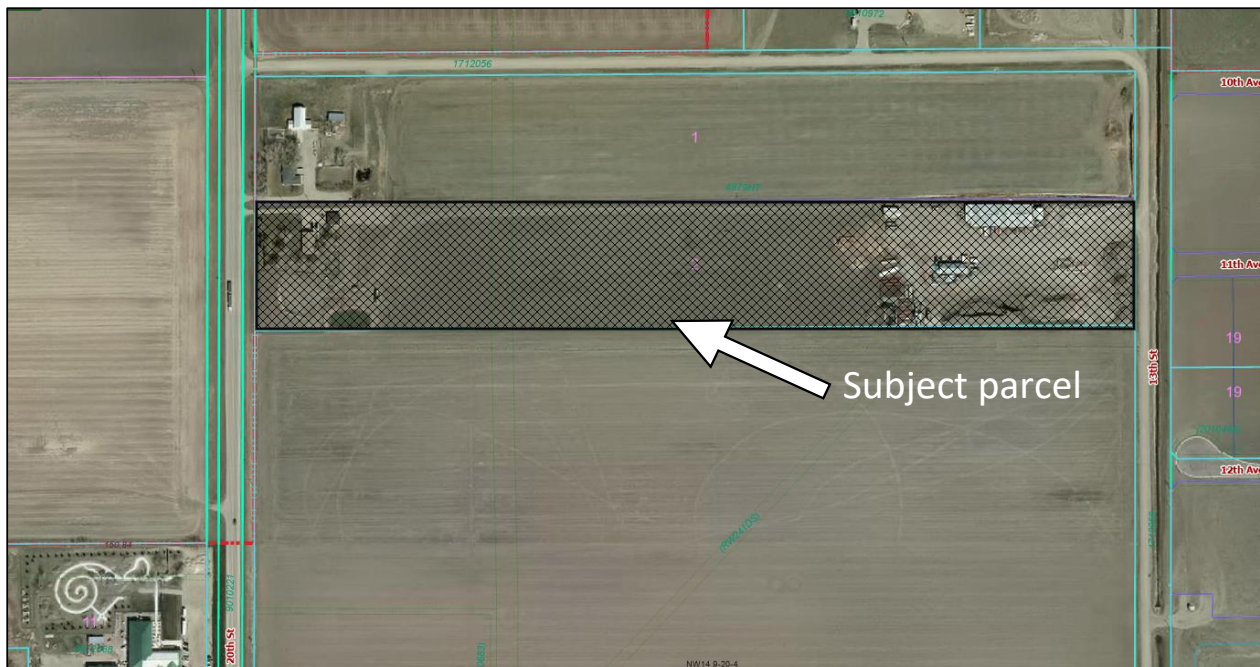
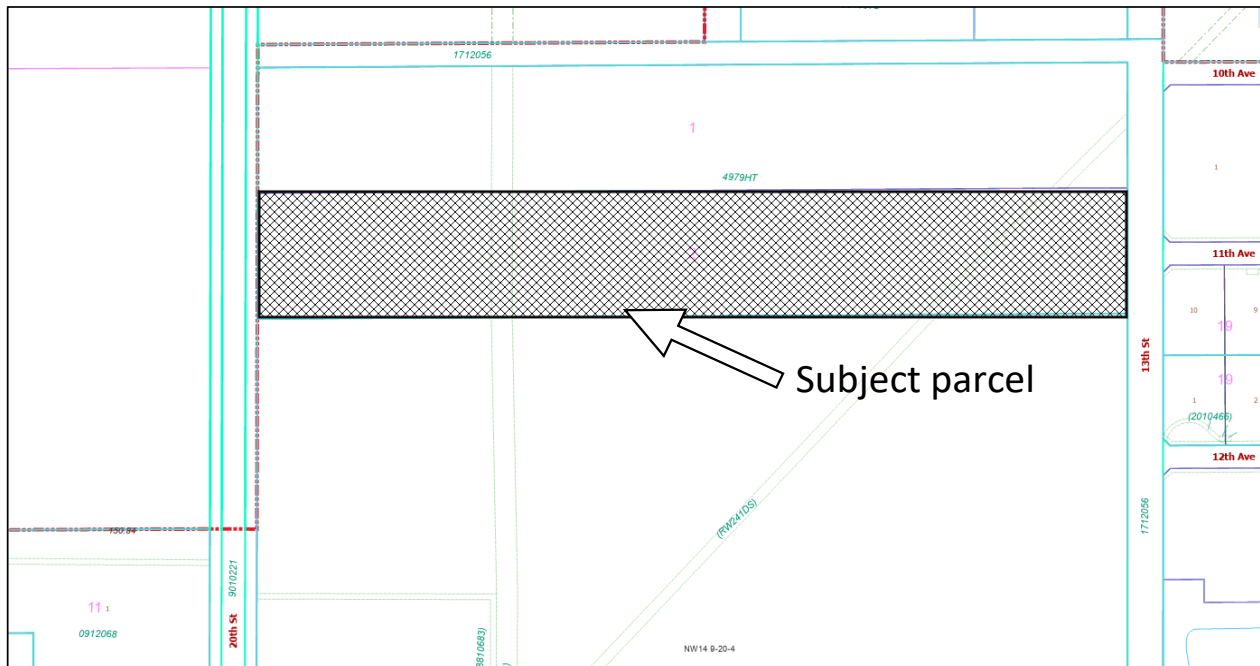


Map Scale: 1: 19,397



Alberta Government
GeoDiscover Alberta





SUBDIVISION LOCATION SKETCH
 LOT OT, BLOCK 2, PLAN 4979HT
 WITHIN NW 14-9-20 W4M
 FILE: SUB 2021-008
 DATE OF SKETCH: May 18, 2021

RESOLUTION

2021-008

Town of Coaldale

Industrial subdivision of: LOT OT, BLOCK 2, PLAN 4979HT

THAT the subdivision of a portion of the **LOT OT, BLOCK 2, PLAN 4979HT** (Certificate of Title No. 141 168 507), to create one (1) new lot by subdividing one (1) 1.21 ha (3 ac) lot out of the existing 8.17 ha (20.19 ac) parcel : BE APPROVED subject to the following conditions:

CONDITIONS:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

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.

MUNICIPAL RESERVE:

In accordance with Sec. 666, 667 and 669, the Subdivision Authority may wish to consider requiring municipal reserve dedication by way of land, cash-in-lieu of land, or by deferred reserve caveat.

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) Alberta Transportation – Leah Olsen – Development/Planning Technologist

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 system.

To that end, this is an urban area and access to the highway will remain to be consistent with the existing access management strategy for this stretch of highway. Given this, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the residential and industrial parcels as proposed would have any appreciable impact on the highway.

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

Section 16 of the regulation only states that the requirements of Section 15 may be varied. Although the waiver of this section has been granted for this application, it has been granted under site specific circumstance (existing access management plan and within a controlled speed zone) and it should not be construed that this variance would set precedent or be granted as a matter of course.

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

The subject property is within the noted control lines however given that development setbacks will be maintained by default and in this instance a permit from Alberta Transportation will not be required and development of the residential and industrial parcels could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

d) Lethbridge County – Hilary Janzen

Thank you for the opportunity to review the above-mentioned subdivision applications. Lethbridge County has no concerns with regards to either proposal.

Original to be signed by:

MOVER

CHAIRMAN

DATE

AGENDA ITEM REPORT



Title: SUB 2021-009 - Town of Coaldale - M. Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

OBJECTIVE:

The following report is intended to present the details of the subdivision application referenced as SUB 2021-009, an application brought forward to the Municipal Planning Commission on behalf of town staff for the three (3) lots on the lands legally described as:

- Lot 11, Block 17, Plan 1212873
- Lot 12, Block 17, Plan 1212873
- Lot 13, Block 17, Plan 1212873

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before council

ANALYSIS:

The purpose of this application is to consolidate three (3) parcels equaling a total of 1.214 ha (3 ac) and subdivide into two (2) larger parcels of equal size or 0.607 ha (1.5 ac) for future industrial use. The subject properties are owned by the Town of Coaldale and are located within the northeast industrial area of Town.

The subject area currently contains no buildings or structures and has been slated for future industrial development. The proposed subdivision is to create larger lots for interested buyers in the northeast industrial area and to allow for future industrial development that is permitted or permissible as per the Town of Coaldale's Industry-I land use district.

KEY CONSIDERATIONS:

As such, the Municipal Planning Commission may consider approval of the application along with the following suggested conditions and considerations:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.

3. That any easement(s) as require by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve

In accordance with the provisions of Sec. 663 of the Municipal Government Act, reserves are not required.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

Advertisement(s)

Other

The application has been circulated to adjacent properties and the appropriate referral agencies. The commentary received includes:

ATCO Gas

Noted it has an existing gas line on the subject property registered as #121 257 666 GEneral URW, Town of Coaldale and therefore has no objection to the proposed subdivision.

Alberta Transportation

Noted the parcels to be created will be well removed from Highway 3, with indirect access to the highway being gained solely by way of the local street system. As such, Alberta Transportation does not anticipate that the creation of the two (2) consolidated industrial parcels as proposed would have any appreciable impact on the highway.

Canada Post

No comment.

FortisAlberta

No easement is required by FortisAlberta.

SMRID

No objections.

TELUS

No objections.

DECISION OPTIONS:

The Municipal Planning Commission may wish to consider:

1. Approval of the subdivision application, with conditions.
2. Deferral of the subdivision application for additional information.
3. Refusal of the subdivision application, with reasons.

RECOMMENDATION:

THAT SUB 2021-009 be approved by resolution, with conditions.

RATIONALE:

The subdivision generally aligns with the progression of the northeast industrial area and future industrial development.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[SUB-2021-009 - Subdivision Application](#)

[SUB 2021-009 - Resolution](#)



TOWN OF COALDALE APPLICATION FOR SUBDIVISION

Date Application Submitted: _____

FOR OFFICE USE ONLY	
Subdivision Application No.	
Date Application Deemed Complete:	
Subdivision Application Fee:	
Zoning (as classified under the Land Use Bylaw)	

APPLICANT INFORMATION

Name of Registered Owner of Land to be Subdivided (please print): Town of Coaldale

Mailing Address: 1920 17 Street Phone: 403-345-1304

Phone (alternate): 403-393-5858

City/Town: Coaldale Email: planner@coaldale.ca

Postal Code: T1M 1M1

☒ Check this box if you would like to receive documents through email.

AGENT INFORMATION *(person authorized to act on behalf of registered owner)*

Name of Agent: _____

Mailing Address: _____ Phone: _____

_____ Phone (alternate): _____

City/Town: _____ Email: _____

Postal Code: _____

☒ Check this box if you would like to receive documents through email.

SURVEYOR INFORMATION

Name of Surveyor: Zachary J. Prosper, ALS, Brown Okamura & Associates Ltd.

Mailing Address: 2830 Phone: 403-329-4688 Ext. 132

12 Avenue N. Phone (alternate): 403-715-8676

City/Town: Lethbridge Email: zach@bokamura.com

Postal Code: T1H 5J9

☒ Check this box if you would like to receive documents through email.

SUBDIVISION INFORMATION

1. All/part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian
2. Being all/part of: Lot/unit 11-13 Block 17 Plan 1212873
3. Total area of existing parcel of land (prior to subdivision) is: 1.214 hectares 3 acres
4. Total number of lots to be created: 2 Size of Lot(s): 0.607 hectares (1.5 acres)
5. Municipal/Civic Address (if applicable) 917, 1005,1009 12 Avenue Coaldale
6. Certificate of Title No.(s): 121 257 663+11, 181 161 090, 121 257 663+13
7. Is the land situation immediately adjacent to the municipal boundary? ☒ Yes ☒ No
8. Is the land situated within 1.6 kilometers (1 mile) of the right-of-way of a highway? ☒ Yes ☒ No
If yes, the adjoining highway is 845
9. Does the proposed parcel contain or is it bounded by a stream, river, lake or other body of water, or by a canal or drainage ditch? ☒ Yes ☒ No
If yes, state its name: _____
10. What is the existing use of the land? Bare commercial parcels
11. What is the proposed use of the land? create 2 larger commercial parcels from 3
12. Describe the nature of the topography of the land (flat, rolling, steep, mixed): flat
13. Describe the kind of soil on the land (sandy, loam, clay, etc.): unknown
14. Is this a vacant parcel? ☒ Yes ☒ No
If no, describe all the buildings and any structures on the land: _____
Will and of the buildings and/or structures be demolished or moved (if yes, indicate which ones): _____
15. Are there any active oil or gas wells or pipelines on the land? ☒ Yes ☒ No
16. Are there any abandoned oil or gas wells or pipelines on the land? ☒ Yes ☒ No
17. What is the existing source of water (if other, please describe)? ☒ Municipal ☒ Other _____
18. What is the existing sewage disposal (if other, please describe)? ☒ Municipal ☒ Other _____
19. What is the proposed sewage disposal (if other, please describe)? ☒ Municipal ☒ Other _____

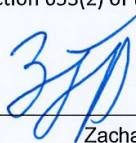
**TOWN OF COALDALE
SUBDIVISION APPLICATION**

DECLARATION OF APPLICANT/AGENT

☐ Registered Owner ☒ Authorized agent acting on behalf of the registered owner

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Subdivision. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application. This right is granted pursuant to Section 653(2) of the Municipal Government Act.

APPLICANT



Zachary J. Prosper, ALS

Registered Owner (if not the same as applicant)

The following items shall be attached to all Subdivision Applications. This is not an exhaustive list and the file manager may request additional information that is required to assess the application.

- ☐ **Site plan prepared by an Alberta Land Surveyor (ALS), which includes the following details:**
- ☐ Scale and north arrow
 - ☐ Legal description and municipal address of subject property
 - ☐ The accurate location, dimensions, areas and boundaries of the land that is subject to the application, each new lot to be created, any reserve land, existing rights-of-way of each public utility, and other rights of way, easements, railways, canals, or any other feature on or adjacent to the land proposed for subdivision
 - ☐ The location, use and dimensions of any building and structures on the land that is the subject of the application dimensioned to the proposed property line and specifying those buildings or structures that are proposed to be demolished or moved.
 - ☐ The location of any existing water source (well, cistern, curb stop, etc.) and private sewage treatment systems (holding tank, septic tank/field, open discharge/treatment mound, etc.) on the property dimensioned to existing and proposed property lines.
 - ☐ Adjacent municipal roads, provincial highways and any public pathway or trails adjacent to the site, dimensioned from the property lines.
 - ☐ Existing and proposed access to each new lot and residual land.
 - ☐ The approximate location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land.
 - ☐ The location of any natural and man-made features such as fences, sloughs, dugouts and/or other bodies of water, and wooded areas and/or shelter belts.
- ☐ **If applicant is not the registered owner, a written statement (or this application) signed by the registered owner consenting to this application.**
- ☐ **Application fee payable to the Town of Coaldale.**

TERMS:

1. Although the file manager is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.

2. A survey sketch prepared by an Alberta Land Surveyor (ALS), in sufficient detail to enable adequate consideration of the application, must be submitted with this application. It is desirable that the plans and drawings should be on a scale appropriate to the development.
3. If a decision is not made within 60 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.

ADDITIONAL INFORMATION:

In addition to the above requirements, the file manager may also require information such as but not limited to:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Additional plans (such as an Area Structure Plan, Outline Plan, or Conceptual Scheme) and information may be required and requested due to the nature and magnitude of a proposed subdivision.
3. Existing and proposed site grades, contours and any special topographical features or site conditions (e.g. escarpments, break-of-slope, and unstable areas).
4. A map showing the 1:100 year flood area(s)
5. Land use and land surface characteristics within 0.8 kilometers (½ mile) of the land that is the subject of the application

Please note: the review and determination of completeness of a subdivision application may be delayed if the form and/or additional information provided is incomplete.

FOIP Notification: Your name, home phone number, home address and postal code are collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. This information will be used in the administration of Town of Coaldale programs. If you have any questions about this collection, contact the FOIP Coordinator, Town of Coaldale, 1920-17th Street, T1M 1M1 or 403-345-1300.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0035 395 327 1212873;17;11 121 257 663 +11

LEGAL DESCRIPTION
PLAN 1212873
BLOCK 17
LOT 11
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 111 154 369 +10

REGISTERED OWNER(S)
REGISTRATION DATE (DMY) DOCUMENT TYPE VALUE CONSIDERATION

121 257 663 03/10/2012 SUBDIVISION PLAN

OWNERS

THE TOWN OF COALDALE.
OF P.O. BOX 970, COALDALE
ALBERTA T0K 0L0

ENCUMBRANCES, LIENS & INTERESTS
REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

5733GF . RESTRICTIVE COVENANT
 "SUBJECT TO THE RIGHTS AND RESERVATIONS CONTAINED
 IN TRANSFER"

1485KX . 21/06/1971 IRRIGATION ORDER/NOTICE
 THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER
 IRRIGATION DISTRICT

821 023 347 09/02/1982 UTILITY RIGHT OF WAY
 GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
 LIMITED.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

121 257 663 +11

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

881 212 400 22/11/1988 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - THE BOARD OF DIRECTORS OF THE ST. MARY
RIVER IRRIGATION DISTRICT
BOX 278
LETHBRIDGE
ALBERTA T1J3Y7

121 257 666 03/10/2012 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF COALDALE.
AS TO PORTION OR PLAN:1212874

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 14 DAY OF MAY,
2021 AT 03:05 P.M.

ORDER NUMBER: 41679038

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0035 395 335 1212873;17;12 181 161 090

LEGAL DESCRIPTION
PLAN 1212873
BLOCK 17
LOT 12
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 181 046 774

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 161 090	01/08/2018	TRANSFER OF LAND	\$144,000	\$144,000

OWNERS

THE TOWN OF COALDALE.
OF 1920-17 ST.
COALDALE
ALBERTA T1M 1M1

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
5733GF	.	RESTRICTIVE COVENANT "SUBJECT TO THE RIGHTS AND RESERVATIONS CONTAINED IN TRANSFER"
1485KX	21/06/1971	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER IRRIGATION DISTRICT
821 023 347	09/02/1982	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

181 161 090

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

LIMITED.

121 257 666 03/10/2012 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF COALDALE.
AS TO PORTION OR PLAN:1212874

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 14 DAY OF MAY,
2021 AT 03:05 P.M.

ORDER NUMBER: 41679038

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S

LINC	SHORT	LEGAL
0035 395 343	1212873;17;13	

TITLE NUMBER
121 257 663 +13

LEGAL DESCRIPTION
PLAN 1212873
BLOCK 17
LOT 13
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;20;9;14;NE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 111 154 369 +10

		REGISTERED OWNER(S)			
REGISTRATION	DATE (DMY)	DOCUMENT	TYPE	VALUE	CONSIDERATION

121 257 663	03/10/2012	SUBDIVISION	PLAN		

OWNERS

THE TOWN OF COALDALE.
OF P.O. BOX 970, COALDALE
ALBERTA T0K 0L0

ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS

5733GF .		RESTRICTIVE COVENANT "SUBJECT TO THE RIGHTS AND RESERVATIONS CONTAINED IN TRANSFER"
1485KX .	21/06/1971	IRRIGATION ORDER/NOTICE THIS PROPERTY IS INCLUDED IN THE ST. MARY RIVER IRRIGATION DISTRICT
821 023 347	09/02/1982	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

121 257 663 +13

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

881 212 400 22/11/1988 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - THE BOARD OF DIRECTORS OF THE ST. MARY
RIVER IRRIGATION DISTRICT
BOX 278
LETHBRIDGE
ALBERTA T1J3Y7

121 257 666 03/10/2012 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF COALDALE.
AS TO PORTION OR PLAN:1212874

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 14 DAY OF MAY,
2021 AT 03:05 P.M.

ORDER NUMBER: 41679038

CUSTOMER FILE NUMBER:



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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

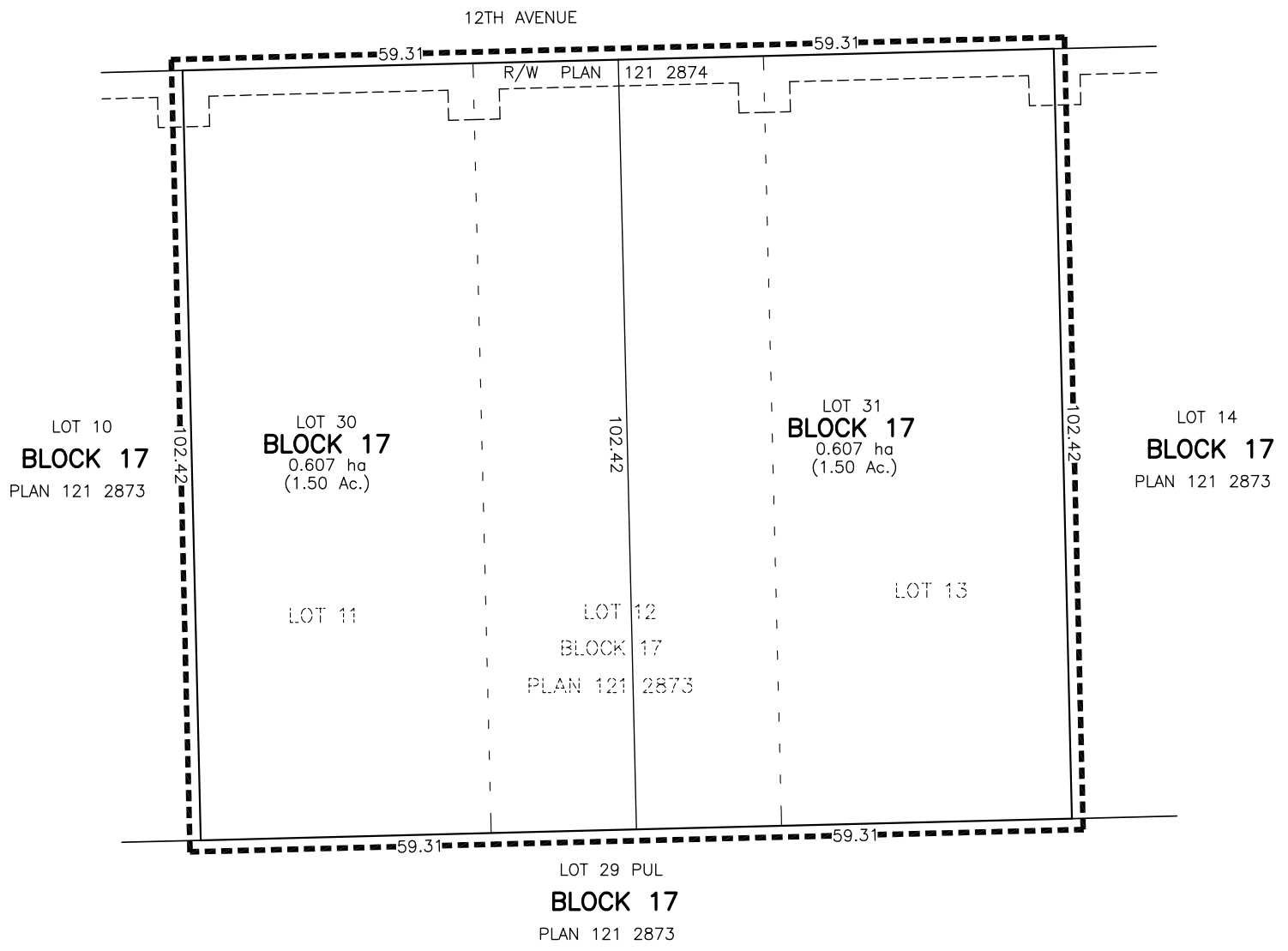


TABLE OF AREAS		
LOT 30		
within Lot 11, Block 17, Plan 121 2873 =	0.405	ha
within Lot 12, Block 17, Plan 121 2873 =	0.202	ha
SUBTOTAL =		0.607 ha
LOT 31		
within Lot 13, Block 17, Plan 121 2873 =	0.405	ha
within Lot 12, Block 17, Plan 121 2873 =	0.202	ha
SUBTOTAL =		0.607 ha
TOTAL =		1.214 ha

NO.	REVISION	DATE	BY
NOTE : Portion to be approved is outlined thus ----- and contains approximately 1.214 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.			

TOWN OF COALDALE

TENTATIVE PLAN SHOWING SUBDIVISION
of
LOTS 11, 12 & 13, BLOCK 17, PLAN 121 2873
all within
N.E.1/4 SEC. 14, TWP. 9, RGE. 20, W.4 M.
Town of Coaldale

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

APPROVED Z.J. Prosper, A.L.S.	DRAWN MJ	DATE MAY 14/21
	CHECKED ZJP	JOB 21-15301
	SCALE 1:750	DRAWING 21-15301TA

RESOLUTION

2021-009

Town of Coaldale

Industrial subdivision of: **LOTS 11-13, BLOCK 17, PLAN 1212873**

THAT the subdivision of a portion of the **LOT 11-13, BLOCK 17, PLAN 1212873** (Certificate of Title No. 121 257 663+11; 181 161 090; 121 257 663+13), to consolidate three (3) parcels equaling a total of 1.214 ha (3 ac) and subdivide into two (2) larger parcels of equal size or 0.607 ha (1.5 ac) for future industrial use: BE APPROVED subject to the following conditions:

CONDITIONS:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale to address any municipal servicing requirements.
3. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
4. That any conditions of Alberta Transportation shall be met prior to finalization.
5. Consideration of adjacent landowner and referral agency comments.

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, and the Cottonwood Estates Area Structure Plan;
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.

MUNICIPAL RESERVE:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider either requiring land, cash-in-lieu of land, or the deferment of the Municipal Reserve required by way of the execution and registration of a deferred reserve caveat, to be placed on either the new lot to be created or the remainder of the subject parcel.

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) ATCO Gas – Ellen Struthers

Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 121 257 666 General URW, Town of Coaldale. Therefore, ATCO Gas has no objection to the proposed subdivision.

d) Alberta Transportation – Leah Olsen

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 system.

To that end, the parcels to be created will be well removed from Highway 3 with indirect access to the highway being gained solely by way of the local street system. As such, strictly from Alberta Transportation’s point of view, we do not anticipate that the creation of the two (2) consolidated industrial parcels as proposed would have any appreciable impact on the highway. Therefore, pursuant to Section 16 of the regulation, in this instance, Alberta Transportation grants a waiver of said Sections 14 and 15(2).

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

The subject property is within the noted control lines however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance a permit from Alberta Transportation will not be required and development of the two (2) consolidated industrial parcels could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

e) Canada Post – Wendy Bauer

Canada Post has no comment at this time.

f) FortisAlberta – Erin Alcroft

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

FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange

installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.

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

g) St. Mary's Irrigation District

Further to your May 17th, 2021 subdivision application in respect to the above-noted, this is to advise that we have no objection to the creation of two larger parcels from the consolidation of three smaller parcels.

h) Telus

TELUS Communications Inc. has no objection to the above circulation.

Original to be signed by:

MOVER

CHAIRMAN

DATE

AGENDA ITEM REPORT



Title: SUB 2021-010 - SW 13-9-20-W4M - S. Croil
Report Type: Request for Decision
Report Author: Spencer Croil
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

OBJECTIVE:

The following report is intended to present the details of the subdivision application referenced as SUB 2021-010, a parcel in the Parkside neighbourhood, the lands upon which make up a portion of the S.E. 13-9-20-W4M.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the MPC.

ANALYSIS:

The purpose of the application is to subdivide eleven (11) parcels of land, with 10 of the 11 parcels being between 405 m² and 450 m², and one lot of 1.122 ha (2.77 ac), out of the parent parcel of 4.84 ha (11.961 ac), for the purposes of the creation of 10 lots to be designated as Residential Starter Lot (R-1C) and one lot to be designated as Residential Multi-unit (R-2), in accordance with the Parkside Acres Area Structure Plan (ASP).

The application is generally consistent with the Parkside Acres Area Structure Plan (ASP). The ASP contains a conceptual framework for the subdivision and development of the community. It is worth noting that the subdivision proposal includes approximately 900 m² (the approximate area of two Residential R-1C lots) of land that is shown to be within the Residential Multi-unit lot (the 1.122 ha or 2.77 ac lot) that is currently identified in the ASP as being future R-1C lots. However, given the relatively small area of the change and the resultant favourable geometry of the multi-unit lot, the intent of the concept plan contained in the ASP can be considered to be met.

The current zoning of the subject parcel is Urban Reserve (UR). However, a land use redesignation application is being processed in conjunction with this subdivision application, and the proposed land use districts for this subdivision include Residential Starter Lot (R-1C) for the 10 lots of between 405 m² and 450 m², and Residential Multi-unit (R-2) for the 1.122 ha (2.7 ac) lot that is proposed to be created.

KEY CONSIDERATIONS:

The application is generally compliant with the Parkside Acres Area Structure Plan and the Land Use Bylaw, and as such the Municipal Planning Commission may consider approval of the subdivision application subject to the following suggested conditions:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matters the Town deems necessary.
3. That the applicant pays the applicable fees as required by the Town of Coaldale.
4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
5. That any conditions of Alberta Transportation shall be met prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve

In accordance with the provisions of Sec. 666, 667, and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

Advertisement(s)

Other

The application has been circulated to neighbouring properties and the appropriate referral agencies. The commentary that was received included:

Alberta Transportation

Noted that the parcels to be created will be well removed from Highway 3 with indirect access to the highway being gained solely by way of the local street system. As such, strictly from Alberta Transportation's point of view, it does not anticipate that the creation of the one (1) residential parcel would have any appreciable impact on the highway.

Canada Post

Canada Post will provide service to the eleven new addresses through an existing Community Mailbox and mail service for the multi-family development will be through new community mailboxes to be installed within the development.

SMRID

No objection as the parcel is classified as "dry".

TELUS

No objections. However, noted protection of future facilities to provide service will be required by way of a TELUS-named utility right of way, a joint-use utility right of way or public road and requests that the requirement is placed under the conditions of approval for the proposed subdivision.

DECISION OPTIONS:

The Municipal Planning Commission may wish to consider:

1. Approval of the subdivision application.
2. Deferral of the subdivision application for additional information.
3. Refusal of the subdivision application, with reasons.

RECOMMENDATION:

THAT SUB 2021-010 be approved by resolution, with conditions.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[SUB 2021-010 - Notice of Application](#)

[SUB 2021-010 - Resolution - for circulation](#)



TOWN OF COALDALE NOTICE OF APPLICATION FOR SUBDIVISION

DATE: May 19, 2021

Date of Receipt:

May 19, 2021

Date of Completeness:

May 19, 2021

TO: Landowner: Parkside Investments Inc.

File Manager: Spencer Croil

Referral Agencies: Holy Spirit RC School Division, Palliser School Division, AltaLink Management, FortisAlberta, TELUS, ATCO Gas, ATCO Pipelines, AB Health Services Lethbridge, AB Environment & Parks, St. Mary's Irrigation District (SMRID), AB Transportation, AB Environment & Parks, Historical Resources Administrator, AER, Canada Post

Adjacent Landowners: BYLSMA FARMS INC, 1060687 ALBERTA LTD., PARKSIDE INVESTMENTS INC.

The Town of Coaldale is in receipt of the following subdivision application. 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 provide comments respecting the proposed subdivision, please submit them via email or mail no later than June 9, 2021 (Please quote our File No. SUB 2021-010 in any correspondence that you submit to our office).

File No: SUB 2021-010
Legal Description SW 13-9-20-W4M
Civic Address: N/A
Land Designation URBAN RESERVE
Existing Use: VACANT LOT
Proposed Use: RESIDENTIAL
Lots Created: 11
Certificate of Title: 161 204 896 +28

Proposal: To subdivide eleven (11) parcels of land, with 10 of the 11 parcels being between 405 m² and 450 m², and one lot of 1.122 ha (2.77 acres), out of the parent parcel of 4.84 ha (11.961 ac), for the purposes of the creation of 10 lots to be designated as Residential Starter lot (R-1C) and 1 lot to be designated as Residential Multi-unit (R-2).

Planner's Preliminary Comments:

The purpose of the application is to subdivide eleven (11) parcels of land, with 10 of the 11 parcels being between 405 m² and 450 m², and one lot of 1.122 ha (2.77 acres), out of the parent parcel of 4.84 ha (11.961 ac), for the purposes of the creation of 10 lots to be designated as Residential Starter lot (R-1C) and 1 lot to be designated as Residential Multi-unit (R-2), in accordance with the Parkside Acres Area Structure Plan (ASP).

The application is generally consistent with the Parkside Acres Area Structure Plan (ASP). The ASP contains a conceptual framework for the subdivision and development of the community. It is worth noting that the

subdivision proposal contained in this notice of application includes approximately 900 m² (the approximate area of two Residential R-1C lots) of land that is shown to be within the Residential Multi-unit lot (the 1.122 ha or 2.77 ac lot) that is currently identified in the ASP as being future R-1C lots. However, given the relatively small area of the change and the resultant favourable geometry of the multi-unit lot, the intent of the concept plan contained in the ASP can be considered to be met.

The current zoning of the subject parcel is Urban Reserve (UR). However, a land use redesignation application is being processed in conjunction with this subdivision application, and the proposed land use districts for this subdivision include Residential Starter lot (R-1C) for the 10 lots of between 405 m² and 450 m², and Residential Multi-unit (R-2) for the 1.122 ha (2.77 acre) lot that is proposed to be created.

The application is generally compliant with the Parkside Acres Area Structure Plan and the Land Use Bylaw, and as such the Municipal Planning commission may consider approval of the subdivision application subject to the following suggested conditions.

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. That the applicant pays the applicable off-site levies and development fees as required by the Town of Coaldale.
4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
5. That any conditions of Alberta Transportation shall be met prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

Municipal Reserve:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider Municipal Reserve by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

Relevant information:

The Town of Coaldale's statutory planning documents and other related planning and development resources are available at <https://www.coaldale.ca/PlanningandDevelopment/directory-planning-and-development-policies-and-resources>.

Please see the next page for details regarding the date, time and place of the meeting at which this subdivision will be considered, and the ways in which agencies or adjacent landowners are able to provide feedback, should they wish to do so.

THIS APPLICATION WILL BE CONSIDERED AT THE MAY MUNICIPAL PLANNING COMMISSION MEETING, TO BE HELD VIRTUALLY AT 5 PM, WEDNESDAY, June 9th, 2021.

If you are an adjacent landowner and wish to provide feedback regarding the application:

1. In-person at the Municipal Planning Commission meeting

Please contact the File Manager (Spencer Croil) prior to June 9th, 2021 in order that information on how to join the virtual meeting can be provided to you well in advance of the meeting. You may reach Spencer at (403) 345 1304 or planner@coaldale.ca.

2. In writing (anonymous submissions will not be accepted)

Please forward your written comments to the File Manager no later than June 2nd, 2021, in order that written submissions may be included in the agenda for the Municipal Planning Commission. Please note that written comments will still be accepted up to June 9th. However, it is always appreciated if written feedback can be forwarded to the file manager prior to the posting of the meeting agenda, in order that written comments can be a part of the agenda package for the meeting.

You may submit your written comments by email or hard copy. If you wish to submit your written comments by email, please send them to planner@coaldale.ca.

Alternatively, if you would rather provide written comments by hard copy, please drop your written comments off at the front desk of the Town Office during regular business hours, OR by placing your written comments in the mail slot located to the right of the front doors of the Town Office. The Town Office is located at 1920, 17th Street, Coaldale.

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
0037 295 780 4;20;9;13;SW 161 204 896 +28

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 20 TOWNSHIP 9
SECTION 13
THAT PORTION OF THE WESTERLY 541.02 METRES IN
PERPENDICULAR WIDTH THROUGHOUT OF THE SOUTHWEST QUARTER
WHICH LIES BETWEEN ROAD PLANS 8511052 AND 9510309
CONTAINING 18.2 HECTARES (44.91 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
SUBDIVISION	9913052	0.020	0.05	
SUBDIVISION	0312206	3.368	8.32	
SUBDIVISION	0512681	1.775	4.386	
SUBDIVISION	0714857	3.178	7.853	
SUBDIVISION	1112683	1.585	3.92	
SUBDIVISION	1612034	3.409	8.42	

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

ESTATE: FEE SIMPLE

MUNICIPALITY: TOWN OF COALDALE

REFERENCE NUMBER: 121 255 083 +3

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

161 204 896 29/08/2016 SUBDIVISION PLAN

OWNERS

PARKSIDE INVESTMENTS INC.
OF PO BOX 661
COALDALE
ALBERTA T1M 1M6

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

161 204 896 +28

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

2876T . 27/05/1968 RESTRICTIVE COVENANT

161 204 898 29/08/2016 CAVEAT

RE : DEFERRED RESERVE
CAVEATOR - THE TOWN OF COALDALE.
C/O OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16TH AVENUE NORTH
LETHBRIDGE
ALBERTA T1H5E8
AGENT - THE OLDMAN RIVER REGIONAL SERVICES
COMMISSION.

161 204 899 29/08/2016 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF COALDALE.
AS TO PORTION OR PLAN:1612035
AS TO UTILITY RIGHT OF WAY AREA 'A'

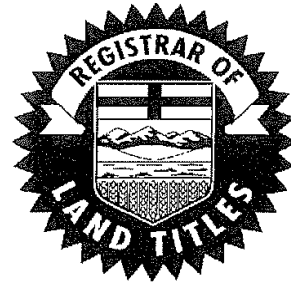
161 204 901 29/08/2016 UTILITY RIGHT OF WAY
GRANTEE - THE TOWN OF COALDALE.
AS TO PORTION OR PLAN:1612035
AS TO R/W AREA 'A' AND R/W AREA 'B'

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 12 DAY OF MAY,
2021 AT 11:56 A.M.

ORDER NUMBER: 41653848

CUSTOMER FILE NUMBER: 219039LS



END OF CERTIFICATE

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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



TOWN OF COALDALE
APPLICATION FOR SUBDIVISION

Date Application Submitted: _____

FOR OFFICE USE ONLY	
Subdivision Application No.	
Date Application Deemed Complete:	
Subdivision Application Fee:	
Zoning (as classified under the Land Use Bylaw)	

APPLICANT INFORMATION

Name of Registered Owner of Land to be Subdivided (please print): Parkside Investments Inc.

Mailing Address: P.o. Box 661 Phone: 403-345-5600

City/Town: Coaldale Phone (alternate): _____

Postal Code: T1M 1M6 Email: peter@bosscares.ca

☒ Check this box if you would like to receive documents through email.

AGENT INFORMATION (person authorized to act on behalf of registered owner)

Name of Agent: Bruce A. Barnett, ALS.

Mailing Address: 255-31 St N Phone: 403-329-0050

City/Town: Lethbridge Phone (alternate): _____

Postal Code: T1H 3Z4 Email: bruceb@mgcl.ca

☒ Check this box if you would like to receive documents through email.

SURVEYOR INFORMATION

Name of Surveyor: Same as agent.

Mailing Address: _____ Phone: _____

City/Town: _____ Phone (alternate): _____

Postal Code: _____ Email: _____

☒ Check this box if you would like to receive documents through email.

SUBDIVISION INFORMATION

1. All/part of the SW ¼ Section 13 Township 9 Range 20 West of 4 Meridian
2. Being all/part of: Lot/unit N/A Block N/A Plan N/A
3. Total area of existing parcel of land (prior to subdivision) is: 4.534 hectares 11.203 acres
4. Total number of lots to be created: 11 Size of Lot(s): refer to proposed plan.
5. Municipal/Civic Address (if applicable) N/A
6. Certificate of Title No.(s): 161 204 896 + 28
7. Is the land situation immediately adjacent to the municipal boundary? ☒ Yes ☐ No
8. Is the land situated within 1.6 kilometers (1 mile) of the right-of-way of a highway? ☒ Yes ☐ No
If yes, the adjoining highway is No.3
9. Does the proposed parcel contain or is it bounded by a stream, river, lake or other body of water, or by a canal or drainage ditch? ☐ Yes ☒ No
If yes, state its name: _____
10. What is the existing use of the land? Vacant
11. What is the proposed use of the land? Single and multi-family
12. Describe the nature of the topography of the land (flat, rolling, steep, mixed): N/A
13. Describe the kind of soil on the land (sandy, loam, clay, etc.): N/A
14. Is this a vacant parcel? ☒ Yes ☐ No
If no, describe all the buildings and any structures on the land: N/A
Will and of the buildings and/or structures be demolished or moved (if yes, indicate which ones): None
15. Are there any active oil or gas wells or pipelines on the land? ☐ Yes ☒ No
16. Are there any abandoned oil or gas wells or pipelines on the land? ☐ Yes ☒ No
17. What is the existing source of water (if other, please describe)? ☒ Municipal ☐ Other _____
18. What is the existing sewage disposal (if other, please describe)? ☒ Municipal ☐ Other _____
19. What is the proposed sewage disposal (if other, please describe)? ☒ Municipal ☐ Other _____

**TOWN OF COALDALE
SUBDIVISION APPLICATION**

DECLARATION OF APPLICANT/AGENT

☐ Registered Owner

☒ Authorized agent acting on behalf of the registered owner

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Subdivision. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application. This right is granted pursuant to Section 653(2) of the Municipal Government Act.



APPLICANT

Registered Owner (if not the same as applicant)

The following items shall be attached to all Subdivision Applications. This is not an exhaustive list and the file manager may request additional information that is required to assess the application.

☐ **Site plan prepared by an Alberta Land Surveyor (ALS), which includes the following details:**

- ☐ Scale and north arrow
- ☐ Legal description and municipal address of subject property
- ☐ The accurate location, dimensions, areas and boundaries of the land that is subject to the application, each new lot to be created, any reserve land, existing rights-of-way of each public utility, and other rights of way, easements, railways, canals, or any other feature on or adjacent to the land proposed for subdivision
- ☐ The location, use and dimensions of any building and structures on the land that is the subject of the application dimensioned to the proposed property line and specifying those buildings or structures that are proposed to be demolished or moved.
- ☐ The location of any existing water source (well, cistern, curb stop, etc.) and private sewage treatment systems (holding tank, septic tank/field, open discharge/treatment mound, etc.) on the property dimensioned to existing and proposed property lines.
- ☐ Adjacent municipal roads, provincial highways and any public pathway or trails adjacent to the site, dimensioned from the property lines.
- ☐ Existing and proposed access to each new lot and residual land.
- ☐ The approximate location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land.
- ☐ The location of any natural and man-made features such as fences, sloughs, dugouts and/or other bodies of water, and wooded areas and/or shelter belts.

☐ **If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.

☐ **Application fee payable to the Town of Coaldale.**

TERMS:

1. Although the file manager is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.

2. A survey sketch prepared by an Alberta Land Surveyor (ALS), in sufficient detail to enable adequate consideration of the application, must be submitted with this application. It is desirable that the plans and drawings should be on a scale appropriate to the development.
3. If a decision is not made within 60 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.

ADDITIONAL INFORMATION:

In addition to the above requirements, the file manager may also require information such as but not limited to:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Additional plans (such as an Area Structure Plan, Outline Plan, or Conceptual Scheme) and information may be required and requested due to the nature and magnitude of a proposed subdivision.
3. Existing and proposed site grades, contours and any special topographical features or site conditions (e.g. escarpments, break-of-slope, and unstable areas).
4. A map showing the 1:100 year flood area(s)
5. Land use and land surface characteristics within 0.8 kilometers (½ mile) of the land that is the subject of the application

Please note: the review and determination of completeness of a subdivision application may be delayed if the form and/or additional information provided is incomplete.

FOIP Notification: Your name, home phone number, home address and postal code are collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy Act. This information will be used in the administration of Town of Coaldale programs. If you have any questions about this collection, contact the FOIP Coordinator, Town of Coaldale, 1920-17th Street, T1M 1M1 or 403-345-1300.



Spencer Croil <planner@coaldale.ca>

Signature for subdivision application

Peter Bos | Bos Scapes Inc. <peter@bosscapes.ca>
To: Spencer Croil <planner@coaldale.ca>

Wed, May 19, 2021 at 2:11 PM

I hereby authorize Martin Geomatrix to do the subdivision application on behalf of Parkside Investments Inc .
Regards , Peter Bos

Peter Bos
Bos Sod Farms/Bos Scapes Inc.
(403) 345-5600
peter@bosscapes.ca

On May 19, 2021, at 1:42 PM, Spencer Croil <planner@coaldale.ca> wrote:

[Quoted text hidden]

<page for owner signature - Parkside Investments subdivision application - May 19 2021.pdf>



Abandoned Well Map:	Base Data provided by: Government of Alberta	
Legend ◇ Abandoned Well (Large Scale) ○ Revised Well Location (Large Scale) — Revised Location Pointer - Paved Road (20K) — Primary Divided — Primary Undivided 4L — Primary Undivided 2L — Primary Undivided 1L — Interchange Ramp — Secondary Divided — Secondary Undivided 4L	Author MARTIN GEOMATIC	Printing Date: 5/19/2021
	Date Date (if applicable)	
	The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright & Disclaimer webpage: http://www.aer.ca/copyright-disclaimer.	Scale: 18,055.95 0.25 Kilometers 0 Projection and Datum: WGS84 Web Mercator Auxiliary Sphere  Alberta Energy Regulator



Town of Coaldale

1920 - 17th Street
Coaldale, Alberta
T1M 1M1

Ph: 403-345-1300 Fx: 403-345-1311

OFFICIAL RECEIPT

PARKSIDE INVESTMENTS INC.
PO Box 661
COALDALE AB T1M 1M6

GST Reg. #: R108125717
Receipt #: 0568374
Receipt Date: 2021/05/19
Page: 1
Received by: GT

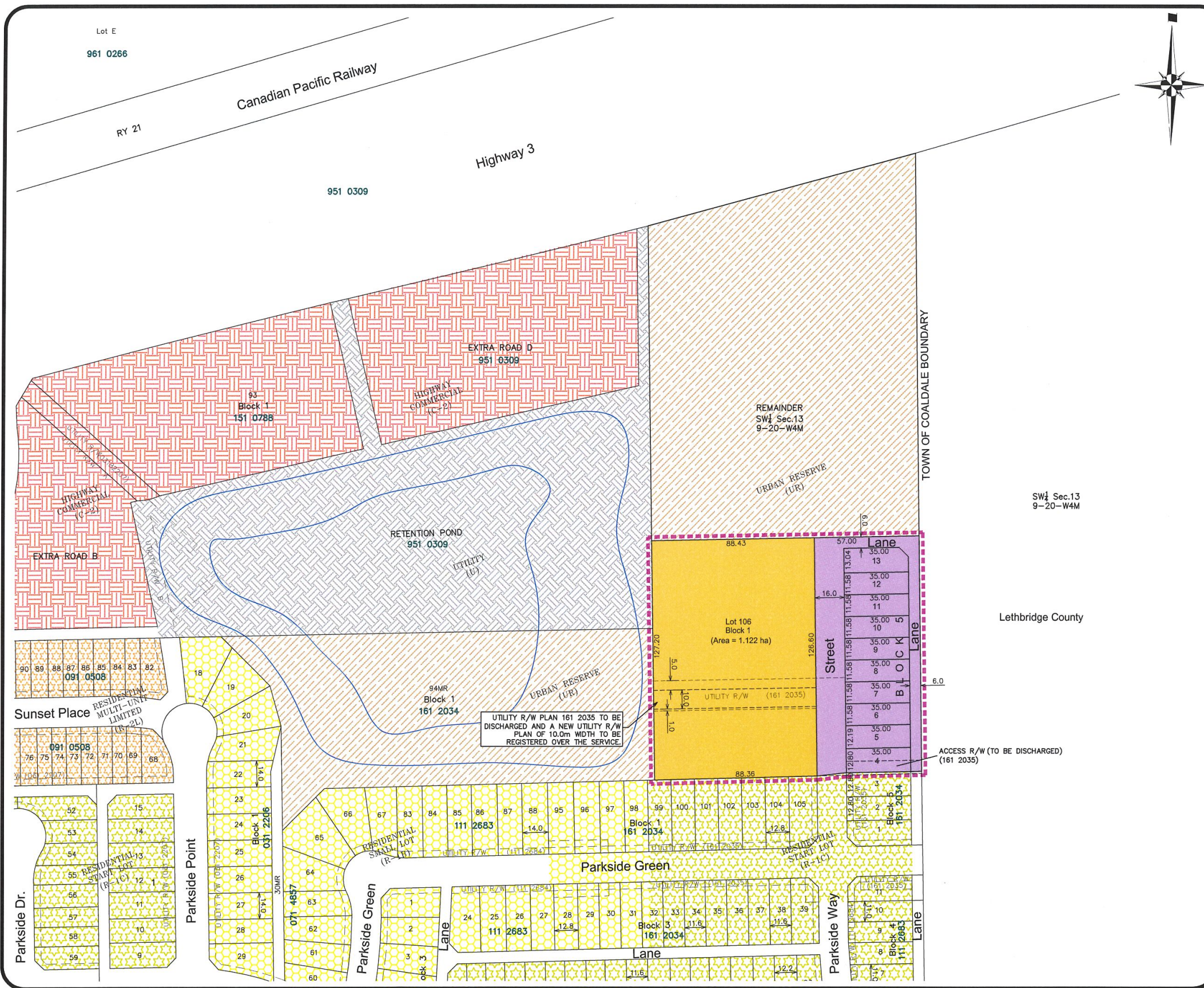
Tax Codes: E=Exempt; T=Taxable; I=Included

Reference #	Description	Reference	Tax Code	GST	Payment
	Subdivision Application Fe		E	.00	710.00
	Subdivision Lot Fee		E	.00	3,630.00

Tender Type & Description	Reference	Amount	GST:	.00
CQ PARKSIDE INVESTMENTS INC.	000211	4,340.00	Total Amount Paid:	4,340.00
			Tender Received:	4,340.00
			Change Given:	

THANK YOU FOR YOUR PAYMENT

"The Gem of the West"



Plan showing Proposed Subdivision

OF A PORTION OF
S.W. 1/4 SEC. 13, TWP. 9, RGE. 20, W4M
TITLE No. (161 204 896 +28)

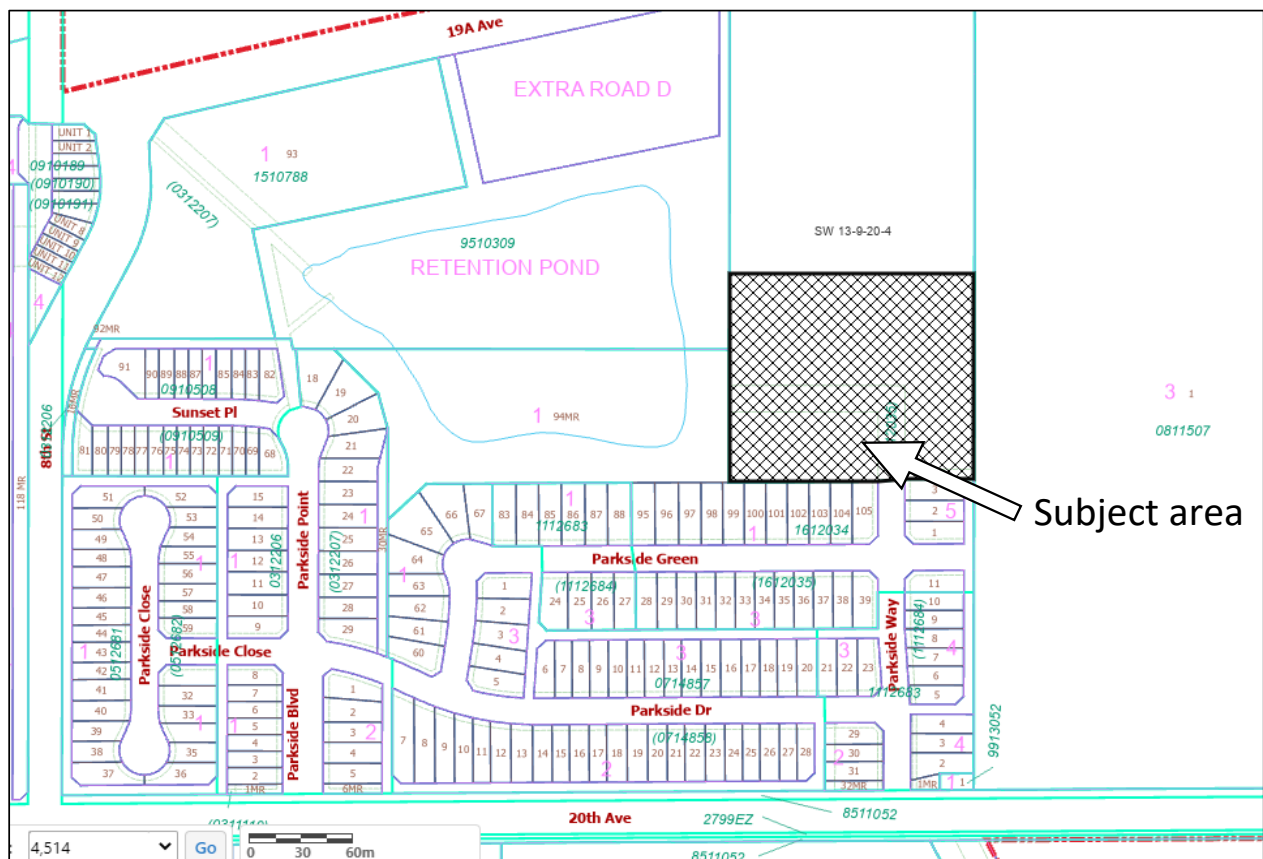
Town of Coaldale, Alberta

THIS PROPOSED SUBDIVISION PLAN OUTLINES
10 (R-1C) RESIDENTIAL LOTS, LANE AND STREET
PLUS 1 R-2 (TOWNHOUSE) LOT.

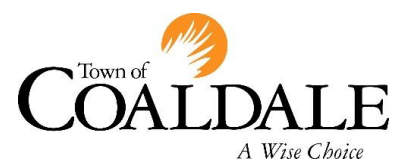
NOTE:
PORTIONS OF ACCESS AND UTILITY RIGHT OF WAY
PLANS TO BE DISCHARGED IN FAVOR OF NEW
UTILITY RIGHT OF WAY PLAN.



SCALE: 1:2,000
DRAWN: RJM
DATE: May 19, 2021
JOB #: 219038LS



SUBDIVISION LOCATION SKETCH
 PTN. SW 13-9-20 W4M
 WITHIN SW 13-9-20 W4M
 FILE: SUB 2021-010
 DATE OF SKETCH: May 19, 2021



RESOLUTION

2021-010

Town of Coaldale

Residential subdivision of: **SW 13-9-20-W4M**

THAT the subdivision of a portion of the **SW 13-9-20-W4M** (Certificate of Title No. 161 204 896 +28), to subdivide eleven (11) parcels of land, with 10 of the 11 parcels being between 405 m2 and 450 m2, and one lot of 1.122 ha (2.77 acres), out of the parent parcel of 4.84 ha (11.961 ac), for the purposes of the creation of 10 lots to be designated as Residential Starter lot (R-1C) and 1 lot to be designated as Residential Multi-unit (R-2). : BE APPROVED subject to the following conditions:

CONDITIONS:

1. Any outstanding property taxes shall be paid to the Town of Coaldale.
2. The applicant or owner or both enter into a Development Agreement with the Town of Coaldale which may make reference to the provision of servicing, drainage, and grading plans, roads, sidewalks, landscaping, parks, etc., and any other matter the Town deems necessary.
3. The applicant pays the applicable off-site levies and development fees as required by the Town of Coaldale.
4. That any easement(s) as required by utility companies and/or the municipality shall be established, prior to the finalization of the subdivision.
5. That any conditions of Alberta Transportation shall be met prior to finalization.
6. Consideration of adjacent landowner and referral agency comments.

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, and the Parkside Acres Area Structure Plan.
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.

MUNICIPAL RESERVE:

In accordance with the provisions of Sec. 666, 667 and 669 of the Municipal Government Act, the Subdivision Authority may wish to consider by way of land, cash-in-lieu or by deferring MR that remains owing on the remainder of the subject parcel.

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) Alberta Transportation – Leah Olsen

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 system.

To that end, the parcels to be created will be well removed from Highway 3 with indirect access to the highway being gained solely by way of the local street system. As such, strictly from Alberta Transportation's point of view, we do not anticipate that the creation of the 1 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 however given that development setbacks will be maintained by default and all access to the highway is indirect by way of the local street system, in this instance a permit from Alberta Transportation will not be required and development of the 11 residential parcels could proceed under the direction, control and management of the town. The applicant could contact the undersigned, at Lethbridge 403-388-3105, in this regard.

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

d) Canada Post – Wendy Bauer

Canada Post will provide service to these eleven new addresses through an existing community mailbox and the mail service for the multi-family development will be through new community mailboxes to be installed within the development. Please let me know about the future plans as I will have to contact the developer to discuss mailbox locations.

e) St. Mary's Irrigation District

Further to your May 19th, 2021 in respect to the above-noted, this is to advise that the District has no objection to the proposed subdivision as this parcel is classified as "dry".

f) Telus

Pertaining to the application that has been made for subdivision over the above-mentioned land, TELUS has no objection to the subdivision application. However, protection of future facilities to provide service will be required by way of a TELUS-named utility right of way, a joint use utility right of way or public road.

We ask that you place our above requirement under the conditions of approval for this proposed subdivision.

Original to be signed by:

MOVER

CHAIRMAN

DATE

AGENDA ITEM REPORT



Title: DP 2021-075 - 2005 30A Avenue - M.Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application requesting two waivers.

First, the landscaping waiver presented herein originated out of a request made as a part of development permit no. 2021-050. At the May 12th meeting of the MPC, the Commission approved a covered deck for this property, but tabled a decision on the landscaping waiver that was requested at the same time. The landscaping waiver has now come back to Council as development permit no. 2021-075.

Second, upon further review of development plans for the property, the garage height was noted to be 0.8 m (2.5 ft) above the maximum accessory structure height requirements to allow for a detached garage. Therefore, the garage height waiver was added to this application as well.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before council
This matter has appeared before council previously
The request for a landscaping waiver has appeared before the Commission previously, at the May 1th meeting of the MPC.

This is the first time the garage height waiver has appeared before the Commission.

ANALYSIS:

Garage Height Waiver

Within the Residential R-1A land use district, an accessory structure, such as a detached garage, has a maximum height limit of 4.57 m (15 ft). A detached garage was issued a permit on April 27th, 2021 (DP 2021-055) is shown in the plans as being 5.33 m (17.5 ft). The identification of the garage as being over-height was not made until after the initial permit had been issued.

It is worth noting that the Architectural Controls administrator for Cottonwood Estates has indicated they have no concerns with the garage as designed.

The applicant is requesting a waiver of 0.7 m (2.5 ft) of maximum accessory structure requirements and for this reason, requires the review of the Municipal Planning Commission.

Applicable Sections of the Land Use Bylaw:

- Land Use Bylaw, Schedule 2, Residential R-1A land use district

Landscaping Waiver

Within the Residential R-1A land use district in Land Use Bylaw 677-P-04-13, a minimum of 25% of the front yard area of the principal building is required to contain landscaping. At the regularly scheduled meeting of the Municipal Planning Commission (MPC) held on May 12th, 2021, the applicant requested a new minimum of front yard landscaping of 15.8 percent, equivalent to a 9.2 percent waiver of landscaping requirements.

The applicant has now provided an updated proposal showing a request to reduce the required landscaping from 25% to 20%. This represents a waiver request of 5%, as compared to the initial request of 9.2%.

It is also worth noting that the applicant has confirmed they will be planting at least one tree in the front yard, and that the Architectural Controls administrator for Cottonwood Estates has approved the request for a waiver to 20% of the front yard area.

For these reasons, the application requires the review of the Municipal Planning Commission.

Applicable Sections of the Land Use Bylaw:

- Land Use Bylaw, Schedule 2, Residential R-1A land use district
- Land Use Bylaw, Schedule 9, Landscaping and Amenity Areas Standards and Guidelines

KEY CONSIDERATIONS:

Should the Commission wish to consider approval of Development Permit application (2021-075) with a waiver for landscaping, and a waiver for maximum height requirements, the following conditions are recommended:

These conditions are in addition to standard development conditions associated with the installation of landscaping, and the development of an accessory structure or detached garage.

1. That the detached garage is not to be further enlarged unless the appropriate permits have been applied for.
2. That at no point shall the amount of landscaping in the front yard area be reduced to less than 20% of the yard area, and that at least one tree shall be maintained in the front yard indefinitely.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

The application has been circulated to neighbouring property owners.

DECISION OPTIONS:

The Municipal Planning Commission may:

1. Approve the development application with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of additional information.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[2021-075 - Notice Letter to Surrounding Landowners](#)

[DP 2021-075 - Site plan](#)

[Coaldale LUB Residential R-1A land use district](#)



May 25, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-075

APPLICANT: SOUTHWEST DESIGN AND CONSTRUCTION

**ADDRESS: 2005 30A AVENUE, COALDALE, ALBERTA
PLAN 1911196, BLOCK 11, LOT 15**

ZONING: RESIDENTIAL R-1A

Dear Sir/Madam,

We are in receipt of Development Application #2021-075 for an application requesting a waiver of minimum landscaping requirements, and maximum accessory building height requirements.

Within the Residential R-1A land use district in Land Use Bylaw 677-P-04-13, a minimum of 25% of the front yard area of the principal building is required to contain landscaping. At the regularly scheduled meeting of the Municipal Planning Commission (MPC) held on May 12th, 2021, the applicant requested a new minimum of front yard landscaping of 15.8 percent, equivalent to a 9.2 percent waiver of landscaping requirements. At that meeting, the MPC passed a motion to table further consideration of the landscaping waiver that had been requested, citing a desire for a different proposal to be brought back prior to a final decision being made.

The applicant has now provided an updated proposal showing a request to reduce the required landscaping from 25% to 20%. This represents a waiver request of 5%, as compared to the initial request of 9.2%.

Within the Residential R-1A land use district, an accessory structure, such as a detached garage, has a maximum height limit of 4.57 m (15 ft). The detached garage that was issued a permit on April 27th, 2021 (permit no. DP 2021-055) is shown in the plans as being at 5.33 m (17.5 ft). The identification of the garage as being over-height was not made until after the initial permit had been issued.

For the reasons noted above, the request for a landscaping waiver and over-height garage requires the review of the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the March MPC meeting.

- **This application will be heard by the MPC at the June 9th meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**

- For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.

The full agenda will be posted on our website by June 3rd, 2021 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, June 9th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-075.**

Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, June 9th, 2021 or verbally and by virtual means 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.

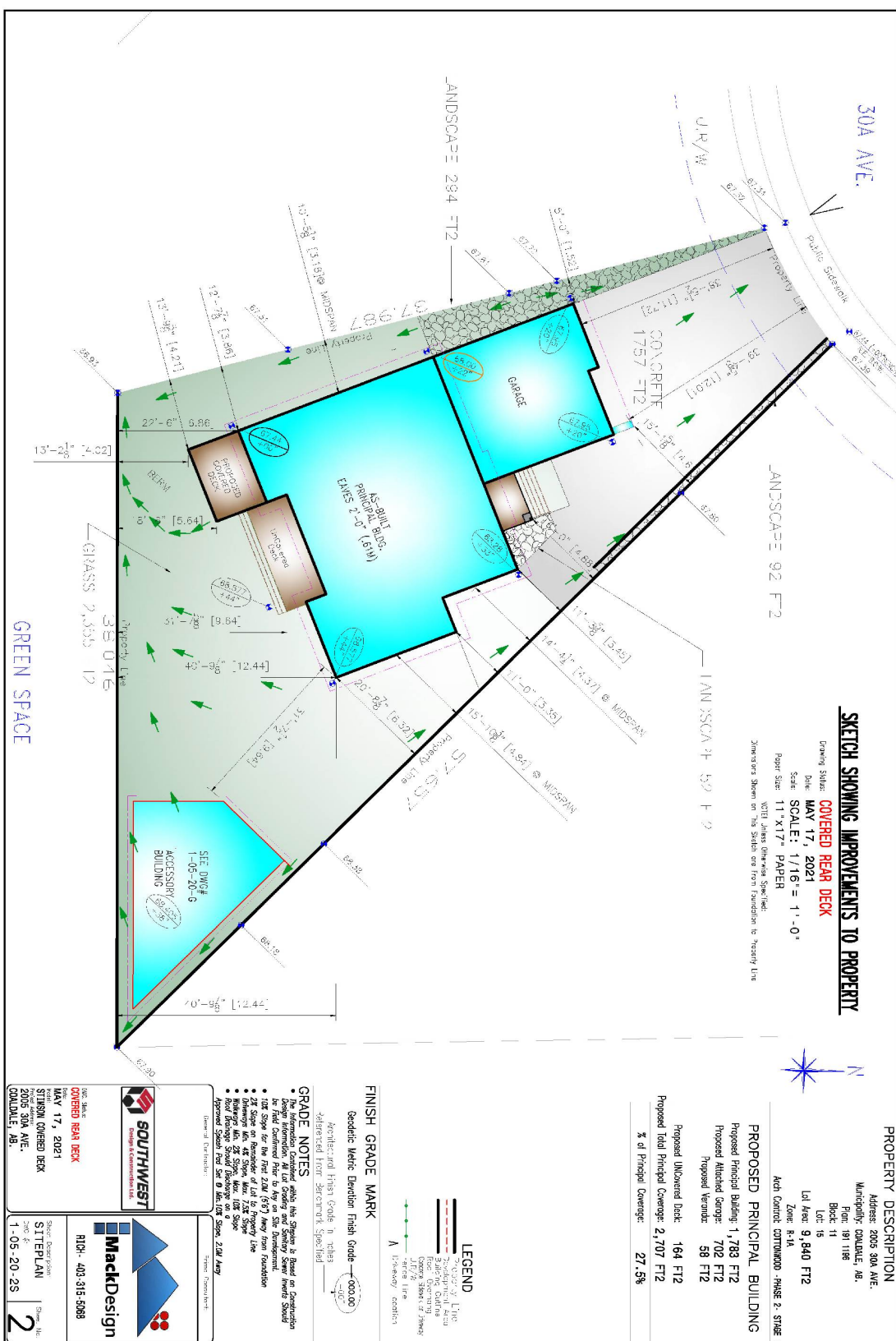
Sincerely,

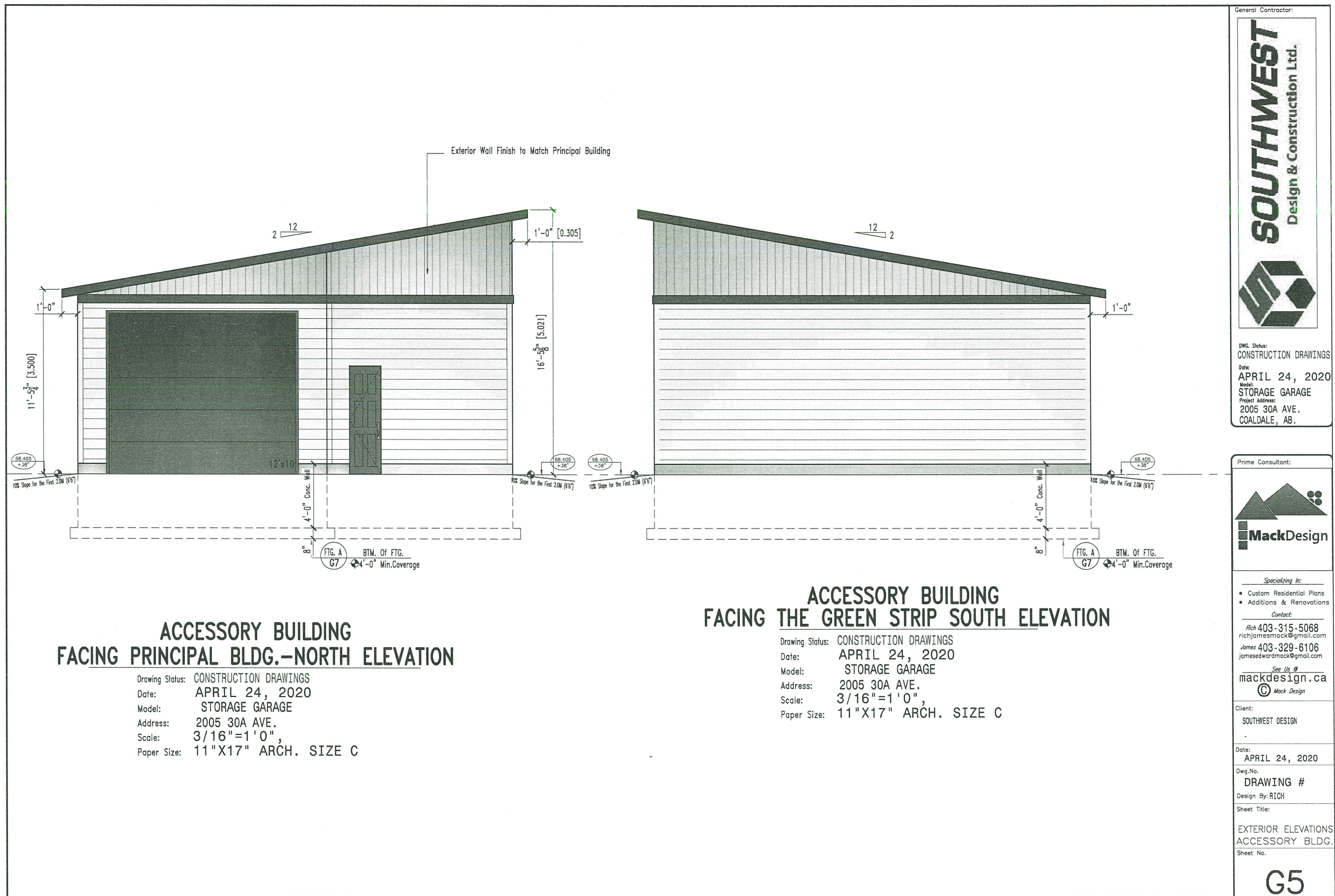


Spencer Croil, RPP MCIP
Director of Planning and Community Development
Development Officer

cc. Applicant

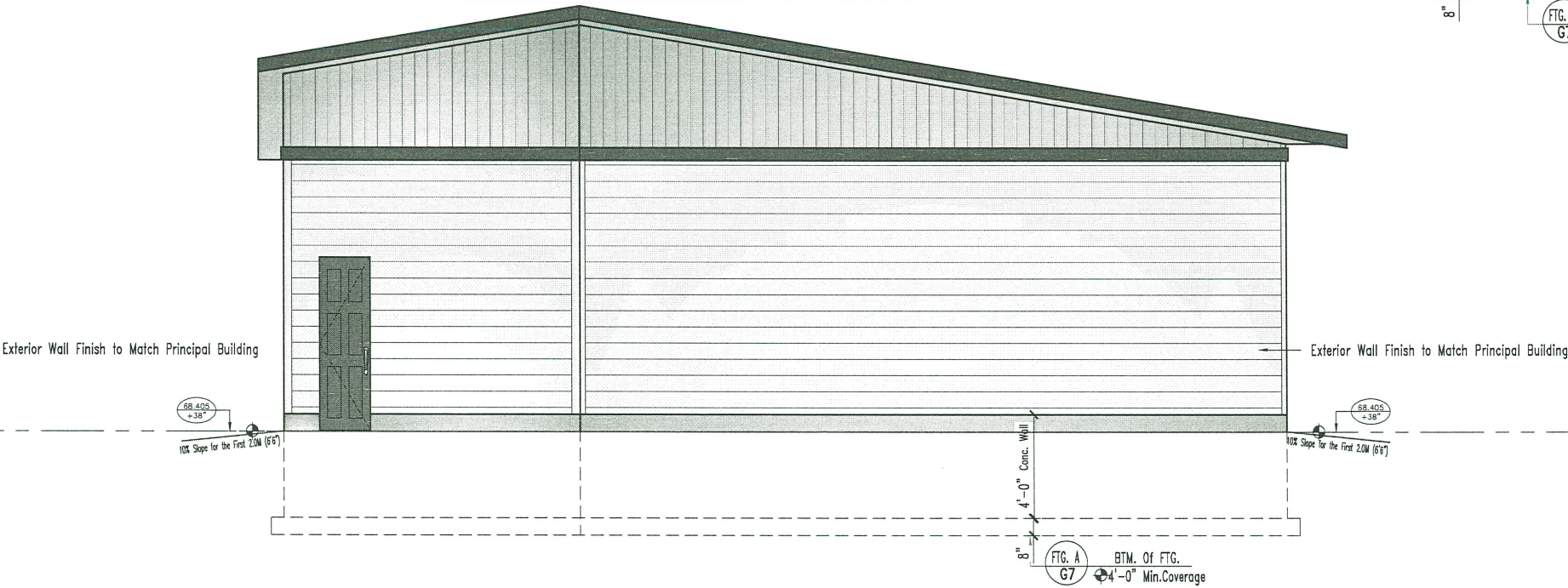
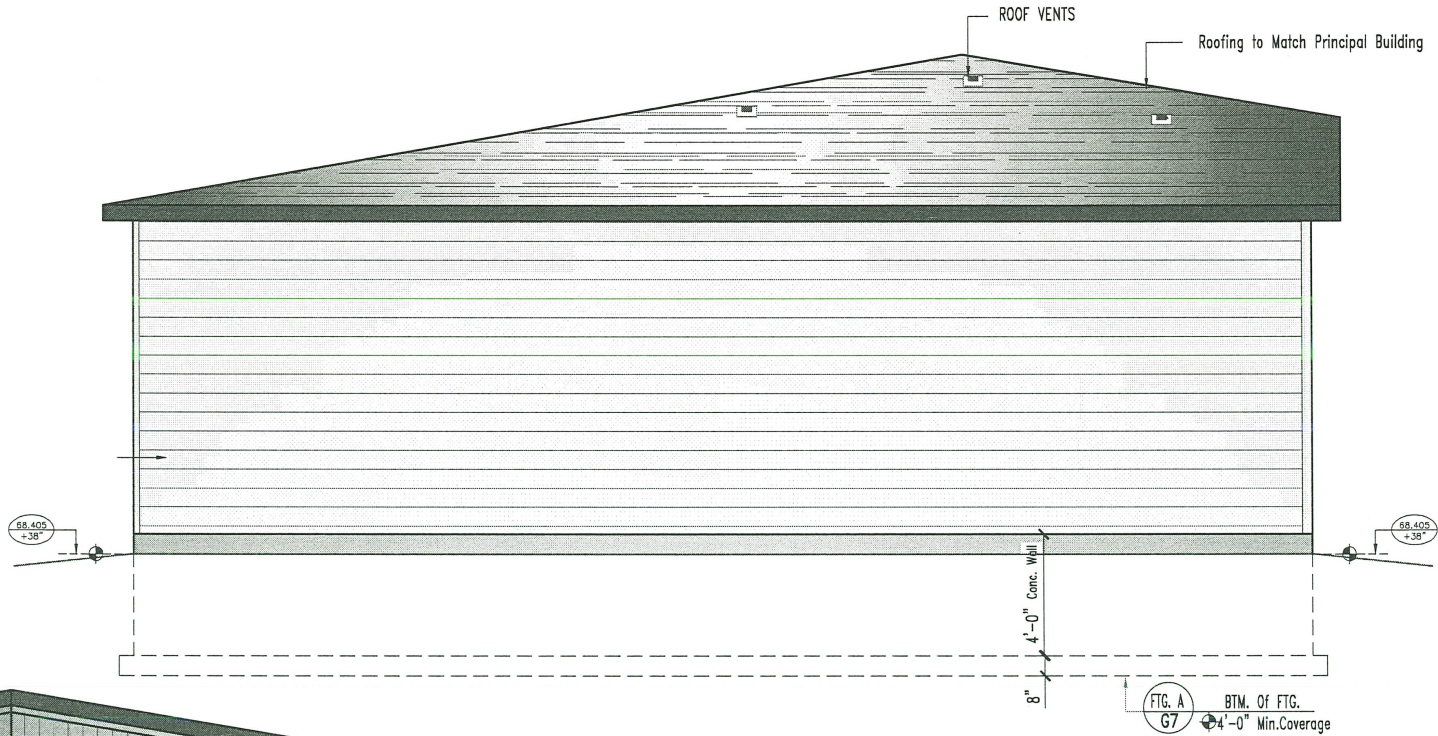






ACCESSORY BUILDING
EAST ELEVATION

Drawing Status: CONSTRUCTION DRAWINGS
Date: APRIL 24, 2020
Model: STORAGE GARAGE
Address: 2005 30A AVE.
Scale: 3/16"=1'0",
Paper Size: 11"X17" ARCH. SIZE C



ACCESSORY BUILDING
SOUTH WEST ELEVATION

Drawing Status: CONSTRUCTION DRAWINGS
Date: APRIL 24, 2020
Model: STORAGE GARAGE
Address: 2005 30A AVE.
Scale: 3/16"=1'0",
Paper Size: 11"X17" ARCH. SIZE C

General Contractor:



DWG. Status: CONSTRUCTION DRAWINGS
Date: APRIL 24, 2020
Model: STORAGE GARAGE
Project Address: 2005 30A AVE.
COALDALE, AB.

Prime Consultant:



Specializing In:

- Custom Residential Plans
- Additions & Renovations

Contact:

Rich 403-315-5068
richjamesmack@gmail.com
James 403-329-6106
jamesedwardmack@gmail.com

See Us @

mackdesign.ca
© Mack Design

Client:

SOUTHWEST DESIGN

Date:

APRIL 24, 2020

Dwg. No.

DRAWING #

Design By: RICH

Sheet Title:

EXTERIOR ELEVATIONS
ACCESSORY BLDG.

Sheet No.

G6

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.).

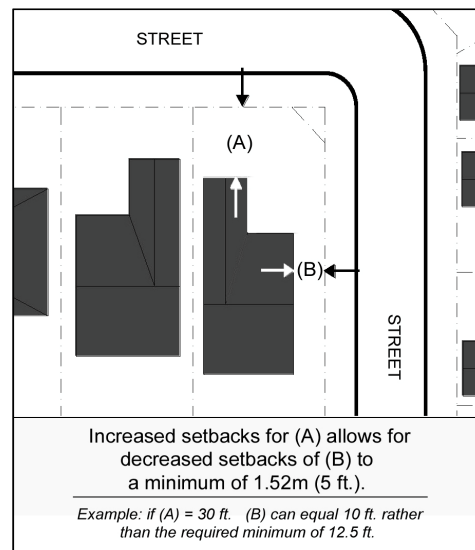
3. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS AND USES

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:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	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, siting 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

AGENDA ITEM REPORT



Title: DP 2021-076 - 90050 Hwy 845 - M.Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

Planning and Community Development:
Municipal Planning

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application requesting a waiver of maximum accessory building height requirements to allow for a garage/workshop with an undeveloped attic space at the subject property located on Lot N/A, Block 3, Plan 57JK.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the commission.

ANALYSIS:

Within the Urban Reserve zoning district in Land Use Bylaw 677-P-04-13, the maximum allowable height for accessory structures is 4.6 m (15 ft). The applicant is proposing a detached garage be constructed in the northeast section of the property with a total height of 7.33 metres (24 ft).

The subject property is in the far north of the community, where no future residential development has been planned to occur at any point within the next 25 years. This is highlighted in the context of the potential for impacts that the waiver may have on surrounding properties, which is generally the primary focus of the Land Use Bylaw.

The applicant is requesting a 2.7 m (9 ft) waiver equivalent to a 60% increase in height allowance. For this reason, the application requires the review of the Municipal Planning Commission.

Applicable Sections of the Land Use Bylaw:

- Land Use Bylaw, Schedule 2, Urban Reserve - UR

KEY CONSIDERATIONS:

Should the Commission wish to consider approval of Development Application (2021-076) to allow for a waiver of maximum accessory building height requirements, the following conditions are recommended:

1. Setbacks to conform to the 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, Urban Reserve.
2. The detached garage is not to be further enlarged unless the necessary permits have been applied for and approved.
3. Ensure lot drainage is maintained both during and after construction.

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

The application has been circulated to neighbouring property owners.

Due to the subject property's location near the northern municipal boundary, a copy of the notice of application was forwarded to Lethbridge County. Lethbridge County has expressed it has no concerns with the proposed height waiver.

DECISION OPTIONS:

The Municipal Planning Commission may:

1. Approve the development application with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of additional information.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth

ATTACHMENTS:

[2021-076 - Notice Letter to Surrounding Landowners](#)

[2021-076 - Site plan and building drawings](#)

[Coaldale LUB Urban Reserve land use district](#)



May 25, 2021

TO: NEIGHBOURING PROPERTY OWNERS
RE: DEVELOPMENT APPLICATION 2021-076
APPLICANT: COLIN WEIR
ADDRESS: 17 90050 HWY 845, COALDALE, ALBERTA
PLAN 57JK, BLOCK 3, LOT N/A
ZONING: URBAN RESERVE – UR

Dear Sir/Madam,

We are in receipt of Development Application #2021-076 for an application requesting a waiver of maximum accessory building height requirements to allow for a garage/workshop with an undeveloped attic space at the above-mentioned address.

Within the Urban Reserve zoning district in Land Use Bylaw 677-P-04-13, the maximum height for accessory structures is 4.6 metres (15 ft.)

The applicant is proposing the construction of the garage with a height of 7.33 metres (24 ft) to be located in the northeast section of the subject property and it is for this reason the application requires the review of the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the March MPC meeting.

- **This application will be heard by the MPC at the June 9th meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**
- **For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.**

The full agenda will be posted on our website by June 3rd, 2021 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, June 9th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-076.**

Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, June 9th, 2021 or verbally and by virtual means 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.

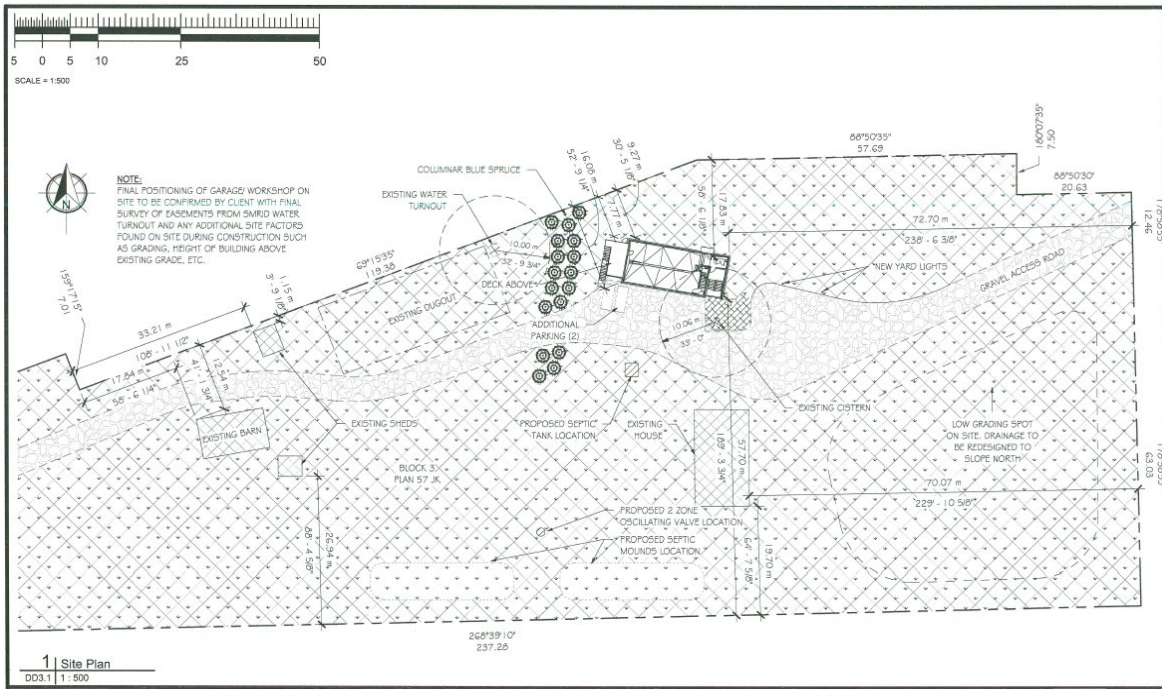
Sincerely,



Spencer Croil, RPP MCIP
Director of Planning and Community Development
Development Officer

cc. Applicant



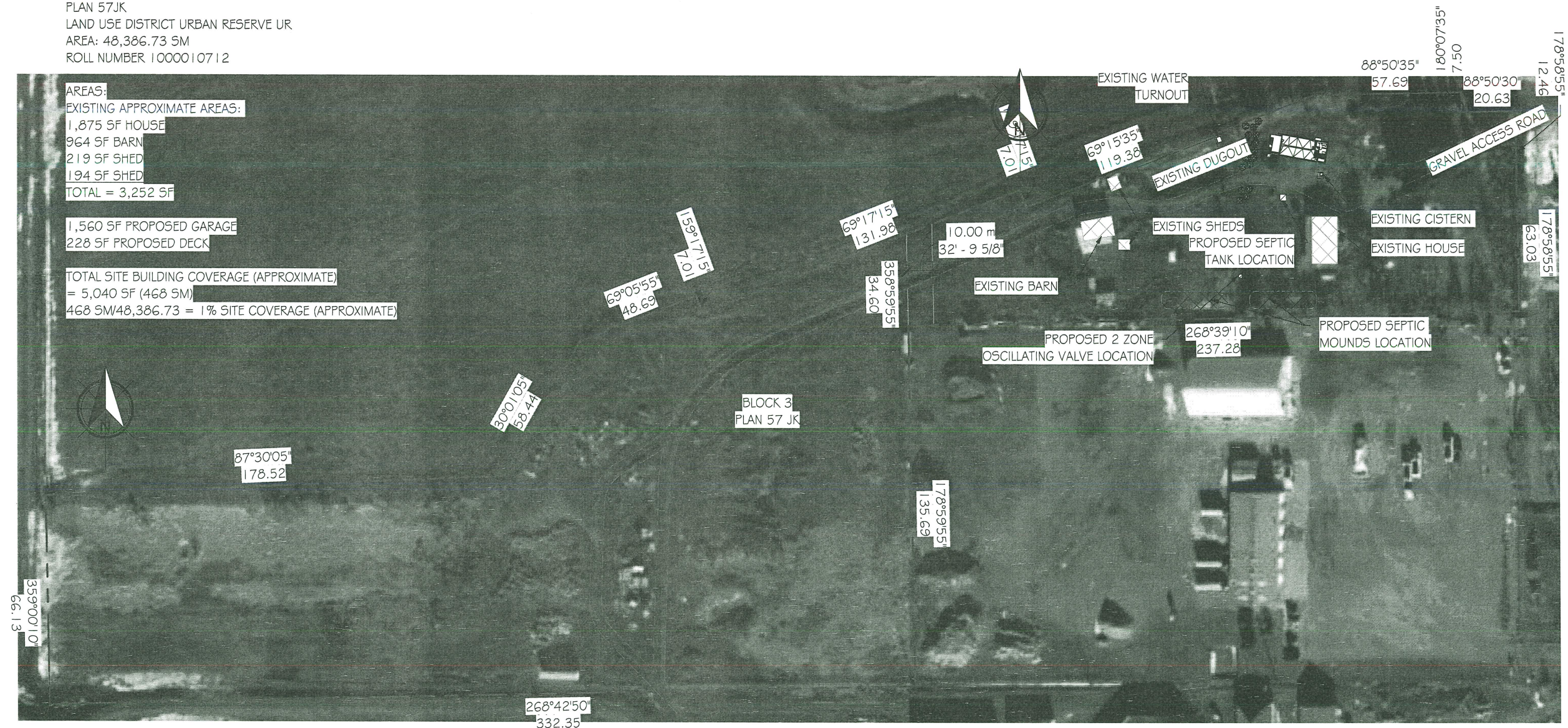


PROPERTY INFORMATION:
17 90050 HWY 845
BLOCK 3
PLAN 57JK
LAND USE DISTRICT URBAN RESERVE UR
AREA: 48,386.73 SM
ROLL NUMBER 1000010712

AREAS:
EXISTING APPROXIMATE AREAS:
1,875 SF HOUSE
964 SF BARN
219 SF SHED
194 SF SHED
TOTAL = 3,252 SF

1,560 SF PROPOSED GARAGE
228 SF PROPOSED DECK

TOTAL SITE BUILDING COVERAGE (APPROXIMATE)
= 5,040 SF (468 SM)
468 SM/48,386.73 = 1% SITE COVERAGE (APPROXIMATE)



1 | Site Plan - Full Site
DD3.1 1 : 1500



ALVIN REINHARD FRITZ
ARCHITECT
INC.

Norland Coach House
#10 90001
Range Road 212,
Lethbridge County,
Alberta T1J 5N9
ph. (403) 320-8100
Fax (403) 327-3373
general
@alvinfrizarchitect.com

Do not scale this drawing. All dimensions,
data and levels, shall be verified prior to
construction and all errors or omissions shall
be reported to the architect immediately.

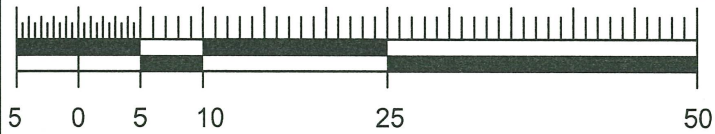
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DRAWN BY: LRP TK
CHECKED BY: AF
SCALE: 1 : 1500
PROJECT: 20216 CWHRD

DRAWING TITLE:
Site Plan - Full

PROJECT:
Weir Garage/ Workshop Development
LOCATION:
BLOCK 3 PLAN 57 JK

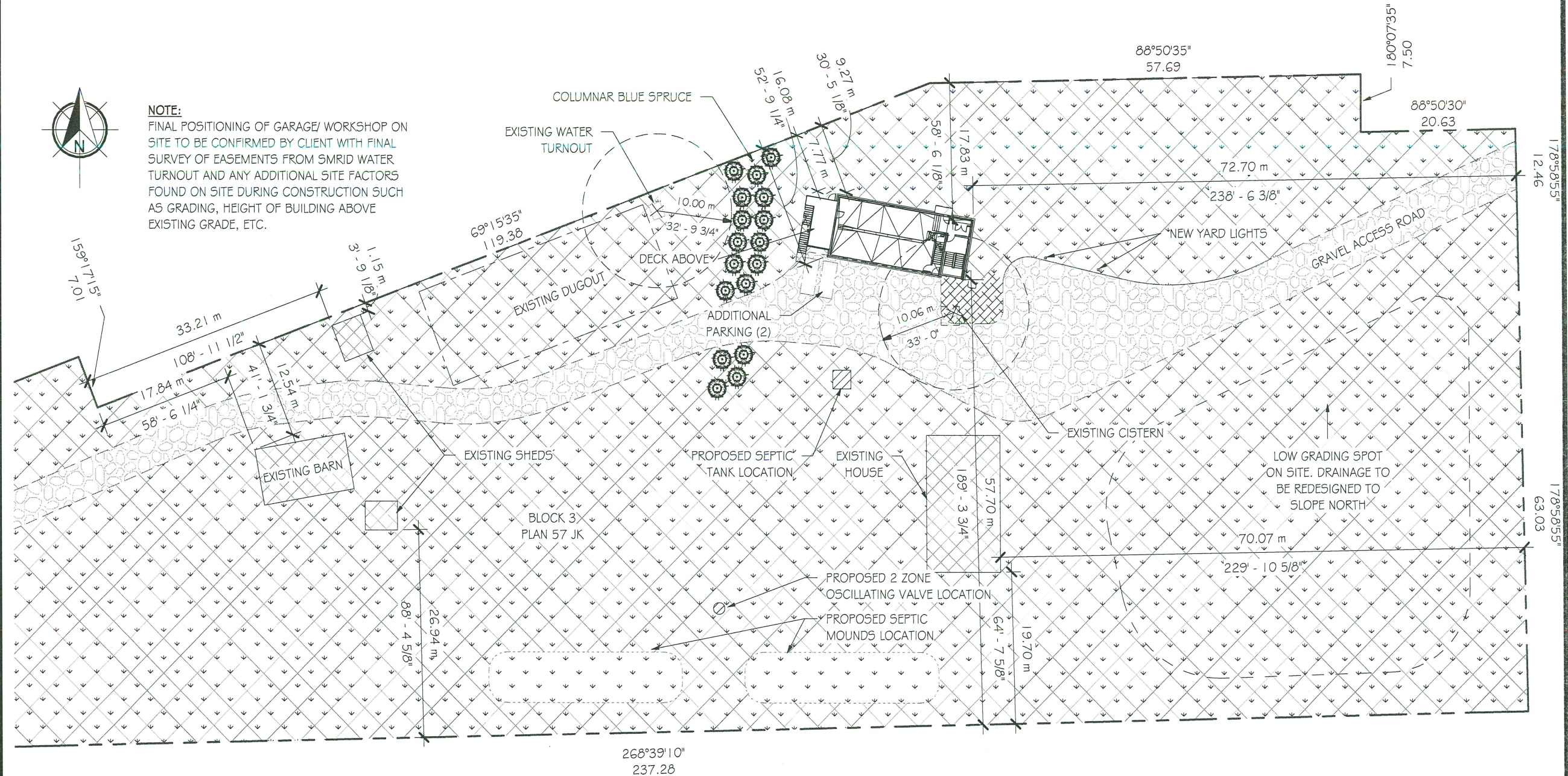
DRAWING NO.:
DD1.1
2021-05-10 1:57:03 PM



SCALE = 1:500



NOTE:
FINAL POSITIONING OF GARAGE/ WORKSHOP ON SITE TO BE CONFIRMED BY CLIENT WITH FINAL SURVEY OF EASEMENTS FROM SMRID WATER TURNOUT AND ANY ADDITIONAL SITE FACTORS FOUND ON SITE DURING CONSTRUCTION SUCH AS GRADING, HEIGHT OF BUILDING ABOVE EXISTING GRADE, ETC.



1 | Site Plan

DD3.1 | 1 : 500



ALVIN REINHARD FRITZ
ARCHITECT
INC.

Norland Coach House
#10 90001
Range Road 212,
Lethbridge County,
Alberta T1J 5N9
ph. (403) 320-8100
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general
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Do not scale this drawing. All dimensions, data and levels, shall be verified prior to construction and all errors or omissions shall be reported to the architect immediately.

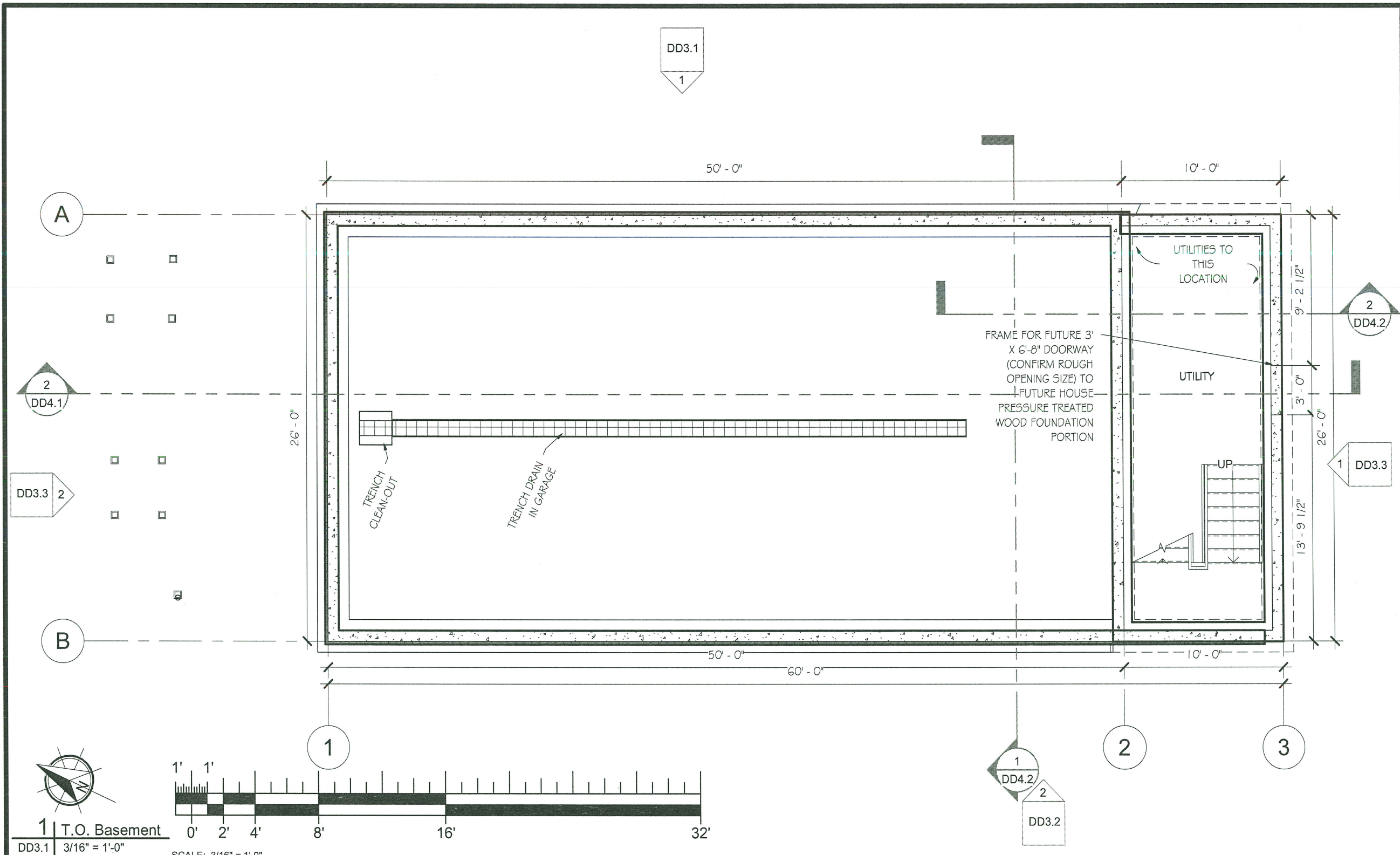
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DRAWN BY: LRP TK
CHECKED BY: AF
SCALE: 1 : 500
PROJECT: 20216 CWHRD

DRAWING TITLE:
Site Plan

PROJECT:
Weir Garage/ Workshop Development
LOCATION:
BLOCK 3 PLAN 57 JK

DRAWING NO.:
DD1.2
2021-05-10 1:57:04 PM



DD3.1 3/16" = 1'-0"	ALVIN REINHARD FRITZ ARCHITECT INC. Norland Coach House #10 90001 Range Road 212, Lethbridge County, Alberta T1J 5N9	ph. (403) 320-8100 Fax (403) 327-3373 general @alvinfritzarchitect.com	Do not scale this drawing. All dimensions, data and levels, shall be verified prior to construction and all errors or omissions shall be reported to the architect immediately.	This design is and shall at all times remain the exclusive property of ALVIN REINHARD FRITZ ARCHITECT INC. and shall not be reproduced or used without the architect's written permission.	DRAWN BY: LRP TK CHECKED BY: AF SCALE: 3/16" = 1'-0" PROJECT: 20216 CWHRD	DRAWING TITLE: Basement Plan	PROJECT: Weir Garage/ Workshop Development LOCATION: BLOCK 3 PLAN 57 JK	DRAWING NO.: DD2.1 2021-05-10 1:57:06 PM
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URBAN RESERVE – UR



Purpose:

To provide an interim land use classification for lands adjoining the built-up area of the Town, which may be subdivided and developed for urban uses in the future, but are presently essentially agricultural or non-urbanized; and to prevent disorderly, incompatible or premature development and subdivision of these lands until they are needed and determined to be suitable for orderly urban development.

1. (A) PERMITTED USES

- Accessory building, structure or use to an approved permitted use
- Cultivation of Land
- Day Home
- Dwellings:
 - Single-Detached - Prefabricated
 - Single-Detached - Site Built
- Extensive Agriculture
- Home Occupation 1
- Public Recreation
- Shipping Container (temporary)

(B) DISCRETIONARY USES

- Accessory building, structure or use to an approved discretionary use
- Agricultural Services
- Bed and Breakfast
- Farm Building and Structure
- Garden Centre
- Home Occupation 2
- Horticulture
- Market Garden and Nurseries
- Parks and Playgrounds
- Public or Private Utility
- Outdoor Recreation and Sports fields
- Recreational Vehicle Storage
- Second or additional dwelling units
- Shipping Container
- Sign Types¹: 1A, 1B, 2, 3, 4, 5, 6, 7², 8, 9, 10, 11, 12
- Small Wind Energy System –Type A³

Notes:

- 1 – See Schedule 13: Sign Regulations, Section 8 for definitions of sign types.
- 2 – Sign Type 7 (Billboard) limited to lots immediately adjacent to Highway 3.
- 3 – See Schedule 4, Section 27 for definition of small wind energy system types.

(C) PROHIBITED USES

- Shipping Containers (permanent)
- Single detached manufactured dwellings
- 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. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Those developments which do not require a development permit are identified in Schedule 3.

3. USE RESTRICTIONS AND DEVELOPMENT REQUIREMENTS

- (a) The Municipal Planning Commission shall not approve a discretionary use in this district if, in the opinion of the Municipal Planning Commission:
 - i. the use is likely to become a non-conforming use on subsequent reclassification of the lands in accordance with the Municipal Development Plan, an area structure plan which affects the lands which are the subject of the development application; and/or
 - ii. approval of the discretionary use would be premature.
- (b) The Designated Officer or Municipal Planning Commission shall ensure, to their satisfaction, that all proposed development is located or developed so that it:
 - i. does not conflict with nor jeopardize the implementation of an adopted comprehensive plan, or an area structure plan, where either one or both of these affect the lands which are the subject of a Development Application;
 - ii. does not compromise the orderly subdivision or subsequent development of lands;
 - iii. does not, in the case of a permitted or discretionary use, substantially conflict with the provisions of the land use district which will likely apply, in the opinion of the Designated Officer or Municipal Planning Commission, on subsequent reclassification of the lands.
- (c) Where a comprehensive plan or an area structure plan has not been adopted for the lands that are the subject of a Development Application, the Designated Officer or Municipal Planning Commission may require, subject to subsection 3(d) below, that:
 - i. a comprehensive plan or an area structure plan or both be prepared by the applicant and adopted by Council; and
 - ii. the lot or parcel which is the subject of the development permit application shall be reclassified in the Land Use Bylaw and subdivided in accordance with the comprehensive plan or the area structure plan; before the Designated Officer or Municipal Planning Commission considers the Development Application.
- (d) Before the Designated Officer or Municipal Planning Commission requires the preparation of a comprehensive plan or an area structure plan, in accordance with subsection 3(c) above, the Designated Officer or Municipal Planning Commission shall solicit and consider the comments of the staff of the Oldman River Regional Services Commission and/or Planning Advisor.

4. MINIMUM LOT SIZE

- (a) The minimum lot size for the cultivation of land as a use shall be not less than 4 hectares (10 acres).
- (b) The minimum lot size for a public park or recreation uses and public utilities shall be as required by the Development Authority.
- (c) The minimum lot size for all other uses shall be not less than 0.2 ha (0.5 acres) in area and 30.5 m (100 ft.) in width or such greater area and/or width as the Development Authority may require having regard to the minimum site area of the lot which is developable and setbacks.

5. MINIMUM YARD DIMENSIONS FOR PRINCIPAL BUILDINGS

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.	m	ft.
Permitted uses	7.62	25	3.81	12.5	3.81	12.5	7.62	25
Discretionary uses	As required by the Municipal Planning Commission							

- (a) In establishing setbacks for principal and accessory buildings, the Municipal Planning Commission shall have regard to the following:
- the setbacks which may apply, in the opinion of the Development Authority, on reclassification and/or subdivision of the lot, in the future; and
 - the maintenance of adequate setbacks from existing and proposed roadways, including service roadways and lanes; and
 - such other matters as the Development Authority considers appropriate.

6. MAXIMUM HEIGHT OF BUILDINGS

- The maximum building height of any dwelling shall be 10 m (33 ft).
- The maximum building height of discretionary uses shall be as required by the Municipal Planning Commission having regard to the maximum building height which may apply, in the opinion of the Municipal Planning Commission, on reclassification of the lot in the future.
- The maximum height of all accessory buildings shall be 4.6 m (15 ft.) unless otherwise required by the Designated Officer or Municipal Planning Commission.

7. FENCING OF DUGOUTS

- (a) New dugouts shall be fenced with a 1.2 m (4 ft.) chain link fence with a lock on the gate.

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

AGENDA ITEM REPORT



Title: DP 2021-082 - 1206 19 Avenue - M.Messier
Report Type: Request for Decision
Report Author: Melanie Messier
Meeting: Municipal Planning Commission - 09 Jun 2021
Department: Planning
Reviewed by Spencer Croil
Supervisor/Peer:

TOPICS:

OBJECTIVE:

The following report is to present the Municipal Planning Commission (MPC) with an application requesting for a waiver of front yard setback requirements to allow for a three (3) unit dwelling to be located at the subject property located on the lands legally described as Lot 1, Block 2, Plan 8818GB.

PREVIOUS COUNCIL DIRECTION:

First time this matter has appeared before the Commission.

ANALYSIS:

Within the Residential Multi-unit (R-2) zoning district in Land Use Bylaw 677-P-04-13, a three (3) unit dwelling is a permitted use. However, the front yard setback in the R-2 zoning is 7.52 m (25 ft), while the applicant is proposing a front yard setback of 4.57 m (15 ft) from the front property boundary. As such, the application requires the review of the Municipal Planning Commission (MPC).

It is worth noting that Schedule 4, Sec. 34 (Infill Development) of the Land Use Bylaw does recognize that the setbacks of adjacent lots should be considered, if a waiver for a yard setback is a part of an application in an established area in the community. In this particular instance, adjacent lots are oriented differently than the subject lot itself, and the existing dwellings on the subject lot sit approximately 3 m (10 ft) off the front property boundary, which may also be worth consideration by the MPC.

Relevant Sections of the Land Use Bylaw:

- Land Use Bylaw, Schedule 2, Residential Multi-unit R-2 land use district
- Land Use Bylaw, Schedule 4, Sec. 34 (Infill Development)

KEY CONSIDERATIONS:

Should the Commission wish to consider approval of Development Permit application (2021-082) to allow for a waiver of front yard setback requirements, staff recommends the following conditions.

These conditions are in addition to standard development conditions associated with the development of a multi-unit dwelling development.

1. Setbacks to conform to the 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 Multi-unit R-2, with the exception of the front yard setback which shall be reduced to 4.57 metres (15 ft).

FINANCIAL IMPACT:

N/A

STAKEHOLDER ENGAGEMENT:

The application has been circulated to neighbouring property owners.

DECISION OPTIONS:

The Municipal Planning Commission may:

1. Approve the development application with conditions.
2. Deny the application with reasons.
3. Table the application pending further receipt of additional information.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth



ATTACHMENTS:

[2021-082 - Notice to surrounding landowners](#)

[2021-082 - Site plan](#)

[Coaldale LUB Residential R-2 land use district](#)



May 26, 2021

TO: NEIGHBOURING PROPERTY OWNERS

RE: DEVELOPMENT APPLICATION 2021-082

APPLICANT: JUSTIN QUINTON

**ADDRESS: 1206 19 AVENUE, COALDALE, ALBERTA
PLAN 8818GB, BLOCK 2, LOT 1**

ZONING: RESIDENTIAL MULTI-UNIT (R-2)

Dear Sir/Madam,

We are in receipt of Development Application #2021-082 for an application requesting a waiver of front yard setback requirements to allow for a three (3) unit dwelling to be located in a particular way on the abovementioned property.

Within the Residential Multi-unit (R-2) zoning district in Land Use Bylaw 677-P-04-13, a three (3) unit dwelling is a permitted use. However, the front yard setback in the R-2 zoning is 7.52 m (25 ft).

The applicant is proposing instead that a three (3) unit dwelling they are proposing for the property, is to be set back 4.57 m (15 ft) from the front property boundary. As such, the application requires a decision from the Municipal Planning Commission (MPC).

The application will be considered and decided upon by the Municipal Planning commission (MPC) at the March MPC meeting.

- **This application will be heard by the MPC at the June 9th meeting, which will be held virtually at 5 pm.**
- **Options for attending the meeting are by virtual means.**
- **For individuals wishing to attend by virtual means, please contact the undersigned at your earliest convenience and you will be provided instructions for virtual attendance.**

The full agenda will be posted on our website by June 3rd, 2021 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, June 9th, 2021, at 5:00 p.m., the Municipal Planning Commission (MPC) will consider an application for Development Permit 2021-082.**

Any comments you wish to make concerning the application can be made in writing or by email to the Town of Coaldale up to and including the date of the meeting, it is appreciated if they can be forwarded by 4:00pm on Wednesday, June 9th, 2021 or verbally and by virtual means 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,

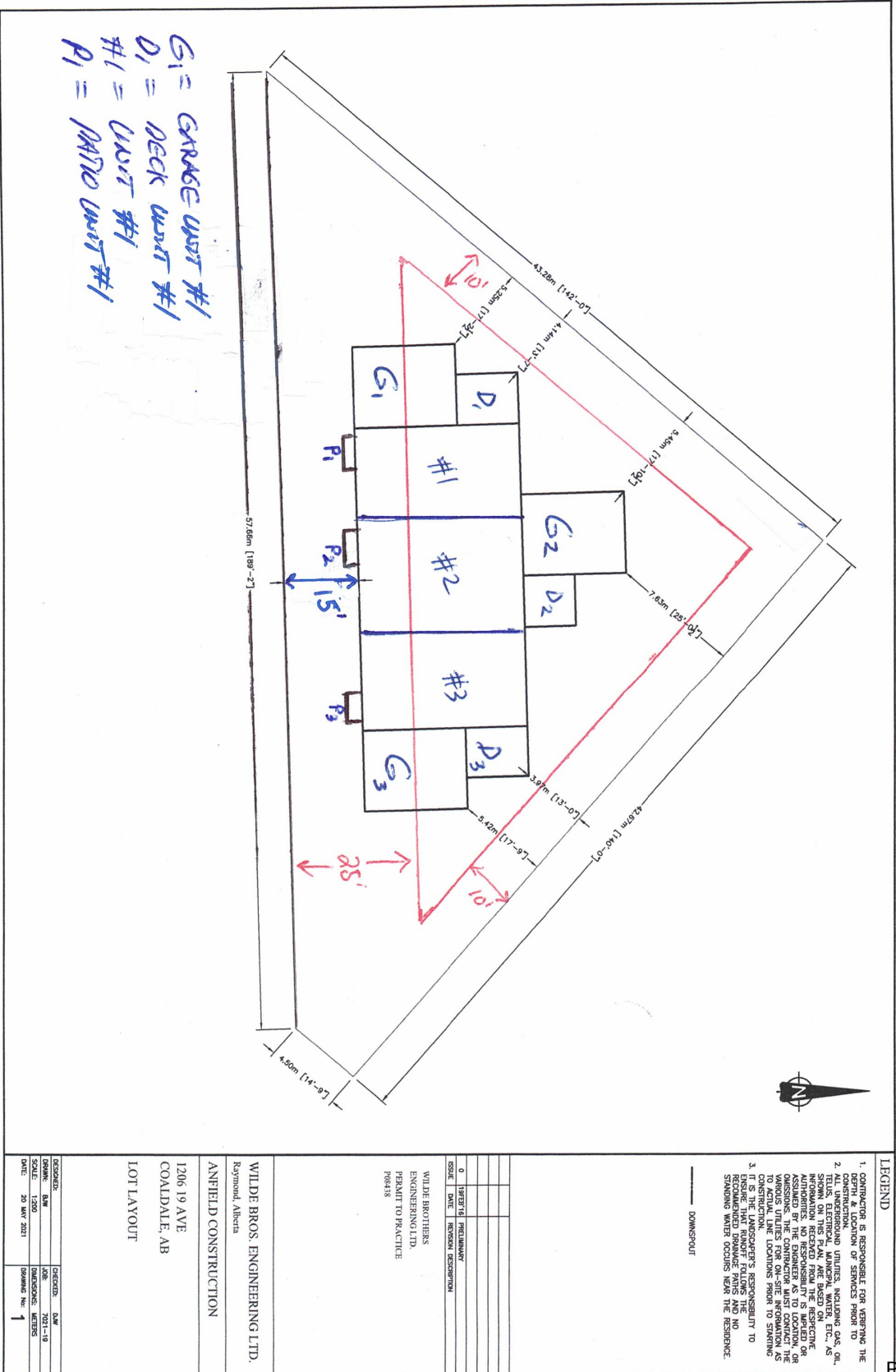


Spencer Croil, RPP MCIP
Director of Planning and Community Development
Development Officer

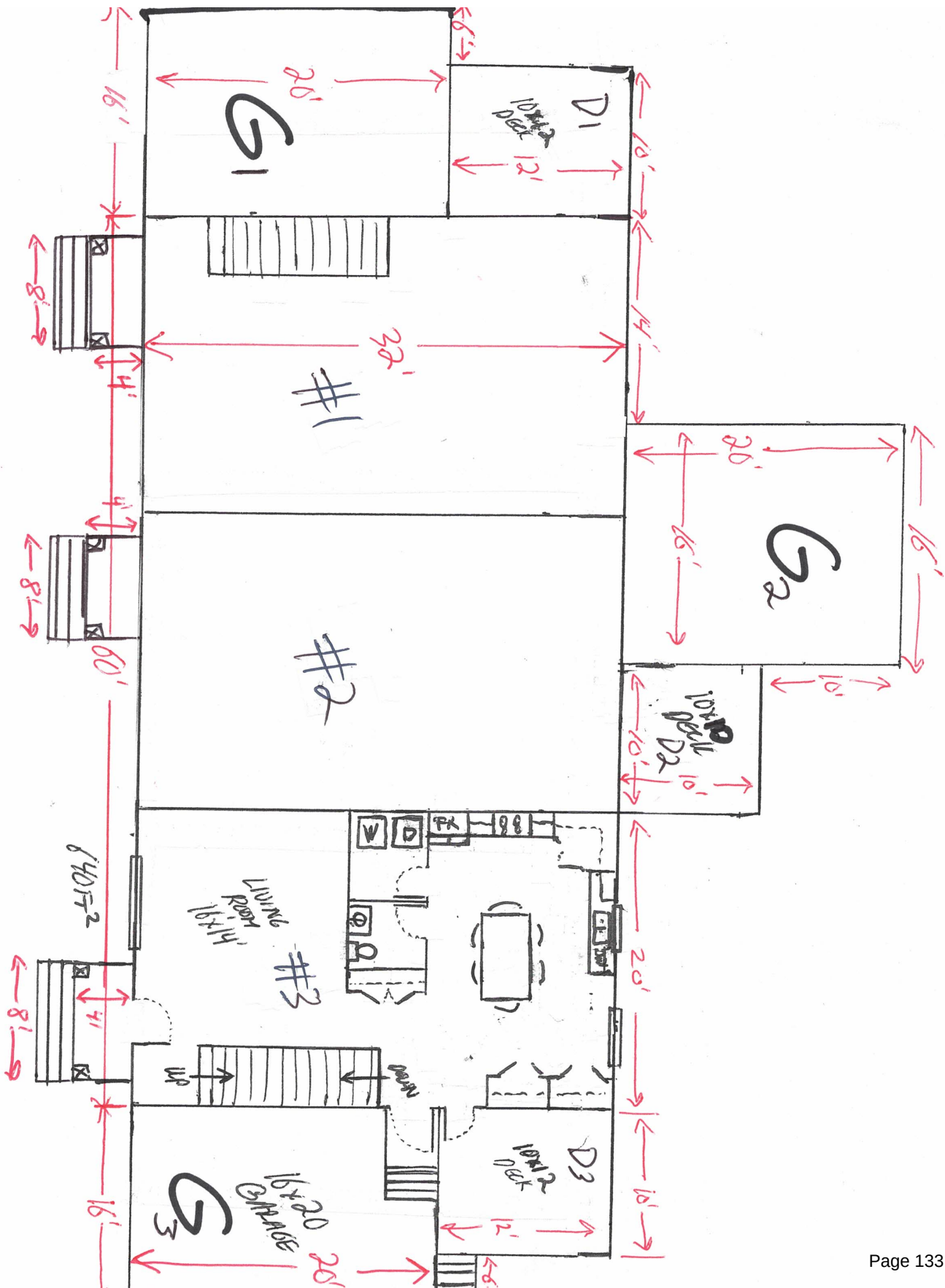
cc. Applicant



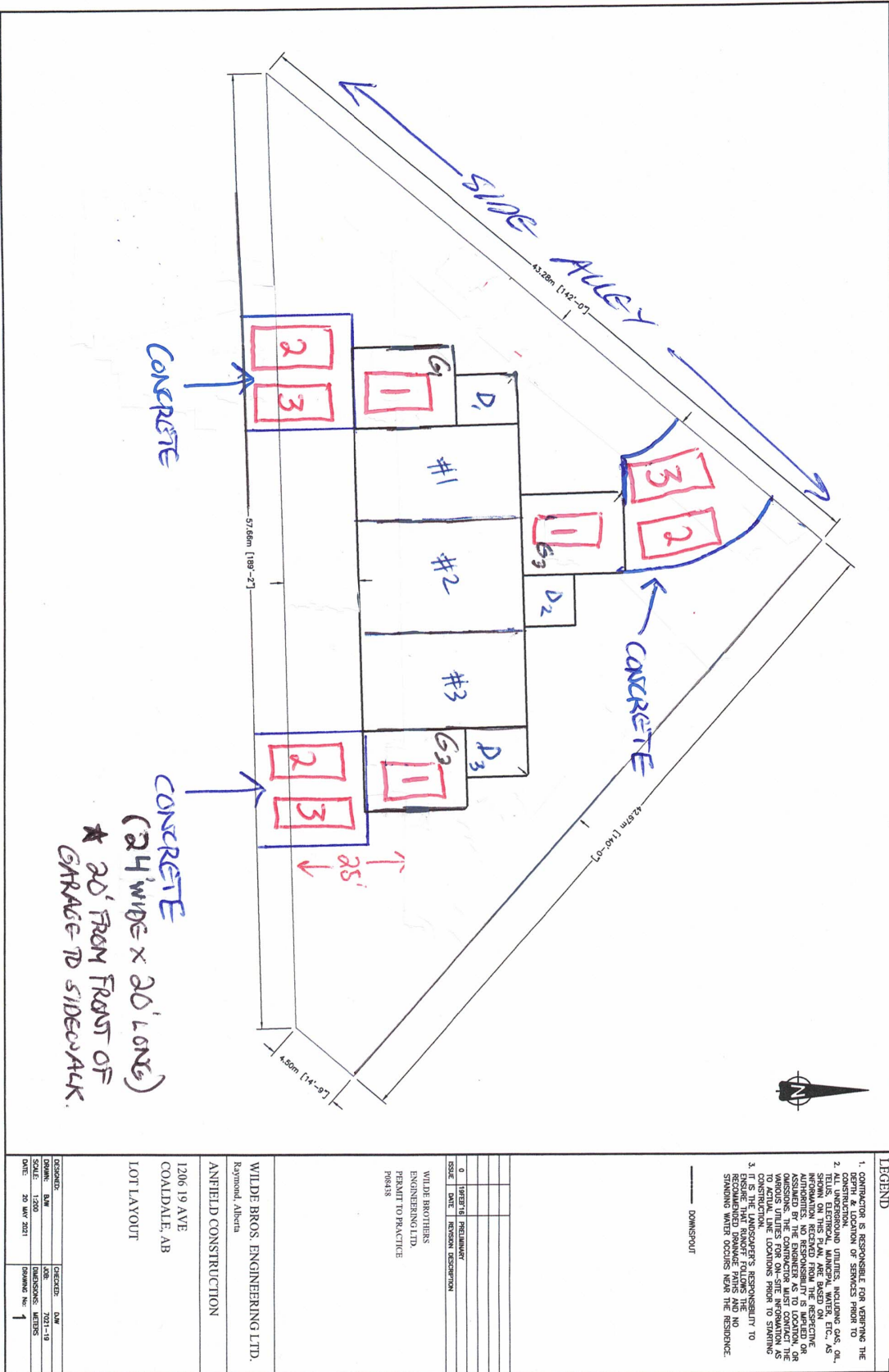
A = LOT LAYOUT



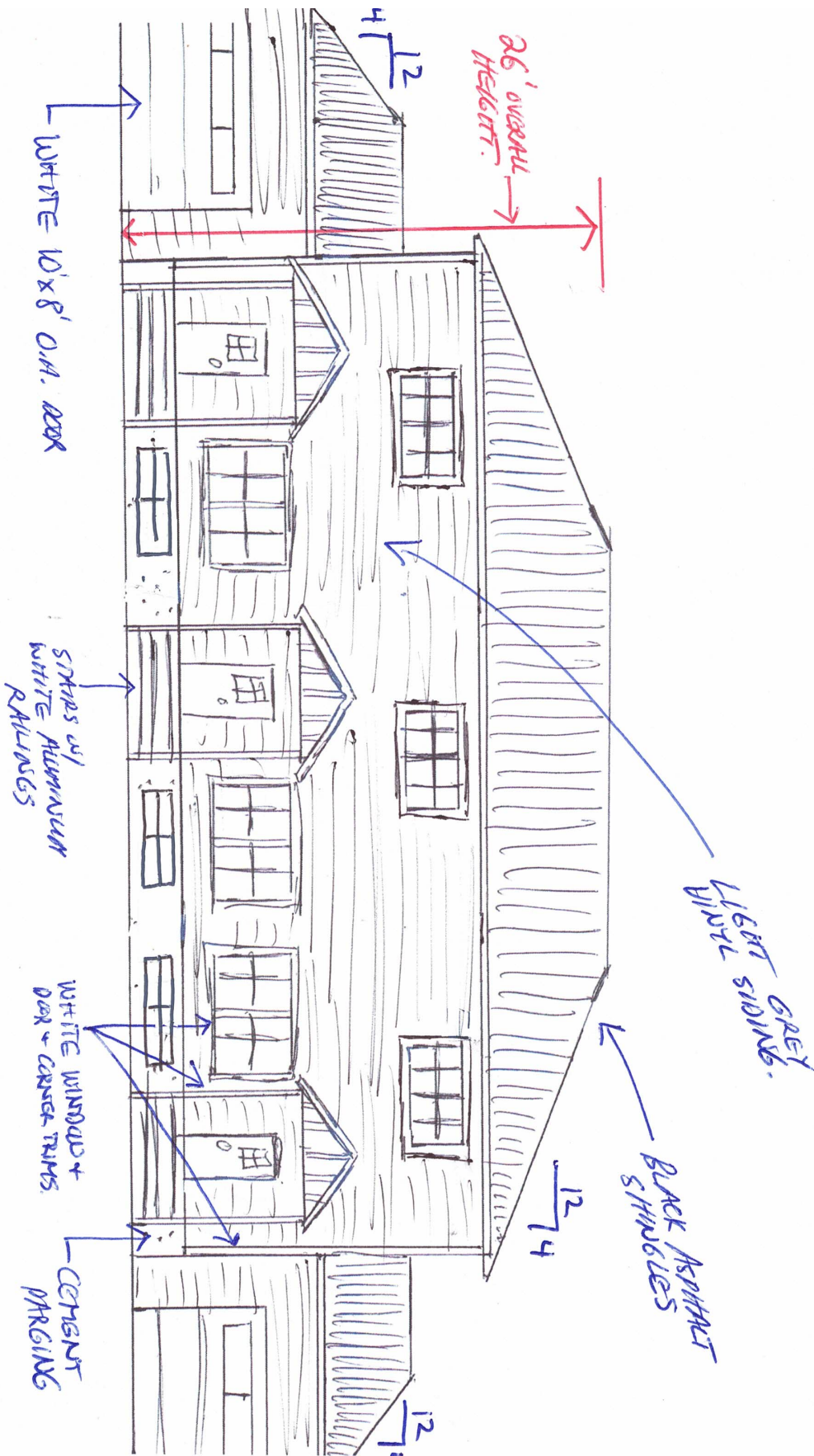
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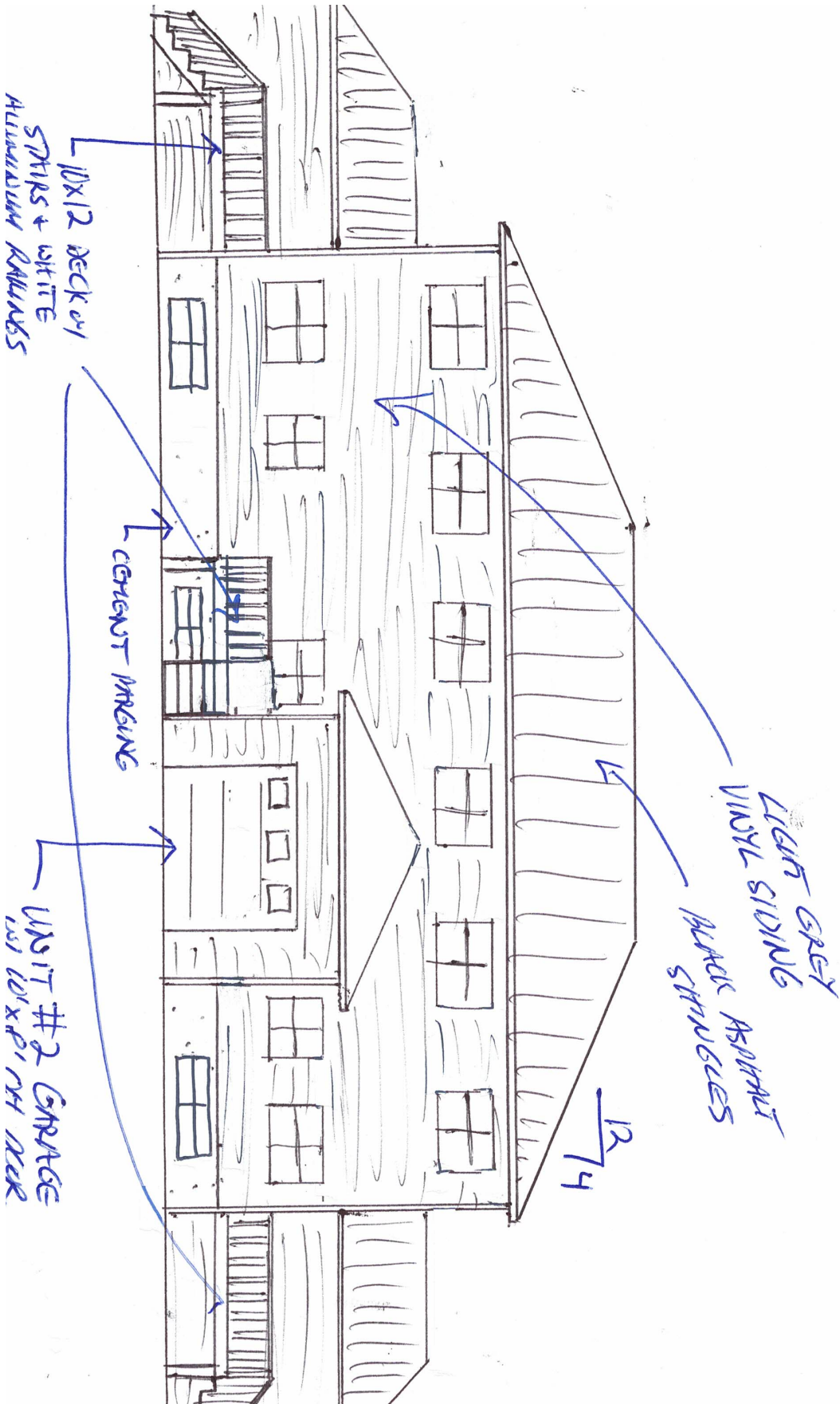
C = OFF STREET PARKING
= 3 SPACES PER UNIT



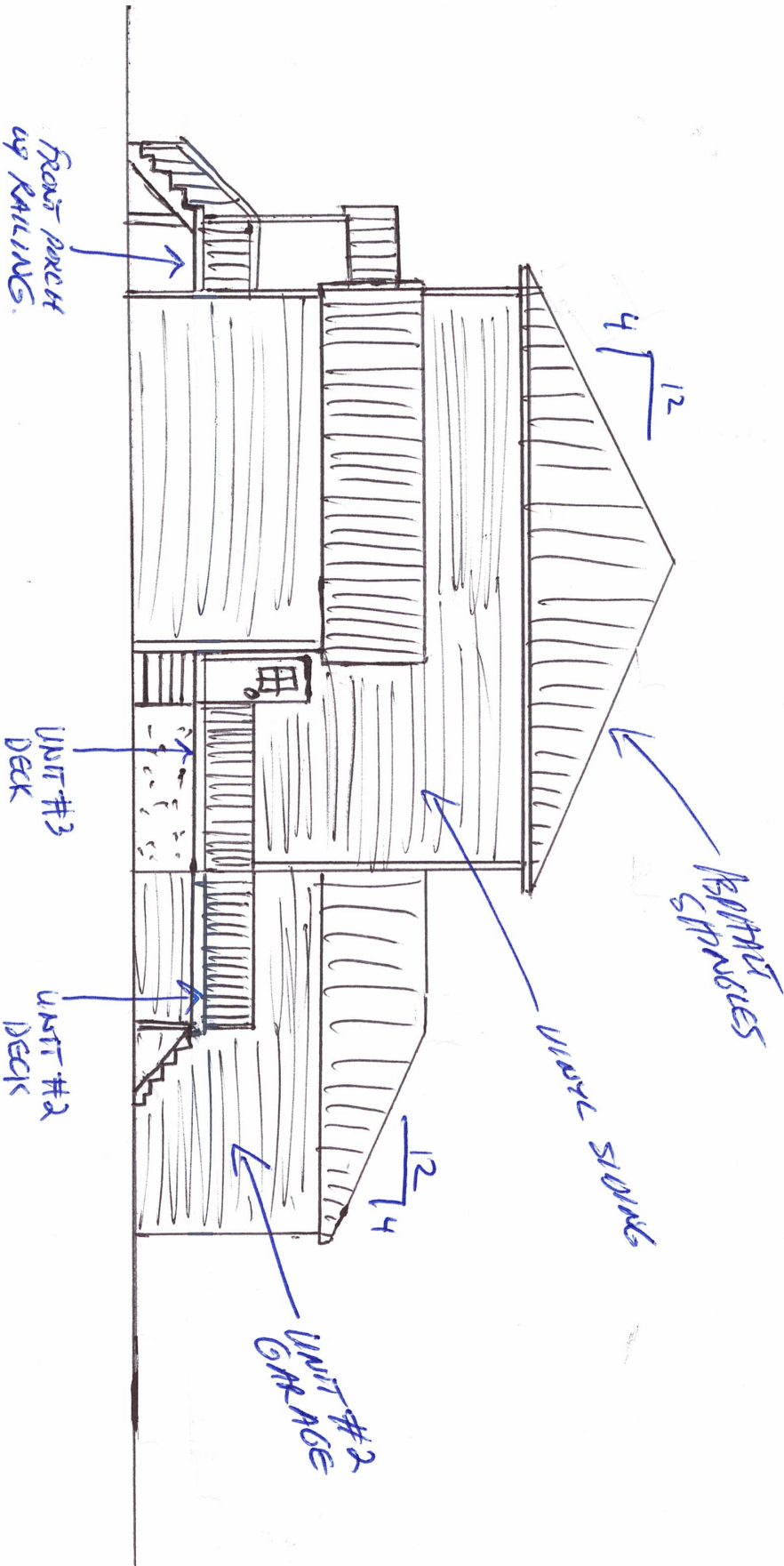
D = FRONT ELEVATION DETAIL



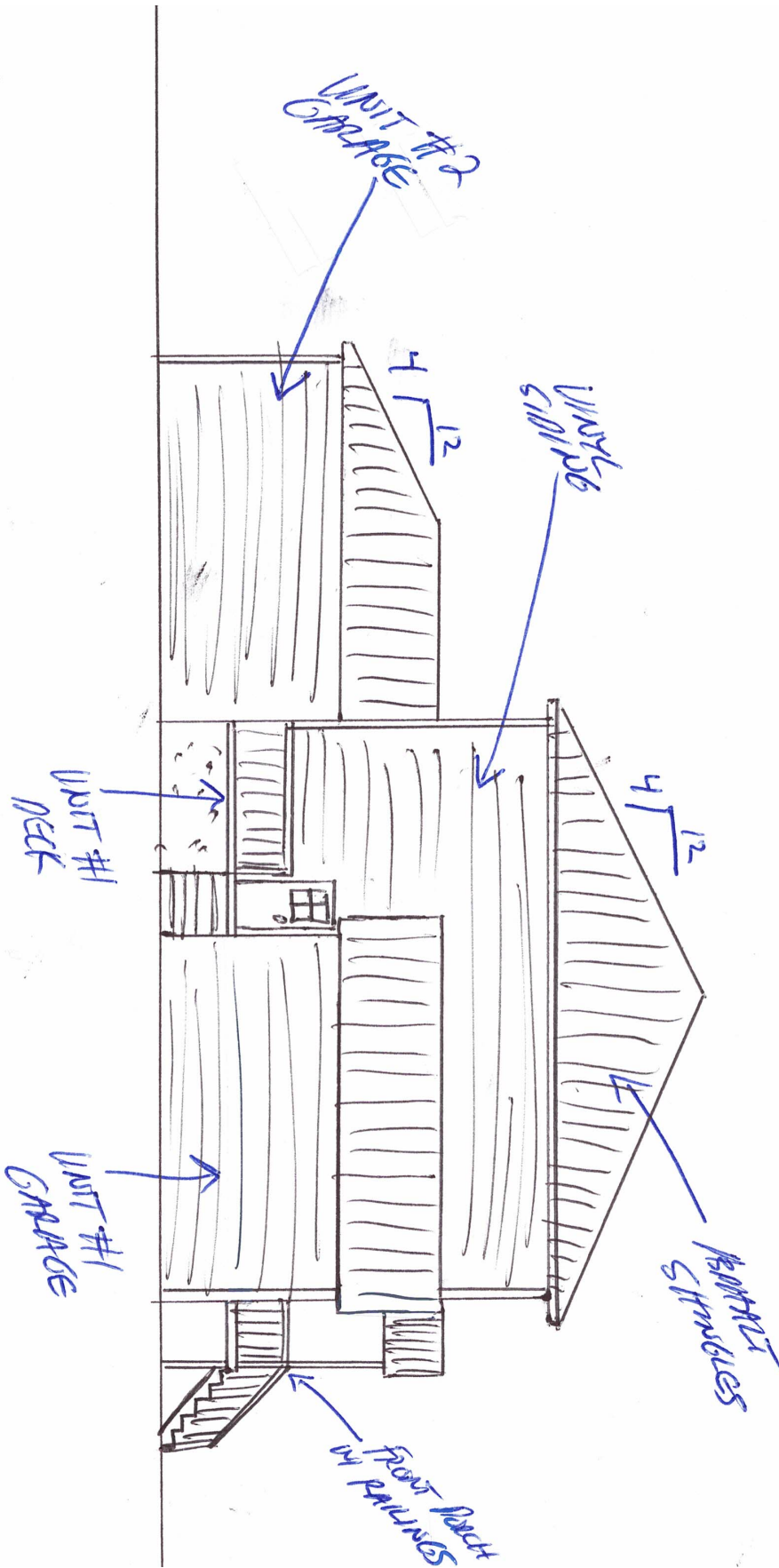
E- REAR ELEVATION DETAIL

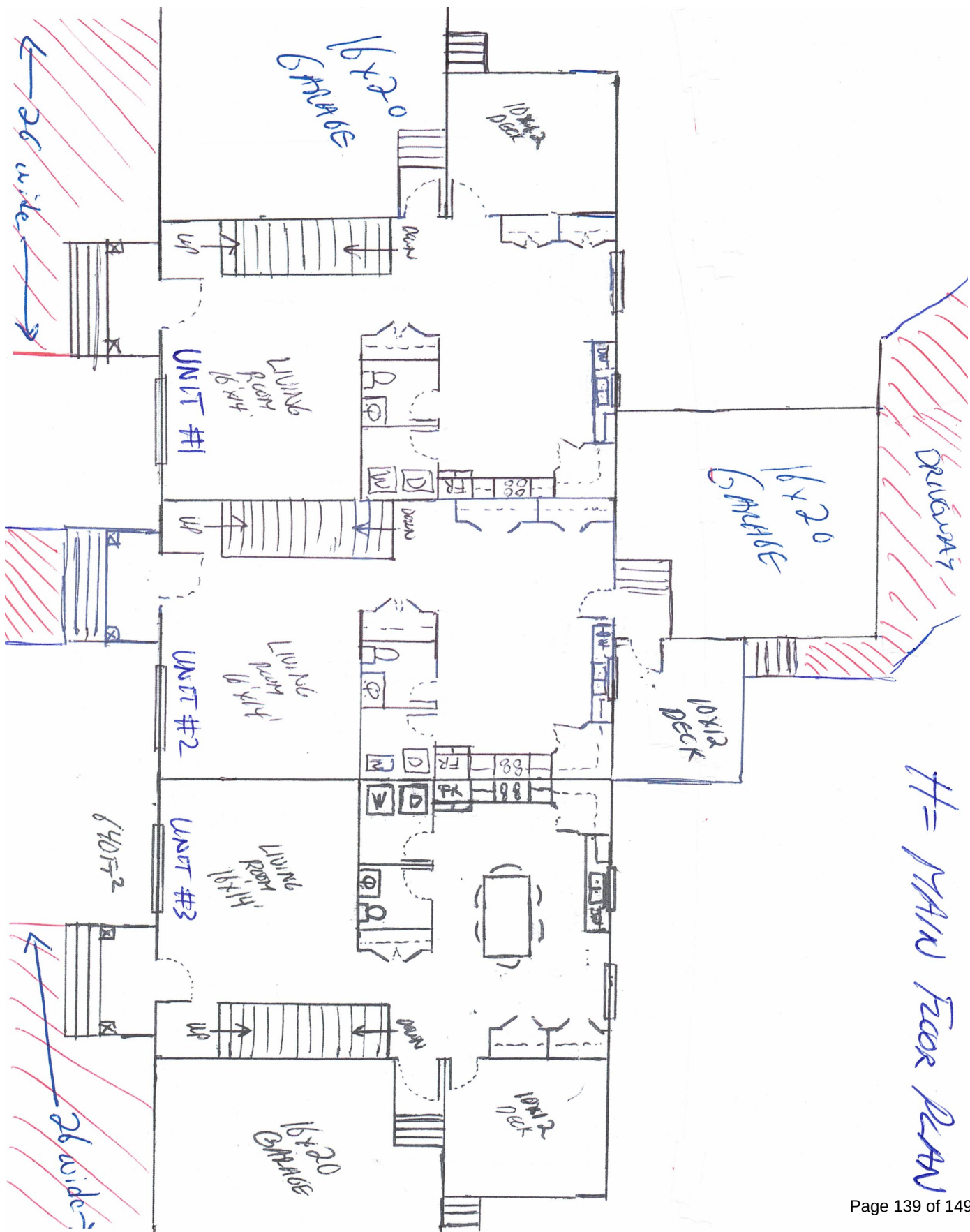


F = RIGHT ELEVATION



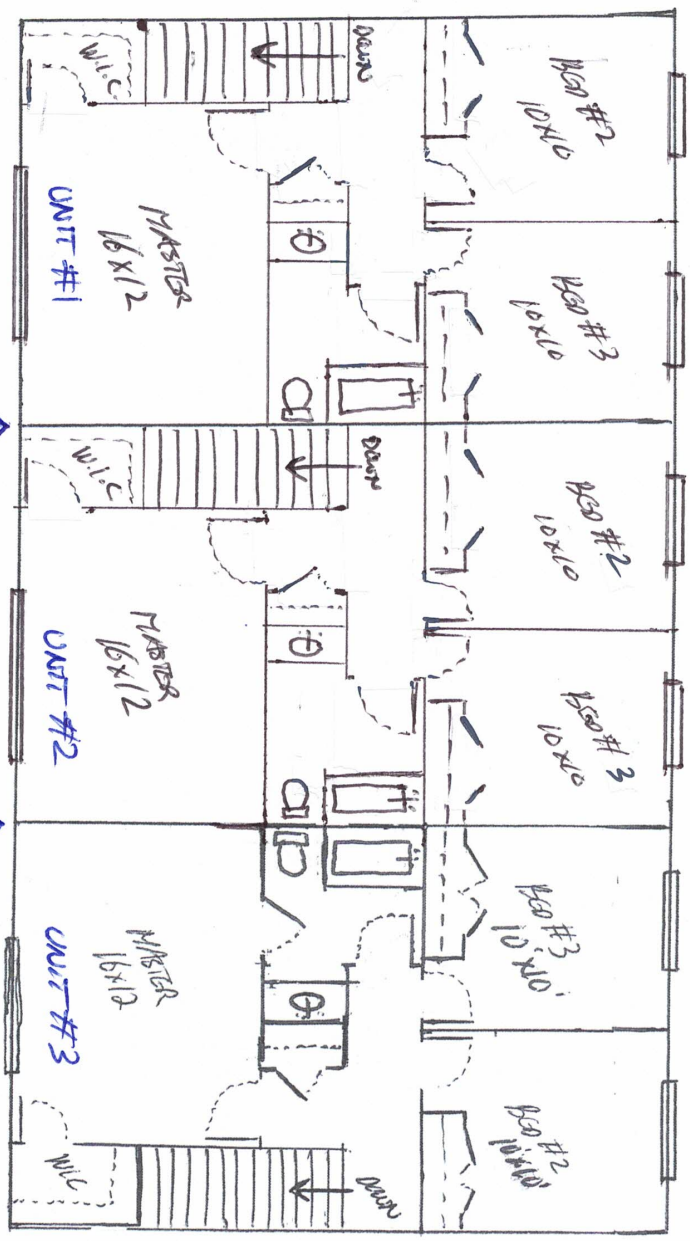
G = LEFT ELEVATION





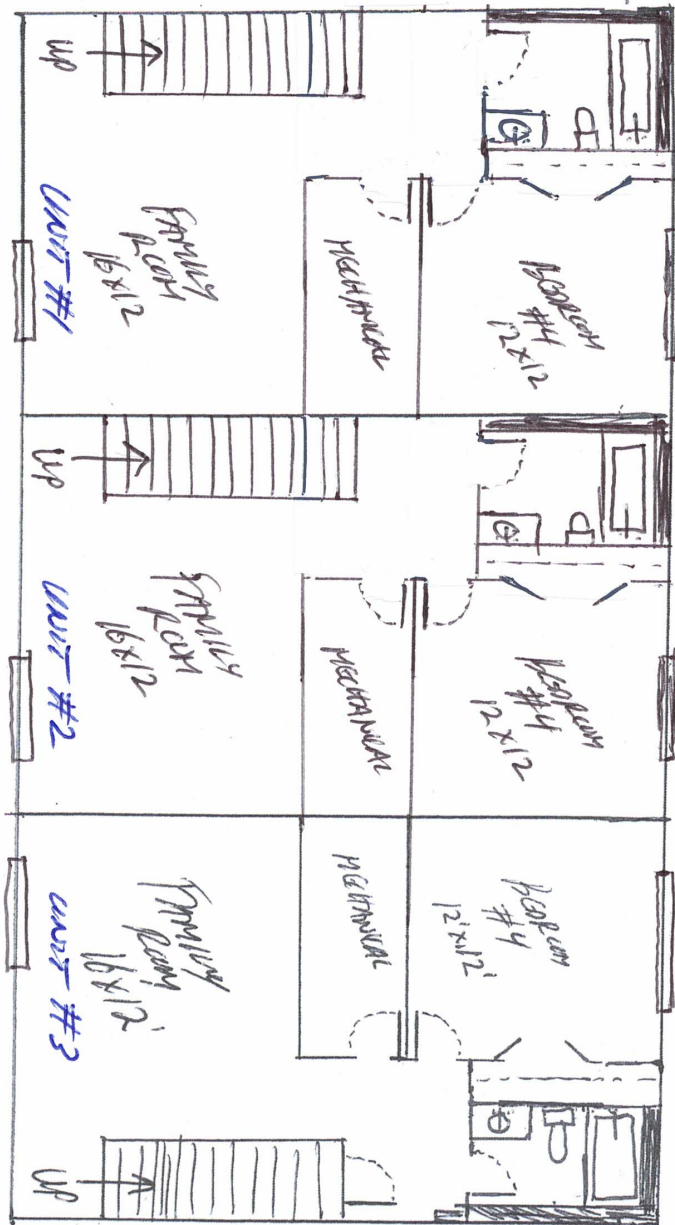
= MAIN Floor Plan

I = 2nd Floor PLAN



★ ALL NECESSARY FIRE/SECURITY PROTECTION AS REQUIRED BY BUILDING CODE IN RESIDENTIAL UNITS

J= BASEMENT PLAN



RESIDENTIAL MULTI-UNIT – R-2



Purpose:

To provide high-quality multi-unit dwelling environments, integrated into either existing or proposed residential neighbourhoods.

1. (A) PERMITTED USES

- Dwellings:
 - Apartment (up to 4 units)
 - Semi-Detached
 - Townhouse (up to 6 units)
- Accessory building, structure or use to an approved permitted use
- Day Home
- Garden Shed
- Home Occupation 1

(B) DISCRETIONARY USES

- Dwellings:
 - Apartment (more than 4 units)
 - Townhouse (more than 6 units)
- Accessory building, structure or use to an approved discretionary use
- Boarding or Lodging House
- Child Care Facility
- Home Occupation 2
- Institutional Facilities and Uses
- Parks and Playgrounds
- Outdoor Recreation and Sport fields
- 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 Containers
- 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
Semi-Detached Dwellings (each side)	10.67	35	33.53	110	357.76	3,850
Apartments	30.48	100	33.53	110	1,021.99	11,000
Townhouses (per unit)						
– interior	7.92	26	33.53	110	265.56	2,860
– end	12.19	40	33.53	110	408.73	4,400
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.
Semi-Detached Dwellings	7.62	25	3.81	12.5	1.52	5	7.62	25
Apartments (4 units or less)	7.62	25	4.57	15	3.05	10	7.62	25
Apartments (5 units or more)	9.14	30	6.10	20	4.57	15	7.62	25
Townhouses	7.62	25	4.57	15	3.05	10	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.

4. MAXIMUM SITE COVERAGE*

*This site coverage applies to applications for semi-detached dwellings and other uses not covered by floor area ratio calculations.

- (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. FLOOR AREA RATIO*

*This site coverage applies to applications for apartments and townhouse dwellings.

- (a) Floor area ratios apply to applications for apartments and townhouse dwellings and are calculated by dividing the net floor area by the gross lot area as follows:

$$\text{Floor Area Ratio} = \frac{\text{net floor area}}{\text{gross lot area}}$$
- (b) Net floor area comprises the gross floor area minus the areas of common corridors, common utility rooms, common rooms, non-habitable basement area or parking facilities within the main structure.
- (c) Wherever outside balcony areas are provided to units above the main floor, the area of those balconies may be added to the gross lot area in determining the floor area ratio of the development.

(d) Maximum floor area ratio for apartments and townhouses:

- One storey – 0.45
- Two or more storeys – 0.70

6. MINIMUM FLOOR AREA

Use	Minimum Floor Area*
Semi-Detached Dwellings	130.1 m ² (1,400 ft ²)
Apartments and Townhouses (per unit)	65 m ² (700 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.

7. MAXIMUM HEIGHT OF BUILDINGS

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

- (a) Buildings with more than three (3) storeys will require additional measures such as sprinkler systems to ensure they meet provincial legislation.

8. 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.

9. 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

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.

10. 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.

11. ARCHITECTURAL CONTROL APPROVAL

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

12. SPECIAL CONSIDERATIONS

The Development Authority, when considering an application for an apartment or townhouse development in an established residential area, shall take into consideration, among the other factors listed in this Bylaw, the following:

- (a) traffic generation and adequacy of street and lane access,
- (b) ease of utility servicing,
- (c) relative proximity to other multiple family dwellings,
- (d) proximity to and amount of open space,
- (e) compatibility of scale and building design with surrounding dwellings and neighbourhood.

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

AGENDA ITEM REPORT



Title: SUB 2021-005 - Approved subdivision of the SE 10-9-20 W4M (Cottonwood Estates) - Developer request - lot line adjustment

Report Type: Request for Decision
Request for Further Direction

Report Author: Spencer Croil

Meeting: Municipal Planning Commission - 09 Jun 2021

Department: Planning

Reviewed by Supervisor/Peer: Spencer Croil

TOPICS:

Planning and Community Development:
Municipal Planning

OBJECTIVE:

The purpose of this report is to present a verbal request the Cottonwood Estates developer has made to the Town.

PREVIOUS COUNCIL DIRECTION:

This matter has appeared before council previously
At the regular meeting of the MPC held on May 12th, 2021, the MPC approved the last phase of Cottonwood Estates, referenced as SUB 2021-005.

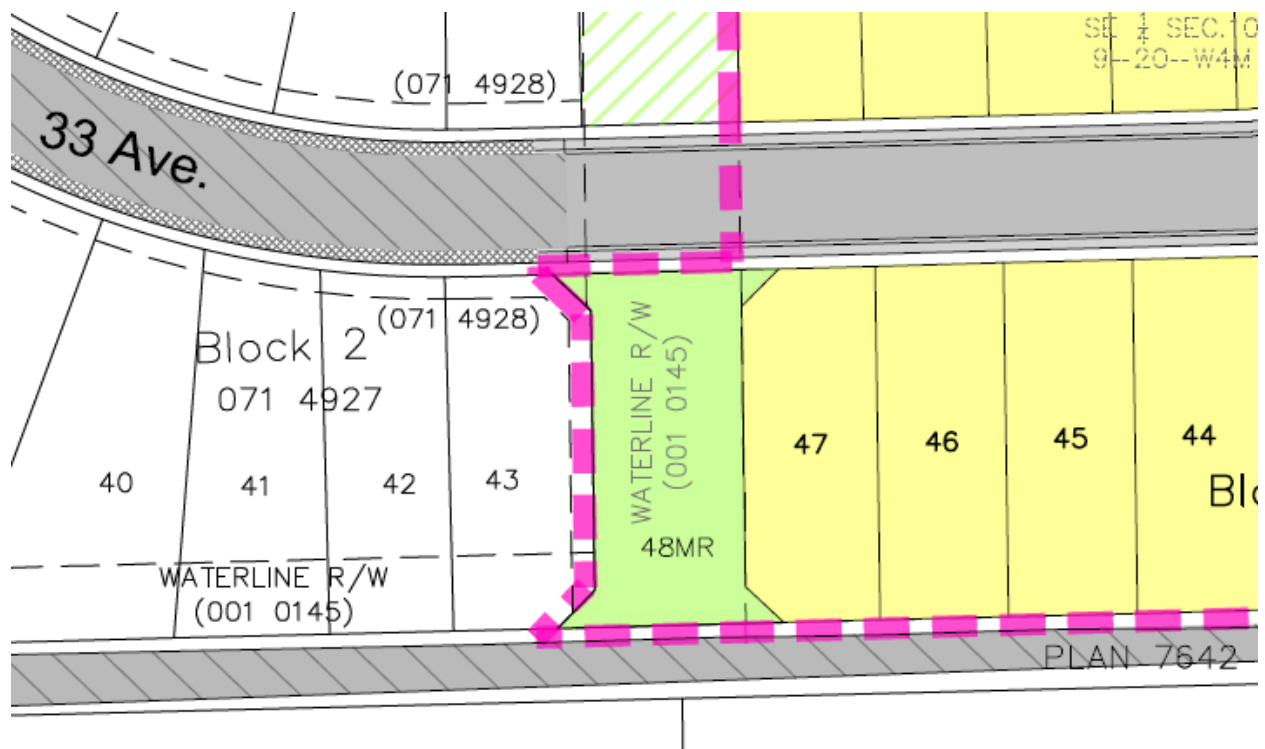
ANALYSIS:

Since the initial approval by the MPC, the developer has spoken with Town staff a number of times regarding a slight adjustment to the plan.

Specifically, the developer has requested that the lot shown as Lot 48MR be adjusted so that the MR portion of the lot is 10 metres in width instead of the current 20 metres in width, and that the remaining 10 metres in width (the east half) be brought into Lot 47 of the last phase of lots for which subdivision approval has been granted.

The imagery contained below provides a brief overview of the lots in question as they are currently shown, and the request that has been made.

Originally approved layout for the area in question



Area shown where the adjustment is being requested



KEY CONSIDERATIONS:

The primary consideration for this request is the amount of MR that has been provided for the Cottonwood Estates neighbourhood since its inception.

The original parcel of land Cottonwood Estates was created from was 60.94 ha (150.6 acres) in size, and the amount of MR that may be required by a municipality is 10% of the original area of a lot to be subdivided. Anything beyond 10% is generally at the discretion of the developer.

In the instance of Cottonwood Estates, the developer has provided 7.23 ha (17.87 acres) of MR, which is an over-dedication of 1.13 ha (2.81 acres) or 4.6%.

The developer has, by way of a separate process, requested a small portion of MR be disposed of from a previous phase, which reduces the over-dedication by 0.015 ha (0.037 ac), leaving the over-dedication at 1.115 ha (2.773 acres).

The area the developer is now requesting to be brought back into Lot 47 represents an estimated 0.05 ha (0.12 acres), which leaves the over-dedication at 1.065 ha (2.63 acres).

FINANCIAL IMPACT:

None
None.

STAKEHOLDER ENGAGEMENT:

Other

The item is being brought directly to the MPC as there is no material impact that has been identified for any adjacent or nearby property owner as a result of this request.

DECISION OPTIONS:

The MPC may wish to

1. Approve the request made by the developer, or
2. Defer a decision and request additional information, or
3. Refuse the request made by the developer.

RECOMMENDATION:

THAT the MPC approve the developer's request.

RATIONALE:

As noted in the key considerations section of this report, the Cottonwood Estates neighbourhood has been provided open space in an amount beyond what the Municipal Government Act (MGA) allows a municipality to require.

STRATEGIC ALIGNMENT WITH COUNCIL STRATEGIC PLAN:



1. Focus on
Community Safety



2. Focus on Livability



3. Focus on Economic
Health



4. Focus on Good
Governance and
Corporate Excellence



5. Focus on
Responsible and
Responsive Growth